

M E M O R A N D U M

DATE: February 11, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0180-A - Appeal Period Expired

The appeal period for the above-referenced case expired on February 8, 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 ADMIN. VARIANCE	*	BEFORE THE
(2222 Caves Road)		
4 th Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
Melissa C. Breidenstein and	*	HEARINGS FOR
Thomas E. Myers, Jr.		
Petitioners	*	BALTIMORE COUNTY
	*	CASE NO. 2019-0180-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Melissa C. Breidenstein and Thomas E. Myers, Jr. (“Petitioners”). The Petitioners are requesting Variance relief pursuant to § 1A04.3.B.2.b of the Baltimore County Zoning Regulations (“BCZR”), to permit a proposed new dwelling with side yard setbacks of 35' and 35' in lieu of the required 50' and 50' respectively, and to amend the Final Development Plan (“FDP”) of Burgesen Property for Lot 1 only. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1.

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 December 26, 2018, indicating that Ground Water Management must review any new house building permit, since it is to be served by well and septic. It is to be noted that letters of support were received from Petitioners’ neighbors (2218 and 2224 Caves Road) who have no objections to Petitioners’ zoning request.

ORDER RECEIVED FOR FILING

Date 1-9-19
 By KW

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on December 16, 2018, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

THEREFORE, IT IS ORDERED, this 9th day of **January, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed new dwelling with side yard setbacks of 35' and 35' in lieu of the required 50' and 50' respectively, and to amend the Final Development Plan ("FDP") of Burgesen Property for Lot 1 only, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

ORDER RECEIVED FOR FILING

Date 1-9-19

By KW

- Petitioners must comply with the DEPS ZAC comment, dated December 26, 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 1-9-19

By DLW

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: December 26, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0180-A
Address 2222 Caves Road
(Breidenstein & Myers Property)

Zoning Advisory Committee Meeting of **December 24, 2018.**

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

1. Groundwater Management must review any new house building permit, since it is to be served by well and septic.

Reviewer: Dan Esser

ORDER RECEIVED FOR FILING

Date 1-9-19

By DW



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 2222 Caves Rd. Owings Mills MD 21117 Currently zoned RC-5
Deed Reference 3547 / 17 10 Digit Tax Account # 2300005091
Owner(s) Printed Name(s) Melissa C. Breidenstein Thomas E. Myers Jr.

(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. ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 1A04.3.B.2.b of BCZR to permit a proposed new dwelling with side yard setbacks of 35 and 35 feet in lieu of the required 50 and 50 feet respectively, and to amend the Final Development Plan of Burgesen Property for Lot 1 only.

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):

Melissa C. Breidenstein Thomas E. Myers Jr.
Name #1 – Type or Print Name #2 – Type or Print

[Signature] [Signature]
Signature #1 Signature #2

2222 Caves Rd Owings Mills MD
Mailing Address City State

21117 410 252 7716 makee8520@yahoo.com
Zip Code Telephone # Email Address

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

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

Representative to be contacted:

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

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ 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 2019-0180-A Filing Date 12/15/18 Estimated Posting Date 12/16/18 Reviewer AT

~12/31/18

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: 2222 Caves Rd. Owings Mills MD 21117
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)

(See Attached)

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

Signature of Owner (Affiant)

Melissa Breidenstein

Name- Print or Type

Signature of Owner (Affiant)

Tom Myers

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 5th day of December, 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Melissa Breidenstein / Tom Myers

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

AS WITNESS my hand and Notaries Seal

LORAIN M ALLEN
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND

My Commission Expires 09/11/2022

Lorain M Allen
Notary Public

9/11/2022
My Commission Expires

2019-0180-A

REV. 5/5/2016

To Whom It May Concern,

We, Thomas E Myers Jr. and Melissa C. Breidenstein are requesting for this relief to the zoning code to be granted on our property at 2222 Caves Rd, Owings Mills MD 21117 because we are looking to build a new, larger, and more efficient dream home. Our current home is old, the rooms are very chopped up, and it is not efficient at all. The house has also been added onto several times over the years, and it doesn't have a good flow. It was also recently discovered there is significant termite damage. Considering the cost to repair this damage, it would not be feasible nor economic to renovate. Due to these reasons, we have decided to build, rather than put any more money into this existing house.

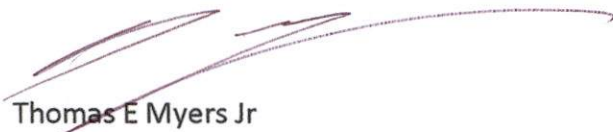
The Practical Difficulty and Undue Hardship of our property is that we are impacted by an electric transmission power line in the front. When we overlay the building setbacks to the power lines, the building envelope is too small for what we are looking to build. The rear of the property is covered by a septic disposal area, it limits the property to a narrow area as to where one can build.

With that being said we have a very restricted small space to build on.

We have attached signed and notarized letters from our neighbors on both sides of the property line, stating that they have no objections should this relief be granted.

Thank you for your time and consideration to review this very important matter.

Sincerely,



Thomas E Myers Jr



Melissa C Breidenstein



LORRAINE M ALLEN
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND
My Commission Expires 09/11/2022

2019-0180-A

Zoning Description
For
2222 Caves Road

Beginning at a point on the Northwest side of Caves Road, which is 60' feet wide, at the distance of 1,500 feet Southwest of the centerline of the Greenspring Avenue. Being Lot 1, in the subdivision of Burgesen Subdivision, as recorded in Baltimore County Plat Book 53, Folio 36, containing 1.32 Ac. of land. Also known as 2222 Caves Road and located in the 4th Election District, 2nd Councilmanic District.

2019-0180-A

Debra Wiley

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Tuesday, January 08, 2019 2:34 PM
To: Administrative Hearings
Cc: Sherry Nuffer
Subject: Caves Road Certification Case # 2019-0180-A
Attachments: Caves Rd. Cert..jpeg; Photos Caves Rd. .docx

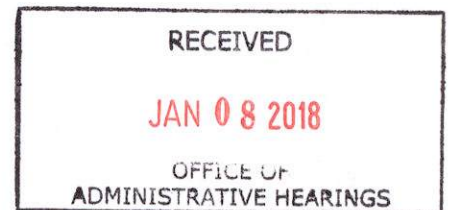
Hi Debbie,

I thought for sure I sent this to Kristen. Here it is again. Case # 2019-0180-A for Caves Road.
Please let me know you received this.
Thank you!

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com





1st Sign posted @ 2222 Caves Rd. 12/16/2018



2nd Sign posted @ 2222 Caves Rd. 12/16/2018
CASE # 2019-0180-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 12/16/2018

Case Number: 2019-0180-A

Petitioner / Developer: MELISSA BREIDENSTEIN

Date of Closing: DECEMBER 31, 2018

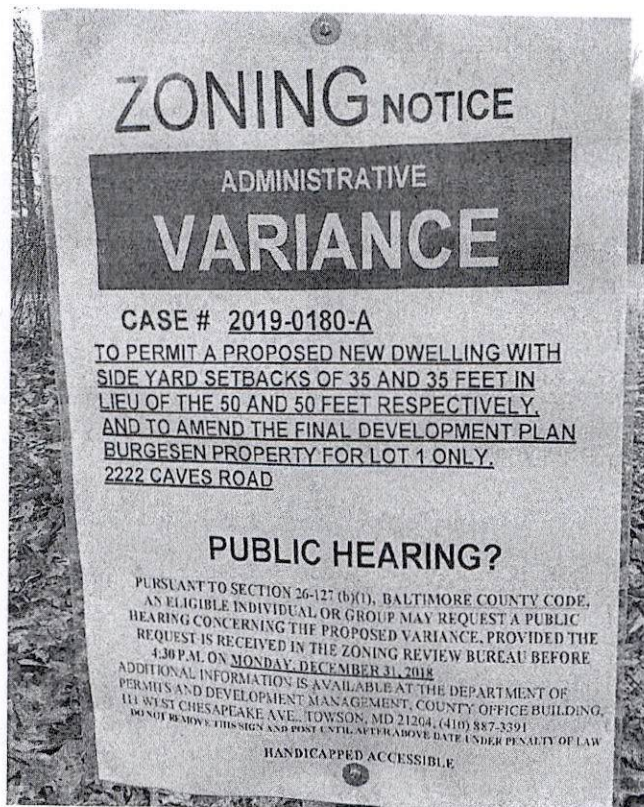
RECEIVED

JAN 08 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
2222 CAVES ROAD

The sign(s) were posted on: **DECEMBER 16, 2018**



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

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

No. **177731**

Date: **12/05/18**

PAID RECEIPT

BUSINESS ACTUAL DATE TIME

12/05/2018 12:05/2018 11:18:31

RECEIPT # 985460 12/05/2018

26 ZONING VERIFICATION

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$ 75

Recn Tot \$75.00

\$75.00 CK \$75.00

Baltimore County, Maryland

Total: **\$ 75**

Rec

From:

For: **2222 CAVES RD**

2019-0180-A

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

DIRECTOR
*Department of Permits,
Approvals & Inspections*

January 3, 2019

Melissa Breidenstein
Thomas Myers, Jr.
2222 Caves Road
Owings Mills, MD 21117

RE: Case Number: 2019-0180-A, Address: 2222 Caves 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 December 5, 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, appearing to read "W. Carl Richards, Jr.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 12/19/18

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. 2019-0180-A

Administrative Variance

*Melissa Bridgstein & Thomas Meyers Jr.
2222 Caves 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**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: December 26, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0180-A
Address 2222 Caves Road
(Breidenstein & Myers Property)

Zoning Advisory Committee Meeting of **December 24, 2018.**

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

1. Groundwater Management must review any new house building permit, since it is to be served by well and septic.

Reviewer: Dan Esser

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0180 - A Address 2222 Caves Road
Contact Person: Aaron Tsui Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 12/05/2018 Posting Date: 12/16/18 Closing Date: 12/31/18

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), 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- 0180 -A Address: 2222 Caves Road
Petitioner's Name: Melissa Breidenstein Telephone : 410-286-7716
Posting Date: 12/16/18 Closing Date: 12/31/2018
Wording for Sign: To permit a proposed new dwelling with side yard setbacks of 35 and 35 feet in lieu of the required 50 and 50 feet respectively, and to amend the Final Development Plan of Burgesen Property for Lot 1 only.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0180 - A Address 2222 Caves Road
Contact Person: Aaron Tsui Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 12/05/2018 Posting Date: 12/16/18 Closing Date: 12/31/18

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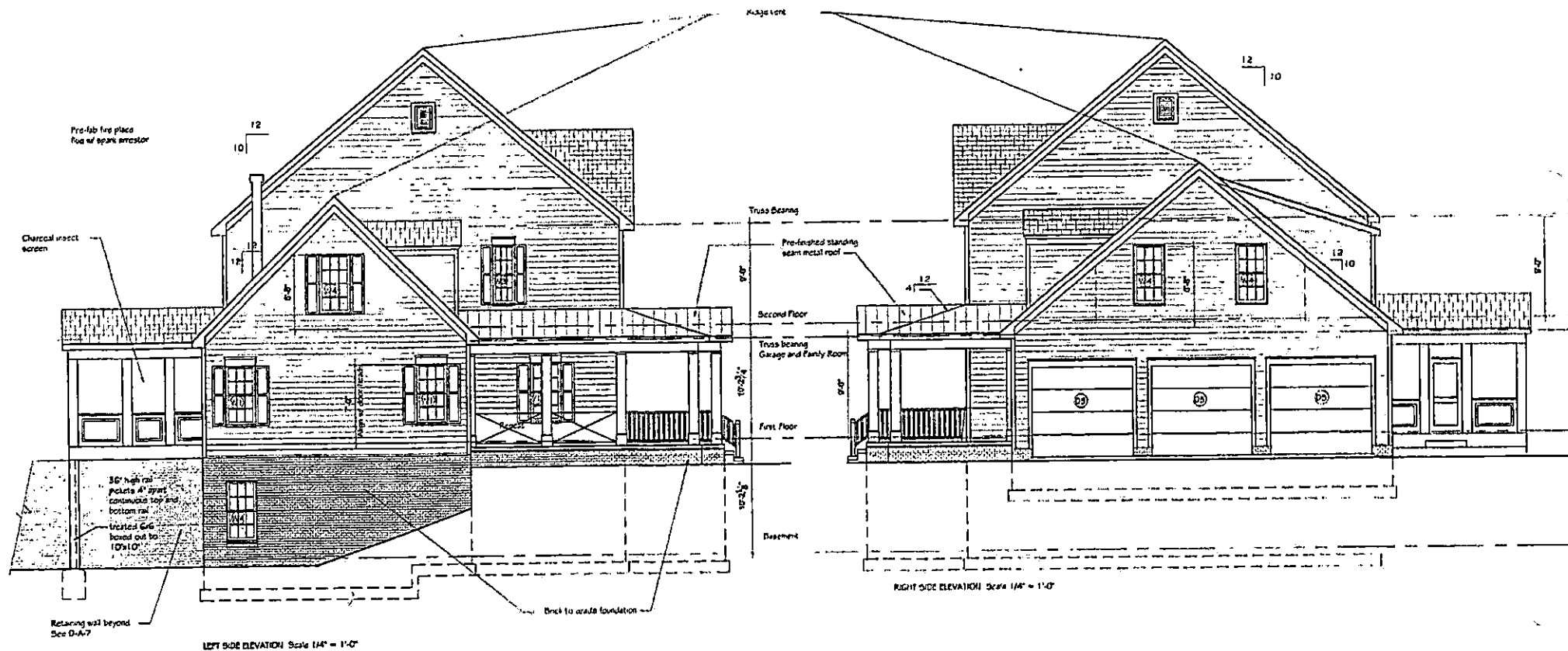
1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible 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.
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Wording for Sign: To permit a proposed new dwelling with side yard setbacks of 35 and 35 feet in lieu of the required 50 and 50 feet respectively, and to amend the Final Development Plan of Burgesen Property for Lot 1 only.



2019-0180-A

Real Property Data Search (w3)

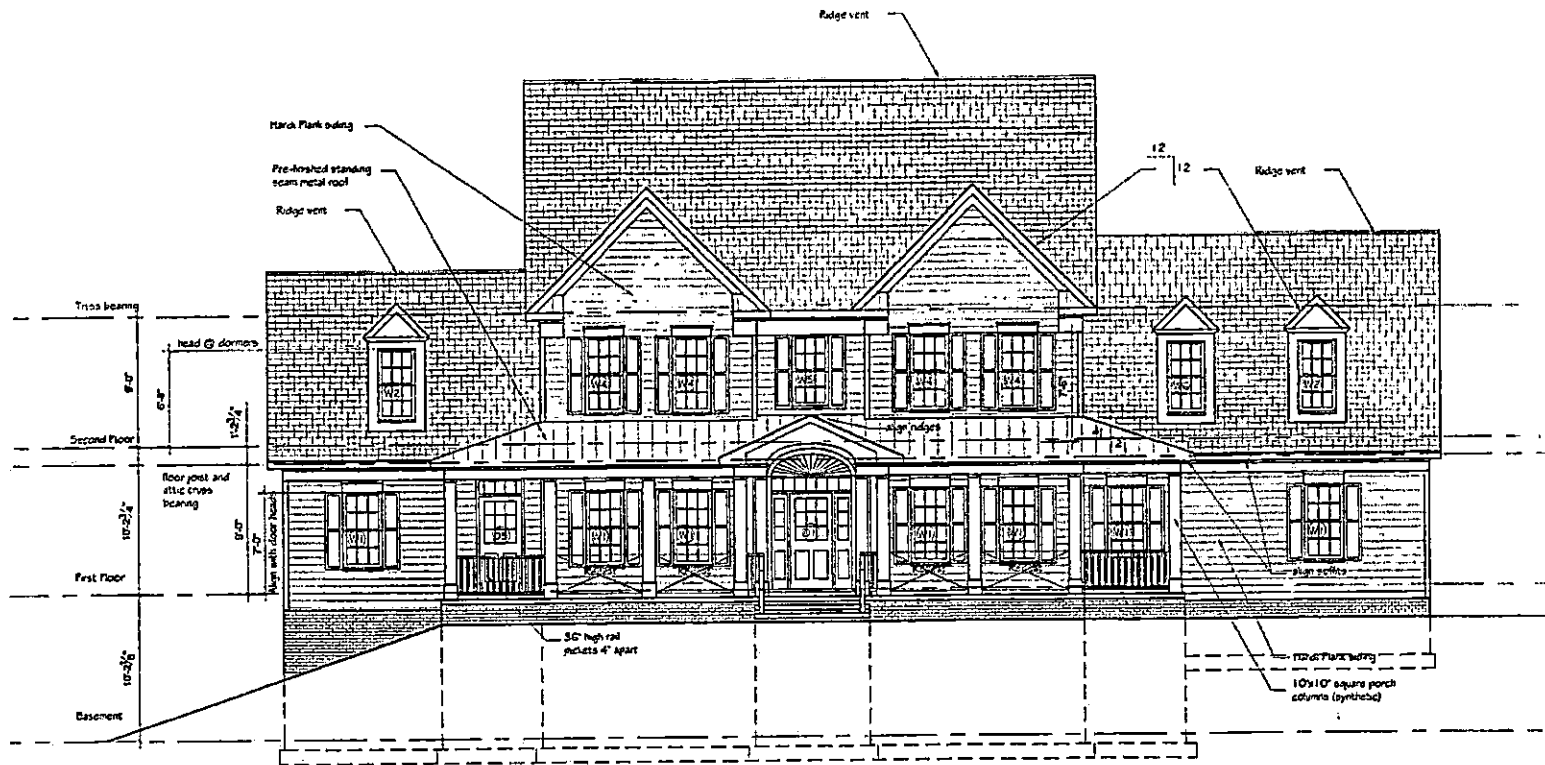
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 04 Account Number - 2300005091			
Owner Information					
Owner Name:		BREIDENSTEIN MELISSA C MYERS THOMAS E JR		Use: RESIDENTIAL Principal Residence: YES	
Mailing Address:		2222 CAVES RD OWINGS MILLS MD 21117-2328		Deed Reference: /35471/ 00017	
Location & Structure Information					
Premises Address:		2222 CAVES RD OWINGS MILLS 21117-2328		Legal Description: 1.3174 AC 2222 CAVES RD NWS CHESTNUT RIDGE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0059	0002	0202		0000	
			Block:	Lot:	Assessment Year:
				1	2019
Special Tax Areas:			Town:		Plat No:
			Ad Valorem:		Plat Ref:
			Tax Class:		0070/ 0142
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1941		1,496 SF		1.3200 AC	
Stories		Basement		County Use	
2		NO		04	
Type		Exterior		Full/Half Bath	
STANDARD UNIT		SIDING		1 full	
Garage		Last Major Renovation			
1 Detached					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2016		07/01/2018	
				As of	
				07/01/2019	
Land:	131,500	131,500			
Improvements	142,800	142,800			
Total:	274,300	274,300		274,300	
Preferential Land:	0				
Transfer Information					
Seller: BURGENSEN JACK R		Date: 10/16/2014		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /35471/ 00017		Deed2:	
Seller: BURGENSEN JACOB(DEC)		Date: 10/07/2010		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /29972/ 00001		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2018	
County:		000		0.00	
State:		000		0.00	
Municipal:		000		0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 09/11/2015					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

1. This screen allows you to search the Real Property database and display property records.
2. Click **here** for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

2019-0180-A

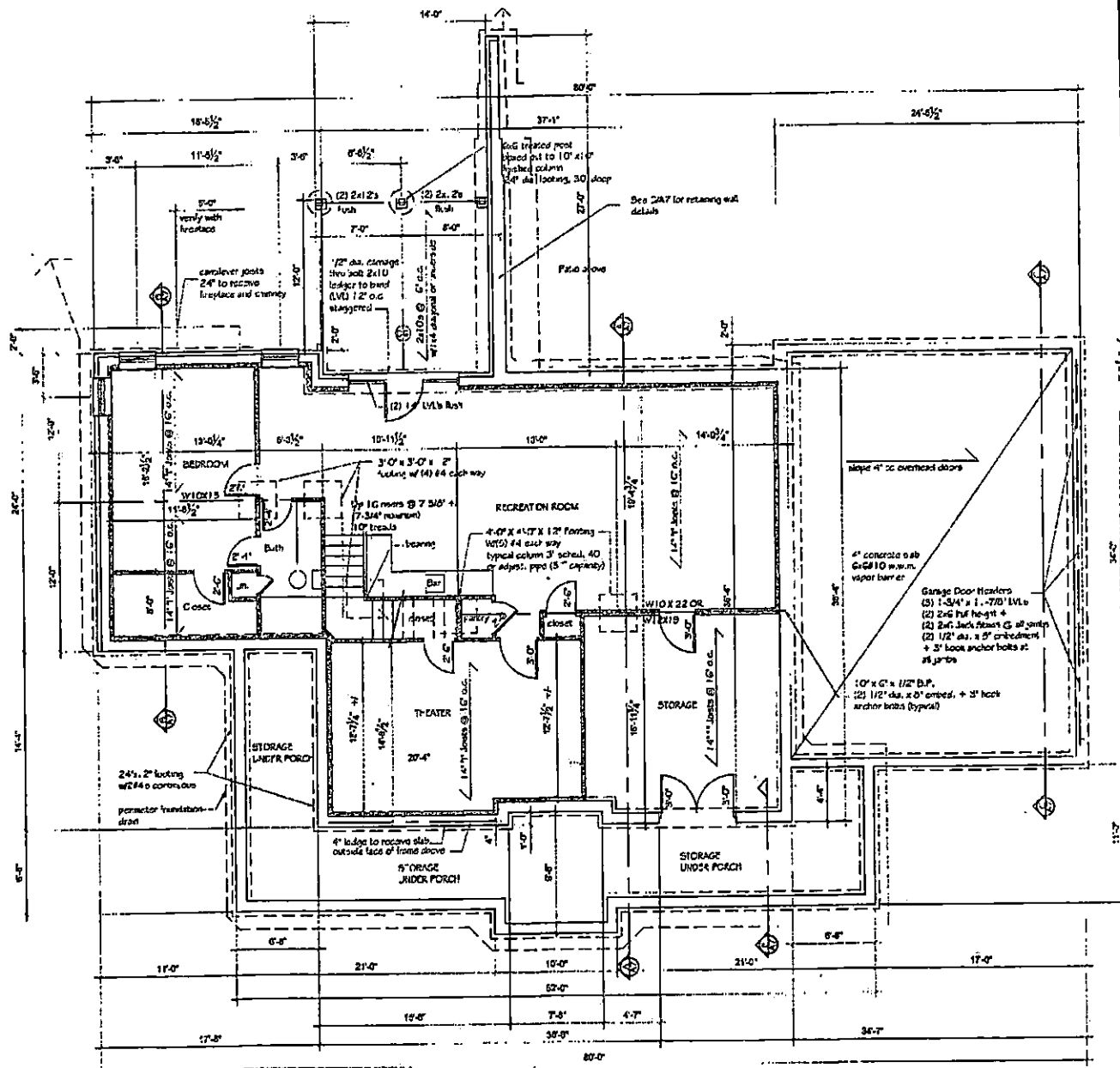
A-8810-P102



FRONT ELEVATION Scale 1/4" = 1'-0"

2019-0180-A

X-0810-910C

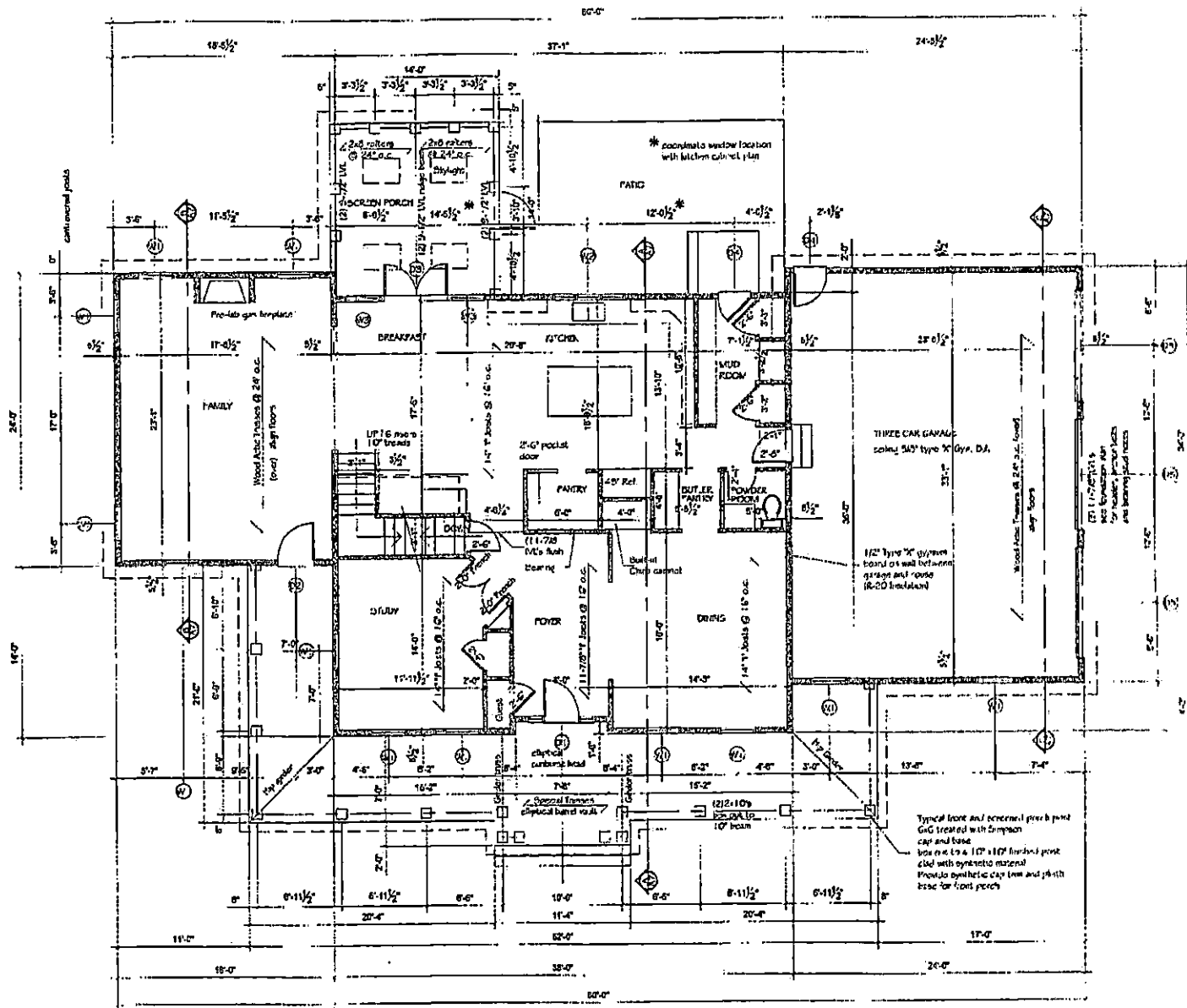


BASEMENT AND FOUNDATION PLAN Scale 1/4" = 1'-0"

Basement slab on
4" concrete w/ 6" x 6" x 10" w.w.m.
vapor barrier
4" gravel
control joints (3/16" deep) @ 15' o.c. e.n.

2019-0180-A

K-0810-9105

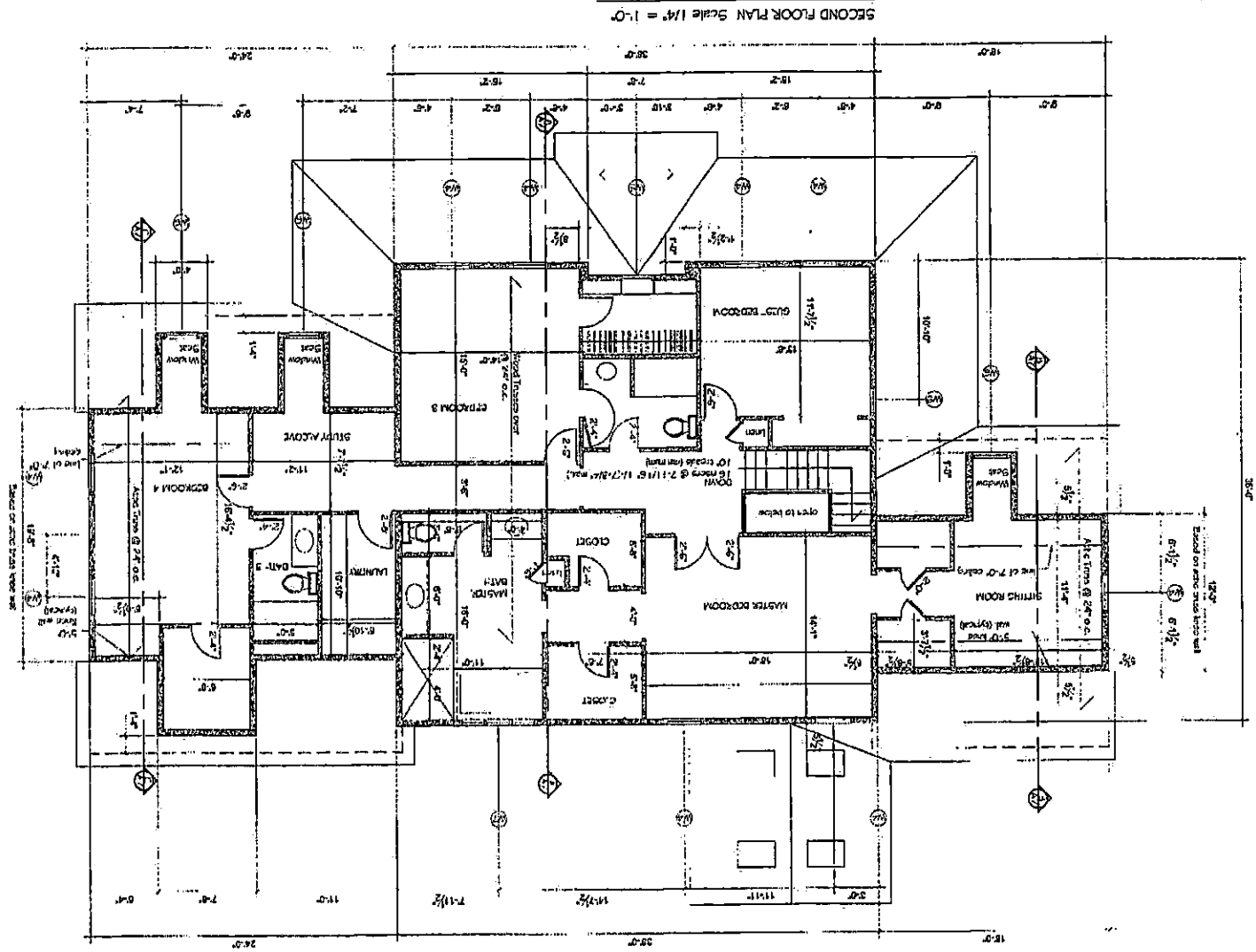


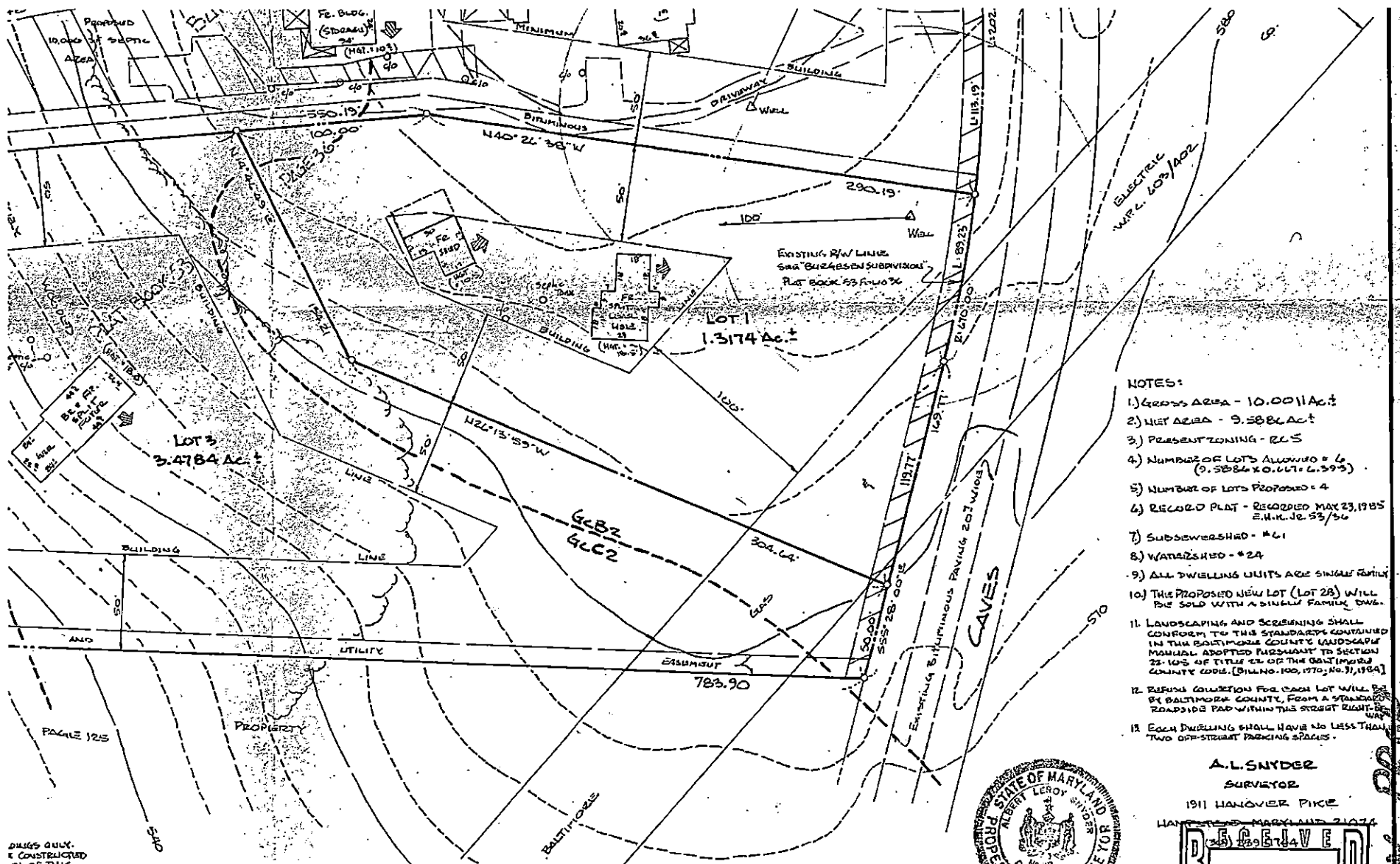
FIRST FLOOR PLAN Scale 1/4" = 1'-0"

2019-0180-A

A-2810-0105

2019-0180-A





- NOTES:
- 1) GROSS AREA - 10.0011 Ac.±
 - 2) NET AREA - 9.5886 Ac.±
 - 3) PRESENT ZONING - RLS
 - 4) NUMBER OF LOTS ALLOWED = 6
(9.5886 Ac.± / 1.6147 Ac.±)
 - 5) NUMBER OF LOTS PROPOSED = 4
 - 6) RECORD PLAT - RECORDED MAY 23, 1985
E.M.N. JE. 53/56
 - 7) SUBDIVISIONS - *61
 - 8) VARIATIONS - *24
 - 9) ALL DWELLING UNITS ARE SINGLE FAMILY
 - 10) THE PROPOSED NEW LOT (LOT 2B) WILL BE SOLD WITH A SINGLE FAMILY DW.
 - 11) LANDSCAPING AND SCREENING SHALL CONFORM TO THE STANDARDS CONTAINED IN THE BALTIMORE COUNTY LANDSCAPE MANUAL ADOPTED PURSUANT TO SECTION 22-105 OF TITLE 22 OF THE BALTIMORE COUNTY CODES. [BILL NO. 100, 1970; NO. 31, 1984]
 - 12) REPAIRS CONNECTION FOR EACH LOT WILL BE BY BALTIMORE COUNTY, FROM A STANDARD ROADSIDE PAD WITHIN THE STREET RIGHT-OF-WAY
 - 13) EACH DWELLING SHALL HAVE NO LESS THAN TWO OFF-STREET PARKING SPACES.



A.L. SNYDER
SURVEYOR
1911 HANOVER PIKE
HANOVER, MARYLAND 21074
RECEIVED
OCT - 2 1991
BUREAU OF PUBLIC SERVICES

FINAL DEVELOPMENT PLAN

FOR

BURGESEN PROPERTY

FOURTH ELECTION DISTRICT, BALTIMORE COUNTY, MD.

JANUARY 3, 1991

SCALE: 1"=50'

JOB # 89064

REVISIONS
3-25-91 ZONING COMMENTS
5-25-91 DEPT. COMMENTS

OFFICE OF PLANNING AND ZONING
APPROVED BY:

FOR E. Snyder
DIRECTOR OF PLANNING
ZONING COMMISSIONER
DATE

DRUGS ONLY.
E. CONSTRUCTION
OF THE
NEW BUILDING (2217/17)
NOT IN FLOOD PLAIN

N.H.S. INTERPRETATION
AND BOUNDARY
HIS TRACT THAT HAS
BE NOT BE RATHER
127000 OTHER THAN
WHICH A DWELLING IS

UNITS.
NUMBER OF A

DEVELOPER / OWNER
FREDERICK J. BURGESEN
2218 CAVES ROAD
OWINGS MILLS, MARYLAND 21117
(301) 252-3277

OWNERS:

- LOT 1 - JACOB M. BURGESEN AND MARGARET RITA BURGESEN
2222 CAVES ROAD
OWINGS MILLS, MARYLAND 21117 TAX ACCT. # 2000009047
TITLE REF. E.M.N. JE. 5564/217
- LOT 2 - FREDERICK J. BURGESEN AND MICHELLE Y. BURGESEN
2218 CAVES ROAD
OWINGS MILLS, MARYLAND 21117 TAX ACCT. # 2000009048
TITLE REF. E.M.N. JE. 5564/184
- LOT 3 - JACK E. BURGESEN AND KATHLEEN BURGESEN
2224 CAVES ROAD
OWINGS MILLS, MARYLAND 21117 TAX ACCT. # 2000009049
TITLE REF. E.M.N. JE. 5564/222

2019-0180-A

Mark T. Mixter
2218 Caves Rd
Owings Mills, MD 21117

To Whom It May Concern,

I, Mark T Mixter understand that our neighbor at 2222 Caves Rd, Owings Mills MD 21117 are applying for a building side yard variance of 35' in lieu of the required 50'.

I, Mark T Mixter have no objections to Melissa C. Breidenstein and Thomas E. Myers Jr. being granted this relief.

Sincerely,

Mark T. Mixter

12/4/18

Sign

Date

*State of Maryland
County of Baltimore*

Signed on this 4th day of December 2018

[Signature]

MICKVIE ANTOINE WIGGINS
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND
My Commission Expires 09-26-2021

2019-0180-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 - 2300005092			
Owner Information					
Owner Name:		MIXTER MARK T NAGY JOANN		Use: Principal Residence: RESIDENTIAL YES	
Mailing Address:		2218 CAVES RD OWINGS MILLS MD 21117-2328		Deed Reference: /19370/ 00581	
Location & Structure Information					
Premises Address:		2218 CAVES RD OWINGS MILLS 21117-2328		Legal Description: 5.16675 AC 2218 CAVES RD NWS CHESTNUT RIDGE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0059	0002	0202		0000	
					Block:
					2A
					Assessment Year:
					2019
					Plat No:
					Plat Ref: 0070/ 0142
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
2003		6,478 SF		5.1700 AC	
County Use				04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	NO	STANDARD UNIT	SIDING	5 full/ 1 half	1 Attached
Last Major Renovation					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2019		07/01/2018	
				As of	
				07/01/2019	
Land:	179,400	179,400			
Improvements	664,500	713,400			
Total:	843,900	892,800		843,900	
Preferential Land:	0			860,200	
Transfer Information					
Seller: MIXTER MARK T		Date: 12/31/2003		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /19370/ 00581		Deed2:	
Seller: BURGESEN FREDERICK J		Date: 06/26/2001		Price: \$525,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /15336/ 00013		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 04/05/2010					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

2019-0180-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 - 2300005094			
Owner Information					
Owner Name:		BURGESEN JACK R BURGESEN KATHLEEN		Use: Principal Residence: RESIDENTIAL YES	
Mailing Address:		2224 CAVES RD OWINGS MILLS MD 21117-2328		Deed Reference:	
Location & Structure Information					
Premises Address:		2224 CAVES RD 0-0000		Legal Description: 1.9767 AC 2224 CAVES RD NWR CHESTNUT RIDGE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0059	0002	0202		0000	
					Block:
					3
					Assessment Year:
					2019
					Plat No:
					0070/ 0142
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1987		1,220 SF		572 SF	
				Property Land Area	
				1.9800 AC	
				County Use	
				04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
Split Foyer	YES	SPLIT FOYER	FRAME	1 full/ 1 half	1 Attached
Last Major Renovation					
Value Information					
		Base Value		Value	
				As of	
				01/01/2019	
				Phase-in Assessments	
				As of	
				07/01/2018	
				As of	
				07/01/2019	
Land:		139,900		139,900	
Improvements		150,100		187,700	
Total:		290,000		327,600	290,000
Preferential Land:		0			302,533
Transfer Information					
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2018	
County:		000		0.00	
State:		000		0.00	
Municipal:		000		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 02/21/2012					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>12-26</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>12-19</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: 12-16-18 by O'Keefe

SIGN POSTING (2nd) Date: _____ by _____

PEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

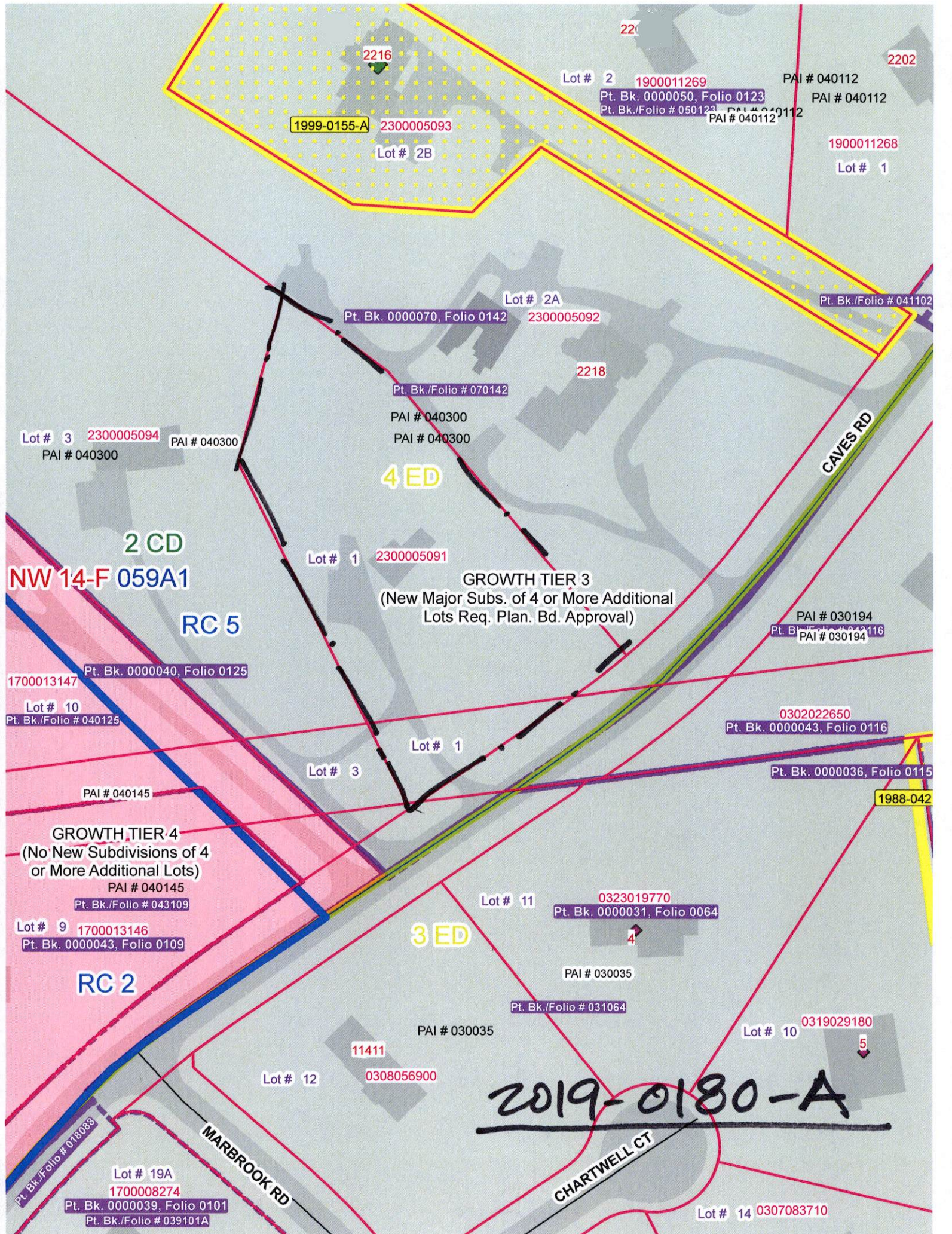
(410.252.7716)

- V.m. left re: sign 1/7/19 @ 10:45 AM
- Spoke to Pat. • She'll contact sign poster, Linda O'Keefe + send to OAH. 1/8 2:20 PM DW.

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 - 2300005091			
Owner Information					
Owner Name:		BREIDENSTEIN MELISSA C MYERS THOMAS E JR		Use:	RESIDENTIAL
Mailing Address:		2222 CAVES RD OWINGS MILLS MD 21117-2328		Principal Residence:	YES
				Deed Reference:	/35471/ 00017
Location & Structure Information					
Premises Address:		2222 CAVES RD OWINGS MILLS 21117-2328		Legal Description:	1.3174 AC 2222 CAVES RD NWS CHESTNUT RIDGE
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0059	0002	0202		0000	
					Block:
					1
					Assessment Year:
					2019
					Plat No:
					Plat Ref: 0070/ 0142
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1941		1,496 SF		1.3200 AC	
County Use		04			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	NO	STANDARD UNIT	SIDING	1 full	1 Detached
Last Major Renovation					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2019		07/01/2018	
				As of	
				07/01/2019	
Land:	131,500	131,500			
Improvements	142,800	145,400			
Total:	274,300	276,900		274,300	275,167
Preferential Land:	0				0
Transfer Information					
Seller: BURGESEN JACK R		Date: 10/16/2014		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /35471/ 00017		Deed2:	
Seller: BURGESEN JACOB(DEC)		Date: 10/07/2010		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /29972/ 00001		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 09/11/2015					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					



NW 14-F 059A1

2 CD

RC 5

Pt. Bk. 0000040, Folio 0125

Lot # 10
Pt. Bk./Folio # 040125

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)
PAI # 040145
Pt. Bk./Folio # 043109

Lot # 9 1700013146
Pt. Bk. 0000043, Folio 0109

RC 2

Lot # 19A
1700008274
Pt. Bk. 0000039, Folio 0101
Pt. Bk./Folio # 039101A

MARBROOK RD

Lot # 12

11411
0308056900

3 ED

PAI # 030035

Lot # 11
0323019770
Pt. Bk. 0000031, Folio 0064

PAI # 030035

Pt. Bk./Folio # 031064

2019-0180-A

CHARTWELL CT

Lot # 14 0307083710

Lot # 10 0319029180

0302022650
Pt. Bk. 0000043, Folio 0116

Pt. Bk. 0000036, Folio 0115

PAI # 030194
Pt. Bk. 0000043, Folio 0116
PAI # 030194

4 ED

Lot # 1 2300005091

Lot # 2A
Pt. Bk. 0000070, Folio 0142
2300005092

Pt. Bk./Folio # 070142

PAI # 040300
PAI # 040300

Lot # 3 2300005094
PAI # 040300

2218

Lot # 2 1900011269
Pt. Bk. 0000050, Folio 0123
Pt. Bk./Folio # 050123

PAI # 040112
PAI # 040112
PAI # 040112

1900011268
Lot # 1

CAVES RD

Pt. Bk./Folio # 041102

1999-0155-A 2300005093

Lot # 2B

2216

2202

2202

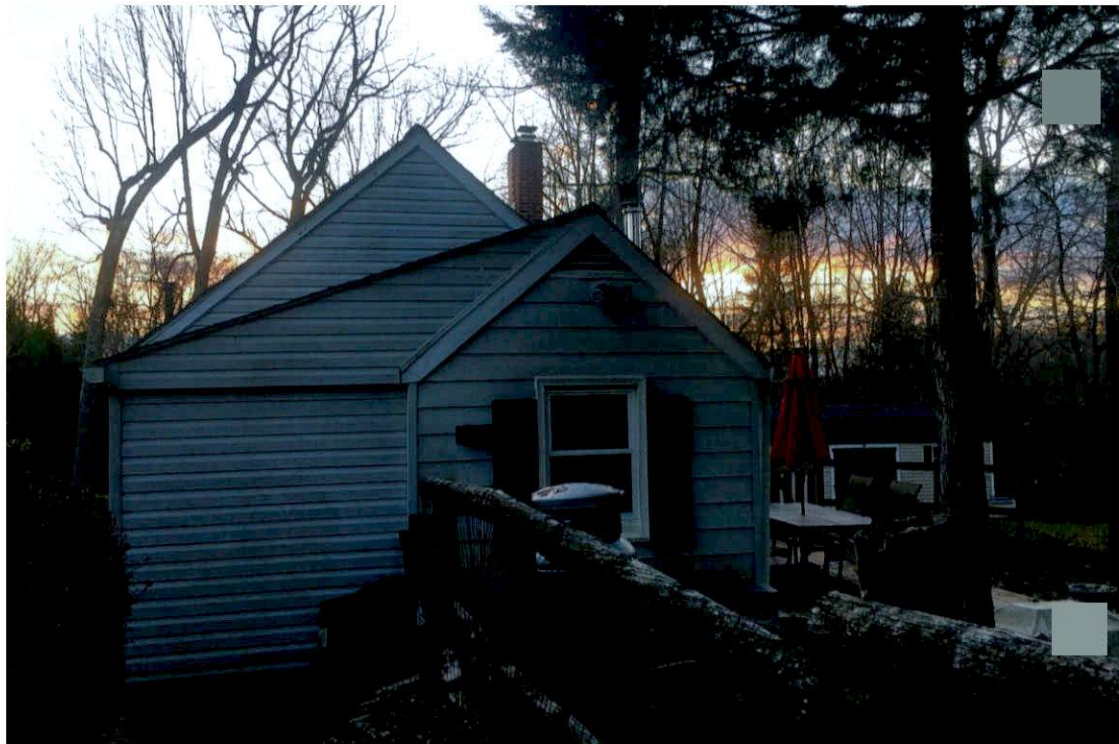
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2019-0180-A



2019-0180-A



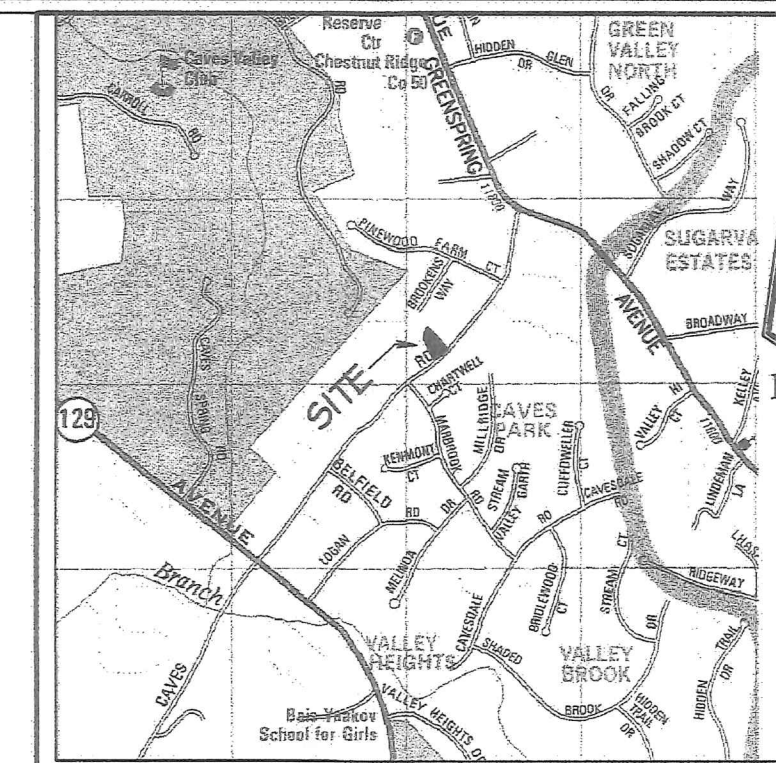
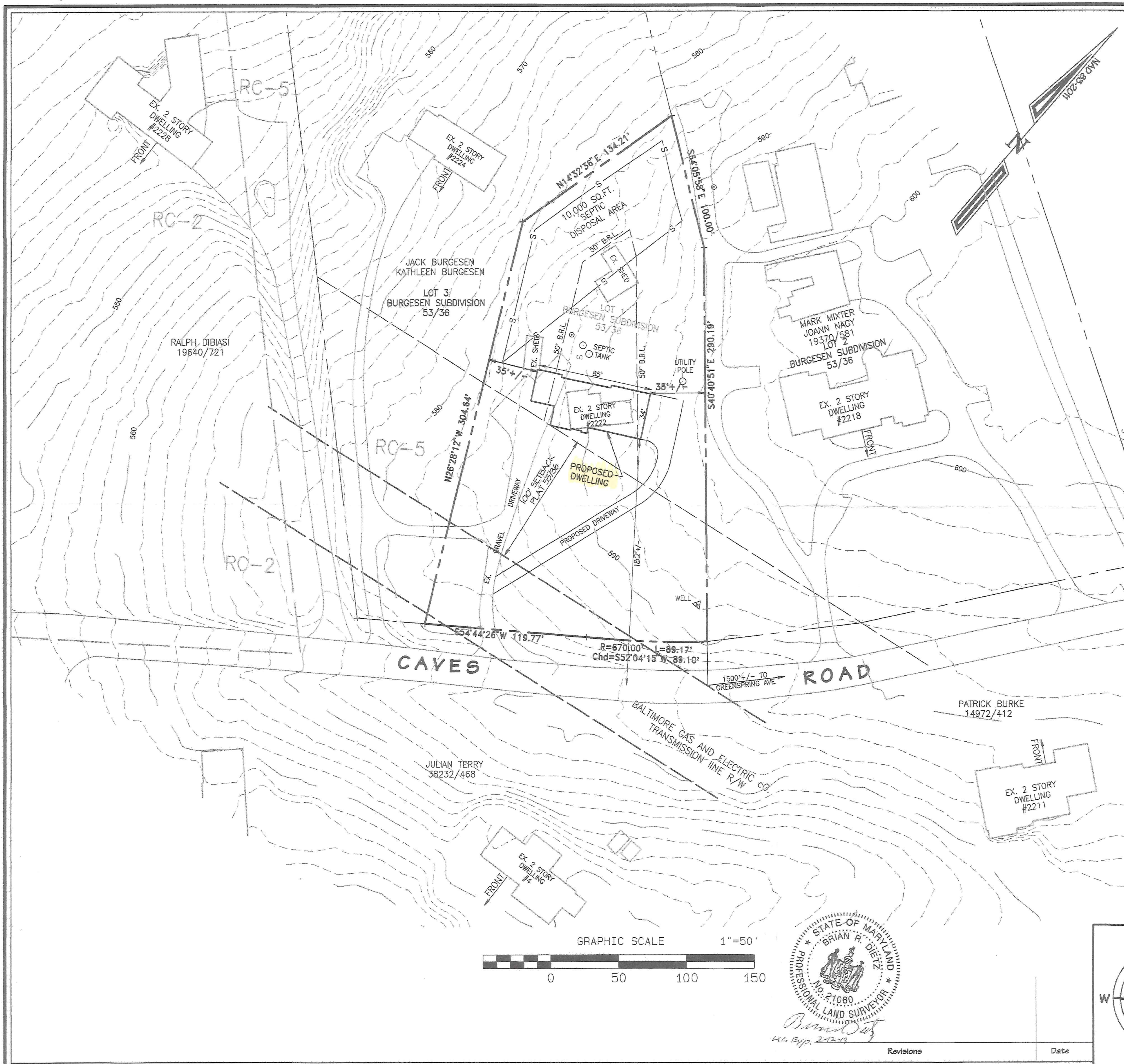
2019-0180A



2019-0180-A



2019-0180-A



Vicinity Map

Scale: 1" = 2000'

Notes

- Owner: Melissa Breidenstein
Thomas Meyers
2222 Caves Road
Owings Mills MD. 21117
- Area = 1.32 Ac. +/- or 57,500 sq.ft. +/-
- Zoned: RC-5
- This site is in the Chesapeake Bay Critical Area.
- This site is not in the 100 year Flood plain.
- There are no underground fuel tanks.
- This is not a historic property/building.
- This site is serviced by private well and septic.
- No prior Zoning Hearings.
- Proposed Lot Coverage = 6%.

REQUESTING A VARIANCE TO SECTION 1A04.B.2.b, (B.C.Z.R.) OF 35' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 50'.

Plat to Accompany a Petition for an Administrative Zoning Variance BREIDENSTEIN / MYERS PROPERTY

2222 Caves Road
Baltimore County, Maryland

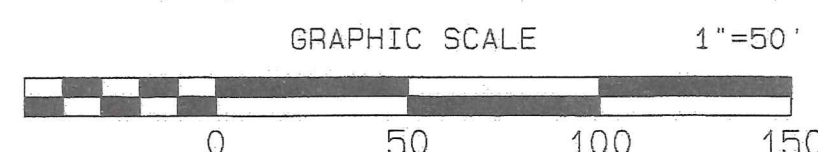
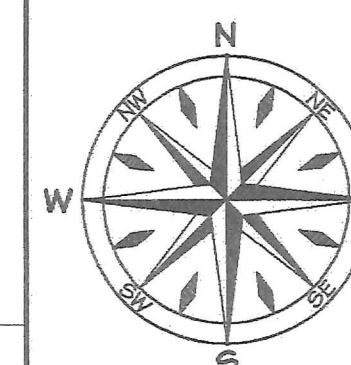
4th Election District 2nd Councilmanic District
Scale: 1"=50' Date: November 30, 2018

Dietz Surveying, Co.
Land Surveying and Land Planning

8119 Oakleigh Road Baltimore MD 21234
Ph 410-661-3160, Fax 410-661-3163
www.dietzsurveying.com

Plot Date: 12/4/2018

Job No. 18206



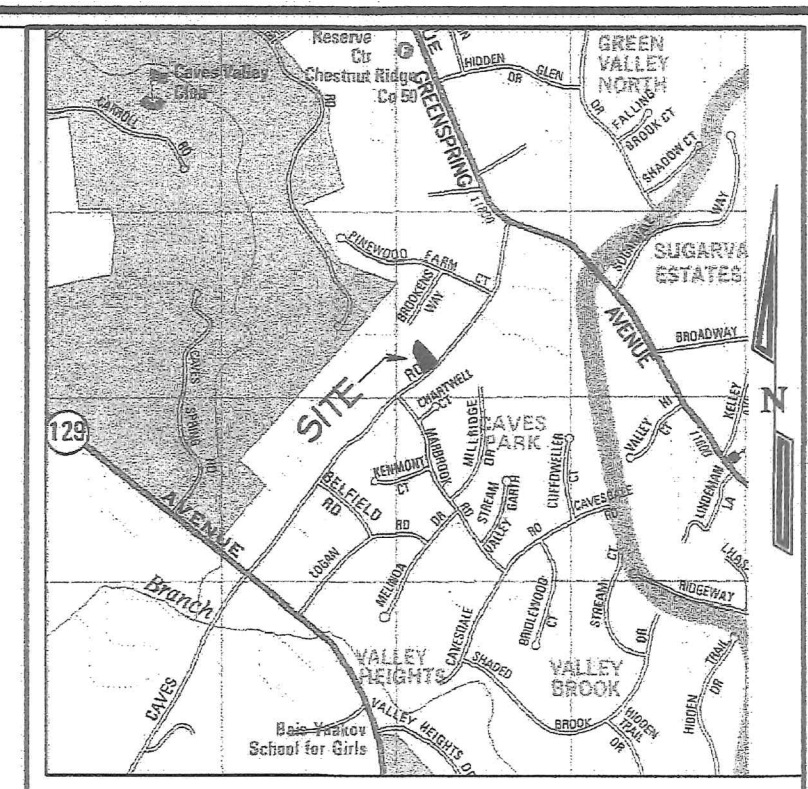
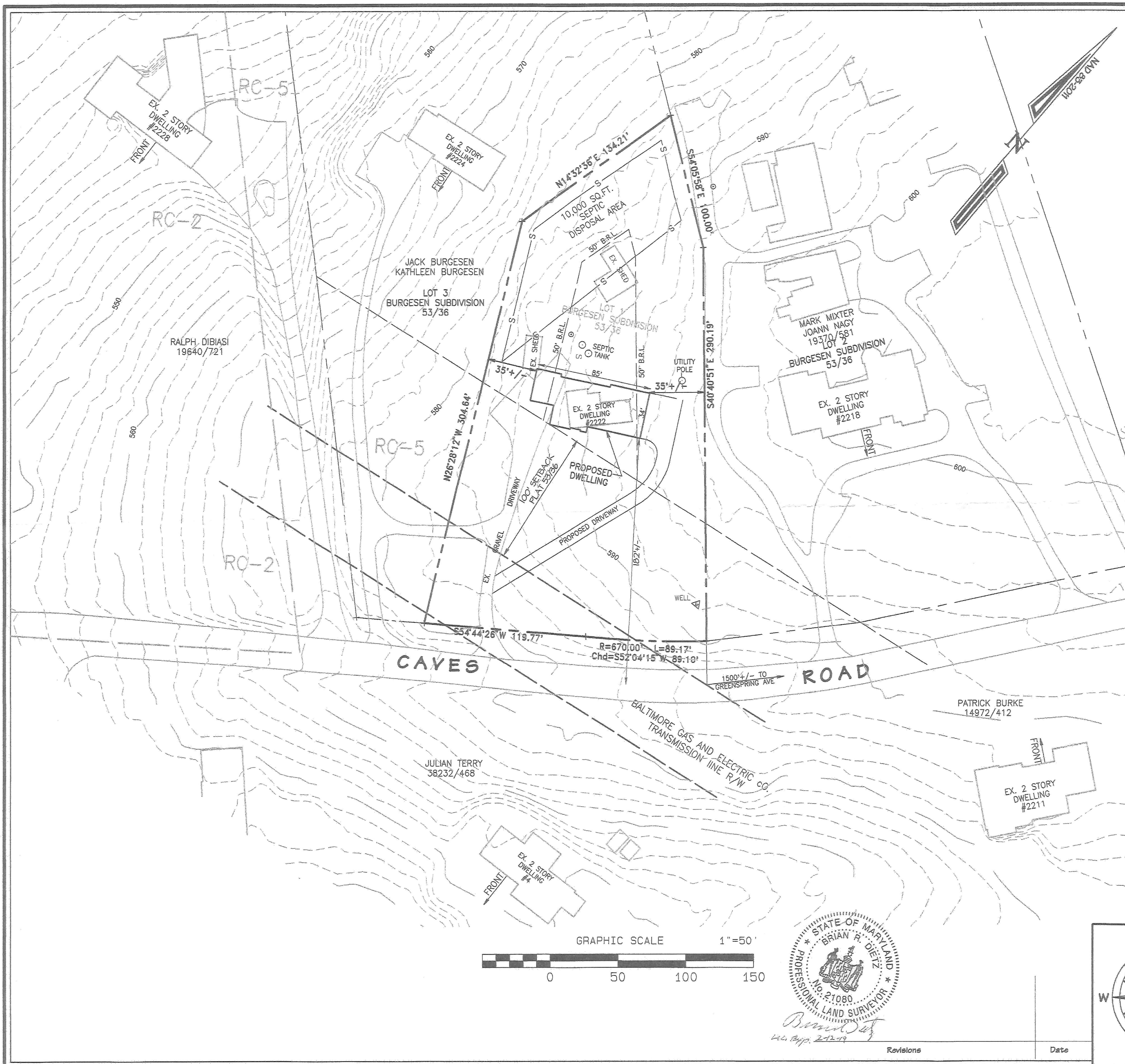
Revisions

Date

File Name: J:\Caves Rd 2222\Caves Rd 2222.pro

2019-0180-A

Pet. Sch. 1



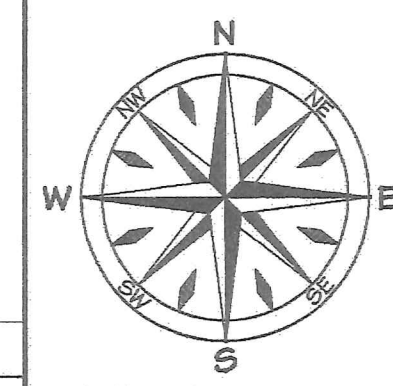
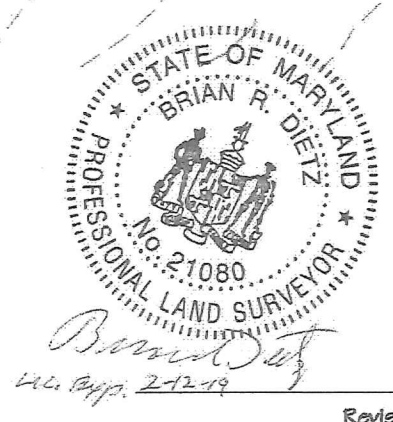
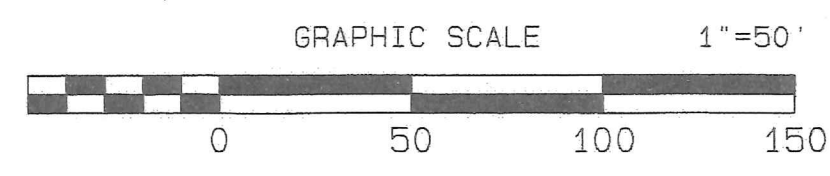
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Thomas Meyers
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Owings Mills MD. 21117
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a Petition for an
Administrative Zoning Variance
BREIDENSTEIN / MYERS
PROPERTY
2222 Caves Road
Baltimore County, Maryland
4th Election District 2nd Councilmanic District
Scale: 1"=50' Date: November 30, 2018**



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