

M E M O R A N D U M

DATE: November 3, 2017 *slw*
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0070-A - Appeal Period Expired

The appeal period for the above-referenced case expired on November 2, 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 *
(12227 Cleghorn Road)
8th Election District *
3rd Council District *
The Keith B. Sullivan Revocable Trust *
Petitioner *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2018-0070-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, The Keith B. Sullivan Revocable Trust (“Petitioner”). The Petitioner was granted administrative variance relief on November 14, 2016 which was modified following a Motion for Reconsideration on December 8, 2016. Petitioner would now like to relocate some of the proposed improvements and therefore sought this administrative variance.

The Petitioner is requesting Variance relief pursuant to § 400.1 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) as follows: (1) To permit an accessory structure (pool house) to be located in the front yard of the property and an accessory structure (pool) to be located in the side yard of the property in lieu of the permitted rear yard only, respectively; (2) To permit accessory structures (pool house and detached shed) to have a height of 25 ft. in lieu of the maximum permitted 15 ft.; and (3) Also, for such further relief as the Administrative Law Judge (ALJ) may require. 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

ORDER RECEIVED FOR FILING

Date 10-3-17

By 192

Protection and Sustainability ("DEPS") dated September 6, 2017.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on September 9, 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.

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 3rd day of **October, 2017** by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) To permit an accessory structure (pool house) to be located in the front yard of the property and an accessory structure (pool) to be located in the side yard of the property in lieu of the permitted rear yard only, respectively; and (2) To permit accessory structures (pool house and detached shed) to have a height of 25 ft. in lieu of the maximum permitted 15 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 10-3-17

By LOW

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 its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner or subsequent owners shall not convert the accessory structures (pool house and shed) into a dwelling unit or apartment. The accessory structures (pool and shed) shall not contain any sleeping quarters and/or living area.
3. Petitioner must comply with the DEPS ZAC comment dated September 6, 2017; a copy of which is attached hereto and made a part hereof.
4. Petitioner shall include the following statement on all permit applications:

"Garage shall be for PRIVATE RESIDENTIAL USE ONLY. No commercial, business or professional activity of any kind shall be permitted."
5. The kitchen facilities permitted in the pool house shall be limited to a "kitchenette" or "convenience kitchen" only.

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 10-3-17

By dlw

9-25

RECEIVED
SEP 06 2017
OFFICE OF
ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
SEP 06 2017
OFFICE OF
ADMINISTRATIVE HEARINGS

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: September 6, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0070-A
Address 12227 Cleghorn Road
(Sullivan Property)

Zoning Advisory Committee Meeting of **September 11, 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:

A Single Lot Declaration of Intent must be filed to address Forest Conservation Law prior to permit issuance provided that forest clearing for the improvements does not exceed 20,000 square feet.

The pool house cannot extend closer to the stream system than shown on the plan accompanying the zoning petition.

Reviewer: Glenn Shaffer Date: 9/6/17.

Ground Water Management must review any proposed building permit(s) for a pool, pool house, and/or a shed – since the site is served by well and septic.

Reviewer: Dan Esser Date: 9/5/17

ORDER RECEIVED FOR FILING

Date 10-3-17

C:\Users\snuffer\AppData\Local\Microsoft\Windows\Temporary Internet
Files\Content.Outlook\WPHS9SSK\ZAC 18-0070-A 12227 Cleghorn Road.doc

By [Signature]



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 12227 Cleghorn Road Currently zoned RC 5
Deed Reference 38067 / 00243 10 Digit Tax Account # 2400011906
Owner(s) Printed Name(s) The Keith B. Sullivan Revocable Trust

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

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

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

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

SEE ATTACHED

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

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):

The Keith B. Sullivan Revocable Trust (by Keith Sullivan)

Name #1 – Type or Print Keith Sullivan Name #2 – Type or Print

Signature #1 [Signature] Signature #2

12227 Cleghorn Road Cockeysville MD
Mailing Address City State

21030 / 410-218-2477 / ksullivan@armadaglobal.com
Zip Code Telephone # Email Address

Representative to be contacted:

Adam M. Rosenblatt

Name – Type or Print

Signature

(SAME AS ATTORNEY)

Mailing Address City State

Zip Code Telephone # Email Address

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

Adam M. Rosenblatt

Name- Type or Print

Signature [Signature]

210 W. Pennsylvania Ave., Ste. 500, Towson MD
Mailing Address City State

21204 / 410-494-6271 / amrosenblatt@venable.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 2018-0070-A Filing Date 8/31/17 Estimated Posting Date 9/10/17 Reviewer [Signature]

Affidavit in Support of Administrative Variance

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

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

Address: 12227 Cleghorn Road Cockeysville MD 21030
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)**

Petitioner successfully obtained administrative variances in Case No. 2017-0102-A to construct several accessory structures that exceeded 15 feet in height and were proposed to be located in the side yard rather than the rear yard of the property. This petition seeks to amend the relief that was granted in the prior case by relocating the proposed pool and pool house (which is now open air) to the front and side yards of the property and reducing the size of the proposed pool house. The petition also seeks relief to construct a 16' x 16' shed in the rear yard with a height of 25 feet in lieu of the maximum permitted 15 feet.

This is a large 9+ acre property that is uniquely shaped and oriented so that the majority of the land is in the "front" or "side" yard of the property. As such, placing accessory structures virtually anywhere on the property would require a variance. Additionally, the owner is proposing to construct tasteful accessory structures that match the large existing single family dwelling on the property. A practical difficulty will result if the variances are denied as the Petitioner will not be able to use the bulk of their land for accessory structures that are carefully designed to improve the overall appearance and usability of the property. This is and will remain the Petitioner's primary residence.

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

Signature of Owner (Affiant)

Name- Print or Type

Signature of Owner (Affiant)

Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of August, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here:

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

AS WITNESS, my hand and Notaries Seal



Notary Public

My Commission Expires

REV. 5/8/2014

2018-0070-A

**ATTACHMENT TO PETITION
FOR ADMINISTRATIVE VARIANCE**

VARIANCES REQUESTED

1. Variance from Section 400.1 of the BCZR to permit an accessory structure (pool house) to be located in the front yard of the property and an accessory structure (pool) to be located in the side yard of the property, *in lieu of the permitted rear yard only, respectively.*
2. Variance from Section 400.1 of the BCZR to permit accessory structures (pool house and detached shed) to have a height of 25 feet in lieu of the maximum permitted 15 feet.
3. Also, for such further relief as the Administrative Law Judge may require.

2018-0070-A

2018-0070-A

ZONING PROPERTY DESCRIPTION FOR 12227 CLEGHORN RD, COCKEYSVILLE,
MD 21030

Beginning at a point on the East side of Cleghorn Road which is 50 feet wide at a distance of 35 feet North of the centerline of the nearest improved intersecting street (Katesford Road) which is 50 feet wide.

Being lot #32, Block N/A, Section #1 in the subdivision of Morningside as recorded in Baltimore County Plat Book #0056, Folio #0119, containing 9.44 acres. Located in the 8th Election District and 3rd Councilmanic District.

CERTIFICATE OF POSTING

2018-0070-A

RE: Case No.: _____

Petitioner/Developer: _____

Keith B. Sullivan Revokable Trust

September 25, 2017

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

12227 Cleghorn Road

September 9, 2017

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 September 9, 2017

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2018- 0070 -A Address 12227 Cleghorn Road
Contact Person: LEONARD W. POSILOWSKI Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 8/31/17 Posting Date: 9/10/17 Closing Date: 9/25/17

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 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 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.
- 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.
- 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- 0070 -A Address 12227 CLEGHORN ROAD
Petitioner's Name The Keith B. Sullivan Revocable Trust Telephone 410-218-2977
Posting Date: 9/10/17 Closing Date: 9/25/17
Wording for Sign: Variance from Section 400.1 of the BCZR to permit an accessory structure (pool house) to be located in the front yard of the property and an accessory structure (pool) to be located in the side yard of the property.
Variance from Section 400.1 of the BCZR to permit accessory structures (pool house and detached shed) to have a height of 25 feet in lieu of the maximum permitted 15 feet.

Revised 6/30/2018

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

NO 157187

Date:

8/31/17

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
1001	806	0000		6150				75.00

Total:

75.00

Rec

From:

Variable

For:

12227 Clegburn Rd.

2018-0070-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

DATE: 8/31/2017 09:31:10
RECEIPT # 785051 8/31/2017
Dept: 5 528 JOURNAL VERIFICATION
10000 157187
Receipt Tot: 375.00
375.00 0 1.00 10
Baltimore County, Maryland

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

September 26, 2017

The Keith B Sullivan Revocable Trust
Keith Sullivan
12227 Cleghorn Road
Cockeysville MD 21030

RE: Case Number: 2018-0070 A, Address: 12227 Cleghorn Road

Dear Mr. Sullivan:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 31, 2017. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Adam M Rosenblatt, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

9-25



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: September 6, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0070-A
Address 12227 Cleghorn Road
(Sullivan Property)

Zoning Advisory Committee Meeting of **September 11, 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:

A Single Lot Declaration of Intent must be filed to address Forest Conservation Law prior to permit issuance provided that forest clearing for the improvements does not exceed 20,000 square feet.

The pool house cannot extend closer to the stream system than shown on the plan accompanying the zoning petition.

Reviewer: Glenn Shaffer Date: 9/6/17.

Ground Water Management must review any proposed building permit(s) for a pool, pool house, and/or a shed – since the site is served by well and septic.

Reviewer: Dan Esser Date: 9/5/17

Date: 9/5/17

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. 2018-0070-A

*Administrative Variance
The Keith B. Sullivan Revocable Trust, Keith Sullivan
12227 Cleghorn 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: September 6, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0070-A
Address 12227 Cleghorn Road
(Sullivan Property)

Zoning Advisory Committee Meeting of **September 11, 2017**.

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Reviewer: Glenn Shaffer Date: 9/6/17.

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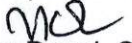
Reviewer: Dan Esser Date: 9/5/17

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: September 11, 2017

FROM: 
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For September 11, 2017
Item No. 2018-0055-A, 0066-SPH, 0068-A, 0069-A, 0070-A and 0071-A

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

* * * * *

VKD: CEN
cc: file

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>9-6</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>9-5</u>	STATE HIGHWAY ADMINISTRATION	<u>No object.</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: 9-9-17 by BlackPEOPLE'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 - 08 Account Number - 2400011906								
Owner Information										
Owner Name:		THE KEITH B SULLIVAN REVOCABLE TRUST		Use: Principal Residence:	RESIDENTIAL YES					
Mailing Address:		12227 CLEGHORN RD COCKEYSVILLE MD 21030-2218		Deed Reference:	/38067/ 00243					
Location & Structure Information										
Premises Address:		12227 CLEGHORN RD COCKEYSVILLE 21030-2218		Legal Description:	9.44AC SEC 11 PAR A 12227 CLEGHORN RD ES RER 1 MORNINGSIDE					
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0051	0008	0622		0000	1		32	2017	Plat Ref:	0056/ 0119
Special Tax Areas:				Town:		NONE				
				Ad Valorem:						
				Tax Class:						
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1991		6,946 SF		1500 SF		9.4400 AC		04		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
2	YES	STANDARD UNIT	BRICK	5 full/ 1 half	1 Attached					
Value Information										
		Base Value		Value		Phase-in Assessments				
				As of		As of		As of		
				01/01/2017		07/01/2017		07/01/2018		
Land:		648,800		648,800						
Improvements		993,800		1,408,900						
Total:		1,642,600		2,057,700		1,780,967		1,919,333		
Preferential Land:		0						0		
Transfer Information										
Seller: SULLIVAN KEITH B			Date: 09/27/2016			Price: \$0				
Type: NON-ARMS LENGTH OTHER			Deed1: /38067/ 00243			Deed2:				
Seller: SULLIVAN DIANE M			Date: 05/27/2015			Price: \$0				
Type: NON-ARMS LENGTH OTHER			Deed1: /36224/ 00307			Deed2:				
Seller:			Date:			Price: \$0				
Type:			Deed1: /14822/ 00317			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 08/25/2014				
Homeowners' Tax Credit Application Information										

Homeowners' Tax Credit Application Status: No Application

Date:

Sullivan Residence Administrative Variance Photo Log
12227Cleghorn Road, Cockeysville, Maryland 21030



1/ View east from Cleghorn Road towards existing house, proposed garage on the right rear, and pool house and pergola/storage structure to the left rear



2/ Detail view of existing house to illustrate roof lines and height of structure

2018-0070-A

Sullivan Residence Administrative Variance Photo Log
12227Cleghorn Road, Cockeysville, Maryland 21030



3/ View northeast towards proposed pool house and pergola/storage structure to the left rear



4/ View north from rear yard towards proposed pool house and pergola/storage structure

0070-A

Sullivan Residence Administrative Variance Photo Log
12227Cleghorn Road, Cockeysville, Maryland 21030



5/ View south from proposed pergola/storage structure towards pool house, existing house and Cleghorn Road

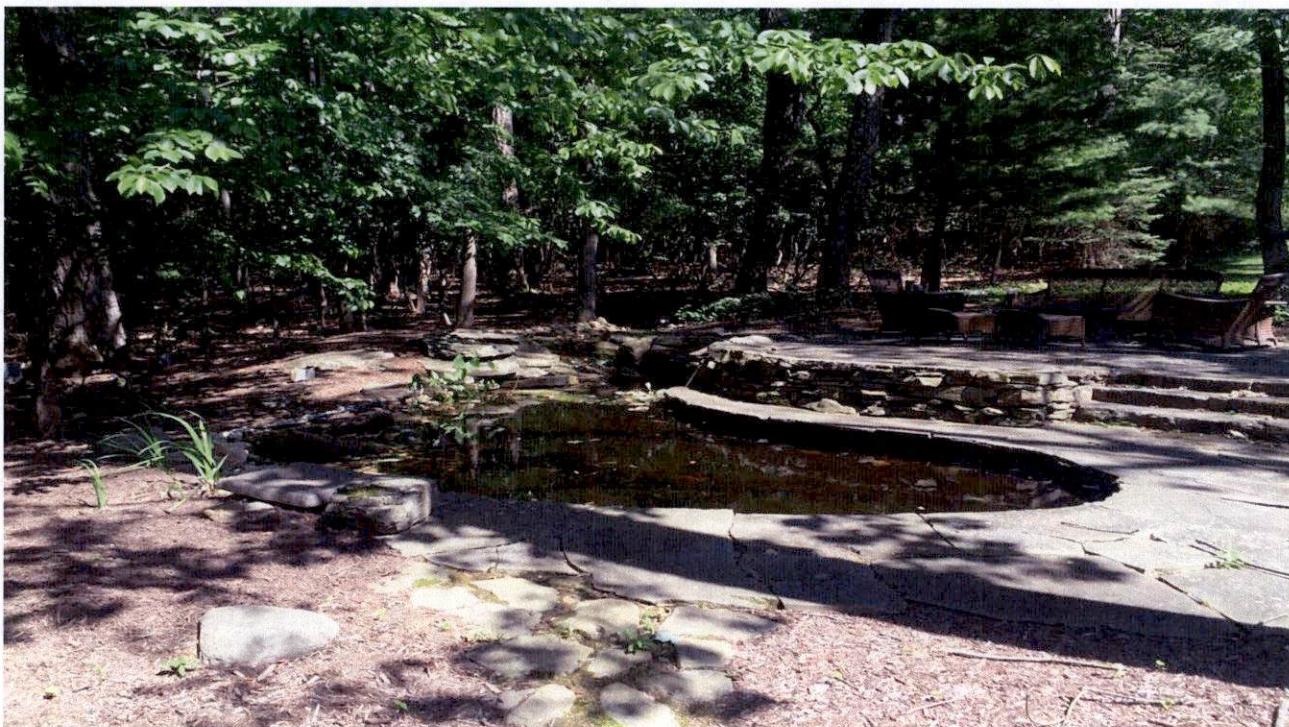


6/ View southwest from proposed pool house towards existing house, Cleghorn Road and western neighbors

Sullivan Residence Administrative Variance Photo Log
12227 Cleghorn Road, Cockeysville, Maryland 21030

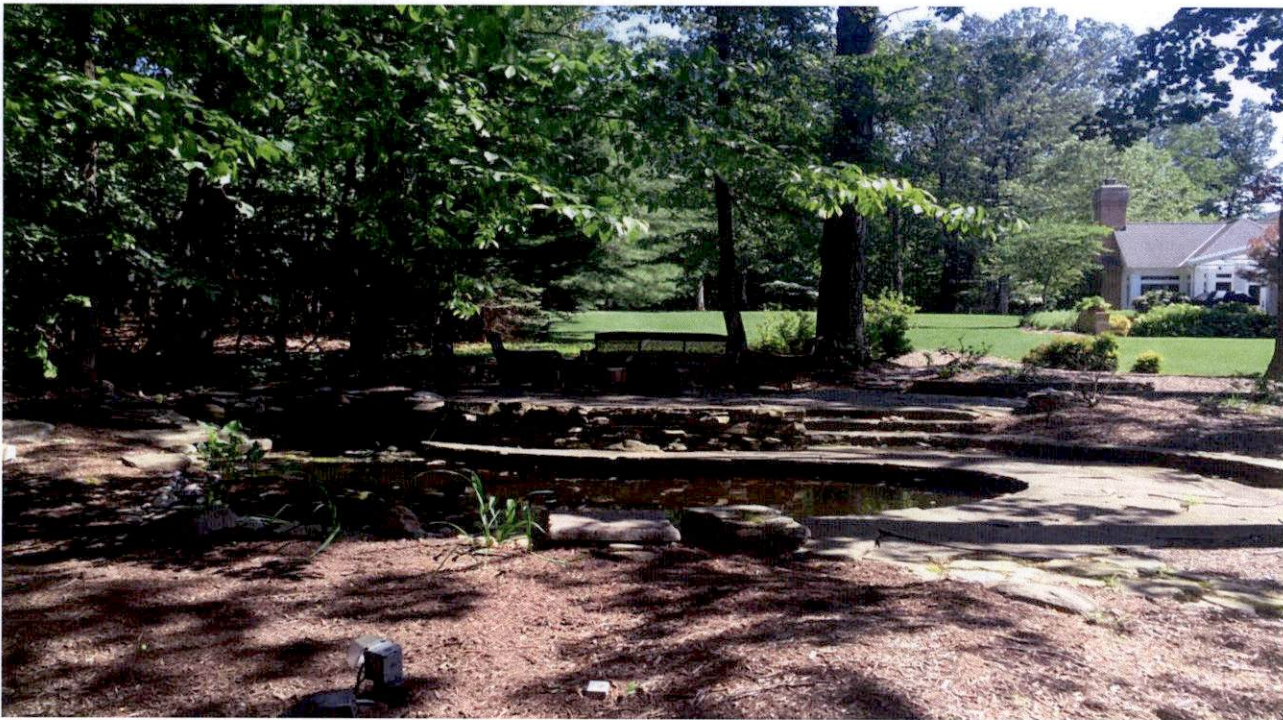


7/ View northeast from proposed pool house towards neighbors



8/ View southeast from proposed pool house towards neighbors

Sullivan Residence Administrative Variance Photo Log
12227 Cleghorn Road, Cockeysville, Maryland 21030



9/ View south from proposed pool house towards garage and neighbor



10/ View east from proposed pool house towards neighbors

Sullivan Residence Administrative Variance Photo Log
12227Cleghorn Road, Cockeysville, Maryland 21030



11/ View west from proposed garage towards Cleghorn Road



12/ View south from proposed garage towards neighbor

Sullivan Residence Administrative Variance Photo Log
12227 Cleghorn Road, Cockeysville, Maryland 21030



13/ View east from proposed garage towards neighbors

XB (Av) 11-7-16

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(12227 Cleghorn Road)		
8 th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Council District		
The Keith B. Sullivan Revocable Trust	*	HEARINGS FOR
Petitioner		
	*	BALTIMORE COUNTY
	*	CASE NO. 2017-0102-A

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before the Office of Administrative Hearings for Baltimore County as a Motion for Reconsideration filed by Petitioner Keith Sullivan. The Petitioner originally filed an Administrative Variance for property located at 12227 Cleghorn Road. The relief was requested from §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R) as follows: (1) To permit a proposed 2-story detached garage with a height of 25 ft., a one-story detached pool house with a height of 25 ft. and a one-story pergola/pool equipment storage structure with a height of 20 ft. in lieu of the maximum allowed height of 15 ft., and (2) To permit the proposed detached garage and the pergola structures to be located in the side yard in lieu of the required in the rear yard, respectively.

By Opinion and Order dated November 14, 2016, the undersigned granted the Administrative Variance request, with conditions, in accordance with the site plan and documentation within the case file.

On November 29, 2016, Petitioner filed a timely Motion for Reconsideration of the November 14, 2016 Order. In the Motion, Petitioner raised concern about Condition No. 2, in particular not being able to have bathroom facilities in the accessory structures (pool house and detached garage). The Petitioner discussed with W. Carl Richards, Director of the Zoning

Review Office, the restrictions in the Order, and Mr. Richards indicated he was amenable to striking the condition provided certain restrictive language is placed on all permits and applications therefor. Petitioner also submitted (as requested by the undersigned) a letter from the adjoining neighbor stating he had no objection to the request.

After due consideration of the arguments raised by Petitioner, I will strike from the Order the restriction pertaining to bathrooms in the accessory buildings.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 8th day of **December, 2016**, that the Petitioner's Motion for Reconsideration, be and is hereby GRANTED, such that Condition No. 2 shall be reworded as follows:

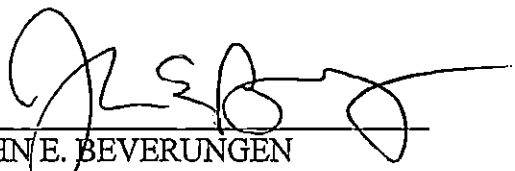
- Petitioner or subsequent owners shall not convert the accessory structures (2-story detached garage, one-story detached pool house, and one-story pergola/pool equipment storage) into a dwelling unit or apartment. The accessory structures (2-story detached garage, one-story detached pool house, and the one-story pergola/pool equipment storage) shall not contain any sleeping quarters and/or living area.

IT IS FURTHER ORDERED that all other terms and conditions of the Order dated November 14, 2016 shall remain in full force and effect, subject to the following:

1. Petitioner shall include the following statement on all permit applications:

"Garage shall be for PRIVATE RESIDENTIAL USE ONLY. No commercial, business or professional activity of any kind shall be permitted."
2. The kitchen facilities permitted in the pool house shall be limited to a "kitchenette" or "convenience kitchen" only.

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

MS(AV) 11-7-16

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(12227 Cleghorn Road)		
8 th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Council District		
The Keith B. Sullivan Revocable Trust	*	HEARINGS FOR
Petitioner		
	*	BALTIMORE COUNTY
	*	CASE NO. 2017-0102-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, The Keith B. Sullivan Revocable Trust ("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 permit a proposed 2-story detached garage with a height of 25 ft., a one-story detached pool house with a height of 25 ft. and a one-story pergola/pool equipment storage structure with a height of 20 ft. in lieu of the maximum allowed height of 15 ft., and (2) To permit the proposed detached garage and the pergola structures to be located in the side yard in lieu of the required in the rear yard, respectively. 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. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on October 23, 2016, 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 structures (2-story detached garage, one-story detached pool house, and one-story pergola/pool equipment storage) height and usage, I will impose conditions that they shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, and kitchen or bathroom facilities.

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 14th day of November, 2016 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:

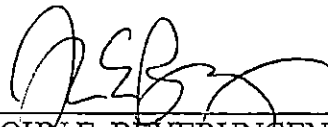
- (1) To permit a proposed 2-story detached garage with a height of 25 ft., a one-story detached

pool house with a height of 25 ft. and a one-story pergola/pool equipment storage structure with a height of 20 ft. in lieu of the maximum allowed height of 15 ft., and (2) To permit the proposed detached garage and the pergola structures to be located in the side yard in lieu of the required in the rear yard, respectively, be and is hereby GRANTED.

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 its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner or subsequent owners shall not convert the accessory structures (2-story detached garage, one-story detached pool house, and one-story pergola/pool equipment storage) into a dwelling unit or apartment. The accessory structures (2-story detached garage, one-story detached pool house, and the one-story pergola/pool equipment storage) shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
3. The accessory structures (2-story detached garage, one-story detached pool house, and one-story pergola/pool equipment storage) 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

ZAC AGENDA

Case Number: 2018-0070-A

Primary Use: RESIDENTIAL

Reviewer: WasilewskiLeon
ard

Type: ADMISTRATIVE VARIANCE

Legal Owner: The Keith B Sullivan Revocable Trust, Keith Sullivan

Contract Purchaser

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

Councilmanic Dist Third

Property Address: 12227 Cleghorn ROAD

Location: E/S of Cleghorn Road, 35 ft. N of the centerline of Katesford Road

Existing Zoning: RC 5

Area: 9.44 acres

Proposed Zoning: ADMISTRATIVE VARIANCE:

1. To permit an accessory structure (pool house) to be located in the front yard of the property and an accessory structure (pool) to be located in the side yard of the property in lieu of the permitted rear yard only, respectively.
2. To permit accessory structures (pool house and detached shed) to have a height of 25 ft. in lieu of the maximum permitted 15 ft.
3. Also, for such further relief as the Administrative Law Judge may require.

Attorney: Adam M Rosenblatt, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

Prior Zoning Cases: 2017-0102-A

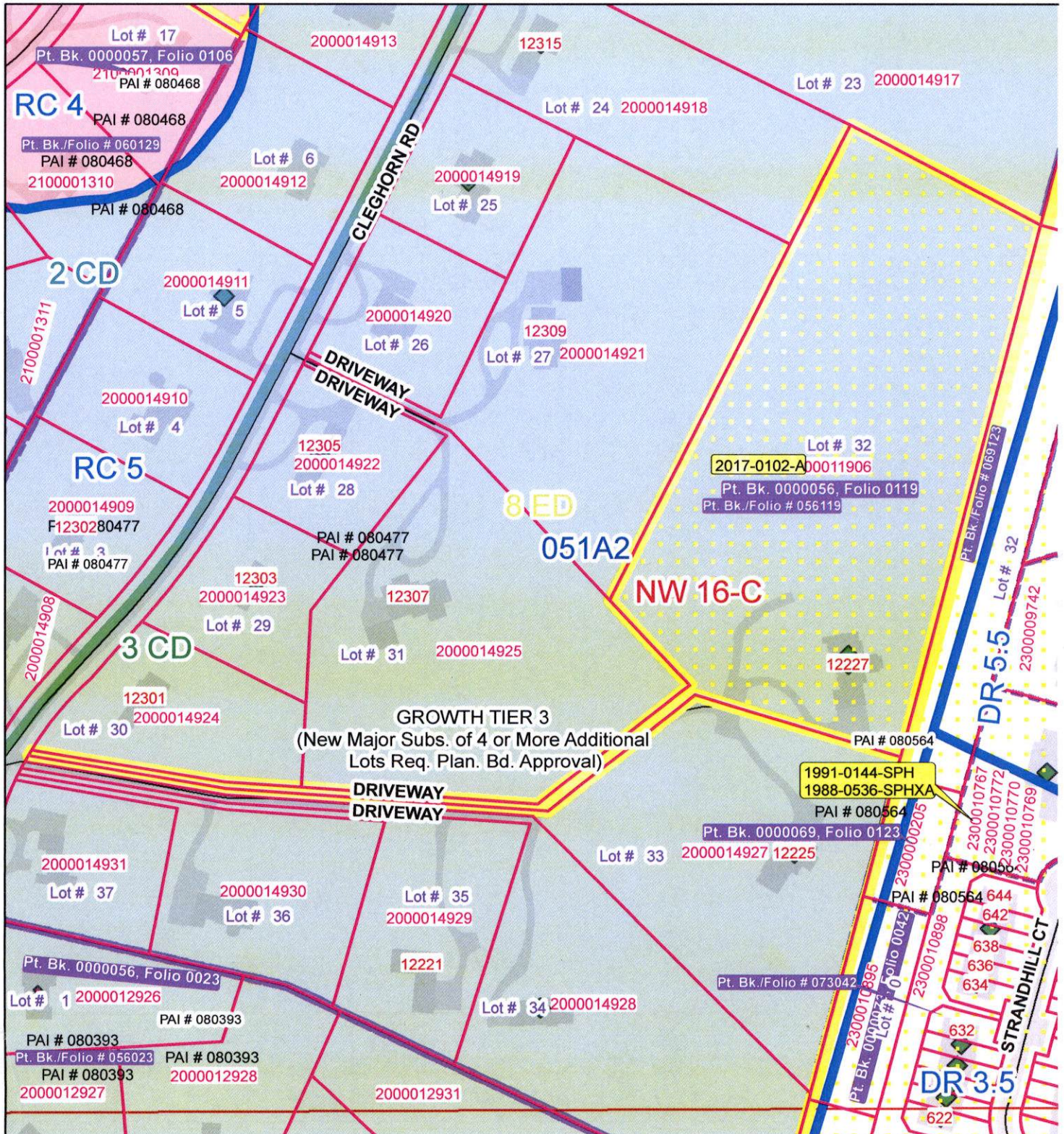
Concurrent Cases:

Violation Cases:

Closing Date: 9/25/2017 12:00:00AM

Miscellaneous:

12227 Cleghorn Road 2010-0070-A



Publication Date: 8/31/2017



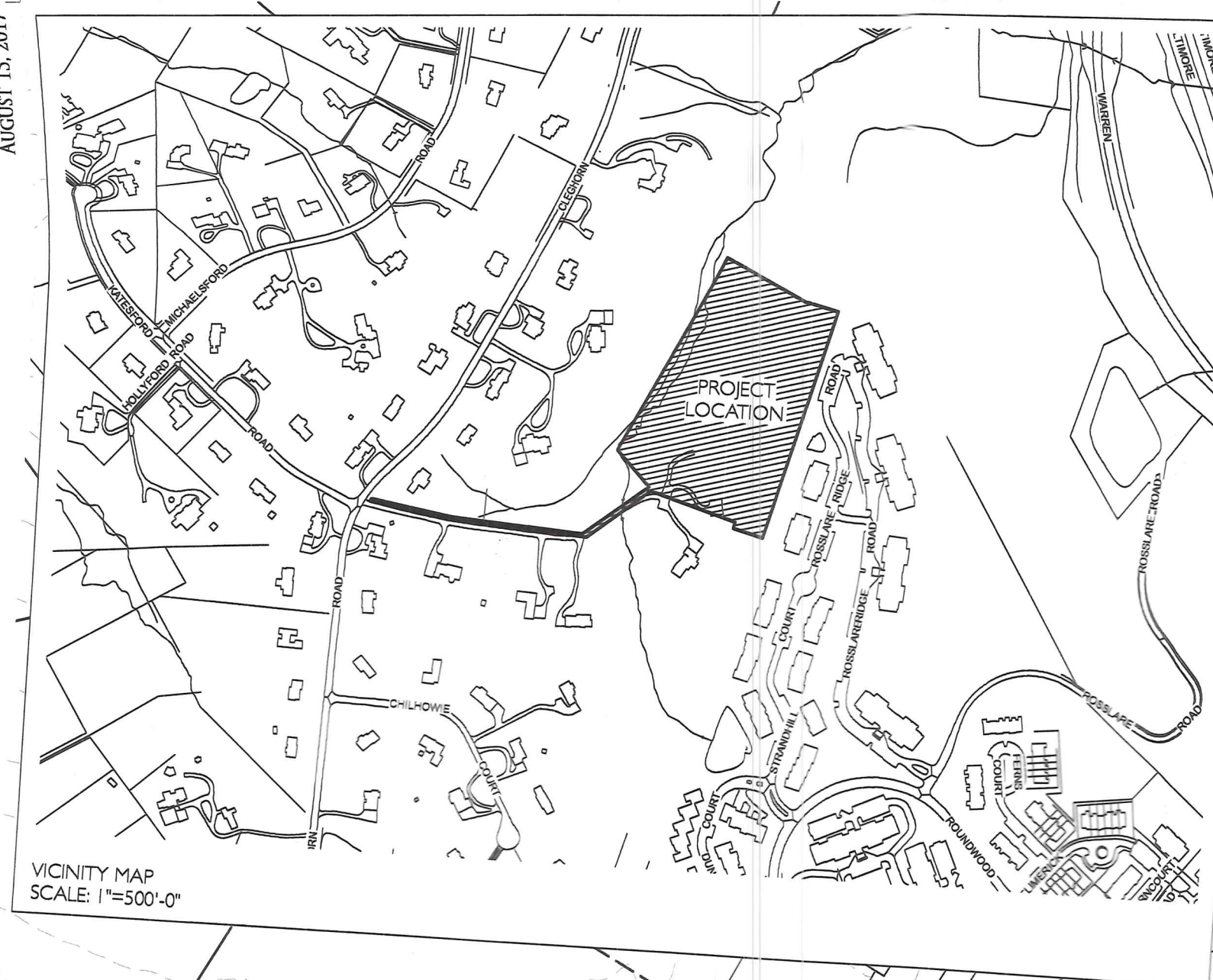
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 55 110 220 330 440 Feet

1 inch = 200 feet

AUGUST 15, 2017



GRID NORTH
MARYLAND COORDINATE SYSTEM NAD 83(2011)
VERTICAL DATUM NAVD83
PER RECORDING PLANS 831 & 831
AZ 81



JAN C. OZGA
NATALE C. OZGA
12315 CLEGHORN RD
COCKEYSVILLE MD 21030-2228
TAX ACCT# 2000014918
TAX MAP 0051 GRID 0008 PARCEL 0622
2.370 AC
LOT# 24

KEITH B. SULLIVAN
12227 CLEGHORN RD
COCKEYSVILLE MD 21030-2218
TAX ACCT# 2400011906
TAX MAP 0051 GRID 0008 PARCEL 0622
9.44 AC
LOT# 32

FRANKLIN E. CHATHAM
MARLENE D. CHATHAM
12309 CLEGHORN RD
COCKEYSVILLE MD 21030-2228
TAX ACCT# 2000014921
TAX MAP 0051 GRID 0008 PARCEL 2
4 AC
LOT# 27

RAFIQUE AHMED
SHILPI AHMED
12307 CLEGHORN RD
COCKEYSVILLE MD 21030-2228
TAX ACCT# 2000014925
TAX MAP 0051 GRID 0008 PARCEL 0622
4.248 AC
LOT# 31

JHUA M. GOLDBERG
JEDELMAN GOLDBERG
725 CLEGHORN RD
COCKEYSVILLE MD 21030-2218
TAX ACCT# 2000014927
TAX MAP 0051 GRID 0008 PARCEL 0622
3.816 AC
LOT# 33

BEECHBROOK
landscape architecture
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Ridervood MD 21139
(Office Address) 326 St. Paul Place
Suite 201
Baltimore, MD 21202
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(Fax) 410.685.5264
beechbrook.com

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-DESIGN TEAM-
PATRICK D. JAROSINSKI & ASSOCIATES
P.O. BOX 234
RIDERVWOOD, MD 21139
410.494.1017

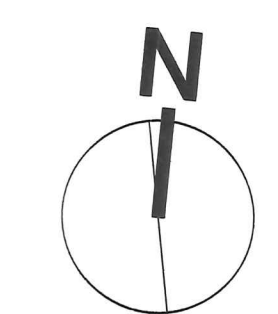
-ZONING INFORMATION-
ZONING MAP # 051A2
SITE ZONED: RCT & DBS
ELECTION DISTRICT: 8TH
COUNCIL DISTRICT: 23D
LOT AREA ACREAGE: 3.82 AC
SQUARE FEET: 411,206 SF
HISTORIC? NO
IN CBOT? NO
IN FLOOD PLAIN? NO
UTILITIES? WATER IS PRIVATE
SEWER IS PRIVATE
PRIOR HEARING? YES
IF SO GIVE CASE NUMBER AND ORDER
RESULT BELOW:
CASE NO. 2017-0102-A
VARIANCES GRANTED FOR:
1. PROP. 2-STORY DETACHED GARAGE W/
FT. OF 25 FT.
2. ONE-STORY DETACHED POOL HOUSE
W/ FT. OF 25 FT.
3. ONE-STORY PERGOLA POOL
EQ. SHED, STORAGE STRUCTURE W/
FT. OF 20 FT.
4. TO PERMIT PROPOSED DETACHED
GARAGE & PERGOLA STRUCTURES TO BE
LOCATED IN SIDEYARD.

**SULLIVAN
RESIDENCE**

CLEGHORN RESIDENCE
12227 CLEGHORN RD
COCKEYSVILLE, MD 21030

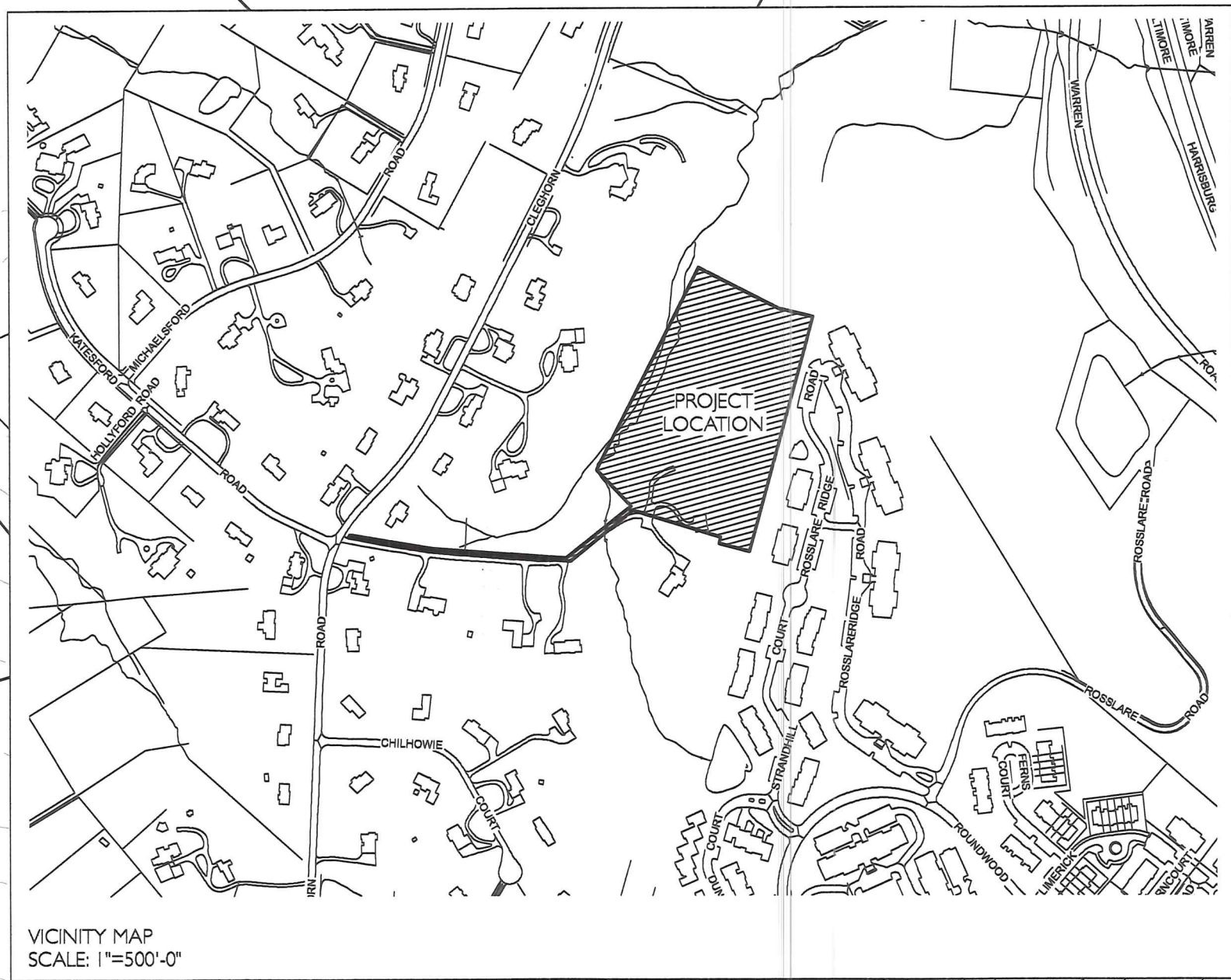
-DRAWING TITLE-

**PLAN TO ACCOMPANY
PETITION FOR
ADMINISTRATIVE VARIANCES**



0' 25' 50' 100'
-SCALE-
1"=50'-0"

-SHEET NUMBER-
L1.00



VICINITY MAP
SCALE: 1"=500'-0"



BEECHBROOK
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-ZONING INFORMATION-

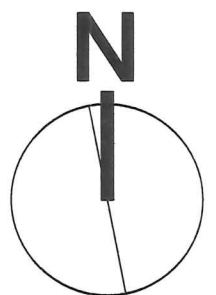
ZONING MAP # 051A2
SITE ZONED: RCS & DRSS
ELECTION DISTRICT: 81H
COUNCIL DISTRICT: 3RD
LOT AREA ACREAGE: 9.44 AC±
SQUARE FEET: 411,206 SF±
HISTORIC? NO
IN CBZ? NO
IN FLOOD PLAIN? NO
UTILITIES? PRIVATE
WATER IS: PRIVATE
SEWER IS: PRIVATE
PRIOR HEARING? YES
IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW:
CASE NO. 2017-0102-A
VARIANCES GRANTED FOR:
1. PROP. 2-STORY DETACHED GARAGE W/
HT. OF 25 FT.
2. ONE-STORY DETACHED POOL HOUSE
W/ HT. OF 25 FT.
3. ONE-STORY PERGOLA/POOL
EQUIPMENT STORAGE STRUCTURE W/
HT. OF 20 FT.
4. TO PERMIT PROPOSED DETACHED
GARAGE & PERGOLA STRUCTURES TO BE
LOCATED IN SIDEYARD

SULLIVAN RESIDENCE

CLEGGHORN RESIDENCE
12227 CLEGGHORN RD
COCKEYSVILLE, MD 21030

-DRAWING TITLE-

**PLAN TO ACCOMPANY
PETITION FOR
ADMINISTRATIVE VARIANCES**



0' 25' 50' 100'

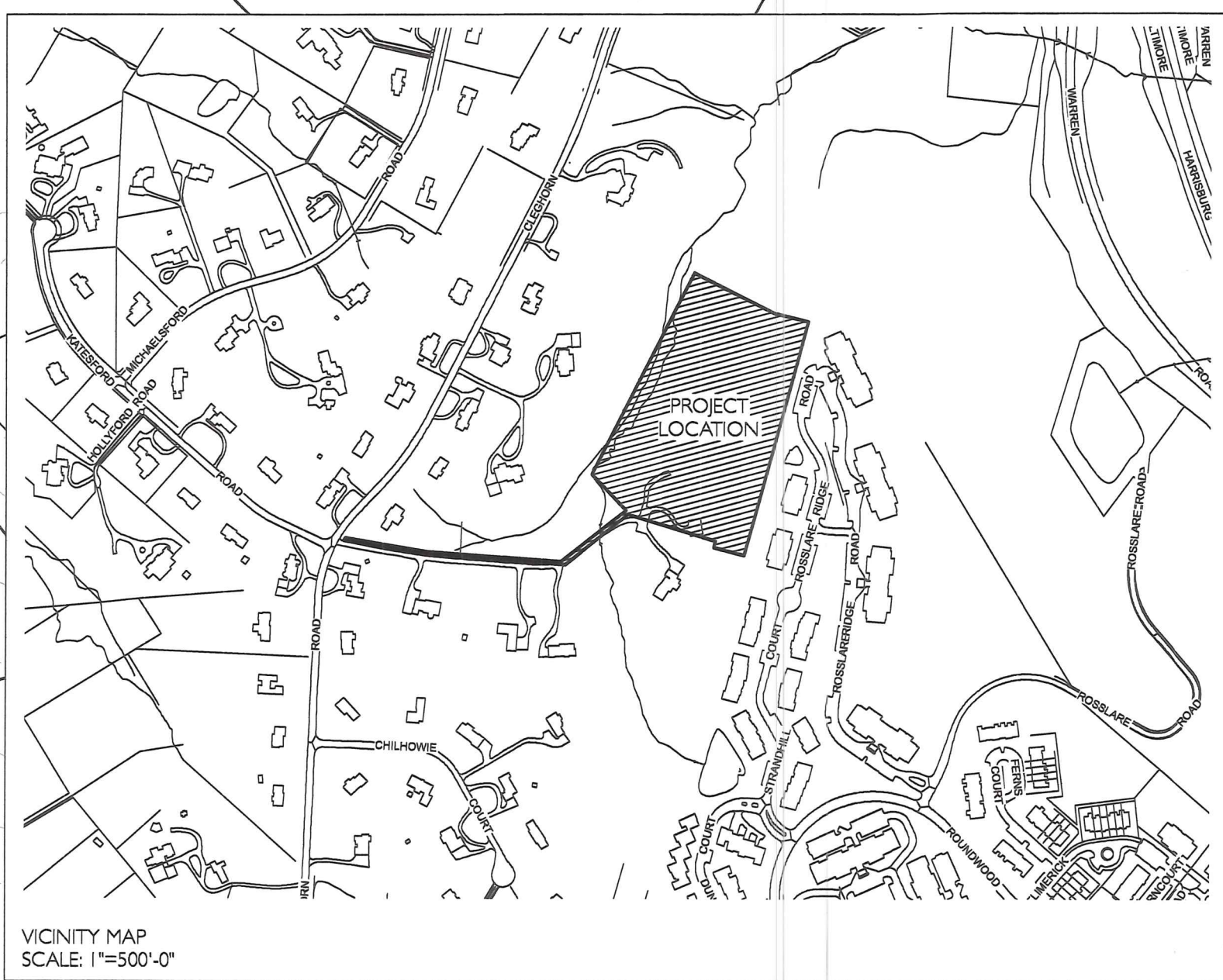
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1"=50'-0"

-SHEET NUMBER-

L1.00

-DATE-
AUGUST 15, 2017

2018-0010-A



VICINITY MAP
SCALE: 1"=500'-0"



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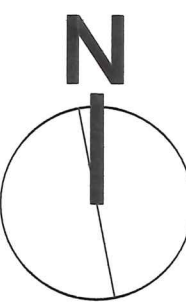
ZONING MAP # 051A2
SITE ZONED: RGS & DRS 5
ELECTION DISTRICT: 8TH
COUNCIL DISTRICT: 3RD
LOT AREA ACREAGE: 9.44 AC±
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COCKEYSVILLE, MD 21030

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PLAN TO ACCOMPANY
PETITION FOR
ADMINISTRATIVE VARIANCES



0' 25' 50' 100'

-SCALE-
1"=50'-0"

-SHEET NUMBER-

L1.00

-DATE-
AUGUST 15, 2017

2018-0070-A

Pet. 1