

MEMORANDUM

DATE: May 12, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0060-A – Appeal Period Expired

The appeal period for the above-referenced cases expired on May 11, 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 *
(12 Gumwood Drive)
15th Election District *
6th Council District *
Kevin A. Webber *
Petitioner *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2020-0060-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owner of the property, Kevin A. Webber (“Petitioners”). The Petitioner is requesting Variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (“BCZR”), to permit the existing dwelling addition to have a rear yard setback of 7.5 feet in lieu of the minimum required 30 feet setback and a front street setback of 21 feet in lieu of the minimum required 25 feet. 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 submitted by the Department of Environmental Protection and Sustainability (“DEPS”), dated March 19, 2020, indicating that development of this property must comply with the Critical Area Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on March 7, 2020, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date

4/9/2020

By

sen

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 Petitioners.

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 9th day of **April, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("BCZR"), to permit the existing dwelling addition to have a rear yard set-back of 7.5 feet in lieu of the minimum required 30 feet setback and a front street setback of 21 feet in lieu of the minimum required 25 feet, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for their 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 shall comply with the ZAC comments submitted by DEPS, dated March 19, 2020; a copy of which is attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING

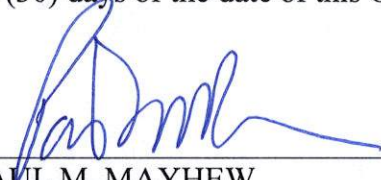
Date

4/9/2020

By

Sen

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

4/9/2020

By

sen

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: 12 GUMWOOD DRIVE MIDDLE RIVER MD 21220
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)

Relief from property line zoning laws, to construct a 16' x 34' addition to the west side of the one story single family dwelling. Due to the costs of building up, it is more feasible to build out into the existing side yard. This would add much needed square footage without occupying the majority of the plot. The rear of the addition would need to be built to match the existing structure, thus needing a variance from the property line

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

[Signature]
Signature of Owner (Affiant)

Signature of Owner (Affiant)

Kevin A Webber
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 20th day of February, 2020, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Kevin A. Webber

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public
7/22/2021
My Commission Expires

Petition to Variance: 12 Gumwood Drive

Zoning Case No. 2020-0060-A

Variance Section 1B02.3.C.1 - To permit the existing dwelling with a proposed dwelling addition to have a rear yard set-back of 7.5 ft. +/- in lieu of the minimum required 30 ft. set back and a front street set-back of 21 ft. +/- in lieu of the minimum required 25 ft.



ZONING PROPERTY DESCRIPTION FOR:

12 GUMWOOD DRIVE MIDDLE RIVER, MD 21220

Beginning at a point on the northwest corner of Gumwood Drive which is 45ft wide and Second Rd which is 30ft wide.

Being known as Lot # 167, Section # 4, in the subdivision of Stansbury Manor as recorded in Baltimore County Plat Book # 013, Folio # 138, containing 6,180sqft. Located in the 15 Election District and 6 Council District.

ZONING PROPERTY DESCRIPTION FOR:

12 GUMWOOD DRIVE MIDDLE RIVER, MD 21220

Beginning at a point on the northwest corner of Gumwood Drive which is 45ft wide and Second Rd which is 30ft wide.

Being known as Lot # 167, Section # 4, in the subdivision of Stansbury Manor as recorded in Baltimore County Plat Book # 013, Folio # 138, containing 6,180sqft. Located in the 15 Election District and 6 Council District.

CERTIFICATE OF POSTING

2020-0060-A

RE: Case No.: _____

Petitioner/Developer: _____

Kevin Webber

March 23, 2020

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

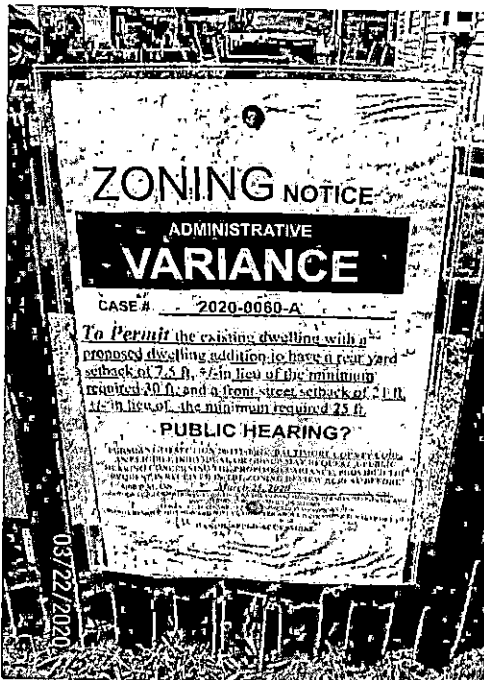
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

12 Gumwood Drive

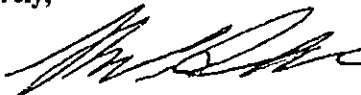
SIGN 1 Recertification

March 7, 2020

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 March 22, 2020
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0060-A

RE: Case No.: _____

Petitioner/Developer: _____

Kevin Webber

March 23, 2020

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

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12 Gumwood Drive

SIGN 1 Recertification

March 7, 2020

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(Month, Day, Year)



Sincerely,

 March 22, 2020

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0000-00

RE: Case No. _____

9. Officer/Inspector _____

10. On _____

March 23, 2020

11. Officer/Inspector _____

12. Officer/Inspector _____
13. Officer/Inspector _____
14. Officer/Inspector _____
15. Officer/Inspector _____

16. Officer/Inspector _____

17. Officer/Inspector _____

18. Officer/Inspector _____
19. Officer/Inspector _____

SIGN & RECEPTION

20. Officer/Inspector _____

21. Officer/Inspector _____

22. Officer/Inspector _____

23. Officer/Inspector _____

24. Officer/Inspector _____

25. Officer/Inspector _____

26. Officer/Inspector _____

27. Officer/Inspector _____

28. Officer/Inspector _____

29. Officer/Inspector _____

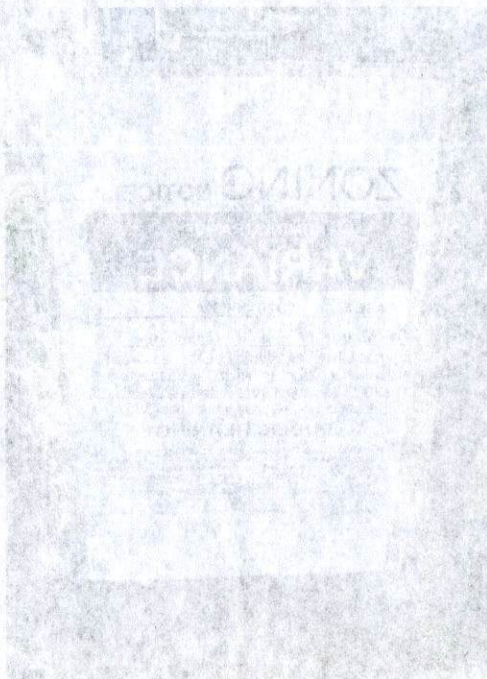
30. Officer/Inspector _____

31. Officer/Inspector _____

32. Officer/Inspector _____

33. Officer/Inspector _____

34. Officer/Inspector _____



CERTIFICATE OF POSTING

2020-0060-A

RE: Case No.: _____

Petitioner/Developer: _____

Kevin Webber

March 23, 2020

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

12 Gumwood Drive

SIGN 2 Recertification

March 7, 2020

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 March 22, 2020

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0060-A

RE: Case No.: _____

Petitioner/Developer: _____

Kevin Webber

March 23, 2020

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

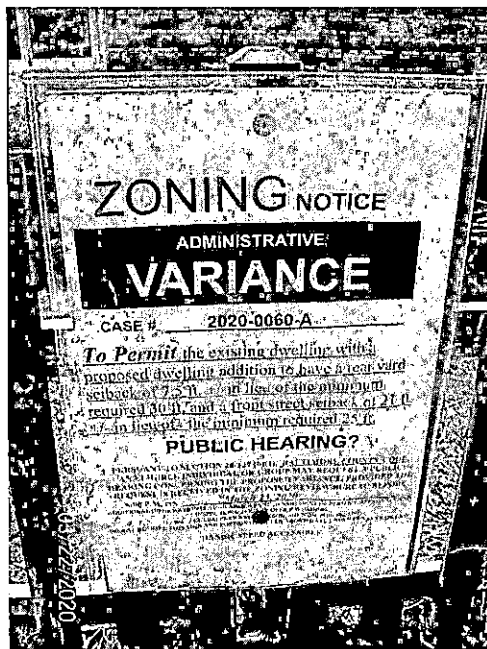
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

12 Gumwood Drive

SIGN 2 Recertification

March 7, 2020

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 March 22, 2020
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0060-A

RE: Case No.: _____

Petitioner/Developer: _____

Kevin Webber

March 23, 2020

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

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12 Gumwood Drive

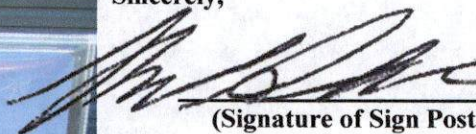
SIGN 1

March 7, 2020

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,



March 7, 2020

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0000-A

Case No. _____

Permittee/Developer: _____

Parcel #/Block: _____

March 24, 2020

Date of the Posting: _____

Postmaster: County Department of
Permits, Approvals and Inspections
County Office Building, Room 11
111 West Exchange Avenue
Lawson, Wisconsin 53044
Attn: Permit Clerk

Project and location:

The intent is to verify under the terms of the posting that the necessary work is being done by the permittee on the property, located at:

SIGN 1

13 Greenwood Drive

March 7, 2020

The signs were posted on

March 7, 2020

March 7, 2020

Signature of sign-poster (Print)

Sgt. Robert Black

(Print Name)

1408 Exchange

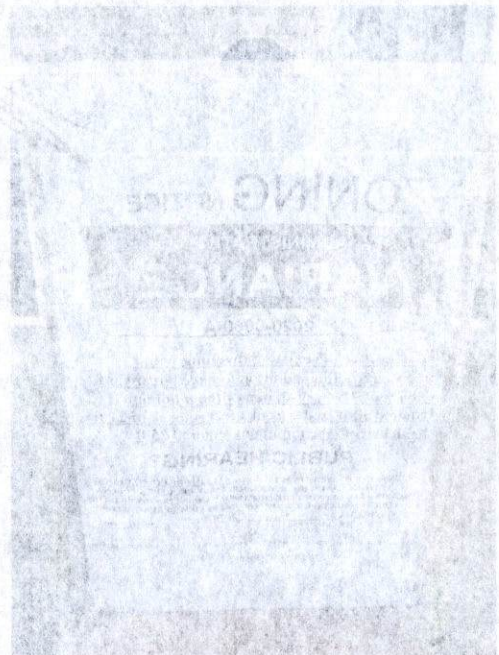
Lawson, WI

Lawson, Wisconsin 53044

(Print Name & Address)

(Print City, State & Zip)

(Print City, State & Zip)



CERTIFICATE OF POSTING

2020-0060-A

RE: Case No.: _____

Petitioner/Developer: _____

Kevin Webber

March 23, 2020

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

12 Gumwood Drive

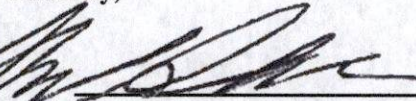
SIGN 2

March 7, 2020

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,


(Signature of Sign Poster)

March 7, 2020

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0000-A

RE: Case No. _____

Return to: _____

State of _____

March 27, 2020

Date of Filing: _____

Plaintiff: _____
Defendant: _____
Court: _____
County: _____
City: _____
State: _____

Case No. _____

This letter is to certify that the parties to the above-captioned case have been properly notified of the filing of the case and the date of the hearing.

SIGN 2

13 Court and Date

March 27, 2020

The signed certificate is to be filed in the case file and the original is to be retained by the court.

March 27, 2020

(Signature of Plaintiff)

Plaintiff

(Print Name)

Plaintiff

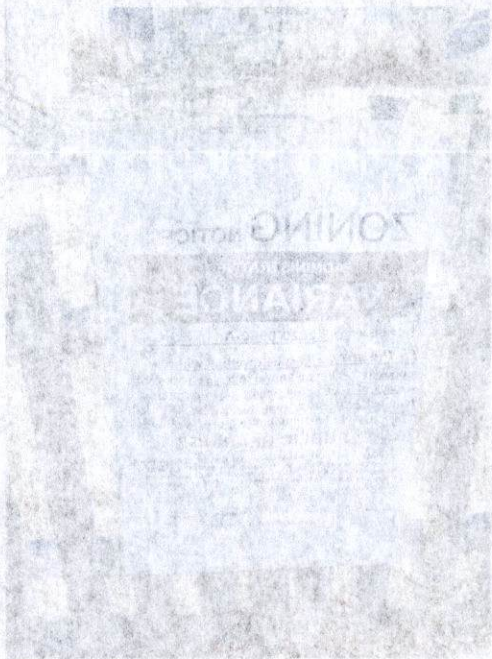
(Address)

Plaintiff

Plaintiff

(Phone Number)

Plaintiff



CERTIFICATE OF POSTING

2020-0060-A

RE: Case No.: _____

Petitioner/Developer: _____

Kevin Webber

March 23, 2020

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

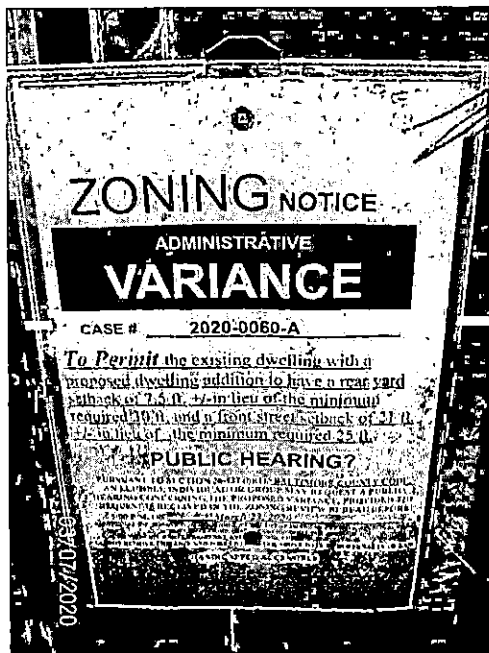
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

12 Gumwood Drive

SIGN 1

March 7, 2020

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

March 7, 2020

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0060-A

RE: Case No.: _____

Petitioner/Developer: _____

Kevin Webber

March 23, 2020

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

12 Gumwood Drive **SIGN 2**

March 7, 2020

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

March 7, 2020

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 2020- 0060 -AAddress 12 GUMWOOD DR.Contact Person: POZ JOHNSON

Phone Number: 410-887-3391

Planner, Please Print Your Name

Filing Date: 2/25/2020 Posting Date: 3/8/2020 Closing Date: 3/23/2020

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)

Petitioner: This Part of the Form is for the Sign Poster Only**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**Case Number 2020- 0060 -AAddress: 12 GUMWOOD DRIVEPetitioner's Name: KEVIN WEBBERTelephone: 443/883-1046Posting Date: 3/8/2020Closing Date: 3/23/2020

Wording for Sign:

VARIANCE TO PERMIT THE EXISTING DWELLING WITH A PROPOSED DWELLING
ADDITION TO HAVE A REAR YARD SET-BACK OF 7.5 FT± IN LIEU OF THE MIN. REQUIRED
30 FT. AND A FRONT STREET SET-BACK OF 21 FT± IN LIEU OF MINIMUM REQUIRED

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW 25 FT,

**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: 2020-0060-A
Property Address: 12 Gumwood Drive Middle River MD 21220
Property Description: AT N.E. CORNER OF GUMWOOD DR.
AND 2ND ROAD
Legal Owners (Petitioners): Kevin Webber
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kevin Webber
Company/Firm (if applicable): _____
Address: 12 Gumwood Dr
Middle River MD 21220

Telephone Number: 443-883-1046

Revised 7/9/2015

assess the project's viability, and the consequences of

Kevin Waddell

[illegible]

76 boxes made 51
03515 AM 70000 51614

440 - 888 - 644



JOHN A. OLSZEWSKI, JR.
County Executive

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

March 09, 2020

Kevin Webber,
12 Gunwood Drive
Middle River MD 21220

RE: Case Number: 2020-0060-A, 12 Gunwood Drive

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 February 25, 2020. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

Inter-Office 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: March 19, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0060-A
Address 12 Gumwood Drive
(Webber Property)

Zoning Advisory Committee Meeting of **March 9, 2020.**

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within an Intensely Developed Area (IDA) and is subject to Critical Area requirements. The applicant is proposing to permit a 544 square foot addition with reduced front and rear yard setbacks. This is not a waterfront lot. The proposed addition must meet all IDA requirements, including planting of trees or payment of an offset fee for any new impervious surfaces. If the plantings are done or offset fee is paid, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront. If the plantings are done or the offset fee for new impervious surface is paid, then that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

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: March 19, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0060-A
Address 12 Gumwood Drive
(Webber Property)

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2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront. If the plantings are done or the offset fee for new impervious surface is paid, then that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

If the IDA requirements can be met, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

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: March 19, 2020

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EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within an Intensely Developed Area (IDA) and is subject to Critical Area requirements. The applicant is proposing to permit a 544 square foot addition with reduced front and rear yard setbacks. This is not a waterfront lot. The proposed addition must meet all IDA requirements, including planting of trees or payment of an offset fee for any new impervious surfaces. If the plantings are done or offset fee is paid, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront. If the plantings are done or the offset fee for new impervious surface is paid, then that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

If the IDA requirements can be met, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Acting Secretary
Tim Smith, P.E.
Acting Administrator

Date: 3/4/20

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. 2020-0060-A

*Administrative Variance
Kevin A. Webber
12 Gummood Drive*

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

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: March 19, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0060-A
Address 12 Gumwood Drive
(Webber Property)

Zoning Advisory Committee Meeting of **March 9, 2020**.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

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ORDER RECEIVED FOR FILING

Date 4/9/2020

By Sen

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

If the IDA requirements can be met, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

ORDER RECEIVED FOR FILING

Date

4/9/2020

By

SEL

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>3/19</u>	DEPS (if not received, date e-mail sent _____)	<u>Comment</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>3/4/20</u>	STATE HIGHWAY ADMINISTRATION	<u>NO OBJ</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>3/7/2020</u>	by <u>SSG Robert Block</u>
SIGN POSTING (2 nd)	Date: <u>3/22/2020</u>	by <u>SSG Robert Block</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

12 Gumwood Dr



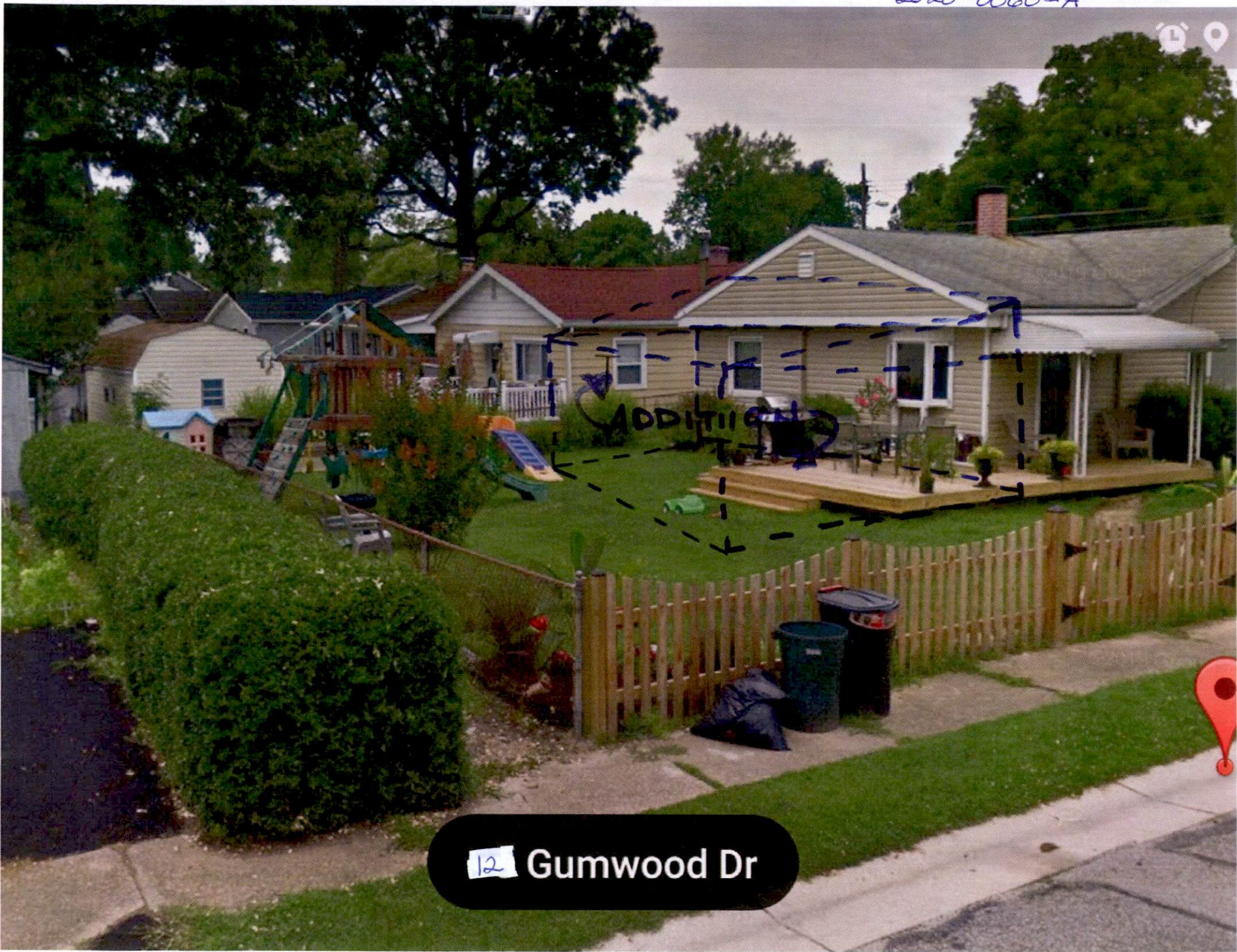
2020-0060-H

2020-0060-A



12 Gumwood Dr

2020-0060-A



12 Gumwood Dr

Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier:		District - 15 Account Number - 1508655250
Owner Information		
Owner Name:	WEBBER KEVIN ALAN	Use: RESIDENTIAL
Mailing Address:	12 GUMWOOD DR BALTIMORE MD 21220-5440	Principal Residence: YES Deed Reference: /29821/ 00302
Location & Structure Information		
Premises Address:	12 GUMWOOD DR 0-0000	Legal Description: 12 GUMWOOD DR STANSBURY MANOR
Map: 0091	Grid: 0019	Parcel: 0253
Neighborhood: 15030022.04	Subdivision: 0000	Section: 4
Block:	Lot: 167	Assessment Year: 2018
Plat No:	Plat Ref: 0013/ 0138	
Town: None		
Primary Structure Built 1942	Above Grade Living Area 1,180 SF	Finished Basement Area
		Property Land Area 6,180 SF
		County Use 04
Stories 1	Basement NO	Type STANDARD UNIT
Exterior SIDING/	Quality 3	Full/Half Bath 1 full
Garage	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of 01/01/2018
Land:	61,100	61,100
Improvements	64,900	82,100
Total:	126,000	143,200
Preferential Land:	0	0
Phase-in Assessments		
	As of 07/01/2019	As of 07/01/2020
	137,467	143,200
Transfer Information		
Seller: WINTERLING FRANK H	Date: 08/30/2010	Price: \$135,000
Type: ARMS LENGTH IMPROVED	Deed1: /29821/ 00302	Deed2:
Seller: HOOVEN CHARLES R	Date: 03/28/2005	Price: \$110,000
Type: NON-ARMS LENGTH OTHER	Deed1: /21617/ 00502	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2019
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 12/08/2010		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

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

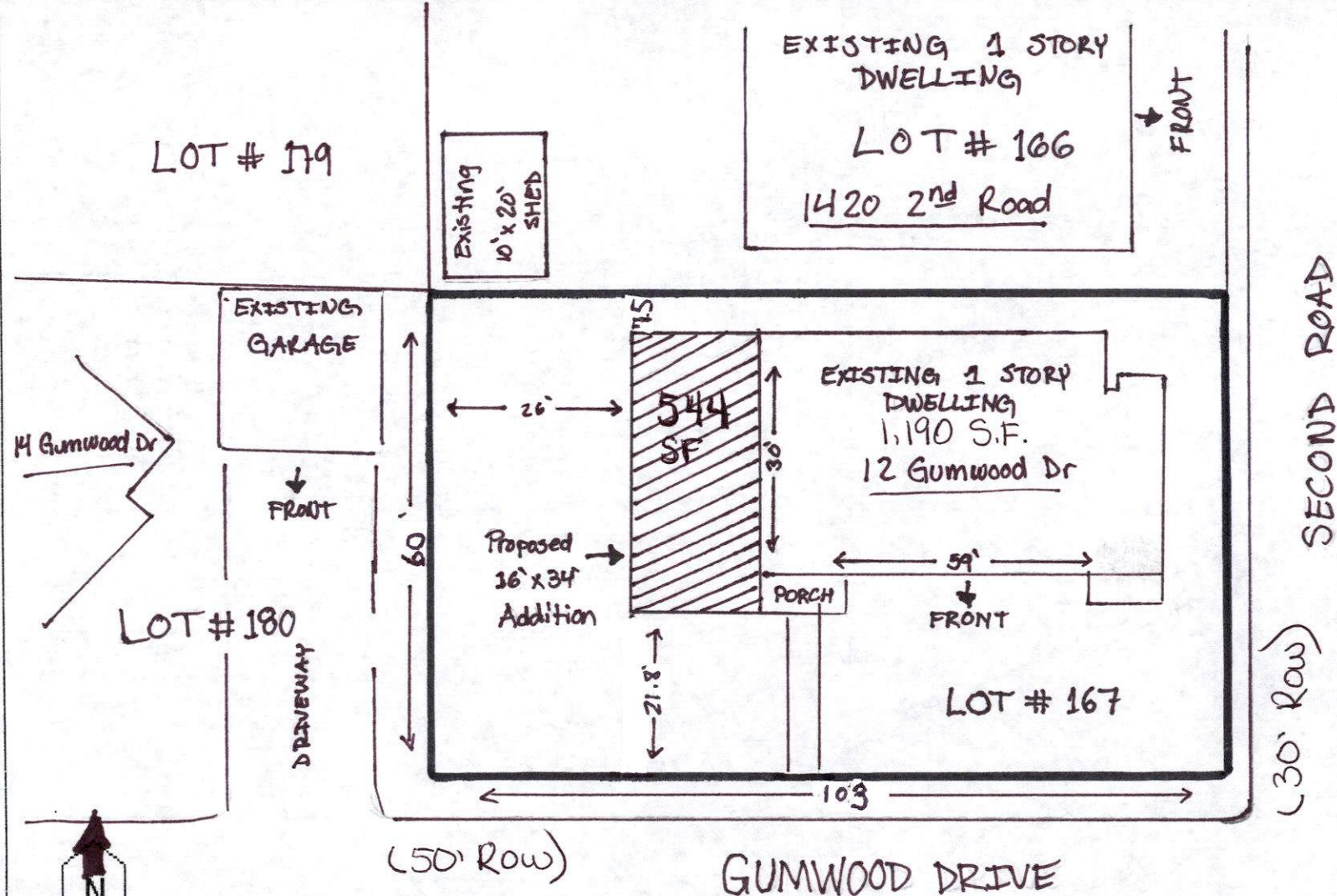
2026-0060-A

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 12 GUMWOOD DRIVE OWNER(S) NAME(S) KEVIN WEBBER

SUBDIVISION NAME STANSBURY MANOR LOT # 167 BLOCK # _____ SECTION # 4

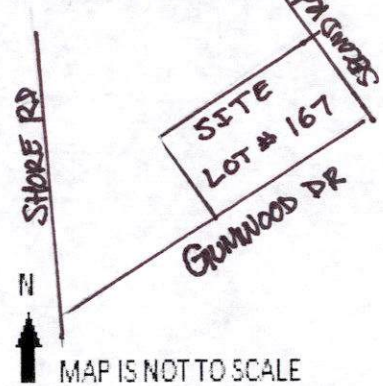
PLAT BOOK # 013 FOLIO # 138 10 DIGIT TAX # 1 5 0 8 6 5 5 2 5 0 DEED REF. # 2 9 8 2 1 / 0 0 3 0 2



PLAN DRAWN BY KEVIN WEBBER

DATE 2/6/2020 SCALE: 1 INCH = 20 FEET
Pet Ex 1

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 0091

SITE ZONED DR S.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE _____

OR SQUARE FEET 6,180 SF

HISTORIC? NO

IN CBCA? Yes

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? YES

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

ZONING VARIANCE

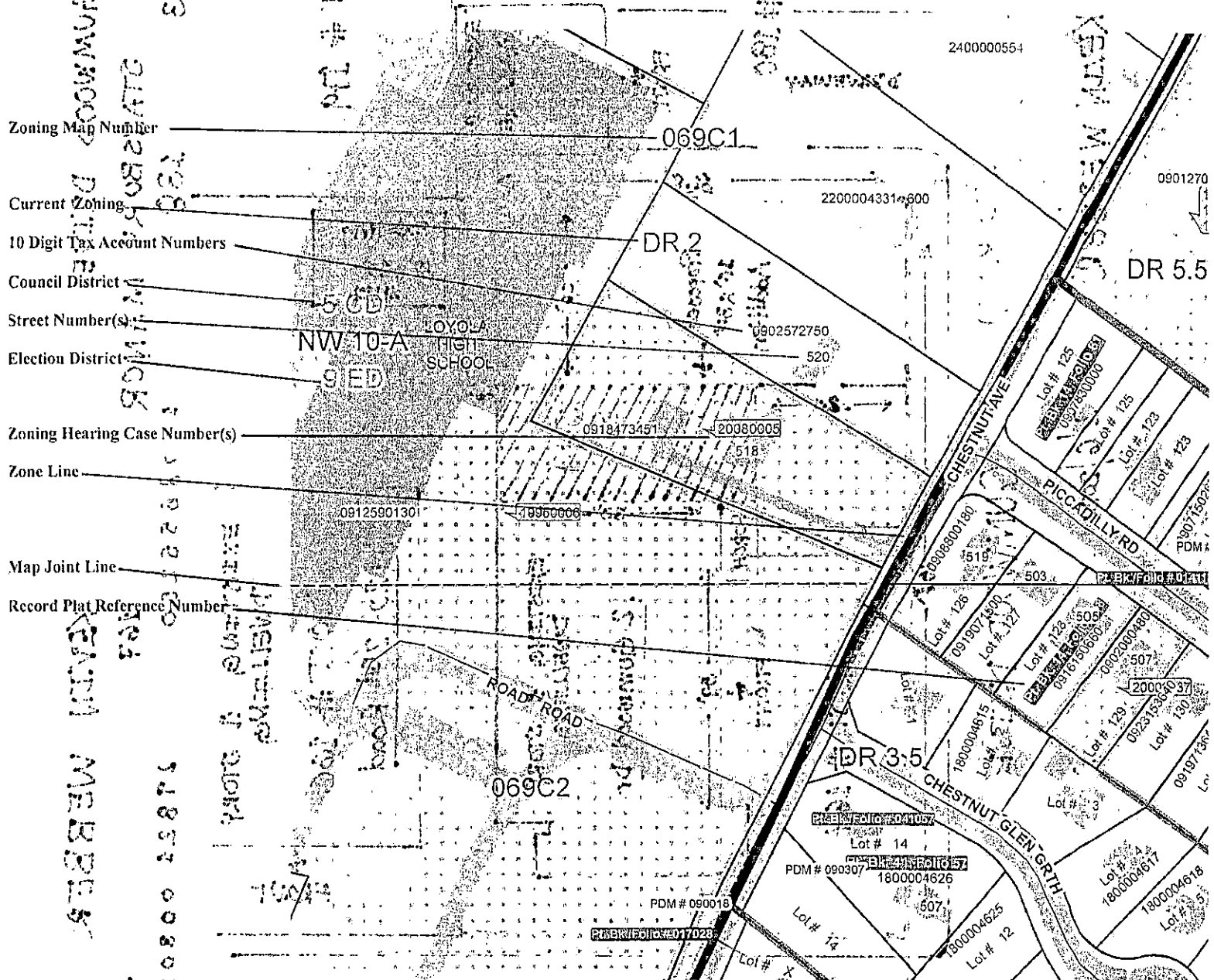
1947-1020 XA

GRANTED

VIOLATION CASE INFO:

2020-0060-A

AVAILABLE FROM THE ZONING REVIEW COUNTER.
THE COLOR COPY OF THIS MAP IS REQUIRED FOR PETITION FILING
THIS BLACK AND WHITE EXAMPLE IS KEYED TO THE MAP INFORMATION
OUTLINE THE HEARING SITE CLEARLY ON THIS MAP



000000 000000

RECEIVED
1945-10-20
AIRMAIL
COMMUNICATIONS

177
27

NO
NO
NO

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0004

4

29 2012

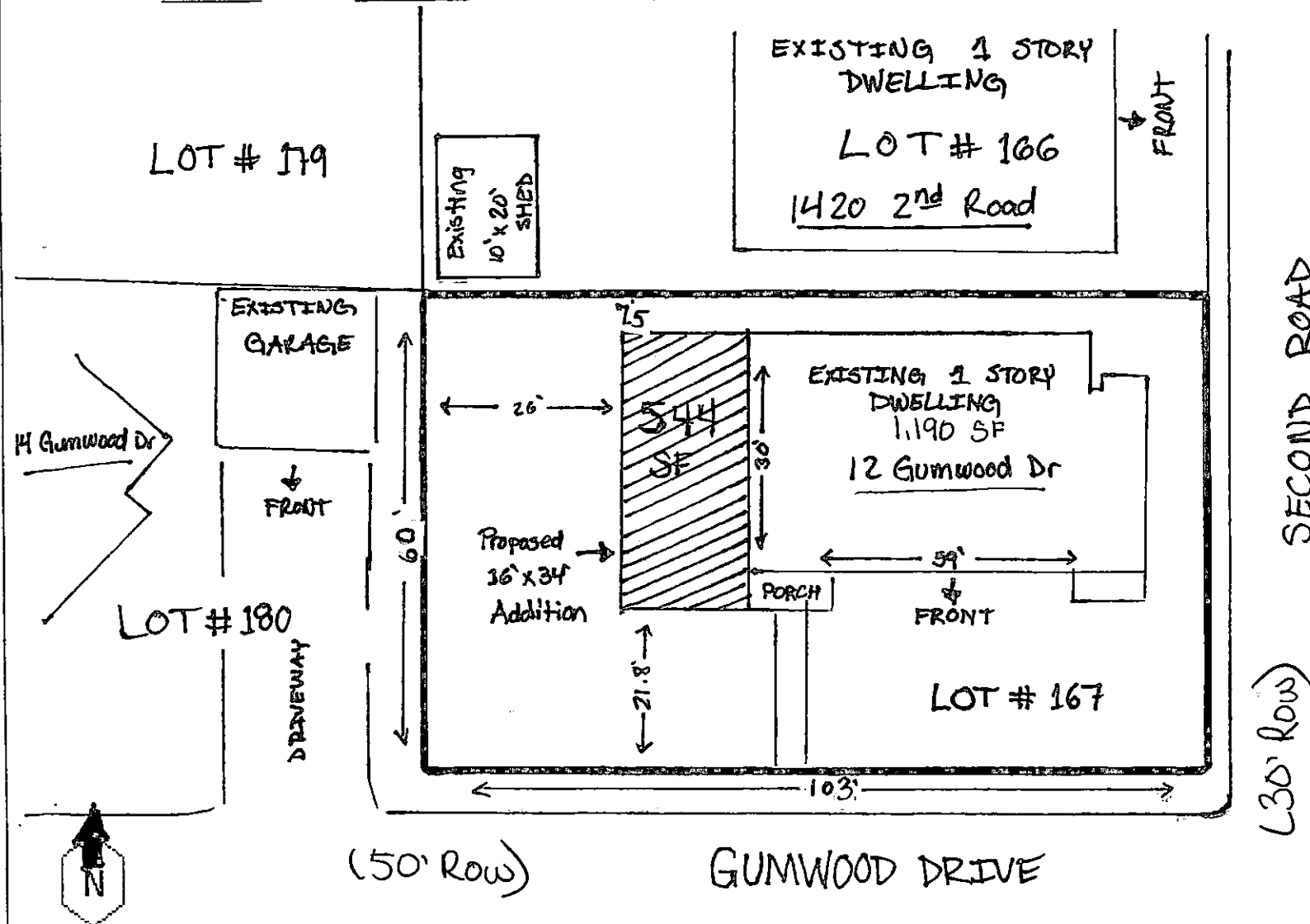
0722
FBI # 701
0722

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 12 GUMWOOD DRIVE OWNER(S) NAME(S) KEVIN WEBBER

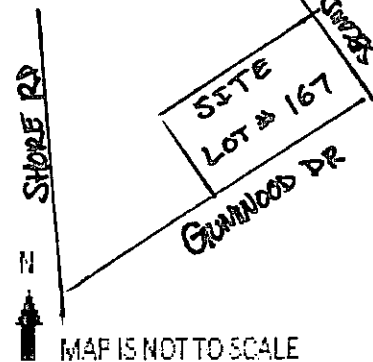
SUBDIVISION NAME STANSBURY MANOR LOT # 167 BLOCK # _____ SECTION # 4

PLAT BOOK # 013 FOLIO # 138 10 DIGIT TAX # 1508655250 DEED REF. # 29821/00302



PLAN DRAWN BY KEVIN WEBBER DATE 2/6/2020 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



ZONING MAP# 0091

SITE ZONED DR S.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE _____

OR SQUARE FEET 6,180 SF

HISTORIC? No

IN CBCA? Yes

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? YES

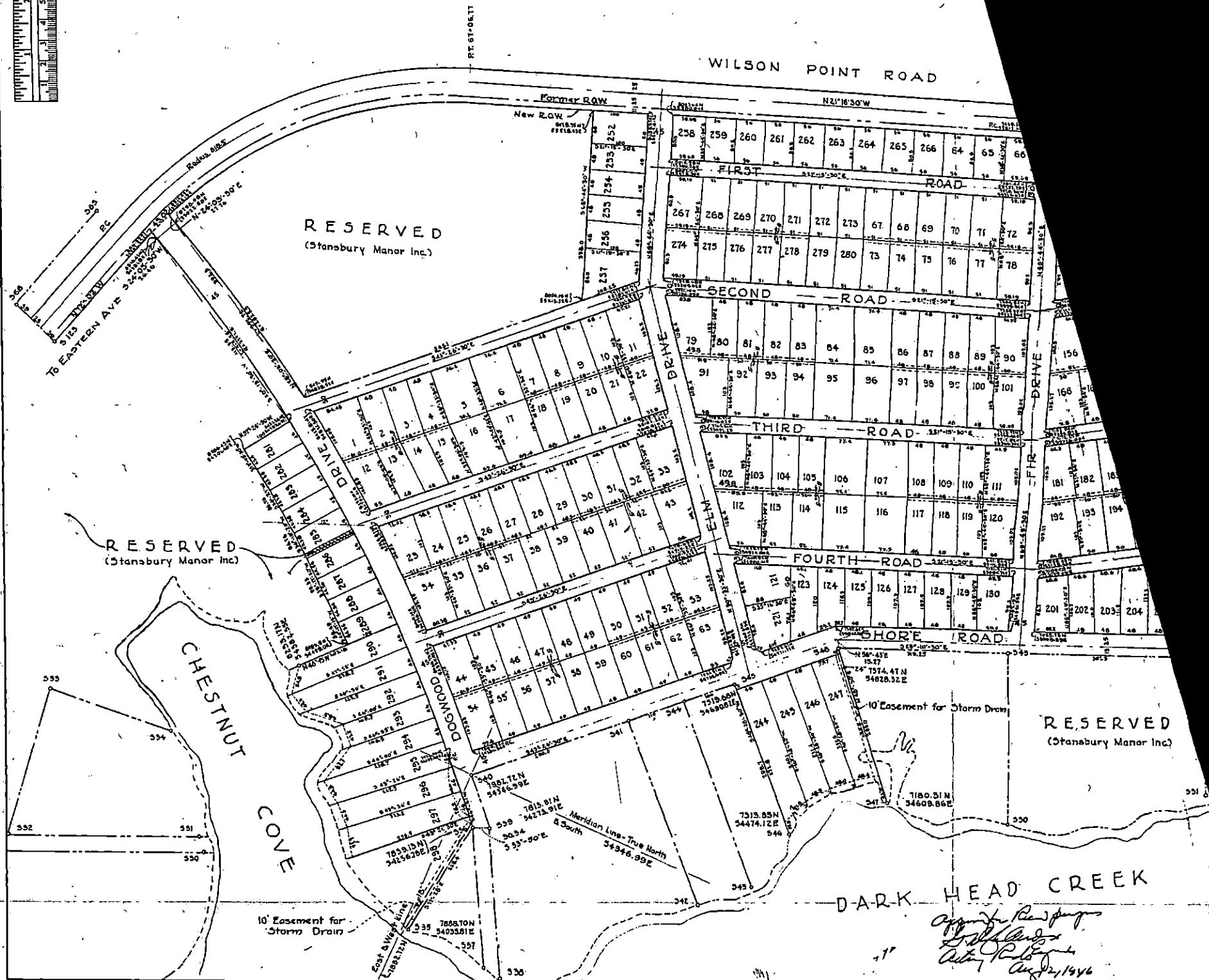
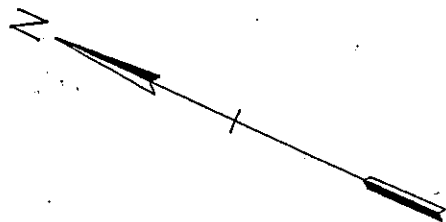
IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

ZONING VARIANCE

1947-1020 XA

GRANTED

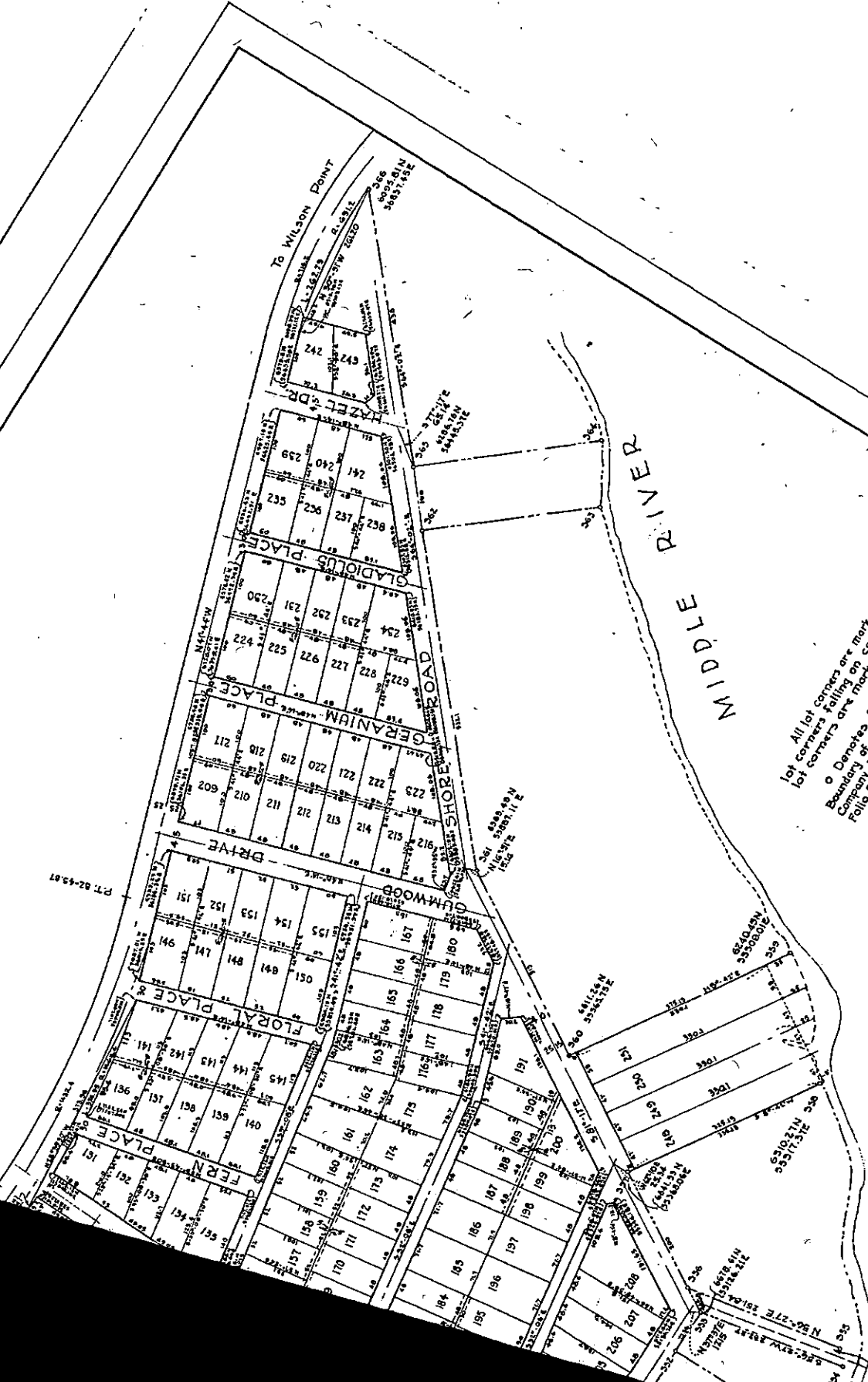
VIOLATION CASE INFO:



Approved by Board of Supervisors
W. H. Anderson
County Clerk
Aug 2, 1946

P.C. 77-3462

P.T. 82-4387



All lot corners are marked by iron pipe except lot corners falling on concrete walks. These corners are marked by cross chiseled in walk.

o Denotes Copper Plug set in concrete on boundary of land conveyed by the Glen L. Martin Company to Stansbury Manor Inc. Liber C.D. & U. 1056 Folio 531.

Coordinates shown are extensions made from Baltimore City Coordinates as established by the Baltimore City Topographical Commission.

Bearings refer to True North at Baltimore.

--- Denotes Sidewalk Easement

--- Denotes Storm Drains

--- Denotes Sanitary Sewers

**STANSBURY PLAT OF
STANSBURY MANOR INC. MIDDLE RIVER, MD.
COUNTY OF BALTIMORE, STATE OF MD.
SCALE 1"=100'**

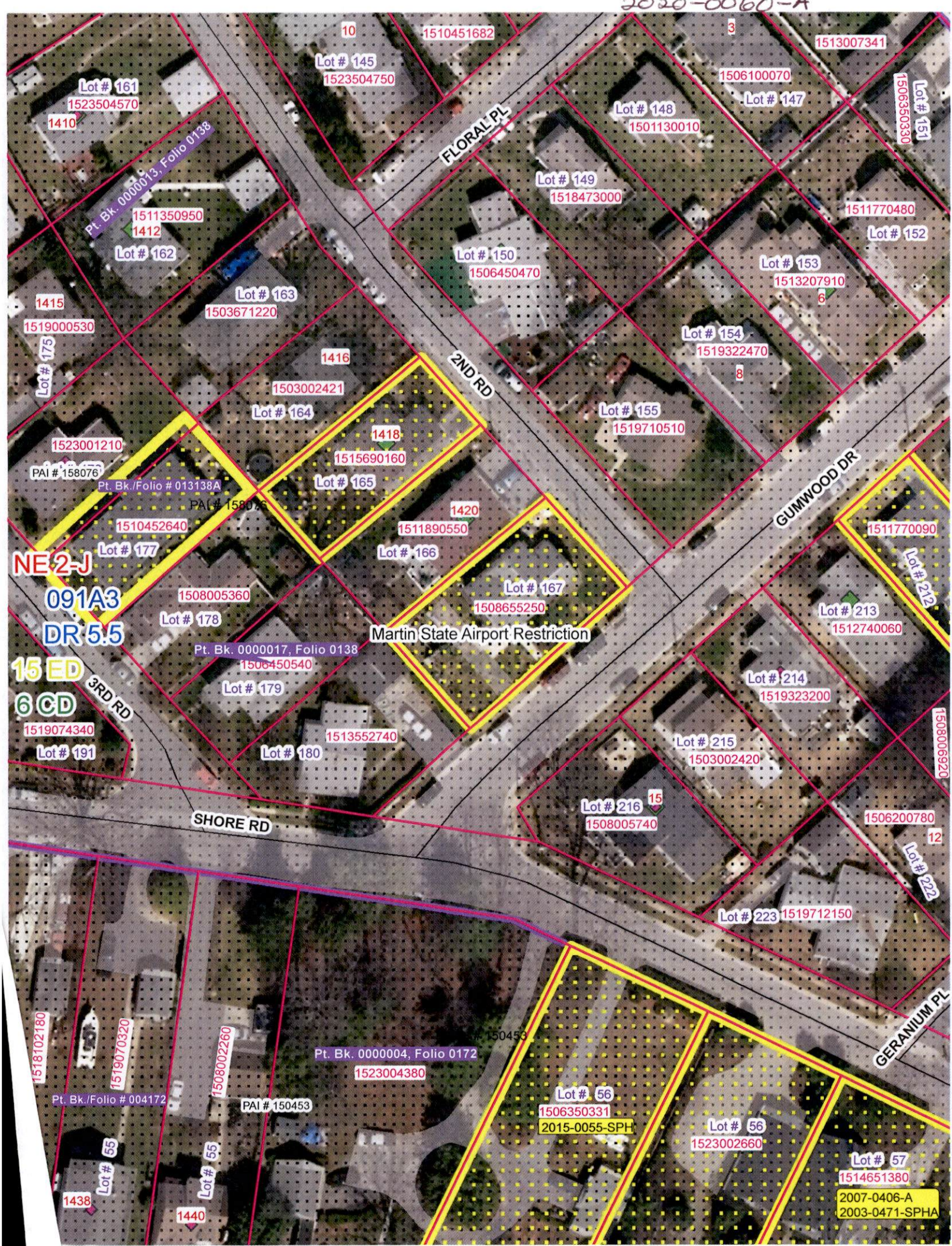
Thomas S. Cassidy
THOMAS S. CASSIDY
REGISTERED LAND SURVEYOR No. 866

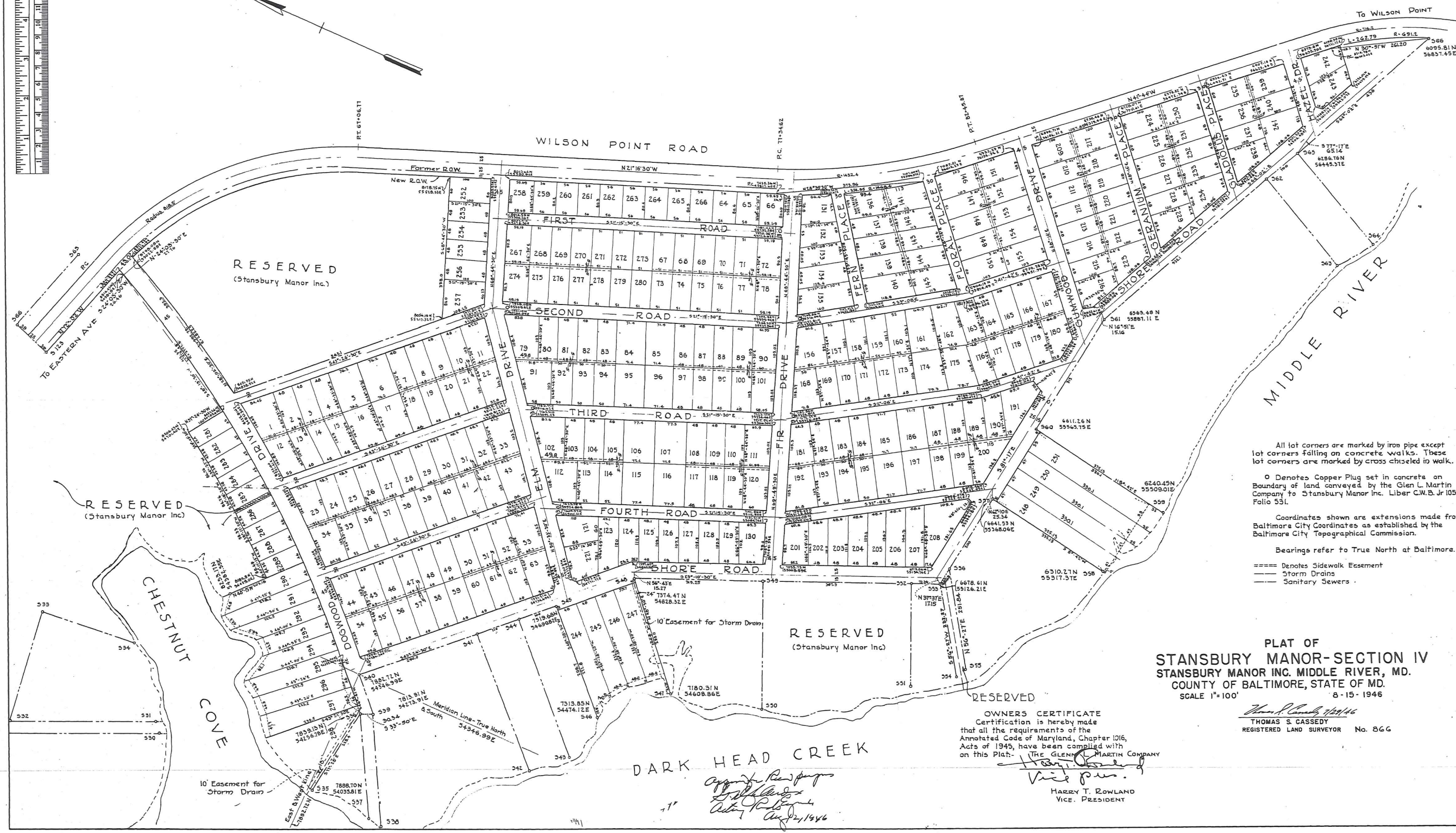
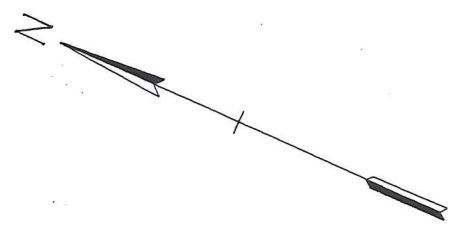
OWNERS CERTIFICATE
That all the requirements of the Annotated Code of Maryland, Chapter 1016, Acts of 1955 have been complied with on this plat.

Harry T. Rowland
Harry T. Rowland
VICE-PRESIDENT

2020-0060-A

PLAT CSU 2186 - 1957





All lot corners are marked by iron pipe except lot corners falling on concrete walks. These lot corners are marked by cross chiseled in walk.

O Denotes Copper Plug set in concrete on boundary of land conveyed by the Glen L. Martin Company to Stansbury Manor Inc. Liber C.W.B. Jr 1056 Folio 531.

Coordinates shown are extensions made from Baltimore City Coordinates as established by the Baltimore City Topographical Commission.

Bearings refer to True North at Baltimore.

==== Denotes Sidewalk Easement
--- Storm Drains
--- Sanitary Sewers

**PLAT OF
STANSBURY MANOR-SECTION IV
STANSBURY MANOR INC. MIDDLE RIVER, MD.
COUNTY OF BALTIMORE, STATE OF MD.
SCALE 1"=100'
8-15-1946**

OWNERS CERTIFICATE
Certification is hereby made that all the requirements of the Annotated Code of Maryland, Chapter 1016, Acts of 1945, have been complied with on this Plat.

Harry T. Rowland
HARRY T. ROWLAND
VICE. PRESIDENT

Thomas S. Cassidy
THOMAS S. CASSEIDY
REGISTERED LAND SURVEYOR No. 866

DARK HEAD CREEK

Approved By
Arthur P. [Signature]
Aug 22, 1946

2020-0060-A