

M E M O R A N D U M

DATE: July 24, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0312-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

(4 Grenadier Ct.)
3rd Election District
2nd Council District
4 Grenadier Court, LLC, *Legal Owner*
Howard L. Castleman,
Contract Purchaser

Petitioners

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*
*
*

BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY

CASE NO. 2019-0312-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by 4 Grenadier Court, LLC, legal owner of the subject property and Howard L. Castleman, contract purchaser (“Petitioners”). Petitioners are requesting variance relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (“BCZR”) to permit a front yard setback of 30 ft. in lieu of the required 50 ft. setback. A site plan was marked as Petitioners’ Exhibit 1.

Howard L. Alderman, Esq. represented Petitioners and was accompanied by Bruce E. Doak of Bruce E. Doak Consulting, LLC. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee (“ZAC”) comment was received from any of the County reviewing agencies except the office of Planning.

The site is approximately 3.75 acres in size and is zoned RC-5.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

ORDER RECEIVED FOR FILING

Date

6/20/19

By

sen

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

Evidence was presented that the existing structure on the site was built without a garage. Petitioners wish to construct a three (3) car garage connected to the existing structure by a breezeway. Exhibits and testimonies established that the property trapezoidal in shape, includes considerable topographical sloping, and that the existing septic field and well consume considerable space and therefore dictate and limit the available area for the requested garage and breezeway connection to the existing structure.

Bruce Doak, who produced the site plan, was accepted as an expert in zoning. He opined that the topographical configuration of the site, along with the location of the well and septic field rendered the property unique and presented practical difficulty in placing the requested garage in a very limited area of the site, necessitating the variance.

The only substantive comment was made by the Department of Planning ("DOP"), which had no objection to the requested variance, conditioned upon the proposed garage and breezeway using similar materials and design elements to complement the existing dwelling. The elevation drawing submitted by the Petitioner noted clearly that the materials used would in fact match the existing structure.

Based upon the above, I find that the property is in fact unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct the proposed garage and breezeway. 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.

THEREFORE, IT IS ORDERED, this 20th day of **June, 2019**, by the Administrative Law

ORDER RECEIVED FOR FILING

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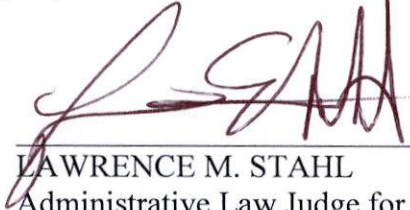
Date 6/20/19
By Sen

Judge for Baltimore County, that the Petition for Variance pursuant to the Baltimore County Zoning Regulations to permit a front yard setback of 30 ft. in lieu of the required 50 ft. setback, 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. The proposed garage addition and breezeway shall use similar materials and design elements that are complementary to the existing dwelling.

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 sln



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 4 GRENADIER COURT which is presently zoned RC5
 Deed References: JLE 91122/461 10 Digit Tax Account # 0313060830
 Property Owner(s) Printed Name(s) 4 GRENADIER COURT, LLC

(SELECT THE HEARING(S) BY MARKING ☒ 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 PAGE

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT THE HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.
 I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.
 Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Howard L. Castleman
 Name- Type or Print

Signature

715 SE 10th St, Delray Beach, FL
 Mailing Address City State

33483, 410-336-7717, hadleydavis@aol.com
 Zip Code Telephone # Email Address E.v.m

Attorney for Petitioner:

HOWARD ALDERMAN - LEVIN & GANN PA
 Name- Type or Print

Signature

502 WASHINGTON AVE 8TH F. TOWSON MD
 Mailing Address City State

21204 410-321-0600
 Zip Code Telephone # Email Address

HALDERMAN@LEVIN&GANN.COM
 CASE NUMBER Filing Date

2019-0312-A 5/7/19

Legal Owners (Petitioners):

4 GRENADIER COURT LLC

Name #1 - Type or Print Name #2 - Type or Print

Signature #1

Signature #2

4 GRENADIER COURT OWINGS MILLS MD
 Mailing Address City State

21117 410-419-4906
 Zip Code Telephone # Email Address

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING LLC
 Name - Type or Print

Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND MD
 Mailing Address City State

21053 410-419-4901
 Zip Code Telephone # Email Address

BD00K@BD00K@BRUCEE.D00KCONSULTING.COM

Do Not Schedule Dates: Reviewer JF

ORDER RECEIVED FOR FILING

Date

6/20/19

By

den

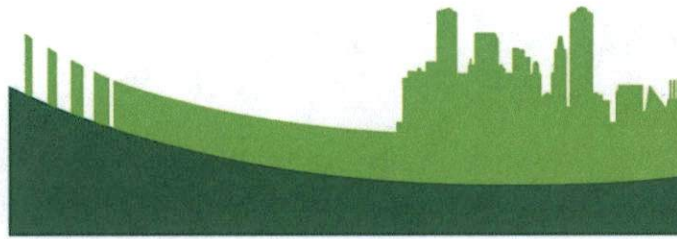
**DO NOT SCHEDULE
 BETWEEN June 18
 THROUGH JUNE 30.**

4 Grenadier Court

Case # 2019-0312-A

Petitions Requested:

- 1) To permit a front yard setback of 30 feet in lieu of the required 50 feet setback per Section 1B02.3.B (R-40) BCZR



Zoning Description

4 Grenadier Court

Third Election District Second Councilmanic District
Baltimore County, Maryland

Beginning at a point on the end of Grenadier Court, 370 feet, more or less, from the centerline of Baronet Road.

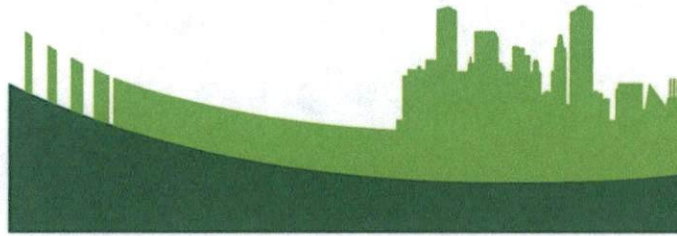
Being Lot 4 as shown on the plat dated June 15, 1962 and entitled "Plat of Baronet Woods", which is recorded in the land records of Baltimore County in Plat Book WJR 28, page 70.

Containing 3.75 acres of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com





Zoning Description

4 Grenadier Court

Third Election District Second Councilmanic District
Baltimore County, Maryland

Beginning at a point on the end of Grenadier Court, 370 feet, more or less, from the centerline of Baronet Road.

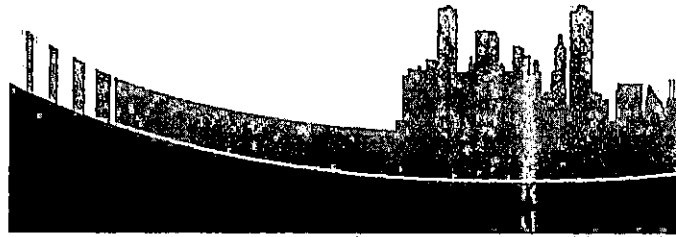
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Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com





CERTIFICATE OF POSTING

May 24, 2019 (amended _____)

Re:

Zoning Case No. 2019-0312-A

Legal Owner: 4 Grenadier Court LLC

Hearing date: June 14, 2019

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 4 Grenadier Court.

The signs were posted on May 24, 2019.

The signs were inspected again on _____.

Sincerely,

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

ZONING NOTICE

CASE NO. 2019-0312-A

4 Grenadier Court

**A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE
IN TOWSON MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

DATE & TIME: Friday June 14, 2019 1:30 PM

REQUEST:

**VARIANCE TO PERMIT A FRONT YARD SETBACK
OF 30 FEET IN LIEU OF THE REQUIRED 50 FOOT
SETBACK**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

**DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.**

THE HEARING IS HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE NO. 2019-0312-A

4 Grenadier Court

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**DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.**

THE HEARING IS HANDICAPPED ACCESSIBLE



JOHN A. OLSZEWSKI, JR.
County Executive

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

May 21, 2019

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0312-A

4 Grenadier Court

End of Grenadier Court, from centerline of Baronet Road

3rd Election District – 2nd Councilmanic District

Legal Owners: 4 Grenadier Court, LLC

Contract Purchaser/Lessee: Howard Castleman

Variance to permit a front yard setback of 30 ft. in lieu of the required 50 ft. setback.

Hearing: Friday, June 14, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Michael Mallinoff", is written over a horizontal line.

Michael Mallinoff
Director

MM:kl

C: Howard Alderman, 502 Washington Avenue, 8th Floor, Towson 21204
Howard Castleman, 715 SE 10th Street, Delray Beach FL 33483
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053
4 Grenadier Court, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 25, 2019.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: THE DAILY RECORD
Friday, May 24, 2019 - Issue

Please forward billing to:
Howard Alderman
Levin & Gann
502 Washington Avenue, 8th Fl
Towson, MD 21204

410-321-0600

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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.

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
4 Grenadier Court; End of Grenadier Court, *
370' from c/line of Baronet Road * OF ADMINISTRATIVE
3rd Election & 2nd Councilmanic Districts * HEARINGS FOR
Legal Owner(s): 4 Grenadier Court LLC * BALTIMORE COUNTY
Contract Purchaser(S): Howard L. Castleman *
Petitioner(s) *
* 2019-312-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

MAY 16 2019

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of May, 2019, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053 and Howard Alderman, Esquire, Levin & Gann, P.A., 502 Washington Avenue, 8th Floor, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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 fifteen (15) 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: 2019-0312-A

Property Address: 4 GRENADEIER COURT OWINGS MILLS MD 21117

Property Description: LOT 4 "BARONET WOODS" PB 28/70

Legal Owners (Petitioners): 4 GRENADEIER COURT LLC

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: HOWARD CASTLEMAN

Company/Firm (if applicable): 4 GRENADEIER COURT LLC

Address: 4 GRENADEIER COURT

OWINGS MILLS MD 21117

Telephone Number: 410-919-9906

Revised 5/20/2014

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

No. **182694**

Date: **5/17/17**

PAID RECEIPT

BUSINESS ACTUAL TIME LHM

5/08/2017 5/07/2017 11:39:53 2

REG WSO2 WALKIN JEL

>>RECEIPT # 000713 5/07/2017 OFLN

Dept 5 528 ZONING VERIFICATION

182694

Recpt Tot \$ 75.00

75.00 CK .00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	206	0000		6150					75.00

Total: **75.00**

Rec

From: **4 Grenadier Ct. LLC**

For:

Petition for Variance

Case # 2017-0312-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

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

June 04, 2019

Howard Alderman Levin & Gann PA
502 Washington Ave 8th Floor
Towson MD, 21204

RE: Case Number: 2018-0312-A, 4 Grenadier Court

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 May 07, 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
Bruce E. Doak 3801 Baker Schoolhouse Road Freeland MD 21053
Howard L Castleman 715 SE 10TH St Delray Beach, FL 33483

0-14

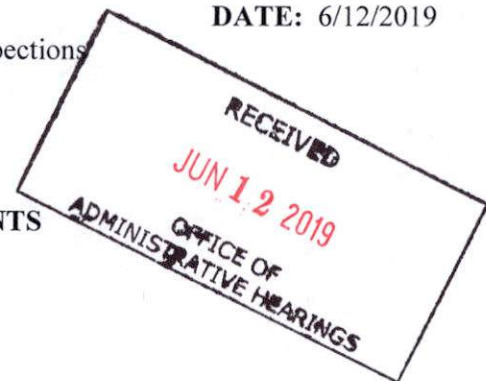
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 6/12/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-312



INFORMATION:

Property Address: 4 Grenadier Court
Petitioner: 4 Grenadier Court, LLC
Zoning: RC 5 (R-40)
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a front yard setback of 30 feet in lieu of the required 50 feet.

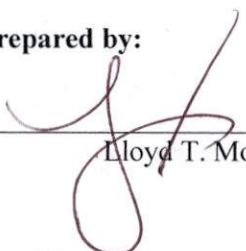
A site visit was conducted on June 11, 2019. The Department recognizes that the current BCZR § 1B02.3.B is the current statute and acknowledges that BCZR §202.2, circa 1955, is the binary regulation applicable in this case.

The Department of Planning has no objections to granting the requested relief conditioned upon the following:

- The proposed garage addition and breezeway should use similar materials and design elements that are complimentary to the existing dwelling.

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

Prepared by:



Lloyd T. Moxley

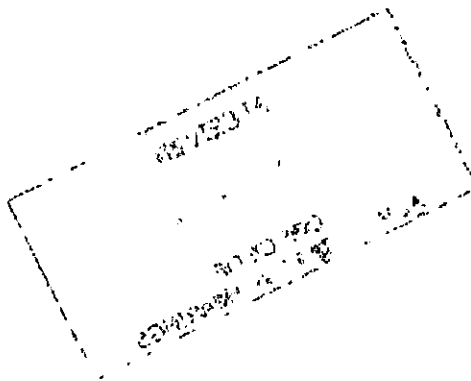
Deputy Director:



Jeff Mayhew

CPG/JGN/LTM/

c: Bill Skibinski
Bruce E. Doak, Bruce E. Doak Consulting, LLC
Howard Alderman, Levin & Gann PA
Office of the Administrative Hearings
People's Counsel for Baltimore County



0-14

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: May 23, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0312-A
Address 4 Grenadier Court
(4 Grenadier Court, LLC Property)

Zoning Advisory Committee Meeting of **May 20, 2019**.

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

Reviewer: Steve Ford

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 5/15/19

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. 2019-0312-A -

*Administrative Variance
4 Grenadier Court LLC
4 Grenadier Court*

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

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100
<http://www.thedailyrecord.com>

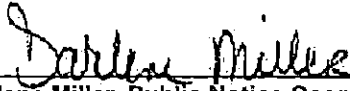
PUBLISHER'S AFFIDAVIT

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:

5/24/2019

Order #: 11748453
Case #: 2019-0312-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0312-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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Hearing: Friday, June 14, 2019 at 1:30 p.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.

my24

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... .. 348

1. *Journal of the American Medical Association*, 1997; 277: 1033-1036.

[illegible]

JB 6-14-19
1:30 PM

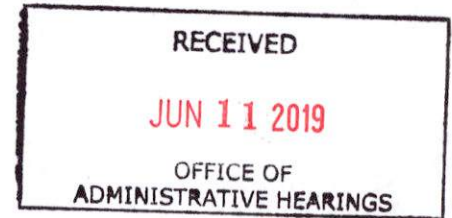
Debra Wiley

From: Bruce Doak <bdoak@bruceedoakconsulting.com>
Sent: Monday, June 10, 2019 11:02 PM
To: Sherry Nuffer
Cc: Administrative Hearings
Subject: Case 2019-0312-A Posting Cert
Attachments: Posting cert 5 24 19 & 6 10 19.pdf

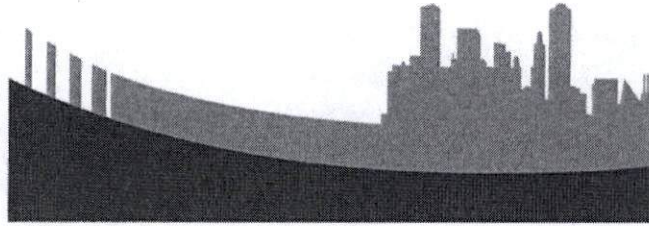
CAUTION: This message from bdoak@bruceedoakconsulting.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Bruce

Bruce E. Doak Consulting
410-419-4906
bdoak@bruceedoakconsulting.com
3801 Baker Schoolhouse Road
Freeland, MD 21053



RECEIVED
JUN 1 1964
OFFICE OF
ADMINISTRATIVE HEARINGS



CERTIFICATE OF POSTING

May 24, 2019 (amended June 10, 2019)

Re:

Zoning Case No. 2019-0312-A

Legal Owner: 4 Grenadier Court LLC

Hearing date: June 14, 2019

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **4 Grenadier Court**.

The signs were posted on **May 24, 2019**.

The signs were inspected **again on June 10, 2019**.

Sincerely,

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

ZONING NOTICE

CASE NO. 2019-0312-A

4 Grenadier Court

A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MARYLAND

PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Friday June 14, 2019 1:30 PM

REQUEST:
VARIANCE TO PERMIT A FRONT YARD SETBACK
OF 30 FEET IN LIEU OF THE REQUIRED 50 FOOT
SETBACK

IF POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE NECESSARY,
NECESSARY TO CONFIRM THE HEARING CALL 870-497-3311.
DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.

THE HEARING IS HANDICAPPED ACCESSIBLE

4

ZONING NOTICE

CASE NO. 2019-0312-A

4 Grenadier Court

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IN TOWSON MARYLAND**

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105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

DATE & TIME: Friday June 14, 2019 1:30 PM

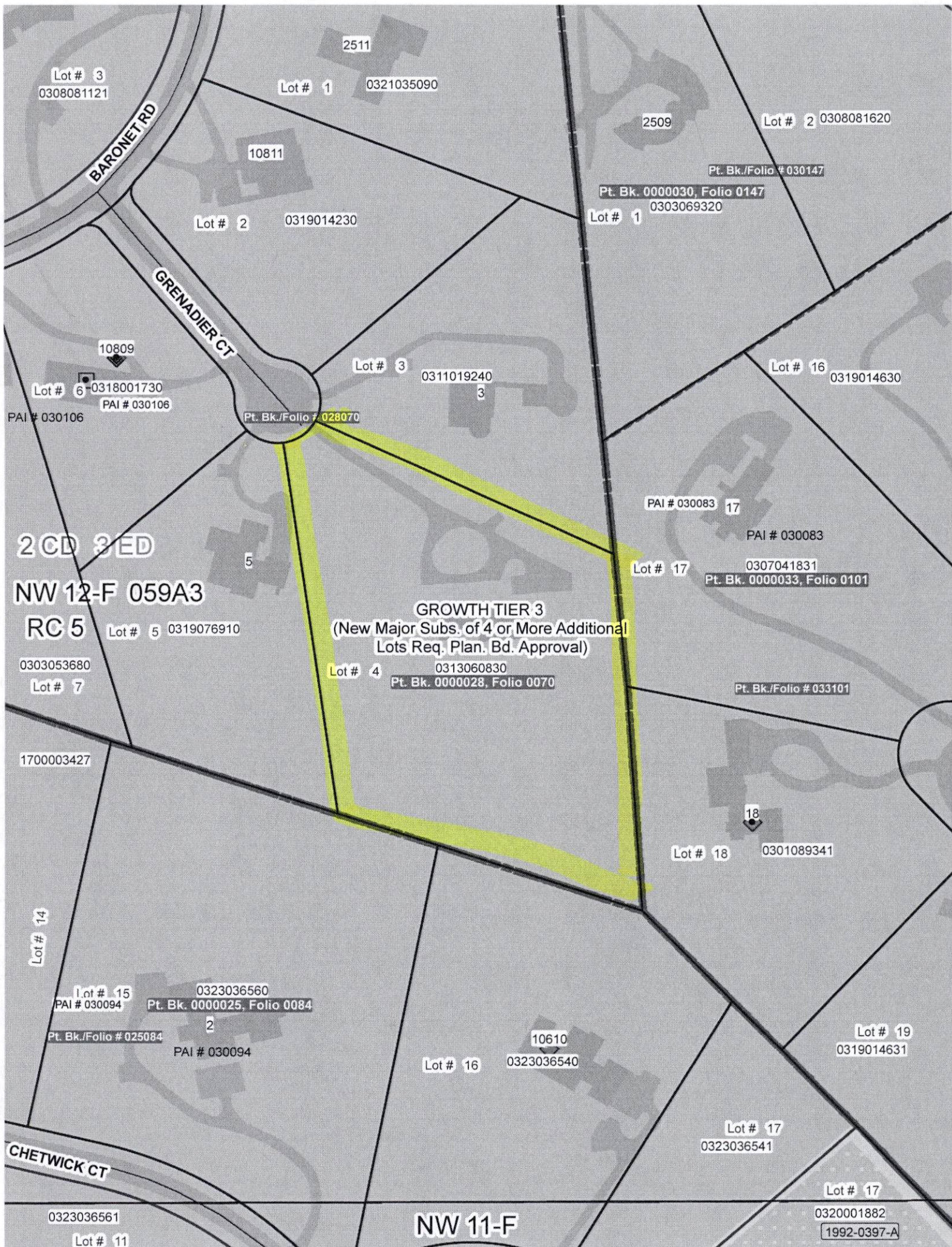
REQUEST:

**VARIANCE TO PERMIT A FRONT YARD SETBACK
OF 30 FEET IN LIEU OF THE REQUIRED 50 FOOT
SETBACK**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM THE HEARING CALL 410-887-3391**

**DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW**

THE HEARING IS HANDICAPPED ACCESSIBLE



CASE NAME CASTLEMAN
CASE NUMBER 2019-0312-A
DATE 6/14/19

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
------	---------	------------------	----------

[illegible]

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

5/23

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

N/C

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)No obs
w/ condition

5/15

STATE HIGHWAY ADMINISTRATION

No OBJection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

5/24/19

SIGN POSTING (1st)

Date:

5/24/19

by

Doak

SIGN POSTING (2nd)

Date:

6/10/19

by

Doak

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

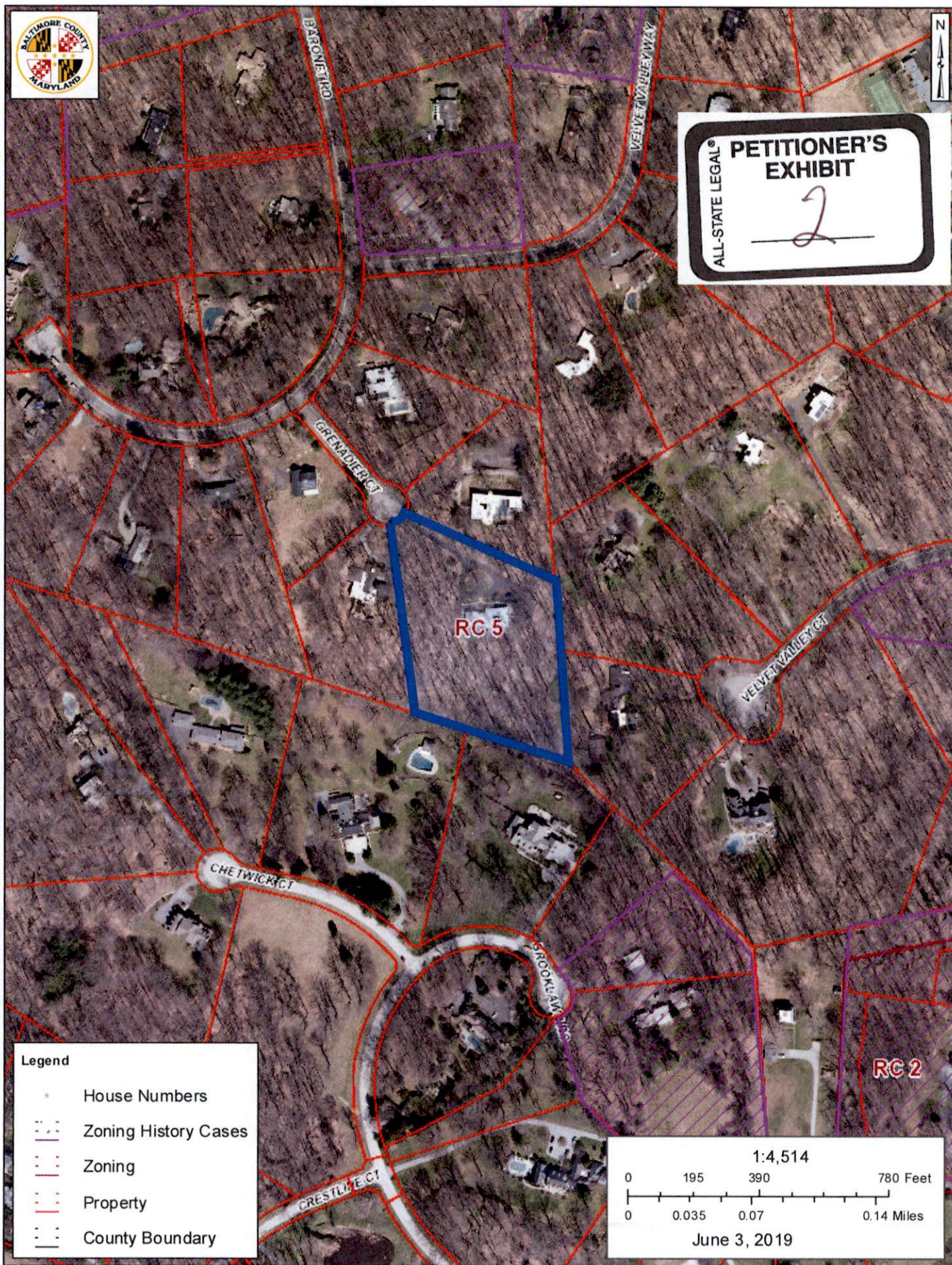
View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 03 Account Number - 0313060830			
Owner Information					
Owner Name:	4 GRENADIER COURT LLC		Use:	RESIDENTIAL	
Mailing Address:	4 GRENADIER COURT OWINGS MILLS MD 21117-		Principal Residence:	NO	
			Deed Reference:	/41122/ 04661	
Location & Structure Information					
Premises Address:	4 GRENADIER CT OWINGS MILLS 21117-3013		Legal Description:	4 GRENADIER CT SE BARONET WOODS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0059	0019	0181		0000	
					Block:
					B
					Lot:
					4
					Assessment Year:
					2017
					Plat No:
					Plat Ref: 0028/0070
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1967	6,614 SF		3.7500 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	NO	STANDARD UNIT	BRICK	4 full/ 1 half	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:	303,700	303,700			
Improvements	421,000	480,900			
Total:	724,700	784,600	764,633	784,600	
Preferential Land:	0			0	
Transfer Information					
Seller: ANDON GREGORY C		Date: 02/06/2019		Price: \$1,050,000	
Type: ARMS LENGTH IMPROVED		Deed1: /41122/ 04661		Deed2:	
Seller: MILLER SUZANNA N		Date: 02/06/2009		Price: \$850,000	
Type: ARMS LENGTH IMPROVED		Deed1: /27630/ 00141		Deed2:	
Seller: MILLER SUZANNA N		Date: 05/21/1993		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /09776/ 00542		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018		07/01/2019	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					

Homestead Application Status: No Application

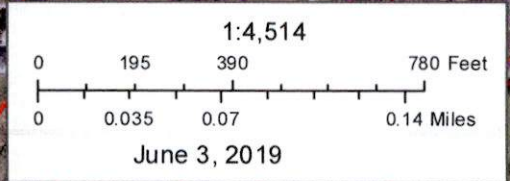
Homeowners' Tax Credit Application Information

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

4 Grenadier Court



- Legend
- House Numbers
 - Zoning History Cases
 - Zoning
 - Property
 - County Boundary



Section 201—HEIGHT REGULATIONS

No building shall exceed a height of 35 feet or 3 stories, except as provided in ARTICLE 3.

Section 202—AREA REGULATIONS

Minimum requirements, except as provided in ARTICLE 3, shall be as follows:

202.1—Lot Area and Width—Each principal building hereafter erected shall be located on a lot having an area of not less than 40,000 square feet and a width at the front building line of not less than 150 feet, except that for two or more lots in the same ownership and in the same tract a minimum lot area of 30,000 sq. ft. is permitted if the average of all the lot sizes in the same ownership and in the same tract equals 40,000 sq. ft. or more. A wedge-shaped lot at the end of a cul-de-sac street may have a width at the front building line of not less than 100 ft. (see Section 304). [Revised by Resolution, November 21, 1956]

202.1.1—In a cluster subdivision a minimum lot area of 25,000 square feet is permitted, provided that the average area of all lots in the subdivision equals at least 30,000 square feet and that the total area in residential lots plus the area of the local open space tract(s) equals or exceeds the number of lots multiplied by 40,000 square feet. In such subdivision not more than 75 per cent of the lots may be less than 30,000 square feet in area and the minimum permitted width at the front building line is 100 feet. [Bill No. 106, 1963]

202.2—Front Yard—For dwellings, the front building line shall be not less than 50 feet from the front lot line and not less than 75 feet from the center line of the street; for other principal buildings—70 feet from the front lot line and not less than 95 feet from the center line of the street.

202.3—Side Yards—For dwellings, 20 feet wide for one side yard and not less than 50 feet for the sum of both, except that for a corner lot the building line along the side street shall be not less than 50 feet from the side lot line and not less than 75 feet from the center line of the street; for other principal buildings—40 feet wide, except that for a corner lot the building line along the side street shall be not less than 65 feet from the side lot line and not less than 90 feet from the center line of the street.

202.4—Rear Yard—50 feet deep.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 6/12/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-312

INFORMATION:

Property Address: 4 Grenadier Court
Petitioner: 4 Grenadier Court, LLC
Zoning: RC 5 (R-40)
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a front yard setback of 30 feet in lieu of the required 50 feet.

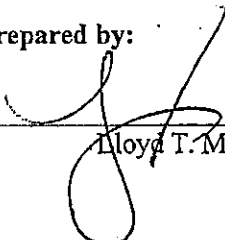
A site visit was conducted on June 11, 2019. The Department recognizes that the current BCZR § 1B02.3.B is the current statute and acknowledges that BCZR §202.2, circa 1955, is the binary regulation applicable in this case.

The Department of Planning has no objections to granting the requested relief conditioned upon the following:

- The proposed garage addition and breezeway should use similar materials and design elements that are complimentary to the existing dwelling.

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

Prepared by:

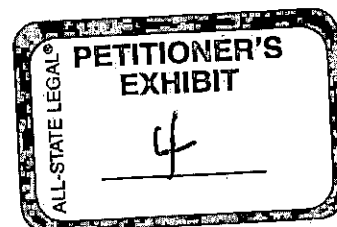

Lloyd T. Moxley

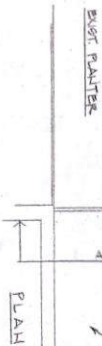
CPG/JGN/LTM/

Deputy Director:


Jeff Mayhew

c: Bill Skibinski
Bruce E. Doak, Bruce E. Doak Consulting, LLC
Howard Alderman, Levin & Gann PA
Office of the Administrative Hearings
People's Counsel for Baltimore County





5

A



B









F





4





GENERAL SITE INFORMATION

1. Ownership: 4 Grenadier Court, LLC
2. Address: 4 Grenadier Court Owings Mills, MD 21117
3. Deed references: JLE 41122/ 461
4. Area: 3.75 acres (per SDAT)
5. Tax Map / Parcel / Lot / Tax account #: 59 / 181 / 4 / 03-13-060830
Lot 4 Block B "Baronet Woods" Plat Book 28/ 70
6. Election District: 3 Councilmanic District: 2
ADC Map: 4577B3 GIS tile: 059A3 Position sheet: 45NW24
Census tract: 403701 Census block: 24005403701
Schools: Woodholme ES Pikesville HS Owings Mills HS
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 059A3 and the information provided by Baltimore County on the internet.
8. Improvements: Single family dwelling & parking area. The existing dwelling and parking area will remain.

OFFICE OF ZONING

Zoning: R.C. 5 There are no previous zoning cases on the subject property.

Parking Calculations

Required parking spaces: 2
Parking spaces provided on site: 2+

R.C. 5 Setbacks for Residential Buildings

Front: 100 feet from the street right of way/property line (CUL-DE-SAC), 50 FEET ELSE WHERE
Side: 50 (combined)/20 feet (min.) from the property line
Rear: 50 feet from the property line

ENVIRONMENTAL IMPACT

Watershed: Jones Falls URDL Land type: 1

1. The existing dwelling is currently serviced by a private well and septic system.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

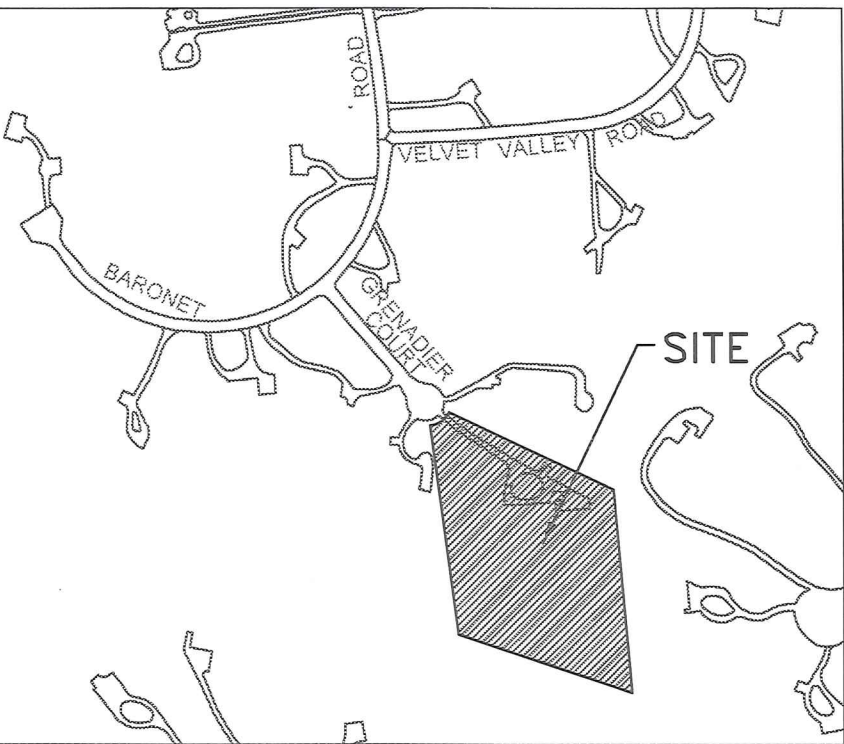
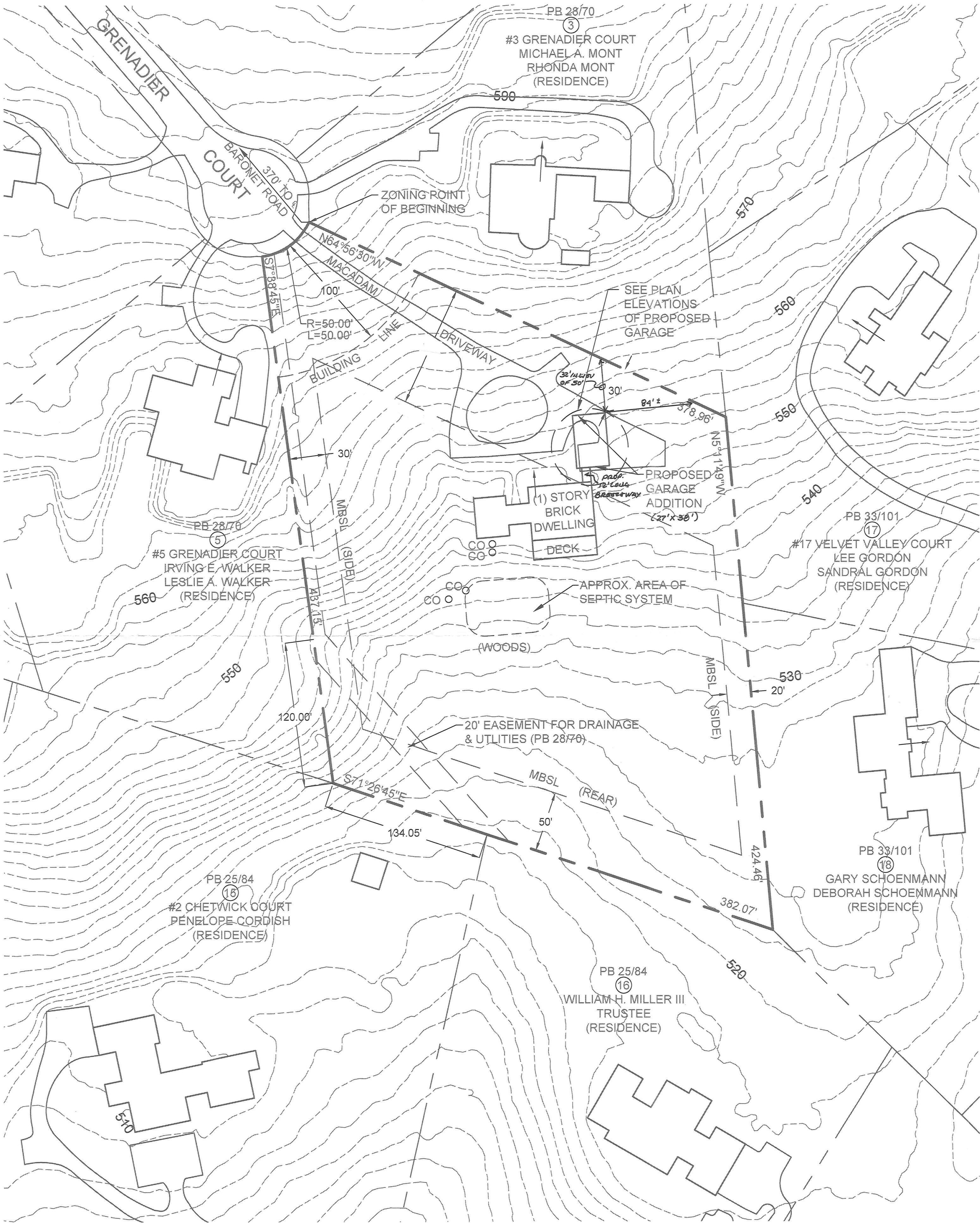
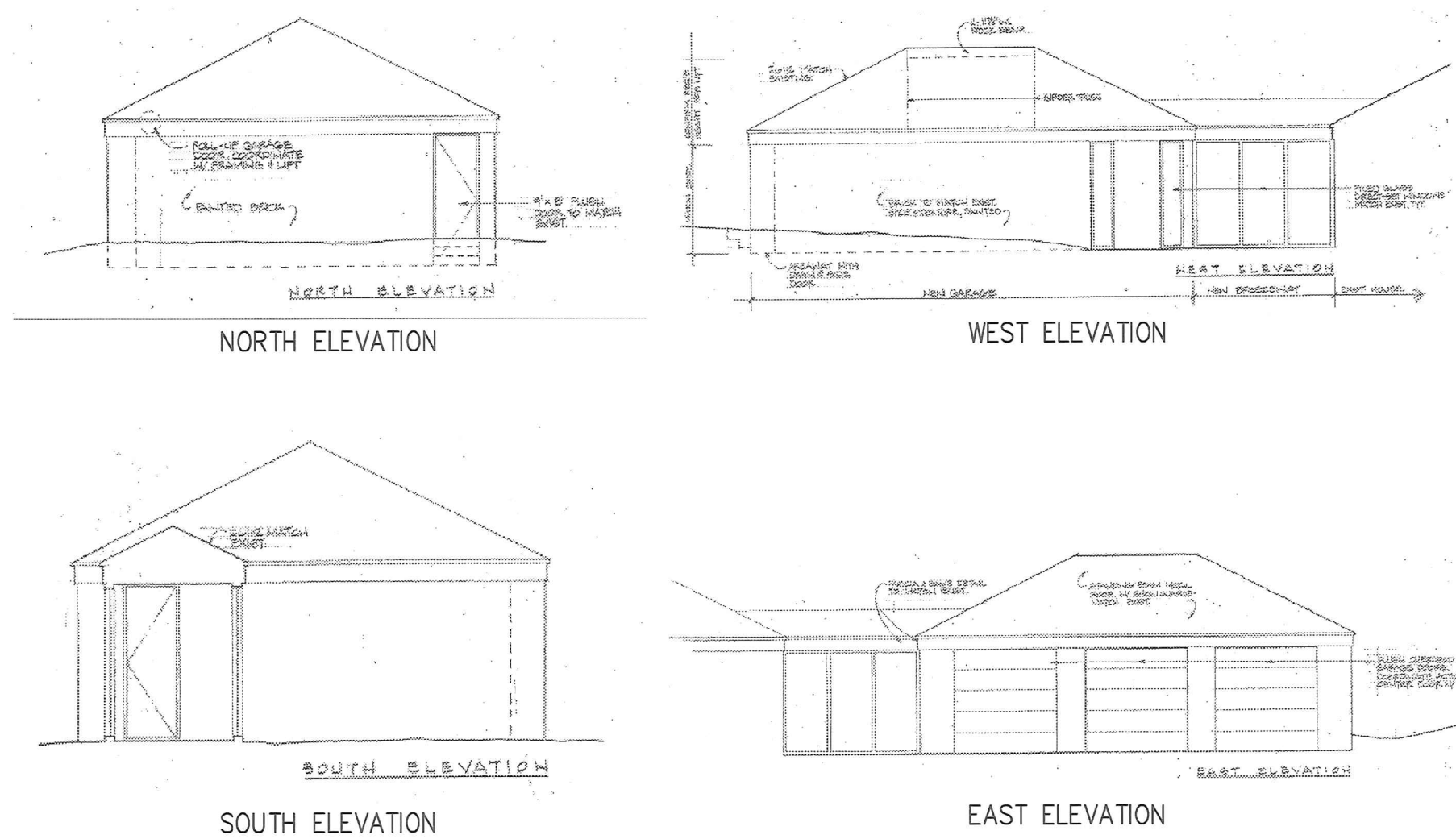
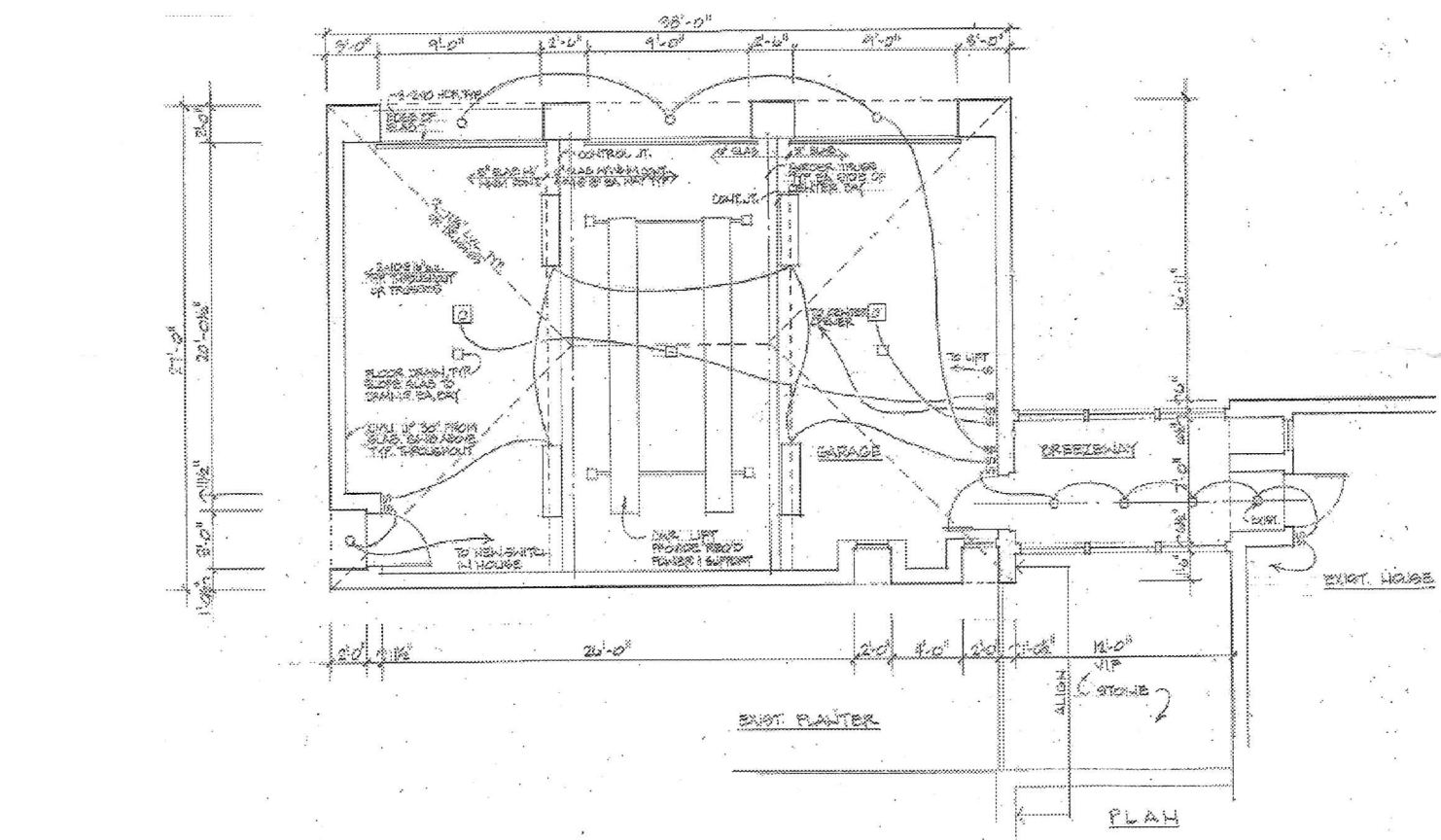
OFFICE OF PLANNING

Regional Planning District: Pikesville District Code: 313

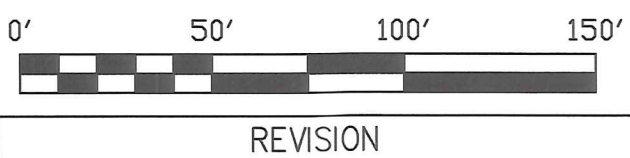
1. The subject dwelling is not historic. The subject property is not in a historic district.

PROPOSED DEVELOPMENT

To construct an attached garage to the dwelling



Vicinity Map - Scale: 1' = 400'



PETITIONER'S
EXHIBIT NO. 1

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION
FOR
#4 GRENADIER COURT

BALTIMORE COUNTY, MARYLAND
3rd ELECTION DISTRICT 2nd COUNCILMANIC DISTRICT



Date: 4/27/19
Scale: 1"=50'

GENERAL SITE INFORMATION

- Ownership: 4 Grenadier Court, LLC
- Address: 4 Grenadier Court Owings Mills, MD 21117
- Deed references: JLE 41122/ 461
- Area: 3.75 acres (per SDAT)
- Tax Map / Parcel / Lot / Tax account #: 59 / 181 / 4 / 03-13-060830
- Lot 4 Block B "Baronet Woods" Plat Book 28/ 70
- Election District: 3 Councilmanic District: 2
- ADC Map: 457783 GIS tile: 059A3 Position sheet: 45NW24
- Census tract: 403701 Census block: 24005403701
- Schools: Woodholme ES Pikesville MS Owings Mills HS
- The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 059A3 and the information provided by Baltimore County on the internet.
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OFFICE OF ZONING

Zoning: R.C. 5 There are no previous zoning cases on the subject property.

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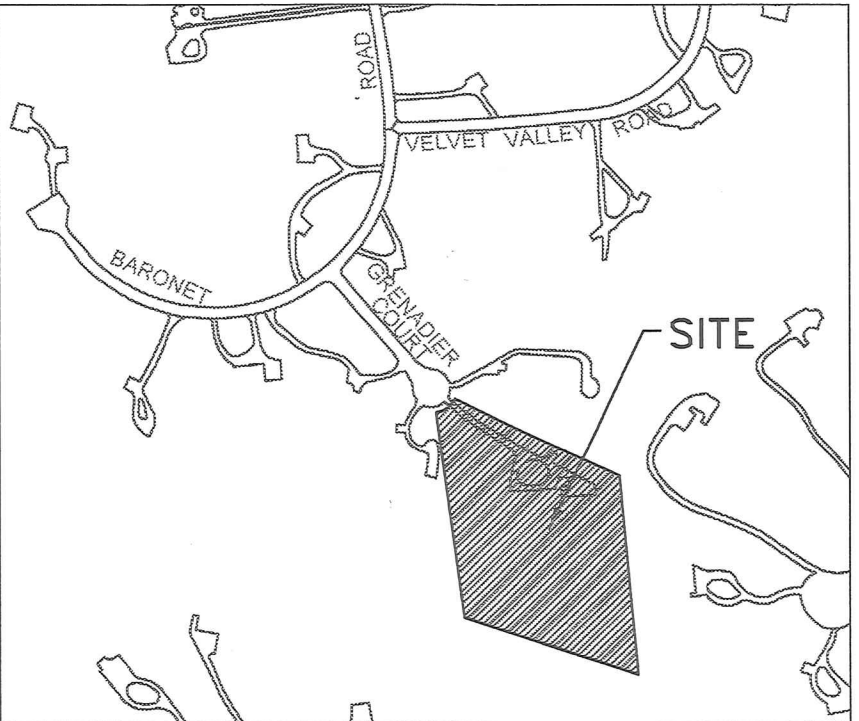
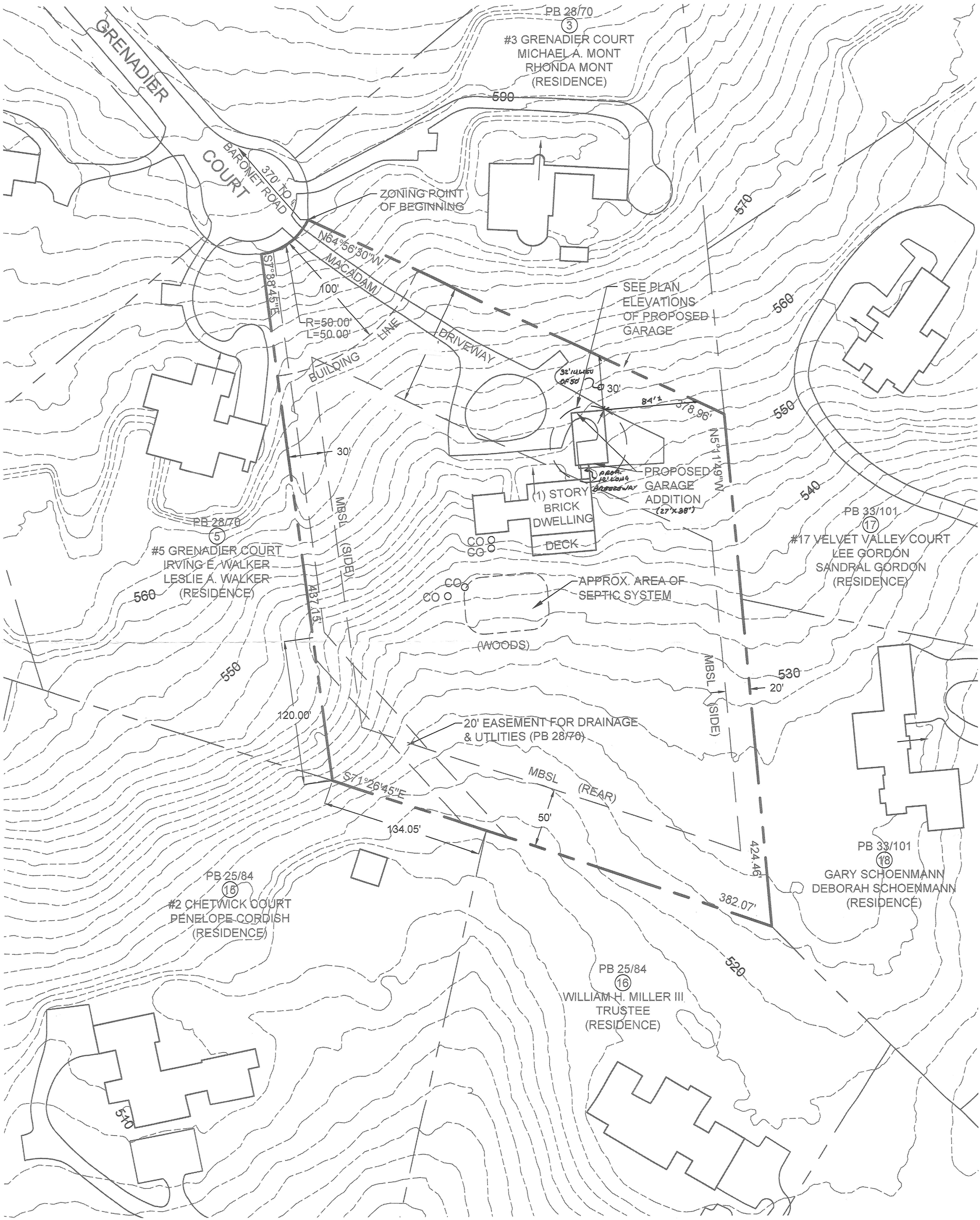
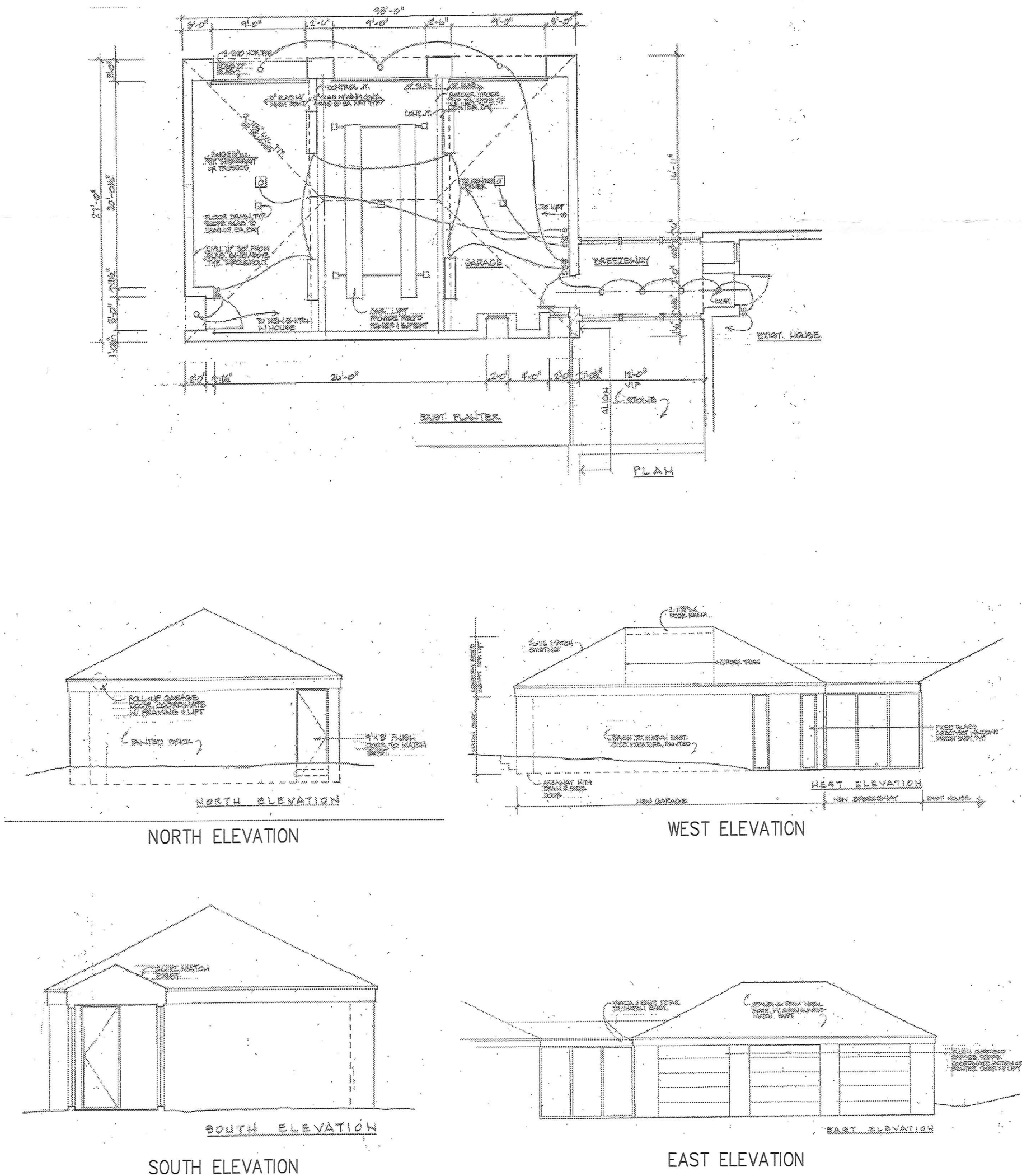
OFFICE OF PLANNING

Regional Planning District: Pikesville District Code: 313

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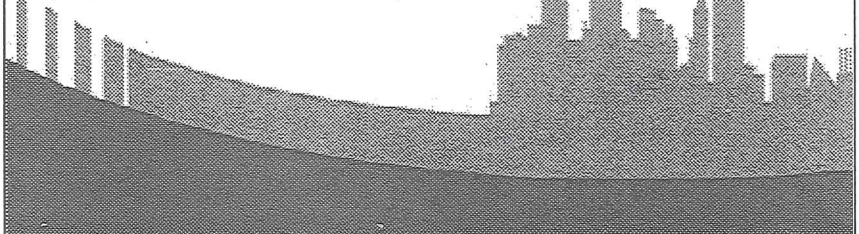
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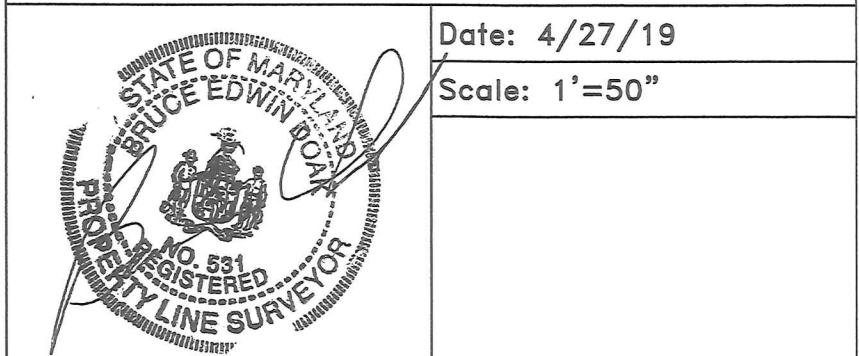
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PLAN TO ACCOMPANY
A ZONING PETITION
FOR
#4 GRENADIER COURT

BALTIMORE COUNTY, MARYLAND
3rd ELECTION DISTRICT 2nd COUNCILMANIC DISTRICT



Date: 4/27/19
Scale: 1"=50"

0' 50' 100' 150'
REVISION

Petition
Sketch #1

GENERAL SITE INFORMATION

- Ownership: 4 Grenadier Court, LLC
- Address: 4 Grenadier Court Owings Mills, MD 21117
- Deed references: JLE 41122/ 461
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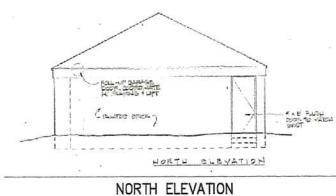
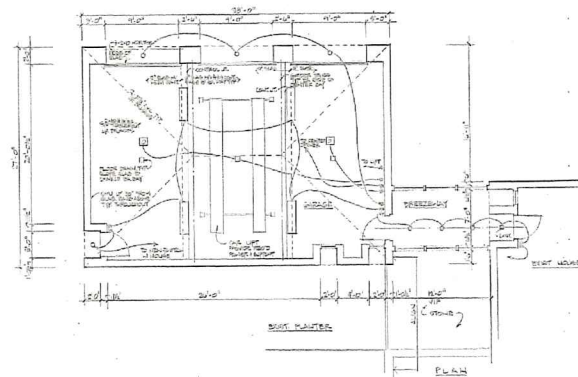
OFFICE OF PLANNING

Regional Planning District: Pikesville District Code: 313

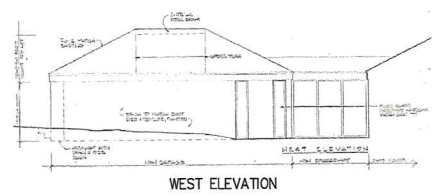
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PROPOSED DEVELOPMENT

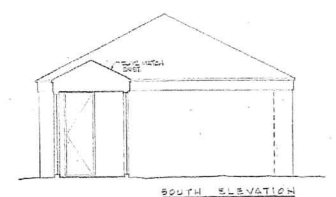
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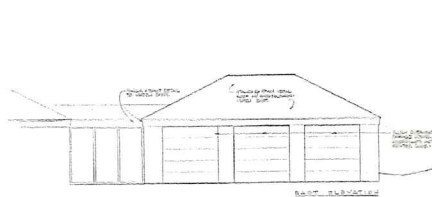
NORTH ELEVATION



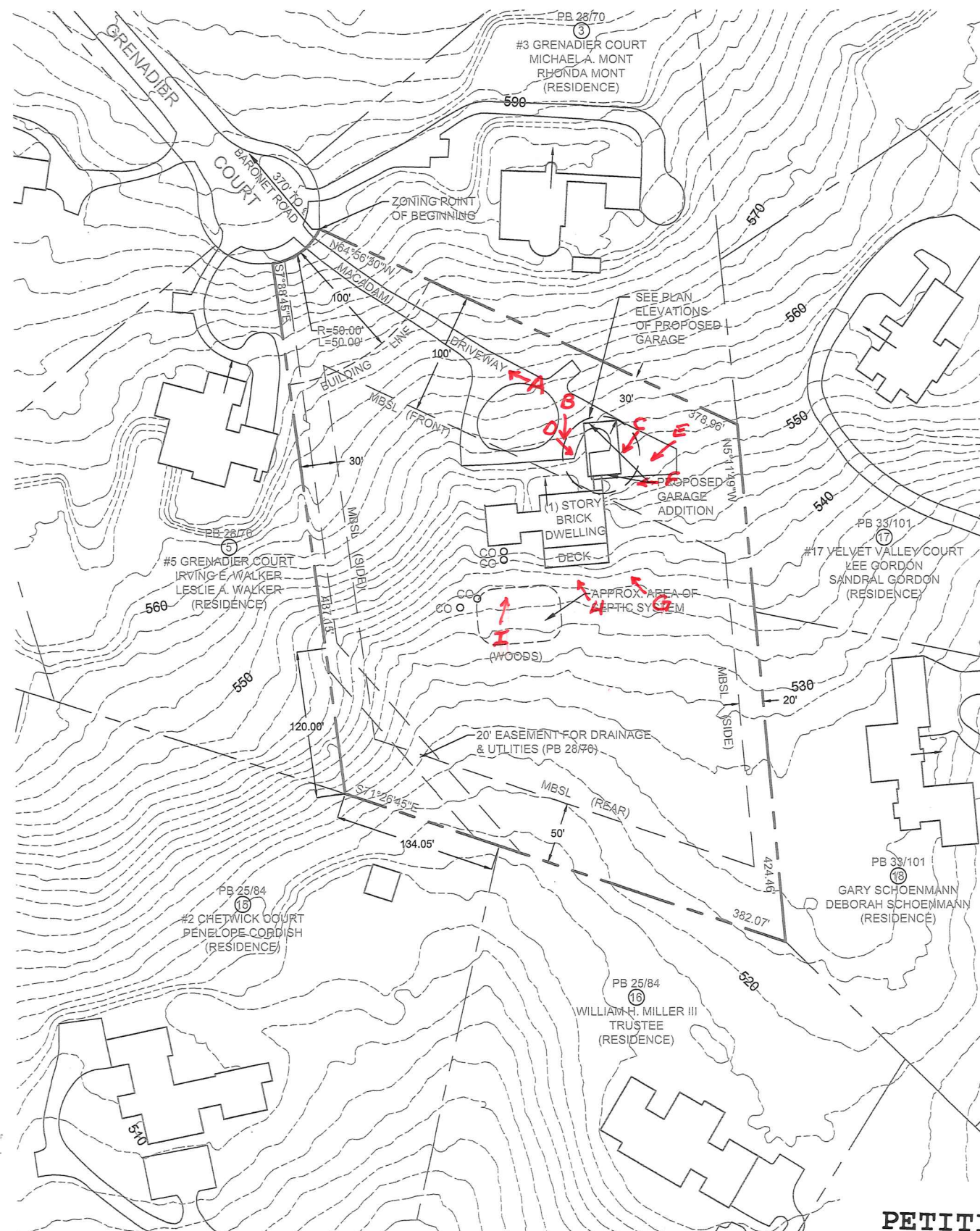
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

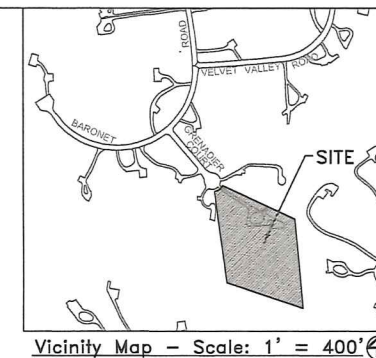


REVISION

PETITIONER'S

PHOTOS A-I

EXHIBIT NO. 6



Vicinity Map - Scale: 1" = 400'

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PLAN TO ACCOMPANY
A ZONING PETITION
FOR
#4 GRENADIER COURT

BALTIMORE COUNTY, MARYLAND
3rd ELECTION DISTRICT 2nd COUNCILMANIC DISTRICT

Date: 4/27/19

Scale: 1"=50'

PLAN TO ACCOMPANY PHOTOGRAPHS