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

June 26, 2024

Ron and Heidi Krauss – rkrauss@rgkrauss.com
2020 Belfast Road
Sparks Glencoe, MD 21152

RE: Petition for Administrative Variance
Case No. 2024-0116-A
Property: 2020 Belfast Road

Dear Mr. and Mrs. Krauss:

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,

DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(2020 Belfast Rd.)		
5th Election District	*	OFFICE OF ADMINISTRATIVE
3rd Council District		
Ron & Heidi Krauss	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	**CASE NO. 2024-0116-A**

* * * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") as a Petition for Administrative Variance filed by the legal owners of the property, Ron and Heidi Krauss ("Petitioners") for the property located at 2020 Belfast Rd, Sparks Glencoe (the "Property"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations ("BCZR"), §400.1, to permit an accessory structure (swimming pool) in the side yard in lieu of the rear yard.

The Property is more fully depicted on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1 (the "Site Plan"). Street view photographs of the Property were provided. (Pet. Exs. 2A-2C). A Zoning Advisory Committee ("ZAC") comment was submitted by the Department of Environmental Protection and Sustainability ("DEPS"), dated June 12, 2024, indicating the following:

> "Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
>
> Additional Comments:
>
> Forest Conservation Law may be addressed for the pool permit by filing a Single Lot Declaration of Intent since the pool is proposed outside of any forest, and the lot is residential (Environmental Impact Review).

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

a. The site plan submitted would not be acceptable for building permit approval by Ground Water Management. Ground Water Management 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 OSDS inspection report locating all septic system components, and may also include submission of perc test application and/or conducting additional percolation testing and potentially installing a new septic system or upgrading the existing septic system.

b. The proposed pool must meet all GWM setbacks for Wells and Septic Systems prior to approval of a building permit."

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

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on June 8, 2024 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

THEREFORE, IT IS ORDERED, this **26th** day of **June, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations ("BCZR"), §400.1, to permit an accessory structure (swimming pool) in the side yard in lieu of the rear yard, be and it is hereby, **GRANTED.**

The relief granted herein shall be subject to the following:

1. Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. Petitioners shall comply with the DEPS ZAC Comment, dated June 11, 2024; a copy of which is attached hereto and made a part hereof.

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

DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB:dlw

AV 6-24

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED
JUN 12 2024
OFFICE OF
ADMINISTRATIVE HEARINGS

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: June 11, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0116-A
Address: 2020 BELFAST RD
Legal Owner: Ron & Heidi Krauss

Zoning Advisory Committee Meeting of May 21, 2024.

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

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

Forest Conservation Law may be addressed for the pool permit by filing a Single Lot Declaration of Intent since the pool is proposed outside of any forest, and the lot is residential. (Environmental Impact Review)

Reviewer: Glenn Shaffer

---

1. If the zoning variance is granted, Ground Water Management (GWM) requests that it be conditioned to include the following:
   a. The site plan submitted would not be acceptable for building permit approval by Ground Water Management. Ground Water Management 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 OSDS inspection report locating all septic system components, and may also include submission of

perc test application and/or conducting additional percolation testing and potentially installing a new septic system or upgrading the existing septic system.

b. The proposed pool must meet all GWM setbacks for Wells and Septic Systems prior to approval of a building permit.

Additional Comments:

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

ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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 2020 Belfast RD SPARKS 21152 **Currently Zoned** RC2

Deed Reference _____ / _____ **10 Digit Tax Account #** 2200024721

Owner(s) Printed Name(s) Ron and Heidi KRAUSS

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

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

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. X **ADMINISTRATIVE VARIANCE** from Section(s) 400.1, BCZR, to permit an accessory structure (swimming pool) in the side yard in lieu of the rear yard.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ____ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (*indicate type of work in this space: i.e., to raze, alter or construct addition to building*)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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.

Owner(s)/Petitioner(s):

Ron G. Krauss / Heidi Krauss
Name #1 – Type or Print / Name # 2 – Type or Print

Signature #1 / Signature # 2

PO Box 58 Butler MD
Mailing Address / City / State

21023 / 410-935-8589 / rkrauss@rgkrauss.com
Zip Code / Telephone #'s (Cell and Home) / Email Address

Attorney for Owner(s)/Petitioner(s):

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

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, _____ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

Case Number 2024-0116-A **Filing Date** 5 / 6 / 24 **Estimated Posting Date** 5 / 12 / 24 **Reviewer**

Closing 5/27/24

Revised 8/2022

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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

Address: 2020 Belfast Rd Sparks MD 21152

Print or Type Address of Property | City | State | Zip Code

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

– See Addendum –

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

Signature of Owner (Affiant)

Ron G. Krauss

Name - Print or Type

Signature of Owner (Affiant)

Heidi Krauss

Name - Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of April, 2024 before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Ron Krauss and Heidi Krauss

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

AS WITNESS my hand and Notaries Seal

Jillian C. B. Washington

Notary Public

December 3, 2026

My Commission Expires

JILLIAN C. B. WASHINGTON
Notary Public
Baltimore County
Maryland
My Commission Expires December 3, 2026

From: Heidi Krauss hkrauss@me.com
Subject: Pool permit
Date: Mar 31, 2024 at 5:43:45 PM
To: Ron Krauss rkrauss@rgkrauss.com

Hello Baltimore County

We have a long slender stone rectangular house on 30+/_ acres ..no neighbors can see our house from any direction ...our house is not viable from the road.

The front door faces due west next to the garage

Our technical (back yard)faces east ....that side of our house is all stone... with the living spaces on that end of the house being my husbands office and a bathroom and bedroom with one skinny door to the outdoors and very few basement style small windows up high on the wall ...once you go outside on that side of the house there is a large mature grove of evergreen trees and other mature specimen trees and a grove of forsythia and lots of wild raspberry bushes nearby ...it makes no sense to pay for expensive glass doors and more windows and make cuts in an old butler stone wall to access a pool w grill area from a bathroom and office on the opposite side of the house from the kitchen and family room ..super dysfunctional and expensive to remedy ...we would have to rework our interior floor plan ...and move the kitchen ...too cost prohibitive ...not practical..and would devalue our house and pool investment

The north side of our house (side yard) has a medium size but mature pond w fish and big awesome maple trees ...flowering trees and very mature gardens ....makes no sense to destroy a very pretty area and cut down trees we have planted and loved for years there is a porch very close to the pond in order to put the pool on this side we would have to destroy our pond and cut very healthy trees and remove expensive landscaping

The south side (side yard) is the only side of our house where a pool makes any sense ...we don't have to destroy awesome trees ..there is already a wall of glass sliders proximate to the kitchen for practical flow ...it is the sunniest side with the best view ....my husband has multiple myeloma and needs to swim for his health... no one will see the pool ...or hear the pool we are far away from all our neighbors ...we have great relationships with them all as well ...the land is flat and install is practical and not cost prohibitive in this location ...it would also be the only side that makes sense with our floor plan and not devalue our investment ....

Many thanks for your consideration
Heidi Krauss
410-935-6881
Sent from my iPad

Exhibit A

All that piece or parcel of land situate, lying and being in the Fifth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same in the center of Belfast Road and at the beginning of the parcel of land which by a Deed dated January 25, 1980 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 6131 folio 550 was conveyed by William E. Rollow and Mary Frances R. Allen, Personal Representatives of the Estate of Frances M.E. Rollow, deceased, to Irwin Robert Barr and Dorothy Weeks Barr, his wife, and running thence with and binding on the outlines of said parcel of land, as the courses are referred to the Grid Meridian of Baltimore County and as now surveyed, the ten following courses and distances viz: 1)North 43 degrees 47 minutes, 30 seconds West 27.50 feet to a concrete monument, heretofore set, 2)North 43 degrees 47 minutes 30 seconds West 1192.67 feet to a concrete monument, heretofore set, 3)North 43 degrees 47 minutes 08 seconds West 282.19 feet to an iron bar and cap, heretofore set, 4)North 25 degrees 34 minutes 23 seconds East 57.63 feet to an iron bar and cap, heretofore set, 5)North 53 degrees 49 minutes 00 seconds East 253.85 feet to an iron bar and cap, heretofore set, 6)North 43 degrees 54 minutes 31 seconds West 164.85 feet to a stone, heretofore set, 7)North 35 degrees 54 minutes 01 second West 241.47 feet, 8)South 58 degrees 49 minutes 59 seconds West 989.75 feet to an iron pipe, heretofore set, 9)South 38 degrees 24 minutes 36 seconds East 320.17 feet to an iron pipe, heretofore set, 10)South 59 degrees 34 minutes 59 seconds West 348.93 feet to an iron pipe, heretofore set, at the beginning of the eleventh line of the parcel of land heretofore mentioned that was conveyed by Rollow and Allen to Barr, thence running with and binding on a part of said eleventh line, 11)South 41 degrees 18 minutes 49 seconds East 488.00 feet to an iron bar and cap, now set, thence leaving said outline and running for lines of division, now made, the eight following courses and distances, viz: 12)North 56 degrees 00 minutes 55 seconds East 629.71 feet, to an iron bar and cap, now set, 13)South 6 degrees 53 minutes 02 seconds East 450 feet to an iron bar and cap, now set, 14)North 55 degrees 22 minutes 03 seconds East 409.96 feet to an iron bar and cap, now set, 15)South 76 degrees 10 minutes 44 seconds East 257.09 feet to an iron bar and cap, now set, 16)South 76 degrees 15 minutes 39 seconds East 147.44 feet to an iron bar and cap, now set, 17)South 49 degrees 25 minutes 16 seconds East 96.63 feet to an iron bar and cap, now set, and 18)South 43 degrees 53 minutes 58 seconds East (passing over an iron bar and cap, now set, at the distance of 381.43 feet) in all 411.51 feet to the center of Belfast Road and to intersect the last line of the heretofore mentioned parcel of land which was conveyed by William E. Rollow et al. to Irwin Robert Barr and wife, thence binding in the center of Belfast Road and running with and binding on a part of said last line, 20)North 49 degrees 57 minutes East 35.97 feet to the place of beginning.

Containing 25.011 Acres of land, more or less.

Being a part of the parcel of land which by a Deed dated January 25, 1980 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 6131 folio 550 was conveyed by William E. Rollow and Mary Frances R. Allen, Personal Representatives of the Estate of Frances M.E. Rollow, deceased, to Irwin Robert Barr and Dorothy Weeks Barr, his wife. See also a Deed dated January 25, 1980 and recorded among the Land Records of

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2024-0116 -A Address 2020 Belfast Rd

Contact Person: Jesse Krout Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5/6/2024 **Posting Date:** 5/12/24 **Closing Date:** 5/27/24

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.

2. **DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.

3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.

4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

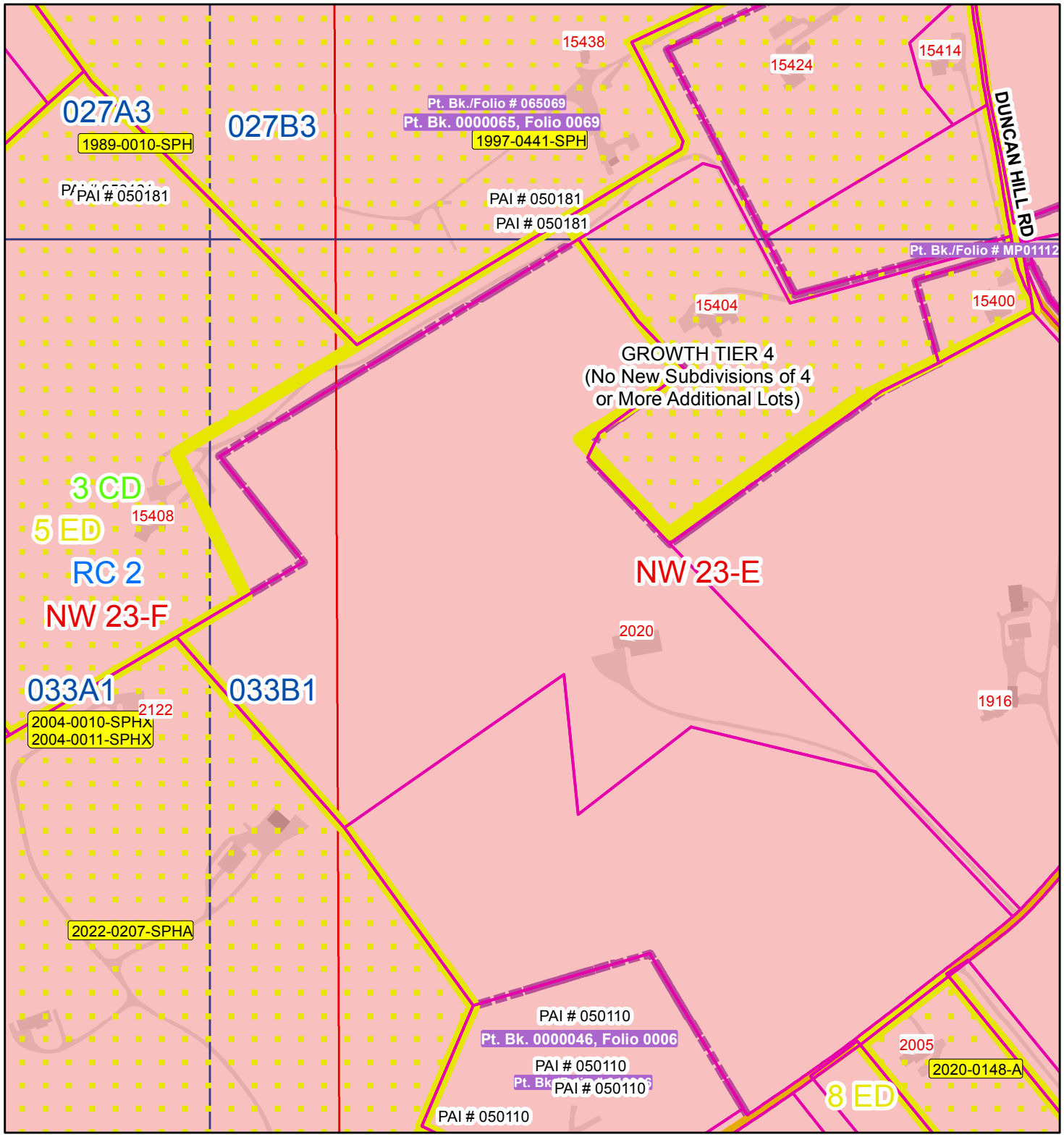
Case Number: 2024 - 0116 -A Address 2020 Belfast Rd

Petitioner's Name: Ron & Heidi Krauss Telephone (Cell) 410-935-8587

Posting Date: 5/12/24 **Closing Date**: 5/27/24

Wording for Sign: To Permit an accessory structure in the side yard in lieu of the rear yard

2020 Belfast Rd



Publication Date: 5/3/2024

Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

N
W E
S

0 90 180 360 540 720 Feet

1 inch = 329.723869 feet

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

No. 230427

Date: 5/3/24

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: Heidi & Ron Krauss

For: 2020 Belfast Admin Variance

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

CASHIER'S VALIDATION

HEIDI SCHMITT KRAUSS
RON G KRAUSS
PO BOX 58
BUTLER, MD 21023-0058

01-00

1868

15-3/540
243

4/28/24
Date

Pay to the Order of Baltimore County $ 75.00

Seventy Five and no/100 Dollars

Photo Safe Deposit® Details on back

PNC BANK
PNC Bank, N.A. 040

TAX ID #220002472 1

For 2020 Belfast, Sparks

[redacted]

MP

Real Property Data Search ( )
Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Special Tax Recapture: AGRICULTURAL TRANSFER TAX

Account Identifier: **District -** 05 **Account Number -** 2200024721

Owner Information

Owner Name:	KRAUSS RON G KRAUSS HEIDI SCHMITT	**Use:** **Principal Residence:**	AGRICULTURAL NO
Mailing Address:	PO BOX 58 BUTLER MD 21023-0058	**Deed Reference:**	/26425/ 00686

Location & Structure Information

Premises Address:	2020 BELFAST RD SPARKS 21152-9761	**Legal Description:**	25.011 AC 2020 BELFAST RD 4600 FT NE OF FALLS RD

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0033	0003	0316	5060007.04	0000				2023	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1982	2,080 SF		25.0100 AC	05

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	YES	STANDARD UNIT	STONE/6		2 full/ 1 half	1 Attached	

Value Information

	Base Value	Value As of 01/01/2023	Phase-in Assessments As of 07/01/2023	As of 07/01/2024
Land:	113,200	104,200		
Improvements	553,700	616,600		
Total:	666,900	720,800	684,867	702,833
Preferential Land:	5,200	5,200		

Transfer Information

Seller: MARTY BEATRICE H	**Date:** 11/28/2007	**Price:** $1,290,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /26425/ 00686	**Deed2:**
Seller: LITZ DONALD P JR	**Date:** 11/16/1995	**Price:** $435,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /11308/ 00370	**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: AGRICULTURAL TRANSFER TAX

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

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

ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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 2020 Belfast RD SPARKS 21152 **Currently Zoned** RC2

Deed Reference _____ / _____ **10 Digit Tax Account #** 2200024721

Owner(s) Printed Name(s) Ron and Heidi KRAUSS

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

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

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. X **ADMINISTRATIVE VARIANCE** from Section(s) 400.1, BCZR, to permit an accessory structure (swimming pool) in the side yard in lieu of the rear yard.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ____ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (*indicate type of work in this space: i.e., to raze, alter or construct addition to building*)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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.

Owner(s)/Petitioner(s):

Ron G. Krauss / Heidi Krauss
Name #1 – Type or Print / Name # 2 – Type or Print

Signature #1 / Signature # 2

PO Box 58 Butler MD
Mailing Address / City / State

21023 / 410-935-8589 / rkrauss@rgkrauss.com
Zip Code / Telephone #'s (Cell and Home) / Email Address

Attorney for Owner(s)/Petitioner(s):

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

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, _____ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

Case Number 2024-0116-A **Filing Date** 5 / 6 / 24 **Estimated Posting Date** 5 / 12 / 24 **Reviewer**

Closing 5/27/24

Revised 8/2022

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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

Address: 2020 Belfast Rd Sparks MD 21152

Print or Type Address of Property | City | State | Zip Code

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

– See Addendum –

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

Signature of Owner (Affiant)

Ron G. Krauss

Name - Print or Type

Signature of Owner (Affiant)

Heidi Krauss

Name - Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of April, 2024 before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Ron Krauss and Heidi Krauss

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

AS WITNESS my hand and Notaries Seal

Jillian C. B. Washington

Notary Public

December 3, 2026

My Commission Expires

JILLIAN C. B. WASHINGTON
Notary Public
Baltimore County
Maryland
My Commission Expires December 3, 2026

From: Heidi Krauss hkrauss@me.com
Subject: Pool permit
Date: Mar 31, 2024 at 5:43:45 PM
To: Ron Krauss rkrauss@rgkrauss.com

Hello Baltimore County

We have a long slender stone rectangular house on 30+/_ acres ..no neighbors can see our house from any direction ...our house is not viable from the road.

The front door faces due west next to the garage

Our technical (back yard)faces east ....that side of our house is all stone... with the living spaces on that end of the house being my husbands office and a bathroom and bedroom with one skinny door to the outdoors and very few basement style small windows up high on the wall ...once you go outside on that side of the house there is a large mature grove of evergreen trees and other mature specimen trees and a grove of forsythia and lots of wild raspberry bushes nearby ...it makes no sense to pay for expensive glass doors and more windows and make cuts in an old butler stone wall to access a pool w grill area from a bathroom and office on the opposite side of the house from the kitchen and family room ..super dysfunctional and expensive to remedy ...we would have to rework our interior floor plan ...and move the kitchen ...too cost prohibitive ...not practical..and would devalue our house and pool investment

The north side of our house (side yard) has a medium size but mature pond w fish and big awesome maple trees ...flowering trees and very mature gardens ....makes no sense to destroy a very pretty area and cut down trees we have planted and loved for years there is a porch very close to the pond in order to put the pool on this side we would have to destroy our pond and cut very healthy trees and remove expensive landscaping

The south side (side yard) is the only side of our house where a pool makes any sense ...we don't have to destroy awesome trees ..there is already a wall of glass sliders proximate to the kitchen for practical flow ...it is the sunniest side with the best view ....my husband has multiple myeloma and needs to swim for his health... no one will see the pool ...or hear the pool we are far away from all our neighbors ...we have great relationships with them all as well ...the land is flat and install is practical and not cost prohibitive in this location ...it would also be the only side that makes sense with our floor plan and not devalue our investment ....

Many thanks for your consideration
Heidi Krauss
410-935-6881
Sent from my iPad

Exhibit A

All that piece or parcel of land situate, lying and being in the Fifth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same in the center of Belfast Road and at the beginning of the parcel of land which by a Deed dated January 25, 1980 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 6131 folio 550 was conveyed by William E. Rollow and Mary Frances R. Allen, Personal Representatives of the Estate of Frances M.E. Rollow, deceased, to Irwin Robert Barr and Dorothy Weeks Barr, his wife, and running thence with and binding on the outlines of said parcel of land, as the courses are referred to the Grid Meridian of Baltimore County and as now surveyed, the ten following courses and distances viz: 1)North 43 degrees 47 minutes, 30 seconds West 27.50 feet to a concrete monument, heretofore set, 2)North 43 degrees 47 minutes 30 seconds West 1192.67 feet to a concrete monument, heretofore set, 3)North 43 degrees 47 minutes 08 seconds West 282.19 feet to an iron bar and cap, heretofore set, 4)North 25 degrees 34 minutes 23 seconds East 57.63 feet to an iron bar and cap, heretofore set, 5)North 53 degrees 49 minutes 00 seconds East 253.85 feet to an iron bar and cap, heretofore set, 6)North 43 degrees 54 minutes 31 seconds West 164.85 feet to a stone, heretofore set, 7)North 35 degrees 54 minutes 01 second West 241.47 feet, 8)South 58 degrees 49 minutes 59 seconds West 989.75 feet to an iron pipe, heretofore set, 9)South 38 degrees 24 minutes 36 seconds East 320.17 feet to an iron pipe, heretofore set, 10)South 59 degrees 34 minutes 59 seconds West 348.93 feet to an iron pipe, heretofore set, at the beginning of the eleventh line of the parcel of land heretofore mentioned that was conveyed by Rollow and Allen to Barr, thence running with and binding on a part of said eleventh line, 11)South 41 degrees 18 minutes 49 seconds East 488.00 feet to an iron bar and cap, now set, thence leaving said outline and running for lines of division, now made, the eight following courses and distances, viz: 12)North 56 degrees 00 minutes 55 seconds East 629.71 feet, to an iron bar and cap, now set, 13)South 6 degrees 53 minutes 02 seconds East 450 feet to an iron bar and cap, now set, 14)North 55 degrees 22 minutes 03 seconds East 409.96 feet to an iron bar and cap, now set, 15)South 76 degrees 10 minutes 44 seconds East 257.09 feet to an iron bar and cap, now set, 16)South 76 degrees 15 minutes 39 seconds East 147.44 feet to an iron bar and cap, now set, 17)South 49 degrees 25 minutes 16 seconds East 96.63 feet to an iron bar and cap, now set, and 18)South 43 degrees 53 minutes 58 seconds East (passing over an iron bar and cap, now set, at the distance of 381.43 feet) in all 411.51 feet to the center of Belfast Road and to intersect the last line of the heretofore mentioned parcel of land which was conveyed by William E. Rollow et al. to Irwin Robert Barr and wife, thence binding in the center of Belfast Road and running with and binding on a part of said last line, 20)North 49 degrees 57 minutes East 35.97 feet to the place of beginning.

Containing 25.011 Acres of land, more or less.

Being a part of the parcel of land which by a Deed dated January 25, 1980 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 6131 folio 550 was conveyed by William E. Rollow and Mary Frances R. Allen, Personal Representatives of the Estate of Frances M.E. Rollow, deceased, to Irwin Robert Barr and Dorothy Weeks Barr, his wife. See also a Deed dated January 25, 1980 and recorded among the Land Records of

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: May 17, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0116-A
Address: 2020 BELFAST RD
Legal Owner: Ron & Heidi Krauss

Zoning Advisory Committee Meeting of May 21, 2024.

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

1. If the zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:
    a. The site plan submitted would not be acceptable for building permit approval by Ground Water Management. Ground Water Management 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 OSDS inspection report locating all septic system components, and may also include submission of perc test application and/or conducting additional percolation testing and potentially installing a new septic system or upgrading the existing septic system.
    b. The proposed pool must meet all GWM setbacks for Wells and Septic Systems prior to approval of a building permit.

Additional Comments:

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

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: June 11, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0116-A
Address: 2020 BELFAST RD
Legal Owner: Ron & Heidi Krauss

Zoning Advisory Committee Meeting of May 21, 2024.

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

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

Forest Conservation Law may be addressed for the pool permit by filing a Single Lot Declaration of Intent since the pool is proposed outside of any forest, and the lot is residential. (Environmental Impact Review)

Reviewer: Glenn Shaffer

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1. If the zoning variance is granted, Ground Water Management (GWM) requests that it be conditioned to include the following:
    a. The site plan submitted would not be acceptable for building permit approval by Ground Water Management. Ground Water Management 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 OSDS inspection report locating all septic system components, and may also include submission of

perc test application and/or conducting additional percolation testing and potentially installing a new septic system or upgrading the existing septic system.

b. The proposed pool must meet all GWM setbacks for Wells and Septic Systems prior to approval of a building permit.

Additional Comments:

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: May 15, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0116-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 comment LOS & No Greenways affected.

VKD: SC
cc: file

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS
DATE: 6/8/2024
Case Number: 2024-0116-A
Petitioner / Developer: RON & HEIDI KRAUSS
Date of Closing: JUNE 24, 2024

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
2020 BELFAST ROAD

The sign(s) were posted on: JUNE 8, 2024

(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

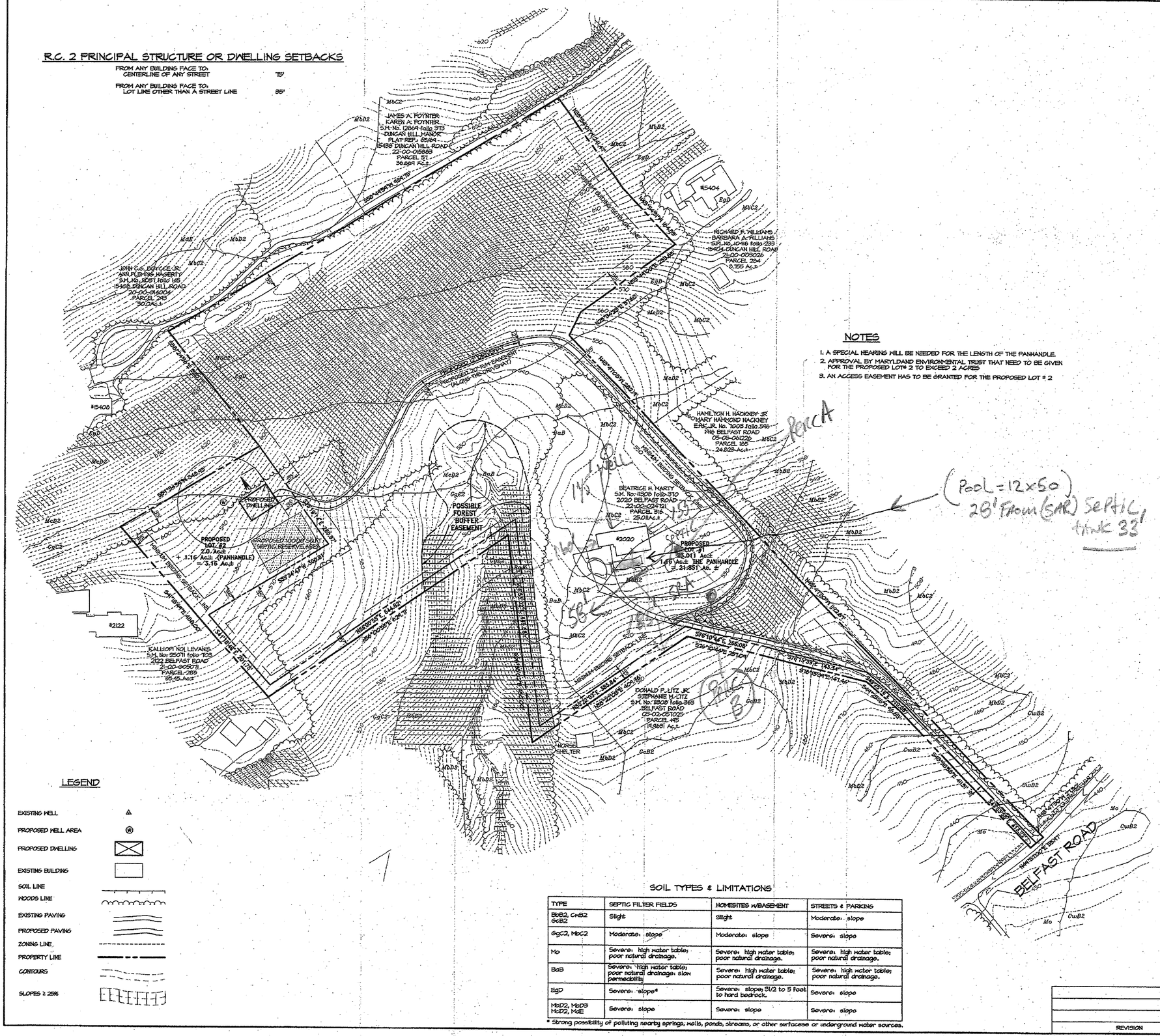
523 Penny Lane
(Street Address of Sign Poster)

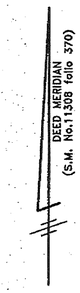
Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

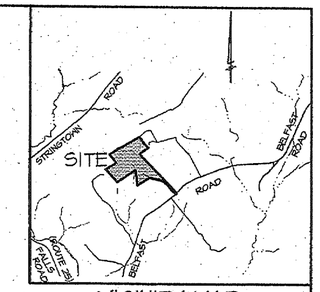
410-666-5366
(Telephone Number of Sign Poster)

R.C. 2 PRINCIPAL STRUCTURE OR DWELLING SETBACKS

FROM ANY BUILDING FACE TO: CENTERLINE OF ANY STREET	75'
FROM ANY BUILDING FACE TO: LOT LINE OTHER THAN A STREET LINE	35'







VICINITY MAP
1" = 2000'

NOTES

1. A SPECIAL HEARING WILL BE NEEDED FOR THE LENGTH OF THE PANHANDLE.
2. APPROVAL BY MARYLAND ENVIRONMENTAL TRUST THAT NEED TO BE GIVEN FOR THE PROPOSED LOT # 2 TO EXCEED 2 ACRES
3. AN ACCESS EASEMENT HAS TO BE GRANTED FOR THE PROPOSED LOT # 2

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A DEED
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 27B3, 33A1, 33B1
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 12, 16.
4. CENSUS TRACT 405000 REGIONAL PLANNING DISTRICT 302
   WATERSHED LOGH RAVEN SUBWATERSHED NONE
   SCHOOL DISTRICT: ELEMENTARY - SPARKS ES., MIDDLE - HEREFORD M.S., HIGH - HEREFORD H.S.
   A.D.C. MAP & GRID 11 G7
5. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
6. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
7. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
8. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
9. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
10. ALL APPARENT SEPTIC SYSTEMS, WELLS, AND SOIL PERCOLATION TESTS WITHIN 100' OF THE PROPERTY LINES WERE FIELD LOCATED.
11. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.

DENSITY CALCULATIONS

GROSS AREA	25.011 Ac.±
HIGHWAY WIDENING	0 Ac.±
NET AREA	25.011 Ac.±
LOTS PERMITTED	2-100 Ac.± = 2 Lots
LOTS PROPOSED	2

OWNER

BEATRICE H. MARTY
2020 BELFAST ROAD
SPARKS, MARYLAND 21152-9761

CONTRACT PURCHASER

HEIDI KRAUSS
3 SHAWAN ROAD
HUNT VALLEY, MARYLAND 21031
(410) 329-9848

PRELIMINARY
Not Final

LEGEND

- EXISTING WELL
- PROPOSED WELL AREA
- PROPOSED DWELLING
- EXISTING BUILDING
- SOIL LINE
- WOODS LINE
- EXISTING PAVING
- PROPOSED PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS
- SLOPES ≥ 25%

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/BASEMENT	STREETS & PARKING
BoB2, CwB2 GcB2	Slight	Slight	Moderate: slope
GgC2, MbC2	Moderate: slope	Moderate: slope	Severe: slope
Mo	Severe: high water table; poor natural drainage.	Severe: high water table; poor natural drainage.	Severe: high water table; poor natural drainage.
BaB	Severe: high water table; poor natural drainage: slow permeability	Severe: high water table; poor natural drainage.	Severe: high water table; poor natural drainage.
EgD	Severe: slope*	Severe: slope; 31/2 to 5 foot to hard bedrock.	Severe: slope
MbD2, MbD3 MdD2, MdE	Severe: slope	Severe: slope	Severe: slope

* Strong possibility of polluting nearby springs, wells, ponds, streams, or other surfacese or underground water sources.

FEASIBILITY STUDY PLAN OF THE KRAUSS PROPERTY

2020 BELFAST ROAD
Deed Ref: S.M. No. 11308 folio 370
Tax Account No.: 22-00-024721
Zoned RC - 2; GIS Tile 27B3, 33A1, 33B1
Tax Map 33; Grid 3; Parcel 316
5th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=100' 60' Date: AUGUST 15, 2007

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

REVISION	DATE	COMPUTED:	DRAWN: C.L.M.	CHECKED:	FILE: X:\krauss\FEASIBILITY.pro