

IN RE: PETITION FOR VARIANCE
NW/S Revolea Beach Road, 810' SW of
Bowleys Quarters Road
(3646 & 3650 Revolea Beach Road)
15th Election District
5th Council District

Grantlou Associates, LLC
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-183-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, Grantlou Associates, LLC, by Louis J. Grasmick, Member. The Petitioners request a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 1B02.3.C.1.a of the Zoning Commissioner's Policy Manual to permit a front yard setback of 15 feet in lieu of the required 30 feet for two proposed dwellings, to be known as 3646 and 3650 Revolea Beach Road, and a side yard setback of 15 feet in lieu of the required 30 feet for the proposed dwelling, to be known as 3650 Revolea Beach Road. 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 Ron Leubecker and J. Michael Coburn, representatives of Grantlou Associates, LLC, property owners, their attorney, Leslie Pittler, Esquire, and Cheryl Williams, on behalf of Gast Construction, builders. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is located on the southwest corner of the intersection of Revolea Beach Road and the paper street known as Thaler Road in Bowleys Quarters. The property consists of three lots, known as Lots 127, 128 and 129 of the subdivision known as Revolea Beach, which contain a combined gross area of 0.86 acres, more or less, zoned D.R.3.5. Each lot is approximately 50 feet wide and a depth from 230 to 250 feet,

ORDER RECEIVED FOR FILING

Date

By

3/5/12
[Signature]

and is presently unimproved. All of the lots have frontage on Revolea Beach Road, formerly known as Bengies Road; however, Lot 129 is located adjacent to Thaler Road, the unimproved paper street. It is also to be noted that the Petitioners own other adjacent lots and property in the vicinity.

Testimony and evidence offered revealed that the lots feature significant environmental constraints, which limit development thereon. Moreover, the properties are located within the Chesapeake Bay Critical Areas. Additionally, the site plan shows that a portion of the lots are designated as being within a 100-year floodplain. The rear of the lots is largely forested and subject to forest buffer regulations. These environmental constraints have no doubt contributed to the fact that these lots have remained undeveloped for many years. Nonetheless, the Petitioners propose to re-subdivide the three lots to create two new single family building lots. One lot, to be known as 3646 Revolea Beach Road, will encompass all of Lot 127 and a portion of Lot 128 and will be 80 feet wide by 250 feet deep. The second lot, to be known as 3650 Revolea Beach Road, will encompass the remainder of Lot 128 and all of Lot 129. That lot will be 70 feet wide and 250 feet deep. Due to the environmental constraints associated with the properties, the houses are being situated on the front portion of the lots, thereby necessitating the requested relief. A front setback of 15 feet will be maintained for both lots in lieu of the required 30 feet. Also, the dwelling to be known as 3650 Revolea Beach Road will be 15 feet from the side property line adjacent to the right-of-way for Thaler Road. As noted above, this road is a paper street and it is doubtful, given the environmental constraints in this area that this street will ever be constructed.

After due consideration of the testimony and evidence presented, I am persuaded to grant the variance relief requested. It is clear that the properties are unique due to the environmental constraints associated therewith and that this uniqueness drives the need for variance. As noted above, there were no Protestants or other interested persons at the hearing. Additionally, a comment in support of the request was received from the Office of Planning. Moreover, it is clear that the Petitioners would suffer a practical difficulty if relief were denied in that the property could not be used for a permitted purpose (single family dwellings). Lastly, I am

3/5/12
BP

persuaded that there would be no adverse impact on adjacent properties if variance relief is granted.

However, in granting the zoning relief, I am cognizant of the environmental constraints associated with this property. Reference is made to a letter dated October 24, 2000, from the former Director of the Department of Environmental Protection and Resource Management (DEPRM) to Mr. John Canoles concerning the above captioned properties. That letter indicates that the Director of DEPRM may grant a variance from the Chesapeake Bay Critical Area regulations in accordance with the regulations adopted by the Critical Areas Commission. It further sets out that a variance will be granted, subject to a series of conditions to which the owner must comply and agree to be bound. As a condition to the zoning relief granted herein, I will require that the Petitioners meet the terms and conditions set out in DEPRM's letter, as well as any other regulations and requirements imposed by that agency.

Secondly, it is noted that a portion of the property is location within a 100-year floodplain and thus, is subject to local, State and Federal Emergency Management Act requirements. The Zoning Advisory Committee (ZAC) comment submitted by the Bureau of Development Plans Review identifies the flood protection elevation for this site at 11.2 feet. Thus, the proposed development need also comply with this and all other applicable floodplain regulations.

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 5th day of March, 2002 that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 1B02.3.C.1.a of the Zoning Commissioner's Policy Manual to permit front yard setbacks of 15 feet in lieu of the required 30 feet each for two proposed single family dwellings, and a side yard setback of 15 feet in lieu of the required 30 feet for the proposed dwelling, to be known as 3650 Revolea Beach

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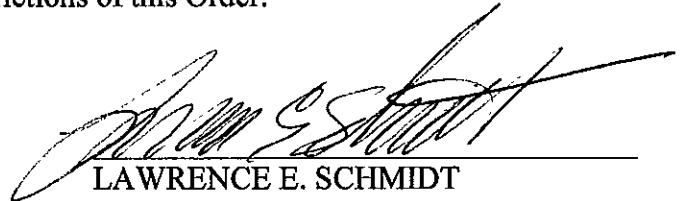
Date

3/5/02

By

Road, 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 the ZAC comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated January 7, 2002, a copy of which is attached hereto and made a part hereof.
- 3) Compliance with the terms and conditions of the letter dated October 24, 2000 from the Director of DEPRM to John Canoles, Eco Science Professionals, Inc., a copy of which is attached hereto and made a part hereof, and all applicable Federal, State and local floodplain regulations.
- 4) When applying for any permits, 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 3/5/12
By [Signature]



Baltimore County
Zoning Commissioner

March 5, 2002

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

Leslie M. Pittler, Esquire
29 W. Susquehanna Avenue
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
N/S Revolea Beach Road, 810' SW of Bowleys Quarters Road
(3646 & 3650 Revolea Beach Road)
15th Election District – 5th Council District
Grantlou Associates, LLC - Petitioners
Case No. 02-183-A

Dear Mr. Pittler:

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", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Louis J. Grasmick, 6715 Quad Avenue, Baltimore, Md. 21237-2404
Ms. Cheryl Williams, Gast Construction, 11100 Pulaski Hwy, White Marsh, Md. 21162
Chesapeake Bay Critical Areas Commission,
1804 West Street, Suite 100, Annapolis, Md. 21401
Development Plans Review, DPDM; People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3646 Revolea Beach Rd.

which is presently zoned DR 3.5

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) 1B02.3.C.1 (BC2R) and Section 1B02.3.C.1, a (Zoning Policy Manual) to permit two proposed single family dwellings with a front yard setback of 15 feet in lieu of the required 30 feet for the first dwelling (3646 Revolea Beach Rd.), a front yard setback of 15 feet in lieu of the required 30 feet for the second dwelling (3650 Revolea Beach Rd.) and a side street (paper road) setback of 15 feet in lieu of the required 30 feet for the second dwelling (3650 Revolea Beach Rd.) 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 determined at the 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

GRANTLOU ASSOCIATES, LLC

Name - Type or Print

Signature

LOUIS J. GRANICK, MEMBER

Name - Type or Print

Signature

6715 QUAD AVE.

410 325-9663

Address

Telephone No.

BALTIMORE

MD

21237-2104

City

State

Zip Code

Representative to be Contacted:

J. MICHAEL CORBIN

Name

9917 GRANSON AVE.

301 908-1277

Address

Telephone No.

SILVER SPRING

MD

20901

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By JNP

Date 11/5/01

Case No. 02-183-A

9/15/98

ORDER RECEIVED FOR FILING

Date

By

kjWellsInc
Land Surveying and Site Planning

Telephone: (410) 592-8800
Fax: (410) 817-4055
email: kjWellsInc@msn.com

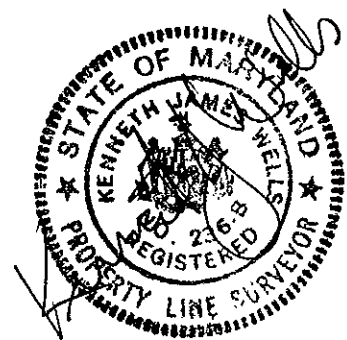
7403 New Cut Road
Kingsville, Md. 21087-1132

November 07, 2001

ZONING DESCRIPTION
LOTS 127 – 129
REVOLEA BEACH

15th Election District
5th Councilmanic District

Beginning at a point on the northwest side of Revolea Beach Road which is 30 feet wide at a distance of ~~810~~ feet southwest of the centerline of Bowleys Quarter Road which is 20 feet wide. Being Lots 127 through 129 in the subdivision of Revolea Beach as recorded in Baltimore County Plat Book 5 folio 67, containing 0.86 acres or 37,448 square feet more or less.



02-183-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 07854

DATE 11/5/01 ACCOUNT R-001-006-6150

AMOUNT \$ 100.00

Grantlow Associates, LLC

127, 128, 129 Revocable Rd (Formerly Benjies Rd.)

183-A

WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
11/06/2001 11/05/2001 16:04:56

REL W903 CASHIER R003 LRB DRAWER 3

>> RECEIPT # 221456 OFLN

Dent 5 528 ZONING VERIFICATION

CR NO. 007854

Recpt Tot 100.00

100.00 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: #02-183-A

3646/3648 & 3650 Revolea Beach Road

NW/S of Revolea Beach Road, 810' SW of Bowleys

Quarter Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Louis J. Grasnack; Grantlou Associates LLC

Variance: to permit two proposed single family dwellings with a front yard setback of 15 feet in lieu of the required 30 feet for the first dwelling 3646/3648 Revolea Beach Road, a front yard setback of 15 feet in lieu of the required 30 feet for the second dwelling 3650 Revolea Beach Road, and a side street (paper road) setback of 15 feet in lieu of the required 30 feet for the second dwelling

Hearing: Wednesday, January 9, 2002 at 10:00 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/12/738 Dec. 25

C512600

CERTIFICATE OF PUBLICATION

12/27, 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 12/25, 2001.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-183-A

Petitioner/Developer: LOUIS J
BRASNICK, GRANTON ASSOC ^{LLC}

Date of Hearing/Closing: 2/13/02

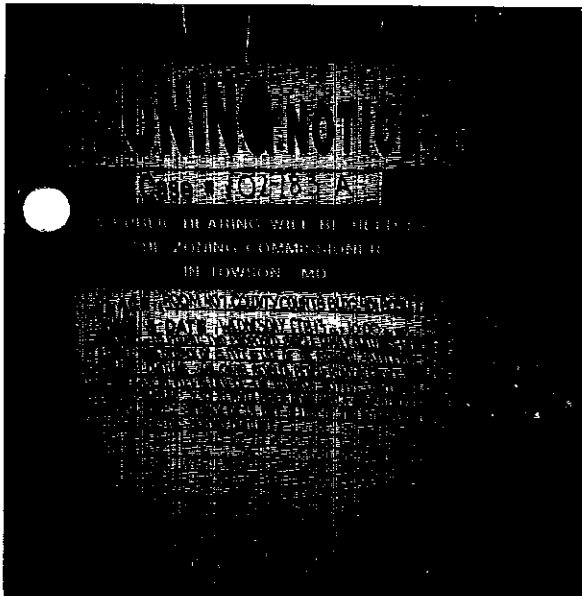
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

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 3646/3648 + 3650
REVOLEA BEACH RD

The sign(s) were posted on 1/25/02
(Month, Day, Year)



Sincerely,

[Signature] 1/25/02
(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)

**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.

For Newspaper Advertising:

Item Number or Case Number: 02-183-A

Petitioner: GRANTLOU ASSOCIATES, LLC.

Address or Location: 3646 & 3650 REVOLEA BEACH RD. (FORMALLY BENGIES RD)

PLEASE FORWARD ADVERTISING BILL TO:

Name: LOUIS J. GRASMICK

Address: 6715 QUAD AVE.

BALTIMORE, MD 21237-2406

Telephone Number: 410-325-9663

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 25, 2001 Issue – Jeffersonian

Please forward billing to:
Louis J Grasnack
6715 Quad Avenue
Baltimore MD 21237

410 325-9663

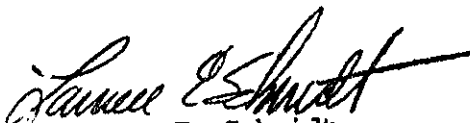
NOTICE OF ZONING HEARING

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: 02-183-A
3646/3648 & 3650 Revolea Beach Road
NW/S of Revolea Beach Road, 810' SW of Bowleys Quarter Road
15th Election District – 6th Councilmanic District
Legal Owner: Louis J Grasnack, Grantlou Associates LLC

Variance to permit two proposed single family dwellings with a front yard setback of 15 feet in lieu of the required 30 feet for the first dwelling 3646/3648 Revolea Beach Road, a front yard setback of 15 feet in lieu of the required 30 feet for the second dwelling 3650 Revolea Beach Road, and a side street (paper road) setback of 15 feet in lieu of the required 30 feet for the second dwelling.

HEARING: Wednesday, January 9, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G.D.Z.
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

December 12, 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: 02-183-A
3646/3648 & 3650 Revolea Beach Road
NW/S of Revolea Beach Road, 810' SW of Bowleys Quarter Road
15th Election District – 6th Councilmanic District
Legal Owner: Louis J Grasnick, Grantlou Associates LLC

Variance to permit two proposed single family dwellings with a front yard setback of 15 feet in lieu of the required 30 feet for the first dwelling 3646/3648 Revolea Beach Road, a front yard setback of 15 feet in lieu of the required 30 feet for the second dwelling 3650 Revolea Beach Road, and a side street (paper road) setback of 15 feet in lieu of the required 30 feet for the second dwelling.

HEARING: Wednesday, January 9, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon GJZ
Director

C: Louis J Grasnick, Grantlou Associates LLC, 6715 Quad Avenue, Baltimore 21237
J. Michael Coburn, 9917 Grayson Avenue, Silver Spring 20901

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 25, 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
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

January 16, 2002

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: 02-183-A
3646/3648 & 3650 Revolea Beach Road
NW/S of Revolea Beach Road, 810' SW of Bowleys Quarter Road
15th Election District – 6th Councilmanic District
Legal Owner: Louis J Grasnick, Grantlou Associates LLC

Variance to permit two proposed single family dwellings with a front yard setback of 15 feet in lieu of the required 30 feet for the first dwelling 3646/3648 Revolea Beach Road, a front yard setback of 15 feet in lieu of the required 30 feet for the second dwelling 3650 Revolea Beach Road, and a side street (paper road) setback of 15 feet in lieu of the required 30 feet for the second dwelling.

HEARING: Wednesday, February 13, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon GAZ
Director

C: Louis J Grasnick, Grantlou Associates LLC, 6715 Quad Avenue, Baltimore 21237
J. Michael Coburn, 9917 Grayson Avenue, Silver Spring 20901

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 29, 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
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

January 4, 2002

Louis J Grasnack
Grantlou Associates LLC
6715 Quad Avenue
Baltimore MD 21237

Dear Mr. Grasnack:

RE: Case Number: 02-183-A, 3650 Revolea Beach Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 5, 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.

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

WCR: gdz

Enclosures

c: J. Michael Coburn, 9917 Grayson Avenue, Silver Spring 20901
People's Counsel

Come visit the County's Website at www.co.ba.md.us





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 8, 2002

Louis J Grasnack
Grantlou Associates LLC
6715 Quad Avenue
Baltimore MD 21237

Dear Mr. Grasnack:

RE: Case Number: 02-183-A, 3646 & 3650 Revolea Beach Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 5, 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.

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

WCR: gdz

Enclosures

c: J. Michael Coburn, 9917 Grayson Avenue, Silver Spring 20901
People's Counsel

Come visit the County's Website at www.co.ba.md.us



Jh
1/9

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** December 26, 2001

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 10, 2001
Item No. [REDACTED]

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

The flood protection elevation for this site is 11.2 feet.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

December 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 December 3, 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:

176, 177, 178, 179, 180, 181, 182, 184, 185, 186, 187,
188, 190, 191, 192, 193, 195, 198, 199, 223

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



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: Todd G. Taylor 7#7

DATE: 1/07/02

SUBJECT: Zoning Item 183
Address 3646 Revolea Beach Road

Zoning Advisory Committee Meeting of 12/3/01

_____ 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.

X 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 (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).

_____ Additional Comments:

Reviewer: Kieth Kelley

Date: 12/17/01

Jim
1/9

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 17, 2001

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

SUBJECT: 3646, 3648,& 3650 Revolea Beach Road

INFORMATION:

Item Number: 02-183

Petitioner: Grantllou Associates, LLC

Zoning: DR 3.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit (1) a front yard setback of 15 feet in lieu of the minimum required 30 feet for the dwellings located at 3646 Revolea Beach Road, and (2) a front and side yard setback of 15 feet in lieu of the minimum required 30 feet for the dwelling located at 3650 Revolea Beach Road.

Prepared by: Mark A. Cunniff

Section Chief: Jeffrey W. Long

AFK:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 12.11.01

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. ~~783~~ JHP

Dear Mr. Zahner:

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

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

RE: PETITION FOR VARIANCE
3646 & 3650 Revolea Beach Road, NW/S Revolea
Beach Rd, 810' SW of Bowleys Quarters Rd
15th Election District, 5th Councilmanic

Legal Owner: Grantlou Associates LLC
Petitioner(s)

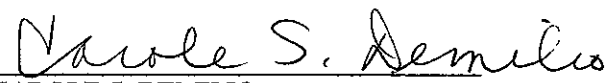
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-183-A

* * * * *

ENTRY OF APPEARANCE

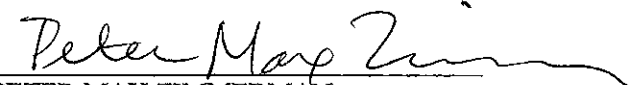
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed 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 ^{20th} day of December, 2001 a copy of the foregoing Entry of Appearance was mailed to J. Michael Coburn, 9917 Granson Avenue, Silver Spring, MD 20901, representative for Petitioners.


PETER MAX ZIMMERMAN

127-128



**Baltimore County
Department of Environmental Protection
and Resource Management**

Office of the Director
401 Bosley Avenue, Suite 416
Towson, Maryland 21204

October 24, 2000

Mr. John Canoles
Eco-Science Professionals, Inc.
P.O. Box 5006
Glen Arm, MD 21057

Re: Lots 127 and 128 Revolea Beach
Critical Area Variance Request
(Revised 10/2/00)

Dear Mr. Canoles:

The above referenced, revised variance request was received by this Department on October 4, 2000. The requested variance to the Chesapeake Bay Critical Area (CBCA) Regulations would allow individual houses to be built on two of the seven lots within the 35 foot setback to the 25 foot buffer from non-tidal wetlands.

The Director of DEPRM may grant a variance to the Chesapeake Bay Critical Area regulations in accordance with regulations adopted by the Critical Area Commission concerning variances as set forth in COMAR 27.01.11. There are five (5) criteria listed in COMAR 27.01.11 that shall be used to evaluate the variance request. All five of the criteria must be met in order to approve the variance.

The first criterion requires that special conditions exist that are peculiar to the land or structure, and that literal enforcement of the regulations would result in unwarranted hardship. Four of the seven lots are predominantly wetland and associated buffer and thus unbuildable. Lot 129 does not need a variance for its development as proposed. However, the useable area on lots 127 and 128 is such that some encroachment into the setback to the wetlands buffer (i.e. Critical Area Easement) is necessary for any development on these lots. Therefore, special conditions exist such that a literal interpretation of the regulations would result in an unwarranted hardship; thus this criterion is met.

Census 2000

For You, For Baltimore County

Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

Mr. John Canoles
October 24, 2000
Page 2

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The second criterion requires that a literal enforcement of the regulations would deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area. Similar properties in the CBCA have been granted similar variances where the potential impacts to water quality and the resources onsite can be adequately minimized and mitigated. This Department finds that this revised variance request addresses minimization of potential impact to the wetland buffer by the installation of permanent fencing along the buffer limit and placing the wetlands and buffer in a Critical Area Easement to be recorded in Baltimore County Land Records. Therefore, this criterion is met.

The third criterion requires that granting of a variance will not confer upon an applicant any special privilege that would be denied to other lands or structures within the Critical Area. As previously stated, similar variance requests have been granted, thus granting the variance would confer a special privilege to the applicant that would be denied to other similar lands or structures in the CBCA. Therefore, this criterion is met.

The fourth criterion requires that a variance is not based upon conditions or circumstances which are the result of actions by the applicant, nor does the request arise from any condition relating to land or building use, either permitted or non-conforming, on any neighboring property. The variance request arises from existing conditions and circumstances that predate all applicable regulations. Therefore, this request does not arise from actions by the applicant or land use on or adjacent to the subject lots and this criterion is met.

The fifth criterion requires that granting of the variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area, and that the granting of the variance will be in harmony with the general spirit and intent of the Critical Area Regulations. While the houses could be built outside of the buffer (i.e. Critical Area Easement), the potential exists for major encroachment into the Critical Area Easement by future homeowners. However, the mitigation proposed would adequately minimize this potential encroachment. Therefore, the spirit and intent of the regulations would be met by granting the variance with the mitigation proposed and this criterion is met.

Based upon our review, this Department finds that the first four of the above criteria have been met, and that the fifth criterion can be met by the mitigation listed below. Therefore, the requested variance is hereby approved in accordance with Section 26-445(c) of the Baltimore County Code with the following conditions:

Mr. John Canoles
October 24, 2000
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1. The attached "Notice of Granting of Variance" must be published in The Avenue. Final variance approval cannot be granted until fifteen (15) calendar days after the notice has been published. A copy of the Certificate of Publication for the advertisement issued by the newspaper, or a copy of the advertisement from the paper must be submitted to this office prior to receiving final variance approval.
2. The Critical Area Easement shall be established around all resources onsite and recorded by metes and bounds on a right-of-way plat in Baltimore County Land Records along with a Declaration of Protective Covenants restricting the use of this easement.
3. The limit of disturbance for development of these lots shall be minimized to the greatest extent possible and forest outside of the buffer and limit of disturbance shall be placed in the aforementioned Critical Area Easement. However, all areas of lots 125 and 126 outside of the wetland buffer must be considered cleared in order to provide a reasonable yard for the dwelling proposed on lot 127 (see attached plan).
4. The two standard notes regarding the Critical Area easement must be on all plans and plats.
5. The entire Critical Area Easement shall be permanently fenced on all three lots to be developed (see aforementioned attached plan), prior to the issuance of any building permits for the lots.

It is the intent of this Department to approve this variance subject to the above conditions. Changes in site layout may require submittal of revised plans and an amended variance request. Please be aware that the property owner must comply with all other applicable Critical Area Regulations must be complied with; most notably the forest clearing restrictions and reforestation requirements.

Please have the owner and developer sign the statement on the next page and then return a copy of the Certificate of Publication, the revised plot plan, and the letter to this Department c/o Ms. Patricia M. Farr of Environmental Impact Review. Failure to return a signed copy of this letter and the other two items may result in delays in processing of permits or other development plans for the subject property, and/or may render this variance null and void.

Mr. John Canoles
October 24, 2000
Page 4

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If you have questions regarding this project, please contact Mr. Glenn Shaffer at 410-887-3980.



Sincerely,

George G. Perdikakis
Director

GGP:ges

c: Ms. Regina Esslinger, CBCA Commission
Mr. Glenn Shaffer

I/We have read and agree to implement the above requirements to bring my/our property into compliance with Chesapeake Bay Critical Area Regulations.

Owner's Signature Date

Owner's Printed Name

Contract Purchaser's Signature Date

Printed Name

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

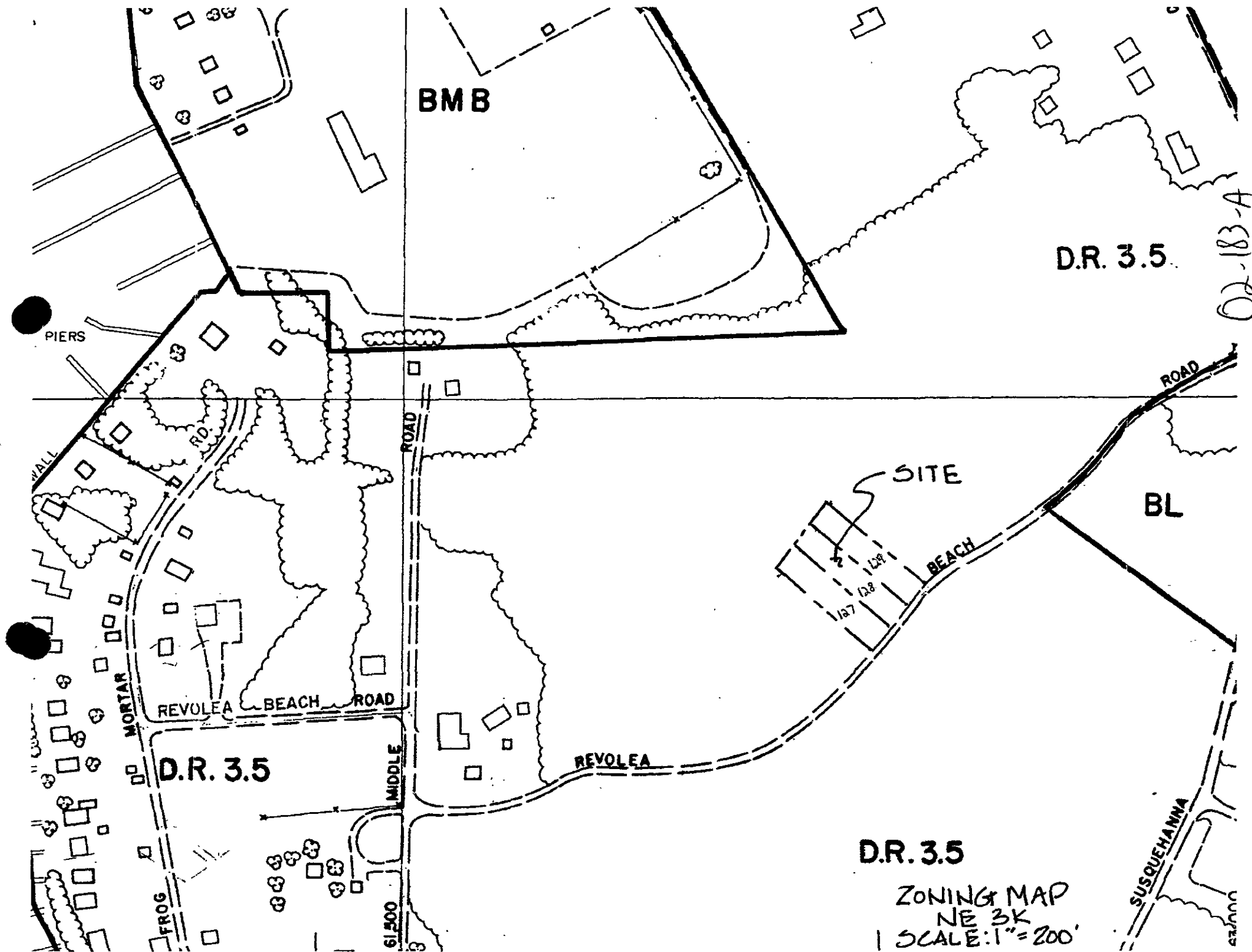
NAME
Cheryl Williams
East Construction
RON LEUBELKER
GRANTLOW ASSOCIATES LLC

J. MICHAEL COBURN

ADDRESS
11100 Pulaski Hwy - White Marsh MD
6715 QUAD AVE BALTIMORE MD 21237

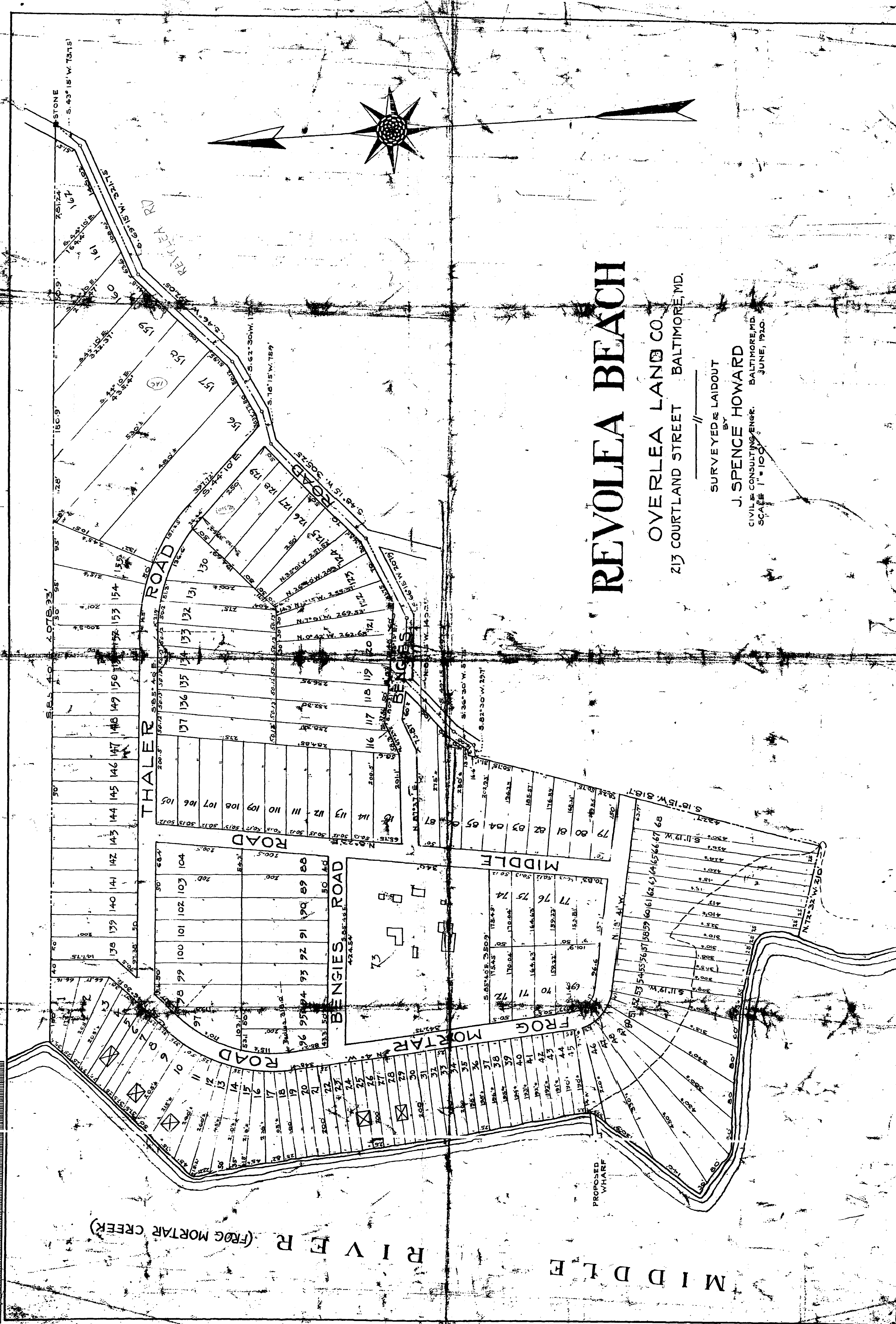
9917 GRAYSON AVE.
SILVER SPRING, MD 20901





02-183-A

D.R. 3.5
ZONING MAP
NE 3K
SCALE: 1" = 200'



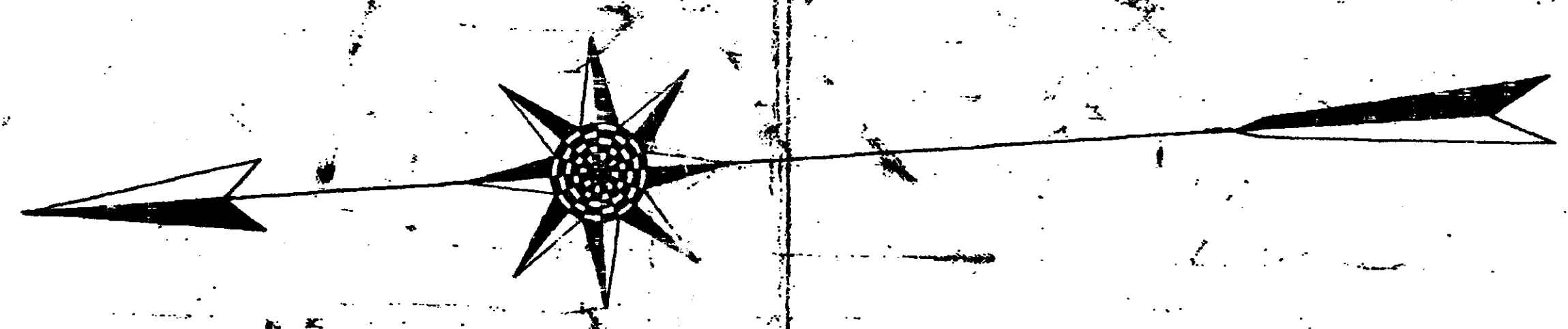
MIDDLE RIVER (FROG MORTAR CREEK)

MIDDLE

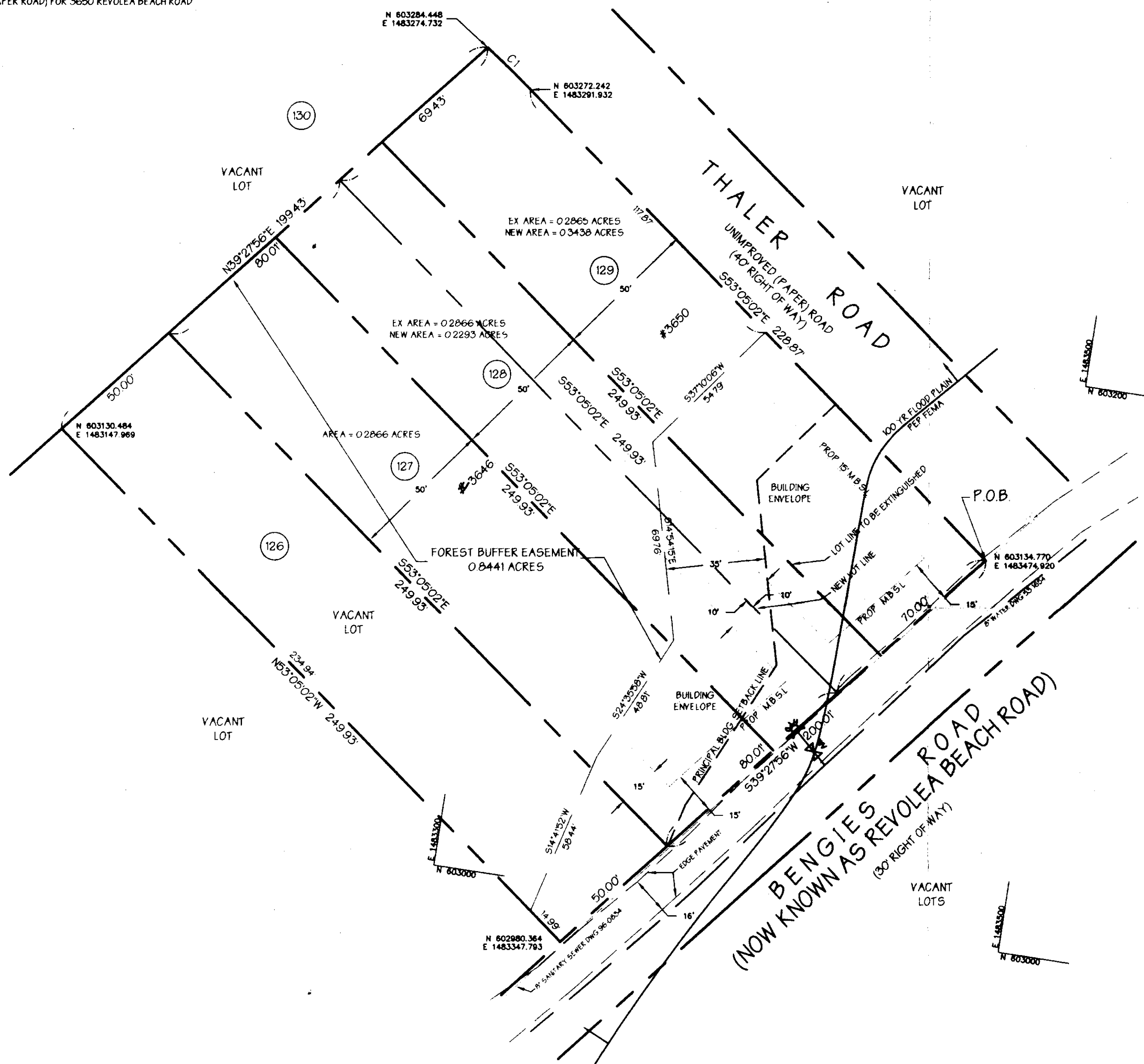
REVOLEA BEACH

OVERLEA LAND CO.
213 COURTLAND STREET BALTIMORE, MD.

SURVEYED & LAID OUT
BY
J. SPENCE HOWARD
CIVIL & CONSULTING ENGINEER BALTIMORE, MD.
JUNE, 1920.
SCALE 1" = 100'

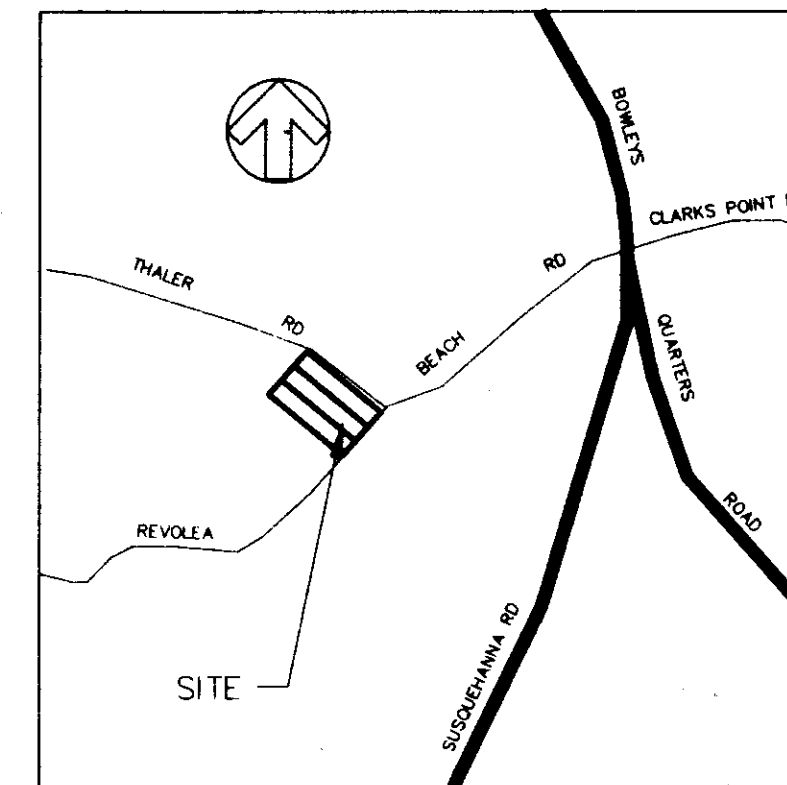


REQUEST FOR VARIANCE:
 1) TO ALLOW A FRONT YARD SETBACK OF 15 FEET IN LIEU OF THE
 REQUIRED 30 FOOT FRONT YARD SETBACK FOR 3636/3648
 AND 3650 REVOLEA BEACH ROAD
 2) TO ALLOW A SIDE YARD SETBACK OF 15 FEET IN LIEU OF THE
 REQUIRED 30 FOOT SIDE YARD SETBACK FROM THALER ROAD
 (A PAPER ROAD) FOR 3650 REVOLEA BEACH ROAD



CURVE TABLE				
CURVE	LENGTH	RADIUS	CHRD BRG	CHORD
C1	21.09	388.86	N54°38'20"W	21.09

LEGEND:
 SANITARY SEWER MANHOLE
 FIRE HYDRANT
 WATER METER

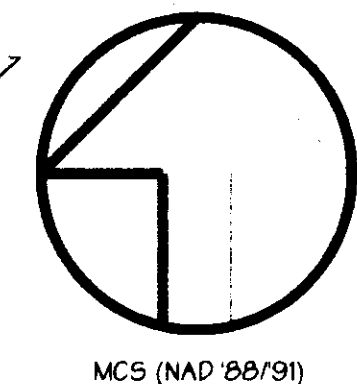


VICINITY MAP
 SCALE: 1" = 500'

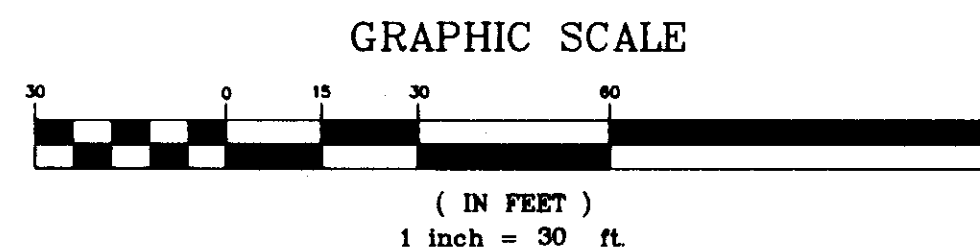
- SITE DATA:
- 1) OWNER: GRANTLOU ASSOCIATES
 - 2) OWNER'S ADDRESS: 6715 QUAD AVENUE
BALTIMORE, MARYLAND 21237
 - 3) DEED REFERENCE: 8036/420
 - 4) PLAT REFERENCE: 5/67
 - 5) TAX ACCOUNT NOS: 1523154730, P/O 151152340
 - 6) TAX MAP: 91 GRID 21 PARCEL 145
 - 7) ZONING CLASSIFICATION: DR 3.5
 - 8) TOTAL AREA: 0.06± ACRES/37,400± SQ FT
 - 9) ELECTION DISTRICT: 15th
 - 10) COUNCILMANIC DISTRICT: 5th

- NOTES:
- 1) THE EXISTING PROPERTY LINES SHOWN HEREON WAS ESTABLISHED BY OTHERS
 - 2) THE WETLAND LIMITS SHOWN HEREON WAS DETERMINED BY OTHERS
 - 3) THE PROPERTIES SHOWN HEREON LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA AND ANY DEVELOPMENT OF THE PROPERTIES WILL BE REQUIRED TO MEET ALL APPLICABLE STANDARDS
 - 4) DEVELOPER WILL BE REQUIRED TO VERIFY THE CAPACITY OF THE EXISTING SANITARY SEWER
 - 5) A CONDITIONAL ENVIRONMENTAL VARIANCE HAS BEEN GRANTED ON 10/24/2000 THAT ALLOWS A PRINCIPAL BUILDING WITHIN THE 35' SETBACK AREA TO THE WETLANDS BUFFER ON LOTS 127 AND 128
 - 6) THIS SITE IS LOCATED IN WATERSHED NO. 26 AND SUBWATERSHED 44
 - 7) THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
 - 8) THE FRONT AVERAGE SETBACK IS NOT APPLICABLE AS NO DWELLING EXIST WITHIN 200 FEET ALONG BENGIES ROAD FROM THE LOTS SHOWN HEREON
 - 9) THIS SITE WAS BROUGHT BEFORE THE DRC ON 11/13/2001 (#11301) AND HAS BEEN TABLED PENDING THE OUTCOME OF THIS PETITION FOR THE REQUESTED VARIANCES AS SHOWN HEREON
 - 10) THERE ARE NO PRIOR ZONING HEARING
 - 11) THE SUBJECT PROPERTY IS PARTIALLY LOCATED WITHIN THE 100 YEAR FLOOD PLAIN
 - 12) THE SUBJECT PROPERTY SHOWN HEREON IS NOT LOCATED WITHIN A HISTORIC DISTRICT
 - 13) THE SUBJECT PROPERTY HAS PUBLIC WATER AND SEWER

PLAN TO ACCOMPANY A PETITION
 FOR A ZONING VARIANCE AND
 LOT LINE ADJUSTMENT
 LOTS 127 - 129 REVOLEA BEACH
 PLAT BOOK 5 FOLIO 67



MCS (NAD 88/91)



DRAWN BY: KJW
 CHECKED BY: KJW
 DATE: 8/02/2001
 PROJECT NO.: COBURN
 SHEET 1 OF 1



KJWells Inc.
 7403 NEW CUT ROAD
 KINGSVILLE, MARYLAND 21087
 (410) 592-8800

Land Surveying & Site Planning

02-183-A