



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 1, 2024

Michael and Susan Ford – suzford@comcast.net
14029 Blenheim Road
Phoenix, MD 21131

RE: Petition for Variance
Case No. 2024-0085-A
Property: 14029 Blenheim Road

Dear Mr. and Mrs. Ford:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "AMB", is written over a horizontal line.

ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlm
Enclosure

c: Bruce Doak – bdoak@bruceedoak@consulting.com

**IN RE: PETITION FOR VARIANCE
(14019 Blenheim Road)**

10th Election District

3rd Council District

Michael & Susan Ford

Legal Owners

Petitioners

*

BEFORE THE

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OFFICE OF ADMINISTRATIVE

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HEARINGS OF

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BALTIMORE COUNTY

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CASE NO. 2024-0085-A

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OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by Michael and Susan Ford (“Petitioners”) for property located at 14029 Blenheim Road, Phoenix (the “Property”). The Petitioners are requesting Variance relief from Baltimore County Zoning Regulations (“BCZR”), § 400.3 to permit an accessory building (garage) with a height of 20 ft., in lieu of the required maximum 15 ft. From BCZR § 400.1 to permit an accessory building (garage) to be located in the side and front yards in lieu of the required rear yard.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing was held on May 1, 2024. The Petition was properly advertised and posted. The Petitioners appeared at the hearing in support of the Petition. Bruce E. Doak of Bruce E. Doak Consulting, LLC also appeared and assisted the Petitioners. There were no Protestants or other interested persons, who testified in opposition or even participated in the hearing.

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

The Property is located along Blenheim Road in the Phoenix area. The Property is approximately 5.309 acres and is zoned RC 5 and improved with a dwelling unit. The proposed

property is surrounded by detached residential dwellings, farms and forest conservation. (Pet. Ex. 1) Mr. Doak explained that the Petitioners are requesting to build a 20-foot high, 24' by 40' accessory garage on the eastern side of the subject property off of an existing paved entrance road, and in front to the primary structure. The use of this existing asphalt driveway will eliminate the need for the creation of additional impervious surface. The proposed accessory structure will be shielded by trees from the neighboring property to the east. (Pet. Exs. 5 & 6F) Dwellings on neighboring properties to the south are situated on a raised elevation and will not look directly into the proposed garage. (Pet. Exs. 5 & 6C) Petitioners provided letters of support from several neighbors who have no objection to the construction of the garage. (Pet. Ex. 8)

Mr. Doak explained that the proposed garage cannot be built in the rear of the principal dwelling due to steep slopes, a forest buffer, drainage and utility easement, as well as the existing septic area. (Pet. Exs. 1 & 6) Mr. Ford testified that the additional height for the accessory structure is needed in order for him to park his truck, collectable cars and other equipment. Mr. Doak also clarified that the height of the garage and its roof angles will be in harmony with the principal structure. The actual garage doors will have a height of 10 feet, with a total first level height of 11 feet. The balance of the requested height includes the roof pitch and a storage area, with no steps or other amenities on the "attic" level. (Pet. Ex. 7C)

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

I find that the Property is unique due its steep slopes, forest buffer, drainage and utility easement, and septic area in the rear of the property and that the Petitioners would experience a practical difficulty if variance relief was not granted. I also find that the requested Variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare, particularly in light of the lack of opposition.

THEREFORE, IT IS ORDERED, this 1st day of **May 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR, § 400.3 to permit an accessory building (garage) with a height of 20 ft., in lieu of the required maximum 15 ft., be and is hereby, **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance relief pursuant to BCZR § 400.1 to permit an accessory building (garage) to be located in the side and front yards in lieu of the required rear yard, be is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners and subsequent owners shall not convert the detached garage into a dwelling unit or apartment. The detached garage shall not contain any sleeping quarters, living area, bathroom facilities or kitchen facilities.
3. The detached garage shall not have a separate utility or electric connection and shall connect all electrical to the home.
4. The detached garage shall not be used for commercial or industrial purposes.
5. Petitioners must comply with all conditions set forth in the attached DEPS and DOP comments; copies of which are attached hereto and made a part hereof.

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

A handwritten signature in dark ink, appearing to read 'Andrew M. Belt', is written over a horizontal line.

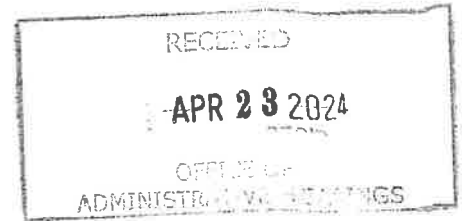
ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB/dlm

5-1 10am

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 9, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0085-A
Address: 14029 BLENHEIM RD
Legal Owner: Michael & Susan Ford

Zoning Advisory Committee Meeting of April 9, 2024.

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

- A. Ground Water Management (GWM) approval must be obtained prior to approval of the building permit. Requirements for approval will include submission of a site plan that meets GWM site plan requirements, and an on-site disposal system (OSDS) inspection report locating all septic system components.
- B. The building foundation of the garage must meet the min 20' setback to the edge of the existing septic drainfields and/or the approved septic reserve area.

Additional Comments:

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

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

A forest buffer is present on site. Portions of the buffer are being disturbed with mowing. EIR will not approve permits until the parcel is brought back into compliance with the Water Quality (Forest Buffer) Law.

Additional Comments

Reviewer: Jannifer D. Anderson

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 4/9/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0085-A

INFORMATION:

Property Address: 14029 Blenheim Road
Petitioner: Michael F and Susan A. Ford
Zoning: RC 5
Requested Action: Variance

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

Variance(s) -

- a. To permit an accessory structure (garage) with a height of 20 feet in lieu of the required maximum height of 15 feet per Section 400.3 BCZR
- b. To permit an accessory structure (garage) to be located in the side and front yards in lieu of the required rear yard per Section 400.1 BCZR

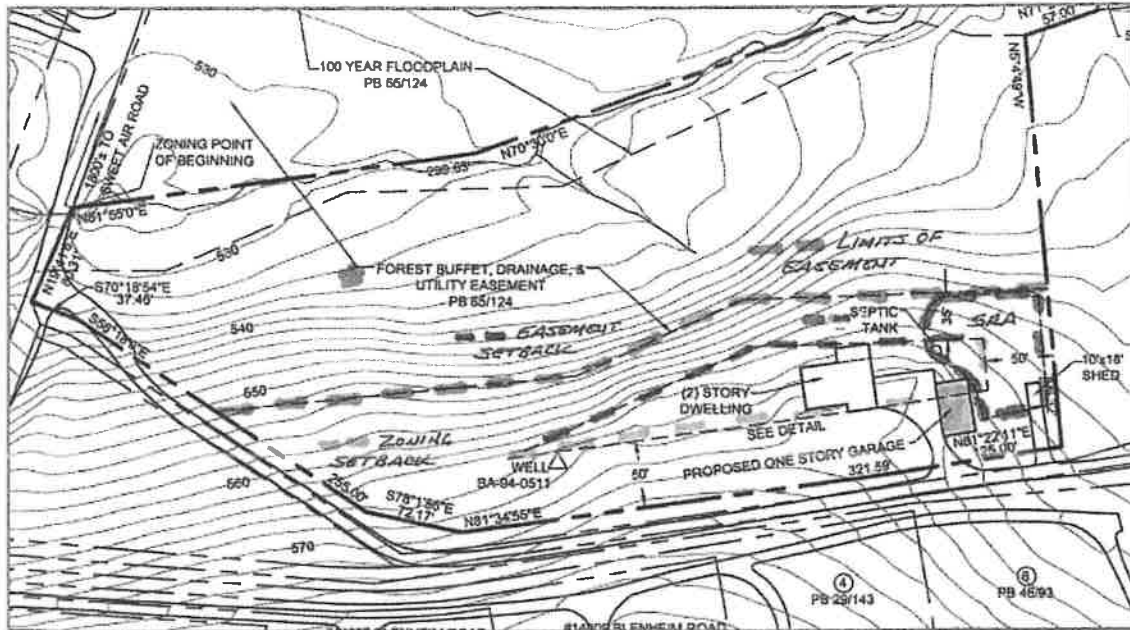
The subject property is located along Blenheim Road in the Phoenix area of Baltimore County. The property consists of an approximately 5.2 parcel zoned RC-5 and improved with a dwelling unit. The proposed property is surrounded by detached residential dwellings, farms and forest conservations.

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.

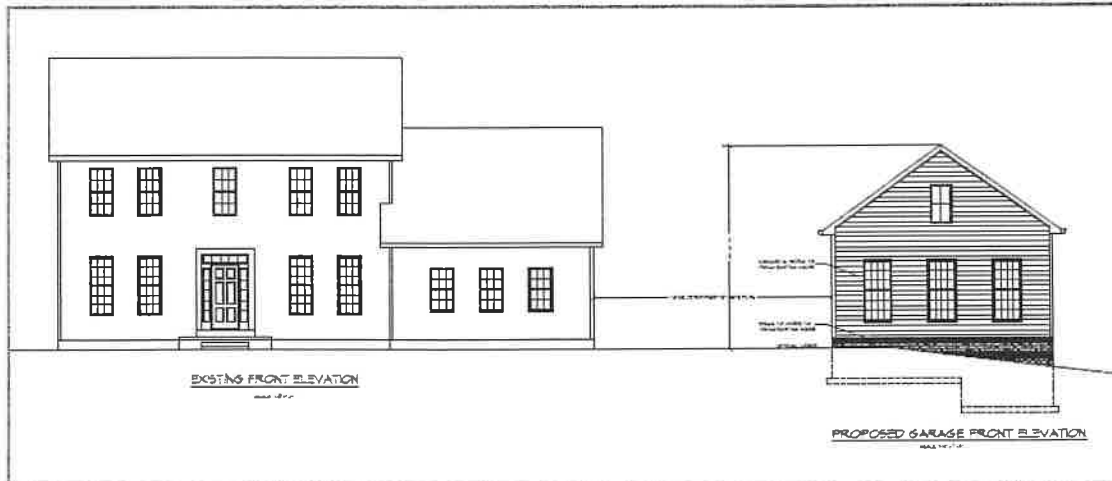
The Department reached out to the applicant for further justification of the request and the following was noted:

Due to the limited available space and specific land-use constraints, the placement of the garage in the side and front yards is necessary. This is because the property includes a recorded Forest Buffer, Drainage & Utility Easement, highlighted in green, alongside a 35-foot building setback from this easement, shown in purple. Additionally, the site contains an approved septic reserve area (SRA), marked in brown, where no buildings can be erected. Given these restrictions, the proposed location for the garage is the only viable option, prompting the request for a variance. The design of the garage incorporates a roof pitch

similar to that of the house and includes space for minimal storage within the trusses. Enclosed with this explanation are the construction plans which detail these specifications.



A drawing submitted by the applicant indicating the locations mentioned in his justification



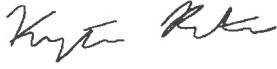
The proposed garage and the existing house in a plan submitted

The applicant has demonstrated enough practical hardship necessitating the location of the proposed garage. The Department of Planning does not object to the requested relief with the following conditions:

1. The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area or kitchen facilities.
2. The accessory structure shall not be used for commercial or industrial purposes.
3. It should be noted that the site is subject to the RC 5 Performance Standards as listed in Section 1A04.4 of the BCZR.

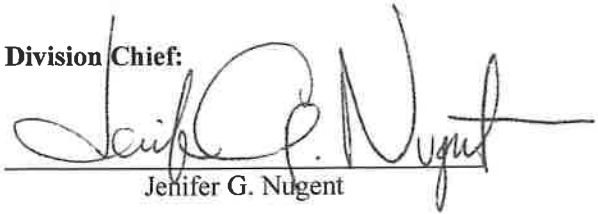
For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jennifer G. Nugent

SL/JGN/KP

c: Bruce E. Doak, Bruce E. Doak Consulting LLC
Abigail Rogers - 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 Law of Baltimore County for the property located at:

Address 14029 BLENHEIM ROAD which is presently zoned RC5
Deed References: 11009/38 10 Digit Tax Account # 22 000 17169
Property Owner(s) Printed Name(s) MICHAEL R. FORD & SUSAN A. FORD

(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. 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 PAGE

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT THE HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

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

Attorney for Petitioner:

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

Legal Owners (Petitioners):

MICHAEL R. FORD SUSAN A. FORD
Name #1 - Type or Print Name #2 - Type or Print
[Signature] [Signature]
Signature #1 Signature #2
14029 BLENHEIM ROAD PHOENIX MO
Mailing Address City State
2131 410-913-9213
Zip Code Telephone # Email Address

SUZFORD@COMCAST.NET

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING LLC
Name - Type or Print
[Signature]
Signature
3801 BAKER SCHOOLHOUSE ROAD FREELAND MO
Mailing Address City State
2053 410-919-9906
Zip Code Telephone # Email Address

CASE NUMBER 2024-0085-A Filing Date 3/29/24 BRUCE@BRUCEEDOAKCONSULTING.COM
Do Not Schedule Dates: _____ Reviewer JS

Zoning Hearing Petitions Being Requested

Variance to permit an accessory structure (garage) with a height of 20 feet in lieu of the required maximum height of 15 feet per Section 400.3 BCZR

Variance to permit an accessory structure (garage) to be located in the side and front yards in lieu of the required rear yard per Section 400.1 BCZR

2024-0085-A



Zoning Description

14029 Blenheim Road
Tenth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point on the west side of Benheim Road, 1,800 feet, more or less, southwest of the centerline of Street Air Road,

Being Lot #3 as shown on the plat entitled "Ashley Acres" dated July 1, 1993 and recorded in the land records of Baltimore County in Plat Book SM 65, page 124.

Containing 5.242 acres of land, more or less.

This description is part of a zoning hearing petition and is not intended for any conveyance purposes.



2024-1085-A

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

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

No. 229542

Date: 3/29/24

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

Total: \$ 75.00

Rec From: BRUCE DOAK

For: 2024-0085-A

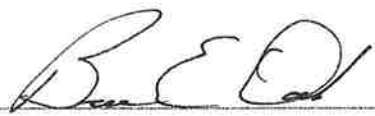
14029 BLENHEIM RD

JSS 24-0290

DISTRIBUTION

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

**CASHIER'S
VALIDATION**

BRUCE E DOAK 12-12 BRUCE E DOAK CONSULTING 3801 BAKER SCHOOLHOUSE RD FREELAND, MD 21053-9738		3125 15-3/540 429
Date 3/26/24		
Pay to the Order of	BALTIMORE COUNTY MD	\$ 75.00
SEVENTY FIVE AND 00/100		Dollars
 PNCBANK PNC Bank, N.A. 040		
For	FORO ZONING PETITION FEE	
⑆054000030⑆ 5336741067⑈ 3125		

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Case Number: 2024-0085-A

Property Address: 14029 BLENHEIM ROAD

Property Description: LOT #3 ASHLEY ACRES PB 65/124

Legal Owners (Petitioners): MICHAEL R. FORD & SUSAN A. FORD

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: BRUCE E. DOAK

Company/Firm (if applicable): BRUCE E. DOAK CONSULTING LLC

Address: 3801 BAKER SCHOOLHOUSE ROAD
FREELAND MD 21053

Telephone Number: 410-419-4906

Revised 5/20/2014

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
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Special Tax Recapture: None

Account Identifier: District - 10 **Account Number -** 2200017169

Owner Information

Owner Name:	FORD MICHAEL R FORD SUSAN A	Use:	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	14029 BLENHEIM RD N PHOENIX MD 21131-1829	Deed Reference:	/11009/ 00038

Location & Structure Information

Premises Address:	14029 BLENHEIM RD PHOENIX 21131-1829	Legal Description:	5.242 AC 14029 BLENHEIM RD ES ASHLEY ACRES
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Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0044 0001 0389 10030035.04 0000 3 2023 **Plat Ref:** 0065/ 0124

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1995	3,098 SF		5.2400 AC	04

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

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2023	07/01/2023	07/01/2024
Land:	241,400	275,300		
Improvements	325,300	398,800		
Total:	566,700	674,100	602,500	638,300
Preferential Land:	0	0		

Transfer Information

Seller: GLOMBIAK JOSEPH, JR	Date: 04/13/1995	Price: \$95,000
Type: ARMS LENGTH VACANT	Deed1: /11009/ 00038	Deed2:

Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Seller:	Date:	Price:
Type:	Deed1:	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

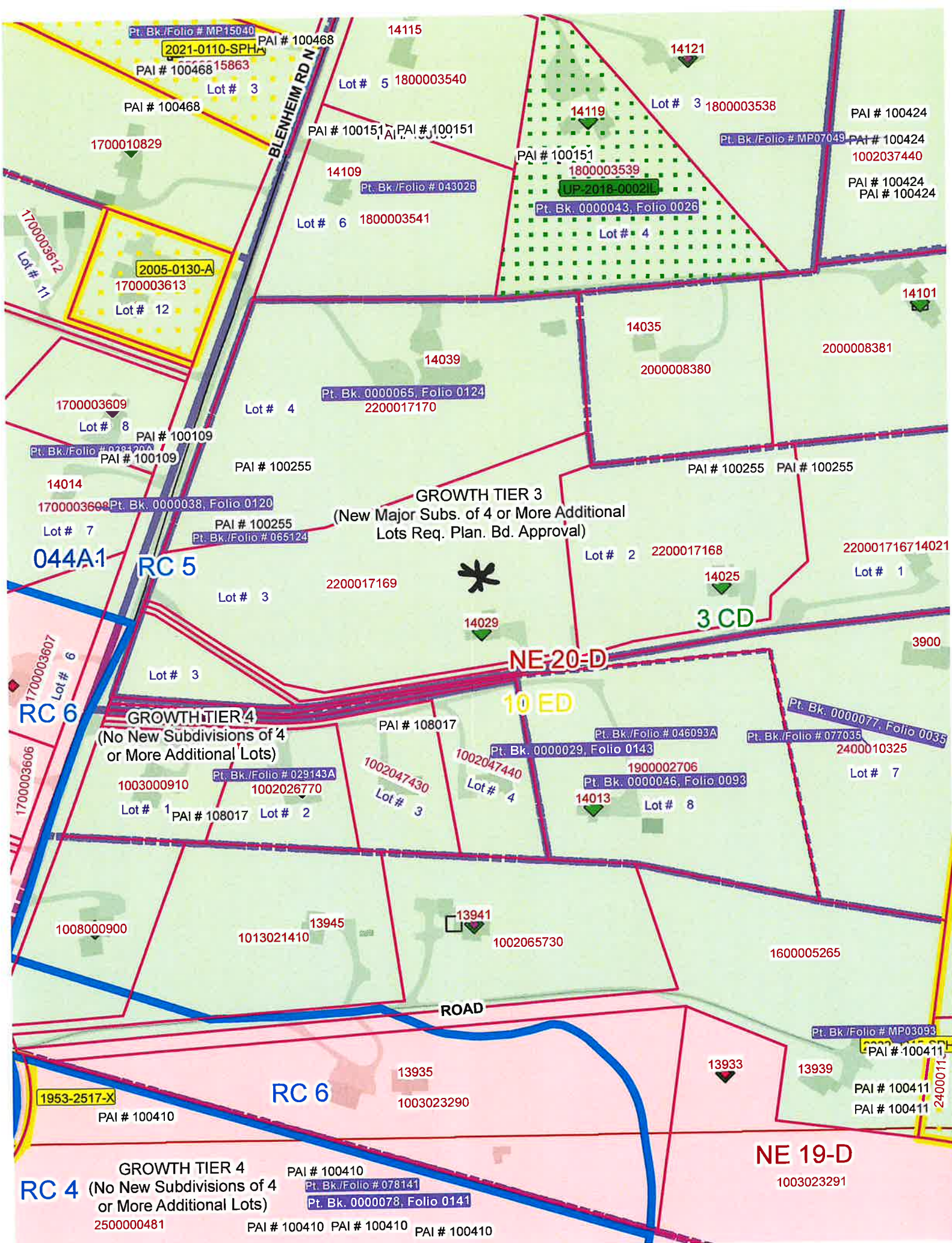
Special Tax Recapture: None

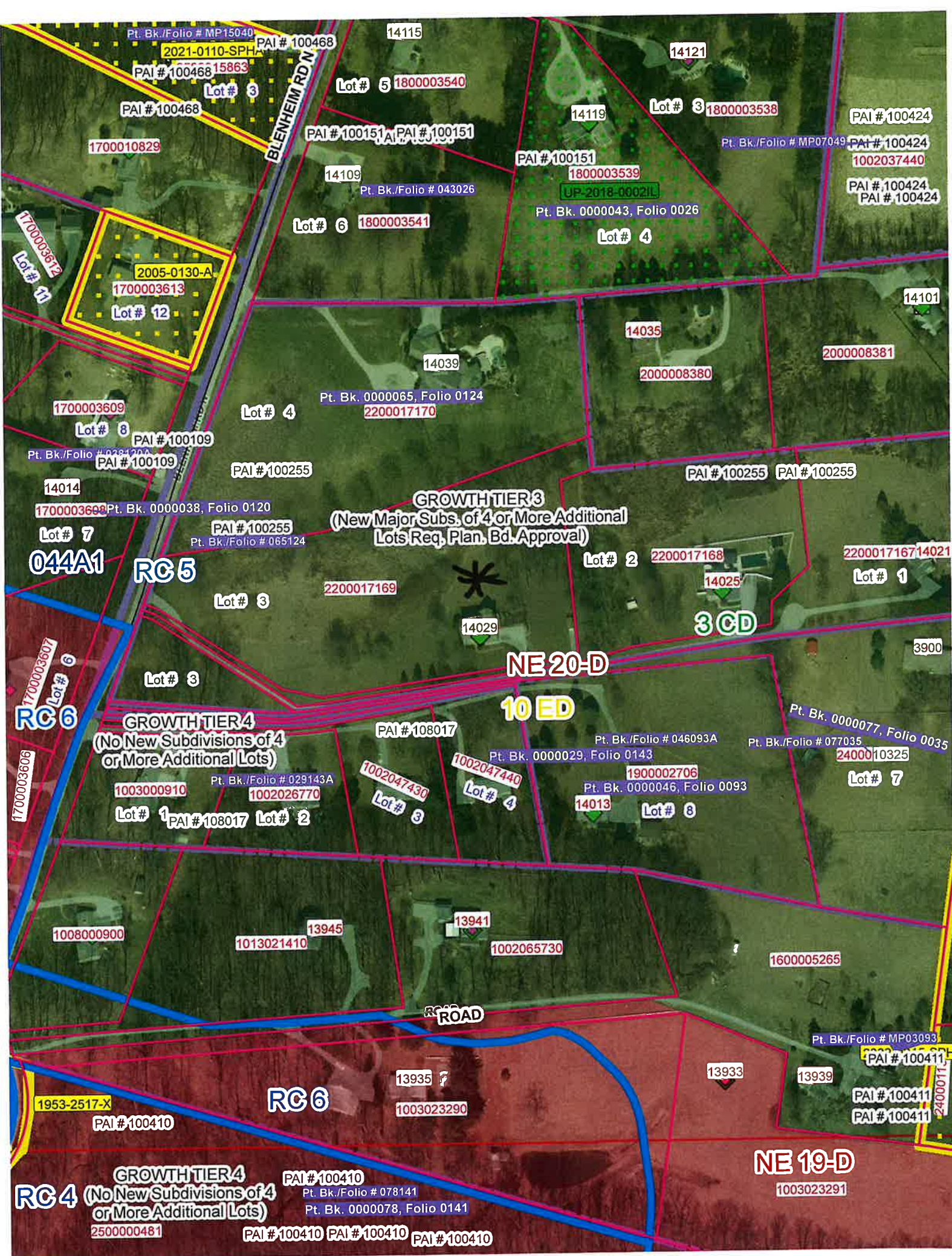
Homestead Application Information

Homestead Application Status: Approved 04/30/2008

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**







PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

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Address 14029 BLENNHEIM ROAD which is presently zoned RC5
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3. X a **Variance** from Section(s)

SEE ATTACHED PAGE

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Contract Purchaser/Lessee:

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

Attorney for Petitioner:

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

Legal Owners (Petitioners):

MICHAEL R. FORD SUSAN A. FORD
Name #1 - Type or Print Name #2 - Type or Print
Signature #1 [Signature] Signature #2 [Signature]
Mailing Address 14029 BLENNHEIM ROAD PHOENIX MO
City _____ State _____
Zip Code 21131 Telephone # 410-913-9213 Email Address _____

SUZFORD@COMCAST.NET

Representative to be contacted:

BRUCE E. DOAK
Name - Type or Print BRUCE E. DOAK CONSULTING LLC
Signature [Signature]
Mailing Address 3801 BAKER SCHOOLHOUSE ROAD FREELAND MO
City _____ State _____
Zip Code 21053 Telephone # 410-919-9906 Email Address _____

BDOAK@BRUCEEDOAKCONSULTING.COM

CASE NUMBER 2024-0085-A Filing Date 3/29/24 Do Not Schedule Dates: _____ Reviewer JS

Zoning Hearing Petitions Being Requested

Variance to permit an accessory structure (garage) with a height of 20 feet in lieu of the required maximum height of 15 feet per Section 400.3 BCZR

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Baltimore County, Maryland

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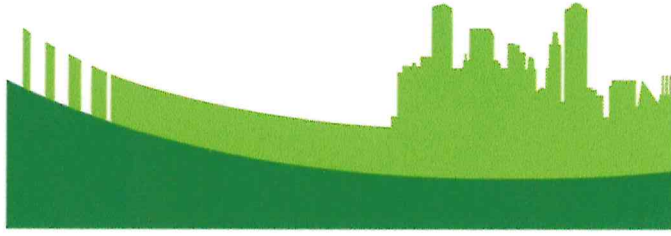
Containing 5.242 acres of land, more or less.

This description is part of a zoning hearing petition and is not intended for any conveyance purposes.



2024-1085-A

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com



CERTIFICATE OF POSTING

April 09, 2024

_____ amended for second inspection

Re:

Zoning Case No.2024-0085-A

Legal Owner: Michael & Susan Ford

Hearing date: May 01, 2024

Baltimore County Department of Permits, Approvals & Inspections

County Office Building

111 West Chesapeake Avenue, Room 111

111 West Chesapeake Avenue Towson, MD 21204

Attention: Jeff Perlow

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **14029 Blenheim Road**.

The signs were initially posted on **April 8, 2024**.

The subject property was also inspected on _____.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bruce E. Doak", with a stylized flourish at the end.

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road

Freeland, MD 21053

410-419-4906 cell / 443-900-5535 office

bdoak@bruceedoakconsulting.com

ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below) for the Property identified herein as follows:

CASE # 2024-0085-A

14029 Blenheim Road Phoenix, MD 21131
(SES of Blenheim Rd., SW of SW of Sweet Air Rd.)

Council District 3, Election District 10

Legal Owners: Michael & Susan Ford

PETITION REQUEST: Variance: To permit an accessory structure (garage) with a height of 20 ft. in lieu of the required maximum height of 15 ft. per BCZR, Section 400.3. To permit an accessory building (garage) to be located in the side and front yards in lieu of the required rear yard per BCZR, Section 400.1.

Hearing Date: Wednesday, May 1, 2024 at 10:00 a.m.

If an in-person hearing has been requested in writing and granted, the hearing location is: The Jefferson Building, 105 W. Chesapeake Ave., Hearing Room 205, Towson, MD 21204. Please contact the Office of Administrative Hearings a few days prior to the hearing to confirm the hearing format at the phone number or email address shown below.

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 / Towson, Maryland 21204 / Phone 410-887-3868, ext.0
Email: administrativehearings@baltoctcountymd.gov

HANDICAPPED ACCESSIBLE

ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below) for the Property identified herein as follows:

CASE # 2024-0085-A

14029 Blenheim Road Phoenix, MD 21131
(SES of Blenheim Rd., SW of SW of Sweet Air Rd.)
Council District 3, Election District 10
Legal Owners: Michael & Susan Ford

PETITION REQUEST: Variance: To permit an accessory structure (garage) with a height of 20 ft. in lieu of the required maximum height of 15 ft. per BCZR, Section 400.3. To permit an accessory building (garage) to be located in the side and front yards in lieu of the required rear yard per BCZR, Section 400.1.

Hearing Date: Wednesday, May 1, 2024 at 10:00 a.m.

If an in-person hearing has been requested in writing and granted, the hearing location is: The Jefferson Building, 105 W. Chesapeake Ave., Hearing Room 205, Towson, MD 21204. Please hearing format at the phone number or email address shown below.

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 / Towson, Maryland 21204 / Phone 410-587-3868 ext 0
Email: administrativehearings@baltimorecountymd.gov

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HANDICAPPED ACCESSIBLE

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 9, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0085-A
Address: 14029 BLENHEIM RD
Legal Owner: Michael & Susan Ford

Zoning Advisory Committee Meeting of April 9, 2024.

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

- A. Ground Water Management (GWM) approval must be obtained prior to approval of the building permit. Requirements for approval will include submission of a site plan that meets GWM site plan requirements, and an on-site disposal system (OSDS) inspection report locating all septic system components.
- B. The building foundation of the garage must meet the min 20' setback to the edge of the existing septic drainfields and/or the approved septic reserve area.

Additional Comments:

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

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

A forest buffer is present on site. Portions of the buffer are being disturbed with mowing. EIR will not approve permits until the parcel is brought back into compliance with the Water Quality (Forest Buffer) Law.

Additional Comments

Reviewer: Jannifer D. Anderson

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: April 10, 2024

FROM: Derek M. Chastain
Bureau of Building Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0085-A

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

BPR: No comment

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: April 8, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0085-A

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

DPR: No comment.

DPW-T: No exception taken.

Landscaping: No comment.

Recreations & Parks: No Greenways affected.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 4/9/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0085-A

INFORMATION:

Property Address: 14029 Blenheim Road
Petitioner: Michael F and Susan A. Ford
Zoning: RC 5
Requested Action: Variance

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

Variance(s) -

- a. To permit an accessory structure (garage) with a height of 20 feet in lieu of the required maximum height of 15 feet per Section 400.3 BCZR
- b. To permit an accessory structure (garage) to be located in the side and front yards in lieu of the required rear yard per Section 400.1 BCZR

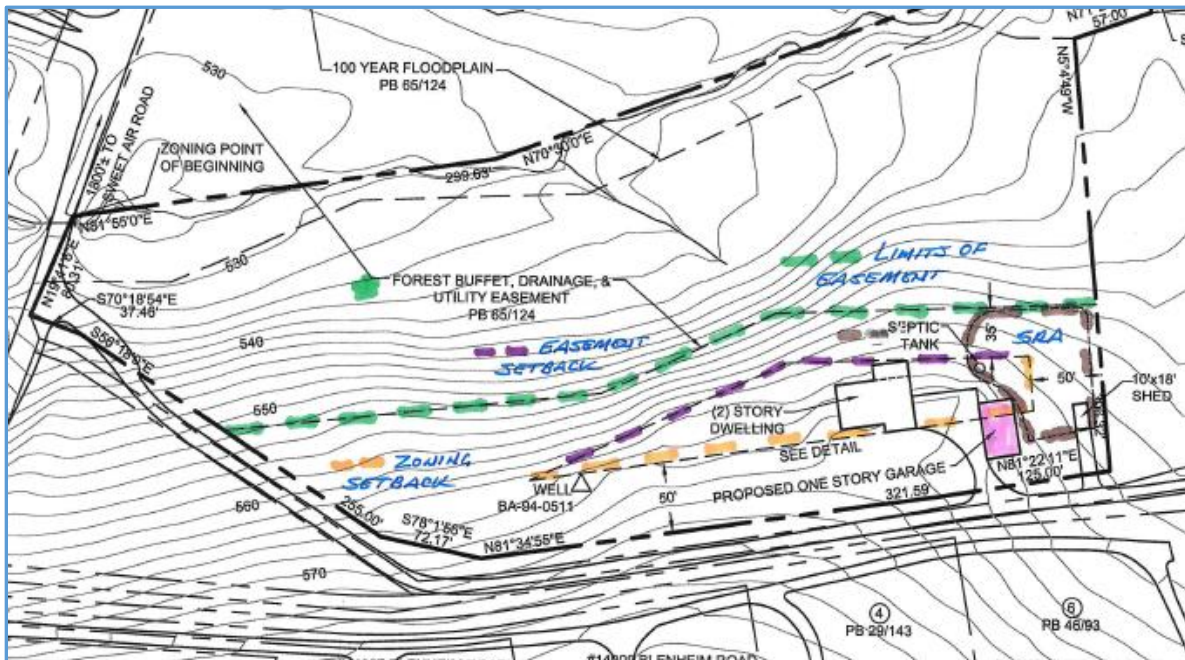
The subject property is located along Blenheim Road in the Phoenix area of Baltimore County. The property consists of an approximately 5.2 parcel zoned RC-5 and improved with a dwelling unit. The proposed property is surrounded by detached residential dwellings, farms and forest conservations.

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.

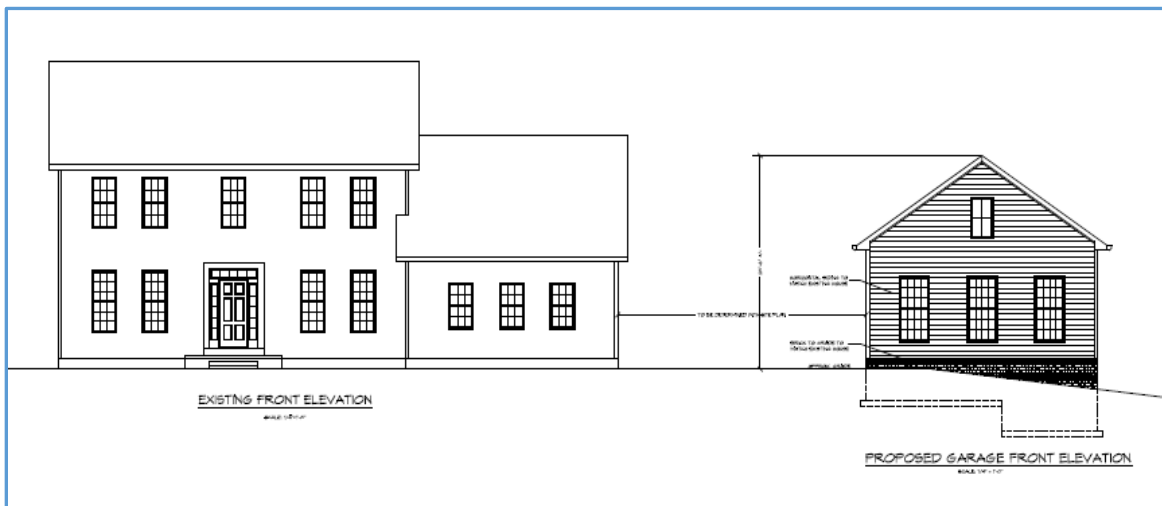
The Department reached out to the applicant for further justification of the request and the following was noted:

Due to the limited available space and specific land-use constraints, the placement of the garage in the side and front yards is necessary. This is because the property includes a recorded Forest Buffer, Drainage & Utility Easement, highlighted in green, alongside a 35-foot building setback from this easement, shown in purple. Additionally, the site contains an approved septic reserve area (SRA), marked in brown, where no buildings can be erected. Given these restrictions, the proposed location for the garage is the only viable option, prompting the request for a variance. The design of the garage incorporates a roof pitch

similar to that of the house and includes space for minimal storage within the trusses. Enclosed with this explanation are the construction plans which detail these specifications.



A drawing submitted by the applicant indicating the locations mentioned in his justification



The proposed garage and the existing house in a plan submitted

The applicant has demonstrated enough practical hardship necessitating the location of the proposed garage. The Department of Planning does not object to the requested relief with the following conditions:

1. The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area or kitchen facilities.
2. The accessory structure shall not be used for commercial or industrial purposes.
3. It should be noted that the site is subject to the RC 5 Performance Standards as listed in Section 1A04.4 of the BCZR.

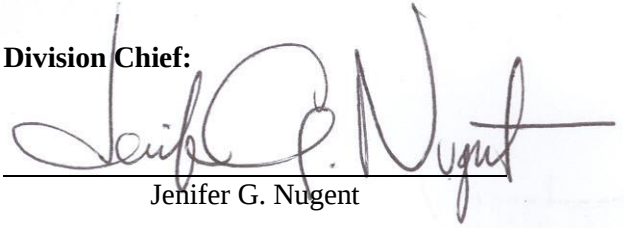
For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Bruce E. Doak, Bruce E. Doak Consulting LLC
Abigail Rogers - Community Planners
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

GENERAL INFORMATION

1. Ownership: Michael R. Ford & Susan A. Ford
2. Address: 14029 Blenheim Road Phoenix, MD 21131. 410-913-9213
3. Deed reference: 11009/ 38
4. Property area: 5.242 acres (per PB 65/124)
5. Election District: 10th Councilmanic District: 31d
6. Tax Map 79 Grid 005 Parcel 389 Tax Acc. #22-00-017169
7. ADC Map Grid: Position Sheet: 77NE13
8. GIS Tile Number: 044A1
9. Regional Planning District: Jackson Regional Planning Dist. Code: 305
10. Growth Tier: 3 Growth Tier Description: Large lot developments on septic
11. Watershed Name: Loch Raven Reservoir
12. URDL Land Type: 0
13. School Districts: Jacksonville ES Cockeysville MS Dulaney HS
14. Census Block: 24005410200 Census Tract: 410200
15. The boundary shown hereon is from the title deed.
16. The topography shown hereon is from GIS Tile 044A1.

GROUND WATER MANAGEMENT

1. The subject property is served by a private septic system and well.
2. The construction of the garage will not disturb the septic reserve area.
3. A setback variance from the proposed garage to the approved septic reserve area may be needed or the outlines of the septic reserve area may be amended.
4. There are no underground fuel tanks on the subject property.

ENVIRONMENTAL IMPACT

Forest Conservation

1. The forest on the subject property is protected by a Forest Buffer, Drainage & Utility Easement as shown on PB 65/124.

Forest Buffer

1. The wetlands and flood plain on the subject property is protected by a Forest Buffer, Drainage & Utility Easement as shown on PB 65/124.
2. The subject property is not in the Chesapeake Bay Critical Area.

OFFICE OF ZONING

Current Zoning R.C. 5

Zoning History

There have been no zoning hearings concerning the subject property.

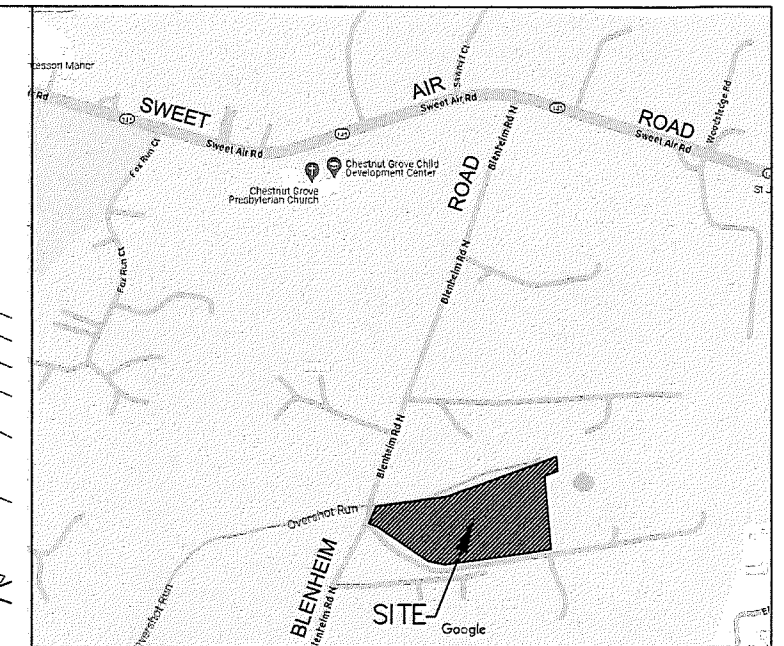
R.C. 5 Setbacks for Residential Single Family Dwellings

Front: 50 feet from the property line (panhandle lot)
Side: 50 feet from the property line
Rear: 50 feet from the property line

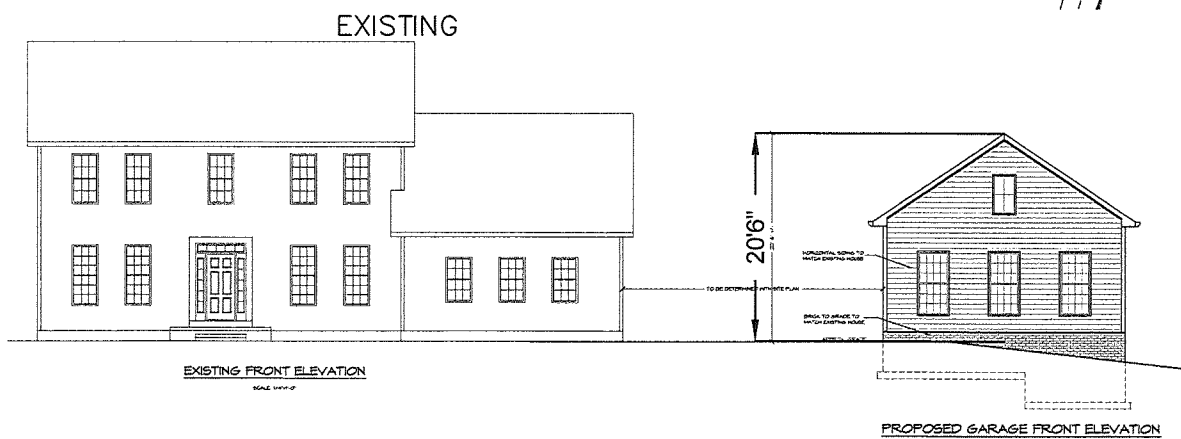
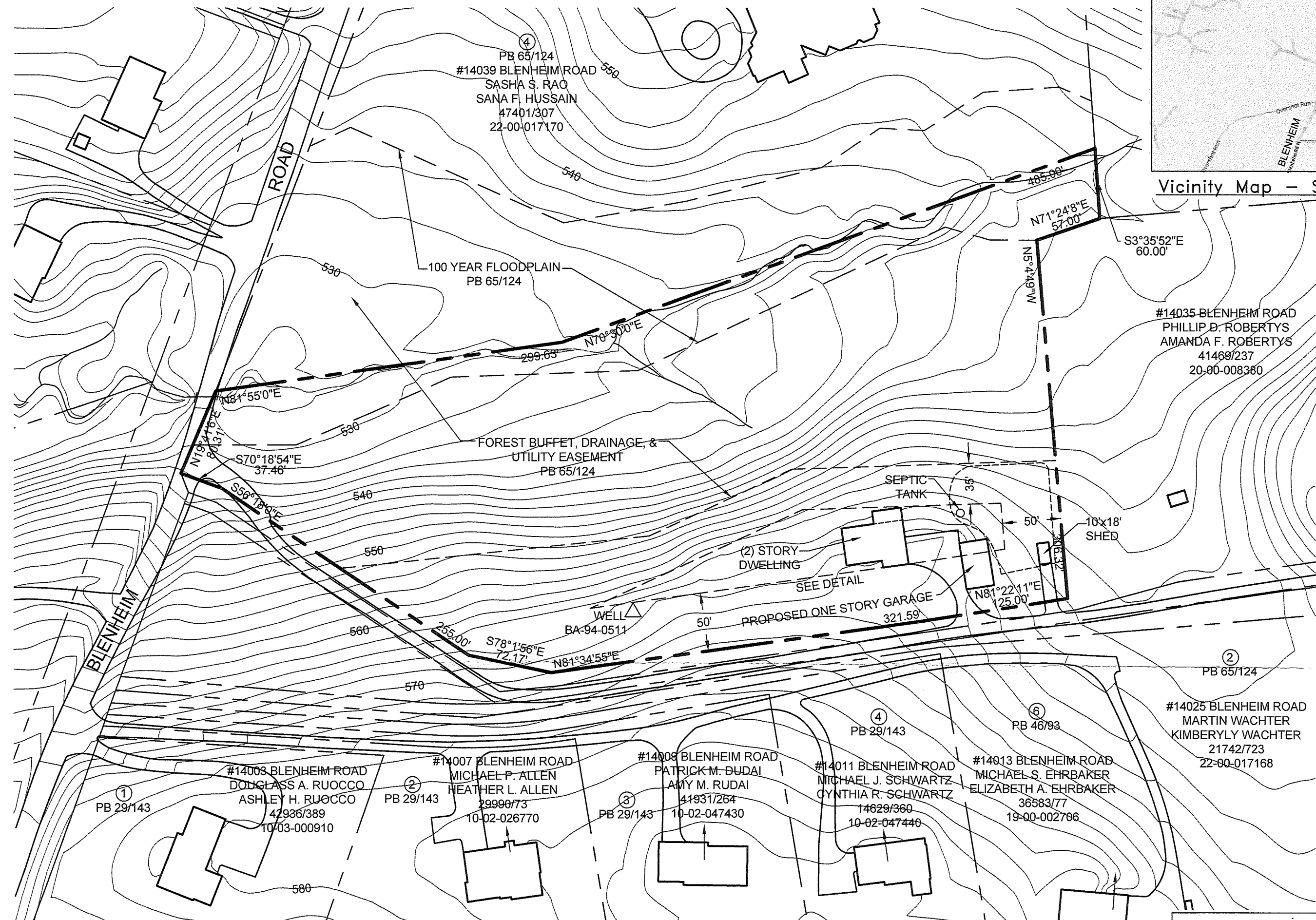
Accessory structure setback to the property line: 2.5 feet

OFFICE OF PLANNING

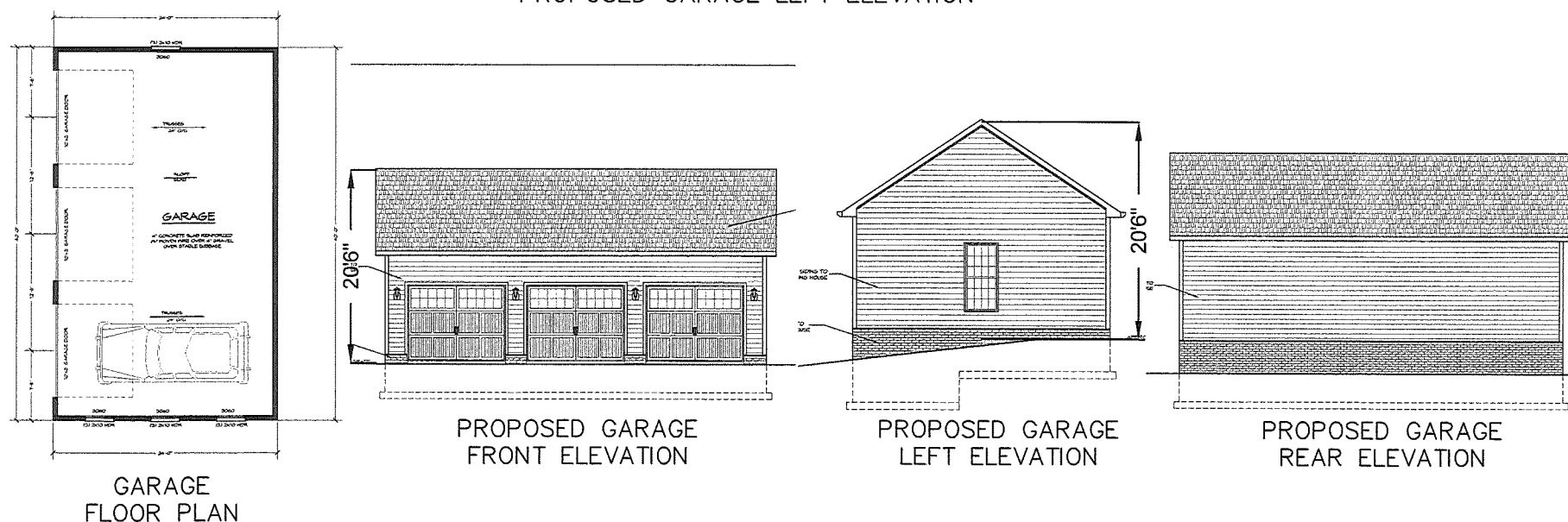
1. The subject property is not located in a National Register Historic District.
2. Blenheim is not designated a Baltimore County scenic route.



Vicinity Map - Scale: 1" = 800'



PROPOSED GARAGE LEFT ELEVATION

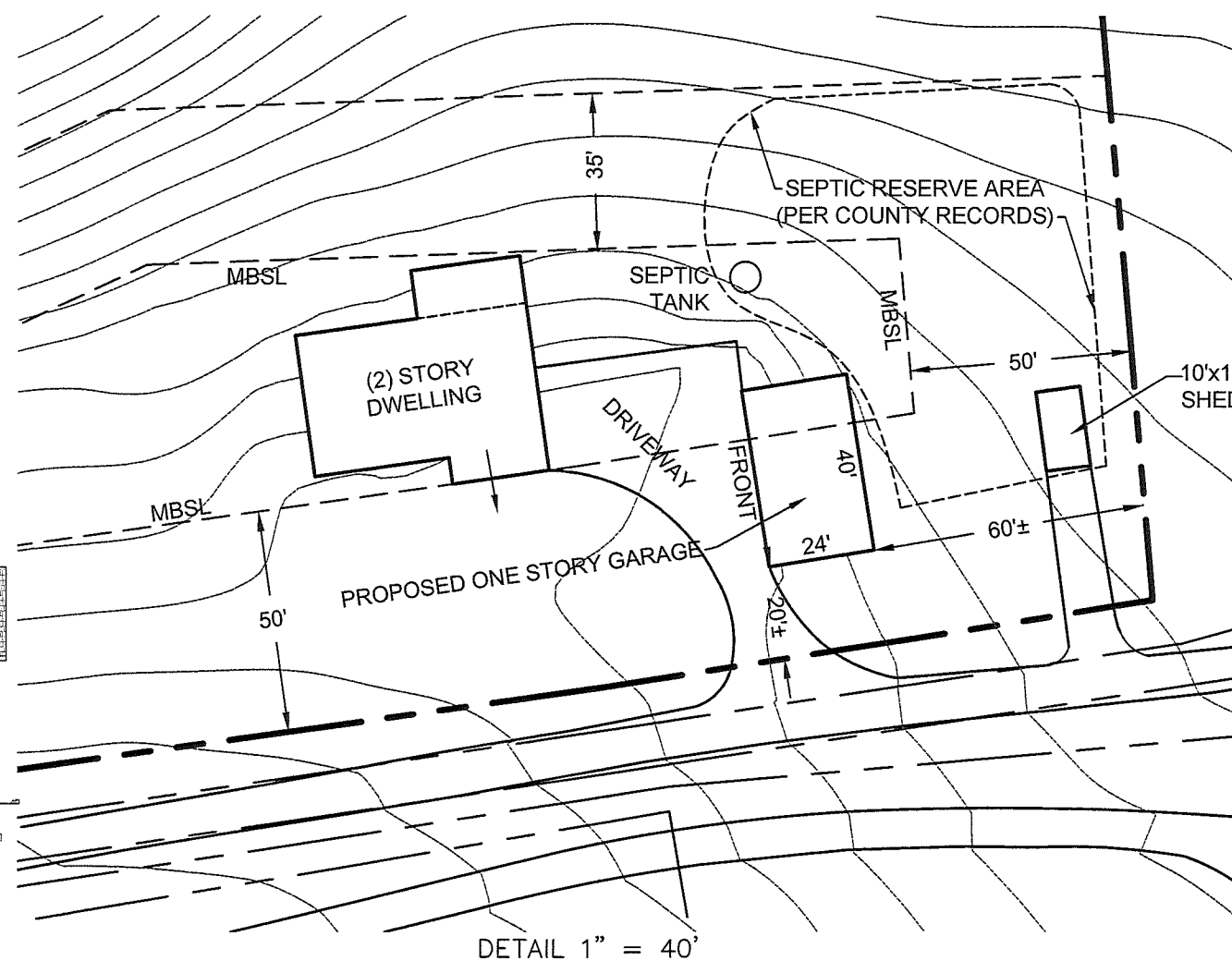


GARAGE FLOOR PLAN

PROPOSED GARAGE FRONT ELEVATION

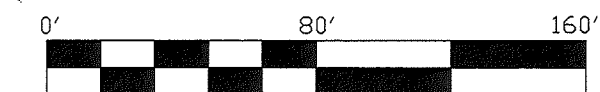
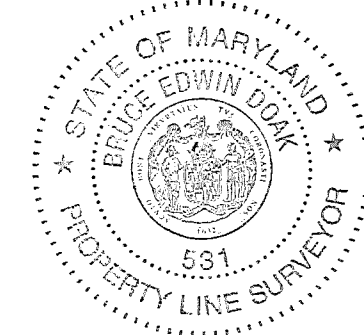
PROPOSED GARAGE LEFT ELEVATION

PROPOSED GARAGE REAR ELEVATION



DETAIL 1" = 40'

2024-0085-A



REVISION

Bruce E. Doak Consulting, LLC

Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21063
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION
FOR
#14029 BLENHEIM ROAD

BALTIMORE COUNTY, MARYLAND
10th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 3/27/24

Scale: 1"=80'