

IN RE: PETITION FOR SPECIAL HEARING
S/S of Bayside Road, 392 ft. E
centerline of Beachwood Avenue
15th Election District
6th Councilmanic District
(1217 Bayside Road)

Carla L. & Norman J. Keusch, Jr.
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSION
* OF BALTIMORE COUNTY
* CASE NO. 05-595-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owners of the subject property, Carla L. & Norman J. Keusch, Jr. The Petitioners are requesting special hearing relief for property located at 1217 Bayside Road in the eastern area of Baltimore County. Special Hearing relief is requested pursuant to Section 500.7 of the B.C.Z.R., to permit side yard setbacks of 6 ft. and a front yard setback of 35 ft. to the centerline of road on an existing lot of 0.137 acres in size.

The property was posted with Notice of Hearing on June 23, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on June 23, 2004 to notify any interested persons of the scheduled hearing date

Applicable Law

Section 500.7 of the B.C.Z.R. *Special Hearings*

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

Amended Petition

In light of the Planning Office comment of June 17, 2005, the Petitioners modified their site plan as shown on Petitioner' exhibit 1 A. This revised plan shows that the proposed house would

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7/14/05
By [Signature]

be 27.5 ft. wide with a 7 ft. covered porch for a total of 34.5 ft. The lot is actually only 47.5 ft. wide at this point so that the sum of side yard setbacks would be 13 ft. Centering the house on the lot results in a 6.5 ft. side yard setback.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Department of Environmental Protection & Resource Management (DEPRM) dated June 28, 2005 stating that the Petitioners must comply with the Chesapeake Bay Critical Area Regulations, a copy of which is attached hereto and made a part hereof. In addition, a ZAC comment was received from the Bureau of Development Plans Review dated June 6, 2005, stating that the Petitioners must comply with federal flood insurance requirements and county code requirements for this project, a copy of which is attached hereto and made a part hereof.

Finally, a ZAC comment was received from the Office of Planning dated June 17, 2005, a copy of which is attached hereto and made a part hereof. This comment indicated that the Planning Office did not support the Petitioners' request and cited several shortcomings. Thereafter, the Petitioners modified their submittals to the Planning Office and revised comments were received from the Planning Office dated July 13, 2005, 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, Ted and Colleen Gronki. Lawrence Fogelson, and Norman and Carla Keusch, Petitioners. No Protestants or citizens appeared at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

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7/14/05
Ray

Testimony and Evidence

Testimony and evidence indicated that the property consists of 8,100 sq. ft. of waterfront property located on Back River and is zoned RC 5. The Petitioners would like to build a new home on this waterfront property to replace a now razed home which was damaged severely in Hurricane Isabel. The new home would be built on a 50 ft. wide lot, Lot 8 of the "Evergreen Park" Subdivision which was recorded in the Land Records of Baltimore County before 1940, as shown by the fact that the original home was built in 1940.

The Petitioners originally proposed to build a home with 6 ft. side yard setbacks, which would be located 35 ft. from the center of Bayside Road. After a discussion of the need for adequate room between waterfront homes to have emergency access to the river, the Petitioners modified their plan to move the stairs from the side of the home to the shortened porch thereby providing an additional 4 ft. of access on this side. The side yard setback requested consequently became 6.5 ft. The regulations provide for a 50 ft. side yard setback. The Petitioners indicated that the size of the home proposed was the minimum that would meet their family needs and would be standard modular construction.

In addition, the Petitioners propose that distance to the center of the road from the front of the house be allowed in lieu of the required 75 ft. so that they line up properly with the homes on adjacent lots. Finally, the lot is 0.137 acres whereas the newly revised regulations require 1.5 acres. The Petitioners indicated that there was no property for sale around the site which they could purchase so as to have more lot space. Thus the request for variances.

Although today the Petitioners have private well and septic systems, they indicated that public water is already at the property with a fire hydrant close by. Public sewer is coming down Bayside Road.

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7/14/05
Ray

Findings of Fact and Conclusions of Law

The Petitioners' lot was created before 1940. Consequently, I find that the later imposed zoning regulations impact this lot differently from other lots in the area which were created after the regulations were imposed. I also find the Petitioners would suffer practical difficulty if the regulations were strictly enforced. The side yard setbacks required are 50 ft. The whole lot is only 47.5 ft. wide. Consequently no house could be built. There is no increase in density on this lot as this home merely replaces the previous home.

Finally, I find that the side yard setback variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner so as to grant relief without injury to the public health, safety and general welfare. The new home allows reasonable access to the water for emergency vehicles and will be compatible with the neighborhood.

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

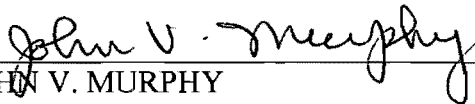
THEREFORE, IT IS ORDERED, this 14 day of July, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 500.7 of the B.C.Z.R., to permit side yard setbacks of 6.5 ft. in lieu of the required 50 feet; front yard setback of 35 ft. to the centerline of road in lieu of the required 75 ft. and an existing lot of 0.137 acres in size in lieu of the required 1.5 acres, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition;
2. Compliance with the ZAC comments submitted by the Bureau of Development Plans Review dated June 6, 2005, a copy of which is attached hereto and made a part hereof.

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7/14/05
Rag

3. Compliance with the amended ZAC comments submitted by the Office of Planning dated July 13, 2005, a copy of which is attached hereto and made a part hereof.
4. Compliance with the ZAC comments made by DEPRM dated June 28, 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

FILED RECEIVED FOR FILING
7/14/05
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 14, 2005

Norman & Carla Keusch
2021 Codd Avenue
Baltimore, Maryland 21222

Re: Petition for Special Hearing
Case No. 05-595-SPH
Property: 1217 Bayside Road

Dear Mr. & Mrs. Keusch:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing 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 black ink that reads "John V. Murphy". The signature is written in a cursive style.

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Ted & Colleen Gronki, 1219 Bayside Road, Baltimore, MD 21221
Lawrence Fogelson, 1215 Bayside Road, Baltimore, MD 21221





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1217 Bayside Rd.
which is presently zoned RC-5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN ALTERATION TO

THE MINIMUM LOT SIZE REQUIREMENT TO PERMIT SIDE
YARD SETBACKS OF 6 FT, FRONT YARD OF 35 FT TO THE
CENTERLINE OF ROAD ON AN EXISTING LOT OF .137 AC. IN SIZE

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, 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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By 8007 Date 05-17-05

Case No. OS-595-SP11

RECEIVED 9/15/95

OS-595-SP11

ORDER RECEIVED FOR FILING
7/14/05
9/15/95

Reasoning for Petition

1. RC-5 Zoning requires a 50' setback to property lines. The lot in question is only 50' wide total. Mr. Keusch wishes to slightly improve upon the previously existing footprint (prior to Hurricane Isabel) by 2' closer (not counting steps) on the right side (touching to lot 7) and 5' closer on the left side (touching lot 9). Those distances were obtained by measuring the closest point of the house to each property line before the Hurricane, and comparing those distances to the new proposed setbacks. The right side (touching lot 9) is actually proposed to be further away, but the 7' covered deck is counted as part of the house, despite the fact that it is 10' off the ground. Moreover, the Groncki's who own the dwelling on lot 7, and Ms. Gerber and Mr. Fogelson who own the dwelling on lot 9 have written a letter and signed the site plan showing no objections to the proposal. Furthermore, the dwelling that was recently built by the Groncki's on lot 7 is the same house being proposed here, but the mirror image, and since Mr. Keusch and the other neighbor Mr. Classing signed off on the proposal, Mr. Groncki avoided this process. But the same company that provided the modular home for Mr. Groncki is proposing the same structure on basically the same lot for Mr. Keusch.
2. All of the existing houses were over the 15% lot coverage requirement before the storm, just as all were closer than the required 50'. If the increase in footprint is granted, a variance for the new lot coverage is also required. Many of the lots on the street have slightly more lot area causing a uniqueness for Mr. Keusch. Also, Mr. Keusch is more than willing to do plantings to serve as mitigation for any runoff concerns.
3. The final request is for the height. Due to the flood plain requirements, all new houses must build their first floor 10' above sea level. The proposed dwelling which matches the neighbors dwelling will also be built on a matching 10' foundation, causing the height to be ~~37~~ 36'.

** The Keusch's are not attempting to skirt any requirements, they just want to make a bad situation as good as everyone else on the street has. If this variance were not granted, it would be the first on the street. Everyone else has either avoided this process with the neighbors signatures, or has gotten an approved variance, and I am sure you can pull recent permits and see that the Keusch's are nowhere near the furthest stretch of the zoning requirements, again in fact, they are proposing the same house as their next door neighbor, both of which have no opposition.



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1217 Bayside Rd.

which is presently zoned RC-5

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

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

Property is to be posted and advertised as prescribed by the zoning regulations.

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

City

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

NORMAN KEUSCH

Name - Type or Print

Norman Keusch

Signature

CARLA KEUSCH

Name - Type or Print

Carla Keusch

Signature

1217 Bayside Rd

Address

H 410-282-4171

W 410-366-5803

Telephone No.

Baltimore md.

State

21221

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. _____

Reviewed By _____

Date _____

REV 9/15/98

Estimated Posting Date _____

Affidavit in Support of Administrative Variance

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

That the Affiant(s) does/do presently reside at 1217 Bayside Rd
Address
Baltimore md 21221
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

PLEASE SEE ATTACHED 6

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

⊗ [Signature]
Signature

⊗ NORMAN KEUSCH
Name - Type or Print

⊗ Carla Keusch
Signature

⊗ CARLA Keusch
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4 day of May, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Norman J. Keusch + Carla L. Keusch
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

5/4/05
Date

Mary Jo Hedges
Notary Public
My Commission Expires 8/1/08

Zoning Description

Zoning Description for 1217 Bayside Rd., Baltimore Maryland

Beginning at a point on the South side of Bayside Rd. which is 30' wide at the distance of 392' East of the centerline of the nearest improved intersecting street Beachwood Ave. which is 30' wide. Being Lot # 8 in the Subdivision of Evergreen Park as recorded in Baltimore County plat Book # 7, Folio # 174 containing 8,100 square feet. Also known as 1217 Bayside Rd. and located in the 15th election district, 6th councilmanic district.

OS. SPS SP4

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 445380

DATE 05-17-05 ACCOUNT R. COI-006-6150

AMOUNT \$ 65.00

RECEIVED FROM: CARLA S. NORMAN KEUSCH.
1217 BAYSIDE TCD.
FOR: ADMIN. UAL.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	TRN
5/24/2005	5/23/2005	09:36:15	9
REG W503 WALKIN KPOR KEP			
PRECEIPT # 282210 5/23/2005 OPLN			
Dept 5 528 ZONING VERIFICATION			
CR NO. 445380			
Recpt Tot		\$65.00	
\$65.00 CK		\$0.00 CA	
Baltimore County, Maryland			

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

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

Case: # 05-595-SPH

1217 Bayside Road

S/Side of Bayside Road, 392 feet east of centerline of Beachwood Avenue

15th Election District - 6th Councilmanic District

Legal Owner(s): Norman J. & Carla L. Keusch, Jr.

Special Hearing: to permit side yard setbacks of 6 feet and front yard of 35 feet to the centerline of road on an existing lot of 0.137 acres in size.

Hearing: Friday, July 8, 2005, at 11:00 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.
6/30/1 June 23 56112

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

J. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 05-595-SPH

Petitioner/Developer: NORMA J.

J CARLA L KEUSCH, JR.

Date of Hearing/Closing: JULY 8, 2005

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

ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

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

1217 BAYSIDE RD

The sign(s) were posted on _____

JUNE 23, 2005
(Month, Day, Year)

Sincerely,

Robert Black 6-24-05
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

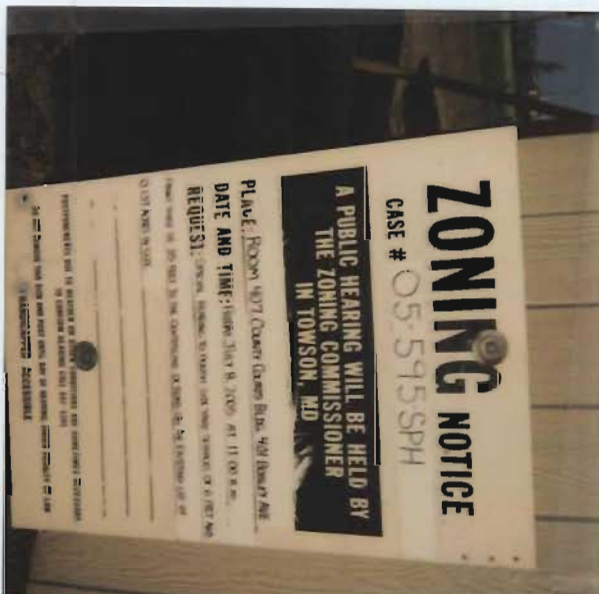
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





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

May 31, 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: 05-595-SPH

1217 Bayside Road

S/side of Bayside Road, 392 feet east of centerline of Beachwood Avenue

15th Election District – 6th Councilmanic District

Legal Owners: Norman J. & Carla L. Keusch, Jr.

Special Hearing to permit side yard setbacks of 6 feet and front yard of 35 feet to the centerline of road on an existing lot of 0.137 acres in size.

Hearing: Friday, July 8, 2005 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy M. Kotroco".

Timothy Kotroco
Director

TK:klm

C: Norman & Carla Keusch, 2021 Codd Avenue, Baltimore 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JUNE 23, 2005.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Thursday, June 23, 2005 Issue - Jeffersonian

Please forward billing to:
Norman Keusch, Jr.
2021 Codd Avenue
Baltimore, MD 21222

410-282-4171

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: 05-595-SPH

1217 Bayside Road

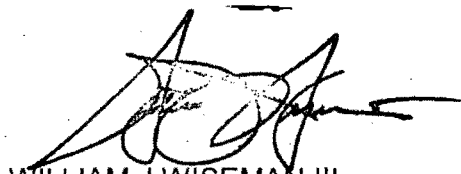
S/side of Bayside Road, 392 feet east of centerline of Beachwood Avenue

15th Election District – 6th Councilmanic District

Legal Owners: Norman J. & Carla L. Keusch, Jr.

Special Hearing to permit side yard setbacks of 6 feet and front yard of 35 feet to the centerline of road on an existing lot of 0.137 acres in size.

Hearing: Friday, July 8, 2005 at 11:00 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.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 595 -A Address 1217 BAYSIDE RD

Contact Person: John R Alexander Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 05-17-05 Posting Date: 05-29-05 Closing Date: 06-13-05

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 05- 595 -A Address 1217 BAYSIDE RD

Petitioner's Name NORMAN K GUSCH Telephone 410-282-4171

Posting Date: 05-29-05 Closing Date: 06-13-05

Wording for Sign: To Permit SIDE SETBACKS OF 6 FT AND FRONT
SETBACK OF 35 FT IN LIGW OF 50 FT & 75 FT.

**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 27, 2005

Norman J. Keusch, Jr.
Carla L. Keusch
2021 Codd Avenue
Baltimore, Maryland 21222

Dear Mr. and Mrs. Keusch:

RE: Case Number: 05-595-SPH, 1217 Bayside Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 17, 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, reading "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



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



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

Maryland Department of Transportation

Date: 6.3.05

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

RE: Baltimore County
Item No. 595 (JRA)

Dear Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief
Engineering Access Permits Division

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com



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

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

Maryland Department of Transportation

Date: 5.30.06

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

RE: Baltimore County
Item No. 595 DD

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

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

gm
7/8

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr. *JO*
DEPRM

DATE: June 28, 2005

SUBJECT: Zoning Item # 05-595
Address 1217 Bayside Road

RECEIVED

JUN 28 2005

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of June 6, 2005

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

This property is located within the limited Development Area (LDA) of the Chesapeake Bay Critical Area (CBCA). The CBCA Regulations limit impervious surfaces, mandate a Buffer Zone between dwellings and the water, and provide for a minimum of 15% tree cover. Staff cannot support the proposal as submitted. The proposed dwelling can be no closer than the most-landward neighbor. Additionally, mitigation to offset Buffer impacts and additional impervious surfaces will be required of the applicant as a condition of allowing for improvements to the property.

The proposed house must be a minimum of 30-feet from the well or a variance request must be submitted to the Groundwater Management section of this Department.

Reviewer: Mike Kulis, Sue Farrinetti

Date: June 28, 2005

6/28/05
Ray

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

RECEIVED

JUL 13 2005

ZONING COMMISSIONER

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

DATE: July 13, 2005

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

SUBJECT: 1217 Bayside Road

Item Number: 5-595 Amended Comments - SECOND REVIEW

Petitioner: Norman Keusch Jr.

Zoning: RC 5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

David Pinning of the Office of Planning met with the petitioners after their July 8 hearing and resolved the architectural issues. The resolution, as reflected on the attached drawings, are as follows:

1. Provide landscaping along Bayside Road.
2. The dwelling will be 27.5 feet wide along with a 7 feet wide side porch and a 4 foot wide staircase leading to that porch. The staircase will be uncovered and the covered porch will begin at the top of the stairs at the entry door and proceed toward the water.
3. The home will be centered on the lot so the distance from the side of the proposed home and the side of the proposed porch to their respective property lines will be equal.

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

Prepared by: Donnell Zugler

Division Chief: [Signature]
AFK/LL: DZ

COPIES RECEIVED FOR FILING
7/14/05
[Signature]

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 6, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For June 13, 2005
Item No. 595

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

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

The flood protection elevation for this site is 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.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 595-06062005.doc

ORDER RECEIVED FOR FILING

7/14/05

Ray

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
1217 Bayside Road; S/side Bayside Road, *
392' E c/line Beachwood Avenue * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Norman J & Carla Keusch * FOR
Petitioner(s) * BALTIMORE COUNTY
* 05-595-SPH

* * * * *

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 and documentation filed in the case.

RECEIVED

JUN - 2 2005

Per.....

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 2nd day of June, 2005, a copy of the foregoing Entry of Appearance was mailed to Norman & Carla Keusch, Jr., 2021 Codd Avenue, Baltimore, MD 21222, Petitioner(s).

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

CASE NAME 1217 Bayside Rd.
CASE NUMBER 05-595-SPH
DATE 7/8/05

[illegible]

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

June 2, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: **June 6, 2005**

Item No. **595**, **608-632**

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

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

Lieutenant J.D. Mezick
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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





Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

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

May 8, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: May 30, 2006

Item Numbers: Item Number ⁵⁹⁵590-596

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

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

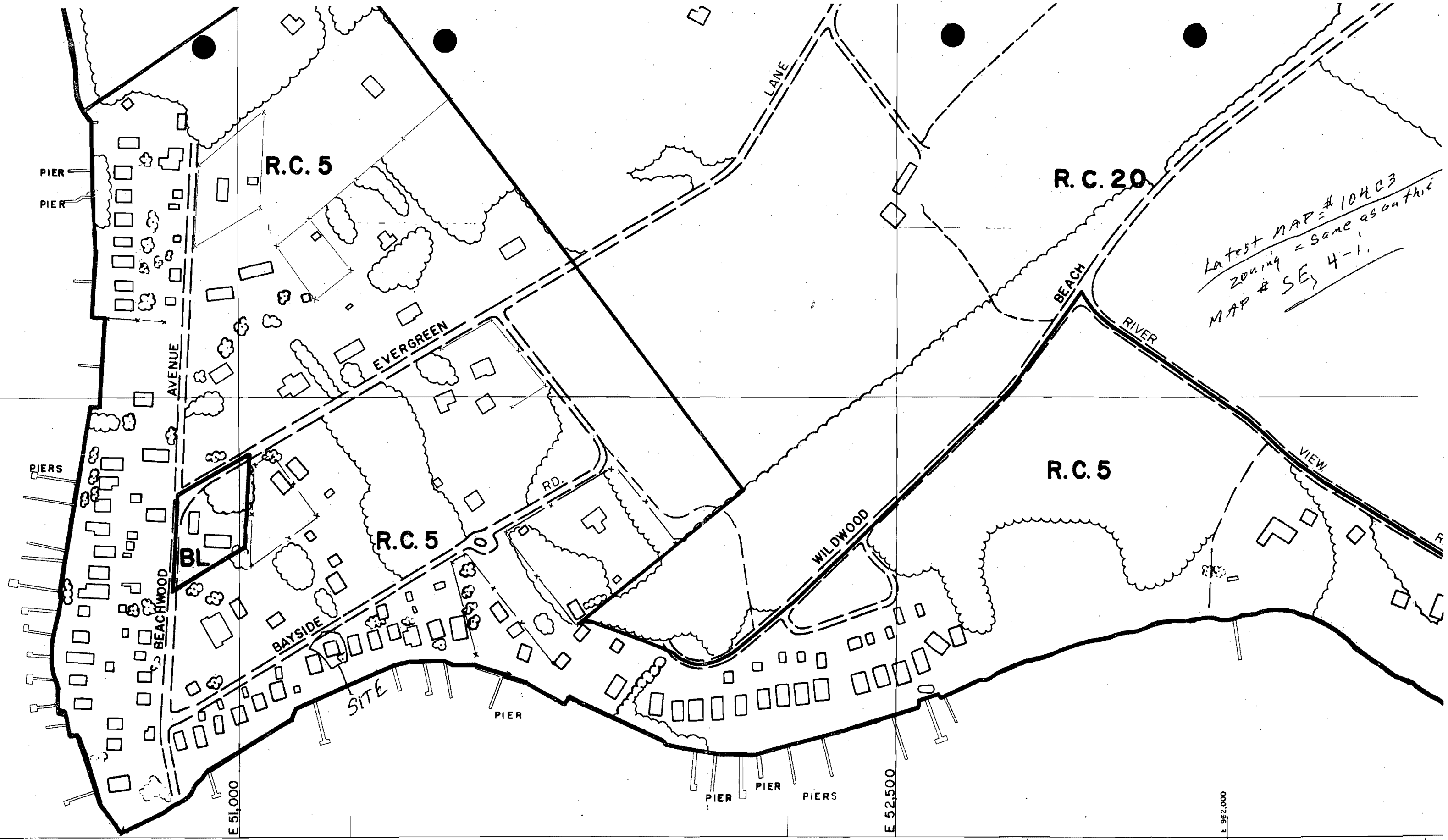
Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

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



(SHEET SE 5-1)

BALTIMORE COUNTY DEPT. OF PLANNING AND ZONING

SCALE

1" = 200' ±

DATE OF

PHOTOGRAPHY

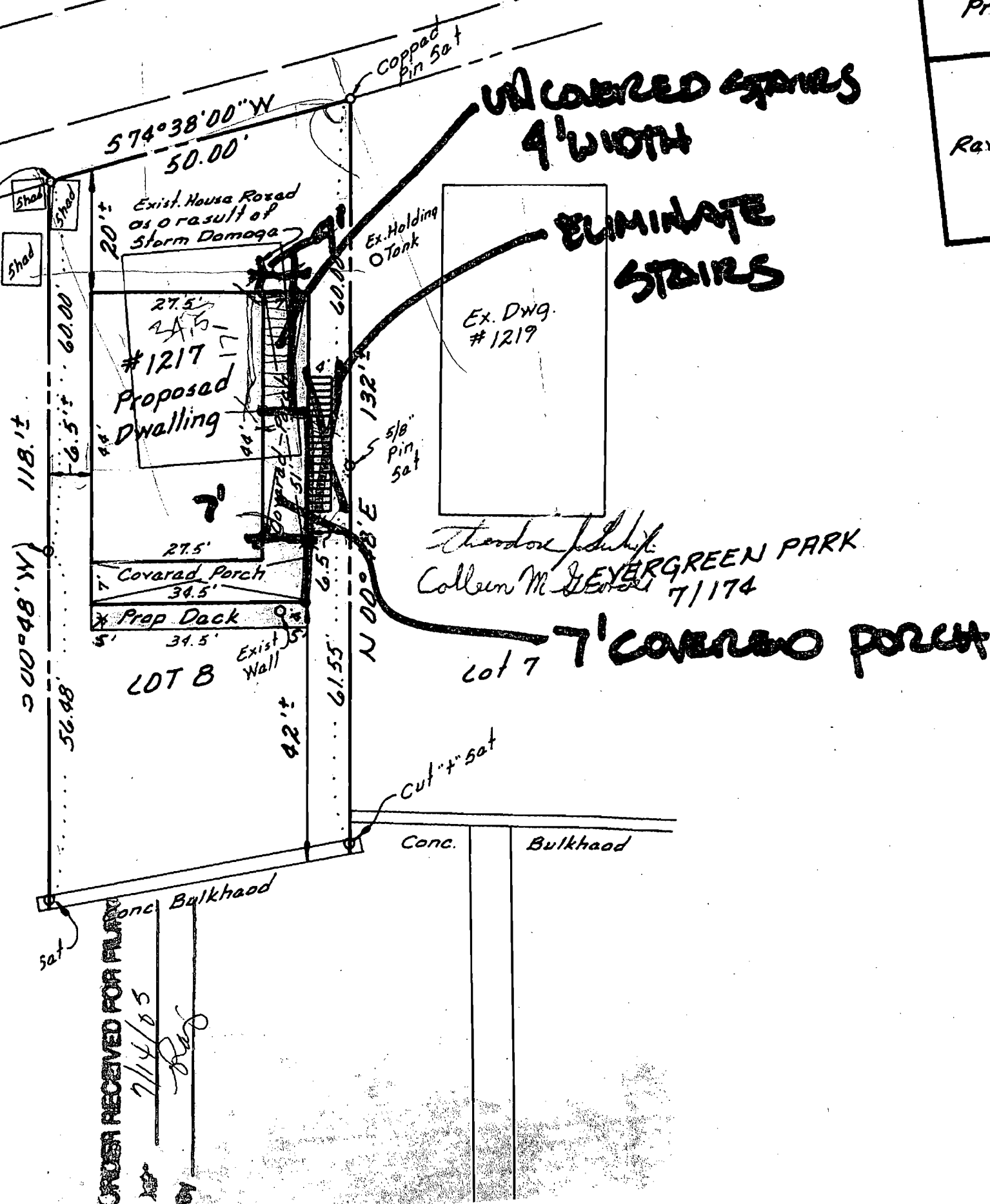
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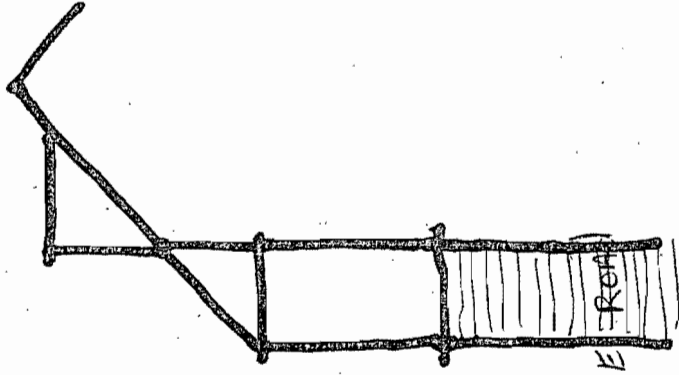
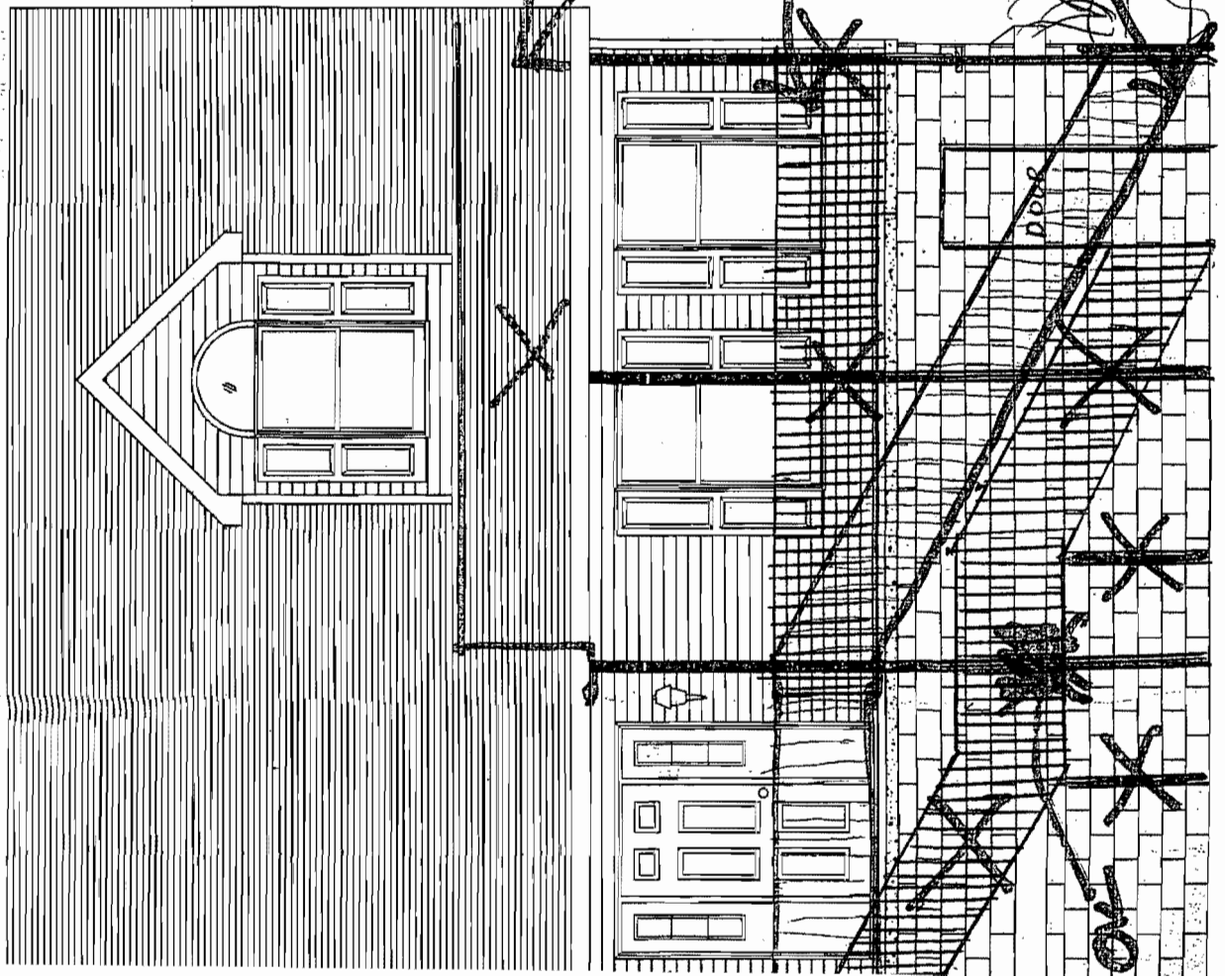
05595. SP11

BACK RIVER NECK

Chas
100
His
Prio

Ravia



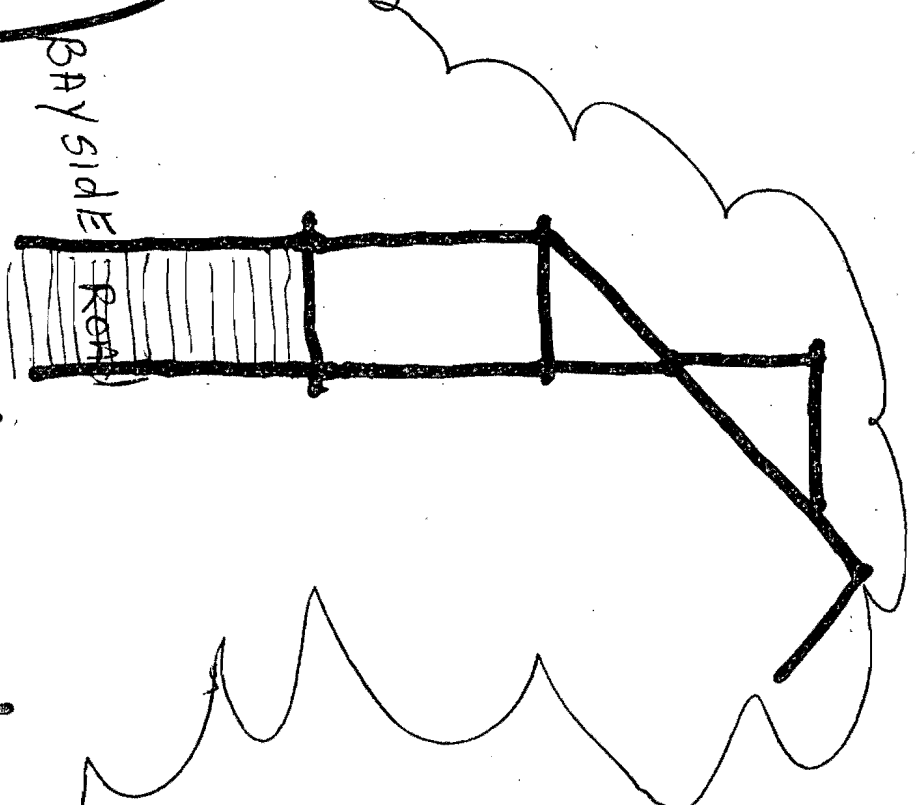
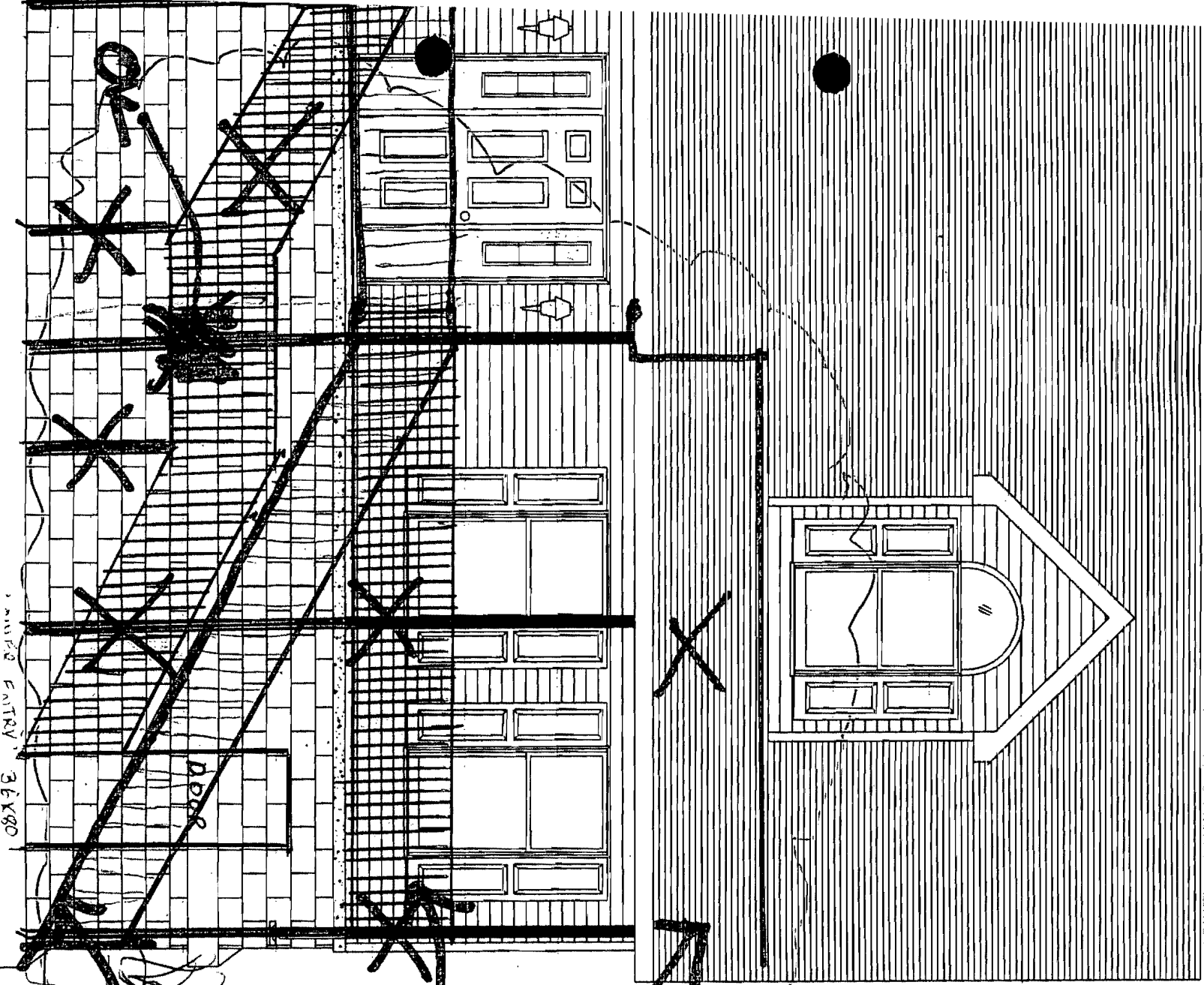


BAYSIDE REF

Section

Front Porch
Access to Building

Staircase
Access to
1st Floor of Porch (7')



SECTION

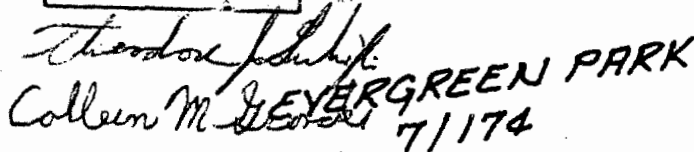
FRONT PORCH'S
DECKING EQUIPMENT

STOVE CASE MECHANISM
W/ 10 WOOD & PORCH (7')

HS-595-SPH

Chas.
100
Hisi
Prie

Ravia



221A

27.5
7
34.5 = structure
05 - 595 - SPH
49.5 - lot width
13' beet total
side yard
6.5' on each
side



Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

Handwritten:
HddS-595-99
HddS-595-99

F A C S I M I L E

TO:

Name:

John V. Murphy

Fax #:

410-887-3468

Pages:

4

FROM:

Name:

Norman + CARLA Keusch

Fax #:

410-366-6534

Date/Time:

7/11/05 9:15 A.M.

MESSAGE:

Here's the Fire Hydrant information
we spoke about.

Case # 05-595 SPH

Any questions please call.

Work # 410-366-5803 8+25

Home # 410-282-4171



Pet # 3

**Department of Permits and
Development Management****Baltimore County**

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

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3900 • Fax: 410-887-2824

October 27, 2004

Norman Keusch Jr
Carla Keusch
2021 Codd Avenue
Baltimore, MD 21222-4722

1212 Bayside Rd
RW 74-106 Fire Hydrant # FH 43

Dear Owner(s):

We have previously made a mailing and a request of you regarding the installation of fire hydrants within the community. Since that request, the project engineer and consultant have reviewed your inputs and the physical constraints of the project on an individual basis. Enclosed is a final design plan for your property, which may or may not have been adjusted but meets the needs the engineering and fire department requirements.

I have enclosed another letter of permission with a copy of the new design drawing for your signature allowing for a 10' x10' easement for the installation and maintenance of the fire hydrant.

Please review the drawing and grant Baltimore County the needed permission to protect yourself and your neighbors with the installation of necessary fire hydrants. Please sign the Letter of Permission exactly as your names appear returning the signed document to this office at your earliest convenience else call me at 410-887-3253. Thank you in advance for your cooperation.

Very Truly Yours,

Gigi Hampshire

Gigi Hampshire
Right of Way Agent
Bureau of Land Acquisition
jhappel@co.ba.md.us

JGH: jgh
Encl.

11/1/04
Spoke to Gigi about moving Fire
hydrant to the left. Please try to
take care of it. 9:15 AM.

RW 04 - 106
J. O. 203- 0035-0143
Item _____ FH 43

Permission is hereby granted this 1st day of November, 2004 by
Norman Keusch Jr Carla Keusch, owners of the property shown on the plan attached
hereto and made a Part hereof, unto Baltimore County, Maryland, its agents and
assigns, to enter the property to install a fire hydrant as shown on said plan.

All areas disturbed by said entry shall be restored and left in good condition,
including but not limited to the restoration of any lawn area, the repair of any paving and
the repair of any other site improvements.

At a future point in time, Baltimore County shall present to the above property
owners with a Deed and Agreement for the conveyance of a permanent Drainage and
Utility Easement for this fire hydrant, and Baltimore County shall compensate the owners
for that easement based upon an appraisal of the fair market value of the property.

Witness:

Michael J. [Signature]

Michael J. [Signature]

Norman Keusch Jr 11-1-04
Norman Keusch Jr Date

Carla Keusch 11-1-04
Carla Keusch Date



NOW OPEN

HL

*3426 # 18/12/01
DO: WHOLESALE CLUB Our New Photo



*3476 2 10/16/84

2B



1219

26



1219

16



1221

1219

3E



1215

9 e



1215

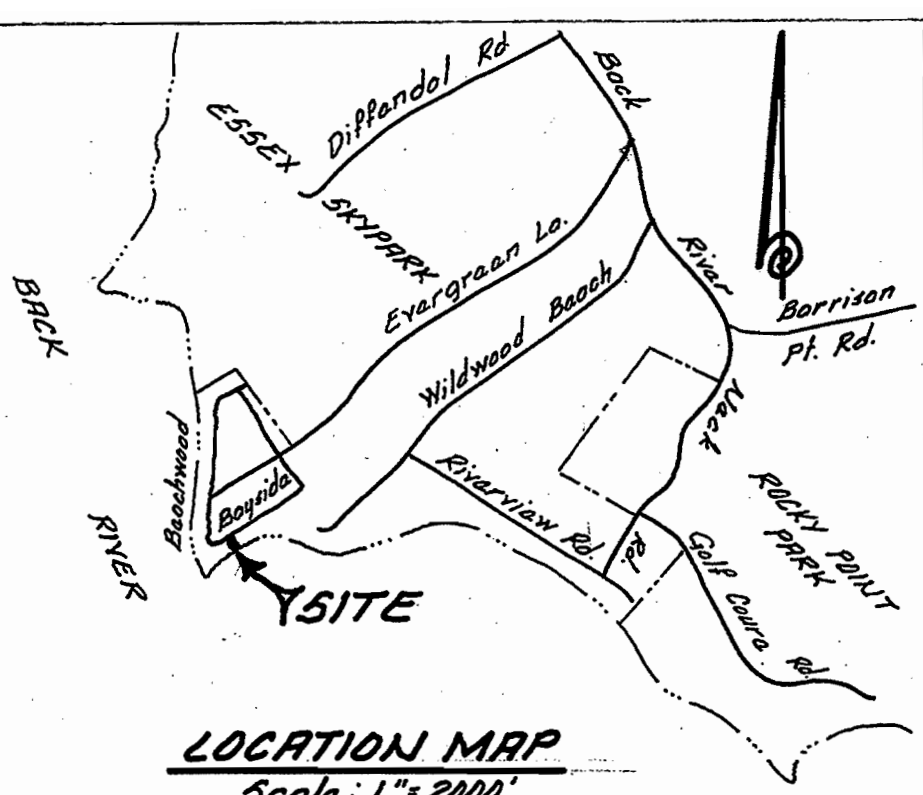
9c



1215 BAYSIDE

HZ

PROPERTY ADDRESS - 1217 BAYSIDE RD.
SUBDIVISION NAME EVERGREEN PARK
PLAT BOOK # 7, FOLIO # 174, LOT # 8, SECTION
OWNERS - NORMAN JR. & CARLA KEUSCH
15-11-150991



LOCATION MAP
Scale: 1"=200'

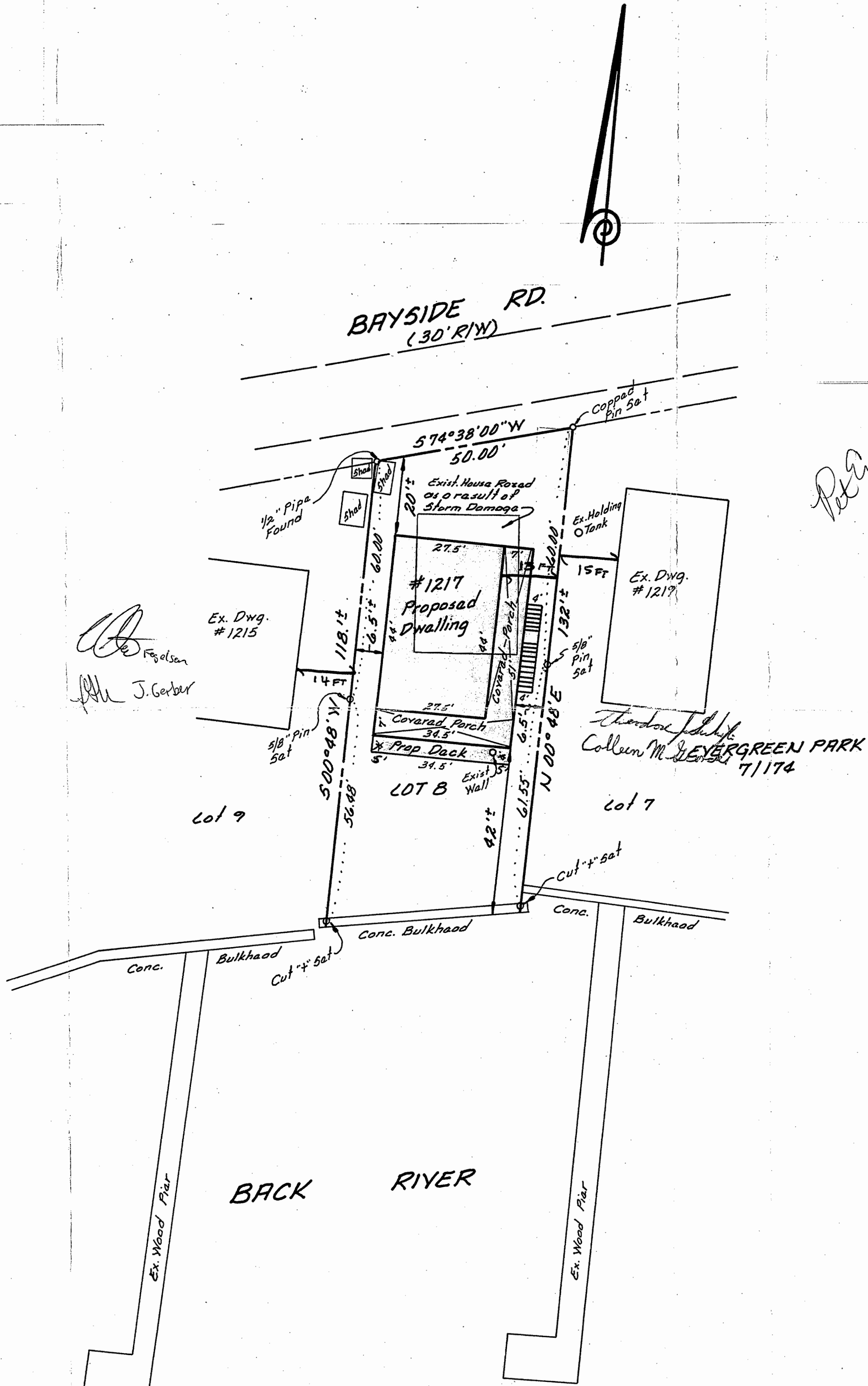
LOCATION INFORMATION

Councilmanic District - 6th
Election District - 15th
1"=200 Scale Map # SE 4-I
Zoning - RC-5
Lot Size - 5,953 Sq. Ft. or 0.137 Ac.±

	Public	Private
Sewer	☐	☒
Water	☐	☒
Chesapeake Bay Critical Area	☒	☐
100 Year Flood Plain	☒	☐
Historic Property / Building	☐	☒
Prior Zoning Hearings	None	

ZONING OFFICE USE ONLY

Reviewed By SSA Item # Case # 055455R11



I, Leonard G. Buarhaus, a Registered Property Line Surveyor of the State of Maryland, do hereby certify, to the best of my knowledge and belief, and for the exclusive use of Norman Jr. & Carla Keusch; that the information shown hereon has been obtained by an actual Transit Tape Survey; that it shows a fixed and determinable position and location of the land described hereon; that except as shown and for noted, there are no visible Easements or Rights of Way affecting the premises, and except as shown, there are no visible Encroachments either way across the property lines.