

MEMORANDUM

DATE: February 20, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0106-A – Appeal Period Expired

The appeal period for the above-referenced case expired on February 19, 2018. 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 VARIANCE

(12500 Jerusalem Road)
11th Election District
5th Council District
Kurt Heydt
Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2018-0106-A

* * * * *

OPINION AND ORDER

This matter (which originated as a petition for an administrative variance) comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Petition for Variance filed on behalf of Kurt Heydt, the legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R") as follows: (1) To permit an addition with the setbacks of 12.3 ft. +/- and 32.0 ft. +/- in lieu of the required 50.0 ft. from any lot line, respectively; and to amend the "Final Development Plan Re-subdivision of Lot No. 1, Burman Property" for Lot 1A only; and (2) Any additional relief as may be deemed necessary by the Administrative Law Judge ("ALJ"). A site plan was marked as Petitioner's Exhibit 1.

This matter was originally filed as an Administrative Variance, with a closing date of November 6, 2017. On October 30, 2017, Brian and Donna Radcliffe who live at 12448 Jerusalem Road requested a hearing. The hearing was held on Tuesday, January 16, 2018 at 1:30 PM in Room 104 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations.

ORDER RECEIVED FOR FILING

Date

1/18/18

By

Sen

Property owner Kurt Heydt and professional engineer John Motsco appeared in support of the petition. Adjacent neighbors Brian and Donna Radcliffe attended the hearing in opposition. The Petition was advertised and posted as required by the B.C.Z.R. There were no adverse Zoning Advisory Committee ("ZAC") comments received by any of the County reviewing agencies; however, the Department of Planning ("DOP") noted that the proposed addition was for garage and storage space and should not be used as a residence or for commercial purposes.

The site is approximately 1.243 acres in size and zoned RC 5. The property is improved with a 2 ½ story dwelling. Petitioner explained he has lived at the property for nearly 20 years, and now needs additional space to store vehicles and household items. Petitioner stated the two-story addition would have an unfinished first floor, with an internal stairway which would access a second floor storage space.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The property has an irregular shape and the dwelling is skewed on the lot. As such, the property is arguable unique. But at the same time, the proposed addition could have a negative impact upon the neighbors at 12448 Jerusalem Road. In this regard, Mr. Radcliffe's point is a valid one: the proposed two-story structure (30'x 30') would be 1,800 square feet in size and just 12 ft. from the property boundary. The addition would be as large as some single-family dwellings and the setback would barely satisfy the requirements for yard setbacks in residential zones. Of course this is an RC zone, and the proposed 12 ft. setback is less than 25% of the buffer required. B.C.Z.R.

ORDER RECEIVED FOR FILING

Date 1/18/18
By SLN

§1A04.3.

As discussed at the hearing, the Petitioner may choose to construct the proposed addition in a different location, which may or may not require a variance. Should he decide to do so I would not want him to be precluded by *res judicata* from seeking zoning relief at a later date, if that was required. As such, rather than deny the variance requested herein, the Petition will be dismissed without prejudice.

THEREFORE, IT IS ORDERED this 18th day of **January, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an addition with setbacks of 12.3 ft. +/- and 32.0 ft. +/- in lieu of the required 50.0 ft. from any lot line, respectively; and to amend the "Final Development Plan Re-subdivision of Lot No. 1, Burman Property" for Lot 1A only, be and is hereby DISMISSED without prejudice.

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:sln

ORDER RECEIVED FOR FILING

Date

1/18/18

By

sln



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 12500 JERUSALEM ROAD

Currently zoned RC 5 & RC 7

Deed Reference 20462 / 589

10 Digit Tax Account # 2 2 0 0 0 1 4 0 2 0

Owner(s) Printed Name(s) KURT HEYDT

(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 ATTACHMENT #1.

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.

ORDER RECEIVED FOR FILING
Date 11/8/18
By [Signature]

Owner(s)/Petitioner(s):

KURT HEYDT

Name #1 – Type or Print

Name #2 – Type or Print

[Signature]

Signature #1

Signature #2

12500 JERUSALEM ROAD

KINGSVILLE

MD

Mailing Address

City

State

21087

(410) 977-7622

kuheydt@comintcon.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:

LITTLE & ASSOCIATES, INC., JOHN MOTSCO

Name – Type or Print

[Signature]

Signature

1055 TAYLOR AVENUE

SUITE 307

TOWSON

MD

Mailing Address

City

State

21286

(410) 296-1636

johnm@littleassociates.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 2018-0106-A

Filing Date 10/11/17

Estimated Posting Date 10/22/17

Reviewer JR

ATTACHMENT #1
REQUESTED RELIEF

I. VARIANCES FROM BCZR§ 1A04.3 AS FOLLOWS:

- "A" VARIANCE FROM BCZR§ 1A04.3.B.2.b TO PERMIT AN ADDITION WITH THE SETBACKS OF 12.3± FEET AND 32.0± FEET IN LIEU OF THE REQUIRED 50.0 FEET FROM ANY LOT LINE, RESPECTIVELY; AND TO AMEND THE "FINAL DEVELOPMENT PLAN RESUBDIVISION OF LOT NO. 1 BURMAN PROPERTY" FOR LOT 1A ONLY.
- "B" ANY ADDITIONAL RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE; AND

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: 12500 JERUSALEM ROAD KINGSVILLE MD 21087
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. **(Clearly state practical difficulty or hardship here)**

SEE ATTACHMENT #2.

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

Kurt Heydt
Signature of Owner (Affiant)

KURT HEYDT
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:

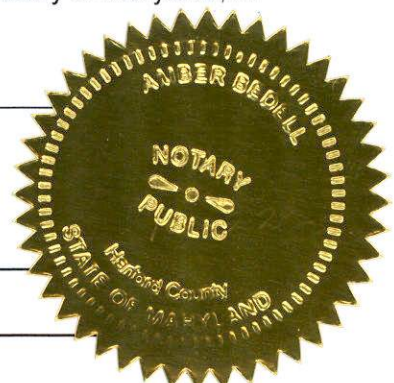
I HEREBY CERTIFY, this 29 day of September, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Kurt Heydt

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

AS WITNESS my hand and Notaries Seal

Amber Bedell
Notary Public
June 20, 2021
My Commission Expires



ATTACHMENT #2

The owner of the property, which is the owner's primary residence, wishes to construct a two story addition to be located west of the existing 2 ½ story dwelling. The proposed addition is to be connected to the existing dwelling via covered functional breezeway. The addition will provide extra garage and storage space for the owner.

Many of the owner's neighbors have structures that provide extra storage or garage space. The proposed two story addition is proposed on the western portion of the owner's property because the existing drive currently extends toward that area of the property. This is the simplest scenario for the extension of the drive to the addition. Further, wherever the two story proposed addition is located on the property, the 50 feet yard setbacks in combination with well and septic area setbacks will require the owner to seek relief of at least one of these required setbacks. The owner of the property will conform to a 12.3± feet setback from the southwestern property line from the side of the addition, as well as a 32.0± feet setback from the western property line from the rear of the addition. The proposed two story addition would not be a danger to public health, safety or the general welfare of the community, nor would it conflict with the spirit and intent of the BCZR.

March 26, 2017

ZONING DESCRIPTION FOR
#12500 JERUSALEM ROAD

Beginning at a point on the north side of Jerusalem Road, which is proposed to be 60 feet wide, at the distance of 2140 feet northeast of the centerline of Glenbauer Road, which is 50 feet wide. Being Lot #1A in the subdivision Burman Property as recorded in Baltimore County Plat Book S.M. 65, Folio 32, containing 1.243 acres of land, more or less. Located in the Eleventh Election District and Fifth Council District.



James G. Wiest
Professional Land Surveyor
MD Registration No. 21390
License Expires February 5, 2018



FORMAL DEMAND FOR HEARING

CASE NUMBER: # 2018-0106-A

Address: 12500 Jerusalem Rd Kingsville

Petitioner(s): Brian and Donna Radcliffe ²¹⁰⁸⁷

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

We Brian Radcliffe (Donna)
Name - Type or Print

☒ Legal Owner OR ☐ Resident of
12448 Jerusalem Road
Address

Kingsville MD 21087
City State Zip Code

410-591-5780
Telephone Number

which is located approximately 12' 3" feet from the
property, which is the subject of the above petition, **do hereby
formally demand that a public hearing be set in this matter.**

**ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.**

Brian Radcliffe 10/30/17
Signature Date

Donna Radcliffe 10/30/17
Signature Date



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5364728

Sold To:

Kurt Heydt - CU00632959
12500 Jerusalem Rd
Kingsville, MD 21087-1102

Bill To:

Kurt Heydt - CU00632959
12500 Jerusalem Rd
Kingsville, MD 21087-1102

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Dec 26, 2017

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 2018-0106-A
12500 Jerusalem Road
N/s of Jerusalem Road, 2140 ft. NE of centerline of Glenbauer Road
11th Election District - 5th Councilmanic District
Legal Owner(s) Kurt Heydt

Variance: to permit an addition with the setbacks of 12.3 ft. +/- and 32.0 ft. +/- in lieu of the required 50.0 ft. from any lot line, respectively and to amend the "Final Development Plan Re-subdivision of Lot No. 1, I Burman Property" for Lot 1A only. Any additional relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Tuesday, January 16, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 12/768 Dec. 26 5364728

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5329620

Sold To:

Kurt Heydt - CU00630498
12500 Jerusalem Rd
Kingsville, MD 21087-1102

Bill To:

Kurt Heydt - CU00630498
12500 Jerusalem Rd
Kingsville, MD 21087-1102

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Dec 07, 2017

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 2018-0106-A
12500 Jerusalem Road
N/s of Jerusalem Road, 2140 ft. NE of centerline of Glenbauer Road
11th Election District - 5th Councilmanic District
Legal Owner(s) Kurt Heydt

Variance: to permit an addition with the setbacks of 12.3 ft. +/- and 32.0 ft +/- in lieu of the required 50.0 ft. from any lot line, respectively; and to amend the "Final Development Plan Resubdivision of Lot No. 1 Burman Property" for Lot 1A only. Any additional relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Thursday, December 28, 2017 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for accommodations Please Contact the Administrative Law Judge and/or Hearing. 410-3391.

5329620

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

CERTIFICATE OF POSTING

Date: 12-18-17

RE: Case Number: 2018-0106-A

Petitioner/Developer: Kurt Heydt

Date of Hearing/Closing: 1-16-17 1:30 PM

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 12500 Jerusalem Rd

ZONING NOTICE

CASE # 2018-0106-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

JEFFERSON BLDG, ROOM 205

PLACE: 105 W. CHESAPEAKE AVE, TOWSON, MD 21204

DATE AND TIME: TUES JAN 16 2018 1:30 PM

REQUEST: VARIANCE TO PERMIT AN ADDITION WITH

THE SETBACKS OF 12.3 FT +/- AND 32.0 FT +/- IN LIEU OF THE

REQUIRED 50.0 FT FROM ANY LOT LINE RESPECTIVELY AND TO

AMEND THE FINAL DEVELOPMENT PLAN REBUDIVISION OF LOT NO. 1,
BURNAN PROPERTY FOR LOT 1A ONLY. ANY ADDITIONAL RELIEF AS MAY BE
DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESS

1. 1941 1942 1943 1944 1945 1946 1947 1948 1949 1950 1951 1952 1953 1954 1955 1956 1957 1958 1959 1960 1961 1962 1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349

CERTIFICATE OF POSTING

Date: 10-1

RE: Case Number: 2018-0106-A



ZONING NOTICE
ADMINISTRATIVE
VARIANCE

CASE # 2018-0106-A
TO PERMIT AN ADDITIONAL WHITE SETBACKS
OF 11.31 + 32' TO THE EXISTING RESPECTS
TO AVOID THE FINAL BUILDING FROM RESUBDIVISION
OF LOT 10.1 SURMAN PROPERTY FOR LOT 14-D ONLY

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 11/06/17.
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, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

Year)	2018
Name of Sign Poster)	ANCE PILSON
Name of Sign Poster)	ANCE PILSON
Address of Sign Poster)	Barn Road
Zip Code of Sign Poster)	MD 21120
Number of Sign Poster)	-1443
Necessary sign(s) required	2500 Tennessee

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 7, 2017 Issue - Jeffersonian

Please forward billing to:
Kurt Heydt
12500 Jerusalem Road
Kingsville, MD 21087

410-977-7622

NOTICE OF ZONING HEARING

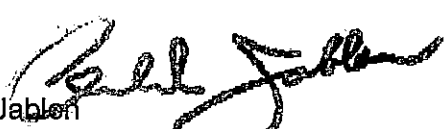
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2018-0106-A

12500 Jerusalem Road
N/s of Jerusalem road, 2140 ft. NE of centerline of Glenbauer Road
11th Election District – 5th Councilmanic District
Legal Owners: Kurt Heydt

Variance to permit an addition with the setbacks of 12.3 ft. +/- and 32.0 ft. +/- in lieu of the required 50.0 ft. from any lot line, respectively; and to amend the "Final Development Plan Re-subdivision of Lot No. 1, Burman Property" for Lot 1A only. Any additional relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Thursday, December 28, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 26, 2017 Issue - Jeffersonian

Please forward billing to:
Kurt Heydt
12500 Jerusalem Road
Kingsville, MD 21087

410-977-7622

CORRECTED NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2018-0106-A

12500 Jerusalem Road

N/s of Jerusalem road, 2140 ft. NE of centerline of Glenbauer Road

11th Election District – 5th Councilmanic District

Legal Owners: Kurt Heydt

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Hearing: Tuesday, January 16, 2018 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

November 27, 2017

NEW NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2018-0106-A

12500 Jerusalem Road

N/s of Jerusalem road, 2140 ft. NE of centerline of Glenbauer Road

11th Election District – 5th Councilmanic District

Legal Owners: Kurt Heydt

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Hearing: Tuesday, January 16, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Kurt Heydt, 12500 Jerusalem Road, Kingsville 21087
John Motsco, Little & Associates, 105 Taylor Avenue, Ste. 307, Towson 21286
Brian Radcliffe, 12448 Jerusalem Road, Kingsville 21087

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., DECEMBER 27, 2017.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

November 13, 2017

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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12500 Jerusalem Road

N/s of Jerusalem road, 2140 ft. NE of centerline of Glenbauer Road

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Legal Owners: Kurt Heydt

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Hearing: Thursday, December 28, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Kurt Heydt, 12500 Jerusalem Road, Kingsville 21087
John Motsco, Little & Associates, 105 Taylor Avenue, Ste. 307, Towson 21286
Brian Radcliffe, 12448 Jerusalem Road, Kingsville 21087

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, DECEMBER 8, 2017.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 2018- 0106 -AAddress 12500 JERUSALEM RD.Contact Person: JUN FERNANDO

Phone Number: 410-887-3391

Planner, Please Print Your Name

Filing Date: 10-11-17Posting Date: 10-22-17Closing Date: 11-06-17

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 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 FORMATCase Number 2018- 0106 -AAddress 12500 JERUSALEM RDPetitioner's Name KURT HEYDTTelephone 410-977-7622Posting Date: 10-22-17Closing Date: 11-06-17

Wording for Sign: To Permit an addition with setbacks of 12.3' & 32'
in lieu of the minimum required 50' from any lot line,
respectively. And to amend the Final Development Plan,
Re subdivision of Lot No. 1 BURMAN PROPERTY for Lot 1A only.

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/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2018-0106-A

Property Address: 12500 JERUSALEM ROAD

Property Description: LOT 1A OF THE SUBDIVISION OF BURMAN PROPERTY

Legal Owners (Petitioners): KURT HEYDT

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: KURT HEYDT

Company/Firm (if applicable): N/A

Address: 12500 JERUSALEM ROAD
KINGSVILLE, MD 21087

Telephone Number: (410) 977-7622

Revised 5/20/2014

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

No 157276

Date: 10/11/17

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	506	0000		6150				150.00

Total: 150.00

Rec From: Kurt Heydt

For: Admin. Variance 12500 Jerusalem Rd.
Case # 2018-0106-A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
 10/11/2017 10/11/2017 11:10:43 3
 REG W503 WALKIN CAY
 >>RECEIPT # 748960 10/11/2017 OFLN
 Dept 5 528 ZONING VERIFICATION
 CR NO. 157276
 Recpt Tot \$150.00
 \$150.00 CK \$0.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**



KEVIN KAMENETZ
County Executive

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

January 11, 2018

Kurt Heydt
12500 Jerusalem Road
Kingsville MD 21087

RE: Case Number: 2018-0106 A, Address: 12500 Jerusalem Road

Dear Mr. Heydt:

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
John Motsco, Little & Associates, Inc., 1055 Taylor Avenue, Suite 307, Towson MD 21286

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 10/16/17

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. 2018-0106-A

*Administrative Variance
Kurt Heydt
12500 Jerusalem 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

INTEROFFICE CORRESPONDENCE

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

DATE: October 23, 2017

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 26, 2017
Item No. 2018-0103-SPH, 0104-A, 0106-A and 0107-SPHA

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

*

*

*

*

*

VKD: efc
cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 10/27/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-106

INFORMATION:

Property Address: 12500 Jerusalem Road
Petitioner: Kurt Heydt
Zoning: RC 5 & RC 7
Requested Action: Administrative Variance

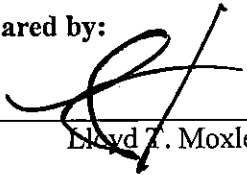
The Department of Planning has reviewed the petition for an administrative variance to permit an addition with the setbacks of 12.3 feet and 32.0 feet in lieu of the required 50.0 feet from any lot line, respectively; and to amend the Final Development Plan Re-Subdivision of Lot Number 1, "Burman Property" for Lot 1A only.

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

- The proposed addition is to be used as garage and storage space and shall not be used as a residence or for commercial purposes.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Kathy Schlabach

AVA/KS/LTM/ka

c: Kaylee Justice
John Motsco, Little & Associates, Inc.
Office of the Administrative Hearings
People's Counsel for Baltimore County

DATE _____

1-17-2018

[illegible]

Kristen L Lewis

Granted per AJ 11/24/17

From: Arnold Jablon
Sent: Thursday, November 23, 2017 7:04 PM
To: Kristen L Lewis
Subject: Fwd: Postponement of Hearing Date

See me

Begin forwarded message:

From: Brian Radcliffe <brianradcliffe1@gmail.com>
Date: November 23, 2017 at 6:57:09 PM EST
To: ajablon@baltimorecountymd.gov
Subject: Postponement of Hearing Date

Mr. Jablon,

My wife and I requested a hearing for an Administrative Variance Case Number 2018-0106-A. We received your notification that the hearing is scheduled for December 28, 2017 at 1:30. We are scheduled to be in New York at that time. If it is at all possible, we would like the hearing to be moved to sometime in January. Please let us know if this request can be granted.

I have sent a copy of this email to Kurt Heydt, the property owner who is requesting the variance, 12500 Jerusalem Road, by mail to let him know of this request.

Sincerely,
Brian Radcliffe



RESIDENTIAL BROKERAGE

2023 EMMORTON RD
BEL AIR, MD 21015

Mr. & Mrs. Brian Radcliffe
12448 Jerusalem Rd.
Kingsville, MD 21087

Dear Mr. & Mrs. Radcliffe

January 11, 2018

It was a pleasure meeting you recently at your home in Kingsville to discuss the effect that your neighbor's 2-story addition will have on your home. After walking the lot and conducting my own research, it is quite apparent that this projected renovation will be directly visible from the garage side of your home as well as the rear yard and deck. Because the Baltimore County setbacks on all sides of your lot act as a buffer to maintain the privacy that buyers expect when purchasing a home in Kingsville, I highly suggest that nothing is done to compromise that unique feature of your property. Those setbacks on your and your neighbor's lots have a specific purpose and shouldn't be compromised. Based on my 18 years of experience as a leading residential real estate sales specialist, I suggest you not agree to the variance that's being requested by your neighbor because it will definitely have an adverse effect on the overall value of your property and its market appeal when selling it in the future.

If you have any further questions regarding this issue or if you have any other matters relating to real estate that you'd like to discuss, feel free to reach out to me at your convenience.

Respectfully,

Jim Piccione, ABR, GRI, MDREA

Coldwell Banker Residential Brokerage
Life Member, Million Dollar Real Estate Association
CBRB International President's Circle
NRT Top 2% Agent 2007-Present
jpiccione@cbmove.com
C: 410-688-7459
O: 410-515-2000

1/14/2018

Brian and Donna Radcliffe,

This letter is in regard to the zoning notice at the end of the driveway of 12500 Jerusalem Rd and its impact on neighboring properties. Our properties are zoned RC5, Rural Residential. This particular neighborhood is heavily wooded and secluded. People purchasing here are doing so because they value their privacy and a quiet setting. In keeping with the rural aspect of the community, we support owners having freedom to build on their property as needed, within the law, while respecting the atmosphere of the community. Part of this atmosphere is the privacy provided by setbacks. While we think there should be flexibility, the construction of a large permanent structure should take into account the quality of life of owners of neighboring properties if it is to infringe on setbacks. Large permanent structures on neighboring properties can negatively effect the atmosphere of the property, the owner's ability to enjoy their property, as well as resale values. If a large permanent structure is needed, the property owner should fit it within the provided building envelope. If that is not possible, care should be taken to work with effected neighbors to find an amicable solution for infringement on setbacks.

Chris and Barb Stachowiak

12444 Jerusalem Rd. Kingsville MD

Tom and Robin Beers
12442 Jerusalem Road
Kingsville, MD

January 15, 2018

Re: Opposed to Variance Request # 2018-0106-A; proposed at 12500 Jerusalem Road

Dear Administrative Law Judge,

Thank you for taking the time to hear our concerns and consider our opposition to this variance request. We ask for your fair assessment in the matter of this request for a two-story addition that would violate the zoning regulations by almost 38 feet on the side where the existing neighbors, Donna and Brian Radcliffe, have resided for over 30 years. We have lived at our address and have known the Radcliffes for that long, since we moved in not long after them.

We feel blessed to have such exceptionally kind and considerate neighbors as the Radcliffes have been throughout the years. They have been the kind of neighbors that we could call upon for help and Brian would often clear neighbors' driveways, expecting nothing but a "Thank You". We are concerned to see their adjacent neighbor proposing such a large addition that appears to be infringing on the goodness and generosity of the Radcliffes.

It seems unfair and unreasonable that the petitioner, having benefitted from his home-based business for many years, now wants to build an addition that has a *larger square footage than our primary residence* and intrudes on the adjacent property owners by being proposed only 12 feet from their property line (instead of the required 50'). This is especially troubling because we live in Kingsville on limited well and septic, NOT in Perry Hall where public water and sewer and zoning allow for much more concentrated development.

Throughout our years here, we've learned that most people move to Kingsville to *escape* noisy, *crowded living*. In this particular situation, please note that the Radcliffes purchased the *last* lot back at the end of a very long driveway, that backs up to the state park. It seems obvious that a great part of the value of their home comes from that privacy and seclusion and one of our biggest concerns is negative impact on property values. This seems very wrong and totally unfair.

We understand that home businesses are allowed in a rural residential zone, but with distinct limitations and restrictions. One concern is that it may be *the business pushing the need* for so very much space and that is just not fair to the surrounding residences and is very inappropriate for our quiet rural residential zone. Already, much money has been saved for the petitioner throughout the years of running this business from the home instead of renting office space.

We agree with property rights, but this example is the very reason why there *are* zoning regulations, to keep people from violating *their neighbors' property rights*. We don't think that any of the neighbors have ever complained about the box truck (or trucks) that regularly come and go, up and down the petitioner's long driveway, but maybe at this point, the business has *outgrown* this property. Certainly it would be wrong for any part of this business to be allowed within an addition that cannot be contained within the property's designated zoning setbacks.

Here is how we handled our extra outbuilding: Since we have no real basement, we needed extra space, so we considered adding a 12' X 24' outbuilding. Even though it wasn't close to any neighbors' homes, we still talked with them about it first, because it *would* be visible to them. Then we went through a lot of

time, effort and extraordinary measures to make sure we would *comply* with the Baltimore County Zoning Regulations, so as to *not* require a variance.

In this case, we would question, are there not some other options: Could this addition be placed to the rear of the house, or the other side towards the rear? ... make the addition smaller? ... look for office space for the business in a *business zone*? ... or the petitioner decide he and the business have outgrown this property and need to look for a larger lot?

Thank you for your time, concern and consideration to help retain our rural residential character and property values by denying this variance request.

Sincerely,



Tom and Robin Beers



Brian Radcliffe <brianradcliffe1@gmail.com>

Addition on neighbors house

HARRY SANDERS <HARRY.SANDERS@longandfoster.com>
To: Brian Radcliffe <brianradcliffe1@gmail.com>

Tue, Jan 2, 2018 at 12:12 PM

To whom it may concern:

As a long time Kingsville resident [1948], I feel very strongly that setback lines were put in place for a reason. The Kingsville community has seen many changes in recent years and we hope to maintain its rural charm as much as possible.

Harry Sanders

12514 Jerusalem Road

Kingsville, Maryland 21087

From: Brian Radcliffe [mailto:brianradcliffe1@gmail.com]

Sent: Tuesday, January 02, 2018 9:38 AM

To: HARRY SANDERS

Subject: Re: Addition on neighbors house

[Quoted text hidden]



Front of residence, #12500 Jerusalem Road, and existing drive.



Side of adjacent dwelling, #12444 Jerusalem Road, and existing shed in front yard.



Front of adjacent dwelling, #12446 Jerusalem Road, and existing garage in front yard.



Front of adjacent dwelling, #12448 Jerusalem Road, and existing shed in front yard.



Front of adjacent dwelling, #12502 Jerusalem Road, and existing rotunda in rear yard.



Kurt Heydt
12500 Jerusalem Road
Kingsville, MD 21087

Dear Neighbors,

As I have discussed with many of you I would like to build an addition on the side of my house which includes a garage. This process requires a variance from Baltimore County. Attached you will find the proposed plan. I am interested in getting your support by your signature below.

Thank you,

Kurt Heydt

Address: 12446 JERUSALEM RD
Print Name: RICHARD ESBRANDT Signature: [Signature]

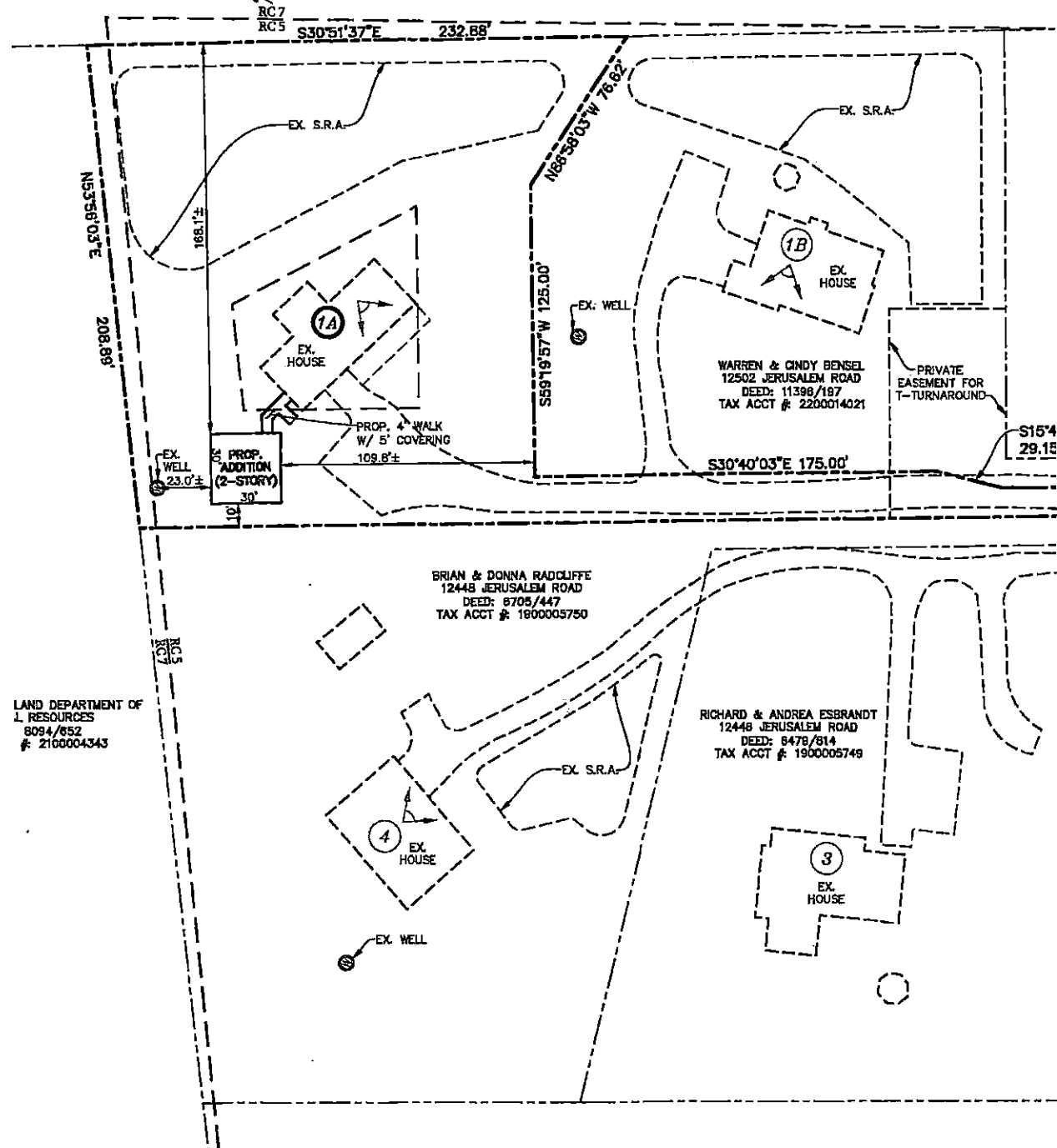
Address: 12502 Jerusalem Rd 21087
Print Name: Warren S Beisel Signature: [Signature]

Address: _____
Print Name: _____ Signature: _____

Address: _____
Print Name: _____ Signature: _____

Address: _____
Print Name: _____ Signature: _____

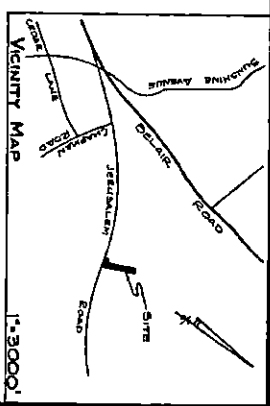
STATE OF MARYLAND TO THE USE OF
DEPARTMENT OF FORESTS AND PARKS
DEED: 3807/408
TAX ACCT #: 1118074871



LAND DEPARTMENT OF
L. RESOURCES
8094/852
#: 2160004343

NEIGHBORS TO INITIAL HERE.

R.E.
W.S.K.



Grass Area	6,467 Ac ±
Net Area	6,594 Ac ±
Parcel 1A - Charles O Bryant Property - 6.14 Ac ±	6,633 Ac ±
Debiting	6,007 ± 4.0
Debiting	5
Debiting	1 (same listed as 5.14)

[illegible]

3. This plat may appear in accordance with the provisions of the Baltimore County Code, Section 26-218.
 4. The recording of this plat does not guarantee that listed - lot(s) of street or lot(s) by Baltimore County.
 5. The information shown hereon may be superseded by a subsequent or amended plat.
 6. Additional information concerning this plat may be obtained from the Department of Planning and Zoning and the Department of Public Works.
 7. The recording of this plat does not constitute or imply acceptance by the County of any street, easement, park, open space or other public area shown on the plat.
 8. The owner/developer shall comply with the best management practices established by the Baltimore County Department of Environmental Protection and Resource Management.
 9. The front for the property shown on this plat was measured on September 13, 1978.
 10. The rear boundary line shown as part of this plat was measured on or 1978.
- | CONVEYED PLAT NUMBER | CORRECTION INFORMATION |
|----------------------|------------------------|
| 1978-001 | 1978-001 |
| 1978-002 | 1978-002 |
| 1978-003 | 1978-003 |
| 1978-004 | 1978-004 |
| 1978-005 | 1978-005 |
| 1978-006 | 1978-006 |
| 1978-007 | 1978-007 |
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| 1978-096 | 1978-096 |
| 1978-097 | 1978-097 |
| 1978-098 | 1978-098 |
| 1978-099 | 1978-099 |
| 1978-100 | 1978-100 |
- Let 1 and 2 on the adjacent PROPERTY and two lots.

LOS TIGRES PARQUEAD MORE THAN FIFTY AS WE SHOWED THE HANDMADE
 LOW 1 ON THE BUILDING PROPERTY AND TWO LOTS.

LOCATED IN
11th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
DEED REF: S.M. 8438 folio 020
CONTAINING: 2.352 Ac±
TAX No.: 22-00-002074 -
ZONED: R.C. 5

GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

THE LAW OFFICE OF A. MURPHY AND PROPERTY LIAISON

3/22/2011



PIA	COMBATED	aka <u>James Earl Ray</u>	1936
FUGA	PIA?	<u>1968</u>	
PUBLIC SERVICES		<u>1968</u>	
DEY CERTAIN		<u>BAR 12/15/64</u>	
DEY BARRING		<u>BAR 12/15/64</u>	
STREET ADDRESS		<u>1007 12/17/62</u>	
PLUMBING		<u>1007 12/17/62</u>	
LAST RESIDENCE		<u>1007 12/17/62</u>	
DATE OF BIRTH		<u>12/17/1924</u>	

Filed for record
SMA 65 FOLIO 32
Date DEC 23 1992
Test 1

Myra Reed
Clerk

APPROVED FOR BALTIMORE COUNTY DEPARTMENT OF
HEALTH AND ENVIRONMENTAL PROTECTION AND RECREATION
DATE 12/18/88
BY [Signature]
APPROVED FOR BALTIMORE COUNTY DEPARTMENT OF
HEALTH AND ENVIRONMENTAL PROTECTION AND RECREATION
DATE 12/18/88
BY [Signature]

65-32

RC-5 Rural Residential

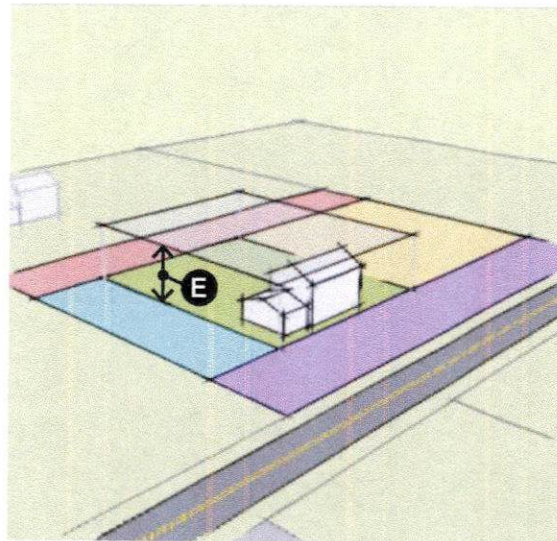
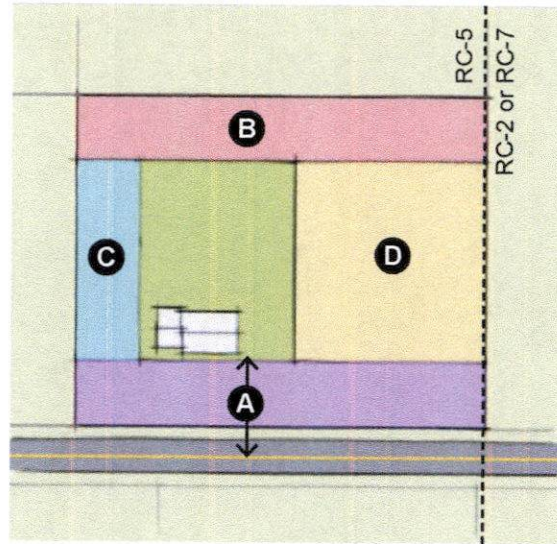
Intent: To provide for rural residential development in areas of Baltimore County where public water and sewer are not anticipated. It is intended that the placement of the zone will help eliminate encroachment onto productive agricultural and watershed areas.

Typical Uses Permitted by Right: Single-family dwelling, farm, school.

Typical Uses Permitted by Special Exception: Antique shop, golf course/country club.

Notes:

- Subject to performance standards that include site plan and architectural review for quality of design and reflection of rural character. (The Back River Neck District is excluded from this RC-5 requirement.)
- The minimum lot size is 1 1/2 acre.



Height and Area Requirements		
A	Minimum front setback to centerline of road	Varies*
B	Minimum rear setback	50 feet
C	Minimum side setback	50 feet
D	Minimum side setback to RC-2 or RC-7 zone line	150 feet
E	Maximum building height	35 feet

* Varies according to type of road



Screen shot from MyNeighborhood.

Outline of main part of parcel. shows it as 0.89 acres



ZAC AGENDA

Case Number: 2018-0106-A

Primary Use: RESIDENTIAL

Reviewer: Fernando Bonifacio

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Kurt Heydt

Contract Purchaser

Critical Area : No Flood Plain: No Historic No Election Dist Eleventh Councilmanic Dist Fifth

Property Address: 12500 Jerusalem ROAD

Location: N/S of Jerusalem Road, 2,140 ft. NE of the centerline of Glenbauer Road

Existing Zoning: RC 5

Area: 1.243 acres

Proposed Zoning: ADMINISTRATIVE VARIANCE:

1. To permit an addition with the setbacks of 12.3 ft. +/- and 32.0 ft. +/- in lieu of the required 50.0 ft. from any lot line, respectively; and to amend the "Final Development Plan Re-subdivision of Lot No. 1, Burman Property" for Lot 1A only.

2. Any additional relief as may be deemed necessary by the Administrative Law Judge.

Attorney:

Prior Zoning Cases:

Concurrent Cases:

Violation Cases:

Closing Date: 11/6/2017 12:00:00AM

Miscellaneous:

PAI # 110500

PAI # 110500
Pl. Bk. 0000060, Folio 0035
2100004343 PAI # 110500
Pl. Bk. Folio # 060035
PAI # 110500

RC7

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

1119074971

NE 16-K
055B2

2200014021
Pl. Bk. 0000065, Folio 0032

Lot # 1B

11 ED

5 CD

12448

PAI # 110665
Pl. Bk. Folio # 065032
PAI # 110665 110665
2200014020

Lot # 4

1900005750

PAI # 110665 Lot # 1A

12446

1900005749

Lot # 3

PAI # 110306

GROWTH TIER 3

(New Major Subs. of 4 or More Additional
Lots Req. Plan Bd. Approval)

RC5

Pl. Bk. Folio # 048119 PAI # 110306
PAI # 110306

1979-0078-A

2200002075

1117010050

12444

Lot # 2

1900005748

Pl. Bk. 0000048, Folio 0119

1600000925

12504

1900005747

Lot # 1

Pt. Bk./Folio # 060035

2100004343

PAI # 110500

PAI # 110500

Pt. Bk. 0000060, Folio 0035

PAI # 110500

PAI # 110500

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

RC 7

1119074971

SITE

Lot # 1B
1A

2200014020

12502 12500

Pt. Bk. 0000065, Folio 0032

5 CD

NE 16-K

055B2

11 ED

Pt. Bk./Folio # 065032

PAI # 110665

PAI # 110665

PAI # 110665

PAI # 110665

12448

Lot # 4

1900005750

Lot # 1A
1B

12502
12500
2200014020

RC 5

GROWTH TIER 3
(New Major Subs. of 4 or More Additional
Lots Req. Plan. Bd. Approval)

PAI # 110306

Pt. Bk./Folio # 048119

PAI # 110306

PAI # 110306

PAI # 110306

12446

Lot # 3

Pt. Bk. 0000048, Folio 0119

1979-0078-A

1900005749

2200002075

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

1117010050

Lot # 2 1900005748

Pt. Bk./Folio # 060035 Pt. Bk. 0000060, Folio 0035

2100004343

PAI # 110500

PAI # 110500

PAI # 110500

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

RC 7

1119074971

Lot # 1B

2200014021

12502

Pt. Bk. 0000065, Folio 0032

5 CD

11 ED

NE 16-K

055B2

Pt. Bk./Folio # 065032

PAI # 110665

PAI # 110665

PAI # 110665

PAI # 110665

12448

Lot # 4

1900005750

Lot # 1A

12500

2200014020

RC-5

GROWTH TIER 3
(New Major Subs. of 4 or More Additional
Lots Req. Plan. Bd. Approval)

PAI # 110306

Pt. Bk./Folio # 048119

PAI # 110306

PAI # 110306

PAI # 110306

12446

Lot # 3

Pt. Bk. 0000048, Folio 0119

1979-0078-A

1900005749

2200002075

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

1117010050

Lot # 2

1900005748

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment10-23DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)NCDEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

10-27PLANNING
(if not received, date e-mail sent _____)C10-16

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 12-26-17SIGN POSTING Date: 12-18-17 by PilsonPEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: *

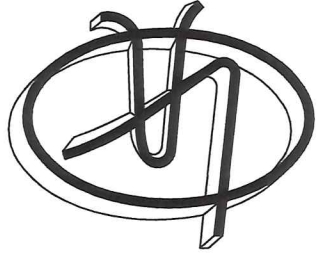
Formal Demand (AV) closing - 11-6-17 -
Radcliffe @ 12448 Jerusalem Rd. on 10-30-17

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 11 Account Number - 2200014020			
Owner Information					
Owner Name:		HEYDT KURT		Use:	RESIDENTIAL
Mailing Address:		12500 JERUSALEM RD KINGSVILLE MD 21087-1102		Principal Residence:	YES
				Deed Reference:	/20462/ 00589
Location & Structure Information					
Premises Address:		12500 JERUSALEM RD KINGSVILLE 21087-1102		Legal Description:	1.243 AC 12500 JERUSALEM RD NSR BURMAN PROPERTY
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0055	0009	0423		0000	1A 2018 0065/0032
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area		Property Land Area	County Use
1993	2,304 SF			1.2400 AC	04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	1 Attached
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2018	07/01/2017	07/01/2018
Land:		102,400	102,400		
Improvements		302,800	297,600		
Total:		405,200	400,000	405,200	400,000
Preferential Land:		0			0
Transfer Information					
Seller: MORAN DANIEL C		Date: 07/29/2004		Price: \$25,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /20462/ 00589		Deed2:	
Seller: MORAN DANIEL C		Date: 01/07/2000		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /14251/ 00028		Deed2:	
Seller: MORAN DANIEL C		Date: 01/07/2000		Price: \$150,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /00000/ 00000		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: No Application					
Homeowners' Tax Credit Application Information					

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

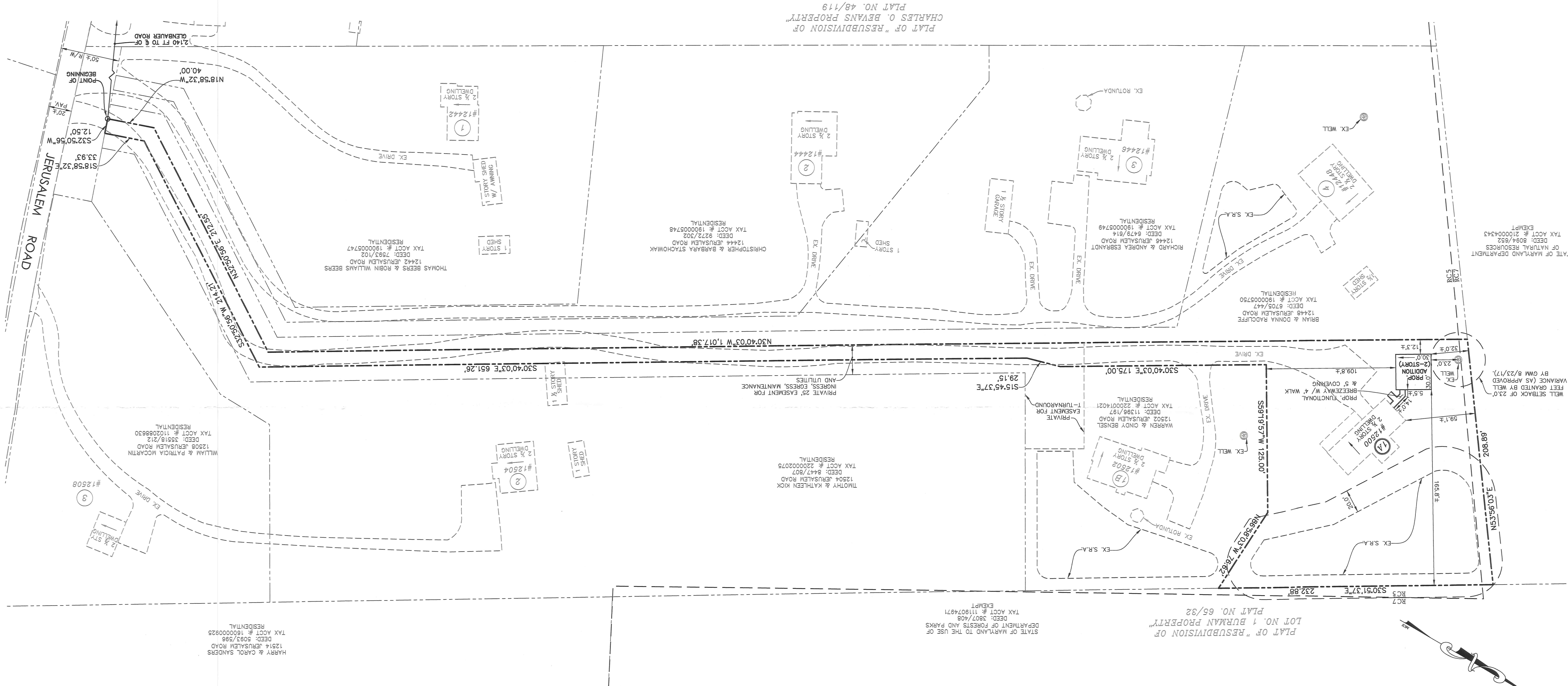


LITTLE & ASSOCIATES, INC.
ENGINEERS~LAND PLANNERS~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410) 296-1636 FAX: (410) 296-1639

16162

DISTRICT 1165
BALTIMORE COUNTY, MD
OCTOBER 11, 2017

Case No.: 2016-0106-A
PLAN TO ACCOMPANY
PETITION FOR VARIANCE
HEYDT RESIDENCE
#12500 JERUSALEM ROAD



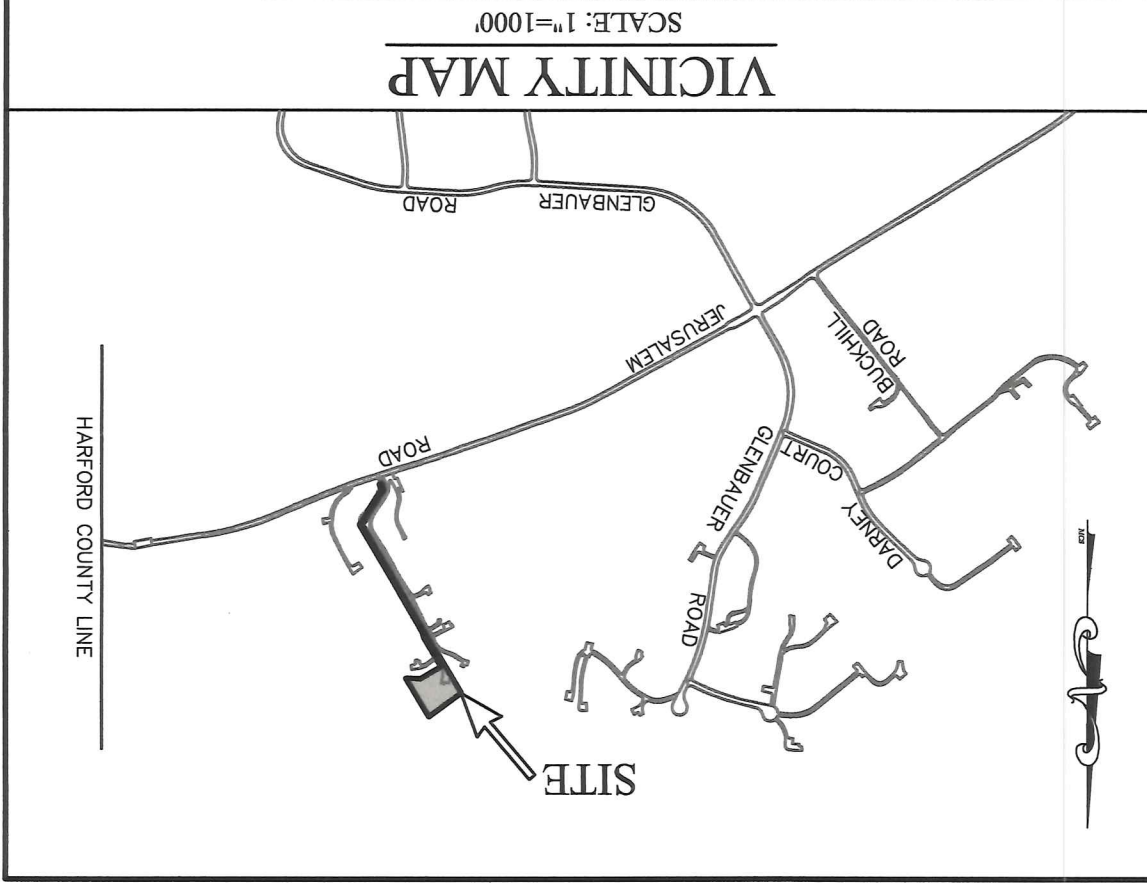
- SITE DATA**
1. NET GROSS TRACT AREA: 1.243 AC (54,145 SF)
 2. THE ENTIRE SITE IS ZONED RC-5 & RC-7, 200 SCALE MAP #05582.
 3. OWNER: KURT HEYDT
12500 JERUSALEM ROAD
KINGSVILLE, MD 21087
 4. TAX ACCT # 2200014020
 5. DEED: 20462/589
 6. PLAT: 65/32 LOT 1A
 7. MAP: 055 GRID: 09 PARCEL: 423
 8. ELECTION DISTRICT: 11 COUNGMANING DISTRICT: 5
 9. THIS SITE IS LOCATED WITHIN THE LITTLE GUNPOWDER FALLS WATERSHED.
 10. THIS SITE IS NOT LOCATED WITHIN ANY DEFICIENT AREAS BASED ON THE 2017 BASIC SERVICES MAPS, PURSUANT TO SECTION 4402, BCR.
 11. NO FLOOD PLAIN EXISTS ON THIS PROPERTY.
 12. THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
 13. THERE ARE NO KNOWN ENDANGERED SPECIES HABITATS ARCHAEOLOGICAL OR HISTORICAL SITES, OR CONTAMINATED AREAS ON THE SUBJECT PROPERTY.
 14. THIS SITE HAS NO PREVIOUS ZONING HISTORY.
 15. CURRENT USE: RESIDENTIAL
 16. PROPOSED USE: RESIDENTIAL
 17. PROPOSED BREEZEWAY SHALL BE FUNCTIONAL WITH DOORS AT BOTH ENDS PROVIDING ACCESS TO STRUCTURES.

REQUESTED RELIEF

1. VARIANCES FROM SECTION 1404.3 BCR AS FOLLOWS:

"A" VARIANCE FROM SECTION 1404.3.B.2 BCR TO PERMIT AN ADDITION WITH THE SETBACKS OF 12.34 FEET AND 32.0 FEET IN LIEU OF THE REQUIRED 50.0 FEET FROM ANY LOT LINE, RESPECTIVELY, AND TO AMEND THE "FUTURE DEVELOPMENT PLAN" (REDESIGNATION OF LOT NO. 1 BURMAN PROPERTY) FOR LOT 1A ONLY.

"B" ANY ADDITIONAL RELIEF AS MAY BE DEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE.



VICINITY MAP
SCALE: 1"=1000'

SITE DATA

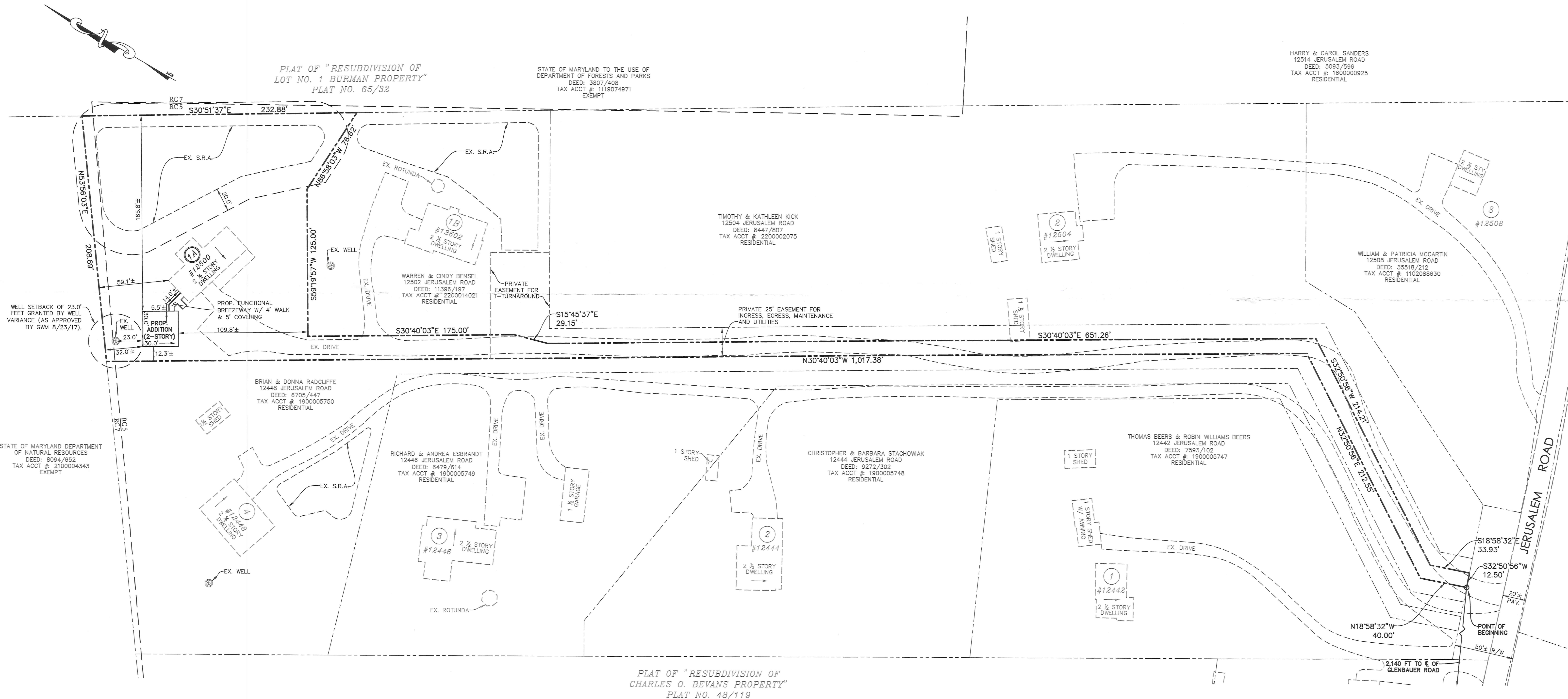
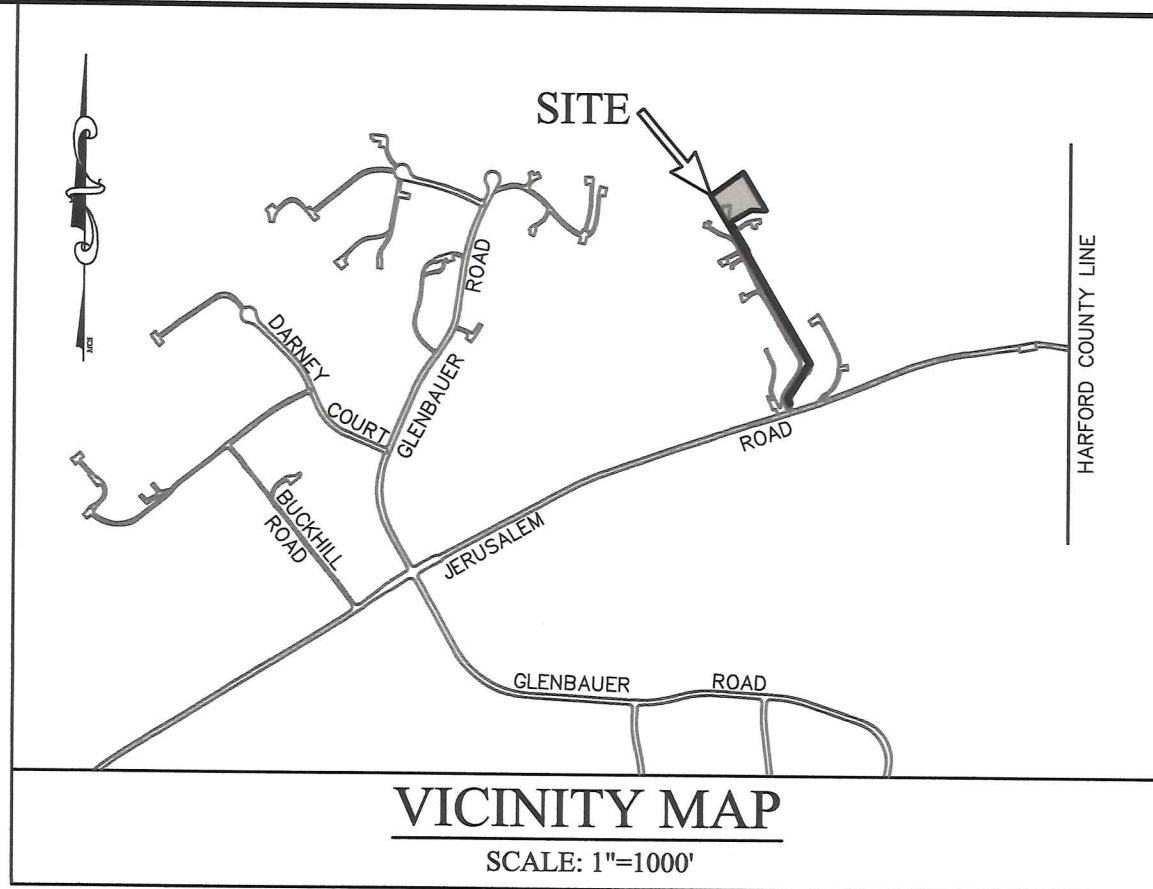
1. NET/GROSS TRACT AREA: 1.243 AC± (54,145 SF)
2. THE ENTIRE SITE IS ZONED RC-5 & RC-7, 200 SCALE MAP #05582.
3. OWNER:
KURT HEYDT
12500 JERUSALEM ROAD
KINGSVILLE, MD 21087
4. TAX ACCT. #: 2200014020
5. DEED: 20482/589
6. PLAT: 65/32 LOT 1A
7. MAP: 055 GRID: 09 PARCEL: 423
8. ELECTION DISTRICT: 11 COUNGLMANIC DISTRICT: 5
9. THIS SITE IS LOCATED WITHIN THE LITTLE GUNPOWDER FALLS WATERSHED.
10. THIS SITE IS NOT LOCATED WITHIN ANY DEFICIENT AREAS BASED ON THE 2017 BASIC SERVICES MAPS, PURSUANT TO SECTION 4A02, BCZR.
11. NO FLOOD PLAIN EXISTS ON THIS PROPERTY.
12. THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
13. THERE ARE NO KNOWN ENDANGERED SPECIES HABITATS, ARCHAEOLOGICAL OR HISTORICAL SITES, OR CONTAMINATED AREAS ON THE SUBJECT PROPERTY.
14. THIS SITE HAS NO PREVIOUS ZONING HISTORY.
15. CURRENT USE: RESIDENTIAL
16. PROPOSED USE: RESIDENTIAL
17. PROPOSED BREEZEWAY SHALL BE FUNCTIONAL WITH DOORS AT BOTH ENDS PROVIDING ACCESS TO STRUCTURES.

REQUESTED RELIEF

I. VARIANCES FROM SECTION 1A04.3 BCZR AS FOLLOWS:

"A" VARIANCE FROM SECTION 1A04.3.B.2.b BCZR, TO PERMIT AN ADDITION WITH THE SETBACKS OF 12.3± FEET AND 32.0± FEET IN LIEU OF THE REQUIRED 50.0 FEET FROM ANY LOT LINE, RESPECTIVELY. ADD TO AMEND THE "FINAL DEVELOPMENT PLAN RESUBDIVISION OF LOT NO. 1 BURMAN PROPERTY" FOR LOT 1A ONLY.

"B" ANY ADDITIONAL RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE.



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TOWSON, MARYLAND 21286
PHONE:(410)296-1636 FAX:(410)296-1639

CASE No.: 2018-0106-A
PETITION TO ACCOMPANY
HEYDT RESIDENCE
#12500 JERUSALEM ROAD

DISTRICT 11c5
SCALE: 1"=40'
PLAT #: 65/32

BALTIMORE COUNTY, MD
OCTOBER 11, 2017

Per. No. 1