

IN RE: PETITION FOR VARIANCE
W/S of East Riverside Avenue,
1150 ft. N of Bay Avenue
15th Election District
6th Councilmanic District
(1112 East Riverside Avenue)

Sharon L. & Gregory K. Podhorniak
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-358-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 owners of the subject property, Sharon L. and Gregory K. Podhorniak. The Petitioners are requesting variance relief for property located at 1112 East Riverside Avenue in the Middle River area of Baltimore County. Variance relief is requested from Sections 1B02.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed single-family dwelling to have a front yard setback of 28 ft. and a sum of side yards of 20 ft. in lieu of the required 50 ft. and 25 ft. respectively.

The property was posted with Notice of Hearing on March 20, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on March 23, 2004 to notify any interested persons of the scheduled hearing date

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted

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4/6/04

R. J. JAMESON

as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Department of Environmental Protection & Resource Management (DEPRM) dated March 22, 2004 stating that the Petitioners must comply with the Chesapeake Bay Critical Area Regulations, a copy of which is attached hereto and made a part hereof. A ZAC comment was also received from the Bureau of Development Plans Review dated March 12, 2003 stating that the Petitioners must comply with federal flood insurance requirements and county code requirements for this project, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the variance request were Greg and Sharon Podhorniak, Petitioners. No protestants or citizens appeared at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property consists of 19,817 sq. ft. of waterfront property on the Back River and is zoned D.R.3.5. Presently the property is vacant. The Petitioners wish to build a home for themselves and future family on the lot and are aware of the need to have the new home elevated above flood level per the Bureau of Plans Review

COPIES OF THIS DOCUMENT
DATE 4/6/04
BY R. JAMESON

comments. They presented elevations of the standard modular home they selected. The property consists of Lots 74 and 75 of the "Back River Neck Park" subdivision.

The problem which triggers the variance requests is that the two lots together are somewhat pie slice shaped, being 66 ft. across at the road and 130 ft. wide across at the waterfront. However, because of the required 100 ft. environmental setback from the water, the area in which the new home can be built is approximately 90 ft. wide. The Petitioners plan to construct a sunroom on the waterside of the new home, as an important family amenity, which would push the main building back toward the narrow end of the property. They testified that they plan to purchase a standard 60 ft. wide home because purchasing a non-standard size home would be a hardship and present practical difficulty. Consequently, they are 5 ft. short of the required 25 ft. sum of side yard setbacks on the corner of the home nearest the road.

In addition, the Zoning Regulations require the portion of the home nearest the road which defines the front yard, to be setback the average to the front yard setback of the adjoining homes. In this case, that one neighbor is 125 ft. back from the road while the other is only 10 ft. back from the road. While this implies a front yard setback of $135/2 = 67.5$ feet, the average is limited by the DR 3.5 of Section 303.1 zoning regulations to 50 ft. Consequently, they need a variance for front yard setback as well, because they only have 28 ft. from the proposed garage.

The Petitioners testified that they reviewed their proposed home with both adjoining neighbors who agreed to support their request for variance as shown by their signatures on Petitioner's Exhibit No. 1. The Petitioners understood that although the public sewer is coming into the area, that no building permit will be allowed until the sewer is actually in the road and ready to hook up.

Findings of Fact and Conclusions of Law

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The lot is oddly shaped and the location of the new home is constrained by the environmental setback from the water and the distance to the road. I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. This is a reasonable size standard modular home which can not reasonably be special ordered to reduce the width 5 ft. Similarly, I find the location of the neighboring homes very odd because one house is only 10 ft. from the road while the other house is setback substantially. Furthermore, I find that the variance requested can be granted in strict harmony with the spirit and intent of said regulations, and in such manner so as to grant relief without injury to the public health, safety and general welfare.

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 Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 6th day of April, 2004, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Sections 1B02.3.C.1 and 303.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed single-family dwelling to have a front yard setback of 28 ft. and a sum of side yards of 20 ft. in lieu of the required 50 ft. and 25 ft. respectively, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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;
2. Compliance with the ZAC comments made by DEPRM dated March 22, 2004, a copy of which is attached hereto and made a part hereof.

3. Compliance with the ZAC comments made by the Bureau of Development Plans Review dated March 12, 2004, a copy of which is attached hereto and made a part hereof.
4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.
5. No building permit may be issued until the public sewer is available for hook-up at the property.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 4/6/04
By R. Jameson

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

April 6, 2004

Mr. & Mrs. Gregory K. Podhorniak
13104 Eastern Avenue
Baltimore, Maryland 21220

Re: Petition for Variance
Case No. 04-358-A
Property: 1112 East Riverside Avenue

Dear Mr. & Mrs. Podhorniak:

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 that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

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





FOOD. / CBCA

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 1112 EAST RIVERSIDE AVE.
which is presently zoned DR3.5

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) 1802.3.C.1, 303.1 (BC22)

TO PERMIT A PROPOSED SINGLE FAMILY DWELLING TO HAVE A FRONT YARD SETBACK OF 28' AND A SUM OF SIDEYARDS OF 20' IN LIEU OF THE REQUIRED 50' AND 25' RESPECTIVELY.

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 DISCUSSED 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. 04-358-A

RE 9/15/98

Legal Owner(s):

GREGORY K. PODHORNIAK
Name - Type or Print

Gregory K. Podhorniak
Signature

SHARON L. PODHORNIAK
Name - Type or Print

Sharon L. Podhorniak
Signature

13104 EASTERN AVE. 410-218-9700
Address Telephone No.

BALTIMORE MD 21220
City State Zip Code

Representative to be Contacted:

SAME AS ABOVE
Name

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By CTM Date 2/9/07

ZONING DESCRIPTION

Zoning description for 1112 East Riverside Avenue beginning at a point on the West side of East Riverside Avenue which is 30' right of way wide at the distance of 1,150' North of the centerline of the nearest improved intersecting street Bay Avenue, which is 35' wide. Being lot #74 and #75 in the subdivision of Back River Neck Park as recorded in Baltimore County Plat Book #7, Folio #Part 1-4, containing 19,817 square feet. Also known as 1112 East Riverside Avenue and located in the 15th Election District, 6 Councilmanic District.

#358

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 32610

DATE 2/14/04

ACCOUNT 10001 006 6150

AMOUNT \$ 65.00

RECEIVED

FROM: PODHORN, LIAK

FOR: 04-358-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS RECEIPT

2/16/2004 2/04/2004 11:25:16

RECEIPT # 31891 2/04/2004

CR NO. 032610

PAID 5.528 JUNE VERIFICATION

PAID 104

PAID 104

PAID 104

Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

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

Case: #04-358-A
1112 East Riverside Avenue
W/side of East Riverside Avenue, 1150 feet north of Bay Avenue
15th Election District
6th Councilmanic District
Legal Owner(s): Gregory and Sharon Podhorniak

Variance: to permit a front yard setback of 28 feet and a sum of side yards of 20 feet in lieu of the required 50 feet and 25 feet respectively.

Hearing: Tuesday, April 6, 2004 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/3/763 Mar 23 C655936

CERTIFICATE OF PUBLICATION

3/23/2004

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 3/23/2004.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 04-358-A

Petitioner/Developer: GREGORY

SHARON PODHORNIAK

Date of Hearing/Closing: APRIL 6, 2004

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

ATTN: Kristen Matthews {(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: _____

1112 EAST RIVERSIDE AVE.

The sign(s) were posted on _____

3/20/04
(Month, Day, Year)

Sincerely,

Robert Black 3/20/04
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

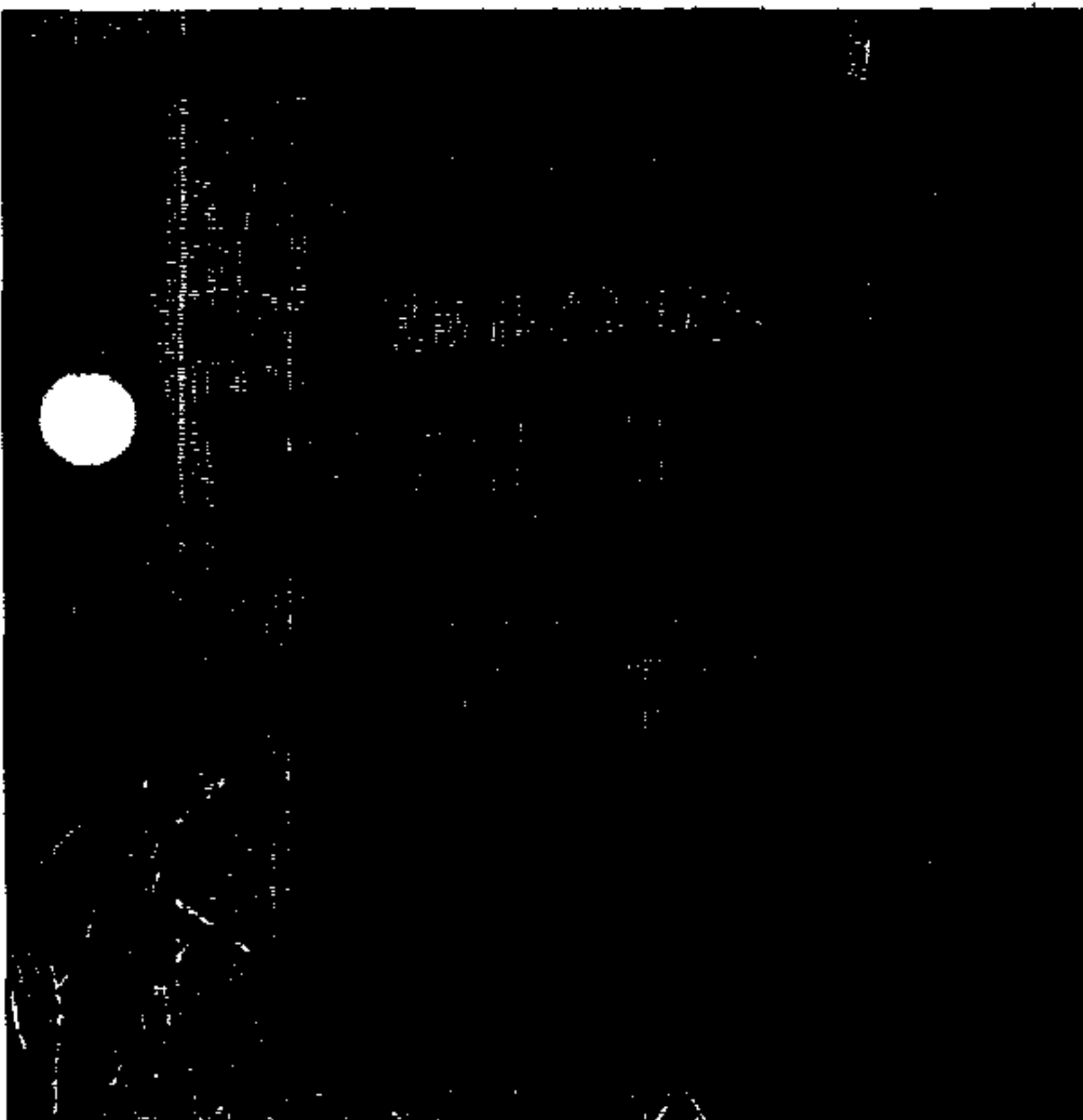
(Address)

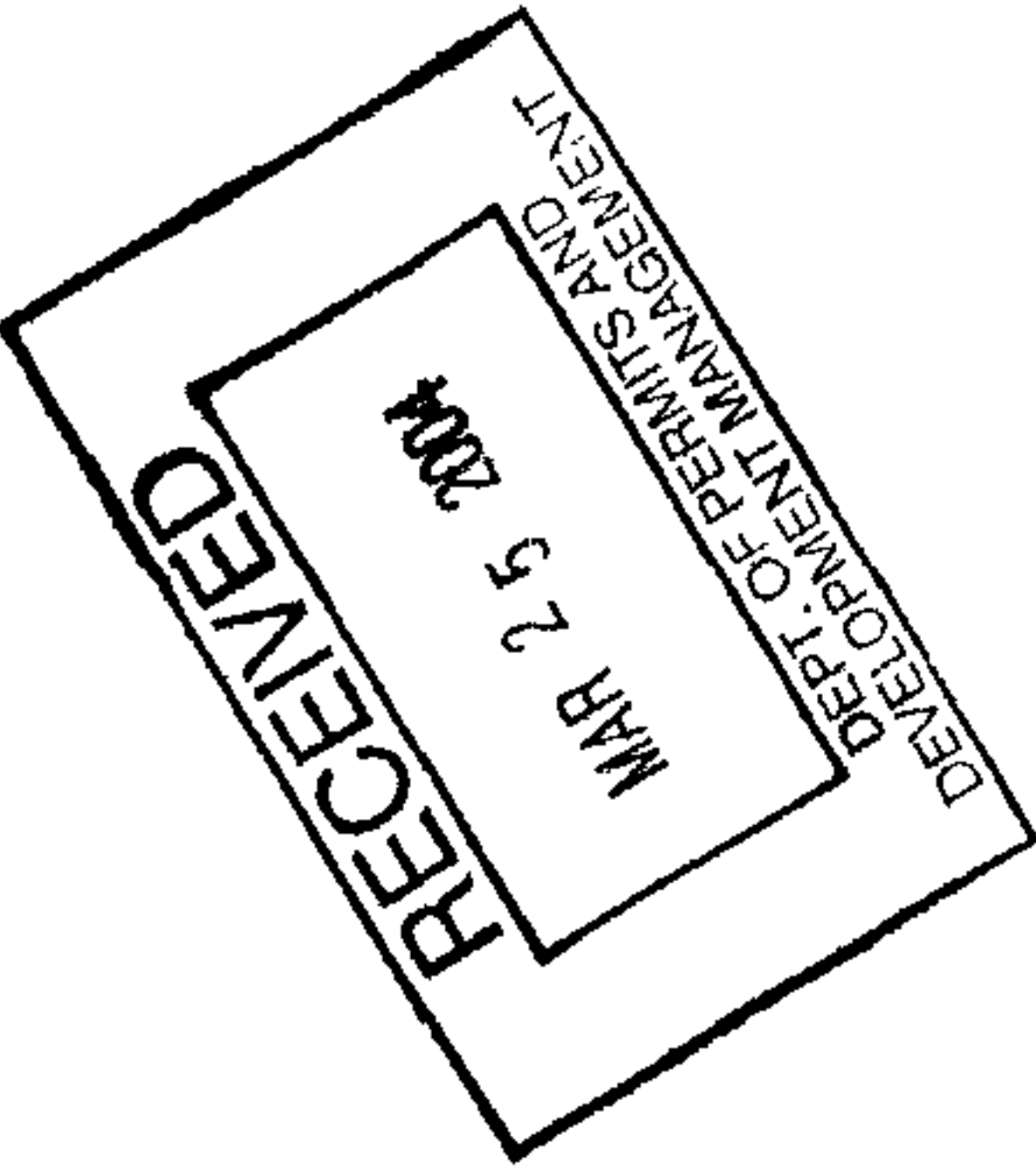
Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





RE: PETITION FOR VARIANCE
1112 East Riverside Avenue; W/side East
Riverside Avenue, 1150' N of Bay Avenue
15th Election & 6th Councilmanic Districts
Legal Owner(s): Gregory K. &
Sharon L. Podhorniak

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 04-358-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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
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 February, 2004, a copy of the foregoing Entry of Appearance was mailed to, Gregory & Sharon Podhorniak, 13104 Eastern Avenue, Baltimore, MD 21220, Petitioner(s).

RECEIVED

FEB 24 2004

Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 23, 2004 Issue - Jeffersonian

Please forward billing to:

Greg & Sharon Podhorniak
13104 Eastern Avenue
Baltimore, MD 21220

443-506-3659

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: 04-358-A

1112 East Riverside Avenue

W/side of East Riverside Avenue, 1150 feet north of Bay Avenue

15th Election District – 6th Councilmanic District

Legal Owners: Gregory and Sharon Podhorniak

Variance to permit a front yard setback of 28 feet and a sum of side yards of 20 feet in lieu of the required 50 feet and 25 feet respectively.

Hearing: Tuesday, April 6, 2004 at 9:00 a.m. in Room 407, County Courts 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.



Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

February 24, 2004

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: 04-358-A

1112 East Riverside Avenue
W/side of East Riverside Avenue, 1150 feet north of Bay Avenue
15th Election District – 6th Councilmanic District
Legal Owners: Gregory and Sharon Podhorniak

Variance to permit a front yard setback of 28 feet and a sum of side yards of 20 feet in lieu of the required 50 feet and 25 feet respectively.

Hearing: Tuesday, April 6, 2004 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Gregory & Sharon Podhorniak, 13104 Eastern Avenue, Baltimore 21220

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 22, 2004.**
- (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: 04-358-A
Petitioner: GREG + Sharon PODHORNIAK
Address or Location: 2112 E. RIVERSIDE AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: GREG + Sharon Podhorniak
Address: 13204 EASTERN AVE.
BALTO, MD. 21220

Telephone Number: 443-506-3659 or 410-218-9700

**Department of Permits and
Development Management**

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

March 31, 2004

Gregory K. Podhorniak
Sharon L. Podhorniak
13104 Eastern Avenue
Baltimore, Maryland 21220

Dear Mr. and Mrs. Podhorniak:

RE: Case Number: 04-358-A, 1112 East Riverside Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 4, 2004.

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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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

Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

February 24, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: February 17, 2004

Item No.: 355 366

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.

6. 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

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



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: March 12, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For February 23, 2004
Item No. 358

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 flood plain elevation in all construction.

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*) or 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 movements of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with requirement of B.O.C.A. International Building Code adopted by the county.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: R. Bruce Seeley *RB*
DATE: March 22, 2004
SUBJECT: Zoning Item # 04-358
Address 1112 East Riverside Ave
Podhorniak Property

Zoning Advisory Committee Meeting of February 17, 2004

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Reviewer: Keith Kelley

Date: March 4, 2004

GROUNDWATER MANAGEMENT

A building permit will not be issued until public water and sewer are available.

Reviewer: Sue Farinetti

Date: February 17, 2004

9/4/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: March 10, 2004

RECEIVED

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

MAR 11 2004

SUBJECT: Zoning Advisory Petition(s): Case 4-358

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:

John J. [Signature]

AFK/LL



State Highway Administration
Driven to Excel

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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 2.27.04

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

RE: Baltimore County
Item No. 358 LTM

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.

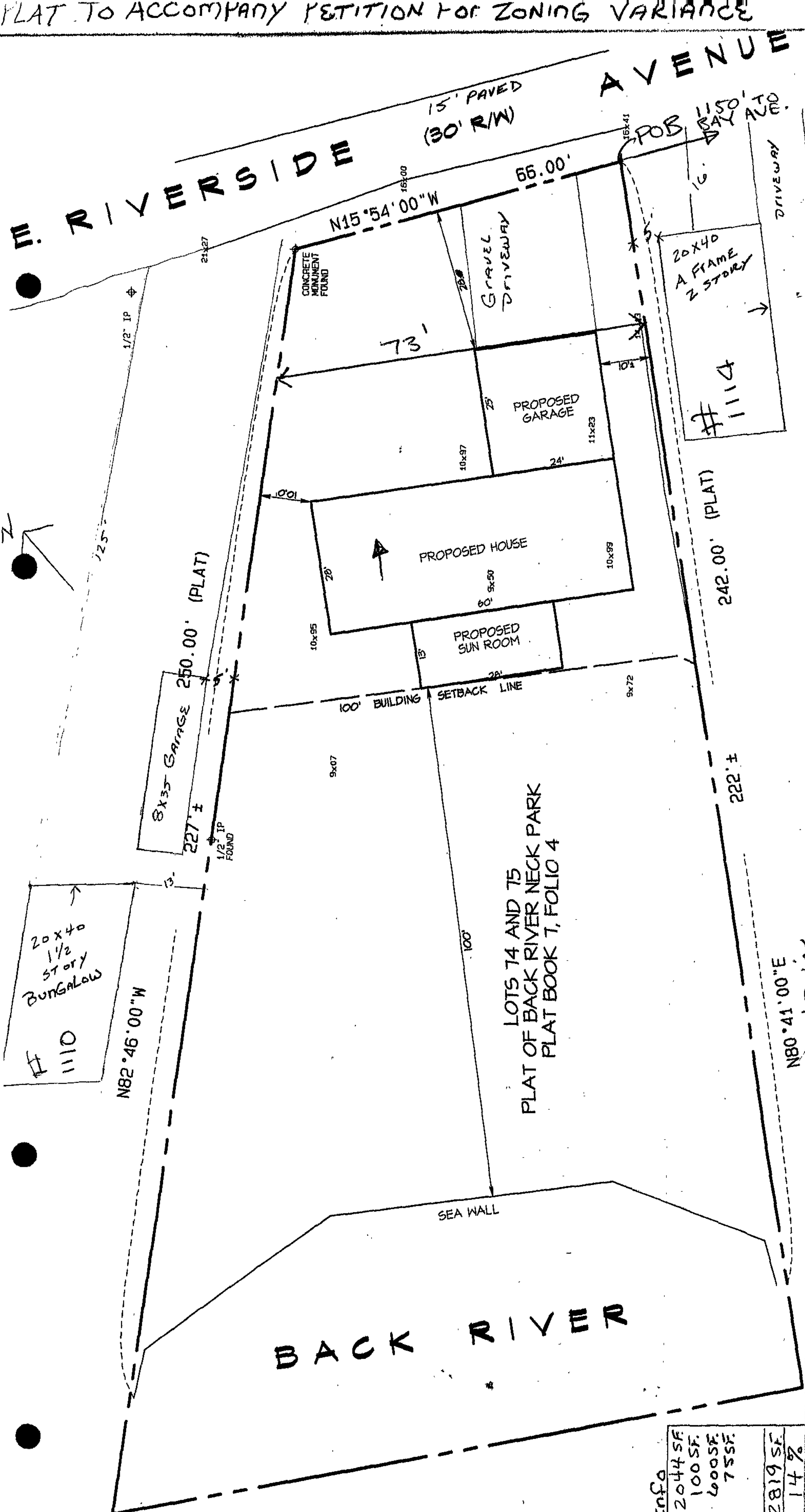
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

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

CASE NAME 112 E. Ryckersde.
CASE NUMBER 04-358-A
DATE 4/6/04

PETITIONER'S SIGN-IN SHEET



A BOUNDARY SURVEY WAS NOT PERFORMED. THE BOUNDARY SHOWN HEREON IS COMPILED FROM DEEDS OF RECORD, AND OVERLAIN AND ROTATED TO FIT MINIMAL MONUMENTATION RECOVERED IN THE FIELD.

ELEVATIONS SHOWN HEREON ARE BASED ON THE BALTIMORE COUNTY CENTRAL DATUM, AS ESTABLISHED ON THE FOLLOWING BALTIMORE COUNTY CONTROL POINT:

STATION 3350 ELEVATION = 18.405'

THIS PARCEL LOCATED IN FLOOD HAZARD ZONE A-1 (AREAS OF 100 YEAR FLOOD PER THE F.I.R.M. MAP 240010 0440 C, DATED NOVEMBER 17, 1985.

BRIAN R. DIETZ
PROFESSIONAL LAND SURVEYOR #21082
7867 OAKDALE AVENUE
BALTIMORE MD 21257
PH 410-686-1192, FAX 410-682-6021

LOT DATE: 1/25/2004 TECHNICIAN: FILE NAME: C:\BROWNH\w\w\w\p20
 ZONING OFFICE USE ONLY CASE #
 REVIEWED BY ITEM #

LTW 358

3011 E. Riverside Ave.

Padma Sengupta

James Buchanan

301 E. DAVENPORT AVE.

114 E. 4th St.
Kathleen J. Cohen

Quinn & Co.

GREG + SHARON PODOLSKY
1112 E. RIVERSIDE AVE.
BALTO, MD. 21221
TAX I. D. # 1519321930
SUB. DIV. # BACK RIVER NECK PARK
SILV. RES. # 714

LOT # 74 + 75
COUNCIL DIST. # 6
ELECTION DIST. # 15
ZONING # DR 3.5
FLOOD ZONE # A
LOT SIZE # 19,875 SF
CHESAPEAKE Bay CRITICAL
100 Year FLOOD PLAIN
Public WATER - YES

SCALE DRAWING - 1" = 20'

IMPERVIOUS INFO	
SF	2044 SF
PORCH	100 SF
GARAGE	600 SF
SIDEWALK	75 SF
TOTAL	2819 SF
PERCENTAGE	14 %

A.D.C. P45-H-2

37475 : 1000 = "1

THE

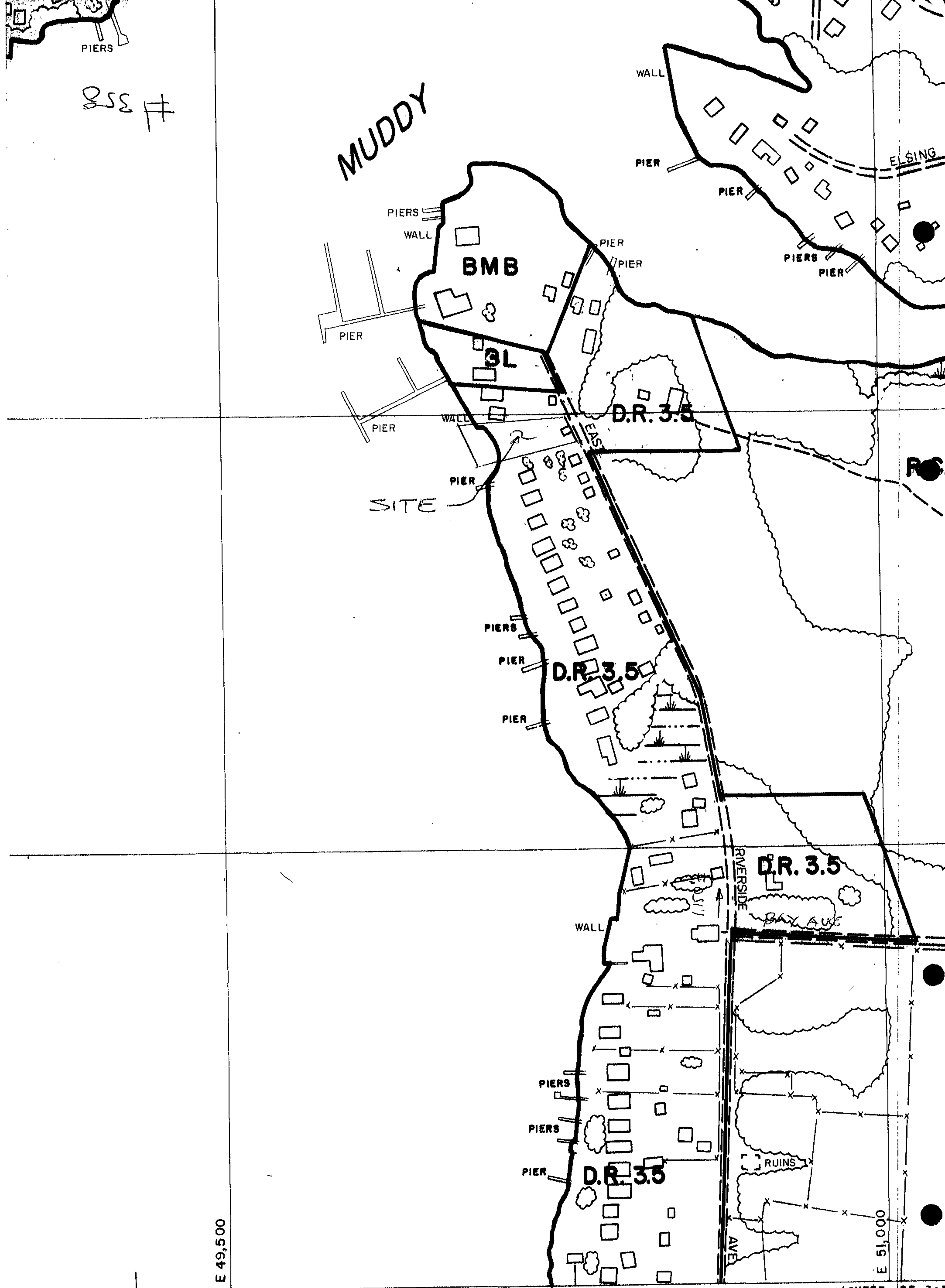
E. RIVERSIDE AVE.

BACK RIVER

BACK RIVER NECK Ro

Bay Ave.

MITCHELL RD



2000 COMPREHENSIVE ZONING MAP

ADOPTED by

THE BALTIMORE COUNTY COUNCIL

OCTOBER 10, 2000

Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,

Joseph Bastenfelder
Chairman, County Council

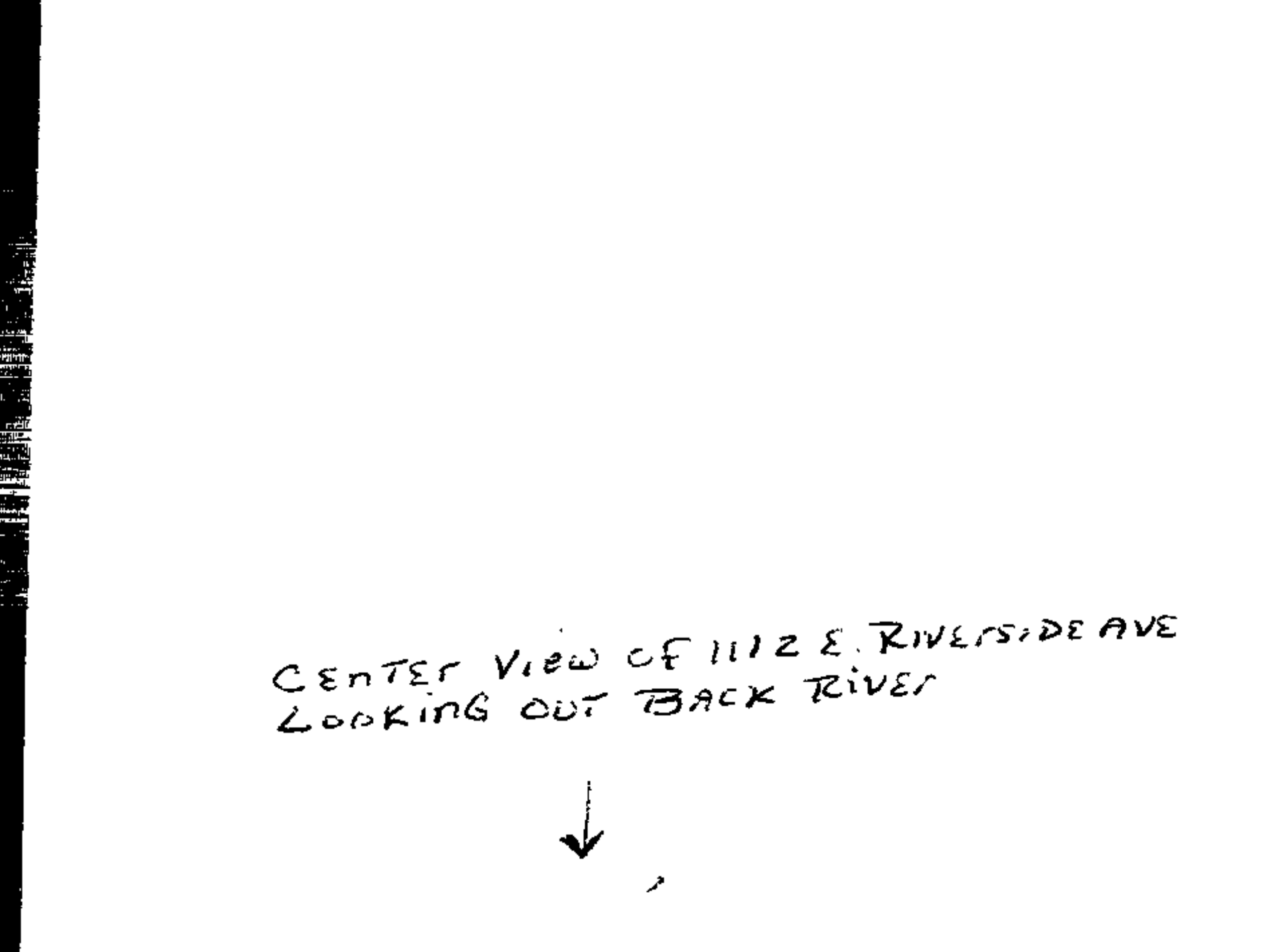
SE 21

BALTIMORE
OFFICE OF PLANNING
OFFICIAL ZONING MAP

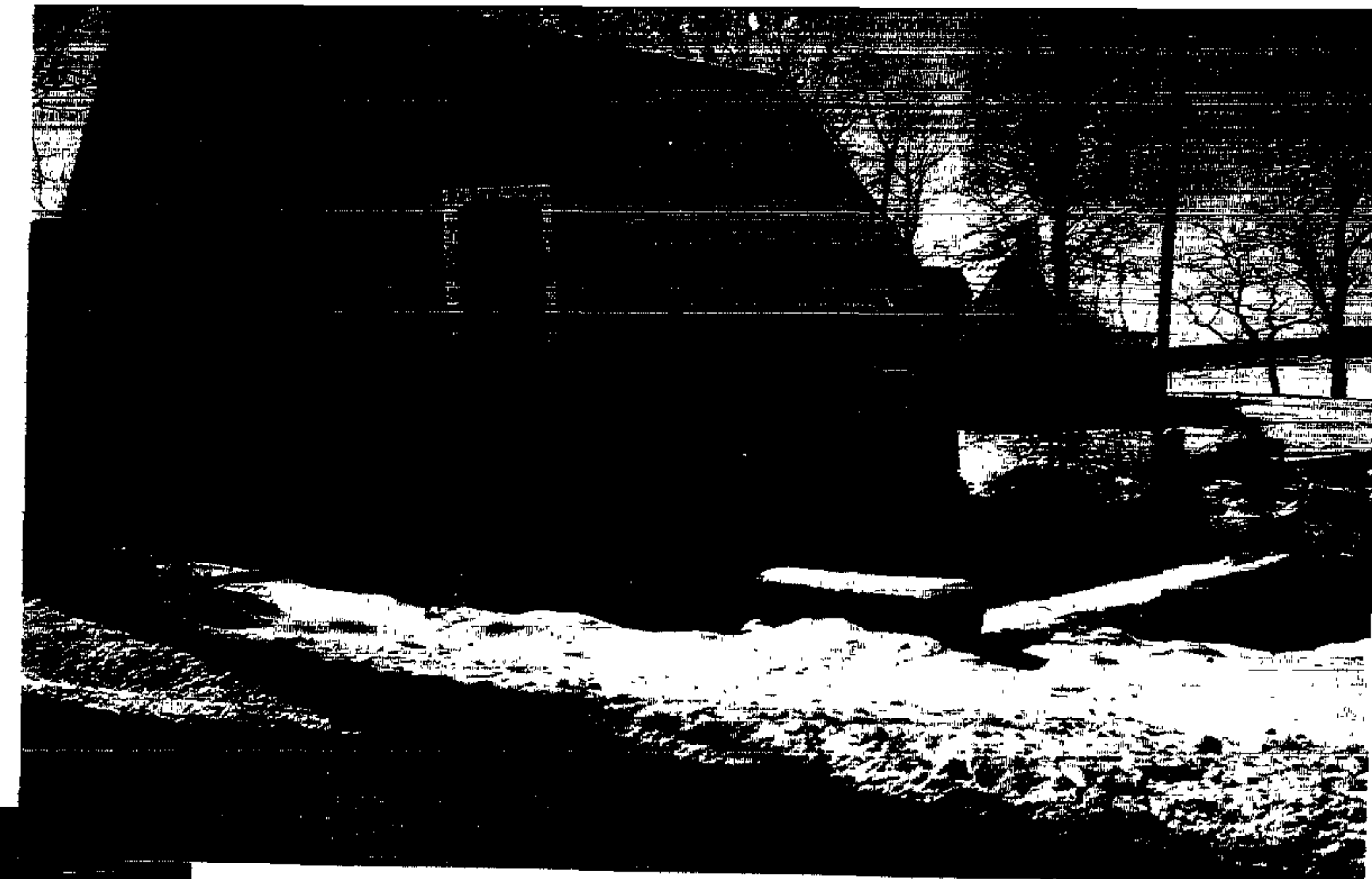
(SHEET SE 3-1)



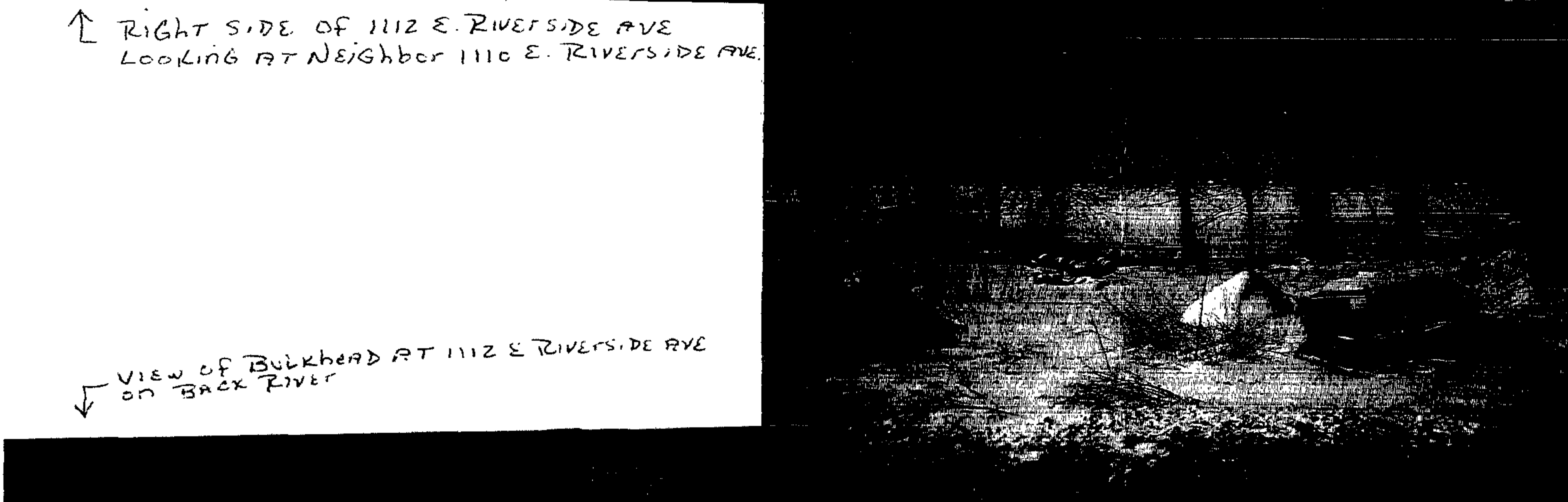
↑ RIGHT SIDE OF 1112 E. RIVERSIDE AVE
LOOKING AT NEIGHBOR 1110 E. RIVERSIDE AVE.



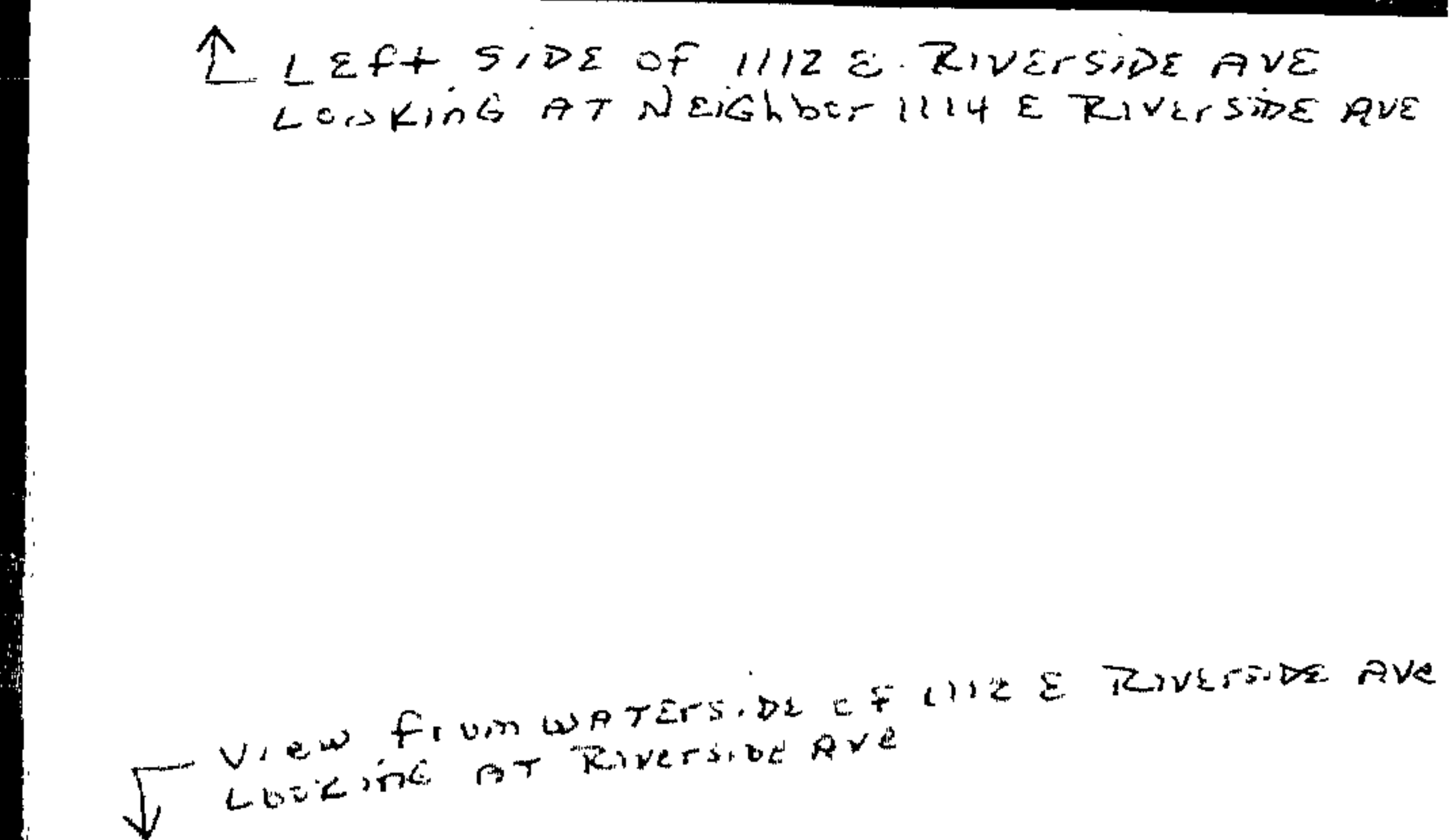
CENTER VIEW OF 1112 E. RIVERSIDE AVE
LOOKING OUT BACK RIVER



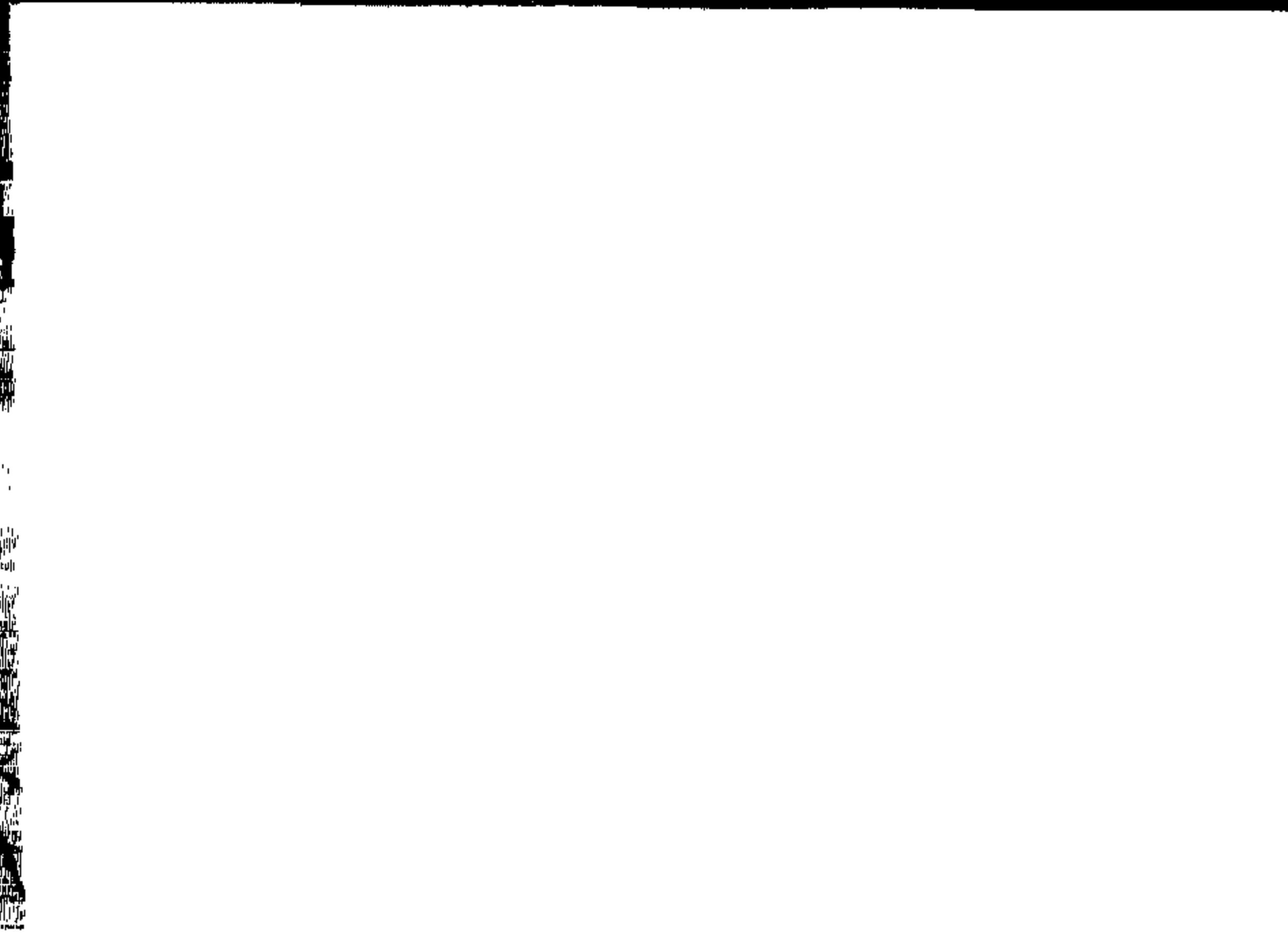
↑ LEFT SIDE OF 1112 E. RIVERSIDE AVE
LOOKING AT NEIGHBOR 1114 E. RIVERSIDE AVE



↓ VIEW OF BULKHEAD AT 1112 E. RIVERSIDE AVE
ON BACK RIVER

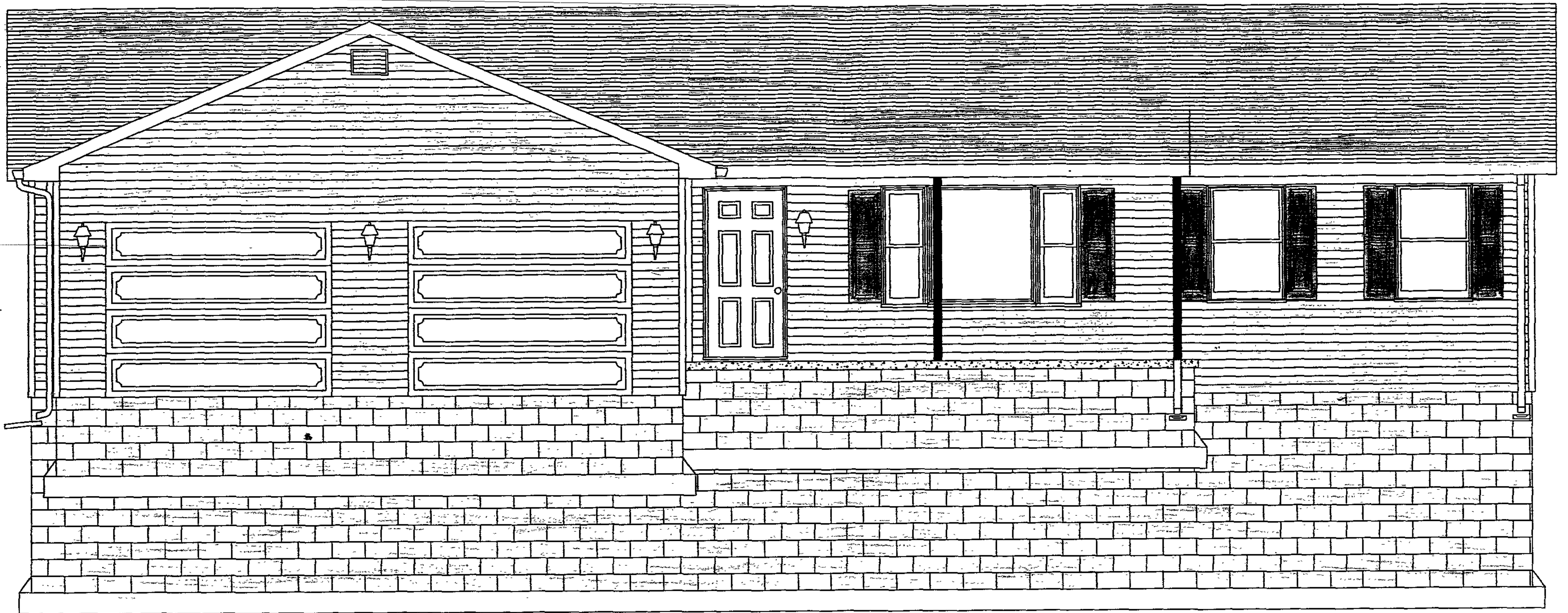


↓ VIEW FROM WATERSIDE OF 1112 E. RIVERSIDE AVE
LOOKING AT RIVERSIDE AVE

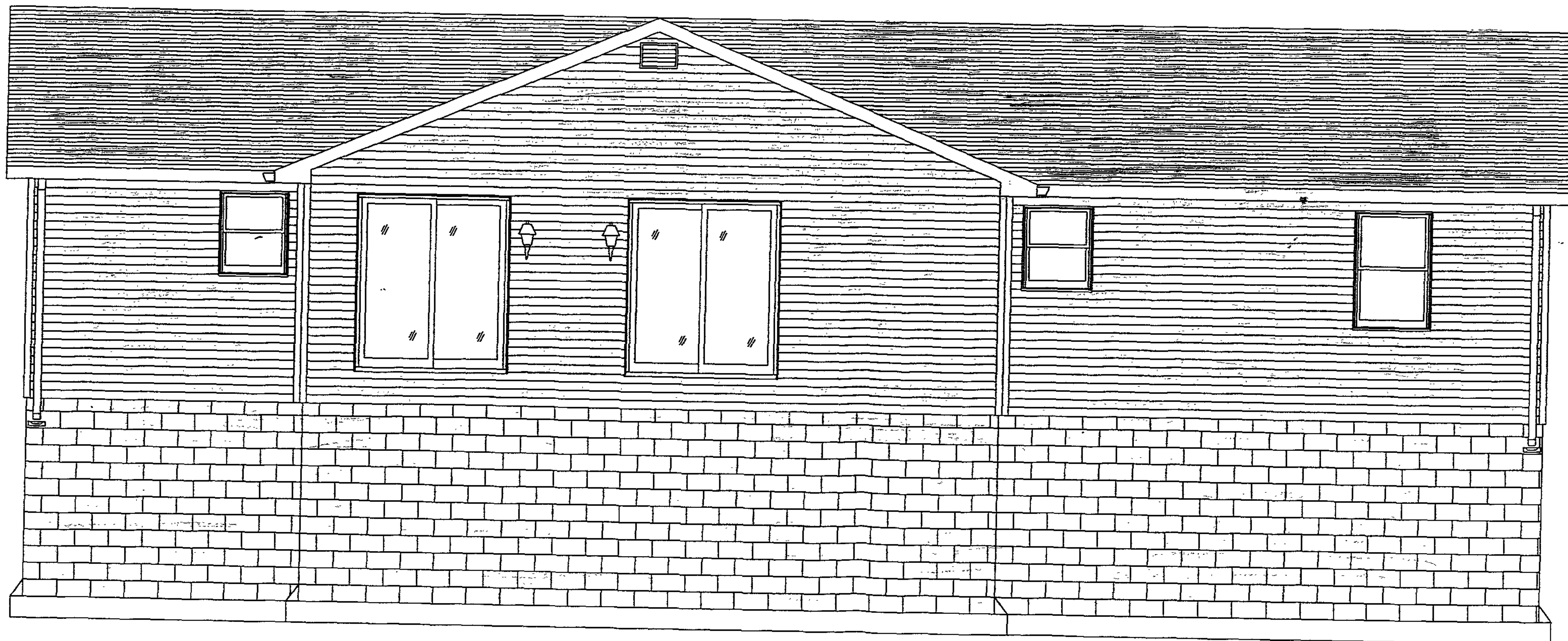


SHARON + GREG PODHORNIAK
1112 E. RIVERSIDE AVE.
BALTO, MD. 21221
TAX I.D. # 1519321930
SUB DIV. BACK RIVER NECK PARK
SUB REF. # 7/4
LOT # 74 + 75
COUNCIL DIST. # 6
ELECTION DIST. # 15
ZONING # DR3.5
FLOOD ZONE # A
LOT SIZE # 19,817 SF / .44 ACRES
CASE # 04-358-A

Pet #
2



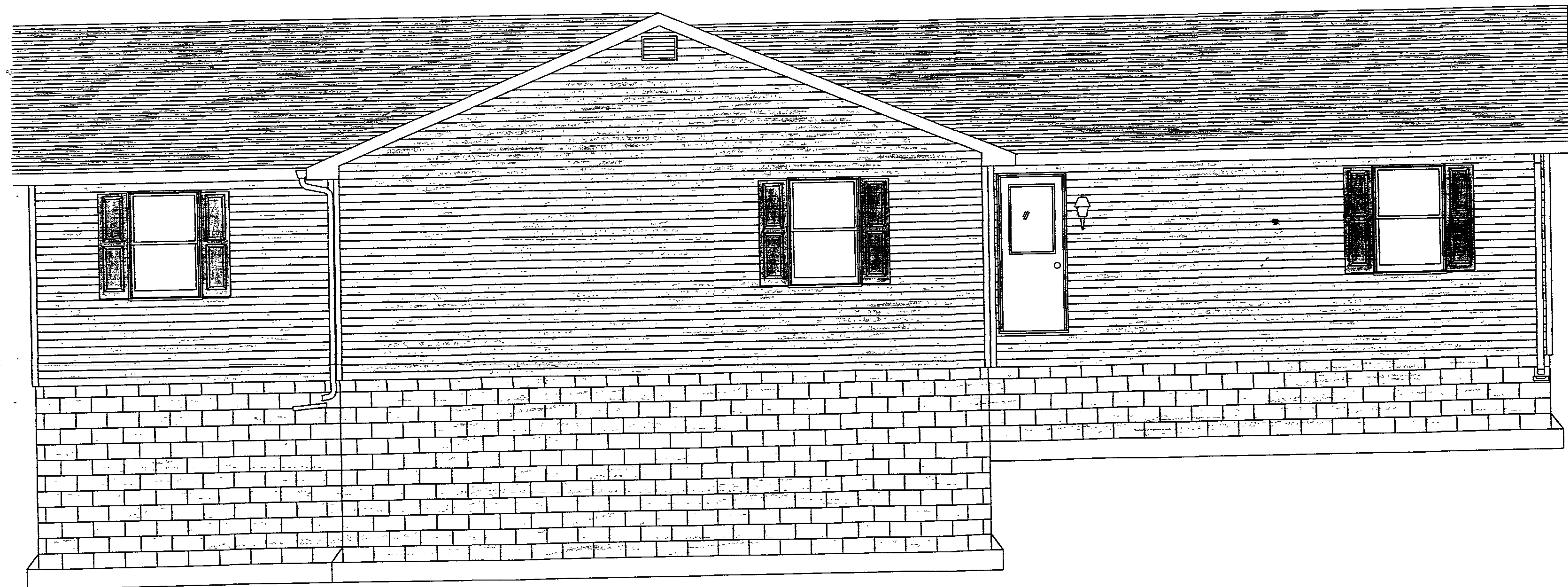
FRONT ELEVATION



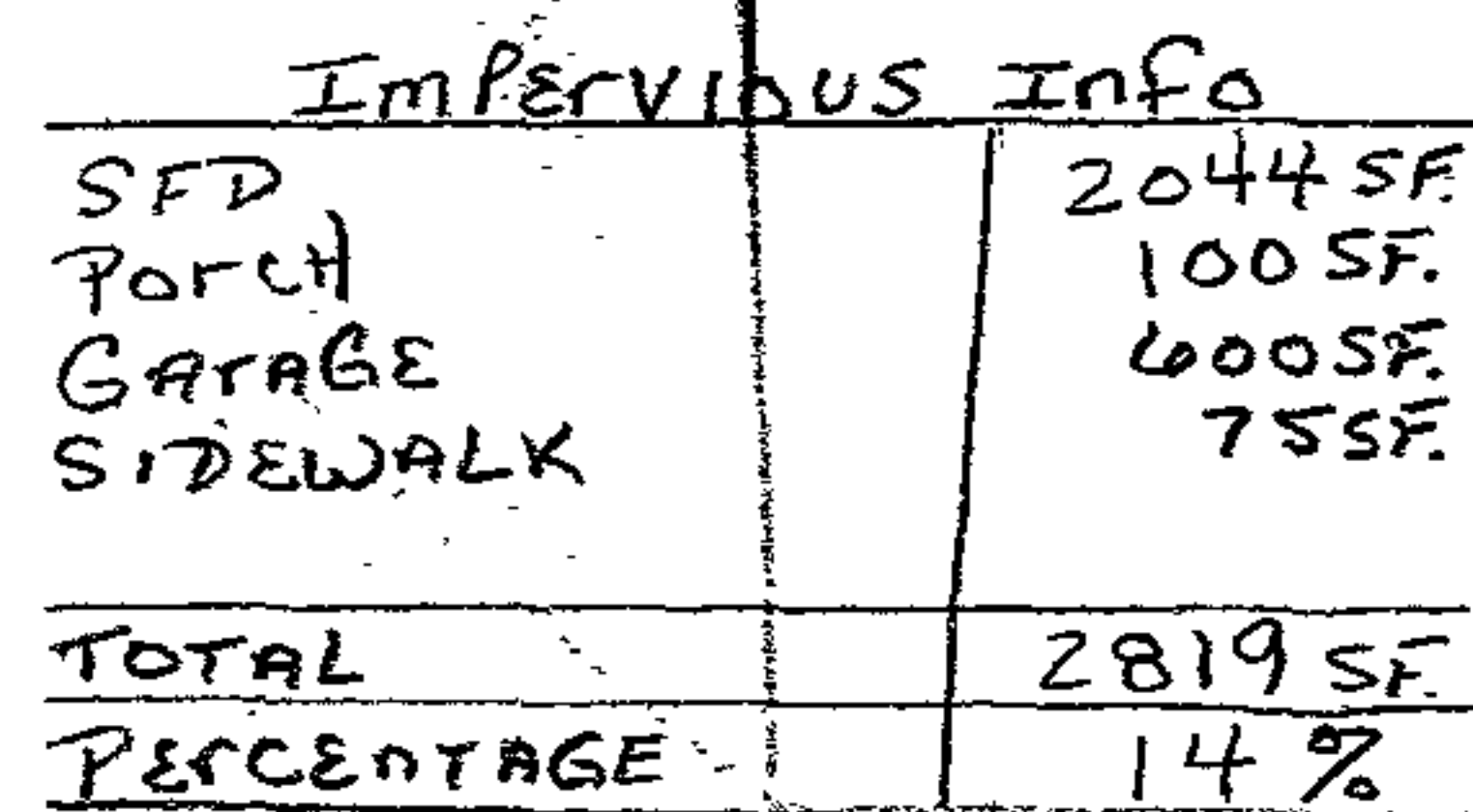
REAR ELEVATION



RIGHT END ELEVATION



LEFT END ELEVATION

[illegible]

1110 E. RIVERSIDE AVE.
Patricia Engleman
Francis J Engleman

1114 E. RIVERSIDE AVE.
Kathleen H. Cohen
David E Cohen

BRIAN R. DIETZ
PROFESSIONAL LAND SURVEYOR #21080

7867 OAKDALE AVENUE
BALTIMORE MD 21237
PH 410-686-1198, FAX 410-682-6021

PLOT DATE: 1/26/2004	TECHNICIAN:	FILE NAME: C:\BRIAN\mrsdepro
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ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #