



JOHN A. OLSZEWSKI, JR.
County Executive

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

May 1, 2023

Joseph Bishop – leebishop355@gmail.com
Alyson Bishop – travelgirl112073@yahoo.com
13 Manor Brook Road
Monkton, MD 21111

RE: Petitions for Variance
Case No. 2023-0061-A
Property: 13 Manor Brook Road

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 "Maureen E. Murphy". The signature is fluid and cursive.

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dln
Enclosure

c: Bruce E. Doak – bdoak@bruceedoak@consulting.com
Bastian Libermann – bastian@liebermanns.org
Grace Schroeder – grace.schroeder11@gmail.com

**IN RE: PETITION FOR VARIANCE
(13 Manor Brook Road)**

10th Election District

3rd Council District

Joseph and Alyson Bishop

Legal Owners

Petitioners

*

BEFORE THE

*

OFFICE OF ADMINISTRATIVE

*

HEARINGS OF

*

BALTIMORE COUNTY

*

CASE NO. 2023-0061-A

*

*

*

*

*

*

*

*

*

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by the Petitioners and legal owners, Joseph Bishop and his daughter, Alyson Bishop, (“Petitioners”) for the property located at 13 Manor Brook Road, Monkton (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), to permit a front yard setback of 24 ft. from the property line in lieu of the required 50 ft. from any lot line under §1A00.3.B.3 of 1975 Zoning Regulation.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. Petitioners appeared in support of the Petition along with Bruce E. Doak, a licensed surveyor of Bruce E. Doak Consulting, LLC who prepared and sealed a site plan (the “Site Plan”). (Pet. Ex. 1). Grace Schroeder, 11 Manor Brook Rd. and Bastian Liebermann, 19 Manor Brook Rd. both appeared and asked questions.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) and Department of Environmental Protection and Sustainability (“DEPS”) which agencies did not oppose the requested relief.

The Property is 4.34 acres +/- and was created as Lot 22 on Plat No. 4 of Manor Brook which was recorded in Land Records of Baltimore County (Plat Book EHK, Jr. 39, folio 8) on

December 5, 1975. (Pet. Ex. 5). The Property is split-zoned Resource Conservation, Watershed Protection (RC 4) and Resource Conservation, Resource Preservation (RC 7). (Pet. Ex. 2).

In 1972-1973, Petitioner Joseph Bishop purchased Lots 22, 23 and 24 and constructed his home on Lot 23. All 3 lots are accessed via a long driveway off Manor Brook Rd. As shown on the aerial photograph, all 3 lots are heavily wooded. (Pet. Ex. 3). It was Mr. Bishop's desire to construct a home for his daughter on either Lot 22 or Lot 24. Unfortunately, Lot 24 failed all perc tests and has become unbuildable. Lot 22 passed the perc test but otherwise has a stream in the rear portion which creates a Forest Buffer area on a majority of the Property, leaving little buildable area to construct a home, while still meeting the 35 ft. Forest Buffer setback. (Pet. Ex. 1). Street view photographs show the proposed location of Alyson Bishop's new home in relation to Mr. Bishop's home. (Pet. Ex. 4).

Mr. Doak explained that the Variance relief here was sought from the 1975 BCZR, §1A00.3.B.3 which required a 50 ft. setback from any lot line other than a street line for property formerly zoned RDP. In that regard, he stated that the Office of Zoning Review ("OZR") has maintained that if a Plat was signed by the Planning Board and recorded in Land Records, the 1975 BCZR RDP 50 ft. setback still applies to a home to be constructed. Upon inquiry as to legal basis for this interpretation, Dr. Doak stated that he knew of none, other than this has been the position of OZR. Conversely, he added that apparently DOP always takes the opposite approach which is that any new home would need to meet all of the current RC7 regulations. It is unclear which position is correct.

Mr. Doak did acknowledge that Note 1 on the Site Plan incorrectly states that Lot 22 existed at the time of effective of Bill 74-2000 (which is the Bill creating the RC7 zone) as set forth in BCZR, §1A08.6.B.4. As shown on Plat 4, the subdivision here was not created until December 5,

1975 when it was recorded in Land Records. However, BCZR, §1A08.6.B.4 entitled *Minimum Development Allowance* appears to refer to minimum lot area of 1 acre for the RC7 zone found in BCZR, §1A08.6.B.2 and as such, would permit a smaller lot if the lot existed as of the effective date. That error notwithstanding, Lot 22 is 4.340 acres so the error is harmless.

The Site Plan shows a proposed 3,600 sf, square-shaped home which will be accessed via a new driveway connecting to the existing one off Manor Brook Rd. The subdivision was created prior to the enactment of the environmental regulations. The 35 ft. Forest Buffer setback as shown on the Site Plan pushes the proposed home location toward the main driveway and into the 50 ft. building restriction line shown on the Plat.

The proposed home will meet all of the RC7 zone height, area and building envelope regulations. As applied here, the RC7 - 35 ft. setback from a right-of-way of public or private interior street under BCZR, §1A08.6.B.5.a(1) does not apply to a driveway. Otherwise, the proposed home meets the 80 ft. setback from any principal dwelling, the closest being Mr. Bishop's. It will also meet the 50 ft. setback from rear property line. Both Ms. Schroeder and Mr. Liebermann had all of their questions answered and were not opposed to the

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). I find that the Property is unique due to its shape and topography. These unique features create a practical difficulty in meeting both the Forest Buffer building setback and the 50 ft. building restriction line on the Plat. Without a legal basis, I am not convinced that the Property is vested under the RDP zoning regulations. However, for the

purpose of this case, I will grant the requested Variance relief. Regardless of whether OZR or DOP are correct, I find that the Petitioner would suffer a practical difficulty and unreasonable hardship if she is not be able to construct a home on Lot 22. I also find that the requested Variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare, particularly in light of the lack of opposition.

THEREFORE, IT IS ORDERED, this 1st day of **May 2023** by the Administrative Law Judge for Baltimore County, that the Petition for Variance from BCZR, §1A00.3.B.3 of 1975 Zoning Regulation, to permit a front yard setback of 24 ft. from the property line in lieu of the required 50 ft. from any lot line, be, and it is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. 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.
2. Petitioners must comply with the DEPS ZAC comment, 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.



MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM/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: April 3, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0061-A
Address: 13 Manor Brook Rd
Legal Owner: Joseph and Alyson Bishop (Trustee)

Zoning Advisory Committee Meeting of April 3, 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:

Proposed residence location honors Baltimore County Code Section 33-3-111 (d) – *at a minimum, the primary or principal structure on a parcel or lot shall be set back from the outer edge of the forest buffer 35 feet for residential dwellings.*

EPS understands the residence would qualify as a Single-Lot Declaration of Intent to satisfy Forest Conservation Regulations.

Reviewer: Marie Brady

23-0249



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 13 MANOR BROOK ROAD which is presently zoned RC7 & RC4

Deed References: 43029 / 274 10 Digit Tax Account # 1700004930

Property Owner(s) Printed Name(s) JOSEPH L. BISHOP TRUSTEE

ALYSON ANNE BISHOP TRUSTEE

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ 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

Legal Owners (Petitioners):

JOSEPH L. BISHOP

Name #1 - Type or Print

ALYSON ANNE BISHOP

Name #2 - Type or Print

[Signature]

Signature #1

[Signature]

Signature #2

15 MANOR BROOK ROAD MANHATTAN MD

Mailing Address

City

State

Zip Code

Telephone #

Email Address

21111 410-472-3283 LEE.BISHOP355@GMAIL.COM

Representative to be contacted:

BRUCE E. DOAK TRAVELGIRL112073@YAHOO.COM

BRUCE E. DOAK CONSULTING LLC

Name - Type or Print

[Signature]

Signature

3801 BAKER SCHOOLHOUSE ROAD FREEBORN MD

Mailing Address

City

State

Zip Code

Telephone #

Email Address

21053 410-419-4906 BD0AK@BRUCEEDOAKCONSULTING.COM

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2023-0061-A

Filing Date 3/21/2023

Do Not Schedule Dates:

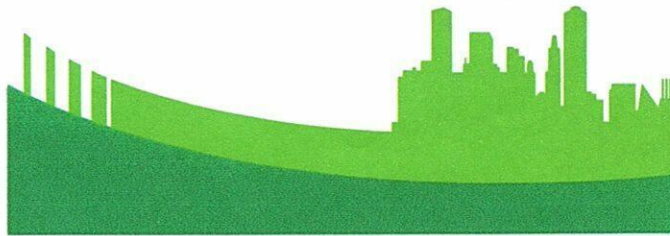
Reviewer [Signature]

Zoning Hearing Petitions Being Requested

Variance to permit a front yard setback of 24 feet from the property line in lieu of the required 50 feet from any lot line per Section 1A00.3.B.3 1975 BCZR

To permit any such further relief as may be deemed necessary by the Administrative Law Judge

2023-0061-A



Zoning Description

13 Manor Brook Road
Tenth Election District Second Councilmanic District
Baltimore County, Maryland

Beginning at a point on the southwest side of Manor Brook Road, westerly 1008 feet, more or less, from the centerline of Monkton Road

Being Lot 22 as shown on the plat entitled "Plat No. 4 of Manor Brook" recorded in the Baltimore County Land Records in Plat Book EHK Jr 39, page 8.

Containing 4.340 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

2023-0061 - A

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: April 28, 2023

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

SUBJECT: Zoning Advisory Committee Meeting
For April 03, 2023
Item No. 2023-0059-A, 0060-A, 0061-A, 0062-SPHA & 0064-A

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

*

*

*

*

*

VKD: cen

cc: file

**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: 2023-00601-A
Property Address: 13 MANOR BROOK ROAD
Property Description: 4.340 AC LOT 22 "PLAT 4 OF MANOR BROOK"
PB 39/8
Legal Owners (Petitioners): JOSEPH L. BISHOP & ALYSON A. BISHOP
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

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 10 Account Number - 1700004930		
Owner Information		
Owner Name:	BISHOP JOSEPH L JR TRUSTEE Use: RESIDENTIAL BISHOP ALYSON ANNE TRUSTEE Principal Residence: NO	
Mailing Address:	15 MANOR BROOK RD Deed Reference: /43029/ 00274 MONKTON MD 21111-1606	
Location & Structure Information		
Premises Address:	MANOR BROOK RD Legal Description: 2063 SE MONKTON-MANOR RD MONKTON 21111- MANOR BROOK	
Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 4	0029 0001 0058 10040047.04 0000 22 2023 Plat Ref: 0039/ 0008	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
	4.5000 AC	04
Stories	Basement	Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2023	07/01/2022	07/01/2023
Land:	36,400	27,000		
Improvements	0	0		
Total:	36,400	27,000	36,400	27,000
Preferential Land:	0	0		

Transfer Information

Seller: BISHOP JOSEPH L JR	Date: 06/23/2020	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /43029/ 00274	Deed2:
Seller: BISHOP JOSEPH L JR ET AL TRUSTEES	Date: 06/23/2020	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /43029/ 00269	Deed2:
Seller: BISHOP JOSEPH L JR	Date: 05/06/2009	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /28029/ 00178	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:

2023-006-A

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

No. 218697

Date: 3-21-2023

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					75.00

Total: 75.00

Rec From: 13 Manor Brook Rd

For: 2023-0061-A

RC 7 RC4

DISTRIBUTION

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

CASHIER'S
VALIDATION

CP 23-0249

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

2966

15-3/540
429

3/17/23

Date

Pay to the
Order of BALTIMORE COUNTY MARYLAND

\$ 75.00

SEVENTY FIVE AND 00/100

Dollars



PNCBANK

PNC Bank, N.A. 040

For BISHOP ZOHING PT. FSB

B E O

MP

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING March 27, 2023
FORMAL OR INFORMAL RESPONSE DUE AT April 3, 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; Jesse Krout, jkrout@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; Earl Wrenn, EWrenn@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: 2023-0059-A **Reviewer:** Jason Seidelman

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

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Meagan and John Baker

Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 506 HIGHLAND AVE

Location: Property located on the Southwest corner of intersection of Highland Ave. (60 feet) and Allegheny Ave. (40 feet).

Existing Zoning: DR 3.5

Area: 7,125 SQ FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 1B02.3.C.1: To permit a side yard dwelling addition with a side yard setback of 5 feet and a rear yard setback of 8 feet 7 inches in lieu of the required 10 feet and 30 feet, respectively.

Attorney: Not Available

Prior Zoning Cases: 2014-0140-A

Concurrent Cases: None

Violation Cases: None

Closing Date: 04/10/2023

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0060-A **Reviewer:** Mitchell Kellman

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

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Davis Yasharpour and Ayala Hakkakian

Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 6806 CHEROKEE DR

Location: Property located on the Southwest side of Cherokee Dr., 512 feet South of the centerline of Lightfoot Dr.

Existing Zoning: DR 5.5

Area: 7,490 SQ FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 1B02.3.B ("A" Residence Zone, 1954): To permit a 5 foot side yard setback in lieu of 7 feet for a 1- story addition, and if necessary, amend Zoning Case No. 2015-0052-A.

Attorney: Joseph Haken

Prior Zoning Cases: 2015-0052-A

Concurrent Cases: None

Violation Cases: None

Closing Date: 04/17/2023

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0061-A **Reviewer:** Christina Frink
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: Joseph and Alyson Bishop (trustee)
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 10 **Council Dist:** 3

Property Address: 13 MANOR BROOK RD

Location: Property located on the Southwest side of Manor Brook Rd. 1,008 feet West of Monkton Rd.

Existing Zoning: RC 7, RC 4 (VESTED RDP)

Area: 4.34 ACRES

Proposed Zoning:

VARIANCE:

1.) BCZR 103.1; 103.3; 1A03.4.B.4 (section 1A00.3.B.3 of 1975 Zoning Regulation): To permit a front yard setback of 24 feet from the property line in lieu of the required 50 feet from any lot line.

2.) To permit any such further relief as may be deemed necessary by the Administrative Law Judge.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0062-SPHA **Reviewer:** Shaun Crawford
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: SPECIAL HEARING, VARIANCE
Legal Owner: James Trela
Contract Purchaser: Ron Leubecker

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

Property Address: 5433 PATTERSON RD

Location: Property located beginning at center of Patterson Rd., 1,470 feet Southeast of Patterson Farm.

Existing Zoning: RC 2

Area: 35.11 ACRES

Proposed Zoning:

SPECIAL HEARING:

1.) To permit an accessory (in law) apartment permitted as a temporary use within an existing accessory building situated on the same owner occupied lot as the principal dwelling, and having a separate utility meter and sewerage services from the principal dwelling, pursuant to Section 400.4.B.4 BCZR.

2.) To modify the relief granted in Case 1990-0530-SPHA, by (i) permitting the granted variances to remain in place for the proposed repurposing of the accessory structure, and (ii) eliminating Restriction #2 contained in the August 23, 1990 Amended Order, so as to allow the use of the structure by this new Petitioner as an accessory (in law) apartment.

VARIANCE:

1.) BCZR 400.4.B.2.: To permit the size of the existing 1,800 square foot second floor space within an existing accessory structure proposed for use as an accessory (in law) apartment to be permitted, in lieu of the maximum 1,200 square feet.

2.) BCZR 400.4.B.4: (if necessary) To permit the size of the existing accessory (in law) apartment building to have a separate utility meter and sewerage services from the principal dwelling.

3.) Any relief that the Administrative Law Judge deems to be necessary.

Attorney: Not Available

Prior Zoning Cases: 1988-0128-SPH; 1990-0530-SPHA

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0063 **Reviewer:**
Existing Use: **Proposed Use:**
Type:
Legal Owner:
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Unknown **Flood Plain:** Unknown **Historic:** Unknown **Election Dist:** **Council Dist:**

Property Address:
Location:

Existing Zoning: **Area:**
Proposed Zoning:

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

Miscellaneous Notes:

Case Number: 2023-0064-A **Reviewer:** Jason Seidelman
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Anna and Andrew Janet
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 8304 BURNING WOOD RD
Location: Property located on the South side of Burning Woods Rd. (50 feet), 282 feet Northwest of Wood Valley Rd. (60 feet).

Existing Zoning: DR 2 **Area:** 27,878 SQ FT.

Proposed Zoning:
ADMINISTRATIVE VARIANCE:
BCZR 1B02.3.C.1. (1958 regulations): To permit a side dwelling addition with a side yard setback of 9.5 feet in lieu of the required 15 feet.

Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date: 04/17/2023

Miscellaneous Notes:

Lot # 13

1600012133

Lot # 12

1600012132

14

1600012131

Lot # 11
12

1600012134

RC 4

MANOR BROOK RD

Pt. Bk. 0000034, Folio 0008

Pt. Bk./Folio # 036141

23

21

Lot # 15

1600012135

Pt. Bk. 0000036, Folio 0141

Lot # 16

1600012136

19

1990-0395-A
1996-0016-A

1600012137

Lot # 28

1600012138

PAI # 100033

3 CD

NE 26-A

PAI # 100033

10 ED 029A1

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

Lot # 22

Pt. Bk. 0000039, Folio 0008

1700004930

1700004929

SITE

Pt. Bk./Folio # 039008

RC 7

Lot # 25

1700004933

Lot # 23

1700004931

Lot # 24

1700004932

15

NE 25-A

PAI # 100384

2300010213

PAI # 100384

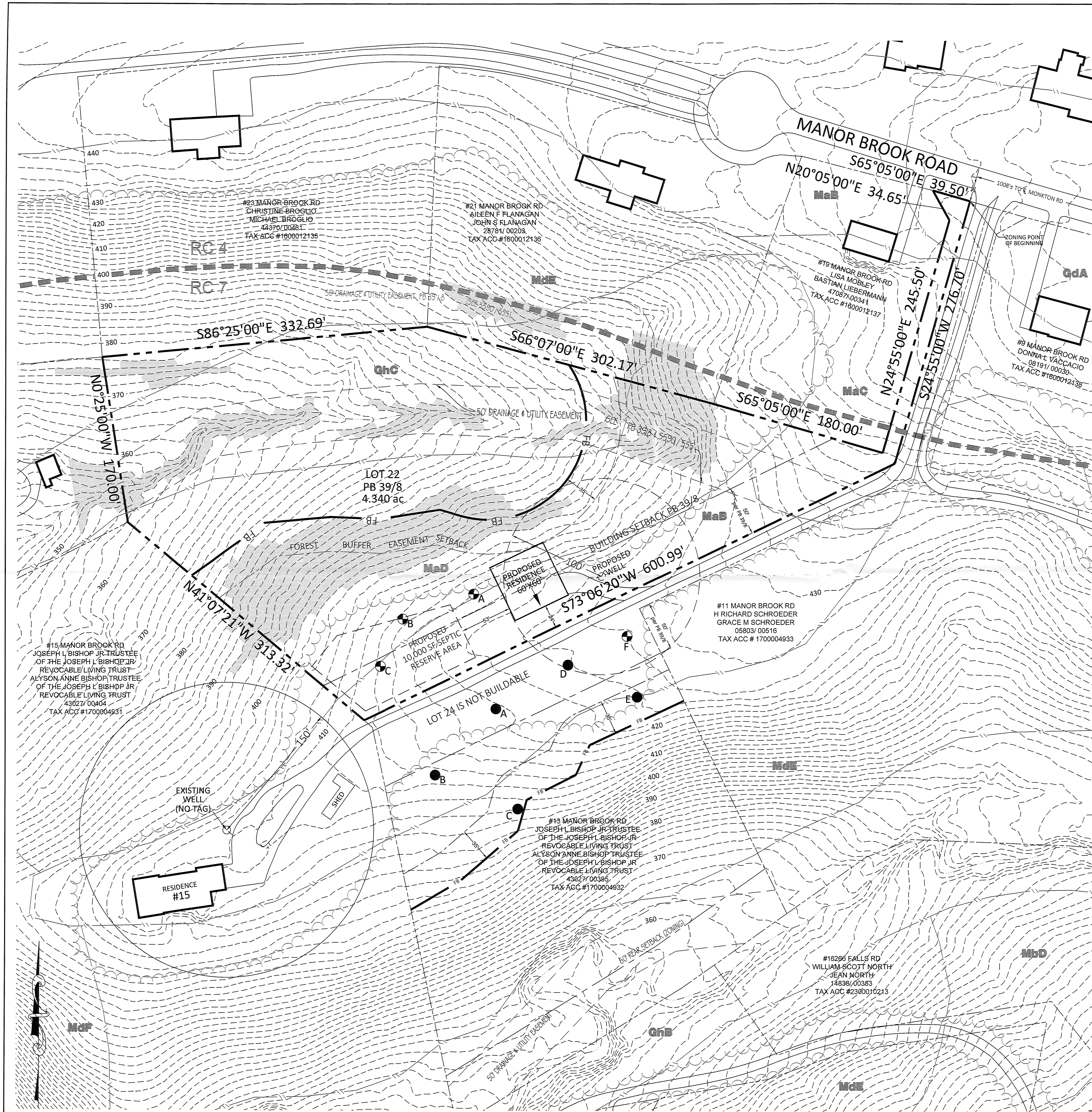
PAI # 100384

Pt. Bk./Folio # MP00064

PAI # 100384

2300010214

20230001-A



GENERAL SITE INFORMATION

- OWNERSHIP: JOSEPH L BISHOP JR TRUSTEE
ALYSON ANNE BISHOP TRUSTEE OF THE JOSEPH L BISHOP JR REVOCABLE LIVING TRUST
- OWNER ADDRESS: 15 MANOR BROOK RD MONKTON MD 21111
- DEED REFERENCE: JLE 43029/274 / LOT 22 "MANOR BROOK" PB 39/8
- PROPERTY AREA: 4.340 ACRES (PER PB 39/8)
- ELECTION DISTRICT: 10TH COUNCILMANIC DISTRICT: 3RD
- TAX MAP: 29 PARCEL: 58 LOT: 22 "MANOR BROOK" PB 39/8
- TAX ACC. # 17-00-004930
- ADC MAP: GIS TILE: 029A1 POSITION SHEET: 101NE2
- CENSUS TRACT: 410100 CENSUS BLOCK: 24005410100
- SCHOOLS: SPARKS ES HEREFORD MS HEREFORD 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 TILES 029A1 AND THE INFORMATION PROVIDED BY BALTIMORE COUNTY ON THE INTERNET.
- IMPROVEMENTS: VACANT
- MASTER SEWER PLAN: S-7 MASTER WATER PLAN: W-7
- GROWTH TIER: 4

ZONING

- ZONING: RC 7 & RC 4 THERE ARE NO PREVIOUS ZONING CASES ON THE SUBJECT LOT.
THE SUBJECT LOT WAS LAWFULLY EXISTING ON THE EFFECTIVE DATE OF BILL 74-2000 AND WILL BE DEVELOPED WITH A SINGLE DWELLING (SECTION 1A08.6.B.4 BCZR)
- RC 7 SETBACKS FOR RESIDENTIAL BUILDINGS (SECTION 1A08.6.B.5.A BCZR)
35 FEET FROM A RIGHT OF WAY OF PUBLIC OR PRIVATE INTERIOR STREETS
80 FEET FROM ANY PRINCIPAL BUILDING
50 FEET FROM THE REAR LOT LINE
- THE PROPOSED BUILDING AREA, INCLUSIVE OF THE GARAGE, WILL NOT EXCEED THE MAXIMUM AREA OF THE BUILDING ENVELOPE OF 20,000 SQUARE FEET PER SECTION 1A08.6.B.3 BCZR
- THE PROPOSED PRINCIPAL BUILDING OR WELL WILL BE CONFLICT OF ANY PERMITTED AGRICULTURAL OPERATION OR WITHIN 300 FEET OF ANY ADJACENT PROPERTY THAT WAS CULTIVATED OR USED AS PASTURE DURING THE PREVIOUS THREE YEARS (SECTION 1A08.6.B.5.B BCZR)
- LESS THAN 10% OF THE SUBJECT LOT WILL COVERED BY IMPERVIOUS SURFACES (SECTION 1A08.6.B.6 BCZR)
- SETBACKS FOR ACCESSORY STRUCTURES: 2.5 FEET FROM THE PROPERTY LINE
- A PERFORMANCE STANDARDS REPORT WILL BE SUBMITTED TO THE DEPARTMENT OF PLANNING IF REQUIRED (SECTION 1A08.6.C BCZR)

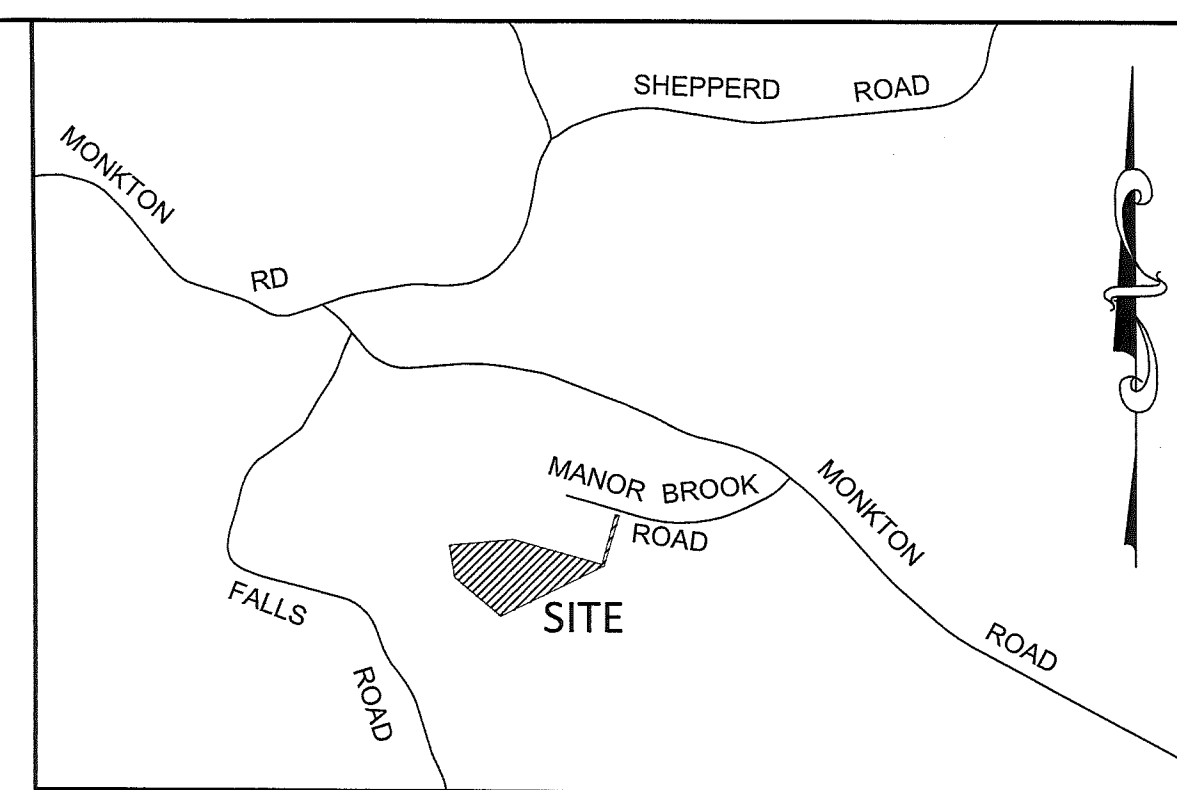
LEGEND

PROPERTY LINE	---
ZONING BOUNDARY	- - - - -
D&U EASEMENT	---
STEEP SLOPES	
SOILS BOUNDARY	---
TREE LINE	~~~~~
USE III-P STREAM	---
FOREST BUFFER EASEMENT	---
MIN. BUILDING SETBACK	---
PERC TESTING	
	⊕ NOT DUG
	⊗ PASSED PERC TEST
	● FAILED PERC TEST

SOILS SUMMARY

SYMBOL	DESCRIPTION	K VALUE
GdA	GLENELG LOAM, 0 TO 3 PERCENT SLOPES	MEDIUM
GhB	GLENVILLE SILT LOAM, 3 TO 8 PERCENT SLOPES	HIGH
GhC	GLENVILLE SILT LOAM, 8 TO 15 PERCENT SLOPES	HIGH
MaB	MANOR LOAM, 3 TO 8 PERCENT SLOPES	MEDIUM
MaC	MANOR LOAM, 8 TO 15 PERCENT SLOPES	MEDIUM
MaD	MANOR LOAM, 15 TO 25 PERCENT SLOPES	MEDIUM
MbD	MANOR CHANNERY LOAM, 15 TO 25 PERCENT SLOPES	MEDIUM
MdE	MANOR-BRINKLOW COMPLEX, 25 TO 45 PERCENT SLOPES	HIGH
MdF	MANOR-BRINKLOW COMPLEX, 45 TO 65 PERCENT SLOPES	HIGH

K VALUE
MEDIUM
HIGH
HIGH
MEDIUM
MEDIUM
MEDIUM
HIGH
HIGH



VICINITY MAP - SCALE 1" = 1000'

ENVIRONMENTAL

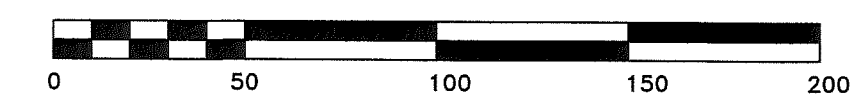
- WATERSHED: LOCH RAVEN RESERVOIR URDL LAND TYPE: 1
- THE PROPOSED DWELLING WILL BE SERVED BY A PRIVATE WELL AND SEPTIC SYSTEM.
- THERE ARE NO UNDERGROUND STORAGE TANKS ON THE SUBJECT PROPERTY.
- THE SUBJECT PROPERTY IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
- THE SUBJECT PROPERTY IS LOCATED NOT WITHIN A KNOWN 100 YEAR FLOOD PLAIN PER COUNTY & STATE GIS DATA
- STREAM: UNNAMED TRIBUTARY TO GUNPOWDER FALLS - USE III-P
- THE BOUNDARY SHOWN HEREON AND ALL OTHER GRAPHICAL INFORMATION SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY ONLINE G.I.S. TILE
- THE SUBJECT PROPERTY IS NOT HISTORIC NOR IN A HISTORIC DISTRICT
- SOILS SOURCE: NATURAL RESOURCE CONSERVATION SERVICE ONLINE MAPPING
- NO RARE, THREATENED OR ENDANGERED SPECIES OBSERVED ON THE SUBJECT PROPERTY
- A SINGLE LOT DECLARATION OF INTENT WILL BE SUBMITTED TO BALTIMORE COUNTY DURING THE BUILDING PERMIT PROCESS TO ADDRESS THE FOREST CONSERVATION REQUIREMENTS.
- A FOREST BUFFER EASEMENT DECLARATION WILL BE RECORDED AS A PART OF THE BUILDING PERMIT PROCESS.

PLANNING

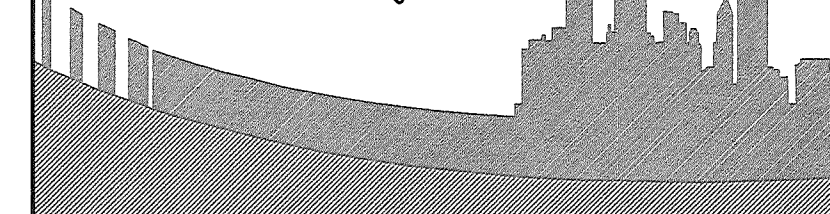
- REGIONAL PLANNING DISTRICT: JACKSONVILLE DISTRICT CODE: 305
- THE SUBJECT LOT IS NOT HISTORIC. THE SUBJECT LOT IS NOT IN A HISTORIC DISTRICT.

PROPOSED DEVELOPMENT

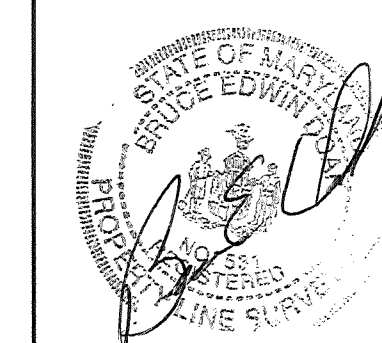
- BUILD A SINGLE FAMILY DWELLING ON AN EXISTING LOT.



Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com



PLAT TO ACCOMPANY A
ZONING PETITION
#13 MANOR BROOK RD
BALTIMORE COUNTY, MARYLAND 21111
10th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT



Date: FEBRUARY 16, 2023
Scale: 1" = 50'

2023-0001-A