

Approved R/E
2/18/2023

Record Detail * (This section is required.)

Permit Type	Permit Number	Opened Date
Building/Residential/Addition/SFD	B23000183	01/19/2023
Description of Work		
Building an 18x20 & 10x14 Addition; Remodeling interior of existing home to include a Jack & Jill bathroom, Kitchen remodel, powder room remodel, master bath remodel and new flooring throughout the first floor only.. 2 STORY, Existing, 5R, 2FB, 1HB, 1FP, OTHER STRUCTURE = N/A, 3BR, PORCH/DECK = Front Porch, ENERGY METHOD = N/A,		
check spelling		

Address * (This section is required.)

Search Reset Clear Get Parcel & Owner

Street #	Street Name	Street Type	
3021	KITTLEMAN	LN	
Unit Type	Unit #	X Coordinate	Y Coordinate
-Select-		-76.97704	39.29134
City	State	Zip Code	Primary
WEST FRIENDSHIP	MD	21794	Yes

Parcel * (This section is required.)

Search Reset Clear Get Address & Owner

GIS ID *	Parcel	Parcel Area	Land Value	Improved Value	Exemption Value	Plan Area	
903106	271	43273	209100	415400	206300	RURAL	
Legal Description							
IMPSLOT 2 43273 SQ[]3021 KITTLEMAN LN[]KITTLEMAN PROPERTY							
check spelling							
Block	Lot	Census Tract	Council Dist	Inspection Dist	Supervisor Dist	Map #	DAP Zone
	2	603000	5				
Plan Area	State Tax Id		Subdivision Name		Primary		
	1403339769		KITTLEMAN PROPERTY		Yes		
Section	Area		Tax Map				
			15				
Grid	Zoning District		ADC Map				
15-21	RC-DEO		4813-D4				
SDP No.	Final Plan No.		WP File No.				

Record Plat No.	F-03-050	WS Contract No.	FDP No.
15769			
Owner Occupied	Year Built	Historic District	
<input type="radio"/> Yes <input type="radio"/> No	2003	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Historic District Registry No.	Stat Area	Flood Plain	
	3-04	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Building No			

Owner (This section is not required.)

Search Reset Clear

Name *

Lisa Kittleman

Address Line 1

3021 Kittleman LN

Address Line 2

Address Line 3

Mail City	Mail State	Mail Zip Code
West Friendship	MD ▾	21794
Phone	Primary	
301-785-5893	Yes ▾	
E-mail		
info@longcreekconstruction.com		
Cell Number	Fax Number	

Professionals (This section is not required.)

License # *	Business Name		
08050129026	LONG CREEK CONSTRUCTION LTD		
License Type *	First Name	Middle Name	Last Name
MHIC Co ▾	WYRON		MORALES
Primary	Address Line 1		
Yes ▾	9333 4TH STREET		
	Address Line 2		
	City	State	ZIP Code
	LANHAM	MD	20706
	Phone 1	Phone 2	Fax
	3018528237		
	E-mail		
	WYMORALES@MSN.COM		

Applicant (This section is not required.)

Search **As Owner** **As Lic. Prof** **As Contact**

Type * Applicant	First Name WYRON	MI	Last Name MORALES
Relationship Applicant	Full Name WYRON MORALES		
Primary No	Organization Name LONG CREEK CONSTRUCTION LTD		
Street Address 9333 4TH STREET			
Address Line 2			
City LANHAM		State MD	Zip Code 20706
Phone 3013061028		Cell	Fax
E-mail * info@longcreekconstruction.com			

Contact (This section is not required.)

Search **As Owner** **As Lic. Prof** **As Contact**

Type Contact	First Name WYRON	MI	Last Name MORALES
Relationship Licensed Professional	Full Name WYRON MORALES		
Primary Yes	Organization Name LONG CREEK CONSTRUCTION LTD		
Street Address 9333 4TH STREET			
Address Line 2			
City LANHAM		State MD	Zip Code 20706
Phone 3013061028		Cell	Fax
E-mail info@longcreekconstruction.com			

Addtl Info

Est Construction Cost * 118300	Housing Units * 0	Number of Buildings * 0	Public Owned No
Construction Type --Select--			

RESIDENTIAL ADDITION INFORMATION

RESIDENTIAL ADDITION INFORMATION

Capital Project-No Fee * Yes No **Capital Project Number** **Fee Exempt *** Yes No **Roadside Tree Project Permit** Yes No **Roadside Tree Project Permit #**

No of Stories * 2 **Foundation *** Existing **Basement *** Full Finished **No of Rooms *** 5 **Full Baths *** 2 **Half Baths *** 1 **Existing Use *** Other - See Description of Work

Model *

[check spelling](#)

Other Structure * N/A **Bedrooms *** 3 **Porch Deck *** Front Porch **No of Fireplaces *** 1 **Type of Fireplace** --Select-- **Energy Code *** N/A

W & S Fees Paid Yes No **Water *** Private **Sewage *** Private **Utilities *** Gas & Electric **Heating System *** Electric & Propane Gas **Sprinkler System *** None **Road Frontage** --Select--

1st Floor Width FT | **1st Floor Depth** FT | **2nd Floor Width** FT | **2nd Floor Depth** FT | **Basement Width** FT | **Basement Depth** FT | **Height** FT

Total Square Footage * 500 **Occupiable Square Footage *** SQFT 500 **Affordable Housing Funding *** N/A **Foundation Measurement** **Footings**

Walls **Roof** **Change In Use** Yes No **Grading Permit No**

Additional Description Info

Expiration Date

[check spelling](#)

PAYMENT INFORMATION

Check 1 **Payee 1** **Check 2** **Payee 2** **SAP Doc No** **SAP Entered**

Submit **Cancel**

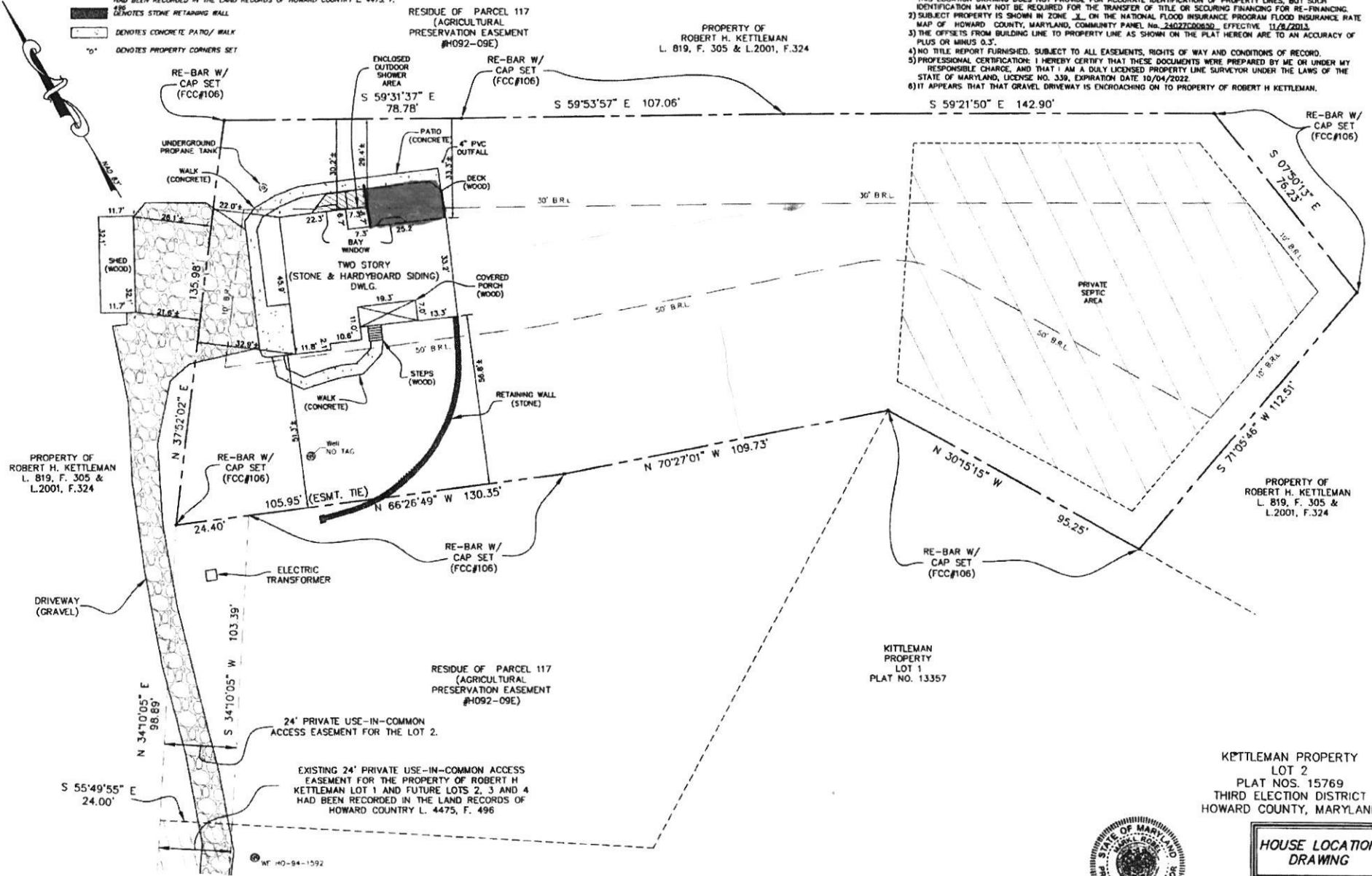
Legend

- 24' PRIVATE USE-IN-COMMON ACCESS EASEMENT FOR THE LOT 2
- EXISTING 24' PRIVATE USE-IN-COMMON ACCESS EASEMENT FOR THE PROPERTY OF ROBERT H KETTEMAN LOT 1 AND FUTURE LOTS 2, 3 AND 4 HAD BEEN RECORDED IN THE LAND RECORDS OF HOWARD COUNTRY L. 4475, F. 496
- DENOTES STONE RETAINING WALL
- DENOTES CONCRETE PATIO/ WALK
- "0" DENOTES PROPERTY CORNERS SET

- 7) WOOD SHED APPEARS TO BE ON ADJACENT LOT.
- 8) GRAVEL DRIVEWAY APPEARS TO BE ON ADJACENT LOT.
- 9) ENCLOSED OUTDOOR SHOWER AREA APPEARS TO BE OVER THE 30' BUILDING RESTRICTION LINE.
- 10) STONE RETAINING WALL APPEARS TO ENCRDACH ONTO THE ADJACENT LOT.

GENERAL NOTES:

- 1) THIS LOCATION DRAWING IS PREPARED FOR THE BENEFIT OF THE CLIENT SIGNING THE HOUSE LOCATION SURVEY APPROVAL FORM IN SO FAR AS IT IS REQUIRED BY A LENDER OR TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH THE CONTEMPLATED TRANSFER, FINANCING OR REFINANCING OF THE PROPERTY SHOWN HEREON. UNLESS INDICATED AS BEING A BOUNDARY SURVEY, THIS LOCATION DRAWING IS NOT INTENDED FOR USE IN THE ESTABLISHMENT OF PROPERTY LINES AND IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATIONS OF FENCES, GARAGES, BUILDINGS OR OTHER EXISTING OR FUTURE IMPROVEMENTS. AS A RESULT, THIS LOCATION DRAWING DOES NOT PROVIDE FOR ACCURATE IDENTIFICATION OF PROPERTY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING FOR RE-FINANCING.
- 2) SUBJECT PROPERTY IS SHOWN IN ZONE X₁ ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP OF HOWARD COUNTY, MARYLAND, COMMUNITY PANEL No. 24022200830, EFFECTIVE 11/8/2013.
- 3) THE OFFSETS FROM BUILDING LINE TO PROPERTY LINE AS SHOWN ON THE PLAT HEREON ARE TO AN ACCURACY OF PLUS OR MINUS 0.3'.
- 4) NO TITLE REPORT FURNISHED. SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY AND CONDITIONS OF RECORD.
- 5) PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND THAT I AM A DULY LICENSED PROPERTY LINE SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 339, EXPIRATION DATE 10/04/2022.
- 6) IT APPEARS THAT THAT GRAVEL DRIVEWAY IS ENCRDACHING ON TO PROPERTY OF ROBERT H KETTEMAN.



FISHER, COLLINS & CARTER, INC.
 CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS
 CENTRAL SQUARE OFFICE PARK - 10771 BRIDGEWAY ROAD, SUITE 100
 CROFTON CITY, MARYLAND 21114
 (410) 541-1800

#3021 KITTELMAN LANE
 B.R.L. BUILDING RESTRICTION LINE
 FIRST FLOOR ELEVATION = 546.7±



PROPERTY LINE SURVEYOR
 DATE 11/17/2020
 REL. \$118

HOUSE LOCATION DRAWING

FOUNDATION LOCATION:	N/A
FINAL LOCATION:	11/17/2020
BOUNDARY SURVEY:	11/12/2020
SCALE:	1"=20'
DATE:	11/17/2020
DRAWN BY:	ML
CHECKED BY:	JLB
PROJECT No:	2020-7001

IN THE MATTER OF	:	BEFORE THE
Kittleman/Lowe	:	HOWARD COUNTY
Petitioners	:	BOARD OF APPEALS
	:	HEARING EXAMINER
	:	BA Case No. 21-003V

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DECISION AND ORDER

On March 18, 2021, the undersigned, serving as the Howard County Board of Appeals Hearing Examiner, and in accordance with the Hearing Examiner Rules of Procedure, heard the Petition of Lisa Kittleman and Jay Lowe (Petitioners) for a variance to reduce the 30 foot rear yard setback to 5.5 feet in order to construct an addition to garage to a detached dwelling in the RC-DEO (Rural Conservation-Density Exchange Option Overlay) Zoning District, filed pursuant to Section 130.0.B.2 of the Howard County Zoning Regulations (the HCZR) for a variance from Section 104.0.E.4.b.(4)(b).

The Petitioner certified to compliance with the notice and posting requirements of the Howard County Code. The Hearing Examiner viewed the property as required by the Hearing Examiner Rules of Procedure. The Petitioners were not represented by counsel. Lisa Kittleman (Property Owner) testified in support of the Petition. No one appeared in opposition to the Petition.

FINDINGS OF FACT

Based upon the evidence of record, the Hearing Examiner finds as follows:

1. Property Identification and Description. The approximately 0.993-acre property is located on the northwest side of Fox Valley Drive, north of its intersection with Kittleman Lane. The subject property lies in the 3rd Election District, is identified as Tax Map 0015, Grid 0015, Parcel 271, Lot 2 and is known as 3021 Kittleman Lane, West Friendship, Maryland (the Property).

Lot 2 is accessed by a 24 foot private use-in-common easement. The lot is roughly rectangular in shape, is very narrow, and the existing single family detached dwelling is located in the extreme northwest corner of the lot on a raised rocky knoll. The topography slopes rapidly away from the knoll to the front, which has a retaining wall, and eastern side, where the septic tank and septic field is located. The Property is improved with a 1600 square foot single-family detached dwelling which Petitioners purchased in 2020 .

2. Adjacent Properties. Adjacent properties are also zoned RC-DEO. The Property is almost entirely surrounded by farm land owned by the Kittleman family, with the exception of a small portion of the septic field, which is adjacent to a single-family detached dwelling which is also owned by a family member.

3. The Requested Variance. The Petitioners are proposing to construct a 800 square foot addition, the majority of which will replace an existing wood deck and concrete patio and a small corner of the existing dwelling. The proposed addition is approximately 20 feet deep and 33 feet wide to be located primarily (24.5 feet) within the rear yard setback on the Property. The addition will not be visible from any dwelling or street. Although zoning by plebiscite is not permitted in Maryland, it is important to note that all of the residents of Kittleman Lane are in support of the instant Petition.

4. Agency Comments. The Division of Land Development, the Department of Recreation and Parks, the Department of Fire and Rescue Services, the Department of Engineering Division and the Division of Public Service and Zoning Administration, all had no comments or no objection to the proposed variance.

CONCLUSIONS OF LAW

The standards of variances are contained in HCZR Section 130.0.B.2.a. Pursuant to this Section, the Hearing Examiner may grant a variance only if the Petitioner demonstrates compliance with all four variance criteria. Based upon the foregoing Findings of Fact, and for the reasons stated below, the Hearing Examiner finds the requested variance complies with Section 130.0.B.2.a.(1) through (4), and therefore may be granted.

(1) That there are unique physical conditions, including irregularity, narrowness or shallowness of the lot or shape, exceptional topography, or other existing features peculiar to the particular lot; and that as a result of such unique physical condition, practical difficulties or unnecessary hardships arise in complying strictly with the bulk provisions of these regulations.

Compliance with the first criterion is a two-part test. First, there must be a finding that the property is unusual or different from the nature of the surrounding properties. Secondly, this unique condition must disproportionately impact the property such that a practical difficulty arises in complying with the bulk regulations. See *Cromwell v. Ward*, 102 Md. App. 691, 651 A.2d 424 (1995). A "practical difficulty" is shown when the strict letter of the zoning regulation would "unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome." *Anderson v. Board of Appeals, Town of Chesapeake Beach*, 22 Md. App. 28, 322 A.2d 220 (1974).

Lot 2 has an existing single family detached dwelling which is located up against the side yard and rear yard and front yard building restriction lines. The Property has severe slopes to the front and side yards which are encumbered with a retaining wall, a septic tank and a septic field. Due to the severe topographical constraints there is no area to move these. The severe topography and the location of the existing dwelling so close to the front, side and rear building

restriction lines makes it impractical to locate the addition in another portion of the Property and are unique physical conditions causing the Petitioners practical difficulty in complying with the bulk area requirements for the addition in accordance with Section 130.B.2.a.(1).

(2) That the variance, if granted, will not alter the essential character of the neighborhood or district in which the lot is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare.

The addition will be used for a permitted purpose. As the evidence shows, and as the Hearing Examiner observed, the neighborhood along Kittleman Lane consists of generally large rectangular lots with dwellings oriented towards the street frontage. The addition to the rear of the dwelling will not be a visual incursion into neighboring homes. The proposed addition is an attractive structure which will be not be visible from any dwelling or street and is architecturally compatible with the neighborhood. None of the neighbors appeared in opposition. The variance, if granted, will therefore not alter the essential character of the neighborhood in which the lot is located nor substantially impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare, in accordance with Section 130.0.B.2.a.(2).

(3) That such practical difficulties or hardships have not been created by the owner provided, however, that where all other required findings are made, the purchase of a lot subject to the restrictions sought to be varied shall not itself constitute a self-created hardship.

The practical difficulty in complying strictly with the bulk regulation requiring a 30 foot rear yard setback arises from the Property's narrow shape, and severe topography, and was not created by the Petitioner, in accordance with Section 130.0.B.2.a.(3).

(4) That within the intent and purpose of these regulations, the variance, if granted, is the minimum necessary to afford relief.

The addition is architecturally compatible with the neighborhood and will not be visible from any dwelling or street. The majority of the addition will replace an existing deck and patio. Within the intent and purpose of the regulations, then, the variance is the minimum necessary to afford relief, in accordance with Section 130.0.B.2.a.(4).

ORDER

Based upon the foregoing, it is this 18th day of March, 2021, by the Howard County Board of Appeals Hearing Examiner, **ORDERED:**

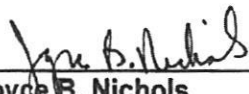
That the Petition of Lisa Kittleman and Jay Lowe for a variance to decrease the 30 foot rear yard setback to 5'5" feet, to include a 800 square feet addition to a single-family detached dwelling, in a RC-DEO (Rural Conservation-Density Exchange Option Overlay) Zoning District, is hereby **GRANTED;**

Provided, however, that:

1. The variance shall apply only to the addition as described in the Petition and Plan submitted and not to any other activities, uses, structures, or additions on the Property.
2. Petitioner shall obtain all necessary permits.

HOWARD COUNTY BOARD OF APPEALS

HEARING EXAMINER



Joyce B. Nichols

Notice: A person aggrieved by this decision may appeal it to the Howard County Board of Appeals within 30 days of the issuance of the decision. An appeal must be submitted to the Department of Planning and Zoning on a form provided by the Department. At the time the appeal petition is filed, the person filing the appeal must pay the appeal fees in accordance with the current schedule of fees. The appeal will be heard *de novo* by the Board. The person filing the appeal will bear the expense of providing notice and advertising the hearing.

**HOWARD COUNTY DEPARTMENT OF INSPECTIONS,
LICENSES AND PERMITS
ON-LINE PLAN DROP OFF**

To: Plan Review Division

From: Wylron A. Morales
(Name)
Long Creek Construction
(Company)

Telephone #: 301-306-1028 Email address info@longcreekconstruction.com

Permit Site Address 3021 Kittleman Lane

Permit Number: B23000183

Application On-Line File Date: 1/19/23

The above referenced permit was applied for online and the drawings are being dropped off for review and approval. These drawings represent the proposed work as outlined on the on-line application. I understand that this Department will not be responsible for any lost plans or documents. It is understood that if any changes to the design or construction of this project is made, revised plans will be submitted prior to any work commencement.

[Signature]
Signature of Authorized Agent

For Office Use Only

Accepted by (initials): [initials] on 1/23/23
(Date)

Received by Plan Review (initials):

RECEIVED

JAN 23 2023

LICENSES & PERMITS
DIVISION