

IN RE: PETITION FOR VARIANCE

E/S S. Seneca Road, 330' S
centerline of Seneca Road
15th Election District
6th Councilmanic District
(1337 S. Seneca Road)

Kevin Koluch
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-475-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner on a Petition for Variance for the property located at 1337 S. Seneca Road in the Bowleys Quarters community of eastern Baltimore County. The petition was filed by Kevin Koluch, property owner. Variance relief is requested from Sections 1A04.3.B.1.2 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a buildable lot with an area of .365 acres in lieu of the minimum required one acre and side yard setbacks of 10 ft. each in lieu of the minimum required 50 ft. and to approve an undersized lot. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the petition for variance, at 1337 S. Seneca Road.

Appearing at the requisite public hearing held for this case was Kevin Koluch, Property Owner/Petitioner. Also appearing in support of the request was Richard Benson, owner of the adjacent property at 1335 S. Seneca Road and Gregory J. Sowers who owns nearby property

Testimony and evidence presented was that the subject property is a rectangularly shaped waterfront lot adjacent to Seneca Creek in Bowleys Quarters. Vehicular access to the property is by way of Seneca Road, near New Section Road and Bowleys Quarters Road. The property is known as Lot No. 25 of the Plat of "Bowley's Quarters", which was recorded among the Land Records of Baltimore County many years ago, prior to the adoption of the first zoning

6/26/03
R. J. Sowers

regulations in Baltimore County. The property is 50 ft. wide and approximately 320 ft. deep and is zoned R.C.5 and is .365 acres in area. The property is unimproved but for a small shed which has been erected on the site.

As is the case with other lots in this area, the property is undersized under the current zoning regulations. The R.C.5. regulations require a minimum lot area of one acre and minimum setbacks of 50 ft. to the nearest property line. Given the width of the property, compliance with these standards is impossible.

Mr. Koluch testified that he has owned the property for approximately 15 years. Given its waterfront location, the site is presently used for recreational purposes. He proposes the construction of a two-story, single-family dwelling on the property. The building envelope shows that the house will be 30 ft. wide and 44 ft. deep. Additionally, the house will be set back a minimum of 111 ft. from the bulkhead. This is a distance consistent with other houses in the area and the location of the house as proposed will not block views of the water from adjacent properties. Mr. Koluch also indicated that the property is presently served by public water and an extension of the sewer line is under construction. The subject property will not be developed until sewer is available and the property can be connected to the public system.

The neighbors who appeared did not oppose the request. They confirmed that many of the dwellings in the area are on 50 ft. lots. They expressed a concern about the setback of the house from the water and any disruption of their views. However, they were satisfied that the proposed location will not detrimentally impact adjacent properties.

Based upon the testimony and evidence presented, I am persuaded to grant the relief requested. A denial of the petition would render the property unusable. I find that the Petitioner has satisfied the requirements of Section 307 of the Baltimore County Zoning Regulations.

6/26/03
R. J. J. J.

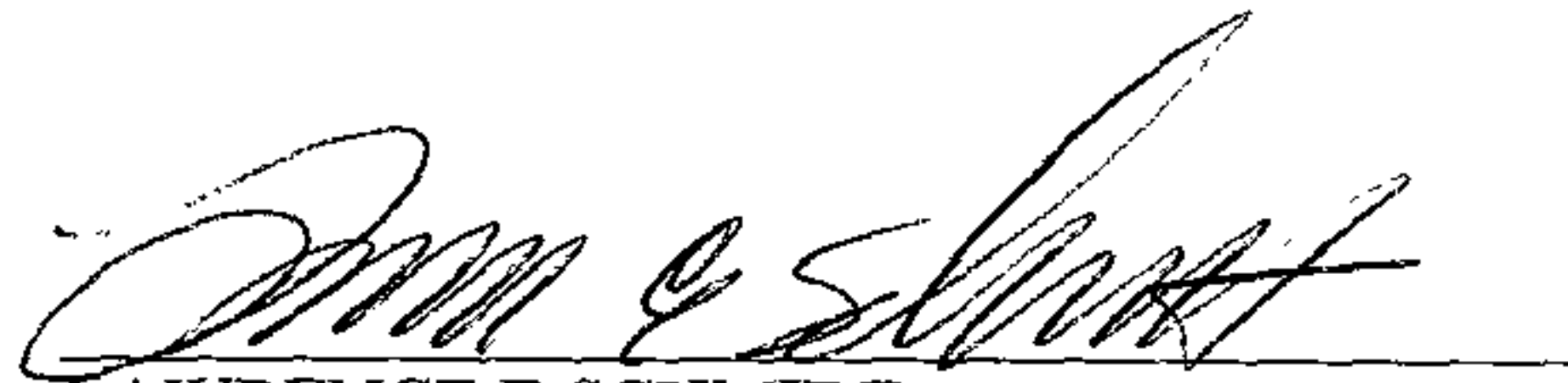
However, in granting the relief requested, several restrictions will be imposed. First, the Petitioner shall comply with the Chesapeake Bay Critical Area regulations and any other relevant environmental standards. Secondly, the house will be set back as more particularly shown on the site plan. The house will be set back a minimum of 111 ft. from the bulkhead. Thirdly, elevation drawings of the proposed structure shall be submitted to the Office of Planning for review and approval, to ensure that the house is compatible with other residences in the community. Finally, the house may not be constructed until public sewer is available to this property.

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 *26th* day of June, 2003, by this Zoning Commissioner, that the Petitioner's request for variance from Sections 1A04.3, B.1.2 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a buildable lot with an area of .365 acres in lieu of the minimum required one acre and side yard setbacks of 10 ft. each in lieu of the minimum required 50 ft. and to approve an undersized lot, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioner may apply for his 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.
- 2) The Petitioner shall comply with the Chesapeake Bay Critical Area regulations and any other relevant environmental standards.

- 3) The Petitioner's house shall be set back as more particularly shown on the site plan. The house will be set back a minimum of 111 ft. from the bulkhead.
- 4) The Petitioner shall submit elevation drawings of the proposed structure to the Office of Planning for their review and approval, to ensure that the house is compatible with other residences in the community.
- 5) The Petitioner's house may not be constructed until public sewer is available to this property.
- 6) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

6/26/03
J. P. Gimeson



Baltimore County
Zoning Commissioner

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

June 25, 2003

Mr. Kevin Koluch
6926 Gough Street
Baltimore, Maryland 21224

Re: Petition for Administrative Variance
Case No. 03-475-A
Property: 1337 S. Seneca Road

Dear Mr. Koluch:

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 black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

c: Gregory J. Sowers
1333 S. Seneca Road
Middle River, MD 21220

Richard Benson
1335 S. Seneca Road
Middle River, MD 21220

Visit the County's Website at www.baltimorecountyonline.info



Printed with Soybean Ink
on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1337 S. Seveca RD

which is presently zoned BC-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.1.2,304~~

1A04.3.B.1.2,304 To allow a buildable lot with an area of .365 acre and side setbacks of 10 ft. each in lieu of the minimum required 1.0 acre and 10 ft. each respectively and to approve an undersize lot pursuant to S.304 with any other variances as deemed necessary by the Zoning Commissioner.

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

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____

Signature _____

Company _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Case No. 03-475-A

REV 9/15/98

Legal Owner(s):

Kevin Koluch
Name - Type or Print _____

Ken Koluch
Signature _____

X Kevin Koluch
Name - Type or Print _____

X
Signature _____

6926 Gough ST 410-633-2819
Address _____ Telephone No. _____

BALTO MD 21224
City _____ State _____ Zip Code _____

Representative to be Contacted:

Kevin Koluch
Name _____

6926 Gough ST 410-633-2819
Address _____ Telephone No. _____

BALTO MD 21224
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1.00 hr

UNAVAILABLE FOR HEARING
Reviewed By [Signature] Date 4-14-03

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. **19319**
03-475-A

DATE 4-14-03 ACCOUNT P-101-006-6150
AMOUNT \$ 65.00

RECEIVED
FROM:

K. V. K. K. K.

FOR:

Residential Variance Filing Fee
1337 S. Seneca Rd

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
4/15/2003	4/14/2003	14:30:02	2
REL W502 MAIL	JENA JEE		
DEPT 5	528 ZONING VERIFICATION		
CR NO. 019319			

DEPT 5 528 ZONING VERIFICATION

CR NO. 019319

Receipt Tot	\$65.00
.00 CK	70.00 CA
	5.00 CG

Baltimore County, Maryland

CASHIER'S VALIDATION

Zoning Description
Kevin Koluch
1206 Berkwood Rd.
Baltimore, MD 21237

Zoning Description For 1337 South Seneca Road beginning at a point on the East side of South Seneca Road at the distance or 330' South of the centerline of the nearest improved intersection street Seneca Road. Being lot # 225 Plat 2 in the subdivision of Bowleys Quarters as recorded in Baltimore County Plat # 9, Folio # 12-A containing 0.365 ACI. Also known 1337 South Seneca Road and located in the 15th Election District, 6th Councilmanic District.

Kevin Koluch
Kevin Koluch

475

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 #03-475-A

1337 S. Seneca Road

E/side Seneca Road, 330 feet south of centerline of Seneca Road

15th Election District-6th Councilmanic District

Legal Owner(s): Kevin Koluch

Variance: to allow a buildable lot with an area of .365 acre and side setbacks of 10 feet each in lieu of the minimum required 1.0 acre and 10 feet each respectively. To approve an undersize lot and any other variances deemed necessary by the Zoning Commissioner.

Hearing: Monday, June 16, 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.
5/424 May 29 C606409

CERTIFICATE OF PUBLICATION

5/29/2003

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 5/29/2003.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 03-475-A

Petitioner/Developer: KEVIN
KOLUCH

Date of Hearing/Closing: 6/16/03

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

ATTN: Becky Hart {(410) 887-3394}

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: _____

1337 S. SENECA RD

The sign(s) were posted on _____

MAY 31, 2003
(Month, Day, Year)

Sincerely,



(Signature of Sign Poster)

5/31/03
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

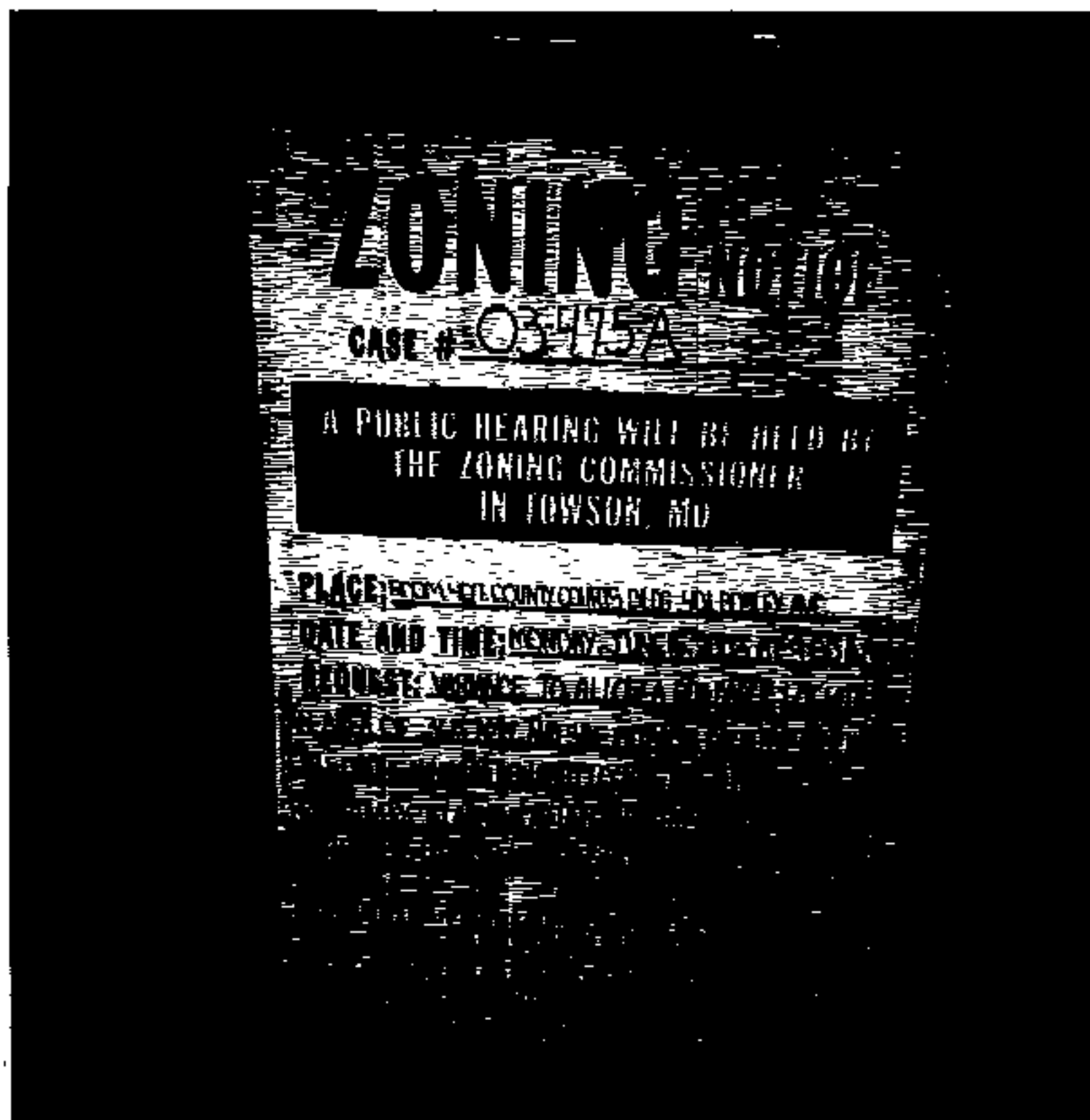
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



RE: PETITION FOR VARIANCE * BEFORE THE
1337 S Seneca Road; E/side Seneca Rd, 330' *
S c/line of Seneca Road * ZONING COMMISSIONER
15th Election & 6th Councilmanic *
Legal Owner(s): Kevin Koluch * FOR
Petitioner(s) * BALTIMORE COUNTY
* 03-475-A

* * * * *

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 24th day of April, 2003, a copy of the foregoing Entry of Appearance was mailed to, Kevin Koluch, 6926 Gough Street, Baltimore, MD 21224, Petitioner(s).


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 29, 2003 Issue - Jeffersonian

Please forward billing to:
Kevin Koluch
6926 Gough Street
Baltimore, MD 21224

410-952-5360

NOTICE OF ZONING HEARING

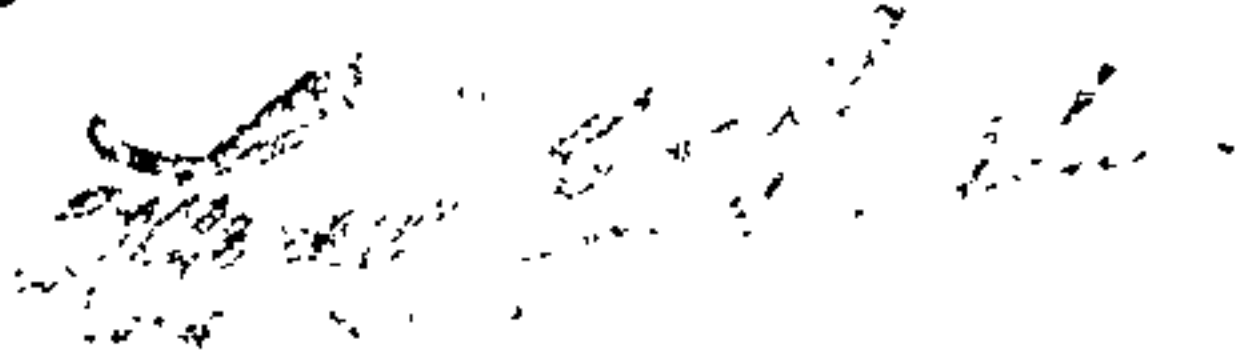
The Zoning Commissioner
of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing in Towson, Maryland on the property identified herein
as follows:

CASE NUMBER: 03-475-A

1337 S. Seneca Road
E/side Seneca Road, 330 feet south of centerline of Seneca Road
15th Election District – 6th Councilmanic District
Legal Owner: Kevin Koluch

Variance to allow a buildable lot with an area of .365 acre and side setbacks of 10 feet
each in lieu of the minimum required 1.0 acre and 10 feet each respectively. To
approve an undersize lot and any other variances as deemed necessary by the Zoning
Commissioner.

Hearings: Monday, June 16, 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.



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

April 23, 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: 03-475-A

1337 S. Seneca Road
E/side Seneca Road, 330 feet south of centerline of Seneca Road
15th Election District – 6th Councilmanic District
Legal Owner: Kevin Koluch

Variance to allow a buildable lot with an area of .365 acre and side setbacks of 10 feet each in lieu of the minimum required 1.0 acre and 10 feet each respectively. To approve an undersize lot and any other variances as deemed necessary by the Zoning Commissioner.

Hearings: Monday, June 16, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Arnold Jablon
Director

AJ:rlh

C: Kevin Koluch, 6926 Gough Street, Baltimore 21224

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 31, 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.

For Newspaper Advertising:

Item Number or Case Number: 03-475-A
Petitioner: Kevin Koluch
Address or Location: Site 1337 S. Seneca Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Same
Address: 6926 Gough ST
Balto, Md 21224
Telephone Number: 410-952-5360



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

June 13, 2003

Kevin Koluch
6926 Gough Street
Baltimore, MD 21224

Dear Mr. Koluch:

RE: Case Number: 03-475-A, 1337 S. Seneca Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 14, 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





**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

April 24, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: April 21, 2003

Item No.: 465, 467-477

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.*

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 Management

DATE: April 30, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For April 28, 2003
Item Nos. 465, 466, 467, 468, 469,
470, 473, 474, 475, 476, and 477

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File

AP
6/1/6

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 24, 2003

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 03-475**

RECEIVED
APR 25 2003
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. Cunningham

Section Chief: Lynne Lankford

AFK/LL:MAC

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. D3-475-2

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

RE: Undersized Lots

Residential Processing Fee Paid
 (\$50.00)

Accepted by JJS
 Date 4-14-03

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 Kevin Koluch Address 1206 Berkwood RD 21237 Telephone Number 410-952-5360
 Lot Address 1337 S. Seneca RD Election District 15 Councilmanic District 6 Square Feet 15,900
 Lot Location: NE N/side/corner of S. Seneca RD 330 feet from N EW corner of Seneca RD
 (street) (street)
 Land Owner: Kevin Koluch Tax Account Number 1503670870
 Address: 1206 Berkwood RD 21237 Telephone Number 410-952-5360
BALTO. MD

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!

	YES	NO
This Recommendation Form (3 copies)	☒	☐
Permit Application	☐	☐
Site Plan	☒	☐
Property (3 copies)	☐	☐
Topo Map (2 copies), available in Room 206, County Office Building - (please label site clearly)	☐	☐
Building Elevation Drawings	☒	☐
Photographs (please label all photos clearly)	☒	☐
Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐
Current Zoning Classification: <u>RC-5</u>		

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:



Approval



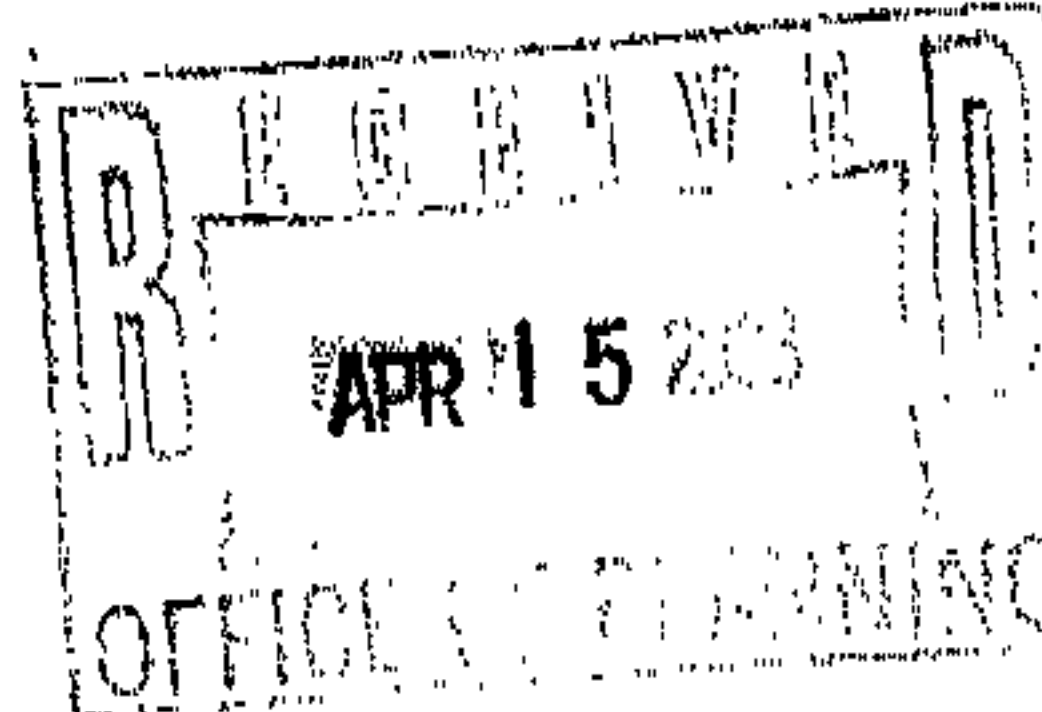
Disapproval



Approval conditioned on required modifications of the application to conform with the

Signed by

for the Director, Office of Planning and Community Conservation



Date

4/23/03

Date	4/23/03	Pages	1
From	John Sullivan	To	Jeffrey Long
Co.	Planning	Co.	
Phone #		Phone #	
Fax #		Fax #	



Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary
Neil J. Pedersen, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4.18.03

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

RE: Baltimore County
Item No. 475 JSS

Dear Ms. Hart:

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

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com



**Baltimore County
Zoning Commissioner**

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

July 11, 2003

Mr. Ferdinand E. Doerfler
1343 S. Seneca Road
Middle River, Maryland 21220

Re: Petition for Variance
Case No. 03-475-A
Property: 1337 S. Seneca Road

Dear Mr. Doerfler:

This is to acknowledge your letter of July 9, 2003 regarding the above matter. You should be aware that a petition for zoning variance was filed for the property located at 1337 S. Seneca Road by Kevin Koluch, property owner. Mr. Koluch sought a zoning variance to permit development of this property, which is insufficiently sized under the relevant zoning classification (R.C. 5). Additionally, he sought variance relief from the setback requirements.

Pursuant to the Baltimore County Code and Baltimore County Zoning Regulations, the petition for variance was scheduled for a public hearing. Notice of that public hearing was provided to the public by the posting of a sign on the property for a period of least 15 days prior to the hearing and the insertion of an advertisement in the Jeffersonian newspaper. The matter was scheduled for public hearing on June 16, 2003.

It is unfortunate that you did not appear at that hearing. Mr. Koluch appeared at the hearing and presented his reasons in support of the variance. Additionally, Richard Benson who owns property immediately next door appeared at the hearing, as did Gregory J. Sowers, a nearby resident. Neither Mr. Benson nor Mr. Sowers opposed the request.

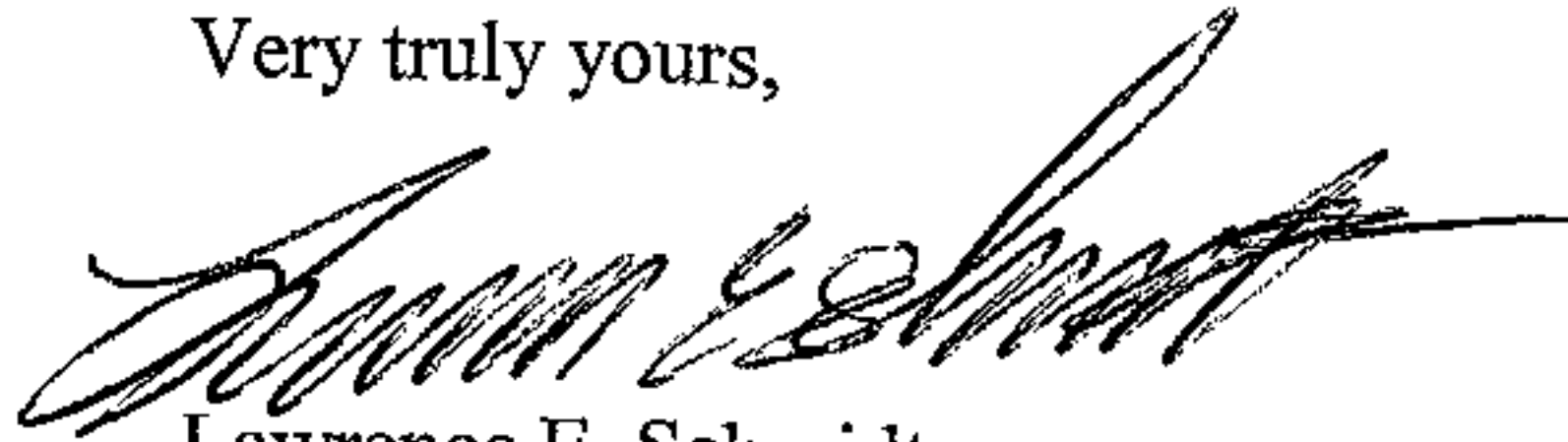
I am obligated to consider each case based upon the testimony and evidence presented to me in open hearing. As with any administrative law judge, I decide the cases based upon the evidence that is presented to me. It is unfortunate that you did not choose to appear at the hearing and let your views be known at that time. It is inappropriate for me to consider your opposition at this time, given that you did not appear.

Visit the County's Website at www.baltimorecountyonline.info

Re: Case No. 03-475-A
Mr. Ferdinand E. Doerfler
July 11, 2003
Page -Two-

You should be aware, however, that any person who believes my decision to be incorrect can file an appeal to the County Board of Appeals for Baltimore County. That appeal must be filed within 30 days of the date of my written decision. Additionally, the appeal must be filed in writing and must be accompanied by a fee that the Board of Appeals charges to accept the appeal. This decision was rendered on June 26, 2003, thus an appeal need be filed within 30 days thereafter. If you have any questions regarding the appeal process, please call the Department of Permits and Development Management and speak with our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", with a long horizontal flourish extending to the right.

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

RECEIVED

JUL 10 2003

ZONING COMMISSIONER

July 9, 2003

RE: PETITION FOR
ADMINISTRATIVE VARIANCE
CASE No 03-475-A

PROPERTY: 1337 S. SENECA RD

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
DEPT of PERMITS &
DEVELOPMENT MANAGEMENT

I AM THE OWNER OF THE PROPERTY LOCATED
AT 1343 S. SENECA ROAD AND WISH TO
FILE AN APPEAL AGAINST THE VARIANCE
RELIEF REQUEST FOR THE PROPERTY LOCATED
AT 1337 S. SENECA RD

I DO NOT BELIEVE THAT VARIATIONS TO
THE LAW IS JUSTIFIABLE, THAT IS A
MINIMUM 1 ACRE LOTS INCLUDING 50' SETBACKS.
THESE ZONING LAWS WERE MADE WITH MUCH
CONSIDERATION AND SHOULD BE ABIDED BY.

DEVELOPMENT OF THIS $\frac{1}{3}$ AC LOT WILL
GREATLY INCREASE THE IMPERVIOUS AREA,
AS ROOFTOPS, DRIVEWAYS, AND WILL INCREASE
THE FLOODING THAT THIS COMMUNITY ALREADY
EXPERIENCES TOO FREQUENTLY.

REGRAVING OF THIS "LOW LYING" PROPERTY
WILL ONLY CAUSE FLOODING TO ADJACENT
PROPERTIES. YOU MAY STATE THAT REGRAVING
IS NOT ALLOWED HOWEVER IT HAS BEEN
DONE BY OTHER LOT OWNERS ALONG THIS
ROAD AND CERTAINLY THIS PROPERTY
WOULD REQUIRE REGRAVING.

6/16/03
6/26/03
Planning
Printed

THE REMAINING LOT OWNERS ON
S. SENECA ROAD WILL BE AWAITING
YOUR DECISION AND WILL BE "LINING UP"
FOR ADDITIONAL VARIANCE REQUESTS.

I AM ANXIOUSLY AWAITING THE
DECISION THAT BALTIMORE COUNTY
STANDS FIRM IN THE ZONING LAWS
THAT THEY HAVE CREATED.

VERY TRULY YOURS

Ferdinand E Joerfler

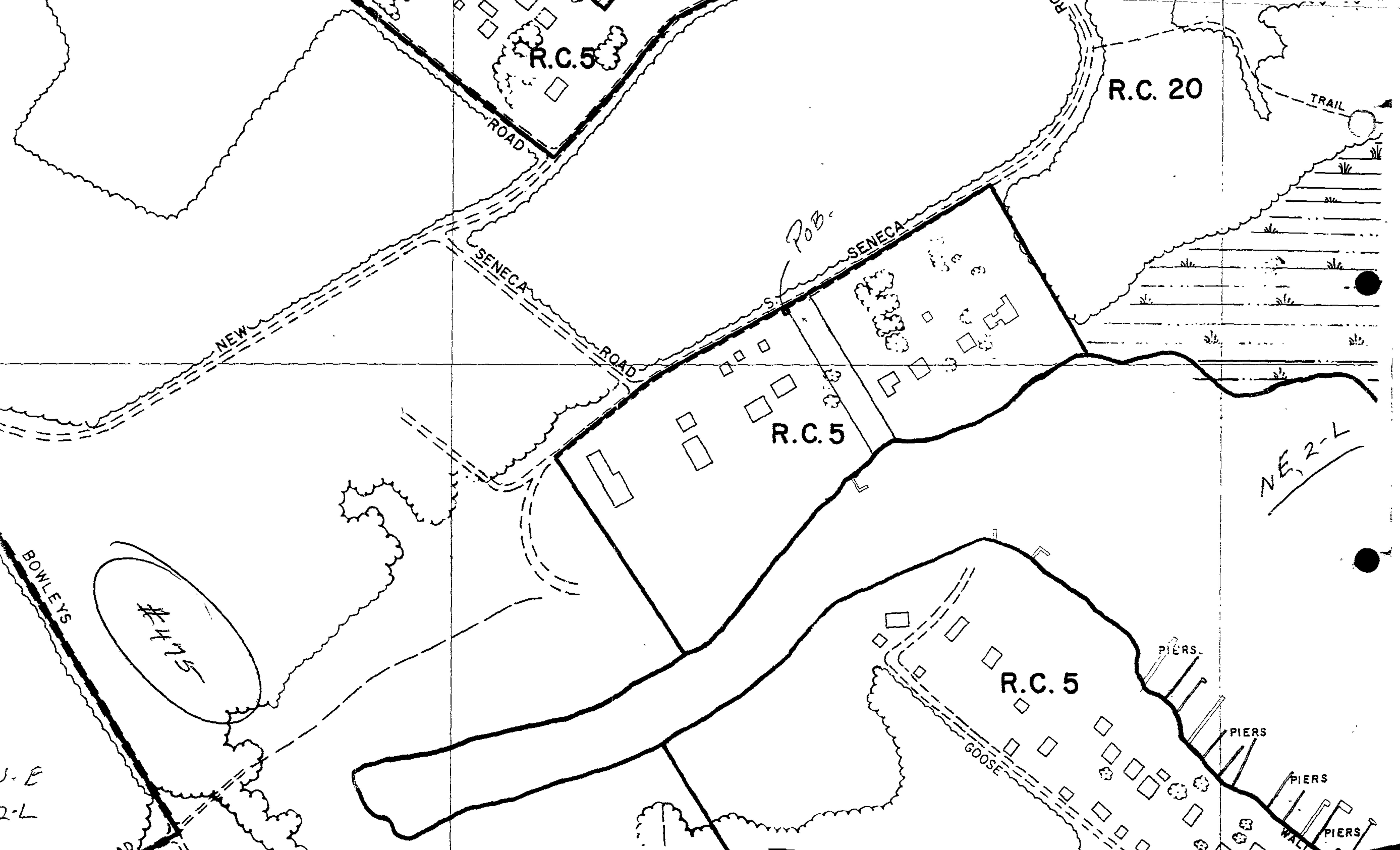
FERDINAND E JOERFLER
1343 S. SENECA ROAD
MIDDLE RIVER MD 21220

CASE NAME 1337 8. Seneca RD
CASE NUMBER 03-475A
DATE June 16, 2003

[illegible]

CASE NAME 1337 S. Seneca RD.
CASE NUMBER 03 - 475-A
DATE _____

[illegible]



R.C. 5

R.C. 20

R.C. 5

R.C. 5

ROAD

SENECA

SENECA

NEW

ROAD

TRAIL

BOWLEYS

PIERS

PIERS

PIERS

PIERS

WALL

GOOSE

P.O.B.

NE 2-L

#475

S.E
2-L

Special Hearing ☐ Variance ☒ Zoning

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

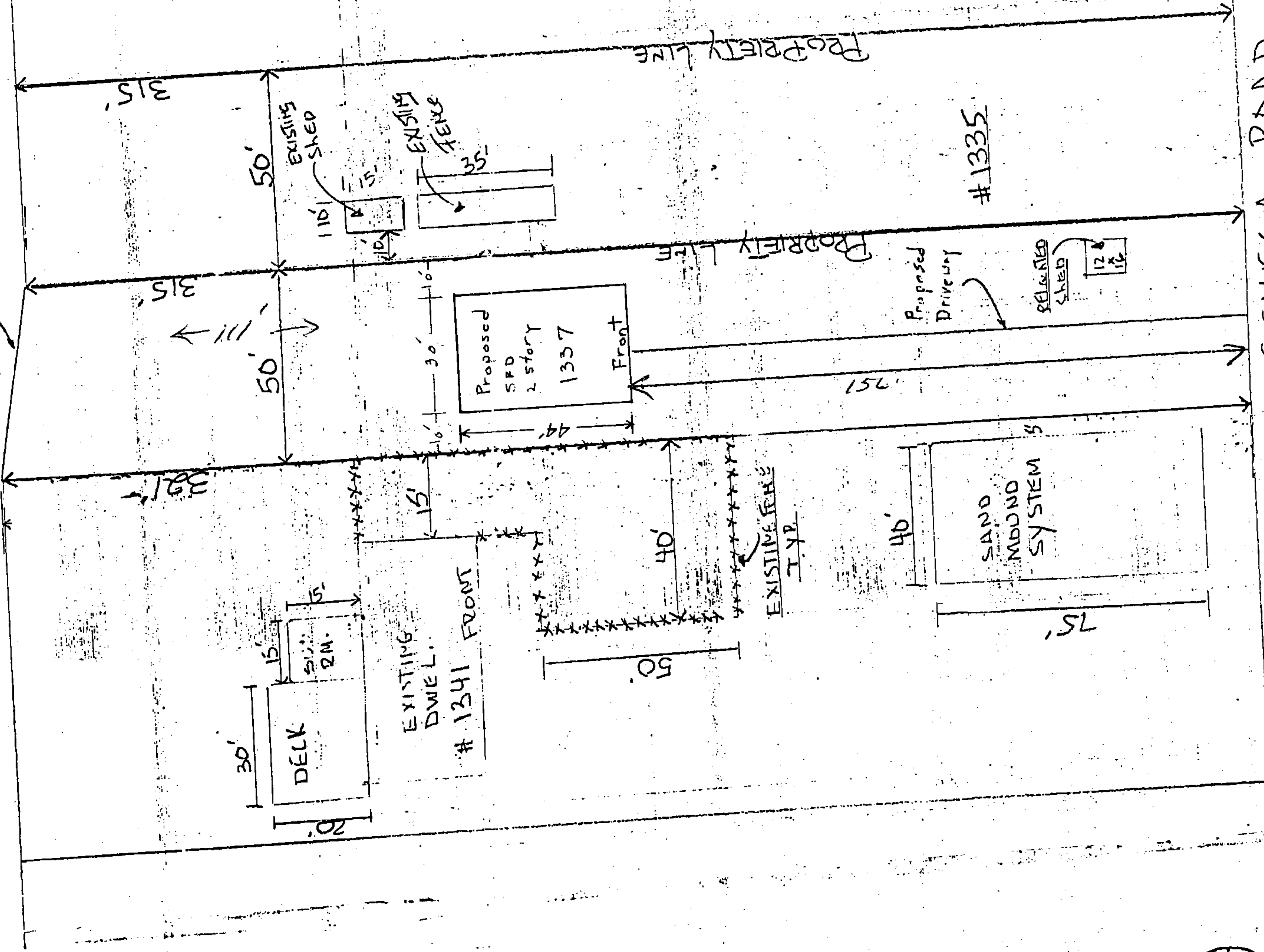
PROPERTY ADDRESS: 1337 South SENECA ROAD

subdivision name: Bowleys Quarters Plat 2

plat book # 09 , folio # 012-A, lot # 225 , section #

OWNER: MR. KEVIN KOLUCH

CMU bulkhead SENECA CREEK



North

date: prepared by:

LOCATION INFORMATION

Election District: 15

Councilmanic District: 6

1"=200' scale map #: NE 2L

Zoning: RC5

Lot size: .3650 acreage 15900 square feet

SEWER: ☐ public ☐ private
WATER: ☒ yes ☐ no
Chesapeake Bay Critical Area: ☒

Prior Zoning Hearings: N/A

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE #:

495