

MEMORANDUM

DATE: November 19, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0068-A - Appeal Period Expired

The appeal period for the above-referenced case expired on November 16, 2018. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE
(6829 Echo Acres Lane)

11th Election District

5th Council District

Carole W. Huselton & Eric S. Smith
Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0068-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 owners of the property, Carole W. Huselton and Eric S. Smith (“Petitioners”). The Petitioners are requesting Variance relief pursuant to § 400.1 of the Baltimore County Zoning Regulations (“BCZR”), to permit an accessory structure (solar array) in the side yard of an existing single family dwelling in lieu of the rear yard. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1.

It is to be noted that this administrative variance case closed on September 24, 2018 but was not received by OAH until October 16, 2018; the whereabouts of the case file between these dates is unknown.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. Petitioners must comply with certain environmental regulations, as noted in the ZAC comment dated September 10, 2018 submitted by the Department of Environmental Protection and Sustainability (“DEPS”).

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 6, 2018, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 10-17-18

By DW

The Petitioners have 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 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 Petitioners.

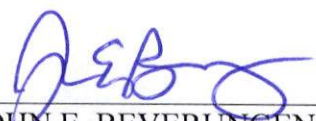
Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 17th day of **October, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 400.1 of the BCZR, to permit an accessory structure (solar array) in the side yard of an existing single family dwelling in lieu of the rear yard, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 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.
- Petitioners must comply with the DEPS ZAC comment, dated September 10, 2018; a copy of which is attached hereto and made a part hereof.

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 10-17-18
By [Signature]

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 10, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0068-A
Address 6829 Echo Acres Lane
(Huselton & Smith Property)

Zoning Advisory Committee Meeting of **September 10, 2018.**

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

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code). The proposed activity and the location can meet these requirements.
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code). The proposed location will require no forest disturbance so it appears the property owner can invoke the single lot declaration of intent for forest conservation exemption for this activity.

Reviewer: Paul Dennis, Environmental Impact Review

ORDER RECEIVED FOR FILING

Date 10-17-18

By DW



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 6829 Echo Acres Lane Currently zoned Agricultural
Deed Reference 36509 100451 10 Digit Tax Account # 1108081690
Owner(s) Printed Name(s) Carole Huselton & Eric Smith

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

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

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

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s)

Section 400.1

To permit an accessory structure (solar array) in the side yard of an existing single family dwelling in lieu of the rear yard..

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

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

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

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

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

Owner(s)/Petitioner(s):

Carole Huselton / Eric Smith
Name #1 – Type or Print Name #2 – Type or Print
Carole Huselton / Eric Smith
Signature #1 Signature #2
P.O. Box 201 Kingsville MD
Mailing Address City State
21087 / 410-592-9630 / esmith726@comcast.net
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:

Gailan Wensil-Strow
Name – Type or Print
Gailan Wensil-Strow
Signature
221 Gateway Dr. Bel Air MD
Mailing Address City State
21014 / 443-867-7541 / Gwensil-Strow@adbu.com
Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 10-17-18 day of October, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0068-A Filing Date 8.30.18 Estimated Posting Date 9.9.18 Reviewer LW

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: 6829 Echo Acres Ln Kingsville MD 21087
Print or Type Address of property City State Zip Code

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

We are asking to install a 42 panel ground mounted solar array in the side yard. The side of the house is the only practical area for this due to large trees in the rear and an existing geothermal system that we cannot put the ground mount on top of. The location of the existing array will be ideal due to sun exposure and the fact that it will not be visible because it is being blocked by an existing barn that has been on the property since before the house was built, 75 yrs. ago, or more.

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

Carole HuseLton
Signature of Owner (Affiant)

Carole HuseLton
Name- Print or Type

Eric S. Smith
Signature of Owner (Affiant)

Eric S. Smith
Name- Print or Type

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

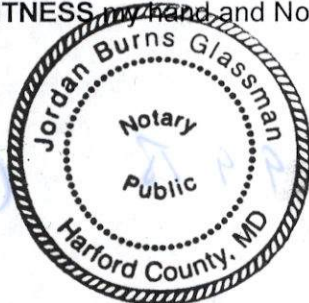
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14th day of June, 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Carole HuseLton Eric S. Smith

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

AS WITNESS my hand and Notaries Seal



Torben
Notary Public
11-03-2021
My Commission Expires

Affidavit in Support of Administrative Variance

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

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

Carole HuseLton
Signature of Owner (Affiant)

Carole HuseLton
Name- Print or Type

Eric S. Smith
Signature of Owner (Affiant)

Eric S. Smith
Name- Print or Type

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

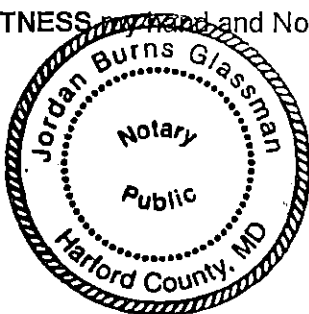
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14th day of June, 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Carole HuseLton Eric S. Smith

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

AS WITNESS my hand and Notaries Seal



Jordan Burns Glassman
Notary Public

11-03-2021
My Commission Expires



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 6829 Echo Acres Lane Currently zoned Agricultural
 Deed Reference 36509 100451 10 Digit Tax Account # 1108081690
 Owner(s) Printed Name(s) Carole Huselton & Eric Smith

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

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

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

1. **X** **ADMINISTRATIVE VARIANCE** from Section(s)

Section 400.1

To permit an accessory structure (solar array) in the side yard of an existing single family dwelling in lieu of the rear yard.

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

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

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

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

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

Owner(s)/Petitioner(s):

Carole Huselton / Eric Smith
 Name #1 – Type or Print Name #2 – Type or Print
Carole Huselton / Eric Smith
 Signature #1 Signature #2
P.O. Box 201 Kingsville MD
 Mailing Address City State
21087 / 410-592-9630 / esmith726@comcast.net
 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:

Gailan Wensil-Strow
 Name – Type or Print
Gailan Wensil-Strow
 Signature
221 Gateway Dr. Bel Air MD
 Mailing Address City State
21014 / 443-867-7541 / Gwensil-Strow@adbuild.com
 Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 10 day of July, 2018, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0068-A Filing Date 8/30/2018 Estimated Posting Date 9/9/18 Reviewer [Signature]

Zoning Petition Property Description for 6829 Echo Acres Lane

Zoning property description for 6829 Echo Acres Lane, Kingsville, MD 21087, Beginning at the point on the Southeast Side of Echo Acres Lane which is 14 feet wide at a distance of 900 feet North East of the centerline of the nearest improved intersecting street, Stoney Batter Road, which is 20 feet wide.

Thence the following courses and distances (1st point of call) N 72 09' E 244.54', (2nd POC) S 75 51' E 448.80', (3rd POC) S 61 06' E 273.38', (4th POC) 22 03' E 326.62', (5th POC) 25 27' W 139.83' (6th POC) N 85 53' W 919.77' (7th POC) N 14 08' W 327.61', (8th POC) N 72 09' E 90' (9th POC) 18 33' W 194.61', back To the point beginning as recorded in Deed Liber 36509 folio 00451 containing 11.97521 acres. Located in the 11th election district and 5th Council district

2019-0068-A

CERTIFICATE OF POSTING

Date: 9-6-18

RE: Case Number: 2019-0068-A

Petitioner/Developer: Hasseltan + Smith

Date of Hearing/Closing: 9-24-18

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 6829 Echo Acres Ln

6-18

(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 2019-0068-A
TO PERMIT AN ACCESSORY STRUCTURE (SOLAR ARRAY) IN THE SIDE YARD OF AN EXISTING SINGLE FAMILY DWELLING IN LIEU OF THE REAR YARD

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 9/24/18.
ADDITIONAL INFORMATION IS AVAILABLE AT WWW.BALTIMORECOUNTY.MD

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0068 -A Address 6829 Echo Acres Lane
Contact Person: Leonard Wasiowski Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 8/30/18 Posting Date: 9/9/18 Closing Date: 9/24/18

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- 0068 -A Address 6829 Echo Acres Lane
Petitioner's Name Carole Huselton & Eric Smith Telephone 410-592-9630
Posting Date: 9/9/18 Closing Date: 9/24/18

Wording for Sign: To permit an accessory structure (solar array) in the side yard of an existing single family dwelling in lieu of the rear yard.

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 00 68-A
Property Address: 6829 Echo Acres Lane, Kingsville, MD 21087
Property Description: _____

Legal Owners (Petitioners): Carole Hustleton, & Eric Smith
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Gailan Wensil-Strow
Company/Firm (if applicable): American Design and Build
Address: 221 Gateway Drive
Bel Air, MD 21014

Telephone Number: 443-867-7511

Revised 7/9/2015

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

No. **173209**

Date: **8/30/18**

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
 9/30/2018 8/30/2018 10:00:03 1

REG US01 WALKIN IJR
 RECEIPT # 809137 8/30/2018 DFLN

pt 5 528 ZONING VERIFICATION

NO. 173209

Recpt Tgt \$75.00

\$75.00 CK \$0.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Total: **75.00**

Rec From: **American Design and Build**

For: **6829 Echo Acres Ln**

2017-0068-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 9/7/18

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. 2019-0068-A

Administrative Variance
Carole Husek-Hon & Eric Smith
6829 Echo Acres Lane

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

Sincerely,

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

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: September 24, 2018

FROM: 
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For September 10, 2018
Item No. 2019-0062-A, 0063-A, 0065-A, 0066-SPH, 0067-SPHX, 0068-A
and 0071-A

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

*

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*

*

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 10, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0068-A
Address 6829 Echo Acres Lane
(Huselton & Smith Property)

Zoning Advisory Committee Meeting of **September 10, 2018.**

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

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code). The proposed activity and the location can meet these requirements.
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code). The proposed location will require no forest disturbance so it appears the property owner can invoke the single lot declaration of intent for forest conservation exemption for this activity.

Reviewer: Paul Dennis, Environmental Impact Review

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>9-24</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>9-10</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>9-7</u>	STATE HIGHWAY ADMINISTRATION	<u>No object.</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: 9-6-18 by PilsonSIGN POSTING (2nd) Date: _____ 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:		AGRICULTURAL TRANSFER TAX			
Account Identifier:		District - 11 Account Number - 1108081690			
Owner Information					
Owner Name:		HUSELTON CAROLE W SMITH ERIC S		Use: AGRICULTURAL Principal Residence: YES	
Mailing Address:		PO BOX 201 KINGSVILLE MD 21087-0201		Deed Reference: /36509/ 00451	
Location & Structure Information					
Premises Address:		6829 ECHO ACRES LN KINGSVILLE 21087-		Legal Description: 11.97521 AC SS 6829 ECHO ACRES LN 900 E STONEY BATTER RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0054	0024	0014		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	
1964	1,441 SF		11.9800 AC	33	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1 1/2	YES	STANDARD UNIT	STUCCO	1 full	
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of 01/01/2018	As of 07/01/2018	As of 07/01/2019	
Land:	153,600	138,600			
Improvements	132,300	125,100			
Total:	285,900	263,700	263,700	263,700	
Preferential Land:	3,500			3,500	
Transfer Information					
Seller: HUSELTON CHARLES LEE JR/CAROLE W		Date: 08/07/2015		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /36509/ 00451		Deed2:	
Seller: HUSELTON CHARLES L, JR		Date: 11/10/2009		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /28859/ 00429		Deed2:	
Seller: AG USE 83-84		Date:		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /00000/ 00000		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: AGRICULTURAL TRANSFER TAX

Homestead Application Information

Homestead Application Status: Approved 02/04/2012

Homeowners' Tax Credit Application Information

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

2019-0068-A







5



A-8300-162



M

Debra Wiley

From: Debra Wiley
Sent: Wednesday, October 17, 2018 10:39 AM
To: 'esmrth726@comcast.net'; 'Gwensil-strow@adbuild.com'
Subject: Administrative Variance - Case No. 2019-0068-A - 6829 Echo Acres Lane
Attachments: 20181017102212749.pdf

Good Morning,

Please find attached a copy of ALJ Beverungen's decision regarding the above matter; the original has been mailed.

Have a great day !

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov [mailto:adminhearingscpr@baltimorecountymd.gov]
Sent: Wednesday, October 17, 2018 10:22 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 10.17.2018 10:22:12 (-0400)

Queries to: adminhearingscpr@baltimorecountymd.gov

Debra Wiley

From: Mail Delivery System <postmaster@baltimorecountymd.gov>
To: esmith726@comcast.net
Sent: Wednesday, October 17, 2018 10:41 AM
Subject: Undeliverable: Administrative Variance - Case No. 2019-0068-A - 6829 Echo Acres Lane

Delivery has failed to these recipients or groups:

esmith726@comcast.net

A problem occurred while delivering your message to this email address. Try sending your message again. If the problem continues, please contact your email admin.

The following organization rejected your message: [96.114.157.80].

Diagnostic information for administrators:

Generating server: mail2.baltimorecountymd.gov

esmith726@comcast.net
[96.114.157.80]

Remote Server returned '554 5.0.0 <[96.114.157.80] #5.0.0 smtp; 5.1.0 - Unknown address error 550-'5.1.1 Not our Customer' (delivery attempts: 0)>'

Original message headers:

X-IronPort-AV: E=Sophos;i="5.54,392,1534824000";
d="pdf'?scan'208";a="24647957"
Received: from unknown (HELO ex1602p.bcg.ad.bcgov.us) ([172.30.49.221])
by mail2.baltimorecountymd.gov with ESMTP/TLS/AES256-GCM-SHA384; 17 Oct 2018 10:40:11 -
0400
Received: from ex1601p.bcg.ad.bcgov.us (172.30.49.220) by
ex1602p.bcg.ad.bcgov.us (172.30.49.221) with Microsoft SMTP Server
(version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id
15.1.1531.3; Wed, 17 Oct 2018 10:40:09 -0400
Received: from ex1601p.bcg.ad.bcgov.us ([fe80::b85c:e8b2:8330:1d3]) by
ex1601p.bcg.ad.bcgov.us ([fe80::b85c:e8b2:8330:1d3%5]) with mapi id
15.01.1531.003; Wed, 17 Oct 2018 10:40:09 -0400
From: Debra Wiley <dwiley@baltimorecountymd.gov>
To: "esmith726@comcast.net" <esmith726@comcast.net>
Subject: FW: Administrative Variance - Case No. 2019-0068-A - 6829 Echo Acres
Lane
Thread-Topic: Administrative Variance - Case No. 2019-0068-A - 6829 Echo Acres
Lane
Thread-Index: AdRmJyWxULfMzVJbSNiQhpUtUZ4LnwAABo7Q
Date: Wed, 17 Oct 2018 14:40:09 +0000
Message-ID: <56f87437eb2043a691eb4c02824e5368@baltimorecountymd.gov>
Accept-Language: en-US

Content-Language: en-US
X-MS-Has-Attach: yes
X-MS-TNEF-Correlator:
x-originating-ip: [172.30.50.253]
Content-Type: text/plain
MIME-Version: 1.0

Debra Wiley

From: Mail Delivery System <postmaster@baltimorecountymd.gov>
To: esmrth726@comcast.net
Sent: Wednesday, October 17, 2018 10:39 AM
Subject: Undeliverable: Administrative Variance - Case No. 2019-0068-A - 6829 Echo Acres Lane

Delivery has failed to these recipients or groups:

esmrth726@comcast.net

A problem occurred while delivering your message to this email address. Try sending your message again. If the problem continues, please contact your email admin.

The following organization rejected your message: [68.87.20.5].

Diagnostic information for administrators:

Generating server: mail2.baltimorecountymd.gov

esmrth726@comcast.net

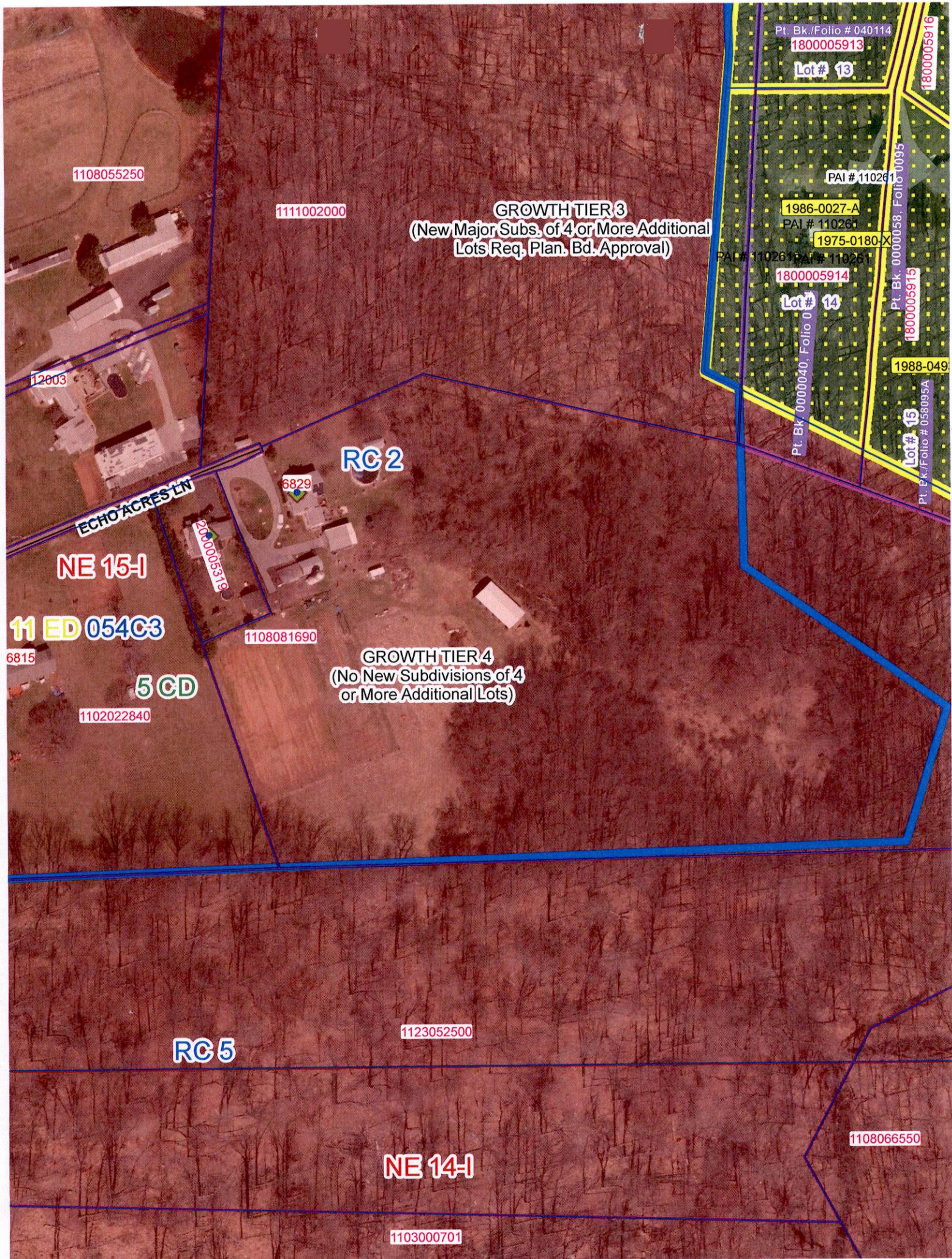
[68.87.20.5]

Remote Server returned '554 5.0.0 <[68.87.20.5] #5.0.0 smtp; 5.1.0 - Unknown address error 550-'5.1.1 Not our Customer' (delivery attempts: 0)>'

Original message headers:

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d="pdf'?scan'208";a="24647847"
Received: from unknown (HELO ex1603p.bcg.ad.bcgov.us) ([172.30.49.222])
by mail2.baltimorecountymd.gov with ESMTP/TLS/AES256-GCM-SHA384; 17 Oct 2018 10:39:05 -
0400
Received: from ex1601p.bcg.ad.bcgov.us (172.30.49.220) by
ex1603p.bcg.ad.bcgov.us (172.30.49.222) with Microsoft SMTP Server
(version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id
15.1.1531.3; Wed, 17 Oct 2018 10:39:03 -0400
Received: from ex1601p.bcg.ad.bcgov.us ([fe80::b85c:e8b2:8330:1d3]) by
ex1601p.bcg.ad.bcgov.us ([fe80::b85c:e8b2:8330:1d3%5]) with mapi id
15.01.1531.003; Wed, 17 Oct 2018 10:39:03 -0400
From: Debra Wiley <dwiley@baltimorecountymd.gov>
To: "esmrth726@comcast.net" <esmrth726@comcast.net>,
"Gwensil-strow@adbuild.com" <Gwensil-strow@adbuild.com>
Subject: Administrative Variance - Case No. 2019-0068-A - 6829 Echo Acres Lane
Thread-Topic: Administrative Variance - Case No. 2019-0068-A - 6829 Echo Acres
Lane
Thread-Index: AdRmJyWxULfMzVJbSNiQhpUtUZ4Lnw==
Date: Wed, 17 Oct 2018 14:39:03 +0000
Message-ID: <lca53867728c440a8530ed42bf24a9fd@baltimorecountymd.gov>
Accept-Language: en-US

Content-Language: en-US
X-MS-Has-Attach: yes
X-MS-TNEF-Correlator:
x-originating-ip: [172.30.50.253]
Content-Type: text/plain
MIME-Version: 1.0



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

RC 2

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

RC 5

NE 14-I

NE 15-I

11 ED 054C3

5 CD

Pt. Bk./Folio # 040114

1800005913

Lot # 13

PAI # 110261

1986-0027-A

PAI # 110261

1975-0180-X

PAI # 110261 PAI # 110261

1800005914

Lot # 14

Pt. Bk. 000040, Folio 0

Pt. Bk. 000058, Folio 0095

1800005915

1988-049

Lot # 15

Pt. Bk./Folio # 058095A

1108055250

1111002000

12003

6829

2000003533

1108081690

6815

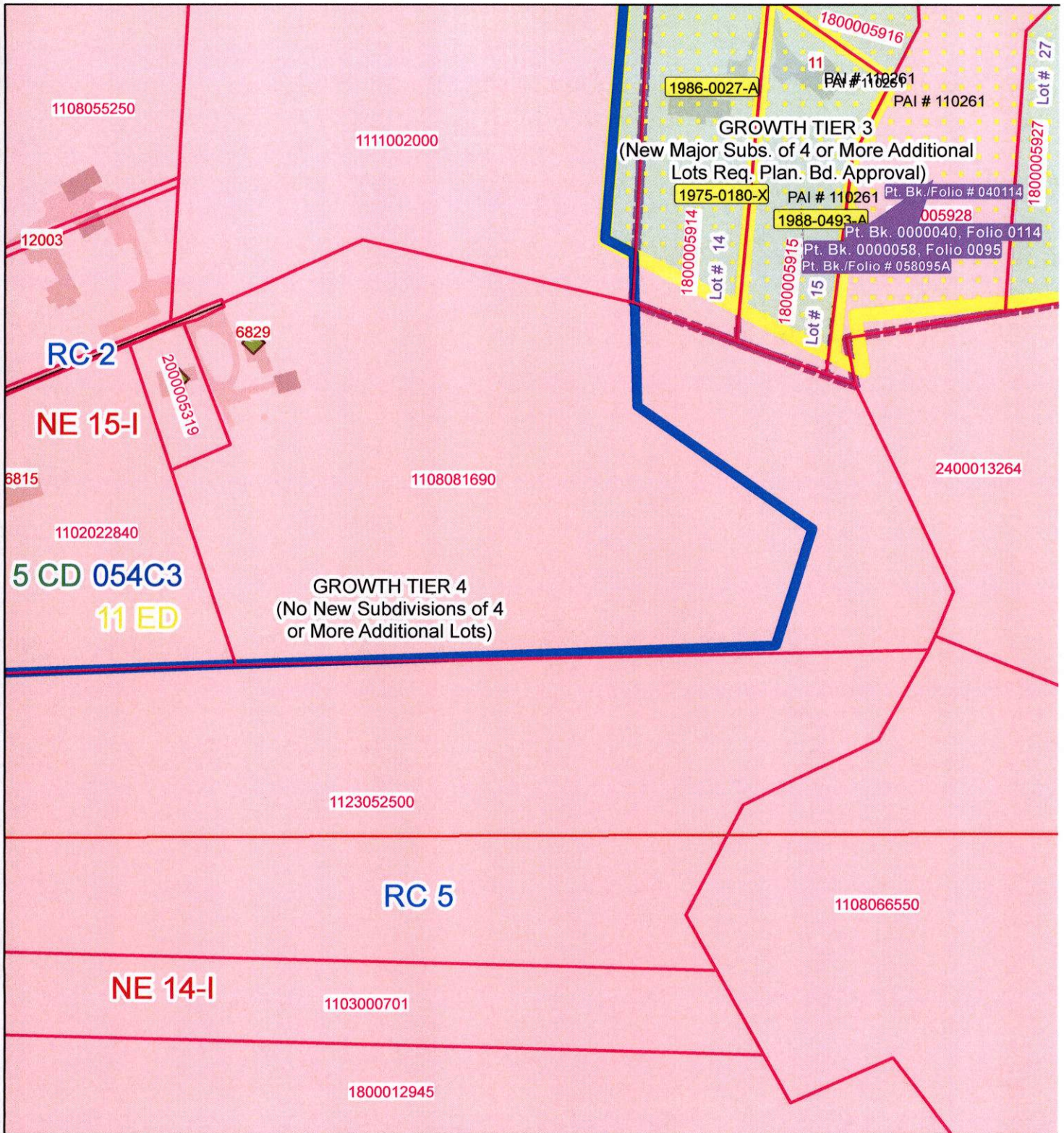
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1103000701

2019-JJ68-A



Publication Date: 8/30/2018

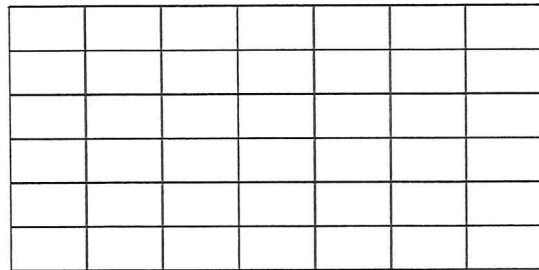


Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



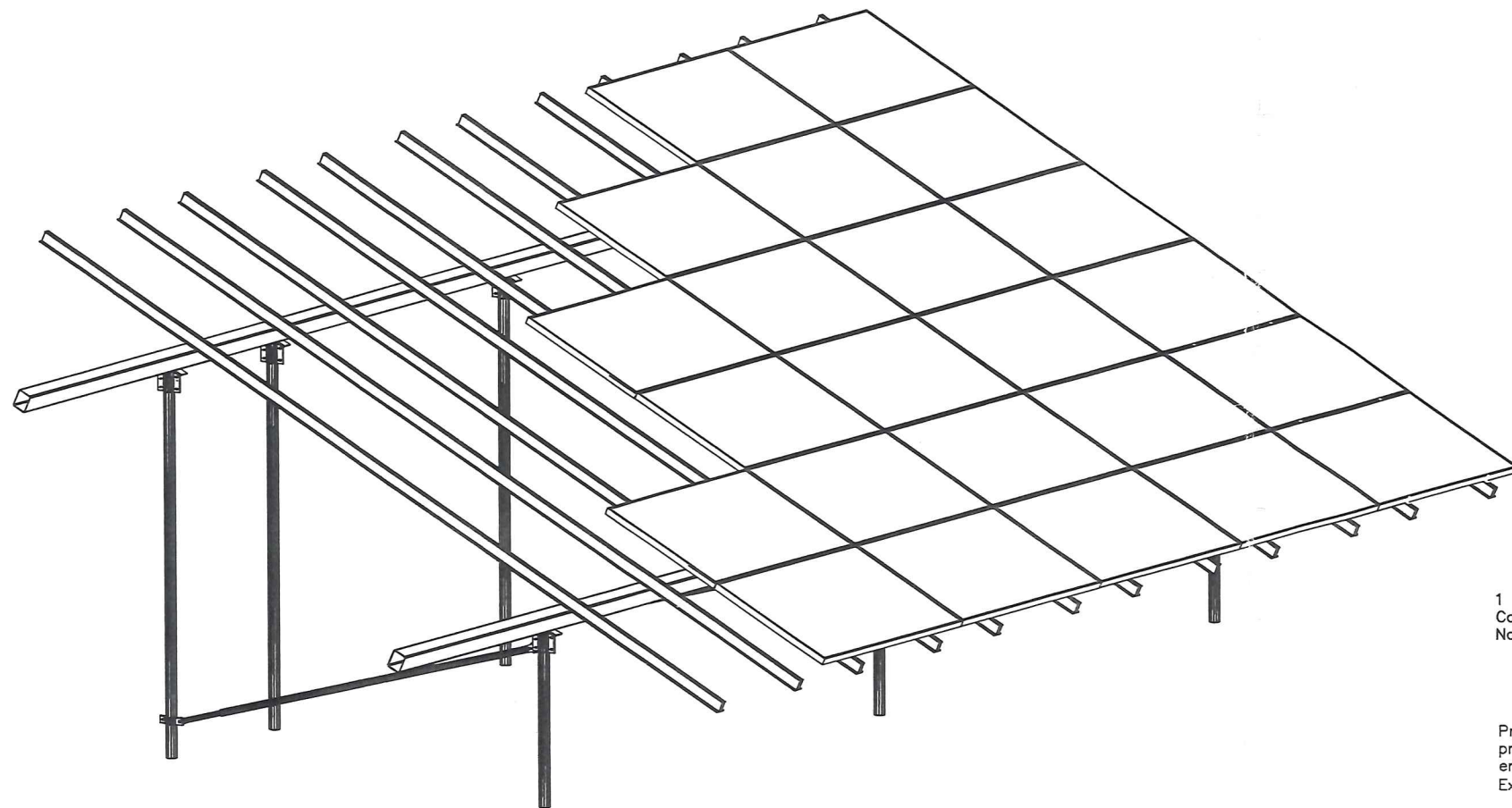
0 55 110 220 330 440 Feet

1 inch = 200 feet



Plan View

NOT TO SCALE



Site Design Conditions

Basic Wind Speed: 105 MPH (Risk Category I)
Ground Snow Load: 30 PSF
Exposure Category: C
Site Contour: <5 degree Slope
Helical Pile Depth: 60" Min
Max. Leg Axial Bearing: 4,785 lbs.
Max. Leg Uplift: 3,000 lbs.
Max. Lateral Resistance: 2,225 lbs.
Top Rail Max. Loading: 97.7 plf
Lateral Resistance Plate Size: Not Req'd

All design work has been performed in accordance with the Maryland Building Performance Standards List of Applicable Codes and Standards dated January 1, 2016 including, but not limited to, the 2015 International Building Code with the Department of Housing and Community Development modifications (ref: COMAR 05.02.07).

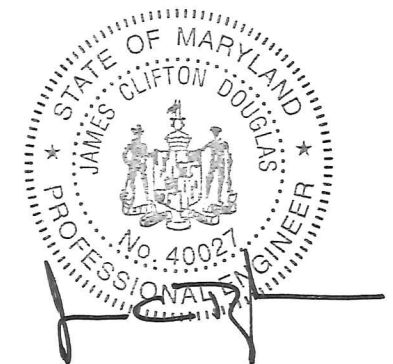
Net design pressures were calculated in accordance with ASCE 7-10 section 27.4.3, "Open Buildings with Monoslope, Pitched, or Troughed Roofs". All load cases were evaluated in determining the limiting design conditions. The data table above provides the results for the limiting load case. Maximum leg reaction forces represent the highest load condition seen by any leg in the structure. All legs in the structure are designed to meet the maximum load conditions.

6Lx7C Sub-Array Design Conditions

Front Leg Height: 40 1/4"
Rear Leg Height: 97"
North-South Leg Spacing: 121 1/2"
West Span Leg Spacing: 13'-9"
East Span Leg Spacing: 13'-9"
Quantity Center Spans: 0
Center Span Leg Spacing: N/A
East & West Overhang: 4'-9"
Overall Beam Length: 37'-0"
Front Edge Ground Clearance: 28"
Horizontal Rail Material: 5"x4"x1/8" HSS
Top Rail Material: SF Rails
Qty Rails per Panel: 2
Top Rail Length: 242"
Top Rail Center Span: 134"
Top Rail Overhangs: 54"
Array Tilt Angle: 25 Degrees
Overall Array East-West Dim: 38'-7"
Number of Modules/Sub-Array: 42
Number of Sub-Arrays: 1
Module Columns/Sub-Array: 7
Number of Module Rows: 6
Module Orientation: Landscape
Module Column Spacing: 1/4"
Module Row Spacing: 1/4"
Module Model: SW 285 Mono
Module Size: 39.41" x 65.94"
Individual Module Rating: 285 watt
Sub Array Power Rating: 11.97 kw
Total Power Rating: 11.97 kw

1 Additional North Column is to be installed per field direction. The Column is to support equipment mounting needs. It is not required for North beam support.

Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 40027, Expiration Date: 3/15/19.



Sheet 1 of 3

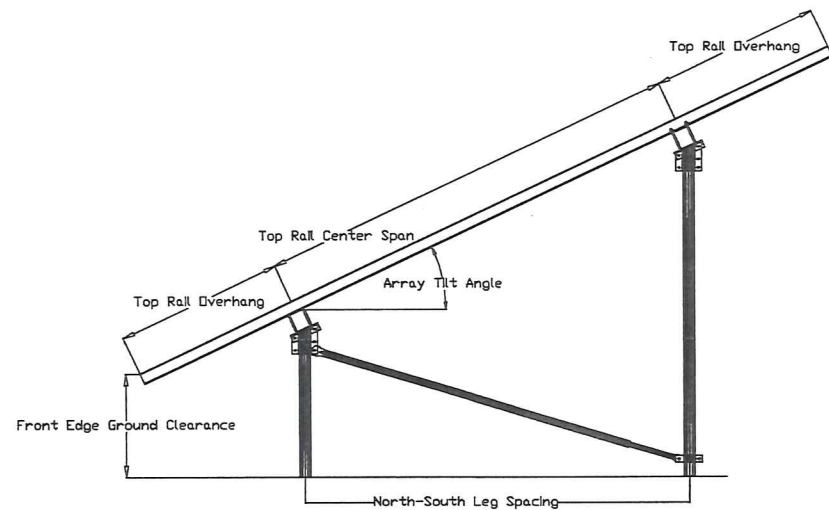
American Design and Build

Project:
Smith Residence
6829 Echo Acres Lane
Kingsville, MD 21087

Solar Foundations USA

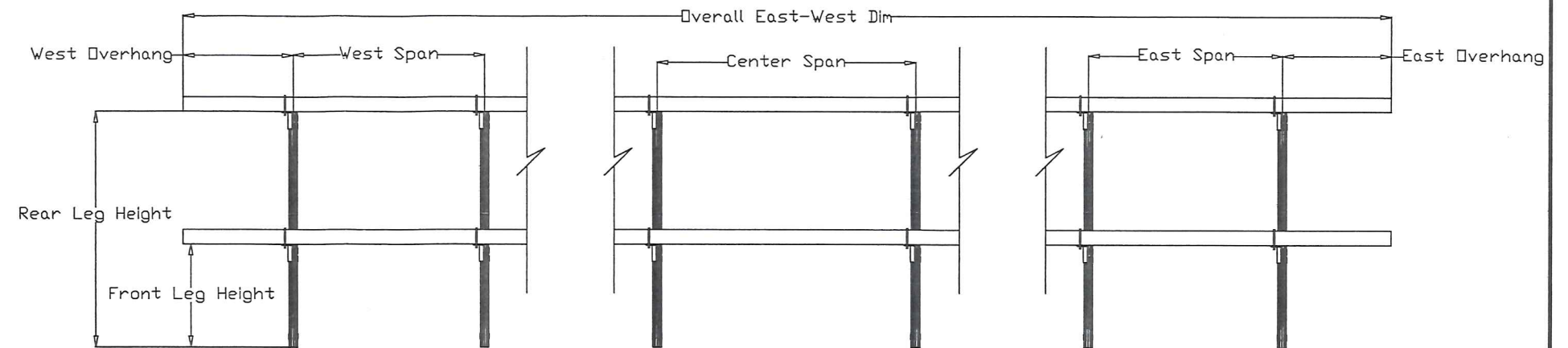
1142 River Road, New Castle, DE 19720 Ph: (855) 738-7200 Fax: (866) 644-5665

2019-0068-A



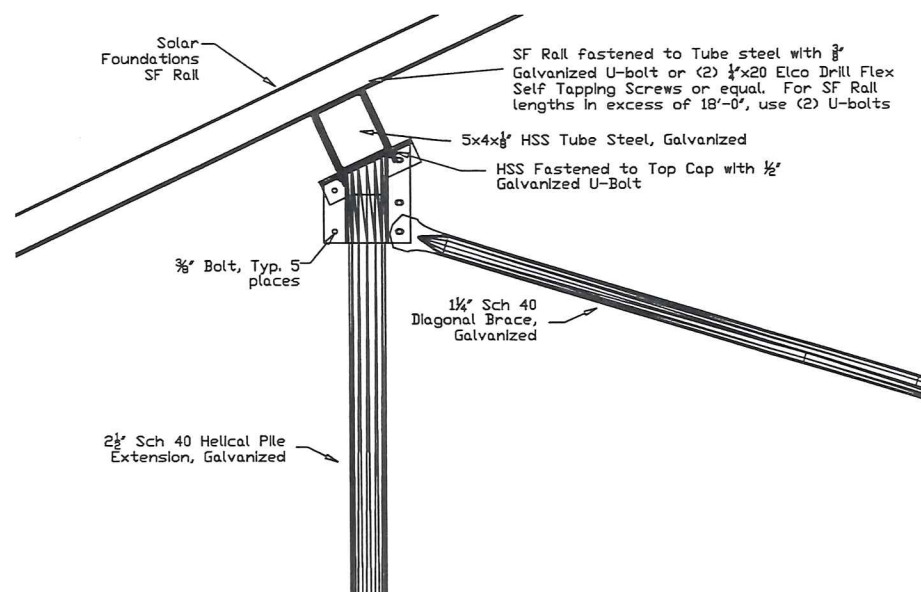
SIDE ELEVATION DETAIL

NOT TO SCALE



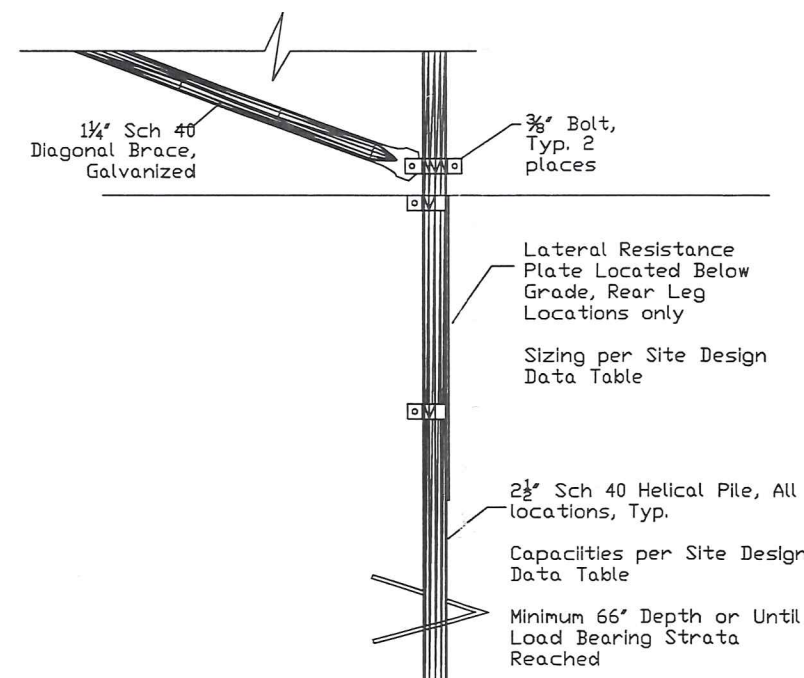
POST SPACING ELEVATION DETAIL

NOT TO SCALE



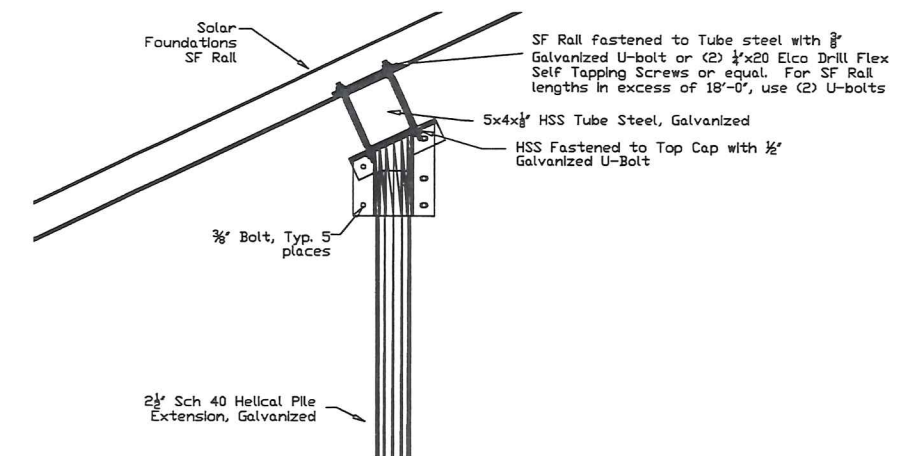
LOWER CAP DETAIL

NOT TO SCALE



HELICAL PILE AND LATERAL RESISTANCE PLATE DETAIL

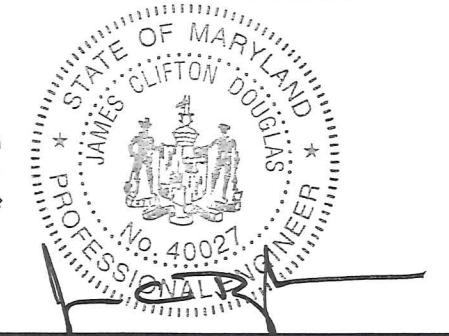
NOT TO SCALE



UPPER CAP DETAIL

NOT TO SCALE

Professional Certification. I hereby certify that these documents were prepared or approved by me and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 40027, Expiration Date: 3/15/19.



Sheet 2 of 3

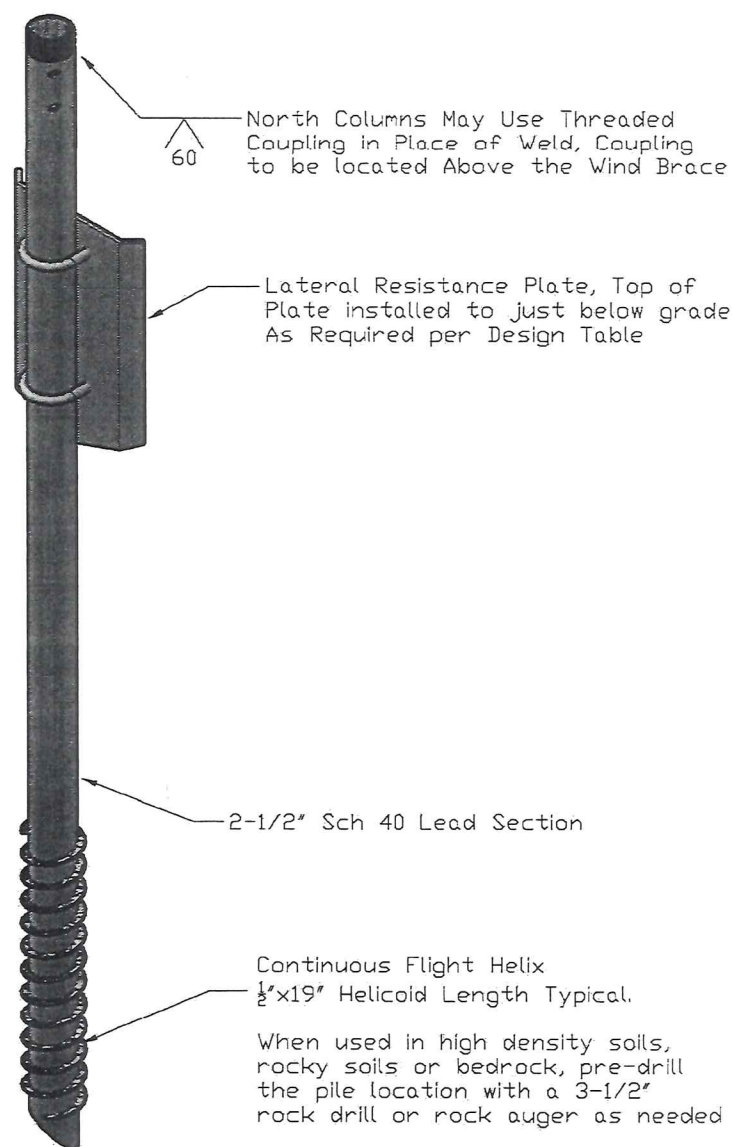
American Design and Build

Project:
Smith Residence
6829 Echo Acres Lane
Kingsville, MD 21087

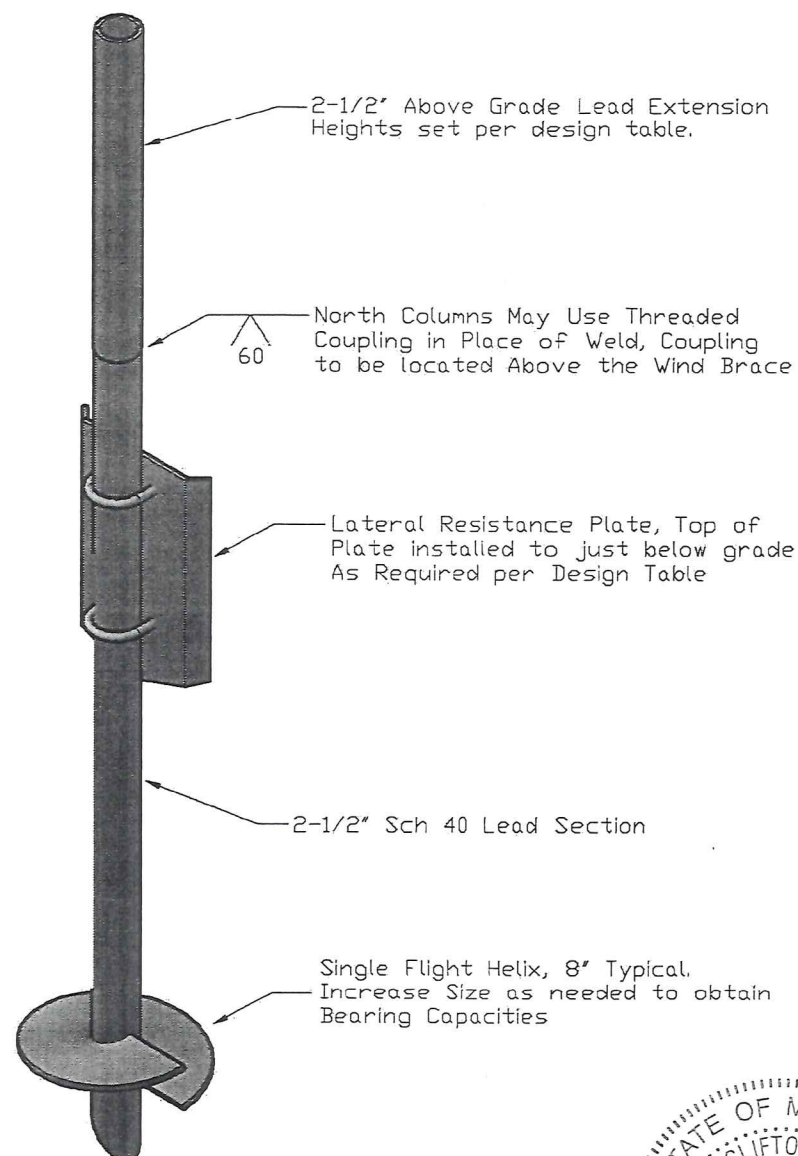
Solar Foundations USA

1142 River Road, New Castle, DE 19720 Ph: (855) 738-7200 Fax: (866) 644-5665

0068-A



Helical Pile Detail



Professional Certification. I hereby certify that these documents were prepared or approved by me and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 40027, Expiration Date: 3/15/19.



Specification Requirements:

The following material specification requirements pertain to the fabrication of the Solar Foundations USA ground mount solar support structure as indicated on these drawings.

1. Solar Foundation aluminum rails shall conform to ASTM B221.
2. Structural steel tubing shall be ASTM A500 Grade C.
3. Steel pipe for piles shall conform to ASTM A500 Grade C.
4. Steel pile extensions shall be ASTM A53 Grade B.
5. Fabricated steel plate for column cap assemblies, bracing clamps, etc. shall be ASTM A36 or A1011.
6. Steel bolts for cap fasteners shall conform to SAE J429 Grade 5. All other bolts shall conform to SAE J429 Grade 2 or better.
7. Steel U-bolts shall conform to ASTM 1018.
8. USS flat steel washers shall conform to ASTM F844 and nuts for steel connections shall conform to ASTM A563 Grade A.
9. All field welding shall conform to AWS D1.1/D1.1M -Structural Welding Code requirements.
10. All steel shall be hot-dip galvanized per ASTM A123 or A153 after all fabrication has been completed.

Installation Requirements:

1. The minimum average installation torque required to obtain the required indicated capacities and the minimum installation depth shown on the plans shall be satisfied prior to termination of the installation. The installation torque shall be an average of the installation torques indicated during the last 1 foot of installation.
2. The torsional strength rating of the torque anchor shall not be exceeded during the installation. If the torsional strength limit of the anchor has been reached, but the anchor has not reached the target depth, perform the following:
 - 2.1. If the torsional strength limit is achieved prior to reaching the target depth, the installation may be acceptable if reviewed and approved by the engineer and/or owner.
 - 2.2. The installer may remove the torque anchor and install a new one with smaller diameter helical plate.
 - 2.3. If using a continuous flight pile, pre-drill the pile location with a 3-1/2" rock auger or rock drill as needed.
3. If the target depth is achieved, but the torsional requirement has not been met the installer may do one of the following:
 - 3.1. Install the torque anchor deeper to obtain the required capacity.
 - 3.2. Remove the torque anchor and install a new one with a larger diameter helical plate or one with multiple helical plates.
 - 3.3. Reduce the load capacity on the individual torque anchor by providing additional torque anchors at a reduced spacing.

Sheet 3 of 3

Date	Revision	Drawn By:	Review By:
04/25/2018	Original	ML	JD

American Design and Build

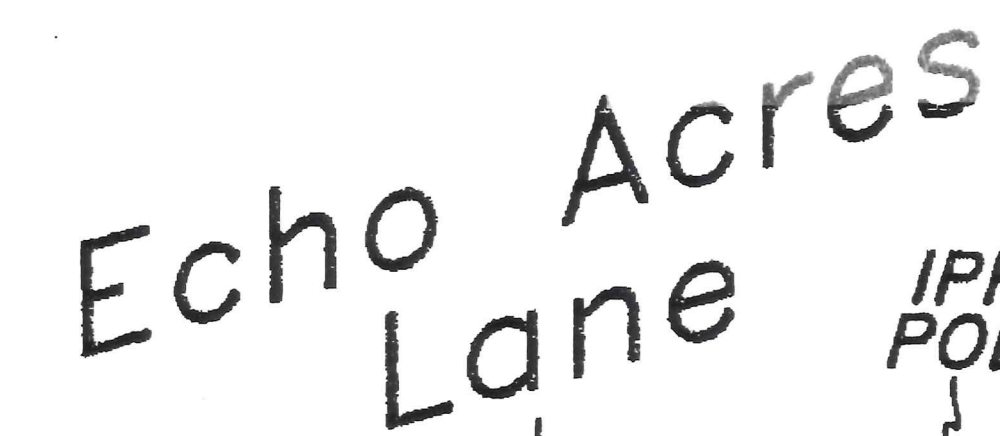
Project:
Smith Residence
6829 Echo Acres Lane
Kingsville, MD 21087

Solar Foundations USA

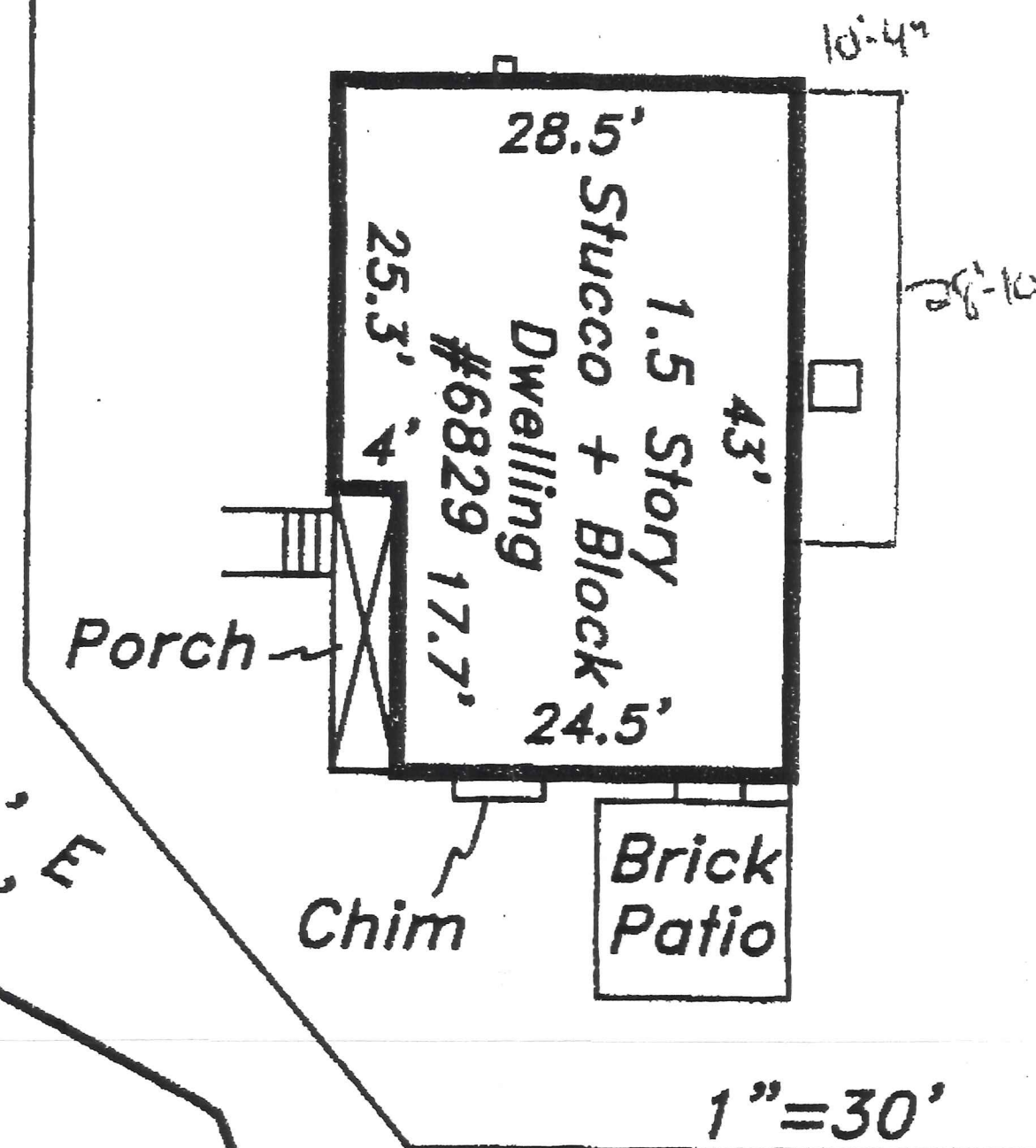
1142 River Road, New Castle, DE 19720 Ph: (855) 738-7200 Fax: (866) 644-5665

0068-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 6829 Echo Acres Lane OWNER(S) NAME(S) Huselton, Carol & Smith, Eric
SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____
PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 1108081690 DEED REF. # 36509/00451



House Detail:



Map is not to scale
ZONING MAP# 054C3
SITE ZONED Rc-2/Rc-5
ELECTION DISTRICT 11
COUNCIL DISTRICT 5
LOT AREA ACREAGE 11.98
OR SQUARE FEET _____
HISTORIC ? No
IN CBCA ? No
IN FLOOD PLAIN ? No
UTILITIES ? MARK WITH X
WATER IS:
PUBLIC___PRIVATE Yes
SEWER IS:
PUBLIC___PRIVATE Yes
PRIOR HEARING ? No
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

Subject property is shown in Zone C
on the FIRM Map of Baltimore County,
Maryland on Community Panel #
240010 0285B.Effective 3-2-81

This is to certify that I have surveyed the property shown hereon,
being known as 6829 Echo Acres Lane

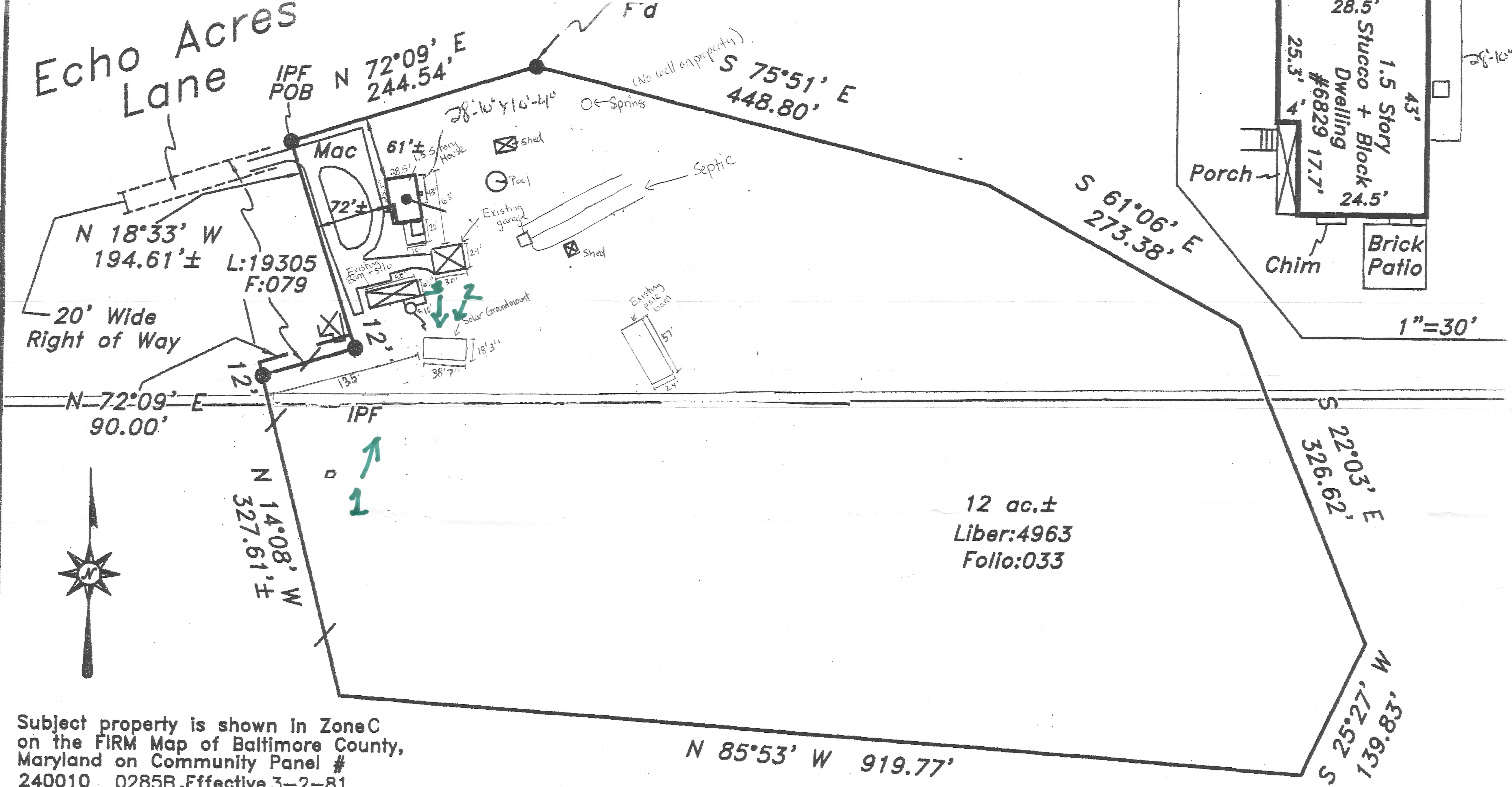
and recorded among the land records of Baltimore County,
Maryland in Liber 4963 folio 033
for the purpose of locating the improvements thereon.

- * This plat is of benefit to the consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing, or refinancing purposes.
- * This plat is not to be relied upon for the establishment of location of fences, garages, buildings, or other existing or future structures.
- * This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or for securing financing or refinancing.

Scale: 1" = 50'
Plan Drawn By: Garlan Wensel-Strow
Date: 8/28/18

2019-0068-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)
ADDRESS 6829 Echo Acres Lane OWNER(S) NAME(S) Husellon, Carol & Smith, Eric
SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____
PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 1108081690 DEED REF. # 36509/00451



Photos 2019-0068-A

Map is not to scale
ZONING MAP# 054c3
SITE ZONED Rc-2/Rc-5
ELECTION DISTRICT 11
COUNCIL DISTRICT 5
LOT AREA ACREAGE 11.98
OR SQUARE FEET _____
HISTORIC? No
IN CBCA? No
IN FLOOD PLAIN? No
UTILITIES? MARK WITH X
WATER IS:
PUBLIC___PRIVATE Yes
SEWER IS:
PUBLIC___PRIVATE Yes
PRIOP HEARING? No
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

Subject property is shown in Zone C
on the FIRM Map of Baltimore County,
Maryland on Community Panel #
240010 0285B.Effective 3-2-81

This is to certify that I have surveyed the property shown hereon,
being known as 6829 Echo Acres Lane
and recorded among the land records of Baltimore County,
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for the purpose of locating the improvements thereon.

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by a lender or a title insurance company or its agent in connection
with contemplated transfer, financing, or refinancing purposes.
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of fences, garages, buildings, or other existing or future structures.
* This plat does not provide for the accurate identification of prop-
erty boundary lines, but such identification may not be required for
the transfer of title or for securing financing or refinancing.

Scale: 1"=50'
Plan Drawn By: Eailan Wensil-Strow
Date: 8/28/18

Pet. En. 1