

IN RE: PETITION FOR SPECIAL HEARING
NW/S Bullneck Court, 90' NE
of the c/l Bullneck Road
(8256 Bullneck Court)
12th Election District
7th Councilmanic District

Joseph C. Doetsch, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-155-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Joseph C. and Sabrina A. Doetsch. The Petitioners seek approval of a waiver, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), Section 517.1(510.1) of the Building Code, and Sections 26-670 and 26-172(a)(3) of the Baltimore County Code to add a second story addition to an existing dwelling located in a tidal floodplain. The subject property and relief requested are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Joseph and Sabrina Doetsch, property owners, and their builder, James Weber. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a waterview lot consisting of a gross area of 4,545 sq.ft., more or less, zoned D.R. 5.5. The property is located in the subdivision of Murray Point not far from Bullneck Creek and Chesterwood Park in southeastern Baltimore County. The subject property is also located within a 100-year flood plain. As such, any development on the subject property must be in

ORDER RECEIVED FOR FILING

Date

By

compliance with Chesapeake Bay Critical Areas legislation as well as Maryland Department of Environment regulations. The property is presently improved with a single family dwelling and a garage. The Petitioner testified that he inherited the property from his parents and resides on the property with his wife. The Petitioners are desirous of adding a second story to the existing dwelling to provide additional living space for their family. However, due to site constraints associated with the location of this property, the requested waiver is necessary in order to proceed with the proposed improvements.

At the hearing before me, Mr. Doetsch and his builder discussed in great detail the improvements proposed to be made to his home and the cost of the proposed addition. Mr. Doetsch also discussed the value of the dwelling as it presently exists, taking into account and subtracting from that value, the value of the land itself. Based upon the testimony and evidence offered, I am satisfied that the improvements Mr. Doetsch proposes to make to his home are substantially less than 50% of the overall value of the dwelling, not taking into account the value of the land. Therefore, I believe that the proposed addition does not constitute a substantial improvement to the property, and thus, Mr. Doetsch is not subject to the waiver requirements set forth in Section 500.6 of the B.C.Z.R. However, the proposed improvements must be in compliance with all other Building Code requirements and any recommendations made by the Department of Environmental Protection and Resource Management to mitigate any effects the proposed addition might have upon the Chesapeake Bay and its tributaries.

Furthermore, I am cognizant of and have discussed with the Petitioner the letter dated November 5, 1997 from Mr. John Joyce with the

Maryland Department of the Environment. Mr. Joyce is well-known to this office and has met with representatives of this Office on prior occasions. I agree with Mr. Joyce's assessment that a waiver is not necessary so long as the Petitioner is not performing a substantial improvement to his property. These waivers are difficult to obtain and run contrary to the National Flood Insurance Program. In my opinion, a waiver is not necessary in this particular case, given that Mr. Doetsch is not making a substantial improvement to his property. Therefore, the Petition for Special Hearing shall be dismissed as moot. Furthermore, the Petitioner's application for a building permit to construct the proposed addition shall be granted forthwith by all of the reviewing agencies of Baltimore County, assuming that all other regulations are met.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be dismissed as moot.

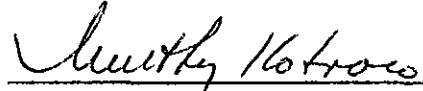
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 26th day of November, 1997 that a waiver is not necessary given that the Petitioner is not making a "substantial improvement" to his property, and as such, the Petition for Special Hearing seeking approval of a waiver, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), Section 517.1(510.1) of the Building Code, and Sections 26-670 and 26-172(a)(3) of the Baltimore County Code to add a second story addition to an existing dwelling located in a tidal floodplain, in accordance with Petitioner's Exhibit 1, be and is hereby DISMISSED AS MOOT; and,

ORDER RECEIVED FOR FILING

Date

By

IT IS FURTHER ORDERED that the Petitioner shall comply with the recommendations made by the Department of Environmental Protection and Resource Management, pursuant to their comments dated November 6, 1997.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date 11/21/97

by [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

November 26, 1997

Mr. & Mrs. Joseph C. Doetsch
8256 Bullneck Court
Baltimore, Maryland 21222

RE: PETITION FOR SPECIAL HEARING
NW/S Bullneck Court, 90' NE of the c/l Bullneck Road
(8256 Bullneck Court)
12th Election District - 7th Councilmanic District
Joseph C. Doetsch, et ux - Petitioners
Case No. 98-155-SPH

Dear Mr. & Mrs. Doetsch:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party 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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. John M. Joyce, Maryland Department of the Environment
2500 Broening Highway, Baltimore, Md. 21224

Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel; Case Files





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8256 BULLNECK CT
which is presently zoned DR 5.5

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

A waiver pursuant to Section 500.6, BCZR; Section 517.1 (510.1), Building Code; and Sections 26-670, 26-172(a)(3), BCC, to add, build 2nd floor addition in a tidal floodplain.

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

I, or we, agree to pay expenses of above Special Hearing 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.

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

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

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

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

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: JRF DATE 10/20/97

#155

ORDER RECEIVED FOR FILING

Date

By



98-155-SPH

ZONING DESCRIPTION FOR 8256 BULLNECK CT.

BEGINNING AT A POINT ON THE NORTH WEST SIDE OF
BULLNECK CT. WHICH IS 50' WIDE AT THE
DISTANCE OF 90' ±, NORTH EAST OF THE
CENTERLINE OF THE NEAREST IMPROVED INTERSECTING
STREET BULLNECK RD WHICH IS 50' WIDE. BEING
LOT # 40, BLOCK "I", SECTION # B
IN THE SUBDIVISION OF MURRAY POINT AS RECORDED
IN BALTIMORE COUNTY PLAT BOOK # 13, FOLIOT # 66
CONTAINING 4,545.00 SF, ALSO KNOWN AS
8256 BULLNECK CT. AND LOCATED IN THE 12TH
ELECTION DISTRICT, COUNCILMANIC DISTRICT

#155



Baltimore County
Department of Permits and
Development Management

98-155-SPH
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 155

Petitioner: JOSEPH C. DOERTSCH

Location: 8256 BULLNECK CT BALT MD. 21222

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JOSEPH C. DOERTSCH

ADDRESS: 8256 BULLNECK CT. BALTO. MD. 21222

PHONE NUMBER: 410-284-8173

AJ:ggs

(Revised 09/24/96)

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-155-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: Special Hearing - For a waiver pursuant to
Section 500.6, BCZR; Section 517.1 (510.1),
Building Code; and Sections 26-670, 26-172(a)(3),
BCC to add, build 2nd Floor addition in a tidal
floodplain.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

November 6, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov. 6, 1997.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

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 in Towson, Maryland on the property identified herein as follows:

Case: #98-155-SPH
8256 Bullneck Court
NW/SE Bullneck Court, 90' NE
of centerline Bullneck Road
12th Election District

7th Councilmanic
Legal Owner(s):

Joseph Charles Doetsch &
Sabrina Ann Doetsch

Special Hearing: for a waiver pursuant to Section 500.6, BCZR Section 517.1 (510.1), Building Code, and Sections 26-670, 26-172(a)(3), BGC, to add, build 2nd floor addition in a tidal floodplain.

Hearing: Monday, November 24, 1997 at 9:00 a.m. in Room 407 Courts Bldg., 481 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped - Accessible; for special accommodations Please Call (410) 887-3353

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

11/060 Nov. 6 C187414

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

DATE: November 6, 1997

To: Arnold L. Jablon

From: R. Bruce Seeley *RS/ep*

Subject: Zoning Item #155

Doetsch Property, 8256 Bullneck Court

Zoning Advisory Committee Meeting of November 3, 1997

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- ☐ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
- ☐ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).
- ☒ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

ORDER RECEIVED FOR FILING

Date 11/28/97

By RS/ep

RS/ep
Doetsch.doc.

DATE
TIME

9/24/97
10:07

RECEIVED FROM (COMPANY/PERSON)

Wiber Builders

FOR (PROJECT)

Bull Neck Ct.

CHECK NO.

1143

AMOUNT

\$1250.00

FOR WHAT

DRC Waiver

(SWM, PWA FEE, MINOR SUB, ETC.)

DDM Bonnie Morgan
DEPARTMENT OF PERMITS AND
DEVELOPMENT MANAGEMENT
ROOM 123

98-155-SPH

CERTIFICATE OF POSTING

RE: Case No.: 98-155-SPH

Petitioner/Developer: _____

JOSEPH + SABRINA DOETSCH

Date of Hearing/Closing: 11/24/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

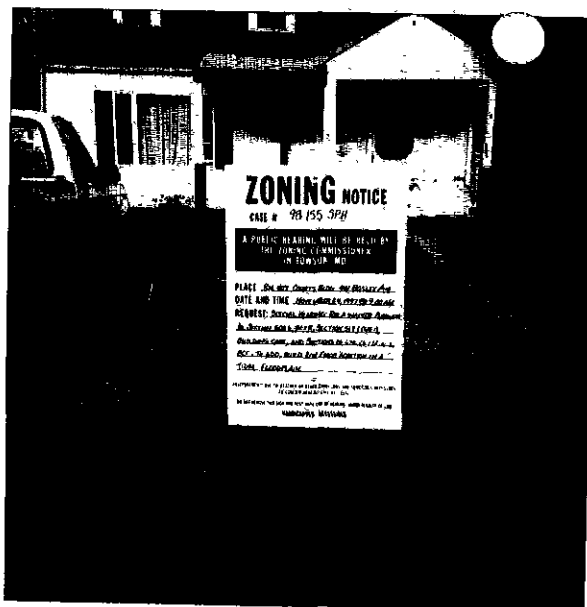
Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 8256 BULLNECK CT.

BALTIMORE, MD 21222

The sign(s) were posted on NOVEMBER 6, 1997
(Month, Day, Year)



Sincerely,

Les Cunningham

(Signature of Sign Poster and Date)

LES CUNNINGHAM

(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784

(City, State, Zip Code)

410-781-4000

(Telephone Number)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-155-SPH
8256 Bullneck Court
NW/S Bullneck Court, 90' NE of centerline Bullneck Road
12th Election District - 7th Councilmanic District
Legal Owner(s): Joseph Charles Doetsch & Sabrina Ann Doetsch

Special Hearing for a waiver pursuant to Section 500.6, BCZR; Section 517.1 (510.1), Building Code; and Sections 26-670, 26-172(a)(3), BCC, to add, build 2nd floor addition in a tidal floodplain.

HEARING: MONDAY, NOVEMBER 24, 1997 at 9:00 a.m. in Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director

cc: Joseph and Sabrina Doetsch

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 9, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



TO: PATUXENT PUBLISHING COMPANY

November 6, 1997 Issue - Jeffersonian

Please forward billing to:

Joseph C. Doetsch
8256 Bullneck Court
Baltimore, MD 21222
410-284-8173

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-155-SPH
8256 Bullneck Court
NW/S Bullneck Court, 90' NE of centerline Bullneck Road
12th Election District - 7th Councilmanic District
Legal Owner(s): Joseph Charles Doetsch & Sabrina Ann Doetsch

Special Hearing for a waiver pursuant to Section 500.6, BCZR; Section 517.1 (510.1), Building Code; and Sections 26-670, 26-172(a)(3), BCC, to add, build 2nd floor addition in a tidal floodplain.

HEARING: MONDAY, NOVEMBER 24, 1997 at 9:00 a.m. in Room 407 Courts Building, 401 Bosley Avenue.

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.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 19, 1997

Mr. and Mrs. Joseph Doetsch
8256 Bullneck Court
Baltimore, MD 21222

RE: Item No.: 155
Case No.: 98-155-SPH
Petitioner: Joseph Doetsch, et ux

Dear Mr. and Mrs. Doetsch:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 20, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

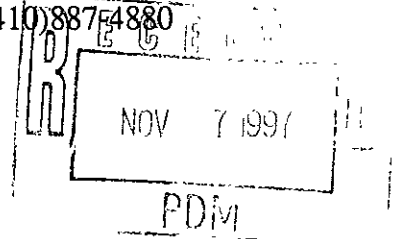
WCR/re
Attachment(s)





Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410) 887-4880



November 5, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: Joseph Charles Doetsch & Sabrina Ann Doetsch
155
OMCC Lot 28 Limited Partnership, 164

Location: DISTRIBUTION MEETING OF November 3, 1997

Item No.: 155 and 164

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

DATE: November 6, 1997

To: Arnold L. Jablon
From: R. Bruce Seeley *RS/JS*
Subject: Zoning Item #155

Doetsch Property, 8256 Bullneck Court

Zoning Advisory Committee Meeting of November 3, 1997

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- ☐ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
 - ☐ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).
 - ☒ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

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

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: November 10, 1997

FROM: Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for November 10, 1997
 Item No. 155

The Bureau of Developer's Plans Review has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the flood plain elevation in all construction.

The minimum flood protection elevation for this site is 10.4 feet.

See attached letter dated November 5, 1997 from John Joyce, Maryland Department of the Environment.

RWB:HJO:jrb

Attachment

cc: File

ZONE1110.155

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
8256 Bullneck Court, NW/S Bullneck Court, * ZONING COMMISSIONER
90' NE of centerline Bullneck Road * OF BALTIMORE COUNTY
12th Election District, 7th Councilmanic *
Joseph and Sabrina Doetsch *
Petitioners * CASE NO. 98-155-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of November, 1997, a copy of the foregoing Entry of Appearance was mailed to Joseph and Sabrina Doetsch, 8256 Bullneck Court, Baltimore, MD 21222, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



MARYLAND DEPARTMENT OF THE ENVIRONMENT
2500 Broening Highway • Baltimore, Maryland 21224
(410) 631-3000

Parris N. Glendening
Governor

Jane T. Nishida
Secretary

November 5, 1997

Mr. Robert W. Bowling
Development Plans Review Division
County Office Building, Rm. 211
111 West Chesapeake Avenue
Towson, MD 21204

RE: Doetsch Second Story Addition Request - #155

Dear Mr. Bowling:

Thank you for the opportunity to comment on a request by Mr. and Mrs. Joseph Charles Doetsch to add a second story addition to a residential structure at 8256 Bullneck Court in a tidal floodplain. Under its floodplain management ordinance, Baltimore County must determine if the addition, along with all other improvements being made to the house will be 50% or more than its present market value. If the improvements are 50% or more, the house will be substantially improved and must comply with all current code requirements governing floodplain construction, including elevation and venting. If the building is to be substantially improved, we cannot support a variance to waive the floodplain construction requirements, and do not feel that the County can justify doing so. To do so would in opposition to the requirements for Baltimore County to be in the National Flood Insurance Program.

If the improvements are less than substantial, there are no absolute requirements, but the structure should be protected from flood damage to the extent possible. This office does not take a position against constructing a second story per se. In fact, we do not feel that a waiver is required, provided that the project is less than substantial or that all the provisions of the ordinance are met fully. It may be desirable to scale down the project to make it clearly less than substantial to allow it to be permitted without a waiver.

I hope that the above comments will assist Baltimore County in its consideration of this waiver request. Thank you for your attention to good floodplain management.

Please feel free to contact me at (410) 631-3914 if you have questions or need additional assistance.

Sincerely,

John M. Joyce
Community Assistance Program

JMJ



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 11.3.97
Item No. 155 JRF

Dear Ms. Eubanks:

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 affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

P. J. Burns
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

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
Dept. of Permits & Development Management

DATE: November 3, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

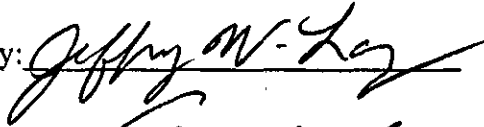
SUBJECT: Zoning Advisory Petitions

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

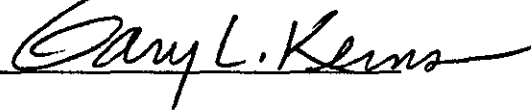
Item Nos. 151, 155, 156, 157, 158, 159, 160, 161, and 167

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by:



Division Chief:



AFK/JL

ELEVATION CERTIFICATE
FEDERAL EMERGENCY MANAGEMENT AGENCY
NATIONAL FLOOD INSURANCE PROGRAM

ATTENTION: Use of this certificate does not provide a waiver of the flood insurance purchase requirement. This form is used only to provide elevation information necessary to ensure compliance with applicable community floodplain management ordinances, to determine the proper insurance premium rate, and/or to support a request for a Letter of Map Amendment or Revision (LOMA or LOMR).
Instructions for completing this form can be found on the following pages.

SECTION A PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
BUILDING OWNER'S NAME <u>Joseph & Sabrina Doetsch</u>		POLICY NUMBER
STREET ADDRESS (Including Apt., Unit, Suite and/or Bldg. Number) OR P.O. ROUTE AND BOX NUMBER <u>8256 Bullneck Ct.</u>		COMPANY NAIC NUMBER
OTHER DESCRIPTION (Lot and Block Numbers, etc.) <u>Balto.</u>		
CITY <u>Ind.</u>	STATE <u>Ind.</u>	ZIP CODE <u>21222</u>

SECTION B FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

Provide the following from the proper FIRM (See Instructions):

1. COMMUNITY NUMBER	2. PANEL NUMBER	3. SUFFIX	4. DATE OF FIRM INDEX	5. FIRM ZONE	6. BASE FLOOD ELEVATION (in AO Zones, use depth)
<u>240010</u>	<u>0555</u>	<u>B</u>	<u>3/2/81</u>	<u>A</u>	<u>9</u>

7. Indicate the elevation datum system used on the FIRM for Base Flood Elevations (BFE): ☐ NGVD '29 ☐ Other (describe on back)
8. For Zones A or V, where no BFE is provided on the FIRM, and the community has established a BFE for this building site, indicate the community's BFE: ☐☐☐☐☐☐ feet NGVD (or other FIRM datum—see Section B, Item 7).

SECTION C BUILDING ELEVATION INFORMATION

1. Using the Elevation Certificate Instructions, indicate the diagram number from the diagrams found on Pages 5 and 6 that best describes the subject building's reference level 8.
- 2(a). FIRM Zones A1-A30, AE, AH, and A (with BFE). The top of the reference level floor from the selected diagram is at an elevation of ☐☐☐☐☐☐ feet NGVD (or other FIRM datum—see Section B, Item 7).
- (b). FIRM Zones V1-V30, VE, and V (with BFE). The bottom of the lowest horizontal structural member of the reference level from the selected diagram, is at an elevation of ☐☐☐☐☐☐ feet NGVD (or other FIRM datum—see Section B, Item 7).
- (c). FIRM Zone A (without BFE). The floor used as the reference level from the selected diagram is 1.6 feet above ☒ or below ☐ (check one) the highest grade adjacent to the building.
- (d). FIRM Zone AO. The floor used as the reference level from the selected diagram is ☐☐☐☐ feet above ☐ or below ☐ (check one) the highest grade adjacent to the building. If no flood depth number is available, is the building's lowest floor (reference level) elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown
3. Indicate the elevation datum system used in determining the above reference level elevations: ☐ NGVD '29 ☒ Other (describe under Comments on Page 2). (NOTE: If the elevation datum used in measuring the elevations is different than that used on the FIRM [see Section B, Item 7], then convert the elevations to the datum system used on the FIRM and show the conversion equation under Comments on Page 2.)
4. Elevation reference mark used appears on FIRM: ☐ Yes ☒ No (See Instructions on Page 4)
5. The reference level elevation is based on: ☒ actual construction ☐ construction drawings
(NOTE: Use of construction drawings is only valid if the building does not yet have the reference level floor in place, in which case this certificate will only be valid for the building during the course of construction. A post-construction Elevation Certificate will be required once construction is complete.)
6. The elevation of the lowest grade immediately adjacent to the building is: ☐☐☐☐7.6 feet NGVD (or other FIRM datum—see Section B, Item 7).

SECTION D COMMUNITY INFORMATION

1. If the community official responsible for verifying building elevations specifies that the reference level indicated in Section C, Item 1 is not the "lowest floor" as defined in the community's floodplain management ordinance, the elevation of the building's "lowest floor" as defined by the ordinance is: ☐☐☐☐☐☐ feet NGVD (or other FIRM datum—see Section B, Item 7).
2. Date of the start of construction or substantial improvement _____

SECTION E CERTIFICATION

This certification is to be signed by a land surveyor, engineer, or architect who is authorized by state or local law to certify elevation information when the elevation information for Zones A1-A30, AE, AH, A (with BFE), V1-V30, VE, and V (with BFE) is required. Community officials who are authorized by local law or ordinance to provide floodplain management information, may also sign the certification. In the case of Zones AO and A (without a FEMA or community issued BFE), a building official, a property owner, or an owner's representative may also sign the certification.

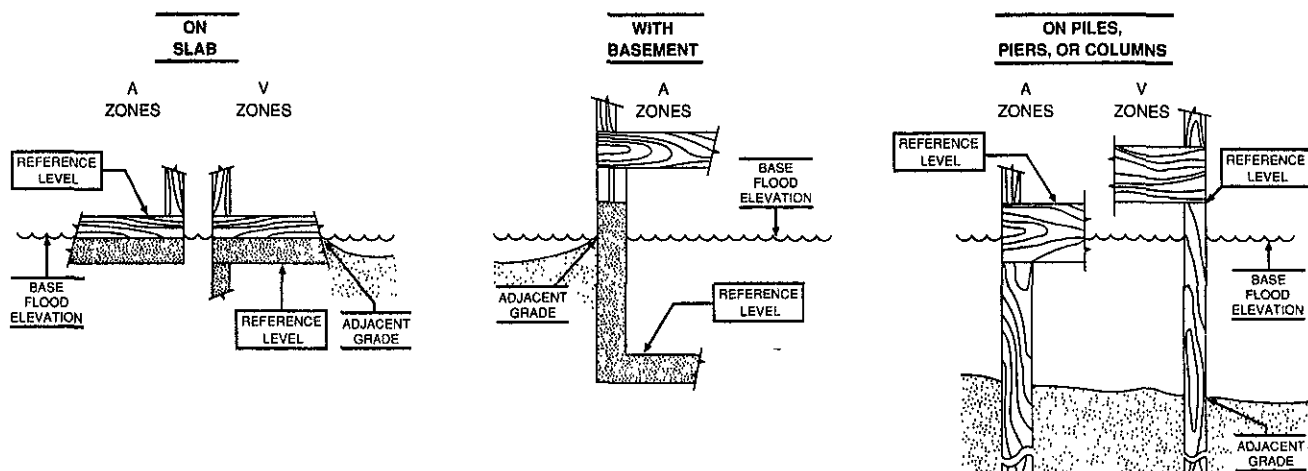
Reference level diagrams 6, 7 and 8 - Distinguishing Features-If the certifier is unable to certify to breakaway/non-breakaway wall, enclosure size, location of servicing equipment, area use, wall openings, or unfinished area Feature(s), then list the Feature(s) not included in the certification under Comments below. The diagram number, Section C, Item 1, must still be entered.

I certify that the information in Sections B and C on this certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

CERTIFIER'S NAME <u>Leonard G. Buerhaus</u>		LICENSE NUMBER (or Affix Seal) <u>#349</u>	
TITLE <u>Property Line Surveyor</u>	COMPANY NAME		
ADDRESS <u>1220 Longford Rd</u>	CITY <u>Lutherville</u>	STATE <u>Md.</u>	ZIP <u>21093</u>
SIGNATURE <u>Leonard G. Buerhaus</u>	DATE <u>8/25/91</u>	PHONE <u>410-821-1135</u>	

Copies should be made of this Certificate for: 1) community official, 2) insurance agent/company, and 3) building owner.

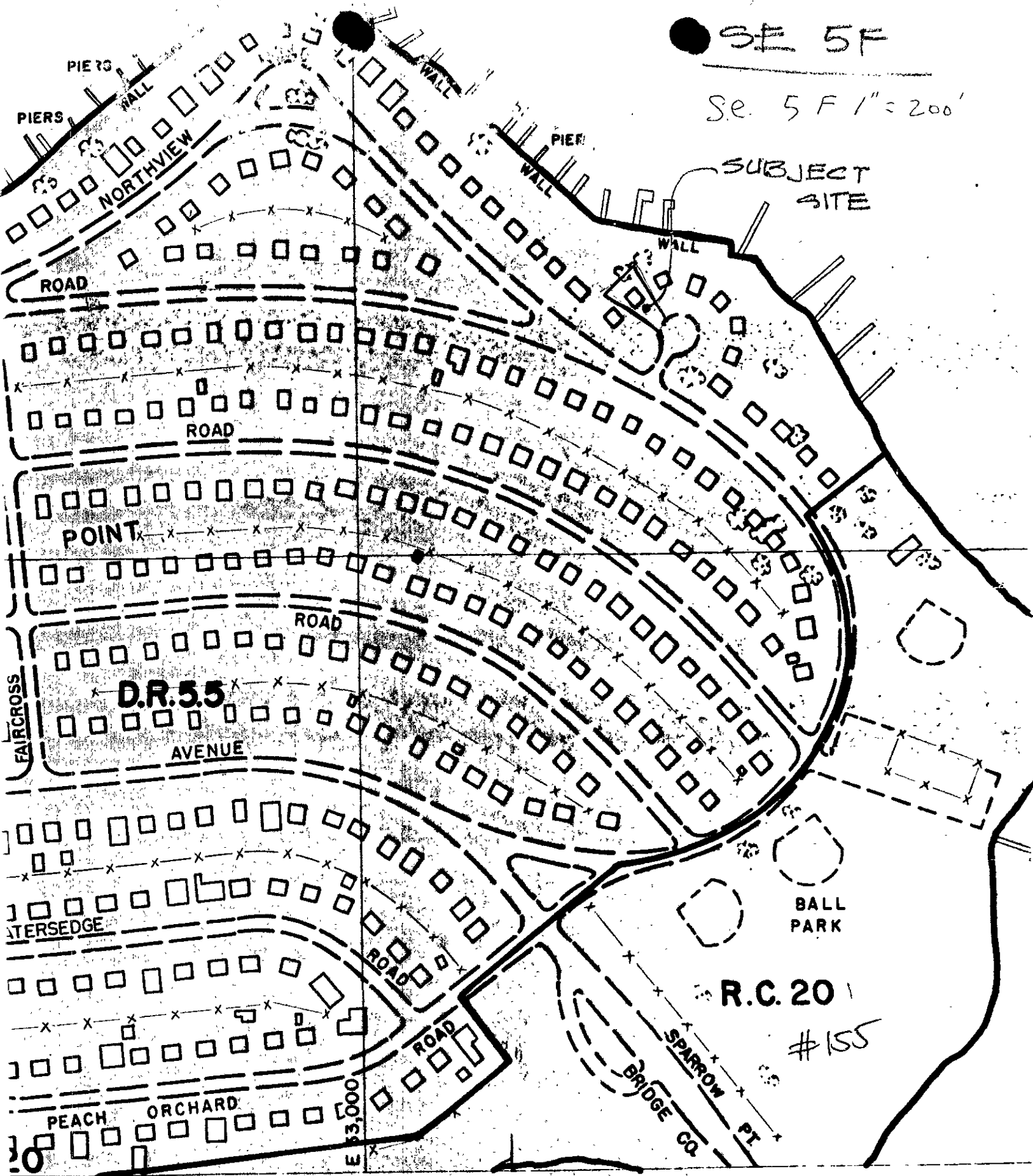
COMMENTS: Elevations are based on Baltimore County Datum



The diagrams above illustrate the points at which the elevations should be measured in A Zones and V Zones. Elevations for all A Zones should be measured at the top of the reference level floor. Elevations for all V Zones should be measured at the bottom of the lowest horizontal structural member.

SE 5F

Se. 5 F 1" = 200'



(SHEET S.E. 6-F)

BALTIMORE COUNTY OF PLANNING AND ZONING

9B-155-SPH

Plat to accompany Petition for Zoning ☐ Variance ☒ Special Hearing

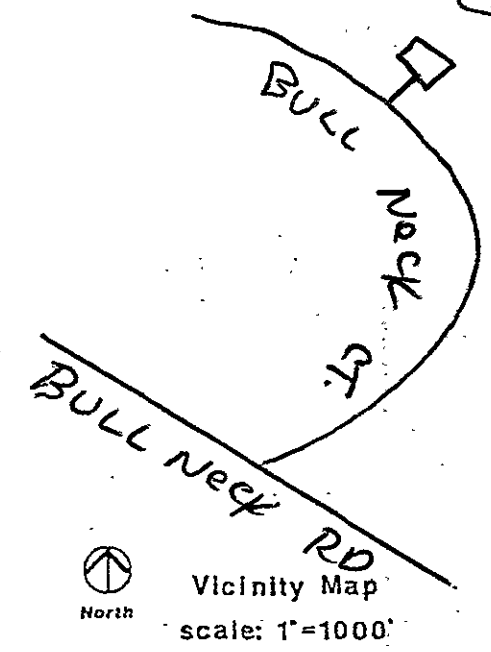
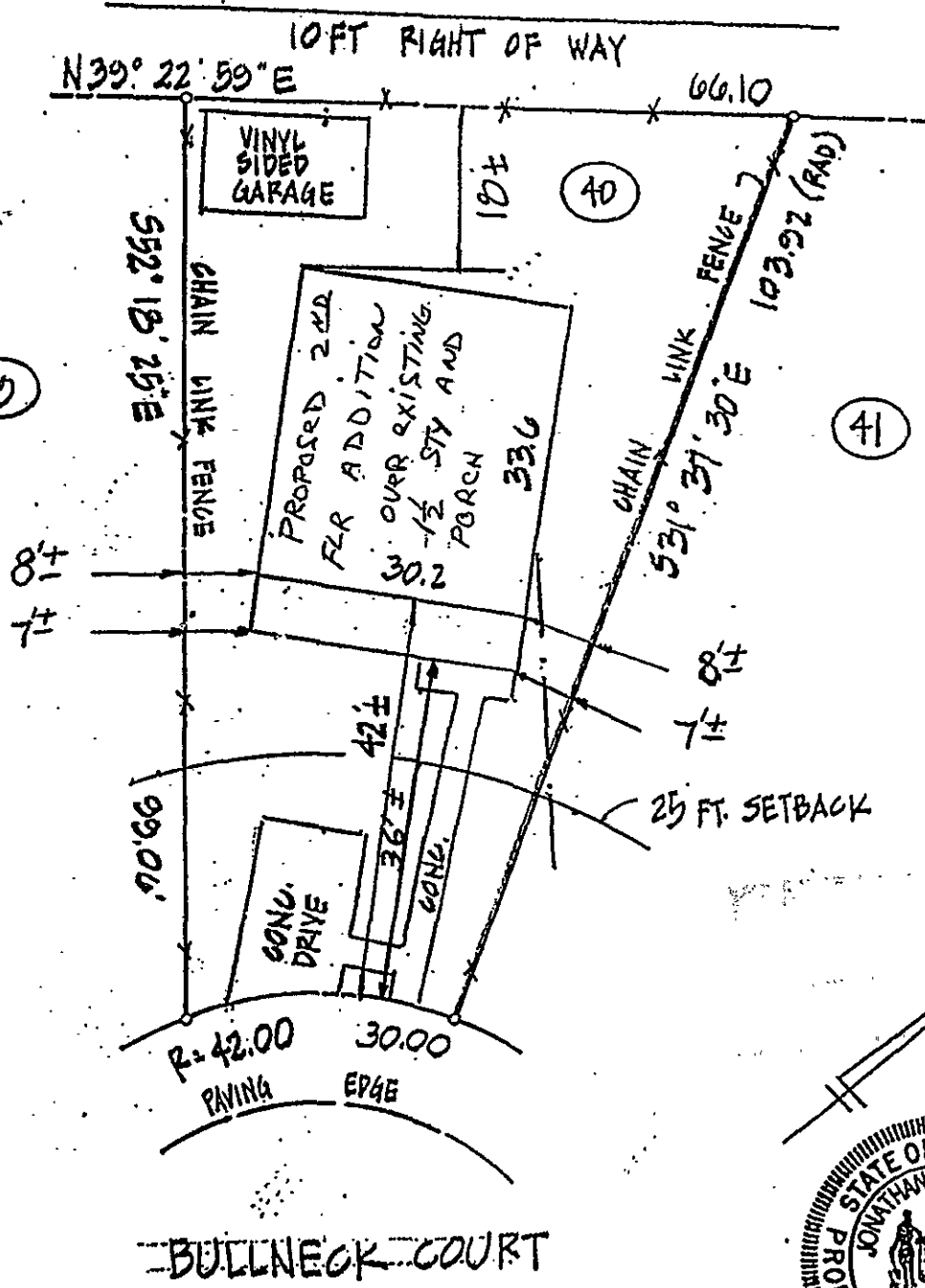
PROPERTY ADDRESS: 8256 Bullneck CT

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

Subdivision name: MURRAY POINT

plat book# 13, folio# 66, lot# 40, section# B

OWNER: JOSEPH CHARLES DOETSCH



LOCATION INFORMATION

Election District: 12
 Councilmanic District: 7
 1"=200' scale map#: GE. 5.F
 Zoning: DR5.5
 Lot size: 4,545 square feet
 acreage

public private
 SEWER: ☒ ☐
 WATER: ☒ ☐
 Chesapeake Bay Critical Area: ☒ ☐
 Prior Zoning Hearings: NA

Zoning Office USE ONLY!

reviewed by: JRF ITEM #: 155 CASE#:



North

date: _____
 prepared by: _____

Scale of Drawing: 1" = 20'

