

IN RE: PETITION FOR VARIANCE
E/S Poplar Road at 520' SW
centerline of Silver Lane
15th Election District
5th Councilmanic District
(2334 Poplar Road)

William Robert Hutson
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-501-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, William Robert Hutson. The Petitioner is requesting a variance for property he owns at 2334 Poplar Road, located in the Cedar Beach area of Baltimore County. The variance request is from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side yard setbacks of 10 ft. in lieu of the required 50 ft. and to allow a side entrance projection of 5 ft. and 12 ft. in lieu of the allowed 4 ft. and 10 ft. and to approve an undersized lot.

Appearing at the hearing on behalf of the variance request was Raymond Piechocki, the owner's representative. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 16,575 sq. ft. of land, more or less, and is improved with an old shore home dwelling. The owner of the property is desirous of tearing down the old shore shack and constructing a new single-family residential dwelling in its place. The location and details of the house to be built are more particularly shown on Petitioner's Exhibit No. 1, the site plan submitted into evidence. There also exists a 2-car garage on the property which is proposed to remain as shown on the plan. In order to proceed with the construction of this new dwelling, the variance request is necessary.

ORDER RECEIVED FOR FILING

Date

7/10/02

By

R. J. Jancuska

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973).

To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

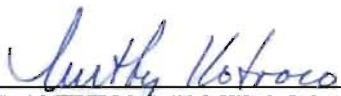
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED this 10th day of July, 2002, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side yard setbacks of 10 ft. in lieu of the required 50 ft. and to allow a side entrance projection of 5 ft. and 12 ft. in lieu of the allowed

4 ft. and 10 ft. and to approve an undersized lot, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 3/16/02
By [Signature]



Baltimore County
Zoning Commissioner

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

July 10, 2002

Mr. William Robert Hutson
2334 Poplar Road
Baltimore, Maryland 21221

Re: Petition for Variance
Case No. 02-501-A
Property: 2334 Poplar Road

Dear Mr. Hutson:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

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

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Raymond J. Piechocki
7500 Harford Road
Baltimore, MD 21234

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



Printed with Soybean Ink
on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2334 Poplar Rd
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 Variance from Section(s) 1A04.3.B.2 - to permit side

setbacks of 10 feet in lieu of the required 50 feet, and 301.2 - to permit a
side entrance projection of 5 and 12 feet in lieu of the allowed 4 and 10 feet;

and Section 304 for an approval of an undersized lot
of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

(see attached)

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):

WILLIAM ROBERT HUTSON

Name - Type or Print

Signature

Name - Type or Print

Signature

2334 POPLAR RD

410-960-8540

Address

Telephone No.

BALTIMORE

MD

21221

City

State

Zip Code

Representative to be Contacted:

RAYMOND J. PITCHUCKI

Name

7500 HARFORD RD

410-416-0302

Address

Telephone No.

BALTIMORE, MD

21234

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By RDD

Date

5/8/02

Case No. 02-501-A

RE 9/15/98

ORDER RECEIVED FOR FILING

Date

By

2334 POPLAR ROAD

BALTIMORE, MD 21221

- THERE IS NOT SUFFICIENT ADJOINING LAND TO CONFORM TO THE ~~CURRENT~~ SET BACK REQUIREMENTS CONTAINED IN THE CURRENT ZONING REGULATIONS
- REDUCING THE SETBACKS TO 10' WOULD ALLOW FOR THE CONSTRUCTION OF A BUILDING THAT WOULD BE COMPATABLE WITH THE NEIGHBORING PROPERTIES
- BY ALLOWING A 5' PROJECTION OF THE ENTRANCE PORCH IN LIEU OF 4', THE EGRESS TO THE BUILDING WILL BE IMPROVED THUS ALLOWING THE OWNER BETTER ACCESS FOR PEOPLE MOVING IN AND OUT OF THE HOUSE.

Item # 501

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 2334 POPLAR ROAD 21221

BEGINNING AT A POINT ON THE EAST SIDE OF POPLAR ROAD WHICH IS 30 FEET WIDE AT THE DISTANCE $520 \pm$ FEET SOUTH/WEST OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET, SILVER LANE WHICH IS 30 FEET WIDE.

BEING LOT #115 BLOCK —, SECTION — IN THE SUBDIVISION OF CEDAR BEACH AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 7 FOLIO # 186 CONTAINING 16,575 SQUARE FEET. ALSO KNOWN AS 2334 POPLAR ROAD AND LOCATED IN THE 15TH ELECTION DISTRICT, 5TH COUNCILMANIC DISTRICT

Item # 501

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 12774

DATE 5/8/02 ACCOUNT 001 006 6150
AMOUNT \$ 100⁰⁰

RECEIVED
FROM:

Ray Piechocki

FOR:

Variance (case #02-501-A)

Undersized lot (2334 Poplar Rd).

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
5/09/2002 5/08/2002 14:51:13

REG MS05 WALKIN RBS LRB DRAWER 5

>>RECEIPT # 265536 5/08/2002 OFLN

Dept: 5 528 ZONING VERIFICATION

CR NO. 012774

Recpt Tot \$100.00

100.00 CK .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 02-501-A

Petitioner/Developer: WILLIAM ROBERT HUDSON
90 RAYMOND PIECHOCKI

Date of Hearing/Closing: JULY, 9, 2002

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 _____

2334 POPLAR ROAD

The sign(s) were posted on JUNE 21, 2002
(Month, Day, Year)

Sincerely,

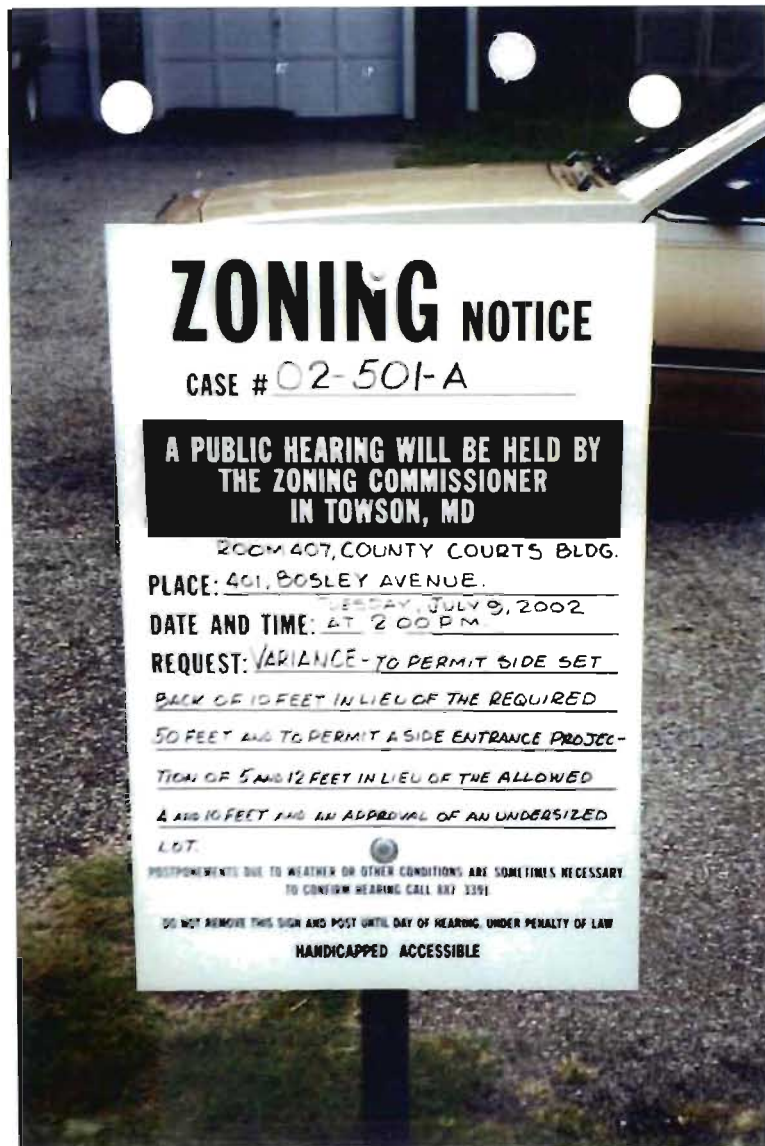
Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)



TO: PATUXENT PUBLISHING COMPANY
Monday June 24, 2002 Issue – Jeffersonian

Please forward billing to:
William Robert Hutson
2334 Poplar Road
Baltimore, MD 21221

410-960-8540

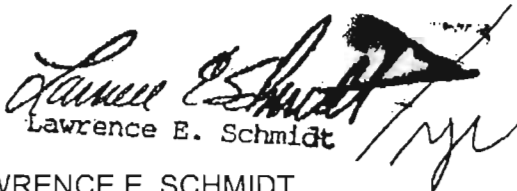
NOTICE OF ZONING HEARING

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: 02-501-A
2334 Poplar Road
E/side Poplar Road at 520 feet southwest centerline of Silver Lane
15 Election District – 5th Councilmanic District
Legal Owner: William Robert Hutson

VARIANCE To permit side set backs of 10 feet in lieu of the required 50 feet, and to permit a side entrance projection of 5 and 12 feet in lieu of the allowed 4 and 10 feet and an approval of an undersized lot.

HEARING: Tuesday, July 9, 2002 at 2:00 p.m. in room 407, County Office Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
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

May 30, 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: 02-501-A

2334 Poplar Road

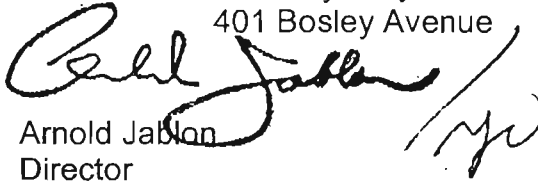
E/side Poplar Road at 520 feet southwest centerline of Silver Lane

15 Election District – 5th Councilmanic District

Legal Owner: William Robert Hutson

VARIANCE To permit side set backs of 10 feet in lieu of the required 50 feet, and to permit a side entrance projection of 5 and 12 feet in lieu of the allowed 4 and 10 feet and an approval of an undersized lot.

HEARING: Tuesday, July 9, 2002 at 2:00 p.m. in room 407, County Courts Building,
401 Bosley Avenue


Arnold Jablon
Director

C: William Robert Hutson 2334 Poplar Rd. Baltimore MD 21221
Raymond Piechocki, Building Development Consultants, 7500 Harford Road,
Baltimore, MD 21234

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

July 5, 2002

Mr. William Robert Hutson
2334 Poplar Road
Baltimore, MD 21234

Dear Mr. Hutson:

RE: Case Number:, 02-501-A 2334 Poplar Road -

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 8, 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,

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

WCR:rjc

Enclosures

c: Raymond Piechocki, 7500 Harford Road, Baltimore, MD 21234
People's Counsel

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





Baltimore County
Fire Department

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

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

May 22, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 28, 2002

Item No.: See Below

Dear Mr. Zahner:

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.

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

491, 501, 504, 506-510

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

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** July 9, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For June 3, 2002
Item No. 501

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

This site is located adjacent to tidewater. The property owner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basement) of residential development.

The minimum flood protection elevation is 11 feet for this site.

Our Buildings Engineer shall require a permit for all development, storage of equipment and materials, or placement of manufactured homes in the flood plain area; and the permit shall be granted only after necessary permits from the state and federal agencies have been obtained.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *zbs / TGT*

DATE: June 28, 2002

SUBJECT: Zoning Item 501
Address 2334 Poplar Road

Zoning Advisory Committee Meeting of May 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.

☒ 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).

☒ 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:

See the attached CBCA comments.

Reviewer: Keith Kelley

Date: June 12, 2002

CBCA Zoning Comments (zoning item #_501_)

☒ The property is located within the Limited Development Area (LDA) of the Chesapeake Bay Critical Area (CBCA).

☐ This proposal must use best management practices, which reduce pollutant loadings by 10%.

☐ Man-made impervious surfaces are limited to 15% for lots greater than ½ acre in size.

☒ Man-made impervious surfaces are limited to 25% for lots less than ½ acre in size.

☒ Mitigation is required if exceeding the 25% impervious surface limit. Impervious surfaces are limited to 25% of the lot & 500 square feet or 31.25% of the lot. Otherwise, a Critical Area Administrative Variance (CAAV) is required.

☒ If permitted development on a property currently exceeds impervious surface limits, that percentage may be maintained during redevelopment of the property.

☒ 15% forest must be established or maintained. This equates to 5 trees for a lot of this size.

☒ Any tree removed in the buffer for this structure must be replaced on a 1:1 basis.

☒ All downspouts must discharge rainwater runoff across a pervious surface such as a lawn.

☒ The lot is in a Buffer Management Area (BMA). Mitigation (planting trees, removing impervious area, or paying a fee-in-lieu) is required for the placement of the proposed structure within 100' of tidal waters.

☐ If the lot is unimproved, then the proposed dwelling cannot go any closer to the water than the neighboring dwelling farthest away from the water.

☒ If the lot is improved, then the proposed dwelling can go as close to the water as the existing dwelling.

☐ A Critical Area Administrative Variance (CAAV) is required for the placement of the proposed structure within 100' of tidal waters, tidal wetlands, stream, or within 25' of non-tidal wetlands.

☐ A Critical Area Administrative Variance (CAAV) is required since the proposed principal structure cannot honor the required 35' residential building setback or 25' commercial building setback from the 25' or 100' buffer.

June
7/9

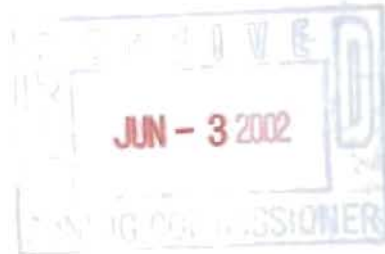
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 31, 2002

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



SUBJECT: 2334 Poplar Road

INFORMATION:

Item Number: 02-501

Petitioner: William Robert Hutson

Zoning: RC 5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit a side yard setback of 10 feet in lieu of the minimum required 50 feet and to permit side entrance projections of 5 feet and 12 feet in lieu of the permitted 4 feet and 10 feet. This office also supports the request to approve an undersized lot.

Prepared by:

Maureen Cunningham

Section Chief:

Arnold F. Keller

AFK/LL:MAC:

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

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

Permit or Case No. B485549

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

Residential Processing Fee Paid
(\$50.00)Accepted by RDD
Date 5/8/02

RE: Undersized Lots

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

MINIMUM APPLICANT SUPPLIED INFORMATION:

Print Name of Applicant WILLIAM ROBERT HUTSON Address 2334 POPLAR ROAD 21221 Telephone Number 410-960-0540

Lot Address 2334 POPLAR RD Election District 15 Councilmanic District 5 Square Feet 16,525

Lot Location: NE S W side/owner of POPLAR ROAD 520'± feet from NE S W corner of SILVER LANE
(street) (street)

Land Owner: WILLIAM ROBERT HUTSON Tax Account Number 1514101190

Address: 2334 POPLAR RD 21221 Telephone Number 410-960-0540

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

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

1. This Recommendation Form (3 copies)

YES ☒ NO ☐

2. Permit Application

YES ☒ NO ☐

3. Site Plan

Property (3 copies)

YES ☒ NO ☐

Topo Map (2 copies): available in Room 206, County Office Building - (please label site clearly)

YES ☒ NO ☐

4. Building Elevation Drawings

YES ☒ NO ☐

5. Photographs (please label all photos clearly)

Adjoining Buildings

YES ☒ NO ☐

Surrounding Neighborhood

YES ☒ NO ☐6. Current Zoning Classification: RC-5

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY:

RECOMMENDATIONS / COMMENTS:

Case #02-501

☒ Approval☐ Disapproval☐ Approval conditioned on required modifications of the application to conform with the following:

Signed by: Arnold Jablon
for the Director, Office of Planning and Community Conservation

Date: 5/17/02

Date	From	To	Co.	Phone #	Fax #
7671	David Durrell	Lynn Carlin	Planning	3480	5862
Post-It Fax Note	David Durrell	David Durrell	Planning	3391	42824



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.23.02

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

RE: Baltimore County
Item No. 501 RDD

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,


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

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PIECHOCKI CONSULTANTS

Building Development Consultants

7500 Harford Road

Baltimore, Maryland 21234

(410) 426-0302

FAX (410)-426-7779

5/6/02
WCR
g

*Can you
assist in
this?
Belt*

May 1, 2002

Mr. Arnold Jablon, Director
Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Hutson Residence
2334 Poplar Road
Baltimore, MD 21221

Dear Mr. Jablon:

I am writing to you on behalf of the owner of the above referenced property. We completed the construction documents for a replacement house on the property. We were preparing to submit an application for a building permit and discovered that, because the property is located in an R.C.5 Zone, there is need for several variances. We have prepared the document for an Administrative Variance to address the following:

*no
undersized lot approval*

- Building setbacks – R.C. 5 required 50' side yards. This is a 50' wide lot. We are asking for 10'.
- Projections into setback:
 - o Front yard (water side) is a minimum of 50'. We have 51', but we are asking to construct a 12' x 40' deck in this setback.
 - o Side entrance porches and steps may project into the setback 4'. We are asking that this dimension be increased to 5'.
 - o Roof eaves may project into the setback, but they are limited to 10 linear feet. The building minimum is 44' long, so we are asking to increase this dimension by 4'.

Our date for submission of our documents is May 8th at 2:00 p.m. I have met with Don Roscoe and Karl Richards to discuss the details of the variance request and the possibility of submitting our building permit application to the variance and the permit application could be processed simultaneously. After several conversations it was suggested that we write to you regarding the simultaneous processing of the activities.

Ninety percent of the original homes in this neighborhood have been rebuilt, re-modeled, and generally upgraded with variances similar to ours. I believe that there will be no opposition to this variance request. Since we want to move forward as soon as possible, Karl Richards suggested that we request the simultaneous processing on the basis of hardship to the owner.



Mr. Arnold Jablon, Director

May 2, 2002

Page -2-

The hardship is based on the delay of waiting for the variance to be approved before submitting for a building permit. This could extend our start date for 45 days or more. Please note that this property is the primary address of the owner.

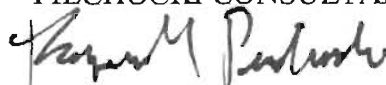
Further hardship exists in that:

- Contractors are available to start and expedite construction.
- Materials have been purchased.
- The building is substandard and deteriorating rapidly, thus presenting an "eyesore" or blight on a community that has already undergone substantial upgrading and improvements.
- Delaying the start of construction by forty-five days will push out construction into the winter months. This will further delay the completion of the project and add additional costs.

We believe that the County and the owner will benefit by your granting our request for simultaneous processing of both the variance request and permit application. We hope that you will agree.

We thank you for your help.

Very truly yours,
PIECHOCKI CONSULTANTS


Ray Piechocki

RP/khp

File: J:Karen/Ray Piechocki - Jablon 5-1-02

Bruce
See me when
they file -
Carl
2:00 on 5/8

PROVISIONAL APPROVAL
PERMIT NUMBER: B485549



Date: May 8, 2002

Location: 2334 Poplar Rd

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following **Conditions**:

☒ Owner has filed for a public hearing, Item # 501

☐ Owner must file for a public hearing within ___ days before the Zoning Commission requesting relief from all conflicts with the Baltimore County Zoning Regulations.

☐ Owner/contract purchaser must submit a complete revised site development plan and requested accompanying information within ___ days resolving all possible conflicts with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above referenced permit.

However, in the event that any or all of the above conditions are not completed as stipulated, and/or the petition for relief has been denied, dismissed, or withdrawn, this provisional approval is rescinded forthwith.

Immediately thereafter, the owner/contract purchaser must return the property to the condition it was in prior to the beginning of said construction and accepts full financial liability in the matter.

ZONING STAFF

DIRECTOR, PERMITS & DEVELOPMENT MANAGEMENT

I have read the above statement and I agree to abide by the decision of the zoning commissioner, if applicable, in this matter. I also hereby certify that I, the undersigned, am in fact the owner and, if applicable, the contract purchaser and not just an agent for same.

Signed - Owner Signed - Contract Purchaser _____

Printed Name WILLIAM ROBERT HUTSON Printed Name _____

Address 2334 POPLAR RD Address _____

BALTIMORE, MD 21221

Work Phone # 410-960-8540 Work Phone # _____

Home Phone # 410-960-8540 Home Phone # _____

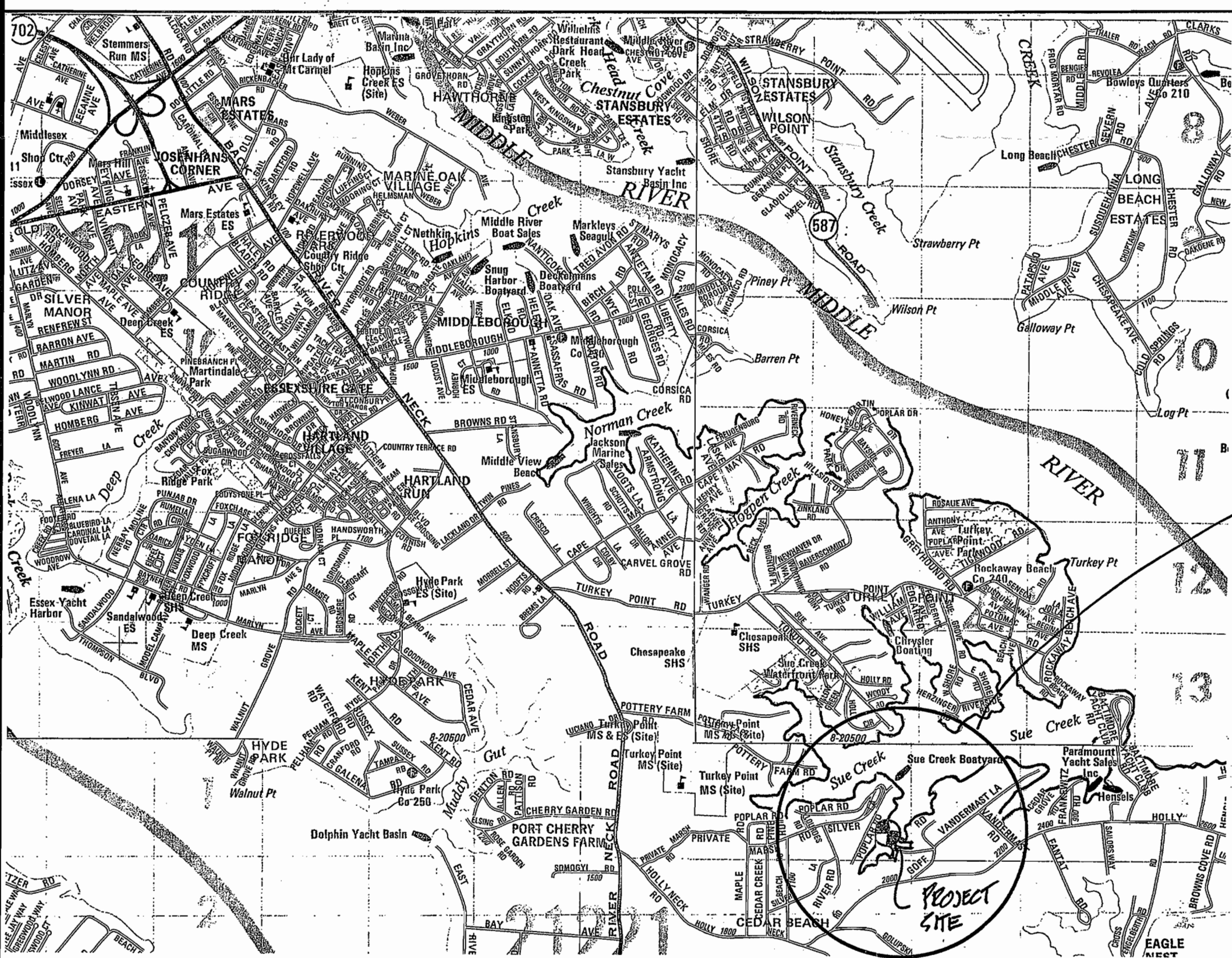
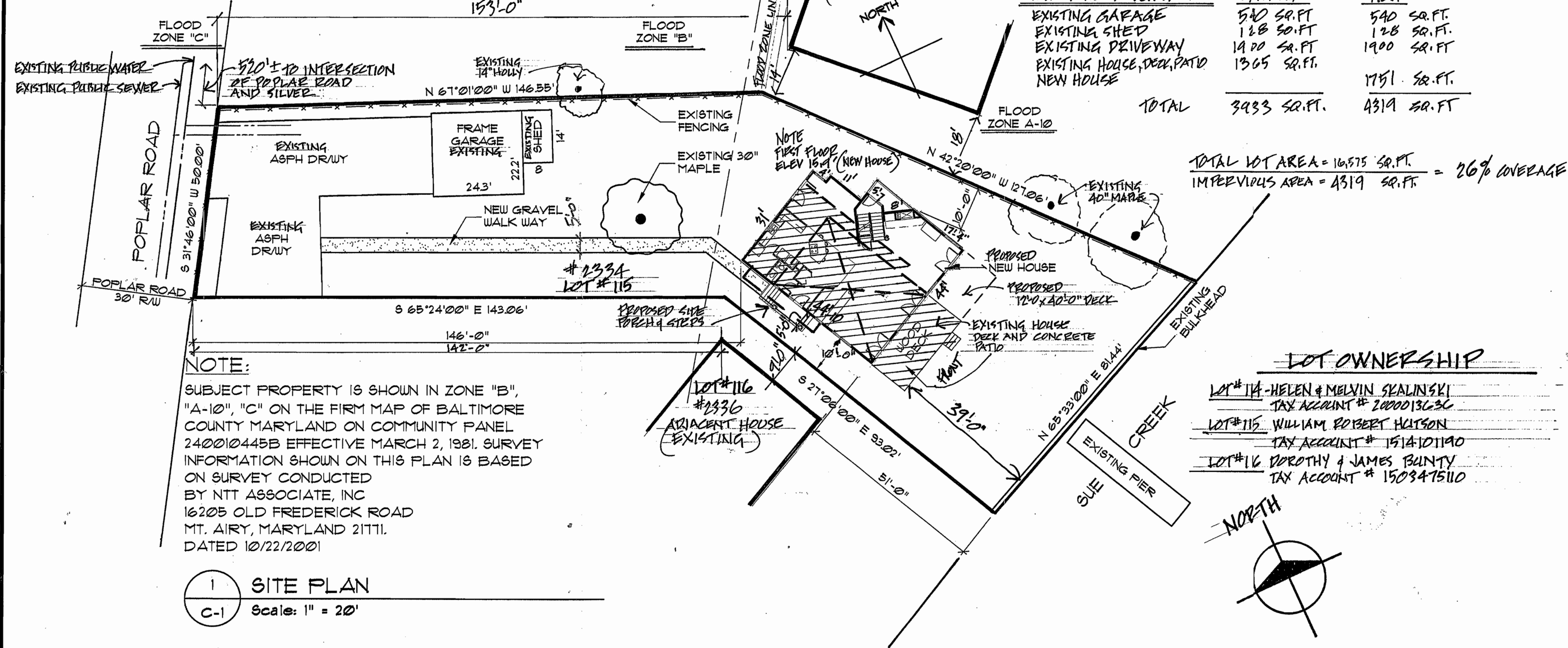
2334 POPLAR ROAD

BALTIMORE, MD 21221

- THERE IS NOT SUFFICIENT ADJOINING LAND TO CONFORM TO THE ~~CURRENT~~ SET BACK REQUIREMENTS CONTAINED IN THE CURRENT ZONING REGULATIONS
- REDUCING THE SET BACKS TO 10' WOULD ALLOW FOR THE CONSTRUCTION OF A BUILDING THAT WOULD BE COMPATIBLE WITH THE NEIGHBORING PROPERTIES
- BY ALLOWING A 5' PROJECTION OF THE ENTRANCE PORCH IN LIEU OF 4', THE EGRESS TO THE BUILDING WILL BE IMPROVED THUS ALLOWING THE OWNER BETTER ACCESS FOR PEOPLE MOVING IN AND OUT OF THE HOUSE.

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS: 2334 POPLAR ROAD 21221
 SUBDIVISION NAME: CEDAR BEACH
 PLAT BOOK #1 FOLIO 106 LOT #15 SECTION 2
 OWNER: WILLIAM ROBERT HUTSON
 APRIL 26, 2002
 193'-0"



VICINITY MAP

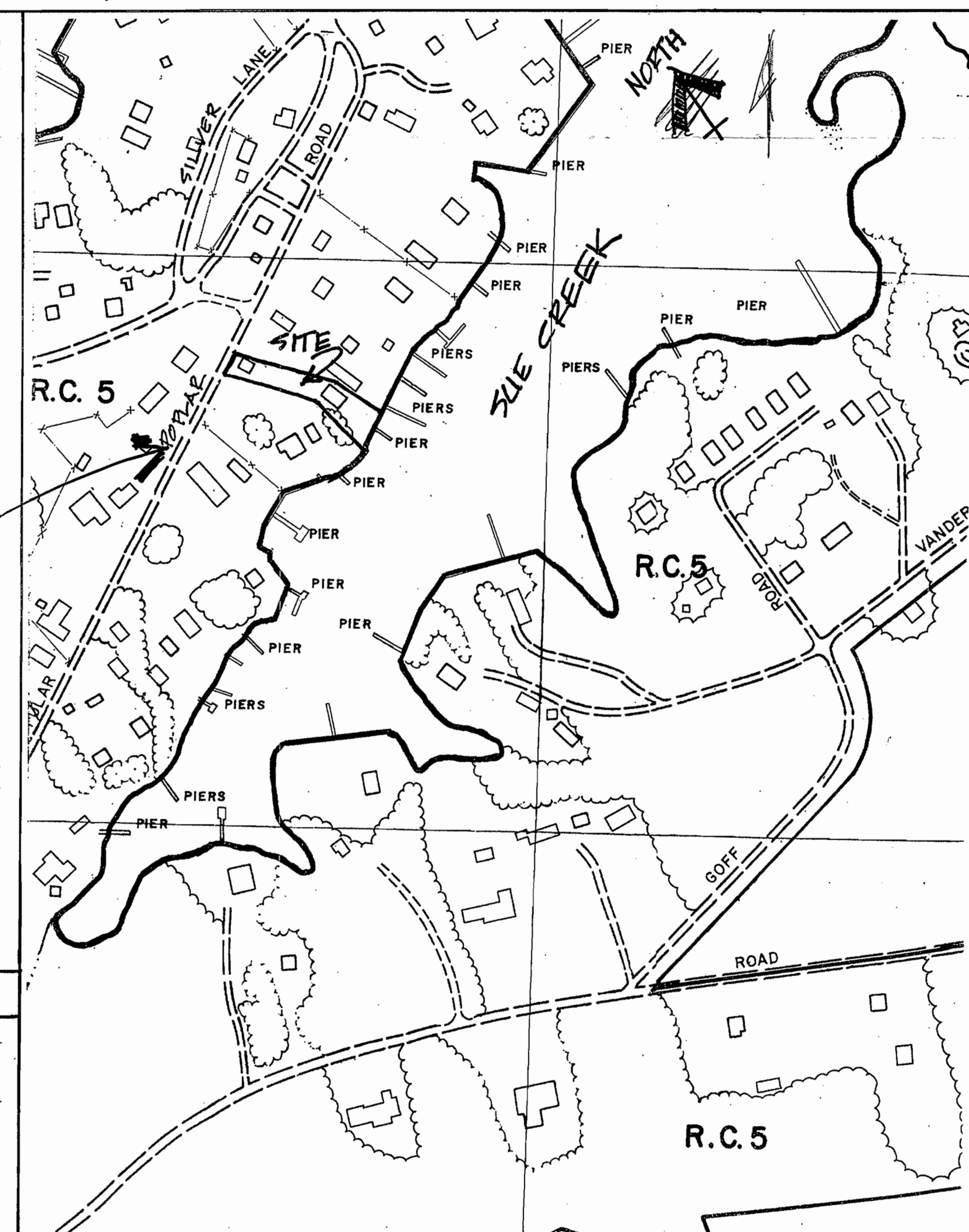
ELECTION DISTRICT: 15
 COUNCILMANIC DISTRICT: 5
 1" = 200' SCALE MAP # SE 2J
 ZONING: R.C.5

LOT SIZE: 0.30 ACRES
 16,575 SQUARE FEET

SEWER: ☒ PUBLIC ☐ PRIVATE
 WATER: ☒ PUBLIC ☐ PRIVATE

CHESAPEAKE BAY CRITICAL AREA: ☒ YES ☐ NO
 100 YEAR FLOOD PLAIN: ☒ YES ☐ NO
 HISTORIC PROPERTY/BUILDING: ☐ YES ☒ NO
 PRIOR ZONING HEARING: ☐ YES ☒ NONE

LOCATION INFORMATION



LOCATION MAP #SE 2J

1" = 200'

PIECHOKI CONSULTANTS
 7500 Harford Road
 Baltimore, Maryland 21234
 Phone: 410-426-0302

HUTSON RESIDENCE
 2334 POPLAR ROAD
 BALTIMORE MARYLAND 21221

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

DRAWING TITLE:
 SITE PLAN

DATE OF ISSUE:
 17 APRIL 2002

REVISIONS:		
DATE	NO.	ITEM

SCALE: AS NOTED

PROJECT NO.: 02009

DRAWING NO.:

C-1

Ref. #1
 9.4.

ZONING OFFICE USE ONLY		
REVIEWED BY	ITEM #	CASE #
RDD	501	02-501-A