



CBCA / FLOOD

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3733 Bay Drive Balto MD 21220
which is presently zoned RC5

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) 1A04.3.A, 1A04.3.B.2.b

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING TO HAVE
A PROPERTY LINE SETBACK ~~BE~~ AS CLOSE AS 10' AND A
HEIGHT OF 46' IN LIEU OF THE REQUIRED 50' AND
35' RESPECTIVELY

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 _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Brian Butcher
Name - Type or Print _____
Brian Butcher
Signature _____
Kim Butcher
Name - Type or Print _____
Kim Butcher
Signature _____
3733 Bay Drive (410) 529-8519
Address Telephone No. ^{Home}
Balto. MD 21220
City State Zip Code

Representative to be Contacted:

(Same as above)
Name _____ alternate - work phone
(410) 261-5213
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. OS-659-A

Reviewed By LTM Date 6/13/05

REV 10/25/01

Estimated Posting Date 6/26/05

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 3733 Bay Drive
Address
Balto MD 21220
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):

To add to the mid-section of the roof, a widow walk, an architectural feature with historical importance that is consistent with a coastal style of architecture as seen in areas of the Tidewater Chesapeake Bay, Cape Cod/Nantucket area of New England and coastal Carolina. The widow walk is not enclosed, and features a thirty-six inch high railing appropriate to the Cape Cod style of the house. In earlier times and as is today, this area was designed to observe vessels at sea. The placement of the widow walk is inspired by its immediate proximity to the Chesapeake Bay and is intended to add to the home's look and character.

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.

Brian Butcher
Signature

Brian Butcher
Name - Type or Print

Kim Butcher
Signature

Kim Butcher
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of May, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Brian & Kim Butcher
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Stephen P. Young
Notary Public

My Commission Expires 8-1-08

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Brian Butcher
Signature

Brian Butcher
Name - Type or Print

Kim Butcher
Signature

Kim Butcher
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of May, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Brian & Kim Butcher
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Stephen P. Unenly
Notary Public

My Commission Expires 8-1-08



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TO PERMIT AN EXISTING SINGLE FAMILY DWELLING TO
HAVE A PROPERTY LINE SETBACK AS CLOSE AS 10' AND A
HEIGHT OF 46' IN LIEU OF THE REQUIRED 50' AND
35' RESPECTIVELY

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.

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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):

Brian Butcher
Name - Type or Print

Signature

Kim Butcher
Name - Type or Print

Kim Butcher
Signature

3733 Bay Drive (410) 529-8519
Address Telephone No.

Balto. MD 21220
City State Zip Code

Representative to be Contacted:

(Same as above)

Name Alternate work phone
(410) 261-5213
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. 05-659-A

Reviewed By CTM Date 6/13/05

Estimated Posting Date 6/26/05

Zoning Description
3733 Bay Drive

Beginning at a point on the south side of Bay Drive at a point 75 feet west of and opposite Wye Road. Being lot # 237 in the subdivision of Bowleys Quarters, plat as recorded in Baltimore County Plat Book 008, folio 073, containing 15,550 square feet and located in the 15th Election District.

F659

**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: 05-659-A

Petitioner: Brian and Kim Butcher

Address or Location: 3733 Bay Drive Balto., MD 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kim Butcher

Address: 3733 Bay Drive
Balto., MD 21220

Telephone Number: (410) 529-8519 ^(Home) or (410) 261-5213 ^(Work)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 659 -A

Address 3733 BAY DRIVE

Contact Person: LILOYD T. MOXLEY

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 6/13/05

Posting Date: 6/26/05

Closing Date: 7/11/05

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

1. **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.
2. **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.
3. **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.
4. **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- 659 -A

Address 3733 BAY DRIVE

Petitioner's Name BRIAN L. KIM BUTCHER

Telephone (410) 529-8519

Posting Date: 6/13/05

Closing Date: 7/11/05

Wording for Sign: To Permit AN EXISTING SINGLE FAMILY DWELLING
TO HAVE A PROPERTY LINE SETBACK AS CLOSE AS 10'
AND A HEIGHT OF 46' IN LIEU OF THE REQUIRED
50' AND 35' RESPECTIVELY

WCR - Revised 6/25/04

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

June 20, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of April 4, 2005

Item No.

633, 639, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657,
658, 659, 660 and 661

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



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

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

Maryland Department of Transportation

Date: 6.20.05

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

RE: Baltimore County
Item No. 659 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

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr ⁵⁰⁰
DEPRM

DATE: June 28, 2005

SUBJECT: Zoning Item # 05-659
Address 3733 Bay Drive

Zoning Advisory Committee Meeting of June 20, 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:

- 1.) Redevelopment of the lot must comply with the Buffer Management Area regulations and impervious surface limits of 25%.
- 2.) A minimum of 15% tree cover must be maintained.

Reviewer: Glenn Shaffer

Date: June 28, 2005

Withdrawn
per Kristen M.
7/11/05

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 8, 2005

RECEIVED

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

JUL 07 2005

SUBJECT: 3733 Bay Drive

ZONING COMMISSIONER

INFORMATION:

Item Number: 5-659

Petitioner: Brian Butcher

Zoning: RC 5

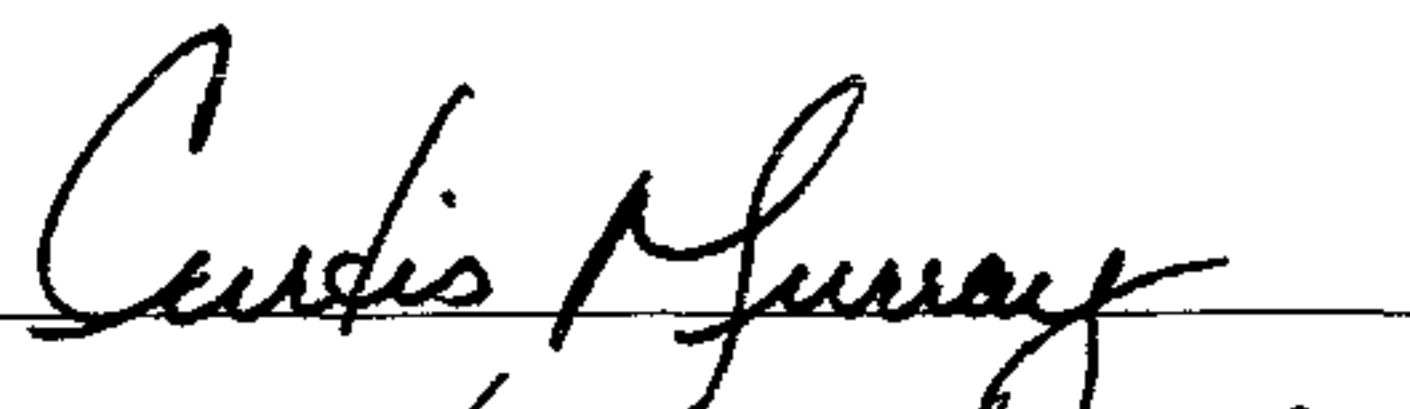
Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request to permit an existing single-family dwelling to have a setback of 10 feet and a height of 46 feet in lieu of the minimum required 50 feet and 35 feet respectively. However, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

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

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

Prepared by: 

Division Chief: 
AFK/LL: CM

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 28, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For June 27, 2005
Item No. 659

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 659-06282005doc

**Department of Permits and
Development Management**



Baltimore County

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 17, 2005

Brian & Kimberly Butcher
3733 Bay Drive
Baltimore, MD 21220-4406

RE: Approval of Roof Deck, 3733 Bay Drive, Permit # 566926, 15th Election District

Dear Mr. and Mrs. Butcher:

Reference is made to the building permit (Permit # 566926) that was issued September 7, 2004 to replace your Isabel damaged dwelling. Given the height restrictions imposed by the R.C. 5 zone, this department cannot approve your rooftop deck by the normal permitting process. Since the deck exceeds the height limitations stated in the zoning regulations, you will be required to file a petition for administrative variance wherein a public hearing may be required before the Baltimore County Zoning Commissioner. You also have the option of removing the rooftop deck completely.

If you decide to pursue the administrative variance option, please file your petition as soon as possible so that final use and occupancy of your dwelling is not delayed. I've enclosed the required administrative variance petition forms and checklist for your convenience. Please contact the Zoning Review Division of my department at 410-887-3391 to schedule a filing appointment.

Thank you for your prompt attention to this matter.

Sincerely,

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

Timothy Kotroco, Director
Department of Permits and
Development Management

c: Joyn Altmeyer, Building Inspections Supervisor
Jeffrey Perlow, Planner II, Zoning Review

A handwritten number "4659" in black ink, with a stylized "4" that has a horizontal stroke.

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

Zoning Commissioner

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



Baltimore County

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

June 17, 2005

Mr. Timothy Butler
911 Miller Road
Parkton, Maryland 21120

Re: Petition for Administrative Variance
Case No. 05-304-A
Property: 911 Miller Road

Dear Mr. Butler:

I understand from our May 23, 2005 conversation that you no longer need the variance you requested. It would be appreciated if you would send me a note to that effect so that I can dismiss this case and close the file.

Thank you for your attention and cooperation in this matter.

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj

or dismiss case

Granted
1/20/05
w/ notes.

A large, stylized handwritten signature in cursive script that reads "Paul Sule".



IMPORTANT MESSAGE

FOR

DATE

TIME

AM
PM

M

OF

PHONE

AREA CODE

NUMBER

EXTENSION

☐ FAX

☐ MOBILE

AREA CODE

NUMBER

TIME TO CALL

TELEPHONED

PLEASE CALL

CAME TO SEE YOU

WILL CALL AGAIN

WANTS TO SEE YOU

FLUSH

RETURNED YOUR CALL

SPECIAL ATTENTION

MESSAGE

re: 05-304-A
T.E.B. - 5/23/05
Hold - He will change
permit - doesn't need
variance
by

SIGNED



FORM 3002P
MADE IN U.S.A.

IMPORTANT MESSAGE

for

DATE 6/27 TIME 11:50 AM
PM

M Jim Butler

PHONE 410-887-6809

AREA CODE NUMBER EXTENSION

☐ MOBILE AREA CODE NUMBER TIME TO CALL

TELEPHONED	PLEASE CALL
CAME TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	FLUSH
RETURNED YOUR CALL	SPECIAL ATTENTION

MESSAGE
re: 05-304-A - Mr. Butler
called to confirm
representation - made
up your letter - he no
longer needs variance

SIGNED
Butte



FORM 3002P
MADE IN U.S.A.

Zoning Commissioner

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



Baltimore County

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

May 17, 2005

Mr. Timothy Butler
911 Miller Road
Parkton, Maryland 21120

Re: Petition for Administrative Variance
Case No. 05-304-A
Property: 911 Miller Road

Dear Mr. Butler:

I have been given your spirit and intent letter of May 4, 2005 to review. As you can see, the Zoning Office recommends that I set the matter in for hearing in order to give the adjacent property owner most affected a chance to object to your request should he/she decide to do so. However, the Zoning Office indicates that if your neighbor (who is most affected by your request) does not object he or she should write to us to confirm this fact.

Please let me hear from you in this regard at your convenience.

Very truly yours,

A handwritten signature in black ink that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj



Brian and Kim Butcher
3733 Bay Drive
Baltimore, MD 21220

June 22, 2005

To Whom It May Concern:

This letter serves to inform of our request to formally withdraw our petition for an Administrative Variance Case Number 05-659.

Sincerely,

Brian Butcher

Kim Butcher

Brian Butcher

Kim Butcher

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: July 21, 2005

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 05-659-A
Legal Owner/Petitioner Butcher, Brian & Kim
Contract Purchaser: n/a
Property Address: 3233 Bay Dr
Location Description: S/side Bay Dr 75' W/side Wye Rd.

VIIOLATION INFORMATION: Case No. 05-2877
Defendants: Butcher Brian & Kim

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
------	---------

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- | | | |
|--------------------------|-----|---|
| ☐ | 1. | Complaint letter/memo/email/fax (if applicable) |
| X | 2. | Complaint Intake Form/Code Enforcement Officer's report and notes |
| ☐ | 3. | State Tax Assessment printout |
| ☐ | 4. | State Tax Parcel Map (if applicable) |
| ☐ | 5. | MVA Registration printout (if applicable) |
| ☐ | 6. | Deed (if applicable) |
| ☐ | 7. | Lease-Residential or Commercial (if applicable) |
| ☐ | 8. | Photographs including dates taken |
| X | 9. | Correction Notice/Code Violation Notice |
| ☐ | 10. | Citation and Proof of Service (if applicable) |
| ☐ | 11. | Certified Mail Receipt (if applicable) |
| ☐ | 12. | Final Order of the Code Official/Hearing Officer (if applicable) |
| ☐ | 13. | Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable) |
| ☐ | 14. | Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable). |

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/gk
C: Code Enforcement Officer

entered JB

CODE ENFORCEMENT REPORT

DATE: 4/26/05 INTAKE BY: BUILDING INSPECTION CASE #: 05-2877 INSPEC: B. Kidd

COMPLAINT

LOCATION: 3733 BAY DR

ZIP CODE: _____ DIST: _____

COMPLAINANT ANONYMOUS
NAME: BALTO. COUNTY

PHONE #: (H) _____ (W) _____

ADDRESS: 111 W. CHESAPEAKE AVE. ZIP CODE: 21204

PROBLEM: NEW HOUSE STRUCTURE EXCEEDS HEIGHT REQUIREMENTS
ON PERMIT. PERMIT STATES (32) FEET.

IS THIS A RENTAL UNIT? YES _____ NO _____
IF YES, IS THIS SECTION 8? YES _____ NO _____

OWNER/TENANT
INFORMATION: _____

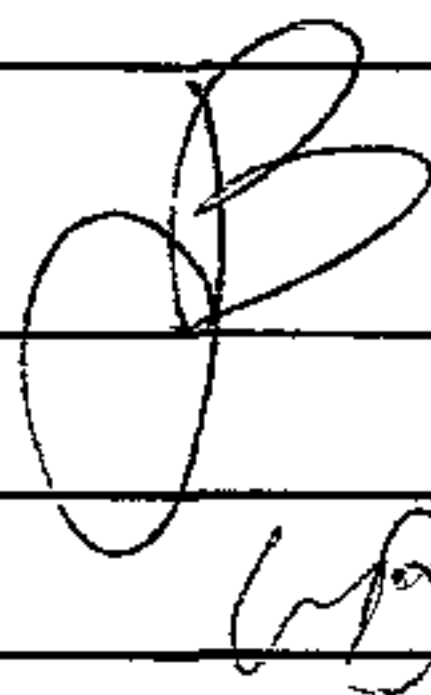
TAX ACCOUNT #: 1502051040 ZONING: _____

INSPECTION: 4/26/05 - VISITED SITE ISSUED CORR. NOTICE, TO REVISE
PERMIT, SPOKE TO BUILDER ON PHONE. POSTED COPY AT OFFICE
105 EASTERN BLVD. R/C 5/6/05 B. Kidd

REINSPECTION:

REINSPECTION:

REINSPECTION:





Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement:
Building Inspection:

410-887-3351
410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 05-2877	Property No. 1502851040	Zoning B-566926
------------------------------	----------------------------	--------------------

Name(s): HOLT BUILDERS LLC

Address: 105 EASTERN BLVD, ESSEX, MD 21221

Violation Location: 3233 BAY DR

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:
IRC 2000 R106.4

NEW HOUSE UNDER CONSTRUCTION IS NON-
COMPLIANCE WITH HEIGHT RESTRICTIONS
ON PERMIT. PERMIT STATES (32) FEET.

MUST REVISE PERMIT TO REFLECT CORRECT
HEIGHT OF STRUCTURE.

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 5/9/05	Date Issued: 4/26/05
-------------------------	-------------------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: GRANT KIDD

INSPECTOR: Grant Kidd

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than:	Date Issued:
-----------------	--------------

INSPECTOR: _____

AGENCY

GRANT
EXTEND

30

DAYS

[Handwritten signature]

UPDATE/MESSAGE FORM

Date: 5/9/05
Time: _____ a.m. p.m.

Inspector: B-Kipo

Case No.: 05-2877

Address: 3733 BAY DR

Comments: 5/9/05 - MR. REFF HOCT CALLED, SAID
OWNERS HAVE A MEETING WITH OUR DIRECTOR SOMETIME
THIS WEEK. HE SAID HE WOULD CALL BACK FOR EXACT DATE.

5/10/05 - CONNECTION NOTICE HAS BEEN EXTENDED FOR
30 DAYS. by J.M.A. N/C 6/8/05 M. K. L.

ENTERED INTO AS400 _____

Inspector - KIDD, G.

Area Case # Location Apt Zip Date Rec Reinsp Dt
017 05-2877 3733 BAY DR 4/26/2005 5/06/2005

Tax Acct #: 1502851040

Owner:

Complainant Name: (Last) BALTO CO (First)
Addr:
Str # Dir Street Name Type Apt
City ST Zip
Phone: (Home) (Work)

Problem: NEW HOUSE STRUCTURE EXCEEDS HIGHT REQUIRMENTS ON PERMIT PERM
IT STATES 32FT

Notes:

05-2877 4/26/05 VISITED SITE ISSUED CORRECTION NOTICE TO REV
ISE PERMIT SPOKE TO BUILDER ON PHONE POSTED COPY AT OFFICE 1
05 EASTERN BLVD P/U 5/6/05 G.KIDD/JB****

P/U Date		Closed Date		Gary F to update	
Anonymous Complaint	Complainant Updated	Updated by voice message	Unable to update	Update not necessary	
Executive office Complaint	Yes	No	If Yes is Executive memo attached?	Yes	No



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building 3
111 West Chesapeake Avenue
Towson, MD 21204

15F

Code Enforcement:
Building Inspection:

410-887-3351
410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 05-2877	Property No. 1502851040	Zoning B-566926
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Name(s): HOLT BUILDERS LLC

Address: 105 EASTERN BLVD, ESSEX, MD 21221

Violation Location: 3733 BAY DR

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:
IRC 2000 R106.4

NEW HOUSE UNDER CONSTRUCTION IS NON-
COMPLIANCE WITH HEIGHT RESTRICTIONS
ON PERMIT. PERMIT STATES (32) FEET.

MUST REVISE PERMIT TO REFLECT CORRECT
HEIGHT OF STRUCTURE.

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: <u>5/9/05</u>	Date Issued: <u>4/26/05</u>
-----------------------------	-----------------------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: GRANT KIDD

INSPECTOR: Grant Kidd

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than:	Date Issued:
-----------------	--------------

INSPECTOR: _____

AGENCY

UPDATE/MESSAGE FORM

Date: 6/15/05

Time: _____ a.m. p.m.

Inspector: R. Kido

Case No.: 05-2P77

Address: 3733 BAY DR

Comments: 6/16/05 - VARIANCE NUMBER ISSUED
05-659-A, HAS TILL 7/14/05. A/C 7/2/05 R. Kido.

ENTERED INTO AS400

NA

Code Enforcement - Daily Worksh

Inspector - KIDD, G.

Area Case # Location Apt Zip Date Rec Reinsp Dt
017 05-2877 3733 BAY DR 4/26/2005 6/14/2005

Tax Acct #: 1502851040

Owner:

Complainant Name: (Last) BALTO CO (First)
Addr: Str # Dir Street Name Type Apt
City ST Zip
Phone: (Home) (Work)

Problem: NEW HOUSE STRUCTURE EXCEEDS HIGHT REQUIRMENTS ON PERMIT PERM
IT STATES 32FT

Notes:

05-2877 4/26/05 VISITED SITE ISSUED CORRECTION NOTICE TO REV
ISE PERMIT SPOKE TO BUILDER ON PHONE POSTED COPY AT OFFICE 1
05 EASTERN BLVD P/U 5/6/05 G.KIDD/JB**** 5-9-05 MR.JEFF
HOLT CALLED SAID OWNERS HAVE A MEETING WITH OUR DIRECTOR SO
METIME THIS WEEK. HE SAID HE WOULD CALL BACK FOR EXACT DATE.
5/10/05 CORRECTION NOTICE HAS BEEN EXTENDED FOR
30DAYS BY JMA. P/U 6/8/05 G.KIDD/NS***
5/31/05
RECIIEVED LETTER FROM DIRECTOR STATING OWNER MUST APPLY FOR
A ADMINISTRATIVE VARIANCE LETTER IN FILE. P/U 6/8/05 G.KIDD/
JB*** 6/1/05 MRS. BUTCHER HAS A FI
LING DATE FOR THE DECK OF 6/6/05. PERMIT B566926 HAS BEEN RE
VISED. STATES 42 FT. P/U 6/6/05 G.KIDD/NS***
6/7/05 SPOKE TO MRS. BUTCHER, HAS TO MAKE SOME R
EVISIONS ON PLOT. WILL RETURN TO ZONING IN A COUPLE OF DAYS.
P/U 6/14/05 G.KIDD/NS***

P/U Date		Closed Date		Gary F to update	
Anonymous Complaint	Complainant Updated	Updated by voice message	Unable to update	Update not necessary	
Executive office Complaint	Yes	No	If Yes is Executive memo attached?	Yes	No

UPDATE/MESSAGE FORM

Date:

6/7/05

Time:

a.m. p.m.

Inspector:

G. Kidd

Case No.:

05-2A77

Address:

3733 BAY DR

Comments:

6/7/05 - SPOKE TO MRS BUTLER, HAS
TO MAKE SOME REVISIONS ON PLOT, WILL RETURN TO
ZONING IN A COUPLE OF DAYS. R/C 6/14/05 A. Kidd

ENTERED INTO AS400

nt

Cod()forcement - Daily Worksh()

Inspector - KIDD, G.

Area Case # Location Apt Zip Date Rec Reinsp Dt
017 05-2877 3733 BAY DR 4/26/2005 6/06/2005

Tax Acct #: 1502851040

Owner:

Complainant Name: (Last) BALTO CO (First)
Addr:
Str # Dir Street Name Type Apt
City ST Zip
Phone: (Home) (Work)

Problem: NEW HOUSE STRUCTURE EXCEEDS HIGHT REQUIRMENTS ON PERMIT PERM
IT STATES 32FT

Notes:

05-2877 4/26/05 VISITED SITE ISSUED CORRECTION NOTICE TO REV
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HOLT CALLED SAID OWNERS HAVE A MEETING WITH OUR DIRECTOR SO
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5/10/05 CORRECTION NOTICE HAS BEEN EXTENDED FOR
30DAYS BY JMA. P/U 6/8/05 G.KIDD/NS***
5/31/05
RECIIEVED LETTER FROM DIRECTOR STATING OWNER MUST APPLY FOR
A ADMINISTRATIVE VARIANCE LETTER IN FILE. P/U 6/8/05 G.KIDD/
JB*** 6/1/05 MRS. BUTCHER HAS A FI
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VISED. STATES 42 FT. P/U 6/6/05 G.KIDD/NS***

P/U Date		Closed Date		Gary F to update	
Anonymous Complaint	Complainant Updated	Updated by voice message	Unable to update	Update not necessary	
Executive office Complaint	Yes	No	If Yes is Executive memo attached?	Yes	No

UPDATE/MESSAGE FORM

Date: 6/1/05

Time: _____ a.m. p.m.

Inspector: R. Kido

Case No.: 05-2877

Address: 3733 BAY DR

Comments: 6/1/05 - MRS. BUTCHER HAS A FILING
DATE FOR THE DECK OF 6/6/05. PERMIT D-566926
HAS BEEN REVISED, STATES 42 FEET. R/C 6/6/05 M. Kido

ENTERED INTO AS400

mt

Case No: 05-2877Address: 03733 BAY DRInsp Area: 017 Dist: 000 Date Rcv: 4/26/2005 Grp: ENF Intk: G.KIDDInspec: KIDD, G. Inspec2: Date Inspec: 6/08/2005Close: 0/00/0000 Activity: Delete: Problem: NEW HOUSE STRUCTURE EXCEEDS HIGHT REQUIRMENTS ON PERMIT PERMIT STATES
32FTCL Name: BALTO COCL Address: 00000CL Home Phone: CL Work Phone: Tax Acct. 1502851040Owner:

Enter=Continue F12=Cancel

GRANT:

Mrs BUTCHER HAS A FILING
DATE FOR THE deck of 6/6/05.
The Permit has been Revised



UPDATE/MESSAGE FORM

Date:

5/31/05

Time:

a.m. p.m.

Inspector:

R. Kido

Case No.:

05-2A77

Address:

3733 BAY DR

Comments:

5/31/05 - RECEIVED LETTER FROM DIRECTOR
STATING OWNER MUST APPLY FOR A ADMINISTRATIVE VARIANCE
~~THE~~ LETTER IS IN FILE.

[Signature]

ENTERED INTO AS400

**Department of Permits and
Development Management**



Baltimore County

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

GRANT

May 17, 2005

05-2A77

Brian & Kimberly Butcher
3733 Bay Drive
Baltimore, MD 21220-4406

RE: Approval of Roof Deck, 3733 Bay Drive, Permit # 566926, 15th Election District

Dear Mr. and Mrs. Butcher:

Reference is made to the building permit (Permit # 566926) that was issued September 7, 2004 to replace your Isabel damaged dwelling. Given the height restrictions imposed by the R.C. 5 zone, this department cannot approve your rooftop deck by the normal permitting process. Since the deck exceeds the height limitations stated in the zoning regulations, you will be required to file a petition for administrative variance wherein a public hearing may be required before the Baltimore County Zoning Commissioner. You also have the option of removing the rooftop deck completely.

If you decide to pursue the administrative variance option, please file your petition as soon as possible so that final use and occupancy of your dwelling is not delayed. I've enclosed the required administrative variance petition forms and checklist for your convenience. Please contact the Zoning Review Division of my department at 410-887-3391 to schedule a filing appointment.

Thank you for your prompt attention to this matter.

Sincerely,

/s/

Timothy Kotroco, Director
Department of Permits and
Development Management

c: Joyn Altmeyer, Building Inspections Supervisor
Jeffrey Perlow, Planner II, Zoning Review

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. **05-659-A**

Date Completed/Initials

6/13/05

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; place certificates in file)

COMMENTS (check off agency comments received on front of hearing file; mail copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the biweekly hearing file has been completed; secure all papers under clips in file; send files to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

Jack and Iris Rosier
3731 Bay Drive
Bowleys Quarters, MD 21220

June 12, 2005

To Whom It May Concern:

This letter is to support the variance request of a roof deck widow walk requested by homeowners Brian and Kim Butcher, who live at 3733 Bay Drive. We have been next door neighbors of the Butchers for 10 years and long time residents of the Bowleys Quarters community. We are pleased with the style of the house and feel that the addition of the widow walk will add interest and character to the design. We are in complete support of this feature and in no way object to its construction or placement.

Sincerely,

Jack Rosier
Iris A Rosier

Jack and Iris Rosier

#659

John W. Burkowske
3623 Bay Drive
Middle River, MD. 21220
(410)335-4942

June 10, 2005

To Whom It May Concern:

This letter is to support the variance requested by Brian and Kim Butcher. Myself and the entire Burkowske family are delighted to have such a uniquely designed residence on our street. The roof top deck augments the nautical theme of this design, and in no way is obstructive. After Isabel, some families decided on prefab structures. However, a custom built home such as the Butcher residence at 3733 Bay Drive is a true asset to the entire community and one we welcome. There fore, I and the rest of the Burkowske family support the Butcher's variance request.

Sincerely,

A handwritten signature in cursive script that reads "John Burkowske". The signature is written in dark ink and is positioned below the word "Sincerely,".

John Burkowske

#659

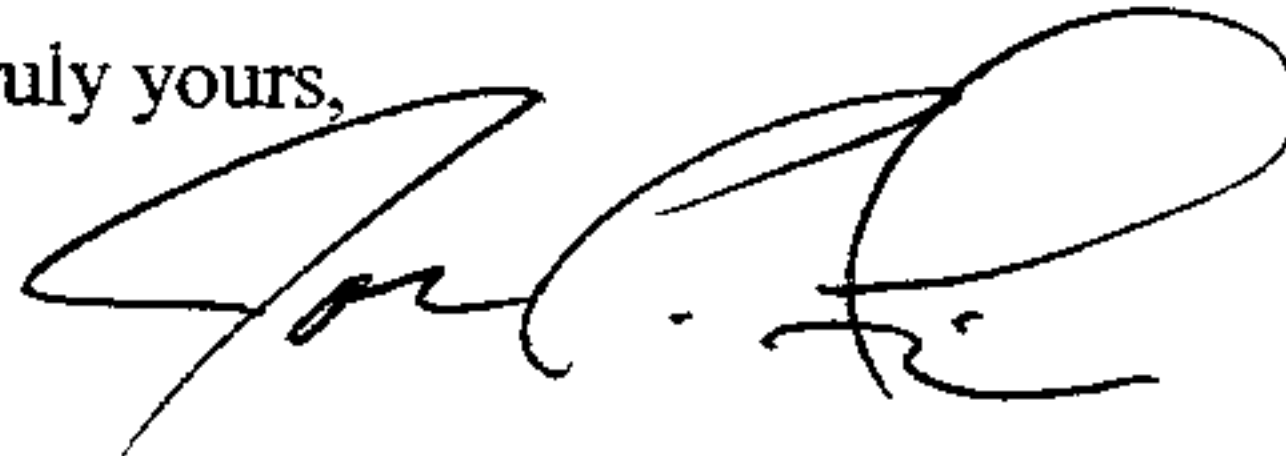
JOHN P. FITCH
3621 BAY DRIVE
MIDDLE RIVER, MD. 21220
(410)344-0638/ (410) 303-9676

June 8, 2005

TO WHOM IT MAY CONCERN:

This letter is in support of the variance requested by Brian and Kim Butcher, who live at 3733 Bay Drive, for a roof deck on the house they are building to replace their home that was destroyed by Hurricane Isabel. The design of their home is unique and attractive and is an asset to the community. The deck is unobtrusive and adds to the interesting character of the house.

Very truly yours,

A handwritten signature in black ink, appearing to read 'John P. Fitch', with a large, stylized loop at the end.

John P. Fitch

A659

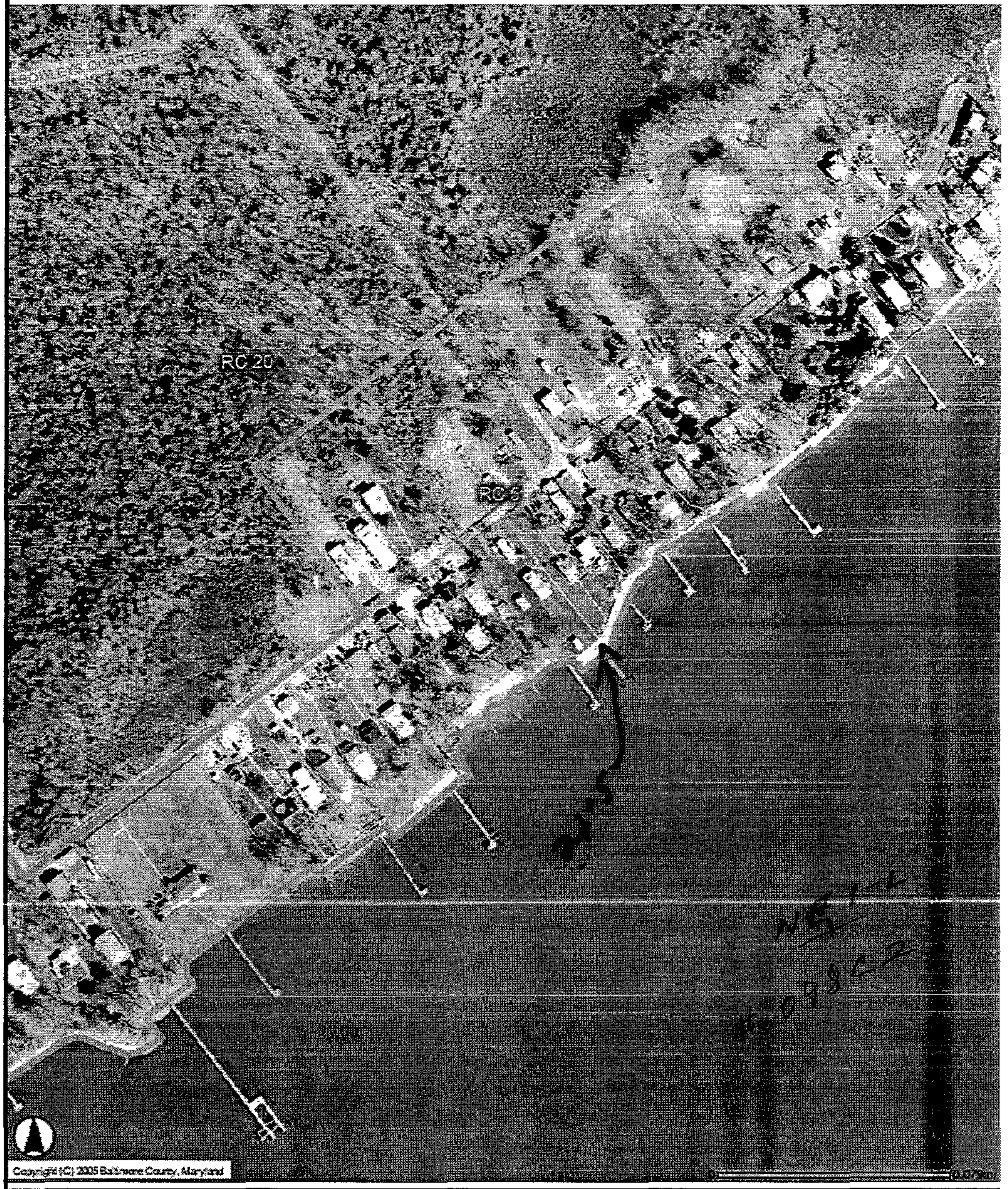
June 9, 2005

To Whom It May Concern:

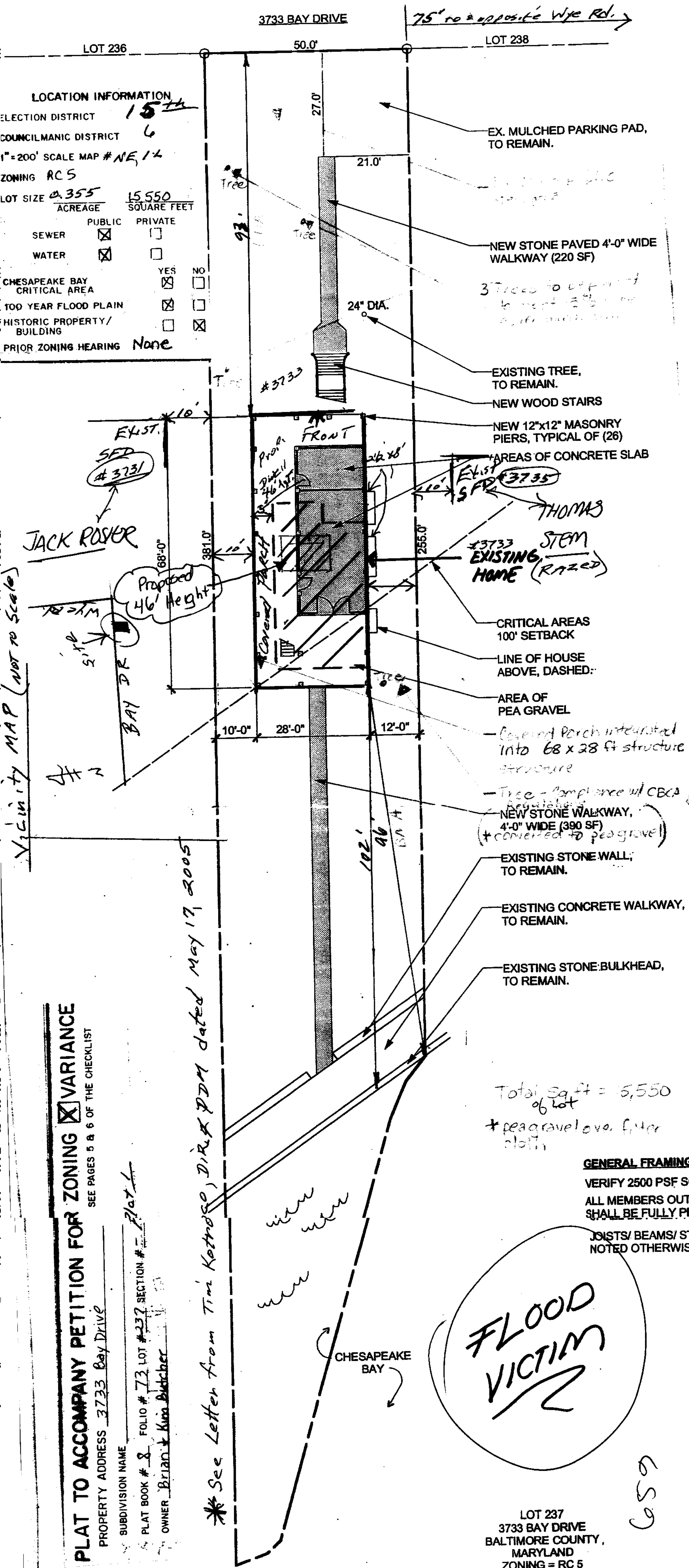
This letter is to support the variance requested by Brian and Kim Butcher. Their house at 3733 Bay Drive is attractive and the roof top deck adds to its "nautical" character. Our community is fortunate to have a diverse look that is not often seen in newer developments. This home, rebuilt after Isabel, will be an asset and does not in any way cause a problem to anyone's view or property.

Sincerely,
Michael Vivirito
Fran Vivirito
Fran & Mike Vivirito
3619 Bay Drive
Middle River, Maryland 21220

#659



#659



4

NEW ARCHITECTURAL SITE PLAN

Scale: 1" = 20 ft

