

MEMORANDUM

DATE: December 13, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0115-A – Appeal Period Expired

The appeal period for the above-referenced case expired on December 10, 2018. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

/dlw

IN RE: PETITION FOR ADMIN. VARIANCE *
(13235 Old Hanover Road)
4th Election District *
3rd Council District *
Christine L. Kelly *
Petitioner *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2019-0115-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, Christine L. Kelly (“Petitioner”). The Petitioner is requesting Variance relief pursuant to § 400.1 of the Baltimore County Zoning Regulations (“BCZR”), to permit a proposed accessory structure (garage) to be located on the street side of a corner lot in lieu of the third of the lot farthest removed from the street side. 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. A ZAC comment was received from the Department of Environmental Protection and Sustainability (“DEPS”) dated October 25, 2018, indicating that Ground Water Management must review any future building permit(s) for a garage, since the property is served by well and septic.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on October 21, 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 11-9-18

By DW

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 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 detached 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 9th day of **November, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 400.1 of the BCZR, to permit a proposed accessory structure (garage) to be located on the street side of a corner lot in lieu of the third of the lot farthest removed from the street side, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

ORDER RECEIVED FOR FILING

Date 11-9-18

By bw

2. Petitioner or subsequent owners shall not convert the proposed accessory building (detached garage) into a dwelling unit or apartment. The proposed accessory building (detached garage) shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
3. The proposed accessory building (detached garage) shall not be used for commercial purposes.
4. Petitioner must comply with the DEPS ZAC comment, dated October 25, 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 11-9-18

By bw



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 13235 Old Hanover Rd. Currently zoned RC2
 Deed Reference 0015272494 10 Digit Tax Account # 0407029710
 Owner(s) Printed Name(s) Christine Kelly

(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)

Blank

see attached

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

2. Blank 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)

Blank

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):

Christine Kelly
 Name #1 - Type or Print Ch Kelley Name #2 - Type or Print
 Signature #1 Ch Kelley Signature #2
 Mailing Address 13235 Old Hanover Rd. Reisterstown MD
 City Reisterstown State MD
 Zip Code 21136 Telephone # 443203425 Email Address ckellye@americantesting.com

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

N/A
 Name - Type or Print
 Signature
 Mailing Address City State
 Zip Code Telephone # Email Address

Representative to be contacted:

Christine Kelly
 Name - Type or Print Ch Kelley
 Signature
 Mailing Address 13235 Old Hanover Rd. Reisterstown MD
 City Reisterstown State MD
 Zip Code 21136 Telephone # 443203425 Email Address ckellye@americantesting.com

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 11 day of September, 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 2019-0115-A Filing Date 10/1/18 Estimated Posting Date 10/1/18 Reviewer gh

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: 13235 Old Hanover Rd. Reisterstown MD 21134
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)

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

Christine Kelly
Signature of Owner (Affiant)
Christine Kelly
Name- Print or Type

Signature of Owner (Affiant)

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:

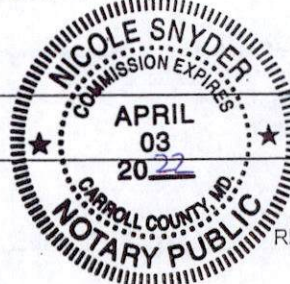
I HEREBY CERTIFY, this 21st day of September, 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Christine Kelly

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

AS WITNESS my hand and Notaries Seal

Nicole Snyder
Notary Public
4/3/2022
My Commission Expires



REV. 5/5/2016

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: 13235 Old Hanover Rd. Reisterstown MD 21136
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)

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

Christine Kelly
Signature of Owner (Affiant)
Christine Kelly
Name- Print or Type

Signature of Owner (Affiant)

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 21st day of September, 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Christine Kelly

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

AS WITNESS my hand and Notaries Seal

Nicole Snyder
Notary Public
4/3/2022
My Commission Expires



REV. 5/5/2016



ADMINISTRATIVE ZONING PETITION

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 Owner(s) Printed Name(s) Christine Kelly

(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:

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see attached

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):

Christine Kelly
 Name #1 - Type or Print Name #2 - Type or Print
CKelly
 Signature #1 Signature #2
13235 Old Hanover Rd. Reisterstown MD
 Mailing Address City State
21136, 44320.3425, ckellye
 Zip Code Telephone # Email Address
americantesting.com

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

N/A
 Name - Type or Print
 Signature
 Mailing Address City State
 Zip Code Telephone # Email Address

Representative to be contacted:

Christine Kelly
 Name - Type or Print
CKelly
 Signature
13235 Old Hanover Rd. Reisterstown MD
 Mailing Address City State
21136, 44320.3425, ckellye
 Zip Code Telephone # Email Address
americantesting.com

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 _____ day of _____ 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 2019-0113-A Filing Date 10/10/18 Estimated Posting Date 10/21/18 Reviewer gh

2019-0115-A

Administrative Variance from section: 400.1 BCZR

To permit a proposed accessory structure (garage) to be located on the street side of a corner lot in lieu of the third of the lot farthest removed from the street side.

FEE SIMPLE -13235 OLD HANOVER ROAD

THIS DEED, made this 4th day of May 2001, by and between, **Andrew James Carlino** party of the first part, Grantor, and **Christine L. Kelly**, party of the second part, Grantee.

WITNESSETH: That in consideration of the sum of One hundred thirteen thousand seven dollars (\$113,700.00), and other good and valuable considerations, the receipt of which is hereby acknowledged, the Grantor does hereby grant and convey unto the said Grantee, her personal representatives and assigns, in fee simple, all that lot of ground situate in Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING for the same at the end of the South 81 degrees 30 minutes East 154 foot line which is at the Northeast corner of a lot deeded by Lewis C. Molesworth, widower, to Lenore B. Fowble, widow, dated October 25, 1952 and recorded among the land Records of Baltimore County in Liber GLB No. 2195, folio 73, running thence along the South side of Hillside Avenue, 20 feet wide South 81 degrees 30 minutes East 200 feet to the West side of Maple Grove Avenue South 8 degrees 30, minutes West 100 feet, thence by a line of division North 81 degrees 30 minutes West 200 feet, to the Southeast corner of said Fowble lot, thence binding thereon North 8 degrees 30 minutes East 100 feet to the place of beginning. Containing in all 459/1000 of an acre of land more or less. The improvements thereon being known as No. 13235 Old Hanover Road.

BEING the same lot of ground which by Deed dated September 30, 1994 and recorded among the Land Records of Baltimore County in Liber 10849, folio 220 was granted and conveyed by John L. Gill, Guardian of Olivia E. Gill, Grantor(s), unto Andrew J. Carlino, Grantee.

TOGETHER WITH the buildings and improvements thereupon; and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises, unto and to the use of the said Grantee, personal representatives and assigns, in fee simple.

And the said Grantor covenant to warrant specially the property hereby granted and conveyed, and to execute such further assurances of the same as may be requisite.

2019- 0115-A

CERTIFICATE OF POSTING

2019-0115-A

RE: Case No.: _____

Petitioner/Developer: _____

Christine Kelly

November 5, 2018

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

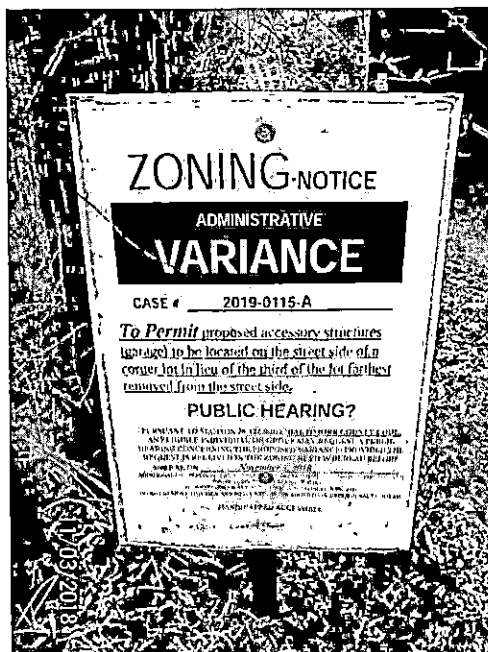
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

13235 Old Hanover Road **SIGN 1 Recertification**

October 21, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 November 3, 2018
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0115-A

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Petitioner/Developer: _____

Christine Kelly

November 5, 2018

Date of Hearing/Closing: _____

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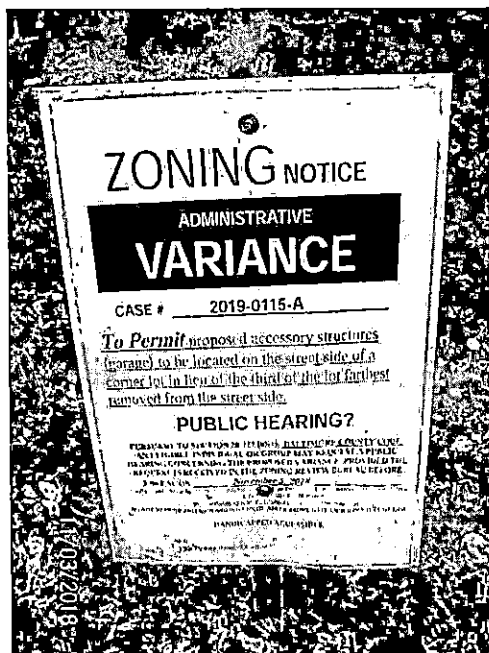
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

13235 Old Hanover Road **SIGN 2 Recertification**

October 21, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

November 3, 2018

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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Christine Kelly

November 5, 2018

Date of Hearing/Closing: _____

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111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

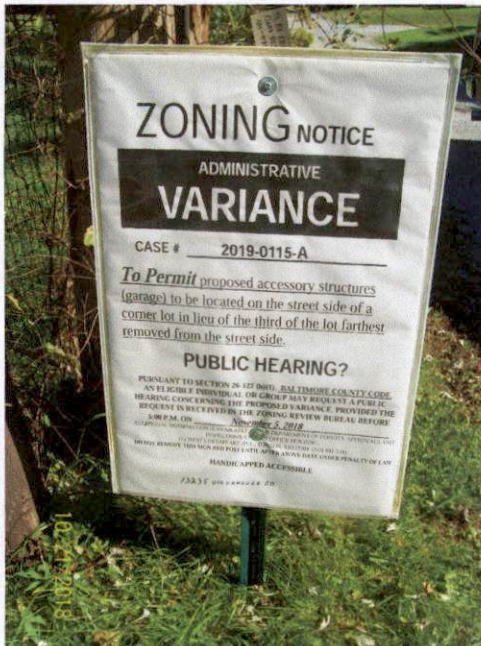
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13235 Old Hanover Road

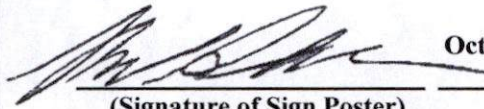
SIGN 1

October 21, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,



October 21, 2018

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

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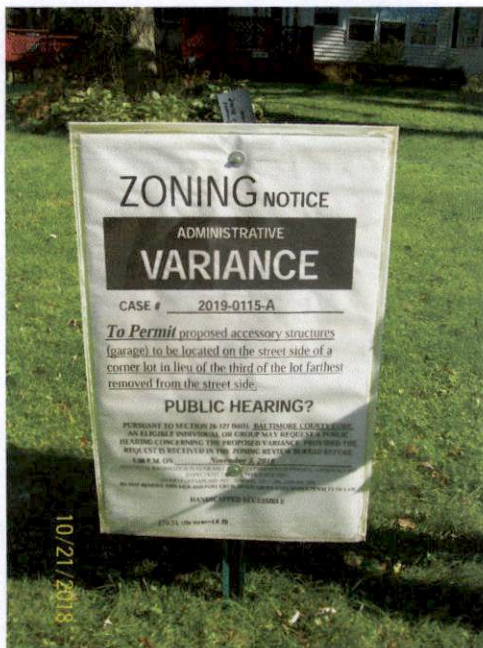
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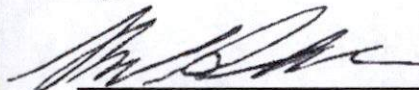
SIGN 2

October 21, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,


(Signature of Sign Poster)

October 21, 2018

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

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2019-0115-A

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Petitioner/Developer: _____

Christine Kelly

November 5, 2018

Date of Hearing/Closing: _____

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Towson, Maryland 21204

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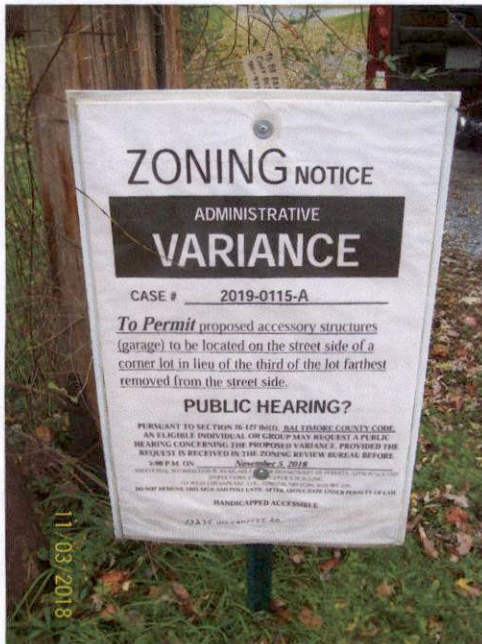
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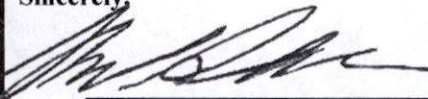
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(Month, Day, Year)



Sincerely,


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November 3, 2018

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

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CERTIFICATE OF POSTING

2019-0115-A

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Christine Kelly

November 5, 2018

Date of Hearing/Closing: _____

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13235 Old Hanover Road **SIGN 2 Recertification**

October 21, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

November 3, 2018

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

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(City, State, Zip Code)

(410) 282-7940

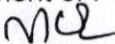
(Telephone Number)

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: November 8, 2018

FROM: 
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 29, 2018
Item No. 2019-0052-A, 0111-A, 0112-A, 0114-A, 0115-A, 0116-A, 0117-A,
0118-A, 0119-A, 0120-A and 0121-SPH

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

*

*

*

*

*

VKD: cen
cc: file

CERTIFICATE OF POSTING

2019-0115-A

RE: Case No.: _____

Petitioner/Developer: _____

Christine Kelly

November 5, 2018

Date of Hearing/Closing: _____

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Permits, Approvals and Inspections
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Attn: Kristen Lewis:

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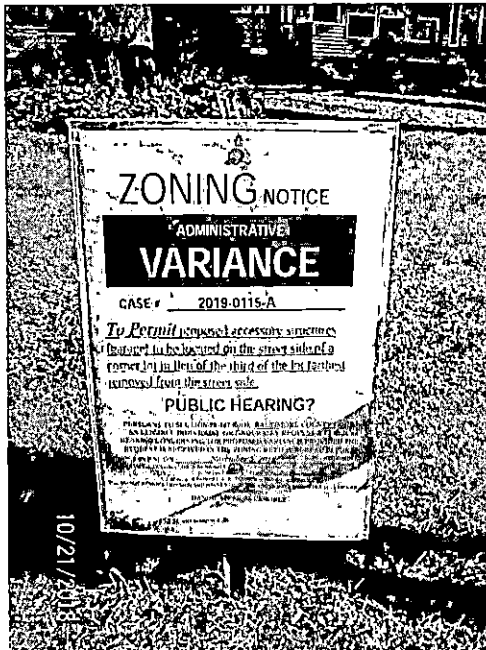
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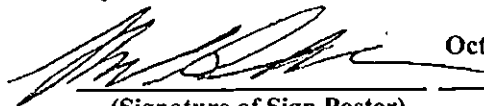
SIGN 2

October 21, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,



October 21, 2018

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

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Petitioner/Developer: _____

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Date of Hearing/Closing: _____

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Attn: Kristen Lewis:

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SIGN 1

October 21, 2018

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(Month, Day, Year)



Sincerely,

 October 21, 2018
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0115 -A Address 13235 Old Hanover Rd
Contact Person: Gary Hecik Phone Number: 410-887-3391
Planner/Please Print Your Name
Filing Date: 10/10/18 Posting Date: 10/21/18 Closing Date: 11/05/18

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

- 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.
- 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.
- 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.
- 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- 0115 -A Address 13235 Old Hanover Rd
Petitioner's Name Christine Kelly Telephone 443-250-3425
Posting Date: 10/21/18 Closing Date: 11/05/18
Wording for Sign: To Permit a proposed accessory structure (Garage)
to be located on the street side of a corner lot in
lieu of the third of the lot farthest removed from
the street side.

Revised 6/30/2019

No. 176232

PAID RECEIPT

BUSINESS ACTUAL TIME
10/10/2018 10/10/2018 09:47:38

Date: 10/10/18

REG-1501 WALKIN LJR

>>RECEIPT # 815749 - 10/10/2018 - OFL

Dept 5 528 ZONING VERIFICATION

Count NO. 76233

Receipt Tot \$75.00

75.00 CK 1.00 CA

Baltimore County, Maryland

Total: 75

Rec

From:

For:

DISTRIBUTION

WHITE-CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S VALIDATION



DONALD I. MOHLER III
County Executive

November 7, 2018

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

Christine Kelly
13235 Old Hanover Rd.
Reisterstown, MD 21136

Dear Ms. Kelly:

RE: Case Number: 2019-0115A, Address: 13235 Old Hanover Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 10, 2018. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel

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 25, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0115-A
Address 13235 Old Hanover Road
(Kelly Property)

Zoning Advisory Committee Meeting of October 29, 2018.

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

1. Ground Water Management must review any future building permit(s) for a garage, since the property is served by well and septic. Also, it appears from our records that the septic system may be very close to the proposed garage location.

Reviewer: Dan Esser

Date: 10/22/18

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

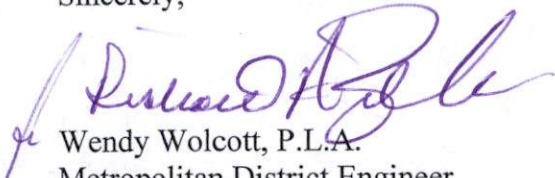
Dear Ms. Lewis:

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. 2019-0115 - A

*Administrative Variance
Christine Kelly
13235 Old Hounders 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

BALTIMORE COUNTY, MARYLAND

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Reviewer: Dan Esser

ORDER RECEIVED FOR FILING

Date 11-9-18

By [Signature]

C H E C K L I S T

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>10-25</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
<u>10-25</u>	PLANNING (if not received, date e-mail sent _____)	<u>E</u>
<u>10-22</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: 10-21-18 by Black

SIGN POSTING (2nd) Date: 11-3-18 by "

PEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption			View GroundRent Registration				
Tax Exempt: Exempt Class:		Special Tax Recapture: NONE							
Account Identifier:		District - 04 Account Number - 0407029710							
Owner Information									
Owner Name:		KELLY CHRISTINE L			Use: Principal Residence:		RESIDENTIAL YES		
Mailing Address:		13235 OLD HANOVER RD REISTERSTOWN MD 21136-4725			Deed Reference:		/15272/ 00494		
Location & Structure Information									
Premises Address:		13235 OLD HANOVER RD 0-0000			Legal Description:		13235 OLD HANOVER RD S/O LEWIS C MILESWORTH		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:
0039	0017	0020		0000				2019	
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1957		1,024 SF				19,994 SF		04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
1	YES	STANDARD UNIT	SIDING	1 full					
Value Information									
			Base Value	Value	Phase-in Assessments				
				As of 01/01/2016	As of 07/01/2018		As of 07/01/2019		
Land:			71,700	71,700					
Improvements			85,400	85,400					
Total:			157,100	157,100	157,100				
Preferential Land:			0						
Transfer Information									
Seller: CARLINO ANDREW J				Date: 06/07/2001		Price: \$113,700			
Type: ARMS LENGTH IMPROVED				Deed1: /15272/ 00494		Deed2:			
Seller: GILL ROY E				Date: 11/29/1994		Price: \$84,450			
Type: ARMS LENGTH IMPROVED				Deed1: /10849/ 00220		Deed2:			
Seller: DIXON CARY R				Date: 09/14/1955		Price: \$1,000			
Type: ARMS LENGTH IMPROVED				Deed1: /02776/ 00229		Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class			07/01/2018		07/01/2019		
County:		000			0.00				
State:		000			0.00				
Municipal:		000			0.00		0.00		
Tax Exempt: Exempt Class:		Special Tax Recapture: NONE							

2019-0115-A

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 - 04 Account Number - 0407029710							
Owner Information										
Owner Name:		KELLY CHRISTINE L			Use:		RESIDENTIAL			
					Principal Residence:		YES			
Mailing Address:		13235 OLD HANOVER RD REISTERSTOWN MD 21136-4725			Deed Reference:		/15272/ 00494			
Location & Structure Information										
Premises Address:		13235 OLD HANOVER RD 0-0000			Legal Description:		13235 OLD HANOVER RD S/O LEWIS C MILESWORTH			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0039	0017	0020		0000				2019	Plat Ref:	
Special Tax Areas:				Town:		NONE				
				Ad Valorem:						
				Tax Class:						
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1957		1,024 SF				19,994 SF		04		
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation			
1	YES	STANDARD UNIT		SIDING	1 full					
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of		As of	
					01/01/2016		07/01/2018		07/01/2019	
Land:			71,700		71,700					
Improvements			85,400		85,400					
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Preferential Land:			0							
Transfer Information										
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Type: ARMS LENGTH IMPROVED				Deed1: /10849/ 00220			Deed2:			
Seller: DIXON CARY R				Date: 09/14/1955			Price: \$1,000			
Type: ARMS LENGTH IMPROVED				Deed1: /02776/ 00229			Deed2:			
Exemption Information										
Partial Exempt Assessments:		Class			07/01/2018		07/01/2019			
County:		000			0.00					
State:		000			0.00					
Municipal:										

000

0.00|

0.00|

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

Homestead Application Information**Homestead Application Status:** Approved 09/03/2008

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

ZAC AGENDA

Case Number: 2019-0114-A **Reviewer:** Jeffrey Perlow
Existing Use: RESIDENTIAL **Proposed Use:**
Type: VARIANCE
Legal Owner: Caruso Builder Seneca Creek, LLC
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** Yes **Historic:** No **Election Dist:** 15 **Council Dist:** 6

Property Address: 501 519 SCHMIDT

Location: W/S of Seneca Gardens Road, 517' N of Seneca Gardens Road.

Existing Zoning: DR 5.5

Area: 6.0157 AC

Proposed Zoning:

VARIANCE:

To allow a side building face to side building face setback of 10 feet in lieu of the required 20 feet and to permit a modification to our building restriction.

Attorney: Timothy M. Kotroco

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2019-0115-A **Reviewer:** Gary Hucik

Existing Use: RESIDENTIAL **Proposed Use:**

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Christine Kelly

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 4 **Council Dist:** 3

Property Address: 13235 OLD HANOVER RD

Location: N/W side of Hillside Ave. East 194 feet to center line of Old Hanover Rd.

Existing Zoning: RC2

Area: 19,994 SQ FT

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit a proposed accessory structure (garage) to be located on the street side of a corner lot in lieu of the third of the lot farthest removed from both streets.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 11/05/2018

Miscellaneous Notes:

*Petition & sign posted
reflects
from the
street side*



Looking down Hillside toward Old Hanover Road.



Actual site of garage from back deck looking at Hillside avenue.

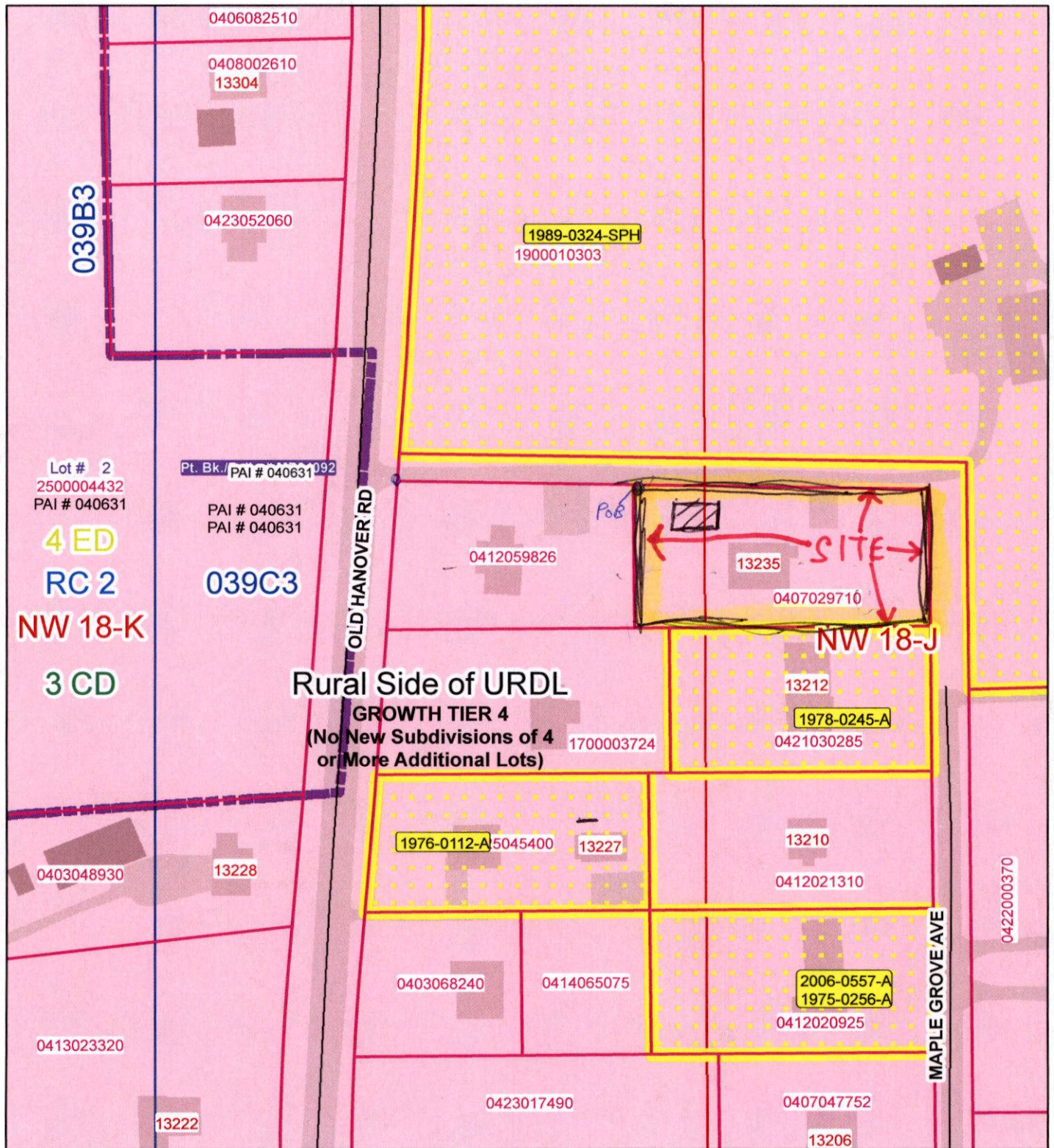


Looking at the cars in the garage...from Hillside to back of house.



Looking at site from side of house.

13235 Old Hanover Road



Publication Date: 1/9/2015

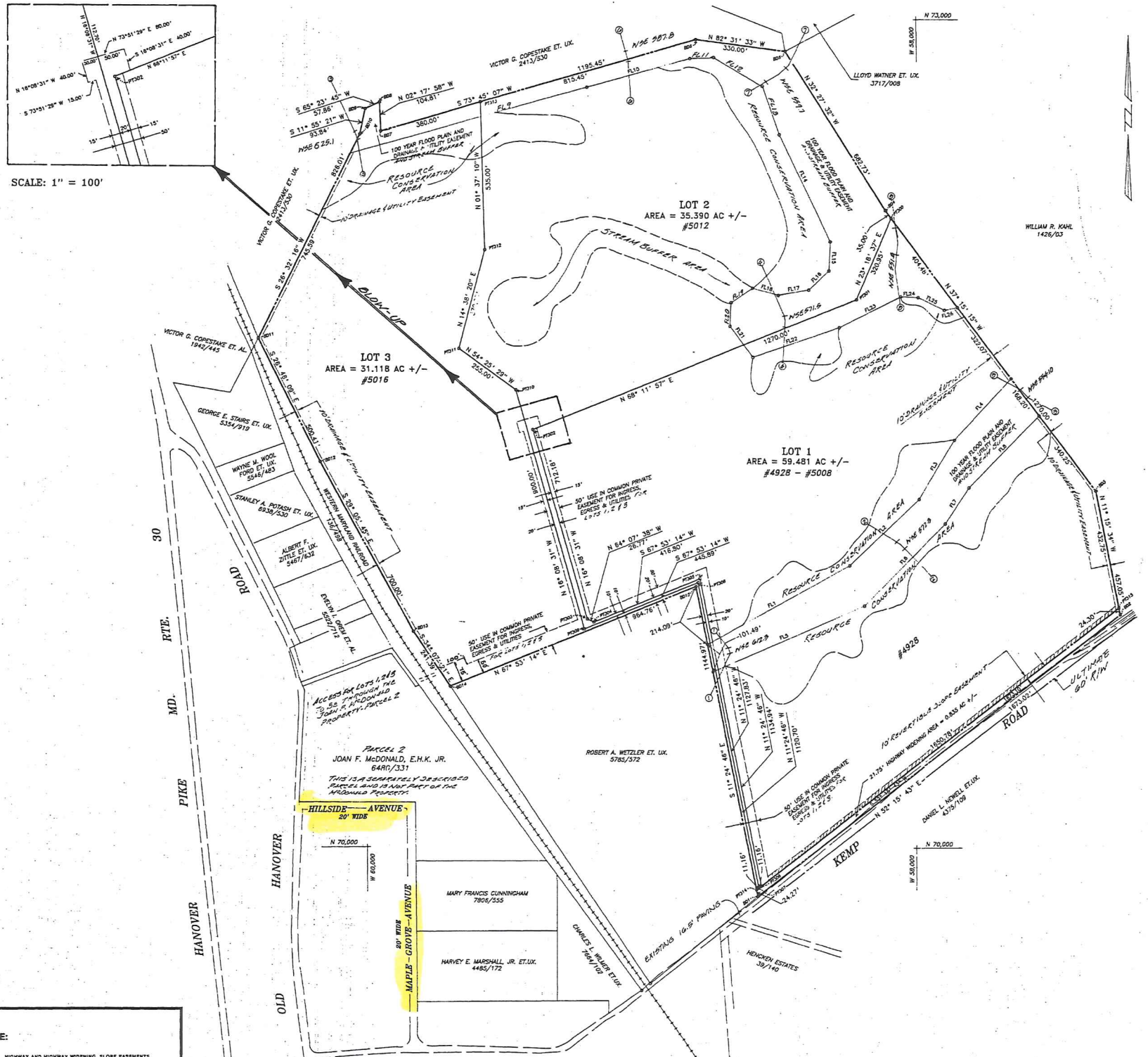


Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



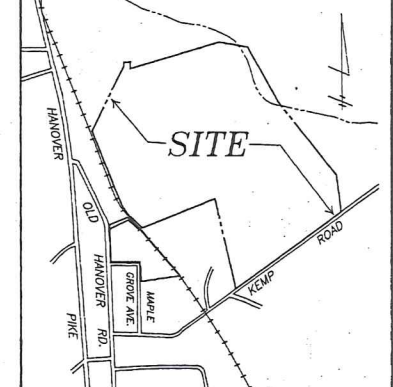
0 25 50 100 150 200 Feet

1 inch = 100 feet



Name	FLOOD PLAIN DATA	Distance
FL1	N 51°10'54" E	591.95
FL2	N 46°22'30" E	351.11
FL3	N 51°28'47" E	250.72
FL4	N 42°47'34" E	303.97
FL5	N 66°32'43" E	602.50
FL6	N 44°56'19" E	421.49
FL7	N 33°21'24" E	157.00
FL8	N 44°22'54" E	364.86
FL9	N 74°15'00" E	807.56
FL10	N 74°30'26" E	389.01
FL11	N 69°33'49" W	65.40
FL12	S 50°57'17" E	208.00
FL13	S 20°45'18" E	171.75
FL14	S 25°11'06" E	428.53
FL15	S 02°42'42" W	104.99
FL16	S 46°31'08" W	101.67
FL17	S 80°27'35" W	112.09
FL18	N 75°50'01" W	98.14
FL19	N 55°31'50" E	240.00
FL20	N 02°23'38" E	85.24
FL21	S 38°34'49" E	139.28
FL22	N 71°10'08" E	333.85
FL23	N 63°14'33" E	251.54
FL24	S 87°33'18" E	63.25
FL25	S 65°03'44" E	109.16
FL26	N 78°24'28" E	48.55

- LEGEND**
- DENOTES BOUNDARY
 - DENOTES LOT LINES
 - DENOTES PRIVATE EASEMENT
 - DENOTES PUBLIC R/W
 - DENOTES STREET NO.'S #4928
 - DENOTES COORDINATES PT300 - BD4
 - DENOTES 100 YR. FLOODPLAIN PLUS 5' FREEBOARD
- NOTES**
- OVERALL TRACT ZONED-RC-2
 - GROSS AREA = 128.824 AC
 - NET AREA = 125.989 AC
 - HWY. WIDENING AREA = 0.835 AC
 - LOTS PERMITTED - 3
 - LOTS PROPOSED - 3



GENERAL NOTES

THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 22-68.

THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.

THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.

ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.

THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THE PLAT.

THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

ELEVATIONS SHOWN ON THE FLOODPLAIN SECTIONS ARE THE 100 YEAR WATER SURFACE.

SOIL PERCOLATION TESTS WILL BE VALID FOR A PERIOD OF THREE YEARS FROM THE DATE OF THE RECORD PLAT IS SIGNED BY THE DIRECTOR, DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT, AT THE EXPIRATION OF THIS PERIOD NEW TESTS MAY BE REQUIRED.

ALL REQUIREMENTS OF THE MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT AND BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT PERTAINING TO PRIVATE WATER AND/OR SEWAGE SYSTEMS MUST BE COMPLIED WITH PRIOR TO APPROVAL OF BUILDING APPLICATIONS.

APPROVAL OF THE THREE BUILDING SITES ON PARCEL 1 IN LIEU OF THE PERMITTED TWO BUILDING SITES WAS GRANTED BY THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY AS THE RESULT OF PETITION AND SPECIAL HEARING ON FEBRUARY 28, 1989 CASE NO. 89-324-SPH.

SLADE RUN WATERSHED

REFUSE COLLECTION, SNOW REMOVAL AND ROAD MAINTENANCE TO BE PROVIDED BY BALTIMORE COUNTY TO THE JUNCTION OF THE PANHANDLE AND THE STREET RIGHT OF WAY ONLY.

INsofar as the AREAS DESIGNATED ON THIS PLAT AS 100 YEAR FLOOD PLAIN AND DRAINAGE AND UTILITY EASEMENT AND STREAM BUFFER OR RESOURCE CONSERVATION AREA ARE CONCERNED, EXCEPT AS APPROVED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT, THE FOLLOWING RESTRICTIONS SHALL APPLY:

- NO CLEARING, GRADING, FILLING, OR CONSTRUCTION SHALL BE PERMITTED IN THESE AREAS.
- NO LIVESTOCK, MOTORIZED VEHICLES OR OTHER MATERIALS SHALL BE PERMITTED WITHIN THESE AREAS.
- EXISTING VEGETATION SHALL NOT BE DISTURBED.
- THE USE OR APPLICATION OF PESTICIDES IS PROHIBITED WITHIN THESE AREAS.

COORDINATE TABLE

NO.	NORTH	WEST
BD5	72850.29	58476.44
BD4	72304.22	58110.02
BD3	71293.36	57341.23
BD2	70845.10	57251.99
BD6	72823.22	58803.53
BD7	72588.74	59951.33
BD8	72893.47	59955.54
BD9	72569.37	60008.16
BD10	72577.58	60027.53
BD11	71838.57	60396.59
BD12	71391.79	60171.20
BD13	70780.12	59850.81
BD14	70580.29	59695.40
BD15	70943.46	58801.60
BD1	69821.12	58575.04

NO.	NORTH	WEST
PT313	72895.06	59286.51
PT312	72180.28	59571.39
PT311	71802.29	59664.50
PT310	71653.93	59457.50
PT309	70789.42	59207.28
PT308	70957.26	58794.19
PT307	69851.74	58571.02
PT306	69858.57	58562.20
PT305	70971.07	58786.77
PT304	70814.17	59172.92
PT303	70825.86	59197.01
PT302	71509.96	59395.01
PT301	71981.62	59215.83
PT300	72276.37	59008.83
PT314	69844.91	58579.84
PT315	70868.93	57256.73

McDONALD PROPERTY

BALTIMORE COUNTY, MARYLAND ELECTION DISTRICT NO. 4
SCALE: 1" = 200' DATE: MARCH 23, 1989

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS

TOWSON, MARYLAND 21204

BEL AIR, MARYLAND 21014

APPROVED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

Robert W. Sheesley, Director

APPROVED BY BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

Director

APPROVED BY DEPARTMENT OF PUBLIC WORKS

Director of Public Works

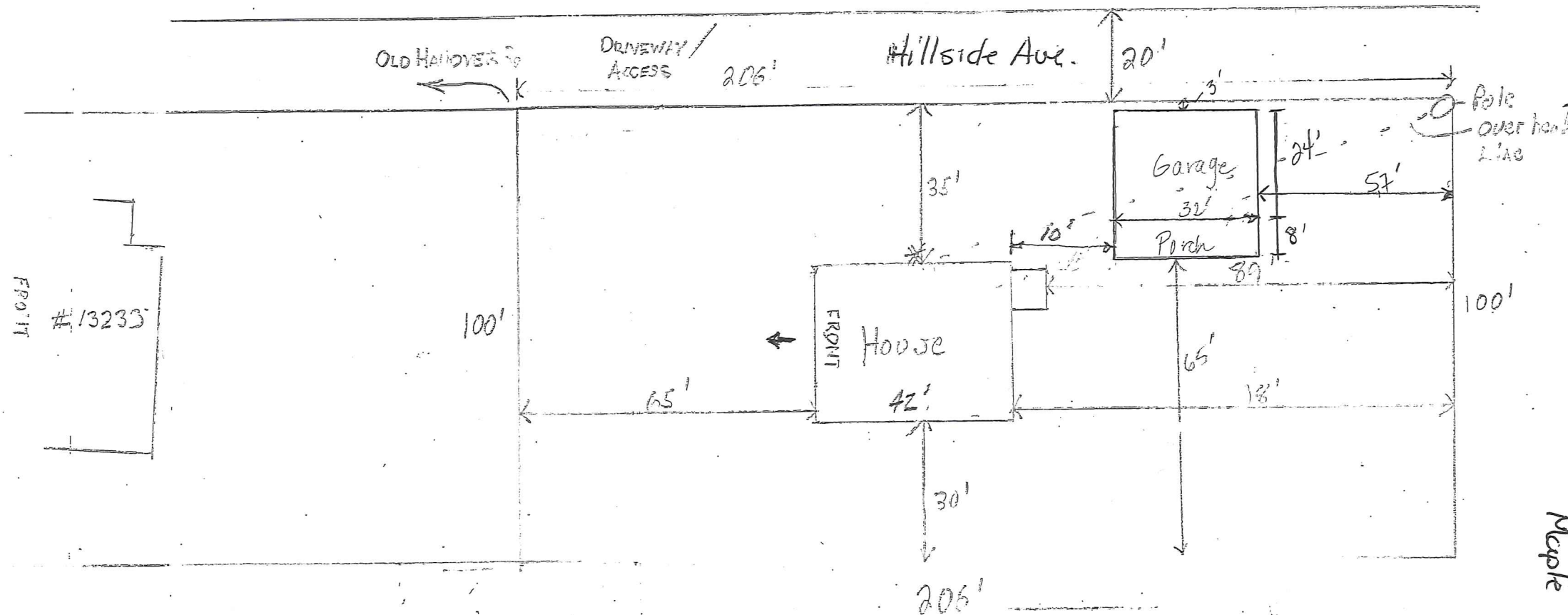
P.W.A. COMPLETED: 6-2-89

FINAL PLAT CHECKED: [Signature]

COMPUTED BY: [Signature] CHECKED BY: [Signature]

HOUSE NOS. 4076, 4077, 4078, 4079, 4080, 4081, 4082, 4083, 4084, 4085, 4086, 4087, 4088, 4089, 4090, 4091, 4092, 4093, 4094, 4095, 4096, 4097, 4098, 4099, 4100, 4101, 4102, 4103, 4104, 4105, 4106, 4107, 4108, 4109, 4110, 4111, 4112, 4113, 4114, 4115, 4116, 4117, 4118, 4119, 4120, 4121, 4122, 4123, 4124, 4125, 4126, 4127, 4128, 4129, 4130, 4131, 4132, 4133, 4134, 4135, 4136, 4137, 4138, 4139, 4140, 4141, 4142, 4143, 4144, 4145, 4146, 4147, 4148, 4149, 4150, 4151, 4152, 4153, 4154, 4155, 4156, 4157, 4158, 4159, 4160, 4161, 4162, 4163, 4164, 4165, 4166, 4167, 4168, 4169, 4170, 4171, 4172, 4173, 4174, 4175, 4176, 4177, 4178, 4179, 4180, 4181, 4182, 4183, 4184, 4185, 4186, 4187, 4188, 4189, 4190, 4191, 4192, 4193, 4194, 4195, 4196, 4197, 4198, 4199, 4200, 4201, 4202, 4203, 4204, 4205, 4206, 4207, 4208, 4209, 4210, 4211, 4212, 4213, 4214, 4215, 4216, 4217, 4218, 4219, 4220, 4221, 4222, 4223, 4224, 4225, 4226, 4227, 4228, 4229, 4230, 4231, 4232, 4233, 4234, 4235, 4236, 4237, 4238, 4239, 4240, 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ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 13235 OLD HANOVER RD. OWNER(S) NAME(S) Christine Kelly
 SUBDIVISION NAME N/A LOT # _____ BLOCK # _____ SECTION # _____
 PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 040729710 DEED REF. # 15272 / 00494



PLAN DRAWN BY

Christine Kelly

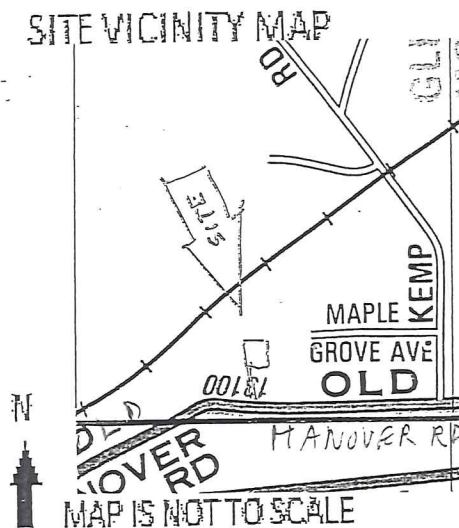
DATE

9/14/18

SCALE:

1 INCH = 30 FEET

2019-0115-A

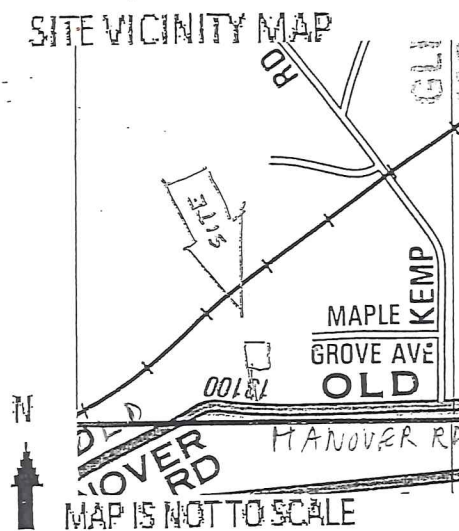
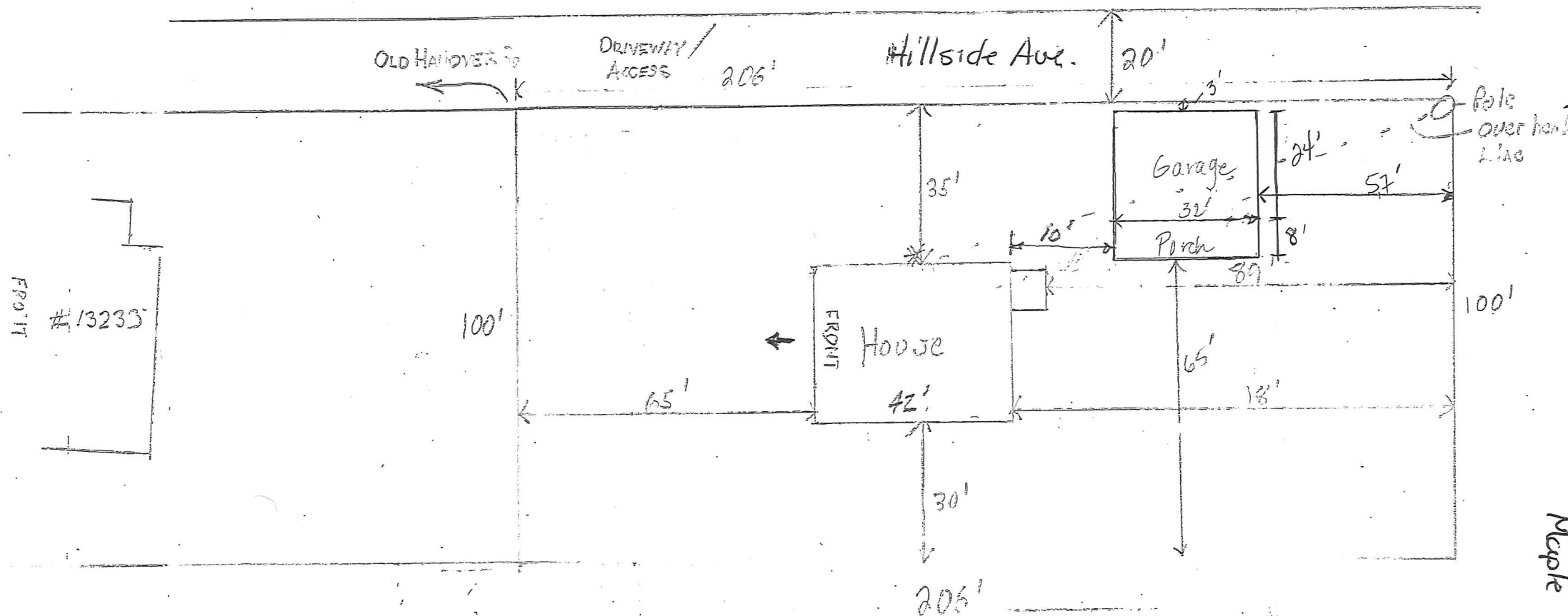


ZONING MAP# 039C3
 SITE ZONED RC 2
 ELECTION DISTRICT 4
 COUNCIL DISTRICT 3
 LOT AREA ACREAGE
 OR SQUARE FEET 19,994
 HISTORIC? No
 IN CBCA? No
 IN FLOOD PLAIN? No
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC _____ PRIVATE ☒
 SEWER IS:
 PUBLIC _____ PRIVATE ☒
 PRIOR HEARING? No
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

Pet. En. 1

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 13235 OLD HANOVER RD. OWNER(S) NAME(S) Christine Kelly
 SUBDIVISION NAME N/A LOT # _____ BLOCK # _____ SECTION # _____
 PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 040729710 DEED REF. # 15272 / 00494



ZONING MAP# 039C3
 SITE ZONED RC 2
 ELECTION DISTRICT 4
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 SEWER IS:
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 PRIOR HEARING? N/A
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

PLAN DRAWN BY

Christine Kelly

DATE

9/14/18

SCALE: 1 INCH =

30 FEET

2019-0115-A

VIOLATION CASE INFO: