



CRITICAL Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at LOT # 2104 Holly Neck Rd.
Parcel 155 and part of Parcel 85
which is presently zoned RC-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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should **REVISE AND REVERSE THE**

Variance granted in Case #01-428-A.

Property is to be posted and advertised as prescribed by the zoning regulations.

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

Petitioner:

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 1/2 hrs.

UNAVAILABLE FOR HEARING

Reviewed By

Date

Case No. 02-289-SPH

REV 9/15/98

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: LOT 155 & PT. 85 HOLLY NECK ROAD

BEGINNING AT A POINT ON THE NORTH WEST SIDE OF

HOLLY NECK ROAD WHICH IS 30'

WIDE AT THE DISTANCE OF 515' WEST OF THE

CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET GOFF ROAD

WHICH IS 30' WIDE. *BEING LOT # 155 & PT. 85

BLOCK _____, SECTION # _____ IN THE SUBDIVISION OF CEDAR BEACH

AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 13, FOLIO # 59,

CONTAINING 51,400' ALSO KNOWN AS HOLLY NECK ROAD

AND LOCATED IN THE 15 ELECTION DISTRICT, 7 COUNCILMANIC DISTRICT.

289

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. 088847

02-289-SPH

DATE 01-09-02 ACCOUNT R-001-006-6150

AMOUNT \$ 50.00 PC

RECEIVED FROM: M.R. Schmitt

FOR: Resident's Special Hearing - Not to
Approve Variance granted in
Case # 01-428-19 (2104 Holly Neck Rd.)

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL

1/09/2002 1:09/2002 10:00:00

REC USEC CASHIER FMMH EXF 1002

>> RECEIPT # 059837

DEPT 5 528 ZUING VERIFICATION

CR NO. 005841

Receipt lot

50.00 EX

Baltimore County, Maryland

CASHIER'S VALIDATION

Mark W. Dickerson
2402 Deplar Rd
Baltimore, MD 21221

1709

1/25/02

Date

7-7035/2560
BRANCH 2

Pay to the
Order of

Baltimore County - Md

\$ 8000

Eight

Dollars

BALTIMORE COUNTY
SAVINGS BANK

BALTIMORE, MD 21208

Joe 8033 River Rd
For Renew Permit # 412730

Mark Dickerson

⑆ 25507035 ⑆ ⑆ 02602007 ⑆ 307 ⑆ 1709

© HARLAND

Mark W Dickerson
2402 Poplar Rd
Baltimore, MD 21221

1708

1/25/02

Date

7-7035/2550
BRANCH 2

Pay to the
Order of

Baltimore County Md.
Four Thousand Two Hundred

\$ 4,200.00

Dollars



Security
Features
Details on
Back

**BALTIMORE COUNTY
SAVINGS BANK**

BALTIMORE, MD 21206

#B469242

to release Dickerson/Whrs permit
For Abatement fee for 2104 Holly N. Rd E

Mark Dickerson

MP

⑆ 25507035 ⑆ ⑆ 02602007 ⑆ 307 ⑆ 1708

© HARLAND

CLASSIC

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

1	Type(s) of Instruments	☐ Check Box if Addendum/Intake Form is Attached ☐ Deed ☐ Mortgage ☐ Other ☐ Other			
2	Conveyance Type Check Box	☐ Improved Sale ☐ Unimproved Sale ☐ Multiple Accounts ☐ Not an Arms-Length Sale Arms-Length [1] Arms-Length [2] Arms-Length [3] Arms-Length [9]			
3	Tax Exemptions (if Applicable) Cite or Explain Authority	Recordation State Transfer County Transfer			
4	Consideration and Tax Calculations	Consideration Amount Purchase Price/Consideration \$ Any New Mortgage \$ Balance of Existing Mortgage \$ Other: \$ Other: \$ Full Cash Value \$		Finance Office Use Only Transfer and Recordation Tax Consideration Transfer Tax Consideration \$ X () % = \$ Less Exemption Amount = \$ Total Transfer Tax = \$ Recordation Tax Consideration \$ X () per \$500 = \$ TOTAL DUE \$	
5	Fees	Amount of Fees Recording Charge \$ Surcharge \$ State Recordation Tax \$ State Transfer Tax \$ County Transfer Tax \$ Other \$ Other \$		Doc. 1 Doc. 2 Agent: Tax Bill: C.B. Credit: Ag. Tax/Other:	
6	Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	District 15 Property Tax ID No. (1) 1512400706 Grantor Liber/Folio 155 Map 13-59 Parcel No. 51400-11840 Var. LOG ☐ (5) Subdivision Name CEDAR BEACH Lot (3a) 155 Block (3b) 13-59 Sect/AR(3c) 51400-11840 Plat Ref. 13-59 SqFt/Acreage (4) Location/Address of Property Being Conveyed (2) HOLLY NECK RD BALT MD 21221 Other Property Identifiers (if applicable) BALT MD 21221 Water Meter Account No. Residential ☒ or Non-Residential ☐ Fee Simple ☐ or Ground Rent ☐ Amount: Partial Conveyance? ☐ Yes ☐ No Description/Amt. of SqFt/Acreage Transferred: If Partial Conveyance, List Improvements Conveyed:			
7	Transferred From	Doc. 1 - Grantor(s) Name(s) Doc. 2 - Grantor(s) Name(s) Doc. 1 - Owner(s) of Record, if Different from Grantor(s) Doc. 2 - Owner(s) of Record, if Different from Grantor(s)			
8	Transferred To	Doc. 1 - Grantee(s) Name(s) Doc. 2 - Grantee(s) Name(s) New Owner's (Grantee) Mailing Address			
9	Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional) Doc. 2 - Additional Names to be Indexed (Optional)			
10	Contact/Mail Information	Instrument Submitted By or Contact Person Name: BUCK JONES Firm: FREESTATE GENERAL CONT INC. Address: 500 VOGTS LANE BALT MD 21221 Phone: (410) 574-9337 ☒ Return to Contact Person ☐ Hold for Pickup ☐ Return Address Provided			
11	Assessment Information	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER Yes No Will the property being conveyed be the grantee's principal residence? Yes No Does transfer include personal property? If yes, identify: Yes No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required). Assessment Use Only - Do Not Write Below This Line ☐ Terminal Verification ☐ Agricultural Verification ☐ Whole ☐ Part ☐ Tran. Process Verification Transfer Number: 19 Date Received: 19 Deed Reference: 19 Assigned Property No.: Year Land 19 Geo. 19 Map 19 Sub 19 Block 19 Land 19 Zoning 19 Grid 19 Plat 19 Lot 19 Buildings 19 Use 19 Parcel 19 Section 19 Occ. Cd. 19 Total 19 Town Cd. 19 Ex. St. 19 Ex. Cd. 19 REMARKS:			

Circuit Court for
BALTIMORE COUNTY
Clerk of the Court,
SUZANNE MENSH
COUNTY COURTS BUILDING
401 BOSLEY AVE. P.O. BOX 6754
TOWSON, MD 21285-6754
(410) 887-2601

Transaction Block: 583
Ref: LURE
DECLARATION/BY LAWS AMOUNT
IMP FD SURE \$5 5.00
RECORDING FEE 20 20.00
SUBTOTAL: 25.00

Transaction Block: 584
Ref: MACFARLANE
DECLARATION/BY LAWS AMOUNT
IMP FD SURE \$5 5.00
RECORDING FEE 20 20.00
SUBTOTAL: 25.00

Transaction Block: 585
Ref: BUTTON
DECLARATION/BY LAWS AMOUNT
IMP FD SURE \$5 5.00
RECORDING FEE 20 20.00
SUBTOTAL: 25.00

TOTAL CHARGES: 75.00

PAYMENTS
CHECK 75.00

TOTAL TENDERED: 75.00

Cashier: BC Reg # BA06
Rcpt # 95562
Date: Jan 03, 2002 Time: 11:54 am

**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: #02-289-SPH
2104 Holly Neck Road
NW/S Holly Neck Road, 515'
W centerline of Goff Road
15th Election District
7th Councilmanic District
Legal Owner(s):

Richard C. Schmidt
Special Hearing: to determine whether or not the Zoning Commissioner should review and/or reverse the variances granted in case no. 01-428-A.

Hearing: Monday, March 11, 2002 at 11:00 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.

2/228 Feb. 21 C521584

CERTIFICATE OF PUBLICATION

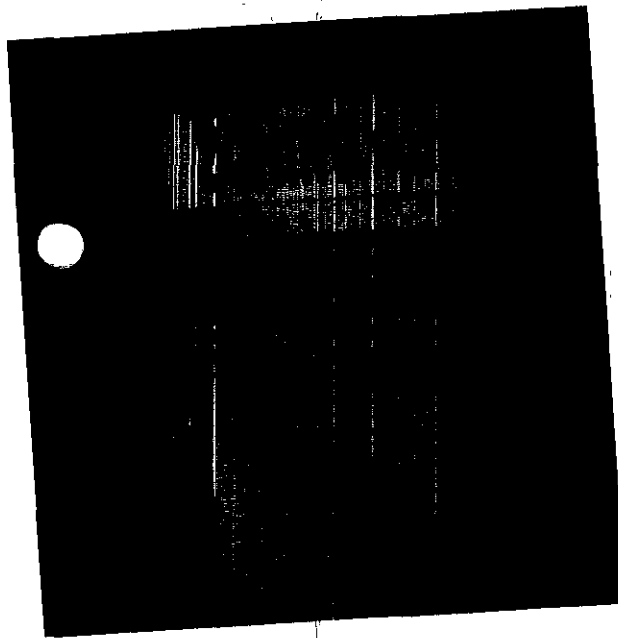
2/21/, 2002

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 2/21/, 2002.

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

S. Wilkinson

LEGAL ADVERTISING



CERTIFICATE OF POSTING

RE: Case No.: 02-289-SPH

Petitioner/Developer: RICHARD

C. SCHMIDT

Date of Hearing/Closing: 3/11/02

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 2104 HOLLY NECK RD

The sign(s) were posted on 2/24/02
(Month, Day, Year)

Sincerely,

[Signature] 2/24/02
(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: 02-389-BPH

Petitioner: Richard C. Schmidt

Address ^{Property} or Location: 2104 Holly Neck Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Richard Schmidt

Address: 2106 Holly Neck Rd. Baltimore, Md. 21221 AND P.O. Box 456 Beaufort, N.C. 28516

Telephone Number: _____

** PLS. Send Notifi:
- cation to Both
ADDRESS!*

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 21, 2002 Issue – Jeffersonian

Please forward billing to:
Richard C Schmidt
P O Box 456
Beaufort NC 28516

410 682-3815

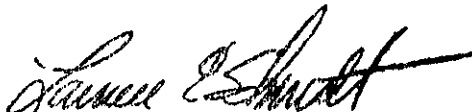
NOTICE OF ZONING HEARING

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: 02-289-SPH
2104 Holly Neck Road
NW/S Holly Neck Road, 515' W centerline of Goff Road
15th Election District – 7th Councilmanic District
Legal Owner: Richard C Schmidt

Special Hearing to determine whether or not the Zoning Commissioner should revise and/or reverse the variances granted in case no. 01-428-A.

HEARING: Monday, March 11, 2002 at 11:00 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

January 31, 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: 02-289-SPH
2104 Holly Neck Road
NW/S Holly Neck Road, 515' W centerline of Goff Road
15th Election District – 7th Councilmanic District
Legal Owner: Richard C Schmidt

Special Hearing to determine whether or not the Zoning Commissioner should revise and/or reverse the variances granted in case no. 01-428-A.

HEARING: Monday, March 11, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon *G 52*
Director

C: Richard C Schmidt, 2106 Holly Neck Road, Baltimore 21221
Richard C Schmidt, P O Box 456, Beaufort NC 28516

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SUNDAY, FEBRUARY 24, 2002.**
(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

March 8, 2002

Richard C Schmidt
P O Box 456
Beaufert NC 28516

Dear Mr. Schmidt:

RE: Case Number: 02-289A, 2104 Holly Neck Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 9, 2002.

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,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

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

WCR: gdz

Enclosures

c: People's Counsel

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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 28, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
for February 4, 2002
Item No. 289

The Bureau of Development Plans Review has reviewed the subject zoning item.
Comments for Case No. 01-428 remain the same.

RWB:HJO:cab

cc: File

ZAC-2-4-2002-ITEM NO 289-02282002.doc



Baltimore County
Fire Department

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

January 31, 2002

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

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF January 28, 2002

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:

263, 267, 268, 270, 271, 273, 274, 275, 276, 278, 279, 280, 282,
283, 284, 287, (289), 290,

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 *TGT*
DATE: February 28, 2002
SUBJECT: Zoning Item 289
Address 2104 Hollyneck Road

Zoning Advisory Committee Meeting of January 28, 2002

_____ 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).

X Additional Comments:

Adhering to the 50 foot side yard setback in an RC-5 zone one would put the dwelling and yard into the Critical Area Easement and/or setback.

Reviewer: Keith Kelley

Date: February 28, 2002

Jim
3/11

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 31, 2002

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

JAN 31 2002

SUBJECT: 2104 Holly Neck Road

INFORMATION:

Item Number: 02-289

Petitioner: Richard Schmidt

Zoning: RC 5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to reopen ZAC case # 01-428-A.

Prepared by:

Maet 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: 1.23.02

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

RE: Baltimore County
Item No. 289

JJS

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,

4- 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 SPECIAL HEARING
2104 Holly Neck Road (Lot 155, Parcel 85),
NW/S Holly Neck Rd, 515' W of c/I Goff Rd
15th Election District, 7th Councilmanic

Legal Owner: Mark Dickerson
Contract Purchasers: Mark & Tina Lure
Petitioner: Richard C. Schmidt
Petitioner(s)

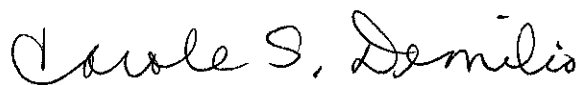
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
*
* Case No. 02-289-SPH

* * * * *

ENTRY OF APPEARANCE

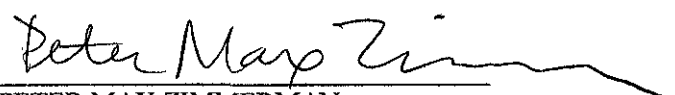
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation 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 30th day of January, 2002 a copy of the foregoing Entry of Appearance was mailed to Petitioner Richard C. Schmidt, 2106 Holly Neck Road, Baltimore, MD 21221, to Petitioner Richard C. Schmidt, P.O. Box 456, Beaufort, NC 28516, to Legal Owner Mark Dickerson, 2042 Poplar Road, Baltimore, MD 21221, and to Contract Purchasers Mark & Tina Lure, 733 Crosby Road, Baltimore, MD 21228.


PETER MAX ZIMMERMAN

3/11/02

MAR 19 2002

2106 Holly Neck Road
Essex, Maryland 21221
16 March 2002

Mr. Timothy Kotroco
Deputy Zoning Commissioner
County Courts Building
401 Bosley Avenue
Towson, MD 21204

Dear Sir:

This memo concerns Case Number 02-289-SPH which is challenging the previously granted variance for the proposed dwelling at 2104 Holly Neck Road. On Thursday, 14 March 2002, Mr. Buck Jones visited me and discussed his preliminary findings on the need for the variance which was the subject of the hearing on 11 March. He now believes, as I do, that the proposed dwelling is far enough from the wetlands and the wetland buffers that no variance will be required and that the RC-5 side setback minimum of 50' can be met. He proposed, and I concur, recommending to Mr. Dickerson that a land surveyor locate the property lines, the wetland buffers and the proposed dwelling location before your final decision. Should you desire any additional information please call me at 410.682.3815.

Sincerely,


Richard C. Schmidt

#02-289-SPH

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

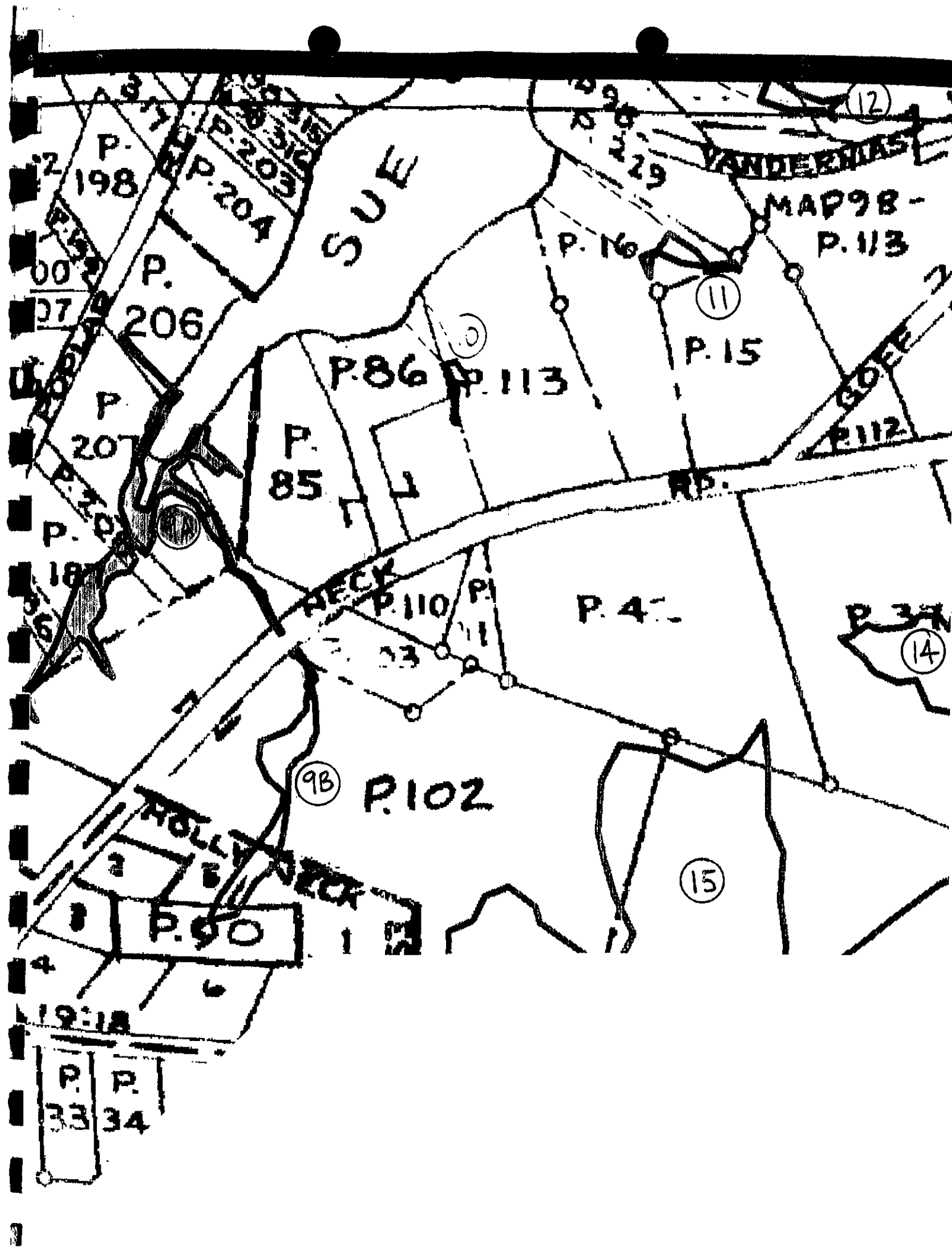
NAME

ADDRESS

Buck Jones
Mark Dickson
Jim Pine Sr
Karen Siehl
Pat Okeefe

500 VOETS LANE 21221
2402 Poplar Rd 21221
611 Horwaxet Rd 21204
19832 Valley Mill Rd ^{Freeland} 21053
523 Penny Ln 21030

Revised 4/17/00



old fill which is maintained as lawn. The eastern boundary of the wetland is limited presently by comparatively recent fill on parcels 91 and 92. A final wetland boundary in this area must wait until resolution of any enforcement action, which may require restoration of any unauthorized impacts. The fill extends to the property lines of these two parcels and is currently resulting in the impoundment of water on a platted but unconstructed section of Beach Road. We are aware of no plans to extend Beach Road through this section at the current time. This wetland received the following functional value indices: EI=M, PH=M, WH=M, FC=M, WQ=L. Due to the natural forested condition of this wetland and the extent of past disturbance, no further disturbance will be permitted in this wetland, which has potential for restoration.

Wetland B

Wetland B is a temporarily flooded palustrine forested wetland of 0.12 acre. This wetland is dominated by Red Maple and Sweetgum and is directly adjacent to tidal emergent wetlands draining to Sue Creek. This wetland scored low in the functional assessment--EI=M, PH=L, WH=L, FC=L, WQ=L, but is designated for preservation because of its forested wetland Cowardin classification and its location completely within the 100 foot Critical Area tidal buffer.

Wetlands 9A and 9B

Wetlands 9A and 9B are temporarily flooded palustrine forested wetlands of 0.84 and 0.35 acres, respectively. Wetland 9B is separated from wetland 9A by Holly Neck Road but connected hydrologically by a culvert pipe crossing. Also, an upper perennial stream flows through most of the length of wetland 9A, and a ~~channel~~ ^{channel containing wetlands} forms opposite the culvert pipe crossing from wetland 9B. Both wetlands are forested and dominated by various Oaks,

American Beech, Red Maple and Sweetgum in the overstory and Black Gum and Pepperbush in the understory. Wetland 9A achieved the following functional value index scores: EI=L, PH=L, WH=L, AH=L, FC=L, WQ=M. Wetland 9B scored as follows: EI=M, PH=L, WH=M, FC=M, WQ=M. Both wetlands have been designated for preservation because of their PFO Cowardin classification, and in the case of wetland 9A, the existence of a perennial stream.

Wetland 10

Wetland 10 is a small (0.04 acre) temporarily flooded palustrine forested wetland-dominated by surrounding upland fringe species--White Oak, American Beech and Tuliptree. An intermittent stream flows through this wetland to adjacent tidal wetlands and on to Sue Creek. This wetland received FVI scores of low for all parameters but is designated for preservation for its PFO Cowardin classification, intermittent stream, and location entirely within the 100 foot buffer.

Wetland 11

Wetland 11 is a small (0.07 acre) temporarily flooded palustrine forested wetland with an upper perennial stream flowing to adjacent tidal wetlands of Sue Creek. This nontidal fringe wetland is dominated by White Oak and Sweetgum in the overstory and American Holly, Black Willow and Pepperbush in the understory. The functional assessment resulted in the following FVI scores: EI=L, PH=L, WH=M, AH=L, FC=L, WQ=M. This wetland is designated for preservation because of its PFO Cowardin classification, perennial stream, and location within the 100 foot tidal buffer.

Wetland 12

Wetland 12 is similar to the previous two wetlands, a small (0.09 acre) tidal fringe temporarily flooded palustrine forested wetland. This wetland is dominated by Sweetgum and Tuliptree in the overstory, Red Maple

PHONE NO. : 4108792478

PRUDENT: PL CORR ME

Feb. 05 2021 12:41



FEDERAL EMERGENCY MANAGEMENT AGENCY
NATIONAL FLOOD INSURANCE PROGRAM

ELEVATION CERTIFICATE

AND

INSTRUCTIONS

FLOOD PLAIN PERMIT NOTICE

A FRAMING INSPECTION
WILL NOT BE APPROVED UNTIL AN ELEVATION
CERTIFICATION IS RECEIVED BY BUILDING INSPECTION

NATIONAL FLOOD INSURANCE PROGRAM ELEVATION CERTIFICATE

PAPERWORK REDUCTION ACT NOTICE

Public reporting burden for the Elevation Certificate is estimated to average 2.25 hours per response. Burden means the time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information to the Federal Emergency Management Agency (FEMA). You are not required to respond to the collection of information unless a valid OMB control number is displayed in the upper right corner of each form. You may send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (3067-0077). Do not send completed form(s) to the above address. To obtain or retain benefits under the National Flood Insurance Program (NFIP), you must respond to this collection of information.

PURPOSE OF THE ELEVATION CERTIFICATE

The Elevation Certificate is an important administrative tool of the National Flood Insurance Program (NFIP). It is to be used to provide elevation information necessary to ensure compliance with community floodplain management ordinances, to determine the proper insurance premium rate, and to support a request for a Letter of Map Amendment or Revision (LOMA or LOMR-F).

The Elevation Certificate is required in order to properly rate post-FIRM buildings, which are buildings constructed after publication of the Flood Insurance Rate Map (FIRM), for flood insurance Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, and AR/AO. The Elevation Certificate is not required for pre-FIRM buildings unless the building is being rated under the optional post-FIRM flood insurance rules.

As part of the agreement for making flood insurance available in a community, the NFIP requires the community to adopt a floodplain management ordinance that specifies minimum requirements for reducing flood losses. One such requirement is that the community obtain the elevation of the lowest floor (including basement) of all new and substantially improved buildings, and maintain a record of such information. The Elevation Certificate provides a way for a community to comply with this requirement.

Use of this certificate does not provide a waiver of the flood insurance purchase requirement. Only a LOMA or LOMR-F from the Federal Emergency Management Agency (FEMA) can amend the FIRM and remove the Federal mandate for a lending institution to require the purchase of flood insurance. However, the lending institution has the option of requiring flood insurance even if a LOMA/LOMR-F has been issued by FEMA. The Elevation Certificate may be used to support a LOMA or LOMR-F request. Lowest floor and lowest adjacent ground elevations certified by a surveyor or engineer will be required if the certificate is used to support a LOMA or LOMR-F request.

This certificate is used only to certify building elevations. A separate certificate is required for floodproofing. Under the NFIP, non-residential buildings can be floodproofed up to or above the Base Flood Elevation (BFE). A floodproofed building is a building that has been designed and constructed to be watertight (substantially impermeable to floodwaters) below the BFE. Floodproofing of residential buildings is not permitted under the NFIP unless FEMA has granted the community an exception for residential floodproofed basements. The community must adopt standards for design and construction of floodproofed basements before FEMA will grant a basement exception. For both floodproofed non-residential buildings and residential floodproofed basements in communities that have been granted an exception by FEMA, a floodproofing certificate is required.

FEDERAL EMERGENCY MANAGEMENT AGENCY
NATIONAL FLOOD INSURANCE PROGRAM

O.M.B. No. 3067-0077
Expires July 31, 2002

ELEVATION CERTIFICATE

Important: Read the instructions on pages 1 - 7.

SECTION A - PROPERTY OWNER INFORMATION

BUILDING OWNER'S NAME MARK & TINA LURE		For Insurance Company Use
BUILDING STREET ADDRESS (Including Apt., Unit, Suite, and/or Bldg. No.) OR P.O. ROUTE AND BOX NO. 2104 HOLLY NECK ROAD		Policy Number
CITY BALTIMORE	STATE MARYLAND	Company NAIC Number
ZIP CODE 21221		
PROPERTY DESCRIPTION (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)		

BUILDING USE (e.g., Residential, Non-residential, Addition, Accessory, etc. Use Comments section if necessary)

RESIDENTIAL

LATITUDE/LONGITUDE (OPTIONAL)
(###-##-### or #####)

HORIZONTAL DATUM

☐ NAD 1927 ☐ NAD 1983

SOURCE ☐ GPS (Type) _____

☐ USGS Quad Map _____

☒ Other: **BCMD**

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP COMMUNITY NAME & COMMUNITY NUMBER 240010		B2. COUNTY NAME BALTIMORE COUNTY		B3. STATE MARYLAND	
B4. MAP AND PANEL NUMBER 0445	B5. SUFFIX C	B6. FIRM INDEX DATE FEBRUARY 2, 1989	B7. FIRM PANEL EFFECTIVE/REVISED DATE NOVEMBER 17, 1993	B8. FLOOD ZONE(S) B	B9. BASE FLOOD ELEVATION(S) (Zone AO, use depth of flooding)

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in B9.

☐ FIS Profile

☒ FIRM

☐ Community Determined

☐ Other (Describe): _____

B11. Indicate the elevation datum used for the BFE in B9: ☐ NGVD 1929

☐ NAVD 1988

☒ Other (Describe): **BCMD**

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)?

☐ Yes

☒ No

Designation Date _____

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☒ Construction Drawings* ☐ Building Under Construction* ☐ Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Building Diagram Number (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)

C3. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO

Complete Items C3a-i below according to the building diagram specified in Item C2. State the datum used. If the datum is different from the datum used for the BFE in Section B, convert the datum to that used for the BFE. Show field measurements and datum conversion calculation. Use the space provided or the Comments area of Section D or Section G, as appropriate, to document the datum conversion.

Datum _____ Conversion/Comments _____

Elevation reference mark used _____ Does the elevation reference mark used appear on the FIRM? ☐ Yes ☐ No

☐ a) Top of bottom floor (including basement or enclosure) _____ ft.(m)

☐ b) Top of next higher floor _____ ft.(m)

☐ c) Bottom of lowest horizontal structural member (V zones only) _____ ft.(m)

☐ d) Attached garage (top of slab) _____ ft.(m)

☐ e) Lowest elevation of machinery and/or equipment servicing the building _____ ft.(m)

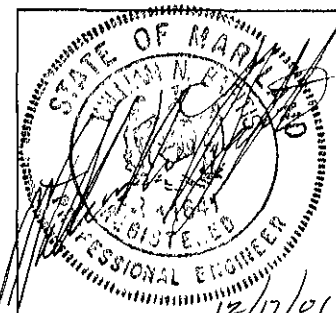
☐ f) Lowest adjacent grade (LAG) _____ ft.(m)

☐ g) Highest adjacent grade (HAG) _____ ft.(m)

☐ h) No. of permanent openings (flood vents) within 1 ft. above adjacent grade _____

☐ i) Total area of all permanent openings (flood vents) in C3h _____ sq. in. (sq. cm)

License Number, Embossed Seal, Signature, and Date



SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information.

I certify that the information in Sections A, B, and C on this certificate represents my best efforts to interpret the data available.

I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

CERTIFIER'S NAME WILLIAM N. BAFTIS, P.E.		LICENSE NUMBER 11641	
TITLE PRESIDENT		COMPANY NAME BAFTIS & ASSOCIATES, INC.	
ADDRESS 1249 ENGLEBERTH ROAD		CITY BALTIMORE	STATE MARYLAND
		ZIP CODE 21221	
SIGNATURE <i>William N. Baftis, P.E.</i>		DATE DECEMBER 17, 2001	TELEPHONE 410-391-2336

ANT: In these spaces, copy the corresponding information from Section A.

16 STREET ADDRESS (including Apt., Unit, Suite, and No.) OR P.O. ROUTE AND BOX NO.

2104 HOLLY NECK ROAD

BALTIMORE

STATE
MARYLAND

ZIP CODE
21221

For Insurance Company Use

Policy Number

Company NAIC Number

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

COMMENTS

THE ELEVATION ON THIS ELEVATION CERTIFICATE ARE BASED ON BALTIMORE COUNTY METROPOLITAN DISTRICT (BCMD) WHICH IS M.L.W. = 0.00

☐ Check here if attachments

SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zone AO and Zone A (without BFE), complete items E1 through E4. If the Elevation Certificate is intended for use as supporting information for a LOMA or LOMR-F, Section C must be completed.

E1 Building Diagram Number (Select the building diagram most similar to the building for which this certificate is being completed -- see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)

E2 The top of the bottom floor (including basement or enclosure) of the building is ____ ft.(m) ____ in.(cm) ☐ above or ☐ below (check one) the highest adjacent grade.

E3 For Building Diagrams 6-8 with openings (see page 7), the next higher floor or elevated floor (elevation b) of the building is ____ ft.(m) ____ in.(cm) above the highest adjacent grade.

E4 For Zone AO only. If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance?

☐ Yes ☐ No ☐ Unknown. The local official must certify this information in Section G.

SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here.

PROPERTY OWNER'S OR OWNER'S AUTHORIZED REPRESENTATIVE'S NAME

ADDRESS

CITY

STATE

ZIP CODE

SIGNATURE

DATE

TELEPHONE

COMMENTS

☐ Check here if attachments

SECTION G - COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below.

G1 ☐ The information in Section C was taken from other documentation that has been signed and embossed by a licensed surveyor, engineer, or architect who is authorized by state or local law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)

G2 ☐ A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.

G3 ☐ The following information (Items G4-G9) is provided for community floodplain management purposes.

G4 PERMIT NUMBER

G5 DATE PERMIT ISSUED

G6 DATE CERTIFICATE OF COMPLIANCE/OCCUPANCY ISSUED

G7 This permit has been issued for: ☐ New Construction ☐ Substantial Improvement

G8 Elevation of as-built lowest floor (including basement) of the building is:

_____. ____ ft.(m)

Datum: _____

G9 BFE or (in Zone AO) depth of flooding at the building site is:

_____. ____ ft.(m)

Datum: _____

LOCAL OFFICIAL'S NAME

TITLE

COMMUNITY NAME

TELEPHONE

SIGNATURE

DATE

COMMENTS

☐ Check here if attachments

INSTRUCTIONS FOR COMPLETING THE ELEVATION CERTIFICATE

Elevation Certificate is to be completed by a land surveyor, engineer, or architect who is authorized by law to certify elevation information when elevation information is required for Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, or AR/AO. Community officials who are authorized by law or ordinance to provide floodplain management information may also complete this form. For Zones AO and A (without BFE), a community official, a property owner, or an owner's representative may provide information on this certificate, unless the elevations are intended for use in supporting a LOMA or LOMR-F. Certified elevations must be included if the purpose of completing the Elevation Certificate is to obtain a LOMA or LOMR-F.

In Puerto Rico only, elevations for building information and flood hazard information may be entered in meters.

SECTION A - PROPERTY OWNER INFORMATION

This section identifies the building, its location, and its owner. Enter the name(s) of the building owner(s), the building's complete street address, and the lot and block number. If the building's address is different from the owner's address, enter the address of the building being certified. If the address is a rural route or a Post Office box number, enter the lot and block numbers, the tax parcel number, the legal description, or an abbreviated location description based on distance and direction from a fixed point of reference. For the purposes of this certificate, "building" means both a building and a manufactured (mobile) home.

A map may be attached to this certificate to show the location of the building on the property. A tax map, FIRM, or detailed community map is appropriate. If no map is available, provide a sketch of the property location, and the location of the building on the property. Include appropriate landmarks such as nearby roads, intersections, and bodies of water. For building use, indicate whether the building is residential, non-residential, an addition to an existing residential or non-residential building, an accessory building (e.g., garage), or other type of structure. Use the Comments area of Section F if needed.

If latitude and longitude data are available, enter them in degrees, minutes, and seconds, or in decimal degrees, taken at the center of the front of the building. Enter arc seconds to two decimal places. Indicate the horizontal datum and the source of the measurement data (for example, taken with GPS, scaled from a USGS Quad Map, etc.).

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

Complete the Elevation Certificate on the basis of the FIRM in effect at the time of the certification.

The information for Section B is obtained by reviewing the FIRM panel that includes the building's location. Information about the current FIRM, and a pamphlet titled "Guide to Flood Maps," are available from the Federal Emergency Management Agency (FEMA) website at <http://www.fema.gov> or by calling 1-800-427-4661. If a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR-F) has been issued by FEMA, please provide the letter date and case number in the Comments area.

Item B1. NFIP Community Name & Community Number. Enter the complete name of the community in which the building is located and the associated 6-digit community number. For a building that is in an area that has been annexed by one community but is shown on another community's FIRM, enter the community name and 6-digit number of the annexing community. For a newly incorporated community, use the name and 6-digit number of the new community. Under the NFIP, a "community" is any State or area or political subdivision thereof, or any Indian tribe or authorized native organization, that has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction. To determine the current community number, see the *NFIP Community Status Book*, available on FEMA's website at <http://www.fema.gov> or by calling 1-800-427-4661.

Item B2. County Name. Enter the name of the county or counties in which the community is located. For an unincorporated area of a county, enter "unincorporated area." For an independent city, enter "independent city."

Item B3. State. Enter the 2-letter state abbreviation (for example, VA, TX, CA).

... Map and Panel Number. Enter the 10-digit number shown on the FIRM panel where the building or manufactured home is located. The first six digits will not match the NFIP community number: 1) when the sixth digit is a "C" in case the FIRM panel is in a countywide format; or 2) when one community has annexed land from another community the FIRM panel has not been updated to reflect this annexation. If the sixth digit is a "C," it is followed by a four-digit map number. For maps not in countywide format, enter the "community panel number" shown on the FIRM.

Item B5. Suffix. Enter the suffix letter shown on the FIRM panel that includes the building's location.

Item B6. FIRM Index Date. Enter the effective date or map revised date shown on the FIRM Index.

Item B7. FIRM Panel Effective/Revised Date. Enter the map effective date or the map revised date shown on the FIRM panel. This will be the latest of all dates shown on the map. The current FIRM panel effective date can be determined by calling 1-800-427-4661.

Item B8. Flood Zone(s). Enter the flood zone, or flood zones, in which the building is located. All flood zones containing the letter "A" or "V" are considered Special Flood Hazard Areas. The flood zones are A, AE, A1-A30, V, VE, V1-V30, AH, AO, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, and AR/AO. Each flood zone is defined in the legend of the FIRM panel on which it appears.

Item B9. Base Flood Elevation(s). Using the appropriate Flood Insurance Study (FIS) Profile, Flood Elevation Table, or FIRM panel, locate the property and enter the BFE (or base flood depth) of the building site. If the building is located in more than one flood zone in Item B8, list all appropriate BFEs in Item B9. BFEs are shown on a FIRM or FIS Profile for Zones A1-A30, AE, AH, V1-V30, VE, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, and AR/AO; flood depth numbers are shown for Zone AO. Use the AR BFE if the building is located in any of Zones AR/A, AR/AE, AR/A1-A30, AR/AH, or AR/AO. In A or V zones where BFEs are not provided on the FIRM, the community may have established BFEs or obtained BFE data from other sources. For subdivisions and other developments of more than 50 lots or 5 acres, establishment of BFEs is required by the community's floodplain management ordinance. If the BFE is obtained from another source, enter the BFE in Item B9.

Item B10. Indicate the source of the BFE that you entered in Item B9.

Item B11. Indicate the elevation datum to which the elevations on the applicable FIRM are referenced.

Item B12. Indicate whether the building is located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA). Federal flood insurance is prohibited in designated CBRS areas for buildings or manufactured (mobile) homes built or substantially improved after the date of the CBRS designation. An information sheet explaining CBRS areas may be obtained on FEMA's website at <http://www.fema.gov> or by calling 1-800-427-4661.

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

Complete Section C if the building is located in any of Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, or AR/AO, or if this certificate is being used to support a LOMA or LOMR-F. If the building is located in Zone AO or Zone A (without BFE), complete Section E instead.

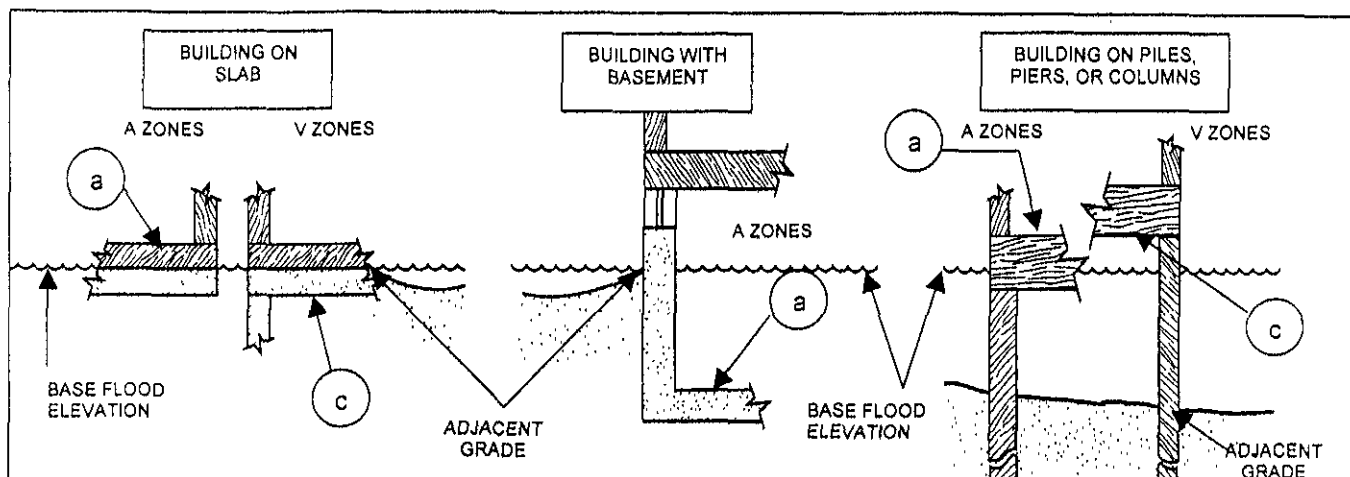
Item C1. Indicate whether the elevations to be entered in this section are based on construction drawings, a building under construction, or finished construction. For either of the first two choices, a post-construction Elevation Certificate will be required when construction is complete.

Item C2. Select the diagram on pages 6 and 7 that best represents the building. Then enter the diagram number and use the diagram to identify and determine the appropriate elevations requested in Items C3a-g. If you are unsure of the correct diagram, select the diagram that most closely resembles the building being certified, or provide a sketch or photograph of the building and enter all elevations in Items C3a-g.

Item C3. Indicate whether the elevation reference mark (benchmark) used during the field survey is an elevation mark on the FIRM. If it is not, indicate the source and datum for the elevation. Vertical control benchmarks other than those shown on the FIRM are acceptable for elevation determinations. Show the conversion from the field survey datum used to the datum used for the BFE(s) entered in Item B9. All elevations for the certificate must be referenced to the datum on which the BFE is

Show the datum conversion, if applicable, in this section or in the Comments area of Section D. For property encroaching ground subsidence, the most recently adjusted reference mark elevations must be used for determining building elevations. Enter elevations in Items C3a-g to the nearest tenth of a foot (in Puerto Rico, nearest tenth of a meter).

Items C3a-d. Enter the building elevations indicated by the selected building diagram (Item C2) in Items C3a-e. Elevation for top of attached garage slab (d) is self-explanatory and is not illustrated in the diagrams. If the building is located in a V zone on the FIRM, complete Item C3c. If the flood zone cannot be determined, enter elevations for all of Items C3a-g. For buildings in A zones, elevations a, b, d, and e should be measured at the top of the floor. For buildings in V zones, elevation c must be measured at the bottom of the lowest horizontal structural member of the floor (see drawing below). *If any item does not apply to the building, enter "N/A" for not applicable.*



Item C3e. Enter the lowest elevation of machinery or equipment in an attached garage, enclosure, or open utility platform that provides utility services for the building. If the machinery or equipment is mounted to a wall, pile, etc., enter the platform elevation of the machinery and/or equipment. *If this item does not apply to the building, enter "N/A" for not applicable.*

Items C3f-g. Adjacent grade is defined as the elevation of the ground, sidewalk, patio, or deck support immediately next to the building. Use the natural grade elevation, if available. This measurement must be to the nearest tenth of a foot if this certificate is being used to support a request for a LOMA or LOMR-F.

Items C3h-i. Enter the number of permanent openings (flood vents) in the walls supporting the building that are no higher than 1.0 foot above the adjacent grade. Determine the total area of all such openings in square inches (square cm, in Puerto Rico), and enter the total in Item C3i. If the building has no permanent openings (flood vents) within 1.0 foot above adjacent grade, enter "0" (zero) for each of Items C3h and C3i.

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

Complete as indicated. This section of the Elevation Certificate may be signed by only a land surveyor, engineer, or architect who is authorized by law to certify elevation information. Place embossed seal and signature in the box next to elevations in Section C. A flat stamp is acceptable only in states that do not authorize use of an embossed seal over the signature of a professional. You are certifying that the information in Sections A, B, and C on this certificate represents your best efforts to interpret the data available and that you understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001. Use the Comments area of Section D, on the back of the certificate, to provide datum, elevation, or other relevant information not specified on the front.

**SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO
& ZONE A (WITHOUT BFE)**

Complete Section E if the building is located in Zone AO or Zone A (without BFE). Otherwise, complete Section C instead.

Item E1. Select the diagram on pages 6 and 7 that best represents the building; then enter the diagram number. If you are unsure of the correct diagram, select the diagram that most closely resembles the building, or provide a sketch or photograph.

Item E2. Enter the height in feet and inches (meters and centimeters, in Puerto Rico) of the top of the bottom floor (as indicated in the applicable diagram) above or below the highest adjacent grade (HAG). For post-FIRM buildings in Zone AO, the community's floodplain management ordinance requires that this value equal or exceed the base flood depth on the FIRM. Buildings in Zone A (without BFE) may qualify for a lower insurance rate if an engineered BFE is developed at the site.

Item E3. For Building Diagrams 6-8 with "proper openings" (see page 7), enter the height in feet and inches (meters and centimeters, in Puerto Rico) of the next higher floor or elevated floor (as indicated in the applicable diagram) above the highest adjacent grade (HAG).

Item E4. For those communities where this base flood depth is not available, the community will need to determine whether the top of the bottom floor is elevated in accordance with the community's floodplain management ordinance.

SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

Complete as indicated. This section is provided for certification of measurements taken by a property owner or property owner's representative when responding to Sections A, B, and E. The address entered in this section must be the actual mailing address of the property owner or property owner's representative who provided the information on the certificate.

SECTION G - COMMUNITY INFORMATION (OPTIONAL)

Complete as indicated. The community official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. If the authorized community official completes Sections C, E, or G, complete the appropriate item(s) and sign this section.

Check **Item G1** if Section C is completed with elevation data from other documentation that has been signed and embossed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. Indicate the source of the elevation data and the date obtained in the Comments area of Section G. If you are both a community official and a licensed land surveyor, engineer, or architect authorized by law to certify elevation information, and you performed the actual survey for a building in Zones A1-A30, AE, AH, A (with BFE), V1-V30, V, AR, AR/A, AR/A1-A30, AR/AE, AR/AH, or AR/AO, you must also complete Section D.

Check **Item G2** if information is entered in Section E by the community for a building in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.

Check **Item G3** if the information in Items G4-G9 has been completed for community floodplain management purposes to document the as-built lowest floor elevation of the building. Section C of the Elevation Certificate records the elevation of various building components but does not determine the lowest floor of the building or whether the building, as constructed, complies with the community's floodplain management ordinance. This must be done by the community. Items G4-G9 provide a way to document these determinations.

Item G4. Permit Number. Enter the permit number or other identifier to key the Elevation Certificate to the permit issued for the building.

Item G5. Date Permit Issued. Enter the date the permit was issued for the building.

6. Date Certificate of Compliance Issued. Enter the date that the Certificate of Compliance or Occupancy or similar official documentation of as-built lowest floor elevation was issued by the community as evidence that all work authorized by the floodplain development permit has been completed in accordance with the community's floodplain management laws or ordinances.

Item G7. New Construction or Substantial Improvement. Check the applicable box. "Substantial Improvement" means any reconstruction, rehabilitation, addition, or other improvement of a building, the cost of which equals or exceeds 50 percent of the market value of the building before the start of construction of the improvement. The term includes buildings that have incurred substantial damage, regardless of the actual repair work performed.

Item G8. As-built lowest floor elevation. Enter the elevation of the lowest floor (including basement) when the construction of the building is completed and a final inspection has been made to confirm that the building is built in accordance with the permit, the approved plans, and the community's floodplain management laws or ordinances. Indicate the elevation datum used.

Item G9. BFE. Using the appropriate FIRM panel, FIS, or other data source, locate the property and enter the BFE (or base flood depth) of the building site. Indicate the elevation datum used.

Enter your name, title, and telephone number, and the name of the community. Sign and enter the date in the appropriate blanks.

BUILDING DIAGRAMS

The following eight diagrams illustrate various types of buildings. Compare the features of the building being certified with the features shown in the diagrams and select the diagram most applicable. Enter the diagram number in Item C2 and the elevations in Items C3a-C3g.

In A zones, the floor elevation is taken at the top finished surface of the floor indicated; in V zones, the floor elevation is taken at the bottom of the lowest horizontal structural member (see drawing in instructions for Section C).

DIAGRAM 1

All slab-on-grade single- and multiple-floor buildings (other than split-level) and high-rise buildings, either detached or row type (e.g., townhouses); with or without attached garage.

Distinguishing Feature – The bottom floor is at or above ground level (grade) on at least one side. *

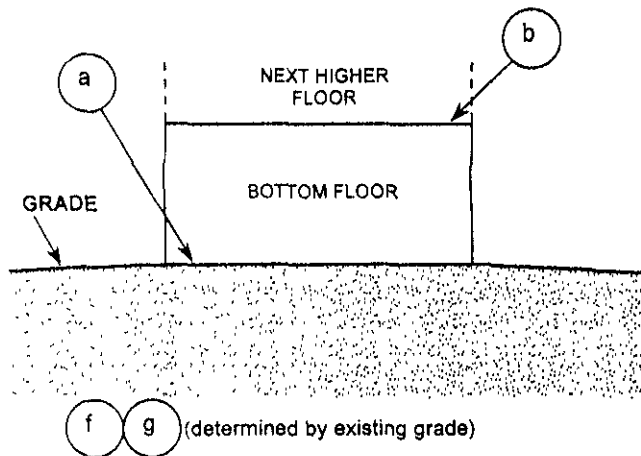


DIAGRAM 2

All single- and multiple-floor buildings with basement (other than split-level) and high-rise buildings with basement, either detached or row type (e.g., townhouses); with or without attached garage.

Distinguishing Feature – The bottom floor (basement or underground garage) is below ground level (grade) on all sides. Buildings constructed above crawl spaces that are below grade on all sides should also use this diagram. *

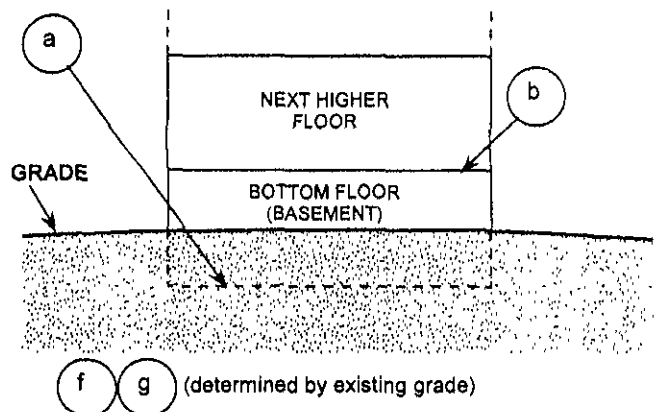


DIAGRAM 3

All split-level buildings that are slab-on-grade, either detached or row type (e.g., townhouses); with or without attached garage.

Distinguishing Feature – The bottom floor (excluding garage) is at or above ground level (grade) on at least one side. *

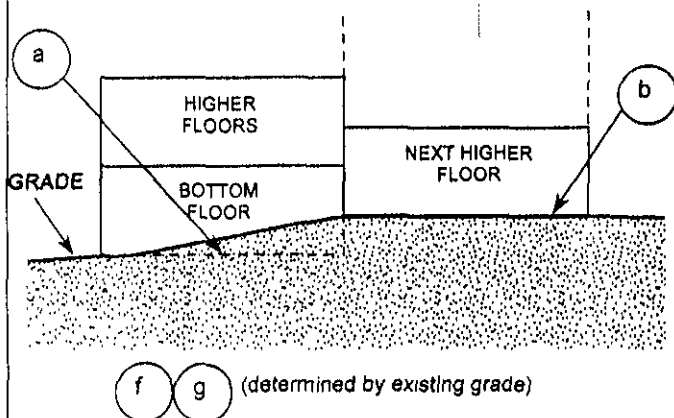
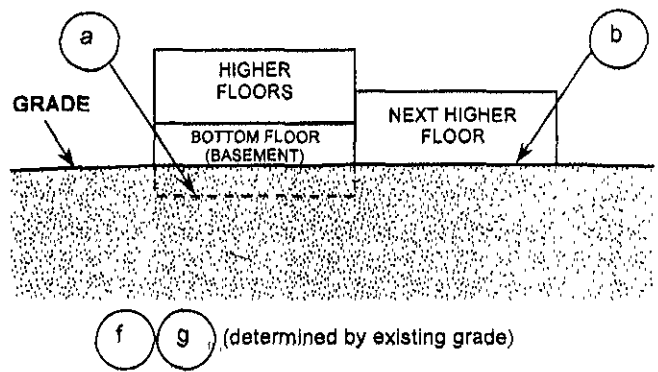


DIAGRAM 4

All split-level buildings (other than slab-on-grade), either detached or row type (e.g., townhouses); with or without attached garage.

Distinguishing Feature – The bottom floor (basement or underground garage) is below ground level (grade) on all sides. Buildings constructed above crawl spaces that are below grade on all sides should also use this diagram. *

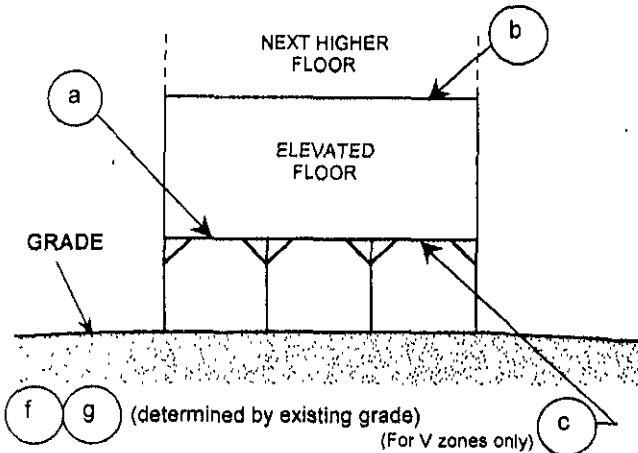


* A floor that is below ground level (grade) on all sides is considered a basement even if the floor is used for living purposes, or as an office, garage, workshop, etc.

DIAGRAM 5

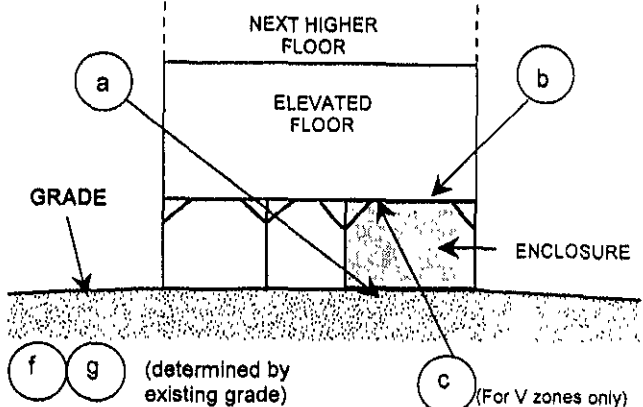
All buildings elevated on piers, posts, piles, columns, or parallel shear walls. No obstructions below the elevated floor.

Distinguishing Feature – For all zones, the area below the elevated floor is open, with no obstruction to flow of flood waters (open lattice work and/or readily removable insect screening is permissible).

**DIAGRAM 6**

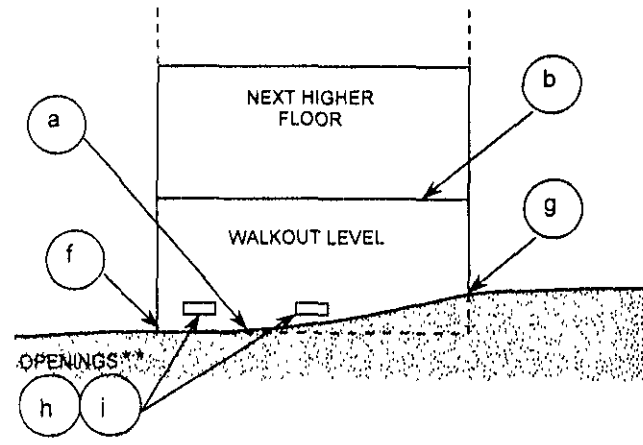
All buildings elevated on piers, posts, piles, columns, or parallel shear walls with full or partial enclosure below the elevated floor.

Distinguishing Feature – For all zones, the area below the elevated floor is enclosed, either partially or fully. In A Zones, the partially or fully enclosed area below the elevated floor is with or without openings** present in the walls of the enclosure. Indicate information about openings in Section C, Building Elevation Information (Survey Required).

**DIAGRAM 7**

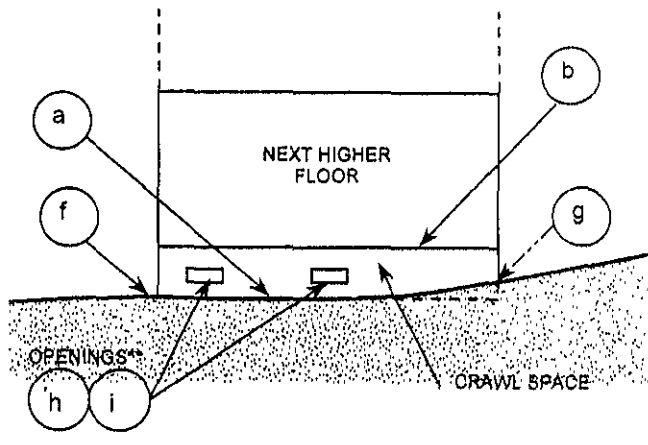
All buildings elevated on full-story foundation walls with a partially or fully enclosed area below the elevated floor. This includes walkout levels, where at least one side is at or above grade. The principal use of this building is located in the elevated floors of the building.

Distinguishing Feature – For all zones, the area below the elevated floor is enclosed, either partially or fully. In A Zones, the partially or fully enclosed area below the elevated floor is with or without openings** present in the walls of the enclosure. Indicate information about openings in Section C, Building Elevation Information (Survey Required).

**DIAGRAM 8**

All buildings elevated on a crawl space with the floor of the crawl space at or above grade on at least one side.

Distinguishing Feature – For all zones, the area below the first floor is enclosed by solid or partial perimeter walls. In all A zones, the crawl space is with or without openings** present in the walls of the crawl space. Indicate information about the openings in Section C, Building Elevation Information (Survey Required).



** An "opening" (flood vent) is defined as a permanent opening in a wall that allows for the free passage of water automatically in both directions without human intervention. Under the NFIP, a minimum of two openings is required for enclosures or crawl spaces with a total net area of not less than one square inch for every square foot of area enclosed. Each opening must be on different sides of the enclosed area. If a building has more than one enclosed area, each area must have openings on exterior walls to allow floodwater to directly enter. The bottom of the openings must be no higher than one foot above the grade underneath the flood vents. Alternatively, you may submit a certification by a registered professional engineer or architect that the design will allow for the automatic equalization of hydrostatic flood forces on exterior walls. A window, a door, or a garage door is not considered an opening.



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

[Signature]
DIRECTOR

BUILDING PERMIT

[Signature]
BUILDINGS ENGINEER

PERMIT #: B469242 CONTROL #: NRPA DIST: 15 PREC: 05
DATE ISSUED: 01/25/2002 TAX ACCOUNT #: 1508801620 CLASS: 04

PLANS: CONST 3 PLOT 7 R PLAT 0 DATA 0 ELEC YES PLUM YES
LOCATION: 2104 HOLLY NECK RD
SUBDIVISION: 500 FT W GOFF RD

OWNERS INFORMATION

NAME: LURE, MARK AND TINA
ADDR: 2104 HOLLY NECK RD.

DEPARTMENT OF PERMITS AND
DEVELOPMENT MANAGEMENT
NOTICE TO BUILDERS
IS PART OF THIS PERMIT

TENANT:

CONTR: FREE-STATE GENERAL CONT INC.

ENGR:

SELLR:

WORK: CONSTRUCT SFD W/TWO CAR GARAGE, COVERED PORCH,
FIREPLACE, BOX BAY WINDOW, OPEN DECK. 4
BEDRMS. OUTSIDE PROJ NOT TO EXCEED 4X10.
50'3"X43'5"X35"=4217SF ALSO USING TAX ACCT
#1512400706-LT 155. CASE #01-428-A.

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD
210,000.00 EXISTING USE: VACANT

TYPE OF IMPRV: NEW BUILDING CONTRUCTION

USE: ONE FAMILY

FOUNDATION: CONCRETE

BASEMENT: FULL

SEWAGE: PUBLIC EXIST

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 1.47AC
FRONT STREET:
SIDE STREET:
FRONT SETB: 230
SIDE SETB: 105/24
SIDE STR SETB:
REAR SETB: 120

THIS PERMIT EXPIRES
ONE YEAR FROM
DATE OF ISSUE

01-09-02
01-09-02
from Carl. Per Carl, call
MR Schmidt & state Permit
VAR. = OK & He may file a
SPH to object but construction
will be allowed to continue.
1-08-02 12:46 PM I called MR.
Schmidt & relayed Carl's findings
in MR S's Voice Mail. *228*
indorgranted 6-13-01)

01-09-02
Filed SPH
to oppose
02-289-SPH
TO oppose
Cm# 01-428-A

1/24/01
g
WCB - name
2106 Holly Neck Rd.
Essex, MD 21221
December 21, 2001

Mr. Arnold Jablon, Director
Department of Permits & Development Management
Baltimore County, Maryland
Towson, Maryland 21204

FOR ZC's File
289

Dear Mr. Jablon:

This letter is a request to delay the permit process for the proposed dwelling at (what I presume to be) 2104 Holly Neck Rd, Essex, MD 21221. The permit number is B469242, which was applied for on 11/27/2001. Prior to this permit request, there was a request for a variance regarding a side set back line from the normal 50' to 24'. This variance request was made in the Spring of 2001.

I am requesting that you delay and reexamine the variance and permit process based on the following events and facts:

1. Sometime in May or June a zoning variance sign was posted on the north side of Holly Neck Rd approximately 200' from the westernmost corner of the subject property. I examined this sign which contained no street address but referred to lot 155. Since the land adjacent to my residence was previously identified in a variance request (see 98-461) as lot 85, I thought that this variance request had no impact on my property, thus I did not call zoning nor attend the hearing.
2. A week ago I returned home, after traveling, to find some red plastic flagging attached to a series of trees approximately 20' from my property line. A few days later, Mr. Keith Kelly of DEPRON stopped at my house and asked if I could show him any property markers for the subject property. I showed him the pipes of which I was aware. I asked him if he knew the purpose of the red flagging on lot 85. He said it probably was for the side of the proposed dwelling. He showed me a plat prepared by Mr. Buck Jones, with an identifier #01-428A. Mr. Kelly said the setback variance was probably required because of a drainage swale which Mr. Jones indicated existed to the west of lot 85, along with a required 35' easement, which would have necessitated the house to be shifted east toward my property line.
3. Yesterday (12/20/2001) I personally visited DEPRON, and Baltimore County Zoning. At the zoning office I first spoke with Mr. John Alexander and then Mr. John Reisinger. After viewing the file in the zoning office, including the photo of the request for variance sign, and after speaking with a number of individuals in the DEPRON and Baltimore County Zoning offices I offer the following facts and conclusions:
 - a. The original variance request sign (May-June 2001) was not posted properly. It was not located on or anywhere near the property to which the variance was requested. In addition, the text of the sign did not include either a street address or the proper lot number. Neighbors are prepared to state orally and/or in writing as to the sign's physical location and that it was not on the correct property.
 - b. The proposed 24' side setback is a gross distortion of the county's RC5 50' setback. When one purchases a residence on a large lot lying in RC5 with its generous setbacks certain factors are assumed such as a degree of privacy from one's neighbor. The

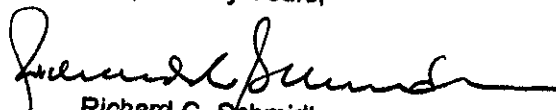
Per Ex #1

actions to date totally negate my efforts and degrades the ultimate value of my property. I think a side setback of not less than 40 feet would be an acceptable compromise.

- c. If, as was suggested above, the 24' side setback variance was required by the above mentioned drainage swale plus the 35' easement and the dwellings large footprint, it must be noted that the drainage swale is not shown in the correct location on the plat prepared by Mr. Jones. I base this statement on a comparison with a topographical engineering drawing, complete with contours, prepared by the Baltimore County Department of Public Works prior to the installation of the grinder pump sewage system.
- d. Additionally, after a physical inspection of the drainage swale, it is obvious that surface water in the 35' easement area would not flow into the swale, but would flow northward to Sue Creek which is protected by a 100' buffer. Consequently, the 35' easement could be modified to allow the dwelling's footprint to be shifted toward the swale. Incidentally, the proposed dwelling, east of my property, which I presume to be 2108 Holly Neck Rd (see plat for case 98-461) meets all RC5 setbacks but sits astride an existing drainage swale! Are there any variance requests on this property that I do not know about? There have been no signs posted on this property either.
- e. Finally, when I met with Mr. Jones on the property last Wednesday, he was discussing tree removal with a contractor. I brought his attention to another error on his plat that inferred the "use in common" of a large portion of my existing driveway instead of the first 105' in from Holly Neck Rd. as stated in my deed recorded in the land records in book 14919/317.

I respectfully ask you to delay the permit process until my concerns can be examined. It is entirely possible that no variance is required and that the dwelling may be constructed which properly meets existing RC5 setbacks. I would also like to thank the staff in zoning and DEPRON to whom I spoke. They were courteous, sympathetic and understanding to my concerns. As I may be traveling after the holidays, if your staff has any questions, I can be reached via voice mail at 410-682-3815 to which I shall promptly respond. Thank you.

Respectively Yours,


Richard C. Schmidt

cc: Mr. Kelly, DEPRON

Pet Ex 2A

2109 Holly Neck Road
Essex, MD 21221
March 7, 2002

Baltimore County
Dept of Permits & Development Mgmt
County Office Bldg
111 West Chesapeake Ave
Towson, MD 21204

Dear Sir:

This letter concerns the public hearing for case number 02-289-SPH to be held on March 11, 2002 in Room 407 of the County Courts Bldg. Mr. Richard Schmidt, the owner of the residence at 2106 Holly Neck Road ask me to provide to you a statement regarding the sign that was posted in the spring of 2001 advertising zoning hearing #01-428-A. After viewing a plat entitled "Lure's Site Plan" I can state that the sign was not posted on the property, now known as 2104 Holly Neck Road. The sign was posted close to the existing fire hydrant which is over 200 feet from the closest property corner of 2104 Holly Neck Road.

Sincerely,

A handwritten signature in black ink, appearing to read "Dallas E. Waddell". The signature is fluid and cursive, with the first name "Dallas" being more prominent.

Dallas E. Waddell

Ref Ex 2B

801 Pikesville Road
Baltimore, MD
March 01, 2002

Baltimore County
Dept of Permits & Development Mgmt
County Office Bldg
111 West Chesapeake Ave
Towson, MD 21204

Dear Sir:

This letter concerns the public hearing for case number 02-289-SPH to be held on March 11, 2002 in Room 407 of the County Courts Bldg. Mr. Richard Schmidt, the owner of the residence at 2106 Holly Neck Road ask me to provide to you a statement regarding the sign that was posted in the spring of 2001 advertising zoning hearing #01-428-A. After viewing a plat entitled "Lure's Site Plan" I can state that the sign was not posted on the property, now known as 2104 Holly Neck Road. The sign was posted close to the existing fire hydrant which is over 200 feet from the closest property corner of 2104 Holly Neck Road.

Sincerely,


Walter J. Stanislawski, Jr

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

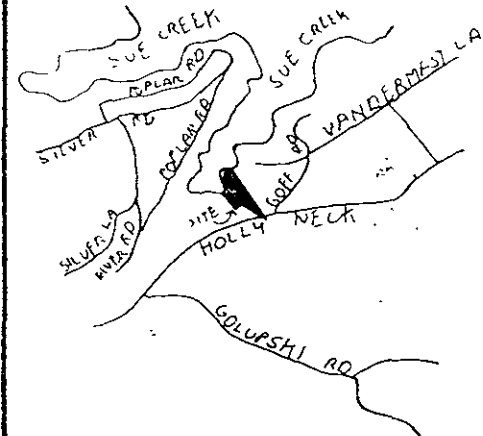
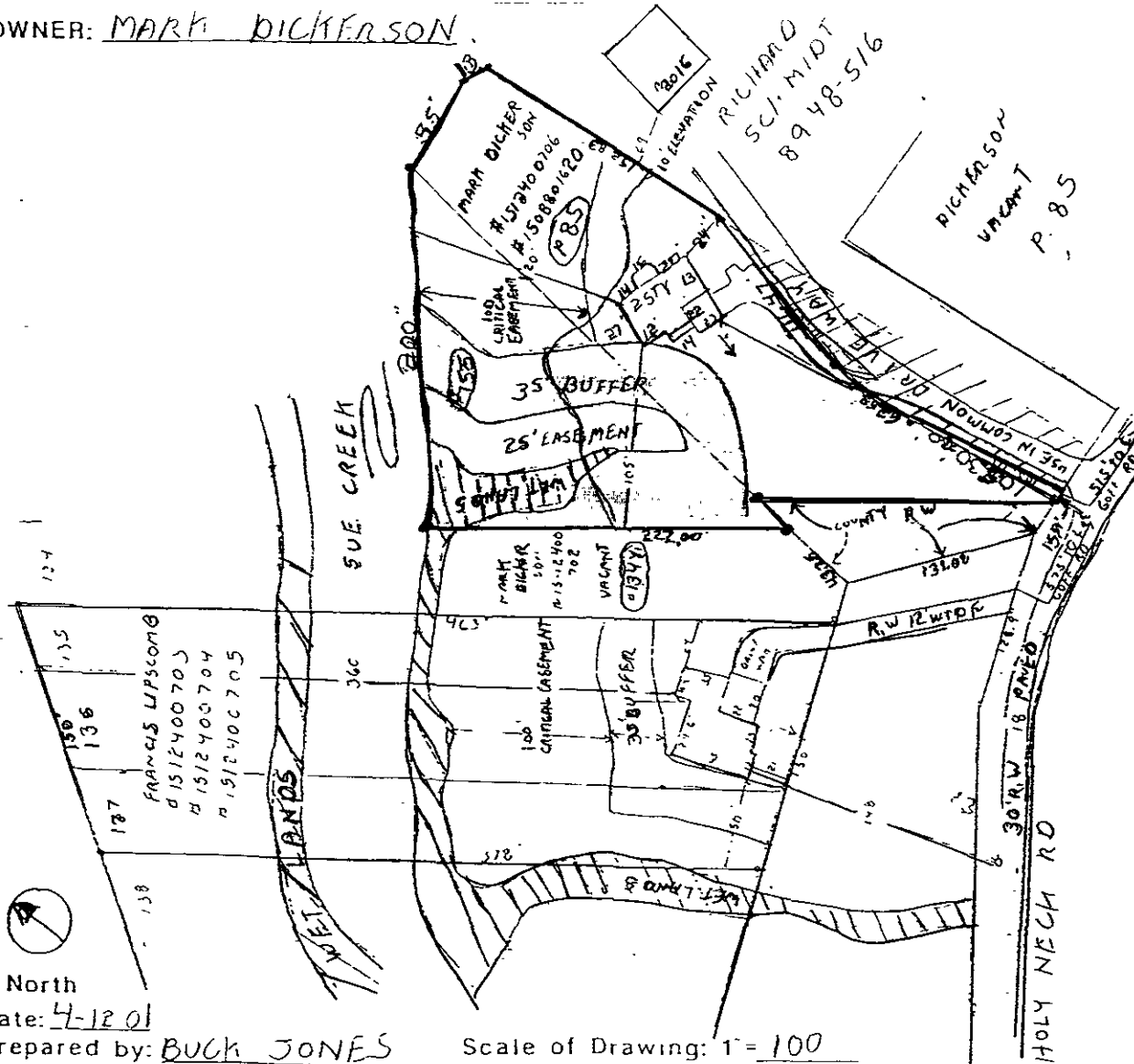
PROPERTY ADDRESS: LOT 155 apt 85 HOLY NECK RD

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

Subdivision name CEPARK BEACH

plat book # 13 folio # 59 lot # _____ section # _____

OWNER: MARK DICKERSON



Vicinity Map P. 46-B-2
Scale: 1"=1000'

LOCATION INFORMATION

Election District: 15
 Councilmanic District: 7
 1"=200 scale map #: SE 2-7
 Zoning: R.C 5
 Lot size: 1.18 51,400
 acreage square feet

SEWER: ☒ Public ☐ private

WATER: ☒ ☐

Chesapeake Bay Critical Area: ☒ ☐

Prior Zoning Hearings:

98-447-A - 98-4615PHA

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____



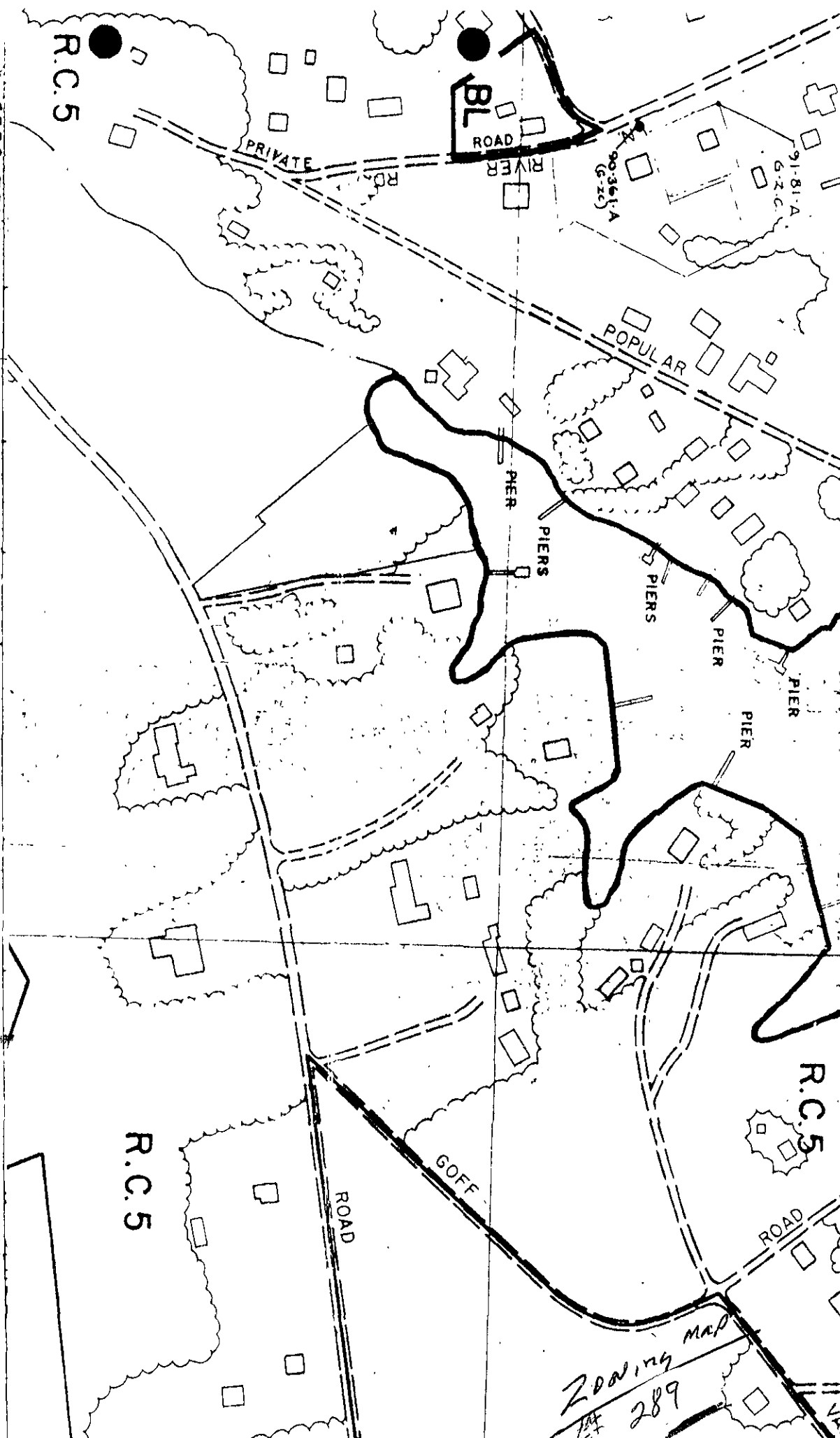
North

date: 4-12-01

prepared by: BUCK JONES

Scale of Drawing: 1"=100'

Det. #1



G

BW Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

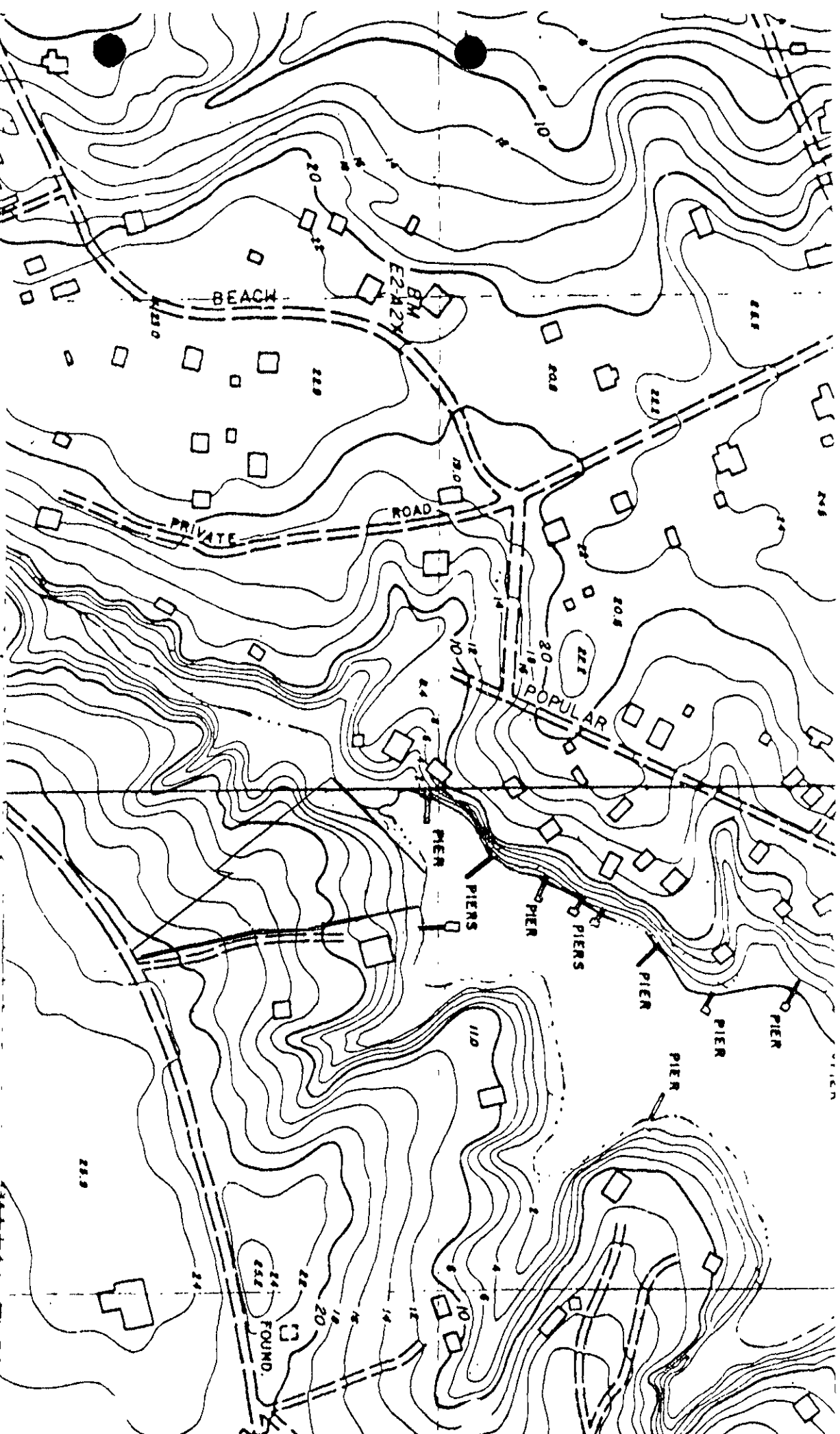
1992 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 15, 1992

William A. Howard IV
 Chairman, County Council

SCALE	1" = 200' ±
DATE OF PHOTOGRAPHY	JANUARY 1986

LOCATION	HOLLY NECK
	# 289

SHEET	SE 2-J
-------	--------



REVISIONS	
BY	DATE

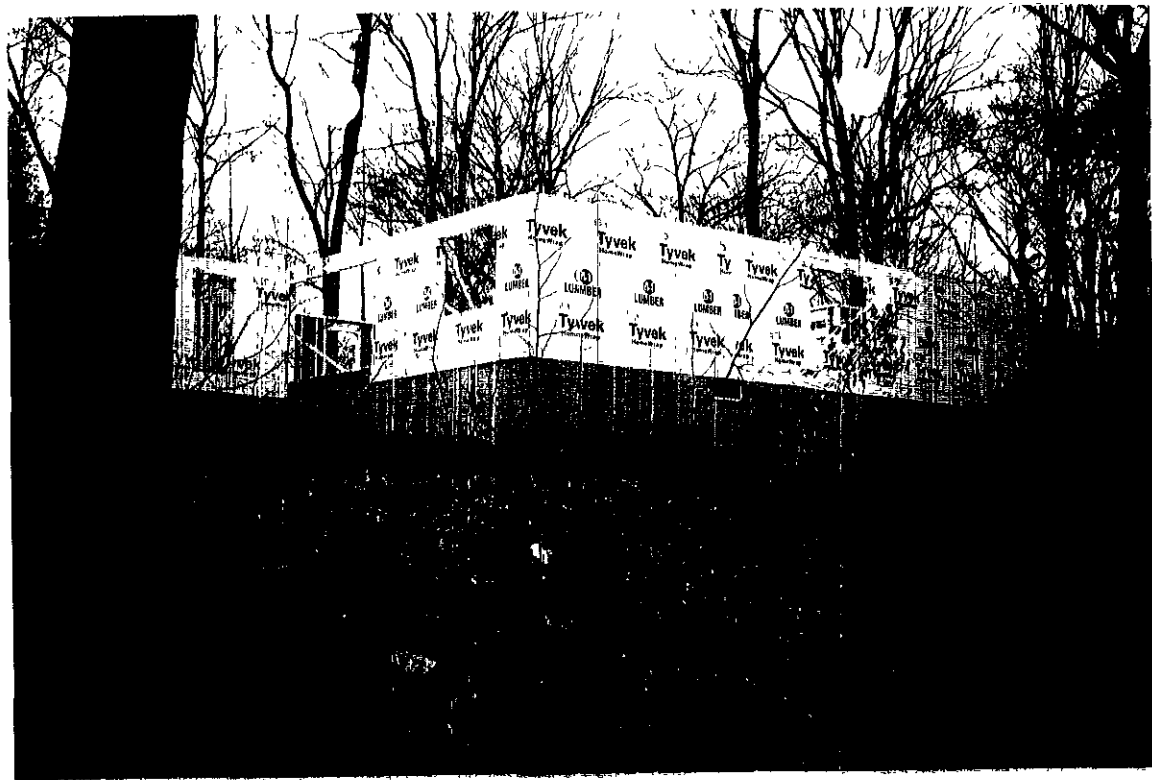
SCALE
1" = 200'

DATE OF PHOTOGRAPHY
DEC 1954

LOCATION
HOLLY NECK

SHEET
SE 2-J

Topography compiled by Photogrammetric Methods
Adapted from Aerial Photographs of 1954



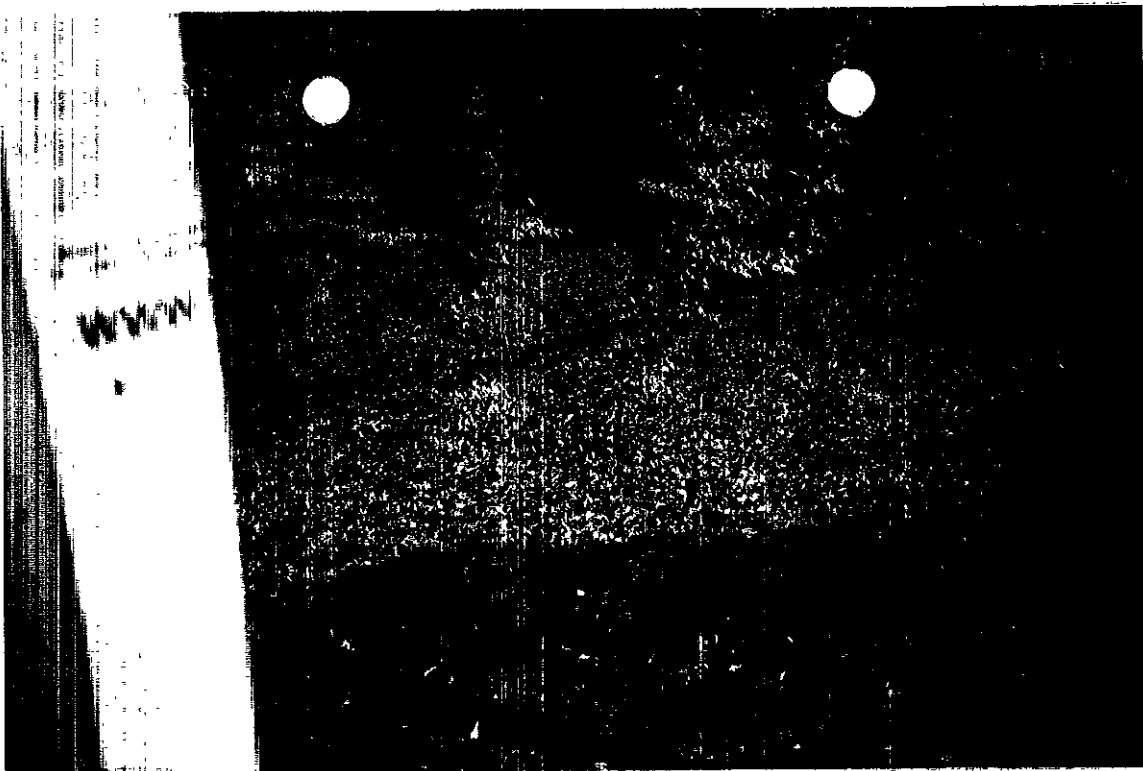




EXHIBIT A

MAP OF LURE
 LOT 155 - 1.18 AC 85 HOLLY NECK RD
 BALT. PD 2, 22,
 TAX ID. 1512400706 LT 155
 TAX ID. 1508801620 PARCEL 85
 LOT #155 DED 8730 / 611
 PARCEL 85, DED 7505 / 750
 PLAT REF. LOT 155 13/59
 ELECTION DIST 15
 COUNCIL DIST. 5
 VARIANCE # C1 428-A
 LOT #155 = 22,724 SF
 PARCEL # 85 = 28,676 SF
 TOTAL 51,400 SF OR 1.18

CRITICAL SITE INFO

LOT SIZE 51,400 SF OR 1.18 AC.
 DWG IMPER 1439 SF
 SIDE WALK + PORCH 90 SF
 TOTAL IMPERV. 1529 SF OR 3.90
 AREA CLEARED 10,500 SF OR 20.90
 FEE-IN-LIE 10,500 X .40 = 4200

① THIS PROPERTY IS LOCATED
 IN THE LIMITED DEVELOPMENT
 AREA OF THE CBCA.

② IMPERVIOUS SURFACES
 ARE LIMITED TO 15% OF

THE AREA. EXISTING
 IMPERVIOUS EQUALS 0%
 PROPOSED EQUALS 3%

③ MAXIMUM FOREST CLEARING IS
 LIMITED TO 30% OF THE SITE

Standard non-disturbance note:

CHESAPEAKE BAY CRITICAL AREA EASEMENTS

"There shall be no clearing, grading, construction or disturbance
 of vegetation in the Critical Area Easement except as permitted by
 the Delaware County Department of Environmental Protection and
 Natural Resources."

"Any Critical Area Easement shown herein is subject to protective
 easements which may be found in the Land Records of Delaware
 County and which restrict disturbance and use of these areas."

LURE'S SITE PLAN

SCALE: 1" = 50'

APPROVED BY:

DATE: 1-9-01

DRAWN BY B.J.

REVISED 7-9-01

DRAWING NUMBER

