

MEMORANDUM

DATE: November 5, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0371-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on November 4, 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 SPECIAL HEARING**
(32 Stemmers Run Road)

15th Election District
7th Council District
Eugene Eckert & Lea Schafer
Legal Owners

Petitioners

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2019-0371-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Charles and Jeannie Peters, legal owners ("Petitioners"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") for an accessory use garage that is larger in area than the primary structure as defined in Section 101.1 of the BCZR. A site plan was marked and admitted as Petitioners' Exhibit 1.

The property owners, Eugene and Lea Eckert appeared in support of the petition, as did their consultant Lee Giroux who had prepared the site plan. Ms. Giroux also offered Exhibit 2, a packet containing numerous photos of the subject property as well as architectural drawings and stock photos of the structure the Petitioners intend to construct.

There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (ZAC) comment were received from the Department of Environmental Protection and Sustainability ("DEPS") and the Department of Planning ("DOP").

The subject property is 11,648 square feet in size and is zoned BL-BR. There is an 1107 square foot home on the property that is being used as Petitioners' primary residence. As depicted

ORDER RECEIVED FOR FILING

Date 10/4/19
By Sen

in the Plan and in the architectural drawings in Exhibit 2, the proposed structure will be 1200 square feet, thereby exceeding the residential structure by 93 square feet. The Petitioners therefore request relief from BCZR Section 101.1, which states that accessory structures are to be "subordinate in area."

Mr. Eckert testified that he needs this size structure for storage, and that the pre-fabricated nature of the structure made the square footage inflexible. The undersigned questioned Mr. Eckert about the DOP and DEPS comments. He testified that he intends to use the building strictly for storage and affirmed that it will not be used for any residential or commercial purpose. He further agreed that he would not seek to put the structure on a separate utility meter. The undersigned explained to him that he would need approval from DEPS prior to obtaining any building permits and that the stream setback requirements may require him to move the structure closer to the residential structure. Mr. Eckert also acknowledged this.

As stated above, there were no interested persons or protestants at the hearing and Mr. Eckert stated that he had communicated with the neighbors on either side of him and had received no objection to his plans.

Based on the foregoing, I find that the requested relief will not injure the public health, safety and welfare and is not in violation of the spirit and intent of the BCZR.

THEREFORE, IT IS ORDERED this 4th day of **October, 2019** by this Administrative Law Judge, that the Petition for Special Hearing for an accessory use garage that is 93 square feet larger in area than the primary structure as defined in Section 101.1 of the BCZR. The requested relief therefore shall be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date

10/4/19

By

Sen

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. Petitioners or subsequent owners shall not convert the storage structure into a dwelling unit or apartment. The proposed structure shall not contain any sleeping quarters, living area, or kitchen or bathroom facilities.
3. The proposed structure shall not be used for commercial purposes.
4. Prior to issuance of permits Petitioners must comply with the ZAC submitted by the DEPS, a copy of which is attached hereto and made a part hereof.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:sln

ORDER RECEIVED FOR FILING

Date 10/4/19

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 32 STEMMERS Run Rd. which is presently zoned BL/BR
 Deed References: 29808/00015 10 Digit Tax Account # 1519640081
 Property Owner(s) Printed Name(s) Eugene Eckert / Lea Schaefer

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

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

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN ACCESSORY use GARAGE that is LARGER IN AREA than the PRIMARY STRUCTURE AS defined in SECTION 101.1 of the BCZR.
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☐ a **Variance** from Section(s)

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 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 N/A
 Signature N/A
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name- Type or Print N/A
 Signature N/A
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Name #1 - Type or Print Eugene Eckert Name #2 - Type or Print Lea Schaefer
 Signature #1 Eugene Eckert Signature #2 Lea Schaefer
 Mailing Address 32 Stemmers Run Rd Essex MD City _____ State _____
 Zip Code 21221 Telephone # 443-992-3306 Email Address Gene.Eckert@Comcast.net

Representative to be contacted:

Name - Type or Print Lee Giroux
 Signature Lee Giroux
 Mailing Address 29 Bee Tree Cr. New Freedom, PA. City _____ State _____
 Zip Code 17349 Telephone # 443-564-8875 Email Address Giroux.lee@gmail.com

CASE NUMBER 2019-0371-SPH Filing Date 6/18/19

Do Not Schedule Dates: _____ Reviewer RT

Date 10/4/19 REV. 10/4/11

By Den

ZONING DESCRIPTION FOR 32 STEMMERS RUN RD.

SW/S of Stemmers run rd (55'), 650' NW of
intersection with old Eastern Ave (55')

TO: THE DAILY RECORD
Friday, September 13, 2019 - Issue

Please forward billing to:
Eugene Eckert
32 Stemmers Run Road
Essex, MD 21221

443-992-3306

NOTICE OF ZONING HEARING

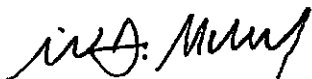
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2019-0371-SPH

32 Stemmers Run Road
SW/s Stemmers Run Road, n/w intersection with Old Eastern Avenue
15th Election District – 7th Councilmanic District
Legal Owners: Eugene & Lea Eckert

Special Hearing for an accessory use garage that is larger in area than the primary structure as defined in Section 101.1 of the BCZR.

Hearing: Thursday, October 3, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
32 Stemmers Run Rd; SW/S of Stemmers Run, *
NW intersection with Old Eastern Avenue * OF ADMINISTRATIVE
15th Election & 7th Councilmanic Districts
Legal Owner(s): Eugene Eckert & Lea Schafer* HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2019-371-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.

RECEIVED

JUN 26 2019

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of June, 2019, a copy of the foregoing Entry of Appearance was mailed to Lee Giroux, 29 Bee Tree Circle, New Freedom, PA, 17349, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

No. **183864**

PAID RECEIPT

Date:

JUNE 18, 2019

BUSINESS ACTUAL TIME DRW
6/18/2019 09:40:25 3

REG WSO3 WALKIN CAM
>>RECEIPT # 011499 6/18/2019 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

5 528 ZONING VERIFICATION

Reg No. 183864
Recpt Tot \$ 75.00
75.00 CK .00 CA
Baltimore County, Maryland

Total:

75.00

Rec

From:

EUGENE ECKERT

For:

**SPECIAL HEARING - 32 STEMMERS RUN
RD.**

BR/BL ZONE

CASE No. 2019-0371-SPH

**CASHIER'S
VALIDATION**

DISTRIBUTION

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

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

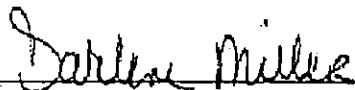
PUBLISHER'S AFFIDAVIT

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:

9/13/2019

Order #: 11789226
 Case #: 2019-0371-SPH
 Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
 2019-0371-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: 2019-0371-SPH 32 Stenners Run Road SW/s Stenners Run Road, n/w intersection with Old Eastern Avenue 15th Election District - 7th Councilmanic District Legal Owners: Eugene & Lea Eckert Special Hearing for an accessory use garage that is larger in area than the primary structure as defined in Section 101.1 of the BCZR. Hearing: Thursday, October 3, 2019 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204 Michael Mallinoff Director of Permits, Approvals and Inspections for Baltimore County NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3808. (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391. s13



JOHN A. OLSZEWSKI, JR.
County Executive

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

September 4, 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: 2019-0371-SPH

32 Stemmers Run Road
SW/s Stemmers Run Road, n/w intersection with Old Eastern Avenue
15th Election District – 7th Councilmanic District
Legal Owners: Eugene & Lea Eckert

Special Hearing for an accessory use garage that is larger in area than the primary structure as defined in Section 101.1 of the BCZR.

Hearing: Thursday, October 3, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Michael Mallinoff
Director

MM:kl

C: Mr. & Mrs. Eckert, 32 Stemmers Run Road, Essex 21221
Lee Giroux, 29 Bee Tree Circle, New Freedom PA 17349

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, SEPTEMBER 13, 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.

PM 10-3-19
11 Am

Debra Wiley

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Sunday, September 29, 2019 11:25 PM
To: Administrative Hearings
Subject: 2nd Certifications
Attachments: Stemmers Run Rd. Cert..jpeg; Photos Stemmers Run Rd. .docx; Old N. Point Rd. Cert..jpeg; Photos Old North Point Rd. .docx

CAUTION: This message from luckylinda1954@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Debrah,

I have attached the 2nd Certifications for Case # 2019-0371-SPH @ 32 Stemmers Run Rd. & Case # 2019-0386-A @ 4000 Old North Point Rd along with photos.

Have a good day,

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com



RECEIVED
JUN 10 1964
OFFICE OF
ADMINISTRATIVE HEARINGS

SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER

DATE: 9/29/2019

Case Number: 2018-0371-SPH

Petitioner / Developer: MR. & MRS. ECKERT ~ LEE GIROUX

Date of Hearing: OCTOBER 3, 2019

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

The sign(s) were posted on: **SEPTEMBER 13, 2019**

The sign(s) were re-photographed on: **SEPTEMBER 29, 2019**

ZONING NOTICE

CASE # 2019-0371-SPH

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

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON, MD 21204
DATE AND TIME: THURSDAY, OCTOBER 3, 2019
AT 11:00 A.M.
SPECIAL HEARING FOR AN ACCESSORY USE
GARAGE THAT IS LARGER IN AREA THAN THE
PRIMARY STRUCTURE AS DEFINED IN SECTION
101.1 OF THE BCZR.
32 STEMMERS RUN ROAD

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 888-337-1191.
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW.
HANDICAPPED ACCESSIBLE

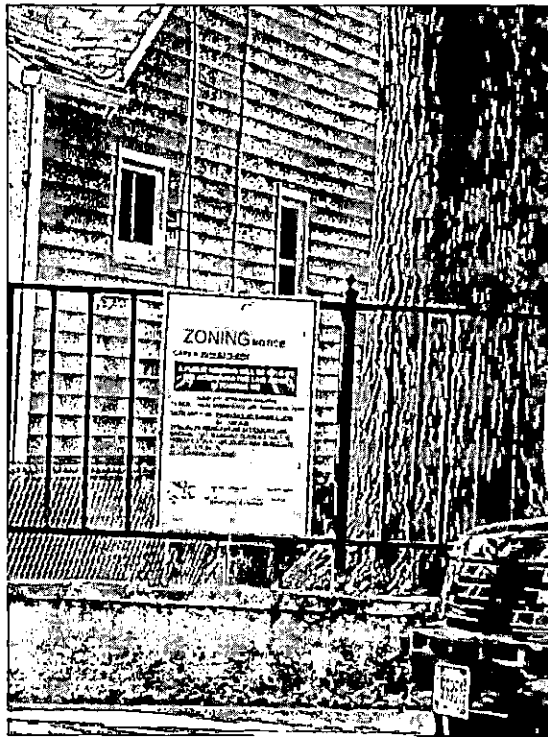
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



Re-Photographed 1st Sign @ 32 Stemmers Run Rd. ~ 9/29/2019



Re-Photographed 2nd Sign @ 32 Stemmers Run Rd. ~ 9/29/2019

CASE # 2019-0371-SPH

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 9/13/2019

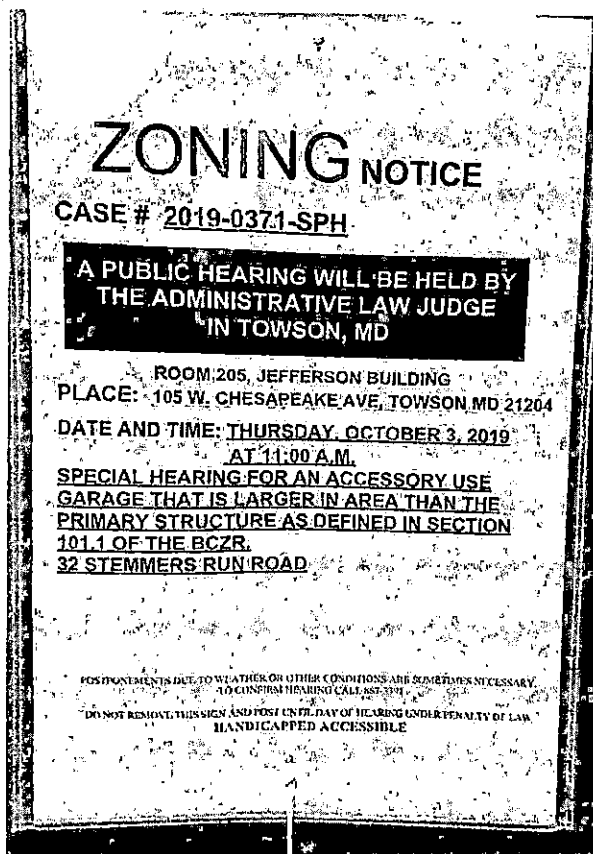
Case Number: 2019-0371-SPH

Petitioner / Developer: MR. & MRS. ECKERT ~ LEE GIROUX

Date of Hearing: OCTOBER 3, 2019

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

The sign(s) were posted on: SEPTEMBER 13, 2019



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



Background Photo 1st Sign @ 32 Stemmers Run Rd. ~ 9/12/2019



Background Photo 2nd Sign @ 32 Stemmers Run Rd. ~ 9/13/2019
CASE # 2019-0371-SPH

**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 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: 2019-0371-SPH
Property Address: 32 STEMMERS RUN ROAD
Property Description: _____

Legal Owners (Petitioners): EUGENE / LEA ECKERT
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: EUGENE ECKERT
Company/Firm (if applicable): _____
Address: 32 STEMMERS RUN RD
ESSEX, MD 21221

Telephone Number: 443/992-3306

Revised 7/9/2015



JOHN A. OLSZEWSKI, JR.
County Executive

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

September 26, 2019

Lee Giroux
29 Bee Tree Cr.
New Freedom PA 17349

RE: Case Number: 2019-0371-SPH, 32 Stemmers Run 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 June 18, 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.", written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 7/11/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-371



INFORMATION:

Property Address: 32 Stemmers Run Road
Petitioner: Eugene Eckert, Lea Schaefer Eckert
Zoning: BL, BR
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for special hearing to permit an accessory structure (garage) that is larger in area than the principal structure.

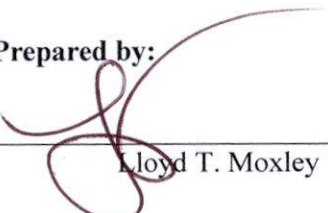
A site visit was conducted on Friday, June 28, 2019.

The Department of Planning has no objection to granting the petitioned zoning relief conditioned upon the following:

- The accessory structure shall not be used for principal residential or for commercial purposes.
- No separate utility meter shall be permitted.

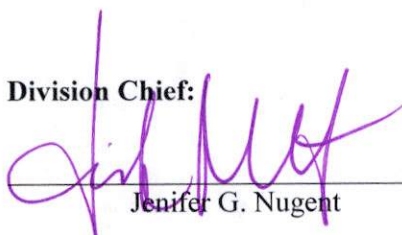
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

CPG/JGN/LTM/

c: Krystle Patchak
Lee Giroux
Office of the Administrative Hearings
People's Counsel for Baltimore County

10-3-19

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: July 11, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0371-SPH
Address 32 Stemmers Run Road
(Eckert & Schafer Property)

Zoning Advisory Committee Meeting of **June 24, 2019,**

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

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Additional Comments:

A variance to the Law for the Protection of Water Quality, Streams, Wetlands, and Floodplains is required in order to build a structure within the required 75-foot buffer off the apparent stream on the adjacent property. The buffer must also be recorded as a Forest Buffer Easement wherever it overlaps with the subject property.

Reviewer: Libby Errickson

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 6/26/19

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

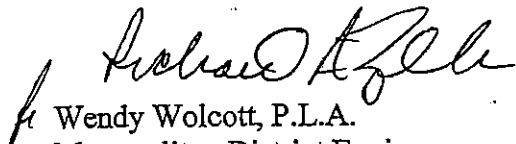
Dear Ms. Lewis:

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. 2019-0371-SPH.

*Special Hearing
Eugene Eckert, Lea Schaefer
32 Stemmers Run Road*

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

Sincerely,


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

WW/RAZ

10-3-19

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: July 11, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0371-SPH
Address 32 Stemmers Run Road
(Eckert & Schafer Property)

Zoning Advisory Committee Meeting of **June 24, 2019**,

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

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Additional Comments:

A variance to the Law for the Protection of Water Quality, Streams, Wetlands, and Floodplains is required in order to build a structure within the required 75-foot buffer off the apparent stream on the adjacent property. The buffer must also be recorded as a Forest Buffer Easement wherever it overlaps with the subject property.

Reviewer: Libby Errickson

ORDER RECEIVED FOR FILING

Date

By

CASE NAME 32 Skimmers Run Rd
CASE NUMBER 2019-0371-SPH
DATE _____

[illegible]

2019 371-SPH

Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 15 Account Number - 1519640081			
Owner Information					
Owner Name:	ECKERT EUGENE SCHAEFER LEA		Use:	RESIDENTIAL	
Mailing Address:	32 STEMMERS RUN RD BALTIMORE MD 21221-3630		Principal Residence:	YES	
			Deed Reference:	/29808/ 00015	
Location & Structure Information					
Premises Address:	32 STEMMERS RUN RD 0-0000		Legal Description:	PT LT 1 32 STEMMERS RUN RD BETZ PLAT	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0090	0022	0561	-	0000	
					Block:
					1
					Assessment Year:
					2018
					Plat No:
					0007/ 0120
Special Tax Areas:			NONE		
Primary Structure Built			Above Grade Living Area		
1967			1,107 SF		
Finished Basement Area			Property Land Area		
600 SF			11,648 SF		
County Use			04		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
4	YES	STANDARD UNIT	BRICK	2 full	1 Carport
Last Major Renovation					
Value Information					
Base Value		Value		Phase-In Assessments	
As of		As of		As of	
01/01/2018		01/01/2018		07/01/2018	
Land:	55,400	55,400			
Improvements	121,900	140,700			
Total:	177,300	186,100	183,567		189,833
Preferential Land:	0				0
Transfer Information					
Seller: HOFFMAN KENNETH DONALD		Date: 08/25/2010		Price: \$207,000	
Type: ARMS LENGTH IMPROVED		Deed1: /29808/ 00015		Deed2:	
Seller: HAILE SOLOMON GIRMA		Date: 10/07/2009		Price: \$76,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /28723/ 00190		Deed2:	
Seller: HAILE SOLEMAN GIRMA		Date: 08/28/2008		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /24375/ 00733		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: Approved 09/14/2010					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

FRONT OF SUBJECT PROPERTY

1



PETITIONER'S

EXHIBIT NO.

2

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>7/11</u>	DEPS (if not received, date e-mail sent _____)	<u>Comment</u>
_____	FIRE DEPARTMENT	_____
<u>7/11</u>	PLANNING (if not received, date e-mail sent _____)	<u>NO Objection w/conditions</u>
<u>6/26</u>	STATE HIGHWAY ADMINISTRATION	<u>No Objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>9/13/19</u>	
SIGN POSTING (1 st)	Date: <u>9/13/19</u>	by <u>O'Keefe</u>
SIGN POSTING (2 nd)	Date: <u>9/29/19</u>	by <u>O'Keefe</u>
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: None		Special Tax Recapture: None							
Exempt Class: None									
Account Identifier:		District - 15 Account Number - 1519640081							
Owner Information									
Owner Name:		ECKERT EUGENE SCHAEFER LEA				Use: Principal Residence:		RESIDENTIAL YES	
Mailing Address:		32 STEMMERS RUN RD BALTIMORE MD 21221-3630				Deed Reference:		/29808/ 00015	
Location & Structure Information									
Premises Address:		32 STEMMERS RUN RD 0-0000				Legal Description:		PT LT 1 32 STEMMERS RUN RD BETZ PLAT	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0090	0022	0561	15050042.04	0000			1	2018	Plat Ref: 0007/0120
Special Tax Areas: None					Town:		None		
					Ad Valorem:		None		
					Tax Class:		None		
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1967		1,107 SF		600 SF		11,648 SF		04	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements		
1	YES	STANDARD UNIT	BRICK/	3	2 full	1 Carport			
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2018		07/01/2019		07/01/2020	
Land:		55,400		55,400					
Improvements		121,900		140,700					
Total:		177,300		196,100		189,833		196,100	
Preferential Land:		0						0	
Transfer Information									
Seller: HOFFMAN KENNETH DONALD				Date: 08/25/2010		Price: \$207,000			
Type: ARMS LENGTH IMPROVED				Deed1: /29808/ 00015		Deed2:			
Seller: HAILE SOLOMON GIRMA				Date: 10/07/2009		Price: \$76,000			
Type: NON-ARMS LENGTH OTHER				Deed1: /28723/ 00190		Deed2:			
Seller: HAILE SOLEMAN GIRMA				Date: 08/28/2006		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /24375/ 00733		Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2019		07/01/2020			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Tax Exempt: None		Special Tax Recapture: None							
Exempt Class: None									
Homestead Application Information									
Homestead Application Status: Approved 09/14/2010									
Homeowners' Tax Credit Application Information									

GARAGE is needed for STORAGE

#32 STEMMERS Run Rd. (BACKYARD)



CASE NO. 2019-0371-SPH

#32
STEMMER'S Run Rd. (Front)

Subject
Property
#32



CASE NO. 2019-0371-SPH



Front of home

3



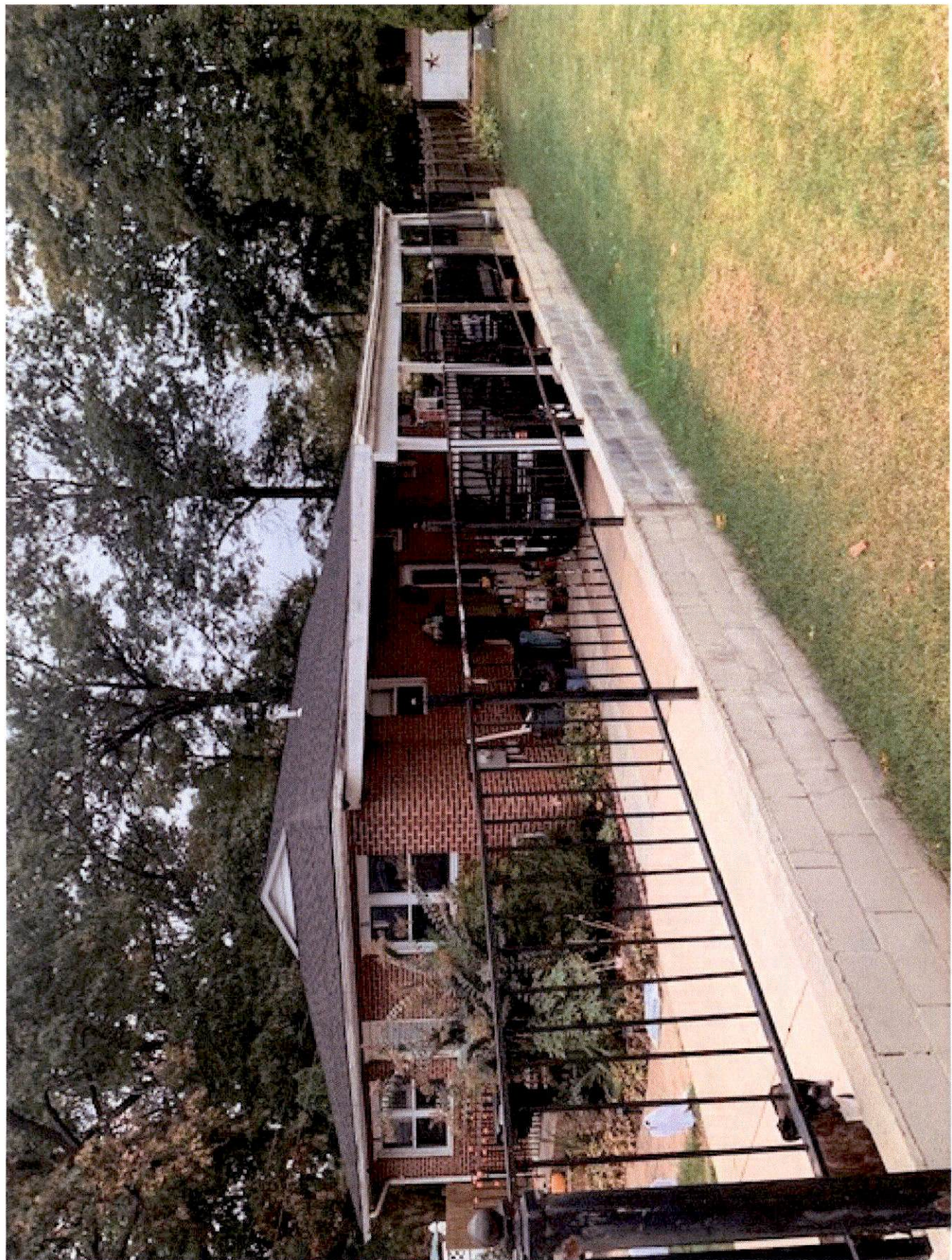
Back



4



2





----- Forwarded message -----

From: **Comcast** <gene.eckert@comcast.net>

Date: Thu, Oct 3, 2019, 8:54 AM

Subject: What garage will look like

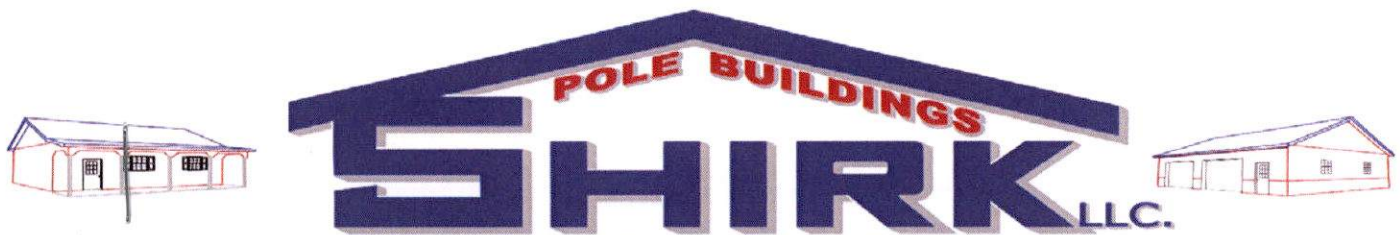
To: Lee Giroux <giroux.lee@gmail.com>



Gene Eckert
443-992-3306



Gene Eckert
443-992-3306



807 READING RD EAST EARL PA 17519
877-845-6888 FAX 717-445-3001 www.shirkpolebuildings.com

Quoted by Leon Sensenig

NEW BUILDING QUOTE

DATE

NAME:	GENE ECKERT	12/27/18
STREET:	32 STEMMERS RUN ROAD	
TOWN:	ESSEX, MD 21221	
PHONE:	443-992-3306	
EMAIL:	eeckert@alpacker.com	
	<u>NEW BUILDING SPECIFICATIONS</u>	
SIZE:	30' WIDE X 40' LONG X 12'4" POST & FRAME BUILDING	
EAVES:	12" ROOF OVERHANG ON 2 SIDES W/ VENTED SOFFIT	
GABLES:	FLUSH GABLE WITH 6" X 6" RAKE TRIM	
ROOF:	4/12 PITCH PRE-ENGINEERED ROOF TRUSSES 4' OC.	
ROOFING:	VALSPAR 28 GAUGE G-100 40 YEAR PAINTED STEEL PANELS	
SIDING:	VALSPAR 28 GAUGE G-100 40 YEAR PAINTED STEEL PANELS	
TRIM:	VALSPAR 28 GAUGE 40 YEAR PAINTED STEEL	
DOORS:	1-3' X 6'8" WHITE 6 PANEL VINYL & FIBERGLASS ENTRY DOOR	
DOORS:	2-10' X 10' WHITE INSULATED OVERHEAD DOORS IN GABLE END	
DOOR TRIM:	SQUARE CORNERS ON OVERHEAD DOOR OPENINGS	
RIDGEVENT:	40' OF CONTINUOUS LOW PROFILE RIDGEVENT	
POSTS:	3 PLY 2X6 GLU-LAM POSTS	

GUTTER & CONCRETE FLOOR NOT AVAILABLE BY SHIRK AT THIS DISTANCE FROM EAST EARL, PA

	<u>TOTAL PRICE</u>	\$16,000.00
	(PRICE INCLUDES MATERIALS, LABOR AND DELIVERY)	
OPTION#1:		
OPTION#2:		
	<u>TOTAL PRICE WITH ALL OPTIONS</u>	\$16,000.00
30 DAY QUOTE	TRASH REMOVAL, STONE BASE AND SITE LEVELING NOT INCLUDED	

COMMERCIAL - AGRICULTURAL - RESIDENTIAL

Mail body: Fwd: What garage will look like

----- Forwarded message -----

From: **Comcast** <gene.eckert@comcast.net>

Date: Thu, Oct 3, 2019, 8:54 AM

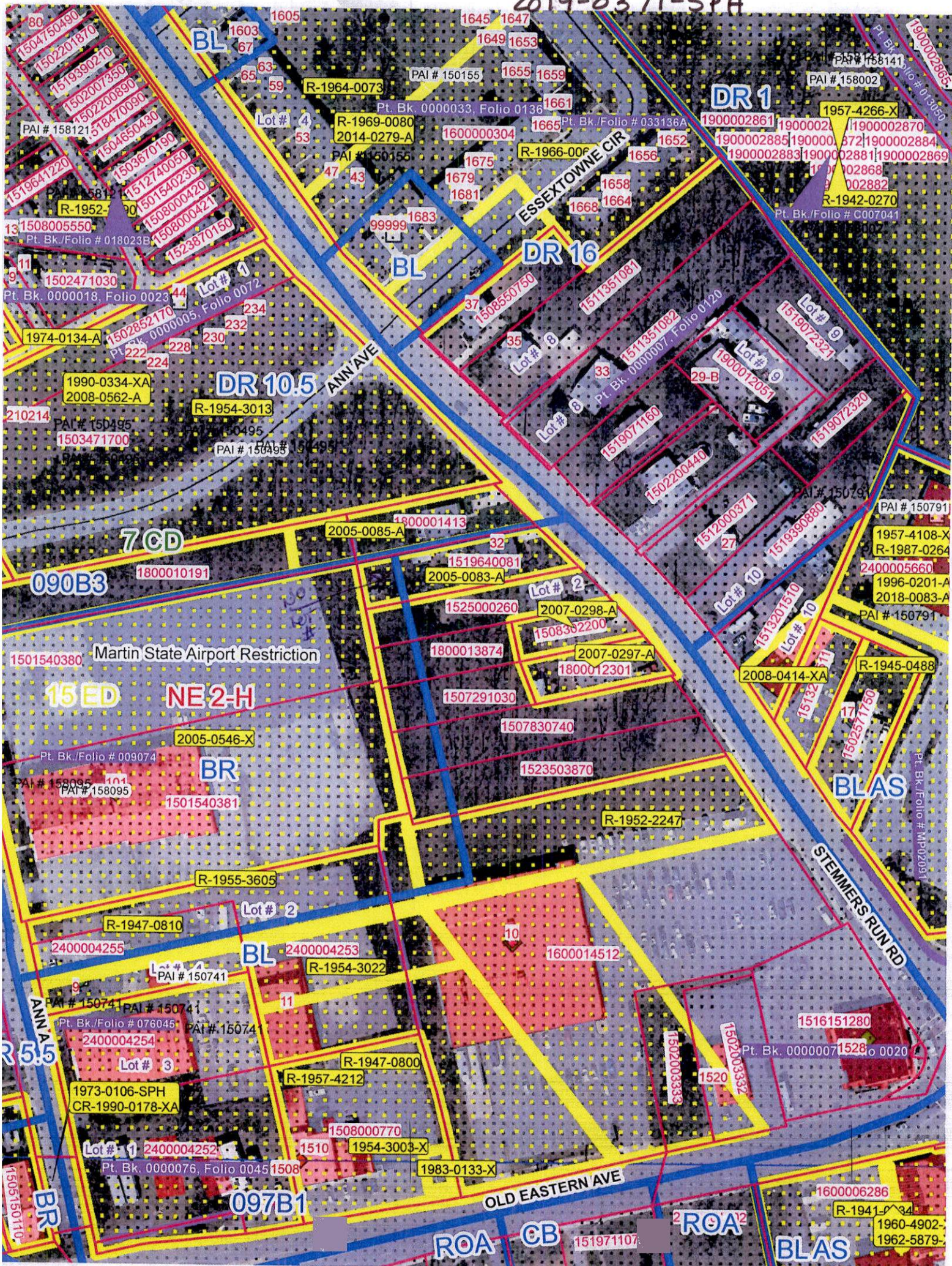
Subject: What garage will look like

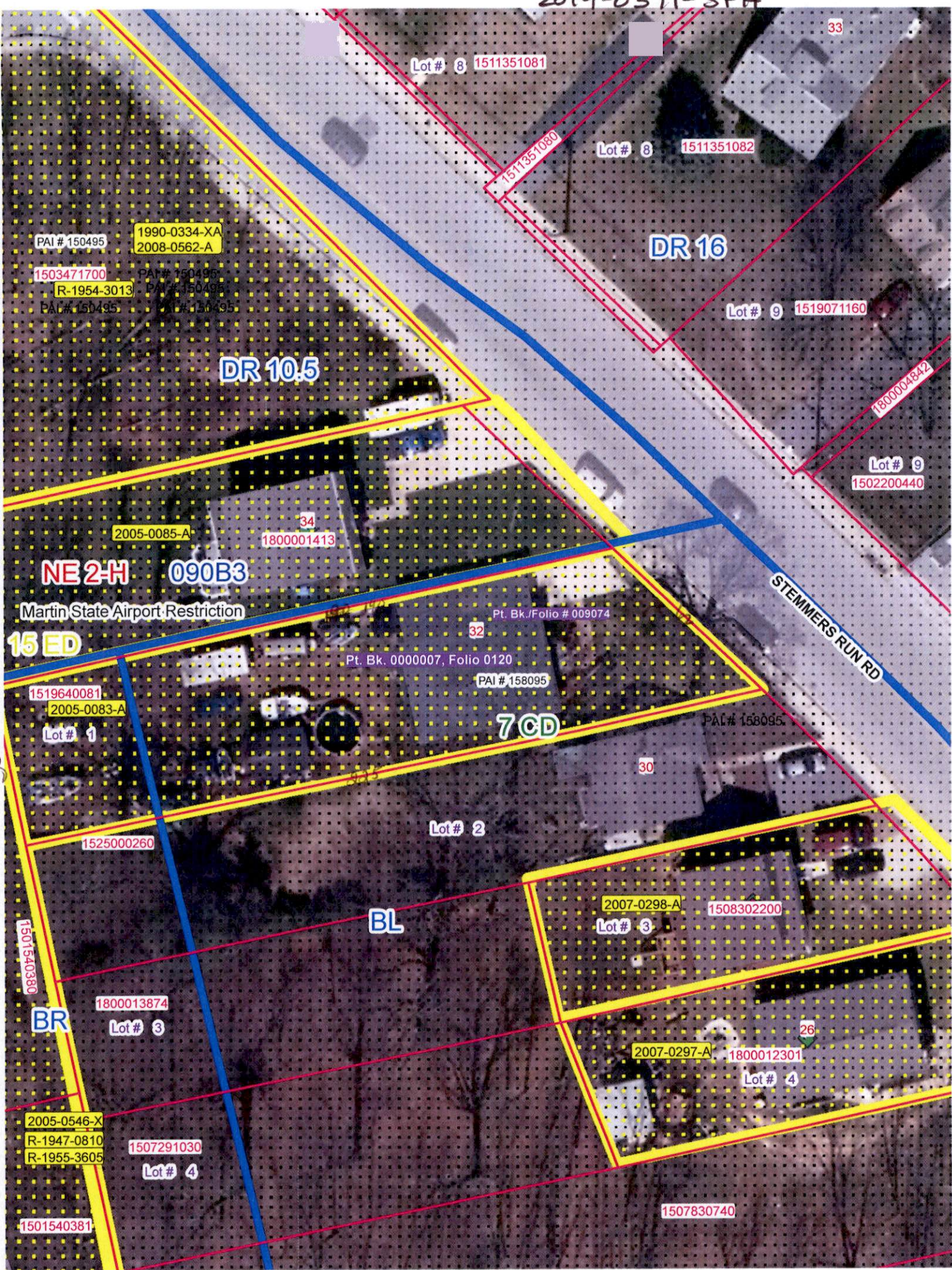
To: Lee Giroux <giroux.lee@gmail.com>



Gene Eckert
443-992-3306

2017-05-11-SPH





Lot # 8 1511351081

Lot # 8 1511351082

DR 16

Lot # 9 1519071160

Lot # 9
1502200440

DR 10.5

PAI # 150495

1990-0334-XA
2008-0562-A

1503471700

R-1954-3013

PAI # 150495

PAI # 150495

PAI # 150495

PAI # 150495

2005-0085-A

34
1800001413

NE 2-H

090B3

Martin State Airport Restriction

15 ED

1519640081

2005-0083-A

Lot # 1

Pt. Bk./Folio # 009074

32

Pt. Bk. 0000007, Folio 0120

PAI # 158095

7 CD

PAI # 158095

30

Lot # 2

1525000260

BL

2007-0298-A

Lot # 3

1508302200

BR

1800013874

Lot # 3

2005-0546-X

R-1947-0810

R-1955-3605

1507291030

Lot # 4

2007-0297-A

1800012301

Lot # 4

26

1501540381

1507830740

STEMMERS RUN RD

Hand-drawn site plan of a property, likely a residential lot, showing various structures, dimensions, and annotations. The plan is oriented diagonally on the page.

Top Boundary (Stemmer's Ave): Labeled "STEMMER'S AVE" and "ESSEX TOWN". A dimension of 165' is marked along this boundary.

Left Boundary (50' wide): A dimension of 50' is marked along the left boundary.

Right Boundary (50' wide): A dimension of 50' is marked along the right boundary.

Internal Structures and Dimensions:

- Top Left Structure:** A small rectangular structure labeled "40' SED 34'". Dimensions: 40' (width), 34' (length), 26' (width), 46' (length).
- Top Right Structure:** A structure labeled "ROOS-COBB" and "1107 40'". Dimensions: 40' (width), 32' (length), 1107' (length).
- Bottom Left Structure:** A structure labeled "40' PROPOSED GARAGE 112004". Dimensions: 40' (width), 30' (length), 8' (width), 110' (length).
- Bottom Center Structure:** A structure labeled "EUGENE DEPT LEA SHAWER". Dimensions: 82' (width), 225' (length).
- Bottom Right Structure:** A structure labeled "40' SED 30'". Dimensions: 40' (width), 30' (length), 36' (width), 46' (length).

Other Annotations:

- ACCT# 150001413** and **2005-0085A** are written near the top left.
- ACCT# 151904481** is written near the bottom left.
- ACCT# 1525000260** is written near the bottom center.
- ACCT# 150001413** and **2005-0085A** are written near the top right.
- ACCT# 150001413** and **2005-0085A** are written near the bottom right.
- ACCT# 150001413** and **2005-0085A** are written near the bottom right.
- ACCT# 150001413** and **2005-0085A** are written near the bottom right.

Handwritten Notes:

- Subject Property** (written in blue ink).
- PROPOSED 30'x40'x15' Detached Garage** (written in blue ink).
- FORMERLY BACK RIVER NECK (B.)** (written in blue ink).
- 1501540380** and **BL/BR** (written in blue ink).

DATE June 12, 2019 SCALE: 1 INCH = 40' FEET

MAP IS NOT TO SCALE

SITE ZONED BR/BL

ELECTION DISTRICT 15

COUNCIL DISTRICT 7

LOT AREA ACREAGE —

OR SQUARE FEET 11,648

HISTORIC? N/A

IN CBCA? NO

IN FLOOD PLAIN ? NO

UTILITIES ? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE

SEWER IS:

PUBLIC ☒ PRIVATE ☐

PRIOR HEARING? _____

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

2005-0083-A (CARPORT)

Approved CARPORT

VIOLATION CASE INFO:

N/A

PETITIONER' S

EXHIBIT NO. 7

CASE NO. 2019-0371-SPH