

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
S/S Bayside Drive, 170' E of the c/l		
Beachwood Avenue	*	ZONING COMMISSIONER
(1207 Bayside Drive)		
15 th Election District	*	OF BALTIMORE COUNTY
6 th Council District		
	*	Case No. 06-503-A
John L. Hofferbert, et ux		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, John L. Hofferbert, and his wife, Julia E. Hofferbert. The Petitioners request variance relief from Sections 1A04.3.A.1, 1A04.3.B.2.b&c, and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dwelling height of 37 feet in lieu of the maximum allowed 35 feet, side setbacks of 9 feet each in lieu of the required 50 feet, porch setbacks of 9 feet in lieu of the required 37.5 feet, a street centerline setback of 39 feet in lieu of the required 75 feet, and a 31% building coverage, in lieu of the maximum allowed 15%, for a replacement dwelling (Hurricane Isabel). The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, the property in question is posted for a period of 15 days during which time any property owner residing within 1,000 feet of the property may demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

RECEIVED FOR FILING
 DATE 5-25-06
 BY [Signature]

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 (a)(2)(i) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

Based upon the evidence contained therein, I am persuaded to grant the requested variance. Relief is necessitated given the narrow width and depth of the property, and its waterfront location. As noted above, the original dwelling suffered significant damage from Hurricane Isabel and the proposed replacement dwelling will be constructed with similar setback and heights as other similar new dwellings in the immediate vicinity. It was indicated that the additional height is necessary to meet Federal Flood Insurance elevation requirements as well as provide for parking underneath and attic storage space.

There were no adverse comments submitted by any County reviewing agency, and none of the neighbors voiced any objection. Thus, it appears that relief can be granted without detrimental impact to the health, safety or general welfare of the surrounding locale. However, as a condition of approval, the Office of Planning has requested that building elevation drawings of the proposed dwelling be submitted for their review and approval prior to the issuance of any permits to assure compatibility with existing houses in the neighborhood. Moreover, due to the property's waterfront location, the proposed construction shall comply with Chesapeake Bay Critical Areas regulations and Federal Flood Insurance requirements, as set forth in the attached comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) and the Development Plans Review Division.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25th day of May 2006 that the Petition for Administrative Variance seeking relief from Sections 1A04 3 A 1, 1A04 3 B.2 b&c, and 301.1 of the Baltimore County Zoning Regulations (B.C. Z.R.) to permit a dwelling height of 37 feet in lieu of the maximum allowed 38 feet, side

NOTED RECEIVED FOR FILING

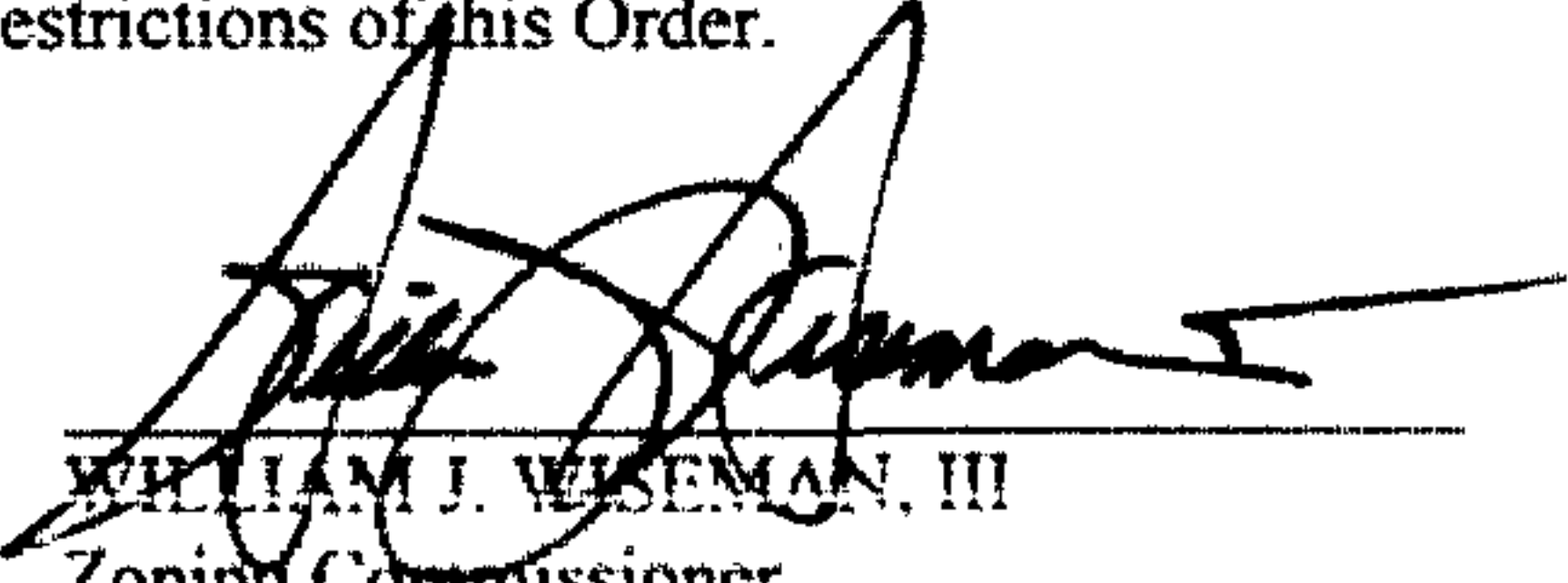
DATE 5-25-06

BY

setbacks of 9 feet each in lieu of the required 50 feet, porch setbacks of 9 feet in lieu of the required 37.5 feet, a street centerline setback of 39 feet in lieu of the required 75 feet, and a 31% building coverage, in lieu of the maximum allowed 15%, for a replacement dwelling (Hurricane Isabel), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with 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, pursuant to the ZAC comments submitted by DEPRM, dated May 24, 2006 and the Bureau of Development Plans Review, dated April 25, 2006.
- 3) Prior to the issuance of any permits, Petitioners shall submit building elevation drawings of the proposed dwelling, including proposed building materials, color scheme, and architectural details, to the Office of Planning for review and approval.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

WJW:bjs


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 5-25-07
By Susan Wiseman



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

May 25, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

Mr. & Mrs. John L. Hofferbert
5021 Tartan Hill Road
Perry Hall, Maryland 21128

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Bayside Road, 170' E of the c/l Beachwood Avenue
(1207 Bayside Road)
15th Election District – 6th Council District
John L. Hofferbert, et ux - Petitioners
Case No. 06-503-A

Dear Mr. & Mrs. Hofferbert:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature of William J. Wiseman III in black ink.
WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

cc: Chesapeake Bay Critical Areas Commission
1804 West Street, Suite 100, Annapolis, Md. 21401
Office of Planning; Development Plans Review, DPDM, DEPRM; People's Counsel; Case File

1 SABELLE REPLACEMENT. (FEE WAIVED)

Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 1207 Bayside Drive
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) 1A04.3A.1, 1A04.3.B.2, D AND C, AND 301.1 BCZR TO PERMIT A VARIABLE REPLACEMENT DWLG. WITH SIDE A HEIGHT OF 37 FT, SIDE SETBACKS OF 9 FT, PORCH SETBACKS OF 9 FT A STREET C/L SETBACK OF 39 FT AND A 31% BUILDING COVERAGE IN LIEU OF 35 FT, 50 FT, 37 1/2 FT, 75 FT AND 15% RESPECTIVELY (SC)

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 bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____ City _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Julia E. Hoffmeyer (HOFFMEYER)
Signature _____
Name - Type or Print John L. Hoffmeyer
Signature _____
5021 Tartan Hill Rd 410 933 9126
Address Telephone No.
Perry Hill MD 21127
City State Zip Code

Representative to be Contacted:

Jeremy Clonier
Name _____
7051 Macbeth Way 443 340 1229
Address Telephone No.
Eldersburg MD 21784
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. 06 503 A Reviewed By JL Date 1HR
REV 9/15/98 Estimated Posting Date 4/23/06

ORDER RECEIVED FOR FILING
Date 5-25-06
By Doreen V. [Signature]

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 1207 Bayside Dr
Address
Essex 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):

SEE ATTACHED

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.

Julia E. Hoffert
Signature
Julia E Hoffert
Name - Type or Print

John L. Hoffert
Signature
John L Hoffert
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15TH day of February, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

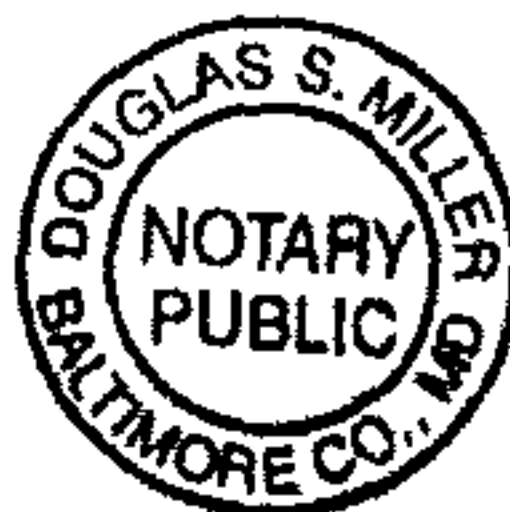
Julia E. Hoffert and John L. Hoffert
 the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief

AS WITNESS my hand and Notarial Seal

February 15, 2006
Date

Douglas S. Miller
Notary Public

My Commission Expires December 21, 2009



DOUGLAS S. MILLER
 Notary Public, State of Maryland
 County of Baltimore
 My Commission Expires: December 21, 2009

Reasoning For Petition

1. RC-5 Zoning requires a 50' setback to property lines. The lot in question is only 48' wide total. Mr. Hofferbert wishes to slightly improve upon the previously existing footprint so his family can finally return to the area after Isabel and comfortably enjoy the house with ever growing children. He proposes to split the increase in width as to only move 2 ½' closer to both neighbors. Every effort will be made to maintain uniformity with the surrounding properties. In fact, this petition is for the EXACT SAME house in size and type as a previously approved variance heard by the commissioner and granted for the immediate adjacent neighbor to the right (William and Zanada Zablocki; 1205 Bayside Rd.). A very similar request was also granted for a Mr. Norman Keusch a couple of houses down. All Mr. Hofferbert is asking is to be afforded the same relief his neighbors have been given, and in the case of Mr. Zablocki, the exact same, so as to fully utilize his land.
2. Just like the two petitions mentioned earlier, granting the larger house will necessitate two associated other variances. The first being the lot coverage. RC-5 requires 15% lot coverage. As in all cases on this street, every house was over that BEFORE Isabel hit. So obviously a variance would need to be granted to allow the new coverage. The previous house covered 21% (as did Mr. Zablocki's) prior to the storm; the new coverage would need to be 31%.
3. Finally, the second related variance would be for the height. Due to the new floodplain rules, the house has to be constructed 10' above sea level. The proposed two story house with attic on this 10' will encroach above the limit of 35'. As stated, these exact variances were requested for Mr. Zablocki, heard before the commissioner and approved; with one note. The commissioner asked if he could keep the height to 37' which the Zablocki's had no problem with. In this case, Mr. Hofferbert does not want to even push the issue so he is asking only the same from the beginning, that his variance be granted for the 37'. Once again, he is proposing the IDENTICAL structure as his immediate neighbors.

503

Zoning Description For 1207 Bayside Rd., Baltimore Md. 21221

Beginning at a point on the south side of Bayside Rd. which is 30' wide at the distance of 170' East of the centerline of the nearest improved intersecting street Beachwood Ave. which is 30' wide. Being Lot # 13 in the subdivision of Evergreen Park as recorded in Baltimore county plat book #7, Folio #174 containing 8,150 square feet. Also known as 1207 Bayside Rd. and located in the 15th election district, 6th councilmanic district.

CERTIFICATE OF POSTING

RE: Case No: 06-503-A

Petitioner/Developer: JULIA &
JOHN HOFFERBERT

Date Of Hearing/Closing: 5/8/06

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 1207 BAYSIDE RD

This sign(s) were posted on April 22/06

(Month, Day, Year)

Sincerely,

Martin Ogle 4/22/06
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto, Md. 21220

(443-629-3411)

ZONING NOTICE

VARIANCE

CASE 3 DE-503-A

TO HAVE A VARIANCE FROM THE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO, TEXAS, FOR THE PURPOSE OF CHANGING THE ZONING OF THE PROPERTY FROM A SINGLE-FAMILY RESIDENTIAL ZONE TO A TWO-FAMILY RESIDENTIAL ZONE.

PUBLIC HEARING ?

NOTICE IS HEREBY GIVEN THAT THE CITY OF SAN ANTONIO, TEXAS, HAS REQUESTED A PUBLIC HEARING TO CONSIDER THE VARIANCE REQUESTED. THE PUBLIC HEARING WILL BE HELD AT THE CITY OF SAN ANTONIO, TEXAS, ON THE 15TH DAY OF MAY, 1980, AT 4:30 P.M. ON MONDAY, MAY 13, 1980. THE HEARING IS OPEN TO THE PUBLIC AND ANY PERSON INTERESTED IN THE MATTER IS REQUESTED TO ATTEND.

FOR MORE INFORMATION, CONTACT THE CITY OF SAN ANTONIO, TEXAS, AT (512) 375-1375.

Matr Ogle 4/22/06

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

APP HAS POST LISTED ORIGINAL FORM

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 503 -A

Address 1207 BAYSIDE DRIVE

Contact Person: Juan Lewis
Planner Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 4/12/06

Posting Date: 4/23/06

Closing Date: 5/08/06

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 06- 503 -A

Address 1207 BAYSIDE DR

Petitioner's Name JULIA + JUAN KOTTERBERT

Telephone 410 933 9126

Posting Date: 4/23/06

Closing Date: 5/08/06

Wording for Sign To Permit AN ISABELLE REPLACEMENT DWELLING WITH A 37 FT HT, SIDE SETBACKS OF 9 FT, ^{6"}FOR DWELLING AND OPEN PORCH, A STREET C/L SETBACK OF 39 FT AND A 31.7% MAX BUILDING COVER AGE IN LINE OF 35 FT, 50 FT, 31 1/2 FT, 25 FT, AND 15% RESPECTIVELY

NOTE: Please use 23/06

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:

06 503 A

Petitioner: John - Julia Hofferbert

Address or Location: 1207 Bayside Rd.

PLEASE FORWARD ADVERTISING BILL TO

Name: John Hofferbert

Address: 5021 Totten Hill Rd.

Penn Hill, MD 21128

Telephone Number

**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*

May 8, 2006

Julia E. Hofferbert
John L. Hofferbert
5021 Tartan Hill Road
Perry Hall, MD 21128

Dear Mr. and Mrs. Hofferbert:

RE: Case Number: 06-503-A, 1207 Bayside Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 23, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c. People's Counsel
Jeremy Clancy 7051 Macbeth Way Eldersburg 21784

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Jeff Livingston, DEPRM - Development Coordination *JWL*

DATE: May 24, 2006

SUBJECT: Zoning Item # 06-503
Address 1207 Bayside Road
(Hofferbert Property)

Zoning Advisory Committee Meeting of April 24, 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:

1. Any increase in structure in the 100-foot shoreline buffer must be mitigated in accordance with Buffer Management Area regulations.
2. Impervious surface area can not exceed 25% of the lot area

Reviewer G. Shaffer

Date May 24, 2006

ORDER RECEIVED FOR FILING
Date 5-25-06
By [Signature]

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



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

Maryland Department of Transportation

Date: 4.21.06

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

RE: Baltimore County
Item No. 503 JLL

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

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

April 21, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: April 24, 2006

Item Numbers: 491-515

⁵⁰³
Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 25, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For May 1, 2006
Item No. 503

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

The minimum right-of-right for all public roads in Baltimore County is 40-feet. Show the right-of-way for Bayside Avenue centered on existing 30-foot right-of-way. Setbacks shall be adjusted accordingly.

The base flood elevation for this site is 9.4 feet Baltimore County Datum.

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.

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 CFN:clw

cc: File

ZAC ITEM NO 503-04252006.dwg

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 5, 2006

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

RECEIVED

MAY - 5 2006

SUBJECT: 1207 Bayside Drive

INFORMATION:

Item Number: 6-503

DO NOT WRITE IN THESE SPACES

Petitioner: Julia E. Hoffenburt

Zoning: RC 5

Requested Action: Administrative Variance

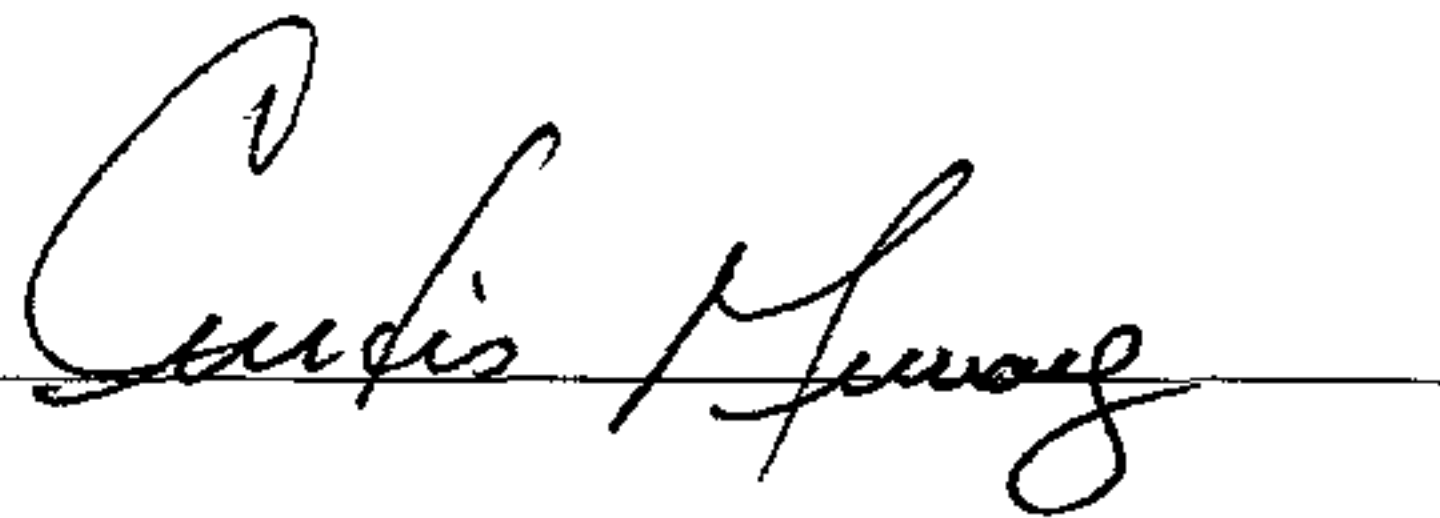
SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request. However, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

1. Photographs of existing adjacent dwellings.
2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
5. Provide landscaping along the public road, if it is consistent with the existing streetscape.

For further questions or additional information concerning the matters stated herein, please contact Laurie Hay with the Office of Planning at 410-887-3480.

Prepared By: 

Division Chief: 

CM/LL

From: Debra Wiley
To: Livingston, Jeffrey
Date: 05/15/06 9:10:13 AM
Subject: DEPRM Comments Needed - Administrative Variances

Good morning Jeff,

The following Administrative Variances (closing date of 5/8) are in need of DEPRM comments:

06-497-A (Kowalewski, 2811 12th St., 21219 - CBCA)

06-503-A (Hofferbert, 1207 Bayside Drive, 21221 - Isabelle Replacement/CBCA/Flood)

As always, thanking you in advance for your cooperation. Have a great day!

From: Debra Wiley
To: Livingston, Jeffrey
Date: 05/22/06 3:28:37 PM
Subject: DEPRM Comment - Admin. Variance - 06-503-A - Closing 5/8

Hi Jeff,

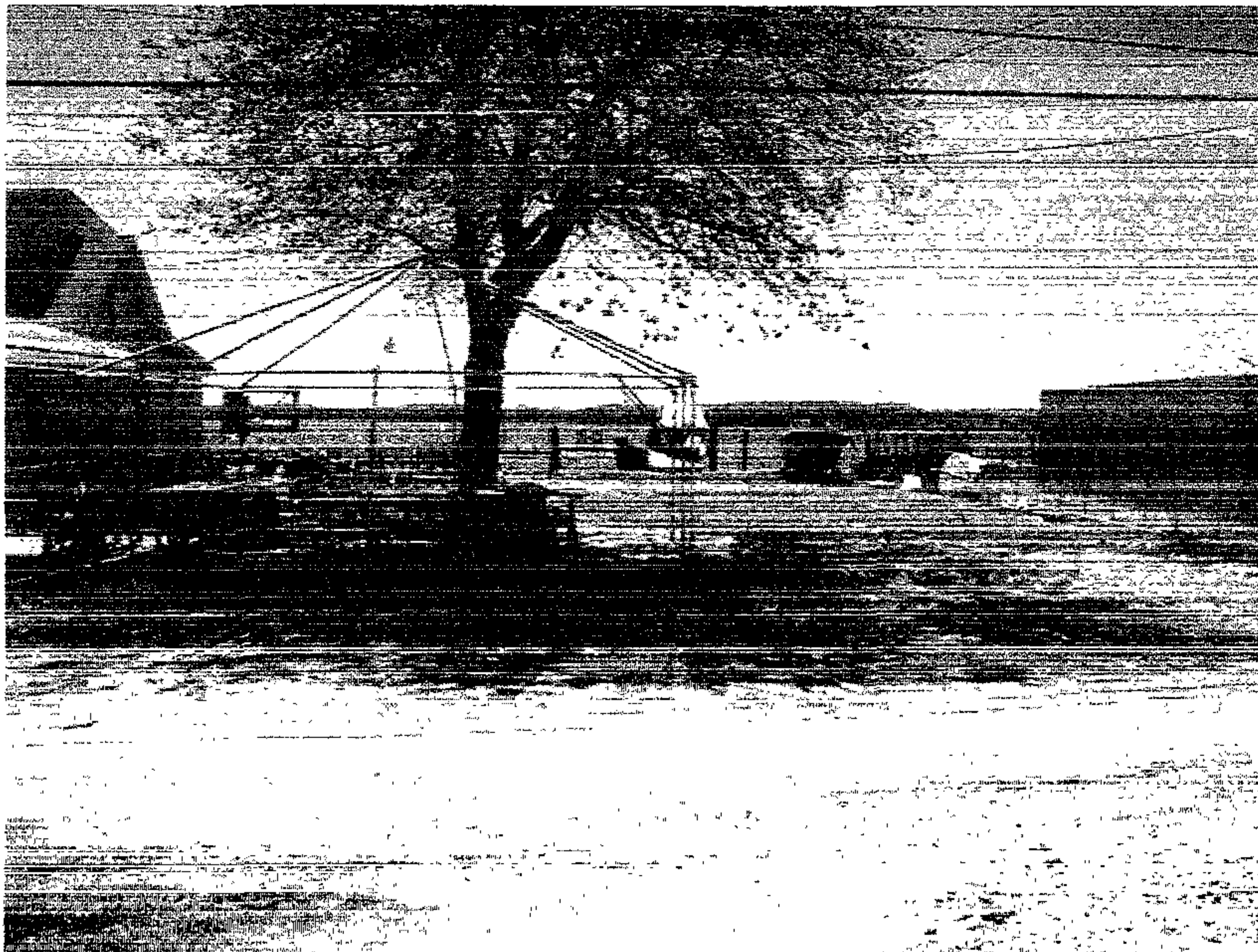
Just a reminder that we have not received a DEPRM commentg and the closing date was 5/8.

Could you please get us a comment.

Thanks.

Mr. & Mrs. John L. Hofferbert
5021 Tartan Hill Road
Perry Hall, MD 21128

503

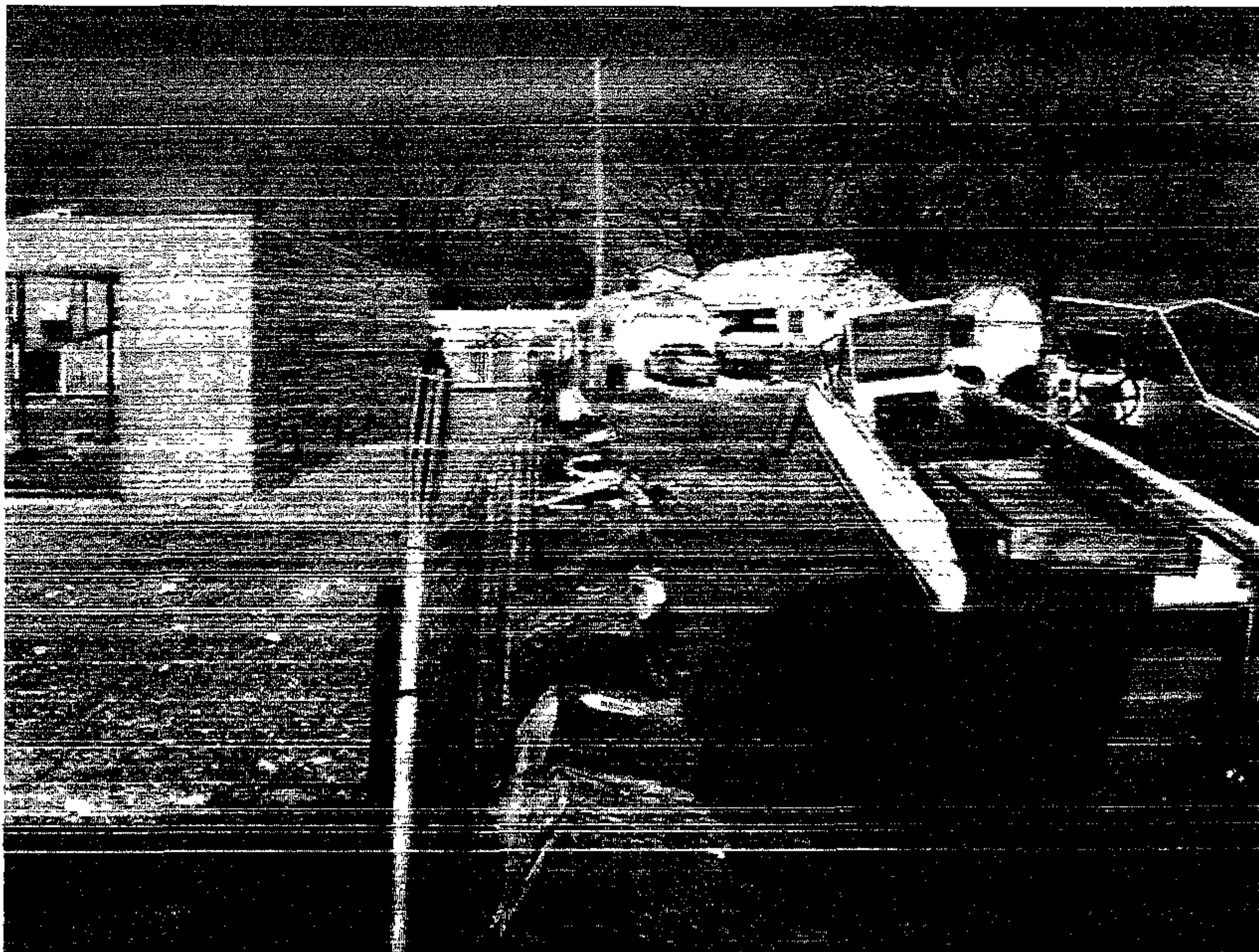


From Bayside
Showing
entire subject
lot and
both prop.
lines.



From pier
of subject
property, showing
entire lot
looking
towards
Bayside Rd.

503



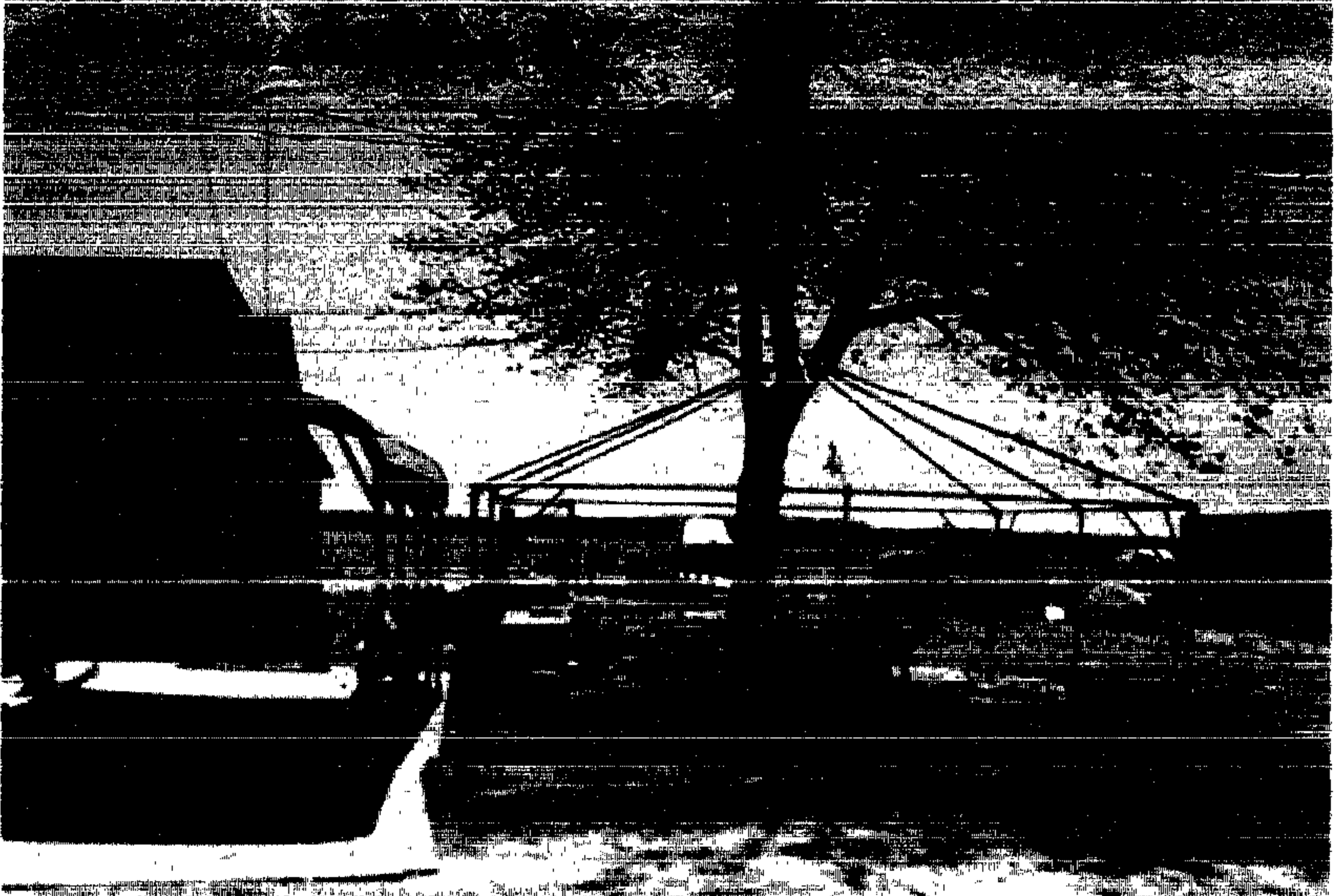
From rear
of subject
lot looking
down prop
line between
subject
property
and 1205
Bayside.



From rear
of prop
looking
down prop
line between
subject lot
and 1209
Bayside.



Showing
Right prop.
Line between
Subject prop.
and the
Zablocki's.
Dwelling
Being built
@ 1205 is
same in
This Application.
Standing on
Road.



From Bayside
showing left
prop. line.

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 1207 Bayshore Rd

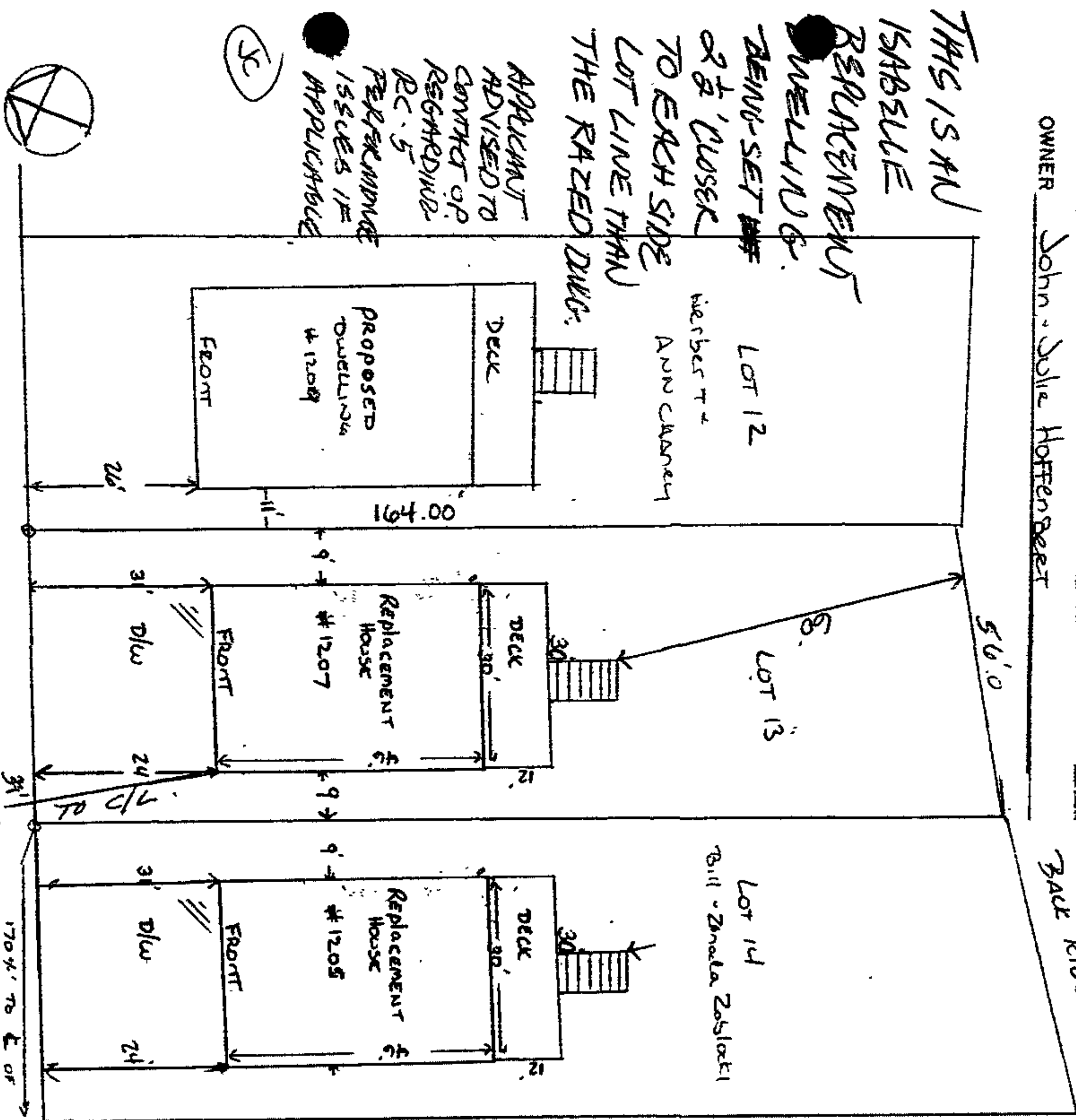
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Evergreen Park

PLAT BOOK # 7 FOLIO # 174 LOT # 13 SECTION #

OWNER John & Julie Hottenbeet

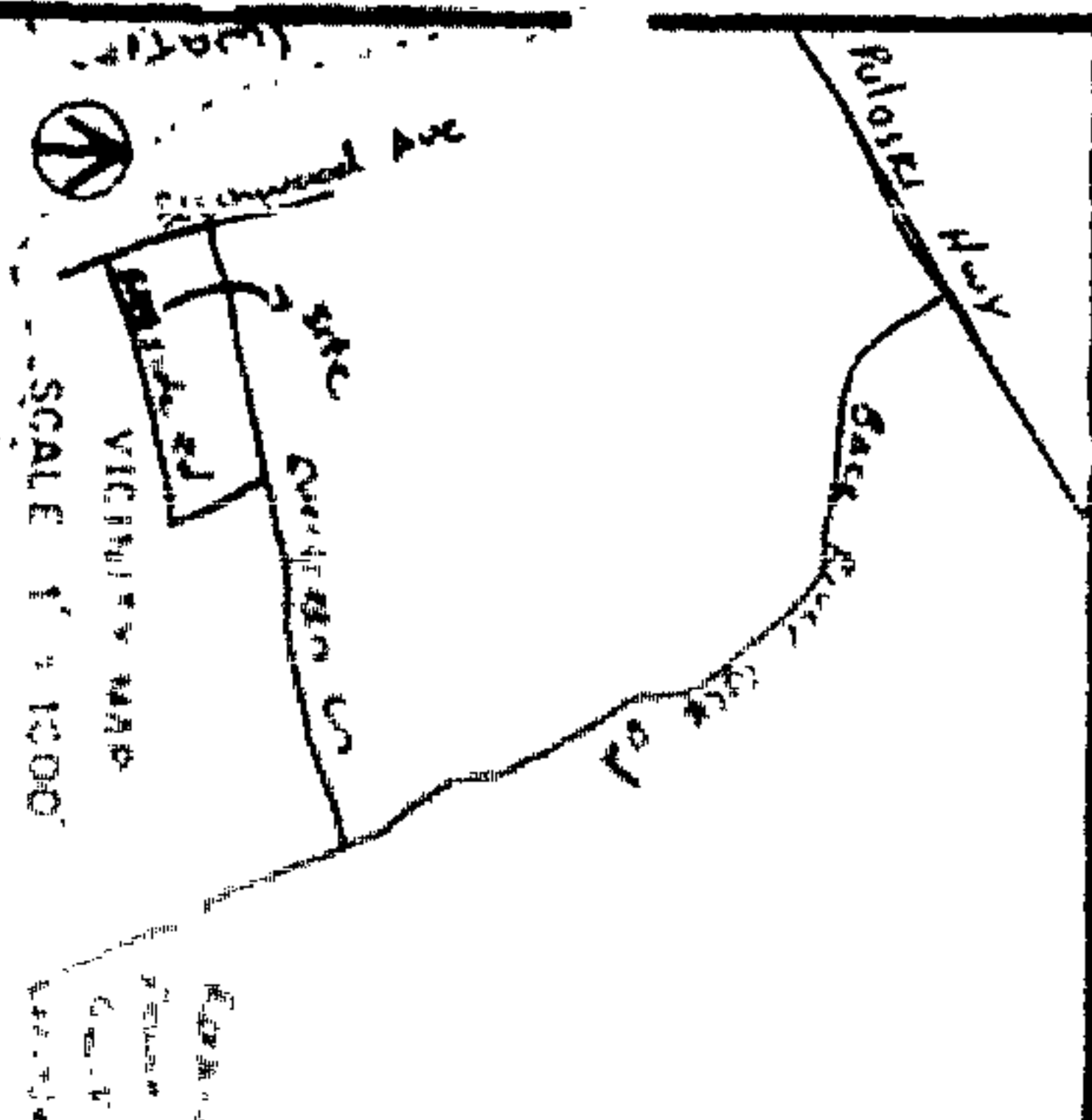
Back River



PREPARED BY Jeremy Clancy

Basic Rd. (30' R/W) (30' Paving) DOES NOT LEAD TO A "Collector" SCALE OF DRAWING: 1" = 30'

170' to E of Backwood Ave



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP #

ZONING RC-5

LOT SIZE 8,550 ACRES

ACREAGE 5.50 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☒ YES ☐ NO

100 YEAR FLOOD PLAIN ☒ YES ☐ NO

HISTORIC PROPERTY / BUILDING ☐ YES ☒ NO

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY ITEM #

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