

## MEMORANDUM

DATE: July 19, 2018  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2018-0291-A – Appeal Period Expired

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The appeal period for the above-referenced case expired on July 18, 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**

(6526 Blackhead Road)

15<sup>th</sup> Election District

6<sup>th</sup> Council District

Jana May Leonard

*Legal Owner*

Petitioner

\*

\*

\*

\*

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

**CASE NO. 2018-0291-A**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Jana May Leonard, legal owner of the subject property (“Petitioner”). The Petition seeks variance relief from §1A01.3.B.3 of the Baltimore County Zoning Regulations (“BCZR”) to permit a front yard setback of 68 ft. from the centerline of any street and side yard setbacks of 28 ft. and 17 ft. in lieu of the required 75 ft., 35 ft., and 35 ft., respectively, for a new dwelling attached to an existing garage. A site plan was marked as Petitioner’s Exhibit 1.

Jana May Leonard and David Billingsley appeared in support of the petition. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Environmental Protection and Sustainability (“DEPS”), indicating Petitioner must comply with Chesapeake Bay Critical Area (“CBCA”) regulations.

The site is approximately 26,800 square feet in size and zoned RC-2. The property (comprised of Lots 15-18 as shown on the Plat of Bird River Beach) is improved with a single-family dwelling constructed in 1925 and a newer detached garage. Petitioner proposes to raze the existing dwelling and in its place construct a new home which will be connected to the

**ORDER RECEIVED FOR FILING**

Date 6/18/18

By sen

existing garage.

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).

These waterfront lots were created by a plat filed in 1923, long before adoption of the BCZR. As such the property is unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because she would be unable to construct the new dwelling. 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 absence of County and/or community opposition.

THEREFORE, IT IS ORDERED, this 18<sup>th</sup> day of **June, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to Section 1A01.3.B.3 of the Baltimore County Zoning Regulations ("BCZR") to permit a front yard setback of 68 ft. from the centerline of any street and side yard setbacks of 28 ft. and 17 ft. in lieu of the required 75 ft., 35 ft., and 35 ft., respectively, for a new dwelling attached to an existing garage, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

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Date

6/18/18

By

sen

2. Prior to issuance of permits Petitioner must comply with Chesapeake Bay Critical Area regulations.

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 6/18/18

By Sen





CBCA

## PETITION FOR ZONING HEARING(S)

flood

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 6526 BLACKHEAD ROAD which is presently zoned RC2  
 Deed References: 38506 / 173 10 Digit Tax Account # 1520450210  
 Property Owner(s) Printed Name(s) JANA MAY LEONARD

(SELECT THE HEARING(S) BY MARKING ☒ 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.        a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2.        a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☒ a **Variance** from Section(s)

**1A01.3.B.3 (BCZR) TO PERMIT A FRONT YARD SETBACK OF 68 FEET FROM THE CENTERLINE OF ANY STREET AND SIDE YARD SETBACKS OF 28 FEET AND 17 FEET IN LIEU OF THE REQUIRED 75 FEET, 35 FEET AND 35 FEET, REPECTIVELY, FOR A NEW DWELLING ATTACHED TO AN EXISTING GARAGE.**

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):**JANA MAY LEONARD

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

6526 BLACKHEAD ROAD BALTO, MD.

Mailing Address City State

21220 (410) 913-7073 jleonard@ccbcmd.edu  
 Zip Code Telephone # Email Address

**Representative to be contacted:**DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD, MD.

Mailing Address City State

21040 (410) 679-8719 dwb0209@yahoo.com  
 Zip Code Telephone # Email Address

CASE NUMBER 2018-0291-A Filing Date 4/26/2018Do Not Schedule Dates: Reviewer TC

## **ZONING DESCRIPTION**

### **6526 BLACKHEAD ROAD**

Beginning for the same at a point on the north side of Blackhead Road (40 feet wide) distant westerly 520 feet from its intersection with the center of Crooks Road, thence being all of Lots 15, 16, 17 and 18 as shown on the plat entitled Bird River Beach recorded among the Baltimore County plat records in Plat Book 7 Folio 70.

Containing 26,800 square feet or 0.615 acre of land, more or less.

Being known as 6526 Blackhead Road. Located in the 15<sup>TH</sup> Election District, 6<sup>TH</sup> Councilmanic District of Baltimore County, Md.

2018-0291-A





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 5609948

**Sold To:**

Jana Leonard - CU00656400  
6526 Blackhead Rd  
Middle River, MD 21220-1211

**Bill To:**

Jana Leonard - CU00656400  
6526 Blackhead Rd  
Middle River, MD 21220-1211

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: # 2018-0291-A**  
6526 Blackhead Road  
N/s Blackhead Road, 520 ft. VV/of centerline of Crooks Road  
15th Election District - 6th Councilmanic District  
Legal Owner(s) Jana May Leonard

**Variance:** to permit a front yard setback of 68 ft. from the centerline of any street and side yard setbacks of 28 ft. and 17 ft. in lieu of the required 75 ft., 35 ft., and 35 ft. respectively, for a new dwelling attached to an existing garage.

**Hearing: Friday, June 15, 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 5609948

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

# CERTIFICATE OF POSTING

*JUNE 11, 2018*  
Date: MAY 25, 2018

RE: Project Name: 6526 BLACKHEAD ROAD #1  
Case Number /PAI Number: 2018-0291-A  
Petitioner/Developer: JANA LEONARD  
Date of Hearing/Closing: JUNE 15, 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 6526 BLACKHEAD ROAD

The sign(s) were posted on \_\_\_\_\_

*RECERTIFIED JUNE 11, 2018*  
MAY 25 2018

(Month, Day, Year)

*David W Billingsley 6/11/18*

*David Billingsley*  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

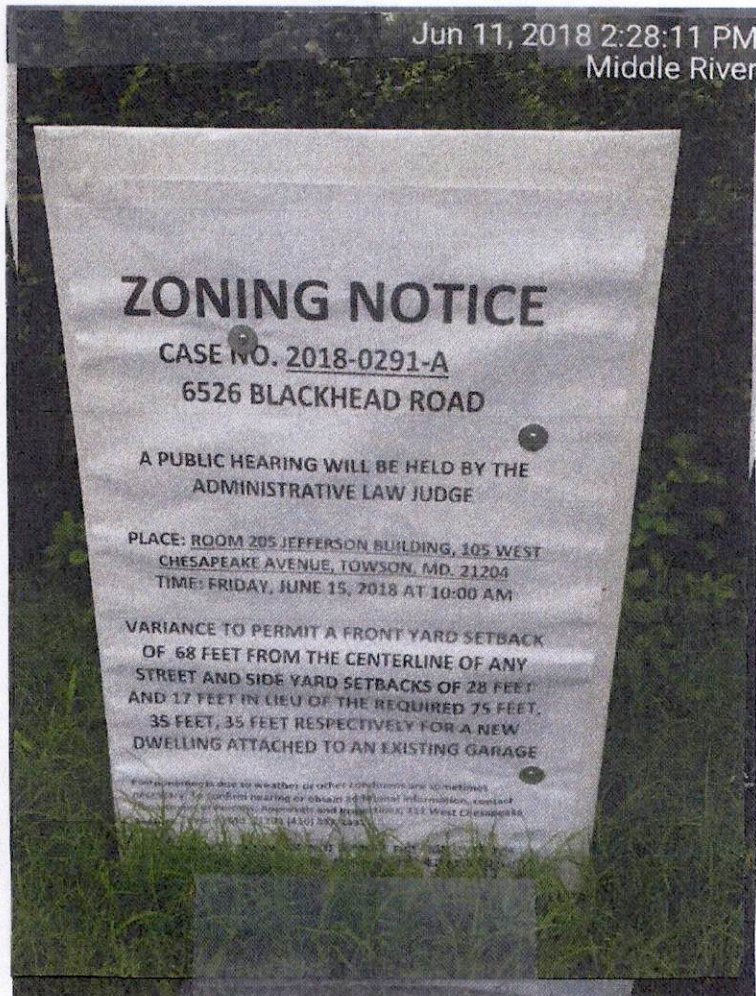
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)





# CERTIFICATE OF POSTING

Date: JUNE 11, 2018  
MAY 25, 2018

RE: Project Name: 6526 BLACKHEAD ROAD #2  
Case Number /PAI Number: 2018-0291-A  
Petitioner/Developer: JANA LEONARD  
Date of Hearing/Closing: JUNE 15, 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 6526 BLACKHEAD ROAD

The sign(s) were posted on

RE CERTIFIED JUNE 11, 2018  
MAY 25 2018

(Month, Day, Year)

David W Billingsley 6/11/18  
David Billingsley  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)





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The sign(s) were posted on MAY 25 2018

(Month, Day, Year)

May 25, 2018 8:36:10 AM  
Middle River

David Billingsley  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY  
(Printed Name of Sign Poster)

601 CHARWOOD COURT  
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040  
(City, State, Zip Code of Sign Poster)

(410) 679-8719  
(Telephone Number of Sign Poster)

11/11





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Case Number /PAI Number: 2018-0291-A  
Petitioner/Developer: JANA LEONARD  
Date of Hearing/Closing: JUNE 15, 2018

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The sign(s) were posted on MAY 25 2018

(Month, Day, Year)



David Billingsley  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)



183 6-15  
10km

**Debra Wiley**

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**From:** David Billingsley <dwb0209@yahoo.com>  
**Sent:** Monday, June 11, 2018 4:51 PM  
**To:** Administrative Hearings; June Wisnom  
**Subject:** 6526 Blackhead Road Case No. 2018-0291-A  
**Attachments:** Scan1010.pdf

Posting recertification attached

Dave Billingsley  
Central Drafting and Design  
410-679-8719 OFFICE  
410-458-1401 CELL

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MAY 25 2018

(Month, Day, Year)

*David W Billingsley 6/11/18*

*David Billingsley*  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

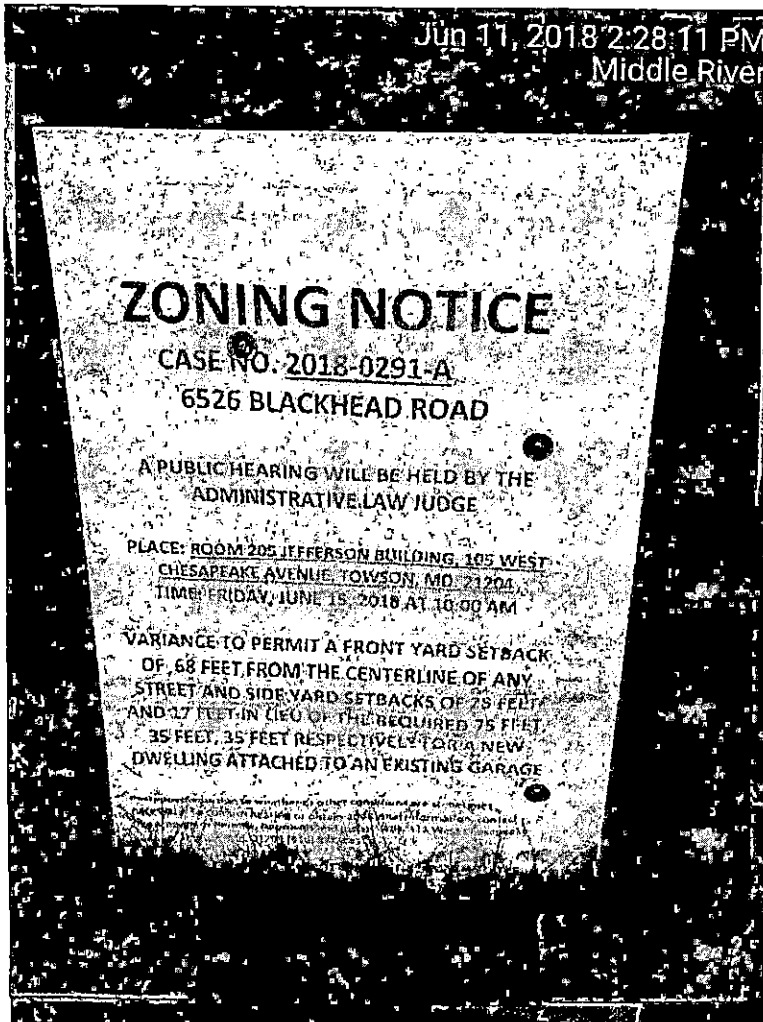
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

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(Telephone Number of Sign Poster)





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MAY 25, 2018

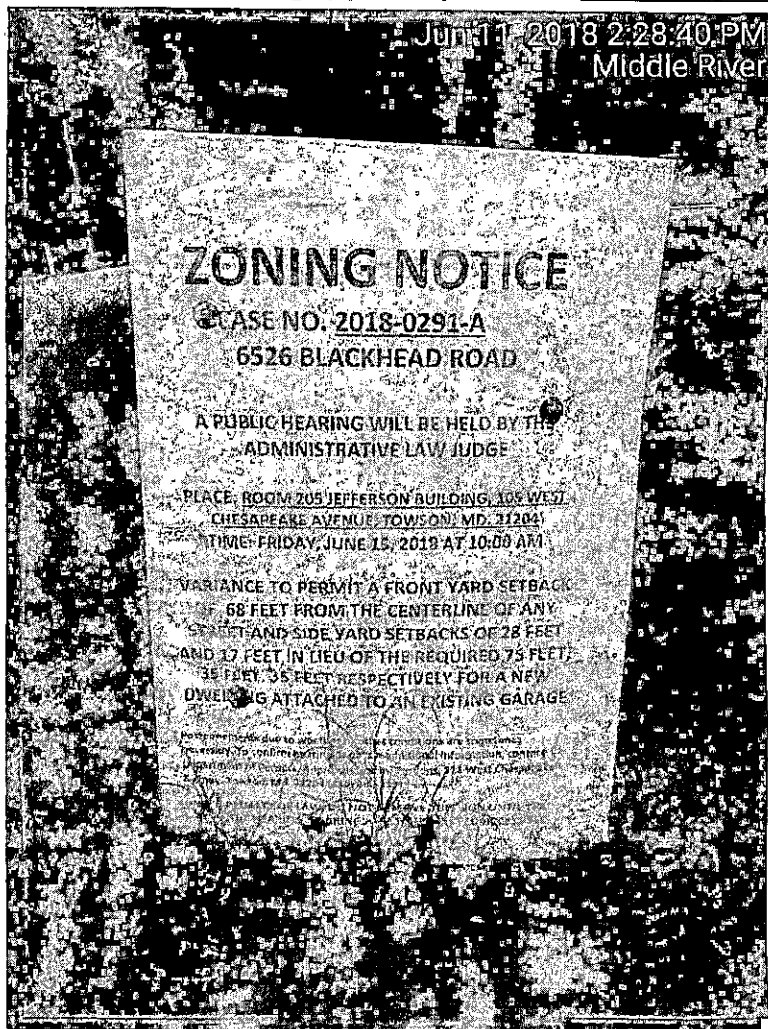
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Petitioner/Developer: JANA LEONARD  
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(Printed Name of Sign Poster)

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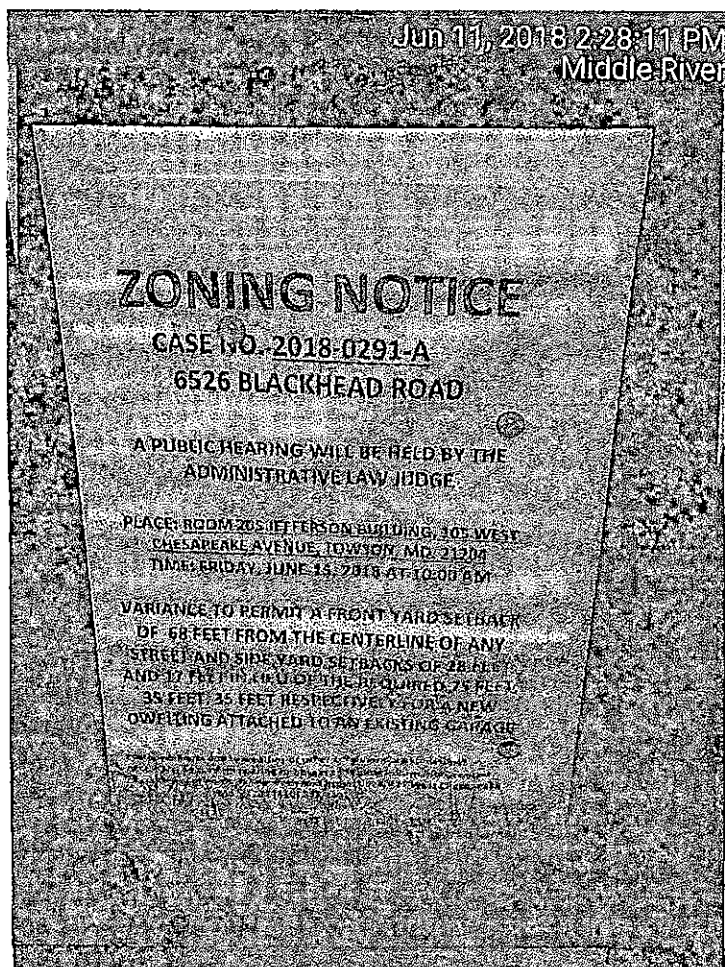
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David Billingsley  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY  
(Printed Name of Sign Poster)

601 CHARWOOD COURT  
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040  
(City, State, Zip Code of Sign Poster)

(410) 679-8719  
(Telephone Number of Sign Poster)



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*JUNE 11, 2018*  
Date: MAY 25, 2018

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Case Number /PAI Number: 2018-0291-A  
Petitioner/Developer: JANA LEONARD  
Date of Hearing/Closing: JUNE 15, 2018

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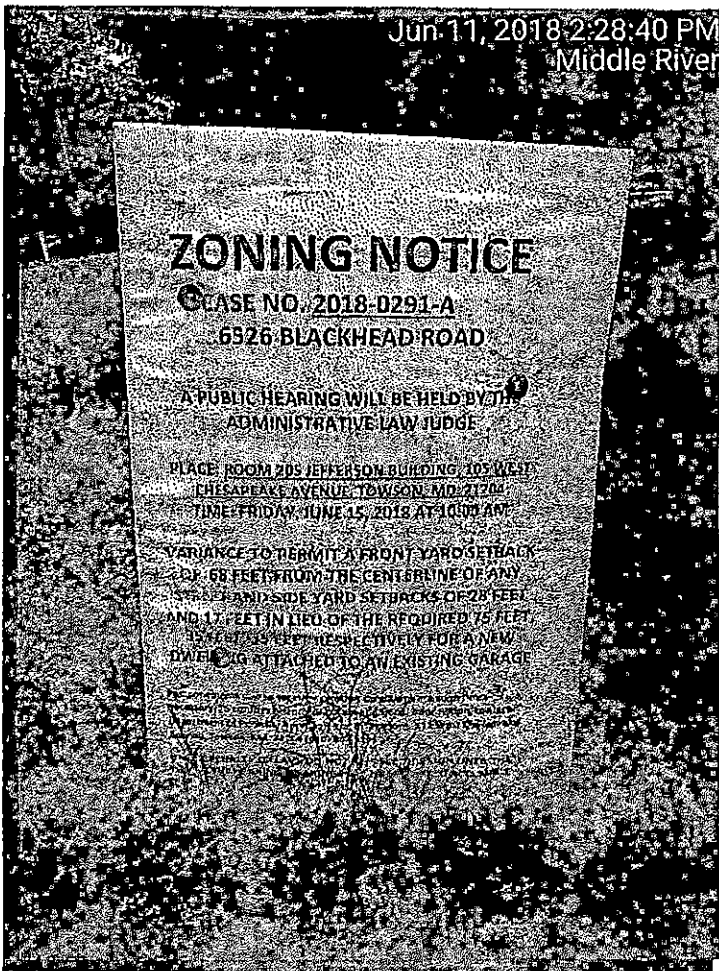
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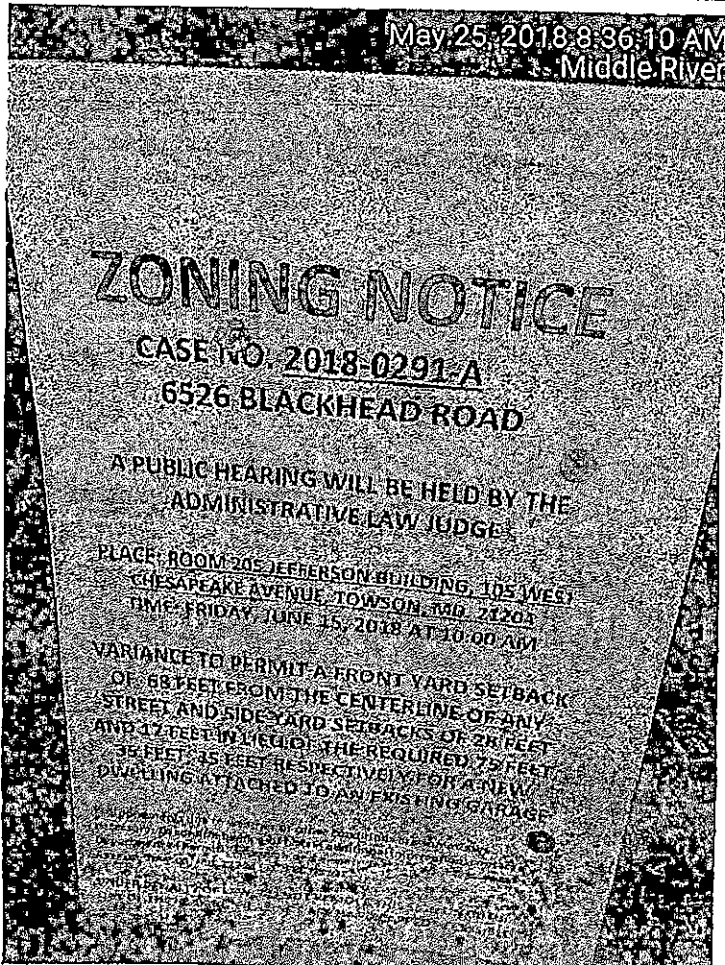
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MAY 25 2018

(Month, Day, Year)



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(Signature of Sign Poster)

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(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

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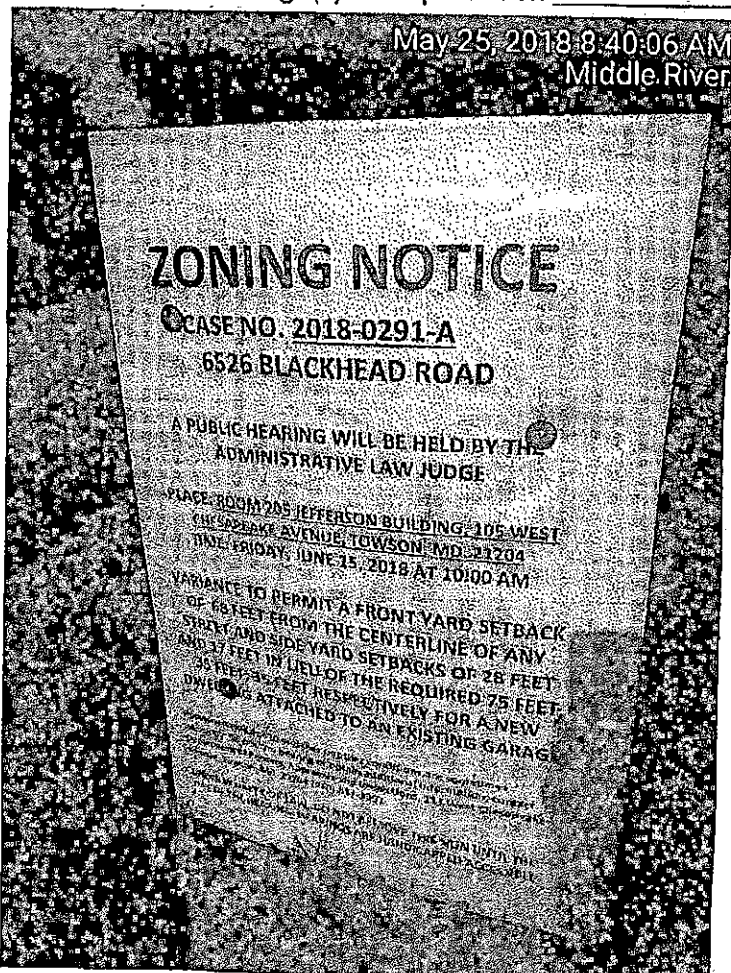
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(Month, Day, Year)



David Billingsley  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY  
(Printed Name of Sign Poster)

601 CHARWOOD COURT  
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040  
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(410) 679-8719  
(Telephone Number of Sign Poster)





KEVIN KAMENETZ  
County Executive

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

May 8, 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: 2018-0291-A**

6526 Blackhead Road  
N/s Blackhead Road, 520 ft. W/of centerline of Crooks Road  
15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District  
Legal Owners: Jana May Leonard

Variance to permit a front yard setback of 68 ft. from the centerline of any street and side yard setbacks of 28 ft. and 17 ft. in lieu of the required 75 ft., 35' ft., and 35 ft. respectively, for a new dwelling attached to an existing garage.

Hearing: Friday, June 15, 2018 at 10:00 a.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: Jana May Leonard, 6526 Blackhead Road, Baltimore 21220  
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 26, 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:  
Jana Leonard  
6526 Blackhead Road  
Baltimore, MD 21220

410-913-7073

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## NOTICE OF ZONING HEARING

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**CASE NUMBER: 2018-0291-A**

6526 Blackhead Road

N/s Blackhead Road, 520 ft. W/of centerline of Crooks Road

15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: Jana May Leonard

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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 VARIANCE  
6526 Blackhead Road; N/S Blackhead Road,  
520' W of c/line of Crooks Road  
15<sup>th</sup> Election & 6<sup>th</sup> Councilmanic Districts  
Legal Owner(s): Jana May Leonard  
Petitioner(s)

\* BEFORE THE OFFICE  
\* OF ADMINISTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* 2018-291-A

\* \* \* \* \*

### 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.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

RECEIVED

MAY 03 2018

*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 3<sup>rd</sup> day of May, 2018, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, Maryland 21040, 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.**

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**For Newspaper Advertising:**

Case Number: 2018-0291-A  
Property Address: 6526 BLACKHEAD ROAD  
Property Description: N. SIDE BLACKHEAD RD, 520' W. OF  
E CROOKS ROAD  
Legal Owners (Petitioners): JANA LEONARD  
Contract Purchaser/Lessee: \_\_\_\_\_

PLEASE FORWARD ADVERTISING BILL TO:

Name: JANA LEONARD  
Company/Firm (if applicable): \_\_\_\_\_  
Address: 6526 BLACKHEAD ROAD  
BALTO, MD 21220  
\_\_\_\_\_  
Telephone Number: 410- 913- 7073

Revised 7/9/2015

44-38861-1000

| BUSINESS  | ACTUAL    | TIME     | DR |
|-----------|-----------|----------|----|
| 4/26/2016 | 4/26/2016 | 09:25:32 | 3  |

REC-1503 WALKIN CAM  
E-TEIPT# 770213 4/26/2018 TEL#

Dep. 5 528 ZONING VERIFICATION  
WK NO. 168028

Receipt Tot \$75.00  
\$75.00 - CK \$1.00 - CA  
Baltimore County, Maryland

Total: 75.00

Rec From CENTRAL DRAFTING & DESIGN

For 636 Black head 125

2018-0291-A

## 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

Jana May Leonard  
6526 Blackhead Road  
Baltimore MD 21220

RE: Case Number: 2018-0291 A, Address: 6526 Blackhead Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 26, 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel  
David Billingsley, 601 Charwood Court, Edgewood MD 21040



Date: 4/30/18

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

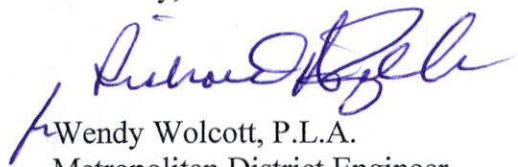
Dear Ms. Lewis:

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. 2018-0291-A

Variance  
Jana May Leonard  
6526 Blackhead 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

6-15

**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 # 2018-0291-A  
Address 6526 Blackhead Road  
(Leonard Property)

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

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The applicant is proposing to construct a dwelling with reduced side yard and front yard setbacks. The lot is waterfront, and the proposed dwelling must meet all LDA and MBA requirements, including lot coverage limits and afforestation requirements. Nothing is proposed within the buffer. The property is 26,800 square feet. Lot coverage is limited to a maximum of 5,445 square feet, with mitigation required for any lot coverage between 4,020 square feet and 5,445 square feet. 4,858 square feet is proposed, so mitigation is required for 838 square feet. 15% afforestation of eight trees is required. Afforestation information has not been provided. If the afforestation requirement can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront and must meet the afforestation requirement. If these requirements are met this request will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

This is a grandfathered lot. Provided that the applicants can meet their afforestation requirement, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger



## 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: 18-291



**INFORMATION:**

**Property Address:** 6526 Blackhead Road  
**Petitioner:** Jana M. Leonard  
**Zoning:** RC 2  
**Requested Action:** Variance

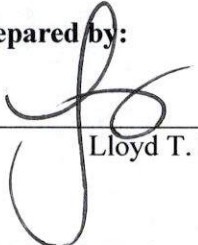
The Department of Planning has reviewed the petition for variance to permit a front yard setback of 68 feet from the centerline of any street and side property line setbacks of 28 feet and 17 feet in lieu of the required 75 feet, and 35 feet respectively, for a new dwelling attached to an existing garage.

The site is improved with an existing dwelling to be razed and an existing garage to remain. The rear portion of the property is located within the 100 year flood plain.

The Department of Planning has no objection granting the petitioned zoning relief.

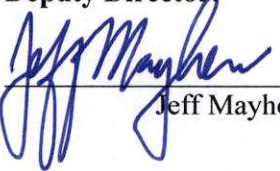
For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

**Prepared by:**

  
\_\_\_\_\_  
Lloyd T. Moxley

AVA/KS/LTM/

**Deputy Director:**

  
\_\_\_\_\_  
Jeff Mayhew

c: Ngone Seye Diop  
David Billingsley, Central Drafting & Design, Inc.  
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:** 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: 18-291

**INFORMATION:**

**Property Address:** 6526 Blackhead Road  
**Petitioner:** Jana M. Leonard  
**Zoning:** RC 2  
**Requested Action:** Variance

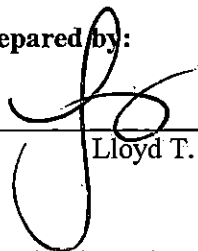
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The Department of Planning has no objection granting the petitioned zoning relief.

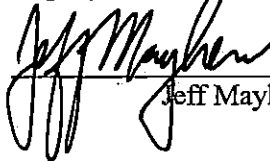
For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

**Prepared by:**

  
\_\_\_\_\_  
Lloyd T. Moxley

AVA/KS/LTM/

**Deputy Director:**

  
\_\_\_\_\_  
Jeff Mayhew

c: Ngone Seye Diop  
David Billingsley, Central Drafting & Design, Inc.  
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 # 2018-0291-A  
Address 6526 Blackhead Road  
(Leonard Property)

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

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The applicant is proposing to construct a dwelling with reduced side yard and front yard setbacks. The lot is waterfront, and the proposed dwelling must meet all LDA and MBA requirements, including lot coverage limits and afforestation requirements. Nothing is proposed within the buffer. The property is 26,800 square feet. Lot coverage is limited to a maximum of 5,445 square feet, with mitigation required for any lot coverage between 4,020 square feet and 5,445 square feet. 4,858 square feet is proposed, so mitigation is required for 838 square feet. 15% afforestation of eight trees is required. Afforestation information has not been provided. If the afforestation requirement can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

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3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

This is a grandfathered lot. Provided that the applicants can meet their afforestation requirement, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

CASE NAME 6526 BLACKHEAD RD  
CASE NUMBER 2018-0291-A  
DATE 6/15/18

## NAME

CITY, STATE, ZIP

[illegible]



CASE NO. 2018- 0291-A

CHECKLIST

| <u>Comment Received</u>         | <u>Department</u>                                                     | <u>Support/Oppose/ Conditions/ Comments/ No Comment</u> |
|---------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------|
| <u>6/14</u>                     | DEVELOPMENT PLANS REVIEW<br>(if not received, date e-mail sent _____) | <u>NO COMMENT</u>                                       |
| <u>5/4</u>                      | DEPS<br>(if not received, date e-mail sent _____)                     | <u>COMMENT</u>                                          |
| _____                           | FIRE DEPARTMENT                                                       | _____                                                   |
| <u>5/25</u>                     | PLANNING<br>(if not received, date e-mail sent _____)                 | <u>NO Obj</u>                                           |
| <u>4/30/18</u>                  | STATE HIGHWAY ADMINISTRATION                                          | <u>NO Obj</u>                                           |
| _____                           | TRAFFIC ENGINEERING                                                   | _____                                                   |
| _____                           | COMMUNITY ASSOCIATION                                                 | _____                                                   |
| _____                           | ADJACENT PROPERTY OWNERS                                              | _____                                                   |
| <hr/>                           |                                                                       |                                                         |
| ZONING VIOLATION                | (Case No. _____)                                                      |                                                         |
| PRIOR ZONING                    | (Case No. _____)                                                      |                                                         |
| <hr/>                           |                                                                       |                                                         |
| NEWSPAPER ADVERTISEMENT         | Date: <u>5/24/18</u>                                                  |                                                         |
| SIGN POSTING (1 <sup>st</sup> ) | Date: <u>5/25/18</u>                                                  | by <u>Billingsley</u>                                   |
| SIGN POSTING (2 <sup>nd</sup> ) | Date: <u>6/11/18</u>                                                  | by <u>Billingsley</u>                                   |
| <hr/>                           |                                                                       |                                                         |
| PEOPLE'S COUNSEL APPEARANCE     | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>   |                                                         |
| PEOPLE'S COUNSEL COMMENT LETTER | Yes <input type="checkbox"/> No <input type="checkbox"/>              |                                                         |

Comments, if any: \_\_\_\_\_

## Search Result for BALTIMORE COUNTY

6/11/2018

Homeowners' Tax Credit Application Status: No Application      Date:

---

**PETITIONER'S EXHIBITS**

**6526 BLACKHEAD ROAD  
CASE NO. 2018-0291-A**

*PJ  
7-19-18*

*Sen  
6-18-18*

1. PLAT TO ACCOMPANY PETITION DATED APRIL 20, 2018 (NO CHANGES)
2. SDAT REAL PROPERTY DATA SEARCH
3. DEED OF RECORD L.38506 F.173 DATED DECEMBER 19, 2016
4. PLAT OF BIRD RIVER BEACH RECORDED JULY 10, 1923 PLAT BOOK 7 FOLIO 70
5. AERIAL PHOTO
- 6A-E. PHOTOS
7. BUILDING ELEVATIONS
8. *Letter dated 6-13-2018*



## Search Result for BALTIMORE COUNTY

PETITIONER'S  
EXHIBIT NO. 2

## AFTER RECORDING RETURN TO:

Jana May Leonard  
6526 Blackhead Road  
Baltimore, MD 21220

Tax ID#: 15-1520450210

## DOCUMENT PREPARED BY:

Sage Title Group, LLC  
1104 Kenilworth Drive, Suite 400  
Towson, MD 21204  
File Number: 192043TOWS

1281

**This Deed**, MADE THIS 19th day of December, 2016, by and between Edmund J. Rosendale, Jr., party of the first part, and Jana May Leonard, party of the second part.

WITNESSETH, That in consideration of the sum of **TWO HUNDRED EIGHTY FIVE THOUSAND AND 00/100 DOLLARS (\$285,000.00)**, the receipt of which is hereby acknowledged, the said party of the first part does grant and convey to the said party of the second part, in fee simple, all that parcel of ground situated in **Baltimore County, Maryland** and as described as follows, that is to say:

Being known and designated as Lots Nos. fifteen (15), sixteen (16), seventeen (17), and eighteen (18) as shown on the Plat of Bird River Beach, which plat is duly recorded among the Plat Records of Baltimore County, Maryland in Plat Liber W.P.C. No. 7, folio 70.

The improvements thereon being known as 6526 Blackhead Road, Baltimore, Maryland 21220.

Tax ID#: 15-1520450210

BEING the same property which by deed dated December 29, 2003 and recorded among the Land Records of Baltimore County, Maryland in Liber No. 19442, folio 423, was granted and conveyed by Dorothy L. Tischler unto Edmund J. Rosendale, Jr..

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

SUBJECT TO all rights, easements, restrictions, covenants and reservations of record.

TO HAVE AND TO HOLD the said described lot(s) of ground and premises to the said party of the second part, as sole owner, her personal representatives, heirs and assigns, in fee simple.

Buyers' Initials: 

AND the said party of the first part does hereby covenant that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

LR - Deed (w Taxes)  
Recording  
Name: LEDN  
Ref:  
LR - Deed  
Surcharge  
LR - Deed  
Transfer T  
LR - MR Ta  
SubTotal:  
Total:  
01/12/2017  
#7603789 C  
Baltimore  
County/COG  
Register B

PETITIONER'S  
EXHIBIT NO. 3

WITNESS the hand and seal of the said party of the first part:

WITNESS:



 (SEAL)  
Edmund J. Rosendale, Jr.

STATE OF MARYLAND, CITY/COUNTY OF BALTIMORE to wit:

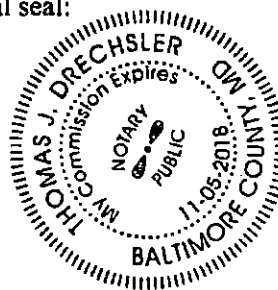
I HEREBY CERTIFY, that on this 19<sup>th</sup> day of December, 2016, before me, the subscriber, a Notary Public of the State of Maryland in and for Baltimore County/City, personally appeared Edmund J. Rosendale, Jr. known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal:

Notary Public

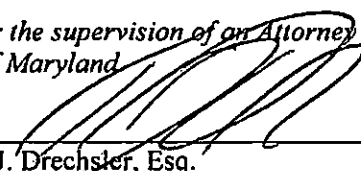
My Commission Expires:

11-5-2018



**ATTORNEY CERTIFICATION**

*This is to certify that the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals in the State of Maryland*

  
Thomas J. Drechsler, Esq.



# Baltimore County - My Neighborhood



PETITIONER'S  
EXHIBIT NO. 5





A





B





U





D





E





**FRONT ELEVATION**

STREET SIDE



**REAR ELEVATION**

WATER SIDE

| REVISIONS | BY |
|-----------|----|
| 6/11/18   | RB |
|           |    |
|           |    |
|           |    |


  
 2061 D MOUNT HORSE RD STREET MD 21154
   
 Phone: 443-613-5115

**NEW HOME**
  
**6526 BLACK HEAD RD**
  
**MIDDLE RIVER MD 21220**

THE CONTRACTOR IS
   
 RESPONSIBLE FOR
   
 TO BE CONFIRMED AND CORRELATED
   
 WITH THE LOCAL BUILDING DEPARTMENT
   
 PROCESSES OR TO THE MEANS,
   
 METHODS, MATERIALS, EQUIPMENT,
   
 AND PROCEDURES OF CONSTRUCTION
   
 OF THE WORK OF ALL TRADES

**RB HOME DESIGN**
  
**DATE :** 6/11/18
   
**SCALE :** 1/4" = 1'
   
**DRAWN :**
  
**R. BREDLOW**
  
**FRONT / REAR**
  
**ELEVATIONS**
  
**SHEET NO.**

**A-1**

PETITIONER'S
   
 EXHIBIT NO. 7

June 13, 2018

Subject: 6528 BLACKHEAD ROAD  
CASE #2018-0291A

There is a set-back variance hearing on June 15, 2018 for the above subject property.

My property is directly adjacent to this property and I have no objection to the requested variance.

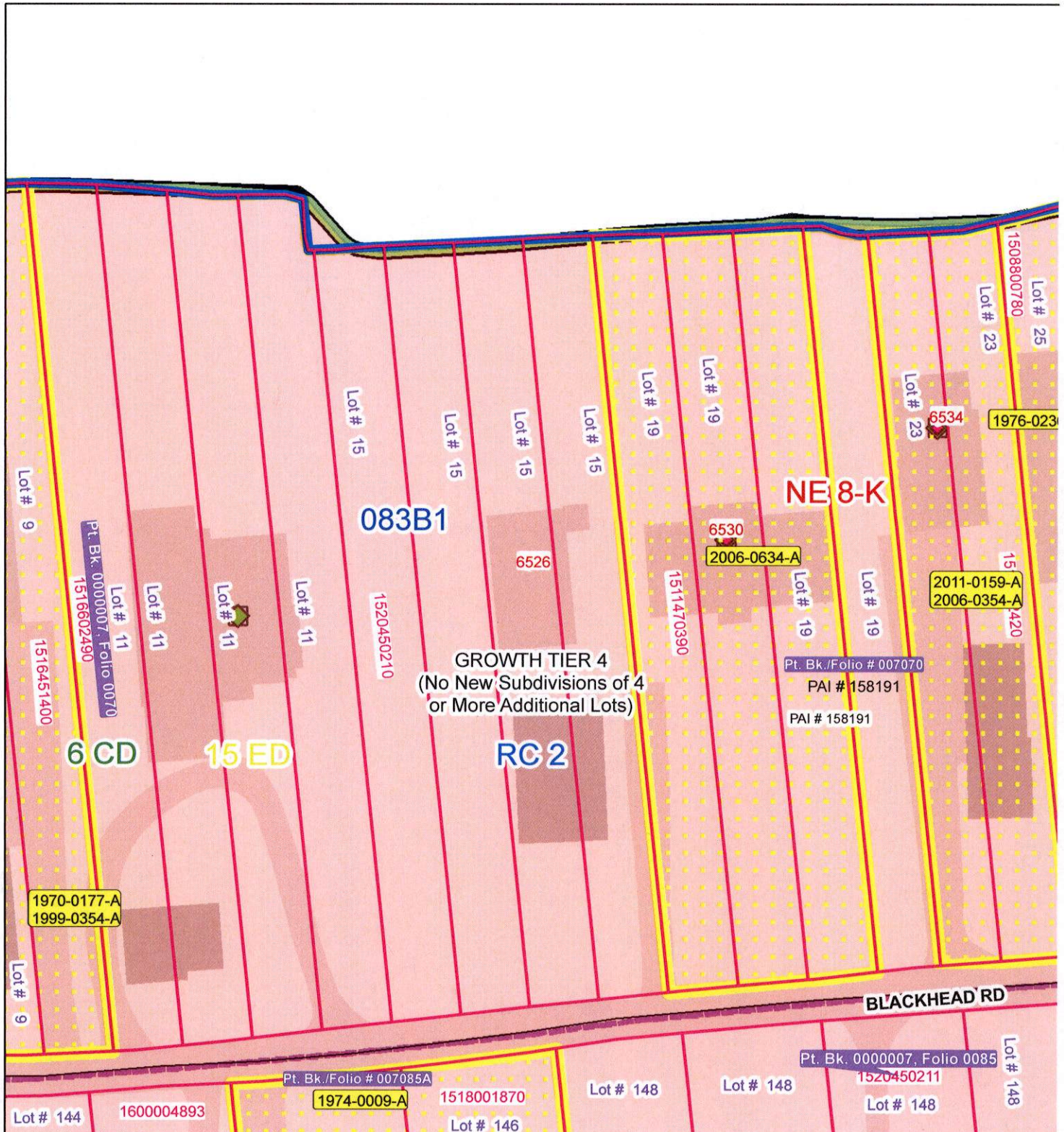
A handwritten signature in cursive script, reading "Edna M. Leonard". The signature is written in black ink and has a long, sweeping horizontal line extending to the right.

Edna M Leonard  
6530 Blackhead Road  
Middle River, MD 21220

PET EX 8



# 6526 Blackhead Road 2018-0291-A



Publication Date: 4/26/2018



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



0 12.525 50 75 100  
Feet

1 inch = 50 feet



## MEMORANDUM

DATE: July 19, 2018  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2018-0291-A – Appeal Period Expired

---

The appeal period for the above-referenced case expired on July 18, 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**

(6526 Blackhead Road)

15<sup>th</sup> Election District

6<sup>th</sup> Council District

Jana May Leonard

*Legal Owner*

Petitioner

\*

\*

\*

\*

\*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

**CASE NO. 2018-0291-A**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Jana May Leonard, legal owner of the subject property (“Petitioner”). The Petition seeks variance relief from §1A01.3.B.3 of the Baltimore County Zoning Regulations (“BCZR”) to permit a front yard setback of 68 ft. from the centerline of any street and side yard setbacks of 28 ft. and 17 ft. in lieu of the required 75 ft., 35 ft., and 35 ft., respectively, for a new dwelling attached to an existing garage. A site plan was marked as Petitioner’s Exhibit 1.

Jana May Leonard and David Billingsley appeared in support of the petition. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Environmental Protection and Sustainability (“DEPS”), indicating Petitioner must comply with Chesapeake Bay Critical Area (“CBCA”) regulations.

The site is approximately 26,800 square feet in size and zoned RC-2. The property (comprised of Lots 15-18 as shown on the Plat of Bird River Beach) is improved with a single-family dwelling constructed in 1925 and a newer detached garage. Petitioner proposes to raze the existing dwelling and in its place construct a new home which will be connected to the

**ORDER RECEIVED FOR FILING**

Date 6/18/18

By sen



existing garage.

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).

These waterfront lots were created by a plat filed in 1923, long before adoption of the BCZR. As such the property is unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because she would be unable to construct the new dwelling. 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 absence of County and/or community opposition.

THEREFORE, IT IS ORDERED, this 18<sup>th</sup> day of **June, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to Section 1A01.3.B.3 of the Baltimore County Zoning Regulations ("BCZR") to permit a front yard setback of 68 ft. from the centerline of any street and side yard setbacks of 28 ft. and 17 ft. in lieu of the required 75 ft., 35 ft., and 35 ft., respectively, for a new dwelling attached to an existing garage, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

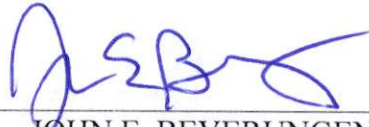
ORDER RECEIVED FOR FILING

Date 6/18/18

By sen

2. Prior to issuance of permits Petitioner must comply with Chesapeake Bay Critical Area regulations.

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 6/18/18

By Sen





CBCA

## PETITION FOR ZONING HEARING(S)

Flood

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 6526 BLACKHEAD ROAD which is presently zoned RC2  
 Deed References: 38506 / 173 10 Digit Tax Account # 1520450210  
 Property Owner(s) Printed Name(s) JANA MAY LEONARD

(SELECT THE HEARING(S) BY MARKING ☒ 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.        a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2.        a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a **Variance** from Section(s)

**1A01.3.B.3 (BCZR) TO PERMIT A FRONT YARD SETBACK OF 68 FEET FROM THE CENTERLINE OF ANY STREET AND SIDE YARD SETBACKS OF 28 FEET AND 17 FEET IN LIEU OF THE REQUIRED 75 FEET, 35 FEET AND 35 FEET, REPECTIVELY, FOR A NEW DWELLING ATTACHED TO AN EXISTING GARAGE.**

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):

JANA MAY LEONARD

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

6526 BLACKHEAD ROAD BALTO, MD.

Mailing Address City State

21220 (410) 913-7073 jleonard@ccbcmo.gov  
 Zip Code Telephone # Email Address

## Representative to be contacted:

DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD, MD.

Mailing Address City State

21040 (410) 679-8719 dwb0209@yahoo.com  
 Zip Code Telephone # Email Address

CASE NUMBER 2018-0291-A Filing Date 4/26/2018

Do Not Schedule Dates: \_\_\_\_\_

Reviewer TC



## **ZONING DESCRIPTION**

### **6526 BLACKHEAD ROAD**

Beginning for the same at a point on the north side of Blackhead Road (40 feet wide) distant westerly 520 feet from its intersection with the center of Crooks Road, thence being all of Lots 15, 16, 17 and 18 as shown on the plat entitled Bird River Beach recorded among the Baltimore County plat records in Plat Book 7 Folio 70.

Containing 26,800 square feet or 0.615 acre of land, more or less.

Being known as 6526 Blackhead Road. Located in the 15<sup>TH</sup> Election District, 6<sup>TH</sup> Councilmanic District of Baltimore County, Md.

2018-0291-A



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 5609948

**Sold To:**

Jana Leonard - CU00656400  
6526 Blackhead Rd  
Middle River, MD 21220-1211

**Bill To:**

Jana Leonard - CU00656400  
6526 Blackhead Rd  
Middle River, MD 21220-1211

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: # 2018-0291-A**  
6526 Blackhead Road  
N/s Blackhead Road, 520 ft. VV/of centerline of Crooks Road  
15th Election District - 6th Councilmanic District  
Legal Owner(s) Jana May Leonard

**Variance:** to permit a front yard setback of 68 ft. from the centerline of any street and side yard setbacks of 28 ft. and 17 ft. in lieu of the required 75 ft., 35 ft., and 35 ft. respectively, for a new dwelling attached to an existing garage.

**Hearing: Friday, June 15, 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 5609948

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

# CERTIFICATE OF POSTING

*JUNE 11, 2018*  
Date: MAY 25, 2018

RE: Project Name: 6526 BLACKHEAD ROAD #1  
Case Number /PAI Number: 2018-0291-A  
Petitioner/Developer: JANA LEONARD  
Date of Hearing/Closing: JUNE 15, 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 6526 BLACKHEAD ROAD

The sign(s) were posted on \_\_\_\_\_

*RE-CERTIFIED JUNE 11, 2018*  
MAY 25 2018

(Month, Day, Year)

*David W Billingsley 6/11/18*

*David Billingsley*  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

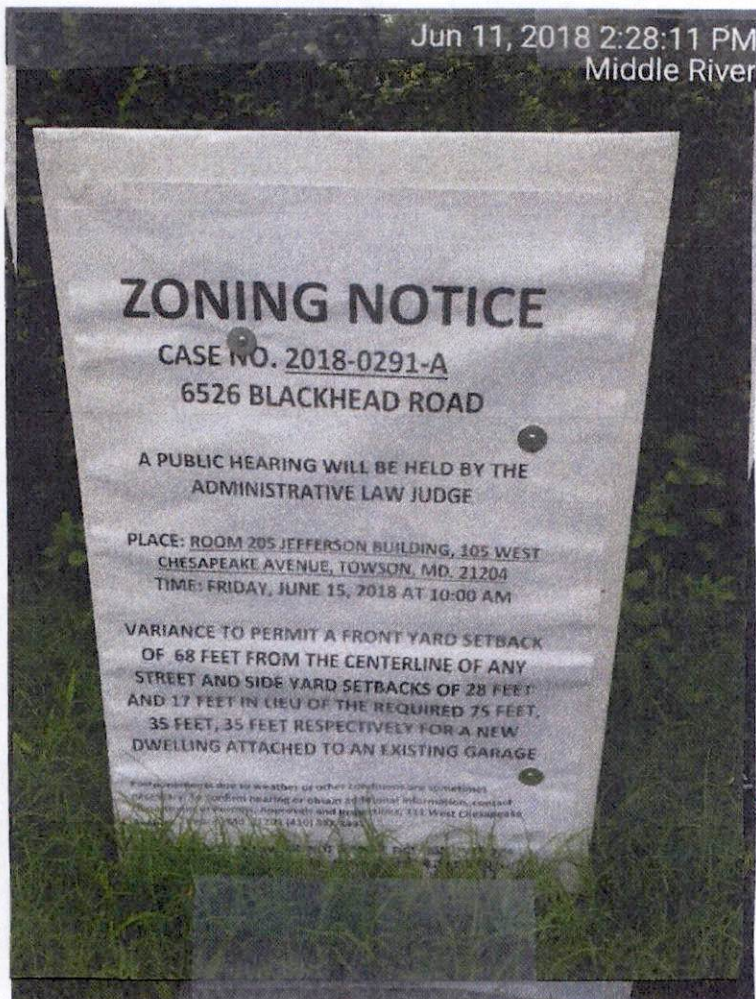
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)





# CERTIFICATE OF POSTING

Date: JUNE 11, 2018  
MAY 25, 2018

RE: Project Name: 6526 BLACKHEAD ROAD #2  
Case Number /PAI Number: 2018-0291-A  
Petitioner/Developer: JANA LEONARD  
Date of Hearing/Closing: JUNE 15, 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 6526 BLACKHEAD ROAD

The sign(s) were posted on

RE CERTIFIED JUNE 11, 2018  
MAY 25 2018

(Month, Day, Year)

David W Billingsley 6/11/18  
David Billingsley  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)





# CERTIFICATE OF POSTING

Date: MAY 25, 2018

RE: Project Name: 6526 BLACKHEAD ROAD #1  
Case Number /PAI Number: 2018-0291-A  
Petitioner/Developer: JANA LEONARD  
Date of Hearing/Closing: JUNE 15, 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 6526 BLACKHEAD ROAD

The sign(s) were posted on MAY 25 2018

(Month, Day, Year)

May 25, 2018 8:36:10 AM  
Middle River

*David Billingsley*  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)

## ZONING NOTICE

CASE NO. 2018-0291-A  
6526 BLACKHEAD ROAD

A PUBLIC HEARING WILL BE HELD BY THE  
ADMINISTRATIVE LAW JUDGE

PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST  
CHESAPEAKE AVENUE, TOWSON, MD. 21204  
TIME: FRIDAY, JUNE 15, 2018 AT 10:00 AM

VARIANCE TO PERMIT A FRONT YARD SETBACK  
OF 68 FEET FROM THE CENTERLINE OF ANY  
STREET AND SIDE YARD SETBACKS OF 28 FEET  
AND 17 FEET IN LIEU OF THE REQUIRED 75 FEET,  
35 FEET, 35 FEET RESPECTIVELY FOR A NEW  
DWELLING ATTACHED TO AN EXISTING GARAGE

Postponements due to weather or other conditions are sometimes  
necessary. To confirm hearing or obtain additional information, contact  
Department of Permits, Approvals and Inspections, 105 West Chesapeake  
Avenue, Towson, Md. 21204 (410) 867-2391

UNDER PENALTY OF LAW, DO NOT REMOVE THIS SIGN UNTIL THE  
DAY OF THE HEARING. HEARINGS ARE HANDICAPPED ACCESSIBLE



# CERTIFICATE OF POSTING

Date: MAY 25, 2018

RE: Project Name: 6526 BLACKHEAD ROAD #2  
Case Number /PAI Number: 2018-0291-A  
Petitioner/Developer: JANA LEONARD  
Date of Hearing/Closing: JUNE 15, 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 6526 BLACKHEAD ROAD

The sign(s) were posted on MAY 25 2018

(Month, Day, Year)

May 25, 2018 8:40:06 AM  
Middle River

*David Billingsley*  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

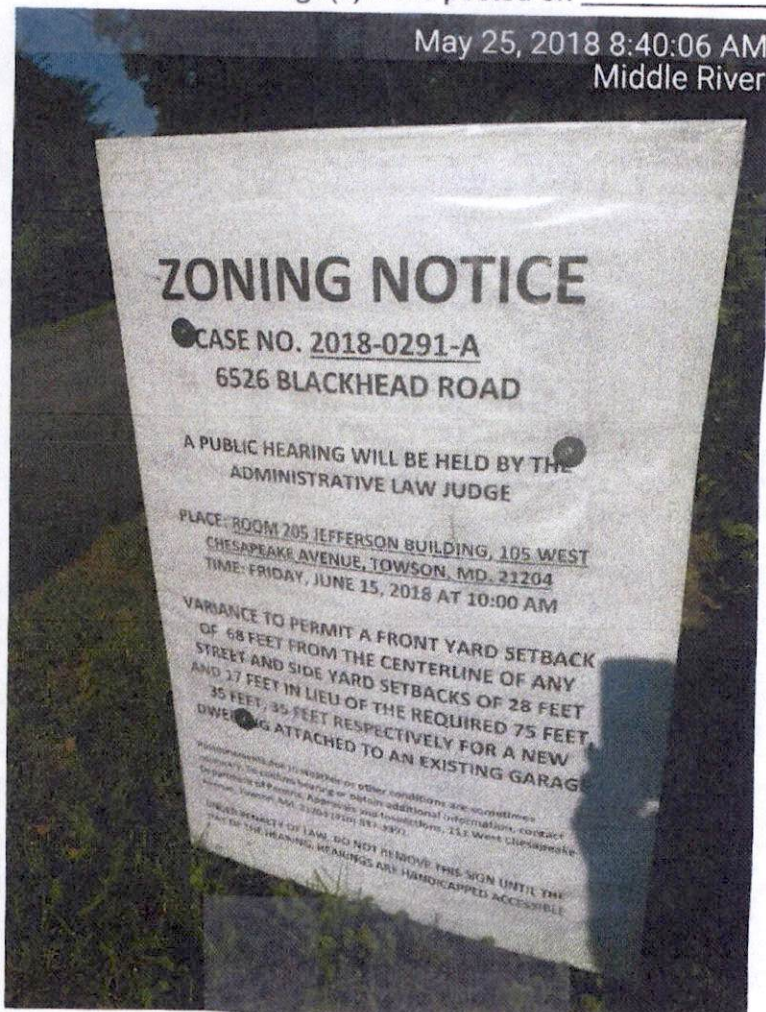
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)





183 6-15  
10km

**Debra Wiley**

---

**From:** David Billingsley <dwb0209@yahoo.com>  
**Sent:** Monday, June 11, 2018 4:51 PM  
**To:** Administrative Hearings; June Wisnom  
**Subject:** 6526 Blackhead Road Case No. 2018-0291-A  
**Attachments:** Scan1010.pdf

Posting recertification attached

Dave Billingsley  
Central Drafting and Design  
410-679-8719 OFFICE  
410-458-1401 CELL

# CERTIFICATE OF POSTING

JUNE 11, 2018  
Date: MAY 25, 2018

RE: Project Name: 6526 BLACKHEAD ROAD #1  
Case Number /PAI Number: 2018-0291-A  
Petitioner/Developer: JANA LEONARD  
Date of Hearing/Closing: JUNE 15, 2018

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The sign(s) were posted on \_\_\_\_\_

RE CERTIFIED JUNE 11, 2018  
MAY 25 2018

(Month, Day, Year)

David W Billingsley 6/11/18

David Billingsley  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

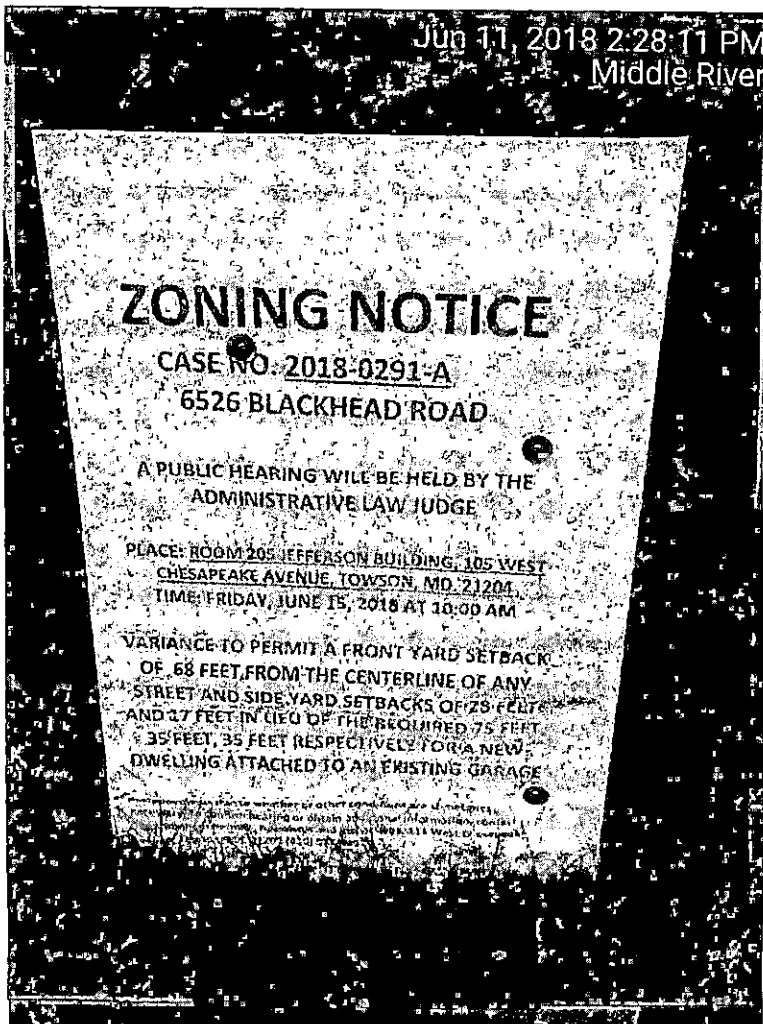
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)



# CERTIFICATE OF POSTING

*JUNE 11, 2018*  
Date: MAY 25, 2018

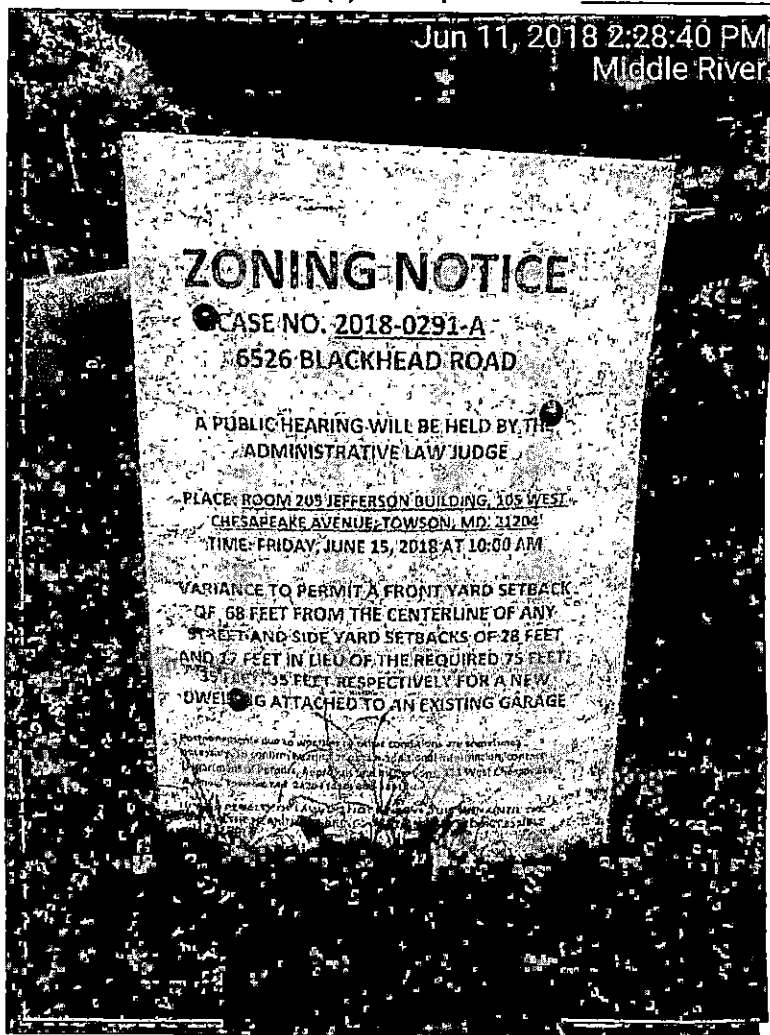
RE: Project Name: 6526 BLACKHEAD ROAD #2  
Case Number /PAI Number: 2018-0291-A  
Petitioner/Developer: JANA LEONARD  
Date of Hearing/Closing: JUNE 15, 2018

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*RE CERTIFIED JUNE 11, 2018*  
MAY 25 2018

(Month, Day, Year)



*David W Billingsley 6/11/18*  
*David Billingsley*  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)



# CERTIFICATE OF POSTING

JUNE 11, 2018  
Date: MAY 25, 2018

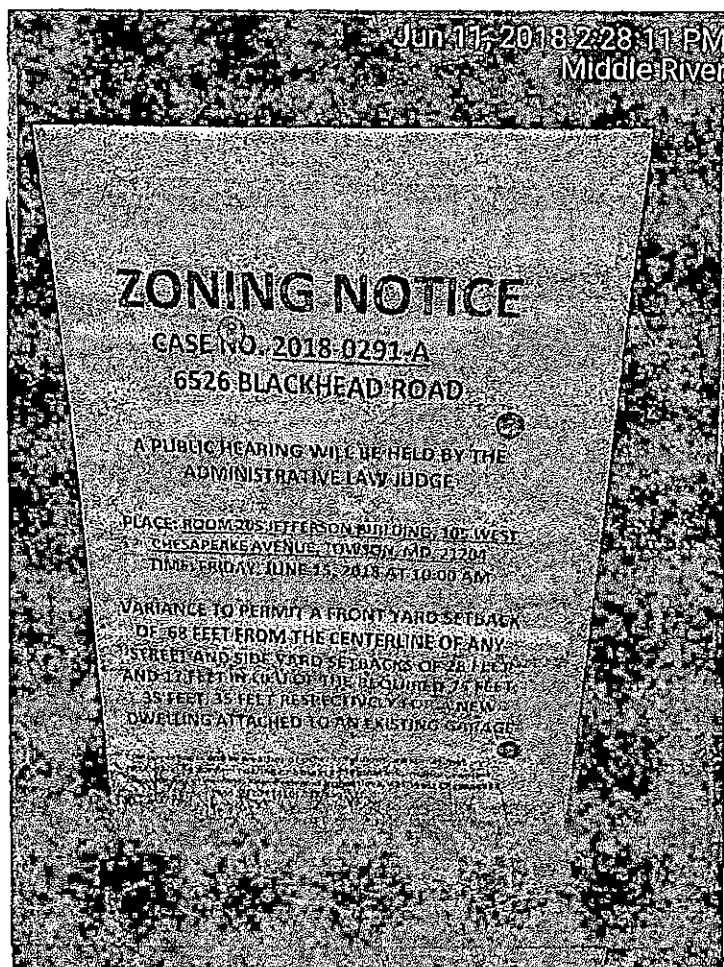
RE: Project Name: 6526 BLACKHEAD ROAD #1  
Case Number /PAI Number: 2018-0291-A  
Petitioner/Developer: JANA LEONARD  
Date of Hearing/Closing: JUNE 15, 2018

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RE CERTIFIED JUNE 11, 2018  
MAY 25 2018

(Month, Day, Year)



David W. Billingsley 6/11/18  
David Billingsley  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY  
(Printed Name of Sign Poster)

601 CHARWOOD COURT  
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040  
(City, State, Zip Code of Sign Poster)

(410) 679-8719  
(Telephone Number of Sign Poster)

# CERTIFICATE OF POSTING

JUNE 11, 2018

Date: MAY 25, 2018

RE: Project Name: 6526 BLACKHEAD ROAD #2  
Case Number /PAI Number: 2018-0291-A  
Petitioner/Developer: JANA LEONARD  
Date of Hearing/Closing: JUNE 15, 2018

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David Billingsley  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

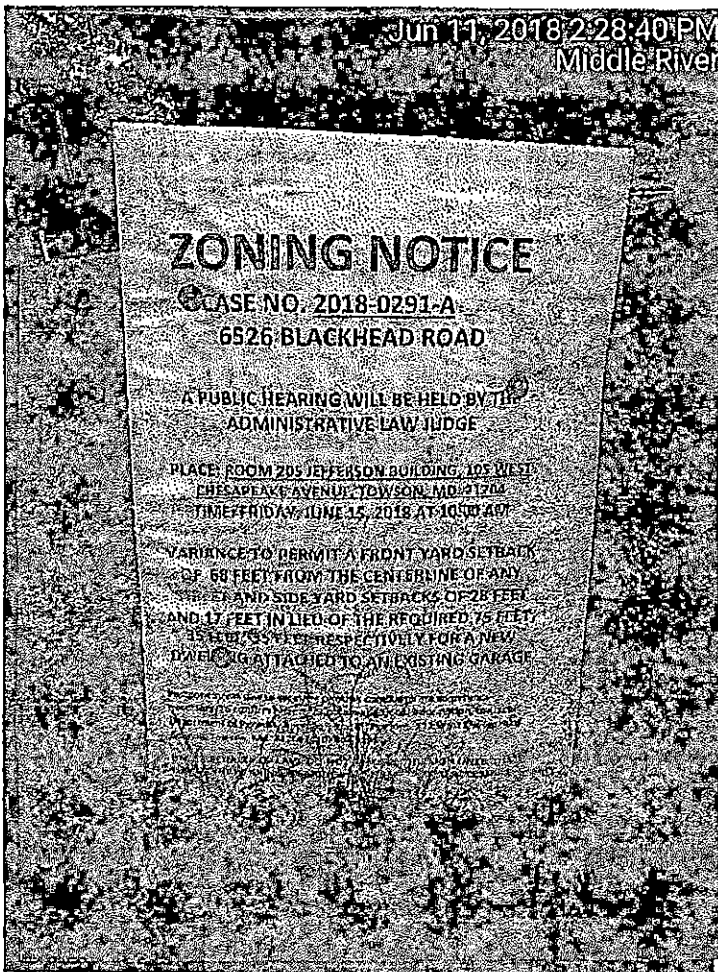
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

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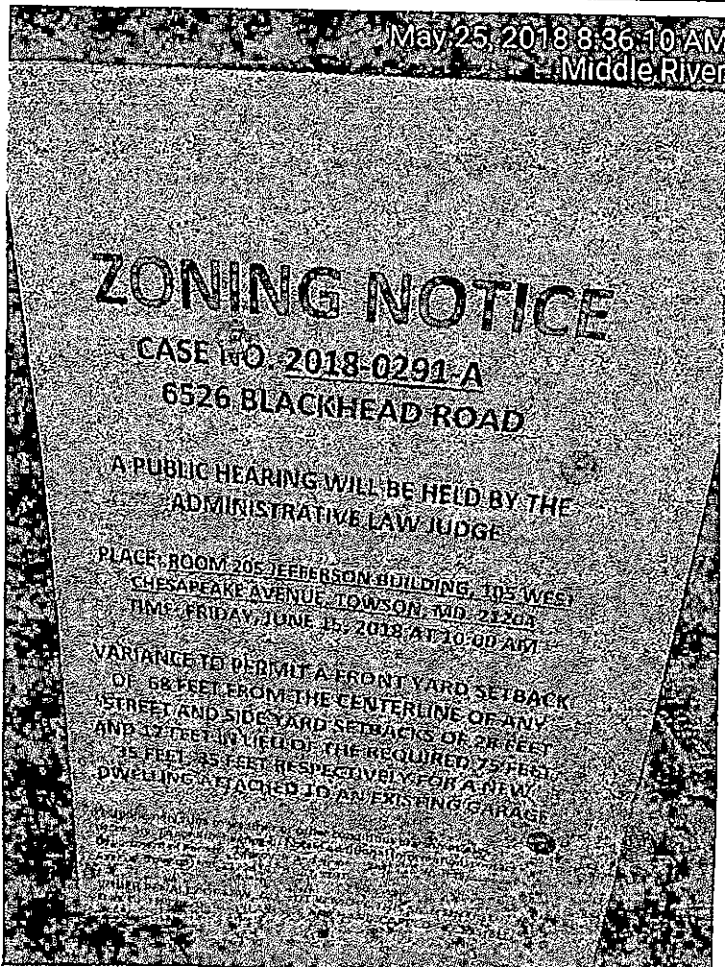
Date: MAY 25, 2018

RE: Project Name: 6526 BLACKHEAD ROAD #1  
Case Number /PAI Number: 2018-0291-A  
Petitioner/Developer: JANA LEONARD  
Date of Hearing/Closing: JUNE 15, 2018

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The sign(s) were posted on MAY 25 2018

(Month, Day, Year)



David Billingsley  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY  
(Printed Name of Sign Poster)

601 CHARWOOD COURT  
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040  
(City, State, Zip Code of Sign Poster)

(410) 679-8719  
(Telephone Number of Sign Poster)



# CERTIFICATE OF POSTING

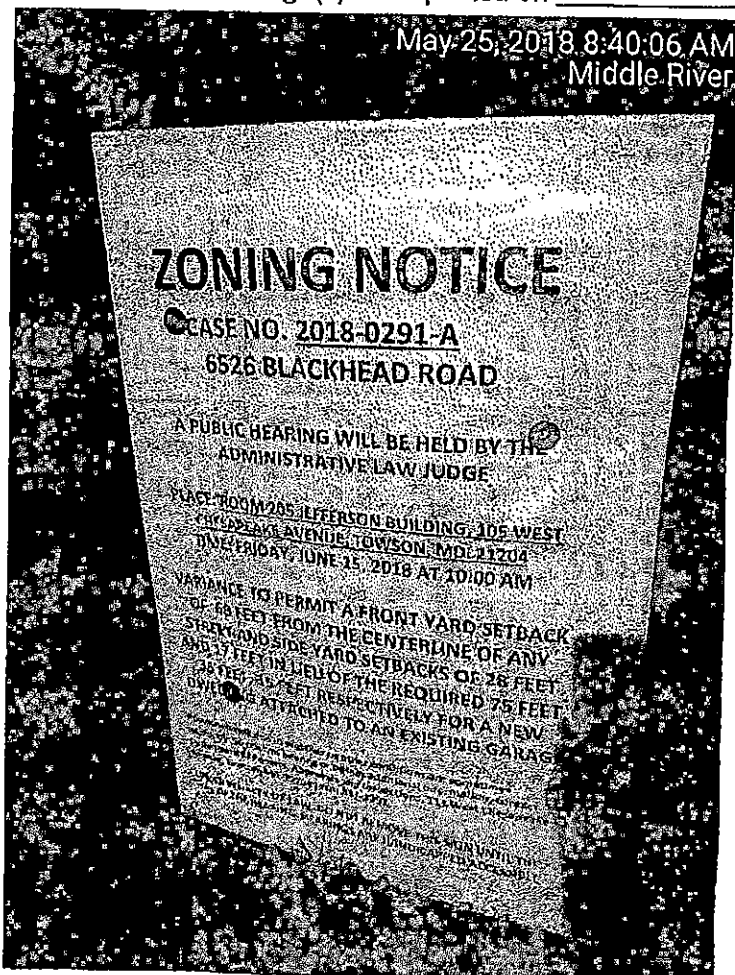
Date: MAY 25, 2018

RE: Project Name: 6526 BLACKHEAD ROAD #2  
Case Number /PAI Number: 2018-0291-A  
Petitioner/Developer: JANA LEONARD  
Date of Hearing/Closing: JUNE 15, 2018

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The sign(s) were posted on MAY 25 2018

(Month, Day, Year)



David Billingsley  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY  
(Printed Name of Sign Poster)

601 CHARWOOD COURT  
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040  
(City, State, Zip Code of Sign Poster)

(410) 679-8719  
(Telephone Number of Sign Poster)



KEVIN KAMENETZ  
County Executive

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

May 8, 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: 2018-0291-A**

6526 Blackhead Road

N/s Blackhead Road, 520 ft. W/of centerline of Crooks Road

15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: Jana May Leonard

Variance to permit a front yard setback of 68 ft. from the centerline of any street and side yard setbacks of 28 ft. and 17 ft. in lieu of the required 75 ft., 35' ft., and 35 ft. respectively, for a new dwelling attached to an existing garage.

Hearing: Friday, June 15, 2018 at 10:00 a.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: Jana May Leonard, 6526 Blackhead Road, Baltimore 21220  
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 26, 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:  
Jana Leonard  
6526 Blackhead Road  
Baltimore, MD 21220

410-913-7073

---

## 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: 2018-0291-A**  
6526 Blackhead Road  
N/s Blackhead Road, 520 ft. W/of centerline of Crooks Road  
15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District  
Legal Owners: Jana May Leonard

Variance to permit a front yard setback of 68 ft. from the centerline of any street and side yard setbacks of 28 ft. and 17 ft. in lieu of the required 75 ft., 35 ft., and 35 ft. respectively, for a new dwelling attached to an existing garage.

Hearing: Friday, June 15, 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 VARIANCE

6526 Blackhead Road; N/S Blackhead Road,  
520' W of c/line of Crooks Road  
15<sup>th</sup> Election & 6<sup>th</sup> Councilmanic Districts  
Legal Owner(s): Jana May Leonard  
Petitioner(s)

\* BEFORE THE OFFICE  
\* OF ADMINISTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* 2018-291-A

\* \* \* \* \*

### 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.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

RECEIVED

MAY 03 2018

*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 3<sup>rd</sup> day of May, 2018, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, Maryland 21040, 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: 2018-0291-A  
Property Address: 6526 BLACKHEAD ROAD  
Property Description: N. SIDE BLACKHEAD RD, 520' W. OF  
E CROOKS ROAD  
Legal Owners (Petitioners): JANA LEONARD  
Contract Purchaser/Lessee: \_\_\_\_\_

PLEASE FORWARD ADVERTISING BILL TO:

Name: JANA LEONARD  
Company/Firm (if applicable): \_\_\_\_\_  
Address: 6526 BLACKHEAD ROAD  
BALTO, MD 21220  
\_\_\_\_\_  
Telephone Number: 410- 913- 7073

Revised 7/9/2015



# WADSWORTH

| BUSINESS | ACTUAL | TIME | DRW |
|----------|--------|------|-----|
| 1        | 1      | 1    | 1   |
| 2        | 2      | 2    | 2   |
| 3        | 3      | 3    | 3   |
| 4        | 4      | 4    | 4   |
| 5        | 5      | 5    | 5   |
| 6        | 6      | 6    | 6   |
| 7        | 7      | 7    | 7   |
| 8        | 8      | 8    | 8   |
| 9        | 9      | 9    | 9   |
| 10       | 10     | 10   | 10  |
| 11       | 11     | 11   | 11  |
| 12       | 12     | 12   | 12  |
| 13       | 13     | 13   | 13  |
| 14       | 14     | 14   | 14  |
| 15       | 15     | 15   | 15  |
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| 97       | 97     | 97   | 97  |
| 98       | 98     | 98   | 98  |
| 99       | 99     | 99   | 99  |
| 100      | 100    | 100  | 100 |

4/26/2018 4/26/2018 09:25:32

REC'D - 1512 - WALKIN - CAN

RECEIPT # 770213 4/26/2013 TELN

5-528 ZONING VERIFICATION

Q. 133028

Receipt Tot: 50.75.00

75.00 OK 47.00 OK

Altamere County, Maryland

Total

Rec From CENTRAL DRAFTING & DESIGN

For: 6346 BLACK HEAD 18  
2018-0291-A

## 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

Jana May Leonard  
6526 Blackhead Road  
Baltimore MD 21220

RE: Case Number: 2018-0291 A, Address: 6526 Blackhead Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 26, 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, reading "W. Carl Richards, Jr.", is written over a circular stamp that partially obscures the signature.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel  
David Billingsley, 601 Charwood Court, Edgewood MD 21040

Date: 4/30/18

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

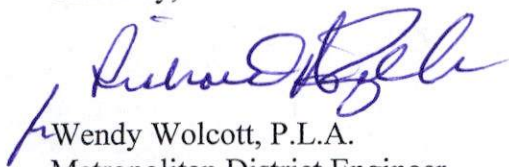
Dear Ms. Lewis:

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. 2018-0291-A

Variance  
Jana May Leonard  
6526 Blackhead 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

6-15

**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 # 2018-0291-A  
Address 6526 Blackhead Road  
(Leonard Property)

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

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The applicant is proposing to construct a dwelling with reduced side yard and front yard setbacks. The lot is waterfront, and the proposed dwelling must meet all LDA and MBA requirements, including lot coverage limits and afforestation requirements. Nothing is proposed within the buffer. The property is 26,800 square feet. Lot coverage is limited to a maximum of 5,445 square feet, with mitigation required for any lot coverage between 4,020 square feet and 5,445 square feet. 4,858 square feet is proposed, so mitigation is required for 838 square feet. 15% afforestation of eight trees is required. Afforestation information has not been provided. If the afforestation requirement can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.



2. Conserve fish, plant, and wildlife habitat;

This property is waterfront and must meet the afforestation requirement. If these requirements are met this request will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

This is a grandfathered lot. Provided that the applicants can meet their afforestation requirement, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

## 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: 18-291



**INFORMATION:**

**Property Address:** 6526 Blackhead Road  
**Petitioner:** Jana M. Leonard  
**Zoning:** RC 2  
**Requested Action:** Variance

The Department of Planning has reviewed the petition for variance to permit a front yard setback of 68 feet from the centerline of any street and side property line setbacks of 28 feet and 17 feet in lieu of the required 75 feet, and 35 feet respectively, for a new dwelling attached to an existing garage.

The site is improved with an existing dwelling to be razed and an existing garage to remain. The rear portion of the property is located within the 100 year flood plain.

The Department of Planning has no objection granting the petitioned zoning relief.

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

**Prepared by:**

Lloyd T. Moxley

AVA/KS/LTM/

**Deputy Director:**

Jeff Mayhew

c: Ngone Seye Diop  
David Billingsley, Central Drafting & Design, Inc.  
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:** 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: 18-291

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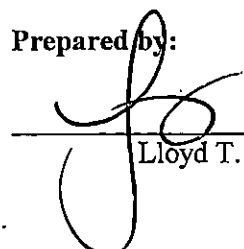
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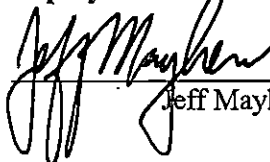
**Prepared by:**



Lloyd T. Moxley

AVA/KS/LTM/

**Deputy Director:**



Jeff Mayhew

c: Ngone Seye Diop  
David Billingsley, Central Drafting & Design, Inc.  
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  
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FROM: Jeff Livingston, Department of Environmental Protection and  
Sustainability (EPS) - Development Coordination

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Address 6526 Blackhead Road  
(Leonard Property)

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

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This is a grandfathered lot. Provided that the applicants can meet their afforestation requirement, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger



CASE NAME 6526 BLACKHEAD RD  
CASE NUMBER 2018-0291-A  
DATE 6/15/18

| NAME | ADDRESS | CITY, STATE, ZIP | E - MAIL |
|------|---------|------------------|----------|
|------|---------|------------------|----------|

[illegible]

C H E C K L I S T

| <u>Comment Received</u>         | <u>Department</u>                                                     | <u>Support/Oppose/<br/>Conditions/<br/>Comments/<br/>No Comment</u> |
|---------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------------------|
| <u>6/14</u>                     | DEVELOPMENT PLANS REVIEW<br>(if not received, date e-mail sent _____) | <u>NO COMMENT</u>                                                   |
| <u>5/4</u>                      | DEPS<br>(if not received, date e-mail sent _____)                     | <u>COMMENT</u>                                                      |
| _____                           | FIRE DEPARTMENT                                                       | _____                                                               |
| <u>5/25</u>                     | PLANNING<br>(if not received, date e-mail sent _____)                 | <u>NO Obj</u>                                                       |
| <u>4/30/18</u>                  | STATE HIGHWAY ADMINISTRATION                                          | <u>NO Obj</u>                                                       |
| _____                           | TRAFFIC ENGINEERING                                                   | _____                                                               |
| _____                           | COMMUNITY ASSOCIATION                                                 | _____                                                               |
| _____                           | ADJACENT PROPERTY OWNERS                                              | _____                                                               |
| ZONING VIOLATION                | (Case No. _____)                                                      |                                                                     |
| PRIOR ZONING                    | (Case No. _____)                                                      |                                                                     |
| NEWSPAPER ADVERTISEMENT         | Date: <u>5/24/18</u>                                                  |                                                                     |
| SIGN POSTING (1 <sup>st</sup> ) | Date: <u>5/25/18</u>                                                  | by <u>Billingsley</u>                                               |
| SIGN POSTING (2 <sup>nd</sup> ) | Date: <u>6/11/18</u>                                                  | by <u>Billingsley</u>                                               |
| PEOPLE'S COUNSEL APPEARANCE     | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>   |                                                                     |
| PEOPLE'S COUNSEL COMMENT LETTER | Yes <input type="checkbox"/> No <input type="checkbox"/>              |                                                                     |

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 - 1520450210               |               |                        |                      |                              |                                                      |                  |           |           |
| Owner Information                              |          |                                                         |               |                        |                      |                              |                                                      |                  |           |           |
| Owner Name:                                    |          | LEONARD JANA MAY                                        |               |                        | Use:                 |                              | RESIDENTIAL                                          |                  |           |           |
| Mailing Address:                               |          | 6526 BLACKHEAD RD<br>BALTIMORE MD 21220-1211            |               |                        | Principal Residence: |                              | YES                                                  |                  |           |           |
|                                                |          |                                                         |               |                        | Deed Reference:      |                              | /38506/ 00173                                        |                  |           |           |
| Location & Structure Information               |          |                                                         |               |                        |                      |                              |                                                      |                  |           |           |
| Premises Address:                              |          | 6526 BLACKHEAD RD<br>BALTIMORE 21220-1211<br>Waterfront |               |                        | Legal Description:   |                              | LT 15-18<br>6526 BLACKHEAD RD NS<br>BIRD RIVER BEACH |                  |           |           |
| Map:                                           | Grid:    | Parcel:                                                 | Sub District: | Subdivision:           | Section:             | Block:                       | Lot:                                                 | Assessment Year: | Plat No:  |           |
| 0083                                           | 0004     | 0428                                                    |               | 0000                   | 1                    |                              | 15                                                   | 2018             | Plat Ref: | 0007/0070 |
| Special Tax Areas:                             |          |                                                         |               | Town:                  |                      | NONE                         |                                                      |                  |           |           |
|                                                |          |                                                         |               | Ad Valorem:            |                      |                              |                                                      |                  |           |           |
|                                                |          |                                                         |               | Tax Class:             |                      |                              |                                                      |                  |           |           |
| Primary Structure Built                        |          | Above Grade Living Area                                 |               | Finished Basement Area |                      | Property Land Area           |                                                      | County Use       |           |           |
| 1925                                           |          | 1,100 SF                                                |               |                        |                      | 25,600 SF                    |                                                      | 34               |           |           |
| Stories                                        | Basement | Type                                                    | Exterior      | Full/Half Bath         | Garage               | Last Major Renovation        |                                                      |                  |           |           |
| 1                                              | NO       | STANDARD UNIT                                           | BLOCK         | 1 full                 | 1 Detached           |                              |                                                      |                  |           |           |
| Value Information                              |          |                                                         |               |                        |                      |                              |                                                      |                  |           |           |
|                                                |          |                                                         | Base Value    | Value                  | Phase-in Assessments |                              |                                                      |                  |           |           |
|                                                |          |                                                         |               | As of                  | As of                |                              | As of                                                |                  |           |           |
|                                                |          |                                                         |               | 01/01/2018             | 07/01/2017           |                              | 07/01/2018                                           |                  |           |           |
| Land:                                          |          |                                                         | 181,100       | 181,100                |                      |                              |                                                      |                  |           |           |
| Improvements                                   |          |                                                         | 105,000       | 92,700                 |                      |                              |                                                      |                  |           |           |
| Total:                                         |          |                                                         | 286,100       | 273,800                | 286,100              |                              | 273,800                                              |                  |           |           |
| Preferential Land:                             |          |                                                         | 0             |                        |                      |                              | 0                                                    |                  |           |           |
| Transfer Information                           |          |                                                         |               |                        |                      |                              |                                                      |                  |           |           |
| Seller: ROSENDALE EDMUND J JR                  |          |                                                         |               | Date: 01/12/2017       |                      |                              | Price: \$285,000                                     |                  |           |           |
| Type: ARMS LENGTH IMPROVED                     |          |                                                         |               | Deed1: /38506/ 00173   |                      |                              | Deed2:                                               |                  |           |           |
| Seller: TISCHLER DOROTHY                       |          |                                                         |               | Date: 01/14/2004       |                      |                              | Price: \$219,000                                     |                  |           |           |
| Type: ARMS LENGTH IMPROVED                     |          |                                                         |               | Deed1: /19442/ 00423   |                      |                              | Deed2:                                               |                  |           |           |
| Seller:                                        |          |                                                         |               | Date:                  |                      |                              | Price:                                               |                  |           |           |
| Type:                                          |          |                                                         |               | Deed1:                 |                      |                              | Deed2:                                               |                  |           |           |
| Exemption Information                          |          |                                                         |               |                        |                      |                              |                                                      |                  |           |           |
| Partial Exempt Assessments:                    |          | Class                                                   |               | 07/01/2017             |                      |                              | 07/01/2018                                           |                  |           |           |
| County:                                        |          | 000                                                     |               | 0.00                   |                      |                              |                                                      |                  |           |           |
| State:                                         |          | 000                                                     |               | 0.00                   |                      |                              |                                                      |                  |           |           |
| Municipal:                                     |          | 000                                                     |               | 0.00 0.00              |                      |                              | 0.00 0.00                                            |                  |           |           |
| Tax Exempt:                                    |          |                                                         |               | Special Tax Recapture: |                      |                              |                                                      |                  |           |           |
| Exempt Class:                                  |          |                                                         |               | NONE                   |                      |                              |                                                      |                  |           |           |
| Homestead Application Information              |          |                                                         |               |                        |                      |                              |                                                      |                  |           |           |
| Homestead Application Status: No Application   |          |                                                         |               |                        |                      |                              |                                                      |                  |           |           |
| Homeowners' Tax Credit Application Information |          |                                                         |               |                        |                      |                              |                                                      |                  |           |           |



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

---

**PETITIONER'S EXHIBITS**

**6526 BLACKHEAD ROAD  
CASE NO. 2018-0291-A**

*PJ  
7-19-18*

*Sen  
6-18-18*

1. PLAT TO ACCOMPANY PETITION DATED APRIL 20, 2018 (NO CHANGES)
2. SDAT REAL PROPERTY DATA SEARCH
3. DEED OF RECORD L.38506 F.173 DATED DECEMBER 19, 2016
4. PLAT OF BIRD RIVER BEACH RECORDED JULY 10, 1923 PLAT BOOK 7 FOLIO 70
5. AERIAL PHOTO
- 6A-E. PHOTOS
7. BUILDING ELEVATIONS
8. *Letter dated 6-13-2018*

## Search Result for BALTIMORE COUNTY

PETITIONER'S  
EXHIBIT NO. **2**



## AFTER RECORDING RETURN TO:

Jana May Leonard  
6526 Blackhead Road  
Baltimore, MD 21220

## DOCUMENT PREPARED BY:

Sage Title Group, LLC  
1104 Kenilworth Drive, Suite 400  
Towson, MD 21204  
File Number: 192043TOWS

Tax ID#: 15-1520450210

**This Deed**, MADE THIS 19th day of December, 2016, by and between Edmund J. Rosendale, Jr., party of the first part, and Jana May Leonard, party of the second part.

**WITNESSETH**, That in consideration of the sum of **TWO HUNDRED EIGHTY FIVE THOUSAND AND 00/100 DOLLARS (\$285,000.00)**, the receipt of which is hereby acknowledged, the said party of the first part does grant and convey to the said party of the second part, in fee simple, all that parcel of ground situated in **Baltimore County, Maryland** and as described as follows, that is to say:

Being known and designated as Lots Nos. fifteen (15), sixteen (16), seventeen (17), and eighteen (18) as shown on the Plat of Bird River Beach, which plat is duly recorded among the Plat Records of Baltimore County, Maryland in Plat Liber W.P.C. No. 7, folio 70.

The improvements thereon being known as 6526 Blackhead Road, Baltimore, Maryland 21220.

Tax ID#: 15-1520450210

**BEING** the same property which by deed dated December 29, 2003 and recorded among the Land Records of Baltimore County, Maryland in Liber No. 19442, folio 423, was granted and conveyed by Dorothy L. Tischler unto Edmund J. Rosendale, Jr..

**TOGETHER** with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

**SUBJECT TO** all rights, easements, restrictions, covenants and reservations of record.

**TO HAVE AND TO HOLD** the said described lot(s) of ground and premises to the said party of the second part, as sole owner, her personal representatives, heirs and assigns, in fee simple.

Buyers' Initials: 

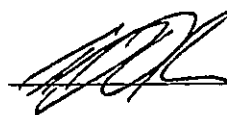
**AND** the said party of the first part does hereby covenant that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

LR - Deed (w Taxes)  
Recording  
Name: LEDN  
Ref:  
LR - Deed  
Surcharge  
LR - Deed  
Transfer T  
LR - NR Ta  
SubTotal:  
Total:  
01/12/2017  
#7603789 C  
Baltimore  
County/CCQ  
Register B

PETITIONER'S  
EXHIBIT NO. 3

WITNESS the hand and seal of the said party of the first part:

WITNESS:



 (SEAL)  
Edmund J. Rosendale, Jr.

STATE OF MARYLAND, CITY/COUNTY OF BALTIMORE to wit:

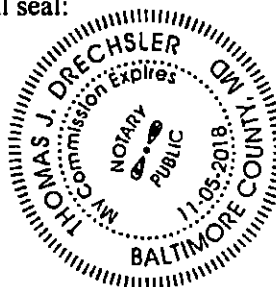
I HEREBY CERTIFY, that on this 19<sup>th</sup> day of December, 2016, before me, the subscriber, a Notary Public of the State of Maryland in and for Baltimore County/City, personally appeared Edmund J. Rosendale, Jr. known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal:

Notary Public

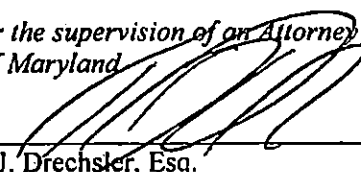
My Commission Expires:

11-5-2018



**ATTORNEY CERTIFICATION**

*This is to certify that the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals in the State of Maryland*

  
Thomas J. Drechsler, Esq.



# Baltimore County - My Neighborhood



PETITIONER'S  
EXHIBIT NO. 5





A





B





5





D





E





**FRONT ELEVATION**

STREET SIDE



**REAR ELEVATION**

WATER SIDE

| REVISIONS | BY |
|-----------|----|
| 6/11/18   | RB |
|           |    |
|           |    |
|           |    |

  
 2081 D MOUNT HOREB RD STREET MD 21154  
 443-613-5115

NEW HOME  
 6526 BLACK HEAD RD  
 MIDDLE RIVER MD 21220

THE CONTRACTOR IS  
 RESPONSIBLE FOR  
 TO BE CONFIRMED AND CORRELATED  
 WITH THE MEANS, METHODS,  
 PROCESSES OR TO THE MEANS,  
 MATERIALS, EQUIPMENT, TECHNIQUES  
 AND PROCEDURES OF CONSTRUCTION  
 OF THE WORK OF ALL TRADES

RB HOME DESIGN  
 DATE : 6/11/18  
 SCALE : 1/4" = 1'  
 DRAWN :  
 R. BREDLOW  
 FRONT / REAR  
 ELEVATIONS  
 SHEET NO.

**A-1**

PETITIONER'S  
 EXHIBIT NO. 7



June 13, 2018

Subject: 6528 BLACKHEAD ROAD  
CASE #2018-0291A

There is a set-back variance hearing on June 15, 2018 for the above subject property.

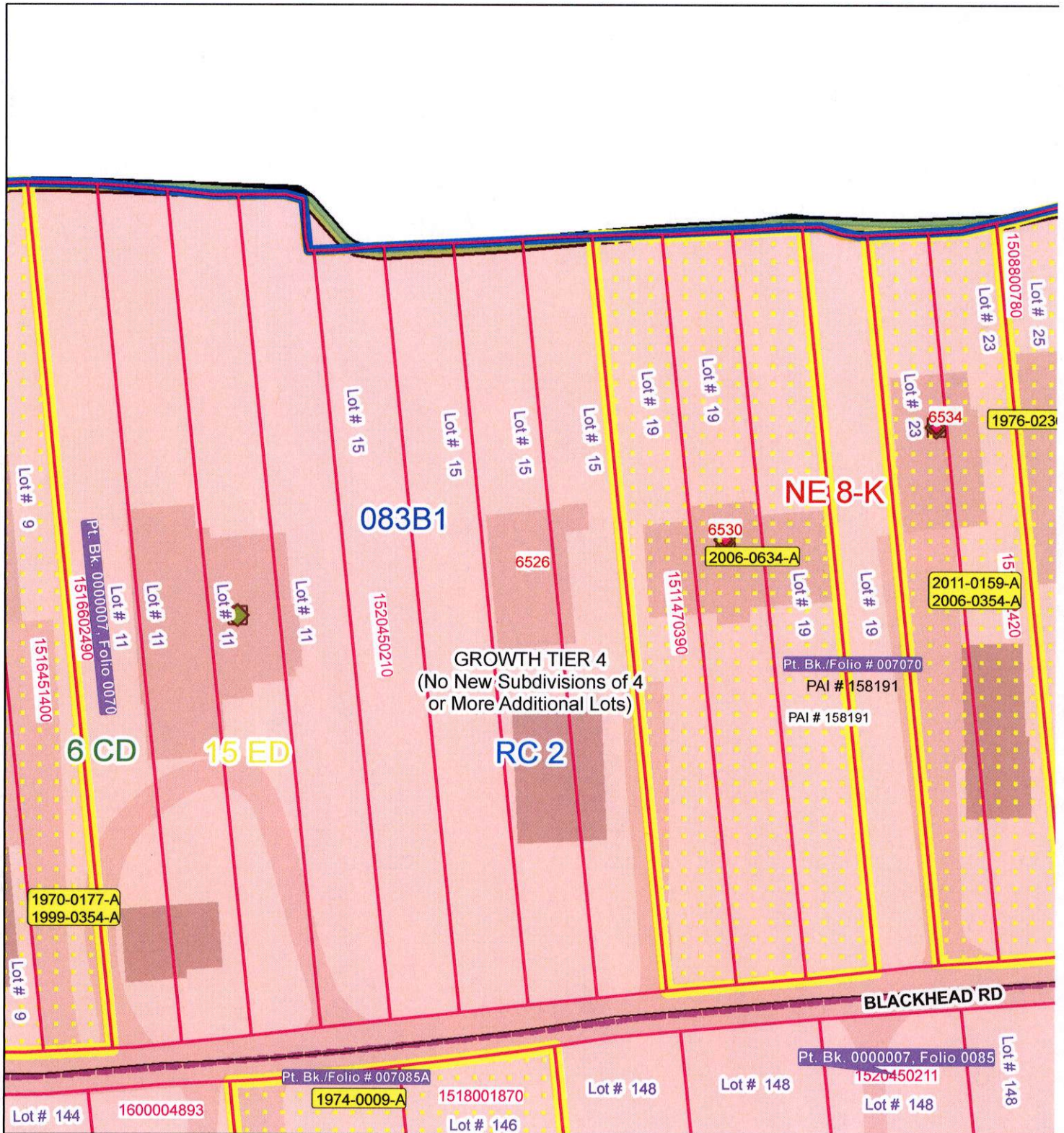
My property is directly adjacent to this property and I have no objection to the requested variance.

A handwritten signature in black ink, appearing to read "Edna M Leonard". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Edna M Leonard  
6530 Blackhead Road  
Middle River, MD 21220

PET EX 8

6526 Blackhead Road 2018-0291-A



Publication Date: 4/26/2018



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



0 12.5 25 50 75 100 Feet

1 inch = 50 feet



BIRD

RIVER.

SITE

BLACK HEAD

S. 88° 34' E

ROAD

MALLARD

ROAD

CREEK.

OWINGS

No dedication of any street, alley or highway shown on this plat, is to be implied from the filing, recording or publication here of.

# BIRD RIVER BEACH

J.J. REQUARD & BROS. - CLAUDE L. HAMMOND  
OVERLEA - MD.

//

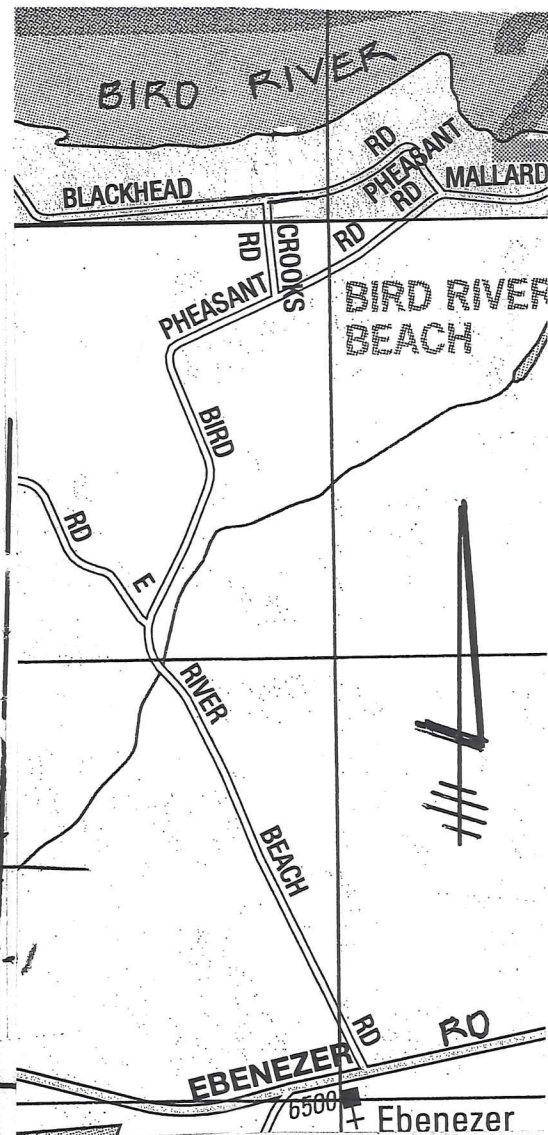
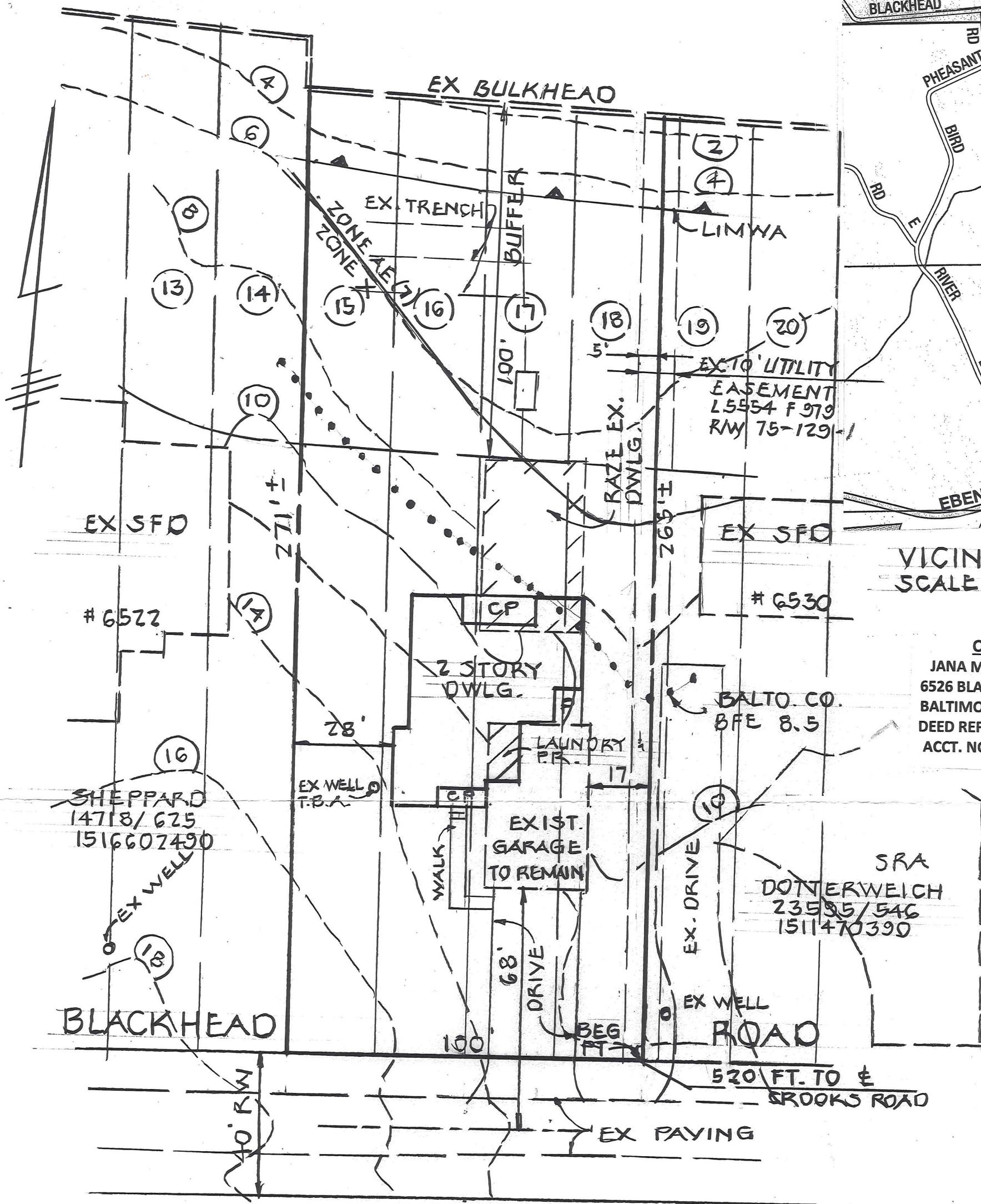
J. SPENCE HOWARD  
Civil Engr Balto. Md.  
Scale 1" = 100' May 1923  
Book # 162 & 163 File 456

*Filed for record  
July 10, 1923  
Dist: H & P Co. Clk.*





BIRD RIVER



VICINITY MAP  
SCALE: 1" = 1000'

OWNER  
JANA MAY LEONARD  
6526 BLACKHEAD ROAD  
BALTIMORE, MD. 21220  
DEED REF: L.38506 F.173  
ACCT. NO. 1520450210

BALTO. CO.  
BFE 8.5

SRA  
DOTTERWEICH  
23535/546  
1511470390

**LOT COVERAGES**

|                           |         |
|---------------------------|---------|
| DWELLING AND PORCHES..... | 2418 SF |
| GARAGE.....               | 1288 SF |
| DRIVE.....                | 1152 SF |
| TOTAL.....                | 4858 SF |

**LOT COVERAGE TABLE**

|                                    |           |
|------------------------------------|-----------|
| LOT AREA.....                      | 26,800 SF |
| LOT COVERAGE PERMITTED.....        | 5445 SF   |
| LOT COVERAGE PROPOSED.....         | 4858 SF   |
| ADDITIONAL COVERAGE PERMITTED..... | 587 SF    |

**NOTES**

1. ZONING.....RC2
2. LOT AREA.....26,800 S.F. = 0.615 ACRE +/-
3. NO PREVIOUS ZONING HISTORY OR VIOLATION ARE KNOWN
4. PRIVATE WATER AND SEWER
5. SITE IS LOCATED IN THE CBCA
6. A PORTION OF THE SITE IS LOCATED IN THE 100 YEAR FLOOD ZONE
7. NO UNDERGROUND STORAGE TANKS, HISTORIC STRUCTURES OR SITES, OR ARCHEOLOGIC SITES ARE KNOWN TO EXIST.

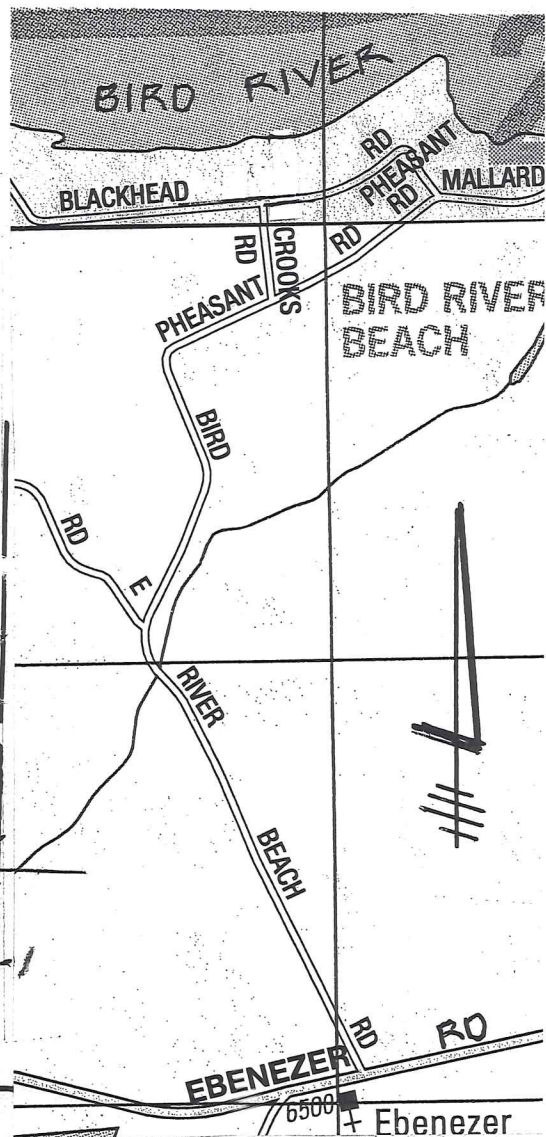
**PLAT TO ACCOMPANY PETITION  
FOR ZONING VARIANCE  
6526 BLACKHEAD ROAD  
LOTS 15-18 BIRD RIVER BEACH 7/70  
ELECTION DISTRICT 15C6  
BALTIMORE COUNTY, MD.**

**SCALE: 1 INCH = 30 FEET APRIL 20, 2018**

**PETITIONER'S  
EXHIBIT NO. 1**

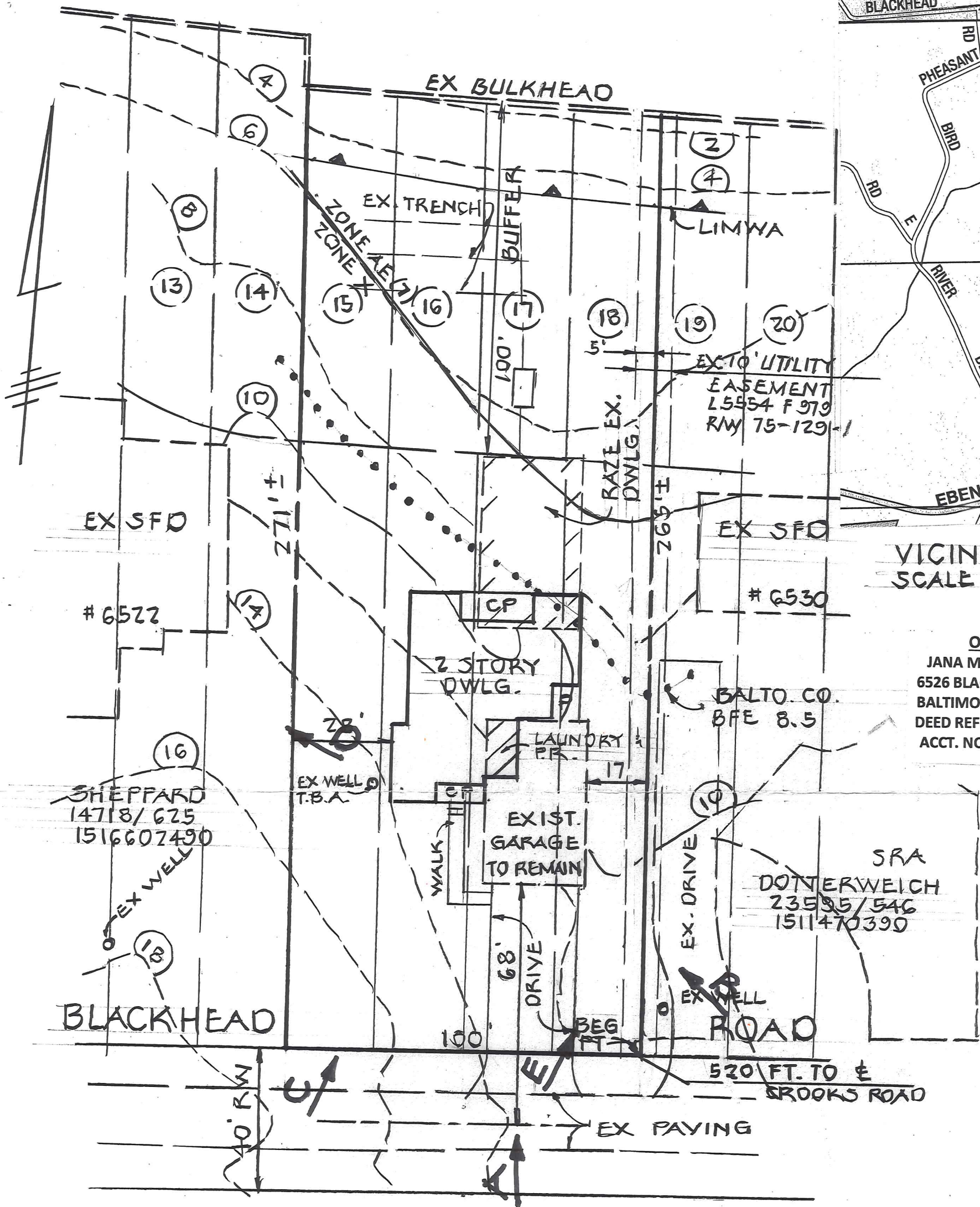


BIRD RIVER



VICINITY MAP  
SCALE: 1" = 1000'

OWNER  
JANA MAY LEONARD  
6526 BLACKHEAD ROAD  
BALTIMORE, MD. 21220  
DEED REF: L38506 F.173  
ACCT. NO. 1520450210



**LOT COVERAGES**

DWELLING AND PORCHES.....2418 SF  
GARAGE.....1288 SF  
DRIVE.....1152 SF  
TOTAL.....4858 SF

**LOT COVERAGE TABLE**

LOT AREA.....26,800 SF  
LOT COVERAGE PERMITTED.....5445 SF  
LOT COVERAGE PROPOSED.....4858 SF  
ADDITIONAL COVERAGE PERMITTED.....587 SF

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4. PRIVATE WATER
5. SITE IS LOCATED
6. A PORTION OF T
7. NO UNDERGROU OR ARCHEOLOG

PETITIONER'S  
EXHIBIT NO. **G.A.E**

DD ZONE  
RES OR SITES,

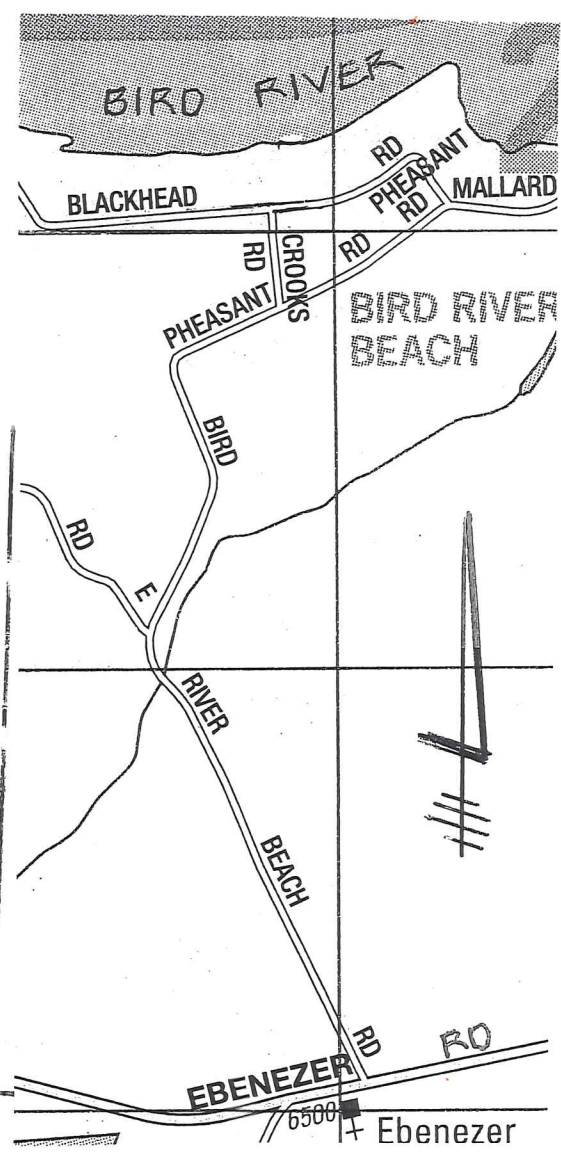
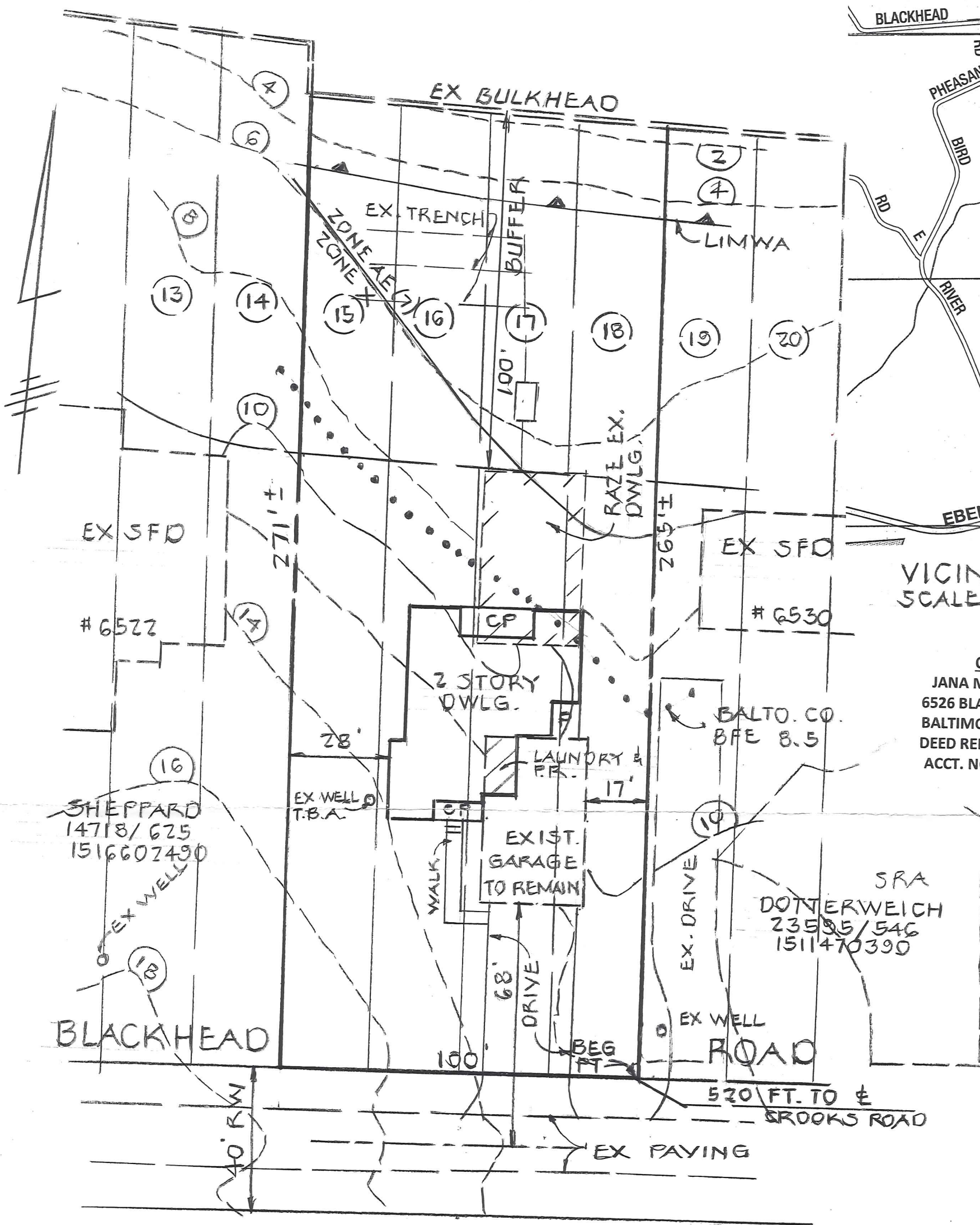
**PHOTOS**

PLAT TO ACCOMPANY PETITION  
FOR ZONING VARIANCE  
6526 BLACKHEAD ROAD  
LOTS 15-18 BIRD RIVER BEACH 7/70  
ELECTION DISTRICT 15C6  
BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 30 FEET APRIL 20, 2018



BIRD RIVER



VICINITY MAP  
SCALE: 1" = 1000'

OWNER  
JANA MAY LEONARD  
6526 BLACKHEAD ROAD  
BALTIMORE, MD. 21220  
DEED REF: L.38506 F.173  
ACCT. NO. 1520450210

SHEPPARD  
14718/625  
1516607490

BALTO. CO.  
BFE 8.5

SRA  
DOTTERWEICH  
23535/546  
1511470390

**LOT COVERAGES**

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GARAGE.....1288 SF  
DRIVE.....1152 SF  
TOTAL.....4858 SF

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2018-07291-A

**PLAT TO ACCOMPANY PETITION  
FOR ZONING VARIANCE  
6526 BLACKHEAD ROAD  
LOTS 15-18 BIRD RIVER BEACH 7/70  
ELECTION DISTRICT 15C6  
BALTIMORE COUNTY, MD.**

**SCALE: 1 INCH = 30 FEET APRIL 20, 2018**