

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. 2019-0313-SPH - 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: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

(21615 York Road)
7th Election District
3rd Council District

Orlando B & Bella D. Conanen
Legal Owners
Petitioners

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0313-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Hearing and Variance filed on behalf of Orland B & Bella D. Conanen, legal owners (“Petitioners”). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to permit a single lot of record that is not in a subdivision prior to September 2, 2003 and have a lot size of 1.038 acres in lieu of the required 1.5 acres.

In the alternative, a Petition for Variance was filed: (1) to permit a front building setback of 100 ft. from the center of a collector road in lieu of the required 150 ft.; (2) to permit a side building setback of 24 ft. from the lot line, other than a street line in lieu of the required 50 ft.; and (3) to permit a side building setback of 41 ft. from the lot line, other than a street line, in lieu of the required 50 ft.

A site plan was marked and accepted into evidence as Petitioners’ Exhibit 1.

Bruce E. Doak of Bruce E. Doak Consulting, LLC and Eric Hartman appeared in support of the requests. 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

ORDER RECEIVED FOR FILING

Date 6/20/19

By Sen

("ZAC") comment was received from any of the County reviewing agencies except the Department of Planning ("DOP").

Testimony was presented that the subject lot of 1.038 acres was created in 1988 and has been vacant since its creation. There are other structures on three sides of the site. It is perked and has an approved septic reserve area and well. It is the only vacant lot left in the area.

Testimony was presented as to the odd shape of the site, as well as limitations imposed by the placement of the septic field and well. In addition, topographical factors of the site make much of it impossible to grade appropriately. The subject property was allocated its growth acreage on the September 2, 2003 and it was pointed out by the Petitioner that under BCZR §1A04.3b2 smaller lot sizes (but in no event smaller than 1 acre) could be authorized by the DOP recites in which its growth allocation acreage had been awarded prior to June 11, 2004. It was also noted that the DOP had no objection to the special hearing request, but conditioned their support of the requested variances, noting the Department recommends the proposed dwelling be set back no more than 80' from centerline or at that point providing the minimum regulated separation between an existing well and an adjacent principal structure, whichever is the least distant to the aforementioned centerline.

Petitioner testified that, for reasons dictated by the constraints of size, configuration, topography and the positioning of the well and septic, the plan for development of the site would in fact include a setback of the proposed structure at no more than 80 foot from the center line of York Road, complying with the department's condition.

Based upon the above, I find that the Petitioner has satisfied the requirements for its requested special hearing relief.

As to the variance, it requires a two-step process, summarized as follows:

ORDER RECEIVED FOR FILING

Date 6/20/19

By Sen

- (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.

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

Based upon the testimony and presentation I find that the subject property is in fact unique. Further, I find if the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct the proposed dwelling.

THEREFORE, IT IS ORDERED this 20th day of **June, 2019**, by this Administrative Law Judge, that the Petition for Special Hearing to permit a single lot of record that is not in a subdivision prior to September 2, 2003 and have a lot size of 1.038 acres in lieu of the required 1.5 acres, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance: (1) to permit a front building setback of 80 ft. from the center of a collector road in lieu of the required 150 ft.; (2) to permit a side building setback of 24 ft. from the lot line, other than a street line in lieu of the required 50 ft.; and (3) to permit a side building setback of 41 ft. from the lot line, other than a street line, in lieu of the required 50 ft., 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.

ORDER RECEIVED FOR FILING

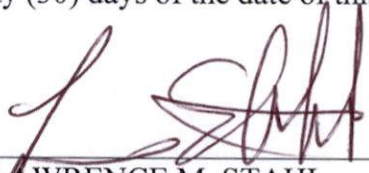
Date

6/20/19

By

Sen

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 21615 YORK ROAD which is presently zoned RC5
 Deed References: JLE 36848/227 10 Digit Tax Account # 2100006230
 Property Owner(s) Printed Name(s) ORLANDO B. & BELLA D. CONANAN

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

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

1. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED PAGE

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a **Variance** from Section(s)

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:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

ORLANDO B. CONANAN BELLA D. CONANAN

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

Signature #1 Signature #2

16120 YEDHO ROAD SPARKS MO
 Mailing Address City State

21152 / 443-956-2068 /
 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 MO
 Mailing Address City State

21053 / 410-419-9906 /
 Zip Code Telephone # Email Address

BD@BRUCEDOAKCONSULTING.COM

CASE NUMBER 2019-0313-JR4 Filing Date 5/7/19 Do Not Schedule Dates: 6/15 - 6/30 Reviewer JF

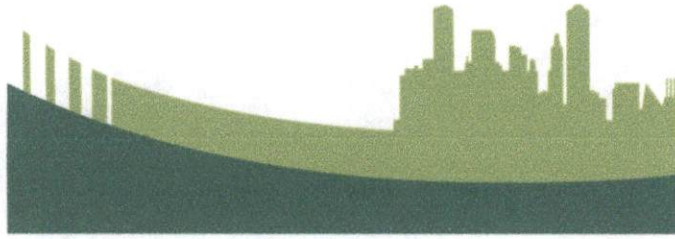
ORDER RECEIVED FOR FILING
 6/20/19
 DEN
 BY

Petitions Requested
For Case # 2019-0313-SPH
21615 York Road

Special Hearing

- 1) To permit a single lot of record that is not in a subdivision prior to September 2, 2003 to have a lot size of 1.038 acres in lieu of the required 1.5 acres per Section 1A04.3.B.1.a & b BCZR

- 2) To permit a front building setback of 100 feet from the center of a collector road in lieu of the required 150 feet per Section 1A04.3.B.2.b BCZR
- 3) To permit a side building setback of 24 feet from the lot line, other than a street line, in lieu of the required 50 feet per Section 1A04.3.B.2.b BCZR
- 4) To permit a side building setback of 41 feet from the lot line, other than a street line, in lieu of the required 50 feet per Section 1A04.3.B.2.b BCZR



Zoning Description

21615 York Road
Seventh Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point on the northeast side of York Road, 230 feet, more or less, from the centerline of Old ~~Freedom~~ Road,

Freeland

thence leaving York Road and running with and binding on the outlines of the subject property, the five following courses and distances, viz. 1) North 60 degrees 56 minutes 50 seconds East 304.47 feet, 2) South 22 degrees 47 minutes 00 seconds East 200.42 feet, 3) South 53 degrees 43 minutes 08 seconds West 80.00 feet, 4) North 22 degrees 47 minutes 00 West 80.55 feet and 5) South 60 degrees 56 minutes 50 seconds West 226.21 feet to the northeast side of York Road, thence binding on York Road and continuing to run and bind on the outlines of the subject property 6) North 22 degrees 47 minutes 00 seconds West 130.00 feet.

Containing 1.038 acres of land, more or less.

This description is part of a zoning hearing 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



The Daily Record

11 East Saratoga Street

Baltimore, MD 21202-2199

(443) 524-8100

<http://www.thedailyrecord.com>

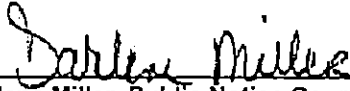
PUBLISHER'S AFFIDAVIT

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 #: 11748462
Case #: 2019-0313-SPH
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0313-SPH



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0313-SPH

21615 York Road

N/side of York Road at the distance of 230 ft. s/of centerline of Old Freeland Road

7th Election District - 3rd Councilmanic District

Legal Owners: Orlando & Bella Conanan

Special Hearing to permit a single lot of record that is not in a subdivision prior to September 2, 2003 to have a lot size of 1.038 acres in lieu of the required 1.5 acres. To permit a front building setback of 100 ft. from the center of a collector road in lieu of the required 150 ft.; to permit a side building setback of 24 ft. from the lot line, other than a street line, in lieu of the required 50 ft.; to permit a side building setback of 41 ft. from the lot line, other than a street line, in lieu of the required 50 ft.

Hearing: Friday, June 14, 2019 at 2:30 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

JB 6-19-19
2:30 pm

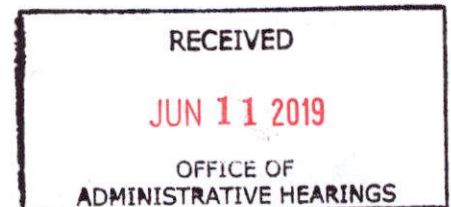
Debra Wiley

From: Bruce Doak <bdoak@bruceedoakconsulting.com>
Sent: Tuesday, June 11, 2019 6:41 AM
To: Sherry Nuffer
Cc: Administrative Hearings
Subject: Case 2019-0313-SPH posting cert
Attachments: Posting cert 6 10 19.pdf

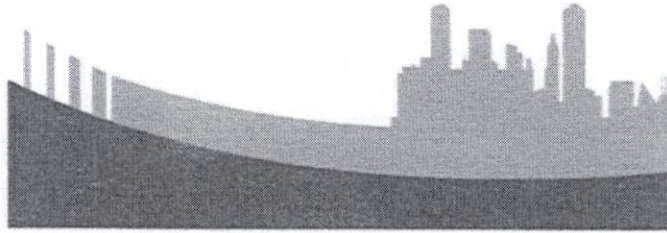
CAUTION: This message from bdoak@bruceedoakconsulting.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Bruce

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



RECEIVED
OFFICE OF
ADMINISTRATIVE HEARINGS



CERTIFICATE OF POSTING

May 24, 2019

June 10, 2019 amended for second inspection

Re:

Zoning Case No. 2019-0313-SPH

Legal Owner: Orlando & Bella Conanan

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 21615 York Road.

The signs were initially posted on May 24, 2019.

The subject property was also inspected on June 10, 2019.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bruce E. Doak".

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

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. 2019-0313-SPH
21615 York Road

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 2:30 PM

REQUESTS:

SPECIAL HEARING TO PERMIT A SINGLE LOT OF RECORD
THAT IS NOT IN A SUBDIVISION PRIOR TO SEPTEMBER 2, 2003
TO HAVE A LOT SIZE OF 1.038 ACRES IN LIEU OF THE
REQUIRED 1.5 ACRES; TO PERMIT A FRONT BUILDING
SETBACK OF 100 FEET FROM THE CENTER OF A COLLECTOR
ROAD IN LIEU OF THE REQUIRED 150 FEET; TO PERMIT A SIDE
BUILDING SETBACK OF 24 FEET FROM THE PROPERTY LINE,
OTHER THAN A STREET LINE, IN LIEU OF THE REQUIRED 50
FEET; TO PERMIT A SIDE BUILDING SETBACK OF 41 FEET
FROM THE LOT LINE, OTHER THAN A STREET LINE, IN LIEU
OF THE REQUIRED 50 FEET

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-275-2391.
DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.
THE HEARING IS ALWAYS OPEN ACCESSIBLE.

ZONING NOTICE

CASE NO. 2019-0313-SPH
21615 York Road

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LAW JUDGE IN TOWSON MARYLAND

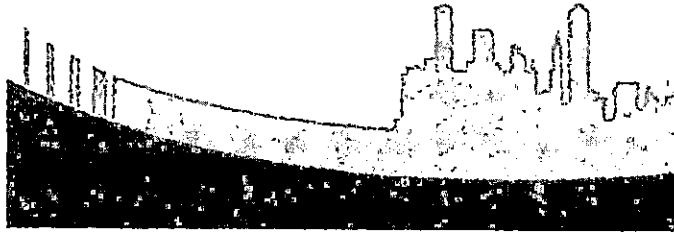
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May 24, 2019

_____ amended for second inspection

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

ZONING NOTICE

CASE NO. 2019-0313-SPH

21615 York Road

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**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 AT

ZONING NOTICE

CASE NO. 2019-0313-SPH

21615 York Road

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POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES



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: 2019-0313-SPH

21615 York Road

N/e side of York Road at the distance of 230 ft. s/of centerline of Old Freeland Road

7th Election District – 3rd Councilmanic District

Legal Owners: Orlando & Bella Conanan

Special Hearing to permit a single lot of record that is not in a subdivision prior to September 2, 2003 to have a lot size of 1.038 acres in lieu of the required 1.5 acres. To permit a front building setback of 100 ft. from the center of a collector road in lieu of the required 150 ft.; to permit a side building setback of 24 ft. from the lot line, other than a street line, in lieu of the required 50 ft.; to permit a side building setback of 41 ft. from the lot line, other than a street line, in lieu of the required 50 ft.

Hearing: Friday, June 14, 2019 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Michael Mallinoff
Director

MM:kl

C: Mr. & Mrs. Conanan, 16120 Yeoho Road, Sparks 21152
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- 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:
Orlando Conanan
16120 Yeoho Road
Sparks, MD 21152

443-956-2068

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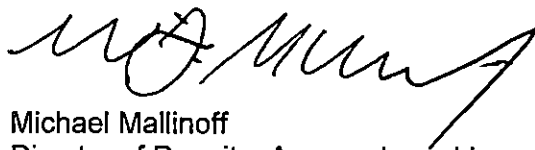
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Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
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RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
21615 York Road; NE/S of York Road, * OF ADMINISTRATIVE
230' S from c/line of Old Freeland Road * HEARINGS FOR
7th Election & 3rd Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): Orlando B. & Bella D. Conanan*
Petitioner(s) * 2019-313-SPH

* * * * *

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, Representative 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/neighbor 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 - 0313 - SPN

Property Address: 21615 YORK ROAD

Property Description: 1 ACRE ON EAST SIDE OF YORK ROAD, SOUTH OF
OLD FREELAND ROAD

Legal Owners (Petitioners): ORLANDO B. & BELLA D. CONANAN

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: ORLANDO B. CONANAN

Company/Firm (if applicable): N/A

Address: 16120 YEDHO ROAD

SPARKS MO 64482

Telephone Number: 443-956-2068

Revised 5/20/2014

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

No. **182695**

Date: **5/7/17**

PAID RECEIPT

BUSINESS ACTUAL TIME 154
 5/08/2017 5/07/2017 11:31:26 2

REG #302 WALKIN JEE
 >>RECEIPT # 000714 5/07/2019 OFDI

Dept 5 528 ZONING VERIFICATION

CR NO. 182695

Receipt 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	806	0000	E	6150				75.00

Total: **75.00**

Rec

From: **CANNON**

For:

Payment for Verance

Case E 2017-0312-02N

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

Orlando B & Bella D. Conanan
16120 Yeoho Road
Baltimore MD, 21152

RE: Case Number: 2018-0313-SPH, 21615 York 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 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 the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Bruce E. Doak 3801 Baker Schoolhouse Road Freeland MD 21053

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

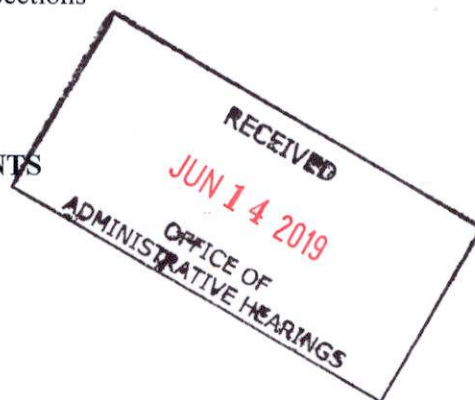
DATE: 6/13/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-313

INFORMATION:

Property Address: 21615 York Road
Petitioner: Orlando B. Conanan, Bella D. Conanan
Zoning: RC 5
Requested Action: Special Hearing, Variance



The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should permit a single lot of record that is not a subdivision and that is in existence prior to September 2, 2003 to have a lot size of 1.038 acres in lieu of the required 1.5 acres and also the petition for variance to permit a front building setback of 100' from the center of the collector road, and side building setbacks of 24' and 41' from the lot line, other than a street line in lieu of the required 150' and 50' respectively.

A site visit was conducted on June 4, 2018. The site is located in "Maryland Line" in northern Baltimore County and is rural in character with smaller residential dwellings and businesses located close to the Road. Many are within 50' of York Road.

The Department has no objection to granting the zoning relief petitioned for in the special exception.

The Department supports the request for variance relief conditioned upon the following:

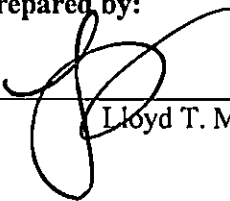
- The Department recommends the petitioned 100' from the center of the collector road is excessive and is not reflective of the unique pattern of development in Maryland Line. Such variance relief, if granted, would place the new dwelling behind the adjacent residence to the south and further back than is typical of the established street front. The Department recommends the proposed dwelling be set back no more than 80' from centerline or at that point providing the minimum regulated separation between an existing well and an adjacent principal structure, whichever is the least distant to the aforementioned centerline.

10. 10. 10
10. 10. 10
10. 10. 10

Date: 6/13/2019
Subject: ZAC # 19-313
Page 2

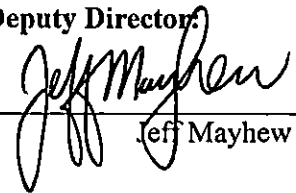
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

CPG/JGN/LTM/

c: Wally Lippincott
Bruce E. Doak, Bruce E. Doak Consulting, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

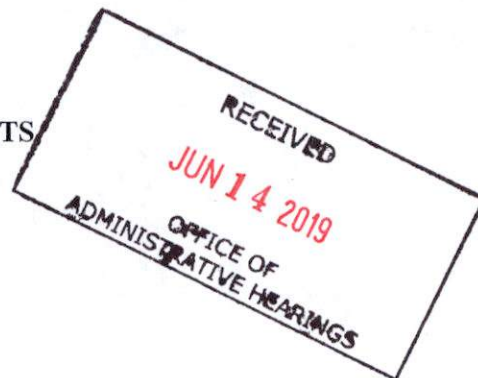
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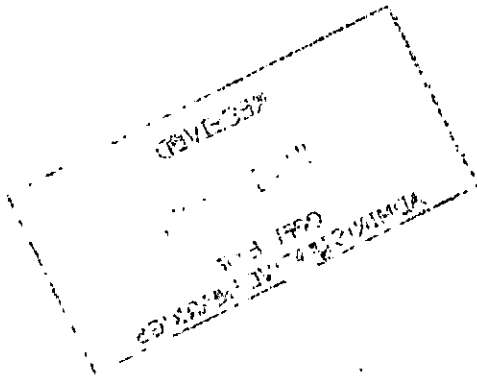
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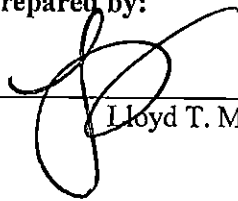
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Date: 6/13/2019
Subject: ZAC # 19-313
Page 2

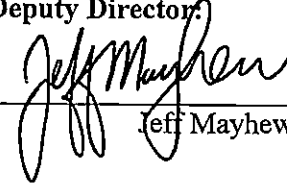
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Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

CPG/JGN/LTM/

c: Wally Lippincott
Bruce E. Doak, Bruce E. Doak Consulting, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

0-14

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
MAY 23 2019
OFFICE OF
ADMINISTRATIVE HEARINGS

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 # 2019-0313-SPH
Address 21615 York Road
(Conanan Property)

Zoning Advisory Committee Meeting of **May 27, 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 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 5/14/19. A field inspection and internal review reveals that an entrance onto MD45 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for

Special Hearing, Variance, Case Number 2019-0313-SPH

Orlando B. & Bella D. Coren
21615 York Road
MD45

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

CASE NAME CONANAN
CASE NUMBER 2019-0313-5PHA
DATE 6/19/19

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

[illegible]

CASE NO. 2019-

0313-SPH

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No CommentDEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

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

STATE HIGHWAY ADMINISTRATION

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 DeakSIGN POSTING (2nd) Date: 6/10/19 by DeakPEOPLE'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 - 07 Account Number - 2100006230								
Owner Information										
Owner Name:		CONANAN ORLANDO B CONANAN BELLA D				Use:		RESIDENTIAL		
Mailing Address:		16120 YEOHO RD SPARKS MD 21152-9537				Principal Residence:		NO		
						Deed Reference:		/36848/ 00227		
Location & Structure Information										
Premises Address:		YORK RD 0-0000				Legal Description:		1.038 AC ES YORK RD FREELAND RD		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0003	0021	0114		0000				2017	Plat Ref:	
Special Tax Areas:					Town:					NONE
					Ad Valorem:					
					Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
						1.0300 AC		04		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	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:			72,200	72,200						
Improvements			0	0						
Total:			72,200	72,200	72,200		72,200			
Preferential Land:			0		0					
Transfer Information										
Seller: CONANAN ORLANDO B				Date: 11/06/2015			Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /36848/ 00227			Deed2:			
Seller: HENDRIX MARTHA T				Date: 07/29/1988			Price: \$30,000			
Type: ARMS LENGTH IMPROVED				Deed1: /07929/ 00775			Deed2:			
Seller:				Date:			Price:			
Type:				Deed1:			Deed2:			
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2018			07/01/2019			
County:		000		0.00						
State:		000		0.00						
Municipal:		000		0.00 0.00			0.00 0.00			
Tax Exempt:		Special Tax Recapture:								
Exempt Class:		NONE								
Homestead Application Information										
Homestead Application Status: No Application										

Homeowners' Tax Credit Application Status: No Application

Date:

GENERAL SITE INFORMATION

1. Ownership: Orlando B. & Bella D. Conanan
16120 Yeoh Road Sparks, MD 21152
2. Address: 21615 York Road
3. Deed references: JLE 36848/ 227
4. Area: 1.038 acres (per SDAT)
5. Tax Map / Parcel / Tax account #: 3 / 114 / 21-00-006230
6. Election District: 7 Councilmanic District: 3
ADC Map: 4008F6 GIS tile: 003B3 Position sheet: 153NW8
Census tract: 407002 Census block: 240054070021
Schools: Seventh District ES Hereford MS Hereford 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 003B3 and the information provided by Baltimore County on the internet.
8. Improvements: Vacant

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: 150 feet from the centerline of a collector street
Side / Rear: 50 feet from the property line

ENVIRONMENTAL IMPACT

Watershed: Deer Creek URDL land type: 1

1. A new dwelling will be served 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.

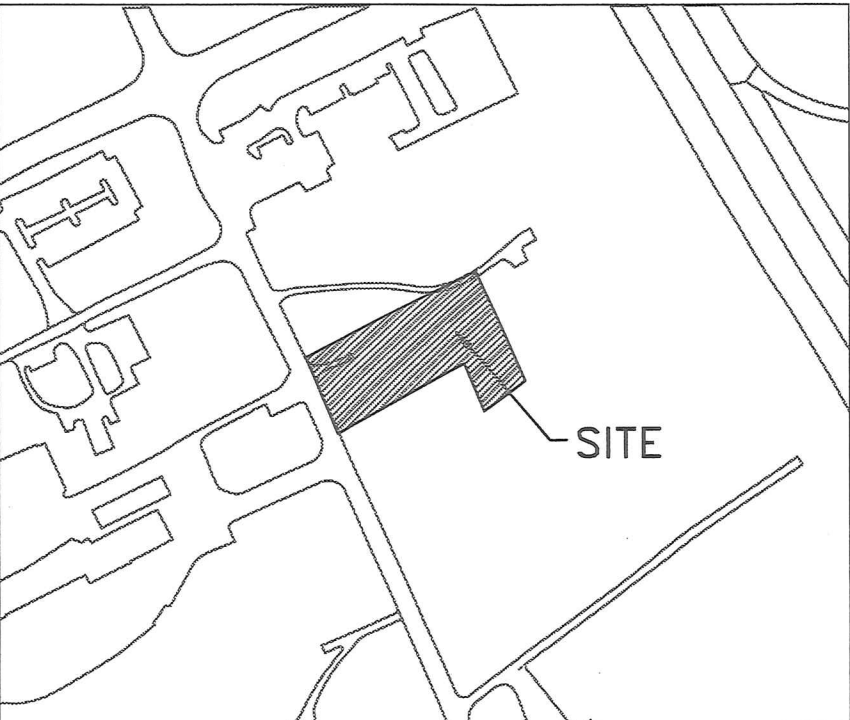
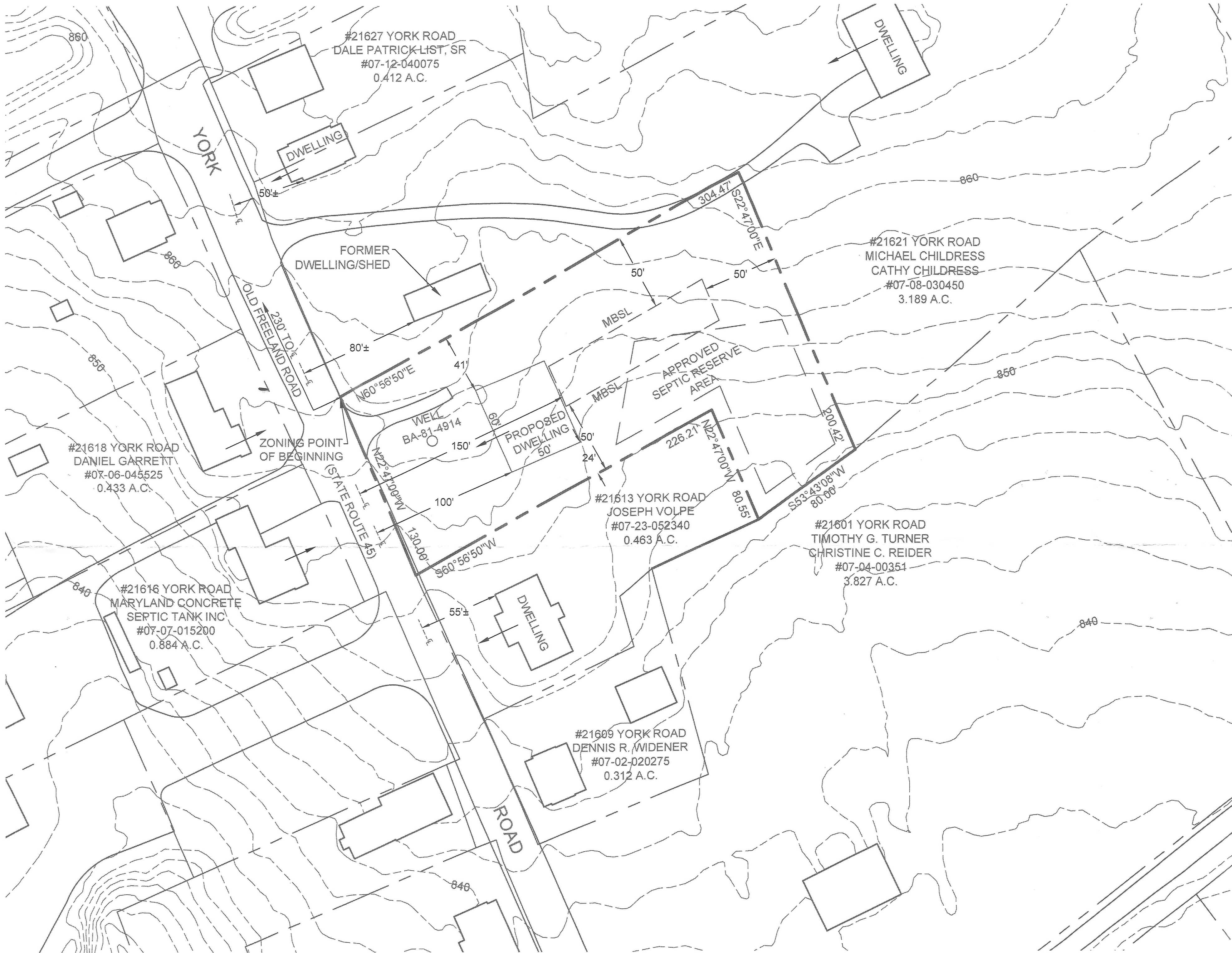
OFFICE OF PLANNING

Regional Planning District: Hereford / Maryland Line District Code: 301

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

PROPOSED DEVELOPMENT

To construct a single family dwelling on the subject property



Vicinity Map -- Scale: 1" = 300'

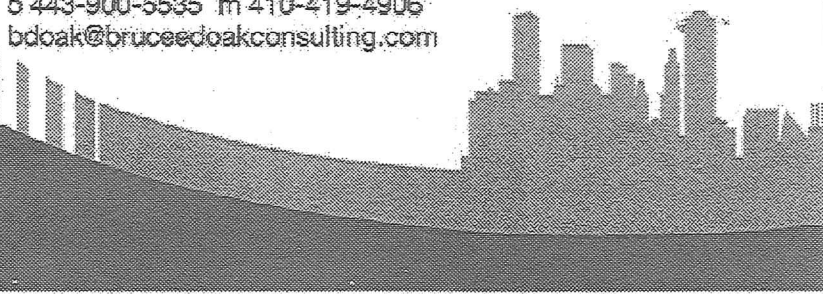
PETITIONER'S

EXHIBIT NO. _____

0' 40' 80' 120'

REVISION

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21063
P 443-900-5635 M 410-419-4906
bdoak@bruceedoakconsulting.com



PLAN TO ACCOMPANY
A ZONING PETITION
FOR
#21615 YORK ROAD

BALTIMORE COUNTY, MARYLAND
7th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT



Date: 4/25/19

Scale: 1"=40'

CONANAN PROPERTY

Baltimore County - My Neighborhood



SKETCH TO ACCOMPANY DEVOLUTION OF TITLE 3/14/19

PETITIONER'S

EXHIBIT NO.

2

1" = 77'