OR FILMS THE WILLIAM IN RE: PETITION FOR ADMIN. VARIANCE South Side of Bay Drive, 750' West of of Centerline of Chesapeake Road 15th Election District 6th Councilmanic District (3517 Bay Drive)

> Bernard H. and Jerrie S. Ulbrich **Petitioners**

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 06-415-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, Bernard H. and Jerrie S. Ulbrich. The variance request is for property located at 3517 Bay Drive in the Middle River area of Baltimore County. The variance request is from Sections 1A04.3B.2.b and 1A04.3B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a 3 foot side setback and a 50.6 foot setback to the centerline of the street with all structures covering approximately 24% of the lot in lieu of the required 50 feet, 75 feet and 15% respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Department of Environmental Protection and Resource Management (DEPRM) dated March 28, 2006 and the Bureau of Development Plans Review dated March 7, 2006, copies of which are attached hereto and made a part hereof.

Findings of Fact and Conclusions of Law

The issue in this case is side yard setback. The Petitioners were granted a 7 foot side yard setback in case no. 99-129-A. From the Petitioners' Plat to Accompany the Petitioners' house is built to this set back.

The Petitioners would like to build an addition to the road side of the house with a 3 foot side yard setback. Upon initial review by this Commission, the question arose why they could not build the addition within the 7 foot side yard setback previously granted? Essentially this meant either the addition would be reduced from 14 feet wide to 10 feet wide or physically moved 4 feet to be more centered with the existing home. This Commission posed this question to the Petitioners in a letter dated March 30, 2006.

In response the Petitioner sent in two responses which indicate that the size of the addition was already reduced to the minimum which would be useful so that reducing the width to 10 feet was not feasible. Similarly the Petitioners indicated that they could not move the whole addition toward the center of the house because it would cover important features of the house such as walk through arch etc. Finally the Petitioners submitted plans which show an old garage 3 feet from the side yard in this location so that they will not be changing the pattern of development of the neighborhood.

I am satisfied that the Petitioners have made every effort to comply with the 7 foot variance previously granted but that it is impractical to do so. My remaining concern is that some future owner of the property seeing a 3 foot setback will expand the house portion of the building not just the addition contemplated by the Petitioners herein. Consequently I will approve the site plan in addition to the variances requests to limit the variance to the new addition.

AND CONTRACTOR

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 4, 2006, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 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 Deputy 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, the requested variance should be granted.

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. The Petitioners must be in compliance with the comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated March 28, 2006 relative to Chesapeake Bay Critical Areas regulations and all other appropriate environmental, floodplain and B.O.C.A. regulations relative to the protection of water quality, streams, wetlands and floodplains. A copy of this comment is attached hereto and made a part hereof.
- 3. The Petitioners must be in compliance with the Bureau of Development Plans Review comments dated March 7, 2006, a copy of which is attached hereto and made a part hereof.
- 4. When applying for a building permit, the site plan 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

 ~ 0 ~ 10

FOR BALTIMORE COUNTY

JVM:dlw



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

April 19, 2006

Bernard H. Ulbrich Jerrie S. Ulbrich 3517 Bay Drive Middle River, Maryland 21220

Re: Petition for Administrative Variance

Case No. 06-415-A

Property: 3517 Bay Drive

Dear Mr. and Mrs. Ulbrich:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted with restrictions 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, Joseph Meethy

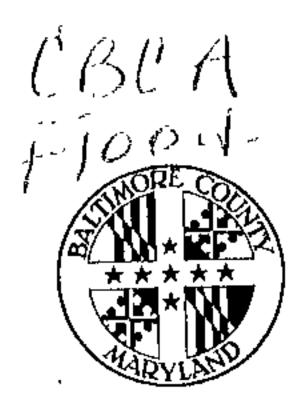
John V. Murphy

Deputy Zoning Commissioner

for Baltimore County

JVM:dlw Enclosure

c: Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100, Annapolis, MD 21401
People's Counsel; Case File



Petition for Administrative Variance

to the Zoning Commissioner of 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

for the property located at	3517	BAY	DRIVE
	h is presently	zoned	RC5

To permit an addition with a 3-foot side setback and a 50.6-foot setback to the centerline of the street with all structures covering approximately 24% of the lot in lieu of the required 50-feet, 75-feet and 15%, 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.

			is the subject of this Petition.	` ,	,
Contract Purch	aser/Lessee:		Legal Owner(s):	*** \	
• •			BERNARD H. AN	JERRIE!	S. ULBRICH
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Signature			Signature	S. Wi	BRICH
Address		Telephone No.	Name - Type or Print	5 11 Der	rich
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Attorney For Pe	etitioner:		3517 BAY DRI	VE 410	344 06 40
appeared are proposed that			Address MIDDLE RIVER	MD.	Telephone No. 21220
Name - Type or Print	· · · · · · · · · · · · · · · · · · ·	··	City	State	Zip Code
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Signature	- NA SAMANA	,	BERNARD H. U		
Company		******	Name 3517 BAY DRY	NAUA1A	238 5820
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City	State	Zıp Code	City	State	21220 Zip Code
A ₂ Public Hearing hav	ving been formally demanded	and/or found to be	required, it is ordered by the Zoning	g Commissioner o	f Baltimore County,
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CBCA

REV 10/25/01

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.

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 Address BAYDRIVE	'
Address MIDDLE RIVER MARYLAND 21220 City State	
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administration at the above address (indicate hardship or practical difficulty): SIDE SET BACK OF THREE (3) FEET TO BOUNDARY, WITH RECREAT ROOM "CONNECTED TO THE RESIDENCE", DUE TO FLOOD CONSIDERATIONS THIS ROOM CAN ONLY BE "AT OR ABOVE THE ELEVATION OF THE MAIN! SECOND FLOOR UPPER LEVEL ADDITION FOUND STRUCTURALLY COMPLEX (COSTLY) AND CONTRARY TO LONG TERM GOAL "ONE FLOOR RESIDENCE (COSTLY) AND CONTRARY TO LONG TERM GOAL "ONE FLOOR RESIDENCE (SEE 99-129A, CONDITIONS REMAIN AS PREVIOUSLY STATED).	FLOBR.
	and
That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting advertising fee and may be required to provide additional information. Signature Signature Signature Signature Name - Type or Print Name - Type or Print	<u></u>
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I HEREBY CERTIFY, this /// day of FEBRNARY , 2006, before me, a Notary Public of the Soft Maryland, in and for the County aforesaid, personally appeared Bernard H. Li brich the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).	State
AS WITNESS my hand and Notarial Seal As Witness my hand and Notarial	

ZONING DESCRIPTION FOR 3517 BAY DRIVE

BEGINNING AT A POINT ON THE SOUTH SIDE OF BAY DRIVE WHICH IS 25 WIDE AT A DISTANCE OF 750 WEST OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET, CHESAPEAKE ROAD WHICH IS 25 WIDE. BEING LOT#16, SECTION 3 OF BOWLEYS QUARTERS AS RECORDED IN BALTIMORE COUNTY PLAT BOOK 7, FOLIO #78, CONTAINING . 291 ACRE /12,700 SQ. FEET. ALSO KNOWN AS 3517 BAY DRIVE AND LOCATED IN THE 15th ELECTION DISTRICT, GTH COUNCILMANIC DISTRICT.

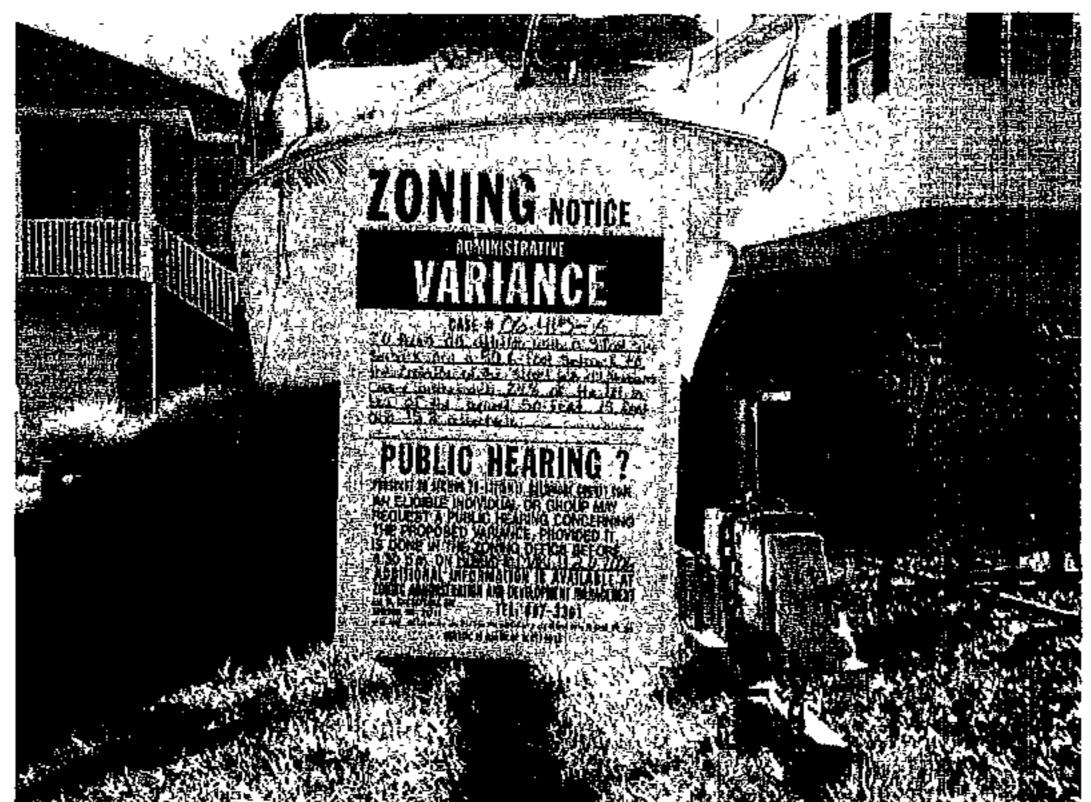
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CERTIFICATE OF POSTING

RE: Case No: 06.415-1
Petitioner/Developer: BERNIE ULBRICH
Date Of Hearing/Closing: 3/23/24
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March 4, 2004

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ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

Item Number or Ca	se Number: 06 - 415 - A
Petitioner:	ULBRICH
Address or Locatio	n: 3517 BAY DRIVE
PLEASE FORWAR	RD ADVERTISING BILL TO:
Name:	MR. 4MRS. BERNARD H. ULBRICH
Address:	3517 BAY DR.
	BAKTO. MD 21220-4402
Telephone Numbe	r: 410-344-0640
	Revised 7/11/05 - SCJ



Petition for Administrative Variance

to the Zoning Commissioner of 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

for the property located at	3517	BAY	DRIVE	
which	ı is present	ly zone	d RC 5	

To permit an addition with a 3-foot side setback and a 50.6-foot setback to the centerline of the street with all structures covering approximately 24% of the lot in lieu of the required 50-feet, 75-feet and 15%, 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.

is the subject of this Petition. <u>Legal Owner(s):</u> Contract Purchaser/Lessee: AND JERRIES, ULBRICH Name - Type or Print Name - Type or Print Signature Signature Name - Type or Print ∓elephone No Address CR RIC Zip Code Signature City State Attorney For Petitioner: Address Telephone No. MIDDLE RIVER 21220 MD. Zip Code City State Name - Type or Print Representative to be Contacted: Signature BERNARD H. ULBRICH Company Name Telephone No. Telephone No. Address Add ess MIDDLE RIVER Zip Code City State State Zip Code City A Plublig 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 day of egilations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County Reviewed By D.T Date _ 🖒 EV 10/25/01 **Estimated Posting Date**

Affidavit in Support of Administrative Variance

Address

That the Affiant(s) does/do presently reside at

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.

3517 BAY DRIVE

	MIDDLE RIVER	MARYLAND	21220
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That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	p or practical difficulty):		
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STATE OF MARYLAND, COUNTY OF BALTIN	MORE, to wit:		
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Bernard H. Ulbrich	notorily identified to me as suc	h Affiant/e)	
the Affiant(s) herein, personally known or satisfa	actomy identified to me as suc	an Amanus).	
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Department of Permits and Development Management

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



Baltimore County

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

March 13, 2006

Bernard H. Ulbrich Jerrie S. Ubrich 3517 Bay Drive Baltimore, MD 21220

Dear Mr. and Mrs. Ulbrich:

RE: Case Number: 06-415-A, 3517 Bay Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 24, 2006.

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,

U. Calliball

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel



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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: March 21, 2006

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-415- Administrative Variance

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 Laurie Hay 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:

Jeff Livingston, DEPRM - Development Coordination

DATE:

March 28, 2006

SUBJECT:

Zoning Item # 06-415-A

Address

3517 Bay Drive

(Ulbrich Property)

Zoning Advisory Committee Meeting of March 6, 2006

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 33-3-101 through 33-3-120 of the Baltimore County Code).

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

_X 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:

All conditions of the January 26, 2006 DEPRM letter must be met. A copy of this letter is attached.

Reviewer:

Glenn Shaffer

Date: March 27, 2006

S:\Devcoord\ZAC 06-415.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: March 7, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 13, 2006

Item No. 415

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

The minimum right-of-way for all public roads in Baltimore County is 40-feet. Show the future right-of-way for Bay Drive centered on existing 25-foot paved width. Setback shall be adjusted accordingly.

The base flood elevation for this site is 10.2 feet Baltimore County Datum.

The flood protection elevation for this site is 11.2 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.

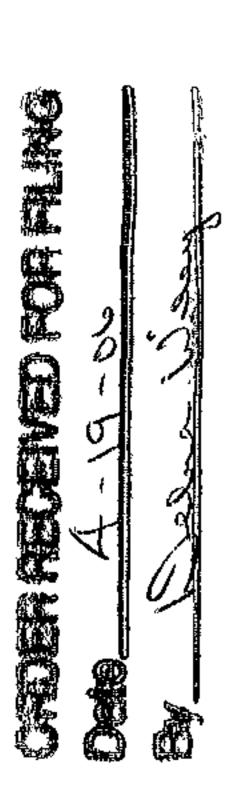
The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

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

DAK:CEN:cab

cc: File

ZAC-ITEM NO 415-03132006.doc





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

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

Maryland Department of Transportation

Date: 3.7.01

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

RE:

Baltimore County

Item No. 41

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

1. 1. Hould

Engineering Access Permits Division

Zoning Commissioner

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



Baltimore County

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

March 30, 2006

Bernard H. Ulbrich Jerrie S. Ulbrich 3517 Bay Drive Middle River, Maryland 21220

Re: Petition for Administrative Variance Case No. 06-415-A
Property: 3517 Bay Drive

Dear Mr. and Mrs. Ulbrich:

I have been given your Petition for Administrative Variance for review. I note that you were granted a side yard setback of 7 feet in case no. 99-129-A. From your photos and documents, it appears that your home now has this side yard setback. You are now asking for a 3 foot side yard setback for your new garage.

It is not clear to me why your proposed garage can meet the 7 foot variance previously granted. You may be aware that the County has attempted to keep at least 10 feet on each side of waterfront homes on 50 foot wide lots to give access to the water in case of emergency. Your home is already well into that important distance.

I would appreciate hearing from you in writing in this regard at your earliest convenience.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

for Baltimore County

JVM:dlw Enclosure

c: People's Counsel; Case File



JAMES T. SMITH, JR. County Executive

DAVID A.C. CARROLL, Director Department of Environmental Protection and Resource Management

January 26, 2006

Mr. Bernard Ulbrich 3517 Bay Drive Baltimore, MD 21220

> Re: 3517 Bay Drive Permit Application B614936

Dear Mr. Ulbrich:

Environmental Impact Review (EIR) has reviewed the above-referenced building permit application for an addition and has placed the application on hold because we need to convey to you the following regulations.

The property is located in the Limited Development Area (LDA) of the Chesapeake Bay Critical Area (CBCA). LDA regulations state that there is a maximum impervious surface limit of 25%. You may exceed this amount up to 31.25% with mitigation or a fee-in-lieu to offset potential adverse water quality impacts. According to the plot plan submitted with the building permit application, the proposed addition will add 521 square feet of additional impervious surface to the lot. At our field inspection it was measured that existing impervious surfaces equate to 3,789 square feet (29.8%) including the house, driveway, and porch. Your driveway was meant to be pervious, however sand and other fine particles have clogged the pores and compacted over time. Information about impervious surfaces has been enclosed for your use.

In order for the subject building permit application to be approved by EIR, please sign/return a copy of this letter to indicate your agreement to replace the entire driveway with pervious material in accordance with the enclosed plan by May 15, 2006. Once the signed copy is received, EIR will release its hold on the application. Please be advised that EIR staff and/or State CBCA officials will likely visit your property to determine compliance with this policy.

While the individual impact of the addition may seem minimal, the cumulative impact of all of the structures in the buffer throughout Baltimore County's waterfront is very significant.

Mr. Bernard Ulbrich 3517 Bay Drive January 26, 2006 Page 2

It is for this reason that mitigation, such as that indicated above, is required by CBCA regulations. Each resident of the Chesapeake Bay's watershed must do their part toward protecting and enhancing the Bay so that it may continue to provide its vast array of economical and recreational benefits.

Please also be aware of these other regulations that affect your property in the Critical Area:

- Each lot must maintain a minimum of 15% tree cover. This equates to 4 trees for a lot of this size.
- This lot is also within a Buffer Management Area and should minimize impacts within the 100-foot buffer of Middle River/Chesapeake Bay. Any impacts within the buffer require mitigation.

If you have any questions regarding these requirements or if I can be of assistance, please contact me at 410-887-3980.

Sincerely,

Martha Stauss

Natural Resource Specialist Environmental Impact Review

FAX: 410-887-4804

I/We have read and do hereby agree to remove and replace the driveway at 3517 Bay Drive with a pervious driveway, by May 15, 2006 to bring my/our property into compliance with Chesapeake Bay Critical Area regulations.

Owner(s) Signature Date Print Name

/shreir/Martha/building permit/BMA-LDA/3517 Bay Drive.doc

From:

Debra Wiley

To:

Livingston, Jeffrey

Date:

3/27/2006 11:55:31 AM

Subject:

Comments Needed - CBCA

Hi Jeff,

Our office is still awaiting CBCA comments for Administrative Variances for the following:

06-395-A (closing date 3/13) - 1814 Cromwood Rd., 21234

06-407-A (closing date 3/20) - 16 Elm Dr., 21220

06-415-A (closing date 3/20) - 3517 Bay Dr., 21220

Can you let me know when to expect these. Thanking you in advance for your cooperation.

From:

Debra Wiley

To:

Livingston, Jeffrey

Date:

3/20/2006 2:40:24 PM

Subject:

Comments - Administrative Variances - CBCA - Closing Date of 3/20/06

Hi Jeff,

In reviewing the Administrative Variance files, we have two that are CBCA and we need your office's comments. They are as follows:

06-407-A - 16 Elm Dr., 21220

06-415-A - 3517 Bay Dr., 21220

Thanks for your cooperation.

MSP AVIATION DIV.

TO NING COMMISSIONER, BALTIMORE COUNTY

FROMS B.H. + J.S. ULBRICH
3517 BAY DRIVE JOUR HOME
CASE # 06- 415-A

HARDSHIP HAS BEEN EXPERIENCED IN OUR EFFORT TO ACHIEVE PLACEMENT INAFUNCTION MANNER WITH RESPECT THE PHYSICAL PLACEMENT POSSIBILITIES. THE ADDITION HAS BEEN REDUCED "SQUARE AREA" PRIMARY CONCERN IS RELATIVE TO THE 14 FOOT WIDTH (WHICH AS POSITIONED ON PERMIT APPLICATION #B-614936 ILLUSTRATES BFOOT SIDE SEPBACK THIS SETBACK AT THE EXACT SAME POSITION 15 ACCEPTABLE FOR GARAGE WORKSHOP @ GROUNDLEVELL BUT THIS LAPPER LEVEL PORTION OF THE "ADDITION" WILL REQUIRE THIS "ADMINISTRATIVE VARIANCE" TO ALLOW THE "STDE SETBACK ONLY IN REGARD TO THIS ADDITION BY COMBINING BOTH GROUNDLEVEL AND "ADDITION" ACTUAL "FOOTPRINT" AREA 15 MINIMALLY ALTERED. (PREVIOUS: 12 x 20 240)=348 VS 37x12 ATGROUND 444 SAFT.) THE 12'X 12' GROUND LEVEL (CLOSEST TO RESIDENCE) REMAINS OPEN, WITH 4 FOOT WALKTHROUGH ARCH AND 8 FORT OPENING TO SIDE EAST AND 4 FOOT SOUTH IN ADDITION TO THE BFOOT SETBACK ALONGSIDE THE NEW STRUCTURE. HEREFORE, THIS OUR EFFORT MINIMIZE OUR PRESENCE 18 THIS AREA. RESPECTEULLY YOURS, Town A. Mornal BERNARD H. ULBRICH Jerra S. Illinch

ZONING COMMISSIONER BALTIMORE COUNTY
REF: PETITION FOR ADMINISTRATIVE VARIANCE
CASE No. 06-415-A
PROPERTY : 3517 BAY DRIVE
DEAR SIR
ALL AVAILABLE ALTERNATIVES WERE EXPLORED AND
EVALUATED: A. SECONDFLOOR BUILD HOWARD (LIFETIME MEDICAL
B. WATERWARD OR BENEATH EXPENSIVE FINANCIAL EXISTING RESIDENCE, PROHIBITED BURDEN.
C, ROAD END CENTERED, COMPLEX/COSTLY REDUCED VIEW OF ENTRY AND BOTH BEDROOMS.
-> D. REPOSITION PREVIOUS GARAGE STRUCTURE
FURTHER FROM ROND, MAINTAIN PREVIOUS SIDE SETBACK OF SFEET - PLACE ADDITION AS UPPER LEVEL AT THE SAME ELEVATION AS
PRIMARY RESIDENCE (13,3'). (ACCEPTABLE) ALLOWS GOOD VIEW AND ACCESS.
ALLOWS GOOD VIEW AND ACCESS,
ADMINISTRATIVE VARIANCE TO ONLY APPLY TO THE AREA
ADMINISTRATIVE VARIANCE TO ONLY APPLY TO THE AREA ADJOINING THE NORTH END AT THE EAST SIDE OF THE
ADDITION. ALL OTHER DIMENSIONS AND SETBACKS
TO REMAIN AS PREVIOUSLY AUTHORIZED AND CONSTRUCTE
VARIANCE ONLY IN THE MMEDIATE AREA OF "ADDITION STRUCTURE.
RESPECTFULLY
BERNARD H. ULBRICH
JERRIE S. ULBRICH
JERRIE D. ULBKICH

TO: ZONING COMMISSIONER, BALTA COUNTY

FROM: B.N. + S. ULBRICH

3527 BAY DRIVE JOUR HOME.

CASE # 06-415 A

PLEASE FIND THE ATTACHED DRAWINGS AND
FREZIMINARY MATERIALS.

PHONE 410-344-0640 THROUGHOUT 31 MARCH FOR ANY FURTHER DETAILS.

RESPECTE ULL FOURS

BERNARD H. ULBRICH

Jerna S. Willinch
JERRIE B. WIBRICH

To state of me Wesnecki. Dondering Micro-confer

PANEL BP1018M

TIME: 09:17:34 AUTO ED PERMIT TRACKING SYSTEM LAST UPDATE 02/06/2006

DATE: 04/26/2006 APPROVALS DETAIL SCREEN BPR 10:28:22

PERMIT #: B614936 PASSWORD:

AGENCY	DATE	CODE	COMMENTS
BLD PLAN	12/16/2005	01	JOS VENTURINA
ZONING	12/15/2005	01	DT/CPC
PUB SERV	02/06/2006	20	DT/CPC HOLD PER DT
ENVRMNT	01/27/2006	01	EIR-1/27/06 MS/MB
PERMITS		10	HOLD FOR BETTER SITE PLAN SETBACK ISSUE? DAS

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

ENTER - NEXT APPROVAL PF4 - ISSUE PERMIT

CLEAR - MENU

PF9 - SAVE

06-415-A

DATE: 12/15/05

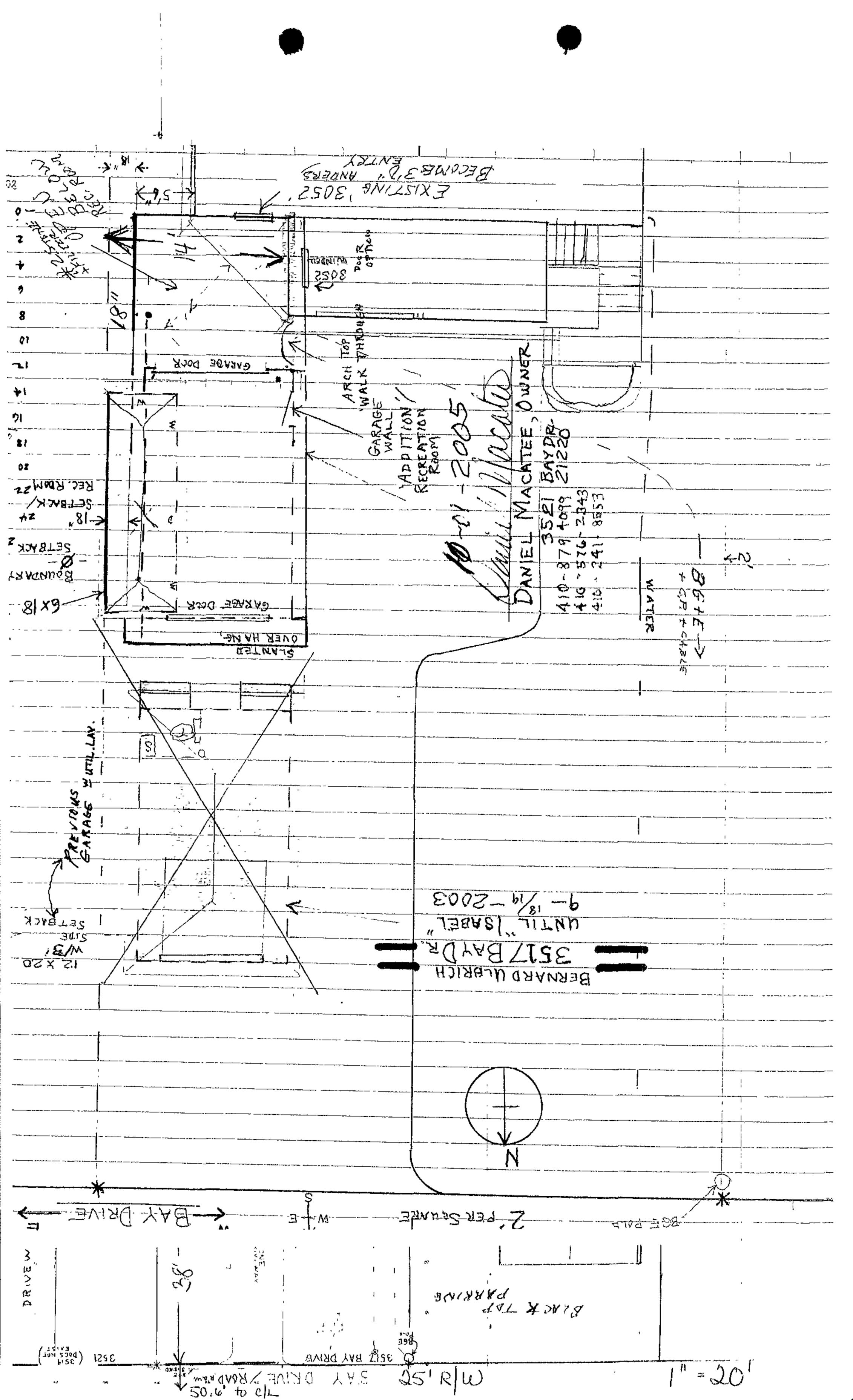
CRC

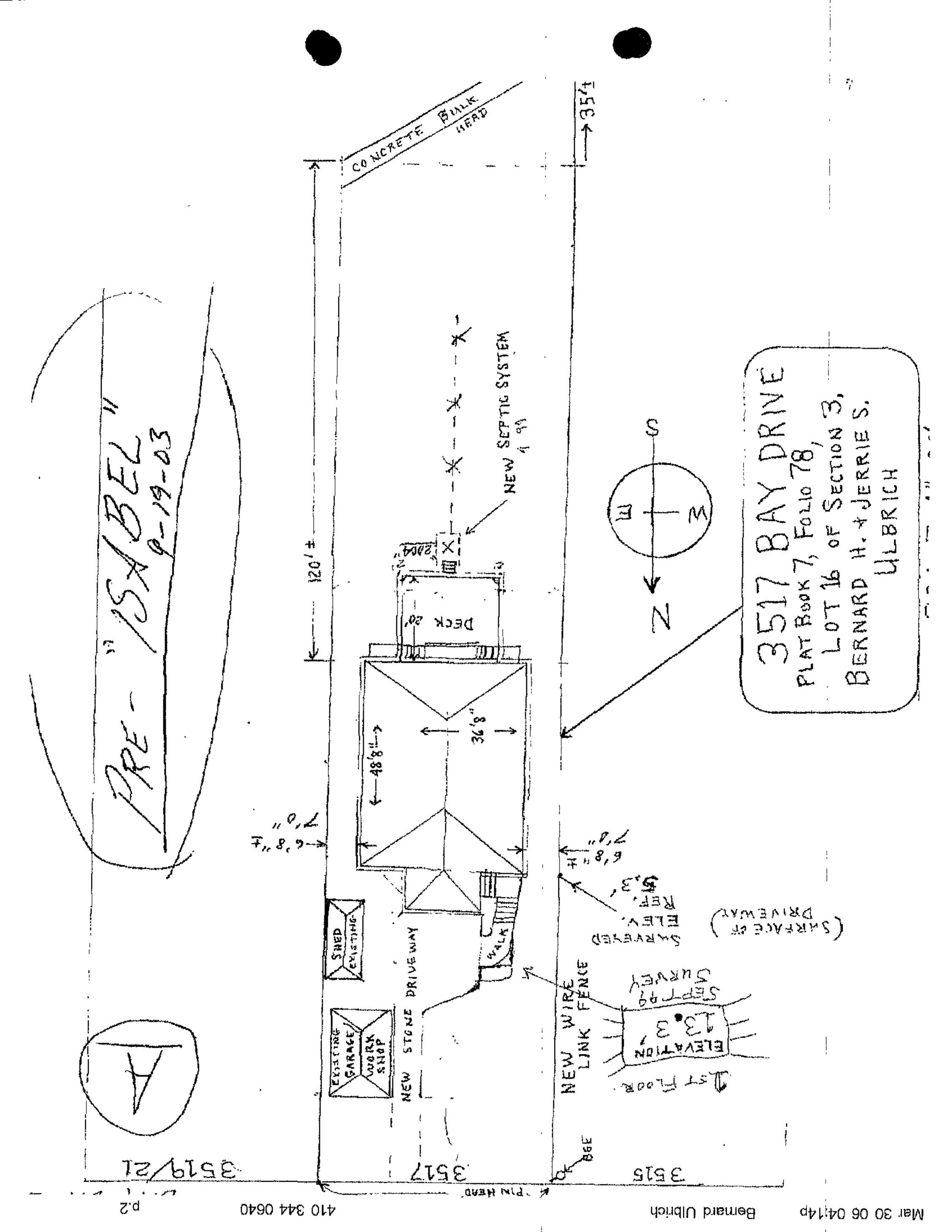
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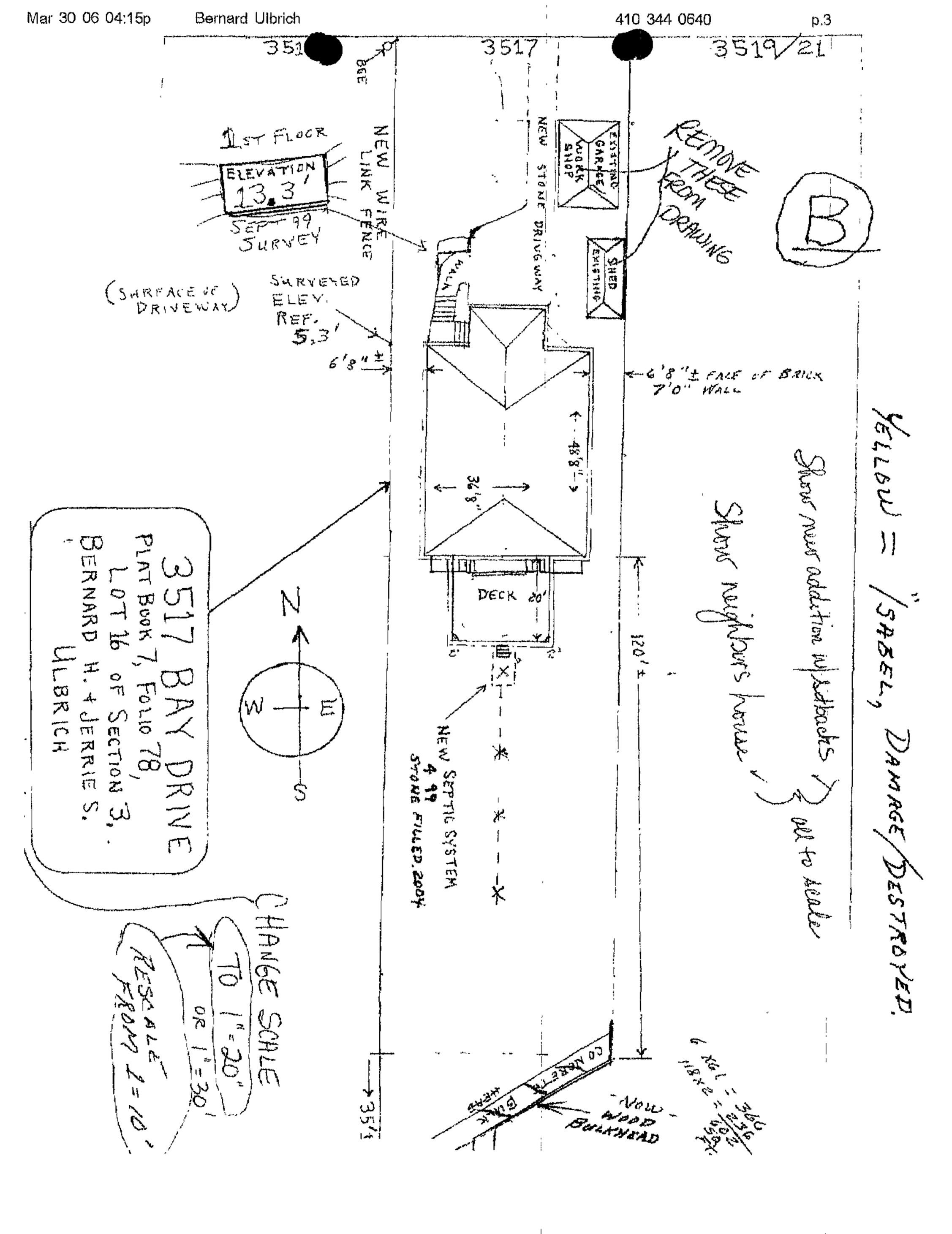
HISTORIC DISTRICT/BLDG. 3517 BAY DRIVE PROPERTY ADDRESS PERMIT SUITE/SPACE/FLOOR RECEIPT #: WAYO DO NOT KNOW BOWLENS CONTROL #: MRFP SUBDIV: DISTRICT/PRECINCT TAX ACCOUNT #: XREF #: OWNER'S INFORMATION (LAST, FIRST) BERNARD H. ULBRICH "D JERRIE S. ULBRICH 21220 BAY ADDR: 3517 PAID: WAVO DRIVE DOES THIS BLDG. PAID BY: HAVE SPRINKLERS APPLICANT INFORMATION INSPECTOR: NAME: BERNARD H. WLBRICH I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, COMPANY: AND THAT IN DOING THIS WORK ALL PROVI-3517 BAY DRIVE STREET SIONS OF THE BALTIMORE COUNTY CODE AND MIDDLE RIVER 515.50 MD. CITY, ST, ZIP APPROPRIATE STATE REGULATIONS WILL BE MHIC # MHBR# PHONE #: COMPLIED WITH WIETHER HEREIN SPECIFIED **APPLICANT** OR NOT AND WILL REQUEST ALL REQUIRED SIGNATURE: INSPECTIONS. DATA PLANS: CONST PLAT PLOT TENANT OWNER CONTR: ZENGNR: IMPROVEMENT N SELLR: NEW BLDG CONST , 1/4 , (X) ADDITION DESCRIBE PROPOSED WORK: Camaged by souver,
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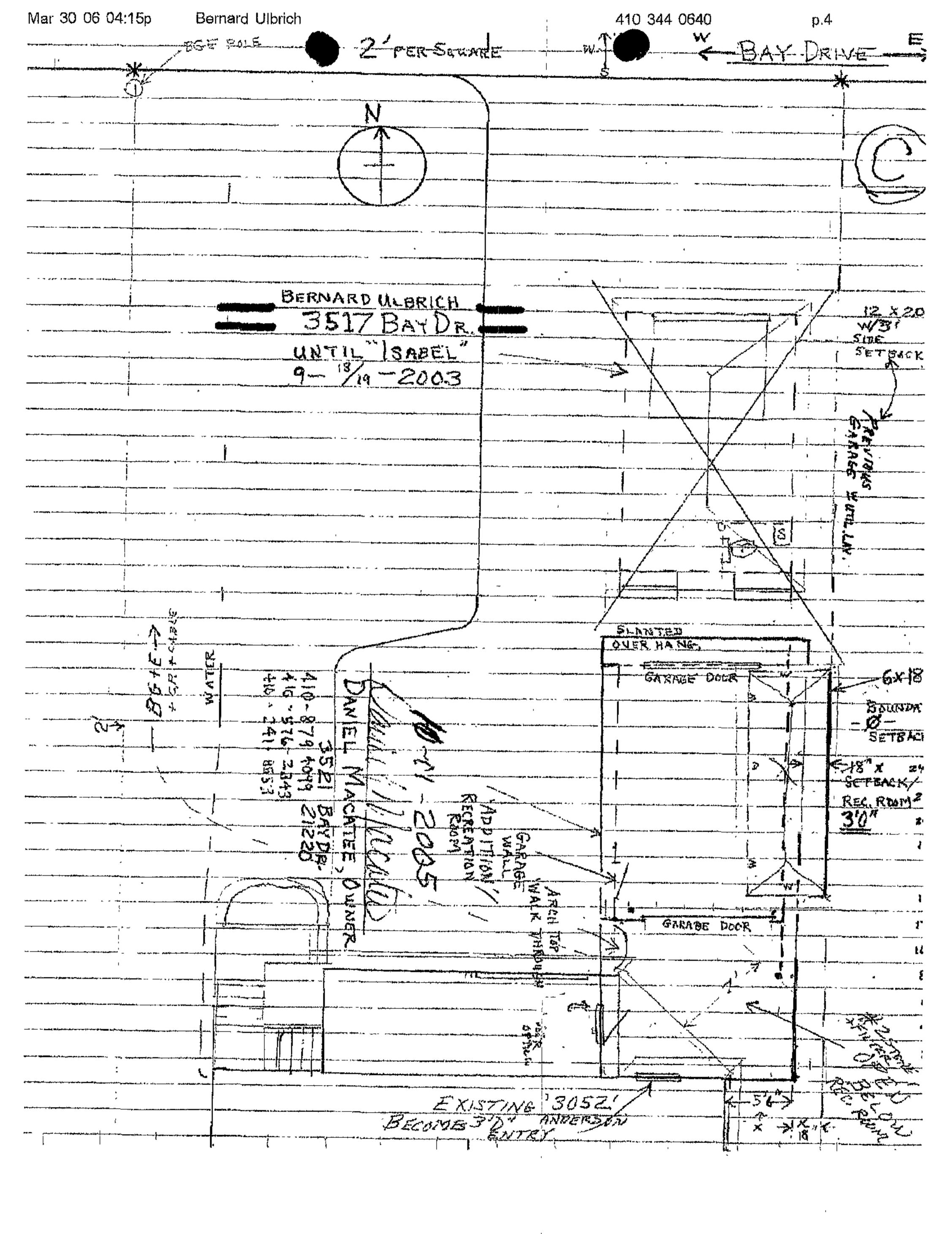
2 Sty adden an read of SFD. in place of garage. ALTERATION REPAIR 5. WRECKING MOVING OTHER 1st Pt one car garage, 2 NO Ptr recreation rooms. TYPE OF USE W/ Connecting buchway.
NON-RESIDENTUAL 18'8" 12'8" 3690f. 372"414" = 50/1gf RESIDENTIAL AMUSEMENT, RECREATION, PLACE OF ASSEMBLY OUGLE '8904 ONE FAMILY CHURCH, OTHER RELIGIOUS BUILDING TWO FAMILY FENCE (LENGTH HEIGHT THREE AND FOUR FAMILY INDUSTRIAL, STORAGE BUILDING FIVE OR MORE FAMILY (ENTER NO UNITS) PARKING CARAGE SERVICE STATION, REPAIR GARAGE SWIMMING POOL HOSPITAL, INSTITUTIONAL, NURSING HOME 2016 A-10 06. GARAGE OFFICE, BANK, PROFESSIONAL 07. OTHER PUBLIC UTILITY SCHOOL, COLLEGE, OTHER EDUCATIONAL ON GRINDER BASEMENT 18. SIGN TYPE FOUNDATION 1. FULL PARTIAL RESTAURANT "STORE MERCANTILE 1. SLAB SPECIFY TYPE 2. BLOCK 3. CONCRETE 3. NONE 20. SWIMMING POOL ADDITION MUST COMPLY SPECIFY TYPE TANK, TOWER WITH FLOODPLAIN REGULATIONS. TRANSIENT HOTEL, MOTEL (NO. UNITS 23. OTHER TYPE OF SEWAGE DISPOSAL TYPE OF HEATING FUEL TYPE OF CONSTRUCTION EXISTS PROPOSED 1. GAS 3. ELECTRICITY 1. PUBLIC SEWER MASONRY 2. COAL 2. PRIVATE SYSTEM WOOD FRAME EXISTS PROPOSED STRUCTURE STEEL SEPTIC REINF. CONCRETE TYPE OF WATER SUPPLY PRIVY EXISTS PROPOSED CENTRAL AIR: 1. 2. 1. PUBLIC SYSTEM 2. PRIVATE SYSTEM EXISTS PROPOSED EXISTS PROPOSED OF MATERIALS AND LABOR PROPOSED USE: WTO W/ Aport EXISTING USE: 1. PRIVATELY OWNED 2. PUBLICLY OWNED 3. SALE 4. RENTAL RESIDENTIAL CATEGORY: 1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE #EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS 6. HIRISE TOT APTS/CONDOS_____6.__HIRISE FAMILY BEDROOMS CLASS 34 GARBAGE DISPOSAL I. Y... 2. NJ BATHROOMS KITCHENS FOLIO 78 LIBER 07 DATE APPROVAL SIGNATURES BLD 1NSP: LOT SIZE AND SETBACKS BUILDING STZE SIZE 12700 FLOOR 89001 ■ BLD PLAN 2M-12U O.K. TO FILE-WIDTH 37'2" FRONT STREET FIRE DEPTH /Y' SEDI CTL : SIDE STREET /II: CONING ROD: III FRONT SETBK HEIGHT SIDE SETBK NC 13 PUB SERV |: STORIES Z-SIDE STR SETBK OK TO FILE LOT #'S REAR SETBK **PLANNING** CORNER LOT PERMITS ZONING

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FEE: \$\Phi 65.00	NAME: BERNART	H. ULBRICH "D JEKRY	E S. WLBRICH	
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PAID BY: INSPECTOR:	APPLICANT IN	FORMATTON		Æ SPRINKLERS
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AND THAT IN DOING THIS WORK ALL PROVI- SIONS OF THE BALTIMORE COUNTY CODE AND	SIREL	DERIVER MD. 2122	^	
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1. SLAB 2. BLOCK 3. CONCRETE 3. NO ADDITION MUST COMPLETED ADDITION MUST COMPLETED ADDITION 1. MASONRY 2. WOOD FRAME 3. STRUCTURE STEEL 4. REINF. CONCRETE CENTRAL AIR: 1. 2. ESTIMATED COST:\$ OF MATERIALS AND LABOR PROPOSED USES TO SELECT ADDITION OWNERSHIP 1. PRIVATELY OWNED RESIDENTIAL CATEGORY: 1. #2BE 1 FAMILY BEDROOMS GARBAGE DISPOSAL T. Y 2. POWDER ROOMS	17. SC 18. SI 19. ST 19. ST 19. ST 19. ST 19. ST 19. ST 19. ST 19. ST 19. ST 19. ST 10. ST 10. ST 10. ST 10. ST 10. ST 10. ST 11. ST 12. ST 12. ST 13. ST 14. ST 15. ST 16. ST 17. SC 19. ST 10. ST	HOOL, COLLEGE, OTHER EIGN ORE MERCANTILE SPECIFY TYPE IMMING POOL NK, TOWER ANSIENT HOTEL, MOTEL (INTERMINENT HOTEL) ECTRICITY AL PLY EXISTS PI FIEM EXISTS PI FIEM EXISTS PI FIEM STEM EXISTS PI FIEM CLASS LIBER APPROVAL BLD INSP:	TYPE NO. UNITS E DISPOSAL EXISTS SEVER EXISTS SEPTIC EXISTS ROPOSED ROPOSED ROPOSED . RENTAL 4. TOWNHSE 5. S/CONDOS 6. SIGNATURES	PROPOSED PROPOSED PROPOSED HIRISE
1. SLAB 2. BLOCK 3. CONCRETE 3. NO ADDITION MUST COMPLE PYPE OF CONSTRUCTION 1. MASONRY 2. WOOD FRAME 3. STRUCTURE STEEL 4. REINF. CONCRETE CENTRAL AIR: 1. 2. ESTIMATED COST:\$ OF MATERIALS AND LABOR PROPOSED USE EXISTING USE OWNERSHIP 1. PRIVATELY OWNED RESIDENTIAL CATEGORY: 1. #2BE 1 FAMILY BEDROOMS GARBAGE DISPOSAL 1. Y 2. POWDER ROOMS BUILDING SIZE FLOOR 89001 SIZE	17. SC 18. SI 19. ST 19. ST 19. ST 19. ST 19. ST 19. ST 19. ST 19. ST 19. ST 19. ST 10. ST	HOOL, COLLEGE, OTHER EIGN ORE MERCANTILE SPECIFY TYPE IMMING POOL SPECIFY NK, TOWER ANSTENT HOTEL, MOTEL (INTERPOSE OF SEWACH ECTRICITY 1. PUBLICATION PRIVATE PLY STEM EXISTS PRIVATE STEM EXISTS PRIVATE STEM EXISTS PRIVATE CLASS PRIVATE CLASS PRIVATE CLASS PRIVATE APPROVAL BLD INSP: BLD PLAN PM - 120	TYPE NO. UNITS SE DISPOSAL SEWER EXISTS FE SYSTEM SEPTIC EXISTS ROPOSED ROPOSED ROPOSED RENTAL 4. TOWNHSE 5. S/CONDOS 6. SOLIO 78	PROPOSED PROPOSED PROPOSED HIRISE
1. SLAB 2. BLOCK 2. PA 3. CONCRETE 3. NO ADDITION MUST COMPLE ADDITION MUST COMPLE PYPE OF CONSTRUCTION 1. MASONRY 2. WOOD FRAME 3. STRUCTURE STEEL 4. REINF. CONCRETE CENTRAL AIR: 1. 2. ESTIMATED COST: \$ OF MATERIALS AND LABOR PROPOSED USE EXISTING USE OWNERSHIP 1. PRIVATELY OWNED RESIDENTIAL CATEGORY: 1. #2BE 1 FAMILY BEDROOMS GARBAGE DISPOSAL 1. Y 2. POWDER ROOMS BUILDING SIZE FLOOR 89001 WIDTH 37:300 FRONT SIZE FLOOR 89001 FRONT SIZE FLOOR 89001 FRONT SIZE FLOOR 89001 FRONT SIZE FLOOR 89001 FRONT SIZE	17. SC 18. SI 19. ST ATIAL ONE 20. SW 21. TA 21. TA 22. TR 23. OT TYPE OF HEATING F 1. GAS 3. EL 2. OIL 4. CO TYPE OF WATER SUP 1. PUBLIC SYS 2. PRIVATE SY 2. PUBLICLY OF DETACHED 2. #3BED: SET NO BATHROOMS KITCHENS	HOOL, COLLEGE, OTHER EIGN ORE MERCANTILE SPECIFY TYPE IMMING POOL NK, TOWER ANSTENT HOTEL, MOTEL (INTERMINATION OF SEWACH ECTRICITY 1. PUBLICATION OF SEWACH PLY STEM EXISTS PICTURE STEM EXISTS PICTURE STEM EXISTS PICTURE CLASS INTERMINATION OF SEWACH LIBER OT APTERIOR OF SEWACH APPROVAL BLD INSP: BLD PLAN PM-120 FIRE :	TYPE NO. UNITS E DISPOSAL EXISTS SEVER EXISTS SEPTIC EXISTS ROPOSED ROPOSED ROPOSED . RENTAL 4. TOWNHSE 5. S/CONDOS 6. SIGNATURES	PROPOSED PROPOSED PROPOSED HIRISE
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1. SLAB 2. BLOCK 3. CONCRETE 3. NO ADDITION MUST COMPLETED STORIES 2. PA 3. NO ADDITION MUST COMPLETED 3. NO 2. WOOD FLAME 3. STRUCTURE STEEL 4. REINF. CONCRETE CENTRAL AIR: 1. 2. ESTIMATED COST: \$ OF MATERIALS AND LABOR PROPOSED USES TIME 1. PRIVATELY OWNED RESIDENTIAL CATEGORY: 1. #2BE 1 FAMILY BEDROOMS GARBAGE DISPOSAL 1. Y. 2. POWDER ROOMS BUILDING SIZE FLOOR 89001 FRONT STEEL WIDTH 141 STORIES 2. SIDE SE	17. SC 18. SI 19. ST RTIAL ONE 20. SW 21. TA 22. TR 23. OT TYPE OF HEATING F 1. GAS 3. EL 2. OIL 4. CO TYPE OF WATER SUP 1. PUBLIC SYS 2. PRIVATE SY 2. PRIVATE SY USE: OFO WATER SUP 2. PUBLICLY OF WATER SUP 2. PUBLICLY OF WATER SYS 2. PUBLICLY OF WATER SYS 3. PUBLICLY OF WATER SYS 4. PUBLIC SYS 5. PUBLIC SYS 5. PUBLIC SYS 5. PUBLIC SYS 5. PUBLIC SYS 5. PUBLIC SYS 6. PUBLIC	HOOL, COLLEGE, OTHER EIGN ORE MERCANTILE SPECIFY TYPE IMMING POOL NK, TOWER ANSIENT HOTEL, MOTEL (1) HER UEL TYPE OF SEWAC ECTRICITY 1. PUBLIC PRIVATION OF SEMACE STEM EXISTS PRIVATION OF SEMACE CLASS PRIVATION OF SEMACE OF SEWACE CLASS PRIVATION OF SEMACE OF SEWACE OF SEWA	TYPE NO. UNITS GE DISPOSAL SEWER EXISTS TE SYSTEM SEPTIC EXISTS ROPOSED ROPOSED RENTAL 4. TOWNHSE 5. FOLIO 78 SIGNATURES O.K. 72 FILE-JA	PROPOSED PROPOSED PROPOSED HIRISE
1. SLAB 2. BLOCK 3. CONCRETE 3. NO ADDITION MUST COMPLETED STORIES 2. PA 3. NO ADDITION MUST COMPLETED 3. NO 2. WOOD FRAME 3. STRUCTURE STEEL 4. REINF. CONCRETE CENTRAL AIR: 1. 2. ESTIMATED COST: \$ OF MATERIALS AND LABOR PROPOSED USES TIME 1. PRIVATELY OWNED RESIDENTIAL CATEGORY: 1. #EFF: #1BED: #2BE 1 FAMILY BEDROOMS GARBAGE DISPOSAL 1. Y 2. POWDER ROOMS BUILDING SIZE FLOOR 89001 WIDTH 3730 FRONT SIZE HEIGHT FRONT STORIES SIDE SE	17. SC 18. SI 19. ST RTIAL ONE 20. SW 21. TA 22. TR 23. OT TYPE OF HEATING F 1. GAS 3. EL 2. OIL 4. CO TYPE OF WATER SUP 1. PUBLIC SYS 2. PRIVATE SY 2. PUBLICLY OF DETACHED 2. #3BED: NO BATHROOMS KITCHENS TREET	HOOL, COLLEGE, OTHER EIGN ORE MERCANTILE SPECIFY TYPE IMMING POOL NK, TOWER ANSIENT HOTEL, MOTEL (INTERPORT OF SEWARD ECTRICITY 1. PUBLICATION PLY FIEM EXISTS PRIVATE STEM EXISTS PRIVATE WINED 3. SALE 4 SEMI-DET. 3. GROUP TOT BED: TOT APT CLASS LIBER 07 APPROVAL BLD INSP: BLD PLAN PM - 120 FIRE : SEDI CTL : ZONING PM - 111	TYPE NO. UNITS SE DISPOSAL SEWER EXISTS FE SYSTEM SEPTIC EXISTS ROPOSED ROPOSED RENTAL 4. TOWNHSE 5. S/CONDOS 6. SIGNATURES O.K. TO FILE-JA	APPOPOSED PROPOSED PROPOSED PROPOSED DATE V:12-15-05









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