

MEMORANDUM

DATE: July 24, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0285-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

(2403 Benson Mill Road)

5th Election District

3rd Council District

Richard A. & Christine Homberg

Legal Owners

Petitioners

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0285-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Richard A. & Christine Homberg, legal owners of the subject property (“Petitioner”). Petitioner is requesting variance relief from Sections 400.1 & 400.3 of the Baltimore County Zoning Regulations (“BCZR”): (1) to permit a one-story accessory garage structure to be located in the side yard in lieu of the required rear yard; and (2) to permit the height of accessory garage structure of 18 feet in lieu of the maximum 15 feet. A site plan was marked as Petitioners’ Exhibit 1.

James Matis, engineer, Richard Homberg and Tim Watts appeared in support of the petition. Petitioners were represented by Michael T. Wyatt, Esq. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Bureau of Development Plans Review (“DPR”).

The site is approximately 3.0 acres in size and is zoned RC-2.

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

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Date 6/20/19

By Sen

or hardship.

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

Testimony was presented that the subject property is a panhandle lot with a driveway on the east side; and is improved by an existing residential structure. The plan calls for $\frac{3}{4}$ of the proposed accessory garage to be to the rear of that structure.

Petitioner notes that in addition to the panhandle shape of the site, the topography includes significant sloping and inclines; and is also restricted by an existing forest buffer in the rear of the property; all of which limits the available space for construction of the requested accessory garage. Based upon this testimony, I find that the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct a garage on the site. 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 absence of County and/or community opposition.

The Zoning advisory comments set forth that there is an existing 15 foot wide access easement to the forest buffer on the site which must be released to the property owner prior to the construction of the requested one-story proposed accessory garage structure. Testimony was presented by Mr. Matis that the Petitioners have agreed with Baltimore County to an "even exchange" of the east side easement, to be relocated to the west side of the property. It awaits County Council final approval.

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 (1) to permit an accessory garage structure to be located in the side yard in

ORDER RECEIVED FOR FILING

Date

6/20/19

By

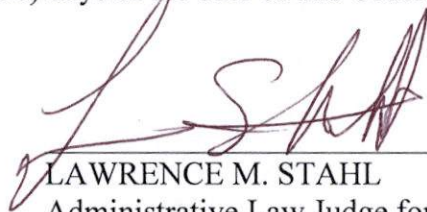
Sen

lieu of the required rear yard; and (2) to permit the height of accessory garage structure of 18 feet in lieu of the maximum 15 feet, 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. This approval is conditioned upon the Petitioners obtaining a release from Baltimore County of the existing 15 foot wide Baltimore County access easement on the east side of the property.

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 sen



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 2403 Benson Mill Road, Sparks MD 21152 which is presently zoned RC-2
Deed References: 39133 / 440 10 Digit Tax Account # 2500002493
Property Owner(s) Printed Name(s) Richard A. Homberg / Christine T. Homberg

(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. ✓ a **Variance** from Section(s) See attached "Petition for Zoning Hearing - Ex. 1"

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)

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Michael T. Wyatt

Name- Type or Print

Signature

100 W. Pennsylvania Avenue Suite 10 Towson MD

Mailing Address City State

21204 410 296 5960 mwyatt@wyattgunning.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Richard A Homberg

Name #1 - Type or Print

Richard Homberg

Signature #1

2403 Benson Mill Rd

Mailing Address

21152

Zip Code

Christine T Homberg

Name #2 - Type or Print

Christine T Homberg

Signature # 2

Sparks-Glenco

City

MD

State

rhomborg@elecrico.net

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Date

Mailing Address

Zip Code

City

State

Telephone #

Email Address

CASE NUMBER 2019-0285A

Filing Date 4/3/19

Do Not Schedule Dates: _____

Reviewer gh

PETITION FOR ZONING HEARING

EXHIBIT 1

Specific Relief Requested

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.

7019-0285-A

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

Order #: 11748440
Case #: 2019-0285-A
Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0285-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0285-A

2403 Benson Mill Road

S/s Benson Mill Road, west of Yecho Road

5th Election District - 3rd Councilmanic District

Legal Owners: Richard & Christine Homberg

Variance to permit an accessory garage structure to be located in the side yard in lieu of the required rear yard. To permit the height of accessory garage structure of 18 ft. in lieu of the maximum 15 ft.

Hearing: Monday, June 17, 2019 at 11:00 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 ACCOMMODATIONS, 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

CERTIFICATE OF POSTING

2019-0285-A

RE: Case No.: _____

Petitioner/Developer: _____

Richard & Christine Homberg

June 17, 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 penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2403 Benson Mill Road

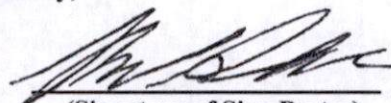
SIGN 1

May 28, 2019

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



Sincerely,

 **May 28, 2019**
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0285-A

RE: Case No.: _____

Petitioner/Developer: _____

Richard & Christine Homberg

June 17, 2019

Date of Hearing/Closing: _____

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

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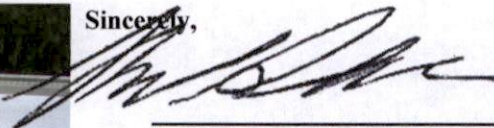
SIGN 2

May 28, 2019

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



Sincerely,

 May 28, 2019

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0285-A

RE: Case No.: _____

Petitioner/Developer: _____

Richard & Christine Homberg

June 17, 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:

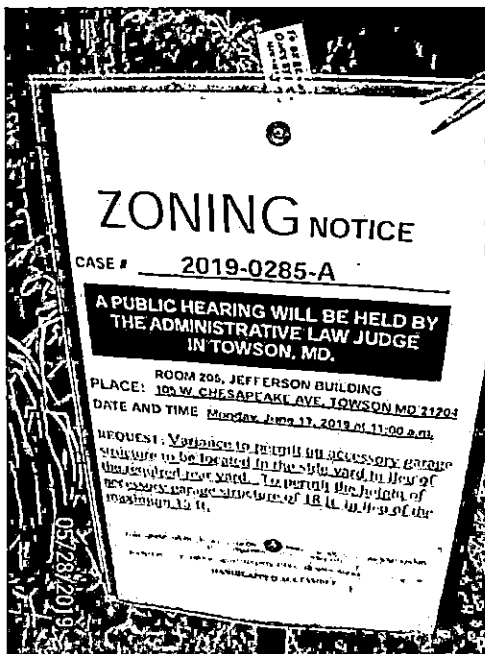
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2403 Benson Mill Road

SIGN 2

May 28, 2019

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



Sincerely,

May 28, 2019

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0285-A

RE: Case No.: _____

Petitioner/Developer: _____

Richard & Christine Homberg

June 17, 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:

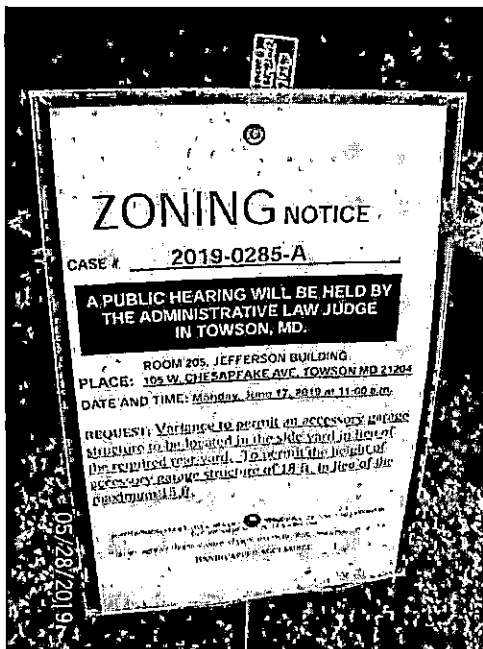
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2403 Benson Mill Road

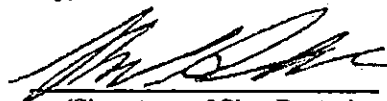
SIGN 1

May 28, 2019

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



Sincerely,


(Signature of Sign Poster) May 28, 2019
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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

No. **182503**

Date: **4/3/19**

PAID RECEIPT

BUSINESS ACTUAL TIME
 4/03/2019 4/03/2019 09:23:37 3

REG #503 WALKIN CAH
 >>RECEIPT # 002284 4/03/2019 CFLN

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount	182503
061	806	0000		6150				75.00	

Dept 5 528 ZONING VERIFICATION
 Recpt Tot \$ 75.00
 75.00 CK .00 CA
 Baltimore County, Maryland

Total: **75.00**

Rec From: **Wyatt and Gunning LLC**

For: **21403 Benson M. H. RD**

2019-0285A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
2403 Benson Mill Road; S/S of Benson Mill *
Road, W 1,776' to c/line of Yeoho Road * OF ADMINISTRATIVE
5th Election & 3rd Councilmanic Districts *
Legal Owner(s):Richard & Christine Homberg* HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2019-285-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 09 2019

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of April, 2019, a copy of the foregoing Entry of Appearance was mailed to Michael T. Wyatt, Esquire, 100 West Pennsylvania Avenue, Suite 10, Towson, Maryland 21204, Attorney for 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 20, 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:

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2403 Benson Mill Road

S/s Benson Mill Rod, west of Yeoho Road

5th Election District – 3rd Councilmanic District

Legal Owners: Richard & Christine Homberg

Variance to permit an accessory garage structure to be located in the side yard in lieu of the required rear yard. To permit the height of accessory garage structure of 18 ft. in lieu of the maximum 15 ft.

Hearing: Monday, June 17, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Michael Wyatt, 100 W. Pennsylvania Avenue, Ste. 10, Towson 21204
Richard & Christina Homberg, 2403 Benson Mill Road, Sparks 21152

- 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.**

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

Please forward billing to:

Michael Wyatt
Wyatt & Gunning
100 W. Pennsylvania Avenue, Ste. 10
Towson, MD 21204

410-296-5960

NOTICE OF ZONING HEARING

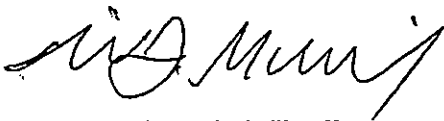
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Hearing: Monday, June 17, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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.



JOHN A. OLSZEWSKI, JR.
County Executive

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

June 12, 2019

Michael Wyatt
100 W. Pennsylvania Avenue, Ste. 10
Towson, MD 21204

RE: Case Number: 2019-0285-A, 2403 Benson Mill 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 April 3, 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,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Richard & Christine Homberg, 2403 Benson Mill Road, Sparks-Glencoe 21152

6-17

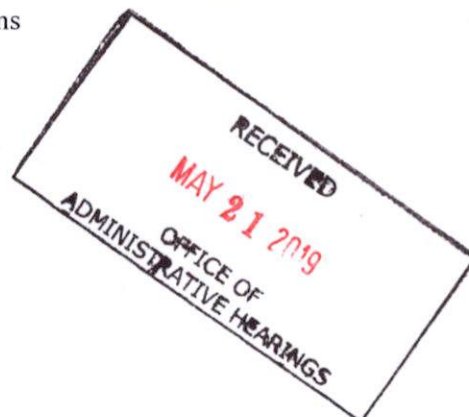
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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: 19-285



INFORMATION:

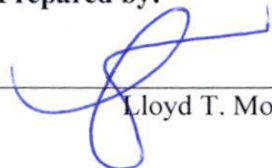
Property Address: 2403 Benson Mill Road
Petitioner: Richard A. Homberg, Christine T. Homberg
Zoning: RC 2
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit an accessory garage with a height of 18' to be located in the side yard in lieu of the required 15' and rear yard respectively.

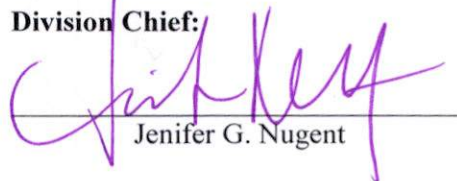
The Department has no objection to granting the petitioned zoning relief.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Jenifer G. Nugent

JM/JGN/LTM/

c: Joseph Wiley
Michael T. Wyatt
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

DATE: April 22, 2019

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

SUBJECT: Zoning Advisory Committee Meeting
For April 15, 2019
Item No. 2019-0285-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

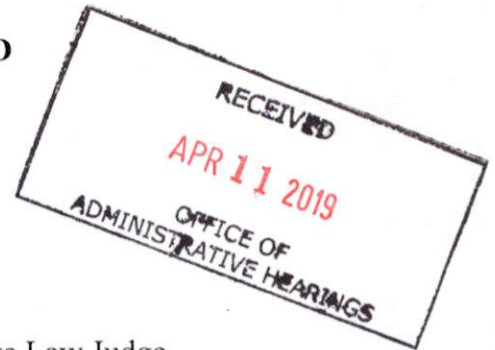
The existing 15-foot wide Baltimore County Access Easement must be released to the Property Owner prior to the construction of the 1-story proposed accessory/garage structure.

* * * * *

VKD: cen
cc: file

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 11, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0285-A
Address 2403 Benson Mill Road
(Homberg Property)

Zoning Advisory Committee Meeting of **April 15, 2019**.

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

Reviewer: Steve Ford

Date: 4/10/19

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

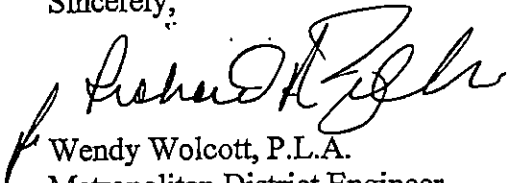
Dear Ms. Lewis:

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. 2019-0285-A

Variance
Richard A. & Christina T. Hornborg
2403 Benson Mill Road

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,



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

WW/RAZ

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

4/22

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)Comment

4/11

DEPS
(if not received, date e-mail sent _____)No Comment

5/20

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)No Objection

4/10

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERINGNo Objection

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

5/28/19

SIGN POSTING (1st)

Date:

5/28/19

by SSG Black

SIGN POSTING (2nd)

Date:

by _____

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

A-3333

Common

Common

Common

Common

H/1

H/1

H/1

H/1

2/23/11

2/23/11

224 Black

7

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 - 05 Account Number - 2500002493			
Owner Information					
Owner Name:	HOMBERG RICHARD A HOMBERG CHRISTINE T		Use:	RESIDENTIAL	
Mailing Address:	2403 BENSON MILL RD SPARKS-GLENCO MD 21152-9418		Principal Residence:	YES	
			Deed Reference:	/39133/ 00440	
Location & Structure Information					
Premises Address:	2403 BENSON MILL RD SPARKS GLENCO 21152-9418		Legal Description:	3.0002 AC 2403 BENSON MILL RD 1717FT W YEOHO RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0027	0002	0373		0000	
					Block:
					2
					Lot:
					2017
					Assessment Year:
					Plat No:
					Plat Ref:
					MS
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
2008	3,302 SF		3.0000 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1 1/2	YES	STANDARD UNIT	SIDING	3 full/ 1 half	1 Attached
					Last Major Renovation
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2017	07/01/2018	07/01/2019	
Land:	113,400	113,400			
Improvements	430,300	467,500			
Total:	543,700	580,900	568,500	580,900	
Preferential Land:	0			0	
Transfer Information					
Seller: TUCKER SAINT GEORGE BROOKE		Date: 06/24/2017		Price: \$815,000	
Type: ARMS LENGTH IMPROVED		Deed1: /39133/ 00440		Deed2:	
Seller: MORRILL KAREN C		Date: 06/25/2007		Price: \$358,750	
Type: ARMS LENGTH IMPROVED		Deed1: /26695/ 00100		Deed2:	
Seller: MORRILL KAREN C		Date: 05/02/2007		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /25569/ 00536		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: App d 12/12/2017

Homeowners' Tax Credit Application Information

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



PETITIONER' S

EXHIBIT NO. 7

29



2B



PETITIONER' S

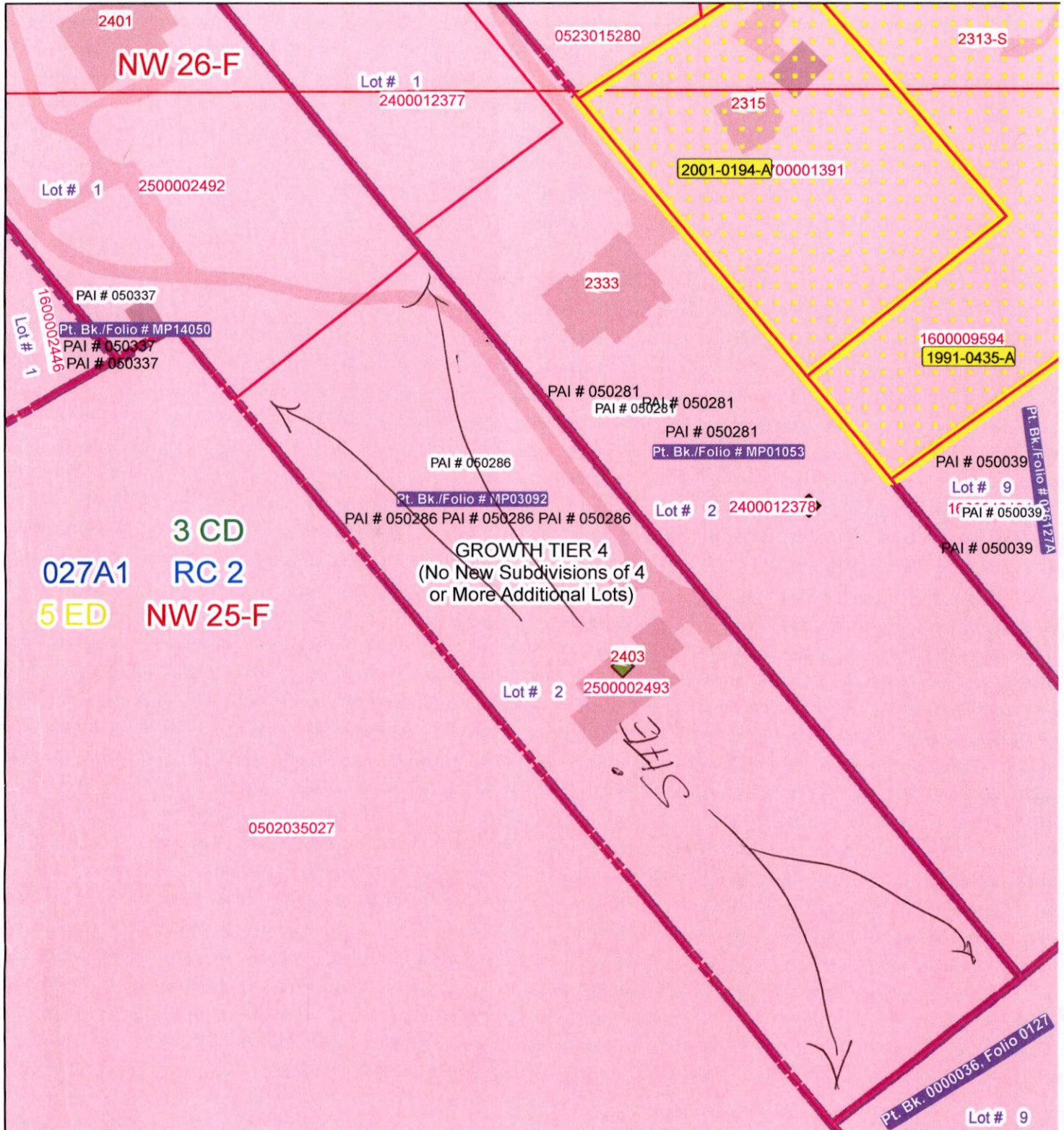
EXHIBIT NO. 3



PETITIONER'S

EXHIBIT NO. 4

2403 Benson Mill Road



Publication Date: 4/3/2019



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



0 25 50 100 150 200 Feet

1 inch = 100 feet

2019-0285A

**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.

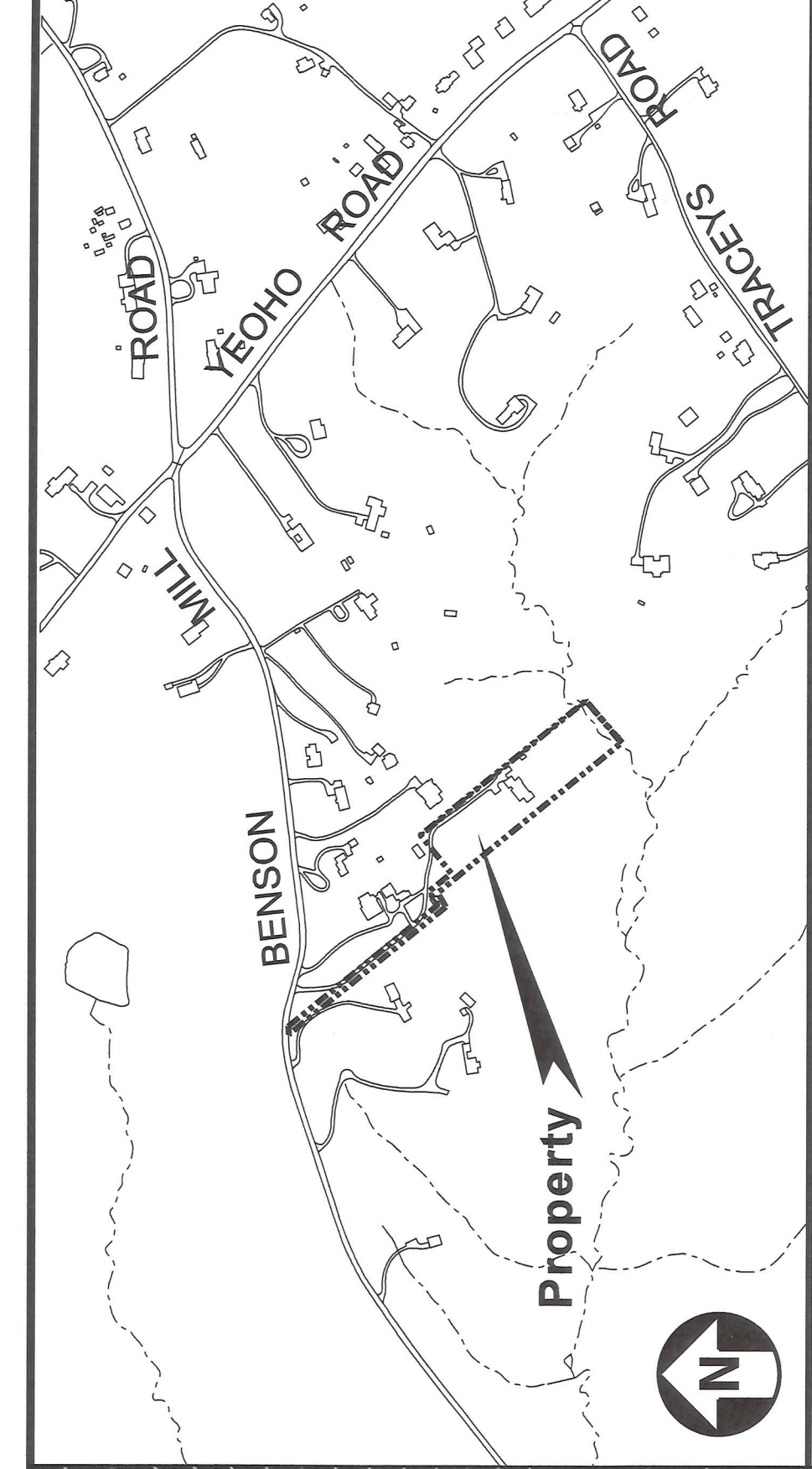
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2019-0285A
Property Address: 2403 BENSON MILL ROAD
Property Description: _____
Legal Owners (Petitioners): Richard + Christine Homberg
Contract Purchaser/Lessee: NA

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michael Wyatt
Company/Firm (if applicable): Wyatt and Gunning
Address: 100 WEST PENNSYLVANIA AVENUE
SUITE 10
TOWSON MARYLAND 21204
Telephone Number: 410-296-5960



VICINITY MAP Scale 1" = 500'

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

SITE DATA

AREA OF LOT: 3.009 AC +/- 121,890 SQ FT
TAX MAP 0027 PARCEL 0073
TOTAL GROSS ZONING AREA: 1.000 AC +/- 121,890 SQ FT
TAX MAP 0027 PARCEL 0073
TAX ACCOUNT NO. 200002680
EXISTING ZONING: RC-2
COUNCILMANIC DISTRICT 3
EXISTING USE: SINGLE FAMILY RESIDENTIAL DWELLING
PROPOSED USE: SAME WITH PROPOSED ACCESSORY RESIDENTIAL GARAGE
PRIOR PERMITS: 887716 BUILDING PERMIT
EXISTING PERMITS: 887716 BUILDING PERMIT
NO PORTION OF THE SITE LIES WITHIN THE 100 YEAR FLOODPLAIN (ZONE A or AE) AS INTERPRETED FROM DEPICTIONS AND ELEVATIONS SHOWN ON FEMA FLOOD INSURANCE RATE MAP 200100109F
ELEVATIONS SHOWN ON FEMA FLOOD INSURANCE RATE MAP 200100109F
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.
THE PROPERTY DOES NOT FALL WITHIN A DEPARTMENT OF TRANSPORTATION TRAFFIC SHED OR A DEPARTMENT OF PUBLIC WATER OR SEWER AREA
PER BASIC SERVICES MAPS EFFECTIVE MAY 21, 2018
FOREST BUFFER AND FOREST CONSERVATION EASEMENTS FOR THE PROPERTY WERE RECORDED IN LIBER 22002-350 AND 22002-371

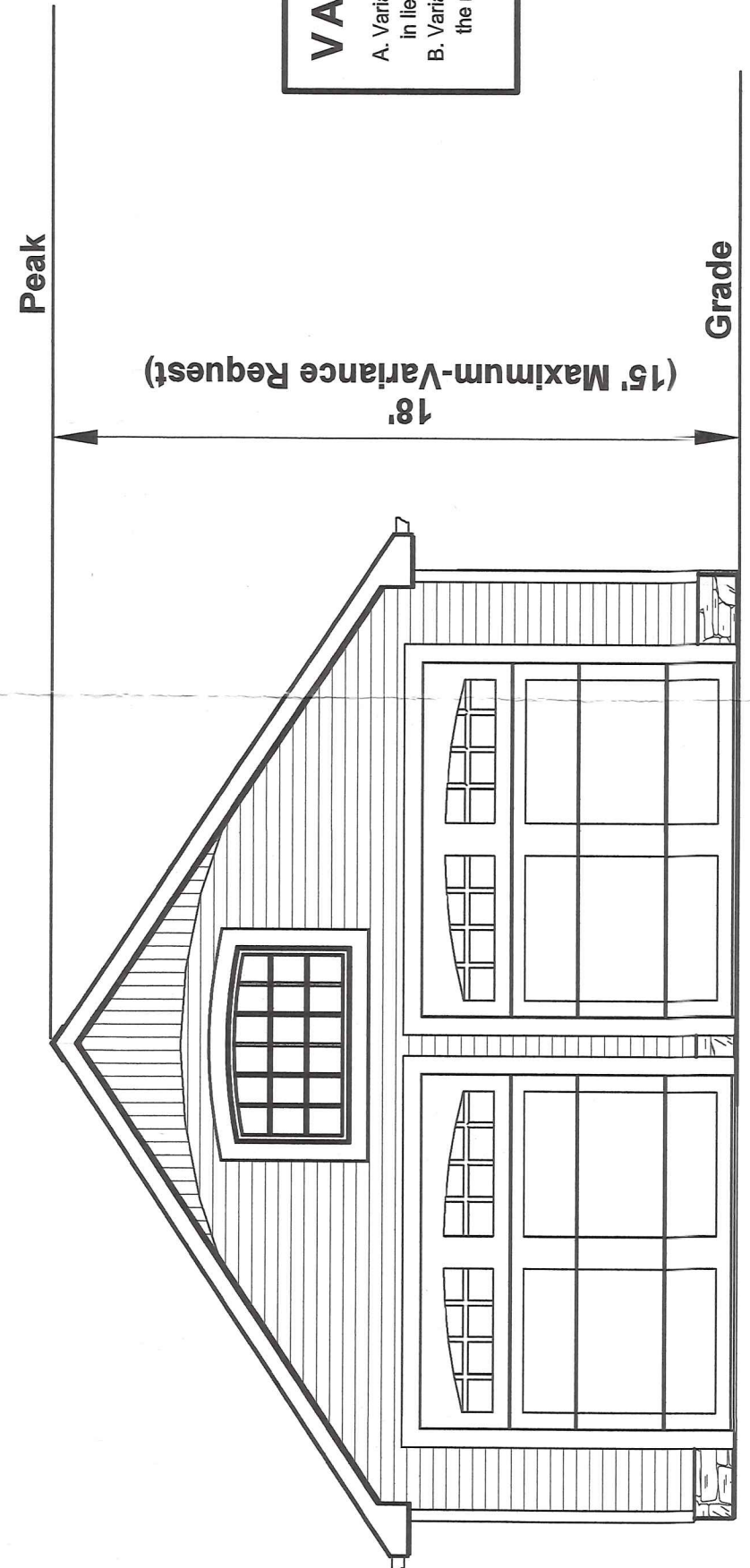
- NOTES**
- 1) THE PROPERTY LINE METES AND BOUNDS SHOWN HEREON ARE INTERPRETED FROM THE FIELD SURVEY OF THE PROPERTY.
 - 2) THIS PLAN IS INTENDED FOR ZONING PURPOSES ONLY AND NOT FOR USE FOR CONSTRUCTION.
 - 3) THE EXISTING 15' WIDE ACCESS EASEMENT TO THE FOREST BUFFER AND FOREST CONSERVATION AREA LOCATED ALONG THE NORTHEASTERN SIDE OF THE PROPERTY IS INTENDED TO BE RELOCATED IN PART AS SHOWN HEREON.
 - 4) THERE ARE NO ZONING VIOLATIONS ON THIS PROPERTY.



VARIANCE REQUESTS

A. Variance is requested to RC22S § 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 RC22S § 400.3 to permit the height of accessory garage structure of 15 feet in lieu of the maximum 15 feet.



PROPOSED ACCESSORY GARAGE STRUCTURE FRONT ELEVATION (nts)

MATISWARFIELD
Consulting Engineers

954 Ridgebrook Road Suite 120 Sparks, Maryland 21152
410.883.7004 PHONE 410.883.1798 FAX
www.matiswarfield.com

Professional Certification:
I hereby certify that these documents were prepared or approved by me, or under my direct supervision and professional engineer under the laws of the State of Maryland.
License No. PE 18480
Expiration Date 9-19-20

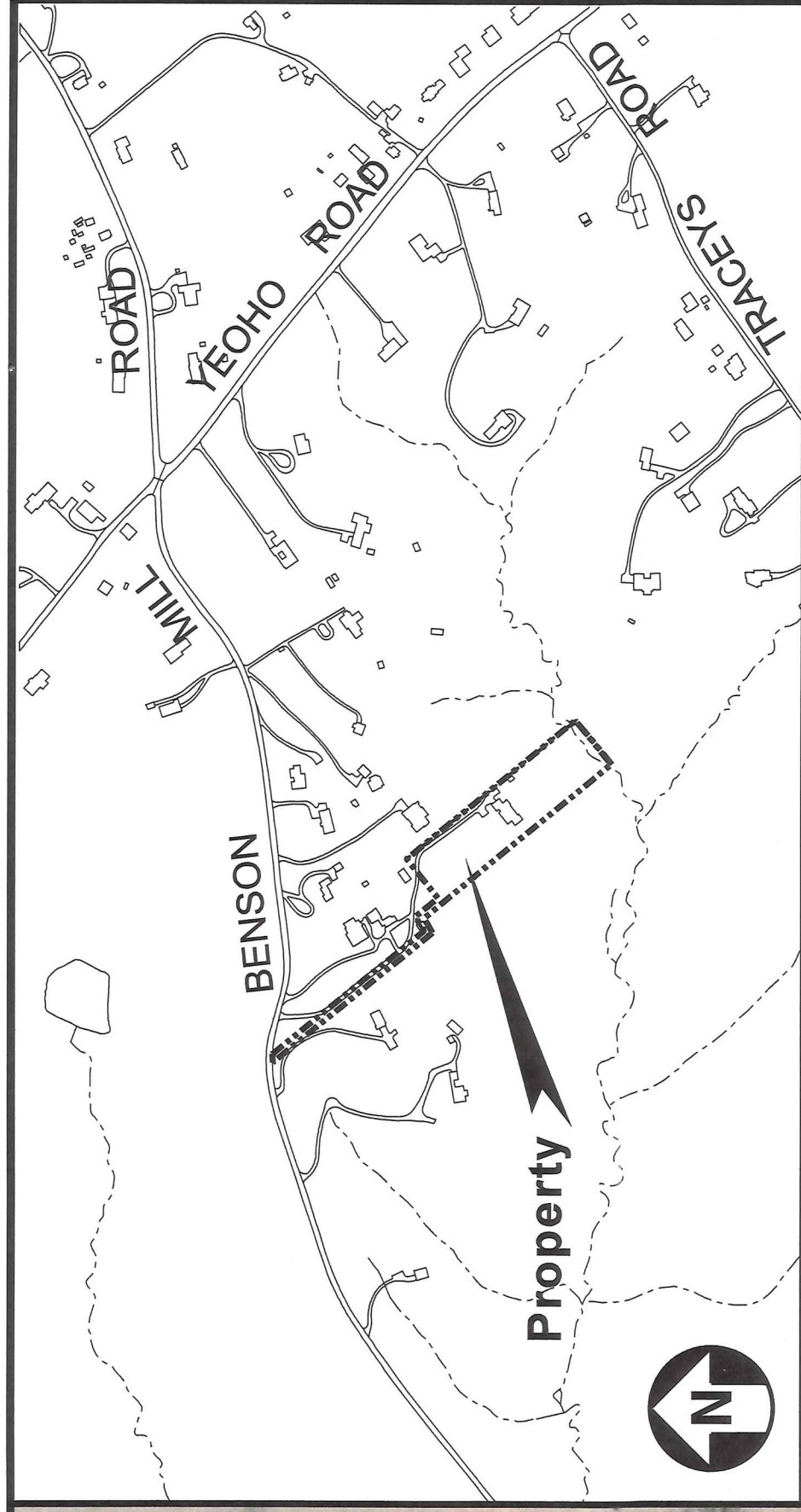
OWNER/ PETITIONER
RICHARD A. HOMBERG
CHRISTINE T. HOMBERG
2403 BENSON MILL RD
SPARKS-GLENCOC MD
21152-9418

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

PLAN TO ACCOMPANY ZONING PETITION FOR VARIANCES
2403 Benson Mill Road
SPARKS-GLENCOC
BALTIMORE COUNTY, MARYLAND
SECTION 103 DISTRICT 3
COUNCILMANIC DISTRICT 3
SHEET 1 OF 1

DATE
3-27-19

ISSUE
FILING ISSUE



VICINITY MAP Scale 1" = 500'

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

SITE DATA

AREA OF LOT = 3.002 AC (+/- 130,666 SF)

AREA OF LOT = 3.002 AC (+/- 130,666 SF)

TOTAL GROSS ZONING AREA = 1

(INCLUDES UP TO ONE-HALF BUT NO MORE THAN 30' OF ADJACENT PUBLIC ROADWAY)

TAX ACCOUNT NO. 250002483

COUNCILMANIC DISTRICT 3

ELECTION DISTRICT 5

PROPOSED USE - SAME WITH PROPOSED ACCESSORY RESIDENTIAL GARAGE

CURRENT DEED REFERENCE - J.E. 30133 00440

CURRENT PLAT - MINOR SUBDIVISION C3-0224

DEVELOPMENT HISTORY - BUILDING PERMIT

MINOR SUBDIVISION 2401 BENSON MILL ROAD 03-0224

ELEVATIONS SHOWN ON FEMA FLOOD INSURANCE RATE MAP 24070105F

NO PORTION OF THIS PROPERTY LIES IN THE CHESAPEAKE BAY CRITICAL AREA

THE PROPERTY DOES NOT FALL WITHIN A DEFICIENT OR FAILING TRAFFIC SHED OR A DEFICIENT PUBLIC WATER OR SEWER AREA

ZONING CASE HISTORY - NONE

FOREST BUFFER AND FOREST CONSERVATION EASEMENTS FOR THIS PROPERTY WERE RECORD IN LIBERT 23002-550 AND 23002-271

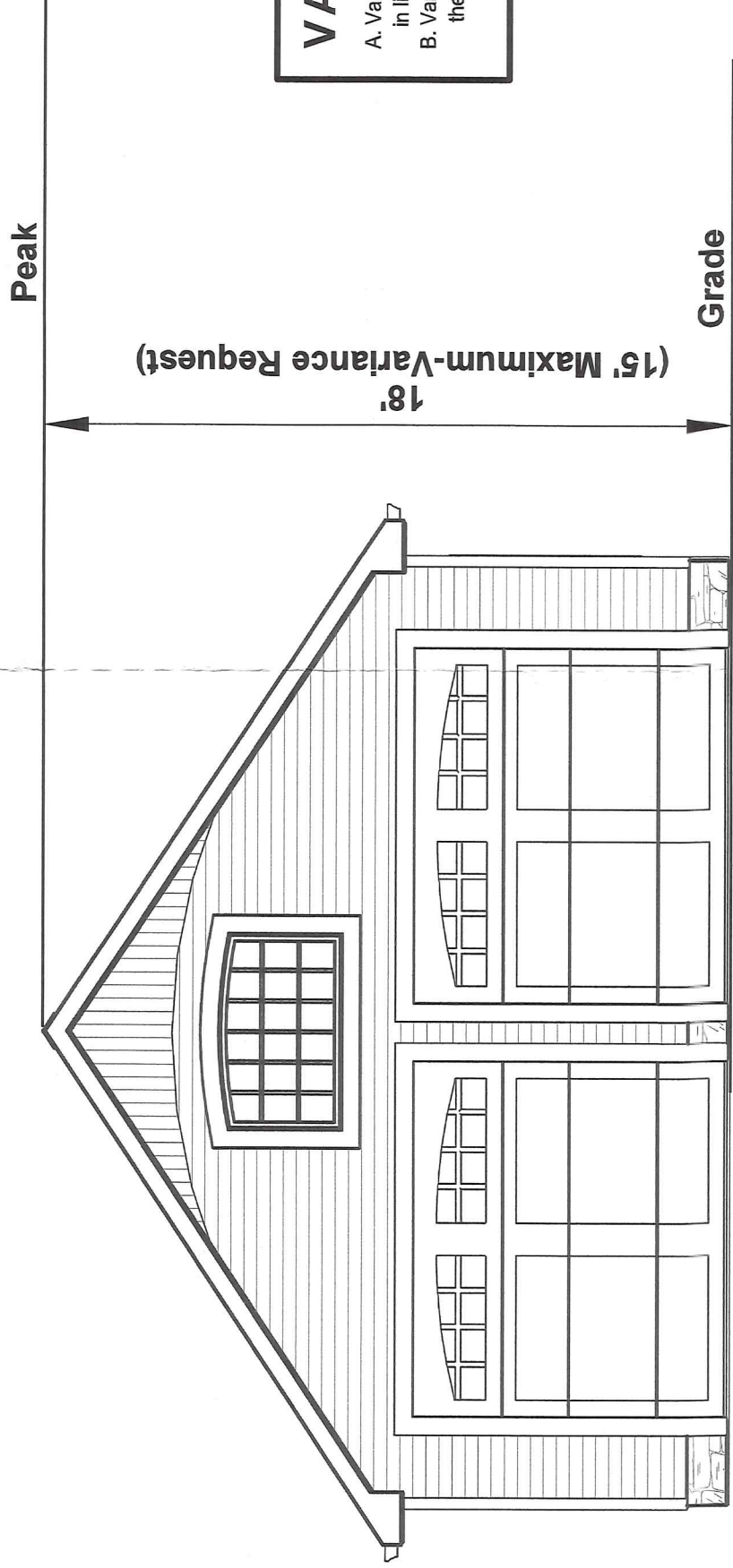
NOTES

- 1) THE PROPERTY LINE METES AND BOUNDS SHOWN HEREON ARE INTERPRETED FROM DEED DESCRIPTION AND GRAPHICALLY ROTATED INTO THE MGS GRID AND HAVE NOT BEEN ADJUSTED FOR ANY POSSIBLE MGS GRID ERROR.
- 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 EASEMENTS FOR THIS PROPERTY WERE RECORD IN LIBERT 23002-550 AND 23002-271 IS INTENDED TO BE RELOCATED IN PART, AS SHOWN HEREON.
- 4) THERE ARE NO EXISTING ZONING VIOLATIONS ON THIS PROPERTY.

VARIANCE REQUESTS

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

PETITIONER'S
EXHIBIT NO. 5



PROPOSED ACCESSORY GARAGE STRUCTURE FRONT ELEVATION (nts)

Date	Issue

