

IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Island View Road, 800 ft. +/- W
centerline of Barrison Point Road
15th Election District
5th Councilmanic District
(2504 Island View Road)

Lorri & R. B. Barnby
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-690-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Lorri & R. B. Barnby. The administrative variance is requested for property located at 2504 Island View Road in the eastern area of Baltimore County. The administrative variance request is from Sections 1A04.3.B.2.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a deck within 2 ft. of a side property line in lieu of the required 37.5 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 9, 2005, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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 from the Department of Environmental Protection & Resource Management (DEPRM) dated September 7, 2005 indicating that the deck will require a Chesapeake Bay Critical Area (CBCA), a copy of which is attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING
Date 10-31-05
By [Signature]

Applicable Law

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

“The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, 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.”

The Petitioners have filed the supporting affidavits as required by Section 32-3-303(a)(2) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, I find that the requested variance should be GRANTED.

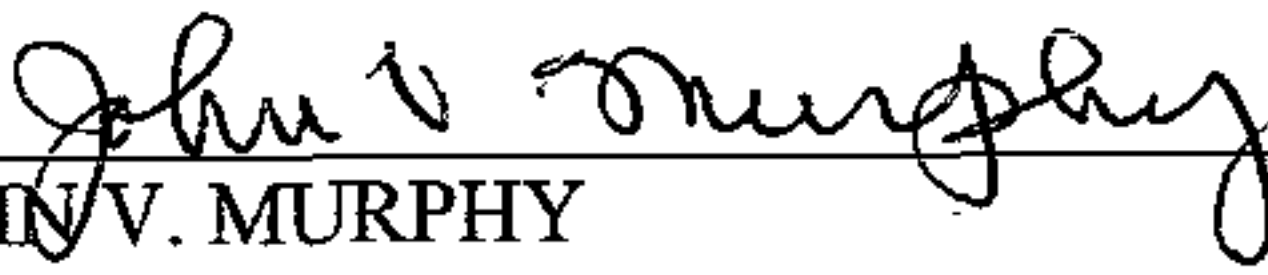
THEREFORE, IT IS ORDERED, this 31 day of October, 2005, by this Zoning Commissioner, that the Petitioners' request for variance from Sections 1A04.3.B.2.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a deck within 2 ft. of a side

ORDER RECEIVED FOR FILING
Date 10-31-05
By D. [Signature]

property line in lieu of the required 37.5 ft., 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 comment made by the Department of Environmental Protection & Resource Management (DEPRM) dated September 7, 2005 indicating that the deck will require a CBCA variance, a copy of which is attached hereto and made a part hereof.
3. 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:dlw

ORDER RECEIVED FOR FILING
Date 10-31-05
By Diana Wiley



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2504 Island View Road
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) 1A04.3, B.2.b & 301.1, BC21,
TO PERMIT A DECK WITHIN 2 FT OF A SIDE PROPERTY
LINE IN LIEU OF THE REQUIRED 27.5 FT.

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

A public hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, 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.

Legal Owner(s):

R. B. Barnby

Name - Type or Print

Signature

Lorri Barnby

Name - Type or Print

Signature

2504 Island View Road 410 391 1929

Address

Baltimore Md 21221

City

State

Zip Code

Representative to be Contacted:

James Grace

Name

2527 Barrison Point Rd 410 391 0179

Address

Telephone No

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO 05-690-A

Reviewed By JCM

Date

6/24/05

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 2504 Island View Road
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): Since the new house has been erected we have had no porch on the house. There is no porch on the house facing the water. This house has no other place for a porch due to the shape of the lot and building restrictions.

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.

R.B.F. Barnby
Signature
R. B. Barnby
Name - Type or Print

Lorri Barnby
Signature
Lorri Barnby
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1ST day of FEBRUARY, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

R.B.F. BARNBY & LORRI BARNBY
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Stephen E. Griffith
Notary Public

My Commission Expires

STEPHEN E. GRIFFITH
MY COMMISSION
EXPIRES: 12/1/05

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 2504 Island View Road
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): Since the new house has been erected we have had no porch on the house. There is no porch on the house facing the water. This house has no other place for a porch due to the shape of the lot and building restrictions.

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.

R. B. Barnby
Signature

R. B. Barnby
Name - Type or Print

Lorri Barnby
Signature

Lorri Barnby
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1ST day of FEBRUARY, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

R. B. F. BARNBY & LORRI BARNBY
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Stephen E. Griffith
Notary Public

My Commission Expires

STEPHEN E. GRIFFITH
MY COMMISSION
EXPIRES: 12/1/05



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2504 Island View Road

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) 1 AOA, 3, B.2.b 4301.1 BCZR

TO PERMIT A DECK WITHIN 2 FT OF A SIDE YARD PROPERTY LINE IN LIEU OF THE REQUIRED 3 FT

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):

R. B. Barnby

Name - Type or Print

Signature

Lorri Barnby

Name - Type or Print

Signature

2504 Island View Road 410 391 1929

Address

Telephone No

Baltimore Md

City

State

21221

Zip Code

Representative to be Contacted:

James Grace

Name

2527 Barrison Point Rd 410 391 0179

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 10/25/01

Estimated Posting Date _____

THOMAS E. PHELPS & ASSOCIATES, INC.

945 Barron Avenue
Baltimore, Maryland 21221-5202
(301) 574-6744

LAND SURVEYING

LAND PLANNING

ZONING DESCRIPTION FOR 2504 ISLAND VIEW RD
(address)

Beginning at a point on the NORTH side of
(north, south, east or west)

ISLAND VIEW ROAD which is 30'
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 800 WEST of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street BARRISON POINT RD
(name of street)

which is 30 wide. *Being Lot # 18,
(number of feet of right-of-way width)

Block _____, Section # B in the subdivision of BARRISON POINT
(name of subdivision)

as recorded in Baltimore County Plat Book # 7, Folio # 176.

containing 13,725. Also known as 2504 ISLAND VIEW
(square feet or acres) (property address)

and located in the 15 Election District, 5 Councilmanic District.

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

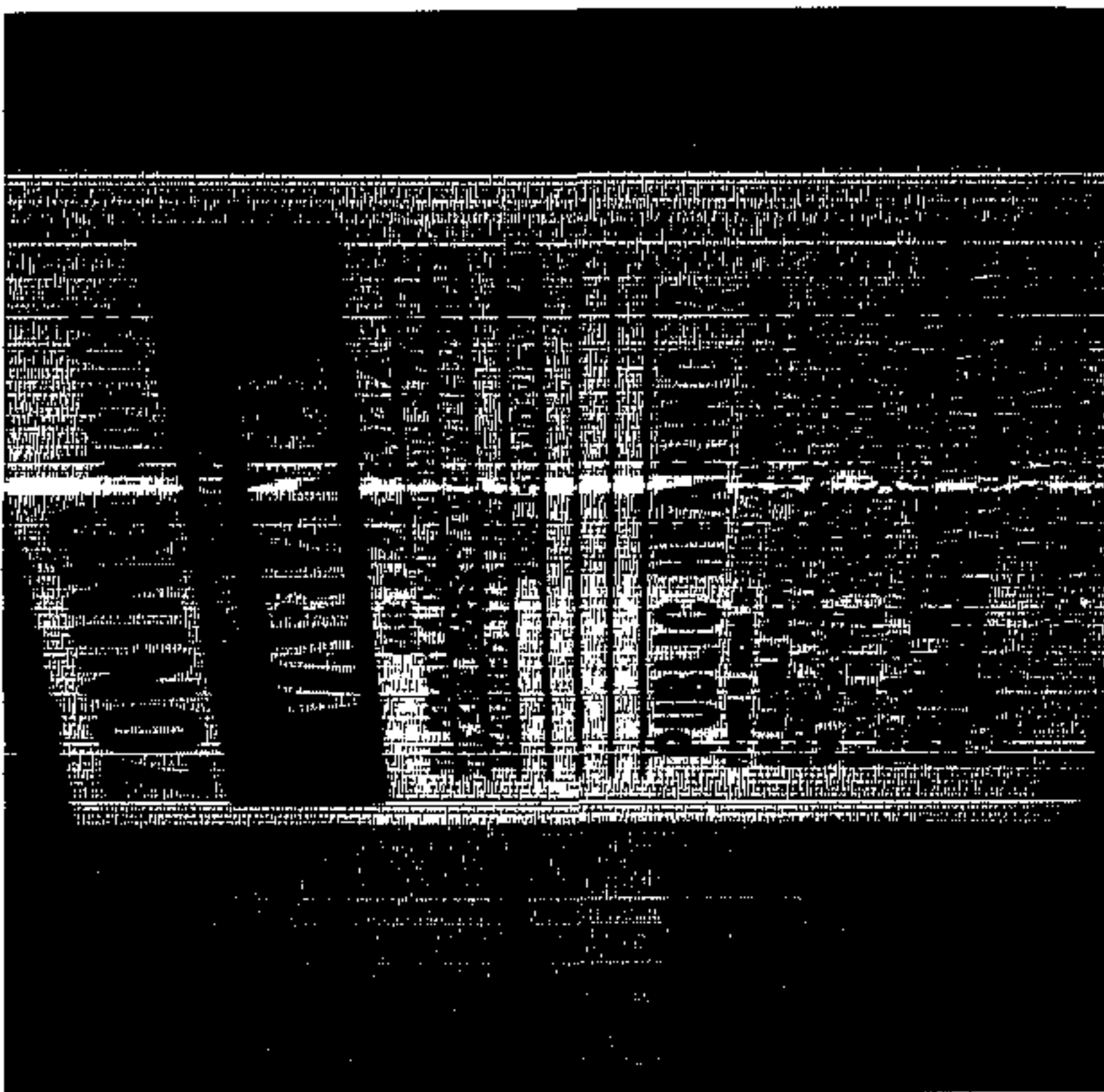
Date September 15, 2005

RESCHEDULED

RE: Case Number 05-690-A
Petitioner/Developer R.B. BARNABY/TOM PHELPS
Date of Hearing/Closing SEPTEMBER 26, 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 2504 ISLAND VIEW ROAD

The sign(s) were posted on September 9, 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)

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 4469117

DATE 6-24-05

ACCOUNT 601-006-6150

AMOUNT

\$ 65.00

RECEIVED FROM:

R. Brannan

2504

15000 US

FOR:

AD VAL

PAID RECEIPT

BUSINESS ACTUAL TIME

6/27/2005 3:24/2005 14:26:45

STP NO.01 WALKIN 0000 1901

RECEIPT # 317024 4/24/2005 10:11

NO. 3 322 7001111 VERIFICATION

NO. 446911

Receipt for

\$65.00 OK \$1.00 CA

Baltimore County, Maryland

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

**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 18, 2005

R.B. Barnby
Lorri Barnby
2504 Island View Road
Baltimore, Maryland 21221

Dear Mr. and Mrs. Barnby:

RE: Case Number: 05-690-A, 2504 Island View Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 24, 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.", written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
James Grace 2527 Barrison Point Road Baltimore 21221

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: July 21, 2005

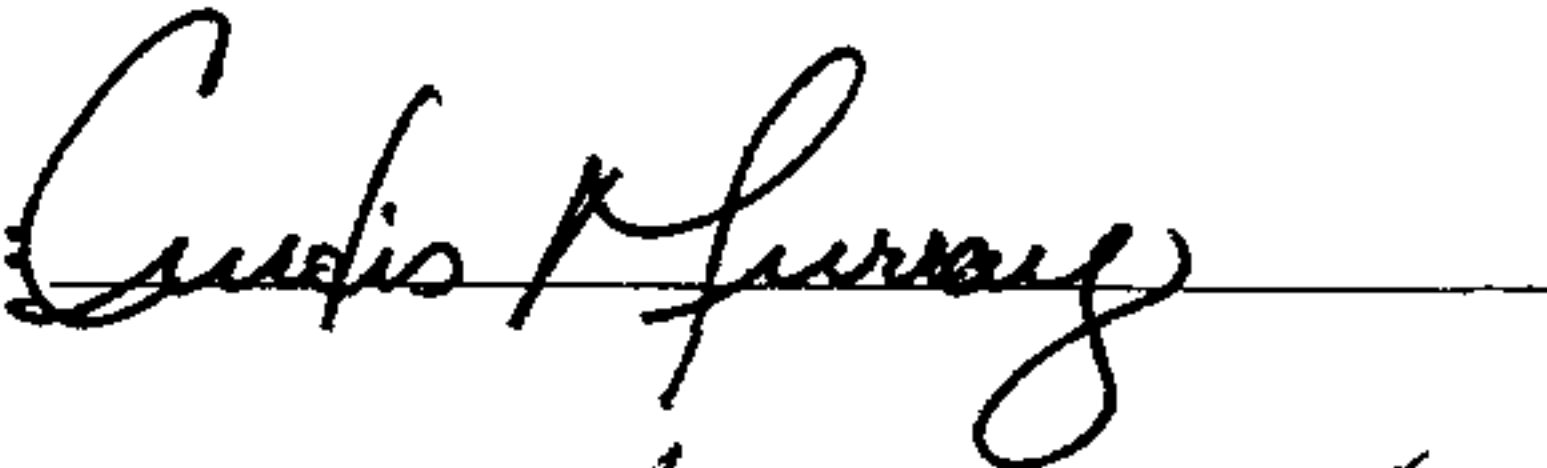
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-690

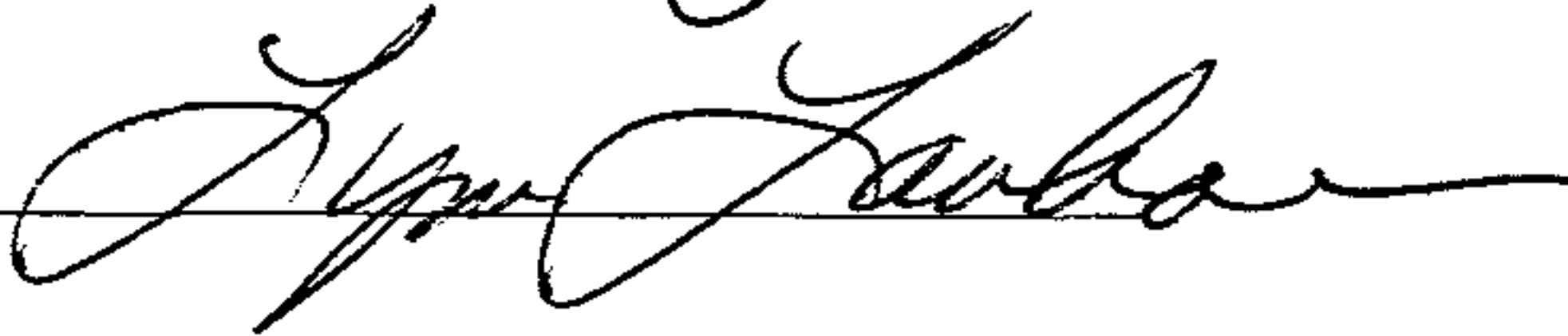
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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:



Division Chief:



CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: July 15, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
for July 18, 2005
Item No. 690

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have comments.

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

The flood protection elevation for this site is 10.4 feet.

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 adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

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

Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building adopted by the County.

DAK:CEN:cab

cc: File

ZAC-COMMENTS-ITEM NO 690-07152005.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: R. Bruce Seeley *RB*
DATE: September 7, 2005
SUBJECT: Zoning Item # 05-690
Address 2504 Island View Rd
Barnby Property

Zoning Advisory Committee Meeting of July 11, 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:

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 lot is not in a buffer management area. Any structure within one hundred feet (100') of mean high tide will require a Chesapeake Bay Critical Area Administrative Variance. This review process could take months and there is no guarantee of approval.

Reviewer: Martha Stauss

Date: August 16, 2005

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 690 -A

Address 2504 ISLAND VIEW Rd.

Contact Person. J. Mennery

Planner Please Print Your Name

Phone Number. 410-887-3391

Filing Date: 6-24-05

Posting Date: 7-3-05

Closing Date: 7-18-05

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- 690 -A

Address 2504 ISLAND VIEW ROAD

Petitioner's Name R.B. BARNBY

Telephone 410-391-1923

Posting Date: 7-3-05

Closing Date: 7-18-05

Wording for Sign: VARIANCE
To Permit A DECK WITHIN 2 ft. of THE
SIDE PROPERTY LINE IN LIEU OF THE
REQUIRED 37.5 ft.

WCR - Revised 6/25/04

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: 690

Petitioner: R.B. BARNBY

Address or Location: 2504 ISLAND VIEW ROAD
BALTO., Md 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: _____
Same.

Telephone Number: 410-391-1923



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

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

Maryland Department of Transportation

Date: 7.11.05

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

RE: Baltimore County
Item No. 690

JCM

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 Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

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

July 5, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: July 11, 2005

Item No.: 680-693

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.

Comments:

1. The fire marshal's office has no comments at this time

Insp. Mezick
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 21, 2005

RECEIVED

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

JUL 22 2005

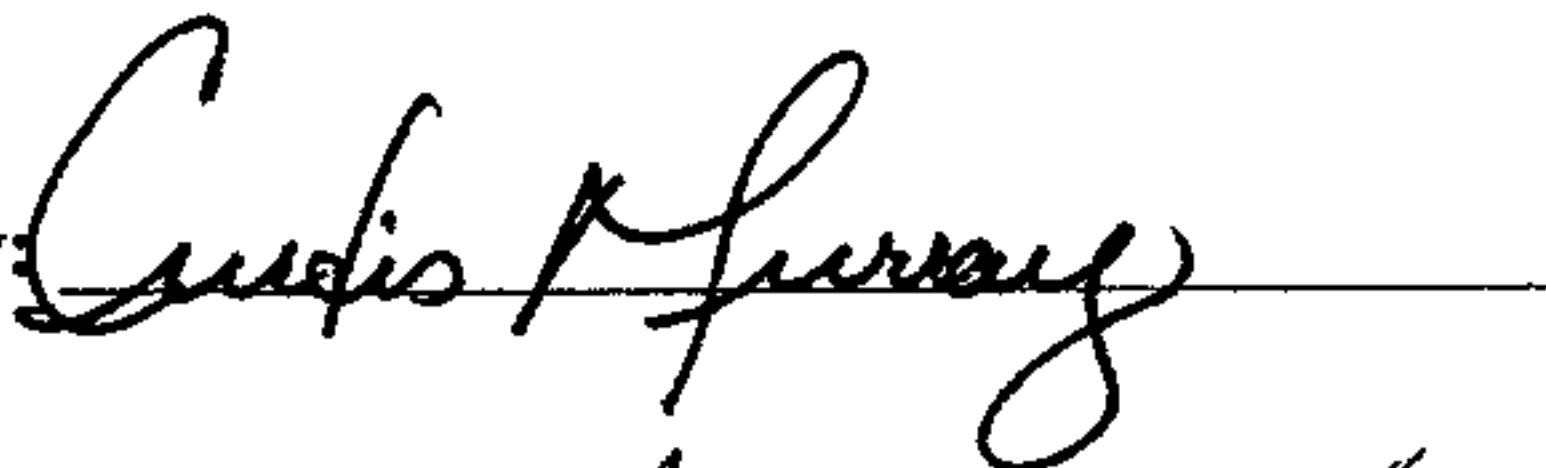
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-690

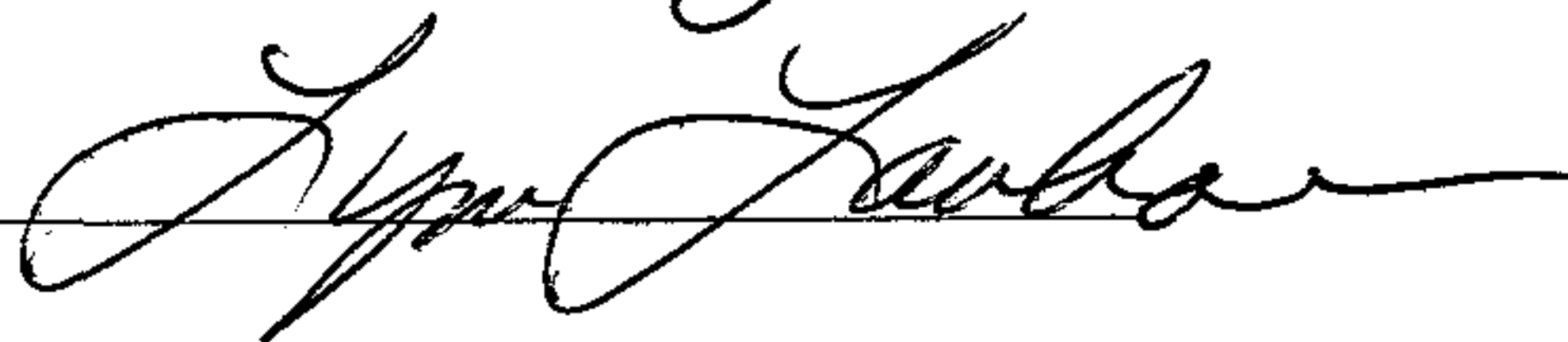
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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:



Division Chief:



CM/LL

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: R. Bruce Seeley *MB*
DATE: September 7, 2005
SUBJECT: Zoning Item # 05-690
Address 2504 Island View Rd
Barnby Property

Zoning Advisory Committee Meeting of July 11, 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:

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 lot is not in a buffer management area. Any structure within one hundred feet (100') of mean high tide will require a Chesapeake Bay Critical Area Administrative Variance. This review process could take months and there is no guarantee of approval.

Reviewer: Martha Stauss

Date: August 16, 2005

S:\Devcoord\ZAC05-690.doc

ORDER RECEIVED FOR FILING

Date 10-31-05

By *Debra W. [Signature]*

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

October 31, 2005

R.B. Barnby
Lorri Barnby
2504 Island View Road
Baltimore, Maryland 21221

Re: Petition for Administrative Variance
Case No. 05-690-A
Property: 2504 Island View Road

Dear Mr. & Mrs. Barnby:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative 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 black ink, reading "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw
Enclosure

c: Mr. James Grace, 2527 Barrison Point Road, Baltimore, MD 21221
People's Counsel; Case File

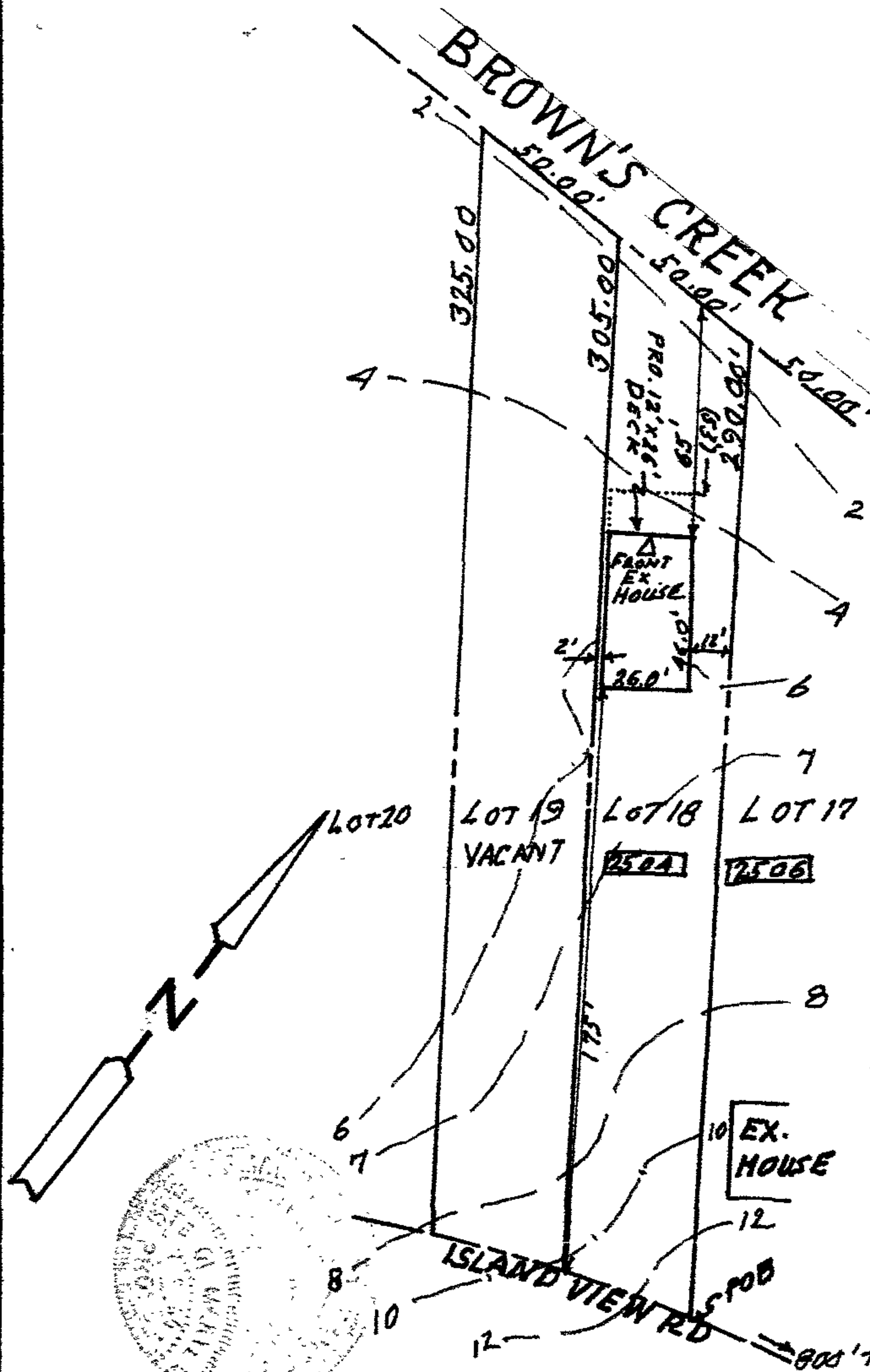
Visit the County's Website at www.baltimorecountyonline.info





VICINITY MAP

ELEC. DIST. 15
 COUNCIL DIST. 5
 PRECINT 19
 ZONING RC5
 1"=200' SCALE MAP SE 3K
 LOT SIZE 13,725 sq ft
 PRIVATE SEWER
 PRIVATE WATER
 IS IN CBCA
 FIRM MAP 4458
 FLOOD PLAIN A4B4C
 HISTORIC AREA NO
 F.F. ELEV 12.2
 PRIOR ZONING 02-472-A
 DEED 9269/728
 TAX# 15-11-150560
 TAX MAP 105 BLK 9 PARCEL 80
 OWNER R.B. BARNBY &
 LORRI BARNBY
 2504 ISLAND VIEW ROAD
 PHONE 410 391 1923



THIS DOES NOT CONSTITUTE A PROPERTY LINE SURVEY.
 THIS WILL CERTIFY THAT I HAVE LOCATED THE IMPROVEMENTS
 ON THE ABOVE PROPERTY AS INDICATED.

Thomas Phelps

THOMAS E. PHELPS AND ASSOCIATES, INC.

REGISTERED PROPERTY LINE SURVEYORS

945 BARRON AVENUE
 BALTIMORE, MARYLAND 21221

OFFICE: (301) 574-6744

PLAT TO ACCOMPANY VARIANCE
 R.B. & LORRI BARNBY PROP
 2504 ISLAND VIEW ROAD
 LOT 18 BARRISON POINT
 BALTIMORE COUNTY, MD.

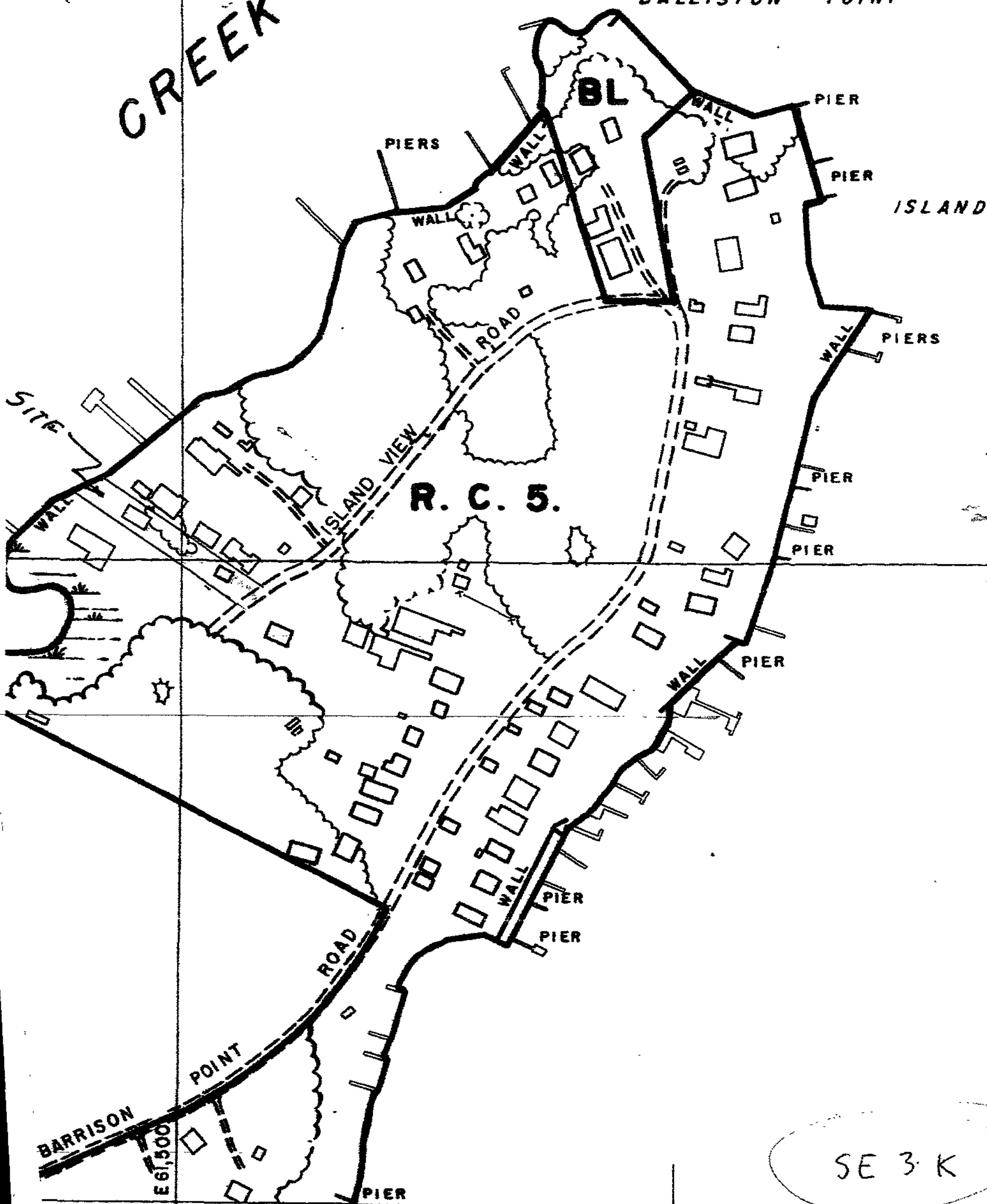
Plat Book 7 Folio 176

Scale 1"=50' Date 04/25/02 . . .

Ret. Ex. #1

CREEK

BALLISTON POINT



SE 3 K

SH 105-62

