

IN RE: PETITIONS FOR SPECIAL HEARING  
AND VARIANCE

E/S of Rockaway Beach Ave., 200' E  
centerline of Beach Rd.  
15th Election District  
6th Councilmanic District  
(711 Rockaway Beach Avenue)

Denise M. & William R. Woutila  
*Petitioners*

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 03-392-SPHA

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owner of the subject property, Denise M. and William R. Woutila. The Petitioners are requesting variance relief for property they own at 711 Rockaway Beach Avenue. Their property is zoned D.R.3.5. The special hearing request is to approve an accessory structure (garage) on a vacant lot and variance relief is requested to allow the garage to have a front street setback of 22.5 ft. in lieu of the required 30 ft.

Appearing at the hearing on behalf of the requested special hearing and variance relief were the owners of the property, William and Denise Woutila. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing and variance request, consists of 14,800 sq. ft., zoned D.R.3.5. The subject property is improved with an existing 2 ½-story single-family residential dwelling. The dwelling itself is located on Lot 42. It is occupied by William and Denise Woutila, the Petitioners herein. These property owners are fortunate enough to have a double waterfront lot at this location. On Lot 43, which they also own, there exists an old wood frame garage which is extremely deteriorated and in need of replacement. The Petitioners are interested in tearing down the old garage and constructing a new detached garage in its place. The details of the garage are shown on Petitioners' Exhibit No.

4/24/03  
R. J. Johnson

1, the site plan submitted into evidence. In order to proceed with the construction of a new garage, the special hearing and variance requests are necessary.

It should be noted that the new garage, which is proposed to be located 22.5 ft. from the right-of-way of Rockaway Beach Avenue, sits much further off of that right-of-way than does the existing garage which is situated 12 ft. from Rockaway Beach Avenue. Therefore, the new garage will pose no adverse impact above and beyond what currently exists on the property today.

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

To prove practical difficulty for an area variance, the Petitioners 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 and special hearing are 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 Petitioners seek 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.

At the hearing, Mr. Woutila indicated that he currently owns two antique vehicles, an antique 1955 Chevrolet and a 1966 Corvette. These automobiles are currently stored within the old

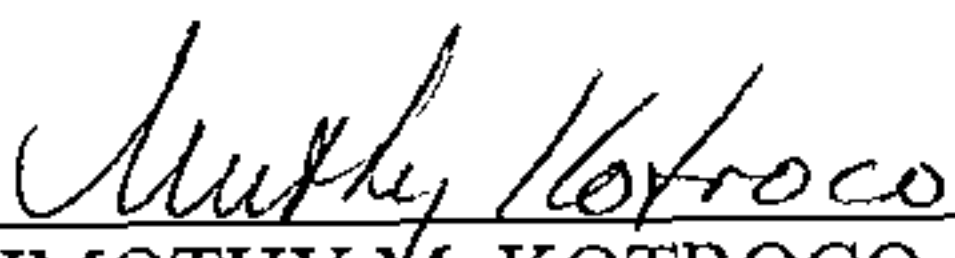
4/24/03  
R. Peterson

garage which is to be torn down to make way for the new one. Therefore, it shall be appropriate and permissible for Mr. Woutila to keep and store these antique automobiles on the open portion of this property during the razing of the old garage and the construction of the new one. Once the new garage is completed, these antique vehicles shall be stored within the new garage, unless they are properly tagged and operable.

Pursuant to the advertisement, posting of the property and public hearing held on the Petition and for the reasons given above, I believe that the special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 24<sup>th</sup> day of April, 2003, that the Petitioners' special hearing request, to approve an accessory structure (garage) on a vacant lot and variance request to allow the garage to have a front street setback of 22.5 ft. in lieu of the required 30 ft., be and they are hereby GRANTED, subject, however, to the following restriction:

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

  
TIMOTHY M. KOTROCO  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

TMK:raj



Baltimore County  
Zoning Commissioner

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

April 24, 2003

Mr. & Mrs. William R Woutila  
711 Rockaway Beach Avenue  
Baltimore, Maryland 21221

Re: Petitions for Special Hearing & Variance  
Case No. 03-392-SPHA  
Property: 711 Rockaway Beach Avenue

Dear Mr. & Mrs. Woutila:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing and variance have 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 M. Kotroco".

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:raj  
Enclosure

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



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on Recycled Paper



# *CBCA* Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 711 Rockaway Beach Ave.  
which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

*an accessory structure on a vacant lot.*

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

## Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

## OFFICE USE ONLY

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

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

Reviewed By JRP Date 2/24/03

Case No. 03-392-SPHA

REV 9/15/98



# Petition for Variance

to the Zoning Commissioner of Baltimore County  
for the property located at 711 Rockaway Beach Ave  
which is presently zoned D.R. 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C1.BCZR.

To allow an accessory structure (detached garage) with  
a front street setback of 22.5' in lieu of the required  
30'.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

## Representative to be Contacted:

Name

Address

City

Telephone No.

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By JRF Date 2/24/03

Case No. 03-392-SPHA

# EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - **DO NOT USE THIS FORM FOR "FILL-IN THE BLANK"**. Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 711 ROCKAWAY BEACH AVE  
(address)

Beginning at a point on the EAST side of  
(north, south, east or west)

ROCKAWAY BEACH AVE which is 40'  
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 200' EAST of the  
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Beach Rd.  
(name of street)

which is 40' wide. \*Being Lot # 42, 43,  
(number of feet of right-of-way width)

Block       , Section #        in the subdivision of ROCKAWAY BEACH  
(name of subdivision)

as recorded in Baltimore County Plat Book # 4, Folio # 171,

containing 14,800 sq. ft. Also known as 711 ROCKAWAY BEACH AVE  
(square feet or acres) (property address)

and located in the 15 Election District, 6 Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber       , Folio       " and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

# 392

Typical metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E.87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

**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: #03-392-SPHA  
711 Rockaway Beach Avenue  
E/side of Rockaway Beach Avenue  
15th Election District  
6th Councilmanic District  
Legal Owner(s): William R. and Denise M. Woutila  
**Special Hearing:** to allow an accessory structure on a vacant lot. **Variance:** to allow an accessory structure (detached garage) with a front street setback of 22.5 feet in lieu of the required 30 feet.  
**Hearing: Wednesday, April 23, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County  
NOTES. (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.  
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.  
JT 4/655 April 8 C596843

**CERTIFICATE OF PUBLICATION**

4/10/, 2003

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 4/8/, 2003.

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

*S. Wilkinson*

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 22314

DATE 2-24-03 ACCOUNT 001-006-0150  
AMOUNT \$ 130.00

RECEIVED FROM: William R. Woutila  
711 Rockaway Beach Ave. Item # 392  
FOR: Variance & Special Hearing Taken by: JRF

PAID RECEIPT

BUSINESS ACTUAL TIME  
2/25/2003 2/24/2003 09:50:52  
REG MS02 WALKIN JENA JEE DRAWER 2  
RECEIPT # 254270 2/24/2003 OFLN  
Dept 5 528 ZONING VERIFICATION  
OR NO. 022314

Receipt Tot \$130.00  
130.00 OK .00 OK  
Baltimore County, Maryland

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

# CERTIFICATE OF POSTING

RE: Case No.: 03-392-SPHA

Petitioner/Developer: \_\_\_\_\_

William Woutila

Date of Hearing/Closing: 4-23-03

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 711 Rockaway Beach Ave.  
Baltimore, MD 21221

March 21, 2003

(Month, Day, Year)

Sincerely,

Stacy Gardner 3/21/03  
(Signature of Sign Poster and Date)

Stacy Gardner

(Printed Name)

SHANNON-BAUM SIGNS INC.

105 COMPETITIVE GOALS DR.

ELDERSBURG, MD. 21784

(City, State, Zip Code)

410-781-4000

(Telephone Number)

## ZONING NOTICE

CASE # 03-392-SPHA

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

PLACE: COUNTY COURTS BLDG. 401 BOULEVARD, RM. 407

DATE AND TIME: WEDNESDAY, APRIL 23, 2003 11:00 AM

REQUEST: SPECIAL HEARING TO ALLOW AN ACCESSORY

STRUCTURE ON A VACANT LOT. VARIANCE TO ALLOW AN

ACCESSORY STRUCTURE (DETACHED GARAGE) WITH A FRONT

STREET SETBACK OF 22.5 FEET IN LIEU OF THE REQUIRED

30 FEET

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CANCEL HEARING CALL 887-3387

DO NOT REMOVE THIS SIGN AND POST WITHIN 30 DAYS OF HEARING UNDER PENALTY OF LAW.



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

March 12, 2003

## NOTICE OF ZONING HEARING

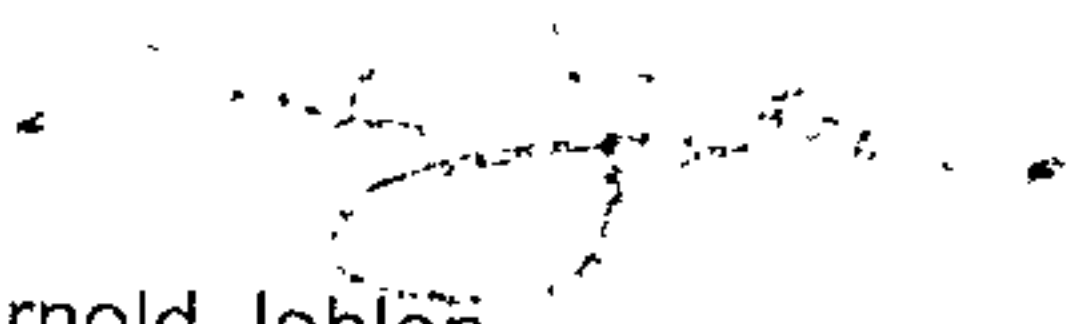
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 03-392-SPHA**

711 Rockaway Beach Avenue  
E/side of Rockaway Beach Avenue  
15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District  
Legal Owners: William R. and Denise M. Woutila

Special Hearing to allow an accessory structure on a vacant lot. Variance to allow an accessory structure (detached garage) with a front street setback of 22.5 feet in lieu of the required 30 feet.

Hearings: Wednesday, April 23, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

  
Arnold Jablon  
Director

AJ:rlh

C: William and Denise Woutila, 711 Rockaway Beach Avenue, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 8, 2003.**  
(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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

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For Newspaper Advertising:

Item Number or Case Number: 03-392-SP4A  
Petitioner: William R. & Denise M. Woutila  
Address or Location: 711 Rockaway Beach Ave  
21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: William Woutila  
Address: 711 Rockaway Beach Ave.  
Balto MD 21221  
Telephone Number: 410 687 4611



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

April 18, 2003

William R. Woutila  
Denise M. Woutila  
711 Rockaway Beach Avenue  
Baltimore, MD 21221

Dear Mr. and Mrs. Woutila:

RE: Case Number: 03-392-SPHA, 711 Rockaway Beach Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 24, 2003.

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 black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel

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



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on Recycled Paper



**Baltimore County  
Fire Department**

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

County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

March 11, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: March 10, 2003

Item No.: 384 - <sup>392</sup>395

Dear Ms. Hart:

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.

7. The Fire Marshal's Office has no comments at this time.

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

cc: File





MARYLAND DEPARTMENT OF TRANSPORTATION

Robert L. Ehrlich, Jr., *Governor* • Michael S. Steele, *Lt. Governor* • Trent M. Kittleman, *Acting Secretary*

Date: 3.11.03

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

RE: Baltimore County  
Item No. 392 JRF

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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

Very truly yours,

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

My telephone number/toll-free 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 • Phone 410.545.0300 • [www.marylandroads.com](http://www.marylandroads.com)

*File*

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon  
FROM: R. Bruce Seeley *RBS/TGT*  
DATE: April 30, 2003  
SUBJECT: Zoning Item 392  
Address 711 Rockaway Beach Avenue (Woutica Property)

DATE: May 1, 2003

Zoning Advisory Committee Meeting of 3/10/02

- \_\_\_\_\_ 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 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).
- \_\_\_\_\_ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

See attached comments.

Reviewer: Keith Kelley

Date: 4/21/03

CBCA Zoning Comments (zoning item # 392)

☒ The property is located within the Limited Development Area (LDA), or Resource Conservation Area (RCA), or Intensely Developed Area (IDA) 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 1/2 acre in size

☒ Man-made impervious surfaces are limited to 25% for lots less than 1/2 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 3%~~ 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 2 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.

Jim  
4/23

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** March 13, 2003

RECEIVED

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

MAR 13 2003

**SUBJECT:** Zoning Advisory Petition(s): Case(s) 03-391, & 03-392

ZONING COMMISSIONER

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunniff

Section Chief:

John J. [Signature]

AFK/LL:MAC

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**DATE:** March 17, 2003

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For March 17, 2003  
Item No. 392

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

The flood protection elevation for this site is 11.2 feet.

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

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

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with B.O.C.A. requirement, adopted by the county.

RWB:CEN:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
AND VARIANCE \*  
711 Rockaway Beach Avenue; E/side of \* ZONING COMMISSIONER  
Rockaway Beach Ave, 200' E c/line Beach Rd \*  
15th Election & 6th Councilmanic Districts \* FOR  
Legal Owner(s): Wiliam & Denise Woutila \*  
Petitioner(s) \* BALTIMORE COUNTY  
\* 03-392-SPHA

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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 4<sup>th</sup> day of March, 2003, a copy of the foregoing Entry of Appearance was mailed to William R Woutila, 711 Rockaway Beach Avenue, Baltimore, MD 21221, Petitioner(s).

  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Robert L. Ehrlich, Jr.*  
Governor

*Michael S. Steele*  
Lt. Governor

**MDP**  
*Maryland Department of Planning*

*Audrey E. Scott*  
Secretary

*Florence E. Burian*  
Deputy Secretary

March 12, 2003

Ms. Rebecca Hart  
Baltimore County Department of Permits and Development Management  
County Office Building  
111 West Chesapeake Avenue  
Room 111, Mail Stop #1105  
Towson MD 21204

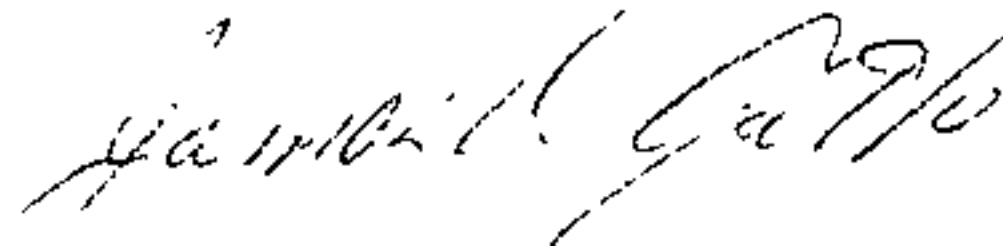
Re: Zoning Advisory Committee Agenda, 03-17-03 regarding case numbers: 03-384-A, 03-385-A, 03-387-A, 03-388-SPH, 03-389-A, 03-390-SPH, 03-391-A, 03-392-SPHA, 03-393-SPHA, 03-394-A, 03-395-A

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 03/11/03. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,



James R. Gatto  
Manager  
Metropolitan Planning  
Local Planning Assistance Unit

cc: MikeNortrup

# PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☒ SPECIAL HEARING

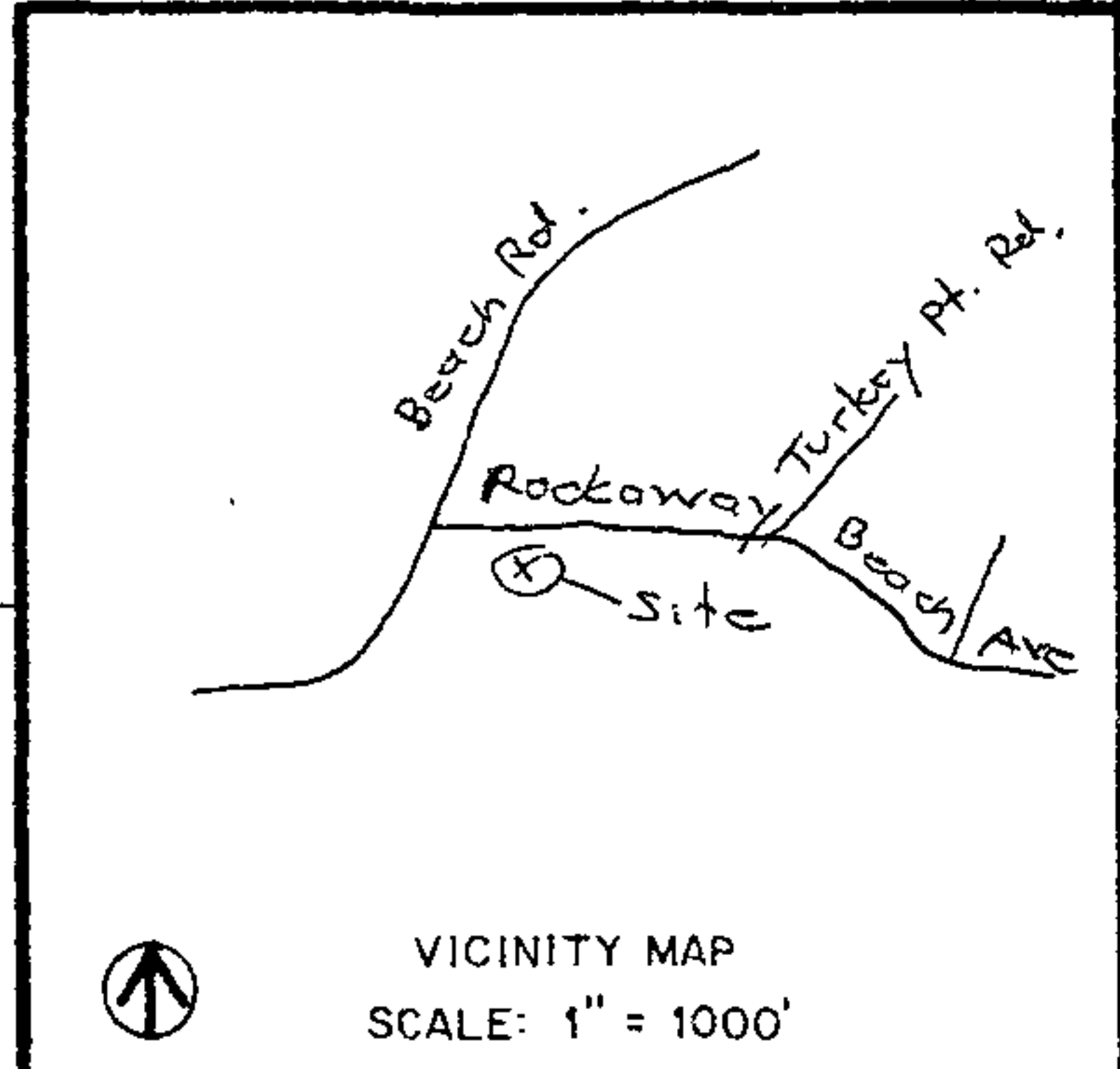
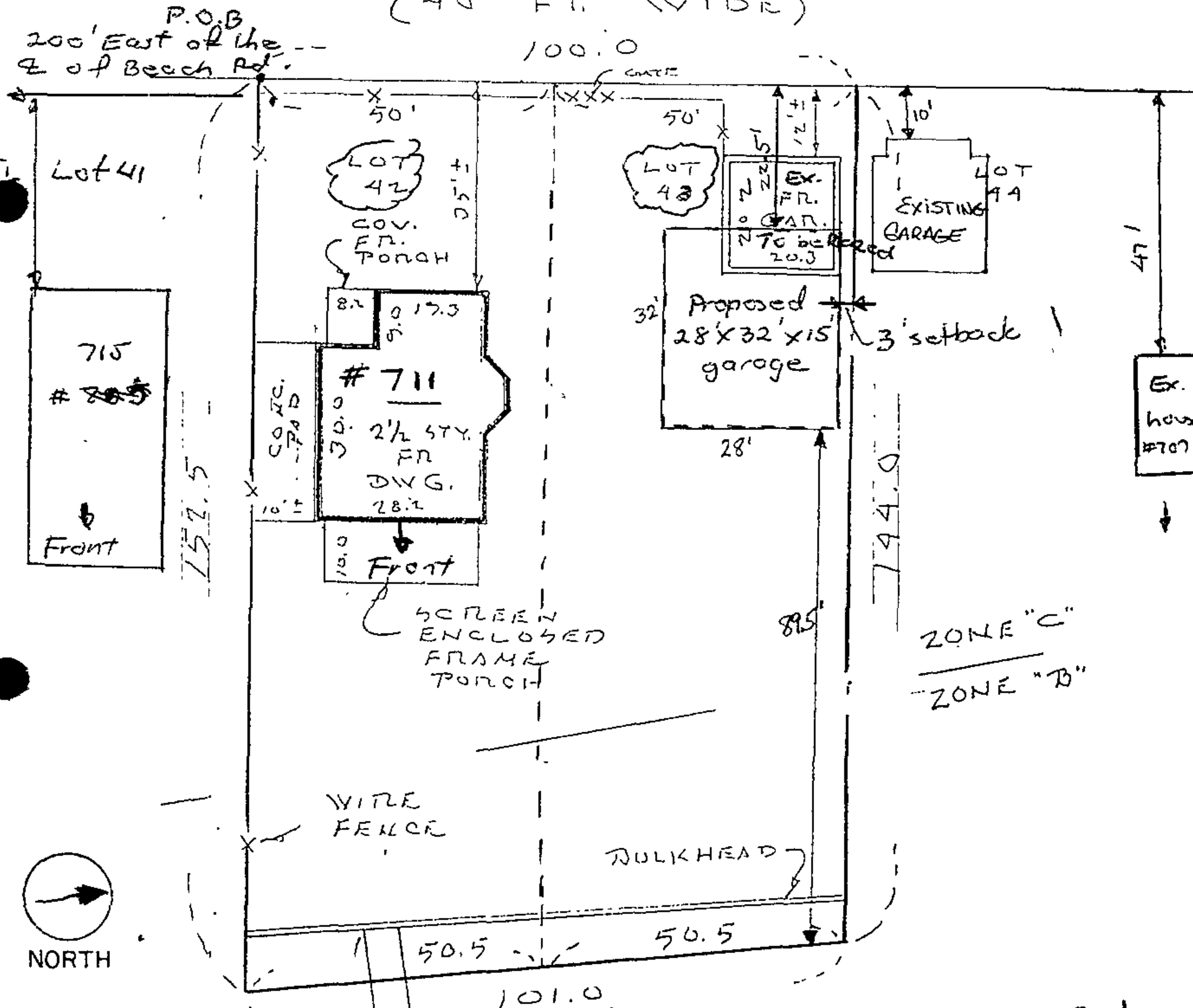
PROPERTY ADDRESS 711 Rockaway Beach Ave. SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Rockaway Beach

PLAT BOOK # 4 FOLIO # 171 LOT # 42 SECTION # 1

OWNER William Woutila Denise M Woutila

**ROCKAWAY BEACH AVENUE**  
(40 FT. WIDE)



**LOCATION INFORMATION**

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # SE 1-K

ZONING DR 3.5

LOT SIZE 14,800 sq. ft.

|                              | ACREAGE                                    | SQUARE FEET                         |
|------------------------------|--------------------------------------------|-------------------------------------|
| SEWER                        | <input checked="" type="checkbox"/> PUBLIC | <input type="checkbox"/> PRIVATE    |
| WATER                        | <input checked="" type="checkbox"/> PUBLIC | <input type="checkbox"/> PRIVATE    |
| CHESAPEAKE BAY CRITICAL AREA | <input checked="" type="checkbox"/> YES    | <input type="checkbox"/> NO         |
| 100 YEAR FLOOD PLAIN         | <input type="checkbox"/>                   | <input checked="" type="checkbox"/> |
| HISTORIC PROPERTY/BUILDING   | <input type="checkbox"/>                   | <input checked="" type="checkbox"/> |
| PRIOR ZONING HEARING         | <u>None</u>                                |                                     |

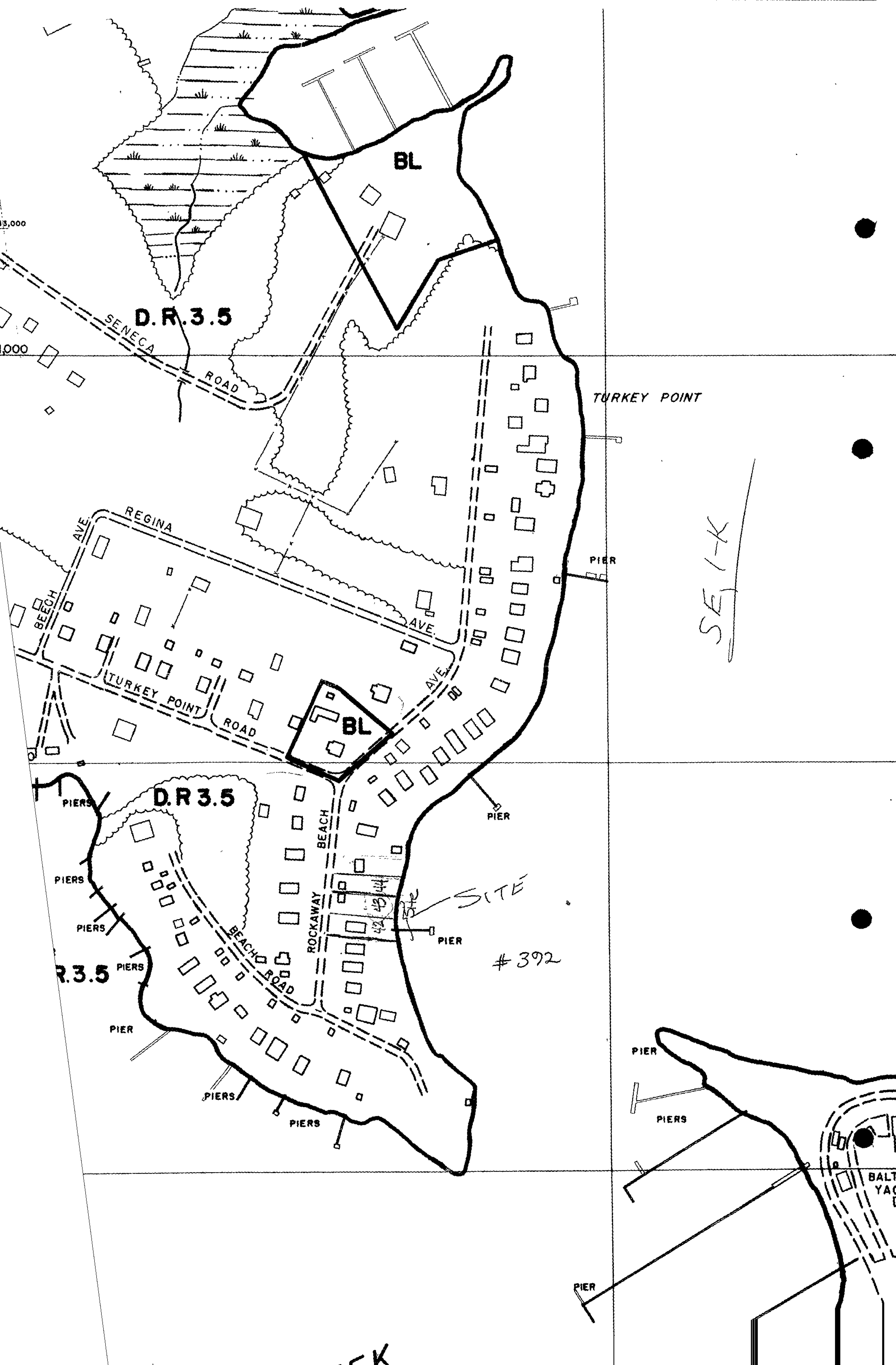
**ZONING OFFICE USE ONLY**

REVIEWED BY JRF ITEM # 392 CASE #

PREPARED BY WRW SCALE OF DRAWING: 1" = 30'

-15-  
Pet. Gx #1

Pet Gx #1







TO: PATUXENT PUBLISHING COMPANY  
Tuesday, April 8, 2003 Issue - Jeffersonian

Please forward billing to:

William Woutila  
711 Rockaway Beach Avenue  
Baltimore, MD 21221

410-687-4611

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## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 03-392-SPHA**

711 Rockaway Beach Avenue  
E/side of Rockaway Beach Avenue  
15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District  
Legal Owners: William R. and Denise M. Woutila

Special Hearing to allow an accessory structure on a vacant lot. Variance to allow an accessory structure (detached garage) with a front street setback of 22.5 feet in lieu of the required 30 feet.

Hearings: Wednesday, April 23, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.