



KATHERINE A. KLAUSMEIER
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

January 30, 2025

Scott A. & Jennifer L. Cantner – scantner@turnertroxell.com
12210 Stoney Batter Road
Kingsville, MD 21087

RE: Petition for Administrative Variance
Case No. 2024-0276-A
Property: 12210 Stoney Batter Road

Dear Petitioners:

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 that reads "Maureen E. Murphy". The signature is written in a cursive style with a large, stylized "M" and "E".

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlw
Enclosure

c: Rick Richardson – rick@richardsonengineering.net

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(12210 Stoney Batter Road)		
11 th Election District	*	OFFICE OF ADMINISTRATIVE
5 th Council District		
Scott A. & Jennifer L. Cantner	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2024-0276-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, Scott and Jennifer Cantner (“Petitioners”), for the property located at 12210 Stoney Batter Road, Kingsville (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), §1A01.B.3, to permit a side yard addition with a side setback of 31 ft in lieu of the required 35 ft. The Property is more fully depicted on a site plan. (Pet. Ex. 1). A street view photograph of the home was provided. (Pet. Exs. 2A-2G).

A Zoning Advisory Committee (“ZAC”) comment was received from the Department of Environmental Protection and Sustainability (“DEPS”), dated January 23, 2025, and received January 27, 2025, indicating the following:

1. DEPS-Ground Water Management (“GWM”) does not oppose the zoning relief requested, but be advised that the following conditions will be required prior to building permit approval from GWM:
 - a. GWM approval must be obtained prior to the approval of the building permit.
 - b. 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. Submission of percolation test application and/or conducting additional percolation testing and potentially installing a new septic

system or upgrading the existing septic system may also be required.

- c. Additions must comply with GWM policy regarding additions, interior alterations and change of occupancy permits found on page 12 of the GWM policy manual dated 7-21-23.

Additional Comments:

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). *Based on County GIS data, there appears to be no streams or wetlands on or near the subject property; however, prior to any permit approvals, Environmental Impact Review will conduct an inspection of the subject property. Should this inspection find wetlands, streams, or their associated buffers on the subject property, the proposed development must comply with this title.*

Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 and 33-6-122 of the Baltimore County Code). *Should the proposed development involve less than 20,000 square feet of forest clearing, a single-lot declaration of intent can be used to satisfy this requirement.*

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on January 12, 2025, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented. The Petitioners have filed the supporting Affidavit as required by Baltimore County Code (“BCC”), §32-3-303. 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, particularly in light of the lack of opposition. In the opinion of the Administrative Law Judge, the information, photographs, and Affidavit submitted provide sufficient facts that comply with the requirements of BCZR, §307.1.

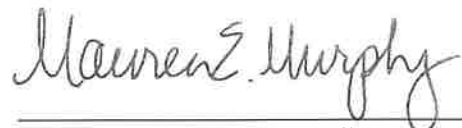
Pursuant to the posting of the Property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested side yard setback Variance should be granted.

THEREFORE, IT IS ORDERED, this 30th day of **January, 2025**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations ("BCZR"), §1A01.3.B.3, to permit a side yard addition with a side setback of 31 ft in lieu of the required 35 ft, be and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

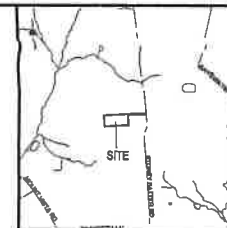
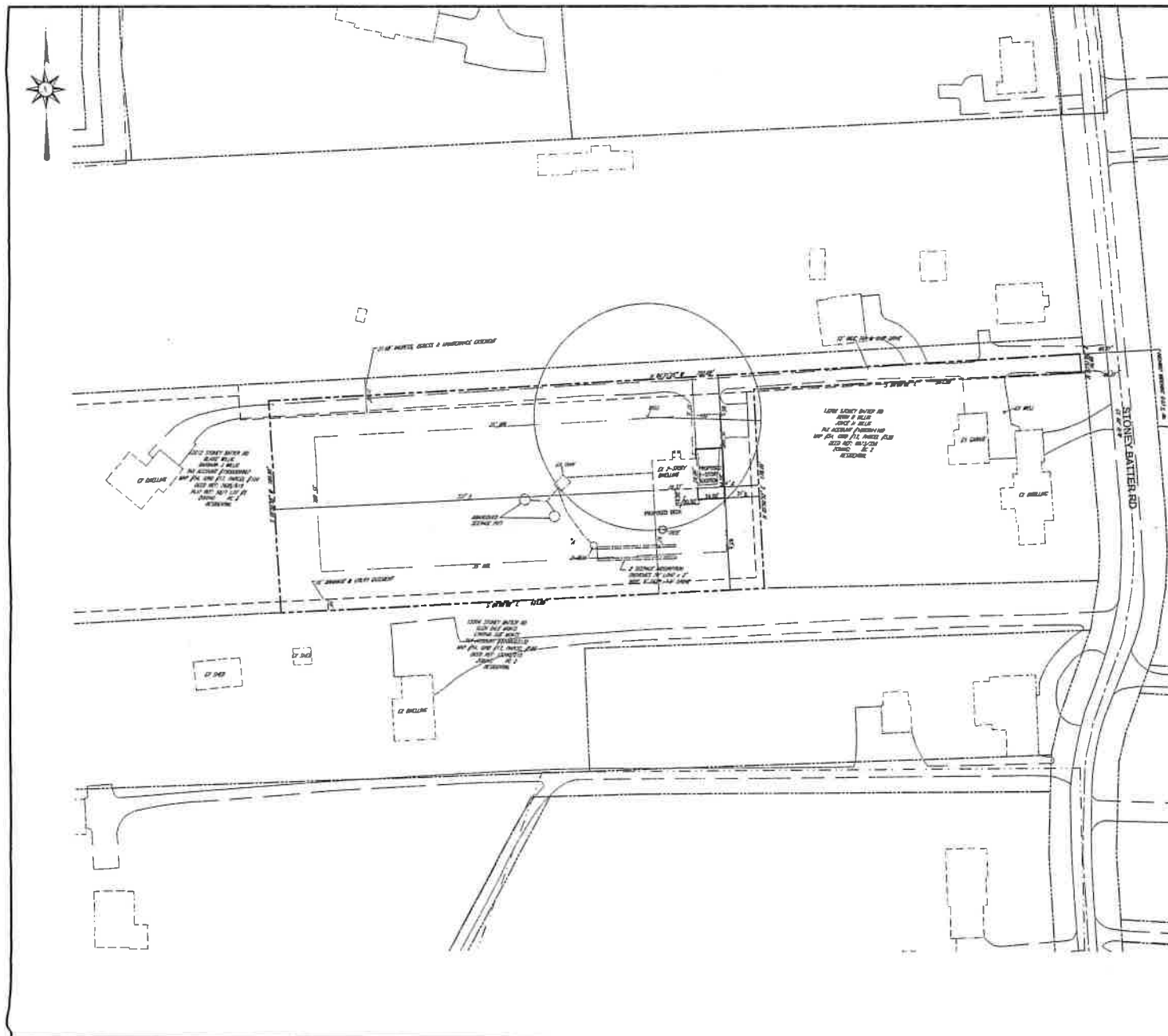
1. Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Site Plan (Pet. Ex. 1) a copy of is attached hereto and incorporated herein.
3. Petitioners shall comply with the DEPS ZAC Comment, dated January 23, 2025, and received on January 27, 2025, 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.



MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlw



VICINITY MAP
SCALE 1" = 100'

GENERAL NOTES:

1. OWNER: SCOTT A. CANTNER
JOHN L. CANTNER
12210 STONEY BATTER RD
POTOMAC, MD 20854-1208
2. SITE AREA: 88,366 SF OR 2.01 AC.±
DEVELOP: 87,366 SF OR 2.01 AC.±
3. EXISTING: 1 RESIDENTIAL BUILDING
PROPOSED: 1 RESIDENTIAL BUILDING
4. UTILITIES: PRIVATE WATER AND SEWER
5. DEED REC: 17133/019
6. TAX ACCOUNT: 1900009966
7. ZONING: RC 3
8. THE MAP: OVER 1"-300' ZONING MAP (2002)
SHEET: 17
PAGE: 184
9. PLAT: WATERWOOD 80/411 BILLS PROPERTY #1
10. NO KNOWN FLOODPLAIN OR COASTAL HAZARD FLOOD INSURANCE RATE MAP (FIRM) PANEL 2401000000 DATED NOVEMBER 3, 2003.
11. PREVIOUS ZONING CASES: NONE ON FILE
12. PREVIOUS PERMITS: NONE ON FILE
13. SITE DOES NOT LIE WITHIN THE OVERLAP AREA OF ANY CRITICAL AREA
14. THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC
15. SETBACKS FOR RC 3

	REQUIRED	PROPOSED
FRONT	30'	60'±
SIDE	30'	31'
REAR	30'	67'±

2024-0276-A



7 Darnley Street
Triton, Maryland 21093
Phone: 410-562-1502, info@richardsonengineering.net

PLAN TO ACCOMPANY ZONING PETITION
FOR
CANTNER RESIDENCE
BUILDING ADDITION
12210 STONEY BATTER ROAD

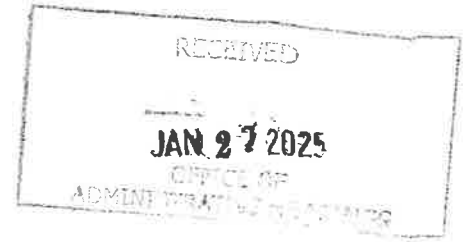
BALTIMORE COUNTY MARYLAND
11TH ELECTION DISTRICT 5TH COUNCILMANIC DISTRICT

DATE	DESIGNED BY	CHECKED BY	SCALE
12-05-24	LDR	PCR	1" = 40'
			SHEET NO. 1 OF 1

AV

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: January 23, 2025

SUBJECT: DEPS Comment for Zoning Item # 2024-0276-A
Address: 12210 STONEY BATTER ROAD
Legal Owner: Scott & Jennifer Cantner

Zoning Advisory Committee Meeting of January 21, 2025.

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

1. EPS-GWM does not oppose the Zoning relief requested, but be advised that the following conditions will be required prior to building permit approval from GWM.
 - a. Ground Water Management approval must be obtained prior to approval of the building permit.
 - b. 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. Submission of percolation test application and/or conducting additional percolation testing and potentially installing a new septic system or upgrading the existing septic system may also be required.
 - c. Additions must comply with GWM policy regarding additions, interior alterations and change of occupancy permits found on page 12 of the GWM policy manual dated 7-21-23.

Additional Comments:

Reviewer: Mia Lowery, January 23, 2025

-
2. 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). *Based on County GIS data, there appears to be no streams or wetlands on or near the subject property; however,*

prior to any permit approvals, Environmental Impact Review will conduct an inspection of the subject property. Should this inspection find wetlands, streams, or their associated buffers on the subject property, the proposed development must comply with this title.

3. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code). *Should the proposed development involve less than 20,000 square feet of forest clearing, a single-lot declaration of intent can be used to satisfy this requirement.*

Additional Comments:

Reviewer: Art Garcia



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 Law of Baltimore County for the property located at:

Address 12210 Stoney Batter Road Currently Zoned RC-2

Deed Reference 17123/519 10 Digit Tax Account # 1900009966

Owner(s) Printed Name(s) SCOTT A CANTNER and JENNIFER L CANTNER

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

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. X **ADMINISTRATIVE VARIANCE** from section(s)

BCZR: 1A01.B.3 → To permit a side yard addition with a side setback of 31 feet in lieu of the required 35 feet.

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

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space 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, 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:

SCOTT A CANTNER / JENNIFER L CANTNER
Name #1 – Type or Print Name #2 – Type or Print

[Signature] / [Signature]
Signature #1 Signature #2

12210 Stoney Batter Road Kingsville MD
Mailing Address City State

21087 / 410-698-3500 / scantner@turnertroxell.com
Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC Rick Richardson
Name – Type or Print

[Signature]
Signature

7 Deneison Street Timonium MD
Mailing Address City State

21093 / 410-560-1502 / rick@richardsonengineering.net
Zip Code Telephone # Email Address

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

Administrative Law Judge of Baltimore County

CASE NUMBER 2024-0276-A Filing Date 12/24/24 Estimated Posting Date 1/12/25 Reviewer JSS

Closing date 1/27/25 Rev 10/12/11

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 to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 12210 Stoney Batter Road Kingsville MD 21087
Print or Type Address of property City State Zip Code

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

The property is a panhandle with the house located at the front end and the septic system in the middle. The house faces to the side and an addition would need to go on the side to flow with the house. The location of the existing house and the addition proposed would require a variance to the side yard. It would be a practical difficulty to move the existing house to make room for the addition. The layout of the interior of the house would need the addition to be on the east side so it would be a hardship to move it to another location on the house.

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

[Signature]
Signature of Affiant

SCOTT A CANTNER
Name- Print or Type

Jennifer L Cantner
Signature of Affiant

JENNIFER L CANTNER
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 17th day of December, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Scott Cantner and Jennifer Cantner
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

Karen E. Laster
Notary Public
March 20, 2027
My Commission Expires





Richardson
ENGINEERING

CIVIL | COMMERCIAL
RESIDENTIAL
INDUSTRIAL

RICHARDSON ENGINEERING, LLC.
7 DENEISON ST. | TIMONIUM, MD 21093
410-560-1502 | RICHARDSONENGINEERING.NET

**ZONING PROPERTY DESCRIPTION FOR
12210 STONEY BATTER ROAD
11th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

Located on the West side of Stoney Batter Road approximately 2785+/- feet South of the intersection of Stoney Batter Road and Sunshine Avenue. Being Lot #1 as shown on the plat of "Willig Property", which is recorded among the land records of Baltimore County in Plat Book W.H.M. No. 50, Folio 81.

Containing a net area of 86,866 square feet or 2.00 acres +/-.



PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2025

2024-0276-A

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

No. 235045

Date: 12/24/24

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: CANTNER
From: ~~CANTNER~~ / RICHARDSON

For: 2024-0276-4

12210 STONEY BATTER RD

JSS 24-1154

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

JENNIFER L CANTNER 01-06
SCOTT A CANTNER
12210 STONEY BATTER RD
KINGSVILLE, MD 21087-1208

1053

7-163/520 MD
5172

12/18/24

Date

Pay To The Order Of BALTIMORE County, MD

\$ 75.00

Seventy five and 00/100 Dollars



BANK OF AMERICA

ACH R/T 052001633

For VARIANCE

Scott A Cantner

MP

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2024 - 0276 -A Address 12210 STONEY BUTLER RD

Contact Person: JASON SEISELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 12/24/24 Posting Date: 1/12/25 Closing Date: 1/27/25

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 - 0276 -A Address 12210 STONEY BUTLER ROAD

Petitioner's Name: CANTNER Telephone (Cell) RICK RICHMONSON

Posting Date: 1/12/25 Closing Date: 1/27/25 410-560-1502

Wording for Sign: To Permit _____

To permit a side yard addition with a side setback of 31 feet in lieu of the required 35 feet.

Revised 1/2022

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/ neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.*

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

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID

For Newspaper Advertising:

Case Number: 2024-0276-A
Property Address: 13210 STONEY BATTER ROAD
Legal Owners (Petitioners): SCOTT + JENNIFER CANTNER
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): RICK RICHARDSON ENGINEERING
Address: 7 DENVERSON STREET
TIMONIUM, MD 21093

Telephone Number: 410-560-1502

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.



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 Law of Baltimore County for the property located at:

Address 12210 Stoney Batter Road

Currently Zoned RC-2

Deed Reference 17123/519

10 Digit Tax Account # 1900009966

Owner(s) Printed Name(s) SCOTT A CANTNER and JENNIFER L CANTNER

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

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. **X** **ADMINISTRATIVE VARIANCE** from section(s)

BCZR: 1A01.B.3 → To permit a side yard addition with a side setback of 31 feet in lieu of the required 35 feet.

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

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space 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, 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:

SCOTT A CANTNER / JENNIFER L CANTNER

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature #2

12210 Stoney Batter Road Kingsville MD

Mailing Address City State

21087 / 410-698-3500 / scantner@turnertroxell.com

Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC Rick Richardson

Name – Type or Print

Signature

7 Deneison Street Timonium MD

Mailing Address City State

21093 / 410-560-1502 / rick@richardsonengineering.net

Zip Code Telephone # Email Address

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

Administrative Law Judge of Baltimore County

CASE NUMBER

2024-0276-A

Filing Date

12/24/24

Estimated Posting Date

1/12/25

Reviewer

JS

Closing date

1/27/25

Rev 10/12/11

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 to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 12210 Stoney Batter Road Kingsville MD 21087
Print or Type Address of property City State Zip Code

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

The property is a panhandle with the house located at the front end and the septic system in the middle. The house faces to the side and an addition would need to go on the side to flow with the house. The location of the existing house and the addition proposed would require a variance to the side yard. It would be a practical difficulty to move the existing house to make room for the addition. The layout of the interior of the house would need the addition to be on the east side so it would be a hardship to move it to another location on the house.

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

Signature of Affiant

SCOTT A CANTNER

Name- Print or Type

Signature of Affiant

JENNIFER L CANTNER

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 17th day of December, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Scott Cantner and Jennifer Cantner
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal



Karen E. Laster
Notary Public
March 20, 2027
My Commission Expires

**ZONING PROPERTY DESCRIPTION FOR
12210 STONEY BATTER ROAD
11th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

Located on the West side of Stoney Batter Road approximately 2785+/- feet South of the intersection of Stoney Batter Road and Sunshine Avenue. Being Lot #1 as shown on the plat of "Willig Property", which is recorded among the land records of Baltimore County in Plat Book W.H.M. No. 50, Folio 81.

Containing a net area of 86,866 square feet or 2.00 acres +/-.



PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2025

2024-0276-A

CERTIFICATE OF POSTING

Date 1-12-25

Case Number: 2024-0276-A

Petitioner/Developer: CANTNER

Date of Hearing/Closing: 1-27-25

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 12210 Storey Batter Rd

The signs(s) were posted on 1-12-25
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
Parkton, Md 21120

443-834-8162

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: January 23, 2025

SUBJECT: DEPS Comment for Zoning Item # 2024-0276-A
Address: 12210 STONEY BATTER ROAD
Legal Owner: Scott & Jennifer Cantner

Zoning Advisory Committee Meeting of January 21, 2025.

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

1. EPS-GWM does not oppose the Zoning relief requested, but be advised that the following conditions will be required prior to building permit approval from GWM.
 - a. Ground Water Management approval must be obtained prior to approval of the building permit.
 - b. 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. Submission of percolation test application and/or conducting additional percolation testing and potentially installing a new septic system or upgrading the existing septic system may also be required.
 - c. Additions must comply with GWM policy regarding additions, interior alterations and change of occupancy permits found on page 12 of the GWM policy manual dated 7-21-23.

Additional Comments:

Reviewer: Mia Lowery, January 23, 2025

-
2. 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). *Based on County GIS data, there appears to be no streams or wetlands on or near the subject property; however,*

prior to any permit approvals, Environmental Impact Review will conduct an inspection of the subject property. Should this inspection find wetlands, streams, or their associated buffers on the subject property, the proposed development must comply with this title.

3. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code). *Should the proposed development involve less than 20,000 square feet of forest clearing, a single-lot declaration of intent can be used to satisfy this requirement.*

Additional Comments:

Reviewer: Art Garcia

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: January 14, 2025

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0276-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.

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)[View GroundRent Redemption](#)[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 11 Account Number - 1900009966

Owner Information

Owner Name: CANTNER SCOTT A Use: RESIDENTIAL
CANTNER JENNIFER L Principal Residence: YES
Mailing Address: 12210 STONEY BATTER RD Deed Reference: /17123/ 00519
KINGSVILLE MD 21087-1208

Location & Structure Information

Premises Address: 12210 STONEY BATTER RD Legal Description: 2.00 AC
KINGSVILLE 21087-1208 12210 STONEY BATTER RD
WILLIG PROPERTY

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0054 0017 0104 11080067.04 0000 1 2024 Plat Ref: 0050/ 0081

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1984 1,030 SF 2,000 AC 04

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements
Split Foyer YES SPLIT FOYER SIDING/4 1 full

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2024	07/01/2024	07/01/2025
Land:	148,500	156,200		
Improvements	134,600	178,500		
Total:	283,100	334,700	300,300	317,500
Preferential Land:	0	0		

Transfer Information

Seller: WILLIG JEFFREY J	Date: 11/20/2002	Price: \$165,000
Type: ARMS LENGTH IMPROVED	Deed1: /17123/ 00519	Deed2:
Seller: WILLIG JEFFREY J	Date: 04/03/2001	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /15086/ 00598	Deed2:
Seller: WILLIG JOHN H	Date: 12/28/1983	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /06647/ 00511	Deed2:

Exemption Information

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

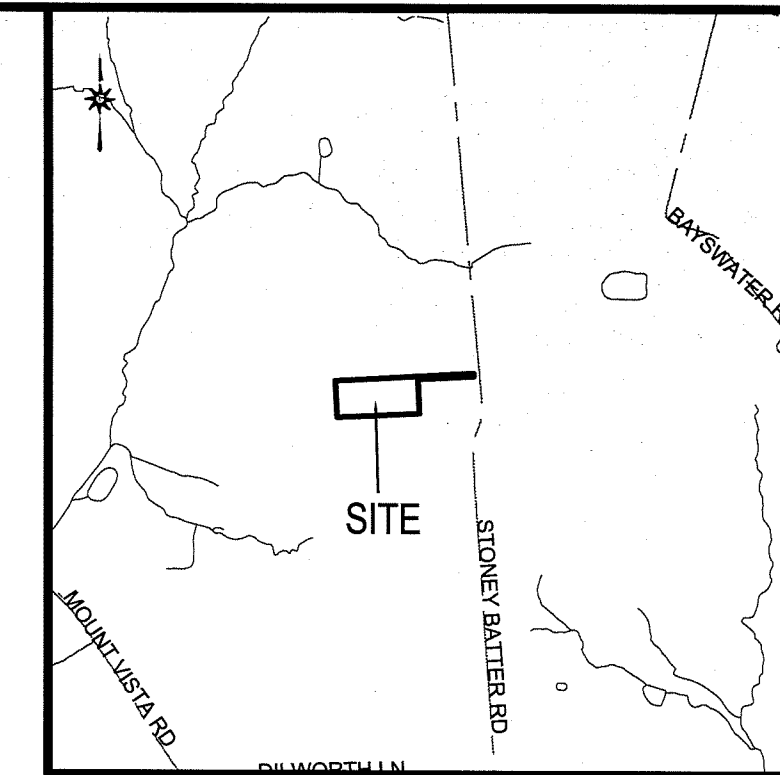
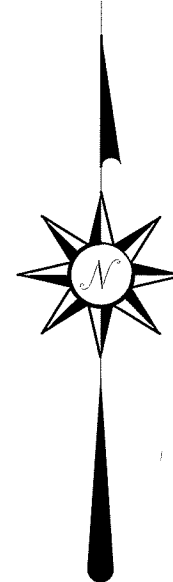
Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 12/31/2012

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:



VICINITY MAP

SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: SCOTT A CANTNER
JENNIFER L CANTNER
12210 STONEY BATTER RD
KINGSVILLE, MD 21087-1208
- SITE AREA:
NET: 86,866 SF OR 1.99 AC.±
GROSS: 87,366 SF OR 2.01 AC.±
- USE:
EXISTING: 1 RESIDENTIAL DWELLING
PROPOSED: 1 RESIDENTIAL DWELLING
- UTILITIES: PRIVATE WATER AND SEWER
- DEED REF: 17123/519
- TAX ACCOUNT: 1900009966
- ZONING: RC 2
(PER 1"=200' ZONING MAP 0C2)
- TAX MAP: 54
GRID: 17
PARCEL: 104
- PLAT REFERENCE: 50/81 WILLIG PROPERTY #1
- NO KNOWN FLOODPLAINS EXISTS ON SITE PER FLOOD INSURANCE RATE MAP (FIRM) PANEL 2400100280G DATED NOVEMBER 2, 2023.
- PREVIOUS ZONING CASES: NONE ON FILE.
- PREVIOUS PERMITS: NONE ON FILE.
- SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
- SETBACKS FOR RC 2

	REQUIRED	PROVIDED
FRONT	35'	65'±
SIDE	35'	31'
REAR	35'	83'±

2024-0276-A

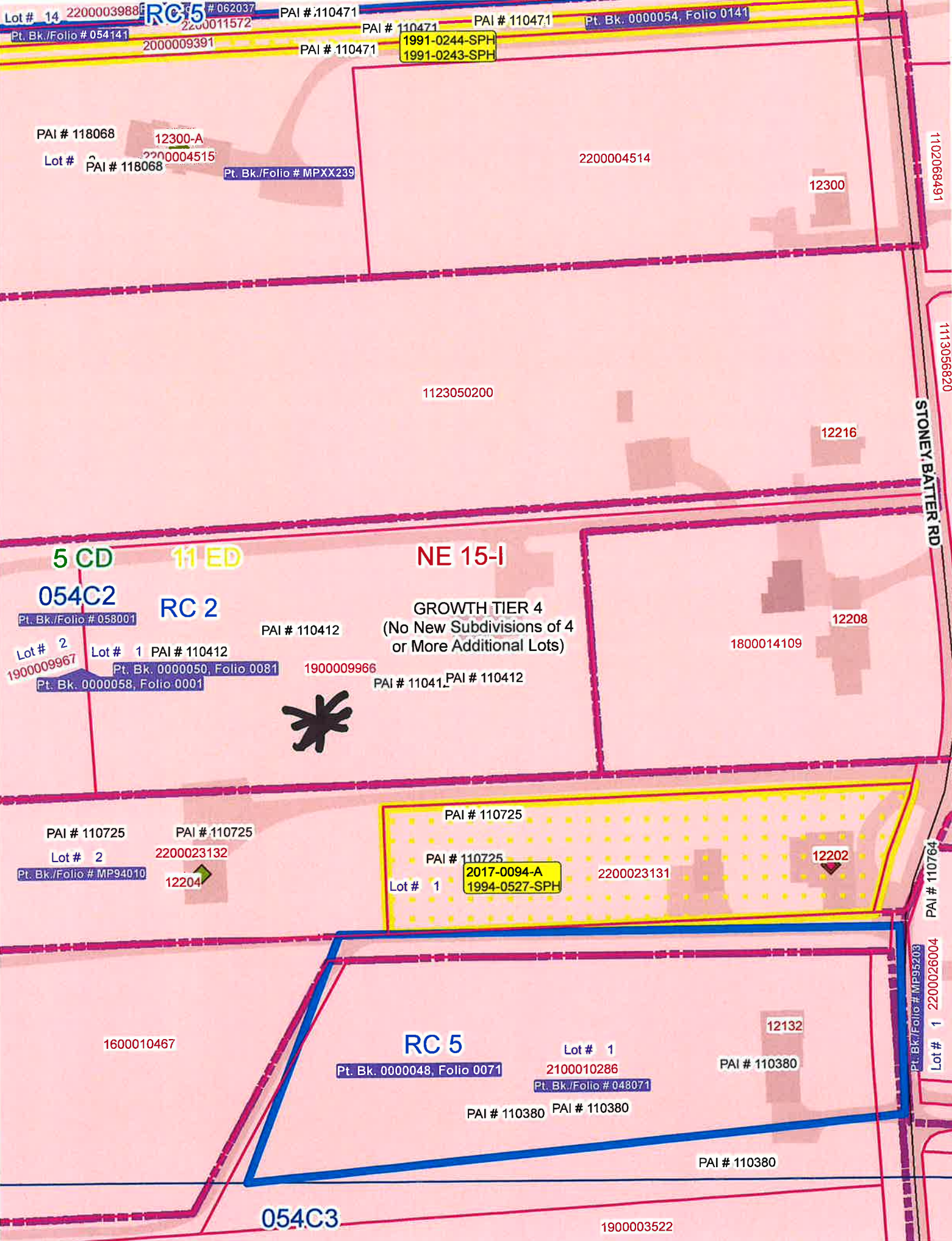


7 Deneison Street
Timonium, Maryland 21093
Phone: 410-560-1502, info@richardsonengineering.net

PLAN TO ACCOMPANY ZONING PETITION FOR CANTNER RESIDENCE BUILDING ADDITION 12210 STONEY BATTER ROAD

BALTIMORE COUNTY MARYLAND
11TH ELECTION DISTRICT 5TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	LNR	PCR	1" = 40'
	DATE:	JOB NO.:	SHEET NO.:
	12-03-24	24208	1 OF 1







Location of addition

2024-0276-A



2024-0276-A



From rear to addition

2024-0276-A



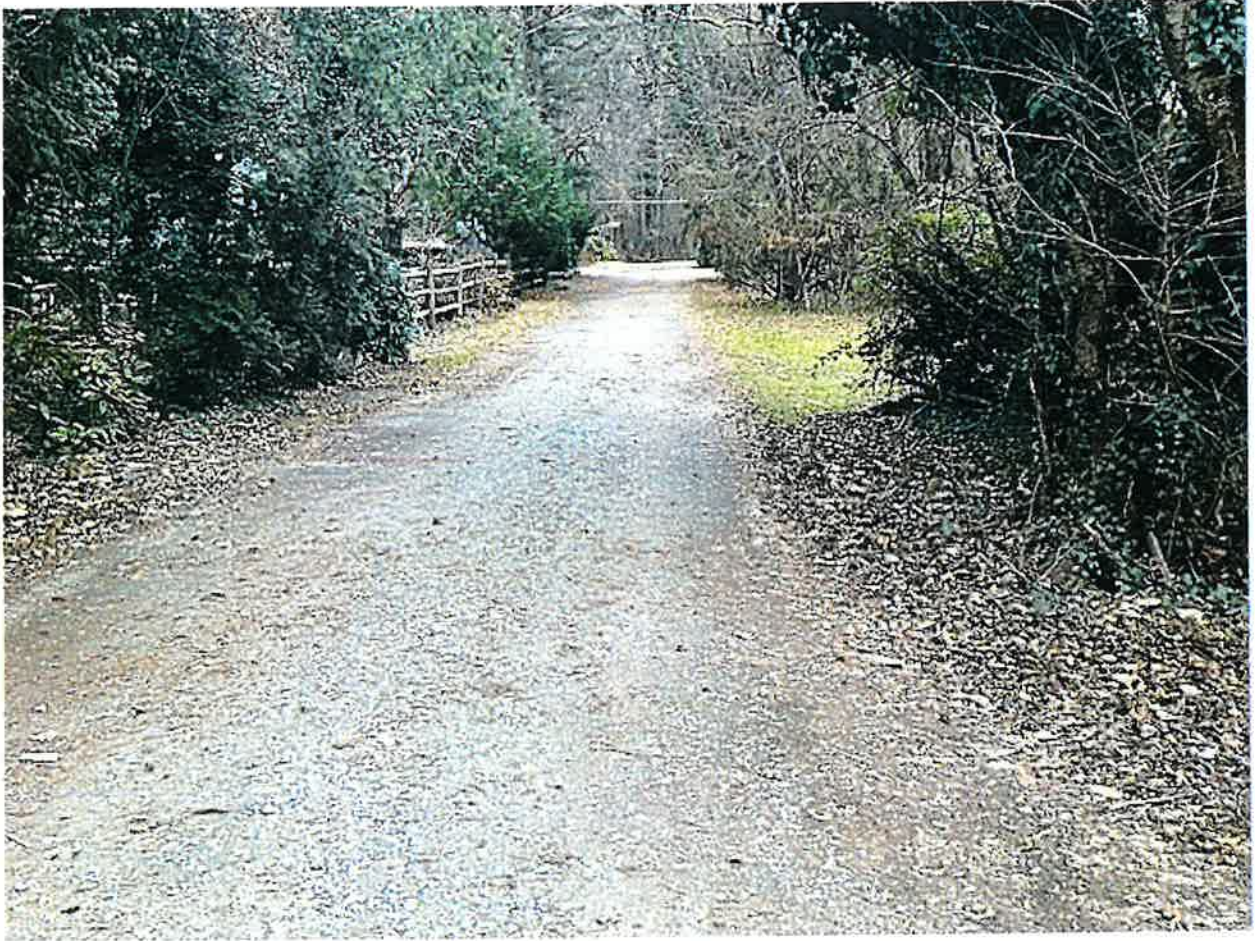
From near Stoney Batter road looking west to existing house

2024-0276-A



Rear yard of 12208

2024-0716-A



Along panhandle driveway toward Stoney Batter Road from driveway of 12210

2024-0276-A



From driveway at 12210 to 12212 along main drive panhandle

2024-0276-4