IN RE: PETITION FOR VARIANCE N/S of Gooseneck Road, 15 ft. W centerline of Gooseneck Harbor Road 15th Election District 6th Councilmanic District **(1352 Gooseneck Road)** Beth R. Huesman & Vicki Wolff-Long *Petitioners*	* * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 04-563-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, Beth R. Huesman and Vicki Wolff-Long. The Petitioners are requesting variance relief for property located at 1352 Gooseneck Road in the eastern area of Baltimore County. The variance request is from Section 1A04.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a single-family residential house height of 44 ft. in lieu of the required 35 ft.

The property was posted with Notice of Hearing on July 23, 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 August 3, 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 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

ORDER RECEIVED FOR FILING
Date 8/18/04
By

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."

Section 102.4

No dwelling, other than a multifamily building, shall be built on a lot containing less than 20,000 square feet which does not abut on a right-of-way at least 30 feet wide over which the public has an easement of travel, except as provided for panhandle lots in Section 26-266 of the Baltimore County Code, 1988 Edition, as revised.

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 July 1, 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 Office of Planning dated June 24, 2004 stating that the Petitioners' must provide building elevations for review and approval, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the variance request was Beth R. Huesman, the Petitioner. 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, which is the subject of this variance request, consists of 16,120 sq. ft. and is zoned RC 5. The subject property was the subject of a recent variance in Case No. 04-085-A in which relief was granted for side yard setback dimensions and an undersized lot. The Petitioners want to build a new home to replace an existing home on this waterfront lot. The plans for the new home originally showed the height

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Date 8/18/04
By

of the first floor to be 4 ft. above the ground level with the intention of building a separate garage for the Petitioners' vehicles. However, the Petitioners now realize that if they raise the first floor 10 ft. above ground level they could not only have more protection from storm surge problems, such as occurred during Hurricane Isabel, but could park their vehicles under the home. This would not only save the cost of the separate garage, but would diminish the amount of impervious surface on the lot aiding environmental concerns. Thus, they return today requesting the height of the building be allowed to be 44 ft. in lieu of the required 35 ft. The Petitioners indicated that this is the same two level home originally proposed just a few feet higher.

The Petitioner indicated that as shown on Petitioners' Exhibit No. 1, they have the last waterfront lot in the area. She also noted that there is no home located behind them where the view of the water would be affected by the variance request for a higher building. Thus, anyone who purchases the land behind would be on notice regarding the height. She noted that many of the homes on this portion of the waterfront were being built in a similar fashion so that the resulting home would not be out of character with the neighborhood.

Findings of Fact and Conclusions of Law

As I did previously, 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 land is waterfront property. In addition, I find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The Petitioners would erect a separate garage if the variance request is denied at increased cost. No increase in residential density beyond that otherwise allowable by the Zoning Regulations would occur as a result of any such grant of a variance from height or area regulations. Finally, I find this variance can be granted in strict harmony with the spirit and intent of said height regulations, and in such manner

PLANNING & ZONING
8/18/04

as to grant relief without injury to the public health, safety and general welfare. This is the last lot located along this portion of waterfront and no homes are behind the proposed building, which would be adversely affected by the height of the building.

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 requests should be granted.

THEREFORE, IT IS ORDERED, this 18 day of August, 2004, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1A04.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a single-family residential house height of 44 ft. in lieu of the required 35 ft., be and it 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 July 1, 2004, a copy of which is attached hereto and made a part hereof. In addition, DEPRM recommends that building permits should not be approved until public sewer is available.

3. Compliance with the ZAC comments made by the Office of Planning dated June 24, 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.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy
JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

PLEASE RECEIVED ON THE DATE 8/18/04 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

August 18, 2004

Ms. Beth R. Huesman
Ms. Vicki Wolff-Long
1039 Debbie Avenue
Baltimore, Maryland 21221

Re: Petition for Variance
Case No. 04-563-A
Property: 1352 Goose Neck Road

Dear Ms. Huesman & Ms. Wolff-Long:

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,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

Printed on Recycled Paper

CBCA/FLOOD

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1352 Goodnecks Rd

which is presently zoned RC-5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3 To Permit Single Family Res. House Height of 44 ft. in Lieu of 35 ft.

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

Legal Owner(s):

Beth R. Huesman
Name - Type or Print

Signature

Vicki Wolff-Long
Name - Type or Print

Signature

1039 Debbie Ave — 4108919548
Address — Telephone No.

Balto. — MD — 21221
City — State — Zip Code

Representative to be Contacted:

Beth Huesman
Name

Same as above
Address — Telephone No.

City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING —

UNAVAILABLE FOR HEARING —

Reviewed By JGD **Date** 06-02-04

Case No. 04-563-A

RECEIVED FOR FILING 5/18/04

REV 9/15/98

Zoning Description

ZONING DESCRIPTION FOR 1352 Gooseneck Road Baltimore, MD 21220.

Beginning at the point on the north side of Gooseneck Road which is 16 feet wide at the distance of 15 feet west of the centerline of the nearest improved intersecting street Goose Harbor Road which is 16 feet wide. Being Lots #260/#261 Block -, Section - in the subdivision of Bowleys Quarters as recorded in Baltimore County Plat Book # 2, Folio #0012 containing 16,120 square feet. Also known as 1352 Gooseneck Road and located in the 15th Election District, 6th Councilmanic District.

Currently, Baltimore County has no right of way on Gooseneck Road. The county maintains the road only.

04-503-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

8007

No. 150253

DATE 06 02 04 ACCOUNT R001006150

AMOUNT $ 65.00

RECEIVED FROM: Benu Huesman

FOR: Res. Var.
1352 Gooseneck Rd

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

04 563 A

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
6/02/2004	6/02/2004	13:33:18	2

REG VISA WALKIN DRW, DRW
RECEIPT # 267519 6/02/2004 DFLR
Rept: 3 528 ZONING VERIFICATION
Qty 001. 065.00
Recpt Tot $65.00
$65.00 CK $0.00 CH
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: #04-563-A
1352 Gooseneck Road
N/side of Gooseneck Road, 15 ft. west of Gooseneck Harbor Road
15th Election District — 6th Councilmanic District
Legal Owner(s): Beth Huesman and Vicki Wolff-Long

Variance: to permit single-family residential house height of 44 feet in lieu of 35 feet.

Hearing: Tuesday, August 17, 2004 at 11:00 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 8/605 Aug. 3 15445

CERTIFICATE OF PUBLICATION

8/5/, 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 8/3/, 2004.

- [X] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 04-563-A

Petitioner/Developer: Beth Huesman + Vicki Wolff-Long

Date of Hearing/Closing: 8/17/04

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

Attention: Kristen Matthews

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 1352 Gooseneck Rd. Middle River, MD 21220

The sign(s) were posted on July 23, 2004
(Month, Day, Year)

Sincerely,

Stacy Gardner 7/23/04
(Signature of Sign Poster and Date)

Stacy Gardner
(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784
(Address)

410-781-4000
(City, State, Zip Code)

RECEIVED
JUL 26 2004
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

Department of Permits and Development Management

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

Baltimore County

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

June 15, 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: 04-563-A
1352 Gooseneck Road
N/side of Gooseneck Road, 15 ft. west of Gooseneck Harbor Road
15th Election District – 6th Councilmanic District
Legal Owner: Beth Huesman and Vicki Wolff-Long

Variance to permit single-family residential house height of 44 feet in lieu of 35 feet.

Hearing: Tuesday, August 17, 2004 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco
Director

TK:klm

C: Beth Huesman, 1039 Debbie Avenue, Baltimore 21221
Vicki Wolff-Long, 1039 Debbie Avenue, Baltimore 21221

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, AUGUST 2, 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.

Printed on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 3, 2004 Issue - Jeffersonian

Please forward billing to:
Beth Huesman
1039 Debbie Avenue
Baltimore, MD 21221

410-391-9548

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: 04-563-A
1352 Gooseneck Road
N/side of Gooseneck Road, 15 ft. west of Gooseneck Harbor Road
15th Election District – 6th Councilmanic District
Legal Owner: Beth Huesman and Vicki Wolff-Long

Variance to permit single-family residential house height of 44 feet in lieu of 35 feet.

Hearing: Tuesday, August 17, 2004 at 11:00 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.

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: 04-563-A

Petitioner: Beth Huesman

Address or Location: 852 Gooseneck Rd. Balto MD 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: Beth Huesman

Address: 1039 Debbie Ave
Balto. MD 21221

Telephone Number: 410 391.9548

Revised 2/20/98 - SCJ

04-563-A

IN RE: PETITION FOR VARIANCE N/S of Gooseneck Road, 18 ft. W centerline of Goose Harbor Road 15th Election District 6th Councilmanic District **(1352 Gooseneck Road)** Vicki Wolff-Long & Beth Huesman *Petitioners*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 04-085-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, Vicki Wolff-Long and Beth Huesman. The Petitioners are requesting variance relief for property located at 1352 Gooseneck Road in the eastern area of Baltimore County. The variance request is from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side yard setbacks of 12.5 ft. and 21.8 ft. for a proposed dwelling in lieu of the required 50 ft. respectively and to permit an already improved undersized lot.

The property was posted with Notice of Hearing on September 12, 2003, 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 September 16, 2003 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 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,

04563.A

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: The Department of Environmental Protection & Resource Management (DEPRM) ZAC comment dated September 24, 2003 states that the Petitioners must comply with the Chesapeake Bay Critical Area Regulations, and in ZAC comment dated October 1, 2003 that no building permit will be approved until public sewerage is actually available at the property, a copy of these ZAC comments are attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the variance request was Beth Huesman, one of the Petitioners. There were no Protestants or others in attendance.. 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, which is the subject of this variance request, consists of approximately 16,120 sq. ft. and is zoned R.C.5. The subject property is a double lot, which is approximately 100 feet wide at the Gooseneck Road and 85 ft. wide at the water's edge. Consequently, meeting the side yard set back requirement of the R.C.5 zoning of 50 ft. on each side is impossible to accomplish. The property is presently improved by an existing home which the owner proposed to raze and replace with a new home closer to the water. This new home will be in line with the existing homes in the neighborhood rather than within a few feet of the road.

The new home she proposes is 50 ft. wide and as such violates the side yard setback requirements as any home including the present home would do. She testified the width was selected after reviewing several floor plan layouts and keeping in mind the possibility that her elderly parents may need to come live with her. She indicated that they would require wider hallways and doors. She also testified, from her personal knowledge, that the lots were laid out in this subdivision many years before the RC zoning was applied in 1979. Her lot is .37 Acres and the R.C.5 requirements are for 1 acre minimum lot size. As such, she asks approval for an undersized lot. Finally, she testified she could not purchase land on either side of her to increase the size of the lot width or acreage.

Findings of fact and conclusions of law

I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. There is no increase in residential density beyond that otherwise allowable by the Zoning Regulations. Furthermore, I find that such variances can be granted in strict harmony with the spirit and intent of said regulations, and in a manner as to grant relief without injury to the public health, safety and general welfare. However, the Petitioners must fully comply with the Chesapeake Bay Critical Bay Area legislation and the Petitioners will not be permitted to obtain a building permit until public sewer is actually available at the 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 Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 16 day of October, 2003, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from is from Section 1A04.3.B.2

04-563-A

of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side yard setbacks of 12.5 ft. and 21.8 ft. for a proposed dwelling in lieu of the required 50 ft. respectively and to permit an already improved undersized lot, 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 recommendations made by DEPRM in their ZAC comment dated September 24, 2003, a copy of which is attached hereto and made a part hereof;

3. No permit shall be issued for the proposed new home until public sewerage is actually available at the property;

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.

John V. Murphy

JOHN W. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

Jack 10/2

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED
SEP 26 2003
ZONING COMMISSIONER

TO: Tim Kotroco

FROM: R. Bruce Seeley RBS/TS

DATE: September 24, 2003

SUBJECT: Zoning Item 04-85
Address 1352 Gooseneck Road (Wolft-Long Property)

Zoning Advisory Committee Meeting of August 25, 2003

_____ 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 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).

Additional Comments:

Reviewer: Keith Kelley Date: September 12, 2003

04-563-A

Jack 10/2

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley RBS/TGT

DATE: October 1, 2003

SUBJECT: Zoning Item 04-085
Address 1352 Gooseneck Road

Zoning Advisory Committee Meeting of August 25, 2003

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

A building permit will not be approved until public sewer is available.

Reviewer: Sue Farinetti Date: September 2, 2003

RECEIVED
OCT 14 2003
DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

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

August 10, 2004

Beth R. Huesman
Vicki Wolff-Long
1039 Debbie Avenue
Baltimore, Maryland 21221

Dear Mr. Huesman:

RE: Case Number:04-563-A, 1352 Gooseneck Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 2, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: *People's Counsel*

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: July 2, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For June 21, 2004
Item Nos. 550, 554, 555, 556, 557, 559,
560, 561, 562, 563, 564, 565, 566, 568,
and 569

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

RWB:CEN:jrb

cc: File

ZAC-06-21-2004-NO COMMENT ITEMS 550 AND 554-571-07022004

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

June 17, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: June 14, 2004

Item No.: 3550, 554-557, 559-571 (563)

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

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr

DATE: July 1, 2004

SUBJECT: Zoning Item # 04- 563
Address 1352 Gooseneck

Zoning Advisory Committee Meeting of June 14, 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:

A building permit will not be approved until public sewer is available.

Reviewer: Sue Farinetti Date: June 15, 2004

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr

DATE: July 1, 2004

SUBJECT: Zoning Item # 04- 563
Address 1352 Goose Neck Road (Wolff-Long Prop.)

Zoning Advisory Committee Meeting of June 14, 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).

Additional Comments:

Reviewer: Keith Kelley Date: July 1, 2004

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 24, 2004

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

SUBJECT: 1352 Gooseneck Road

INFORMATION:

Item Number: 4-563

Petitioner: Beth R. Huesman

Zoning: RC 5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided building elevations are submitted to this office for review ad approval prior to the issuance of any building permits.

Prepared by: Marla A Cummings

Division Chief: Lyn Lanham

AFK/LL:MAC:

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

SHA
State Highway Administration
Driven to Excel

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6.15.04

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

RE: Baltimore County
Item No. 563 JRA

Dear. Ms.Matthews:

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,

K. A. McDonald

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

RE:	PETITION FOR VARIANCE 1352 Gooseneck Road; N/side Gooseneck Road, 15' W of Gooseneck Harbor Road 15th Election & 6th Councilmanic Districts Legal Owner(s): Beth R Huesman & Vicki Wolff-Long Petitioner(s)	* * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 04-563-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

RECEIVED
JUN 23 2004
Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of June, 2004, a copy of the foregoing Entry of Appearance was mailed to, Beth Huesman, 1039 Debbie Avenue, Baltimore MD 21221, Petitioner(s).

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

PLEASE PRINT CLEARLY

CASE NAME 1352 Goosenech Rd.
CASE NUMBER 04-563-A
DATE 8/17/04

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Beth Huesman	1039 Debbie Ave	Balto MD 21221	

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 1352 Gooseneck Rd

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Bowleys Quarters

PLAT BOOK # 2 FOLIO # 0012 LOT # 260/261 SECTION # —

OWNER Vicki Wolff-Long + Beth Rene Huesman

water front

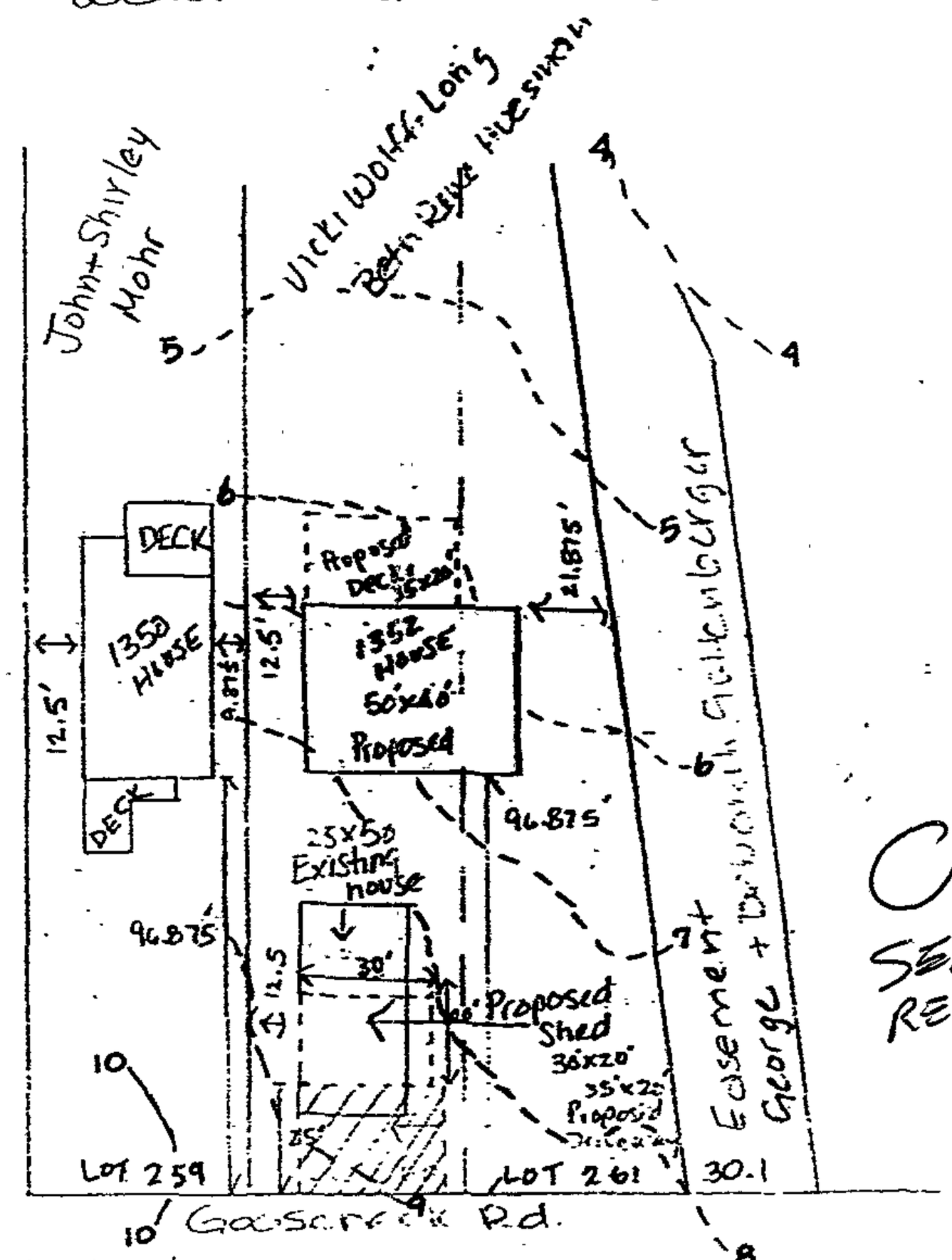
STATE OF MARYLAND — ROBERT EDWARD SHIPLEY — No. 4503 — PROFESSIONAL LAND SURVEYOR

THE CERTIFICATION RELATES TO TOPOGRAPHY ONLY.

TOPOGRAPHY NOTE

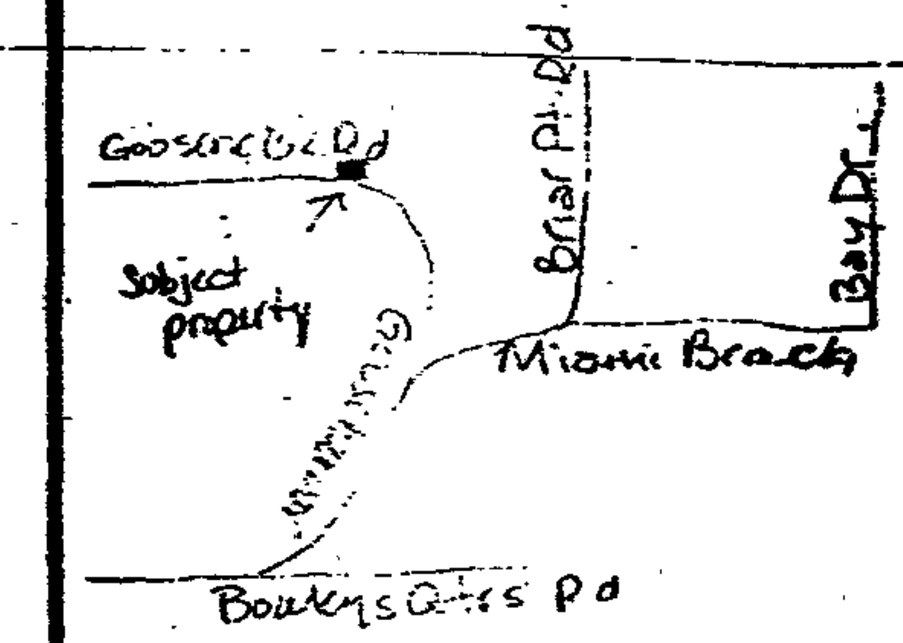
THE EXISTING CONTOURS AS SHOWN HEREON ARE BASED ON BALTIMORE COUNTY VERTICAL SURVEY CONTROL. HUB NO. 11507A. SOUTH CORNER OF END OF CONC WALK AT # 583 B GOOSE NECK ROAD, 17'+/- FROM CENTERLINE OF ROAD, 125'+/- NORTH WEST OF HUB NO. 11507.

ELEVATION = 09.825



OLD SEE REV.

NORTH



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 6

1"=200' SCALE MAP # NE 2-L

ZONING RC-5

LOT SIZE .37 ACREAGE — 16120 SQUARE FEET

	PUBLIC	PRIVATE
* will have soon SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☒	☐
100 YEAR FLOOD PLAIN	☒	☐
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING 04-085A

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #
JJW		04-563-A

Pet #1

REVISED: 8-8-07 (topo added)

PREPARED BY Beth Huesman

SCALE OF DRAWING: 1" = 50'

-15-

REVISED PER DEPTY ZONING COMM 8/27/04

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 1352 Gooseneck Rd

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Bowleys Quarters

PLAT BOOK # 2 FOLIO # 0012 LOT # 260/261 SECTION # —

OWNER Vicki Wolff-Long + Beth Rae Hoesman

STATE OF MARYLAND — EDWARD J. SCHMIDT — No. 4503 — PROFESSIONAL LAND SURVEYOR

THE CERTIFICATION RELATES TO TOPOGRAPHY ONLY.

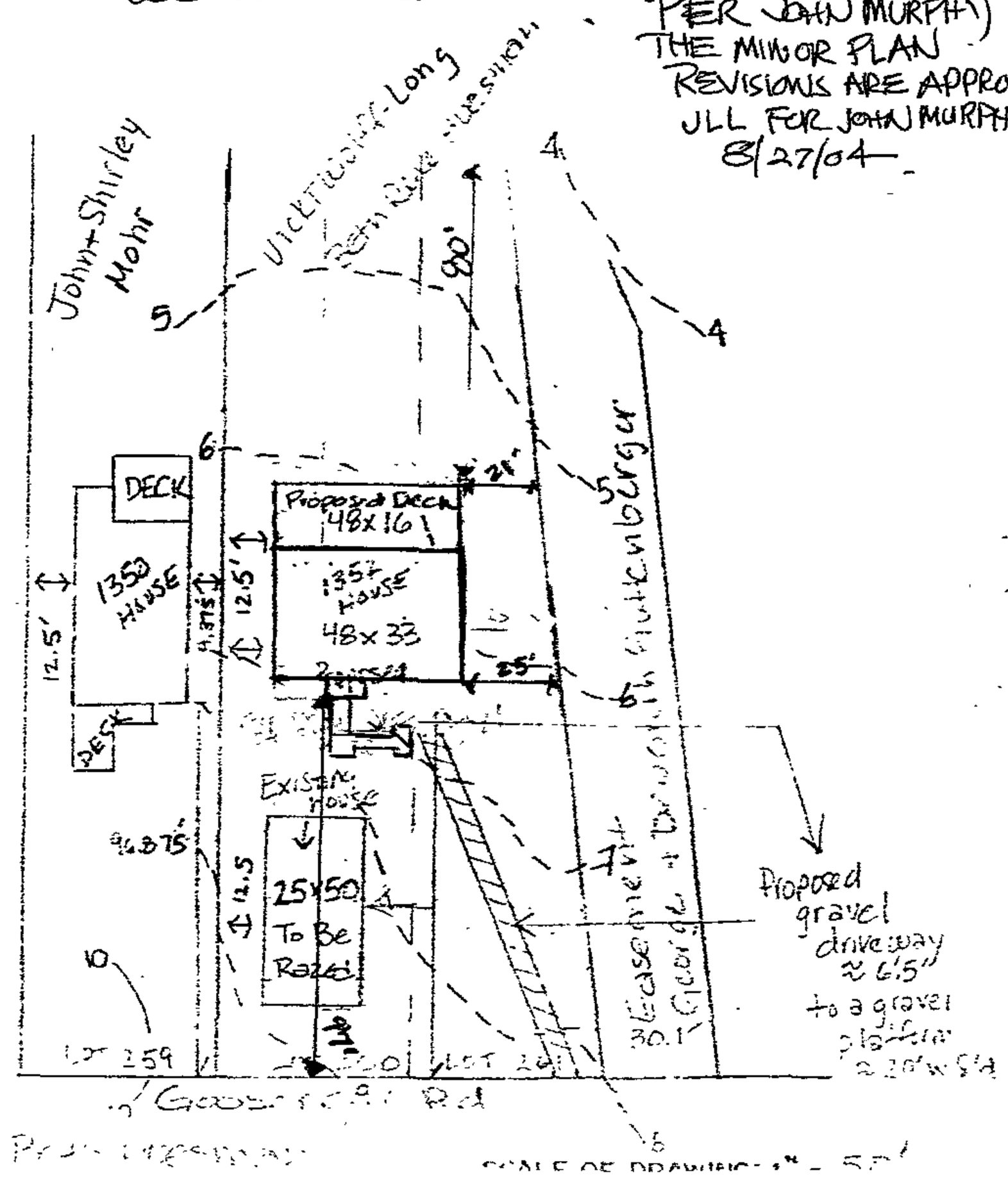
TOPOGRAPHY NOTE

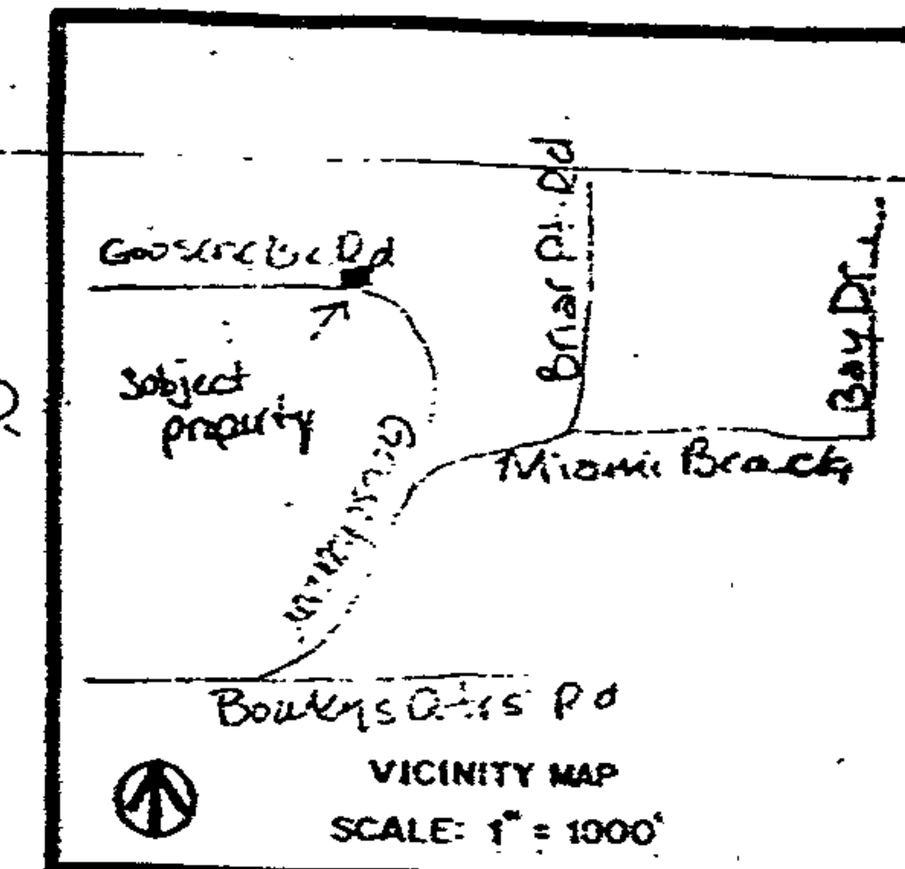
THE EXISTING CONTOURS AS SHOWN HEREON ARE BASED ON BALTIMORE COUNTY VERTICAL SURVEY CONTROL. HUB NO. 11507A. SOUTH CORNER OF END OF CONC WALK AT # 5B3 - B GOOSE NECK ROAD, 17'+/- FROM CENTERLINE OF ROAD, 125'+/- NORTHWEST OF HUB NO. 11507.

ELEVATION = 09.825

water front

PER JOHN MURPHY THE MINOR PLAN REVISIONS ARE APPROVED JLL FOR JOHN MURPHY 8/27/04





LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 6

1"=200' SCALE MAP # NE 2-L

ZONING RC-5

LOT SIZE .37 ACREAGE / 16120 SQUARE FEET

	PUBLIC	PRIVATE
★ will have soon SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☒	☐
100 YEAR FLOOD PLAIN	☒	☐
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING 04563A ~~NEW~~ 04085A

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

PREPARED BY

SCALE OF DRAWING 1" = 50'

B568035 Change of front + rear setback OK. D. Thompson FINAL REVISED PER DEPTY ZONING COMM 8/27/04

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 1352 Gooseneck Rd

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Bowleys Quarters

PLAT BOOK # Z FOLIO # 0012 LOT # 260/261 SECTION # —

OWNER Vicki Wolff-Long + Beth Rene Horsman

TOPOGRAPHY ONLY.

NOTE

Site Area = 16,120 ft²
25% impervious surfaces limit = 4030 ft²

proposed house = 1584 ft²
pervious deck = 768 ft² (384 ft² w/in Buffer)
proposed = 9.8%

Driveway must not increase impervious over 25% on site.

15% Tree cover requires 5 trees
At least 8 ex'd

Pervious Deck Fee in lieu = $153.60
plant 4 native deciduous trees 5-6 ft in height prior to use & occupancy

water front

PER JOHN MURPHY THE MINOR PLAN REVISIONS ARE APPROVED JLL FOR JOHN MURPHY 8/27/04

ex 2 trees

John + Shirley Mohr

Vicki Wolff-Long

Beth Rene Horsman

100' Tidal Buffer

ex. tree

Revised minor chg per DEPRM 10/26/04: House moved 4' towards road.

DECK

1352 HOUSE

Proposed Deck 14x16

1352 HOUSE 42x32 Replace

tree removed

Hull & Wilbur Berger

grinder pump 10 ft off road

5 trees

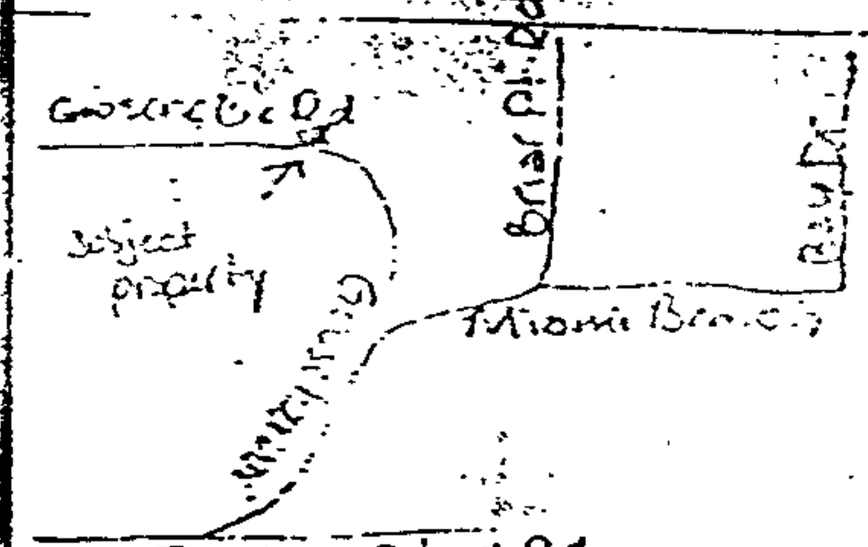
gravel driveway ≈ 4.5' + 3 gravel

Alison Road

LOT

Gooseneck Rd

NORTH



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # NE 2-C

ZONING RC-5

LOT SIZE ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
WATER	☒	☐
SEWER	☒	☐

100 YEAR FLOOD PLAIN ☒ ☐

HISTORIC PROPERTY/BUILDING ☐ ☒

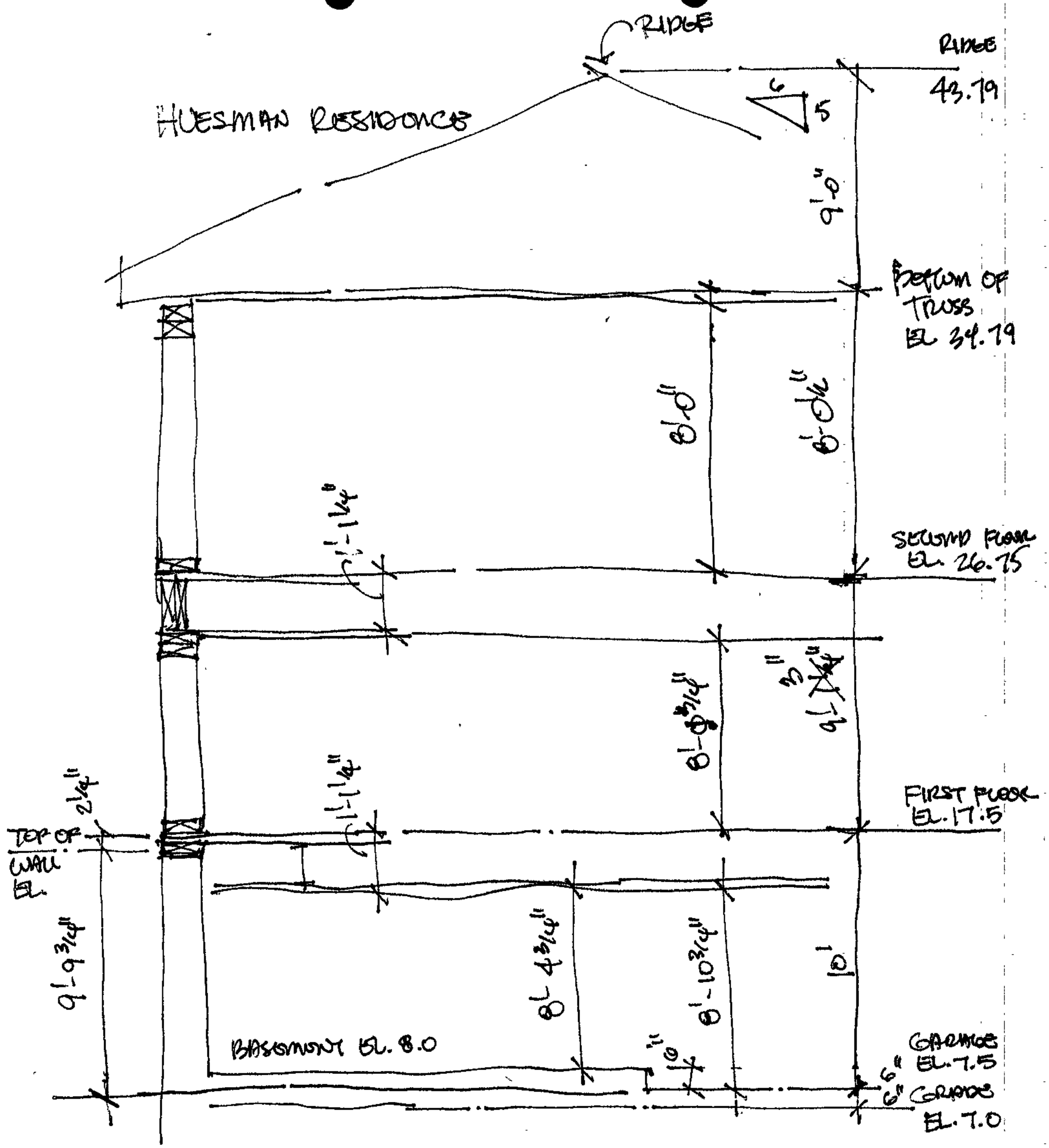
PRIOR ZONING HEARING 04-560-X

ZONING OFFICE USE ONLY

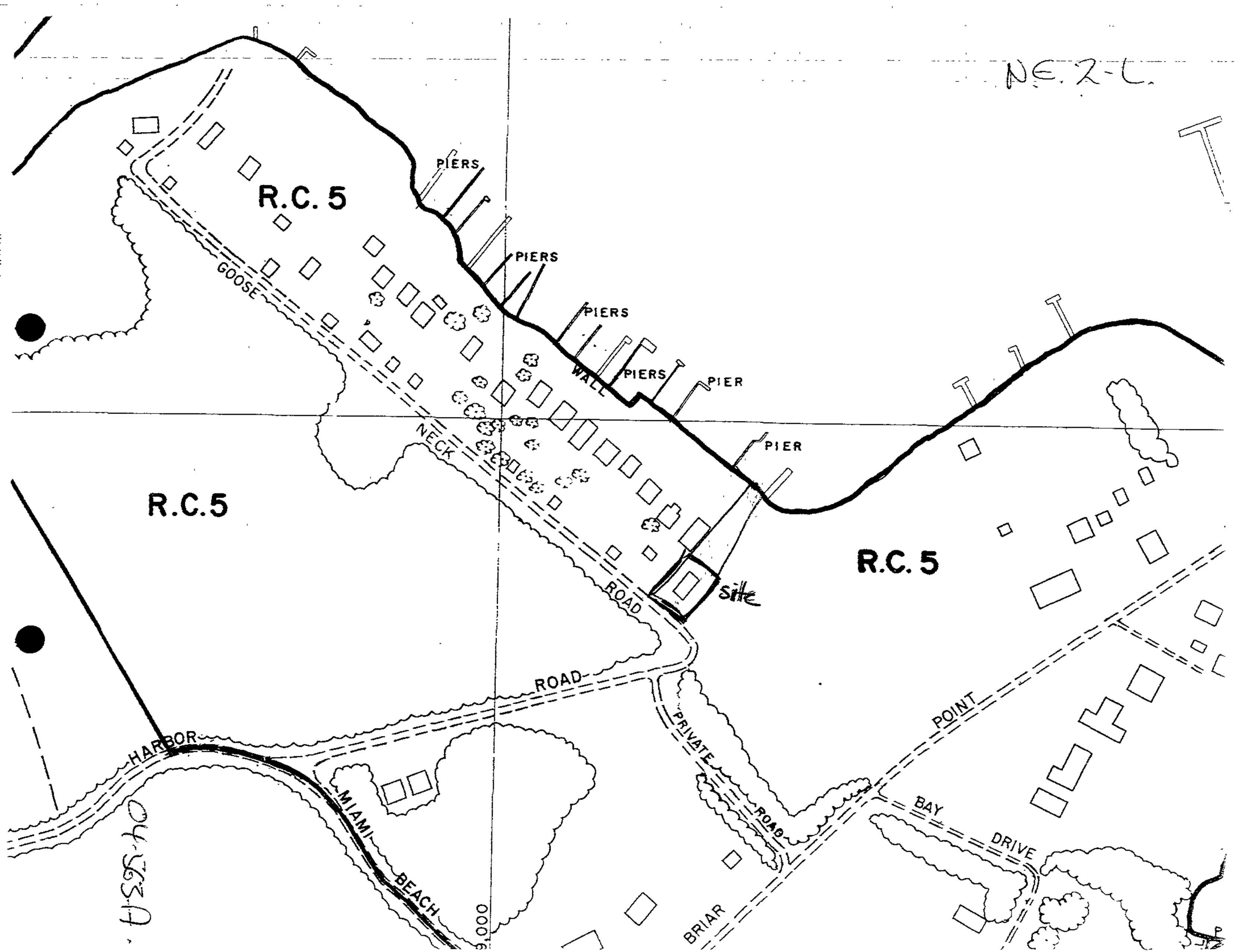
REVIEWED BY ITEM # CASE #

PREPARED BY

1" = 50'



Elevations 04-563 Pet #2


NE.2-L.
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HARBOR
MIAMI
BEACH
BRIAR
04-953A