

IN RE: PETITION FOR ADMIN. VARIANCE
N/S Golupski Road, 4,700' SE of the c/l
Holly Neck Road
(2422 Golupski Road)
15th Election District
6th Council District

Mark Foard, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 04-364-A
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FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Mark Foard and his wife, Christine Foard. The Petitioners seek relief from Section 1A05.4.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a replacement dwelling (Tropical Storm Isabel damage) with a proposed height of 48 feet in lieu of the maximum allowed 35 feet. The subject property and requested relief are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The instant Petition relates to a waterfront parcel located with frontage on Brown's Creek and the northwest side of Golupski Road, east of Holly Neck Road in Essex. The property contains a gross area of 17,860 sq.ft., more or less, zoned R.C.20 and is improved with a single family dwelling that has existed on the site for many years. Testimony indicated that the house was heavily damaged when Hurricane Isabel struck the area in September 2003 and the Petitioners propose razing the structure and constructing a new dwelling in essentially the same footprint.

Variance relief is requested as set forth above to allow a height for the proposed structure in excess of that allowed by the zoning regulations. As justification for this request, the Petitioners note that reconstruction must be in compliance with Federal Flood Insurance requirements and as such, the new house will be constructed on pilings so that the first floor elevation is above the minimum elevation required for this site of 11.2 feet.

ORDER RECEIVED FOR FILING

Date

By

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

May 26, 2004

Mr. & Mrs. Mark Foard
2422 Golupski Road
Baltimore, Maryland 21221

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Golupski Road, 4,700' SE of the c/l Holly Neck Road
(2422 Golupski Road)
15th Election District – 6th Council District
Mark Foard, et ux - Petitioners
Case No. 04-364-A

Dear Mr. & Mrs. Foard:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, reading "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Chesapeake Bay Critical Areas Commission
1804 West Street, Suite 100, Annapolis, Md. 21401
Development Plans Review, DPDM; DEPRM; Office of Planning
People's Counsel; Case File

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



ZONING DESCRIPTION

ZONING DESCRIPTION FOR 2422 GOLUPSKI ROAD

Beginning at a point on the north side of Golupski Road, which is 12-feet wide at the distance of 4,700-feet Southeast of the centerline of the nearest improved intersecting street Holly Neck Road, which is 20-feet wide. Containing 17,860 square feet. Also known as 2422 Golupski Road and located in the 15th Election District, 6th Councilmanic District. Thence the following courses and distances: 470'-northeast on a 10-foot use in common driveway to the southeast corner of property, S 43° 22' E. 64-feet, S 39° 3' W 64.40-feet, S 30° 14' W 60.66-feet, S 67° 57' W 56.34-feet, N 83° 40' W 50.50-feet, N 69° 3' W 47.22-feet, N 49° 38' E 201.40-feet, N 49° 38' E 26.55-feet to the southeast corner of the property. As recorded in Deed Liber 12553, Folio 259.

04-364-A

