IN RE: PETITION FOR ADMIN. VARIANCE
E/S of Rockaway Beach Avenue, 90 ft. N
centerline of Regina Avenue
15th Election District
6th Councilmanic District
(623 Rockaway Beach Avenue)

Charlotte & Lawrence Knoll Petitioners BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 05-514-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Charlotte and Lawrence Knoll. The Petitioners are requesting variance relief for property located at 623 Rockaway Beach Avenue in the Essex area of Baltimore County. Variance relief is requested from Sections 400.3 and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 25 ft. height and if necessary a 14 ft. street setback in lieu of a 15 ft. height and 30 ft. setback for a detached garage.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 17, 2005, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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 Bureau of Development Plans Review dated April 21, 2005, a copy of which is attached hereto and made a part hereof. In addition, a ZAC comment was received from the Department of Environmental Protection & Resource Management (DEPRM) dated May 18, 2005 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.

THE BONE IN

Finally, A ZAC comment was received from the Office of Planning dated April 18, 2005, a copy of which is attached hereto and made a part hereof. In this comment the Planning Office contends that the proposed garage not be closer than 18 feet from the road front property line while the Petitioners' plan indicates this dimension is proposed to be 14 feet. Notice was given to the Petitioner who apparently contacted the Planning Office who subsequently issued a revised comment dated June 29, 2005. This comment agreed to the 14 ft. dimension and made other recommendations to which apparently the Petitioner agrees.

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, offstreet 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."

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County

Code and the Baltimore County Zoning Regulations, and for the reasons given above, I find that the
requested variance should be GRANTED.

THEREFORE, IT IS ORDERED, this <u>B</u> day of July, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Sections 400.3 and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 25 ft. height and if necessary a 14 ft. street setback in lieu of a 15 ft. height and 30 ft. setback for a detached garage, 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 submitted by Office of Planning dated June 29, 2005, a copy of which is attached hereto and made a part hereof;
- 3. Compliance with the ZAC comments submitted by the Bureau of Development Plans Review dated April 21, 2005, a copy of which is attached hereto and made a part hereof.
- 4. Compliance with the ZAC comments submitted by DEPRM dated May 18, 2005 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;
- 5. When applying for a building permit, the site plan field 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

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj

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
William J. Wiseman III, Zoning Commissioner

July 8, 2005

Mr. & Mrs Lawrence Knoll 623 Rockaway Beach Avenue Baltimore, Maryland 21221

> Re: Petition for Administrative Variance Case No. 05-514-A Property: 632 Rockaway Beach Avenue

Dear Mr. & Mrs. Knoll:

Enclosed please find the decision rendered in the above-captioned case. The petition for administrative 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

Deputy Zoning Commissioner

JVM:raj Enclosure

c: Mitch Kellman
Daft, McCune, Walker, Inc.
200 E. Pennsylvania Ave.
Towson, MD 21286



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



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at <u>623 Bockaway Beach Ave. 21221</u> which is presently zoned <u>DR35</u>

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) 400.3 and 1/302.3.C./ +0

permit a 25 ft height and if necessary a 14ft street school garage.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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: <u>Legal Owner(s):</u> Lawrence Knol Name - Type or Print Signature Address Telephone No. City State ZIp Code **Attorney For Petitioner:** <u>410-574-5847</u> Address Telephone No Baltimore MO 21221 Name - Type or Print State Zip Code Representative to be Contacted: gnature Company Address Telephone No. Touson 21286 State Zip Code State Zip Code Rublic Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning wildians of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County Reviewed By REV 10/25/01 **Estimated Posting Date**

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

I nat the Affiant(s) does/do presently reside at	Address	vay Beach Duenue	<u> </u>
	Baltimar.	MO State	Z\ZZ\ Zlp Code
That based upon personal knowledge, the for Variance at the above address (indicate hards	llowing are the facts up ship or practical difficult	oon which I/we base the rec y):	quest for an Administrative
condition which is limiting it	ing garage a 5 useful purpi	ose as a garage.	the aesthetics of
re property have been significantly	y reduced with	the deterior oution	of the garage.
the existing house has very little the home. additional garage	storage space	due to multiple f	emily members living
he driveway, we are requesti aximize the viable storage space			. 1
cisting home. Adding square fool	stage to the seco	and floor also pern	nits ws to minimize
listupting the impervious surfa	ce of the prop	sentings keeping klose	to the existing
large fast print,	•		
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That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide	formal demand is file e additional information	d, Affiant(s) will be require	ed to pay a reposting and
- amarca Kroll		Harlatto, 11.	noll
Signature	Sigi	nature	
Name - Type or Print		ne - Type or Print	·
Name - Type of Print	· Nan	ne - Type of Print	
STATE OF MARYLAND, COUNTY OF BALT	IMORE, to wit:		
i HEREBY CERTIFY, this 3rd day of formal day	personally appeared	$\underline{2005}$, before me, a	Notary Public of the State
Lauvence + Charlott	re Knoll	'	
the Affiant(s) herein, personally known or satis	sfactorily identified to m	ie as such Afflant(s).	
		N	
AS WITNESS my hand and Notarial Seal		Inon Sertert	
į į	Notary Pub	lic /	
	My Commis	ssion Expires <u>Huan</u>	£1, 2006
<u>*</u>		J	7

REV 10/25/01

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

REV 10/25/01

623 Rockanar Beach Avenue.

	Address	•	
	Baltimore	MD State	21221 Zip Code
That based upon personal knowledge Variance at the above address (indicated)	e, the following are the facts ate hardship or practical diffic		
the existing garage its useful purpose as a garage reduced with the deterior at space due to multiple family recover in order to reduce the additional height to the second copy the roof line and ac second floor also permits a of the properties keeping	ily members living in congestion in the a not floor to maxim esthetics of the exist	drive way, we one re wize the viable storage they have known squally squally discupting the impe	as very little store is a garage space is a space, also to have forther
That the Affiant(s) acknowledge(s) to advertising fee and may be required to	to provide additional informat	tion. Las On Am 4/1 Kreat	
Signature Laurence Knoll Name - Type or Print		Signature Charlotte Knoll Name - Type or Print	
STATE OF MARYLAND, COUNTY OF Affiant(s) herein, personally known	oresald, personally appeared He Knoll		Notary Public of the State
AS WITNESS my hand and Notarial S	Seal	Jam Slight	
	Notary F		A 1,200
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CASE NO. 05-514-A

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	623 Rockawa	Beach Due.	2122
•	s presently zoned		

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) 400.3 ~~~ 1802.3.0.1 +0

permit a 25 ft height and if necessary a 14 ft street sctback in lieu of a 15 ft height and 30 ft for a detached garage.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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.

Zoning Commissioner of Baltimore County

Date

is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Name - Type or Print Signature Address Telephone No. Name Type or Print City State Zip Code 410-574-5847 **Attorney For Petitioner:** Address Telephone No. K Baltimore 21221 Name - Type or Print State Zip Code Representative to be Contacted: Signature Company 3333 Address Telephone No. Telephone No. * Towson 21286 City State Zip Code Zip Code State A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Reviewed By

Estimated Posting Date

ZONING DESCRIPTION For 623 ROCKAWAY BEACH AVENUE

Beginning at a point on the east side of Rockaway Beach Avenue, 40 feet wide, at a distance of 190 feet north of the centerline of Regina Avenue. Being Lots 60 and 61 of the Turkey Point Subdivision, as recorded in Plat Book 4, Folio 171. Also known as 623 Rockaway Beach Avenue containing .48 acres in the 15th Election District and 6th Councilmanic District.

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CERTIFICATE OF POSTING

RE: Case No.: 05 5/4-A

Petitioner/Developer: LAWRENCE

KNOLL

Date of Hearing/Closing: 5-2-05

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:

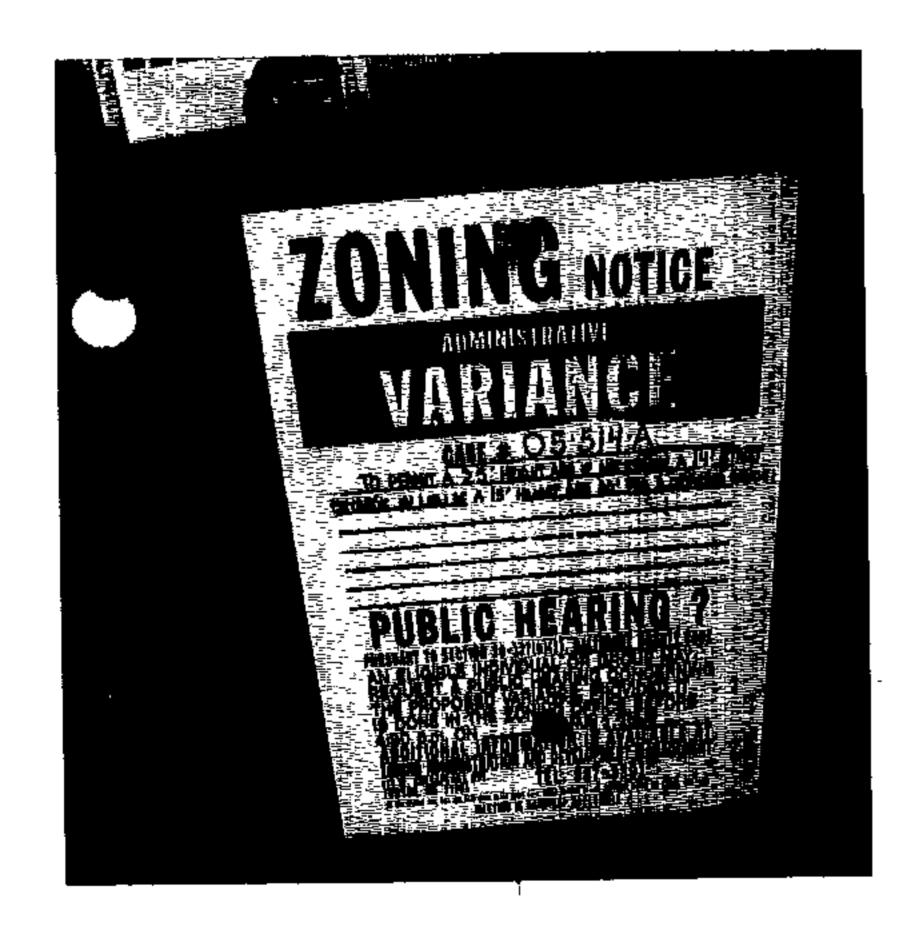
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

(A 2 3 Rockaway Beach Ave

The sign(s) were posted on 4-17-0.5

(Month, Day, Year)

Sincerely,



Robist Road Uni	a)
Robert Black 4-1 (Signature of Sign Poster) (Da	te)
SSG Robert Black	• •
(Print Name)	
1508 Leslie Read	
(Address)	·
Dundalk, Maryland 21222	
(City, State, Zip Code)	
(410) 282-7940	
(Telephone Number)	

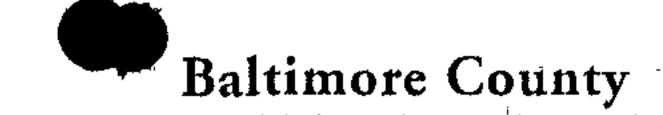
ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 05-	514	-A	Address	623 RO	CKAMA	Y BEAC	HAVE
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Department of Permits a Development Management

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





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

May 2, 2005

Lawrence Knoll Charlotte Knoll 623 Rockaway Beach Avenue Baltimore, Maryland 21221

Dear Mr. and Mrs. Knoll:

RE: Case Number: 05-514-A, 623 Rockaway Beach Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 5, 2005.

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,
U. Call Rilla D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Mitch Kellman 200 East Pennsylvania Avenue Towson 21286



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

April 12, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: April 18, 2005

Item No.: 506, 507, 508, 509, 510, 513 514, 515, 516.

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

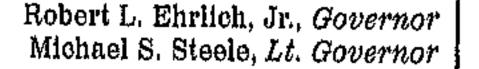
Acting Lieutenant Don W. Muddiman Lieutenant Franklin J. Cook Fire Marshal's Office (0)410-887-4881 (C)443-829-2946MS-1102F

cc: File



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







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

Maryland Department of Transportation

Date: 4.12.05

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

RE:

Baltimore County

Item No.

LTM

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,

Steven D. Foster, Chief

Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

PDM

FROM:

John D. Oltman, Jr

DEPRM

DATE:

May 18, 2005

SUBJECT:

Zoning Item # 05-514

Address

623 Rockaway Beach Road

Zoning Advisory Committee Meeting of April 11, 2005

_____ 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 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:

This property is located within the Limited Development Area of the Chesapeake Bay Critical Area. The associated regulations require a minimum of 15% tree cover and a maximum impervious surface limit of 25%, and stipulate that there be a 100-foot buffer established from meant high tide (MHT).

Reviewer:

Mike Kulis

Date: May 18, 2005



DATE: June 29, 2005

BALTIMORE COUNTY, MARY LUA-N2D5

INTER-OFFICE CORRESPONDENCEWING COMMISSIONER

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

5-514 - Administrative Variance - REVISED COMMENTS

The Office of Planning does not oppose the petitioner's request provided the following conditions are met:

- The proposed garage shall be side-loaded and shall not be located any closer that 14 feet to the Rockaway Beach Avenue right-of-way line. In addition, the asphalt area between said garage and Rockaway Beach Avenue shall be replaced with a lawn area and landscaping shall be provided along the front of the property.
- 2. Revise the site plan to show the aforementioned required features.
- 3. The structure shall not contain any sleeping quarters, living area or kitchen. This office does not oppose the installation of a first-floor toilet, sink or shower/tub combination to replace the existing facilities provided that no part of the garage area is used for living/overnight habitation. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment.
- 4. The accessory structure shall not be used for commercial purposes.
- 5. Submit elevations (all sides) of the proposed accessory structure to his office for review and approval prior to the issuance of any building permit. Exterior building materials shall be compatible in material, design and color as the principal structure. The west elevation (adjacent Rockaway Beach Avenue) shall include double-windows, and not left as a blank wall.

For further information concerning the matters stated herein, please contact David Pinning at 410-887-3480.

Prepared by:

Section Chief:

APK/LL: MAC

RECEIVED

JUL - 6 2005

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: April 18, 2005

RECEIVED

APR 2 2 2005

SUBJECT:

5-514 – Administrative Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure. With a height of 25 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

- 1. The proposed garage shall be no closer that 18 feet from the Rockaway Beach Road property line. This setback is required so as to prevent the over-hang of vehicles across the public right-of-way.
- 2. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
- 3. The accessory structure shall not be used for commercial purposes.
- 4. Submit elevations (all sides) of the proposed accessory structure to his office for review and approval prior to the issuance of any building permit. Exterior building materials shall be compatible in material, design and color as the principal structure. The west elevation (adjacent Rockaway Road shall include windows, and not left as a blank wall.

For further information concerning the matters stated herein, please contact David Pinning at 410-887-3480.

Prepared by:

Section Chief:

FK/LL: MAC

300 Survey Source

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:		Tim Kotroco	
		PDM ,	•
FROM	1 :	John D. Oltman, Jr DEPRM	
DATE	i: \	May 18, 2005	
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SUBJI	ECT:	Zòning Item # 05-	514
		Address 623 R	ockaway Beach Road
	Zoning	Advisory Committee	Meeting of April 11, 2005
· · · · · · · · · · · · · · · · · · ·		epartment of Environments on the above-refer	nental Protection and Resource Management has no renced zoning item
	COMMIC		
X offers	the foll	· • • • • • • • • • • • • • • • • • • •	nvironmental Protection and Resource Management he above-referenced zoning item:
		Development of the p	reperty must comply with the Regulations for the
		·	uality, Streams, Wetlands and Floodplains (Section
		14-331 through 14-35	0 of the Baltimore County Code).
	-	Development of this	property must comply with the Forest
		-	ions (Section 14-401 through 14-422 of the
		Baltimore County Co	de).
	<u> </u>	Development of this i	property must comply with the Chesapeake Bay
	Critical	Area Regulations (Se	ctions 26-436 through 26-461, and other
	Section	s, of the Baltimore Co	ounty Code).
	Additio	nal Comments:	
			`

This property is located within the Limited Development Area of the Chesapeake Bay Critical Area. The associated regulations require a minimum of 15% tree cover and a maximum impervious surface limit of 25%, and stipulate that there be a 100-foot buffer established from meant high tide (MHT).

Reviewer:

Mike Kulis

Date: May 18, 2005

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 21, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Acting Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 25, 2005

Item No. 514

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The flood protection elevation for this site is 10.4.

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

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

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

DAK:CEN:clw Cc: file

ZAC-ITEM NO 514-04212005.doc

TS-65 CARREST TO THE SECOND STATES OF THE SECOND ST

From:

Roberta Jameson

To:

Oltman, John

Subject:

05-514**-**A

I need ZAC comments for the above-captioned admin. variance at your convenience.

Petitioners: Charlotte & Lawrence Knoll Property: 623 Rockaway Beach Ave.

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 William J. Wiseman III, Zoning Commissioner

May 23, 2005

Mr. & Mrs Lawrence Knoll 623 Rockaway Beach Avenue Baltimore, Maryland 21221

> Re: Petition for Administrative Variance Case No. 05-514-A Property: 632 Rockaway Beach Avenue

Dear Mr. & Mrs. Knoll:

I have been given your request for administrative variance for review and received the attached comments from County agencies in regard to your request. The ZAC comments from the Bureau of Development Plans Review and the Department of Environmental Protection & Resource Management are typically steps taken after the zoning matters are decided. The Office of Planning has raised one issue, however, that goes to the heart of the zoning questions before me. You have asked for a 14 ft. setback from the street and the Office of Planning recommends 18 ft. for the reasons given.

I suggest that you contact the Office of Planning (410-887-3480) to determine if this conflict can be resolved. If it is resolved, I would need to receive a revised comment from the Office of Planning to that effect and perhaps a slightly revised plan from you. If the matter cannot be resolved, I will set the matter in for public hearing at which time you and someone from the Office of Planning can tell me why the issue should be decided in your favor.

Please let me have your thoughts in writing regarding this matter.

Very truly yours,

John V. Murphy

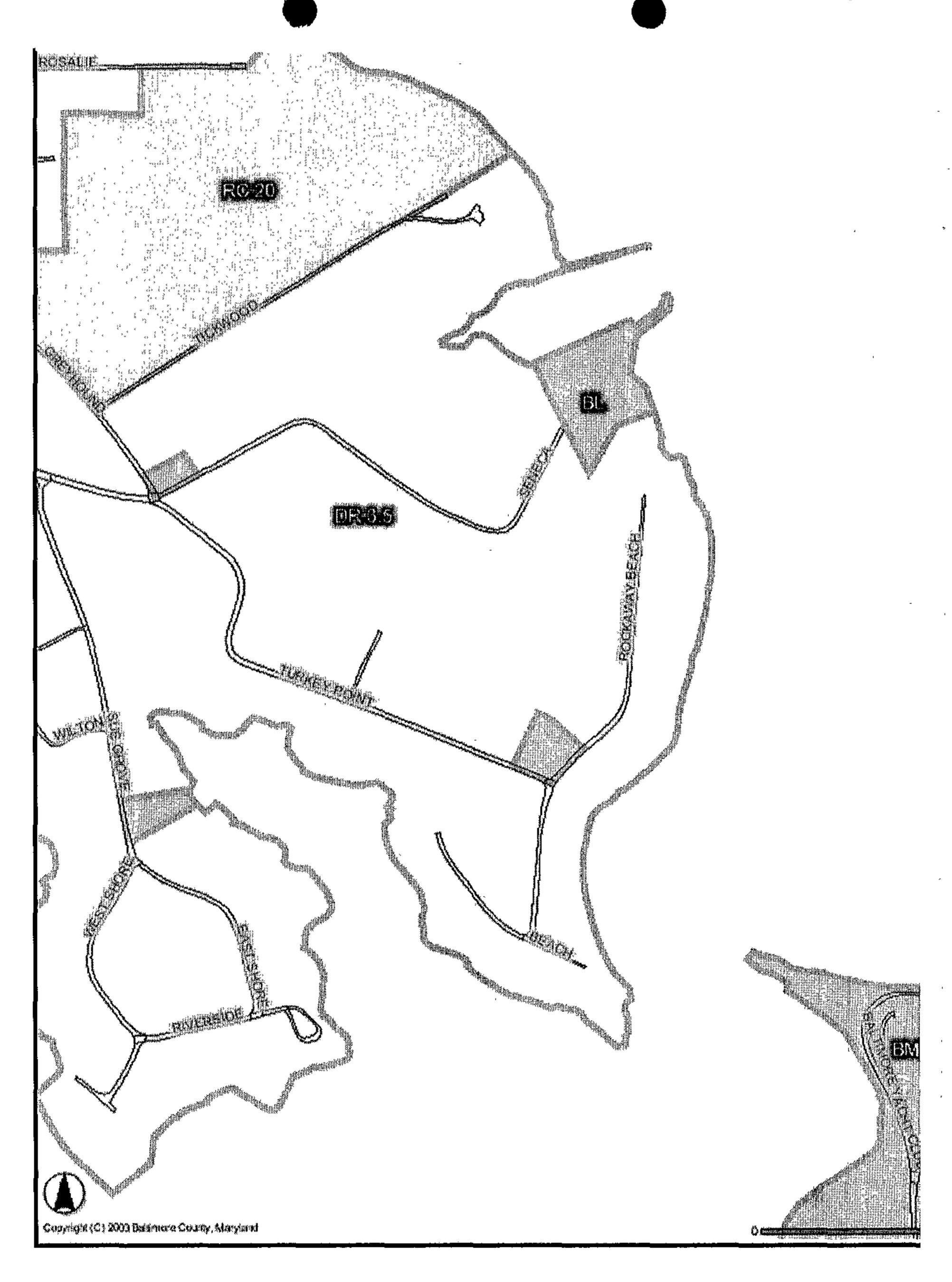
Deputy Zoning Commissioner

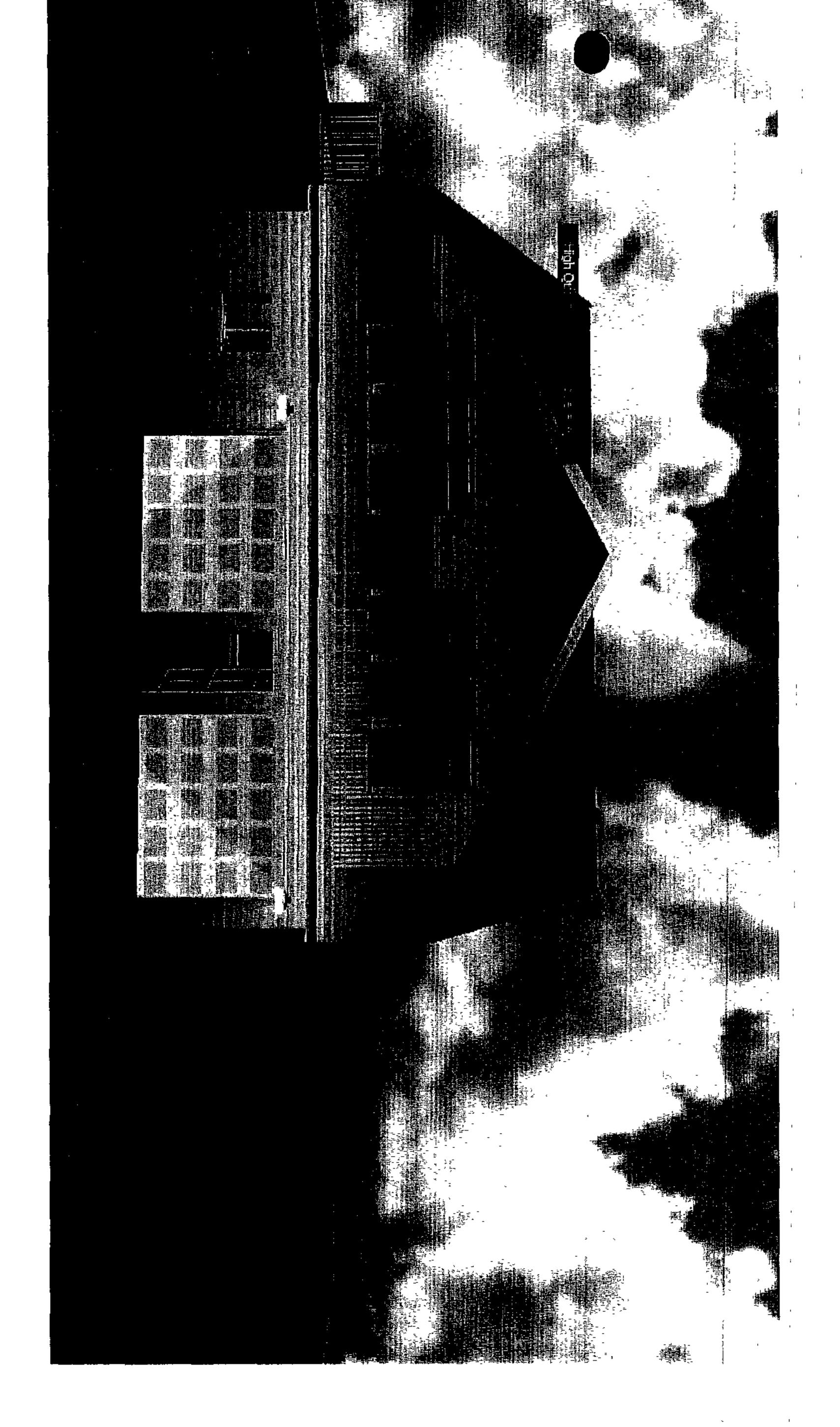
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Attachments

c: Mitch Kellman, Daft, McCune, Walker, Inc., 200 E. Pennsylvania Ave., Towson, MD 21286 Mark Cunningham, Office of Planning



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





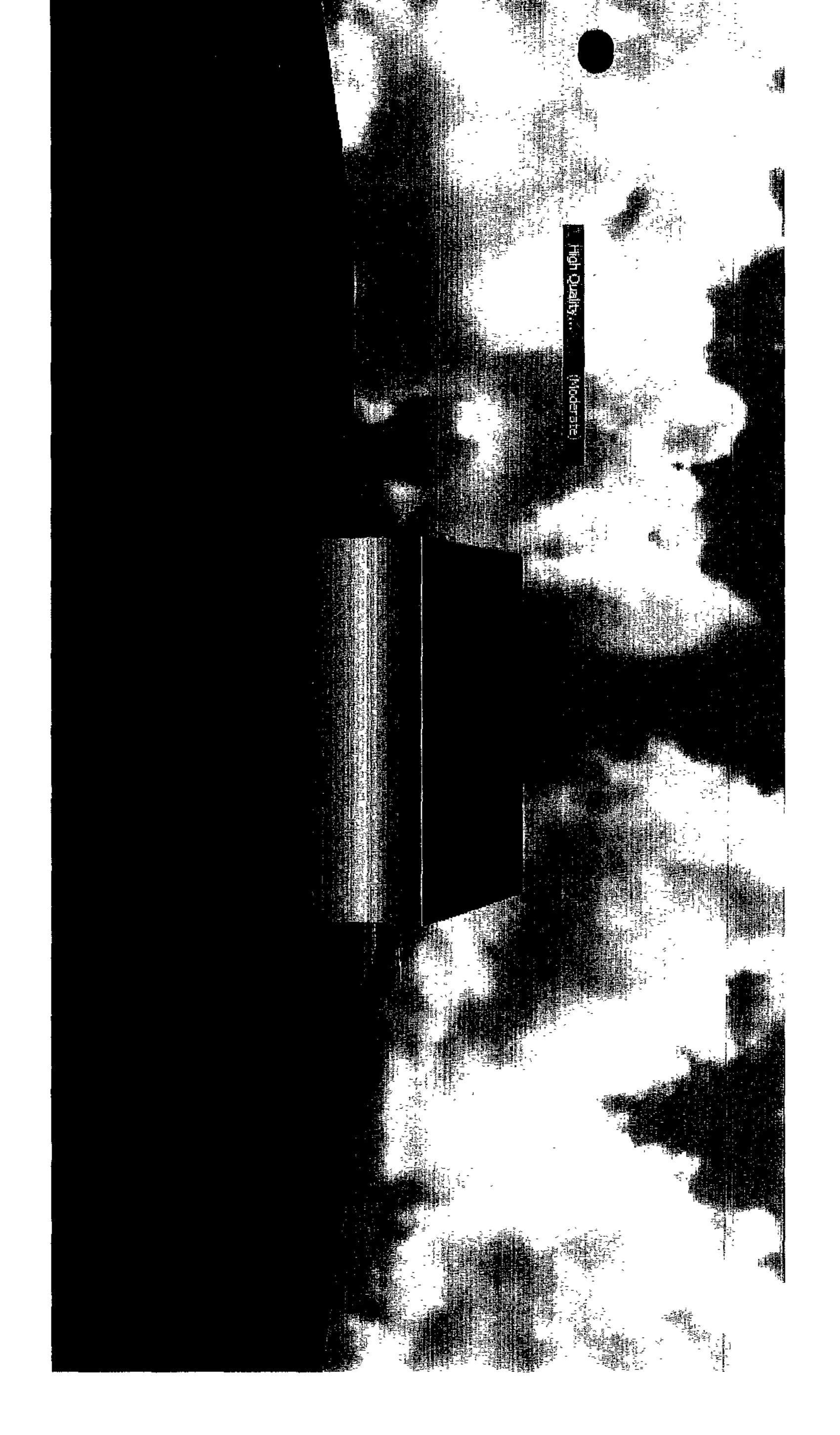
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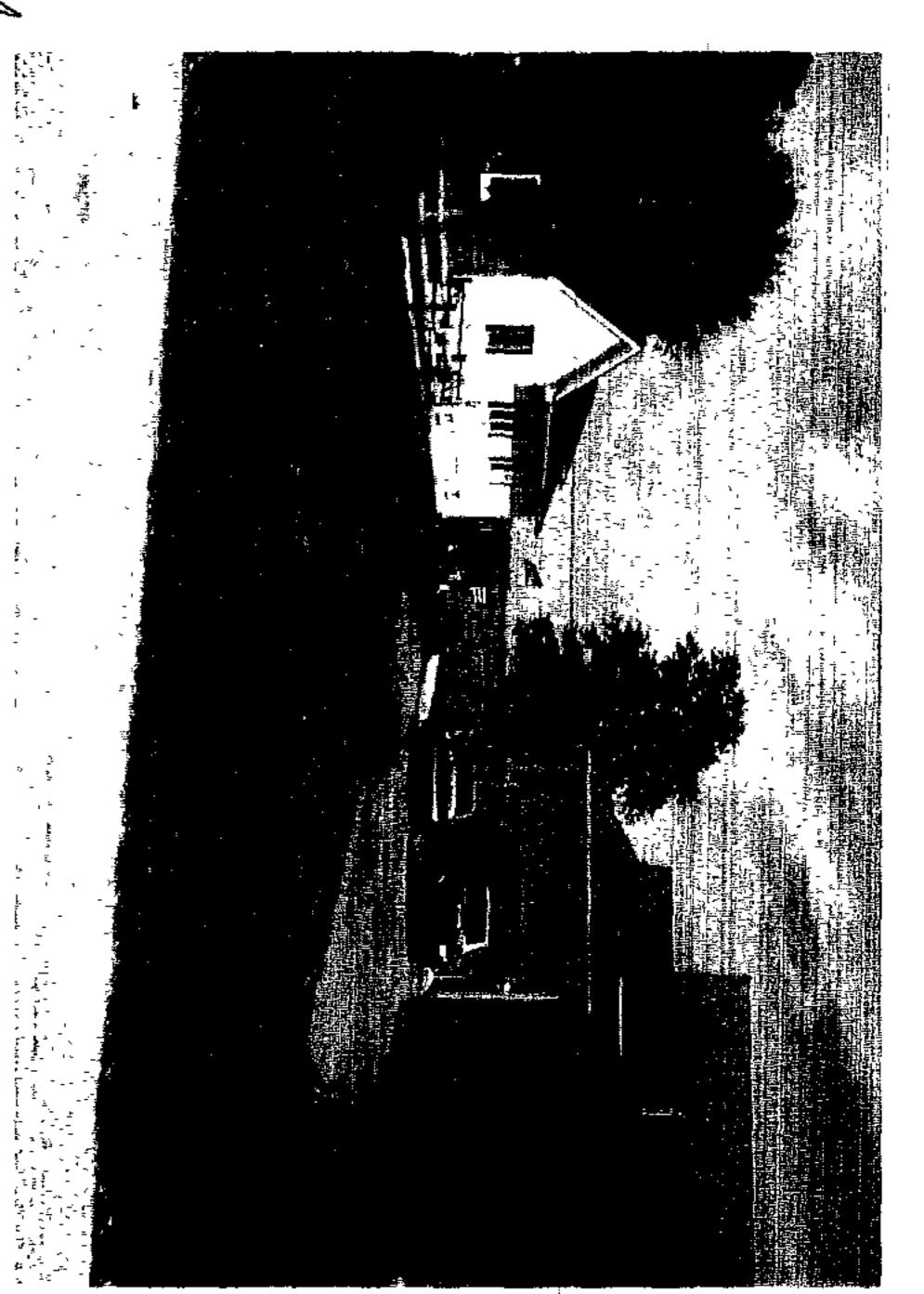




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