

M E M O R A N D U M

DATE: October 19, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0060-A - Appeal Period Expired

The appeal period for the above-referenced case expired on October 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.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE *
(12428 Harford Road)
11th Election District *
5th Council District *
Paul A. Moskunas *
Petitioner *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2019-0060-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owner of the property, Paul A. Moskunas (“Petitioner”). The Petitioner is requesting Variance relief pursuant to § 400.3 of the Baltimore County Zoning Regulations (“BCZR”), to permit a proposed replacement detached accessory structure (garage) with a height of 35 ft. in lieu of the maximum allowed 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner’s Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. There were no adverse ZAC comments submitted by any of the County reviewing agencies.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on September 1, 2018, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

ORDER RECEIVED FOR FILING

Date 9-18-18

By 192

welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Although the Department of Planning did not make any recommendations related to the proposed replacement garage's height and usage, I will impose conditions that the garage shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, or used for commercial purposes.

Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 18th day of **September, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 400.3 of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed replacement detached accessory structure (garage) with a height of 35 ft. in lieu of the maximum allowed 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. 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 his own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner or subsequent owners shall not convert the replacement garage into a dwelling unit or apartment. The replacement garage shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
3. The replacement garage shall not be used for commercial purposes.

ORDER RECEIVED FOR FILING

Date 9-18-18

By 19W

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 9-18-18

By DLW



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 12428 Hartford Road Currently zoned RC2
 Deed Reference 39449 / 31 10 Digit Tax Account # 1119027840
 Owner(s) Printed Name(s) Paul Moskunas

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

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

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

- ☒ **ADMINISTRATIVE VARIANCE** from Section(s) ... Section 400.3 – to permit a proposed replacement detached accessory structure (garage) with a height of 35 feet in lieu of the maximum allowed 15 feet.

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

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

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

Paul Moskunas

Name #1 – Type or Print

Name #2 – Type or Print

Paul G. Mosku

Signature #1

Signature #2

12428 Hartford Road

Hydes, MD

Mailing Address

City

State

21082

443-208 9220

Paul.Moskunas@bge.com

Zip Code

Telephone #

Email Address

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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

S/A.

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 9-18-18 day of September that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

BY

Administrative Law Judge for Baltimore County

CASE NUMBER

2019-0060-A

Filing Date

8, 23 18

Estimated Posting Date

9, 3 18

Reviewer

RD

Affidavit in Support of Administrative Variance

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

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

Address: 12428 Hartford Road Hydes MD 21082
Print or Type Address of property City State Zip Code

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

IT IS MY INTENTION TO CONSOLIDATE THE STORAGE CURRENTLY AVAILABLE IN THE 2 EXISTING BUILDINGS ON THE PROPERTY BY RAISING BOTH OF BUILDINGS AND ERECT A NEW 40'x36' 1 1/2 STORY GARAGE WITH A SECOND FLOOR SERVICED BY STAIRS. THE TOTAL BUILDING HEIGHT WILL BE 32' TO THE PEAK WE INTEND TO STORE TRACTORS AND VEHICLES ON THE LOWER LEVEL AS WELL AS INCORPORATING A WORKSHOP IN THE REAR THIRD OF THE FOOTPRINT. IT IS OUR ULTIMATE GOAL TO UTILIZE THE 2ND FLOOR STORAGE TO SUPPORT A SELF SUSTAINING AGRICULTURAL HOMESTEAD TO INCLUDE ADDITIONAL CHICKENS, GOATS, AND A HORSE, LEASING THE NEIGHBORING 4 ACRES OF PLOT GRASS WILL PROVIDE PLENTY OF HAY FOR STORAGE.

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

Paul Moskunas
Signature of Owner (Affiant)

Paul C. Moskunas
Signature of Owner (Affiant)

Name- Print or Type

Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

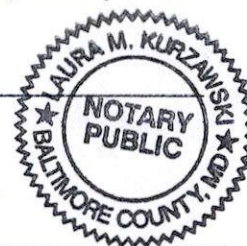
I HEREBY CERTIFY, this 16th day of August, 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Paul Moskunas

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

AS WITNESS my hand and Notaries Seal

Laura M. Kurzawski
Notary Public
5/8/2022
My Commission Expires



Item #0060

Zoning Property Description for #12428 Harford Road

northeast

Beginning at a point on the northwest side of Harford Road (true point of beginning is the centerline of said road) which is 70 feet wide at the distance of 560 feet from the centerline of Vista View Court which is 50 feet wide. Thence the following courses and distances: North 26 degrees 47 minutes West, 433 feet; North 68 degrees 28 minutes East, 306.15 feet; South 26 degrees 47 minutes East, 405 feet and South 63 degrees 13 minutes West, 305 feet binding along the centerline of Harford Road back to the point of beginning as recorded in Deed Liber 39449 folio 37, containing 2.94 acres of land, more or less. Located in the 11th Election District, 3rd Councilmanic District.

Michael V. Moskunas
Professional Land Surveyor, Reg. No. 21175
Site Rite Surveying, Inc.
200 E. Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410)828-9060



Item #0060

(AV) 9-17-18

60

Debra Wiley

From: Marty Ogle <mert1114@aol.com>
Sent: Sunday, September 16, 2018 4:41 PM
To: Administrative Hearings
Subject: 12428 Harford rd
Attachments: IMG_0813.jpg; ATT00001.txt; IMG_0812.jpg; ATT00002.txt

2nd set of certificates

CERTIFICATE OF POSTING

DATE: 2018-09-01
ADDRESS: 16428 11/1000 Rd

DATE OF HEARING: 9/10/18

MALDEN COUNTY DEPARTMENT OF
PLANNING AND DEVELOPMENT MANAGEMENT
CITY OF BOSTON BUILDING DEPARTMENT
111 WEST CHESTER AVE. AVENUE
ATTENTION:

LANDS AND CONSTRUCTION

THIS CERTIFICATE CERTIFY UNDER PENALTY OF PERJURY THAT THE
NECESSARY SIGN REQUIRED BY LAW WERE POSTED CONSECUTIVELY ON
THIS PROPERTY LOCATED AT

16428 11/1000 Rd

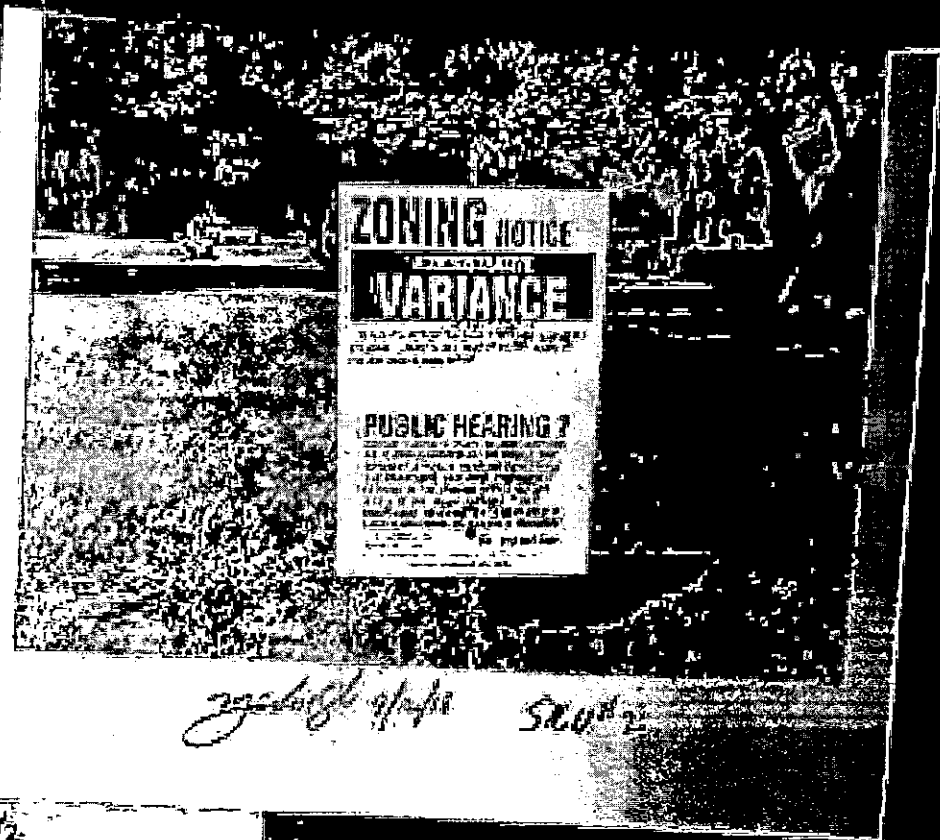
5100 #2

THIS SIGN WAS POSTED ON September 1, 2018 9/1/18
(MONTH, DAY, YEAR)

SIGNED BY:

[Signature] 9/1/18
SIGNATURE OF SIGN POSTER

MARTIN GILL
918 MADISON ROAD
PARKVILLE, MD, 2124
410-200-3411



CERTIFICATE OF POSTING

FILE NO. 39-020-1

APPLICANT/DEVELOPER

Phil Morris

DATE OF HEARING/CLOSING

9/18/18

CALIFORNIA COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 131
111 WEST GILSAPARK AVENUE
ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGNS REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE POCK SITE LOCATED AT

10425 HARRIS RD

SIGN #1

THIS CERTIFICATE FOR

September 1, 2018

9/1/18

(PRINTED DAY, YEAR)

SINCERELY,

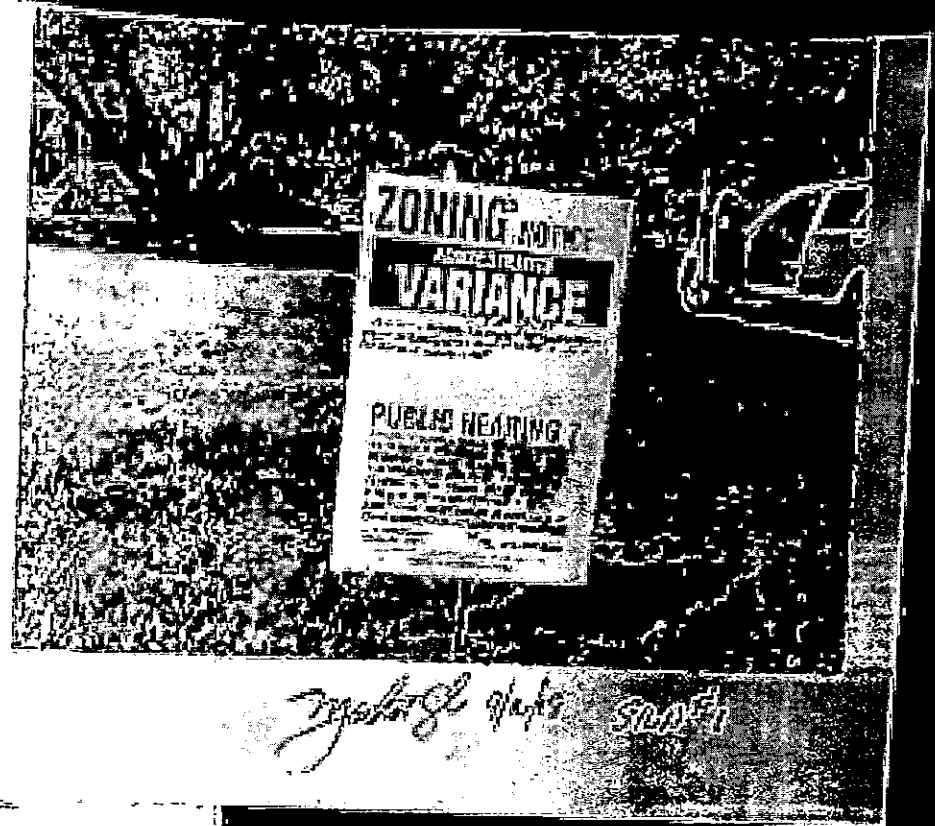
Joseph G. 9/1/18
SIGNATURE OF SIGN POSTER

MAINTENANCE:

9913 MAINDOROCK ROAD

PASADENA, MD 21234

410-629-1411



CERTIFICATE OF POSTING

CASE NO. 2019-0000-A

PETITIONER/DEVELOPER

PAUL MOSKUNAS

DATE OF HEARING/CLOSING

9/17/18

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) EQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

12428 HARFORD RD

SIGN#1

THIS SIGN(S) POSTED ON

September 1, 2018

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 9/1/18

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2017-0060-A
TO PERMIT A PROPOSED REPLACEMENT DETACHED ACCESSORY
STRUCTURE (GARAGE) WITH A HEIGHT OF 3.5 FEET IN C/LA OF
THE MAXIMUM ALLOWED 15 FEET.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(a) (1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON MONDAY, SEPTEMBER 17, 2018
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

511 W. CHESAPEAKE AVE
TOWSON, MD 21204

TEL. 410-887-3391

WE MEET ON MON. THIS TALK AND MEET HAVE AFTER BRUSH DRIVE. UNDER PENALTY BY LAW
MEETING IS HANDICAP ACCESSIBLE

ryan@slc 9/1/18 SIGN#1

CERTIFICATE OF POSTING

CASE NO. 2019-0060-A

PETITIONER/DEVELOPER

PAUL MOSKOWAS

DATE OF HEARING/CLOSING

9/17/18

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) EQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

12428 HARFORD RD

SIGN #2

THIS SIGN(S) POSTED ON

September 1, 2018

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 9/1/18

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE: 2017-0000-A
TO PERMIT A PROPOSED REPLACEMENT DETACHED ACCESSORY
STRUCTURE (GARAGE) WITH A HEIGHT OF 35 FEET IN LIEU OF
THE MAXIMUM ALLOWED 15 FEET.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON MONDAY, SEPTEMBER 17, 2018
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

111 W. GLOBESPEAKE AVE.

TOWSON, MD. 21204



TEL. 410-687-3391

BE HERE BEFORE 10:00 AM AND POST NOTIFICATION BEFORE 9:00 AM. UNDER PENALTY OF LAW.

MEETING IS HANDICAP ACCESSIBLE

yes please 9/1/18 SIGN #2

2000

24/10 2000

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0060 -A Address 12428 Hartford Rd

Contact Person: David Duval Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/23/18 Posting Date: 9/2/18 Closing Date: 9/17/18

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2019- 0060 -A Address 12428 Hartford Rd

Petitioner's Name Paul Moskunas Telephone 443-208-9220

Posting Date: 9/2/18 Closing Date: 9/17/18

Wording for Sign: To Permit a proposed replacement detached accessory structure (garage) with a height of 35 feet in lieu of the maximum allowed 15 feet.

Revised 6/30/2019

**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: 2019-0060-A
Property Address: 12428 Harford Road
Property Description: POB. 560' north of Vista View Court.
tax map. 54 parcel 201 Tax Act. 1119027840
Legal Owners (Petitioners): Paul Moskunas
Contract Purchaser/Lessee: n/a

PLEASE FORWARD ADVERTISING BILL TO:

Name: Paul Moskunas
Company/Firm (if applicable): n/a
Address: 12428 Harford Road
Hydes, MD 21082
Telephone Number: 443-208-9220

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

No. **173203**

Date **8/23/18**

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
 8/23/2018 8/23/2018 10:13:54 J

REC 1503 WALKIN SAN
 RECEIPT # 787213 8/23/2018 DELM

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Obj	Dept Obj	BS Acct	Amount	Dept
001	806	0000		6150				1075	

5 528 ZONING VERIFICATION

173203

Req'd Tot 475.00

475.00 CR 1.00 CR

Baltimore County, Maryland

Total **\$15.00**

Rec From: **B. Moskunas**

For: **Zoning hearing - Case # 2019-0060-A**

**CASHIER'S
 VALIDATION**

DISTRIBUTION

WHITE CASHIER

PINK AGENCY

YELLOW CUSTOMER

GOLD ACCOUNTING

PLEASE PRESS HARD!!!!



DONALD I. MOHLER III
County Executive

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

September 18, 2018

Paul Moskunas
12428 Harford Road
Hydes MD 21082

RE: Case Number: 2019-0060 A, Address: 12428 Harford Road

Dear Mr. Moskunas:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 23, 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

Date: 8/27/18

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

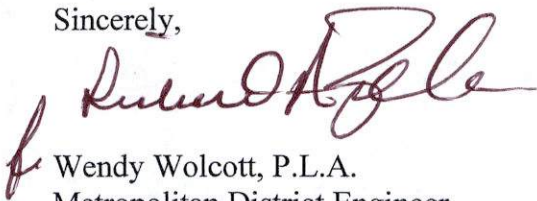
Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 8/27/18. A field inspection and internal review reveals that an entrance onto MD147 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Administrative Variance Case Number 2019-0060-A.

Paul Moskunas
12428 Harford Road
MD147

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

Sincerely,



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

WW/RAZ

9-17

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: September 5, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0060-A
Address 12428 Harford Road
(Moskunas Property)

Zoning Advisory Committee Meeting of **September 3, 2018**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

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

DATE: September 12, 2018

SUBJECT: Zoning Advisory Committee Meeting
For September 3, 2018
Item No. 2019-0043-A, 0052-A, 0053-SPHX, 0054-A, 0055-A and 0060-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 Correspondence



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

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

DATE: September 5, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0060-A
Address 12428 Harford Road
(Moskunas Property)

Zoning Advisory Committee Meeting of **September 3, 2018.**

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

Reviewer: Steve Ford

Kristen L Lewis

From: Karen L Lewis
Sent: Tuesday, August 28, 2018 3:37 PM
To: Kristen L Lewis
Subject: FW: 2019-0060-A 12428 Harford Road

I think this was meant for you.

From: Bernadette L. Moskunas [mailto:siteriteinc@aol.com]
Sent: Tuesday, August 28, 2018 12:36 PM
To: Karen L Lewis <KLLewis@baltimorecountymd.gov>
Subject: 2019-0060-A 12428 Harford Road

Good afternoon Kristen,
Per our conversation regarding the above referenced Administrative Variance. I just want ed to be clear that we are going for the 35 feet in lieu of the 15'. The petition calls for 32 feet; however, the plan calls 35 feet. Per the plan and sign being posted the request is 35 feet.
If there are any questions, please do not hesitate to contact the office.
Please confirm receipt when you have a moment.
Thank you.
Best regards,
Bernadette
Site Rite

Item #0060 driveway to the R of the dwelling looking into rear yard.





driveway to the (L) of existing dwelling looking into the rear yard.

Item #0060



looking from rear yard at dwlg. structures

Item #0060

Item #0060
View from rear yard toward accessory structures/ex. dwlg.



rx. accessory structure (partial removal)

Item #006c



9/17

CASE NO. 2019- 6060-AV

C H E C K L I S T

**Support/Oppose/
Conditions/
Comments/
No Comment**

**Comment
Received**

Department

9-12 DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____) NC

9-5 DEPS (if not received, date e-mail sent _____) NC

_____ FIRE DEPARTMENT _____

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

8-27 STATE HIGHWAY ADMINISTRATION No object.

_____ TRAFFIC ENGINEERING _____

_____ COMMUNITY ASSOCIATION _____

_____ ADJACENT PROPERTY OWNERS _____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: 9-1 by Ogle

SIGN POSTING (2nd) Date: 9-16 by "

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 - 11 Account Number - 1119027840							
Owner Information										
Owner Name:			MOSKUNAS PAUL A			Use:		RESIDENTIAL		
Mailing Address:			12428 HARFORD ROAD HYDES MD 21082-9514			Principal Residence:		YES		
						Deed Reference:		/39449/ 00037		
Location & Structure Information										
Premises Address:			12428 HARFORD RD HYDES 21082-9514			Legal Description:		2.94 AC 12428 HARFORD RD 1320FT S OF FORK		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:	
0054	0010	0201		0000				2018		
Special Tax Areas:						Town:		NONE		
						Ad Valorem:				
						Tax Class:				
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1902		3,326 SF				2.9400 AC		04		
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation			
2 1/2	YES	STANDARD UNIT		FRAME	2 full/ 1 half					
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of		As of	
					01/01/2018		07/01/2018		07/01/2019	
Land:			143,200		143,200					
Improvements			239,600		254,300					
Total:			382,800		397,500		387,700		392,600	
Preferential Land:			0						0	
Transfer Information										
Seller: MOORE BRIAN P				Date: 09/27/2017				Price: \$420,000		
Type: ARMS LENGTH IMPROVED				Deed1: /39449/ 00037				Deed2:		
Seller: MOORE BRIAN P				Date: 09/06/2005				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /22493/ 00146				Deed2:		
Seller: SELL KATHRYN J				Date: 08/10/2004				Price: \$400,000		
Type: ARMS LENGTH IMPROVED				Deed1: /20513/ 00621				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			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:

ZAC AGENDA

Case Number: 2019-0060-A **Reviewer:** Dave Duvall

Existng Use: RESIDENTIAL **Proposed Use:**

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Paul Moskunas

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 11 **Council Dist:** 5

Property Address: 12428 HARFORD RD

Location: NW/S Harford Road, 560 ft. N of the centerline of Vista View Court

Existing Zoning: RC 5

Area: 2.94 ACRES

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit a proposed replacement detached accessory structure (garage) with a height of 35 ft. in lieu of the maximum allowed 15 ft.

Attorney: Not Available

Prior Zoning Cases: None

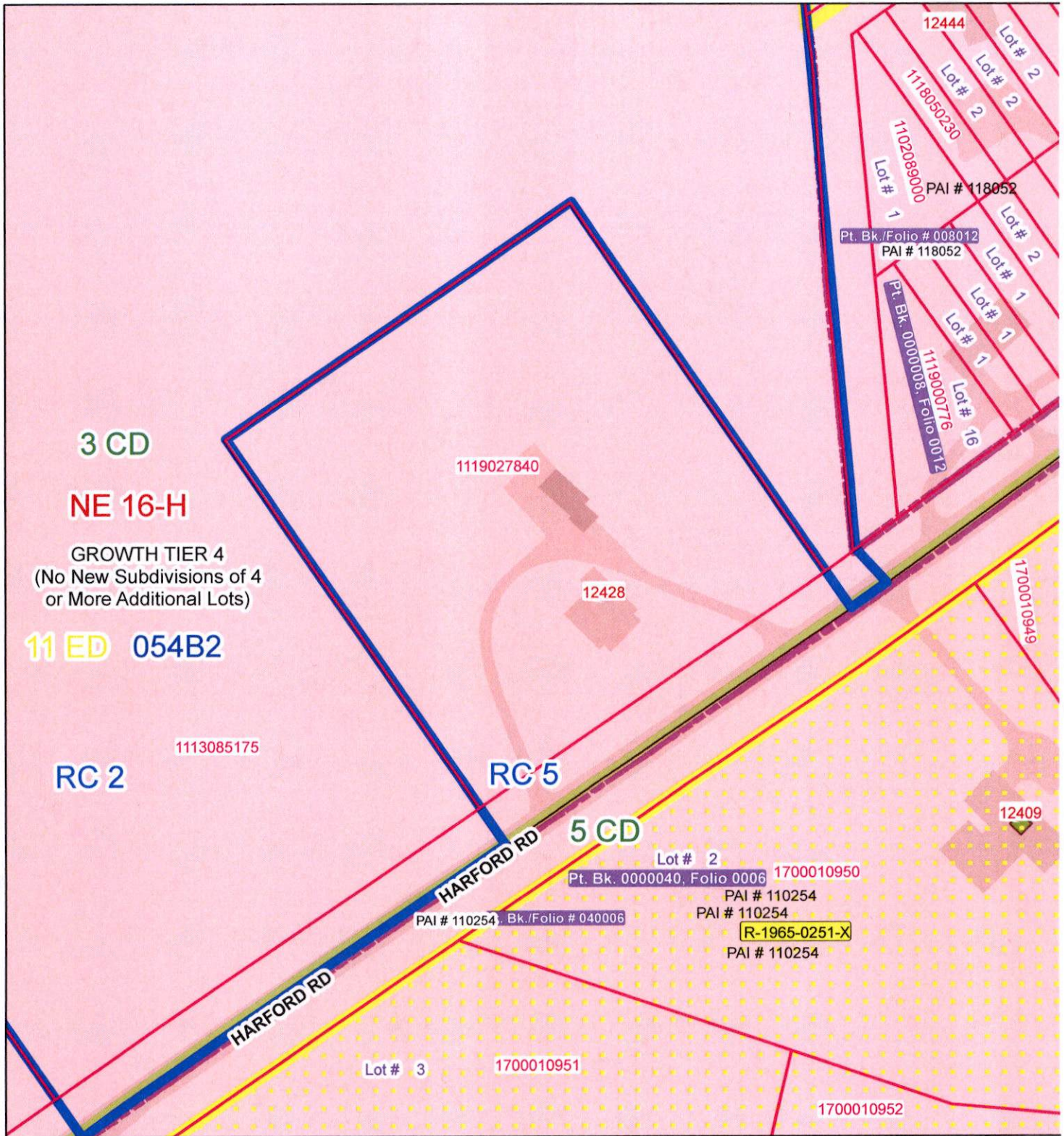
Concurrent Cases: None

Violation Cases: None

Closing Date: 09/17/2018

Miscellaneous Notes:

12428 Harford Road



Publication Date: 8/20/2018



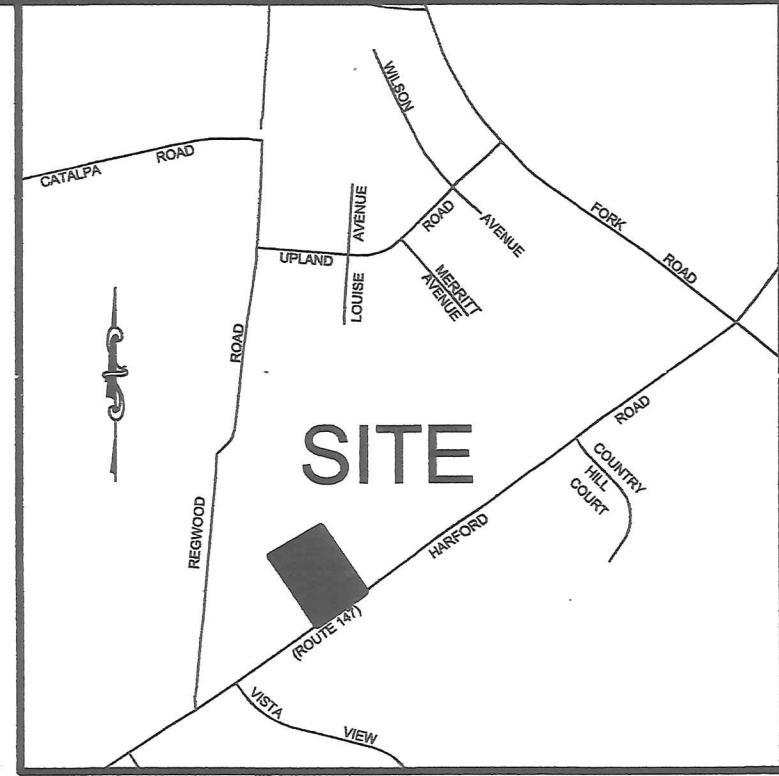
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 25 50 100 150 200 Feet

1 inch = 100 feet

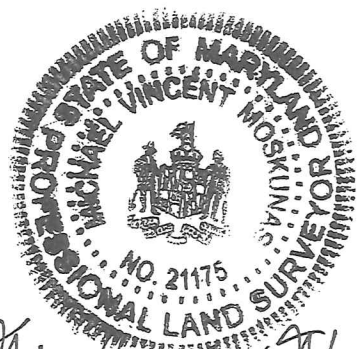
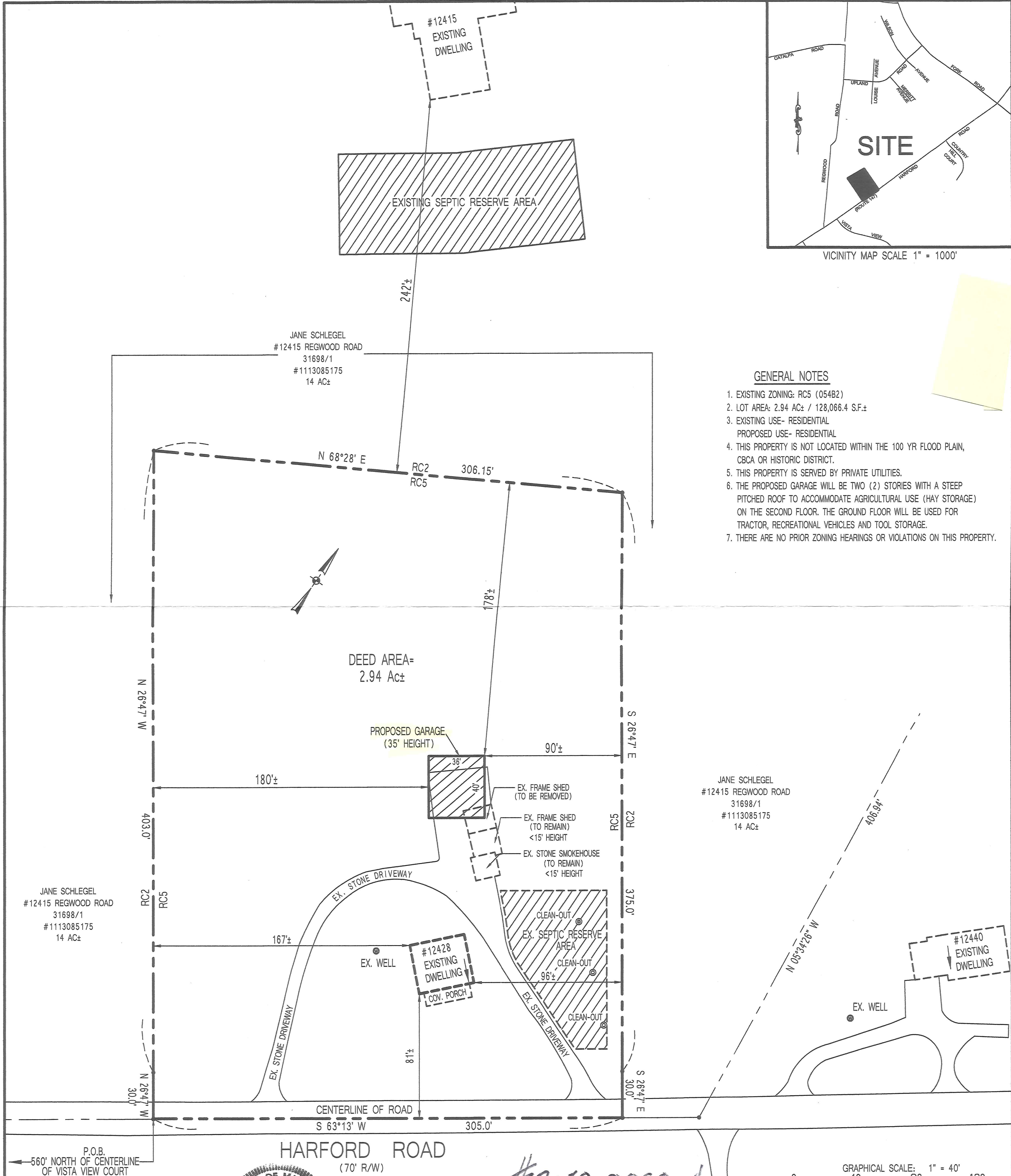
Item # 0060



VICINITY MAP SCALE 1" = 1000'

GENERAL NOTES

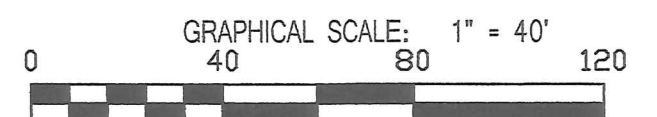
1. EXISTING ZONING: RC5 (054B2)
2. LOT AREA: 2.94 AC± / 128,066.4 S.F.±
3. EXISTING USE- RESIDENTIAL
PROPOSED USE- RESIDENTIAL
4. THIS PROPERTY IS NOT LOCATED WITHIN THE 100 YR FLOOD PLAIN, CBCA OR HISTORIC DISTRICT.
5. THIS PROPERTY IS SERVED BY PRIVATE UTILITIES.
6. THE PROPOSED GARAGE WILL BE TWO (2) STORIES WITH A STEEP PITCHED ROOF TO ACCOMMODATE AGRICULTURAL USE (HAY STORAGE) ON THE SECOND FLOOR. THE GROUND FLOOR WILL BE USED FOR TRACTOR, RECREATIONAL VEHICLES AND TOOL STORAGE.
7. THERE ARE NO PRIOR ZONING HEARINGS OR VIOLATIONS ON THIS PROPERTY.



Michael V. Moskunas
Professional Land Surveyor #21175
License Expires: 6/25/2019

SITERITE
SURVEYING INC.
200 E. JOPPA ROAD
SHELL BUILDING, SUITE 101
TOWSON, MD. 21286
410-828-9060

#2019-0060-A
P.D.
OWNER
PAUL MOSKUNAS
121428 HARFORD ROAD
HYDES, MD. 21082
443-208-9220
Pet. Ex. 1



PLAN TO ACCOMPANY ADMINISTRATIVE VARIANCE

#12428 HARFORD ROAD

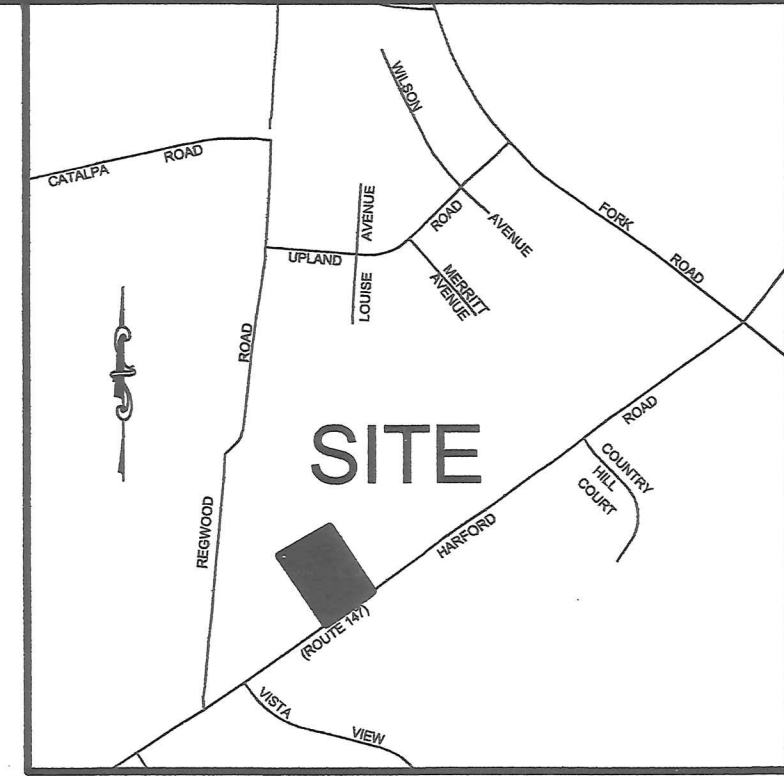
TAX MAP: 54 - GRID: 10 - PARCEL: 201

DEED REFERENCE: 39449/37

11TH ELECTION DISTRICT 3RD CMD

BALTIMORE COUNTY, MARYLAND

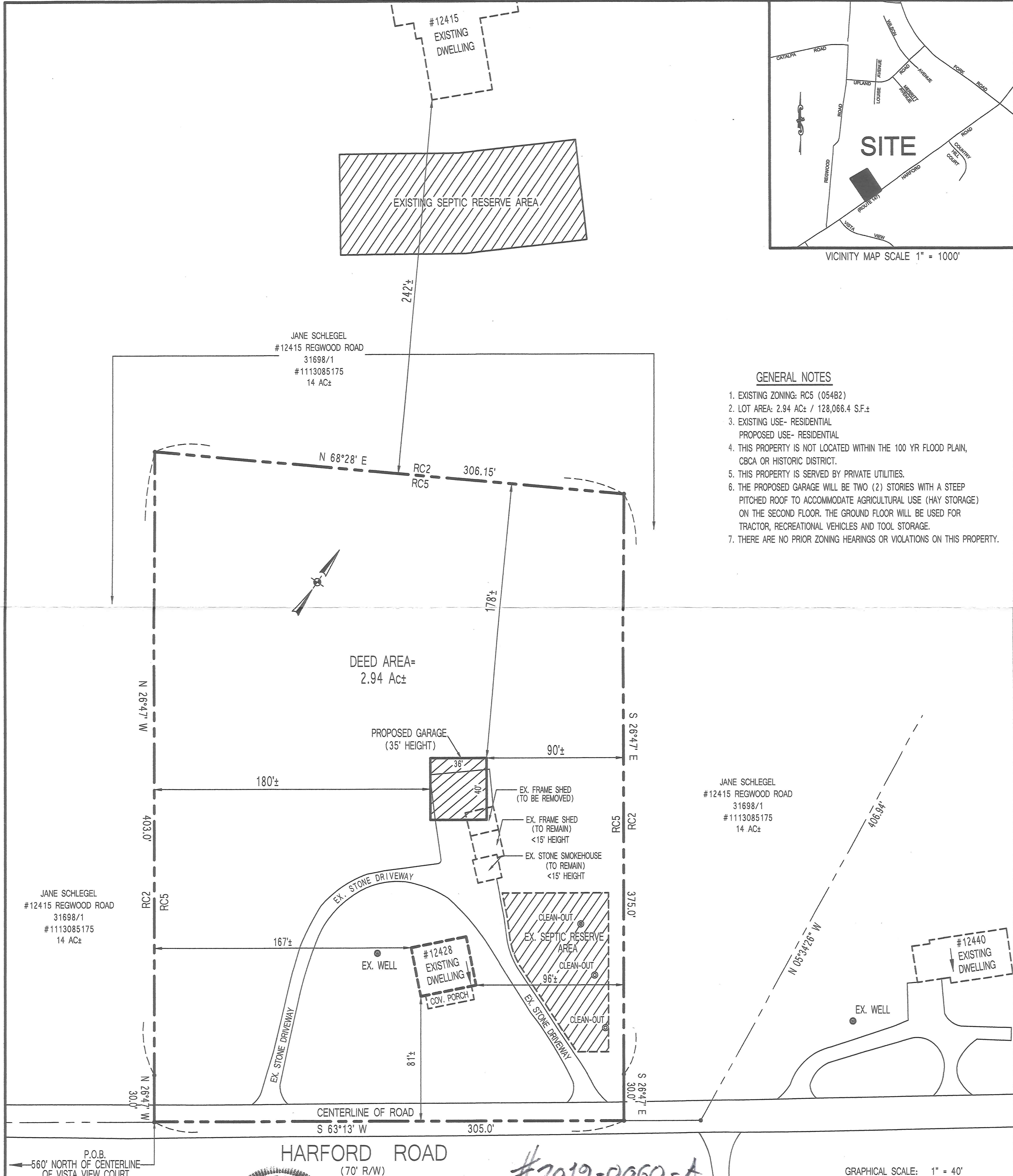
Scale: 1" = 40'	Date: 08/08/2018	JOB #10667
Drawn: M.V.M.	Checked: B.L.M.	SURVEYD: M.V.M.



VICINITY MAP SCALE 1" = 1000'

GENERAL NOTES

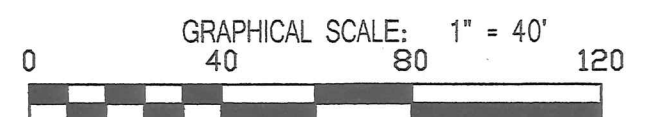
1. EXISTING ZONING: RC5 (05482)
2. LOT AREA: 2.94 AC± / 128,066.4 S.F.±
3. EXISTING USE- RESIDENTIAL
PROPOSED USE- RESIDENTIAL
4. THIS PROPERTY IS NOT LOCATED WITHIN THE 100 YR FLOOD PLAIN, CBCA OR HISTORIC DISTRICT.
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