MEMORANDUM

DATE:

April 12, 2019

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2019-0184-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on April 11, 2019. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File

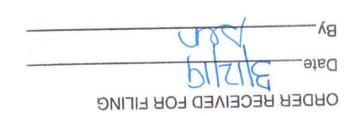
Office of Administrative Hearings

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE (10600 Park Heights Avenue)	*	OFFICE OF
3 rd Election District 2 nd Council District	*	ADMINISTRATIVE HEARINGS
A. Chapin Dupree & Franca S. Kraenzlin Legal Owners	*	FOR BALTIMORE COUNTY
Petitioners	*	Case No. 2019-0184-SPHA

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for consideration of Petitions for Special Hearing and Variance filed on behalf of A. Chapin Dupree & Franca S. Kraenzlin, legal owners ("Petitioners"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve an accessory apartment located in a detached structure (garage) on the property. In addition, a Petition for Variance was filed pursuant to BCZR Sections 400.3 and 400.1 to allow an existing accessory structure 25 ft. in height in lieu of the permitted 15 ft., located in the front yard in lieu of the rear yard, with an area of 2,406 sq. ft. in lieu of the maximum 1,200 sq. ft. A site plan was marked and accepted into evidence as Petitioners' Exhibit 1.

Professional engineer Rick Richardson appeared in support of the requests. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Environmental Protection and Sustainability ("DEPS"), and the Department of Planning ("DOP"). Neither of the reviewing agencies oppose the request.



SPECIAL HEARING

While an accessory apartment is permitted without a hearing when located within a single-family dwelling, a special hearing is required for such a use in an accessory building. BCZR §400.4. The subject property is split-zoned RC-2 and RC-5 and is approximately 13.6 acres in size. Mr. Richardson noted that due to the size of the parcel and the topography, the improvements are barely visible from Park Heights Avenue. There is no indication using the existing two-story garage for an accessory apartment would have any discernable impact upon the community. As such the petition will be granted.

VARIANCE

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 large parcel has an irregular shape similar to an arrowhead, and is therefore unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to use the existing structure for the accessory apartment. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of County and/or community opposition.

THEREFORE, IT IS ORDERED this <u>12th</u> day of **March**, 2019, by this Administrative Law Judge, that the Petition for Special Hearing to approve an accessory apartment located in a detached structure (garage) on the property, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 312 19

By Alon

IT IS FURTHER ORDERED that the Petition for Variance pursuant to BCZR Sections 400.3 and 400.1 to allow an existing accessory structure (garage) 25 ft. in height in lieu of the maximum 15 ft., located in the front yard in lieu of the rear yard, with an area of 2,406 sq. ft. in lieu of the maximum 1,200 sq. ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 1. 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.
- 2. Petitioners must prior to issuance of permits comply with the ZAC comment submitted by DEPS, a copy of which is attached.
- 3. The accessory building (garage) shall not be used for principal residential or commercial purposes.
- 4. Prior to issuance of a use permit for the accessory apartment Petitioners must submit to the Department of Permits, Approvals & Inspections (on a form approved by that agency) and file among the land records in circuit court the Declaration of Understanding referenced in BCZR §400.4.

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_

Ву_



PATION 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 10600 Park Heights Avenue which is presently zoned RC-2 & RC-5

Deed Reference 38780/342 10 Digit Tax Account # 2000005050 & 2000005051

Property Owner(s) Printed Name(s) A. Chapin Seiler Dupree & Franca Sara Kraenzlin

(SELECT THE HEARING(S) BY MARKING \underline{X} 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:

- X a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether
 or not the Zoning Commissioner should approve a detached accessory living structure on the property per
 Section 400.4
- 2.____ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for
- 3. X a Variance from Section(s) 400.3 to allow an existing accessory structure to be 25' tall in lieu of the permitted 15', and 400.1 to allow an existing accessory structure to be in the front yard in lieu of the rear yard. AND TO PERMIT AN AREA OF 2406, IN LIEU OF THE MAXIMUM PERMITTED 1200 SE

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:	Legal Owners (Petitioners):
	A. Chapin Dupree / Franca S. Kraenzlin
lame- Type or Print	Name #1 - Type or Print Name #2 - Type or Print
	(M) P
ignature	Signature #1 Signature #2
failing Address City State	Mailing Address City State
1	_21117 / 617-230-7050 / chapin.dupree@gmail.com
ip Code Telephone # Hamail Address	Zip Code Telephone # Email Address
Attorney for Petitioner: FOR FILE	Representative to be contacted:
CENTIO	Richardson Engineering LLG
Attorney for Petitioner: Jame-Type or Print ECENER Signature	Name - Type or Print Walled
Signature	Signature
Date	30 E. Padonia Road, Suite 500 Timonium MD
Mailing Address City State	Mailing Address City State
BY	
ip Code Telephone # Email Address	Zip Code Telephone # Email Address / Rick@RichardsonEngineering.net
20114	
CASE NUMBER 20 9-018 45 PHIA Filing Date 12, 7, 18	Do Not Schedule Dates: Reviewer Sch

PENIOED 1/9/19

REV. 10/4/11

30 E. Padonia Road, Suite 500 Timonium, Maryland 21093

410-560-1502, fax 443-901-1208

ZONING DESCRIPTION FOR 10600 PARK HEIGHTS AVENUE THIRD ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the northwest corner of the property;

(L1) South 81 degrees 56 minutes 05 seconds East 385.64 feet, (L2) South 07 degrees 36 minutes 55 seconds West 24.00 feet, (L3) South 82 degrees 23 minutes 05 seconds East 150.00 feet, (L4) North 07 degrees 36 minutes 55 seconds East 24.00 feet, (L5) South 82 degrees 23 minutes 05 seconds East 95.89 feet, to intersect the west side of Park Heights Avenue, approximately 1600 feet north of the intersection of Burnside Farm Road (L6) South 01 degrees 45 minutes 50 seconds West 692.73 feet, (L7) South 04 degrees 48 minutes 30 seconds West 51.31 feet, (L8) South 06 degrees 04 minutes 30 seconds West 49.42 feet, (L9) South 09 degrees 15 minutes West 73.81 feet, (L10) South 15 degrees 42 minutes West 48.12 feet, (L11) South 23 degrees 41 minutes West 47.78 feet, (L12) South 40 degrees 37 minutes 30 seconds West 47.99 feet, (L13) South 47 degrees 33 minutes 30 seconds West 48.47 feet, (L14) South 52 degrees 18 minutes 30 seconds West 48.96 feet, (L15) South 55 degrees 31 minutes 30 seconds West 49.64 feet, (L16) South 56 degrees 25 minutes 30 seconds West 50.23 feet, (L17) South 53 degrees 45 minutes 30 seconds West 51.14 feet, (L18) South 47 degrees 44 minutes 30 seconds West 51.53 feet, (L19) South 42 degrees 03 minutes 30 seconds West 51.22 feet, (L20) South 37 degrees 40 minutes30 seconds West 51.29 feet, (L21) South 32 degrees 16 minutes 30 seconds West 51.48 feet, (L22) South 26 degrees 23 minutes 30 seconds West 51.41 feet, (L23) South 21 degrees 30 minutes 30 seconds West 51.18 feet, (L24) South 17 degrees 11 minutes 30 seconds West 51.08 feet, (25) North 13 degrees 05 minutes 30 seconds West 51.06 feet, (L26) South 09 degrees 05 minutes 30 seconds West 10.62 feet, to the intersection of Burnside Farm Road with Park Heights Avenue (L27) North 08 degrees 11 minutes 30 seconds West 800.72 feet, (L28) North 00 degrees 25 minutes 40 seconds West 491.44 feet, (L29) North 00 degrees 25 minutes 40 seconds West 300.00 feet to the point of beginning;

Containing a net area of 700,924 square feet, or 16.09 acres of land, more or less.

The Daily Record

11 East Saratoga Street Baltimore, MD 21202-2199 (443) 524-8100

http://www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

2/8/2019

Order #: Case #: 11686923

2019-0184-SPH

Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0184-SPH

Darlene Miller, Public Notice Coordinator (Representative Signature)

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 hereinas follows:

CASÉ NUMBER: 2019-0184-SPH

10600 Park Heights Avenue

N/corner of Park Heights Avenue and Burnside Farm Road

3rd Election District - 2nd Councilmanic District Legal Owners: A. Chapin Dupree, Franca Kraenzlin

Special Hearing to perta detached accessory living structure on the property. Variance to allow an existing accessory structure to be 25 ft. tall in lieu of the permitted 15 ft. and to allow an existing accessory structure to be in the front yard in lieu of the rear yard; and to permit an area of 2406 sq. ft. in lieu of the yau in lieu to the Feat and, and to permitted a 22 of 2200 Sq. 1st in Rod of the maximum permitted 1200 sq. 1s.

Hearing Friday, March 1, 2019 at 10:00 a.m. in Room 205, Jefferson Building,

105 West Chesa peake Avenue, Towson 21204

Mike Mobiler

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.

1/2 > 10 km

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>

Sent: Sunday, February 24, 2019 4:55 PM

To:Rick Richardson; Administrative HearingsSubject:Recertification's For 2019-0184-SPHA

Attachments: Re-Cert 1 2019-0184-SPHA.doc; Re-Cert 2 2019-0184-SPHA.doc

Recertification's for 10600 Park Heights Avenue

CL..TIFICATE OF POSTING

	2019-0184-SPHA RE: Case No.:
	Petitioner/Developer:
	A> Chapin Dupree, Franca Kraenzlin
	March 1, 2019 Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 11 West Chesapeake Avenue Towson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
	rjury that the necessary sign(s) required by law were
0600 Park Heights Avenue SIGI	N 1 Recertification
The sign(s) were posted on	donth, Day, Year)
Since	February 22, 2019
	(Signature of Sign Poster) (Date)
ZONING NOTICE	SSG Robert Black
CASE 2019-0184-SPHA A PUBLIC HEARING WILL BE HELD BY	(Print Name)
THE ADMINISTRATIVE LAND	1508 Leslie Road
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The control of the co	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

CE. TIFICATE OF POSTING

-	2019-0184-SPHA RE: Case No.:
	Petitioner/Developer:
	A> Chapin Dupree, Franca Kraenzlin
· ,	March 1, 2019 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 pe posted conspicuously on the proper	nalties of perjury that the necessary sign(s) required by law were ty located at:
10600 Park Heights Avenue	SIGN 2 Recertification
The sign(s) were posted on	February 9, 2019
•	(Month, Day, Year)



cerely,	February 22, 2019
(Signature of Sign Poster)	(Date)
SSG Robert I	Black
(Print Nam	ıe)
1508 Leslie R	Road
(Address))
Dundalk, Maryla	nd 21222
(City, State, Zip	Code)
(410) 282-79	940
(Telephone Nu	mber)

	2019-0184-SPHA
	RE: Case No.:
	Petitioner/Developer:
	A> Chapin Dupree, Franca Kraenzlin
	March 1, 2019 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:	
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10600 Park Heights Avenue	SIGN 1
The sign(s) were nested on	February 9, 2019
The sign(s) were posted on	(Month, Day, Year)



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CLINTIFICATE OF POSTING

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	A> Chapin Dupree, Franca Kraenzlin
	Date of Hearing/Closing:
Baltimore County Department of	
Permits, Approvals and Inspections	
County Office Building, Room 111 11 West Chesapeake Avenue	
Towson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
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0600 Park Heights Avenue	SIGN 2
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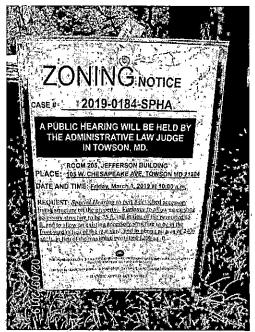
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Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 111 West Chesapeake Avenue Fowson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
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Since	rely, February 9, 2019
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CENTIFICATE OF POSTING

,	2019-0184-SPHA RE: Case No.:
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	A> Chapin Dupree, Franca Kraenzlin
	March 1, 2019 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 penalt posted conspicuously on the property k	ties of perjury that the necessary sign(s) required by law were ocated at:
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JOHN A. OLSZEWSKI, JR. County Executive

MICHAEL MOHLER, Director

Department of Permits,

Approvals & Inspections

January 28, 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: 2019-0184-SPHA

10600 Park Heights Avenue N/corner of Park Heights Avenue and Burnside Farm Road 3rd Election District — 2nd Councilmanic District Legal Owners: A. Chapin Dupree, Franca Kraenzlin

Special Hearing to pert a detached accessory living structure on the property. Variance to allow an existing accessory structure to be 25 ft. tall in lieu of the permitted 15 ft. and to allow an existing accessory structure to be in the front yard in lieu of the rear yard; and to permit an area of 2406 sq. ft. in lieu of the maximum permitted 1200 sq. ft.

Hearing: Friday, March 1, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Mike Mohler Director

nucle peoble

AJ:kl

C: A. Chapin Dupree, Franca Kraenzlin, 10600 Park Heights Avenue, Owings Mills 21117 Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, FEBRUARY 9, 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, February 8, 2019 - Issue

Please forward billing to:

Chapin Dupree 10600 Park Heights Avenue Owings Mills, MD 21117 617-230-7050

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Hearing: Friday, March 1, 2019 at 10:00 a.m. in Room 205, Jefferson Building,

105 West Chesapeake Avenue, Towson 21204

Mike Mohler

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Director of Permits, Approvals and Inspections for Baltimore County

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

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE AND VARIANCE 10600 Park Heights Avenue; N corner of Park * OF ADMINSTRATIVE Heights Ave & Burnside Farm Road 3rd Election & 2nd Councilmanic Districts * HEARINGS FOR Legal Owner(s): A Chapin Seiler Dupree & Franca Sara Kraenzlin * BALTIMORE COUNTY Petitioner(s) * 2019-184-SPHA

ENTRY OF APPEARANCE

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

RECEIVED

DEC 18 2018

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Cank S Demlie

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of December, 2018, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 East Padonia Road, Suite 500, Timonium, Maryland 21093, Representative for Petitioner(s).

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Peter Max Zummerman

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
or rewapaper Advertising.
Case Number:
Property Address: 10600 PARK HEIGHTS AVENUE
Property Description: THAT PROPERTY LOCATED ON THE NORTHERLY COR OF The INTERSECTION & PARK 4TS. AVE.
Legal Owners (Petitioners): A CHAPW DUPREE FRANCA S. KRAEVZLIN
Contract Purchaser/Lessee: $\mathcal{N}_{\mathcal{A}}$
PLEASE FORWARD ADVERTISING BILL TO:
Name: CHAPIN DUPREE
Company/Firm (if applicable):
Address: 10600 PARK HEIGHTS AVE
- ONINGS MILLS, MD 21/17
Telephone Number:6/-7-238- 7050



JOHN A. OLSZEWSKI, JR. County Executive

MICHAEL MOHLER, Director

Department of Permits,

Approvals & Inspections

February 22, 2019

Chapin A. Dupree & Franca S. Kraenzlin 10600 Park Heights Owings Mills MD 21117

RE: Case Number: 2019-0184-SPHA, 10600 Park Heights Avenue

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 07, 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,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Richardson Engineering, LLC 30 E. Padonia Road, Suite 500 Timonium MD 21093

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Mike Mohler

DATE: 2/25/2019

FROM:

Jeff Mayhew

Acting Director, Department of Planning

SUBJECT:

ZONING ADVISORY COMMITTEE COMMENTS

Acting Director, Permits, Approvals and Inspections

Case Number: 19-184 (Revised)

INFORMATION:

Property Address:

10600 Park Heights Avenue

Petitioner:

A. Chapin Dupree, Franca S. Kraenzlin

Zoning:

RC 2, RC 5

Requested Action:

Special Hearing, Variance

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve a detached accessory living structure on the property and the petition for variance to allow an existing accessory structure to be 25 feet tall, situated in the front yard having an area of 2,406 square feet in lieu of the permitted 15 feet tall, rear yard and 1,200 square feet respectively.

A site visit was conducted on December 20, 2018.

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

- The accessory structure shall not be used for commercial nor principal residential purposes.
- Confirm with the department of Permits, Approvals and Inspections as to the requirement for a Declaration of Understanding pursuant to BCZR§ 400.4.

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

Division Chief:

Prepared by:

Lloyd T. Moxley

JM/JGN/LTM/

c: Bill Skibinski

Richardson Engineering LLC

Office of the Administrative Hearings

People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Mike Mohler

DATE: 1/9/2019

RECEIVED

JAN 1 5 2018

OFFICE OF ADMINISTRATIVE HEARINGS

Acting Director, Permits, Approvals and Inspections

FROM:

Jeff Mayhew

Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

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A site visit was conducted on December 20, 2018. Pursuant to BCZR § 400.4, a declaration of understanding is required. As of the date of these comments no such declaration has been received by this Department in support of the petition.

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

- The detached accessory living structure shall not exceed the scope of BCZR §400.4.B and shall be subject to the conditions set forth in of BCZR § 400.4.C.
- Petitioners shall demonstrate to the satisfaction of the Administrative Law judge that the requirement of a declaration of understanding has been met.

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

Division Chief:

Prepared by:

Lloyd T. Moxley

JM/JGN/LTM/

c: Bill Skibinski

Patrick C. Richardson, Jr., Richardson Engineering, Inc.

Office of the Administrative Hearings

People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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Mike Mohler

DATE: 1/9/2019

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Prepared by

Division Chief:

JM/JGN/LTM/

c: Bill Skibinski

Patrick C. Richardson, Jr., Richardson Engineering, Inc.

Office of the Administrative Hearings

People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Mohler, Acting Director

Department of Permits, Approvals

 $\mathcal{M}(\mathcal{A})$

FROM: Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning A

Zoning Advisory Committee Meeting

For December 10, 2018

ItemNo.2019-0165-A, 0175-A, 0176-A, 0178-A, 0179-A, 0180-A, 0181-A,

DATE: Jan 17, 2019

0182-A, 0184-SPHA, 0185-A, 0188-SPHX and 0190-A

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

VKD: cen



Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 1/28)19

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 1/28/19. A field inspection and internal review reveals that an entrance onto 10/29 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Case Number 2019-0184-5PHA

Case Number 2019-0184-5PHA

A. Chap in Seiler Duprice
Franca Sava Kraen Zlum
10600 PankHeights Auguse
MD 129

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 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

2019-0184-SPHA

Address

10600 Park Heights Avenue (Dupree & Kraenzlin Property)

Zoning Advisory Committee Meeting of December 24, 2018.

- The Department of Environmental Protection and Sustainability offers the X following comments on the above-referenced zoning item:
 - Development of the property must comply with the Regulations for the X Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
 - Development of this property must comply with the Forest X Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Reviewer:

Libby Errickson

Additional Comments:

1. Groundwater Management must review any building permit for an accessory living structure, since it will be served by well and septic.

Reviewer: Dan Esser

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Mike Mohler

DATE: 2/25/2019

Acting Director, Permits, Approvals and Inspections

FROM:

Jeff Mayhew

Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

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

Division Chief:

Jenifer G. Nugent

Prepared by:

Ľloyd T. Moxley

JM/JGN/LTM/

c: Bill Skibinski

Richardson Engineering 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

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Reviewer:

Libby Errickson

Additional Comments:

1. Groundwater Management must review any building permit for an accessory living structure, since it will be served by well and septic.

Reviewer: Dan Esser

ORDER RECEIVED FOR FILING

C:\Users\snuffer\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\WPHS9SSK\ZAC 19-0184-SPHA 10600 Park Heights Avenue.doc

CASE NAME	2019-184	- SPHA
CASE NUMBE	R	
DATE	(

PETITIONER'S SIGN-IN SHEET

E - MAIL **ADDRESS** CITY, STATE, ZIP NAME RICK RICHARDSON TIMONIUM, Mt 21093 30 & PATONIA RD SUITE 500 RICK® RICHARDSON ENGINEERING. NET

CHECKLIST

Comment Received	<u>Department</u>	Support/Oppose/ Conditions/ Comments/ No Comment
417	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	No Comments
12/26	DEPS (if not received, date e-mail sent)	Comment
	FIRE DEPARTMENT	Nochlections
2 25	PLANNING (if not received, date e-mail sent)	M Condition
1/28	STATE HIGHWAY ADMINISTRATION	NO Objection
	TRAFFIC ENGINEERING	
-	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLAT	TION (Case No	
PRIOR ZONING	(Case No.	
NEWSPAPER AD	VERTISEMENT Date: 2819	
SIGN POSTING (1 st) Date: 2919	by SSG Black
SIGN POSTING (2	2 nd) Date: 2/22/19	by SSG Black
	SEL APPEARANCE Yes No D	*
Comments, if any:		





Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Re	edemption			View Gro	oundRent Regist	ation	
Tax Exempt: Exempt Class:	Mark to the second seco	Tax Recapture);					
Account Identifier:	District - 03 Acco	unt Number	- 2000005050					
		_	vner Information			 -		
Owner Name:	DUPREE A CHAP KRAENZLIN FRA			Use: Principal Residence;			RESIDENTIAL YES	
Mailing Address:	10600 PARK HEI OWINGS MILLS N		Deed Reference:			/40519/ 00007		
		Location	& Structure Infor	mation	<u> </u>			
Premises Address:	10600 PARK HEIO OWINGS MILLS 2		_	Legal Descr	iption;	13.6398 AC WS 10600 PARK HEIGHTS AVE 1450 N VALLEY RD		
Map: Grid: Parcel: 0059 0020 0192	Sub District: Sub	division:)	Section:	Block;	Lot: Asse 2017	ssment Year:	Plat No: Plat Ref:	
Special Tax Areas:			Town: Ad Valorem: Tax Class;			NONE	· · · · · · · · · · · · · · · · · · ·	
Primary Structure Built 1902	Above Grade Living Are 5,204 SF	a	Finished Base	ment Area	Property 13.6300	/ Land Area AC	County Use 04	
Stories Basement 2 1/2 YES	Type STANDARD UNIT	Exterior STUCCO	Full/Ha 5 full/ 3		Garage 2 Detached	Last Major 2000	Renovation	
		Va	lue Information		-		 .	
	Base Value		Value		Phase-in Asses	sments		
			As of 01/01/2017		As of 07/01/2018	As 0	of 01/2019	
Land:	1,162,000		1,162,000					
Improvements	1,432,900		1 .45 8,600					
Total: Preferential Land:	2,594,900 0		2,620,600		2,612,033	2,62 0	20,600	
		Tra	nsfer Information	<u> </u>				
Seller: WALTON ANDREW SCOT	r	Date: 07	//31/2018		Р	rice: \$3,240,000		
Type: ARMS LENGTH MULTIPLE	<u>-</u>	40519/ 00007	9/ 00007 Deed2:					
Seller: MASON ALEXANDER TAY	LOR	Date: 04	/17/2013		Р	rice: \$3,200,000		
Type: ARMS LENGTH MULTIPLE		Deed1: /	33494/ 00369		D	eed2:		
Seller: ELKINS ROBERT N		Date: 09	/08/1998		P	rice: \$2,100,000		
Type: ARMS LENGTH MULTIPLE		Deed1; /	13133/ 00373			eed2;		
=-3-=		Exen	nption Informatio					
Partial Exempt Assessments:	Class			07/01/2018		07/01/2019		
County: State:	000 000			0.00				
Municipal:	000			0.00		0.00(0.00		
Tax Exempt:		Special	Tax Recapture	•		0.00 0.00		
Exempt Class:		NONE	147 Kacabinia	•				
			Application Info	rmation				
Homestead Application Status: App	proved 12/13/2018	. tomooccau	r speasoner IIIC	anianon				
		eowners' Tay	Credit Applicati	on Information	1			
Homeowners' Tax Credit Application			vair uhbilogi	Date:	·			

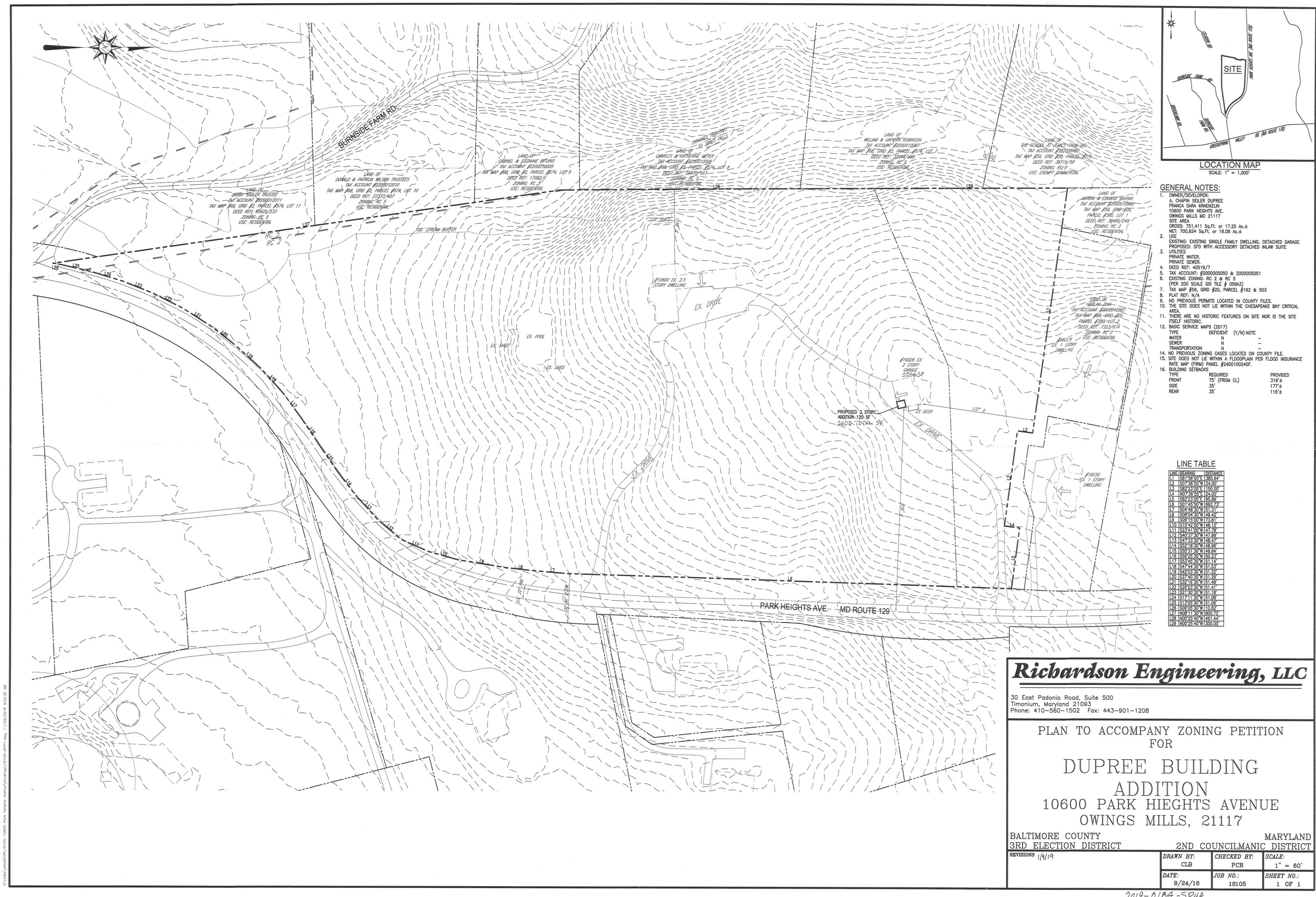




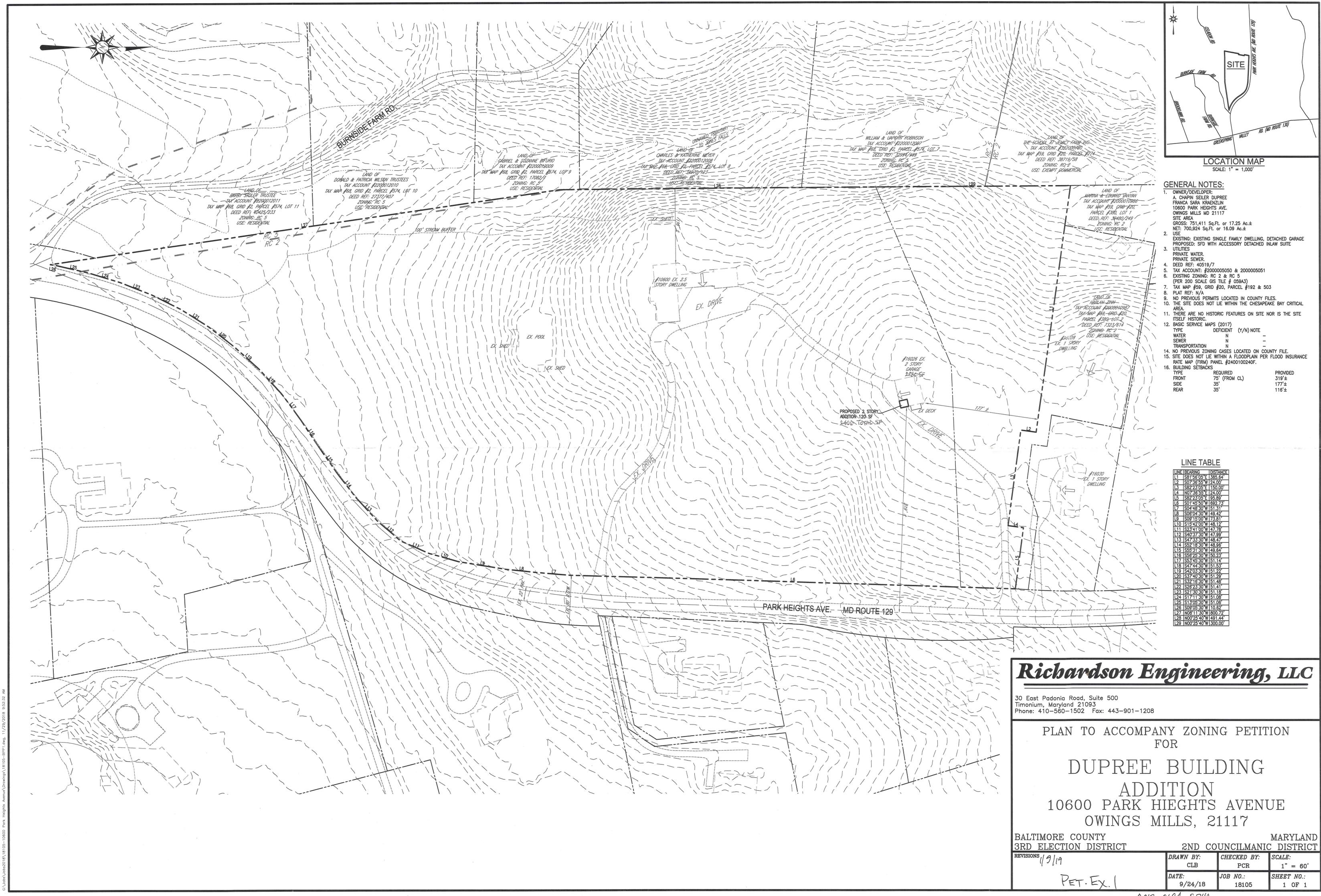
Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	dRent Redemption	mption View GroundRent Registration							
Tax Exempt:			ial Tax Recapture:	• • •					
Exempt Class;		NON	E						
Account identifier:	District	- 03 Account Numb	er - 2000005051			_			
			Owner Information						
Owner Name:		E A CHAPIN SEILER		Use: Principal Residence:		RESIDEN	ITIAL		
Malling Address:	KRAENZLIN FRANCA SARA 10600 PARK HEIGHTS AVE				erence:	NO /40519/ 00007			
maining Address.		S MILLS MD 21117-		Deed Vet	orence.	14031970	0007		
			n & Structure Inform	nation					
Premises Address:	PARK HEIGHTS AVE				scription:	2.314 AC	2.314 AC WS		
	OWING	S MILLS 21117-					IGHTS AVE URNSIDE LA		
Map: Grid: Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:		
0059 0020 0503	and District:	0000	Section:	Block:	LOI;	2017	Plat No:		
			Tour						
Special Tax Areas:			Town: Ad Valorem:			NONE	•		
			Tax Class:						
Primary Structure Bullt	Above Grade Li	ving Area	Finished Basen	ant Area		operty Land Area	County Hos		
i samus ocucie built	WALE Glang F	ring Alsa	rmaneu Dasen	ioni Aled		operty Land Area 3100 AC	County Use 04		
Ota-da-			M. 4104						
Stories Basement	Туре	Exterior	Full/Haif Bath		Garage	Last Major Rend	ovation		
			Value Information						
	Base V	alue	Value	=		Phase-in Assessments			
			As of 01/01/2017		As of 07/01/201		s of 1/01/2019		
Land:	475,70	D	475,700		011011201	- 07			
Improvements	0		0						
Total;	475,700		475,700		475,700 475		5,700		
Preferential Land:	0		-		•	0			
		Т	ransfer Information						
Seller: WALTON ANDREW SCOT	г	Date:	07/31/2018			Price: \$3,240,000	1		
Type: ARMS LENGTH MULTIPLE	Deed1: /40519/ 00			Deed2:					
Seller: MASON ALEXANDER TAY	LOR	Date;	04/17/2013			Price: \$3,200,000			
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Type: ARMS LENGTH MULTIPLE			1: /13133/ 00373			Deed2;			
		E)	cemption Information	1		-			
Partial Exempt Assessments:	Class			07/01/201	8	07/01/201	19		
County:	000			0.00					
State:	000			0.00					
Municipal:	000			0.0010.00		00,0 00,0			
Tax Exempt:			ial Tax Recapture:						
Exempt Class:		NON							
Homestead Application Status: No	Application	Homeste	ead Application Infor	mation					
monivateau Augustium Status: No	white anout								
		Hamasuna	Tax Credit Application	- Indones - "					



2019-0184-SPHA



2019-0184-SPHA

