

MEMORANDUM

DATE: November 21, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0049-A- Appeal Period Expired

The appeal period for the above-referenced case expired on November 20, 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 *
(2826 Ridge Road)

2nd Election District *

4th Council District

Eleanor M. Pettipaw & David Hardell *
Petitioners *

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2018-0049-A

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Motion for Reconsideration filed by Erik C. Marks with Marks & Associates, LLC. The legal owners of the property, Eleanor M. Pettipaw & David Hardell ("Petitioners") originally filed an Administrative Variance for property located at 2826 Ridge Road. The relief was requested from § 1A01.3.B.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a side yard setback of 30 ft. in lieu of the required 35 ft. for an addition.

By Opinion and Order dated September 8, 2017, the undersigned granted the Administrative Variance request, with conditions, in accordance with the site plan and documentation within the case file.

On September 26, 2017, Mr. Marks filed a request to amend the September 8, 2017 Order, which will be considered a Motion for Reconsideration. Mr. Marks indicated an error was made on the site plan which called for a proposed 30 ft. setback, when in fact, it should have stipulated 15 ft. By correspondence dated October 6, 2017, the undersigned indicated an amended Order would be issued if Petitioners submitted signatures from the owners of 2824, 2828 and 2831 Ridge Road indicating they have no objection to the proposed 15 ft. setback

ORDER RECEIVED FOR FILING

Date 10-20-17

By DW

along the southern boundary. Having received the requested information from Petitioners, I will amend the original Order to reflect this change from 30 ft. to 15 ft.

THEREFORE, IT IS ORDERED this 20th day of **October, 2017**, by the Administrative Law Judge for Baltimore County, that the Motion for Reconsideration, be and is hereby GRANTED, and the original Order shall be amended as follows:

- Variance relief pursuant to § 1A01.3.B.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a side yard setback of 15 ft. in lieu of the required 35 ft. for an addition.

IT IS FURTHER ORDERED that all other terms and conditions of the Order dated September 8, 2017 shall remain in full force and effect.

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

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Date 10-20-17

By dlw



KEVIN KAMENETZ
County Executive

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

October 6, 2017

Erik C. Marks
4531 College Avenue
Ellicott City, Maryland 21043

RE: Petition for Administrative Variance
Case No. 2018-0049-A
Property: 2826 Ridge Road

Dear Mr. Marks:

I am in receipt of your letter dated September 26, 2017 in connection with the above captioned matter. Though not titled as such I will consider the correspondence to be a Motion for Reconsideration of the September 8, 2017 Order in this case.

The Petitioners propose to construct an addition to their home, and the plan you submitted showed a 30 ft. setback along the southern boundary, in lieu of the 50 ft. required in the RC-2 zone. You indicated this was in error and that the proposed setback is in fact 15 ft.

I am willing to issue an amended Order, but will do so only if you submit to this office on or before October 19, 2017 signatures from the owners of 2824, 2828 & 2831 Ridge Road indicating they have no objection to the proposed 15 ft. setback along the southern boundary.

Sincerely,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slm
Enclosure

c: Eleanor Pettipaw & David Hardell, 2826 Ridge Road, Windsor Mill, MD 21244
Ronald and Nancy Wallace, 2828 Ridge Road, Windsor Mill, MD 21244
Dawn and David Dressler, 2831 Ridge Road, Windsor Mill, MD 21244
Michele and Steve Ruppert, 2824 Ridge Road, Windsor Mill, MD 21244

IN RE: PETITION FOR ADMIN. VARIANCE *
(2826 Ridge Road)
2nd Election District *
4th Council District *
Eleanor M. Pettipaw & David Hardell *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2018-0049-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Eleanor M. Pettipaw & David Hardell ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 1A01.3.B.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a side yard setback of 30 ft. in lieu of the required 35 ft. for an addition. 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. A ZAC comment was received from the Department of Environmental Protection and Sustainability ("DEPS"), dated August 24, 2017, indicating that Ground Water Management must review any proposed building permit(s) for an addition. It is to be noted that a signed petition was received from adjacent property owners Ronald and Nancy Wallace (2828 Ridge Road), Dawn and David Dressler (2831 Ridge Road), and Michele and Steve Ruppert (2824 Ridge Road), all of whom indicated their support of Petitioners' zoning request.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 18, 2017, and there being no request for a public hearing, a

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Date 9-8-17

By DW

decision shall be rendered based upon the documentation presented.

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

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

THEREFORE, IT IS ORDERED, this 8th day of **September, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1A01.3.B.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a side yard setback of 30 ft. in lieu of the required 35 ft. for an addition, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
- Petitioners must comply with the ZAC comment from DEPS dated August 24, 2017; a copy of which is attached hereto and made a part hereof.

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Date 9-8-17

By kw

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

JEB:dlw



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 9-8-17

By law



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 2826 Ridge Road Windsor Mill, MD 21244 Currently zoned RC-2
 Deed Reference 29591 100296 10 Digit Tax Account # 0213750210
 Owner(s) Printed Name(s) Eleanor M. Pettipaw David J. Hardell

(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) 1A01.3.B.2; BC2R, TO PERMIT A SIDE YARD SETBACK OF 30ft. IN LIEU OF THE REQUIRED 35 ft. FOR AN ADDITION of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

- ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

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):

Eleanor Pettipaw, David Hardell
 Name #1 – Type or Print Name #2 – Type or Print
Eleanor M. Pettipaw, David J. Hardell
 Signature #1 Signature #2
2826 Ridge Rd. Windsor Mill, MD
 Mailing Address City State
21244, 443-745-3487, stemgirl564@gmail.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:

Eleanor M. Pettipaw
 Name – Type or Print
Eleanor M. Pettipaw
 Signature
2826 Ridge Rd. Windsor Mill, MD
 Mailing Address City State
21244, 443 745 3487, stemgirl564@gmail.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 2018-0049-A Filing Date 8/11/17 Estimated Posting Date 8/29/17 Reviewer JCM

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: 2826 Ridge Road Windsor Mill Maryland 21244
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 Resident/Owner request a variance of RC-2 zoning to allow an addition to the original footprint on the south side of residence for the purpose of a growing family. The location drawing CLEARLY shows that the south side of the residence is the only practical placement for the addition, since it has no impact the neighboring residence or property, and seems to be the only feasible placement for the addition, which will measure approximately 20' x 20'. The north side of residence houses the kitchen plumbing and stairs to the second level. The east side of residence faces the road and is too close to the 75' setback. The west side of residence houses the deck. Thus, the only feasible placement for the addition is to the south side of residence.

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

Eleanor M Pettipaw
Signature of Owner (Affiant)

Eleanor M Pettipaw
Name- Print or Type 8/4/2017

Dave Hardell
Signature of Owner (Affiant)

Dave Hardell
Name- Print or Type 8/4/2017

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 4th day of August, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

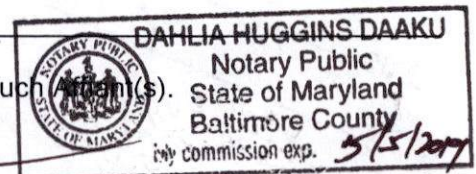
Print name(s) here: Dahlia Huggins Daaku

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

AS WITNESS my hand and Notaries Seal

Notary Public

5/5/2019
My Commission Expires



Affidavit in Support of Administrative Variance

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

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

Address: 2826 Ridge Road Windsor Mill Maryland 21244
Print or Type Address of property City State Zip Code

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The Resident/Owner request a variance of RC-2 zoning to allow an addition to the original footprint on the south side of residence for the purpose of a growing family. The location drawing CLEARLY shows that the south side of the residence is the only practical placement for the addition, since it has no impact the neighboring residence or property, and seems to be the only feasible placement for the addition, which will measure approximately 20' x 20'. The north side of residence houses the kitchen plumbing and stairs to the second level. The east side of residence faces the road and is too close to the 75' setback. The west side of residence houses the deck. Thus, the only feasible placement for the addition is to the south side of residence.

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

Eleanor M Pettipaw
Signature of Owner (Affiant)

Eleanor M Pettipaw
Name- Print or Type
8/4/2017

Dave Harjell
Signature of Owner (Affiant)

Dave Harjell
Name- Print or Type
8/4/2017

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

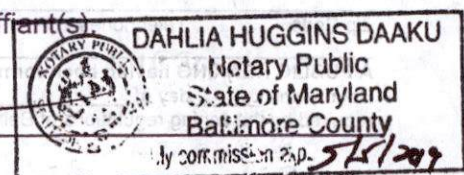
I HEREBY CERTIFY, this 4th day of August, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Dahlia DAAKU

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

AS WITNESS my hand and Notaries Seal

Dahlia
Notary Public
5/5/2019
My Commission Expires





ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING
To be filed with the Department of Permits, Approvals and Inspections

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

Address 2826 Ridge Road Windsor Mill, MD 21244 Currently zoned RC-2
Deed Reference 29591 1 00296 10 Digit Tax Account # 0213750210
Owner(s) Printed Name(s) Eleanor M. Pettipaw David J. Hardell

(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) 10A1.3.B.2; BCZR, TO PERMIT
A SIDE YARD SETBACK OF 30ft. IN LIEU OF THE REQUIRED
35 ft. FOR AN ADDITION
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):

Eleanor Pettipaw, David Hardell
Name #1 – Type or Print Name #2 – Type or Print
Eleanor M. Pettipaw, David J. Hardell
Signature #1 Signature #2

2826 Ridge Rd Windsor Mill, MD
Mailing Address City State
21244, 443-745-3487, stengir1564@gmail.com
Zip Code Telephone # Email Address

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

ORDER RECEIVED FOR FILING
9-8-17
Name- Type or Print
Signature
Date
Mailing Address City State
BY
Zip Code Telephone # Email Address

Representative to be contacted:

Eleanor M. Pettipaw
Name – Type or Print
Eleanor M. Pettipaw
Signature
2826 Ridge Rd. Windsor Mill, MD
Mailing Address City State
21244, 443-745-3487, stengir1564@gmail.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 8 day of August, 2017, 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 2018-0049-A Filing Date 8/11/17 Estimated Posting Date 8/29/17 Reviewer JCM

VARIANCE

July 26, 2017

PART A

ZONING PROPERTY DESCRIPTION FOR 2826 RIDGE ROAD

Beginning for a point on the west side of Ridge Road which has a 30 foot wide prescriptive right-of-way at a distance of 3,240 south of the centerline of the nearest improved intersecting street (Old Court Road) which has a 30 foot wide prescriptive right-of-way.

PART B

METES AND BOUNDS PROPERTY DESCRIPTION

Thence the following courses and distances:

N 04-54-00 W 164.46', S 84-06-00 W. 214.80', N 04-54-00 W. 224.90', N 85-26-30 W. 568.27', S 29-19-19 W 166.17', S 73-14-00 E 935.30', TO THE POINT OF BEGINNING, as recorded in Deed Liber 35223, folio 231, containing 3.874 acres .
Located in the 2nd Election District and 4th Council District.
Baltimore County, Maryland.

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 8/20/2017

Case Number: 2018-0049-A

Petitioner / Developer: ELEANOR PETTIPAW

Date of Hearing (Closing): SEPTEMBER 4, 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:
2826 RIDGE ROAD

The sign(s) were posted on: AUGUST 18, 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 2018- 0049 -A Address 2826 RIDGE Rd.

Contact Person: J. MERREY Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/11/17 Posting Date: 8/20 Closing Date: 9/4

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 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 a neighbor (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 Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written 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 Administrative Law Judge), 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- 0049 -A Address 2826 RIDGE Rd.
Petitioner's Name ELEANOR PETTIPAW Telephone 443-745-3487
Posting Date: 8/20/17 Closing Date: 9/4/17
Wording for Sign: To Permit A SIDEYARD SETBACK OF 30ft.
IN LIEU of THE REQUIRED 35ft. for an
ADDITION.

Revised 6/30/2018

**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: 298-0049-A
Property Address: 2826 Ridge Rd. Windsor Mill, MD 21244
Property Description: approx. 4 acres 3 level single family house with deck attached
Legal Owners (Petitioners): Eleanor M. Pettipaw / David J. Hardoll
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Eleanor M. Pettipaw
Company/Firm (if applicable): _____
Address: 2826 Ridge Road
Windsor Mill, MD 21244

Telephone Number: 443-745-3487

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

NO 157164

Date: 8/11/17

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

Total: 75.00

Rec From: ELEANOR PETTIPAW

For: 2018-0049-A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DAY
8/14/2017 8/11/2017 09:17:40 5
REG MSGS WALKIN LRS
>>RECEIPT # 912033 8/11/2017 DFLH
Dept 5 528 ZONING VERIFICATION
CE NO. 157164
Receipt Tot \$75.00
\$75.00 CK \$75.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

September 6, 2017

Eleanor M Pettipaw
David J Hardell
2826 Ridge Road
Windsor Mill MD 21244

RE: Case Number: 2018-0049 A, Address: 2826 Ridge Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 11, 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.", written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

9-4

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 24, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0049-A
Address 2826 Ridge Road
(Pettipaw & Hardell Property)

Zoning Advisory Committee Meeting of **August 21, 2017**.

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

1. Ground Water Management must review any proposed building permit(s) for an addition, since the site is served by well and septic. Also, the existing well is apparently very close to the proposed location for the addition.

Reviewer: Dan Esser Date: 8/24/17

Date: 8/14/17

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

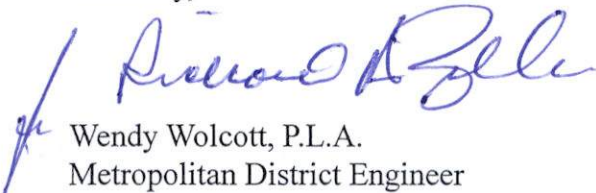
Dear Ms. Lewis:

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. 2018-0049-A

*Administrative Variance
Eleanor Pettipaw & David Harbell
2826 Ridge 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 24, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0049-A
Address 2826 Ridge Road
(Pettipaw & Hardell Property)

Zoning Advisory Committee Meeting of **August 21, 2017**.

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

1. Ground Water Management must review any proposed building permit(s) for an addition, since the site is served by well and septic. Also, the existing well is apparently very close to the proposed location for the addition.

Reviewer: Dan Esser

Date: 8/24/17

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 24, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0049-A
Address 2826 Ridge Road
(Pettipaw & Hardell Property)

Zoning Advisory Committee Meeting of **August 21, 2017**.

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

1. Ground Water Management must review any proposed building permit(s) for an addition, since the site is served by well and septic. Also, the existing well is apparently very close to the proposed location for the addition.

Reviewer: Dan Esser

Date: 8/24/17

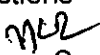
ORDER RECEIVED FOR FILING

Date 9-8-17

By lwj

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections
DATE: August 23, 2017

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 21, 2017
Item No. 2018-0043-A, 0044-A, 0045-A, 0046-SPHA, 0049-A and 0051-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comments.

* * * * *

VKD:CEN
cc:file

October 16, 2017

John E. Beverungen

Administrative Law Judge for Baltimore County

105 West Chesapeake Avenue, Suite 103

Towson, MD 21204



RE: Case No: 2018-0049-A

Judge Beverungen,

This letter accompanies requested signatures from owners of 2824, 2828 & 2831 Ridge Road, Windsor Mill, MD indicating that they have no objection to the proposed 15 ft. setback along the southern boundary of 2826 Ridge Road. Thank you in advance for expediting this Administrative Variance.

 + 
Eleanor Pettipaw & David Hardell

2826 Ridge Road

Windsor Mill, MD 21244



KEVIN KAMENETZ
County Executive

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

October 6, 2017

Erik C. Marks
4531 College Avenue
Ellicott City, Maryland 21043

RE: Petition for Administrative Variance
Case No. 2018-0049-A
Property: 2826 Ridge Road

Dear Mr. Marks:

I am in receipt of your letter dated September 26, 2017 in connection with the above captioned matter. Though not titled as such I will consider the correspondence to be a Motion for Reconsideration of the September 8, 2017 Order in this case.

The Petitioners propose to construct an addition to their home, and the plan you submitted showed a 30 ft. setback along the southern boundary, in lieu of the 50 ft. required in the RC-2 zone. You indicated this was in error and that the proposed setback is in fact 15 ft.

I am willing to issue an amended Order, but will do so only if you submit to this office on or before October 19, 2017 signatures from the owners of 2824, 2828 & 2831 Ridge Road indicating they have no objection to the proposed 15 ft. setback along the southern boundary.

Sincerely,

A handwritten signature in dark ink, appearing to read "JEB", is written over the typed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Eleanor Pettipaw & David Hardell, 2826 Ridge Road, Windsor Mill, MD 21244
Ronald and Nancy Wallace, 2828 Ridge Road, Windsor Mill, MD 21244
Dawn and David Dressler, 2831 Ridge Road, Windsor Mill, MD 21244
Michele and Steve Ruppert, 2824 Ridge Road, Windsor Mill, MD 21244

Office of Administrative Hearings

105 West Chesapeake Avenue, Suite 103 | Towson, Maryland 21204 | Phone 410-887-3868 | Fax 410-887-3468

www.baltimorecountymd.gov

Approval for Addition to 2826 Ridge Road, Windsor Mill, MD 21244

Addition to 2826 Ridge Road, Windsor Mill, MD 21244	A 24' X 20' structure to be added to existing footprint on south side of residence, with a 15' setback.
Action petitioned for	We, the undersigned, hereby accept and approve for the called for addition to 2826 Ridge Road, Windsor Mill, MD 21244

[illegible]

Debra Wiley

From: Eleanor Pettipaw <stemgirl564@gmail.com>
Sent: Monday, October 16, 2017 11:39 AM
To: Administrative Hearings
Subject: RE: Case No: 2018-0049-A
Attachments: October 16.docx; IMG_20171016_0001.pdf; IMG_20171016_0002.pdf

Judge John E. Beverungen:



October 16, 2017

John E. Beverungen

Administrative Law Judge for Baltimore County

105 West Chesapeake Avenue, Suite 103

Towson, MD 21204

RE: Case No: 2018-0049-A

Judge Beverungen,

This letter accompanies requested signatures from owners of 2824, 2828 & 2831 Ridge Road, Windsor Mill, MD indicating that they have no objection to the proposed 15 ft. setback along the southern boundary of 2826 Ridge Road. Thank you in advance for expediting this Administrative Variance.

Eleanor Pettipaw & David Hardell

2826 Ridge Road

Windsor Mill, MD 21244

6

• •

[illegible]

MARKS & ASSOCIATES L.L.C.
LAND SURVEYING, ENGINEERING & LAND PLANNING

Tel (410) 747-8738
Fax (410) 747-8547
E-mail: marks.aa@comcast.net

4531 College Avenue
Ellicott City, Maryland 21043



September 26, 2017

John E. Beverungen
Administrative Law Judge for Baltimore County
105 West Chesapeake Avenue
Towson, Maryland 21204

Re: Appeal to Opinion and Order for Administrative Variance
Case No. 2018-0049-A
Property: 2826 Ridge Road

Dear Mr. Beverungen,

Let me first thank you for granting my clients, Ms. Pettipaw and Mr. Hardell the variance so they could erect an addition to their house. My name is Erik Marks and I prepared the exhibit for your and the board's review. Most regrettably I made a critical error on the plan and called for a proposed 30 foot setback, which you approved, when I should have stipulated a 15' foot setback.

I believe the impact of being 15' closer to the property line on the south side would not create any distress to their neighbor. I have enclosed a photo indicating no house is located close to the area where they hope to build the addition.

If you need anymore information or clarification please feel free to contact me.
Thank You for your consideration in this matter.

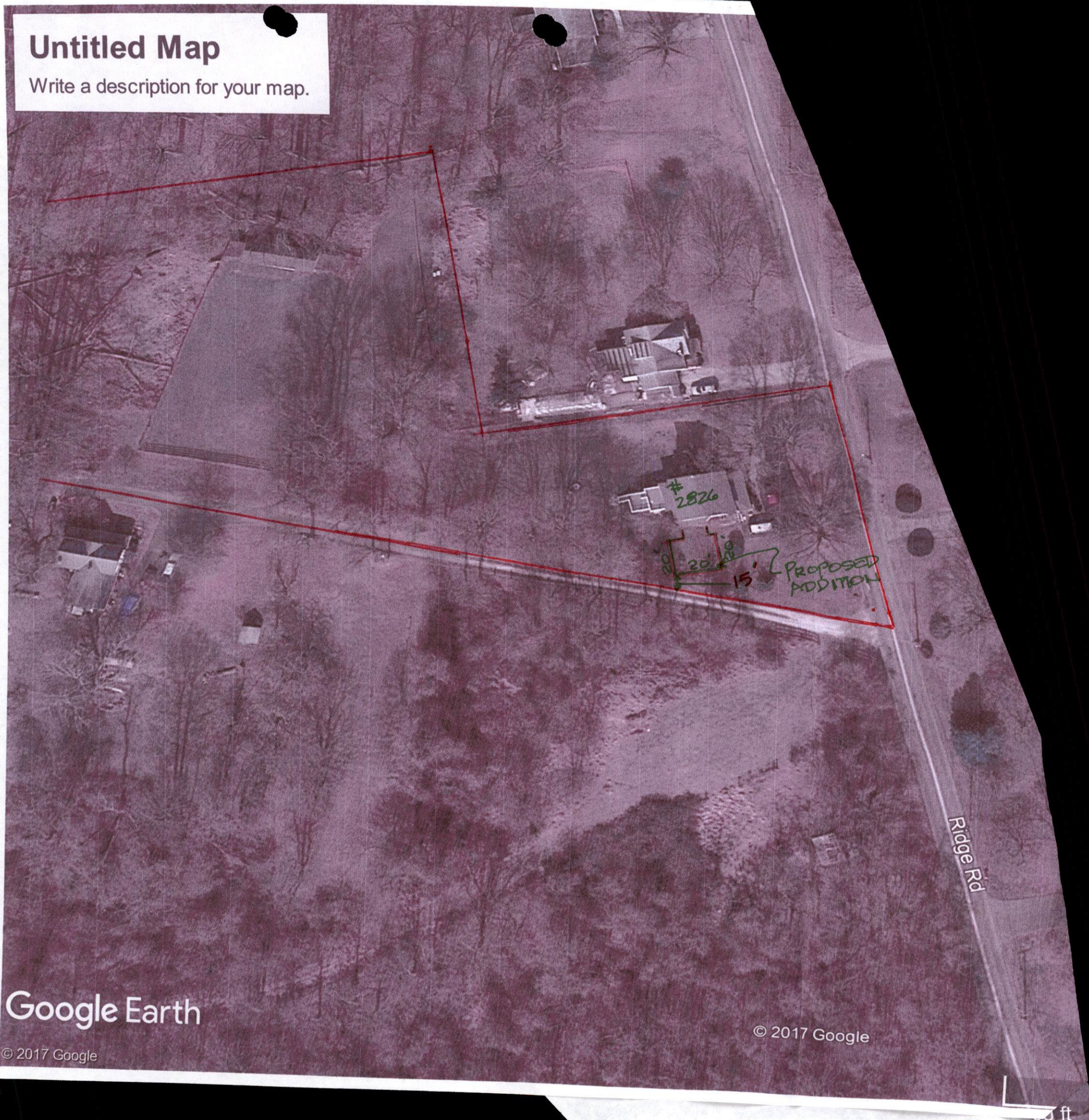
Cordially Yours,

Erik C. Marks R.L.P.S.

Enclosure: Aerial photo, copy of
exhibit

Untitled Map

Write a description for your map.



Google Earth

© 2017 Google

© 2017 Google

30 ft

Untitled Map

With a double click for your map

Legend

Google

Community Support

Proposed Building	The owners of 2826 Ridge Road, Windsor Mill, 21244 are informing the undersigned residents of the community about the proposed plan to build an addition (measuring 20' X 24') to the southern side of the residence located at 2826 Ridge Road in Windsor Mill, MD.
Support for Action	We, the undersigned, wish to support the building of an addition to the above-mentioned property.

[illegible]



GRASS AREA OF PROPOSED
ADDITION

RIDGE ROAD
DRIVEWAY

A photograph showing a grassy area next to a house roof. The grass is green and somewhat uneven. In the background, there are dense green bushes and trees. Two black circular marks are visible at the top of the image, possibly from punch holes. Handwritten text in black ink is overlaid on the image. The text 'GRASS AREA OF PROPOSED ADDITION' is written across the middle of the grassy area. The text 'OWNER'S HOUSE ROOF OVER BAY' is written on the roof surface, which is covered in grey asphalt shingles.

GRASS AREA OF
PROPOSED ADDITION

OWNER'S
HOUSE
ROOF
OVER
BAY



PROPOSED AREA OF
ADDITION



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>8-14</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>8-24</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>8-14</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection.</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS <u>(3)</u>	<u>Supports</u>
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>8-18-17</u> by <u>O'Keefe</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

6049-11

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 02 Account Number - 0213750210			
Owner Information					
Owner Name:		PETTIPAW ELEANOR M HARDELL DAVID		Use:	RESIDENTIAL
Mailing Address:		2826 RIDGE RD BALTIMORE MD 21244-1042		Principal Residence:	YES
				Deed Reference:	/35223/ 00231
Location & Structure Information					
Premises Address:		2826 RIDGE RD BALTIMORE 21244-1042		Legal Description:	3.939 AC 2826 RIDGE RD WS E OLD COURT RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0087	0002	0021		0000	
				Block:	Lot:
				Assessment Year:	Plat No:
				2016	Plat Ref:
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1924	1,978 SF		3.9300 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2 1/2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	Last Major Renovation
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2016	07/01/2017	07/01/2018
Land:		82,300	82,300		
Improvements		44,400	225,300		
Total:		126,700	307,600	247,300	307,600
Preferential Land:		0			0
Transfer Information					
Seller: SEIGART DENISE M		Date: 08/04/2014		Price: \$319,900	
Type: ARMS LENGTH IMPROVED		Deed1: /35223/ 00231		Deed2:	
Seller: ROMAN RAYMOND		Date: 06/18/2010		Price: \$280,000	
Type: ARMS LENGTH IMPROVED		Deed1: /29591/ 00296		Deed2:	
Seller: RAYMOND C R INVESTMENT		Date: 04/04/2008		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /26856/ 00049		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 02/10/2015					

ZAC AGENDA

Case Number: 2018-0049-A

Primary Use: RESIDENTIAL

Reviewer: Merrey Joseph

Type: ADMISTRATIVE VARIANCE

Legal Owner: Eleanor Pettipaw & David Hardell

Contract Purchaser

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

Property Address: 2826 Ridge ROAD

Location: W/S of Ridge Road, 3,250 ft. +/- S of the centerline of Old Court Road

Existing Zoning: RC 2

Area: 3.874 acres +/-

Proposed Zoning: ADMISTRATIVE VARIANCE:

To permit a side yard setback of 30 ft. in lieu of the required 35 ft. for an addition.

Attorney:

Prior Zoning Cases:

Concurrent Cases:

Violation Cases:

Closing Date: 9/4/2017 12:00:00AM

Miscellaneous:

Pt. Bk./Folio # MP00117
PAI # 0206

0218351080

2900

0211890071

0222450060

1974-0288-A

0219711200

2842

RC 6

1974-0110-A

0213855310

0207460011

2836

0207460010

0204650190

0211890072

087A1 4 CD
2 ED RC 2
NW 5-I

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

0215770020

0213750210

2828

2826

2824

1600006243

PAI # 020759
Pt. Bk./Folio # MP10007

PAI # 020759
PAI # 020759

PAI # 020759

0221070000
PAI # 020759

Pt. Bk./Folio # MP00117
PAI # 02062

0218351080

2900

0211890071

0222450060

1974-0288-A

0219711200

2842

RC 6

1974-0110-A

0213855310

0207460011

2836

0207460010

0204650190

4 CD

087A1

RC 2

2 ED

NW 5-I

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

0211890072

0215770020

0213750210

2828

2826

2824

1600006243

PAI # 020759
Pt. Bk./Folio # MP10007

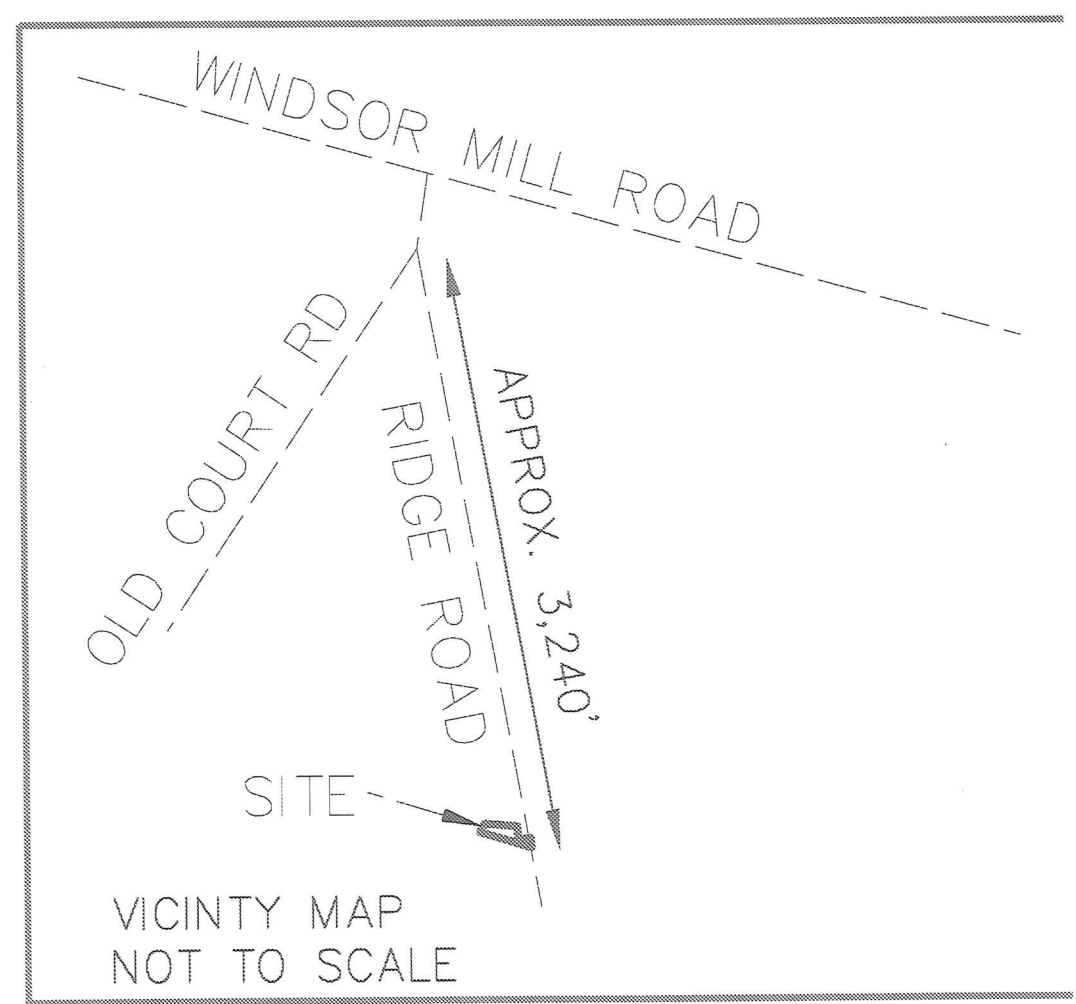
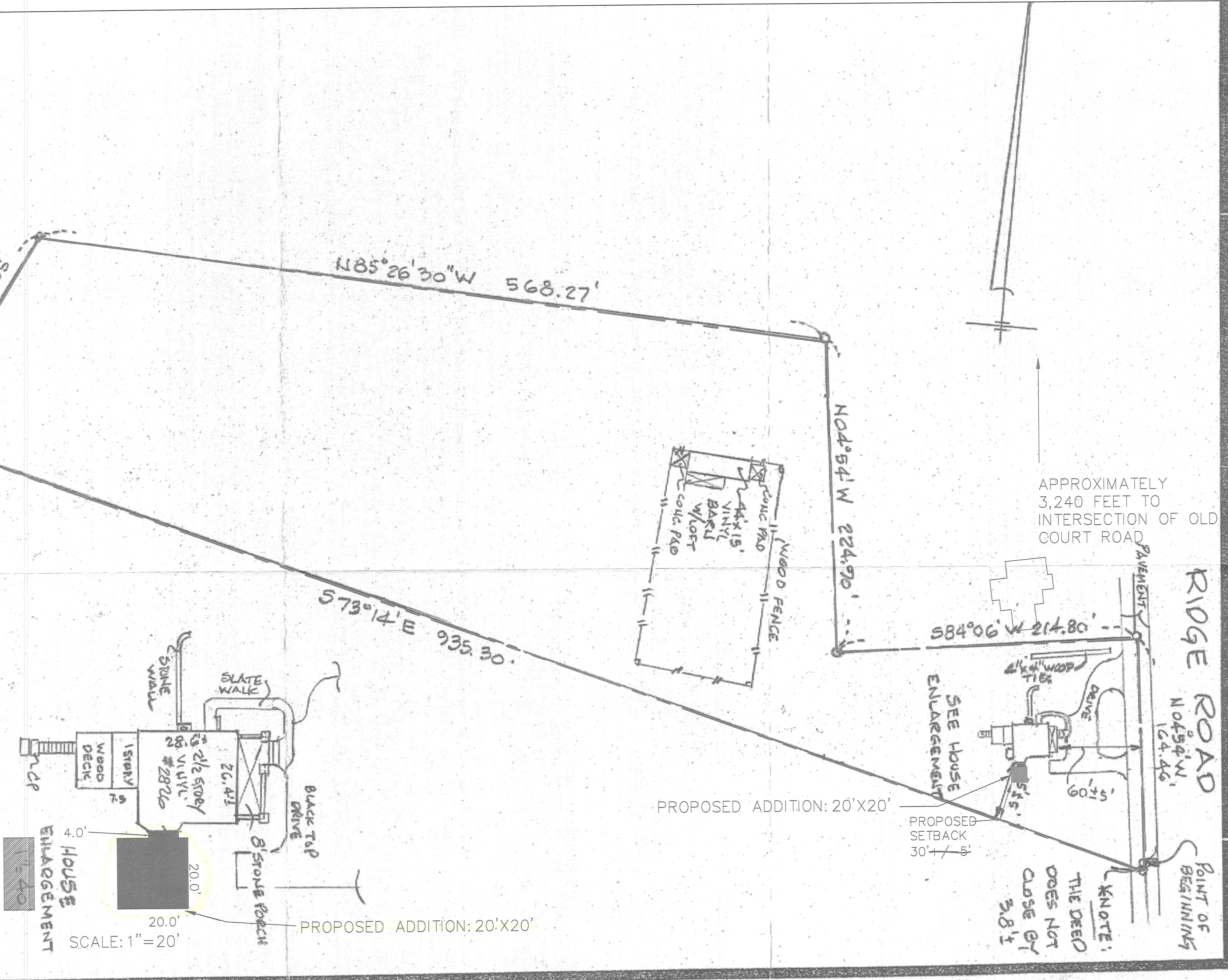
PAI # 020759
PAI # 020759

020759
PAI # 020759

PAI # 020759

A PROFESSIONAL SURVEY
IS RECOMMENDED
Benefit to a consumer only insofar as it is required by a
the insurance company or its agent in connection with
transfer, financing or refinancing. The plat is not to be relied
establishment or location of fences, garages, buildings, or
or future improvements. The drawing does not provide for
identification of property boundary lines, but such
may not be required for the transfer of title or securing
refinancing.

2826 RIDGE ROAD
TITLE DEED: 29591-296
BALTIMORE CO., MARYLAND



LOCATION INFORMATION		
ZONING MAP 087A1		
SITE ZONED: RC2		
COUNCILMATIC DISTRICT: 4		
ELECTION DISTRICT: 2		
LOT AREA ACREAGE 3.874 ACRES		
HISTORIC PROPERTY/ NO		
IN CBCA: NO		
100 YEAR FLOOD: NO		
PLAIN		
PUBLIC		
PRIVATE		
SEWER		
WATER		
PRIOR HEARING: NO		

ZONING OFFICE USE ONLY		
REVIEWED BY	ITEM#	CASE#

GRAPHIC SCALE

0 50 75 100 150 350

(IN FEET)

1 inch = 50' ft.

DATE: 07/21/2017

MARKS & ASSOCIATES L.L.C.

SURVEYING-ENGINEERING-LAND PLANNING

4531 COLLEGE AVENUE ELLICOTT CITY, MARYLAND

TELEPHONE (410)747-8738 FAX (410)747-8547

VARIANCE

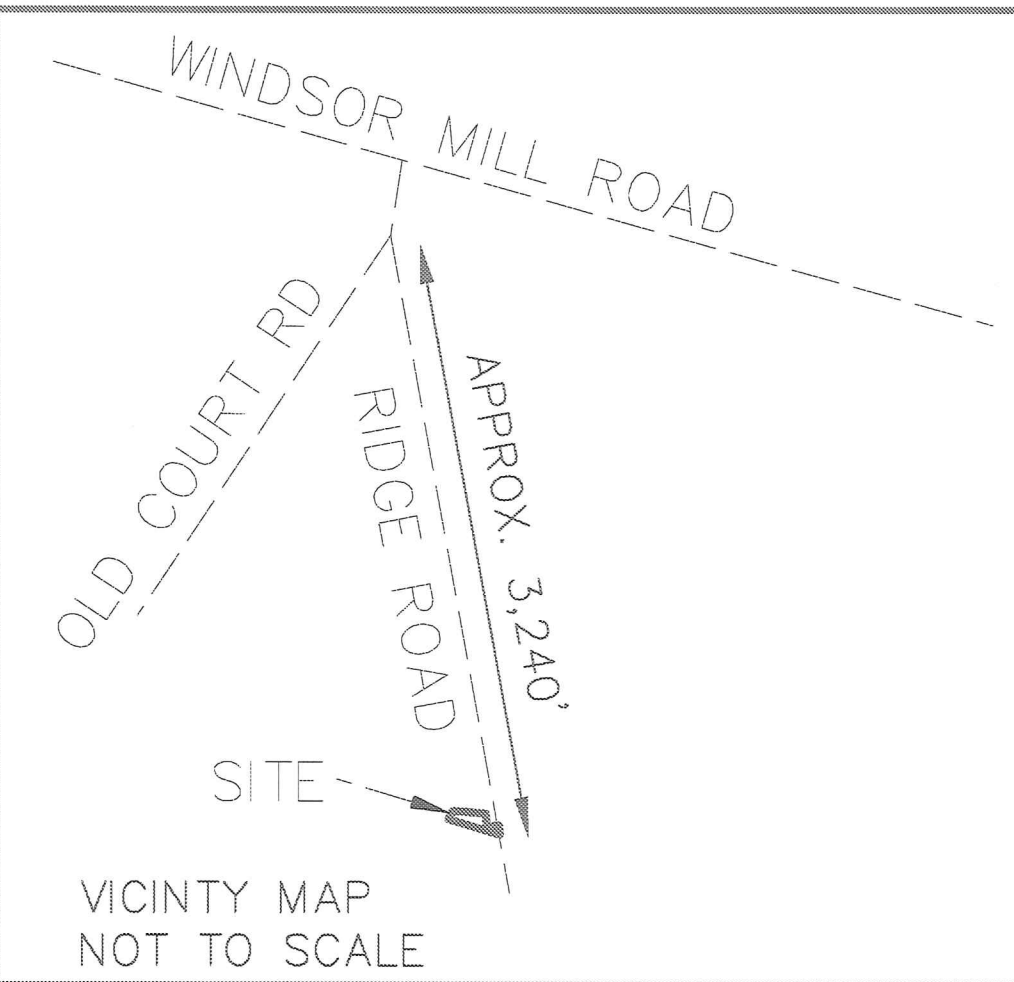
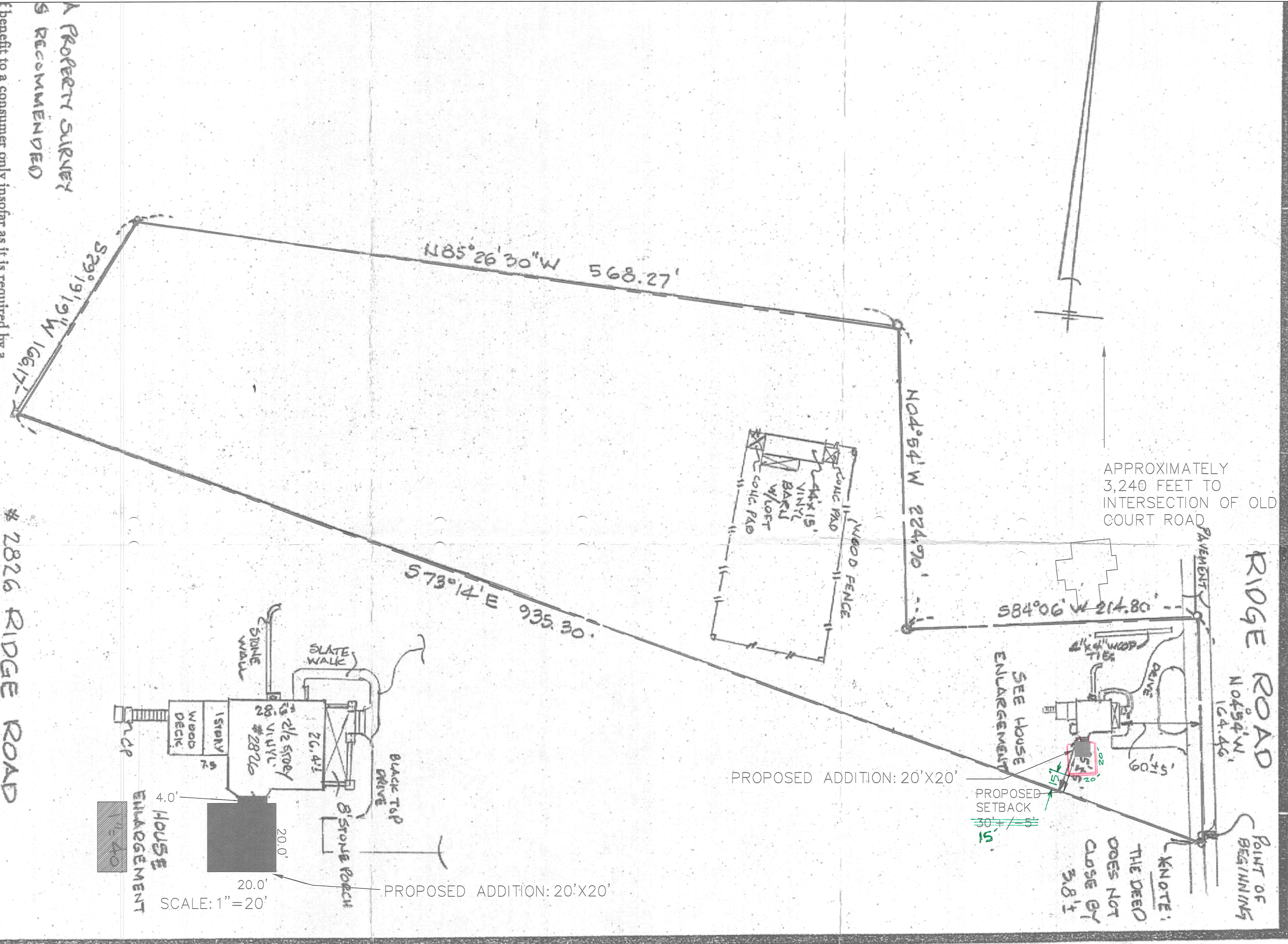
2826 RIDGE ROAD

BALTIMORE COUNTY, MARYLAND

Pet. Ex. 1

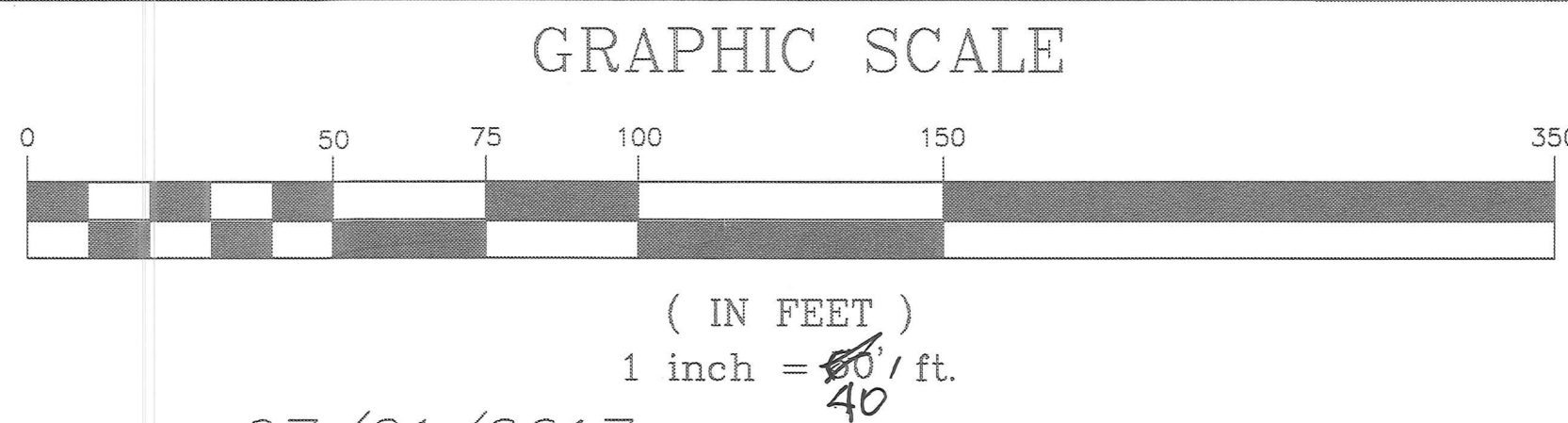
A PROPERTY SURVEY
IS RECOMMENDED
to benefit to a consumer only insofar as it is required by a
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2826 RIDGE ROAD
TITLE DEED: 29591-296
BALTIMORE CO., MARYLAND



LOCATION INFORMATION		
ZONING MAP 087A1		
SITE ZONED RC2		
COUNCILMATIC DISTRICT: 4		
SECTION DISTRICT:		
LOT AREA ACREAGE 3.874 ACRES		
HISTORIC PROPERTY/ NO		
IN CBCA: NO		
100 YEAR FLOOD: NO		
PLAIN		
SEWER	☐	☒
WATER	☐	☒
PRIOR HEARING: NO		

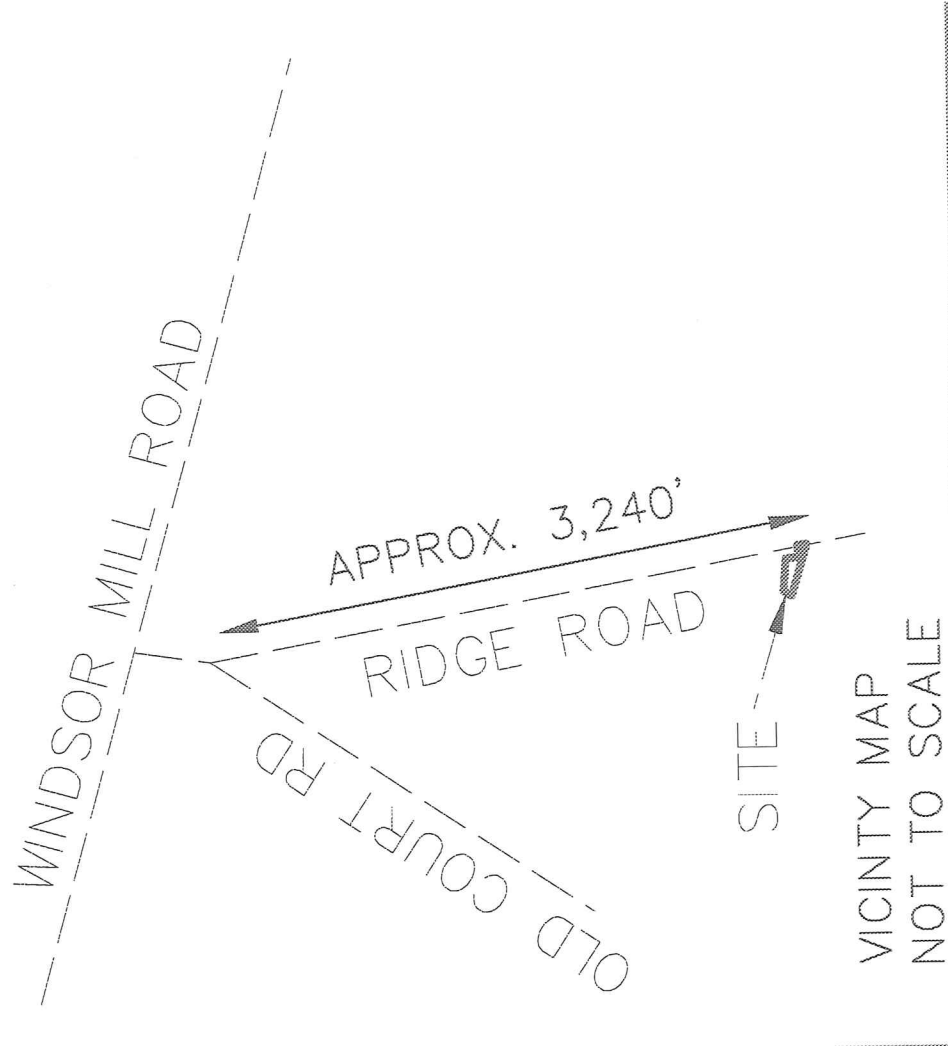
ZONING OFFICE USE ONLY
REVIEWED BY ITEM# CASE#



DATE: 07/21/2017

MARKS & ASSOCIATES L.L.C.
SURVEYING-ENGINEERING-LAND PLANNING
4531 COLLEGE AVENUE ELLICOTT CITY, MARYLAND
TELEPHONE (410)747-8738 FAX (410)747-8547

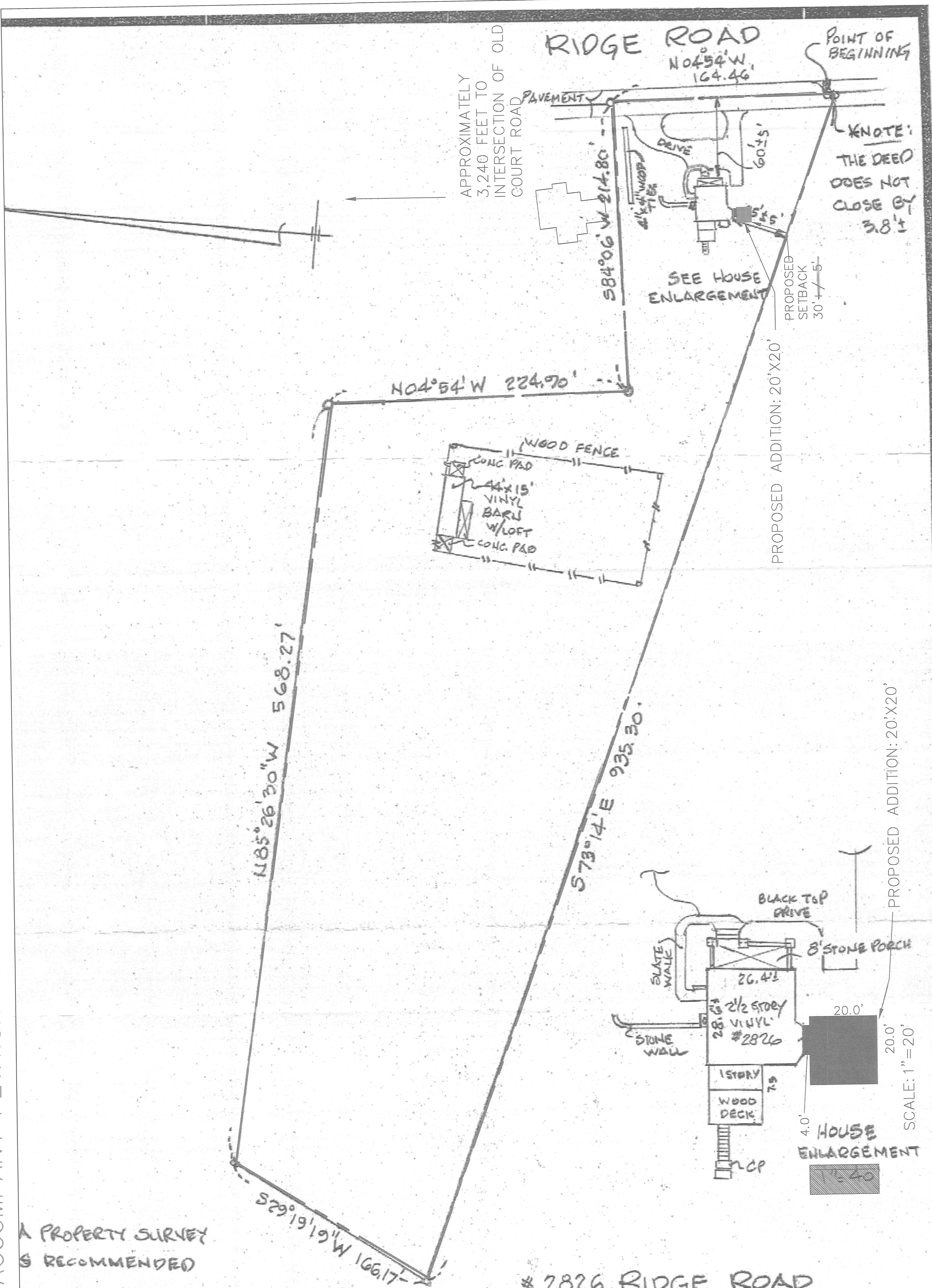
VARIANCE
2826 RIDGE ROAD
BALTIMORE COUNTY, MARYLAND



LOCATION INFORMATION

ZONING MAP 087A1
SITE ZONED RC2
COUNCILMANIC DISTRICT: 4
ELECTION DISTRICT: 2
LOT AREA ACREAGE 3.874 ACRES
HISTORIC PROPERTY/ NO
IN CBCA: NO
100 YEAR FLOOD: NO
PLAIN
SEWER ☐ PUBLIC ☐ PRIVATE ☒
WATER ☐ PUBLIC ☐ PRIVATE ☒
PRIOR HEARING: NO

ZONING OFFICE USE ONLY
REVIEWED BY ITEM# CASE#



A PROPERTY SURVEY
IS RECOMMENDED

of benefit to a consumer only insofar as it is required by a title insurance company or its agent in connection with the transfer, financing or refinancing. The plat is not to be relied upon for establishment or location of fences, garages, buildings, or other improvements. The drawing does not provide for identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing.

2826 RIDGE ROAD
TITLE DEED: 29591-296
BALTIMORE CO., MARYLAND

MARKS & ASSOCIATES L.L.C.

SURVEYING-ENGINEERING-LAND PLANNING
4531 COLLEGE AVENUE ELLICOTT CITY, MARYLAND
TELEPHONE (410)747-8738 FAX (410)747-8547

VARIANCE

2826 RIDGE ROAD

BALTIMORE COUNTY, MARYLAND

07/21/2017

Untitled Map

Write a description for your map.

Legend

