

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-004-SPH

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This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, Deborah T. Guttenberger, personal representative of the Estate of George J. Guttenberger, III and Peter Vatenos, contract purchaser. The Petitioners are requesting special hearing relief for property located at 3918 Briar Point Road in the eastern area of Baltimore County. Special Hearing relief is requested pursuant to Sections 1A04.3A, 1A04.3B.1.b and 1A04.3B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed dwelling on a lot with an area of 1 acre and side yard setbacks of 18 ft. with a height of 40 ft. in lieu of the required 1.5 acre, 50 ft. and 35 ft. respectively.

The property was posted with Notice of Hearing on August 10, 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 August 9, 2004 to notify any interested persons of the scheduled hearing date.

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

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8/26/05
R. J. [unclear]
S. [unclear]
A. [unclear]

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.

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, a ZAC comment was received from the Bureau of Development Plans Review dated July 25, 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. In addition, ZAC comments were received from the Department of Environmental Protection & Resource Management (DEPRM) dated August 3, 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. Finally, a ZAC comment was received from the Office of Planning dated August 11, 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 Peter Vatenos, Petitioner, and David Billingsley of Central Drafting & Design, Inc., the firm that prepared the site plan of the property. No Protestants or citizens appeared at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property contains 43,560 sq. ft. (approximately one acre) located in the eastern area of Baltimore County and is zoned RC 5. The property is presently vacant. Mr. Billingsley opined the lot had been recorded in 1965 as a lot of record not in a subdivision. The Petitioners would like to build a new home on this property as shown on Petitioner's Exhibit 1, the revised site plan. Mr. Billingsley explained that the revised site plan shows the new home recently built on a similar lot to the west owned by Victor Ichniowski. Research shows that similar variances were approved for this adjacent lot in Case No. 05-194-SPH.

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8/26/05
JLH

Mr. Billingsley indicated that the Petitioner could not meet the new RC 5 requirement of 1.5 acre having only 1 acre available. He indicated that the Petitioner owns a 30 foot wide strip of land that connects the property to Goose Harbor and contains 0.3 acres. So even if this were included in this lot by lot line adjustment, a variance would still be needed for the undersized lot.

He noted that the proposed home is pushed back off of Briar Point Road as far as practical and still be reasonably in line with homes on adjacent lots. The lot is truncated pie shaped so that the road frontage is 84 feet while the rear lot line is almost 170 feet. At the location of the home, the lot is approximately 100 feet wide. Obviously, if the 50 foot side yard setback required by the RC 5 regulations were strictly enforced, no home could be constructed at that location. Consequently, he requested a side yard variance of 18 feet as shown.

Finally, he noted that Development Plans Review requested the new home be elevated 10.4 feet above flood level as required for flood insurance in this area of the County. The Petitioner would like to erect a two story home. The only use that can be made of the ground level is for parking. The first floor starts 11 feet off the ground and the peak of the roof will be approximately 40 feet above the ground. Thus the request for a height variance from the 35 feet maximum specified. There is no need to adjust the site plan for the other Development Plans Review comments as the house easily meets the front yard setback requirements from the centerline of the street.

He further noted that the Planning Office found that the proposed home met the spirit and intent of the RC 5 regulations after reviewing the proposed architectural drawings. The Petitioner agreed to provide the landscaping requested by the Planning Office.

Findings of Fact and Conclusions of Law

The Petitioners' request is nearly identical to the requests for variance which were granted for the adjacent lot in Case No.05-194-SPH. A new home has recently been constructed on the adjacent lot. Although the request is in the form of a special hearing I will treat it as a variance.

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8/26/05
Rax

The lot was recorded in 1965 much before the RC 5 regulations were imposed on the property. As such I find the zoning regulations impact this lot differently from lots in the neighborhood which were created after the RC regulations were imposed. In addition, the lot is oddly shaped being narrow at the street and much wider to the rear. Consequently, I find the property unique in a zoning sense.

Clearly, the Petitioner can not meet the area and side yard setback requirements of RC 5. For example, if strictly enforced no home could be built on the lot and meet the 50 foot side yard setback specified in the regulations. The lot is only 100 feet wide at the location of the proposed home.

Finally, I find that the granting these variances would not adversely affect the neighborhood. The Planning Office already found that the architectural design meets the spirit and intent of the regulations. This new home will not change the pattern of development of the neighborhood. Consequently, I find that these variance requests 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.

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 granted.

THEREFORE, IT IS ORDERED, this 26 day of August, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Sections 1A04.3A, 1A04.3B.1.b and 1A04.3B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed dwelling on a lot with an area of 1 acre and side yard setbacks of 18 ft. with a height of 40 ft. in lieu of the required 1.5 acre, 50 ft. and 35 ft. respectively, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

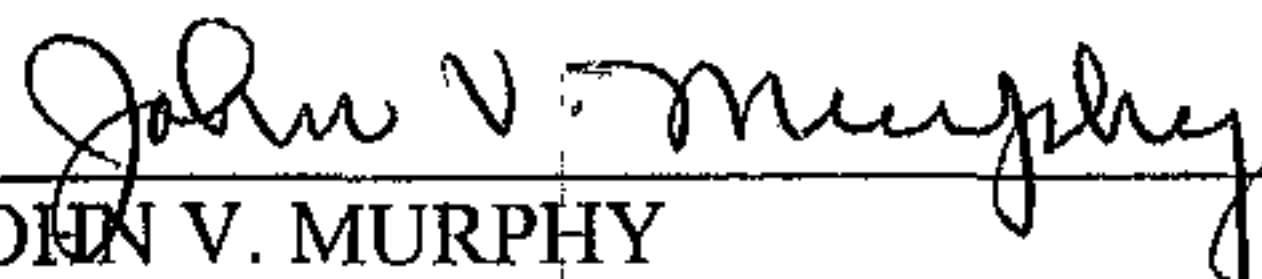
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at

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8/26/05
Ray

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 July 25, 2005, a copy of which is attached hereto and made a part hereof.
3. Compliance with the ZAC comments made by DEPRM dated August 3, 2005, a copy of which is attached hereto and made a part hereof
4. Compliance with the amended ZAC comments submitted by the Office of Planning dated August 11, 2005, a copy of which is attached hereto and made a part hereof.
5. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING

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

August 26, 2005

Mr. Peter Vatenos
8767 Berryfield Drive
Baltimore, Maryland 21236

Re: Petition for Special Hearing
Case No. 06-004-SPH
Property: 3918 Briar Point Road

Dear Mr. Vatenos:

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".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: David Billingsley, Central Drafting & Design, Inc., 601 Charwood Ct., Edgewood, MD 21040
Deborah T. Guttenberger, 1010 Fuselage Ave., Baltimore, MD 21220

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





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

CBCA

for the property located at 3918 BRIAR POINT 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve 1A04.3A., 1A04.3B.1.b., 1A04.3B.2.b.
(BCZR)

TO PERMIT A PROPOSED DWELLING ON A LOT WITH AN AREA OF 1 ACRE
AND SIDE YARD SETBACKS OF 18-FEET WITH A HEIGHT OF 40-FEET IN
LIEU OF THE REQUIRED 1.5 ACRE, 50-FEET AND 35-FEET RESPECTIVELY.

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:

PETER VATENOS

Name - Type or Print

Peter M Vatenos

Signature

8267 BERRYFIELD DRIVE (410) 925-9795

Address

BALTO

City

MD.

State

Telephone No.

21236

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

State

Zip Code

Legal Owner(s):

DEBORAH T. GUTTENBERGER, PR

Name - Type or Print

FOR THE ESTATE OF
GEORGE J. GUTTENBERGER III

Signature

Name - Type or Print

Deborah T. Guttenberger

Signature

1010 FUSELAGE AVE

Address

BALTO.

City

MD.

State

Telephone No.

21220

Zip Code

Representative to be Contacted:

DAVID BILLINGSLEY
CENTRAL DRAFTING & DESIGN, INC.

Name

601 CHARWOOD CT (410) 679-8719

Address

EDGEWOOD

City

MD

State

Telephone No.

21040

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D.T. Date 6/30/05

Case No. 06-004-SPH

220 9/15/97

DESCRIPTION TO ACCOMPANY ZONING PETITION

3918 BRIAR POINT ROAD

Beginning for the same at a point on the northwest side of Briar Point Road (30 feet wide) said point being distant 55 feet southwesterly from it's intersection with the centerline of Bay Drive (30 feet wide), thence (1) S 46°20' 20" W 84.25 feet, thence (2) N 35°08' 40" W 362.04 feet, thence (3) N 30° 47' E 169.65 feet, thence (4) S 26° 21' E 420.48 feet to the place of beginning.

Containing 43,560 square feet or 1.00 acre of land, more or less

Being known as 3918 Briar Point Road. Located in the 15th Election District, 6th Councilmanic District of Baltimore County, Maryland.



06-004-SPH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 446928

DATE

6/20/05

ACCOUNT

0010064150

AMOUNT \$

65.00

RECEIVED FROM:

Central Drafting & Design

FOR:

Item # 004 06-004-SPH

3918 Belle Point Rd. D.T.

PAID RECEIPT

BUSINESS ACTIVITY DATE

7/20/2005 6/20/2005 10/20/2005

CG 9912 MAIL JEN JEE

RECEIPT # 446928 6/20/2005

Dept 5 528 ZONING REGISTRATION

TR NO. 946928

Receipt Tot 65.00

65.00 TR 1.00 CA

Baltimore County, Maryland

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

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: #06-004-SPH

3918 Briar Point Road

N/west side of Briar Point Road, 55 feet s/west of centerline of Bay Drive

15th Election District — 6th Councilmanic District

Legal Owner(s): Deborah T. Guttenberger, PR for the Estate of George J. Guttenberger III

Contract Purchaser: Peter Vatenos

Special Hearing: to permit a proposed dwelling on a lot with an area of 1 acre and side yard setbacks of 18 feet with a height of 40 feet in lieu of the required 1.5 acre, 50 feet and 35 feet respectively.

Hearing: Thursday, August 25, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4388.

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

JT 8/633 August 9 62079

CERTIFICATE OF PUBLICATION

8/10/2005

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 8/9/2005.

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

S. Wilkins

ADVERTISING

CERTIFICATE OF POSTING

RE: Case No: 06-004-SPH

Petitioner/Developer: PETER
VATE NOS

Date Of Hearing/Closing: 8/25/05

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

Attention:

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
at 3918 BRIAR POINT RD.

This sign(s) were posted on August 10, 2005
(Month, Day, Year)

Sincerely,

Martin Ogle 8/10/05
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

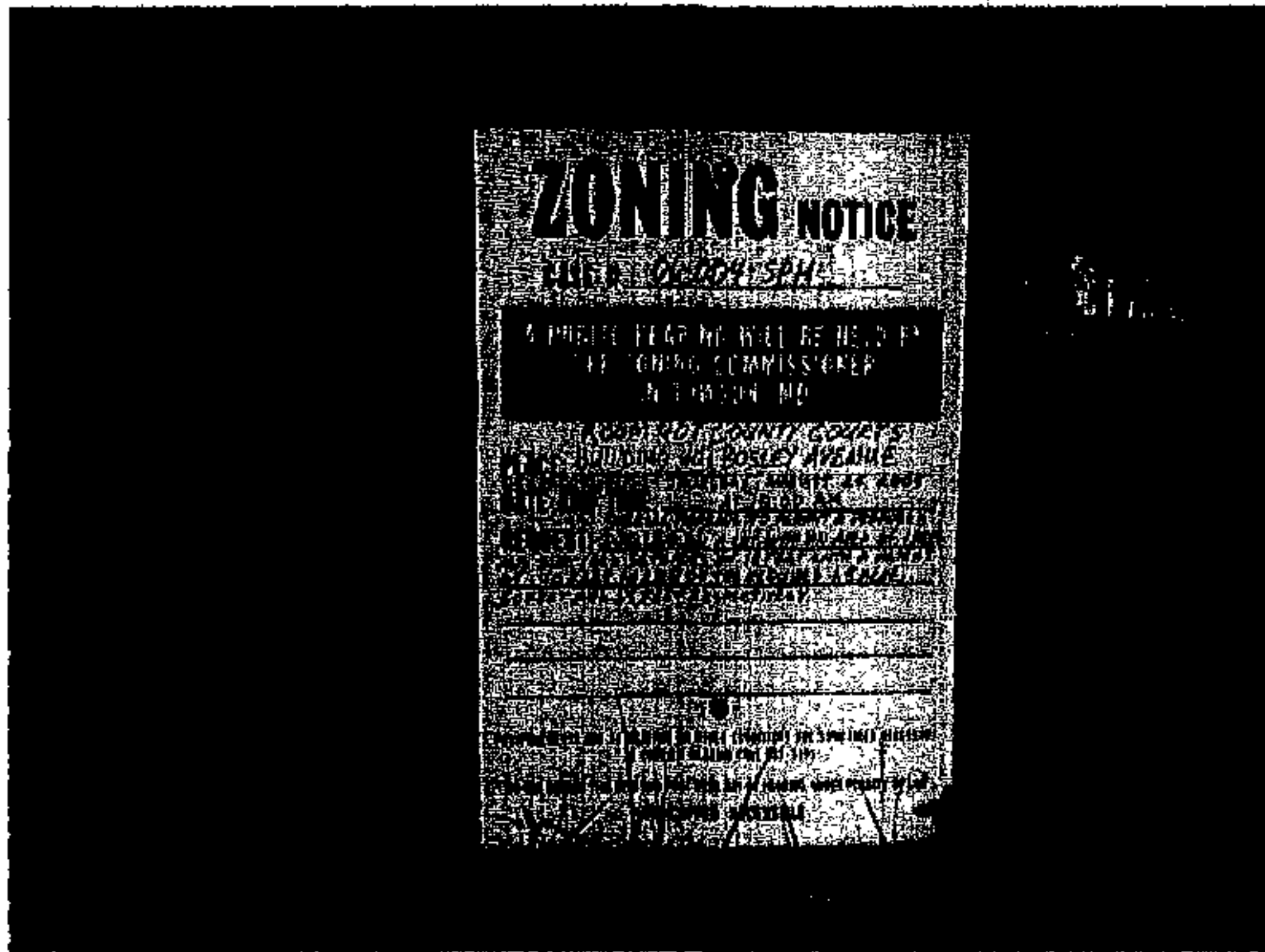
16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

im000376 (576x432x24b jpeg)



Master Of 8/10/05

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
3918 Briar Point Road; NW/side Briar Point *
Road, 55' SW of c/line Bay Drive * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Deborah Guttenberger, PR for* FOR
Estate of George Guttenberger, III
Petitioner(s) * BALTIMORE COUNTY
* 06-04-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 sent/ documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of July, 2005, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, Central Drafting & Design, Inc, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

RECEIVED

JUL 18 2005

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for 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*

July 13, 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: 06-004-SPH

3918 Briar Point Road

N/west side of Briar Point Road, 55 feet s/west of centerline of Bay Drive

15th Election District – 6th Councilmanic District

Legal Owners: Deborah T. Guttenberger, PR for the Estate of George J. Guttenberger III

Contract Purchaser: Peter Vatenos

Special Hearing to permit a proposed dwelling on a lot with an area of 1 acre and side yard setbacks of 18 feet with a height of 40 feet in lieu of the required 1.5 acre, 50 feet and 35 feet respectively.

Hearing: Thursday, August ²⁵~~24~~, 2005 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: Deborah Guttenberger, 1010 Fuselage Avenue, Baltimore 21220

Peter Vatenos, 8267 Berryfield Drive, Baltimore 21236

David Billingsley, 601 Charwood Court, Edgewood 21040

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 10, 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.

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



TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 9, 2005 Issue - Jeffersonian

Please forward billing to:
Peter Vatenos
8267 Berryfield Drive
Baltimore, MD 21236

410-925-9795

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: 06-004-SPH

3918 Briar Point Road

N/west side of Briar Point Road, 55 feet s/west of centerline of Bay Drive

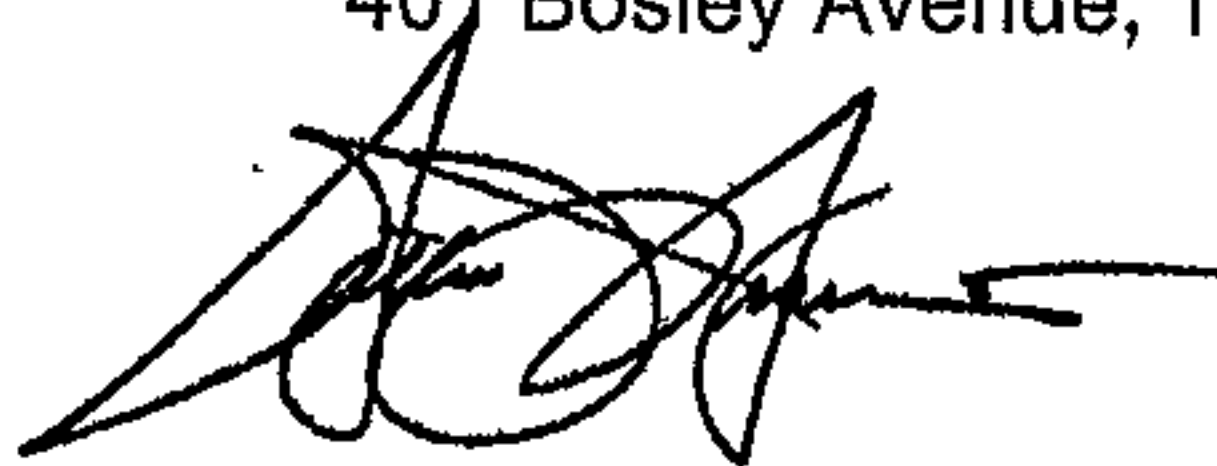
15th Election District – 6th Councilmanic District

Legal Owners: Deborah T. Guttenberger, PR for the Estate of George J. Guttenberger III

Contract Purchaser: Peter Vatenos

Special Hearing to permit a proposed dwelling on a lot with an area of 1 acre and side yard setbacks of 18 feet with a height of 40 feet in lieu of the required 1.5 acre, 50 feet and 35 feet respectively.

Hearing: Thursday, August ³⁵24, 2005 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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: 06-004-SPH
Petitioner: PETER VATENOS
Address or Location: 3918 BRIAR POINT RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: PETER VATENOS
Address: 8267 BERRYFIELD DRIVE
BALTO. MD 21236
Telephone Number: 410-925-9795

**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*

August 15, 2005

Deborah T. Guttenberger
1010 Fuselage Avenue
Baltimore, Maryland 21220

Dear Ms. Guttenberger:

RE: Case Number: 06-004-SPH, 3918 Briar Point Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 30, 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
Peter Vatenos 8267 Berryfield Drive Baltimore 21236
David Billingsley Central Drafting & Design 601 Charwood Court Edgewood 21040

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



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

July 14, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: July 18,, 2005

Item No.: 002, (004), 005, 009, 010, 012

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.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Acting Lieutenant David S. Heath
Fire Marshal's Office
(O) 410-887-4881
MS-1102F

cc: File

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For July 25, 2005
Item No. 004

DATE: July 25, 2005

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.

Show the future right-of-way line parallel to the existing right-of-way line, 5-feet closer to the house

DAK:CEN:clw
cc: File
ZAC-ITEM NO 004-07252005.doc

gm
8/25

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: Bruce Seeley
DATE: August 3, 2005

RECEIVED

AUG - 3 2005

ZONING COMMISSIONER

SUBJECT: Zoning Item # 004
Address 3918 Briar Point Rd
Vatenos Property

Zoning Advisory Committee Meeting of 6-18-05

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

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

☐ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

☐ Development of this property must comply with the Forest Conservation Regulations (Section 33-6-101 through 33-6-122 of the Baltimore County Code).

☒ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: Patricia Farr 

Date: August 3, 2005

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 11, 2005

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

SUBJECT: 3918 Briar Point Road

INFORMATION:

Item Number: 6-004

Petitioner: Deborah Guttenberger

Zoning: RC 5

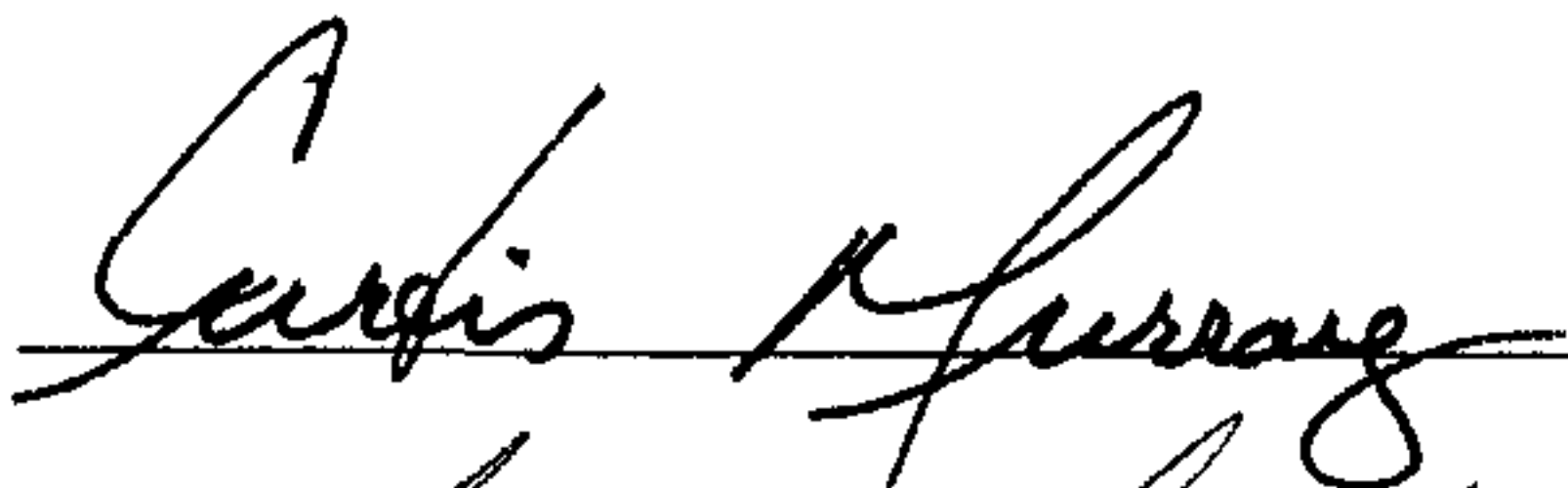
Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

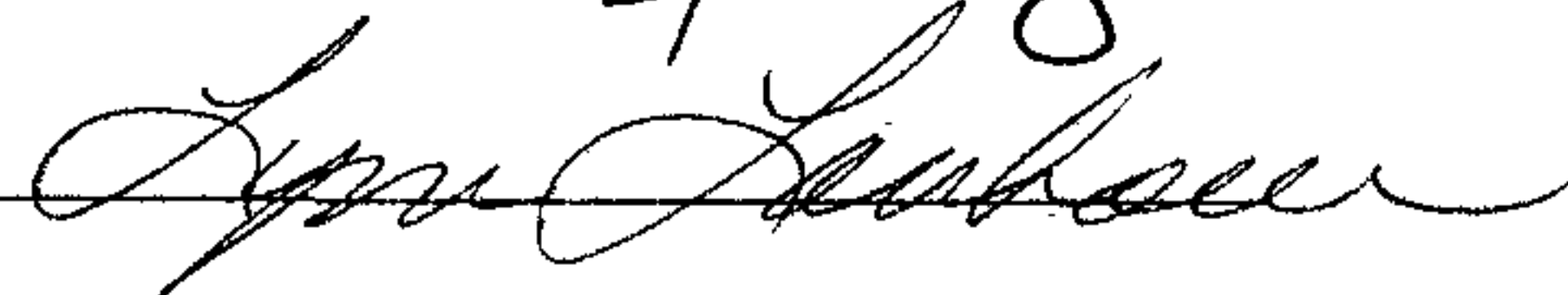
The Office of Planning reviewed the petitioner's request and accompanying site plan and elevation drawing and finds the proposal to be in accordance with the spirit and intent of the RC 5 regulations and performance standards listed within Bill 55-04. As such, this office does not oppose the subject request provided the applicant submit a landscape plan to Baltimore County Landscape Architect Avery Harden for review and approval that augments the vegetation found in the critical area easement so that the reverse frontage orientation on Goose Harbor Road is mitigated during all four seasons.

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

Prepared by:



Division Chief:
AFK/LL: CM



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



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

Maryland Department of Transportation

Date: 7.15.05

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

RE: Baltimore County
Item No. 004 DT

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

CASE NAME 3918 BRIAR PT ROAD
CASE NUMBER 06-004-JPH
DATE 8/25/05

PETITIONER'S SIGN-IN SHEET

[illegible]

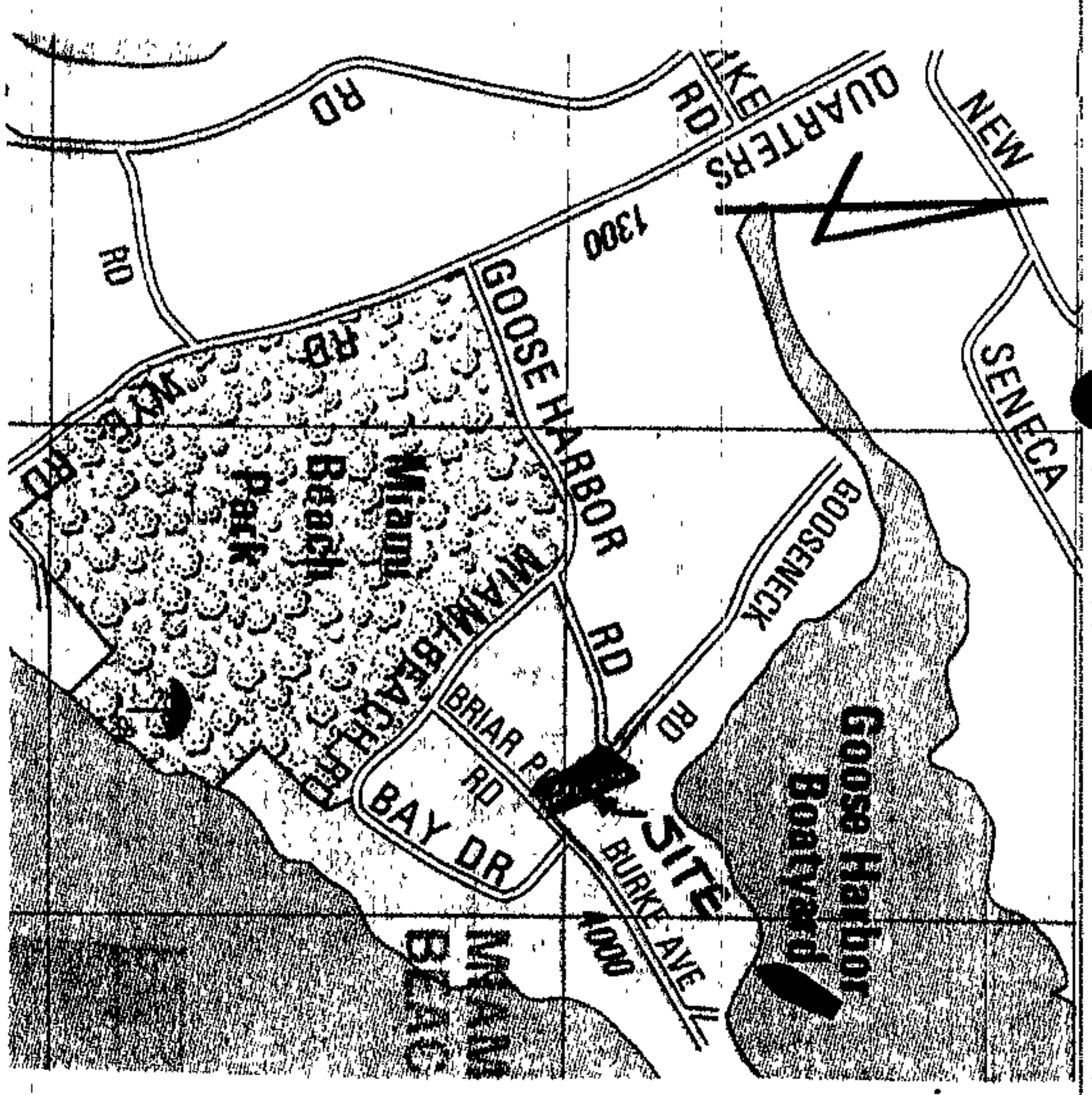
MAP 09891



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1188



VICINITY MAP
SCALE 1" = 1000'

- NOTES
1. ZONING.....RC5 (MAP 098C1)
 2. AREA.....43,560 S.F. = 1.00 ACRE +/-
 3. SITE IS LOCATED IN THE CBCA AND 100 YEAR FLOOD PLAIN
 4. NO UNDERGROUND STORAGE TANKS, HISTORIC STRUCTURES, OR ARCHEOLOGICAL SITES EXISTS.
 5. NO PREVIOUS ZONING HISTORY
 6. PUBLIC WATER AND SEWER EXISTS.



OWNER
DEBORAH T. GUTTENBERGER, PR FOR THE
ESTATE OF GEORGE J. GUTTENBERGER, III
1010 FUSELAGE AVENUE
BALTIMORE, MARYLAND 21220
L.8659 F.489
ACCT. NO. 1509050040

PLAT TO ACCOMPANY PETITION
FOR SPECIAL HEARING
3918 BRIAR POINT ROAD
ELECTION DISTRICT 15C6
BALTIMORE COUNTY, MARYLAND
SCALE: 1 INCH = 50 FEET JUNE 23, 2005