

M E M O R A N D U M

DATE: December 29, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0168-SPH – Appeal Period Expired

The appeal period for the above-referenced cases expired on December 28, 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 SPECIAL HEARING** *

(6499 Darnell Road)

9th Election District *

2nd Council District *

Henry and Risa Jampel *

Legal Owners

Petitioners

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2020-0168-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Special Hearing filed by Henry and Risa Jampel. The Special Hearing was filed pursuant to the Baltimore County Zoning Regulations ("BCZR") § 500.7 "to permit a proposed accessory structure (dwelling) to be utilized as an occasional guest dwelling."

Due to the 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 Petitioner's Exhibit 1.

A ZAC comment was received from the Department of Planning ("DOP") which opposes the requested relief. A letter in opposition was also received from Guy Warfield, the Zoning Chair of the Ruxton, Riderwood, Lake Roland Area Improvement Association (RRLRAIA). Finally, a letter in opposition and accompanying photos were submitted by an adjoining property owner and were admitted as Protestants' Exhibits 1, and 2A – 2G, respectively.

Petitioner, Risa Jampel, appeared in support of the petition. Edward Gillis, Esquire represented the Petitioners. Bruce Doak, the licensed surveyor who prepared the site plan also attended; as did Vincent Greene, the architect on the project. Several adjoining neighbors attended and voiced their opposition.

ORDER RECEIVED FOR FILING

Date

11/25/20

By

D. Mignon

The subject property is approximately 1.006 acres and is zoned DR 1. The Property is within the Ruxton Riderwood Design Review Plan ("DRP") area. It is near Lake Roland. Dr. Rampel testified that she and her husband purchased the unimproved lot in 2016 and completed construction of their home in 2018. She explained that Mr. Greene, the architect on this proposed project, also designed the principal residence, which, according to SDAT, is 4,642 square feet. She testified that both she and her husband are medical doctors. She explained that they have both been treating patients on a daily basis throughout the Covid crisis, and have therefore had to take extraordinary precautions to avoid becoming infected, or infecting others. This has impacted their ability to enjoy visits from their young adult children and their spouses, who live out of town. Specifically, Dr. Rampel explained that they do not feel comfortable having their children and other guests stay overnight in the main house and therefore they desire to build this accessory guest house for their overnight guests. She explained that she and her husband would also use the space themselves as office and relaxation space.

Dr. Rampel then explained the "Covenants / Restrictions" that they would be willing to file in the land records, which were admitted as Petitioner's Exhibit 9. Among these proposed restrictions are that "[o]ccupancy will be limited to two adults (and one or two small children)," and that they "anticipate" that they will have overnight guests "approximately 3-4 nights per month." Further, "[t]here will not be a kitchen, although a "refreshment area" will have a refrigerator and sink. There will not be a stove or oven. In addition, there would be no separate utility connections and the structure would not be leased for profit, but "used only for family/friends."

Dr. Rampel further testified that if the petition is granted that they will hire a landscape architect to design plantings and other features that will screen the guest house from the adjoining

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Date

11/25/20

By

[Signature]

neighbors, to the extent possible. She believes the use would have minimal visual or sound impacts on the surrounding property owners. Finally, she testified that the projected cost of the guest house is between two hundred and two hundred fifty thousand dollars.

Mr. Doak testified next. He explained that the property is zoned DR 1. He stated that the existing principal residence meets all setbacks and that this proposed accessory structure would also. He explained that the structure would be 30 ft. wide by 18 ft. deep, with a height of 14 feet. The architectural elevations on the plan show that the structure will have a fireplace and front porch. He submitted Petitioner's Exhibit 6, which is a key sheet and a series of photos. He described the perspective of each photo and testified that the proposed structure would have minimal visual or sound impacts on the surrounding properties due to the grade differences and extensive mature landscaping. He testified that accessory structures are permitted in the DR zones and that there are no regulations in the BCZR that prohibit this proposed accessory guest house. He testified that he has assisted in obtaining approval for numerous other such guest houses. However, neither he nor Mr. Gillis provided any case citations to support this assertion.

The architect, Vincent Greene, then explained the proposed project in detail. He testified that they considered several alternatives to this free standing structure, including using the basement or building a ground level addition, but that there were significant obstacles to each of those alternatives. He testified that in his expert opinion this proposed accessory structure would be the least impactful environmentally, and would be the most aesthetically compatible with the existing neighborhood. In response to questions from two of the neighbors he testified that the impacts of the proposed construction would be minimal because it is a "slab on grade" so no heavy excavation equipment will be needed.

Several neighbors, as well as Guy Warfield, the Zoning Chair of the Ruxton, Riderwood,

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Date 11/25/20
By D. Magon

Lake Roland Area Improvement Association (RRLRAIA) testified in opposition. Ryan and Julie McClernan are the adjoining property owners whose property would be closest to the proposed guest house. They submitted a letter in opposition and a series of photos that show the visual impact that this structure would have on their property. (Protestants' Exhibits 1, and 2A – 2G, respectively). Both the McClernands and Mr. Warfield pointed out that if this guest house were approved it would effectively nullify the density limits in this DR 1 zone by allowing two dwellings on this one acre lot. The ZAC comments of the DOP raise this same objection.

Baltimore County Code § 32-3-301(a)(1), and BCZR § 307.1 give the Zoning Commissioner/Administrative Law Judge the power “to grant variances from height and area regulations.” However, pursuant to BCZR § 307.1, “[n]o increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height and area regulations.” (emphasis added). An example of an “otherwise allowable” increase in residential density is the “Accessory Apartment” permitted under BCZR § 400.4. Among the restrictions associated with this exception is that the Accessory Apartment “shall only be utilized by immediate family members.” BCZR § 400.4.C.1.b. In addition, the petitioner must file a Declaration of Understanding to be recorded in the County land records, and obtain a Use Permit which must be renewed every two years. The petitioners in the instant case have not applied for relief under this zoning regulation. Indeed, Ms. Rampel was forthright in testifying that the proposed guest house would also be used by extended family and friends, so it would not meet the requirements of BCZR § 400.4.

Therefore, in light of the limitations on my authority, and the strict prohibitions on the unauthorized increase in residential density, I must deny the requested relief. The DOP, the community association, and the adjoining neighbors are correct – to grant this request would be to

ORDER RECEIVED FOR FILING

Date

11/25/20

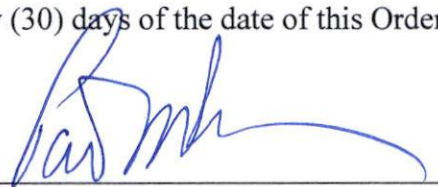
By

J. Mignone

ignore the density limits of this DR 1 zone. And, "citizens [of a given county or municipality] are entitled to strict enforcement of the existing zoning regulations." *Salisbury Bd. Of Zoning Appeals v. Bounds*, 240 Md. 547, 555-56 (1965).

THEREFORE, IT IS ORDERED this **25th** day of **November, 2020** by this Administrative Law Judge, that the Petition for Special Hearing seeking relief from the BCZR § 500.7 to permit a proposed accessory structure (dwelling) to be utilized as an occasional guest dwelling is hereby DENIED.

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

11/25/20

By

D. Mignone



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 6499 DARNALL ROAD which is presently zoned DR1
Deed References: 38247/408 10 Digit Tax Account # 0918721782
Property Owner(s) Printed Name(s) HENRY JAMPOL & RISA M. JAMPOL

(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)

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

TO BE PRESENTED AT THE HEARING

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

HENRY JAMPOL RISA M. JAMPOL

Name #1 - Type or Print

Name #2 - Type or Print

☒ H. Jampol

☒ R. M. Jampol

Signature #1

Signature #2

6499 DARNALL ROAD TOWSON MD

Mailing Address City State

21204 ☒ 410 812 6431 ☒ hjampol@jhmi.edu

Zip Code Telephone # Email Address

Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING LLC

Name - Type or Print

B. E. Doak

Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND MD

Mailing Address City State

21053 410-919-4906

Zip Code Telephone # Email Address

BD@BRUCE-DOAK CONSULTING.COM

Do Not Schedule Dates: Reviewer ga

CASE NUMBER 2020-0168-SH Filing Date 7/17/20

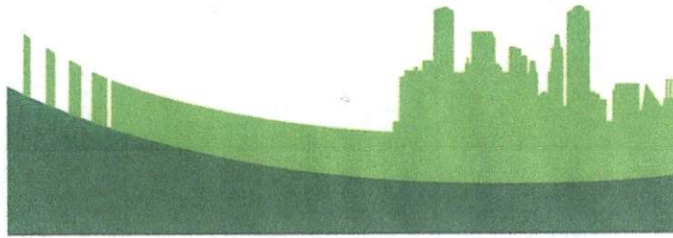
REV. 10/4/11

Zoning Hearing Petitions Being Requested
#6499 Darnall Road

Case # 2020-0168-SPA

Special Hearing

To permit a proposed accessory structure (dwelling) to be utilized as an occasional guest dwelling



Zoning Description

6499 Darnall Road
Ninth Election District Second Councilmanic District
Baltimore County, Maryland

Beginning at the intersection of the northern side of Indian Head Road and the east side of Darnall Road, thence binding on the east side of Darnall Road and running with and binding on the outlines of the subject property 1) Northeasterly by a line curving to the left with a radius of 569.95 feet and an arc distance of 57.65 feet with a chord of North 11 degrees 59 minutes 39 seconds East 57.63 feet, thence leaving Darnall Road and continuing to run and bind on the outlines of the subject property, the three following courses and distances, viz. 2) North 82 degrees 41 minutes 28 seconds East 237.53 feet, 3) South 13 degrees 59 seconds 53 seconds East 215.19 feet and 4) South 82 degrees 00 minutes 57 seconds West 100.84 feet to the northern side of Indian Head Road, thence binding on Indian Head Road and continuing to run with and bind on the outlines of the subject property, the three following courses and distances, viz. 5) Northwesterly by a line curving to the left with a radius of 146.23 feet and an arc distance of 50.07 feet with a chord of North 51 degrees 53 minutes 39 seconds West 49.83 feet, 6) North 61 degrees 43 minutes 59 seconds West 167.69 feet and 7) Northwesterly by a line curving to the right with a radius of 25.00 feet and an arc distance of 31.01 feet with a chord of North 26 degrees 17 minutes 12 seconds West 29.06 feet to the point of beginning.

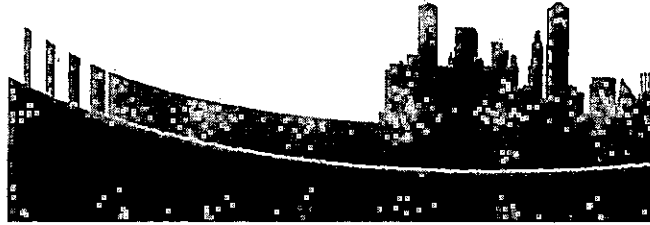
Containing 1.006 acres of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com



2020-0168-SPA



CERTIFICATE OF POSTING

October 27, 2020

November 12, 2020 amended for second inspection

Re:

Zoning Case No. 2020- 0168-SPH

Legal Owner: Henry & Risa Jampel

Hearing date: November 17, 2020

Baltimore County Department of Permits, Approvals & Inspections

County Office Building

111 West Chesapeake Avenue, Room 111

111 West Chesapeake Avenue Towson, MD 21204

Attention: Jenae Johnson

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **6499 Darnall Road**.

The signs were initially posted on **October 27, 2020**.

The subject property was also inspected on **November 12, 2020**.

Sincerely,

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road

Freeland, MD 21053

410-419-4906 cell / 443-900-5535 office

bdoak@bruceedoakconsulting.com

ZONING NOTICE

CASE NO. 2020-0168-SPH

6499 Darnall Road

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.

DATE & TIME: TUESDAY NOVEMBER 17, 2020 11:00 AM

FOR INFORMATION ON HOW TO PARTICIPATE IN THE HEARINGS
PLEASE GO TO

WWW.BALTIMORECOUNTYMD/GOV/ADMINHEARINGS

YOU WILL BE ASKED TO PROVIDE YOUR CONTACT
INFORMATION AND

THE CASE NUMBER PROVIDED ABOVE. YOU MAY ALSO

CALL 410-887-3868, EXT. 0.

REQUEST:

SPECIAL HEARING TO PERMIT A PROPOSED ACCESSORY
STRUCTURE (DWELLING) TO BE UTILIZED AS AN OCCASIONAL
GUEST HOUSE.

ZONING NOTICE

CASE NO. 2020-0168-SPH

6499 Darnall Road

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STRUCTURE (DWELLING) TO BE UTILIZED AS AN OCCASIONAL
GUEST HOUSE.**

Donna Mignon

From: Donna Mignon
Sent: Thursday, November 12, 2020 9:59 AM
To: 'Bruce Doak'
Subject: 6499 Darnall Road

Hi Bruce,
Please email me the recertification in regard to the above case. Thanks so much.
Have a great day.

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

Donna Mignon

From: Donna Mignon
Sent: Monday, November 9, 2020 3:05 PM
To: 'egilliss@rmmr.com'
Subject: 6499 Darnall Road - Case No: 2020-0168-SPH

Good Afternoon:

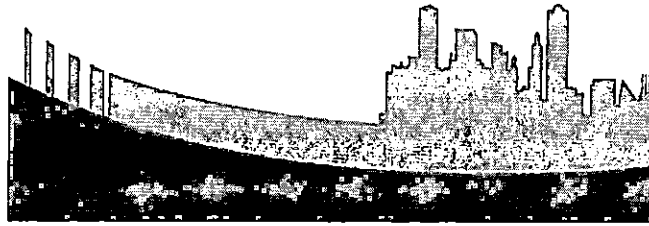
As you are aware, a virtual webex hearing has been scheduled for November 17, 2020 at 11:00 a.m. You should have received an invitation in an email around October 21, 2020, that invited you to this hearing.

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.
Have a great day.

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



CERTIFICATE OF POSTING

October 27, 2020

_____ amended for second inspection

Re:

Zoning Case No. 2020- 0168-SPH

Legal Owner: Henry & Risa Jampel

Hearing date: November 17, 2020

Baltimore County Department of Permits, Approvals & Inspections

County Office Building

111 West Chesapeake Avenue, Room 111

111 West Chesapeake Avenue Towson, MD 21204

Attention: Jenae Johnson

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Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road

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410-419-4906 cell / 443-900-5535 office

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ZONING NOTICE

CASE NO. 2020-0168-SPH

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DATE & TIME: TUESDAY NOVEMBER 17, 2020 11:00 AM

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WWW.BALTIMORECOUNTYMD/GOV/ADMINHEARINGS.

**YOU WILL BE ASKED TO PROVIDE YOUR CONTACT
INFORMATION AS**

**THE CASE NUMBER PROVIDED ABOVE. YOU MAY ALSO
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REQUEST:

**SPECIAL HEARING TO PERMIT A PROPOSED ACCESSORY
STRUCTURE (DWELLING) TO BE UTILIZED AS AN OCCASIONAL
GUEST HOUSE.**

ZONING NOTICE

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INFORMATION AND**

**THE CASE NUMBER PROVIDED ABOVE. YOU MAY ALSO
CALL 410-887-3868, EXT 11**

REQUEST:

**SPECIAL HEARING TO PERMIT A PROPOSED ACCESSORY
STRUCTURE (DWELLING) TO BE UTILIZED AS AN OCCASIONAL
GUEST HOUSE.**

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 #: 11930804

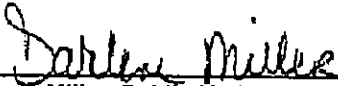
Case #:

Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2020-0168-SPH

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:

10/28/2020



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: 2020-0168-SPH

6499 Darnall Road

North east side of Darnall Road, north west of Indian Head Road

8th Election District - 2nd Councilmanic District

Legal Owners: Henry & Risa Jampel

Special Hearing to permit a proposed accessory structure (dwelling) to be utilized as an occasional guest dwelling.

Hearing: Tuesday, November 17, 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

o28



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 21, 2020

NOTICE OF ZONING HEARING

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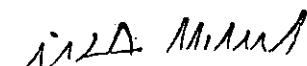
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Michael Mallinoff
Director

MM:kl

C: Edward Gillis, 102 W. Pennsylvania Avenue, Ste. 600, Towson 21204
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053
Mr. & Mrs. Jampel, 6499 Darnall Road, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., OCTOBER 28, 2020.

TO: THE DAILY RECORD
Wednesday, October 28, 2020 - Issue

Please forward billing to:

Edward Gillis
Royston, Mueller, Mclean & Reid, LLP
102 W. Pennsylvania Avenue, Ste. 600
Towson, MD 21204

410-823-1800

NOTICE OF ZONING HEARING

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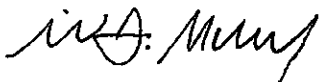
9th Election District – 2nd Councilmanic District

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

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**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/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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: 2020-0168-SP4
Property Address: 6499 DARNALL ROAD
Property Description: 1.006 AC LOT @ INTERSECTION OF FHOIAN
HEAD ROAD & DARNALL ROAD
Legal Owners (Petitioners): HENRY & RISA JAMPOL
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: RISA JAMPOL
Company/Firm (if applicable): N/A
Address: 6499 DARNALL ROAD
TOWSON MD 21204

Telephone Number: 410-812-6431

Revised 5/20/2014

BI E DOAK DBA 12-12
BI E DOAK CONSULTING
3801 BAKER SCHOOLHOUSE RD.
FREELAND, MD 21053-9738

2453

15-3/540
429

7/16/20

Date

Pay to the
Order of

BALTIMORE COUNTY MARYLAND

\$ 75.00

SEVENTY FIVE AND 00/100

Dollars



Photo
Safe
Deposit
Details on back



PNC Bank, N.A. 040

For LAMPEL ZONING FES

BEQ

⑆054000030⑆ 5336741067⑈ 2453

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

No. 198979

Date: 7/17/2020

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

Total: 75.00

Rec

From: Bruce Dak

For:

6499 Darnall Road
2020-0168-SPH

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION



JOHN A. OLSZEWSKI, JR.
County Executive

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

November 9, 2020

Bruce E. Doak,
3801 Baker Schoolhouse Road
Freeland MD 21053

RE: Case Number: 2020-0168-SPH, 6499 Darnall 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 July 17, 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.", is written over the phrase "Very truly yours,".

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: July 31, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0174-SPH
Address 6072 Falls Road
(Wilkey & Ruano Property)

Zoning Advisory Committee Meeting of **August 3, 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 MEMORANDUM

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

DATE: 8/19/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-168



INFORMATION:

Property Address: 6499 Darnall Road
Petitioner: James Jampel, Risa Jampel
Zoning: DR 1
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for Special Hearing to permit a proposed accessory structure (dwelling) to be used as an occasional guest dwelling.

A site visit was conducted on July 23, 2020. The property is within the Ruxton Riderwood Design Review Panel (DRP) area. The proposed [detached] accessory structure (dwelling) may be subject to DRP review. The petitioner's representative should contact Ms. Jenifer Nugent, Chief of Development Review for DRP guidance.

The proposed location of the structure is to the rear of the yard. Due to existing vegetation and a slight incline, the proposed location of the structure should not be highly visible from both Darnall Road and Indian Head Road, but may be visible to the adjacent properties. Additional structure details were provided by the petitioner's representative on August 8, 2020 depicting a floor plan containing a bedroom, bathroom, living room, and kitchen area. The elevations do not directly show the rear of the structure, but it is clear that the rear will only contain three (3) windows.

The term "guest dwelling" is not defined in the BCZR nor is it permitted in any zoning classification. The subject property is zoned D.R. 1 and is one (1) acre, therefore only one dwelling unit is permitted. Although the structure is considered accessory and is 540 square feet, it contains all of the elements that define a dwelling. Additionally, the principle dwelling is connected to a septic system and it should be verified by the Department of Environmental Protection and Sustainability (DEPS) whether or not the system is capable of supporting the proposed structure. The Department will concur with any comments provided by DEPS.

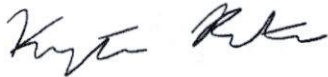
The Department of Planning does not support a petition containing a request that is not defined nor permitted in the BCZR. Supporting this request could create an unregulated precedent in Baltimore County. Therefore, the Department recommends denial of the accessory structure (dwelling).

In the event that the relief is permitted, the following conditions should be made a part of the hearing and order:

1. The accessory structure (dwelling) shall not be used for commercial purposes nor have any separate utility meters installed.
2. To the satisfaction of the Administrative Law Judge, the petitioner should demonstrate that the "occasional" use of the proposed structure will not adversely affect the neighborhood.
3. As per the site plan, no additional impervious surface (e.g. driveway) is proposed and shall remain as such unless further relief is granted.
4. Any modifications to the proposed structure as presented in the petition file shall be reviewed and approved by the Department of Planning and may require DRP approval.

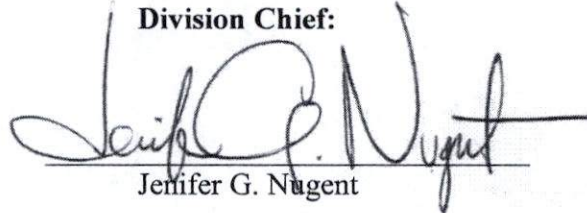
For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Bill Skibinski
Bruce E. Doak, Bruce E. Doak Consulting, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

RRLRAIA

THE RUXTON * RIDERWOOD * LAKE ROLAND AREA IMPROVEMENT ASSOCIATION, INC.

P.O. Box 204, Riderwood, Maryland 21139 • 410-494-7757 • office@rirlraia.org • www.rirlraia.org

August 6, 2020

Drs. Henry and Risa Jampel
6499 Darnall Road
Ruxton, MD 21204

Dear Drs. Jampel:

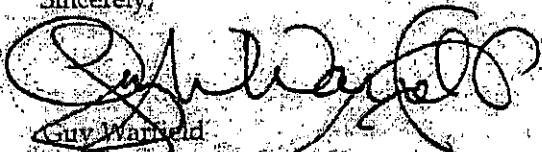
RE: Baltimore County Zoning Case No. 2020-0168-SPH
6499 Darnall Road

We have reviewed your application for a special hearing to permit a proposed accessory structure to be utilized as an occasional guest dwelling. We appreciate Bruce Doak, your consultant, sharing this information with us and our subsequent discussion with you and Mr. Doak about your plans for the property.

The RRLRAIA board has recently voted to oppose your application and plans for the property. This is not due to any unique aspect of your proposed accessory structure but rather because for some time the Association has opposed the use of accessory structures as living quarters.

We trust you can understand the reasons for our position and hope our relaying this information to you promptly will enable you to avoid incurring additional costs for a project that would be strongly opposed by the Association.

Sincerely,



Guy Warfield
Chair, Zoning Committee



Ward Classen
President

Copies to:
Bruce E. Doak, Bruce E. Doak, LLC
Paul M. Mayhew, Baltimore County Managing Administrative Law Judge
Peter Max Zimmerman, Baltimore County People's Counsel

RECEIVED
SEP 04 2020
OFFICE OF
ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 8/19/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-168

INFORMATION:

Property Address: 6499 Darnall Road
Petitioner: James Jampel, Risa Jampel
Zoning: DR 1
Requested Action: Special Hearing

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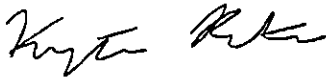
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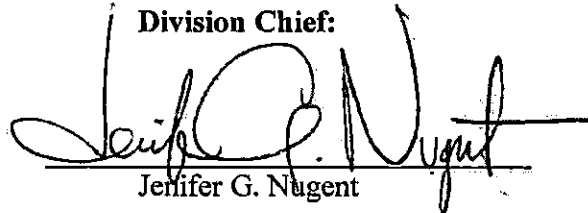
For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jennifer G. Nugent

CPG/JGN/kma/

c: Bill Skibinski
Bruce E. Doak, Bruce E. Doak Consulting, LLC
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: July 31, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0168-SPH
Address 6499 Darnall Road
(Jampel Property)

Zoning Advisory Committee Meeting of **July 27, 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



RECEIVED

JUL 31 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

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: July 31, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0168-SPH
Address 6499 Darnall Road
(Jampel Property)

Zoning Advisory Committee Meeting of **July 27, 2020**.

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

Reviewer: Steve Ford

Kristen L Lewis

From: Edward J. Gilliss <egilliss@rmmr.com>
Sent: Tuesday, October 20, 2020 1:13 PM
To: Kristen L Lewis
Subject: RE: 6499 Darnall /Jampel residence

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

Kristen,

Please acknowledge your receipt of my email below, sent earlier this morning.

Please also email me a copy of the Hearing Notice for 11/17/2020.

The participants will be:

Ed Gilliss -Attorney (egilliss@rmmr.com)

Bruce Doak- Surveyor (bdoak@brucedoakconsulting.com)

Vince Greene – Architect (Vince@vgarchitect.com)

Risa Jampel -Owner (rmjampel@me.com)

Thanks.

Ed Gilliss

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

From: Edward J. Gilliss
Sent: Tuesday, October 20, 2020 7:44 AM
To: Kristen Lewis (klewis@baltimorecountymd.gov) <klewis@baltimorecountymd.gov>
Subject: 6499 Darnall /Jampel residence

Kristen,

Following up on yesterday afternoon's phone conversation, please know that November 17th at 11 am "fits" on everyone's calendar.

Please also accept this email as confirmation of my entry of appearance in this matter. I will follow up with a more formal entry and copy People's Counsel.

I will also soon provide you with names and email addresses of all expected witnesses.

Thanks.

Ed Gilliss

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

RE: PETITION FOR SPECIAL HEARING
6499 Darnell Road, NE/S of Darnell Road,
NW 210' to c/line of Indian Head Road
9th Election & 2nd Councilmanic Districts
Legal Owner(s): Henry & Risa Jampel
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2020-168-SPH

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of July, 2020, a copy of the foregoing Entry of Appearance was emailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, BDoak@bruceedoakconsulting.com, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Debra Wiley

Case filed 7-17-20

No hearing date as of

8-6
8-11

From: Paul Mayhew
Sent: Thursday, August 6, 2020 3:07 PM
To: Debra Wiley
Subject: FW: 6499 Darnall Road - Case No. 2020-0168-SPH - Correspondence 8-6-20
Attachments: 6499 Darnall Road - Case No. 2020-0168-SPH - Correspondence 8-6-20.pdf

Deb,

Please print this letter for me and leave it in my office where I will see it. thanks

Paul M. Mayhew
Managing Administrative Law Judge
105 West Chesapeake Ave., Suite 103
Towson, Maryland 21204
410-887-3868
pmayhew@baltimorecountymd.gov

From: Ruxton-Riderwood-Lake Roland Area Improvement Association <rrlraia@comcast.net>
Sent: Thursday, August 6, 2020 2:54 PM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Peter Max Zimmerman <pzimmerman@baltimorecountymd.gov>
Cc: Ward Classen <ward.classen@gmail.com>; Guy Warfield <gwarfield@hmsia.com>
Subject: 6499 Darnall Road - Case No. 2020-0168-SPH - Correspondence 8-6-20

CAUTION: This message from rrlraia@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.

Mr. Mayhew and Mr. Zimmerman,

Attached is a letter we sent to the Petitioner of the referenced case which conveys our objection to the approval of a guest house on the property. Please let us know if you need additional information from us or if you have any questions.

Thank you.

Peggy Squitieri
Executive Director
The Ruxton-Riderwood-Lake Roland Area Improvement Association
410-494-7757

RRLRAIA

THE RUXTON * RIDERWOOD * LAKE ROLAND AREA IMPROVEMENT ASSOCIATION, INC.
P.O. Box 204 Riderwood, Maryland 21139 • 410-494-7757 • office@rrlraia.org • www.rrlraia.org

August 6, 2020

Drs. Henry and Risa Jampel
6499 Darnall Road
Ruxton, MD 21204

Dear Drs. Jampel:

RE: Baltimore County Zoning Case No. 2020-0168-SPH
6499 Darnall Road

We have reviewed your application for a special hearing to permit a proposed accessory structure to be utilized as an occasional guest dwelling. We appreciate Bruce Doak, your consultant, sharing this information with us and our subsequent discussion with you and Mr. Doak about your plans for the property.

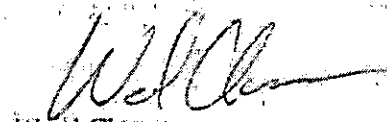
The RRLRAIA board has recently voted to oppose your application and plans for the property. This is not due to any unique aspect of your proposed accessory structure but rather because for some time the Association has opposed the use of accessory structures as living quarters.

We trust you can understand the reasons for our position and hope our relaying this information to you promptly will enable you to avoid incurring additional costs for a project that would be strongly opposed by the Association.

Sincerely,



Guy Warfield
Chair, Zoning Committee



Ward Classen
President

Copies to:
Bruce E. Doak, Bruce E. Doak, LLC
Paul M. Mayhew, Baltimore County Managing Administrative Law Judge
Peter Max Zimmerman, Baltimore County People's Counsel

Donna Mignon

From: Maureen Smith <mdsmithfamily@verizon.net>
Sent: Sunday, November 1, 2020 8:55 AM
To: Administrative Hearings
Cc: office@rrlraia.org
Subject: Office of Administrative Hearings Case#2020-0168-SPH

11/17
11:00

Follow Up Flag: Flag for follow up
Flag Status: Flagged

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

To Whom It May Concern,

We have been homeowners at 1909 Indian Head Rd for 33 years and we are opposed to the zoning change to allow for an occasional guest dwelling at 6499 Darnall Rd, 21204.

A substantial house has recently been built on this property. Adding another accessory structure will overwhelm the property and create potential drainage issues.

There is also the question of where building equipment access would be and whether would that create another road and therefore excess runoff.

Finally, part of the charm of our Ruxton community is not cramming structures in every available open space. Ruxton was established as a summer neighborhood with plenty of green space.

We are losing too much green space with lots being zoned for additional builds.

Jim and Maureen Smith

Case Number: 2020-0168-SPH

Location: Northeast side of Darnell Road, northwest of Indian Head Road

9th Election District

Legal Owners: Henry & Risa Jampel

Special Hearing to permit a proposed accessory structure (dwelling) to be utilized as an occasional guest dwelling .

ROYSTON

ROYSTON, MUELLER, McLEAN & REID, LLP

Edward J. Gilliss, Esq.
egilliss@rmmr.com

The Royston Building
Suite 600
102 West Pennsylvania Avenue
Towson, Maryland 21204-4575

Tel: 410.823.1800
Fax: 410.828.7859
www.rmmr.com

October 20, 2020

Ms. Kristen Lewis
Office of Administrative Hearings
for Baltimore County
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204



Re: Petitioners: Henry and Risa Jampel
Property: 6499 Darnell Road
Case No. 2020-168-SPH

Dear Ms. Lewis:

Enclosed please find my Notice of Entry of Appearance as counsel for Petitioners, Henry and Risa Jampel.

Thank you.

Very truly yours,

A handwritten signature in blue ink, appearing to be "EJ Gilliss", written over a circular blue ink stamp.

Edward J. Gilliss

EJG/vrk

Enclosure

cc: Drs. Risa and Henry Jampel (w/enclosure)
Paul M. Mayhew, Esquire
Peter Max Zimmerman, Esquire

[illegible]

1885
 PERBEN OAKTON(S): IN 1885, 1886, 1887
 ON EYEWITNESS OF N. L. OAKTON, 1888, 1889
 IN 1890, 1891, 1892, 1893, 1894, 1895
 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2

10. 11. 1963

• 15/1402 OK

TOP SECRET

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
6499 Darnell Road; NE/S of Darnell Road, * OF ADMINISTRATIVE
NW 210' to c/line of Indian Head Road * HEARINGS FOR
9th Election & 2nd Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): Henry & Risa Jampel *
Petitioner(s) *
2020-168-SPH

* * * * *

NOTICE OF ENTRY OF APPEARANCE

Please enter the appearance of Edward J. Gilliss as counsel for the property owners and petitioners, Henry and Risa Jampel.



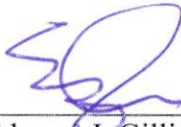
Edward J. Gilliss
Royston, Mueller, McLean & Reid, LLP
102 W. Pennsylvania Avenue, Suite 600
Towson, Maryland 21204
410-823-1800
egilliss@rmmr.com
Counsel for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of October, 2020, a copy of the foregoing Notice of Entry of Appearance was mailed to:

Paul M. Mayhew, Esquire
Managing Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

Peter Max Zimmerman, Esquire
People's Counsel for Baltimore County
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, Maryland 21204



Edward J. Gilliss

ZAC AGENDA

Case Number: 2020-0168-SPH **Reviewer:** Gary Hucik
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: SPECIAL HEARING
Legal Owner: Henry Jampel & Risa Jampel
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 2

Property Address: 6499 DARNALL RD

Location: North East side of Darnell Road North West 210 feet to the center line of Indian Head Road.

Existing Zoning: RC 7 **Area:** 1.006 AC

Proposed Zoning:

SPECIAL HEARING:

To permit a proposed accessory structure (dwelling) to be utilized as an occasional guest dwelling.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2020-0169-A **Reviewer:** Gary Hucik
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: William P. & Amy S. Matschulat
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 14 **Council Dist:** 5

Property Address: 4708 RIDGE RD

Location: North side of Ridge Road South East 504 to the center line of Long Ridge Road.

Existing Zoning: DR 3.5 **Area:** .539 AC

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

From section 400.3 BCZR To allow a garage with a height 18'-5" in lieu of the required 15' height.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 08/10/2020

Miscellaneous Notes:

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 09 Account Number - 0918721782		
Owner Information		
Owner Name:	JAMPEL HENRY JAMPEL RISA M	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	6499 DARNALL RD TOWSON MD 21204-6405	Deed Reference: /38247/ 00408
Location & Structure Information		
Premises Address:	6499 DARNALL RD TOWSON 21204-6405	Legal Description: PT LT 2 RUXTON HILLS
Map: 0069	Grid: 0015	Parcel: 0856
Neighborhood: 9010009.04	Subdivision: 0000	Section:
Block:	Lot:	Assessment Year: 2020
Plat No: 4	Plat Ref: 0019/ 0067	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
2018	4,642 SF	38,332 SF
Property Land Area	County Use	
	04	
Stories	Basement	Type
2	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	6	4 full
Garage	Last Notice of Major Improvements	
1 Attached		
Value Information		
	Base Value	Value
		As of
		01/01/2020
Land:	306,000	436,000
Improvements	755,900	962,600
Total:	1,061,900	1,398,600
Phase-in Assessments		
		As of
		07/01/2020
Land:		
Improvements		
Total:		
Preferential Land:	0	1,286,367
		0
Transfer Information		
Seller: SASSER JOHN W	Date: 11/10/2016	Price: \$615,000
Type: ARMS LENGTH VACANT	Deed1: /38247/ 00408	Deed2:
Seller: RUSSELL NANCY M	Date: 12/04/1984	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /06831/ 00044	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
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 09/05/2018		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

Donna Mignon

From: Edward J. Gilliss <egilliss@rmmr.com>
Sent: Wednesday, October 21, 2020 2:47 PM
To: Donna Mignon
Subject: Accepted: Zoning Hearing - 6499 Darnall Road - Case No: 2020-0168-SPH

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



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 21, 2020

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: 2020-0168-SPH

6499 Darnall Road

North east side of Darnall Road, north west of Indian Head Road

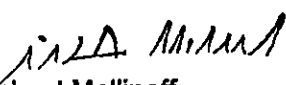
9th Election District – 2nd Councilmanic District

Legal Owners: Henry & Risa Jampel

Special Hearing to permit a proposed accessory structure (dwelling) to be utilized as an occasional guest dwelling.

Hearing: Tuesday, November 17, 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

MM:kl

C: Edward Gillis, 102 W. Pennsylvania Avenue, Ste. 600, Towson 21204
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053
Mr. & Mrs. Jampel, 6499 Darnall Road, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., OCTOBER 28, 2020.

a Mignon

From: Kristen L Lewis
Sent: Wednesday, October 21, 2020 2:14 PM
To: Donna Mignon; Debra Wiley
Subject: Webex
Attachments: 20201021140510158.pdf

Hello again,

This is the next one. Thank you,

Kristen Lewis
PAI – Zoning Review
410-887-3391

Donna Mignon

From: Donna Mignon
Sent: Wednesday, October 21, 2020 2:44 PM
To: Kristen L Lewis
Cc: Debra Wiley
Subject: Link - 6499 Darnell Road - 2020-0168-SPH

Top of Form

Event Information

Event: Zoning Hearing - 6499 Darnall Road - Case No: 2020-0168-SPH
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e06a3c8>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e25da6a>
Date and time: Tuesday, November 17, 2020 11:00 am
Eastern Standard Time (New York, GMT-05:00)
Duration: 1 hour
Description: Zoning Hearing
6499 Darnall Road
Case No: 2020-0168-SPH
Legal Owners: Henry & Lisa Jampel
Event number: 172 618 0740
Event password: 1234
Host key: 734861
Alternate Host: Deb Wiley ,Henry Akwah
Panelist Info:
Panelist password:
Panelist numeric password: 256406
Video Address: 1726180740@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: 172 618 0740
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:

Bottom of Form

Top of Form

Bottom of Form

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

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - 6499 Darnall Road - Case No: 2020-0168-SPH
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e166f243186f4c7a3776e0ae3d211c412>
Start: Tue 11/17/2020 11:00 AM
End: Tue 11/17/2020 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): 172 618 0740

Tuesday, November 17, 2020 11:00 am, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e166f243186f4c7a3776e0ae3d211c412>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e132cc25a0cdf3b439847fb5f9dd4>



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1726180740@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 256406

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

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=eb560bb5ab80b80c88407ffefce1ffa18>

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

Donna Mignon

From: messenger@webex.com
Sent: Wednesday, October 21, 2020 2:43 PM
To: Donna Mignon
Subject: Email delivery status for Web seminar: Zoning Hearing - 6499 Darnall Road - Case No: 2020-0168-SPH

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.



**Webex sent the email message
"Invitation for Alternate Host" for
your event.**

Number of email addresses the message was sent to successfully: 2

Number of email addresses the message could not be sent to: 0

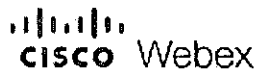
Need help? Go to <http://help.webex.com>

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Donna Mignon

From: messenger@webex.com
Sent: Wednesday, October 21, 2020 2:43 PM
To: Donna Mignon
Subject: Email delivery status for Web seminar: Zoning Hearing - 6499 Darnall Road - Case No: 2020-0168-SPH

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.



Webex sent the email message "Panelist Invitation" for your event.

Number of email addresses the message was sent to successfully: 5

Number of email addresses the message could not be sent to: 0

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

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Kristen L Lewis

From: Edward J. Gilliss <egilliss@rmmr.com>
Sent: Tuesday, October 20, 2020 1:13 PM
To: Kristen L Lewis
Subject: RE: 6499 Darnall /Jampel residence

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

Kristen,

Please acknowledge your receipt of my email below, sent earlier this morning.

Please also email me a copy of the Hearing Notice for 11/17/2020.

The participants will be:

Ed Gilliss -Attorney (egilliss@rmmr.com)

Bruce Doak- Surveyor (bdoak@brucedoakconsulting.com)

Vince Greene – Architect (Vince@vgarchitect.com)

Risa Jampel -Owner (rmjampel@me.com)

Thanks.

Ed Gilliss

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

From: Edward J. Gilliss
Sent: Tuesday, October 20, 2020 7:44 AM
To: Kristen Lewis (klewis@baltimorecountymd.gov) <klewis@baltimorecountymd.gov>
Subject: 6499 Darnall /Jampel residence



Webex Events

New User Reference
(<https://help.webex.com>)

Attend an Event

List of Events
(</ec3300/eventcenter/ever>
[theAction=listevents_date8](#))

Unlisted Events
(</ec3300/eventcenter/enrc>
[siteurl=baltimorecountymd](#))

Event Recordings
(</ec3300/eventcenter/reco>
[theAction=archive](#))

Search
(</ec3300/eventcenter/ever>
[siteurl=baltimorecountymd](#))

Host an Event

Schedule an Event
(</ec3300/eventcenter/sche>
[actionType=schedule&serv](#))

Event Information

Event: Zoning I

Type: Listed E

Event address for attendees: <https://b>

Event address for panelists: <https://b>

Date and time: Tuesday
Eastern

Duration: 1 hour

Description: Zoning I
6499 De
Case No
Legal O

Event number: 172 618

Event password: 1234

Host key: 734861

Alternate Host: Deb Wilk

Panelist Info:

Panelist password:

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.

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 Akwah</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>Ed Gilliss</u>	egilliss@rmmr.com	1-	English	New York Time	U.S.
☒	<u>Bruce Doak</u>	bdoak@brucedoakconsulting.com	1-	English	New York Time	U.S.
☒	<u>Vince Greene</u>	vince@vgarchitect.com	1-	English	New York Time	U.S.
☒	<u>Risa Jampel</u>	rmjampel@me.com	1-	English	New York Time	U.S.

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

ROYSTON

ROYSTON, MUELLER, McLEAN & REID, LLP

Edward J. Gilliss, Esq.
egilliss@rmmr.com

The Royston Building
Suite 600
102 West Pennsylvania Avenue
Towson, Maryland 21204-4575

Tel: 410.823.1800
Fax: 410.828.7859
www.rmmr.com

October 20, 2020

Ms. Kristen Lewis
Office of Administrative Hearings
for Baltimore County
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

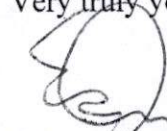
Re: Petitioners: Henry and Risa Jampel
Property: 6499 Darnell Road
Case No. 2020-168-SPH

Dear Ms. Lewis:

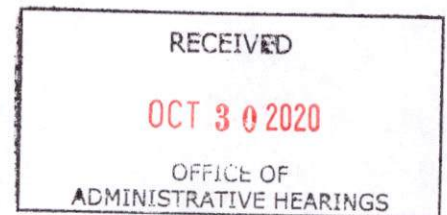
Enclosed please find my Notice of Entry of Appearance as counsel for Petitioners, Henry and Risa Jampel.

Thank you.

Very truly yours,



Edward J. Gilliss



EJG/vrk

Enclosure

cc: Drs. Risa and Henry Jampel (w/enclosure)
Paul M. Mayhew, Esquire ✓
Peter Max Zimmerman, Esquire

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
6499 Darnell Road; NE/S of Darnell Road, *
NW 210' to c/line of Indian Head Road * OF ADMINISTRATIVE
9th Election & 2nd Councilmanic Districts *
Legal Owner(s): Henry & Risa Jampel * HEARINGS FOR
Petitioner(s) *
* BALTIMORE COUNTY
*
* 2020-168-SPH

* * * * *

NOTICE OF ENTRY OF APPEARANCE

Please enter the appearance of Edward J. Gilliss as counsel for the property owners and petitioners, Henry and Risa Jampel.



Edward J. Gilliss
Royston, Mueller, McLean & Reid, LLP
102 W. Pennsylvania Avenue, Suite 600
Towson, Maryland 21204
410-823-1800
egilliss@rmmr.com
Counsel for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of October, 2020, a copy of the foregoing Notice of Entry of Appearance was mailed to:

Paul M. Mayhew, Esquire
Managing Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

Peter Max Zimmerman, Esquire
People's Counsel for Baltimore County
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, Maryland 21204



Edward J. Gilliss

Edit 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 Akwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Maureen Murphy</u> (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Bruce Doak</u>	bdoak@brucedoakconsulting.com	1-	English	New York Time	U.S.
☐ <u>Ed Gilliss</u>	egilliss@rmmr.com	1-	English	New York Time	U.S.
☐ <u>Guy Warfield</u>	gwarfield@hmsia.com	1-	English	New York Time	U.S.
☐ <u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Risa Jampel</u>	rmjampel@me.com	1-	English	New York Time	U.S.
☐ <u>Vince Greene</u>	vince@vgarchitect.com	1-	English	New York Time	U.S.
☐ <u>Bill Schlott</u>	wschlott@mac.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 Standard Time, GMT-05:00) ▼

Language: English ▼

Locale: U.S. ▼

☐ Add new panelist in my address book

☐ Invite as alternate host

[Add to Invitation List](#)

Donna Mignon

From: webmaster@baltimorecountymd.gov
Sent: Friday, November 13, 2020 4:14 PM
To: Donna Mignon; Debra Wiley
Subject: Request to Testify

Results of Form Submission

Request to Testify

Label	Value
First Name	Bill
Last Name	Schlott
Email	w Schlott@mac.com
Phone	410-828-9430
Address	6501 Darnall Road
City	Towson
State	Maryland
ZIP Code	21204
Case Number	2020-0168-SPH
Scheduled Hearing Date	November 17, 2020

3/01.1

ACCESSORY APARTMENT — A second living quarters within a principal single-family detached dwelling or within an accessory building situated on the same lot as the principal single-family detached dwelling and in compliance with Section 400, with dedicated bathing and cooking facilities, and located on owner-occupied property, subject to the following:

[Bill No. 49-2011]

A.

The owner may occupy either the principal dwelling or the accessory apartment;

B.

The occupant(s) of the accessory apartment and the occupant(s) of the principal single-family detached dwelling shall be immediate family, related as grandparents, parents, or parents' children by blood, marriage or adoption;

C.

The accessory apartment is provided without compensation; and

D.

The accessory apartment, whether located within the principal dwelling or in the accessory building, shall comply with all laws, regulations, and codes affecting residential occupancy.

i.e. density

ACCESSORY BUILDING — One which is subordinate and customarily incidental to and on the same lot with a main building. A trailer shall not be considered an accessory building. A structure connected to a principal building by a covered passageway or with one wall in common shall not be considered an accessory building.

ACCESSORY USE OR STRUCTURE — A use or structure which: (a) is customarily incident and subordinate to and serves a principal use or structure; (b) is subordinate in area, extent or purpose to the principal use or structure; (c) is located on the same lot as the principal use or structure served; and (d) contributes to the comfort, convenience or necessity of occupants, business or industry in the principal use or structure served; except that, where specifically provided in the applicable regulations, accessory off-street parking need not be located on the same lot. An accessory building, as defined above, shall be considered an accessory structure. A trailer may be an accessory use or structure if hereinafter so specified. An ancillary use shall be considered as an accessory use; however, a use of such a nature or extent as to be permitted as a "use in combination" (with a service station) shall be considered a principal use.

§ 102.1. - Conformance with regulations.

No land shall be used or occupied and no building or structure shall be erected, altered, located or used except in conformity with these regulations and this shall include any extension of a lawful nonconforming use.

§ 400.1. - Location; lot coverage.

Accessory buildings in residence zones, other than farm buildings (Section 404) shall be located only in the rear yard and shall occupy not more than 40 percent thereof. On corner lots they shall be located only in the third of the lot farthest removed from any street and shall occupy not more than 50 percent of such third. In no case shall they be located less than 2½ feet from any side or rear lot lines, except that two private garages may be built with a common party wall straddling a side interior property line if all other requirements are met. The limitations imposed by this section shall not apply to a structure which is attached to the principal building by a covered passageway or which has one wall or part of one wall in common with it. Such structure shall be considered part of the principal building and shall be subject to the yard requirements for such a building.

§ 400.4. - Accessory apartments.

[Bill No. 49-2011 ^[1]]

An accessory apartment is permitted as a temporary use within a principal single-family detached dwelling or within an accessory building situated on the same owner-occupied lot as the principal dwelling in any zone that permits single-family dwellings, subject to the following requirements:

A. If located within an existing single-family detached dwelling:

1. An applicant shall file with the Department of Permits, Approvals and Inspections an application for a use permit for an accessory apartment, on a form approved by the Department. With the application, the applicant shall submit a declaration of understanding, on a form approved by the Department, including but not necessarily limited to the following terms and conditions:
 - a. The size of the accessory apartment may not exceed one-third of the overall floor area of the dwelling or 2,000 square feet, whichever is less;
 - b. Any and all improvements to be dedicated as an accessory apartment shall be used solely as a single-family residence; and
 - c. The accessory apartment may not have separate utility meters, such as gas and electric service.
2. The Director may approve the application upon a finding that the size, location, and purpose of the accessory structure will not negatively affect the health, safety, or general welfare of the surrounding community.

B. If located within an accessory building on the same owner-occupied property as the principal single-family detached dwelling:

1. An applicant shall file a request for a special hearing and a use permit with the Department, together with a declaration of understanding as required by Subsection A1 of this section, and a public hearing before the Office of Administrative Hearings is required.
2. The size of the accessory apartment may not exceed 1,200 square feet, and the accessory building shall comply with the requirements of Section 400.
3. Following a public hearing, the Office of Administrative Hearings may grant a request upon a finding that the size, location, and purpose of the accessory apartment conform with Section 502.1 and may impose such conditions,

restrictions or regulations consistent with Section 502.2 as may be deemed necessary or advisable for the protection of surrounding and neighboring properties, including the express prohibition that the accessory apartment not be converted to a second dwelling beyond the scope of this section.

4. The accessory apartment may not have separate utility meters or water and sewerage services unless approved by the Office of Administrative hearings based on specific findings of necessity for the accessory building.

C. Approval; renewal.

1. Approval. The approval of an application for a use permit in Subsection A or a request for a special hearing and a use permit in Subsection B shall be subject to the following:
 - a. The declaration of understanding and property description, including any conditions, restrictions, or regulations imposed by the Department or the Office of Administrative Hearings, shall be recorded in the land records of Baltimore County and a copy shall be filed with the Department; and
 - b. The accessory apartment shall only be utilized by immediate family members as defined in Section 101 and may not be used by any person other than an immediate family member for any other reason.
 - c. If the accessory apartment is no longer occupied by any person named in the use permit or if the property is sold, the use permit shall terminate, and any proposed changes in occupancy to the accessory apartment by the property owner or subsequent purchaser shall require a new request for a use permit as applicable under Subsection A or B.
2. Renewal. The applicant shall renew the use permit with the Department every two years by filing a renewal on a form approved by the Department, to be dated from the month of the initial approval, and shall list the name of any person occupying the accessory apartment.

Footnotes:

--- (1) ---

1. *Editor's Note—This Act stated that it applied retroactively to requests for in-law apartments filed on or after 8-1-2010, and also that owners of in-law apartments lawfully approved prior to the effective date of this Act must obtain a use permit required by this Act on or before 10-1-2012.*

Case No.: 2020-0168-SPH – 6499 Darnall Rd. – November 17th @ 11:00 AM

Exhibit Sheet

12-29-20

*1/24/20
Dm.*

Petitioner/Developer

Protestants Ryan & Julie McClernan

No. 1		Email in Opposition
No. 2		Photo
No. 3		Photo
No. 4		Photo
No. 5		Photo
No. 6		Photo
No. 7		Photo
No. 8		Photo
No. 9		
No. 10		
No. 11		
No. 12		

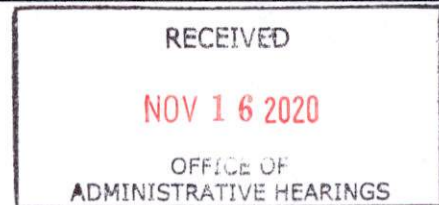
Debra Wiley

11-17
11 Am

From: Julie McClernan <juliemcclernan@gmail.com>
Sent: Monday, November 16, 2020 6:41 AM
To: Administrative Hearings
Cc: rrlraia@comcast.net; Peoples Counsel
Subject: Case Number 2020-0168-SPH - Jampel Property
Attachments: IMG_0318.jpg; IMG_0317.jpg; IMG_0304 (2).jpg; IMG_0305 (1).jpg; IMG_0313 (3).jpg; IMG_0312.jpg; IMG_0307.jpg

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

Case Number 2020-0168-SPH
Location Northeast side of Darnall Road; northwest of Indian Head Road
Jampel Property



To whom it may concern:

As the owners of the property located at 1820 Circle Road, Ruxton, MD 21204 (McClernan Property), we write to express our opposition to the proposed construction project that is the subject of Case Number 2020-0168-SPH. The owners of the property located at 6499 Darnall Road (Jampel Property) seek to construct what is essentially an additional single family dwelling (with no restrictions) on a one-acre lot in a DR 1 zone. The McClernan Property abuts the Jampel Property. The plans for the proposed single family dwelling depict an 800 square foot structure that has a full kitchen, washer and dryer, bathroom, bedroom, fireplace, and front porch. The Jampel Property is currently improved with a single family dwelling that was constructed in 2018 and has 4642 square feet of living space. Proposing an additional single family dwelling on this property is not in keeping with the spirit of the density requirements for the property's current zoning, and it is not in keeping with the current uses in this residential neighborhood. The proposed additional single family dwelling crowds the site and allows the dwelling to be used as a rental property.

In addition, the location of the proposed structure negatively impacts the McClernan Property. The proposed single family dwelling on the Jampel Property is located very close to the rear fence line of the McClernan Property. Also, because of the topography of the two properties (the proposed construction site on the Jampel property sits much higher than the location of the home on the McClernan Property) and because of the way the proposed single family dwelling is situated on the Jampel Property, use of the structure will invade the privacy we currently enjoy on our property. The attached pictures show the view from the McClernan Property looking toward the proposed construction site on the Jampel property. The red marking added to some of the photos depicts the proposed construction. The staked area for the proposed construction is also shown.

It is noteworthy that the Ruxton-Riderwood-Lake Roland Area Improvement Association Board has also voted to oppose this project.

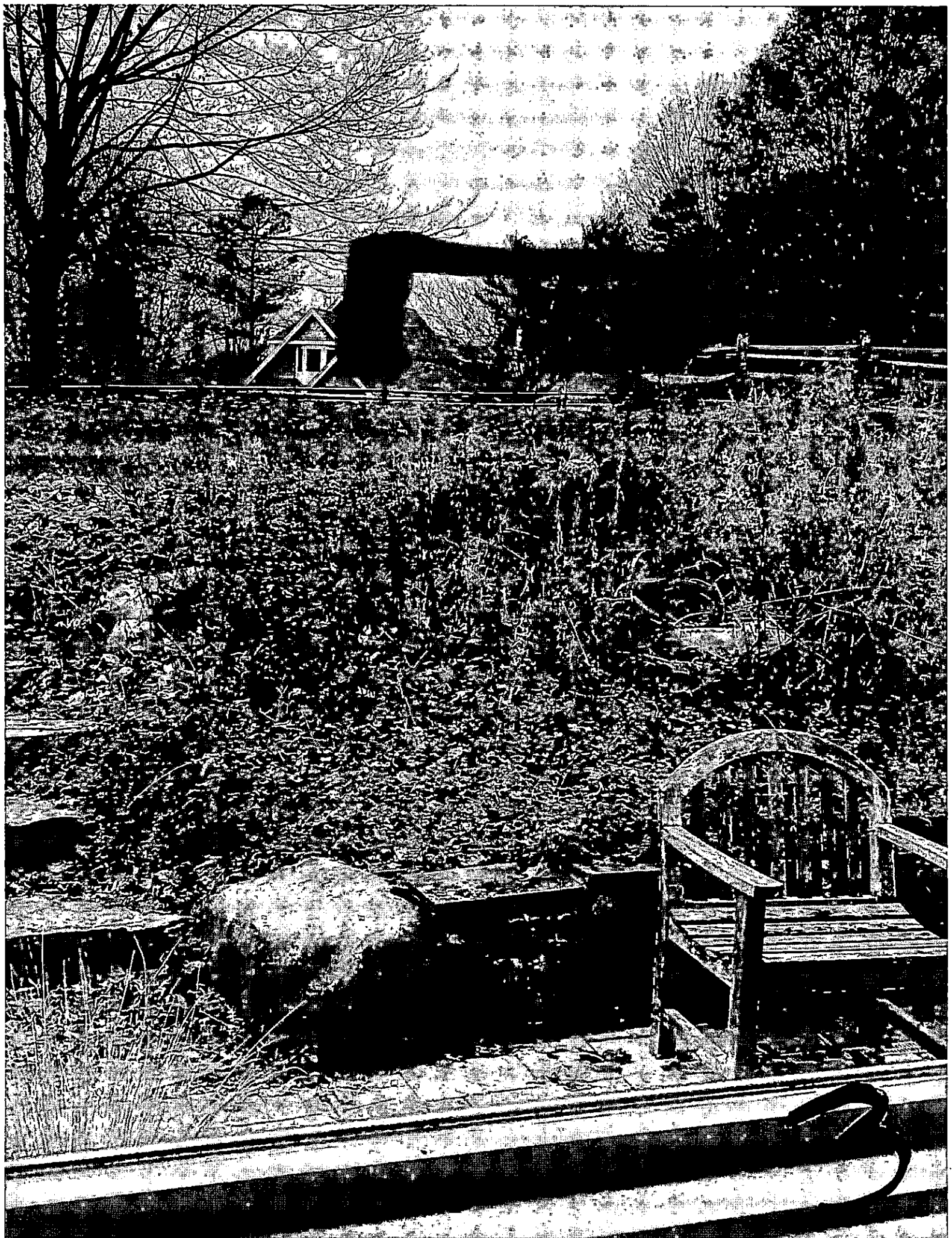
We will attend the virtual hearing on November 17, 2020.

Sincerely,

Ryan and Julie McClernan
1820 Circle Road
Ruxton, MD 21204

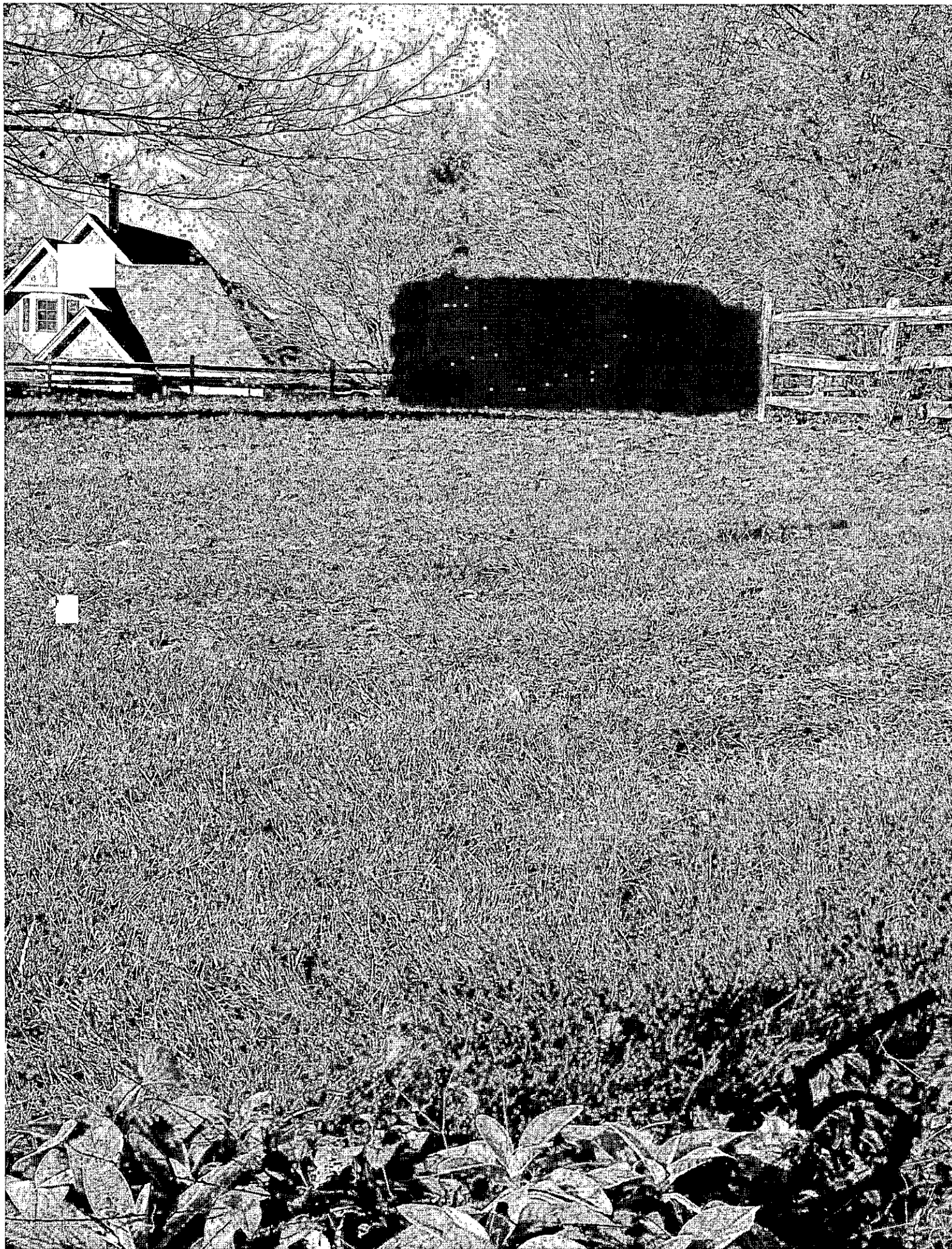
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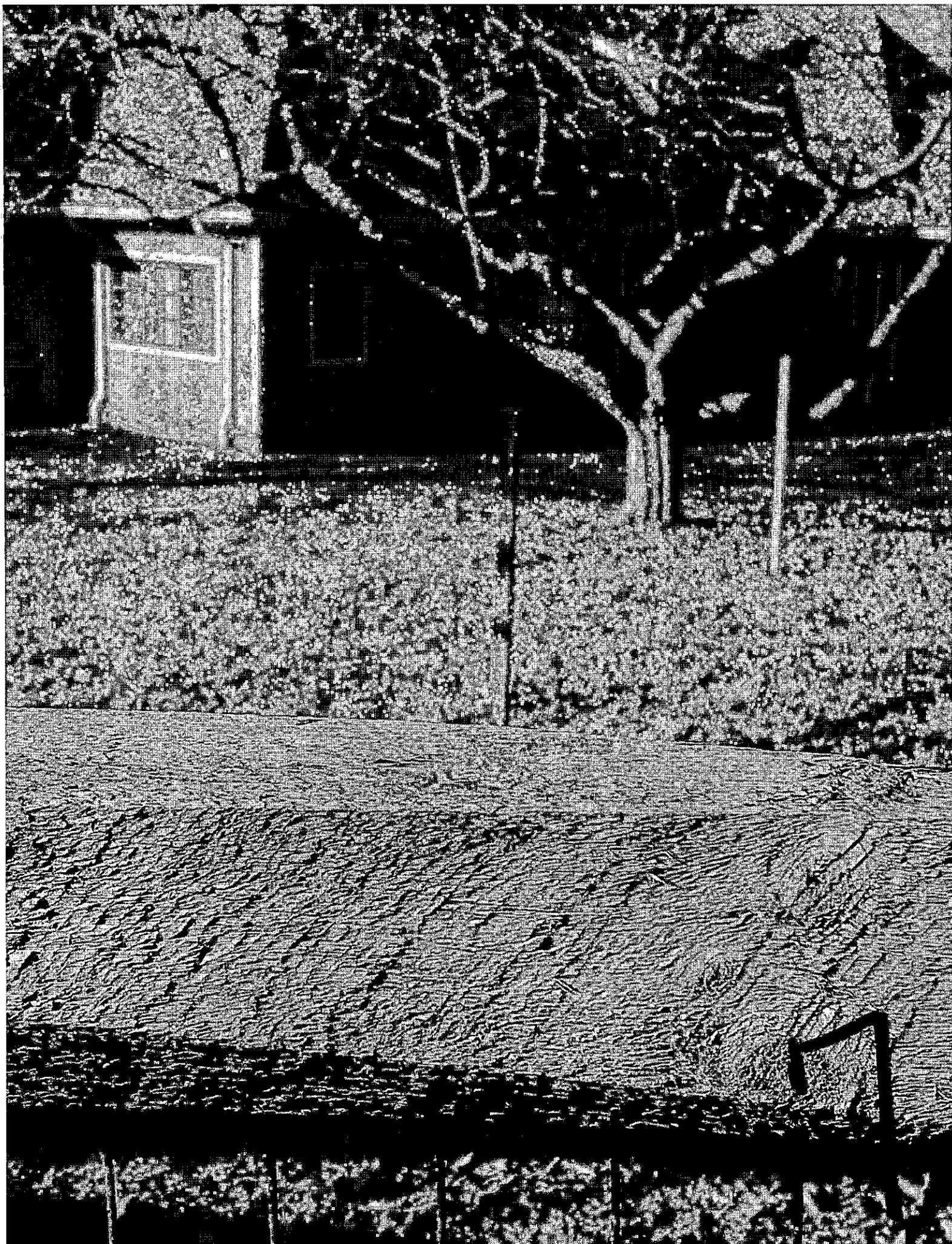


3











11



TABLE OF CONTENTS
Petition for Special Hearing
re 6499 Darnall Road
Case No. 2020-0168-SPH
Hearing Date: 11/17/2020

1. Exhibit 1 – Petition for Zoning Hearing (2 pages)
2. Exhibit 2 – Plan to Accompany Zoning Petition
3. Exhibit 3 – Notice of Zoning Hearing
4. Exhibit 4 – Certificate of Posting
5. Exhibit 5 - Google Map aerial of 6499 Darnall Road
6. Exhibit 6 - Key Sheet to Accompany Photos and photos A-P of site
7. Exhibit 7 – Vincent Greene Architects schematic of Accessory Structure
8. Exhibit 8 – Resumé of Vincent E. Greene, AIA
9. Exhibit 9 – Covenants/Restrictions Offered by Risa & Henry Jampel

Property: 6499 Darnall Road
Case No. 2020-0168-SPH
Hearing Date: 11/17/2020

EXHIBIT 1



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 6499 DARNALL ROAD which is presently zoned DR1

Deed References: 38247 / 408 10. Digit Tax Account # 091872178.2

Property Owner(s) Printed Name(s) HENRY JAMPOL & RISA M. JAMPOL

(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)

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

TO BE PRESENTED AT THE HEARING

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

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

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

Contract Purchaser/Lessee:

Name: Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name: Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

HENRY JAMPOL

RISA M. JAMPOL

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING LLC

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

BDOAK @ BRUCE E DOAK CONSULTING LLC

CASE NUMBER

Filing Date: 1 / 1

Do Not Schedule Dates:

Reviewer:

**Zoning Hearing Petitions Being Requested
#6499 Darnall Road**

Case # _____

Special Hearing

To permit a proposed accessory structure (dwelling) to be utilized as an occasional guest dwelling

Property: 6499 Darnall Road
Case No. 2020-0168-SPH
Hearing Date: 11/17/2020

EXHIBIT 2

Property: 6499 Darnall Road
Case No. 2020-0168-SPH
Hearing Date: 11/17/2020

EXHIBIT 3



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 21, 2020

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: 2020-0168-SPH

6499 Darnall Road

North east side of Darnall Road, north west of Indian Head Road

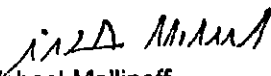
9th Election District – 2nd Councilmanic District

Legal Owners: Henry & Risa Jampel

Special Hearing to permit a proposed accessory structure (dwelling) to be utilized as an occasional guest dwelling.

Hearing: Tuesday, November 17, 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

MM:kl

C: Edward Gillis, 102 W. Pennsylvania Avenue, Ste. 600, Towson 21204
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053
Mr. & Mrs. Jampel, 6499 Darnall Road, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., OCTOBER 28, 2020.

Property: 6499 Darnall Road
Case No. 2020-0168-SPH
Hearing Date: 11/17/2020

EXHIBIT 4



CERTIFICATE OF POSTING

October 27, 2020

_____ amended for second inspection

Re:

Zoning Case No. 2020- 0168-SPH

Legal Owner: Henry & Risa Jampel

Hearing date: November 17, 2020

Baltimore County Department of Permits, Approvals & Inspections

County Office Building

111 West Chesapeake Avenue, Room 111

111 West Chesapeake Avenue Towson, MD 21204

Attention: Jenae Johnson

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 6499 Darnall Road.

The signs were initially posted on October 27, 2020.

The subject property was also inspected on _____.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce E. Doak".

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road

Freeland, MD 21053

410-419-4906 cell / 443-900-5535 office

bdoak@bruceedoakconsulting.com

ZONING NOTICE

CASE NO. 2020-0168-SPH

6499 Darnall Road

**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.**

DATE & TIME: TUESDAY NOVEMBER 17, 2020 11:00 AM

**FOR INFORMATION ON HOW TO PARTICIPATE IN THE HEARINGS
PLEASE GO TO**

WWW.BALTIMORECOUNTYMD/GOV/ADMINHEARINGS.

**YOU WILL BE ASKED TO PROVIDE YOUR CONTACT
INFORMATION AND**

**THE CASE NUMBER PROVIDED ABOVE. YOU MAY ALSO
CALL 410-887-3868, EXT. 0**

REQUEST:

**SPECIAL HEARING TO PERMIT A PROPOSED ACCESSORY
STRUCTURE (DWELLING) TO BE UTILIZED AS AN OCCASIONAL
GUEST HOUSE.**

ZONING NOTICE

CASE NO. 2020-0168-SPH

6499 Darnall Road

**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
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**THE CASE NUMBER PROVIDED ABOVE. YOU MAY ALSO
CALL 410-887-3868, EXT. 0.**

REQUEST:

**SPECIAL HEARING TO PERMIT A PROPOSED ACCESSORY
STRUCTURE (DWELLING) TO BE UTILIZED AS AN OCCASIONAL
GUEST HOUSE.**

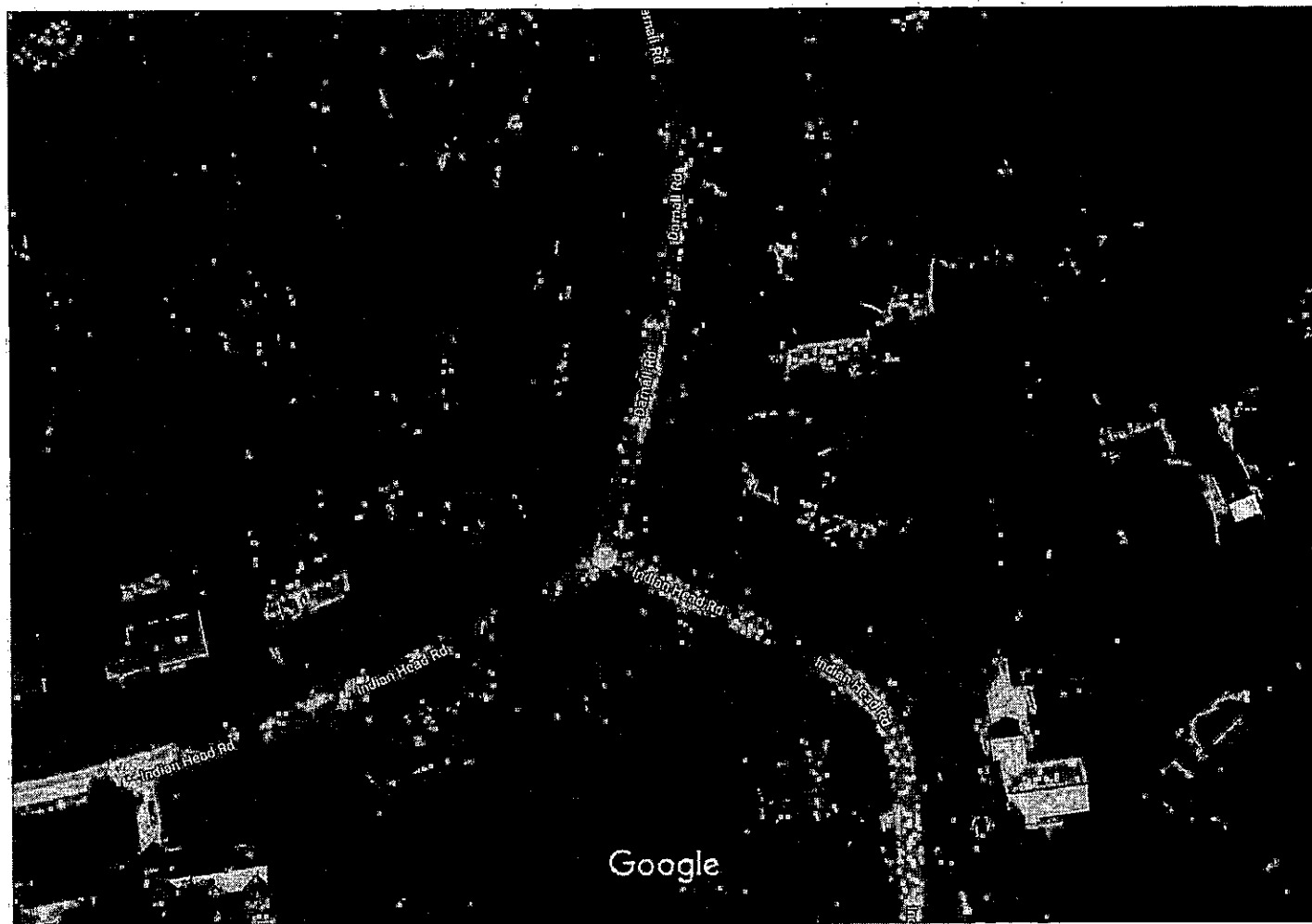
Property: 6499 Darnall Road
Case No. 2020-0168-SPH
Hearing Date: 11/17/2020

EXHIBIT 5

Google Maps

6499 Darnall Rd

Jampel Property



Imagery ©2020 Maxar Technologies, Map data ©2020 50 ft



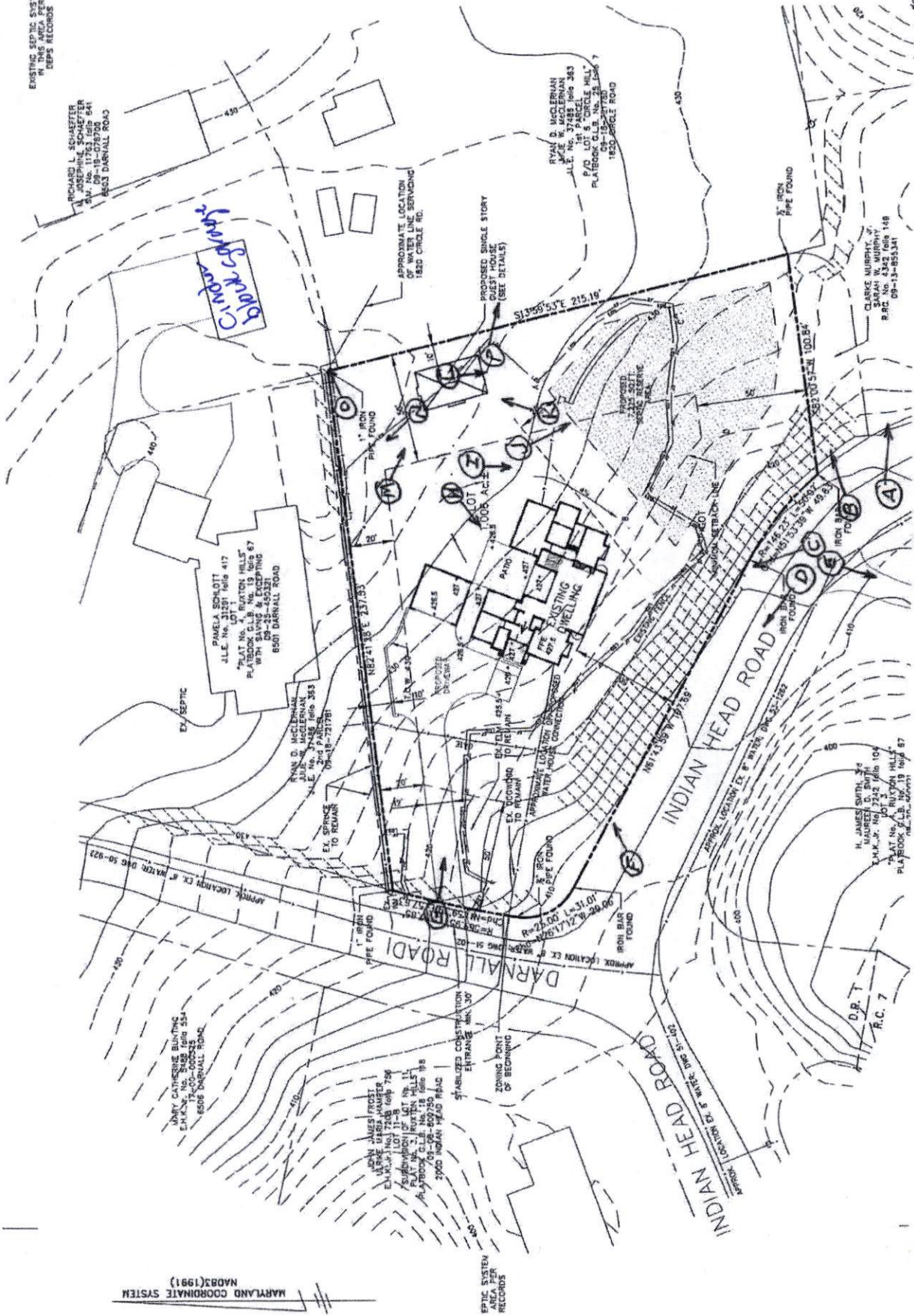
Property: 6499 Darnall Road
Case No. 2020-0168-SPH
Hearing Date: 11/17/2020

EXHIBIT 6

EXISTING SEPTIC SYSTEM
IN THIS AREA PER
DEPS RECORDS

RICHARD L. SCHAEFFER
J. JOSEPHINE SCHAEFFER
S.W. No. 1763 1609 641
1800 DARWALL ROAD
8503 DARWALL ROAD

MARYLAND COORDINATE SYSTEM
NAD83(1991)



KEY SHEET TO ACCOMPANY PHOTOS

CLARK MURPHY, JR.
R.O. No. 4242 1609 148
09-13-855,341

H. JAMES SMITH, JR.
MAUREN D. SMITH
S.W. No. 1763 1609 104
1800 DARWALL ROAD
8503 DARWALL ROAD

RYAN D. MACLENNAN
JACIE W. MACLENNAN
S.W. No. 37485 1609 383
P.O. BOX 6 "POPPLE HILL"
PLATWOOD C.D. No. 28, 1086/7
09-15-84780

ANGELA SCHOTT
LOT 1
"PLAT NO. 1 IN RAYTON HILLS" 67
PLATWOOD C.D. No. 28, 1086/7
WITH SAVING & EXCEPTING
DE-35-450321
8503 DARWALL ROAD

RYAN D. MACLENNAN
JACIE W. MACLENNAN
S.W. No. 37485 1609 383
P.O. BOX 6 "POPPLE HILL"
PLATWOOD C.D. No. 28, 1086/7
09-15-84780

MARY CATHERINE BLUNTING
S.W. No. 5408 1609 554
1800 DARWALL ROAD
8503 DARWALL ROAD

JOHN JAMES FROST
LEANE MARIA HAMMER
S.W. No. 1763 1609 756
1800 DARWALL ROAD
8503 DARWALL ROAD

JOHN JAMES FROST
LEANE MARIA HAMMER
S.W. No. 1763 1609 756
1800 DARWALL ROAD
8503 DARWALL ROAD

SEPTIC SYSTEM
PER
RECORDS

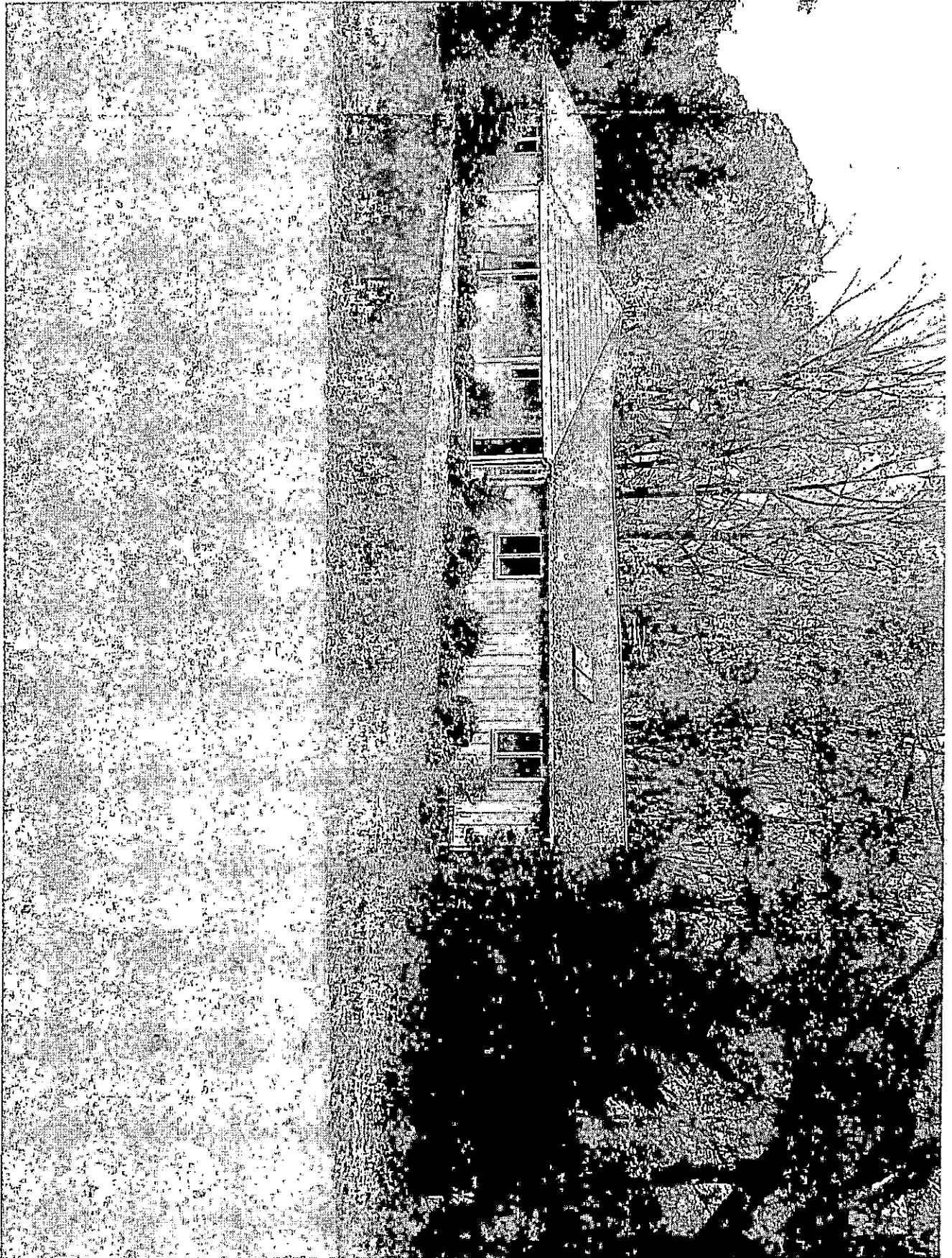


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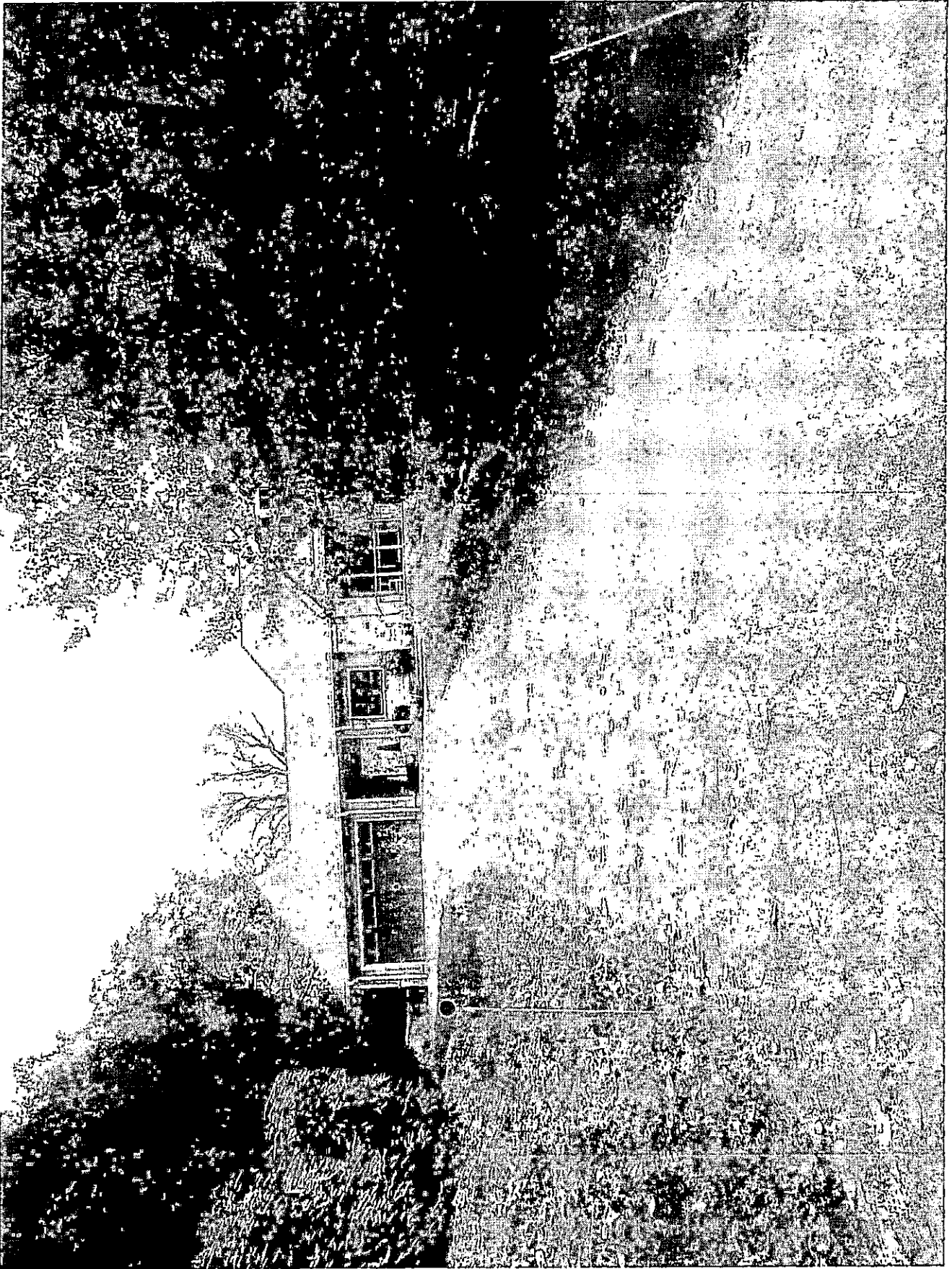




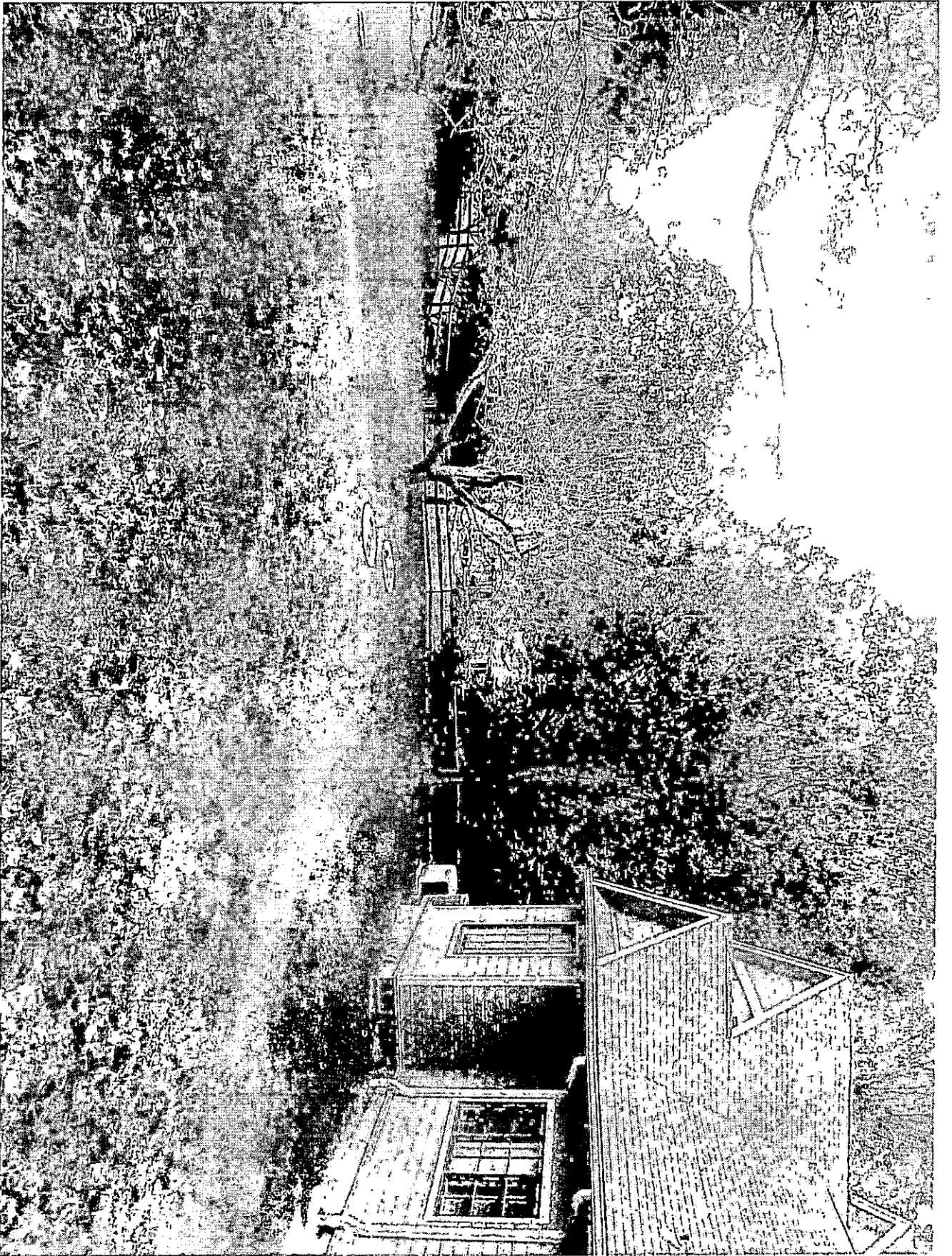










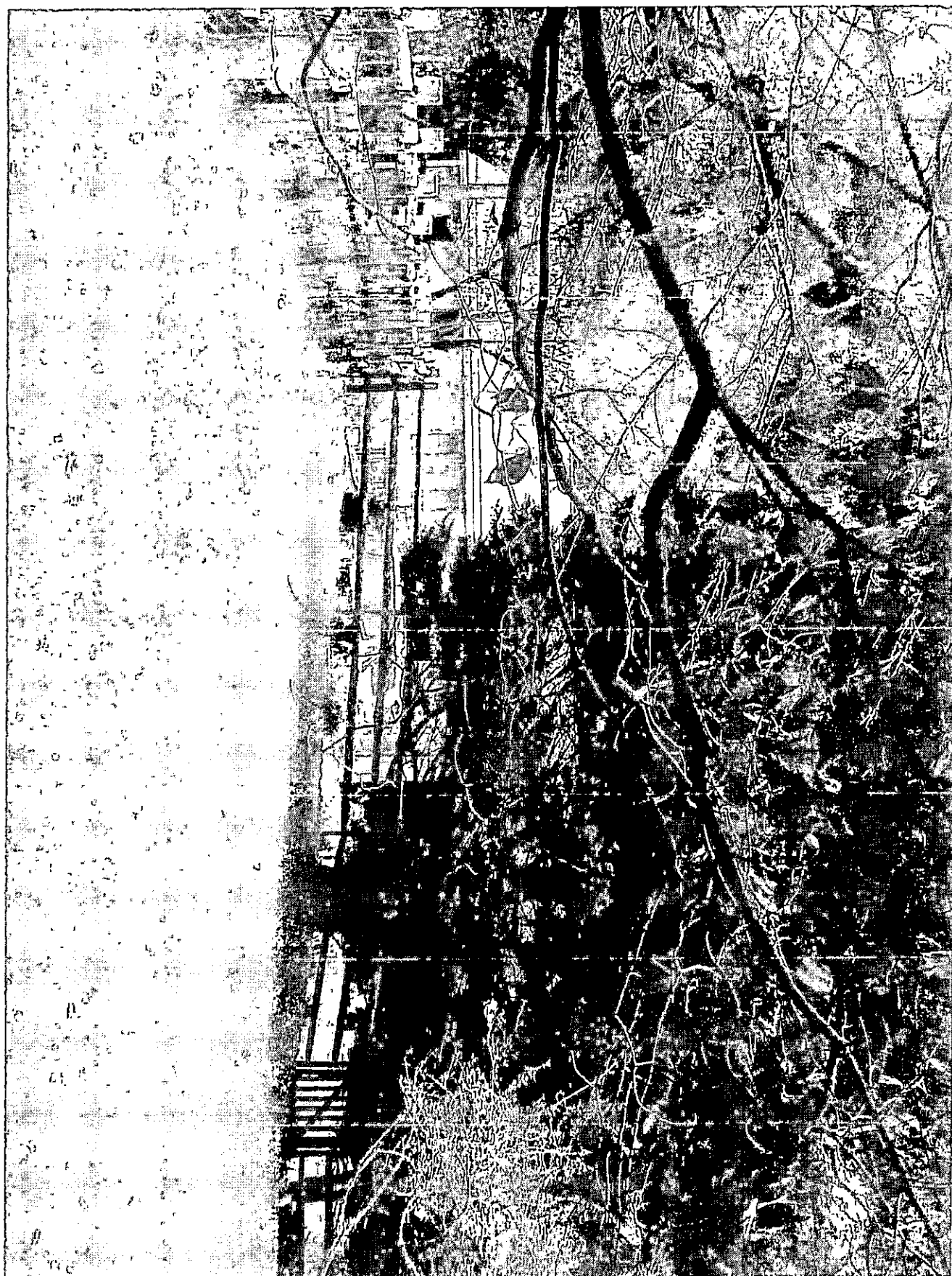


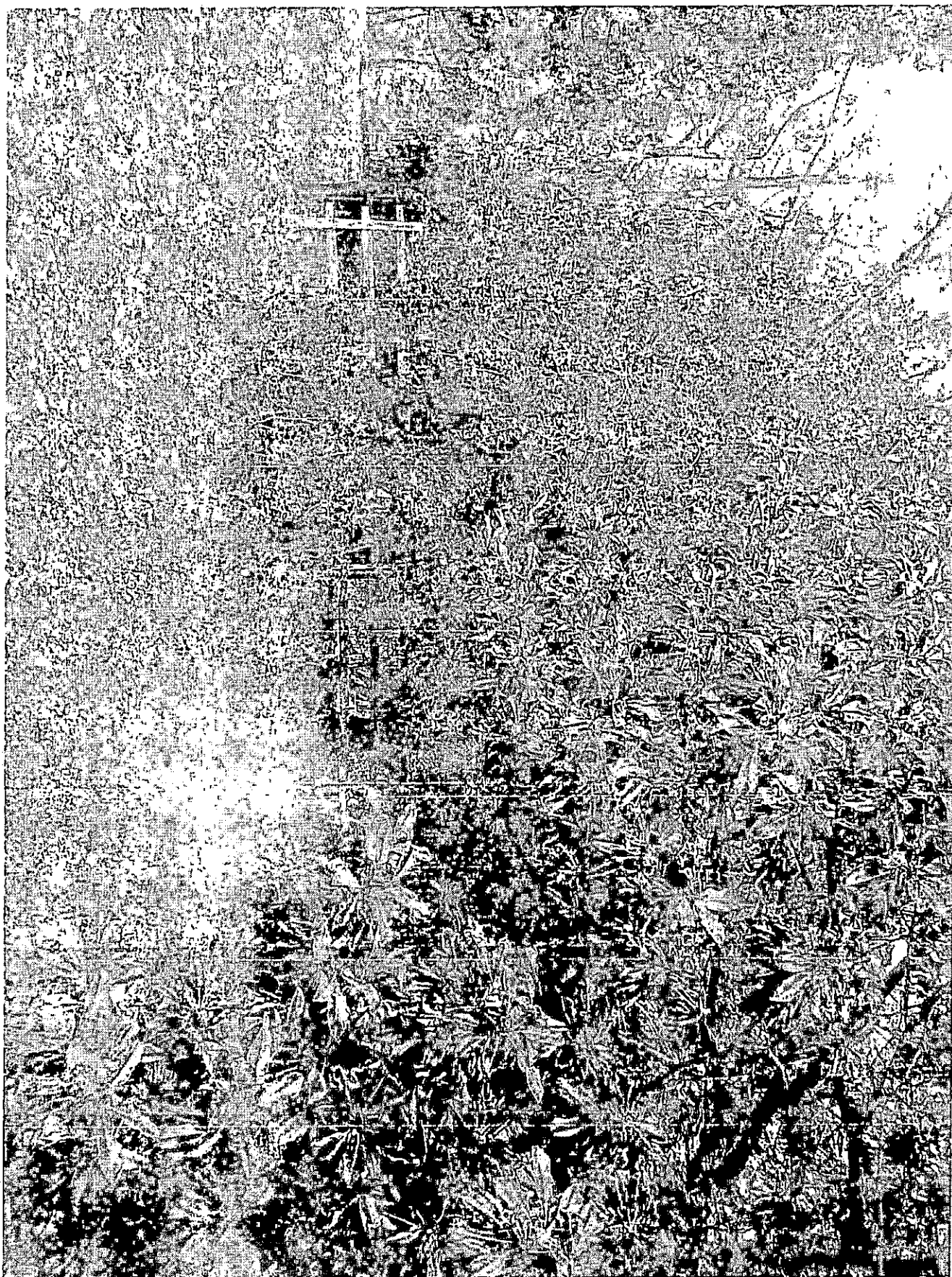
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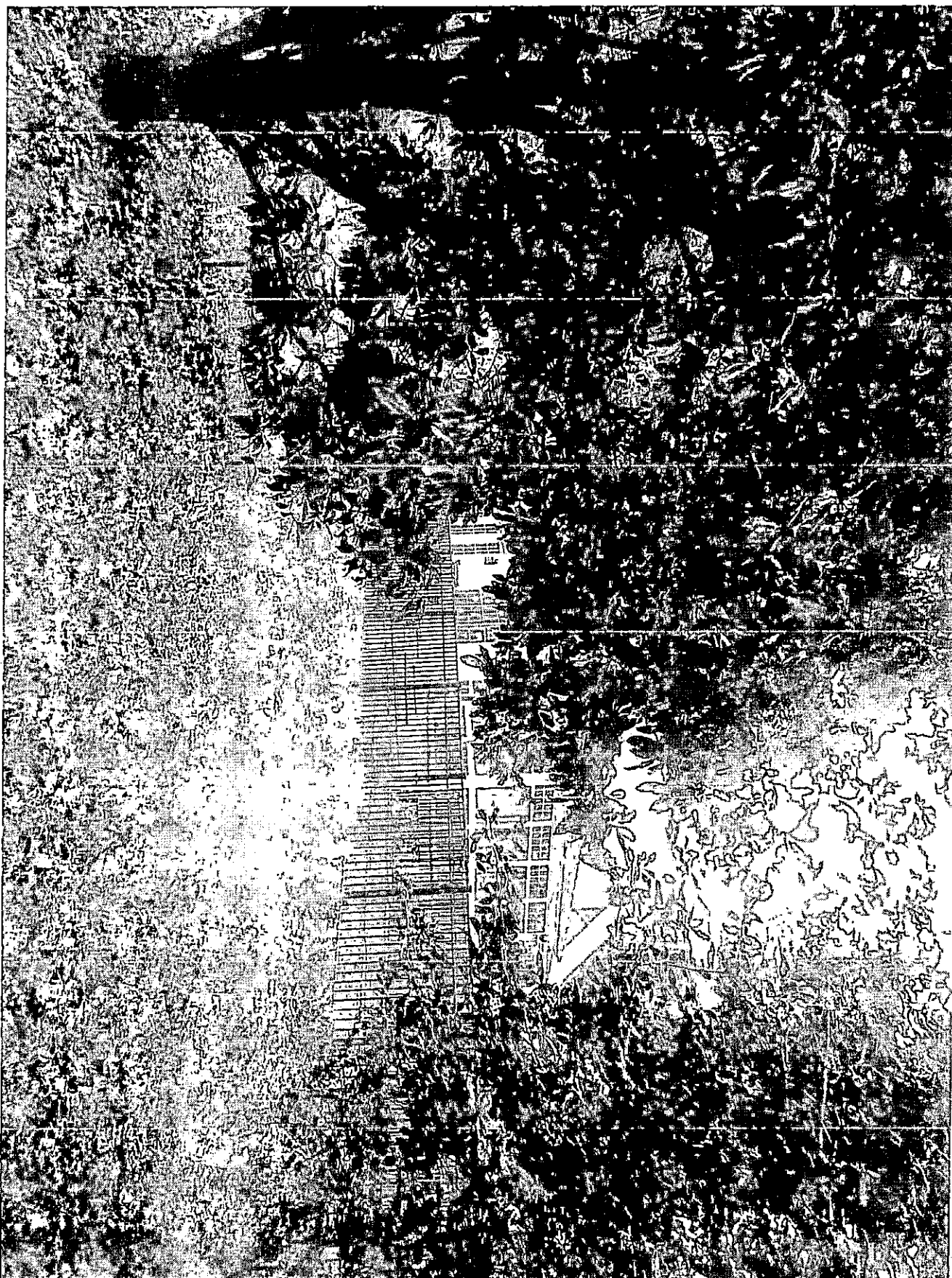




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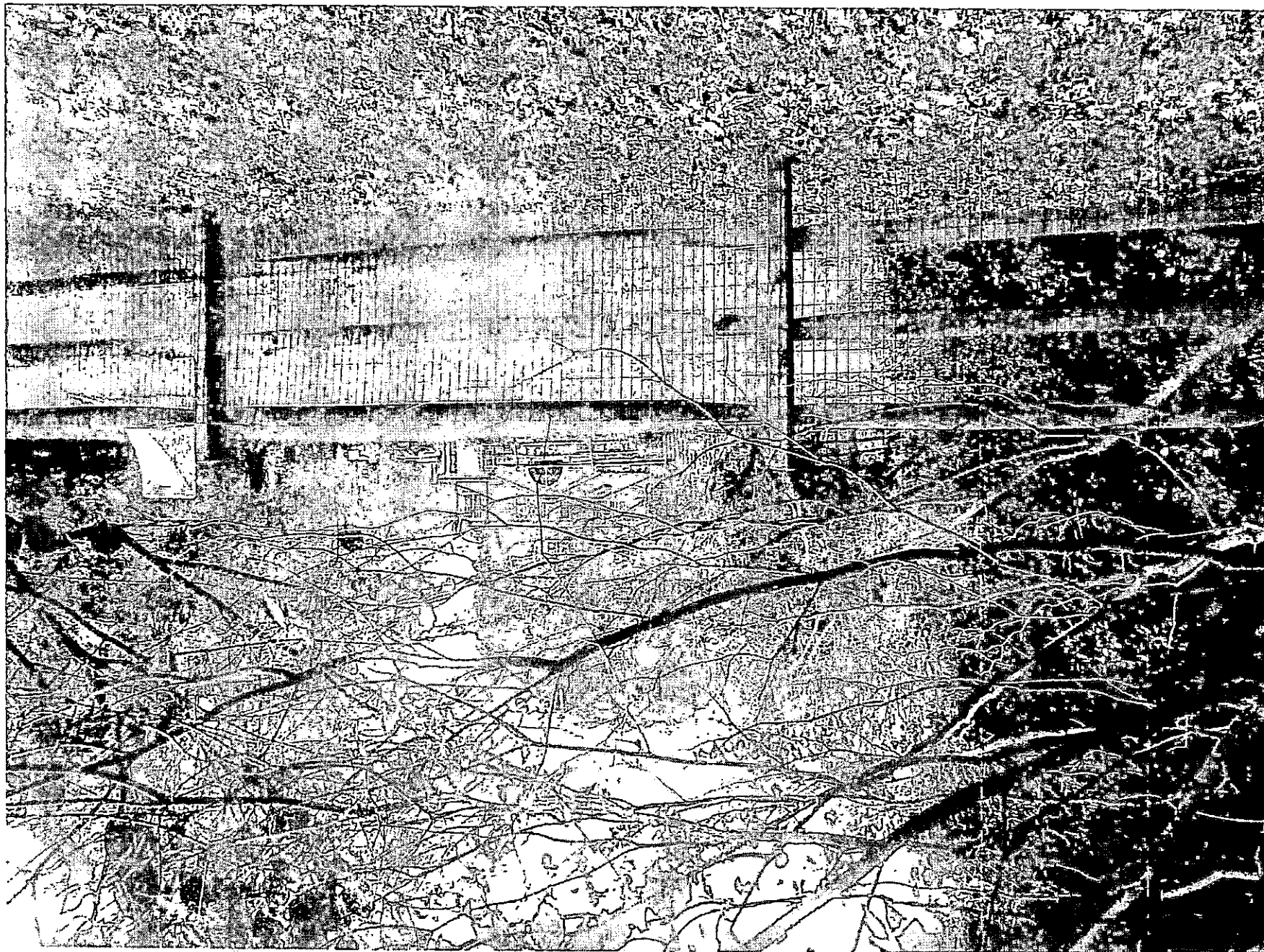






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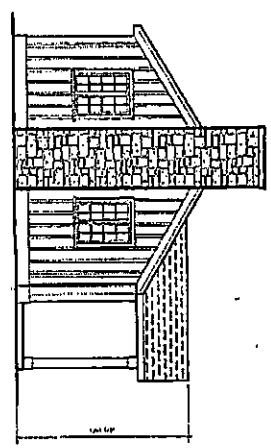




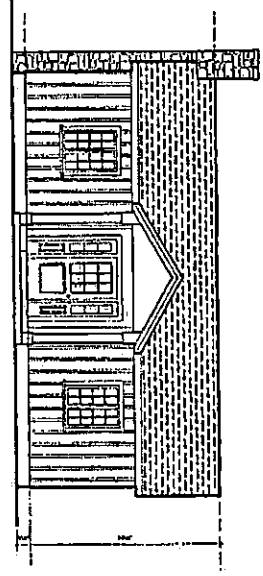
Property: 6499 Darnall Road
Case No. 2020-0168-SPH
Hearing Date: 11/17/2020

EXHIBIT 7

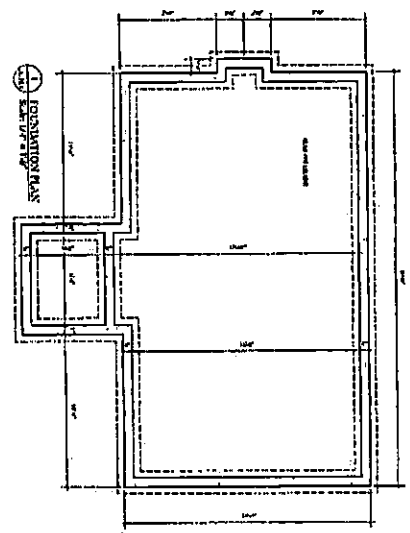
1. SIDE ELEVATION
SCALE: 1/8" = 1'-0"



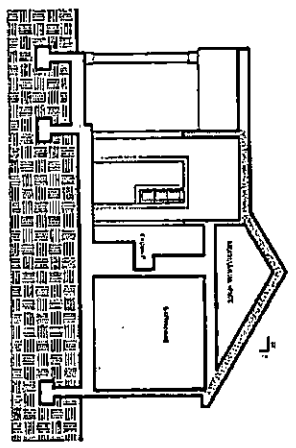
2. FRONT ELEVATION
SCALE: 1/8" = 1'-0"



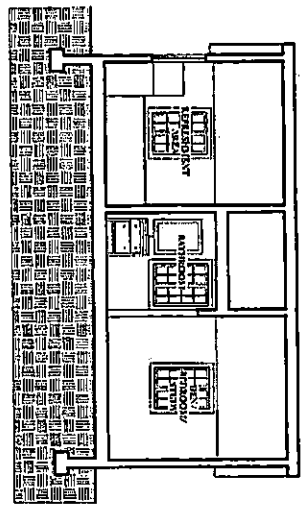
3. FOUNDATION PLAN
SCALE: 1/8" = 1'-0"



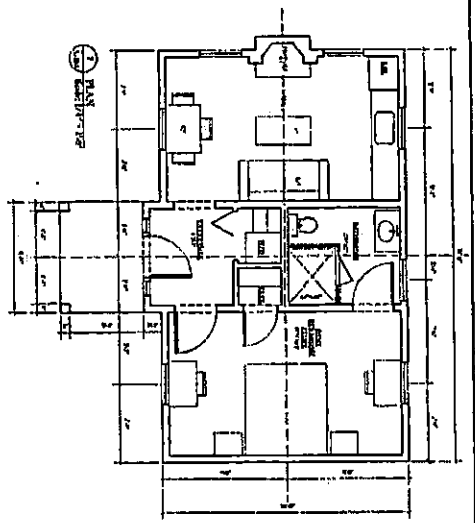
4. GROUND SECTION
SCALE: 1/8" = 1'-0"



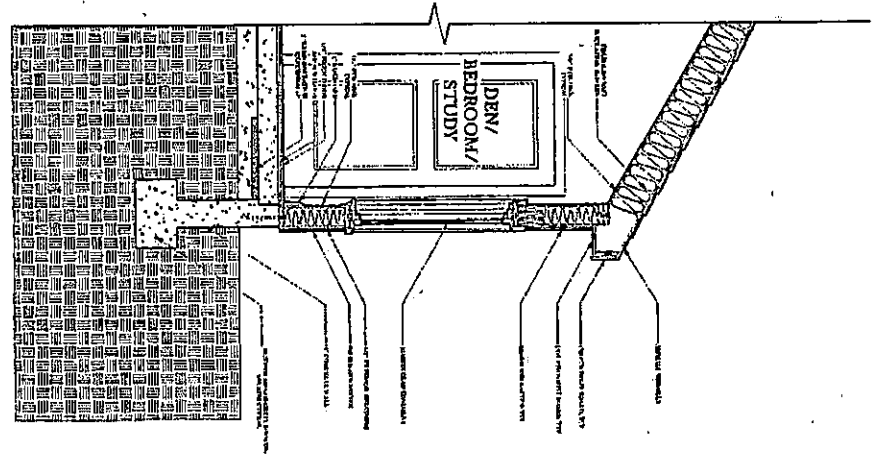
5. LONGITUDINAL SECTION
SCALE: 1/8" = 1'-0"



6. MAIN FLOOR PLAN
SCALE: 1/8" = 1'-0"



7. TYPICAL WALL SECTION
SCALE: 1/8" = 1'-0"



DRAWING NO.		SCALE		DATE		DRAWING TITLE		PROJECT NAME	
A-104						ACCESSORY STRUCTURE		JAMPEL RESIDENCE	
								6499 DARNALL ROAD	
								TOWSON, MARYLAND 21204	

Property: 6499 Darnall Road
Case No. 2020-0168-SPH
Hearing Date: 11/17/2020

EXHIBIT 8

VINCENT E. GREENE, AIA Principal

- Education** The University of Virginia, Charlottesville, VA
Master of Architecture, 1989 Recipient: Lori Ann Pisto Award
- Washington University, St. Louis, MO
Bachelor of Arts in Architecture, Magna Cum Laude, 1987
- Professional** Registered Architect, State of Maryland, District of Columbia, State of New York (limited)
- Affiliations** Member, Chesapeake Bay Chapter, American Institute of Architects
Member, NCARB
Registered Architect Past licenses in Commonwealth of Virginia, State of Utah, State of Texas
- Practice**
- Owner and Principal, Vincent Greene Architects, Baltimore, MD 1997-present
Specializing in custom residential and waterfront design, estate master planning, Nine full-time employees
 - Design Director, Pyramid Builders, Annapolis, MD 1993-1997
Supervised design of numerous residential and commercial projects, Two full-time employees
 - Project Architect, Hammond Associates, Annapolis, MD 1991-1993
Supervised design of numerous residential and commercial projects including three AIA Design Award Winners
 - Intern Architect, Brown & Craig, Baltimore, MD 1989-1991
Assisted in the design of several large retail projects
Construction Administrator for the \$11 million renovation/expansion of Westview Mall
 - Intern Architect, James S. Tuley, FAIA, Crozet, VA 1988-1989
- Awards**
- Baltimore Chapter ASID Award, Brown Investment Trust, 2004 (w/ Johnson-Berman)
 - Published, Style Magazine, May/June 1995
 - Project Architect, Sutherland Residence (Hammond Assoc.) State Aid Design Award
 - Project Architect, Kupke Creek House (Hammond Associates)
 - Chesapeake Bay Chapter AIA Design Award
 - Baltimore Magazine Design Award (Published)
 - Southern Living Magazine (Published)
 - Designer, Hammond Residence (Hammond Associates)
 - State AIA / Baltimore Magazine Awards (Published)

NEIGHBORHOOD/GOVERNMENTAL DESIGN APPROVALS
VINCENT GREENE ARCHITECTS
BALTIMORE, MD

State of Connecticut:

Groton-Long Point Homeowners Association

State of Utah:

Old Town Park City

State of Massachusetts:

Chatham Historic District

District of Columbia:

Old Georgetown

State of Maryland:

Montgomery County Historic Review

Town of Chevy Chase

Gibson Island Corporation*

CHAP (Baltimore City)*

Roland Park Roads and Maintenance/Civic League*

Maryland Historic Trust*

Homeland Association*

Maidstone Farm (Annapolis)

Caves Valley*

Baltimore County Landmarks Preservation, Design Review Panel*

Bolton Hill*

Mount Vernon, Baltimore City

Allegany County Historic District

Guilford Homeowners Association*

Rockland Community (Brooklandville)*

Town of Oxford, MD *

Castanea, Baltimore County (also current review firm)

St. Michaels, MD

*denotes multiple projects reviewed

Zoning Variance Approvals:

Baltimore City

Baltimore County

Anne Arundel County

Howard County

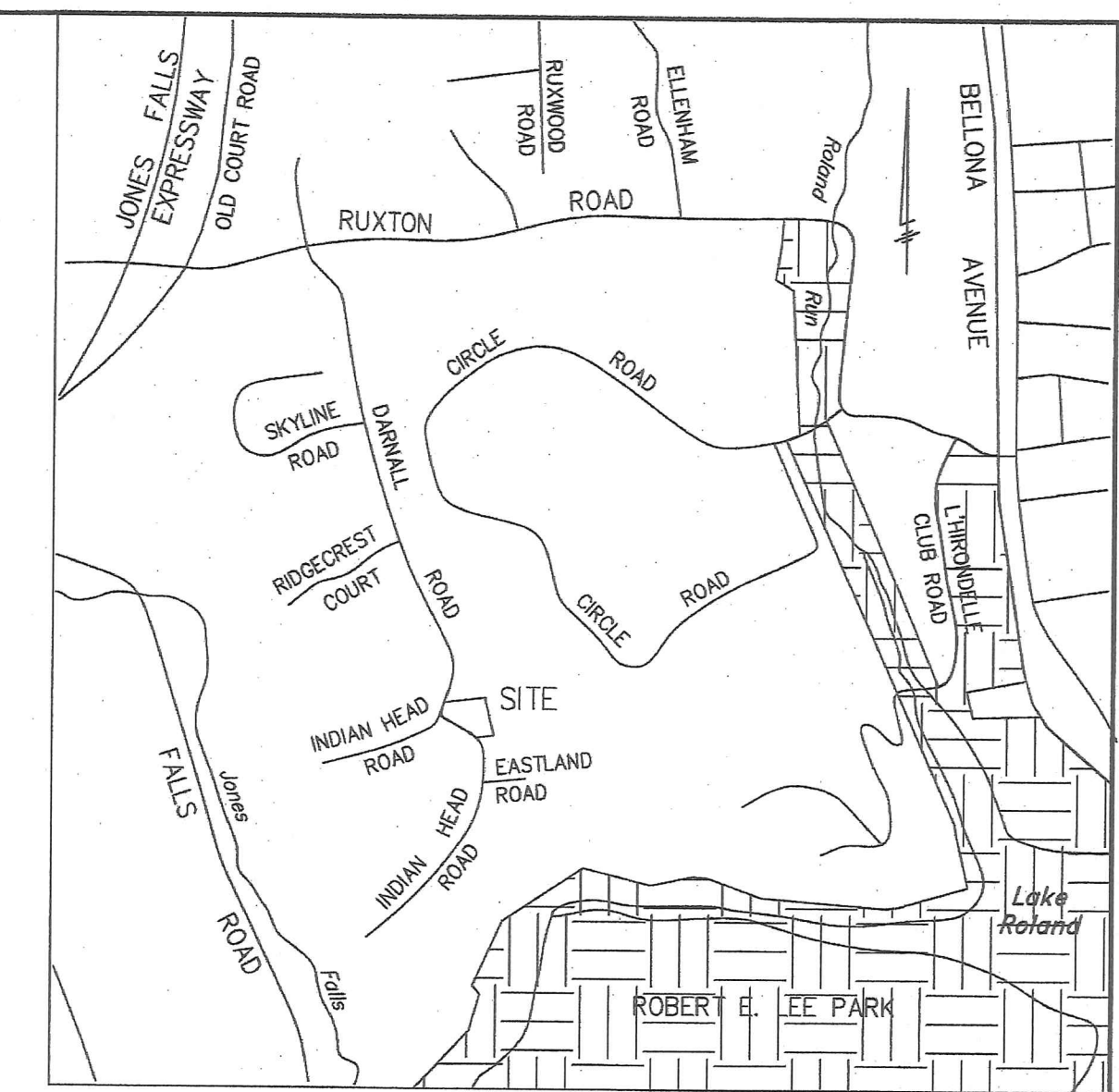
Property: 6499 Darnall Road
Case No. 2020-0168-SPH
Hearing Date: 11/17/2020

EXHIBIT 9

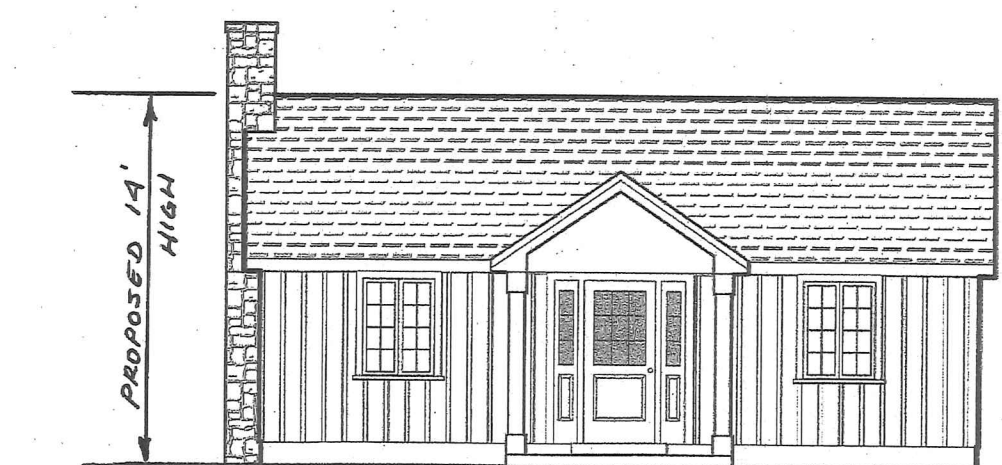
**COVENANTS/RESTRICTIONS OFFERED BY
RISA & HENRY JAMPEL RELATING TO
USE OF PLANNED ACCESSORY STRUCTURE**

1. Structure will have landscaping to screen from neighbors' view.
2. Structure will have porch light on west side of structure generally facing Jampel residence.
3. Down lighting, low to ground will mark bluestone path from structure to Jampel residence.
4. Structure will have multiple uses (including as a study and for infrequent overnight guests).
5. Usage by overnight guests will depend on COVID-19. But the Jampels anticipate approximately 3-4 nights per month.
6. Occupancy will be limited to two adults (and one or two small children).
7. There will not be a kitchen, although a "refreshment area" will have a refrigerator and sink. There will not be a stove or oven.
8. Interior window treatment will shade evening light from potentially impacting neighbors.
9. All dinners will be served in the Jampel residence.
10. There will not be separate utility metering. All utilities will be provided through the Jampel residence.
11. Will not use Airbnb or otherwise use "for profit." Will be used only by family/friends.

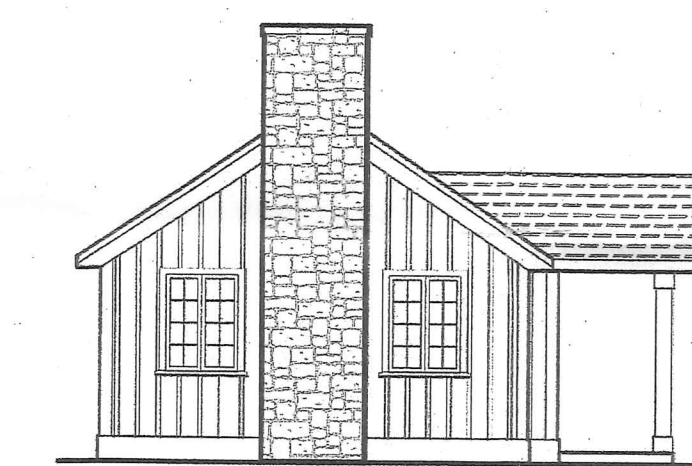




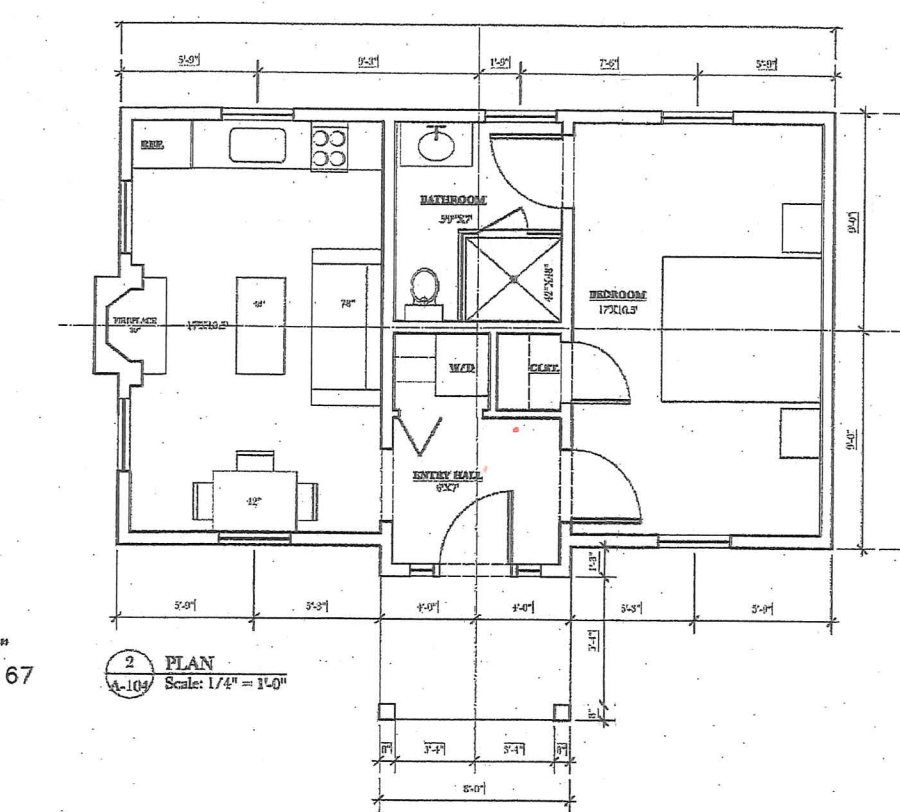
VICINITY MAP
1" = 1000'



FRONT ELEVATION



SIDE ELEVATION



FLOOR PLAN

Site Information

- Ownership: Henry & Risa M. Jampel
- Address: 6499 Darnall Road Towson, MD 21204
- Deed references: SM 38247/ 408
- Area: 1.006 acres
- Tax Map / Parcel / Tax account #: 69 / 856 / 09-18-721782
- Election District: 9 Councilmanic District: 2
ADC Map: 4578F7 GIS tile: 069B2 Position sheet: 36NW8
Census tract: 490400 Census block: 240054904002
Schools: Riderwood ES Dunbarton MS Towson HS
- The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 069B2 and the information provided by Baltimore County on the internet.
- Improvements: Single family dwelling, garage & parking area. All improvements will remain.

Zoning

Zoning: DR 1 There are no previous zoning cases on the subject parcels.

Environmental

Watershed: Ruxton URDL land type: 1

- The dwelling is currently served by public water and a private septic system.
- There are no underground storage tanks on the subject property.
- The subject property is not in the Chesapeake Bay Critical Area.
- The subject property is not located within a 100 year flood plain.

Planning

Regional Planning Ruxton District Code: 314

- The subject dwelling is not historic. The subject property is not in a historic district.

Proposed Development

To construct and utilize a guest house.

PLAN TO ACCOMPANY
A ZONING PETITION
FOR THE
JAMPEL PROPERTY

6499 DARNALL ROAD
Deed Ref: J.L.E. No. 38247 folio 408
Tax Account No.: 09-18-721782
Zoned D.R. 1; GIS Tile 069B2
Tax Map 69; Grid 15; Parcel 856
9th ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

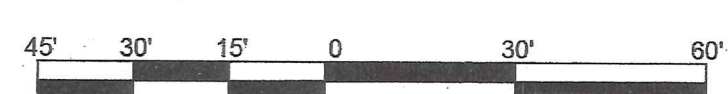
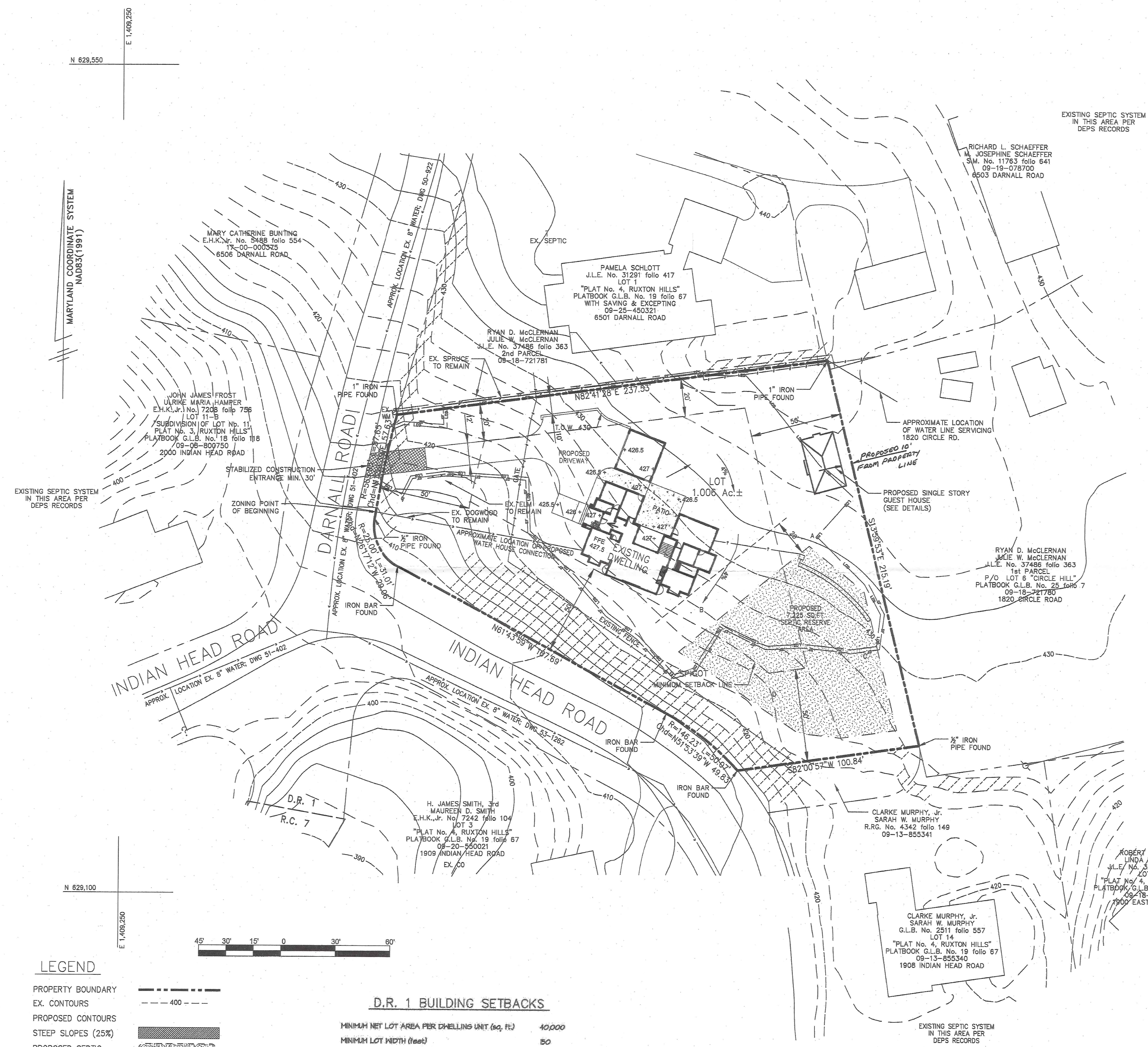
Scale: 1"=30' Date: JULY 8, 2020



Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Frederick, MD 21033
410-419-4905
bdoak@bruceedoakconsulting.com

REVISION	DATE	COMPUTED:	DRAWN:	CHECKED:

2020-0168-S04



LEGEND

- PROPERTY BOUNDARY
- EX. CONTOURS
- PROPOSED CONTOURS
- STEEP SLOPES (25%)
- PROPOSED SEPTIC
- LIMIT OF DISTURBANCE
- SILT FENCE
- PASSED PERC TEST
- TREE PROTECTION FENCE

D.R. 1 BUILDING SETBACKS

MINIMUM NET LOT AREA PER DWELLING UNIT (sq. ft.)	40,000
MINIMUM LOT WIDTH (feet)	150
MINIMUM FRONT YARD DEPTH (feet)	50
MINIMUM WIDTH OF INDIVIDUAL SIDE YARD (feet)	20
MINIMUM SUM OF SIDE YARD WIDTHS (feet)	50
MINIMUM REAR YARD DEPTH (feet)	50