# MEMORANDUM

DATE: October 28, 2020

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2020-0206-A – Appeal Period Expired

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The appeal period for the above-referenced cases expired on October 26, 2020. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c: Case File
Office of Administrative Hearings

| | | |
|---|---|---|
| **IN RE: PETITION FOR ADMIN. VARIANCE** | * | BEFORE THE |
| **(19418 Spooks Hill Road)** | | |
| 6th Election District | * | OFFICE OF ADMINISTRATIVE |
| 3rd Council District | | |
| Chad N. & Gabriela Wasileski | * | HEARINGS FOR |
| Petitioners | | |
| | * | BALTIMORE COUNTY |
| | * | **CASE NO. 2020-0206-A** |

* * * * * * * * *

## OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Chad N and Gabriela Wasileski ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 400.1 (1A09.7.C.2e) of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed accessory structure (12 ft. x 18 ft. detached shed) to be partially located in the front yard in lieu of the required side or rear yard placement. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee ("ZAC") comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 9, 2020, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). Based upon the information available, there is no evidence in

the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Although the Department of Planning did not make any recommendations related to the detached shed height and usage, I will impose conditions that the detached shed shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, or used for commercial purposes.

Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this **24th** day of **September, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 400.1 (1A09.7.C.2e) of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed accessory structure (shed) to be partially located in the front yard in lieu of the required side or rear yard placement, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

- Petitioners or subsequent owners shall not convert the detached shed into a dwelling unit or apartment. The detached shed shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.

- The detached shed shall not be used for commercial purposes.

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:dlw

ORDER RECEIVED FOR FILING
Date 9-24-2020
By

# ADMINISTRATIVE ZONING PETITION

**FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING**

**To be filed with the Department of Permits, Approvals and Inspections**

**To the Office of Administrative Hearings for Baltimore County for the property located at:**

**Address** 19418 Spooks Hill Rd. Freeland, MD 21053 **Currently zoned** RC 8

Deed Reference 0036147 / 256 10 Digit Tax Account # 0 6 1 7 0 9 8 1 1 0

Owner(s) Printed Name(s) Chad and Gabriela Wasileski

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

**For Administrative Variances, the Affidavit** on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. X **ADMINISTRATIVE VARIANCE** from Section(s)

BCZR: 400.1 (1A09.7.C.2.e) → To permit a proposed accessory structure (shed) to be partially located in the front yard, in lieu of the required side or rear yard placement.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ____ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (*indicate type of work in this space: i.e., to raze, alter or construct addition to building*)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

**Owner(s)/Petitioner(s):**

Chad N Wasileski / Gabriela Wasileski

Name #1 – Type or Print / Name # 2 – Type or Print

Chad N Wasileski / Gabriela Wasileski

Signature #1 / Signature # 2

19418 Spooks Hill Rd. Freeland MD

Mailing Address / City / State

21053 / 302-388-9705 / cnw126@comcast.net

Zip Code / Telephone # / Email Address

**Attorney for Owner(s)/Petitioner(s):**

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

**Representative to be contacted:**

Name – Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
Date 9-24-2020
By

**A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by** the Office of Administrative Hearings for Baltimore County, this _____ day of _____, _____ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

**CASE NUMBER** 2020-0206-A **Filing Date** 8/12/20 **Estimated Posting Date** 8/23/20 **Reviewer** JS

Rev 5/5/2016

# Affidavit in Support of Administrative Variance

**(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)**

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

**Address:** 19418 Spooks Hill Rd. | Freeland | MD | 21053

Print or Type Address of property | City | State | Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. **(Clearly state practical difficulty or hardship here)**

Chad and Gabriela Wasileski are requesting a zoning variance to build a shed to the south of the existing dwelling adjacent to the Prettyboy Reservoir CWMA property. The reason for the variance request is that the proposed shed location is located to the side of the existing dwelling in front of the rear of the dwelling foundation. Additionally, we request a two foot set back from the property boundary. The reason we would like to place the shed in this location is due to the convenience of having the shed close the house and the proximity to the existing asphalt driveway. Other proposed locations on the property would require extensive removal of existing trees (many large White and Red Oak and Hickory) and/or significant grading due to the steep slopes at the rear of the property.

**(If additional space for the petition request or the above statement is needed, label and attach it to this Form)**

Chad N Wasileski
Signature of Owner (Affiant)

Gabriela Wasileski
Signature of Owner (Affiant)

Chad N Wasileski
Name- Print or Type

Gabriela Wasileski
Name- Print or Type

**The following information is to be completed by a Notary Public of the State of Maryland**

**STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:**

**I HEREBY CERTIFY,** this 10th day of August, 2020, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: CHAD WASILESKI and GABRIELA WASILESKI

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

**AS WITNESS** my hand and Notaries Seal

Notary Public

My Commission Expires

THEODORE NDJE
Notary Public
Baltimore City, Maryland
My Commission Expires 9/5/2023

REV. 5/5/2016

# Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL EXCEPTION)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: _____ _____ _____ _____ _____

(Street Number and Street Name) (City) (State) (Zip) (Zip Code)

Based upon personal knowledge, the following are the facts upon which this request for an Administrative Variance at the above address (Clearly state practical difficulty or hardship here):

_____

_____

_____

_____

_____

_____

_____

(If additional space for the position request or the above statement is needed, please attach it to this form.)

_____ _____

Signature of Owner (Affiant) Signature of Co-Owner (Affiant)

_____ _____

Name (Print or Type) Name (Print or Type)

The following information is to be completed by a Notary Public of the State of Maryland:

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this _____ day of _____, _____, before me, a Notary of Maryland in and for the County aforesaid, personally appeared:

_____

the (Affiant(s)) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal.

_____ _____

Notary Public

My Commission Expires:

_____

ZONING PROPERTY DESCRIPTION FOR 19418 SPOOKS HILL RD.

Beginning at a point on the west side of Spooks Hill Rd. which is 20 feet wide at a distance of 1800 feet north of the centerline of Kidd's Schoolhouse Rd. which is 20 feet wide.

Thence the following courses and distances: (1st Point of Call "POC") S. 51 08' 32" E. 236.00', (2nd POC) N. 23 36' 28" E. 216.15', (3rd POC) N. 50 17' 28" E. 173.35', (4th POC) N 40 04' 02" 432.87', (5th POC) S. 42 30' 28" W. 387.81', (6th POC) S 33 36' 32" E. 247.50', back to the point of beginning as recorded in Deed Liber 7909, Folio 666, containing 3.951 acres. Located in the 6th Election District and 3rd Council District.

The Deed states that the beginning point is at concrete monument No. 76. and follows the course designated above. Three sides of the described property borders 3 other properties belonging to Prettyboy Reservoir CWMA, Joseph and Amy Kaltenbach, and Brigette Kandel. The fourth side of the described property borders Spooks Hill Rd. There is a residence and dwelling on the east side of Spooks Hill Rd. belonging to Penelope P. Scott.

Chad and Gabriela Wasileski are requesting a zoning variance to build a shed to the south of the existing dwelling adjacent to the Prettyboy Reservoir CWMA property. The reason for the variance request is that the proposed shed location is located to the side of the existing dwelling in front of the rear of the dwelling foundation. Additionally, we request a two foot set back from the property boundary. The reason we would like to place the shed in this location is due to the convenience of having the shed close the house and the proximity to the existing asphalt driveway. Other proposed locations on the property would require extensive removal of existing trees and/or significant grading due to the steep slopes at the rear of the property.

Please see the following photos showing the property and the proposed shed location. Please note that the photos show a stakeout of a 14' X 18'. The size of the proposed shed has been reduced to 12' X 18' to allow for more clearance to the existing White Oak shown is the photos and on the plan.

2020-0206-A

# CERTIFICATE OF POSTING

Date: 09/10/2020 & recheck 09/15/2020

RE: Project Name: Administrative Variance

Case Number /PAI Number: 2020-0206-A

Petitioner/Developer: Chad Wasilewski

Date of Hearing/Closing: 09/20/2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 19418 Spooks Hill Rd.

The sign(s) were posted on 09/09/2020 & recheck 09/15/2020
(Month, Day, Year)


(Signature of Sign Poster)

John M. Altmeyer
(Printed Name of Sign Poster)

21722 Orwig Rd.
(Street Address of Sign Poster)

Freeland, MD. 21053
(City, State, Zip Code of Sign Poster)

410-382-6580
(Telephone Number of Sign Poster)

# CERTIFICATE OF POSTING

Date: 09/10/2020 & recheck 09/15/2020

RE: Project Name: Administrative Variance

Case Number /PAI Number: 2020-0206-A

Petitioner/Developer: Chad Wasilewski

Date of Hearing/Closing: 09/20/2020

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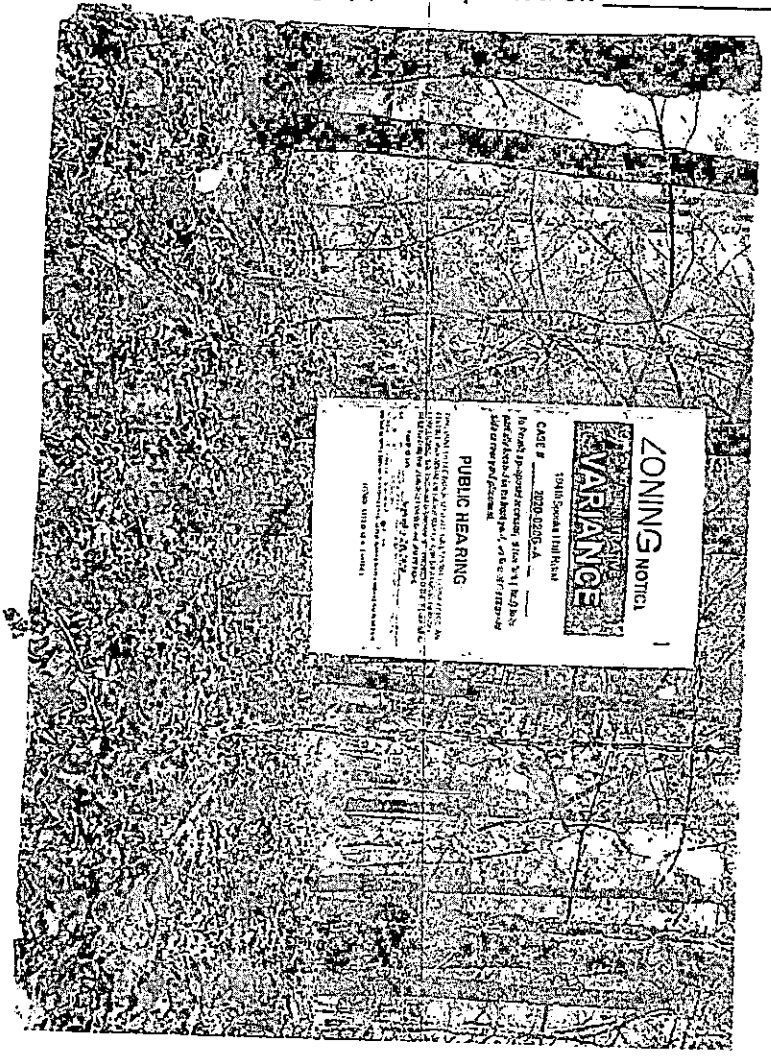
(Month, Day, Year)




(Signature of Sign Poster)

John M. Altmeyer
(Printed Name of Sign Poster)

21722 Orwig Rd.
(Street Address of Sign Poster)

Freeland, MD. 21053
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410-382-6580
(Telephone Number of Sign Poster)

BALTIMORE COUNTY DE RTMENT OF PERMITS, APPRO S AND INSPECTIONS
ZONING REVIEW OFFICE

# ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2020- 0206 -A Address 19418 SPOOKS HILL RD.

Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

**Filing Date:** 8/12/20 **Posting Date:** 9/11/20 **Closing Date:** 9/20/20

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.

2. **DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.

3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.

4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

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**Petitioner: This Part of the Form is for the Sign Poster Only**

**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**

Case Number 2020- 0206 -A Address 19418 SPOOKS HILL ROAD.

Petitioner's Name WASILESKI Telephone 302-388-9705

**Posting Date:** 9/11/20 **Closing Date:** 9/20/20

Wording for Sign: To Permit A PROPOSED ACCESSORY STRUCTURE (SHED) TO BE PARTIALLY LOCATED IN THE FRONT YARD, IN LIEU OF THE REQUIRED SIDE OR REAR YARD PLACEMENT.

Revised 6/30/2018

## Jenae Johnson

**From:** Jenae Johnson
**Sent:** Friday, September 04, 2020 9:32 AM
**To:** 'cnw126@comcast.net'
**Subject:** Case Number 2020-0206-A

Good morning,

My name is Jenae. I am processing your file to be completed for your closing date for 9-7-2020. In order for me to compete your file I need the Sign Posting. If you can please email a copy, I can complete your file and forwarded to the Law Judges office.

Thank you

BALTIMORE CO. Y DE RTMENT OF PERMITS, PROV S AND INSPECTIONS
ZONING REVIEW OFFICE

# ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2020- 0206 -A Address 19418 SPOOKS HILL RD, 21053

Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

**Filing Date:** 8/12/20 **Posting Date:** 8/23/20 **Closing Date:** 9/7/20

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.

2. **DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.

3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.

4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

**Petitioner: This Part of the Form is for the Sign Poster Only**

**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**

Case Number 2020- 0206 -A Address 19418 SPOOKS HILL RD, 21053

Petitioner's Name WASILESKI Telephone 302-388-9705

**Posting Date:** 8/23/20 **Closing Date:** 9/7/20

Wording for Sign:

To permit a proposed accessory structure (shed) to be partially located in the front yard, in lieu of the required side or rear yard placement.

Revised 6/30/2018

# 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.**

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**For Newspaper Advertising:**

Case Number: 2020-0206-A

Property Address: 19418 SPOOKS HILL ROAD

Property Description: )

Legal Owners (Petitioners): WASILESKI

Contract Purchaser/Lessee:

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHAD WASILESKI

Company/Firm (if applicable):

Address: 19418 SPOOKS HILL ROAD
FREELAND, MD 21053

Telephone Number: 302-388-9705

Revised 7/9/2015

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

No. 198822

Date: 8/12/20

| Fund | Dept | Unit | Sub Unit | Rev Source/ Obj | Sub Rev/ Sub Obj | Dept Obj | BS Acct | Amount |
|---|---|---|---|---|---|---|---|---|
| 001 | 806 | 0000 | | 6150 | | | | $75.00 |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | Total: | | $75.00 |

Rec From: WASILESKI

For: 2020-0206-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

**CASHIER'S VALIDATION**

CHAD NICHOLAS WASILESKI 02/18
GABRIELA WASILESKI
19418 SPOOKS HILL RD
FREELAND, MD 21053-9419

134
65-330/550

Date 8/4/2020

PAY to the order of Baltimore County $ 75.00

Seventy five and 00 Dollars

Photo Safe Deposit Detach on back

BB&T BRANCH BANKING AND TRUST COMPANY 1-800-BANK BBT BBT.com

Elite

For Zoning Variance Signature Chad Wasileski

⑆055000330⑆ 0005251337537⑈ 00134

Hallmark Cards

JOHN A. OLSZEWSKI, JR.
*County Executive*

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

September 21, 2020

Chad N Wasileski,
19418 Spooks Hill Road
Freeland MD 21053

RE: Case Number: 2020-0206-A, 19418 Spooks Hill 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 12, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**

TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and Sustainability (EPS) - Development Coordination

DATE: August 20, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0206-A
Address 19418 Spooks Hill Road
(Wasileski 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

C:\Users\jnjohnson\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\H1PAGF4X\ZAC 20-0206-A 19418 Spooks Hill Road.doc

## Debra Wiley

**From:** John Altmeyer <jaltmeyer@aol.com>
**Sent:** Tuesday, September 15, 2020 8:50 PM
**To:** Donna Mignon; Debra Wiley; cnw126@comcast.net
**Subject:** recheck of case2020-0206-A 19418 Spooks Hill Rd.
**Attachments:** Scan0084.pdf



Good day all:

Attached is the recheck pictures for case #2020-0206-A.

John Altmeyer
Stay Safe!

# CERTIFICATE OF POSTING

Date: 09/10/2020 & recheck 09/15/2020

RE: Project Name: Administrative Variance

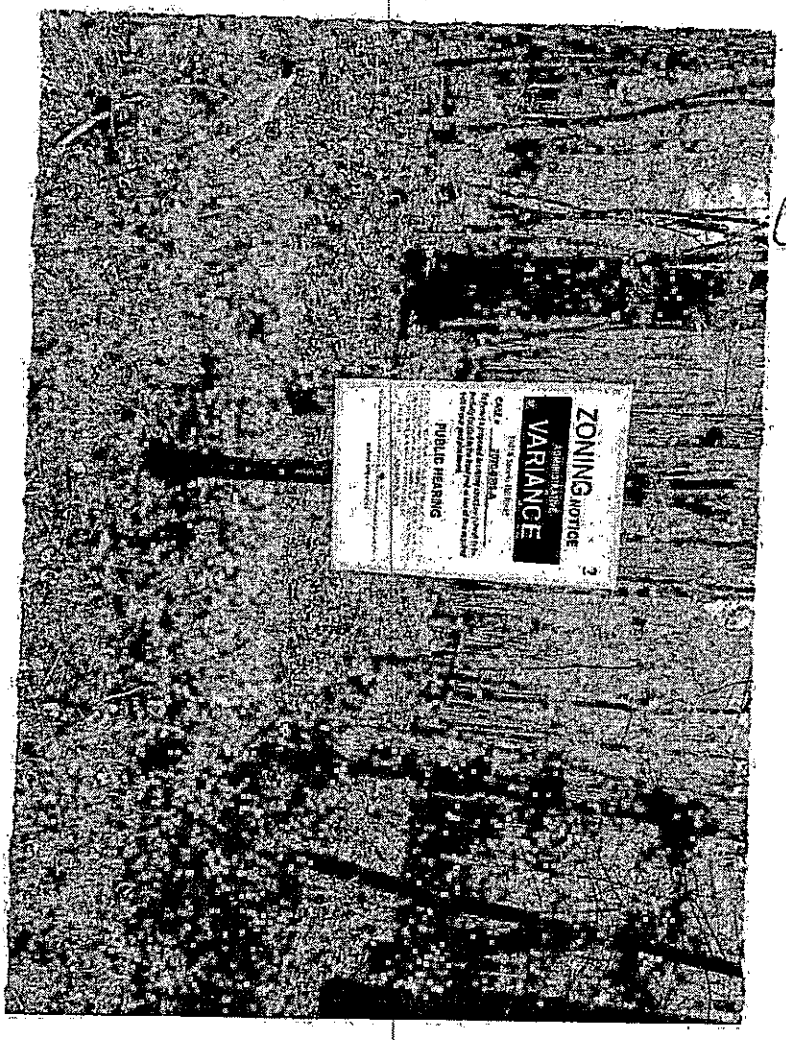
Case Number /PAI Number: 2020-0206-A

Petitioner/Developer: Chad Wasilewski

Date of Hearing/Closing: 09/20/2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 19418 Spooks Hill Rd.

The sign(s) were posted on 09/09/2020 & recheck 09/15/2020
(Month, Day, Year)




(Signature of Sign Poster)

John M. Altmeyer
(Printed Name of Sign Poster)

21722 Orwig Rd.
(Street Address of Sign Poster)

Freeland, MD. 21053
(City, State, Zip Code of Sign Poster)

410-382-6580
(Telephone Number of Sign Poster)

11/11

# CERTIFICATE OF POSTING

Date: 09/10/2020 & recheck 09/15/2020

RE: Project Name: Administrative Variance

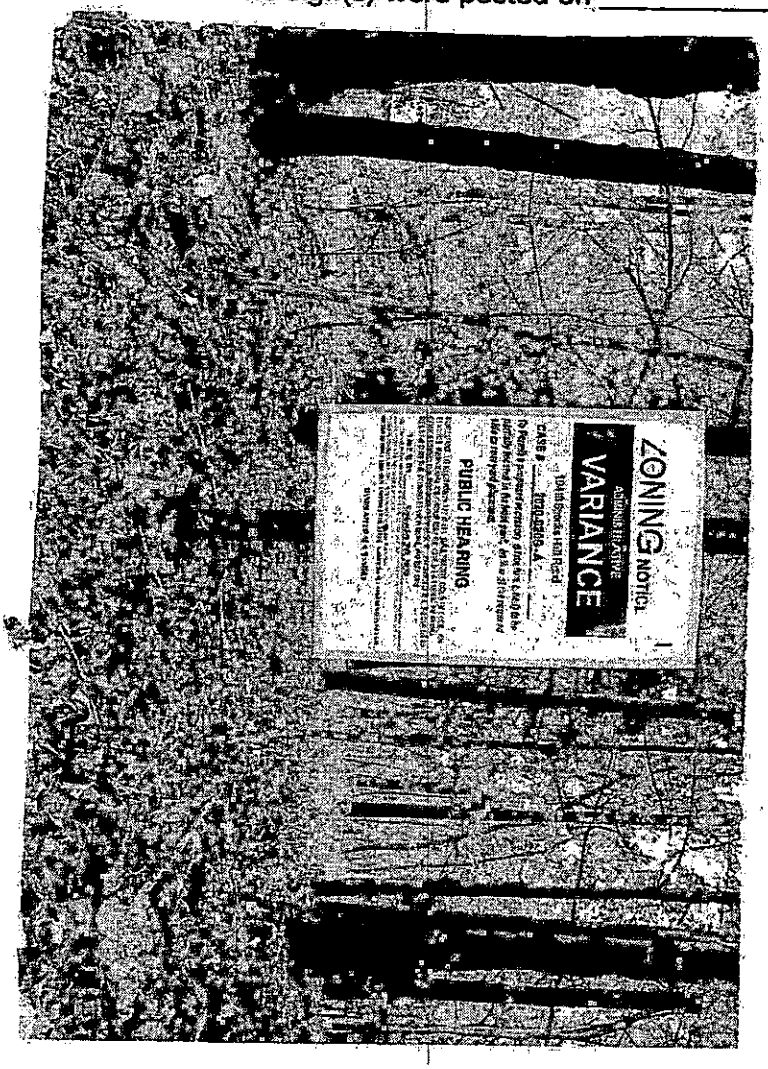
Case Number /PAI Number: 2020-0206-A

Petitioner/Developer: Chad Wasilewski

Date of Hearing/Closing: 09/20/2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 19418 Spooks Hill Rd.

The sign(s) were posted on 09/09/2020 & recheck 09/15/2020
(Month, Day, Year)




(Signature of Sign Poster)

John M. Altmeyer
(Printed Name of Sign Poster)

21722 Orwig Rd.
(Street Address of Sign Poster)

Freeland, MD. 21053
(City, State, Zip Code of Sign Poster)

410-382-6580
(Telephone Number of Sign Poster)

11/11

# ZAC AGENDA

**Case Number:** 2020-0206-A **Reviewer:** Jason Seidelman
**Existng Use:** RESIDENTIAL **Proposed Use:** RESIDENTIAL
**Type:** ADMINISTRATIVE VARIANCE
**Legal Owner:** Chad & Gabriela Wasileski
**Contract Purchaser:** No Contract Purchaser was set.

**Critical Area:** No **Flood Plain:** No **Historic:** No **Election Dist:** 6 **Council Dist:** 3

**Property Address:** 19418 SPOOKS HILL RD
**Location:** North West side of Spooks Hill Road 1,800 North of intersection with Kidd's Schoolhouse Road (20').

**Existing Zoning:** RC 8 **Area:** 3.951 AC
**Proposed Zoning:**
ADMINISTRATIVE VARIANCE:
BCZR 400.1 (1A09.7.C.2e) To permit a proposed accessory structure (shed) to be partially located in the front yard, in lieu of the required side or rear yard placement.
**Attorney:** Not Available
**Prior Zoning Cases:** None
**Concurrent Cases:** None
**Violation Cases:** None
**Closing Date:** 09/07/2020

**Miscellaneous Notes:**

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**Case Number:** 2020-0207-SPH **Reviewer:** Gary Hucik
**Existng Use:** RESIDENTIAL **Proposed Use:** RESIDENTIAL
**Type:** SPECIAL HEARING
**Legal Owner:** Shrevus Panchigar
**Contract Purchaser:** No Contract Purchaser was set.

**Critical Area:** No **Flood Plain:** No **Historic:** No **Election Dist:** 13 **Council Dist:** 1

**Property Address:** 248 CLYDE AVE
**Location:** North side of Clyde Ave East 135' to the center line of Charleston Ave.

**Existing Zoning:** DR 5.5 **Area:** .20 AC
**Proposed Zoning:**
SPECIAL HEARING:
A non-conforming use of a 2nd residence unit in the existing detached garage.
**Attorney:** Not Available
**Prior Zoning Cases:** None
**Concurrent Cases:** None
**Violation Cases:** None
**Closing Date:**

**Miscellaneous Notes:**

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WBS 9/7
mat 9/21

CASE NO. 2020- 0206-A

# CHECKLIST

| Comment Received | Department | Support/Oppose/ Conditions/ Comments/ No Comment |
|---|---|---|
| | DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent ) | |
| 8-20 | DEPS (if not received, date e-mail sent ) | NO |
| | FIRE DEPARTMENT | |
| | PLANNING (if not received, date e-mail sent ) | |
| | STATE HIGHWAY ADMINISTRATION | |
| | TRAFFIC ENGINEERING | |
| | COMMUNITY ASSOCIATION | |
| | ADJACENT PROPERTY OWNERS | |

ZONING VIOLATION (Case No. )

PRIOR ZONING (Case No. )

NEWSPAPER ADVERTISEMENT Date:

SIGN POSTING (1st) Date: 9-9-20 by Altmeyer

SIGN POSTING (2nd) Date: 9-15-20 by Altmeyer

PEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any:

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

**Special Tax Recapture:** None

**Account Identifier:** **District -** 06 **Account Number -** 0617098110

Owner Information

| | | | |
|---|---|---|---|
| **Owner Name:** | WASILESKI CHAD NICHOLAS<br>WASILESKI GABRIELA | **Use:**<br>**Principal Residence:** | RESIDENTIAL<br>YES |
| **Mailing Address:** | 19418 SPOOK HILL RD<br>FREELAND MD 21053- | **Deed Reference:** | /36147/ 00256 |

Location & Structure Information

| | | | |
|---|---|---|---|
| **Premises Address:** | 19418 SPOOK HILL RD<br>FREELAND 21053- | **Legal Description:** | 3.951 AC<br>19418 SPOOK HILL RD<br>3960FT S MDLTWN-BKLYSVIL |

| Map: | Grid: | Parcel: | Neighborhood: | Subdivision: | Section: | Block: | Lot: | Assessment Year: | Plat No: |
|---|---|---|---|---|---|---|---|---|---|
| 0011 | 0013 | 0214 | 6030007.04 | 0000 | | | | 2020 | Plat Ref: |

**Town:** None

| Primary Structure Built | Above Grade Living Area | Finished Basement Area | Property Land Area | County Use |
|---|---|---|---|---|
| 1969 | 2,440 SF | 300 SF | 3.9500 AC | 04 |

| Stories | Basement | Type | Exterior | Quality | Full/Half Bath | Garage | Last Notice of Major Improvements |
|---|---|---|---|---|---|---|---|
| 2 | NO | SPLIT LEVEL | 1/2 BRICK SIDING/ BRICK | 4 | 2 full | 1 Attached | |

Value Information

| | Base Value | Value As of 01/01/2020 | Phase-in Assessments As of 07/01/2020 | As of 07/01/2021 |
|---|---|---|---|---|
| **Land:** | 128,200 | 128,200 | | |
| **Improvements** | 210,700 | 225,600 | | |
| **Total:** | 338,900 | 353,800 | 343,867 | 348,833 |
| **Preferential Land:** | 0 | | | 0 |

Transfer Information

| | | |
|---|---|---|
| **Seller:** QUINTAVALLE RICHARD M | **Date:** 05/07/2015 | **Price:** $350,000 |
| **Type:** ARMS LENGTH IMPROVED | **Deed1:** /36147/ 00256 | **Deed2:** |
| **Seller:** QUINTAVALLE RICHARD M | **Date:** 06/30/1988 | **Price:** $0 |
| **Type:** NON-ARMS LENGTH OTHER | **Deed1:** /07909/ 00666 | **Deed2:** |
| **Seller:** | **Date:** | **Price:** |
| **Type:** | **Deed1:** | **Deed2:** |

Exemption Information

| **Partial Exempt Assessments:** | **Class** | 07/01/2020 | 07/01/2021 |
|---|---|---|---|
| **County:** | 000 | 0.00 | |
| **State:** | 000 | 0.00 | |
| **Municipal:** | 000 | 0.00\|0.00 | 0.00\|0.00 |

**Special Tax Recapture:** None

Homestead Application Information

**Homestead Application Status:** Approved 03/21/2016

Homeowners' Tax Credit Application Information

**Homeowners' Tax Credit Application Status:** No Application **Date:**

Photo 1: This photo shows the 18'x14' stakeout (now reduced to 12' X 18') of the proposed shed location looking west.

Photo 2: This photo shows the front of the 18'x14' stakeout (now reduced to 12' X 18') of the proposed shed location looking northwest. Note the proximity to the existing asphalt driveway.

Photo 3: This photo shows concrete monument No. 76 as described in the property Deed and is the POB of the property line stake out.

Photo 4: This photo shows concrete monument No. 76 as described in the property Deed and is the POB of the property line stake out. The photo is looking South 51 degrees 8 minutes and 32 seconds ( S 51 08′ 32″ E) as described in the property deed. The yellow line has been placed between concrete monument No. 76 and the stake placed adjacent to Spooks Hill Rd. (2nd POC as described above) at a distance of 236 feet.

Photo 5: This photo shows a close up of the 2nd POC adjacent to Spooks Hill Rd.

Photo 6: This photo is looking northwest toward the POB from the 2nd POC adjacent to Spooks Hill Rd.

Photo 7: This photo is looking northwest toward the POB along the property boundary. This photo is closer to the POB and shows the stakeout of the proposed shed.

Photo 8: This photo is looking southeast toward the 2nd POC adjacent to Spooks Hill Rd. from south east of the POB. This photo shows the stakeout of the proposed shed foundation and the 2 ft. setback.

Photo 9: This photo is looking northeast toward the existing dwelling from the west corner of the proposed shed foundation. This photo shows the 2 foot offset from the existing 34" BHD white oak on the left. (The size of the shed has now been reduced to 12' X 18' and will have a 4 foot offset from the existing tree).

Photo 10: This photo is looking southwest toward the proposed shed location (just left of the large oak tree and wood pile). This photo shows the proximity of the propose shed to the existing dwelling.

Photo 11: This photo is looking northwest toward the proposed shed location (adjacent to the large oak tree and wood pile to the left). This photo shows the proximity of the proposed shed to the existing dwelling.

Photo 12: This photo is looking northwest showing the proximity of the proposed shed location (left out of photo frame) to the existing dwelling.

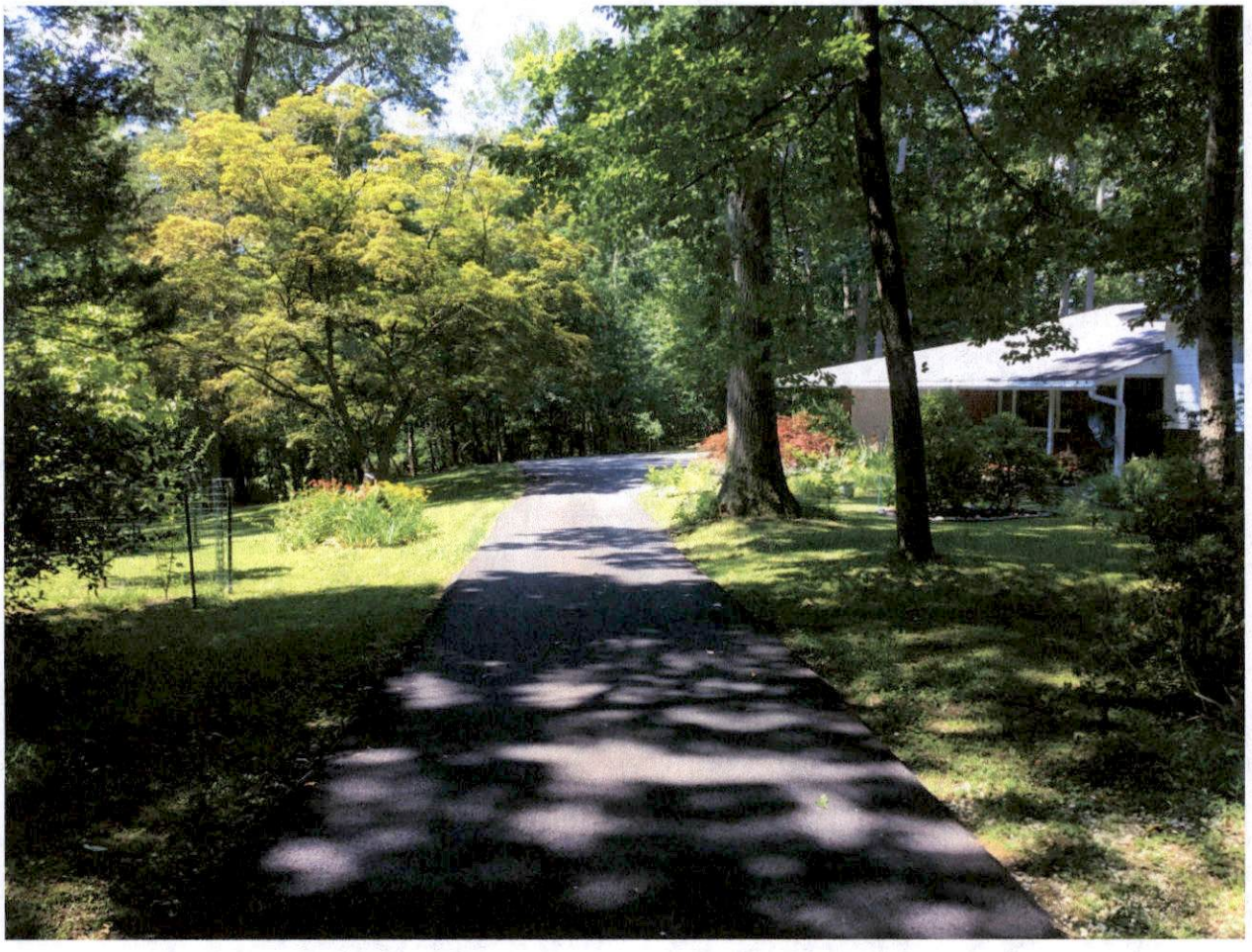


Photo 13: This photo is looking west showing the existing dwelling and partially hidden proposed shed location (to the right) from close to the driveway entrance to the property.

Photo 14: This photo is looking southwest towards the north side of the existing dwelling. Note slope of existing ground.

Photo 15: This photo is looking west. Note the north side of the existing dwelling (left), septic manhole (center), and how the slope gets much steeper just past the grade brake where the ferns are located.

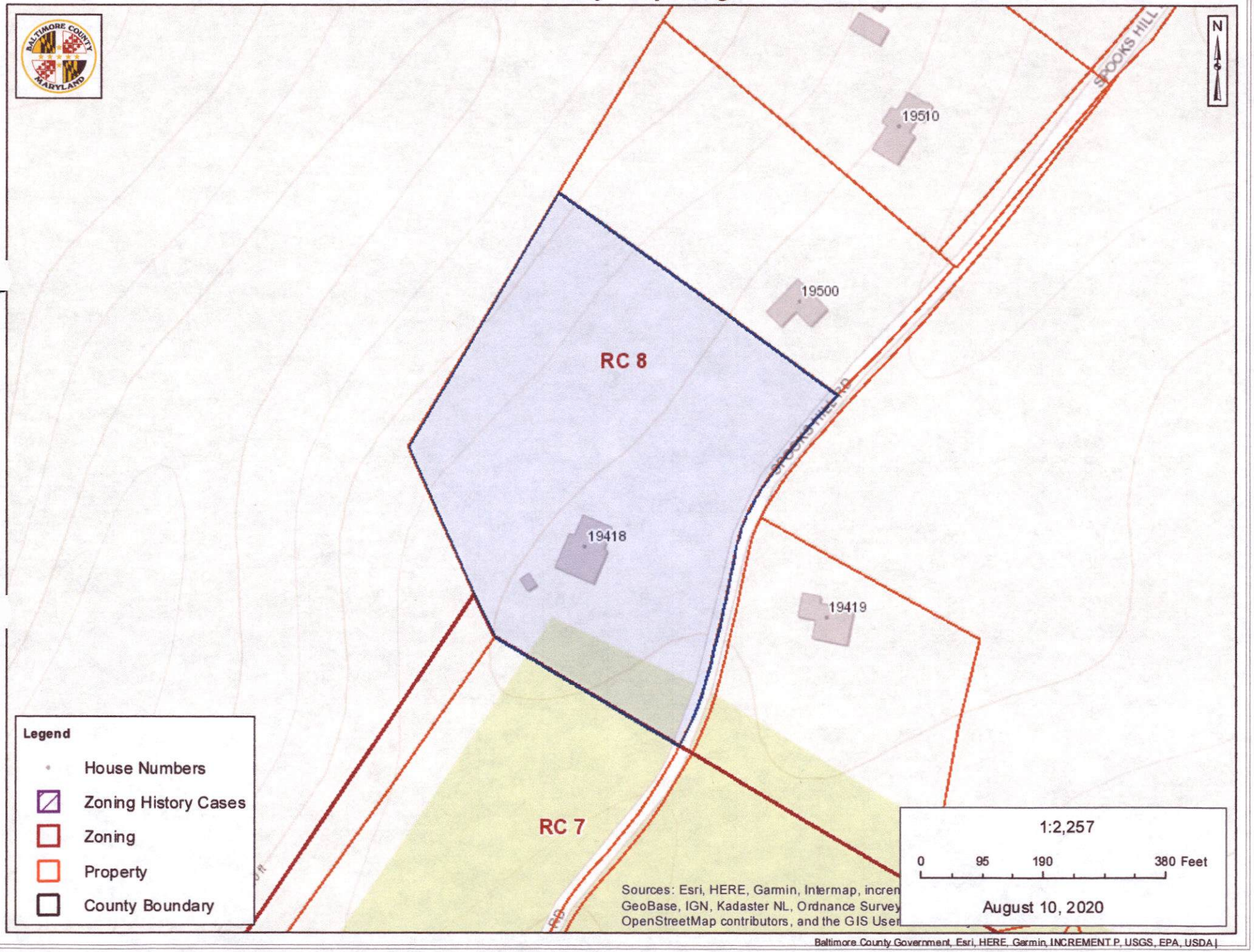
Photo 16: This photo is looking north from the north corner of the existing dwelling. Existing septic dry well is located in the ferns in the center of the photo. Note the dense vegetation and steep slopes.

Photo 17: This photo is looking southeast from the existing asphalt driveway entrance of 19418 Spooks Hill Rd. This photo shows the property belonging to Penelope P. Scott.

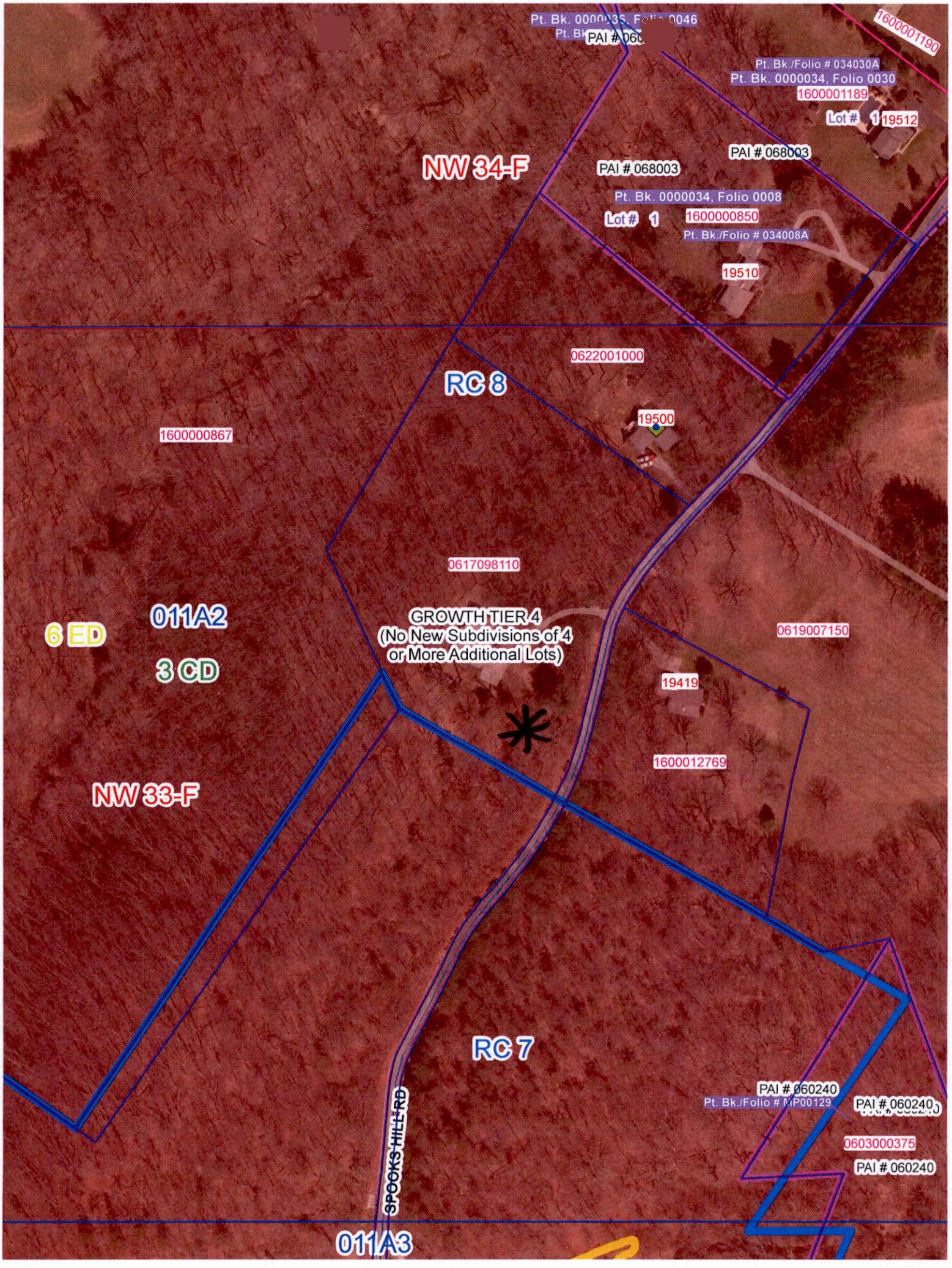
Photo 18: This photo is looking south from the existing asphalt driveway entrance of 19418 Spooks Hill Rd. at Spooks Hill Rd. Note wooded areas on either side of Spooks Hill Rd.


Photo 19: This photo is looking northeast from the existing asphalt driveway entrance of 19418 Spooks Hill Rd. at Spooks Hill Rd. Note densely wooded area left of Spooks Hill Rd.

# Baltimore County - My Neighborhood




Baltimore County Government, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA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PAI # 060
1600001190
Pt. Bk./Folio # 034030A
Pt. Bk. 0000034, Folio 0030
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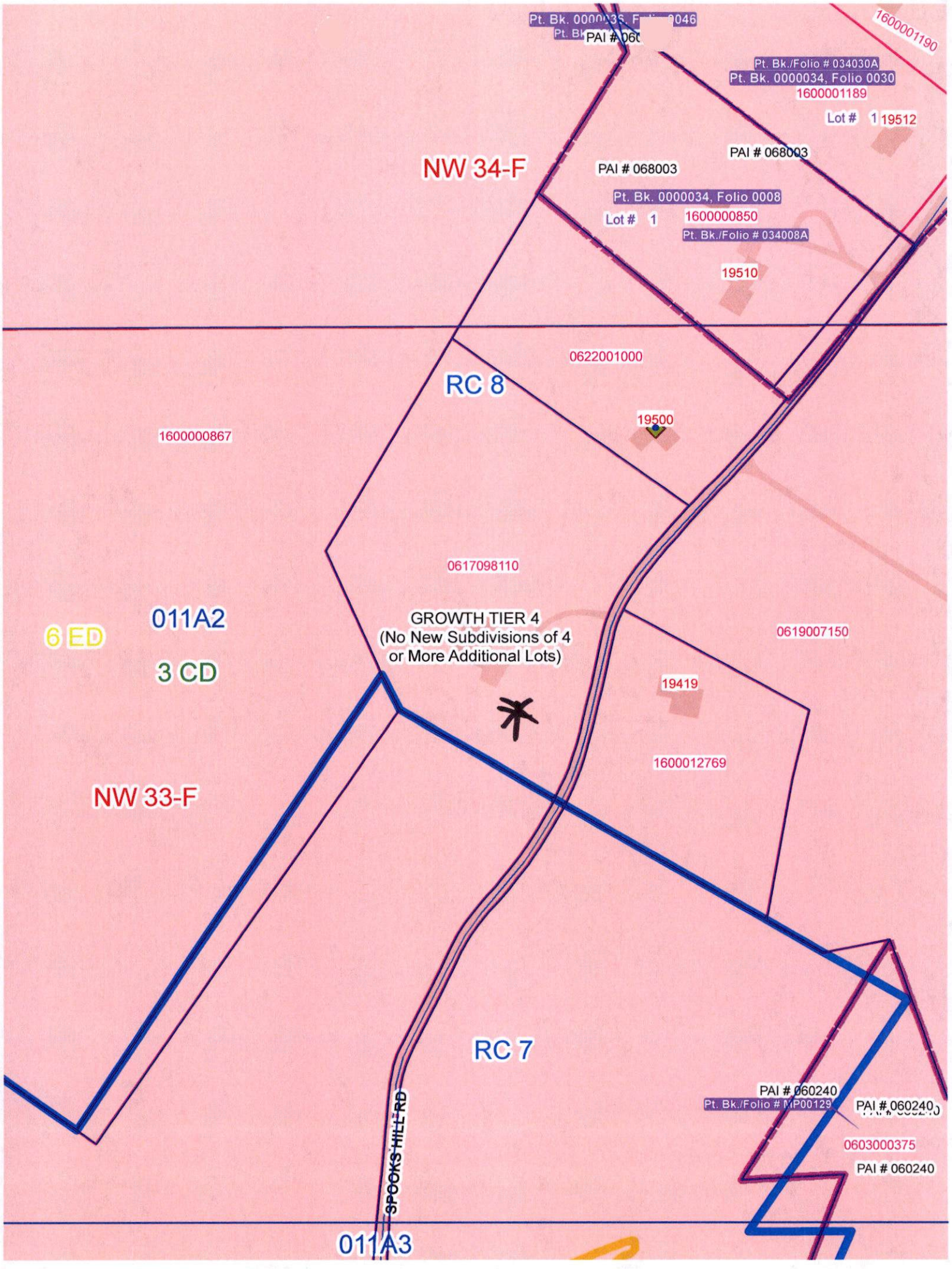
Lot # 1
19512
PAI # 068003
NW 34-F
PAI # 068003
Pt. Bk. 0000034, Folio 0008
Lot # 1
1600000850
Pt. Bk./Folio # 034008A
19510
0622001000
RC 8
19500
1600000867
0617098110
011A2
GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)
0619007150
6 ED
3 CD
19419
1600012769
NW 33-F
RC 7
PAI # 060240
Pt. Bk./Folio # MP00129
PAI # 060240
0603000375
PAI # 060240
SPOOKS HILL RD
011A3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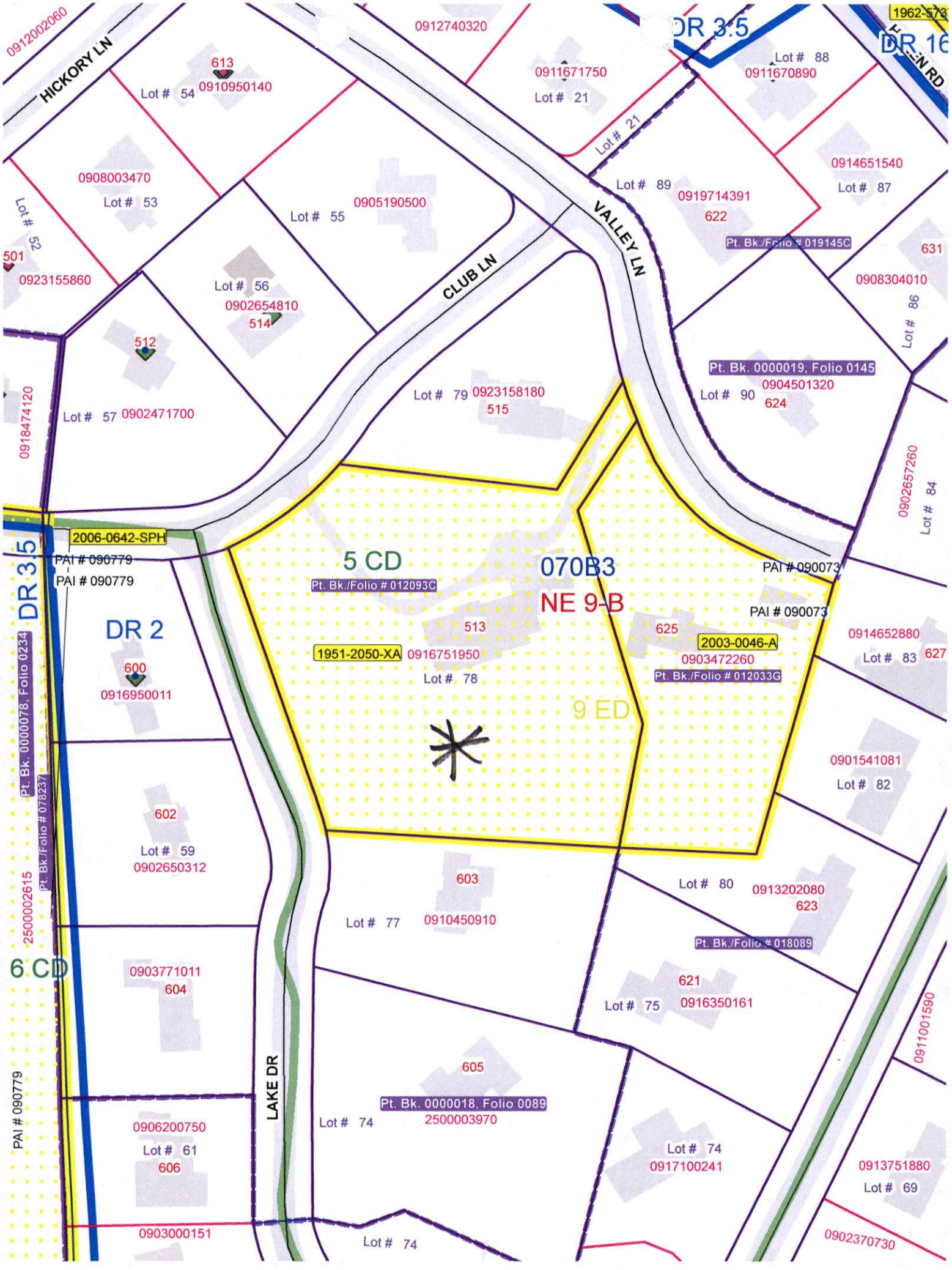
PAI # 060
1600001190
Pt. Bk./Folio # 034030A
Pt. Bk. 0000034, Folio 0030
1600001189
Lot # 1 19512
PAI # 068003
NW 34-F
PAI # 068003
Pt. Bk. 0000034, Folio 0008
Lot # 1
1600000850
Pt. Bk./Folio # 034008A
19510
0622001000
RC 8
19500
1600000867
0617098110
GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)
011A2
6 ED
3 CD
0619007150
19419
1600012769
NW 33-F
RC 7
PAI # 060240
Pt. Bk./Folio # MP00129
PAI # 060240
0603000375
PAI # 060240
SPOOKS HILL RD
011A3


HICKORY LN
CLUB LN
VALLEY LN
LAKE DR
DR 3.5
DR 16
DR 2
5 CD
6 CD
9 ED
070B3
NE 9-B
1962-573
2006-0642-SPH
PAI # 090779
PAI # 090073
1951-2050-XA
2003-0046-A
Pt. Bk./Folio # 012093C
Pt. Bk./Folio # 012033G
Pt. Bk./Folio # 019145C
Pt. Bk. 0000019, Folio 0145
Pt. Bk. 0000078, Folio 0234
Pt. Bk./Folio # 078237
Pt. Bk./Folio # 018089
Pt. Bk. 0000018, Folio 0089
0912002060
0912740320
0911671750
Lot # 21
Lot # 88
0911670890
613
0910950140
Lot # 54
0908003470
Lot # 53
Lot # 52
501
0923155860
0905190500
Lot # 55
Lot # 56
0902654810
514
512
Lot # 57
0902471700
0918474120
Lot # 89
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0914651540
Lot # 87
631
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Lot # 86
Lot # 90
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Lot # 79
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Lot # 84
513
625
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Lot # 78
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0914652880
Lot # 83
627
600
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0901541081
Lot # 82
602
Lot # 59
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603
Lot # 77
0910450910
Lot # 80
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623
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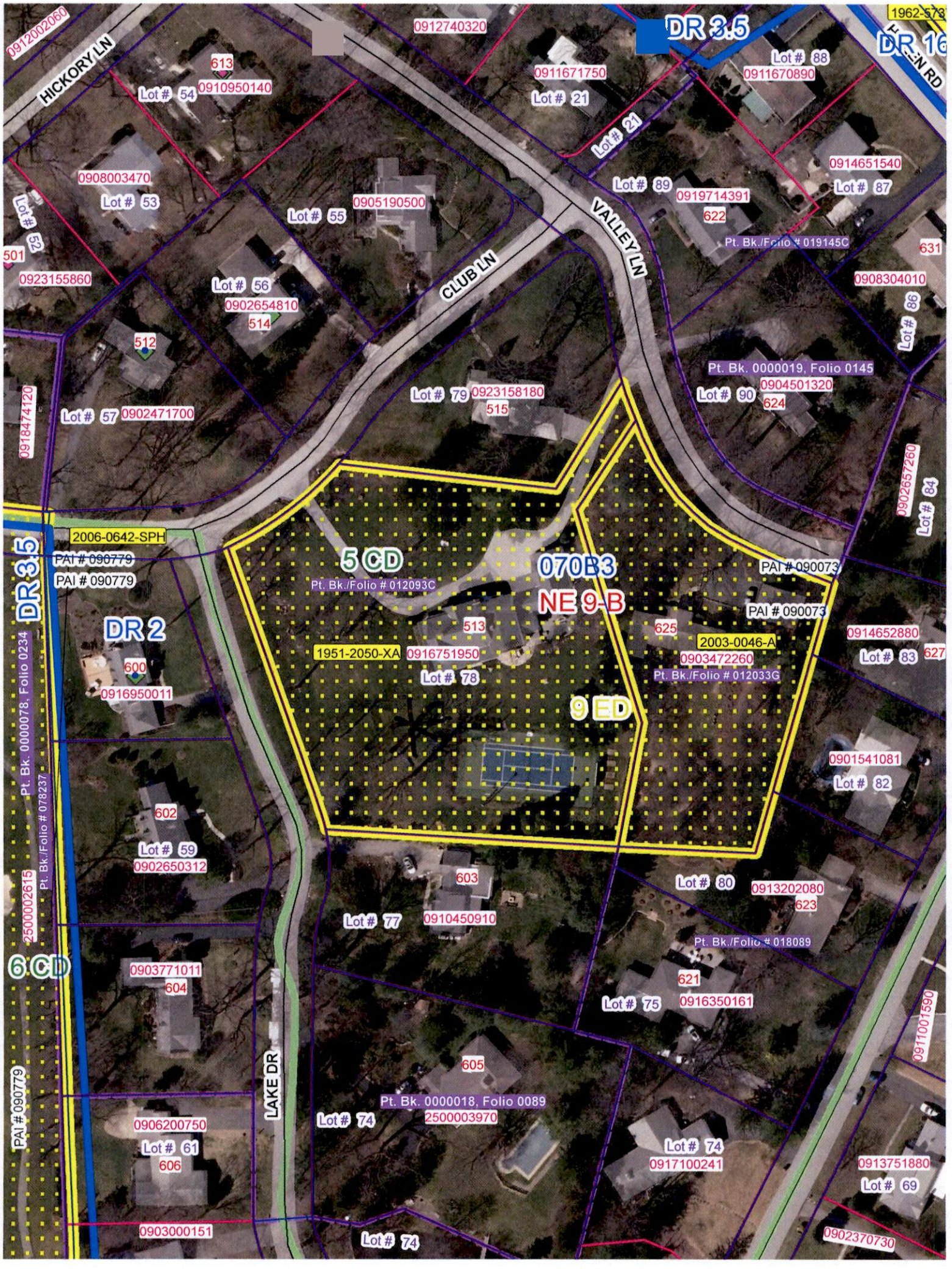
1962-573
DR 3.5
DR 16
HICKORY LN
CLUB LN
VALLEY LN
LAKE DR
0912002060
0912740320
613
0910950140
Lot # 54
0911671750
Lot # 21
Lot # 88
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Lot # 21
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Lot # 87
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Lot # 53
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Lot # 89
0919714391
622
Pt. Bk./Folio # 019145C
631
Lot # 52
501
0923155860
Lot # 56
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514
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0918474120
Lot # 57
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0902657260
Lot # 84
2006-0642-SPH
PAI # 090779
PAI # 090779
5 CD
Pt. Bk./Folio # 012093C
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NE 9-B
PAI # 090073
PAI # 090073
DR 2
513
625
0914652880
Lot # 83
627
1951-2050-XA
0916751950
Lot # 78
2003-0046-A
0903472260
Pt. Bk./Folio # 012033G
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0916950011
9 ED
0901541081
Lot # 82
Pt. Bk. 0000078, Folio 0234
Pt. Bk./Folio # 078237
602
Lot # 59
0902650312
603
Lot # 80
0913202080
623
Lot # 77
0910450910
Pt. Bk./Folio # 018089
2500002615
6 CD
0903771011
604
621
Lot # 75
0916350161
0911001590
605
Pt. Bk. 0000018, Folio 0089
2500003970
Lot # 74
PAI # 090779
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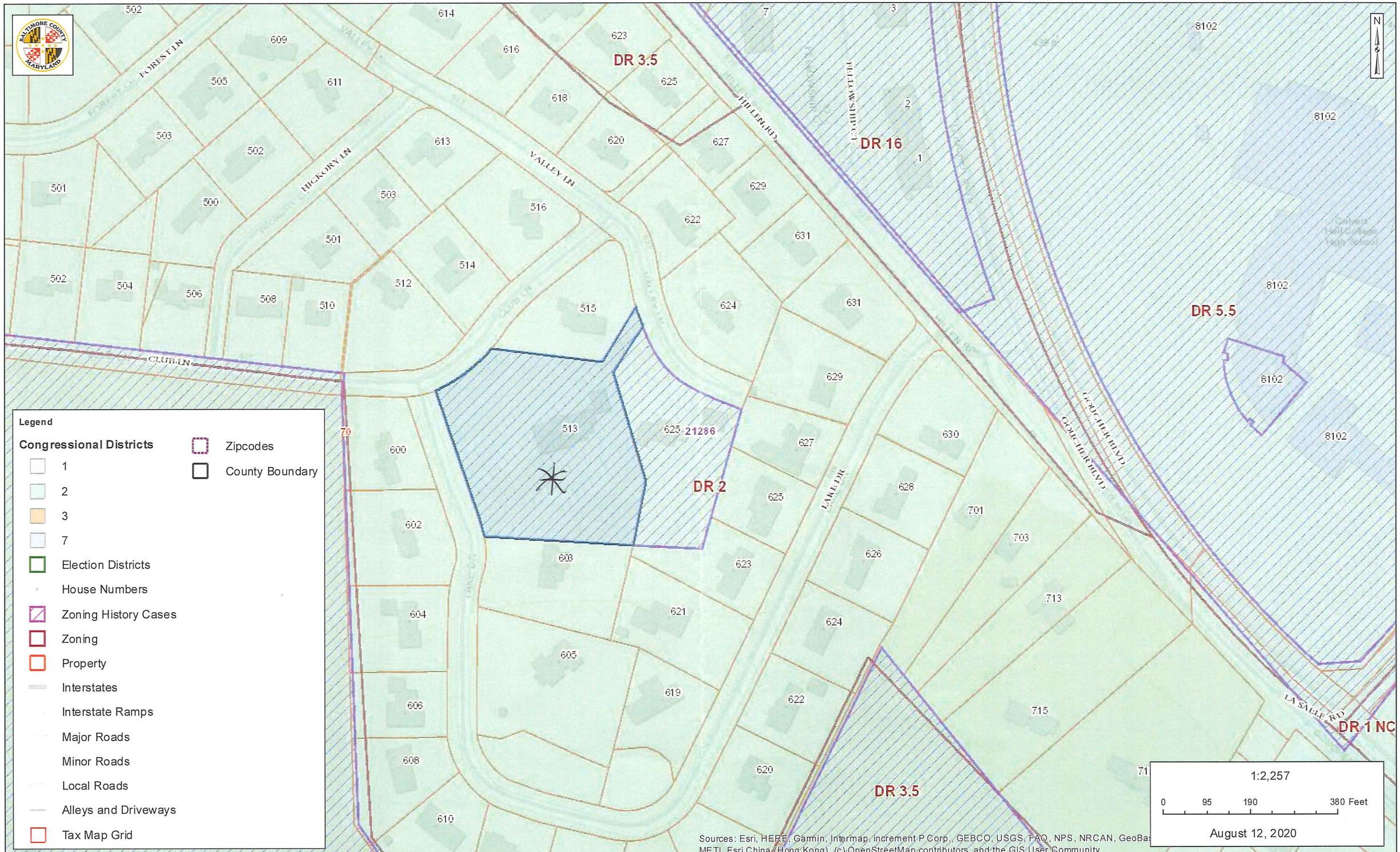
Lot # 69
0903000151
Lot # 74
0902370730

# Baltimore County - My Neighborhood

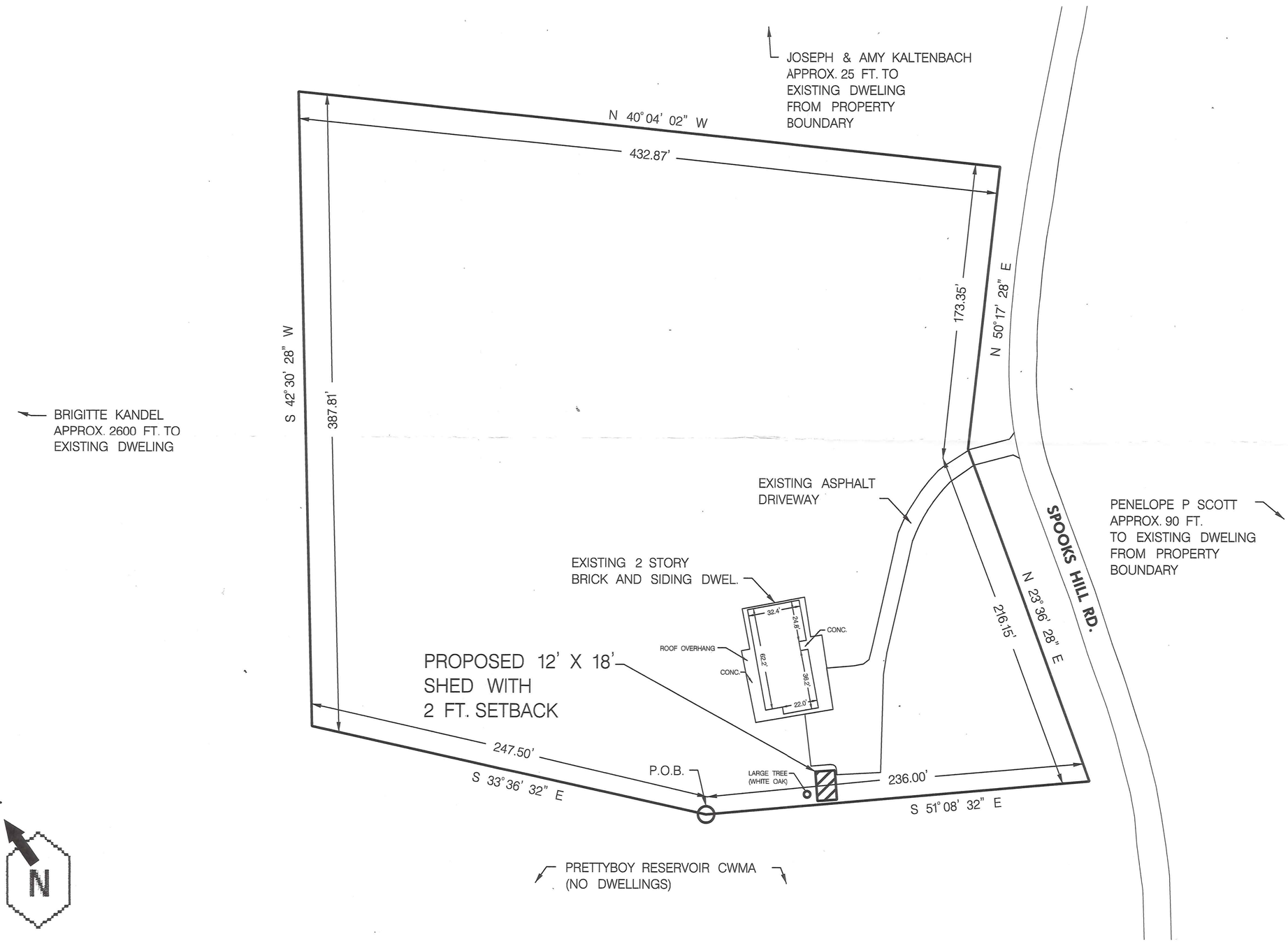


ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING ____ (MARK TYPE REQUESTED WITH X)

ADDRESS 19418 SPOOKS HILL RD. OWNER(S) NAME(S) CHAD & GABRIELA WASILESKI

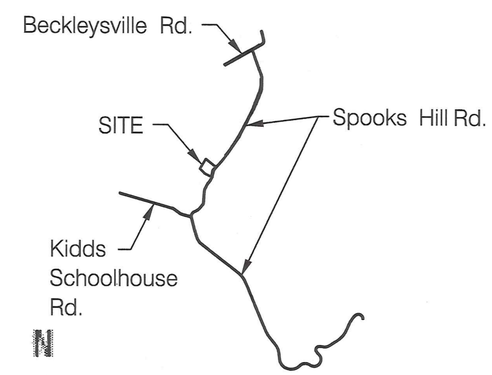
SUBDIVISION NAME ____ LOT # ____ BLOCK # ____ SECTION # ____

PLAT BOOK # 7909 FOLIO # 666 10 DIGIT TAX # 0617098110 DEED REF. # 0036147 / 256




PLAN DRAWN BY CHAD WASILESKI DATE 08/02/2020 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP




N

MAP IS NOT TO SCALE

ZONING MAP# 011A2

SITE ZONED RC 8

ELECTION DISTRICT 6

COUNCIL DISTRICT 3

LOT AREA ACREAGE 3.951

OR SQUARE FEET 172,092

HISTORIC ? NO

IN CBCA ? NO

IN FLOOD PLAIN ? NO

UTILITIES ? MARK WITH X

WATER IS:

PUBLIC ____ PRIVATE X

SEWER IS:

PUBLIC ____ PRIVATE X

PRIOR HEARING ? NO

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2020-0206-A