MEMORANDUM

DATE:

June 18, 2019

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2019-0297-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: Lase File

Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE *

BEFORE THE

(10130 A Liberty Road)

2nd Election District

4th Council District

Charles & Onteria Luckie Petitioners

HEARINGS FOR

BALTIMORE COUNTY

OFFICE OF ADMINISTRATIVE

CASE NO. 2019-0297-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, Charles and Onteria Luckie ("Petitioners"). The Petitioners are requesting Variance relief pursuant to \$1A04.3.B.2.b of the Baltimore County Zoning Regulations ("BCZR") to permit a side yard setback of 41' in lieu of the required 50'. 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. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 21, 2019, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law

ORDER RECEIVED FOR FILING

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 BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this <u>15th</u> day of **May**, **2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("BCZR") to permit a side yard setback of 41' in lieu of the required 50', 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.

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

JOHN E. BEVERUNGEN Administrative Law Judge for

Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date_

BV

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ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING To be filed with the Department of Permits, Approvals and Inspections

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

Address 10130A Liberty Road which is presently zoned RC-5

Deed Reference 20560/592 10 Digit Tax Account # 2300012979

Property Owner(s) Printed Name(s) Charles O. & Onteria M. Luckie

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

1. X ADMINISTRATIVE VARIANCE from section(s) 1A04.3.B.2.b to permit a 41' setback in lieu of the required 50' side yard setback

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ____ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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).

Legal Owners:

		Charles O. Luckie	/ Onteria M. Luc	kie
Name- Type or Print		Name #1 – Type or Print	Name #2 – Typ	
Signature		Signature #1	Signature # 2	4
		10130A Liberty Road	Randallstown	MD
Mailing Address City	State	Mailing Address	City	State
Zip Code Telephone #	Email Address	21133 / 443-761-1 Zip Code Telepho		omcast.net Address
Attorney for Petitioner:	ILING	Representative to be co	ontacted:	
FOR		Richardson Engineerin	g, LLC Rick Richa	ırdson
Attorney for Petitioner: Name- Type or Print Signature ER PECEIVED FOR		Name – Type or Print Signature Name – Type or Print	hy	
		30 E. Padonia Road	Timonium	MD
Mailing Address City	State	Mailing Address	City	State
Zip Code Telephone #	Email Address	Zip Code / 410-560-150: Zip Code Telephoi		ardsonengineering.ne Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this _____day of ____, ____that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER 2019 - 0297-A

Contract Purchaser/Lessee:

_Filing Date 41219

Estimated Posting Date 4,24,19

Reviewer_Jcay



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

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 10130A Liberty Road Print or Type Address of property	Randallstown		21133
	City	State	Zip Code
Based upon personal knowledge, the for Administrative Variance at the above a			
The existing house is getting an addition to the	kitchen which is curren	tly on the left side of the h	ouse. The existing setback
of the house is just over the required, so the ad	Idition will be over the se	etback. It is not practical	to move the house and
expansion of the kitchen is not possible without	relief from the setbacks	S.	*
	1. 1938) 		
(If additional space for the petition reque	est or the above stater	nent is needed, label an	d attach it to this Form)
policy			
Signature of Affiant		Signature of Affiant	
Charles O. Luckie		Onteria M. Luckie	
Name- Print or Type		Name- Print or Type	
The following information is to	o be completed by a N	otary Public of the State	e of Maryland
STATE OF MARYLAND, COUNTY OF	HARFORD TO W	vit:	
10th	ay of April,	00	a Notary of Maryland, in
Charles D. Luckie an	a Onteria 1	M. Luckie	, , , , , , , , , , , , , , , , , , ,
the Affiant(s) herein, personally known or s	atisfactorily identified	to me as such Affiant(s) (Print name(s) here)
AS WITNESS My hand Motaries Seal	Later &	8	
OTARY	Notary Public	2	
PUBLIC S	My Commission Expi	res ORDER RECEIVE	O FOR FILING REV. 10/13
AS WINES SEAL PUBLIC PU		Date 5 15 19	KEV. 10/1.

	2019-0297-A RE: Case No.:
	Petitioner/Developer:
	Charles Luckie
	May 6, 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 posted conspicuously on the property locat	of perjury that the necessary sign(s) required by law were ted at:
10130A Liberty Road SIGN	N 2 Recertification
The sign(s) were posted on	April 21, 2019
The sign(s) were posted on	(Month, Day, Year)
	Sincerely, May 5, 2019
701	(Signature of Sign Poster) (Date)
ZONING NOTICE ADMINISTRATIVE	SSG Robert Black
VARIANCE	(Print Name)
CASE 8 2019-0297-A To Permit a side yard setback of 41 ft.	1508 Leslie Road
ued of the required 50 ft. for an addition.	(Address)
PUBLIC HEARING?	Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



R	2019-0297-A E: Case No.:
	Petitioner/Developer:
•	Charles Luckie
	May 6, 2019 Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 I11 West Chesapeake Avenue Fowson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
This letter is to certify under the penalties of perju posted conspicuously on the property located at:_	ry that the necessary sign(s) required by law were
10130A Liberty Road SIGN 1	Recertification
	ril 21, 2019
The sign(s) were posted on(Mo	onth, Day, Year)
Sincer	May 5, 2019
30,1110	(Signature of Sign Poster) (Date)
ZONING NOTICE	SSG Robert Black
VARIANCE	(Print Name)
CASE #	1508 Leslie Road
To Permit a side vard setback of 41 ft. lieu of the required 50 ft. for an addition.	(Address)
PUBLIC HEARING?	Dundalk, Maryland 21222
Recognitive to the property of	(City, State, Zip Code)
The same of the sa	(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSING

	RE:	: Case No.:	2019-0297-A
		Petitioner/Developer:	
			Charles Luckie
			May 6, 2019
		Date of Hearing/Closing:	
Baltimore County Department of	f		
Permits, Approvals and Inspection			
County Office Building, Room 11	11		
11 West Chesapeake Avenue			
Towson, Maryland 21204			
Attn: Kristen Lewis:			
Ladies and Gentlemen:			
This letter is to certify under the posted conspicuously on the prop		that the necessary sign(s) re	equired by law were
0130A Liberty Road	SIGN	1	
The sign(s) were posted on	April	21, 2019	
	(Mont	h, Day, Year)	



Sincerely,

April 21, 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 POSING

		2019-0297-A
	RE: Case No.:	
	Petitioner/Developer:	
	Ch	arles Luckie
	Date of Hearing/Closing:	May 6, 2019
Baltimore County Department of		
Permits, Approvals and Inspectio County Office Building, Room 11	ons	
11 West Chesapeake Avenue Fowson, Maryland 21204		
Attn: Kristen Lewis:		
Ladies and Gentlemen:		
This letter is to certify under the posted conspicuously on the prop	penalties of perjury that the necessary sign(s) require erty located at:	d by law were
10130A Liberty Road	SIGN 2	
The size (c) were nested an	April 21, 2019	
The sign(s) were posted on	(Month, Day, Year)	



CERTIFICATE OF POSTING

	2019-0297-A RE: Case No.:
	Petitioner/Developer:
•	Charles Luckie
	May 6, 2019 Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 111 West Chesapeake Avenue Fowson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
	lties of perjury that the necessary sign(s) required by law were located at:
10130A Liberty Road	SIGN 2
The sign(s) were posted on	April 21, 2019 (Month, Day, Year)
	Sincerely, April 21, 2019
	(Signature of Sign Poster) (Date)
ZONING NOTICE	SSG Robert Black
ADMINISTRATIVE	(Print Name)
VARIANCE CASE# 2019-0297-A To Permit a side yard sotback of 41 fr.	1508 Leslie Road
jen of the required 50 ft. for an addition.	(Address)
PUBLIC-HEARING? West to revisit from the principle from the control of the contr	Dundalk, Maryland 21222
The second secon	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

CERTIFICATE OF POSTING

	2019-0297-A RE: Case No.:
	Petitioner/Developer:
	Charles Luckie
	May 6, 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 posted conspicuously on the property loca	of perjury that the necessary sign(s) required by law were ted at:
10130A Liberty Road S	IGN 1
The sign(s) were posted on	April 21, 2019 (Month, Day, Year)
ZONING NOTICE ADMINISTRATIVE VARIANCE CASE 6 2019-0297-A	Sincerely, April 21, 2019 (Signature of Sign Poster) (Date) SSG Robert Black (Print Name) 1508 Leslie Road
To Permit a side yardsetback of 41 th. licu of the required 50 ft. for an addition	(Address)
PUBLIC HEARING? THE INTERIOR OF THE PUBLIC HEARING	Dundalk, Maryland 21222
Consider the Consideration of	(City, State, Zip Code)
	(410) 282-7940
The state of the s	(Telephone Number)

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 - 0297-A
Property Address: 10130 A LIBERTY KD.
Property Description: NS of LIBERTY ED. 1284 WEST
Legal Owners (Petitioners): CHARLES LUCKIE
Contract Purchaser/Lessee:
PLEASE FORWARD ADVERTISING BILL TO: Name:
Company/Firm (if applicable): 21charbson Engineering LLC
Address: 30 E. PANDNIA PO.
T, MONIUM MD. 21093
Telephone Number: 410 - 560 - 1502

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BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPPOVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Planner, Please Print Your Name Posting Date: 4/12/19 Posting Date: 4/2/19 Closing Date: 5/6/19 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. DEADLINE: 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. 3. 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)	Case Number 2019- 0297 -A Address 10/30A 4BERTY RD
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through the contact person (planner) using the case number. 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. PEADLINE: 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. 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. Petitioner's Name Petitioner's Name Case Number 2019—292—A Address Closing Date: Closing Date: Closing Date: Closing Date: Closing Date: Closing Date:	Filing Date: $\frac{4/12/19}{12}$ Posting Date: $\frac{4/21/19}{12}$ Closing Date: $\frac{5/6/19}{12}$
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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—297 —A Address OLSO A LIPERTY RD Petitioner's Name CHARLES Telephone 943 — 761—1500 Posting Date: 421 / 9 Closing Date: 56 / 9 Wording for Sign: To Permit A SIDE YARA SETSACK SET 44 HTM Wording for Sign: To Permit A SIDE YARA SETSACK SET 44 HTM Wording for Sign: To Permit A SIDE YARA SETSACK SET 44 HTM SIDE YARA SETSACK SET 44 HTM Case Number 2019—20 / 20 / 20 / 20 / 20 / 20 / 20 / 20 /	feet to file a formal request for a public hearing. Please understand that even it there is no
(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— O297 — A Address O130 A CIPTOTY PD Petitioner's Name CHAPLES Telephone 443—761—1500 Posting Date: 42149 Closing Date: 5/6/49 Wording for Sign: To Permit A SIDEYARA SETBACK OF 41 HTML Control of the Administrative Law Judge), notice of the property must be changed giving notice of the sign of the property must be changed giving notice of the property must be changed giving notice.	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.
Petitioner: This Part of the Form is for the Sign Poster Only USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT Case Number 2019- 0297 -A Address 10130 A LIPERTY RD Petitioner's Name CYKIE CHARLES Telephone 443-761-1500 Posting Date: 42119 Closing Date: 5619 Wording for Sign: To Permit A SIDEYARD SETBACK OF 4171.	(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
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT Case Number 2019-0297 -A Address 10130 A LIPERTY RD Petitioner's Name LUKIE CHARLES Telephone 43-761-1500 Posting Date: 4/21/19 Closing Date: 5/6/19 Wording for Sign: To Permit A SIDEYARN SETBACK OF 41 H.	(Detach Along Dotted Line)
Case Number 2019 O297 -A Address O130 A LIPETY RD Petitioner's Name LUKIE CHARLES Telephone 543-761-1500 Posting Date: 4/21/19 Closing Date: 5/6/19 Wording for Sign: To Permit A SIDEYARN SETBACK OF 41 H.	Petitioner: This Part of the Form is for the Sign Poster Only
Petitioner's Name <u>LUKIE</u> CHAPLES Telephone <u>443-761-1500</u> Posting Date: <u>4/21/19</u> Closing Date: <u>5/6/19</u> Wording for Sign: <u>To Permit</u> A SIDEYARN SETBACK OF 41 ft.	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Petitioner's Name <u>LUKIE</u> CHARLES Telephone <u>643-761-1500</u> Posting Date: <u>4/21/19</u> Closing Date: <u>5/6/19</u> Wording for Sign: <u>To Permit</u> A SIDEYARN SETBACK OF 41 H.	Case Number 2019-0297 -A Address (0130A LIPERTY RD
Posting Date: 4/21/19 Closing Date: 5/6/19 Wording for Sign: To Permit A SIDEYARN SETBACK OF 41 H.	Petitioner's Name LUKIE, CHARLES Telephone 443-761-1500
Wording for Sign: To Permit A SIDEYARA SETBACK OF 41 ft.	



JOHN A. OLSZEWSKI, JR. County Executive

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

May 10, 2019

Charles O. Luckie & Onteria M. Luckie 10130A Liberty Road Randallstown MD 21133

RE: Case Number: 2019-0297-A, 10130A Liberty 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 12, 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.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR/kl

Enclosures

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





Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater

Date: 4-25-2019

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

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 4.23.28 A field inspection and internal review reveals that an entrance onto 26 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for NOMINISTRATUE, Case Number 2019-0297-4.

VARIANCE Charles O. & Onterio M. Luckie 10130 A Literte Road M226

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

Sincerely,

Wendy Wolcott, P.L.A

Metropolitan District Engineer

Maryland Department of Transportation

State Highway Administration

District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Michael D. Mallinoff

DATE: 5/28/2019

Director, Department of Permits, Approvals and Inspections

FROM:

C. Pete Gutwald

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 19-305

INFORMATION:

Property Address: 4 Lower Field Court

Petitioner:

Howard Neels, Barbara Neels

Zoning:

RC 5

Requested Action:

Special Hearing

The Department of Planning has reviewed the petition for a special hearing to grant zoning relief as described on the attachment submitted in support of the petition.

A site visit was conducted on May 27, 2019.

The Department does not support granting the petitioned zoning relief.

The proposed site of the relocated of Lot 42 is currently an open view that connects across Gontrum Road to the original farm on Lot 55. Constructing a house in this location will have significant adverse impacts upon the rural scenic character. At the time of development, establishing Parcel B as "not a buildable lot" thereby keeping the area open and connected to the greater farm was important in garnering community support for the development proposal. The plan as now approved responds particularly well to the goals of the Master Plan in maintaining "a mix of residential development and woodlands, farm fields, stream valleys and areas of historic significance" (MP2020 pg. 93) as these features exist on the subject properties to include the historic barn associated with the "Gontrum Farm". Staff discussions with the Ground Water Management Section of the Department of Environmental Protection and Sustainability indicate that petitioners have not fully explored other remedies for addressing alternative well and septic locations.

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

Division Chief:

Jenifer G. Nugent

Prepared by

Lloyd T. Moxley

CPG/JGN/LTM/

c: Wally Lippincott David Billingsley

> Office of the Administrative Hearings People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Michael Mallinoff, Director

DATE: May 14, 2019

Department of Permits, Approvals

MUL

FROM:

Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 29, 2019 Item No. 2019-0300-A

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

We noticed that the record plat (77/191) shows existing forest conservation easements on the property. The easements are not shown on the plan. The proposed barn may be located in the forest conservation easement. All easements shown on the plat must be shown on the plan for verification.

VKD: cen cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Michael Mallinoff, Director

DATE: May 14, 2019

Department of Permits, Approvals

FROM:

MQ Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 29, 2019

Item No. 2019-0296-A, 0297-A, 0298-SPH, 0299-A, 0301-SPH & 0302-A

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

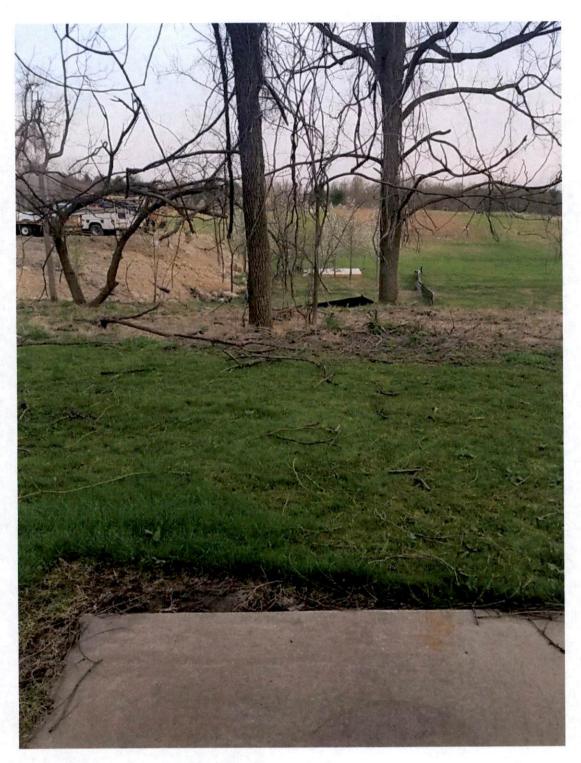
VKD: cen cc: file



Addition area from front of house



Addition area from rear of house



View toward property to the west from basement door

CHECKLIST

Comment Received	<u>Dep</u>	<u>artment</u>			Support/Oppose/ Conditions/ Comments/ No Comment
		T PLANS REVII date e-mail sent _)	·
	DEPS (if not received,	date e-mail sent _)	
	FIRE DEPARTI	MENT			
	PLANNING (if not received,	date e-mail sent _			NC
4125	STATE HIGHW	'AY ADMINISTI	RATION	1	. Objection
 .	TRAFFIC ENG	NEERING			
<u> </u>	COMMUNITY	ASSOCIATION	·		
	ADJACENT PR	OPERTY OWNE	ERS		
ZONING VIOLA	TION (C	Case No ,			
PRIOR ZONING	(0	Case No)
NEWSPAPER AL	OVERTISEMENT	Date:			_
SIGN POSTING	(1 st)	Date:	. 4	19117	by SSG Black
SIGN POSTING	(2 nd)	Date:	<u>A</u>	12/10	by SSG BICCK
	NSEL APPEARANC			No D]
Comments, if any:					

Real Property Data Search

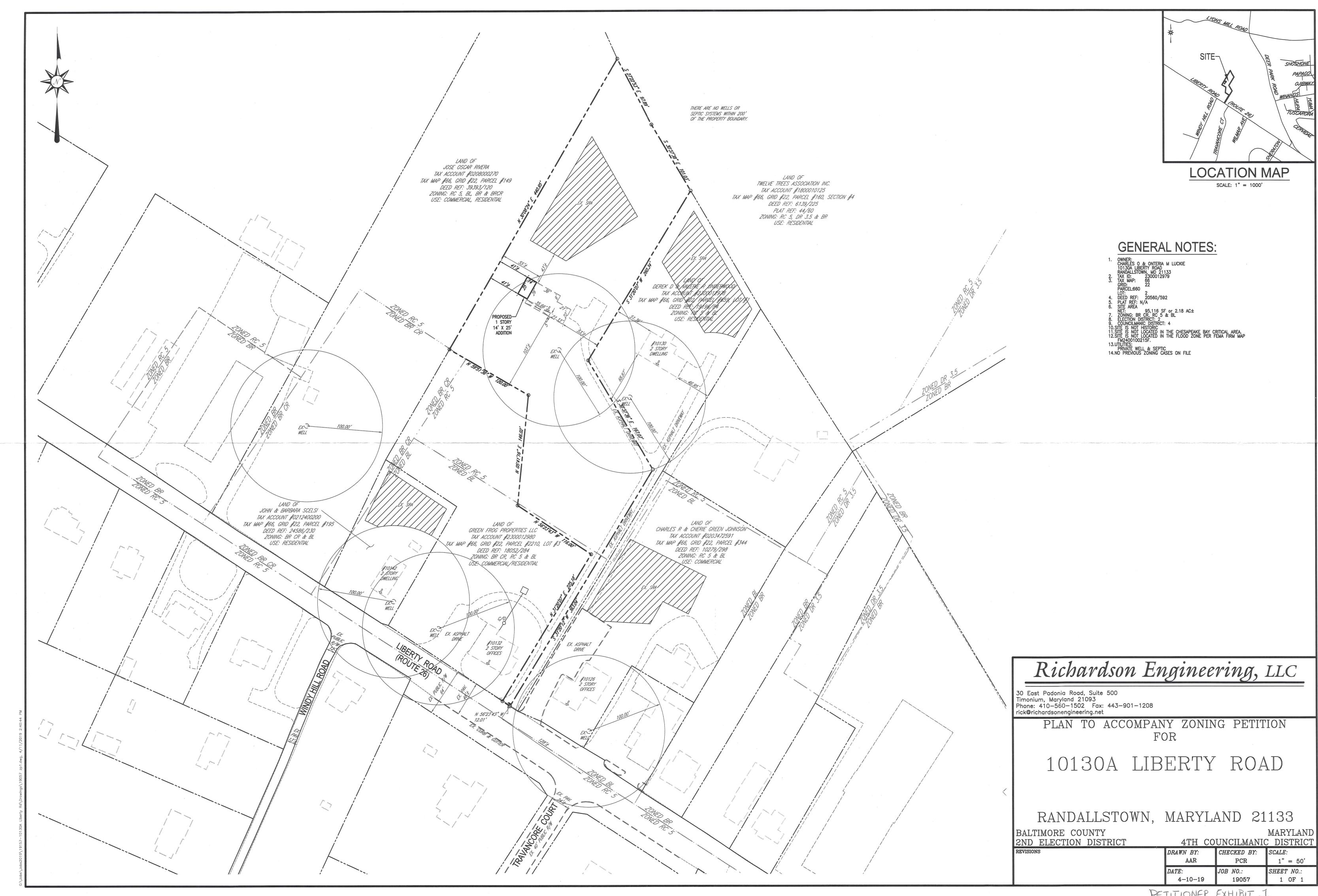
Search Result for BALTIMORE COUNTY

View Map			/iew GroundR						undRent Regis			
Tax Exempt: Exempt Class:			Special Tax Recapture: NONE									
												Account Ide
						Information						
Owner Name:			LUCKIE CHARLES O LUCKIE ONTERIA M				Use: Principal Residence					
Mailing Add	lress:		10130A L RANDAL		RD N MD 211	33-1404	Deed Ref	erence:	/20560/ 00	592		
				Loc	ation & St	ructure Info	rmation					
Premises Address:			10130A LIBERTY 0-0000		′ RD		Legal Description:		2.1835 AC 10130A LIBERTY RD 2500 FT SE FALLS RUN RD			
Мар: С	Grid:	Parcel:	Sub District:	Subo	livision:	Section:	Block	: Lot:	Assessment Year:	Plat No:	MS	
0066	0022	0660		0000				2	2019	Plat Ref:		
Special Tax Areas:						Town: Ad Valorem Tax Class:	n:		NONE			
Primary Structure Built			Above Grade Living Area		Finished Bas Area		sement Prop Area		erty Land	Coun	County Use	
2002		1,990 SF					2.1800 AC		04			
Stories Basement 2 YES		Type STANDARD UNIT		Exterior Full/Half Ba SIDING 2 full/ 1 half			Garage 1 Attached	Last Major Renovation		ation		
					Value	Information						
			Base \	/alue	Value			Phase-in Assessments				
						As of		As of	As			
			100.00	0		01/01/2019		07/01/2018	07/	01/2019		
Land:			109,000		139,700							
Improvements			198,900 307,900		226,500 366,200			207.000	20	7 222		
Total: Preferential Land:			0		300,200			307,900	327,333 0			
i referential callu.					Transfe	er Informatio	n		0			
Seller: WALKER CHAD R					Date: 08/18/2004				Price: \$399,0	000		
Type: ARMS LENGTH IMPROVED					Deed1: /20560/ 00592				Deed2:			
Seller: MILLER DAHL M,SR					Date: 11/12/2003				Price: \$289,9	900		
Type: ARMS LENGTH IMPROVED					Deed1: /19121/ 00068				Deed2:			
Seller: MILLER DAHL M,SR/DOROTHY B					Date: 11/07/2001			Price: \$0				
Type: NON-ARMS LENGTH OTHER					Deed1: /15738/ 00320			Deed2:				
Partial Exer	npt As:	sessment	s: Class		Exempti	on Informati	on 07/01/201	18	07/01/2019)		
County:			000		0.00			10000 000 000 000 000 000 000 000 000 0	A.			
State:			000		0.00							
Municipal:			000		0.00 0.00			0.00 0.00				
Tax Exem	pt:				Specia	I Tax Recar	ture:					
					NONE		and total					
County: 000 State: 000 Municipal: 000 Tax Exempt: Exempt Class:				0.00 0.00 0.00 Special Tax Recapture:				0.00 0.00				

Homestead Application Status: Appr 02/23/2010

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:



PETITIONER EXHIBIT 1

