

IN RE: PETITION FOR VARIANCE	*	BEFORE THE
E/S of Rockaway Beach Avenue, 427 ft.		
S centerline of Turkey Point Road	*	DEPUTY ZONING COMMISSIONER
15th Election District		
6th Councilmanic District	*	FOR BALTIMORE COUNTY
(717 Rockaway Beach Avenue)	*	CASE NO. 05-579-A
Maryann & William R. Rush	*	
<i>Petitioners</i>	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Maryann and William R. Rush. The Petitioners are requesting variance relief for property located at 717 Rockaway Beach Road in the eastern area of Baltimore County. Variance relief is requested from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed replacement single-family dwelling with a side yard of 1 ft., a rear yard of 24 ft., a sum of side yards of 12 ft. on a lot having a width of 50 ft. in lieu of the required 10 ft., 30 ft., 25 ft. and 70 ft. respectively.

The property was posted with Notice of Hearing on June 14, 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 June 23, 2005 to notify any interested persons of the scheduled hearing date.

Amended Petition

The Petitioners indicated that as the result of negotiations with their neighbors, they amended their request to allow a 4 ft. side yard setback on the Nuth side of the property rather than the 1 ft. previously requested. Ten feet is required. As a result of this change, they are now also requesting to allow a sum of the side yard setbacks of 15 ft. in lieu of the 25 ft. required by the regulations.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

7/13/05
 717 Rockaway Beach Avenue
 717 Rockaway Beach Avenue
 717 Rockaway Beach Avenue

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other 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 Bureau of Development Plans Review dated May 25, 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 6, 2005, a copy of which is attached hereto and made a part hereof. Finally, a ZAC comment was received from the Department of Environmental Protection & Resource Management (DEPRM) dated June 14, 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.

Interested Persons

Appearing at the hearing on behalf of the variance request were Bob and Maryann Rush, Petitioners. Ruth Nuth, Jackie Nickel and Trish McDonough 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 D.R. 3.5 and is 9,027 sq. ft. in area. This is a 50 ft. wide waterfront lot known as Lot 40 of the "Rockaway Beach " subdivision which was recorded among the Land

Records of Baltimore County in 1915 with most lots, such as here, 50 ft. wide. The Petitioners propose to replace the existing home on the property, which was built in 1929 with a modern 2 1/2 story home. Originally, the garage attached to the new home was proposed to be built virtually on the south property line. See Petitioners' Exhibit 1. However, Ms Nuth, the neighbor to the south, objected and a compromise was reached so that the garage would be 4 ft. from the property line. See Petitioners' Exhibit 2. The sum of the side yards would then be 15 ft. in lieu of the required 25 ft. The Petitioners are also requesting that they be allowed to build their home 24 ft. from the rear property line (the road side) in lieu of the required 30 ft.

The Petitioners indicated that they purchased the property in 2004 and intend to raze the existing cottage, garage and shed so as to build a new home (as a permanent home) that would be large enough to accommodate the Petitioners' four children and a mother-in-law. The Petitioners presented photographs, which showed many other homes in the neighborhood that had little or no setbacks to property lines. See Petitioners' Exhibit 4. They opined that the proposed house would improve the neighborhood and that the 11 ft. side yard would allow emergency vehicles to have access to the water.

The Protestants were concerned about the side yard setback, but Ms. Nuth indicated that she was satisfied with the compromise reached. They also wanted to see the height and configuration of the new home to determine what impact the actual home would have on Ms. Nuth's property. As mentioned at the hearing, the Planning Office will review the design for compatibility as indicated in the Planning Office comment. No variance is requested for height.

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 a subdivision which was recorded among the Land Records of Baltimore County in 1915 many years before the DR regulations were imposed on

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J. Ray

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 DR regulations were imposed.

I find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Obviously, if strictly enforced the Petitioner cannot build a home to accommodate their large family. There is an existing home presently situated on the property now, so no increase in density will result.

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. I am sure that if the neighbors will follow the subsequent review of the proposed building with the Planning Office, the new home will be compatible with the neighborhood and adjoining homes.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance requests should be granted.

THEREFORE, IT IS ORDERED, this 13 day of July, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed replacement single-family dwelling with a side yard of 4 ft., a rear yard of 24 ft., a sum of side yards of 15 ft. on a lot having a width of 50 ft. in lieu of the required 10 ft., 30 ft., 25 ft. and 70 ft. respectively, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted

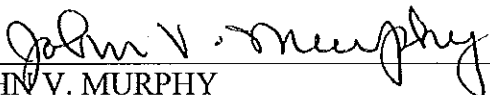
herein:

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;

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7/13/05
J. Ray

2. Compliance with the ZAC comments made by the Bureau of Development Plans Review dated May 25, 2005, a copy of which is attached hereto and made a part hereof;
3. Compliance with the ZAC comments made by the Office of Planning dated June 6, 2005, a copy of which is attached hereto and made a part hereof;
4. Compliance with the ZAC comments made by DEPRM dated June 14, 2005, a copy of which is attached hereto and made a part hereof;
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

ORDER RECEIVED FOR FILING
7/13/05
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 13, 2005

Mr. & Mrs. William R. Rush
1907 Cranbourne Road
Timonium, Maryland 21093

Re: Petition for Variance
Case No. 05-579-A
Property: 717 Rockaway Beach Avenue

Dear Mr. & Mrs. Rush:

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,

A handwritten signature in dark ink, appearing to read "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Ruth Nuth, 719 Rockaway Beach Avenue, Baltimore, MD 21221
Jackie Nickel, 721 Rockaway Beach Avenue, Baltimore, MD 21221
Trish McDonough, 2023 New Haven Drive, Baltimore, MD 21221

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



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 25, 2005

FROM: ^{DAK} Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 31, 2005
Item No. 579

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 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.

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

DAK:CEN:clw

cc: File

ZAC-ITEM NO 579-05252005.doc

RECEIVED FOR FILE
2/13/05
Ray

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 6, 2005

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

SUBJECT: 717 Rockaway Beach Road

INFORMATION:

Item Number: 5-579

Petitioner: William Rush

Zoning: DR 3.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject request offers the following comments.

1. The Office of Planning has a policy of allowing only 30-foot wide homes on the 50-foot wide lots that are found along much of Baltimore County's waterfront. The primary reason for this policy is to allow sufficient "breathing" space between dwellings. The petitioner is proposing a home that is 35.6 feet with a garage extension that further increases the house width to a total of 40.5 feet. There are existing out-buildings on the property line. However, their size is dwarfed by the proposed construction.

Therefore, this office recommends that the petitioners redesign their proposed home to respect an overall width of 30 feet, including any proposed garage.

2. 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.
3. Provide landscaping along the public road.

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7/13/05
Ray

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

Prepared by: Mark A. Gungor

Division Chief: John L. Latham

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr. *JDO*

DATE: June 14, 2005

SUBJECT: Zoning Item # (05-579)
Address 717 Rockaway Beach Avenue

Zoning Advisory Committee Meeting of January May 23, 2005

X 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 must comply with the Limited Development Area and Buffer Management Area Subsets of the CBCA Regulations. Please note that the applicant must satisfy the Impervious Surface Limits, Minimum Tree Cover Limits, and any mitigation requirements associated with the Limited Development Are Regulations.

Reviewer: Mike Kulis, Sue Farrinetti Date: June 14, 2005

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2/13/05
Ray



C3CA

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 717 Rockaway Beach Ave
which is presently zoned D.R 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 130-2.3.C.1 (BCZR)

TO PERMIT A PROPOSED REPLACEMENT SINGLE FAMILY DWELLING WITH A SIDEYARD OF 1', A REAR YARD OF 24', A SUM OF SIDEYARDS OF 12' ON A LOT HAVING A WIDTH OF 50' IN LIEU OF THE REQUIRED 10', 30', 25' AND 70' RESPECTIVELY

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) To be discussed at hearing.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

William R Rush
Name - Type or Print _____
William R Rush
Signature _____ 443-791- cell #
Maryann Rush 0800
Name - Type or Print _____
Maryann Rush
Signature _____ 410- home #
1907 Cranbourne Rd 561-0186
Address _____ Telephone No. _____
Timonium Md 21093
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By CTM Date 5/11/05

Case No. 05-579-A

Zoning Description for 717 Rockaway Beach Avenue, Essex, Maryland 21221

Beginning at a point on the ^{EAST}~~West~~ side of Rockaway Beach Avenue which is 20 feet wide

At the distance of 427 feet ^{SOUTH}~~north~~ of the centerline of the nearest improved intersecting

Street Turkey Point Road which is 20 feet wide. Being Lot #40, Map #98, Grid #15,

Parcel # 211 in the subdivision of Rockaway Beach as recorded in Baltimore County Plat

Book # 4, Folio # 171, containing 9,027 square feet and/or .21 acres. Also known as

717 Rockaway Beach Avenue and located in the 15th Election District, 6th Councilmanic

District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 444333

DATE 5/11/85 ACCOUNT 2001 006 0150

AMOUNT \$ 65.00

RECEIVED FROM: W. CUSH

FOR: 05-579-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PD10 RECEIPT

BUSINESS ACTUAL DATE 1985

5/12/2005 5/11/2005 11:20:43 2

ISS 16012 16012 16012 16012

RECEIPT & CHECK 5/11/2005 0014

ISS 5 528 2001006 1001001001

OR INL 444333

Receipt Tot 65.00

65.00 00 00 00 00

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

Date:

6/3/05

RE: Case Number

05-579-A

Petitioner/Developer:

MARY ANN RUSH

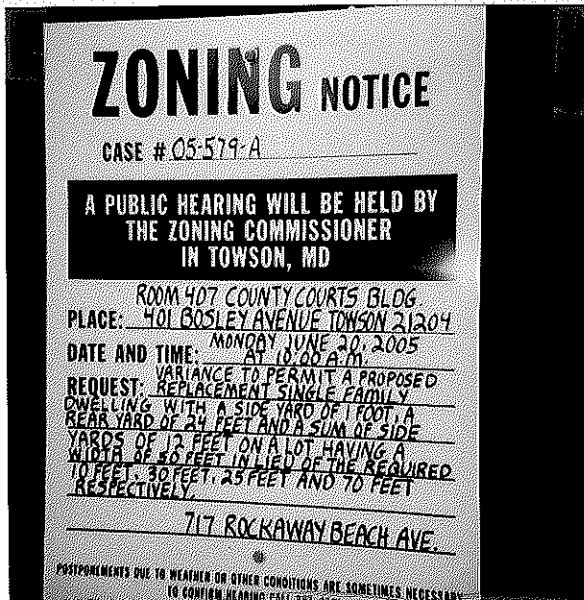
Date of (Hearing) Closing:

JUNE 20, 2005

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 717 ROCKAWAY BEACH AVE.

The sign(s) were posted on

May 31, 2005
(Month, Day, Year)



Linda O'Keefe
(Signature of Sign Poster)

LINDA O'KEEFE
(Printed Name of Sign Poster)

523 PENNY LANE
(Street Address of Sign Poster)

HUNT VALLEY MD 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

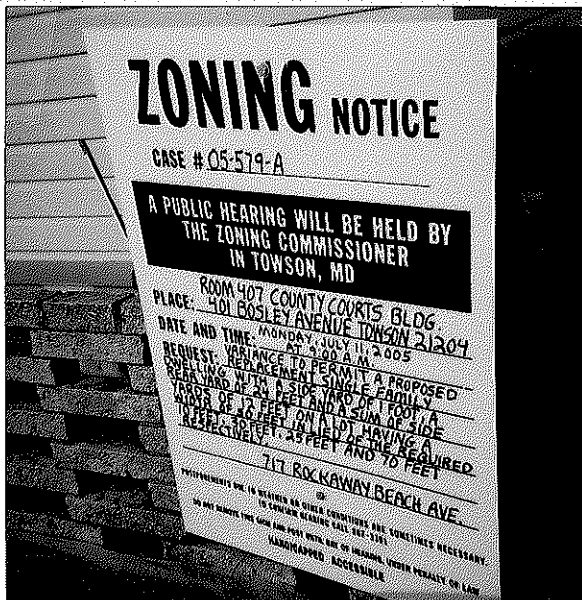
CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS Date: June 15, 2005
REPOSTING FOR NEW DATE

RE: Case Number 05-579-A
Petitioner/Developer: MARY ANN RUSH
Date of Hearing/Closing: JULY 11, 2005

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 717 ROCKAWAY BEACH AVE.

The sign(s) were posted on JUNE 14, 2005
(Month, Day, Year)



05-597-A

共 717

Linda O Kuebe
(Signature of Sign Poster)

LINDA O'KEEFE
(Printed Name of Sign Poster)

523 PENNY LANE
(Street Address of Sign Poster)

HUNT VALLEY MD 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

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: # 05-579-A

717 Rockaway Beach Avenue

E/side of Rockaway Beach Avenue, 427 feet south of centerline of Turkey Point Road

15th Election District — 6th Councilmanic District

Legal Owner(s): William R. & Maryann Rush

Variance: to permit a proposed replacement single family dwelling with a side yard of 1 foot, a rear yard of 24 feet and a sum of side yards of 12 feet on a lot having a width of 50 feet in lieu of the required 10 feet, 30 feet, 25 feet and 70 feet respectively.

Hearing: Monday, July 11, 2005 at 9:00 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.

6/300 June 23

56108

CERTIFICATE OF PUBLICATION

6/23/, 2005

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/23/, 2005.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

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WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

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(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
6/039 June 2 53498

CERTIFICATE OF PUBLICATION

6/21, 2005

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/21, 2005.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

For Newspaper Advertising:

Item Number or Case Number: OS-579-A

Petitioner: Maryann Rush

Address or Location: 717 Rockaway Beach Ave Essex, Md 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: Maryann Rush

Address: 1907 Cranbourne Rd

Timonium Md 21093

Telephone Number: 410-561-0186 / 443-791-0800 Cellphone #

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 2, 2005 Issue - Jeffersonian

Please forward billing to:
Maryann Rush
1907 Cranbourne Road
Timonium, MD 21093

410-561-0186

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: 05-579-A

717 Rockaway Beach Avenue

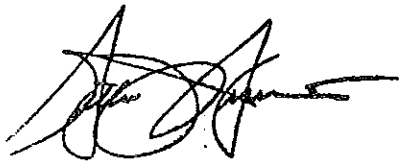
E/side of Rockaway Beach Avenue, 427 feet south of centerline of Turkey Point Road

15th Election District – 6th Councilmanic District

Legal Owners: William R. & Maryann Rush

Variance to permit a proposed replacement single family dwelling with a side yard of 1 foot, a rear yard of 24 feet and a sum of side yards of 12 feet on a lot having a width of 50 feet in lieu of the required 10 feet, 30 feet, 25 feet and 70 respectively.

Hearing: Monday, June 20, 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.



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

May 19, 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: 05-579-A

717 Rockaway Beach Avenue

E/side of Rockaway Beach Avenue, 427 feet south of centerline of Turkey Point Road

15th Election District – 6th Councilmanic District

Legal Owners: William R. & Maryann Rush

Variance to permit a proposed replacement single family dwelling with a side yard of 1 foot, a rear yard of 24 feet and a sum of side yards of 12 feet on a lot having a width of 50 feet in lieu of the required 10 feet, 30 feet, 25 feet and 70 respectively.

Hearing: Monday, June 20, 2005 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: William R. & Maryann Rush, 1907 Cranbourne Road, Timonium 21093

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 4, 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.





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

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

June 7, 2005

NEW 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: 05-579-A

717 Rockaway Beach Avenue
E/side of Rockaway Beach Avenue, 427 feet south of centerline of Turkey Point Road
15th Election District – 6th Councilmanic District
Legal Owners: William R. & Maryann Rush

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Hearing: Monday, July 11, 2005 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: William R. & Maryann Rush, 1907 Cranbourne Road, Timonium 21093

- NOTES:** (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 25, 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**

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



Baltimore County

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

July 5, 2005

William R. Rush
Maryann Rush
1907 Cranbourne Road
Timonium, Maryland 21093

Dear Mr. and Mrs. Rush:

RE: Case Number: 05-579-A, 717 Rockaway Beach Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 11, 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,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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



**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 10, 2005

William R. Rush
Maryann Rush
19078 Cranbourne Road
Timonium, Maryland 21093

Dear Mr. and Mrs. Rush:

RE: Case Number: 05-579-A, 717 Rockaway Beach Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 11, 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 6, 2005

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

SUBJECT: 717 Rockaway Beach Road

INFORMATION:

Item Number: 5-579

Petitioner: William Rush

Zoning: DR 3.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject request offers the following comments.

1. The Office of Planning has a policy of allowing only 30-foot wide homes on the 50-foot wide lots that are found along much of Baltimore County's waterfront. The primary reason for this policy is to allow sufficient "breathing" space between dwellings. The petitioner is proposing a home that is 35.6 feet with a garage extension that further increases the house width to a total of 40.5 feet. There are existing out-buildings on the property line. However, their size is dwarfed by the proposed construction.

Therefore, this office recommends that the petitioners redesign their proposed home to respect an overall width of 30 feet, including any proposed garage.
2. 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.
3. Provide landscaping along the public road.

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

Prepared by: Mark A. Gungy

Division Chief: John L. Latham

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 25, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For May 31, 2005
Item No. 579

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 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.

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

DAK:CEN:clw
cc: File
ZAC-ITEM NO 579-05252005.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr. *JDO*
DATE: June 14, 2005
SUBJECT: Zoning Item # 05-579
Address 717 Rockaway Beach Avenue

Zoning Advisory Committee Meeting of January May 23, 2005

X 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 must comply with the Limited Development Area and Buffer Management Area Subsets of the CBCA Regulations. Please note that the applicant must satisfy the Impervious Surface Limits, Minimum Tree Cover Limits, and any mitigation requirements associated with the Limited Development Area Regulations.

Reviewer: Mike Kulis, Sue Farrinetti Date: June 14, 2005

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



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

Maryland Department of Transportation

Date: 5.20.05

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

RE: Baltimore County
Item No. 579 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

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

May 23, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of April 4, 2005

Item No. 568,570,571,573,574,575,576,577,579,580,581,582

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

The Fire Department has no comments at this time.

If you have any questions contact my office.

Acting Lt. Warren T. Moffitt
Fire Marshal's Office
410-887-4880
MS-1102F

Cc:file

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



RE: PETITION FOR VARIANCE * BEFORE THE
717 Rockaway Beach Ave; E/side Rockaway *
Beach Ave, 427' S c/line Turkey Point Rd * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owner(s): William & Maryann Rush * FOR
Petitioner(s) * BALTIMORE COUNTY
* 05-579-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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of May, 2005, a copy of the foregoing Entry of Appearance was mailed to, William & MaryAnn Rush, 1907 Cranbourne Road, Timonium, MD 21093, Petitioner(s).

RECEIVED

MAY 20 2005

Per

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

From: Jackie Nickel <jackienickel@comcast.net>
To: <crichards@co.ba.md.us>, joe bartenfelder <bccdistrict6@comcast.net>, pat keller <pkeller@co.ba.md.us>, Donald Rascoe <DRascoe@co.ba.md.us>, Woutila <dwoutila@bcps.org>, marcy siegman <msrockaway2@aol.com>, Trish McDonough <trishmcdonough@comcast.net>
Date: 1/19/2006 12:50:58 PM
Subject: 717 Rockaway Beach Ave.

Mr. Richards,

Pat Keller referred me and my neighbors to you for the answer to an important question regarding a huge home being built on the waterfront next to us - it's at 717 Rockaway Beach Ave. You might already be aware of this contentious issue through Mr. Kotroco.

Hearing Officer Murphy granted Wm. and Maryann Rush a variance to build 4 ft from the neighbor's property line - all we saw at the hearing was a homemade drawing with a 36x70 ft. footprint - no bump-outs, overhangs or cantilevered living areas were depicted and the neighbors, not knowing the true plan, agreed to a 4 ft. setback.

Almost the entire perimeter of the footprint has been altered with bay windows, decorative overhanging rooflines, and huge bump-out sections.

Joe Bartenfelder met with nine of us last Sunday and he can verify this - he even took out a tape measure to check some of it.

Pat Keller said according to building rules, an overhang can extend 25% into the yard - that would be one foot on the 4-ft. setback neighbor's side, right. Can you verify this as fact or justify the reason that the owners' have not been stopped by the inspector when we've been complaining so loudly and so long?

Thank you.
Jackie Nickel, Pres. Rockaway Beach Imp. Assn.

From: Timothy Kotroco
To: Keller, Pat; Lanham, Lynn; Rascoe, Donald; Swam, Doug
Date: 12/15/05 3:53:50 PM
Subject: 717 Rockaway Beach

Pat:

I have pulled Zoning Case No. 05-579A regarding the house at 717 Rockaway. Before I respond to Mrs McDonough I wanted to let you know that as a condition of approval of the Variance relief, DZC Murphy required the property owner to submit to your office, for review and approval prior to the issuance of a building permit, a copy of his house plans. Your comment required that the house be compatible in size, building materials, color & detail as the other homes in the community. Doug Swam pulled the permit for this house and it does not appear from our review, that this property owner fulfilled this obligation and submitted his plans to your office for review & approval. Please let me know if he did meet with your staff.

It appears from my review, that this property owner failed to comply with Commissioner Murphy's decision in this regard. It was his obligation to let you all see his house plans prior to construction and this he failed to do. I will place a stop work order on the construction at this time until I hear from you as to how you would like to proceed.

I spoke to Carl Richards about the bay window issue. He advised me that the bay window is not bound by the 4 foot setback so long as it is less than 4 x 10 and does not extend to the ground. (That is, there is an open area beneath it)

Lastly, I note from the file that the following parties were in attendance at the Variance hearing for this house: Ruth Nuth, Jackie Nickel & Trish McDonough. As a result of their negotiations with this property owner, the neighbors agreed to the 4' setback in lieu of the 1' originally requested. Ms. Nuth submitted a letter of support, (Pet Ex. #2) indicating that she supports the request so long as the house being built complies with the house plans that Mr. & Mrs. Rush shared with her prior to the hearing. Apparently, she had seen copies of the house plans prior to the hearing and supported same.

Please let me know how you would like to proceed.

Thanks.

Tim

Timothy M. Kotroco, Director
Permits & Development Management
Phone: 410-887-3020

From: Pat Keller
To: McDonough, Trish
Date: 12/15/05 12:53:05 PM
Subject: RE: 717 Rockaway Beach Avenue Case #05-579-A

Dear Ms. McDonough - As you know the Office of Planning did not support variances that were granted for this project. I have forwarded your email to Tim Kotroco, Director of PADM who is in charge of inspections to make sure that the house was built according to the variances granted. Hopefully, a response will be available soon. Pat Keller

Pat Keller
Director of Planning
pkeller@co.ba.md.us
PH: 410.887.3211
Fax: 410.887.5862
County Courts Bldg.
401 Bosley Ave.
Towson, MD 21204

>>> "Trish McDonough" <trishmcdonough@comcast.net> 12/13/2005 1:56 PM >>>

Mr. Keller:

I am writing to you in reference to the above referenced property. A 4 foot side yard setback was granted rather than a 1 foot on the Nuth side. My mother, Ruth Nuth, and I noticed that the bay window that is on the side of the home is only 30 inches from the property line. How can that be when a 4 foot set back was granted?

I wish someone would come down and view this monstrous home that is being built on this small 50 foot lot.

I would appreciate a response as soon as possible. Any questions, please call me at 410-780-0461 anytime.

Thank you,

Trish McDonough
Ruth Nuth

CC: Kotroco, Timothy

Carl Richards - RE: 717 Rockaway Beach

From: "Woutila, Denise M." <dwoutila@bcps.org>
To: "Timothy Kotroco" <TKotroco@co.ba.md.us>, <Msrockaway2@aol.com>, <jackienickel@comcast.net>
Date: 3/14/2006 11:56 AM
Subject: RE: 717 Rockaway Beach
CC: "Carl Richards" <CRichards@co.ba.md.us>, "Pat Keller" <pkeller@co.ba.md.us>

My fax here at work is 410-887-0183. Denise

From: Timothy Kotroco [mailto:TKotroco@co.ba.md.us]
Sent: Tuesday, March 14, 2006 11:27 AM
To: Msrockaway2@aol.com; Woutila, Denise M.; jackienickel@comcast.net
Cc: Carl Richards; Pat Keller
Subject: RE: 717 Rockaway Beach

Carl: Can you fax the letter that you sent to the Rush's to Jackie and Denise? I am meeting with their attorney tomorrow at 10am to discuss this problem with him. Did they provide to you a better survey from their surveyor? Tim

Timothy M. Kotroco, Director
Permits & Development Management
Phone: 410-887-3020

>>> "Woutila, Denise M." <dwoutila@bcps.org> 03/14/06 8:35:47 AM >>>

Tim & Carl,
What is the status on the 19 foot bump out? Denise

From: Timothy Kotroco [mailto:TKotroco@co.ba.md.us]
Sent: Monday, March 06, 2006 10:21 AM
To: Msrockaway2@aol.com; Woutila, Denise M.; jackienickel@comcast.net; trishmcdonough@comcast.net
Cc: Carl Richards; Pat Keller
Subject: RE: 717 Rockaway Beach

As you can see from Carl's response, we took some steps to try to address the problems you all are having with this house. Carl is having the engineer/surveyor bring in a survey with all measurements shown. I have asked Mr. Boozer to meet with me to discuss the problems with the 19 foot bump out and how they intend to correct that, and my inspector in the field told the contractor that they had to fix the siding on Marcy's house to her satisfaction. I hope this will help. Tim

Timothy M. Kotroco, Director
Permits & Development Management
Phone: 410-887-3020

>>> "Woutila, Denise M." <dwoutila@bcps.org> 03/06/06 8:31:52 AM >>>

Carl & Tim,

Thanks! If we ever get to have a meeting with DEPRM I would also like to stop by and take a look at the drawings myself. I think the "old" residents of Rockaway Beach are determined to do everything that we can to assure that this size house will not be built on a 50 foot lot again. Thanks again. Denise

From: Jackie nickel [mailto:jackienickel@comcast.net]
Sent: Monday, March 06, 2006 12:11 AM
To: Marcy Siegman; Trish McDonough; Woutila, Denise M.
Cc: Carl Richards; Timothy Kotroco; pkeller@co.ba.md.us
Subject: Fwd: 717 Rockaway Beach

Better late than never I guess! THANKS, CARL! Who is the engineer anyway? Did he/she ever visit the site? Should

have their license revoked for proper construction... 43% imperv...?

Did I understand that it was Jeff Mayhew in Planning who saw the actual drawings and signed off on them? According to the Hearing Officer, the neighbors were supposed to review them too - all we ever were shown at the HOH was the Rushes homemade sketch - jackie

Begin forwarded message:

From: "Carl Richards" <CRichards@co.ba.md.us>

Date: March 5, 2006 6:34:22 PM EST

To: <dwoutila@bcps.org>,"Timothy Kotroco" <TKotroco@co.ba.md.us>

Cc: <jackienickel@comcast.net>

Subject: Re: 717 Rockaway Beach

Wow, I even get pop-ups on Sunday--Zoning Never Sleeps--I have asked the engineer and Bob Rush to produce a scaled site plan with the current building located on it. This is necessary because none of the plans that I saw in the file accurately depicts the setbacks. I talked to them last week, so hopefully I'll get something this week. I'll keep you informed.....Carl

>>> "Woutila, Denise M." <dwoutila@bcps.org> 3/5/2006 6:17 PM >>>

Tim and Carl,

Have you found out anything about the 19 foot bump out on the north side of 717 Rockaway Beach Avenue?

Thank you,

Denise Woutila

Timothy Kotroco - RE: Carl is off today

From: Timothy Kotroco
To: Woutila, Denise
Date: 03/14/06 5:23 PM
Subject: RE: Carl is off today
CC: Bevins, Cathy; Carroll, David; Keller, Pat; nickel, Jackie; O'Doherty, Damian; Rascoe, Donald; Richards, Carl

Denise: Sorry for the confusion, Carl ended up coming into work today. He was down the Eastern Shore this AM. I just talked to him in his office. We are still awaiting the survey from the owner to verify actual distances to property lines. I am mtg with their lawyer tomorrow and will again make that request. They must adhere to the 11 foot and 4 foot setbacks, at a minimum. Of course they can set back greater distances. The house plans we have in their file show the house width to be 35'. If situated properly on the lot, this would leave an 11 foot and 4 foot setback, given the 50 foot width of the lot. (Originally they asked for a sum of the side yards of 12 feet, which John Murphy modified in his decision. Murphy granted a sum of the side yards of 15 feet). I'm not sure why the permit references a width of 38 feet. It may account for the roof overhang (eaves) or the architectural "bump outs" that are designed into the house. In any event, an accurate survey should provide the answer. We'll keep you posted. Tim

Timothy M. Kotroco, Director
Permits & Development Management
Phone: 410-887-3020

>>> "Woutila, Denise M." <dwoutila@bcps.org> 03/14/06 1:34 PM >>>
Tim,

Why was a permit issued to Rush to build a 38 foot wide house when according to the variance the lot is 50 foot and the sum of side setbacks were to be 15 feet? Denise

-----Original Message-----

From: Tim Kotroco [mailto:tkotroco@co.ba.md.us]
Sent: Tuesday, March 14, 2006 1:14 PM
To: Woutila, Denise M.
Subject: Carl is off today

He'll have to get that to you when he gets back in the office. Sorry about that. Tim

Timothy M. Kotroco, Director
Permits & Development Management

From: David Carroll
To: Nickel, Jackie
Date: 03/14/06 3:01:38 PM
Subject: Fwd: 717 Rockaway Beach Avenue

Jackie: attached is a chronology of various DEPRM reviews/approvals for 717 Rockaway Beach Avenue. I hope it responds to a number of assertions/questions that have been raised about the house, bulkhead, and pier.

In summary, the replacement house represents a slight reduction in impervious cover for the property. The prior house, drive, walkways, garage and storage building totaled a 43% impervious cover. The replacement house totals approximately 36%. The bulkhead improvement raised the existing bulkhead with return walls along the property lines. The new pier replaced an old pier. The new pier remains slightly shorter (280 ft. vs. 300 ft) than the adjacent pier and the remaining platform from the destroyed pier. The new pier and bulkhead meet Chesapeake Bay Critical Area Regulations. They must also obtain, which is noted in our approval, all federal and state permits.

If you have specific, additional questions please feel free to email or call.

Regards

David Carroll, Director
Baltimore County Environmental Protection
and Resource Management
dcarroll@co.ba.md.us
410-887-3776

>>> Patricia Farr 03/14/06 2:44 PM >>>
Per your request, here's the chronology prepared by staff.

Patricia M. Farr, Manager
Environmental Impact Review Section
Baltimore County DEPRM
401 Bosley Avenue, Suite 416
Towson, MD 21204
Phone: 410-887-3980
Fax: 410-887-4804

CC: Farr, Patricia; Kotroco, Timothy

From: <Msrockaway2@aol.com>
To: <pkeller@co.ba.md.us>
Date: 12/18/05 4:12:39 PM
Subject: 717 Rockaway Beach Avenue Case #05-579-A

Kitty ("Rockaway"
Put in Beach File
F=

Dear Sir, I am writing in regard to the aforementioned property which is next door to our property at 715 Rockaway Beach Avenue. As you know the home being built is monstrous in size, and I find it incomprehensible that Baltimore County has allowed variances for such a large home on so small a lot. (50 feet wide). The home was supposed to be 11 feet from our home, but it is now much closer because of the overhangs, which were not in the original drawing submitted to the neighbors by Mrs. Rush. Nor was the plan for two(2) fifteen(15) foot covered decks toward the waterfront. The home already has blocked our peripheral view as well as that of the neighbor on the other side. Homeowners across the street who have always enjoyed a slight water view now have nothing. The second floor end room has large windows which look directly into our bedroom. It is very upsetting to me that I will now have to keep my shades closed all the time for privacy. If these people are allowed to build the decks, then they will be allowed to move closer to the water and more impervious surface will be compromised. When we built our home six years ago, we were always cognizant of the laws and of our responsibility to our neighbors. It seems to most of us who live here that the people building the home next to ours have little if any regard for either. Thank you for your attention to this matter. Marcyanna S. Siegman/ William F. Siegman

CC: <tkotroco@co.ba.md.us>

Section 301
Projections Into Yards
[BCZR 1955]

- 301.1 Carports or open porches.
- A. If attached to the main building, a carport or a one-story open porch, with or without a roof, may extend into any required yard not more than 25% of the minimum required depth of a front or rear yard or of the minimum required width of a side yard. Any carport or open porch so extended must be open on three sides. [Bill Nos. 150-1983; 2-1992]
 - B. Notwithstanding the provisions of Subsection A, open projections in the side yard are permitted in residential large tract subdivisions only in accordance with Section 504 and the standards as set forth in the Comprehensive Manual of Development Policies. [Bill No. 2-1992]
- 301.2 Projections such as bay windows, chimneys, entrances, vestibules, balconies, eaves and leaders may extend into any required yard not more than 4 feet, provided that such projections (excepting eaves) are not over 10 feet in length.
- 301.3 No side and/or rear yard is required for a business or manufacturing use in that portion of any property located in a B.R., M.R., M.L.R., M.L. or M.H. Zone if such side and/or rear line abuts on a railroad right-of-way or siding, to either of which it uses rail access. [Bill No. 56-1961]

Section 302
Height and Area Regulations for New
Residences in Business and Manufacturing Zones
[BCZR 1955; Resolution, November 21, 1956]

Residences hereafter erected in business and manufacturing zones shall be governed by all height and area regulations for the predominant residence zone which immediately adjoins, or by D.R.5.5 Zone² regulations if no residence zone immediately adjoins.

Section 303
Front Yard Depths in Residence and Business Zones
[BCZR 1955]

- 303.1 In D.R.2, D.R.3.5 and D.R.5.5 Zones,³ the front yard depth of any building hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side, provided such adjoining lots are improved with principal buildings situate within 200 feet of the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of

² Editor's Note: In this section, the R.6 Zone was redesignated as the D.R.5.5 Zone pursuant to Section 100.3A.

³ Editor's Note: In this section, the R.20, R.10 and R. 6 Zones have been redesignated as D.R.2, D.R.3.5 and D.R.5.5, respectively, pursuant to Section 100.3A.



Timothy Kotroco
Director
Permits and Development Management
Baltimore County Maryland
111 West Chesapeake Avenue
Room 111
Towson, Maryland 21204

Dear Mr. Kotroco,

My name is William Robert (Bob) Rush. My wife Maryann and I are the owners of 717 Rockaway Beach Ave. in Essex. We have been the owners of the property for over two years however I was raised on Rockaway Beach since my birth is 1956 until my parents sold their home. Two years ago we purchased a home completely inundated with termites realizing that it would have to be razed within the next few years. We began our permit process last year and our new home is almost complete as the attached photographs show.

The reason for my letter is Mr. Carl Richards contacted me yesterday requesting a drawing showing the "bump outs" built on our newly constructed home. I questioned why he was calling. He told me that there had been a "complaint or request" to verify the bump out length on one side of our home. He told me that bump outs may only be 10 feet in length and 4 feet out from the foundation. I told him I was completely unaware of that regulation and that our one bump out was in fact 19 feet long and the other two are only 6 feet long bay windows. I immediately called my architect Austin B. Childs who stated that he was unaware of that regulation as well, and if he were, he would have surely not built that into the design of the home.

Enclosed you will find a copy of our plat that was prepared by our architect showing our setbacks to our foundation. I have drawn where our bump outs are located which are on every building plan that has been submitted to Baltimore County. You will also find enclosed a copy of our building plan showing all three of the bump outs.

As you will note on the building plan the bump out that does not meet Baltimore County regulations is to accommodate a fireplace and two bookshelves nothing more. Part of my position as Director and Educator at The McDonogh School is to write curriculum for instruction concerning stewardship of the Chesapeake Bay. I also direct hands on classroom experiences for students on the Bay. If I were aware of the regulation I would have certainly adhered to it. Both my Wife and I realize certain neighbors have scrutinized the building of this home. They have contacted every department in Baltimore County and we have attempted to dot every "i" and cross every "t".



I hope this letter explains our situation at hand. We in no way ever intended to disregard any regulation. Our fireplace bump out is only 9 feet longer, (4 ½ feet on each side) than is allowed by the regulation and does not protrude any further than our bay windows. The bump out does not impede on anyone else's property or site line.

It is my Wife's and my hope that you will be able to show leniency concerning our one bump out.

Thank you for your consideration,

Bob Rush

Director

McDonogh School

o 410-581-4747

c 410-812-8120

h 410-561-0186

cc. F. Vernon Boozer

Carl:

Please do a letter back to Mr. & Mrs. Rush. Advise them that they are in violation of the front yard setback granted to them by Commissioner Murphy. In order to remedy the violation, they must Petition Mr. Murphy to amend (SPT to Amend) his previous order to allow house to be 30' from property line. This of course, will require a public hearing & opportunity for community opposition!

(No final objection can be given until Setback is

Thompson, approved - as they have to alter the garage!)

Tim



Carl- Are these
Bump outs OK?

**Department of Permits (1
Development Management**

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



March 10, 2006

Tim
Baltimore County

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

Mr. William R. Rush
1907 Cranbourne Road
Timonium, Maryland 21093

Re: 717 Rockaway Beach Avenue
Variance 05-579-A
Permit NR B605354
District 15 Councilmatic 06

Dear Mr. Rush:

Reference is made to your letter last week addressed to Timothy Kotroco, Director of Permits Development Management. You had responded after this office had contacted you regarding the bump outs on your new dwelling. As you are aware and as you stated in your letter, your neighbors have scrutinized your house for its size and, this office must determine compliance with the regulations and relief granted.

After receiving your letter and attached plan, I met with the Director. This office has determined that the 19 foot 1 inch bump out for the interior fireplace and bookshelves would require a variance or an amendment to the above referenced variance granted. This could be accomplished by either removing the bump out, amending the granted variance for additional relief or variances Section 301.2 that regulates chimneys and bay windows. This violation must be corrected and whichever alternative you choose must be accompanied by a scale surveyor, as built, site plan for the file.

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



Printed on Recycled Paper

Page 2
March 10, 2006
William R. Rush

Please contact me as soon as possible to resolve this and If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391

Very truly yours,

A handwritten signature in black ink, appearing to read 'W. Carl Richards', written in a cursive style.

W. Carl Richards
Supervisor
Zoning Review

WCR/rjc

**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*

March 30, 2006

Mr. and Mrs. William R. Rush
1907 Cranbourne Road
Timonium, Maryland 21093

Re: 717 Rockaway Beach Avenue
Variance 05-579-A
Permit NR B605354
District 15 Councilmatic 06

Dear Mr. and Mrs. Rush:

Reference is made to the above stated zoning case and subsequent dwelling under construction. As you are aware, after construction commenced, your neighbors scrutinized the size and property line setbacks of the new construction. Of special interest and scrutiny was the side yard setbacks and bump outs which I believe have been resolved so that there is no conflict with the zoning case and Baltimore County Zoning Regulations.

After receiving a scale, as built, surveyor site plan, as we had requested, this office reviewed the entire plan for strict conformance with the zoning case. This is done so that the revised plan would accurately reflect the new dwelling and relief granted. Unfortunately during our review a 4-foot discrepancy was discovered in the rear setback. A 24-foot rear setback was granted and the garage portion of the house is setback 20 feet from the street right-of-way. It has been determined by this office that the original zoning relief must be amended at a zoning special hearing or the dwelling must be altered to conform to the 24-foot setback granted. Final inspections cannot be given until the conflict is resolved.

If you need further information or a more detailed explanation or if you have any questions, please do not hesitate to contact me at 410-887-3391. We will assist you with the filing, when and if you decide to proceed with the hearing.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor

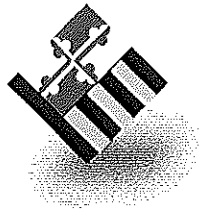
WCR:amf

C: file

Timothy Kotroco, Director of Permits and Development Management

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





Ftc
05-579A

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

Mr. William Rush
717 Rockaway Beach
Baltimore, MD 21221

RE: 717 Rockaway Beach Ave
B600049

Dear Mr. Rush,

Based on information from the Zoning Office, the above referenced permit is cancelled due to restrictions in your Zoning Variance Order. All work on the project must stop. If you have any questions regarding this matter, Please contact Carl Richards at 410-887-3391.

Very Truly Yours,

A handwritten signature in cursive script, appearing to read "Douglas A. Swam".

Douglas A. Swam
Permit Processing Supervisor

CC: Building Inspections
Carl Richards

DAS/tb

July 4, 2005

Ms. Kristen Matthews
Zoning Review
111 West Chesapeake Avenue – Room 111
Towson, Maryland 21204

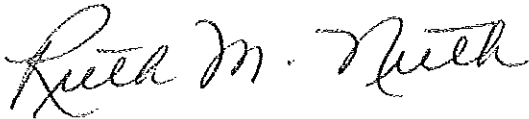
Subject: Case #05-579-A,
717 Rockaway Beach Avenue

Dear Ms. Matthews:

I, Ruth M. Nuth, am the property owner and current resident of 719 Rockaway Beach Avenue that adjoins the property owned by William and Maryann Rush and located at 717 Rockaway Beach Avenue. While opposed to the variance originally requested, I am hereby willing to support their application for variance provided the current plans are only modified so as to limit any construction to no less than four feet (4') from our adjoining property line. This alteration, as proposed, would ensure the garage wall would be on plane with proposed residence and ensure that the proposed construction would comply with the aforementioned four foot (4') set back.

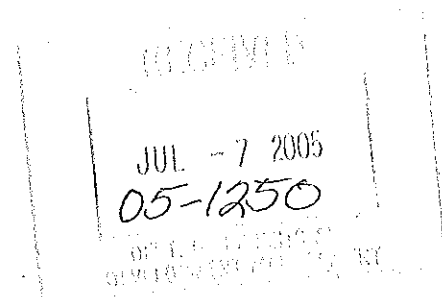
My approval is further conditioned under the understanding that no other modifications, change or revisions have been made to the plans previously shared with me by Mr. & Mrs. Rush and believed to be on file with Baltimore County (Reference Case #05-579-A).

Sincerely,



Ruth M. Nuth
719 Rockaway Beach Avenue
Baltimore, Maryland 21221

cc: William & Maryann Rush



June 6, 2005

OK to postpone
& reset
TRK

To Kristen :

We will need to postpone the hearing, Case Number 05-579 A, to be held on June 20, 2005 as my husband is a director at the McDonogh School and has a previous appointment. You had stated this morning we could change the meeting to June 30th at 11:00.

Thank you in advance for your attention to this matter.

Sincerely,

William & Maryann Rush

April 30, 2005

To Whom It May Concern,

I W. F. S. & Maryann owner of 715 Rockaway Beach Ave and next
Door neighbor agree that the home to be built on 717 Rockaway Beach Avenue,
Baltimore, Maryland 21221 will be an improvement to the community and support the
variance requested by Bob and Maryann Rush.

**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*

March 10, 2006

3/30/06

JMS
Mr. William R. Rush
1907 Cranbourne Road
Timonium, Maryland 21093

Re: 717 Rockaway Beach Avenue
Variance 05-579-A
Permit NR B605354
District 15 Councilmatic 06

JMS
Dear Mr. Rush:

Reference is made to your letter last week addressed to Timothy Kotroco, Director of Permits Development Management. You had responded after this office had contacted you regarding the bump outs on your new dwelling. As you are aware and as you stated in your letter, your neighbors have scrutinized your house for its size and, this office must determine compliance with the regulations and relief granted.

After receiving your letter and attached plan, I met with the Director. This office has determined that the 19 foot 1 inch bump out for the interior fireplace and bookshelves would require a variance or an amendment to the above referenced variance granted. This could be accomplished by either removing the bump out, amending the granted variance for additional relief or variances Section 301.2 that regulates chimneys and bay windows. This violation must be corrected and whichever alternative you choose must be accompanied by a scale surveyor, as built, site plan for the file.

Stated Reference is made to your the above
~~referred~~ zoning case and ^{subsequent} dwelling under construction.

As you are aware, after construction commenced,
your neighbors ~~scrutinized~~ scrutinized the size
and property line setbacks of the new construction.

Of special ~~interest~~ ^{interest} ~~was~~ the and scrutiny was
the side yard setbacks and bumpouts which
I believe have been resolved ~~so~~ so that there
is no conflict with the zoning case and Baltimore
County Zoning Regulations.) ~~This~~ After receiving

R. a scale as built surveyor site plan, as we had
requested, ~~the following has and after~~ this
office reviewed the entire plan for strict
conformance with the zoning case. This is
done so that the ^{revised} plan would accurately reflect
the new dwelling and relief granted. Unfortunately
during our review ^{a 4 foot} discrepancy was discovered
in the rear setback. A 24 ft. rear setback
was granted and the ~~garage~~ garage portion of
the home is setback 20 ft. from the street
right-of-way. It has been determined by
this office that the original zoning relief
must be amended at a zoning ~~hearing~~ special
hearing or the dwelling must be altered to
conform to the 24 ft. setback granted. Final
inspections ~~and~~ cannot be given until ~~the~~
the conflict is resolved.

C. file, TMR

STL clve ncrjn-
200.203.0

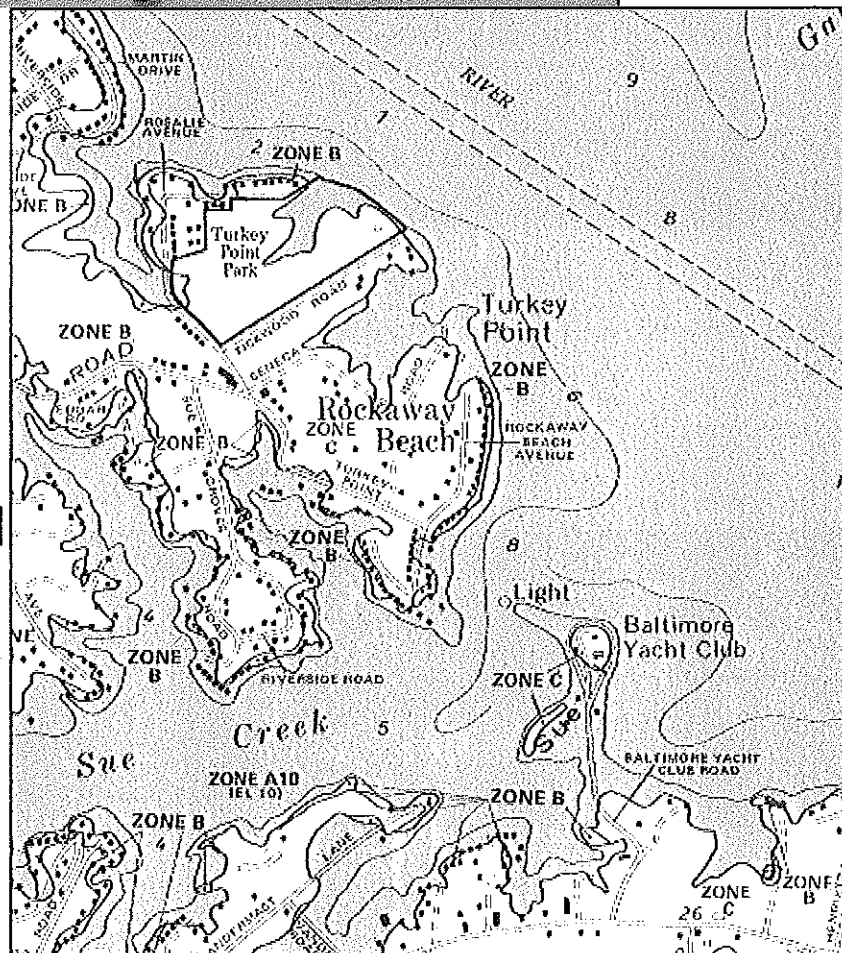
MSC Digital Post Office

Scale: 16

%00

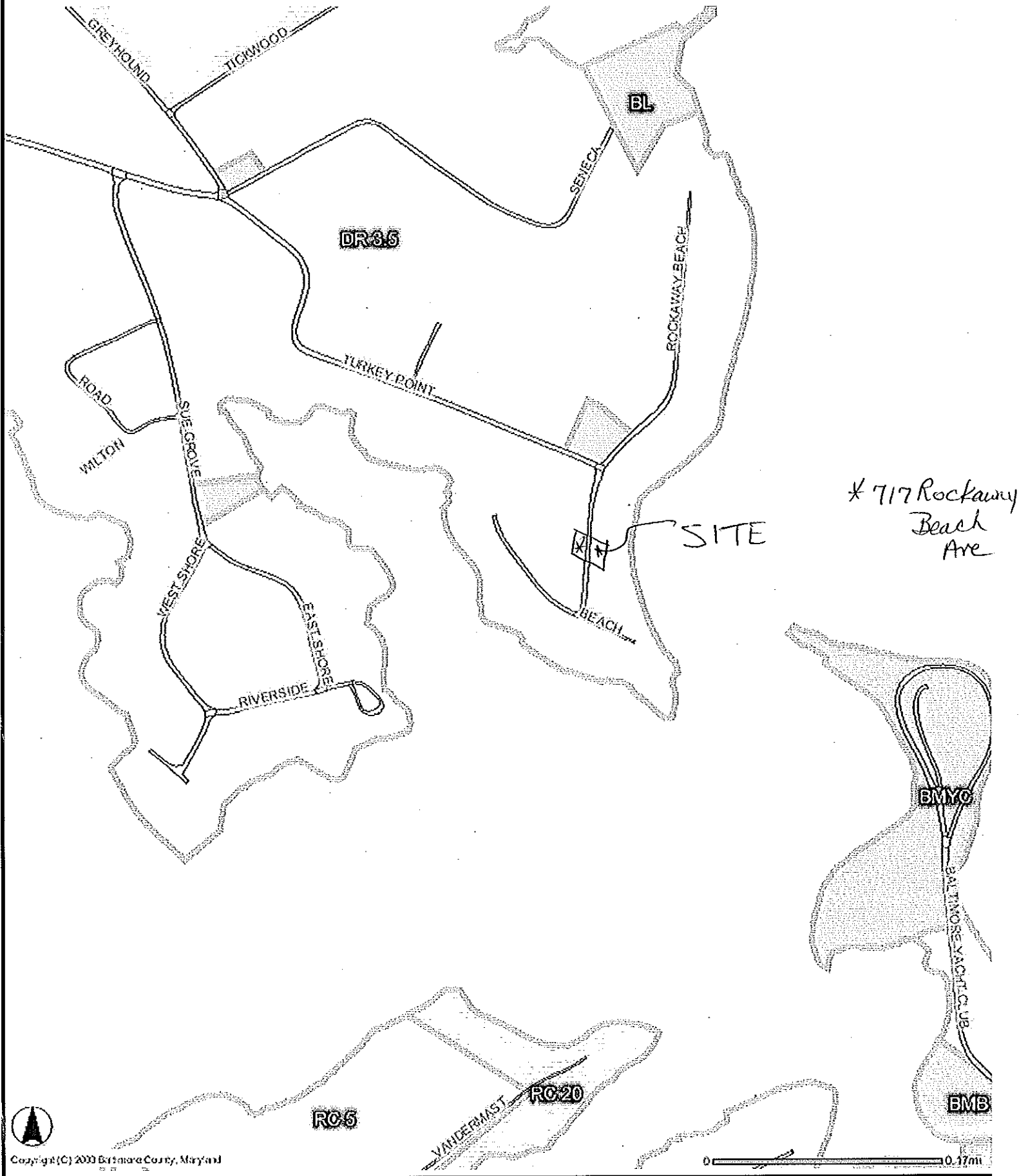


Make a FIRMette



Flood map 240010 0445C
dated 11/17/1993

Baltimore County - My Neighborhood



SW1-K



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

Timothy M. Kotroco
TIMOTHY M. KOTROCO
DIRECTOR

BUILDING PERMIT

John R. Reisinger
JOHN R. REISINGER
BUILDINGS ENGINEER

PERMIT #: B605354 CONTROL #: NR DIST: 15 PREC: 15
DATE ISSUED: 09/20/2005 TAX ACCOUNT #: 1523504960 CLASS: 34

PLANS: CONST 02 PLOT 7 R PLAT 0 DATA 0 ELEC YES PLUM YES
LOCATION: 717 ROCKAWAY BEACH RD
SUBDIVISION: ROCKAWAY BEACH

OWNERS INFORMATION

NAME: RUSH, WILLIAM & MARYANN
ADDR: 1907 CRANBOURNE ROAD TIMONIUM MD 21093

TENANT:

CONTR: OWNER(AFFIRMATION LETTER ATTACHED)

ENGR:

SELLR:

WORK: CONSTRUCT SFD W/TWO CAR GARAGE, COVERED FRONT &
REAR DECKS; BAY WINDOWS, FIREPLACE(NO PROJ),
DORMERS; UNFINISHED BASEMENT; FIVE BEDROOMS.
38'X72'X45'=4944SF. PER VARIANCE CASE#05-579-A
CBCA-FLOOD ZONE B PER D. THOMAS

BLOG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD

EXISTING USE: SFD, SHED, GARAGE BEING RAZED SEE B599298

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION

USE: ONE FAMILY

FOUNDATION: CONCRETE

BASEMENT: FULL

SEWAGE: PUBLIC EXIST

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 0052.65 X 0000.00

FRONT STREET:

SIDE STREET:

FRONT SETB: 73'

SIDE SETB: 4'/11'

SIDE STR SETB:

REAR SETB: 24'

People's Counsel - 717 Rockaway Beach Ave

From: "Woutila, Denise M." <dwoutila@bcps.org>
To: <peoplescounsel@co.ba.md.us>
Date: 03/10/2006 8:07 PM
Subject: 717 Rockaway Beach Ave
CC: "Jackie nickel" <jackienickel@comcast.net>, <tilla711@comcast.net>

Dear Mr. Zimmerman,

I am writing to you to ask advice about a concern of mine and Jackie Nickel gave me your name. A neighbor of mine is building a large house at 717 Rockaway Beach Avenue. A variance was granted that allowed the sum of the side setbacks to be 15 feet; 11 feet on one side and 4 feet on the other. The house is being built on a lot that is referred to 3 times in the variance decision as 50 feet wide. I recently acquired a copy of the permit for this house. The permit lists the house as 38 feet X 72 feet. Obviously, 15 feet and 38 feet don't add up to 50 feet. The permit should not have issued that allowed the house to be 38 feet wide; it should be no larger than 35 feet wide. As I looked at the area of the lot listed on the permit it states that the lot is 52.65 feet. I know that is the width on one side of the property, the width at the other end is 50 feet. I did the math to figure out how wide the lot is where the house is being constructed and it is a few inches over 50 feet. Anyway that you look at it, the house is too wide.

Several of my neighbors are upset about the size of this house. What are our options? How can a permit be issued that violates the variance? I would appreciate any advice that you can give me on how to rectify this problem.

Thank you,
Denise Woutila

People's Counsel - Re: 717 Rockaway Beach Ave

From: People's Counsel
To: Woutila, Denise
Subject: Re: 717 Rockaway Beach Ave
CC: jackienickel@comcast.net

Mr. Woutila,

If you believe that the house construction permit does not comply with the terms of the approved variance, you may inquire of the Zoning Enforcement office as to the procedure for making a complaint. The supervisor of that office is James H. Thompson at 410-887-3352. That is the office which handles complaints and enforcement proceedings.

If you would like to discuss the matter further, please call our office at 410-887-2188.

Peter Max Zimmerman
People's Counsel for Baltimore County

Woutila, Denise M." <dwoutila@bcps.org> 03/10/06 8:06 PM >>>
Dear Mr. Zimmerman,

I am writing to you to ask advice about a concern of mine and Jackie Nickel gave me your name. A neighbor of mine is building a large house at 717 Rockaway Beach Avenue. A variance was granted that allowed the sum of the side setbacks to be 15 feet; 11 feet on one side and 4 feet on the other. The house is being built on a lot that is referred to 3 times in the variance decision as 50 feet wide. I recently acquired a copy of the permit for this house. The permit lists the house as 38 feet X 72 feet. Obviously, 15 feet and 38 feet don't add up to 50 feet. The permit should not have issued that allowed the house to be 38 feet wide; it should be no larger than 35 feet wide. As I looked at the area of the lot listed on the permit it states that the lot is 52.65 feet. I know that is the width on one side of the property, the width at the other end is 50 feet. I did the math to figure out how wide the lot is where the house is being constructed and it is a few inches over 50 feet. Anyway that you look at it, the house is too wide.

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Thank you,
Denise Woutila

People's Counsel - Re: 717 Rockaway Beach Ave

From: Jackie nickel <jackienickel@comcast.net>
To: People's Counsel <peoplescounsel@co.ba.md.us>
Date: 03/13/2006 10:57 AM
Subject: Re: 717 Rockaway Beach Ave

Thanks Pete - our neighborhood has been in an uproar over this for months. I'm trying to get the neighbors on either side of the huge new house to handle the complaints. Jackie

On Mar 13, 2006, at 9:53 AM, People's Counsel wrote:

> Mr. Woutila,
 >
 > If you believe that the house construction permit does not comply
 > with the terms of the approved variance, you may inquire of the
 > Zoning Enforcement office as to the procedure for making a
 > complaint. The supervisor of that office is James H. Thompson at
 > 410-887-3352. That is the office which handles complaints and
 > enforcement proceedings.
 >
 > If you would like to discuss the matter further, please call our
 > office at 410-887-2188.
 >
 > Peter Max Zimmerman
 > People's Counsel for Baltimore County
 >
 >
 >
 > Woutila, Denise M." <dwoutila@bcps.org> 03/10/06 8:06 PM >>>
 > Dear Mr. Zimmerman,
 >
 > I am writing to you to ask advice about a concern of mine and
 > Jackie Nickel gave me your name. A neighbor of mine is building a
 > large house at 717 Rockaway Beach Avenue. A variance was granted
 > that allowed the sum of the side setbacks to be 15 feet; 11 feet on
 > one side and 4 feet on the other. The house is being built on a
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 > feet and 38 feet don't add up to 50 feet. The permit should not
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 > that is the width on one side of the property, the width at the
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 > lot is where the house is being constructed and it is a few inches
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 > Several of my neighbors are upset about the size of this
 > house. What are our options? How can a permit be issued that
 > violates the variance? I would appreciate any advice that you can
 > give me on how to rectify this problem.

Thank

>
> you,
>
> Denise Woutila

People's Counsel - 717 Rockaway Beach Avenue

From: "Woutila, Denise M." <dwoutila@bcps.org>
To: <jhthompson@co.ba.md.us>, "Jackie nickel" <jackienickel@comcast.net>, <Msrockaway2@aol.com>
Date: 03/13/2006 11:29 AM
Subject: 717 Rockaway Beach Avenue
CC: <peoplescounsel@co.ba.md.us>

Dear Mr. Thompson,

I contacted Mr. Zimmerman at Peoples' Counsel and he directed me to you. I am writing because of a concern that I and my neighbors have about a house being built in our neighborhood. The address is 717 Rockaway Beach Avenue. A variance was granted that allowed the sum of the side setbacks to be 15 feet; 11 feet on one side and 4 feet on the other. The house is being built on a lot that is referred to 3 times in the variance decision as 50 feet wide. I recently acquired a copy of the permit for this house. The permit lists the house as 38 feet X 72 feet. Obviously, 15 feet and 38 feet don't add up to 50 feet. The permit should not have issued that allowed the house to be 38 feet wide; it should be no larger than 35 feet wide. As I looked at the area of the lot listed on the permit it states that the lot is 52.65 feet. I know that is the width on one side of the property, the width at the other end is 50 feet. I did the math to figure out how wide the lot is where the house is being constructed and it is a few inches over 50 feet.

My neighbors and I are concerned that the house construction does not comply with the terms of the variance. We would appreciate it if this could be checked into as soon as possible. They are building this house as fast as possible.

Thank you,

Denise Woutila

PMZ

People's Counsel - Neighborhood opposition to this

From: Jackie Nickel <jackienickel@comcast.net>
To: peoples counsel <peoplescounsel@co.ba.md.us>, David Pinning
<dpinning@co.ba.md.us>
Date: 06/05/2005 5:12 AM
Subject: Neighborhood opposition to this

Zoning Hearings - 717 Rockaway Beach Road

Location: E/side Rockaway Beach Ave, 427 ft south of centerline Turkey Point Road. 15th Election District

Date/Time: 06/20/2005 10 a.m. - 06/20/2005 11 a.m.

Case Number: 05-579-A

Legal Owners: William R. and Maryann Rush

Meeting location: County Courts Building, 401 Bosley Avenue, Room 407, Towson, MD 21204

Description: Variance to permit a proposed replacement single family dwelling with a side yard of 1 foot, a rear yard of 24 feet and a sum of side yards of 12 feet on a lot having a width of 50 feet in lieu of the required 10 feet, 30 feet, 25 feet and 70 feet respectively.

Information: Kristen Matthews 410-887-3391

Pete, This is a new house to replace old shore home two doors down from me - the adjoining property owner is opposed to the one foot setback - our imp. assn. will discuss it at our meeting next week - but I'm sure the surrounding residents feel a one foot setback is pushing too close for comfort. David Pinning has already spoken with the neighbor who had been coaxed into signing a letter of support for the variance without knowing the details. She has written a letter withdrawing her support. Jackie

PM2

CP

People's Counsel - We're going to this one on Monday -

From: Jackie Nickel <jackienickel@comcast.net>
To: peoples counsel <peoplescounsel@co.ba.md.us>
Date: 07/07/2005 9:19 PM
Subject: We're going to this one on Monday -

Zoning Hearings - 717 Rockaway Beach Road

Location: East side of Rockaway Beach Ave, 427 ft south of centerline of Turkey Point Rd, 15th Election District

Date/Time: 07/11/2005 9 a.m. - 07/11/2005 10 a.m.

Case Number: 05-579-A

Legal Owners: William R. and Maryann Rush

Meeting location: County Courts Building, 401 Bosley Avenue, Room 407, Towson, MD 21204

Description: Variance to permit a proposed replacement single family dwelling with a side yard of 1 foot, a rear yard of 24 feet and a sum of side yards of 12 feet on a lot having a width of 50 feet in lieu of the required 10 feet, 30 feet, 25 feet and 70 feet respectively.

Information: Kristen Matthews 410-887-3391

PETE, WE'RE TRYING TO NEGOTIATE WITH THESE NEW NEIGHBORS ABOUT THE ONE FOOT, AND SO FAR THE WOMAN NEXT DOOR HAS AGREED TO A 4-FT. SETBACK FROM HER PROPERTY LINE - THIS IS 2 DOORS DOWN FROM MY HOUSE - IT'S A 50-FT LOT AND THEY WANT TO PUT A 40-FT. WIDE HOUSE ON IT- 68 FT. LENGTH -

(/17 Rockaway Beach Ave Chronology)

*King-
Potion
Rockaway
Beach File*

<u>DATE</u>	<u>ACTION</u>	<u>REVIEWER</u>
1/19/05	Pier permit B581050, approved 11/9/05	Mike Kulis
6/14/05	ZAC Comments for new SFD, #05-579	Mike Kulis
7/18/05	Razing permit B599298, approved	
8/4/05	Retaining wall permit B600049, approved 8/26/05	Glenn Shaffer
9/13/05	New SFD walk-in permit, OK to File	Tom Panzarella
9/15/05	Site visit to measure ISA	Kevin Brittingham
9/16/05	SFD permit B605354 approved, FIL paid (\$180)	Kevin Brittingham & Glenn Shaffer
12/22/05	Pier permit B615510, replaces B581050	Brian Lindley

Pier permit # B581050:

Install 12 mooring piles for future pier. State and Federal permits required, SFD #2005-62892.

Pier permit # B615510:

Remove existing pier, and construct new pier with "T", and 2 mooring piles, 280' in length.

ZAC comments, Zoning item #05-579:

Development of property must comply with the Chesapeake Bay Critical Area Regulations. This property must comply with the Limited Development Area and Buffer Management Area Subsets of the CBCA Regulations.

New SFD permit # B605354:

Lot size: 9,027 sq. ft.

Existing SFD and impervious surface area: 3,879 sq. ft. or 43% impervious surface area (ISA)

New house dimensions: 38' x 72' x 45' = foot print of 2,380 sq. ft.

Proposed ISA: 3,215 sq. ft. or 36% ISA

Impacts to 100-foot buffer: 250 sq. ft.

15% tree cover: 3 trees

Site visit 9/15/05:

ISA was measured, inventory of trees, and measurement of house from water line. ISA = 3,879 sq. ft.

Only one Japanese maple existed, and the existing house was 74' from the waterline.

Office visit 9/16/05 by Mrs. Maryann Rush:

CBCA Regulations were explained to Mrs. Rush, and a fee-in-lieu check was paid in the amount of \$180.

Mrs. Rush signed a letter agreeing to the CBCA terms of mitigation and that three Maryland native trees would be required by Use & Occupancy Inspection.

DATE: 03/08/2006

AUTOMATED PERMIT TRACKING SYSTEM

BP1072M

TIME: 16:36:25

FULL SCREEN INQUIRY

SEL	STREET ADDRESS	PERMIT NO	CONTROL NO
601	ROCKAWAY BEACH AVE	B532592	WF
603	ROCKAWAY BEACH AVE	B561951	WF
607	ROCKAWAY BEACH AVE	B530510	RR
607	ROCKAWAY BEACH AVE	B533258	WF
623	ROCKAWAY BEACH AVE	B534199	WF
623	ROCKAWAY BEACH AVE	B608594	MR
623	ROCKAWAY BEACH AVE	B614980	WF
643	ROCKAWAY BEACH AVE	B581044	WF
701	ROCKAWAY BEACH AVE	B534820	MR
701	ROCKAWAY BEACH AVE	B544249	MR
715	ROCKAWAY BEACH AVE	B606501	RS
715	ROCKAWAY BEACH AVE	B617085	MR
717	ROCKAWAY BEACH AVE	B581050	WF <i>2 mooring Piles</i>
717	ROCKAWAY BEACH AVE	B599298	RA = RAZING
717	ROCKAWAY BEACH AVE	B600049	RR <i>Retain Wall</i>
717	ROCKAWAY BEACH AVE	B615510	WF = New Pier
623	ROCKAWAY BEACH DR	B592561	RA
601	ROCKAWAY BEACH RD	B532594	WF

PAGE SCROLL (F/B) F

CLEAR TO RETURN TO THE MENU

ENTER THE LETTER -X- NEXT TO THE ADDRESS TO RECEIVE PERMIT DETAIL

see
605354

TIME: 14:47:18 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 09/16/2005
DATE: 12/15/2005 APPROVALS DETAIL SCREEN PLM 16:13:14

PERMIT #: B605354

AGENCY	DATE	CODE	COMMENTS
-----	-----	----	-----
BLD PLAN	09/16/2005	01	YAP-NO REVIEW, SEALED DRAWINGS
SEDI CTL	09/16/2005	01	SC-9/16/05-MJM
ZONING	09/14/2005	01	JF/TLM
PUB SERV	09/14/2005	01	JF/TLM
ENVRMNT	09/16/2005	01	EIR-9/16/05 KDB/MB
PERMITS	09/16/2005	01	DS/RSD

01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL PF4 - ISSUE PERMIT

CLEAR - MENU

TIME: 09:49:40 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 12/22/2005
DATE: 03/09/2006 GENERAL PERMIT APPLICATION DATA CPC 11:38:31

PERMIT #: B581050 PROPERTY ADDRESS
RECEIPT #: A512733 717 ROCKAWAY BEACH AVE
CONTROL #: WF SUBDIV: ROCKAWAY BEACH
XREF #: B581050 TAX ACCOUNT #: 1523504960 DISTRICT/PRECINCT 15 19

OWNERS INFORMATION (LAST, FIRST)

FEE: 20.00 NAME: RUSH, MARYANN & WILLIAM
PAID: 20.00 ADDR: 717 ROCKWAY BEACH AVE, 21221
PAID BY: APPL

DATES

APPLICANT INFORMATION

APPLIED: 01/18/2005 NAME: PAUL THORPE
ISSUED: 11/10/2005 COMPANY: INTER COASTAL LAND & MARINE DEV.
OCCPNY: ADDR1: 8101 SHORE RD
FINAL INSPECT: ADDR2: BALTIMORE, MD 21222
INSPECTOR: 15R PHONE #: 410-761-0255 LICENSE #: MHIC121554
NOTES: JT/CPC REPLACED BY B615510 CS A535431 CHG OF CONTRACTOR & SIZE
12/22/05 EDW

PASSWORD :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY

TIME: 09:49:46 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 12/22/2005
DATE: 03/09/2006 BUILDING DETAIL 1 EDW 11:38:57

DRC#

PERMIT # B581050 PLANS: CONST 0 PLOT 4 PLAT 0 DATA 0 EL 2 PL 2

TENANT

BUILDING CODE: CONTR: INTERCOASTAL LAND & MARINE

IMPRV 7 MOORING ENGNR:

USE 7 PILING SELLR:

FOUNDATION BASE WORK: INSTALL 12 MOORING PILES IN MIDDLE RIVER FOR
FUTURE PIER, ARMY CORP & STATE PERMITS MAY
CONSTRUC FUEL SEWAGE WATER BE REQD FOR THIS CONSTRUCTION. THIS PERMIT
1E 1E CANCELLED BY B615510, CHG IN CONTRACTOR &
CENTRAL AIR SIZE

ESTIMATED COST

10,650.00 PROPOSED USE: SFD & MOORING PILES ONLY

OWNERSHIP: 1 EXISTING USE: SFD

RESIDENTIAL CAT: 1

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:

1 FAMILY BEDROOMS: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 09:49:51 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 12/22/2005
DATE: 03/09/2006 BUILDING DETAIL 2 EDW 11:38:57

PERMIT #: B581050 BUILDING SIZE LOT SIZE AND SETBACKS
FLOOR: SIZE: 9027 SF
WIDTH: FRONT STREET:
GARBAGE DISP: DEPTH: SIDE STREET:
POWDER ROOMS: HEIGHT: FRONT SETB: NC
BATHROOMS: STORIES: SIDE SETB: 21'/17'
KITCHENS: SIDE STR SETB:
LOT NOS: 40 REAR SETB: NC
CORNER LOT:

ZONING INFORMATION ASSESSMENTS
DISTRICT: BLOCK: LAND: 0097020.00
PETITION: SECTION: IMPROVEMENTS: 0063770.00
DATE: LIBER: 000 TOTAL ASS.:
MAP: FOLIO: 171
CLASS: 34

PLANNING INFORMATION

MSTR PLAN AREA: SUBSEWER: CRIT AREA: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 09:52:14 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 11/10/2005
DATE: 03/09/2006 APPROVALS DETAIL SCREEN PLM 12:56:05

PERMIT #: B581050

PASSWORD :

AGENCY	DATE	CODE	COMMENTS
-----	-----	----	-----
ZONING	01/18/2005	01	JJS/JT/CPC
ENVRMNT	11/09/2005	01	EIR-11/9/05 MSK/MB
PERMITS	11/10/2005	01	DS/RSD (P)

01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL PF4 - ISSUE PERMIT

PF9 - SAVE
CLEAR - MENU

TIME: 09:49:09 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 12/16/2005
DATE: 03/09/2006 GENERAL PERMIT APPLICATION DATA TLM 15:44:25

PERMIT #: B605354 PROPERTY ADDRESS
RECEIPT #: A528373 717 ROCKAWAY BEACH RD
CONTROL #: NRPA SUBDIV: ROCKAWAY BEACH
XREF #: B605354 TAX ACCOUNT #: 1523504960 DISTRICT/PRECINCT 15 15

OWNERS INFORMATION (LAST, FIRST)

FEE: 180.00 NAME: RUSH, WILLIAM & MARYANN
PAID: 180.00 ADDR: 1907 CRANBOURNE ROAD TIMONIUM MD 21093
PAID BY: APPL

DATES

APPLICANT INFORMATION

APPLIED: 09/13/2005 NAME: MARYANN RUSH

ISSUED: 09/20/2005 COMPANY:

OCCPNY: ADDR1: 1907 CRANBOURNE ROAD

FINAL INSPECT: ADDR2: TIMONIUM MD 21093

INSPECTOR: 15R PHONE #: 410-561-0186 LICENSE #:

NOTES: VLC/TLM SITE PLANS TAKEN BY APPL. TO SC AND ENVRMNT DAS 9/15/05

PA ADDED 12/16/05 DAS

PASSWORD :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY

TIME: 09:49:17 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 09/16/2005
DATE: 03/09/2006 BUILDING DETAIL 1 PLM 16:09:10

DRC#

PERMIT # B605354 PLANS: CONST 02 PLOT 7 PLAT 0 DATA 0 EL 1 PL 1

TENANT

BUILDING CODE: CONTR: OWNER(AFFIRMATION LETTER ATTACHED)

IMPRV 1 SFD ENGR:

USE 01 SFD SELLR:

FOUNDATION BASE WORK: CONSTRUCT SFD W/TWO CAR GARAGE, COVERED FRONT &
3 1 REAR DECKS; BAY WINDOWS, FIREPLACE (NO PROJ),
CONSTRUC FUEL SEWAGE WATER DORMERS; UNFINISHED BASEMENT; FIVE BEDROOMS.
2 1E 1E 38'X72'X45'=6844SF. PER VARIANCE CASE#05-579-A
CENTRAL AIR 1 CBCA-FLOOD ZONE B PER D. THOMAS

ESTIMATED COST

200,000.00 PROPOSED USE: SFD

OWNERSHIP: 1 EXISTING USE: SFD, SHED, GARAGE BEING RAZED SEE B599298

RESIDENTIAL CAT: 1

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:

1 FAMILY BEDROOMS: 5 PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 09:49:23 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 09/16/2005
DATE: 03/09/2006 BUILDING DETAIL 2 PLM 16:09:10

PERMIT #: B605354 BUILDING SIZE LOT SIZE AND SETBACKS
FLOOR: 6844SF SIZE: 0052.65 X 0000.00
WIDTH: 38' FRONT STREET:
GARBAGE DISP: DEPTH: 72' SIDE STREET:
POWDER ROOMS: 1 HEIGHT: 45' FRONT SETB: 73'
BATHROOMS: 3 STORIES: 3+BSMT SIDE SETB: 4'/11'
KITCHENS: 1 SIDE STR SETB:
LOT NOS: 40 REAR SETB: 24'
CORNER LOT:

ZONING INFORMATION

DISTRICT: BLOCK: ASSESSMENTS
PETITION: SECTION: LAND: 0097020.00
DATE: LIBER: 000 IMPROVEMENTS: 0063770.00
MAP: FOLIO: 171 TOTAL ASS.:
CLASS: 34

PLANNING INFORMATION

MSTR PLAN AREA: SUBSEWER: CRIT AREA: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 09:51:53 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 09/16/2005
DATE: 03/09/2006 APPROVALS DETAIL SCREEN PLM 16:13:14

PERMIT #: B605354

PASSWORD :

AGENCY	DATE	CODE	COMMENTS
-----	-----	----	-----
BLD PLAN	09/16/2005	01	YAP-NO REVIEW, SEALED DRAWINGS
SEDI CTL	09/16/2005	01	SC-9/16/05-MJM
ZONING	09/14/2005	01	JF/TLM
PUB SERV	09/14/2005	01	JF/TLM
ENVRMNT	09/16/2005	01	EIR-9/16/05 KDB/MB
PERMITS	09/16/2005	01	DS/RSD

01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL

PF4 - ISSUE PERMIT

PF9 - SAVE

CLEAR - MENU

TIME: 09:50:06 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 09/01/2005
DATE: 03/09/2006 GENERAL PERMIT APPLICATION DATA SAS 09:36:34

PERMIT #: B599298 PROPERTY ADDRESS
RECEIPT #: A525128 717 ROCKAWAY BEACH AVE
CONTROL #: RA SUBDIV: ROCKAWAY BEACH
XREF #: B599298 TAX ACCOUNT #: 1523504960 DISTRICT/PRECINCT 15 15

OWNERS INFORMATION (LAST, FIRST)

FEE: 20.00 NAME: RUSH, WILLIAM & MARYANN
PAID: 20.00 ADDR: 1907 CRANBOURNE RD, TIMONIUM, MD 21093
PAID BY: APPL

DATES

APPLICANT INFORMATION

APPLIED: 07/18/2005 NAME: MARYANN RUSH

ISSUED: 09/01/2005 COMPANY:

OCCPNY: ADDR1: 1907 CRANBOURNE RD

FINAL INSPECT: ADDR2: TIMONIUM, MD 21093

INSPECTOR: 15R PHONE #: 410-561-0186 LICENSE #:

NOTES: KRA/SAS

CAPOFF P604100 FINALED 8-31-05.AMB

PASSWORD :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY

TIME: 09:50:11 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 09/01/2005
DATE: 03/09/2006 BUILDING DETAIL 1 AMB 09:37:53

DRC#

PERMIT # B599298 PLANS: CONST 0 PLOT 0 PLAT 0 DATA 0 EL 2 PL 2

TENANT

BUILDING CODE: CONTR: OWNER

IMPRV 5 ENGR:

USE 01 SELLR:

FOUNDATION BASE WORK: RAZE EX.SFD, SHED & GARAGE. TO BE TORN DOWN.
DEBRIS TO BE HAULED TO APPROVED SANITARY
CONSTRUC FUEL SEWAGE WATER LANDFILL IN ACCORDANCE WITH APPLICABLE COUNTY
1E 1E SITE REGULATIONS.BUILT 1920'S.PERMIT EXPIRES
CENTRAL AIR 90 DAYS FROM DATE OF ISSUE.SFD=1248SF,GARAGE
ESTIMATED COST =200SF,SHED=100SF.CAPOFF P604100 FINAL 8-31-05.

2,000.00 PROPOSED USE: VACANT

OWNERSHIP: 1 EXISTING USE: SFD + SHED + GARAGE

RESIDENTIAL CAT: 1

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:

1 FAMILY BEDROOMS: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 09:50:17 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 09/01/2005
DATE: 03/09/2006 BUILDING DETAIL 2 AMB 09:37:53

PERMIT #: B599298 BUILDING SIZE LOT SIZE AND SETBACKS
FLOOR: 1548SF SIZE: 9027SF
WIDTH: FRONT STREET:
DEPTH: SIDE STREET:
GARBAGE DISP: HEIGHT: FRONT SETB: NC
POWDER ROOMS: STORIES: SIDE SETB: NC
BATHROOMS: SIDE STR SETB:
KITCHENS: REAR SETB: NC
LOT NOS: 40
CORNER LOT:

ZONING INFORMATION

DISTRICT: BLOCK: LAND: 0097020.00
PETITION: SECTION: IMPROVEMENTS: 0063770.00
DATE: LIBER: 000 TOTAL ASS.:
MAP: FOLIO: 171
CLASS: 34

ASSESSMENTS

PLANNING INFORMATION

MSTR PLAN AREA: SUBSEWER: CRIT AREA: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 09:52:35 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 09/01/2005
DATE: 03/09/2006 APPROVALS DETAIL SCREEN PLM 13:09:00

PERMIT #: B599298

PASSWORD :

AGENCY	DATE	CODE	COMMENTS
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ENVRMNT	08/15/2005	01	EH-8/15/05 JHL/MB
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PLANNING	07/18/2005	01	KB/SAS
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PERMITS	09/01/2005	01	DAS/RSD (P)CAPOFF P604100 FINALED 8-31-05.AMB
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01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL PF4 - ISSUE PERMIT

PF9 - SAVE
CLEAR - MENU

TIME: 09:50:33 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 07/25/2005
DATE: 03/09/2006 GENERAL PERMIT APPLICATION DATA TLM 15:21:43

PERMIT #: B600049 PROPERTY ADDRESS
RECEIPT #: A525405 717 ROCKAWAY BEACH AVE
CONTROL #: RR SUBDIV: ROCKAWAY BEACH
XREF #: B600049 TAX ACCOUNT #: 1523504960 DISTRICT/PRECINCT 15 15

OWNERS INFORMATION (LAST, FIRST)

FEE: 10.00 NAME: RUSH, WILLIAM & MARYANN
PAID: 10.00 ADDR: 717 ROCKAWAY BEACH AVENUE BALTIMORE MD 21221-1813
PAID BY: APPL

DATES

APPLICANT INFORMATION

APPLIED: 07/25/2005 NAME: MARYANN RUSH
ISSUED: 08/26/2005 COMPANY:
OCCPNY: ADDR1: 1907 CRANBOURNE ROAD
FINAL INSPECT: ADDR2: TIMONIUM MD 21093
INSPECTOR: 15R PHONE #: 410-561-0186 LICENSE #:
NOTES: AKT/TLM

PASSWORD :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY

TIME: 09:50:38 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 08/26/2005
DATE: 03/09/2006 BUILDING DETAIL 1 PLM 12:28:15

PERMIT # B600049 PLANS: CONST 00 PLOT DRC# PLAT 0 DATA 0 EL 2 PL 2
TENANT
BUILDING CODE: CONTR: OWNER
IMPRV 7 RET WALL ENGNR:
USE 07 RET WALL SELLR:

FOUNDATION BASE WORK: CONSTRUCT CONCRETE RETAINING WALL 80LF, 6' IN
HEIGHT ON FRONT PROPERTY .
CONSTRUC FUEL SEWAGE WATER RETAINING WALL LETTER ATTACHED. SEALED DWGS ON
1E 1E SITE FOR INSPECTOR. NO REVIEW PER MS

CENTRAL AIR

ESTIMATED COST

3,000.00 PROPOSED USE: SFD & RETAINING WALL

OWNERSHIP: 1 EXISTING USE: SFD

RESIDENTIAL CAT: 1

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:

1 FAMILY BEDROOMS: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 09:50:44 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 08/26/2005
DATE: 03/09/2006 BUILDING DETAIL 2 PLM 12:28:15

PERMIT #: B600049 BUILDING SIZE LOT SIZE AND SETBACKS
FLOOR: SIZE: 9027 SF
WIDTH: 80LF FRONT STREET:
GARBAGE DISP: DEPTH: SIDE STREET:
POWDER ROOMS: HEIGHT: 6' FRONT SETB: NC
BATHROOMS: STORIES: SIDE SETB: NC/NC
KITCHENS: SIDE STR SETB:
LOT NOS: 40 REAR SETB: NC
CORNER LOT:

ZONING INFORMATION ASSESSMENTS
DISTRICT: BLOCK: LAND: 0097020.00
PETITION: SECTION: IMPROVEMENTS: 0063770.00
DATE: LIBER: 000 TOTAL ASS.:
MAP: FOLIO: 171
CLASS: 34

PLANNING INFORMATION

MSTR PLAN AREA: SUBSEWER: CRIT AREA: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 09:52:57 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 08/26/2005
DATE: 03/09/2006 APPROVALS DETAIL SCREEN PLM 12:28:44

PERMIT #: B600049

PASSWORD :

AGENCY	DATE	CODE	COMMENTS
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BLD PLAN	07/25/2005	01	MS/TLM
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SEDI CTL	08/26/2005	01	EIR-8/26/05 GES/MB...SC-8/5/05 JB/MB
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PERMITS	08/26/2005	01	DS/RSD (P)
---------	------------	----	------------

01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL

PF4 - ISSUE PERMIT

PF9 - SAVE

CLEAR - MENU

TIME: 09:50:57 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 12/22/2005
DATE: 03/09/2006 GENERAL PERMIT APPLICATION DATA EDW 11:29:51

PERMIT #: B615510 PROPERTY ADDRESS
RECEIPT #: A535431 717 ROCKAWAY BEACH AVE
CONTROL #: WF SUBDIV: ROCKAWAY BEACH
XREF #: B615510 TAX ACCOUNT #: 1523504960 DISTRICT/PRECINCT 15 19

OWNERS INFORMATION (LAST, FIRST)

FEE: 20.00 NAME: RUSH WILLIAM& MARYANN
PAID: 20.00 ADDR: 1907 CRANBOURNE RD TIMONIUM MD 21093-7017
PAID BY: APPL

DATES

APPLICANT INFORMATION

APPLIED: 12/22/2005 NAME: MARY ANN RUSH

ISSUED: 12/22/2005 COMPANY:

OCCPNY: ADDR1: 1907 CRANBOURNE RD

FINAL INSPECT: ADDR2: TIMONIUM MD 21093-7017

INSPECTOR: 15R PHONE #: 410-561-0186 LICENSE #:

NOTES: EDW

PASSWORD :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY

TIME: 09:51:05 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 12/22/2005
DATE: 03/09/2006 BUILDING DETAIL 1 EDW 11:37:32

DRC#

PERMIT # B615510 PLANS: CONST 0 PLOT 4 PLAT 0 DATA 0 EL 2 PL 2

TENANT

BUILDING CODE: CONTR: OWNER: RUSH WILLIAM & MARY ANN

IMPRV 1 ENGR:

USE 7 PIER/PILES SELLR:

FOUNDATION BASE WORK: REMOVE EXISTING PIER & CONSTRUCT NEW PIER WITH
"T" ON END, & TWO (2) MOORING PILES ON MIDDLE
CONSTRUC FUEL SEWAGE WATER RIVER; 280' LENGTH, 6' WIDTH; T=26' WIDE, 10'
2 1E 1E LENGTH; (TOTAL LENGTH IS 280 FEET). ARMY CORPS
CENTRAL AIR & STATE PERMIT MAY BE REQUIRED FOR PROPOSED
ESTIMATED COST CONSTRUCTION. PLANS SUBMITTED: JAV

30,000.00 PROPOSED USE: SFD & PIER & MOORING PILES

OWNERSHIP: 1 EXISTING USE: SFD & PIER & MOORING PILES

RESIDENTIAL CAT: 1

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:

1 FAMILY BEDROOMS: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 09:51:10 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 12/22/2005
DATE: 03/09/2006 BUILDING DETAIL 2 EDW 11:37:32

PERMIT #: B615510 BUILDING SIZE LOT SIZE AND SETBACKS
FLOOR: 0 SIZE: 9027SF
WIDTH: FRONT STREET:
GARBAGE DISP: DEPTH: SIDE STREET:
POWDER ROOMS: HEIGHT: FRONT SETB: NC
BATHROOMS: STORIES: SIDE SETB: 21'/17'
KITCHENS: SIDE STR SETB:
LOT NOS: 40 REAR SETB: NC
CORNER LOT:

ZONING INFORMATION ASSESSMENTS
DISTRICT: BLOCK: LAND: 0097020.00
PETITION: SECTION: IMPROVEMENTS: 0009460.00
DATE: LIBER: 000 TOTAL ASS.:
MAP: FOLIO: 171
CLASS: 34

PLANNING INFORMATION

MSTR PLAN AREA: SUBSEWER: CRIT AREA: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 09:53:12 AUTOMATED PERMIT TRACKING SYSTEM (LAST UPDATE 12/22/2005
DATE: 03/09/2006 APPROVALS DETAIL SCREEN EDW 11:37:55

PERMIT #: B615510

PASSWORD :

AGENCY	DATE	CODE	COMMENTS
-----	-----	----	-----
BLD PLAN	12/22/2005	01	JAV/EDW
ZONING	12/22/2005	01	JCM/EDW
ENVRMNT	12/22/2005	01	BL/EDW
PERMITS	12/22/2005	01	DAS/EDW P

01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL PF4 - ISSUE PERMIT

PF9 - SAVE
CLEAR - MENU

CASE NAME 717 Rockaway Beach, N.Y.
CASE NUMBER 05-579-A
DATE 7/11/05

CITIZEN'S SIGN-IN SHEET

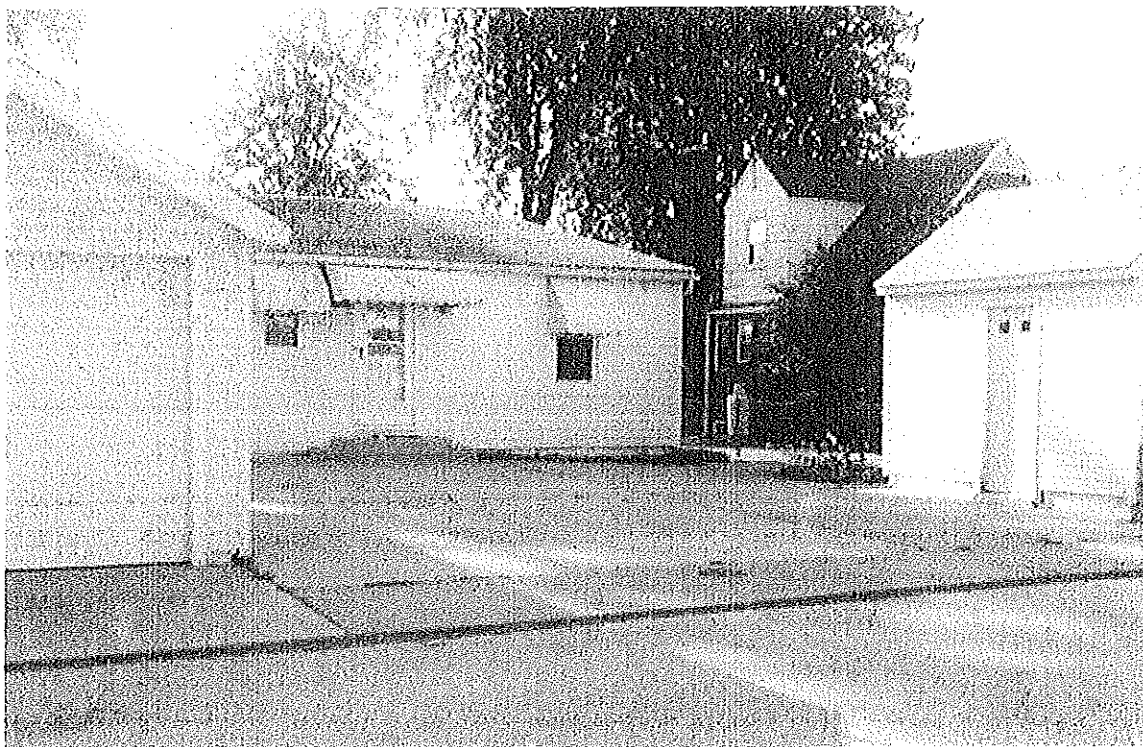
[illegible]

CASE NAME 717 Rockaway Beach Ave
CASE NUMBER 05-524-A
DATE 7/11/05

PETITIONER'S SIGN-IN SHEET

[illegible]

717 Rockaway Beach Ave



View from
the road



View from
Side of
house

Pet #4











new home
built on
2403 Beach
Ave



2405 Beach
Ave

715 + 717 Rockaway Beach



distance
between
715 +
717
Rock
away





property
distance
between
645+647
Rockaway
Beach
Ave



611 Rockaway
Beach Ave



property
distance
between
615 + 613
Rockaway
Beach
Ave

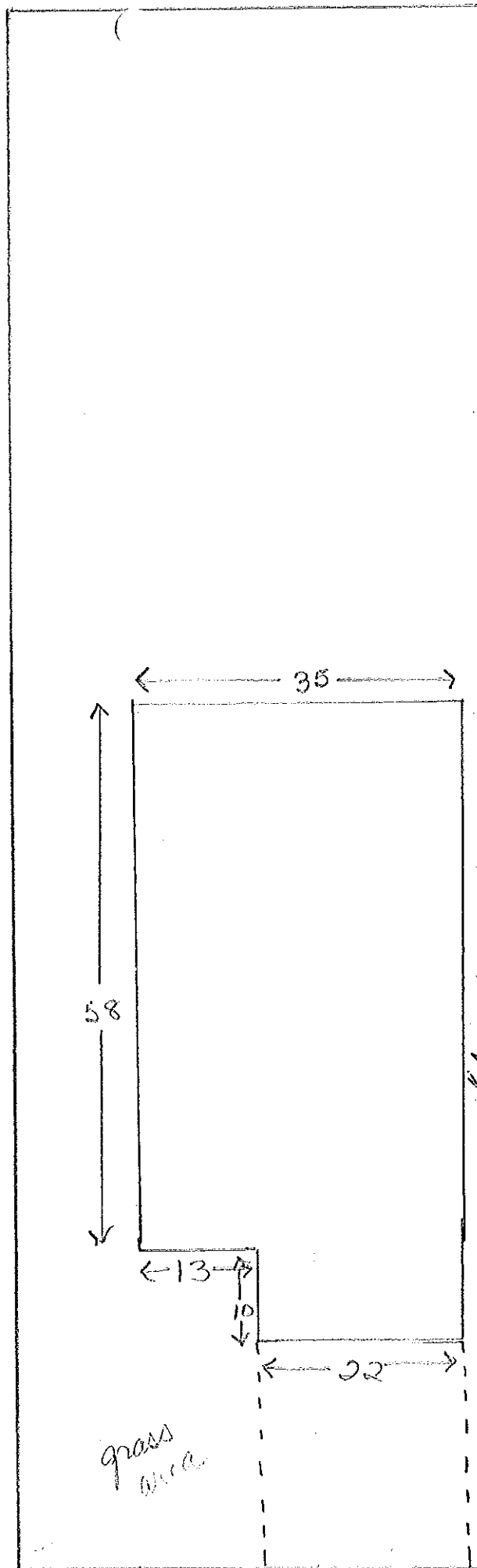


property
distance
between
707 + 709
Rockaway
Beach
Ave



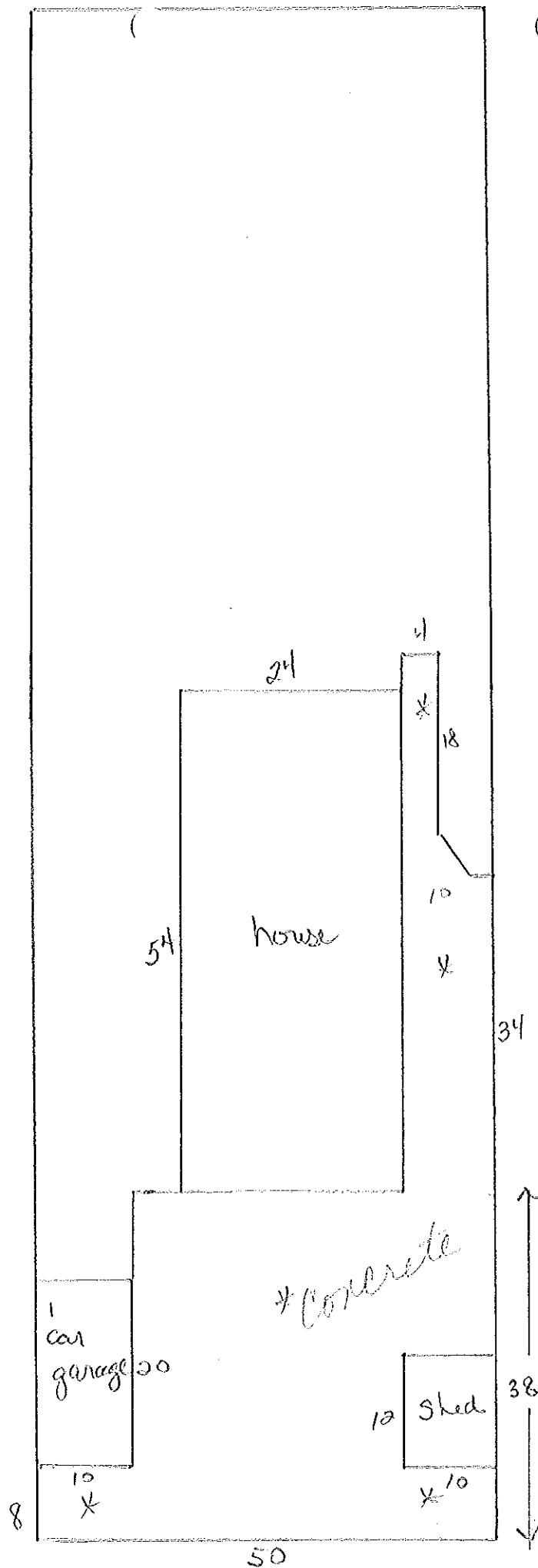
proposed

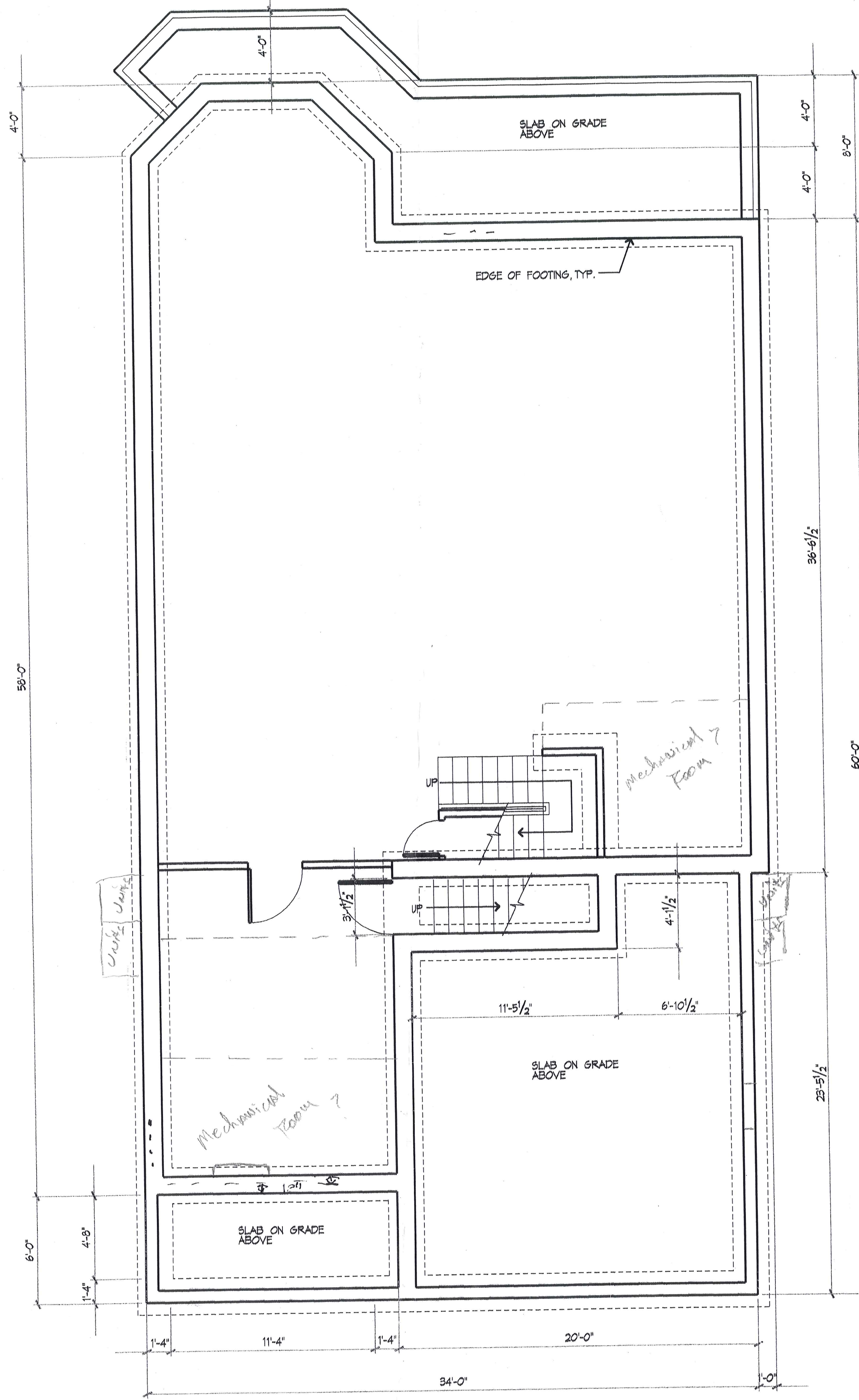
277841



4 ft / sq
Plot # 3

existing
3608 ft
- 830 ft

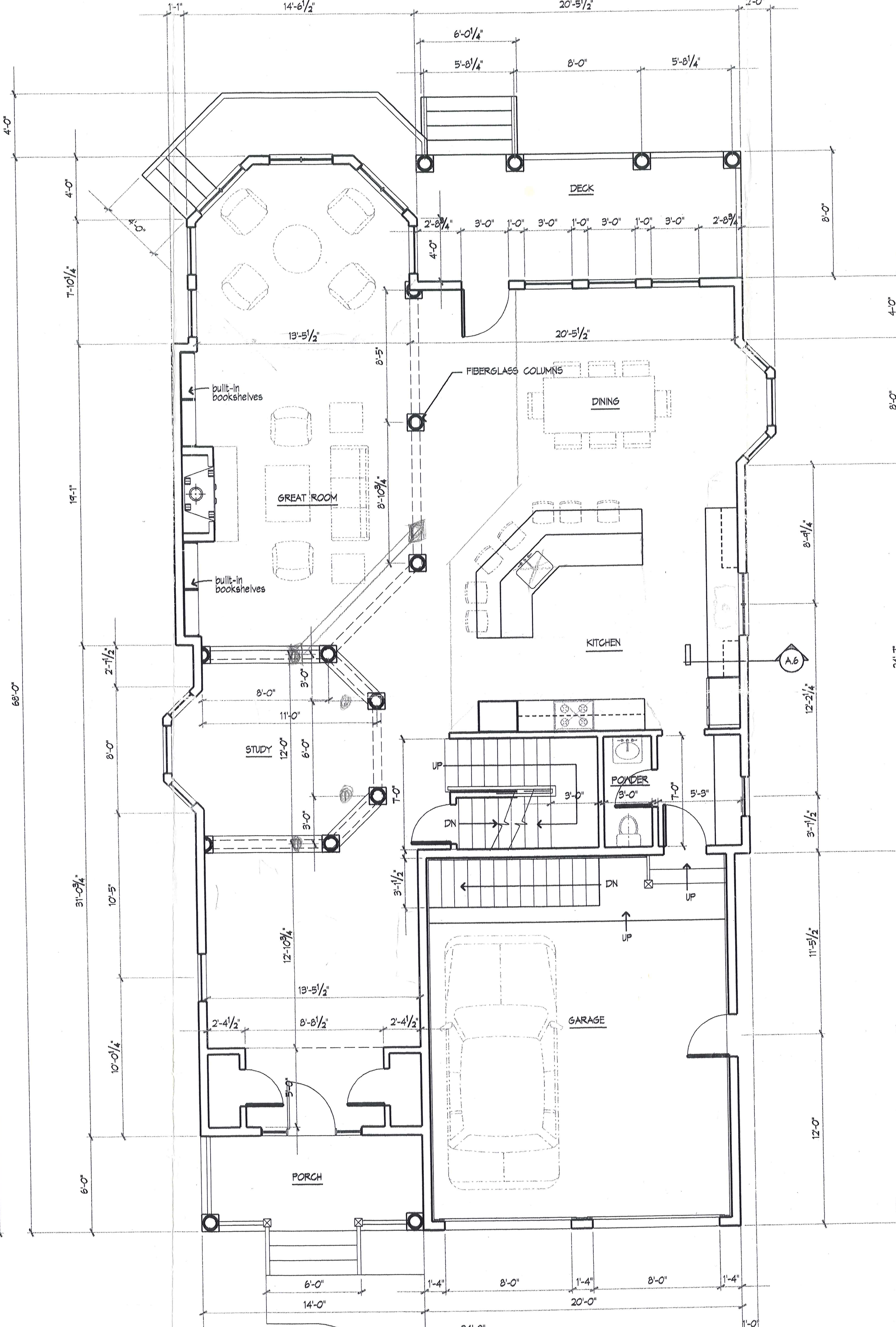




BASEMENT /
FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

REF: XXXXXXXX



FIRST FLOOR PLAN

2,106 S.F.

SCALE: 1/4" = 1'-0"

REF: XXXXXXXX

THE
BOB & MARYANN
RUSH
HOUSE

717 ROCKAWAY BEACH ROAD
BALTIMORE, MARYLAND
LOT 40 'ROCKAWAY BEACH'

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No.	Date	Item
1		Drawn
2		Checked
3		Approved
4		
5		
6		
7		
8		
9		
10		
11		

austin b childs
architecture
chickenranch design studio

16260 falls road
monkton, maryland 21111
410.340.0012
achildsaia@msn.com

FLOOR PLANS

CONTRACT NO.

SCALE 1/4" = 1'-0"

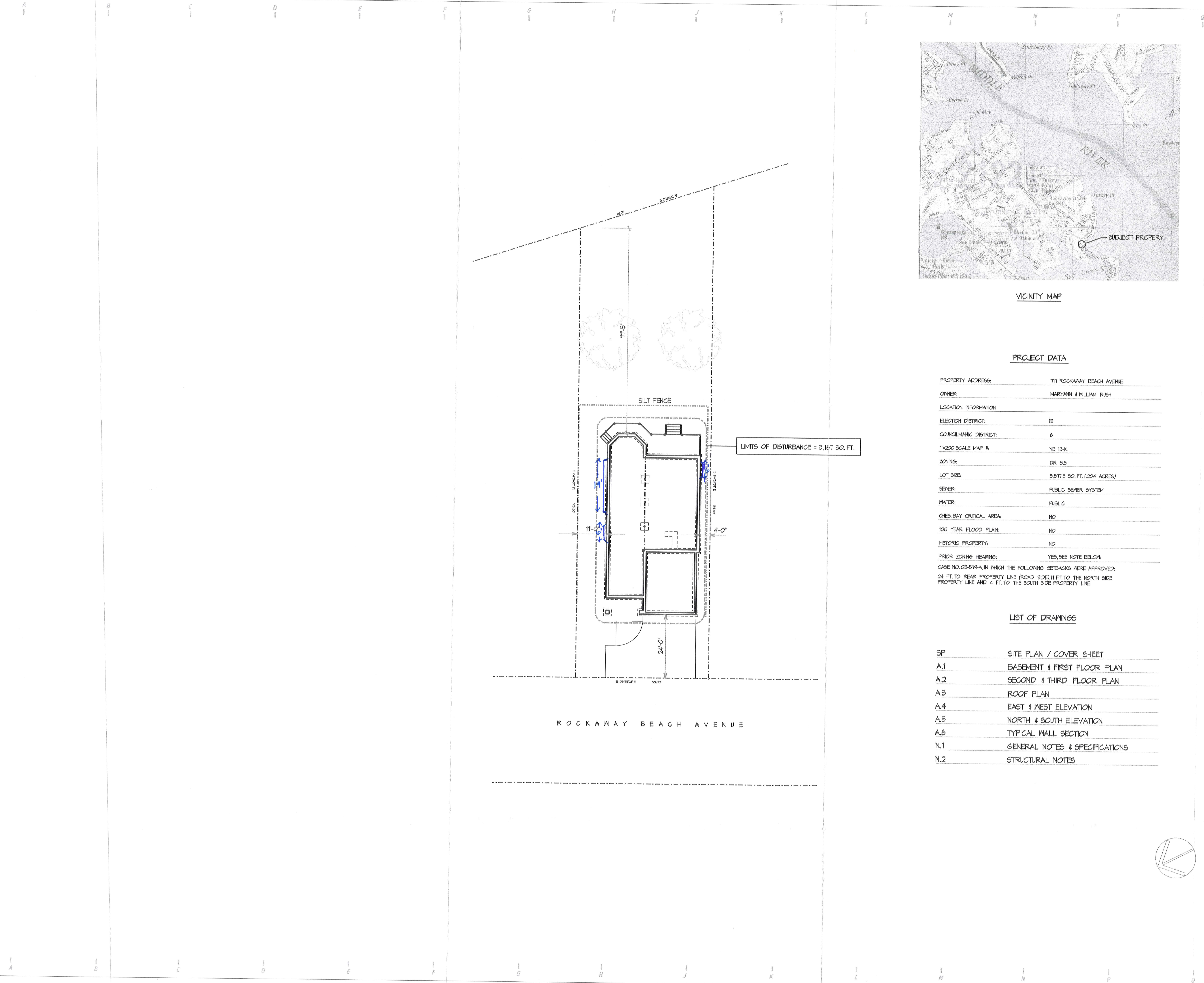
DATE September 12, 2005

A.1

ISSUED FOR PERMIT

#2005-0579-A

1
2
3
4
5
6
7
8
9
10
11



THE
BOB & MARYANN
RUSH
HOUSE

717 ROCKAWAY BEACH ROAD
BALTIMORE, MARYLAND
LOT 40 'ROCKAWAY BEACH'

VICINITY MAP

PROJECT DATA

PROPERTY ADDRESS:	717 ROCKAWAY BEACH AVENUE
OWNER:	MARYANN & WILLIAM RUSH
LOCATION INFORMATION	
ELECTION DISTRICT:	15
COUNCILMANIC DISTRICT:	6
1"=200' SCALE MAP #:	NE 13-K
ZONING:	DR 3.5
LOT SIZE:	5,871.5 SQ. FT. (.204 ACRES)
SEWER:	PUBLIC SEWER SYSTEM
WATER:	PUBLIC
CHES. BAY CRITICAL AREA:	NO
100 YEAR FLOOD PLAIN:	NO
HISTORIC PROPERTY:	NO
PRIOR ZONING HEARING:	YES, SEE NOTE BELOW
CASE NO. 05-579-A, IN WHICH THE FOLLOWING SETBACKS WERE APPROVED: 24 FT. TO REAR PROPERTY LINE (ROAD SIDE), 11 FT. TO THE NORTH SIDE PROPERTY LINE AND 4 FT. TO THE SOUTH SIDE PROPERTY LINE	

LIST OF DRAWINGS

SP	SITE PLAN / COVER SHEET
A.1	BASEMENT & FIRST FLOOR PLAN
A.2	SECOND & THIRD FLOOR PLAN
A.3	ROOF PLAN
A.4	EAST & WEST ELEVATION
A.5	NORTH & SOUTH ELEVATION
A.6	TYPICAL WALL SECTION
N.1	GENERAL NOTES & SPECIFICATIONS
N.2	STRUCTURAL NOTES

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No.	Date	Item
REVISIONS		
Drawn		
Checked		
Approved		

austin b childs
architecture
chickenranch design studio
16260 falls road
monkton, maryland 21111
410.340.0012
achildsaia@msn.com

ISSUED FOR PERMIT

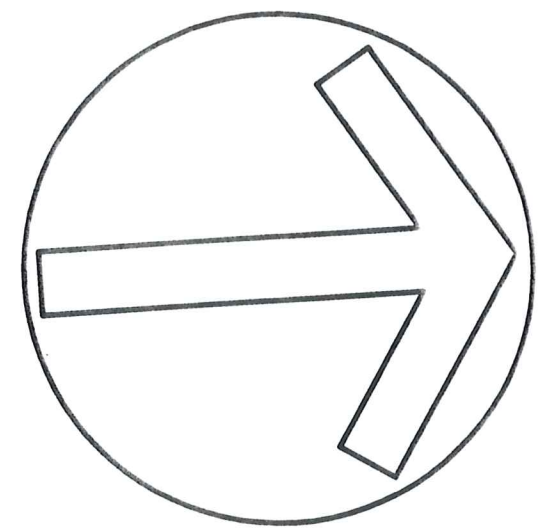
COVER SHEET /
SITE PLAN

CONTRACT NO.	
SCALE	1/8" = 1'-0"
DATE	August 26, 2005

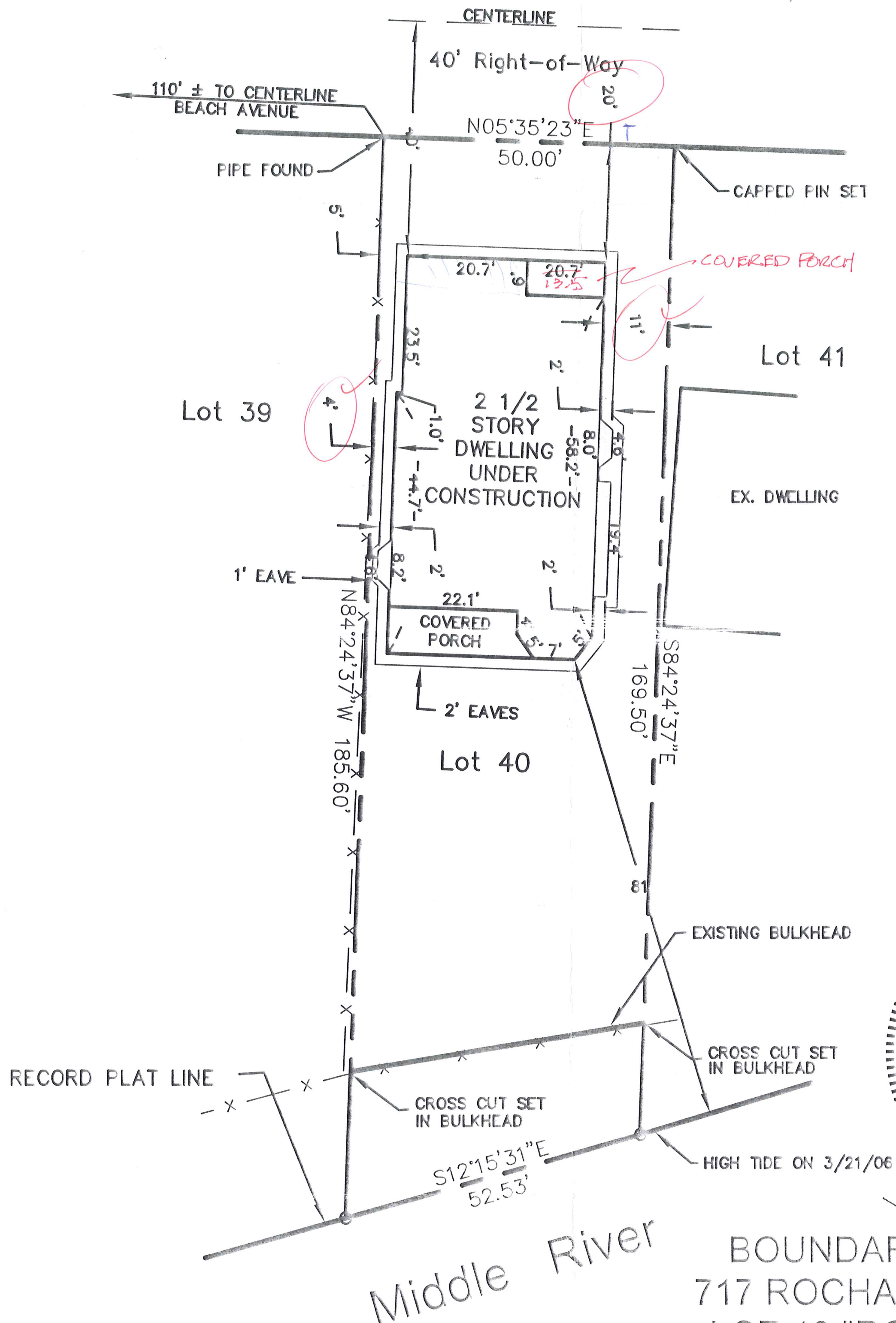
SP

2005-0579-A

Rockaway Beach Road



NAD 83/91



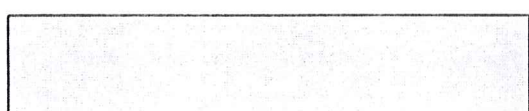
BOUNDARY SURVEY PLAT 717 ROCKAWAY BEACH ROAD LOT 40 "ROCKAWAY BEACH"

SCALE: 1" = 30' ^{15'}
DATED: 6/13/2005
REVISION DATE: 3/21/2006

kjWellsInc

Land Surveyors & Site Planners
7403 NEW CUT ROAD
KINGSVILLE, MARYLAND 21087
(410) 592-8800

LEGEND:



DWELLING PROJECTIONS

DEED REFERENCE: 20302/208
PLAT REFERENCE: 4/171

0.71% = 20 scale

#2005-0579-A

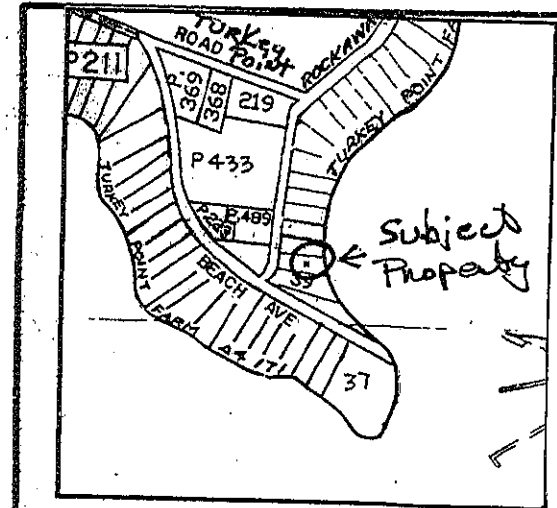
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 717 Rockaway Beach Ave SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Rockaway Beach

PLAT BOOK # 4 FOLIO # 171 LOT # 40 SECTION # N/A

OWNER William + Maryann Rush



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # SW1-K

ZONING D.R. 3.5

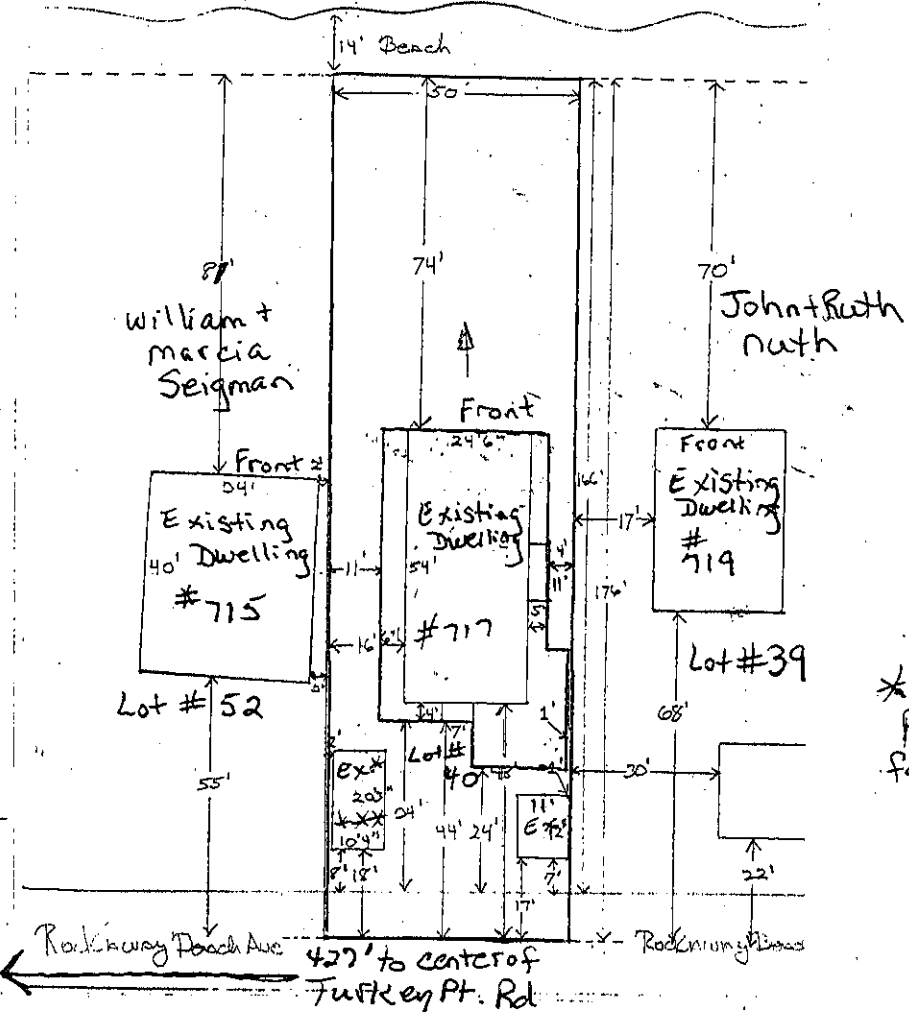
LOT SIZE 1.21 ACRES 9,027 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE
WATER ☒ PUBLIC ☐ PRIVATE

CHESAPEAKE BAY CRITICAL AREA ☒ YES ☐ NO
100 YEAR FLOOD PLAIN ☐ YES ☒ NO
HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO
PRIOR ZONING HEARING none

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

05579 LTW



*** dwelling to be razed

*Front of property faces water



NORTH

PREPARED BY Bob Rush

SCALE OF DRAWING: 1" = 40'

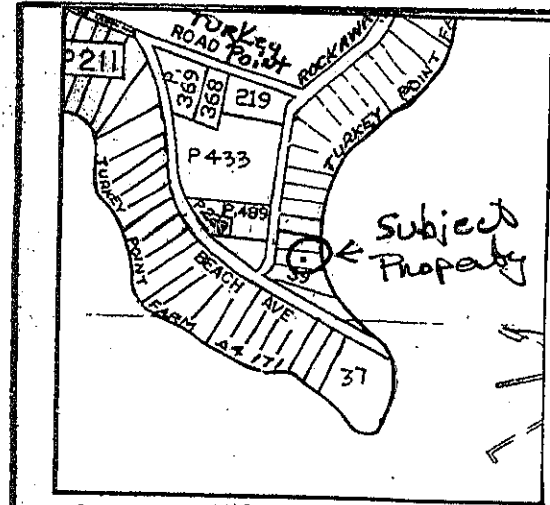
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 717 Rockaway Beach Ave SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

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COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # SW1-K

ZONING D.R 3.5

LOT SIZE 1.21 9.027
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

CHESAPEAKE BAY CRITICAL AREA YES ☒ NO ☐

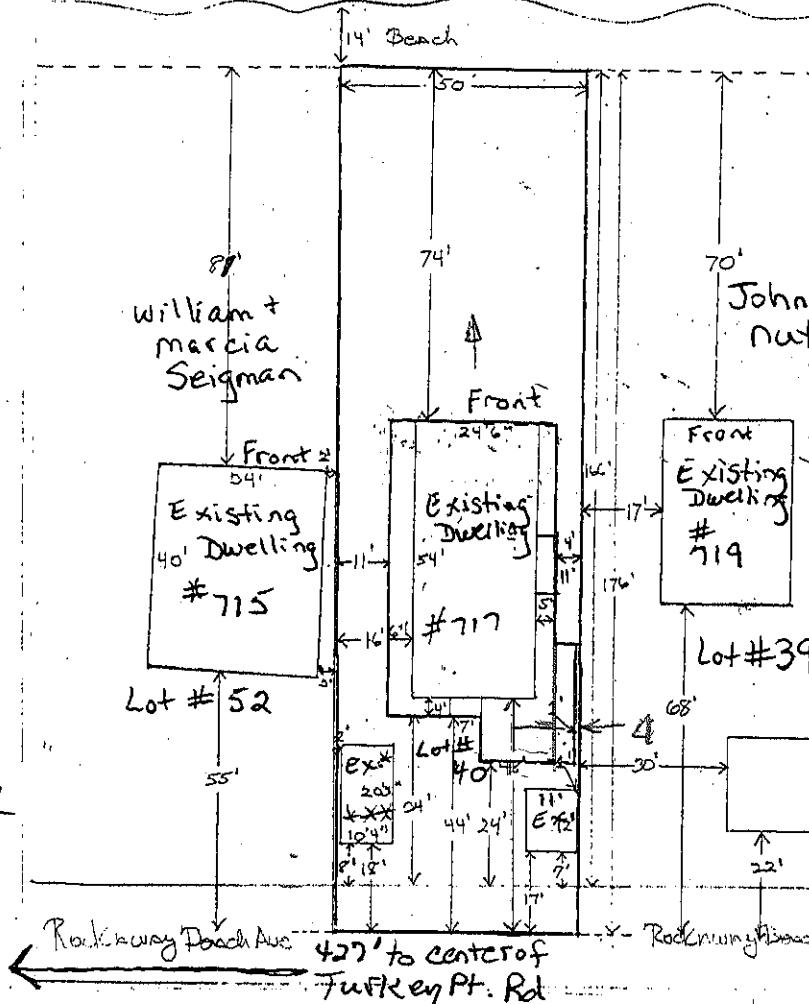
100 YEAR FLOOD PLAIN ☐ YES ☒ NO ☐

HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO ☐

PRIOR ZONING HEARING none

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

05579 LTm Ref 42



*Front of property faces water



NORTH

PREPARED BY Bob Rush

SCALE OF DRAWING: 1" = 40'