



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

December 18, 2023

Chris and Kris Keller – chris.keller@kellercontractingllc.com
1501 Greenmeadow Drive
York, PA 17408

RE: Petition for Variance
Case No. 2023-0202-A
Property: 716 Stablersville 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".

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlm
Enclosure

c: Dipo Akintomide- modipo@hotmail.com
Michelle Fitzpatrick -michellefitzpatrick1221@gmail.com
Modupe Akintomide- dupejib@gmail.com
Nathaniel Fitzpatrick- natefitz123@gmail.com

IN RE: PETITION FOR VARIANCE
(716 Stablersville Road)
7th Election District
3rd Council District
Chris and Kris Keller
Legal Owners

Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS OF
* BALTIMORE COUNTY
* **CASE NO. 2023-0202-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by Chris and Kris Keller (“Petitioners”) for property located at 716 Stablersville Road, Parkton (the “Property”). Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”) §§400.1 and 400.3 to approve an accessory building (garage) in the front yard on the left side and at a height of 30 ft., in lieu of the required rear yard placement and a maximum height of 15 ft., respectively.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. The Petitioners appeared at the hearing, in support of the Petition, *pro se*. The Petitioner Chris Keller is a contractor for Keller Contracting, LLC. A site plan was prepared by Landworks Civil Design, LLC (the “Site Plan”). (Pet. Ex. F). Neighboring property owner Nathaniel Fitzpatrick, 806 Stablersville Rd., participated and asked questions of the Petitioners.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) which agency did not oppose the requested relief. Department of Environmental Protection and Sustainability (“DEPS”) noted that prior to permit approval compliance with Article 33 of the Baltimore County Code (“BCC”) is required, and that

environmental Variances are required from both the Regulations for the Protection of Water Quality, Stream, Wetlands and Floodplains, and from Forest Conservation Regulations. Department of Plans Review (“DPR”)/ Department Public Works and Transportation (“DPWT”), provided a comment that a floodplain study must be submitted to Permits Approvals and Inspections (“PAI”) and “Accepted for Filing.”¹

The Property is 17 acres and is improved with a 30-foot tall, 1,898 sf farmhouse constructed in 1910. The farmhouse faces Stablersville Rd. As shown on the aerial photograph, Petitioners also own 54 acres +/- to the west of the Property, as well as 13 acres to the east of the Property. (Pet. Ex. D). The Property is zoned Resource Conservation – Agricultural (RC 2). A stream runs to the east of the farmhouse. (Pet. Ex. D). Petitioners reside in Pennsylvania and purchased the Property to live in during their retirement years. They do not operate and are not associated with any commercial farms.

In preparation for the construction of the proposed garage, Petitioners removed a Specimen Tree which was located to the west of the farmhouse without first obtaining an environmental Variance. Street view photographs show that Specimen Tree was located next to the farmhouse prior to its removal. (Pet. Exs. H-1, H-2). DEPS noted in its ZAC comment the need for an environmental Variance prior to removal. In regard to floodplain, Petitioners submitted an environmental easement document to show what they believe confirms that the garage will not be located in a Forest Buffer or Forest Conservation easement. (Pet. Exs. B, E). Petitioners also submitted a FEMA rendering superimposed on an aerial which they contend shows that that garage will not be located in Flood Zone A. (Pet. Ex. C).

¹ DPR/DPWT ZAC comment inadvertently mentioned a comment in regard to parking spaces within a 10 ft. right-of way for a different property located on Hollins Ferry Rd.

Petitioners assert that due to the steep topography behind the farmhouse, as well as location of the stream on the eastern side and rear yard, it is not possible to construct a detached garage in that location. The farmhouse was built into the foot of a steep hill. For a garage to be located in the rear yard, additional grading and installation of more impervious surface for the driveway would be detrimental to the stream and the Forest Buffer and Forest Conservation Easements. (Pet. Exs. B, E). The garage will still need to be built into the embankment which will permit a walkout, passenger door. (Pet. Ex. I-1). A floor plan of the proposed storage space was submitted. (Pet. Ex. A). Petitioners also contend that they need the extra 15 ft. in height, beyond the maximum 15 ft., for storage as the farmhouse does not have a basement or an attic, and otherwise has minimal storage. The garage will be used to park vehicles and to store lawn equipment. The additional height of the roof on the garage is also needed to match the roof pitch on the farmhouse.

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 uniquely shaped as shown on the Site Plan and aerial photograph. The location of the existing 1,910 farmhouse, steep topography and environmental areas in the rear, limiting the area where garage can be constructed to the front yard. The additional height for the garage is needed to due to the lack of attic and basement storage space in the farmhouse. I find that the Petitioner would suffer a practical difficulty and unreasonable hardship if the height and area Variances were not granted because they would not be able to construct a detached garage due to the steep slopes, stream location, Forest Buffer and Forest Conservation Easement areas, and at a height to accommodate needed storage. I 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 18th day of **December, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from BCZR, §400.1 and §400.3 to approve an accessory building (garage) in the front yard on the left side at a height of 30 ft. in lieu of the required rear yard placement and a maximum height of 15 ft., respectively be, and they are each 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 and subsequent owners shall not convert the detached garage into a dwelling unit or apartment. The proposed detached garage shall not contain any sleeping quarters, bathroom, kitchen area or living area.
3. There shall be no second utility and/or electric meter(s). All utility and electric shall extend from the house to the detached garage.
4. The detached garage shall not be used for commercial or industrial purposes.
5. Prior to permitting, Petitioners shall comply with the DOP, DPR/DPWT, and the DEPS ZAC comments, copies of which are attached hereto.
6. The Site Plan (Pet. Ex. F) is attached hereto and incorporated herein in its entirety.

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

A handwritten signature in cursive script that reads "Maureen E. Murphy". The signature is written in dark ink and is positioned above a horizontal line.

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM /dlm



PETITION FOR ZONING HEARING(S)

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 716 Stablersville Road, Parkton MD Currently Zoned RC-2
Deed Reference 46984 / 0399 10 Digit Tax Account # 17-00-006851
Owner(s) Printed Name(s) Christopher & Kris Keller

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

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. 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)

BCZR 400.1 and 400.3 To approve an accessory building (garage) in the front yard on the left side at a height of 30 ft in lieu of the required rear yard placement and a maximum height of 15 ft, respectively

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)

Location is selected due to steep embankment. No practical room behind residence. Height is necessary to allow for sufficient parking on lower level and storage on upper level. Residence allows for minimal storage without basement or attic.

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.

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):

Chris Keller, Kris Keller
Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 _____ Signature #2 _____
1501 Greenmeadow Dr. York, PA
Mailing Address _____ City _____ State _____
17408 717-943-3682 chris.keller@kellercontractingllc.com
Zip Code _____ Telephone #'s (Cell and Home) _____ Email Address _____

Representative to be contacted:

Chris Keller
Name - Type or Print _____
Signature _____
same as above
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Case Number 2023-0202-A Filing Date 9/27/2023 Do Not Schedule Dates _____ Reviewer LF

Property Description:

Part A

Zoning Property Description for 716 Stablersville Road, Parkton, MD 21120

Beginning at a point on the North side of Stablersville Rd which is 61' wide at the distance of 430' East of the centerline of the nearest improved intersection street (York Road) which is 82' wide.

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5
EXHIBIT A

All that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

Parcel 1 - Tax ID No. 17-00-006851 - 716 Stablersville Road - 17 Acres and Parcel 2 - Tax ID No. 24-00-013042 - 13.001 Acres

Beginning at a railroad spike in the centerline of Stablersville Road at the end of eleventh (or South 81 degrees 29 minutes 49 Seconds East, 57.15 feet) line along said Stablersville Road described in Deed dated December 28, 1971 from Marion T. Clarke and Eleanor Duvall Spruill to William H. Gottschalk, trustee, of William H. Gottschalk, trustee, of William Gottschalk Trust No. 1 and recorded among the Land Records of Baltimore County, Maryland in Liber 5240 at Folio 642; thence running along said centerline of Stablersville road reversely with the eleventh through the seventh and part of the sixth lines of said deed Recorded in Liber 5240 at Folio 642,

1. North 81 degrees 29 minutes 49 seconds West, 57.15 feet to a Railroad spike; thence,
2. North 78 degrees 07 minutes 40 seconds West, 99.11 feet to a Railroad spike; thence,
3. North 72 degrees 02 minutes 34 seconds West, 98.99 feet to a Railroad spike; thence,
4. North 66 degrees 12 minutes 42 seconds West, 79.85 feet to a Railroad spike; thence,
5. North 61 degrees 55 minutes 18 seconds West, 108.89 feet to a Railroad spike, thence,
6. North 60 degrees 30 minutes 38 seconds West, 128.80 feet to a Railroad spike; thence running through the land of which the Parcel herein described is a part with lines now being established.
7. North 08 degrees 14 minutes 53 seconds East, 132.89 feet to an iron pipe; thence,
8. North 50 degrees 26 minutes 51 seconds East, 1185.34 feet to an iron pipe; thence,
9. South 62 degrees 38 minutes 40 seconds East, 1025.50 feet to an Iron pipe; thence,
10. South 36 degrees 31 minutes 49 seconds West, 842.75 feet to an Iron pipe; thence,
11. South 74 degrees 46 minutes 08 seconds West, 273.18 feet to a Railroad spike; thence running with the aforesaid centerline of Stablersville Road,
12. North 70 degrees 29 minutes 54 seconds West, 100.05 feet to a Railroad spike; thence,
13. North 71 degrees 38 minutes 37 seconds West, 100.01 feet to a Railroad spike; thence,
14. North 76 degrees 28 minutes 31 seconds West, 53.75 feet to a Railroad spike; thence,
15. North 77 degrees 57 minutes 39 seconds West, 100.13 feet to a Railroad spike; thence,
16. North 81 degrees 23 minutes 47 seconds West, 100.01 feet to a Railroad spike; thence,

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17. North 82 degrees 40 minutes 08 seconds West, 112.30 feet to the place of beginning.

Containing 1,306,817 feet or 30.00039 acres of land.

All that lot of ground situate in Baltimore County, State of Maryland referred to as parcel 2 on the Clark/Spruill property Subdivision plat, recorded among the land records of Baltimore County Plat Book SM 75, Folio 65 on January 27, 2003.

Parcel: 3 - Tax ID No. 24-00-002556 - 54.124 Acres

All that lot of ground situate in Baltimore County, State of Maryland referred to as Parcel 2 on the Clark/Spruill Property Subdivision Plat, recorded among the Land Records of Baltimore County Plat Book SM 75, Folio 65 on January 27, 2003.

SAVING AND EXCEPTING out of the above described Two Parcels as described in the deed recorded in Liber 23302 Folio 596 and as follows:

17.531 acre parcel Part of Subdivision Plat of Land of Clark/Spruill Property 19112 York Road North side of Stablersville Road Seventh Election District, Baltimore County, Maryland.

Beginning for the same at the intersection of the South 05 degrees 02 minutes 29 seconds East 279.56 foot line of a parcel of land laid out and shown on the North side of Stablersville Road on the Plat entitled "Subdivision Plat Clark/Spruill property 19112 York Road", which Plat is recorded among the land records of Baltimore County, Maryland, in Plat Book S.M. 75, Folio 65, with the North side of said Stablersville Road, thence leaving said point of Beginning and binding on said Stablersville Road, referring all Courses of this description to the grid meridian established in the Maryland coordinate system (NAD 83/1991), the five following Courses and distances: (1) Southwesterly by a line curving to the right, having a radius of 780.00 feet, for a distance of 163.36 feet (the arc of said curve being subtended by a chord bearing South 53 degrees 37 minutes 12 seconds West 163.06 feet) to a point of Tangency, thence (2) South 59 degrees 37 minutes 12 seconds West 382.34 feet to a point of curvature, thence (3) Southwesterly by a line curving to the right, having a radius of 380.00 feet, for a distance of 376.97 feet (the arc of said curve being subtended by a Chord bearing South 88 degrees 02 minutes 23 seconds West 361.70 feet) to a point of tangency, thence (4) North 63 degrees 32 minutes 26 seconds West 164.31 feet to a point of curvature, and thence (5) Northwesterly by a line curving to the left, having a radius of 1730.00 feet, for a distance of 224.57 feet (the arc of said curve being subtended by a chord bearing North 67 degrees 15 minutes 34 seconds West 224.41 feet) to a point of tangency, thence leaving Said Stablersville Road and binding on the outline of the said plat, the twelve following courses and distances: (6) North 70 degrees 17 minutes 27 seconds East 224.62 feet, thence (7) North 32 degrees, 03 minutes 08 seconds East 842.75 feet, thence (8) North 67 degrees 07 minutes 21 seconds West 553.36 feet, the distance having not been stated on said plat, to intersect the 100 year floodplain drainage and utility easements shown on the said plat, thence binding thereon the five following courses and distances: (9) North 51 degrees 14 minutes 39 seconds East 37.78 feet, the course having not been stated on said plat, thence (10) North 49 degrees 26 minutes 09 seconds East 100.00 feet, the course having not been stated on said plat, thence (11) North 65 degrees 21 minutes 07 seconds East 104.26 feet, thence (12) 68 degrees 17 minutes 09 seconds East 44.71 feet, the course having not been stated on said plat, and thence (13) North 59 degrees 17 minutes 23 seconds East 40.64 feet, the course having not been stated on said plat, thence (14) South 67 degrees 07 minutes 21 seconds East 677.78 feet, the distance having not been stated on said plat, thence (15) South 20 degrees 58 minutes 53 seconds West 627.21 feet, thence (16) North 84 degrees 24 minutes 07 seconds East 206.23 feet, and thence (17) South 35 degrees 42 minutes 29 Seconds east 250.12 feet to the Point of beginning; containing 17.531 acres or 763666 square feet of land, more or less, as now described by Daft-McCune-Walker, Inc. in June 2005.

This description is based upon a Boundary Survey Performed by K.J. Wells, Inc., and a Plat prepared by K.J. Wells, Inc. Dated 10/1/02, entitled "Subdivision Plat Clark/Spruill Property 19112 York Road" and recorded among the Land Records of Baltimore County, Maryland in Plat Book S.M. 75, Folio 65.

19112 York Road (36.019) Acre +- Parcel), South Side of Stablersville Road, Seventh Election District, Baltimore

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County, Maryland.

Beginning for the same at the end of the North 33 degrees 46 minutes 01 second West 462.27 foot line of a parcel of land laid out and shown on the South side of Stablersville road on the plat entitled "Subdivision Plat Clark/Spruill property 19112 York Road" Which plat is recorded among the Land Records of Baltimore County, Maryland, in Plat Book S.M. 75, Folio 65, thence leaving said Point of beginning and binding on said Stablersville Road, referring all courses of this description to the grid meridian established in the Maryland coordinate system (NAD 83/1991) the six following courses and distances: (1) South 87 degrees 05 minutes 45 seconds East 103.91 feet to a point of curvature, thence (2) Southeasterly by a line curving to the right, having a radius of 1670.00 feet, for a distance of 686.56 feet (the arc of said curve being subtended by a chord bearing South 75 degrees 19 minutes 04 seconds East 681.75 feet) to a point of tangency, thence (3) South 63 degrees 32 minutes 26 seconds East 294.18 feet to a point of Tangency, thence (4) Northeasterly by a line curving to the left, having a radius of 200.00 feet, for a distance of 198.41 feet (the arc of said curve being subtended by a chord bearing North 88 degrees 02 minutes 23 seconds East 190.37 feet) to a point of tangency, thence (5) North 59 degrees 37 minutes 12 seconds East 512.22 feet to a point of curvature, and thence (6) Northeasterly by a line curving to the left, having a radius of 840.00 feet, for a distance of 119.74 feet (the arc of said curve being subtended by a Chord bearing North 55 degrees 32 minutes 10 seconds East 119.64 feet), thence leaving said Stablersville Road and binding on the Outlines of the said plat the twenty following courses and Distances: (7) South 38 degrees 30 minutes 45 seconds East 520.52 feet, thence (8) South 28 degrees 38 minutes 05 seconds West 24.57 feet, thence (9) South 36 degrees 41 minutes 14 seconds West 93.48 feet, thence (10) south 15 degrees 43 minutes 10 seconds West 54.53 feet, thence (11) South 06 degrees 56 minutes 08 seconds West 43.78 feet, thence (12) South 00 degrees 35 minutes 30 seconds East 197.17 feet, thence (13) South 47 degrees 22 minutes 37 seconds East 13.72 feet, thence (14) South 00 degrees 35 minutes 30 seconds East 14.39 feet, thence (15) South 23 degrees 44 minutes 00 seconds West 30.22 feet, thence (16) South 33 degrees 45 minutes 05 seconds West 89.94 feet, thence (17) South 16 degrees 22 minutes 55 seconds West 126.17 feet, thence (18) South 40 degrees 14 minutes 16 seconds West 30.13 feet, thence (19) South 48 degrees 04 minutes 05 seconds West 236.65 feet, thence (20) South 65 degrees 04 minutes 22 seconds West 330.62 feet, thence (21) North 14 degrees 24 minutes 54 seconds West 482.44 feet, thence (22) South 73 degrees 32 minutes 31 seconds West 235.22 feet, thence (23) South 60 degrees 32 minutes 08 seconds West 574.00 feet, thence (24) North 16 degrees 06 minutes 36 seconds West 558.66 feet, thence (25) North 27 degrees 58 minutes 13 seconds West 376.20 feet, and thence (26) North 33 degrees 46 minutes 01 second West 424.87 feet to a point of beginning containing 36.019 acres of land or 1568971 square feet of land, more or less, as now described by Daft-McCune-Walker, Inc., in June 2005.

This description is based upon a boundary survey performed by K.J. Wells, Inc., and a Plat prepared by K.J. Wells, Inc., dated 10/1/2002, entitled "Subdivision Plat Clark/Spruill Property 19112 York Road" and recorded of Baltimore County, Maryland, in Plat Book S.M. 75, Folio 65.

Resulting Land is 54.1254 Acre +/-

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DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/ neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.*

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2023-0202-A
Property Address: 717 Stablersville Rd
Parkton MD 21120
Legal Owners (Petitioners): Christopher Keller Kris Keller
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Christopher Keller
Address: 716 Stablersville Rd
Parkton MD 21120
Telephone Number: 717-943-3682

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

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

No. 221269

Date: 9.27-2023

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

Rec

From:

710 Stablesville Rd

For:

2023-0202-A

RC2

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CF 230882

KRIS E KELLER
CHRISTOPHER A KELLER
1501 GREENMEADOW DR
YORK, PA 17408-8534

1906

60-8111/2313

9/21/23

Date

CHECK ARMOR
FALL PROTECTION

Pay to the
Order of

Baltimore County

\$ 75.00

Twenty-five and 00/100

Dollars



Photo
Safe
Deposit
Details on Back



PENNSYLVANIA STATE
EMPLOYEES CREDIT UNION
HARRISBURG, PA 17110-2990

For

Variance - Residential

Kris E Keller

MP

⑆231381116⑆

0450495890⑆

1906

Harland Clarke

GUARDIAN SAFETY YELLOW

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 10/6/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0202-A

INFORMATION:

Property Address: 716 Stablersville Road
Petitioner: Christopher & Kris Keller
Zoning: RC 2
Requested Action: Variance

The Department of Planning has reviewed the petition for the following:

Variance -

1. From BCZR Sections 400.1 and 400.3 to approve an accessory building (garage) in the front yard on the left side at a height of 30 ft in lieu of the required rear yard placement and maximum height of 15 ft, respectively.

The property under consideration is located on the east side of York Road along the Fourth Mine Branch River top the east and Stablersville Road to the south in the Parkton area of Baltimore County. Spanning approximately 17.00 acres +/-, the property is zoned RC 2 and is improved with a residential dwelling. Farms, residential dwellings and forest conservation characterize the surrounding area.

The RC-2 zone is a zoning district established to preserve the rural character of the area and promote low-density residential development. This district is intended to maintain the natural beauty and peacefulness of the surrounding countryside, while providing for compatible land uses and development patterns. The proposed relief is in harmony with the spirit and intent of the RC-2 zoning regulations. The requested use adheres to the zoning requirements and standards since it does not seek to alter the existing approved design. Therefore, the proposed use ensures that the rural character of the area remains uncompromised. The relief also maintains the low-density residential character of the area and upholds the requirements of the Section 1A01 BCZR since this is a non-density transfer.

The applicant states in the application that the chosen location is due to the steep embankment. There's no feasible space behind the residence. The height is essential to accommodate parking on the lower level and storage on the upper level, especially since the residence offers limited storage without a basement or attic.

The Department recommends approval of the request subject to the following conditions:

1. The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area or kitchen facilities.
2. The accessory structure shall not be used for commercial or industrial purposes.

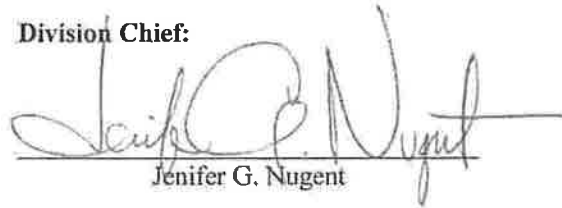
For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Chris Keller

Joe Wiley and Abigail Rogers, Community Planners

Jeff Perlow, Zoning Review

Kristen Lewis, Zoning Review

Office of Administrative Hearings

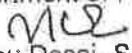
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: October 10, 2023

FROM: 
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 10, 2023
Item No. 2023-0202-A

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

DPW&T Comments:

- A) The property is within the Non-Tidal Special Flood Hazard Area Zone A per panel FIRM 2400100045F dated 9/26/08. An ultimate land use conditions riverine flood study meeting the Baltimore County Department of Public Works and Transportation (DPWT) Design Manual and the Baltimore County Department of Permits, Approvals, and Inspections (PAI) Bureau of Development Plans Review Policy Manual is required and must be submitted to PAI to be "Accepted for Filing". The applicant may be required to apply for a Zoning Hearing with the Administrative Law Judge to obtain a waiver to Baltimore County Code 32-4-414 and 32-8. The proposed structure must also meet DPWT Design Manual Plate DF-1.

DPR Comments:

- A) Existing parking spaces are within 10-foot of Hollins Ferry road. County GIS shows parking within the R/W. Existing parking should be located a min of 10-foot beyond the road R/W.

VKD: JK
cc: file

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: October 11, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0202-A
Address: 716 STABLERSVILLE RD.
Legal Owner: Chris & Kris Keller

Zoning Advisory Committee Meeting of October 10, 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:

The garage is proposed within 100 feet of a stream and possibly in an existing Forest Buffer Easement. Therefore, a variance to the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains must be requested and granted prior to permit approval.

Construction of the garage and parking pad would critically impact a specimen tree. Therefore, a variance to the Forest Conservation Regulations must also be requested and granted prior to permit approval.

Reviewer: Glenn Shaffer



Background Photo 1st Sign @ 716 Stablersville Road ~ 11/13/2014



Background Photo 2nd Sign @ 716 Stablersville Road ~ 11/13/2014
CASE # 2023-0202-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 11/13/2023

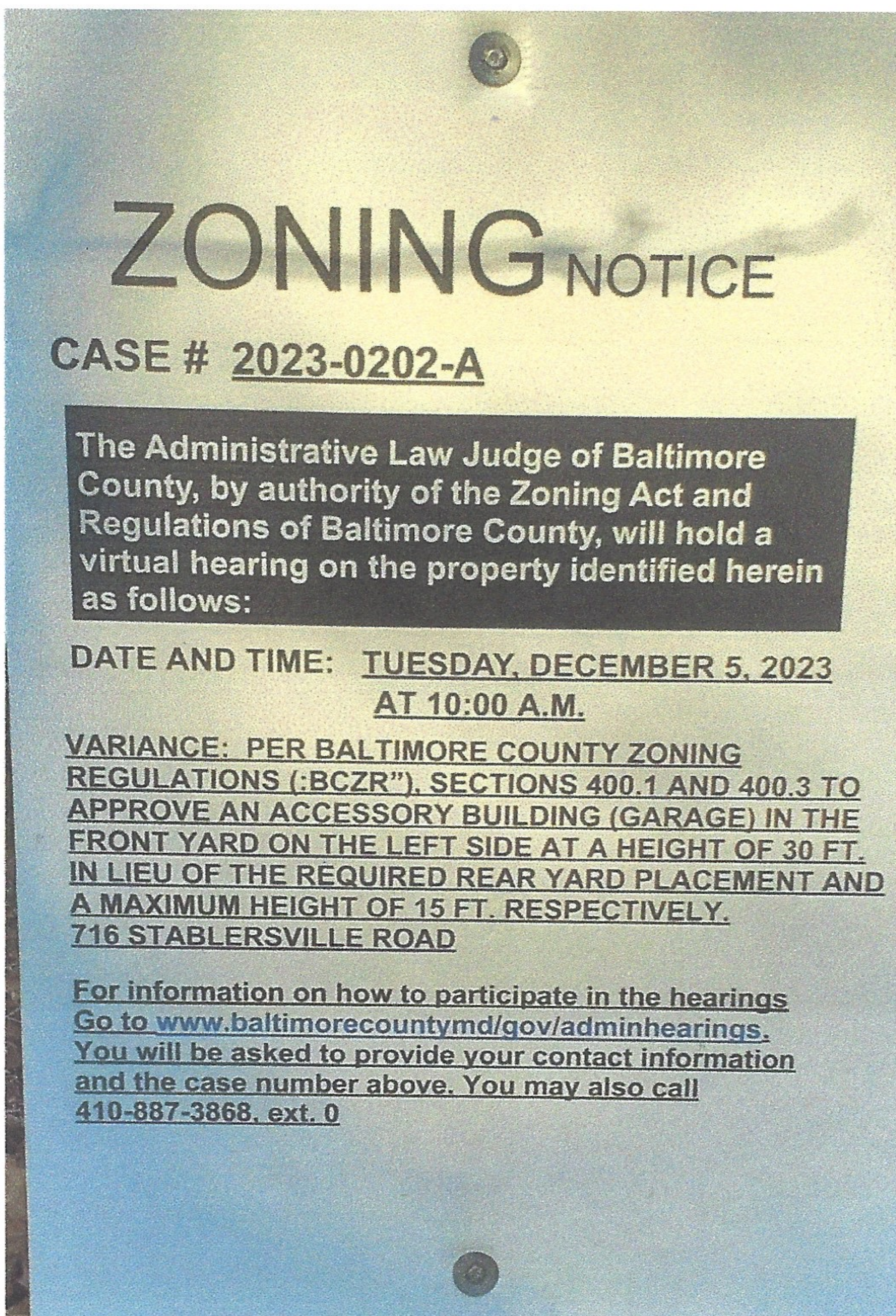
Case Number: 2023-0202-A

Petitioner / Developer: CHRIS & KRIS KELLER

Date of Hearing: DECEMBER 5, 2023

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

The sign(s) were posted on: NOVEMBER 13, 2023



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

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: October 11, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0202-A
Address: 716 STABLERSVILLE RD.
Legal Owner: Chris & Kris Keller

Zoning Advisory Committee Meeting of October 10, 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:

The garage is proposed within 100 feet of a stream and possibly in an existing Forest Buffer Easement. Therefore, a variance to the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains must be requested and granted prior to permit approval.

Construction of the garage and parking pad would critically impact a specimen tree. Therefore, a variance to the Forest Conservation Regulations must also be requested and granted prior to permit approval.

Reviewer: Glenn Shaffer

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 10/6/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0202-A

INFORMATION:

Property Address: 716 Stablersville Road
Petitioner: Christopher & Kris Keller
Zoning: RC 2
Requested Action: Variance

The Department of Planning has reviewed the petition for the following:

Variance -

1. From BCZR Sections 400.1 and 400.3 to approve an accessory building (garage) in the front yard on the left side at a height of 30 ft in lieu of the required rear yard placement and maximum height of 15 ft, respectively.

The property under consideration is located on the east side of York Road along the Fourth Mine Branch River top the east and Stablersville Road to the south in the Parkton area of Baltimore County. Spanning approximately 17.00 acres +/-, the property is zoned RC 2 and is improved with a residential dwelling. Farms, residential dwellings and forest conservation characterize the surrounding area.

The RC-2 zone is a zoning district established to preserve the rural character of the area and promote low-density residential development. This district is intended to maintain the natural beauty and peacefulness of the surrounding countryside, while providing for compatible land uses and development patterns.

The proposed relief is in harmony with the spirit and intent of the RC-2 zoning regulations. The requested use adheres to the zoning requirements and standards since it does not seek to alter the existing approved design. Therefore, the proposed use ensures that the rural character of the area remains uncompromised. The relief also maintains the low-density residential character of the area and upholds the requirements of the Section 1A01 BCZR since this is a non-density transfer.

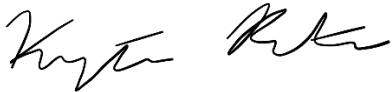
The applicant states in the application that the chosen location is due to the steep embankment. There's no feasible space behind the residence. The height is essential to accommodate parking on the lower level and storage on the upper level, especially since the residence offers limited storage without a basement or attic.

The Department recommends approval of the request subject to the following conditions:

1. The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area or kitchen facilities.
2. The accessory structure shall not be used for commercial or industrial purposes.

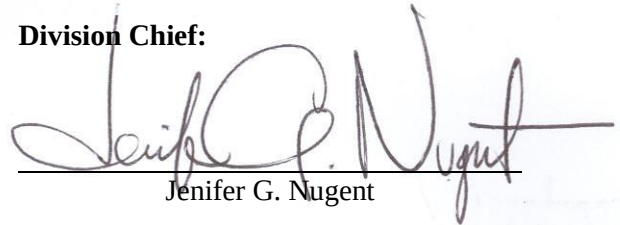
For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Chris Keller

Joe Wiley and Abigail Rogers, Community Planners

Jeff Perlow, Zoning Review

Kristen Lewis, Zoning Review

Office of Administrative Hearings

People's Counsel for Baltimore County

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

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

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Account Identifier: District - 07 Account Number - 1700006851

Owner Information

Owner Name: KELLER CHRISTOPHER A Use: AGRICULTURAL
KELLER KRIS E Principal Residence: YES
Mailing Address: 716 STABLERSVILLE RD Deed Reference: /46984/ 00399
PARKTON MD 21120-

Location & Structure Information

Premises Address: 716 STABLERSVILLE RD Legal Description: 17 AC
PARKTON 21120- 716 STABLERSVILLE RD
430 FT E YORK RD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0012 0021 0164 7030017.04 0000 2023 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1910 1,898 SF 17.0000 AC 33

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements
2 NO STANDARD UNIT STONE/4 1 full/ 2 half

Value Information

	Base Value	Value		
		As of 01/01/2023	As of 07/01/2023	As of 07/01/2024
Land:	93,400	102,000		
Improvements	156,800	237,400		
Total:	250,200	339,400	279,933	309,667
Preferential Land:	3,400	3,000		

Transfer Information

Seller: MCGILL SCOTT G	Date: 06/07/2022	Price: \$640,000
Type: ARMS LENGTH MULTIPLE	Deed1: /46984/ 00399	Deed2:
Seller: RIDDICK LOUISA S	Date: 01/09/2018	Price: \$775,000
Type: ARMS LENGTH MULTIPLE	Deed1: /39828/ 00351	Deed2:
Seller: RIDDICK LOUISA S MCNISH ELEANOR S	Date: 01/14/2016	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /37081/ 00098	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2023	07/01/2024
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

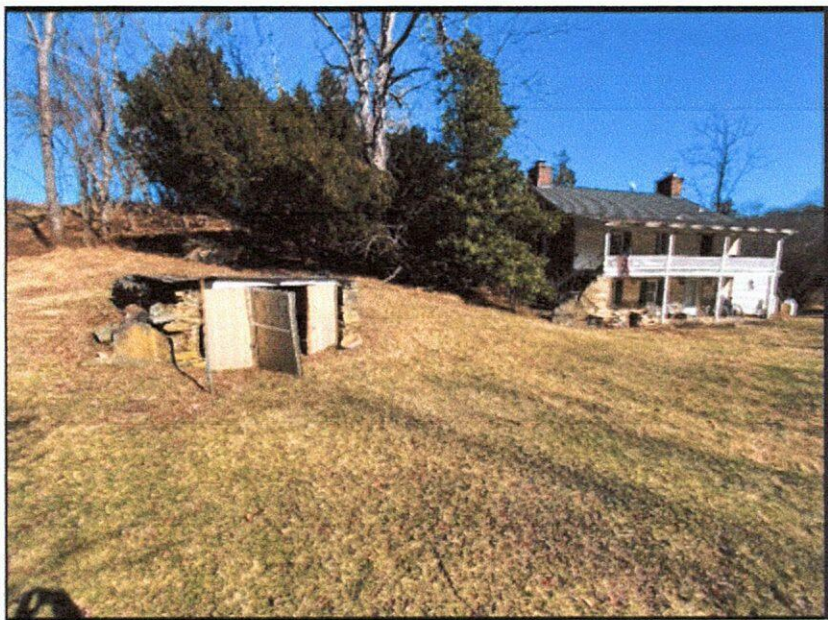
2023-0202-A

017B1
2023-0202-A
2300 111 03

716 Stablersville Rd., Parkton PA



2023-0202-A



2023-0202-A

[illegible]

DRAFT

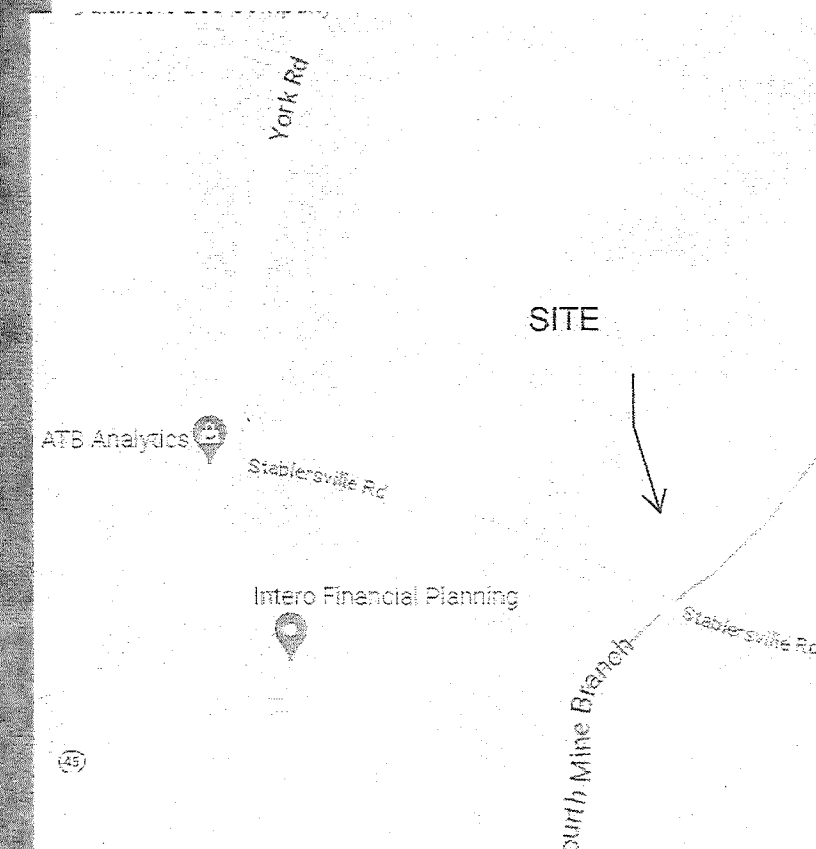
OVERALL SITE PLAN
FOR
715 STABLERSVILLE ROAD
FOR
KELLER CONTRACTING
BALTIMORE COUNTY, MARYLAND : ELECTION DISTRICT 7, COUNCILMANIC DISTRICT 3

PROJECT NO.
22-0163-001

DATE: 09/15/23

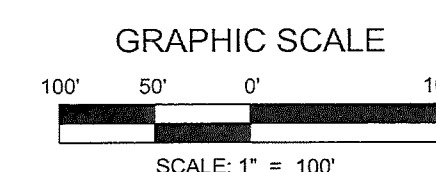
SCALE: 1" = 100'

SHEET
SP 2.0

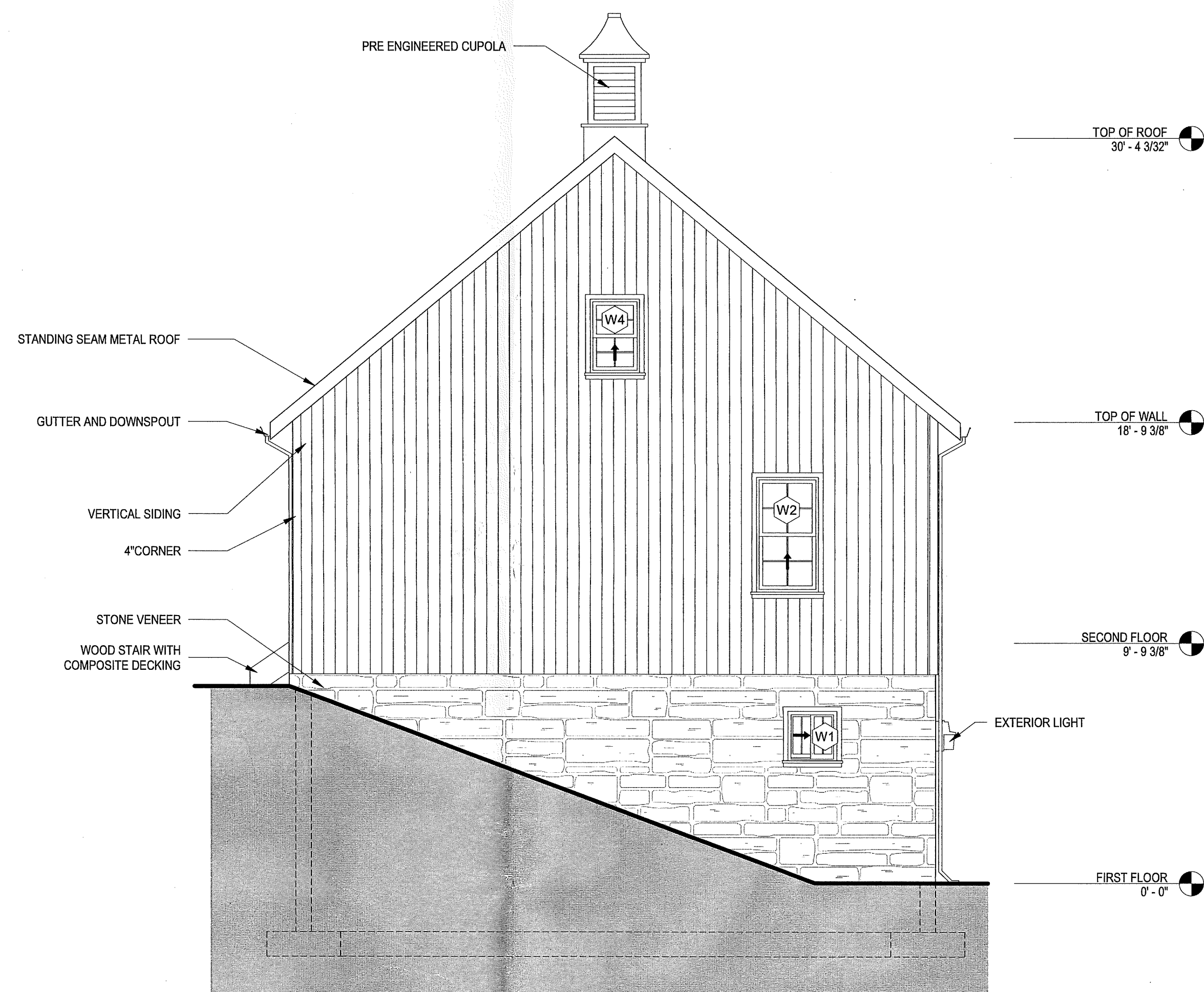


Zoning Map # 0012
Zoning: RC-2
Election District: 7
Council District: 3
Lot Area Acreage: 17 acres
Lot Square Footage: 740,520 SF
Historic (yes or no): NO
CBCA (yes or no): NO
Flood Plain (yes or no): NO
Utilities mark with X
Water is X Private
Sewer is X Private
Prior hearing (yes or no) NO
If yes case number:

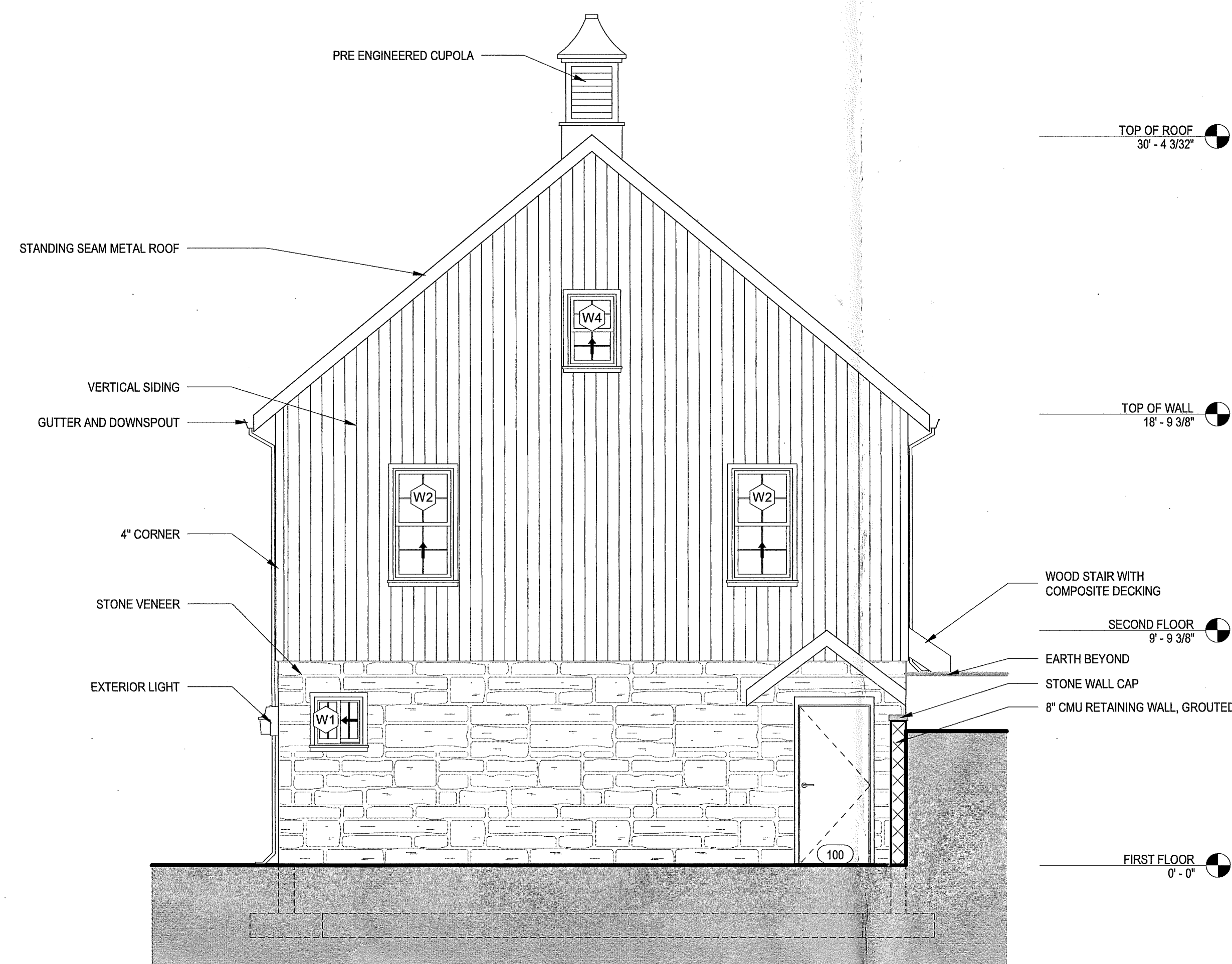
Zoning hearing plan for variance: X
zoning hearing plan for special
hearing: X
Address: 716 Stablersville Rd, Parkton
Owners: Christopher and Kris Keller
Subdivision name: Clark/Spruill
property 19112 York Rd
Lot #: N/A
Block #:
Section #
Plat Book # SM 75
Folio # 65
10 digit tax id #: 17-00-006851
Deed Reference#: 46984 / 0399



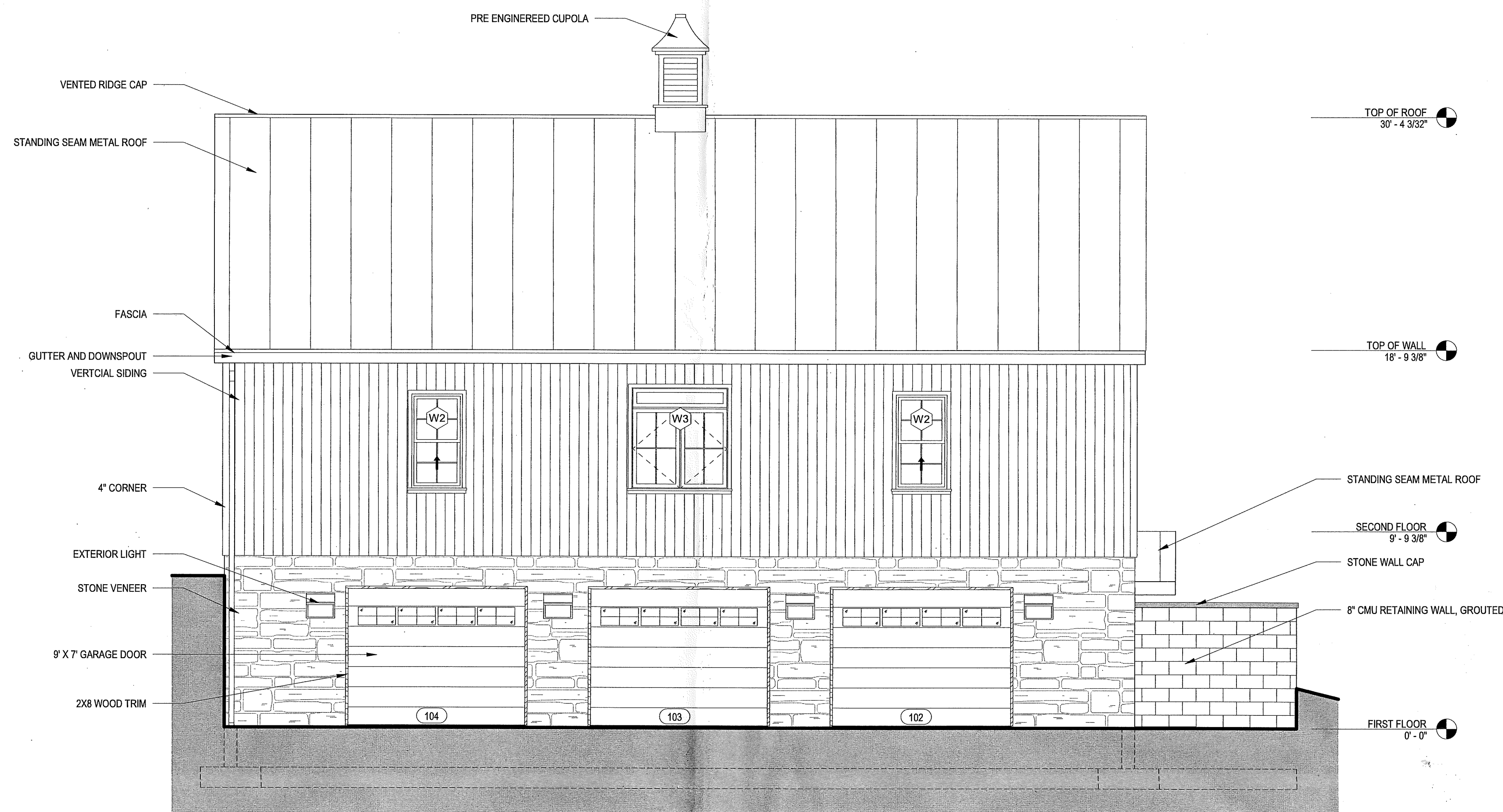
RECORD OF ISSUE	
2023.08.25	ISSUED FOR PERMIT



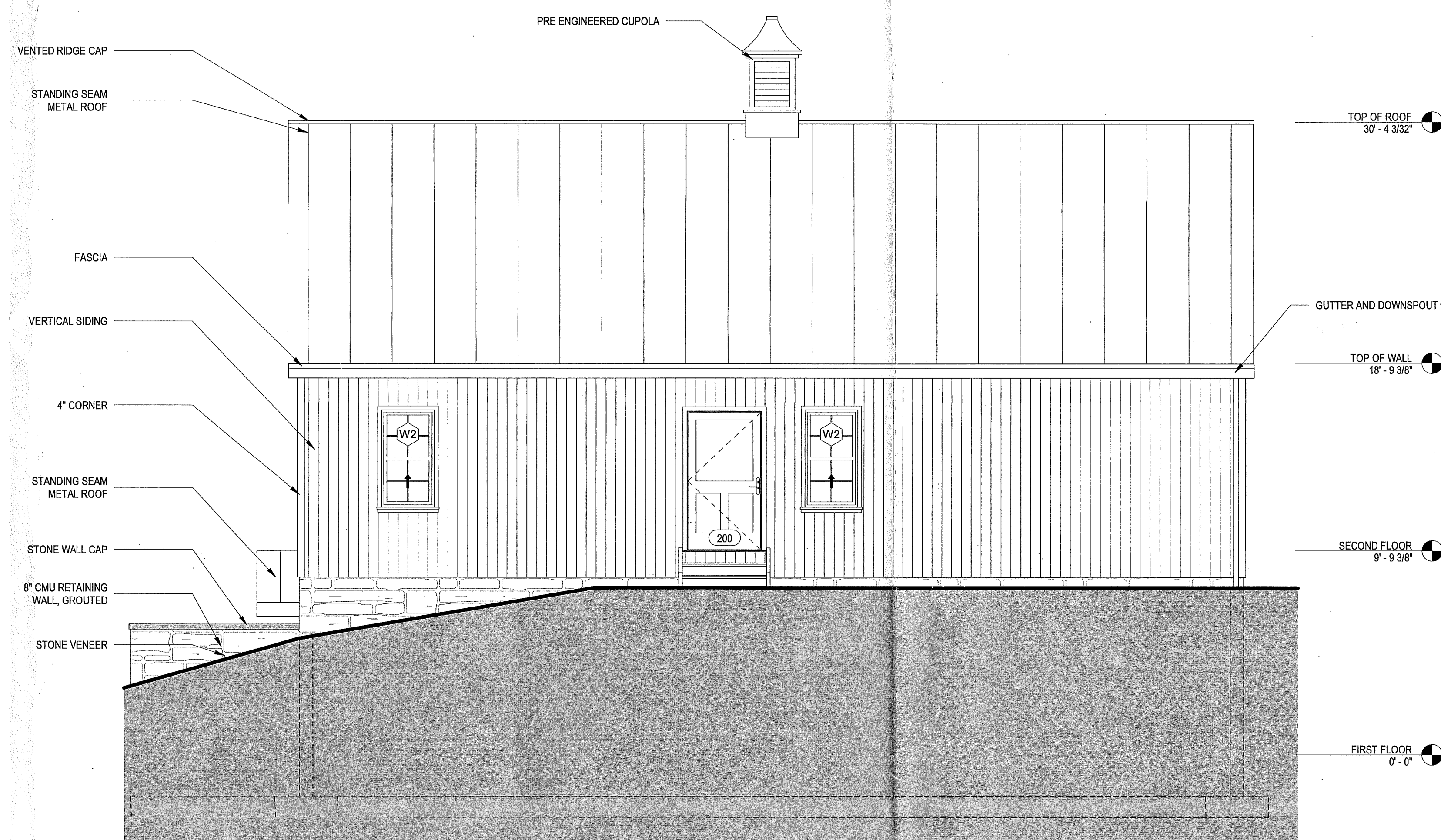
02 EXTERIOR ELEVATION - WEST
A-106 SCALE: 1/4" = 1'-0"



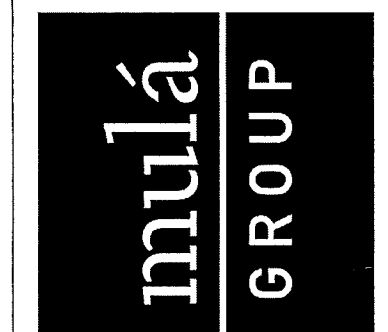
03 EXTERIOR ELEVATION - EAST
A-106 SCALE: 1/4" = 1'-0"



02 EXTERIOR ELEVATION - SOUTH
A-106 SCALE: 1/4" = 1'-0"



04 EXTERIOR ELEVATION - NORTH
A-106 SCALE: 1/4" = 1'-0"



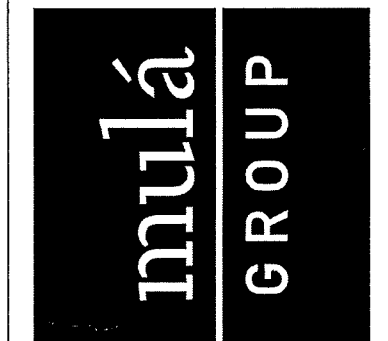
CONTACT INFORMATION
DESIGN: KELLER GARAGE
MULA DESIGN LLC
232 COTTAGE HILL ROAD
YORK, PA 17401
717.560.0151

NEW BUILD FOR:
KELLER GARAGE
716 STABLESVILLE ROAD
PARKTON, MARYLAND 21120
23-167 © 2023 MULA DESIGN LLC

EXTERIOR
ELEVATIONS

A-106

RECORD OF ISSUE	
2023.08.25	ISSUED FOR PERMIT



CONTACT INFORMATION
DESIGN:
TYLER ECKENRODE
MULA DESIGN LLC
225 COTTAGE HILL ROAD
YORK PA 17401
TEL: 717.880.0131
WWW.MULADESIGNGROUP.COM

NEW BUILD FOR:
KELLER GARAGE
716 STABLERSVILLE ROAD
PARKTON, MARYLAND 21120
23-157 © 2023 MULA DESIGN LLC

FIRST FLOOR PLAN

A-101

NEW DOOR

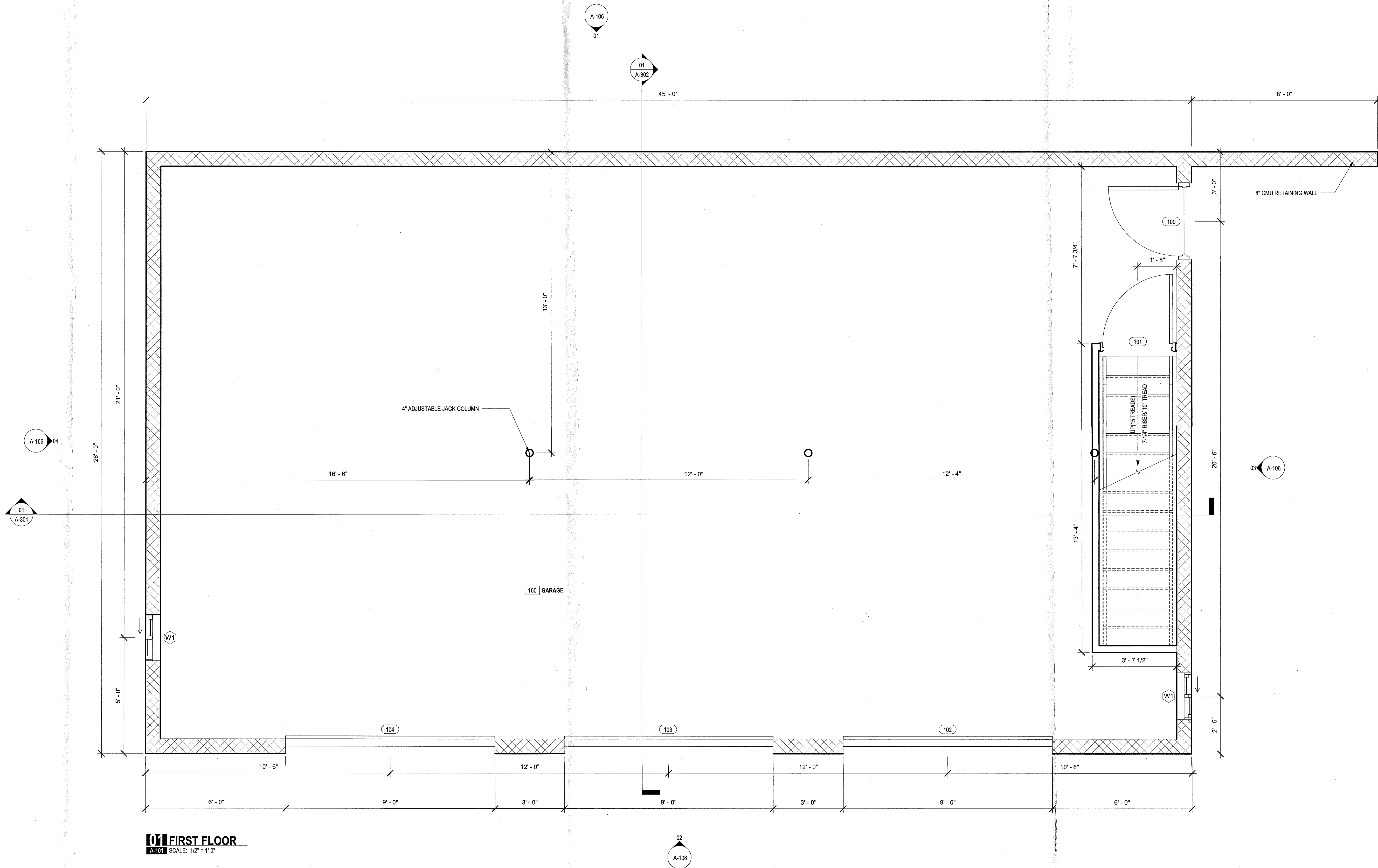
EXISTING DOOR

EXISTING WALL

PROPOSED WALL

FLOOR PLAN LEGEND

SCALE: 1/2" = 1'-0"



A-102

SCALE: 1/8" = 1'-0"

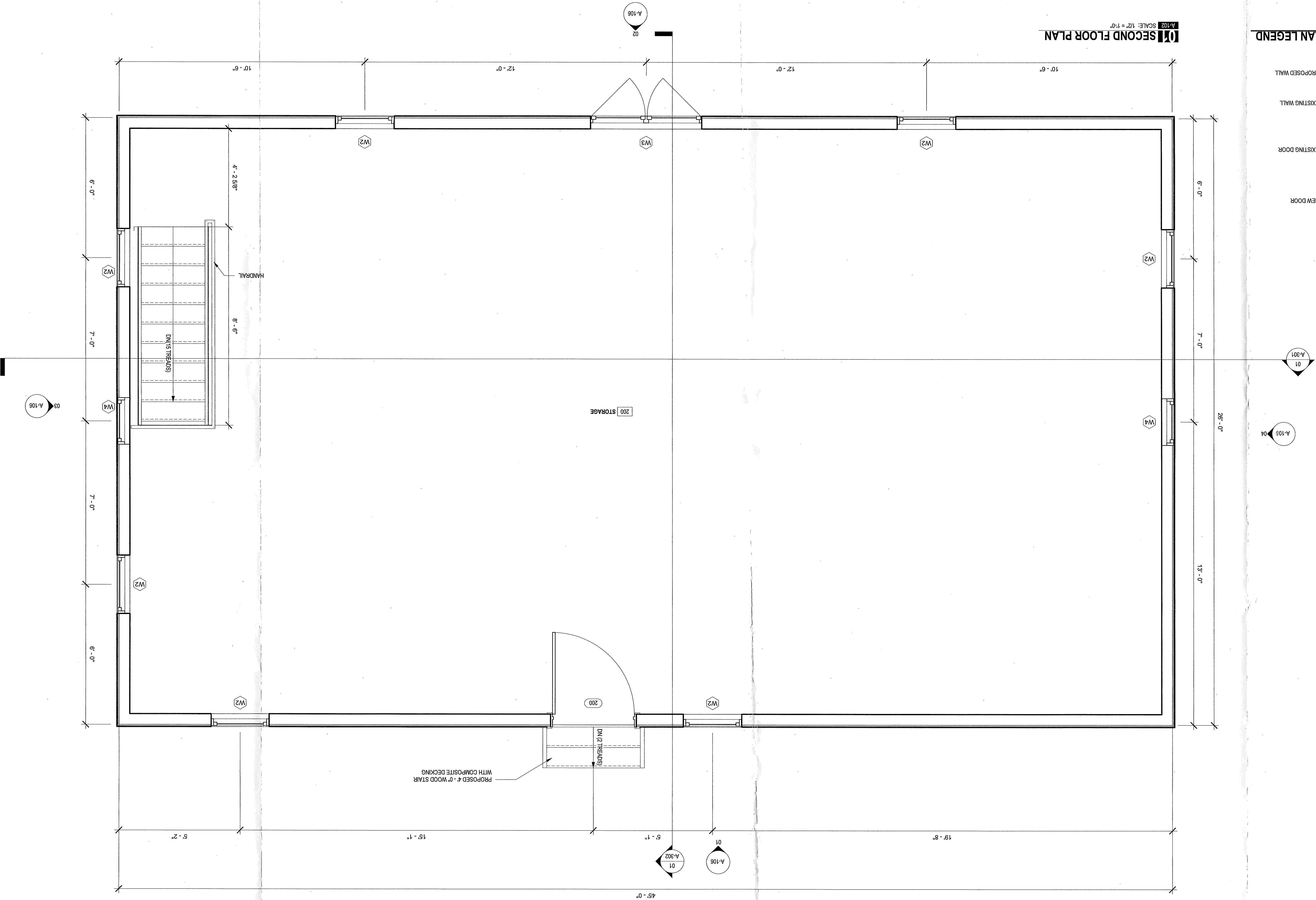
102 FLOOR PLAN LEGEND

PROPOSED WALL

EXISTING WALL

EXISTING DOOR

NEW DOOR



A-102

SECOND FLOOR PLAN

NEW BUILD FOR:
KELLER GARAGE
716 STABLESVILLE ROAD
PARKTON, MARYLAND 21120
23-047 © 2023 MULA DESIGN, LLC

CONTACT INFORMATION
DESIGN:
TERRY ECKENRODE
325 CITIZEN HILL ROAD
YORK PA 17401
TECKENRODE@THEMULAGROUP.COM
717-880-0131

mula

GROUP

2023.08.25

ISSUED FOR PERMIT

