



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

May 20, 2024

Arnold Jablon, Esquire- ajablon@comcast.net
3717 Lanamer Road
Randallstown, MD 21133

RE: Petitions for Special Hearing & Variance
Case No. 2024-0074-SPHA
Property: 4604 Forge Road

Dear Mr. Jablon:

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 cursive script that reads "Maureen E. Murphy".

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlm
Enclosure

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
(4604 Forge Road)	*	OFFICE OF
11 th Election District		
5 th Council District	*	ADMINISTRATIVE HEARINGS
James Uhlik		
<i>Legal Owner</i>	*	FOR BALTIMORE COUNTY
 Petitioner	 *	 Case No. 2024-0074-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Hearing and Variance filed on behalf of James Uhlik, legal owner (“Petitioner”) for the property located at 4604 Forge Road (the “Property”). The Special Hearing was filed pursuant to Baltimore County Zoning Regulations (“BCZR”), §500.7 to approve a proposed accessory structure that is larger than the principal structure. In addition, Variance relief was also requested from BCZR, §400.3 to approve a height of the accessory structure of 20 ft., in lieu of the permitted 15 ft.

An in-person hearing was held on May 9, 2024 at 1:30 p.m., Jefferson Building, 105 West Chesapeake Avenue, Towson, MD. The Petition was properly advertised and posted. The Petitioner attended the hearing along with Brian R. Dietz, professional land surveyor, who prepared and sealed a site plan (the “Site Plan”). (Pet. Ex. 1). Arnold Jablon, Esquire represented the Petitioner. There were no Protestants or interested citizens who appeared at the hearing.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”), Development Plans Review (“DPR”)/Department of Public Works and Transportation (“DPWT”), and the Department of Environmental Protection and Sustainability (“DEPS”) which agencies did not oppose the requested relief.

The Property is 0.681 acres +/- (29,664 sf) and is improved with a 1 ½ story, 1,037 sf, single family dwelling constructed in 1953 with an attached garage (286 sf); the total size of the home and attached garage measures 1,323 sf. (Pet. Ex. 1). The garage is attached to the home by a breezeway (12 ft. x 15 ft.). It is irregularly shaped as compared to other properties in the area. The Property is zoned Density Residential, Honeygo Overlay District (DR1-H). (Pet. Ex. 3). Petitioner also owns 2 unimproved parcels of land located behind the Property which he farms for hay: (1) Parcel 2 (0.264 +/- acres); and (2) Parcel 3 (1.765 +/- acres). (Pet. Ex. 3). Additionally, Petitioner farms a nearby parcel at 4616 Forge Rd. (Pet. Ex. 12). His daughter owns and resides at 4606 Forge Rd. Street view photographs of the Property and condition of the home were provided. (Pet. Exs. 5-11). Petitioner is currently renovating the home and recently extended the public sewer to the home; the Property is served by a well.

The rear yard has a severe, downward slope which adjoins Parcel 2. Petitioner's farm equipment is currently parked outside in the weather. (Pet. Ex. 10). As a result, he proposes to construct a 1,500 sf, 2-story bank-barn close to the rear Property line which will allow him to park his farm equipment on the lower level with ease of access to the hay-fields. The upper level will be used to park and store his personal vehicles including antique cars. The proposed size is modest in comparison to the 1953 home. It is due to the steep topography and multi-purpose use of the bank-barn that the additional 5 ft. in height is needed beyond the maximum 15 ft. height in BCZR, §400.3. At grade, the height of the bank-barn measures 20 ft. in height, but from the lower level it measures 15 ft.

SPECIAL HEARING

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). And, "the administrative practice in Baltimore County has been to determine whether the proposed Special Hearing would be compatible with the community and generally consistent with the spirit and intent of the regulations." *Kiesling v. Long*, Unreported Opinion, No. 1485, Md. App. (Sept. Term 2016).

Based on the evidence, I find that the Special Hearing relief should be granted. The proposed bank-barn will be moderately sized at 1,500 sf but serves dual purposes in both farming and personal storage. Argument was made that the home, attached garage and breezeway measure a total of 1,510 sf. However, upon review, it appears that the total size remains at 1,323 sf based on the Site Plan given the size of the home 1,037 sf and attached garage 180 sf. The size of the open-air breezeway as shown in the photographs would not be included in the total square footage. The bank-barn will be located at the bottom of the rear yard slope and is surrounded by dense, mature trees, obscured from view along Forge Rd. Accordingly, I find the Special Hearing relief is both compatible with the residential /agricultural nature of the community and is within the spirit and intent of the BCZR.

VARIANCE

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 has unique physical features in both the shape and topography. The additional height is clearly needed due to the steep grade. I find that the Petitioner would suffer a practical difficulty and unreasonable hardship if the additional 5 ft. in height was not granted because he would not be able to construct the needed multi-purpose barn into the steep slope. 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 20th day of **May 2024** by this Administrative Law Judge, that the Petition for Special Hearing from the BCZR, §500.7 to approve a proposed accessory structure (barn) which is larger than the principal structure be, and it is hereby, **GRANTED**; and

IT IS FURTHER ORDERED that Variance relief from BCZR, §400.3 to approve the height of the accessory structure (barn) of 20 ft, in lieu of the permitted 15 ft, be, and it is hereby, **GRANTED**.

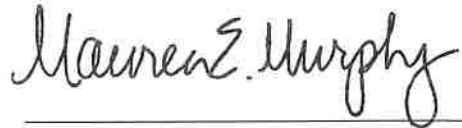
The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is 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, Petitioner would be required to return the subject property to its original condition.

2. The Site Plan (Pet. Ex. 1) is attached hereto is incorporated into this Order.
3. Petitioner and/or subsequent owners shall not convert the bank barn into a dwelling unit or apartment. The proposed bank barn shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
4. The bank barn shall also not be used for commercial or industrial purposes. It may be used for agricultural purposes.
5. The bank barn shall not have a separate utility or electric connection and shall connect to the electrical/utility in the home.
6. Prior to issuance of permits, Petitioners must comply with the DOP and DEPS ZAC comments, copies of which are attached hereto and made a part hereof.

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



MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlm

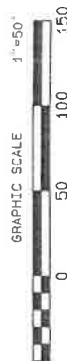


Scale: 1" = 2000'

Vicinity Map

Notes

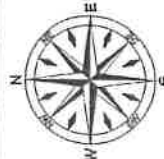
1. Owner: James Uhlik
4604 Forge Rd.
Baltimore MD, 21228
2. Tax # 1107054625
3. Area: 0.691 Ac. or 23,664 sq.ft.
4. Zoned: DR-1 H
5. This site is not in the Chesapeake Bay Critical Area.
6. The site is not in the 100 year flood plain.
7. There are no underground fuel tanks.
8. This is not a historic property/building.
9. This site is serviced by public sewer and water.
10. No prior Zoning Hearings.



Plat to Accompany
a Petition for a
Zoning Variance
and a Special Hearing

James Uhlik Property
4604 Forge Road
Baltimore County, Maryland

11th Election District 5th Councilmanic District
Scale: 1"=50' Date: March 5, 2024

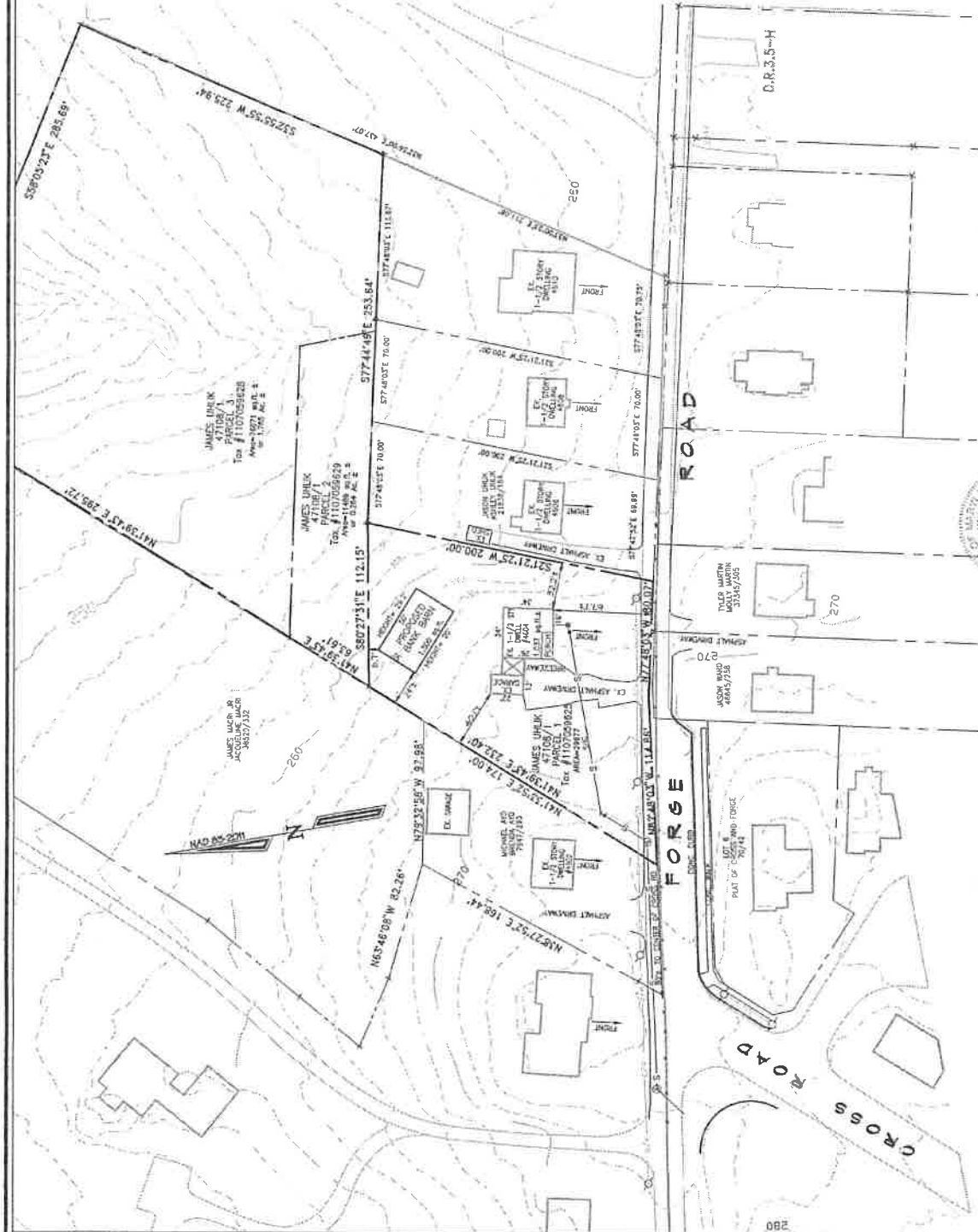


Dietz Surveying, Co.
Land Surveying and Land Planning
8119 Oakleigh Road Baltimore MD 21234
Ph 410-661-3160, Fax 410-661-3163
www.dietzsurveying.com

Plot Date: 8/6/2024

Job No. 2005

File Name: Z\Forge Rd 4604.UHLIK.FORGE-UHLIK.dwg



James Uhlik
Surveyor
No. 110717
Professional Land Surveyor No. 21080
Licenses Expires 2-1-2025

Revisions	Date

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 4/3/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0074-SPHA

INFORMATION:

Property Address: 4604 Forge Road
Petitioner: James Uhlik
Zoning: DR 1 H
Requested Action: Special Hearing, Variance

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

Special Hearing -

1. To approve a proposed accessory structure that is larger than the principal structure; and

Variance -

2. To permit the height of an accessory structure to be 20' ± in lieu of the maximum permitted 15'.

The subject site is an approximately 29,664 square foot parcel in the Perry Hall area. It is improved with a one and a half story single family dwelling, a garage, and an asphalt driveway. The dwelling is approximately 1,037 square feet. Per a letter submitted with the petition, the property owner/Petitioner is in the process of renovating the dwelling to be his principal residence.

Uses surrounding the subject site are primarily single family detached residential dwellings on lots ranging from 15,000 square feet to 2.75+ acres. To the northwest, immediately behind the subject site, are two vacant parcels totaling approximately 2 acres. The parcels are owned by the Petitioner for this Zoning Case. Google Streetview of the subject site and Forge Road from June 2023 shows that the property has multiple tall trees, and that the vacant lots behind the subject site are well forested.

The subject site is within the boundary of The Honeygo Plan, adopted July 5th, 1994. The plan provides background information on the plan area, as well as objectives related to transportation, land use, community design, and capital projects, however, the plan does not provide guidance relevant to the petition at hand.

The property owner/Petitioner proposes constructing a 1,500 square foot, 50' x 30', bank barn at the rear of the property. The barn is proposed to front the rear of the principal dwelling. Due to the steep slope, the front of the bank barn will be 20' in height, and the rear of the bank barn will be 29.2' in height. The Department of Planning contacted the representative for the petition via email on April 1st, 2024 seeking

additional information on why the increased height was necessary. In a same day reply, the representative explained that due to the steepness of the grade, there must be two floors, each at ground level. The lower level of the bank barn will be used for the property owners farm equipment – which is used to maintain the two acres to the northwest – and the storage of hay – which is grown and harvested from the two acres. The upper level of the bank barn will be a garage for the property owner's personal vehicles. The property owner plans on installing a lift for maintenance of his vehicles and farm equipment, however, the use of the building will be entirely for personal use.

The Department of Planning has no objections to the requested relief, subject to the following condition:

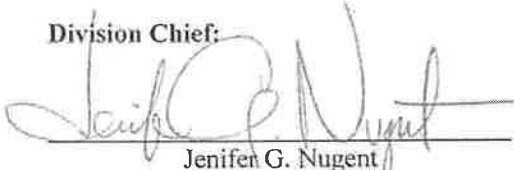
1. No commercial activity is permitted within the bank barn; and
2. The east elevation of the bank barn will likely be highly visible from the public right of way and from 4606 Forge Road, as there is a clearing in landscaping and structures between the subject site and 4606 Forge Road. As such, this elevation shall not be left blank.

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

Prepared by:



Krystle Patchak

Division Chief:


Jenifer G. Nugent

SL/JGN/KP

c: Arnold Jablon
Ainsley Pressl, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

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: April 3, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0074-SPHA
Address: 4604 FORGE RD.
Legal Owner: James Uhlik

Zoning Advisory Committee Meeting of April 2, 2024.

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

- The proposed sewer connection that was approved through our office using the Bay Restoration Fund Grant program, must be completed and documentation submitted to Ground Water Management prior to building permit approval.

Reviewer: Rochelle V. Underwood



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 4604 Forge Road, Baltimore 21228

which is presently zoned DR 1-H

Deed References 47108/00001

10 Digit Tax Account # 1107059625

Property Owner(s) Printed Name(s) James Uhlik

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

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

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

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

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

SEE ATTACHED

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)

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).

Petitioners:

James Uhlik

Name- Type or Print

Signature

3019 Royston Ave, Baltimore, Md

Mailing Address

City

State

21214

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Arnold Jablon

Name- Type or Print

Signature

3717 Lanamer Road, Randallstown, Md

Mailing Address

City

State

21133/ 443 250 6455

Zip Code

Telephone #

ajablon@comcast.net

Email Address

Legal Owners:

James Uhlik

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature # 2

3019 Royston Ave, Baltimore, Maryland

Mailing Address

City

State

21214

Zip Code

Telephone #

Email Address

Representative to be contacted:

Arnold Jablon

Name - Type or Print

Signature

3717 Lanamer Road, Randallstown, Md

Mailing Address

City

State

21133

Zip Code

/443 250 6455

Telephone #

ajablon@comcast.net

Email Address

CASE NUMBER 224 - 0074-584A

Filing Date 3/18/24

Do Not Schedule Dates:

Reviewer mk

AFFIDAVIT IN SUPPORT OF SPECIAL HEARING
AND/OR IN THE ALTERNATIVE OF A VARIANCE

Attachment 1

This Petition is filed, pursuant to §§500.7 and 400.3, BCZR, to permit the proposed bank barn of 1500 SF being larger than the principal structure and to approve a variance to the height of the proposed barn of 20' in lieu of the permitted 15'.

The subject property is located at 4604 Forge Rd, Baltimore 21129, on which there is a single family residence, which is being renovated by the Petitioner to be his principal residence. The area of property is 0.681 or 29,664 SF. The Petitioner proposes to construct a bank barn of 30'x 50', with the barn located in the rear of the property. The front of the barn would face the rear of the existing dwelling. Due to the steep slope of the property, front to rear, the height would be 20', measured from highest existing natural grade in the front of the barn, increasing to a height of 29.2', measured from the grade at the bottom of the slope.

Attachment 2

Special Hearing

1. To approve a proposed accessory structure that is larger than the principal structure, and

Variance

2. To permit a variance for a height of an accessory structure of 20+/- in lieu of the permitted 15'.

Attachment 3

General Notes

1. Area of property: 0.668 ac or 29,664 sf
2. Existing Zoning of Property: DR 1H
3. Existing Use of Property: SFD
4. Proposed zoning of property: Dr 1H
5. Proposed Use of Property: same
6. Property served by public water and sewer
7. Petitioner requesting approval to permit the accessory structure to be larger than the principal structure
8. Petitioner requesting a height variance 20'+/- in lieu of the permitted 15'.
9. Existing SFD constructed on or about 1953
10. No zoning history
11. There are no code violations.

Dietz Surveying, Inc.

8119 Oakleigh Road, Baltimore, MD 21234
Phone 410-661-3160 Fax 410-661-3163

Zoning Description For 4604 Forge Road March 6, 2024

Beginning on the North side of Forge Road, distant 90'+/- feet from the center of Cross Road, thence

1. North 41 degrees 39 minutes 43 seconds East 232.40 feet,
2. South 80 degrees 27 minutes 31 seconds East 112.15 feet,
3. South 21 degrees 21 minutes 25 seconds West 200.00 feet,
4. North 77 degrees 48 minutes 03 seconds West 80.07 feet, and
5. North 82 degrees 48 minutes 03 seconds West 114.86 feet, to the place of beginning.

Containing 0.681 Ac. or 29,677 sq.ft. of land more or less. Being known as 4604 Forge Road and located in the 11th Election District, 5th Councilmanic District.



Walt

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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 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 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:

Item Number or Case Number: 2024-0074-SPHA

Petitioner: James Uhlik

Address or Location: 4604 Forge Road, Baltimore, Maryland 21128

PLEASE FORWARD ADVERTISING BILL TO:

Name: Law Office of Arnold Jablon

Address: 3717 Lanamer Road

Randallstown, Maryland 21133

Telephone Number: 443 250-6455

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 - 1107059625

Owner Information

Owner Name: UHLIK JAMES III Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 3019 ROYSTON AVE Deed Reference: /47108/ 00001
BALTIMORE MD 21214-

Location & Structure Information

Premises Address: FORGE RD Legal Description: .6812 AC
PERRY HALL 21128- NES FORGE RD
850FT E OF CROSS RD

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0063	0015	0156	11050043.04	0000				2024	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1953	1,012 SF		33,048 SF	04

Stories	Basement Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1 1/2	YES	STANDARD UNITASBESTOS SHINGLE/4	1 full	1 Attached		

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2024	As of 07/01/2023	As of 07/01/2024
Land:	87,700	96,500		
Improvements	127,900	168,800		
Total:	215,600	265,300	215,600	232,167
Preferential Land:	0	0		

Transfer Information

Seller: UHLIK JAMES III	Date: 06/29/2022	Price: \$290,000
Type: ARMS LENGTH MULTIPLE	Deed1: /47108/ 00001	Deed2:
Seller: GREEN THOMAS MICHAEL	Date: 03/16/2022	Price: \$290,000
Type: ARMS LENGTH MULTIPLE	Deed1: /46566/ 00001	Deed2:
Seller: GREEN THOMAS MICHAEL	Date: 12/28/1990	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /08682/ 00561	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

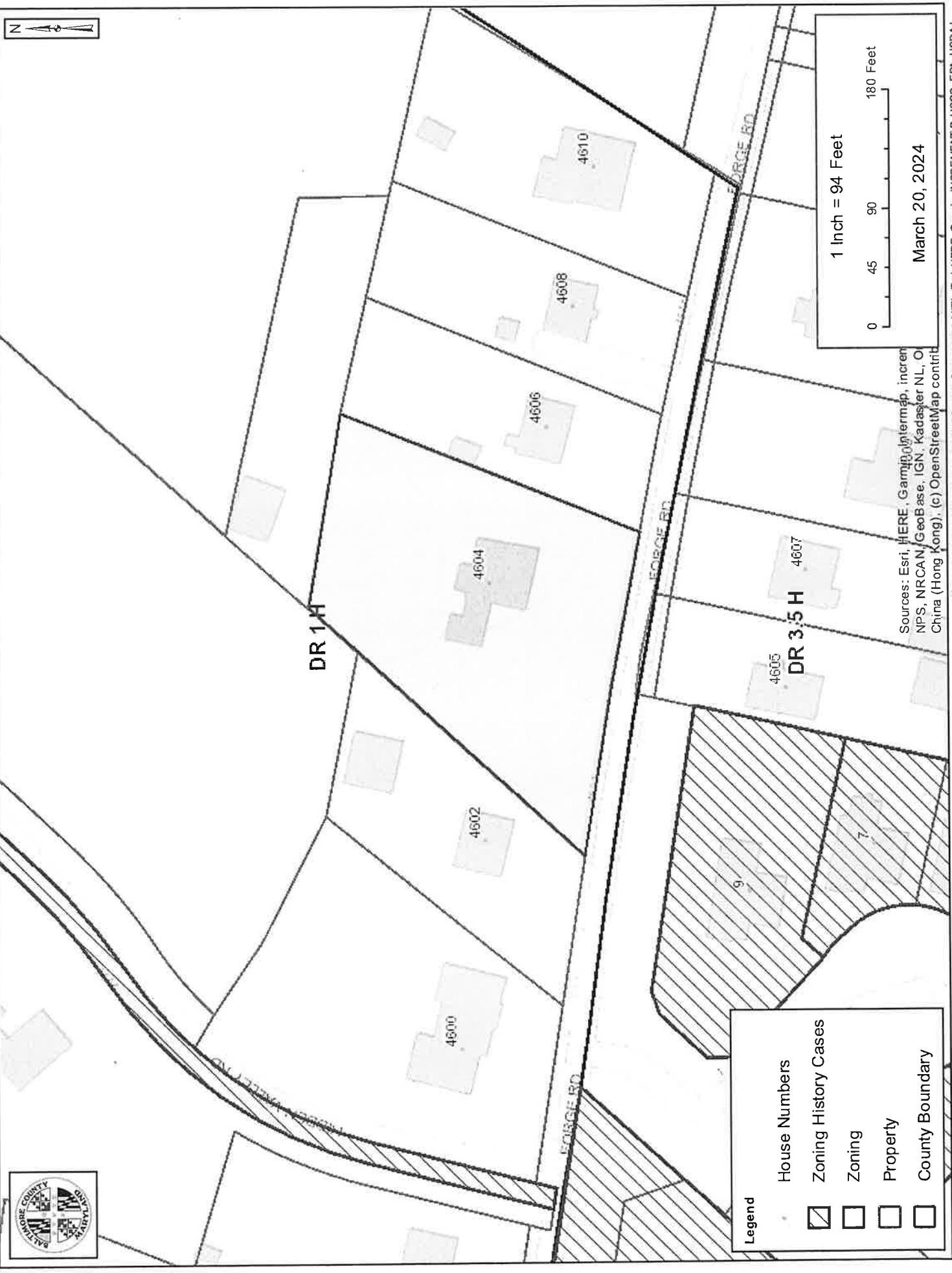
Homeowners' Tax Credit Application Status: No Application Date:

2024-SPHA



2024 - 6074 - SP147

Baltimore County - My Neighborhood 2024-0075-SPHA



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri, Swisstopo, Mapbox, OpenStreetMap contributors, Swisstopo, China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

CERTIFICATE OF POSTING

2024-0074-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

James Uhlik

May 9, 2024

Date of Hearing/Closing: _____

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

Attn: Jeff Perlow:

Ladies and Gentlemen:

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

4604 Forge Road ***SIGN 1A & 1B***

April 19, 2024

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

Sincerely,

~~April 19, 2024~~

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

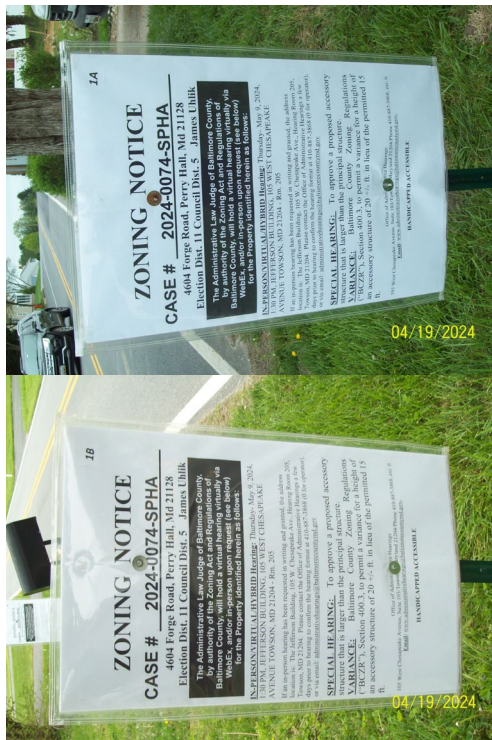
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



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: April 3, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0074-SPHA
Address: 4604 FORGE RD.
Legal Owner: James Uhlik

Zoning Advisory Committee Meeting of April 2, 2024.

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

- The proposed sewer connection that was approved through our office using the Bay Restoration Fund Grant program, must be completed and documentation submitted to Ground Water Management prior to building permit approval.

Reviewer: Rochelle V. Underwood

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 4/3/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0074-SPHA

INFORMATION:

Property Address: 4604 Forge Road

Petitioner: James Uhlik

Zoning: DR 1 H

Requested Action: Special Hearing, Variance

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Special Hearing -

1. To approve a proposed accessory structure that is larger than the principal structure; and

Variance -

2. To permit the height of an accessory structure to be 20' ± in lieu of the maximum permitted 15'.

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Uses surrounding the subject site are primarily single family detached residential dwellings on lots ranging from 15,000 square feet to 2.75+ acres. To the northwest, immediately behind the subject site, are two vacant parcels totaling approximately 2 acres. The parcels are owned by the Petitioner for this Zoning Case. Google Streetview of the subject site and Forge Road from June 2023 shows that the property has multiple tall trees, and that the vacant lots behind the subject site are well forested.

The subject site is within the boundary of The Honeygo Plan, adopted July 5th, 1994. The plan provides background information on the plan area, as well as objectives related to transportation, land use, community design, and capital projects, however, the plan does not provide guidance relevant to the petition at hand.

The property owner/Petitioner proposes constructing a 1,500 square foot, 50' x 30', bank barn at the rear of the property. The barn is proposed to front the rear of the principal dwelling. Due to the steep slope, the front of the bank barn will be 20' in height, and the rear of the bank barn will be 29.2' in height. The Department of Planning contacted the representative for the petition via email on April 1st, 2024 seeking

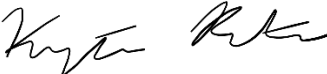
additional information on why the increased height was necessary. In a same day reply, the representative explained that due to the steepness of the grade, there must be two floors, each at ground level. The lower level of the bank barn will be used for the property owners farm equipment – which is used to maintain the two acres to the northwest – and the storage of hay – which is grown and harvested from the two acres. The upper level of the bank barn will be a garage for the property owner’s personal vehicles. The property owner plans on installing a lift for maintenance of his vehicles and farm equipment, however, the use of the building will be entirely for personal use.

The Department of Planning has no objections to the requested relief, subject to the following condition:

1. No commercial activity is permitted within the bank barn; and
2. The east elevation of the bank barn will likely be highly visible from the public right of way and from 4606 Forge Road, as there is a clearing in landscaping and structures between the subject site and 4606 Forge Road. As such, this elevation shall not be left blank.

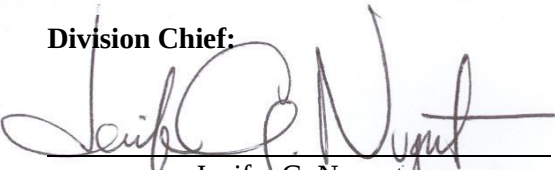
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:



Krystle Patchak

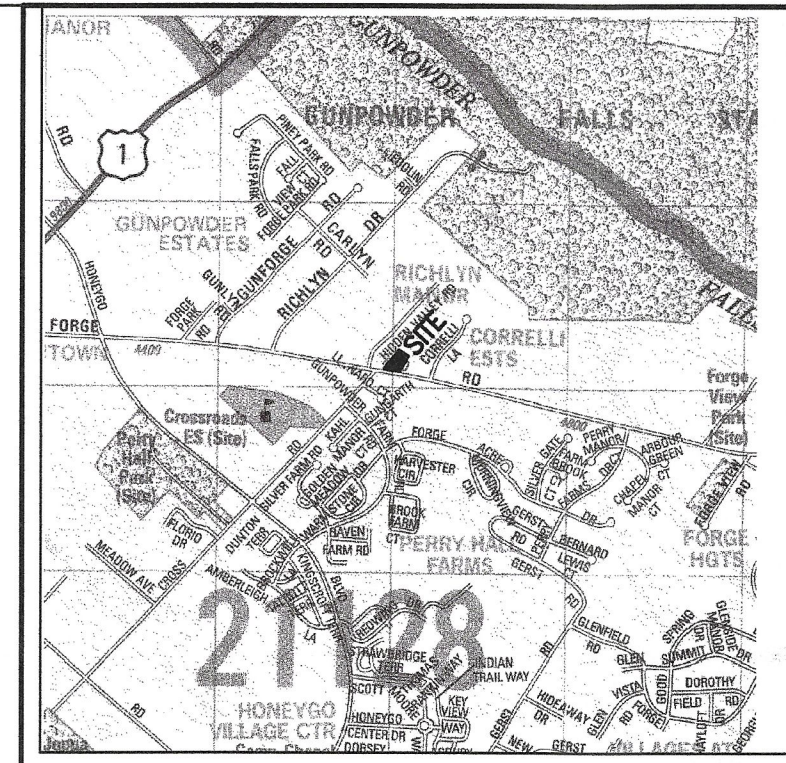
Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Arnold Jablon
Ainsley Pressl, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People’s Counsel for Baltimore County

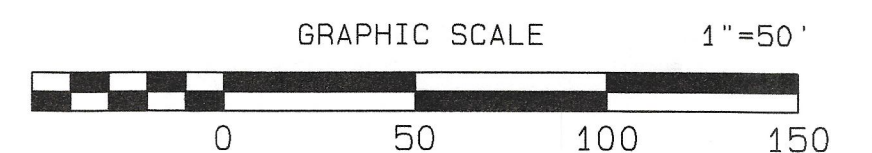


Vicinity Map

Scale: 1" = 2000'

Notes

1. Owner: James Uhlk
4604 Forge Rd
Baltimore MD. 21128
2. Tax # 1107059625
3. Area= 0.681 Ac. or 29,664 sq.ft.
4. Zoned: DR-I H
5. This site is not in the Chesapeake Bay Critical Area.
6. This site is not in the 100 year flood plain.
7. There are no underground fuel tanks.
8. This is not a historic property/building.
9. This site is serviced by public sewer and water.
10. No prior Zoning Hearings.



Plat to Accompany
a Petition for a
Zoning Variance
and a Special Hearing

James Uhlk Property

**4604 Forge Road
Baltimore County, Maryland**

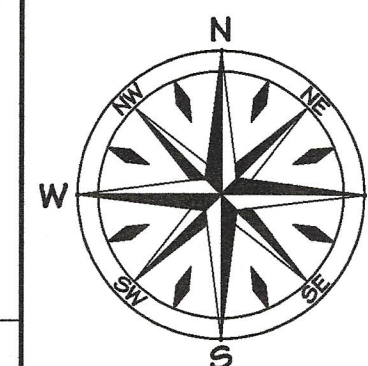
11th Election District 5th Councilmanic District
Scale: 1"=50' Date: March 5, 2024



Brian R. Dietz
BRIAN R. DIETZ
PROFESSIONAL LAND SURVEYOR NO. 21080
LICENSE RENEWS 2-12-2025

Revisions

Date



Dietz Surveying, Co.
Land Surveying and Land Planning

8119 Oakleigh Road Baltimore MD 21234
Ph 410-661-3160, Fax 410-661-3163
www.dietzsveying.com

Plot Date: 3/8/2024

Job No. 21005

File Name: Z:\Forge Rd 4604 UHLK\FORGE-UHLK.pro