

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(401 Vogts Lane)		
15 th Election District	*	OFFICE OF ADMINISTRATIVE
7 th Council District		
Brandon Williams & Sara Pippen	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2022-0302-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 subject property, Brandon Williams and Sara Pippen (“Petitioners”). The Petitioners are requesting Variance relief pursuant to the Baltimore County Zoning Regulations (“BCZR”) §§ 400.1 and 400.3: To approve an accessory building (detached garage) with a front yard placement and total height of 24 ft. in lieu of the rear yard only placement and maximum height of 15 ft. The subject property and requested relief are 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. A ZAC comment was received from the Department of Environmental Protection and Sustainability (“DEPS”), dated January 17, 2023, indicating that the Petitioners must comply with State-mandated Critical Area regulations.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on January 1, 2023 and January 10, 2023 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 to satisfy the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would cause practical difficulty and/or unreasonable hardship for the Petitioners.

Although the Department of Planning did not make any recommendations related to the proposed building structure (detached garage) height and usage, I will impose conditions that the proposed garage 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.

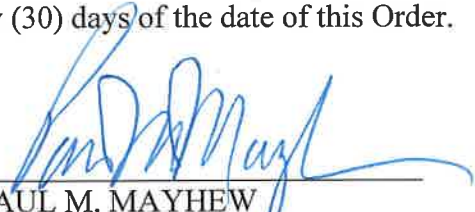
THEREFORE, IT IS ORDERED, this 23rd day of **January, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("BCZR") §§ 400.1 and 400.3: To permit a proposed accessory building (detached garage) to be located in the front yard in lieu of the required rear yard only, and to permit a height of 19 ft. in lieu of the maximum permitted height of 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

- Petitioners or subsequent owners shall not convert the proposed garage, if detached, into a dwelling unit or apartment. The proposed garage, if detached, shall not contain any sleeping quarters, living area, or kitchen or bathroom facilities.
- The proposed garage shall not be used for commercial purposes.
- Petitioners shall comply with the ZAC DEPS comments, dated January 17, 2023; a copy of which is attached hereto and made a part hereof.

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

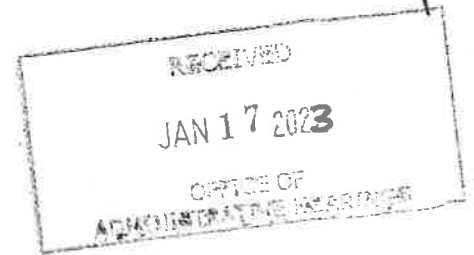


PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw

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: January 17, 2023

SUBJECT: DEPS Comment for Zoning Item: 2022-0302-A
Address: 401 Vogts Lane
Legal Owner: Brandon Williams and Sara Pippen

Zoning Advisory Committee Meeting of Jan. 9, 2023.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

This waterfront property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) and is subject to Critical Area requirements. Development of this property must comply with a maximum lot coverage limit of 31.25% with mitigation for any new lot coverage amount over 25%, must meet MBA requirements for development within the Critical Area buffer, and must meet a minimum 15% tree cover requirement. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). Lot coverage requirements are based on the land area of the property above mean high tide. It appears that the land area of this property is around 12,000 square feet, and not the 19,122 square feet shown on the plan. In addition, EPS is currently investigating additional lot coverage placed within the Critical Area buffer on the site. If the applicant can bring the property into compliance with lot coverage requirements, and meets all mitigation requirements, the relief requested will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront and must meet Modified Buffer Area requirements. Avoiding additional Critical Area buffer impacts by placing the garage outside of the buffer as indicated on the plan, and by bringing the property into compliance with all Modified Buffer Area, lot coverage, and mitigation requirements can help conserve fish, plant, and wildlife habitat.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

If lot coverage, Critical Area buffer, and any mitigation requirements are met, including resolution of issues with additional lot coverage recently placed within the Critical Area buffer, the relief requested can be consistent with established land-use policies.

Reviewer: Paul Dennis

Date: January 10, 2023



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

January 23, 2023

Brandon J. Williams – bwilliams310@gmail.com
Sara Pippen
401 Vogts Lane
Essex, MD 21221

RE: Petition for Administrative Variance
Case No. 2022-0302-A
Property: 401 Vogts Lane

Dear Petitioners:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

MEM:dlw
Enclosure

c: Arthur Cromartie – artworksinc@comcast.net

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: January 12, 2023

FROM: *EFC for VKD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 9, 2023
Item No. 2022-0299-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

If Zoning Relief is granted a Landscape Plan is required, per the requirements of the Landscape Manual. A Lighting Plan is also required.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals
FROM: ^{EFC for VKD} Vishnu Desai, Supervisor
Bureau of Development Plans Review

DATE: January 12, 2023

SUBJECT: Zoning Advisory Committee Meeting
For January 9, 2023
Item No. 2022-0300-SPH

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

Per Baltimore County DPW&T's review, Baltimore County Code 32-8 defines lot line adjustments as development. Highway widening must be dedicated to Baltimore County as part of the development process. All drawings, recordation, etc. associated with the dedication are at the developers expense.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: January 12, 2023

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 9, 2023
Item No. 2022-0302-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

Per Baltimore County DPW&T's review, the plan submitted shall be revised to show the existing utilities and associated easements on the property. Based on Baltimore County records, the proposed garage will be located over an existing sewer main. The garage shall not be located in the easements and/or must be located so the zone of influence of the garage foundation does not impact any existing Baltimore County maintained utilities.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

FROM: ^{EFC for VKD}
Vishnu Desai, Supervisor
Bureau of Development Plans Review

DATE: January 12, 2023

SUBJECT: Zoning Advisory Committee Meeting
For January 9, 2023
Item No. 2022-0304-X

The Bureau of Development Plans Review has reviewed the subject zoning items *and* we have the following comments.

If Special Exemption is granted a Landscape Plan is required, per the requirements of the Landscape Manual. A Lighting Plan is also required.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director **DATE:** January 10, 2023
Department of Permits, Approvals
EFL for VKD
FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review
SUBJECT: Zoning Advisory Committee Meeting
For January 9, 2023
Item Nos: 2022-0298-A, 0301-A & 0303-SPH

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

*

*

*

*

*

VKD: cen
cc: file

CERTIFICATE OF POSTING

2022-0302-A

RE: Case No.: _____

Petitioner/Developer: _____

Brandon & Sara Papen

January 16, 2023

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

401 Vogts Lane ***SIGN 1***

January 1, 2023

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



Sincerely,

 January 1, 2023

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2022-0302-A

RE: Case No.: _____

Petitioner/Developer: _____

Brandon & Sara Papen

January 16, 2023

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

401 Vogts Lane ***SIGN 2***

January 1, 2023

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



Sincerely,

 **January 1, 2023**
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING January 2, 2023
FORMAL OR INFORMAL RESPONSE DUE AT January 9, 2023 Meeting

* Agenda Only
+ Agenda and Petition
& Agenda and Plat
Agenda, Petition and Plat

Distribution:

* Administrative Law Judge, Commissioner (Paul M. Mayhew), MS #4103, dwiley@baltimorecountymd.gov; dmignon@baltimorecountymd.gov
* PAI, Zoning Review H.O. Hearing File (Kristen Lewis), klewis@baltimorecountymd.gov
* PAI, Zoning Review DRC/ZAC Meeting File (Jeff Perlow), JPerlow@baltimorecountymd.gov
* PAI, Development Management (Lloyd Moxley), MS # 1105, lmoxley@baltimorecountymd.gov
* PAI, Code Enforcement (Lisa Henson), MS # 1105, lhenson@baltimorecountymd.gov
* PAI, Building Inspection (Matt Gawel), mg@baltimorecountymd.gov
* Economic Development Commission, Business Develop. (Stanley Jacobs), MS # 4300, sjacobs@baltimorecountymd.gov
* Highways (Tom Hargis), MS #1003 thargis@baltimorecountymd.gov
* Neighborhood Improvements (Marcia Williams), MS #4201, myneighborhoodimprovment@baltimorecountymd.gov
* County Council, District 3, (Tom Bostwick), MS #2201, council1@baltimorecountymd.gov
tbostwick@baltimorecountymd.gov
* Mike Ruby (Newspaper), mildmanneredcomm@aol.com
+ People's Counsel, rwheatley@baltimorecountymd.gov
+ IF CRITICAL AREA, Maryland Office of Planning (Joseph Griffiths), joseph.griffiths@maryland.gov
+ Kathy Are, kare@baltimorecountymd.gov
& State Highway Administration, Access Permits Division (Steven Autry), SAutry@mdot.maryland.gov
& Fire Department (Inspector Muddiman), MS # 1102F, dmuddiman@baltimorecountymd.gov
& PAI, Development Plans Review (Vishnu Desai), vdesai@baltimorecountymd.gov
People's Counsel (Peter Zimmerman), MS #4204 pzimmerman@baltimorecountymd.gov
Planning Office (Jenifer Nugent), MS # 4101, jnugent@baltimorecountymd.gov; Henry Ayakwah hayakwah@baltimorecountymd.gov; Taylor Bensley tbensley@baltimorecountymd.gov
DEPS (Jeff Livingston) – 2 copies of each, MS # 1319, jlivingston@baltimorecountymd.gov; Steve Ford, sford@baltimorecountymd.gov
IF FLOODPLAIN, Maryland Department of the Environment, kevin.wagner@maryland.gov
Public Works (Terry Curtis), MS #1315, tcurtis@baltimorecountymd.gov
* IF ELDERLY HOUSING, Community Development, MS #1102M
* IF TOWER, Tower Coordinator, c/o OIT, MS #2007
IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)
IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder), MS #1102E

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with the codes, standards, or regulations of your office or department. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week at the next meeting. If no written response is received within two weeks, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Kristen Lewis

If you have any questions regarding a particular zoning petition, please contact the Zoning Review Planner (see initials after item number) at 410-887-3391.

ZAC AGENDA

Case Number: 2022-0298-A **Reviewer:** Christina Frink
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Robert and Denise Schubert
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 3 **Council Dist:** 2

Property Address: 3413 FIELDING RD

Location: Property located on the South side of Fielding Rd.; 172 feet East of Dorian Rd.

Existing Zoning: DR 2 (VESTED R-20)

Area: 20,037

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 1B02.3.B and 205.3 (R20) of the 1958 BCZR: To permit an existing carport to be converted to an enclosed 2 car garage with a right side setback of 8 feet in lieu of the minimum 15 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 01/09/2023

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2022-0299-A **Reviewer:** Jason Seidelman

Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL

Type: VARIANCE

Legal Owner: McDonald's Corporation

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 12 **Council Dist:** 7

Property Address: 2222 DUNDALK AVE

Location: Property located Northwest corner of intersection of Dundalk Ave. (125 feet) and Sunshine Rd. (40 feet)

Existing Zoning: BL

Area: .08572 ACRE

Proposed Zoning:

VARIANCE:

- 1.) BCZR 409.9: To permit 35 parking spaces in lieu of the required 69 parking spaces;
- 2.) BCZR 450.4: To permit three (3) menu board signs in lieu of the allowed two (2) signs;
- 3.) BCZR 409.8.A(1): To permit a 4.1 foot landscape strip in lieu of the 5.5 foot landscape strip previously approved in Zoning Case No. 2010-0099-A; and
- 4.) For such other and further relief as may be deemed necessary by the Administrative Law Judge.

Attorney: Adam Baker

Prior Zoning Cases: 1985-0275-A; 1988-0531-A; 2010-0099-A

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2022-0300-SPH **Reviewer:** Gary Hucik
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: SPECIAL HEARING
Legal Owner: Timothy and Pamela Van Pelt
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 2 **Council Dist:** 4

Property Address: 7210 RIVER DRIVE RD

Location: Property located on the West side of Deer Park Rd. 1,220 feet from the centerline of Dolfield Rd.

Existing Zoning: RC 4 **Area:** 1.2 ACRES

Proposed Zoning:

SPECIAL HEARING:

- 1.) BCZR 500.7: To determine if a property merger has occurred.
- 2.) BCZR 500.7: To confirm if existing undersized lots have building rights.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Note to file.

ZAC AGENDA

Case Number: 2022-0301-A **Reviewer:** Gary Hucik
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Mark Epstein
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 3 **Council Dist:** 2

Property Address: 10535 PARK HEIGHTS AVE

Location: Property located on the East side of Park Heights Ave., North 1,000 feet to centerline of Greenspring Valley Rd.

Existing Zoning: RC 2 **Area:** 3.9 ACRES

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 400.1 and BCZR 400.3: To permit a proposed Accessory building (garage) to be located in the front yard in lieu of the required rear yard only, and to permit a height of 19 feet in lieu of the maximum permitted height of 15 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 01/16/2023

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2022-0302-A **Reviewer:** Shaun Crawford

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

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Brandon Williams and Sara Pippen

Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 401 VOGTS LN

Location: Property located beginning at the Northwest side of Vogts Lane at a distance of 1,244 feet Northwest of Cape May.

Existing Zoning: DR 3.5

Area: 21,322 SQ FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 400.1 & 400.3: To approve an accessory building (garage) with a front yard placement and total height of 24 feet in lieu of the rear yard only placement and maximum height of 15 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 01/16/2023

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2022-0303-SPH **Reviewer:** Shaun Crawford
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: SPECIAL HEARING
Legal Owner: Ana Guerrero and Blanca Guerrero Decontreras
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 12 **Council Dist:** 7

Property Address: 7601 CYPRESS AVE

Location: Property located at the corner of Cypress Ave. and Southern Ave. on the Southeast corner of Lot # 335 and 336.

Existing Zoning: DR 5.5 **Area:** 12,720 SQ FT.

Proposed Zoning:

SPECIAL HEARING:

BCZR 500.7: To determine whether or not the Zoning Commissioner should approve an accessory in-law apartment in a separate accessory building (garage) on the property.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2022-0304-X **Reviewer:** Mitchell Kellman
Existng Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: SPECIAL EXCEPTION
Legal Owner: Baltimore Harford, LLC.
Contract Purchaser: WashX, LLC.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 11 **Council Dist:** 5

Property Address: 9305 9309 HARFORD RD

Location: Property located on the corner of Southeast side of Hartford Rd., Southwest side of 2nd Ave.

Existing Zoning: BL-AS, BM-AS **Area:** .89 ACRES

Proposed Zoning:

SPECIAL EXCEPTION:

To use the herein described property for a car wash in the BM AS and BL AS zones.

Attorney: Adam M. Rosenblatt

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

receipt Sent to Attorney



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 401 VOGTS LN ESSEX, MARYLAND 21221 Currently Zoned DR 3.5
Deed Reference 44527 / 13 10 Digit Tax Account # 1 5 1 5 3 7 0 5 1 0
Owner(s) Printed Name(s) Brandon + Sara PIPPEN 22 0 0 0 1 4 0 4 4

(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 & 400.3 to approve an accessory building (garage) with a front yard placement and total height of 24 ft. in lieu of the rear yard only placement and maximum height of 15 ft.

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 zoning regulations of Baltimore County, to the zoning 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):

BRANDON J. WILLIAMS / SARA PIPPEN
Name #1 – Type or Print / Name #2 – Type or Print
[Signature] / [Signature]
Signature #1 / Signature #2
401 VOGTS LN ESSEX MARYLAND
Mailing Address / City / State
21221 410-937-5578 / BWILLIAMS310@GMAIL.COM
Zip Code / Telephone #'s (Cell and Home) / 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:

ARTHUR CROMARTIE / CONTRACTOR
Name - Type or Print
[Signature]
Signature
2103 TRED AVON ROAD ESSEX MD
Mailing Address City State
21221 443-506-5923 ARTWORKSINC@COMCAST.NET
Zip Code Telephone # Email Address

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 2022-0302-A Filing Date 12/22/22 Estimated Posting Date 1/1/23 Reviewer SL

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: 401 VOGTS LANE ESSEX MARYLAND 21221
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)**

DUE TO AN IRREGULAR SHAPE / SIZE PROPERTY, THE LACK OF PARKING HAS CAUSED AN UNDUE
HARDSHIP, THE GARAGE WOULD ALLOW US TO STOW AWAY THE VEHICLES AS WELL TO CONTINUE
TO ALLOW OTHER VEHICLES TO PASS THROUGH OUR YARD (UN-OFFICAL EASEMENT) BACK TO
THE COUNTY ROAD. (SEE BOUNDRY SURVEY MAP) VARIANCE FOR PLACEMENT IN FRONT OF HOME
DUE TO WATER FRONT PROPERTY.

THE SECOND PART OF THE VARIANCE IS FOR HEIGHT, THE PEAK OF THE GARAGE WILL BE 24FT HIGH.
THIS WILL BE USED FOR STORAGE FOR OUR GROWING FAMILY.

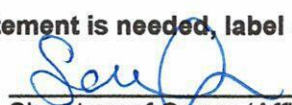
THE HEIGHT OF THE PROPOSED GARAGE DOES NOT SUPERCEED ANY DWELLING / HOME HEIGHT
IN IMMEDIATE AREA.

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


Signature of Owner (Affiant)

BRANDON WILLIAMS

Name - Print or Type


Signature of Owner (Affiant)

SARA PIPPEN

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 15 day of December, 2022, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

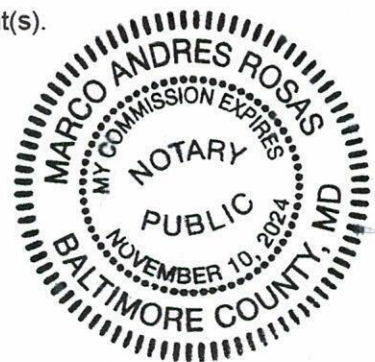
Print name(s) here: Brandon Williams & Sara Phippen

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

AS WITNESS my hand and Notaries Seal


Notary Public

November 10, 2024
My Commission Expires



2022-0202-A

ZONING PETITION PROPERTY DESCRIPTION

401 VOGTS LANE
BALTIMORE, MD 21221
410-937-5578



OWNERS: BRANDON WILLIAMS & SARA PIPPIN

TAX ID#: 1515370510

ZONING: BR 3.5

BEGINNING AT A POINT ON THE NORTH WEST SIDE OF THE END OF VOGTS LANE
WHICH IS 88 LN FT. WIDE AT THE DISTANCE OF 1244 LN FT. NORTH WEST OF THE CENTER LINE
OF THE NEAREST IMPROVED INTERSECTING STREET, CAPE MAY ROAD WHICH IS 24 LN FT WIDE.

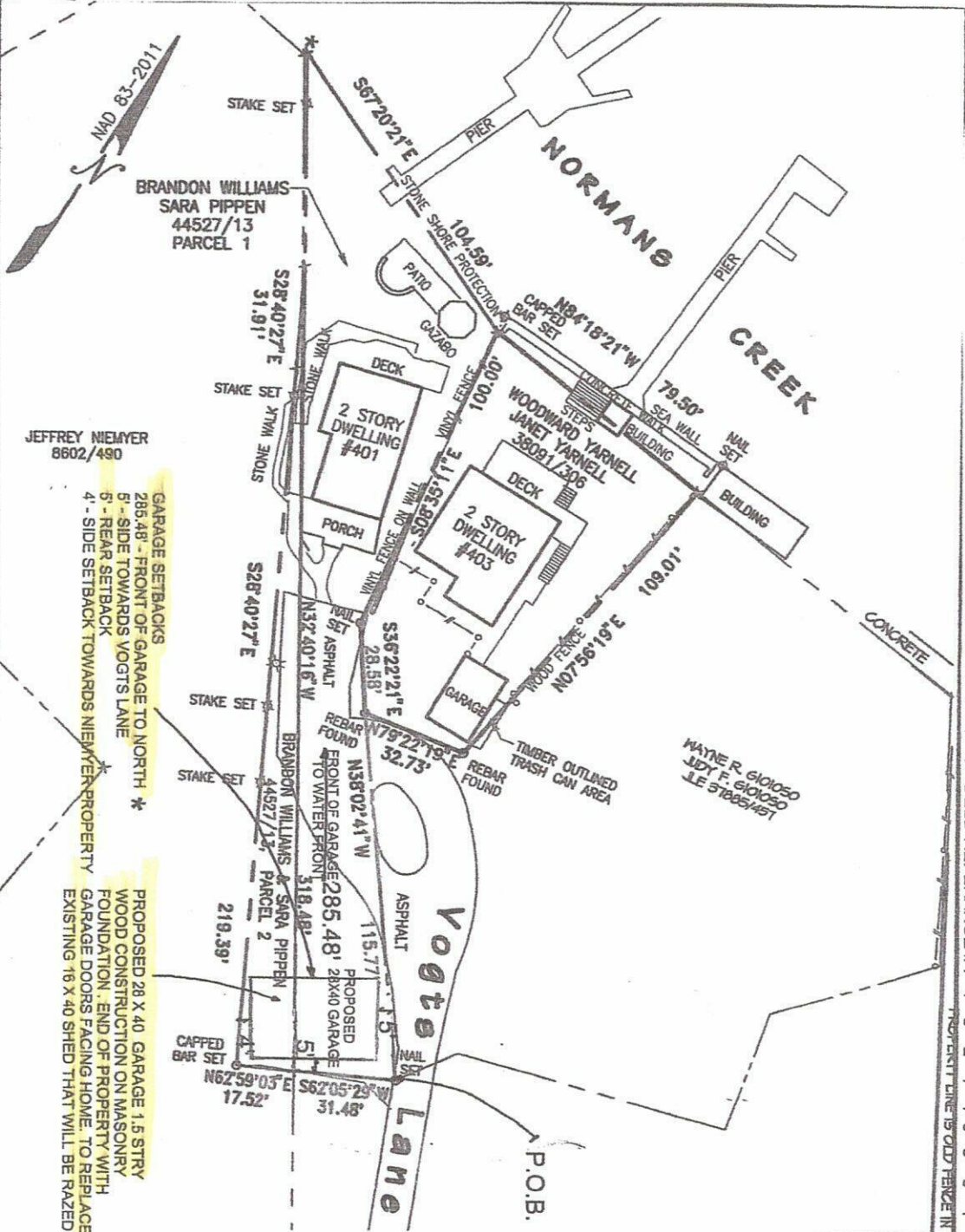
THENCE THE FOLLOWING COURSES AND DISTANCES: (1ST. POC) N38 02 '41"W 115.77'.
115.77'. (2ND. POC) S 36 22' 21"E 28.58'. (3RD POC) S 08 35' 11"E 100'. (4TH POC) S 67 20' 21"E 104.59'
(5TH POC) S 28 40' 27"E 31.91'. (6TH POC) S 28 40' 27"E 219.39' (7TH POC) N 62 59' 93" E 17.52'.
(8TH POC) S 62 95' 29" W 31.48'. BACK TO THE POINT OF BEGINNING AS RECORDED IN THE DEED
LIBER 44527, FOLIO 00013 CONTAINING 19,122 SQUARE FEET LOT LOCATED IN ELECTION DISTRICT
15 AND COUNCIL DISTRICT 7

Address	Owner(s) Name(s)
401 VOGTS LANE	BRANDON WILLIAMS / SARA PIPPIN

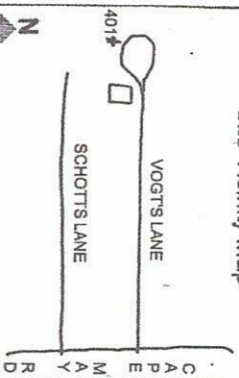
Subdivision Name	Lot #	Block #	Section #

Plat Book # _____ Folio # _____
10 Digit Tax # 1 5 1 5 3 7 0 5 1 0 Deed Reference# 4 4 5 2 7 / 0 0 0 1 3

LOT#2 TAX# 2 2 0 0 0 1 4 0 4 4 DEED REFERENCE# 4 4 5 2 7 / 0 0 0 1 3



Site Vicinity Map



MAP IS NOT TO SCALE

Zoning Map # 097 C2

Zoning DR 3.5

Election District 15

Council District

Lot Area Acreage _____

Lot Square Footage 19,12

Historic (Yes or No) NO

CBCA (Yes or No) YES

Flood Plain (Yes or No) _____

Utilities – Mark with (X)

Water is: ☒ X

Public Private

sewer is: X

Public _____ Private _____

Film Handling (Yes or No) _____

11 (100) 100 0000 1000000(5)

1963-6608 A

doi:10.1017/S0022292412001616

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Figure 1 is a line graph showing the percentage of respondents who believe that the use of force is justified in various circumstances. The x-axis represents the percentage of respondents who believe that the use of force is justified in the circumstances, ranging from 0 to 100. The y-axis represents the percentage of respondents who believe that the use of force is justified in the circumstances, ranging from 0 to 100. The graph shows a positive correlation between the two variables, with a regression line and a confidence interval.

Violation Case Number(s)

No

Plan Drawn By ARTHUR CROMARTIE / ARTWORKS, INC. Date 12/5/2022 Scale: 1 inch = 50 Feet

Scale: 1 inch = 50 Feet

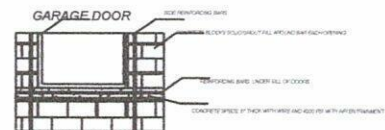
2022.0302.4

401 VOGTS LANE
ESSEX, MD 21221

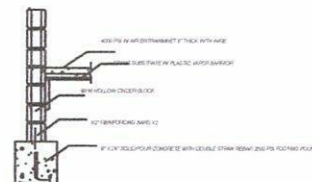
SEE ATTACHED SURVEY

DRAWINGS BY: ARTWORKS, INC
ALL RIGHTS RESERVED 2022.
WWW.ARTWORKSINC.NET
MHIC# 48189

DOOR OPENING DETAIL



FOUNDATION DETAIL



4.5' SIDE SETBACK

3' FRONT /SIDE OFFSET

PROPOSED 28 X 40 1.5 STORY GARAGE
WOOD CONSTRUCTION

PROPOSED 28 X 40 GARAGE 1.5 STRY.
WOODEN CONSTRUCTION
CONCRETE FOUNDATION
TO REPLACE 16 X 40 SHED THAT IS SET
TO BE RAZED.

5' REAR /SIDE SETBACK

4.0' SIDE REAR SETBACK

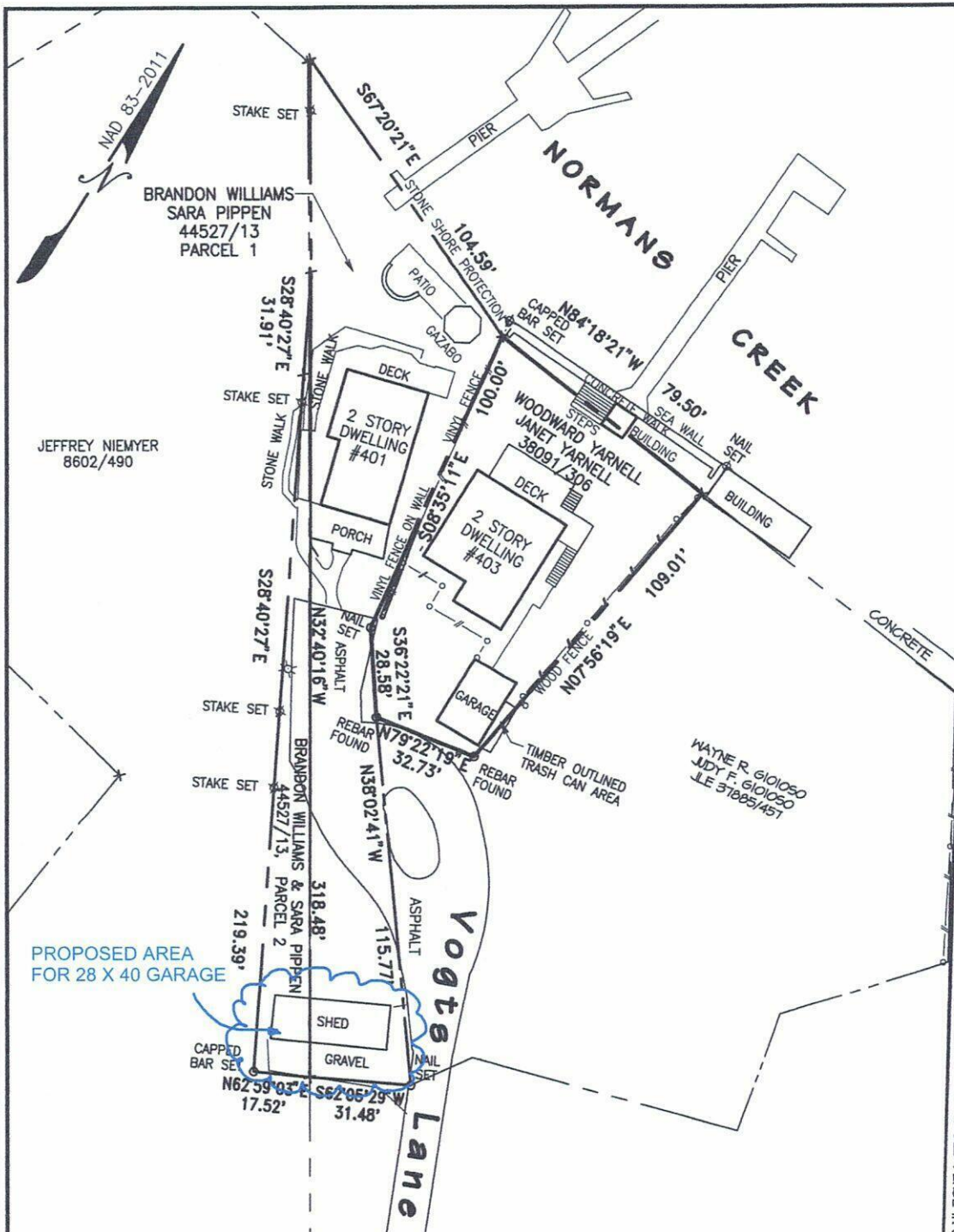
7' REAR SETBACK

3.75' REAR SETBACK

GARAGE WILL SPAN ACROSS TWO PARCELS:
PARCEL #1 TAX ID # 1515370510
PARCEL #2 TAX ID # 2200014044



2022.0302.A



SURVEYORS CERTIFICATE

THIS BOUNDARY SURVEY HAS BEEN PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IN ACCORDANCE WITH THE "MINIMUM STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS" AS ADOPTED BY THE STATE OF MARYLAND. MY LICENSE EXPIRES ON 2-12-2023.

1. BEING THAT PROPERTY DESCRIBED IN DEED 44527/13.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

Brian R. Dietz 8-20-22

BRIAN R. DIETZ
PROFESSIONAL LAND SURVEYOR NO. 21080



Dietz Surveying Inc.
LAND SURVEYING AND LAND PLANNING
8119 Oakleigh Road
Baltimore MD. 21234
Ph 410-661-3160
Fax 410-661-3163

BOUNDARY SURVEY
of
401 VOGTS LANE
BALTIMORE COUNTY, MD.

DRAWN: BRD FIELD: JMD, BRD DATE: 8-20-2022 JOB NO. 22238 SCALE: 1"=40'

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2022 - 0302 -A Address 401 VOGHS Lane

Contact Person: Shaun Crawford Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 12/22/22 Posting Date: 1/1/23 Closing Date: 1/16/23

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.

Petitioner: This Part of the Form is for the Sign Poster Only (Detach Along Dotted Line)

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number: 2022 - 0302 -A Address 401 VOGHS Lane

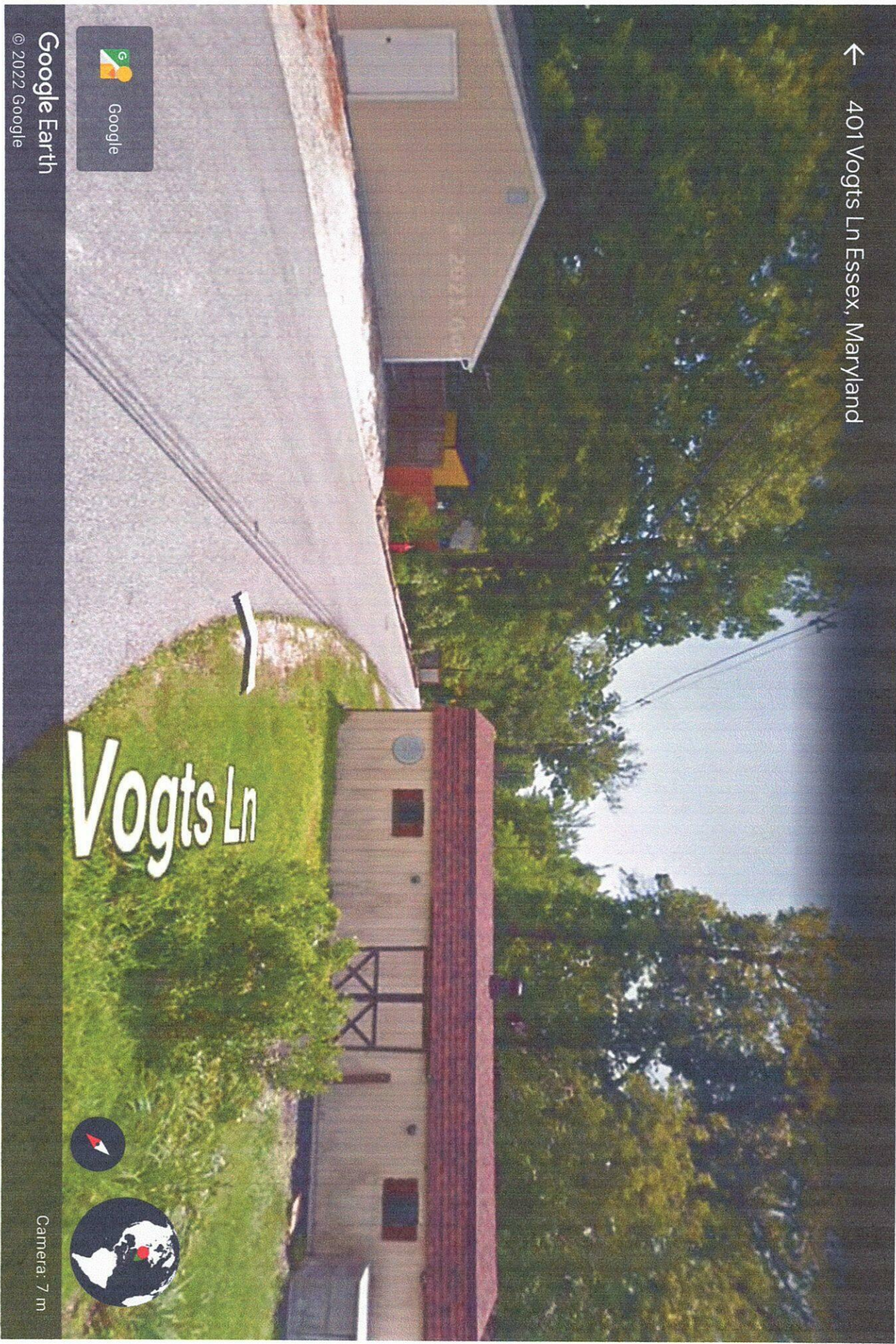
Petitioner's Name: Brandon + Sara P. Allen Telephone (Cell) 443-506-5923

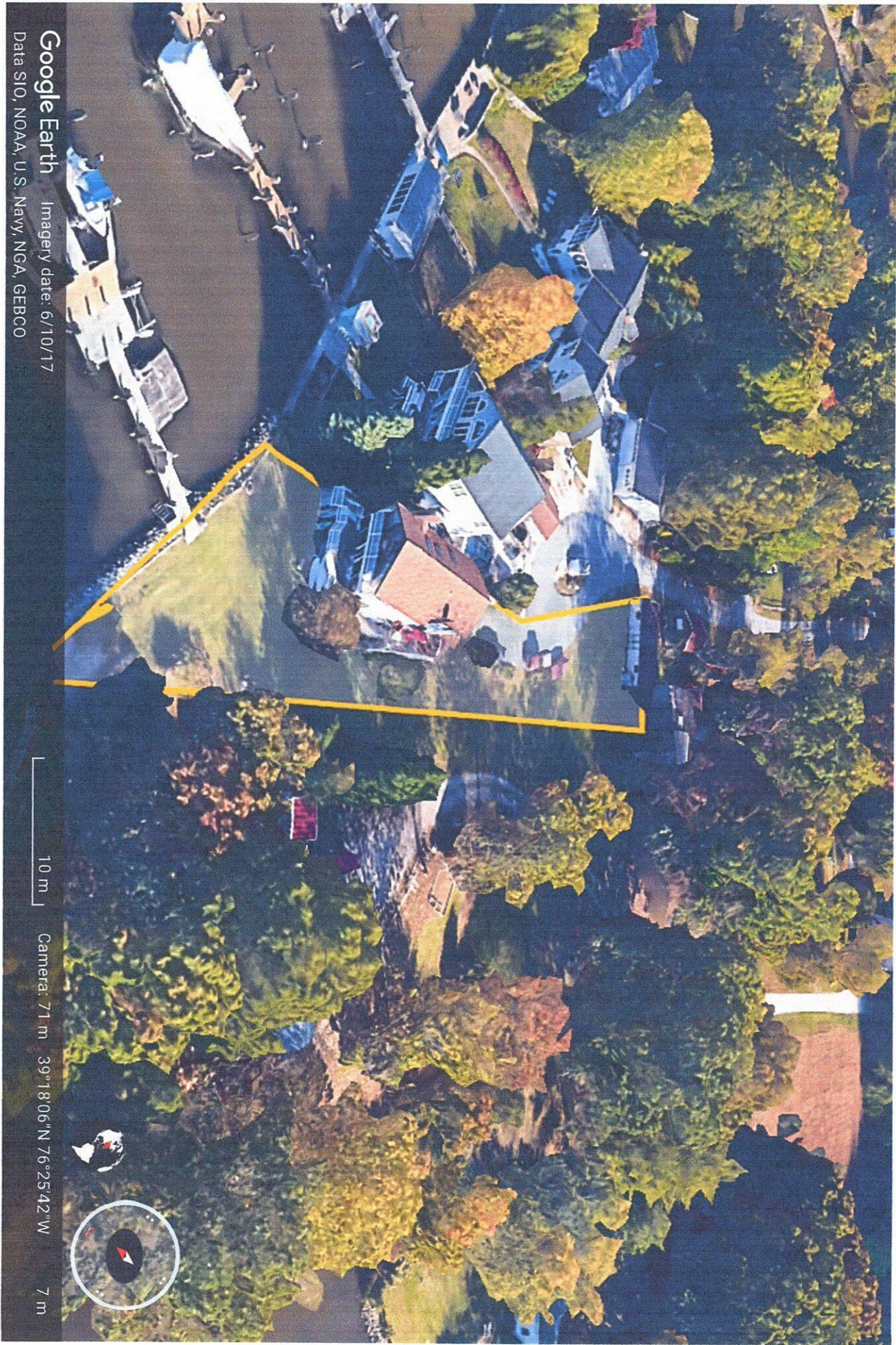
Posting Date: 1/1/23 Closing Date: 1/16/23

Wording for Sign: To Permit _____

- an accessory building (garage) with a front yard placement and _____
- total height of 24 ft. in lieu of the rear yard only placement and _____
- maximum height of 15 ft. _____

← 401 Vogts Ln Essex, Maryland





Google Earth

Imagery date: 6/10/17

Data SIO, NOAA, U.S. Navy, NGA, GEBCO

10 m

Camera: 71 m 39°18'06"N 76°25'42"W

7 m



Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 15 Account Number - 1515370510

Owner Information

Owner Name: WILLIAMS BRANDON JAMES
PIPPEN SARA
Use: RESIDENTIAL
Mailing Address: 401 VOGTS LN
BALTIMORE MD 21221-1633
Principal Residence: YES
Deed Reference: /44527/ 00013

Location & Structure Information

Premises Address: 401 VOGTS LN
BALTIMORE 21221-1633
Waterfront
Legal Description: .221 AVC
401 VOGTS LA WS
WS VOGTS LANE

Map: 0097 **Grid:** 0012 **Parcel:** 0407 **Neighborhood:** 15080070.04 **Subdivision:** 0000 **Section:** **Block:** **Lot:** **Assessment Year:** 2021 **Plat No:** **Plat Ref:**

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1964 1,946 SF 19,122 SF 34

StoriesBasementType **ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements**
2 NO STANDARD UNITSIDINC/4 1 full/1 half

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2021	07/01/2022	07/01/2023
Land:	263,700	263,700		
Improvements	136,600	160,900		
Total:	400,300	424,600	416,500	424,600
Preferential Land:	0	0		

Transfer Information

Seller: WILLIAMS BRANDON J	Date: 04/19/2021	Price: \$0
Type: ARMS LENGTH MULTIPLE	Deed1: /44527/ 00013	Deed2:
Seller: PUGLISI JAMES J	Date: 07/30/2014	Price: \$450,000
Type: NON-ARMS LENGTH OTHER	Deed1: /35210/ 00221	Deed2:
Seller: PUGLISI JAMES J	Date: 01/29/2004	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /19514/ 00007	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
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: No Application

Homeowners' Tax Credit Application Information

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

2022-0302-A

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
--------------------------	--	--

Special Tax Recapture: None

Account Identifier: District - 15 Account Number - 2200014044

Owner Information

Owner Name:	WILLIAMS BRANDON JAMES PIPPEN SARA	Use:	RESIDENTIAL
Mailing Address:	401 VOGTS LN BALTIMORE MD 21221-1633	Principal Residence:	NO
		Deed Reference:	/44527/ 00013

Location & Structure Information

Premises Address:	VOGTS LN BALTIMORE 21221-1633	Legal Description:	.051 AC WS VOGTS LA AT NORMAN CREEK
-------------------	----------------------------------	--------------------	---

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0097	0012	1111	15080070.04	0000				2021	
									Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
	2,200 SF			34

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements

Value Information

	Base Value	Value As of 01/01/2021	Phase-in Assessments As of 07/01/2022 As of 07/01/2023	
Land:	500	500		
Improvements	0	0		
Total:	500	500	500	500
Preferential Land:	0	0		

Transfer Information

Seller: WILLIAMS BRANDON J	Date: 04/19/2021	Price: \$0
Type: ARMS LENGTH MULTIPLE	Deed: /44527/ 00013	Deed2:
Seller: PUGLISI JAMES J	Date: 07/30/2014	Price: \$450,000
Type: ARMS LENGTH MULTIPLE	Deed: /35210/ 00221	Deed2:
Seller: PUGLISI JAMES J	Date: 01/29/2004	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed: /19514/ 00007	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
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: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2022-0302-A

097C2
NE 1-I

15 ED
7 CD

Martin State Airport Restriction

DR 3.5

DRIVEWAY

VOGTS LN

1515370510

1501351320

1962-5698-A

1996-0404-SPHA

2000006593

407
1700010021

1501500820
411

413
1513401840

1514400342

PAI # 150425

410 PAI # 150425
1514400343

PAI # 150425

PAI # 150425

Pt. Bk./Folio # MP93090

1962-5698-A
1508302680

1515370180

PAI # 150285

Pt. Bk./Folio # 048068

PAI # 150285

PAI # 150285
Pt. Bk. 0000048, Folio 0068

PAI # 150285

Lot # 2

2200021979

2000006594

500

2022-0362-4

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

No. 219954

Date: 12/19/22

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0006		6150				\$75
Total:								\$75

Rec From: ARTWORKS INC

For: 401 VOGTS LN
 VARIANCE

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

SC



ARTWORKS INC
 ARTHUR S. CROMARTIE
 410-682-3122
 2103 TRED AVON ROAD
 BALTIMORE, MD 21221

02-04

11278

7-163/520 MD
 5346

PAY TO THE ORDER OF Balt Co

DATE 12/9/2022

seventy five

\$ 75.00

BANK OF AMERICA

00
 100

DOLLARS



ACH R/T 052001633

FOR R22-11420 variance

⑈011278⑈ ⑈052001633⑈ 003921053887⑈

BRANDON WILLIAMS
401 VOGTS LANE
ESSEX, MARYLAND 21221

2022-0302-A