

M E M O R A N D U M

DATE: July 17, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0285-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on July 16, 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: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

(8929 Philadelphia Road) *
15th Election District *
6th Council District *

Wayne & Debra Sullivan *
Legal Owners *
Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2018-0285-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Wayne & Debra Sullivan, legal owners ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve a proposed accessory building (garage) with a building footprint (3,000 sq. ft.) that is greater than the principal use dwelling (1,155 sq. ft.). A petition for variance seeks to permit a proposed accessory building (garage) with a height of 25 ft. in lieu of the maximum allowed 15 ft. A site plan was marked and accepted into evidence as Petitioners' Exhibit 1.

Wayne Sullivan appeared in support of the requests. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning ("DOP"). That agency did not oppose the request.

ORDER RECEIVED FOR FILING

Date 6/15/18

By Sen

SPECIAL HEARING

The special hearing request seeks approval for a garage with a ground floor area (i.e., "footprint") larger than the single-family dwelling on the lot. Petitioner indicated the garage would be used to store a 45 ft. long motor home as well as several antique/collector cars. The subject property is one acre in size, and the garage would be situated approximately 150 ft. from Philadelphia Road. As such, I do not believe the structure would overcrowd the lot or have a detrimental impact upon the community.

VARIANCE

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 dwelling on the subject property was constructed in 1935, long before the adoption of the BCZR. As such the property is unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to construct the proposed accessory building. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of community and/or Baltimore County opposition.

THEREFORE, IT IS ORDERED this 15th day of **June, 2018**, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning

ORDER RECEIVED FOR FILING

Date 6/15/18

By sen

Regulations ("BCZR") to approve a proposed accessory building (garage) with a building footprint (3,000 sq. ft.) that is greater than the principal use dwelling (1,155 sq. ft.), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance to permit a proposed accessory building (garage) with a height of 25 ft. in lieu of the maximum allowed 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners or subsequent owners shall not convert the detached garage into a dwelling unit or apartment. The proposed detached garage shall not contain any sleeping quarters, living area, kitchen and/or bathroom facilities.
3. The proposed detached garage 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:sln

ORDER RECEIVED FOR FILING

Date 6/15/18
By sln



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

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

Address #8929 PHILADELPHIA ROAD which is presently zoned DR 3.5
 Deed References: 37512/469 10 Digit Tax Account # 1508001770
 Property Owner(s) Printed Name(s) WAYNE P. AND DEBRA M. SULLIVAN

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. X a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve A PROPOSED ACCESSORY BUILDING (GARAGE) WITH A BUILDING FOOTPRINT (3,000 SQ. FT.) THAT IS GREATER THAN THE PRINCIPAL USE DWELLING (1,155 SQ. FT.)
2. a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for
3. X a Variance from Section(s) 400.3, BCZR, TO PERMIT A PROPOSED ACCESSORY BUILDING (GARAGE) WITH A HEIGHT OF 25 FEET IN LIEU OF THE MAXIMUM ALLOWED 15 FEET

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

8929 PHILADELPHIA RD, BALTO., MD.

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

LINDA O'KEEFE

Name - Type or Print

Signature

523 PENNY LANE, COCKEYSVILLE, MD.

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2018-0285-SPHA Filing Date 4/20/2018

Do Not Schedule Dates: _____

Reviewer JNP

ZONING PROPERTY DESCRIPTION FOR # 8929 PHILADELPHIA ROAD

BEGINNING AT A POINT ON THE SOUTH SIDE OF PHILADELPHIA ROAD WHICH IS FORTY FEET WIDE RIGHT-OF-WAY AT A DISTANCE OF SEVEN HUNDRED NINETY SIX (796) FEET SOUTH OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET LENNINGS AVENUE WHICH IS SIXTY FEET WIDE RIGHT-OF-WAY. THENCE LEAVING PHILADELPHIA ROAD FOR THE FOLLOWING COURSES AND DISTANCES:

- 1) SOUTH-45 DEGREES-53 MINUTES-04 SECONDS-EAST-212.6 FEET
 - 2) SOUTH-44-DEGREES-06 MINUTES-56 SECONDS-WEST-200.0 FEET
 - 3) NORTH-45-DEGREES-53 MINUTES-04 SECONDS-WEST-212.6 FEET
 - 4) NORTH-44 DEGREES-06 MINUTES-56 SECONDS-EAST-200.0 FEET
- BACK TO THE POINT OF BEGINNING AS RECORDED IN DEED LIBER 37512, FOLIO 469, CONTAINING 1.07 ACRES OF LOT. LOCATED IN THE FIFTEENTH ELECTION DISTRICT AND SIXTH COUNCIL DISTRICT.

2018-0285-SPHA



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 5603258

Sold To:

Wayne Sullivan - CU00655831
8922 Philadelphia Rd
Rosedale, MD 21237-4313

Bill To:

Wayne Sullivan - CU00655831
8922 Philadelphia Rd
Rosedale, MD 21237-4313

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

May 24, 2018

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: # 2018-0285-SPHA
8929 Philadelphia Road
S/s Philadelphia Road, 796 ft. S/of Lennings Avenue
15th Election District - 6th Councilmanic District
Legal Owner(s) Wayne & Debra Sullivan

Special Hearing to determine whether or not the Administrative Law Judge should approve a proposed accessory building (garage) with a building footprint (3,000 sq. ft.) that is greater than the principal use dwelling (1,155 sq. ft.). Variance to permit a proposed accessory building (garage) with a height of 25 ft. in lieu of the maximum allowed 15 ft.

Hearing: Thursday, June 14, 2018 at 10:00 a.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.

05/24/18 5603258

The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising

JB 6-14
10 AM

Debra Wiley

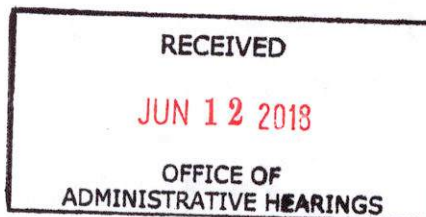
From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Monday, June 11, 2018 10:19 PM
To: Administrative Hearings
Subject: 2nd Cert. Case # 2018-0285-SPHA ~ 8229 Philadelphia Rd.
Attachments: 2nd Cert. Philadelphia Rd. .jpeg; Philadelphia Rd. Photos.docx

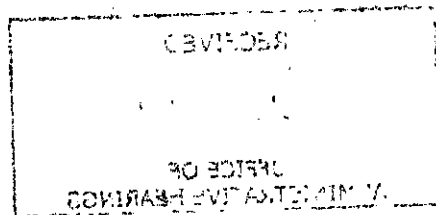
Hi Sherry,

Attached is the 2nd Certification for Case # 2018-0285-SPHA @ 8229 Philadelphia Road and supporting photographs.
Thank you,

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com





SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER

DATE: 6/11/2018

Case Number: 2018-0285-SPHA

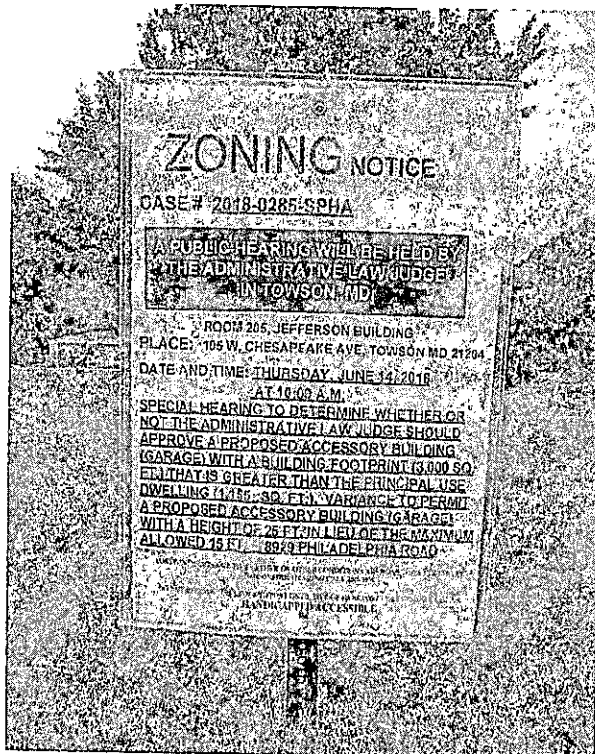
Petitioner / Developer: WAYNE & DEBRA SULLIVAN

Date of Hearing: JUNE 14, 2018

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:
8229 PHILADELPHIA ROAD

The sign(s) were posted on: MAY 21, 2018

The sign(s) were re-photographed on: JUNE 11, 2018



First Sign

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 5/21/2018

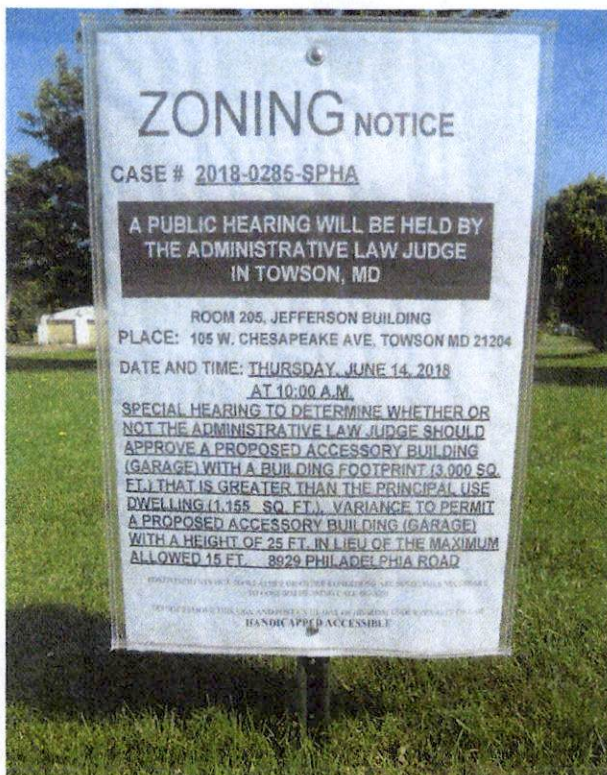
Case Number: 2018-0285-SPHA

Petitioner / Developer: WAYNE & DEBRA SULLIVAN

Date of Hearing: JUNE 14, 2018

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:
8929 PHILADELPHIA ROAD

The sign(s) were posted on: MAY 21, 2018



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



Case # 2018-0285-SPHA Second Sign posted
5/21/2018 @ 8929 Philadelphia Road



KEVIN KAMENETZ
County Executive

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

May 7, 2018

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: 2018-285-SPHA

8929 Philadelphia Road
S/s Philadelphia Road, 796 ft. S/of Lennings Avenue
15th Election District – 6th Councilmanic District
Legal Owners: Wayne & Debra Sullivan

Special Hearing to determine whether or not the Administrative Law Judge should approve a proposed accessory building (garage) with a building footprint (3,000 sq. ft.) that is greater than the principal use dwelling (1,155 sq. ft.). Variance to permit a proposed accessory building (garage) with a height of 25 ft. in lieu of the maximum allowed 15 ft.

Hearing: Thursday, June 14, 2018 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Wayne & Debra Sullivan, 8922 Philadelphia Road, Baltimore 21237
Linda O'Keefe, 523 Penny Lane, Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MAY 25, 2018.**
- (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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 24, 2018 Issue - Jeffersonian

Please forward billing to:
Wayne Sullivan
8922 Philadelphia Road
Baltimore, MD 21237

410-241-2869

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: 2018-0285-SPHA

8929 Philadelphia Road
S/s Philadelphia Road, 796 ft. S/of Lennings Avenue
15th Election District – 6th Councilmanic District
Legal Owners: Wayne & Debra Sullivan

Special Hearing to determine whether or not the Administrative Law Judge should approve a proposed accessory building (garage) with a building footprint (3,000 sq. ft.) that is greater than the principal use dwelling (1,155 sq. ft.). Variance to permit a proposed accessory building (garage) with a height of 25 ft. in lieu of the maximum allowed 15 ft.

Hearing: Thursday, June 14, 2018 at 10:00 a.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.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
8929 Philadelphia Road; S/S Philadelphia Road,* OF ADMINISTRATIVE
S/S Philadelphia Rd, 796' S of Lennings Avenue * HEARINGS FOR
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Wayne & Debra Sullivan
Petitioner(s) * BALTIMORE COUNTY
* 2018-285-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

MAY 03 2018

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of May, 2018, a copy of the foregoing Entry of Appearance was mailed to Linda O'Keefe, 523 Penny Lane, Cockeysville, Maryland 21030, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

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

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

For Newspaper Advertising:

Case Number: 2018-0285-SPHA

Property Address: #8929 PHILADELPHIA ROAD

Property Description: SOUTH SIDE PHILADELPHIA RD. 796 FT. SOUTH OF LENNING AVE.

Legal Owners (Petitioners): WAYNE & DEBRA SULLIVAN

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: WAYNE P. SULLIVAN

Company/Firm (if applicable):

Address: 8922 PHILADELPHIA ROAD
BALTIMORE, MD. 21237

Telephone Number: 410-241-2869

Revised 7/9/2015

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

No. **168021**

Date **4/20/2018**

PAID RECEIPT

BUSINESS ACTUAL TIME DR
 4/24/2018 4/20/2018 13:53:23

REC-MS03 WALKTR CAN
 RECEIPT # 769771 4/20/2018 OFL
 Dept 5 528 ZONING VERIFICATION
 CR NO. 168021
 Recpt Tot \$75.00
 \$75.00 OK \$1.00 CA
 Baltimore County, Maryland

Rev Sub
 Source/ Rev/

Fund Dept Unit Sub Unit Obj Sub Obj Dept Obj BS Acct Amount

001 806 0000 6150 75.00

Total: **75.00**

Rec From: **Sullivan & Sons, Inc. - DEBRA SULLIVAN**

For: **Special Hearing & Variance (2018-0285-SPHA)**
8929 Philadelphia Road (SULLIVAN)

SEE ALSO RECEIPT # 168023

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

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

No. **168023**

Date **4/20/2018**

PAID RECEIPT

BUSINESS ACTUAL TIME DR
 4/25/2018 4/20/2018 10:15:25

REC-MS03 WALKTR LRD
 RECEIPT # 769762 4/20/2018 OFL
 Dept 5 528 ZONING VERIFICATION
 CR NO. 168023
 Recpt Tot \$75.00
 \$75.00 OK \$1.00 CA
 Baltimore County, Maryland

Rev Sub
 Source/ Rev/

Fund Dept Unit Sub Unit Obj Sub Obj Dept Obj BS Acct Amount

001 806 0000 6150 75.00

Total: **75.00**

Rec From: **Sullivan & Sons, Inc.**

For: **Special Hearing & Variance (2018-0285-SPHA)**
8929 Philadelphia Road (SULLIVAN)

SEE ALSO RECEIPT # 168021

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



KEVIN KAMENETZ
County Executive

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

June 7, 2018

Wayne P & Debra M Sullivan
8922 Philadelphia Road
Baltimore MD 21237

RE: Case Number: 2018-0285 SPHA, Address: 8929 Philadelphia Road

Dear Mr. & Ms. Sullivan:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 20, 2018. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Linda O'Keefe, 523 Penny Lane, Cockeysville MD 21030



MARYLAND DEPARTMENT
OF TRANSPORTATION

STATE HIGHWAY
ADMINISTRATION



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 4/30/18

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 4/30/18. A field inspection and internal review reveals that an entrance onto MD 7 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Hearing Variance, Case Number 2018-0285-SHA.

Wayne P. & Debra M. Sullivan
8929 Philadelphia Road
MD 7

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 2332 or by email at (rzeller@sha.state.md.us).

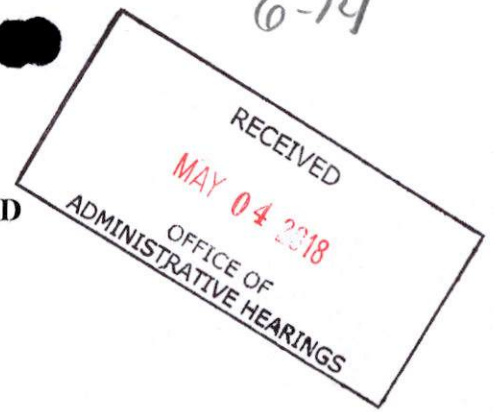
Sincerely,

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: May 4, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0285-SPHA
Address 8929 Philadelphia Road
(Sullivan Property)

Zoning Advisory Committee Meeting of **May 7, 2018**.

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

Reviewer: Steve Ford

6-14

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-285

DATE: 5/24/2018



INFORMATION:

Property Address: 8929 Philadelphia Road
Petitioner: Wayne P. Sullivan, Debra M. Sullivan
Zoning: DR 3.5
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for special hearing to determine whether or not the administrative law judge should approve a proposed accessory building (garage) with a building footprint (3,000 square feet) that is greater than the principal use dwelling (1,155 square feet). The Department has also reviewed the petition for variance to permit a proposed accessory building (garage) with a height of 25 feet in lieu of the maximum allowed 15 feet.

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

- The accessory structure shall not be used for principle residential or commercial purposes.
- No second meter shall be allowed.

For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

Prepared by:


Jessie A. Bialek

Deputy Director:


Jeff Mayhew

AVA/JM/JAB/

c: Ngone Seye Diop
Linda O'Keefe
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 4, 2018

FROM: *MCD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 07, 2018
Item No. 2018-0272-A (**REVISED VARIANCE**), 0284-SPH, 0285-SPHA,
0286-A, 0290-A, 0291-A, 0292-SPHA, and 0293-A

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

* * * * *

VKD: cen
cc: file

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM**

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

DATE: 5/24/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-285

INFORMATION:

Property Address: 8929 Philadelphia Road
Petitioner: Wayne P. Sullivan, Debra M. Sullivan
Zoning: DR 3.5
Requested Action: Special Hearing, Variance

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

- The accessory structure shall not be used for principle residential or commercial purposes.
- No second meter shall be allowed.

For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

Prepared by:


Jessie A. Bialek

Deputy Director:


Jeff Mayhew

AVA/JM/JAB/

c: Ngone Seye Diop
Linda O'Keefe
Office of the Administrative Hearings
People's Counsel for Baltimore County

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: May 4, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0285-SPHA
Address 8929 Philadelphia Road
(Sullivan Property)

Zoning Advisory Committee Meeting of **May 7, 2018**.

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

Reviewer: Steve Ford

CASE NAME 8229 PHILA.RD,
CASE NUMBER 2018-285-SPHA
DATE _____

NAME _____

CITY, STATE, ZIP

E - MAIL

[illegible]

①

ZONING CASE NUMBER 2018-0285-SPHA

#8229 PHILADELPHIA ROAD, BALTO., MD. 21237

WAYNE P. AND DEBRA M. SULLIVAN

HARDSHIP AND PRACTICAL DIFFICULTY :

A) EXISTING HOUSE AND GARAGE WERE BUILT IN 1935

PRIOR TO HOMES TO THE SOUTH AND NORTH (1947 AND 1949)

RESPECTIVELY. BOTH ADJACENT HOMES ARE ONE STORY HIGH.

#8229 PHILADELPHIA ROAD IS A MULTI-STORY (2-STORY + ATTIC)

DWELLING WITH BASEMENT ALONG WITH A FOUR CAR

GARAGE WITH A LOW CEILING AND SMALL GARAGE DOORS.

THE DEPTH OF THE EXISTING GARAGE IS BETWEEN 24 AND 26

FEET. THE EXISTING OPENINGS AND DIMENSIONS MAY HAVE BEEN ADEQUATE FOR 1935 ERA VEHICLES, BUT THE CURRENT OWNER HAS A 45 FOOT LONG TRAVEL TRAILER THAT IS CURRENTLY PARKED IN THE FRONT YARD. THE VALUE OF THIS TRAVEL TRAILER IS GREATER THAN THE REAL ESTATE AND IMPROVEMENTS.

SOME NEIGHBORING PROPERTY OWNERS ALSO HAVE CAMPER, TRAILERS AND BOATS SITTING IN THEIR YARDS BECAUSE THEY WILL NOT FIT IN THE OLDER STYLE GARAGES, THESE NEIGHBORS ARE ALL SUPPORTIVE OF THE SULLIVANS. THE UNIQUE LOCATION OF THE

PROPOSED GARAGE IS TO BE SETBACK GREATER THAN 140 FEET FROM PHILADELPHIA ROAD AND 35 FEET BEHIND THE EXISTING DWELLING. THE EXISTING LOT IS LARGER THAN ONE ACRE,

WHEREAS MOST OF THE OTHER NEARBY PROPERTIES AVERAGE ONE-HALF ACRE WITHIN THIS ZONING DISTRICT. THE EXISTING GARAGE FLOOR AREA IS 1480 SQUARE FEET AND THE MAXIMUM HEIGHT IS 15 FEET.



8922 Philadelphia Road | Baltimore, Maryland 21237

June 14, 2018

Baltimore County Maryland

Zoning Review

11 West Chesapeake Avenue, Rm 111

Towson, Md 21204

To Whom It May Concern,

I, Debra M. Sullivan give my husband, Wayne P. Sullivan all rights and permission to make any and all final decisions on the zoning matters at the hearing today June 14, 2018, regarding 8929 Philadelphia Road, Baltimore, Md 21237.

I am unable to be present at today's hearing due to a previous commitment at an Early Voting location. I am a Candidate in the 2018 election.

I sincerely regret not being able to attend, but appreciate your consideration in this matter.

Sincerely,

Debra M. Sullivan

410-241-2869

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 _____)

5/14

DEPS

(if not received, date e-mail sent _____)

NO COMMENT

FIRE DEPARTMENT

5/25

PLANNING

(if not received, date e-mail sent _____)

NO OBJ. w/conditions

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

5/24/18

SIGN POSTING (1st)

Date:

5/21/18

by

O'Keefe

SIGN POSTING (2nd)

Date:

6/11/18

by

O'Keefe

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 15 Account Number - 1508001770							
Owner Information									
Owner Name:		SULLIVAN WAYNE SULLIVAN DEBRA			Use: Principal Residence:		RESIDENTIAL NO		
Mailing Address:		8922 PHILADELPHIA RD BALTIMORE MD 21237-			Deed Reference:		/37512/ 00469		
Location & Structure Information									
Premises Address:		8929 PHILADELPHIA RD 0-0000			Legal Description:		SES PHILADELPHIA RD 500FT W OF BRICK YARD		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:
0090	0002	0236		0000				2018	
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1935		1,626 SF				1.0700 AC		04	
Stories	Basement	Type		Exterior	Full/Half Bath	Garage		Last Major Renovation	
2	YES	STANDARD UNIT		SIDING	2 full	1 Detached			
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of 01/01/2018		As of 07/01/2017		As of 07/01/2018	
Land:		71,400		71,400					
Improvements		76,400		95,700					
Total:		147,800		167,100		147,800		154,233	
Preferential Land:		0						0	
Transfer Information									
Seller: HART HARRY T				Date: 05/13/2016		Price: \$175,000			
Type: ARMS LENGTH IMPROVED				Deed1: /37512/ 00469		Deed2:			
Seller: HART HARRY T				Date: 02/12/2002		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /16097/ 00498		Deed2:			
Seller: SHACKELFORD EDWARD A				Date: 12/04/1945		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /01422/ 00303		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:

Case No.:

2018-0285-SPHA

SEN
7/17/18

Exhibit Sheet

Petitioner/Developer

Protestant

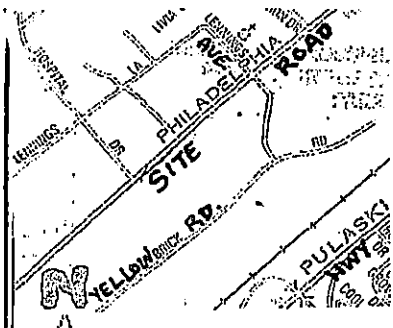
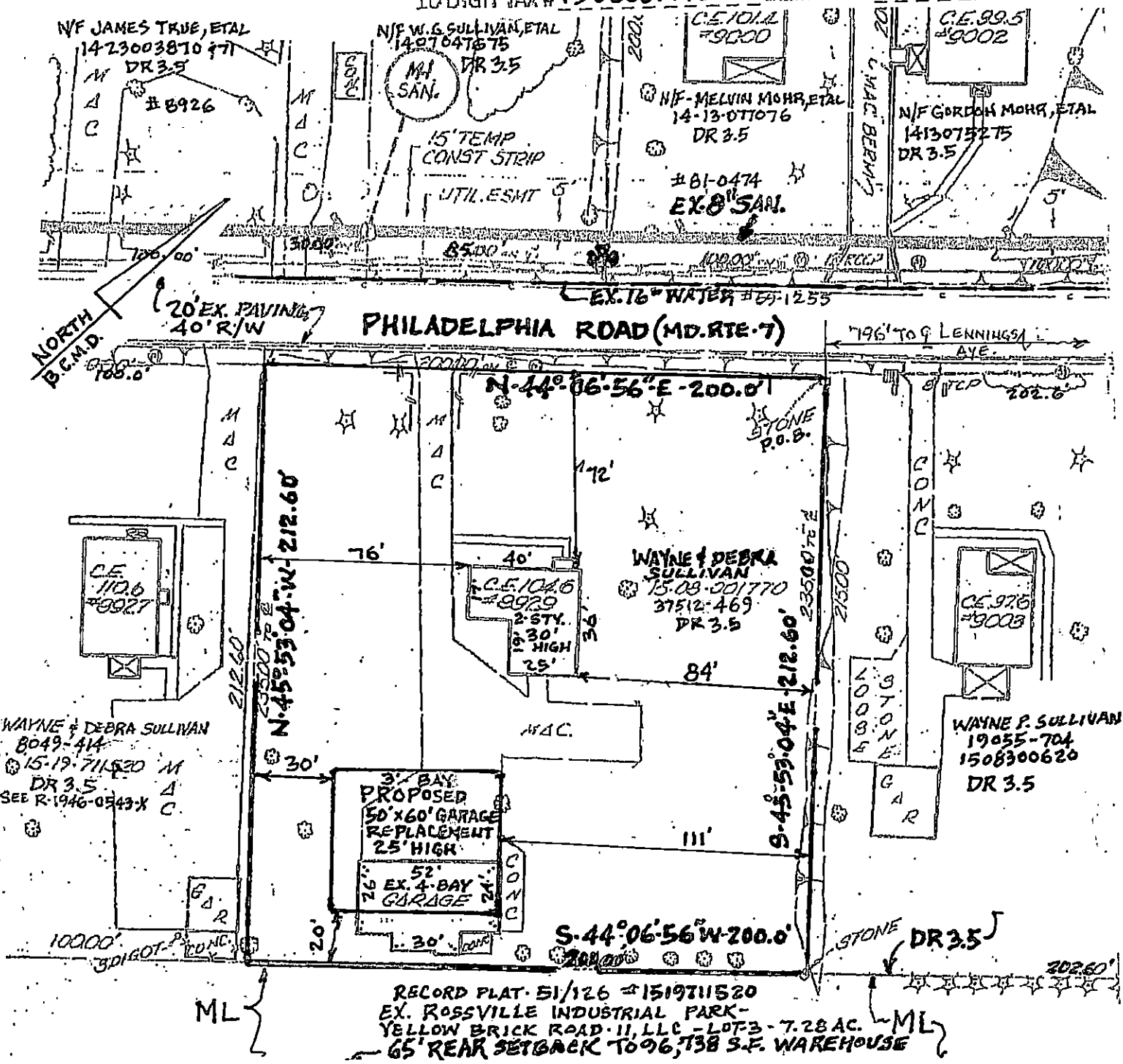
SEN
6/15/18

No. 1	Plan	
No. 2	Photos	
No. 3	Elevation of Garage	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

DRAWN BY: L. P. O'KEEFE DATE 4/18/18 SCALE: 1 INCH = 50 FEET

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)
ADDRESS #8929 PHILADELPHIA ROAD OWNER(S) NAME(S) WAYNE AND DEBRA SULLIVAN

10 DIGIT TAX # 1508001770 DEED REF. # 37512 / 00469



MAP IS NOT TO SCALE
ZONING MAP# 090A1
SITE ZONED DR 3.5
ELECTION DISTRICT 15
COUNCIL DISTRICT C
LOT AREA ACREAGE 1.1...C.
OR SQUARE FEET
HISTORIC? NO
IN CBQA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS: PUBLIC X PRIVATE
SEWER IS: PUBLIC X PRIVATE
PRIOR HEARING? NO
IF SO GIVE CASE NUM
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2018-0285-SPHA
PFT EV 1



45' LONG
8½' WIDE
13.33' HIGH

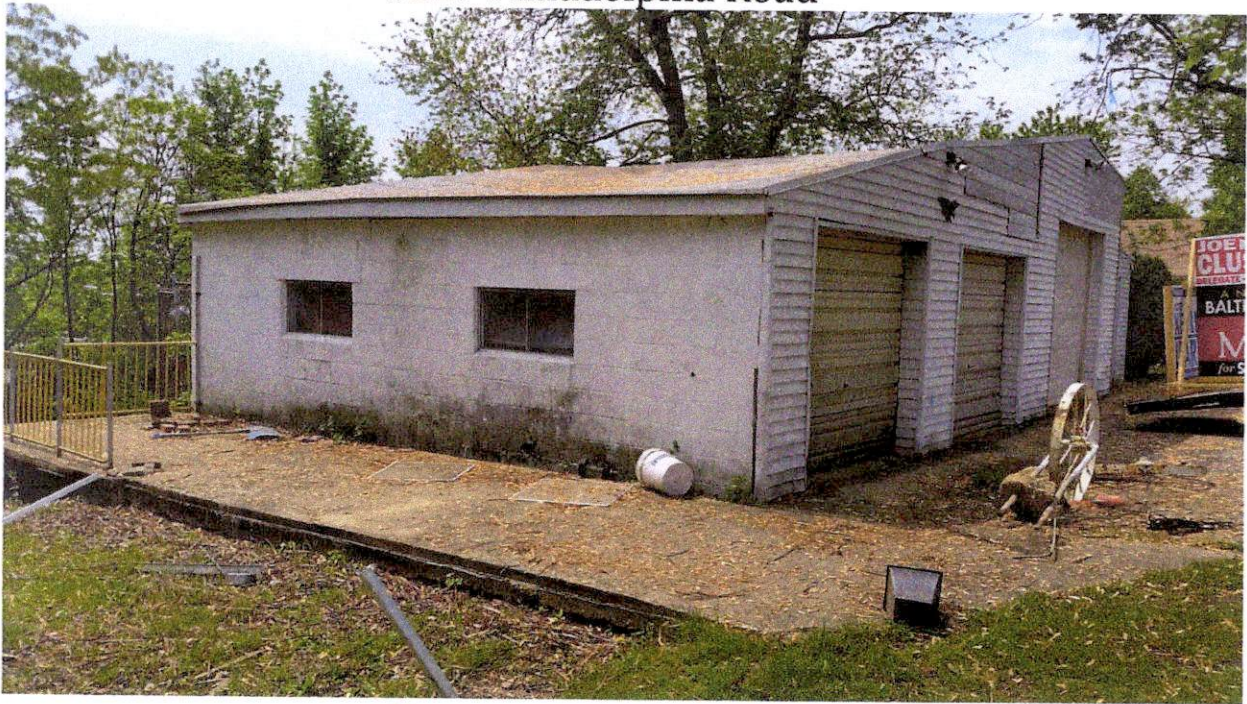


Case # 2018-0285-SPHA ~ 8929 Philadelphia Rd.

PET. EX. 2



8229 Philadelphia Road



Existing Garage

QUOTATION FOR:

Mark Puckett
Customer Address Not Provided
Rosedale, MD
410-633-2585

CONSTRUCTION:
DIMENSIONS:

Post Frame
50' X 60' X 16'

SPECIFICATIONS FOR 50' X 60' X 16' POST FRAME PACKAGE:

• **MATERIAL PACKAGE**

- Pre-Engineered Wood Trusses (4/12 Pitch, 4' O/C)
- 4.5 x 7.25 APM Stock Columns 3 Ply Eave Posts (8' O/C)
- 4.5 x 7.25 APM Stock Columns 3 Ply Gable Posts (10' O/C)
- 2 x 8 Treated Skirt Boards (2 Rows)
- 2 x 4 Wall Girts (24" O/C) and Roof Purlins (24" O/C)
- 2 x 12 Double Top Girt Truss Carrier
- Fiberglass R-38 Ceiling Insulation
- Fiberglass R-21 Wall Insulation
- Beige Tuff Rib 3 Panel Steel Siding
- Forest Green Tuff Rib 3 Panel Steel Roof
- Painted Steel Liner Panel On Walls/Ceiling
- No Concrete Provided

• **DOORS & WINDOWS**

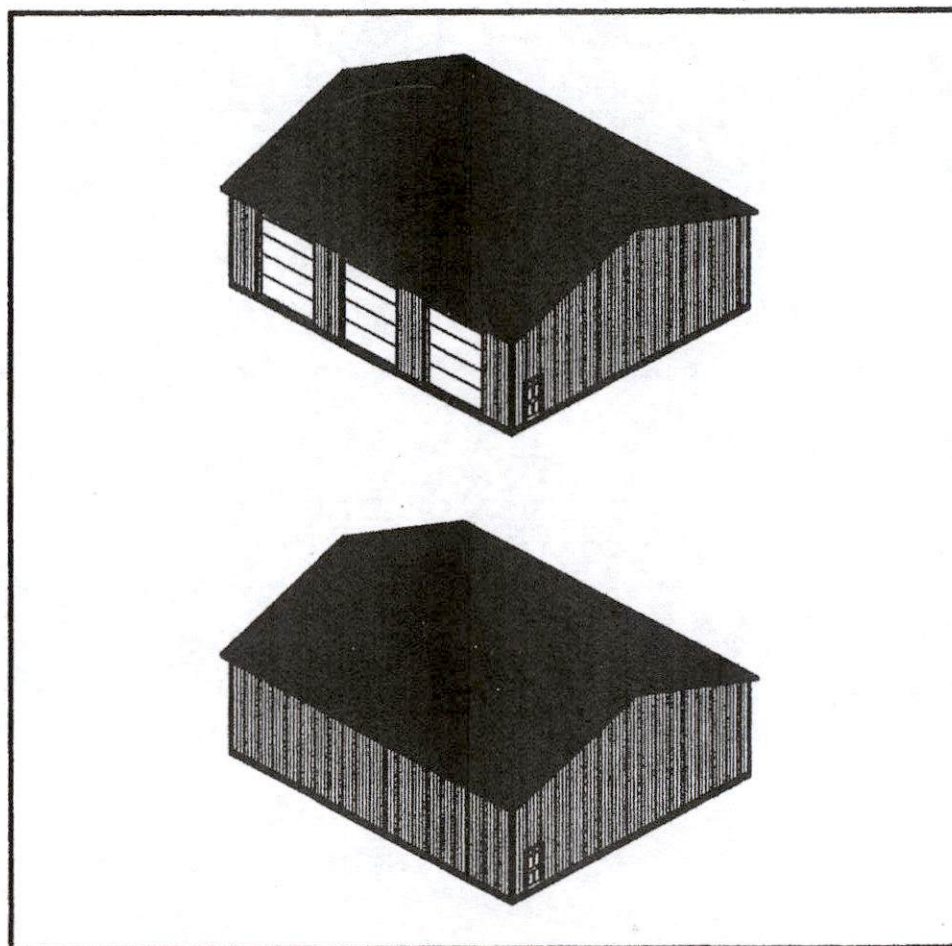
- Three 12 X 14 Clopay T52S Ins. Std. Trk. w/o Openers
- Two 3' 6 Panel Entry Doors

• **12" OVERHANG ON ALL SIDES W/ VENTED STEEL SOFFIT**

• **FASTENERS**

- 1 In. Metal to Wood Screws for Steel Wall, Roof Panels
- 4.5 Headlok Screws for Truss Carrier
- 16D Galv. Nails for Skirt Board
- Galvanized Steel Framing Nails

• **DETAILED BUILDING PLANS**



QUOTATION DATE:

POLEBARN-47640

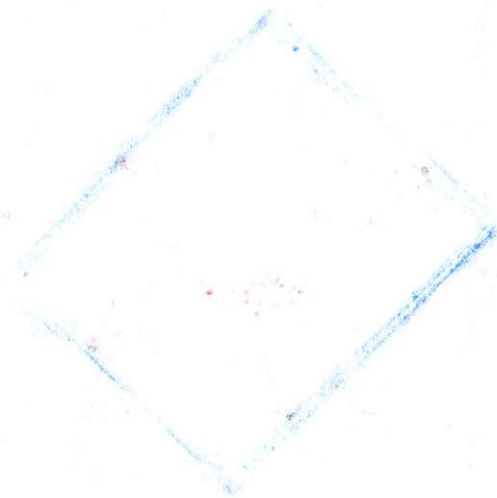
PET-EX-3

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1508001770			
Owner Information					
Owner Name:	SULLIVAN WAYNE SULLIVAN DEBRA		Use:	RESIDENTIAL	
Mailing Address:	8922 PHILADELPHIA RD BALTIMORE MD 21237-		Principal Residence:	NO	
			Deed Reference:	/37512/ 00469	
Location & Structure Information					
Premises Address:		8929 PHILADELPHIA RD 0-0000		Legal Description:	SES PHILADELPHIA RD 500FT W OF BRICK YARD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0090	0002	0236		0000	
					Block:
					Lot:
					Assessment Year:
					2018
					Plat No:
					Plat Ref:
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1935		1,626 SF			
				Property Land Area	
				1.0700 AC	
				County Use	
				04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	YES	STANDARD UNIT	SIDING	2 full	1 Detached
Last Major Renovation					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2018		07/01/2017	
				As of	
				07/01/2018	
Land:	71,400	71,400			
Improvements	76,400	95,700			
Total:	147,800	167,100		147,800	
Preferential Land:	0			154,233	
Transfer Information					
Seller: HART HARRY T		Date: 05/13/2016		Price: \$175,000	
Type: ARMS LENGTH IMPROVED		Deed1: /37512/ 00469		Deed2:	
Seller: HART HARRY T		Date: 02/12/2002		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /16097/ 00498		Deed2:	
Seller: SHACKELFORD EDWARD A		Date: 12/04/1945		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /01422/ 00303		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:					

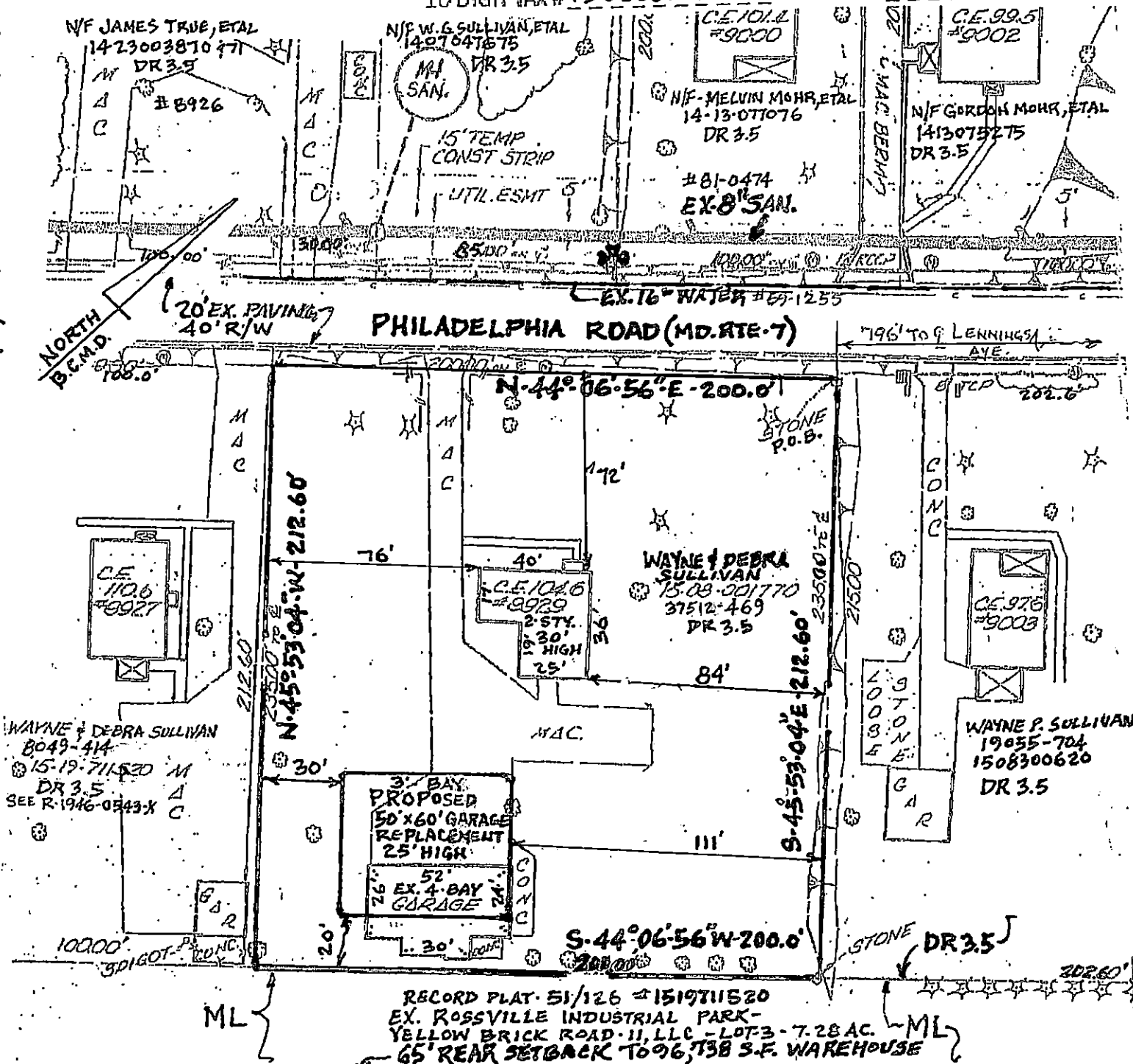
2018-0285-SP4A

[illegible]



DRAWN BY: L. P. O'KEEFE DATE 4/18/18 SCALE: 1 INCH = 50 FEET

OWNER(S) NAME(S) WAYNE AND DEBRA SULLIVAN

DEED REC.# 37512 / 00469

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2018-0285-5PHA