



JOHN A. OLSZEWSKI, JR.
County Executive

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

March 8, 2023

Emile Brown
Emily Clarke-Pearson – emilebrownmd@gmail.com
4 Pine Spring Lane
Owings Mills, MD 21117

RE: Petition for Variance
Case No. 2023-0004-A
Property: 4 Pine Spring 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,

A handwritten signature in black ink that reads "Paul M. Mayhew".

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm
Enclosure

c: Bruce E. Doak – bdoak@bruceedoakconsulting.com

IN RE: PETITION FOR VARIANCE	*	BEFORE THE
(4 Pine Spring Lane)		
2 nd Election District	*	OFFICE OF ADMINISTRATIVE
4 th Council District		
Emile Brown & Emily Clark-Pearson	*	HEARINGS OF
<i>Legal Owners</i>		
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO: 2023-0004-A

* * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by the Petitioners, Emile Brown and Emily Clark-Pearson (“Petitioners”) for property located at 4 Pine Spring Lane, Owings Mills (the “Property”). Petitioners are requesting variance relief from the Baltimore County Zoning Regulations (“BCZR”), §400.1 to permit an accessory structure (pool) to be located in the front yard in lieu of the required rear yard.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. Petitioner, Emile Brown, appeared at the hearing. Bruce E. Doak of Bruce E. Doak Consulting, LLC also appeared and assisted the Petitioners. The site plan he prepared and sealed was admitted as Petitioners’ Exhibit 1. There were no Protestants or interested citizens who appeared at the hearing.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”), Development Plans Review (“DPR”), and the Department of Environmental Protection and Sustainability (“DEPS”), Ground Water Management (“GWM”), which agencies did not oppose the requested relief.

Mr. Doak proffered the following facts. The Property is approximately 8.47 acres and is zoned RC 5. As the site plan shows, the site is long and narrow and irregularly shaped.

Approximately 75% of the site is encumbered by forest conservation, forest buffer, and utility easements. There is a large contemporary style single family home on a building envelope of approximately 2.5 acres. Mr. Doak explained that there are steep slopes on both sides of the dwelling and the septic tank and septic reserve system in the rear yard. Although the proposed site for the pool is technically in the front yard, because of the design and orientation of the home it appears on-site to be side yard. Further, there are no roads or other dwellings within several hundred feet of the pool site and the entire parcel is heavily wooded, as are the other large lots in the subdivision.

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 Property is unique due to its odd shape, steep slopes, and extensive environmental constraints. These unique features necessitate that the pool be constructed in the “front” yard, and therefore require variance relief. If the variance was denied the Petitioners would suffer practical difficulty because they would be unable to construct the pool anywhere else on the site. I find that the variance relief is within the spirit and intent of the zoning regulations and that it will not harm the public health, safety, or welfare. Mr. Doak testified that he spoke with the closest neighbors and that they have no objection to the variance.

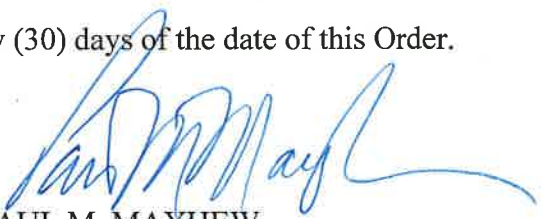
THEREFORE, IT IS ORDERED, this 8th day of **March 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR, §400.1, to permit an accessory structure (pool) to be located in the front yard in lieu of the required rear yard

placement 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 must comply with the ZAC comments from DEPS and Ground Water Management, which are attached and made a part hereof.

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

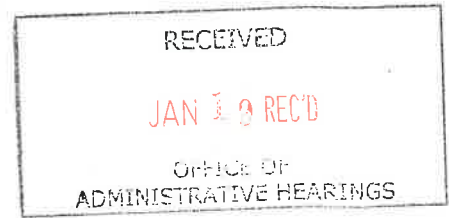


PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM/dlm

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 19, 2023

SUBJECT: DEPS Comment for Zoning Item: 2023-0004-A
Address: 4 Pine Spring Lane
Legal Owner: Emile Brown and Emily Clark-Pearson

Zoning Advisory Committee Meeting of January 16, 2023.

- X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:
- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

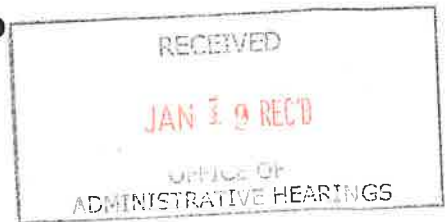
Forest Conservation Law may be addressed by filing a Single Lot Declaration of Intent provided forest clearing will not exceed 20,000 sf for building the pool.

Forest Buffer Easement recordation will not be required for this accessory structure since it is out of the buffer area; however, please be advised that future development activities at this lot may trigger this requirement. Moreover, in no instance shall the stream, wetlands or forest buffer be impacted without permission from EPS.

Reviewer: Glenn Shaffer

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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1. If the zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:
 - a. The proposed pool meets the minimum 20 foot GWM Policy setback for drinking water wells.

Reviewer: Mia Lowery, L.E.H.S.



PETITION FOR ZONING HEARING(S)

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

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

Address 4 PINE SPRING LANE which is presently zoned RC5
Deed References: 97233 / 419 10 Digit Tax Account # 1700011210
Property Owner(s) Printed Name(s) EMILE BROWN & EMILY CLARKE-PEARSON

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

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

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

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

3. X a **Variance** from Section(s)

SEE ATTACHED PAGE

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT THE HEARING

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

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

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name- Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

EMILE BROWN EMILY CLARKE-PEARSON
Name #1 - Type or Print Name #2 - Type or Print

X BD X [Signature]
Signature #1 Signature #2

4 PINE SPRING LANE OWINGS MILLS MD
Mailing Address City State

21117 X 443 473 6677
Zip Code Telephone # Email Address

EMILEBROWNMD@GMAIL.COM

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING, LLC
Name - Type or Print

[Signature]
Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND MD
Mailing Address City State

21053 410-419-4906
Zip Code Telephone # Email Address

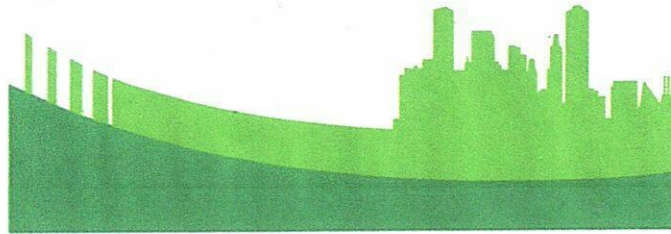
BDOAK@BRUCEEDOAKCONSULTING.COM

CASE NUMBER 2023-0004-A Filing Date 1/5/2023 Do Not Schedule Dates: _____ Reviewer CF

Zoning Hearing Petitions Being Requested
Case # _____

Variance to permit an accessory structure (pool) to be located in the front yard in lieu of the required rear yard per Section 400.1 BCZR

2023-0004-A



Zoning Description

#4 Pine Spring Lane

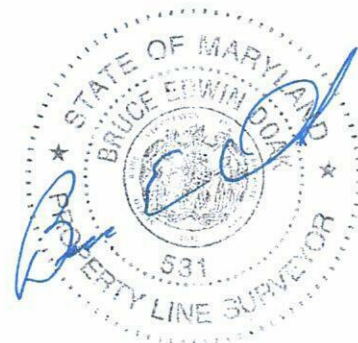
Fourth Election District Second Councilmanic District
Baltimore County, Maryland

Beginning at a point on the southwest side of Greenspring Avenue, 800 feet, more or less, southeasterly from the center line of Dover Road and in Pine Spring Lane.

Being Lot #4 as shown on the plat entitled "Springwood" dated February 9, 1977 and recorded in the land records of Baltimore County in Plat Book 41, page 17.

Containing 8.4730 acres of land, more or less.

This description is part of a zoning hearing 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

2023-0204-A

**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 fifteen (15) 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: 2023.0004.A

Property Address: 4 PINE SPRING LANE

Property Description: LOT 4 "SPRINGWOOD" PB 41 / 17

Legal Owners (Petitioners): EMILE BROWN & EMILY CLARKE-PEARSON

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

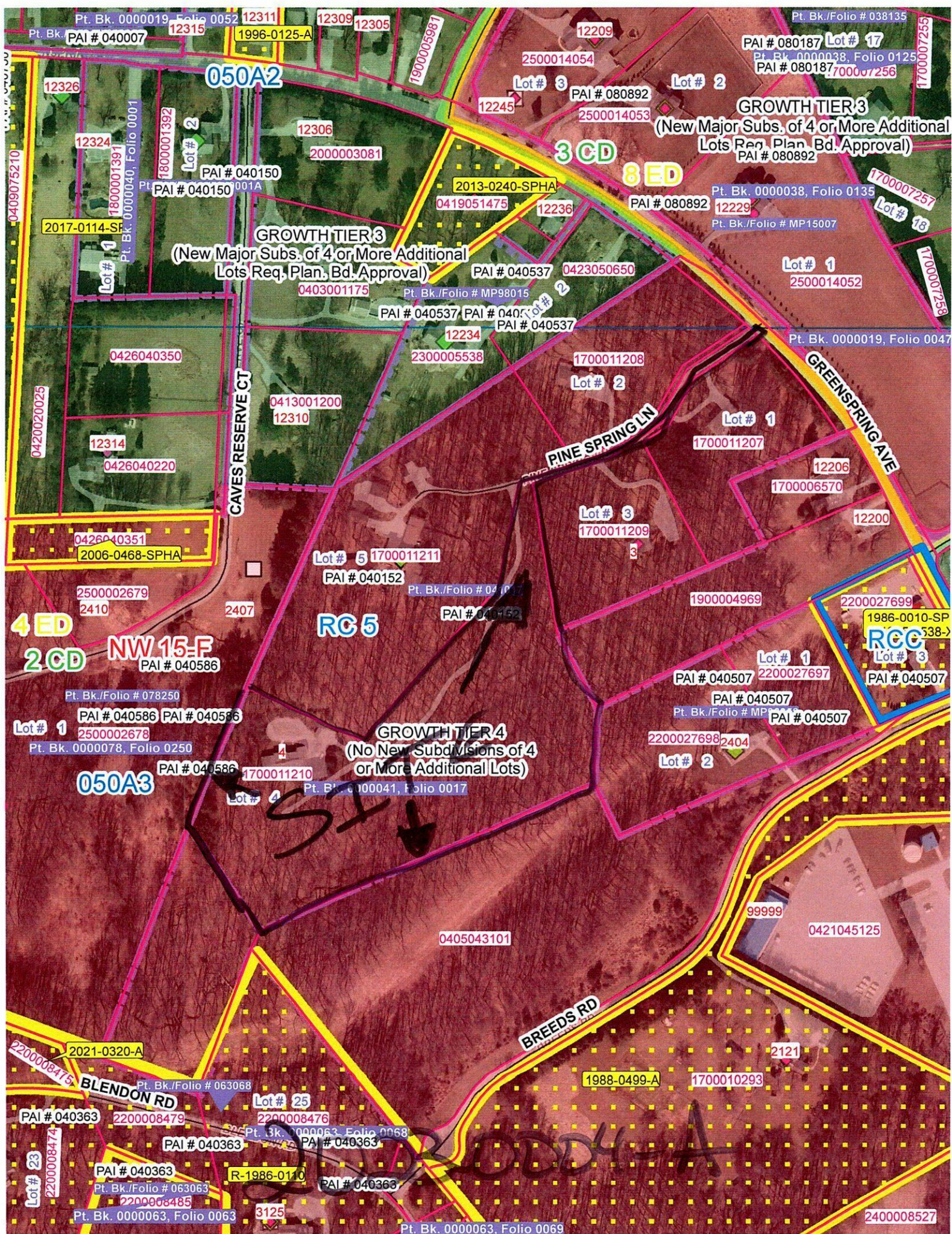
Name: BRUCE E. DOAK

Company/Firm (if applicable): BRUCE E. DOAK CONSULTING LLC

Address: 3801 BAKER SCHOOLHOUSE ROAD
FREELAND MD 21053

Telephone Number: 410-419-4906

Revised 5/20/2014



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

No. 219930

Date: 1-5-2023

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		0150				75.00
Total:								75.00

Rec From: 4 Pine Spring Lane

For: 2023 0004 - A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CF 23-0003

BRUCE E DOAK 12-12
BRUCE E DOAK CONSULTING
3801 BAKER SCHOOLHOUSE RD
FREELAND, MD 21053-9738

2939

15-3/540
429

1/02/23 Date

Pay to the Order of BALTIMORE COUNTY MARYLAND \$ 75.00

SEVENTY FIVE AND 00/100 Dollars

PNC BANK

PNC Bank, N.A. 040

For BROWN ZONING FEE

BRUCE E DOAK

Photo
Safe
Deposit
Details on back

MP

Real Property Data Search ()

Search Result for BALTIMORE COUNTY

[View Map](#)[View GroundRent Redemption](#)[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier:

District - 04 Account Number - 1700011210

Owner Information

Owner Name:

BROWN EMILE
CLARKE PEARSON EMILY
4 PINE SPRING LN
OWINGS MILLS MD 21117-1617

Use: RESIDENTIAL

Principal Residence: YES

Mailing Address:

Deed Reference: /47233/ 00419

Location & Structure Information

Premises Address:

4 PINE SPRING LN
OWINGS MILLS 21117-1617Legal Description: 8.4730 AC
4 PINE SPRING LN
SPRINGWOODMap: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0050 0014 0033 4050043.04 0000 4 2022 Plat Ref: 0041/ 0017

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1978	3,726 SF	1000 SF	8.4700 AC	04

Stories	BasementType	ExteriorQuality	Full/Half Bath	Garage	Last Notice of Major Improvements
Split Foyer	YES	SPLIT FOYERFRAME/5	3 full/1 half	1 Attached	

Value Information

	Base Value	Value As of 01/01/2022	Phase-in Assessments As of 07/01/2022	As of 07/01/2023
Land:	188,800	188,800		
Improvements	458,300	480,700		
Total:	647,100	669,500	654,567	662,033
Preferential Land:	0	0		

Transfer Information

Seller: SIMON MICHEL R	Date: 08/08/2022	Price: \$1,271,008
Type: ARMS LENGTH IMPROVED	Deed1: /47233/ 00419	Deed2:
Seller: BRUCE EVE E, DR	Date: 01/03/2003	Price: \$475,000
Type: ARMS LENGTH IMPROVED	Deed1: /17313/ 00186	Deed2:
Seller: POLLARD THOMAS D	Date: 05/22/1998	Price: \$395,000
Type: ARMS LENGTH IMPROVED	Deed1: /12880/ 00194	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: Approved 11/09/2022

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2023 0004-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 1/13/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0004-A

INFORMATION:

Property Address: 4 Pine Spring Lane
Petitioner: Emile Brown
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for Variance to permit an accessory structure (pool) to be located in the front yard in lieu of the required rear yard.

The location is comprised of a residential dwelling of 3,726 sf on 8.4 acre in an RC 5 zone. The dwelling is surrounded by forest vegetation. Surrounding properties are also used predominantly for residential purposes with forest surrounding.

The Department of Planning has no objections to the requested relief, however, it should be noted that a request for zoning relief should present in the application the reason for the practical hardship and difficulty for which the request is being necessitated as that is the basis for which an application is evaluated by reviewing agencies.

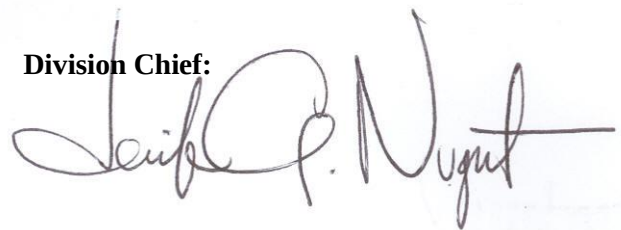
For further information, concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Henry Ayakwah

Division Chief:



Jenifer G. Nugent

SL/JGN

c: Bruce Doak, Bruce Doak Consulting LLC
Joseph Wiley
Megan Benjamin
Ngone Seye Diop
Jeff Perlow, Zoning Review
Lajuanda Whitaker, Zoning Review

Office of Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
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FROM: Jeff Livingston, Department of Environmental Protection and
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DATE: January 19, 2023

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Address: 4 Pine Spring Lane
Legal Owner: Emile Brown and Emily Clark-Pearson

Zoning Advisory Committee Meeting of January 16, 2023.

- X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:
- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

Forest Conservation Law may be addressed by filing a Single Lot Declaration of Intent provided forest clearing will not exceed 20,000 sf for building the pool.

Forest Buffer Easement recordation will not be required for this accessory structure since it is out of the buffer area; however, please be advised that future development activities at this lot may trigger this requirement. Moreover, in no instance shall the stream, wetlands or forest buffer be impacted without permission from EPS.

Reviewer: Glenn Shaffer

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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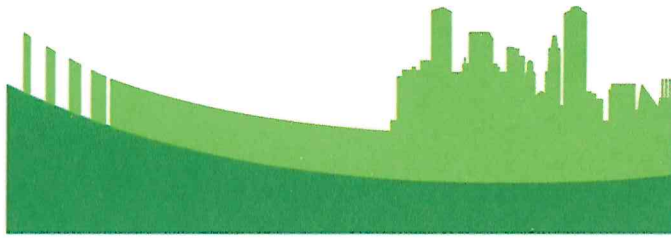
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1. If the zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:
 - a. The proposed pool meets the minimum 20 foot GWM Policy setback for drinking water wells.

Reviewer: Mia Lowery, L.E.H.S.



CERTIFICATE OF POSTING

February 15, 2023

_____ amended for second inspection

Re:

Zoning Case No. 2023-0004-A

Legal Owner: Emile Brown & Emily P. Clarke

Hearing date: March 8, 2023

Baltimore County Department of Permits, Approvals & Inspections

County Office Building

111 West Chesapeake Avenue, Room 111

111 West Chesapeake Avenue Towson, MD 21204

Attention: Jeff Perlow

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 **4 Pine Spring Lane**.

The signs were initially posted on **February 14, 2023**.

The subject property was also inspected on _____.

Sincerely,

A handwritten signature in blue ink that reads "Bruce E. Doak".

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

CASE NO. 2023-0004-A

4 Pine Spring Lane

**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: WEDNESDAY MARCH 8, 2023 10:00AM

**FOR INFORMATION ON HOW TO PARTICIPATE IN THE
HEARINGS**

**PLEASE GO TO [WWW.BALTIMORECOUNTYMD/GOV/
ADMINHEARINGS](http://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.**

**VARIANCE TO PERMIT AN ACCESSORY
STRUCTURE (POOL) TO BE LOCATED IN THE
FRONT YARD IN LIEU OF THE REQUIRED REAR
YARD.**

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CASE NO. 2023-0004-A

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VARIANCE TO PERMIT AN ACCESSORY
STRUCTURE (POOL) TO BE LOCATED IN THE
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ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING January 9, 2023
FORMAL OR INFORMAL RESPONSE DUE AT January 16, 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: 2022-0116-SPH **Reviewer:** Gary Hucik

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

Type: SPECIAL HEARING, VARIANCE

Legal Owner: Reema LLC.

Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 8211 FISCHER RD

Location: Property located on the Southeast side of Fischer Rd., Southwest 468 feet to centerline of Universal Trade Dr.

Existing Zoning: DR 5.5/ BLR

Area: 10.9 ACRES

Proposed Zoning:

SPECIAL HEARING:

BCZR 500.7: To (1) confirm the existence and permitted operation of a Class II Trucking Facility in accordance with BCZR 410A, and (2) To confirm the existence of a lawful nonconforming use pursuant to BCZR 104.

VARIANCE:

BCZR 410A.3.B.6: To permit the existing unpaved areas of the site to remain unpaved pursuant to sections 307 and 410A.1.B.3 of the Baltimore County Zoning Regulations.

Attorney: Adam Baker

Prior Zoning Cases: 1978-0123-SPHA; 1980-0159-SPH

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2022-0305-SPHA **Reviewer:** Mitchell Kellman

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

Type: SPECIAL HEARING, VARIANCE

Legal Owner: Richard Santangelo D.C., P.C.

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 14 **Council Dist:** 5

Property Address: 4303 FITCH AVE

Location: Property located on the South side of Fitch Ave., 100 feet Southeast of the Centerline of Weaver Rd.

Existing Zoning: ML-Im

Area: .34 ACRES

Proposed Zoning:

SPECIAL HEARING:

1.) To amend the plan form Case 1997-0461-A.

2.) BCZR 409.12: To permit a modified parking plan.

3.) To permit any such further relied as may be deemed necessary by Administrative Law Judge for Baltimore County.

VARIANCE:

1.) BCZR 255.2 and 243.1: To permit an addition to the building to have a minimum front yard setback of 44 feet in lieu of the required 75 feet.

2.) BCZR 255.2 and 243.2: To permit an addition to the building to have a minimum side yard setback of 10 feet in lieu of the required 50 feet.

3.) BCZR 409.6.A.2: To permit 11 parking spaces in lieu of the required 13 parking spaces.

4.) BCZR 409.8.A.1: To permit no design, screening and landscaping along all sides of the existing parking area and driveway in lieu of the required design, screening and landscaping in accordance with the Landscape Manual.

5.) To permit any such further relied as may be deemed necessary by Administrative Law Judge for Baltimore County.

Attorney: J. Neil Lanzi

Prior Zoning Cases: 1997-0461-A

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0001-A **Reviewer:** Gary Hucik
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Jenell Coleman Fennell
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 6

Property Address: 905 KINGSTON RD

Location: Property located on the South side of Kingston Rd. West 125 feet to the centerline of Copeleigh Rd.

Existing Zoning: DR 5.5 **Area:** .22 ACRES

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 400.1: To permit an accessory building (detached garage) in the front/side yard in lieu of the rear yard as required.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 01/30/2023

Miscellaneous Notes:

Case Number: 2023-0002-A **Reviewer:** Christina Frink
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Ryan and Karen Lynch
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 3

Property Address: 307 VALLEY COURT RD

Location: Property located on the Southwest side of Valley Court Rd.; 378 feet Southeast of Felton Rd.

Existing Zoning: DR 3.5 **Area:** 16,490 SQ FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 1B02.3.C.1: To approve a dwelling addition to an existing dwelling (attached garage with living space above) with a proposed side yard setback of 8 feet and 11 feet for a combined setback of 19 feet in lieu of the minimum required setback of 10 feet and 15 feet for a combined setback 25 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 01/30/2023

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0003-A **Reviewer:** Christina Frink
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: Eileen Marie Griswold
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 12528 HARFORD RD

Location: Property located on the Northeast side of Harford Rd., 528 feet Southwest of intersection of Harford Rd./Fork Rd./Sunshine Ave.

Existing Zoning: RC 5 **Area:** 14,984 SQ FT.

Proposed Zoning:

VARIANCE:

BCZR 400.3: To permit a second floor addition (storage/bonus room) and a deck with steps additon to the existing detached garage with a height of 26 feet in lieu of the maximum 15 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: cc2212718

Closing Date:

Miscellaneous Notes:

Case Number: 2023-0004-A **Reviewer:** Christina Frink
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: Emile Brown and Emily Clark-Pearson
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 4 PINE SPRING LANE

Location: Property located on the Southwest side of Greenspring Ave.; 800 feet Southeast of Dover Rd.

Existing Zoning: RC 5 **Area:** 8.47 ACRES

Proposed Zoning:

VARIANCE:

BCZR 400.1: To permit an accessory structure (pool) to be located in the front yard in lieu of the required rear yard.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0005-A **Reviewer:** Shaun Crawford

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

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Ryan and Kimberly Cook

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 5 **Council Dist:** 3

Property Address: 4910 BLACK ROCK RD

Location: Lot 2 description of 4.09 acres. 5th Election District Baltimore County.

Existing Zoning: RC 2

Area: 4.09 ACRES

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 400.3: TO approve an accessory building (garage) at total height of 23 feet in lieu of the required maximum height of 15 feet.

Attorney: Not Available

Prior Zoning Cases: 2017-0069-SPHA

Concurrent Cases: None

Violation Cases: None

Closing Date: 01/30/2023

Miscellaneous Notes:

GENERAL SITE INFORMATION

- Ownership: Emile Brown & Emily Pearson Clarke
4 Pine Spring Lane Owings Mills, MD 21117
- Address: 4 Pine Spring Lane
- Deed references: JLE 47233/419
- Area: 8.4730 acres (per PB 41/17)
- Tax Map / Parcel / Lot / Tax account #: 50 / 33 / 4 / 17-00-011210
- Election District: 4 Councilmanic District: 2
ADC Map: GIS tile: 050A3 Position sheet: 58NW22
Census tract: 404900 Census block: 24005404900
Schools: Fort Garrison ES Pikesville MS Owings Mills HS
- The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 050A3 and the information provided by Baltimore County on the internet.
- Improvements: Single family dwelling & parking lot. The existing dwelling and parking lot will remain.

OFFICE OF ZONING

Zoning: R.C. 5
There are no previous zoning cases on the subject parcel.

Parking Calculations

Required parking spaces: 2
(2 parking spaces for a single family dwelling 409.6A.1 BCZR)
Parking spaces provided on site: 3+

R.C. 5 Setbacks for Residential Buildings

Front: 150 feet from the center line of the road
Side: 50 feet from the property line
Rear: 50 feet from the property line

R.C. 5 setback for an accessory structure (in ground pool): 2.5 feet

ENVIRONMENTAL IMPACT

Watershed: Loch Raven Reservoir URDL land type: 1

- The existing dwelling is currently served by a private well and septic system.
- There are no underground storage tanks on the subject property.
- The subject property is not in the Chesapeake Bay Critical Area.
- The subject property is not located within a 100 year flood plain.

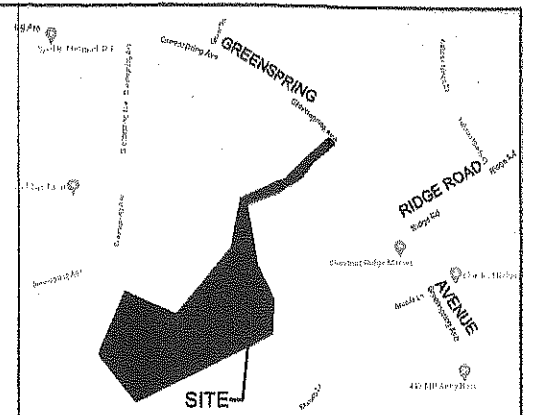
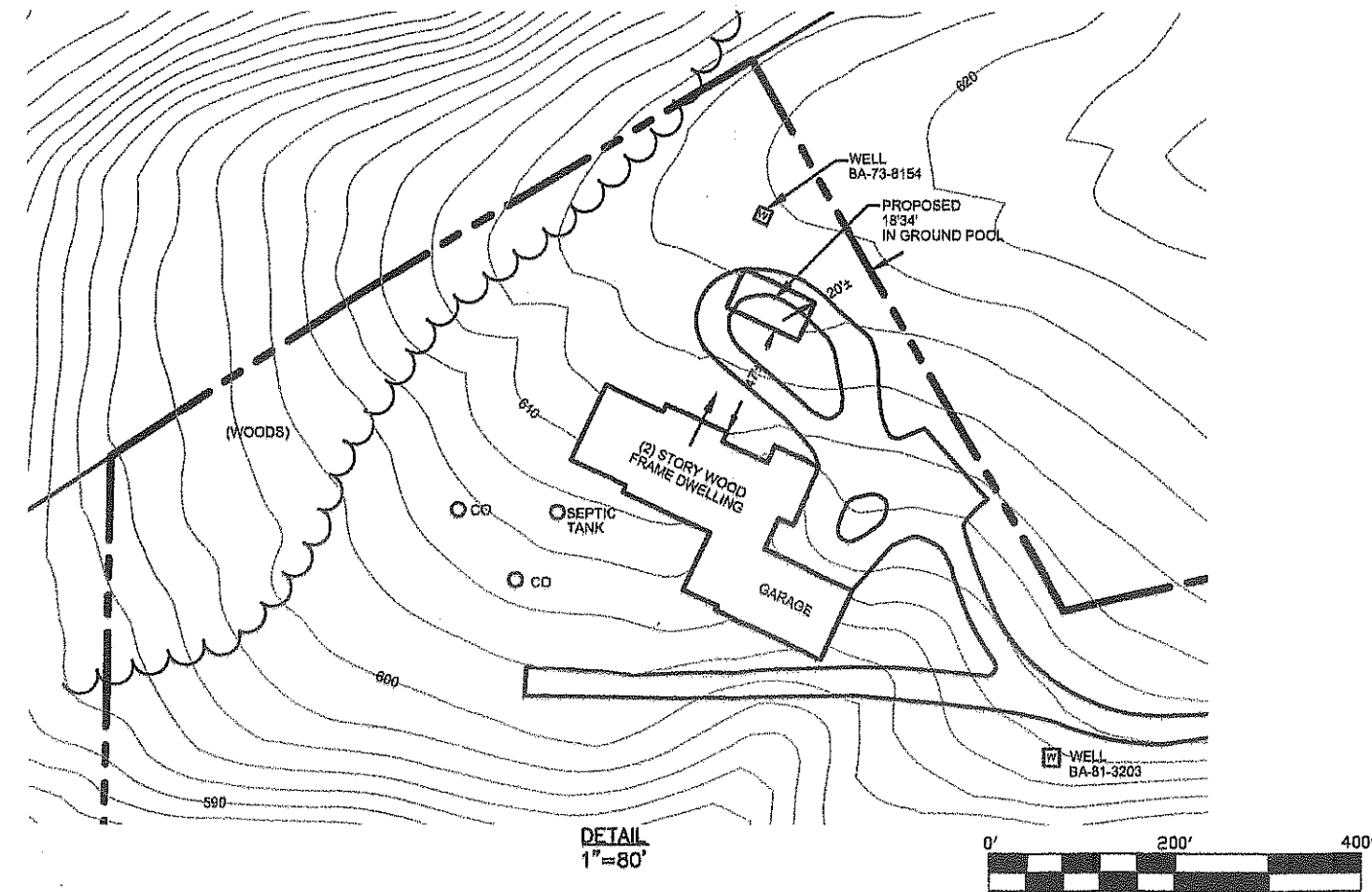
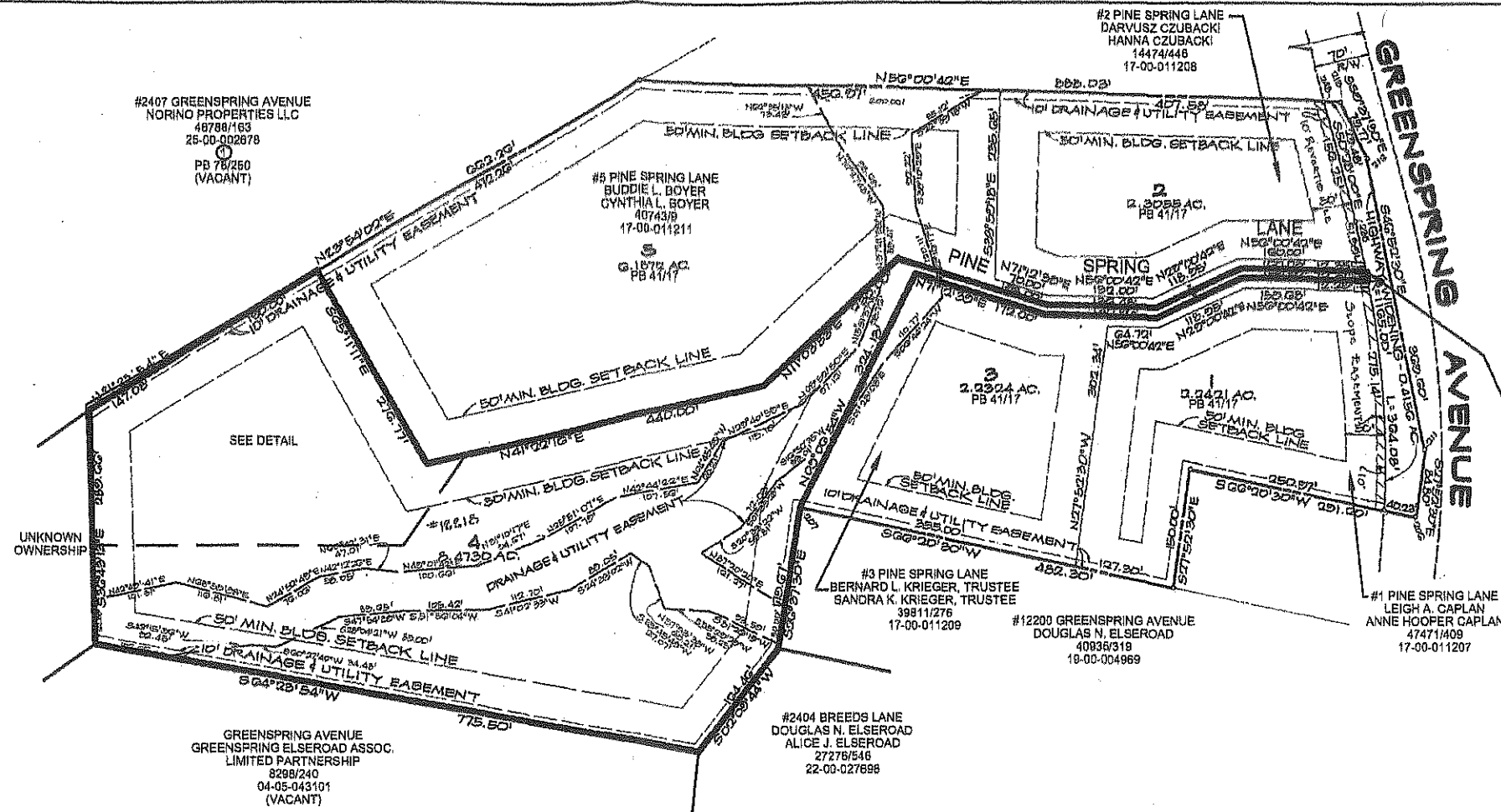
OFFICE OF PLANNING

Regional Planning District: Chestnut Ridge District Code: 307

- The subject dwelling is not historic. The subject property is not in a historic district.

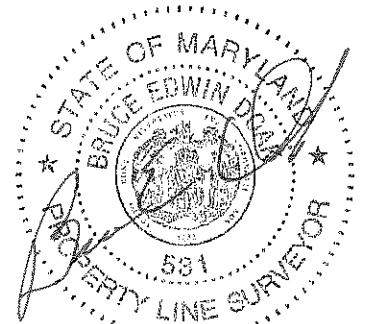
PROPOSED DEVELOPMENT

To install an in ground pool in the front yard due to the existing improvements and the topography.



Vicinity Map - Scale: 1" = 1000'

ZONING POINT OF BEGINNING
800'± NORTHWESTERLY TO DOVER ROAD



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PLAN TO ACCOMPANY
A ZONING HEARING PETITION
FOR
#4 PINE SPRING LANE

BALTIMORE COUNTY, MARYLAND
4th ELECTION DISTRICT 2nd COUNCILMANIC DISTRICT

Date: 12/10/22

Scale: 1"=200'

REVISION

2023-0004-A