

**M E M O R A N D U M**

DATE: February 11, 2020  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2019-0500-A - Appeal Period Expired

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The appeal period for the above-referenced case expired on February 10, 2020. 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 ADMIN. VARIANCE** \* BEFORE THE  
**(1316 Ivy Hill Road)**  
 8<sup>th</sup> Election District \* OFFICE OF ADMINISTRATIVE  
 3<sup>rd</sup> Council District \* HEARINGS FOR  
 Christopher E. Bartlett \*  
 Petitioner \*  
 \* BALTIMORE COUNTY  
 \*  
 \* **CASE NO. 2019-0500-A**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owner of the property, Christopher E. Bartlett. The variance request is from Sections 1A03.4.B.2 and 1A03.4.B.3 of the Baltimore County Zoning Regulations (“BCZR”), to: (1) allow a side yard setback of 5.7 ft. in lieu of the required 50 ft., (2) to allow the continuance of a side yard setback of 40.7 ft. in lieu of the required 50 ft., (3) to allow the lot to be covered with 15% impermeable surfaces in lieu of the required 10%, and (4) for any such other and further relief as may be required by the Administrative Law Judge (“ALJ”) for Baltimore County. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner’s Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. A ZAC comment was received from the Department of Environmental Protection and Sustainability (“DEPS”), dated November 6, 2019, indicating the following in pertinent part:

“Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

ORDER RECEIVED FOR FILING

Date 1-10-2020  
 By bw

The plan submitted for review shows a proposed garage less than 10 feet from the existing well. Ground Water Management will need to review the proposed permit, and a well variance will be necessary.

A Single Lot Declaration of Intent must be filed to address Forest Conservation Law in accordance with Section 33-6-104 therein prior to permit approval.”

In addition, it is to be noted that this Administrative Variance case closed on November 25, 2019 but was not received by OAH until December 31, 2019; the whereabouts of the case file between these dates is unknown.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on November 10, 2019, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 10<sup>th</sup> day of **January, 2020** by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Sections 1A03.4.B.2 and 1A03.4.B.3 of the Baltimore County Zoning Regulations (“BCZR”), to: (1)

ORDER RECEIVED FOR FILING

Date 1-10-2020

By EW

allow a side yard setback of 5.7 ft. in lieu of the required 50 ft., (2) to allow the continuance of a side yard setback of 40.7 ft. in lieu of the required 50 ft., (3) to allow the lot to be covered with 15% impermeable surfaces in lieu of the required 10%, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for any appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- Petitioner must comply with the DEPS ZAC comment, dated November 6, 2019; a copy of which is attached hereto and made a part hereof.

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



LAWRENCE M. STAHL  
Managing Administrative Law Judge for  
Baltimore County

LMS:dlw

ORDER RECEIVED FOR FILING

Date 1-10-2020

By dlw



# ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 1316 Ivy Hill Road Currently zoned RC4? RCS  
Deed Reference 14333 / 360 10 Digit Tax Account # 0823092050  
Owner(s) Printed Name(s) Christopher Bartlett

(SELECT THE HEARING(S) BY MARKING  AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1.  ADMINISTRATIVE VARIANCE from Section(s) See attached.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2.  ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

Christopher Bartlett

Name #1 - Type or Print

Name #2 - Type or Print

Christopher Bartlett

Signature #1

Signature #2

1316 Ivy Hill Rd Cockeysville MD

Mailing Address

City

State

21030 / 410 560 1316 / cbartlett@timson.edu

Zip Code

Telephone #

Email Address

Attorney for Owner(s)/Petitioner(s):

PIA

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Kenneth J. Wells

Name - Type or Print

Signature

7403 New Cut Rd Kingsville MD

Mailing Address

City

State

21087 / 410-592-8800 / kwells@kjwellsinc.com

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0500-A Filing Date 10/28/19 Estimated Posting Date 11/10/19 Reviewer AJ

~ 11/25/19

# Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 1316 Ivy Hill Road Cockeysville MD 21030  
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

See attached.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Christopher Bartlett  
Signature of Owner (Affiant)

Signature of Owner (Affiant)

Christopher Bartlett  
Name- Print or Type

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

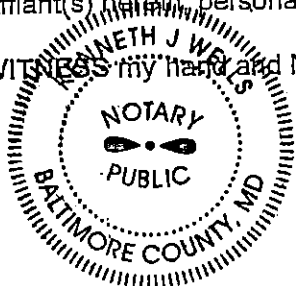
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22 day of 10, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: KENNETH J. WELLS

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESSES my hand and Notaries Seal



Kenneth J. Wells  
Notary Public  
10/07/2022  
My Commission Expires

# Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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Print or Type Address of property City State Zip Code

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See attached.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Christopher Bartlett  
Signature of Owner (Affiant)

\_\_\_\_\_  
Signature of Owner (Affiant)

Christopher Bartlett  
Name- Print or Type

\_\_\_\_\_  
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

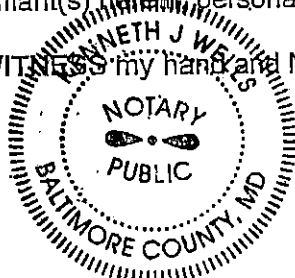
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22 day of 10, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: KENNETH J. WELLS

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESSES my hand and Notaries Seal



Kenneth J. Wells  
Notary Public  
10/07/2022  
My Commission Expires



# ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 1316 Ivy Hill Road Currently zoned RC4? RC5  
Deed Reference 14333 / 360 10 Digit Tax Account # 0823092050  
Owner(s) Printed Name(s) Christopher Bartlett

(SELECT THE HEARING(S) BY MARKING  AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1.  ADMINISTRATIVE VARIANCE from Section(s) \_\_\_\_\_

See attached.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2.  ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

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

Christopher Bartlett  
Signature #1 Signature #2

1316 Ivy Hill Rd Cockeysville MD  
Mailing Address City State

21030 / 410 560 1316 / cbartlett@tinson.edu  
Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

PIA  
Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Kenneth J. Wells  
Name - Type or Print

Kenneth J. Wells  
Signature

7403 New Cut Rd Kingsville MD  
Mailing Address City State

21087 / 410-592-8800 / kwells@kjwellsinc.com  
Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0500-A Filing Date 10/28/19 Estimated Posting Date 11/10/19 Reviewer AT

~11/25/19

ORDER RECEIVED FOR FILING  
Date 1-10-2020



1316 Ivy Hill Road  
Tax Account No.: 0823092050

Requested variances:

- 1) To allow a side yard setback of 5.7-feet in lieu of the required 50-feet pursuant to §1A03.4.B.2 of the BCZR; and
- 2) To allow the continuance of a side yard setback of 40.7-feet in lieu of the required 50-feet pursuant to §1A03.4.B.2 of the BCZR; and
- 3) To allow the lot to be covered with 15 percent impermeable surfaces in lieu of the required 10 percent pursuant to §1A03.4.B.3 of the BCZR; and
- 4) For any such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

As to uniqueness:

The subject property had been improved with a single-family dwelling not meeting the setback requirements at that time in 1967 according to the State Department Assessment and Taxation records of when the dwelling was built by a predecessor in title. The orientation of the existing dwelling is askew to the property lines and public road. The subject property is split zoned with the RC 4 portion being 0.77 acres and the RC 5 portion 0.47 acres.

As to hardship:

It is intended to construct a garage/workspace addition that maintains uniformity with the existing front setback for the proposed addition providing a desired architectural effect and to offer the resident the convenience to directly enter the garage/ workspace.

Additional consideration:

Adjacent to and southwest of the subject property is an existing forest conservation easement which prohibits any further development and for that fact that no dwelling will be built upon that area in which the addition would have minimal to no impact to the that area. The other consideration is that the larger portion of the property lies within the RC 4 zoning classification and the RC 4 zoning classification is for the specific purpose to protect of water supplies. The granting of this request would best serve that purpose as the placing a garage/workspace on the northeast side and in the rear of the existing dwelling will ultimately increase the amount of imperviousness by the building and a driveway to serve that building if the percentage of imperviousness is allowed.

2019-0500-A

# **kjWellsInc**

*Land Surveying, Site Planning and Landscape Architecture*

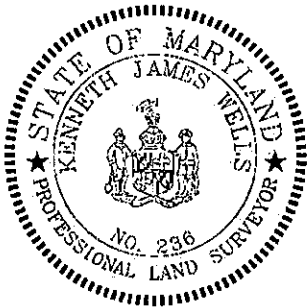
Telephone: (410) 592-8800  
Email: [kwells@kjwellsinc.com](mailto:kwells@kjwellsinc.com)

7403 New Cut Road  
Kingsville, Md. 21087-1132

October 10, 2019

## **Zoning Description of 1316 Ivy Hill Road Baltimore County Maryland 8<sup>th</sup> Election District 3<sup>rd</sup> Councilmanic District**

***Beginning at a point*** on the southeast side of Ivy Hill Road (not having a defined public right-of-way) being approximately 3,500 feet northeast from the centerline of Falls Road (66 feet wide), thence the following courses and distances: 1) *North 24 degrees 40 minutes West 388.93 feet*; 2) *North 65 degrees 20 minutes East 140.00 feet*; 3) *South 24 degrees 40 minutes East 388.93 feet* and 4) *South 65 degrees 20 minutes West 140.00 feet* to the place of beginning, as recorded in Liber 41827 folio 309 and containing 1.24 acres or 54,014 square feet of land more or less.



*Kenneth J. Wells*

*2019-0500-A*

**CERTIFICATE OF POSTING**

Date: 11-10-19

RE: Case Number: 2019-0500-A

Petitioner/Developer: Bartlett

Date of Hearing/Closing: 11-25-19

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 1316 Fry Hill Rd

The signs(s) were posted on 11-10-19  
(Month, Day, Year)

J. Lawrence Pilson  
(Signature of Sign Poster)

J. LAWRENCE PILSON  
(Printed Name of Sign Poster)

ATTACH PHOTGRAPH

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)

# ZONING NOTICE

## ADMINISTRATIVE VARIANCE

#2  
CASE # 2019-0500-A  
TO PERMIT A PROPOSED GARAGE ADDITION TO THE SIDE OF  
THE DWELLING WITH A SIDE YARD SETBACK OF 57 FEET IN LIEU OF  
THE REQUIRED 50 FEET AND TO ALLOW THE CONTINUANCE OF A SIDE  
YARD SETBACK OF 40.7 FEET IN LIEU OF THE REQUIRED 50 FEET AND  
TO ALLOW THE LOT TO BE COVERED WITH 15% IMPERMEABLE SURFACES  
IN LIEU OF THE REQUIRED 10% RESPECTIVELY.

### PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,  
AN ELIGIBLE INDIVIDUAL OR GROUP MAY  
REQUEST A PUBLIC HEARING CONCERNING  
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS  
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE  
5:00 P.M. ON 11/25/19  
ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,  
111 WEST CHESAPEAKE AVE., TOWSON, MD 21284, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW  
HANDICAPPED ACCESSIBLE

# ZONING NOTICE

#1

## ADMINISTRATIVE VARIANCE

CASE # 2019-0500-A

TO PERMIT A PROPOSED GARAGE ADDITION  
TO THE SIDE OF THE DWELLING WITH A SIDE YARD  
SETBACK OF 5.7 FEET IN LIEU OF THE REQUIRED 50 FEET  
AND TO ALLOW THE CONTINUANCE OF A SIDE YARD SETBACK OF  
40.7 FEET IN LIEU OF THE REQUIRED 50 FEET AND TO ALLOW THE LOT  
TO BE COVERED WITH 15% IMPERMEABLE SURFACES IN LIEU OF  
THE REQUIRED 10% RESPECTIVELY

## PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,  
AN ELIGIBLE INDIVIDUAL OR GROUP MAY

REQUEST A PUBLIC HEARING CONCERNING  
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS  
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE  
5:00 P.M. ON 11/25/19

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,  
CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391  
UNTIL LATER ABOVE DATE, UNDER PENALTY OF LAW

RE: PETITION FOR VARIANCE  
1316 Ivy Hill Road; SE/S Ivy Hill Road,  
3,500' NE of c/line of Falls Road  
8<sup>th</sup> Election & 3<sup>rd</sup> Councilmanic Districts  
Legal Owner(s): Christopher Bartlett  
Petitioner(s)

\* BEFORE THE OFFICE  
\* OF ADMINISTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* 2019-500-A

\* \* \* \* \*

**ENTRY OF APPEARANCE**

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

*Peter Max Zimmerman*

\_\_\_\_\_  
PETER MAX ZIMMERMAN  
People’s Counsel for Baltimore County

*Carole S. Demilio*

\_\_\_\_\_  
CAROLE S. DEMILIO  
Deputy People’s Counsel  
Jefferson Building, Room 204  
105 West Chesapeake Avenue  
Towson, MD 21204  
(410) 887-2188

RECEIVED  
NOV 05 2019

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 5<sup>th</sup> day of November, 2019, a copy of the foregoing Entry of Appearance was mailed to Kenneth Wells, 7403 New Cut Road, Kingsville, Maryland 21087, Representative for Petitioner(s).

*Peter Max Zimmerman*

\_\_\_\_\_  
PETER MAX ZIMMERMAN  
People’s Counsel for Baltimore County

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 2019- 0500- A Address 1316 Ivy Hill Road

Contact Person: Aaron Tsui Phone Number: 410-887-3391  
Planner, Please Print Your Name

Filing Date: 10/28/2019 Posting Date: 11/10/19 Closing Date: 11/25/19

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

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**Petitioner: This Part of the Form is for the Sign Poster Only**

**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**

Case Number 2019- 0500 - A Address: 1316 Ivy Hill Road

Petitioner's Name: Christopher Bartlett Telephone : 410-560-1316

Posting Date: 11/10/2019 Closing Date: 11/25/2019

Wording for Sign: To permit a proposed a proposed garage addition to the side of the dwelling with a side yard setback of 5.7 feet in lieu of the required 50 feet, and to allow the continuance of a side yard setback of 40.7 feet in lieu of the required 50 feet, and to allow the lot to be covered with 15 % impermeable surfaces in lieu of the required 10 %, respectively.

§ 1A03.4. - Height and area regulations.

- A. Height. No structure hereafter erected in an R.C.4 Zone shall exceed a height of 35 feet, except as otherwise provided under Section 300.
- B. Area regulations.

[Bill Nos. 178-1979; 113-1992]

- 1. Lot density.
  - a. A tract to be developed in an R.C.4 Zone with a gross area of less than six acres may not be subdivided, and a tract to be developed with a gross area of at least six acres but not more than ten acres may not be subdivided into more than two lots (total), each of which must be at least three acres, except as otherwise provided in Section 103.3 or in Paragraph 4 below.
  - b. The maximum gross density of a tract to be developed with a gross area of more than ten acres is 0.2 lot per acre. Any lots created hereafter, except as provided in Paragraph 4 below, shall be in accordance with the following standards for rural cluster development:
    - (1) A minimum of 70 percent of the gross area of the tract to be developed shall be designated as the conservancy area. Only one of the permitted dwelling units, including any existing dwellings, may be located in the conservancy area. The conservancy area is subject to the standards contained in Section 1A03.5.
    - (2) All of the remaining permitted density shall be located in the building area on lots with a minimum lot size of one acre.
    - (3) Subject to the conditions of the performance standards of Section 1A03.5.G, any building or structure officially included on the preliminary or final list of the Landmarks Preservation Commission or the National Register of Historic Areas, and included in the conservancy area, need not be included in the calculation of the total permitted density, subject to the following requirements:
      - (a) There is an area of sufficient size surrounding the building, structure or landmark to preserve the integrity of its historic setting;
      - (b) An overall photographic and written description of the building, structure or landmark identified for preservation has been submitted; and
      - (c) Documentation of the preservation, restoration and protection for the building, structure or landmark has been submitted and approved by the Director of Planning prior to issuance of any building permit for the development.
- 2. Building setbacks. Except for agricultural buildings, any nonresidential principal building hereafter constructed in an R.C.4 Zone shall be situated at least 100 feet from the center line of any street and at least 50 feet from any lot line other than a street line, except as otherwise provided in Paragraph 4, below. Any residential principal building shall be set back according to the following minimum setback requirements:
  - a. Twenty-five feet from any building face to a public street right-of-way or property line.
  - b. Thirty-five feet from a front building face to the edge of paving of a private road.
  - c. Setbacks for buildings located adjacent to arterial roadways shall be increased by 20 feet.
  - d. One hundred feet between a building face and an adjacent R.C.2 Zone line.
  - e. One hundred feet between a building face and a reservoir property line.
  - f. Fifty feet between a building face and an adjacent conservancy area which will be used for agricultural purposes.

2019-0500-A



3. Coverage. Except for a rural cluster development, which is subject to the performance standards contained in Section 1A03.5, no more than ten percent of any lot in an R.C.4 Zone may be covered by impermeable surfaces (such as structures or pavement). No more than 25 percent of the natural vegetation may be removed from any lot in an R.C.4 Zone.
4. Exceptions for certain record lots. Any existing lot or parcel of land with boundaries duly recorded among the land records of Baltimore County with the approval of the Baltimore County Department of Planning <sup>11</sup> on or before December 22, 1975, and not part of an approved subdivision that cannot meet the minimum standards as provided within the zone, may be approved for residential development in accordance with the standards prescribed and in force at the time of the lot recordation.

[Bill No. 55-2011]

5. Dwelling units per lot. No more than one dwelling unit shall be located on any lot in an R.C.4 Zone, except that tenant dwellings may be approved if the Land Preservation Advisory Board certifies that:
  - a. Any such proposed dwelling is required for the operation of the farm for the use of bona fide tenant farmers; and
  - b. That any such dwelling, in the location proposed, will not interfere with the operation of the farm.

Footnotes:

--- (1) ---

1. Editor's Note— Formerly the "Office of Planning," this Department was renamed by Bill No. 55-2011, effective 10-16-2011.

2019-0500-A



JOHN A. OLSZEWSKI, JR.  
County Executive

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

December 30, 2019

Kenneth J. Wells  
7403 New Cut Road  
Kingsville MD 21030

RE: Case Number: 2019-0500-A, 1316 Ivy Hill 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 October 28, 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  
Christopher Bartlett 1316 Ivy Hill Road Cockeysville MD 21030

**MDOT**  
MARYLAND DEPARTMENT  
OF TRANSPORTATION  
STATE HIGHWAY  
ADMINISTRATION

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

Date: 11/4/19

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. *2019-0500-A*

*Variance  
Christopher Bartick  
1316 Ivy Hill 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,

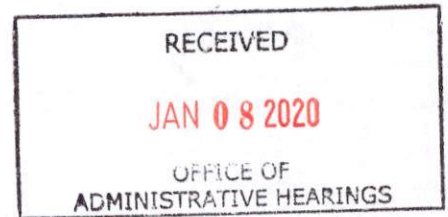


Wendy Wolcott, P.L.A.  
Metropolitan District Engineer  
Maryland Department of Transportation  
State Highway Administration  
District 4 - Baltimore and Harford Counties

WW/RAZ

**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: November 6, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0500-A  
Address 1316 Ivy Hill Road  
(Bartlett Property)

Zoning Advisory Committee Meeting of **November 1, 2019**.

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

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:

The plan submitted for review shows a proposed garage less than 10 feet from the existing well. Ground Water Management (GWM) will need to review the proposed permit, and a well variance will be necessary.

A Single Lot Declaration of Intent must be filed to address Forest Conservation Law in accordance with Section 33-6-104 therein prior to permit approval.

Reviewers: Dan Esser (GWM), Glenn Shaffer (EIR)

## Debra Wiley

---

**From:** Stephen Ford  
**Sent:** Wednesday, January 8, 2020 10:34 AM  
**To:** Debra Wiley  
**Subject:** RE: Administrative Variance 2019-0500-A (1316 Ivy Hill Road)  
**Attachments:** ZAC 19-0500-A 1316 Ivy Hill Rd.doc

Yes, Debra we have comments. See attached.  
Thanks,

Stephen A. Ford  
Engineering Associate III  
Department of Environmental Protection  
And Sustainability  
Development Coordination  
111 West Chesapeake Avenue, Room 319  
Towson, Maryland 21204  
sford@baltimorecountymd.gov  
410-887-5859  
410-887-4804 fax

-----Original Message-----

**From:** Debra Wiley  
**Sent:** Wednesday, January 08, 2020 9:55 AM  
**To:** Stephen Ford <sford@baltimorecountymd.gov>  
**Subject:** Administrative Variance 2019-0500-A (1316 Ivy Hill Road)

Good Morning Stephen,

Please see attached and advise if DEPS has a ZAC comment.

Even though the above had a closing date of 11/25/19, I've just received this. Wanted to make sure this was not overlooked since it mentions a forest conservation easement and impermeable surfaces.

Thanks.

-----Original Message-----

**From:** adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>  
**Sent:** Wednesday, January 8, 2020 9:55 AM  
**To:** Debra Wiley <dwiley@baltimorecountymd.gov>  
**Subject:** Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 01.08.2020 09:54:47 (-0500)  
Queries to: adminhearingscpr@baltimorecountymd.gov

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

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

**DATE:** 12/13/2019

**FROM:** C. Pete Gutwald  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 19-500

**INFORMATION:**

**Property Address:** 1316 Ivy Hill Road  
**Petitioner:** Christopher Bartlett  
**Zoning:** RC 4 & RC 5  
**Requested Action:** Variance

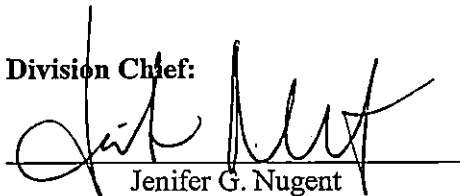
The Department of Planning has reviewed the petition for a variance to allow a side yard setback of 5.7 feet in lieu of the required 50 feet; to allow the continuance of a side yard setback of 40.7 feet in lieu of the required 50 feet; to allow the lot to be covered with 15 percent impermeable surfaces in lieu of the required 10 percent.

The area is primarily rural residential, woodlands and some agricultural operations. This property is along the southern boundary of Oregon Ridge Park.

The Department of Planning does not object to the development. The property is split zoned RC 5 and RC 4. The proposed development is in the RC 5. The plan indicates that the proposed development will only increase the impervious surface area by 1%. The existing development is over the 10% impervious surface limit in the RC 4 portion, while the RC 5 standards have a 15% max.

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

**Division Chief:**

  
Jenifer G. Nugent

CPG/JGN/LTM/

c: Joseph Wiley  
Kenneth J. Wells, kjWells, Inc.  
Office of the Administrative Hearings  
People's Counsel for Baltimore County

11/25/19

# BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

**DATE:** 12/13/2019

**FROM:** C. Pete Gutwald  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 19-500



**INFORMATION:**

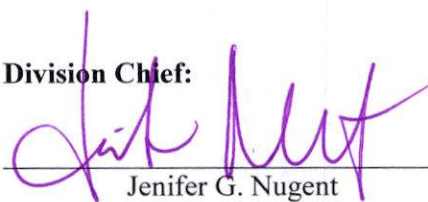
**Property Address:** 1316 Ivy Hill Road  
**Petitioner:** Christopher Bartlett  
**Zoning:** RC 4 & RC 5  
**Requested Action:** Variance

The Department of Planning has reviewed the petition for a variance to allow a side yard setback of 5.7 feet in lieu of the required 50 feet; to allow the continuance of a side yard setback of 40.7 feet in lieu of the required 50 feet; to allow the lot to be covered with 15 percent impermeable surfaces in lieu of the required 10 percent.

The area is primarily rural residential, woodlands and some agricultural operations. This property is along the southern boundary of Oregon Ridge Park.

The Department of Planning does not object to the development. The property is split zoned RC 5 and RC 4. The proposed development is in the RC 5. The plan indicates that the proposed development will only increase the impervious surface area by 1%. The existing development is over the 10% impervious surface limit in the RC 4 portion, while the RC 5 standards have a 15% max.

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

**Division Chief:**  
  
Jenifer G. Nugent

CPG/JGN/LTM/

c: Joseph Wiley  
Kenneth J. Wells, kjWells, Inc.  
Office of the Administrative Hearings  
People's Counsel for Baltimore County

## **Debra Wiley**

---

**From:** Debra Wiley  
**Sent:** Monday, January 6, 2020 1:57 PM  
**To:** Jenae Johnson; Aaron K Tsui  
**Subject:** Admin. Var. case No. 2019-0500-A (Closing date:11/25/19) - 1316 Ivy Hill Rd.

Hi,

The above-referenced case file received last week is missing photographs and cannot be processed without them.

Please provide asap.

Thanks in advance.

Debra Wiley, Legal Administrative Secretary  
Baltimore County Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Maryland 21204  
410-887-3868



# ZAC AGENDA

---

**Case Number:** 2019-0500-A      **Reviewer:** Aaron Tsui  
**Existing Use:** RESIDENTIAL      **Proposed Use:** RESIDENTIAL  
**Type:** VARIANCE  
**Legal Owner:** Christopher Bartieh  
**Contract Purchaser:** No Contract Purchaser was set.

**Critical Area:** No      **Flood Plain:** No      **Historic:** No      **Election Dist:** 8      **Council Dist:** 3

**Property Address:** 1316 IVY HILL RD  
**Location:** SES of Ivy Hill Road; 3,500 feet NE of the centerline of Falls Road.

**Existing Zoning:** RC4, RC5      **Area:** 54,014 S.F

**Proposed Zoning:**

VARIANCE:

To allow a side yard setback of 5.7 feet in lieu of the required 50 feet pursuant to 1A03.4.B.2 of BCZR. To allow the continuance of a side yard setback of 40.7 feet in lieu of the required 50 feet pursuant to 1A03.4.B.2 of 1A03.4.B.2 of the BCZR and to allow the lot to be covered with 15 percent impermeable surfaces in lieu of the required 10 percent pursuant to 1A03.4.B.3 of the BCZR and for any such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

**Attorney:** Not Available

**Prior Zoning Cases:** None

**Concurrent Cases:** None

**Violation Cases:** None

**Closing Date:** 11/25/2019

**Miscellaneous Notes:**

---

Real Property Data Search

You may experience issues today as SDAT works to restore all services. SDAT apologizes for any inconvenience the last few days, and asks for patience as we continue to work to make the site better.

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 - 08 Account Number - 0823092050

Owner Information

Owner Name: BARTLETT CHRISTOPHER E Use: RESIDENTIAL  
 Principal Residence: YES  
 Mailing Address: 1316 IVY HILL RD Deed Reference: /41827/ 00309  
 COCKEYSVILLE MD 21030-1414

Location & Structure Information

Premises Address: 1316 IVY HILL RD Legal Description: LT NWS IVY HILL RD  
 COCKEYSVILLE 21030-1414 1316 IVY HILL RD  
 3680 E FALLS RD

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0050	0005	0066	8080150.04	0000				2020	Plat Ref:

Special Tax Areas: None Town: None  
 Ad Valorem: None  
 Tax Class: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1967	2,376 SF	560 SF	1.2400 AC	04

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	YES	STANDARD UNIT	FRAME/	4	3 full/ 1 half	1 Attached	

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2017	07/01/2019	07/01/2020
Land:	179,200	179,200		
Improvements	292,800	292,800		
Total:	472,000	472,000	472,000	
Preferential Land:	0			

Transfer Information

Seller: BARTLETT CHRISTOPHER E	Date: 09/04/2019	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /41827/ 00309	Deed2:
Seller: BARTLETT CHRISTOPHER E	Date: 03/01/2000	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /14333/ 00360	Deed2:
Seller: HOFFNER LLOYD M,JR	Date: 06/10/1997	Price: \$225,000
Type: ARMS LENGTH IMPROVED	Deed1: /12219/ 00429	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

Tax Exempt: None Special Tax Recapture: None  
 Exempt Class: None

Homestead Application Information

Homestead Application Status: Applied 05/15/2008

---

Homeowners' Tax Credit Application Information

---

Homeowners' Tax Credit Application Status: No Application

Date:

---

## Debra Wiley

---

**From:** Sherry Nuffer  
**Sent:** Tuesday, January 7, 2020 8:59 AM  
**To:** Debra Wiley  
**Subject:** RE: Admin. Var. Case No. 2019-0500-A (Closing date: 11/25/19)

I think they came over Tuesday afternoon.

Sherry Nuffer  
Legal Assistant  
Baltimore County Office of Administrative Hearings  
410-887-3868

---

**From:** Debra Wiley <dwiley@baltimorecountymd.gov>  
**Sent:** Monday, January 6, 2020 2:07 PM  
**To:** Sherry Nuffer <snuffer@baltimorecountymd.gov>  
**Subject:** Admin. Var. Case No. 2019-0500-A (Closing date: 11/25/19)

Sherry,

Do you remember when the admins. were delivered last week?

Thanks.

Debra Wiley, Legal Administrative Secretary  
Baltimore County Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Maryland 21204  
410-887-3868

**Debra Wiley**

---

**From:** Debra Wiley  
**Sent:** Monday, January 6, 2020 3:02 PM  
**To:** Jenae Johnson  
**Cc:** Jeffrey N Perlow  
**Subject:** RE: admin. Var. 2019-0500-A (Closing date: 11/25/19)

Hi Jenae,

Remember this is the one that we spoke to Jeff about back in November when we realized that the data base was showing this closing date individually but no report was coming up for it.

I need to obtain the description from the report, not individually.

Jeff - can you get OIT to correct this? I'm unable to prepare AV without this info.

-----Original Message-----

**From:** Jenae Johnson <jnjohnson@baltimorecountymd.gov>  
**Sent:** Monday, January 6, 2020 2:24 PM  
**To:** Debra Wiley <dwiley@baltimorecountymd.gov>  
**Cc:** Kristen L Lewis <klewis@baltimorecountymd.gov>  
**Subject:** RE: admin. Var. 2019-0500-A (Closing date: 11/25/19)

Hey,

Everything is there I'm not sure why you can't see it. If you go to the case number you will find all the information is there.

-----Original Message-----

**From:** Debra Wiley  
**Sent:** Monday, January 06, 2020 2:05 PM  
**To:** Jenae Johnson <jnjohnson@baltimorecountymd.gov>  
**Subject:** admin. Var. 2019-0500-A (Closing date: 11/25/19)

Hi Jenae,

Please see attached and let me know when the item has been entered so that I can get the case description.

Thank you.

-----Original Message-----

**From:** adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>  
**Sent:** Monday, January 6, 2020 2:07 PM  
**To:** Debra Wiley <dwiley@baltimorecountymd.gov>  
**Subject:** Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 01.06.2020 14:06:53 (-0500)

*Debra W. left  
Jeff McLaughlin  
v.m. re:  
missing  
report  
1-8-2020  
7:58  
Am*

*Fixed  
1-8-2020*

Queries to: [adminhearingscpr@bartimorecountymd.gov](mailto:adminhearingscpr@bartimorecountymd.gov)

## Debra Wiley

---

**From:** Debra Wiley  
**Sent:** Monday, January 6, 2020 2:05 PM  
**To:** Jenae Johnson  
**Subject:** admin. Var. 2019-0500-A (Closing date: 11/25/19)  
**Attachments:** 20200106140653747.pdf

Hi Jenae,

Please see attached and let me know when the item has been entered so that I can get the case description.

Thank you.

-----Original Message-----

**From:** adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>  
**Sent:** Monday, January 6, 2020 2:07 PM  
**To:** Debra Wiley <dwiley@baltimorecountymd.gov>  
**Subject:** Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 01.06.2020 14:06:53 (-0500)  
Queries to: adminhearingscpr@baltimorecountymd.gov

Start Date	11/25/2019	End Date	11/25/2019	<input type="button" value="View Report"/>
< < 1 of 1 > >  <input type="radio"/> 100% <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Find   Next				

ZONING COMMISSIONER'S ADMINISTRATIVE VARIANCE  
SCHEDULE

Updated & Distributed 1/6/2020 2:02:51 PM

---



2019-0500-R

**Sherry Nuffer**

---

**From:** cvendetti@kjwellsinc.com  
**Sent:** Tuesday, January 7, 2020 1:09 PM  
**To:** Administrative Hearings  
**Subject:** 1316 Ivy Hill Road (Email 2)  
**Attachments:** IMG\_4068.pdf; IMG\_4070.pdf; IMG\_4073.pdf; IMG\_4074.pdf

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

This is the second and final email.

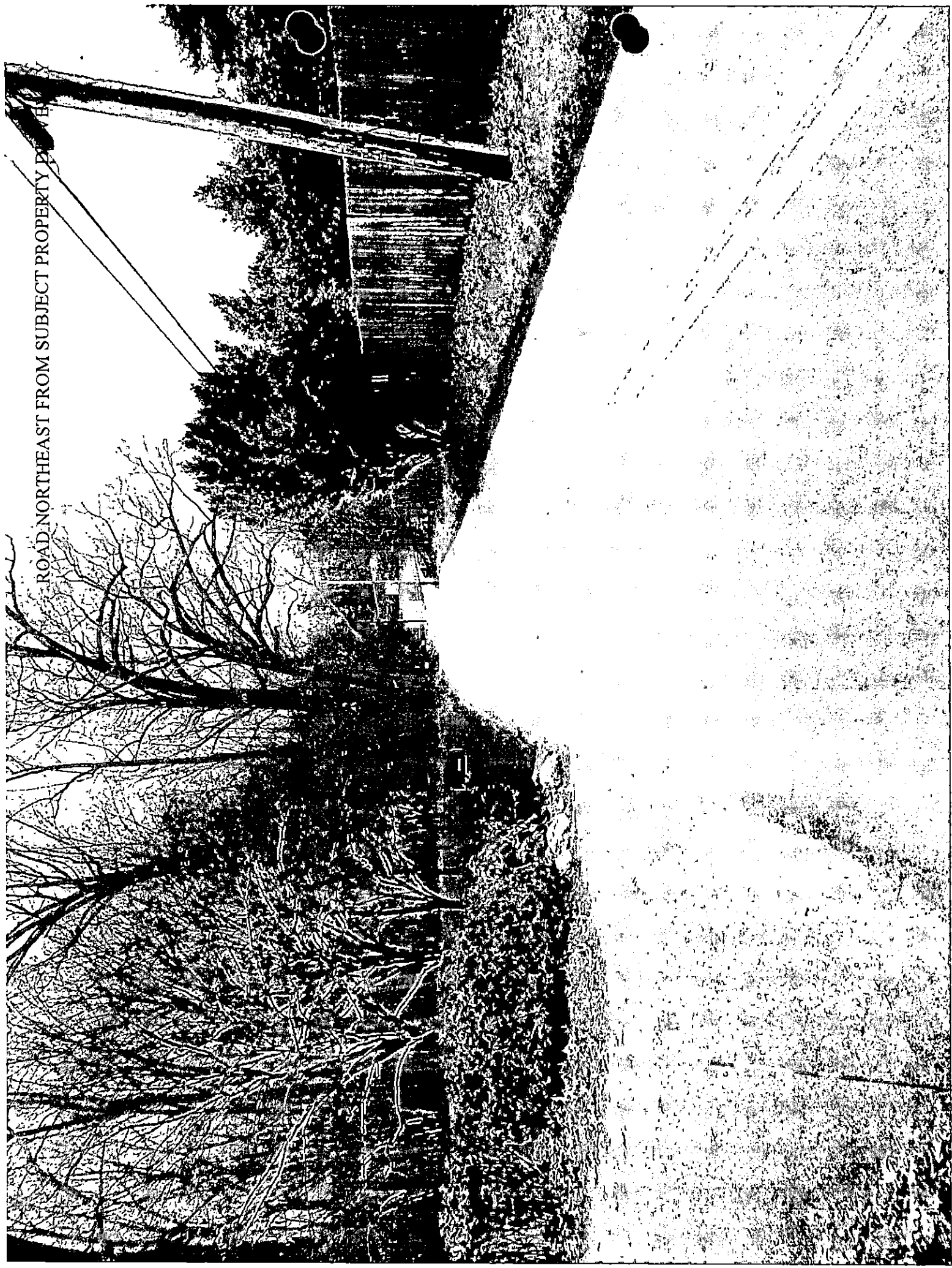
Thanks again,  
Cherry Vendetti

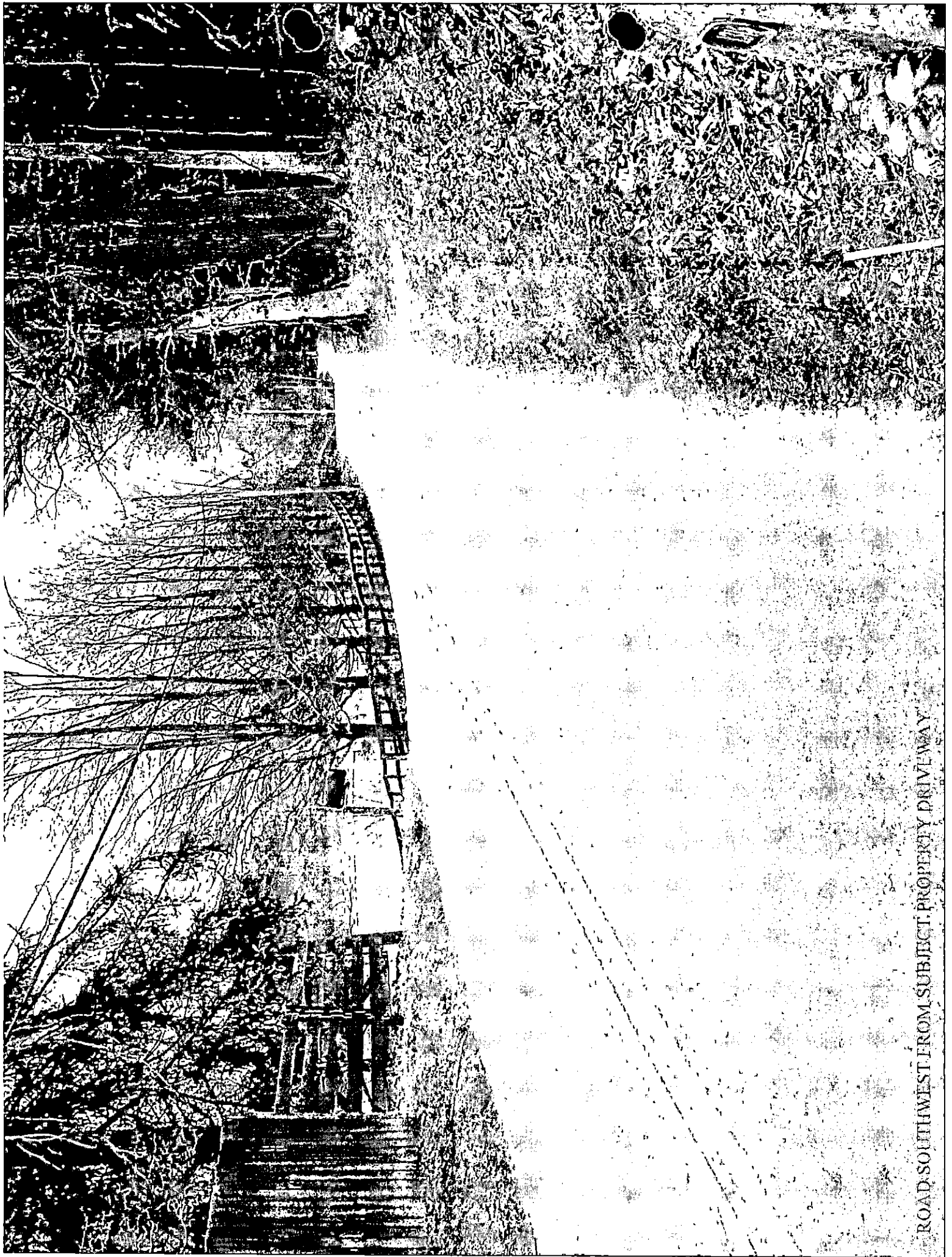
***kjWellsInc***  
7403 New Cut Road  
Kingsville, MD 21087  
410-592-8800



Scanned by McAfee and confirmed virus-free.

ROAD NORTHEAST FROM SUBJECT PROPERTY

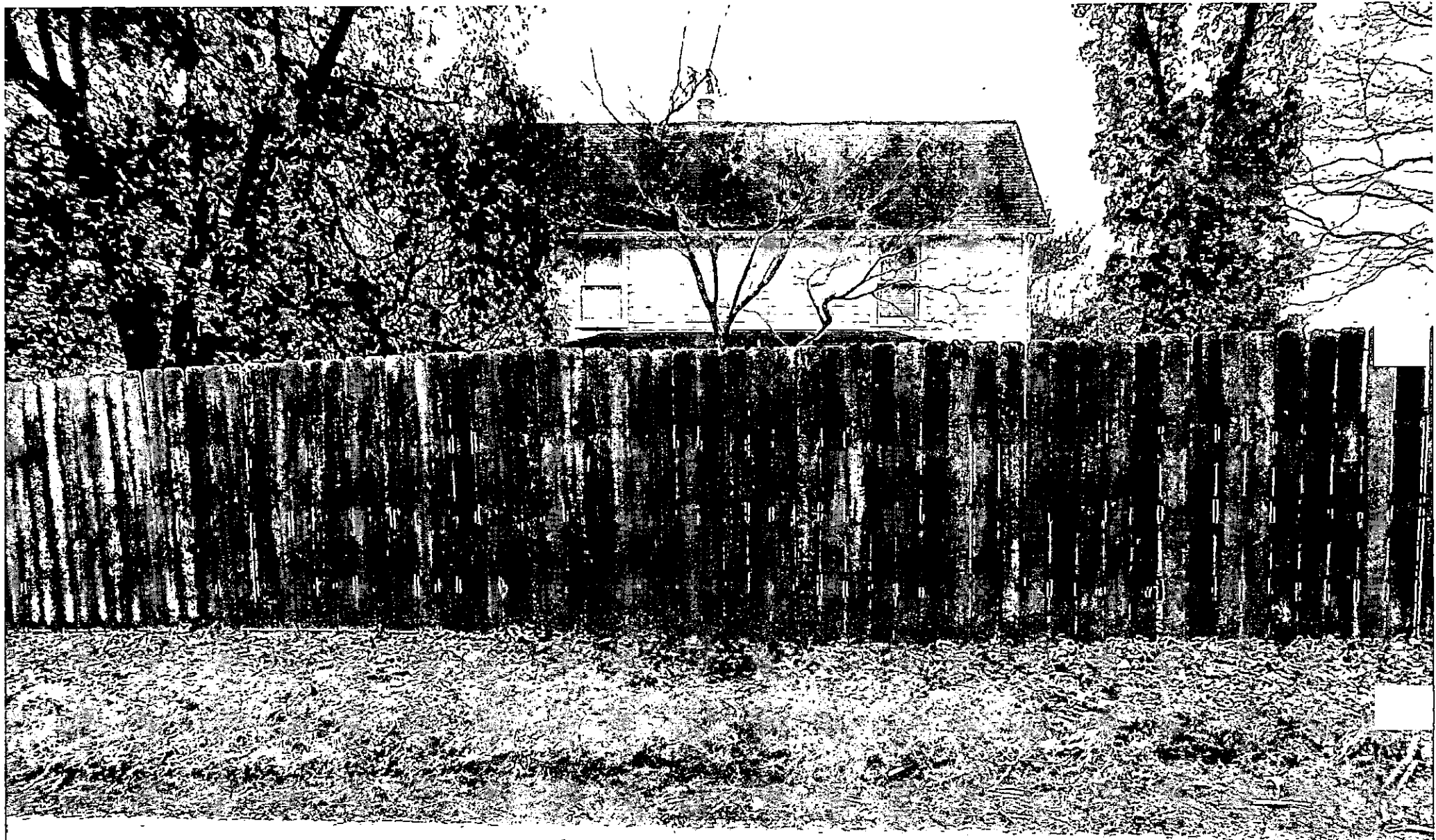




ROAD SOUTHWEST FROM SUBJECT PROPERTY DRIVEWAY

PROPERTY ACROSS THE STREET OF SUBJECT PROPERTY





PROPERTY ACROSS STREET FROM SUBJECT PROPERTY

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	
<u>Date 11-6-19</u> <u>Rec'd 1-8-20</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
	FIRE DEPARTMENT	
<u>12-13</u>	PLANNING (if not received, date e-mail sent _____)	<u>Does Not Object.</u>
<u>11-4</u>	STATE HIGHWAY ADMINISTRATION	<u>No object.</u>
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No. \_\_\_\_\_)

PRIOR ZONING (Case No. \_\_\_\_\_)

NEWSPAPER ADVERTISEMENT Date: \_\_\_\_\_

SIGN POSTING (1<sup>st</sup>) Date: 11-10-19 by Pison

SIGN POSTING (2<sup>nd</sup>) Date: \_\_\_\_\_ by \_\_\_\_\_

PEOPLE'S COUNSEL APPEARANCE Yes  No

PEOPLE'S COUNSEL COMMENT LETTER Yes  No

Comments, if any: Photos missing - email sent to zoning 1-6-2020

Rec'd 1-17-20

2019-0500-f

**Sherry Nuffer**

---

**From:** cvendetti@kjwellsinc.com  
**Sent:** Tuesday, January 7, 2020 1:08 PM  
**To:** Administrative Hearings  
**Subject:** 1316 Ivy Hill Road Photos  
**Attachments:** IMG\_4058.pdf; IMG\_4062.pdf; IMG\_4064.pdf; IMG\_4067.pdf

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

Hi Sherry,

Please see the attached photos per your request. There are wooded vacant lots on both sides and the back with the back adjoining the Oregon Ridge State forest. There is a small fenced farmhouse opposite with fields to its sides and back. There are no improvements.

This is the first of two emails.

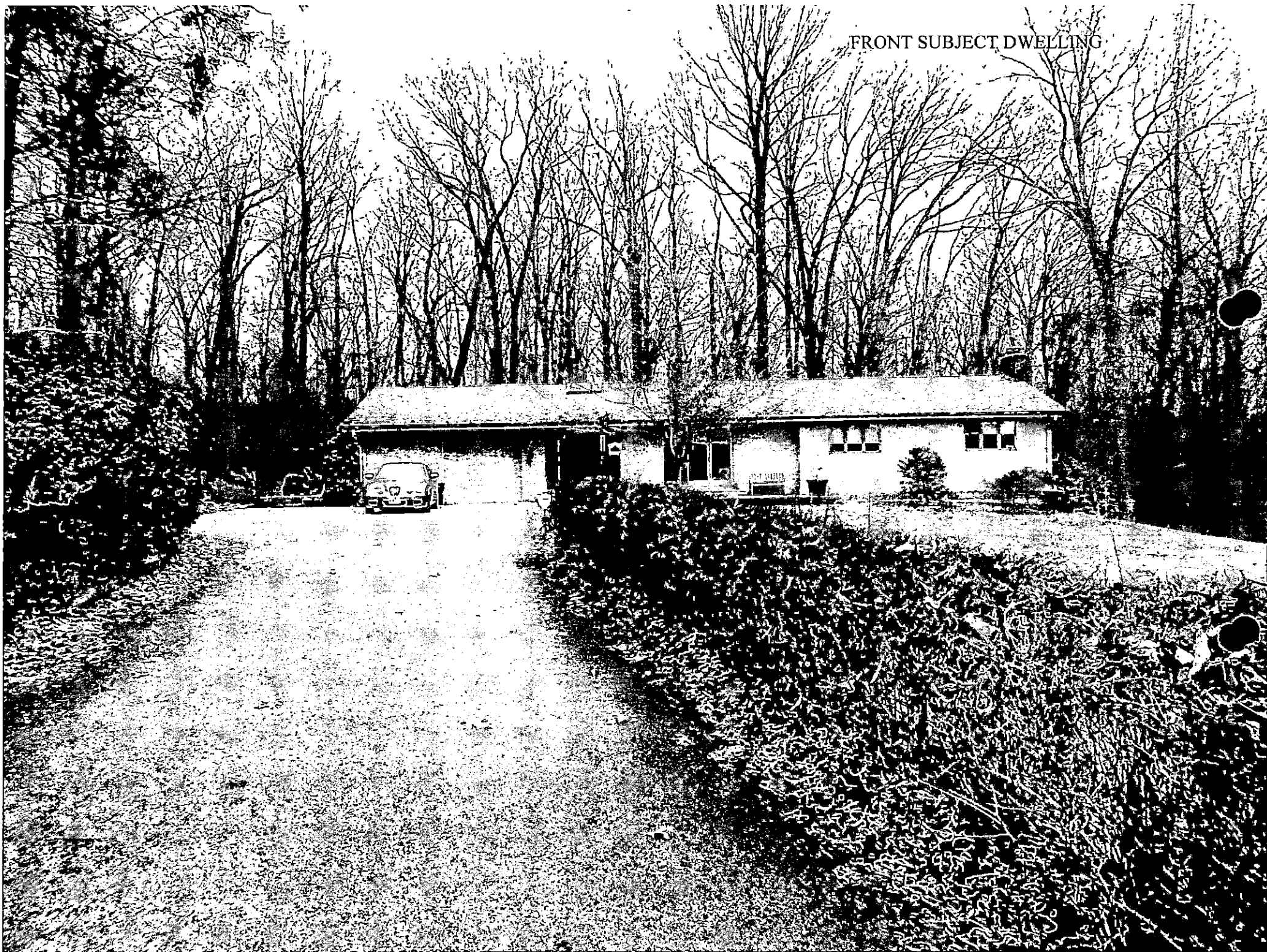
Thank you,  
Cherry Vendetti

***kjWellsInc***  
7403 New Cut Road  
Kingsville, MD 21087  
410-592-8800

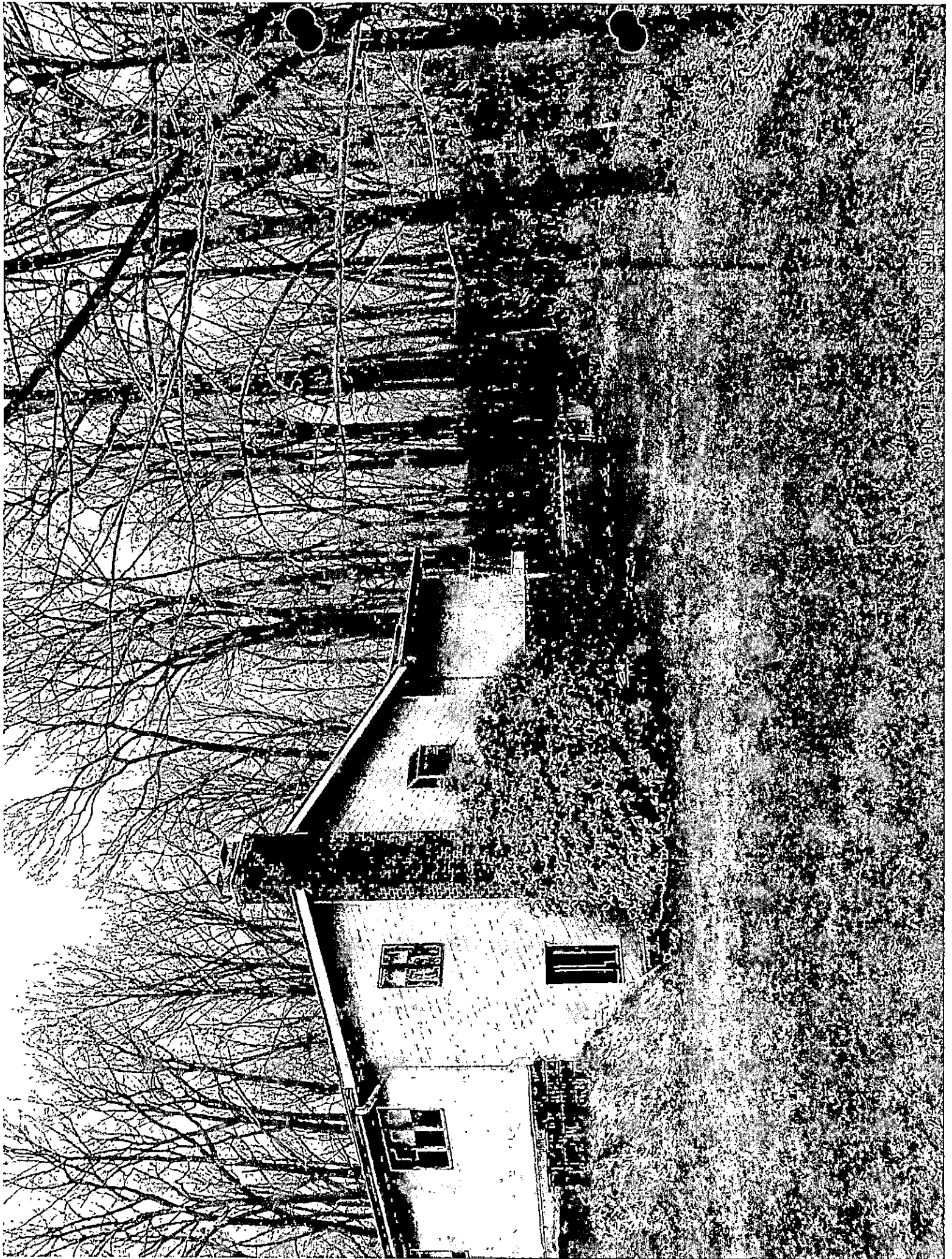


Scanned by McAfee and confirmed virus-free.

FRONT SUBJECT DWELLING

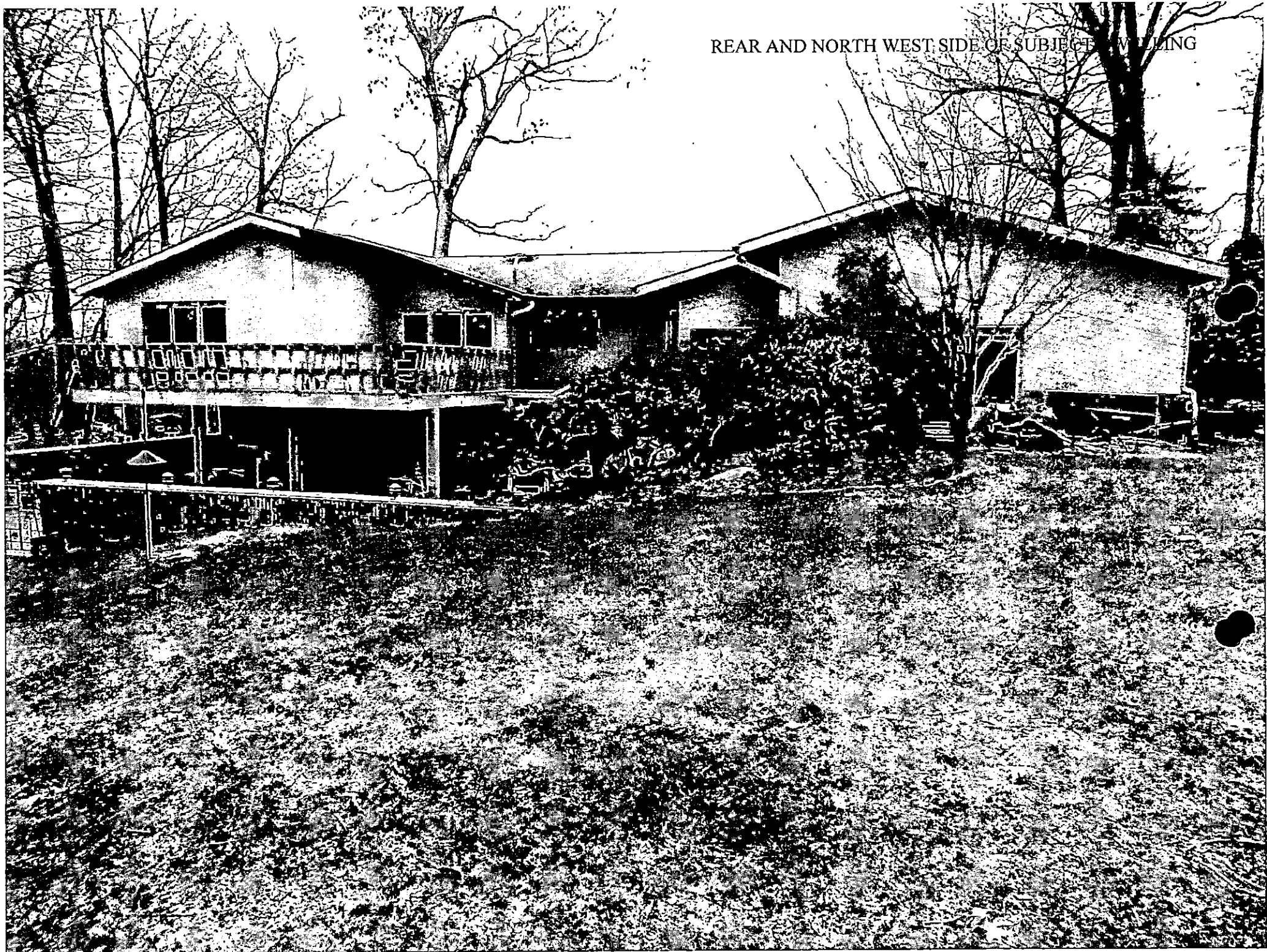






NORTHWESTERN PHOTOGRAPHIC CO. BOVING

REAR AND NORTH WEST SIDE OF SUBJECT BUILDING



SOUTH WEST SIDE OF SUBJECT DWELLING



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED  
JAN 08 2020  
OFFICE OF  
ADMINISTRATIVE HEARINGS

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

FROM: Jeff Livingston, Department of Environmental Protection and  
Sustainability (EPS) - Development Coordination

DATE: November 6, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0500-A  
Address 1316 Ivy Hill Road  
(Bartlett Property)

Zoning Advisory Committee Meeting of **November 1, 2019.**

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

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:

The plan submitted for review shows a proposed garage less than 10 feet from the existing well. Ground Water Management (GWM) will need to review the proposed permit, and a well variance will be necessary.

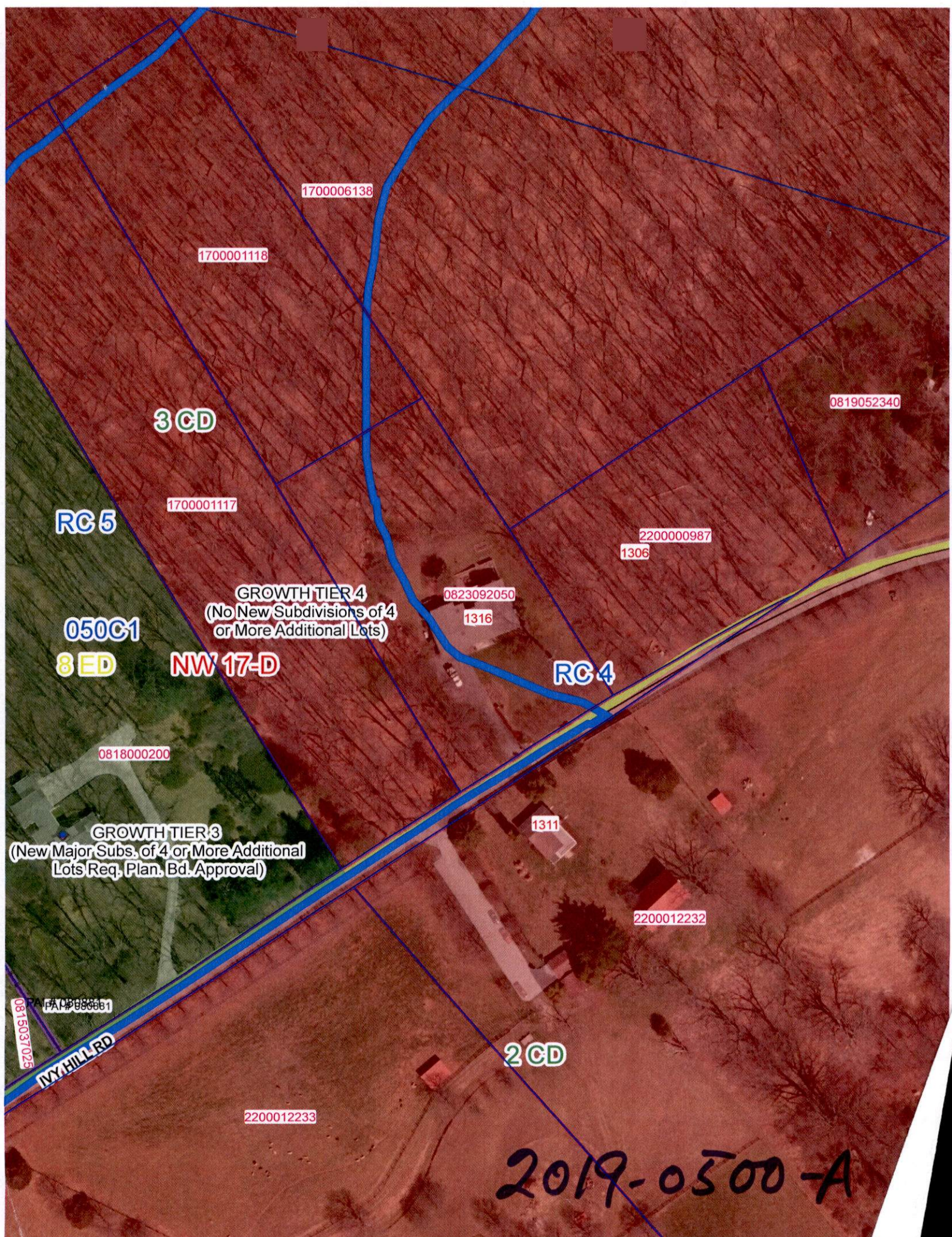
A Single Lot Declaration of Intent must be filed to address Forest Conservation Law in accordance with Section 33-6-104 therein prior to permit approval.

Reviewers: Dan Esser (GWM), Glenn Shaffer (EIR)

ORDER RECEIVED FOR FILING

Date 1-10-2020

By LSW



1700006138

1700001118

3 CD

0819052340

1700001117

RC 5

2200000987

1306

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

0823092050

1316

050C1

8 ED

NW 17-D

RC 4

0818000200

GROWTH TIER 3  
(New Major Subs. of 4 or More Additional  
Lots Req. Plan. Bd. Approval)

1311

2200012232

0815037025

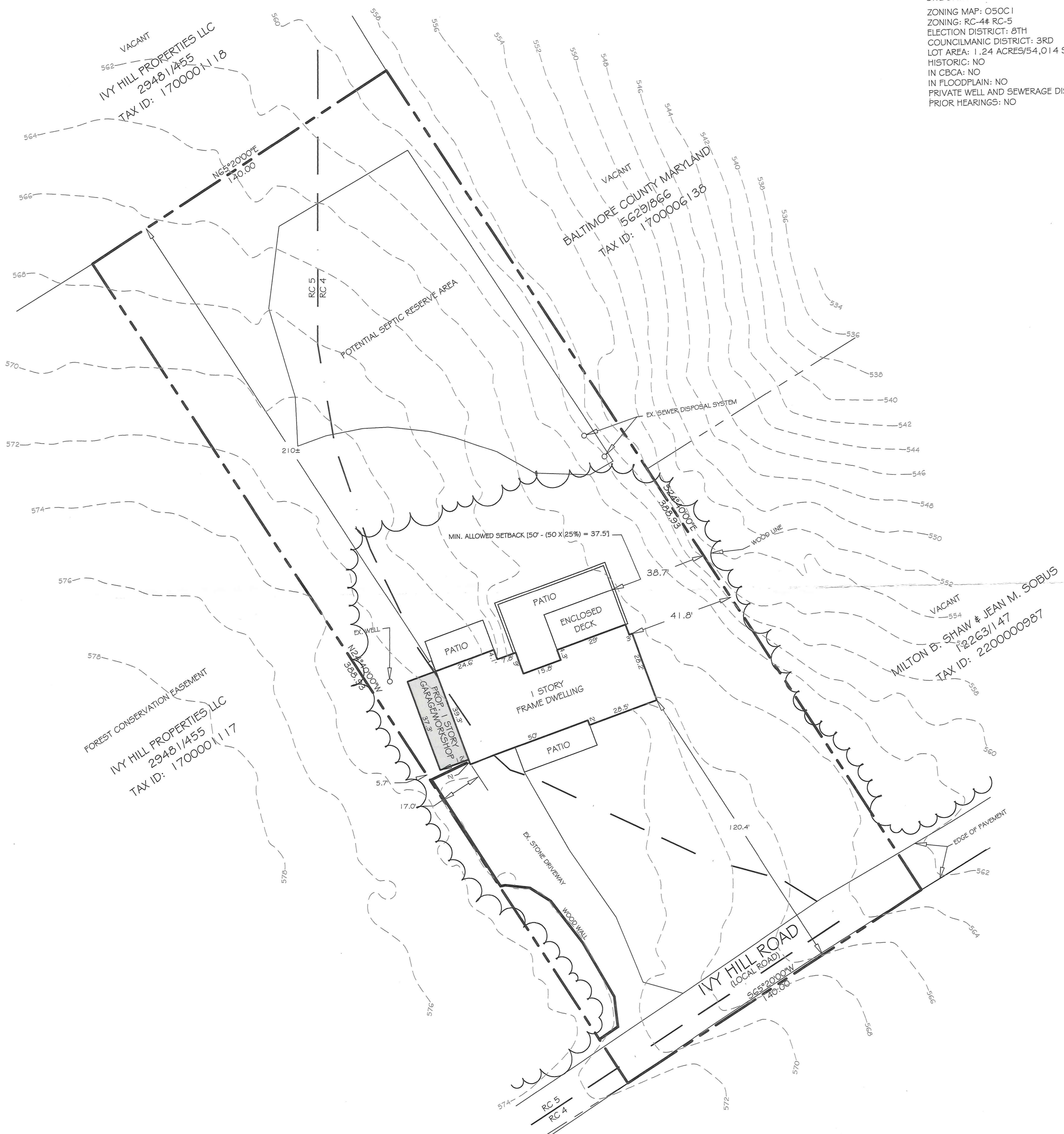
IVY HILL RD

2 CD

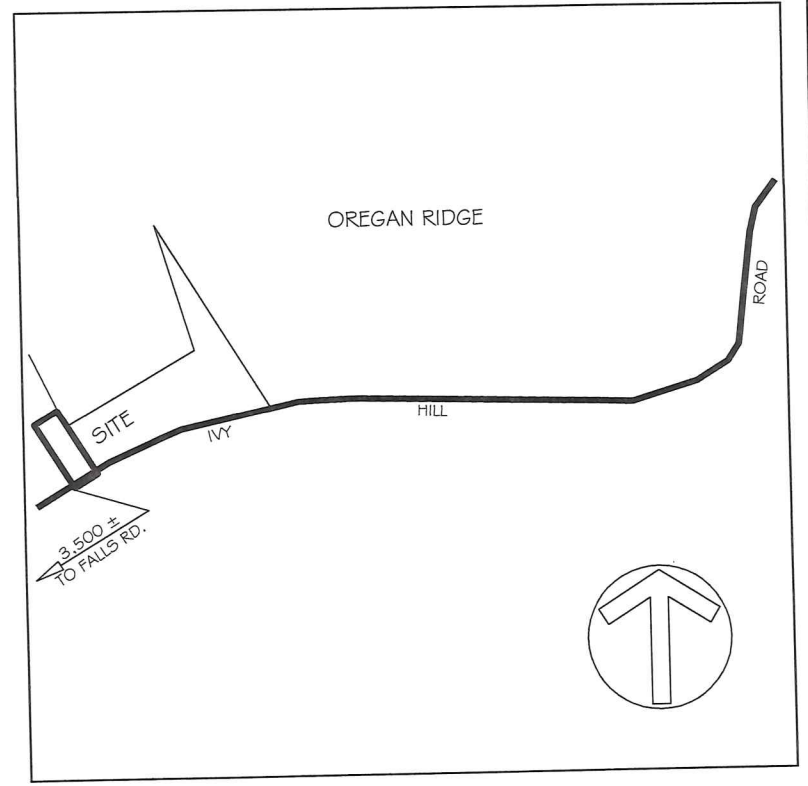
2200012233

2019-0500-A

2019-0200-A



SITE DATA:  
 ZONING MAP: O50C1  
 ZONING: RC-4# RC-5  
 ELECTION DISTRICT: 8TH  
 COUNCILMANIC DISTRICT: 3RD  
 LOT AREA: 1.24 ACRES/54,014 SQ. FT.  
 HISTORIC: NO  
 IN CBCA: NO  
 IN FLOODPLAIN: NO  
 PRIVATE WELL AND SEWERAGE DISPOSAL  
 PRIOR HEARINGS: NO



VICINITY MAP  
 SCALE: 1" = 1,000'

VARIANCE REQUEST:

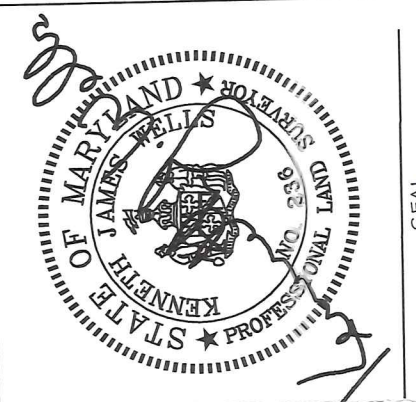
- 1) TO ALLOW A SIDE YARD SETBACK OF 5.7 FEET IN LIEU OF THE REQUIRED 50 FEET PURSUANT TO §1A03.4.B.2 OF THE BCZR; AND
- 2) TO ALLOW THE CONTINUANCE OF A SIDE YARD SETBACK OF 41.8 FEET IN LIEU OF THE REQUIRED 50 FEET PURSUANT TO §1A03.4.B.2 OF THE BCZR; AND
- 3) TO ALLOW THE LOT TO BE COVERED WITH 15 PERCENT IMPERMEABLE SURFACES (AN INCREASE OF 1%±) IN LIEU OF THE REQUIRED 10 PERCENT PURSUANT TO §1A03.4.B.3 OF THE BCZR; AND
- 4) FOR ANY SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

NOTE: PURSUANT TO 1A00.5.b OF THE ZONING COMMISSIONERS POLICY MANUAL LOTS DIVIDED BY ZONE LINES THE LOT MUST MEET THE MINIMUM LOT AREA, WIDTH AND SETBACK REQUIREMENTS OF THE ZONE THE HOUSE IS LOCATED. THE HOUSE IS LOCATED IN THE RC-4 ZONE.

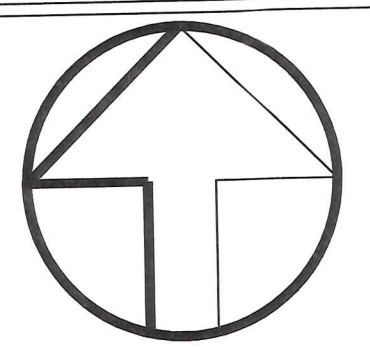
DATA SOURCE:

- 1) CONTOURING AND ROAD EDGE OF PAVEMENT SHOWN HEREON WERE OBTAINED FROM BALTIMORE COUNTY VIA GIS PORTAL.
- 2) THE ZONING DEMARCATION LINE SHOWN HEREON WAS OBTAINED FROM BALTIMORE COUNTY MY NEIGHBORHOOD MAP.
- 3) THE PROPERTY LINES AND IMPROVEMENTS SHOWN HEREON ARE BASED ON AN ALTA/ACSM LAND TITLE SURVEY PREPARED BY MAISTE AND WATTS, INC. DATED APRIL 18, 1998.

LICENSE EXPIRATION DATE: 6/11/2021



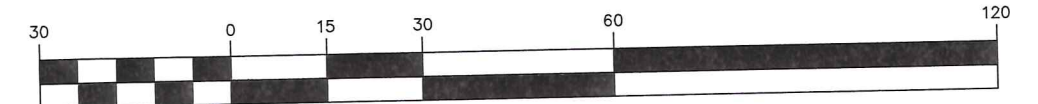
ZONING HEARING PLAN  
 FOR VARIANCE  
 of  
 1316 IVY HILL ROAD  
 BALTIMORE COUNTY  
 MARYLAND  
 8th ELECTION DISTRICT



MAISTE & WATTS, INC.  
 SURVEY NORTH

2019-0500-A

GRAPHIC SCALE

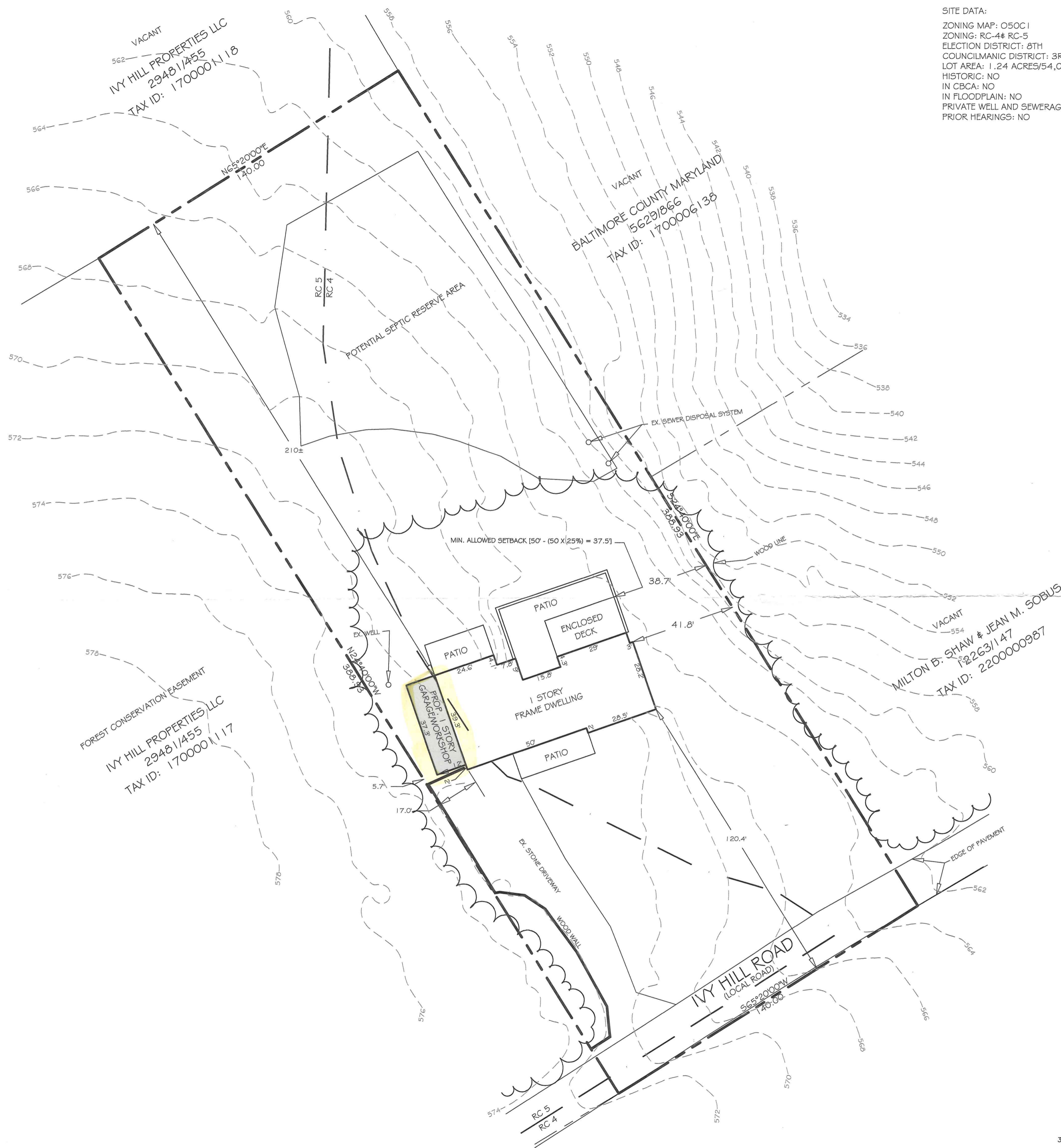


( IN FEET )  
 1 inch = 30 ft.

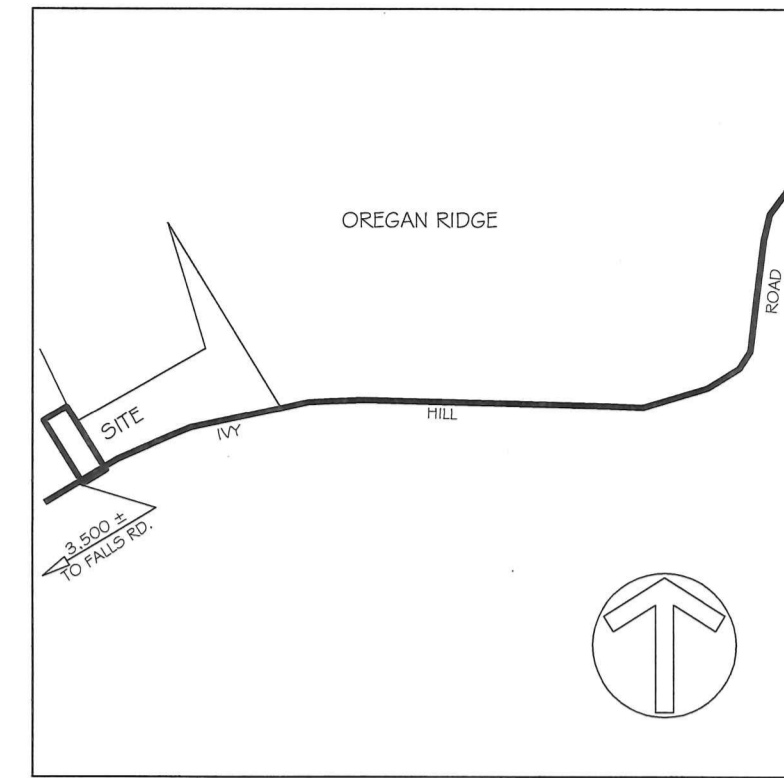
DRAWN BY: CAV/KJW  
 CHECKED BY: KJW  
 DATE: 10/05/2019  
 PROJECT NO.: 2019-022  
 SHEET 1 OF 1

Land Surveying, Site Planning & Landscape Architecture

kjWellsInc  
 7403 NEW CUT ROAD  
 KINGSVILLE, MARYLAND 21087  
 (410) 592-8800



SITE DATA:  
 ZONING MAP: O50C1  
 ZONING: RC-4# RC-5  
 ELECTION DISTRICT: 8TH  
 COUNCILMANIC DISTRICT: 3RD  
 LOT AREA: 1.24 ACRES/54,014 SQ. FT.  
 HISTORIC: NO  
 IN CBCA: NO  
 IN FLOODPLAIN: NO  
 PRIVATE WELL AND SEWERAGE DISPOSAL  
 PRIOR HEARINGS: NO



VICINITY MAP  
 SCALE: 1" = 1,000'

VARIANCE REQUEST:

- 1) TO ALLOW A SIDE YARD SETBACK OF 5.7 FEET IN LIEU OF THE REQUIRED 50 FEET PURSUANT TO §1A03.4.B.2 OF THE BCZR; AND
- 2) TO ALLOW THE CONTINUANCE OF A SIDE YARD SETBACK OF 41.8 FEET IN LIEU OF THE REQUIRED 50 FEET PURSUANT TO §1A03.4.B.2 OF THE BCZR; AND
- 3) TO ALLOW THE LOT TO BE COVERED WITH 15 PERCENT IMPERMEABLE SURFACES (AN INCREASE OF 1%±) IN LIEU OF THE REQUIRED 10 PERCENT PURSUANT TO §1A03.4.B.3 OF THE BCZR; AND
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GRAPHIC SCALE

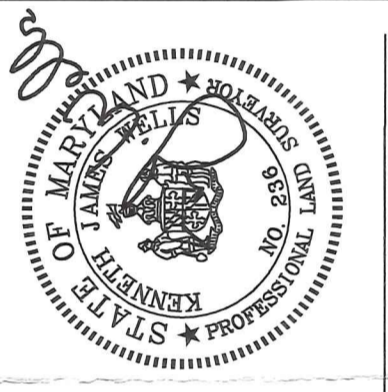


( IN FEET )  
 1 inch = 30 ft.

kjWellsInc

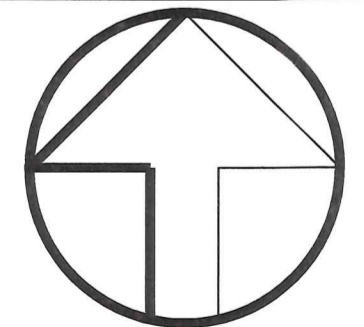
7403 NEW CUT ROAD  
 KINGSVILLE, MARYLAND 21087  
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Land Surveying, Site Planning & Landscape Architecture



LICENSE EXPIRATION DATE: 6/1/2021

ZONING HEARING PLAN  
 FOR VARIANCE  
 ~of~  
 1316 IVY HILL ROAD  
 BALTIMORE COUNTY  
 MARYLAND  
 8th ELECTION DISTRICT



MAISTE & WATTS, INC.  
 SURVEY NORTH

DRAWN BY: CAV/KJW

CHECKED BY: KJW

DATE: 10/05/2019

PROJECT NO.: 2019-022

SHEET 1 OF 1

Pet. Exh. 1