ORDER RECEIVED FOR FILING
Date 9/4/0/
By X. Chimagn

IN RE: PETITION FOR ADMIN. VARIANCE

N/S Chestnut Road, 850' SE Of Bowleys Quarters Road 15th Election District 5th Councilmanic District (3734 Chestnut Road)

Mary and Matthew Box Petitioners BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

* CASE NO. 02-052-A

* * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Mary and Matthew Box., property owners, for that property known as 3734 Chestnut Road in the Bowleys Quarters area of Baltimore County. The Petitioners herein seek a variance from Sections 1A04.3.B.2 and 104.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling to have a nonconforming setback of 10 ft. extended for an addition in lieu of the required 50 ft. and to have a property line setback of 35 ft. in lieu of the required 50 ft. on the water side. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation contained in the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that the relief requested sufficiently complies with the requirements of Section 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should

therefore be granted. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

The subject property is a waterfront lot located with frontage on Seneca Creek in southeastern Baltimore County. Moreover, the property is located within a 100-year floodplain. Thus, any development on the subject property must be in compliance with Chesapeake Bay Critical Areas legislation and Federal Flood Insurance requirements. Therefore, as a condition of approval, the Petitioners shall comply with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) and the Bureau of Development Plans Review Division of the Department of Permits and Development Management (DPDM).

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations having been met, and for the reasons set forth above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 4th day of September, 2001, that the Petition for Administrative Variance seeking relief from Sections 1A04.3.B.2 and 104.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling to have a nonconforming setback of 10 ft. extended for an addition in lieu of the required 50 ft. and to have a property line setback of 35 ft. in lieu of the required 50 ft. on the water side, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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 such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

- 2) Compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) relative to Chesapeake Bay Critical Areas legislation, and the Bureau of Development Plans Review, relative to construction in the floodplain.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

OFDER RECEIVED FOR FILING Date 9/4/0/



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

Fax: 410-887-3468

September 4, 2001

Mr. & Mrs. Matthew J. Box 3734 Chestnut Road Bowleys Quarters, Maryland 21220

Re: Petition for Administrative Variance

Case No. 02-052-A

Property: 3734 Chestnut Road

Dear Mr. & Mrs. Box:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Mustby Hotroco

Timothy M. Kotroco

Deputy Zoning Commissioner

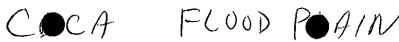
TMK:rai Enclosure













Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at .	3734	Chartnet	- Road
which	ı is presen	tly zoned	205

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) / Ao4.3.8.2.104.13 BCZIC

ADMINISTRATIVE VARIANCE to permit an existing single family dwelling to have a non-conforming setback of 10 feet extended for an addition in lieu of the required 50 feet and to have a property line setback of 35 feet in lieu of the required 50 feet on the water side.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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:	<u>Legal Owner(s):</u>
Name - Type or Print	Name - Type or Print
Signature	Signature Box
Address Telephone N	Io. Name - Type or Print
City State Zip Co	de Signature By
Attorney For Petitioner:	3734 Chestrut 126, 410/344-1611 Address Telephone No.
Name - Type or Print	City State Zip Code
Signature	Representative to be Contacted:
Company	MALL BOX
Address Telephone No	D. Address Telephone No.
City State Zip Coo	de City State Zip Code
A Fublic Hearing having been formally demanded and/or founthis and day of that the subject ma regulations of Baltimore County and that the property be reposted.	d to be required, it is ordered by the Zoning Commissioner of Baltimore County, tter of this petition be set for a public hearing, advertised, as required by the zoning
2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	
01E	Zoning Commissioner of Baltimore County
CASE NO. 02-052-A	Reviewed By Com Date 7/31/01

Estimated Posting Date ___

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	373-1 Address	chestrus	_ احله	·
	City Balton	one ;	MD.	21220
That based upon personal knowledge, the followariance at the above address (indicate hardship)	wing are the facts ip or practical diffic	upon which I/we ulty):	base the request for	r an Administrative
The purpose of the addition accommodate the addition of permit the addition to be ningerously would be without the zoning increase the size of the room existing dwelling. The variational angled towards the dwelling bulkhead.	of our two child ne feet longer (g variance. The ns and add close ance is require	dren. The zon or 108 square e additional s set space that d because the	ning variance will be feet larger) than space will be used in the configuration	l it d to i the i is
That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide a signature Name - Type or Print	ormal demand is fadditional informati	illed, Affiant(s) won. Signature Many Many Many Many Many Many Many Many	vill be required to pay	y a reposting and
STATE OF MARYLAND, COUNTY OF BALTING I HEREBY CERTIFY, this 27 day of of Maryland, in and for the County aforesaid, per	July	,2001_,	before me, a Notary	Public of the State
the Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set for	Mary Boy factorily identified	to me as such A orrect to the bes	Affiant(s), and made o t of his/her/their know	ath in due form of ledge and belief.
AS WITNESS my hand and Notarial Seal		talle	Davel	2
JUDITH A. JACOBS NOTARY Notary Public, State of Maryland	Notary P	rublic mission Expires	May 15.	7004

County of Baltimore
My Commission Expires May 15, 2004

ZONING DISCRIPITON FOR 3734 Chestnut Road.

Beginning at a point on the northwest side of Chestnut Road which is 30 feet wide at the distance of 850 feet northeast of the centerline of the nearest improved intersecting street of Bowleys Quarters Road which is 20 feet wide. Being Lot #102,

Block N/A, Section# N/A in the subdivision of

Bowleys Quarters as recorded in Baltimore County Plat Book # 7, Folio #13 containing 20625 square feet (or acres). Also known as 3734 Chestnut Road and located in the 15th Election District, 5th Councilmanic District.

OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.	4014	PAID RECEIPT
DATE 7/31/01 ACCOUNT ROS	01 006 6	150	7/31/2001 7/31/2001 11:33:46 RED 0004 CASHIER DDOL DAD DRAMEN SICCEIPT # 150099
AMOUNT \$	50.00		OCHT 5 528 ZOHING VERIFICATION OR PD. 004014
RECEIVED FROM: MATTHEW EO;	×		Recet Yot 50 50.00 CK .00 Baltimore County: Maryland
FOR: DIO VACIA,	NCE		
		· · · · · · · · · · · · · · · · · · ·	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOME	R		CASHIER'S VALIDATION

CERTIFICA OF POSTING

-'	
•	Petitioner/Developer: MATTHEW
	BOXETUX
	Date of Hearing/Closing: 8/27/21
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:	
were posted conspicuously on the property loc	ated at
The sign(s) were posted on	8/12/0/ (Month Day Year)
	(Month, Day, Year) Sincerely,
ZONING NOTICE	Sincerely, 8/12/01
	Sincerely, (Signature of Sign Poster and Date)
ZONING NOTICE ADMINISTRATIVE VARIANCE	Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK
ZONING NOTICE ADMINISTRATIVE VARIANCE CASE # 02-052-A DATUME	Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name)
ZONING NOTICE ADMINISTRATIVE VARIANCE CASE # 02.052-A	Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name) 1508 Leslie Rd
ZONING NOTICE ADMINISTRATIVE VARIANC CASE # 02.052-A DATUME	Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name) 1508 Leslie Rd (Address)
ZONNG NOTICE ADMINISTRATIVE VARIANC CASE # 02-052-A Declare MAXIMUM 1	Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name) 1508 Leslie Rd (Address) Dundalk, Maryland 21222
ZONNG NOTICE ADMINISTRATIVE VARIANC CASE # 02-052-A DYCILING MAXIMUM 1	Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name) 1508 Leslie Rd (Address)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

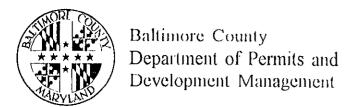
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

or Newspaper Advertising:
em Number or Case Number: 07-052-A
etitioner: Madthew Box
ddress or Location: 3734 Charter R&
EASE CORMARD ADVEDTIGING BULL TO
EASE FORWARD ADVERTISING BILL TO:
ame: Wathaw Box
ddress: 3734 Charturt Road Balt MM 21220
elephone Number: 410/344-1611

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 01-	052	-A	Address 373	34 0	HESTNUT RD.
				XCE'Y		Phone Number: 410-887-3391
Filing	Date: <u>7/</u>	31/01	_ Post	ing Date: <u>多/パ</u>	101	Closing Date: <u>8/27/01</u>
Any c throug	ontact made th the contac	with this off t person (plar	ice regarding ner) using th	g the status of th e case number.	ie adm	inistrative variance should be
1.	reverse side reposting mi is again res	e of this form) ust be done o ponsible for a or before th	and the peti nly by one of ill associated	tioner is responsit the sign posters of Loosts. The zonir	ble for on the a ng noti	ers on the approved list (on the all printing/posting costs. Any approved list and the petitioner ce sign must be visible on the buld remain there through the
2.	a formal red	quest for a p	ublic hearing	eadline for an occu g. Please unders ss is not complete	stand th	r owner within 1,000 feet to file nat even if there is no formal closing date.
3.	commission order that to (typically with	er. He may: he matter be thin 7 to 10 da	a) grant the) set in for a ays of the clo	e requested relief; public hearing. sing date) as to w	; (b) de You v hether	the zoning or deputy zoning eny the requested relief; or (c) will receive written notification the petition has been granted, you by First Class mail.
4.	commissione changed giv	er), notificatio ring notice of t	n will be fo he hearing d	rwarded to you. ate, time and loca	The s ition. A	nat must go to a public hearing the zoning or deputy zoning sign on the property must be as when the sign was originally ered sign must be forwarded to
			(Deta	ch Along Dotted Line)		
Petitio	oner: This P	art of the Fo	rm is for the	Sign Poster Only	/	
		USE THE	ADMINISTRA	TIVE VARIANCE	SIGN I	FORMAT
						STNUT RD.
						lephone 410 773-1117
Postir	ng Date:	8/12/01	· · · · · · · · · · · · · · · · · · ·	Closing I	Date: _	8/27/01
Wording for Sign: To Permit AN EXISTING HON-CONFORMING STG SINGLE FAMILY						
DWELLING TO HAVE AN ADDITION EXTENDING MORE THAN THE REQUIRED						
	وعلم مياويي	2/ -6		21110 FL0013		3 4 *** - 1 / 45 ./** .



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

August 28, 2001

Mary F & Matthew J Box 3734 Chestnut Road Bowleys Quarters MD 21220

Dear Mr. & Mrs. Box:

RE: Case Number: 02-052-A, 3734 Chestnut Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 31, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. らうて Supervisor, Zoning Review

W. Carl Richards, Jr.

WCR: gdz

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 13, 2001

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 27, 2001

Item No. 052

The Bureau of Development Plans Review has reviewed the subject zoning item.

Elevation protection for this site is 11.2 feet.

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

In accordance with Bill No. 18-90, Section 26-276, filling within a flood plain is prohibited.

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.

Flood resistant construction shall be in accordance with the requirement of BOCA National Building cost. Building shall be adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials persistent to flood damage.

A permit shall be obtained from the buildings engineer for all development in flood plain area.

RWB:HJO:jrb

cc: File



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

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

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:

036, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 050, 051, 052, 053, 054, AND 055

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

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Arnold Jablon				
FROM:	R. Bruce Seeley				
DATE:	September 5, 2001				
SUBJECT:	Zoning Item 52 Address 3734 Chestnut Road				
Zoning	g Advisory Committee Meeting of <u>August 20, 2001</u>				
	epartment of Environmental Protection and Resource Management has no ents 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.					
	epartment of Environmental Protection and Resource Management offers lowing 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 (Section 14-401 through 14-422 of the Baltimore County Code).				
_ X	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).				
_ X	Additional Comments: The proposed addition must comply with the buffer management area regulations.				

Date: August 30, 2001

Glen Shaffer

Reviewer:

AV 8/27

BALTIMORÉ COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

AUG 2 7

DATE: August 24, 2001

SUBJECT:

3743 Chestnut Road

INFORMATION:

Item Number:

02-052

Petitioner:

Matthew J. Box

Zoning:

RC 5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit side yard setbacks of 10 feet each in lieu of the minimum required 50 feet each and to have a rear yard setback of 35 feet in lieu of the minimum required 50 feet.

Prenared 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: 8.24.01

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

RE: Baltimore County

Item No. 052 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,

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

1. J. Drell

Baltimore County, Maryland Zoning Commissioner Towson, Maryland

I have reviewed the accompanying plat plan for Lot 102, 3734 Chestnut Road, Bowleys Quarters, Maryland and have no objections to the proposed addition and the necessary zoning variances.

WADE WISNOM Print

Aprature Whom Sign

CHRISTINE WINDON Print

Lot

101

Baltimore County, Maryland Zoning Commissioner Towson, Maryland

I have reviewed the accompanying plat plan for Lot 102, 3734 Chestnut Road, Bowleys Quarters, Maryland and have no objections to the proposed addition and the necessary zoning variances.

Earl Mitchell Sign
EARL MITCHELL Print
Betty Dre Mitchell Sign
Betty Sue Mitchell Print

Plat to accompany let tion	FOR ZONIE	J VAICIANCE	
Roperty Address: 3734 hostnut Subdivision HAME: Bowleys Quae	teas.		***************************************
Plat Book #], Folio # 13, Lot #.	10.3		
ON NORS! Matthew and MARY Box	Ser es in		
			E hestruit
		,	4
	Harry .		9
451 38. 64			4
medition	. 3	-	A P
	7 3 8		
			•
	2 2 2	o'	
	30		
	# 11 m		my Mup -
			1"= 1000
		Earl	
Keys		Sue	
Cost (SM)	! [, ,]	nitchell	
1-01-101		mat 103	<u> </u>
M			
	1. J		
• •	. 3	Location Tro	Ca ·
			<u>t</u>
		. Election buties	71.12
		Councilmonic Distr	d: 5
· · · · · · · · · · · · · · · · · · ·			
	Lot	1 = 200 scale map	*: NEZK
and the second of the second o	102-1-	Saino	
		Lot size so ft	20625
		Server	: Private
		water	Public
	, , , , , , , , , , , , , , , , , , ,		
		chaenpearke BAY Chi	rical Area: Yes
to Baileys	-	Prive zoning W	earings: None
Clambers 12d		-	
£20	150'	**	•
· · · · · · · · · · · · · · · · ·	chastnut Ro	and 30' PAVING	•
(/')	0 #1		
NORTH ALL	- Ex. #1		60 5
	,	•	052 LTM
			•

Date: -12910. Presoned by: mix Byo

scale 1"= 50"

