

MEMORANDUM

DATE: November 15, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0401-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on November 14, 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**

(2526 Caves Road) *

4th Election District *

2nd Council District *

Chandler B. & Lena W. Denison *

Legal Owners *

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0401-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 Chandler B. & Lena W. Denison legal owners (“Petitioners”). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to approve a waiver to allow a setback of 2 ft. from a proposed rebuilt detached garage to a riverine floodplain freeboard in lieu of the required minimum setback of 20 ft. In addition, a Petition for Variance was filed: (1) to allow an accessory building (proposed rebuilt detached garage) to be located in the front yard of the principal building in lieu of the required rear yard location; and (2) to allow an accessory building (proposed rebuilt detached garage) with a height of 25 ft. in lieu of the maximum allowed 15 ft. A site plan, prepared by Geoffrey Schultz , professional land surveyor from Polaris Land Consultants was marked and accepted into evidence as Petitioners’ Exhibit 1. The property is approximately 3.3 acres It is west of Caves road and south of Park Heights avenue. It is zoned RC2.

Chandler & Lena Denison appeared in support of the requests. They were represented by Adam Rosenblatt, Esquire. 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”) comments were received from the Bureau of Development Plans Review

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Date 10/15/19

By Sen

("DPR"), the Department of Environmental Protection and Sustainability ("DEPS") and the Department of Public Works ("DPW"). None of the agencies opposed the requested relief.

Because the Petition was unopposed I allowed Mr. Rosenblatt to proffer the general facts and bases for the requested relief. He proffered Mr. Schultz's credentials and offered him as an expert (while explaining he was not physical present). I accepted Schultz as an expert for purposes of the Site Plan that he had researched and created. (Exhibit 1). Mr. Rosenblatt explained that the Denisons purchased the property in 2012 and that a nearly 200 year old residence was on the property as well as a 100 year old garage structure. Both structures were in a state of deterioration and the Denisons are therefore razing both structures and replacing them with modern structures more suitable to their family's needs. Mr. Rosenblatt explained that FEMA has erroneously placed a small finger of the property near the garage within their 100 year floodplain map (this piece of the property is depicted on the Site Plain as a long, narrow strip extending up from the actual floodplain area). Mr. Denison, who is himself an engineer, testified extensively about the unique features and dimensions of the property, which includes a pond. He testified to the many landscaping improvements they have made, including native plantings around the pond to protect its water quality. Mr. Denison identified two aerial photos, one current (Exhibit 2a) and one which was taken in 1937 (Exhibit 2b). He explained that the 1937 photo shows that, due to the layout of the site, the garage structure was located in front of the residence, in the same place as the new proposed garage will be. Mr. Denison then explained that he hired a professional engineer for the purpose of filing a Letter of Map Amendment (LOMA) with FEMA to update the Flood Insurance Rate Map (FIRM), and that this LOMA was approved by FEMA on February 4, 2019 (Case No. 19-03-0230A). As a result, FEMA no longer considers this finger of the property to be in the floodplain. Mr. Denison testified that this part of the property never experiences any flooding. He

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testified that he and Mr. Schultz have met on several occasions with the Department of Public Works (DPW) and that DPW agrees that, based on the LOMA that the finger of land in question is not in the floodplain and that the proposed garage structure is therefore not in violation of BCC Sec. 32-4-414 (c) (2). The DPW comment in the file confirms this fact. Mr. Denison further explained, with reference to the Site Plan and to a series of photos (Exhibit 3), that there are significant environmental constraints that preclude erecting the new garage to the rear of the principal residence as required by the BCZR. The comments from the Department of Planning confirm this fact and DOP does not oppose the Plan, in part because “[t]he proposed structure (garage) will not be visible from Park Heights Avenue.” As shown in the Exhibit 3 photos, the site is will screened from all surrounding residences.

Mr. Denison testified that the original residence had a basement that they used for storage and that the new home they are building will be on a slab, with no basement. This is why they are requesting the height variance on the property, because there will be extensive storage on the second level to replace the basement storage they are losing. He testified that the garage will never be used for residential or commercial purposes.

SPECIAL HEARING

BCZR Sec. 500.7 authorizes the Administrative Law Judge to grant the requested waiver pursuant to Sec. 500.6 of BCC Secs. 32-4-414, 32-4-107, and 32-8-301 in order to allow construction of the new garage with a setback of 2 feet from a Riverine Floodplain Freeboard in lieu of the required 20 foot setback as per the DPW Design Manual Plate DF-1.

As explained above, the floodplain issue was generated by an erroneous FEMA map which Mr. Denison has taken the time, money, and energy to correct by way of a LOMA. The

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By Den

County's DPW concurs that this finger of land is not actually in the floodplain and DPW does not oppose the requested relief. The relief will therefore be granted.

VARIANCE

As to the variance, it requires 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.

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

As described above, and as recognized by the DOP, this property is oddly shaped and has significant inherent environmental features which make it unique. With specific regard to the location of the proposed garage, it is noteworthy that it will simply replace an existing garage which has been in the same footprint for 100 years. It must be located in that area of the property because of the pond and floodplain in the rear of the principal residence. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct the proposed detached garage. With regard to the requested height variance, the Denisons would have a dire shortage of storage space if they were forced to comply with the 15 foot height limitation on the garage. The garage is well screened from neighboring properties and, as noted by the DOP, will not be visible from Park Heights Avenue. I therefore find that this relief is appropriate. I also find that the variances 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 15th day of **October, 2019**, by this Administrative Law Judge, that the Petition for Special Hearing to approve a waiver to allow a setback of 2 ft.

ORDER RECEIVED FOR FILING

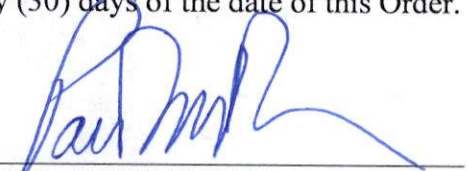
from a proposed rebuilt detached garage to a riverine floodplain freeboard in lieu of the required minimum setback of 20 ft., be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance (1) to allow an accessory building (proposed rebuilt detached garage) to be located in the front yard of the principal building in lieu of the required rear yard location; and (2) to allow an accessory building (proposed rebuilt detached garage) with a height of 25 ft. in lieu of the maximum allowed 15 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.
2. Petitioners shall comply with and satisfy each of the comments of the Department of Environmental Protection and Sustainability which are contained in the case file.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:sln

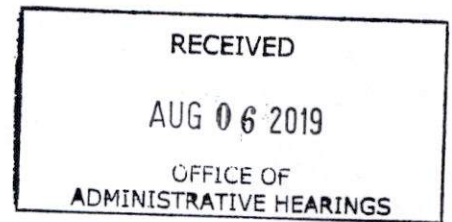
ORDER RECEIVED FOR FILING

Date 10/15/19
By Den

(AV) 8-12-19

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: August 6, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0401-SPHA
Address 2526 Caves Road
(Denison Property)

Zoning Advisory Committee Meeting of **July 29, 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).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

1. A variance to the Law for the Protection of Water Quality, Streams, Wetlands, and Floodplains will be required to allow the continued use of the forest buffer. Forest Buffer Easement must be recorded with Declaration of Protective Covenants.
2. A Single Lot Declaration of Intent will be required to satisfy Forest Conservation Law.

Reviewer: Libby Errickson

ORDER RECEIVED FOR FILING

Date 10/15/19

By Den



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 2526 CAVES ROAD which is presently zoned RC-2
 Deed References: 32468 / 229 10 Digit Tax Account # 0423053020
 Property Owner(s) Printed Name(s) CHANDLER B. & LENA W. DENISON

(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 a waiver pursuant to Section 500.6 BCZR; Part 125.2 Building Code; and Sections 32-4-414, 32-4-107, (a)(2), 32-8-301 BCC to allow a setback of 2 feet from a Proposed Rebuilt Detached Garage to a Riverine Floodplain Freeboard in lieu of the required minimum setback of 20 feet as per Baltimore County DPW Design Manual Plate DF-1.
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a **Variance** from Section(s)

400.1 to allow an accessory building (proposed rebuilt detached garage) to be located in the front yard of the principal building in lieu of the required rear yard location and, 400.3 to allow an accessory building (proposed rebuilt detached garage) with a height of 25 feet in-lieu-of the maximum allowed 15 feet.

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:

N/A
 Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

N/A
 Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

CHANDLER B. DENISON / LENA W. DENISON
 Name #1 - Type or Print Name #2 - Type or Print

☒ [Signature] ☒ [Signature]
 Signature #1 Signature #2

2526 CAVES ROAD OWINGS MILLS MD
 Mailing Address City State

21117 443-765-0053 CHANDLER.DENISON@HOTMAIL.COM
 Zip Code Telephone # Email Address

Representative to be contacted:

GEOFFREY SCHULTZ
 Name - Type or Print

[Signature]
 Signature

57 W. TIMONIUM RD. TIMONIUM MD
 Mailing Address City State

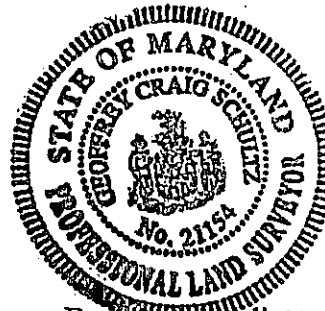
21093 410-252-4444 GSCHULTZ@POLARISLC.COM
 Zip Code Telephone # Email Address

CASE NUMBER 2019-0401-SPHA Filing Date 7/19/19 Do Not Schedule Dates: _____ Reviewer CP



57 WEST TIMONIUM ROAD
SUITE 210
TIMONIUM, MD 21093
PHONE: (410) 252-4444
WWW.POLARISLC.COM

Zoning Description of
2526 Caves Road
4th Election District
2nd Councilmanic District
Baltimore County, MD



Beginning at a point on the Northeast side of Caves Road, at the distance of 900 feet more or less Southwest of the center of Park Heights Avenue, thence running Northwesterly 1100 feet to the true point of beginning, thence running 1) S 89° 19' 00" W 382.15 feet, 2) N 25° 39' 10" W 324.19 feet, 3) N 65° 40' 30" E 196.88 feet, 4) S 70° 06' 40" E 385.45 feet, 5) S 12° 34' 30" W 77.87 feet, 6) by a curve to the left with a radius of 400.00 feet and an arc length of 148.62 feet, and 7) by a curve to the left with a radius of 250.00 feet and an arc length of 14.19 feet to the point of beginning.

Containing 3.336 acres of land. as recorded in deed Liber 32468 Folio 229.

2019-0401 - SPHA



JOHN A. OLSZEWSKI, JR.
County Executive

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

September 5, 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: 2019-0401-SPHA

2526 Caves Road

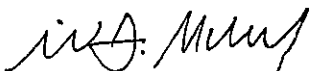
N/east side of Caves Road, 900 ft. s/w of Park Heights Avenue

4th Election District – 2nd Councilmanic District

Legal Owners: Chandler & Lena Denison

Special Hearing to approve a waiver pursuant to Section 500.6 BCZR Part 125.2 Building Code and Section 32-4-414, 32-4-107, (a)(2), 32-8-301 BCC to allow a setback of 2 feet from a Proposed Rebuilt Detached Garage to a Riverine Floodplain Freeboard in lieu of the required minimum setback of 20 feet as per Baltimore County DPW Design Manual Plate DF-1. Variance to allow an accessory building (proposed rebuilt detached garage) to be located in the front yard of the principal building in lieu of the required rear yard location and 400.3 to allow an accessory building (proposed rebuilt detached garage) with a height of 25 feet in lieu of the maximum allowed 15 feet.

Hearing: Thursday, October 10, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Michael Mallinoff
Director

MM:kl

C: Mr. & Mrs. Denison, 2526 Caves Road, Owings Mills 21117
Geoffrey Schultz, 57 W. Timonium Road, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, SEPTEMBER 20, 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, September 20, 2019 - Issue

Please forward billing to:
Chandler Denison
2526 Caves Road
Owings Mills, MD 21117

443-765-0053

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: 2019-0401-SPHA

2526 Caves Road

N/east side of Caves Road, 900 ft. s/w of Park Heights Avenue

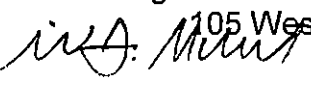
4th Election District – 2nd Councilmanic District

Legal Owners: Chandler & Lena Denison

Special Hearing to approve a waiver pursuant to Section 500.6 BCZR Part 125.2 Building Code and Section 32-4-414, 32-4-107, (a)(2), 32-8-301 BCC to allow a setback of 2 feet from a Proposed Rebuilt Detached Garage to a Riverine Floodplain Freeboard in lieu of the required minimum setback of 20 feet as per Baltimore County DPW Design Manual Plate DF-1.

Variance to allow an accessory building (proposed rebuilt detached garage) to be located in the front yard of the principal building in lieu of the required rear yard location and 400.3 to allow an accessory building (proposed rebuilt detached garage) with a height of 25 feet in lieu of the maximum allowed 15 feet.

Hearing: Thursday, October 10, 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 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
AND VARIANCE * OF ADMINISTRATIVE
2526 Caves Road; NE/S of Caves Road, *
900' SW of Park Heights Avenue * HEARINGS FOR
4th Election & 2nd Councilmanic Districts *
Legal Owner(s): Chandler & Lena Denison * BALTIMORE COUNTY
Petitioner(s) *
* 2019-401-SPHA

* * * * *

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
AUG 02 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 2nd day of August, 2019, a copy of the foregoing Entry of Appearance was mailed to Geoffrey Schultz, 57 West Timonium Road, Timonium, Maryland 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

LS

10-10-19
2:30 PM

Debra Wiley

From: Larry Pilson <lpilson@hotmail.com>
Sent: Sunday, October 6, 2019 11:00 AM
To: Administrative Hearings; Kristen L Lewis; Chandler Denison
Subject: 2019-0401-SPHA 2526 Caves Road Recertification
Attachments: 2526 Caves Road Recert.pdf; DSC_0891.JPG; DSC_0892.JPG

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

CERTIFICATE OF POSTING

Date: 10-6-19

RE: Case Number: 2019-0401-SPHA RECERT

Petitioner/Developer: Danison

Date of Hearing/Closing: 10-10-19 1:30PM

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 2526 Caves Rd

The sign(s) were posted on RECERT ON 10-6-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

CASE # 2019-0401-SPHA

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

PLACE: JEFFERSON BUILDING ROOM 205
100 N. CHESAPEAKE AVE. CHESAPEAKE VA 23134
12:30 PM

PLACE: 105 W. CHESAPEAKE AVE. CHESAPEAKE, VA 23024
DATE AND TIME: THURS. OCT. 18, 2018 1:30 PM
SPECIAL HEARING TO APPROVE A W/

105 W. CLYDE AVE
DATE AND TIME: THURS OCT 10 2019 1:30 PM
REQUEST: SPECIAL HEARING TO APPROVE A WAIVER PRESENT
TO SECTION 500-C DEER PARK 1254 BUILDING CODE AND SECTION
32-3-414, 32-3-410 (1)(2), 32-3-202 TO ALLOW A SIGN ON DEER
FROM A PROMISED REDUCED GARAGE TO A PERMITTED CORRAL
PER BALTIMORE COUNTY PARK DESIGN HANDED PLATE 07-11
ON AN ACCESSORY BUILDING (PROMISED SIGN)
LOCATED IN THE FRONT YARD OF THE PARK
REAR YARD LOCATION AND
PERMANENT SIGN

32-4-100
FROM A PROPOSED MAP
PREPARED IN VIEW OF THE 1980
PER FAIRHOPPE COUNTY PLANNING HANDBOOK
VARIANCE TO ALLOW AN ACCESSORY BUILDING (DETACHED GARAGE)
DETACHED GARAGE) TO BE LOCATED IN THE FRONT YARD OF THE PROPOSED
CIPAL BUILDING IN VIEW OF THE REQUIRED SETBACK LOCATION AND
ACCESS TO ALLOW AN ACCESSORY BUILDING (DETACHED GARAGE)
GARAGE) WITH A HEIGHT OF 15 FEET IN VIEW OF THE HANDBOOK
ALLOWED 15 FEET

HIDDED 15 FEET

#2
ZONING NOTICE

CASE # 2019-0401-SPHA

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

PLACE: JEFFERSON BUILDING ROOM 205
105 W. CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: THURS. OCT. 10, 2019 11:30 PM

REQUEST: SPECIAL HEARING TO APPROVE A WAIVER PURSUANT
TO SECTION 500.6 BZC PART 252 BUILDING CODE AND SECTION 22-4-214
32-A-167.1(a)(2) 32-B-201 BCC TO ALLOW A SETBACK OF 2 FEET FROM A
PROPOSED REBUILT DETACHED GARAGE TO A RIVERING FLOODPLAIN FREE-
BOARD IN LIEU OF THE REQUIRED MINIMUM SETBACK OF 20 FEET AS PER
Baltimore County DPW DESIGN MANUAL PAGE DF-1.

VARIANCE TO ALLOW AN ACCESSORY BUILDING (PROPOSED REBUILT DE-
TACHED GARAGE) TO BE LOCATED IN THE FRONT YARD OF THE PRINCIPAL
BUILDING IN LIEU OF THE REQUIRED REAR YARD LOCATION AND 400.3
TO ALLOW AN ACCESSORY BUILDING (PROPOSED REBUILT DETACHED
GARAGE) WITH A HEIGHT OF 8 FEET IN LIEU OF THE MAXIMUM
(ALLOWED) 15 FEET

POSTED BY: [illegible]

ZONING NOTICE

CASE # 2019-0401-SPLA

A PUBLIC HEARING WILL BE HELD BY

ADMINISTRATIVE LAW JUDGE

IN TOWSON, MD

PLACE: JEFFERSON BUILDING ROOM 205

105 W. CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: THURS. OCT 10 2019 130 PM

REQUEST: SPECIAL HEARING TO APPROVE A WAIVER PURSUANT TO SECTION 500.6 BCCR PART 125.2 BUILDING CODE AND SECTION 32-4-414, 32-4-107(a)(2), 32-5-301 BCC TO ALLOW A SETBACK OF 2 FEET FROM A PROPOSED REBUILT DETACHED GARAGE TO A RIVERING FLOODPLAIN FREEBOARD IN LIEU OF THE REQUIRED MINIMUM SETBACK OF 20 FEET AS PER BALTIMORE COUNTY DPW DESIGN MANUAL PLATE DF-1.

VARIANCE TO ALLOW AN ACCESSORY BUILDING (PROPOSED REBUILT DETACHED GARAGE) TO BE LOCATED IN THE FRONT YARD OF THE PRINCIPAL BUILDING IN LIEU OF THE REQUIRED REAR YARD LOCATION AND 4.00.3 TO ALLOW AN ACCESSORY BUILDING (PROPOSED REBUILT DETACHED GARAGE) WITH A HEIGHT OF 25 FEET IN LIEU OF THE MAXIMUM ALLOWED 15 FEET.

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

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

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 2019-0401-SPHA

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

PLACE: JEFFERSON BUILDING ROOM 205

105 W. CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: THURS. OCT 10, 2019 1:30 PM

REQUEST: SPECIAL HEARING TO APPROVE A WAIVER PURSUANT
TO SECTION 500.6 BCZR PART 125.2 BUILDING CODE AND SECTION 32-4-414,
32-4-167, (a)(2), 32-8-301 BCC TO ALLOW A SETBACK OF 2 FEET FROM A
PROPOSED REBUILT DETACHED GARAGE TO A RIVERINE FLOODPLAIN FREE-
BOARD IN LIEU OF THE REQUIRED MINIMUM SETBACK OF 20 FEET AS PER
BALTIMORE COUNTY DPW DESIGN MANUAL PLATE DF-1.

VARIANCE TO ALLOW AN ACCESSORY BUILDING (PROPOSED REBUILT DE-
TACHED GARAGE) TO BE LOCATED IN THE FRONTYARD OF THE PRINCIPAL
BUILDING IN LIEU OF THE REQUIRED REAR YARD LOCATION AND 400.3
TO ALLOW AN ACCESSORY BUILDING (PROPOSED REBUILT DETACHED
GARAGE) WITH A HEIGHT OF 25 FEET IN LIEU OF THE MAXIMUM
ALLOWED 15 FEET.

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

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

HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

Date: 9-20-19

RE: Case Number: 2019-0401-SPHA

Petitioner/Developer: Denison

Date of Hearing/Closing: 10-10-19 1:30 PM

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 #2526 Caves Rd

The signs(s) were posted on 9-20-19

(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road

(Street Address of Sign Poster)

Parkton, MD 21120

(City, State, Zip Code of Sign Poster)

410-343-1443

(Telephone Number of Sign Poster)

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:

9/20/2019

Order #: 11789692
Case #: 2019-0401-SPHA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0401-SPHA



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 hereinafter as follows:

CASE NUMBER: 2019-0401-SPHA

2526 Caves Road

N/east side of Caves Road, 900 ft. s/w of Park Heights Avenue

4th Election District - 2nd Councilmanic District

Legal Owners: Chandler & Lena Denison

Special Hearing to approve a waiver pursuant to Section 500.6 BCZR Part 125.2 Building Code and Section 32-4-414, 32-4-107, (a)(2), 32-8-301 BCC to allow a setback of 2 feet from a Proposed Rebuilt Detached Garage to a Riverine Floodplain Freeboard in lieu of the required minimum setback of 20 feet as per Baltimore County DPW Design Manual Plate DF-1. Variance to allow an accessory building (proposed rebuilt detached garage) to be located in the front yard of the principal building in lieu of the required rear yard location and 400.3 to allow an accessory building (proposed rebuilt detached garage) with a height of 25 feet in lieu of the maximum allowed 15 feet.

Hearing: Thursday, October 10, 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 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.

s20

**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: 20 19-0401-SHA

Property Address: 2526 Caves Rd

Property Description: _____

Legal Owners (Petitioners): _____

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Chandler Denison Lena Denison

Company/Firm (if applicable): _____

Address: 2526 Caves Rd

OWINGS MILLS MD 21117

Telephone Number: 443-765-0053



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 02, 2019

Geoffrey Schultz
57 W. Timonium Road
Timonium MD 21093

RE: Case Number: 2019-0401-SPHA, 2526 Caves 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 July 19, 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
Chandler B. Denison 2526 Caves Road Owings Mills MD 21117

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Mallinoff, Director
Department of Permits, Approvals
MOL

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 29, 2019
Item No. 2019-0401-SPHA

DATE: 08/22/19

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

As per the attached letter dated August 21st 2019, from the Director of Public Works, approval of the waiver request for this project is granted.

*

*

*

*

*

VKD: cen
cc: File

BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE

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

ATTN: Kristen Lewis
MS 1105

FROM: Steven A. Walsh, Director
Department of Public Works

DATE: August 21, 2019

SUBJECT: Case No: 2019-0401-SPHA
2526 Caves Road, Owings Mills, Maryland 21117

RECEIVED
DEVELOPMENT PLANS REVIEW

AUG 28 2019

DEPARTMENT OF PERMITS
APPROVALS & INSPECTIONS

This is a Variance, Special Hearing to allow an accessory to be located in the front yard of the principal building in lieu of the required rear yard location.

The project site as shown on the "Plan to Accompany Special Hearing Request" dated July 22, 2019, is partially inside of the special flood hazard area (100-year flood plain) as shown on the Federal Emergency Management Agency, FEMA, Flood Insurance Rate Map, FIRM, Panel 2400100230F effective date September 26, 2008.

The property owner hired a professional engineer to file a Letter of Map Amendment, LOMA, with FEMA to update the effective FIRM. The LOMA was approved by FEMA on February 4, 2019, Case Number 19-03-0230A, modifying the special flood hazard area. Based on this LOMA the proposed location of the accessory structure is no longer within the special flood hazard area.

Baltimore County Code Sections 32-4-414 (c) (2) states *"Development in a floodplain prohibited; exceptions. The County may not permit development in a riverine floodplain except for: The installation of a pond, culvert, bridge, street, utility, or drainage facility that the county finds is not detrimental to floodplain management programs."*

The Department of Public Works recommends approval of the waiver request.

SAW/TWC/s

CC: Vishnubhai K. Desai, Chief, Development Plans Review and Building Plan Review
Kevin G. Wagner, Maryland Department of the Environment
Peter M. Zimmerman, People's Council

**BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE**

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

ATTN: Kristen Lewis
MS 1105

FROM: Steven A. Walsh, Director 
Department of Public Works

DATE: August 21, 2019

SUBJECT: Case No: 2019-0401-SPHA
2526 Caves Road, Owings Mills, Maryland 21117

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SAW/TWC/s

CC: Vishnubhai K. Desai, Chief, Development Plans Review and Building Plan Review
Kevin G. Wagner, Maryland Department of the Environment
Peter M. Zimmerman, People's Council

10-10-19

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM**



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

DATE: 8/14/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-401

INFORMATION:

Property Address: 2526 Caves Road
Petitioner: Chandler B. Denison, Lena W. Denison
Zoning: RC 2
Requested Action: Special Hearing, Variance

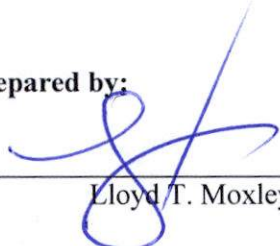
The Department of Planning has reviewed the petition for a special hearing and variance as indicated on said petitions.

A site visit was conducted on August 8, 2019. Staff observed significant environmental constraints on the subject site. The proposed accessory structure (garage) as proposed, will not be visible from Park Heights Avenue, a Baltimore County Scenic Route.

The Department has no objection to granting the petitioned zoning relief.

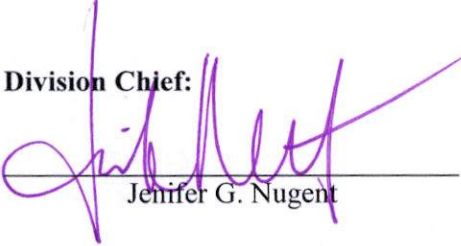
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

CPG/JGN/LTM/

c: Wally Lippincott
Geoffrey Schultz, Polaris Land Consultants
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

DATE: 8/14/2019

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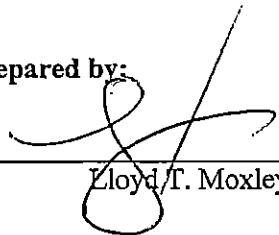
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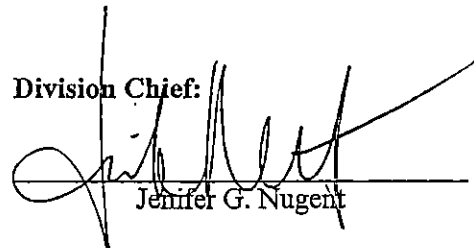
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Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

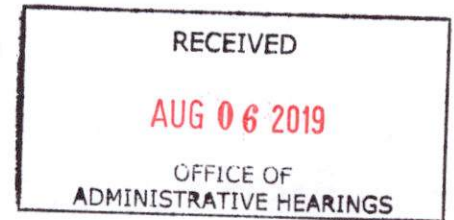
CPG/JGN/LTM/

c: Wally Lippincott
Geoffrey Schultz, Polaris Land Consultants
Office of the Administrative Hearings
People's Counsel for Baltimore County

(AV) 8-12-19

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: August 6, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0401-SPHA
Address 2526 Caves Road
(Denison Property)

Zoning Advisory Committee Meeting of **July 29, 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).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

1. A variance to the Law for the Protection of Water Quality, Streams, Wetlands, and Floodplains will be required to allow the continued use of the forest buffer. Forest Buffer Easement must be recorded with Declaration of Protective Covenants.
2. A Single Lot Declaration of Intent will be required to satisfy Forest Conservation Law.

Reviewer: Libby Errickson

Date: 7/31/19

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

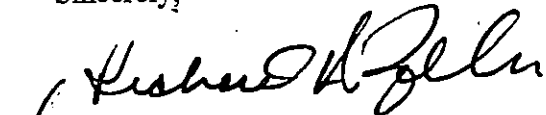
Dear Ms. Lewis:

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. **2019-0401-SPHA**

*Variance, Special Hearing
Chandler B. & Lena W. Denison
2526 Caves 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

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment8/22DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)Comment8/16DEPS
(if not received, date e-mail sent _____)Comment

FIRE DEPARTMENT

8/14PLANNING
(if not received, date e-mail sent _____)No Objection7/31

STATE HIGHWAY ADMINISTRATION

No Objection

TRAFFIC ENGINEERING

8/21Dept. of Public Worksapprove w/ comment

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

9/20/19The Daily RecordSIGN POSTING (1st)

Date:

9/20/19by PulsonSIGN POSTING (2nd)

Date:

10/6/19by Pulson

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 - 04 Account Number - 0423053020					
Owner Information							
Owner Name:	DENISON CHANDLER B DENISON LENA W		Use:	RESIDENTIAL			
Mailing Address:	2526 CAVES RD OWINGS MILLS MD 21117-		Principal Residence:	YES			
			Deed Reference:	/32468/ 00229			
Location & Structure Information							
Premises Address:	2526 CAVES RD OWINGS MILLS 21117-		Legal Description:	3.336 AC WSR CAVES RD RER 1200 FT 800 S PARK HEIGHTS AV			
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:		
0059	0007	0218	4050043.04	0000	2019		
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			
1761	3,652 SF		3.3300 AC	04			
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	NO	STANDARD UNIT	FRAME/	6	3 full/ 1 half	1 Detached	
Value Information							
	Base Value	Value	Phase-in Assessments				
		As of	As of		As of		
		01/01/2019	07/01/2019		07/01/2020		
Land:	157,200	157,200					
Improvements	323,300	347,500					
Total:	480,500	504,700	488,567	496,633			
Preferential Land:	0			0			
Transfer Information							
Seller: WILLIAMS MCRAE W		Date: 08/27/2012		Price: \$700,000			
Type: ARMS LENGTH IMPROVED		Deed1: /32468/ 00229		Deed2:			
Seller: WILSON J SAWYER		Date: 09/27/1967		Price: \$61,500			
Type: ARMS LENGTH IMPROVED		Deed1: /04808/ 00363		Deed2:			
Seller:		Date:		Price:			
Type:		Deed1:		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 06/25/2013

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

**BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE**

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

ATTN: Kristen Lewis
MS 1105

FROM: Steven A. Walsh, Director 
Department of Public Works

DATE: August 21, 2019

SUBJECT: Case No: 2019-0401-SPHA
2526 Caves Road, Owings Mills, Maryland 21117

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SAW/TWC/s

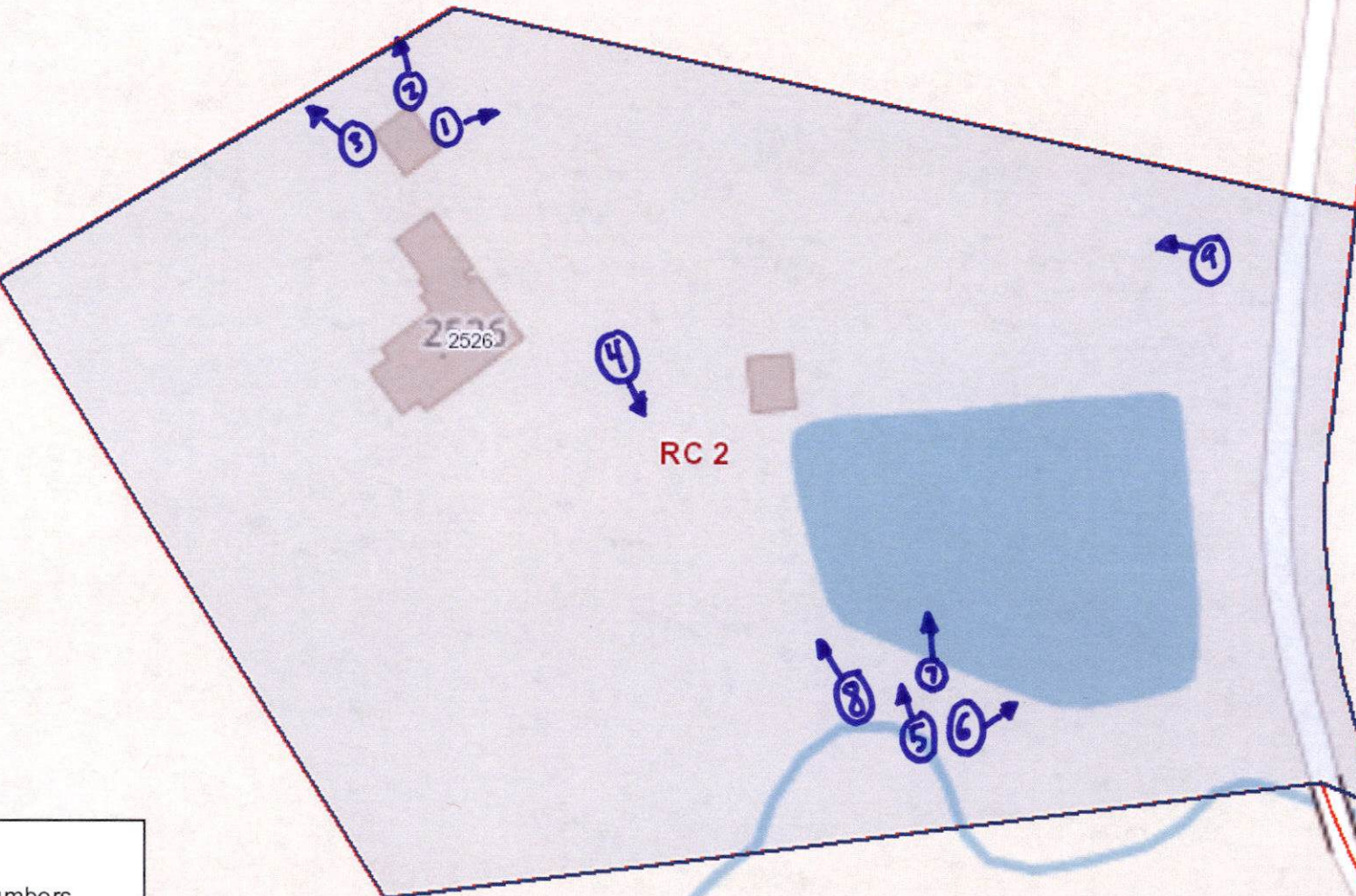
CC: Vishnubhai K. Desai, Chief, Development Plans Review and Building Plan Review
Kevin G. Wagner, Maryland Department of the Environment
Peter M. Zimmerman, People's Council

Photo Location Exhibit

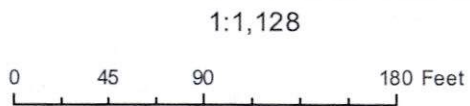


Legend

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



PETITIONER'S EXHIBIT 3



October 10, 2019



















NW 14-F

1700013399
Pt. Bk. 0000079, Folio 0103

PARK HEIGHTS AVE

CAVES SPRING RD

Pt. Bk. 0000063, Folio 0063
PAI # 040363
Pt. Bk./Folio # 063063

2200008485

1900003682

Lot # 2

Pt. Bk./Folio # 048087
PAI # 040200
PAI # 040200
PAI # 040200

1600001748

059A1

Lot # 1

Pt. Bk. 0000048, Folio 0087
1900003681

2522

2518

0408066670

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

4 ED

RC 2

2 CD

2526

0423053020

SITE

NW 13-F

2506

0408080960

2512

0405043451

PAI # 040363 PAI # 040363
Pt. Bk./Folio # 079103 PAI # 040363

1700013399
PAI # 040363

059A2

0404050276

ROAD

CAVES RD

3 ED

0311019010

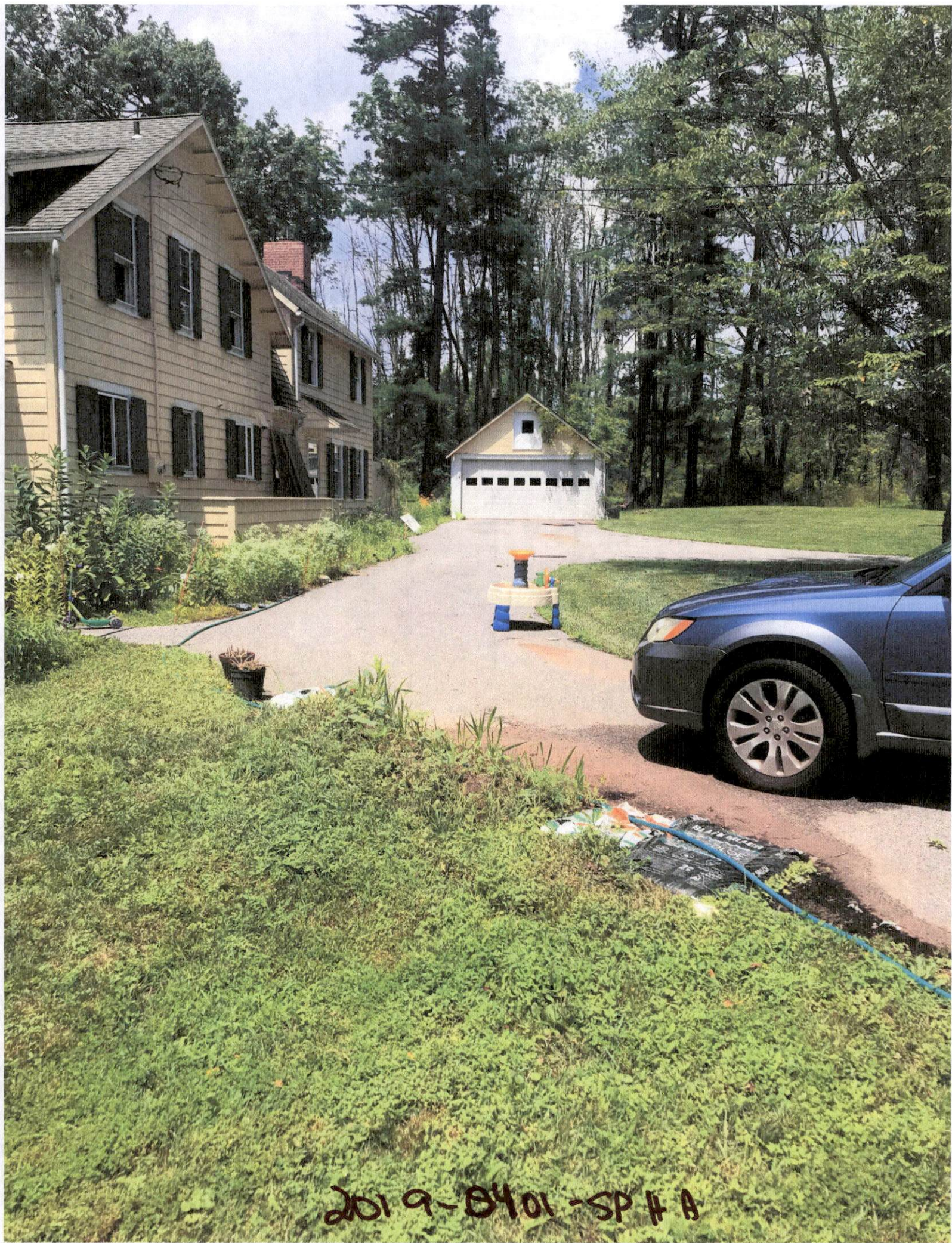
RC 5

2019-0401-SPHA

2019-0401-SPH A

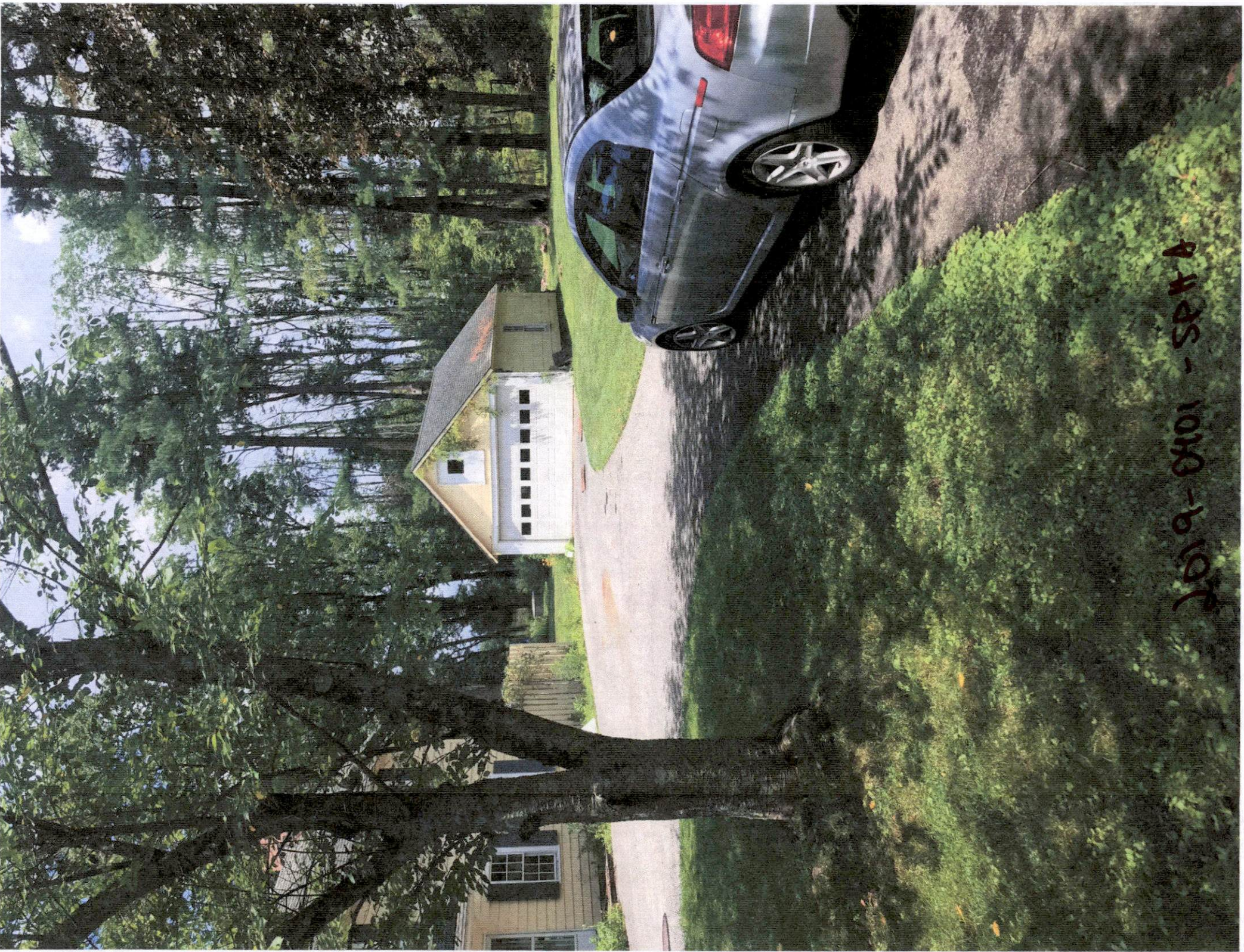


4422 - 1570 - 1256



2019-0401-SP # A

94435-1010-6107



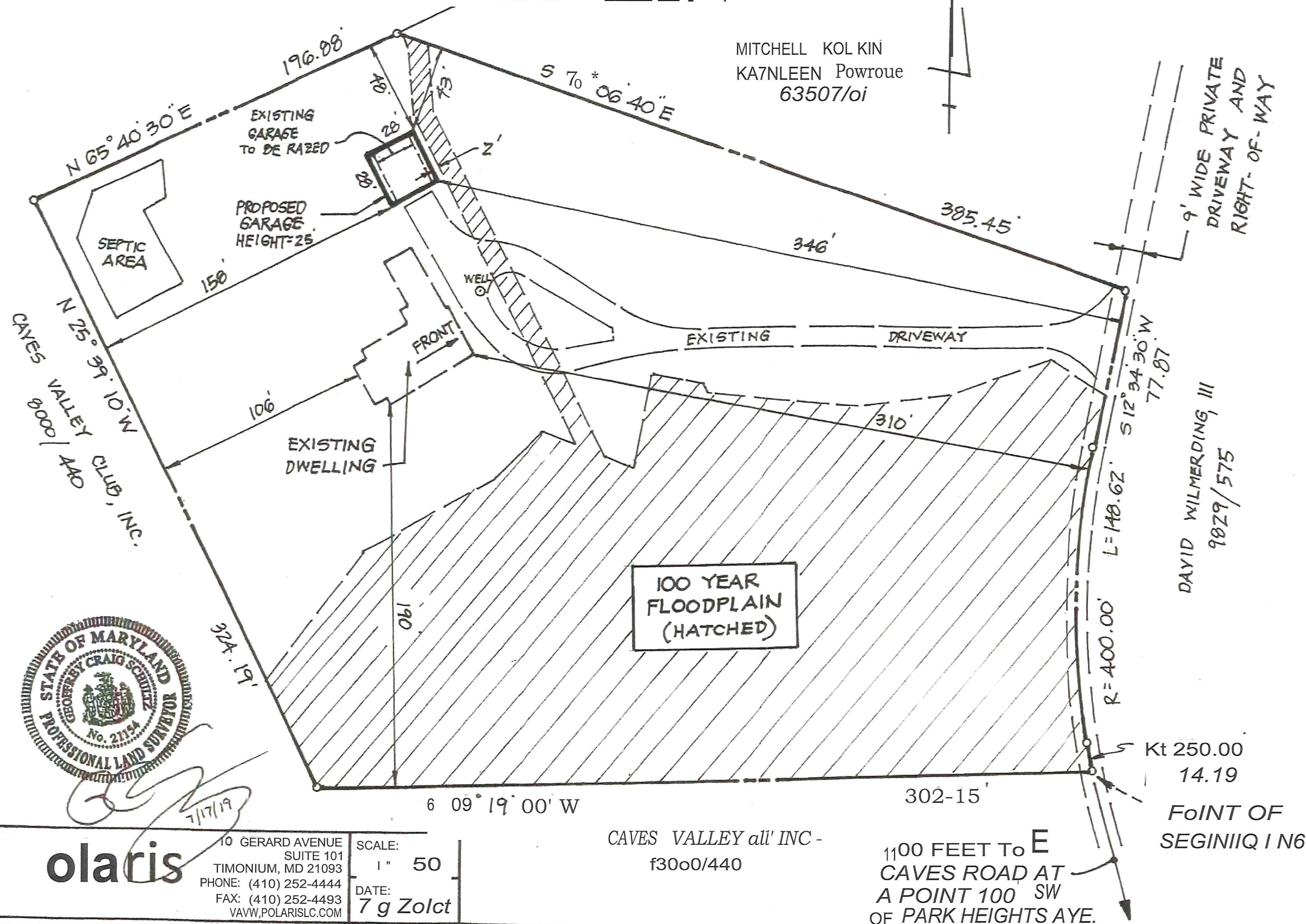
2010-01-28-1010-0106

ZONING HEARING PLAN FOR VARIANCE
ADDRESS **2526 CAVES ROAD**

FOR SPECIAL HEARING 1(MARK TYPE REQUESTED WITH X)
OWNER(S) NAME(S) CHANDLER 4. LENA DENISON

SUBDIVISION NAME N/A
PLAT BOOK 4 FOLIO#

LOT 4 BLOCK # SECTION 4
10 DIGIT TAX 404Z3 050020 DEED REF. 460/ 22⁴¹



olaris

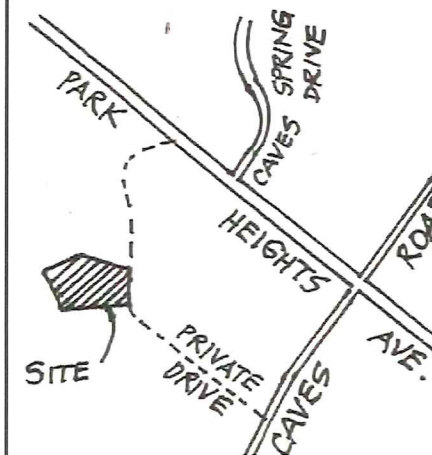
10 GERARD AVENUE
SUITE 101
TIMONIUM, MD 21093
PHONE: (410) 252-4444
FAX: (410) 252-4493
VAVW.POLARISLC.COM

SCALE:
1" = 50'
DATE:
7 g Zolct

CAVES VALLEY all' INC -
f30o0/440

1100 FEET TO E
CAVES ROAD AT
A POINT 100' SW
OF PARK HEIGHTS AVE.

POINT OF
SEGMENT IN N6



VICINITY MAP
1" = 100'

ZONING MAP4 059A1
SITE ZONED RC- Z
ELECTION DISTRICT 4Z4
COUNCIL DISTRICT 2 NP
LOT AREA ACREAGE 3-356 Ac.
OR SQUARE FEET 145.30z SF
HISTORIC? NO
IN CBCA? 740
IN FLOOD PLAIN? YES
UTILITIES? MARK WITH X
WATER IS:
PUBLIC PRIVATE X
SEWER IS:
PUBLIC PRIVATE X
PRIOR HEARING? NO
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW
WA

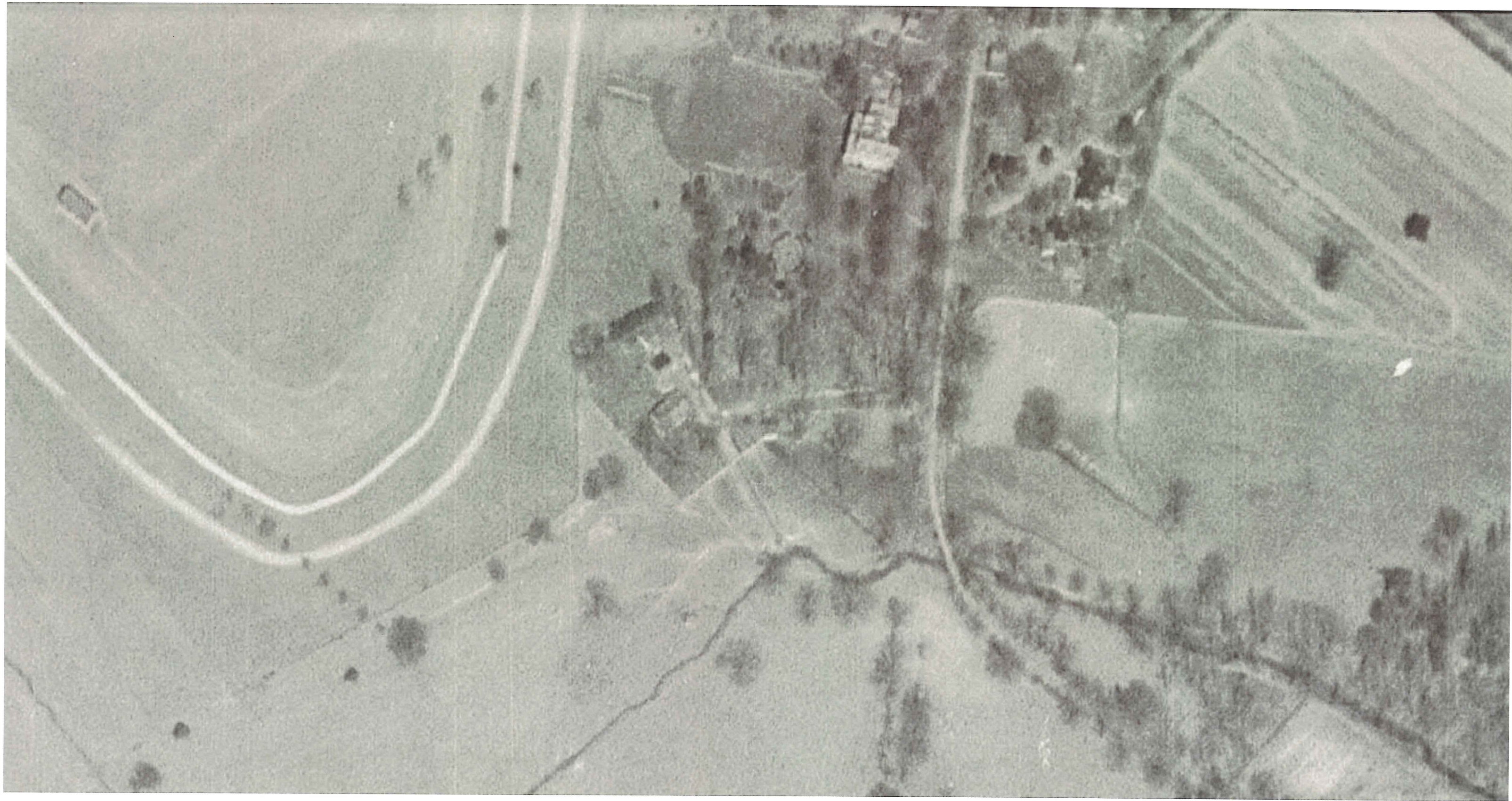
PETITIONER'S EXHIBIT



CURRENT

PETITIONER'S

EXHIBIT NO. 2a



1937

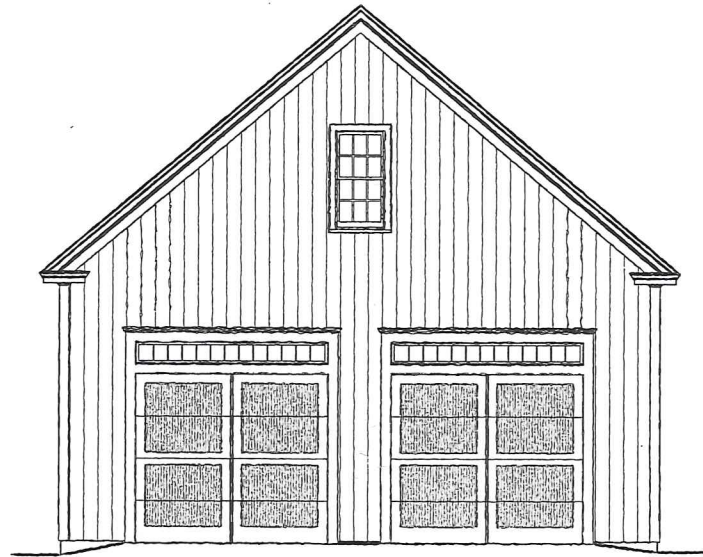
2B

MILL-BUILT

227 POND LANE, MIDDLEBURY, VT 05753

PHONE: 802.377.6900

CONNORMILL-BUILT.COM



Denison - Garage
2526 Caves Road Owings Mill, MD 21117

PETITIONER'S EXHIBIT

4

CONSTRUCTION DOCUMENT

COVER SHEET

A000

Denison Garage
2526 Caves Road
Owings Mills, MD, 21117

JOB NUMBER:	19-01
PROJECT MANAGER:	RB
STAFF:	XX
CHECKED:	DP
ESTIMATOR:	CA
PRINTED:	OCT. 7. 2019



602.729.0960
227 POND LANE SUDBURY, VT 05073
CONNSMILLBUILT.COM

[illegible][illegible]



A200

Denison Garage
2526 Caves Road
Owings Mills, MD, 21117

JOB NUMBER:	19-01
PROJECT MANAGER:	RE
STAFF:	XX
CHECKED:	DP
ESTIMATOR:	CA
PRINTED:	OCT 7 2018

ELEVATIONS/SECTION

A200

602.779 L/000
222 POND LANE, MIDDLETOWN, VT 05753[illegible][illegible]



A101

Denison Garage
2526 Caves Road
Owings Mills, MD, 21117

JOB NUMBER:	19-01
PROJECT MANAGER:	RB
STAFF:	XX
CHECKED:	DP
ESTIMATOR:	CA
PRINTED:	OCT. 7, 2019



802.779.6904
227 POND LANE MIDDLEBURY, VT 05753
CONNORMILLBUILT.COM

[illegible][illegible]

GENERAL NOTES:

THE FOLLOWING GENERAL NOTES SHALL APPLY TO ALL DRAWINGS CONTAINED IN THIS DRAWING SET AS LISTED IN THE DRAWING INDEX ON THE COVER SHEET:

- ALL WORK REPRESENTED IN THE DRAWINGS AND SPECIFICATIONS FOR THIS PROJECT SHALL BE CONSIDERED AS PART OF THE WORK REQUIRED BY THE CONTRACT DOCUMENTS. WHERE THE CONTRACTOR FINDS ANY DISCREPANCY IN THESE REQUIREMENTS, PRIORITY SHALL BE GIVEN IN THE FOLLOWING ORDER:
 - THE CONTRACT
 - THE WRITTEN SPECIFICATIONS, EITHER IN THE DRAWINGS OR A SEPARATE DOCUMENT
 - SCHEDULES
 - LARGE SCALE DRAWINGS
 - SMALL SCALE DRAWINGS
- CONTRACTOR SHALL BE RESPONSIBLE FOR EXECUTING THE WORK IN ACCORDANCE WITH THESE CONTRACT DOCUMENTS AND SHALL BE LIABLE FOR ANY DEVIATIONS FROM THE DRAWINGS OR SPECIFICATIONS AND NOTES.
- CONTRACTOR SHALL BE RESPONSIBLE FOR EXECUTING THE WORK IN COMPLIANCE WITH ALL APPLICABLE BUILDING CODES, REGULATIONS, AND ORDINANCES AS DEFINED BY THE LOCAL BUILDING AUTHORITIES.
- CONTRACTOR SHALL OBTAIN AND PAY FOR ALL PERMITS AND INSPECTIONS REQUIRED BY LOCAL BUILDING AUTHORITIES.
- CONTRACTOR SHALL HAVE SOLE RESPONSIBILITY AND CONTROL OVER THE METHODS, MEANS, TECHNIQUES, SEQUENCES, AND COORDINATION OF ALL PORTIONS OF THE WORK.
- DIMENSIONS SHOWN ARE TO FACE OF STUD, FACE OF STRUCTURE, OR FACE OF MASONRY, UNLESS NOTED OTHERWISE.

CODE REVIEW

BUILDING CODE: MARYLAND 2015 BUILDING CODE

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA TABLE R301.2(1) OF THE 2012 INTERNATIONAL RESIDENTIAL CODE

GROUND SNOW LOAD PSF	WIND SPEED MPH	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARDS
			WEATHERING	FROST LINE DEPTH	TERMITE	DECAY			
25 PSF	90 MPH	B	SEVERE	24" MINIMUM	MODERATE TO HEAVY	SLIGHT TO MODERATE	15°	YES	LOCAL

TABLE 402.1.1 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT

CLIMATE ZONE	FENESTRATION UNIFORMITY	CEILING UNIFORMITY	CEILING R-VALUE	ROOF RAFTER R-VALUE	WALL R-VALUE	FLOOR R-VALUE	BASEMENT WALL R-VALUE	BASEMENT FLOOR	CEILING SPACE R-VALUE
4	0.32	.80	.38	.13	.10	.19	.10/13	.10, 21	.10/13

DRAWING INDEX:

A000 COVER SHEET
A001 GENERAL NOTES AND SCHEDULES
A101 FLOOR PLANS
A200 ELEVATIONS/SECTION

BUILDING DATA:

SQUARE FOOTAGES:

FIRST FLOOR	783 SQUARE FEET
SECOND FLOOR	783 SQUARE FEET
TOTAL FINISHED SPACE	1566 SQUARE FEET

DESIGN LOADS:

LIVING AREAS:	40 PSF LIVE LOAD, 15 PSF DEAD LOAD
BEDROOM AREAS:	30 PSF LIVE LOAD, 15 PSF DEAD LOAD
ATTICS w/ STORAGE:	20 PSF LIVE LOAD, 15 PSF DEAD LOAD
ATTICS w/o STORAGE:	10 PSF LIVE LOAD, 10 PSF DEAD LOAD
COVERED DECKS&PORCHES:	40 PSF LIVE LOAD, 15 PSF DEAD LOAD
EXTERIOR BALCONIES:	60 PSF LIVE LOAD, 15 PSF DEAD LOAD
EXTERIOR WALLS:	15 PSF DEAD LOAD
INTERIOR WALLS:	8 PSF DEAD LOAD

HIGH WIND CONNECTION SCHEDULE
MINIMUM FIELD INSTALLED NAILING AND BOLTING AS PER THE WOOD FRAME CONSTRUCTION MANUAL
115 MPH WIND ZONES

- CONNECTION SCHEDULE NOTES:
- THESE MINIMUM NAILING REQUIREMENTS ARE BASED ON 115 MPH 3-SECOND GUST WIND SPEED, EXPOSURE B, AND MAXIMUM RAFTER OR JOIST SPACING OF 16" o.c. - CONTACT ENGINEER FOR ADDITIONAL INFORMATION AS REQUIRED.
 - THE MINIMUM DIAMETER OF EACH NAIL SIZE SHALL BE AS FOLLOWS: 8d (COMMON) 13", 12d (NAIL GUN) 0.131" and 16d (COMMON) 0.162"
 - NAILING AND BOLTING REQUIREMENTS AT SPECIFIC LOCATIONS MAY EXCEED THE MINIMUM SPECIFIED HERE. [REFER TO SPECIFIC PROJECT DETAILS FOR ADDITIONAL NAILING OR CONNECTOR / STRAPPING REQUIREMENTS](#)
 - FOR ROUSES WIDER THAN 24 FEET, ADD 12" OF TOP PLATE LAP AND 2-16d NAILS FOR EACH ADDITIONAL 4 FEET IN WIDTH
 - THIS REQUIREMENT ONLY APPLIES WHERE CEILING DIAPHRAGM IS USED TO TRANSFER LATERAL LOADS - SEE PROJECT DETAILS
 - WHERE A STRUCTURAL RIDGE BEAM IS USED, CEILING JOISTS DO NOT ACT AS STRUCTURAL TIE FOR RAFTERS.
 - LOW RAFTER TIES SHALL NOT BE HIGHER THAN 12" ABOVE TOP OF WALL PLATE, UNLESS ANALYZED BY AN ENGINEER.
 - INSTALL TIMBERLOK SCREWS PER MANUFACTURER'S DIRECTIONS. SCREW LENGTH SHALL MATCH TOTAL THICKNESS OF JOINED MEMBERS. 4", 5", 8"
 - SEE STRUCTURAL DRAWINGS FOR SPECIAL NAILING REQUIREMENTS FOR ENGINEERED SHEAR WALLS LABELED S11, S12, ETC.

WALL CONNECTIONS	MINIMUM NUMBER, SIZE, AND SPACING OF FASTENERS	IRC 2015	WFCM 2015	PASS / FAIL
DOUBLE TOP PLATES, FACE NAIL	(2) 16d AT 12" o.c.	16d @ 16" o.c.	16d @ 16" o.c.	EXCEEDS
DOUBLE TOP PLATES, LAPS AT CORNERS & INTERSECTIONS, FACE NAIL	(4) 16d EACH SIDE OF JOINT	(2) 16d	(4) 16d EACH SIDE OF JOINT	EXCEEDS
SINGLE PANEL, END STUD TO NEXT PANEL, END STUD, FACE NAIL	(2) 16d AT 6" o.c.	NA	NA	NA
MULTIPLE PANEL, END STUDS TO NEXT PANEL / CORNER ASSEMBLY - SEE NOTE 9	TIMBERLOKS OR GRK 5/16" LAGS AT 6" o.c. STAGGERED	16d @ 16" o.c. Face Nail	NA	NA
TYPICAL STUD TO STUD - MID-PANEL, FACE NAIL - SEE NOTE 8	(2) 16d AT 24" o.c.	16d @ 24" o.c.	(2) 16d @ 24" o.c.	MEETS
1/2" PLYWOOD WALL SHEATHING TO STUDS	8d NAILS AT 6" o.c. EDGES, 12" o.c. FIELD	8d, 6" Edge 12" Field	8d, 6" Edge 12" Field	MEETS
BOTTOM PLATE TO RIM, JOIST OR BLOCKING, FACE NAIL	(2) 16d AT 12" o.c.	16d common @ 16" o.c.	16d common @ 16" o.c.	EXCEEDS
WALL BOTTOM PLATE TO CONCRETE FOUNDATION	5/8" ANCHOR BOLTS w/ 3"x3"x1/4" PLATE WASHERS, MINIMUM 2 PER PLATE & WITHIN 1'-0" MAXIMUM OF ALL ENDS	NA	Per Diagram on Pages 8 & 9	MEETS
TOP PLATE SPLICE OVERLAP AT EXTERIOR WALLS = 2 FEET MINIMUM AT GABLE WALLS = 6 FEET MINIMUM AT EAVE WALLS	16d (20) 16d			
FLOOR CONNECTIONS				
RIM BOARD TO JOIST, END NAIL	(4) 16d, PER JOIST (MINIMUM)	(3) 16d, PER JOIST (MINIMUM)	(3) 16d, PER JOIST (MINIMUM)	EXCEEDS
JOIST TO SILL OR DROPPED GIRDER, TOE NAIL	(4) 16d PER JOIST	(3) 8d common	(4) 8d Per Joist	EXCEEDS
RIM, JOIST TO SILL OR TOP PLATE, TOE NAIL	8d common @ 6" o.c.	8d common @ 6" o.c.	(2) 16d @ 12" o.c.	MEETS
3/4" SUBFLOOR TO FLOOR, JOISTS AND BLOCKING	16d AT 6" o.c. EDGES, 12" o.c. FIELD	8d common, 6" Edge 12" Field	8d, 6" Edge 12" Field	MEETS
BLOCKING TO JOISTS, TOE NAIL	(2) 16d EACH END	(2) 16d EACH END	(2) 8d EACH END	MEETS
ROOF SYSTEMS CONNECTIONS				
BLOCKING TO RAFTER, TOE NAIL - SEE NOTE 1	(2) 16d PER END	(3) 8d common	(2) 8d Each End	EXCEEDS
BLOCKING BETWEEN RAFTERS TO TOP PLATE, TOE NAIL - SEE NOTE 1	(3) 16d TO PLATE, (3) 16d TO EACH ADJOINING RAFTER	(3) 8d common	NA	EXCEEDS
RAFTER TO TOP PLATE, TOE NAIL - SEE NOTE 6	(3) 16d (MINIMUM) PLUS HOLD DOWN STRAPS AS REQUIRED	(3) 16d box	NA	MEETS
ROOF RAFTERS TO RIDGE, VALLEY OR HIP RAFTERS - SEE NOTE 7	(WHERE HANGERS ARE NOT SPECIFIED) (5) 16d (4) 16d	(4) 16d (3) 16d	NA	EXCEEDS
TOE NAIL: FACE NAIL:				
LOW (TOP OF WALL) RAFTER TIE TO RAFTERS, FACE NAIL - SEE NOTE 4	(10) 16d OR (4) 1/2" Ø BOLTS	NA	NA	NA
COLLAR TIE TO RAFTERS (UP/LIFT RESISTANCE), FACE NAIL - SEE NOTE 5	(5) 16d EACH END	(3) 16d common	NA	EXCEEDS
5/8" ROOF SHEATHING TO RAFTERS (INTERIOR ROOF ZONE)	8d, 6" o.c. EDGES, 6" o.c. FIELD	8d common, 6" Edge 12" Field	8d common, 6" Edge 12" Field	MEETS
5/8" ROOF SHEATHING TO RAFTERS (ROOF EDGE, RIDGE, OR HIP ZONES) (PER IBC, MINIMUM ZONE WIDTH "s" = 4 FT	8d, 4" o.c. EDGES, 4" o.c. FIELD	8d common, 6" Edge 12" Field	8d common, 4" Edge 6" Field	EXCEEDS
SUB-FASCIA TO RAFTER, END NAIL	(3) 16d PER RAFTER IN FLAT SOFFIT ARRANGEMENTS (2) 16d PER RAFTER IN SLOPED SOFFIT ARRANGEMENTS	NA	NA	NA
CEILING CONNECTIONS				
TOP FLOOR GYPSUM BOARD TO CEILING JOIST	8d COILERS, 7" o.c. EDGE, 10" o.c. FIELD	1 1/2" Galvanized Roofing Nail 1 1/8" Screw, Type W or S 7" Edge 7" Field	8d Coilers, 7" Edge 10" Field	MEETS
CEILING JOIST TO TOP PLATE, TOE NAIL - SEE NOTE 2	(4) 8d	(3) 8d common	(4) 8d Per Joist	MEETS
CEILING JOIST NOT ATTACHED TO PARALLEL RAFTERS, FACE NAIL, NOT A RAFTER TIE - SEE NOTE 3	(3) 16d (MINIMUM)	(3) 16d common	NA	MEETS
CEILING JOIST LAPS OVER PARTITION - SEE NOTE 3	(3) 16d (MINIMUM)	NA	NA	NA
STRONGBACK TO CEILING JOIST, FACE NAIL	(2) 16d (MINIMUM) PER CEILING JOIST			
BLOCKING BETWEEN CEILING JOISTS OR RAFTERS TO TOP PLATE - TOE NAIL - SEE NOTE 1	(4) 16d (MINIMUM)	(3) 8d common	(2) 8d common	EXCEEDS
NOTE: FASTENER INFORMATION MEETS OR EXCEEDS 2015 IRC SPECIFICATIONS LISTED IN TABLE R602.3(1) OF THE IRC 2015 FOR ONE AND TWO FAMILY DWELLINGS AND / OR THE AMERICAN FOREST AND PAPER ASSOCIATION'S WOOD FRAME CONSTRUCTION MANUAL SPECIFICATIONS LISTED IN TABLES 2 AND 6 OF THE 115 MPH EXPOSURE B WFCM GUIDE (DATED 2015) COPIES OF THE 2015 INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS MAY BE OBTAINED BY CONTACTING THE INTERNATIONAL CODE COUNCIL AT 1-888-ICC-SAFE. COPIES OF THE 115 MPH EXPOSURE B WOOD FRAME CONSTRUCTION MANUAL MAY BE OBTAINED BY CONTACTING THE AMERICAN FOREST AND PAPER ASSOCIATION AT: AMERICAN FOREST AND PAPER ASSOCIATION, 1111 19TH STREET, NW, SUITE 800, WASHINGTON, DC 20036				

DENISON GARAGE DOOR SCHEDULE											
NUMBER	SIZE	PANEL ROUGH OPENING	PANEL ROUGH OPENING	PANEL HEAD HEIGHT	JAMB	SWING	NOTES	Quantity	U Factor	SHGC	Air Leakage
		WIDTH	HEIGHT								
101A	3068	3'-2 1/2"	6'-11 1/4"	6'-5 3/4"	6 9/16"	RH	--	1	0.32	NR	0.5
101B	3068	3'-2 1/2"	6'-11 1/4"	6'-5 3/4"	6 9/16"	LH	--	1	0.32	NR	0.5
101C	9080 W/ 12" TRANSOM	9'-0 1/2"	9'-6"	9'-0 1/2"	6 9/16"		GARAGE	1			
101D	9080 W/ 12" TRANSOM	9'-0 1/2"	9'-6"	9'-0 1/2"	6 9/16"		GARAGE	1			
101E	3068	3'-2"	6'-11"	6'-11"	6 9/16"	LH	--	1			
								4			

NOTE:

MAX U-FACTOR, AIR LEAKAGE AND SHGC PER IECC-2015
WIMASSACHUSETTS AMENDMENTS, REFERENCE TABLE
R-402.1.2 & R402.1.4 AND SECTION R402.4.3

DENISON GARAGE WINDOW SCHEDULE													
MARK	CALL-NUMBER	PANEL ROUGH OPENING	PANEL ROUGH OPENING	PANEL HEAD HEIGHT	JAMB	GRID	CASING-DETAILS	HARDWARE-SCREENS	NOTES	Quantity	U Factor	SHGC	Air Leakage
		WIDTH	HEIGHT										
A	CM 3232	2'-9"	2'-9 1/4"	6'-10"	6 9/16"	6			--	3	0.32	NR	0.3 cfm/sf
B	DH 2446	2'-6 1/2"	4'-9 3/8"	6'-11"	6 9/16"	6/6				1	0.32	NR	0.3 cfm/sf
C	DH 2446	2'-6 1/2"	4'-9 3/8"	6'-11"	6 9/16"	6/6			TEMPERED	1	0.32	NR	0.3 cfm/sf
A	CM 3232	2'-9"	2'-9 1/4"	6'-10"	6 9/16"	6			TEMPERED	1	0.32	NR	0.3 cfm/sf
										6			

NOTE:

MAX U-FACTOR, AIR LEAKAGE AND SHGC PER IECC-2015 WIMASSACHUSETTS
AMENDMENTS, REFERENCE TABLE R-402.1.2 & R402.1.4 AND SECTION R402.4.3

EGRESS WINDOWS

A MINIMUM OF ONE, BUT NOT ALL SIZES MAY BE USED ON THIS PROJECT IN ALL
AREAS WHERE REQUIRED BY LOCAL CODE AS A SECONDARY MEANS OF ESCAPE:
BNCA 2641 (CEMENT) WINDOW - 27" WIDE X 45" HIGH CLEAR OPENING - 0.44 SF

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NAME	
DATE	
REVISIONS	
NO.	

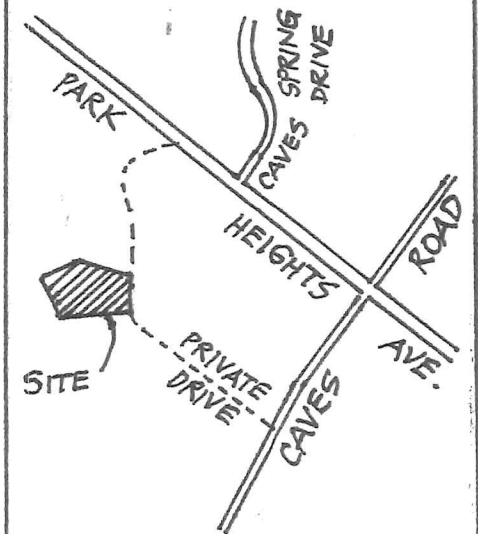
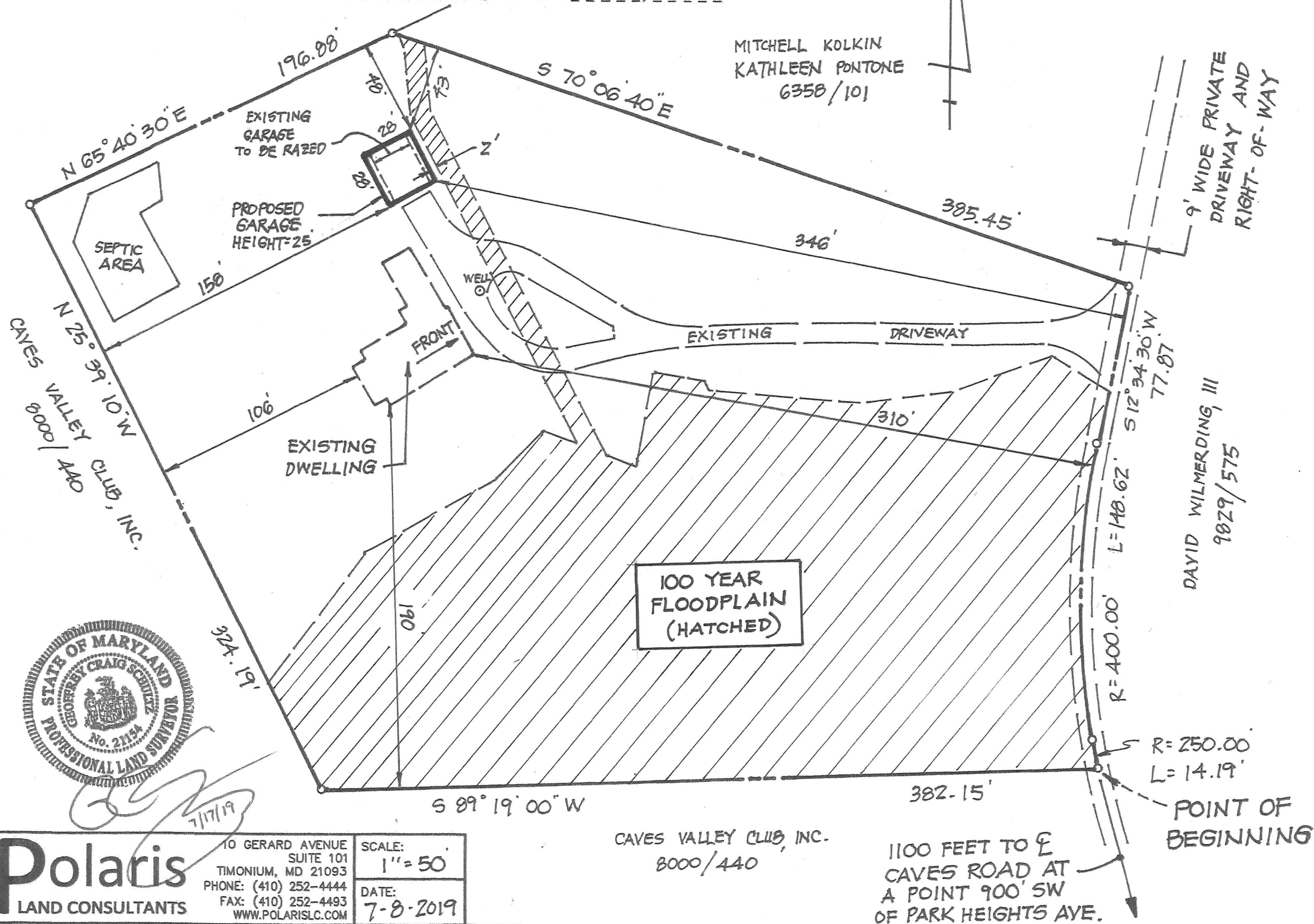


Denison Garage
2526 Caves Road
Owings Mills, MD, 21117

JOB NUMBER:	19-01
PROJECT MANAGER:	RB
STAFF:	XX
CHECKED:	DP
ESTIMATOR:	CA
PRINTED:	OCT 7, 2019

CONSTRUCTION DOCUMENT
SCHEDULES
A001

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS **2526 CAVES ROAD** OWNER(S) NAME(S) **CHANDLER & LENA DENISON**
 SUBDIVISION NAME **N/A** LOT # _____ BLOCK # _____ SECTION # _____
 PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # **0423 053020** DEED REF. # **32468/229**



VICINITY MAP
1" = 1000'

ZONING MAP# **059A1**
 SITE ZONED **RC-2**
 ELECTION DISTRICT **4TH**
 COUNCIL DISTRICT **2ND**
 LOT AREA ACREAGE **3.336 AC.**
 OR SQUARE FEET **145,302 SF**
 HISTORIC? **NO**
 IN CBCA? **NO**
 IN FLOOD PLAIN? **YES**
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC _____ PRIVATE **X**
 SEWER IS:
 PUBLIC _____ PRIVATE **X**
 PRIOR HEARING? **NO**
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW
N/A



Polaris
LAND CONSULTANTS

10 GERARD AVENUE
SUITE 101
TIMONIUM, MD 21093
PHONE: (410) 252-4444
FAX: (410) 252-4493
WWW.POLARISLC.COM

SCALE:
1" = 50'
DATE:
7-8-2019

CAVES VALLEY CLUB, INC.
8000/440

1100 FEET TO E
CAVES ROAD AT
A POINT 900' SW
OF PARK HEIGHTS AVE.

2019-0401 -SPAA



2526 CAVES RD.

2019-0401-SPHA



2526 CAVES RD.

2019-0401-SAHA