

M E M O R A N D U M

DATE: January 3, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0093-A – Appeal Period Expired

The appeal period for the above-referenced case expired on January 2, 2019. 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

CASE NAME 20 Pircher
CASE NUMBER 2019-0093-A
DATE 11/30/19

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
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[illegible]

Sherry Nuffer

From: Sherry Nuffer
Sent: Monday, December 03, 2018 11:36 AM
To: 'Pitcherjim@gmail.com'
Subject: 2019-0093-A 410 Belafast Road
Attachments: 20181203113357478.pdf

Attached please find a copy of Judge Beverungens Order issued in reference to the above mentioned case.

Should you have any questions, please feel free to contact me.

Thank you,

Sherry

IN RE: PETITION FOR VARIANCE

(410 Belfast Road)
8th Election District
3rd Council District
James Pitcher
Legal Owner

Petitioner

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0093-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by James Pitcher, legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief pursuant to the Baltimore County Zoning Regulations ("BCZR") to permit a proposed detached accessory structure (garage) with a height up to 26 ft. in lieu of the maximum allowed 15 ft. A site plan was marked as Petitioner's Exhibit 1.

Surveyor Bruce Doak appeared in support of the petition. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning ("DOP"). That agency did not oppose the request.

The site is approximately 1.093 acres in size and zoned RC-2. The property is improved with a single-family dwelling, which is at present undergoing substantial renovations. Petitioner proposes to construct a garage in the rear yard, and to achieve a roof line that will complement the single-family dwelling the accessory structure would be 26 ft. in height.

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

ORDER RECEIVED FOR FILING

Date 12/3/18

By Sen

- 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 property has irregular dimensions and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because he would be unable to construct the proposed detached 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 absence of County and/or community opposition. In addition Petitioner submitted a letter from the adjoining neighbors indicating they support the request. Petitioners Exhibit 5.

THEREFORE, IT IS ORDERED, this 3rd day of **December, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to permit a proposed detached accessory structure (garage) with a height up to 26 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) Petitioners or subsequent owners shall not convert the proposed accessory structure (garage) into a dwelling unit or apartment. The proposed accessory structure (garage) shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
- (3) The proposed accessory structure (garage) shall not be used for commercial purposes.

ORDER RECEIVED FOR FILING

Date 12/3/18
By SEN

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date 12/3/18

By sln



PETITION FOR ZONING HEARING(S)

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

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

Address 410 BELFAST ROAD which is presently zoned RC2
 Deed References: 40274 / 70 10 Digit Tax Account # 2200008298
 Property Owner(s) Printed Name(s) JAMES PITCHER

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

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

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

... Section 400.3 – to permit a proposed detached accessory structure (garage) with a height up to 26 feet in lieu of the maximum allowed 15 feet.

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

TO BE PRESENTED AT THE HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.
 I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.
Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print _____
 Signature _____
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name- Type or Print _____
 Signature _____
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2019-0093-A Filing Date 9, 24 18

Legal Owners (Petitioners):

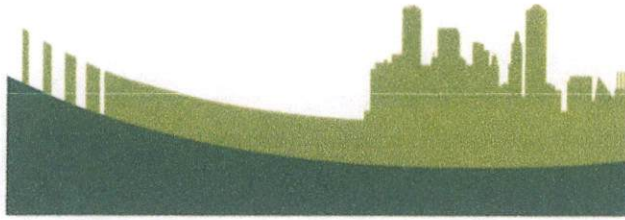
JAMES PITCHER
 Name #1 - Type or Print _____ Name #2 - Type or Print _____
 Signature #1 [Signature] Signature #2 [Signature] ORIGINAL
410 BELFAST ROAD SPARKS MO
 Mailing Address _____ City _____ State _____
 Zip Code 21152 Telephone # 443-562-0187 Email Address PITCHERJIM@GMAIL.COM

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING LLC
 Name - Type or Print _____
 Signature [Signature]
3801 BAKER SCHOOLHOUSE ROAD FREDERICK MO
 Mailing Address _____ City _____ State _____
 Zip Code 21053 Telephone # 410-419-4906 Email Address BD@BRUCEDOAKCONSULTING.COM

Do Not Schedule Dates: _____ Reviewer [Signature]

REV. 10/4/11



Zoning Description

#410 Belfast Road

Eighth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point in the bed of Belfast Road, approximately 930 feet westerly of the centerline of York Road, thence leaving said road and binding on the outlines of the subject property, the three following courses and distances, viz. 1) North 5 degrees 17 minutes 07 seconds East 275.11 feet, 2) North 85 degrees 08 minutes 52 seconds West 171.85 feet and 3) South 7 degrees 04 minutes 14 seconds West 261.00 feet to a point in the bed of Belfast Road, thence running in the bed of Belfast Road and continuing to bind on the outlines of the subject property, the two following courses and distances, viz 4) South 77 degrees 53 minutes 01 second East 108.75 feet and 5) South 84 degrees 42 minutes 53 seconds East 72.00 feet to the point of beginning.

Containing 1.093 acres of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.



Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

Item #0093

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:

11/9/2018

Order #: 11634476
Case #: 2019-0093-A
Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0093-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

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: 2019-0093-A

410 Belfast Road

N/s Belfast Road, west of York Road

8th Election District - 3rd Councilmanic District

Legal Owners: James Pitcher

Variance to permit a proposed detached accessory structure (garage) with a height up to 26 ft. in lieu of the maximum allowed 15 ft.

Hearing: Friday, November 30, 2018 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

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

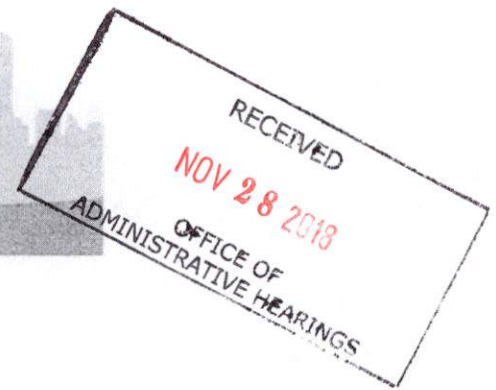
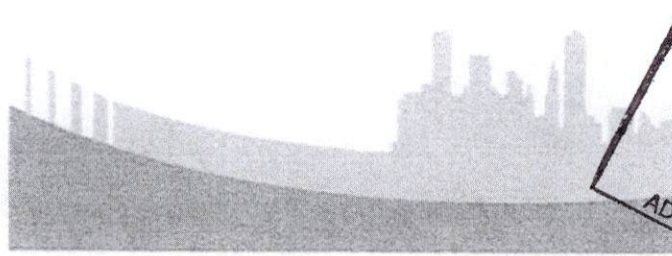
n9

1997-1998
1999-2000

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1997-1998
1999-2000



CERTIFICATE OF POSTING

November 13, 2018

Nov. 27, 2018 amended for second inspection

Re:

Zoning Case No. 2019-0093-A

Legal Owner: James Pitcher

Hearing date: November 30, 2018

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 410 Belfast Road.

The signs were initially posted on November 8, 2018.

The subject property was also inspected on November 27, 2018.

Sincerely,

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

ZONING NOTICE

CASE NO. 2019-0093-A

410 Belfast Road

A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE
IN TOWSON MARYLAND

PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Friday November 30, 2018 2:30 PM

REQUEST:

VARIANCE TO PERMIT A PROPOSED DETACHED ACCESSARY
STRUCTURE (GARAGE) WITH A HEIGHT UP TO 26 FEET IN LIEU OF
THE MAXIMUM ALLOWED 15 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-807-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.

THE HEARING IS HANDICAPPED ACCESSIBLE



ZONING NOTICE

CASE NO. 2019-0093-A

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**PLACE: Room 205 JEFFERSON BUILDING
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DATE & TIME: Friday November 30, 2018 2:30 PM

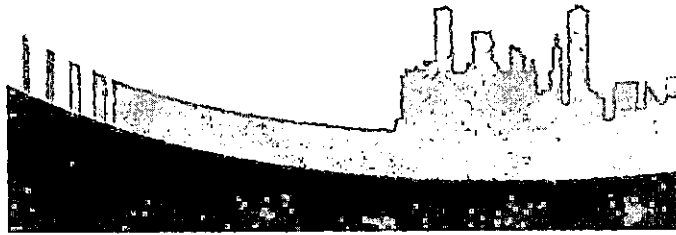
REQUEST:

**VARIANCE TO PERMIT A PROPOSED DETACHED ACCESSORY
STRUCTURE (GARAGE) WITH A HEIGHT UP TO 26 FEET IN LIEU OF
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**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM THE HEARING CALL 410-807-3391.**

**DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
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THE HEARING IS HANDICAPPED ACCESSIBLE



CERTIFICATE OF POSTING

November 13, 2018

_____ amended for second inspection

Re:

Zoning Case No. 2019-0093-A

Legal Owner: James Pitcher

Hearing date: November 30, 2018

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MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road

Freeland, MD 21053

410-419-4906 cell / 443-900-5535 office

bdoak@bruceedoakconsulting.com

ZONING NOTICE

CASE NO. 2019-0093-A

410 Belfast Road

A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE
IN TOWSON MARYLAND

PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Friday November 30, 2018 2:30 PM

REQUEST:

VARIANCE TO PERMIT A PROPOSED DETACHED ACCESSORY
STRUCTURE (GARAGE) WITH A HEIGHT UP TO 26 FEET IN LIEU OF
THE MAXIMUM ALLOWED 15 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-827-3391.
DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.

THE HEARING IS HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE NO. 2019-0093-A

410 Belfast Road

A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE
IN TOWSON MARYLAND

PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Friday November 30, 2018 2:30 PM

REQUEST:

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DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.

THE HEARING IS HANDICAPPED ACCESSIBLE

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
410 Belfast Road; N/S Belfast Road, 930' W	*	OF ADMINSTRATIVE
of c/line of York Road	*	HEARINGS FOR
8 th Election & 3 rd Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): James Pitcher	*	2019-093-A
Petitioner(s)		

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
OCT 05 2018

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of October, 2018, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



DONALD I. MOHLER III
County Executive

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

October 11, 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: 2019-0093-A

410 Belfast Road
N/s Belfast Road, west of York Road
8th Election District – 3rd Councilmanic District
Legal Owners: James Pitcher

Variance to permit a proposed detached accessory structure (garage) with a height up to 26 ft. in lieu of the maximum allowed 15 ft.

Hearing: Friday, November 30, 2018 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: James Pitcher, 410 Belfast Road, Sparks 21152
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., NOVEMBER 10, 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
Friday, November 9, 2018 - Issue

Please forward billing to:
James Pitcher
410 Belfast Road
Sparks, MD 21152

443-562-0187

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: 2019-0093-A

410 Belfast Road
N/s Belfast Road, west of York Road
8th Election District – 3rd Councilmanic District
Legal Owners: James Pitcher

Variance to permit a proposed detached accessory structure (garage) with a height up to 26 ft. in lieu of the maximum allowed 15 ft.

Hearing: Friday, November 30, 2018 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**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 fifteen (15) 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: 2019-0093-A
Property Address: 410 BELFAST ROAD
Property Description: 1.093 AC PARCEL NORTH OF BELFAST ROAD WEST
OF YORK ROAD
Legal Owners (Petitioners): JAMES PITCHER
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: JAMES PITCHER
Company/Firm (if applicable): N/A
Address: 410 BELFAST ROAD
SPARKS MD 21152
Telephone Number: 443-562-0187

Revised 5/20/2014

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

No. **173234**

Date: **9/24/18**

PAID RECEIPT

BUSINESS ACTUAL TIME IRN
 9/24/2018 9/24/2018 11:16:27 3

REC US03 WALKIN CAH
 RECEIPT # 790758 9/24/2018 JPLN

5 528 ZONING VERIFICATION

ID: 173234

Recpt Tot \$75.00
 \$75.00 CK \$0.00 Co
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount	Dec
001	306	0000		6150				\$75.00	CR

Total: **\$75**

Rec From

For

zoning hearing - case # 2019-0093-A

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



DONALD I. MOHLER III
County Executive

November 20, 2018

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

James Pitcher
410 Belfast Rd.
Sparks, MD 21152

Dear Mr. Pitcher:

RE: Case Number: 2019-0093A, Address: 410 Belfast Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 24, 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 dark ink, reading "W. Carl Richards, Jr.", is written over a circular embossed seal. The signature is fluid and cursive.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

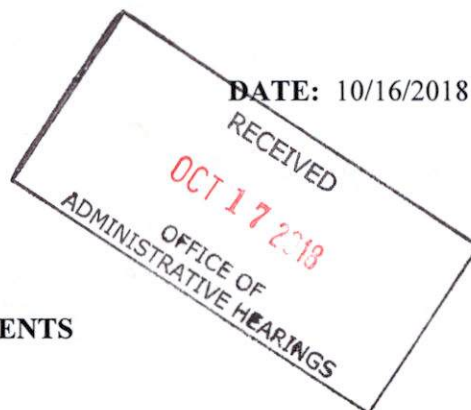
c: People's Counsel
Bruce Doak 3801 Baker Schoolhouse Rd. Freeland, MD 21053

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-093



INFORMATION:

Property Address: 410 Belfast Road
Petitioner: James Pitcher
Zoning: RC 2
Requested Action: Variance

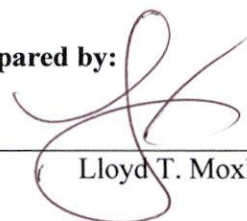
The Department of Planning has reviewed the petition for a variance to permit a proposed detached accessory structure (garage) with a height up to 26 feet in lieu of the maximum allowed 15 feet.

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

The accessory structure shall not be used for principal residential nor commercial uses.

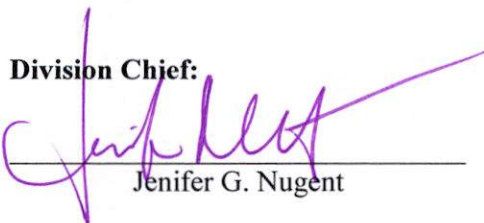
For further information concerning the matters stated herein, please contact Joseph Wiley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

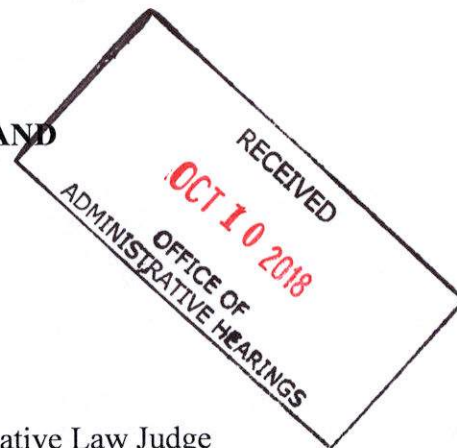
AVA/JGN/LTM/

c: Joseph Wiley
Bruce E. Doak, Bruce E. Doak Consulting, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

11-30

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: October 10, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0093-A
Address 410 Belfast Road
(Pitcher Property)

Zoning Advisory Committee Meeting of **October 8, 2018**.

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

Reviewer: Steve Ford



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: October 10, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0093-A
Address 410 Belfast Road
(Pitcher Property)

Zoning Advisory Committee Meeting of **October 8, 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

DATE: October 16, 2018

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 8, 2018
Item No. 2019-0080-A, 0088-A, 0089-A, 0090-A, 0092-SPH, 0093-A, 0094-
SPHXA, 0095-A, 0096-A, 0097-A and 0098-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: 10/16/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-093

INFORMATION:

Property Address: 410 Belfast Road
Petitioner: James Pitcher
Zoning: RC 2
Requested Action: Variance

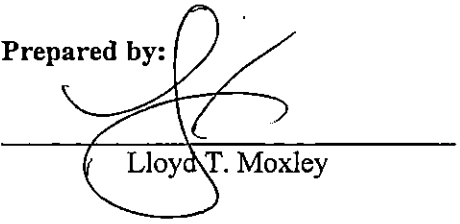
The Department of Planning has reviewed the petition for a variance to permit a proposed detached accessory structure (garage) with a height up to 26 feet in lieu of the maximum allowed 15 feet.

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

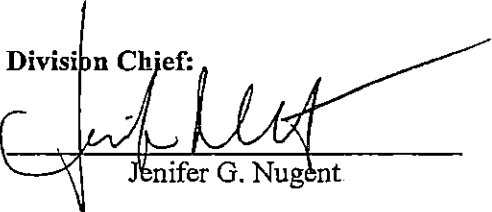
The accessory structure shall not be used for principal residential nor commercial uses.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Jenifer G. Nugent

AVA/JGN/LTM/

c: Joseph Wiley
Bruce E. Doak, Bruce E. Doak Consulting, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

Date: 10/1/18

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

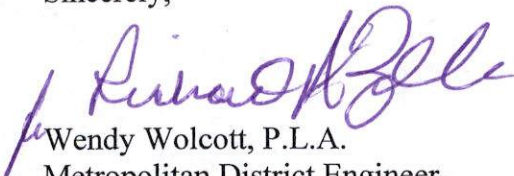
Dear Ms. Lewis:

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. 2019-0093-A

Variance,
James Pitcher
410 Belfast Road

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

Sincerely,



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

WW/RAZ



DONALD I. MOHLER III
County Executive

November 20, 2018

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

James Pitcher
410 Belfast Rd.
Sparks, MD 21152

Dear Mr. Pitcher:

RE: Case Number: 2019-0093A, Address: 410 Belfast Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 24, 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 purple ink that reads "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel
Bruce Doak 3801 Baker Schoolhouse Rd. Freeland, MD 21053

1911

1911

1

1911

1911

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: October 10, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0093-A
Address 410 Belfast Road
(Pitcher Property)

Zoning Advisory Committee Meeting of **October 8, 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

DATE: October 16, 2018

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

SUBJECT: Zoning Advisory Committee Meeting
For October 8, 2018
Item No. 2019-0080-A, 0088-A, 0089-A, 0090-A, 0092-SPH, 0093-A, 0094-
SPHXA, 0095-A, 0096-A, 0097-A and 0098-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: 10/16/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
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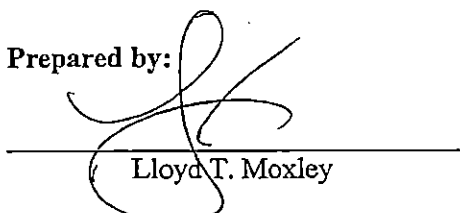
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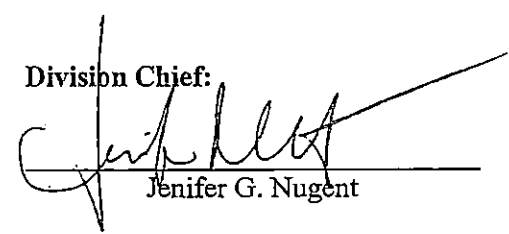
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Prepared by:


Lloyd T. Moxley

Division Chief:


Jenifer G. Nugent

AVA/JGN/LTM/

c: Joseph Wiley
Bruce E. Doak, Bruce E. Doak Consulting, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 10/1/18

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

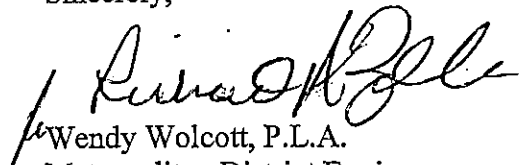
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Variance
James Pitcher
410 Belfast Road

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

Sincerely,


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

WW/RAZ

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
10/16	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	NO COMMENT
10/10	DEPS (if not received, date e-mail sent _____)	NO COMMENT
	FIRE DEPARTMENT	
10/17	PLANNING (if not received, date e-mail sent _____)	NO objection w/ conclusion
10/18	STATE HIGHWAY ADMINISTRATION	NO Objection
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 11/9/18	
SIGN POSTING (1 st)	Date: 11/8/18	by DOCK
SIGN POSTING (2 nd)	Date: 11/27/18	by DOCK
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 - 08 Account Number - 2200008298							
Owner Information									
Owner Name:		PITCHER JAMES			Use:		RESIDENTIAL		
					Principal Residence:		YES		
Mailing Address:		410 BELFAST RD SPARKS MD 21152-9124			Deed Reference:		/40274/ 00070		
Location & Structure Information									
Premises Address:		410 BELFAST RD SPARKS 21152-9124			Legal Description:		1.093 AC NS BELFAST 410 BELFAST RD 950 W YORK RD		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0034	0003	0385		0000				2017	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	
1987		2,761 SF		800 SF		1.0900 AC		04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	1 Attached				
Value Information									
			Base Value	Value	Phase-in Assessments				
				As of 01/01/2017	As of 07/01/2018		As of 07/01/2019		
Land:			176,500	176,500					
Improvements			233,400	243,400					
Total:			409,900	419,900	416,567		419,900		
Preferential Land:			0				0		
Transfer Information									
Seller: TSOU LI-CHUN				Date: 05/24/2018		Price: \$500,000			
Type: ARMS LENGTH IMPROVED				Deed1: /40274/ 00070		Deed2:			
Seller: WEI KUN-CHANG				Date: 11/02/2006		Price: \$495,000			
Type: ARMS LENGTH IMPROVED				Deed1: /28877/ 00265		Deed2:			
Seller: HORNER LILLIAN H				Date: 09/11/2000		Price: \$225,000			
Type: NON-ARMS LENGTH OTHER				Deed1: /14684/ 00543		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:

Case No.: 2019-0093-A

Exhibit Sheet

Petitioner/Developer

Protestants

Sen
12-3-18

No. 1	Sits plan	
No. 2	Aerial photo	
No. 3	Photos w/ plan + key sheet A-O	
No. 4	Elevation of garage	
No. 5	Letter of support	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER' S

EXHIBIT NO. 2













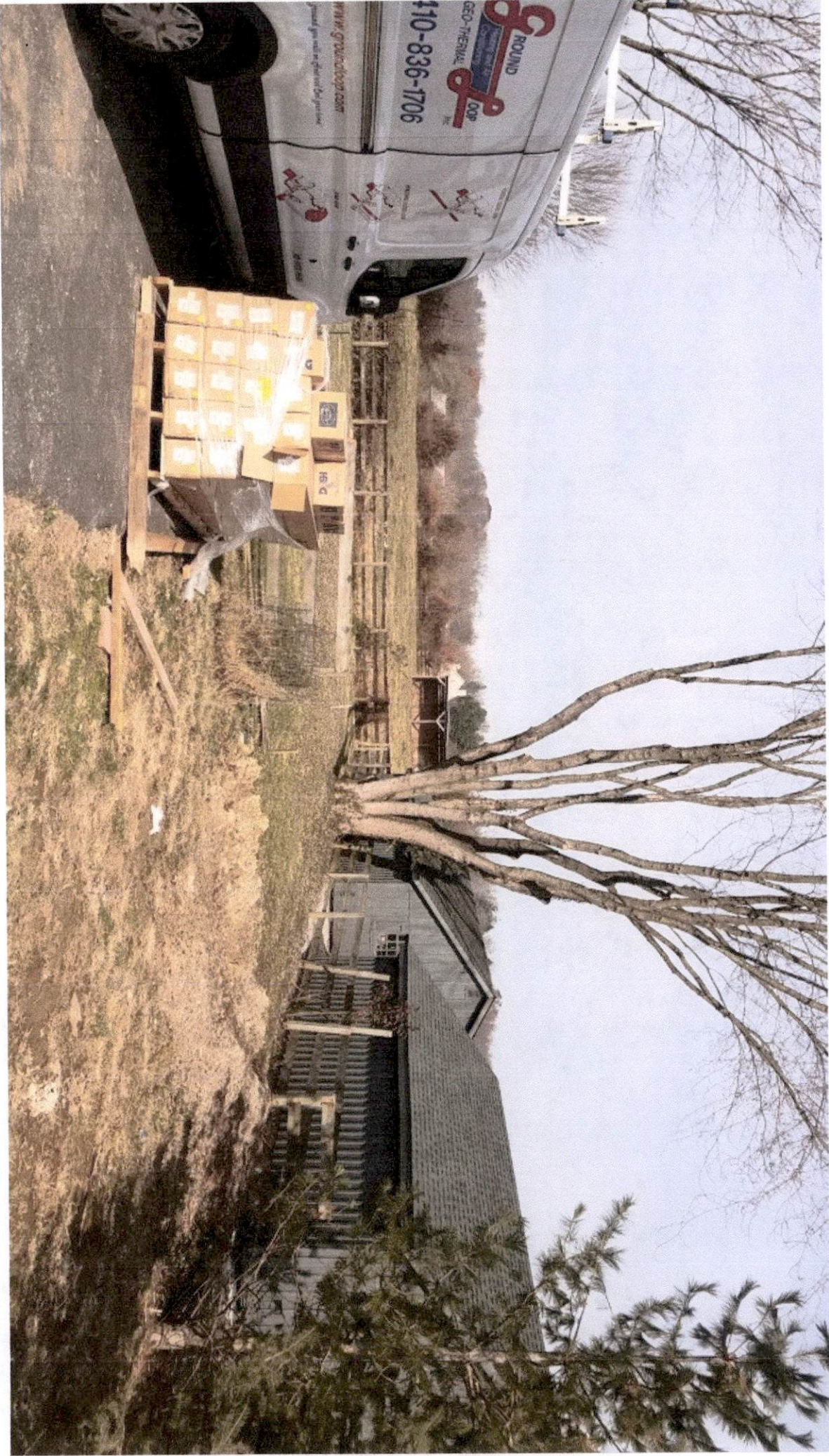








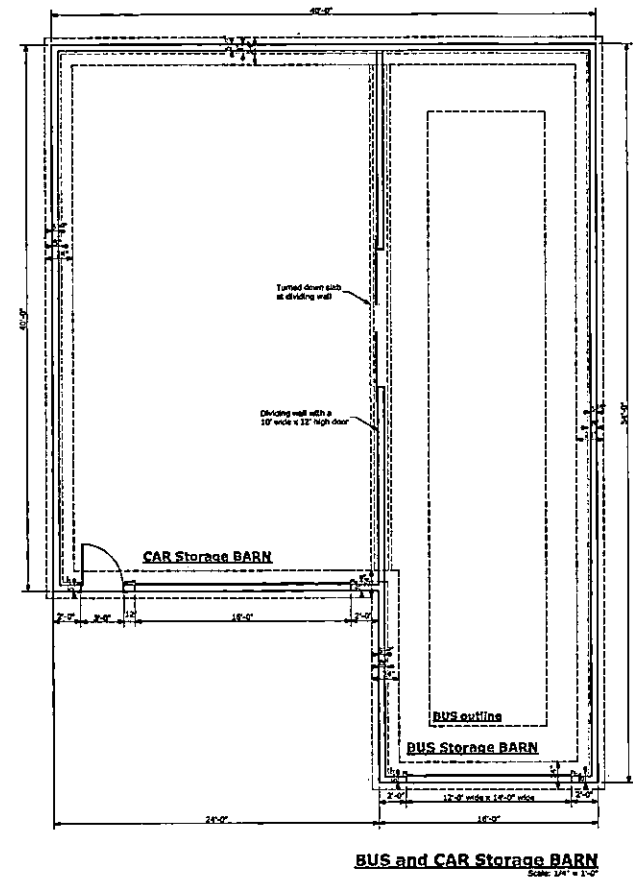
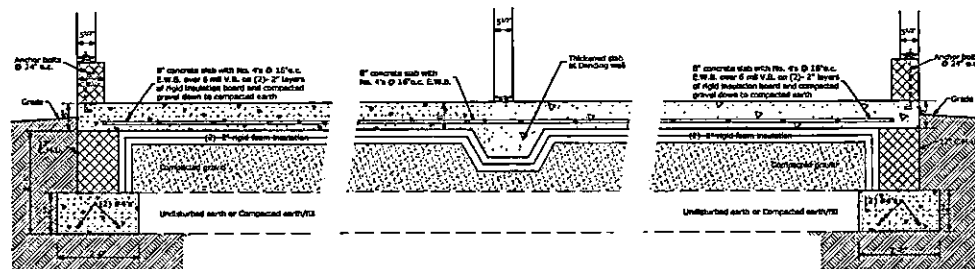
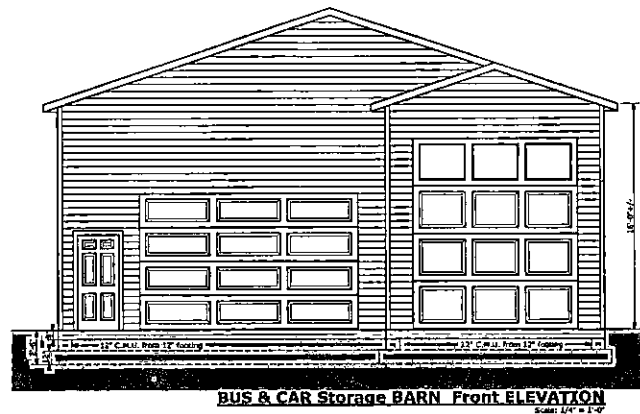












PITCHER 410 East Sparks	Residence Belfast Road Maryland 21152		Car & Bus Barn Floor Plan Front Elevation & Floor Structure detail	B-1
			SCALE: As noted DATE: 8 Aug 2018	

PETITIONER'S

EXHIBIT NO. 4

John E. Beverungen, Administrative Law Judge
Office of Administrative Hearings
105 West Chesapeake Avenue
Towson, MD 21204

Re: Case #2019-0093-A

Dear Mr. Beverungen,

My wife and I live at 408 Belfast Road. Our property adjoins to the east of 410 Belfast Road.

We have spoken with Mr. Pitcher and we understand he is applying for a variance to allow his new garage to be up to 26 feet high in lieu of the required 15 feet high.

We support his request and hope you will approve it.

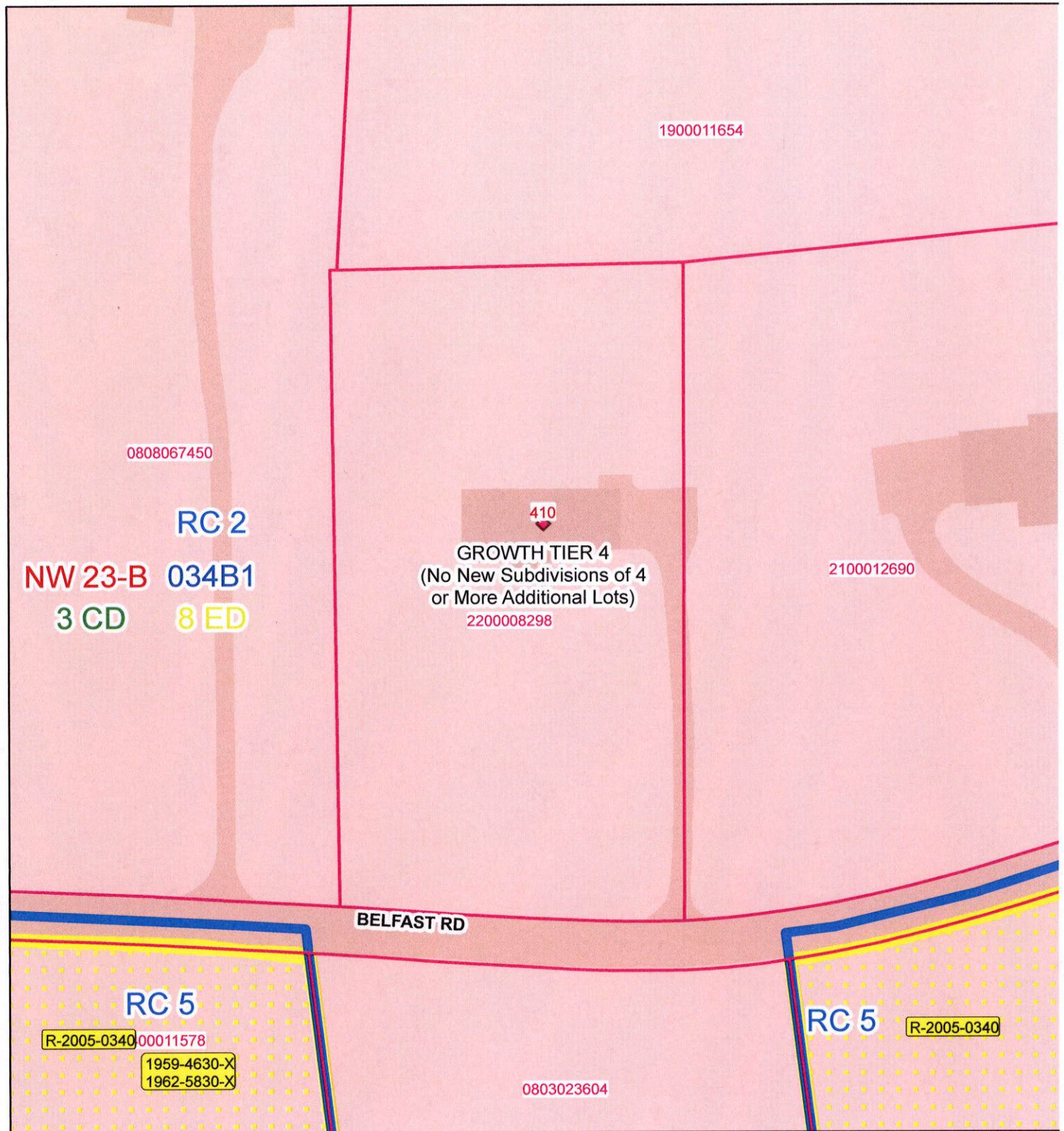
Sincerely,


Lucia Shibeshi & Yong Sun Shaffer

PETITIONER'S

EXHIBIT NO. 5

410 Belfast Road, Tax #22-00 08-298



Publication Date: 9/19/2018



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



0 15 30 60 90 120 Feet

1 inch = 60 feet

Item #0093

GENERAL SITE INFORMATION

- Ownership: James Pitcher
410 Belfast Road Sparks, MD 21152
- Address: 410 Belfast Road Sparks, MD 21152
- Deed references: JLE 40274/ 70
- Area: 1.093 acre (per SDAT)
- Tax Map / Parcel / Tax account #: 34 / 385 / 22-00-008298
- Election District: 8 Councilmanic District: 3
ADC Map: 4346F4 GIS tile: 034B1 Position sheet: 90NW7
Census tract: 408100 Census block: 240054081001029
Schools: Sparks ES Hereford MS Hereford HS
- The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tiles 034B1 and the information provided by Baltimore County on the Internet.
- Improvements: Single family dwelling & parking area. The existing dwelling and parking area will remain.

OFFICE OF ZONING

Zoning: R.C. 2 There are no previous zoning cases on the subject parcels.
Zoning Map: 034B1

Parking Calculations

Required parking spaces: 2
Parking spaces provided on site: 2

R.C. 2 Setbacks for Residential Buildings

Front: 75 feet from the road centerline
Side / Rear: 35 feet from any property line

ENVIRONMENTAL IMPACT

Watershed: Loch Raven Reservoir URDL land type: 1

- The existing dwelling is currently served by a private well and septic system.
- There are no underground storage tanks on the subject property.
- The subject property is not in the Chesapeake Bay Critical Area.
- The subject property is not located within a 100 year flood plain.

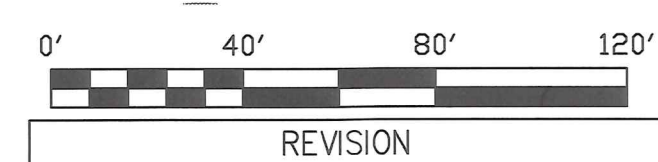
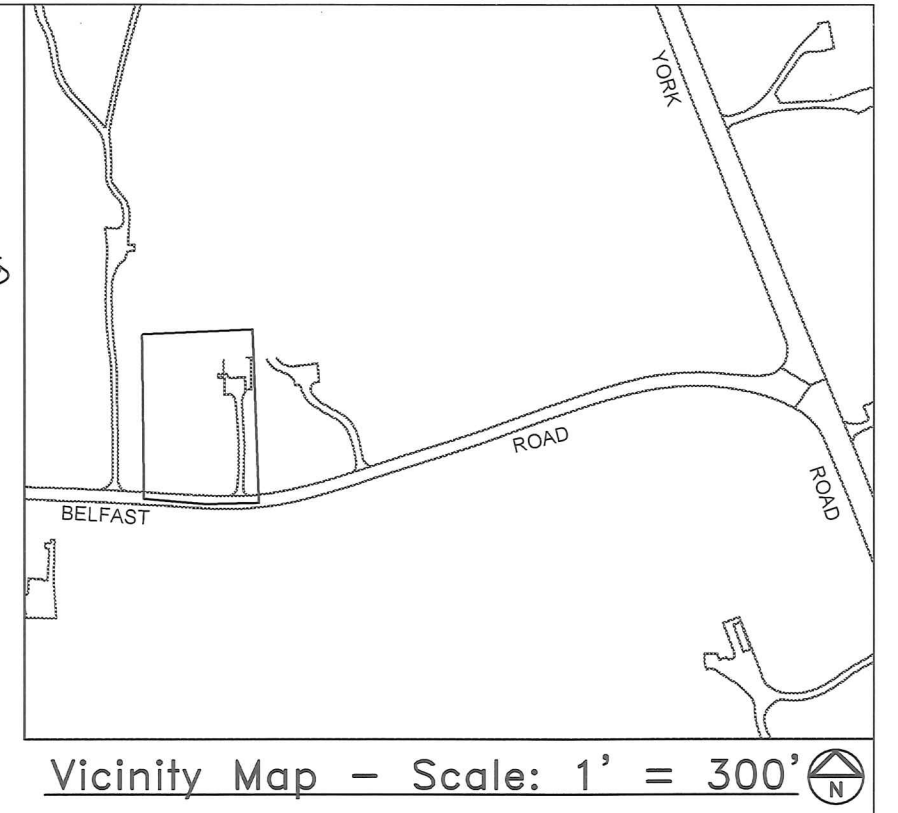
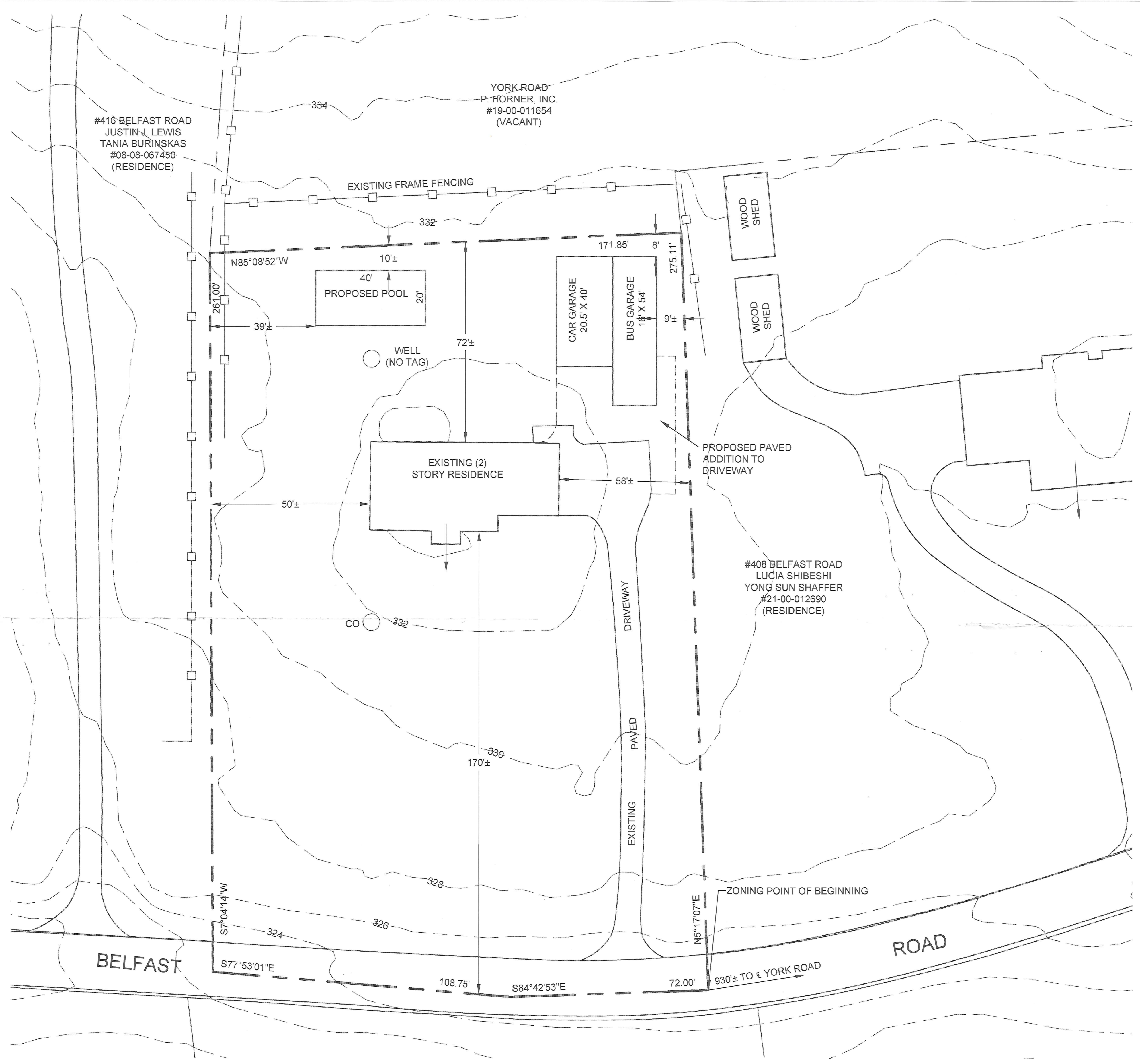
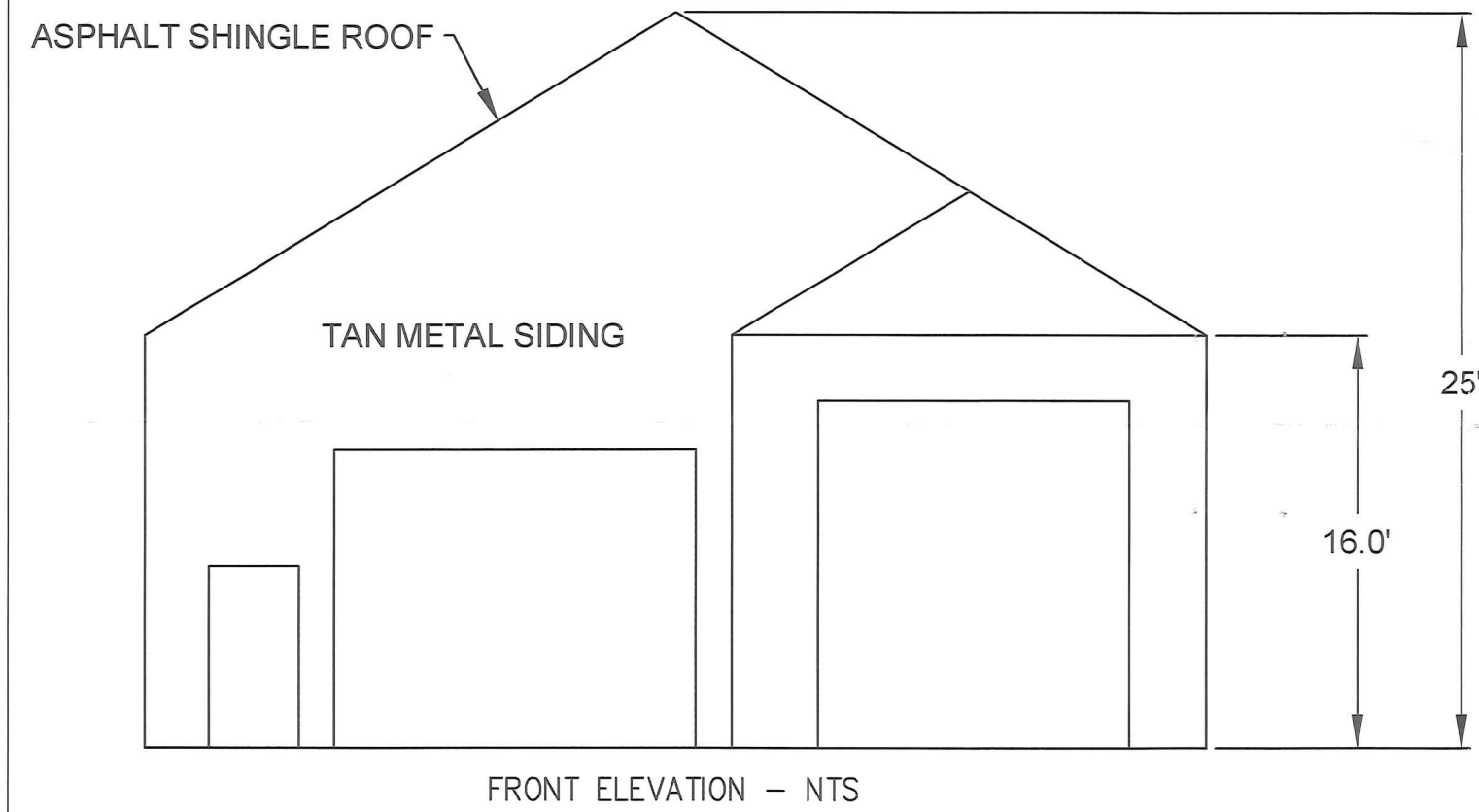
OFFICE OF PLANNING

Regional Planning District: Hereford / Maryland Line District Code: 301 Growth Tier: 4

- The subject dwelling is not historic. The subject property is not in a historic district.
- Belfast Road is a Baltimore County designated scenic route.

PROPOSED DEVELOPMENT

To build a residential garage in the rear yard



Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21063
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION
FOR
#410 BELFAST ROAD

BALTIMORE COUNTY, MARYLAND
8th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 9/12/2018
Scale: 1"= 40'

STATE OF MARYLAND
BRUCE E. DOAK
REGISTERED
LAND SURVEYOR

#2019-0093-A
Ex. 1
R.D.

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410 Belfast Road Sparks, MD 21152
2. Address: 410 Belfast Road Sparks, MD 21152
3. Deed references: JLE 40274/ 70
4. Area: 1.093 acre (per 50AT)
5. Tax Map / Parcel / Tax account #: 34 / 385 / 22-00-008298
6. Election District: 8 Councilmanic District: 3
ADC Map: 4346F4 GIS tile: 03481 Position sheet: 90NW7
Census tract: 408100 Census block: 240054081001029
Schools: Sparks ES Hereford MS Hereford HS
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tiles 03481 and the information provided by Baltimore County on the internet.
8. Improvements: Single family dwelling & parking area. The existing dwelling and parking area will remain.

OFFICE OF ZONING

Zoning: R.C. 2 There are no previous zoning cases on the subject parcels.
Zoning Map: 03481

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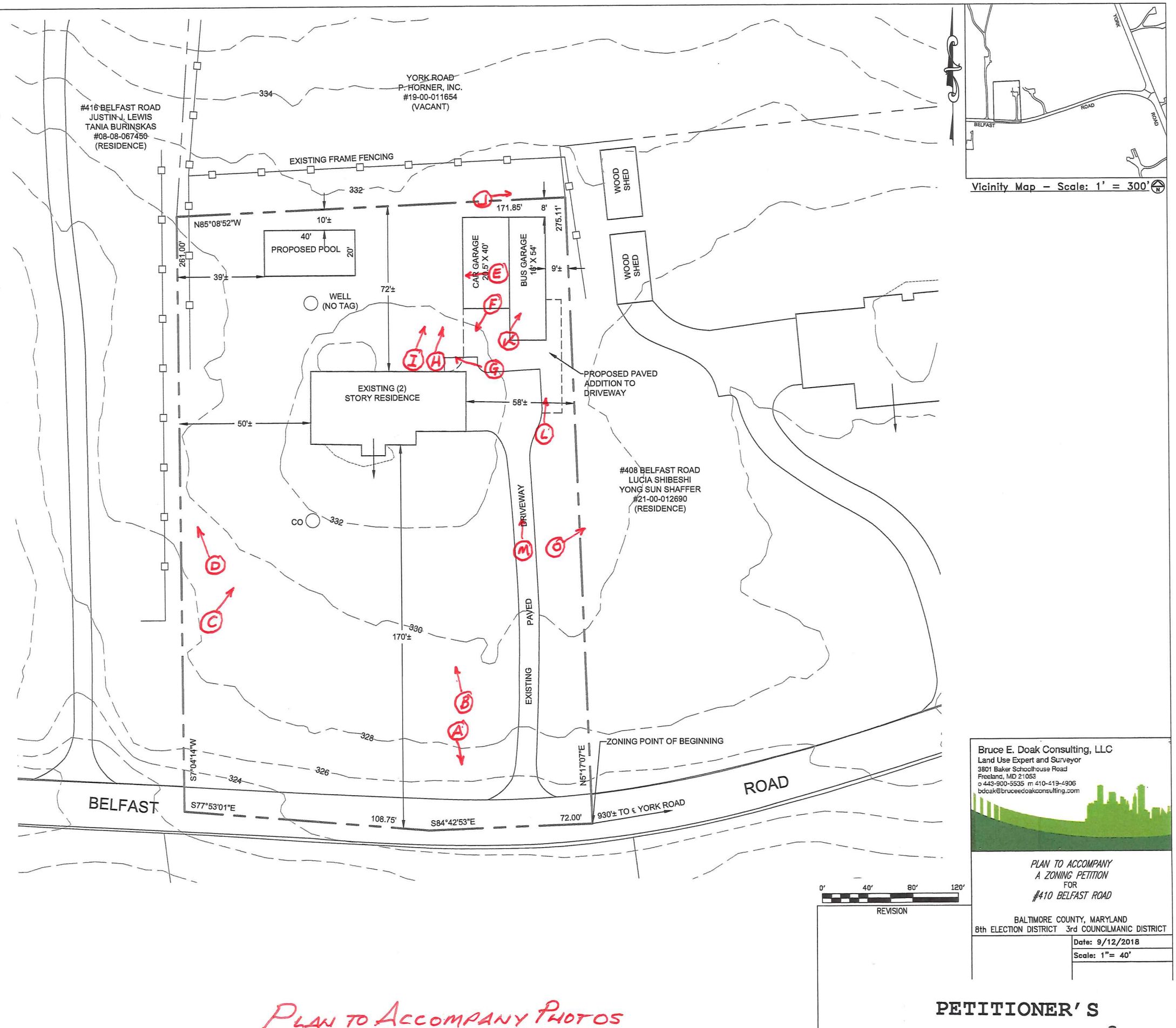
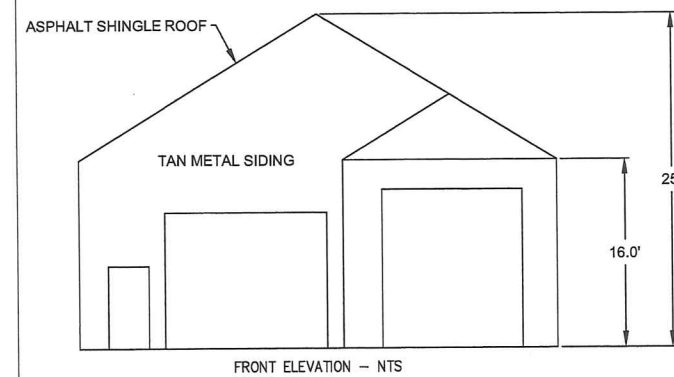
OFFICE OF PLANNING

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Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
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Frostland, MD 21055
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

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PETITIONER'S

EXHIBIT NO. PHOTOS A-0

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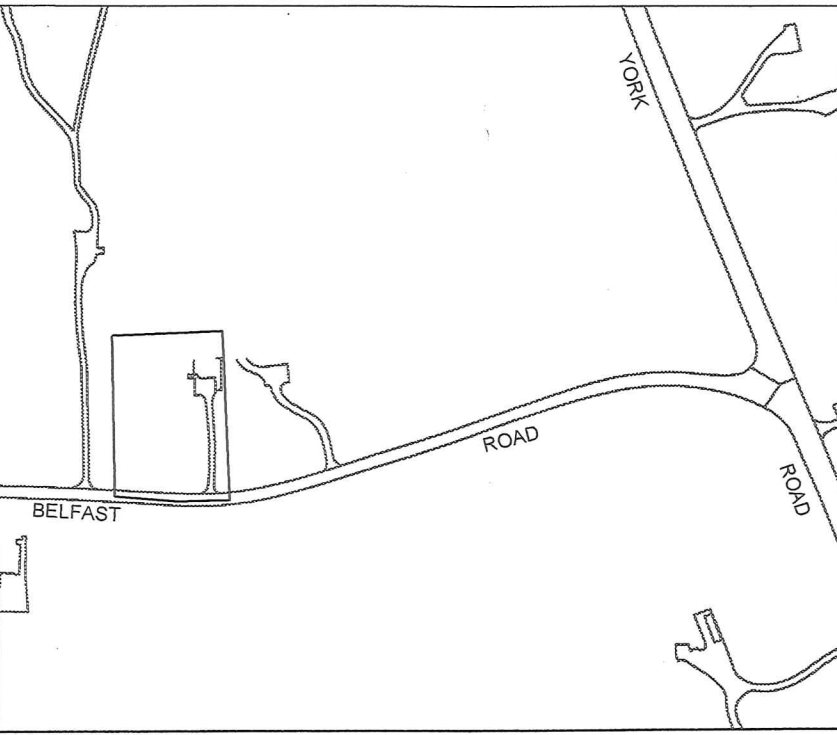
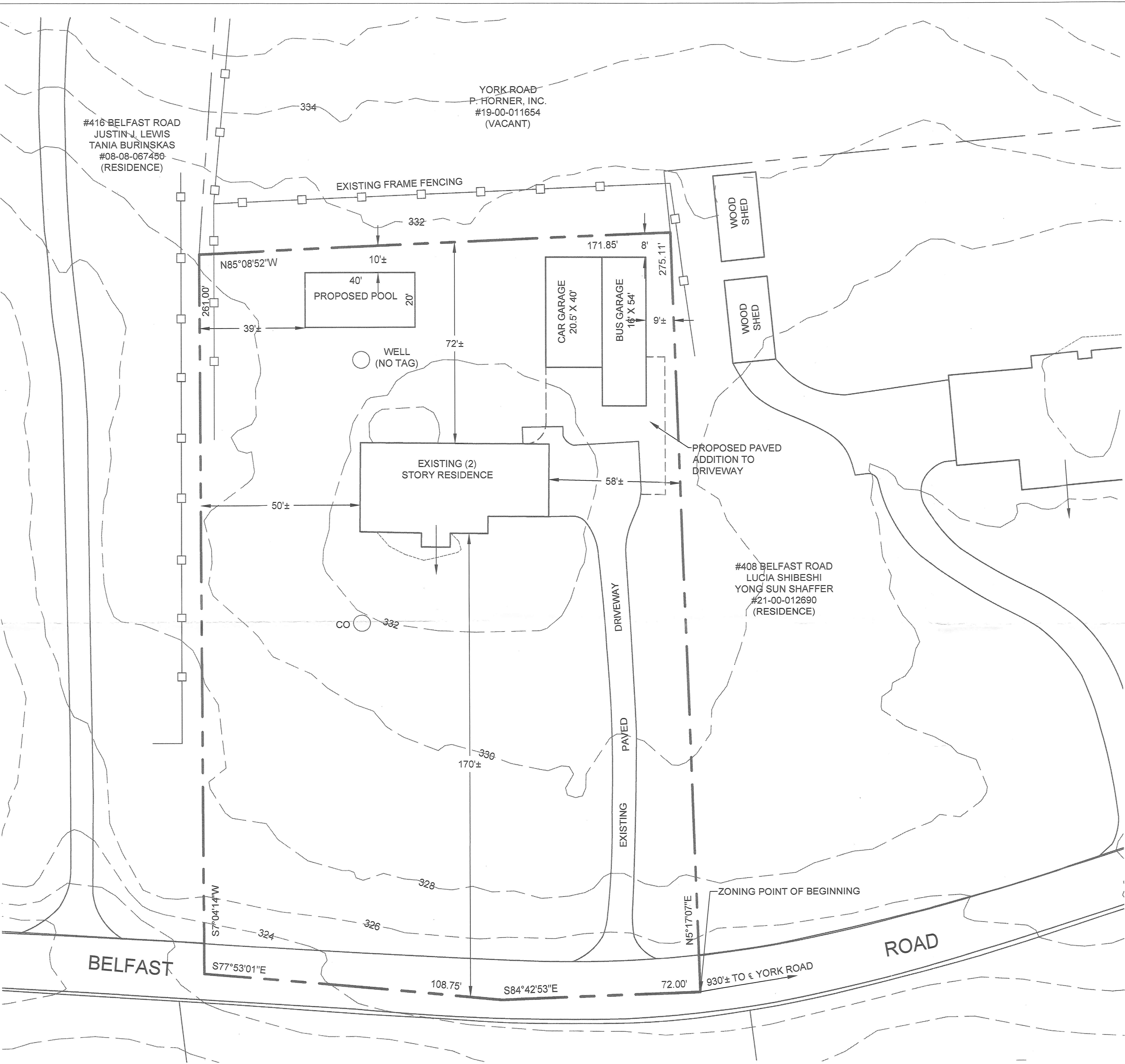
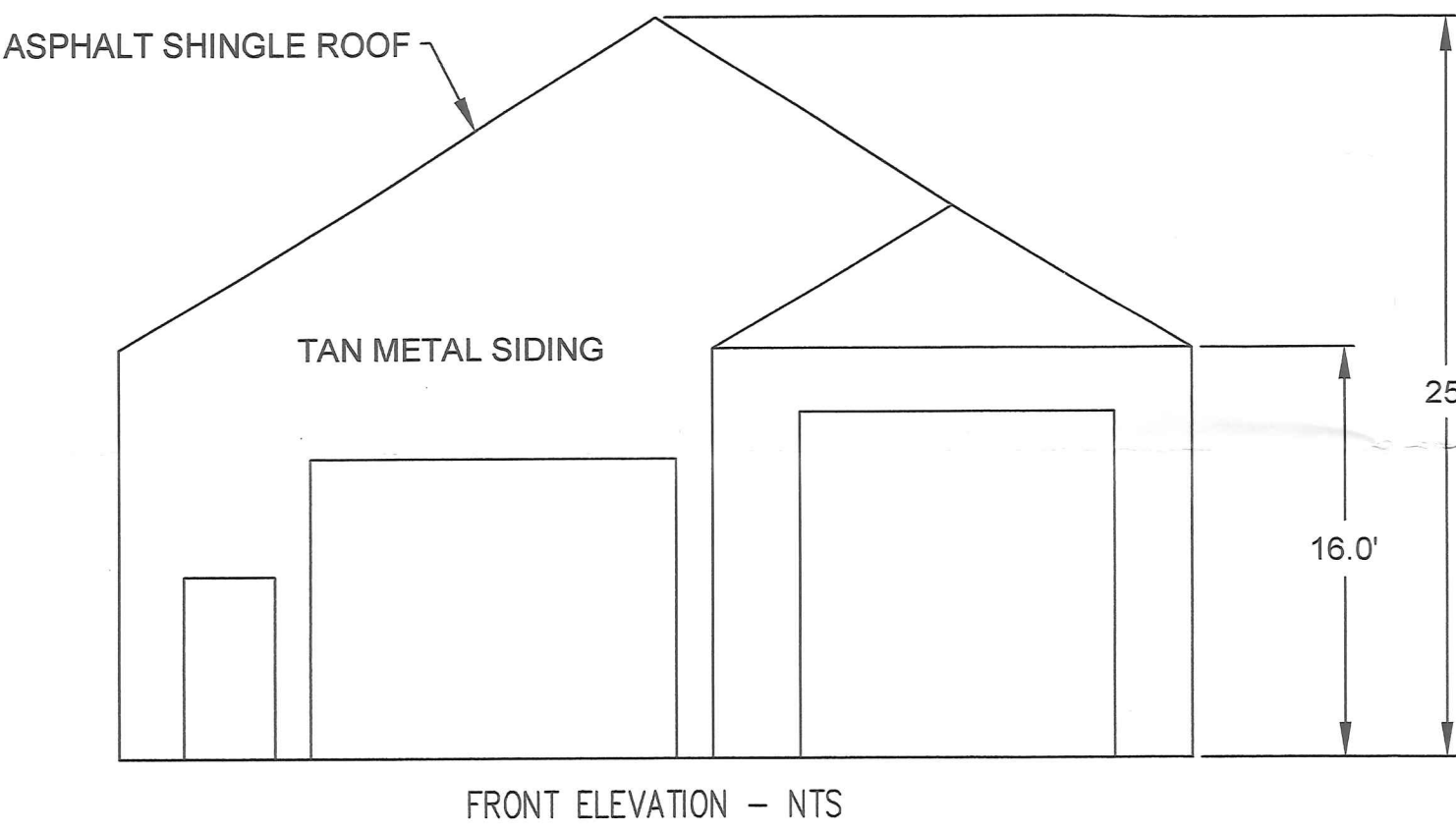
OFFICE OF PLANNING

Regional Planning District: Hereford / Maryland Line District Code: 301 Growth Tier: 4

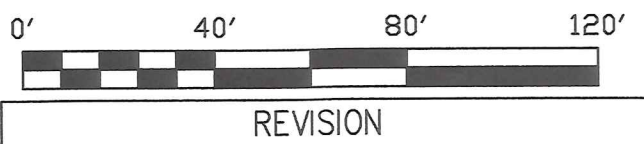
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PROPOSED DEVELOPMENT

To build a residential garage in the rear yard



Vicinity Map - Scale: 1" = 300'



REVISION	

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

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