| | | | |
|---|---|---|---|
| IN RE: | PETITION FOR ZONING VARIANCE<br>NE/S Kent Road, 160 ft. (+/-)<br>from the c/l Galena Road<br>1455 Kent Road<br>15th Election District<br>5th Councilmanic District<br>John P. Weber, Jr., et al<br>Petitioners | *<br><br>*<br><br>*<br><br>*<br><br>* | BEFORE THE<br><br>ZONING COMMISSIONER<br><br>OF BALTIMORE COUNTY<br><br>Case No. 95-170-A |

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 1455 Kent Road in the Hyde Park subdivision of Baltimore County. As filed, the Petitioners seek variance relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (detached garage) to be located in the front and side yards in lieu of the required rear yard. The Petition is filed by John P. Weber, Jr. and Lori Anne Anzini, property owners. The subject property and relief requested are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Zoning Variance.

This Petition was filed as an Administrative Variance pursuant to Section 26-127 of the Baltimore County Code. That section allows a property owner to obtain variance relief without a public hearing in certain circumstances. In order to qualify for an administrative variance, the subject Petition must involve an owner/occupied residentially zoned lot. Moreover, following the posting of the property, administrative relief may be granted only if no interested person who owns property within 1,000 ft. of the subject lot requests a public hearing.

In this case, a public hearing was requested during the required posting of the property by the adjoining neighbor, Andrea Coscia. Thus, this matter was set in for public hearing at which time both Mr. Weber and

Ms. Coscia appeared. There were no other interested persons present.

Testimony and evidence offered at the public hearing was that the subject property is approximately 10,000 sq. ft. in area (.22 acres), and is zoned D.R.5.5. This is a waterfront property on Muddy Gut Creek near Back River. The property is known as 1455 Kent Road or lot No. 202 in the long established residential subdivision known as Hyde Park. Presently, the property is improved with a two story framed dwelling. A wooden deck is attached to the dwelling as well as an inground pool. Moreover, there is a storage shed located near the bulkhead. Also, a small macadam paved area is situated on that part of the lot immediately adjacent to Kent Road and there is a macadam driveway which provides additional parking area.

Mr. Weber indicated that he desires to erect a garage on the property for storage purposes. As photographs of the subject site show, he owns several vehicles and wants the garage so as to have a place for the vehicles to be stored undercover and so they can be worked on. He does not propose to use the garage for dwelling purposes or conduct commercial activities; however, rehabilitates classic vehicles as a hobby.

As originally filed the proposed garage was shown located over a portion of the existing macadam parking lot. The garage was shown to be 45 ft. deep and 14 ft. wide. Ms. Coscia requested a public hearing because the proposed garage would block her view. As shown on the site plan, her house maintains an equal setback of approximately 31 ft. from Kent Road. She protested the proposed location of the garage believing that same would interfere with her sight distance and block light and air to her property.

In order to address these concerns, Mr. Weber presented an amended plan at the public hearing. That plan (Petitioners' Exhibit No. 2) shows that the proposed garage has been relocated and reduced in area. As shown

on the new site plan, the garage will be 32 ft. deep and 19 ft. in width. Moreover, it will be attached to the side of the existing dwelling. The relocation of the proposed garage moots the requested variance. As noted above, the variance within the Petition requests relief to allow the garage in the front and side yard in lieu of the required rear yard. In that the garage is attached, the provisions of Section 400.1 are not applicable.

However, a different variance is needed as a result of the new plan. As shown on the site plan, the lot is only 50 ft. wide. Location of the garage, as proposed, will infringe into the 10 ft. side yard setback required by Section 1B02.3.C.1 of the BCZR. In that the house is not square to the property line, a side yard setback of between 18 inches towards the southeast side of the property and 3 ft. towards the southwest side of the property is shown.

In order to obtain a variance, the Petitioner must show compliance with Section 307 of the BCZR. That section requires that testimony and evidence be adduced to demonstrate that the Petitioners would suffer a practical difficulty if the requested relief were denied. Moreover, any relief granted must be consistent with the spirit and intent of the regulations and fashioned so as to not be detrimental to the surrounding locale. Moreover, a variance can be granted only if the property owner shows a substantial and urgent need and not merely for the convenience of the property property owner. See Marino v Mayor and City Council of Baltimore, 215 Md. 206 (1957) and McLean v. Soley, 310 A2d, 783, (1973).

In considering the request in this case, as modified, I am not convinced that the Petitioners have met their burden. Although I appreciate the efforts that the Petitioners have made to accommodate their neighbor's concern, it appears that the Petitioners' expansion is more than this

property can reasonably accommodate. Attaching the garage at the location proposed would reduce the side yard appreciably and, in my view, negatively effect on the Coscia property. Moreover, it would make access to the water side of the property difficult in the event emergency access was needed to the pool, for example. As importantly, the environmental constraints by the proposed construction justifies a denial of the request. As noted in the recommendation from the Department of Environmental Protection and Resource Management (DEPRM), the Chesapeake Bay Critical Area legislation provides that man made impervious area shall not exceed 25% of the lot. The current impervious surface area equals 31.7% of the lot. Although this exceeds the maximum allowed, this amount is grandfathered and existed prior to the legislation. However, it may not be increased. Any new construction on the lot, including the proposed garage, will increase the impervious area. Although modifications to the balance of the lot might be made to offset the increase in impervious surface, I am not convinced that this solution is practical. In my view, improvements to the lot have reached a reasonable maximum.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28TH day of December, 1994 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (detached garage) to be located in the front and side yards, in lieu of the required rear yard, be and is hereby DISMISSED, as withdrawn by the Petitioners; and,

IT IS FURTHER ORDERED that a variance from Section 1B02.3.C.1 of the BCZR to permit a side yard setback of as little as 18 inches, in lieu of the required 10 ft., for an attached garage, be and is hereby DENIED.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmn

ORDER RECEIVED FOR FILING
Date 1/28/90
By Mr. Howard

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

December 27, 1994

Mr. John P. Weber, Jr.
Ms. Lori Anne Anzini
1455 Kent Road
Essex, Maryland 21221

RE: Case No. 95-170-A
Petition for Variance
Property: 1455 Kent Road

Dear Mr. Weber and Ms. Anzini:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been denied.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.
cc: Mrs. Andrea R. Coscia
1457 Kent Road
Baltimore, Maryland 21221

# Petition for Administrative Variance

95-170-A

## to the Zoning Commissioner of Baltimore County

**for the property located at** 1455 KENT RD.

**which is presently zoned** DR5.5

**This Petition shall be filed with the Office of Zoning Administration & Development Management.**

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 Variance from Section(s) 400.1; BCZR TO PERMIT A GARAGE TO BE LOCATED IN THE FRONT AND SIDE YARDS IN LIEU OF THE REQUIRED REAR YARD.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

ZONING REGULATIONS CANNOT BE MET DUE TO THE FOLLOWING REASONS

1. INGROUND POOL & DECK LOCATED IN THE BACK OF THE PROPERTY
2. LOT IS SLOPED DOWN IN BACK WHICH WILL MAKE IT DIFFICULT TO BUILD ANY STRUCTURE ON.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do 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 Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

Legal Owner(s):

JOHN PETER WEBER JR.
(Type or Print Name)

Signature

LORI ANNE ANZINI
(Type or Print Name)

Lori Anne Anzini
Signature

1455 KENT RD 687-3883
Address Phone No.

ESSEX MD. 21221
City State Zipcode

Name, Address and phone number of representative to be contacted.

SAME
Name

Address Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JLM DATE: 11-2-94

ESTIMATED POSTING DATE: 11-13-94

Printed with Soybean Ink on Recycled Paper

ITEM #: 168

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that 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 Affiant(s) does/do presently reside at 1455 KENT RD
address

ESSEX MD 21221
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

1. INGROUND POOL & DECK LOCATED IN THE REAR OF THE HOUSE

2. LOT IN THE REAR OF THE HOUSE IS SLOPED IN SUCH DIRECTIONS TO MAKE IT DIFFICULT TO BUILD ANY TYPE OF STRUCTURE

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

(signature) (signature)

JOHN P. WEBER JR. LORI A. ANZINI
(type or print name) (type or print name)

STATE OF MARYLAND, COUNTY OF ~~BALTIMORE~~ Calvert, to wit:

I HEREBY CERTIFY, this 1st day of November, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John P. Weber, Jr and Lori A. Anzini

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

November, 1, 1994
date

Michelle D. Hall
NOTARY PUBLIC

My Commission Expires: 02/02/98

95-170-A

# ZONING DESCRIPTION

ZONING DESCRIPTION FOR 1455 KENT RD.
BEGINNING AT A POINT ON THE NORTH-EAST SIDE OF KENT RD WHICH IS 21'± FEET WIDE AT A DISTANCE OF 160'± FEET NORTH OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET WHICH IS GALENA RD. WHICH IS 21'± FEET WIDE.
1455 KENT RD BEING LOT #202 BLOCK ____ SECTION # ____ IN THE SUBDIVISION OF HYDE PARK AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #9 FOLIO #59 CONTAINING 10,000 SQ FT. (.23 ACRES) ALSO KNOWN AS 1455 KENT RD AND LOCATED IN THE 15 ELECTION DISTRIC, 5 COUNCILMANIC DISTRICT.

TYPICAL METERS & BOUNDS: N 43° 23'W 50.0
S 46° 37'W 200.0' S 43° 23'E 50.0'
N 46° 37'E 200.0'

168

95-170-A

# CERTIFICATE OF POSTING

## ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District 15th Date of Posting 11/20/94

Posted for: Variance

Petitioner: John P. Weber & Lori A. Anzini

Location of property: 1455 Kent Rd., NE/s

Location of Signs: Facing roadway on property being posted

Remarks:

Posted by [signature] Date of return: 11/28/94

Signature

Number of Signs: 1

**CERTIFICATE OF POSTING**

**ZONING DEPARTMENT OF BALTIMORE COUNTY**

**Towson, Maryland**

93-170-A

District 15th Date of Posting 11/14/94

Posted for: Variance

Petitioner: John P. Weber, Jr. & Lori H. Anzini

Location of property: 1455 Kent Rd, NES

Location of Signs: facing roadway on property being zoned

Remarks:

Posted by M. Stecker Signature Date of return: 11/18/94

Number of Signs: 1

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:
95-170-A (Item 168)
1455 Kent Road
NE/S Kent Road, 160' +/- from c/l Galena Road
15th Election District
5th Councilmanic
Legal Owner(s):
John Peter Weber, Jr. and Lori Anne Anzini
HEARING: MONDAY, DECEMBER 12, 1994 at 2:00 p.m. in Rm. 118, Old Courthouse.

**Variance:** to permit a garage to be located in the front yard and side yards in lieu of the required rear yard.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1)Hearings are Handicapped accessible; for special accommodations *Please Call* 887-3353.

(2)For information concerning the File and/or Hearing, Please Call 887-3391.

11/277 November 24.

# CERTIFICATE OF PUBLICATION

Nov. 25, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov. 24, 1994.

TOWSON TIMES

A. Henderson

LEGAL AD. - TOWSON

# REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:

Re: Case Number: 95-170-A

Petitioner(s): JOHN WEBER

Location: 1455 KENT RD.

*******

I/WE, ANDREA R COSCIA
Name(s) (TYPE OR PRINT)

{✓}Legal Owners { } Residents, of

1457 Kent Rd.
Address

BALTO. MD 21221
City/State/Zip Code Phone

which is located approximately 0' * feet from the property which is the subject of the above petition, do hereby formally request that a public hearing be set in this matter.

Andrea R. Coscia 11/15/94
Signature Date

Signature Date

* (ADJOINING PROPERTY)

Baltimore County
**Zoning Administration & Development Management**
111 West Chesapeake Avenue
Towson, Maryland 21204

165

# receipt

95-170-A

Account: R-001-6150

Number

Date 11-2-94

John Wimbert — 1455 Kenilworth

Posting VAR (1 ea) — 50.00
Postage (0 PO) — 35.00

85.00

MICROFILMED

01A01#0166MICHRC 485.00
BA C002:24PM11-02-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 13037

DATE 11-15-94 ACCOUNT R001-6150

AMOUNT $ 40.00

RECEIVED
FROM:

FOR: Phone C.

03A03302?MICHRC $40.00
BO COLLECTION 11-17-94

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS PROCEDURES

Baltimore County Zoning Regulations 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

---

For newspaper advertising:

Item No.: 168

Petitioner: JOHN WEBER

Location: 1455 KENT RD. BALTO., MD. 21221

PLEASE FORWARD ADVERTISING BILL TO:

NAME: SAME

ADDRESS:

PHONE NUMBER: 687-3883

AJ:ggs

(Revised 04/09/93)

TO: PUTUXENT PUBLISHING COMPANY
November 24, 1994 Issue - Jeffersonian

Please foward billing to:

John Weber
1455 Kent Road
Baltimore, MD 21221
687-3883

---

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-170-A (Item 168)
1455 Kent Road
NE/S Kent Road, 160'+/- from c/l Galena Road
15th Election District - 5th Councilmanic
Legal Owner(s): John Peter Weber, Jr. and Lori Anne Anzini
HEARING: MONDAY, DECEMBER 12, 1994 at 2:00 p.m. in Room 118, Old Courthouse.

Variance to permit a garage to be located in the front yard and side yards in lieu of the required rear yard.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

NOVEMBER 17, 1994

# NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-170-A (Item 168)
1455 Kent Road
NE/S Kent Road, 160'+/- from c/l Galena Road
15th Election District - 5th Councilmanic
Legal Owner(s): John Peter Weber, Jr. and Lori Anne Anzini
HEARING: MONDAY, DECEMBER 12, 1994 at 2:00 p.m. in Room 118, Old Courthouse.

Variance to permit a garage to be located in the front yard and side yards in lieu of the required rear yard.

Arnold Jablon
Director

cc: John Peter Weber, Jr. and Loria Anne Angini
Andrea R. Coscia

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

November 10, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: John Peter Weber, Jr. and Lori Anne Anzini
1455 Kent Road
Essex, Maryland 21221

Re: CASE NUMBER: 95-170-A (Item 168)
1455 Ken/Road
NE/S Kent Road, 160'+/- from c/l Galena Road
15th Election District - 5th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before November 13, 1994. The closing date (November 28, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a $60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

NOV. 21 1994

John Peter Weber, Jr.
Lori Anne Anzini
1455 Kent Road
Essex Maryland 21221

RE: Case No. 95-170A, Item No. 168
Petitioner: Weber and Anzini

Dear Petitioners:

The Zoning Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on November 2, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following is related <u>only to the filing of future zoning petitions</u> and are aimed at expediting the petition filing process with this office:

1. The director of the Office of Zoning Administration and Development Management has instituted a system whereby zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions' filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.

3. Those individuals who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e., 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Joyce Watson in the zoning office at 887-3391 or the commenting agency.

Sincerely,

W. Carl Richards Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jnw
Enclosure(s)

MICROFILMED

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

11-14-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204
ATTENTION: MS. JOYCE WATSON

Re: Baltimore County
Item No.: * 168 (JCM)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for RONALD BURNS,
~~David Ramsey, Acting~~ Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE:

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 153, 154, 155, 156, 157, 160, 162, 163, 164, 165, 168, and 171

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long

Division Chief: Carl L. Neus

PK/JL

NC153/PZONE/TXTJWL

95-170-A
Admin Var. 11/28

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: Nov. 21, 1994

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for November 21, 1994
Item No. 168

The Developers Engineering Section has reviewed the subject zoning item. Kent Road is an existing road, which shall ultimately be improved as a 30-foot street cross-section on a 40-foot right-of-way.

This property is located adjacent to tidewater. The owner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor of the improvements. See Standard Plate D-19 in the Baltimore County Design Manual, dated 1982 and adopted 1983.

See the Revised "FIRM" map, dated November 17, 1993 for limits of the 100-year flood plain.

RWB:sw

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Hearing Date 12/8/94

DEC. 0 1 1994

John Peter Weber, Jr.
Lori Anne Anzini
1455 Kent Road
Essex, Maryland 21221

Re: Item No.168
Case No.95-170A
Petitioner:Weber and Anzini

Dear Petitioners::

Enclosed are copies of comments received from DEPRM on November 28, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Joyce Watson

Joyce Watson

Enclosure

B A L T I M O R E  C O U N T Y, M A R Y L A N D

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

November 28, 1994

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #168 - Weber Property
1455 Kent Road
Zoning Advisory Committee Meeting of November 14, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Redevelopment of the property must comply with Chesapeake Bay Critical Area Regulations by meeting the following conditions:

1. Downspouts for the new garage must discharge to the lawn.

2. The sum of all man-made impervious area shall not exceed 25% of the lot. Current impervious surfaces equal 3177 square feet or 31.7% of the lot. The proposed garage cannot increase the impervious surface, thus an equal amount of impervious surface must be removed that the proposed garage will require.

JLP:KK:sp

c: John Weber and Lori Anzini

WEBER/DEPRM/TXTSBP

PLEASE PRINT CLEARLY

**PROTESTANT(S) SIGN-IN SHEET**

| NAME | ADDRESS |
| --- | --- |
| ANDREA R. Coscia | 1457 Kent Rd. BALTO. Md 21221 |

PLEASE PRINT CLEARLY

## PETITIONER(S) SIGN-IN SHEET

| NAME | ADDRESS |
| --- | --- |
| JOHN WEBER | 1455 KENT RD<br>ESSEX MD 21221 |

# Plat to accompany Petition for Zoning [X] Variance [ ] Special Hearing

PROPERTY ADDRESS: 1455 KENT RD

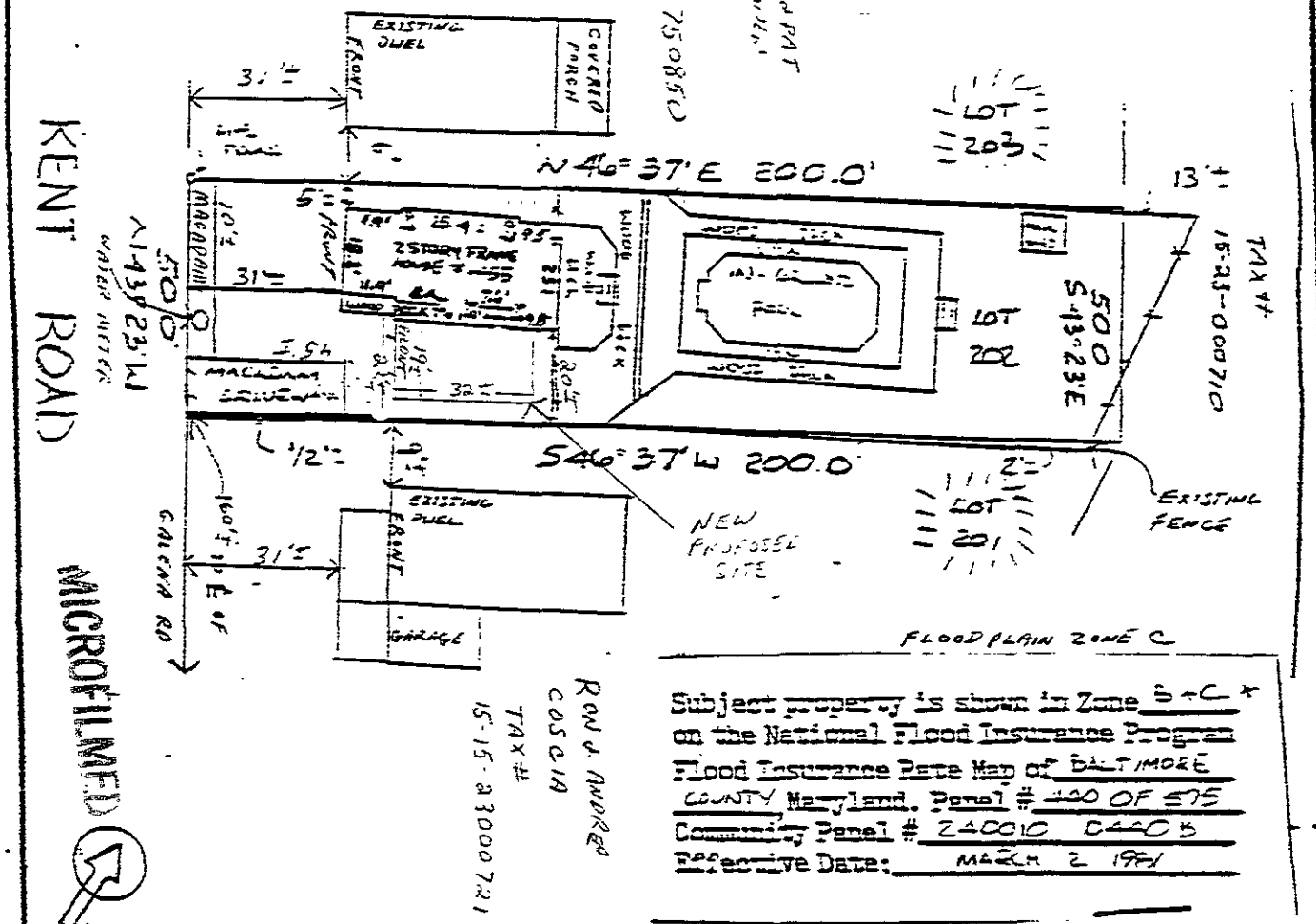
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: HYDE PARK

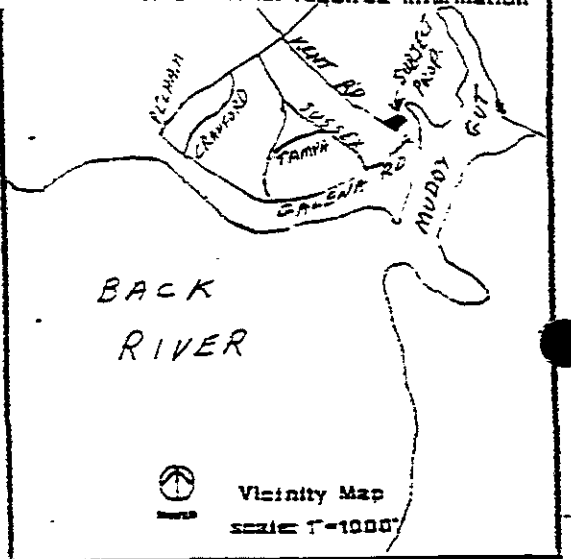
plat book# 9 ,folio# 59 ,lot# 20 ,section#

OWNER: JOHN P. WEBER JR - LORI A. ANZINI

Pet No 21




Subject property is shown in Zone B+C * on the National Flood Insurance Program Flood Insurance Rate Map of BALTIMORE COUNTY Maryland. Panel # 140 OF 575 Community Panel # 240010 0140 B Effective Date: MARCH 2 1981




## LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1"=200' scale map#: SE II

Zoning: DR 5.5

Lot size: 0.22 acreage / 10000 square feet

| | yes | no |
|---|---|---|
| SEWER: | [X] | [ ] |
| WATER: | [X] | [ ] |
| Chesapeake Bay Critical Area: | [ ] | [X] |

Prior Zoning Hearings: NONE

## Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

date: 10-31-94

prepared by: JOHN WEBER

Scale of Drawing: 1" = 70'

12

# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

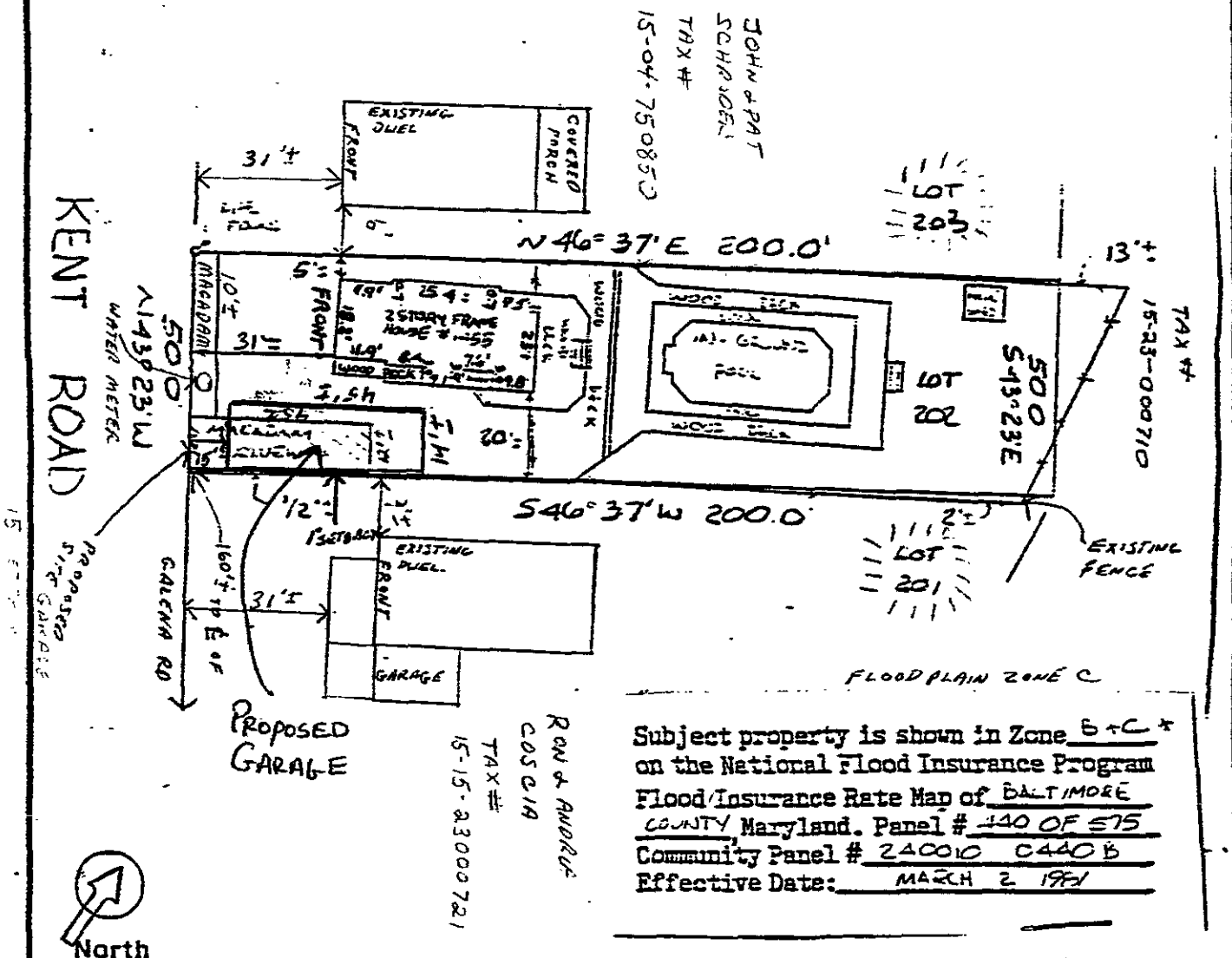
PROPERTY ADDRESS: 1455 KENT RD

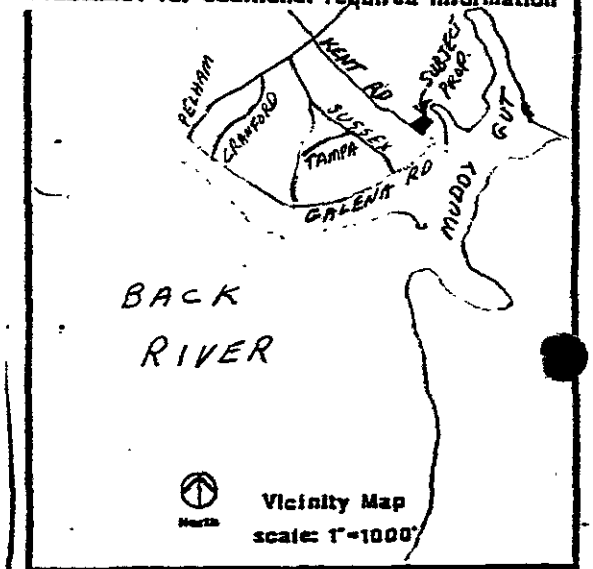
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: HYDE PARK

plat book# 9, folio# 59, lot# 202, section# ____

OWNER: JOHN P. WEBER JR & LORI A. ANZINI




Subject property is shown in Zone B + C * on the National Flood Insurance Program Flood/Insurance Rate Map of BALTIMORE COUNTY, Maryland. Panel # 140 OF 575
Community Panel # 240010 0440 B
Effective Date: MARCH 2 1981

## LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1"=200' scale map#: SE II

Zoning: DR 5.5

Lot size: 0.22 acreage / 10,000 square feet

| | public | private |
|---|---|---|
| SEWER: | ☒ | ☐ |
| WATER: | ☒ | ☐ |

| | yes | no |
|---|---|---|
| Chesapeake Bay Critical Area: | ☐ | ☒ |

Prior Zoning Hearings: NONE

date: 10-31-94

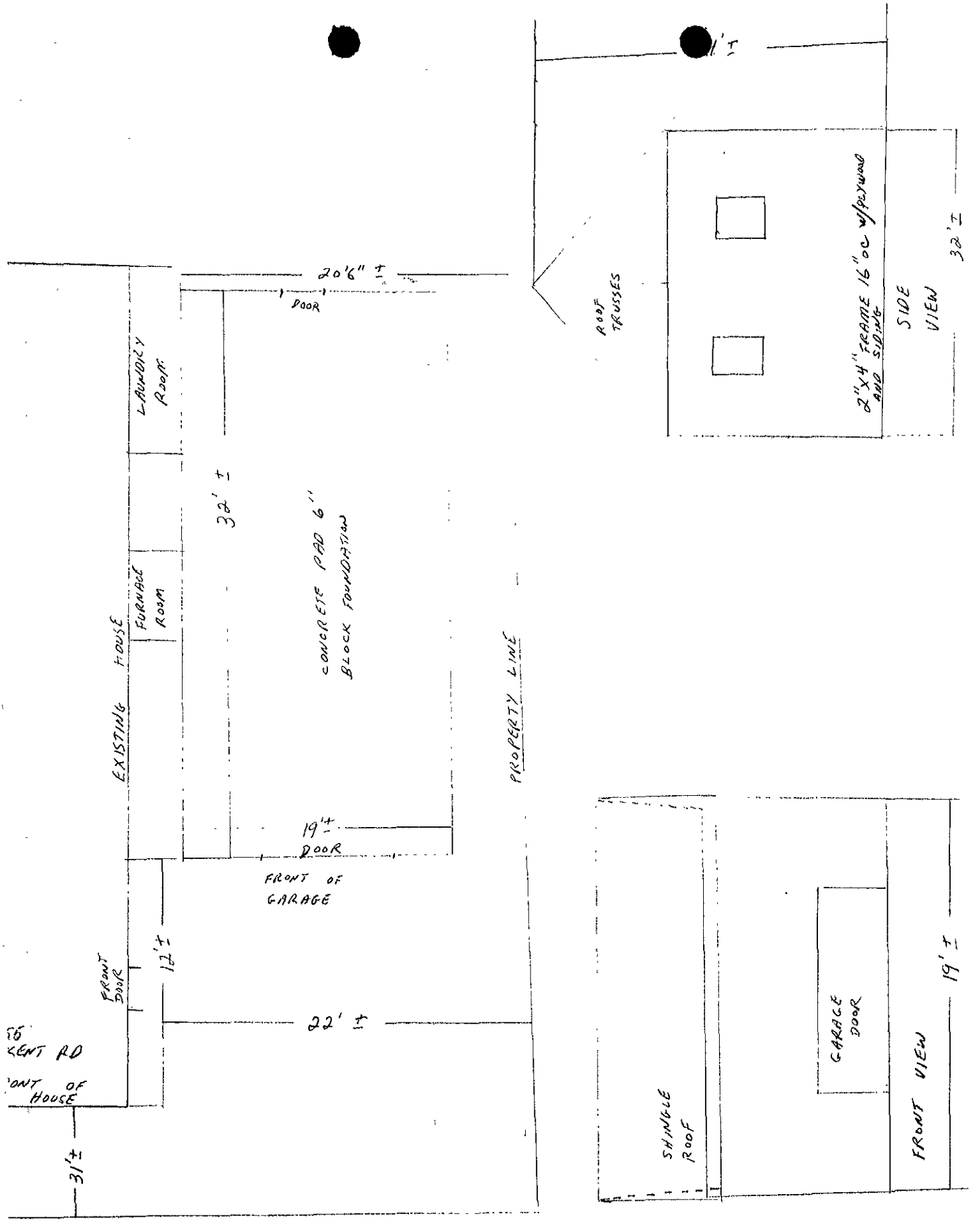
prepared by: JOHN WEBER

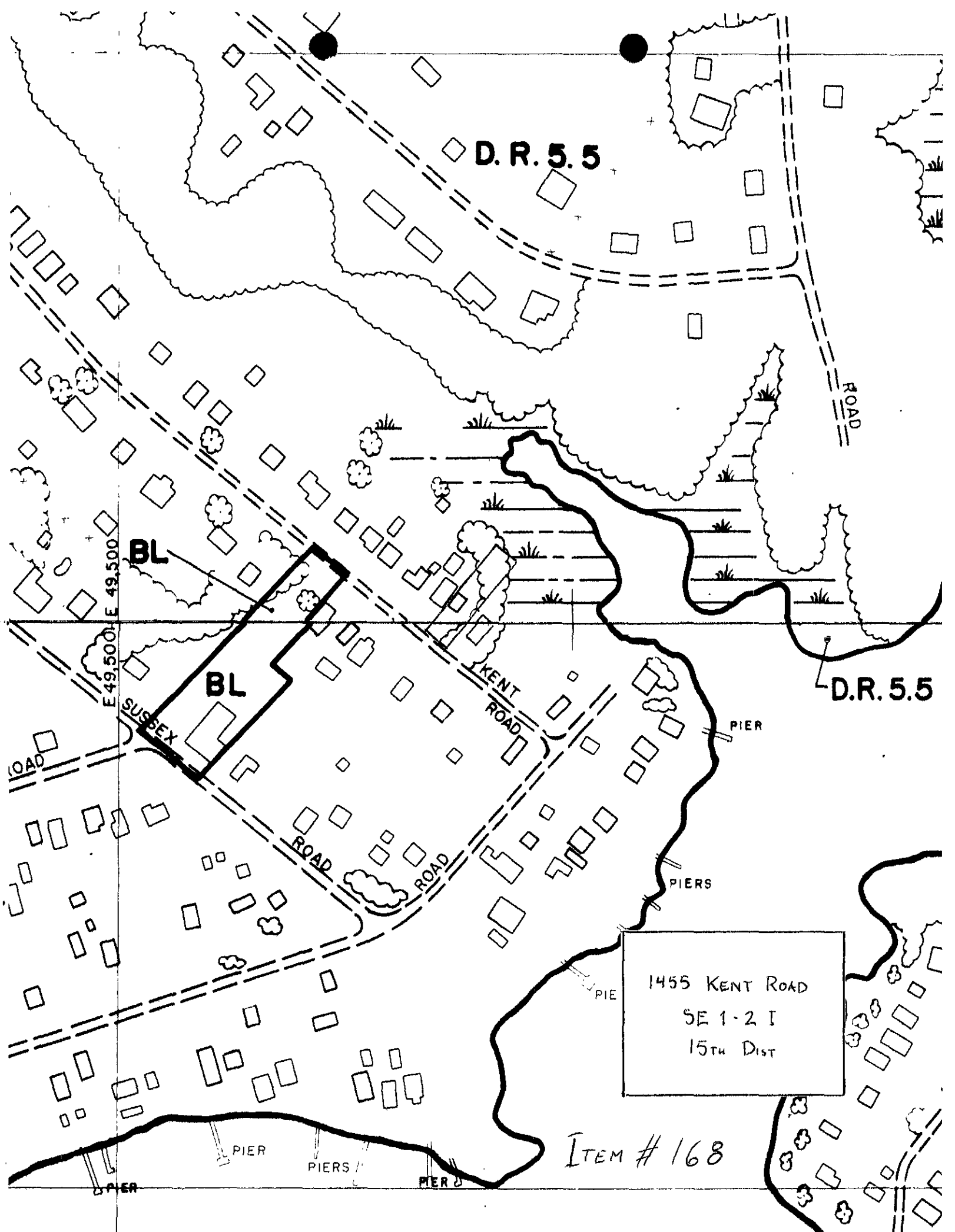
Scale of Drawing: 1" = 40'

## Zoning Office USE ONLY!

| reviewed by: | ITEM #: | CASE#: |
|---|---|---|
| JLM | 168 | |

12

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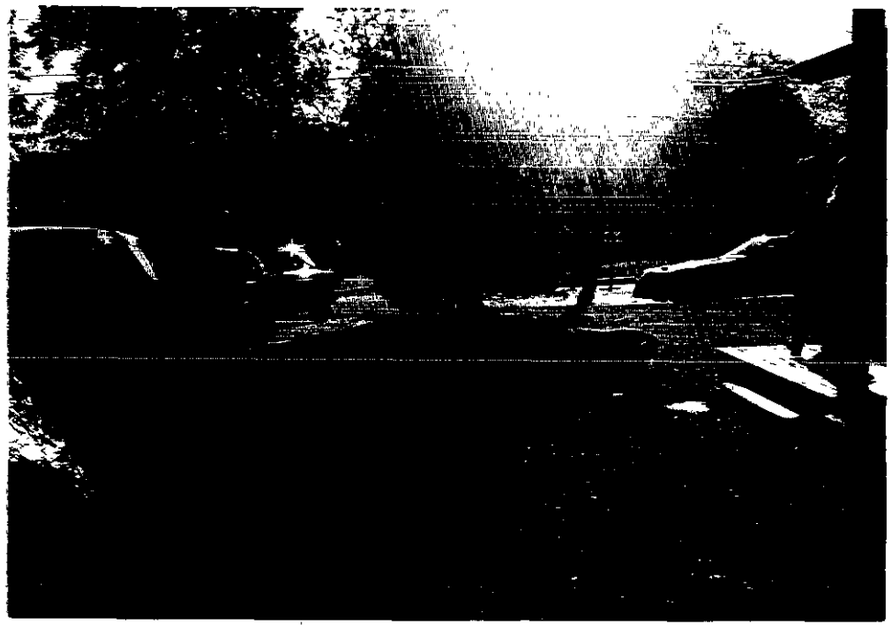

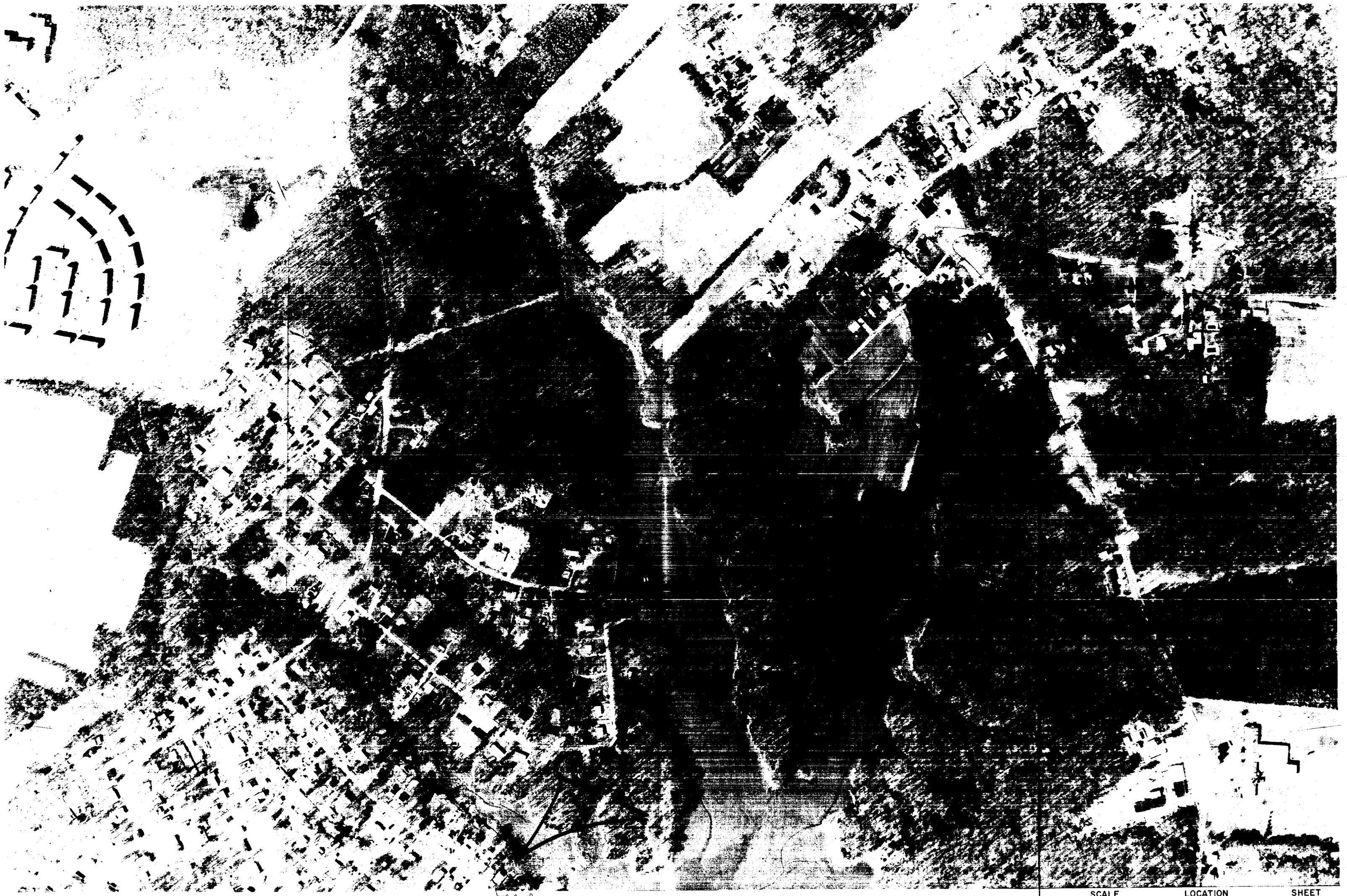


# BALTIMORE COUNTY
## OFFICE OF PLANNING AND ZONING
# PHOTOGRAPHIC MAP

| SCALE | LOCATION | SHEET |
|---|---|---|
| 1" = 200' ± | BACK RIVER NECK | S.E. 1-I |

DATE OF PHOTOGRAPHY JANUARY 1986

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

MICROFILMED

95-170-A