

M E M O R A N D U M

DATE: February 13, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0519-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on February 12, 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: **PETITIONS FOR SPECIAL HEARING ***
AND VARIANCE

(4401 Long Green Road) *
11th Election District *
3rd Council District *

Steven Dellis *
Legal Owner *
Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-519-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Steven Dellis, legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR") for temporary purposes during construction, two dwelling on the parcel. The existing structure will be razed after the new structure is completed. A petition for variance seeks to allow a residential structure within 200 ft. of an adjacent property pasture. A site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

Steven Dellis appeared in support of the requests. Edward J. Gilliss, Esq. represented the Petitioner. 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 Bureau of Development Plans Review ("DPR"). Neither agency opposed the requests.

SPECIAL HEARING

This property is located in a northern, rural part of the County. The parcel is approximately 4 acres and is surrounded by residential and agricultural uses. Photographs of the site were

ORDER RECEIVED FOR FILING

Date 11/13/2020
By Sen

admitted as Petitioner's Exhibit 2. Mr. Dellis plans to construct a new residence on the property and then raze the existing residence. The special hearing relief can be granted within the spirit and intent of the BCZR and without causing harm to the public, health, safety or general welfare.

VARIANCE

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

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

The lot is an irregular, trapezoid shape with an existing garage structure on the eastern side 60 feet from the neighboring property which is pasture land. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because he would be unable to build the proposed new residence with a breezeway connection to the existing garage. I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of County and/or community opposition. As such, I do not believe granting the petition will have any negative impact upon the community.

THEREFORE, IT IS ORDERED this 13th day of **January, 2020**, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to § 500.7 of the BCZR for temporary purposes during construction, two dwelling on the parcel, be and is hereby GRANTED.

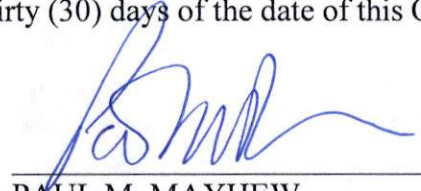
IT IS FURTHER ORDERED that the Petition for Variance to allow a residential structure within 200 ft. of an adjacent property pasture, be and is hereby GRANTED.

RECEIVED FOR
Date 1/13/2020
By sen

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his 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, Petitioner would be required to return the subject property to its original condition.
2. Prior to issuance of permits Petitioner must comply with ZAC comments submitted by DOP and DPR, copies of which are 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.



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM: sln

ORDER RECEIVED FOR FILING

Date

11/13/2020

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 4401 Long Green Road, Glen Arm which is presently zoned RC-6
 Deed References: 38618/1 10 Digit Tax Account # 1 1 2 0 2 1 7 5 0
 Property Owner(s) Printed Name(s) Steven Dellis

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

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

1. ☒ **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve, for temporary purposes during construction, two dwellings on the parcel. The existing structure will be razed after the new structure is completed.
2. ☐ **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☒ **a Variance** from Section(s) 1A07.8B5b. to allow a residential structure within 200' of an adjacent property pasture.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

To Be Presented At Hearing.

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Edward J. Gilliss

Name- Type or Print

Signature

102 W. Pennsylvania Ave., Ste. 600

Mailing Address City Towson State MD

21204 / 410-823-1800 / egilliss@rmmmr.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Steven Dellis

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

Signature #1 Signature #2

4401 Long Green Road, Glen Arm, MD

Mailing Address City State

21057 / 443-829-3013 / steve@

Zip Code Telephone # Email Address

michaelscafe.com

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2019-0519-SP4 Filing Date 11/18/19

Do Not Schedule Dates: Reviewer gh

REV. 10/4/11

Drop-off/ No review

October 29, 2019

ZONING DESCRIPTION FOR
#4401 Long Green Road

Beginning at a point along the centerline of Long Green Road, which is 30 feet wide, at the distance of 176 feet west of the centerline of Ponderosa Lane, which is 50 feet wide. Thence the following courses and distances: N88°15'00"E 395.25', S14°25'00"W 557.62', N79°15'00"W 347.20', and N10°23'00"E 470.94', back to the point of beginning as recorded in Deed Liber 38618 Folio 1, containing 4.31 acres more or less. Located in the 11th Election District and 3rd Council District.

Drop-off / No Review

2019-0519-SPHA

CERTIFICATE OF POSTING

Date: 12-28-19

RE: Case Number: 2019-0519-SPHA RECERT

Petitioner/Developer: Dellis

Date of Hearing/Closing: Jan 2, 2020 10 AM

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 4401 Long Green Rd

The sign(s) were posted on RECERT 12-28-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

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

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

ZONING NOTICE

CASE # 2019-0519-SPHA

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

PLACE: JEFFERSON BUILDING ROOM 205

105 W CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: THURS. JAN 2, 2020 10 AM

REQUEST: SPECIAL HEARING FOR TEMPORARY PURPOSES

DURING CONSTRUCTION, TWO DWELLINGS ON THE PARCEL.

THE EXISTING STRUCTURE WILL BE RAZED AFTER THE NEW

STRUCTURE IS COMPLETED. VARIANCE TO ALLOW A RESIDENTIAL

STRUCTURE WITHIN 200 FT OF AN ADJACENT PROPERTY PASTURE.

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

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

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 2019-0519-SPHA

**A PUBLIC HEARING WILL BE HELD BY
TOWSON PLANNING & ZONING COMMISSION
IN TOWSON, MD**

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

DATE AND TIME: THURS JAN 2, 2020 10 AM

REQUEST: SPECIAL HEARING FOR TEMPORARY PURPOSES
DURING CONSTRUCTION, TWO DWELLINGS ON THE PARCEL.

THE EXISTING STRUCTURE WILL BE RAZED AFTER THE NEW
STRUCTURE IS COMPLETED. VARIANCE TO ALLOW A RESIDENTIAL
STRUCTURE WITHIN ZONET IF AN ADJACENT PROPERTY PASI UKE.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE
TO CONFIRM HEARING CALL 410-326-1234
DO NOT REMOVE THIS SIGN AND POST

RECEIVED

DEC 30 2019

OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

Date: 12-28-19

RE: Case Number: 2019-0519-SPHA RECERT

Petitioner/Developer: Dellis

Date of Hearing/Closing: Jan 2, 2020 10 AM

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 4401 Long Green Rd

The signs(s) were posted on RECERT 12-28-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

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

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

#2

ZONING NOTICE

CASE # 2019-05191-SPHA

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

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

DATE AND TIME: THURS. JAN 2, 2020 10 AM

REQUEST: SPECIAL HEARING FOR TEMPORARY PURPOSES
DURING CONSTRUCTION TWO DWELLINGS ON THE PARCEL.

THE EXISTING STRUCTURE WILL BE RAISED AFTER THE NEW
STRUCTURE IS COMPLETED. VARIANCE TO ALLOW A RESIDENTIAL
STRUCTURE WITHIN 200 FT OF AN ADJACENT PROPERTY PASTURE.

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

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

ZONING NOTICE

CASE # 2019-05.9-SPHA

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

PLACE: JEFFERSON BUILDING ROOM 205
65 W CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: THURS JAN 2, 2020 10 AM

REQUEST: SPECIAL HEARING FOR TEMPORARY PURPOSES
DURING CONSTRUCTION TWO DWELLINGS ON THE PARCEL.

THE EXISTING STRUCTURE WILL BE RAZED AFTER THE NEW
STRUCTURE IS COMPLETED. VARIANCE TO ALLOW A RESIDENTIAL
STRUCTURE WITHIN 40 FT OF AN ADJACENT PROPERTY PARALLEL.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE
TO CONFIRM HEARING CALL
DO NOT REMOVE THIS SIGN AND POSTER

CERTIFICATE OF POSTING

Date: 12-13-19

RE: Case Number: 2019-0519-SPHA

Petitioner/Developer: DELLIS

Date of Hearing/Closing: 1-2-20

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 4401 Long Green Rd

The sign(s) were posted on 12-13-19

(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road

(Street Address of Sign Poster)

Parkton, MD 21120

(City, State, Zip Code of Sign Poster)

410-343-1443

(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2019-0519-SPHA

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

PLACE: JEFFERSON BUILDING ROOM 305

105 W. CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: THURS. JAN. 2, 2020 10 AM

REQUEST: SPECIAL HEARING FOR TEMPORARY PURPOSES

DURING CONSTRUCTION, TWO DWELLINGS ON THE PARCEL

THE EXISTING STRUCTURE WILL BE RAZED AFTER THE NEW

STRUCTURE IS COMPLETED. VARIANCE TO ALLOW A RESIDENTIAL

STRUCTURE WITHIN 200 FT OF AN ADJACENT PROPERTY PASTURE.

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

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

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 2019-0519-SPHA

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

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

DATE AND TIME: THURS. JAN 2, 2020 10 AM

REQUEST: SPECIAL HEARING FOR TEMPORARY PURPOSES

DURING CONSTRUCTION, TWO DWELLINGS ON THE PARCEL.

THE EXISTING STRUCTURE WILL BE RAZED AFTER THE NEW

STRUCTURE IS COMPLETED. VARIANCE TO ALLOW A RESIDENTIAL

STRUCTURE WITHIN 200 FT. OF AN ADJACENT PROPERTY PASTURE.



JOHN A. OLSZEWSKI, JR.
County Executive

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

December 10, 2019

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0519-SPHA

4401 Long Green Road

S/s Long Green Road, West 176 ft. to the centerline of Ponderosa Lane

11th Election District – 3rd Councilmanic District

Legal Owners: Steven Dellis

Special Hearing for temporary purposes during construction, two dwellings on the parcel. The existing structure will be razed after the new structure is completed. Variance to allow a residential structure within 200 ft. of an adjacent property pasture.

Hearing: Thursday, January 2, 2020 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 "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Edward Gillis, 102 W. Pennsylvania Avenue, Ste. 600, Towson 21204
Steven Dellis, 4401 Long Green Road, Glen Arm 21057

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, DECEMBER 13, 2019.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: THE DAILY RECORD
Friday, December 13, 2019 – Issue

Please forward billing to:

Edward Gillis
102 W. Pennsylvania Avenue, Ste. 600
Towson, MD 21204

410-823-1800

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: 2019-0519-SPHA

4401 Long Green Road

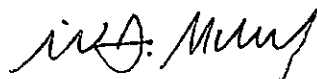
S/s Long Green Road, West 176 ft. to the centerline of Ponderosa Lane

11th Election District – 3rd Councilmanic District

Legal Owners: Steven Dellis

Special Hearing for temporary purposes during construction, two dwellings on the parcel. The existing structure will be razed after the new structure is completed. Variance to allow a residential structure within 200 ft. of an adjacent property pasture.

Hearing: Thursday, January 2, 2020 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.

Kristen L Lewis

From: Kristen L Lewis
Sent: Thursday, December 05, 2019 8:32 AM
To: 'Edward J. Gilliss'
Subject: RE: 4401 Long Green

Great, thank you, I will be notifying you of a date in the next day or so.

Kristen Lewis
PAI – Zoning Review
410-887-3391

From: Edward J. Gilliss [mailto:egilliss@rmmr.com]
Sent: Thursday, December 05, 2019 8:30 AM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: RE: 4401 Long Green

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

Kristen,

Thanks.

Please avoid January 3, 15-17 and 20-21.

Ed Gilliss

Edward J. Gilliss
Royston, Mueller, McLean & Reid, LLP
102 W. Pennsylvania Avenue, Suite 600
Towson, Maryland 21204
(office) 410-823-1800
(fax) 410-583-5330
(email) egilliss@rmmr.com

From: Kristen L Lewis [mailto:klewis@baltimorecountymd.gov]
Sent: Thursday, December 05, 2019 8:24 AM
To: Edward J. Gilliss <egilliss@rmmr.com>
Subject: RE: 4401 Long Green

Good morning,

This will be set in for the early part of January. If you have any dates that you are not available for in January, please email me with them as soon as possible. Thank you,

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:

12/13/2019

Order #: 11825630
 Case #: 2019-0519-SPHA
 Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
 2019-0519-SPHA



Darlene Miller, Public Notice Coordinator
 (Representative Signature)

Baltimore County**NOTICE OF ZONING HEARING**

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

CASE NUMBER: 2019-0519-SPHA

4401 Long Green Road

S/s Long Green Road, West 178 ft. to the centerline of Ponderosa Lane

11th Election District - 3rd Councilmanic District

Legal Owners: Steven Dellis

Special Hearing for temporary purposes during construction, two dwellings on the parcel. The existing structure will be razed after the new structure is completed. Variance to allow a residential structure within 200 ft. of an adjacent property pasture.

Hearing: Thursday, January 2, 2020 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 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.

d13

**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/neighboring 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: 2019-0519-SPHA
Property Address: 4401 Long Green Road
Property Description: _____

Legal Owners (Petitioners): Steven Dellis
Contract Purchaser/Lessee: ✓

PLEASE FORWARD ADVERTISING BILL TO:

Name: Ed J. Gilliss
Company/Firm (if applicable): ✓
Address: 102 West Pennsylvania Avenue, Suite 600
Towson, Maryland 21204

Telephone Number: 410-823-1800



JOHN A. OLSZEWSKI, JR.
County Executive

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

December 23, 2019

Edward J. Gilliss
102 W Pennsylvania Ave Ste 600
Towson MD 21204

RE: Case Number: 2019-0519-SPH, 4401 Long Green 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 November 18, 2019. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Steven Dellis 4401 Long Green Road Glen Arm MD 21057

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Millanoff, Director
Department of Permits, Approvals
me
FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review
SUBJECT: Zoning Advisory Committee Meeting
For November 22, 2019
Item No. 2019-0519-SPHA

DATE: 12/16/19

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

The property owner must dedicate right-of-way along Long Green Road to accommodate a minimum centerline radius of 400-feet along the northeast corner of the property.

*

*

*

*

*

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

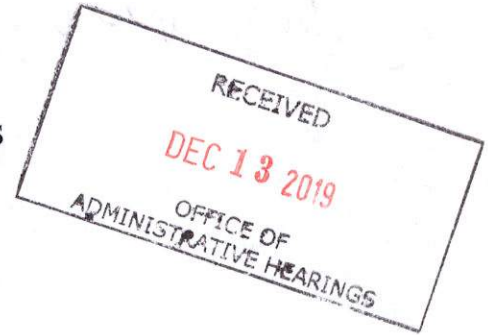
INTER-OFFICE MEMORANDUM

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: 19-519



INFORMATION:

Property Address: 4401 Long Green Road
Petitioner: Steven Dellis
Zoning: RC 6
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for:

1. A special hearing under Section 500.7 of the Baltimore County Zoning Regulations (BCZR) to determine whether or not the zoning commissioner should approve for temporary purposes during construction, two dwellings on the parcel. The existing structure will be razed after the new structure is completed; and
2. A variance from Section 1A07.8B5b to allow a residential structure within 200 feet of an adjacent property pasture.

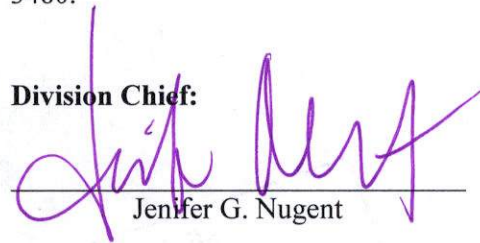
A site visit was conducted on December 2, 2019. The property is on Long Green Road and according to the site plan, comprises 4.31 acres (SDAT lists it as 3.83 acres). It is surrounded by rural residential and agricultural uses. The property to the east is currently used as pasture. The existing garage is 60 feet from the neighboring pasture land.

The Department of Planning finds the requested zoning action is consistent with applicable BCZR regulations and has no objection to granting the petitioned zoning relief provided that:

1. Upon completion and issuance of the certificate of occupancy, the existing residence be razed and the area restored, and
2. Certain performance standards, as established in BCZR § 1A07.8.C and discussed below, are followed:
 - Pursuant to BCZR § 1A07.8.C.2.c, buildings must reflect the traditional rural character of the area. The petitioner shall submit to the contact person listed below architectural elevations for the principal residence at the time of application for said permit.
 - Orient the dwelling front to the public right-of-way.
 - Building(s) shall have similar treatment of materials to all exterior walls with respect to color and architectural details.

Date: 12/13/2019
Subject: ZAC # 19-519
Page 2

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

Division Chief:

Jennifer G. Nugent

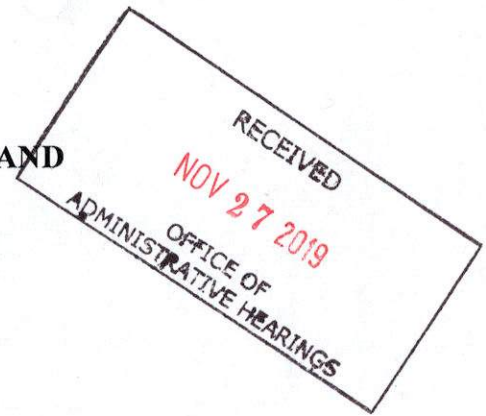
CPG/JGN/LTM/

c: Megan Benjamin
Edward J. Gillis
Office of the Administrative Hearings
People's Counsel for Baltimore County

1/2

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: November 27, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0519-SPHA
Address 4401 Long Green Road
(Dellis Property)

Zoning Advisory Committee Meeting of **November 22, 2019.**

X The Department of Environmental Protection and Sustainability has no
comments on the above-referenced zoning item.

Reviewer: Steve Ford

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
4401 Long Green Road; S/S of Long Green	*	OF ADMINISTRATIVE
Road, W 176' to c/line of Ponderosa Lane	*	
11 th Election & 3 rd Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Steven Dellis	*	
Petitioner(s)	*	BALTIMORE COUNTY
	*	2019-519-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.

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

DEC 03 2019

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of December, 2019, a copy of the foregoing Entry of Appearance was mailed to Edward Gilliss, Esquire, 102 W. Pennsylvania Avenue, Suite 600, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

112

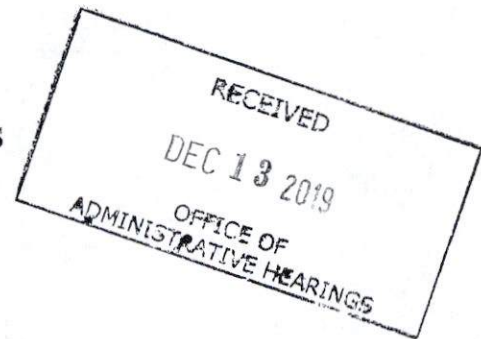
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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: 19-519



INFORMATION:

Property Address: 4401 Long Green Road
Petitioner: Steven Dellis
Zoning: RC 6
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for:

1. A special hearing under Section 500.7 of the Baltimore County Zoning Regulations (BCZR) to determine whether or not the zoning commissioner should approve for temporary purposes during construction, two dwellings on the parcel. The existing structure will be razed after the new structure is completed; and
2. A variance from Section 1A07.8B5b to allow a residential structure within 200 feet of an adjacent property pasture.

A site visit was conducted on December 2, 2019. The property is on Long Green Road and according to the site plan, comprises 4.31 acres (SDAT lists it as 3.83 acres). It is surrounded by rural residential and agricultural uses. The property to the east is currently used as pasture. The existing garage is 60 feet from the neighboring pasture land.

The Department of Planning finds the requested zoning action is consistent with applicable BCZR regulations and has no objection to granting the petitioned zoning relief provided that:

1. Upon completion and issuance of the certificate of occupancy, the existing residence be razed and the area restored, and
2. Certain performance standards, as established in BCZR § 1A07.8.C and discussed below, are followed:
 - Pursuant to BCZR § 1A07.8.C.2.c, buildings must reflect the traditional rural character of the area. The petitioner shall submit to the contact person listed below architectural elevations for the principal residence at the time of application for said permit.
 - Orient the dwelling front to the public right-of-way.
 - Building(s) shall have similar treatment of materials to all exterior walls with respect to color and architectural details.

ORDER RECEIVED FOR FILING

Date

11/13/2020

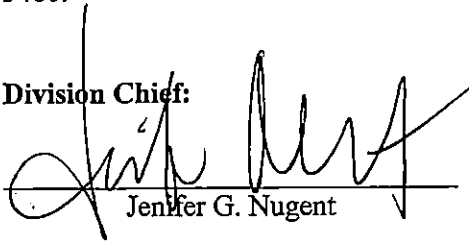
By

Sen

Date: 12/13/2019
Subject: ZAC # 19-519
Page 2

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

Division Chief:



Jennifer G. Nugent

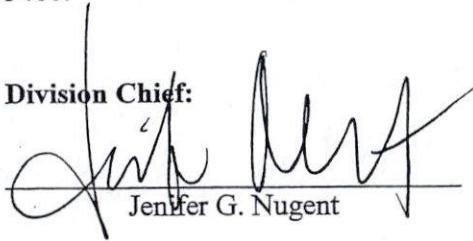
CPG/JGN/LTM/

c: Megan Benjamin
Edward J. Gillis
Office of the Administrative Hearings
People's Counsel for Baltimore County

Date: 12/13/2019
Subject: ZAC # 19-519
Page 2

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

Division Chief:



Jennifer G. Nugent

CPG/JGN/LTM/

c: Megan Benjamin
Edward J. Gillis
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date 1/13/2020

By sen

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Millanoff, Director
Department of Permits, Approvals

FROM: *MD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 22, 2019
Item No. 2019-0519-SPHA

DATE: 12/16/19

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

The property owner must dedicate right-of-way along Long Green Road to accommodate a minimum centerline radius of 400-feet along the northeast corner of the property.

*

*

*

*

*

VKD: cen
cc: file

ORDER RECEIVED FOR FILING

Date 11/13/2020

By Sen

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: 19-519

INFORMATION:

Property Address: 4401 Long Green Road
Petitioner: Steven Dellis
Zoning: RC 6
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for:

1. A special hearing under Section 500.7 of the Baltimore County Zoning Regulations (BCZR) to determine whether or not the zoning commissioner should approve for temporary purposes during construction, two dwellings on the parcel. The existing structure will be razed after the new structure is completed; and
2. A variance from Section 1A07.8B5b to allow a residential structure within 200 feet of an adjacent property pasture.

A site visit was conducted on December 2, 2019. The property is on Long Green Road and according to the site plan, comprises 4.31 acres (SDAT lists it as 3.83 acres). It is surrounded by rural residential and agricultural uses. The property to the east is currently used as pasture. The existing garage is 60 feet from the neighboring pasture land.

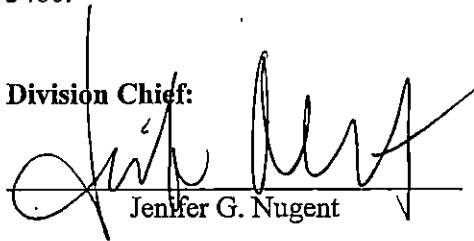
The Department of Planning finds the requested zoning action is consistent with applicable BCZR regulations and has no objection to granting the petitioned zoning relief provided that:

1. Upon completion and issuance of the certificate of occupancy, the existing residence be razed and the area restored, and
2. Certain performance standards, as established in BCZR § 1A07.8.C and discussed below, are followed:
 - Pursuant to BCZR § 1A07.8.C.2.c, buildings must reflect the traditional rural character of the area. The petitioner shall submit to the contact person listed below architectural elevations for the principal residence at the time of application for said permit.
 - Orient the dwelling front to the public right-of-way.
 - Building(s) shall have similar treatment of materials to all exterior walls with respect to color and architectural details.

Date: 12/13/2019
Subject: ZAC # 19-519
Page 2

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

Division Chief:



Jennifer G. Nugent

CPG/JGN/LTM/

c: Megan Benjamin
Edward J. Gillis
Office of the Administrative Hearings
People's Counsel for Baltimore County



MARYLAND DEPARTMENT
OF TRANSPORTATION

STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 11/26/19

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2019-0519-BPHA

Special Hearing Variance
Steven Dellis
4401 Long Green 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@mdot.maryland.gov).

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 2019 0519 SPH
CASE NUMBER 4401 LONG GREEN RD
DATE 1.2.20

Petitioner's

CITIZEN'S SIGN - IN SHEET

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment12/16DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)Comment11/27DEPS
(if not received, date e-mail sent _____)No Comment

FIRE DEPARTMENT

12/13PLANNING
(if not received, date e-mail sent _____)Comment

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: 12/13/19SIGN POSTING (1st)Date: 12/13/19by PulsonSIGN POSTING (2nd)Date: 12/28/19by Pulson

PEOPLE'S COUNSEL APPEARANCE

Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Special Tax Recapture: None					
Account Identifier:		District - 11 Account Number - 1112021750			
Owner Information					
Owner Name:	DELLIS STEVEN M		Use:	RESIDENTIAL	
Mailing Address:	4401 LONG GREEN RD GLEN ARM MD 21057-		Principal Residence:	YES	
			Deed Reference:	/38618/ 00001	
Location & Structure Information					
Premises Address:	4401 LONG GREEN RD GLEN ARM 21057-		Legal Description:	3.83 AC 4401 LONG GREEN RD SS 660 W MANOR RD	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0053	0003	0079	11070061.04	0000	2018 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	
1922	2,433 SF	850 SF	3.8300 AC	04	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
2 1/2	YES	STANDARD UNIT	FRAME/	4	1 full/ 1 half
					Garage
					1 Detached
					Last Notice of Major Improvements
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of 01/01/2018	As of 07/01/2019	As of 07/01/2020	
Land:	179,600	166,700			
Improvements	244,700	252,400			
Total:	424,300	419,100	419,100	419,100	
Preferential Land:	0			0	
Transfer Information					
Seller: DELLIS MICHAEL	Date: 02/10/2017		Price: \$0		
Type: NON-ARMS LENGTH OTHER	Deed1: /38618/ 00001		Deed2:		
Seller: DELLIS MICHAEL	Date: 02/22/2013		Price: \$0		
Type: NON-ARMS LENGTH OTHER	Deed1: /33213/ 00264		Deed2:		
Seller: DELLIS MICHAEL	Date: 08/30/2006		Price: \$0		
Type: NON-ARMS LENGTH OTHER	Deed1: /24394/ 00669		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		
Special Tax Recapture: None					
Homestead Application Information					
Homestead Application Status: Approved 09/27/2013					

Homeowners' Tax Credit Application Status: No Application

Date:

Google Maps 4401 Long Green Rd

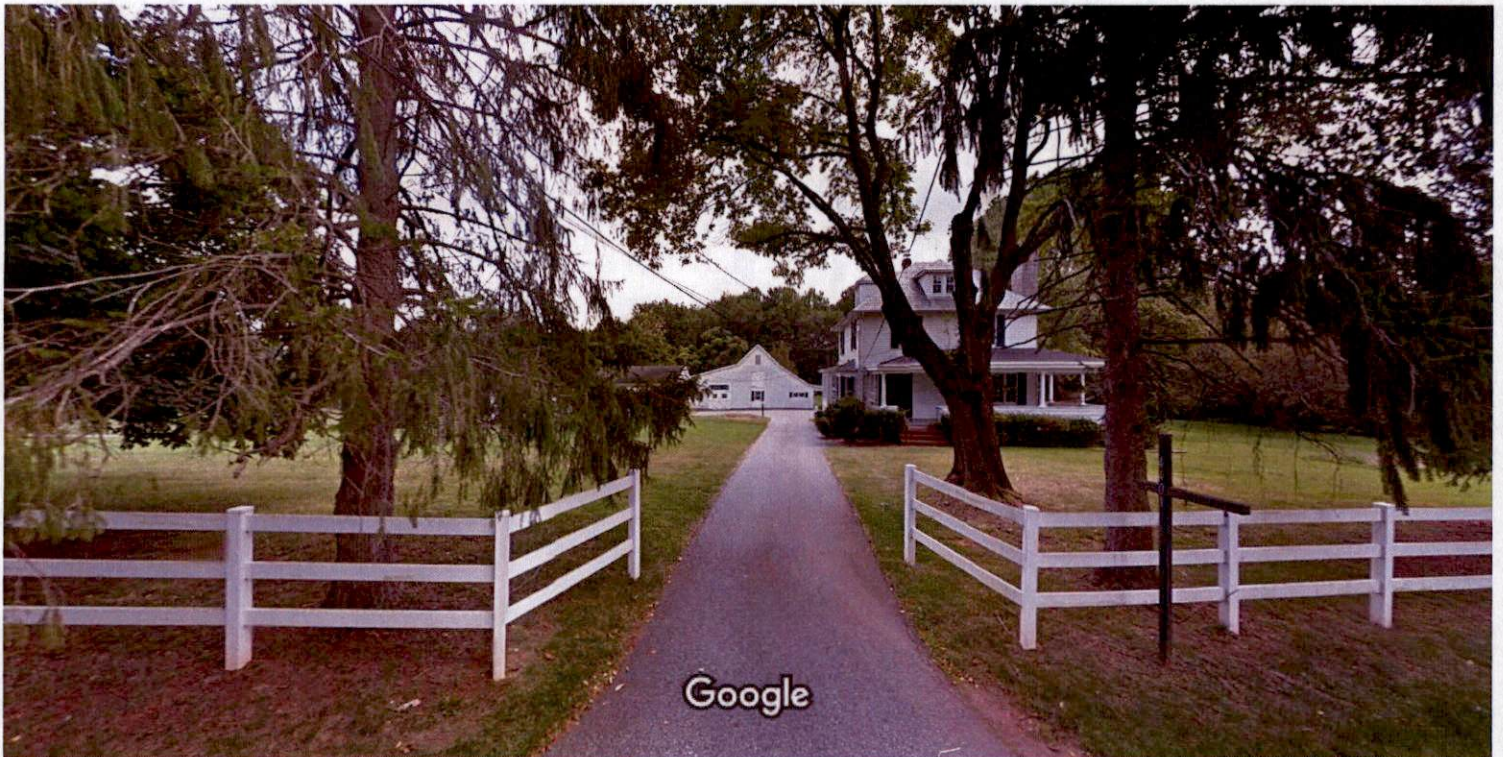
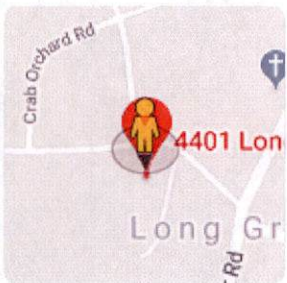


Image capture: Aug 2013 © 2019 Google

Glen Arm, Maryland



Street View



PETITIONER'S

EXHIBIT NO.

2

Google Maps 4401 Long Green Rd



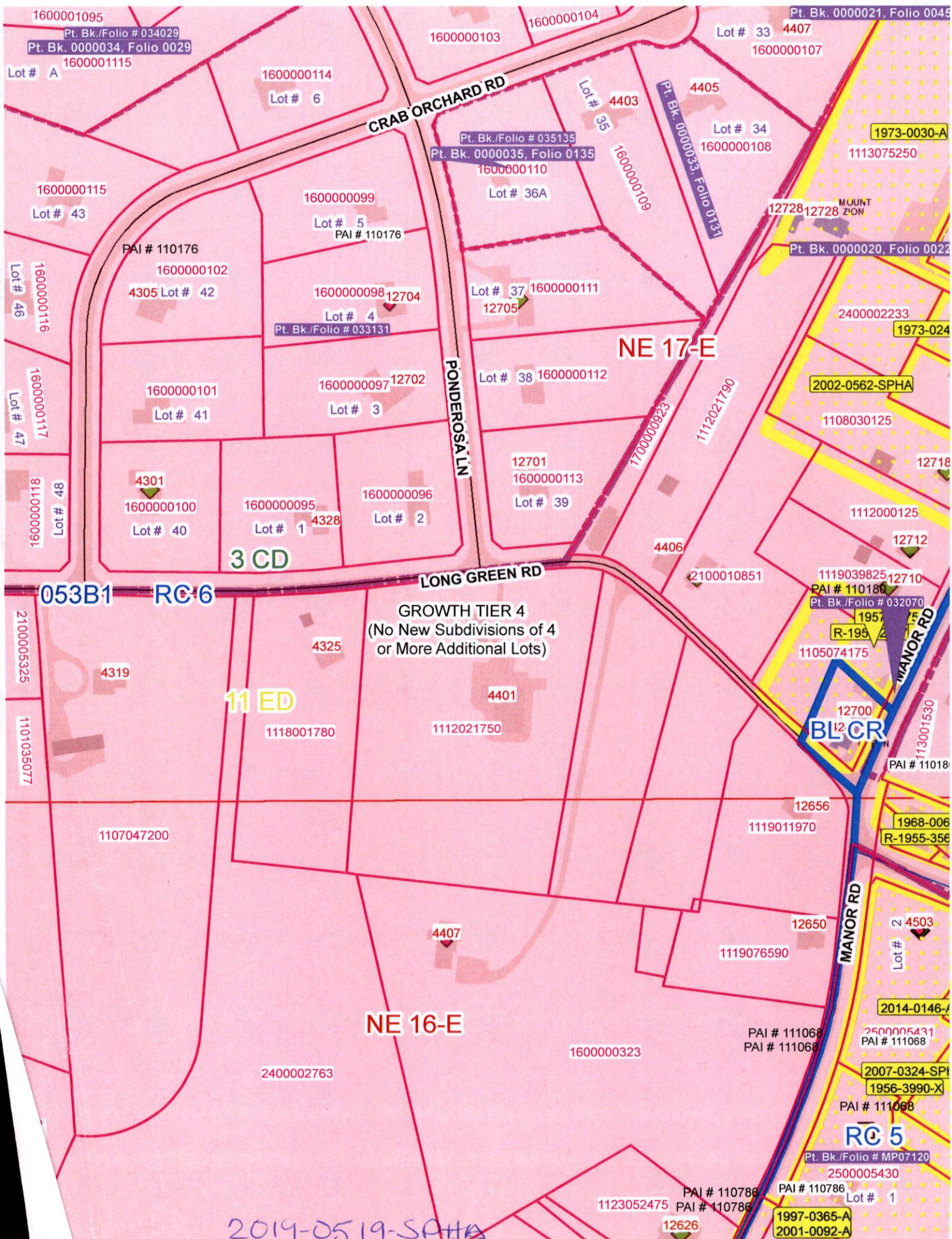
Image capture: Aug 2013 © 2019 Google

Glen Arm, Maryland



Street View





2019-0519-SAPA



Lot # 41
1600000101

Lot # 3

1600000097

12702

Lot # 38

1600000112

PAI # 110176

PAI # 110176

Pt. Bk./Folio # 033131

PONDEROSA LN

12701

Lot # 39

1600000113

1700000923

1112021790

2002-0562-SP

Lot # 40 1600000100

Lot # 1

1600000095

4328

Lot # 2

1600000096

12700

Pt. Bk. 0000033, Folio 0131

NE 17-E

LONG CREEK

4406

2100010851

4408

R-1953-2

3 CD

RC 6

1118001780

11 ED

053B1

1112021750

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

SITE

4325

4401

4401

1119011970

1119076590

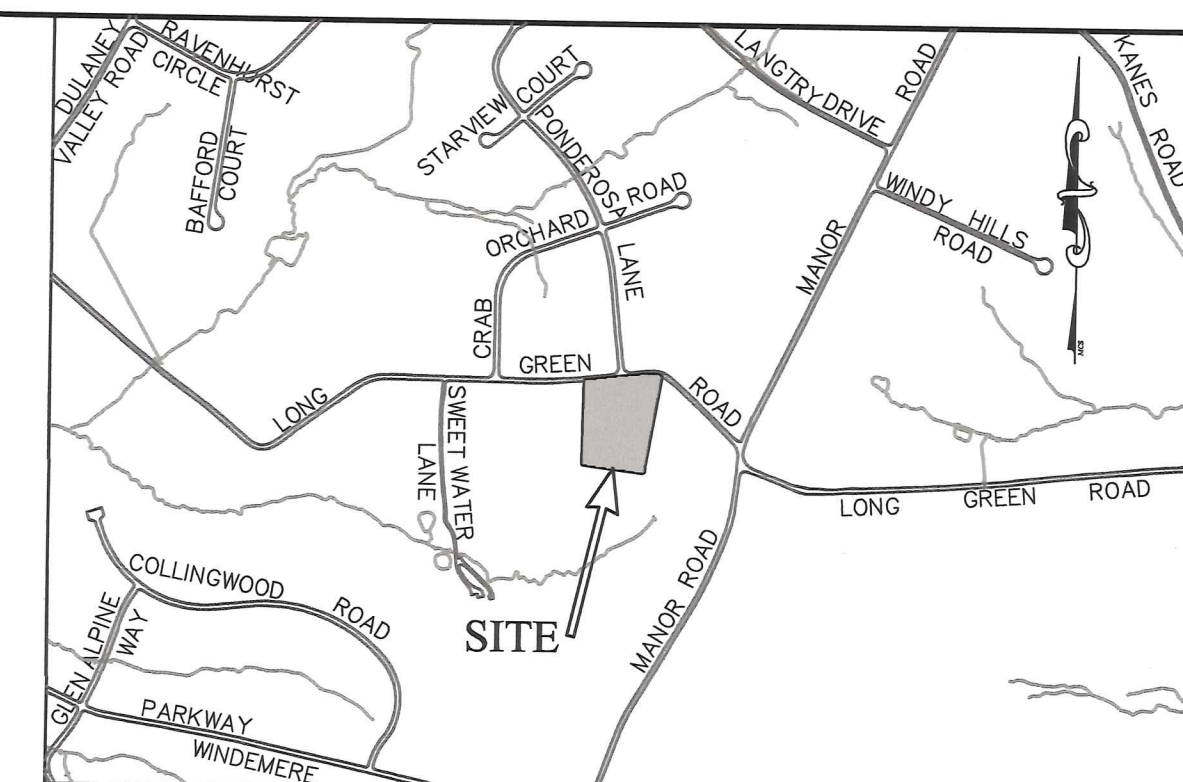
NE 16-E

4407

2400002763

1600000323

2019-0519 RD/HW



VICINITY MAP
SCALE: 1"=1000'

PROPERTY INFORMATION

1. OWNER: STEVEN DELLIS
4401 LONG GREEN ROAD
GLEN ARM, MD 21057
2. TAX ACCOUNT #: 1112021750
3. DEED REF: 38618/1
4. SITE AREA: 4.31± AC. (187,595 S.F.)
5. EXISTING ZONING: RC 6
6. ZONING MAP: 05381
7. ELECTION DISTRICT: 11 COUNCILMANIC DISTRICT: 3
8. THIS SITE IS NOT LOCATED WITHIN ANY DEFICIENT AREAS BASED ON THE 2017 WATER AND SEWER BASIC SERVICES MAPS. THIS SITE IS LOCATED WITHIN A LEVEL 'D' AREA BASED ON THE 2017 TRANSPORTATION BASIC SERVICES MAP.
9. THIS SITE IS NOT LOCATED WITHIN A 100 YEAR FLOODPLAIN.
10. THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA (CBCA).
11. THIS SITE IS NOT HISTORIC.
12. THIS SITE IS NOT LOCATED WITHIN ANY HISTORICAL DISTRICT.
13. THERE IS NO PUBLIC WATER AND/OR SEWER ON SITE.

ZONING HISTORY

THERE IS NO KNOWN ZONING HISTORY



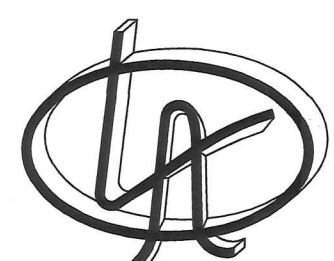
2019 0519 SP4
PETITIONER'S

EXHIBIT NO. 1

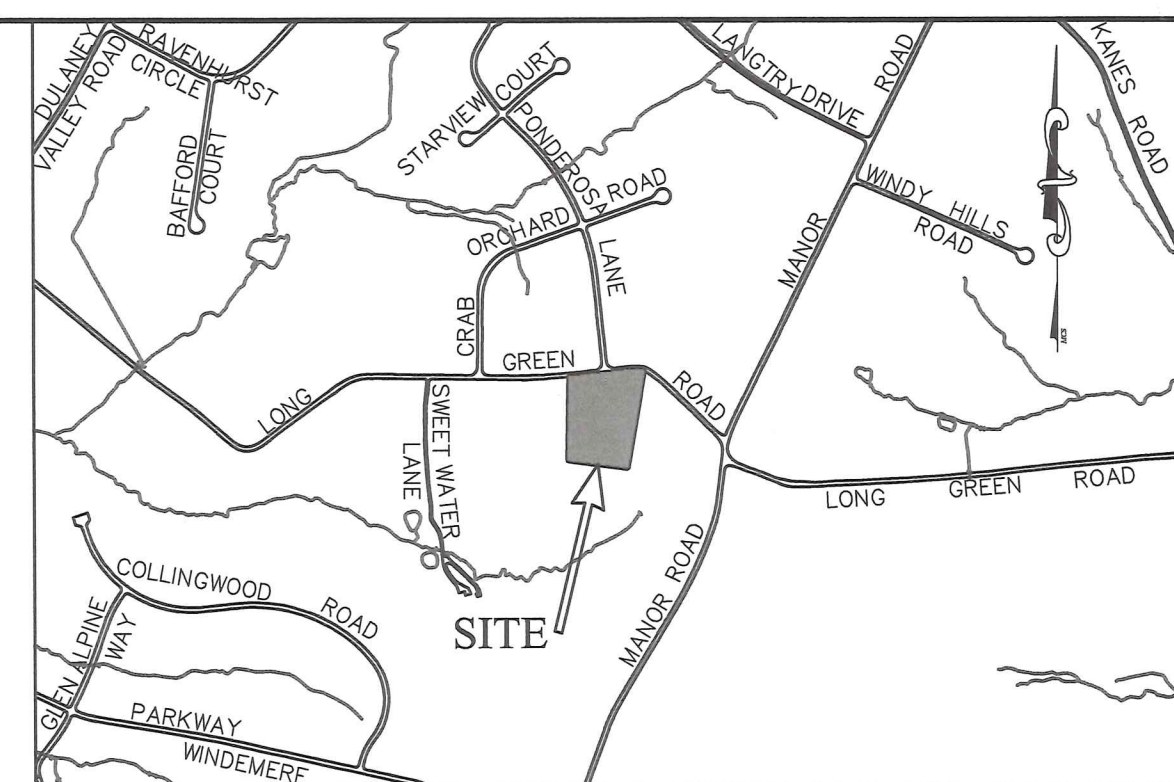
**PLAN TO ACCOMPANY PETITION FOR
ZONING VARIANCE AND SPECIAL HEARING
#4401 LONG GREEN ROAD**

DISTRICT 11c3
SCALE: 1"=40'

BALTIMORE COUNTY, MD
NOVEMBER 11, 2019



LITTLE & ASSOCIATES, INC.
ENGINEERS~LAND PLANNERS~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639



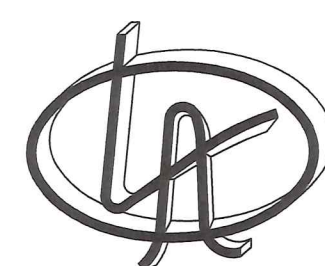
VICINITY MAP
SCALE: 1"=1000'

PROPERTY INFORMATION

1. OWNER: STEVEN DELLIS
4401 LONG GREEN ROAD
GLEN ARM, MD 21057
2. TAX ACCOUNT #: 1112021750
3. DEED REF: 38618/1
4. SITE AREA: 4.31± AC. (187,595 S.F.)
5. EXISTING ZONING: RC 6
6. ZONING MAP: 05351
7. ELECTION DISTRICT: 11 COUNCILMANIC DISTRICT: 3
8. THIS SITE IS NOT LOCATED WITHIN ANY DEFICIENT AREAS BASED ON THE 2017 WATER AND SEWER BASIC SERVICES MAPS. THIS SITE IS LOCATED WITHIN A LEVEL 'D' AREA BASED ON THE 2017 TRANSPORTATION BASIC SERVICES MAP.
9. THIS SITE IS NOT LOCATED WITHIN A 100 YEAR FLOODPLAIN.
11. THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA (CBCA).
12. THIS SITE IS NOT HISTORIC.
13. THIS SITE IS NOT LOCATED WITHIN ANY HISTORICAL DISTRICT.
14. THERE IS NO PUBLIC WATER AND/OR SEWER ON SITE.

ZONING HISTORY

THERE IS NO KNOWN ZONING HISTORY



LITTLE & ASSOCIATES, INC.
ENGINEERS~LAND PLANNERS~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639

PLAN TO ACCOMPANY PETITION FOR
ZONING VARIANCE AND SPECIAL HEARING
#4401 LONG GREEN ROAD

DISTRICT 11c3
SCALE: 1"=40'

BALTIMORE COUNTY, MD
NOVEMBER 11, 2019

