MEMORANDUM

DATE: October 30, 2018

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2018-0358-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on October 29, 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

/dlw

IN RE: **PETITIONS FOR SPECIAL HEARING AND VARIANCE**	*	BEFORE THE
(3504 Chapman Road)	*	OFFICE OF
2nd Election District		
4th Council District	*	ADMINISTRATIVE HEARINGS
Casey & Joann Carvell, *Legal Owners*	*	FOR BALTIMORE COUNTY
Petitioners	*	**Case No. 2018-0358-SPHA**

* * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Casey & Joann Carvell, legal owners ("Petitioners"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve a proposed accessory structure (garage) on a contiguously owned lot without a primary structure with a footprint larger than the supporting primary structure. A Petition for Variance seeks to permit a proposed accessory structure (garage) to have a height of 25 ft. in lieu of the maximum allowed height of 15 ft. A site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

Casey Carvell appeared in support of the requests. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Environmental Protection and Sustainability ("DEPS") and the Department of Planning ("DOP"). Neither agency opposed the requests.

SPECIAL HEARING

As noted above, the proposed garage would be larger than the existing single-family dwelling. In these circumstances the zoning office requires an owner to obtain special hearing

ORDER RECEIVED FOR FILING
Date 9/27/18
By Sen

approval, since the garage is arguably not "subordinate" or "accessory" to the dwelling in such a scenario.

This site is improved with a single-family dwelling constructed in 1951, and a detached garage most likely constructed at or about that time. Petitioners propose to enlarge the existing garage, which is situated far away from the dwelling and will be located at least partially on an unimproved lot at the rear of the site also owned by Petitioners. An automobile dealership and inventory storage area adjoins the site to the rear. I do not believe the garage would have a detrimental impact upon the community or adjoining uses, and the Petitioners' property is of sufficient size to accommodate both structures without appearing overcrowded. As such the petition for special hearing will be granted.

VARIANCES

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

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

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

The subject property is narrow and deep (approximately 75' x 400') and is therefore unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to construct the proposed addition to the existing garage. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of community and/or Baltimore County opposition. In addition, the site

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Date 9/27/18
By SEN

plan (Exhibit 1) is signed by the neighbors residing on both sides of the subject property indicating their support for the request.

THEREFORE, IT IS ORDERED this **27th** day of **September, 2018**, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to approve a proposed accessory structure (garage) on a contiguously owned lot without a primary structure with a footprint larger than the supporting primary structure, be and is hereby GRANTED.

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

The relief granted herein shall be subject to the following:

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

2. Petitioners must comply with the ZAC comments submitted by DOP and DEPS, copies of which are attached hereto.

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

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Date 9/27/18
By sln

9-17

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

JUL 05 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and Sustainability (EPS) - Development Coordination

DATE: July 5, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0358-SPHA
Address 3504 Chapman Road
(Carvell Property)

Zoning Advisory Committee Meeting of **July 2, 2018**.

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

1. Ground Water Management must review any building permit for a proposed garage, since there is an existing septic system on site.

Reviewer: Dan Esser

ORDER RECEIVED FOR FILING

Date 9/27/18

By sen

C:\Users\dwiley\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\DXWB6LKP\ZAC 18-0358-SPHA 3504 Chapman Road.doc

PE...TION FOR ZONING HEA...IG(S)

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

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

Address 3504 CHAPMAN Rd. **which is presently zoned** 3.5

Deed References: 39203/00027 10 Digit Tax Account # 0219070240

Property Owner(s) Printed Name(s) CASEY A. CARVELL 0219070241

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

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

1. ✓ **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

.... A proposed accessory structure (garage) on a contiguously owned lot without a primary structure with a footprint larger than the supporting primary structure.

2. ____ **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ✓ **a Variance** from Section(s)

BCZR: 400.3 → To permit a proposed accessory structure (garage) to have a height of 25 feet in lieu of the maximum allowed height of 15 feet.

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

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: N/A

Signature

Mailing Address / City / State

Zip Code / Telephone # / Email Address

Legal Owners (Petitioners):

Casey Carvell / Joann C. Carvell

Name #1 – Type or Print / Name #2 – Type or Print

Signature #1 / Signature # 2

3504 Chapman Rd. / Randallstown / MD

Mailing Address / City / State

21133 / 443-256-2227 / sirnicademys@comcast.net

Zip Code / Telephone # / Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address / City / State

Zip Code / Telephone # / Email Address

ORDER RECEIVED FOR FILING
Date 9/27/18
By

Representative to be contacted:

Lee Gireaux

Name – Type or Print

Lee Gireaux

Signature

15852 MAGNOLIA Dr. New Freedom, PA.

Mailing Address / City / State

17349 / 443-564-8875 / Gireaux.lee@gmail.com

Zip Code / Telephone # / Email Address

CASE NUMBER 2018-0358-SPHA **Filing Date** 6/21/18 **Do Not Schedule Dates:** _____ **Reviewer** JS

REV. 10/4/11

ZONING DISCRIPTION FOR – 3504 Chapman Road Randallstown, MD

Beginning at a point on the NW side of Chapman Rd which is 16' wide at the distance of 494 feet SOUTH of the center line of the nearest improved intersection street Liberty Rd which is 55' wide.

Being Lot # N/A Block N/A Section N/A in the subdivision of N/A as recorded in Baltimore County Plat Book# 32903, Folio # 139. Containing 30,246 ~~15,000~~ square ft. and located in the 2nd Election District and 4th Councilmanic District also known as 3504 Chapman Rd Randallstown Md, 21133

COMBINED (2 LOTS)

2018-0358-SPHA

JB 9-17
11 Am

Debra Wiley

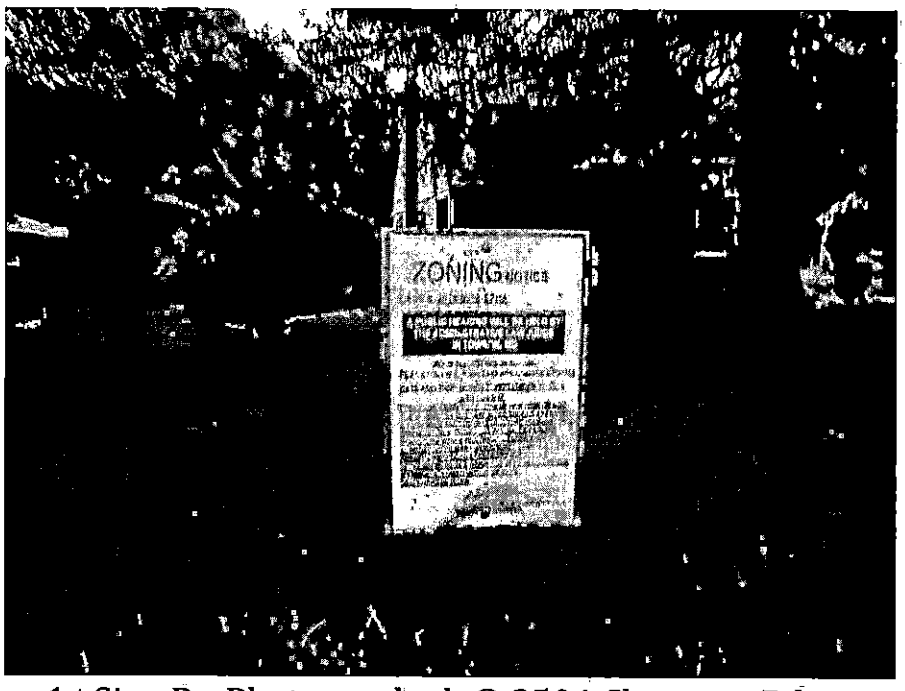
From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Sunday, September 16, 2018 1:01 AM
To: Administrative Hearings
Subject: Photos Chapman Rd.
Attachments: Photos Chapman Rd. .docx

Hi Sherry,

I forgot to attach the additional photos for Chapman Rd. on the previous e-mail that I sent. So here there are.
Thanks,

Linda

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



1st Sign Re-Photographed @ 3504 Chapman Rd.

2nd Sign Re-Photographed @ 3504 Chapman Rd.
Case # 2018-0358-SPHA
September 15, 2018

JB 9-17
11 Am

Debra Wiley

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Saturday, September 15, 2018 11:07 PM
To: Administrative Hearings
Subject: 2nd Cert. Case # 2018-0358-SPHA
Attachments: 2nd Cert. Chapman Rd..jpeg

Hi Sherry,

I have attached at the Second Certification for Case # 2018-0358-SPHA @ 3504 Chapman Road.
Have a nice day.

Linda

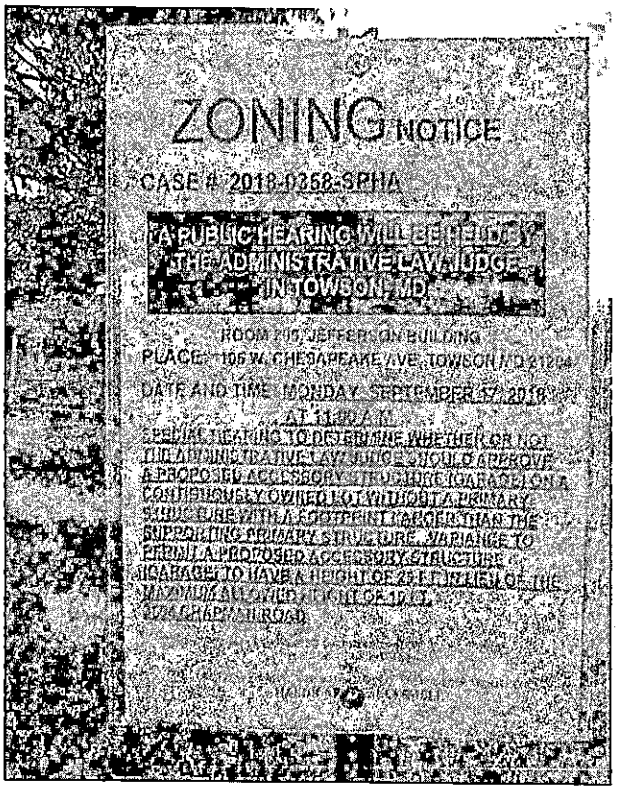
Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com

SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER
DATE: 9/15/2018
Case Number: 2018-0358-SPHA
Petitioner / Developer: LEE GIROUX ~ MR. & MRS. CARVELL
Date of Hearing: SEPTEMBER 17, 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:
3504 CHAPMAN ROAD

The sign(s) were posted on: AUGUST 27, 2018
The sign(s) were re-photographed on: SEPTEMBER 15, 2018



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

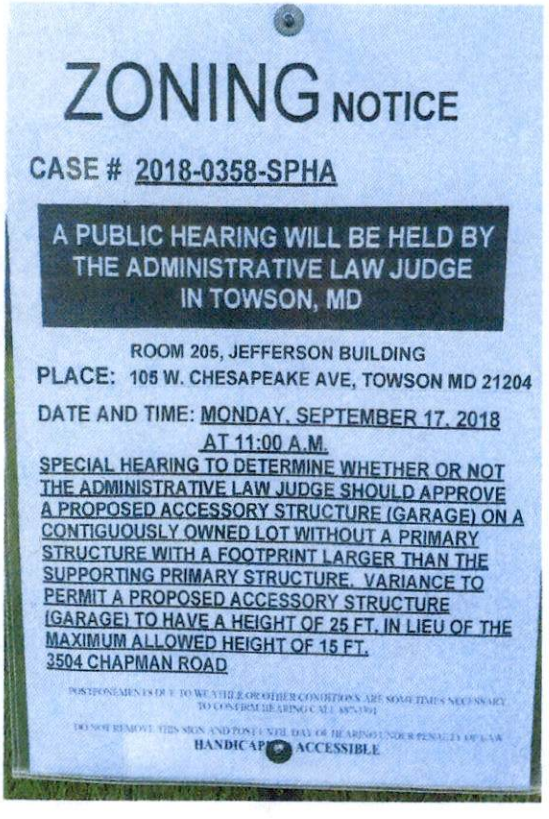
410 – 666 – 5366
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS
DATE: 8/27/2018
Case Number: 2018-0358-SPHA
Petitioner / Developer: LEE GIROUX ~ MR. & MRS. CARVELL
Date of Hearing: SEPTEMBER 17, 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:
3504 CHAPMAN ROAD

The sign(s) were posted on: AUGUST 27, 2018



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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

1st Sign Background Photo @ 3504 Chapman Road

2nd Sign Background Photo @ 3504 Chapman Road
CASE # 2018-0358-SPHA POSTED 8/27/2018

DONALD I. MOHLER III
County Executive

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

August 21, 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: 2018-0358-SPHA
3504 Chapman Road
NW/s Chapman Road, 494 ft. SW of the centerline of the intersection with Liberty Road
2nd Election District – 4th Councilmanic District
Legal Owners: Casey & Joann Carvell

Special Hearing to determine whether or the not the Administrative Law Judge should approve a proposed accessory structure (garage) on a contiguously owned lot without a primary structure with a footprint larger than the supporting primary structure. Variance to permit a proposed accessory structure (garage) to have a height of 25 ft. in lieu of the maximum allowed height of 15 ft.

Hearing: Monday, September 17, 2018 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Carvell, 3504 Chapman Road, Randallstown 21133
Lee Giroux, 15852 Magnolia Drive, New Freedom PA 17349

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 28, 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: THE DAILY RECORD
Tuesday, August 28, 2018 Issue

Please forward billing to:
Casey Carvell
3504 Chapman Road
Randallstown, MD 21133

443-286-2227

NOTICE OF ZONING HEARING

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

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

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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: 2018-0358-SPHA

Property Address: 3504 CHAPMAN ROAD

Property Description: _____

Legal Owners (Petitioners): CASEY CARVELL

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: CASEY CARVELL

Company/Firm (if applicable): _____

Address: 3504 CHAPMAN ROAD.
RANDALLSTOWN, MD 21133

Telephone Number: 443-286-2227

Revised 7/9/2015

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

No. 171761

Date: 6/21/18

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				$ 150.00
							Total:	$ 150.00

Rec From: CARVELL

For: 2018-0358-SPHA

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

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DR
6/21/2018	6/21/2018	12:20:52	

REG WS05 WALKIN LRB
RECEIPT # 958009 6/21/2018 OFL
Dept 806 528 ZONING VERIFICATION
DR NO. 171761
Recpt Tot $150.00
$150.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

DONALD I. MOHLER III
County Executive

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

September 11, 2018

Casey & Joann C Carvell
3504 Chapman Road
Randallstown MD 21133

RE: Case Number: 2018-0358 SPHA, Address: 3504 Chapman Road

Dear Mr. & Ms. Carvell:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 21, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Lee Giroux, 15852 Magnolia Drive, New Freedom PA 17349

MARYLAND DEPARTMENT
OF TRANSPORTATION

STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 6/27/18

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. 2018-0358-SPHA
Special Hearing, Variance
Casey & JoAnn C. Carvell
3504 Chapman 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,

for Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

9-17

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED
JUL 05 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and Sustainability (EPS) - Development Coordination

DATE: July 5, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0358-SPHA
Address 3504 Chapman Road
(Carvell Property)

Zoning Advisory Committee Meeting of **July 2, 2018**.

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

1. Ground Water Management must review any building permit for a proposed garage, since there is an existing septic system on site.

Reviewer: Dan Esser

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 7/19/2018

RECEIVED
JUL 24 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 18-358

INFORMATION:
Property Address: 3504 Chapman Road
Petitioner: Casey Carvell, Joann C. Carvell
Zoning: DR 3.5
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve a proposed accessory structure (garage) on a contiguously owned lot without a primary structure, having a footprint larger than the principal structure and also the petition for a variance to permit a proposed accessory structure (garage) to have a height of 25 feet in lieu of the maximum allowed height of 15 feet.

A site visit was conducted on July 6, 2018. The parcel closest to Chapman Road is improved with a principal dwelling. The subject parcel to accommodate the proposed garage is located behind the first and is split zoned being mapped with D.R. 3.5 and BR zone classifications.

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

- The proposed garage shall not be used for principle residential or commercial purposes, and may not be served by a separate electric meter.

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

Prepared by:

Lloyd T. Moxley

Division Chief:

Jenifer G. Nugent

AVA/JGN/LTM/
c: Pat McDougall
Lee Giroux
Office of the Administrative Hearings
People's Counsel for Baltimore Count

ORDER RECEIVED FOR FILING
Date 9/27/18
By sen

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BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 7/19/2018

RECEIVED
JUL 24 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
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Prepared by:

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Division Chief:

Jenifer G. Nugent

AVA/JGN/LTM/
c: Pat McDougall
Lee Giroux
Office of the Administrative Hearings
People's Counsel for Baltimore Count

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: July 18, 2018

For EFC

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 02, 2018
Item No. 2018-0352-A, 0353, 0355-A, 0356-A, 0357-A, 0358-SPHA and 0360-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: 7/19/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

JUL 24 2018

DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-358

INFORMATION:
Property Address: 3504 Chapman Road
Petitioner: Casey Carvell, Joann C. Carvell
Zoning: DR 3.5
Requested Action: Special Hearing, Variance

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Prepared by:

Lloyd T. Moxley

Division Chief:

Jenifer G. Nugent

AVA/JGN/LTM/
c: Pat McDougall
Lee Giroux
Office of the Administrative Hearings
People's Counsel for Baltimore Count

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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: July 5, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0358-SPHA
Address 3504 Chapman Road
(Carvell Property)

Zoning Advisory Committee Meeting of **July 2, 2018**.

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

1. Ground Water Management must review any building permit for a proposed garage, since there is an existing septic system on site.

Reviewer: Dan Esser

The Daily Record
11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100
http://www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

8/28/2018

Darlene Miller

Darlene Miller, Public Notice Coordinator
(Representative Signature)

Order #: 11611035
Case #: 2018-0358-SPHA
Description:

Baltimore County. 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:

Baltimore County

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: 2018-0358-SPHA

3504 Chapman Road

NW/s Chapman Road, 494 ft. SW of the centerline of the intersection with Liberty Road 2nd Election District - 4th Councilmanic District Legal Owners: Casey & Joann Carvell

Special Hearing to determine whether or the not the Administrative Law Judge should approve a proposed accessory structure (garage) on a contiguously owned lot without a primary structure with a footprint larger than the supporting primary structure. Variance to permit a proposed accessory structure (garage) to have a height of 25 ft. in lieu of the maximum allowed height of 15 ft.

Hearing: Monday, September 17, 2018 at 11:00 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; FORSPECIAL ACCOMODATIONS, PLEASECONTACT THE ADMINISTRATIVE HEARINGS OFFICEAT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILEAND/OR HEARING, CONTACT THE ZONING REVIEWOFFICE AT 410-887-3391.

au28

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 2018-0358-SPHA
DATE 9-17-2018

PETITIONER'S SIGN-IN SHEET

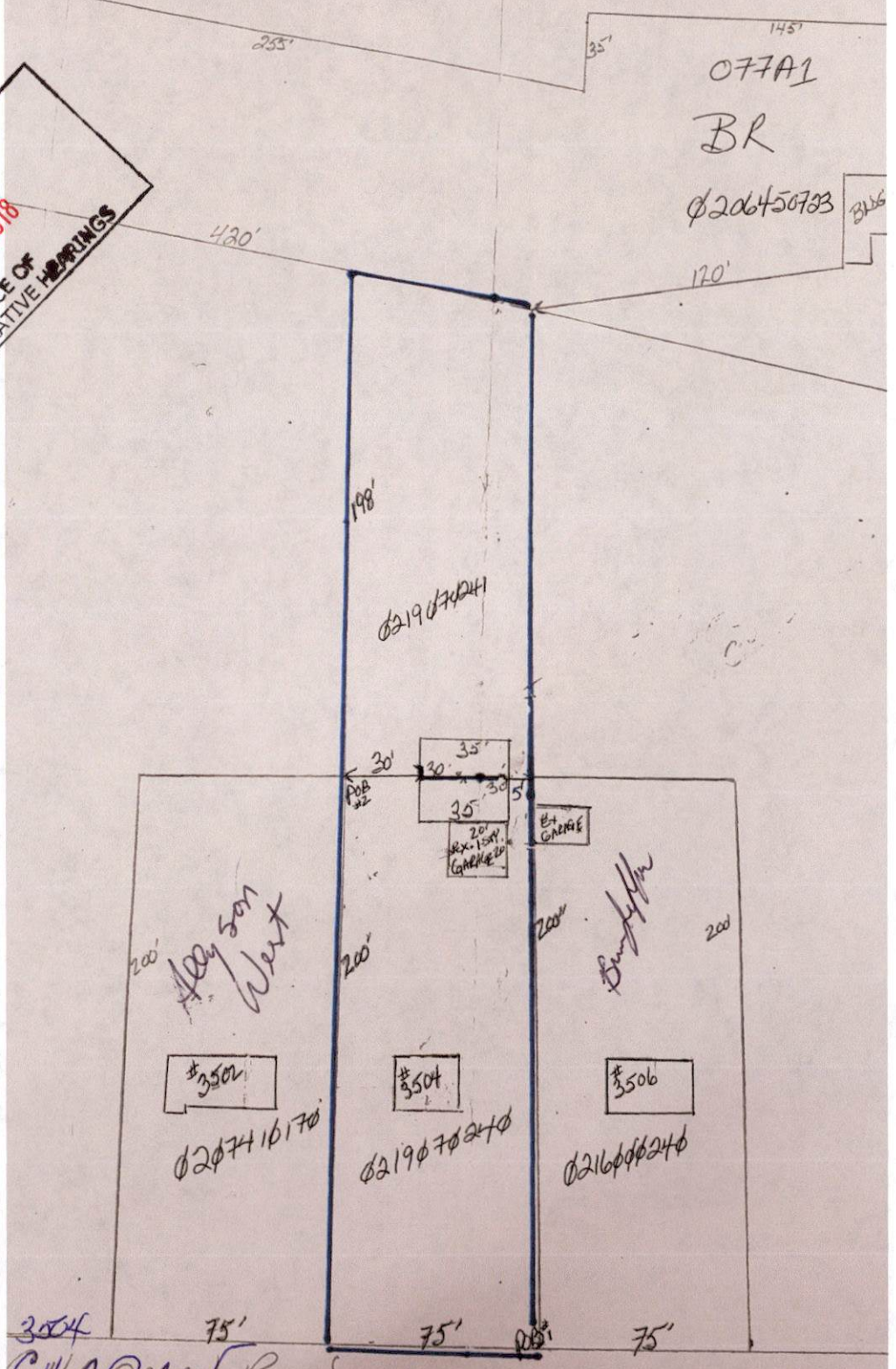
NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
Lee Giroux	15852 MAGNOLIA Dr.	New Freedom PA. 17349	Giroux.lee@gmail.com
Casey Carvell	3504 Chapman rd.	Randallstown MD 21133	SirNicodemus@comcast.net

OWNER(S) NAME(S) CASEY C[illegible]VELL

LOT # ____ BLOCK # ____ S

10 DIGIT TAX # 0219070240 DEED REF. # ____

0219070241



DATE June 10, 2018 SCALE: 1 INCH = 40' FEE

PET. EX. 1

CASE NO. 2018-0358-SPHA

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
7/18	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	No Comment
7/5	DEPS (if not received, date e-mail sent _____)	Comment
	FIRE DEPARTMENT	
7/24	PLANNING (if not received, date e-mail sent _____)	Comment
6/27	STATE HIGHWAY ADMINISTRATION	No Objection
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 8/28/18

SIGN POSTING (1st) Date: 8/27/18 by O'Keefe

SIGN POSTING (2nd) Date: 9/15/18 by O'Keefe

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration

Tax Exempt:		**Special Tax Recapture:**	
Exempt Class:		NONE	
Account Identifier:	**District - 02 Account Number -** 0219070240		

Owner Information

Owner Name:	CARVELL CASEY A CARVELL JOANN	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	3504 CHAPMAN RD RANDALLSTOWN MD 21133-3502	**Deed Reference:**	/39203/ 00027

Location & Structure Information

Premises Address:	3504 CHAPMAN RD RANDALLSTOWN 21133-3502	**Legal Description:**	LT NWS CHAPMAN RD .344 AC 450 S LIBERTY RD

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0077	0007	0024		0000				2019	Plat Ref:

Special Tax Areas:		**Town:**	NONE
		Ad Valorem:	
		Tax Class:	

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1951	1,313 SF	416 SF	15,000 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1 1/2	YES	STANDARD UNIT	STUCCO	2 full	1 Detached	

Value Information

	Base Value	Value As of 01/01/2016	Phase-in Assessments As of 07/01/2018	As of 07/01/2019
Land:	63,200	63,200		
Improvements	92,700	92,700		
Total:	155,900	155,900	155,900	
Preferential Land:	0			

Transfer Information

Seller: CARVELL CASEY A	**Date:** 07/19/2017	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /39203/ 00027	**Deed2:**
Seller: CARVELL CASEY A	**Date:** 09/10/2012	**Price:** $24,000
Type: NON-ARMS LENGTH OTHER	**Deed1:** /32525/ 00307	**Deed2:**
Seller: GELDMACHER EDWARD W	**Date:** 12/07/2000	**Price:** $99,900
Type: ARMS LENGTH MULTIPLE	**Deed1:** /14850/ 00347	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|	0.00|

Tax Exempt:	**Special Tax Recapture:**
Exempt Class:	NONE

Homestead Application Information

Homestead Application Status: Approved 12/31/2012

Homeowners' Tax Credit Application Information

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

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration

Tax Exempt:		**Special Tax Recapture:**	
Exempt Class:		NONE	
Account Identifier:	**District - 02 Account Number -** 0219070241		

Owner Information

Owner Name:	CARVELL CASEY A CARVELL JOANN	**Use:** **Principal Residence:**	RESIDENTIAL NO
Mailing Address:	3504 CHAPMAN RD RANDALLSTOWN MD 21133-3502	**Deed Reference:**	/39203/ 00027

Location & Structure Information

Premises Address:	3504 CHAPMAN RD RANDALLSTOWN 21133-3502	**Legal Description:**	.35 AC REAR 200 FT W CHAPMAN ROAD 461 S LIBERTY ROAD

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0077	0007	0024		0000				2019	Plat Ref:

Special Tax Areas:		**Town:**	NONE
		Ad Valorem:	
		Tax Class:	

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			15,246 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation

Value Information

	Base Value	Value As of 01/01/2016	Phase-in Assessments As of 07/01/2018	As of 07/01/2019
Land:	3,800	3,800		
Improvements	0	0		
Total:	3,800	3,800	3,800	
Preferential Land:	0			

Transfer Information

Seller: CARVELL CASEY A	**Date:** 07/19/2017	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /39203/ 00027	**Deed2:**
Seller: CARVELL CASEY A	**Date:** 09/10/2012	**Price:** $24,000
Type: NON-ARMS LENGTH OTHER	**Deed1:** /32525/ 00307	**Deed2:**
Seller: GELDMACHER EDWARD W	**Date:** 12/07/2000	**Price:** $99,900
Type: ARMS LENGTH MULTIPLE	**Deed1:** /14850/ 00347	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|	0.00|

Tax Exempt:		**Special Tax Recapture:**	
Exempt Class:		NONE	

Homestead Application Information

Homestead Application Status: Denied

Homeowners' Tax Credit Application Information

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


BR AS
9303
R-1952-2189-X
1992-0436-A
1948-1317-XT
R-1960-5039
1970-0015-SPH
1994-0345-A
2002-0377-A
9301
0207830020
R-1956-3817
0206450723
R-1956-3849
0213751510
2007-0296-XA
2017-0177-XA
CR-2001-0433-X
0213200860
3512
BR
077A1
0220800060
0220550180
2100011004
3511
RO
0216000241
0220800050
3508
0219070241
3509
2300012454
0216000240
3506
3507
0219070240
0219710190
2 ED
2500004632
PAI # 020649
PAI # 020649
PAI # 020649
3504
NW 7-J
0207410170
3505
NW 7-J
0207580071
PAI # 020649
PAI # 020649
4 CD
3502
0208650080
3503
1600000257
02075800703500
DR 3.5
3501
3501-B
077A2
0207580560
3430
Lot # 1
2500001666
PAI # 020663
PAI # 020663
PAI # 020663
2200002668
Lot # 2
PAI # 020663
2500001667
DRIVEWAY
R-1971-0137
R-1972-0075
1981-0223-XA
Pt. Bk./Folio # MP03072
3428
CHAPMAN RD
3433
2500001668
Lot # 3
2200002667
0203473760
1989-0386-SPH
1990-0378-SPH
3441
3431
3426
3426-A
Pt. Bk. 0000051, Folio 0001
0207580060
1900008867
BR
0208800290
3429
PAI # 028056
3424
1600009620
0214400070
Pt. Bk./Folio # 051001A
PAI # 028056
0220660390

*

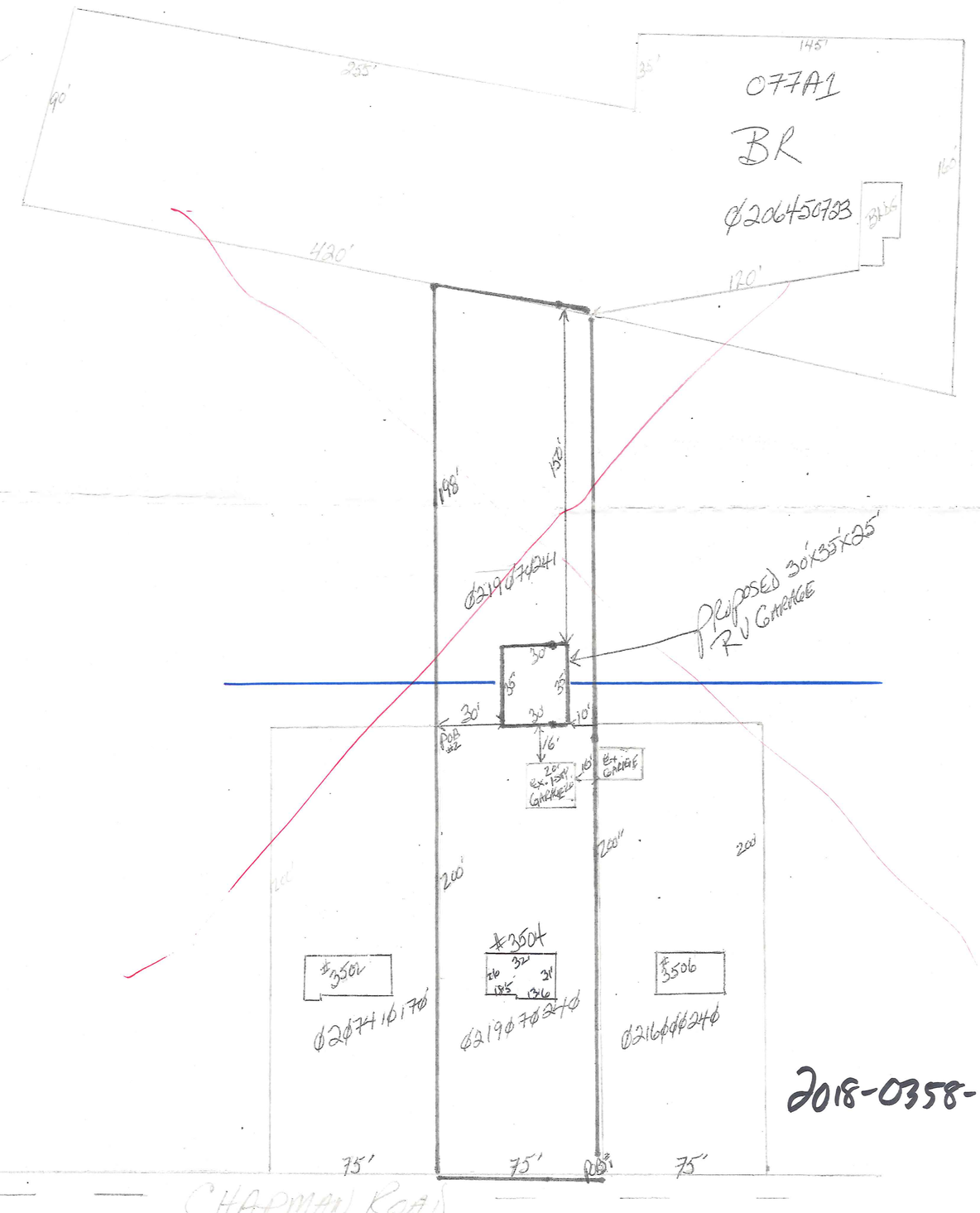
*

ZONING HEARING PLAN FOR VARIANCE ____ FOR SPECIAL HEARING ✓ (MARK TYPE REQUESTED WITH X)

ADDRESS 3504 CHAPMAN ROAD. OWNER(S) NAME(S) CASEY CARVELL

SUBDIVISION NAME ____ LOT # ____ BLOCK # ____ SECTION # ____

PLAT BOOK # 39203 FOLIO # 28 10 DIGIT TAX # 0219070240 DEED REF. # 39203/0027

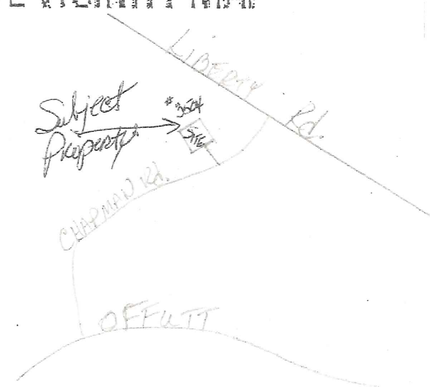


2018-0358-SPHA

N

PLAN DRAWN BY Lee Gieaux DATE June 10, 2018 SCALE: 1 INCH = 40' FEET

SITE VICINITY MAP



N

MAP IS NOT TO SCALE

ZONING MAP# 077A2

SITE ZONED DR3.5

ELECTION DISTRICT 2nd

COUNCIL DISTRICT 4th

LOT AREA ACREAGE ____

OR SQUARE FEET 30,246

HISTORIC ? NO

IN CBCA ? NO

IN FLOOD PLAIN ? NO

UTILITIES ? MARK WITH X

WATER IS:

PUBLIC ✓ PRIVATE ____

SEWER IS:

PUBLIC ____ PRIVATE ✓

PRIOR HEARING ? ____

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

None

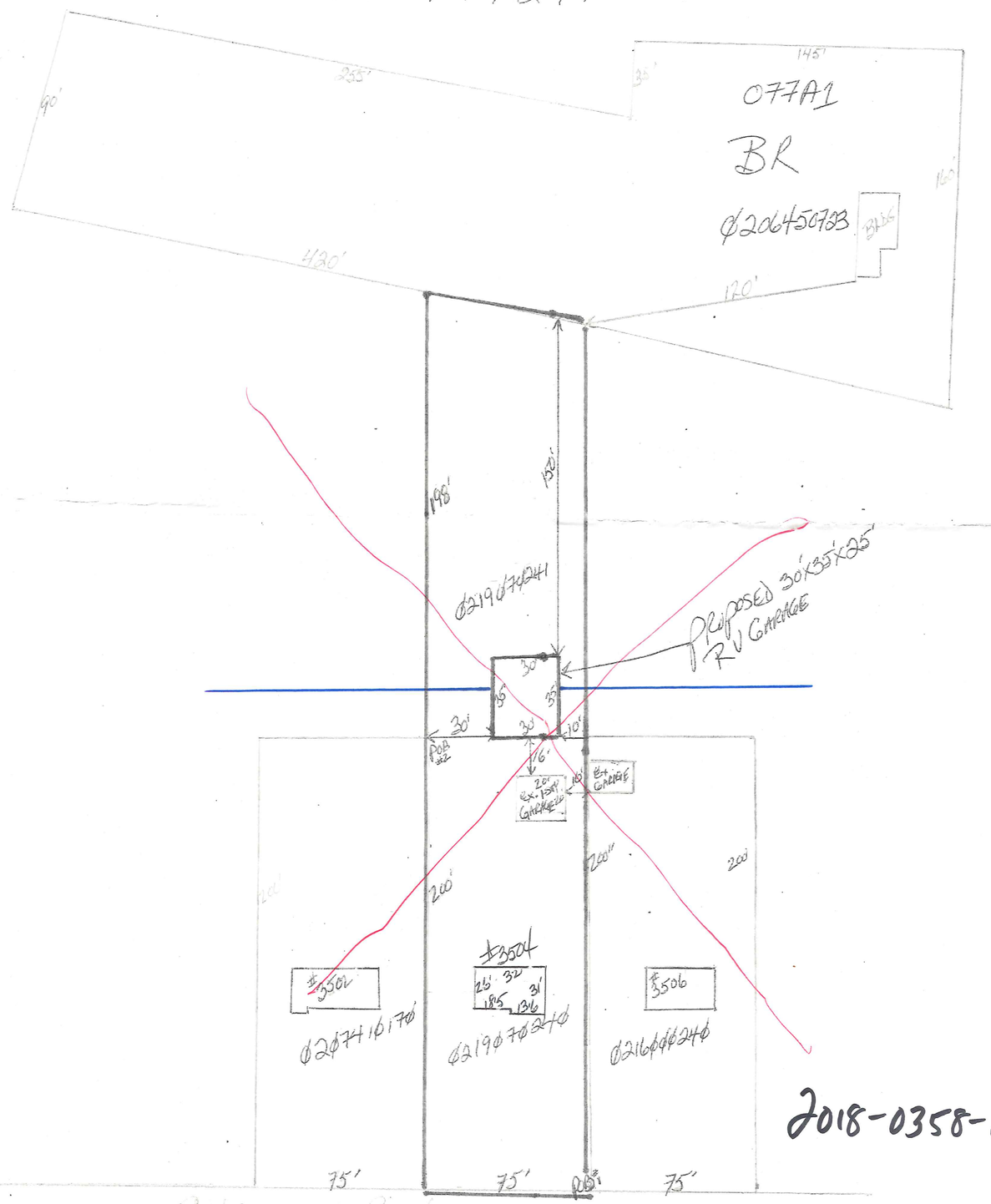
VIOLATION CASE INFO: None

ZONING HEARING PLAN FOR VARIANCE ____ FOR SPECIAL HEARING ✓ (MARK TYPE REQUESTED WITH X)

ADDRESS 3504 CHAPMAN ROAD. OWNER(S) NAME(S) CASEY CARVELL

SUBDIVISION NAME ____ LOT # ____ BLOCK # ____ SECTION # ____

PLAT BOOK # 39203 FOLIO # 28 10 DIGIT TAX # 0219070240 0219070241 DEED REF. # 392031 0027

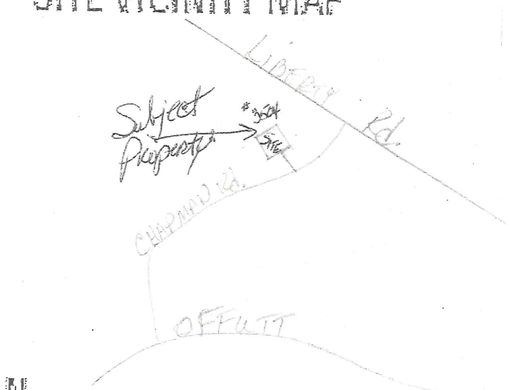


2018-0358-SPHA

N

PLAN DRAWN BY Lee Gieaux DATE June 10, 2018 SCALE: 1 INCH = 40' FEET

SITE VICINITY MAP



N

MAP IS NOT TO SCALE

ZONING MAP# 077A2

SITE ZONED DR3.5

ELECTION DISTRICT 2ND

COUNCIL DISTRICT 4TH

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OR SQUARE FEET 30,246

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PUBLIC ✓ PRIVATE ____

SEWER IS:

PUBLIC ____ PRIVATE ✓

PRIOR HEARING ? ____

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

None

VIOLATION CASE INFO: None