MEMORANDUM

DATE: July 24, 2019

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2019-0237-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 22, 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 (143 Othoridge Road) 9th Election District 3rd Council District Theresa Foster *Legal Owner* Petitioner	*	BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS FOR BALTIMORE COUNTY **CASE NO. 2019-0237-A**

* * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Petition for Variance filed by Theresa Foster, legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from Section 415A.1 of the Baltimore County Zoning Regulations ("BCZR") to permit a recreational vehicle in the side yard and situated 9 feet into the front yard in lieu of the permitted 8 feet to the rear of the front foundation wall. A site plan was marked as Petitioner's Exhibit 1.

Theresa Foster and Frank Cordley appeared in support of the petition. A number of Protestants from the immediate community, including Steve Lippy assistant to the President of the Orchard Hills Community Association appeared at the hearing to oppose Petitioners request. 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.

The site is approximately 10,033 square feet in size and is zoned DR 5.5.

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

ORDER RECEIVED FOR FILING
Date 6/20/19
By DLH

or hardship.

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

Petitioner stated that they could not comply with the existing regulations due to the size of their recreational vehicle, as well as the location of their garage. They admitted that they had not consulted the law prior to their purchase of the subject vehicle.

Protestants presented a letter from the President of their community association as well as testimony from Mr. Lippy, both in opposition to the variance request; consistent with the DOP's concerns and reasons for its opposition to the granting of the variance.

While I am sympathetic to Petitioners plight, the requirements for variance relief are not satisfied in this case. No evidence was presented to show the subject property or improvements are unique or unlike those in the community. Petitioner's home is part of Orchard Hill Community, which features homes and lots of similar size and configuration. Under Maryland law, variances can only be granted "sparingly" since it is "an authorization for [that]…which is prohibited by a zoning ordinance." *Cromwell,* 102 Md. App. At 699. In the absence of such evidence the petition for variance must be denied. To allow Petitioner to make arrangements to relocate the subject recreational vehicle the order below will provide a 45 day "grace period."

THEREFORE, IT IS ORDERED, this **20th** day of **June, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to the Baltimore County Zoning Regulations to permit a recreational vehicle in the side yard and situated 9 feet into the front yard in lieu of the permitted 8 feet to the rear of the front foundation wall, be and is hereby DENIED.

IT IS FURTHER ORDERED Petitioner shall relocate (in compliance with the BCZR), the subject recreational vehicle within 45 days of the date hereof.

ORDER RECEIVED FOR FILING
Date 6/20/19
By DLN

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

LAWRENCE M. STAHL
Administrative Law Judge for
Baltimore County

LMS/sln

ORDER RECEIVED FOR FILING
Date 6/20/19
By SLh

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 143 Otheridge Rd. which is presently zoned DR 5.5

✓ Deed References: 31483/00493 10 Digit Tax Account # 0906452070

Property Owner(s) Printed Name(s) Theresa Foster

(SELECT THE HEARING(S) BY MARKING 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:

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. X **a Variance** from Section(s) 415A.1 - TO PERMIT PARKING A RECREATIONAL VEHICLE IN THE SIDE YARD AND SITUATED 9 FT. INTO THE FRONT YARD IN LIEU OF PERMITTED 8FT TO THE REAR OF THE FRONT FOUNDATION WALL.

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)** County Code Regulation # B.C.Z.R 415A States that the RV has to be 8 feet beyond the foundation of the house. Due to the garage this can not be accomplished. The hardship comes in if I am forced to rent a space (continued)

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

✓ **Legal Owners (Petitioners):**

Theresa Foster / Name #1 – Type or Print / Name #2 – Type or Print

Theresa Foster / Signature #1 / Signature # 2

143 Otheridge Rd. Lutherville MD

Mailing Address City State

21093 / 410-296-1087 / teddybear81 @verizon.net

Zip Code Telephone # Email Address

Attorney for Petitioner:

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

ORDER RECEIVED FOR FILING
Date 6/20/19
By DEN

CASE NUMBER 2019-0237-A Filing Date 02/14/2019 Do Not Schedule Dates: 5/28-6/3 7/18-7/21 Reviewer RJ

REV. 10/4/11

continued from petition Fc Zoning Hearing Paperwork.

for the RV it will take all the money we have designated for our trip and then some.

ZONING PROPERTY DESCRIPTION FOR 143 OTHORIDGE ROAD

OWNER/PETITIONER: THERESA FOSTER; Case No. 2019-0237-A

Being known and designated as Lot No. 11, Block 1, as shown on Subdivision Plan, Plat 2, Section 1, Orchard Hills, which Plat is duly recorded among the Land Records of Baltimore County in Plat Book G.L.B. No. 20, folio 139. The improvements thereon being known as 143 Othoridge Road located in the 9th Election District and 3rd Councilmanic District.

T.F.

ZONING PROPERTY DESCRIPTION FOR 143 OTHORIDGE ROAD

OWNER/PETITIONER: THERESA FOSTER; Case No. 2019-0237-A

Being known and designated as Lot No. 11, Block 1, as shown on Subdivision Plan, Plat 2, Section 1, Orchard Hills, which Plat is duly recorded among the Land Records of Baltimore County in Plat Book G.L.B. No. 20, folio 139. The improvements thereon being known as 143 Othoridge Road located in the 9th Election District and 3rd Councilmanic District.

T.F.

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:

5/28/2019

Darlene Miller

Darlene Miller, Public Notice Coordinator
(Representative Signature)

Order #: 11746337
Case #: 2019-0237-A
Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0237-A

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: 2019-0237-A
143 Othoridge Road
Southside of Othoridge Road, west of Warwick Drive
Legal Owner: Theresa Foster
9th Election District - 3rd Councilmanic District
Variance to permit parking a recreational vehicle in the side yard and situated 9 ft. into the front yard in lieu of the permitted 8 ft. to the rear of the front foundation wall.

Hearing: Monday, June 17, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff
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.

my28

Sherry Nuffer

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Thursday, June 13, 2019 11:58 PM
To: Administrative Hearings
Subject: 2nd Cert. Case # 2019-0237-A Othoridge Road
Attachments: Othoridge Rd. 2nd Cert. .jpeg; Othoridge Rd. Photos.docx

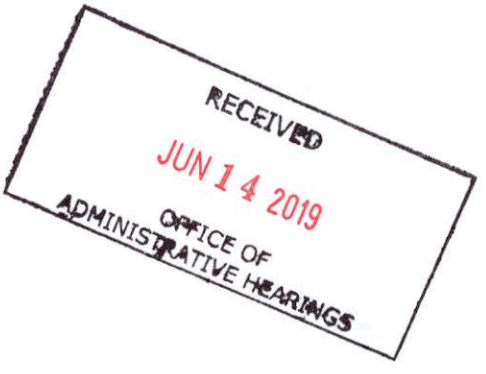
CAUTION: This message from luckylinda1954@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Debbie,

I am attaching the 2nd Certification and photos for Case # 2019-0237-A @ 143 Othoridge Road.
Have a Wonderful Day!

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



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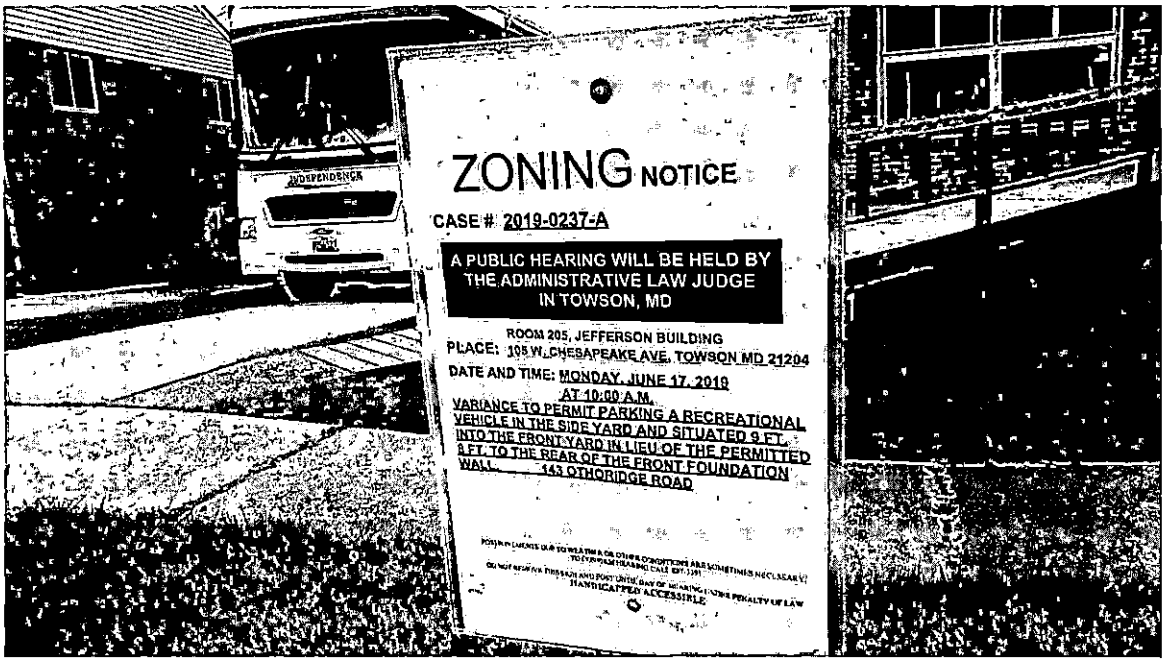
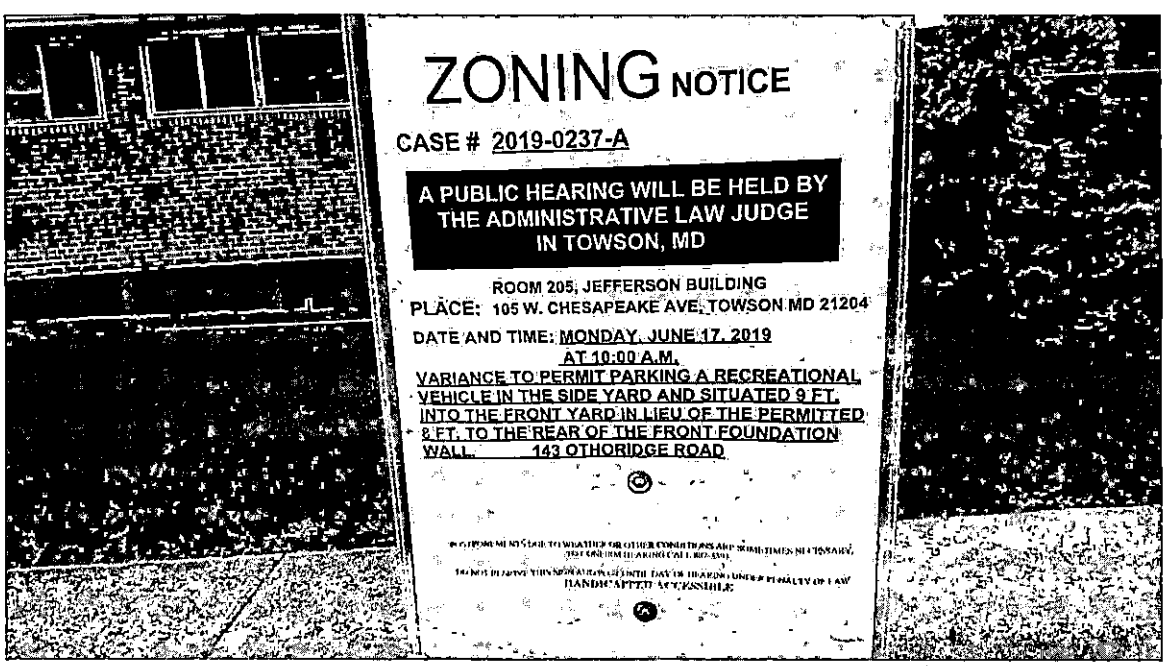


Re-photographed 1st Sign @ 143 Othoridge Road 6/13/2019



Re-Photographed 2nd Sign @ 143 Othoridge Road 6/13/2019

CASE # 2019-0237-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS
DATE: 5/25/2019
Case Number: 2019-0237-A
Petitioner / Developer: THERESA FOSTER
Date of Hearing: JUNE 17, 2019

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:
143 OTHORIDGE ROAD

The sign(s) were posted on: MAY 25, 2019

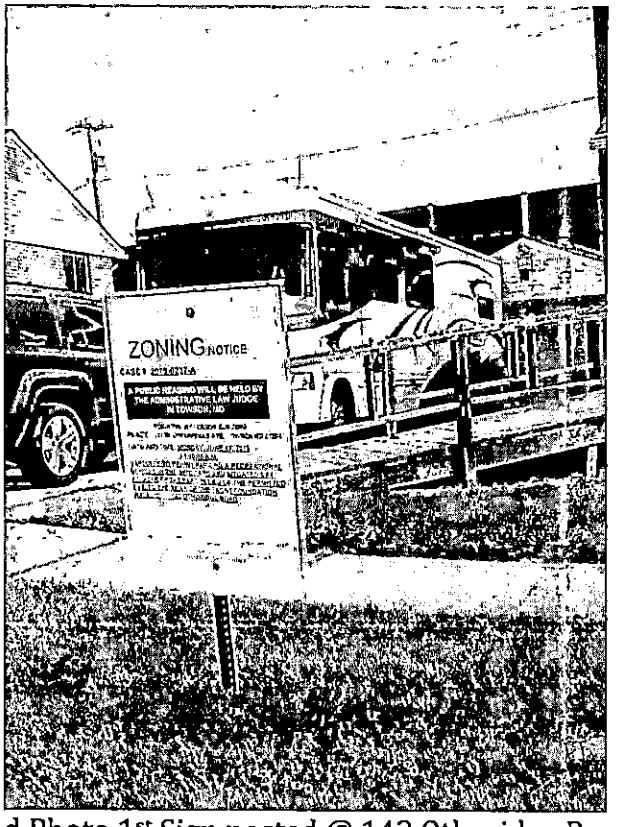
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

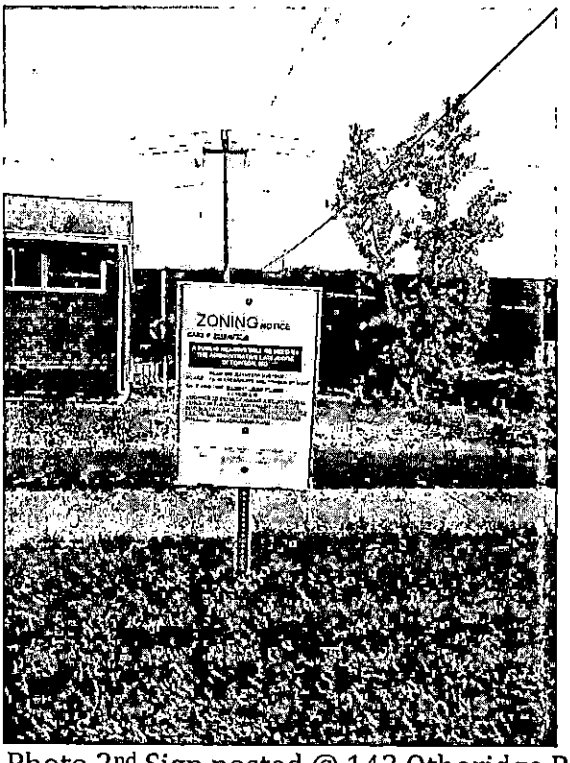
523 Penny Lane
(Street Address of Sign Poster)

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

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



Background Photo 1st Sign posted @ 143 Othoridge Road 5/25/2019



Background Photo 2nd Sign posted @ 143 Othoridge Road 5/25/2019

CASE # 2019-0237-A

RE: PETITION FOR VARIANCE 143 Othoridge Road; S/S of Othoridge; W of Warwick Drive 9th Election & 3rd Councilmanic Districts Legal Owner(s): Theresa Foster Petitioner(s)	*	BEFORE THE OFFICE OF ADMINSTRATIVE HEARINGS FOR BALTIMORE COUNTY 2019-237-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
APR 18 2019

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of April, 2019, a copy of the foregoing Entry of Appearance was mailed to Theresa Foster, 143 Othoridge Road, Lutherville, Maryland 21093, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits, Approvals & Inspections

May 15, 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: 2019-0237-A
143 Othoridge Road
Southside of Othoridge Road, west of Warwick Drive
Legal Owner: Theresa Foster
9th Election District – 3rd Councilmanic District

Variance to permit parking a recreational vehicle in the side yard and situated 9 ft. into the front yard in lieu of the permitted 8 ft. to the rear of the front foundation wall.

Hearing: Monday, June 17, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff
Director

MM:kl

C: Theresa Foster, 143 Othoridge Road, Lutherville 21093

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 28, 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.

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

No. 180741

Date: FEB. 14, 2019

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	000		6150				75.00

Total: $75.00

Rec From: THERESA FOSTER – 143 OTHORIDGE RD.

For: Case No. 2019-0237-A

Variance for RV Parking in front of residence.

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

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
2/14/2019	2/14/2019	10:24:31	5

WALKIN LRB
>>RECEIPT # 995438 2/14/2019 OFLN
Dept 5 528 ZONING VERIFICATION
180741
Rcpt Tot $ 75.00
75.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

TO: THE DAILY RECORD
Tuesday, May 28, 2019 - Issue

Please forward billing to:
Theresa Foster 410-296-1087
143 Othoridge Road
Lutherville, MD 21093

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: 2019-0237-A
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Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

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JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits, Approvals & Inspections

June 12, 2019

Theresa Foster
143 Othoridge Road
Lutherville, MD 21093

RE: Case Number: 2019-0237-A, 143 Othoridge 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 February 14, 2019. 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

MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

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

Date: 4/15/19

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. 2019-0237-A
Variance
Theresa Foster
143 Othoridge 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,

Richard A Zeller

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

WW/RAZ

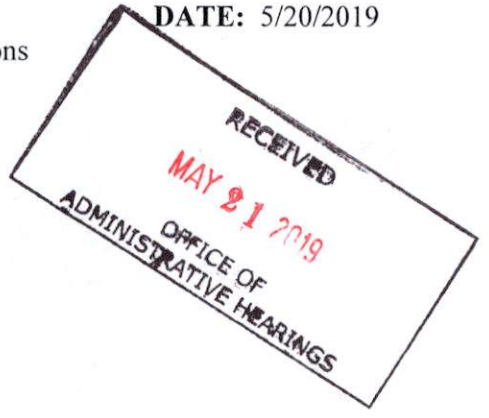
6-17

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 5/20/2019

FROM: C. Pete Gutwald
Director, Department of Planning



SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-237

INFORMATION:
Property Address: 143 Othoridge Road
Petitioner: Theresa Foster
Zoning: DR 5.5
Requested Action: Variance

17ft.

The Department of Planning has reviewed the petition for variance to permit parking a recreational vehicle in the side yard and situated 9 feet into the front yard in lieu of permitted 8 feet to the rear of the front foundation wall.

A site visit was conducted on April 23, 2019 and May 1, 2019. Staff observed a recreational vehicle onsite approximately in the location proposed by plan. This community is designated as a Community Conservation area in the Baltimore County Master Plan 2020 adopted November 15, 2010. A stated goal of the Master Plan in the Community Conservation Areas is to "conserve, revitalize and enhance our older communities." (Page 39)

The Department does not support granting the petitioned zoning relief.

- If granted, the proposed location of the exceptionally large recreational vehicle is inconsistent with the goals of the Master Plan and incongruent with the physical characteristics of the residential neighborhood. The Department recommends the proposal cannot successfully integrate within the community and that the petitioners consider a secure storage facility purpose built for such parking needs.

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

Prepared by:

Lloyd T. Moxley

Division Chief:

Jenifer G. Nugent

JM/JGN/LTM/

c: Wally Lippincott
Theresa Foster
Office of the Administrative Hearings
People's Counsel for Baltimore County

s:\planning\dev rev\zac\zacs 2019\19-237.docx

6-17

RECEIVED
APR 17 2019
OFFICE OF
ADMINISTRATIVE HEARINGS

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: April 17, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0237-A
Address 143 Orthoridge Road
(Foster Property)

Zoning Advisory Committee Meeting of **April 22, 2019**.

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

Reviewer: Steve Ford

C:\Users\snuffer\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\IUMU3D46\ZAC 19-0237-A 143 Orthoridge Road.doc

Date: 4/15/19

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. 2019-0237-A

Variance
Theresa Foster
143 Othoridge 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,

Richard A Zeller

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

WW/RAZ

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 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:

Case Number: 2019-0237-A

Property Address: 143 Othoridge Rd Lutherville, MD. 21093

Property Description: Home - Residence

Legal Owners (Petitioners): Theresa Foster

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Theresa Foster

Company/Firm (if applicable): _____

Address: 143 Othoridge Road
Lutherville, Md 21093

Telephone Number: 410-296-1087

Revised 7/9/2015

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204
www.baltimorecountymd.gov/Agencies/permits/

Code Enforcement 410-887-3351
Electrical Inspection 410-887-3960
Plumbing Inspection 410-887-3620
Building Inspection 410-887-3953

CODE ENFORCEMENT & INSPECTION CITATION

IMPORTANT INFORMATION TO THE PERSON'S CHARGED

1. If unable to appear on the designated date, the violator may request in writing to the Code Official within fifteen (15) days from the date of this citation for a rescheduled hearing. If you require the assistance of an interpreter because you do not understand or speak the language in which the proceedings are being conducted you must ask for an interpreter within 72 hours of the court date.
2. At this hearing, you are entitled to be represented by an attorney, present witnesses, present evidence, and cross-examine any witnesses against you. An attorney can be helpful to you by (a) explaining the charges in this citation, (b) helping you at the hearing, and (c) helping you challenge the civil penalty, if found in violation.
3. If Administrative Law Judge finds that a violation has occurred, the Final Order may include (a) a civil penalty, (b) reasonable conditions as to time and manner of correction and (c) requirement to reimburse the County for any lien(s) or costs incurred to correct a violation.
4. (a) Civil penalty a lien.
   (1) If a final order assesses a civil penalty or an order of the Board of Appeals affirms or modifies a final order that assesses a civil penalty and the violator does not pay the civil penalty within the time required by the order, the Code Official or the Director shall certify to the Director of Budget and Finance the amount owed.
   (2) If a violator does not pay a civil penalty within the time required as specified in paragraph (1) of this subsection, the amount owed
      (i) Become a lien on the property on which the violation existed and shall be collectible in the manner provided for the collection of real estate taxes; or
      (ii) May be collected in the same manner as any civil money judgment or debt may be collected.

   (b) Code Official may procure performance. If a violator fails to comply with a final order or an order of the Board of Appeals, the Code Official or the Director may procure the performance of the work needed to correct the violation in accordance with the procedure authorized in 3-6-402 of this subtitle.
5. If you are the Owner of the property, failure to pay the assessed penalty shall constitute a lien on the property and shall be collectible in the same manner and to the same extent as real estate taxes. In addition, failure to correct the violation(s) shall result in appropriate judicial action for enforcement, including civil contempt, which could result in imprisonment.
6. Should the Violator disagree with the Final Order rendered by the Office of Administrative Law, an appeal may be taken to the Baltimore County Board of Appeals within fifteen (15) days of the date of the Order.
7. A filing fee of $225.00 and a security in the amount of any civil penalty assessed in the Final Order must accompany the notice of appeal and petition. See Baltimore County Code: 3-6-302.
8. Inclement weather procedure: We follow the Baltimore County Circuit Court schedule. Should the Circuit Court be closed, all code enforcement hearings will be cancelled and rescheduled.
9. **If the violator wishes NOT to contest this citation, give up your right to a hearing and wish to pay the fine. Please remit the following: a copy of this citation, and a check or money order payable to: Baltimore County Office of Budget and Finance, 400 Washington Ave, Rm 150, Towson, MD 21204**

ZONING CASE NO. 2019-0237-A

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204

www.baltimorecountymd.gov/Agencies/permits/

Code Enforcement 410-887-3351
Electrical Inspection 410-887-3960
Plumbing Inspection 410-887-3620
Building Inspection 410-887-3953

CODE ENFORCEMENT & INSPECTION CITATION

CASE NUMBER	PROP.TAX ID
CC1900857	09-06-452070

VIOLATION ADDRESS
143 Othoridge Rd
Lutherville Timonium, MD 21093

FOSTER THERESA M
143 OTHORIDGE RD
LUTH-TIMONIUM, MD 21093-5421

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
B.C.C. 13-7-310(a): Remove all trash & debris from property	Remove from the exterior grounds all scattered deflated Christmas articles and any other debris
B.C.C. 13-7-312: Remove accumulations of debris, materials, etc	
B.C.Z.R 415A: Improperly parked recreation vehicle	In order for the recreational vehicle to be kept on the premise it must be parked at least 8 feet back from the front wall of the house
B.C.Z.R 428: Cease all outside storage of unlicensed and/or inoperative motor vehicles	Vehicle in driveway under a cover
Other Violation(s)	BCC 3-6-205: Repeat Offender Location the following violations exist on the premise

Pursuant to Section 1-2-217, Baltimore County Code, civil penalty has been assessed, as a result of the violation(s) cited herein, in the amount indicated: **$500**

A quasi-judicial hearing has been pre-scheduled in:
Jefferson Building, 105 W. Chesapeake Ave, Rm 205
Towson, Maryland, 21204

DATE: 03/06/2019 **TIME:** 09:00 **A.M.**

*****IF A VIOLATOR DOES NOT APPEAR AT THE CODE ENFORCEMENT HEARING, THE CITATION AND ANY CIVIL PENALTY ARE DEEMED A NON-APPEALABLE FINAL ORDER OF THE CODE OFFICIAL OR THE DIRECTOR.*****

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Inspector Badge Number		Issued Date
80		02/07/2019

ZJ 6-17
10 Am

Debbie Williams

To: administrativehearings@baltimorecountymd.gov
Cc: Debbie@home
Subject: Opposition to variance request #2109-0237A

To Whom It May Concern:

Re: **#2019-0237A**
Zoning variance for 143 Othoridge Road

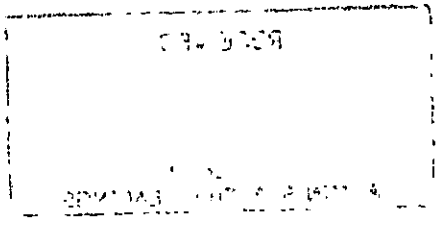
As a resident of the Orchard Hills community and whose home is in close proximity to address referenced above, I am sending this communication to voice my **opposition** to this zoning variance request : **(#2019-0237A).**

The residents of 143 Othoridge chose to purchase a rather large RV. They often park said RV on Othoridge Rd where the road curves, creating a hazard for drivers to maneuver around. It's only a matter of time before there is an accident or pedestrian injury. So now, instead of storing their RV appropriately as many other resident of Orchard Hills do, they want a variance to park this rather large vehicle, next to their home and extending well beyond current zoning laws. This would be unsightly, and not what I wish to look at every day. Our neighborhood is full of tax paying residents who take pride in their homes. Many residents are also owners of RVs and boats and abide by the zoning rules or store their recreational vehicles off site. The folks at 143 should do the same. And if this variance is granted for this family, I'm sure others will follow.
I do not want my neighborhood to look like a trailer park.

Thank you for your consideration.

Debbie and Matt Williams
159 Othoridge Road.

RECEIVED
JUN 10 2019
OFFICE OF
ADMINISTRATIVE HEARINGS



JB 6-17-19
10 AM

Debra Wiley

From: Debbie Williams <DWilliams@thellf.org>
Sent: Friday, June 7, 2019 12:32 PM
To: Administrative Hearings
Cc: wdebbie1@verizon.net
Subject: Opposition to variance request #2109-0237A

2019

CAUTION: This message from DWilliams@thellf.org originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

To Whom It May Concern:

Re: **#2019-0237A**
Zoning variance for 143 Othoridge Road

As a resident of the Orchard Hills community and whose home is in close proximity to address referenced above, I am sending this communication to voice my **opposition** to this zoning variance request : **(#2019-0237A).**

The residents of 143 Othoridge chose to purchase a rather large RV. They often park said RV on Othoridge Rd where the road curves, creating a hazard for drivers to maneuver around. It's only a matter of time before there is an accident or pedestrian injury. So now, instead of storing their RV appropriately as many other resident of Orchard Hills do, they want a variance to park this rather large vehicle, next to their home and extending well beyond current zoning laws. This would be unsightly, and not what I wish to look at every day. Our neighborhood is full of tax paying residents who take pride in their homes. Many residents are also owners of RVs and boats and abide by the zoning rules or store their recreational vehicles off site. The folks at 143 should do the same. And if this variance is granted for this family, I'm sure others will follow.
I do not want my neighborhood to look like a trailer park.

Thank you for your consideration.

Debbie and Matt Williams
159 Othoridge Road.

LS 6-17-19
10 Am

Debra Wiley

From: Mindie Warner <mindie@moro-cpa.com>
Sent: Monday, June 10, 2019 12:44 PM
To: Administrative Hearings
Subject: Opposition to variance request #2109-0237A

CAUTION: This message from mindie@moro-cpa.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

To Whom It May Concern:

Re: **#2019-0237A**

Zoning variance for 143 Othoridge Road

As a resident of the Orchard Hills community and living on the same street to the address referenced above, I am sending this communication to voice my **opposition** to this zoning variance request : **(#2019-0237A).**

The residents of 143 Othoridge chose to purchase a rather large RV. They often park said RV on Othoridge Rd where the road curves, creating a hazard for drivers to maneuver around. It's only a matter of time before there is an accident or pedestrian injury. So now, instead of storing their RV appropriately, as many other resident of Orchard Hills do, they want a variance to park this rather large vehicle, next to their home and extending well beyond current zoning laws. This would be unsightly, and not what I wish to look at every day. Quite frankly, it's an eye sore. Our neighborhood is full of tax paying residents who take pride in their homes. I have lived here for 25 years. Many residents are also owners of RVs and boats and abide by the zoning rules or store their recreational vehicles off site. The folks at 143 should do the same. I'm afraid that if this variance is granted for this family, others will follow.

I do not want my neighborhood to look like a trailer park.

Thank you for your consideration.

Mindie & George Warner

112 Othoridge Road

Mindie Warner
James A. Moro, P.A.
54 Scott Adam Rd Suite 101
Cockeysville, MD 21030
Work (410) 666-8644

Fax (410) 666-8177

PRIVILEGED COMMUNICATION/PRIVACY NOTICE

This email message and any attachments contain confidential information from James A. Moro, PA. If you are not the intended recipient, you are hereby notified that disclosure, printing, copying, distribution or the taking of any action in reliance on the contents of this electronic information is strictly prohibited. If you have received this email message in error, please immediately notify the sender by reply message and then delete the electronic message and any attachments.

Re case # 019-0237-A

MRS. LOUISE A. TEUBNER-RHODES
5 ORCHARD ROAD
TOWSON, MARYLAND 21204

To Zoning Board or to whom it may concern:

Please do not allow this zoning variance for this RV in a residential neighborhood. We had this exact problem on our street, and this eyesore was not allowed, except for loading + unloading.

Thank you.

Louise + Donn Teubner-Rhodes

Louise Teub-Rhodes

Donn Teubner-Rhodes

6/..19

Baltimore County Zoning Office

I wish to voice my concerns for the Case # 2019-0237-A. Feel Strongly against it! It is only opening a door for others to store their campers and trailers in driveways. They had their trailer in the street and it was dangerous.

Sorry to miss the public hearing June 17th

Respectfully,
Mrs. D.R. Campbell
139 Warwick Dr
Lutherville MD 21093

May 31, 2019

To: Zoning Office

111 West Chesapeake Ave

Room 111

Towson MD 21204

From: Helen Fedor

5 Dublin Dr.

Lutherville MD 21093

(Orchard Hills)

RE: 2019-0237-A Hearing for 143 Orhoridge Rd (Orchard Hills)

I strongly oppose the variance. The Recreational vehicle is a Camper. It is quite large, tall and long. It's presence dominates the scenery and definitely will affect property values. We should not establish this precedent in our neighborhood. I think you will be getting many more requests if this passes because there are quite a few more properties that are already in violation in the neighborhood. Including my neighbor, where a boat is parked in the side yard. This will open up an assortment of more problems.

Respectfully

Helen L Fedor, Homeowner in Orchard Hills

Helen L Fedor

June 4, 2019

Dear Baltimore County Zoning Office,

I am writing to oppose the variance request **Case # 2019-0237-A** located at 143 Othoridge Rd, Lutherville, MD.

This variance request will:

Alter the essential character of the neighborhood

Affect the property values in a negative way

Block neighbors view

It is my opinion that Baltimore County designed these codes to protect neighborhoods from RV ,Boats, trailers, commercial vehicles etc.

Sincerely,

Carol Mainolfi

142 Warwick Dr.

Lutherville, MD

Baltimore County Zoning Office

111 West Chesapeake Ave

Room 111

Towson, MD 21204

Re:

Case # 2019-0237-A

Variance hearing for 143 Othoridge

I am writing to voice my opposition to the variance request.

I live 300 feet away from 143 Othoridge (5 houses down) at 132 Othoridge Road. I do not support any kind of change to existing zoning regulations allowing an RV to be parked more freely than it currently is allowed.

It is of my personal opinion that RV's are fun. I have rented them. I hope to someday vacation in them frequently in my retirement years. But, they are also an eyesore in a suburb community where neighbors work hard everyday to keep their property looking nice. I don't feel they should be allowed at all in a residential community where property values matter to all of us.

If someone budgeted for an RV, they should have budgeted for an RV long term storage location as well. An entire community should not be penalized for one person's mistake.

Thank you for taking time to read this,

David MacLeary

132 Othoridge Road

Lutherville, MD 21093

410-262-5151

Baltimore County Zoning Office
111 W. Chesapeake Ave
Room 111
Towson, Md

Case # - 2019-0237A
143 Othsridge Rd.

From: Ray Marsico
119 Warwick Dr
Lutherville Md.
May 30, 2019

- This letter is to indicate to the Zoning office # of my disapproval of this variance.

- Parking - their long RV alongside their house and asking for what they want as per their Variance request in variance is an eyesore and will lead to decreased property values of our houses.

- These people have little concern for our community since they continue to park their RV on the street causing problems with cars travelling on Othsridge Rd.

Thx. (over)

- Cars travelling on Othniel Rd, when the RV is parked on street, they cannot see the oncoming traffic this is a serious safety Concern!!

- Members of the community have in the past gone spoken to these people and have asked them to move their RV ~~bed~~ from the street but have ignored us.

PLEASE PRINT CLEARLY

CASE NAME _____
CASE NUMBER 919-02-37A
DATE _____

CITIZEN'S SIGN - IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
Steve Lippy	1323 Warwick Dr	Lutherville MD 21093	S. lippy @ verizon.net
Carol Maiholfi-	142 WARWICK Dr.	Lutherville, MD 21093	clynnm @ comcast.net
Kathleen Webber	135 Otteridge RD	" " 21093	KathleenWebber48@gmail
Dorothy J. Mack	135 Otteridge RD	Lutherville MD 21093	dot.mack@mac.com
ALAN Jones	136 WARWICK DR	LUTHERVILLE MD 21093	Alan.Jones@ssa.gov
Steve George	130 OTTERidge RD	LUTHERville MD 21093	Sgeorge148@verizon.net

PLEASE PRINT CLEARLY

CASE NAME _____
CASE NUMBER 19-0237A
DATE _____

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
Theresa Foster	143 Othoridge Road	Lutherville, MD. 21093	Theresaf5456@gmail.com
Frank Cordley	143 Othoridge Road	Lutherville MD 21093	Tigerfan56@gmail.com

CASE NO. 2019-0237-A

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
4/17	DEPS (if not received, date e-mail sent _____)	N/C
_____	FIRE DEPARTMENT	_____
5/20	PLANNING (if not received, date e-mail sent _____)	Opposed/Comment
4/15	STATE HIGHWAY ADMINISTRATION	NO Objection
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS letters of opposition	

ZONING VIOLATION (Case No. CC 1900857)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 5/28/19

SIGN POSTING (1st) Date: 5/25/19 by O'Keefe

SIGN POSTING (2nd) Date: 6/13/19 by O'Keefe

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

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

Account Identifier: **District -** 09 **Account Number -** 0906452070

Owner Information

Owner Name:	FOSTER THERESA M	**Use:**	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	143 OTHORIDGE RD LUTH-TIMONIUM MD 21093-5421	**Deed Reference:**	/31483/ 00493

Location & Structure Information

Premises Address:	143 OTHORIDGE RD 0-0000	**Legal Description:**	ORCHARD HILLS

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	1
0060	0024	0583		0000	1	1	11	2017	Plat Ref:	0020/ 0139

Special Tax Areas: **Town:** NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1957	1,120 SF	370 SF	10,033 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1	YES	STANDARD UNIT	BRICK	1 full	1 Detached	

Value Information

	Base Value	Value As of 01/01/2017	Phase-in Assessments As of 07/01/2018	As of 07/01/2019
Land:	86,500	86,500		
Improvements	120,400	147,000		
Total:	206,900	233,500	224,633	233,500
Preferential Land:	0			0

Transfer Information

Seller:	**Date:** 12/09/2011	**Price:** $0
Type: NON-ARMS LENGTH OTHER	**Deed1:** /31483/ 00493	**Deed2:**
Seller:	**Date:**	**Price:** $0
Type:	**Deed1:** /03907/ 00090	**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: No Application

Homeowners' Tax Credit Application Information

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

JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits, Approvals & Inspections

June 12, 2019

Theresa Foster
143 Othoridge Road
Lutherville, MD 21093

RE: Case Number: 2019-0237-A, 143 Othoridge 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 February 14, 2019. 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

THE ORCHARD HILLS
COMMUNITY ASSOCIATION, INC.

P.O. Box 104
Lutherville, Maryland 21093

June 17, 2019

Office of Administrative Hearings
Suite 103
Jefferson Building
105 W. Chesapeake Avenue
Towson, MD 2104

PROTESTANT'S
EXHIBIT NO. 3

Subject: **Case Number: 2019-0237A**
143 Othoridge Road
Public Hearing testimony

Dear Administrative Hearing Judge:

My name is Steve Lippy, Assistant to the President of the Orchard Hills Community Association (OHCA), which includes 437 homes, roughly bounded by I-695 on the south, Bellona Avenue on the west, Seminary Avenue on the north, and York Road on the east (albeit exclusive of those homes on Lincoln Avenue, Bellona Avenue, and Seminary Avenue). 143 Othoridge Road is located within Orchard Hills (OH).

At the May 28 OHCA Board of Directors (BOD) meeting, where there was a quorum, it was unanimously approved to **oppose this request for a zoning variance** and that I would be authorized to represent OHCA and present testimony at the public hearing.

We do not know if there are any extenuating circumstances which justify this specific request for a zoning variance by the owner of 143 Othoridge Road as she has **not** contacted OHCA to explain her position/rationale/necessity for this variance. We do know that the recreational vehicle (RV) has often been seen parked for extended times on Othoridge Road in clear violation of County Zoning Regulations Article 4, Section 415A.1.D; this has generated complaints to OHCA. Recently, we were informed that there was a request for a zoning variance to allow on-street parking for the RV and that this request was subsequently denied, which OHCA fully supports. Was that request for a variance ever posted at the property? OHCA was not aware of that request; presumably it was for a variance from Section 415A.1.D. Why were we not notified?

Regardless, the request was apparently properly denied, however, the RV has still been seen on the street. (Notwithstanding, we could not find any record of such a hearing decision on the County website within the past several months.)

In regard to Case Number 2019-0237A, the reason for this public hearing, OHCA is adamantly opposed to the requested zoning variance for principally two reasons.

1. This is not an insignificant variance request. Presently, County Zoning Regulations Article 4, Section 415A.1.A states that in a residential area, such as Orchard Hills (OH), composed of single-family detached dwellings, a RV is to be parked "at least eight feet to the rear of a lateral projection of the front foundation line of the dwelling." This parking restriction for RVs is not a new or recent regulation (last revised in 1993) and certainly predates by decades the acquisition of the RV. This variance request is to park the RV up to nine feet from the front for a total variance of seventeen feet. This would enable the RV to be clearly visible to all immediate neighbors whenever they walk out of their front doors and all those OH residents and visitors to OH who travel that stretch of Othoridge Road. (The front of the RV would be approximately seventeen feet off the front property line near Othoridge Road and only an estimated twenty-three feet from the curb.) We presume that when Section 415A was approved and adopted, there was much discussion about the rights of the individual property owners to park RVs on their properties and the rights of their neighbors and their community. Presumably, restricting the RV to at least eight feet behind the front of the house was a compromise to allow RVs to be able to be parked on most residential lots (but not necessarily guaranteeing that all lots would be suitable) and the rights of the neighbors not to have RVs conspicuously obvious in their neighborhoods.
2. This would set a precedent if approved. It would then be able to be used by other OH residents as a basis or justification for their requesting variances for their RVs. This could eventually result in OH looking more like a parking lot for RVs than a residential neighborhood. **A goal of zoning regulations should be to preserve the residential nature of the community**. We need to avoid the proliferation of and subsequent approvals of variances from existing zoning regulations. Approved excessive variances from existing zoning regulations will make a mockery of the Baltimore County Zoning Regulations.

There are options for the property owner if she wants or needs a RV:

1. Trade-in the large 34.7' long RV for a shorter RV which could comply with the zoning regulation eight foot set-back.
2. Raze her existing garage in order to comply with the zoning regulation eight foot set-back.
3. Explore the feasibility of requesting from Baltimore County a portion of the storm drain easement to the west of her house. If this were done, then it would be possible to

have the minimum eight foot set-back from the front of the house. The present offset from the County easement would not allow the RV to be parked next to the house and to be the minimum 2.5' distance from the property line, as the easement is apparently only 9.8' from the northwest corner of the house, per the submitted Zoning Hearing Plan for Variance, dated 3-27-2019 by MAI Surveyors.

4. Find a legal location that is off-site and properly zoned to park and store the RV when not in use.

In a succinct summary, **OHCA adamantly opposes the variance request and requests that the Office of Administrative Hearings deny this request.** If the property owner had checked with the applicable zoning regulations before the RV was purchased or "came" into the picture, then possibly an appropriately sized RV could have been purchased or otherwise another legally acceptable or regulatory compliant alternative could have been considered and pursued.

To uphold the residential nature of our community in compliance with the existing County Zoning Regulations, this zoning variance request needs to be denied.

If you have any questions, contact me or the OHCA President.

Sincerely,

Steve Lippy

Steve Lippy
410-296-9150
Assistant to the President
Orchard Hills Community Association

APPROVED:

Pamela R. Burke

Pamela Burke
410-321-5636
President
Orchard Hills Community Association

cc: Councilman Wade Kach
Eric Rockel (Greater Timonium Community Council)

LS AJS 6-17-19 10 AM

Debra Wiley

From: Boblooch, Stephanie <sboblooch@bcps.org>
Sent: Tuesday, June 18, 2019 4:30 PM
To: Administrative Hearings
Subject: Case #2019-0237A

Importance: High

CAUTION: This message from sboblooch@bcps.org originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

My husband and I are in agreement with the testimony given on Monday, June 17, 2019, by Steve Lippy, Assistant to the President of the Orchard Hills Community Association with regard to the variance request at 143 Othoridge Road.

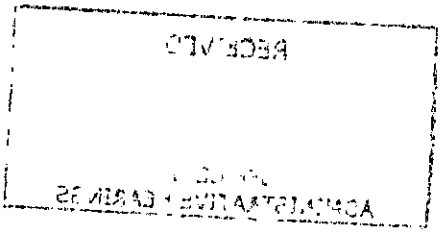
We oppose this request as it could cause a precedent and have more requests for RV's. There are several in our community and most follow the county law regarding proper setbacks. The homeowner has several other options for properly securing their RV on their property or the option of storing it on an RV designated lot. We wish to preserve our residential family community.

Thank you for your consideration.

Sincerely,

Stephanie Boblooch
Recording Secretary, Orchard Hills Community Assoc., Inc.
115 Hedgewood Road
Lutherville, MD 21093

RECEIVED
JUN 19 2019
OFFICE OF
ADMINISTRATIVE HEARINGS


RECEIVED
ADMINISTRATIVE LAW JUDGE

B

PETITIONER'S

EXHIBIT NO. 2 A & B

May 2, 2019

I Buzzy & Mary Driscoll, reside at 146 Othoridge Road.

I am signing this letter because I have no problems with Theresa Foster who resides at 143 Othoridge Road to park her RV in the driveway of her residence.

Sincerely,

Mary E. Driscoll

PETITIONER'S

EXHIBIT NO. 3 A-1

Lindsley Benton

May 2, 2019

I Lindsley Benton, reside at 139 Othoridge Road.

I am signing this letter because I have no problems with Theresa Foster who resides at 143 Othoridge Road to park her RV in the driveway of her residence.

Sincerely,

Lindsley Benton

May 2, 2019

I Zach Gorelly, reside at 138 Othoridge Road.

I am signing this letter because I have no problems with Theresa Foster who resides at 143 Othoridge Road to park her RV in the driveway of her residence.

Sincerely, Zach Gorelly

May 2, 2019

I Ahmed Al Shawi, reside at 147 Othoridge Road.

I am signing this letter because I have no problems with Theresa Foster who resides at 143 Othoridge Road to park her RV in the driveway of her residence.

06/15/19

Sincerely,

May 2, 2019

I John Bush, reside at 144 Othoridge Road.

I am signing this letter because I have no problems with Theresa Foster who resides at 143 Othoridge Road to park her RV in the driveway of her residence.

Sincerely,

John Bush

May 2, 2019

I Jocelyn Stone, reside at 155 Othoridge Road.

I am signing this letter because I have no problems with Theresa Foster who resides at 143 Othoridge Road to park her RV in the driveway of her residence.

Sincerely,

Jocelyn Stone

May 2, 2019

I Corey Gella, reside at 153 Othoridge Road.

I am signing this letter because I have no problems with Theresa Foster who resides at 143 Othoridge Road to park her RV in the driveway of her residence.

Sincerely,

May 2, 2019

I Kathryn Hunt, reside at 141 Othoridge Road.

I am signing this letter because I have no problems with Theresa Foster who resides at 143 Othoridge Road to park her RV in the driveway of her residence.

Sincerely, Kathryn Hunt

May 2, 2019

I Brian Eardley, reside at 142 Othoridge Road.

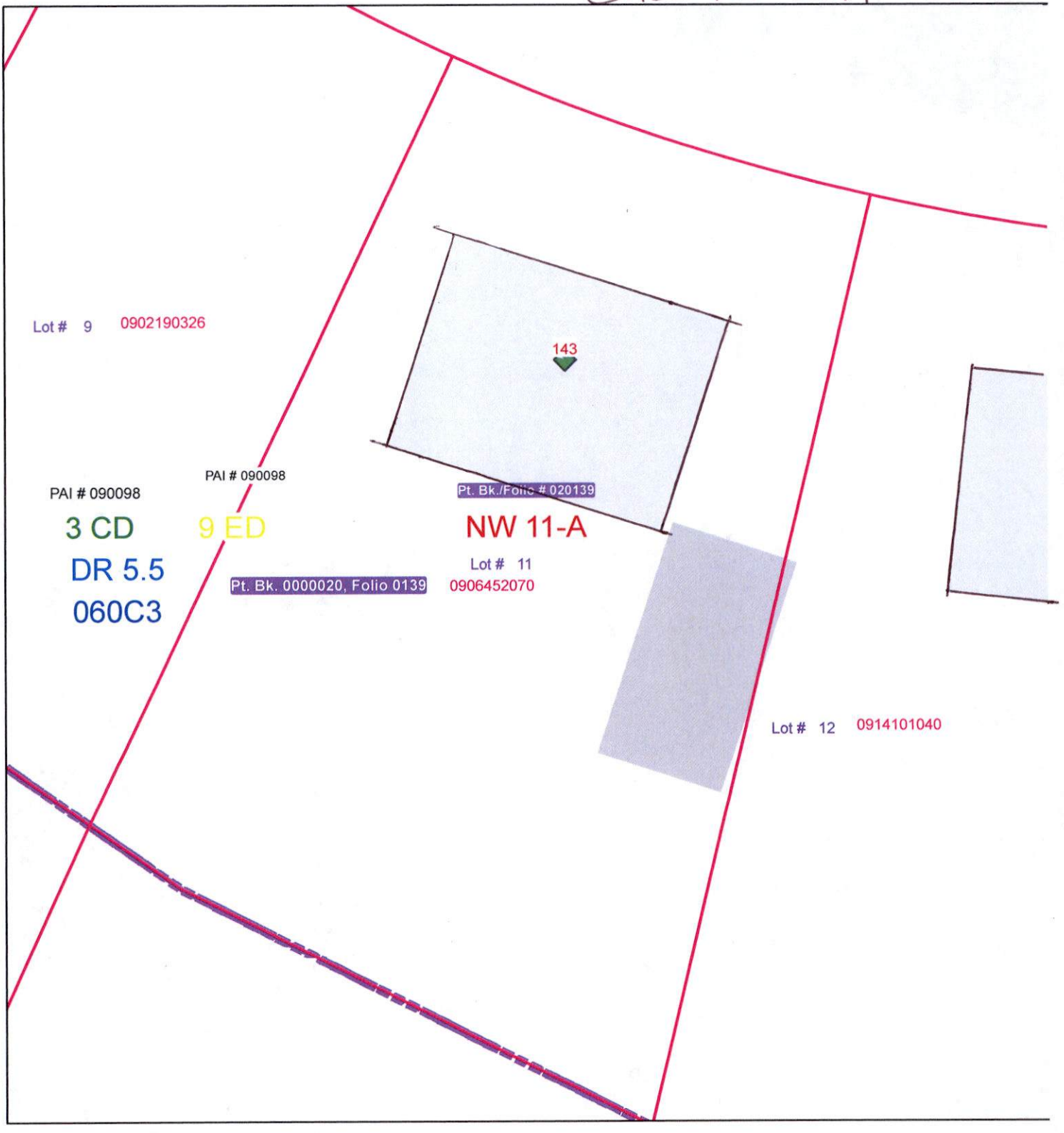
I am signing this letter because I have no problems with Theresa Foster who resides at 143 Othoridge Road to park her RV in the driveway of her residence.

Sincerely,

B C. Eardley

Enter Property Address Here

CASE No. 2019-0237-A



Publication Date: 4/10/2019

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

N W E S

0 5 10 20 30 40 Feet

1 inch = 20 feet

Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Tax Exempt:		Special Tax Recapture:	
Exempt Class:		NONE	
Account Identifier:	District - 09 Account Number - 0906452070		

Owner Information

Owner Name:	FOSTER THERESA M	Use:	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	143 OTHORIDGE RD LUTH-TIMONIUM MD 21093-5421	Deed Reference:	/31483/ 00493

Location & Structure Information

Premises Address:	143 OTHORIDGE RD 0-0000	Legal Description:	ORCHARD HILLS

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	1
0060	0024	0583		0000	1	1	11	2017	Plat Ref:	0020/ 0139

Special Tax Areas:		Town:	NONE
		Ad Valorem:	
		Tax Class:	

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1957	1,120 SF	370 SF	10,033 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1	YES	STANDARD UNIT	BRICK	1 full	1 Detached	

Value Information

	Base Value	Value As of 01/01/2017	Phase-in Assessments As of 07/01/2018	As of 07/01/2019
Land:	86,500	86,500		
Improvements	120,400	147,000		
Total:	206,900	233,500	224,633	233,500
Preferential Land:	0			0

Transfer Information

Seller:	Date: 12/09/2011	Price: $0
Type: NON-ARMS LENGTH OTHER	Deed1: /31483/ 00493	Deed2:
Seller:	Date:	Price: $0
Type:	Deed1: /03907/ 00090	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

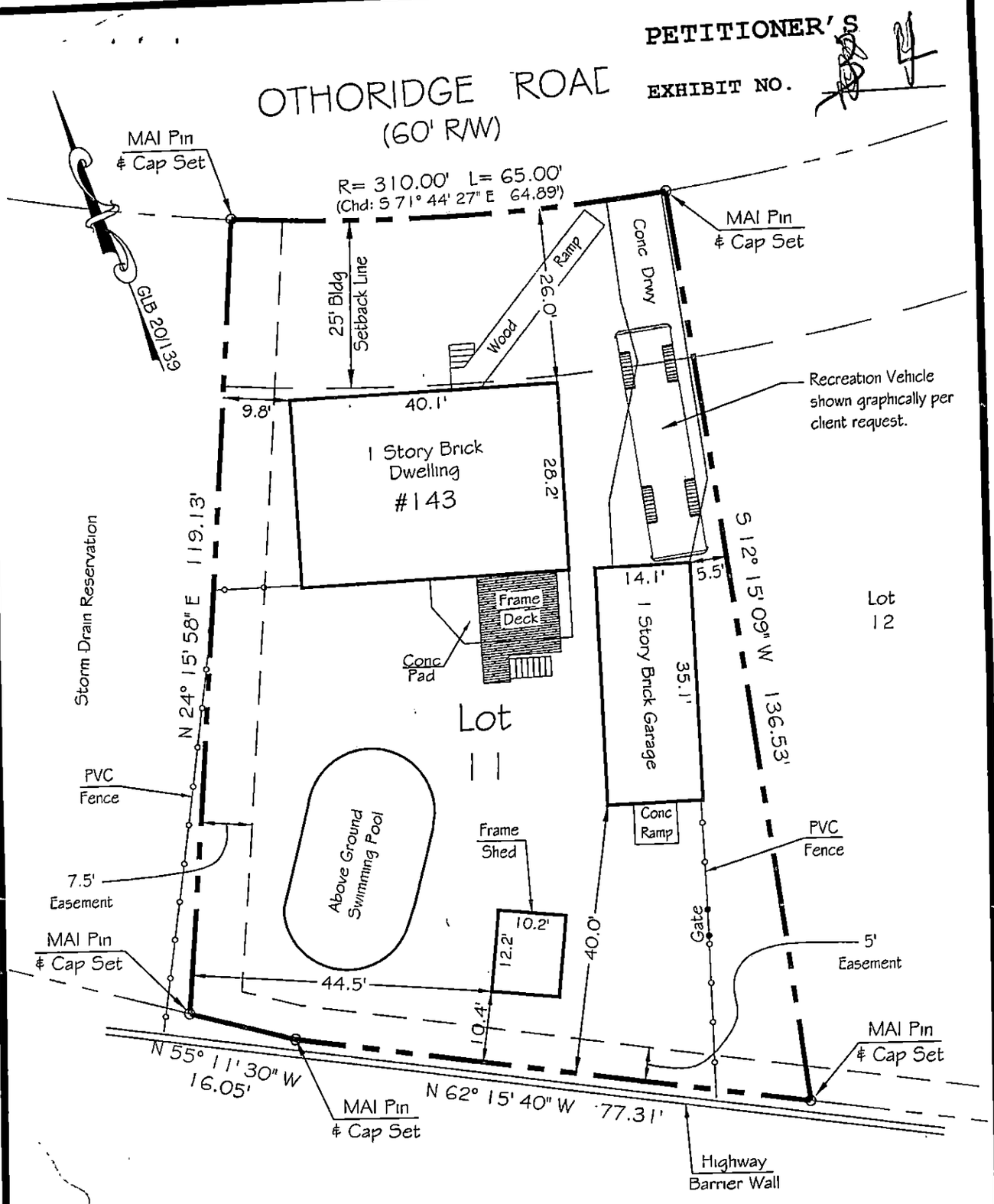
Homestead Application Status: No Application

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.

PETITIONER'S EXHIBIT NO.



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THIS DRAWING WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

LICENSE EXPIRATION 18 OCTOBER 2020.

STATE OF MARYLAND ★ ROBERT PHILLIP GRIM ★ NO. 354 REGISTERED PROPERTY LINE SURVEYOR

Lic. Exp. 10/18/20

Plat Of Survey

For

#143 OTHORIDGE ROAD

Map 60, Grid 24, Parcel 583

District 09, Account No. 0906452070

Lot 11, Plat One, Section One, ORCAHRD HILLS, Plat GLB 20/139

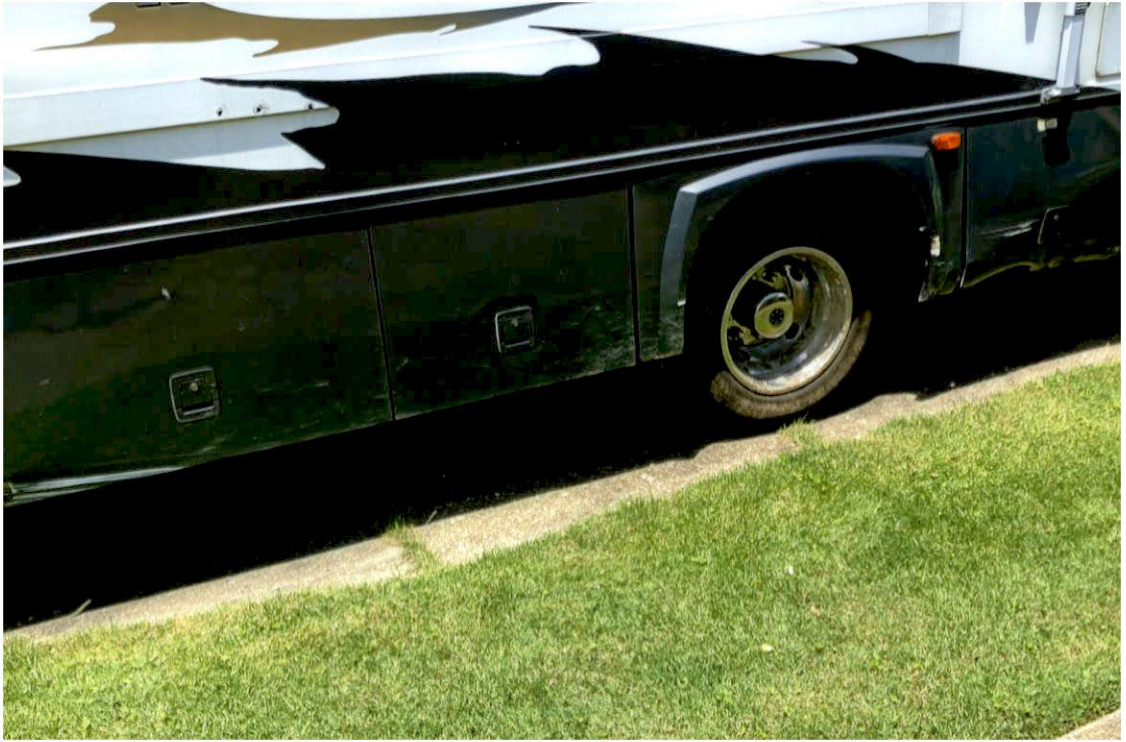
Baltimore County, Maryland

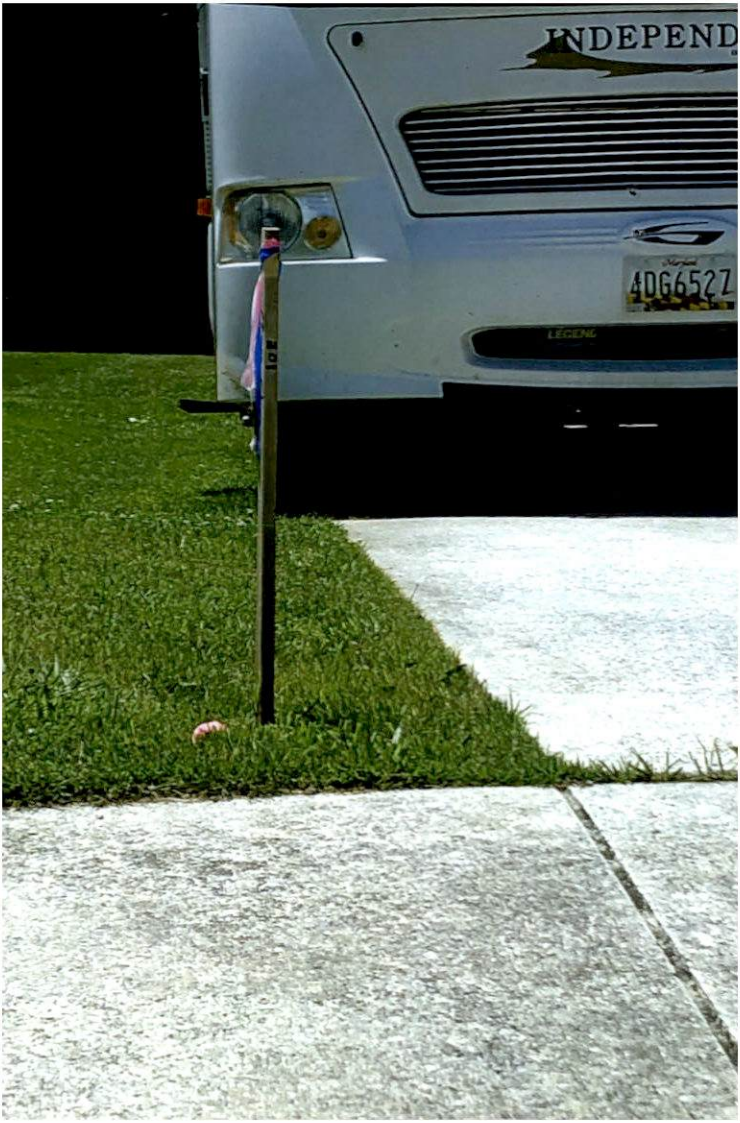
M.D.A.	R.P.G.	1" = 20'	03/22/19	19-014
DRAWN BY	CHECKED BY	SCALE	DATE	JOB NO.

Prepared By

MAI, LLC SURVEYORS

16951 YORK ROAD
MONKTON, MD 21111
(410) 357-8839




INDEPEND
4DG6527

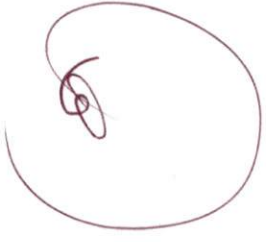
PROTESTANT'S

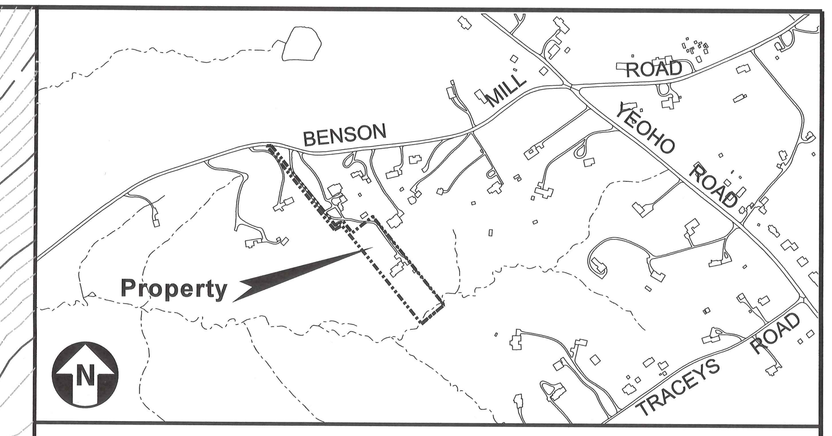
EXHIBIT NO. 2 A & B

INDEPENDENCE

PROTESTANT'S

EXHIBIT NO. 2 A4





VICINITY MAP Scale 1" =500'

LEGEND

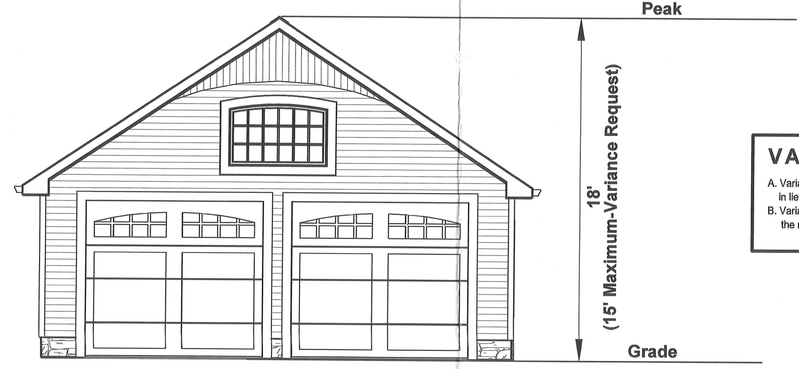
- Property Boundary
- 620 Existing Contours
- Adjoining Parcel Boundaries
- Existing Paving Edge
- Existing Tree Line Approximate

SITE DATA

AREA OF LOT = 3.0002 AC+/- 130,690 SF)
TAX MAP 0027 PARCEL 0373
TOTAL GROSS ZONING AREA =)
(INCLUDES UP TO ONE-HALF BUT NO MORE THAN 30' OF ADJACENT PUBLIC ROADWAY)
TAX ACCOUNT NO. 2500002493
EXISTING ZONING - RC-2
COUNCILMANIC DISTRICT 3
ELECTION DISTRICT 5
EXISTING USE - SINGLE FAMILY RESIDENTIAL DWELLING
PROPOSED USE - SAME WITH PROPOSED ACCESSORY RESIDENTIAL GARAGE
CURRENT DEED REFERENCE - JLE 39133/ 00440
CURRENT PLAT - MINOR SUBDIVISION 03-092M
PRIOR PERMITS- B677716 BUILDING PERMIT
DEVELOPMENT HISTORY-
MINOR SUBDIVISION 2401 BENSON MILL ROAD 03-092M
NO PORTION OF THIS SITE LIES WITHIN THE 100 YEAR FLOODPLAIN (ZONE A or AE) AS INTERPRETED FROM DEPICTIONS AND ELEVATIONS SHOWN ON FEMA FLOOD INSURANCE RATE MAP 2400100105F .
NO PORTION OF THIS PROPERTY LIES IN THE CHESAPEAKE BAY CRITICAL AREA.
EXISTING WATER SUPPLY WELLS, SEPTIC RESERVE AREAS ARE SHOWN HEREON
WITH THE EXCEPTION OF A PROPANE TANK, THERE ARE NO OTHER UNDERGROUND FUEL TANKS ON THE PROPERTY.
THERE ARE NO ENDANGERED SPECIES HABITATS ON THE PROPERTY.
THE PROPERTY DOES NOT FALL WITHIN A DEFICIENT OR FAILING TRAFFIC SHED OR A DEFICIENT PUBLIC WATER OR SEWER AREA PER BASIC SERVICES MAPS EFFECTIVE MAY 21, 2018
ZONING CASE HISTORY - NONE
FOREST BUFFER AND FOREST CONSERVATION EASEMENTS FOR THIS PROPERTY WERE RECORD IN LIBER 23902-850 AND 23902-871

NOTES

1) THE PROPERTY LINE METES AND BOUNDS SHOWN HEREON ARE INTERPRETED FROM DEED DESCRIPTION AND GRAPHICALLY ROTATED IN TO THE MCS GRID AND HAVE NOT BEEN ESTABLISHED FROM A FIELD SURVEY OF THE PROPERTY.
2) THIS PLAT IS INTENDED FOR ZONING PURPOSES ONLY AND NOT FOR USE FOR CONSTRUCTION OR CONVEYANCE OF LAND.
3) THE EXISTING 15' WIDE ACCESS EASEMENT TO THE FOREST BUFFER AND FOREST CONSERVATION AREA LOCATED ALONG THE NOTHEASTERN SIDE OF THE PROPERTY IS INTENDED TO BE RELOCATED IN PART, AS SHOWN HEREON
4) THERE ARE NO EXISTING ZONING VIOLATIONS ON THIS PROPERTY



PROPOSED ACCESSORY GARAGE STRUCTURE
FRONT ELEVATION (nts)

VARIANCE REQUESTS

A. Variance is requested to BCZR § 400.1 to permit an accessory garage structure to be located in the side yard in lieu of required rear yard
B. Variance is requested to BCZR § 400.3 to permit the height of accessory garage structure of 18 feet in lieu of the maximum 15 feet.

MATISWARFIELD
Consulting Engineers
954 Ridgebrook Road Suite 120 Sparks, Maryland 21152
410.683.7004 PHONE 410.683.1798 FAX
www.matiswarfield.com

"Professional Certification:
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. PE 18848 Expiration Date: 9-19-20

50' 0 50' 100'
1" = 30'-0"
GRAPHIC SCALE

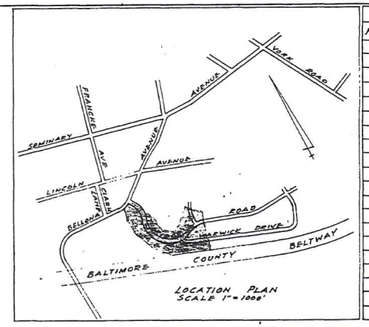
OWNER/ PETITIONER
RICHARD A. HOMBERG
CHRISTINE T. HOMBERG
2403 BENSON MILL RD
SPARKS-GLENCOE MD
21152-9418

Date	Issue
3-27-19	FILING ISSUE

PLAN TO ACCOMPANY ZONING PETITION
FOR VARIANCES
2403 Benson Mill Road

SPARKS GLENCOE
BALTIMORE COUNTY, MARYLAND
ELECTION DISTRICT NO.5
COUNCILMANIC DISTRICT 3
SHEET 1 OF 1

2019-0285-A Petit #1



LOCATION PLAN
SCALE 1" = 1000'

CURVE DATA						
No.	Radius	Δ	Arc.	Tan.	Ch.	L.C.B.
1	328.10'	14°46'23"	100.07'	50.31	99.79	N62°52'34"E
2	25.00'	79°07'00"	34.52'	20.65	31.84	S77°28'00"E
3	230.00'	41°04'36"	164.89'	86.17	161.38'	S17°22'12"E
4	200.00'	41°04'36"	143.38'	74.98	140.33'	S17°22'12"E
5	470.00'	24°18'16"	199.37'	101.21	197.88'	S8°53'02"E
6	500.00'	44°52'30"	391.61'	206.47	381.68'	S19°16'03"E
7	440.00'	20°44'15"	157.91'	79.85	157.13'	N31°25'16"W
8	250.00'	75°17'09"	328.50'	192.22'	305.37'	S79°26'59"E
9	310.00'	58°55'35"	318.82'	175.18'	304.92'	N71°10'11"W
10	25.00'	81°26'59"	35.52'	21.51'	32.61'	N59°55'30"W
11	150.00'	43°02'40"	112.69'	59.15'	110.06'	N60°44'26"W
12	100.00'	43°02'40"	75.13'	39.44'	73.37'	S60°44'26"E
13	25.00'	89°04'47"	38.25'	22.15'	33.16'	N22°15'24"E
14	400.00'	31°13'22"	217.98'	111.77'	215.29'	N78°57'08"E
15	340.00'	58°52'33"	313.21'	172.77'	302.06'	S89°11'57"E
16	50.00'	78°03'22"	68.20'	44.66'	63.04'	S65°05'07"W
17	175.00'	45°23'36"	138.65'	73.19'	135.05'	N38°46'15"E
18	125.00'	47°39'56"	103.99'	55.22'	101.02'	N37°38'06"E
19	25.00'	83°14'38"	36.32'	22.21'	33.21'	S27°49'11"E
20	400.00'	7°10'50"	50.13'	25.10'	50.10'	S65°51'05"E

NOTE:
Proposed E. Bellona Ave. as established by State Roads Commission of Maryland. R/W Plat # 10604

BELLONA AVENUE

BOARD OF EDUCATION

WESTBURY ROAD

OTHORIDGE ROAD

WARWICK DRIVE

4 Ft. Slope Easement as shown on State Roads Comm. of Md. Plat # 10604

State Roads Commission of Maryland Baltimore County Beltway R/W Plat #10584

NOTE:
"The streets and/or roads as shown hereon and the mention thereof in deeds are for the purpose of description only and the same are not intended to be dedicated to public use. the fee simple title to the beds thereof is expressly reserved in the Grantors of the deed to which this plat is attached, their heirs and assigns."

OWNERS CERTIFICATE:-
Certification is hereby made that all the requirements of the Annotated Code of Maryland Chapter 1016 Acts of 1945 have been complied with on this plat

THE EDMONDALE BUILDING CO.

CERTIFICATION:-
Certification is hereby made that this plat was computed by G. W. Stephens Jr & Associates and that it meets the requirements of Section 72 B Article 17 of the Annotated Code of Maryland 1947 Supplement.

John Hocheiter Jr.
Reg. No. 2286

Approved as to alignment and location of streets
Robert J. Bayer Dec. 13, 1954
Chief Engineer of Baltimore Co., Md.

Approved by Baltimore County Planning Commission
Theodore R. Diehl Nov. 17, 1954
Director

APPROVED
BALTIMORE COUNTY PLANNING BOARD
November 17, 1954 William H. Walthour Jr.
Executive Secretary

NOTE:
Coordinates are referred to traverse of Baltimore County Metropolitan District.

G.L.B 20, Folio 139

Recorded for Record
Dec 10 1954 P.M.
Plats and Surveys
G.L.B. 20 Folio 139
Clerk of the Circuit Court
Baltimore County, Maryland
Edith E. Bell
Deputy Clerk

SUBDIVISION PLAN
PLAT ONE
SECTION ONE
ORCHARD HILLS
BALTIMORE COUNTY, MD. ELECTION DISTRICT No 9
SCALE 1 IN = 50 FT OCTOBER 1954

THE EDMONDALE BUILDING CO. DEVELOPERS
5 N. GUILFORD AVE. BALTO. MD.

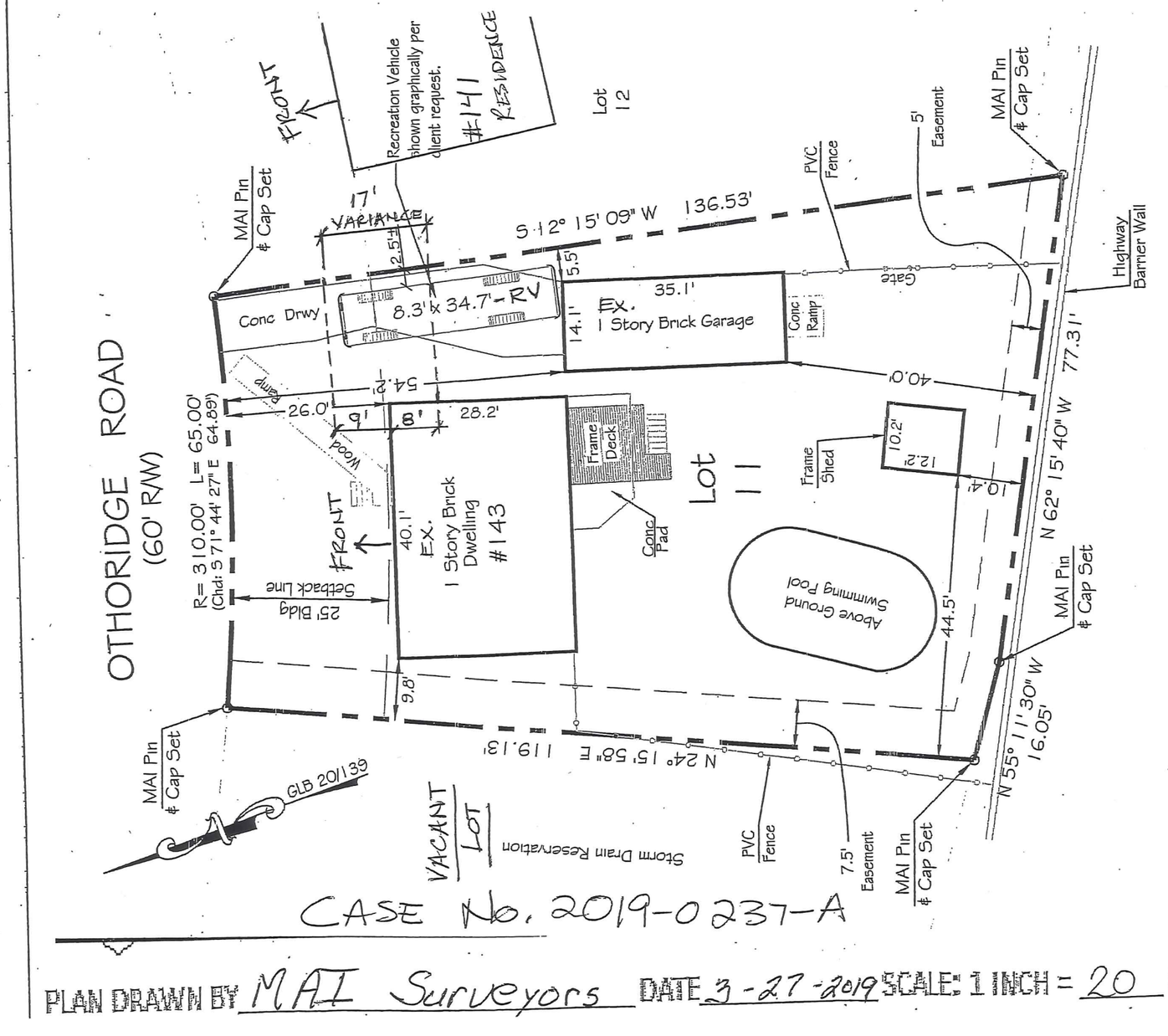
MSA SM 1336-1135

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING ___ (MARK TYPE REQUESTED WITH X)

ADDRESS 143 OTHORIDGE ROAD OWNER(S) NAME(S) THERESA FOSTER

SUBDIVISION NAME ORCHARD HILLS LOT # 11 BLOCK # 1 SECTION # 1

PLAT BOOK # 20 FOLIO # 139 10 DIGIT TAX # 0906452070 DEED REF. # 31483/00493



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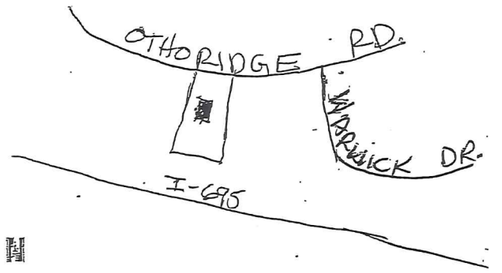
CASE No. 2019-0237-A

PLAN DRAWN BY MAI Surveyors DATE 3-27-2019 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP # 060C3

SITE ZONED DR 5.5

ELECTION DISTRICT 9

COUNCIL DISTRICT 3

LOT AREA ACREAGE ___

OR SQUARE FEET 10,033 S.F.

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE ___

SEWER IS:

PUBLIC X PRIVATE ___

PRIOR HEARING? ___

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

CODE VIOLATION CASE NO. CC1900857