

M E M O R A N D U M

DATE: 1/7/2021
TO: ZONING REVIEW
FROM: Office of Administrative Hearings
RE: Case No. 2020-0175-A

The appeal period for the above-referenced cases expired on January 6, 2021. There being no appeal filed, the subject file is ready for return to the Development Processing Office and is placed in the 'pick up box.'

/dlm

c: ✓ Case File
Office of Administrative Hearings

IN RE: **PETITION FOR VARIANCE**

(30 Stemmers Run Road)

15th election District

6th Council District

Marlind Homes, LLC

Legal Owner

Petitioner

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BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2020-0175-A

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OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for consideration of Petitions for Variance filed on behalf of Marlind Homes, LLC, Legal Owner ("Petitioner"). The requested variance relief is from the Baltimore County Zoning Regulations ("BCZR") § 301.1.A to permit an open projection rear deck on an existing non-conforming dwelling that is located in a BL zone and an adjoining DR-16 zone, with side setbacks of 10 ft. and 4 ft. in lieu of the required minimum side yard setback of 18.75 ft. on both side yards; and, from BCZR § 301.1.A to permit an open projection rear deck that is 384 sq. ft. which is larger than 25 percent of the footprint of the existing residence or 331.25 sq. ft.

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 Petitioners' Exhibit 1.

Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP"). They did not oppose the requested relief.

Petitioner Linda M. Felts of Marlind Homes, LLC, appeared in support of the requested relief. John Gontrum, Esq., represented the Petitioner. There were no protestants or interested persons in attendance.

ORDER RECEIVED FOR FILING

Date

12/7/20

By

Mignone

The property is approximately 10,735 sq. ft. and is zoned BL, BR. Mr. Gontrum explained that the predominant adjoining zone is DR 16, which requires 25 foot side yard setbacks. He further explained that the plat containing the subject lot was recorded in 1920, prior to the enactment of the BCZR, and that the lots are all approximately 50 feet wide. As a result, meeting the 25 foot setback requirements is metaphysically impossible. As Mr. Gontrum aptly put it: "it would leave no there there." He explained that Ms. Felts has completely refurbished this formerly dilapidated residence. The steps and deck on the side of the house are needed in order to enter the home because the "front" door is actually on the side. The large rear deck is needed because the house sits close to Stemmers Run road, a busy arterial road, so a porch on the front of the house would not be desirable. Mr. Gontrum submitted zoning decisions where similar variances were granted for two other properties on the street. (Petitioner's Exhibit 3). Finally, photos were submitted showing that the requested variances would not negatively impact the adjoining properties.

Variance

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

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

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

Mr. Gontrum explained that the property is unique because it was constructed prior to the enactment of the BCZR and it is a narrow trapezoidal parcel. The petitioner would suffer practical difficulty and hardship if the variance were denied because she would be unable to construct the

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Date

12/7/20

By

[Signature]

proposed deck. I find that the variances can be granted within the spirit and intent of the BCZR and without causing harm to the public health, safety, or welfare.

THEREFORE, IT IS ORDERED this 7th day of **December, 2020**, by this Administrative Law Judge, that the Petition for Variance from the Baltimore County Zoning Regulations ("BCZR") § 301.1.A to permit an open projection rear deck on an existing non-conforming dwelling that is located in a BL zone and an adjoining DR-16 zone, with side setbacks of 10 ft. and 4 ft. in lieu of the required minimum side yard setback of 18.75 ft. on both side yards; and, from BCZR § 301.1.A to permit an open projection rear deck that is 384 sq. ft. which is larger than 25 percent of the footprint of the existing residence or 331.25 sq. ft. are hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

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

12/7/20

By

[Signature]



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 30 Stemmers Run RD Essex 21221 which is presently zoned BL/BR
 Deed References: 42214 / 00380 10 Digit Tax Account # 1525000260
 Property Owner(s) Printed Name(s) Marlund Homes LLC / Linda Felts sole member

(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

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

3. ☒ a **Variance** from Section(s) 301.1.A
(SEE ATTACHED)

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)

Please see attached

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):

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:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2020-0175-A Filing Date 7/27/2020 Do Not Schedule Dates: _____ Reviewer BS

Administrative Variance Request for 30 Stemmers Run Road, Essex, MD. 21221 Subdivision
Betz Lot#2 Plat#0007 Folio#0120 Tax ID# 152500026

Based upon personal knowledge, the following are the facts upon which I base the request
for an Administrative Variance at the above address.

1. The home is located on a heavily traveled road including a commercial bus line with bus stops, commercial truck traffic, and sidewalks with a lot of foot traffic. It would not be ideal conditions for a family to safely and peacefully enjoy the front yard.
2. The deck has been constructed and constructed using the existing footprint of existing dwelling. The 4 foot wide existing concrete side entrance was constructed with two sets of steps, accessing both front and rear elevations. The concrete was in major need of repairs, and not safe for use as it existed. As a result of removing the existing side entrance landing, the deck was extended to meet the side entrance for an easier access to both front and rear elevations. The 32' by 12' deck is constructed using the existing footprint, constructed to the width of the rear of home extending 4' to tie into the side entrance.
3. Case No. 05-083-A, 32 Stemmers Run Road variance request for a side yard variance was approved October 13, 2004.
4. Case No. 07-298, 28 Stemmers Run Road variance request for a side yard variance was approved March 8, 2007.
5. Case No. 07-297-A, 26 Stemmers Run Road variance request for a side yard variance was approved March 8, 2007.
6. My neighbors are aware of my variance request, and are in approval of the deck, adding it is a welcomed improvement to the neighborhood. I would be reluctant to ask them to take off work to attend hearing in my support, although without asking them, three of my neighbors offered to sign anything in approval of the variance if that would be acceptable with the zoning process.

Petition for 30 Stemmers Run Road—Zoning Case No. 2020-0175-A

3. Variance from:

Section 301.1.A of the BCZR to permit an open projection rear deck on an existing non-conforming dwelling that is located in a BL Zone and an adjoining DR-16 Zone, with side setbacks of 10 feet and 4 feet in lieu of the required minimum side yard setback of 18.75 feet on both side yards.

AND

Section 301.1.A of the BCZR to permit an open projection rear deck that is 384 sq. ft. which is larger than 25 percent of the footprint of the existing residence or 331.25 sq. ft.

ZONING DESCRIPTION

FOR

30 STEMMERS RUN ROAD, ESSEX, MD. 21221

BALTIMORE COUNTY, MARYLAND

**Beginning at point on the southwest side of Stemmers Run Road,
which is 60' wide, being 587.71 feet northwesterly from the centerline
of Old Eastern Avenue.**

**Being known as Lot #2, in the subdivision of Betz Plat as recorded
among the Land Records of Baltimore County, Maryland Plat Book
#0007, Folio #0120 containing .246 acres.**

Located in the 15th Election District and 7th Councilmanic District.

2020-0175-A

ZONING DESCRIPTION
FOR
30 STEMMERS RUN ROAD, ESSEX, MD. 21221
BALTIMORE COUNTY, MARYLAND

**Beginning at point on the southwest side of Stemmers Run Road,
which is 60' wide, being 587.71 feet northwesterly from the centerline
of Old Eastern Avenue.**

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2020-0175-A

CERTIFICATE OF POSTING

CASE NO. 2020-0175-A

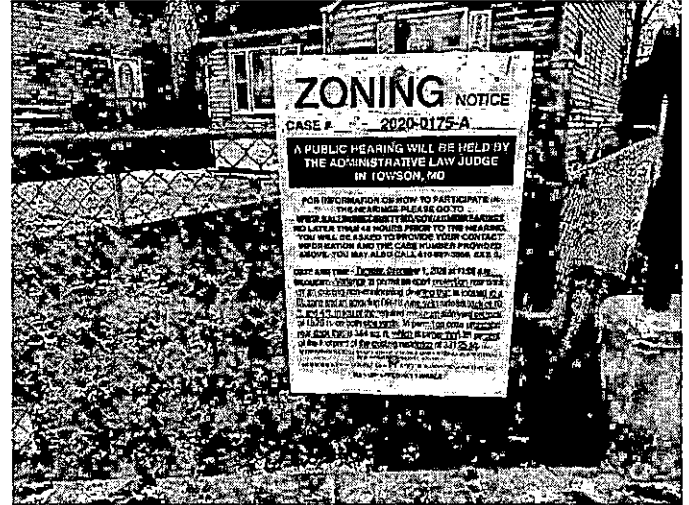
PETITIONER/DEVELOPER

Whiteford Taylor Preston LLP.

John Gontrum

DATE OF HEARING/CLOSING

December 1, 2020



BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

30 Stemmers Run Rd.

SIGN 1

THE SIGN(S) POSTED ON November 9, 2020 November 27, 2020
(MONTH, DAY, YEAR)

SINCERLEY ,

MARTIN OGLE

MARTIN OGLE

9912 MAIDBROOK RD.

PARKVILLE ,MD 21234

443-629-3411

CERTIFICATE OF POSTING

CASE NO. 2020-0175-A

PETITIONER/DEVELOPER

Whiteford Taylor Preston LLP.

John Gontrum

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SIGN 2



THE SIGN(S) POSTED ON November 9, 2020 November 27, 2020
(MONTH, DAY, YEAR)

SINCERLEY ,

MARTIN OGLE

MARTIN OGLE

9912 MAIDBROOK RD.

PARKVILLE ,MD 21234

443-629-3411

Donna Mignon

From: mert1114@aol.com
Sent: Sunday, November 29, 2020 4:56 PM
To: Donna Mignon
Subject: 2nd set of certificates
Attachments: 30 stemmers run1A.docx; 30 stemmers run2A.docx

CAUTION: This message from mert1114@aol.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hope everything is going well have a great week Marty.

Sent from Mail for Windows 10
Martin Ogle



JOHN A. OLSZEWSKI, JR.
County Executive

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

November 5, 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: 2020-0175-A

30 Stemmers Run Road

South of Ann Avenue on East side of Stemmers Run Road

15th Election District – 6th Councilmanic District

Legal Owners: Maryland Homes, LLC

Variance to permit an open projection rear deck on an existing non-conforming dwelling that is located in a BL zone and an adjoining DR-16 zone, with side setback of 10 ft. and 4 ft. in lieu of the required minimum side yard setback of 18.75 ft. on both side yards. To permit an open projection rear deck that is 384 sq. ft. which is larger than 25 percent of the footprint of the existing residence of 331.25 sq. ft.

Hearing: Tuesday, December 1, 2020 at 11:00 a.m.

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

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

Michael Mallinoff
Director

MM:kl

C: John Gontrum, 1 W. Pennsylvania Avenue, Towson 21204
Maryland Homes, LLC, Linda Felts, P.O. Box 18093, Middle River 21220

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., NOVEMBER 11, 2020



JOHN A. OLSZEWSKI, JR.
County Executive

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

November 5, 2020

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TO: THE DAILY RECORD
Wednesday, November 11, 2020 - Issue

Please forward billing to:

John Gontrum
Whiteford, Taylor & Preston
One Pennsylvania Avenue
Towson, MD 21204

410-832-2055

NOTICE OF ZONING HEARING

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South of Ann Avenue on East side of Stemmers Run Road
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Michael Malinoff
Director of Permits, Approvals and Inspections for Baltimore County

The Daily Record

200 St. Paul Place Suite 2480
Baltimore, Maryland 21202
1 (443) 524-8100
www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

Order #: 11934406
Case #: 2020-0175-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0175-A

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:

11/10/2020



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

n10

CERTIFICATE OF POSTING

CASE NO. 2020-0175-A

PETITIONER/DEVELOPER

Whiteford Taylor Preston LLP

John Gontrum

DATE OF HEARING/CLOSING

December 1, 2020

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

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SIGN 1

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(MONTH, DAY, YEAR)

SINCERLEY,

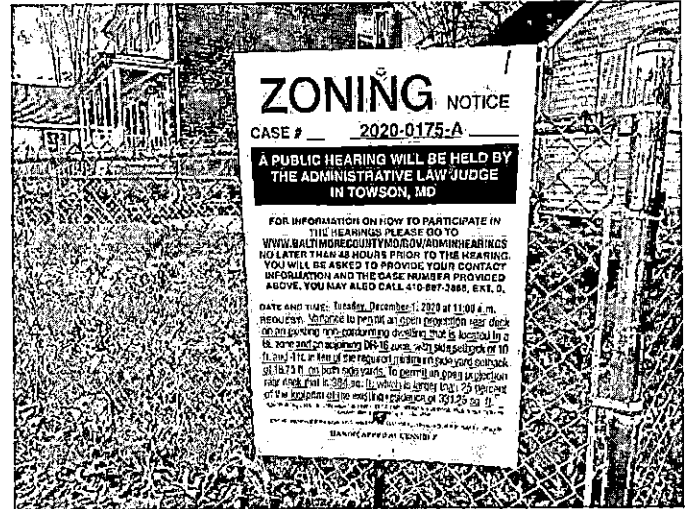
MARTIN OGLE

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9912 MAIDBROOK RD.

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443-629-3411



CERTIFICATE OF POSTING

CASE NO. 2020-0175-A

PETITIONER/DEVELOPER

Whiteford Taylor Preston LLP

John Gontrum

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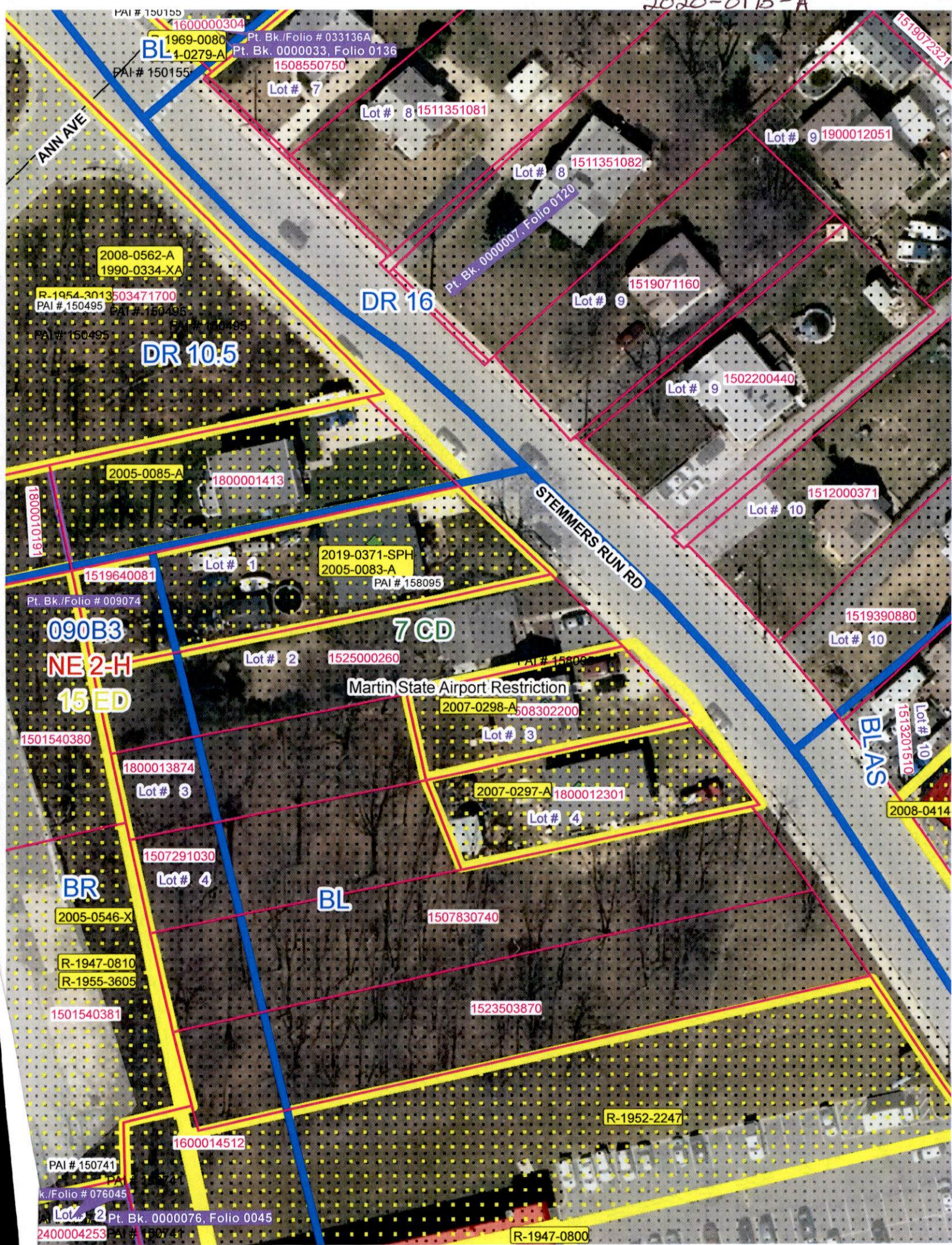
MARTIN OGLE

9912 MAIDBROOK RD.

PARKVILLE ,MD 21234

443-629-3411





PAI # 150155

1600000304

BL
1969-0080
4-0279-A

Pt. Bk./Folio # 033136A
Pt. Bk. 0000033, Folio 0136
1508550750

Lot # 7

Lot # 8 1511351081

Lot # 8 1511351082

Pt. Bk. 0000007, Folio 0120

Lot # 9 1900012051

Lot # 9 1519071160

Lot # 9 1502200440

Lot # 10 1512000371

Lot # 10 1519390880

Lot # 10 1513201510

2008-0414

2008-0562-A
1990-0334-XA

R-1954-3013
PAI # 150495
PAI # 150495
PAI # 150495

DR 10.5

2005-0085-A

1800001413

2019-0371-SPH
2005-0083-A
PAI # 158095

Lot # 1

1519640081

Pt. Bk./Folio # 009074

090B3

NE 2-H

15 ED

1501540380

1800013874

Lot # 3

1507291030

Lot # 4

BR

2005-0546-X

R-1947-0810

R-1955-3605

1501540381

BL

1507830740

1523503870

R-1952-2247

1600014512

PAI # 150741

Pt. Bk./Folio # 076045

Lot # 2

Pt. Bk. 0000076, Folio 0045

2400004253

R-1947-0800

§ 301.1. - Carports or open porches.

- A. If attached to the main building, a carport or a one-story open porch, with or without a roof, may extend into any required yard not more than 25 percent of the minimum required depth of a front or rear yard or of the minimum required width of a side yard. Any carport or open porch so extended must be open on three sides.

[Bill Nos. 150-1983; 2-1992]

Roz Johnson

From: Linda Felts <linda@cummingsrealtors.com>
Sent: Monday, July 27, 2020 9:14 AM
To: Roz Johnson
Subject: Re: 30 Stemmers Run Road--Variance Petition

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

Good morning,
Thank you so much for the reminder this morning.
This looks fine on my end. I sincerely appreciate the extra time you have spent on this!
Keep safe and many blessings,
Linda Felts 443.324.4485

On Tue, Jul 21, 2020 at 12:14 PM Roz Johnson <rvjohnson@baltimorecountymd.gov> wrote:

Dear Linda,

We need to add to the variance the size of the rear deck.

Below is what I suggest adding to your petition:

3. Variance from:

Section 301.1.A of the BCZR to permit an open projection rear deck on an existing non-conforming dwelling that is located in a BL Zone and an adjoining DR-16 Zone, with side setbacks of 10 feet and 4 feet in lieu of the required minimum side yard setback of 18.75 feet on both side yards.

AND

Section 301.1.A of the BCZR to permit an open projection rear deck that is 384 sq. ft. which is larger than 25 percent of the footprint of the existing residence or 331.25 sq. ft.

Attached is the reference to the Zoning Regulations for the size of the deck.

Let me know if you are okay with adding this to your case. There will not be a change in fee, but it will affect advertising.

Roz Johnson

Planner, Office of Zoning Review

Baltimore County, MD

111 W. Chesapeake Avenue, Room 111

Towson, Maryland 21204

(410) 887-3391

DISCLAIMER: THE FOREGOING IS MERELY AN INFORMAL OPINION. IT IS NOT AN EXPERT OR LEGAL OPINION. IT IS NOT INTENDED TO BE RELIED ON AS EXPERT OR LEGAL ADVICE, AND IS NOT LEGALLY OR FACTUALLY BINDING ON BALTIMORE COUNTY OR ANY OF ITS OFFICIALS, AGENTS, OR EMPLOYEES. BALTIMORE COUNTY EXPRESSLY DISCLAIMS ANY AND ALL LIABILITY ARISING OUT OF, OR IN ANY WAY CONNECTED WITH THE INFORMATION PROVIDED IN THIS EMAIL/DOCUMENT, OR ANY INTERPRETATION THEREOF.

From: Linda Felts [mailto:linda@cummingsrealtors.com]

Sent: Tuesday, July 21, 2020 9:27 AM

To: Roz Johnson <rjohnson@baltimorecountymd.gov>

Subject: Re: 30 Stemmers Run Road

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

1325 square feet

Sent from my iPhone

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

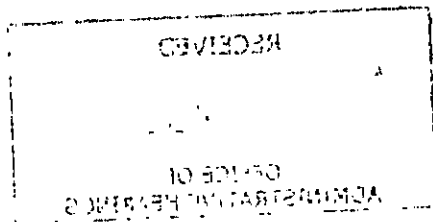
DATE: August 20, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0175-A
Address 30 Stemmers Run Road
(Marilind Homes, LLC Property)

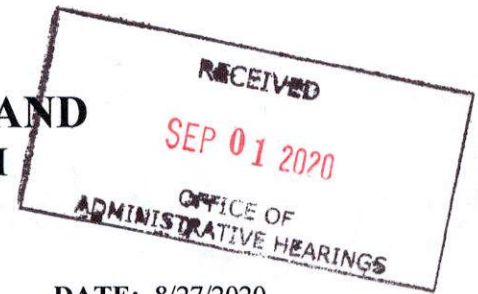
Zoning Advisory Committee Meeting of **August 17, 2020.**

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: 8/27/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-175

INFORMATION:

Property Address: 30 Stemmers Run Road
Petitioner: Linda Felts, Marland Homes, LLC
Zoning: BL/BR
Requested Action: Variance

The Department of Planning has reviewed the petition for a Variance from § 301.1.A of the Baltimore County Zoning Regulations (BCZR) to permit an open projection rear deck on an existing non-conforming dwelling that is located in a BL Zone and adjoining a DR 16 zone, with side setbacks of 10 feet and 4 feet in lieu of the required minimum side yard setback of 18.75 feet on both side yards. The applicant is also requesting a Variance from § 301.1.A of the BCZR to permit an open projection rear deck of 384 square feet, which is larger than 25 percent of the footprint of the existing residence or 331.25 square feet that is permitted.

The property is located on Stemmers Run Road in Essex. It is primarily zoned BL with a small portion of BR in the rear, and is located within the Essex Commercial Revitalization District. The rear of the property is within the 100 ft. stream buffer but the buffer does not overlap with the proposed deck.

A site visit was conducted on 8/19/2020. The deck has already been constructed and is well built. The two adjacent properties are residential homes and there are fences providing adequate protection and privacy on both property lines. As such, the Department of Planning has no objection to the variance requests.

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

Prepared by:

Krystle Patchak

Division Chief:

Jenifer G. Nugent

Date: 8/27/2020
Subject: ZAC # 20-175
Page 2

CPG/JGN/kma/

c: Joseph Fraker
Linda Felts, Marlind Homes
John Gontrum, Whiteford Taylor Preston
Office of the Administrative Hearings
People's Counsel for Baltimore County

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 15 Account Number - 1525000260		
Owner Information		
Owner Name:	MARLIND HOMES LLC	Use: RESIDENTIAL
Mailing Address:	PO BOX 324 WHITE MARSH MD 21162-	Principal Residence: NO Deed Reference: /42214/ 00380
Location & Structure Information		
Premises Address:	30 STEMMERS RUN RD 0-0000	Legal Description: .246AC PT LT 2 STEMMERS RUN RD BETZ PLAT
Map:	Grid:	Parcel:
0090	0022	0561
Neighborhood:	Subdivision:	Section:
15050042.04	0000	
Block:	Lot:	Assessment Year:
	2	2021
Plat No:		Plat Ref:
		0007/ 0120
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1959	1,325 SF	Property Land Area
		10,735 SF
County Use		04
Stories	Basement	Type
1 1/2	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	3	1 full
Garage		
Last Notice of Major Improvements		
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2018	07/01/2020
		As of
		07/01/2021
Land:	49,800	49,800
Improvements	85,300	85,300
Total:	135,100	135,100
Preferential Land:	0	
Transfer Information		
Seller: ESTATE OF PATRICIA M YARRINTON	Date: 12/10/2019	Price: \$100,000
Type: NON-ARMS LENGTH OTHER	Deed1: /42214/ 00380	Deed2:
Seller: JOHN J MANNING	Date: 05/16/1966	Price: \$5
Type: ARMS LENGTH IMPROVED	Deed1: /04616/ 00369	Deed2:
Seller:	Date:	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: //	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

ZAC AGENDA

Case Number: 2020-0175-A **Reviewer:** Rosalie Johnson

Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: VARIANCE

Legal Owner: Marlind Homes LLC,

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 15 **Council Dist:** 6

Property Address: 30 STEMMERS RUN RD

Location: South of Ann Ave on East side of Stemmers Run Road.

Existing Zoning: BL,BR

Area: 10,735 S.F

Proposed Zoning:

VARIANCE:

Section 301.1.A of the BCZR To permit an open projection rear deck on an existing non-conforming dwelling that is located in a BL Zone and an adjoining DR-16 Zone, with side setback of 10 feet and 4 feet in lieu of the required minimum side yard setback of 18.75 feet on both side yards.

Section 301.1.A of the BCZR to permit an open projection rear deck that is 384 sq. ft. which is larger than 25 percent of the footprint of the existing residence or 331.25 sq. ft.

Attorney: John B. Gontrum

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:



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 305 Stemmers Run RD Essex 21221 which is presently zoned BL/BR
 Deed References: 42214 / 00380 10 Digit Tax Account # 1525000260
 Property Owner(s) Printed Name(s) Marlind Homes LLC / Linda Felts Sole member

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

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

1. a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for
3. X a Variance from Section(s) 301.1.A
(SEE ATTACHED)

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)

Please see attached

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:

John Gantrom
 Name- Type or Print _____
 Signature _____
One Pennsylvania Ave Towson MD
 Mailing Address _____ City _____ State _____
21204 / 410.832.2055 / jgantrom@
 Zip Code _____ Telephone # _____ Email Address _____
wtplaw.com

Legal Owners (Petitioners):

Marlind Homes LLC
 Name #1 - Type or Print _____ Name #2 - Type or Print _____
Linda Felts
 Signature #1 _____ Signature #2 _____
PO Box 18093 Middle River MD 21220
 Mailing Address _____ City _____ State _____
21220 / 443.324.4485 / Lindamfelts@
 Zip Code _____ Telephone # _____ Email Address _____
comcast.net

Representative to be contacted:

Linda Felts
 Name - Type or Print _____
Linda Felts
 Signature _____
PO Box 18093 Middle River MD
 Mailing Address _____ City _____ State _____
21220 / 443.324.4485 / Lindamfelts@
 Zip Code _____ Telephone # _____ Email Address _____
comcast.net

CASE NUMBER 2020-0175-A Filing Date 7/27/2020 Do Not Schedule Dates: _____ Reviewer PJ

Debra Wiley

From: Kristen L Lewis
Sent: Friday, November 6, 2020 9:13 AM
To: Donna Mignon; Debra Wiley
Subject: Webex
Attachments: 20201106083718399.pdf

Good morning ladies,

I will be sending several cases over this morning for webex links. Everyone called back at once LOL. Thank you,

Kristen Lewis
PAI – Zoning Review
410-887-3391

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Donna Mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
John Gontrum, Esq.	jgontrum@wtplaw.com	1-	New York Time	English	U.S.
Linda Felts	lindamfelts@comcast.net	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.

Debra Wiley

From: Debra Wiley
Sent: Friday, November 6, 2020 9:25 AM
To: Kristen L Lewis
Cc: Donna Mignon
Subject: Link - 2020-0175-A - 30 Stemmers Run Road

Event Information

Event: Zoning Hearing - 30 Stemmers Run Road - Case No. 2020-0175-A - Maryland Hom
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ed>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e6>
Date and time: Tuesday, December 1, 2020 11:00 am
Eastern Standard Time (New York, GMT-05:00)
Duration: 1 hour
Description: Zoning Hearing
30 Stemmers Run Road
Case No. 2020-0175-A
Maryland Homes, LLC
Event number: 172 567 0049
Event password: 1234
Host key: 882065
Alternate Host: Donna Mignon, Henry Ayakwah
Panelist Info:
Panelist password:
Panelist numeric password: 892137
Video Address: 1725670049@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: 172 567 0049
Maximum number of registrants: 10000

Debra Wiley

Subject: Web seminar scheduled: Zoning Hearing - 30 Stemmers Run Road - Case No. 2020-0175-A - Maryland Homes, LLC
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e26b78c4c34bd841d85cdd7f91fd4d892>
Start: Tue 12/1/2020 11:00 AM
End: Tue 12/1/2020 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: Debra Wiley (dwiley@baltimorecountymd.gov)
Event number (access code): 172 567 0049

Tuesday, December 1, 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=e26b78c4c34bd841d85cdd7f91fd4d892>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=edf8ca90563983a07a75cfc4758e1>



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1725670049@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 892137

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

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=e83fafbedf9b32da66775774e13ecbc5a>

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

Debra Wiley

From: messenger@webex.com
Sent: Friday, November 6, 2020 9:25 AM
To: Debra Wiley
Subject: Email delivery status for Web seminar: Zoning Hearing - 30 Stemmers Run Road - Case No. 2020-0175-A - Maryland Homes, LLC

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

Number of email addresses the message was sent to successfully: 3

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

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

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Debra Wiley

From: messenger@webex.com
Sent: Friday, November 6, 2020 9:25 AM
To: Debra Wiley
Subject: Email delivery status for Web seminar: Zoning Hearing - 30 Stemmers Run Road - Case No. 2020-0175-A - Maryland Homes, LLC

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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>

Donna Mignon

From: Donna Mignon
Sent: Friday, November 20, 2020 10:31 AM
To: 'Gontrum, John'
Cc: Debra Wiley
Subject: Case No: 2020-0175-A 30 Stemmers Run Road

Good Morning,

As you are aware, a virtual webex hearing has been scheduled for December 1, 2020 at 11:00 a.m. You should have received an invitation in an email around November 6, 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.

PLEASE NOTE OUR OFFICE IS CLOSED NOVEMBER 26, 2020 AND NOVEMBER 27, 2020

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 30, 2020 8:31 AM
To: 'Martin, Tammy'; Administrative Hearings.
Cc: Debra Wiley
Subject: RE: ZONING HEARING EXHIBITS - 30 STEMMERS RUN ROAD - TUESDAY, DECEMBER 1, 2020 AT 11:00 A.M.

Importance: High

Tammy,
Please forward Exhibit 5.

From: Martin, Tammy <TMartin@wtplaw.com>
Sent: Wednesday, November 25, 2020 12:11 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: FW: ZONING HEARING EXHIBITS - 30 STEMMERS RUN ROAD - TUESDAY, DECEMBER 1, 2020 AT 11:00 A.M.

CAUTION: This message from prvs=05983697ce=tmartin@wtplaw.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Sending on behalf of John Gontrum:

Attached are the exhibits for the Hearing for 30 Stemmers Run Road (Case No. 2020-0175-A) to be held on Tuesday, December 1, 2020 at 11:00 a.m. Please note that Exhibit 5 has not yet been received, and we will submit that as soon as possible – if that is acceptable?

Please acknowledge receipt and let me know if you need anything else. Thanks so much.



Whiteford | Taylor | Preston

Tammy D. Martin, Legal Administrative Assistant to
George S. Lawler, Esq.
John B. Gontrum, Esq.
Jennifer R. Busse, Esq.
Brenda Price, Paralegal
Whiteford, Taylor & Preston LLP
One W. Pennsylvania Avenue, Suite 300
Towson, MD 21204
Direct Dial - 410-832-2122
Direct Fax – 410-339-4016
tmartin@wtplaw.com

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From: Martin, Tammy

Sent: Wednesday, November 25, 2020 10:39 AM

To: Martin, Tammy

Subject: ZONING HEARING EXHIBITS - 30 STEMMERS RUN ROAD



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Donna Mignon

From: Martin, Tammy <TMartin@wtplaw.com>
Sent: Wednesday, November 25, 2020 12:11 PM
To: Administrative Hearings
Subject: FW: ZONING HEARING EXHIBITS - 30 STEMMERS RUN ROAD - TUESDAY, DECEMBER 1, 2020 AT 11:00 A.M.
Attachments: CopitrakScan.PDF

CAUTION: This message from prvs=05983697ce=tmartin@wtplaw.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Sending on behalf of John Gontrum:

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Please acknowledge receipt and let me know if you need anything else. Thanks so much.



Tammy D. Martin, Legal Administrative Assistant to
George S. Lawler, Esq.
John B. Gontrum, Esq.
Jennifer R. Busse, Esq.
Brenda Price, Paralegal
Whiteford, Taylor & Preston LLP
One W. Pennsylvania Avenue, Suite 300
Towson, MD 21204
Direct Dial - 410-832-2122
Direct Fax – 410-339-4016
tmartin@wtplaw.com

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From: Martin, Tammy <TMartin@wtplaw.com>
Sent: Wednesday, November 25, 2020 10:39 AM
To: Martin, Tammy <TMartin@wtplaw.com>
Subject: ZONING HEARING EXHIBITS - 30 STEMMERS RUN ROAD

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Donna Mignon

From: Martin, Tammy <TMartin@wtplaw.com>
Sent: Monday, November 30, 2020 9:59 AM
To: Donna Mignon
Subject: RE: ZONING HEARING EXHIBITS - 30 STEMMERS RUN ROAD - TUESDAY, DECEMBER 1, 2020 AT 11:00 A.M.

CAUTION: This message from prvs=160371a8d6=tmartin@wtplaw.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Donna, unfortunately we are still waiting on Exhibit 5 from our client. Hoping to hear from her soon.

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Sent: Monday, November 30, 2020 8:31 AM
To: Martin, Tammy <TMartin@wtplaw.com>; Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: [EXTERNAL] RE: ZONING HEARING EXHIBITS - 30 STEMMERS RUN ROAD - TUESDAY, DECEMBER 1, 2020 AT 11:00 A.M.
Importance: High

Tammy,
Please forward Exhibit 5.

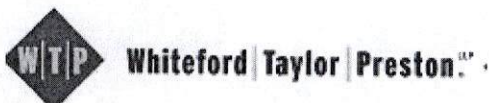
From: Martin, Tammy <TMartin@wtplaw.com>
Sent: Wednesday, November 25, 2020 12:11 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: FW: ZONING HEARING EXHIBITS - 30 STEMMERS RUN ROAD - TUESDAY, DECEMBER 1, 2020 AT 11:00 A.M.

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Sending on behalf of John Gontrum:

Attached are the exhibits for the Hearing for 30 Stemmers Run Road (Case No. 2020-0175-A) to be held on Tuesday, December 1, 2020 at 11:00 a.m. Please note that Exhibit 5 has not yet been received, and we will submit that as soon as possible – if that is acceptable?

Please acknowledge receipt and let me know if you need anything else. Thanks so much.



Tammy D. Martin, Legal Administrative Assistant to
George S. Lawler, Esq.

John B. Gontrum, Esq.
Jennifer R. Busse, Esq.
Brenda Price, Paralegal
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tmartin@wtplaw.com

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From: Martin, Tammy
Sent: Wednesday, November 25, 2020 10:39 AM
To: Martin, Tammy
Subject: ZONING HEARING EXHIBITS - 30 STEMMERS RUN ROAD

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www.baltimorecountymd.gov [\[baltimorecountymd.gov\]](http://baltimorecountymd.gov)

Donna Mignon

From: Martin, Tammy <TMartin@wtplaw.com>
Sent: Monday, November 30, 2020 3:42 PM
To: Donna Mignon
Subject: RE: ZONING HEARING EXHIBITS - 30 STEMMERS RUN ROAD - TUESDAY, DECEMBER 1, 2020 AT 11:00 A.M.

CAUTION: This message from prvs=160371a8d6=tmartin@wtplaw.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Donna, thank you for letting me know. John says it shouldn't be a problem and we can just omit Exhibit 5 (unless you receive in time). Thank you.

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Sent: Monday, November 30, 2020 3:33 PM
To: Martin, Tammy <TMartin@wtplaw.com>
Subject: [EXTERNAL] RE: ZONING HEARING EXHIBITS - 30 STEMMERS RUN ROAD - TUESDAY, DECEMBER 1, 2020 AT 11:00 A.M.

Hi Tammy,
As of today, we have not received anything in the mail regarding this case.
Thank you.

From: Martin, Tammy <TMartin@wtplaw.com>
Sent: Monday, November 30, 2020 3:30 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: ZONING HEARING EXHIBITS - 30 STEMMERS RUN ROAD - TUESDAY, DECEMBER 1, 2020 AT 11:00 A.M.

CAUTION: This message from prvs=160371a8d6=tmartin@wtplaw.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Donna, John Gontrum wanted me to let you know that Exhibit 5 (the neighbor letters) were apparently mailed in directly? Can you confirm if they were received?

Thanks so much.

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Sent: Monday, November 30, 2020 8:31 AM
To: Martin, Tammy <TMartin@wtplaw.com>; Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: [EXTERNAL] RE: ZONING HEARING EXHIBITS - 30 STEMMERS RUN ROAD - TUESDAY, DECEMBER 1, 2020 AT 11:00 A.M.
Importance: High

Tammy,
Please forward Exhibit 5.

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Sent: Wednesday, November 25, 2020 12:11 PM

To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>

Subject: FW: ZONING HEARING EXHIBITS - 30 STEMMERS RUN ROAD - TUESDAY, DECEMBER 1, 2020 AT 11:00 A.M.

CAUTION: This message from prvs=05983697ce=tmartin@wtplaw.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Sending on behalf of John Gontrum:

Attached are the exhibits for the Hearing for 30 Stemmers Run Road (Case No. 2020-0175-A) to be held on Tuesday, December 1, 2020 at 11:00 a.m. Please note that Exhibit 5 has not yet been received, and we will submit that as soon as possible – if that is acceptable?

Please acknowledge receipt and let me know if you need anything else. Thanks so much.



Whiteford | Taylor | Preston, LLP

Tammy D. Martin, Legal Administrative Assistant to

George S. Lawler, Esq.

John B. Gontrum, Esq.

Jennifer R. Busse, Esq.

Brenda Price, Paralegal

Whiteford, Taylor & Preston LLP

One W. Pennsylvania Avenue, Suite 300

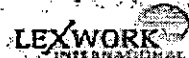
Towson, MD 21204

Direct Dial - 410-832-2122

Direct Fax – 410-339-4016

tmartin@wtplaw.com

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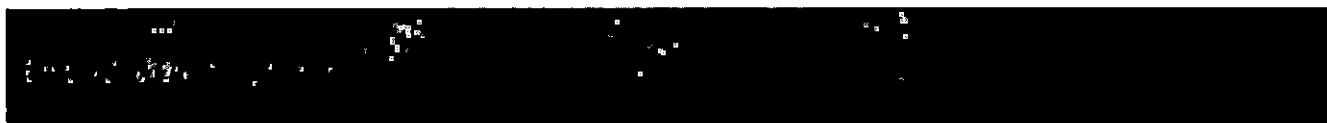
PANGEA NET

From: Martin, Tammy

Sent: Wednesday, November 25, 2020 10:39 AM

To: Martin, Tammy

Subject: ZONING HEARING EXHIBITS - 30 STEMMERS RUN ROAD





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[\[facebook.com\]](https://www.facebook.com/baltimorecountymd)[\[twitter.com\]](https://twitter.com/baltimorecountymd)[\[baltimorecountymd.gov\]](http://baltimorecountymd.gov)[\[youtube.com\]](https://www.youtube.com/baltimorecountymd)[\[flickr.com\]](https://www.flickr.com/photos/baltimorecountymd/)[\[linkedin.com\]](https://www.linkedin.com/company/baltimorecountymd)
www.baltimorecountymd.gov [\[baltimorecountymd.gov\]](http://baltimorecountymd.gov)

CASE NUMBER: 2020-0175-A
30 Stemmers Run Road
Tuesday, December 1, 2020 at 11:00 a.m.

12/1/20
Dm.

Petitioner's Exhibits

1. Site plan
2. Zoning Plan
3. Zoning Case 26 and 28 Stemmers Run
4. Photos

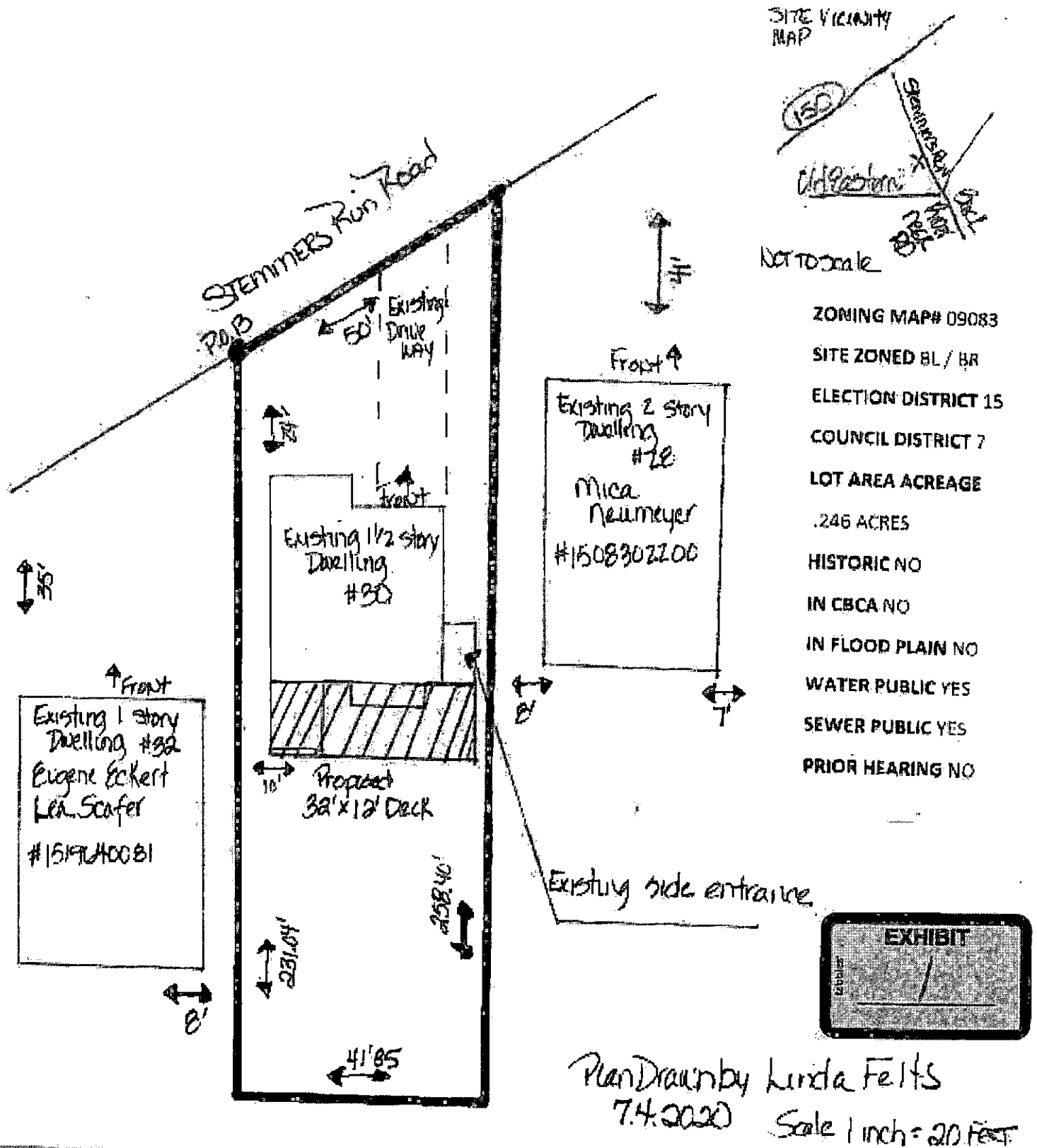
12/1/20
Dm.

~~3. Zoning Case 26 and 28 Stemmers Run~~ PM.

ZONING HEARING PLAN FOR VARIANCE 30 STEMMERS RUN ROAD ESSEX, MD. 21221

OWNER NAME MARLIND HOMES LLC / LINDA FELTS SOLE MEMBER

SUBDIVISION BETZ LOT# 2 PLAT# 0007 FOLIO# 0120 TAX# 152500026 DEED REF# 42214/00380



PLOT PLAN

Application Number

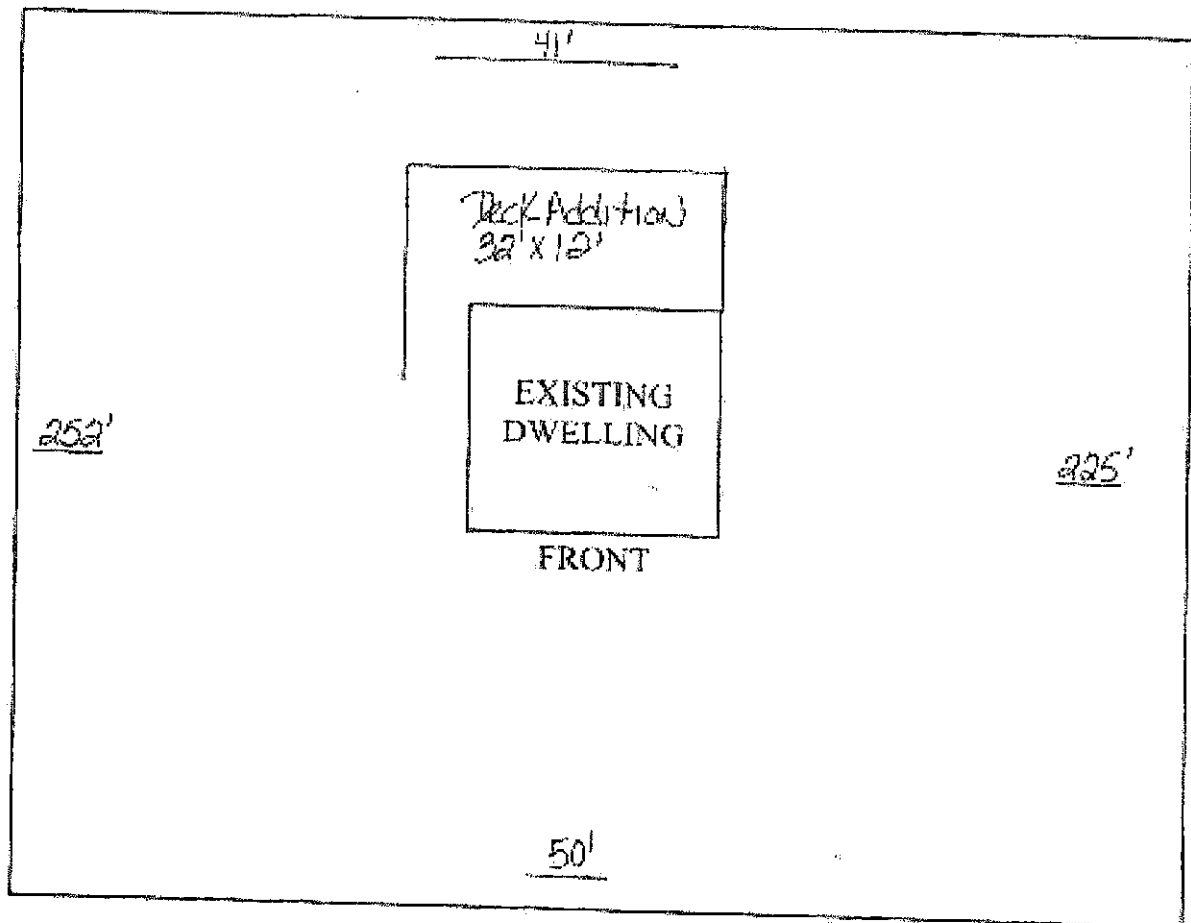
OWNER Marlind Homes LLC Linda Felts
ADDRESS 30 Stemmers Run RD Essex MD 21221

PLEASE SHOW BELOW:

- Property line dimensions and easements;
- Existing buildings;
- Existing well/septic; (show distance to nearest structure)
- Road names and location of alleys;
- If your property is in a tidal or riverine flood area, indicate elevation of lowest floor of proposed work.
- The proposed work and the setback distances to the proposed work.

Front Setback 74' Left Setback 11' + 10'
Rear Setback 149' Right Setback 4'

NOTE: Cannot fence access easement.



ROAD NAME Stemmers Run

Baltimore County - My Neighborhood



DR 10.5

31

32

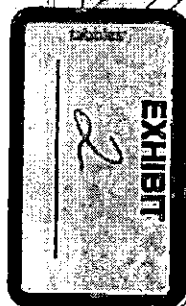
30

28

BL

BR

26



IN RE: PETITION FOR VARIANCE

SW side of Stemmers Run Road, 500
Feet NW of c/l Old Eastern Avenue
15th Election District
7th Councilmanic District
(26 Stemmers Run Road)

Hunters Creek Child Daycare, Inc.,
Darrell R. Cammack, Jr., President
Legal Owner and Petitioner

B&L Properties, LLC, William N.
Baftis, Managing Member
Contract Purchaser

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 07-297-A

* * * * *

IN RE: PETITION FOR VARIANCE

SW side of Stemmers Run Road, 550
Feet NW of c/l Eastern Avenue
15th Election District
7th Councilmanic District
(28 Stemmers Run Road)

Hunters Creek Child Daycare, Inc.,
Darrell R. Cammack, Jr., President
Legal Owner and Petitioner

B&L Properties, LLC, William N.
Baftis, Managing Member
Contract Purchaser

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 07-298-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

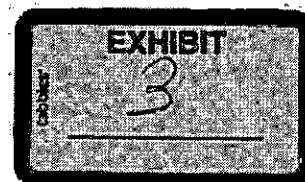
This matter comes before this Deputy Zoning Commissioner as Petitions for Variances filed by the legal owner of the subject property, Hunters Creek Child Daycare, Inc., Darrell R. Cammack, Jr., President. The Petitioner is requesting the following variance relief:

Case No. 07-297-A: This property is located at 26 Stemmers Run Road. The variance request is from Sections 302 and 1B02.3C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yards of 9 feet +/- in lieu of the required 25 feet.

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3-8-07

123



Case No. 07-298 This property is located at 28 Stemmers Run Road. The variance request is from Sections 302 and 1B02.3C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yards of 7 feet +/- and 8 feet +/- in lieu of the required 25 feet.

The properties were posted with Notice of Hearing on February 10, 2007, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief and time and date of the public hearing. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on February 8, 2007 (Case No. 07-297-A) and February 22, 2007 (Case No. 07-298-A) to notify any interested persons of the scheduled hearing date and relief requested.

Applicable Law

Section 307 of the B.C.Z.R. - *Variances*.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No 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 or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Office of Planning dated January 22, 2007 which contains restrictions, and a copy of which is incorporated herein and made a part hereof the file.

Interested Persons

Appearing at the hearing on behalf of the variance request was B&L Properties, LLC, William N. Baftis, Managing Member, Contract Purchaser. Alfred Brennan, Jr., Esquire, represented the Petitioners. There were no protestants or citizens at the hearing for Case No. 07-297-A. However Patricia Yarrington, Donna Decker and Christie Petrovick appeared as interested citizens in regard only to the variance request for Case No. 07-298-A. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

The subject properties are adjacent lots, 1, 3 and 4, of the Betz subdivision which was recorded in the land records in 1920 according to the Plat to Accompany, Petitioner's exhibit 1 and 2. Lot 3 contains 5265 square feet while lot 4 contains 6,659 square feet. Both lots are vacant and zoned BL. Petitioner Hunters Creek purchased these lots with the intent to build a child-care center but for many reasons this was not feasible.

The Petitioner would like to erect a new home on each lot as shown in exhibits 1 and 2 in the form of the proposed manufactured home shown on exhibit 5. Lot 3 is 43 feet wide. Consequently the proposed home would have side yard setbacks of 7 and 8 feet as shown in order to allow a new home 28 feet wide. Lot 4 is 46 feet wide. Consequently the proposed home would have side yard setbacks of 9 and 9 feet as shown in order to allow a new home 28 feet wide. Variance requests refer to DR 16 zoning regulations which require 25 foot side yard setback. DR 16 regulations are applicable because, even though these lots are zoned BL, this is the zoning of the predominant adjacent residential zone across Stemmers Run Road. See Section 302.

Regarding pattern of development of the neighborhood, Mr. Brennan noted that the proposed homes would extend the existing line of homes along the south side of Stemmers Run

3-807
P3

Road which now ends with Ms. Yarrington. To the east there are two similar vacant lots and then the Thrift Store.

Regarding zoning merger, Mr. Brennan opined that the lots had never been used together, that each has its separate SDAT tax assessment account number, and in fact each once had a dwelling as shown by the 1948 sewer map, exhibit 4. Therefore he opined the lots have not merged.

He indicated that the proposed home shown on exhibit 5 would be compatible with the neighborhood as shown in the photographs of exhibit 3. Otherwise the neighborhood has several commercial uses as well as apartment uses across Stemmers Run Road. The Petitioner agreed to the Planning Office comments.

Ms. Yarrington, who lives next door on lot 2, confirmed that there were homes on these lots 30 years ago but that they fell into disrepair and were razed. She indicated that she would welcome the new homes which would move the homeless people now using the property from the neighborhood. However she was concerned about her privacy and requested that the Petitioner erect a 6 foot high privacy fence along the common border. The Petitioner agreed and showed the new fence as shown in red on exhibit 2. Finally she expressed concern regarding flooding problems in her rear yard which she opined were the result of nearby development and that the County failed to require adequate storm water management on several sites. Mr. Bafitis promised to look into the matter and report his findings to her.

Findings of Fact and Conclusions of Law

In regard to zoning merger, I find no evidence that any prior owner intended to merge these properties. Each previously had its own dwelling, each has its own separate tax account number and each now is vacant.

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P3

Considering all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. These lots were created long before zoning was imposed on the properties and so I find them unique in a zoning sense.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Each lot is narrow and strict enforcement of a 25 foot side yard setback would mean no practical residential use could be made of the property.

Density is not an issue as each lot meets the size requirements for DR 16 and each has had a dwelling as well.

Finally, I find this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. This will improve the neighborhood according to Ms. Yarrington.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 8th day of March 2007, by this Deputy Zoning Commissioner, that variance relief for properties set forth as follows:

Case No. 07-297-A: This property is located at 26 Stemmers Run Road. The variance request is from Sections 302 and 1B02.3C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yards of 9 feet +/- in lieu of the required 25 feet is hereby GRANTED; and

Case No. 07-298 This property is located at 28 Stemmers Run Road. The variance request is from Sections 302 and 1B02.3C of the Baltimore County Zoning Regulations (B.C.Z.R.) to

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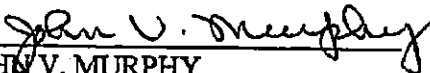
P3

permit side yards of 7 feet +/- and 8 feet +/- in lieu of the required 25 feet is hereby GRANTED;

both subject however to the following conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Submit building elevations to the Office of Planning for review and approval prior to the issuance of any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color and architectural detail as that of the existing dwellings in the area.
3. Provide landscaping along the public road, if consistent with the existing streetscape.

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


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

RECEIVED FOR PLANNING
3-8-07
P3



BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

March 7, 2007

HUNTER'S CREEK CHILD DAYCARE, INC.
DARRELL R. CAMMACK, JR., PRESIDENT
900 WALTHER BLVD.
BALTIMORE MD 21234

Re: Petition for Variance

Case No. 07-297-A located at 26 Stemmers Run Road

Case No. 07-298-A located at 28 Stemmers Run Road

Dear Mr. Cammack:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

- c: Alfred Brennan, Jr., Esquire, 825 Eastern Blvd., Baltimore MD 21221
- William Bafitis, Bafitis & Associates, Inc., 1249 Engleberth Road, Baltimore MD 21221
- Patricia Yarrington, 30 Stemmers Run Road, Essex MD 21221
- Donna Decker, 29A Stemmers Run Road, Essex MD 21221
- Christie Petrovick, 1409 Hopewell Avenue, Essex MD 21221



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 28 Stemmers Run Rd, 21221
which is presently zoned RL

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

*To permit s. demands of 7'± + 8'± in lieu of
The Required 25' Section 302, 1802, 30 C.B.C.R*

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate hardship or practical difficulty)

To be established 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 Variance, 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.

I/We do 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 Petition.

Contract Purchaser/Lessee:

B&L Properties, LLC
Name - Type or Print
William N. Brennan
Signature William N. Brennan, Managing Member
1249 Engleberth Road 410-391-2336
Address Telephone No.
Baltimore, MD 21221
City State Zip Code

Attorney For Petitioner:

Alfred L. Brennan, Jr.
Name - Type or Print
Alfred L. Brennan
Signature
Brennan & Brennan, Attorneys-at-Law, P.A.
Company
825 Eastern Boulevard 410-687-3434
Address Telephone No.
Baltimore, Maryland 21221
City State Zip Code

Legal Owner(s):

Hunters Creek Child Daycare, Inc.
Name - Type or Print
Darell R. Cammack, Jr.
Signature
Darell R. Cammack, Jr., President
Name - Type or Print
Signature
9900 Walther Blvd
Address Telephone No.
Baltimore MD 21234
City State Zip Code

Representative to be Contacted:

Alfred L. Brennan, Jr.
Name
825 Eastern Blvd 410-687-3434
Address Telephone No.
Baltimore, Maryland 21221
City State Zip Code

OFFICE USE ONLY

Case No. 07-298-A

ESTIMATED LENGTH OF HEARING _____

REV 9/15/98

Reviewed By D.T. UNAVAILABLE FOR HEARING Date 12/29/06

RECEIVED FOR FILING

38-07

B



Baftis & Associates, Inc.

**ZONING DESCRIPTION
FOR
28 STEMMERS RUN ROAD
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND**

Beginning for the same at point on the southwest side of Stemmers Run Road, 60' wide being 550' $\pm$ northwesterly from the centerline of Old Eastern Avenue.

1) Thence leaving southwest side of Stemmers Run Road, the following 3 courses and distances, South 77°-39'-20" West 133.81' to a point; 2) Thence North 12°-20'-40" West 43.02' to a point; 3) Thence North 77°-39'-20" East 108.74' to a point on the southwest side of Stemmers Run Road 4) Thence running along said road South 45°-31'-40" East 37.71' to the point; 5) Thence South 33°-31'-40" East 12.29' to the point of beginning.

Containing 5,265.45 sq. ft. or 0.120 acres more or less.

Being known as Part of Lot 3 as shown on a plat entitled "Betz Plat" recorded among the Land Records of Baltimore County, Maryland Plat Book 07, Folio 120, Deed Reference Liber 9221, Folio 076.



William N. Baftis, P.E., Md. Licence Reg #11641

Date

12/18/06

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 23070

DATE 12/29/06 ACCOUNT 00100066150

AMOUNT \$ 65.00

RECEIVED FROM: B+L ~~RENTALS~~ PROPERTIES, LLC

FOR: Item # 198 07-298-A

28 Stemmers RD RD D.T.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

DATE 12/29/2006
AMOUNT \$ 65.00
RECEIVED BY B+L PROPERTIES, LLC
DATE 12/29/2006
TIME 09:24 AM
BY [Signature]

RECEIVED BY B+L PROPERTIES, LLC
DATE 12/29/2006
TIME 09:24 AM
BY [Signature]

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No. 07-298-A

Petitioner/Developer: B+L

PROPERTIES, LLC

Date of Hearing/Closing: 2-26-07

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

ATTN: Kristen Matthews ((410) 887-3394)

Ladies and Gentlemen:

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

28 STEMMERS RUN RD

The sign(s) were posted on 2-10-07
(Month, Day, Year)

Sincerely,

Robert Black 2-13-07
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

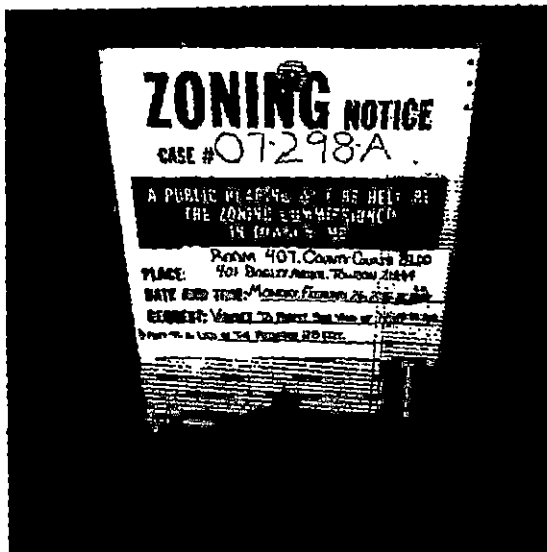
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



RE: PETITION FOR VARIANCE * BEFORE THE
28 Stemmers Run Road; SW/S Stemmers *
Run Road, 550' NW c/line Old Eastern Ave * ZONING COMMISSIONER
15th Election & 7th Councilmanic Districts *
Legal Owner(s): Hunters Creek Child Daycare* FOR
Contract Purchaser(s): B&L Properties, LLC *
Petitioner(s) * BALTIMORE COUNTY
* 07-298-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel 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/ 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
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of January, 2007, a copy of the foregoing Entry of Appearance was mailed to, Alfred L. Brennan, Jr. Brennan & Brennan, 825 Eastern Boulevard, Baltimore, MD 21221, Attorney for Petitioner(s).

RECEIVED

JAN 10 2007

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.,
County Executive

January 23, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

NOTICE OF ZONING HEARING

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

CASE NUMBER: 07-298-A

28 Stemmers Run Road

S/west side of Stemmers Run Road, 550 feet n/west of centerline of Eastern Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Hunters Creek Child Daycare, Inc., Darell Cammack, Jr., President

Contract Purchaser: B & L Properties, LLC

Variance to permit side yard of 7 feet +/- and 8 feet +/- in lieu of the required 25 feet.

Hearing: Monday, February 26, 2006 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in cursive script that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Alfred Brennan, Jr., 825 Eastern Blvd., Baltimore 21221
Darell Cammack, Jr., 9900 Walther Blvd., Baltimore 21234
William Bafitis, 1249 Engleberth Road, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, FEBRUARY 10, 2007.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 8, 2007 Issue - Jeffersonian

Please forward billing to:
Alfred Brennan, Jr.
825 Eastern Blvd.
Baltimore, MD 21221

410-687-3434

NOTICE OF ZONING HEARING

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

CASE NUMBER: 07-298-A

28 Stemmers Run Road

S/west side of Stemmers Run Road, 550 feet n/west of centerline of Eastern Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Hunters Creek Child Daycare, Inc., Darell Cammack, Jr., President

Contract Purchaser: B & L Properties, LLC

Variance to permit side yard of 7 feet +/- and 8 feet +/- in lieu of the required 25 feet.

Hearing: Monday, February 26, 2006 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM V. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the 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 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:

Item Number or Case Number: 07-298-A
Petitioner: B+L PROPERTIES LLC
Address or Location: 28 STEMMERS RUN RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: ALFRED L. BRENNAN JR.
Address: 825 EASTERN BLVD.
BALTO. MD. 21221
Telephone Number: 410-687-3434

Revised 7/11/05 - SCJ



BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

February 22, 2007

Alfred L. Brennan, Jr.
Brennan & Brennan, Attorneys-at-Law, P.A.
825 Eastern Boulevard
Baltimore, MD 21221

Dear Mr. Brennan:

RE: Case Number: 07-298-A, 28 Stemmers Run Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 29, 2006.

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, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Hunters Creek Child Daycare, Inc. Darell R. Cammack, Jr., President 9900 Walther
Blvd Baltimore 21234
B&L Properties, LLC William N. Bafitis, Managing Member 1249 Engleberth Road
Baltimore 21221

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Holman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

January 12, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: January 15, 2007

Item Number: 296 through 299 and 301 through 306

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

Visit the County's Website at www.baltimorecountyonline.info



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

DATE: January 11, 2007

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 15, 2007
Item Nos. 07-294, 297, 298, 300, 301,
302, 303, and 306

The Bureau of Development Plans Review has reviewed the subject zoning items
and we have no comments.

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-01112007.doc



Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: JANUARY 8, 2007

Ms. Kristen Matthews
Baltimore County Office Of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

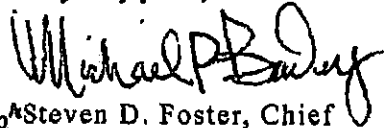
RE: Baltimore County
Item No. 7-298-A
28 STEMMERS RUN RD
B&L PROPERTIES, LLC
VARIANCE

Dear Ms. Matthews:

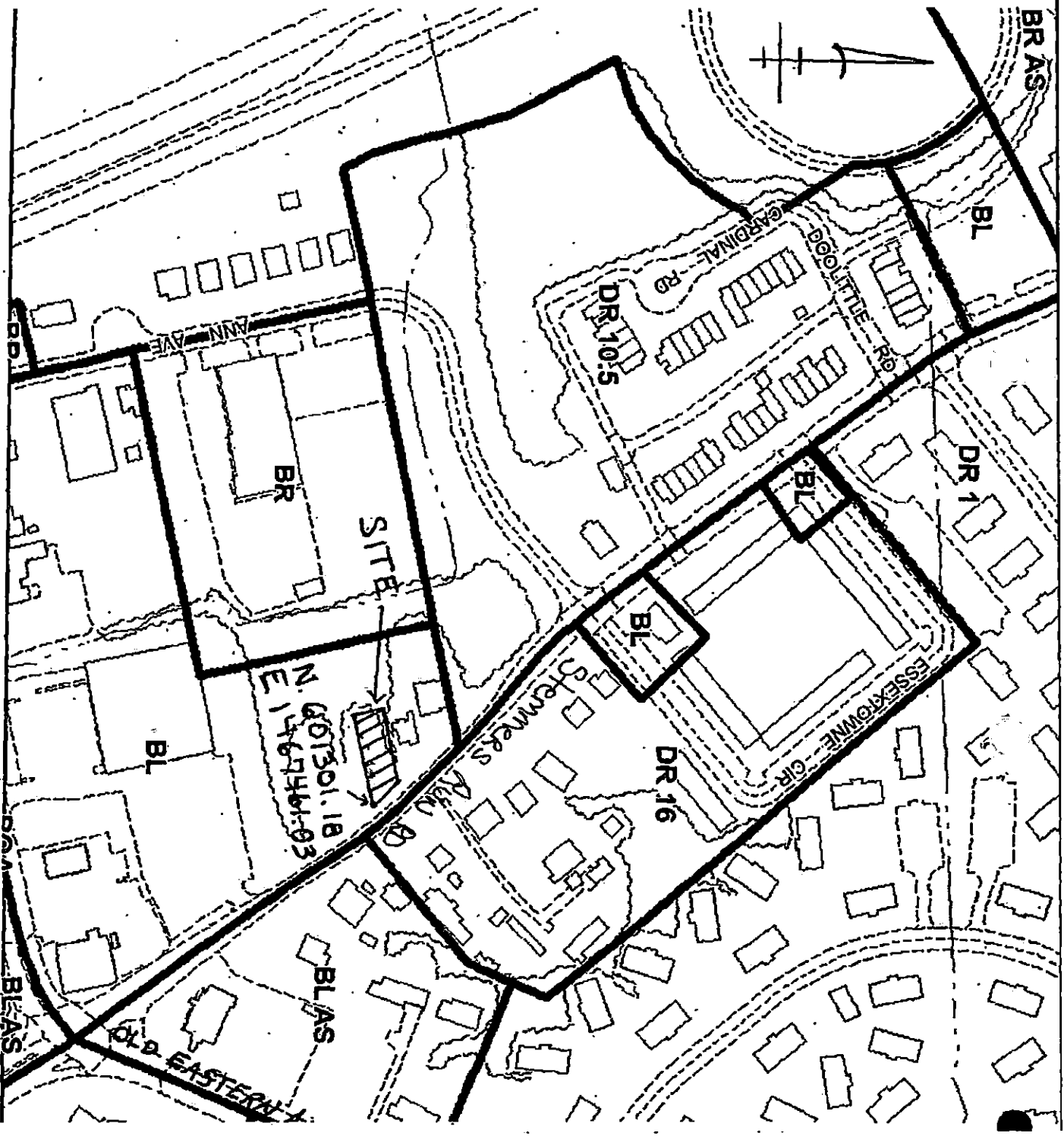
Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7-298-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,


For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



090A2	090B2	090C2	091A2
090A3	090B3	090C3	091A3
097A1	097B1	097C1	098A1

Scale
ZONING MAP
 1" = 200'

0 100 200 400
 Feet

1

28 Stemmers Run Road

01-298-A

DAY, FEBRUARY 22, 2007 — SECTION B — THE JEFFERSONIAN — PAGE 5

C NOTICES

NOTICE OF ZONING HEARING

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

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Case: #07-298-A
28 Stemmers Run Road
East side of Stemmers Run Road, 550 feet northwest of
cornerline of Eastern Avenue
16th Election District - 11th Councilmanic District
Legal Owner(s): Hunt Creek Child Daycare, Inc.
Darrell R. Cammack, Jr., President
Contract Purchaser: B & L Properties, LLC
Variances: to permit side yard of 7 feet - 4 and 8 feet
- 4 feet of the required 25 feet
Hearing: Monday, February 26, 2007 at 10:00 a.m. in
Room 407, County Courts Building, 401-Basely Ave-
nue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for
special accommodations Please Contact the Zoning Com-
missioner's Office at (410) 887-3386.
(2) For information concerning the File and/or Hearing,
Contact the Zoning Review Office at (410) 887-3391.
2/19 Feb. 22 126985

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by au-
thority of the Zoning Act and Regulations of Baltimore
County will hold a public hearing in Towson, Maryland on
the property identified herein as follows:

Case: #07-324-SPH

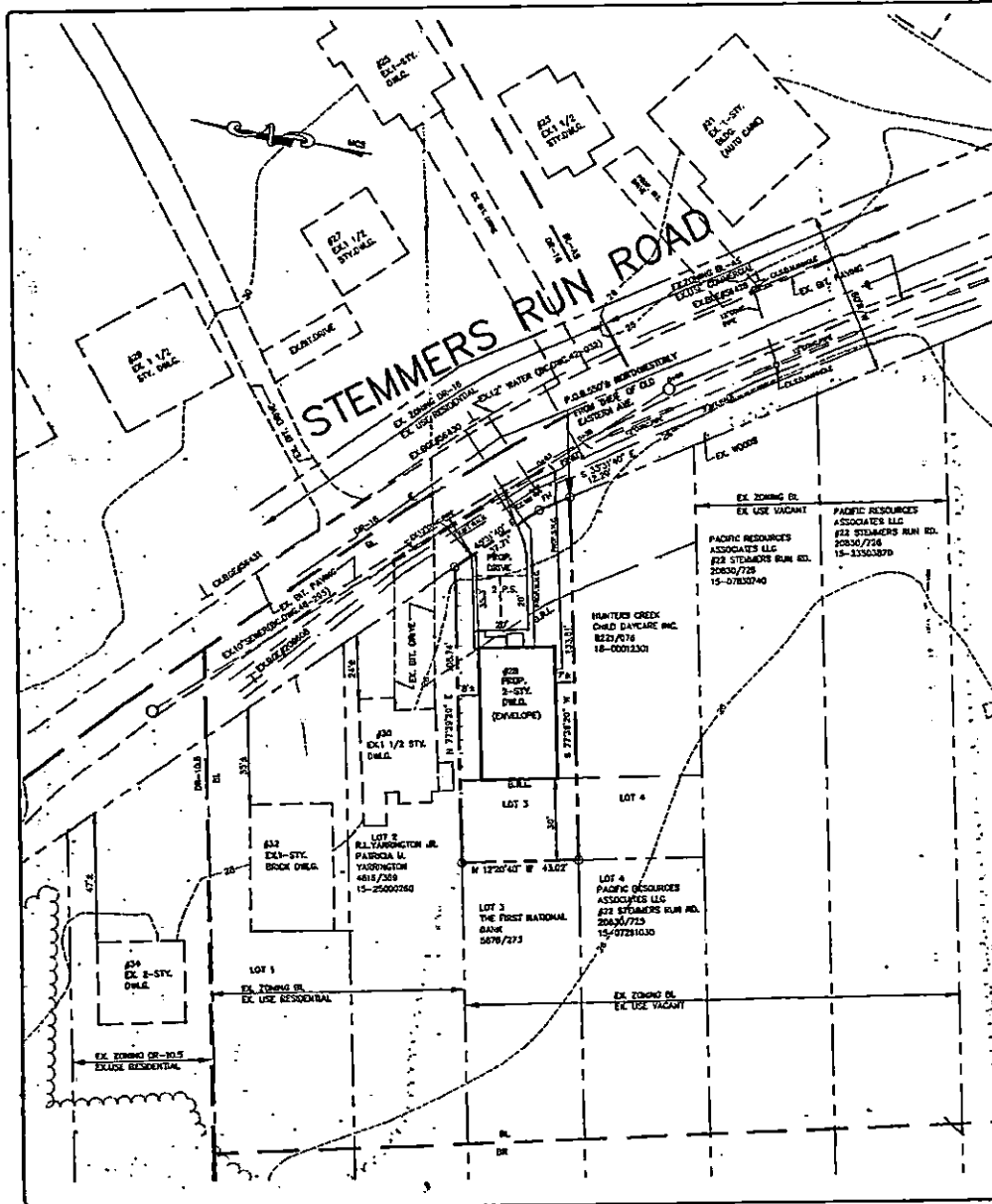
4507 Long Green Road

East of Manor Road, 508.38 feet west of Long
Green Road
11th Election District - 3rd Councilmanic District
Legal Owner(s): Wilson United Methodist Church
John Haas, trustee

Special Hearing: to approve a reconfiguration of lot lines
from six parcels to three parcels and one non-
density parcel, and confirmation the reconfiguration
qualifies as a minor subdivision. Variances: to permit a 0
foot setback for existing church building, in lieu of the re-
quired 50 feet.

Hearing: Friday, March 9, 2007 at 11:00 a.m. in Room
406, County Courts Building, 401 West Chesapeake
Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for
special accommodations Please Contact the Zoning Com-
missioner's Office at (410) 887-3386.
2/19 Feb. 22 126985



NOTES

1. Topography shown herein was taken from Baltimore County GIS Topography.
2. The First Insurance Rate Map, Panel 430 of 870 indicates this site to be in Zone C.
3. Property lines shown herein were compiled from available public information and do not represent a boundary survey.
4. This site is not situated within the Chesapeake Bay Critical Area. (map 90)
5. Existing trees to remain except as noted.
6. There are no known Tidal or Non-Tidal Wetlands on this site.
7. There is no significant pond or animal habitat on this site.
8. There are no slopes greater than 15% on this site.
9. There are no known wells on this site.
10. There are no known underground storage tanks or septic systems on this site.
11. There are no known potentially hazardous materials on this site as defined by Title 7-Health and Environmental Article, Annotated Code of Maryland, except as noted.
12. There are no buildings or property within this site that are included on the Maryland Historical Trust Inventory, the Baltimore County Landmarks List, the National Register of Historic Places, the Maryland Archaeological Survey or in a Baltimore County Historical District.
13. Public Water and sewer serve this site.
14. This site has not been the subject of the CDO or DRD Processes.
15. Caution underground utilities may exist under or in Stemmers Run Road, contact the Utility (200-257-7777) prior to any construction.
16. All real discharges must discharge wastewater runoff to a pervious surface.

FRONT SETBACK AVERAGING *	
#	DISTANCE
1-24	47'
25-32	35'
33-40	24'
TOTAL	108'
AVERAGE	33.3'

* PROPERTIES SOUTH FROM SUBJECT SITE WITHIN 200' ARE UNIMPROVED.

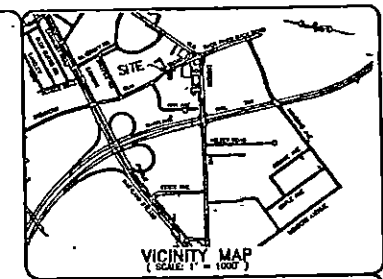
NOTE: HEIGHT AND AREA REGULATIONS PER SECTION 302 B.C.R. AND FRONT YARD DEPTH PER SECTION 303.2 B.C.R.

ZONING HISTORY

THIS LOT HAS NOT BEEN THE SUBJECT OF ANY PREVIOUS ZONING HEARINGS OR CASES.

ZONING VARIANCE REQUEST

1. TO PERMIT SIDEYARDS OF 7' & 8' IN LIEU OF THE REQUIRED 25' SECTION 302.1002.3C B.C.R.



SITE DATA

- 1) OWNER: HUNTERS CREEK CHRD DAYCARE INC. 8000 WALTER BLVD. BALTIMORE, MARYLAND 21234-5785
- 2) DEED REF: 6229/078
- 3) TAX ACC # 15-0830230
- 4) TAX MAP: 90 PARCEL: 061 LOT: PART OF LOT 3 (CREATED 04/18/1970)
- 5) PLAT REF: NOTE PLAT BOOK 07 FOLIO 120 (RECORDED JULY 1870)
- 6) ELECTION DISTRICT: 15TH
- 7) CONGRESSIONAL DISTRICT: 7TH
- 8) CENSUS TRACT: 4505.01
- 9) REGIONAL PLANNING DISTRICT: 318
- 10) ZONING: RL
- 11) ZONING MAP: 08003
- 12) EXISTING USE: VACANT LOT PROPOSED USE: RESIDENTIAL DWELLING
- 13) SITE AREA: 5,265.45 S.F. OR 0.120 AC.

Duffie & Associates, Inc.
1219 Englebert Rd. Baltimore, MD 21221

William H. Duffie, P.E.
REGISTERED
Civil Engineer/Land Planning Surveyors
(410) 351-2336

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE FOR #28 STEMMERS RUN ROAD

15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

WILLIAM H. DUFFIE, P.E.

SCALE: 1" = 20'

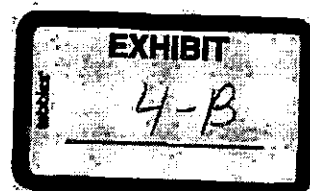
JOB ORDER NO. 20037

DATE: 12/18/06

SHEET 1 OF 1

NO.	REVISIONS	DATE







EXHIBIT

4-C



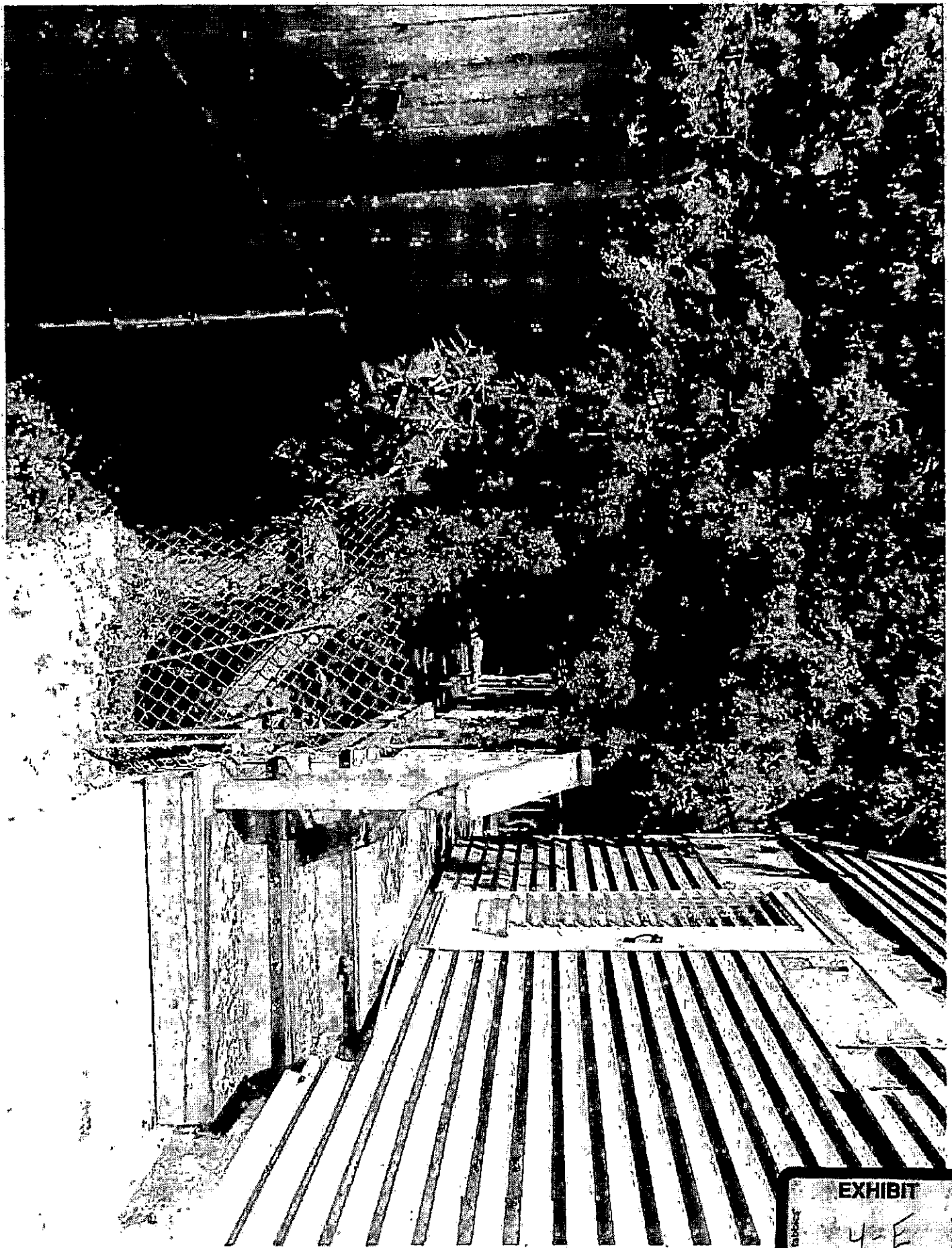
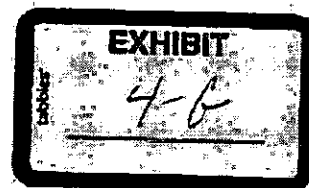
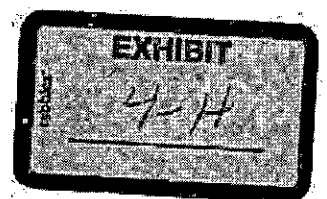


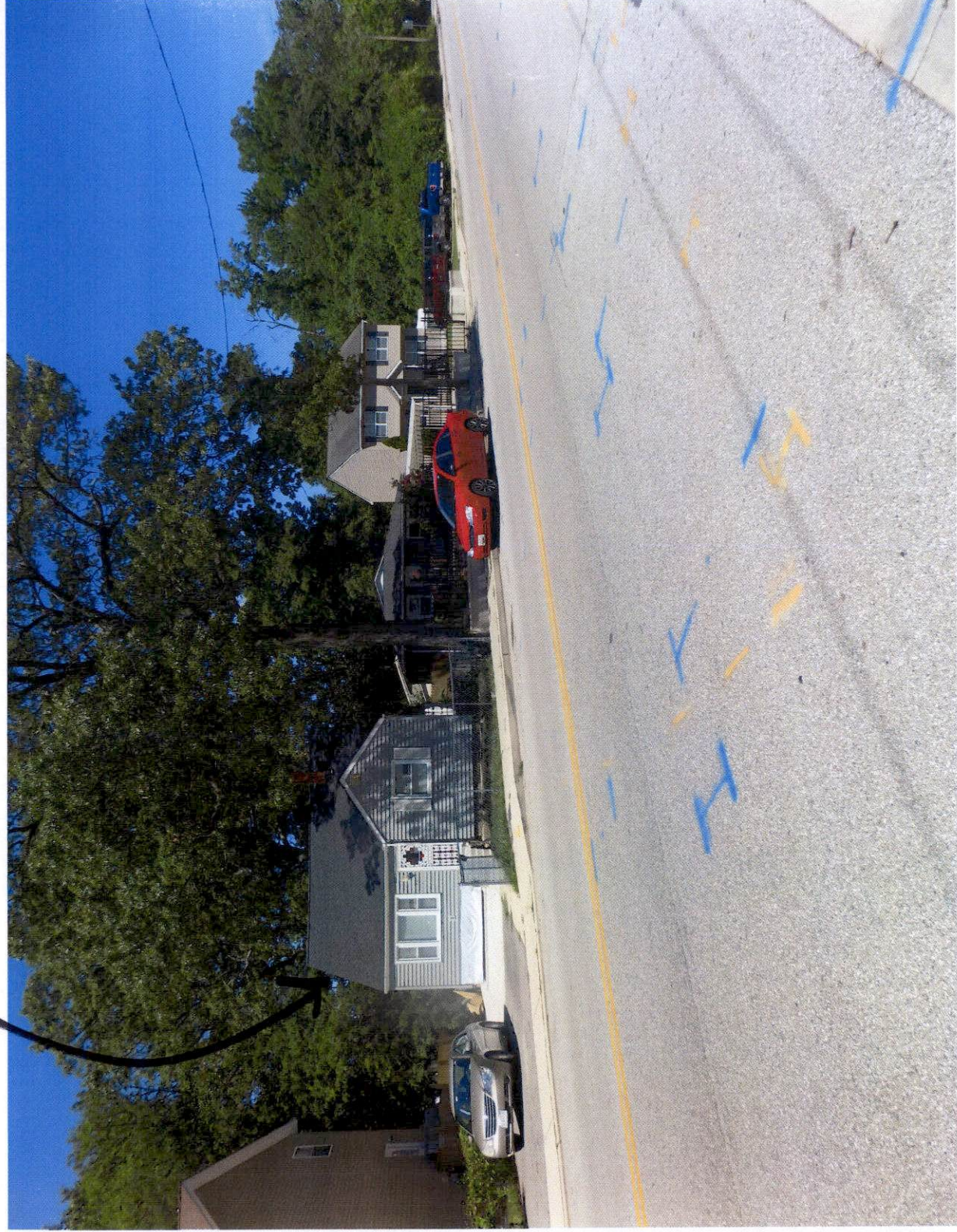
EXHIBIT
4-E







30 Stemmers Run Rd
Front Elevation



2020-0175-A

2020-0175-A



28 Stemmers Run Rd

Front Elevation 30 Stemmers Run Rd
looking left from driveway



GA20-0175-A

Front Elevation looking right from driveway
@ 30 Stemmers Run RD



2020-0175-A

Side Entrance 30 Stemmers Run Road
Replace sidewalk and 4' concrete landing



2020-0175-A

Rear Elevation 30. Stemmers Run Rd
needing variance



2020-0175-A

Rear Elevation 30 Stemmers Run Rd
Deck Addition



2020-0175-A

Side Elevation 30 Stemmers Run RD
~~and~~ 32 Stemmers Run RD Property Line



2020-0175-A

Rear Elevation
30 Stemmers Run Rd looking at
28 Stemmers Run Rd.



2020-0175-A

Rear Elevation 30 Stemmers Run Rd
Looking at 32 Stemmers Run Rd



2020-0175-A

Real Property Data Search (w1)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Special Tax Recapture: None					
Account Identifier:		District - 15 Account Number - 1525000260			
Owner Information					
Owner Name:		MARLIND HOMES LLC		Use:	RESIDENTIAL
Mailing Address:		PO BOX 324 WHITE MARSH MD 21162-		Principal Residence:	NO
				Deed Reference:	/42214/ 00380
Location & Structure Information					
Premises Address:		30 STEMMERS RUN RD 0-0000		Legal Description:	.246AC PT LT 2 STEMMERS RUN RD BETZ PLAT
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0090	0022	0561	15050042.04	0000	
					Block:
					2
					Lot:
					2018
					Assessment Year:
					Plat No:
					Plat Ref: 0007/ 0120
Town: None					
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1959		1,325 SF		10,735 SF	
Property Land Area		County Use			
10,735 SF		04			
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
1 1/2	YES	STANDARD UNIT	SIDING/	3	1 full
Garage					
Last Notice of Major Improvements					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2018		07/01/2019	
				As of	
				07/01/2020	
Land:	49,800	49,800			
Improvements	66,800	85,300			
Total:	116,600	135,100		128,933	135,100
Preferential Land:	0				0
Transfer Information					
Seller:		Date: 12/10/2019		Price: \$100,000	
Type: ARMS LENGTH IMPROVED		Deed1: /42214/ 00380		Deed2:	
Seller:		Date:		Price: \$0	
Type:		Deed1: /04616/ 00369		Deed2:	
Seller:		Date:		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: //		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2019	
County:		000		0.00	
State:		000		0.00	
Municipal:		000		0.00 0.00	
Special Tax Recapture: None					
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

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

**Permits, Approvals & Inspections**111 W. Chesapeake Avenue
Towson, MD 21204Report Generated On:
7/20/2020**Permit Processing Residential Permit & Development Report**

Page 1 of 1

Property Information

Tax Account Number: 1525000260

Plat Ref: 007:120

Election District: 15

Owner Name(s): MARLIND HOMES LLC

PDM# :

Address: PO BOX 324

Zoning Class.(s): BR

WHITE MARSH, MD 21162

BL

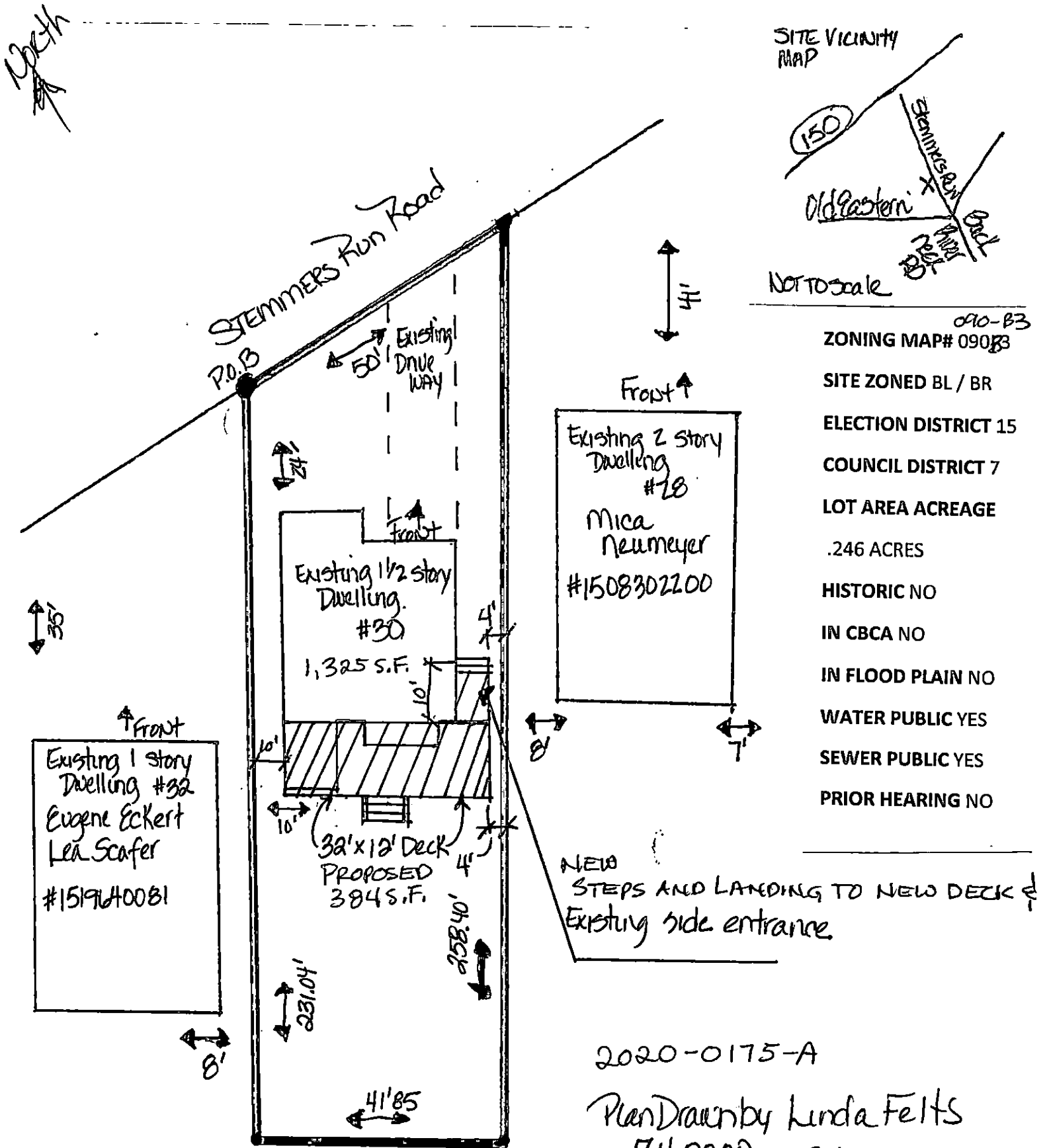
Premise Address: 30 STEMMERS RUN RD

Elevation Range: 26ft - 28ft

Affected Overlays	Instructions: Begin review process with Zoning Review, Room 111.	New Homes	Internal Alts.	Add / Ext. Alts.	Access. Struct.	Open Decks	Piers/Pilings	Grading/SW	Tanks	Ret Walls/Bulk	Razing	Elec. & Plumb	High Rise Apts.	Agency Acknowledgment Initial & Date
Contact Agency	Potential Overlay Issues Growth Tier 1: Served by public sewer and inside URDL													
PAI-Public Services County Office Building Room 119 Phone: 410-887-3751	InFill Lot Review Verify Water Service Size.	X												OK To File
Zoning Review County Office Building Room 111 Phone: 410-887-3391	Zoning Cases: 2007-0298-A	X		X	X	X	X							
MD Aviation Administration Division of Airport Facilities Planning P.O. Box 8766 BWI Marshall Airport, MD 21240-0766 Phone: 410-859-7692 or 410-859-7070	Martin State Airport Zoning Area	X		X	X		X	X	X	X				OK To File

2020-0175-A

SUBDIVISION BETZ LOT# 2 PLAT# 0007 FOLIO# 0120 TAX# 152500026 DEED REF# 42214/00380



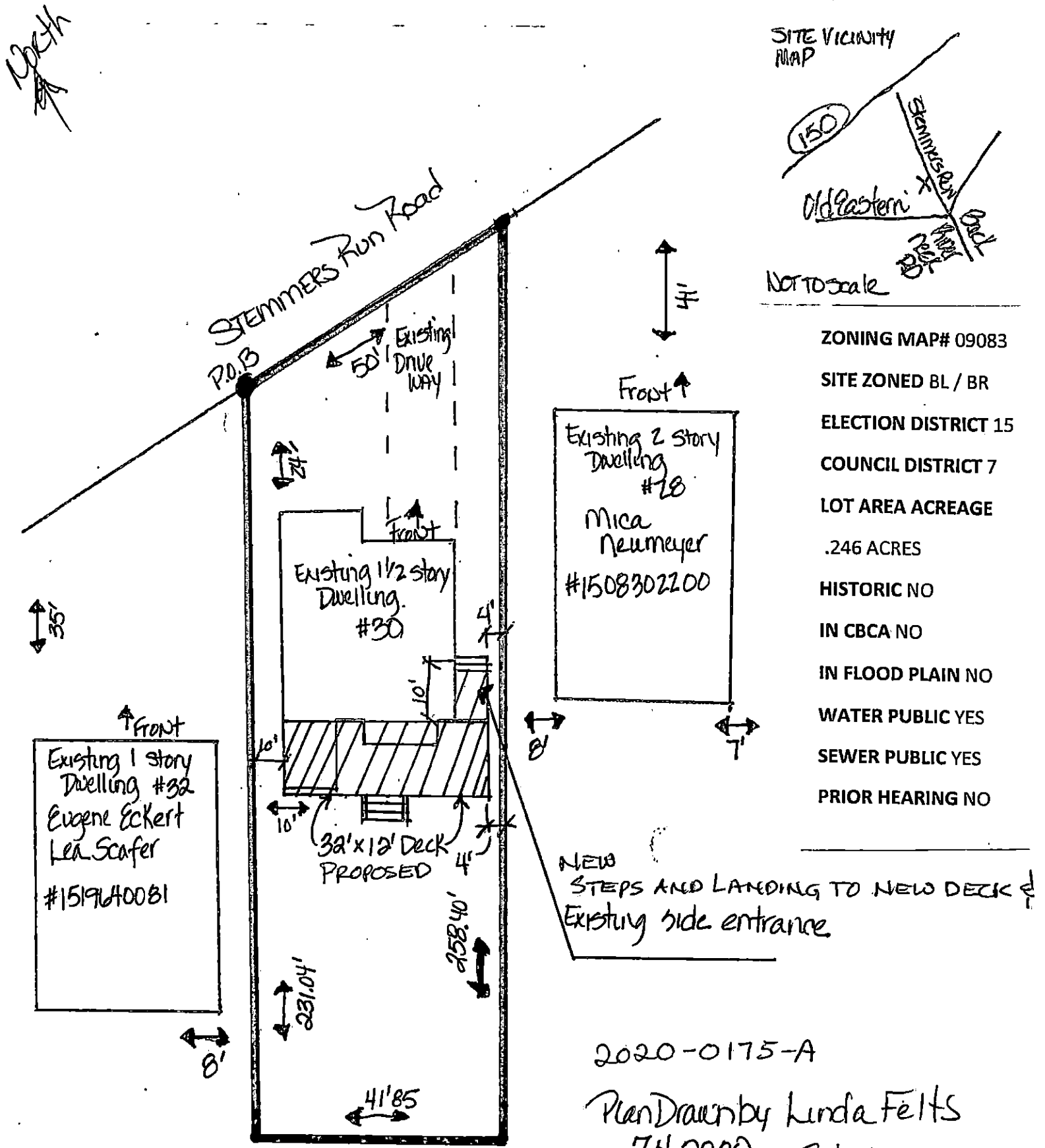
2020-0175-A

Plan Drawn by Linda Felts
7.4.2020 Scale 1 inch = 20 Feet

ZONING HEARING PLAN FOR VARIANCE 30 STEMMERS RUN ROAD ESSEX, MD. 21221

OWNER NAME MARLIND HOMES LLC / LINDA FELTS SOLE MEMBER

SUBDIVISION BETZ LOT# 2 PLAT# 0007 FOLIO# 0120 TAX# 152500026 DEED REF# 42214/00380



ZONING MAP# 09083

SITE ZONED BL / BR

ELECTION DISTRICT 15

COUNCIL DISTRICT 7

LOT AREA ACREAGE

.246 ACRES

HISTORIC NO

IN CBCA NO

IN FLOOD PLAIN NO

WATER PUBLIC YES

SEWER PUBLIC YES

PRIOR HEARING NO