

M E M O R A N D U M

DATE: December 2, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0423-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on November 27, 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 * BEFORE THE
(13924 Baldwin Mill Road) *
11th Election District * OFFICE OF
3rd Council District *
Graham & Georgeann Burton * ADMINISTRATIVE HEARINGS
Legal Owners * FOR BALTIMORE COUNTY
Petitioners * Case No. 2019-0423-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 Graham & Georgeann Burton, legal owners ("Petitioners"). The Special Hearing was filed pursuant to Section 400.4.8 of the Baltimore County Zoning Regulations ("BCZR") for renewal of previously approved accessory structure for use as an in-law dwelling.

Graham & Georgeann Burton, the property owners, appeared in support of the petition. 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 Department of Planning ("DOP") and the Department of Environmental Protection Sustainability ("DEPS"). Neither agency opposed the request.

SPECIAL HEARING

Testimony was presented that the Petitioners herein had obtained special hearing approval for an accessory structure "in-law apartment" pursuant to BCZR 400.4.8 in an order issued by the Baltimore County Office of Administrative Hearings dated September 5, 2013.

The Petitioners are the residents of this apartment. Unfortunately, they missed the renewal deadline and now need the renewal to be approved.

ORDER RECEIVED FOR FILING

Date 10/28/19
By sen

Further testimony revealed that there have been no physical changes in the subject structure. The well and septic arrangements are also unchanged.

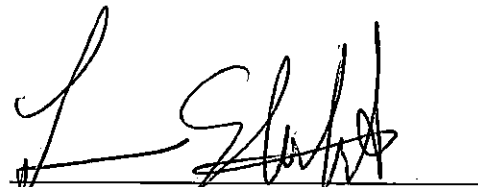
All exhibits presented in the 2013 Special Hearing matter were moved to be included in this present renewal request. The parties acknowledged that all conditions originally placed on the requested use will remain in addition to requirements of the DOP and DEPS set out in their respective comments in this matter.

THEREFORE, IT IS ORDERED this 28th day of **October, 2019** by this Administrative Law Judge, that the Petition for Special Hearing for renewal of previously approved accessory structure for use as an in-law dwelling, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. The proposed structure shall not be used for commercial purposes.
3. The accessory in-law apartment shall comply with the requirements of BCZR §400.4.B.
4. Petitioners will submit the renewal permit to Ground Water Management for their approval.

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


LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

LMS:sln

ORDER RECEIVED FOR FILING

Date 10/28/19
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 13924 BALDWIN MILL RD which is presently zoned RC2
 Deed References: 21783100047 10 Digit Tax Account # 1800001486
 Property Owner(s) Printed Name(s) GRAHAM & GEORGEANN BURTON

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

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

1. X a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve RENEWAL OF PREVIOUSLY APPROVED ACCESSORY STRUCTURE FOR USE AS AN IN-LAW-DEPENDENT PURSUANT TO SECTION 400.4.8 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)

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name- Type or Print _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

GRAHAM BURTON GEORGEANN BURTON
 Name #1 - Type or Print Name #2 - Type or Print

Signature #1 _____ Signature #2 _____

13924 BALDWIN MILL RD. BALDWIN
 Mailing Address City State MD.

21013
 Zip Code Telephone # Email Address

Representative to be contacted:

GEORGE HOLBACK
 Name - Type or Print

Signature _____

13924 BALDWIN MILL RD BALDWIN
 Mailing Address City State

21013 410-591-5184
 Zip Code Telephone # Email Address holbackgeorge@gmail.com

CASE NUMBER 2019-0423-SPH Filing Date 8/14/19 Do Not Schedule Dates: _____ Reviewer gh

ZONING PROPERTY DESCRIPTION FOR

13924 Baldwin Mill Road

PART A

Beginning at a point on the West side of Baldwin Mill Road which is 40 feet wide at the distance of 775 feet South of the centerline of the nearest improved intersecting street Sweetair Road which is 40 feet wide.

Part B (Option 2, Subdivision lot)

Being Lot #10, in the subdivision of Long Green Estates as recorded in Baltimore County Plat Book # 42 / 99 containing 5.9600 Acres. Located in the 11th Election District 3rd Council District.

2019-0423-SP4

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
13924 Baldwin Mill Rd; W/S of Baldwin Mill Rd
11th Election & 3rd Councilmanic Districts * OF ADMINISTRATIVE
Legal Owner(s): Graham & Georgeann Burton
Petitioner(s) * HEARINGS FOR
* BALTIMORE COUNTY
* 2019-423-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED

AUG 23 2019

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 23rd day of August, 2019, a copy of the foregoing Entry of Appearance was mailed to George Holback, 13924 Baldwin Mill Road, Baldwin, Maryland 21013, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: THE DAILY RECORD
Friday, October 4, 2019 – Issue

Please forward billing to:
Graham Burton
13924 Baldwin Mill Road
Baldwin, MD 21013

410-591-5184

NOTICE OF ZONING HEARING

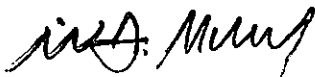
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2019-0423-SPH

13924 Baldwin Mill Road
West side of Baldwin Mill Road
11th Election District – 3rd Councilmanic District
Legal Owners: Graham Burton, Georgeann Burton

Special Hearing for the renewal of previously approved accessory structure for use as an in-law dwelling pursuant to section 400.4.8.BCZR.

Hearing: Friday, October 25, 2019 at 10:00 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.

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:

10/4/2019

Order #: 11796704
 Case #: 2019-0423-SPH
 Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
 2019-0423-SPH



Darlene Miller, Public Notice Coordinator
 (Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

o4



JOHN A. OLSZEWSKI, JR.
County Executive

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

: September 24, 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:

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105 West Chesapeake Avenue, Towson 21204

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

Michael Mallinoff
Director

MM:kl

C: Mr. & Mrs. Burton, 13924 Baldwin Mill Road, Baldwin 21013

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 5, 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.

Sherry Nuffer

From: Marty Ogle <mert1114@aol.com>
Sent: Tuesday, October 22, 2019 2:15 PM
To: Administrative Hearings
Subject: 2019-0423-SPH



CAUTION: This message from mert1114@aol.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

2nd set of certificates

CERTIFICATE OF POSTING

CASE NO. 2019-0423-SPH
PETITIONER/DEVELOPER
GEORGE HOLZACK
DATE OF HEARING/CLOSING
10/25/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:
LADIES AND GENTLEMAN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT
13934 BALDWIN MILL ROAD SIGN #1

THIS SIGN(S) POSTED ON October 4, 2019 October 22, 2019
(MONTH, DAY, YEAR)

SINCERELY,
[Signature] 10/4/19
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411

ZONING
CASE # 2019-0423-SPH
A PUBLIC HEARING WILL BE HELD ON
THE ABOVE-DESCRIBED LAND FOR THE
PURPOSE OF CONSIDERING A ZONING
CHANGE.
The hearing will be held on the date and at the place specified below.
All persons who are interested in the proposed zoning change should
appear at the hearing to be heard.
The hearing will be held on the date and at the place specified below.
All persons who are interested in the proposed zoning change should
appear at the hearing to be heard.

CERTIFICATE OF POSTING

CASE NO. 2019-0423-581

PETITIONER/DEVELOPER

GRIGGE

HOBART

DATE OF HEARING/CLOSING

10/25/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

13924 BROWN MILL RD

SHARPE

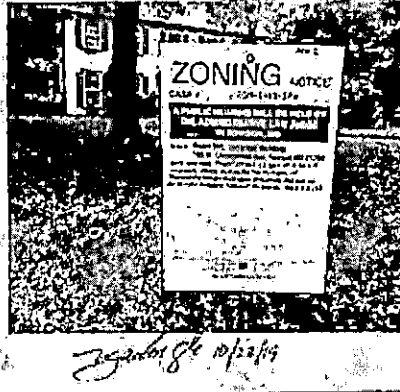
THIS SIGN(S) POSTED ON October 1, 2019 October 22, 2019
(MONTH, DAY, YEAR)

SINCERELY,

[Signature] 10/1/19

SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411



CERTIFICATE OF POSTING

CASE NO. 2019-0423-SPH

PETITIONER/DEVELOPER

GEORGE

HOLBACK

DATE OF HEARING/CLOSING

10/25/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

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13924 BALDWIN MILL ROAD

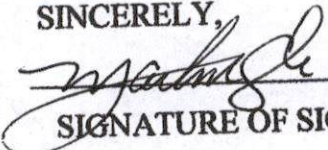
SIGN #2

THIS SIGN(S) POSTED ON

October 4, 2019

(MONTH, DAY, YEAR)

SINCERELY,

 10/4/19

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

S&N 2

ZONING NOTICE

CASE # 2019-0423-SPH

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

PLACE: Room 203, Jefferson Building
105 W. Chesapeake Ave, Towson MD 21204

DATE AND TIME: FRIDAY OCTOBER 25, 2019 AT 10:00 A.M.

REQUEST: SPECIAL VARIATION FOR THE REMOVAL OF

PERMANENTLY APPROVED ACCESSORY STRUCTURE FOR USE AS

AN IN-LAW DWELLING PURSUANT TO SECT 21-1004(b)(2)

APPROVED ACCESSORY STRUCTURE FOR USE AS

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myaingle 10/4/19

CERTIFICATE OF POSTING

CASE NO. 2019-0423-SPH

PETITIONER/DEVELOPER

GEORGE

HOLBACK

DATE OF HEARING/CLOSING

10/25/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

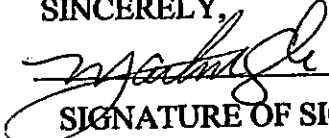
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THE PROPERTY LOCATED AT

13924 BALDWIN MILL ROAD

SIGN #1

THIS SIGN(S) POSTED ON October 4, 2019
(MONTH, DAY, YEAR)

SINCERELY,

 10/4/19

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

SIGN 1.

ZONING NOTICE

CASE # 2019-0423-SPH

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

PLACE: Room 205, Jefferson Building
105 W. Chetapeake Ave. Towson MD 21204

DATE AND TIME: FRIDAY OCTOBER 25 2019 AT 10:00 A.M.

REQUEST: SPECIAL HEARING FOR THE RENEWAL OF
PREVIOUSLY APPROVED ACCESSORY STRUCTURE FOR USE AS
AD 10-LAW DWELLING PURSUANT TO SECTION 400.4.8 B.C.P.

PLANNING DEPTS. ONLY: THIS PUBLIC HEARING IS A PUBLIC HEARING AND NOT A MEETING.
THEY ARE NOT SUBJECT TO THE OPEN MEETING ACT.

IF YOU HAVE ANY QUESTIONS, PLEASE CALL THE PLANNING DEPARTMENT AT 410-326-7200.

HANDICAPPED ACCESSIBLE

engelm 10/4/19

**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: 2019-0423-SPH
Property Address: 13924 Baldwin Mill Road
Property Description: _____
Legal Owners (Petitioners): _____
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Graham & George Burton
Company/Firm (if applicable): _____
Address: 13924 Baldwin Mill Road
Baldwin, Maryland 21013
Telephone Number: 410-591-5184

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

No. **187619**

PAID RECEIPT

Date: **8/12/19**

BUSINESS ACTUAL TIME IRW
 8/12/2019 8/12/2019 10:35:23 1

REC VSU3 WALKIN LJR
 >>RECEIPT # 026709 8/12/2019 OFLN

Dept 5 528 ZONING VERIFICATION

NO. 187619

Receipt Tot \$ 75.00

75.00 CK .00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	800	0000		6150				75.00

Total: **75.00**

Rec:
 From: **Graham Burton**

For: **2019-0423-SPH**
13924 Baldwin Mill Rd

**CASHIER'S
 VALIDATION**

DISTRIBUTION

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



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 17, 2019

George Hocback
13924 Baldwin Mill Road
Baldwin MD 21013

RE: Case Number: 2019-0423-SPH, 13924 Baldwin Mill 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 August 12, 2019. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 9/24/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-423

INFORMATION:

Property Address: 13924 Baldwin Mill Road
Petitioner: Graham Burton, Georgeann Burton
Zoning: RC 2
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve a renewal of a previously approved accessory structure for use as an in-law-dwelling.

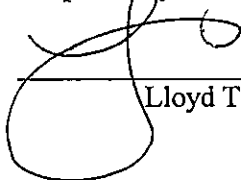
The property was the subject of prior zoning case 2014-0005-SPHA in which the Administrative Law Judge approved an accessory structure for the use of in-law apartment.

The Department has no objection to granting the petitioned zoning relief conditioned on the following:

- The accessory in-law apartment shall comply with the requirements of BCZR §400.4.B.
- The accessory in-law apartment shall not be used for commercial purposes.

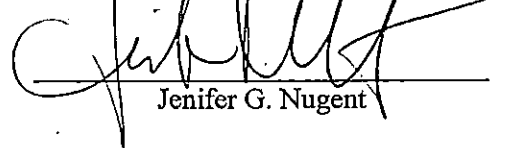
For further information concerning the matters stated herein, please contact Joseph Wiley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

CPG/JGN/LTM/

c: Joseph Wiley
George Holback
Office of the Administrative Hearings
People's Counsel for Baltimore County

PM 10-25-19
10 Am

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 9/24/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-423



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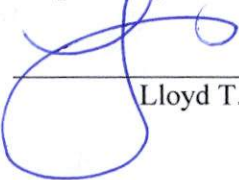
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- The accessory in-law apartment shall comply with the requirements of BCZR §400.4.B.
- The accessory in-law apartment shall not be used for commercial purposes.

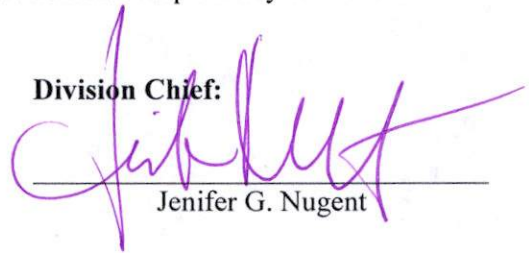
For further information concerning the matters stated herein, please contact Joseph Wiley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

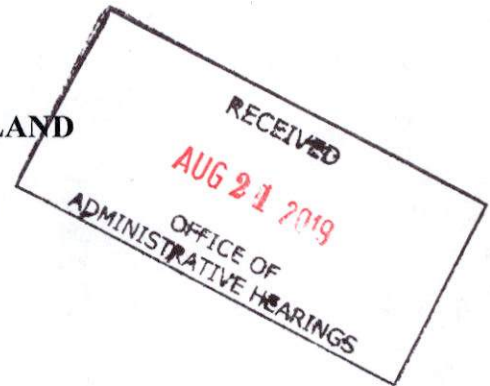
CPG/JGN/LTM/

c: Joseph Wiley
George Holback
Office of the Administrative Hearings
People's Counsel for Baltimore County

10-25

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 21, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0423-SPH
Address 13924 Baldwin Mill Road
(Bur Property)

Zoning Advisory Committee Meeting of **August 15, 2019**.

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

1. Ground Water Management will need to review the renewal permit for an in-law dwelling. It has been over 5 years since the last permit was reviewed apparently.

Reviewer: Dan Esser

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 8/21/19

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

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 8/14/19. A field inspection and internal review reveals that an entrance onto MD 165 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Hearing, Case Number 2019-0423-SPH

Special Hearing
Graham & Georgann Bur
13924 Baldwin Mill Road
MD 165

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

Sincerely,



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

WW/RAZ

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

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 _____)	_____
8/21	DEPS (if not received, date e-mail sent _____)	Comment
9/24	FIRE DEPARTMENT PLANNING (if not received, date e-mail sent _____)	NO objection w/ conditions
8/21	STATE HIGHWAY ADMINISTRATION	NO Objection
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 10/4/19	
SIGN POSTING (1 st)	Date: 10/4/19	by Cagle
SIGN POSTING (2 nd)	Date: 10/22/19	by Cagle
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 - 11 Account Number - 1800001486			
Owner Information					
Owner Name:		BURTON GEORGEANN H BURTON GRAHAM M		Use: Principal Residence: RESIDENTIAL YES	
Mailing Address:		13924 BALDWIN MILL RD BALDWIN MD 21013-9707		Deed Reference: /34783/ 00339	
Location & Structure Information					
Premises Address:		13924 BALDWIN MILL RD BALDWIN 21013-9707		Legal Description: 5.966 AC. 13924 BALDWIN MILL RD LONG GREEN ESTATES	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref: 0042/0099
0045	0001	0256	11060052.04	0000	10 2018
Special Tax Areas: None			Town: None Ad Valorem: None Tax Class: None		
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1980		4,641 SF		850 SF	
Property Land Area		County Use			
5.9600 AC		04			
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
2	YES	STANDARD UNIT	SIDING/	5	3 full/ 1 half
Garage		Last Notice of Major Improvements			
2 Attached					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of 01/01/2018		As of 07/01/2019 As of 07/01/2020	
Land:		188,200		188,200	
Improvements		489,100		523,200	
Total:		677,300		711,400	
Preferential Land:		0		700,033 711,400 0	
Transfer Information					
Seller: HOLBACK GEORGE N		Date: 03/20/2014		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /34783/ 00339		Deed2:	
Seller: HOLBACK GEORGE N/JOANN A		Date: 10/08/2013		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /34314/ 00131		Deed2:	
Seller: BRANNAN ROBERT J		Date: 04/28/2005		Price: \$655,000	
Type: ARMS LENGTH IMPROVED		Deed1: /21783/ 00047		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: No Application					
Homeowners' Tax Credit Application Information					

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE
(13924 Baldwin Mill Road)
11th Election District
3rd Councilmanic District
George & Joann Holback
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* Case No. 2014-0005-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed by George and Joann Holback, legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to approve an accessory structure for use as an in-law apartment. The Variance petition seeks relief from B.C.Z.R. §§400.1 and 400.3 to permit an accessory structure to be located in the front yard and side yard in lieu of the required rear yard with a height of 23 ft. in lieu of the permitted 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests was George and Joann Holback. The file reveals that the Petition was advertised and the site was posted as required by the Baltimore County Zoning Regulations. There were no Protestants or interested citizens in attendance, and the file does not contain any letters of opposition.

Zoning Advisory Committee (ZAC) comments were received from the Department of Environmental Protection and Sustainability indicating that the property must comply with the Forest Conservation Regulations, and a future building permit, for an in-law apartment, must be reviewed by Groundwater Management. Mr. Lippincott of that agency expressed concern with

ORDER RECEIVED FOR FILING

Date

9/5/13

By

Den

the request, noting that the proposed structure would appear to provide for permanent as opposed to temporary residential use. This is a valid concern, discussed in detail below.

The subject property is 5.966 acres in size and is zoned RC 2. The Petitioners indicated they have health problems, and would like to construct on the property a 1,200 sq. ft. accessory building as their dwelling. Their daughter would purchase their existing single family dwelling and live there with her family.

The variance requests for the height and yard placement are uncontroversial, especially given the size of Petitioners' lot (approximately 6 acres). In addition, as shown on the aerial photos, the lot is wooded and set back from the public road (Baldwin Mill) on a private panhandle driveway.

It is the "in law" apartment aspect of the case that merits greater scrutiny. As noted by Mr. Lippincott, it appears on its face that Petitioners are essentially constructing a second dwelling on this lot, which of course would not be permitted under the B.C.Z.R. But after learning the details of the proposal, I believe that the request is in keeping with Council Bill 49-11, now codified at B.C.Z.R. § 400.4. In the Bill's preamble, the Council "recognize [d] that with an aging population, the need exists for elder family members to have access to care and comfort from their children on the same owner occupied property as that of the principal single-family detached dwelling." The Petitioners' proposal would seem to fit squarely within the Council's stated purpose and intent in enacting this legislation. There is always the risk that such an apartment could be rented to or utilized by someone other than an immediate family member, a point not lost on the Council. The law contains several provisions - - including the declaration of understanding which is filed in the land records and the renewal process - - designed to ensure

ORDER RECEIVED FOR FILING

Date 9/5/13

2 By Den

compliance and notify owners and prospective purchasers of the conditions under which the apartment may be occupied. As such, I will grant the petition for Special Hearing.

Based upon the testimony and evidence presented, I will also grant the petition for variance. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

The Petitioners have met this test. This large parcel is of irregular dimensions and is therefore unique. The Petitioners would experience a practical difficulty if the regulations were strictly interpreted, given they would be unable to construct the proposed accessory building.

Pursuant to the advertisement, posting of the property, and the public hearing, and after considering the testimony and evidence offered, I find that Petitioner's Special Hearing and Variance requests should be granted.

THEREFORE, IT IS ORDERED this 5th day of September 2013, by this Administrative Law Judge, that Petitioner's request for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to approve an accessory structure for use as an in-law apartment, be and is hereby GRANTED.

IT IS FURTHER ORDERED that Petitioner's request for Variance relief to permit an accessory structure to be located in the front yard and side yard in lieu of the required rear yard with a height of 23 ft. in lieu of the permitted 15 ft, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date

9/5/13

By

Sen

The relief granted herein shall be subject to the following:

1. Petitioners may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Prior to obtaining permits, the Petitioners shall obtain from the Department of Permits Approvals and Inspections (PAI) a use permit and must at all times comply with the requirements of the B.C.Z.R. §400.4 concerning the use and occupancy of the proposed accessory apartment.

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


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date 9/5/13
By sln



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

September 5, 2013

George and JoAnn Holback
13924 Baldwin Mill Road
Baldwin, Maryland 21013

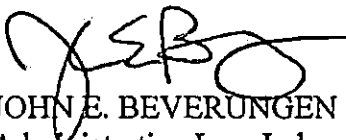
RE: Petitions for Special Hearing and Variance
Property: 13924 Baldwin Mill Road
Case No.: 2014-0005-SPHA

Dear Mr. and Mrs. Holback:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure



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 13924 BALDWIN MILL RD. which is presently zoned RC2
 Deed References: 21783100047 10 Digit Tax Account # 1800001486
 Property Owner(s) Printed Name(s) GEORGE & JOANN HOLBACK

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

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

1. X a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN ACCESSORY STRUCTURE FOR USE AS AN IN-LAW-APARTMENT PURSUANT TO SECTION 400.4.8; BC22.

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

3. X a Variance from Section(s) 400.1 & 3; BC22, TO PERMIT AN ACCESSORY STRUCTURE TO LOCATED IN THE FRONT AND SIDE YARDS IN LIEU OF THE REQUIRED REAR YARD WITH A HEIGHT OF 23 FT IN LIEU OF THE PERMITTED 15 FT.

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)

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2014-0005 Filing Date 7/3/13 Do Not Schedule Dates: _____ Reviewer SPHA

July 3, 2013

BALTIMORE COUNTY PLANNING AND ZONING

Letter for request for Variance and Special Hearing

Property: 13924 Baldwin Mill Road, Baldwin MD 21013

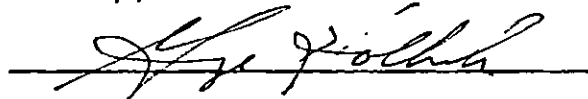
As the Owners of the property that is our residence at 13924 Baldwin Mill Road, we are requesting variances for the construction of an accessory structure on my property.

The first variance is for the location of the new structure past the front of the existing dwelling. The new structure will be located off the private driveway to the right and ahead of the existing structure due to site constraints and bend in the road alignment. Placing the structure in the rear was a problem for length of access, disturbance to existing septic system, and the distance to the existing well.

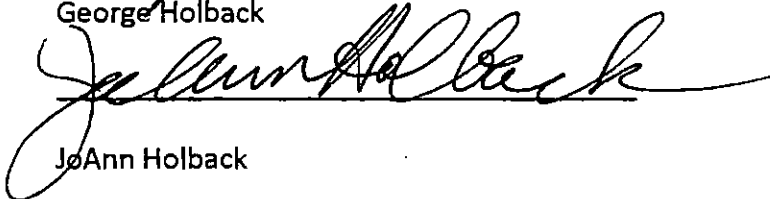
The second variance is for building height in excess of 15 feet allowable. The added height of 8 feet is for improvement to the design quality of the structure. The added height is limited to the roof form on the west end of the dwelling. It is for additional height for a cathedral ceiling in the living room and attic storage and mechanical unit location over the bedroom.

The Special Hearing is for the construction of a new in-law accessory apartment in the new accessory structure that meets the Baltimore County requirements for said use.

Sincerely yours



George Holback



JoAnn Holback

ZONING PROPERTY DESCRIPTION FOR

13924 Baldwin Mill Road

PART A

Beginning at a point on the West side of Baldwin Mill Road which is 40 feet wide at the distance of 775 feet South of the centerline of the nearest improved intersecting street Sweetair Road which is 40 feet wide.

Part B (Option 2, Subdivision lot)

Being Lot #10, in the subdivision of Long Green Estates as recorded in Baltimore County Plat Book #42 / 99 containing 5.9600 Acres. Located in the 11th Election District 3rd Council District.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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 petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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:

Item Number or Case Number: 2014-0005-SPHA

Petitioner: George Hourback

Address or Location: 13924 ISARDWIN MILL ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: Same

Telephone Number: 410-576-0440

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

RE: Case No. 2014-0005-A

Petitioner: George Holback

Closing Date: 9/5/13

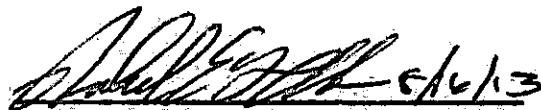
Baltimore County Department of
Permits and Development Management
Room 105, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

This letter is to confirm, under penalties of perjury, that the necessary sign(s)
were posted conspicuously on the property located at _____

13924 Baldwin Mill Rd.

_____ on 8/16/13

Sincerely,

 8/16/13

Richard E. Hoffman

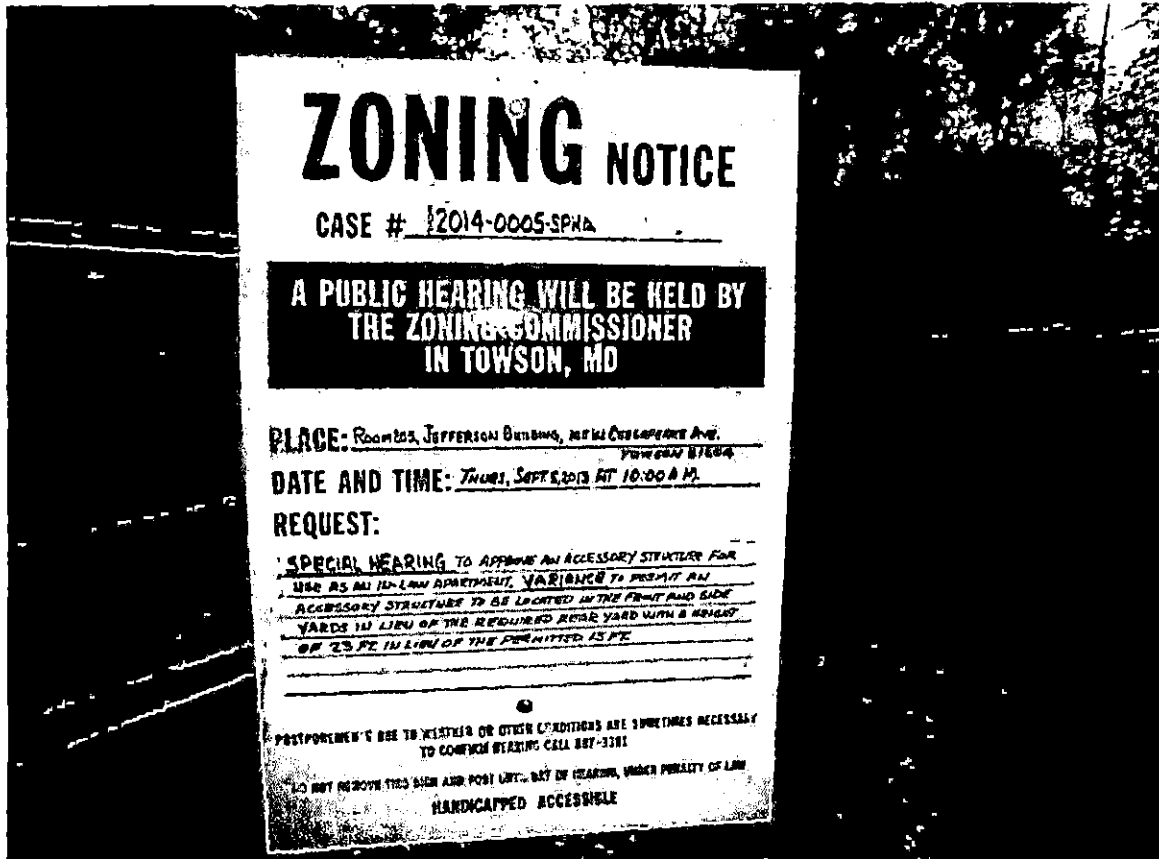
904 Dellwood Drive

Fallston, Md. 21047

(443-243-7360)

Certificate of Posting

Case No. 2014-0005-A



13924 Baldwin Mill Rd.

(posted 8/16/13)

 8/16/13

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(443-243-7360)



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

August 15, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, the publication appearing on August 15, 2013:

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: #2014-0005-SPHA

13924 Baldwin Mill Road

W/s Baldwin Mill Road, 775 ft. S of the centerline of Sweet Air Road

11th Election District - 3rd Councilmanic District

Legal Owner(s): George & JoAnn Holback

Special Hearing: to approve an accessory structure for use as an in-law apartment. Variance: to permit an accessory structure to be located in the front and side yards in lieu of the required rear yard with a height of 23 ft. in lieu of the permitted 15 ft.

Hearing: Thursday, September 5, 2013 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations, please contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, contact the Zoning Review Office at (410) 887-3391.

8/318 Aug 15

940396



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

July 29, 2013

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2014-0005-SPHA

13924 Baldwin Mill Road

W/s Baldwin Mill Road, 775 ft. +/- S/of the centerline of Sweet Air Road

11th Election District – 3rd Councilmanic District

Legal Owners: George & JoAnn Holback

Special Hearing to approve an accessory structure for use as an in-law apartment. Variance to permit an accessory structure to located in the front and side yards in lieu of the required rear yard with a height of 23 ft. in lieu of the permitted 15 ft.

Hearing: Thursday, September 5, 2013 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Holback, 13924 Baldwin Hill Road, Baldwin 21013

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, AUGUST 16, 2013.**
- (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: PATUXENT PUBLISHING COMPANY
Thursday, August 15, 2013 Issue - Jeffersonian

Please forward billing to:

George Holback
13924 Baldwin Mill Road
Baldwin, MD 21013

410-576-0440

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: 2014-0005-SPHA

13924 Baldwin Mill Road

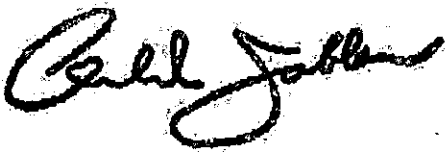
W/s Baldwin Mill Road, 775 ft. +/- S/of the centerline of Sweet Air Road

11th Election District – 3rd Councilmanic District

Legal Owners: George & JoAnn Holback

Special Hearing to approve an accessory structure for use as an in-law apartment. Variance to permit an accessory structure to located in the front and side yards in lieu of the required rear yard with a height of 23 ft. in lieu of the permitted 15 ft.

Hearing: Thursday, September 5, 2013 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

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.

MEMORANDUM

DATE: October 8, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0005-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on October 7, 2013. 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.'

c: ~~Case File~~
Office of Administrative Hearings

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
13924 Baldwin Mill Road; W/S Baldwin Mill * OF ADMINISTRATIVE
Road, 775' S c/line Sweet Air Road *
2nd Election & 4th Councilmanic Districts * HEARINGS FOR
Legal Owner(s): George & Joann Holback * BALTIMORE COUNTY
Petitioner(s) *
2014-005-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

JUL 18 2013

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 18th day of July, 2013, a copy of the foregoing Entry of Appearance was mailed to George Houback; 13924 Baldwin Mill Road, Baldwin, MD 21013, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>7/18/13</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
<u>8/16/13</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>7/16/13</u>	STATE HIGHWAY ADMINISTRATION	<u>No Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

8/15/13

SIGN POSTING

Date:

8/16/13by HOFFMAN

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

July 3, 2013

BALTIMORE COUNTY PLANNING AND ZONING

Letter for request for Variance and Special Hearing

Property: 13924 Baldwin Mill Road, Baldwin MD 21013

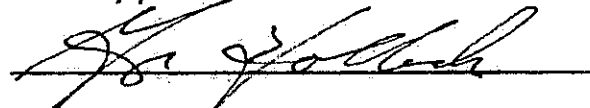
As the Owners of the property that is our residence at 13924 Baldwin Mill Road, we are requesting variances for the construction of an accessory structure on my property.

The first variance is for the location of the new structure past the front of the existing dwelling. The new structure will be located off the private driveway to the right and ahead of the existing structure due to site constraints and bend in the road alignment. Placing the structure in the rear was a problem for length of access, disturbance to existing septic system, and the distance to the existing well.

The second variance is for building height in excess of 15 feet allowable. The added height of 8 feet is for improvement to the design quality of the structure. The added height is limited to the roof form on the west end of the dwelling. It is for additional height for a cathedral ceiling in the living room and attic storage and mechanical unit location over the bedroom.

The Special Hearing is for the construction of a new in-law accessory apartment in the new accessory structure that meets the Baltimore County requirements for said use.

Sincerely yours



George Holback



JoAnn Holback

DECLARATION OF UNDERSTANDING

This DECLARATION OF UNDERSTANDING (hereinafter referred to as "Declaration") is made on this 6th day of SEPTEMBER, 2013, by and between GEORGE HOLBACK & JOANN HOLBACK (hereinafter referred to as the "Declarant") and the Department of Permits, Approvals and Inspection (hereinafter referred to as "PAI").

RECITALS

- A. The Declarant(s) who is / are the Owner's of this property has / have filed an application for a use permit and special hearing to allow a new accessory apartment be constructed in a new accessory building adjacent to the existing two story, four bedroom, 3,400 square foot single family residence on the property. The new structure will be a one story, one bed room structure with an unfinished uninhabitable basement, and 1,200 square feet of habitable area within the dwelling. The structure will have an attached garage and separate driveway off a shared private driveway. The property is located at:

13924 Baldwin Mill Road
Baldwin, Maryland 21013

and is more particularly described by metes and bounds in EXHIBIT A (The Property) and EXHIBIT B (The use permit or hearing plans) attached hereto and made a part hereof. The Property is zoned RC2 which is the particular zone in which the property is located.

- B. PAI (or) The Administrative Law Judge has approved the Declaration request to create an Accessory Apartment complete with dedicated bathing and cooking facilities, located on this Owner-occupied property. The accessory apartment will be the housing for:

George Holback and JoAnn Holback

Parent of Georgeann Burton and her spouse Graham Burton

The use permit must be renewed with PAI every two years by filing a renewal on a PAI approved form, to be dated from the month of the initial approval

- C. As a condition of approval of the Declarant(s) request, Bill No. 49-11 requires the filing of this Declaration among the Land Records of Baltimore County, to provide notice to any future owners, bona fide purchasers or users of the Property that no part of any improvements or addition on the Property may be used for separate living quarters and that all such improvements shall only be used as a single-family residence, unless otherwise approved by and at the discretion of PAI.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledge, the Declarant(s) and PAI hereby declare as follows:

1. Any and all improvements now existing or to be constructed on the Property shall be used only as a single-family residence. No such improvements or additions shall ever be used as a separate living quarter or second residential unit. The kitchen for the Accessory Apartment will be constructed as part of the Accessory Apartment shall house only the immediate family member(s) listed in this Declaration and it is not to be used as an independent residential unit, nor is it to be used for compensation, and it shall not be used by any other person or for any other reason. The basement will be used for storage or MEP equipment only. It will not be used as living quarters, nor connected to the interior of the living unit, and will be accessed from an exterior stair. The use permit and this Declaration are subject to the order, conditions or restrictions of any required zoning hearing. The hearing order is to be made part of this Declaration when it is recorded in Land Records.
2. Once the Accessory Apartment is no longer occupied by the persons named in this Declaration or if the property is sold, or the use permit has not been renewed within the 2 year temporary use permit time limit, the use permit shall terminate, and any proposed changes in occupancy to the Accessory Apartment by the property owner or subsequent purchaser shall require a new request for a use permit.
3. Upon use permit termination:
 - A. In the Accessory Apartment in the accessory building requires removal of the kitchen and possibly other residential elements, at the discretion of PAI.
 - B. The Declarant(s) upon termination of the use permit will provide written notification to PAI for the closing of the Department file.
4. The covenants, conditions, and restrictions stated above shall run with and bind the Property and shall be enforceable by Baltimore County, Maryland and by the owners of all or any portion of the Property.

5. Enforcement of the Covenants shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any of the covenants, either to restrain the violation or to recover damages.

IN WITNESS WHEREOF, the parties hereto have duly executed this Declaration under seal on the date first above written.

John Holback

WITNESS:

[Signature]

State of Maryland, County of Baltimore to wit:

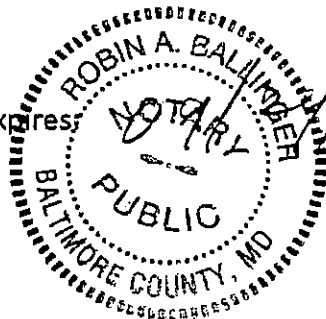
I HEREBY CERTIFY that on this *6 September* day of 20 *13*, before the Subscriber, a Notary Public of the State of Maryland, personally appeared

George N. Holback and
Joann A. Holback

The declarant(s) herein, who is / are also the owner(s) of this property, known to me (or satisfactorily proven) to be the person(s) whose name(s) is / are subscribed to the within instrument, and who acknowledged that he / she / they executed for the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, have hereunto set my hand and Notarial Seal.

My Commission Expires



[Signature]

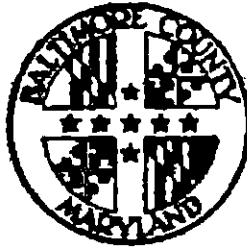
Notary Public

EXHIBIT A

BEING KNOWN AND DESIGNATED as Parcel, #10 as shown on the Plat of "Long Green Estates" which Plat is recorded among the Plat Records of Baltimore County in Liber E.H.K., Jr. No. 42 /99

The improvements thereon being known as No. 13924 Baldwin Mill Road, Baldwin MD 21013

BEING THE SAME lot of ground which by Deed dated 4/28/2005 and recorded among the Land Records of Baltimore county in Liber E. H. K. Jr. No. 42 / 99 was granted and conveyed by Robert Brannan unto George Holback and JoAnn Holback his wife, the Grantors herein.



The Declaration of Understanding for the Accessory Apartment at:

13924 Baldwin Mill Rd

Address of property

is approved:


Arnold Jablon, Director-PAI

12/16/13
Date



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

August 29, 2013

George & JoAnn Holback
13924 Baldwin Mill Road
Baldwin MD 21013

RE: Case Number: 2014-0004 SPHA, Address: 13924 Baldwin Mill Road

Dear Mr. & Ms. Holback:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 3, 2013. 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 that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 7-16-13

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

RE: Baltimore County
Item No. 2014-0005-SHA
Special Hearing Variance
George? Town Hall
13924 Baldwin Mill Road
MD 105

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 7-15-13. A field inspection and internal review reveals that an entrance onto MD165 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2014-0005-SHA.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/raz

John Beverungen - 2014-0005-SPHA

From: John Beverungen
To: Carl Richards; Gary Hucik
Date: 12/12/2013 1:13 PM
Subject: 2014-0005-SPHA
CC: Debra Wiley; Sherry Nuffer

Gentlemen,

I issued an Order in the above on September 5, 2013, approving an accessory structure to be constructed and used as an "in law" apartment. An issue has arisen concerning a basement area in that proposed building. Though the order does not discuss the issue, the floor plan submitted in the case (Ex. 1) does show an "uninhabitable basement."

As such, I believe that the basement area is permissible, and would be within the spirit and intent of the approval and Order dated September 5, 2013.

Even so, I believe the Declaration of Understanding, which was submitted today, should be amended to provide that: **"the basement area shall be used only for storage and mechanical equipment (i.e., HVAC unit, water heater, etc.) and shall not at any time be converted to, or used as, living quarters. The basement space shall be accessed only by means of an exterior entrance, and shall not be directly accessible from the living quarters in the structure."** This language should be included in the Declaration, on the first page immediately after the second sentence in Section A.

Let me know if you have any questions, and I will leave the file at the front desk.

John Beverungen
AU

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: September 10, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 13924 Baldwin Mill Road

INFORMATION:

Item Number: 14-005

Petitioner: George and JoAnn Holback

Zoning: RC 2

Requested Action: Special Hearing and Variance

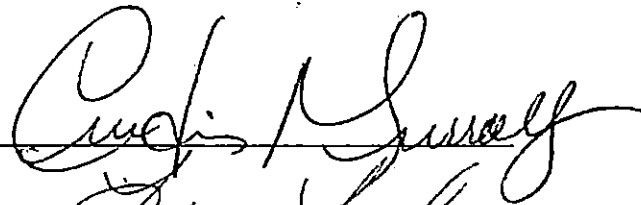
SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning supports the petitioner's requests provided the following conditions are met:

1. The size of the in-law apartment may not exceed 1,200 square feet, and shall comply with the requirements of Section 400.
2. The in-law apartment may not be used as a separate dwelling unit or apartment once the family member for which this request is made no longer resides in the apartment. At that time all kitchen facilities shall be removed.
3. The accessory building shall not be used for commercial purposes.

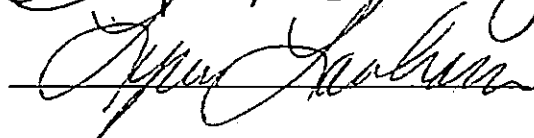
For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared By:



Division Chief:

AVA/LL:cjm



9-5 @ 10 Am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

AUG 06 2013



OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: August 6, 2013

SUBJECT: DEPS Comment for Zoning Item # 2014-0005-SPHA
Address 13924 Baldwin Mill Road
(Holback Property)

Zoning Advisory Committee Meeting of July 15, 2013.

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

1. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code). A Single Lot Declaration of Intent may be filed with EPS to address forest conservation law if forest clearing will not exceed 20,000 square feet in building the in-law apartment. *Glenn Shaffer – Environmental Impact Review (EIR)*
2. A future building permit, for an in-law apartment, must be reviewed by Groundwater Mgmt., since the site is served by well and septic. *Dan Esser – Groundwater Management*
3. This request appears to be for the construction of a new accessory structure that will solely serve to provide for a residential use that is permanent and not temporary. If this is the case it conflicts with Section 400.4. Furthermore the property is zoned RC 2 and located within a Master Plan designated Agricultural Preservation Priority Area. The policy for this area (Master Plan page 92) is to "Manage land development to limit conflicts with the agricultural industry...." Approval of additional residential structures over and above the single dwelling permitted for a lot in this zone contributes to more development and density in an area designated for agricultural operations and natural resource protection. This request is not supported. *Wallace Lippincott, Jr. – Agricultural Preservation/ Land Preservation*

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: July 18, 2013

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For July 22, 2013
Item Nos. 2013- 0306, 0320, 2014-0001,0002,
0003,0005,0006,0007,0008 and 0009.

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

DAK:CEN
Cc: file

Real Property Data Search (w3)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 11 Account Number - 1800001486		
Owner Information		
Owner Name:	HOLBACK GEORGE N/JOANN A SHUBA JOANNA E	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	13924 BALDWIN MILL RD BALDWIN MD 21013-9707	Deed Reference: 1) /21783/ 00047 2)
Location & Structure Information		
Premises Address:	13924 BALDWIN MILL RD 0-0000	Legal Description: 5.966 AC 13924 BALDWIN MILL RD LONG GREEN ESTATES
Map: 0045	Grid: 0001	Parcel: 0256
Sub District:	Subdivision: 0000	Section:
Block:	Lot: 10	Assessment Year: 2012
Plat No:	Plat Ref: 0042/ 0099	
Special Tax Areas:	Town: NONE	Ad Valorem:
Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1980	3,457 SF	850 SF
Property Land Area	County Use	
5.9600 AC	04	
Stories	Basement	Type
2.000000	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	2 full/ 1 half	1 Attached
Last Major Renovation		
Value Information		
	Base Value	Value
		As of
		01/01/2012
Land:	188,200	188,200
Improvements	441,500	331,100
Total:	629,700	519,300
Preferential Land:	0	519,300
		0
Transfer Information		
Seller: BRANNAN ROBERT J	Date: 04/28/2005	Price: \$655,000
Type: ARMS LENGTH IMPROVED	Deed1: /21783/ 00047	Deed2:
Seller: CARNEY ROBERT E,JR	Date: 08/24/1978	Price: \$35,000
Type: ARMS LENGTH IMPROVED	Deed1: /05926/ 00835	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: Approved 10/06/2010		



My Neighborhood Map

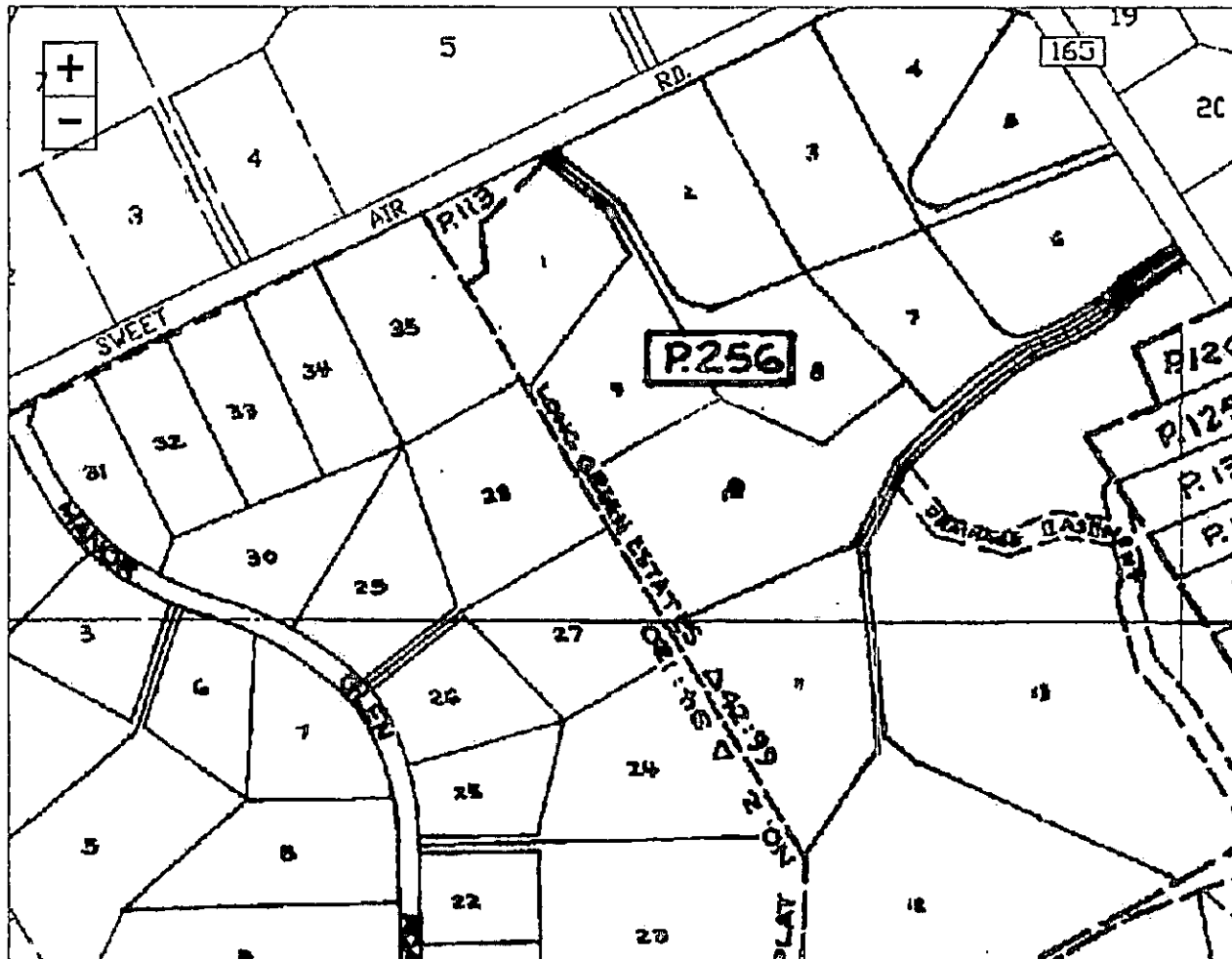
Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 9/5/2013

Baltimore County

[New Search](#)District: **11** Account Number: **1800001486**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml.



☒ Loading... Please Wait. Loading... Please Wait.

CASE NAME _____
CASE NUMBER 2014-0005-GMA
DATE 9-5-13

CASE NAME _____
CASE NUMBER 2014-0005-GMA
DATE 9-5-13

[illegible]

Case No.:

2014-0005-SPHA

EW
10-8-13

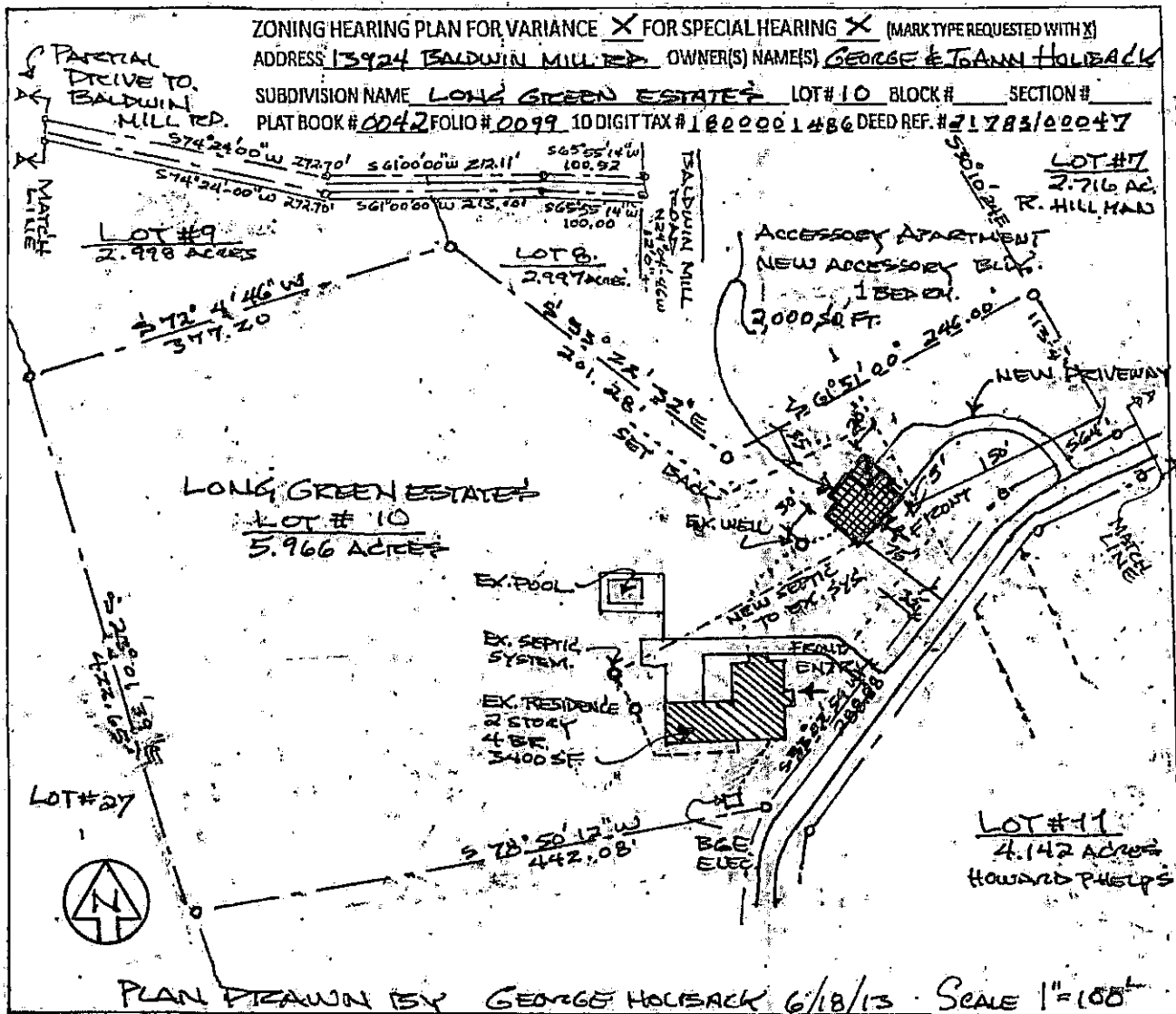
Exhibit Sheet

9-5-13
den

Petitioner/Developer

Protestant

No. 1	Site plan	
No. 2	color photos	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



SITE VICINITY MAP

MAP IS NOT TO SCALE

ZONING MAP # 045A1

SITE ZONED RC2

ELECTION DISTRICT 11

COUNCIL DISTRICT 3

LOT AREA ACREAGE 5.9

OR SQUARE FEET

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH

WATER IS: PUBLIC PRIVATE X

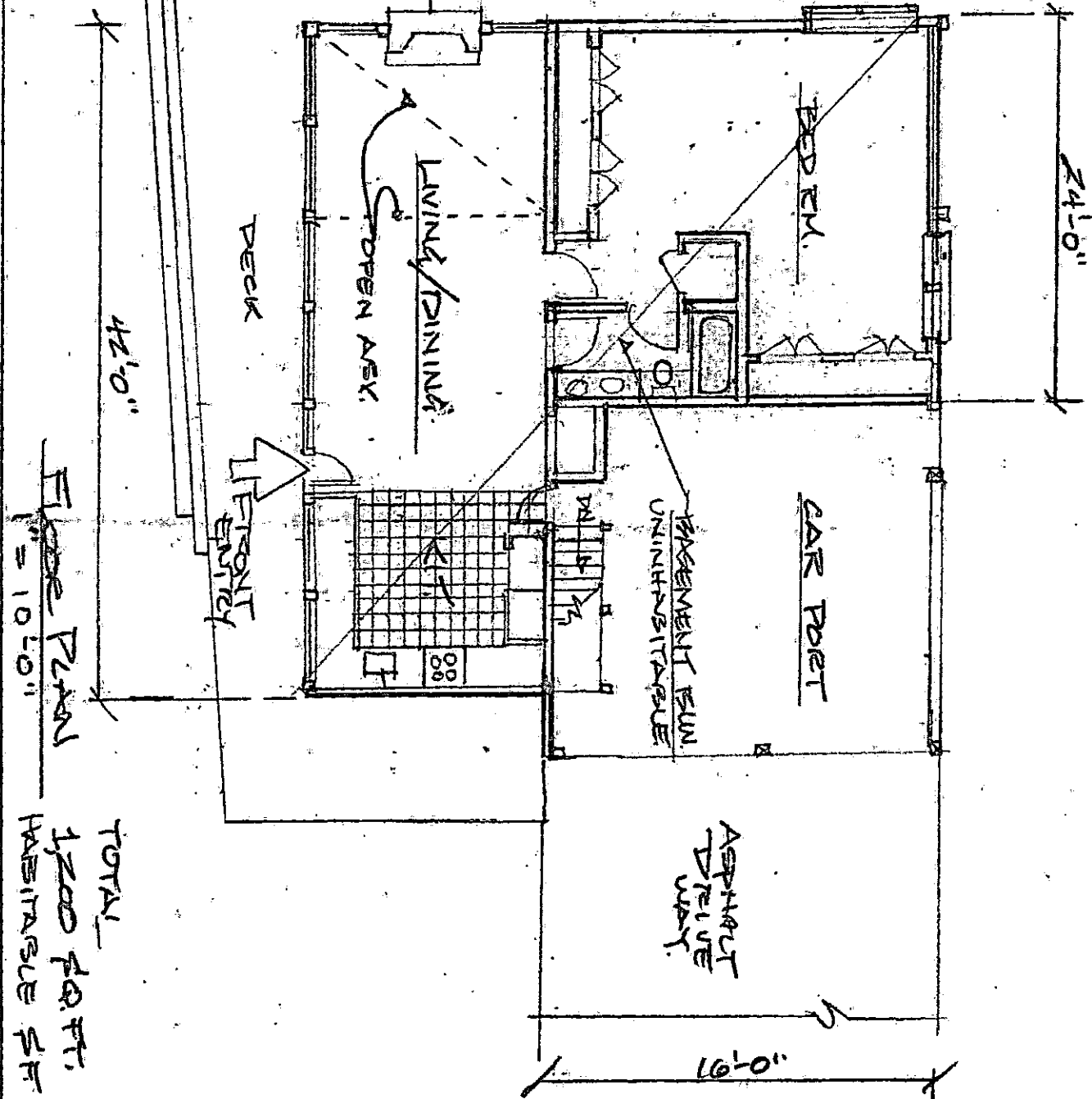
SEWER IS: PUBLIC PRIVATE X

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

VIOLATION CASE INFO:

Partitions #



FLOOR PLAN
 1" = 10'-0"
 TOTAL
 1,200 SQ. FT.
 HABITABLE SF

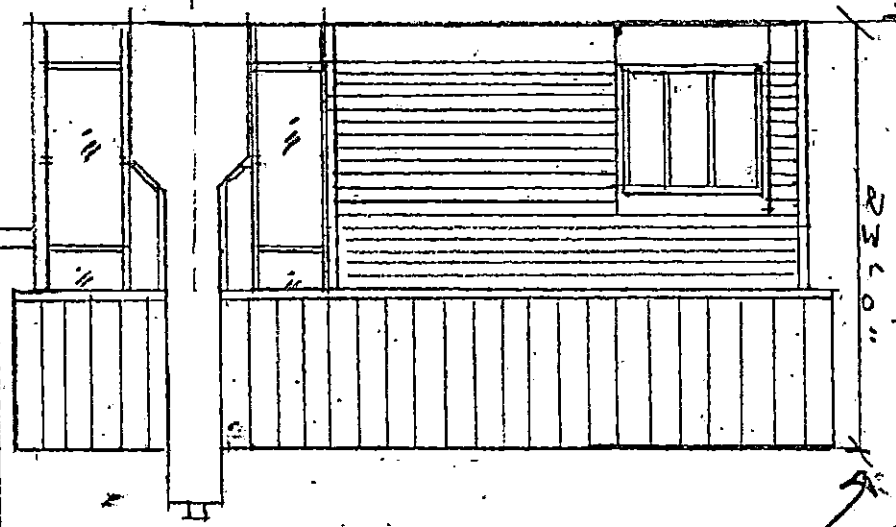
13924 BALDWIN MILLED, 21013
 HOLBACK RESIDENCE

DATE: 7-3-13

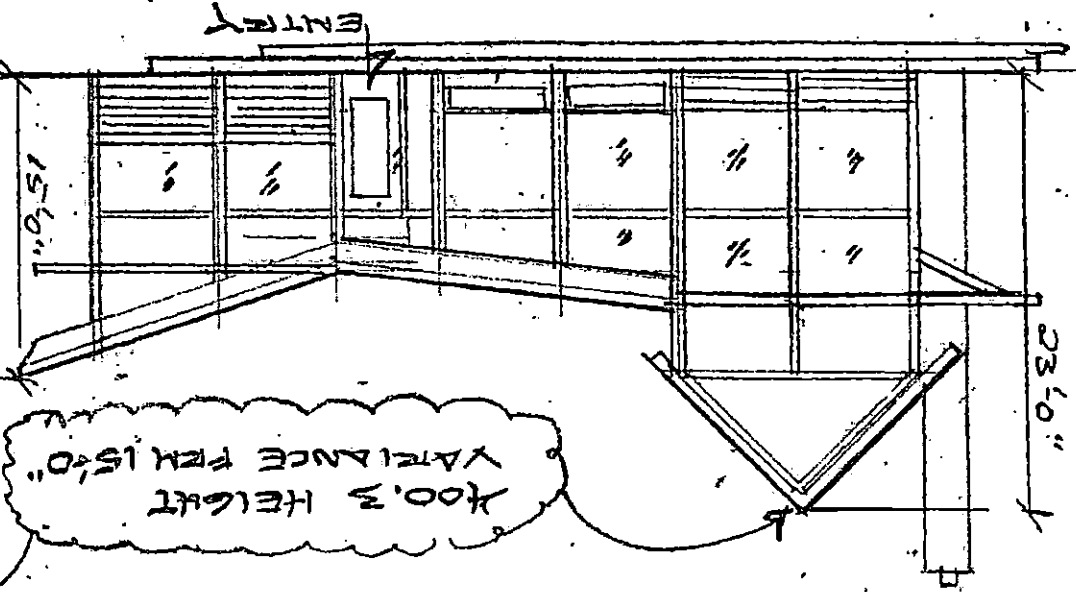
ACCESSORY BUILDING W/ ACCESSORY APARTMENT

13924 BALDWIN MILL ROAD
 SCALE 1"=10'-0"
 DATE 7/3/13

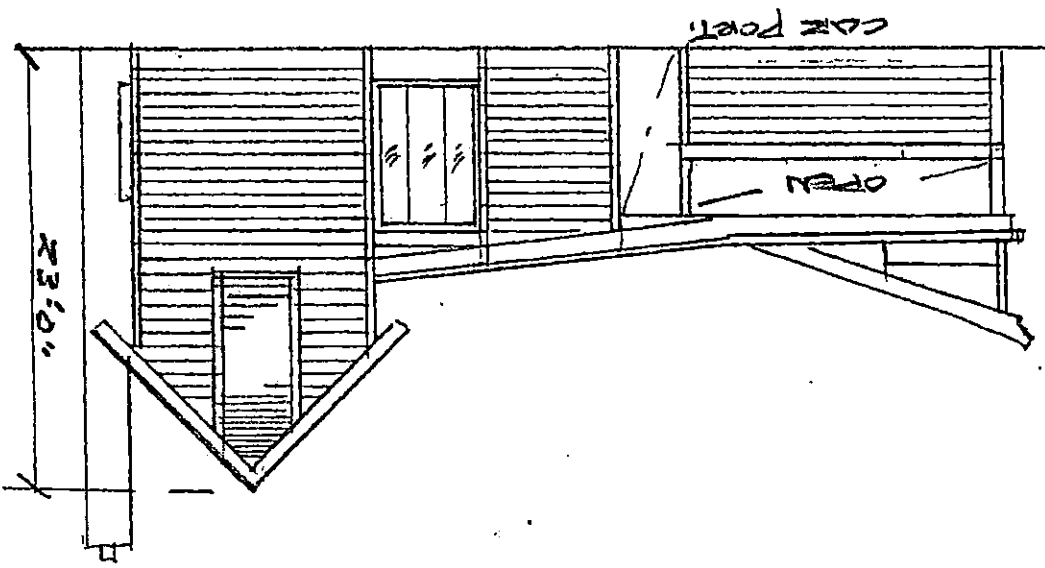
WEST ELEVATION



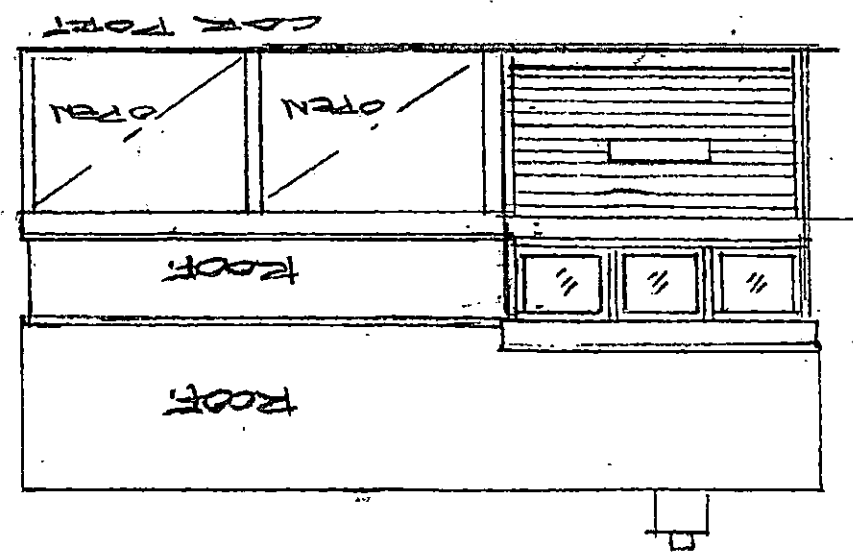
FRONT SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION





SITE & EX. HOUSE.



13918 BALDWIN MILL RD.



PRIVATE DRIVEWAY.



VIEW OF ACCESSORY BLDG. LOCATION.
13924 BALDWIN MILL RD.

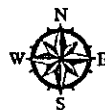
13924 Baldwin Mill Road



Publication Date: 6/21/2013



Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot

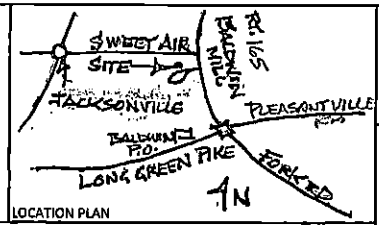


0 50 100 200 300 400 Feet

1 inch = 200 feet



Zoning RC-2
Use Residential Accessory In-Law
Apartment, New Accessory Building
Subdivision: Long Green Estates Lot 10
Tax # 1800001486
Deed ref: 2178310004 Council District : 3
Elec. District: 11
Plat book #0042 Folio # 0099
Size: 1,200 sf.
Height: 23 ft. abv Fin. Floor and entry grade



A-1

2012 IECC CODE COMPLIANCE

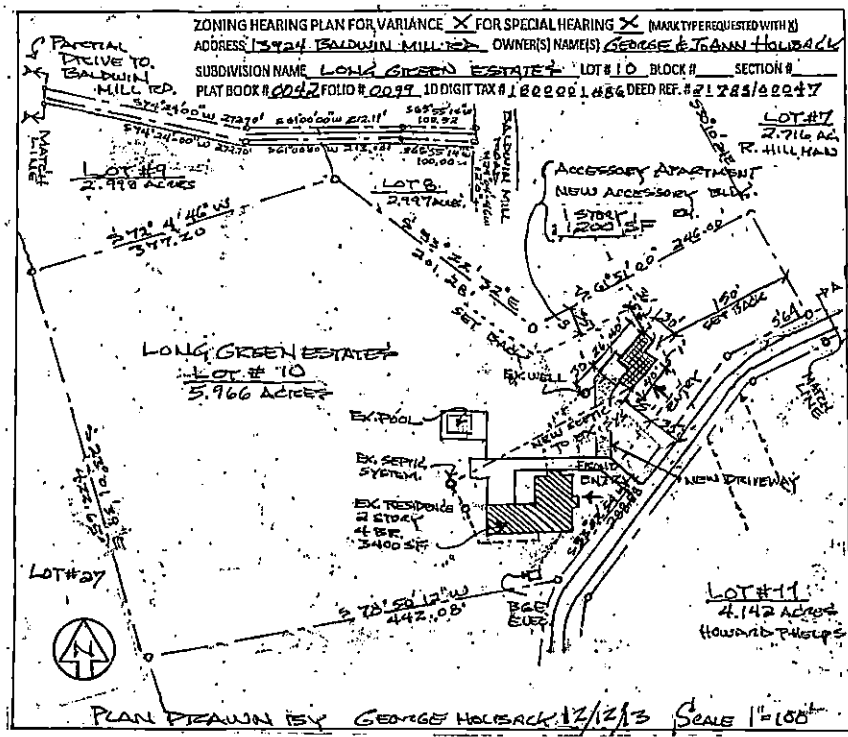
- R301.1 Climate Zone 4
- R401.2 Compliance method: Mandatory and Prescriptive Provisions
- R402.1.1 Attic Insulation R-49
- R402.1.1 Wood Frame wall R-20 or R-13 + R5 continuous insulation
- R402.1.1 Basement wall insulation: R-13/R-10 Foil Faced continuous Uninterrupted batts full height
- R402.1.1 Floor insulation over unconditioned space R-19 batt Insulation
- R402.1.1 Window U Value: .35 SHGC .40
- R402.2.9 Sklab on grade floors less than 12" below grade: rigid ins. R-10 extend 2' horizontally or 22' vertically
- R402.2.4 Attic Access scuttle weatherstripped and insulated r-49
- R402.4 Building thermal Envelope (air leakage) Ext. walls and penetrations sealed per section with caulk gaskets, weatherstripping
- R402.4.1 Building tightness Test: Tightness and insulation must meet criteria Table 402.4.1.2. Blower Door Air Infiltration Test shall be performed See also Section R303.4 of 2012 IRC
- R402.4.2 Fireplaces; wd. Burning masonry fireplaces shall have tight fitting flue damper, outside combustion air, and gasketed doors.
- R402.4.4 Recessed Lighting: in thermal envelope shall be sealed limit leakage
- R403.1.1 Thermostat: provide programmable thermostat per 2012 IECC Sec. 403.1 Heat Pump, supplemental electric heat shall remain off when heat pump can maintain heating load
- R403.2.2 Duct Sealing: All ducts, air handles, filter boxes shall be sealed Joints and seams comply with section M1601.4.1 of the IRC. "Duct Blaster" duct leakage test to be performed in rough in or post construction. Not required if ducts and unit are in conditioned space.
- R403.6 Mechanical Ventilation: Outdoor make up air shall be brought in thru a duct with an automatic or gravity damper.
- R403.6 Equipment sizing shall comply with R403.6
- R404.1 Lighting Equipment: Min. of 75% of all lamp (lights) to be high-efficacy lamps
- Wall Heater: Minimum efficiency
- Mechanical Testing: All mechanical testing to be performed by:

GENERAL NOTES

- 1.1 Site clearing of Invasive bamboo species shall include full root structure removal and disposal off site.
- 2.1 Trees designated to remain shall be protected at the base and out to the drip line
- 2.2 Trees designated to be firewood shall be cut to length and stored on site.
- 3.1 Concrete foundations shall be reinforced with 2 #4 rebar
- 3.2 Concrete slab: Basement 4", 6 mil. VB, 4" Gravel, 6 x 6, 1/4 dia. WWF, Garage 5" sim.
- 4.1 Basement walls shall be 12" CMU with ladder reinforcement 16" OC and concrete fill with one #6 rebar 32" on center, 3" clear from inside face.
- 4.2 Basement wall cap, fill smooth, sill hook anchors 1/2" dia. 6" long, 3" hook, 32" OC
- 5.1 Steel clips and anchors as detailed
- 5.2 Cable Ties: 1/4" SS cable, clevis ends, closed body turnbuckle
- 6.1 Reused Heavy Timber Framing: 3" x 10" redwood solid stock timbers, and glue laminated beams have been inspected and approved by structural engineer: Mincin Patel Milano Engineers.
- 6.2 All framed composite Heavy timber columns and beams shall be sealed with sealant prior to assembly, provide thermal bridging break typical.
- 6.3 Wood sills and grounds shall be pressure treated lumber and anchored with corrosion resistant screws, foam sill plate insulation shall be used throughout
- 6.4 All exterior osb sheathing shall be sealed at all joints and penetrations
- 7.1 Roof insulation to be two layers staggered 4" polyisocyanurate screwed to deck
- 7.2 Install 1/2" foam backer rod insul between 3" thick roof deck members, 6 mil VB abv.
- 7.3 Roof to be standing seam, Galvalume, 12" ribs, on clips vented abv. Insulation
- 7.4 Alternate roof shall be asphalt shingle 30 year arch. 4 tab on 30# felt on vented plywood deck 1/2 CDX on 1x Pt furring strips screwed through insulation
- 7.5 Flat roof to be TPO roof adhered to foam, 45 mil, cover bd. 15 yr warrantee
- 8.1 Windows shall meet U value criteria and be fully sealed for both manufactured and field stopped in insulated fixed glazing.
- 9.1 Finishes see drawings and sperate listing
- 12.1 Cabinets shall be plywd box and solid maple frt., stained, recessed panel doors
- 12.2 Counter tops to be granite
- 15.1 Heat pump shall be split system single zone, SEER TBD., alternate geothermal
- 15.2 Sanitary Sewer to tie into ex. septic sys. Provide tank and pump for Elev. & fall
- 15.3 Provide full sprinkler system: type 13D with storage tank design build by Sp. Cont.
- 15.4 Water supply firm. Ex. Well, separate tank, controls, and softener in basement
- 16.1 Electric service to come from ex. Dwelling as subpanel

HOLBACK RESIDENCE, 13924 Baldwin Mill Rd, Baldwin, MD 21013

Date	12/12/2013



SITE VICINITY MAP
MAP IS NOT TO SCALE
ZONING MAP# 045A1
SITE ZONED RC-2
ELECTION DISTRICT 11
COUNCIL DISTRICT 3
LOT AREA ACREAGE 5.966
OR SQUARE FEET
HISTORIC? NO
IN CBQA? NO
IN FLOOD PLAIN? NO
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

A-2

HOLBACK RESIDENCE, 13924 Baldwin Mill Rd, Baldwin, MD 21013

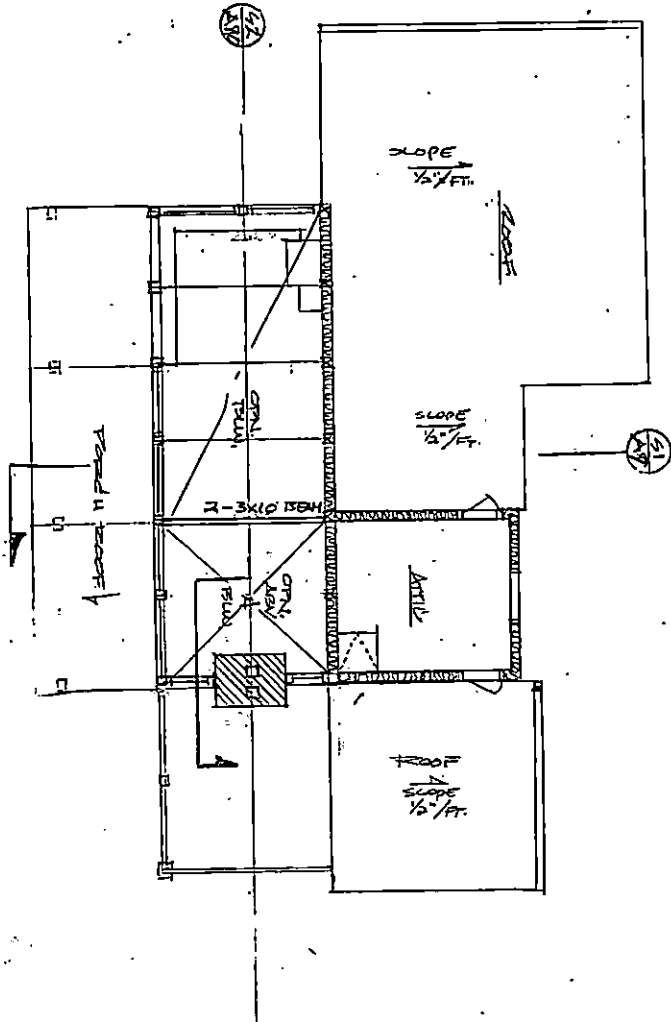
SITE PLAN

12/12/13

PLAN NORTH

1/12/13

ATTIC / PARTIAL 1ST FLOOR



A-5

HOLBACK RESIDENCE, 13924 Baldwin Mill Rd, Baldwin, MD 21013

12/12/13

A-6

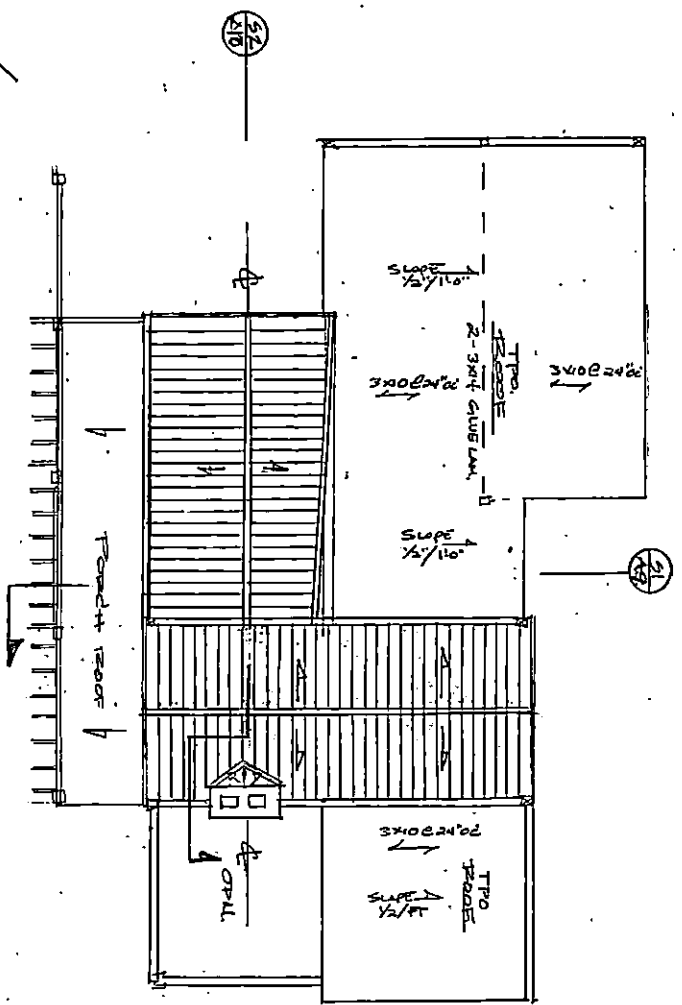
HOLBACK RESIDENCE, 13924 Baldwin Mill Rd, Baldwin, MD 21013

12/12/13

PLAN NORTH

1/12/13

ROOF PLAN



1	Type(s) of Instruments	☐ Check Box if addendum Intake Form is Attached.	
	Deed	Mortgage	Other: <u>Dec</u>
	Deed or Trust	Lease	Other: _____
2	Conveyance Type Check Box	Improved Sale	Unimproved Sale
	Arms-Length [1]	Arms-Length [2]	Multiple Accounts
			Not an Arms-Length Sale [9]
3	Tax Exemptions (if Applicable)	Recordation	
	Cite or Explain Authority	State Transfer	
		County Transfer	
4	Consideration and Tax Calculations	Finance Office Use Only	
		Transfer and Recordation Tax Consideration	
	Purchase Price/Consideration	\$	Transfer Tax Consideration
	Any New Mortgage	\$	X () % = \$
	Balance of Existing Mortgage	\$	Less Exemption Amount = \$
	Other:	\$	Total Transfer Tax = \$
	Other:	\$	Recordation Tax Consideration = \$
	Full Cash Value:	\$	X () per \$500 = \$
		TOTAL DUE	\$
5	Fees	Amount of Fees	Doc. 1
			Doc. 2
	Recording Charge	\$	\$
	Surcharge	\$	\$
	State Recordation Tax	\$	\$
	State Transfer Tax	\$	\$
	County Transfer Tax	\$	\$
	Other: <u>Declaration</u>	\$	\$
	Other:	\$	\$
6	Description of Property	District	Property Tax ID No. (1)
	SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	Grantor Liber/Folio	Map
		Subdivision Name	Lot (3a)
			Block (3b)
			Sec/AR (3c)
			Plat Ref.
			SqFt/Acreage (4)
		Location/Address of Property Being Conveyed (2)	
		Other Property Identifiers (if applicable)	
		Water Meter Account No.	
		Residential ☐ or Non-Residential ☐ Fee Simple ☐ or Ground Rent ☐ Amount:	
		Partial Conveyance? ☐ Yes ☐ No Description/Amt. of SqFt/Acreage Transferred:	
		If Partial Conveyance, List Improvements Conveyed:	
7	Transferred From	Doc. 1 - Grantor(s) Name(s)	Doc. 2 - Grantor(s) Name(s)
		<u>George N. Holback</u>	
		<u>Joanna A. Holback</u>	
		Doc. 1 - Owner(s) of Record, if Different from Grantor(s)	Doc. 2 - Owner(s) of Record, if Different from Grantor(s)
8	Transferred To	Doc. 1 - Grantee(s) Name(s)	Doc. 2 - Grantee(s) Name(s)
		<u>Dept. of Permits</u>	
		New Owner's (Grantee) Mailing Address	
9	Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional)	Doc. 2 - Additional Names to be Indexed (Optional)
10	Contact/Mail Information	Instrument Submitted By or Contact Person	
		Name: <u>George Holback</u>	
		Firm	
		Address: <u>13924 BALDWIN MILL RD</u>	
		<u>BALDWIN MD 21013</u> Phone: <u>(410) 571-3784</u>	
		☐ Return to Contact Person	
		☐ Hold for Pickup	
		☐ Return Address Provided	
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER		
	Assessment Information	Yes ☐ No ☐ Will the property being conveyed be the grantee's principal residence?	
		Yes ☐ No ☐ Does transfer include personal property? If yes, identify: _____	
		Yes ☐ No ☐ Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).	
		Assessment Use Only: Do Not Write Below This Line	
		Terminal Verification ☐ Agricultural Verification ☐ Whole ☐ Part ☐ Tran. Process Verification ☐	
		Transfer Number: <u>20</u> Date Received: <u>20</u> Deed Reference: <u>Map</u> Assigned Property No.: <u>Block</u>	
		Land <u>20</u> Zoning <u>Grid</u> Plat <u>Lot</u>	
		Buildings <u>Use</u> Parcel <u>Section</u> Occ. Cd.	
		Total <u>Town Cd.</u> Ex. St. <u>Ex. Cd.</u>	
		REMARKS: <u>Am</u>	

1105-20-20-0102

1800001477

Lot # 2

1800001478

1800001479

NE 20-G

Lot # 7

1800001483 13926

5423

Lot # 8

1800001484

Lot # 9

1800001485

5421

3 CD

Pt. Bk./Folio # 042099

11 ED

PAI # 110287 Pt. Bk. 0000042, Folio 0099

2014-0005-SPHA 1800001486

PAI # 110287

Lot # 10

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

045A1

RC 2

13924

NE 19-G

ROAD

Lot # 27

1600003743

Lot # 13

1800001489

PAI # 110204

PAI # 110204

Pt. Bk./Folio # 034130

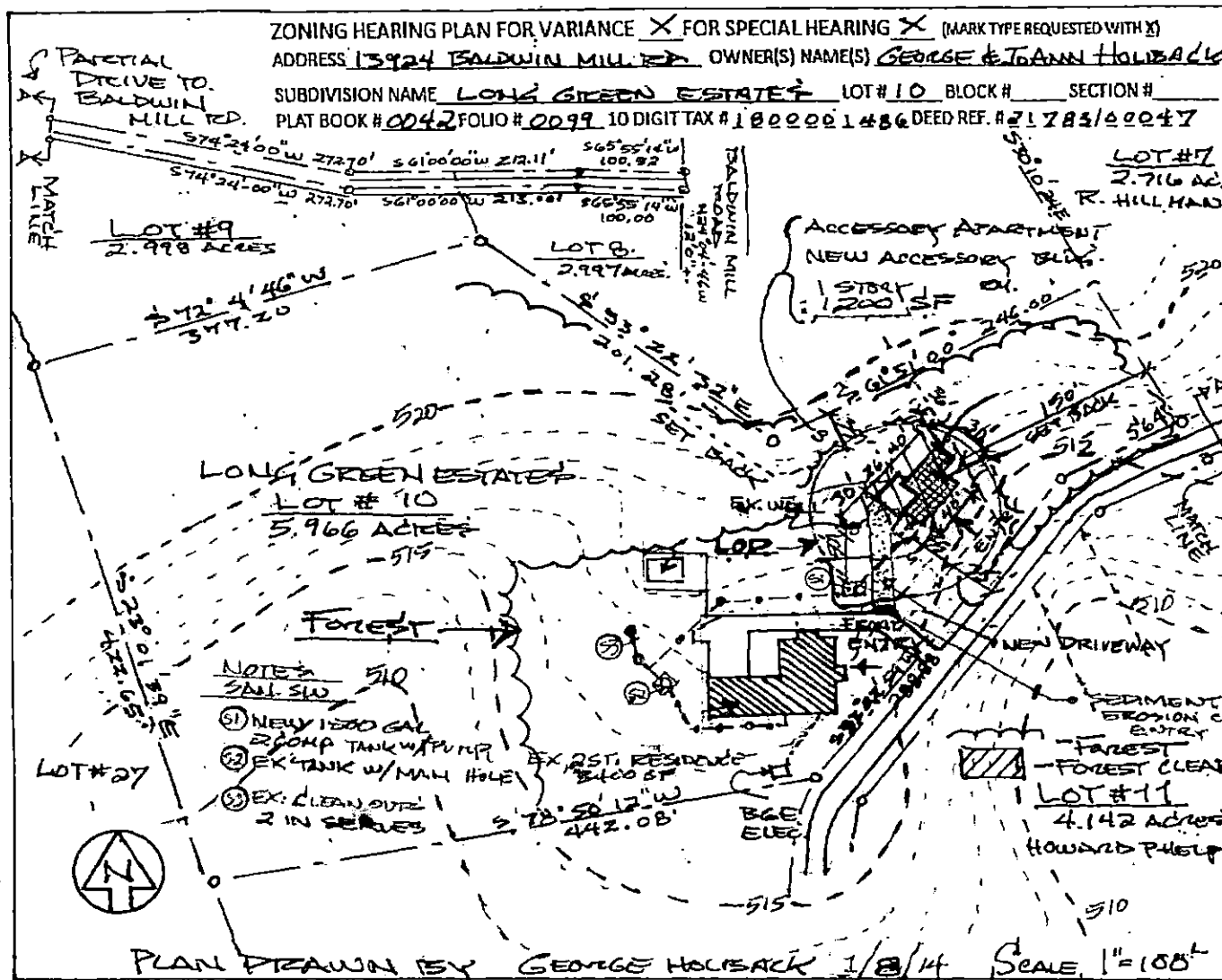
Lot # 11

1800001487

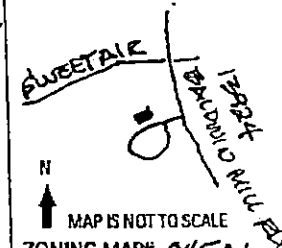
Lot # 24

1600003740

Pt. Bk. 0000034, Folio 0130



SITE VICINITY MAP



ZONING MAP# 045A1

SITE ZONED RC2

ELECTION DISTRICT 11

COUNCIL DISTRICT 3

LOT AREA ACREAGE 5.966

OR SQUARE FEET

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

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

2.16000 SF

VIOLATION CASE INFO:

REV. 1-3-14

SAN SEWER & TOPO LOT, SEC

1-8-14

FOREST CLEARING