



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

November 7, 2024

Frances Daniels francesdaniels@icloud.com
1009 Cloverlea Road
Towson, MD 21204

RE: Petitions for Special Hearing and Variance
Case No. 2024-0204-SPHA
Property: 1009 Cloverlea 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 blue ink signature of Andrew M. Belt, written in a cursive style, is positioned above the name and title of the signatory.

ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dml

Enclosure

c: Bruce E. Doak – bdoak@bruceedoakconsulting.com

IN RE: PETITIONS FOR SPECIAL HEARING *	BEFORE THE
AND VARIANCE	
(1009 Cloverlea Road) *	OFFICE OF ADMINISTRATIVE
9 th Election District	
2 nd Council District *	HEARINGS OF
Frances Daniels	
<i>Legal Owner</i> *	BALTIMORE COUNTY
Petitioner *	CASE NO. 2023-0204-SPHA
* * * * *	* * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by Frances Daniels (“Petitioner”) for property located at 1009 Cloverlea Road, Towson (“Property”). Petitioner is requesting a Special Hearing relief from the Baltimore County Zoning Regulations (“BCZR”) Section 500.7 to permit an accessory structure (pool house) to have a full bathroom (the structure will not be used as a dwelling). Variance relief from BCZR Section 400.3 to permit the height of an accessory structure (pool house) of 21 ft. in lieu of the required 15 ft.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing November 6, 2024. The Petition was properly advertised and posted. There were no interested parties or Protestants that appeared at the hearing. Petitioner, Frances Daniels appeared at the hearing, in support of the Petition, along with Bruce E. Doak, licensed surveyor of Bruce E. Doak Consulting, who prepared and sealed a site plan (“Site Plan”). (Pet. Ex. 1)

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

Mr. Doak explained that the subject property is 1.02 acres +/- and is surrounded by predominantly residential uses. The closest neighboring residence is 1005 Cloverlea Road, to the east of the subject property. (Pet. Ex. 1) A buffer of mature trees and hedges separates these properties, ensuring that the proposed 20 x 20 pool house will not be visible by any surrounding neighbors. (Pet. Ex. 4) Mr. Doak explained that installation of an in-ground pool will take place in conjunction with the construction of the pool house. Mr. Doak and Ms. Daniels noted that the pool will be a considerable distance to the rear of the property and that a pool house bathroom is planned to be included to minimize intrusion to the primary residence. Mr. Doak clarified that the proposed pool house will not be used as living quarters and there will be no second floor. (Pet. Ex. 5)

Mr. Doak described the principal structure on the property as having a uniquely steep roof pitch and the design of the pool house is proposed to be 21 feet in an effort to emulate the style of the primary structure. The additional height of the pool house structure is solely for aesthetic purposes in that no second floor is proposed.

VARIANCE

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

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

The subject property is unique due to its irregular roof pitch of the principal dwelling. Additionally, I find that that the Petitioner will suffer practical difficulty and hardship if the variance was denied due to the Petitioner's inability to utilize a design that creates architectural harmony on the subject property. I further find that the requested relief is within the spirit and

intent of the BCZR.

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). In this matter, the proposed bathroom in the pool house is clearly for convenience purposes and the pool house is not to be used for living quarters. The pool house structure will be completely buffered from surrounding properties and is not detrimental to the surrounding community. Consequently, I find that the Special Hearing request is within the spirit and intent of the BCZR and is granted.

THEREFORE, IT IS ORDERED, this 7th day of **November 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing from BCZR, Section 500.7 to permit an accessory structure (pool house) to have a full bathroom (the structure will not be used as a dwelling and they are hereby, **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR Section 400.3 to permit the height of an accessory structure (pool house) of 21 ft. in lieu of the required 15 ft. be, and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner and subsequent owners shall not convert the accessory building into a dwelling unit or apartment. The proposed accessory building shall not contain any sleeping quarters or a stove. The pool house may have a full bathroom with a shower, living areas, and an outdoor grill and other kitchen appliances and facilities which are necessary and incidental to, those typically associated with a bar and lounge area for a pool house.
3. There shall be no second utility and/or electric meter(s). All utility and electric shall extend from the house to the pool house.
4. The proposed pool house shall not be used for commercial or industrial purposes.
5. Petitioner shall comply with the DEPS and DOP ZAC comments, copies of which are attached hereto.

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



ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB/dlm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 9/25/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0204-SPHA

INFORMATION:

Property Address: 1009 Cloverlea Road
Petitioner: Frances Daniels
Zoning: DR 1
Requested Action: Special Hearing/Variance

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

Special Hearing -

1. To permit an accessory structure (pool house) to have a full bathroom. The structure will not be used as a dwelling.

Variance -

1. To permit the height of an accessory structure (pool house) of 21 feet in lieu of the required 15 feet per section 400.3 BCZR.

The proposed site is a 1.028acre property zoned DR 1. It is surrounded by predominantly residential uses. The proposed site has no previous zoning histories and is not in a historic district. The lot is located in the Ruxton Riderwood Lake Roland Design Review Panel Area. The applicant proposes a detached pool house.

Properties within the Ruxton DRP area require review by the Design Review Panel for design compliance through the application of the Master Plan, the Comprehensive Manual of Development Policies, adopted community plans/Section 260 of the Baltimore County Zoning Regulations, as applicable pursuant to Section 32-4-203 of the Baltimore County Code. Per documentation provided by the applicant, the new improvements are less than 50% of the existing dwelling square footage. Pursuant to the County Code, proposed residential development within the Ruxton DRP area are exempt from DRP review if the addition is less than 50% of the exist dwelling square footage.

It is understood that the pool house will be a 20 x 20 structure constructed in the rear yard. It will consist of a cabana room, bathroom, beverage area, and other amenity spaces. The applicant has indicated that the pool house addition will not be used as living quarters. The new addition will not impose adverse visual impacts on adjacent properties or the public right of way as the front dwelling front façade is not visible

from Cloverlea Road and the rear façade is heavily screened with mature trees and vegetation as well as fencing.

The Department has no objections in granting the relief subject to the follow conditions:

1. The new addition will not be used for living quarters or in-law apartment.
2. Architecture is submitted to the Department of Planning along with the permit application.
3. Comply with any landscaping guidelines required by the Baltimore County Landscape Architect.
4. The plan conforms to all other bulk and setback regulations set forth in the Baltimore County Zoning Regulations for DR 1 zoned property and
5. The plan meets all additional conditions as required by the Administrative Law Judge.

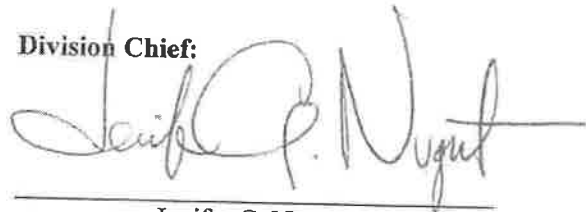
For further information concerning the matters stated herein, please contact Brett M. Williams at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

Bruce E. Doak, Bruce E. Doak Consulting LLC.
Sydnie Cooper, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: September 17, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0204-SPHA
Address: 1009 CLOVERLEA ROAD
Legal Owner: Frances Daniels

Zoning Advisory Committee Meeting of September 20, 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 (GWM) requests that it be conditioned to include the following:
 - a. Ground Water Management approval must be obtained prior to approval of the building permit. Requirements for approval will include submission of an On-site Disposal System (OSDS) inspection report locating all septic system components, a site plan that meets GWM site plan requirements, 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.

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



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 1009 CLOVERLEA ROAD which is presently zoned DR1
 Deed References: 9891711 10 Digit Tax Account # 18 00003659
 Property Owner(s) Printed Name(s) FRANCES DANIELS

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

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

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

SEE ATTACHED PAGE

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):

FRANCES DANIELS

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING, LLC

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2024-0204-SP4A

Filing Date 9 / 5 / 24

Do Not Schedule Dates:

Reviewer JK

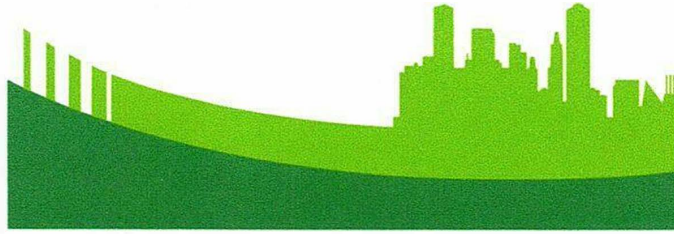
Petitions Requested
For Case # _____
#1009 Cloverlea Road

Special Hearing

- 1) To permit an accessory structure (pool house) to have a full bathroom. The structure will not be used as a dwelling.

Variance

- 1) To permit the height of an accessory structure (pool house) of 21 feet in lieu of the required 15 feet per Section 400.3 BCZR



Zoning Description

1009 Cloverlea Road
Ninth Election District Second Councilmanic District
Baltimore County, Maryland

Beginning at a point on the south side and at the end of Cloverlea Road, said point being 845 feet, more or less, easterly from the centerline of Rolandvue Road, thence crossing Cloverlea Road and running with and binding on the outlines of the subject property, the following course and distance, viz.

- 1) North 74 degrees 42 minutes 05 seconds East 26.63 feet, thence leaving Cloverlea Road and continuing to run with and bind on the outlines of the subject property, the ten following courses and distances, viz.
- 2) South 44 degrees 12 minutes 00 seconds East 10.00 feet
- 3) South 57 degrees 12 minutes 30 seconds East 21.10 feet
- 4) South 55 degrees 31 minutes 30 seconds West 162.24 feet
- 5) South 01 degree 59 minutes 30 seconds West 197.77 feet to the north side of Wagner Road, thence binding on the north side of Wagner Road and continuing to run with and bind on the outlines of the subject property
- 6) North 87 degrees 15 minutes 00 seconds West 194.34 feet, thence leaving Wagner Road
- 7) North 03 degrees 22 minutes 00 seconds East 182.54 feet
- 8) North 03 degrees 22 minutes 00 seconds East 25.00 feet
- 9) South 83 degrees 15 minutes 30 seconds East 91.73 feet
- 10) North 81 degrees 17 minutes 09 seconds East 80.00 feet and
- 11) North 50 degrees 43 minutes 16 seconds East 131.37 feet to the point of beginning.

Containing 1.028 acres of land, more or less.

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

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



GENERAL INFORMATION

- 1. Ownership: Frances Daniels
1009 Cloverleaf Road Towson, MD 21204
- 2. Address: 1009 Cloverleaf Road
- 3. Deed references: JLE 48917/ 1
- 4. Area: 1.028 acres (per SDAT)
- 5. Tax Map / Parcel / Tax account #: 69 / 603 / 18-00-003659
- 6. Election District: 3 Councilmanic District: 2
ADC Map: GIS tile: 069C3 Position sheet: 35NW5
Census tract: 490500 Census block: 240054905002026
Schools: Riderwood ES Dumbarton MS Towson HS
- 7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tiles 069C3 and the information provided by Baltimore County on the internet.
- 8. Improvements: Single family dwelling, shed & parking area. The existing dwelling, shed and parking area will remain.

OFFICE OF ZONING

Zoning: D.R. 1
There are no previous zoning cases on the subject parcels.

D.R. 1 Setbacks for Residential Buildings

Front: 50 feet from the property line
Side: 20 feet min. / 50 feet sum from the property line
Rear: 50 feet from the property line

Accessory buildings: 2.5 feet from the property line

ENVIRONMENTAL

Watershed: Jones Falls

- 1. The existing dwelling is currently served by public water & a private septic system.
- 2. There are no underground storage tanks on the subject property.
- 3. The subject property is not in the Chesapeake Bay Critical Area.
- 4. The subject property is not located within a 100 year flood plain.

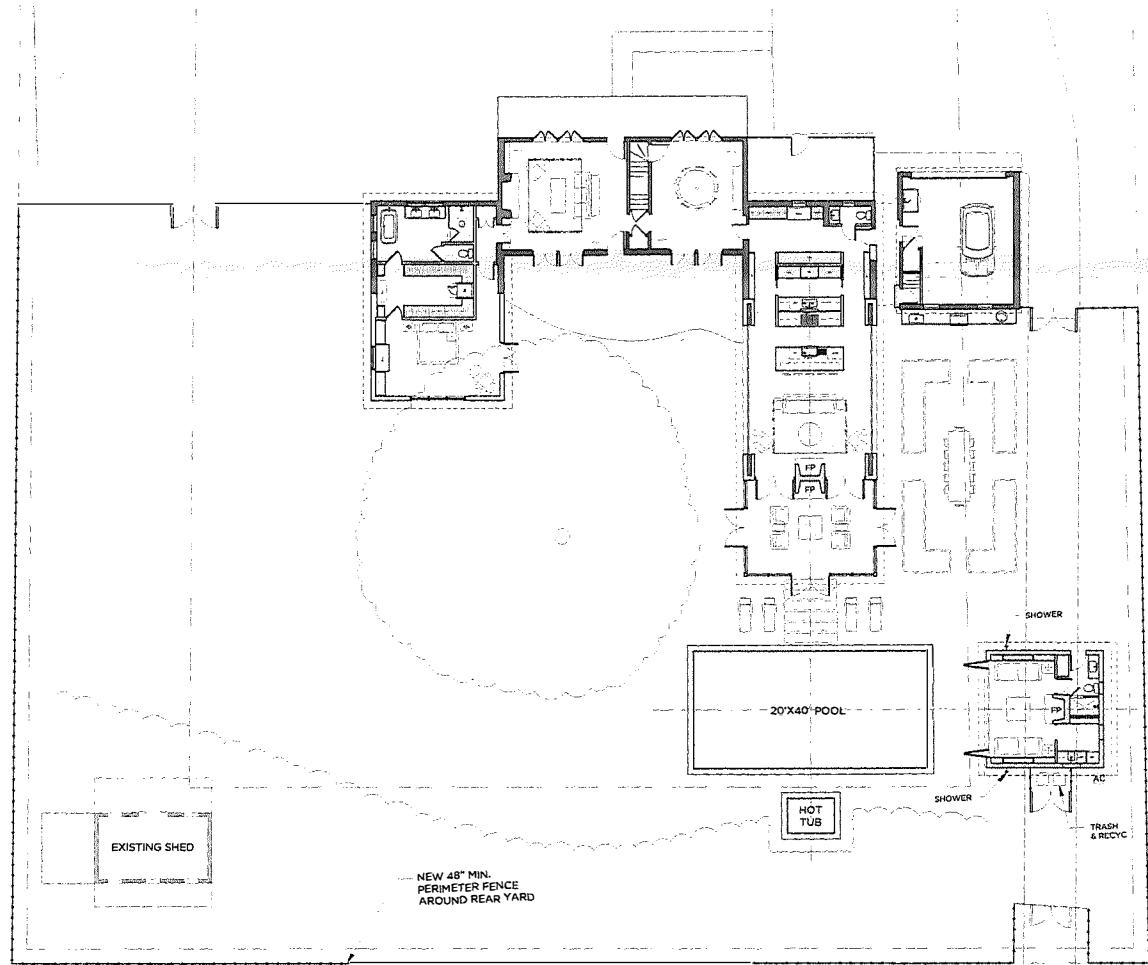
OFFICE OF PLANNING

Regional Planning District: Ruxton District Code: 314

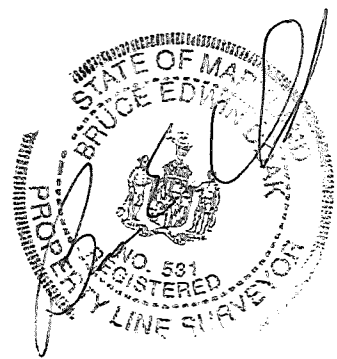
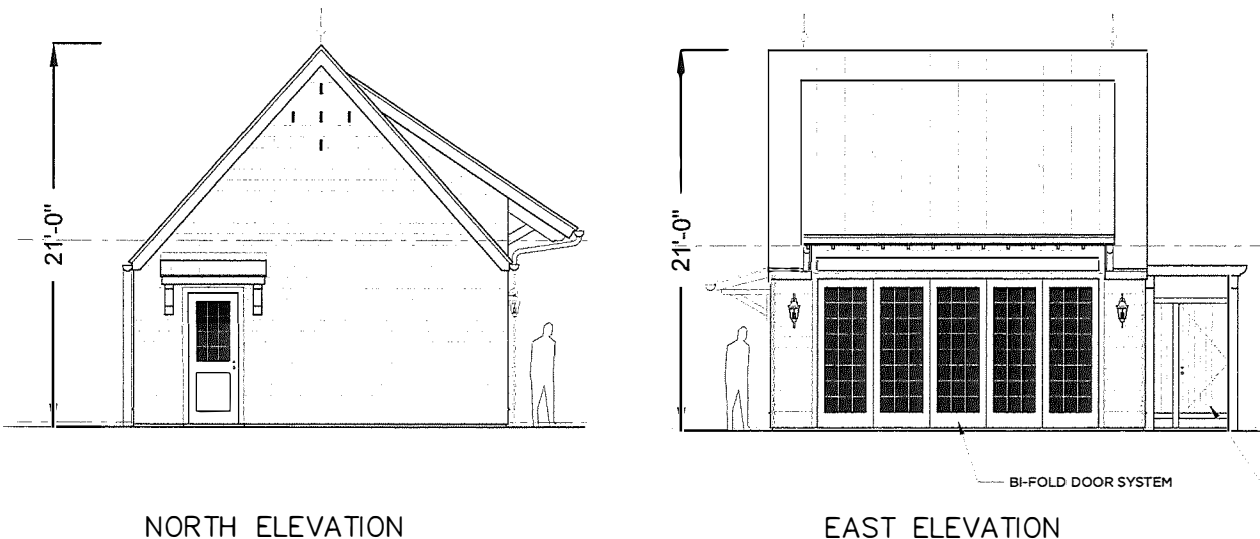
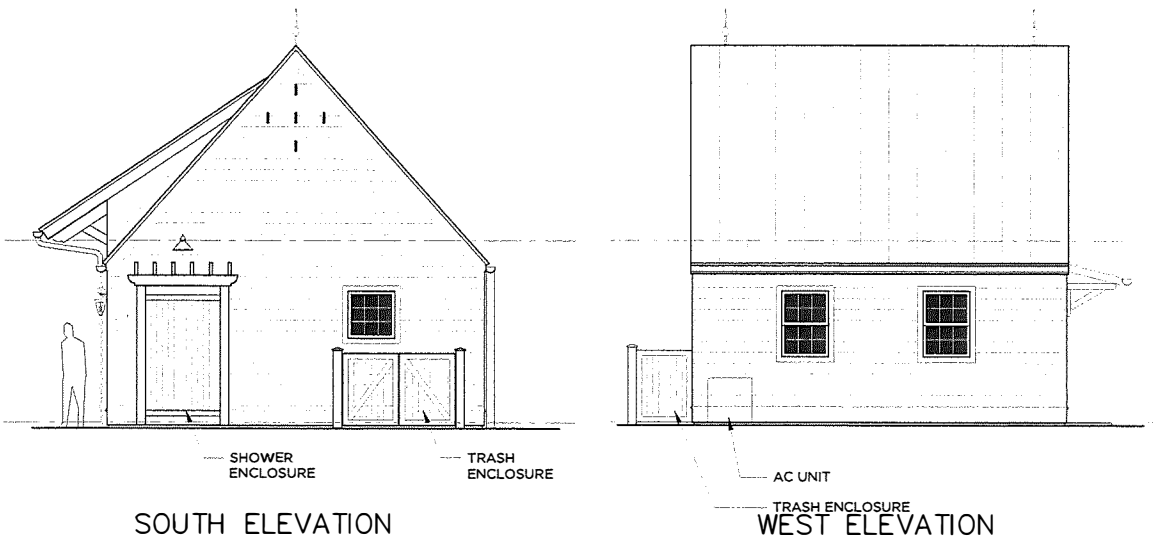
- 1. The subject dwelling is not historic. The subject property is not in a historic district.

PROPOSED DEVELOPMENT

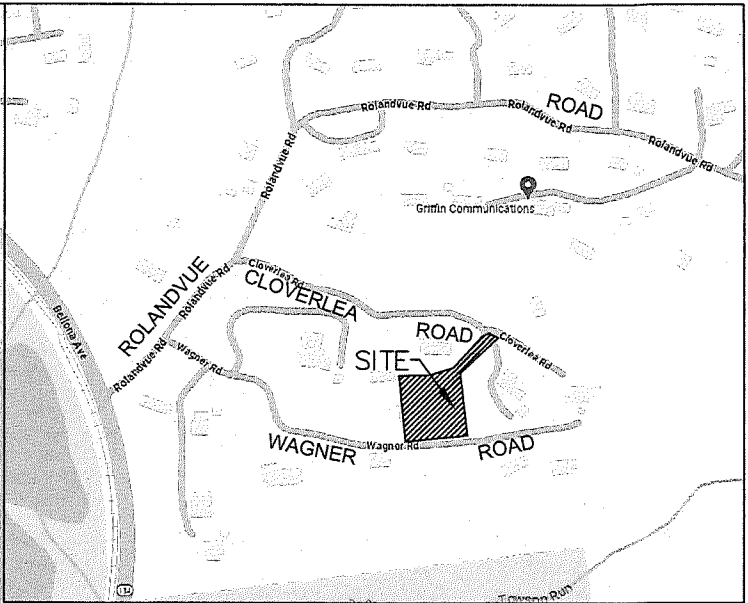
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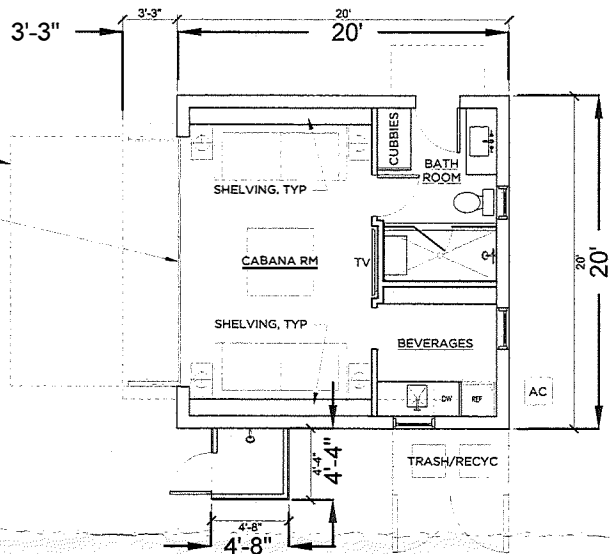
PLAN SHOWING PROPOSED IMPROVEMENTS
TO THE EXISTING PROPERTY



REVISION



Vicinity Map – Scale: 1" = 600'



PROPOSED FLOOR PLAN

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION

FOR

#1009 CLOVERLEA ROAD

BALTIMORE COUNTY, MARYLAND
9th ELECTION DISTRICT 2nd COUNCILMANIC DISTRICT

Date: 8/13/2024

Scale: 1"=50'



PETITION FOR ZONING HEARING(S)

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

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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):

FRANCES DANIELS

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING, LLC

Name - Type or Print

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CASE NUMBER 2024-0204-SP4A Filing Date 9 / 5 / 24

Do Not Schedule Dates: _____ Reviewer JK

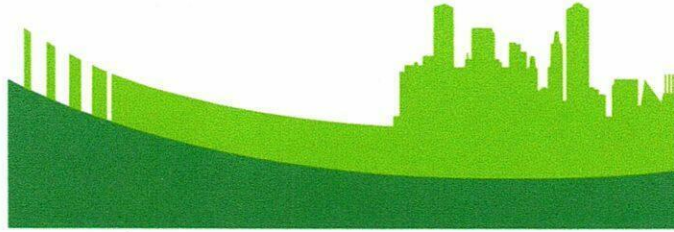
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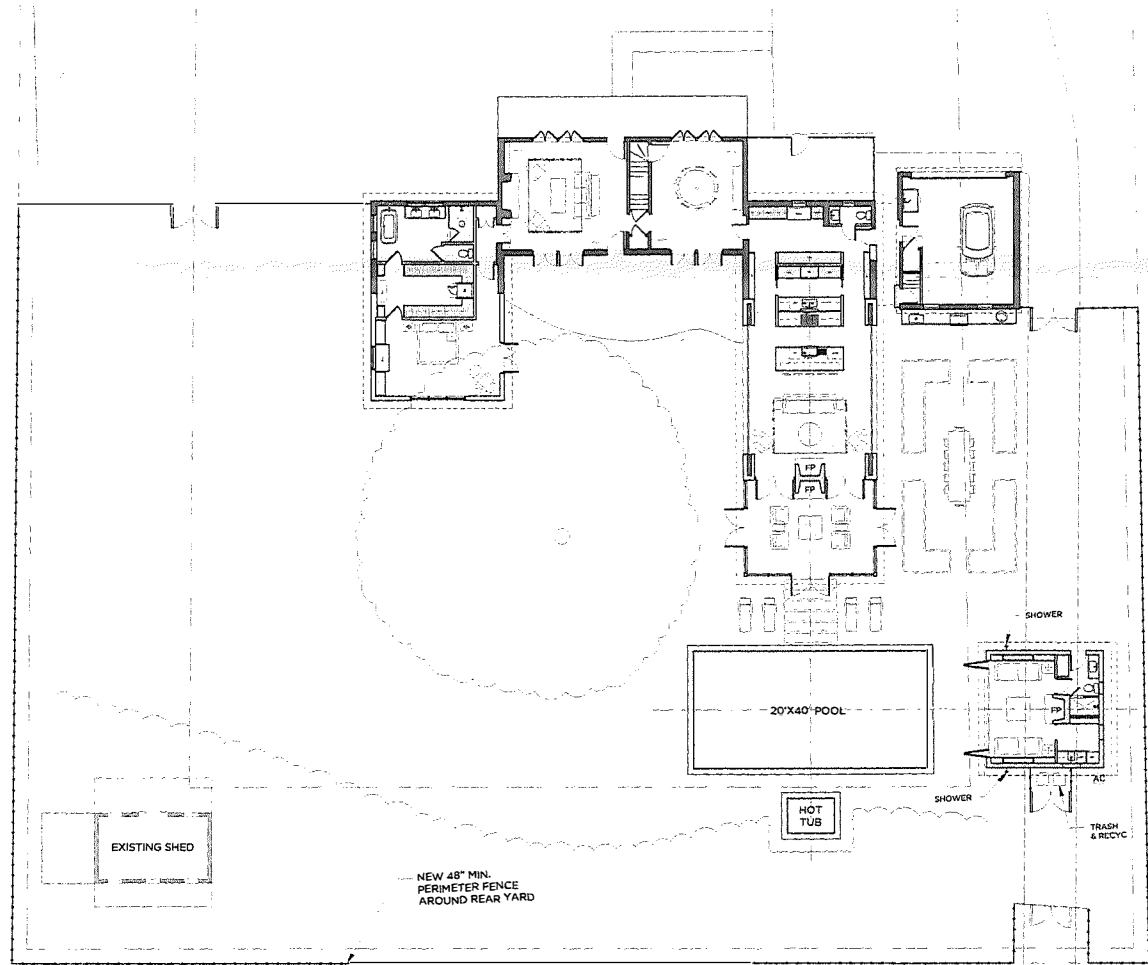
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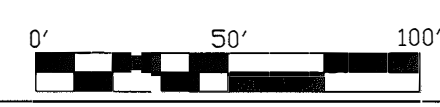
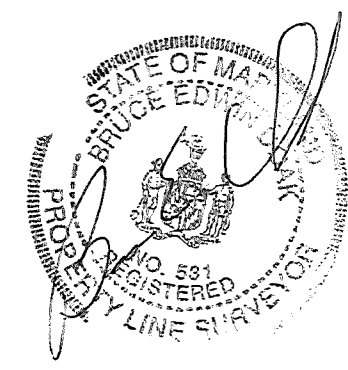
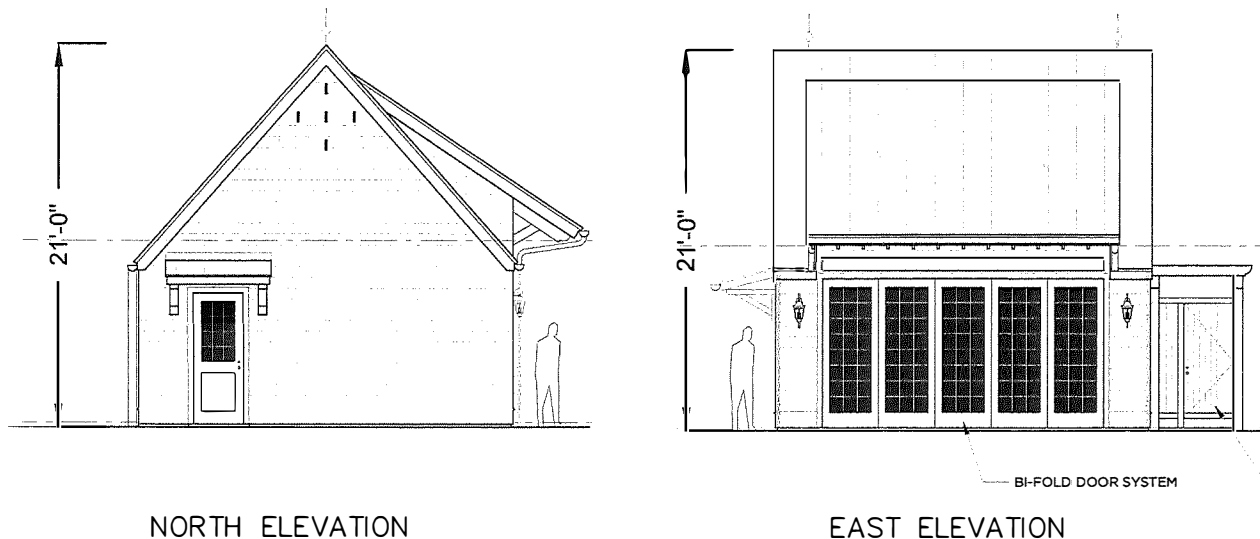
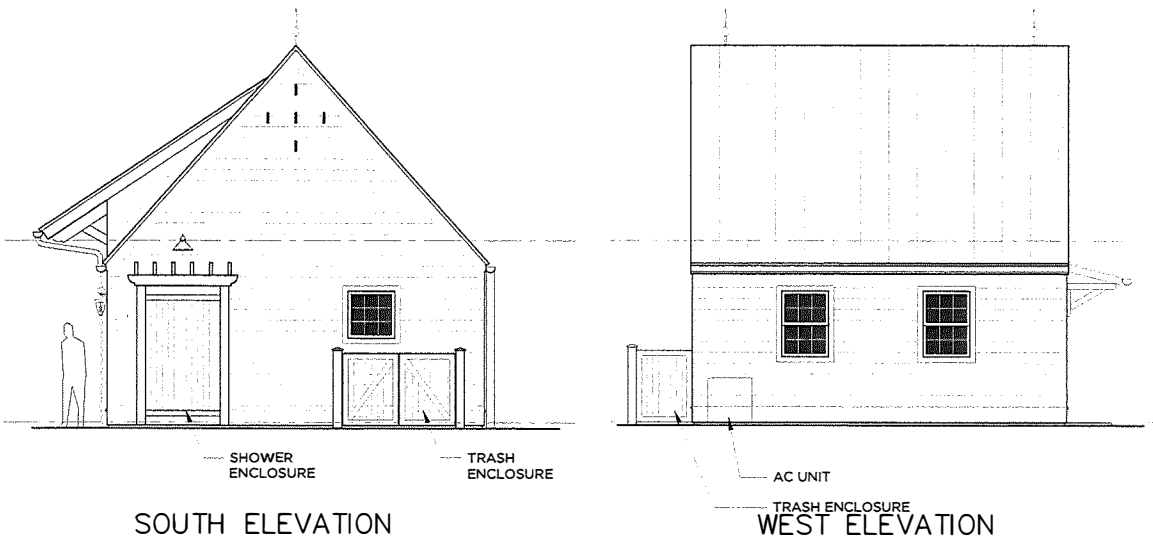
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PROPOSED DEVELOPMENT

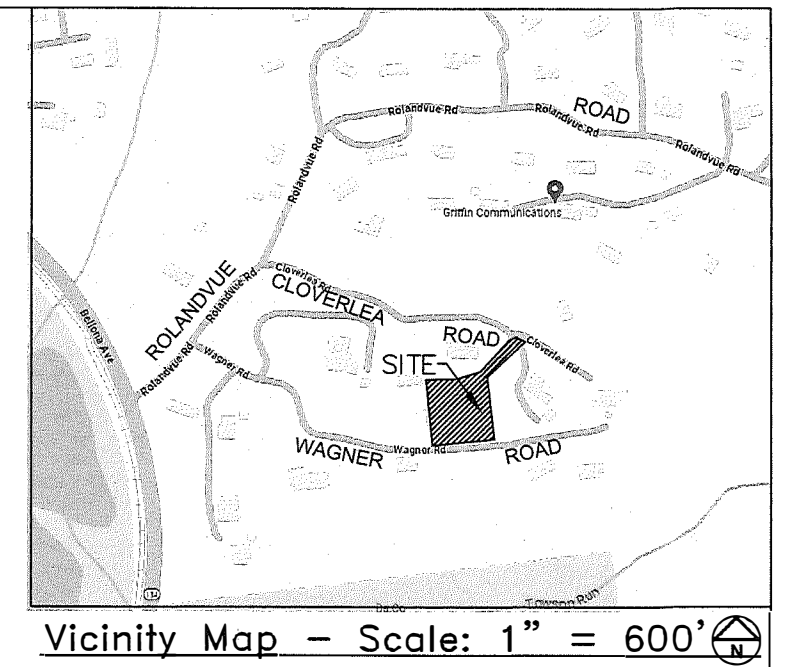
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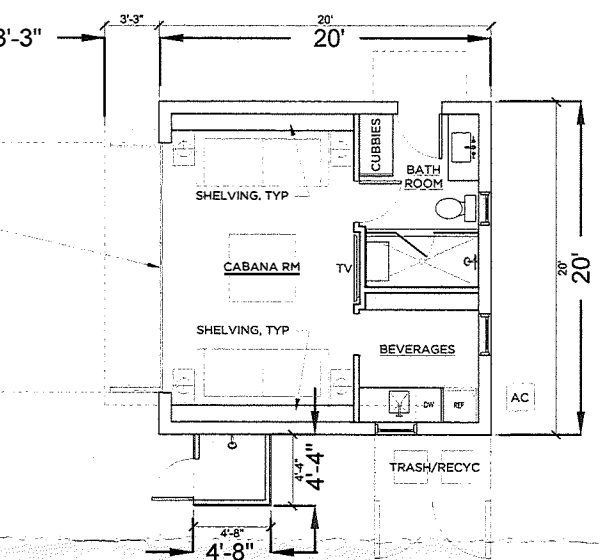
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TO THE EXISTING PROPERTY



REVISION



Vicinity Map – Scale: 1" = 600'



PROPOSED FLOOR PLAN

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION
FOR
#1009 CLOVERLEA ROAD

BALTIMORE COUNTY, MARYLAND
9th ELECTION DISTRICT 2nd COUNCILMANIC DISTRICT

Date: 8/13/2024

Scale: 1"=50'

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 09 Account Number - 1800003659

Owner Information

Owner Name: DANIELS FRANCES Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 1009 CLOVERLEA RD Deed Reference: /48917/ 00001
TOWSON MD 21204-6812

Location & Structure Information

Premises Address: 1009 CLOVERLEA RD Legal Description: 1.028 AC SWS
TOWSON 21204-6812 CLOVERLEA RD
800 E ROLANDVUE AV

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0069 0017 0603 9020024.04 0000 2023 Plat Ref:

Town: None

Primary Structure BuiltAbove Grade Living Area Finished Basement AreaProperty Land Area County Use
1954 2.876 SF 522 SF 1.0200 AC 04

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements
1 NO STANDARD UNITSIDING/5 3 full/ 1 half
FRAME

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2023	07/01/2024	07/01/2025
Land:	350,700	350,700		
Improvements	238,000	288,500		
Total:	588,700	639,200	622,367	639,200
Preferential Land:	0	0		

Transfer Information

Seller: KELLEY JAMES S	Date: 04/02/2024	Price: \$1,514,400
Type: ARMS LENGTH IMPROVED	Deed1: /48917/ 00001	Deed2:
Seller: BUCHANAN CHARLES M	Date: 07/18/1978	Price: \$149,000
Type: ARMS LENGTH IMPROVED	Deed1: /05911/ 00390	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2024	07/01/2025
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

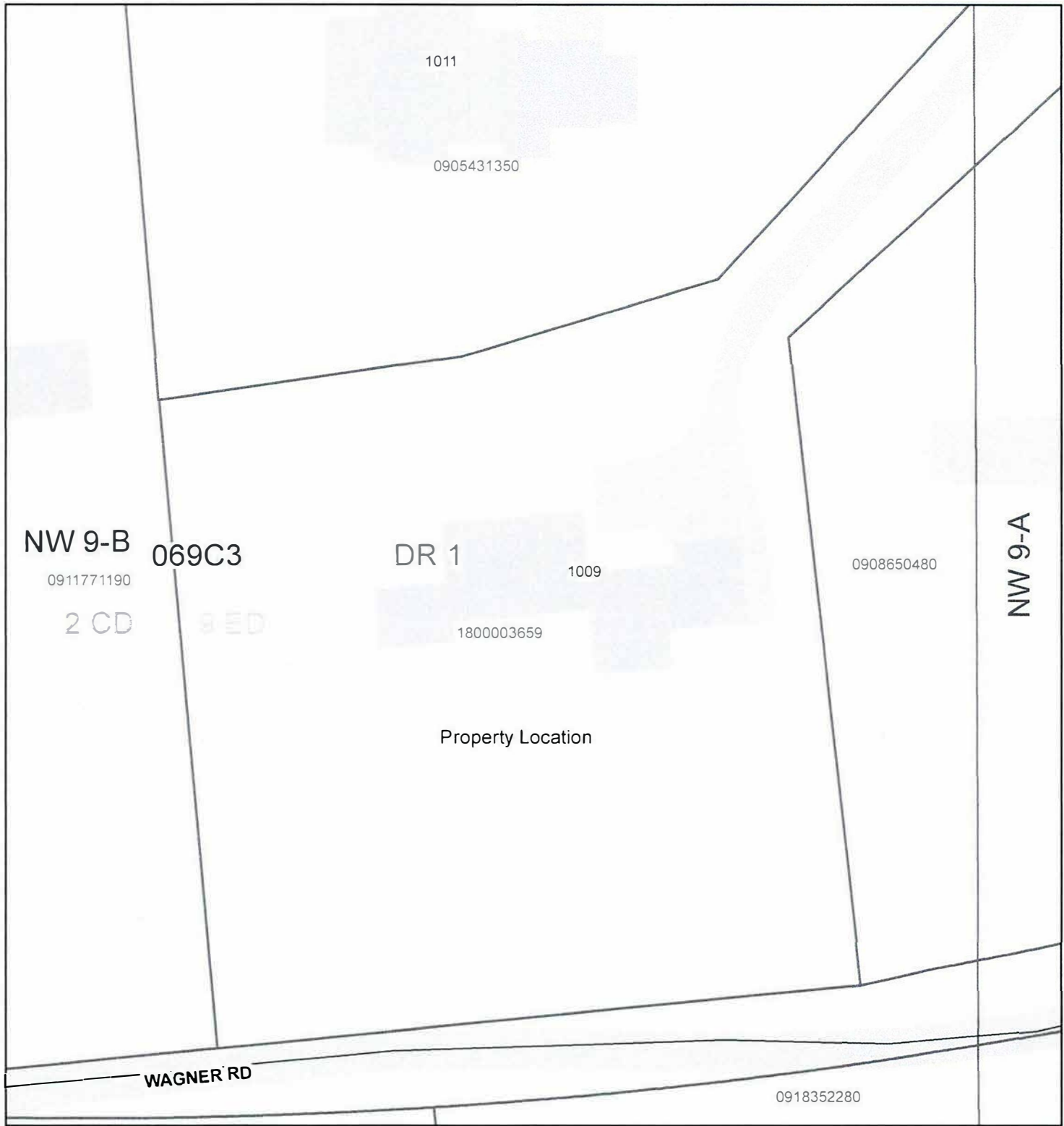
Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

1009 Cloverlea Rd



Publication Date: 9/3/2024



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



0 10 20 40 60 80 Feet
1 inch = 41.666667 feet

**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: 2024-0204-SPHA

Property Address: 1009 CLOVERLEA ROAD

Property Description: 1.028 ACRE PARCEL AT EAST END AND SOUTH
OF CLOVERLEA ROAD

Legal Owners (Petitioners): FRANCES DANIELS

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: September 16, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0204-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.

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: September 17, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0204-SPHA
Address: 1009 CLOVERLEA ROAD
Legal Owner: Frances Daniels

Zoning Advisory Committee Meeting of September 20, 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 (GWM) requests that it be conditioned to include the following:
 - a. Ground Water Management approval must be obtained prior to approval of the building permit. Requirements for approval will include submission of an On-site Disposal System (OSDS) inspection report locating all septic system components, a site plan that meets GWM site plan requirements, 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.

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 9/25/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0204-SPHA

INFORMATION:

Property Address: 1009 Cloverlea Road
Petitioner: Frances Daniels
Zoning: DR 1
Requested Action: Special Hearing/Variance

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

Special Hearing -

1. To permit an accessory structure (pool house) to have a full bathroom. The structure will not be used as a dwelling.

Variance -

1. To permit the height of an accessory structure (pool house) of 21 feet in lieu of the required 15 feet per section 400.3 BCZR.

The proposed site is a 1.028acre property zoned DR 1. It is surrounded by predominantly residential uses. The proposed site has no previous zoning histories and is not in a historic district. The lot is located in the Ruxton Riderwood Lake Roland Design Review Panel Area. The applicant proposes a detached pool house.

Properties within the Ruxton DRP area require review by the Design Review Panel for design compliance through the application of the Master Plan, the Comprehensive Manual of Development Policies, adopted community plans/Section 260 of the Baltimore County Zoning Regulations, as applicable pursuant to Section 32-4-203 of the Baltimore County Code. Per documentation provided by the applicant, the new improvements are less than 50% of the existing dwelling square footage. Pursuant to the County Code, proposed residential development within the Ruxton DRP area are exempt from DRP review if the addition is less than 50% of the exist dwelling square footage.

It is understood that the pool house will be a 20 x 20 structure constructed in the rear yard. It will consist of a cabana room, bathroom, beverage area, and other amenity spaces. The applicant has indicated that the pool house addition will not be used as living quarters. The new addition will not impose adverse visual impacts on adjacent properties or the public right of way as the front dwelling front façade is not visible

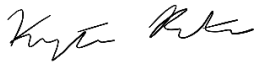
from Cloverlea Road and the rear façade is heavily screened with mature trees and vegetation as well as fencing.

The Department has no objections in granting the relief subject to the follow conditions:

1. The new addition will not be used for living quarters or in-law apartment.
2. Architecture is submitted to the Department of Planning along with the permit application.
3. Comply with any landscaping guidelines required by the Baltimore County Landscape Architect.
4. The plan conforms to all other bulk and setback regulations set forth in the Baltimore County Zoning Regulations for DR 1 zoned property and
5. The plan meets all additional conditions as required by the Administrative Law Judge.

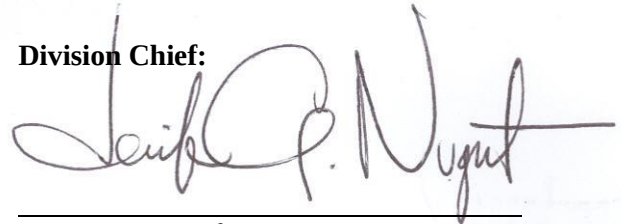
For further information concerning the matters stated herein, please contact Brett M. Williams at 410-887-3482.

Prepared by:



Krystle Patchak

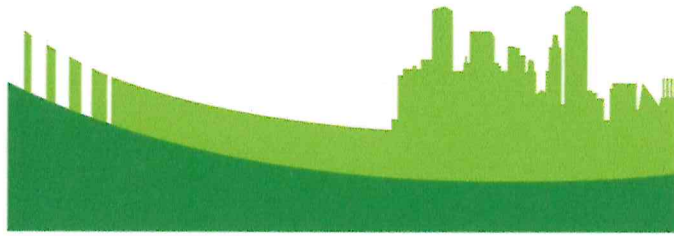
Division Chief:



Jenifer G. Nugent

SL/JGN/KP

Bruce E. Doak, Bruce E. Doak Consulting LLC.
Sydney Cooper, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County



CERTIFICATE OF POSTING

October 1, 2024

_____ amended for second inspection

Re:

Zoning Case No. 2024-0204-SPHA

Legal Owner: Frances Daniels

Hearing date: October 23, 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 **1009 Cloverlea Road**.

The signs were initially posted on **October 1, 2024**.

The subject property was also inspected on _____.

Sincerely,

A handwritten signature in blue ink that reads "Bruce E. Doak". The signature is stylized with a large "B" and "D".

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 #: 2024-0204-SPHA

1009 Cloverlea Road

(SS of Cloverlea Rd. Easterly of Rolandvue Rd.)

Council District 2, Election District 9

Legal Owner: Frances Daniels

VARIANCE: To permit the height of an accessory structure (pool house) of 21 feet in lieu of the required maximum height of 15 feet per Baltimore County Zoning Regulations (BCRZ) Sect. 400.3.

SPECIAL HEARING: To permit an accessory structure (pool house) to have a full bathroom (the structure will not be used as a dwelling).

Hearing Date: Wednesday, October 23, 2024 at 1:30 p.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 1037 Towson, Maryland 21204 / Phone 410-887-3868, ext.0

Email: administrativehearings@baltimorecountymd.gov

HANDICAPPED ACCESSIBLE

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

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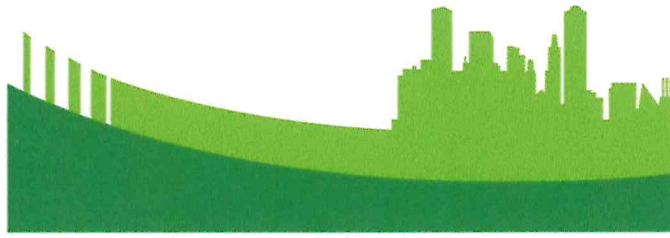
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HANDICAPPED ACCESSIBLE



CERTIFICATE OF POSTING

October 17, 2024

_____ amended for second inspection

Re:

Zoning Case No. 2024-0204-SPHA

Legal Owner: Frances Daniels

Hearing date: November 6, 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 **1009 Cloverlea Road**.

The signs were initially posted on **October 16, 2024**.

The subject property was also inspected on _____.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bruce E. Doak".

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

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New Hearing
Date

Case #: 2024-0204-SPHA

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105 West Chesapeake Avenue, Suite 103 / Towson, Maryland 21204 / Phone: 410-587-3968 / ext. 200

Email: administrativehearings@baltimorecountymd.gov

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*NEW HEARING
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165 West Chesapeake Avenue, Suite 103, Towson, Maryland 21204 Phone: (410) 587-3368 ext. 0

Email: administrativehearings@baltimorecountymd.gov

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