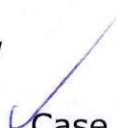


M E M O R A N D U M

DATE: December 17, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0178-SPHA – Appeal Period Expired

The appeal period for the above-referenced cases expired on December 16, 2020. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c:  Case File
Office of Administrative Hearings

IN RE: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

(1618 Middleborough Road) *

15th Election District *

7th Council District *

David L. Bosse *

Legal Owner *

Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2020-0178-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Hearing and Variance filed on behalf of David L. Bosse, legal owner (“Petitioner”). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to construct an accessory structure larger than the existing principal structure. In addition, a Petition for Variance was filed pursuant to § 400.3, of the BCZR to permit an accessory structure to be 22 feet tall in lieu of the permitted 15 feet.

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

David L. Bosse appeared in support of the requests. Patrick (“Rick”) Richardson from Richardson Engineering, LLC, prepared and sealed the site plan and he appeared on behalf of the Petitioner. There were no protestants or interested persons in attendance. A Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (“DOP”). The agency did not oppose the requested relief.

The property consists of three parcels, totaling approximately .69 acres, all owned by Mr. Bosse. It is zoned RC 3.5. As the DOP observed, “the neighborhood consists of older single-

ORDER RECEIVED FOR FILING

Date

11/16/20

By

D Mignon

family homes on large lots,” and further, that “[l]arge accessory structures are not uncommon in this area. The parcel immediately to the rear has a variance for an accessory garage with a height of 20 feet in lieu of the required 15 feet that was granted in 2013.” Mr. Richardson also referred to this case (Case No. 2013-079-SPHA) and explained that the variance was granted to Mr. Bosse’s brother for the construction of an almost identical garage to the one proposed here. In addition, Mr. Bosse submitted a series of photos of the surrounding properties showing numerous oversized garage structures. (Petitioner’s Exhibit No. 3). Mr. Bosse explained that he needs the larger structure to house his camper and in the future a boat.

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

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

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

As explained above, the property in question is made up of three separate parcels and has several existing garages/sheds. It is therefore sufficiently unique. The petitioner would experience hardship and practical difficulty if the variance were denied because he would be unable to store his camper, and in the future his boat. I find that the variance relief can be granted within the spirit and intent of the BCZR and without harming the public health, safety, or welfare.

Further, I find the special hearing relief should also be granted. As noted by the DOP, the proposed garage will replace an existing structure, will be properly located in the rear of the existing residence, and will be well buffered from surrounding properties due to the ample size of the lot. Finally, the proposed structure is similar to numerous others in the immediate vicinity.

THEREFORE, IT IS ORDERED this 16th day of **November, 2020**, by this Administrative

ORDER RECEIVED FOR FILING

Date 11/16/20
By D Mignola

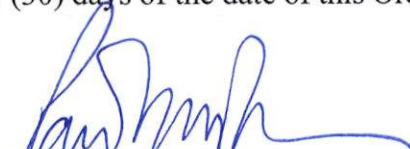
Law Judge, that the Petition for Special Hearing seeking relief pursuant to § 500.7 of the BCZR, to construct an accessory structure larger than the principal structure is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief pursuant to § 400.3 of the BCZR to permit an accessory structure to be 22 feet tall in lieu of the permitted 15 feet is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
- The structure shall not be used for residential or commercial purposes and shall not have a separate utility meter.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM/dlm

ORDER RECEIVED FOR FILING

Date

11/16/20

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

Address 1618 Middleborough Road which is presently zoned DR-3.5

Deed References: 42350 /400 & 42350/394 10 Digit Tax Account # 1502570910 & 1502654830

Property Owner(s) Printed Name(s) David L. Bosse

(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. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve:
Per the zoning commissioners policy manual Section 400.1.E to have an accessory structure larger than the principal structure
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) 400.3 to allow an accessory structure to be 22' tall in lieu of the permitted 15'

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):

David L. Bosse /

Name #1 - Type or Print

Name #2 - Type or Print

David L Bosse
Signature #1

Signature #2

1618 Middleborough Road Baltimore MD
Mailing Address City State

21221 / 410-686-7754 / david.bosse@verizon.net
Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC

Name - Type or Print

Signature

30 E. Padonia Road, Suite 500 Timonium MD
Mailing Address City State

21093 / 410-560-1502 / Rick@RichardsonEngineering.net
Zip Code Telephone # Email Address

CASE NUMBER 2020-0178-SD-114 Filing Date 7/22/2020

Do Not Schedule Dates: _____ Reviewer df

REV. 10/4/11

30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

Tel: (410) 560-1502
Fax: (443) 901-1208

**ZONING PROPERTY DESCRIPTION FOR
1618 MIDDLEBOROUGH ROAD
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

Beginning at a point on the north side of Middleborough Road approximately 165' west of the intersection of Hilltop Avenue, consisting of Lots #72-74 on Plat of Hilltop Park as recorded in Plat Book W.P.C. No 8, Folio 32.

Containing a net area of 30,000 square feet or 0.69 acres +/-.

2020-0178-SPHA



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: 2020-0178-SPHA
1618 Middleborough Road
N/side of Middleborough Road, west of Hilltop Avenue
15th Election District – 7th Councilmanic District
Legal Owners: David Bosse

Special Hearing to have an accessory structure larger than the principal structure.

Hearing: Friday, November 13, 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: Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093
David Bosse, 1618 Middleborough Road, Baltimore 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., OCTOBER 24, 2020.

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 #: 11929697

Case #:

Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2020-0178-SPHA

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

10/23/2020



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

o23

CERTIFICATE OF POSTING

2020-0178-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

David Bosse

November 13, 2020

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

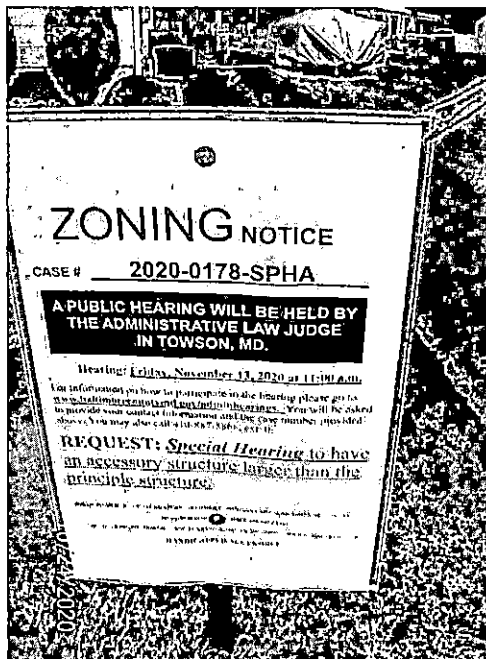
Ladies and Gentlemen:

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

1618 Middleborough Road **SIGN 2**

October 24, 2020

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



Sincerely,

October 24, 2020

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0178-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

David Bosse

November 13, 2020

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

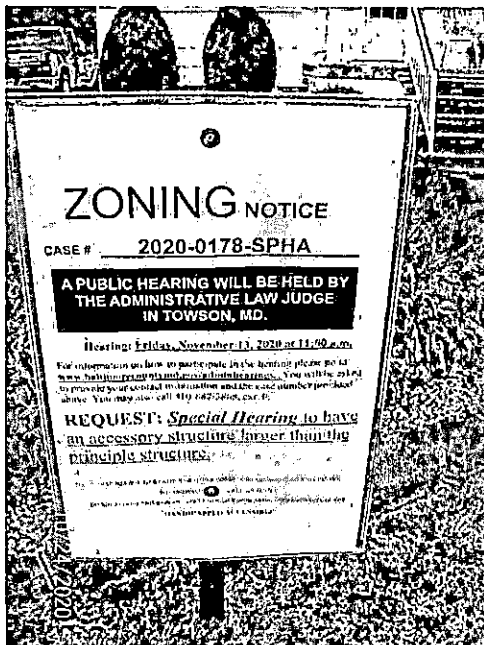
Ladies and Gentlemen:

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

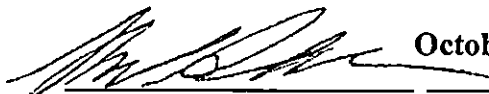
1618 Middleborough Road **SIGN 1**

October 24, 2020

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



Sincerely,

 October 24, 2020
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



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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A handwritten signature in cursive script, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093
David Bosse, 1618 Middleborough Road, Baltimore 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., OCTOBER 24, 2020.

TO: THE DAILY RECORD
Friday, October 23, 2020 - Issue

Please forward billing to:

David Bosse
1618 Middleborough Road
Baltimore, MD 21221

410-686-7754

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: 2020-0178-SPHA

1618 Middleborough Road
N/side of Middleborough Road, west of Hilltop Avenue
15th Election District – 7th Councilmanic District
Legal Owners: David Bosse

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

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2020-0178-SPHA

Property Address: 1618 Middleborough Road

Property Description: 1

Legal Owners (Petitioners): David L Bosse

Contract Purchaser/Lessee: /

PLEASE FORWARD ADVERTISING BILL TO:

Name: David L Bosse

Company/Firm (if applicable): -

Address: 1618 Middleborough Rd
Baltimore, MD 21221

Telephone Number: 410-686-7754

Revised 7/9/2015

DAVID L BOSSE
1618 MIDDLEBOROUGH RD
BALTIMORE MD 21221

1212
65-320/550 7391

7-15-20

Pay to the Order of Baltimore County \$ 150.00

One hundred Fifty dollars 00/100 Dollars

For Zoning Petition David Bosse

WELLS FARGO Wells Fargo Bank, N.A. Maryland wells Fargo.com

1055003201010298394915101212

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

No. 199715

Date: 7/22/2020

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		0150					150.00

Total: 150.00

Rec From: David L Bosse

For: 2020-0178-SPHA

1618 Middleborough Road

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 2, 2020

Richardson Engineering LLC,
30 E. Padonia Road Suite 500
Timonium MD 21093

RE: Case Number: 2020-0178-SPHA, 1618 Middleborough 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 22, 2020. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,
A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", written over the words "Very truly yours,".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

JOHN A. OLSZEWSKI, JR.
County Executive

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

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

DATE: 8/5/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-178

INFORMATION:

Property Address: 1618 Middleborough Road
Petitioner: David L. Bosse
Zoning: DR 3.5
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for the following:

1. Special Hearing – Per the Zoning Commissioners Policy Manual Section 400.1.E to have an accessory structure that is larger than the principal structure
2. Variance from Section 400.3 to allow an accessory structure to be 22 feet tall in lieu of the maximum permitted 15 feet

The neighborhood consists of older single-family detached homes on large lots and is zoned DR 3.5. The applicant owns three parcels and is proposing the accessory structure in the rear of the middle parcel. The three parcels offer a degree of buffering between nearby homes. The placement of the structure at the rear of the property will also limit its visibility from Middleborough Road.

A site visit was conducted on 7/29/2020. There is an existing home on the westernmost parcel. The two other lots are largely vacant but lot two has an existing gravel driveway and a shed that will be razed. Large accessory structures are not uncommon in this area. The parcel immediately to the rear has a variance for an accessory garage with a height 20 feet in lieu of the required 15 feet that was granted in 2013. Both accessory structures have footprints that are similar in size. There are no recent code complaints or violations on the property.

Architectural elevations of the proposed accessory structure were submitted to the Department of Planning on August 5th, 2020.

The Department of Planning has no objection to these requests.

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

County Executive

Division Chief:

Jenifer G. Nugent

Printed on recycled paper containing 30 percent post-consumer material

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 # 2020-0178-SPHA
Address 1618 Middleborough Road
(Bosse 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 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
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BALTIMORE COUNTY, MARYLAND

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

DATE: 8/5/2020

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Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-178

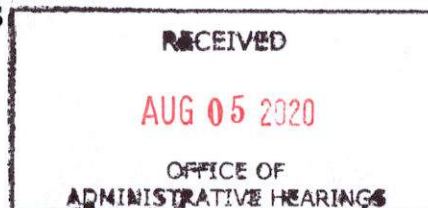
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Petitioner: David L. Bosse

Zoning: DR 3.5

Requested Action: Special Hearing, Variance



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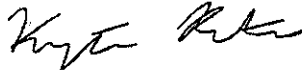
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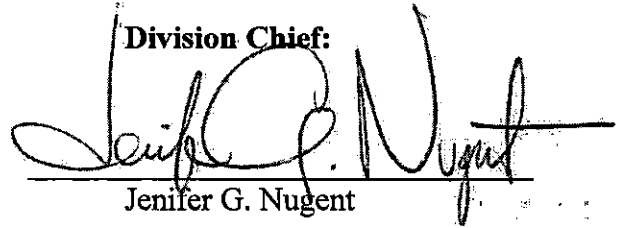
For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Joseph Fraker
Patrick C. Richardson, Richardson Engineering, LLC
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 - 1502570910		
Owner Information		
Owner Name:	BOSSE DAVID L	Use: RESIDENTIAL
Mailing Address:	1618 MIDDLEBOROUGH RD BALTIMORE MD 21221-3008	Principal Residence: YES Deed Reference: /42350/ 00400
Location & Structure Information		
Premises Address:	1618 MIDDLEBOROUGH RD BALTIMORE 21221-3008	Legal Description: HILLTOP PARK
Map: 0097	Grid: 0006	Parcel: 0418
Neighborhood: 15070062.04	Subdivision: 0000	Section: 72
Block: 2021	Lot: 0008/ 0032	Assessment Year: 0008/ 0032
Town: None		
Primary Structure Built: 1950	Above Grade Living Area: 1,547 SF	Finished Basement Area: 10,000 SF
County Use: 04		
Stories: 1 1/2	Basement: NO	Type: STANDARD UNIT
Exterior: ASBESTOS SHINGLE/	Quality: 3	Full/Half Bath: 1 full
Garage: 1 Detached	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of 01/01/2018
Land:	74,500	74,500
Improvements:	92,400	92,400
Total:	166,900	166,900
Preferential Land:	0	0
Transfer Information		
Seller: BOSSE DAVID L	Date: 01/15/2020	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /42350/ 00400	Deed2:
Seller: BOSSE GEORGE M	Date: 08/27/2012	Price: \$140,000
Type: ARMS LENGTH IMPROVED	Deed1: /32471/ 00391	Deed2:
Seller: NOOFT JOHN P & IRENE B	Date: 07/20/1949	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /00000/ 00000	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 12/31/2012		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

ZAC AGENDA

Case Number: 2020-0178-SPHA

Reviewer: Gary Hucik

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

Type: SPECIAL HEARING, VARIANCE

Legal Owner: David L. Bosse

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 15 **Council Dist:** 7

Property Address: 1618 MIDDLEBOROUGH RD

Location: North Side of Middleborough Road West 165 feet to the center line of Hilltop Ave.

Existing Zoning: DR 3.5

Area: .69 AC

Proposed Zoning:

SPECIAL HEARING:

Section 500.7 Per zoning commissioners policy manual Section 400.1 E to have an accessory structure large than the principal structure.

VARIANCE:

Section 400.3 to allow an accessory structure to be 22' tall in lieu of the permitted 15'.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Create Panelist Invitation List

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

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

Panelists to Invite

	Name	Email address	Phone number	Language	Time Zone	Locale
☐	<u>Deb Wiley</u> (Alternate Host)	dwiley@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Henry 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>David L. Bosse</u>	david.bosse@verizon.net	1-	English	New York Time	U.S.
☐	<u>Rick Richardson</u>	rick@richardsonengineering.net	1-	English	New York Time	U.S.

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

New Panelist

Full name: (required)

Email address: (required)

Country/Region: Number (with area/city code):

Phone number:

Time Zone: ▼

Language: ▼

Locale: ▼

☐ Add new panelist in my address book

☐ Invite as alternate host

[Add to Invitation List](#)

Event Information

Event: Zoning Hearing - 1618 Middleborough Road - Case No: 2020-0178-SPHA
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ed58eb019466c5c0f9b28d051b5e931a2>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ee518b75e85b7f6b79fb2ca9f839b95aa>
Date and time: Friday, November 13, 2020 11:00 am
 Eastern Standard Time (New York, GMT-05:00) Start Ev
Duration: 1 hour You can :
Description: Zoning Hearing
 Case No: 2020-0178-SPHA
 1618 Middleborough Road
 Legal Owner: David Bosse event by
Event number: 172 005 4472 Start Nov
Event password: 1234
Host key: 729738
Alternate Host: Deb Wiley ,Henry Akwah Stai
Panelist Info:
Panelist password:
Panelist numeric password: 421973 Send Ev
Video Address: 1720054472@baltimorecountymd.webex.com
 You can also dial 173.243.2.68 and enter your meeting number. You can :
Audio conference: US Toll
 +1-415-655-0001
[Show all global call-in numbers](#)
 Access code: 172 005 4472 emails by
Maximum number of registrants: 10000 Send Err
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 Send

Registration Information

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

[Manage Registrations](#)
[Delete Event](#)
[Edit Event](#)

Donna Mignon

From: messenger@webex.com
Sent: Wednesday, October 21, 2020 2:26 PM
To: Donna Mignon
Subject: Email delivery status for Web seminar: Zoning Hearing - 1618 Middleborough Road - Case No: 2020-0178-SPHA

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>

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - 1618 Middleborough Road - Case No: 2020-0178-SPHA
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ee1a8bd288f0203c25af689f086d6c86f>
Start: Fri 11/13/2020 11:00 AM
End: Fri 11/13/2020 12:00 PM
Recurrence: (none)
Meeting Status: Accepted
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): 172 005 4472

Friday, November 13, 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=ee1a8bd288f0203c25af689f086d6c86f>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e22c1e93f590c0916eb15f3ab382>



Audio conference information

+1-415-655-0001 US Toll
Global call-in numbers

Join from a video system or application

Dial 1720054472@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 421973

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

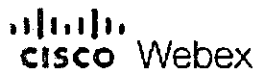
<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=e077d4808ad577d9bbb81b19e425163cc>

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

Donna Mignon

From: messenger@webex.com
Sent: Wednesday, October 21, 2020 2:26 PM
To: Donna Mignon
Subject: Email delivery status for Web seminar: Zoning Hearing - 1618 Middleborough Road - Case No: 2020-0178-SPHA

CAUTION: This message from messenger@webex.com originated from a non Baltimore County Government or non BCRL 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: 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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Donna Mignon

From: Richardson, Patrick <rick@richardsonengineering.net>
Sent: Wednesday, October 21, 2020 2:27 PM
To: Donna Mignon
Subject: Accepted: Zoning Hearing - 1618 Middleborough Road - Case No: 2020-0178-SPHA

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

Donna Mignon

From: Donna Mignon
Sent: Wednesday, October 21, 2020 2:27 PM
To: Kristen L Lewis
Cc: Debra Wiley
Subject: Link - 2020-0178-SPHA 1618 Middleborough Road

Event Information

Event: Zoning Hearing - 1618 Middleborough Road - Case No: 2020-0178-SPHA
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ed58ebc>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ee518b7>
Date and time: Friday, November 13, 2020 11:00 am
Eastern Standard Time (New York, GMT-05:00)
Duration: 1 hour
Description: Zoning Hearing
Case No: 2020-0178-SPHA
1618 Middleborough Road
Legal Owner: David Bosse
Event number: 172 005 4472
Event password: 1234
Host key: 729738
Alternate Host: Deb Wiley ,Henry Akwah
Panelist Info:
Panelist password:
Panelist numeric password: 421973
Video Address: 1720054472@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: 172 005 4472
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

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



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 1618 Middleborough Road which is presently zoned DR-3.5
Deed References: 42350 /400 & 42350/394 10 Digit Tax Account # 1502570910 & 1502654830
Property Owner(s) Printed Name(s) David L. Bosse

(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. X a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve:
Per the zoning commissioners policy manual Section 400.1.E to have an accessory structure larger than the principal structure
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) 400.3 to allow an accessory structure to be 22' tall in lieu of the permitted 15'

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):

David L. Bosse / _____

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

David L. Bosse _____
Signature #1 _____ Signature #2 _____

1618 Middleborough Road Baltimore MD
Mailing Address _____ City _____ State _____

21221 / 410-686-7754 / david.bosse@verizon.net
Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Richardson Engineering, LLC

Name - Type or Print _____

Signature _____

30 E. Padonia Road, Suite 500 Timonium MD
Mailing Address _____ City _____ State _____

21093 / 410-560-1502 / Rick@RichardsonEngineering.net
Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2020-0118-SP1A Filing Date 7/22/2020

Do Not Schedule Dates: _____ Reviewer g

REV. 10/4/11

Donna Mignon

From: Kristen L Lewis
Sent: Wednesday, October 21, 2020 2:13 PM
To: Donna Mignon; Debra Wiley
Subject: Webex
Attachments: 20201021140349442.pdf

Good afternoon,

I have attached the information needed for the next webex event to be created. There are a few more to follow.
Thanks as always,

Kristen Lewis
PAI – Zoning Review
410-887-3391

Debra Wiley

11/13
11Am

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Sunday, November 8, 2020 7:56 PM
To: Rick Richardson; Administrative Hearings
Subject: Recertification's For 2020-0153-XA AND 2020-0178-SPHA
Attachments: Re-Cert 1 2020-0153-XA.doc; Re-Cert 2 2020-0153-XA.doc; Re-Cert 1 2020-0178-SPHA.doc; Re-Cert 2 2020-0178-SPHA.doc

CAUTION: This message from 1opie@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.

Recertification's for 7 Deneison Avenue AND 1618 Middleborough Road. Thanks.



CERTIFICATE OF POSTING

2020-0178-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

David Bosse

November 13, 2020

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

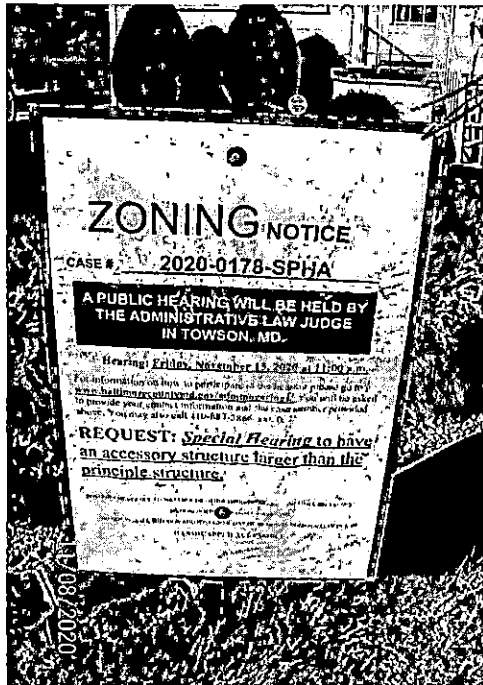
Ladies and Gentlemen:

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

1618 Middleborough Road **SIGN 1 Recertification**

October 24, 2020

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



Sincerely,

November 8, 2020

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0178-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

David Bosse

November 13, 2020

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

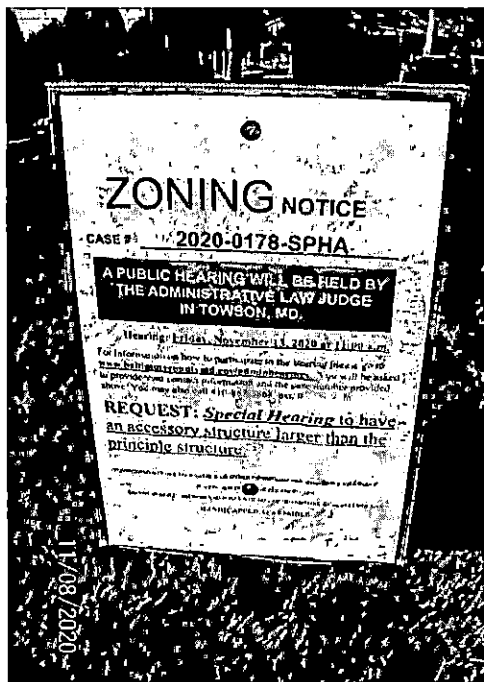
Ladies and Gentlemen:

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

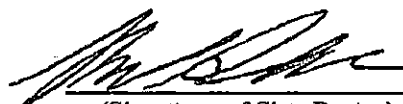
1618 Middleborough Road **SIGN 2 Recertification**

October 24, 2020

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



Sincerely,

 November 8, 2020
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

Debra Wiley

From: Administrative Hearings
Sent: Thursday, November 12, 2020 7:41 AM
To: Richardson, Patrick
Subject: RE: Case 2020-0178-SPHA

Good Morning,

We have received your exhibits, however, there was no exhibit list included.

Please send asap.

Thank you.

From: Richardson, Patrick <rick@richardsonengineering.net>
Sent: Wednesday, November 11, 2020 8:39 AM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: Case 2020-0178-SPHA

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

Exhibits for the hearing

Rick Richardson
Richardson Engineering, LLC
30 E. Padonia Road Suite 500
Timonium, MD 21093
410-560-1502-x112
fax: 443-901-1208

Debra Wiley

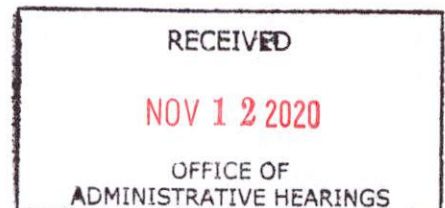
From: Richardson, Patrick <rick@richardsonengineering.net>
Sent: Wednesday, November 11, 2020 8:39 AM
To: Administrative Hearings
Subject: Case 2020-0178-SPHA
Attachments: Exhibit 1 site plan.pdf; Exhibit 2 Zoning Plan.pdf; Exhibit 3 Pictures.pdf; Exhibit 4.pdf

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

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

Exhibits for the hearing

Rick Richardson
Richardson Engineering, LLC
30 E. Padonia Road Suite 500
Timonium, MD 21093
410-560-1502-x112
fax: 443-901-1208



Donna Mignon

From: Donna Mignon
Sent: Monday, November 9, 2020 10:46 AM
To: 'Richardson, Patrick'
Subject: 1618 Middleborough Road - Case No: 2020-0178-SPHA

Good Morning:

As you are aware, a virtual webex hearing has been scheduled for November 13, 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.

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

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

Case No.: 2020-0178-SPHA - 1618 Middleborough Road – November 13th @ 11:00 a.m.

Exhibit Sheet

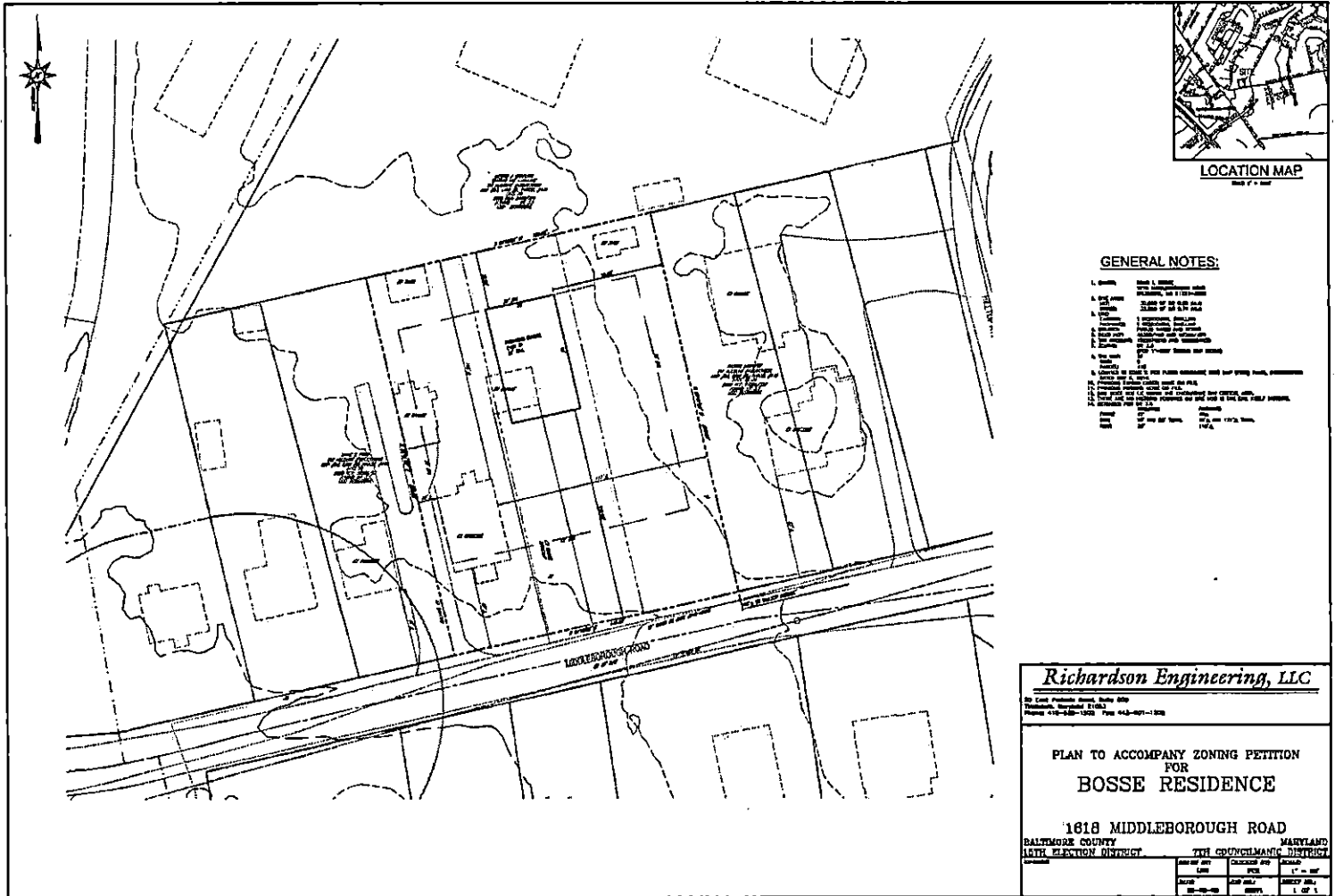
193
12-17-20

11/13/20
D.M.

Petitioner/Developer

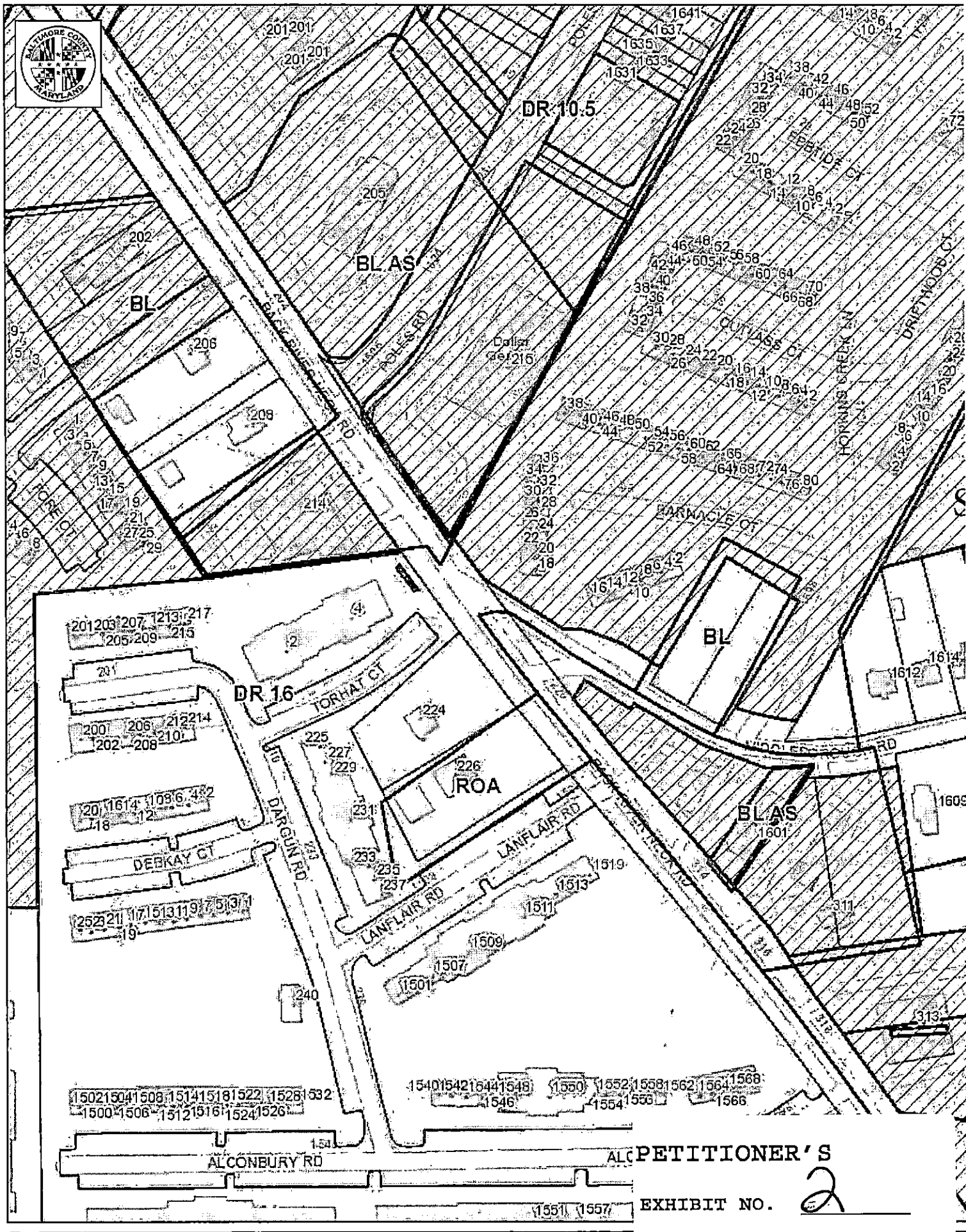
Protestants

No. 1	Site Plan	
No. 2	Zoning Plan	
No. 3	Pictures	
No. 4	Pole Barn picture	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER'S

EXHIBIT NO. 1



PETITIONER'S

EXHIBIT NO.

2

Exhibit 3-Pictures of the Neighborhood



Location of new garage at rear of property



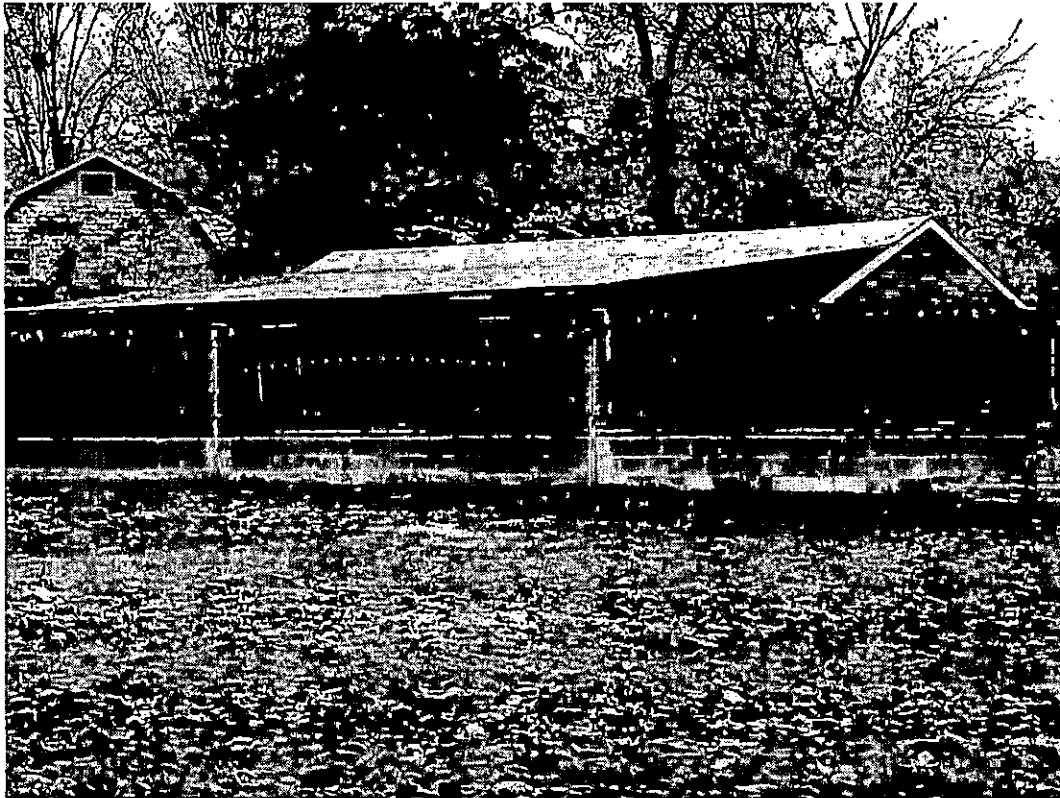
Garage on property behind this property at 1706 Hilltop Road, Case: 2013-0138-A

PETITIONER'S

EXHIBIT NO.

3

Exhibit 3- Pictures of the Neighborhood



Garage on property on east side at 1624 Middleborough Road



Garage on property on east side at 1624 Middleborough Road

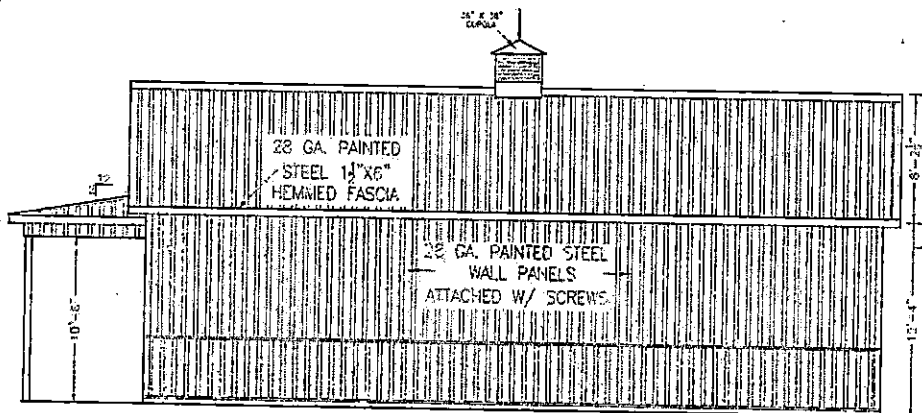
Exhibit 3- Pictures of the Neighborhood



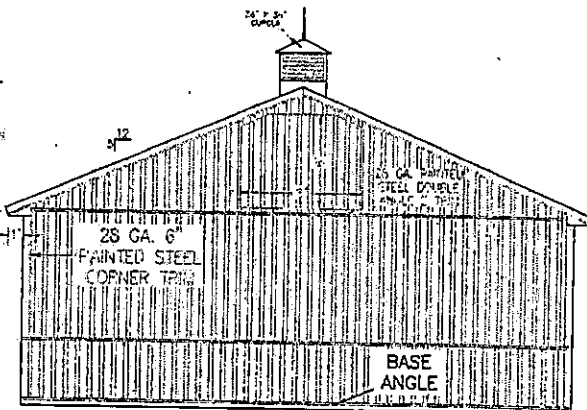
Garage across street at 1615 Middleborough Road, Case: 2013-0079-SPHA



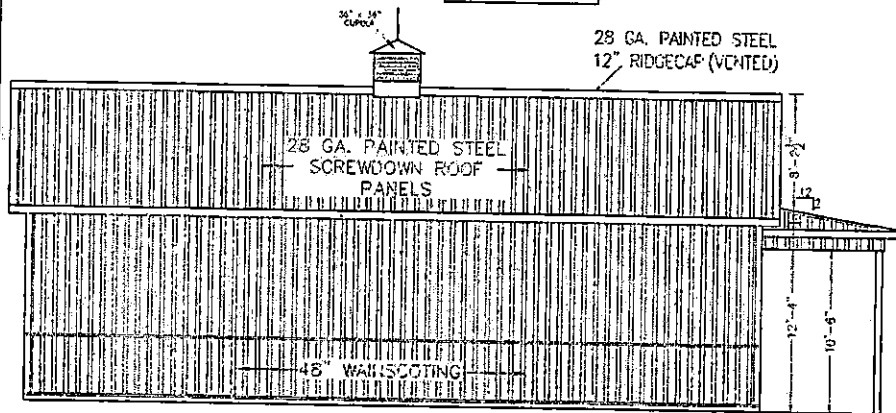
Garage south and east at 1703 Middleborough Road, Case: 2012-0280-SPHA



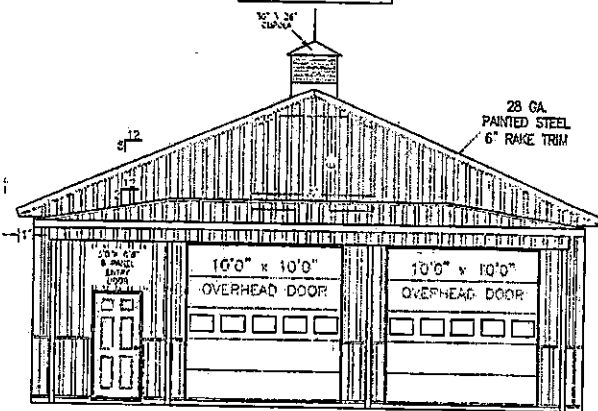
BACK SIDEWALL
SCALE: 1/8" = 1'0"



LEFT ENDWALL
SCALE: 1/8" = 1'0"



FRONT SIDEWALL
SCALE: 1/8" = 1'0"



RIGHT ENDWALL
SCALE: 1/8" = 1'0"

ELEVATIONS	DESIGN BY: AJS	ALL INFORMATION SHOWN ON THIS DRAWING IS THE PROPERTY OF SHIRK POLE BUILDINGS LLC. THIS DRAWING MAY NOT BE REPRODUCED WITHOUT PERMISSION. OWNER AND CONTRACTOR ARE RESPONSIBLE TO VERIFY ALL DIMENSIONS BEFORE CONSTRUCTION.
	REVIEW:	
	REVISIONS:	
	DATE: 4/24/20	
	SHEET:	

DAVID BOSSE
1618 MIDDLEBOROUGH RD.
ESSEX MD 21221



PETITIONER'S

EXHIBIT NO.

4

Attendance Count

Program Name

Event Name

1		Zoning Hearing - 1618 Middleborough Road - Case No: 2020-0178-SPHA
2		Zoning Hearing - 1618 Middleborough Road - Case No: 2020-0178-SPHA
3		Zoning Hearing - 1618 Middleborough Road - Case No: 2020-0178-SPHA
4		Zoning Hearing - 1618 Middleborough Road - Case No: 2020-0178-SPHA
5		Zoning Hearing - 1618 Middleborough Road - Case No: 2020-0178-SPHA

Event Start Date	Event Start Time	FirstName	LastName	Email	Join Time
November 13, 2020 New York Time	11:00 am New York Time	Debra	Wiley	dwiley@baltimorecountymd.gov	10:52 am N
November 13, 2020 New York Time	11:00 am New York Time	paul	mayhew	pmayhew@baltimorecountymd.gov	10:59 am N
November 13, 2020 New York Time	11:00 am New York Time	Henry	Ayakwah	hayakwah@baltimorecountymd.gov	10:46 am N
November 13, 2020 New York Time	11:00 am New York Time	david	bosse	david.bosse@verizon.net	10:57 am N
November 13, 2020 New York Time	11:00 am New York Time	Patrick	Richardson	rick@richardsonengineering.net	10:51 am N

Leave Time	Attendance Duration
11:07 am New York Time	14.0 mins
11:07 am New York Time	8.0 mins
11:07 am New York Time	20.0 mins
11:07 am New York Time	10.0 mins
11:07 am New York Time	15.0 mins

1618 Middleborough Road



Publication Date: 7/22/2020



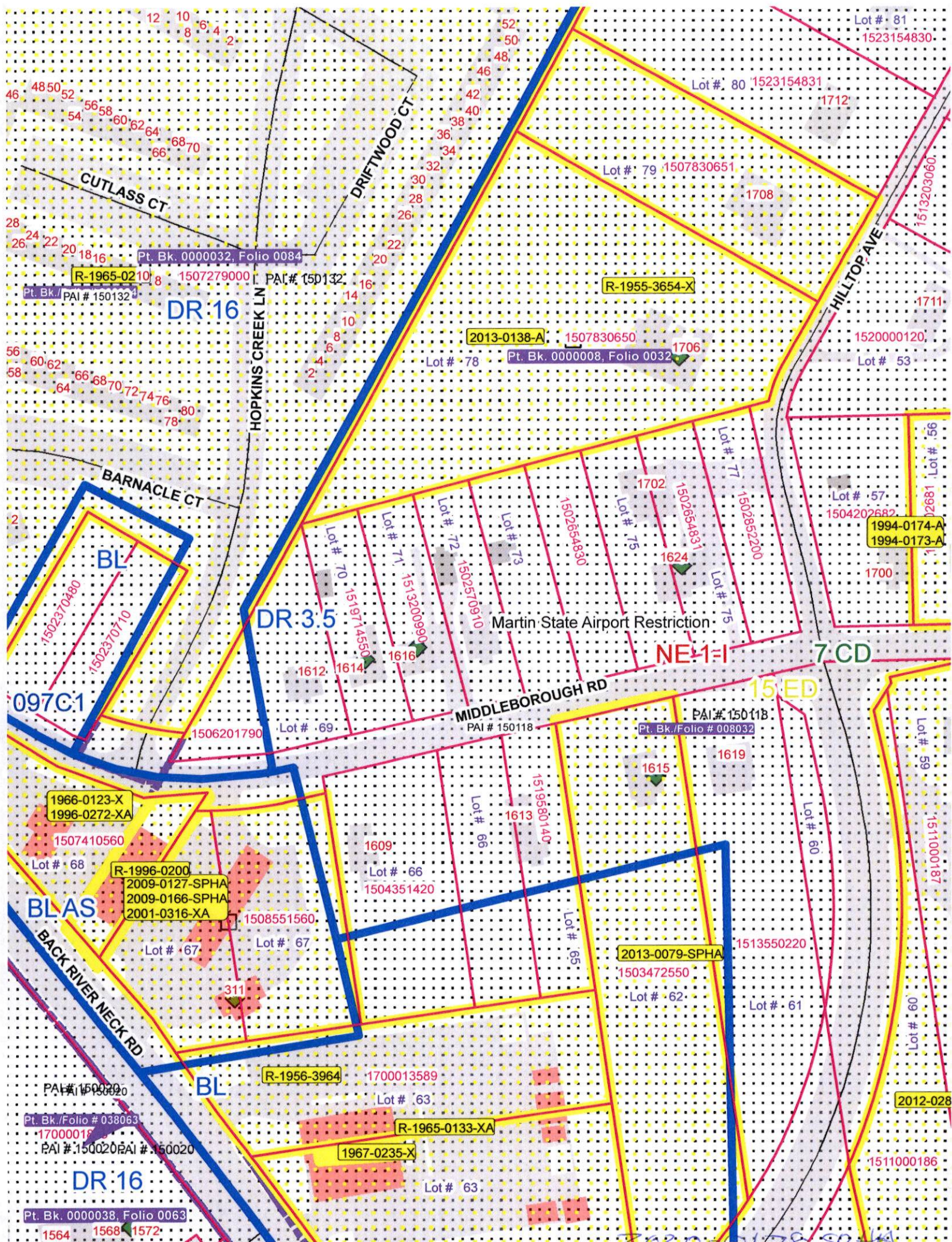
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

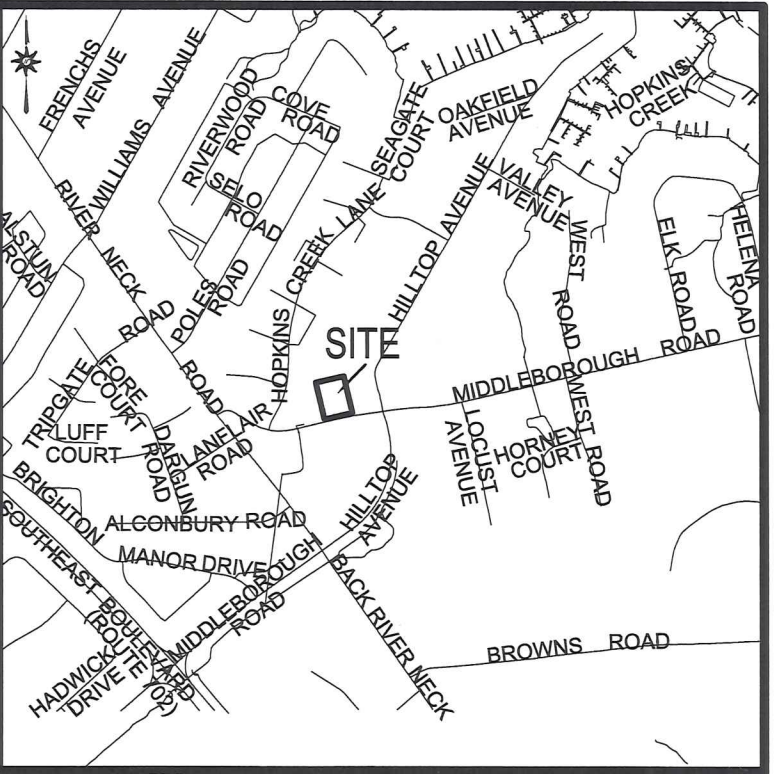


0 5 10 20 30 40
Feet

1 inch = 30 feet

2020-0178-SPHA





LOCATION MAP

SCALE: 1" = 1000'

GENERAL NOTES:

1. OWNER: DAVID L. BOSSE
1618 MIDDLEBOROUGH ROAD
BALTIMORE, MD 21221-3008
2. SITE AREA:
NET: 30,000 SF OR 0.69 AC.±
GROSS: 32,250 SF OR 0.74 AC.±
3. USE:
EXISTING: 1 RESIDENTIAL DWELLING
PROPOSED: 1 RESIDENTIAL DWELLING
4. UTILITIES: PUBLIC WATER AND SEWER
5. DEED REF: 42350/400 AND 42350/394
6. TAX ACCOUNT: 1502570910 AND 1502554830
7. ZONING: DR 3.5
(PER 1"=200' ZONING MAP 097A3)
8. TAX MAP:
GRID: 97
PARCEL: 6
418
9. LOCATED IN ZONE X PER FLOOD INSURANCE RATE MAP (FIRM) PANEL 2400100440G
DATED MAY 5, 2014.
10. PREVIOUS ZONING CASES: NONE ON FILE.
11. PREVIOUS PERMITS: NONE ON FILE.
12. SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
13. THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
14. SETBACKS FOR DR 3.5
- | | REQUIRED | PROVIDED |
|-------|-------------------|----------------------|
| FRONT | 47' | 42'± |
| SIDE | 10' MIN 25' TOTAL | 10'± MIN 121'± TOTAL |
| REAR | 30' | 115'± |

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR
BOSSE RESIDENCE

1618 MIDDLEBOROUGH ROAD
BALTIMORE COUNTY MARYLAND
15TH ELECTION DISTRICT 7TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	LNK	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	06-29-20	20071	1 OF 1