MEMORANDUM

DATE:

January 12, 2021

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2020-0199-SPHA - Appeal Period Expired

The appeal period for the above-referenced cases expired on January 11, 2021. 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	*	BEFORE THE
AND VARIANCE		e an
(11804 Manor Road)	*	OFFICE OF
11 th Election District	*	ADMINISTRATIVE HEARINGS
3 rd Council District Estate of Maurice J. Duca		ADMINISTRATIVE HEARINGS
Estate of Maurice J. Duca	*	FOR BALTIMORE COUNTY
Legal Owner	*	Case No. 2020-0199-SPHA
Petitioners		

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 the Estate of Maurice J. Duca, legal owner ("Petitioner"). The Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve a non-conforming lot which was created October 10, 1952 and prior to the effective date of Baltimore County Bill 73-2000. In addition, a Petition for Variance was filed pursuant to § 1A07.8.B.5.a.2, of the BCZR to permit a setback of 48 ft. from a principal building in lieu of the required 80 ft. and per § 1A07.8.B.5.b of the BCZR to permit a setback of 50 ft. from the adjacent property used as pasture in lieu of the required 200 ft.

Due to COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an inperson hearing. The Petition was properly advertised and posted.

Paula Cross, Personal Representative of the Estate of Maurice Duca appeared in support of the requests. Herbert Burgunder, Esq. represented Paula Cross. Bruce E. Doak, a licensed land surveyor, also appeared. He prepared the site plan, which was marked and accepted into evidence as Petitioners' Exhibit 1. There were no protestants or interested persons in attendance. A Zoning Advisory Committee ("ZAC") comment was received from the Department of Planning ("DOP") and they did not oppose the relief.

Date 12/10/20

By DNugrov

The property is approximately .0518 acres and is zoned RC 6. Mr. Doak explained that the plat was recorded in 1952 at liber 2890 folio 553. The creation of the lot preceded the enactment of the RC 6 zoning classification (Bill No. 73-2000). Mr. Burgunder pointed out that pursuant to BCZR § 1A07.8.B.4 "[a]ny lot or parcel of land lawfully existing on the effective date of Bill 73-2000 may be developed with a single dwelling, regardless of the existence of forest patch or forest conservation areas." This is such a lot and only one dwelling is proposed on the plan. I therefore find that the special hearing relief should be granted.

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).

The parcel in question was created prior to the enactment of the current applicable zoning regulations. It is wooded and bounded on two sides by other residences and at the rear by pasture land. It is therefore sufficiently unique within the legal meaning of the term. The petitioner would experience hardship and practical difficulty if the variance relief is denied because they would be unable to develop the property. I find that the variance can be granted within the spirit and intent of the BCZR, and without causing harm to the public health, safety, or welfare. This finding is buttressed by the fact that there is no opposition from the community or from any county agency.

THEREFORE, IT IS ORDERED this <u>10th</u> day of <u>December</u>, 2020, by this Administrative Law Judge, that the Petition for Special Hearing seeking relief pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve a non-conforming lot which was created

ORDER RECEIVED FOR FILING

By Mygnar

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October 10, 1952 and prior to the effective date of Baltimore County Bill 73-2000 is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief pursuant to § 1A07.8.B.5.a.2, of the BCZR to permit a setback of 48 ft. from a principal building in lieu of the required 80 ft. and per § 1A07.8.B.5.b of the BCZR to permit a setback of 50 ft. from the adjacent property used as pasture in lieu of the required 200 ft. 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.

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

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PETITION FOR ZONING HEARING(S) To be filed with the Department of Permits, Approvals and Inspections

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 11804 Mayor Roso which is presently zoned RCG

Deed References: 95 97	/ 593 10 Digit Tax Account # / / 0 4076390 e(s) ESTATE OF MAURICE J. DUCA
	PAULA CROSS, PERSONAL REPRESENTATIVE
(SELECT THE HEARING(S) BY MARKING)	AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
	operty situate in Baltimore County and which is described in the description dhereto and made a part hereof, hereby petition for:
a Special Hearing under Section 50 or not the Zoning Commissioner should a	00.7 of the Zoning Regulations of Baltimore County, to determine whether
of flot the Zorling Commissioner Great a	pprove
	SEE ATTACHED PAGE
a Special Exception under the Zon	ning Regulations of Baltimore County to use the herein described property for
a Variance from Section(s)	
	SEE ATTACHED PAGE
(Indicate below your hardship or pract you need additional space, you may ac	County, to the zoning law of Baltimore County, for the following reasons: tical difficulty or indicate below "TO BE PRESENTED AT HEARING". If dd an attachment to this petition)
70 BE	PRESENTED IN THE HEARING
nd restrictions of Baltimore County adopted pursuant	eclare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property
	* Estate of Maurice Duca
ame- Type or Print	Legal Owners (Petitioners): * Estate of Maurice Duca Name #1-Type or Print Name #2-Type or Print * Aula Cross PR for Estate of Signature #1 Signature #2
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ailing Address City	State Mailing Address City State
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ttorney for petitioners	Representative to be contacted: BRUCE E. DONK
11091	BRUCE E. DOAK CONSULTING LLC
hife- Type of Print	Name - Type or Print
pature	Signature
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11804 Manor Road

Case # 2020-0199-SPHA

Zoning Hearing Petitions Being Requested

Special Hearing to approve a non-conforming lot which was created October 10, 1952 and prior to the effective date of Baltimore County Bill 73-2000.

In the alternative

Variance to permit a setback of 48 feet from a principal building in lieu of the required 80 feet per Section 1A07.8.B.5.a.2 BCZR

Variance to permit a setback of 50 feet from an adjacent property used as pasture in lieu of the required 200 feet per Section 1A07.8.B.5.b BCZR



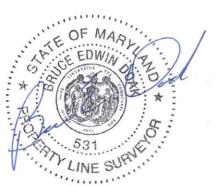
Zoning Description

11804 Manor Road- 0.518 Acre Parcel Eleventh Election District Third Councilmanic District Baltimore County, Maryland

Beginning at a point on the west side of Manor Road, approximately 725 feet southerly of the centerline of Morgan Road, thence leaving Manor Road and running with and binding on the outlines of the subject property, the three following courses and distances, viz. 1) North 75 degrees 55 minutes West 175.72 feet, 2) South 8 degrees 54 minutes West 136.82 feet and 3) South 81 degrees 06 minutes East 175 feet to the west side of Manor Road, thence binding on the west side of Manor Road and continuing to run and bind on the outlines of the subject property, the following course and distance, viz. 4) North 8 degrees 54 minutes East 120.95 feet to the point of beginning.

Containing 0.518 of an acre of land, more or less.

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



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

2020-0199-5011

RE: PETITION FOR SPECIAL HEARING AND VARIANCE 11804 Manor Road; W/S of Manor Road, 725' S of Morgan Road

11th Election & 3rd Councilmanic Districts Legal Owner(s): Estate of Maurice J. Duca Petitioner(s) BEFORE THE OFFICE

OF ADMINSTRATIVE

* HEARINGS FOR

* BALTIMORE COUNTY

* 2020-199-SPHA

ENTRY OF APPEARANCE

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

Peter Max Zumerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of August, 2020, a copy of the foregoing Entry of Appearance was emailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, <u>BDoak@BruceEDoakConsulting.com</u>, Representative for Petitioner(s).

2 Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RE: PETITION FOR SPECIAL HEARING

AND VARIANCE

9504, 9506-9544 Philadelphia Road; NW

Corner of Philadelphia & Middle River Roads 14th Election & 6th Councilmanic Districts

Legal Owner(s): Rossville, LLC

Petitioner(s)

BEFORE THE OFFICE

OF ADMINSTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

2020-200-SPHA

ENTRY OF APPEARANCE

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

Retentox Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

" Cook S Jemlie

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204

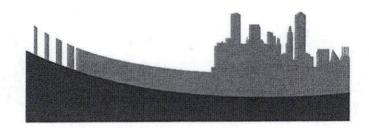
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of August, 2020, a copy of the foregoing Entry of Appearance was emailed to David Karceski, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, dhkarceski@venable.com, Attorney for Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CERTIFICATE OF POSTING

November 13, 2020

November 30, 2020 amended for second inspection

Re:

Zoning Case No. 2020- 0199-SPHA Legal Owner: Estate of Maurice Duca

Hearing date: December 7, 2020

RECEIVED NOV 3 0 2020 OFFICE OF

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

Attention: Jenae Johnson

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 11804 Manor Road.

The signs were initially posted on November 13 2020.

The subject property was also inspected on November 30, 2020.

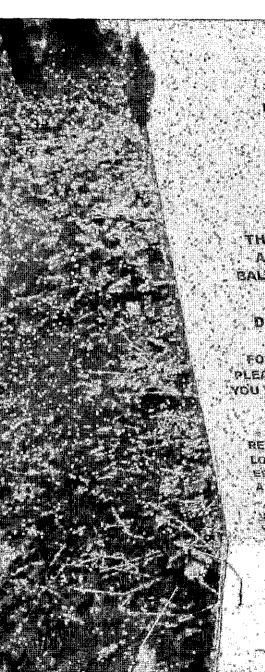
Sincerely,

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

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



ZONING NOTICE

GASE NO 2020-0199-SPHA 1 1002 Nañoi Road

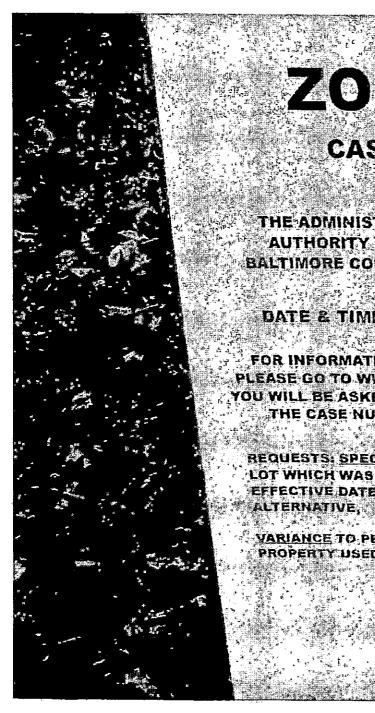
THE ADMINISTRATIVE LAW JUDGE OF BALTIMORS COUNTY, BY
AUTHORITY OF THE ZUNING ACT AND REQUESTIONS OF
BALTIMORE COUNTY, WILL HOLD A VIRTUAL HEARING ON THE
PROPERTY DENTIFIED:

DATE & TIME, NICHORY: DECEMBER 7, 2020 10:00 AM

FOR INFORMATIONS ON HOW TO PARTICIPATE IN THE HEARINGS
PLEASE GO TO WAY SALTING BECOUNT VAID SOVIAGMINHEARINGS
YOU WILL BE ASKED TO PROVIDE YOUR CONFACT INFORMATION AND
THE CASE NUMBER PROVIDED SUBVE, YOU MAY ALSO CALL
TO BE SEEN ON THE PROVIDED SUBVE, YOU MAY ALSO CALL

REQUESTS: SHECKS, AMARINE TO AMERINE AMON CONFORMING LOT WHICH WAS CITED OF LOSSING OF 1552 AND PRIOR TO THE SEFECTIVE DUTE CONTRACTOR CONFORMING SELLET F-2000; IN THE ACTERNATIVE

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ZONING NOTICE

CASE NO. 2020-0199-SPHA

11804 Manor Road

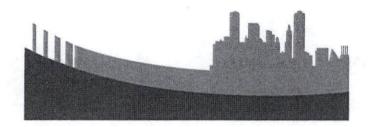
THE ADMINISTRATIVE LAW JUDGE OF BALTIMORE COUNTY, BY AUTHORITY OF THE ZÖNING ACT AND REGULATIONS OF BALTIMORE COUNTY, WILL HOLD A VIRTUAL HEARING ON THE PROPERTY IDENTIFIED.

DATE & TIME MONDAY DECEMBER 7, 2020 10:00 AM

FOR INFORMATION ON HOW TO PARTICIPATE IN THE HEARINGS
PLEASE GO TO WWW.BALTIMORECOUNTYMD/GOV/ADMINHEARINGS.
YOU WILL BE ASKED TO PROVIDE YOUR CONTACT INFORMATION AND
THE CASE NUMBER PROVIDED ABOVE, YOU MAY ALSO CALL
440.887.3868, EXT. 0

REQUESTS: SPECIAL HEARING TO APPROVE A NON-CONFORMING LOT WHICH WAS CREATED OCTOBER 10, 1952 AND PRIOR TO THE EFFECTIVE DATE OF BALTIMORE COUNTY BILL 73-2000; IN THE ALTERNATIVE,

VARIANCE TO PERMIT A SETBACK OF 50 FEET FROM AN ADJACENT PROPERTY USED AS PASTURE IN LIEU OF THE REQUIRED 200 FEET



CERTIFICATE OF POSTING

RECEIVED

NOV 2 3 202

November 13, 2020 OFFICE OF ADMINISTRATIVE HEARINGS amended for second inspection Re: Zoning Case No. 2020- 0199-SPHA Legal Owner: Estate of Maurice Duca Hearing date: December 7, 2020 Baltimore County Department of Permits, Approvals & Inspections County Office Building 111 West Chesapeake Avenue, Room 111 111 West Chesapeake Avenue Towson, MD 21204 Attention: Jenae Johnson Ladies and Gentlemen, This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 11804 Manor Road. The signs were initially posted on November 13 2020. The subject property was also inspected on ____ Sincerely.

See the attached sheets for the photos of the posted signs

Bruce E. Doak

MD Property Line Surveyor #531

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



AHGS-0610-0202 .ON 3242 bsoa yonsm 40811

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 SHIP OF THE STATE OF

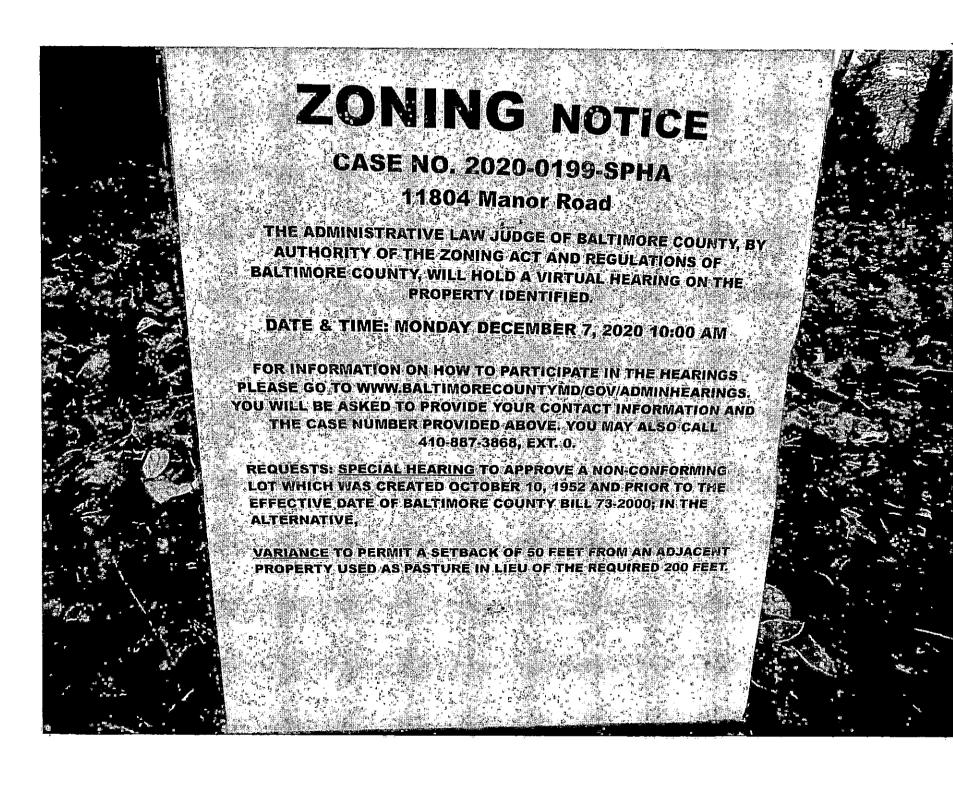
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FOR INFORMATION ON HOW TO PRRTICIPATE IN THE HEARINGS.
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REQUESTS: SPECIAL HEARING TO APPROVE A NON-CONFORMING
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JOHN A. OLSZEWSKI, JR. County Executive

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: 2020-0199-SPHA

11804 Manor Road West side of Manor Road, south of Morgan Road 11th Election District – 3rd Councilmanic District Legal Owners: Estate of Maurice Duca

Special Hearing to approve a non-conforming lot which was created October 10, 1952 and prior to the effective date of Baltimore County Bill 73-2000; in the alternative, Variance to permit a setback of 48 ft. from a principal building in lieu of the required 80 ft. To permit a setback of 50 ft. from an adjacent property used as pasture in lieu of the required 200 ft.

Hearing: Monday, December 7, 2020 at 10:00 a.m.

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

Michael Mallinoff Director

ing. Muns

MM:kl

C: Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053 Estate of Maurice Duca, 154 Overview Circle E, Red Lion PA 13356

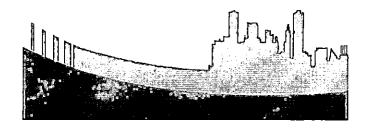
NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 17, 2020.



PETITION FOR ZONING HEARING(S)

(SELECT THE HEARING(S) BY MARKING X AT THE APP	which is presently zoned RC6 10 Digit Tax Account # / / o 4 0 7 6 8 9 0
Property Owner(s) Printed Name(s)	10 Digit Tax Account # 1 1 0 9 0 7 63 9 0
(SELECT THE HEARING(S) BY MARKING X AT THE APP	
(SELECT THE HEARING(S) BY MARKING X AT THE APP	ATE OF MAURICE J. DUCA
	JLA CROSS, PERSONAL REPRESENTATIVE PROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
The undersigned legal owner(s) of the property situa and plan attached hereto and	te in Baltimore County and which is described in the description I made a part hereof, hereby petition for:
x a Special Hearing under Section 500,7 of the zor not the Zoning Commissioner should approve	Zoning Regulations of Baltimore County, to determine whether
	ANACHED PAGE
a Special Exception under the Zoning Regulat	ions of Baltimore County to use the herein described property for
$\gamma = 3$	
∠ a Variance from Section(s)	
্ত্ৰের ক্রান্ত	ATTACUSO PAGE
of the zoning regulations of Bältimore County, to t (Indicate below your hardship or practical difficul you need additional space, you may add an attacl	the zoning law of Baltimore County, for the following reasons: ity or indicate below "TO BE PRESENTED AT HEARING". If imment to this petition)
***	•
10 35 PASSES IN	DITTED IN THE HEARING
r we, agree to pay expenses of above petition(s), advertising, post I restrictions of Baltimore County adopted pursuant to the zoning is	ing, etc. and further agree to and are to be bounded by the zoning regulations are for Baltimore County.
gal Owner(s) Affirmation: I / we do so solemnly declare and affirm ich is the subject of this / these Petition(s).	n, under the penalties of perjury, that I / We are the legal owner(s) of the property Legal Owners (Petitioners):
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gal Owner(s) Affirmation: I / we do so solemnly declare and affirm ich is the subject of this / these Petition(s).	Legal Owners (Petitioners): **Estate of Maurice Duca Name #1- Type or Print Name #2 - Type or Print
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gal Owner(s) Affirmation: I / we do so solemnly declare and affirm the is the subject of this / these Petition(s). Intract Purchaser/Lessee: Inc- Type or Print Ing Address City State Code Telephone # Email Address Orney for Petitioner: Inc- Type or Print Inc- Type or Print Inc- Type or Print Inc- Type or Print	Legal Owners (Petitioners): **Estate of Maurice Duca Name #1-Type or Print Name #2-Type or Print **Laure Cross ; PR for Estate of Signature #1 ** ISY DVERVIEW CIRCLE E Red Lion Mailing Address City State **Mailing Address City State **T356, 410-404-9261, Plinco o come Zip Code Telephone # Email Address Representative to be contacted: **Bruce E. Doak Consultanc LLC Name Type or Print Signature 3801 Bricen School 100.76 Roso Fizes Laure 3801 Bricen School 100.76 Roso Fizes Laure

REV. 10/4/11

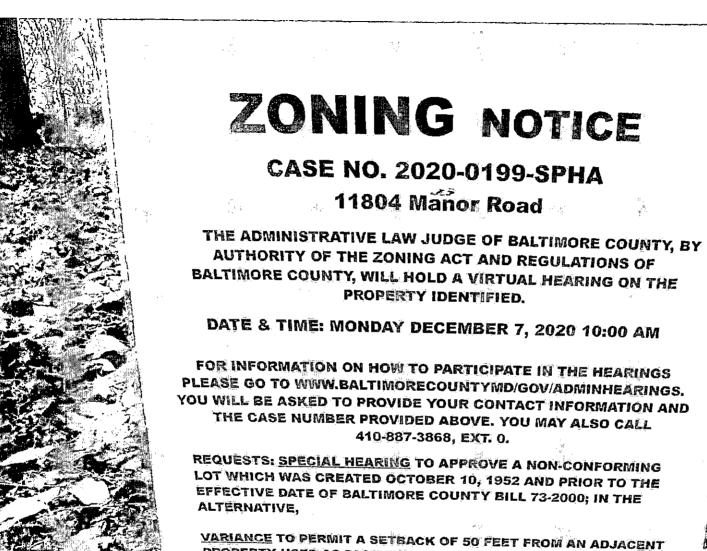


CERTIFICATE OF POSTING

November 13, 2020	
amended for second i	inspection
Re: Zoning Case No. 2020- 0199-SPHA Legal Owner: Estate of Maurice Duca Hearing date: December 7, 2020	
Baltimore County Department of Permits, County Office Building 111 West Chesapeake Avenue, Room 111 111 West Chesapeake Avenue Towson, MD	
Attention: Jenae Johnson	
Ladies and Gentlemen,	
This letter is to certify under the penaltie by law were posted conspicuously on the p	s of perjury that the two necessary signs required property located at 11804 Manor Road.
The signs were initially posted on Novemb	per 13 2020.
The subject property was also inspected o	n
Sincerely, Bruce E. Doak MD Property Line Surveyor #531	

See the attached sheets for the photos of the posted signs

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



PROPERTY USED AS PASTURE IN LIEU OF THE REQUIRED 200 FEET.



ZONING NOTICE

CASE NO. 2020-0199-SPHA 11804 Manor Road

THE ADMINISTRATIVE LAW JUDGE OF BALTIMORE COUNTY, BY AUTHORITY OF THE ZONING ACT AND REGULATIONS OF BALTIMORE COUNTY, WILL HOLD A VIRTUAL HEARING ON THE PROPERTY IDENTIFIED.

DATE & TIME: MONDAY DECEMBER 7, 2020 10:00 AM

FOR INFORMATION ON HOW TO PARTICIPATE IN THE HEARINGS PLEASE GO TO WWW.BALTIMORECOUNTYMD/GOV/ADMINHEARINGS. YOU WILL BE ASKED TO PROVIDE YOUR CONTACT INFORMATION AND THE CASE NUMBER PROVIDED ABOVE. YOU MAY ALSO CALL 410-887-3868, EXT. 0.

REQUESTS: <u>SPECIAL HEARING</u> TO APPROVE A NON-CONFORMING LOT WHICH WAS CREATED OCTOBER 10, 1952 AND PRIOR TO THE EFFECTIVE DATE OF BALTIMORE COUNTY BILL 73-2000; IN THE ALTERNATIVE.

VARIANCE TO PERMIT A SETBACK OF 50 FEET FROM AN ADJACENT PROPERTY USED AS PASTURE IN LIEU OF THE REQUIRED 200 FEET.

The Daily Record

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

PUBLISHER'S AFFIDAVIT

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:

11/17/2020

Order #: 11934214

Case #:

Description:

NOTICE OF ZONING HEARING - CASE NUMBER:

2020-0199-SPHA

NOTICE OF ZONING HEARING

Darlene Miller, Public Notice Coordinator (Representative Signature)

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a virtual hearing the property identified herein as follows:

CASE NUMBER: 2020-0199-SPHA

11804 Manor Road

n17

West side of Manor Road, south of Morgan Road

West side of Manor Road, south of Morgan Road

1 Ith Election District - 3rd Councilmanic District
Legal Owners: Estate of Maurice Duca

Special Hearing to approve a non-conforming lot which was created October
10, 1952 and prior to the effective date of Baltimore County Bill 73-2000; in the
alternative, Variance to permit a setback of 48 ft. from a principal building in
lieu of the required 80 ft. To permit a setback of 50 ft. from an adjacent property
used as pasture in lieu of the required 200 ft.

Hearing Monday, December 7, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to
www.baltimorecountynd/gov/adminhearings no later than 48 hours prior to the

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

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County



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: 2020-0199-SPHA

11804 Manor Road West side of Manor Road, south of Morgan Road 11th Election District – 3rd Councilmanic District Legal Owners: Estate of Maurice Duca

Special Hearing to approve a non-conforming lot which was created October 10, 1952 and prior to the effective date of Baltimore County Bill 73-2000; in the alternative, Variance to permit a setback of 48 ft. from a principal building in lieu of the required 80 ft. To permit a setback of 50 ft. from an adjacent property used as pasture in lieu of the required 200 ft.

Hearing: Monday, December 7, 2020 at 10:00 a.m.

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

Michael Mallinoff Director

int. Muns

MM:kl

C: Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053 Estate of Maurice Duca, 154 Overview Circle E, Red Lion PA 13356

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 17, 2020.

TO: THE DAILY RECORD

Tuesday, November 17, 2020 - Issue

Please forward billing to:

Bruce Doak 3801 Baker Schoolhouse Road Freeland, MD 21053 410-419-4906

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: 2020-0199-SPHA

11804 Manor Road

West side of Manor Road, south of Morgan Road 11th Election District – 3rd Councilmanic District

Legal Owners: Estate of Maurice Duca

Special Hearing to approve a non-conforming lot which was created October 10, 1952 and prior to the effective date of Baltimore County Bill 73-2000; in the alternative, Variance to permit a setback of 48 ft. from a principal building in lieu of the required 80 ft. To permit a setback of 50 ft. from an adjacent property used as pasture in lieu of the required 200 ft.

Hearing: Monday, December 7, 2020 at 10:00 a.m.

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

Michael Mallinoff

in). Muns

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 <u>Baltimore County Zoning Regulations</u> (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: <u>2020 - 0199 - 5PHA</u>	•
Property Address: 11.804 MANOR AUAD	<u>; - </u>
Property Description:	
<u> </u>	·
Legal Owners (Petitioners): ESTATE OF MAURICE DUCA	
Contract Purchaser/Lessee:	
•	
PLEASE FORWARD ADVERTISING BILL TO:	
Name: BRUCE BOAK	
Company/Firm (if applicable): BRUCE A. BOAK CONSULTING LLC	
Address: 3801 BAKK SCHOOLINGSE RUAD	
FREELAND, MD 21053:	
Telephone Number:	

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JOHN A. OLSZEWSKI, JR. County Executive

MICHAEL D. MALLINOFF, Director

Department of Permits,

Approvals & Inspections

November 30, 2020

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

RE: Case Number: 2020-0199-SPHA, 11804 Manor 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 August 04, 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.

Ce Carles yours,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel



County Executive

Department of Permits, Approvals & Inspections

TO:

Michael D. Mallinoff

DATE: 8/27/2020

Director, Department of Permits, Approvals and Inspections

FROM:

C. Pete Gutwald

Director, Department of Planning

ZONING ADVISORY COMMITTEE COMMENTS SUBJECT:

Case Number: 20-199

INFORMATION:

Property Address: 11804 Manor Road

Petitioner:

Paul Cross RC 6

Zoning:

Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition I have reviewed the petition for a Special Hearing to approve a non-conforming lot which was created on October 10, 1952 and prior to the effective date of Baltimore County Bill 73-2000 or, in the alternative, they are requesting a Variance to permit a setback of 48 feet from a principal building in lieu of the required 80 feet per Section 1A07.8.B.5.a.2 BCZR and a variance to permit a setback of 50 feet from an adjacent property used as pasture in lieu of the required 200 feet per Section 1A07.8.B.5.b BCZR.

A site visit was conducted on August 21, 2020. Manor Road is a Baltimore County Scenic Route. The site is wooded with mature trees. Lots surrounding the property are of similar size and configuration. The lot is 0.518 acres. Current RC 6 zoning requires a minimum lot size of 1 acre.

The Department of Planning has no objection to granting the requested relief. For further information concerning the matters stated herein, please contact Megan Benjamin at 410-887-3480.

Prepared by:

Krystle Patchak

Division Chie

CPG/JGN/kma/

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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Hon. Paul M. Mayhew; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

August 20, 2020

SUBJECT:

DEPS Comment for Zoning Item

2020-0199-SPHA

Address

11804 Manor Road (Duca 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

, 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.

Dan	elists to Invite	Select Contacts Import Contact					
Name .		Email address	Phone number	Language	Time Zone	Locale	
Z .	<u>Deb Wiley</u> (Alternate Host)	dwiley@baltimorecountymd.gov	1-	English	New York Time	U.S.	
	Henry Akwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.	
	Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.	
	Bruce E. Doak	bdoak@bruceedoakconsulting.com	1-	English	New York Time	U.S.	
V	Paula Cross	plinco@comcast.net	1-	English	New York Time	U.S.	
			Invite Sel	ect All Cle	ar All Delete	Cancel	

New Panelist

Full name:				(required)		
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Language:	English		<u>*</u> '			
Locale:	'U.S.	~				
•	☐ Add new panelist in my address book					
	☐ Invite as alternate host					

Add to Invitation List

11/6/2020 Event Information

Event'Information

Event:

Zoning Hearing - 2020-0199-SPHA - 11804 Manor Road

Listed Event

Event address for attendees:

https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=eb13484f0fe8c31b150b8d6fb62d26ea2

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Event address for panelists: Date and time:

https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e416af7d9b8ba571550f2fd7509841ddf
Monday, December 7, 2020 10:00 am

Eastern Standard Time (New York, GMT-05:00)

Duration:

Type:

1 hour

Description:

Zoning Hearing

Case No: 2020-0199-SPHA Address: 11804 Manor Road

Legal Owners: Estate of Maurice Duca

172 808 3990

Event number: Event password: Host key:

1234 354986

Alternate Host:

Deb Wiley ,Henry Akwah

Panelist Info:

Panelist password:

Panelist numeric password:

510506

Video Address:

1728083990@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: 172 808 3990

Maximum number of registrants:

10000

None

No

Destination address after event:

Host image:

Attendee list available for viewing by: Host, presenter and panelists only

Event material:
Post-event survey:

Email configured: Pending, Approved, Rejected

Registration Information

Registration ID required:

No

Password required: Password:

No

Approval required:

No

Custom registration form: After registration, go to URL: No

Manage Registrations

Delete Event

Edit Event

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Subject: Web seminar scheduled: Zoning Hearing - 2020-0199-SPHA - 11804 Manor Road

Location: https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?

MTID=e181d4d9dd99c8df07d1b2657c26720cc

Start: Mon 12/7/2020 10:00 AM

End: Mon 12/7/2020 11:00 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: webex

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

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

Host: Donna Mignon (dmignon@baltimorecountymd.gov)

Event number (access code): 172 808 3990

Monday, December 7, 2020 10:00 am, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:

https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e181d4d9dd99c8df07d1b2657c26 Event address for panelists:

https://ba/timorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e1e58ceb72d63bae8b4a345d61b



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1728083990@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 510506

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

https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=ed108f279b741ae92da69228e755d7e92

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

From:

messenger@webex.com

Sent:

Friday, November 6, 2020 10:49 AM

To:

Donna Mignon

Subject:

Email delivery status for Web seminar: Zoning Hearing - 2020-0199-SPHA - 11804

Manor Road

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.

cisco Webex

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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From:

messenger@webex.com

Sent:

Friday, November 6, 2020 10:49 AM

To:

Donna Mignon

Subject:

Email delivery status for Web seminar: Zoning Hearing - 2020-0199-SPHA - 11804

Manor Road

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.

alimlin cisco Webex

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

Number of email addresses the message was sent to successfully: 2 Number of email addresses the message could not be sent to: 0

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

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Subject: Location: Web seminar scheduled: Zoning Hearing - 2020-0199-SPHA - 11804 Manor Road

https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?

MTID=e181d4d9dd99c8df07d1b2657c26720cc

Start: End: Mon 12/7/2020 10:00 AM

Show Time As:

Mon 12/7/2020 11:00 AM Tentative

Recurrence:

(none)

Meeting Status:

Not yet responded

Organizer:

webex

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

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

Host: Donna Mignon (dmignon@baltimorecountymd.gov)

Event number (access code): 172 808 3990

Monday, December 7, 2020 10:00 am, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:

https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e181d4d9dd99c8df07d1b2657c26 Event address for panelists:

https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e1e58ceb72d63bae8b4a345d61b



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1728083990@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 510506

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

https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=ed108f279b741ae92da69228e755d7e92

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

ZAC AGENDA

Case Number: 2020-0199-SPHA

Reviewer: Jason Seidelman

Existng Use: RESIDENTIAL Proposed Use: RESIDENTIAL

Type: SPECIAL HEARING, VARIANCE Legal Owner: Estate of Mavrice J. Duca

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No Flood Plain: No Historic: No Election Dist: 11 Council Dist: 3

Property Address: 11804 MANOR RD

Location: West side of Manor Road (20') 725' South of Morgan Road (30').

Existing Zoning: RC 6

Area: 0.518 AC

Proposed Zoning: SPECIAL HEARING:

To approve a non-conforming lot which was created October 10, 1952 and prior to the effective date of Baltimore County Bill 73-2000. In the alternative.

VARIANCE:

To permit a setback of 48 feet from a principal building in lieu of the required 80 feet per Section 1A07.8.B.5.a.2

To permit a setback of 50 feet from an adjacent property used as pasture in lieu of the required 200 feet per Section 1A07.8.B.5.b BCZR.

Attorney: Not Available Prior Zoning Cases: None Concurrent Cases: None Violation Cases: None

Closing Date:

Miscellaneous Notes:

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Michael D. Mallinoff

DATE: 8/27/2020

Director, Department of Permits, Approvals and Inspections

FROM:

C. Pete Gutwald

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 20-199

INFORMATION:

Property Address: 1180

11804 Manor Road

Petitioner: Zoning:

Paul Cross RC 6

Requested Action:

Special Hearing, Variance

The Department of Planning has reviewed the petition I have reviewed the petition for a Special Hearing to approve a non-conforming lot which was created on October 10, 1952 and prior to the effective date of Baltimore County Bill 73-2000 or, in the alternative, they are requesting a Variance to permit a setback of 48 feet from a principal building in lieu of the required 80 feet per Section 1A07.8.B.5.a.2 BCZR and a variance to permit a setback of 50 feet from an adjacent property used as pasture in lieu of the required 200 feet per Section 1A07.8.B.5.b BCZR.

A site visit was conducted on August 21, 2020. Manor Road is a Baltimore County Scenic Route. The site is wooded with mature trees. Lots surrounding the property are of similar size and configuration. The lot is 0.518 acres. Current RC 6 zoning requires a minimum lot size of 1 acre.

The Department of Planning has no objection to granting the requested relief. For further information concerning the matters stated herein, please contact Megan Benjamin at 410-887-3480.

Prepared by:

Krystle Patchak

Kyte Rte

Division Chiefe

Jenifer G. Nugent

CPG/JGN/kma/

c: Megan Benjamin

Bruce E. Doak, Bruce E Doak Consulting, LLC Office of the Administrative Hearings

People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

AUG 2 0 2020

OFFICE OF ADMINISTRATIVE HEARINGS



TO:

Hon. Paul M. Mayhew; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

August 20, 2020

SUBJECT:

DEPS Comment for Zoning Item

2020-0199-SPHA

Address

11804 Manor Road (Duca 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

Real Property Data Search

Search Result for BALTIMORE COUNTY

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omeown	ers' Ta	x Credit	Applica	ation Status		_		Date:					



HERBERT BURGUNDER III

1501 SULGRAVE AVENUE, SUITE 311, BALTIMORE, MARYLAND 21209 P: (410) 664-6500 | P: (800) 930-7271 ext.3 | F: (410) 664-6500 | E: hb3@rimonlaw.com

November 19, 2020

BY E-MAIL (dmigon@baltimorecountymd.gov)

Baltimore County Office of Administrative Hearings Ms. Donna Mignon 105 West Chesapeake Avenue, Suite 103 Towson, Maryland 21204

Re:

Estate of Maurice Duca

Case No: 2020-0199SPHA

11804 Manor Road

Dear Ms. Mignon:

Attached are our Witness List and Exhibit List in the above-referenced case.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/Herbert Burgunder III Herbert Burgunder III

HB3: rlk Enclosures

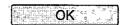
cc:

Ms. Paula Cross (by e-mail w/out encls.)

Mr. Bruce E. Doak (by e-mail w/out encls.)

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Deb Wiley (Alternate Host)	dwiley@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Akwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	New York Time	English	U.S.
Bruce E. Doak	bdoak@bruceedoakconsulting.com	1-	New York Time	English	U.S.
Herbert Burgunder, III	hb3@rimonlaw.com	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
Paula Cross	plinco@comcast.net	1-	New York Time	English	U.S.



Donna Mignon

From:

Donna Mignon

Sent:

Thursday, November 19, 2020 2:47 PM

To:

'Robin Kramer'

Subject:

RE: Case No: 2020-0199-SPHA

When we received the Petition for Zoning we have Bruce E. Doak representative to be contacted for Paula Cross. We invited Bruce Doak, Paula Cross and I will invite Mr. Burgunder. I have his email as being: <a href="https://docume.com/hb3@rimonlaw.com/hb3@rimonlaw.com/hb3@rimonlaw.com/hb3@rimonlaw.com/hb3@rimonlaw.com/hbase let me know if anyone else needs to be invited at the hearing.
Thank you.

From: Robin Kramer < robin.kramer@rimonlaw.com>

Sent: Thursday, November 19, 2020 2:41 PM

To: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: RE: Case No: 2020-0199-SPHA

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

The Estate of Maurice Duca. The personal Representative is our client Paula Cross.

Robin Kramer | Legal Secretary

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From: Donna Mignon <dmignon@baltimorecountymd.gov>

Sent: Thursday, November 19, 2020 12:19 PM
To: Robin Kramer < robin.kramer@rimonlaw.com>

Subject: RE: Case No: 2020-0199-SPHA

Good Afternoon Ms. Kramer,

Who is your office representing? Please advise, so I can send you and anyone else an invitation to the hearing.

Thank you.

From: Robin Kramer < robin.kramer@rimonlaw.com >

Sent: Thursday, November 19, 2020 2:12 PM

To: Donna Mignon dmignon@baltimorecountymd.gov

Subject: Case No: 2020-0199-SPHA

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Ms. Mignon:

Please see the attached for the Hearing set for December 7th at 10:00 a.m. Do you happen to have the information to log into the hearing?

Thank you,

Robin Kramer | Legal Secretary

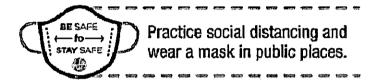
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Donna Mignon

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(2) 0 0 0 99-SPHA

CHECKLIST

Comment Received	Department Department	Support/Oppose/ Conditions/ Comments/ No Comment
910	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	
9(20	DEPS (if not received, date e-mail sent)	No comment
	FIRE DEPARTMENT	
8/27	PLANNING (if not received, date e-mail sent)	17000ja
	STATE HIGHWAY ADMINISTRATION	
	TRAFFIC ENGINEERING	
N I	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	·
ZONING VIOLA	TION (Case No	
PRIOR ZONING	(Case No.	
NEWSPAPER AL	OVERTISEMENT Date: U\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	
SIGN POSTING ((1 st) Date: 11/13/20	by B Doak
SIGN POSTING ((2 nd) Date:	by
PEOPLE'S COUN	ISEL APPEARANCE Yes No	
PEOPLE'S COUN	ISEL COMMENT LETTER Yes \square No \square	40
Comments, if any:		

Donna Mignon

From:

Robin Kramer < robin.kramer@rimonlaw.com>

Sent:

Monday, November 30, 2020 10:59 AM

To:

Donna Mignon

Subject:

RE: Case No: 2020-0199-SPHA

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Ms. Mignon:

You will need to send the invite to the following:

Herbert Burgunder hb3@rimonlaw.com
Alexandra Neifert alexandra.neifert@rimonlaw.com
Paula Cross plinco@comcast.net
Bruce Doak bdoak@bruceedoakconsulting.com

Thank you,

Robin Kramer | Legal Secretary

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Sent: Thursday, November 19, 2020 12:41 PM

To: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: RE: Case No: 2020-0199-SPHA

The Estate of Maurice Duca. The personal Representative is our client Paula Cross.

Robin Kramer | Legal Secretary

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Subject: Case No: 2020-0199-SPHA

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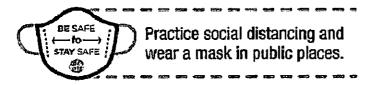
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Donna Mignon

From:

Donna Mignon

Sent:

Monday, November 30, 2020 11:05 AM

To:

'Robin Kramer'

Subject:

RE: Case No: 2020-0199-SPHA

Good Morning,

Linvited everyone below. Thank you.

If someone did not receive the invite, please let me know.

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

From: Robin Kramer < robin.kramer@rimonlaw.com>

Sent: Monday, November 30, 2020 10:59 AM

To: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: RE: Case No: 2020-0199-SPHA

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You will need to send the invite to the following:

Herbert Burgunder hb3@rimonlaw.com
Alexandra Neifert alexandra.neifert@rimonlaw.com
Paula Cross plinco@comcast.net
Bruce Doak bdoak@bruceedoakconsulting.com

Thank you,

Robin Kramer | Legal Secretary

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Subject: RE: Case No: 2020-0199-SPHA

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Sent: Thursday, November 19, 2020 2:12 PM

To: Donna Mignon < dmignon@baltimorecountymd.gov>

Subject: Case No: 2020-0199-SPHA

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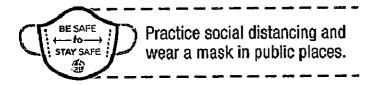
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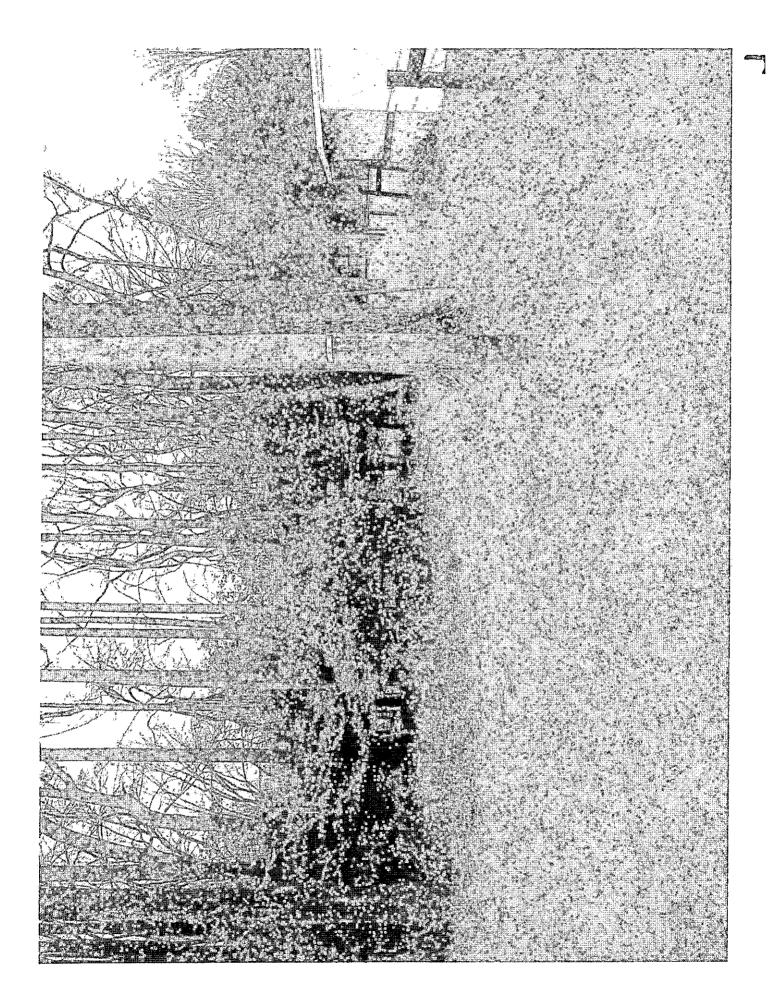
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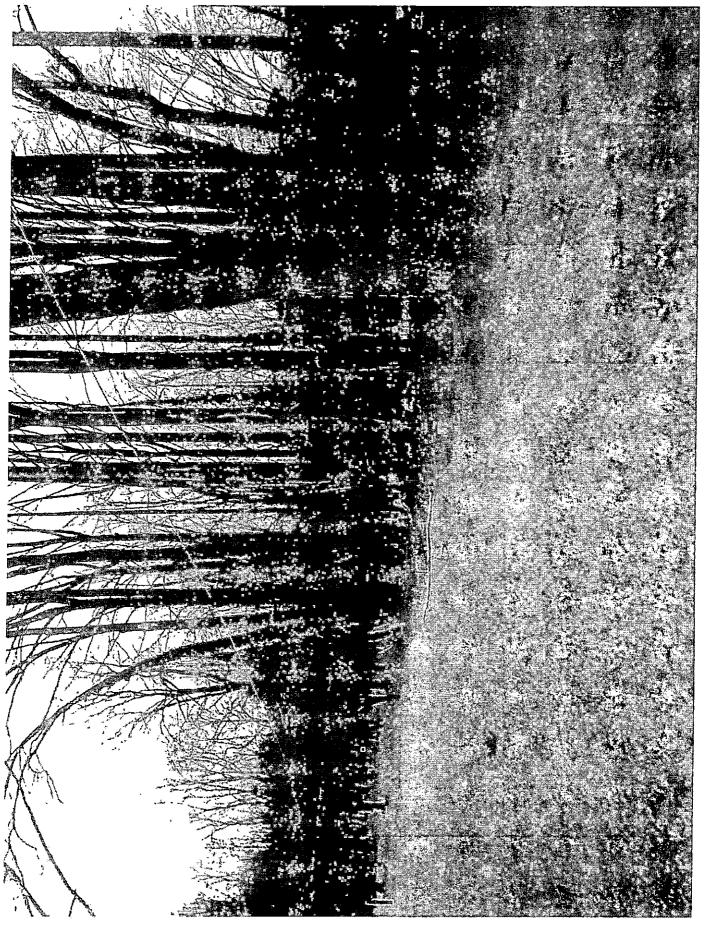
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Esta	te of	Maurice	Duca	l			ጥ	Case	e No.	2020-0	199-81	'HA	
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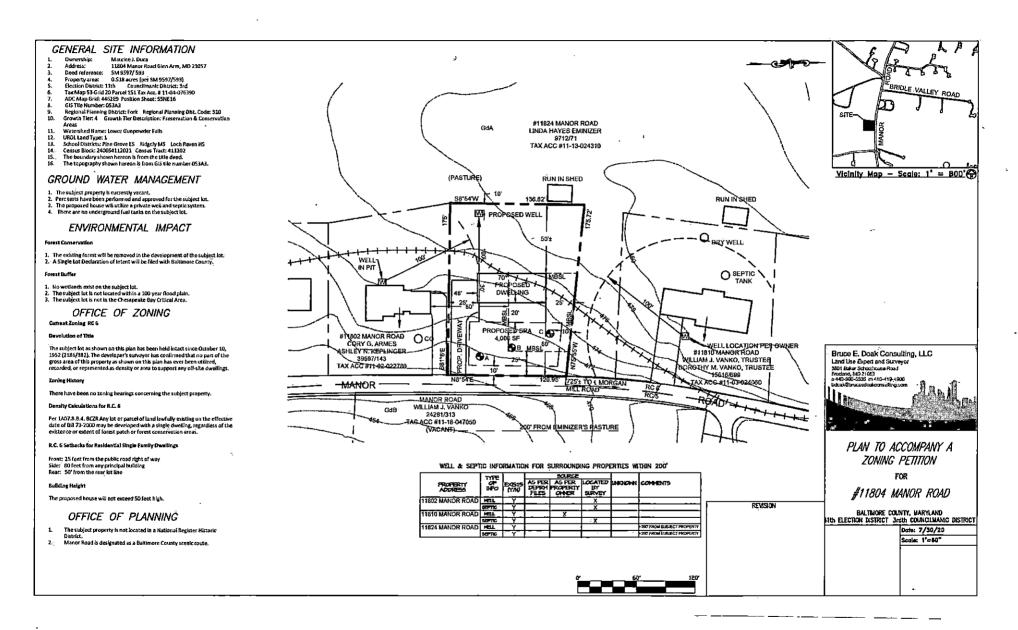
* Case No. 2020-0199-SPHA

Estate of Maurice Duca

* * * * * * * * * *

EXHIBIT LIST

#	Description	
1	Zoning Plan	
2	GIS PDG	
3	GIS Photo	_
4	SDAT	
5	Chain of title	
6	Chain of title for adjoining lots	
7	Perc approval	
8	Doak photos	



PETITIONER'S

EXHIBIT NO.

Baltimore County - My Neighborhood



Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

			view Ground	Rent Reden	iption			View GroundRent Registra	uon
Special Tax Reca	pture: None								
ccount Identifier			District	- 11 Accoun	t Number - 110407639	90			
					Owner Informat				
Owner Name:			DUCA N	MAURICE J		Use: Principal Res	sidence:	RESIDENTIAL NO	
failing Address:			2108 TA	YLOR AVE		Deed Refere		/09597/ 00593	
naming Address.				ORE MD 212	234-6220	Deed Itelere		7000077 00000	
					Location & Structure In	nformation			
remises Address	:		MANOF 0-0000	RD		Legal Descri	ption:	WS MANOR RI .518 AC)
			0-0000					660 N MORGAI	N MILL RD
Map: Grid:	Parcel:	Neial	nborhood:	Subdiv	ision: Section	n: Block:	Lot:	Assessment Year:	Plat No:
0053 0020	0151		0061.04	0000				2018	Plat Ref:
Sanatal Tay Assa	a. Noso					Town:			None
Special Tax Area	3. 140HG					Ad Valorem:			None
						Tax Class:			None
Primary Structur	Built	Ab	ove Grade Livi	ng Area	Finished Ba	sement Area		Property Land Area	County Use
								0.5100 AC	04
Stories Bas	ement	Туре	Exterior	Quality	Full/Half Bath	Garage	Last I	Notice of Major Improveme	nts
			1						
					Value Informat	ion			
			Base Va	alue	Value		Phase- As of	in Assessments As or	
					As of 01/01/2018	3	07/01/2		1/2020
Land:			5,100		5,100				
Improvements			0		0				
Total:			5,100		5,100		5,100	5,10)
Preferential Land	:		0					0	
					Transfer Informa	ation			
Seller: AGRO JO	SEPH A,JR				Date: 02/10/1993			Price: \$13,550	
Type: ARMS LEN	GTH IMPROV	/ED			Deed1: /09597/ 00593	8		Deed2:	
Seller: DUCA PE	TER M				Date: 01/23/1992			Price: \$13,550	
Type: ARMS LEN		/ED			Deed1: /09035/ 00545	E.		Deed2:	
Seller:	***************************************	***************************************			Date:	***************************************	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Price:	
Type:					Deed1:			Deed2:	
.ype.	***************************************				Exemption Inform	nation			
Partial Exempt As	sessments:		Class		Exemption infom	07/01/2019		07/01/2020	
County:			000			0.00			
State:			000			0.00			
Municipal:			000			0.00 0.00		0.00 0.00	
Special Tax Reca	pture: None								
				-	Homestead Application	Information			
Homestead Applie	ation Status	: No Appli	cation			1			
				I lama a a	wners' Tax Credit Appl				

PETITIONER'S

EXHIBIT NO.

This screen allows you to search the Real Property database and display property records.
 Click here for a glossary of terms.
 Deleted accounts can only be selected by Property Account Identifier.
 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.

Duca Lor CHAIN OF TITLE 1/20/20 TM 53/ PARC 151 MAURICE L. DUCA 9597/593 1/17/1993 JOSEPH A ARGO JR MARIA R. AGRO 9035/545 * SEE EXPLANATION OF TITLE HISTORY O. 5/8 AC 1/20/1992 MAURICE J. DUCA. LUISA C. DUCA PERSONAL REPS MARIAR. ARGO / ESTOF PETER M. DUCA 0.5/840 2890/553 * 5/00 GYPLASTIFES OF THE WISTORY SOU RESTRICTION OF (I) DWELLING MILTON A. YUHN RES. USE MARY A. YOUN 0.5/8 Ac 2/86/382 10/10/1952 * THE SUBJECT LOT WAS CREATED AS A SINGLE LOT IN 7415 0000 JOHN J. WINKLER MORA R. WILKING 17. 542 Ac 11/1/520 7/20/1940 MELCHOIR C. CORCORAN

PETITIONER'S

EXHIBIT NO.

CHAIN OF 117CE - # 11802 MANOR DO.

0261/02/2 17. 542 AL 1111 /520 NORD R. WILLER JOHN J. WINKLER 7415 DEED 52 61/0E/1 DV8/5.0 רסד כתב בדה שוחן 527/8422 CATHERINE V. BERLUTH JESSE LEG BONNETT-19 9561/61/9 EEF/2295 36812.0 Run C. Berno STEPHEN C. BELLED 2791/11/7 E99/8825 27815.0 (RALPH W. COURTHOY DELORES M. COURTHEY 0.518AC 9/6/2017 ASHLIN A. KERLINGER CORY G. ARMES

MELCHARC. CONCORDU

PETITIONER'S



species commence and magnetic to the last figure of the second second	CHAIN OF TITLE - # 11810 MONOR ROAD
	WILLIAM J. VANKO, TRUSTES
***************************************	DOROTHY M. VANKO TRUSTES
	1.50.5/20
	0.63BAC 15616/699
d	598-800 OF 6/20/2001
	WILLIAM J. VANKO
	DOROTHY M. VALLED
······································	0.638 Ac 5099/563 Sie Box of 6/03/1970
	Tie Box 06 6103/1970
	The state of the s
	MARY W. CUISM
	0.638Ac 3002/117
	= 9 E BED OF 8/29/1956 MANOR RO.
****	DAVID P. SMITH
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· · · · · · · · · · · · · · · · · · ·	0.638Ac 2632/444 51 6 8 00 00 1/20/1955
	5 F BOD 06 1/20/1955 MANUE RO. 1/20/1955
	HARRY R. BOCKER
	CHARLES E. MAGNESS -LR.
	CHARLES C. / CONTROL OF
	0.638Ac 23/5/306
, , , , , , , , , , , , , , , , , , , 	Mayor Ro. 6/25/1953
	WILLIAM LACOS WILLOR
	BOTTY MARIO WILLIAM
	1997/532 (LOT CREATED WITH)
	0.638AC 8/01/1953 TUIS DEED
•	
	Jones J. Wingcore
	HORA R. WINKLOR
· · · · · · · · · · · · · · · · · · ·	17.5424 1111/520
	7/20/1940
umarreng serian sekerangkili medili didikili didiki mendelekaran meneran serian mendele seperangai	MELCHOIR C. CORCORAN



JOHN A. OLSZEWSKI. JR. County Executive

DAVID V. LYKENS, Director Department of Environmental Protection and Sustainability

July 1, 2020

Mr. Bruce Doak BRUCE E DOAK CONSULTING 3801 BAKER SCH HOUSE RD FREELAND MD 21053

RE: 11804 Manor Road, Election District - 11

Dear Mr. Doak,

A representative of this office, Allison Diviney, L.E.H.S., conducted soil evaluations on 06/16/2020 regarding the above-referenced lot(s).

Based on the soil evaluations and the designated Master Plan dated 05/30/2020, APPROVAL will be granted for the installation of a private onsite sewage disposal system (OSDS) for the lot(s) specified above. Soil percolation tests will be valid for a period of five (5) years from the date of this letter, approval letter or record plat, whichever is most recent. At the expiration of this period of time, the results will become VOID and revalidation of this approval must be obtained in writing from the Approving Authority.

It should be noted, that septic reserve area(s) are depicted on the Master Plan for the installation of an initial OSDS and future repairs. <u>Under no circumstance shall any easements, rights-of-way, buildings, any other permanent or physical structures above or below ground, be permitted within this area and it may not be disturbed by earth moving, compaction, tree removal or grading. Also, no underground electric lines, water pipes, gas lines, etc., shall be permitted in the septic reserve area.</u>

The following are comments that concern persons developing property:

 Where water wells are to be used as a source of water supply, the Baltimore County Code, (Title 35, Article 2, Sec. 35-41), requires that a well meeting the minimum recovery rate of one gallon per minute be drilled prior to issuance of a building permit.

PETITIONER'S

111 West Chesapeake Avenue, Room 319 | Towson, Mary www.baltimorecountymd.gov

EXHIBIT NO.

Mr. Bruce Doak July 1, 2020 Page 2

- Water well yield test reports shall be valid for a period of three years from the date of the yield test. At the expiration of that period of time, a retest must be performed and the report submitted to this office prior to issuance of a building permit.
- In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. PLEASE NOTE: For subdivisions of 11 or more lots a Water Appropriation Permit application must be submitted for review. This permit must then be issued by the Maryland Department of the Environment, Water Management Administration before final approval of the subdivision. Questions regarding the subdivision process should be directed to the Development Coordination Section of DEPS at 410-887-5859.

This property is approved for a 4 bedroom home. Proposed dwellings with more bedrooms and/or commercial uses require further evaluation.

Attached is a copy of the soil evaluation data for the above-referenced lots. If you have any questions regarding this matter, please contact me at 410-887-2762, or via email at mlowery@baltimorecountymd.gov.

Sincerely,

Mia L. Lowery, L.E.H.S. Supervisor, Soil Evaluation Program

Ground Water Management

attachments

S:\EPS\GWM\GWM TEMPLATES\Approval Letters-withoutBAT\Manor Rd.11804,7-1-20,doc

Baltimore County Department of Environmental Protection and Sustainability

Soil Percolation Test Results

Subdivision Name: MANOR RD

Facility Type: Private

Address: 11804 MANOR RD, GLEN ARM, MD 21057

District: 11

Location Description: SOUTHSIDE, EAST OF BRIDLE VALLEY RD

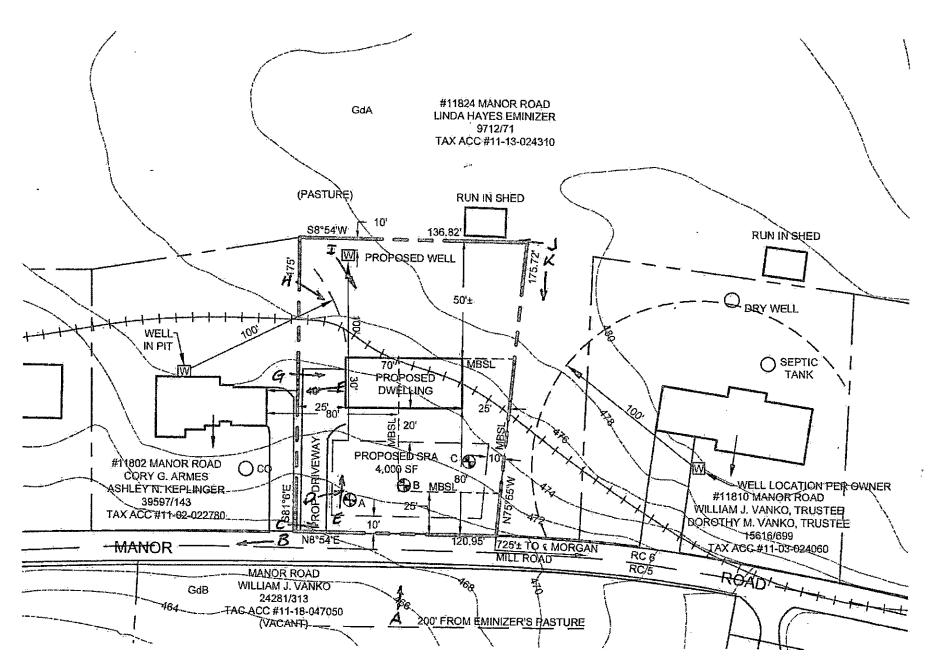
Tax ID: 1104076390

Lot#	Perc Hole	Test Date	Inspector	Depth (ft.)	Infiltration Rate (min.)	Soil Profile	Comments
	Ą	06/16/2020	Allison Diviney			0-3' CL, 3'-15' SL	
	В	06/16/2020	Allison Diviney			0-3' L, 3'-14' SL	
	С	06/16/2020	Allison Diviney	3ft.	2	0-3' L, 3'-15' SL	
Overall C	Comments:					SE (2 MIN RATE, 3-7' SIDEWALL): TV TO PRESERVE REPAIR AREA.	VO

Total Number of Perc Holes: 3

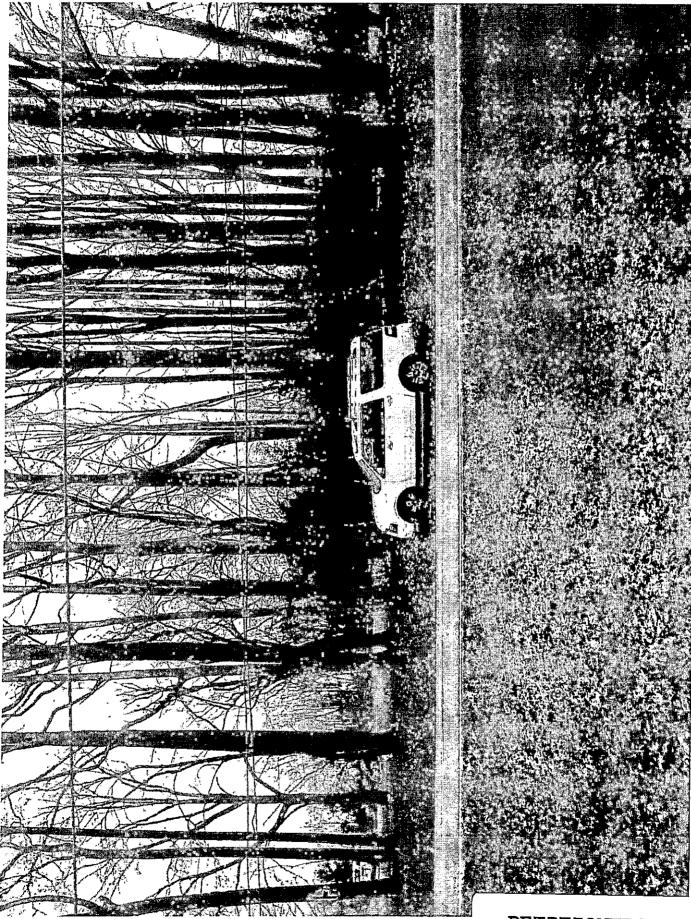
Printed Date: 6/22/2020

Page 1 of 1



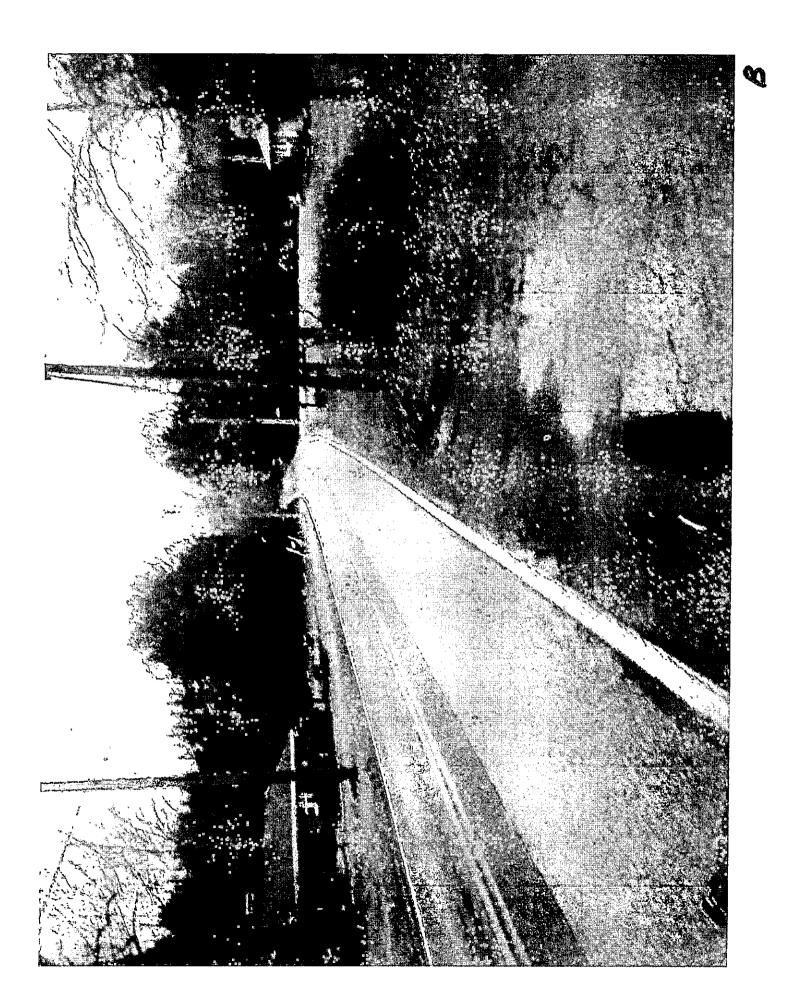
PLAN TO ACCOMPANY PHOTO EXHIBITS

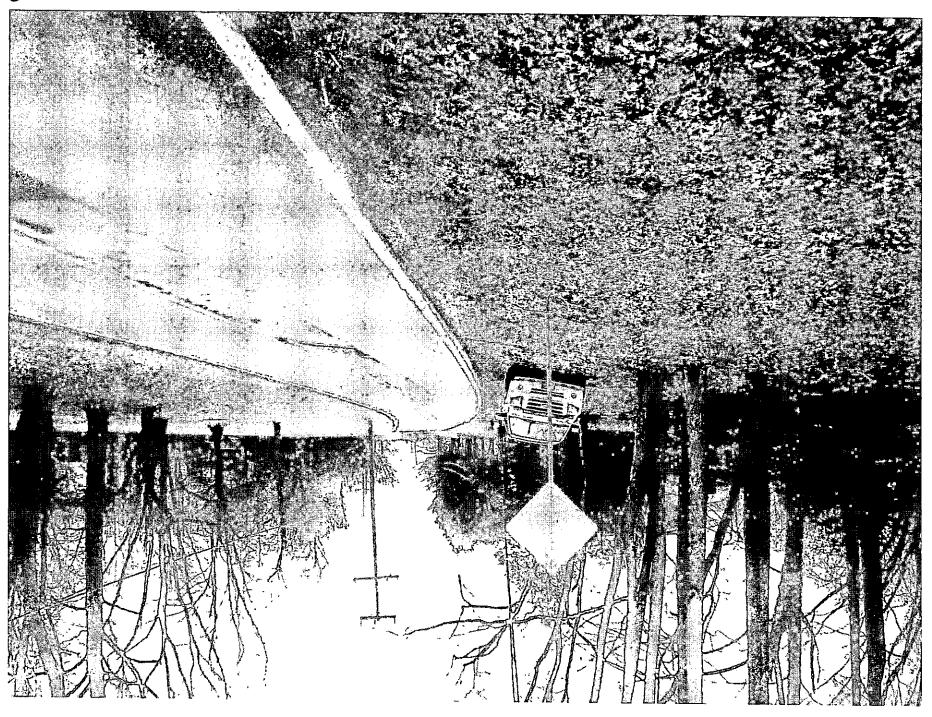


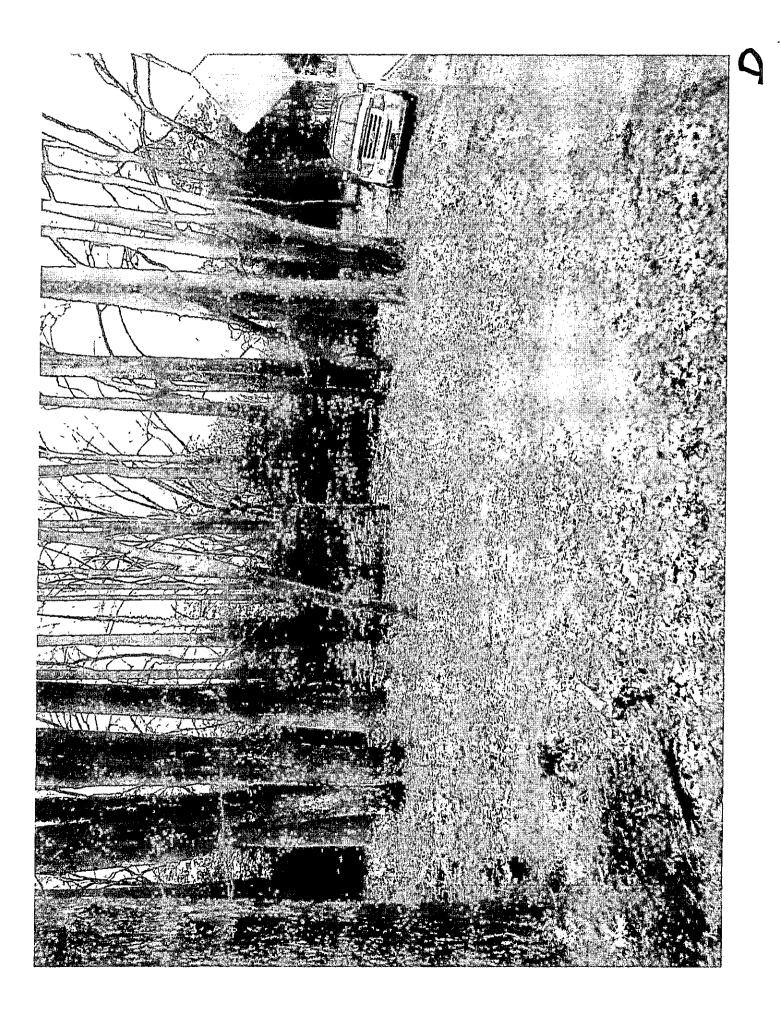


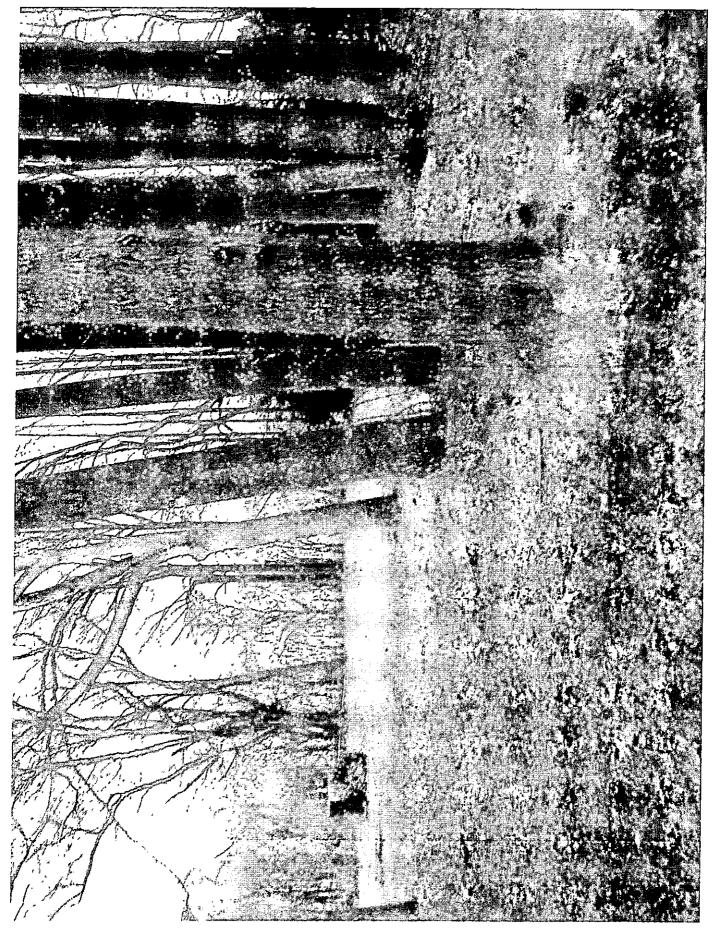
PETITIONER'S

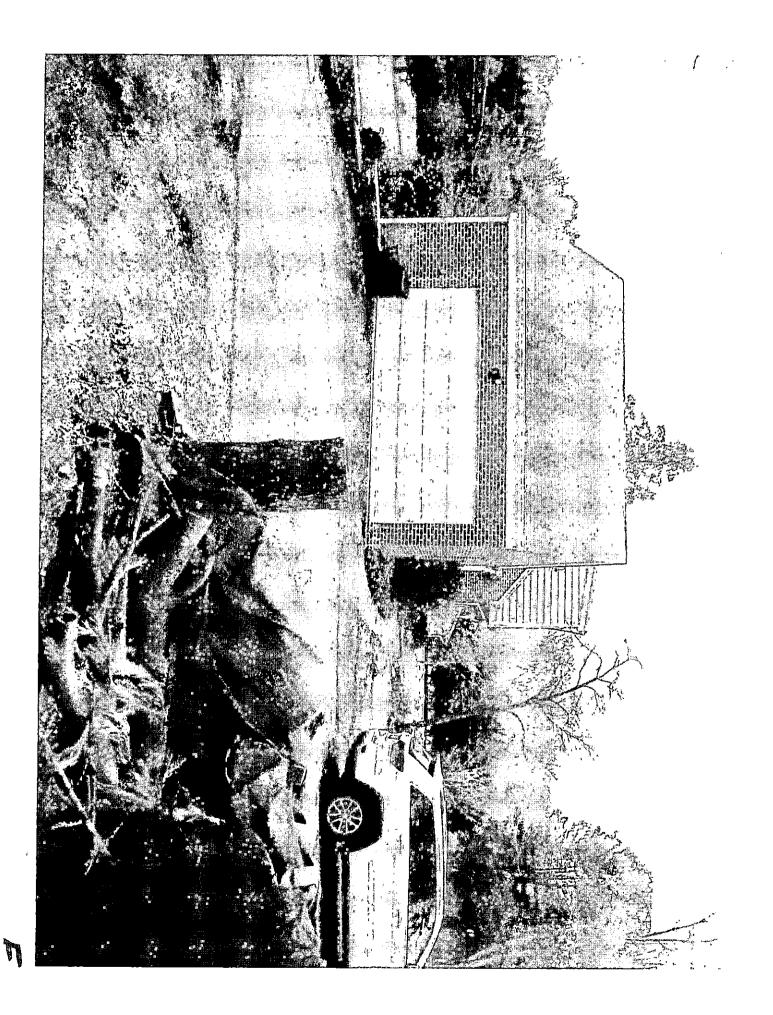
EXHIBIT NO.

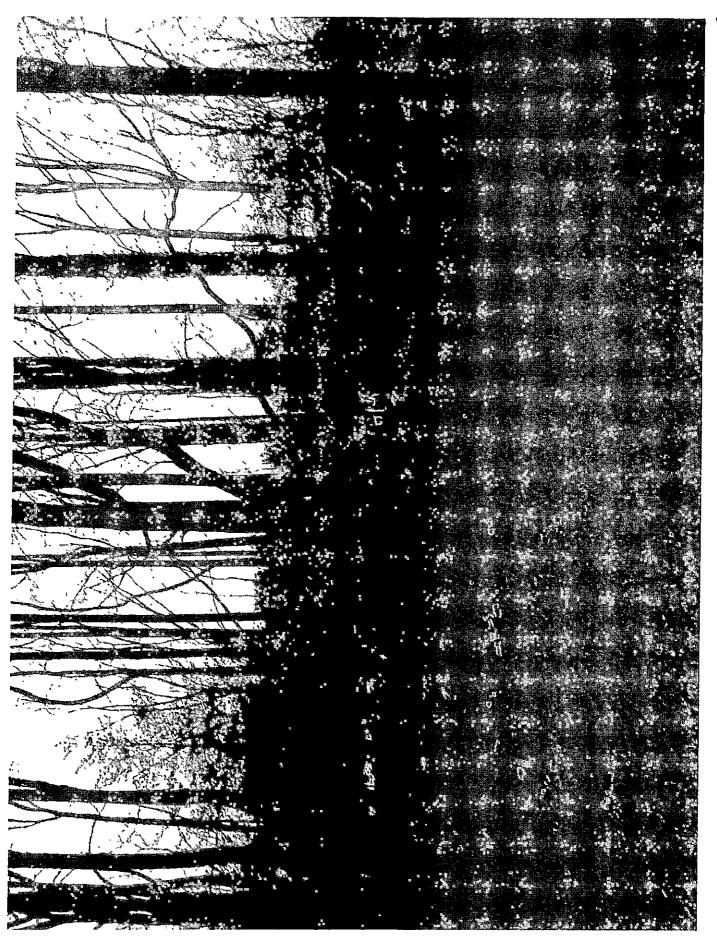




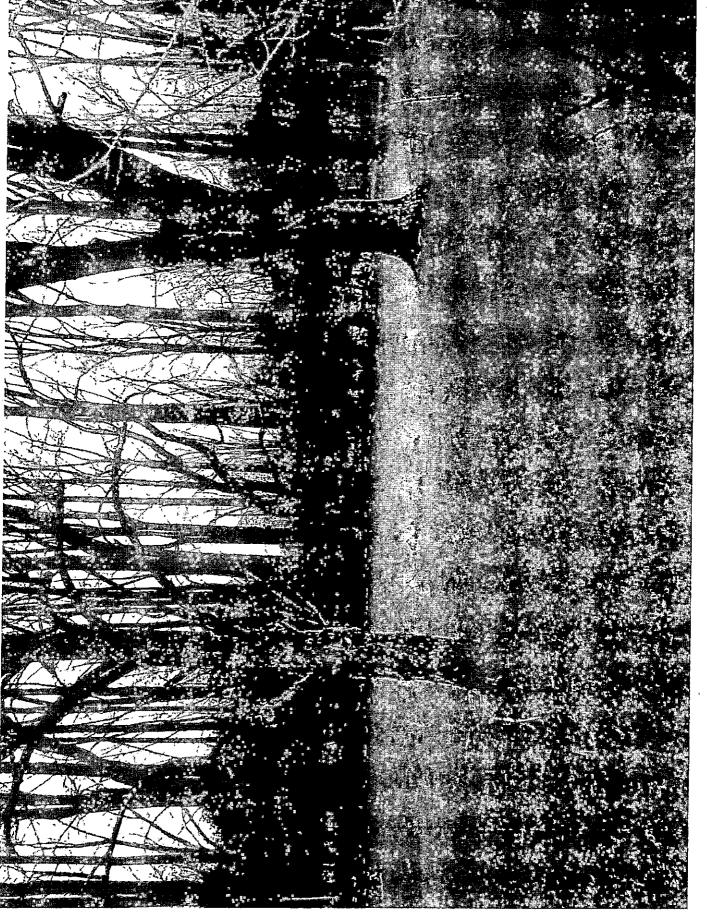












GENERAL SITE INFORMATION

Ownership: 1.

Maurice J. Duca

11804 Manor Road Glen Arm, MD 21057 Address:

3

SM 9597/593

- Deed reference:
- Property area:
- 0.518 acres (per SM 9597/593) 4 Election District: 11th Councilmanic District: 3rd
- Tax Map 53 Grid 20 Parcel 151 Tax Acc. # 11-04-076390 6.
- ADC Map Grid: 4462E9 Position Sheet: 55NE16
- GIS Tile Number: 053A3
- Regional Planning District: Fork Regional Planning Dist. Code: 310
- Growth Tier: 4 Growth Tier Description: Preservation & Conservation 10.
- 11 Watershed Name: Lower Gunpowder Falls
- 12. URDL Land Type: 1
- School Districts: Pine Grove ES Ridgely MS Loch Raven HS
 Census Block: 240054112021 Census Tract: 411202 13.
- 14
- The boundary shown hereon is from the title deed. 15.
- The topography shown hereon is from GIS tile number 053A3.

GROUND WATER MANAGEMENT

- 1. The subject property is currently vacant.
- 2. Perc tests have been performed and approved for the subject lot.
- 3. The proposed house will utilize a private well and septic system.
- 4. There are no underground fuel tanks on the subject lot.

ENVIRONMENTAL IMPACT

Forest Conservation

- 1. The existing forest will be removed in the development of the subject lot.
- 2. A Single Lot Declaration of Intent will be filed with Baltimore County.

- 1. No wetlands exist on the subject lot.
- 2. The subject lot is not located within a 100 year flood plain.
- 3. The subject lot is not in the Chesapeake Bay Critical Area.

OFFICE OF ZONING

Current Zoning RC 6

Devolution of Title

The subject lot as shown on this plan has been held intact since October 10, 1952 (2186/382). The developer's surveyor has confirmed that no part of the gross area of this property as shown on this plan has ever been utilized, recorded, or represented as density or area to support any off-site dwellings.

Zoning History

There have been no zoning hearings concerning the subject property.

Density Calculations for R.C. 6

Per 1A07.8.B.4. BCZR Any lot or parcel of land lawfully existing on the effective date of Bill 73-2000 may be developed with a single dwelling, regardless of the existence or extent of forest patch or forest conservation areas.

R.C. 6 Setbacks for Residential Single Family Dwellings

Front: 25 feet from the public road right of way

Side: 80 feet from any principal building

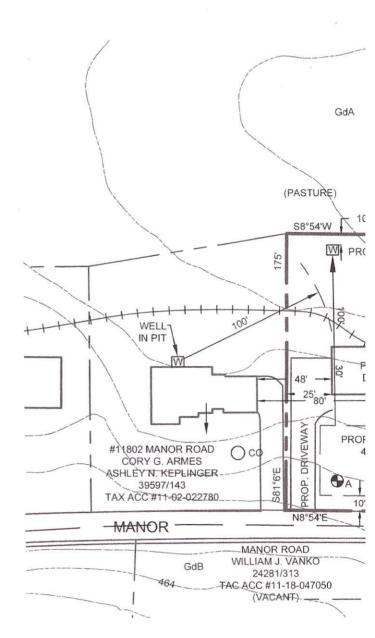
Rear: 50' from the rear lot line

Building Height

The proposed house will not exceed 50 feet high.

OFFICE OF PLANNING

- The subject property is not located in a National Register Historic District.
- Manor Road is designated as a Baltimore County scenic route.





OF INFO	PROPERTY ADDRESS
WELL	11802 MANOR ROAD
SEPTIO	
WELL	11810 MANOR ROAD
SEPTIO	
WELL	11824 MANOR ROAD
SEPTI	

