IN RE: PETITIONS FOR VARIANCE

SW/S Chesapeake Road, 65' & 115' SE-

Susquehanna Road

(7403 & 7405 Chesapeake Road)

15th Election District 6th Council District

Patricia Martin Petitioner

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Cases Nos. 05-527-A & 05-528-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Variance filed by Patricia Martin, owner of the subject two adjacent properties known as 7403 and 7405 Chesapeake Road. Since the properties are owned by the same person and are located adjacent to one another, the two cases were heard contemporaneously. In Case No. 05-527-A, the Petitioner requests a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the existing dwelling (7405 Chesapeake Road) on a 50-foot wide lot in lieu of the minimum required lot width of 55 feet. In Case No. 05-528-A, the Petitioner requests similar relief from Section 1B02.3.C.1 of the B.C.Z.R. to permit a lot width of 50 feet in lieu of the minimum required 55 feet for a proposed dwelling (7403 Chesapeake Road). The subject properties and requested relief are more particularly described on the site plan submitted in each case, which was accepted into evidence and respectively marked as Petitioner's Exhibits 1.

Appearing at the requisite public hearing on behalf of the Petitioner was Bernadette Moskunas, with Site Rite Surveying, the consultants who prepared the site plan for these properties. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject adjacent parcels are located on the south side of Chesapeake Road, east of Susquehanna Road in Middle River. The lots are identified as Lots 112 and 113 of Oliver Beach, which is an older subdivision that was platted and recorded in the Land Records in 1940, prior to the first set of zoning regulations in Baltimore County. As is often the case with older subdivisions, many of the lots are undersized and do not

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meet current area and width requirements. In this regard, each of the subject lots contains a gross area of 10,000 sq.ft., or 0.229 acres, more or less zoned D.R.5.5, and is 50' wide by 200' deep. The Petitioner has owned both lots and resided in the existing dwelling, which was built in 1943, since October 1969. (See Deed marked as Petitioner's Exhibit 2). The Petitioner characterizes herself as "getting up in age" and finds it difficult to maintain the additional lot. Thus, she is in negotiations to sell Lot 112 to Bluewater Properties who intends to develop the lot with a two-story, single-family dwelling to be known as 7403 Chesapeake Road. The proposed dwelling will be 30' wide and 40' deep and will meet all front, side and rear setback requirements. However, in order to proceed with the proposed development, the requested variance relief is necessary to legitimize existing conditions. In support of the proposal, photographs of the subject property and adjacent lots show that most of the houses in this community were built on 50-foot wide lots. Thus, it appears the relief requested is appropriate and consistent with the pattern of development.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. The fact that this subdivision was platted and recorded many years ago, well prior to the adoption of the B.C.Z.R., is a persuasive factor. Both lots meet the minimum area requirements of 6,000 sq.ft. under the D.R.5.5 zoning regulations and the proposed dwelling will meet all front, side and rear setback requirements. Moreover, but for the 9-foot setback on the east side, the existing dwelling, which was built in 1943, meets all other setback requirements. The only deficiency in both instances is the lot width. As noted above, most of the houses in this community were built on 50-foot wide lots with similar setbacks as that proposed here. In my view, the relief requested will not result in any detriment to the health, safety and general welfare of the surrounding locale and meets the spirit and intent of Section 307 for relief to be granted. However, given the property's close proximity to the Gunpowder River, the proposed development must comply with Chesapeake Bay Critical Areas and Federal Flood insurance requirements.

Pursuant to the advertisement, posting of the property(s) and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

meet current area and width requirements. In this regard, each of the subject lots contains a gross area of 10,000 sq.ft., or 0.229 acres, more or less zoned D.R.5.5, and is 50' wide by 200' deep. The Petitioner has owned both lots and resided in the existing dwelling, which was built in 1943, since October 1969. (See Deed marked as Petitioner's Exhibit 2). The Petitioner characterizes herself as "getting up in age" and finds it difficult to maintain the additional lot. Thus, she is in negotiations to sell Lot 112 to Bluewater Properties who intends to develop the lot with a two-story, single-family dwelling to be known as 7403 Chesapeake Road. The proposed dwelling will be 30' wide and 40' deep and will meet all front, side and rear setback requirements. However, in order to proceed with the proposed development, the requested variance relief is necessary to legitimize existing conditions. In support of the proposal, photographs of the subject property and adjacent lots show that most of the houses in this community were built on 50-foot wide lots. Thus, it appears the relief requested is appropriate and consistent with the pattern of development.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. The fact that this subdivision was platted and recorded many years ago, well prior to the adoption of the B.C.Z.R., is a persuasive factor. Both lots meet the minimum area requirements of 6,000 sq.ft. under the D.R.5.5 zoning regulations and the proposed dwelling will meet all front, side and rear setback requirements. Moreover, but for the 9-foot setback on the east side, the existing dwelling, which was built in 1943, meets all other setback requirements. The only deficiency in both instances is the lot width. As noted above, most of the houses in this community were built on 50-foot wide lots with similar setbacks as that proposed here. In my view, the relief requested will not result in any detriment to the health, safety and general welfare of the surrounding locale and meets the spirit and intent of Section 307 for relief to be granted. However, given the property's close proximity to the Gunpowder River, the proposed development must comply with Chesapeake Bay Critical Areas and Federal Flood insurance requirements.

Pursuant to the advertisement, posting of the property(s) and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2124 day of June 2005 that the Petition for Variance filed in Case No. 05-527-A seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the existing dwelling (7405 Chesapeake Road) on a lot 50 feet wide in lieu of the minimum required lot width of 55 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 05-528-A, seeking relief from Section 1B02.3.C.1 of the B.C.Z.R. to permit a lot width of 50 feet in lieu of the minimum required 55 feet for a proposed dwelling (7403 Chesapeake Road), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit(s) and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the ZAC comments submitted by DEPRM and the Development Plans Review division of DPDM relative to Chesapeake Bay Critical Areas regulations and all other appropriate environmental, floodplain and B.O.C.A. regulations relative to the protection of water quality, streams, wetlands and floodplains. Copies of those comments, dated June 2, 2005 and May 2, 2005, respectively, have been attached hereto and made a part hereof.
- 3) The proposed dwelling shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning. In addition, landscaping shall be provided along the public road for both properties.

4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:bjs

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DEPAR	TMENT OF ENV	BATTIMORE COUNTY MARYLAND RONMENTAL PROTECTION & RESOURCE MANAGEMENTS
TO:	Tim Kotroco PDM	2005
FROM:	John D. Oltn DEPRM	an, Jr 300 JUN 2 COMMING COMMING
DATE:	June 2, 2005	
SUBJECT:	Zoning Item Address	# 05-528 7403 Chesapeake Road
Zonin	g Advisory Co	nmittee Meeting of April 25, 2005
The D	epartment of E ents on the abo	nvironmental Protection and Resource Management has no ve-referenced zoning item.
X The D the fol	epartment of E	nvironmental Protection and Resource Management offers nts on the above-referenced zoning item:
	Protection of	of the property must comply with the Regulations for the Water Quality, Streams, Wetlands and Floodplains (Sections h 14-350 of the Baltimore County Code).
-17 : 2 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	Development Conservation Baltimore Con	of this property must comply with the Forest Regulations (Section 14-401 through 14-422 of the nty Code).
<u>X</u>	Critical Area I	of this property must comply with the Chesapeake Bay Legulations (Sections 26-436 through 26-461, and other Baltimore County Code).

Additional Comments:

Development on this site must comply with the Limited Development Area Regulations of the CBCA. Specifically, the Regulations require a 25% maximum impervious surface limit (or up to 31.25% with mitigation) and a 15% minimum tree cover limit

Reviewer:

Sue Farinetti, Glenn Shaffer Date: June 2, 2005

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

June 21, 2005

Ms. Patricia Martin 7405 Chesapeake Road Baltimore, Maryland 21220

RE: PETITIONS FOR VARIANCE
SW/S Chesapeake Road, 65' & 115' E of the c/l Susquehanna Road
(7403 & 7405 Chesapeake Road)
15th Election District – 6th Council District
Patricia Martin - Petitioner
Cases Nos. 05-527-A and 05-528-A

Dear Ms. Martin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Variance have 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,

WILLIAM J. WISEMAN, III Zoning Commissioner for Baltimore County

WJW:bjs

Ms. Bernadette Moskunas, Site Rite Surveying, Inc. 200 E. Joppa Road, #101, Towson, Md. 21286

Chesapeake Bay Critical Areas Commission

1804 West Street, Suite 100, Annapolis, Md. 21401/

DEPRM; Office of Planning; People's Counsel; Case File



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

cc:

Petition for Variance

* / /2/C/* ///				
to the Z	oning Commi	ssioner of Balti	more County	<u> </u>
	for the	e property located at which is no	resently zoned D.R.	
This Potition shall be filed with the D		-		
This Petition shall be filed with the De owner(s) of the property situate in Baltin and made a part hereof, hereby petition of DNIPOSIA dwilling in Minimum required 6	for a Variance from	nich is described in the Section(s) BO 2.3 midth of 50	description and plant of the land plant of the land of	indersigned, legal it attached hereto to permit
of the Zoning Regulations of Baltimore	-	oning law of Baltimore	County, for the fo	ollowing reasons
(indicate natustrip of practical difficulty)				7.1.0.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.
See Attached				
Property is to be posted and advertised a l, or we, agree to pay expenses of above Var regulations and restrictions of Baltimore Cour	iance advertisina noc	ting atc and further gare	e to and are to be bou	nded by the zoning
	•	`*	lare and affirm, under	the popultine of
		perjury, that I/we are is the subject of this f	the legal owner(s) of the	ne property which
Contract Purchaser/Lessee:				
		Legal Owner(s):		
Name - Type or Print	Name	Patricia Mart	in	
Signature		Patricia	Martin	
Orgi tata o		Signature		
Address	Telephone No.	Name - Type or Print		
City	Zip Code	Signature	Contac	t Jimmy Harri
Attorney For Petitioner:	·	7405 Chesapeake		29 – 6957
•		Address	·	Telephone No.
Name - Type or Print	City	<u>Baltimore</u>	Maryland State	Zip Code
		Representative t	o be Contacted:	•
Signature			ying, Inc., Room	m 101
Company		Name	***************************************	
Address	Talanhana Na	200 E. Joppa Ro	ad (410)	828-9060
	Telephone No.	Address Towson	Maryland	Telephone No. 21286
State	ZIp Code	City	State	Zip Code
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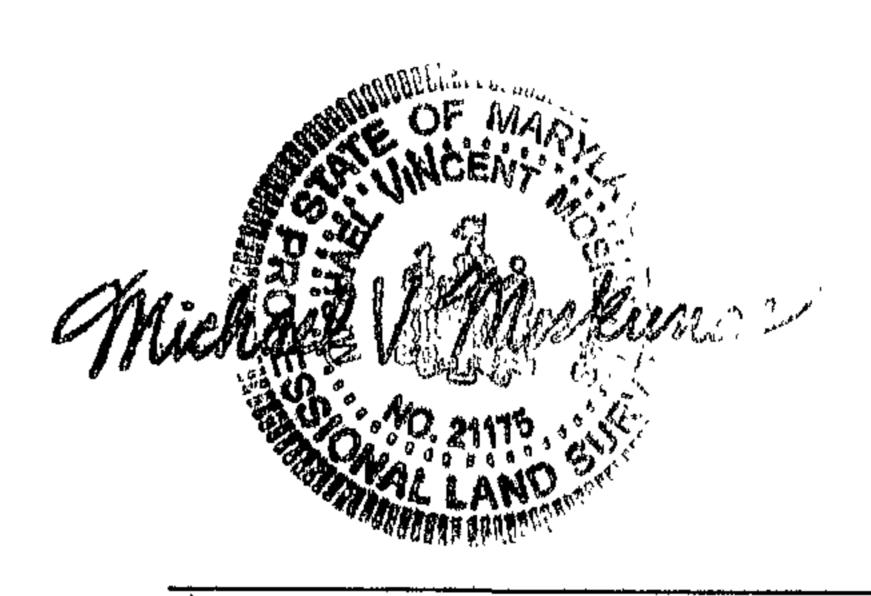
REASONS FOR VARIANCE PETITION

#7403 CHESAPEAKE ROAD

- 1. Lot of record on "Oliver Beach" plat dated January 16, 1940 and all lots designed with 50 feet lot width.
- 2. Lot has been under the same ownership since 1969 and meets B.C.Z.R. except for lot width.
- 3. This request is within the spirit and intent of the B.C.Z.R. and will not adversely affect the welfare or safety of the neighborhood.

ZONING DESCRIPTION #7403 CHESAPEAKE ROAD

Beginning at a point on the southwest side of Chesapeake Road which is 30 feet wide at the distance of 65 feet southeast of the centerline of Susquehanna Road which is 30 feet wide. Being Lot #112, Section A in the subdivision of Oliver Beach as recorded in Baltimore County Plat Book #12, folio 56, containing 10,000 S.F. Also know as #7403 Chesapeake Road and located in the 15th Election District, 6th Councilmanic District.



Michael V. Moskunas Reg. No. 21175

Site Rite Surveying, Inc. 200 East Joppa Road, Suite 101 Towson MD 21286 (410) 828-9060

The Zohing 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: #05-528-A
7/403 Chesapeake Road
S/west side of Chesapeake
Road, 65 feet s/east of
Susquehanna Road
15th Election District
6th Councilmanic District
Legal Owner(s): Patricla Martin
Variance: to permit a proposed dwelling width of 50 feet in lieu of the minimum
required 56 feet required 55 feet.

Hearing: Friday, June 3,
2005 at 10:00 a.m. in
Room 407, County Courts
Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN III 🕝

Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

5/199 May 19

51607

5/199 May 19

CERTIFICATE OF PUBLICATION

<u> 5/19/_,2005</u>
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 5/19/,2005.
The Jeffersonian Arbutus Times Catonsville Times Towson Times Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

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CERTIFICATE OF POSTING

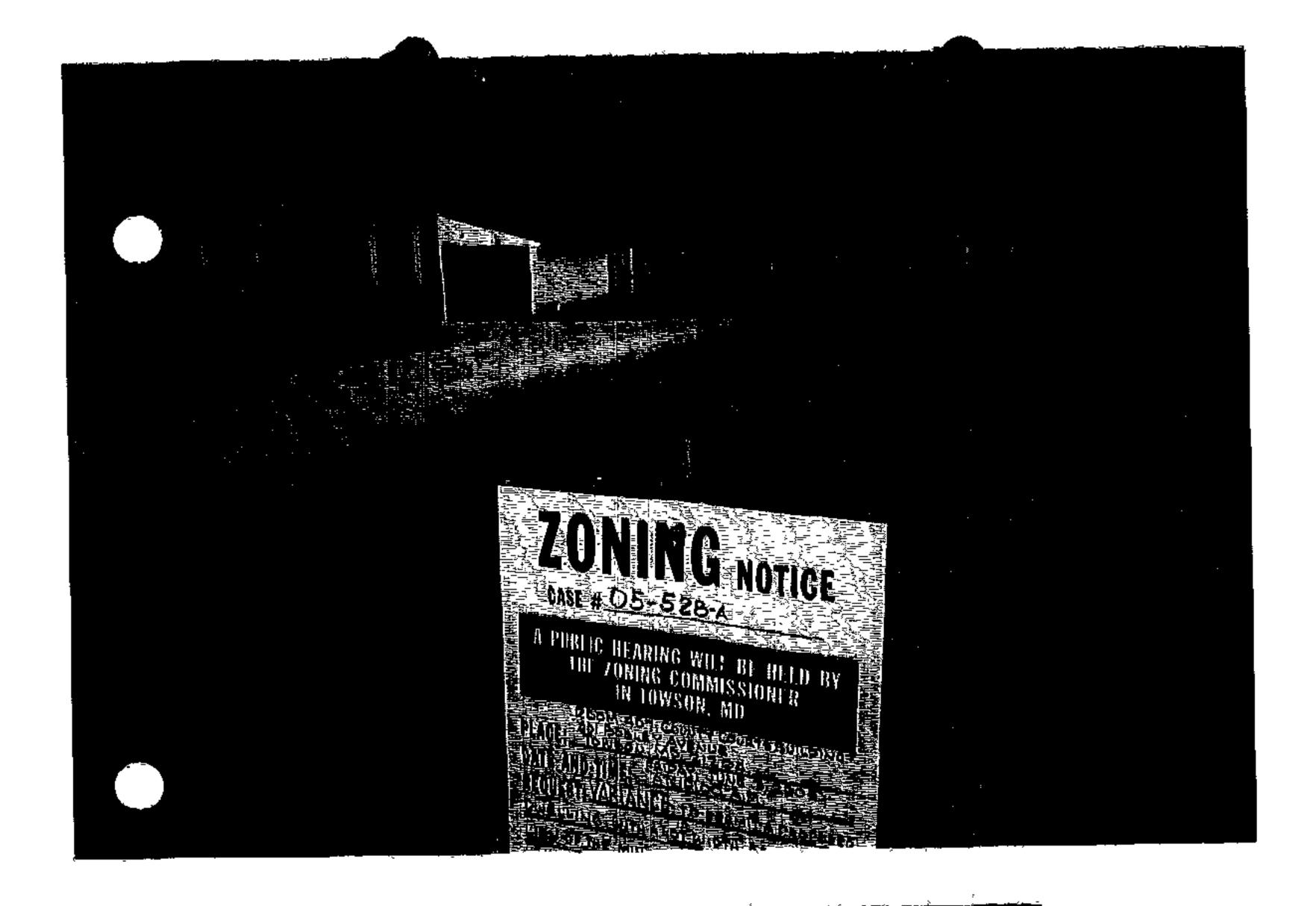
Baltimore County Department of

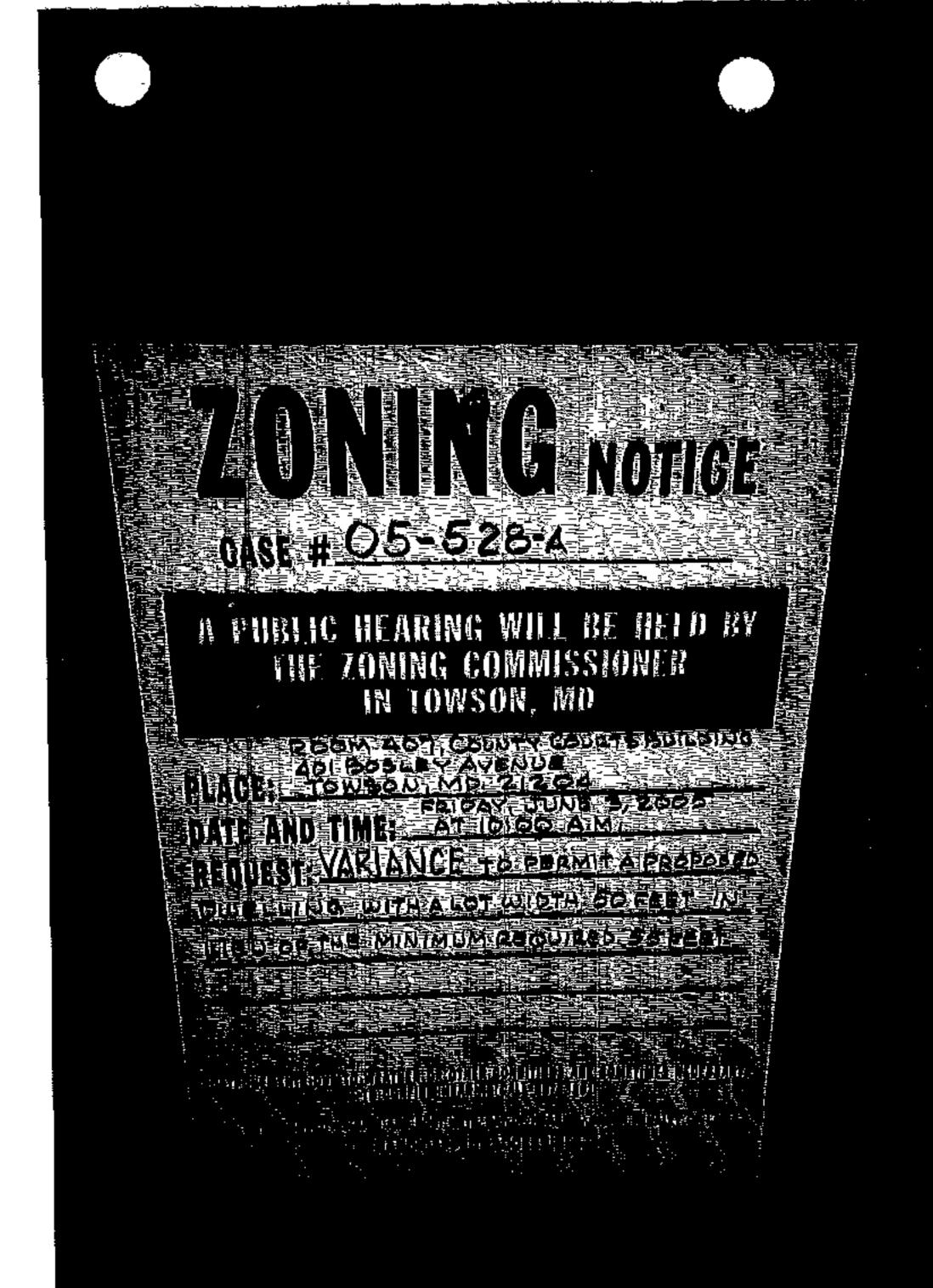
Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Becky Hart	
Ladies and Gentlemen: This letter is to certify und	er the penalties of perjury that the necessary sign(s) required by
law were posted conspicuously on the property loc	eated at # 7403 CHESAPEAKE 120AD
The sign(s) were posted on	2, 2005 (Month, Day, Year)
	Sincerely,
a .	(Signature of Sign Poster and Date)
	GARLANDE, Woord (Printed Name)
	3225 RYERSON CIRCLE (Address)
	PAUT / NORE, MD. 21227 (City, State, Zip Code)
	C410) 242-4263
	(Telephone Number)

RE: Case No.: 05-528-A

Petitioner/Developer: PATRICIA MARTINI

Date of Hearing/Closing: JUNG 5, 2005





1 3 2005

OF PELIMITS AND

RE: PETITION FOR VARIANCE

RECTIVED

Per....

7403 Chesapeake Avenue; SW/side

Chesapeake Road, 65' SE Susquehanna Rd

15th Election & 6th Councilmanic Districts

Legal Owner(s): Patricia Martin

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

.....

FOR

BALTIMORE COUNTY

* 05-528-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 and all documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of April, 2005, a copy of the foregoing Entry of Appearance was mailed to, Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY

Thursday, May 19, 2005 Issue - Jeffersonian

Please forward billing to:

Blue Water Properties 11450 Pulaski Highway, Ste. 1 Baltimore, MD 21162

443-829-6957

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: 05-528-A

7403 Chesapeake Road

S/west side of Chesapeake Road, 65 feet s/east of Susquehanna Road

15th Election District – 6th Councilmanic District

Legal Owners: Patricia Martin

Variance to permit a proposed dwelling width of 50 feet in lieu of the minimum required 55 feet.

Hearing: Friday, June 3, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J WISEMAN III

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

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

April 21, 2005

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: 05-528-A

7403 Chesapeake Road

S/west side of Chesapeake Road, 65 feet s/east of Susquehanna Road

15th Election District – 6th Councilmanic District

Legal Owners: Patricia Martin

Variance to permit a proposed dwelling width of 50 feet in lieu of the minimum required 55 feet.

Hearing: Friday, June 3, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Patricia Martin, 7405 Chesapeake Rd., Baltimore 21220 Site Rite Surveying, Inc., 200 E. Joppa Rd., Baltimore 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 19, 2005.

- (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 <u>Baltimore County Zoning Regulations</u> (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 Adv	<u>rertising:</u>		
Item Number or Cas		-528-A	
Petitioner:	nmy Harns	go Blue	Mater Properties
Address or Location:	17403 CM	esapeate	Poud
PLEASE FORWARD	ADVERTISING BIL Blue Water (,	
Address:	11450 Pulas	a thighw	JWJ
	Swith		
<u></u>	Baltmine.	MO 242	21162
Telephone Number:	4	43-821	-6957

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

May 23, 2005

Patricia Martin 7405 Chesapeake Road Towson, Maryland 21220

Dear Ms. Martin:

RE: Case Number: 05-528-A, 7403 Chesapeake Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 15, 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.

W. Calling yours De Call Richard De

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Site Rite Surveying 200 E. Joppa Road Rm. 101 Towson 21286



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

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

ATTENTION: Zoning Review Planners

Distribution Meeting of:

April 25, 2005

Item No.: 517, 518, 520, 521, 522, 523, 524, 525, 526, 521, 528

Pursuant to your request, this Office has reviewed the referenced plan(s) 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 William F. Connolly, Jr. Lieutenant Franklin J. Cook Fire Marshal's Office (O) 410-887-4881 (C) 443-829-2946 MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director

DATE: May 2, 2005

Department of Permits & Development

Management

FROM: Denn.

Dennis A. Kennedy, Acting Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 25, 2005 Item No. *528*

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

The minimum right of way for all public roads in Baltimore County is 40-foot. Setback shall be modified accordingly

The flood protection elevation for the site is 10.4.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at lease 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 (includes basements) of residential (commercial) development.

The building engineer shall require a permit for this property.

Building shall be designed and adequately anchored to prevent floatation, collapse of lateral movement of structure with materials resistant to flood damage.

Flood resistant construction shall be in accordance with requirement of BOCA International. Building code adopted by the county

DAK:CEN:clw Cc: file

ZAC-ITEM NO 528-05022005.doc

DIPART	MENTIVOTE TENIVA	rkojakalydžiajni kajujurie (c	grime in joint ly mate so in	RCE IMANACII		
TO:	Tim Kotroco PDM			ML	N 2	2005
FROM:	John D. Oltm DEPRM	an, Jr		10111110		MMC
DATE:	June 2, 2005	,		10/1/1/	J • •	
SUBJECT:	Zoning Item Address	# 05-528 7403 Chesapea	ke Road			
Zonin	g Advisory Co	mmittee Meeting	of April 25, 2005	` .		
		invironmental Proposed zo	otection and Resour oning item.	rce Managem	ient ha	s no
	-		otection and Resour -referenced zoning	_	ient off	fers
•	Protection of	Water Quality, S	nust comply with the treams, Wetlands a Baltimore County (nd Floodplai		
		Regulations (Se	must comply with to ction 14-401 throug		the	
<u>X</u>	Critical Area		must comply with to tions 26-436 through unty Code).	4	•	

Additional Comments:

Development on this site must comply with the Limited Development Area Regulations of the CBCA. Specifically, the Regulations require a 25% maximum impervious surface limit (or up to 31.25% with mitigation) and a 15% minimum tree cover limit

Reviewer: Sue Farinetti, Glenn Shaffer Date: June 2, 2005

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: May 23, 2005

RECEIVED
MAY 2 4 2005

SUBJECT:

Zoning Advisory Petition(s): Case(s) 5-527 and 5-528

The Office of Planning has reviewed the subject request and has determined that the petitioner owns sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. However, the existing lot pattern of the neighborhood appears to 50-foot wide lots: As such, this office does not oppose the petitioner's request.

If the petitioner's request is granted, the following conditions shall apply to the proposed dwelling:

- 1. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
- 2. Provide landscaping along the public road.

For further questions or additional information concerning the matters stated herein, please contact David Pinning with the Office of Planning at 410-887-3480.

Division Chief:

MAC/LL



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

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

Maryland Department of Transportation

Date:

4.22.05

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

RE:

Baltimore County

Item No.

528

JMP

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

Bill Wiseman - case nos.: 05-527-A and 05-528-A

From:

<Blm1mh@aol.com>

To:

<wwiseman@co.ba.md.us>

Date:

6/7/2005 8:48:20 AM

Subject: case nos.: 05-527-A and 05-528-A

Mr. Wiseman,

With regards to the above, I have spoken to Avery Harden in an attempt to resolve the landscape issue. He asked me to request information from Mark Cunningham of Planning since it was his concern. Mark stated that his concern is that there is some type of minor screening planted for "curb appeal" and that would satisfy him. I have also provided him with building elevation drawings for planning approval. I requested that he contact you directly via email.

It was certainly a pleasure to put a face to a name and I look forward to future meetings. Have a wonderful day.

Bernadette L. Moskunas Vice President Site Rite Surveying, Inc. 410-828-9060

9:00 AM 05-527A

Case No.:

0;00 Am

Exhibit Sheet FERTBOTH CASES

Petitioner/Developer

Protestant

7 T	
No. 1	1 A - address Comments
	Flans PEULEW 5/22/05 -
	1A- address Comments Plans REVIEW 5/22/05 - Showing 40' Rt-01-Way
NI- O	
No. 2	DEED - 1969
<u> </u>	
No. 3	
110.5	OLIVER BEACH SUBDIVISON
No. 4	
	SANTARY DRAWLING
	68-916 511
}	68-946 - FACILITIES AMILANE
No. 5	Balto Co. 615 -
	Paulo Co Co S
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	LONING MATERIAL
No. 7	
110. /	RALAS COUNTY
	BACTO. COUNTY FEMA MAP-Propertyin C. Zone
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day of October

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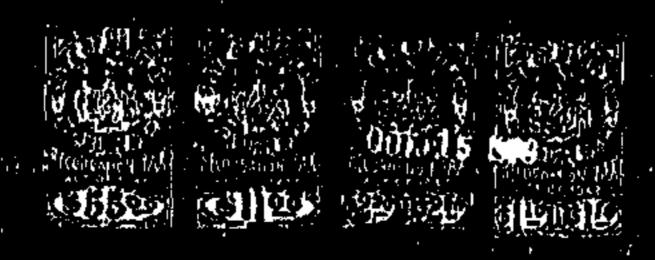
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PETITIONER'S

05-521-A

EXHIBIT NO. 2

PETITIONER'S

05-527-A

EXHIBIT NO.

205-528-A

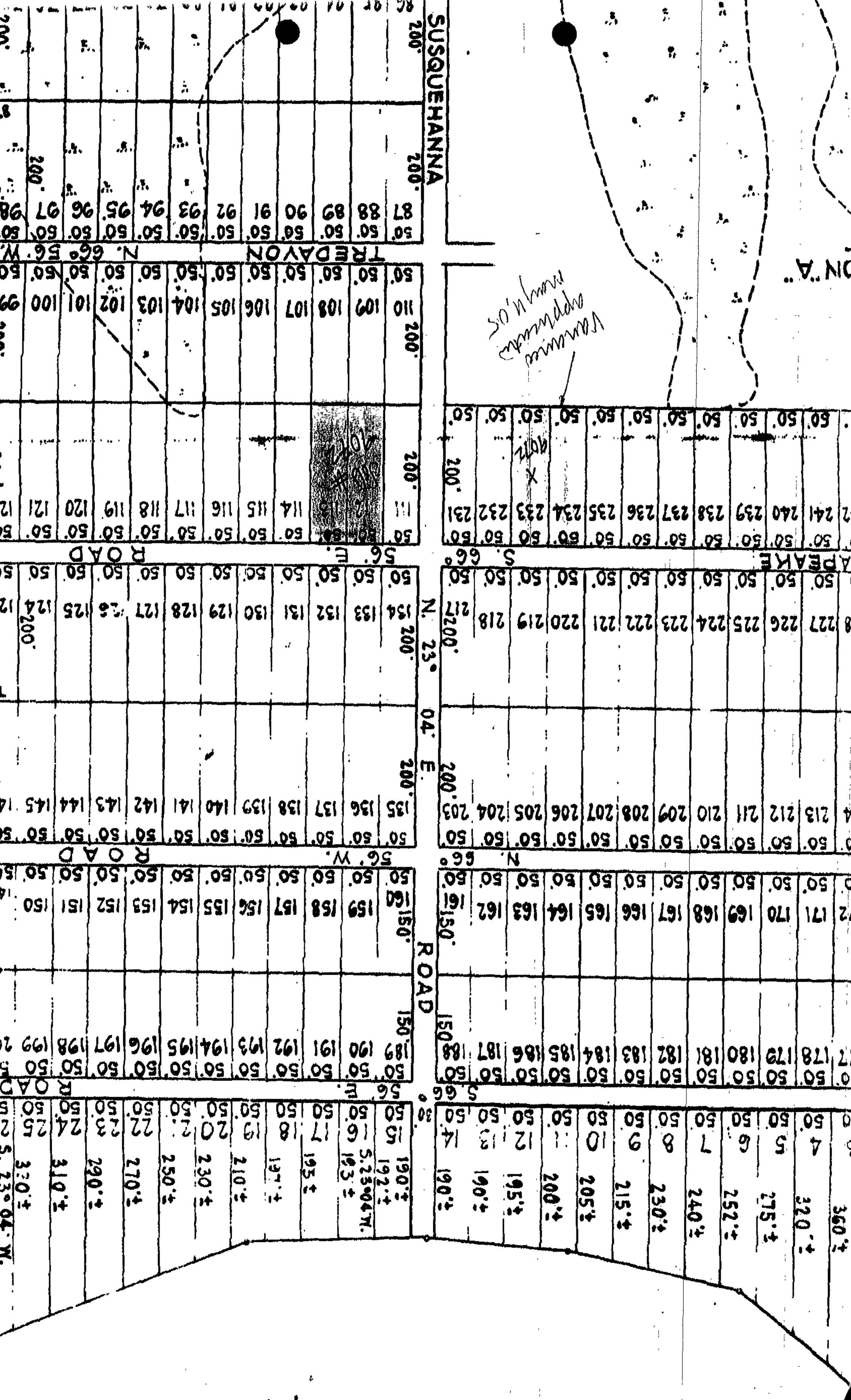
PLAT OF SECTIONS

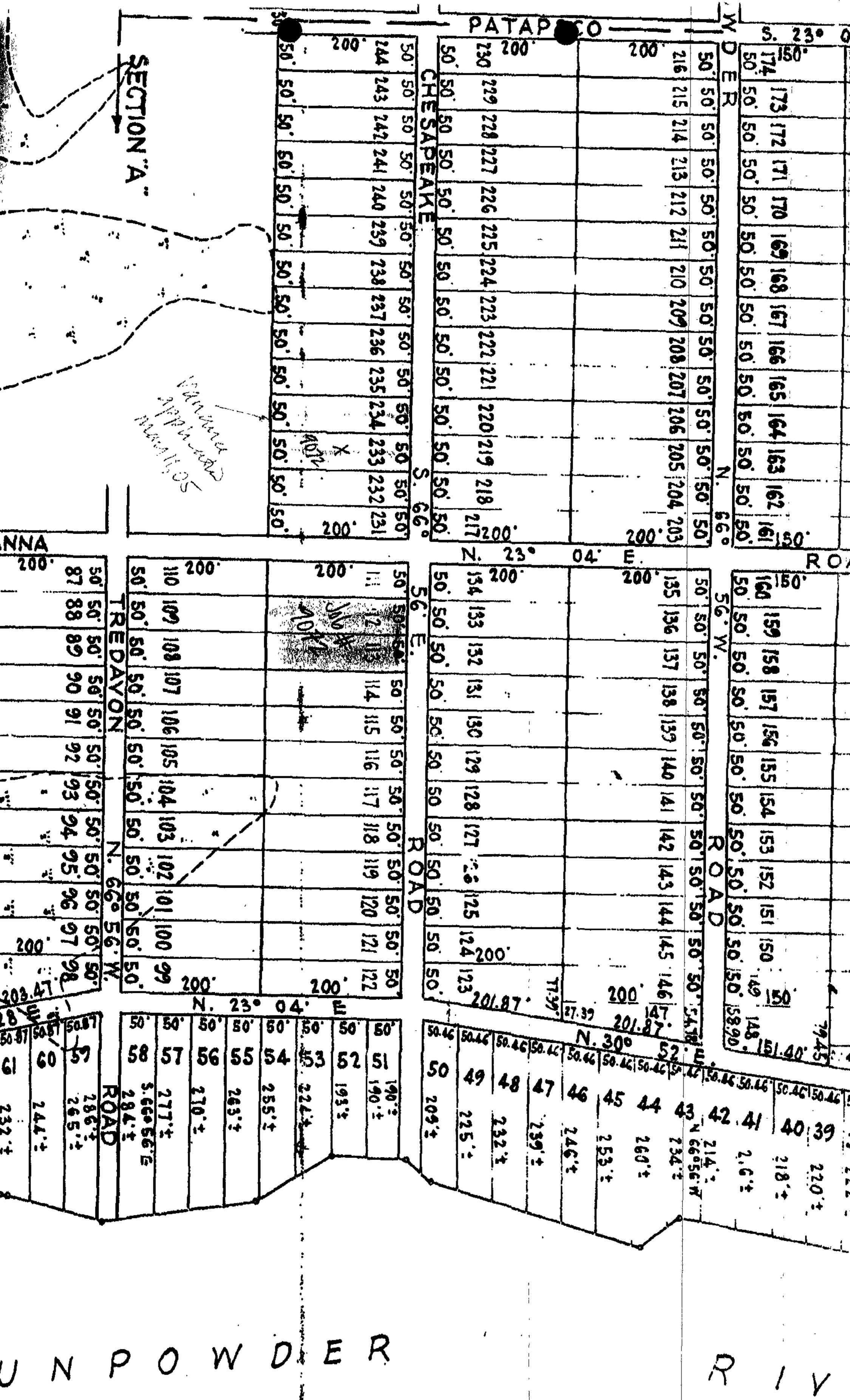
A. & B.

OLIVER BEACH

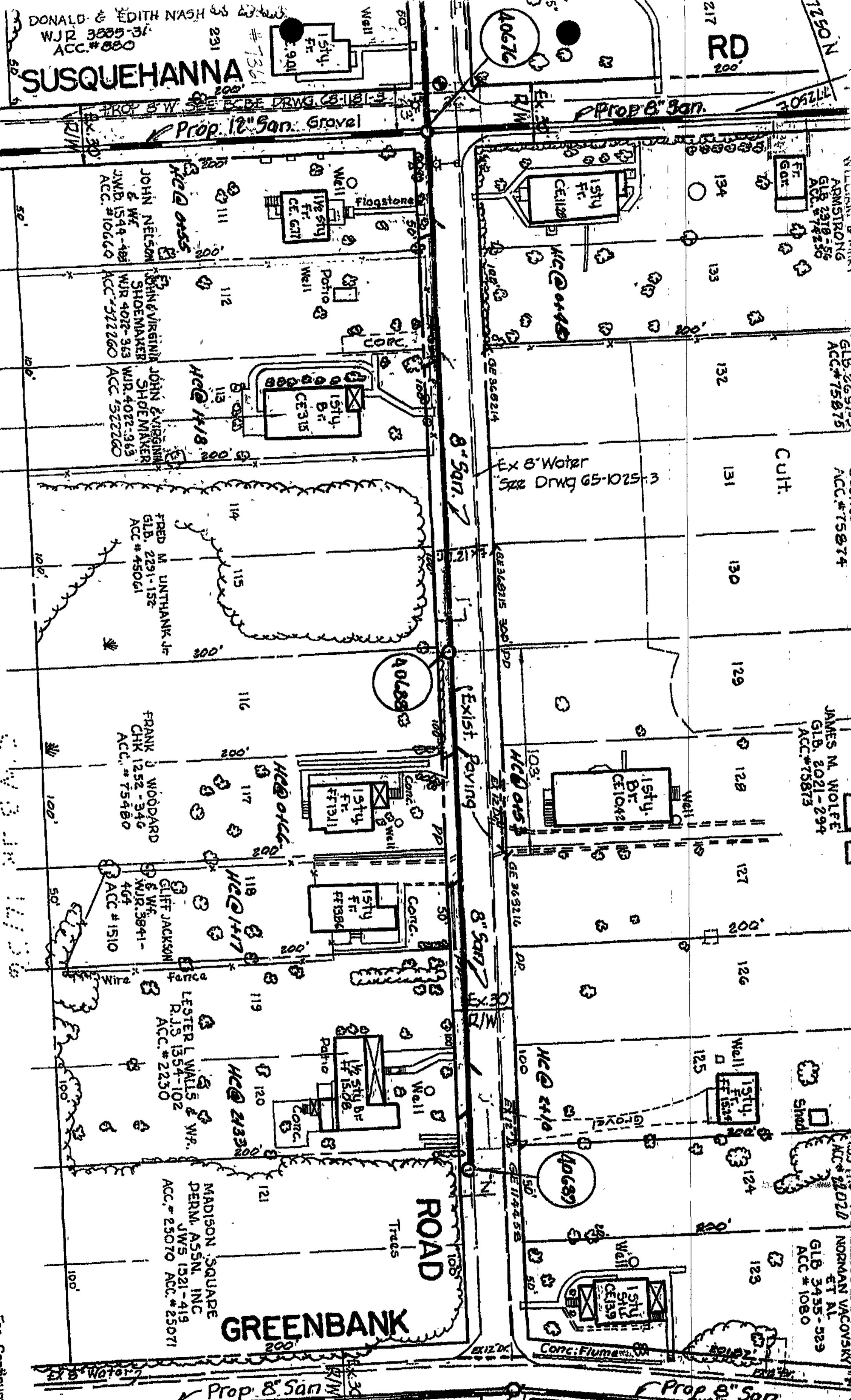
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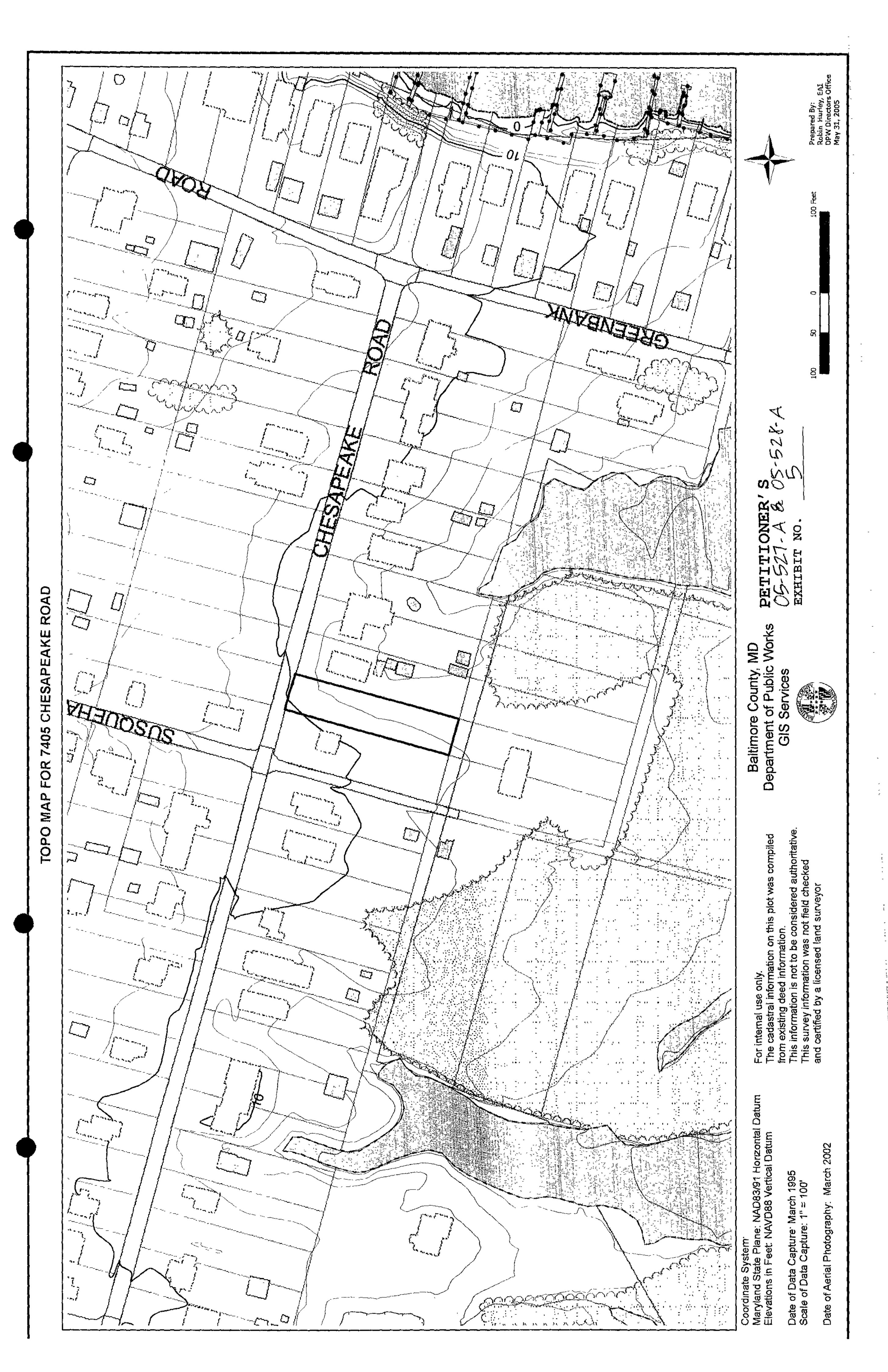
240010 0455 B. Zone: C"

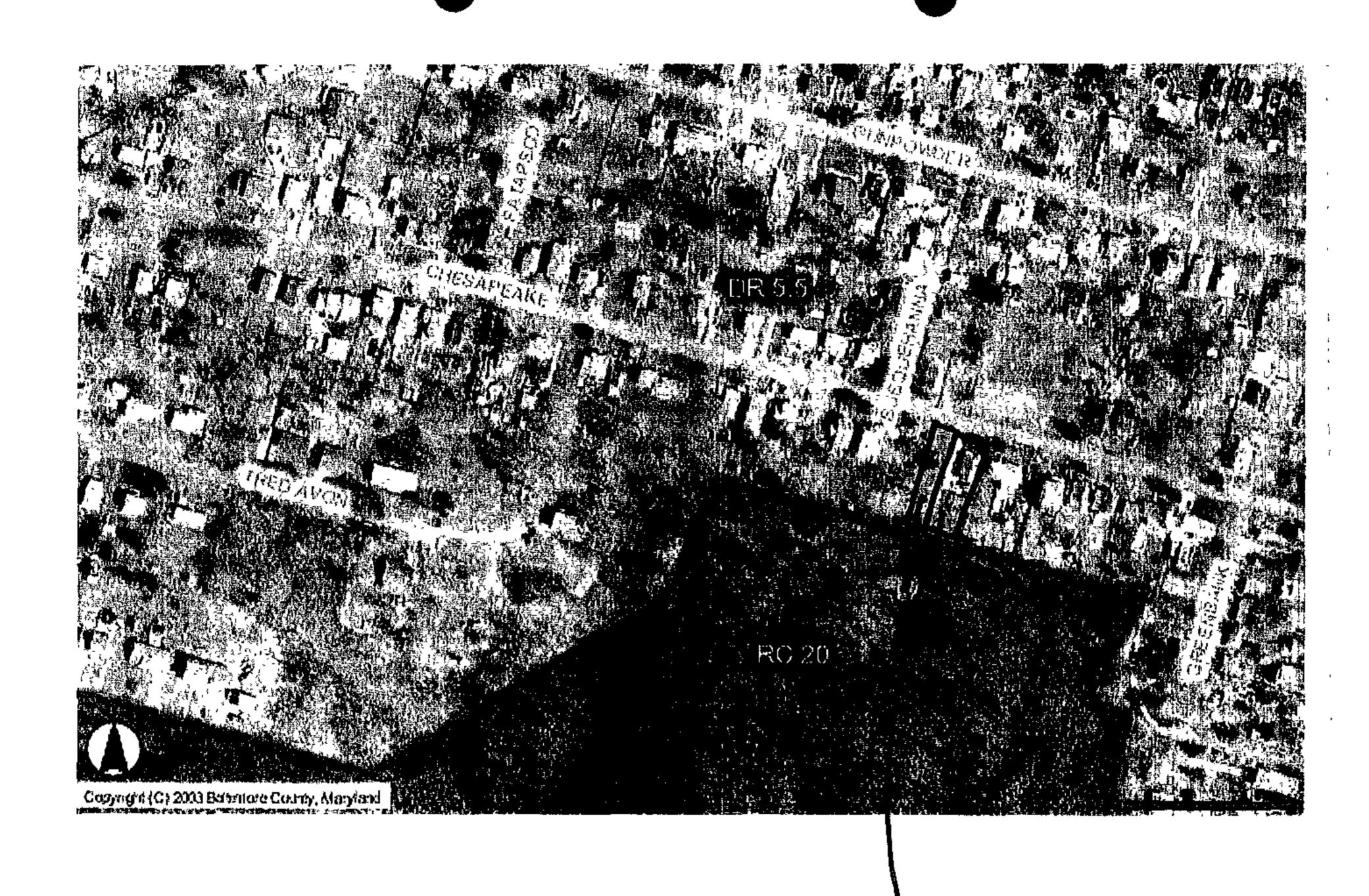




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		Ex. 8" Water
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PETITIONER'S
05-527A-& 05-528-A
EXHIBIT NO.

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

BALTIMORE COUNTY,
MARYLAND
(UNINCORPORATED AREAS)

PANEL 455 OF 575
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER 240010 0455 B EFFECTIVE DATE: MARCH 2, 1981

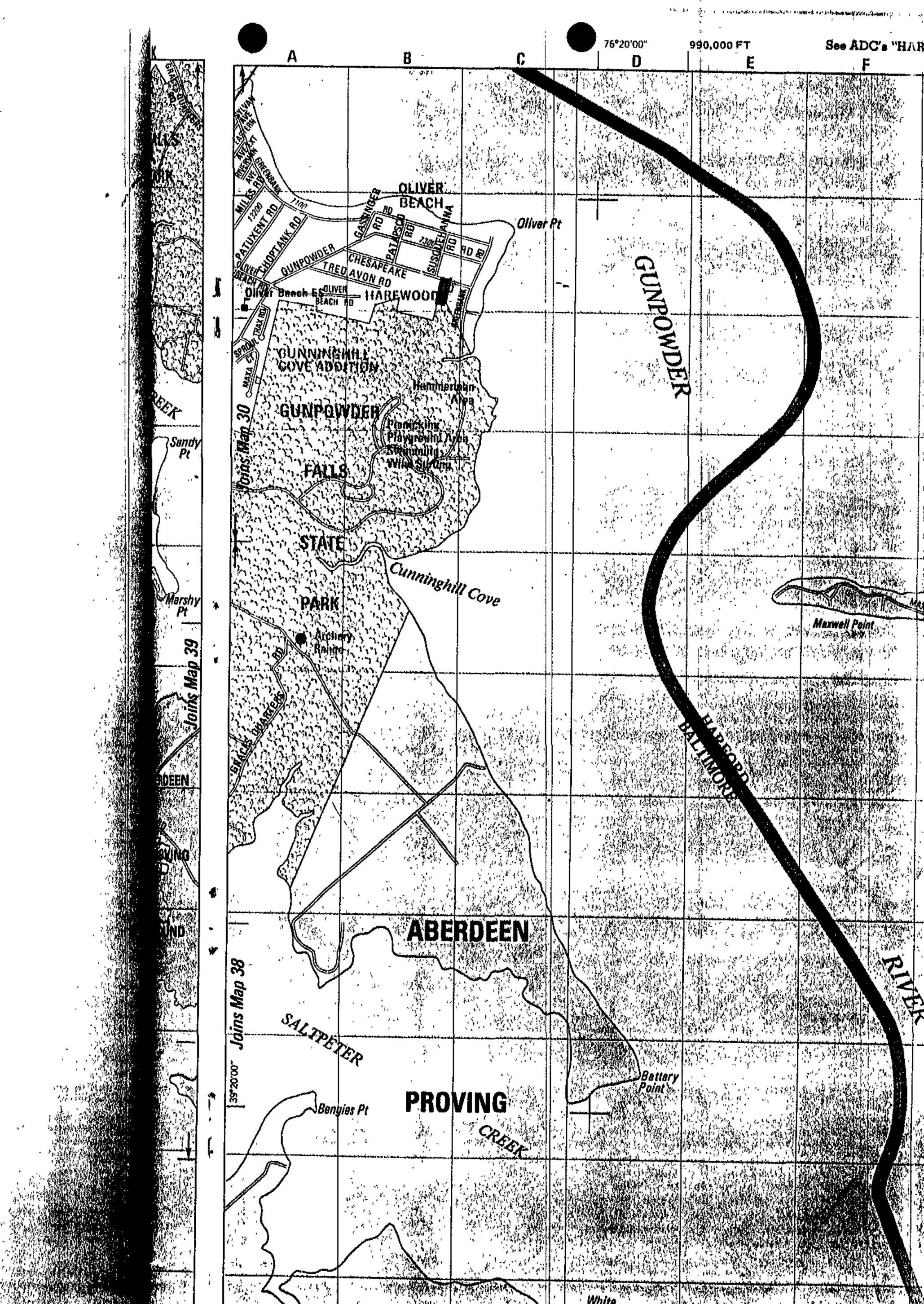
federal emergency management agency federal insurance administration

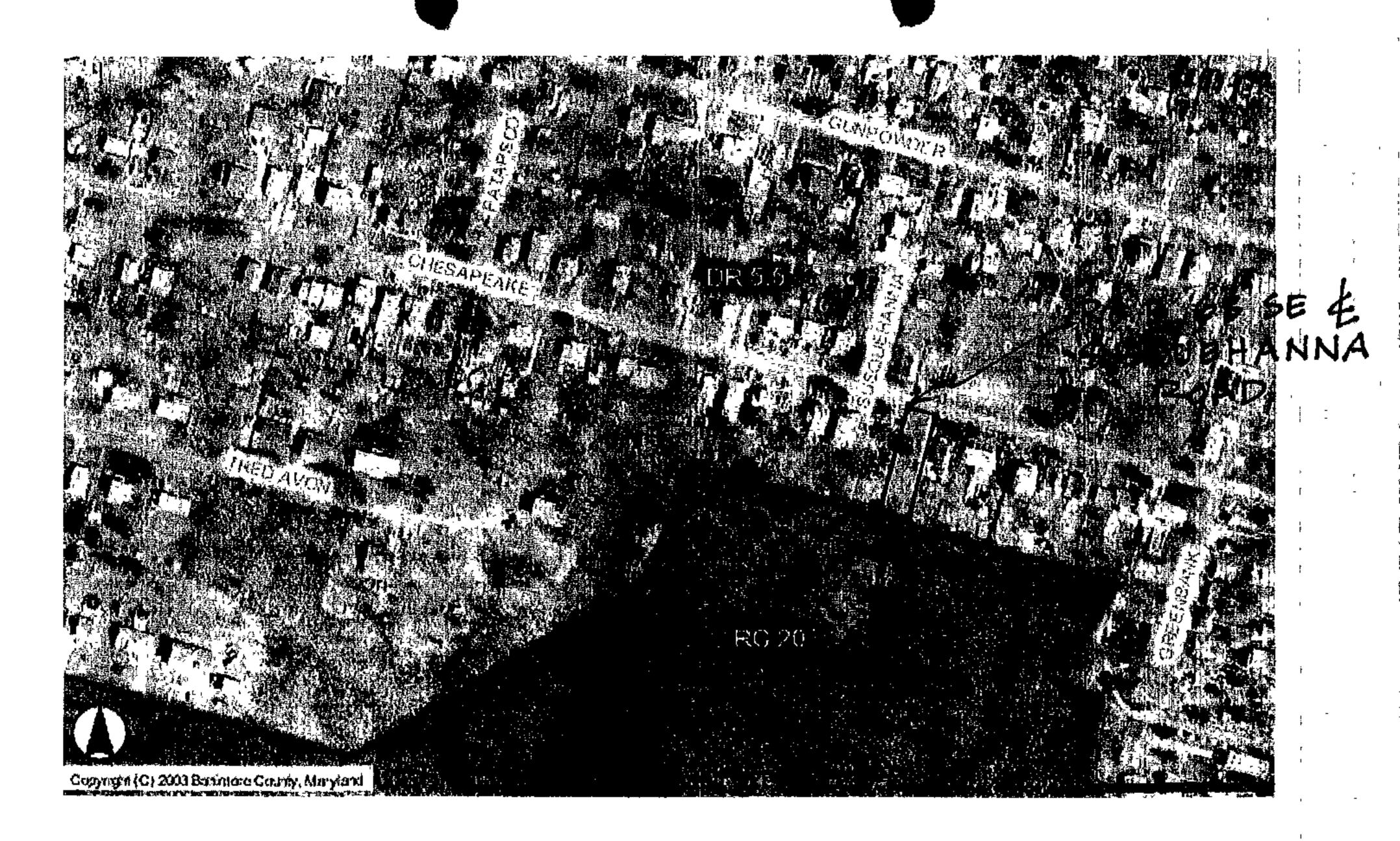
PLEASE PRINT CLEARLY

DATF	CASE NUMBI	CASE NAME
	ER	

PETITIONER'S SIGN-IN SHEET

									Bunnath Moskunas	
									200 E. Joppa Boad Rm 101	ADDRESS
									Towson, MD 21286	SŦATE,
									cell 410 979-3819	E- MAIL





Zoning map: D.P. 5.5 #7403 Chesapeake Poad

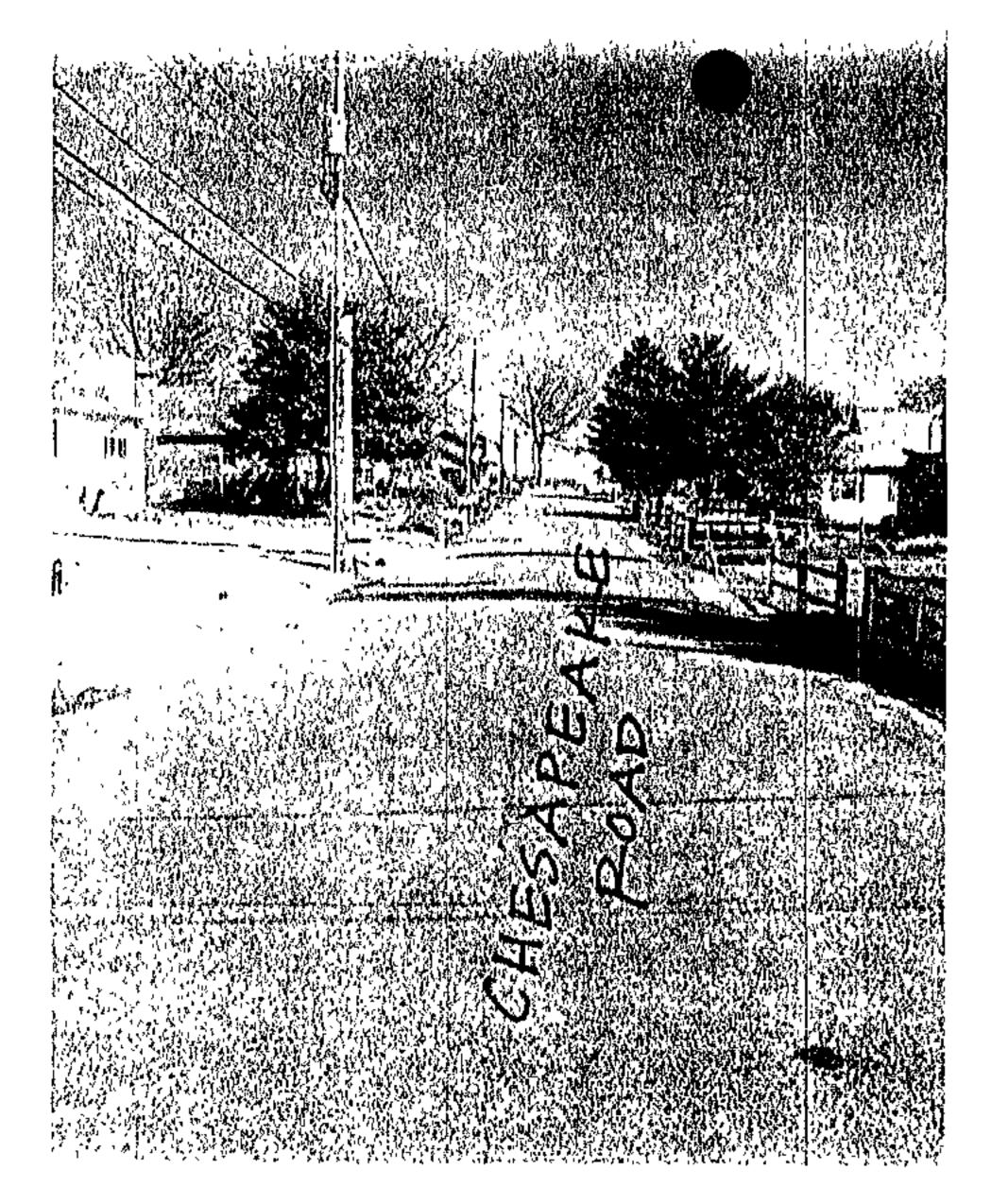
http://bamaps1.co.ba.md.us/zoning/MapFrame.htm

4/14/2005

D5-528-A

HAMMA STARTS

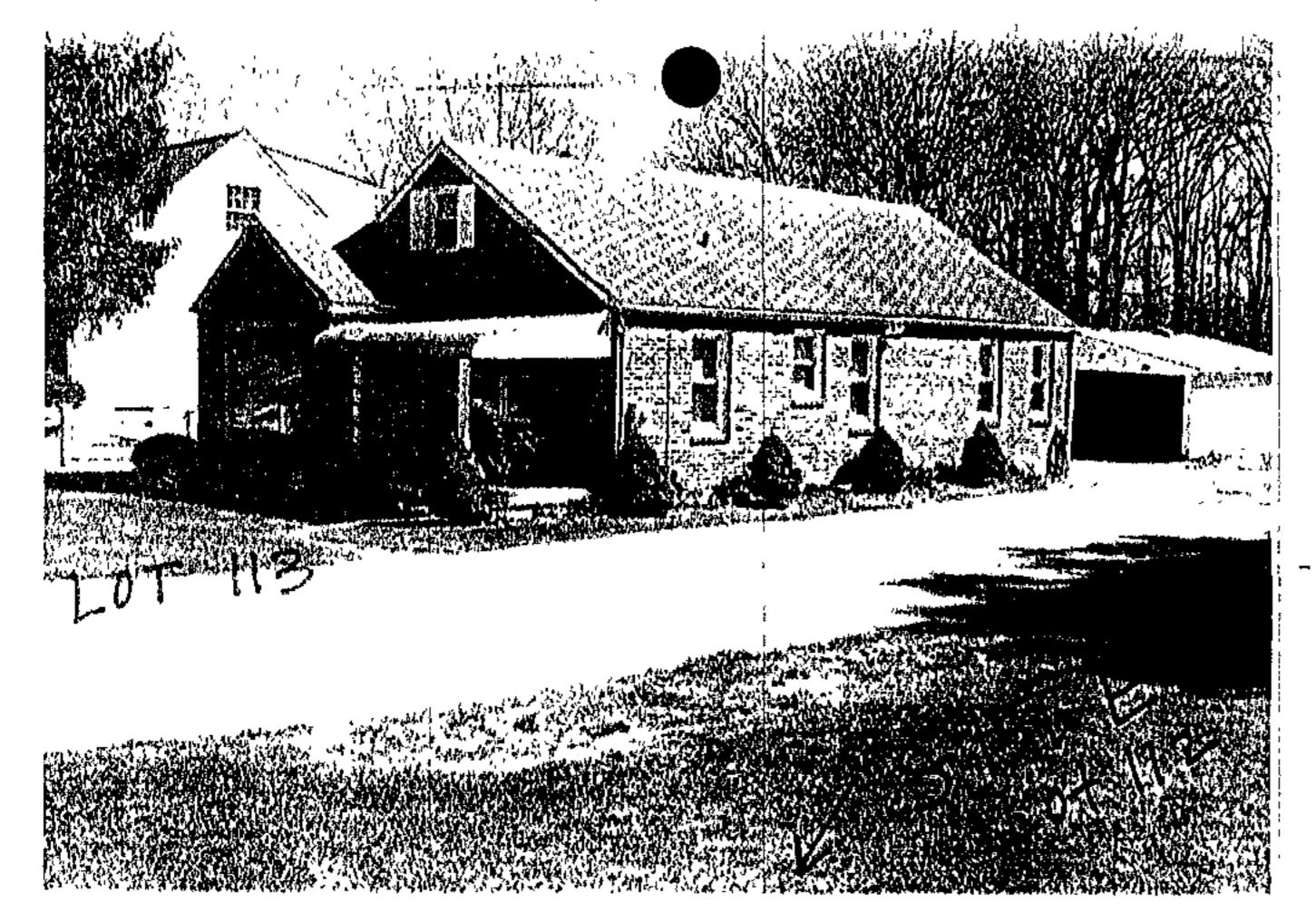
CHINA CHANGE PART



SOUTHEAST ON CHESAPEAKE



Subject Property +7403 Chesapeake Poarl



#7405 Chesapeake Poad
Existing dwelling to the left
of subject property



#7405 Chesapeake
Foad

Ex. dwlg. next-door
to left of subj.

property



Subject property



Intersection of Susquehanna Poad & Chesapeake Poad

