

IN RE: PETITION FOR VARIANCE  
W/S Riverside Avenue, 130' S of the c/l  
Mitchell Road  
(1344 Riverside Avenue)  
15<sup>th</sup> Election District  
7<sup>th</sup> Council District

Vivian C. Machovec, et al, Owners;  
Scott M. Merbach, et ux, Contr. Pur.

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 01-484-A

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Neil W. Machovec, Margaret M. Machovec, and Vivian C. Machovec, and the Contract Purchasers, Scott M. Merbach and his wife, Dawn M. Merbach. The Petitioners seek relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 10 feet each in lieu of the required 50 feet, and to approve the subject property as an undersized lot and any other variances deemed necessary, to permit the redevelopment of the property with a single family dwelling. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Scott M. and Dawn M. Merbach, Contract Purchasers. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a waterfront lot, located on the west side of Riverside Avenue, just south of Mitchell Road in Essex. The property is also known as Lot 6 of Back River Neck Park, an older subdivision which was platted many years ago, prior to the enactment of the zoning regulations. The subject lot is 51' wide by 398' deep and consists of a gross area of 20,436 sq.ft., zoned R.C.5. Presently, the lot is improved with an old shore home, approximately 50 years of age. Although the lot is served by public water, it

ORDER RECEIVED FOR FILING  
Date 7/27/01  
By [Signature]

has a private septic system; however, public sewer service will become available to the site in the near future. Mr. & Mrs. Merbach have contracted to buy the lot and wish to raze the dwelling and replace same with a new single family dwelling. However, due to the narrow width of the lot and its R.C.5 zoning classification, the property does not meet current standards for development. Thus, the Petitioners filed the instant Petition.

Based upon the testimony and evidence offered, I am persuaded to grant the variance. It is clear that strict compliance with the regulation would result in practical difficulty and unreasonable hardship for the Petitioners and deny use of the property for a permitted purpose. Moreover, the relief requested will be an improvement to the site and will not result in any detriment to the health, safety or general welfare of the surrounding community. However, as a condition of approval, the Petitioners shall comply with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) relative to Chesapeake Bay Critical Areas requirements. In addition, the Petitioners shall comply with any recommendations made by the Bureau of Development Plans Review division of the Department of Permits and Development Management relative to development in the flood plain. Moreover, the Petitioners shall submit building elevation drawings of the proposed dwelling to the Office of Planning for review and approval prior to the issuance of any building permits to insure the proposed development is compatible with the surrounding community.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25<sup>th</sup> day of July, 2001 that the Petition for Variance seeking relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 10 feet each in lieu of the required 50 feet, and to approve the subject property as an undersized lot and any other variances deemed necessary, to permit the redevelopment of the property with a single family dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) relative to development within the Chesapeake Bay Critical Areas, and, the Bureau of Development Plans Review Division of the Department of Permits and Development Management (DPDM) relative to development in the flood plain.
- 3) Prior to the issuance of any building permits, the Petitioners shall submit building elevation drawings of the proposed dwelling to the Office of Planning for review and approval to insure its compatibility with the surrounding community.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING  
Date 7/25/01  
By [Signature]



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

July 25, 2001

Ms. Vivian C. Machovec  
6728 Joliette Lane  
Charlotte, North Carolina 28277

RE: PETITION FOR VARIANCE  
W/S Riverside Avenue, 130' S of the c/l Mitchell Road  
(1344 Riverside Avenue)  
15<sup>th</sup> Election District – 7<sup>th</sup> Council District  
Vivian C. Machovec, et al, Owners; Scott M. Merbach, et al, Contract Purchasers  
Case No. 01-484-A

Dear Ms. Machovec:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Scott M. Merbach  
1429 Sussex Road, Baltimore, Md. 21221  
Chesapeake Bay Critical Areas Commission,  
1804 West Street, Suite 100, Annapolis, Md. 21401  
Office of Planning; Bureau of Development Plans Review (DPDM);  
DEPRM; People's Counsel; Case File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper



# CBCA FLOOD PLAIN Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1344 Riverside Avenue 21221

which is presently zoned R.C. 5

This Petition shall be filed with the Department of Permits and 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) 1A04.3.B.2 (BCTR)

TO PERMIT A PROPOSED SINGLE FAMILY DWELLING TO HAVE A 10' PROPERTY LINE SETBACK IN LIEU OF THE REQUIRED 50'. AND TO APPROVE AN UNDERSIZED LOT AND TO APPROVE ANY OTHER VARIANCES DEEMED NECESSARY BY THE ZONING COMMISSIONER of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE DISCUSSED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, 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.

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:**

Scott Michael Merbach & Dawn Marie Merbach  
Name - Type or Print

Scott Michael Merbach Dawn Marie Merbach  
Signature

1429 Sussex Road (work) 410-396-1206  
Address Telephone No.

Baltimore MD 21221  
City State Zip Code

**Attorney For Petitioner:**

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Case No. 01-484-A

Date 2/20 9/15/98

By

**Legal Owner(s): NAME: NEIL N MACHOVEC**

SIGNATURE: [Signature]  
MARGARET M MACHOVEC  
Name - Type or Print

Margaret M Machovec  
Signature

VIVIAN C MACHOVEC  
Name - Type or Print

[Signature]  
Signature

6728 Joliette Lane (work) 704-388-4891  
Address Telephone No.

Charlotte NC 28277  
City State Zip Code

\* ADDRESS FOR NEIL MACHOVEC  
**Representative to be Contacted:**

Scott Michael Merbach  
Name

1429 Sussex Road 410-574-8659  
Address Telephone No.

Baltimore MD 21221  
City State Zip Code

**OFFICE USE ONLY**

ESTIMATED LENGTH OF HEARING \_\_\_\_\_

UNAVAILABLE FOR HEARING \_\_\_\_\_

Reviewed By CTM Date 5/15/01

ORDER RECEIVED FOR FILING

**ZONING DESCRIPTION FOR  
1344 RIVERSIDE AVE.  
BALTIMORE, MD. 21221**

Beginning at a point on the West Side of Riverside Ave., which is 30 feet wide, at the distance of 130' south of the centerline of Mitchell Rd, which is 30' wide. Being lot # 6, GROUP 82, in the subdivision of BACK RIVER NECK PARK as recorded in Baltimore County Plat Book # 7, Folio # 4, containing 20,436 sq. ft. Also known as 1344 RIVERSIDE AVE., and located in the 15th election district, 7th councilmanic district.

# 934

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 92885

DATE 5/15/01 ACCOUNT R0010066150

AMOUNT \$ 50.00

RECEIVED FROM: MERBACH

FOR: DID VARIANCE

DISTRIBUTION  
WHITE - CASHIER      PINK - AGENCY      YELLOW - CUSTOMER

PAID RECEIPT  
PAYMENT ACTUAL TIME  
5/15/2001 5/15/2001 11:24:26  
MS06 CASHIER DDOL DMD DRAWER  
RECEIPT # 141418 OFLN  
Dept. 528 ZONING VERIFICATION  
CR ID. 000005  
Receipt Tot 50.00  
50.00 CK .00 CA  
Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING 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: #01-484-A  
1344 Riverside Avenue  
W/S Riverside Avenue, 130' S of centerline Mitchell Road  
15th Election District - 5th Councilmanic District  
Legal Owner(s): Neil W., Margaret M. & Vivian C. Machovec  
Contract Purchaser: Dawn M. & Scott M. Merbach

**Variance:** to permit a proposed single family dwelling to have a 10 foot property line setback in lieu of the required 50 feet and to approve an undersized lot and to approve any other variances deemed necessary by the zoning commissioner.

**Hearing:** Thursday, July 12, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/6/783 June 26 C477451

**CERTIFICATE OF PUBLICATION**

6/28/2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/26/2001.

- The Jeffersonian
- Arbutus Times
- Catonsville Times
- Towson Times
- Owings Mills Times
- NE Booster/Reporter
- North County News

*J. Wilkins*

LEGAL ADVERTISING



**CERTIFICATE OF POSTING**

RE: Case No.: 01-484-A

Petitioner/Developer: DAWN + SCOTT

M. MERBACH

Date of Hearing/Closing: JULY 12, 2001

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 1344 RIVERSIDE AVE

The sign(s) were posted on JUN 27, 2001  
(Month, Day, Year)

Sincerely,

[Signature] 6/27/01  
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

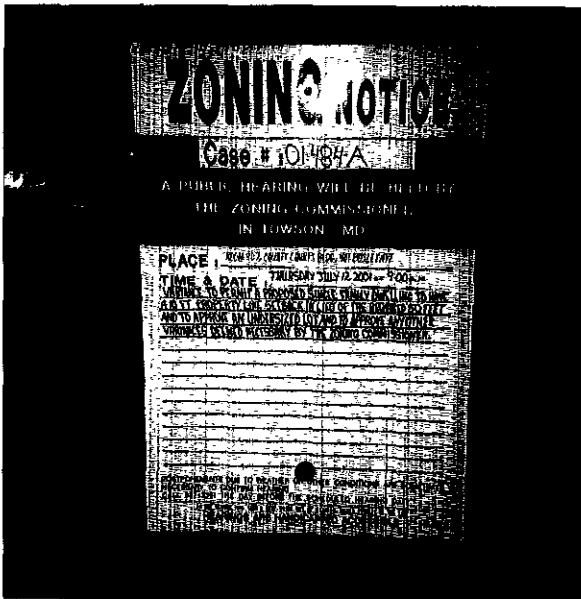
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



RECEIVED

JUN 29 2001

DEPT. OF REVENUE AND  
DEVELOPMENT MANAGEMENT

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

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 petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 01-484-A  
Petitioner: Scott M Merbach (Contract Purchaser)  
Address or Location: 1344 RIVERSIDE Avenue 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: Scott M. Merbach  
Address: 1429 Sussex Road  
Baltimore MD 21221  
Telephone Number: 410-574-8659

TO: PATUXENT PUBLISHING COMPANY  
Tuesday, June 26, 2001 Issue – Jeffersonian

Please forward billing to:  
Scott M Merbach  
1429 Sussex Road  
Baltimore MD 21221

410 574-8659

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## NOTICE OF ZONING 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: 01-484-A

1344 Riverside Avenue

W/S Riverside Avenue 130' S of centerline Mitchell Road

15<sup>th</sup> Election District - 7<sup>th</sup> Councilmanic District

Legal Owners: Neil W, Margaret M & Vivian C Machovec

Contract Purchaser: Dawn M & Scott M Merbach

6-18  
Please correct  
to 5<sup>th</sup>  
my mistake

Variance to permit a proposed single family dwelling to have a 10 foot property line setback in lieu of the required 50 feet and to approve an undersized lot and to approve any other variances deemed necessary by the zoning commissioner.

George

HEARING: Thursday, July 12, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

  
Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDR  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Director's Office  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
410-887-3353  
Fax: 410-887-5708

June 13, 2001

## NOTICE OF ZONING 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: 01-484-A

1344 Riverside Avenue

W/S Riverside Avenue, 130' S of centerline Mitchell Road

15<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District

Legal Owners: Neil W, Margaret M & Vivian C Machovec

Contract Purchaser: Dawn M & Scott M Merbach

Variance to permit a proposed single family dwelling to have a 10 foot property line setback in lieu of the required 50 feet and to approve an undersized lot and to approve any other variances deemed necessary by the zoning commissioner.

HEARING: Thursday, July 12, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon G72  
Director

C: Neil W, Margaret M & Vivian C Machovec, 6728 Joliette Lane, Charlotte NC 28277  
Dawn M & Scott M Merbach, 1429 Sussex Road, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 27, 2001.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

**DATE:** June 19, 2001

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

**SUBJECT:** 1344 Riverside Avenue

**INFORMATION:**

**Item Number:** 01-484

**Petitioner:** Margaret M. Machovec

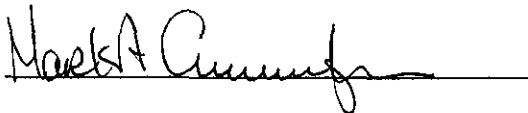
**Zoning:** RC 5

**Requested Action:** Variance

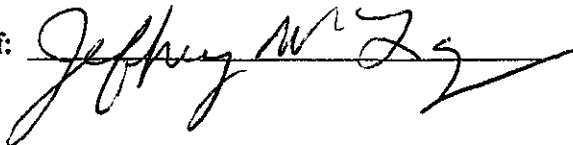
**SUMMARY OF RECOMMENDATIONS:**

The Office of Planning does not oppose the request. However, building elevation drawings should be submitted to this office for review and approval prior to the issuance of any building permits.

**Prepared by:**



**Section Chief:**  
**AFK:MAC:**





**Maryland Department of Transportation**  
**State Highway Administration**

Parris N. Glendening  
Governor

John D. Porcari  
Secretary

Parker F. Williams  
Administrator

Date: 6.13.01

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

RE: Baltimore County  
Item No. 484 LTM

Dear Ms. Jackson:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

A handwritten signature in cursive script, appearing to read 'K. McDonald Jr.'.

*for* Kenneth A. McDonald Jr., Chief  
Engineering Access Permits Division

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  
Fire Department

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

June 12, 2001

Department of Permits and  
Development Management (PDM)  
County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 11, 2001

Item No.: See Below

Dear Ms. Stephens:

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.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

460, 484, 486, 487, 488, 489, 490, 491, 492, 493, 495,  
496, 497, 498, 500, and 501

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office  
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)





# ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 01-484-A

Date Completed/Initials

6-8-01

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

6-8-01

DETERMINE HEARING DATE (schedule within 45 days of filing, post and advertise at least 15 days prior to hearing)

6-12-01

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

\_\_\_\_\_  
UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

\_\_\_\_\_  
COMPLETE FILE (write hearing date, time, and room on front of hearing folder, file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

\_\_\_\_\_  
POSTPONEMENTS (type postponement letter, make appropriate copies, mail original and copies; send copy to zoning commissioner, file copy in hearing file; update hearing calendar and ZAC in computer)

\_\_\_\_\_  
RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file, update hearing calendar and ZAC in computer; refile hearing folder)

\_\_\_\_\_  
INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

\_\_\_\_\_  
ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

\_\_\_\_\_  
COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner, file copy in hearing file)

\_\_\_\_\_  
FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

RE: PETITION FOR VARIANCE  
1344 Riverside Avenue, W/S Riverside Ave,  
130' S of c/l Mitchell Rd  
15th Election District, 7th Councilmanic

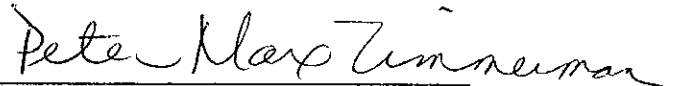
Legal Owners: Neil W., Margaret M. and Vivian C.  
Machovec  
Contract Purchasers: Scott M. & Dawn M. Merbach  
Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case No. 01-484-A

\* \* \* \* \*

**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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.



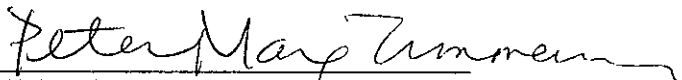
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



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

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 18<sup>th</sup> day of June, 2001 a copy of the foregoing Entry of Appearance was mailed to Legal Owners Neil W., Margaret M. and Vivian C. Machovec, 6728 Jaiette Lane, Charlotte, NC 28277, and to Contract Purchasers Scott M. & Dawn M. Merbach, 1429 Sussex Road, Baltimore, MD 21221, Petitioners.



PETER MAX ZIMMERMAN

**INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM**

**TO:** Director, Office of Planning & Community Conservation  
Attention: Jeffrey Long  
County Courts Building, Room 406  
401 Bosley Avenue  
Towson, MD 21204

Permit or Case No. 01-484-A

Residential Processing Fee Paid  
(\$50.00)

Accepted by CTM  
Date 5/15/01

**FROM:** Arnold Jablon, Director  
Department of Permits & Development Management

**RE:** Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit

**MINIMUM APPLICANT SUPPLIED INFORMATION:**

SCOTT MERBACH 1429 SUSSEX RD 410-574-8659  
Print Name of Applicant Address Telephone Number

Lot Address 1344 RIVERSIDE AVE Election District 15 Councilmanic District 7 Square Feet 20,438

Lot Location: N E W side corner of RIVERSIDE AVE 130 feet from N E S W corner of MITCHELL RD  
(street) (street)

Land Owner: Frank W & Vivian C. Machovec Tax Account Number 1503670510

Address: 2210 Corbin Rd Balto Md Telephone Number (410) 426-4886

**CHECKLIST OF MATERIALS-** (to be submitted for design review by the Office of Planning and Community Conservation)

**TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!  
PROVIDED?**

	YES	NO
1. This Recommendation Form (3 copies)	<u>✓</u>	_____
2. Permit Application	_____	_____
3. Site Plan Property (3 copies)	<u>✓</u>	_____
Topo Map (2 copies): <i>available</i> in Room 206, County Office Building - <i>(please label site clearly)</i>	<u>✓</u>	_____
4. Building Elevation Drawings	<u>✓</u>	_____
5. Photographs (please label all photos clearly) Adjoining Buildings	<u>✓</u>	_____
Surrounding Neighborhood	<u>✓</u>	_____
6. Current Zoning Classification: <u>RC-5</u>		

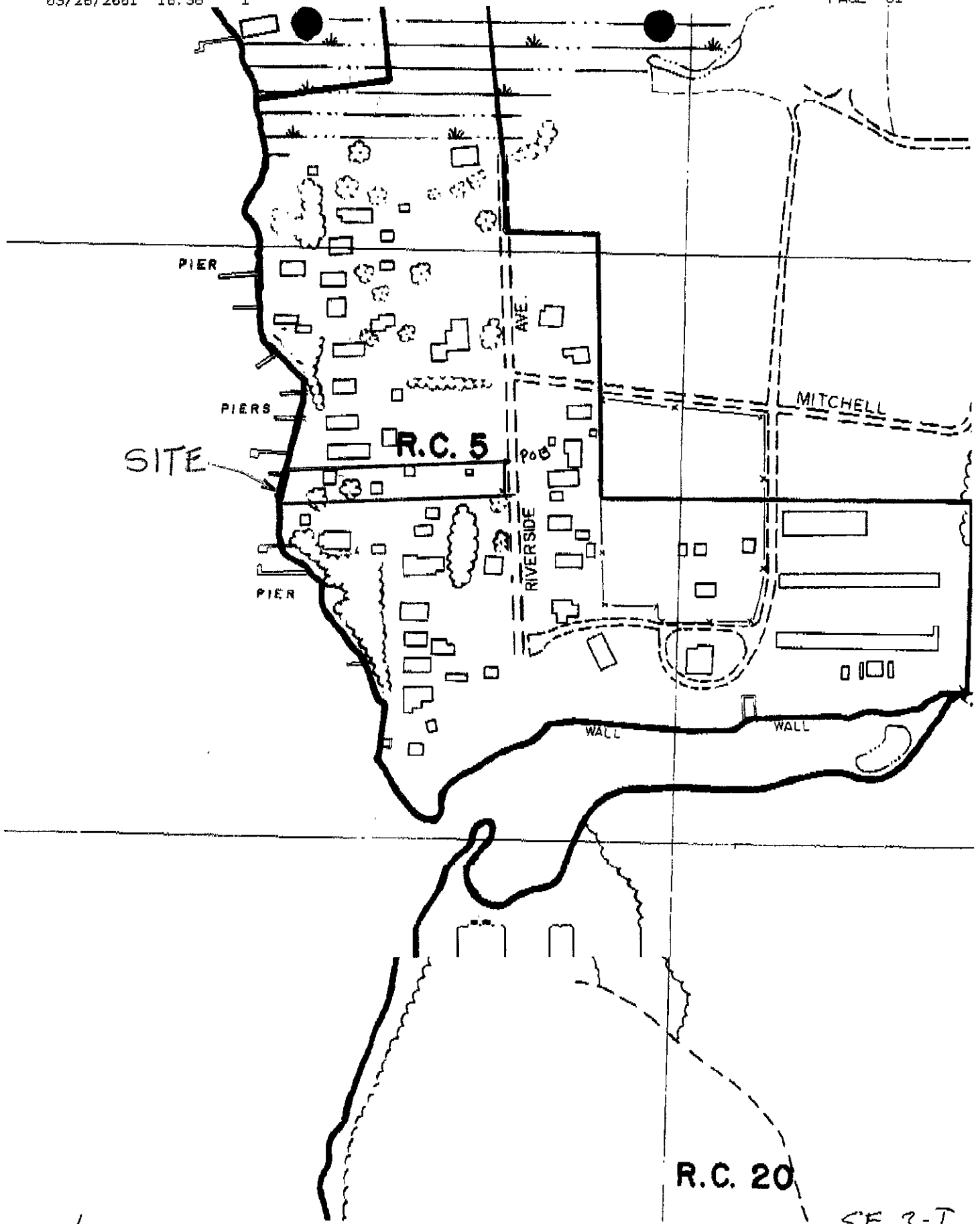
**TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!**

**RECOMMENDATIONS / COMMENTS:**

- Approval     Disapproval     Approval conditioned on required modifications of the application to conform with the following recommendations

Signed by \_\_\_\_\_  
for the Director, Office of Planning and Community Conservation

Date \_\_\_\_\_



SITE

R.C. 5

MITCHELL

RIVERSIDE AVE.

WALL

WALL

POB

R.C. 20

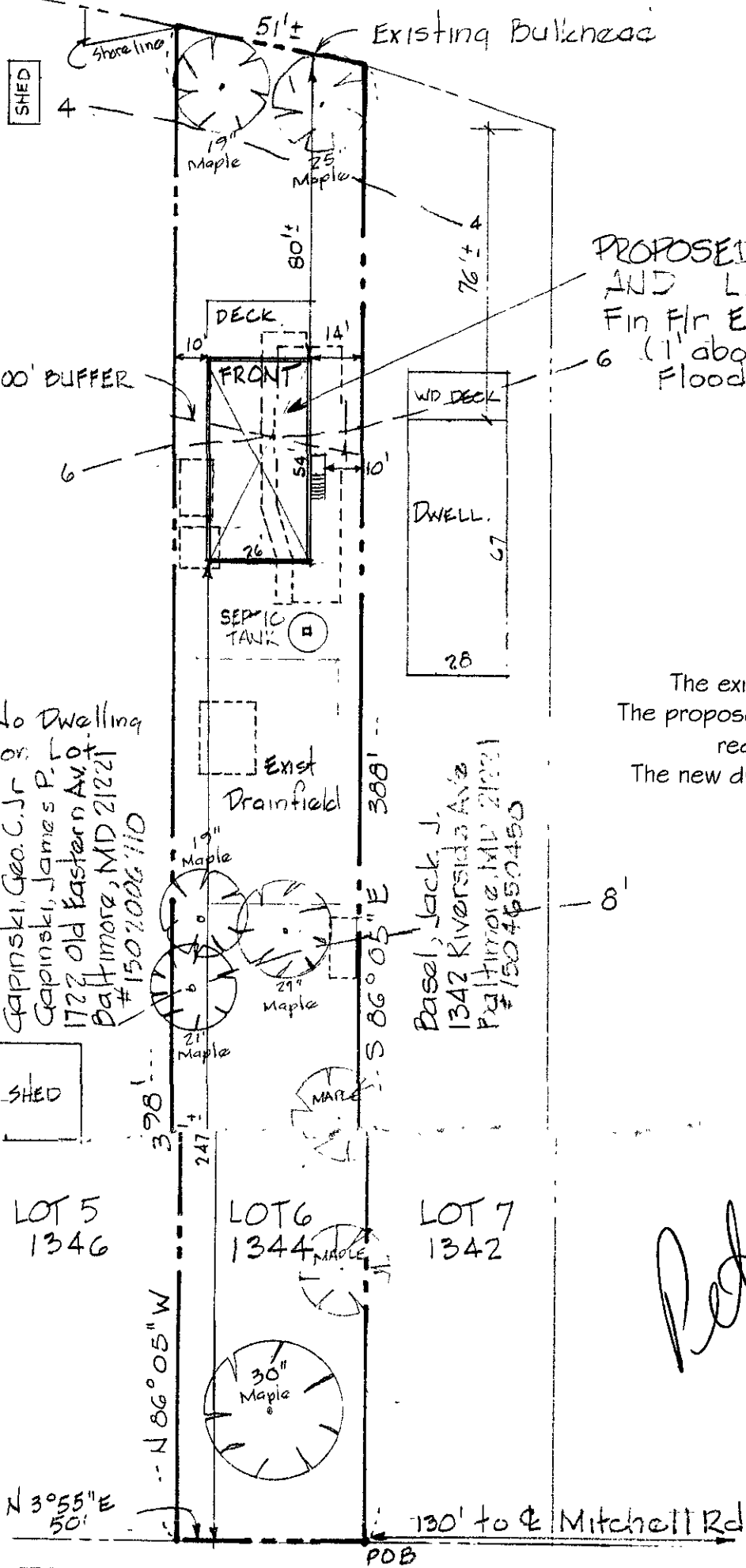
S.E. 3-I

F-489-A

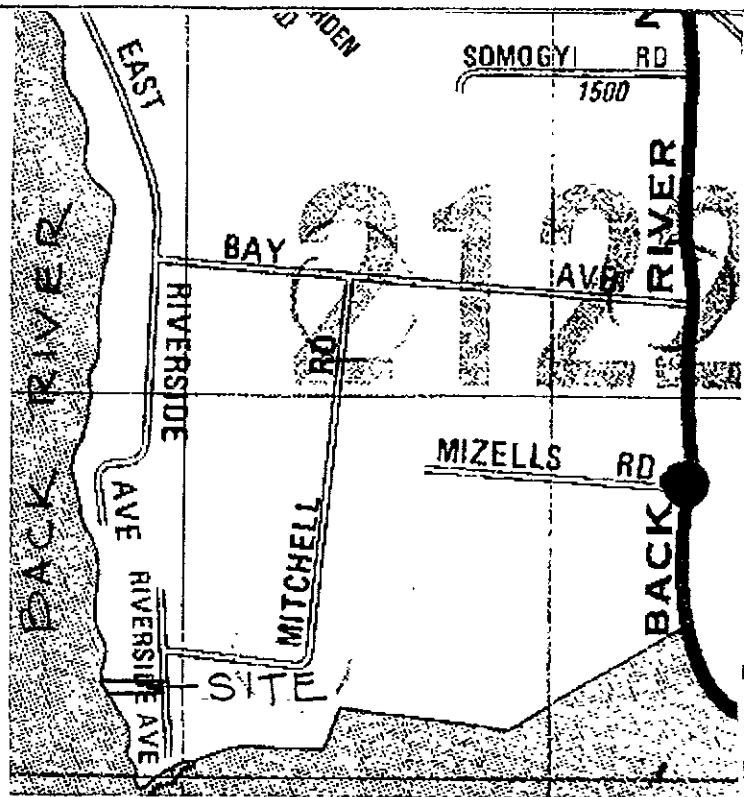


BACK RIVER

NORTH



PROPOSED DWELLING  
AND L.O.D  
Fin Flr Elev 11.2  
6 (1' above the 100yr  
Flood plain)



VICINITY MAP  
1" = 1000'

**INTENT**

The existing dwelling and out buildings shown dashed are to be razed.  
The proposed residence must be erected at the location shown to maintain the required setback from the existing septic tank and drain field.  
The new dwelling will be temporarily connected to the existing septic system until the proposed public sewer is installed.

Capinski, Geo. C. Jr  
or  
Capinski, James P., Lot  
1722 Old Eastern Ave.  
Baltimore, MD 21221  
#1502006110

*Red No 1*

RIVERSIDE AVE 30' R/W, 15' PAVING

SITE PLAN  
1" = 40'

**B. M. A. Notes**

- The proposed impervious footprint located in the 100' buffer is: 507 Sq. Ft
- Resulting in an increase of 76 Sq. Ft.
- The proposed pervious wood deck footprint located within the 100' buffer is 288 Sq. Ft.
- The area under the deck shall receive 3" of #6 crushed stone, or mulch, over filter fabric.
- Roof leaders shall be allowed to drain across the lawn.
- No clearing, grading, construction, or other disturbance will occur in the buffer except as permitted by D.E.P.R.M.
- The 2 Major trees located within the buffer shall remain.

PLAT TO ACCOMPANY  
VARIANCE, UNDERSIZE LOT,  
RAZING & BUILDING PERMITS  
1344 RIVERSIDE AVE.

BALTIMORE, MD 21214-1511  
DATE: May 8, 2001

OWNERS: Frank W. Machovec &  
Vivian C. Machovec

2210 Corbin Rd., Balto., MD,  
15th Election Dist., 7th Councilmanic Dist.  
Account #1503670510, Deed Ref. 6838/219  
Back River Neck Park, Lot 6, Group 82  
Zoning: RC-5, MAP # SE-31

Site is located in the Chesapeake Bay Critical Area  
BMA, LDA, and 100 year flood plan  
Site has public water and private septic system  
No shared ownership with adjacent lots for more than 6 years.

APPLICANT: Scott Merbach

1429 Sussex Rd.

Baltimore, MD 21221

Phone: 410-574-8659

**CALCULATIONS**

Net Area: 20,436 SF, 0.469 Ac.

Existing impervious area:

Buildings: 1680 SF

Walk: 204 SF

TOTAL EXISTING IMPERVIOUS: 1884 SF = 9.2%

Proposed impervious area:

Dwelling: 1404 SF

Walks: 200 SF

TOTAL PROPOSED IMPERVIOUS: 1604 Sq. Ft. = 7.8%

A REDUCTION of 280 SF

NO PRIOR ZONING HISTORY

#489  
LTM