



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 8, 2024

Thomas Roppelt – tomroppelt@icloud.com
4 Longeron Drive
Middle River, MD 21220

RE: Petitions for Special Hearing & Variance
Case No. 2024-0078-SPHA
Property: Holly Neck Road

Dear Petitioner:

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 blue ink, appearing to be "Derek M. Baumgardner", with a long horizontal line extending to the right.

DEREK M. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DMB:dlm
Enclosure

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
(HOLLY NECK ROAD)	*	OFFICE OF
15 th Election District		
7th Council District	*	ADMINISTRATIVE HEARINGS
Thomas Roppelt		
Legal Owner	*	FOR BALTIMORE COUNTY
Petitioner	*	Case No. 2024-0078-SPHA
* * * * *		

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) on a Petition for Special Hearing and Variances filed by legal owner, Thomas Roppelt (the “Petitioner”), for the property located at the northwest corner of the intersection of Holly Neck Road and Frankewitz Road, Middle River, Baltimore County, Maryland (the “Property”). Special Hearing relief was requested pursuant to Baltimore County Zoning Regulations (“BCZR”) §500.7 to permit a building lot of .0286 acres in lieu of the required 1.5. acres. The Petition also requests variance relief as follows:

- (1) From BCZR § 1A04.3.B.2.b, to permit a single-family dwelling with a side yard setback of 12 ft., a front yard setback of 31 ft. and a side street setback of 12 ft. in lieu of the required 50 ft. for each;
- (2) From BCZR § 1A04.3.B.2.b, to permit a dwelling with a front yard setback to the centerline of a collector road (Holly Neck Road) of 46 ft. in lieu of the required 150 ft.;
- (3) From BCZR § 1A04.3.B.2.b, to permit a dwelling with a side street setback to the centerline of a road feeding to a collector road (Frankewitz Road) of 27 ft. in lieu of the required 100 ft.;
- (4) From BCZR § 1A04.3.B.2.b and 301.1, to permit a covered porch with a side setback of 5 ft. in lieu of the required 37.5 ft.; and
- (5) From BCZR § 1A04.3.B.3, to allow a lot coverage of 32.29% in lieu of the maximum allowed 15%.

A public hearing was held on May 7, 2024, using the web-based platform WebEx in lieu of an in-person hearing. The Petition was properly advertised and posted. Petitioner, Thomas Roppelt, appeared *pro se* at the hearing in support of the Petition. Mr. Roppelt’s son, Brendan

Roppelt, also appeared and provided testimony in support of the Petition. There were no Protestants or other interested persons that appeared at the hearing.

Petitioner submitted a Site Plan in support of the Petition (Pet. Exh. 1). The following reports from county agencies were also received and admitted into the record: (1) Zoning Advisory Committee (“ZAC”) comments from the Department of Planning (“DOP”) (2) Department of Environmental Protection and Sustainability (“DEPS”) comments; and (3) Development Plans Review (DPR) comments. County agency reports did not indicate objection to the relief requested under the Petition, but DEPS noted that the Property is located within the Limited Development Area (LDA) and is therefore subject to the Chesapeake Bay Critical Area (“CBCA”) regulations.

Findings of Fact

The Property is approximately 12,459 sq. ft. in land area and is zoned RC-5. The Property is currently unimproved and is subject to Chesapeake Bay Critical Area (“CBCA”) regulations. The Property was originally platted as a single lot in 1927 and was subsequently subdivided by deed per Liber 18898 at Folio 1919 on August 5, 2003. The lot is a corner lot having frontage on two roads and is substantially smaller than all adjoining and most adjacent lots. While not waterfront or located in a floodplain or critical area buffer, the property is located within a Limited Development Area (LDA) and is surrounded by the Chesapeake Bay, detached residential dwellings, a boarding house, forest conservation, marinas, boatyards, and boat sales and service establishments.

Mr. Roppelt, proceeding *pro se*, explained that the land was purchased in January 2024 in order to build a single-family dwelling for himself, his wife, and his mother-in-law. Brendan Roppelt, Mr. Roppelt’s son, testified that he lived in the area and was under the impression from community residents that the purchase and development of the lot with a single-family home

would be a welcome improvement to the community. Per the Site Plan, the lot is served by public water and sewer. *See* Pet. Exh. 1.

Conclusions of Law

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). This Special Hearing request seeks to allow the proposed dwelling on this lot with 0.286 acres rather than the 1.5 acres required for an RC-5 zone. Under BCZR, §1A04.3.B.1.b(1), the owner of a single lot of record that is not a subdivision, and exists prior to September 2, 2003, but does not meet the minimum acreage requirements, or does not meet the setbacks, may request to alter the minimum lot size by filing a Special Hearing:

B. Area regulations.

1. Lot area; density control.

a. * * * *

b. Exceptions to minimum lot size.

(1) The owner of a single lot of record that is not a subdivision and that is in existence prior to September 2, 2003, but does not meet the minimum acreage requirement, or does not meet the setback requirement of Paragraph 2, may apply for a special hearing under Article 5 to alter the minimum lot size requirement. However, the provisions of Section 1A04.4 may not be varied.

As a result, I find the exception provided in BCZR, §1A04.3.B.1.b(1) provides for the reduction of the required lot size. In this case, Lot 2 has a land area of approximately .286 acres in lieu of the required 1.5-acre minimum lot size for an RC-5 zoned property. The lot is proposed to be used to construct a single-family dwelling with an approximate footprint of 2,825 sq. ft. The subject Petition is not requesting subdivision and the lot was created by deed per Liber 18898 at Folio 1919 on August 5, 2003, and therefore was “in existence prior to September 2, 2003.” BCZR, §1A04.3.B.1.b(1). For these reasons, I find that Special Hearing relief is warranted to authorize Lot 2 as a buildable lot of .286 acres for the proposed single-family dwelling.

VARIANCE

The Petition requests the following variance relief:

- (1) From BCZR § 1A04.3.B.2.b, to permit a single-family dwelling with a side yard setback of 12 ft., a front yard setback of 31 ft. and a side street setback of 12 ft. in lieu of the required 50 ft. for each;
- (2) From BCZR § 1A04.3.B.2.b, to permit a dwelling with a front yard setback to the centerline of a collector road (Holly Neck Road) of 46 ft. in lieu of the required 150 ft.;
- (3) From BCZR § 1A04.3.B.2.b, to permit a dwelling with a side street setback to the centerline of a road feeding to a collector road (Frankewitz Road) of 27 ft. in lieu of the required 100 ft.;
- (4) From BCZR § 1A04.3.B.2.b and 301.1, to permit a covered porch with a side setback of 5 ft. in lieu of the required 37.5 ft.; and

- (5) From BCZR § 1A04.3.B.3, to allow a lot coverage of 32.29% in lieu of the maximum allowed 15%.

Pursuant to BCZR § 307.1, "...the [Administrative Law Judge] shall have ...the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship...Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to public health, safety and general welfare..."

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).

As described above, the lot is unique because of its small size, location as a corner lot with lot frontage on two roads, and while not waterfront or located in a floodplain or critical area buffer the property is located within a Limited Development Area (LDA). I find that the lot's unique characteristics create a practical difficulty in complying with the building area, setback, and lot coverage requirements as the bulk regulations of the RC-5 zone and CBCA regulations would render this lot unbuildable and therefore unusable. For these reasons, I find that special circumstances or conditions exist that are peculiar to this property and strict compliance with the Zoning Regulations for Baltimore County for lot area, setbacks, and lot coverage would result in practical difficulty for Petitioner. Further, I find that the variances proposed are in harmony with

the spirit and intent of said area, setback, and lot coverage regulations and will not result in any injury to the public health, safety and general welfare.

THEREFORE, IT IS ORDERED, this 8th day of **May 2024**, by the Administrative Law Judge for Baltimore County that the Petition for Special Hearing pursuant to BCZR, § 500.7, to permit a building lot (existing lot of record of 12,459 sq. ft. in lieu of the required 1.5. acres) pursuant to BCZR, § 1A04.3.B.1.a be, and it is hereby, **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for Variance from the BCZR §1A04.3.B.2.b, to permit a dwelling with a side yard setback of 12 ft., a front yard setback of 31 ft. and a side street setback of 12 ft. in lieu of the required 50 ft. setback be, and it is hereby, **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for Variance from the BCZR, §1A04.3.B.2.b, to permit a dwelling with a front yard setback to the centerline of a collector road (Holly Neck Road) of 46 ft. in lieu of the required 150 ft and it is hereby, **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, § 1A04.3.B.2.b, to permit a dwelling with a side street setback to the centerline of a road feeding to a collector road (Frankewitz Road) of 27 ft. in lieu of the required 100 ft. hereby, **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR § 1A04.3.B.2.b and 301.1, to permit a covered porch with a side setback of 5 ft. in lieu of the required 37.5 ft., be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR § 1A04.3.B.3, to allow a lot coverage of 32.29% in lieu of the maximum allowed 15% be and 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. Petitioner must comply with all agency ZAC comments, copies of which are attached hereto and made a part hereof;
3. Specifically, Petitioner must comply with all Chesapeake Bay Critical Area (CBCA) lot coverage requirements per DEPS ZAC comment;
4. The Property remains subject to the RC5 Performance Standards as listed in BCZR § 1A04.4;
5. Architectural elevations shall be submitted for county review at permitting; and
6. **Petitioner must revise and resubmit the Site Plan (Pet. Ex. 1) curing all technical and typographical errors including the property's Tax Account Number and acreage calculations printed in the schematic prior to permit review. A copy of the Revised Site Plan shall be sent to OAH to be included in this record prior to final permit approval.**

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



DEREK M. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DB:dlm

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 (DEPS) - Development Coordination

DATE: April 2, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0078-SPHA
Address: HOLLY NECK RD.
Legal Owner: Thomas Roppelt

Zoning Advisory Committee Meeting of April 2, 2024.

DEPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The proposed development is located within a Limited Development Area (LDA). Based on the 12,459 square foot area of the property, development must comply with a maximum Critical Area lot coverage limit of 3,884 square feet. The lot coverage indicated on the plan (proposed structures and gravel area) exceeds the allowance and would need to be reduced to no more than 3,884 square feet. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). If the applicant designs the project to meet Critical Area lot coverage requirements, the development can result in minimal adverse impacts to water quality with the property area and setback relief requested.

2. Conserve fish, plant, and wildlife habitat;

There are no Critical Area buffers, or habitat protection areas on the property. Therefore, if the proposed development can comply with all Critical Area lot coverage and tree requirements, this can aid in the conservation of fish, plant, and wildlife habitat in the area watershed.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

If the development can be designed to meet all Critical Area requirements, the relief requested can be consistent with established land-use policies.

Reviewer: Paul Dennis, Environmental Impact Review

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 4/1/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0078-A

INFORMATION:

Property Address: Holly Neck Road
Petitioner: Thomas Roppelt
Zoning: RC 5 / LDA
Requested Action: Special Hearing and Variance

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

Special Hearing -

- a. In the alternative to the Variance request, a Special Hearing to permit a building lot (existing lot of record) of 12,459 square feet in lieu of the required 1.5 acres.

Variance(s) -

- a. In the alternative of the Special Hearing request, a variance to allow a building lot (existing lot of record) of 12,459 square feet in lieu of 1.5 acres
- b. To permit a dwelling with a side yard setback of 12 feet, a front yard setback of 31 feet and a side street setback of 12 feet in lieu of the required 50 feet each.
- c. To permit a dwelling with a front yard setback to the centerline of a collector road (Holly Neck Road) of 46 feet in lieu of the required 150 feet.
- d. To permit a dwelling with a side street setback to the centerline of a road feeding to a collector road (Frankewitz Road) of 27 feet in lieu of the required 100 feet.
- e. To permit a covered porch with a side setback of 5 feet in lieu of the required 37.5 feet.
- f. To allow a lot coverage of 32.29% in lieu of the maximum allowed 15%.

The subject property is located at the intersection of Holly Neck Road & Frankewitz Road in the Middle River area of Baltimore County. The property consists of an approximately 0.286 acres parcel zoned RC-5 that is not improved. The property is surrounded by the Chesapeake Bay, detached residential dwellings, forest conservation, marinas, and boat sales.

The R.C.5 zoning classification was established in response to concerns over wasteful and disorderly rural-residential development and inadequate lot sizes for on-lot sewer and water systems. These issues could result in undue financial hardships and negatively affect the safety and welfare of citizens. In identifying specific areas suitable for rural-residential development, the aim is to direct future growth towards these areas and prevent disorderly development patterns. The R.C.5 zoning classification serves to provide suitable areas for rural-residential development, minimize encroachments on natural resource areas, and provide a minimum lot size for proper on-lot sewer and water system functioning.

In a discussion with the applicant, the proposal is to build a house on the lot to accommodate himself, his wife and his aged mother in-law. It was confirmed in the discussion that the total size of the property is .0286 acres as indicated in the submitted site plan. Subsequently, the size of the property presents a difficulty in meeting the required minimum lot size and setbacks.

The Department has no objections to the requests with the following conditions:

1. This site is subject to the RC 5 Performance Standards as listed in Section 1A04.4 of the BCZR. Architectural elevations must be submitted to the Department of Planning for review at permitting.
2. Considering the location of the proposed site (intersection of Holly Neck Road and Frankewitz Road), the elevations facing the street shall not be left as blank walls.

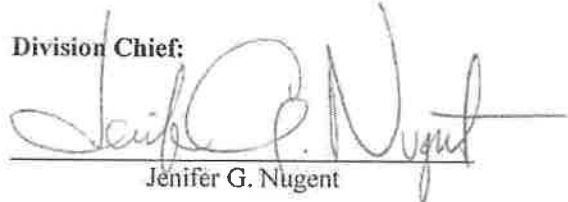
For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jennifer G. Nugent

SL/JGN/KP

c: Thomas Roppelt
Ainsley Jacobs - Community Planners
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County



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 Holly Neck Road Baltimore, Md. 21221 Currently Zoned RC-5/IDA
Deed Reference L.48136 E.354 L.108898 F.121 10 Digit Tax Account # 1519715230
Owner(s) Printed Name(s) Thomas Roppelt

(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

SEE ATTACHED

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

3. ☒ **a Variance** from Section(s)

SEE ATTACHED

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/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 _____

Legal Owners (Petitioners):

Thomas Roppelt _____
Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 _____ Signature #2 _____
4 Longeron Drive Middle River Md.
Mailing Address _____ City _____ State _____
21220 598-3381 TomRoppelt@icloud.com
Zip Code _____ Telephone #'s (Cell and Home) _____ Email Address _____

Attorney for Petitioner:

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

Representative to be contacted:

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

Case Number 2024-0078-SPHA Filing Date 3, 22, 24 Do Not Schedule Dates _____ Reviewer JS

Holly Neck Road (15-19-715230)

2024-0078-SPHA

Requested Relief:

Special Hearing:

In the alternative to the Variance request, a Special Hearing to permit a building lot (existing lot of record) of 12,459 square feet in lieu of the required 1.5 acres.

Variances:

1. 1A04.3.B.1.a. → In the alternative of the Special Hearing request, a variance to allow a building lot (existing lot of record) of 12,459 square feet in lieu of 1.5 acres.
2. 1A04.3.B.2.b. → To permit a dwelling with a side yard setback of 12 feet, a front yard setback of 31 feet and a side street setback of 12 feet in lieu of the required 50 feet each.
3. 1A04.3.B.2.b. → To permit a dwelling with a front yard setback to the centerline of a collector road (Holly Neck Road) of 46 feet in lieu of the required 150 feet.
4. 1A04.3.B.2.b. → To permit a dwelling with a side street setback to the centerline of a road feeding to a collector road (Frankewitz Road) of 27 feet in lieu of the required 100 feet.
5. 1A04.3.b.2.b. & 301.1. → To permit a covered porch with a side setback of 5 feet in lieu of the required 37.5 feet.
6. 1A04.3.B.3. → To allow a lot coverage of 32.29% in lieu of the maximum allowed 15%.

Holly Neck Road

15-19-715230

2024-0078-SPHA

Property Description

Located on the northwest corner of the intersection of Holly Neck Road (20' row), and Frankewitz Road (35' row). Council District 7, Election District 15.

BEGINNING FOR THE SAME at a point, said point being at the intersection of the northerly side of Holly Neck Road with the westerly side of Frankewitz Road as now described, thence running with the westerly Right of Way Line of Holly Neck Road, as follows, viz:

- 1) South 89 degrees 51 minutes West, 62.00 feet to a point, thence departing said Right of Way with a new line of division as follows,
- 2) North 00 degrees 09 minutes East, 157.27 feet to intersect the northerly side of the entire parcel, thence with the northerly line as follows,
- 3) North 89 degrees 51 minutes East 96.44 feet to the westerly Right of Way line of Frankewitz Road, thence with said right of way line as follows:
- 4) South 12 degrees 12 minutes West, 161 feet to the point and place of beginning.

Containing 12,459 square feet of land as now computed.



**Permits, Approvals and
Inspections**

111 W CHESAPEAKE AVE
TOWSON, MD 21204
4108873353
WWW.BALTIMORECOUNTYMD.GO
V

Cashier: Jason S.
12-Mar-2024 11:20:28A

Transaction **102195**
1 Petition Before ALJ \$150.00

Total **\$150.00**

CREDIT CARD SALE \$150.00
MASTERCARD 3134

Retain this copy for statement
validation

Station: Permit Processing - Mini

12-Mar-2024 11:20:56A
\$150.00 | Method: EMV
Mastercard XXXXXXXXXXXX3134
THOMAS ROPPELT
Reference ID: 407200557610
Auth ID: 08085S
MID: *****2995
AID: A0000000041010
AthNtwkNm: MASTERCARD
SIGNATURE

Clover ID: BY614E31WAE5C
Payment 14C7VM2GRB1D4

Clover Privacy Policy
<https://clover.com/privacy>

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: 2024-0078-SPHA
Property Address: HOLLY NECK ROAD (NW CORNER OF HOLLY NECK + FRANKWITZ RD)
Legal Owners (Petitioners): THOMAS ROPPELT
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): THOMAS ROPPELT
Address: 4 LONGERON DRIVE
MIDDLE RIVER, MD 21220

Telephone Number: 410-598-3381

*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 - 15 Account Number - 1519715230

Owner Information

Owner Name:

ROPPELT THOMAS

Use:

COMMERCIAL
NO

Principal Residence:

Deed Reference:

/48736/ 00354

Mailing Address:

4 LONGERON DRIVE
MIDDLE RIVER MD 21220-

Location & Structure Information

Premises Address:

HOLLY NECK RD
ESSEX 21221-

Legal Description:

.286 AC
NS HOLLY NECK RD
PETER JOWAIS

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0098	0021	0502	31504.04	0000				2024	
									Plat Ref:
									0008/ 0083

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			0.2900 AC	23

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements

Value Information

	Base Value	Value	Phase-In Assessments	
		As of	As of	As of
		01/01/2024	07/01/2023	07/01/2024
Land:	31,500	31,500		
Improvements	0	0		
Total:	31,500	31,500	31,500	31,500
Preferential Land:	0	0		

Transfer Information

Seller: FLORES CONCEPCION HERNANDEZ

Date: 01/30/2024

Price: \$53,000

Type: ARMS LENGTH VACANT

Deed1: /48736/ 00354

Deed2:

Seller: BUZGIERSKI RONALD

Date: 04/14/2022

Price: \$0

Type: NON-ARMS LENGTH OTHER

Deed1: /46716/ 00472

Deed2:

Seller: FABER WILLIAM W

Date: 09/26/2016

Price: \$30,000

Type: ARMS LENGTH VACANT

Deed1: /38060/ 00089

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:

Baltimore CountyNew Search (<https://sdat.dat.maryland.gov/RealProperty>)District: **15** Account Number: **1504202030**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

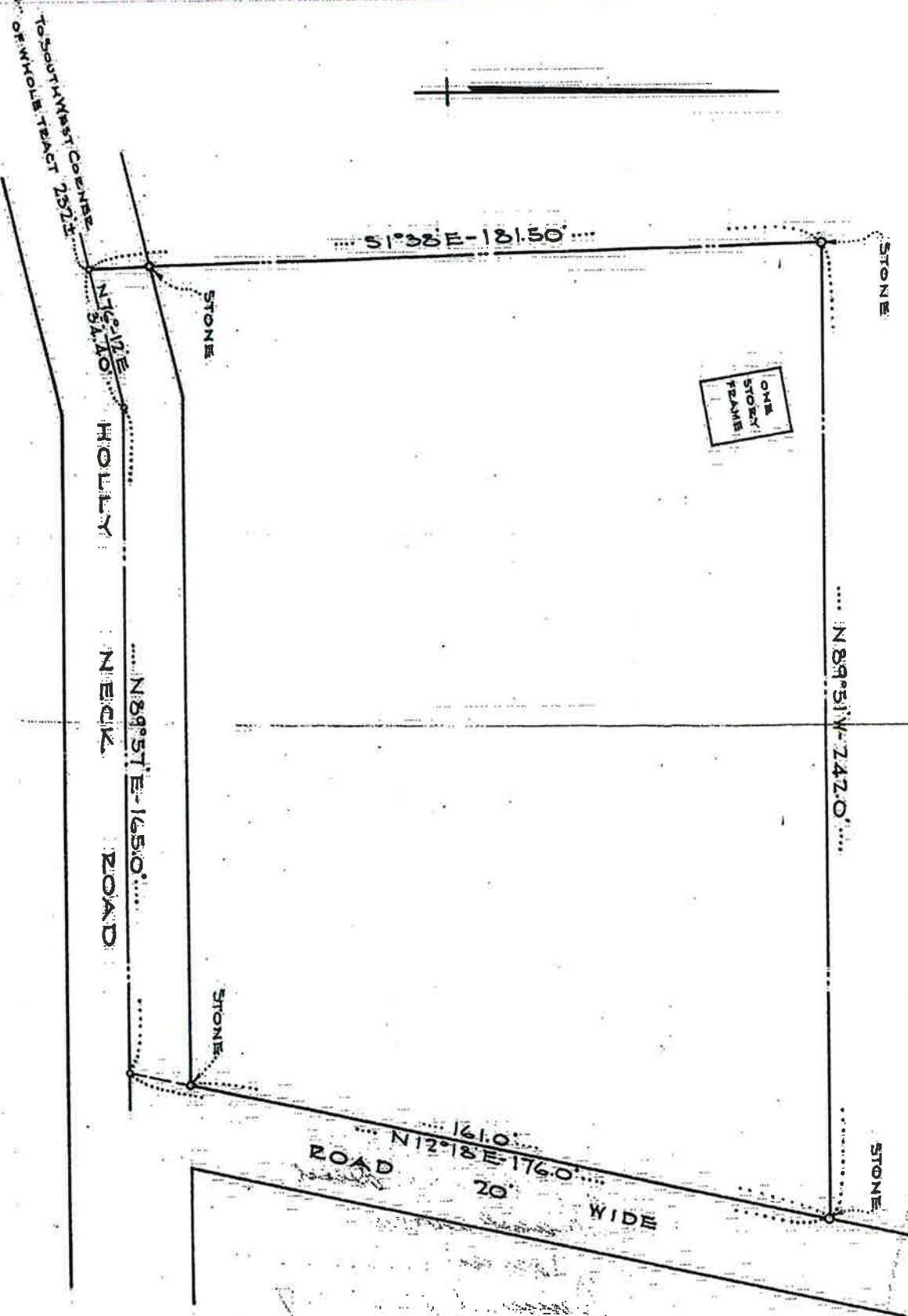
If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

W 98/6nd 21

Maryland State Archives

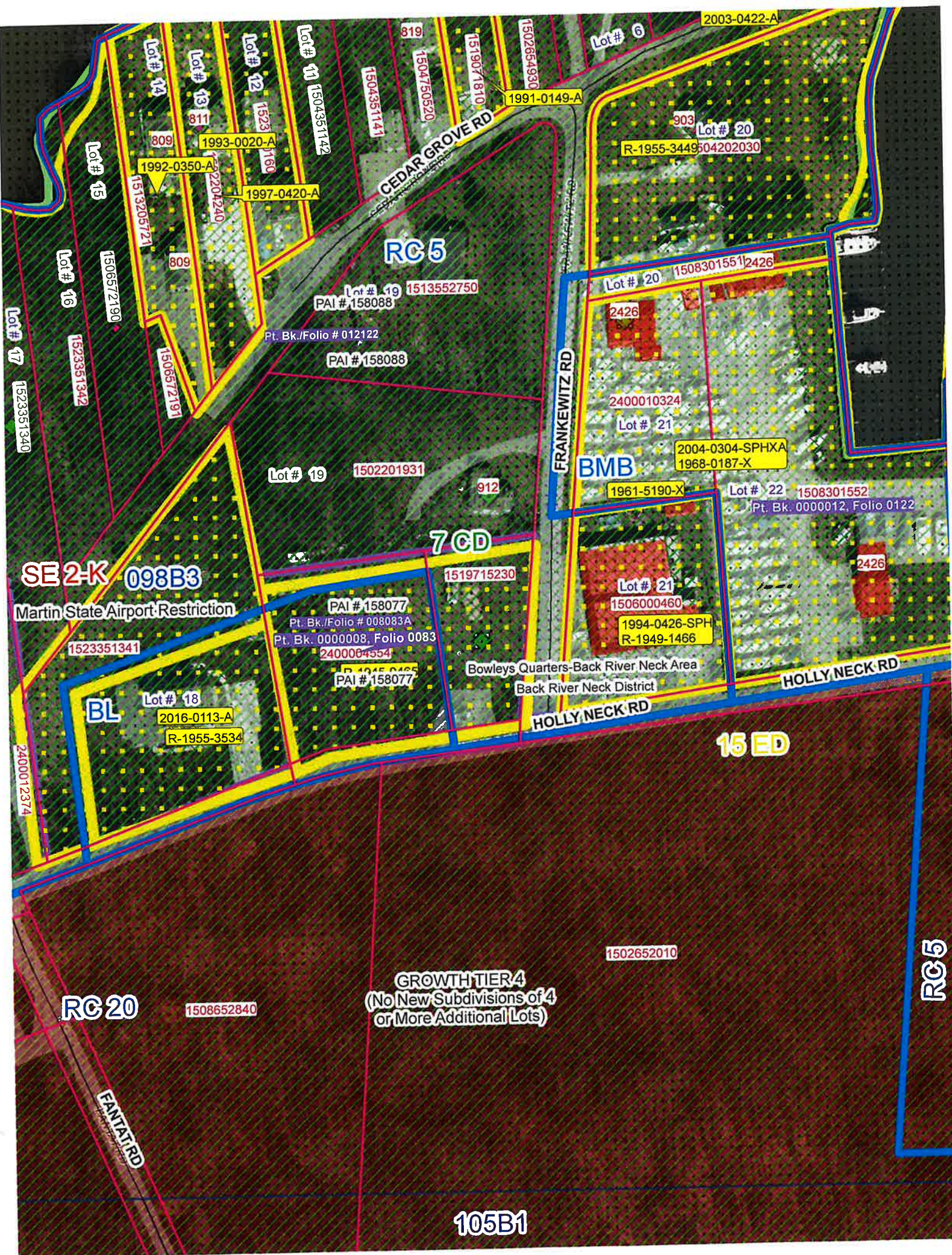


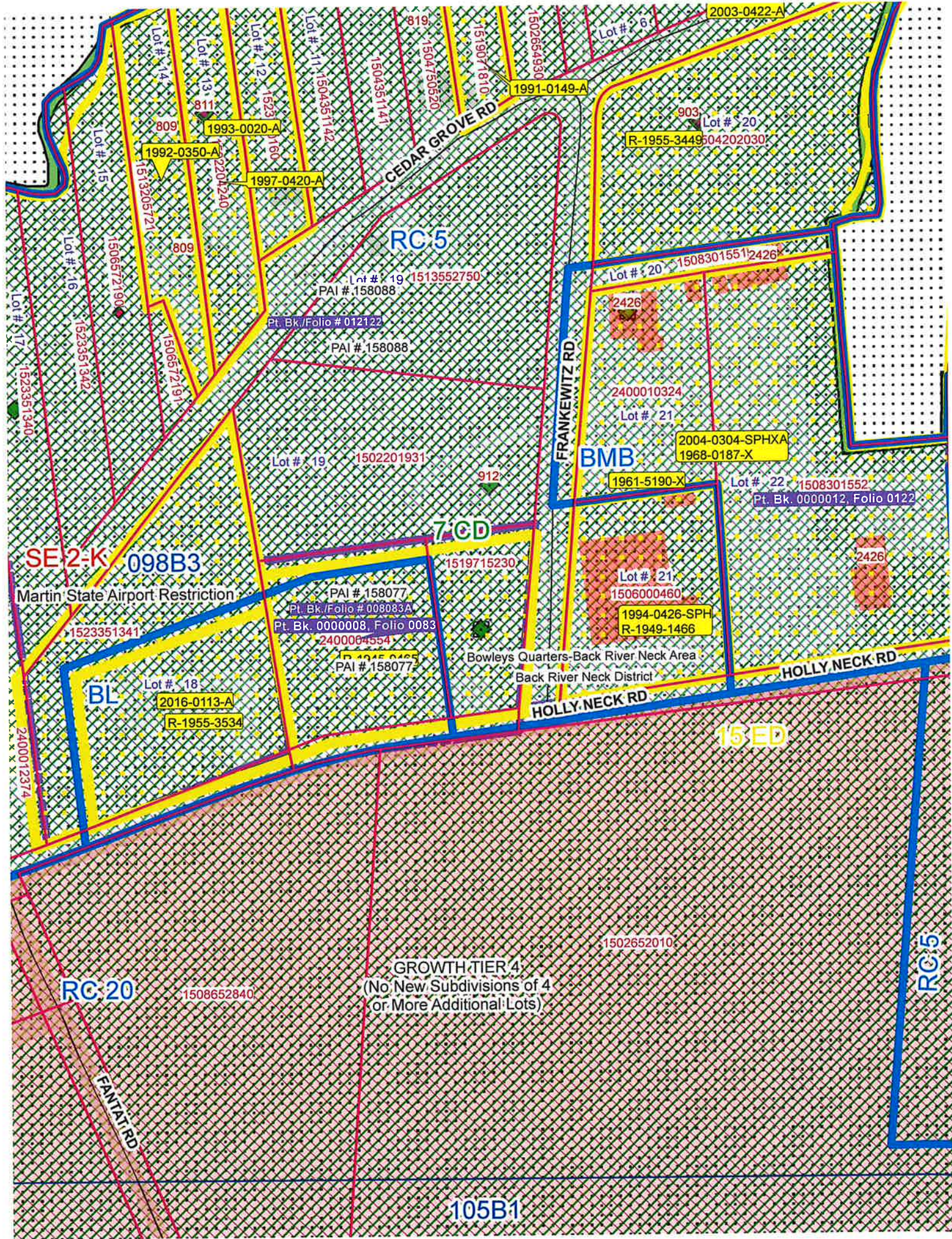
P. 8 C 83

PLAT OF LAND
BELONGING TO
PETER JOWAIS
15TH DISTRICT
BALTIMORE COUNTY

SCALE 1"=30' MAY 31 1927
E.V. COOMAN & CO.
SURVEYORS & CIVIL ENGINEERS
231 COURTLAND ST.
BALTIMORE, MD.

386-3504





RC5

BMB

7CD

SE-2-K 098B3

BL

15ED

RC-20

RC5

105B1

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

Martin State Airport Restriction

Bowleys Quarters-Back River Neck Area
Back River Neck District

1992-0350-A
1993-0020-A
1997-0420-A

1991-0149-A

2003-0422-A

R-1955-3449
504202030

2004-0304-SPHXA
1968-0187-X

1994-0426-SPH
R-1949-1466

2016-0113-A
R-1955-3534

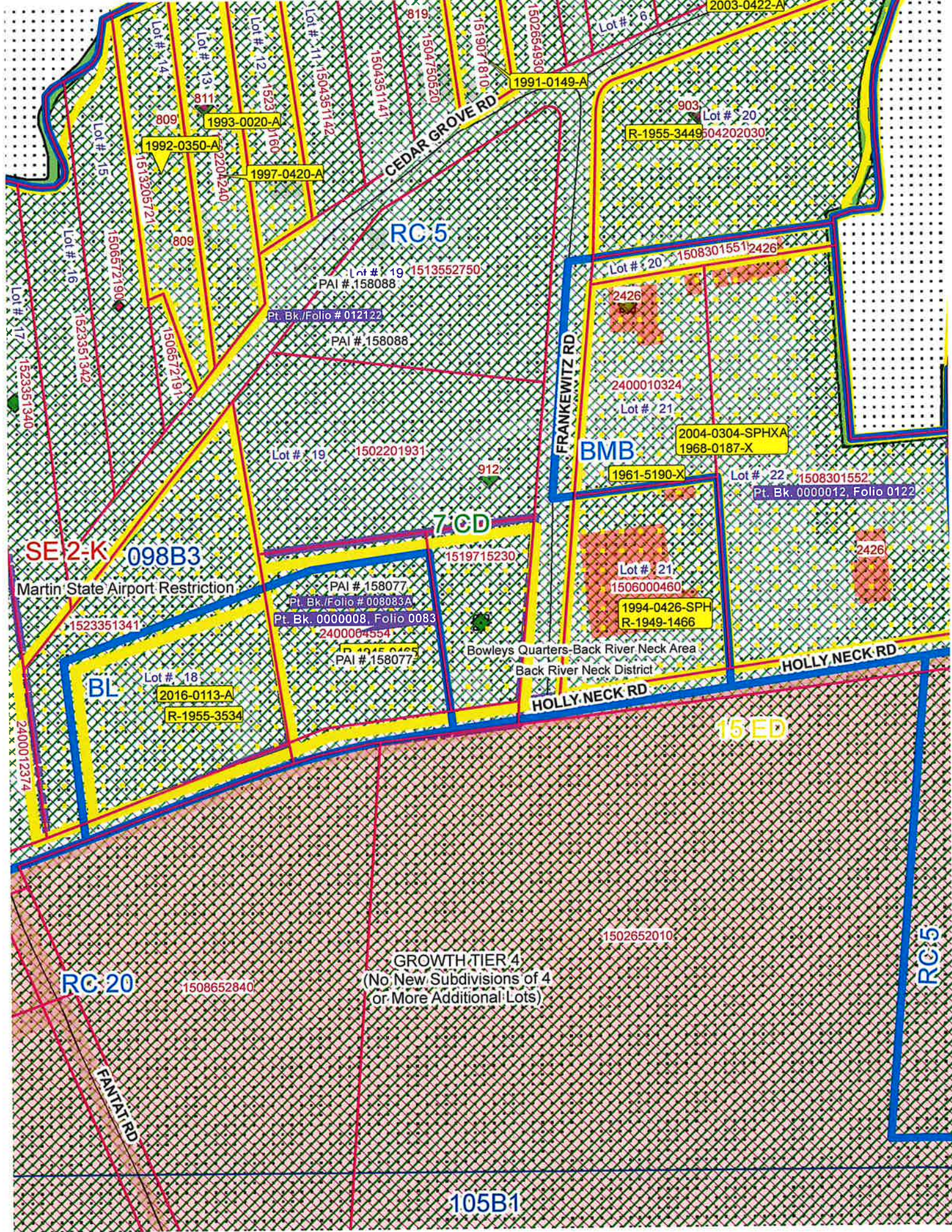
Lot # 19 1513552750
PAI # 158088
Pt. Bk. Folio # 012122
PAI # 158088

Lot # 19 1502201931

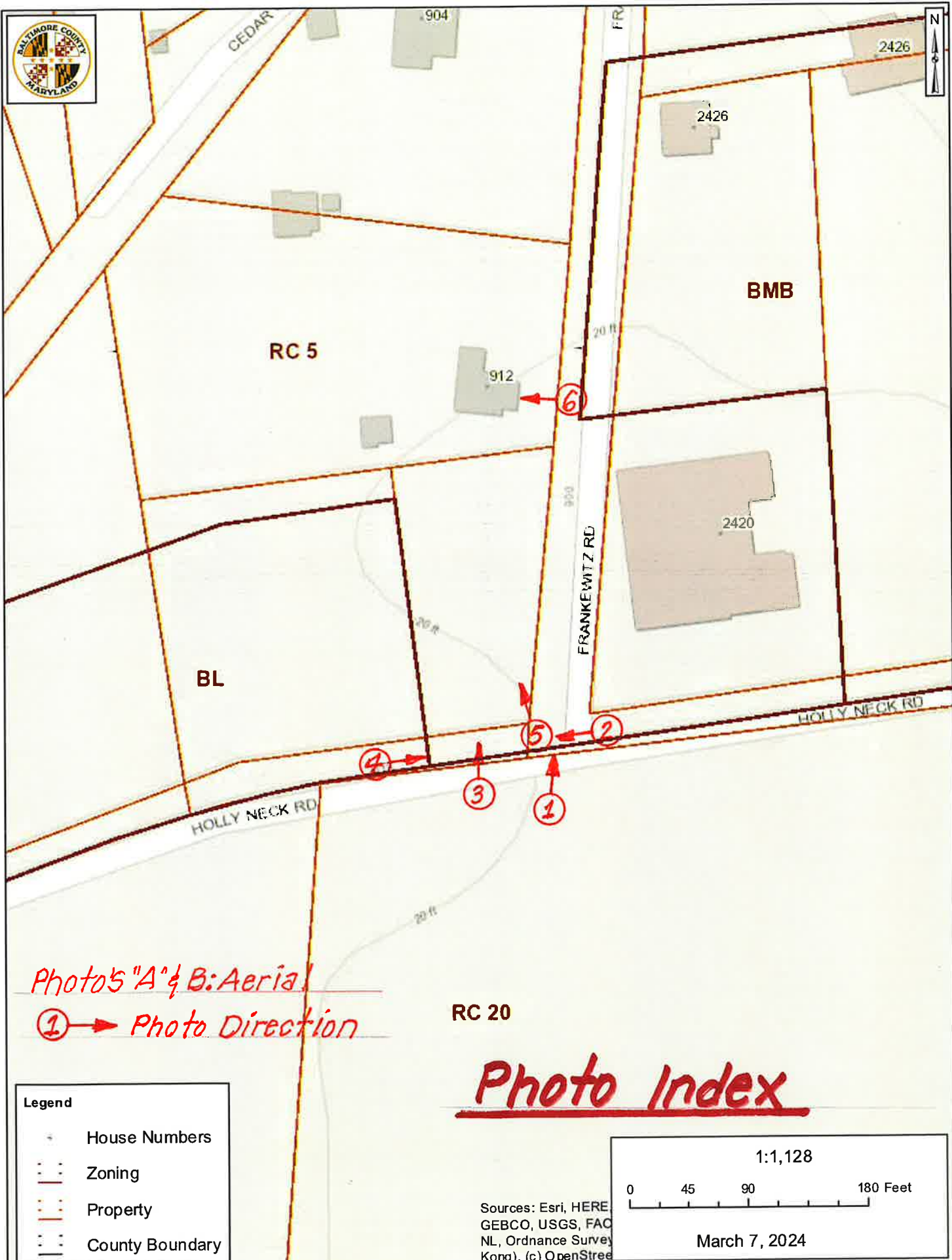
PAI # 158077
Pt. Bk. Folio # 008083A
Pt. Bk. 0000008, Folio 0083
2400004554
PAI # 158077

Lot # 20 1508301551
2426
2400010324
Lot # 21
1961-5190-X
Lot # 22 1508301552
Pt. Bk. 0000012, Folio 0122

Lot # 21
1506000460



Baltimore County - My Neighborhood



Photos "A" & B: Aerial

① → Photo Direction

RC 20

Photo Index

Legend

- House Numbers
- Zoning
- Property
- County Boundary

1:1,128

0 45 90 180 Feet

March 7, 2024

Sources: Esri, HERE, GEBCO, USGS, FAO, NL, Ordnance Survey, Kong), (c) OpenStreet

Untitled Map

Write a description for your map.

Photo "A"

Google Earth

Image Landsat / Composite

Legend

Frankewitz Rd

Frankewitz Rd

70 ft

N



Untitled Map

Write a description for your map.

Legend

Photo "B"

Google Earth

Image Landsat / Composites

Frankewitz Rd

Frankewitz Rd

Frankewitz Rd

N

80 ft

Holy Neck Rd



Untitled Map

Write a description for your map.

Legend



Photo 1

Google Earth

© 2024 Google

1 2 3

7.44 ft



Untitled Map

Write a description for your map.

Legend

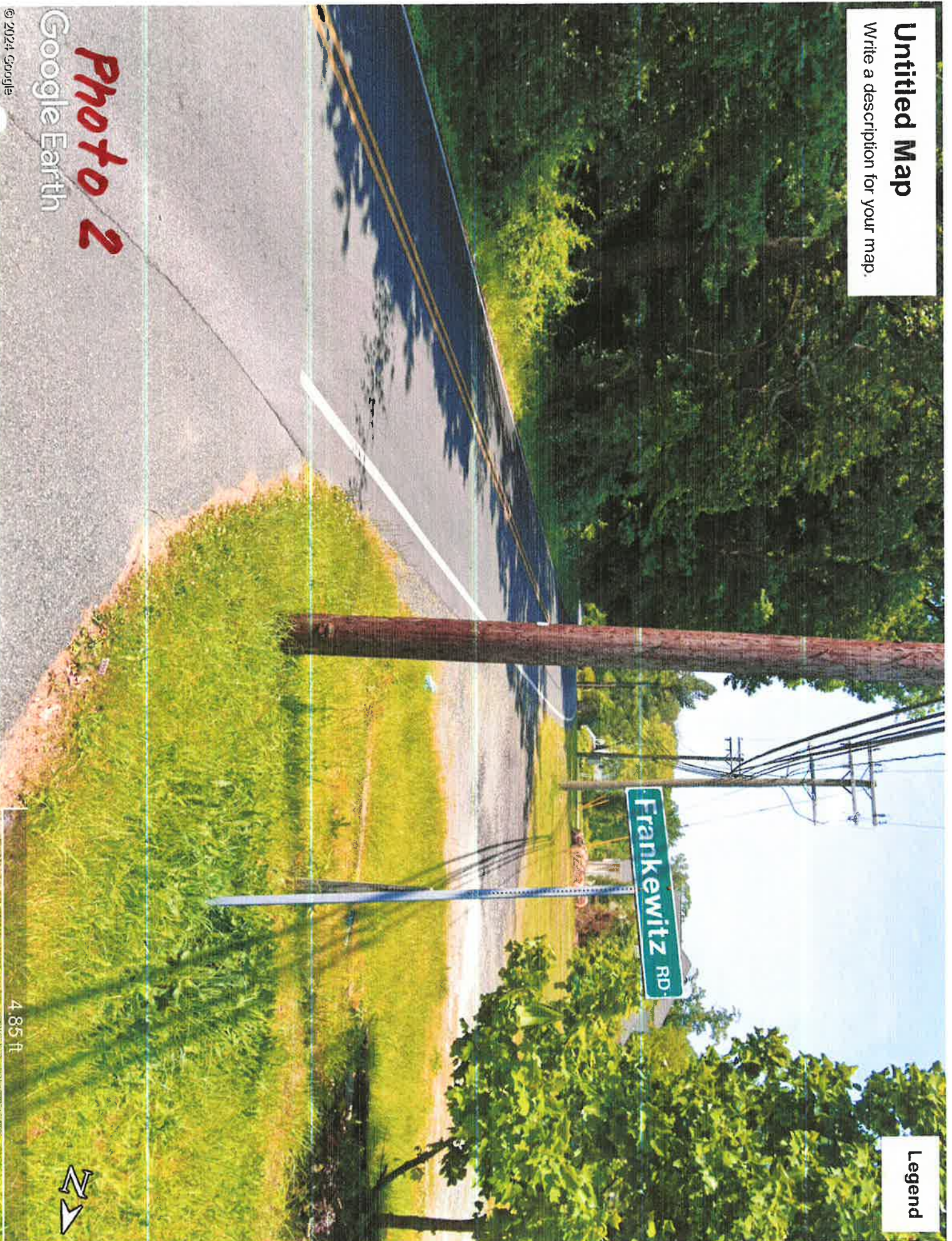


Photo 2

Google Earth

© 2024 Google

4.85 ft



Untitled Map

Write a description for your map.

Legend

© 2024 Google

Photo 3
Google Earth

543 ft



Untitled Map

Write a description for your map.

Legend

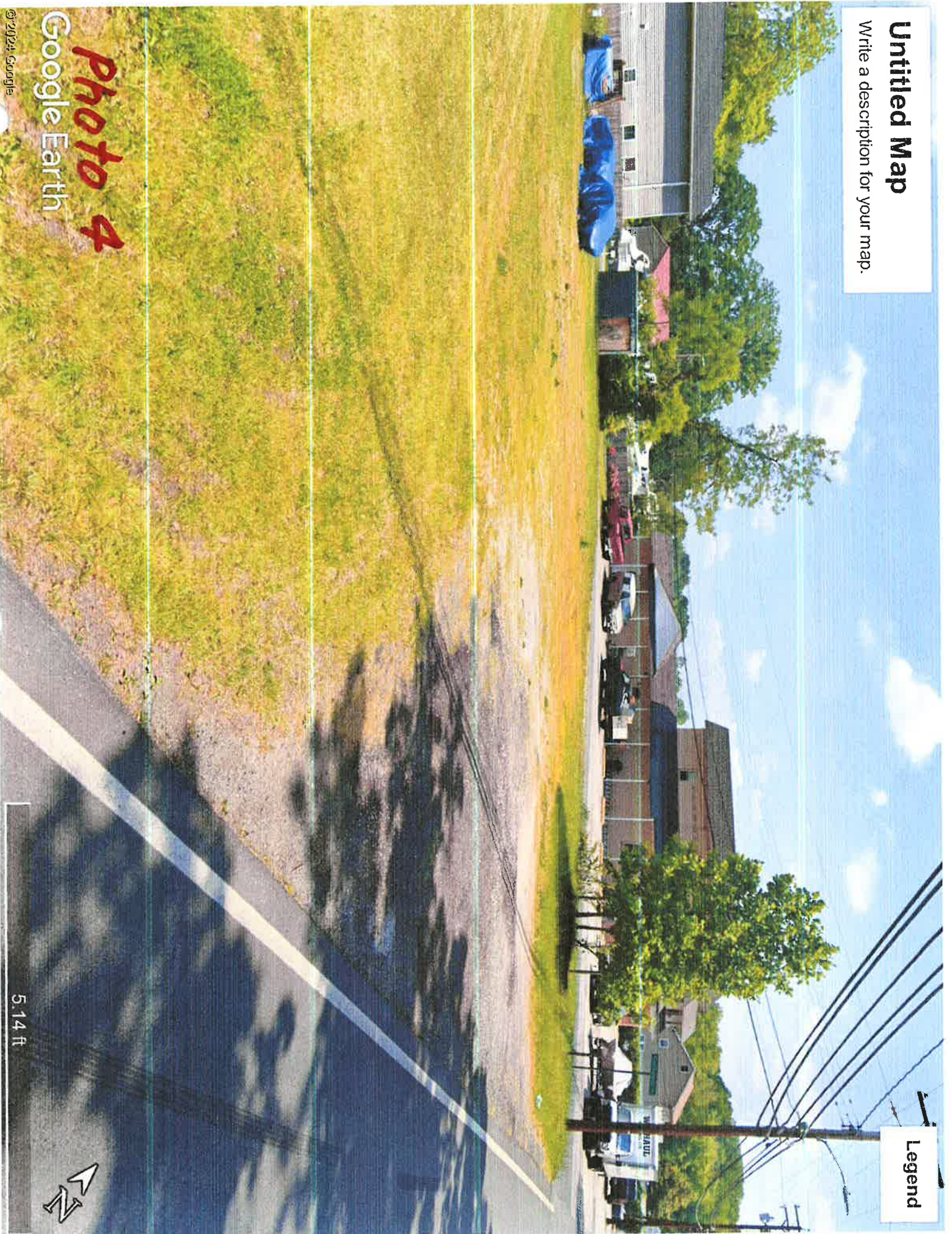


Photo 4
Google Earth

© 2024 Google

5.14 ft



Untitled Map

Write a description for your map.

Legend

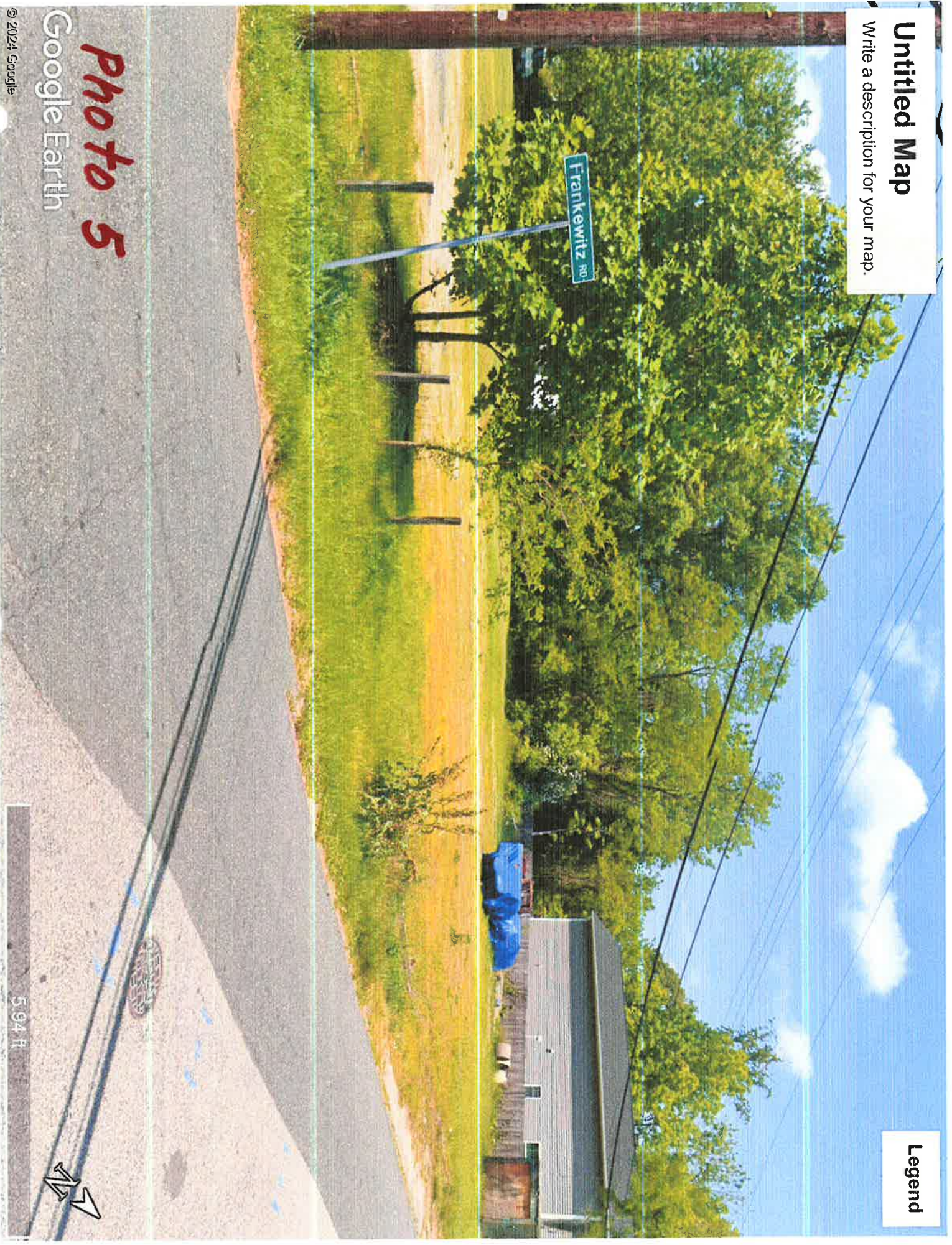


Photo 5
Google Earth

Untitled Map

Write a description for your map.

Legend

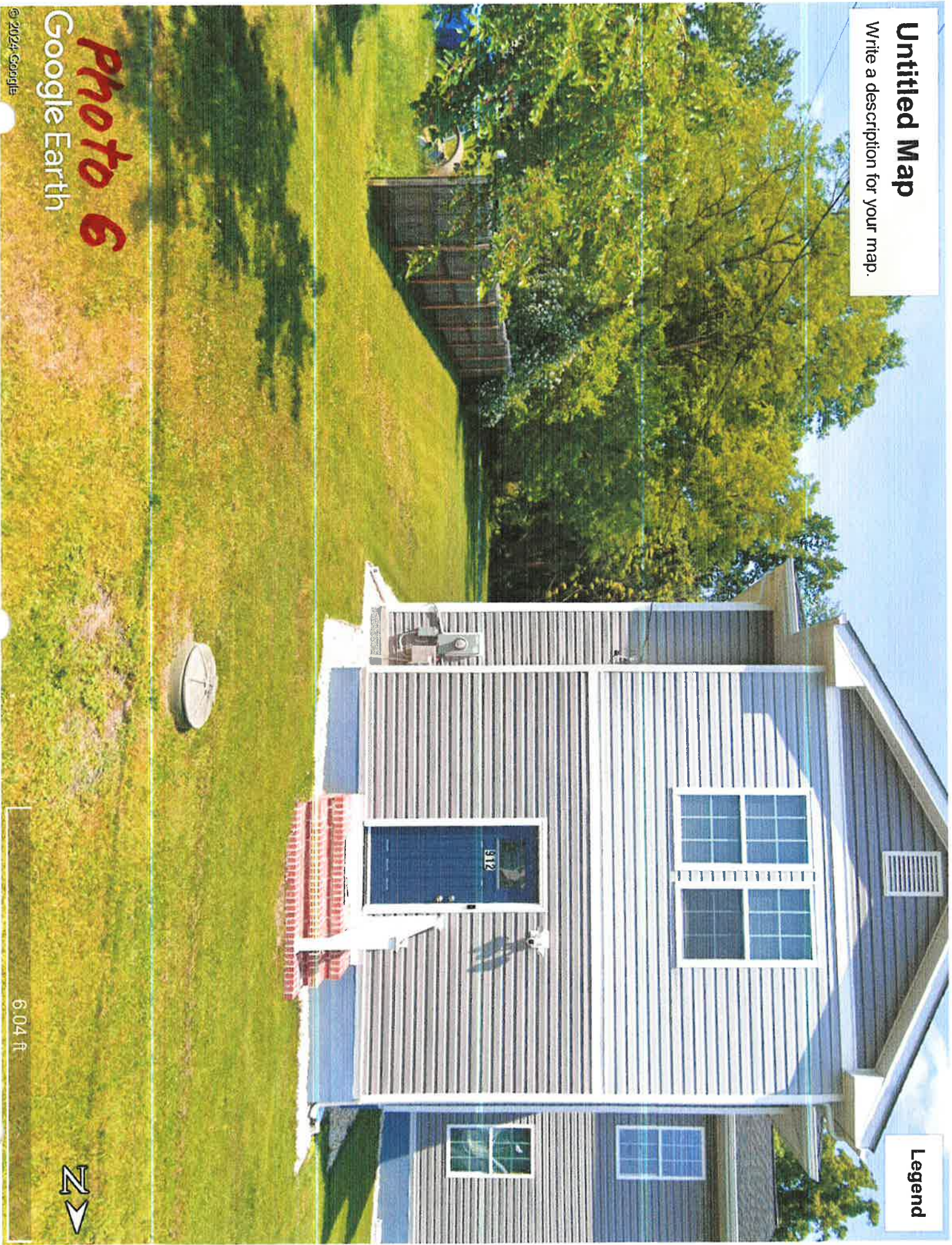


Photo 6

Google Earth

© 2024 Google

6.04 ft



DATE	TIME
01/29/2024	16:11:06
TAX ID: 1519715230	
CO. TR TAX	\$795.00
RECORDATION TAX	\$265.00
KP	Baltimore County, Maryland

Baltimore County Cir Crt	
IMP FD SURE	\$40.00
RECORDING FEE	\$20.00
TR TAX STATE	\$265.00
TOTAL	\$325.00
JLE ML	
Jan 30, 2024	04:17 pm

OUR DEED
(Current)

File Number: 9107-MD-AJ
Title Insurer: First American Title Insurance Company
Parcel ID: 15-1519715230

THIS DEED

THIS DEED, is made this 13th day of October, 2023 by and between Concepcion Hernandez Flores and Veronica Beatriz Argueta, (henceforth referred to as "Grantor(s)"), and Thomas Roppelt, (henceforth referred to as "Grantee(s)"),

WITNESSETH THAT, in consideration of the sum \$53,000.00 (FIFTY THREE THOUSAND AND 00/100), receipt of which is hereby acknowledged, and which the Grantor(s) certify under penalties of perjury as the actual consideration paid or to be paid, including the amount of any mortgage or deed of trust outstanding, the Grantor(s) does hereby convey unto the Grantee(s), Thomas Roppelt, sole owner, their personal representatives, heirs and assigns, in fee simple, all those lots of ground situate in the County of Baltimore, State of Maryland and described as follows:

BEGINNING FOR THE SAME at a point, said point being at the intersection of the northerly side of Holly Neck Road with the westerly side of Frankewitz Road as now described, thence running with the westerly Right of Way Line of Holly Neck Road, as follows, viz:

- 1) South 89 degrees 51 minutes West, 62.00 feet to a point, thence departing said Right of Way with a new line of division as follows,
- 2) North 00 degrees 09 minutes East, 157.27 feet to intersect the northerly side of the entire parcel, thence with the northerly line as follows,
- 3) North 89 degrees 51 minutes East 96.44 feet to the westerly Right of Way line of Frankewitz Road, thence with said right of way line as follows:
- 4) South 12 degrees 12 minutes West, 161 feet to the point and place of beginning.

Containing 12,459 square feet of land as now computed.

For informational purposes only: The improvements thereon are known as Holly Neck Road.

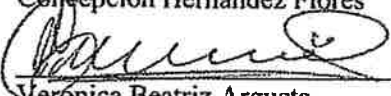
Tax ID No.: 15-1519715230

Being part of the same property conveyed to Concepcion Hernandez Flores and Veronica Beatriz Argueta, as tenants by the entirety by virtue of Corrective Deed from Ronald Buzgierski, dated February 4, 2022, recorded April 14, 2022, among the Land Records of Baltimore County, Maryland, in Liber 46716, folio 472.

SUBJECT to mortgage(s), covenant(s), easement(s) and restriction(s) of record.

In Witness Whereof, Concepcion Hernandez Flores and Veronica Beatriz Argueta, the said, Grantor(s), hereunto set by hands and seals this 13th day of October, 2023.

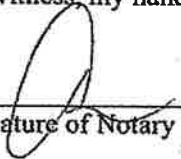

Concepcion Hernandez Flores


Veronica Beatriz Argueta

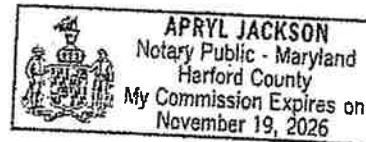
STATE OF MD
COUNTY OF Baltimore, to wit:

I hereby certify that on the 13th day of October, 2023, before me, personally appeared Concepcion Hernandez Flores and Veronica Beatriz Argueta, known to me or satisfactorily proven to be the person(s) whose name is/are subscribed to the within instrument and made oath in due form of law that the matters and facts set forth herein are true.

As witness, my hand and notarial seal.


Signature of Notary Public

My Commission Expires: 11/19/26



MARYLAND
FORM
WH-AR

**Certification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence**

2023

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Concepcion Hernandez Flores

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).
Holly Neck Road, Essex, MD 21221

3. Reasons for Exemption

Resident Status



As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.



Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence



Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Concepcion Hernandez Flores

Name

**Date

10/13/2023

Signature

3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

**Date

Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Baltimore

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

(Type or Print in Black Ink Only - All Copies Must Be Legible)

1	Type(s) of Instruments	☐ Check Box if addendum Intake Form is Attached.)						
	☒ Deed	☐ Mortgage	☐ Other _____	☐ Other _____				
	☐ Deed of Trust	☐ Lease						
2	Conveyance Type Check Box	☒ Improved Sale Arms-Length [1]	☐ Unimproved Sale Arms-Length [2]	☐ Multiple Accounts Arms-Length [3]	☐ Not an Arms-Length Sale [9]			
3	Tax Exemptions (if applicable)	Recordation						
		State Transfer						
	Cite or Explain Authority	County Transfer						
4	Consideration and Tax Calculations	Consideration Amount			Finance Office Use Only Transfer and Recordation Tax Consideration			
		Purchase Price/Consideration	\$ 53,000.00		Transfer Tax Consideration	\$		
		Any New Mortgage	\$		X () % =	\$		
		Balance of Existing Mortgage	\$		Less Exemption Amount	\$		
		Other:	\$		Total Transfer Tax	\$		
		Other:	\$		Recordation Tax Consideration	\$		
		Full Cash Value:	\$		X () per \$500 =	\$		
				TOTAL DUE	\$			
5	Fees	Amount of Fees		Doc. 1	Doc. 2	Agent:		
		Recording Charge	\$ 60.00	\$		Tax Bill: Real Property PAID		
		Surcharge	\$	\$				
		State Recordation Tax	\$ 265.00	\$				
		State Transfer Tax	\$ 265.00	\$				
		County Transfer Tax	\$ 795.00	\$		C.B. Credit:		
		Other	\$	\$		Ag. Tax/Other:		
		Other	\$	\$				
6	Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG	
			15-1519715230	46716 472				☐ (5)
		Subdivision Name	Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)	
		Location/Address of Property Being Conveyed (2)						
		Holly Neck Road, Essex, MD 21221						
		Other Property Identifiers (if applicable)					Water Meter Account No.	
		Residential ☒ Or Non-Residential ☐ Fee Simple ☒ or Ground Rent ☐ Amount: \$						
		Partial Conveyance ☐ Yes ☒ No		Description/Amt. of SqFt/Acreage Transferred:				
		If Partial Conveyance, List Improvements						
7	Transferred From	Doc. 1 - Grantor(s) Name(s)			Doc. 2 - Grantor(s) Name(s)			
		Concepcion Hernandez Flores and Veronica Beatriz Argueta						
		Doc. 1 - Owner(s) of Record, if Different from Grantor(s)			Doc. 2 Owner(s) of Record, if Different from Grantor(s)			
8	Transferred To	Doc. 1 - Grantee(s) Name(s)			Doc. 2 - Grantee(s) Name(s)			
		Thomas Roppelt						
		New Owner's (Grantee) Mailing Address						
		4 Longeron Drive, Middle River, MD 21220						
9	Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional)			Doc. 2 - Additional Names to be Indexed (Optional)			
10	Contact/Mail Information	Instrument Submitted By or Contact Person				☒ Return to Contact Person		
		Name: Heather Thomas				☐ Hold for Pickup		
		Firm: Black Oak Title LLC				☐ Return Address Provided		
		Address: 206 South Hays Street, 101 Bel Air, MD 21014 Phone: (410) 344-7925						
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER							
	Assessment Information	☐ Yes ☒ No	Will the property being conveyed be the grantee's principal residence?					
		☐ Yes ☒ No	Does the transfer include personal property? If yes, identify: _____					
		☐ Yes ☒ No	Was property surveyed? If Yes, attach copy of survey (if recorded, no copy required).					
Assessment use only - Do Not Write Below This Line								
Terminal Verification		Agricultural Verification		Whole		Part		
Transfer Number		Date Received:		Deed Reference:		Assigned Property No.:		
Year	20	20	Geo.	Map	Sub	Block		
Land			Zoning	Grid	Plat	Lot		
Buildings			Use	Parcel	Section	Occ. Cd.		
Total			Town Cd.	Ex. St.	Ex. Cd.			
REMARKS:								

Space Reserved for County Validation

 Distribution: White - Clerk's Office
 Pink - Office of Finance

 Canary - SDAT
 Goldenrod - Preparer

AOC-CC-300(5/2007).

Property Tax No. 15-19715230
 Property Address: 2412 Holly Neck Road
 Baltimore, MD 21221

NO CONSIDERATION/NO TITLE EXAMINATION

THIS DEED, made this 5th day of August, 2003, by and between **William W. Faber**, of the State of Maryland, party of the first part, and **William W. Faber**, party of the second part.

WITNESSETH, that in consideration of the sum of Zero Dollars (\$0.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, the said party of the first part doth grant and convey to the said party of the second part, his personal representatives and assigns, in fee simple, all that parcel of ground situate in the State of Maryland, County of Baltimore and described as follows, that is to say:

SEE SCHEDULE "A" ATTACHED.

BEING the same parcels of ground which by deed dated September 6, 2002, and recorded among the Land Records of Baltimore County in Liber No. 17020, folio 617, was granted and conveyed by Charles W. Faber and William W. Faber, to William W. Faber, the grantor(s) herein.

TOGETHER with the building thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said party of the second part, his personal representatives and assigns, in fee simple.

AND the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

REVIEWED SDAT
 BY ds DATE 8/15/03

0018898 192

WITNESS the hand(s) and seal(s) of the said grantor(s).

TEST:

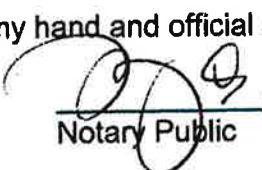


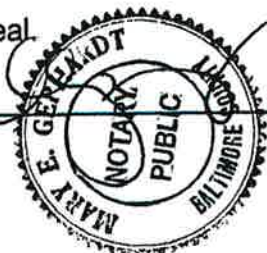
 (SEAL)
William W. Faber

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I hereby certify that on this 5th day of August, 2003, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **William W. Faber**, known to me (or satisfactorily proven) to be the persons whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained, and in my presence signed and sealed the same.

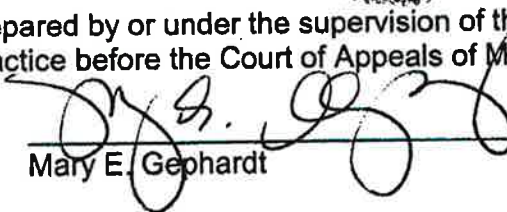
In Witness Whereof, I hereunto set my hand and official seal.


Notary Public



My Commission expires: 10/1/04

This is to certify that this Deed was prepared by or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.


Mary E. Gephardt

SCHEDULE A – DESCRIPTION

BEGINNING FOR THE FIRST at a point, said point being South 76 degrees 06 minutes 00 seconds West, 344.15 feet and South 89 degrees 51 minutes 00 seconds West from the intersection of the westerly Right of Way Line of Frankewitz Road, a 30 foot Right of Way, with the northerly Right of Way Line of Holly Neck Road, a 30 foot Right of Way as now described, thence with said Westerly line of Lot 1 as follows, viz:

- 1) North 01 degrees 51 minutes 00 seconds West, 166.18 feet to a point, said point being the left rear corner of Lot 1, thence departing said corner and running with the rear line of the total tract as follows,
- 2) North 89 degrees 51 minutes 00 seconds East, 146.01 feet to a point set on the rear line, thence through the entire parcel as follows,
- 3) South 00 degrees 09 minutes 00 seconds East, 157.27 feet to a point in the aforesaid Right of Way Line of Holly Neck Road the two following courses and distance, viz,
- 4) South 89 degrees 51 minutes 00 second West; 108.10 feet and
- 5) South 76 degrees 06 minutes 00 seconds West, 34.15 feet to the point and place of beginning.

Containing 22,744 square feet of land, more or less, as now surveyed by Thomas E. Phelps and Associates, in May 1998.

Being a portion of the Faber property as recorded in Baltimore County Land Records at Liber 8561, folio 381 and addressed as 2412 Holly Neck Road, and as shown on the attached plat as Lot 1, Minor subdivision of Faber Property 2412 Holly Neck Road.

BEGINNING FOR THE SECOND at a point, said point being at the intersection of the northerly side of Holly Neck Road with the westerly side of Frankewitz Road as now described, thence running with the westerly Right of Way Line of Holly Neck Road, as follows, viz:

- 1) S 89 degrees 51 minutes West, 62.00 feet to a point, thence departing said Right of Way with a new line of division as follows,
- 2) North 00 degrees 09 minutes East, 157.27 feet to intersect the northerly side of the entire parcel, thence with the northerly line as follows,
- 3) North 89 degrees 51 minutes East 96.44 feet to the westerly Right of Way line of Frankewitz Road, thence with said right of way line as follows:

- 4) South 12 degrees 12 minutes West, 161.00 feet to the point and place of beginning.

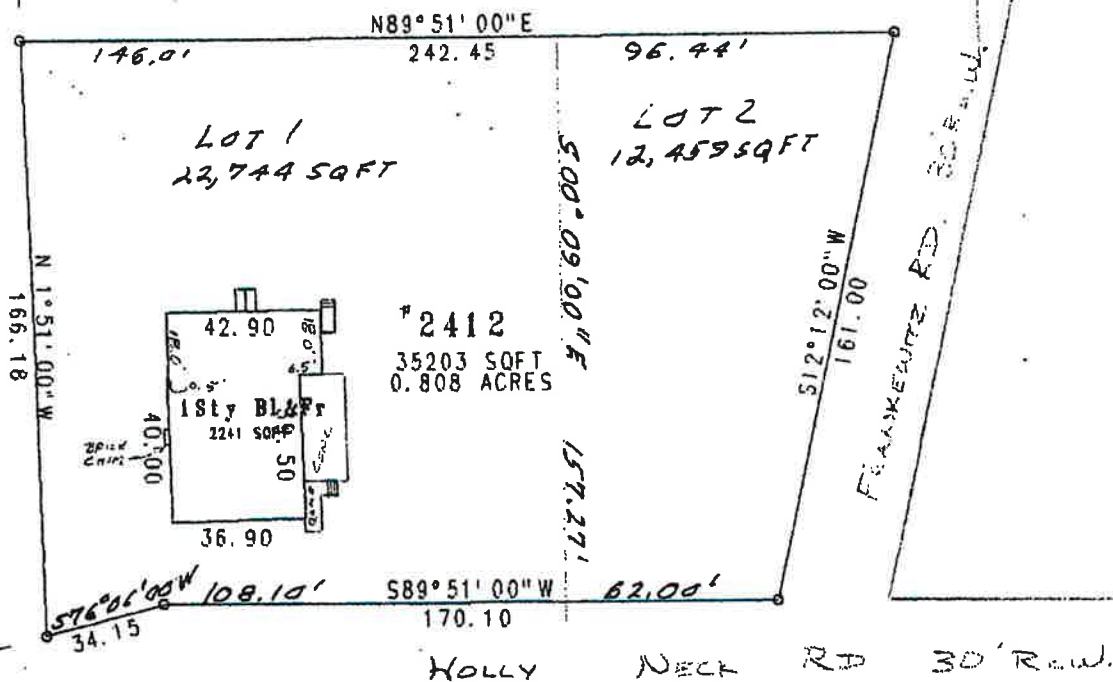
Containing 12,459 square feet of land as now computed.

Being a portion of the property as recorded in Baltimore County Land Records at Liber 8561 folio 381 and as shown on the attached plat as Lot 2, Minor subdivision of Faber Property 2412 Holly Neck Road. This lot line adjustment was approved by DRC120400J.

See Plat attached as Exhibit A.

0018898 195

Exhibit A



THIS DOES ~~NOT~~ CONSTITUTE A PROPERTY LINE SURVEY.
THIS WILL CERTIFY THAT I HAVE LOCATED THE IMPROVEMENTS
ON THE ABOVE PROPERTY AS INDICATED.



THOMAS E. PHELPS AND ASSOCIATES, INC.

REGISTERED PROPERTY LINE SURVEYORS

945 BARRON AVENUE
BALTIMORE, MARYLAND 21221

OFFICE: (410) 574-6744

LOCATION SURVEY

SITE PLAN

2412 HOLLY NECK RD.

JEDAR GROVE

BALTIMORE CO., MD

Plat Book 7 Folio 141

Scale . . 1" = 50.0' . . Date . . 6-24-96

0010098 196

State of Maryland Land Instrument Intake Sheet
☐ Baltimore City ☒ County: BALTIMORE COUNTY

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.
 (Type or Print in Black Ink Only—All Copies Must Be Legible)

1 **Type(s) of Instruments** ☒ Deed ☐ Mortgage ☐ Lease ☐ Other ☐ Other ☐ Other

2 **Conveyance Type** ☐ Improved Sale ☐ Unimproved Sale ☐ Multiple Accounts ☒ Not an Arms-Length Sale ☐ Arms-Length [1] ☐ Arms-Length [2] ☐ Arms-Length [3] ☐ Arms-Length [9]

3 **Tax Exemptions (If Applicable)** ☐ Recordation ☐ Lot line adjustment ☐ State Transfer ☐ Lot line adjustment ☐ County Transfer ☐ Lot line adjustment

Cite or Explain Authority

4 **Consideration and Tax Calculations**

Consideration Amount		Finance Office Use Only	
		Transfer and Recordation Tax Consideration	
Purchase Price/Consideration	\$ 500	Transfer Tax Consideration	\$
Any New Mortgage	\$	X () % =	\$
Balance of Existing Mortgage	\$	Less Exemption Amount	\$
Other:	\$	Total Transfer Tax	\$
Other:	\$	Recordation Tax Consideration	\$
Full Cash Value	\$	X () per \$500 =	\$
		TOTAL DUE	\$

5 **Fees**

Amount of Fees		Doc. 1		Doc. 2		Agent:	
Recording Charge	\$	20.00	\$			Tax Bill:	
Surcharge	\$	20.00	\$			C.B. Credit:	
State Recordation Tax	\$		\$			Ag. Tax/Other:	
State Transfer Tax	\$		\$				
County Transfer Tax	\$		\$				
Other	\$		\$				
Other	\$		\$				

6 **Description of Property**

SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG
15	1519715230	17020/617	98	430	☐ (5)
Subdivision Name			Lot (3a)	Block (3b)	Sect/AR (3c)
Location/Address of Property Being Conveyed (2)			Plat Ref.		
2412 Holly Neck Road, Baltimore, MD 21221			8/83		
Other Property Identifiers (if applicable)			Water Meter Account No.		
Residential ☐ or Non-Residential ☐			Fee Simple ☒ or Ground Rent ☐		
Amount:			Description/Amt. of SqFt/Acreage Transferred:		
Partial Conveyance? ☒ Yes ☐ No					
If Partial Conveyance, List Improvements Conveyed:					

7 **Transferred From**

Doc. 1 - Grantor(s) Name(s)	Doc. 2 - Grantor(s) Name(s)
William W. Faber	
Doc. 1 - Owner(s) of Record, if Different from Grantor(s)	Doc. 2 - Owner(s) of Record, if Different from Grantor(s)

8 **Transferred To**

Doc. 1 - Grantee(s) Name(s)	Doc. 2 - Grantee(s) Name(s)
William W. Faber	
New Owner's (Grantee) Mailing Address	
1315 Old Eastern Avenue, Baltimore, MD 21221	

9 **Other Names to Be Indexed**

Doc. 1 - Additional Names to be Indexed (Optional)	Doc. 2 - Additional Names to be Indexed (Optional)

10 **Contact/Mail Information**

Instrument Submitted By or Contact Person		☒ Return to Contact Person	
Name:	Mary E. Gephardt, Esq.	☐ Hold for Pickup	
Firm:	Lauenstein & Gephardt	☐ Return Address Provided	
Address:	809 Eastern Blvd., Ste. 300		
Balto., MD	21221	Phone:	(410) 687-2299

11 **IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER**

Assessment Information

☐ Yes ☒ No Will the property being conveyed be the grantee's principal residence?
☐ Yes ☒ No Does transfer include personal property? If yes, identify:
☒ Yes ☐ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Assessment Use Only - Do Not Write Below This Line

Terminal Verification		Agricultural Verification		Whole		Part		Tran. Process Verification	
Transfer Number:	Date Received:	Deed Reference:	Assigned Property No.:	Year	20	20	Geo.	Map	Sub
Land							Zoning	Grid	Plat
Buildings							Use	Parcel	Section
Total							Town Cd.	Ex. St.	Occ. Cd.
REMARKS:									

Distribution: White - Clerk's Office
 Canary - SDAT
 Pink - Office of Finance
 Goldenrod - Preparer
 AOC-CC-300 (6/95)

BALTIMORE COUNTY CLERK OF THE COURT (Land Records) SM 18898, p. 0196, MSA_CE62_18753, Date available 05/13/2004, Printed 03/04/2004.



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 Holly Neck Road Baltimore, Md. 21221 Currently Zoned RC-5/IDA
Deed Reference L.48736 E.354 L.128898 F.121 10 Digit Tax Account # 1519715230
Owner(s) Printed Name(s) Thomas Roppelt

(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

SEE ATTACHED

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

3. ☒ **a Variance** from Section(s)

SEE ATTACHED

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/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 _____

Legal Owners (Petitioners):

Thomas Roppelt 1
Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 _____ Signature #2 _____
4 Longeron Drive Middle River Md.
Mailing Address _____ City _____ State _____
21220 598-3381 TomRoppelt@icloud.com
Zip Code _____ Telephone #'s (Cell and Home) _____ Email Address _____

Attorney for Petitioner:

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

Representative to be contacted:

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

Case Number 2024-0078-SPHA Filing Date 3, 22, 24 Do Not Schedule Dates _____ Reviewer JS

Holly Neck Road (15-19-715230)

2024-0078-SPHA

Requested Relief:

Special Hearing:

In the alternative to the Variance request, a Special Hearing to permit a building lot (existing lot of record) of 12,459 square feet in lieu of the required 1.5 acres.

Variances:

1. 1A04.3.B.1.a. → In the alternative of the Special Hearing request, a variance to allow a building lot (existing lot of record) of 12,459 square feet in lieu of 1.5 acres.
2. 1A04.3.B.2.b. → To permit a dwelling with a side yard setback of 12 feet, a front yard setback of 31 feet and a side street setback of 12 feet in lieu of the required 50 feet each.
3. 1A04.3.B.2.b. → To permit a dwelling with a front yard setback to the centerline of a collector road (Holly Neck Road) of 46 feet in lieu of the required 150 feet.
4. 1A04.3.B.2.b. → To permit a dwelling with a side street setback to the centerline of a road feeding to a collector road (Frankewitz Road) of 27 feet in lieu of the required 100 feet.
5. 1A04.3.b.2.b. & 301.1. → To permit a covered porch with a side setback of 5 feet in lieu of the required 37.5 feet.
6. 1A04.3.B.3. → To allow a lot coverage of 32.29% in lieu of the maximum allowed 15%.

Holly Neck Road

15-19-715230

2024-0078-SPHA

Property Description

Located on the northwest corner of the intersection of Holly Neck Road (20' row), and Frankewitz Road (35' row). Council District 7, Election District 15.

BEGINNING FOR THE SAME at a point, said point being at the intersection of the northerly side of Holly Neck Road with the westerly side of Frankewitz Road as now described, thence running with the westerly Right of Way Line of Holly Neck Road, as follows, viz:

- 1) South 89 degrees 51 minutes West, 62.00 feet to a point, thence departing said Right of Way with a new line of division as follows,
- 2) North 00 degrees 09 minutes East, 157.27 feet to intersect the northerly side of the entire parcel, thence with the northerly line as follows,
- 3) North 89 degrees 51 minutes East 96.44 feet to the westerly Right of Way line of Frankewitz Road, thence with said right of way line as follows:
- 4) South 12 degrees 12 minutes West, 161 feet to the point and place of beginning.

Containing 12,459 square feet of land as now computed.

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 (DEPS) - Development Coordination

DATE: April 2, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0078-SPHA
Address: HOLLY NECK RD.
Legal Owner: Thomas Roppelt

Zoning Advisory Committee Meeting of April 2, 2024.

DEPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The proposed development is located within a Limited Development Area (LDA). Based on the 12,459 square foot area of the property, development must comply with a maximum Critical Area lot coverage limit of 3,884 square feet. The lot coverage indicated on the plan (proposed structures and gravel area) exceeds the allowance and would need to be reduced to no more than 3,884 square feet. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). If the applicant designs the project to meet Critical Area lot coverage requirements, the development can result in minimal adverse impacts to water quality with the property area and setback relief requested.

2. Conserve fish, plant, and wildlife habitat;

There are no Critical Area buffers, or habitat protection areas on the property. Therefore, if the proposed development can comply with all Critical Area lot coverage and tree requirements, this can aid in the conservation of fish, plant, and wildlife habitat in the area watershed.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

If the development can be designed to meet all Critical Area requirements, the relief requested can be consistent with established land-use policies.

Reviewer: Paul Dennis, Environmental Impact Review

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 4/1/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0078-A

INFORMATION:

Property Address: Holly Neck Road
Petitioner: Thomas Roppelt
Zoning: RC 5 / LDA
Requested Action: Special Hearing and Variance

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

Special Hearing -

- a. In the alternative to the Variance request, a Special Hearing to permit a building lot (existing lot of record) of 12,459 square feet in lieu of the required 1.5 acres.

Variance(s) -

- a. In the alternative of the Special Hearing request, a variance to allow a building lot (existing lot of record) of 12,459 square feet in lieu of 1.5 acres
- b. To permit a dwelling with a side yard setback of 12 feet, a front yard setback of 31 feet and a side street setback of 12 feet in lieu of the required 50 feet each.
- c. To permit a dwelling with a front yard setback to the centerline of a collector road (Holly Neck Road) of 46 feet in lieu of the required 150 feet.
- d. To permit a dwelling with a side street setback to the centerline of a road feeding to a collector road (Frankewitz Road) of 27 feet in lieu of the required 100 feet.
- e. To permit a covered porch with a side setback of 5 feet in lieu of the required 37.5 feet.
- f. To allow a lot coverage of 32.29% in lieu of the maximum allowed 15%.

The subject property is located at the intersection of Holly Neck Road & Frankewitz Road in the Middle River area of Baltimore County. The property consists of an approximately 0.286 acres parcel zoned RC-5 that is not improved. The property is surrounded by the Chesapeake Bay, detached residential dwellings, forest conservation, marinas, and boat sales.

The R.C.5 zoning classification was established in response to concerns over wasteful and disorderly rural-residential development and inadequate lot sizes for on-lot sewer and water systems. These issues could result in undue financial hardships and negatively affect the safety and welfare of citizens. In identifying specific areas suitable for rural-residential development, the aim is to direct future growth towards these areas and prevent disorderly development patterns. The R.C.5 zoning classification serves to provide suitable areas for rural-residential development, minimize encroachments on natural resource areas, and provide a minimum lot size for proper on-lot sewer and water system functioning.

In a discussion with the applicant, the proposal is to build a house on the lot to accommodate himself, his wife and his aged mother in-law. It was confirmed in the discussion that the total size of the property is .0286 acres as indicated in the submitted site plan. Subsequently, the size of the property presents a difficulty in meeting the required minimum lot size and setbacks.

The Department has no objections to the requests with the following conditions:

1. This site is subject to the RC 5 Performance Standards as listed in Section 1A04.4 of the BCZR. Architectural elevations must be submitted to the Department of Planning for review at permitting.
2. Considering the location of the proposed site (intersection of Holly Neck Road and Frankewitz Road), the elevations facing the street shall not be left as blank walls.

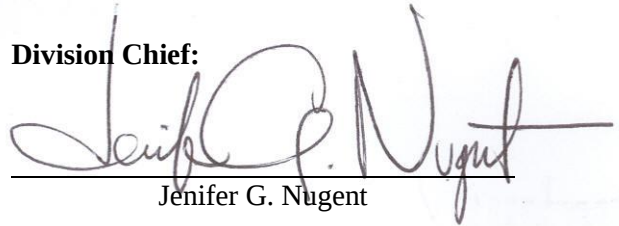
For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Thomas Roppelt
Ainsley Jacobs - Community Planners
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County



Certificate of Posting

Case# 2024-0078-SPHA
 Petitioner/Developer
Thomas Roppelt

Date of Hearing/Closing
May 7, 2024

Baltimore County Department of Permits and Management
 County Office Building Room 111; 111 West Chesapeake Ave. Towson Md. 21204
 Attention:

Ladies and Gentlemen:

This is to certify under penalties of perjury that the necessary sign/signs required by law were posted conspicuously on the property located at
Holly Neck And Frankewitz Rd on April 15, 2024 Signs 1A & 2A

Sincerely, Martin Ogle

Martin Ogle
 9912 Maidbrook Road
 Parkville, Md. 21234
 443-629-3411

STATE OF MARYLAND
GREGORY CURTIS BENEFIEL
PROFESSIONAL LAND SURVEYOR
10994
EXPIRATION DATE 08-2024