



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

March 20, 2024

Denise Burkhardt John Howe – drbjwh@comcast.net
3802 Perry Hall Road
Perry Hall, MD 21128

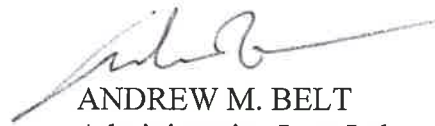
RE: Petition for Administrative Variance
Case No. 2024-0038-A
Property: 3802 Perry Hall Road

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,


ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(3802 Perry Hall Road)		
11 th Election District	*	OFFICE OF ADMINISTRATIVE
5 th Council District		
Denise Burkhardt & John Howe	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2024-0038-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owners of the property, Denise Burkhardt and John Howe (“Petitioners”) for the property located at 3802 Perry Hall Road, Perry Hall (the “Property”)¹. The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), Sections 400.1 and 400.3, to permit an accessory garage to be located in the front yard with a height of 29 ft. in lieu of the required rear yard placement and maximum allowed height of 15 ft., respectively.

The Property is more fully depicted on the site plan which was marked and accepted into evidence as Petitioners’ Exhibit 1. Street view photographs of the Property were provided. (Pet. Exs. 2A-2E).

A ZAC comment was received from Department of Environmental Protection and Sustainability (“DEPS”) dated February 27, 2024, indicating the following:

“If the zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:

¹ An additional Affidavit was signed, notarized and submitted attesting that the Petitioners reside year-round and occupy the property known as 3802 Perry Hall Road and consider it to be their principal residence.

- a. Any proposed plumbing in the proposed garage or a proposed dwelling would be required a connection to public water and sewer.”

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on February 16, 2024 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavit as required by Section 32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

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

THEREFORE, IT IS ORDERED, this 20th day of **March, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations (“BCZR”), Sections 400.1 and 400.3, to permit an accessory garage to be located in the front yard with a height of 29 ft. in lieu of the required rear yard placement and

maximum allowed height of 15 ft., respectively, be, and it is hereby, **GRANTED**; and

The relief granted herein shall be subject to the following:

1. Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioners and subsequent owners shall not convert the detached garage into a dwelling unit or apartment. The detached garage shall not contain any sleeping quarters, living area, bathroom facilities or kitchen facilities.
3. The detached garage shall not have a separate utility or electric connection and shall connect all electrical to the home.
4. The detached garage shall not be used for commercial or industrial purposes.
5. Petitioners shall 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



ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlw

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: February 27, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0038-A
Address: 3802 PERRY HALL AVE
Legal Owner: Denise Burkhardt, John Howe

Zoning Advisory Committee Meeting of February 23, 2024.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. If the zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:
 - a. Any proposed plumbing in the proposed garage or a proposed dwelling would be required a connection to public water and sewer.

Additional Comments:

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

Revised 8/2022

Affidavit in Support of Administrative Variance
(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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

Address: 3802 Perry Hall Road Perry Hall MD 21128
Print or Type Address of Property City State Zip Code

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

MAJOR storage space is needed for equipment - Bobcat - Tractor - Log splitter - Mower - ATVs - Currently scattered over both lots we own. Personal item in house to shed (to be demolished) will be stored in new garage. The 2-story structure is needed for space required. We would like to use this 2.444 acre lot as part of our current home.

- Front yard placement
- Height = 29 feet
- Footprint smaller than the home; Special Hearing not necessary
- Existing sheds "functionally merge" the 2 lots; Special Hearing not necessary

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

Denise R. Burkhardt
Signature of Owner (Affiant)

Denise R. Burkhardt
Name - Print or Type

John W. Howe
Signature of Owner (Affiant)

John W. Howe
Name - Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29 day of January, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Denise R Burkhardt + John W Howe

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

8/7/25
My Commission Expires



EXHIBIT A - LEGAL DESCRIPTION

Tax Id Number(s): 11-1119051200, 11-1120001640

Land situated in the County of Baltimore in the State of MD

PARCEL ONE: BEGINNING FOR THE SAME AT A CONCRETE MONUMENT HERETOFORE PLANTED ON THE EASTERNMOST SIDE OF PERRY HALL ROAD AT A DISTANCE OF 25 FEET MEASURED AT RIGHT ANGLES TO THE CENTER THEREOF SAID BEGINNING BEING ALSO SHOWN ON THE PLAT OF PERRY HALL MANOR, SECTION B, RECORDED IN PLAT BOOK G.L.B. NO. 20, FOLIO 129 AND SAID MONUMENT HAS AN ASSUMED COORDINATE SOUTH 445.60 FEET WEST 874.74 FEET RUNNING THENCE ALONG SAID ROAD AT A DISTANCE OF 25 FEET FROM THE CENTER THEREOF NORTH 22 DEGREES 0 MINUTES 43 SECONDS W. 211.4 FEET TO A CORNER OF LOT A THENCE LEAVING SAID ROAD AND BINDING ON THE SOUTHERNMOST SIDE OF LOT A NORTH 74 DEGREES 0 MINUTES 40 SECONDS EAST 489.84 FEET TO A POINT IN THE SOUTH 00 DEGREES 00 MINUTES 34 SECONDS EAST 296.19 FOOT LINE DESCRIBED IN A DEED DATED SEPTEMBER 1, 1953, AND RECORDED IN LIBER G.L.B. NO. 2350, FOLIO 401, WHICH WAS A CONVEYANCE FROM GORDON L. SMITH AND WIFE TO BENJAMIN H. KAESTNER RUNNING THENCE AND BINDING ON PART OF THE LAST NAMED LINE TO THE END THEREOF SOUTH 00 DEGREES 00 MINUTES 34 SECONDS EAST 41 FEET TO AN IRON PIPE THENCE RUNNING ALONG THE LAND OF SAID BENJAMIN H. KAESTNER THE FOLLOWING TWO (2) COURSES AND DISTANCES (1) WITH A CURVE TO THE LEFT WITH A RADIUS OF 100 FEET FOR A DISTANCE OF 117.37 FEET (2) SOUTH 67 DEGREES 00 MINUTES 06 SECONDS EAST 181.5 FEET TO A BOLT SET IN A 15 FOOT WIDE RIGHT OF WAY LEADING TO BENJAMIN H. KAESTNER'S DWELLING THENCE BINDING ON THE CENTER LINE OF SAID RIGHT OF WAY AND REVERSELY ON PART OF THE NORTH 00 DEGREES 00 MINUTES 09 SECONDS WEST 140 FOOT LINE OF LOT 9A AS SHOWN ON THE AFORESAID PLAT OF SECTION B PERRY HALL MANOR, SOUTH 00 DEGREES 00 MINUTES 09 SECONDS EAST 15 FEET TO A CORNER OF LOT 8A AS SHOWN ON SAID PLAT THENCE RUNNING AND BINDING ON THE NORTHERNMOST SIDE OF LOT 8A SOUTH 79 DEGREES 00 MINUTES 59 SECONDS WEST 197.40 FEET TO A CONCRETE MARKER WITH THE SAME COURSE SOUTH 79 DEGREES 00 MINUTES 59 SECONDS WEST 421.10 FEET MAKING A TOTAL DISTANCE OF 628.5 FEET TO THE PLACE OF BEGINNING. CONTAINING 2.788 ACRES OF LAND MORE OR LESS.

PARCEL TWO: BEGINNING FOR THE SAME AT AN IRON PIPE SET IN THE NORTH 76 DEGREES 25 MINUTES EAST 580.80 FEET LINE DESCRIBED IN A DEED DATED JANUARY 27, 1955, RECORDED IN LIBER GLB NO. 2639, FOLIO 565 ETC., WHICH WAS A CONVEYANCE FROM GORDON L. SMITH AND WIFE TO FRANKLIN H. BEHLER AND WIFE; SAID BEGINNING BEING ALSO AT A DISTANCE OF 25 FEET, MEASURED AT RIGHT ANGLES TO THE CENTER LINE OF PERRY HALL ROAD, RUNNING THENCE ALONG THE LAND OF SAID BEHLER AND BINDING ON PART OF THE AFORESAID LINE NORTH 76 DEGREES, 25 MINUTES EAST 567.9 FEET TO AN IRON PIPE IN THE SOUTH 00 DEGREES 34 MINUTES EAST 296.19 FEET LINE AND AT A DISTANCE OF 60.1 FEET FROM THE BEGINNING OF SAID LINE DESCRIBED IN A DEED DATED SEPTEMBER 1, 1953, RECORDED IN LIBER GLB NO. 2350, FOLIO 401, WHICH WAS A CONVEYANCE FROM GORDON L.

2024-0038-A

JSS

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

No. 229580

Date: 1/29/24

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: HOWE

For: ZONING VARIANCE

CASE # TSS. 2024-0638-A

JSS

CASHIER'S
VALIDATION

DISTRIBUTION

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

JOHN W HOWE 12/13
DENISE R BURKARDT
3802 PERRY HALL ROAD
PERRY HALL, MD 21128

342
65-330/550

1-29-2024
Date

PAY to the order of Baltimore County \$ 75.00
Seventy Five 00/100 Dollars

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

For: PERMIT Signature: Denise Burkardt

⑆055003308⑆0005159380507⑆00342

Harland Clarke

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2024-0038-A Address 3802 PERRY HALL ROAD

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

Filing Date: 2/5/24 Posting Date: 2/18/24 Closing Date: 3/4/24

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number: 2024-0038-A Address 3802 PERRY HALL ROAD

Petitioner's Name: HOWE + BURKHARDT Telephone (Cell) 443-425-7337

Posting Date: 2/18/24 Closing Date: 3/4/24

Wording for Sign: To Permit _____

— To permit an accessory garage to be located in the front yard with a height of 29 feet in lieu of the
— required rear yard placement and maximum allowed height of 15 feet, respectively.

Revised 1/2022

**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: 2024-0038-A
Property Address: 3802 PERRY HALL ROAD
Legal Owners (Petitioners): JOHN HOWE + DENISE BURKHART
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): JOHN HOWE
Address: 3802 PERRY HALL ROAD
PERRY HALL, MD 21128

Telephone Number: 443-425-7337

*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.

Revised 3/2022

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Special Tax Recapture: None					
Account Identifier:		District - 11 Account Number - 1120001640			
Owner Information					
Owner Name:		HOWE JOHN W BURKHARDT DENISE R ET AL		Use:	RESIDENTIAL Principal Residence:NO
Mailing Address:		3802 PERRY HALL RD PERRY HALL MD 21128-9742		Deed Reference:	/38218/ 00446
Location & Structure Information					
Premises Address:		PERRY HALL RD PERRY HALL 21128-9742		Legal Description:	2.444 AC NES PERRY HALL RD 3960 FT NW BELAIR RD
Map: Grid:	Parcel:	Neighborhood:	Subdivision:	Section: Block: Lot:	Assessment Year: Plat No:
0063 0015 0366	11050046.04		0000	2024	Plat Ref:
Town: None					
Primary Structure Built		Above Grade Living Area		Finished Basement Area	Property Land AreaCounty Use
				2.4400 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	As of
		01/01/2024	07/01/2023	07/01/2024	
Land:	2,400	2,400			
Improvements	0	0			
Total:	2,400	2,400	2,400	2,400	
Preferential Land:	0	0			

Transfer Information

Seller: CULLY DONALD H SR/DONALD H JR	Date: 11/03/2016	Price: \$300,000
Type: ARMS LENGTH MULTIPLE	Deed1: /38218/ 00446	Deed2:
Seller: CULLY DONALD H	Date: 12/17/1998	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /13382/ 00188	Deed2:
Seller: TAMMSAAR PAULINE B	Date: 11/01/1974	Price: \$4,000
Type: ARMS LENGTH IMPROVED	Deed1: /05487/ 00551	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

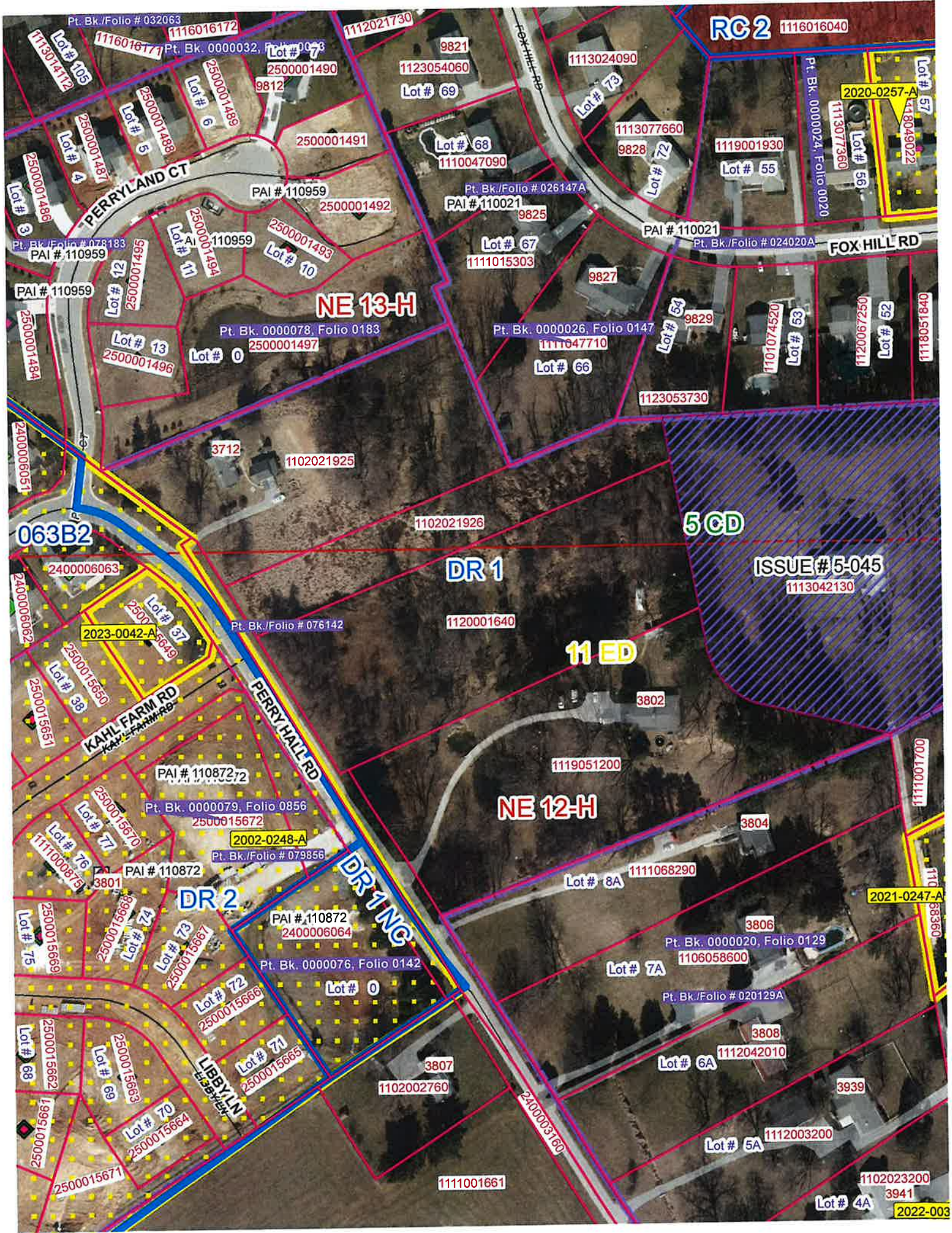
Special Tax Recapture: None

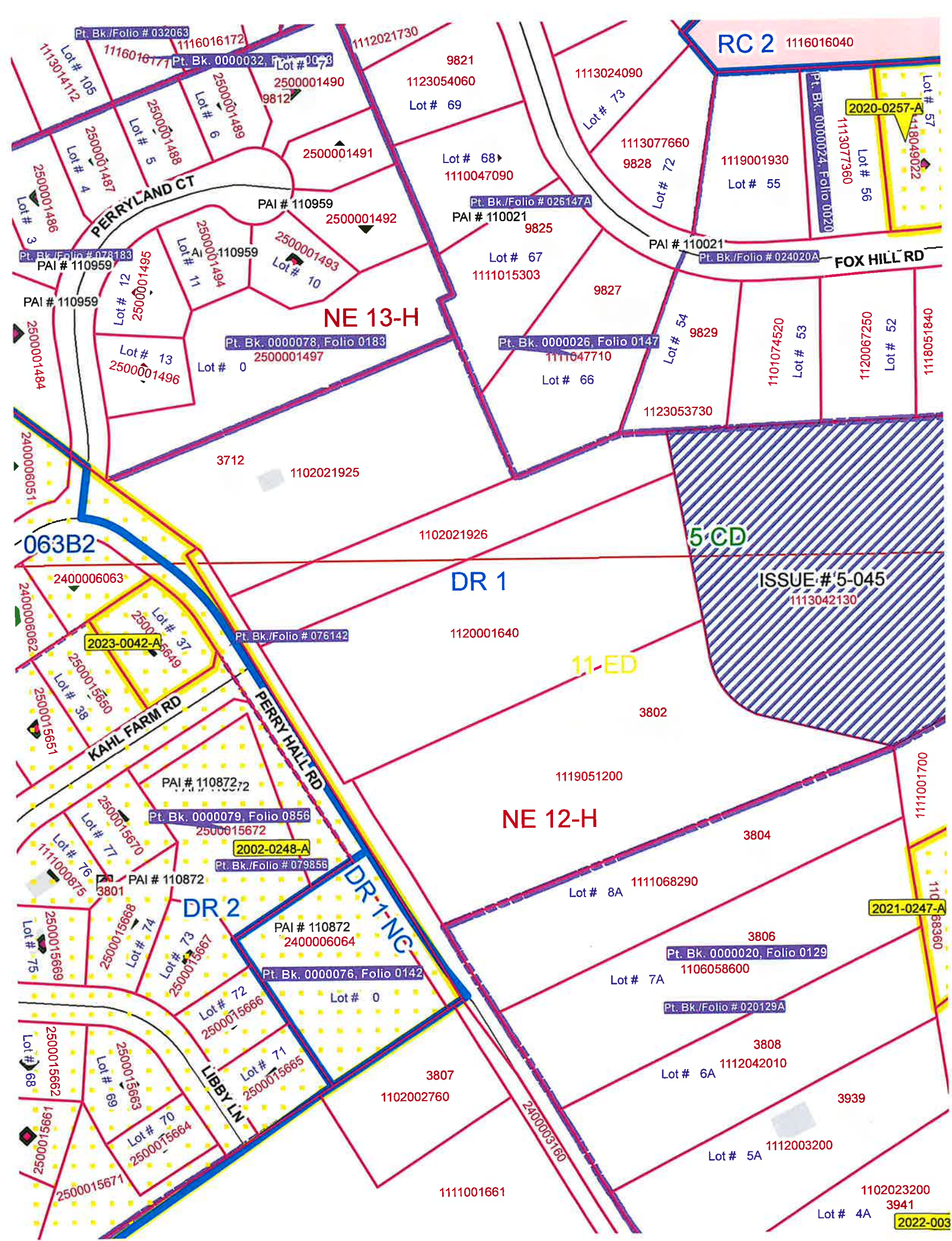
Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:





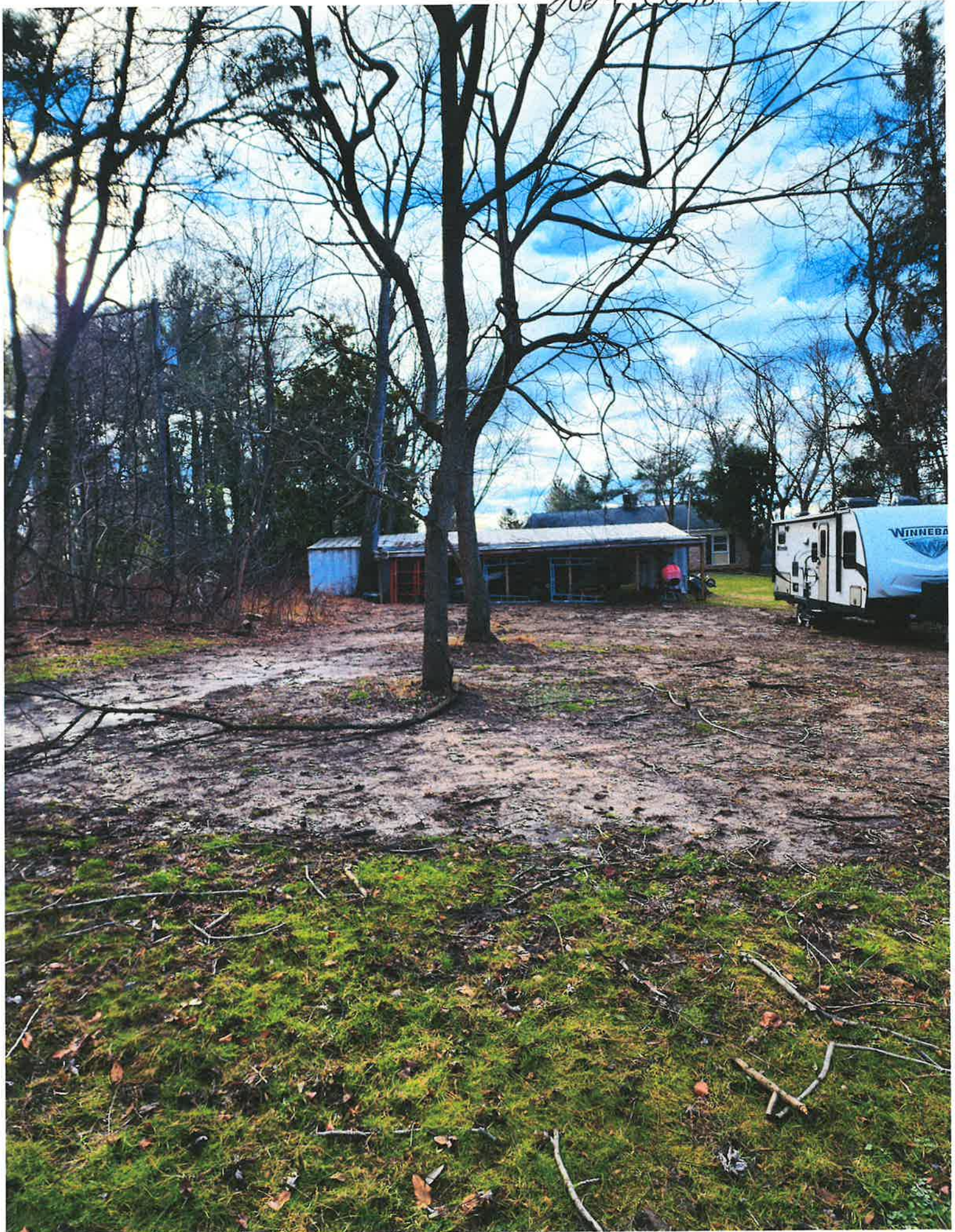
2024-0038-A



2024-0038-A



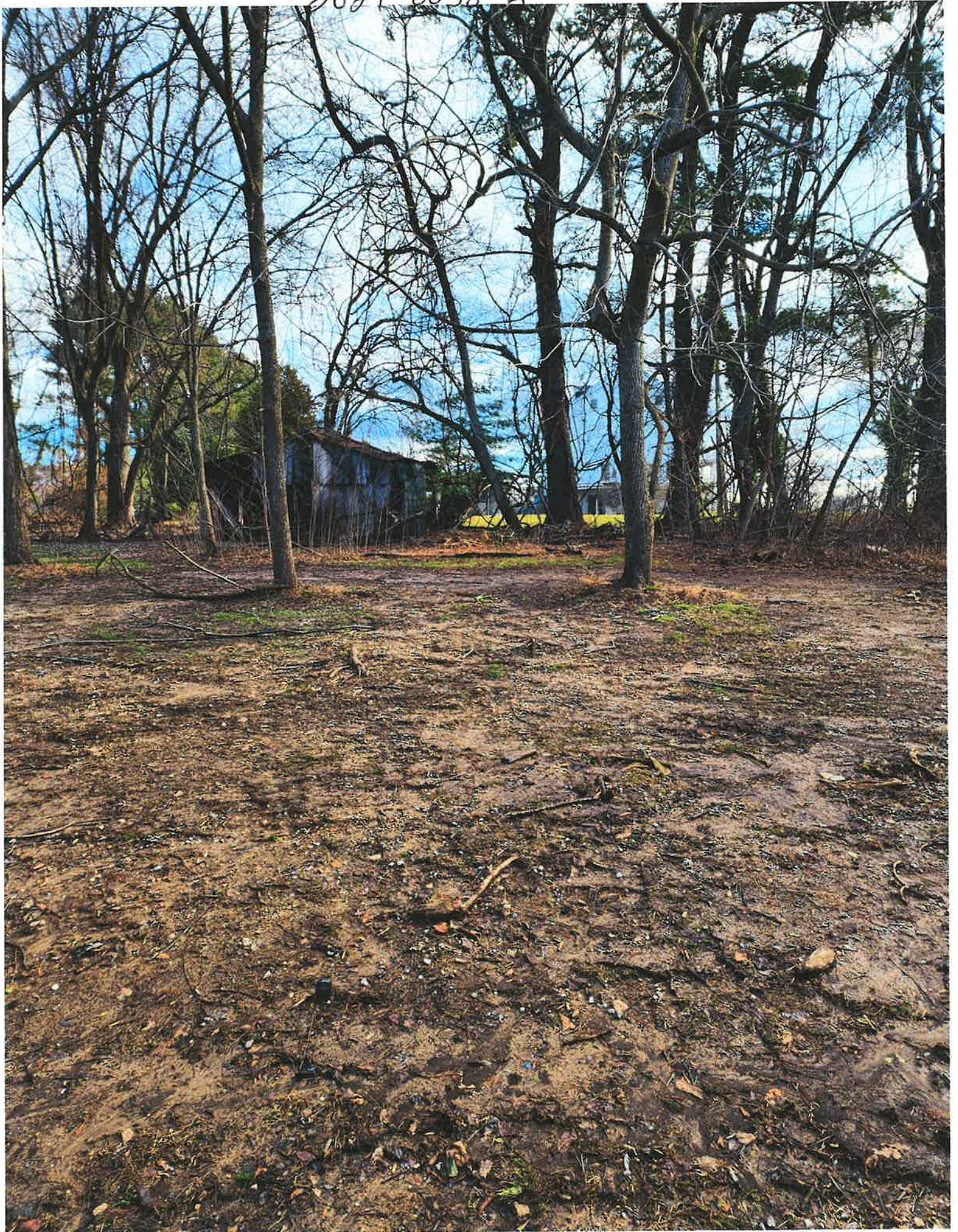
2024-0038-A



2074-0038-A



2024-0038-A



Revised 8/2022

Affidavit in Support of Administrative Variance
(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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

Address: 3802 Perry Hall Road Perry Hall MD 21228
Print or Type Address of Property City State Zip Code

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

MAJOR Storage space is needed for Equipment - Bobcat - Tractor - Log splitter -
Mower - ATVs - Currently scattered over both lots we own. Personal
ITEM in House & shed (to be demolished) will be stored in new
Garage. The 2-Story Structure is needed for space required
We would like to use this 2.444 acre lot as part of our current
home.

- ☐ → Front yard placement
- ☐ → Height = 29 feet
- ☐ → Footprint smaller than the home; Special Hearing not necessary
- ☐ → Existing sheds "functionally merge" the 2 lots; Special Hearing not necessary

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

Denise R. Burkhardt
Signature of Owner (Affiant)

John W. Howe
Signature of Owner (Affiant)

Denise R. Burkhardt
Name - Print or Type

John W. Howe
Name - Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29 day of January, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Denise R Burkhardt + John W Howe

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

8/7/25
My Commission Expires



EXHIBIT A - LEGAL DESCRIPTION

Tax Id Number(s): 11-1119051200, 11-1120001640

Land situated in the County of Baltimore in the State of MD

PARCEL ONE: BEGINNING FOR THE SAME AT A CONCRETE MONUMENT HERETOFORE PLANTED ON THE EASTERNMOST SIDE OF PERRY HALL ROAD AT A DISTANCE OF 25 FEET MEASURED AT RIGHT ANGLES TO THE CENTER THEREOF SAID BEGINNING BEING ALSO SHOWN ON THE PLAT OF PERRY HALL MANOR, SECTION B, RECORDED IN PLAT BOOK G.L.B. NO. 20, FOLIO 129 AND SAID MONUMENT HAS AN ASSUMED COORDINATE SOUTH 445.60 FEET WEST 874.74 FEET RUNNING THENCE ALONG SAID ROAD AT A DISTANCE OF 25 FEET FROM THE CENTER THEREOF NORTH 22 DEGREES 0 MINUTES 43 SECONDS W. 211.4 FEET TO A CORNER OF LOT A THENCE LEAVING SAID ROAD AND BINDING ON THE SOUTHERNMOST SIDE OF LOT A NORTH 74 DEGREES 0 MINUTES 40 SECONDS EAST 489.84 FEET TO A POINT IN THE SOUTH 00 DEGREES 00 MINUTES 34 SECONDS EAST 296.19 FOOT LINE DESCRIBED IN A DEED DATED SEPTEMBER 1, 1953, AND RECORDED IN LIBER G.L.B. NO. 2350, FOLIO 401, WHICH WAS A CONVEYANCE FROM GORDON L. SMITH AND WIFE TO BENJAMIN H. KAESTNER RUNNING THENCE AND BINDING ON PART OF THE LAST NAMED LINE TO THE END THEREOF SOUTH 00 DEGREES 00 MINUTES 34 SECONDS EAST 41 FEET TO AN IRON PIPE THENCE RUNNING ALONG THE LAND OF SAID BENJAMIN H. KAESTNER THE FOLLOWING TWO (2) COURSES AND DISTANCES (1) WITH A CURVE TO THE LEFT WITH A RADIUS OF 100 FEET FOR A DISTANCE OF 117.37 FEET (2) SOUTH 67 DEGREES 00 MINUTES 06 SECONDS EAST 181.5 FEET TO A BOLT SET IN A 15 FOOT WIDE RIGHT OF WAY LEADING TO BENJAMIN H. KAESTNER'S DWELLING THENCE BINDING ON THE CENTER LINE OF SAID RIGHT OF WAY AND REVERSELY ON PART OF THE NORTH 00 DEGREES 00 MINUTES 09 SECONDS WEST 140 FOOT LINE OF LOT 9A AS SHOWN ON THE AFORESAID PLAT OF SECTION B PERRY HALL MANOR, SOUTH 00 DEGREES 00 MINUTES 09 SECONDS EAST 15 FEET TO A CORNER OF LOT 8A AS SHOWN ON SAID PLAT THENCE RUNNING AND BINDING ON THE NORTHERNMOST SIDE OF LOT 8A SOUTH 79 DEGREES 00 MINUTES 59 SECONDS WEST 197.40 FEET TO A CONCRETE MARKER WITH THE SAME COURSE SOUTH 79 DEGREES 00 MINUTES 59 SECONDS WEST 421.10 FEET MAKING A TOTAL DISTANCE OF 628.5 FEET TO THE PLACE OF BEGINNING. CONTAINING 2.788 ACRES OF LAND MORE OR LESS.

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2024-0038-A

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: February 27, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0038-A
Address: 3802 PERRY HALL AVE
Legal Owner: Denise Burkhardt, John Howe

Zoning Advisory Committee Meeting of February 23, 2024.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. If the zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:
 - a. Any proposed plumbing in the proposed garage or a proposed dwelling would be required a connection to public water and sewer.

Additional Comments:

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: February 21, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0038-A

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

DPR: No comment.

DPW-T: No Exception taken

Landscaping: No comment.

Recreations & Parks: No Greenways affected.

CERTIFICATE OF POSTING

Date: FEBRUARY 17, 2024

RE: Project Name: 3802 PERRY HALL ROAD
Case Number /PAI Number: CASE NO. 2024-0038-A
Petitioner/Developer: HOWE AND BURKHARDT
Date of Hearing/Closing: MARCH 4, 2024

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 3802 PERRY HALL ROAD

The sign(s) were posted on FEBRUARY 16, 2024
(Month, Day, Year)

David Billingsley
(Signature of Sign Poster)

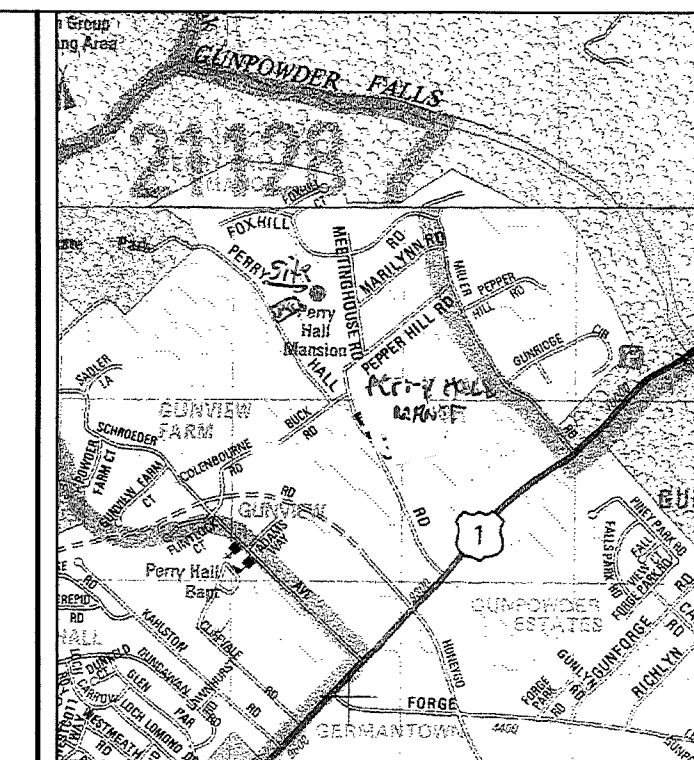
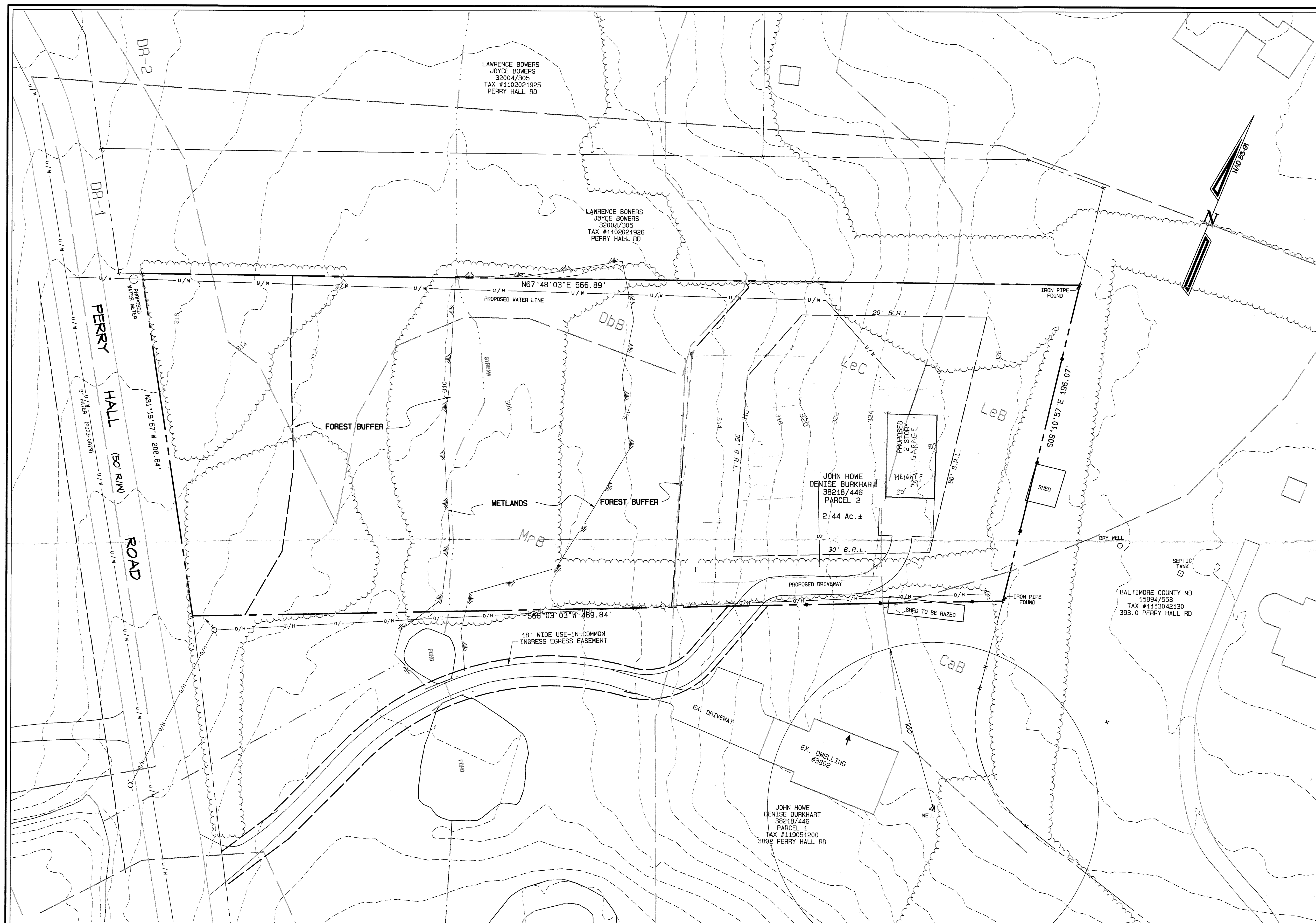
DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)





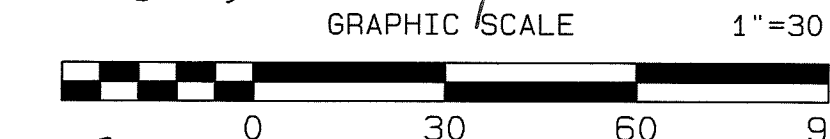
Vicinity Map Scale: 1" = 2000'

Notes

1. Zoned: DR-1
2. SITE IS SERVED BY PUBLIC WATER AND PRIVATE SEPTIC AREA.
3. CONTOURS SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY GIS.
4. SOILS SHOWN HEREON WERE TAKEN FROM USDA NRCS SOILS MAP.

Zoning Plans For Variance
Perry Hall Road, Perry Hall, MD 21128-9742
Owners: Denise Burkhardt and John Howe
Sub-Division Name: Perry Hall Manor

Zoning - DR1
Lot Acreage = 2.44
Lot Sq. Ft. = 106,461
Historic - No
C.B.R. - No
Flood Plain - No
Water IS - Private
Sewer IS - Private
Prior Heating - No
Lot 14A Section A
Plat Book 2534 Folio # 565
Deed Ref. 38218/00446

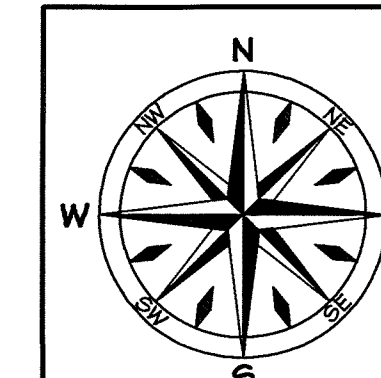


2024-0038-A
GARAGE PLAN

OF THE HOWE-BURKHART PROPERTY

Perry Hall Road
Baltimore County, Maryland

Tax # 1120001640
Tax Map 63, Grid 15, Parcel 366
11th Election District, 5th Councilmanic District
Scale: 1"=30' Date: August 7, 2017



Dietz Surveying Co.
Land Surveying and Land Planning
8119 Oakleigh Road Baltimore MD 21234
Ph 410-661-3160, Fax 410-661-3163
www.dietzsveying.net

SOIL TYPES & LIMITATIONS

TYPE		DWELLINGS WITH BASEMENTS	LOCAL ROADS & STREETS
DbB		MODERATE: MODERATELY HIGH WATER TABLE	MODERATE: MODERATELY HIGH WATER TABLE
LeC	SLIGHT	SLIGHT	SLIGHT
LeB	SLIGHT	SLIGHT	SLIGHT

ADDRESS COMMENTS
Revisions

2-21-18
Date

Plot Date: 3/2/2018