

MEMORANDUM

DATE: March 22, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0166-A - Appeal Period Expired

The appeal period for the above-referenced case expired on March 21, 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.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(541 Compass Road)
15th Election District
6th Council District
Ralph, Jr. & Karen Krach
Legal Owners

Petitioners

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0166-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Ralph & Karen Krach, legal owners of the subject property (“Petitioners”). Petitioners are requesting variance relief from Section 415A.1.A of the Baltimore County Zoning Regulations (“BCZR”) to permit a recreational vehicle to be parked in the front and side yards in lieu of the side yard at least eight (8) feet to the rear of the front foundation line of the dwelling, and a side yard setback of 0 feet in lieu of the minimum required 2.5 feet. A site plan was marked as Petitioners’ Exhibit 1.

Ralph & Karen Krach and 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 opposed the request.

Petitioners have owned and lived in the subject property for more than 20 years. They owned an RV previously, and for several years it was kept (without complaint) in the same location as their current RV which they acquired recently. Shortly after acquiring their new motor home an anonymous complaint was filed with code enforcement, and Petitioners were instructed to seek zoning relief.

ORDER RECEIVED FOR FILING

Date

2/19/19

By

Sen

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

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

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

The Petitioners' lot is narrow and their home was constructed in 1942. As such the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to park the RV on their property. 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.

The DOP noted (correctly) that parking the RV in the proposed location "creates a stockade like visual experience as viewed from #539 Compass Road." Petitioners however also own the property at 539 Compass Road, and their granddaughter lives in that dwelling. She, in addition to all adjoining neighbors and the owners directly across the street, submitted a letter supporting the zoning request. Pets. Ex. 5. As such I do not believe granting the request would have a detrimental impact upon the community.

THEREFORE, IT IS ORDERED, this 19th day of **February, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Section 415A.1.A of the Baltimore County Zoning Regulations ("BCZR") to permit a recreational vehicle to be parked in the front and side yards in lieu of the side yard at least eight (8) feet to the rear of the front foundation line of the dwelling, and a side yard setback of 0 feet in lieu of the minimum required 2.5 feet, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

ORDER RECEIVED FOR FILING

Date

2/19/19

By

Sen

- 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.
- No recreational vehicle, boat, trailer or similar vehicle in excess of 27 ft. (length) may be kept at the property.

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 2/19/19
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 541 COMPASS ROAD

which is presently zoned DR55

Deed References: 11394/39

10 Digit Tax Account # 1507581730

Property Owner(s) Printed Name(s) RALPH E. KRACH, JR & KAREN M. KRACH

(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)

SEE ATTACHED PAGE

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

Legal Owners (Petitioners):

RALPH E. Krach Jr, Karen M. Krach

Name #1 - Type or Print

Name #2 - Type or Print

Ralph E. Krach Jr

Karen M. Krach

Signature #1

Signature #2

541 Compass Rd Balto MD

Mailing Address

City

State

21220, 443-250-2413, Karen@LeonardKraus.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING, LLC

Name - Type or Print

Bruce E. Doak

Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND MD

Mailing Address

City

State

21053

410-919-4906

Zip Code

Telephone #

Email Address

BDOAK@BRUCEEDOAKCONSULTING.COM

CASE NUMBER 2009-0166-A

Filing Date 11/19/18

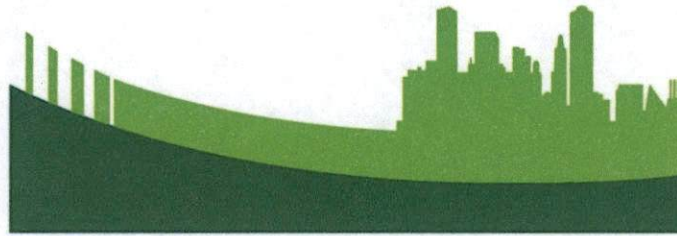
Do Not Schedule Dates: _____

Reviewer [Signature]

ZONING RELIEF REQUEST FOR 541 COMPASS ROAD

. . . Section 415A.1.A – to permit an existing recreational vehicle to be parked in the front and side yards in lieu of the side yard only, 8 feet from the front foundation line, and a side yard setback of 0 feet in lieu of the minimum required 2½ feet.

Item # 0166



Zoning Description

541 Compass Road
15th Election District 6th Councilmanic District
Baltimore County, Maryland

Beginning at a point on the southeast side of Compass Road, 100 feet wide,
approximately 50 feet easterly of the east side of Altmeter Court, 60 feet wide

Being Lot 113 as shown on the plat entitled "Victory Villa- Section 1 Plat B" and
recorded in the Land Records of Baltimore County in Plat Book 22, page 100.

Containing 5,000 square feet 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

The Daily Record

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

PUBLISHER'S AFFIDAVIT

Order #: 11674720
Case #: 2019-0166-A
Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0166-A

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:

1/25/2019



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: 2019-0166-A

541 Compass Road

S/s Compass Road, 50 ft. e/ of centerline of Allimeter Court

15th Election District - 6th Councilmanic District

Legal Owners: Ralph & Karen Krach

Variance to permit an existing recreational vehicle to be parked in the front and side yards in lieu of the side yard only, 8 ft. from the front foundation line, and a side yard setback of 0 ft. in lieu of the minimum required 2 1/2 ft.

Hearing: Friday, February 15, 2019 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Mike Mohler

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.

ja25

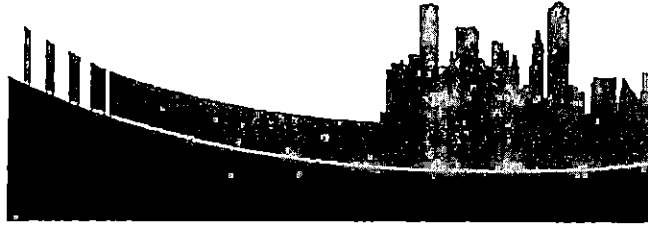
Sherry Nuffer

From: Bruce Doak <doakfarm@gmail.com>
Sent: Sunday, February 10, 2019 12:05 PM
To: Sherry Nuffer
Subject: Case #2019-0166- A Final Posting Cert
Attachments: Posting cert 2 10 19.pdf

I have enclosed the final sign posting certification.

Bruce
Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906
bdoak@bruceedoakconsulting.com





CERTIFICATE OF POSTING

January 26, 2019 (amended February 10, 2019)

Re:

Zoning Case No. 2019-0166-A

Legal Owner: Ralph & Karen Krach

Hearing date: February 15, 2019

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 541 Compass Road.

The signs were posted on January 25, 2019.

The signs were inspected again on February 10, 2019.

Sincerely,

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)

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. 2019-0166-A

541 Compass 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 February 15, 2019 11:00 AM

REQUEST:

**VARIANCE TO PERMIT AN EXISTING RECREATIONAL VEHICLE
TO BE PARKED IN THE FRONT AND SIDE YARDS IN LIEU OF THE
SIDE YARD ONLY, 8 FT. FROM THE FRONT FOUNDATION LINE,
AND A SIDE YARD SETBACK OF 0 FT. IN LIEU OF THE MINIMUM
REQUIRED 2 1/2 FT.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

**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. 2019-0166-A

541 Compass 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 February 15, 2019 11:00 AM

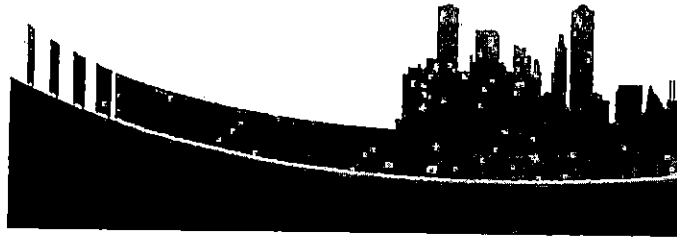
REQUEST:

**VARIANCE TO PERMIT AN EXISTING RECREATIONAL VEHICLE
TO BE PARKED IN THE FRONT AND SIDE YARDS IN LIEU OF THE
SIDE YARD ONLY, 8 FT. FROM THE FRONT FOUNDATION LINE,
AND A SIDE YARD SETBACK OF 0 FT. IN LIEU OF THE MINIMUM
REQUIRED 2 1/2 FT.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

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

THE HEARING IS HANDICAPPED ACCESSIBLE



CERTIFICATE OF POSTING

January 26, 2019 (amended _____)

Re:

Zoning Case No. 2019-0166-A

Legal Owner: Ralph & Karen Krach

Hearing date: February 15, 2019

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 541 Compass Road.

The signs were posted on January 25, 2019.

The signs were inspected again on _____.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce E. Doak".

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)

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. 2019-0166-A

541 Compass 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 February 15, 2019 11:00 AM

REQUEST:

**VARIANCE TO PERMIT AN EXISTING RECREATIONAL VEHICLE
TO BE PARKED IN THE FRONT AND SIDE YARDS IN LIEU OF THE
SIDE YARD ONLY, 8 FT. FROM THE FRONT FOUNDATION LINE,
AND A SIDE YARD SETBACK OF 0 FT. IN LIEU OF THE MINIMUM
REQUIRED 2 1/2 FT.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

**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. 2019-0166-A

541 Compass 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 February 15, 2019 11:00 AM

REQUEST:

**VARIANCE TO PERMIT AN EXISTING RECREATIONAL VEHICLE
TO BE PARKED IN THE FRONT AND SIDE YARDS IN LIEU OF THE
SIDE YARD ONLY, 8 FT. FROM THE FRONT FOUNDATION LINE,
AND A SIDE YARD SETBACK OF 0 FT. IN LIEU OF THE MINIMUM
REQUIRED 2 1/2 FT.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

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

THE HEARING IS HANDICAPPED ACCESSIBLE



JOHN A. OLSZEWSKI, JR.
County Executive

DIRECTOR
Department of Permits,
Approvals & Inspections

January 7, 2019

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: 2019-0166-A

541 Compass Road

S/s Compass Road, 50 ft. e/of centerline of Altimeter Court

15th Election District – 6th Councilmanic District

Legal Owners: Ralph & Karen Krach

Variance to permit an existing recreational vehicle to be parked in the front and side yards in lieu of the side yard only, 8 ft. from the front foundation line, and a side yard setback of 0 ft. in lieu of the minimum required 2 ½ ft.

Hearing: Friday, February 15, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Mike Mohler".

Mike Mohler
Director

AJ:kl

C: Mr. & Mrs. Krach, 541 Compass Road, Baltimore 21220
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 SATURDAY, JANUARY 26, 2019.**
- (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, January 25, 2019 - Issue

Please forward billing to:
Ralph Krach, Jr.
541 Compass Road
Baltimore, MD 21220

443-250-2413

NOTICE OF ZONING HEARING

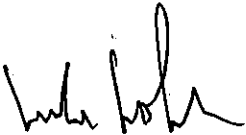
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2019-0166-A

541 Compass Road
S/s Compass Road, 50 ft. e/of centerline of Altimeter Court
15th Election District – 6th Councilmanic District
Legal Owners: Ralph & Karen Krach

Variance to permit an existing recreational vehicle to be parked in the front and side yards in lieu of the side yard only, 8 ft. from the front foundation line, and a side yard setback of 0 ft. in lieu of the minimum required 2 ½ ft.

Hearing: Friday, February 15, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Mike Mohler
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.

RE: PETITION FOR VARIANCE
541 Compass Road; S/S Compass Road,
50' E of c/line with Altimeter Court
15th Election & 6th Councilmanic Districts
Legal Owner(s): Ralph & Karen Krach
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2019-166-A

* * * * *

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.

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

RECEIVED

NOV 28 2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of November, 2018, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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: CASE #2019-0166-A

Property Address: 541 COMPASS ROAD

Property Description: LOT 113 VICTORY VILLA SUBDIVISION PB 22/100
south side Compass Rd, +/- 50' east of Altimeter Ct

Legal Owners (Petitioners): RALPH KRACH, JR & KAREN KRACH

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: R. RALPH KRACH, JR.

Company/Firm (if applicable): N/A

Address: 541 COMPASS ROAD
BALTIMORE MD 21220

Telephone Number: 443-250-2413

Revised 5/20/2014

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

No. **177180**

Date: **11/19/18**

PAID RECEIPT

BUSINESS ACTUAL TIME INW
 11/20/2018 11/19/2018 11:29:39 1

WALKIN LJR
 RECEIPT # 920515 11/19/2018 DFLN

Dept 5 326 ZONING VERIFICATION
 17 190

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				5.00
								75.00

Total: **75.00**

Rec
 From:

For: **Zoning hearing - case #2019-01166-A**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

February 13, 2019

Ralph E. & Karen M. Krach
541 Compass Road
Baltimore MD, 21220

RE: Case Number: 2019-0166-A, 541 Compass Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 18, 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, appearing to read "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Bruce E. Dark 3801 Baker Schoolhouse Road Freeland MD 21053

2-15-19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 12/13/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-166



INFORMATION:

Property Address: 541 Compass Road
Petitioner: Ralph E. Krach, Jr., Karen M. Krach
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit an existing recreational vehicle to be parked in the front and side yards, and a side yard setback of 0 feet in lieu of the side yard only 8 feet from the front foundation line and minimum required 2 ½ feet respectively.

A site visit was conducted on December 3, 2018. The property is the subject of Code Enforcement Case# CC1816636.

The Department of Planning does not support granting the petitioned zoning relief.

The existing dwellings here are in very close proximity to one another. Parking the recreational vehicle in the front yard creates a stockade like visual experience as viewed from # 539 Compass Road, being taller than any fence that may be permitted there. The proposal disrupts the developed pattern of the street as viewed from both directions and cannot integrate successfully into the dense neighborhood.

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

Prepared by:

A blue ink signature of Lloyd T. Moxley, consisting of a stylized 'L' and 'M'.

Lloyd T. Moxley

Division Chief:

A purple ink signature of Jennifer G. Nugent, featuring a large, flowing 'J' and 'N'.

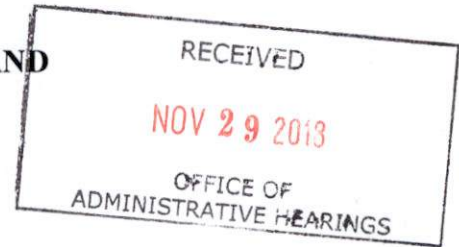
Jenifer G. Nugent

AVA/JGN/LTM/

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

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: November 29, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0166-A
Address 541 Compass Road
(Krach Property)

Zoning Advisory Committee Meeting of **December 03, 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: November 29, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0166-A
Address 541 Compass Road
(Krach Property)

Zoning Advisory Committee Meeting of **December 03, 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: December 27, 2018

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

SUBJECT: Zoning Advisory Committee Meeting
For December 03, 2018
Item No. 2019-0157-A, 0163-X, 0166-A, and 0167-A

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

* * * * *

VKD: cen
cc: file

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 11/26/18

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

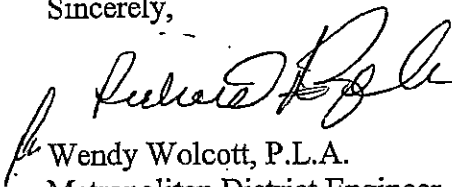
Dear Ms. Lewis:

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. 2019-0166-A

Variance
Ralph Krach Jr. & Karen Krach
541 Compass 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

CASE NAME RAIPH + Karen KRACH JR
CASE NUMBER CC 18166 36
DATE 2-15-19

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
------	---------	------------------	----------

[illegible]

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment12/27DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)No Comment11/29/18DEPS
(if not received, date e-mail sent _____)No Comment

FIRE DEPARTMENT

12/13/18PLANNING
(if not received, date e-mail sent _____)Opposed
Comment11/26

STATE HIGHWAY ADMINISTRATION

No Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. CC 1816636)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

1/25/19SIGN POSTING (1st)

Date:

1/25/19

by

DoakSIGN POSTING (2nd)

Date:

2/10/19

by

Doak

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

Real Property Data Search

Search Result for BALTIMORE COUNTY

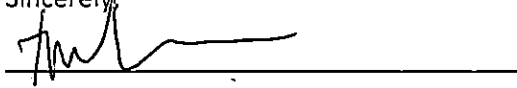
View Map			View GroundRent Redemption			View GroundRent Registration				
Tax Exempt:			Special Tax Recapture:							
Exempt Class:			NONE							
Account Identifier:			District - 15 Account Number - 1507581730							
Owner Information										
Owner Name:			KRACH RALPH E JR KRACH KAREN M			Use:		RESIDENTIAL		
Mailing Address:			541 COMPASS RD BALTIMORE MD 21220-3545			Principal Residence:		YES		
						Deed Reference:		/11394/ 00039		
Location & Structure Information										
Premises Address:			541 COMPASS RD 0-0000			Legal Description:		541 COMPASS RD VICTORY VILLA		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	B
0090	0004	0570		0000	1		113	2018	Plat Ref:	0022/ 0100
Special Tax Areas:					Town:		NONE			
					Ad Valorem:					
					Tax Class:					
Primary Structure Built			Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1942			1,131 SF				5,000 SF		04	
Stories	Basement	Type	Exterior		Full/Half Bath		Garage	Last Major Renovation		
1	NO	STANDARD UNIT	ASBESTOS SHINGLE		1 full		1 Detached			
Value Information										
			Base Value		Value		Phase-In Assessments			
					As of		As of		As of	
					01/01/2018		07/01/2018		07/01/2019	
Land:			53,000		53,000					
Improvements			81,600		83,100					
Total:			134,600		136,100		135,100		135,600	
Preferential Land:			0						0	
Transfer Information										
Seller: GREGORY RALPH J					Date: 01/22/1996			Price: \$88,000		
Type: ARMS LENGTH IMPROVED					Deed1: /11394/ 00039			Deed2:		
Seller:					Date:			Price:		
Type:					Deed1:			Deed2:		
Seller:					Date:			Price:		
Type:					Deed1:			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: Approved 12/31/2012										
Homeowners' Tax Credit Application Information										
Homeowners' Tax Credit Application Status: No Application						Date:				

November, 7, 2018

To Whom it May Concern:

My name is Taylor Haggerty, and I live at 539 Compass Road in Middle River. I am neighbors to Ralph and Karen and I have no issues with them having an RV parked in their driveway.

Sincerely,



The RV in their yard does not bother me at all.
It doesn't affect my vision of the yard/street.
They pull it up as far as their house allows.
They keep it clean and it's never close to the
Street.
As neighbors, I've never had any complaints
towards them.

Sincerely



443 969 6435

PET. 5

November, 7, 2018

To Whom it May Concern:

My name is Charles & Melody Hickman and I live at 543 Compass Road in Middle River. I am neighbors to Ralph and Karen and I have no issues with them having an RV parked in their driveway.

Sincerely,

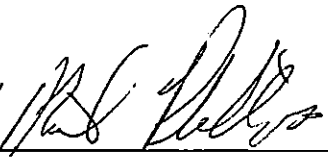
Melody Hickman

November, 7, 2018

To Whom it May Concern:

My name is , and I live at 540 Compass Road in Middle River. I am neighbors to Ralph and Karen and I have no issues with them having an RV parked in their driveway.

Sincerely,



November, 7, 2018

To Whom it May Concern:

My name is JEFFREY LUPTON, and I live at 544 Compass Road in Middle River. I am neighbors to Ralph and Karen and I have no issues with them having an RV parked in their driveway.

Sincerely,

Jeffrey Lupton

November, 7, 2018

To Whom it May Concern:

My name is Craig Ziegler, and I live at 542 Compass Road in Middle River. I am neighbors to Ralph and Karen and I have no issues with them having an RV parked in their driveway.

Sincerely,

Craig Ziegler

A











F





4

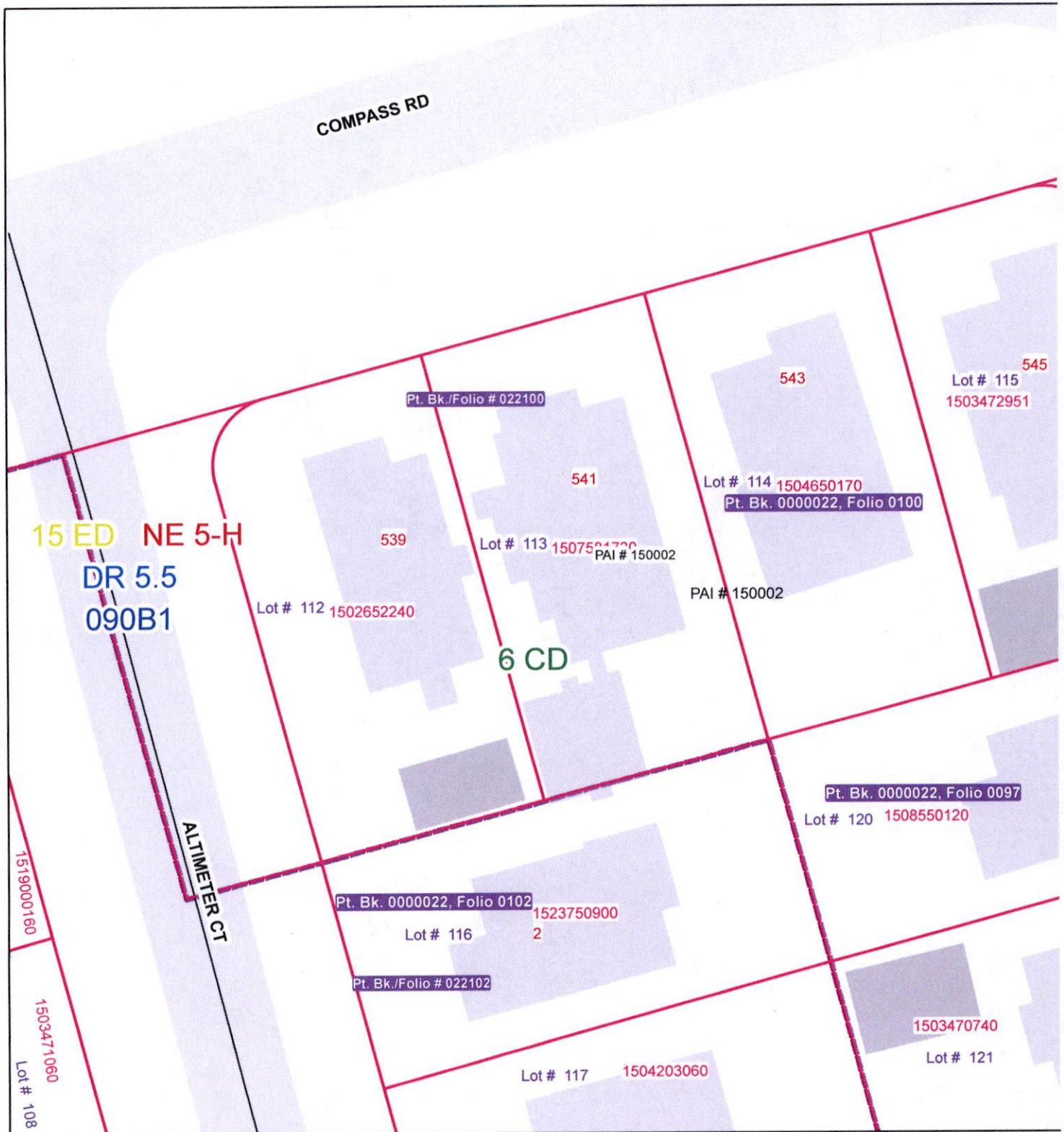




7



541 Compass Road, Tax #15-G, -581-730



Publication Date: 11/19/2018



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

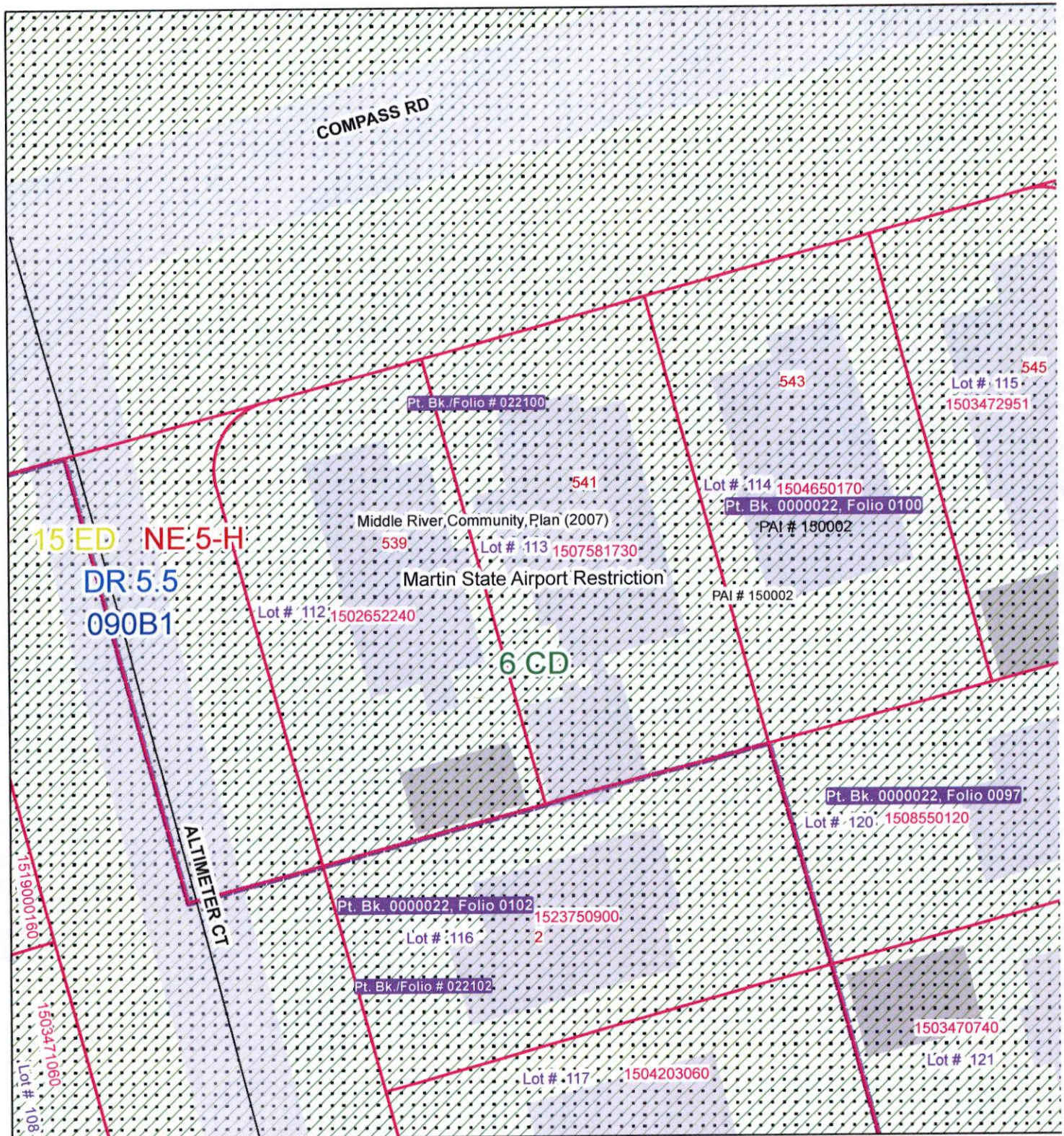


0 5 10 20 30 40 Feet

1 inch = 30 feet

Item #0166

541 Compass Road, Tax #15-0, -581-730



Publication Date: 11/19/2018



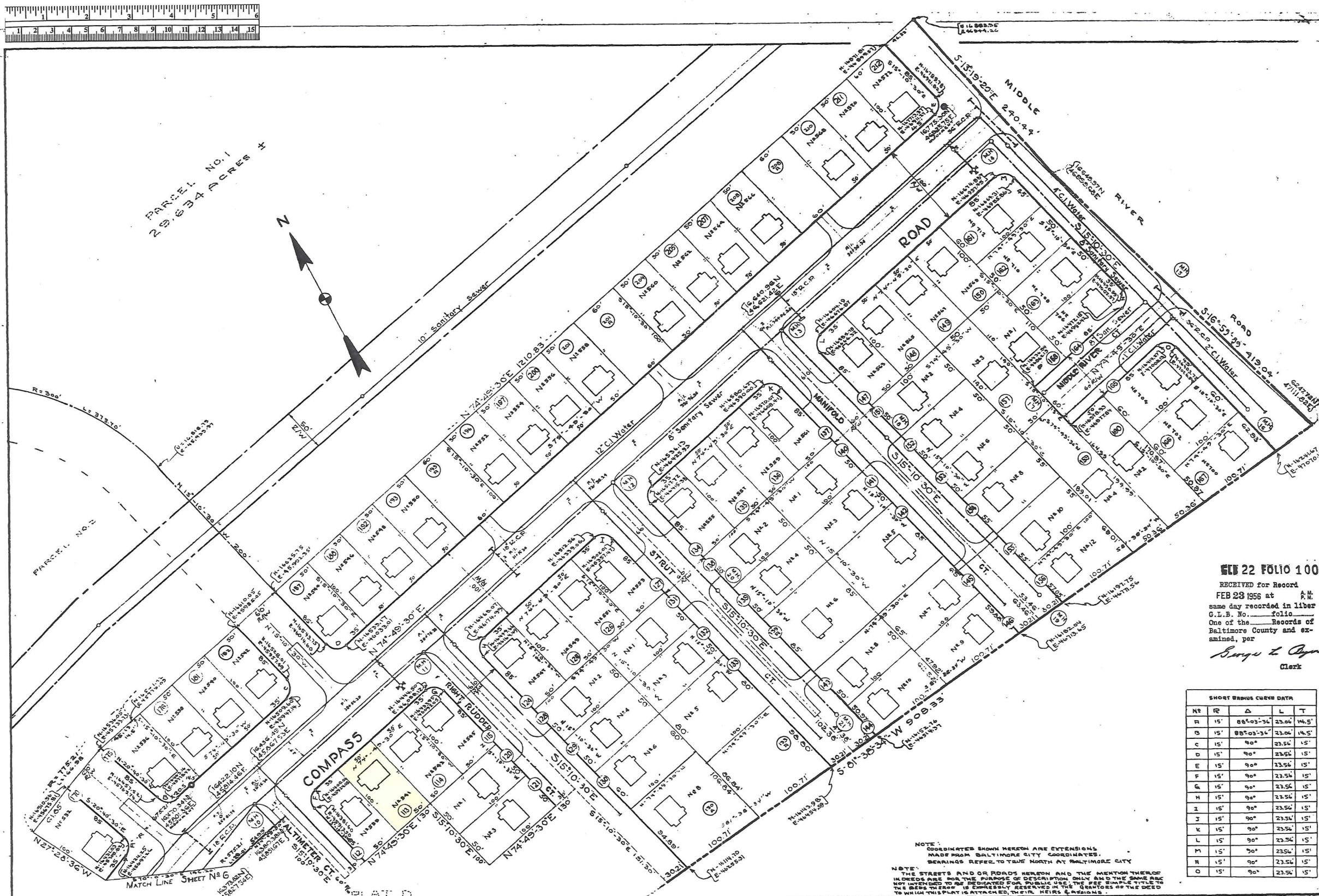
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 5 10 20 30 40
Feet

1 inch = 30 feet

Item #0166



CLB 22 FOLIO 100

RECEIVED for Record
FEB 23 1956 at A. M.
P. M.
same day recorded in liber
G.L.B. No. _____ folio _____
One of the _____ Records of
Baltimore County and ex-
amined. per _____

George L. Byrnes
Clark

SHORT RANGE CUE DATA				
NR	R	Δ	L	T
A	15'	88°03'-34"	23.06'	34'
B	15'	88°03'-35"	23.06'	34'
C	15'	90°	23.56'	34'
D	15'	90°	23.56'	34'
E	15'	90°	23.56'	34'
F	15'	90°	23.56'	34'
G	15'	90°	23.56'	34'
H	15'	90°	23.56'	34'
I	15'	90°	23.56'	34'
J	15'	90°	23.56'	34'
K	15'	90°	23.56'	34'
L	15'	90°	23.56'	34'
M	15'	90°	23.56'	34'
N	15'	90°	23.56'	34'
O	15'	90°	23.56'	34'

NOTE:
COORDINATES SHOWN HEREON ARE EXTENSIONS
MADE FROM BALTIMORE CITY COORDINATES.
BEARINGS REFER TO TRUE NORTH AT BALTIMORE CITY

NOTE: THE STREETS AND OR ROADS HEREON AND THE MENTION THEREOF INCREASED FOR THE PURPOSE OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED FOR PUBLIC USE. THE BEST SIMPLE TITLE THE BIDS THEREON IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS & ASSIGNS.

BALTIMORE COUNTY
PLANNING BOARD
APPROVED BY:
M. L. Dice 1/30/56
DIRECTOR

BALTIMORE COUNTY
HEALTH DEPARTMENT
APPROVED BY:
William H. Winters 1956
DEPUTY STATE & CO HEALTH OFFICER

ALIGNMENT & LOCATION
OF STREETS
APPROVED BY:
Walter G. Gandy 1/30/56
ROADS ENGINEER OF BALT. CO. M.

ENGINEERS & OWNERS CERTIFICATE
CERTIFICATION IS HEREBY MADE THAT ALL OF THE REQUIREMENTS
OF SECTION 1 TO 4 OF ARTICLE II OF THE ANNOTATED CODE OF
MARYLAND (1981 EDITION) HAVE BEEN COMPLIED WITH AND IT IS
CONCERNING THE MAKING OF THIS PAT & THE SETTING OF THE MARKS
UNITED STATES OF AMERICA, owner.

BY: Michael R. Kuy E.A. JONES
REGISTERED PROFESSIONAL FIELD OFFICE ENGINEER

VICTORY VILLA - SECTION 1-PLAT B
LOT SUBDIVISION PLAT ROADS & UTILITIES
BALTIMORE - COUNTY, MARYLAND
15TH ELECTION DISTRICT

WILLIAM F. NEALE
& ASSOCIATES
CIVIL ENGINEERS
BALTIMORE, MD.

DRAWING No: 4 OF 20
SCALE 1"= 50'
ALTERATIONS & ADDITIONS
BY E. J. Jones & John B. Delaney
OCT. 1955 JOHN B. DELANEY
NORTH EAST, MD

MSA 55U1236-1427

NORTH EAST.
22/11/50

PETITIONER' S

EXHIBIT NO. Z

Baltimore County - My Neighborhood



PETITIONER' S

EXHIBIT NO. 3

GENERAL SITE INFORMATION

- Ownership: Ralph E. Krach, Jr. & Karen M. Krach
541 Compass Road Baltimore, MD 21220
- Address: 541 Compass Road Baltimore, MD 21220
- Deed references: SM 11394/ 39
Lot 113 "Victory Villa- Section 1- Plat B" PB 22/ 100
- Area: 5,000 sq. ft. (per PB 22/100)
- Tax Map / Parcel / Lot / Tax account #: 90 / 570 / 113 / 15-07-581730
- Election District: 15 Councilmanic District: 6
ADC Map: 4701H6 GIS tile: 090B1 Position sheet: 17NE31
Census tract: 451300 Census block: 24005451300
Schools: Victory Villa ES Middle River MS Kenwood 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 tile 090B1 and the information provided by Baltimore County on the internet.
- Improvements: Single family dwelling, shed & parking area. The existing dwelling, shed and parking area will remain.

OFFICE OF ZONING

Zoning: D.R. 5.5 Zoning Map: 090B1
There are no previous zoning cases on the subject parcels.

Parking Calculations

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

ENVIRONMENTAL IMPACT

Watershed: Back River URDL land type: 1

- The existing dwelling is currently serviced by public water and sewer in Compass Road.
- 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.

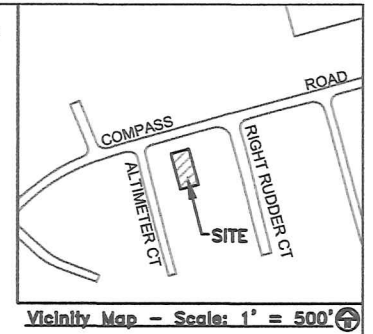
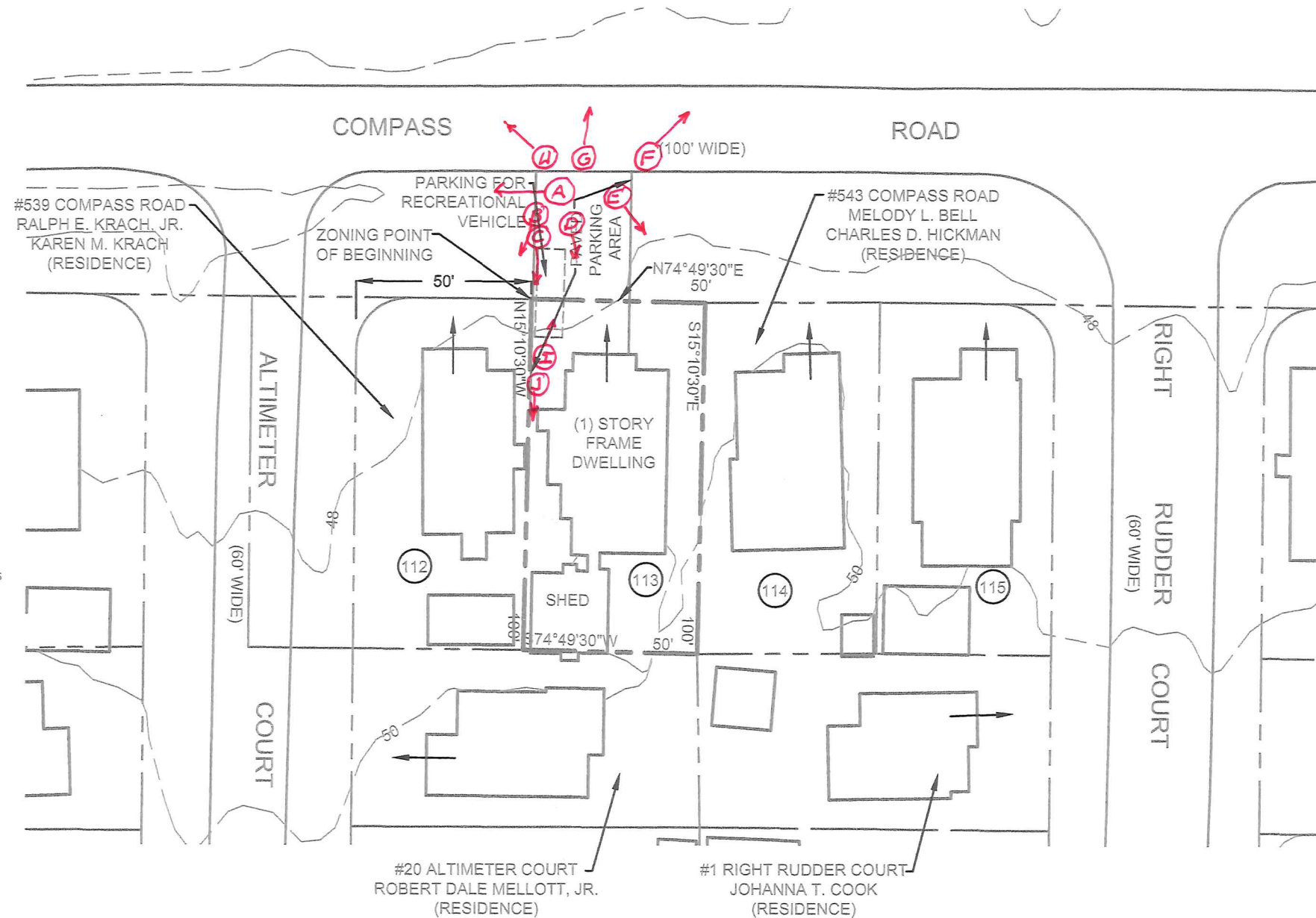
OFFICE OF PLANNING

Regional Planning District: Middle River District Code: 327
Growth Tier: 1. Served by public sewer and inside URDL

- The subject dwelling is not historic. The subject property is not in a historic district.

PROPOSED DEVELOPMENT

No development is proposed. Only to permit the continued parking of a recreational vehicle in the driveway of the subject lot.



Vicinity Map - Scale: 1" = 500'

Bruce E. Doak Consulting, LLC Land Use Expert and Surveyor 3801 Baker Schoolhouse Road Pikesville, MD 21063 P 443-500-5535 M 410-419-4905 bdoak@bruceedoakconsulting.com	
PLAN TO ACCOMPANY A ZONING PETITION FOR #541 COMPASS ROAD	
BALTIMORE COUNTY, MARYLAND 15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT	
Date: 11/18/18	Scale: 1"=40'

PLAN TO ACCOMPANY PHOTOGRAPHS

PETITIONER'S

EXHIBIT NO. 4

GENERAL SITE INFORMATION

1. Ownership: Ralph E. Krach, Jr. & Karen M. Krach
541 Compass Road Baltimore, MD 21220
2. Address: 541 Compass Road Baltimore, MD 21220
3. Deed references: SM 11394/ 39
Lot 113 "Victory Villa- Section 1- Plat B" PB 22/ 100
4. Area: 5,000 sq. ft.(per PB 22/100)
5. Tax Map / Parcel / Lot / Tax account #: 90 / 570 / 113 / 15-07-581730
6. Election District: 15 Councilmanic District: 6
ADC Map: 4701H6 GIS tile: 090B1 Position sheet: 17NE31
Census tract: 451300 Census block: 24005451300
Schools: Victory Villa ES Middle River MS Kenwood 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 tile 090B1 and the information provided by Baltimore County on the internet.
8. Improvements: Single family dwelling, shed & parking area. The existing dwelling, shed and parking area will remain.

OFFICE OF ZONING

Zoning: D.R. 5.5 Zoning Map: 090B1
There are no previous zoning cases on the subject parcels.

Parking Calculations

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

ENVIRONMENTAL IMPACT

Watershed: Back River URDL land type: 1

1. The existing dwelling is currently serviced by public water and sewer in Compass Road.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

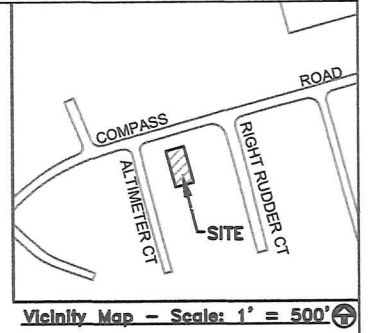
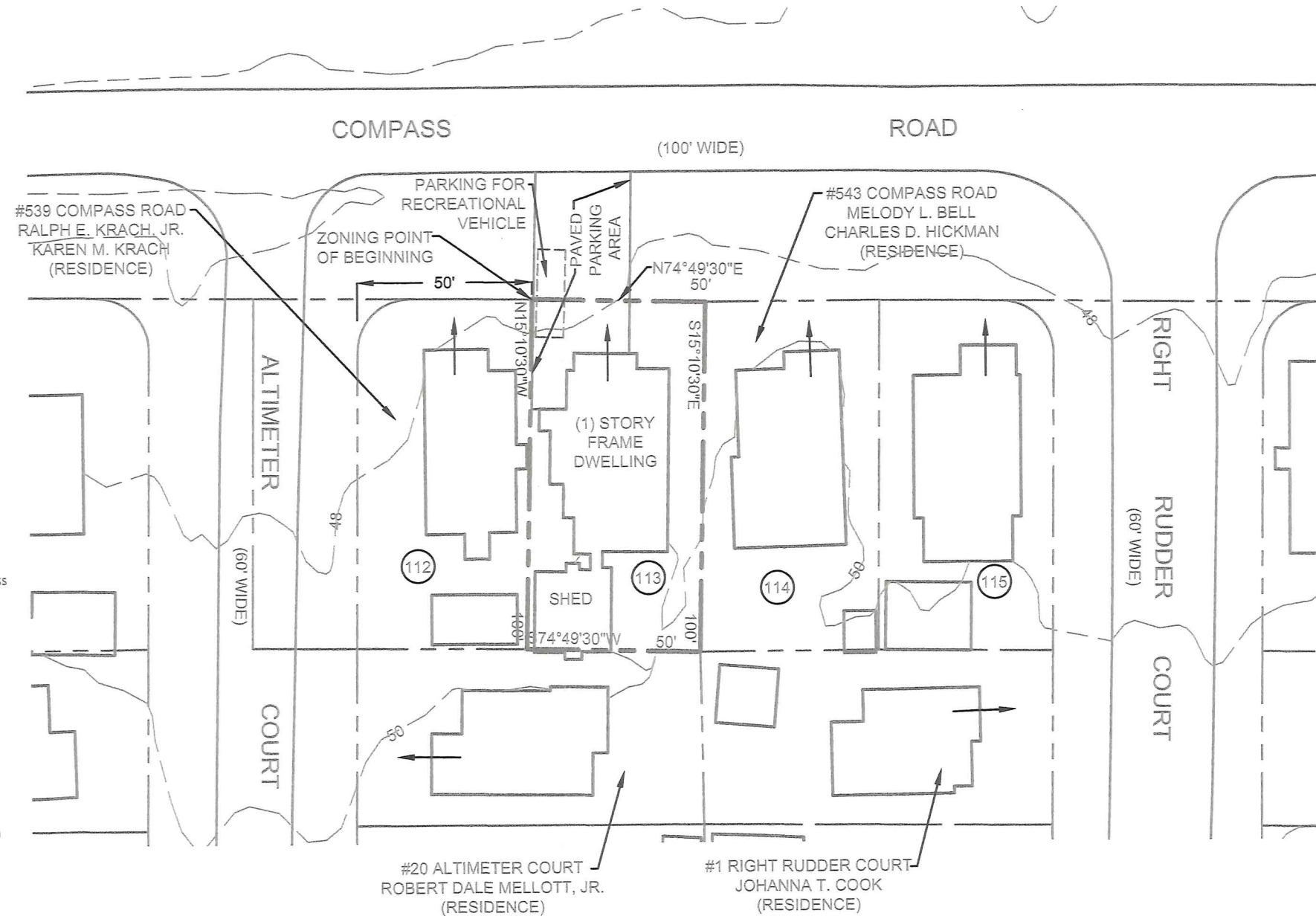
OFFICE OF PLANNING

Regional Planning District: Middle River District Code: 327
Growth Tier: 1. Served by public sewer and inside URDL

1. The subject dwelling is not historic. The subject property is not in a historic district.

PROPOSED DEVELOPMENT

No development is proposed. Only to permit the continued parking of a recreational vehicle in the driveway of the subject lot.



Bruce E. Doak Consulting, LLC Land Use Expert and Surveyor 3801 Baker Schoolhouse Road Preston, MD 21065 P 443-500-5935 M 410-419-2906 bdoak@brucedoakconsulting.com	
PLAN TO ACCOMPANY A ZONING PETITION FOR #541 COMPASS ROAD	
BALTIMORE COUNTY, MARYLAND 15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT	
Date: 11/18/18	Scale: 1"=40'

CASE #2019-0166-A

PET.1

GENERAL SITE INFORMATION

- Ownership: Ralph E. Krach, Jr. & Karen M. Krach
541 Compass Road Baltimore, MD 21220
- Address: 541 Compass Road Baltimore, MD 21220
- Deed references: SM 11394/ 39
Lot 113 "Victory Villa- Section 1- Plat B" PB 22/ 100
- Area: 5,000 sq. ft. (per PB 22/100)
- Tax Map / Parcel / Lot / Tax account #: 90 / 570 / 113 / 15-07-581730
- Election District: 15 Councilmanic District: 6
ADC Map: 4701H6 GIS tile: 090B1 Position sheet: 17NE31
Census tract: 451300 Census block: 24005451300
Schools: Victory Villa ES Middle River MS Kenwood 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 tile 090B1 and the information provided by Baltimore County on the internet.
- Improvements: Single family dwelling, shed & parking area. The existing dwelling, shed and parking area will remain.

OFFICE OF ZONING

Zoning: D.R. 5.5 Zoning Map: 090B1
There are no previous zoning cases on the subject parcels.

Parking Calculations

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

ENVIRONMENTAL IMPACT

Watershed: Back River URDL land type: 1

- The existing dwelling is currently serviced by public water and sewer in Compass Road.
- 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.

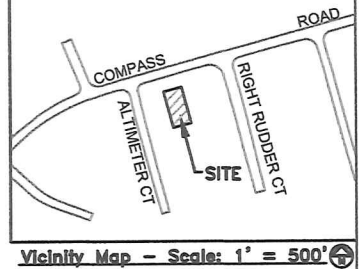
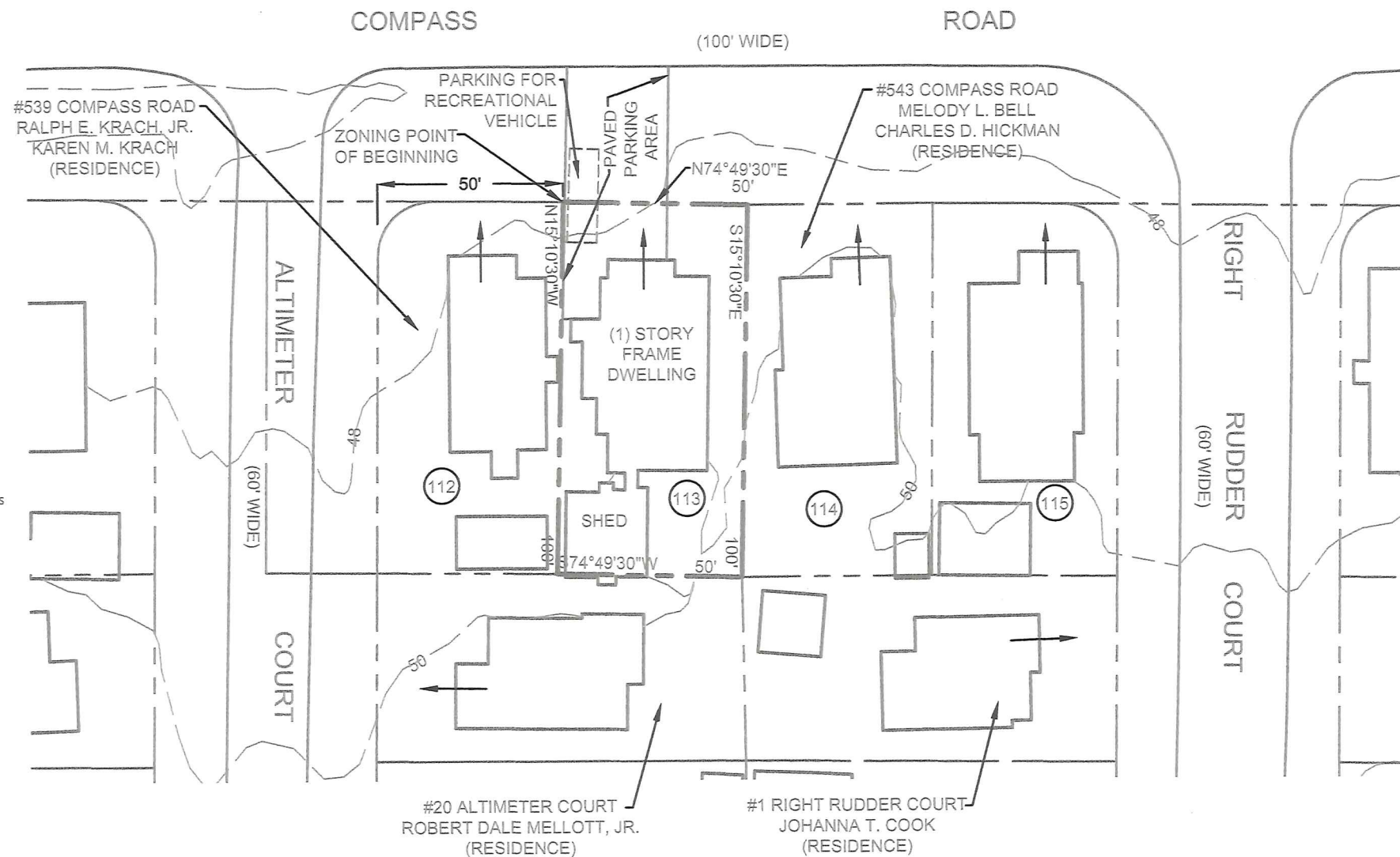
OFFICE OF PLANNING

Regional Planning District: Middle River District Code: 327
Growth Tier: 1. Served by public sewer and inside URDL

- The subject dwelling is not historic. The subject property is not in a historic district.

PROPOSED DEVELOPMENT

No development is proposed. Only to permit the continued parking of a recreational vehicle in the driveway of the subject lot.



Vicinity Map - Scale: 1" = 500'



Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-800-3535 m 410-419-4906
bdoak@brucedoakconsulting.com

PLAN TO ACCOMPANY A ZONING PETITION
FOR
#541 COMPASS ROAD

BALTIMORE COUNTY, MARYLAND
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT

Date: 11/18/18
Scale: 1"=40'

CASE # 2019-0166-A