IN RE: PETITION FOR VARIANCE
S/S Riverview Road, 590 ft. NW
centerline of Back River Neck Road
15th Election District
6th Councilmanic District
(2124 Riverview Road)

Brenda Lea Hopka-Hadel Petitioner * BEFORE THE

* DEPUTY ZONING COMMISSIONER

* FOR BALTIMORE COUNTY

* CASE NO. 05-556-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 owner of the subject property, Brenda Lea Hopka-Hadel. The Petitioner is requesting variance relief for property located at 2124 Riverview Road in the eastern area of Baltimore County. Variance relief is requested from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.): to allow a setback of 29 ft. from the centerline of a street or road in lieu of the required 75 ft.; to allow side yard setbacks of 6 ft. and 15 ft. in lieu of the required 50 ft. for a proposed dwelling; from Section 301.1 of the B.C.Z.R., to allow a side yard setback of 9 ft. in lieu of the required 37.5 ft. and a setback of 29 ft. from the centerline of a street or road in lieu of the required 56.25 ft. for an open deck; and from Section 1A04.3.B.3, to allow building coverage of 18% in lieu of the permitted 15%.

The property was posted with Notice of Hearing on May 31, 2005, 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 May 31, 2005 to notify any interested persons of the scheduled hearing date.

Amended Petition

After discussion of the merits of the case, the Petitioner amended her request to reduce the requested variance on the east side of the property by 4 ft. so that the new home would meet a 10 foot setback on this side. The deck on the west side was eliminated so as to achieve a 10 foot

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setback on this side. This reduced the building coverage from 18% to 17%. See Petitioner's exhibit 3.

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."

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 May 23, 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. In addition, a ZAC comment was received from the Bureau of Development Plans Review dated May 17, 2005, a copy of which is attached hereto and made a part hereof. In addition, the Office of Planning submitted a ZAC comment dated June 3, 2005, a copy of which is attached hereto and made a part hereof. Thereafter the Office of Planning reviewed the detailed information on the proposed structure and found that the design meets the spirit and intent of the RC 5 regulations as shown in their comment dated October 17, 2005.

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Interested Persons

Appearing at the hearing on behalf of the variance request were David Billingsley and Robert Infussi for the Petitioner. There were no protestants or citizens who attended the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

This property is zoned R.C. 5 and is 11,400 sq. ft. in area. This is a 75 ft. waterfront lot that is made up of all of Lot 7 and half of Lot 8 of the "Holly Farm Beach" subdivision which was recorded among the Land Records of Baltimore County in August 1931. The Petitioner proposes to replace the existing home and garage on the property with a modern home. See Petitioner's Exhibit 1 for the original design and Exhibit 3 for the final design.

The new home will be aligned with the adjacent homes along Riverview Road so as not to reduce either neighbor's view of Back River. However, this means that the new home will be set back from the center of the road 29 ft. instead of 75 ft. as required by the RC 5 regulations. Mr. Billingsley indicated that the existing dwelling is located on the property line along Riverview Road, as are many of the homes in this area. See the County Sewer Plan, Petitioner's Exhibit 2 for other such homes.

As the property is only 75 ft. wide, there is no way that the Petitioner can meet the 50 ft. side yard setback requirement. Originally, the Petitioner proposed that the side yard setback for the home would be 6 ft. on the east side and 9 ft. on the west side for the deck instead. At this point in the hearing, a general discussion ensued regarding the possibility of having 10 ft. setbacks on either side to allow for emergency vehicles to go to the river. After further investigation, the Petitioner submitted an amended plan which eliminates the deck on the west side and now shows the east side of the home 10 ft. from the property line so as to provide access to the river.

Mr. Billingsley noted that while public sewer was planned in the near future, public water was not likely for many years. Consequently, there are no fire hydrants in the area. Again, this

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emphasized the need to have access to the river should a fire occur. Finally, Mr. Billingsley noted that the Petitioner originally proposed a dwelling that was 2052 sq. ft., which is 18% of the size of the lot. The amended plan will occupy 17 %. This problem of coverage increased because the Department of Public Works requires an additional 10 ft. of right-of-way for Riverview Road, which in turn reduces the area of the lot.

Mr. Billingsley indicated that his client understands that the public sewer line, which is under construction in Riverview Road, may not be operational for some months and that building permits could not be pulled for the new home until the sewer line was operational. Finally, he noted that the Office of Planning is asking for the architectural information to make its findings regarding the proposed dwelling. He agreed to submit this information to the Office of Planning and to hold the record open in anticipation of revised comments. Apparently the Petitioner submitted the required architectural information to the Office of Planning whose revised comments indicated the information was acceptable and the proposed home meets the spirit and intent of the RC 5 regulations.

Findings of Fact and Conclusions of Law

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. This is 75 ft. waterfront lot that is made up of all of Lot 7 and half of Lot 8 of the "Holly Farm Beach" subdivision which was recorded among the Land Records of Baltimore County in August 1931, many years before the RC regulations were imposed on this property. Consequently, I find that the zoning regulations impact this property in a way different from those lots not on the water and created after the RC regulations were imposed.

I find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. There is no land on either side of the lot for the Petitioner to acquire and avoid the variance requests. She cannot meet 50 ft. side yard set backs with a 75 ft. wide lot.

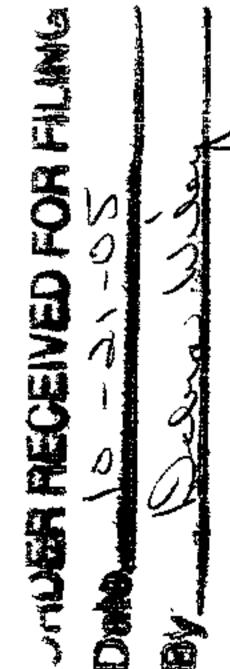
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Furthermore, I find that these variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. The proposed building will be compatible with the neighborhood and especially the pattern of development of the adjoining lots. The Petitioner eliminated the deck on the west side and reduced the size of the home so that 10 feet of access is achieved on each side of the house. This is important for access for emergency vehicles and fosters the safety and welfare of the community.

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 Petitioner, I find that the Petitioner's variance requests should be granted.

THEREFORE, IT IS ORDERED, this Al day of October, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.): to allow a setback of 29 ft. from the centerline of a street or road in lieu of the required 75 ft.; to allow side yard setbacks of 10 ft. on each side in lieu of the required 50 ft. for a proposed dwelling; and from Section 1A04.3.B.3, to allow building coverage of 17% in lieu of the permitted 15%, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition;
- 2. No building permit shall be issued for the construction of this dwelling until the public sewer is available and operational to serve this property; and
- 3. Compliance with the ZAC comments made by the Bureau of Development Plans Review dated May 17, 2005, a copy of which is attached hereto and made a part hereof;
- 4. Compliance with the ZAC comments made by the Department of Environmental Protection and Resource Management (DEPRM) dated May 23, 2005, a copy of which is attached hereto and made a part hereof, and



5. 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

DEPUTY ZONING COMMISSIONER

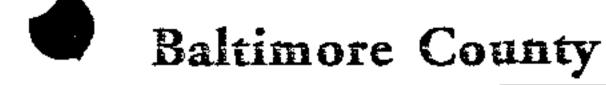
FOR BALTIMORE COUNTY

JVM:raj

Zoning Commissioner

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





James T. Smith, Jr., County Executive William J. Wiseman III, Zoning Commissioner

October 20, 2005

Brenda Lee Hopka-Hadel 2124 Riverview Road Baltimore, Maryland 21221

> Re: Petition for Variance Case No. 05-556-A Property: 2124 Riverview Road

Dear Ms. Hopka-Hadel:

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,

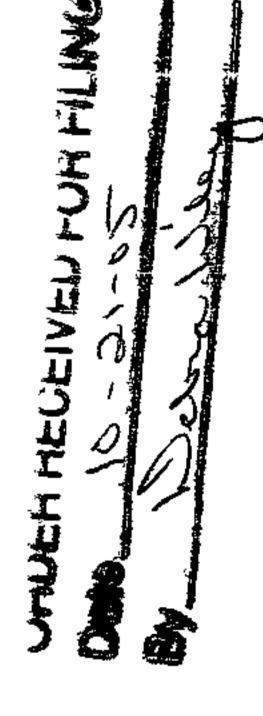
John V. Murphy

Deputy Zoning Commissioner

JVM:dlw Enclosure

Robert Infussi, Expedite, LLC, P.O. Box 1043-7043, Belair, MD 21014 David Billingsley, 601 Charwood Ct., Edgewood, MD 21040

People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Z/Z4RNERV/EW ROAD which is presently zoned __R.C. 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 plan attached hereto and made a part hereof, hereby petition for a Variance from Section(s) IAO4.3. B. 7. B. 70 ALLOWA SETBACK OF 29 FEET FROM THE CENTERLINE OF A STREET OR ROAD IN LIEU OF THE REQUIRED 75 FEET; TO ALLOW PROPOSED DWELLING; SECTION 301.1 TO ALLOWA SIDE YARD SETBACK OF 9 FEET IN LIEU OF THE REQUIRED 30.5 FEET AND A SETBACK OF 29 FEET FROM THE CENTERLINE OF A STREET OR ROAD IN COVERAGE OF 18 PERCENT IN LIEU OF THE PERMITTED 15% of the Zoning Regulations of Baltimore County to the zoning law of Baltimore County for the following reasons (indicate hardship or practical difficulty)

THE OWNERWISHES TO RAZE THE EXISTING DWELLING AND CONSTRUCT A NEW SINGLE FAMILY DWELLING. MAINTAINING THE REQUIRED SETBACKS MAKE IT IMPRACTICAL TO DO SO.

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: Legal Owner(s): BRENDA LEA HOPKA-HADEL Name - Type or Print Name - Type or Print Signature Address Telephone No Name - Type or Print Cny State Zip Code Signature 2/24 KIVERVIEW ROAD Attorney For Petitioner: Telephone No. Address MD. Z/22/ EALTIMORE Name - Type or Print Zip Code City Representative to be Contacted: Signature ROBERT INFUSSI EXPEDITE LLC Company Name P.O. BOX 1043-7043 (410) 8/2-2236 Address Telephone No. Telephone No. Address 21014 MD. BELAIR City State Zip Code Zip Code State OFFICE USE ONLY Case No. 05-556 **PAYALLABLE FOR HEARING** Reviewed By REV 9/15/98 FOR MELETYEN TWITT - LIVE

ZONING DESCRIPTION

2124 RIVERVIEW ROAD

Beginning for the same at a point on the south side of Riverview Road (20 feet wide), said point being distant 590 feet northwesterly of it's intersection with the centerline of Back River Neck Road (30 feet wide) thence being all of Lot 7 and the westernmost 25 feet of Lot 8 as shown on the plat of Holly Farm Beach recorded in Plat Book 10 Folio 2. Containing 11,400 square feet or 0.262 acre of land, more or less.

Being known as 2124 Riverview Road. Located in the 15TH Election District, 5TH Councilmanic District.

556

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

Case: #05-556-A

2124 Riverview Road

S/side of Riverview Road, 590 feet n/west of centerline of Back River Neck Road

15th Election District — 6th Councilmanic District

Legal Owner(s): Brenda Lea Hopka-Hadel Variance: to allow a setback of 29 feet from the centerline of a street or road in lieu of the required 75 feet, to allow side yard setbacks of 6 feet and 15 feet in lieu of the required 50 feet for a proposed dwelling. To allow a side yard setback of 9 feet in lieu of the required 37.5 feet and a setback of 29 feet from the centerline of a street or road in lieu of the required 56.25 feet for an apen deck. To allow building coverage of 18% in lieu of the permitted 15%.

Hearing: Tuesday, June 14, 2005 at 10:00 a.m. in Room 186, County Office Building, 111 W. Chesapeake Avenue, Towson 21284.

WILLIAM J. WISEMAN, HI 🕽

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 5/795 May 31 533

CERTIFICATE OF PUBLICATION

6/1,2005
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 <u>5 31 </u> ,20 <u>05.</u>
☐ The Jeffersonian ☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News

LEGAL ADVERTISING

J. Wilkings

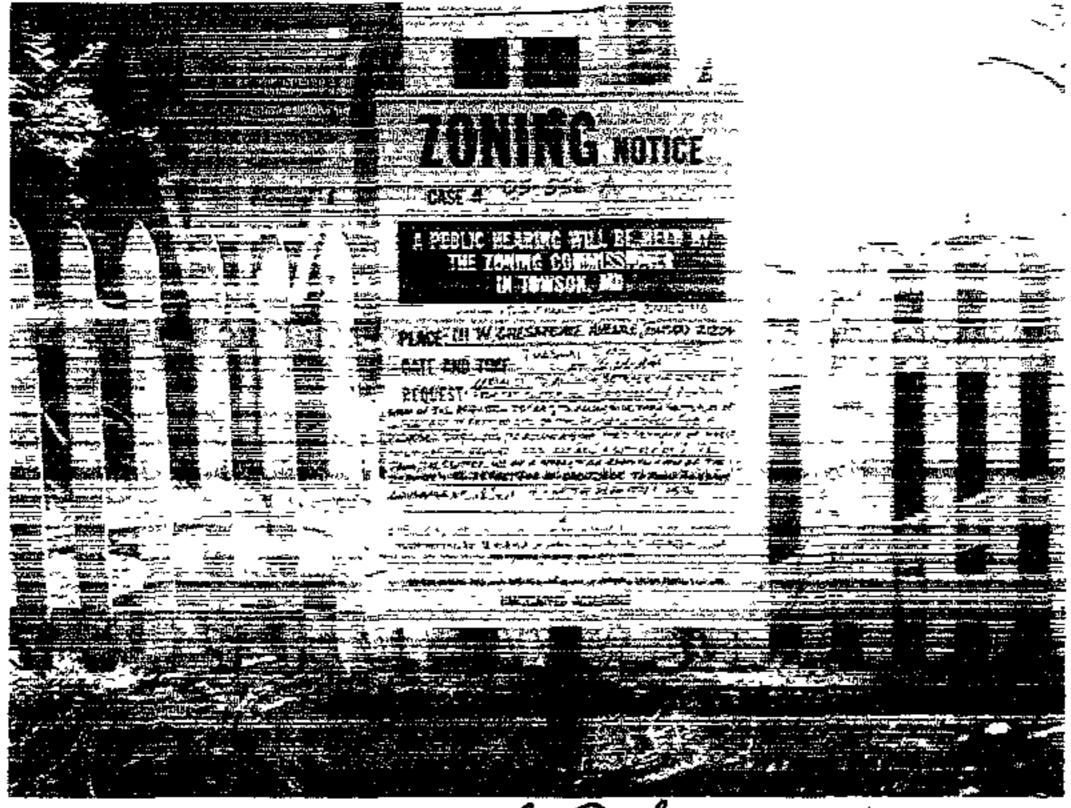
CERTIFICATE OF POSTING

RE:Case No. 05-556-A

Petitioner/Developer: Beenda

LEA HOPKA - HADEL

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Mattalle 5/31/05

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
Timoth M. Kotroco, Director

May 9, 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: 05-556-A

2124 Riverview Road

S/side of Riverview Road, 590 feet n/west of centerline of Back River Neck Road 15th Election District – 6th Councilmanic District

Legal Owner: Brenda Lea Hopka-Hadel

<u>Variance</u> to allow a setback of 29 feet from the centerline of a street or road in lieu of the required 75 feet, to allow side yard setbacks of 6 feet and 15 feet in lieu of the required 50 feet for a proposed dwelling. To allow a side yard setback of 9 feet in lieu of the required 37.5 feet and a setback of 29 feet from the centerline of a street or road in lieu of the required 56.25 feet for an open deck. To allow building coverage of 18% in lieu of the permitted 15%.

Hearing: Tuesday, June 14, 2005 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Brenda Lea Hopka-Hadel, 2124 Riverview Road, Baltimore 21221 Robert Infussi, Expedite, LLC, P.O. Box 1043-7043, Belair 21014

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 31, 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.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, May 31, 2005 Issue - Jeffersonian

Please forward billing to:

Brenda Lea Hopka-Hadel 2124 Riverview Road Baltimore, MD 21221

410-812-2236

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: 05-556-A

2124 Riverview Road

S/side of Riverview Road, 590 feet n/west of centerline of Back River Neck Road

15th Election District – 6th Councilmanic District

Legal Owner: Brenda Lea Hopka-Hadel

<u>Variance</u> to allow a setback of 29 feet from the centerline of a street or road in lieu of the required 75 feet, to allow side yard setbacks of 6 feet and 15 feet in lieu of the required 50 feet for a proposed dwelling. To allow a side yard setback of 9 feet in lieu of the required 37.5 feet and a setback of 29 feet from the centerline of a street or road in lieu of the required 56.25 feet for an open deck. To allow building coverage of 18% in lieu of the permitted 15%.

Hearing: Tuesday, June 14, 2005 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake 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

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 newscaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

	ber or Case Number 05-556 A
Petitioner	BRENDA LEA HOPKA - HADEL
Address o	r Location: Z/Z4 R/VERV/EW ROAD .
	,
	FORWARD ADVERTISING BILL TO BREWOA LEA HOPKA - HAOEL
Name.	
Name.	BRENDA LEA HOPKA - HADEL
Name.	BRENDA LEA HOPKA - HADEL ZIZA RIVERVIEW ROAD

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

June 6, 2005

Brenda Lee Hopka-Hadel 2124 Riverview Road Baltimore, Maryland 21221

Dear Ms. Hopka-Hadel:

RE: Case Number: 05-556-A, 2124 Riverview Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 28, 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, Call Richall D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Robert Infussi Expedite, LLC. P.O. Box 1043-7043 Belair 21014



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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director

DATE: May 17, 2005

Department of Permits & Development Management

YAC

FROM: Dennis Kennedy, Acting Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For May 16, 2005 Item No. 556

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 this site is 11.2.

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 engineer shall require a permit for this project.

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.

Variance shall be modified accordingly.

DAK:CEN:clw Cc: file

ZAC-ITEM NO 556-05172005.doc

BALTÍMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Tim Kotroco PDM										
FROM:	John D. Oltman, Jr DEPRM										
DATE:	May 23, 2005										
SUBJECT:	Zoning Item # 05-556 Address 3 Cliffside Court										
Zon	ing Advisory Committee Meeting of May 9, 2005										
	Department of Environmental Protection and Resource Management has no ments on the above-referenced zoning item.										
	Department of Environmental Protection and Resource Management offers 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).										
Ado	ditional Comments:										
The propos	sed well must be 30-feet from the proposed house.										

Date: May 23, 2005

Reviewer: Sue Farinetti



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: June 3, 2005

RECEIVED

JUN - 7 2005

ZONING COMMISSIONER

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

2124 Riverview Road

INFORMATION:

Item Number:

5-556

Petitioner:

Brenda Lea Hopka-Hadel

Zoning:

RC 5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request. However, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

- 1. Photographs of existing adjacent dwellings.
- 2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
- 3. Orient the front of the proposed dwelling towards Riverview Road and incorporate prominent entries and porches or stoops in the front building façade.

- 4. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.
- 5. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
- 6. 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.

Prepared By:

Division Chief:

MAC/LL

Jr 4

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management DATE: October 17, 2005

OCT 1 9 2005

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-556- Variance

The Office of Planning reviewed the petitioner's request and accompanying site plan and elevation drawing and finds the proposal to be in accordance with the spirit and intent of the RC 5 regulations and performance standards listed within Bill 55-04. As such, this office does not oppose the subject request.

Prepared By:

Division Chief:

CM/LL



Robert L. Ehrlich, Jr., Governor Michael S. Steele. Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 5.6.05

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

RE:

Baltimore County

Item No. 556

172

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

J. J. Gredh

Engineering Access Permits Division

RE: PETITION FOR VARIANCE * BEFORE THE
2124 Riverview Road; S/side Riverview Road,
590' NW c/line Back River Neck Road * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts
Legal Owner(s): Brenda Le Hopka-Hadel * FOR
Petitioner(s)

* BALTIMORE COUNTY

.a. a. a. .a. .a.

05-556-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

RECEIVED

MAY 1020

*

Per.....

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 10th of May, 2005, a copy of the foregoing Entry of Appearance was mailed to, Robert Infussi, Expedite, LLC, P.O. Box 1043-7043, Belair, MD 21014, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CENTRAL DRAFTING AND DESIGN, INC.

9/1/4

601 CHARWOOD COURT EDGEWOOD, MARYLAND 21040 (410) 679-8719 FAX (410) 679-1298

RECEIVED OF

OCT 1 2 2005

700mc Continued

October 8, 2005

Mr. John V. Murphy
Deputy Zoning Commissioner
Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

RE: 2124 RIVERVIEW ROAD CASE NO. 05-556-A

Dear Mr. Murphy:

Enclosed, please find three (3) copies of a revised site plan for the referenced case. The plan has been revised as follows:

- 1. A 10 foot side yard has been provided on both sides of the proposed dwelling.
- 2. A deck along the side of the proposed dwelling is no longer planned.
- 3. The proposed building coverage has been reduced to 17%.

I have forwarded the plan to the Office of Planning and requested that they submit the Findings to your office.

Thank you for your cooperation in this matter. Should you need any additional information, please do not hesitate to contact this office.

Very truly yours,

David W. Billingsley

enclosures

cc: Robert Infussi

PLEASE PRINT CLEARLY

CASE NAME "124 KINGWE CASE NUMBER 05. TOWN DATE 6/4/05

PETITIONER'S SIGN-IN SHEET

E-MAIL											
ATE, Z	4.74										
ADDRESS	SOI CHARMOND CT	Va.									
NAME	LECTRONS CHAM	KI									



DESIGN, INC 601 CHARWOOD COURT EDGEWOOD, MARYLAND 21040 PHONE (410)679-8719 FAX (410)679-1298

FACSIMILE TRANSMITTAL SHEET

FROM: JOHN V. MURPHY David W. Billingsley COMPANY. 7//3/05 DEPUTY ZONING COMM. FAX NUMBER: TOTAL NO. OF PAGES INCLUDING COVER-410) 887. 3468 PHONE NUMBER: REFERENCE: CASE NO. OS-55C-A

FOR YOUR INFORMATION

- FOR YOUR USE

- AS YOU REQUESTED

2/24 KIVERYIEW ROAD,

NOTES/COMMENTS: PETITIONER HAS AGREED TO THE FOLLOWING : THE HOUSE WIDTH WILL BE REDUCED BY 4 FEET TO ALLOW A 10' SIDE YARD ON EAST SIDE. THIS WILL ALSO REDUCE BULLDING COVERAGE TO 16.5% INSTEAD DF 18 % REQUESTED, IF THIS LOOKS OK TO YOU, PLEASE LET ME KNOW AND I WILL FORWARD REVISED PLANS.

Q W H

Permits and Management

hile or disp no Avenue nd 21200 reserved



Baltimore County

James 7 Su. D. D. County Escaper of June B. M. Korrica D. L. don

May 9, 2005

NOTICE OF ZONING HEARING

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

* ** NUMBER: 05-556-A

. -r∞ew Road

* Rerview Road, 590 feet n/west of centerline of Back River Neck Road

n District - 6th Councilmanic District

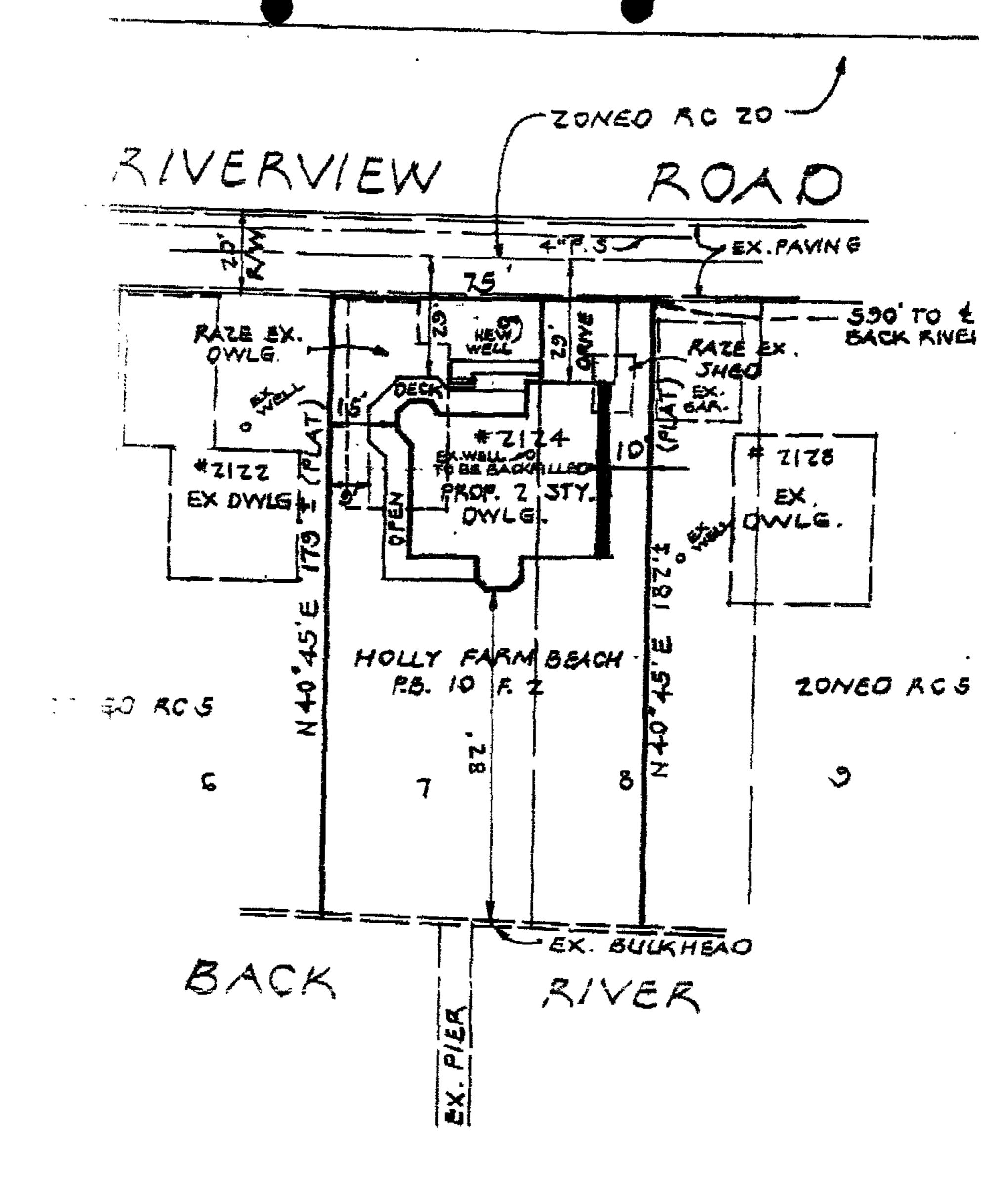
to allow a setback of 29 feet from the centerline of a street or road in lieu of the feet, to allow side yard setbacks of 6 feet and 15 feet in lieu of the required 50 feet species dwelling. To allow a side yard setback of 9 feet in lieu of the required 37.5 feet with ack of 29 feet from the centerline of a street or road in lieu of the required 56.25 feet and deck. To allow building coverage of 8% in lieu of the permitted 15%.

Luesday, June 14, 2005 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

1 v Kotroco

Lea Hopka-Hadel, 2124 Riverview Road, Baltimore 21221 infussi, Expedite, LLC, P.O. Box 1043-7043, Belair 21014

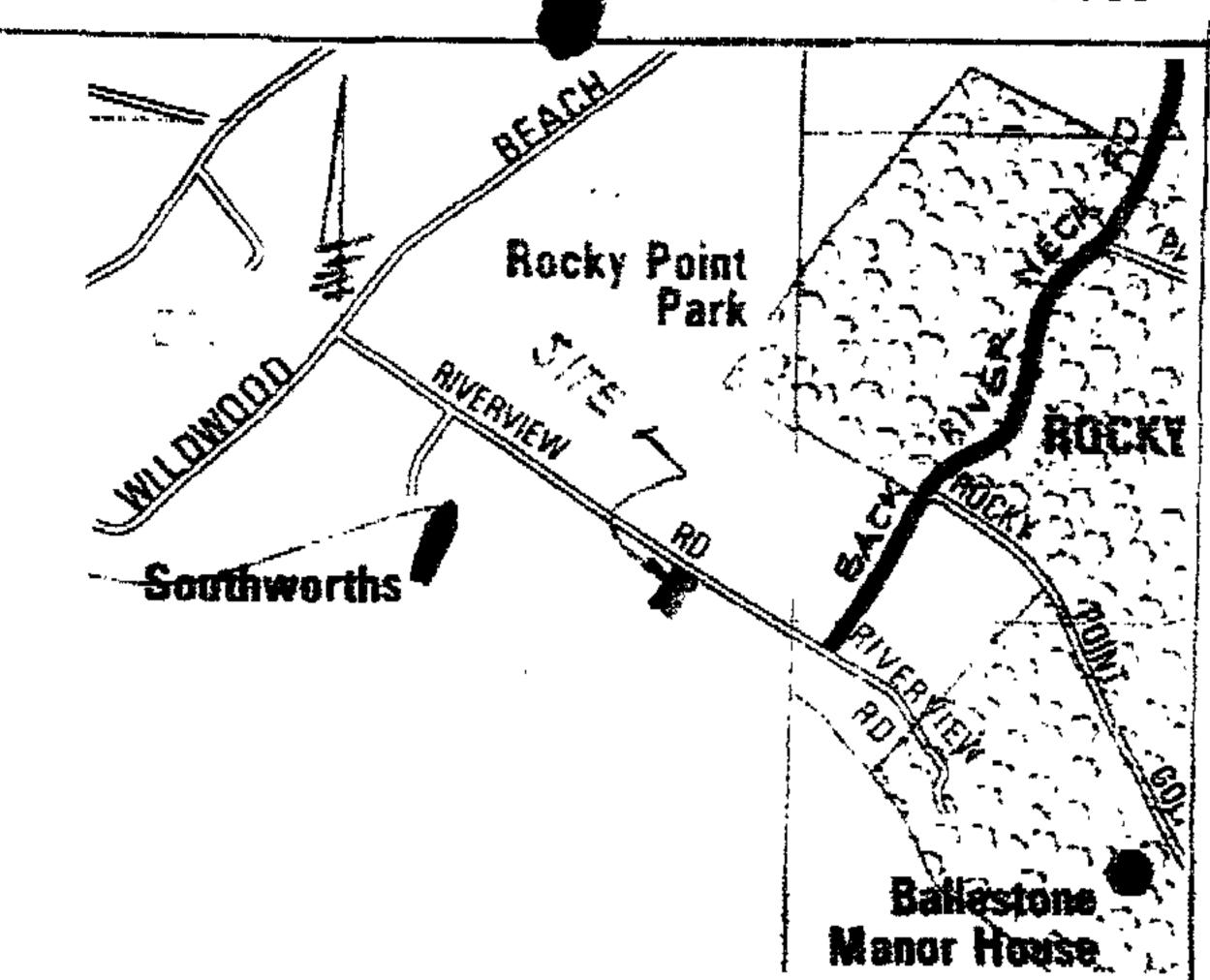
- THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 31, 2005.
- HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
 - FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



" ING & DESIGN, INC.

#4D COURT

U 31040



LOCATION PLAN SCALE: 1": 1000

NOTES

- 1. ZONING......RC 5 (MAP NO. 105A3)

- 4. THIS SITE IS LOCATED IN THE CBCA
- 5. THE PROPOSED DWELLING LIES WITHIN FLOOD ZONE C. APPROXIMATELY THE REAR 30 FEET OF THE LOT IS LOCATED IN FLOOD ZONE A AND A 100 YEAR FLOOD PLAIN
- 6. NO PREVIOUS ZONING HISTORY
- 7. NO HISTORIC STRUCTURES
- 8. PUBLIC SEWER IS UNDER CONSTRUCTION PRIVATE WATER IS UTILIZED

PLAT TO ACCOMPANY PETITION

2124 RIVERVIEW ROAD LOT 7 AND ½ OF LOT 8 HOLLY FARM BEACH P.B. 10 F. 2 **ELECTION DISTRICT 15C5** SCALE: 1 INCH = 30 FEET MARCH 26, 2005

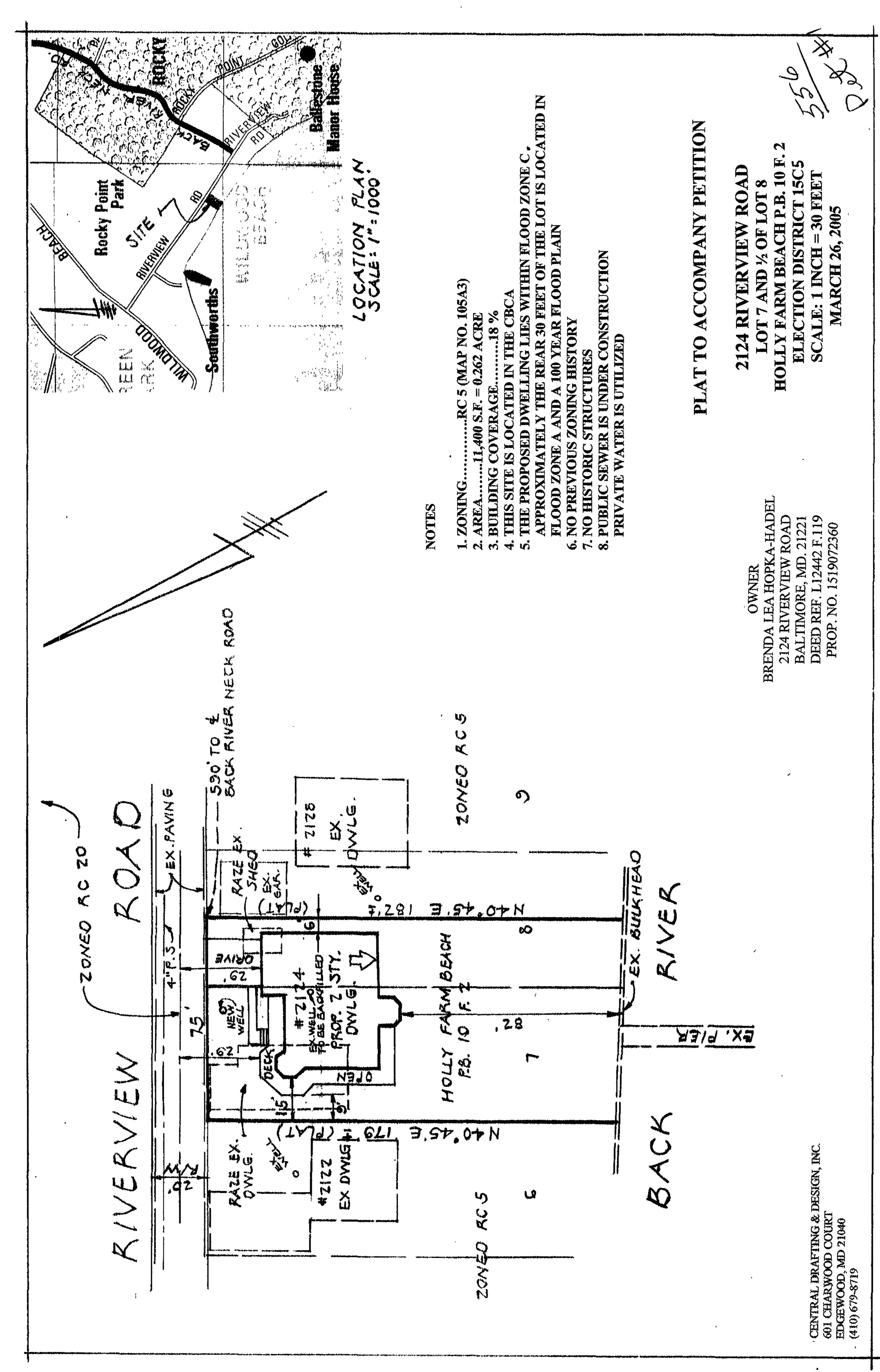
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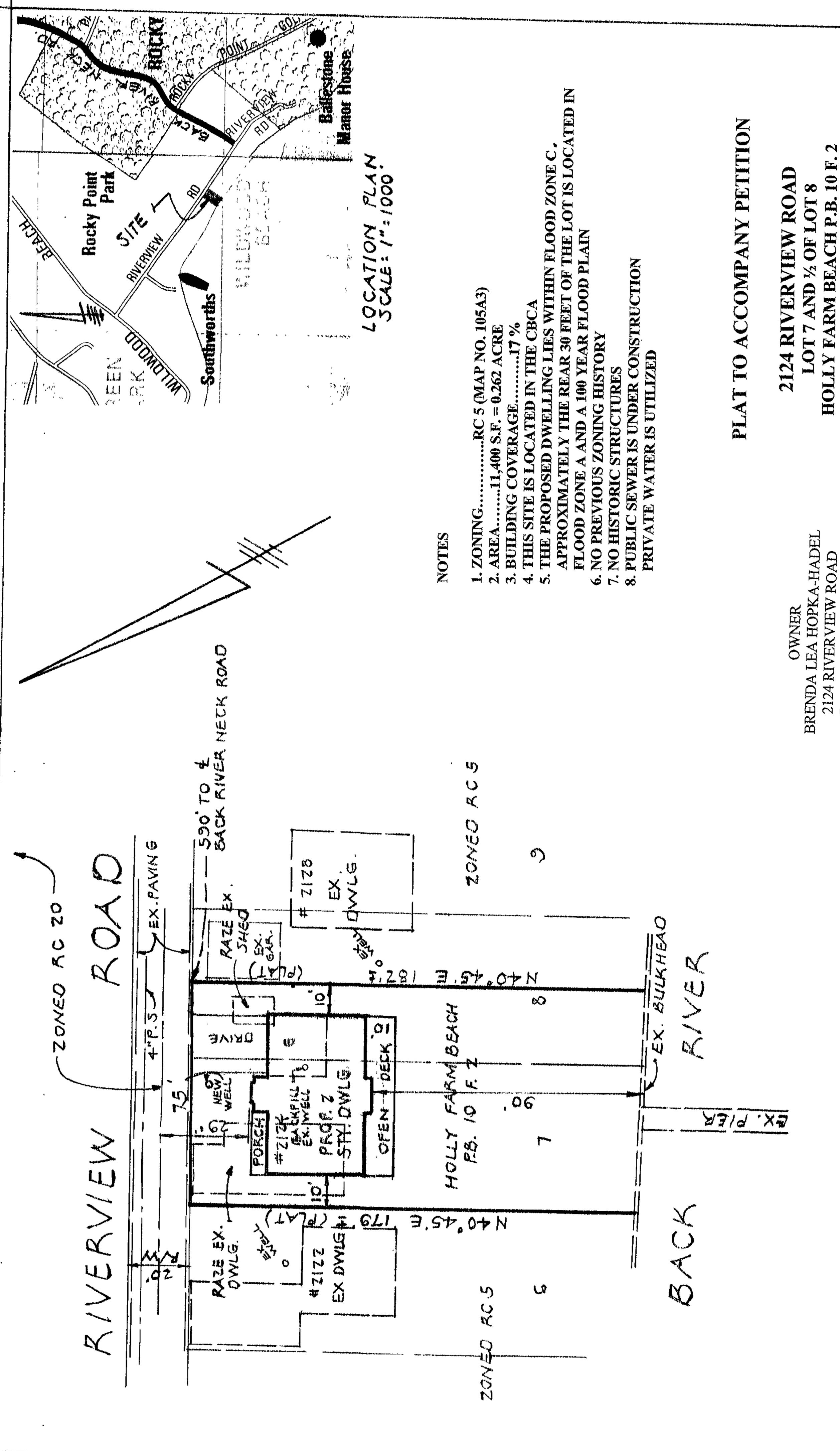
· NER HOPKA-HADEL NIEW ROAD • 4. MD. 21221 1 1 1 2442 F.119 1519072360

MAP# 105A3



K to





HOI

BALTIMORE, MD. 21221 DEED REF. L12442 F.119

PROP. NO. 1519072360

CENTRAL DRAFTING & DESIGN, INC. 601 CHARWOOD COURT EDGEWOOD, MD 21040 (410) 679-8719

