

M E M O R A N D U M

DATE: December 7, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0125-SPHA- Appeal Period Expired

The appeal period for the above-referenced cases expired on December 2, 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**

(12402 Jerusalem Road) *

11th Election District *

5th Council District *

Mark A. Kukucka *

Legal Owner *

Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2020-0125-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 Mark A. Kukucka, legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR"), to permit an accessory building (pole barn) that is larger in area (building footprint) than the principal dwelling area (building footprint). In addition, a Petition for Variance was filed pursuant to §§ 400.1 and 400.3, of the BCZR to permit an accessory building (pole barn) that will be 27 ft. in height in lieu of the required 15 ft. maximum height and to permit an accessory building (pole barn) with a side setback of 6 in. (1/2 ft.) in lieu of the minimum required 30 in. (2 1/2 ft.).

Due to COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. A site plan was marked and accepted into evidence as Petitioners' Exhibit 1.

Mark Kukucka appeared in support of the requests. Sally Wagner, a neighbor, also attended and opposed the requests on the grounds that she had to comply with the BCZR when she built a structure on her property. A Zoning Advisory Committee ("ZAC") comment was

ORDER RECEIVED FOR FILING

Date

11/2/20

By

D. Mignon

received from the Department of Planning ("DOP"). The agency did not oppose the requested relief but requested certain conditions which will be incorporated into this Order.

The property is approximately 5.746 acres and is zoned RC 5. Mr. Kukucka testified that his family has owned the property since 1966, and that he inherited it from his father in 2006. He testified that he also owns the adjoining property at 12400 Jerusalem Road, which is 6.24 acres. The proposed pole barn abuts the 12400 property. As noted by the DOP, and as depicted on the site plan, the barn will sit almost 600 feet off of Jerusalem Road and almost 300 feet from the adjoining property to the east. Further, there is substantial mature tree cover on much of the property. Mr. Kukucka testified that there are old decrepit barns on both of his properties that he intends to raze once this proposed pole barn is completed. He needs the barns to house his four tractors and to provide temporary storm shelter for 12 of his neighbor's farm animals, which he allows to graze on his property. He also will use it to store fruit from his orchards on the property and for Shasta and Paulownia seeds that he raises and harvests there.

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).

As depicted on the site plan, the property is long and narrow, and as the Petitioner explained, he also owns the property immediately adjacent to the proposed barn. The property is therefore unique. The petitioner will experience practical difficulty and hardship if the variance relief is denied because he would be unable to erect the barn on this site, and would be unable to construct a barn large enough to meet his agricultural needs. I find that the variance and special

ORDER RECEIVED FOR FILING

Date

By

hearing relief to allow a barn larger than the residence can both be granted within the spirit and intent of the BCZR and without harming the public health, safety or welfare.

THEREFORE, IT IS ORDERED this 2nd day of **November, 2020**, by this Administrative Law Judge, that the Petition for Special Hearing seeking relief pursuant to § 500.7 of the BCZR, to permit an accessory building (pole barn) that is larger in area (building footprint) than the principal dwelling area (building footprint) be and hereby is GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief pursuant to § § 4001.1 and 400.3 of the BCZR to permit an accessory building (pole barn) that will be 27 ft. in height in lieu of the required 15 ft. maximum height and to permit an accessory building (pole barn) with a side setback of 6 in. (1/2 ft.) in lieu of the minimum required 30 in. (2 1/2 ft.). be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 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.
- The pole barn shall not be used for residential or commercial purposes and shall not have a separate utility meter.

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/dlm

ORDER RECEIVED FOR FILING

Date

11/2/20

By

D. Dugnon



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 12402 Jerusalem Road which is presently zoned RC-5
 Deed References: 23683/00169 10 Digit Tax Account # 1111089710
 Property Owner(s) Printed Name(s) Mark A. KUKUCKA

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

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

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

See Attached Sheet

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

3. ☒ a **Variance** from Section(s)

See Attached Sheet

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)

See Attached Sheet

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Mark A. KUKUCKA

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

12402 Jerusalem Rd. Kingsville, MD

Mailing Address

City

State

21087

Zip Code

Telephone #

Email Address

Representative to be contacted:

Mark A. KUKUCKA

Name - Type or Print

Signature

12402 Jerusalem Rd. Kingsville, MD

Mailing Address

City

State

21087

Zip Code

Telephone #

Email Address

CASE NUMBER 2020-0125-SPHA Filing Date 5/27/2020

Do Not Schedule Dates:

Reviewer JNP

1890-1891

1891-1892

1. x a Variance from:

a) Section 400.3 – to permit an accessory building (pole barn) that will be 27 feet in height in lieu of the required 15 ft. maximum height

b) Section 400.1 – to permit an accessory building (pole barn) with a side setback of 6" (1/2 foot) in lieu of the minimum required 30" (2 ½ feet)

2. x a Special Hearing to permit an accessory building (pole barn) that is larger in area (building footprint) than the principal dwelling area (building footprint)

Of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:

- a) There is an immediate need to replace two 50+ year old existing barns (one on the property I own at 12402 Jerusalem Road and a second on my adjoining property); both of which have fallen into a state of decay and disrepair.
- b) There is a need to house four tractors (two of which are currently sitting out in the weather 24/7/365) along with two tractor carts, snow blower, and a grass catcher.
- c) There is a need to provide some temporary shelter (from time to time) during inclement weather for 12 farm animals from an adjoining property at 12316 Jerusalem Road with a sole homeowner who is in his 70s and who owns only 3.62 acres for grazing. In an effort to help out and as an act of compassion (ie. he has too many farm animals and not enough grazing farmland), I have allowed the owner to have his 12 farm animals to have full access to my 12 acres (5.74 acres at 12402 Jerusalem Road and 6.24 more acres at 12400 Jerusalem Road) so his farm animals can graze at will and seek temporary shelter in one of my existing old barns.
- d) There is an annual need to harvest Shasta daisy seeds (in late May), apples & pears from bearing fruit trees (in September and October) and Paulownia seeds (in November) of each year. Shasta daisy seeds and Paulownia seeds are sold; apples and pears are donated to local food pantries.
- e) The property at 12402 Jerusalem Road has been zoned Agricultural by the State of Maryland since my parents acquired it on August 15, 1966.

2020-0125-SPHA

12402 Jerusalem R.

Liber 4660 Page 460 (Deed made 15th day of August 1966)

All that piece or parcel of land situate, lying and being in the Eleventh Election District of Baltimore County, State of Maryland which by a survey of Muller, Raphel & Associates, Inc., registered engineers and surveyors, dated August 3, 1966, is described as follows to wit:

BEGINNING for the same at a point in the center of Jerusalem Road, said point of beginning being at the end of the fourth or South 22 degrees 02 minutes 00 seconds East 916.73 foot line of the land which by deed dated December 17, 1940 and recorded among the Land Records of Baltimore County in Liber C.W.B., Jr. No. 1138, folio 355, was conveyed by Shirley G. Kilmer et al to Lawrence G. Buell and Mary Ann Buell, his wife, running thence in the center of Jerusalem Road and binding on a part of the fifth line of the aforesaid deed, as now surveyed, South 77 degrees, 57 minutes 00 seconds West 291.60 feet to a point on said fifth line distant 9.20 feet from the end thereof, thence leaving Jerusalem Road and leaving said fifth line and running for a line of division, North 22 degrees 02 minutes 00 seconds West 818.96 feet to intersect the second line of the aforesaid deed at the distance of 17.57 feet from the end of said second line, running thence and binding on a part of the said second line to the end thereof and binding on the third line in the aforesaid deed, the two following courses and distances, as now surveyed: 1) North 33 degrees 29 minutes 30 seconds East 17.57 feet; 2) North 60 degrees 11 minutes 00 seconds East 275.22 feet, running thence and binding on the fourth line in the aforesaid deed and binding reversely on a part of the second or North 29 degrees 40 minutes 00 seconds West 923.18 foot line of the land which by deed Dated September 8, 1954 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2553, folio 458, was conveyed by the Susquehanna Transmission Company of Maryland to Darrell H. Brooks and wife, as now surveyed, South 22 degrees, 02 minutes 00 seconds East 916.73 feet to the place of beginning.

CONTAINING 5.746 acres of land more or less.

BEING part of the land which by deed dated December 17, 1940 and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No 1138, folio 355, was conveyed by Shirley G. Kilmer et al to Lawrence G. Buell and Mary Ann Buell, his wife.

2020-0125-SPMA

Re- Certification of Posting

Case No 2020-0125-SPHA



12402 Jerusalem Road- front eastside of property (2 of 2)

Richard E. Hoffman (signed) 10/21/20

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

Re-CERTIFICATION OF POSTING

RE: Case No. 2020-0125-SPHA

Petitioner: Mark Kukucka

Hearing Date: 10/26/20

Baltimore County Department of
Permits, Approvals and Inspections
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

This letter is to confirm, under penalties of perjury, that the necessary sign(s)
were posted conspicuously on the property located at _____
12402 Jerusalem Rd. – front westside of property (1 of 2)
12402 Jerusalem Rd. – front eastside of property (2 of 2)
on 10/6/20 and re-photographed on 10/21/20

Sincerely,

Richard E. Hoffman (signed) 10/21/20

904 Dellwood Drive

Fallston, Md. 21047

(443) 243-7360

Donna Mignon

From: RICHARD HOFFMAN <dick_e@comcast.net>
Sent: Wednesday, October 21, 2020 12:15 PM
To: Administrative Hearings
Cc: ascorbate@yahoo.com
Subject: RE: RE: Posting Certificaton- Case No 2020-0125-SPHA / 12402 Jerusalem Rd..
Attachments: Re-Certification of Posting-12402 Jerusalem Rd.-1 of 2.docx; Re-Certification of Posting-12402 Jerusalem Rd.-2 of 2.docx; Re-Cert. of posting - 12402 Jerusalem Rd.-1.docx

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

Hello,

Attached are the re-certification photo's for the subject Zoning Case.

Thanks,
dickh

On 10/19/2020 4:32 PM RICHARD HOFFMAN <dick_e@comcast.net> wrote:

Thank you

On 10/19/2020 1:46 PM Administrative Hearings
<administrativehearings@baltimorecountymd.gov> wrote:

Hi Richard,

I emailed them to Jenae today. Thanks so much.

From: RICHARD HOFFMAN <dick_e@comcast.net>
Sent: Monday, October 19, 2020 1:39 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Cc: ascorbate@yahoo.com
Subject: Fwd: RE: Posting Certificaton- Case No 2020-0125-SPHA / 12402 Jerusalem Rd..

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



JOHN A. OLSZEWSKI, JR.
County Executive
September 22, 2020

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

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0125-SPHA

12402 Jerusalem Road

N/west side of Jerusalem Road, 1046 ft. n/east of Glenbauer Road

11th Election District – 5th Councilmanic District

Legal Owners: Mark Kukucka

Special Hearing to permit an accessory building (pole barn) that is larger in area (building footprint) than the principal dwelling area (building footprint). Variance to permit an accessory building (pole barn) that will be 27 feet in height in lieu of the required 15 feet in maximum height. To permit an accessory building (pole barn) with a side setback of 6" (1/2) in lieu of the minimum required 30" (2 1/2 feet)

Hearing: Monday, October 26, 2020 at 11:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

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

Michael Mallinoff
Director

MM:kl

C: Mark Kukucka, 12402 Jerusalem Road, Kingsville 21087

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 6, 2020.

CERTIFICATION OF POSTING

RE: Case No. 2020-0125-SPHA

Petitioner: Mark Kukucka

Hearing Date: 10/26/20

**Baltimore County Department of
Permits, Approvals and Inspections
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204**

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

12402 Jerusalem Rd. – front westside of property (1 of 2) _____

12402 Jerusalem Rd. – front eastside of property (2 of 2) _____

12404 Jerusalem Rd. – enlargement of sign wording (3 of 3) _____

on 10/6/20

Sincerely,

Richard E. Hoffman (signed) 10/6/20 _____

904 Dellwood Drive _____

Fallston, Md. 21047 _____

(443) 243-7360 _____

Certification of Posting

Case No 2020-0125-SPHA



12402 Jerusalem Road- front westside of property (1 of 3)

Richard E. Hoffman (signed) 10/6/20

Richard E. Hoffman

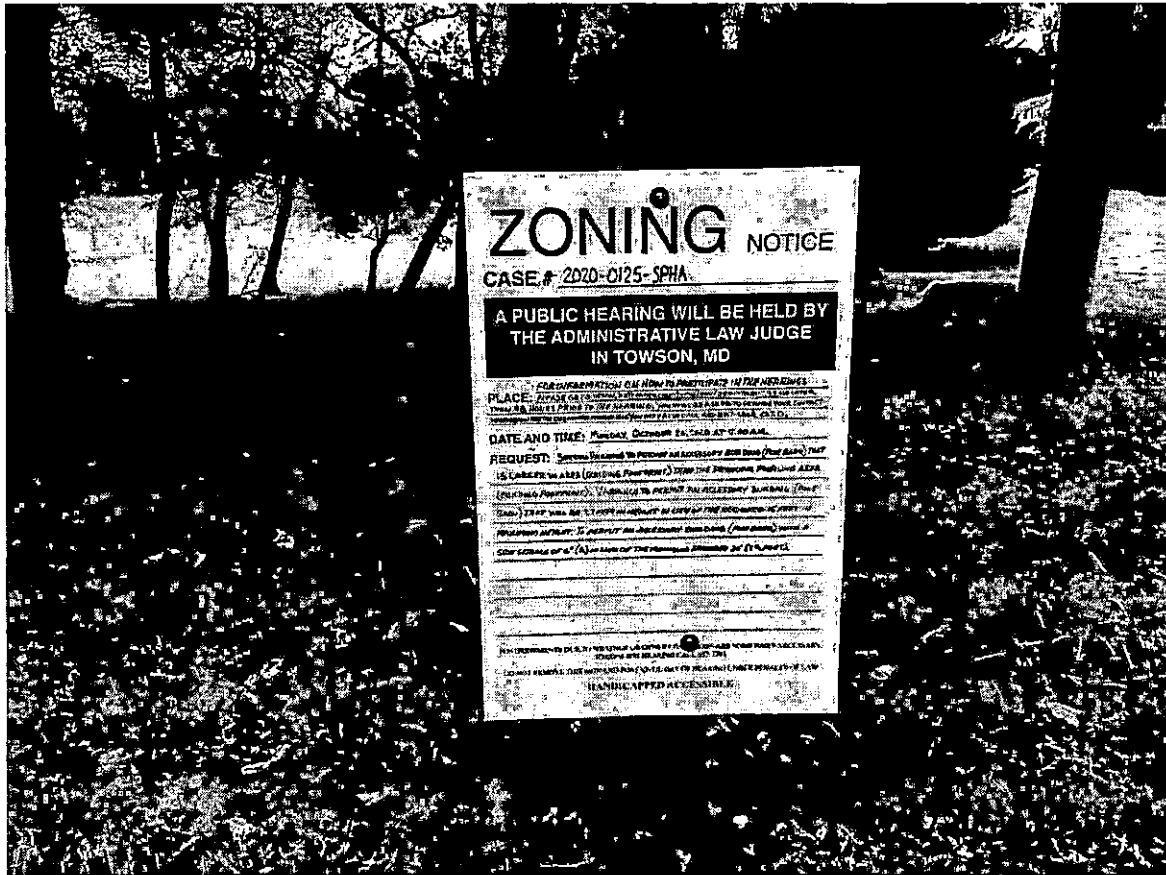
904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

Certification of Posting

Case No 2020-0125-SPHA



12402 Jerusalem Road- front eastside of property (1 of 3)

Richard E. Hoffman (signed) 10/6/20

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

Certification of Posting

Case No 2020-0125-SPHA

ZONING NOTICE

CASE # 2020-0125-SPHA

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

PLACE: FOR INFORMATION ON HOW TO PARTICIPATE IN THE HEARINGS, PLEASE GO TO
WWW.BALTIMORECOUNTYMD.GOV/ADMINHEARINGS NO LATER THAN 48 HOURS PRIOR
TO THE HEARING. YOU WILL BE ASKED TO PROVIDE YOUR CONTACT INFORMATION AND
THE CASE NUMBER PROVIDED ABOVE. YOU MAY ALSO CALL 410-517-3866 EXT. 0.

DATE AND TIME: Monday, October 26, 2020 AT 11:00 AM

REQUEST: SPECIAL HEARING TO PERMIT AN ACCESSORY BUILDING (POLE BARN) THAT
IS LARGER IN AREA (BUILDING FOOTPRINT) THAN THE PRINCIPAL DWELLING AREA (BUILDING
FOOTPRINT). VARIANCE TO PERMIT AN ACCESSORY BUILDING (POLE BARN) THAT WILL
BE 27 FEET IN HEIGHT, IN LIEU OF THE REQUIRED 15 FEET IN MAXIMUM HEIGHT, TO
PERMIT AN ACCESSORY BUILDING (POLE BARN) WITH A SIDE SETBACK OF 6" (1/2) IN
LIEU OF THE MINIMUM REQUIRED 30" (2 1/2 FEET).

10/6/20 2

12402 Jerusalem Road- enlargement of wording (3 of 3)

Richard E. Hoffman (signed) 10/6/20

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

Donna Mignon

10/26
11Am

From: RICHARD HOFFMAN <dick_e@comcast.net>
Sent: Wednesday, October 7, 2020 11:28 AM
To: Administrative Hearings
Subject: Posting Certificaton- Case No 2020-0125-SPHA / 12402 Jerusalem Rd..
Attachments: Re-Cert. of posting - 12402 Jersusalem Rd..docx; Certification of Posting-12402 Jerusalem Rd.-1 of 3.docx; Certification of Posting-12402 Jerusalem Rd.-2 of 3.docx; Certification of Posting-12402 Jerusalem Rd.-3 of 3.docx

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

Good Morning,

Attached are the sign posting certifications for the subject Case Number.

Thank you,
dickh



CERTIFICATION OF POSTING

RE: Case No. 2020-0125-SPHA

Petitioner: Mark Kukucka

Hearing Date: 10/26/20

Baltimore County Department of
Permits, Approvals and Inspections
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

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

12402 Jerusalem Rd. – front westside of property (1 of 2)

12402 Jerusalem Rd. – front eastside of property (2 of 2)

12404 Jerusalem Rd. – enlargement of sign wording (3 of 3)

on 10/6/20

Sincerely,

Richard E. Hoffman (signed) 10/6/20

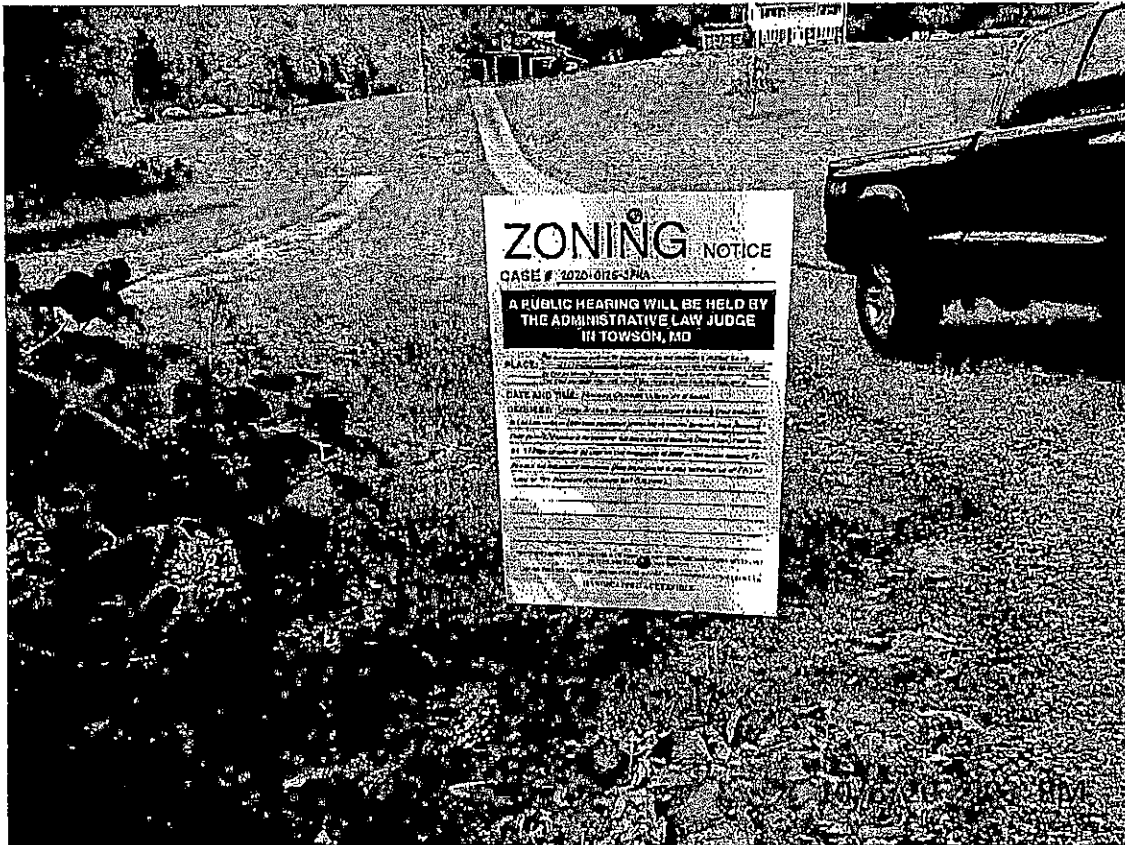
904 Dellwood Drive

Fallston, Md. 21047

(443) 243-7360

Certification of Posting

Case No 2020-0125-SPHA



12402 Jerusalem Road- front westside of property (1 of 3)

Richard E. Hoffman (signed) 10/6/20

Richard E. Hoffman

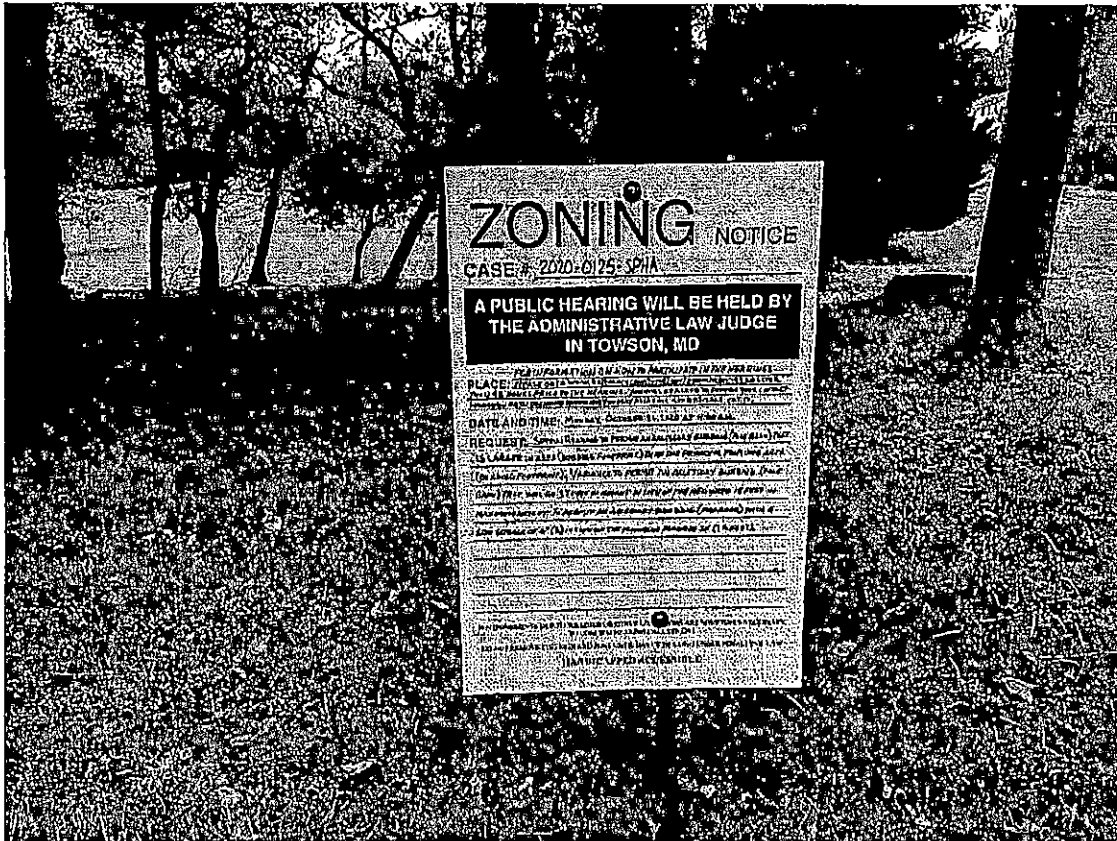
904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

Certification of Posting

Case No 2020-0125-SPHA



12402 Jerusalem Road- front eastside of property (1 of 3)

Richard E. Hoffman (signed) 10/6/20

Richard E. Hoffman

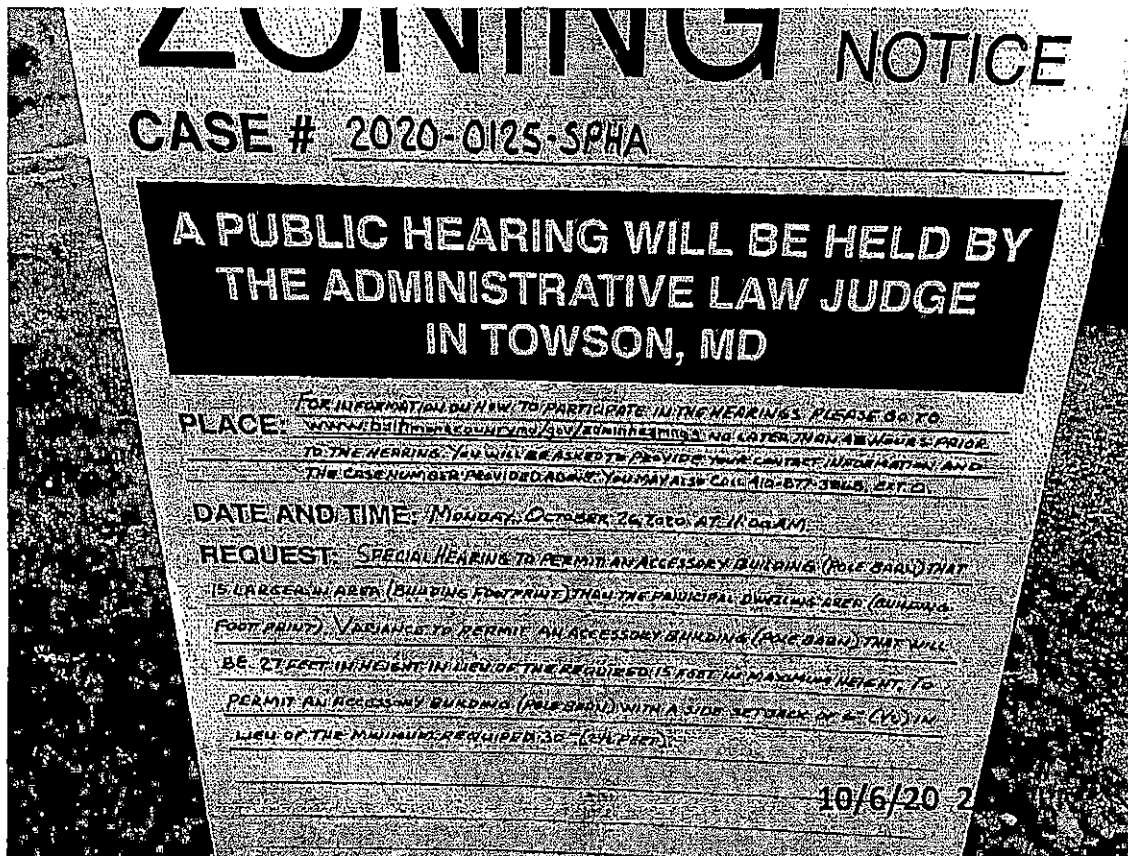
904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

Certification of Posting

Case No 2020-0125-SPHA



12402 Jerusalem Road- enlargement of wording (3 of 3)

Richard E. Hoffman (signed) 10/6/20

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

Page 1 of 1

PUBLISHER'S AFFIDAVIT

Order #: 11921688
Case #: 2020-0125-SPHA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2020-0125-SPHA

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

10/6/2020



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 virtual hearing the property identified herein as follows:

CASE NUMBER: 2020-0125-SPHA

12402 Jerusalem Road

N/west side of Jerusalem Road, 1046 ft. n/east of Glenbauer Road

11th Election District - 5th Councilmanic District

Legal Owners: Mark Kukucka

Special Hearing to permit an accessory building (pole barn) that is larger in area (building footprint) than the principal dwelling area (building footprint). Variance to permit an accessory building (pole barn) that will be 27 feet in height in lieu of the required 15 feet in maximum height. To permit an accessory building (pole barn) with a side setback of 6' (1/2) in lieu of the minimum required 30' (2 1/2 feet)

Hearing: Monday, October 26, 2020 at 11:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3888, ext. 0.

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

o6



JOHN A. OLSZEWSKI, JR.
County Executive
September 22, 2020

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

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0125-SPHA

12402 Jerusalem Road

N/west side of Jerusalem Road, 1046 ft. n/east of Glenbauer Road

11th Election District – 5th Councilmanic District

Legal Owners: Mark Kukucka

Special Hearing to permit an accessory building (pole barn) that is larger in area (building footprint) than the principal dwelling area (building footprint). Variance to permit an accessory building (pole barn) that will be 27 feet in height in lieu of the required 15 feet in maximum height. To permit an accessory building (pole barn) with a side setback of 6" (1/2) in lieu of the minimum required 30" (2 1/2 feet)

Hearing: Monday, October 26, 2020 at 11:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

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

Michael Mallinoff
Director

MM:kl

C: Mark Kukucka, 12402 Jerusalem Road, Kingsville 21087

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 6, 2020.

TO: THE DAILY RECORD
Tuesday, October 6, 2020 - Issue

Please forward billing to:
Mark Kukucka
12402 Jerusalem Road
Kingsville, MD 21087

410-592-8991

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0125-SPHA

12402 Jerusalem Road

N/west side of Jerusalem Road, 1046 ft. n/east of Glenbauer Road

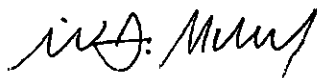
11th Election District – 5th Councilmanic District

Legal Owners: Mark Kukucka

Special Hearing to permit an accessory building (pole barn) that is larger in area (building footprint) than the principal dwelling area (building footprint). Variance to permit an accessory building (pole barn) that will be 27 feet in height in lieu of the required 15 feet in maximum height. To permit an accessory building (pole barn) with a side setback of 6" (1/2) in lieu of the minimum required 30" (2 ½ feet)

Hearing: Monday, October 26, 2020 at 11:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.



Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
12402 Jerusalem Road; NW/S of Jerusalem Rd,* OF ADMINISTRATIVE
1046' NE of Glenbauer Road *
11th Election & 5th Councilmanic District * HEARINGS FOR
Legal Owner(s): Mark Kukucka *
Petitioner(s) * BALTIMORE COUNTY
* 2020-125-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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of June, 2020, a copy of the foregoing Entry of Appearance was emailed to Mark Kukucka, 12402 Jerusalem Road, Kingsville, Maryland 21087, ascorbate@yahoo.com, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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: 2020-0125-SPHA
Property Address: 12402 Jerusalem Road
Property Description: ~~000~~ NW/4 of Jerusalem Road,
1046' NE of Glenbauer Road
Legal Owners (Petitioners): Mark A. Kukucka
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mark Kukucka
Company/Firm (if applicable): _____
Address: 12402 Jerusalem Road
Kingville, MD 21087
Telephone Number: 410-592-8991
410-443-1761

Revised 7/9/2015



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 19, 2020

Mark A. Kukučka,
12402 Jerusalem Road
Kingsville MD 21087

RE: Case Number: 2020-0125-SPHA, 12402 Jerusalem 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 May 27, 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.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel



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

DATE: 6/11/2020



For further information concerning the matters stated herein, please contact Megan Benjamin at 410-887-3048 or JASON A. OLSZEWSKI, JR., County Executive.

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

Prepared by:

Handwritten signature of Krystle Patchak in cursive.

Krystle Patchak

Division Chief:

Handwritten signature of Jenifer G. Nugent in cursive.

Jenifer G. Nugent

CPG/JGN/kma/

c: Megan Benjamin
Mark A. Kukucka
Office of the Administrative Hearings
People's Counsel for Baltimore County

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: June 4, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0125-SPHA
Address 12402 Jerusalem Road
(Kukucka Property)

Zoning Advisory Committee Meeting of **June 8, 2020**.

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

Reviewer: Steve Ford



STATE HIGHWAY
ADMINISTRATION

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

Date: June 1, 2020

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. **2020-0125-SPHA**

Special Hearing, Variance
Mark A. Kukucka
12402 Jerusalem 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).

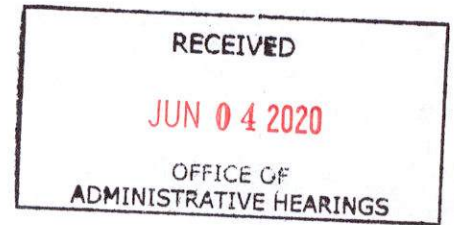
Sincerely,

For 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

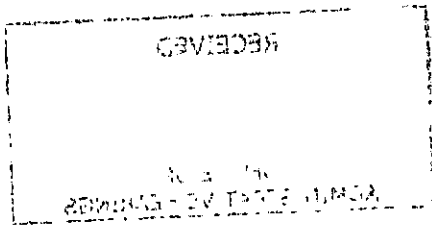
DATE: June 4, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0125-SPHA
Address 12402 Jerusalem Road
(Kukucka Property)

Zoning Advisory Committee Meeting of **June 8, 2020**.

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

Reviewer: Steve Ford



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: June 4, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0125-SPHA
Address 12402 Jerusalem Road
(Kukucka Property)

Zoning Advisory Committee Meeting of **June 8, 2020**.

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

Reviewer: Steve Ford

Donna Mignon

From: Administrative Hearings
Sent: Monday, October 19, 2020 2:38 PM
To: ascorbate@yahoo.com
Subject: Hearing : 10/26/2020 at 11:00 a.m. - Case No: 2020-0125-SPHA 12402 Jerusalem Road

Good Afternoon:

As you are aware, a virtual webex hearing has been scheduled for October 26, 2020 at 11:00 a.m. You should have received an invitation in an email around September 22, 2020, that invited you to this hearing.

Please note that all hearing exhibits—documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at **least two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov. Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit.

If you have any questions or concerns, please feel free to contact our office.

Thank you so much.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

ZAC AGENDA

Case Number: 2020-0125-SPHA

Reviewer: Jeffrey Perlow

Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: VARIANCE, SPECIAL HEARING

Legal Owner: Mark A. Kukucka

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 11 **Council Dist:** 5

Property Address: 12402 JERUSALEM RD

Location: North west side of Jerusalem Road 1046' North East of Glenbauer Road.

Existing Zoning: RC 5

Area: 5.746 AC

Proposed Zoning:

VARIANCE:

Section 400.3 To permit an accessory building (pole barn) that will be 27 feet in height in lieu of the required 15 feet maximum height.

Section 400.1 To permit an accessory building (pole barn) with a side setback of 6" (1/2 foot) in lieu of the minimum required 30" (2 1/2 feet).

SPECIAL HEARING:

To permit an accessory building (pole barn) that is larger in area (building footprint) than the principal dwelling area (building footprint).

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Stop work order issued by building inspections office for lack of building permits for accessory building.



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 12402 Jerusalem Road which is presently zoned RC-5
Deed References: 23683/00469 10 Digit Tax Account # 1111089710
Property Owner(s) Printed Name(s) Mark A. KUKUCKA

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

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

1. ☒ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

See Attached Sheet

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

3. ☒ a Variance from Section(s)

See Attached Sheet

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)

See Attached Sheet

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Mark A. KUKUCKA
Name #1 - Type or Print Name #2 - Type or Print
Mark A. KUKUCKA
Signature #1 Signature #2
12402 Jerusalem Rd. Kingsville, MD
Mailing Address City State
21087, 410-592-8991, ascorbate@yahoo.com
Zip Code Telephone # Email Address

Representative to be contacted:

Mark A. KUKUCKA
Name- Type or Print
Mark A. KUKUCKA
Signature
12402 Jerusalem Rd. Kingsville, MD
Mailing Address City State
21087, 410-592-8991, ascorbate@yahoo.com
Zip Code Telephone # Email Address
410-443-1761

CASE NUMBER 2020-0125-SPHA Filing Date 5/27/2020 Do Not Schedule Dates: Reviewer JNP

Create Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

[Select Contacts...](#)[Import Contacts...](#)

Panelists to Invite

	Name	Email address	Phone number	Language	Time Zone	Locale
☒	<u>Deb Wiley</u> (Alternate Host)	dwiley@baltimorecountymd.gov	1-	English	New York Time	U.S.
☒	<u>Henry Ayakwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☒	<u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☒	<u>Mark A. Kukucka</u>	ascorbate@yahoo.com	1-	English	New York Time	U.S.

[Invite](#)[Select All](#)[Clear All](#)[Delete](#)[Cancel](#)

New Panelist

Full name: (required)Email address: (required)Phone number: Country/Region Number (with area/city code)Time Zone: New York (Eastern Daylight Time, GMT-04:00) ▼Language: English ▼Locale: U.S. ▼☐ Add new panelist in my address book☐ Invite as alternate host[Add to Invitation List](#)

Event Information

Event:	Zoning Hearing - 12402 Jerusalem Road - Case No: 2020-0125-SPHA	Start Event
Type:	Listed Event	You can:
Event address for attendees:	https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ef41a822971de572f8ac9da3fdd20e618	event by
Event address for panelists:	https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e993c15808eeaa237715e4f7e12a96c33	Start Now
Date and time:	Monday, October 26, 2020 11:00 am Eastern Daylight Time (New York, GMT-04:00)	Start
Duration:	1 hour	
Description:	Zoning Hearing Case No: 2020-0125-SPHA 12402 Jerusalem Road Owners: Mark Kukucka	
Event number:	172 864 2544	Send Event
Event password:	1234	You can:
Host key:	255704	emails by
Alternate Host:	Deb Wiley, Henry Ayakwah	Send Error
Panelist Info:		Send
Panelist password:		
Panelist numeric password:	931184	
Video Address:	1728642544@baltimorecountymd.webex.com You can also dial 173.243.2.68 and enter your meeting number.	
Audio conference:	US Toll +1-415-655-0001 Show all global call-in numbers Access code: 172 864 2544	
Maximum number of registrants:	10000	
Destination address after event:		
Host image:		
Attendee list available for viewing by:	Host, presenter and panelists only	
Event material:	None	
Post-event survey:	No	
Email configured:	Pending, Approved, Rejected	

Registration Information

Registration ID required: No
Password required: No
Password:
Approval required: No
Custom registration form: No
After registration, go to URL:

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - 12402 Jerusalem Road - Case No: 2020-0125-SPHA
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ee85c097d62947c8b58d7e604aca2f252>
Start: Mon 10/26/2020 11:00 AM
End: Mon 10/26/2020 12:00 PM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: webex

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

When it's time, start the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)
Event number (access code): 172 864 2544

Monday, October 26, 2020 11:00 am, Eastern Daylight Time (New York, GMT-04:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ee85c097d62947c8b58d7e604aca2f252>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e553e6120f269b4f72562854970b>



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1728642544@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 931184

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=eb1d7e68bb131bdd9538423c2f5ddf712>

Need help? Go to <http://help.webex.com>

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - 12402 Jerusalem Road - Case No: 2020-0125-SPHA
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ee85c097d62947c8b58d7e604aca2f252>
Start: Mon 10/26/2020 11:00 AM
End: Mon 10/26/2020 12:00 PM
Show Time As: Tentative
Recurrence: (none)
Organizer: webex

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

When it's time, start the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)

Event number (access code): 172 864 2544

Monday, October 26, 2020 11:00 am, Eastern Daylight Time (New York, GMT-04:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ee85c097d62947c8b58d7e604aca2f252>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e553e6120f269b4f72562854970b>

Start event

Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1728642544@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 931184

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=eb1d7e68bb131bdd9538423c2f5ddf712>

Need help? Go to <http://help.webex.com>

Donna Mignon

From: Mark A. Kukucka <ascorbate@yahoo.com>
Sent: Thursday, October 22, 2020 12:34 PM
To: Administrative Hearings
Subject: Re: Hearing : 10/26/2020 at 11:00 a.m. - Case No: 2020-0125-SPHA 12402 Jerusalem Road

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

Thank you for this notification Donna!

Please find attached several exhibits for my hearing...

Kind Regards,
-Mark
410-443-1761

Donna Mignon

From: Administrative Hearings
Sent: Monday, October 19, 2020 2:38 PM
To: ascorbate@yahoo.com
Subject: Hearing : 10/26/2020 at 11:00 a.m. - Case No: 2020-0125-SPHA 12402 Jerusalem Road

Good Afternoon:

As you are aware, a virtual webex hearing has been scheduled for October 26, 2020 at 11:00 a.m. You should have received an invitation in an email around September 22, 2020, that invited you to this hearing.

Please note that all hearing exhibits—documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at **least two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov. Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit.

If you have any questions or concerns, please feel free to contact our office.

Thank you so much.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

10/22.
I spoke to
you said I would
have had the exhibit
list by now.

Good afternoon,

The property owner informs me that you never received the posting certification for case # 2020-0125 SPHA. They were sent in on 10/7/20. See below.

Kindly let me know if you need additional copies.

Thanks,

dickh

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

From: Administrative Hearings
<administrativehearings@baltimorecountymd.gov>

To: RICHARD HOFFMAN <dick_e@comcast.net>

Date: 10/07/2020 11:29 AM

Subject: RE: Posting Certificaton- Case No 2020-0125-SPHA /
12402 Jerusalem Rd..

Thank you so much.

Have a great day.

From: RICHARD HOFFMAN <dick_e@comcast.net>
Sent: Wednesday, October 7, 2020 11:28 AM
To: Administrative Hearings
<administrativehearings@baltimorecountymd.gov>
Subject: Posting Certificaton- Case No 2020-0125-SPHA / 12402
Jerusalem Rd..

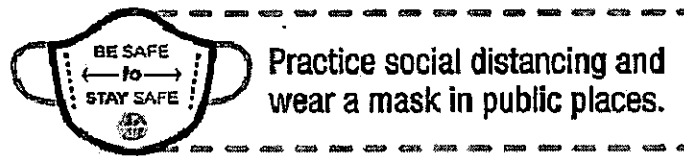
CAUTION: This message from dick_e@comcast.net originated from a non-Baltimore County Government or non-County employee. Hover over any links before clicking and use caution opening attachments.

Good Morning,

Attached are the sign posting certifications for the subject Case Number.

Thank you,

dickh



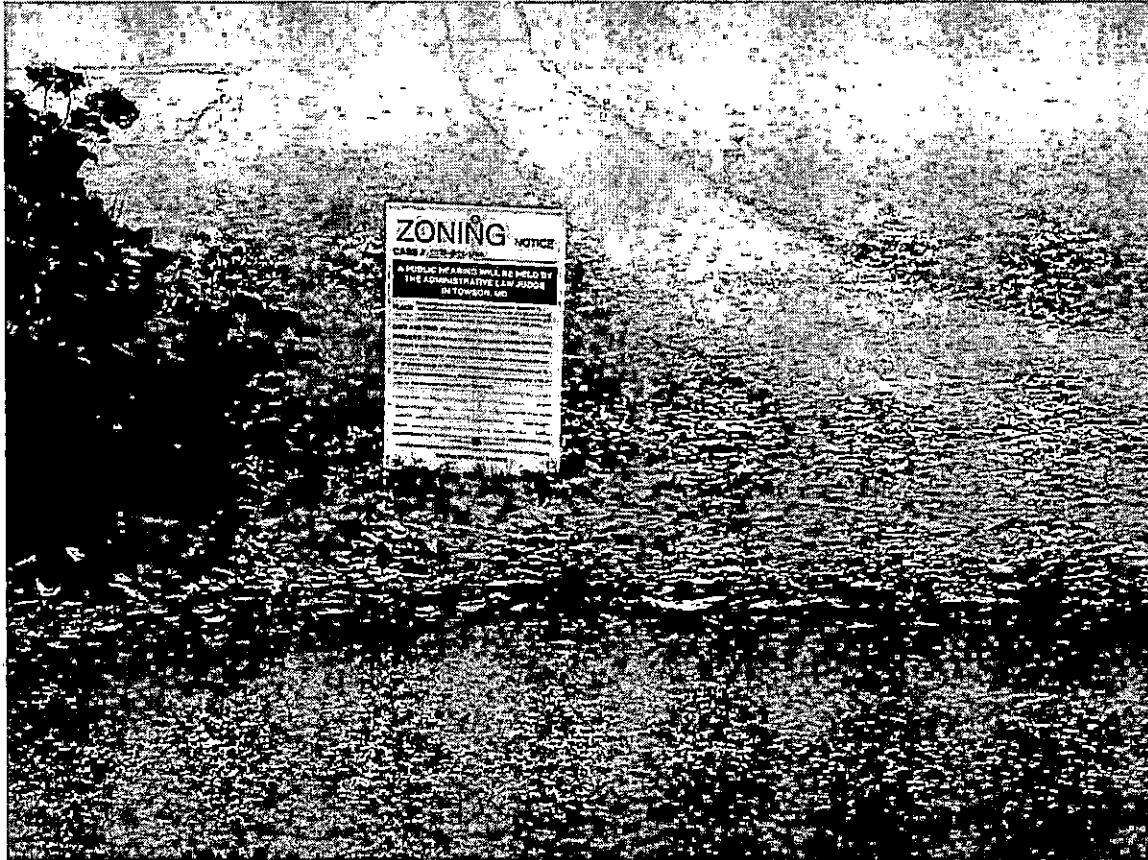
CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Re-Certification of Posting

Case No 2020-0125-SPHA



12402 Jerusalem Road- front westside of property (1 of 2)

Richard E. Hoffman (signed) 10/21/20

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

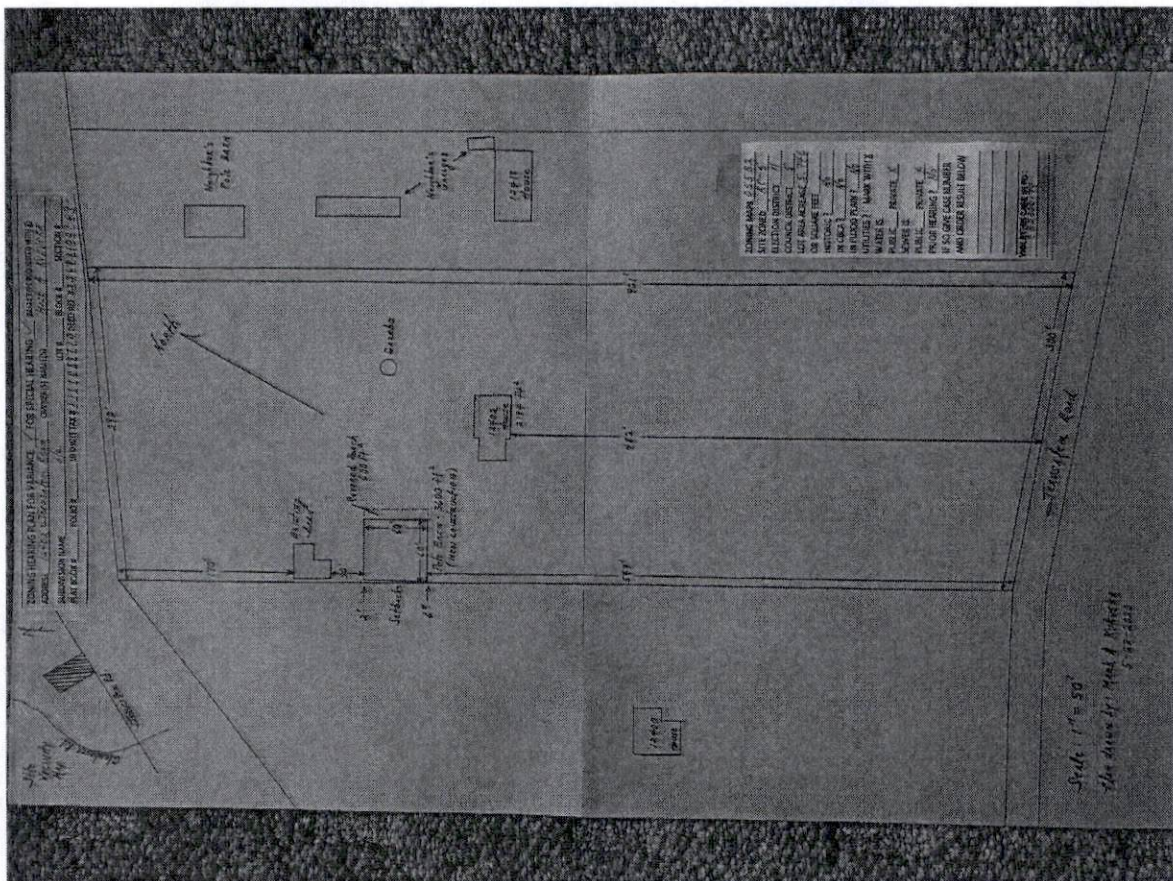
From: Mark A. Kukucka
To: Administrative Hearings
Subject: Re: Hearing : 10/26/2020 at 11:00 a.m. - Case No: 2020-0125-SPHA 12402 Jerusalem Road
Date: Thursday, October 22, 2020 12:34:24 PM

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

Thank you for this notification Donna!

Please find attached several exhibits for my hearing...

Kind Regards,
-Mark
410-443-1761



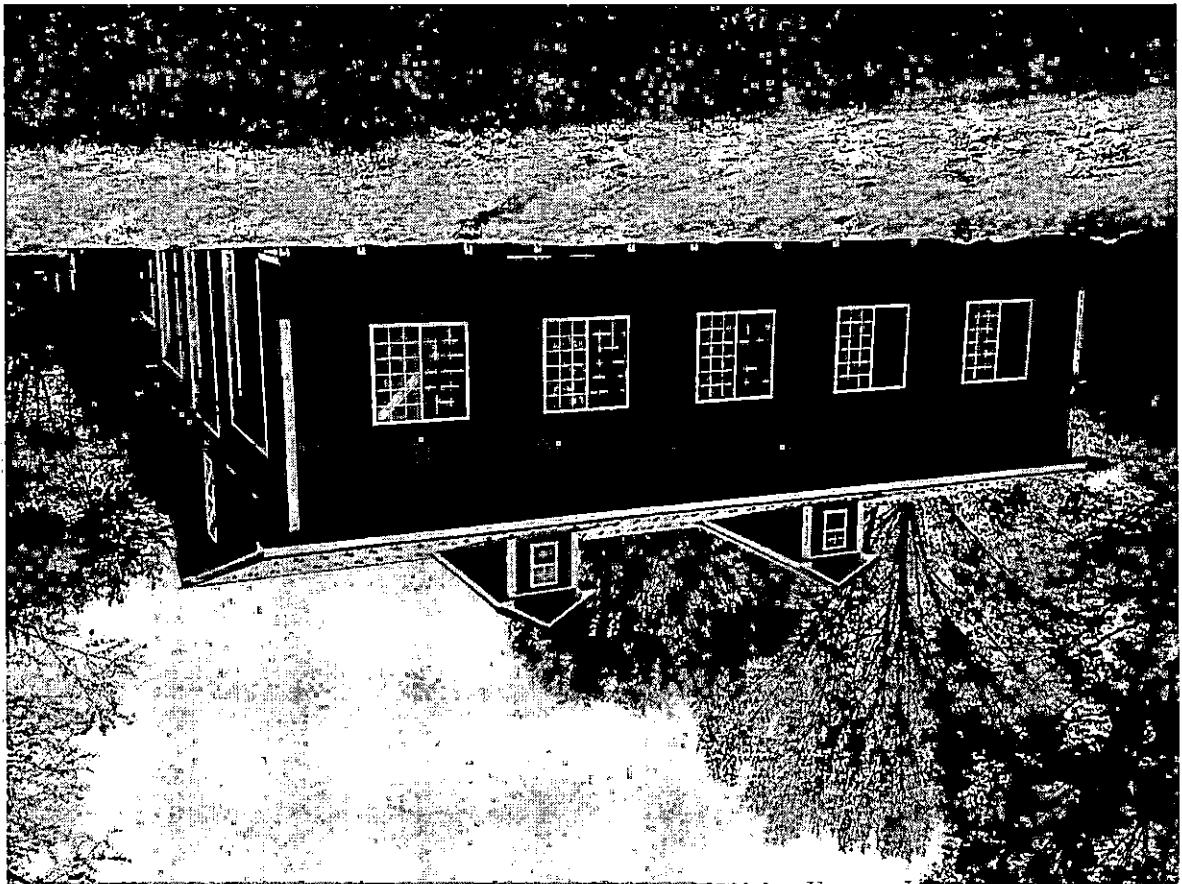
PETITIONER'S

EXHIBIT NO. 1

PETITIONER'S
EXHIBIT NO. 2













Sent from Yahoo Mail for iPhone

On Thursday, October 22, 2020, 11:49 AM, Administrative Hearings
<administrativehearings@baltimorecountymd.gov> wrote:

Dear Mr. Kukucka:

Please see below.

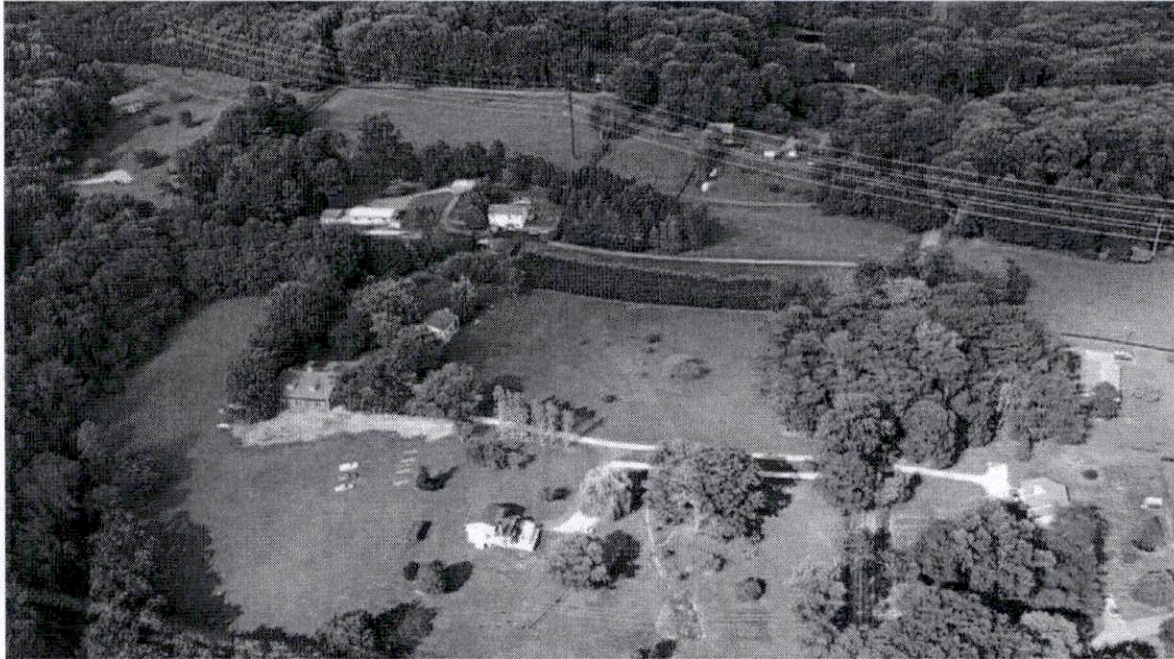
Thank you.

From: Administrative Hearings
<administrativehearings@baltimorecountymd.gov>
Sent: Monday, October 19, 2020 2:38 PM
To: ascorbate@yahoo.com

From: Mark A. Kukucka
To: Administrative Hearings
Subject: Re: Hearing : 10/26/2020 at 11:00 a.m. - Case No: 2020-0125-SPHA 12402 Jerusalem Road
Date: Thursday, October 22, 2020 12:51:39 PM
Attachments: IMG_4259.PNG

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

Sending along one additional photo exhibit (for a total of eight)...



-Mark
410-443-1761

PETITIONER'S

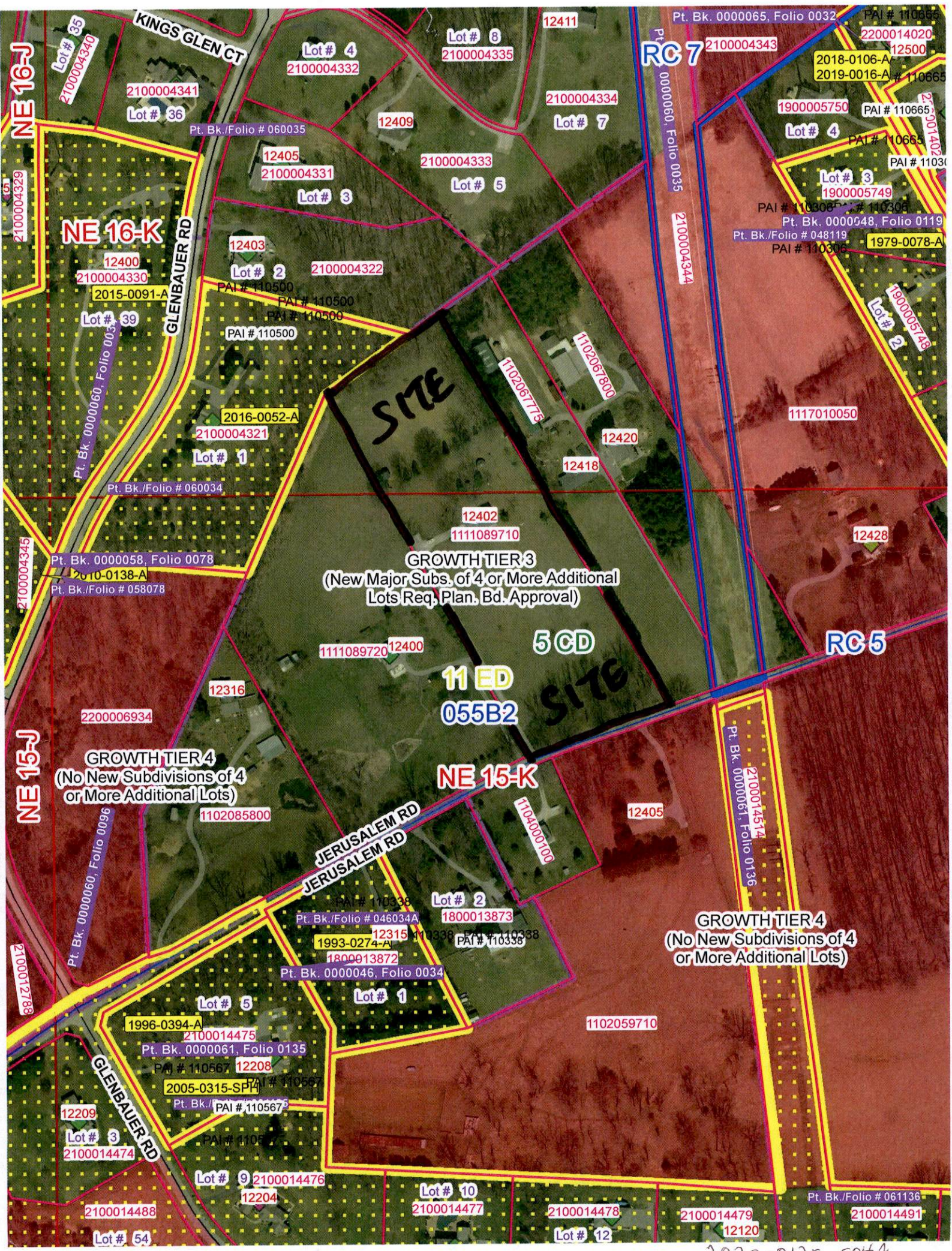
EXHIBIT NO.

3

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Special Tax Recapture: AGRICULTURAL TRANSFER TAX					
Account Identifier:		District - 11 Account Number - 1111089710			
Owner Information					
Owner Name:	KUKUCKA MARK ANTHONY		Use:	AGRICULTURAL	
Mailing Address:	12402 JERUSALEM RD KINGSVILLE MD 21087-1104		Principal Residence:	YES	
			Deed Reference:	/23683/ 00169	
Location & Structure Information					
Premises Address:	12402 JERUSALEM RD 0-0000		Legal Description:	5.746 AC NWS JERUSALEM RD NE BROWNS LA	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0055	0015	0333	11010006.04	0000	
			Block:	Lot:	Assessment Year:
					2021
			Plat No:		
			Plat Ref:		
Town: None					
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1970		2,184 SF		528 SF	
				Property Land Area	
				5.7400 AC	
				County Use	
				33	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
2	YES	STANDARD UNIT	1/2 BRICK FRAME/	4	3 full
			Garage	Last Notice of Major Improvements	
			1 Attached		
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2018	07/01/2020	07/01/2021
Land:		101,700	101,700		
Improvements		228,500	228,500		
Total:		330,200	330,200	330,200	
Preferential Land:		1,700			
Transfer Information					
Seller: KUKUCKA JOSEPH A		Date: 04/14/2006		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /23683/ 00169		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class	07/01/2020		07/01/2021
County:		000	0.00		
State:		000	0.00		
Municipal:		000	0.00		0.00
Special Tax Recapture: AGRICULTURAL TRANSFER TAX					
Homestead Application Information					
Homestead Application Status: Approved 01/27/2009					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application				Date:	



NE 16-J

NE 16-K

NE 15-J

NE 15-K

RC 7

RC 5

5 CD

11 ED
055B2

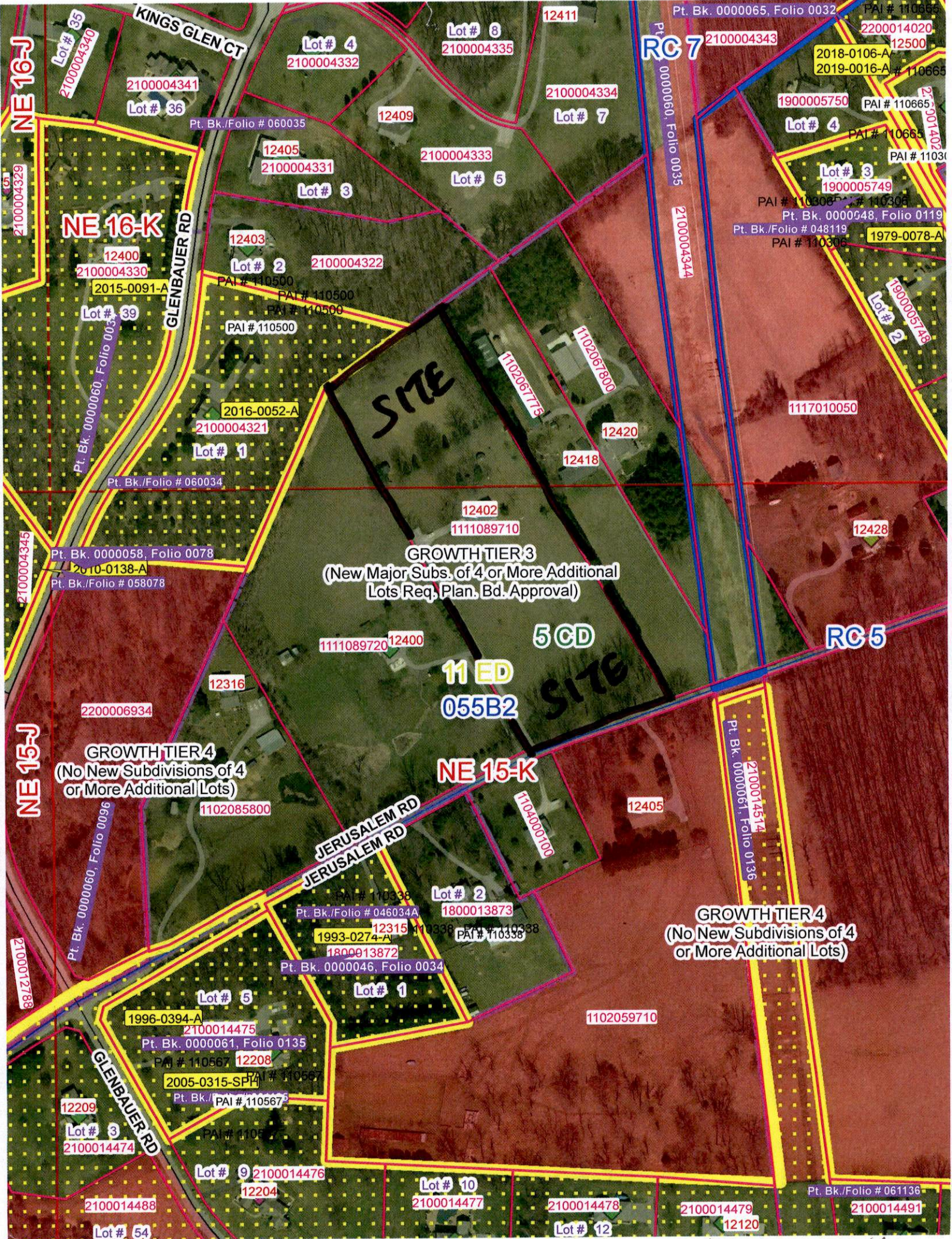
GROWTH TIER 3
(New Major Subs. of 4 or More Additional
Lots Req. Plan. Bd. Approval)

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

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

SITE

SITE



NE 16-J

NE 16-K

NE 15-J

NE 15-K

RC 7

RC 5

5 CD

11 ED
055B2

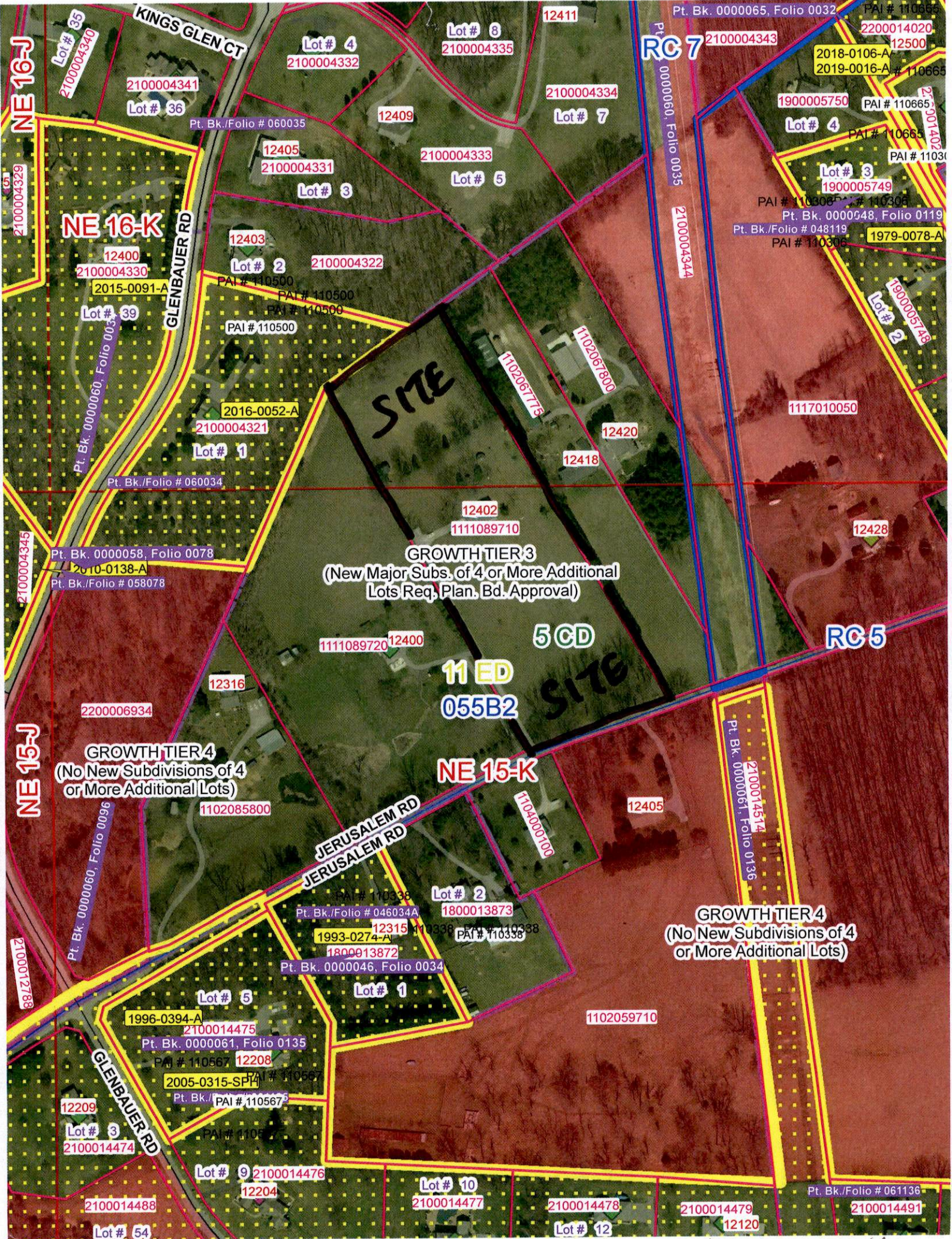
GROWTH TIER 3
(New Major Subs. of 4 or More Additional
Lots Req. Plan. Bd. Approval)

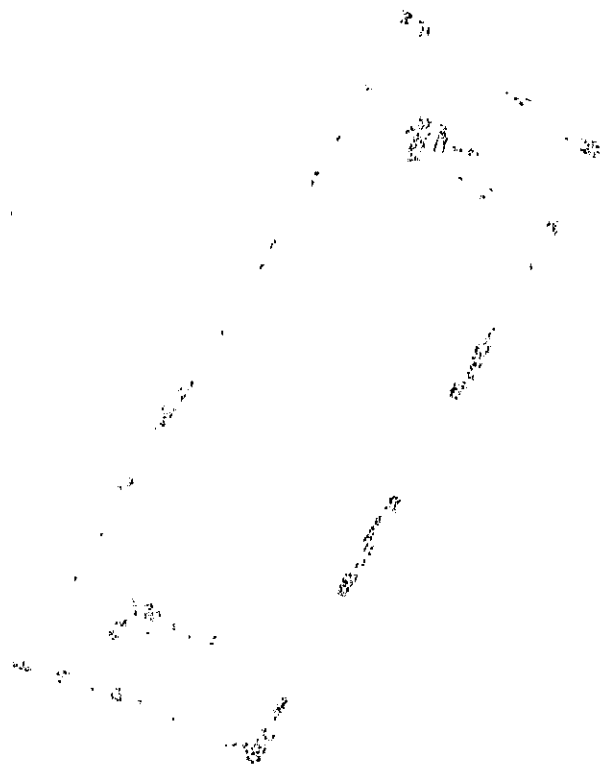
GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

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

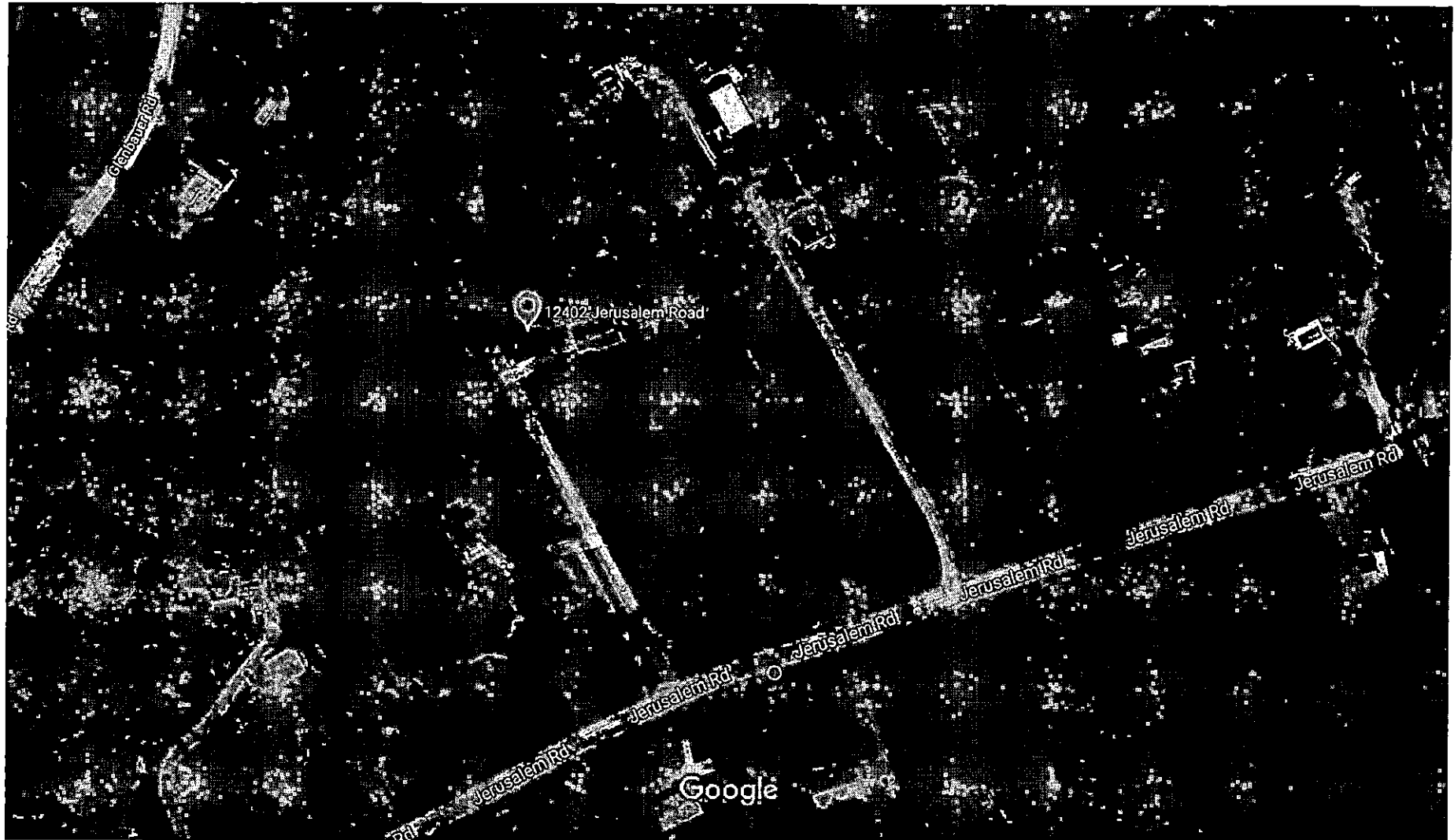
SITE

SITE





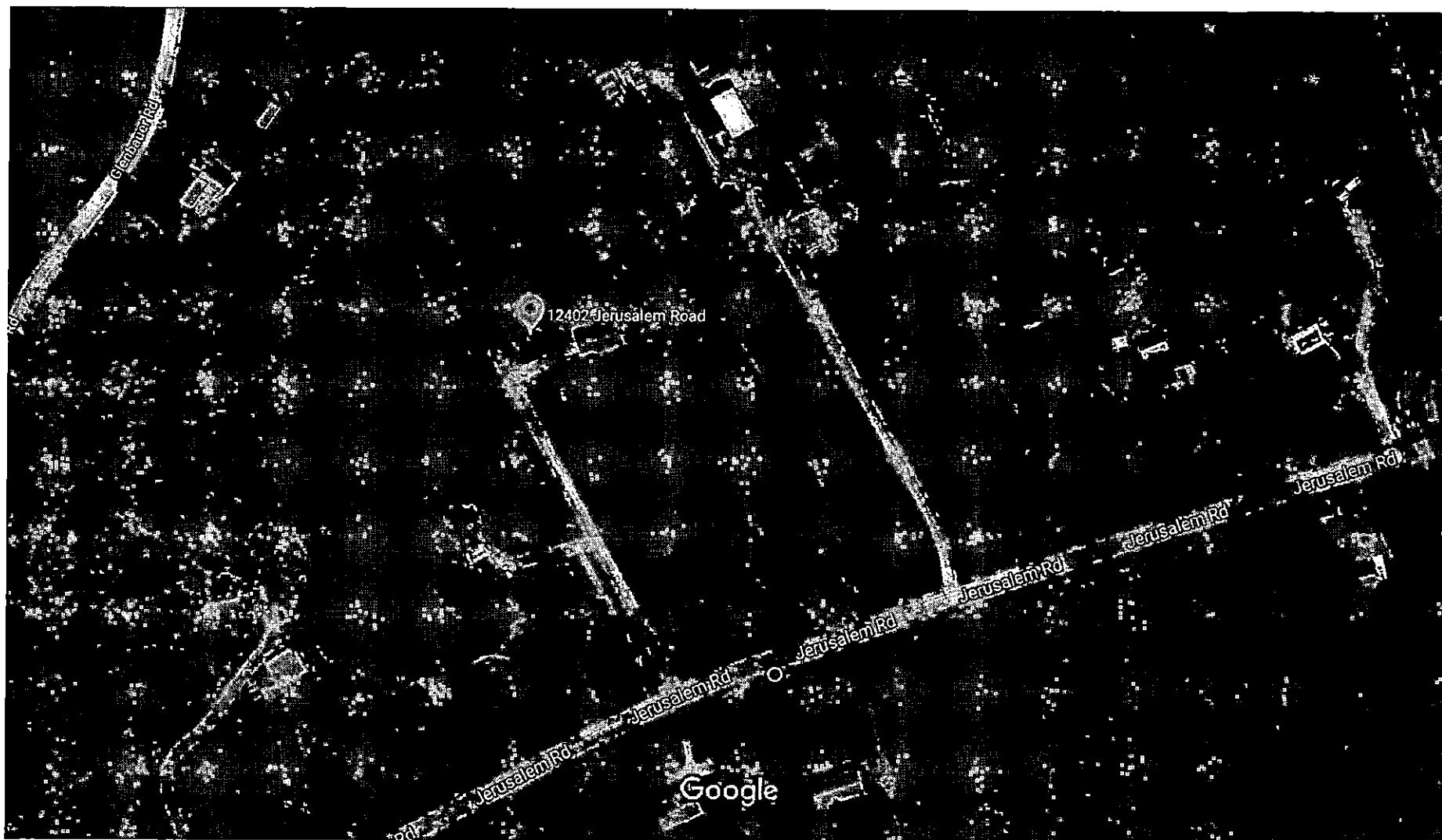
Google Maps 12402 Jerusalem Rd



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020 100 ft

2020-0125-SP44

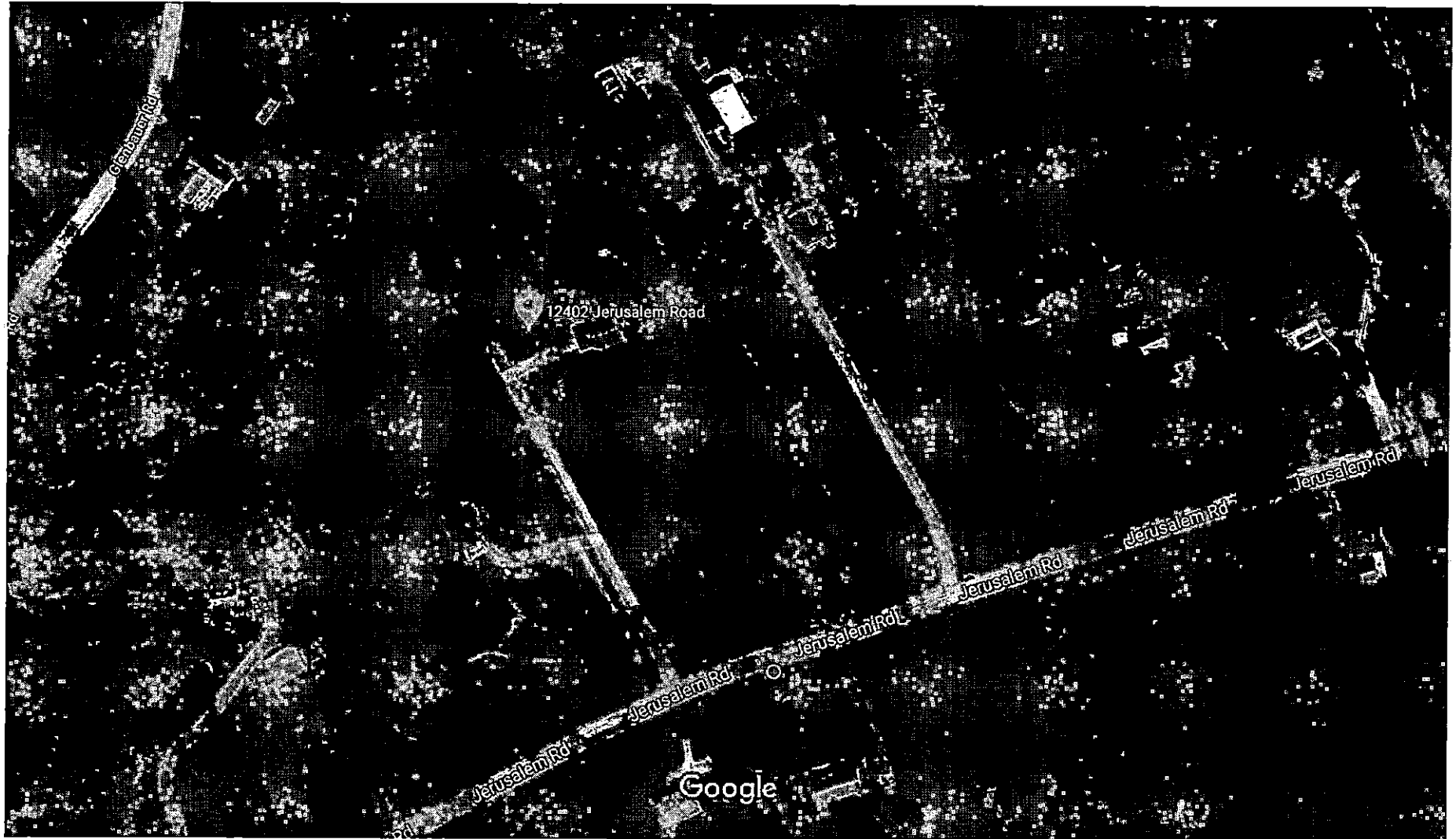
Google Maps 12402 Jerusalem Rd



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020 100 ft

2020-0125-SP4A

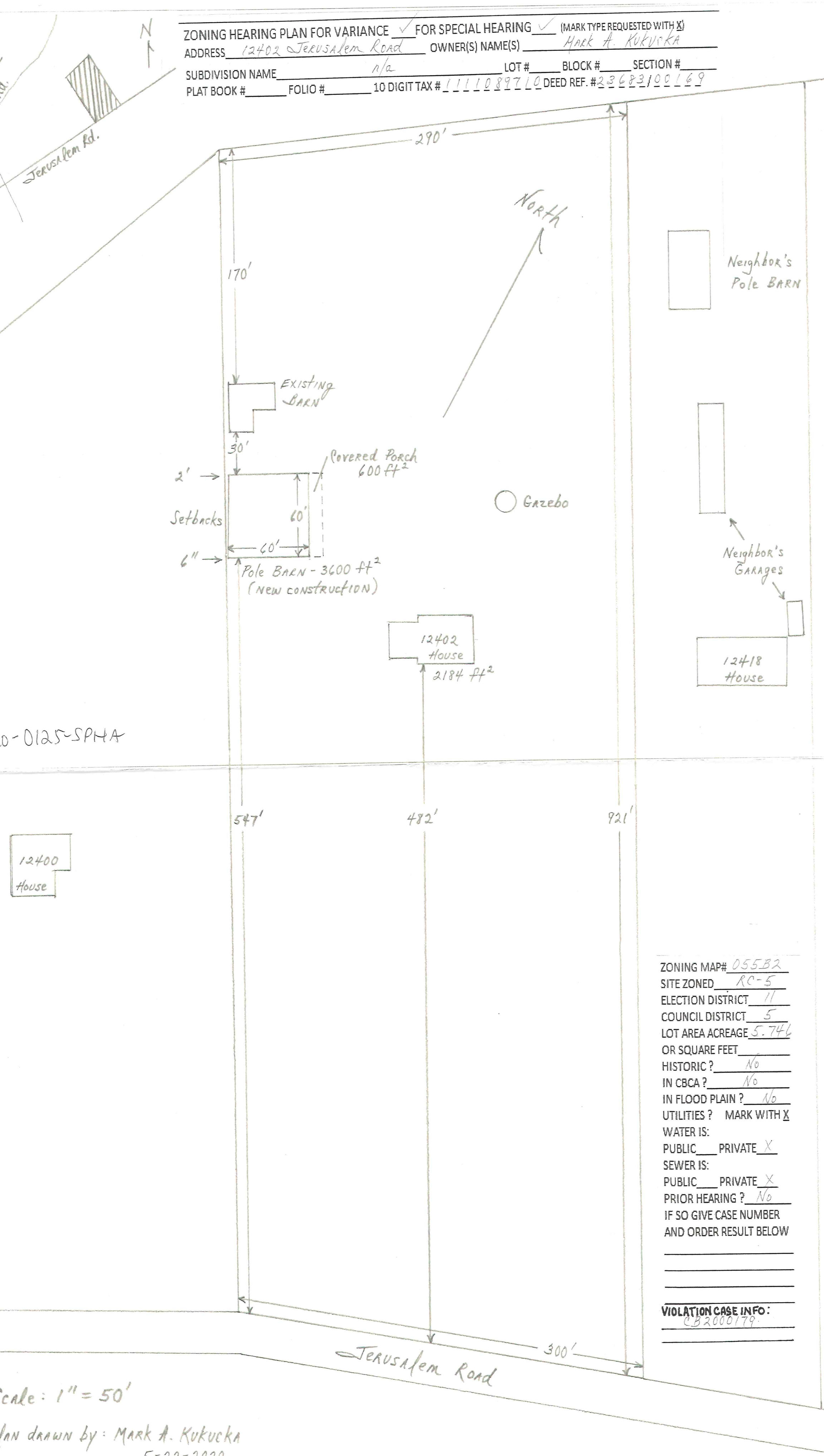
Google Maps 12402 Jerusalem Rd



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020 100 ft

2020-0125-SPHA

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING ☒ (MARK TYPE REQUESTED WITH X)
ADDRESS 12402 Jerusalem Road OWNER(S) NAME(S) Mark A. KUKUCKA
SUBDIVISION NAME n/a LOT # BLOCK # SECTION #
PLAT BOOK # FOLIO # 10 DIGIT TAX # 1111089710 DEED REF. # 23683100169



ZONING MAP# 055B2
SITE ZONED RC-5
ELECTION DISTRICT 11
COUNCIL DISTRICT 5
LOT AREA ACREAGE 5.746
OR SQUARE FEET
HISTORIC ? No
IN CBCA ? No
IN FLOOD PLAIN ? No
UTILITIES ? MARK WITH X
WATER IS: PUBLIC PRIVATE X
SEWER IS: PUBLIC PRIVATE X
PRIOR HEARING ? No
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:
CB2000179

Scale: 1" = 50'
Plan drawn by: Mark A. KUKUCKA
5-22-2020