MEMORANDUM

DATE:

June 18, 2019

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2019-0295-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 17, 2019. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c: Case File

Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE *

(18307 Pretty Boy Dam Road)

7th Election District 3rd Council District Clarence, Jr. & Robin Bull Petitioners BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0295-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Clarence, Jr. & Robin Bull ("Petitioners"). The Petitioners are requesting Variance relief pursuant to §1A04.3.B.2.b of the Baltimore County Zoning Regulations ("BCZR") to permit an addition with a side yard setback of 30 ft. in lieu of the required 50 ft., and to amend the Final Development Plan of Alice Meadow for Lot 3 only. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee ("ZAC") comments were received and are made part of the record of this case. A ZAC comment was received from the Department of Environmental Protection and Sustainability ("DEPS") dated April 17, 2019, indicating that Ground Water Management must review any permit(s) for an addition since the property is served by a septic system.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 17, 2019, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 5 1 1 1 9

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

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

THEREFORE, IT IS ORDERED, this <u>17th</u> day of **May**, **2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to §104.3.B.2.b of the Baltimore County Zoning Regulations ("BCZR") to permit an addition with a side yard setback of 30 ft. in lieu of the required 50 ft., and to amend the Final Development Plan of Alice Meadow for Lot 3 only, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
- Petitioners must comply with the DEPS ZAC comment, dated April 17, 2019; a copy of which is attached hereto and made a part hereof.

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

ORDER RECEIVED FOR FILING Administrative Law Judge for

JOHN E. BEVERUNGEN Administrative Law Judge for

Baltimore County

JEB:sln

Date 5/17/19

By Slo 2



ADMINISTRATIVE ZONING PETITION

X 188	ent of Permits, Approvals and Inspections
그 그 그 그 그 그 그 그 그 그 그 그 그 그 그 그 그 그 그	ngs for Baltimore County for the property located at:
	KKON MD 21120 Currently zoned PC 2 (RE-S
Deed Reference 11624 1 00440	10 Digit Tax Account # 1 9 00010034
Owner(s) Printed Name(s) Clarrence in Bu	
(SELECT THE HEARING(S) BY MARKING \underline{X} AT THE A	APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)
For Administrative Variances, the Affidavit on	the reverse of this Petition form must be completed and notarized.
The undersigned, who own and occupy the property sit attached hereto and made a part hereof, hereby petitio	tuate in Baltimore County and which is described in the plan/plat n for an:
1. ADMINISTRATIVE VARIANCE from Section(s	11AO4.3.B.2.B BCZR
To permit an addition with	a side yard setback of 30 in lieu unend the Final Development Plan of saly.
of the required 50' and to a	mend the Final Development Plan of
Alice Mendans for Lat 3	20(~
of the zoning regulations of Baltimore County, to the zo	orning law of Baltimore County.
2012년 1일 - 1일 12일 - 12일 12일 1일 12일 12일 12일 12일 12일 12일 12일 	approve a waiver pursuant to S ection 32-4-107(b) of the Baltimore
County Code: (indicate type of work in this space: i.e.,	to raze, alter or construct addition to building)
of the Baltimore County Code, to the development law	of Baltimore County.
Property is to be posted and advertised as prescribed by the zoning	regulations.
I/ we agree to pay expenses of above petition(s), advertising, posting Baltimore County adopted pursuant to the zoning law for Baltimore County	g, etc. and further agree to be bound by the zoning regulations and restrictions of
Baltimore County adopted pursuant to the zoning law for Baltimore C	ounty.
.NG	() () () () () ()
FILING	Owner(s)/Petitioner(s):
SEOH.	Clarence Bull Jr., Robin D. Dull
INED!	Name #1 – Type or Print Name #2 – Type or Print
SECENT	* Claren Bull on 1x Kolok Dell
DERMINIT	Signature #1 Signature # 2
ORDER RECEIVED FOR FILING	18301 Prosty Boy Dam Rd Parkton, M.D. 21180 Mailing Address City State
Date	Mailing Address / City State
BY	Zip Code Telephone # Email Address
Attorney for Owner(s)/Petitioner(s):	Representative to be contacted:
	Bortrue, agent
Name- Type or Print	Name – Type or Pript On Alph
Signature	Signature
	3020 London Bridge Pol Ly yourselle MID
Mailing Address City State	Mailing Address City State
Mailing Address Oity State	Ologo Hila and Micha I all
Zio Codo Tolophono # Farail Address	710 Code Tolophone # Email Address
Zip Code Telephone # Email Address	Zip Code Telephone # Email Address
	and to be required, it is ordered by the Office of Administrative Hearings for Baltimore
County, thisday of,that the s	subject matter of this petition be set for a public hearing, advertised, and re-posted as
required by the zoning regulations of Baltimore County.	
^ 스틸레이	

Administrative Law Judge for Baltimore County

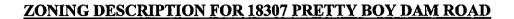
CASE NUMBER 2019 - 0295 - A Filing Date 4 1019 Estimated Posting Date 4 121 19 Reviewer JE

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Add	ress: 18307 Pretty Boy	DAM Rd F	arition	MO	21120-
	Print or Type Address of property /	City		State	Zip Code
	ed upon personal knowledge, to a sinistrative Variance at the abo				
	We would like to build a 2 stor above. The garage will be use looking neater. The much-need Due to the layout of our home garage and bonus room. The athe neighborhood.	d to keep our vehice ded space above very and driveway this	cles out of the vill be used to would be the	e elements and occommodate	the neighborhood e our family needs.
(1	f additional space for the petition	request or the above	statement is	needed, label a	nd attach it to this Form)
7	Clarene Bull granter of Owner (Affiant)		XV	acio	Bull
			Signati	ure of Owner (Affi	ant)
Nam	Clorence Bull Jr. e- Print or Type		Name-	Print or Type	Dul
	The following information	n is to be completed			e of Maryland
STA	TE OF MARYLAND, COUNT	Y OF BALTIMOR	E, to wit:		
I HE	REBY CERTIFY, this 36 for the County aforesaid, persona	day ofday of	ch 2	6/5, before me	a Notary of Maryland, in
Print na	ame(s) here: Clarence P	Soll Fr. 4	Robin	DEVL	
the A	Affiant(s) herein, personally know	n or satisfactorily ide	entified to me	as such Affiant	(s).
AS	WITNESS my hand and Notaries	Seal See	2	atte	
		Notary Public	My C	ommission Ex	pires
		My Commission	on Expires	5/14/2020	•



Beginning at a point on the East Side of Pretty Boy Dam Road which is 70' wide at the distance of 2340' South of the centerline of the nearest improved intersecting street Spooks Hill Road which is 25' wide. Being Lot# 3, of Alice Meadows as recorded in the Baltimore County Plat Book 50, Folio 79 containing 1.65 Acres Located in the 7th Election District 3rd Council District.

OFFIC	E OF BUI		IARYLA D FINANC RECEIPT		Sub Rev/	No.	182	651	BUSINES 4/11/201 REG WSO3 >>RECEIPT (9 4/10/2 MALKIN CA 003360	L TIME 019 10:17:58 M 4/10/2019	OFLI
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For:	183	07 Pr	etty	Bay	Dam	Ref.						
	(00	e # 2	019-	0275	- A							
DISTRIBU	UTION CASHIER	PINK - AG	ENCY SE PRES		CUSTOME	R	GOLD - AC	COUNTIN	lG .		ASHIER'S ALIDATION	

CERTIFICATE OF POSTING

Date: 4-18-19 RE: Case Number: 2019-0295-A Petitioner/Developer: Bull Date of Hearing/Closing: 5-6-(9 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 18307 Prestry soy Dan Pol The signs(s) were posted on ____ I. LAWRENCE PILSON (Printed Name of Sign Poster) ATTACH PHOTGRAPH 1015 Old Barn Road (Street Address of Sign Poster) Parkton, MD 21120 (City, State, Zip Code of Sign Poster). 410-343-1443 (Telephone Number of Sign Poster)

CASE # 2019-0295-A

TO PERMIT AN ADDITION WITH A SIDE YARD SETBACK OF 30' IN LIEU OF THE REQUIRED 50' AND TO AHEND THE FINAL DEVELOPMENT PLAN OF ALICE MEADOWS FOR LOT 3. ONLY.

PURSUANT TO SECTION 26-127(b)(1); BALTIMORE COUNTY CODE AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN-THE ZONING OFFICE BEFORE 4:30 p.m. ON 5/6/19 @

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W. CHESAPEAKE AVE.

TOWSON, MD. 21204

TEL. 887-3391

trove the rich and post, which rece above part, where private or can, RETURN BOTH TO ZADM, RM. 104 MEETING IS HANDICAP ACCESSIBLE

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS CONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0295 -A Address 18307 PRETTY BOY DAM RD.
Contact Person: Phone Number: 410-887-3391
Filling Date: 4/10/19 Posting Date: 4/2(/19) Closing Date: 5/6/1
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. POSTING/COST : The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE:</u> The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4: POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 2019- 0295 -A Address 18307 PRETTY BOY DAM RD.
Petitioner's Name Robin 4 < larence Bull Telephone 443 -841-8388
Posting Date: 4/2///9 Closing Date: 5/6//9
Wording for Sign: To Permit an addition with a side yard setback
of 30' in lieu of the required 50' And to amend the Final
Development Plan of Alice Meadows for Lot 3 only.

Revised 6/30/2019





DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Case Number: 20/9 - 0295 - A
Property Address: 18301 Pretty Boy Dam Road
Property Description:
egal Owners (Petitioners): <u>Clarence & Babin Boll</u>
Contract Purchaser/Lessee:
PLEASE FORWARD ADVERTISING BILL TO:
Name: Clarence & Robin Bull
Company/Firm (if applicable):
Address: 18307 Protty Boy DAM Rd.
PAYKION, MP 31120:
Telephone Number: 443-841-8388 -



JOHN A. OLSZEWSKI, JR. County Executive

MICHAEL D. MALLINOFF, Director

Department of Permits,

Approvals & Inspections

___ -,May 13, 2019

Clarence & Robin Bull 18307 Pretty Boy Dam Road Parkton MD 21220

RE: Case Number: 2019-0295-A, 18307 Pretty Boy Dam Road

Dear:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspections (PAI) on April 10, 2019.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies

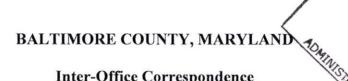
If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: JJ

C: People's Counsel
Ber Ture Agent 3920 London Bridge Road Sykesville MD 21784



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

2019-0295-A

Address

18307 Prettyboy Dam Road

(Bull Property)

Zoning Advisory Committee Meeting of April 22, 2019.

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

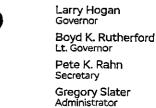
1. Ground Water Management must review any future building permit(s) for addition(s), since the site is served by well and septic.

Reviewer:

Dan Esser







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. $2019 \cdot 0295$

Hoministrative Vavince Clovence Beelf. Lobra Dell 18307 Froth Does Dom Doad.

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

Sincerely,

Wendy Wolcott, P.L.A.

Metropolitan District Engineer

Maryland Department of Transportation

State Highway Administration

District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

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SUBJECT:

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1. Ground Water Management must review any future building permit(s) for addition(s), since the site is served by well and septic.

Reviewer:

Dan Esser

ORDER RE	CEIV	ED FOR	FILING	
Date_5	17	19		J
Ву	20	n		





Debra Wiley

From:

Debra Wiley

Sent:

Monday, June 3, 2019 8:57 AM

To:

'bevtrue213@gmail.com'

Cc:

Sherry Nuffer (snuffer@baltimorecountymd.gov)

Subject:

Administrative Variance Case No. 2019-0295-A

Attachments:

20190603085505331.pdf

Bev,

Per our telephone conversation, please find attached the decision in the above-referenced matter.

Have a great day!

----Original Message----

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>

Sent: Monday, June 3, 2019 8:55 AM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

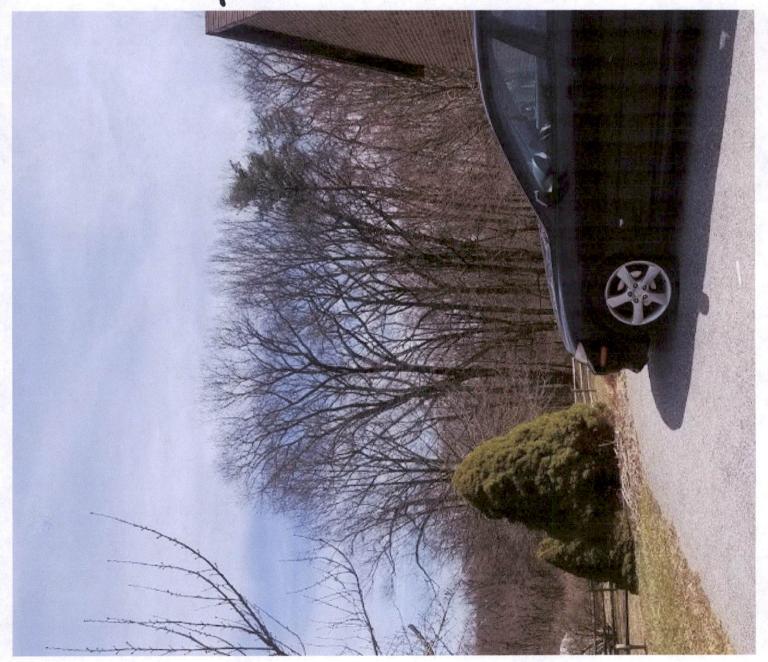
Scan Date: 06.03.2019 08:55:05 (-0400)

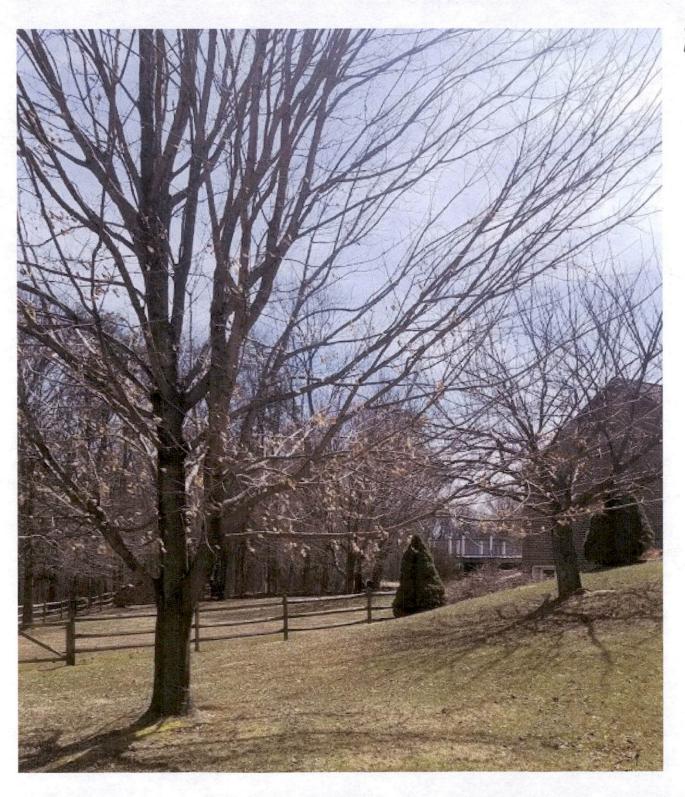
Queries to: adminhearingscpr@baltimorecountymd.gov



Front View- 18307 Pretty Boy Dam Rd BULL Residence

18307 784/30/James





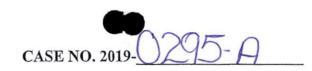
18307 Pretty Bou DAM Ra

Left Side of house, area of proposed additic



18307 Pretty Boy Dampel

existing house where addition would be added.



Support/Oppose/

CHECKLIST

Comment Received	Department	Conditions/ Comments/ No Comment
	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	
417	DEPS (if not received, date e-mail sent)	Comment
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent)	
415	STATE HIGHWAY ADMINISTRATION	No obj
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLAT	ION (Case No	
PRIOR ZONING	(Case No)
NEWSPAPER AD	VERTISEMENT Date:	
SIGN POSTING (1	Date: 41819	by Pyson
SIGN POSTING (2	Date:	by
	SEL APPEARANCE Yes No D	· · · · · · · · · · · · · · · · · · ·
Comments, if any:		





Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Red	demption View GroundRent Registration						
Tax Exempt:		Special Tax Recap	ture:					
Exempt Class:		NONE						
Account Identifier:	District - 07	Account Number - 19	0001003	6				
O	BUIL OLAD	Owner Information	Use:					
Owner Name:	BULL CLARENCE M JR BULL ROBIN D			ipal Reside		RESIDENTI (ES	AL	
Mailing Address:		TY BOY DAM RD		Reference:		11624/ 004	40	
	CONTRACTOR OF THE PROPERTY OF	/ID 21120-9467			•			
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0016 0016 0096	0000			3	2017	Plat Ref:	0050/ 0079	
Special Tax Areas:		Town:			NO	NE		
		Ad Valorem	:					
		Tax Class:						
Primary Structure Built	Above Grade Living Finished Base Area Area		ement	Prop Area	erty Land	and County Use		
1997	2,748 SF			1.650	00 AC	04		
Stories Basement	Туре	Exterior Full/Ha	f Bath	Garage	Last N	lajor Reno	vation	
1 YES	STANDARD UNIT	BRICK 2 full/ 1	half	1 Attache	d			
1	3.	Value Information						
	Base Value	Value		Phase-in Assessn		ments		
		As of		As of		As of		
Land:	95,800	01/01/2017 95,800		07/01/2018	•	07/01/2019		
Improvements	319,300	313,300						
Total:	415,100	409,100		409,100		409,100		
Preferential Land:	0	403,100		403,100		0		
		Transfer Information)					
Seller: BULL CLARENCE	M,JR	Date: 06/06/1996			Price: \$	0		
Type: NON-ARMS LENGT	H OTHER	Deed1: /11624/ 0044	0		Deed2:			
Seller: BULL MELVIN O		Date: 10/24/1983			Price: \$	2.505		
Type: ARMS LENGTH IMP	Deed1: /06612/ 0018	34		Deed2:	_,000			
Seller:		Date:			Price:			
Туре:		Deed1:			Deed2:			
B. W. I.E.		Exemption Information						
Partial Exempt Assessmen			07/01	/2018	C	7/01/2019		
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State: Municipal:	000 000		0.00	0.00	~	0010.00		
municipal.	000		0.000	7.00	C	0.00 0.00		
Tax Exempt: Exempt Class:		Special Tax Recapt	ure:					

Homestead Application Status: Appl

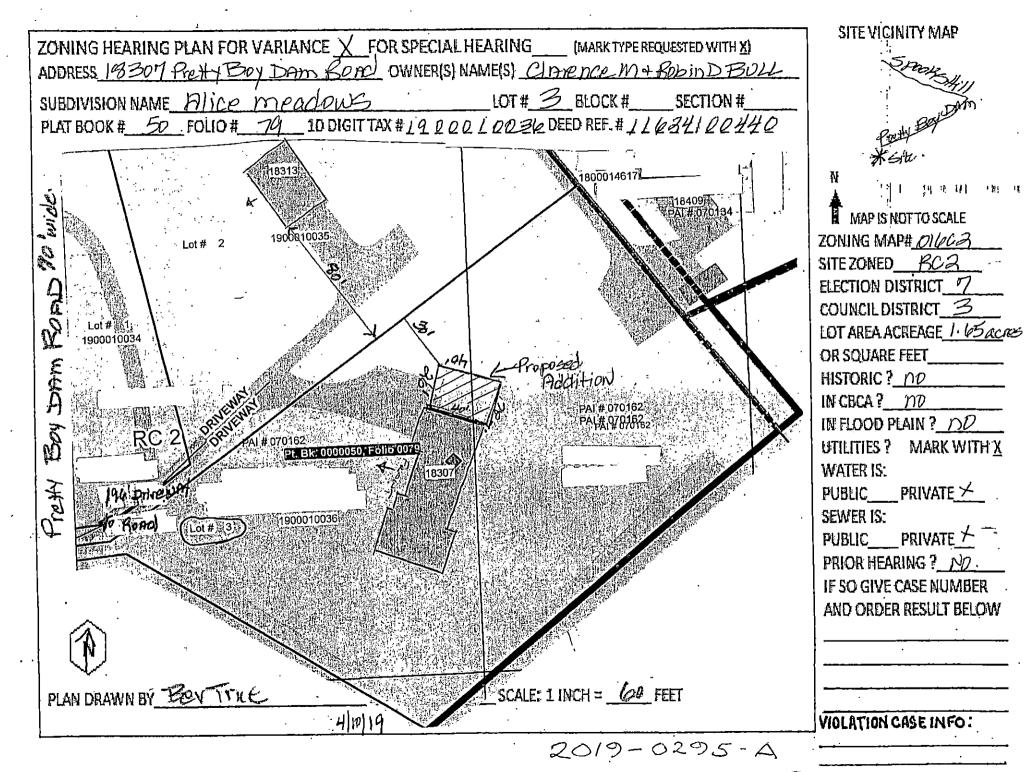
:: App. 05/16/2008



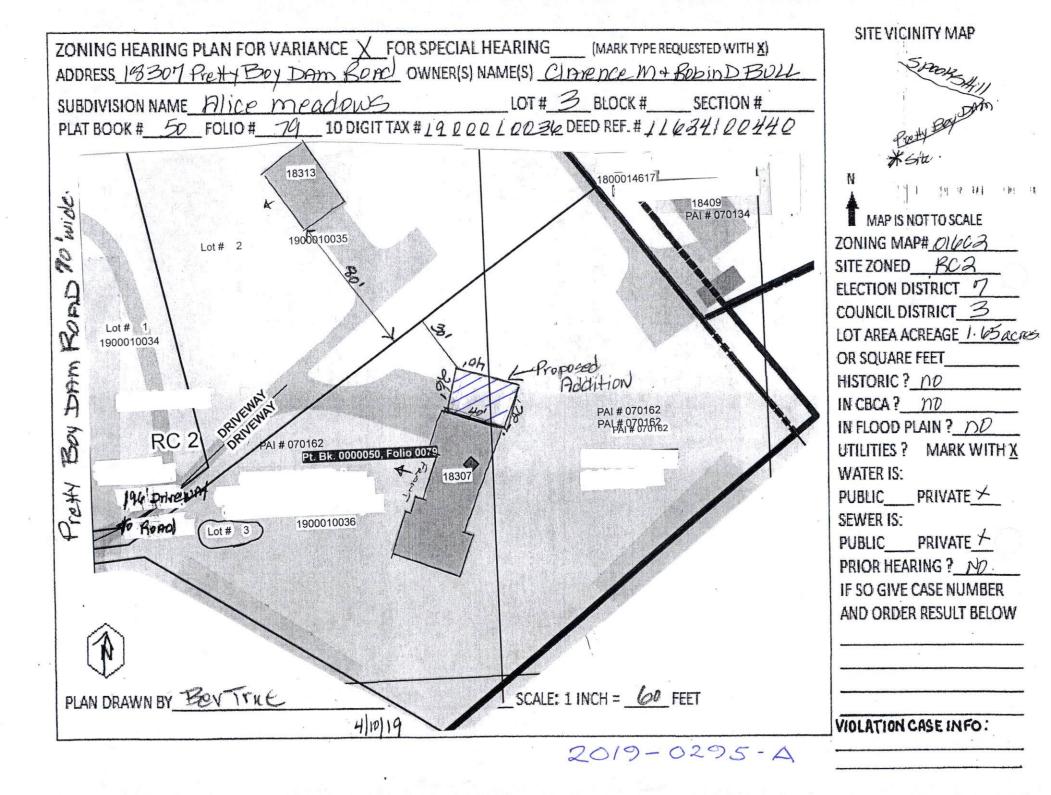
Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:



PET.EX. 1



18307 Pretty Boy Dam Road



Publication Date: 3/28/2019



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



