

IN RE: **PETITION FOR VARIANCE**

SE/Corner Maple Road and
Beach Road

(1013 Beach Road)

15th Election District

6th Council District

Irene Metzger

Petitioner

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* **Case No. 06-526-A**

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Irene Metzger. The Petitioner requests variance relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a street centerline setback of 45 feet in lieu of the required 75 feet, and a side yard setback of 15 feet and a rear yard setback of 48 feet in lieu of the required 50 feet each for a proposed replacement dwelling. 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.

Appearing at the requisite public hearing in support of the request were Irene Metzger, property owner, and Buck Jones, their Builder and the Surveyor who prepared the site plan for this property. Also appearing in support of the request was Jeffrey Long, Deputy Director of the Office of Planning. There were no Protestants or other interested persons present.

Testimony and evidence offered disclosed that the subject property is a rectangular shaped parcel located on the southeast corner of the intersection of Marsh Road and Beach Road in Essex. The property is comprised of five lots, identified as Lots 473 through 477 of Cedar Beach, an older subdivision that was platted and recorded well prior to the effective date of zoning regulations in Baltimore County. The subject lots were recorded in Baltimore County Plat Book 13, Folio 57 in 1948; however, were cumulatively a "lot of record" as of 1941. The subject

COPIES RETURNED FOR FILING

Date Sept 26 - 06

By [Signature]

property is approximately 123 feet wide and 265 feet deep and contains a combined gross area of 33,885 sq.ft., or .778 acres, more or less, zoned R.C.5. Although not immediately adjacent to the water, the property is located not far from Sue Creek.

The Petitioner recently purchased the property and is desirous of developing the site with a two-story, single-family dwelling. Testimony indicated that a house previously existed on the property; however, that structure was damaged beyond repair as a result of Hurricane Isabel and was razed prior to the Petitioners' purchase. In any event, the proposed dwelling will be a two-story structure, featuring a two-car garage attached via an enclosed walkway or breezeway. It was indicated that the northern portion of the property is at a lower elevation and contains wetlands. Thus, the new house will be located in the southern portion of the site and razed to a higher elevation than the previous structure to avoid any potential for future flooding. Due to the narrow width of the lot, a front setback of 45 feet from Beach Road and a rear setback of 48 feet will be maintained. Moreover, the house will be located approximately 15 feet from the south side property line. In that the R.C.5 development regulations require a minimum 50-foot setback to any property line and a 75-foot setback from any road, the requested variance relief is necessary. In support of the request, testimony indicated that the proposed dwelling will be consistent with other houses in the community and feature similar setbacks as other homes on Beach Road. Building elevation drawings of the proposed structure were submitted into evidence as Petitioner's Exhibit 2. Moreover, the Petitioner testified that she has spoken with her neighbors about her plans and no one had any objections.

After due consideration of the testimony and evidence presented, I find that the Petitioner has met the requirements of Section 307 and Cromwell v. Ward, 102 Md. App. 691 (1995) for relief to be granted. As noted above, the subject property has been a lot of record since 1941 and was recorded in the Land Records of Baltimore County in 1948, well prior to the adoption of the R.C.5 zoning regulations in 1979. It is clear that strict compliance with the regulations would result in a practical difficulty and unreasonable hardship for the Petitioner and prevent development of the property for a permitted purpose. Moreover, the proposed dwelling

will be compatible with other houses in the community and feature similar setbacks as other homes along Beach Road. There were no adverse comments submitted by any County reviewing agency, and none of the neighbors have any objections. Thus, I find that relief can be granted without detrimental impact to the health, safety or general welfare of the surrounding locale. However, due to the property's close proximity to Sue Creek, the proposed development must comply with Chesapeake Bay Critical Areas regulations and Federal Flood Insurance requirements as set forth in the attached Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM). Moreover, pursuant to the ZAC comments submitted by the Office of Planning, the building elevation drawings of the proposed structure shall be submitted to that agency for their review and approval prior to the issuance of any permits.

It is also to be noted that the Office of Planning requested that a condition be imposed that there be no further subdivision of the subject property. Although I find that it would be physically impossible to subdivide this property to create a second building lot, owing to the site constraints associated with the northern end of the parcel, I will impose as a condition of approval a restriction that the subject property cannot be further subdivided.

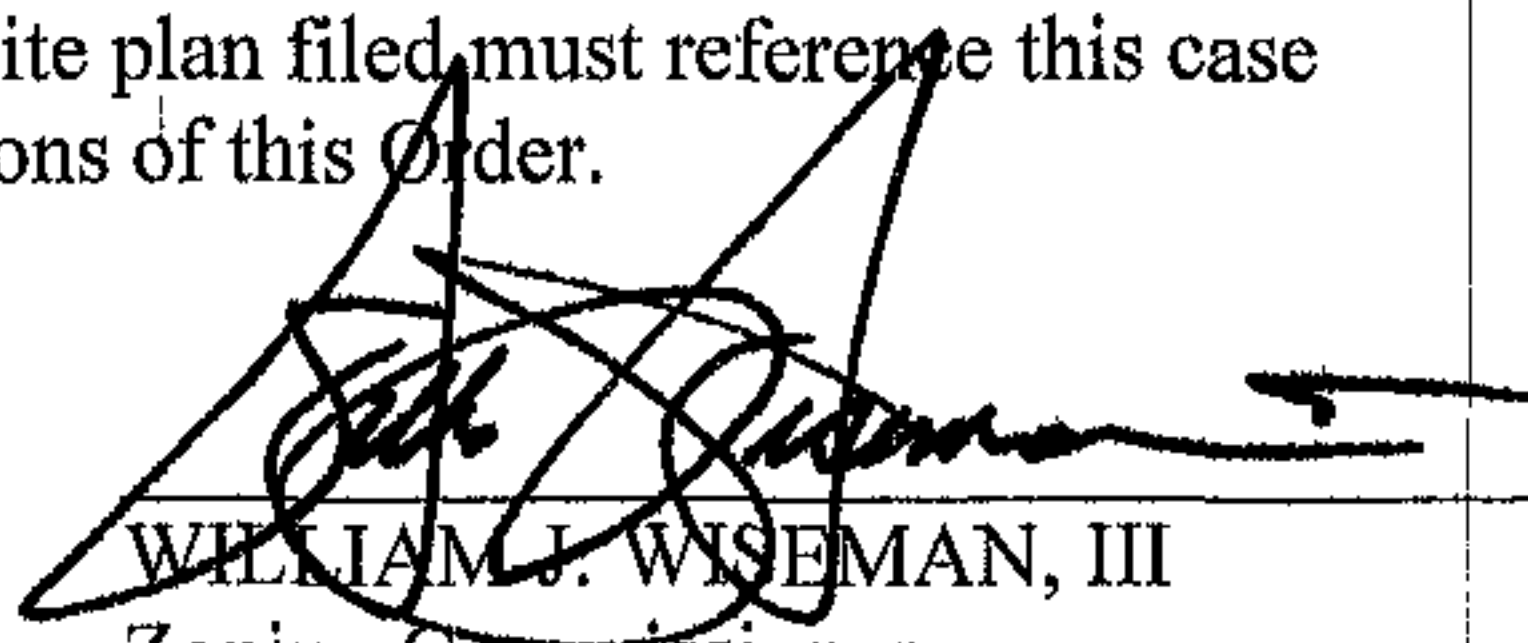
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of June 2006 that the Petition for Variance seeking relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a street centerline setback of 45 feet in lieu of the required 75 feet, a side yard setback of 15 feet and a rear yard setback of 48 feet in lieu of the required 50 feet each for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at her 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. See attached ZAC comments from the Department of Environmental Protection and Resource Management (DEPRM) and the Bureau of Development Plans Review.
- 3) Building elevation drawings of the proposed dwelling shall be submitted for review and approval by the Office of Planning prior to the issuance of any permits. The proposed dwelling shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning.
- 4) There shall be no further subdivision of the subject property.
- 5) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING

Date 9-26-00

By D. J. [Signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

June 23, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

Ms. Irene Metzger
27 Burbage Court
Baltimore, Maryland 21236

RE: **PETITION FOR VARIANCE**
SE/Corner Maple Road and Beach Road
(1013 Beach Road)
15th Election District – 6th Council District
Irene Metzger - Petitioner
Case No. 06-526-A

Dear Ms. Metzger:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted with restrictions, 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 in black ink, appearing to read "W. J. Wiseman, III", written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

cc: Mr. Buck Jones, 500 Vogts Lane, Baltimore, Md. 21221
Chesapeake Bay Critical Areas Commission
1804 West Street, Suite 100, Annapolis, Md. 21401
DEPRM; Office of Planning; People's Counsel; Case File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1013 Beach Road

which is presently zoned RC 5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.2.b. To allow a dwelling

(Replacement, due to Isabel damage) with a 45 ft setback to a Street Center-line, a side yard setback of 15 ft, and a rear yard setback of 48 ft, in lieu of the minimum required 75 ft and 50 ft side & rear yard setbacks respectively.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) This property has been a lot of record for over 50 years. The dwelling was severely damaged by hurricane isabel and has been razed it would have been impractical to renovate. Due to the size and irregular shape and width of the property strict compliance would be unreasonable to prevent the use of the property for a permitted purpose. This would cause the applicant not to be able to secure A reasonable return of his property, the hardship is not the result of applicants own action. Relief requested would be in strict harmony with the spirt and intent of the zoning regulations.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Legal Owner(s):

Name - Type or Print

Irene Metzger

Name - Type or Print

Signature

Signature

Address

Telephone No.

Name - Type or Print

Signature

27 Burbage Court

410-574-9337

Address

Telephone No.

Baltimore Md

21236

City

State

Zip Code

Representative to be Contacted:

Buck Jones

Name

500 Vogts Lane

410-574-9337

Address

Telephone No.

Baltimore

md 21221

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1.00 hr

UNAVAILABLE FOR HEARING

Reviewed By [Signature]

Date 4-20-06

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No. 06-526-A

ZONING DESCRIPTION FOR 1013 BEACH ROAD

BEGINNING AT A POINT ON THE EAST SIDE OF BEACH ROAD WHICH IS 40'
WIDE AT THE DISTANCE OF 14' SOUTH OF THE CENTERLINE OF THE
NEAREST IMPROVED INTERSECTING STREET MARSH ROAD WHICH IS 28'
WIDE. *BEING LOT# 473-477 IN THE SUBDIVISION OF CEDAR BEACH AS
RECORDED IN BALTIMORE COUNTY PLAT BOOK # 13 , FOLIO #57,
CONTAINING 33,885.00. ALSO KNOWN AS 1013 BEACH ROAD AND
LOCATED IN THE 15 ELECTION DISTRICT, 6 COUNCILMANIC DISTRICT.

526

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: #06-526-A

1013 Beach Road

East side of Beach Road, 14 feet south of centerline of Marsh Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Irene Metzger

Variance: to allow a dwelling (replacement, due to Isabel damage) with a 45 foot setback to a street centerline a side yard setback of 15 feet and a rear yard setback of 48 feet in lieu of the minimum required 75 feet and 50 feet side and rear yard setbacks, respectively.

Hearing: Tuesday, June 13, 2006 at 9:00 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) 887-3868.

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

JT/5/766 May 30

97039

CERTIFICATE OF PUBLICATION

6/11, 2006

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 5/30, 2006.

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

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 4-20-66 Chd. No. 06-526-2739
ACCOUNT R-001-006-6150

RECEIVED FROM: Franz AMOUNT \$ 105.00

FOR: President's Volunteer In
for 1013 Bayview Rd.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

DATE 4-20-66 TIME 1:30 PM
BY W. J. B. [illegible]
FOR PAID TO [illegible]

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 5/30/06

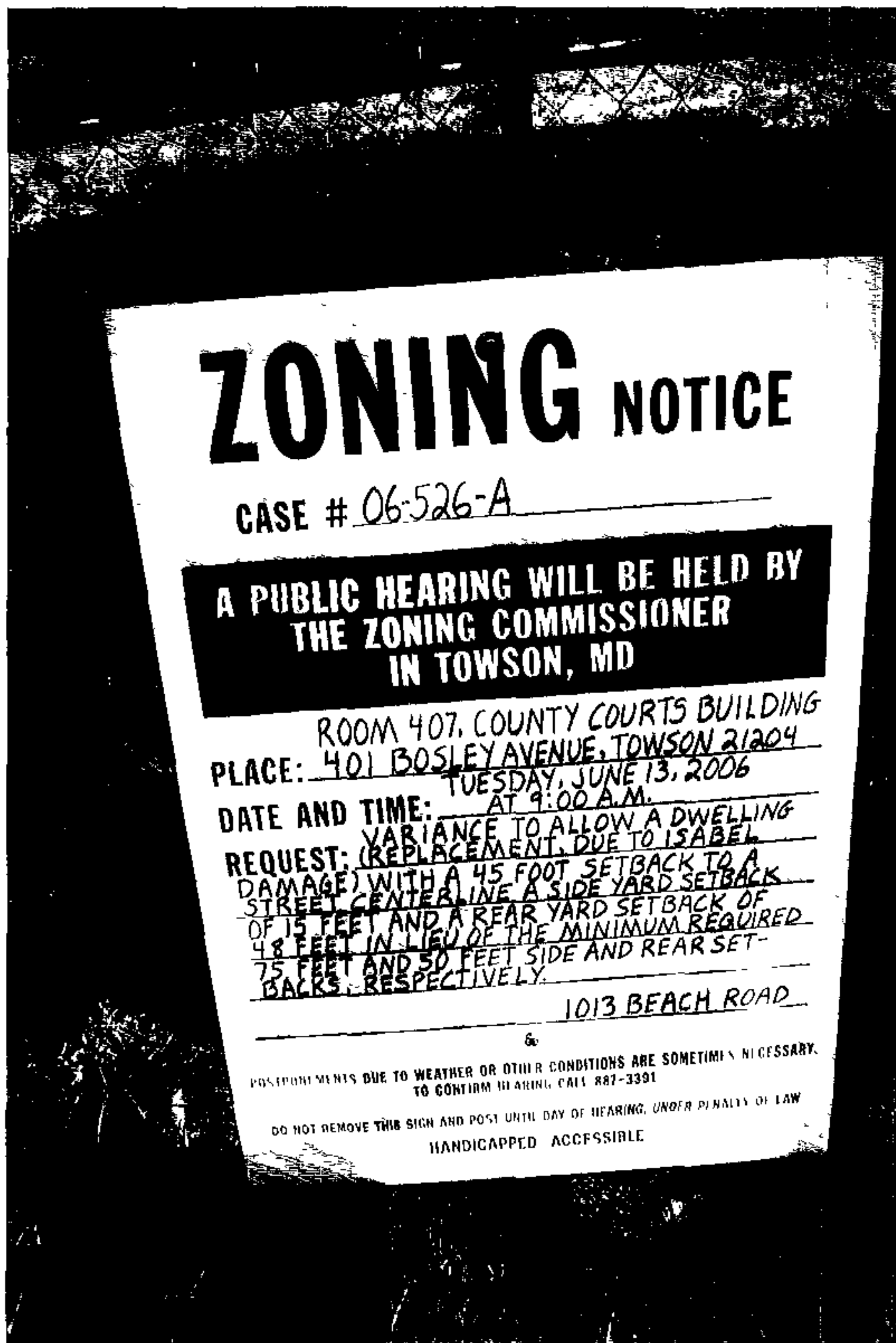
Case Number: 06-526-A

Petitioner/Developer: IRENE METZGER--BUCK JONES OF FREESTATE GENERAL CONTRACTORS

Date of Hearing (Closing): 06/13/06

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 1013 BEACH ROAD

The sign(s) were posted on: 5/27/06



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

**Department of Permits and
Development Management**

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

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

May 2, 2006

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: 06-526-A

1013 Beach Road
East side of Beach Road, 14 feet south of centerline of Marsh Road
15th Election District – 6th Councilmanic District
Legal Owner: Irene Metzger

Variance to allow a dwelling (replacement, due to Isabel damage) with a 45 foot setback to a street centerline a side yard setback of 15 feet and a rear yard setback of 48 feet in lieu of the minimum required 75 feet and 50 feet side and rear yard setbacks, respectively.

Hearing: Tuesday, June 13, 2006 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: Irene Metzger, 27 Burbage Court, Baltimore 21236
Buck Jones, 500 Vogts Lane, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MAY 29, 2006.**
- (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, May 30, 2006 Issue - Jeffersonian

Please forward billing to:
Irene Metzger
27 Burbage Court
Baltimore, MD 21236

410-574-9337

NOTICE OF ZONING HEARING

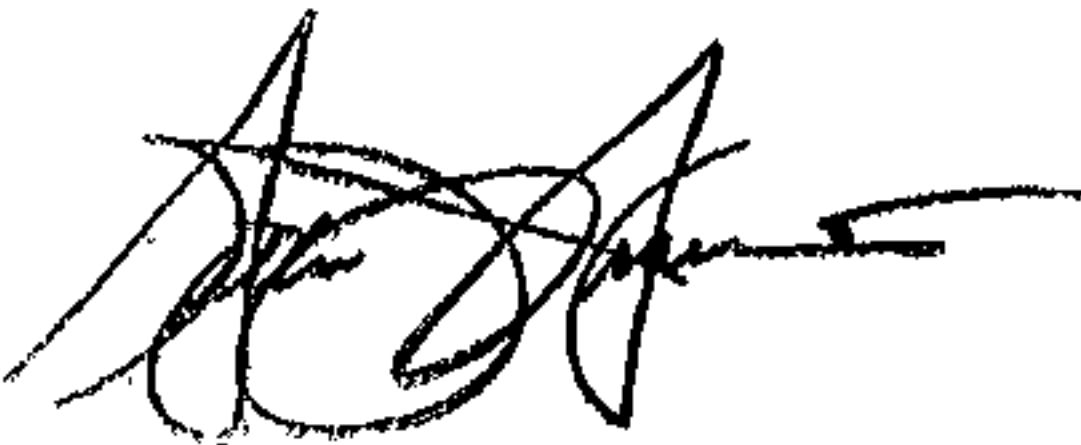
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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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: 06-526 A

Petitioner: Buck Jones

Address or Location: 500 Vogts Lane

PLEASE FORWARD ADVERTISING BILL TO:

Name: Irene Mtezger

Address: 27 Burbage Court

Baltimore Md 21236

Telephone Number: 410-574-9337

Revised 2/20/98 - SCJ

**Department of Permits
Development Management**



Baltimore County

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

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

June 9, 2006

Irene Metzger
27 Burbage Ct.
Baltimore, MD, 21236

Dear: Mrs. Metzger,

RE: Case Number: 06-526-A; 1013 Beach Rd.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 20, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:sma

Enclosures

c: People's Counsel
Buck Jones, 500 Vogts Lane, Baltimore, MD, 21221

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



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 22, 2006

FROM: Dennis A. Kennedy, Supervisor^{DM}
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 8, 2006
Item No. 526

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

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:CEN:clw
cc: File
ZAC-ITEM NO 526-06222006.doc

ORDER RECEIVED FOR FILING
Date 6-26-06
By [Signature]

1013 Beach Rd
ZAC-06-526
June 9, 2006
Page 1

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED



JUN 26 2006

ZONING COMMISSIONER

TO: Timothy M. Kotroco

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

DATE: June 9, 2006

SUBJECT: Zoning Item # 06-526-A
Address 1013 Beach Rd
Metzger Property (Irene)

Zoning Advisory Committee Meeting of May 1, 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).

ORDER RECEIVED FOR FILING
Date 6-26-06
By [Signature]

Additional Comments:

1. The 100-foot buffer from tidal waters/wetlands and 25 foot buffer from any adjacent non-tidal wetlands must be shown on all subsequent plans.
2. Any wetlands within 25 feet of the site must be delineated and accurately shown on all subsequent plans.
3. The proposed dwelling must be a minimum 35 feet from any buffer.
4. Impervious surface area cannot exceed 15% of five lots comprising the 0.778-acre home site (i.e. 15% = 5,083 square feet).
5. A minimum 15% tree cover (e.g. 10 canopy trees) must exist at time of Use and Occupancy inspection by DEPRM. All trees to be counted toward the 15% must be native deciduous species a minimum 1.5 inches caliper in size.

Reviewer: Glenn Shaffer

Date: June 9, 2006

ORDER RECEIVED FOR FILING
Date 6-26-06
By [Signature]

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
111 West Chesapeake Avenue
Towson, Maryland 21204

May 2, 2006

ATTENTION: Zoning Review planners

Distribution Meeting of: May 1, 2006

Item No.: 518, 519, 520, 521, 522, 523, 524, 525, (526) 527, 528, 529, 530,
531, 532, 533, 534, 535, 536.

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.

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

Acting Lieutenant Don W. Muddiman
Fire Marshal's Office
Phone (O) 410-887-4881
Mail Stop - 1102F

cc: File

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



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

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

Maryland Department of Transportation

Date: 4.28.06

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

RE: Baltimore County
Item No. 526 JJS

Dear Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief
Engineering Access Permits Division

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 5, 2006

FROM: Dennis A. Kennedy, ^{DAK} Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 8, 2006
Item No. 519, 520, 521, 523, 524, 525,
(526), 527, 529, 530, 531, 532, 533, 534,
535, and 05-558 SPH XA

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-05032006.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 12, 2006

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

SUBJECT: 1013 Beach Road

INFORMATION:

Item Number: 6-526

Petitioner: Irene Metzger

Zoning: RC 5

Requested Action: 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:

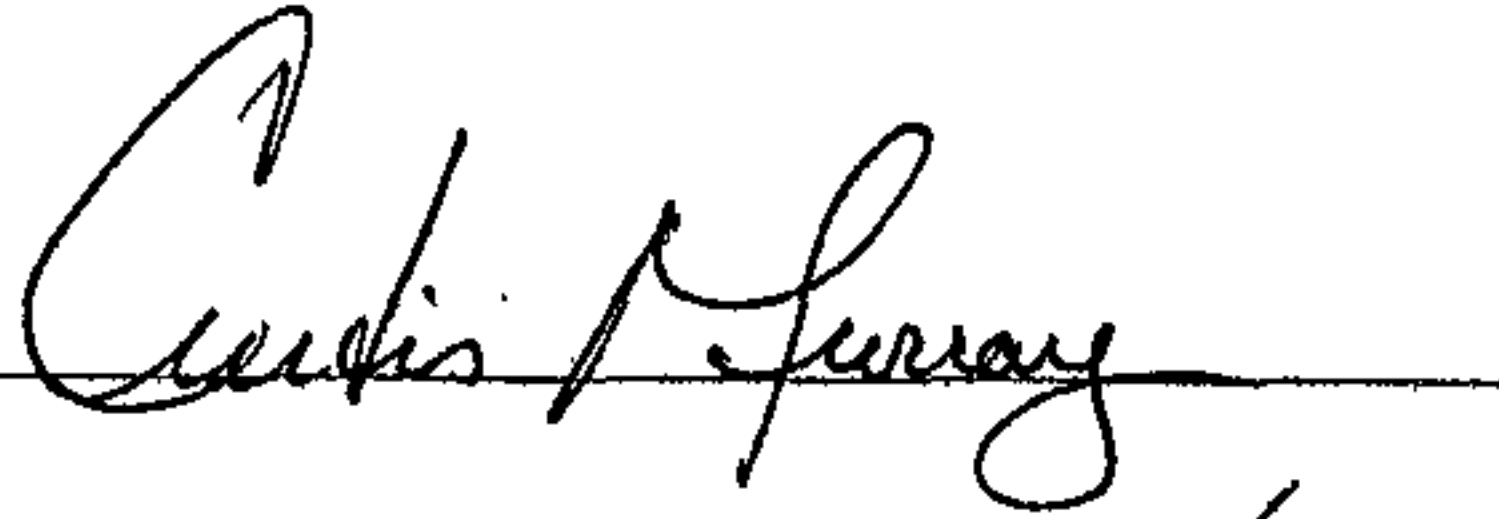
1. Photographs of existing adjacent dwellings.
2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure 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.

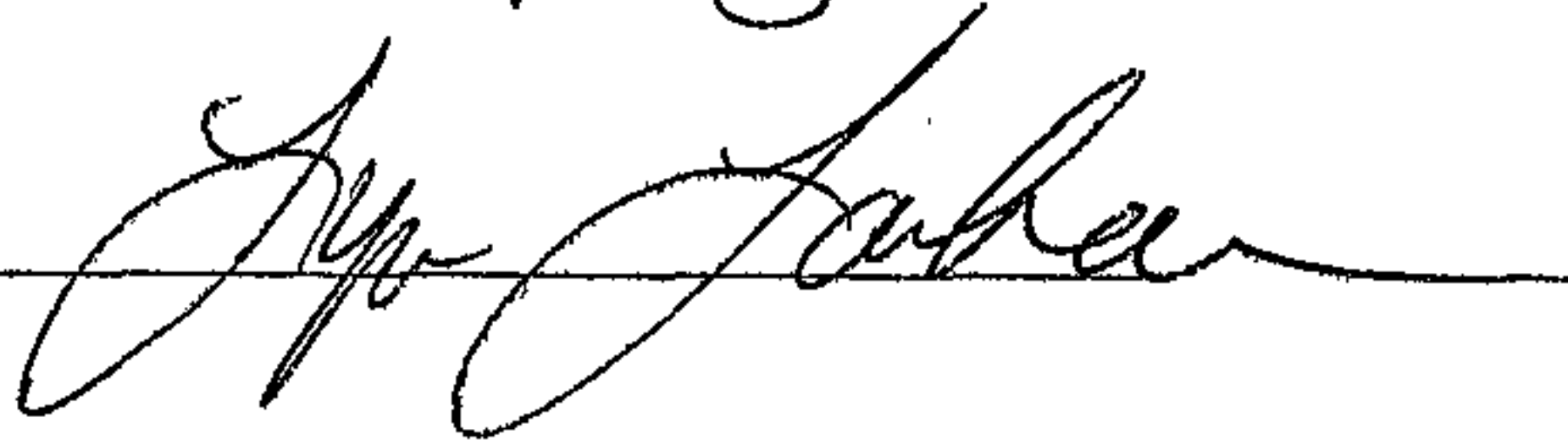
Additionally, this office requests that the Zoning Commissioner place a condition on the approval as follows: The remaining land that is the subject of this zoning hearing may not be further subdivided, as it currently does not meet RC 5 setback or area requirements.

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

RE: PETITION FOR VARIANCE
1013 Beach Road; E/S Beach Road,
14' S c/line Marsh Road
15th Election & 6th Councilmanic Districts
Legal Owner(s): Irene Metzgar
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 06-526-A

* * * * *

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 and all 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 3rd day of May, 2006, a copy of the foregoing Entry of Appearance was mailed to, Buck Jones, 500 Vogts Lane, Baltimore, MD 21221, Representative for Petitioner(s).

RECEIVED

MAY 03 2006

Per

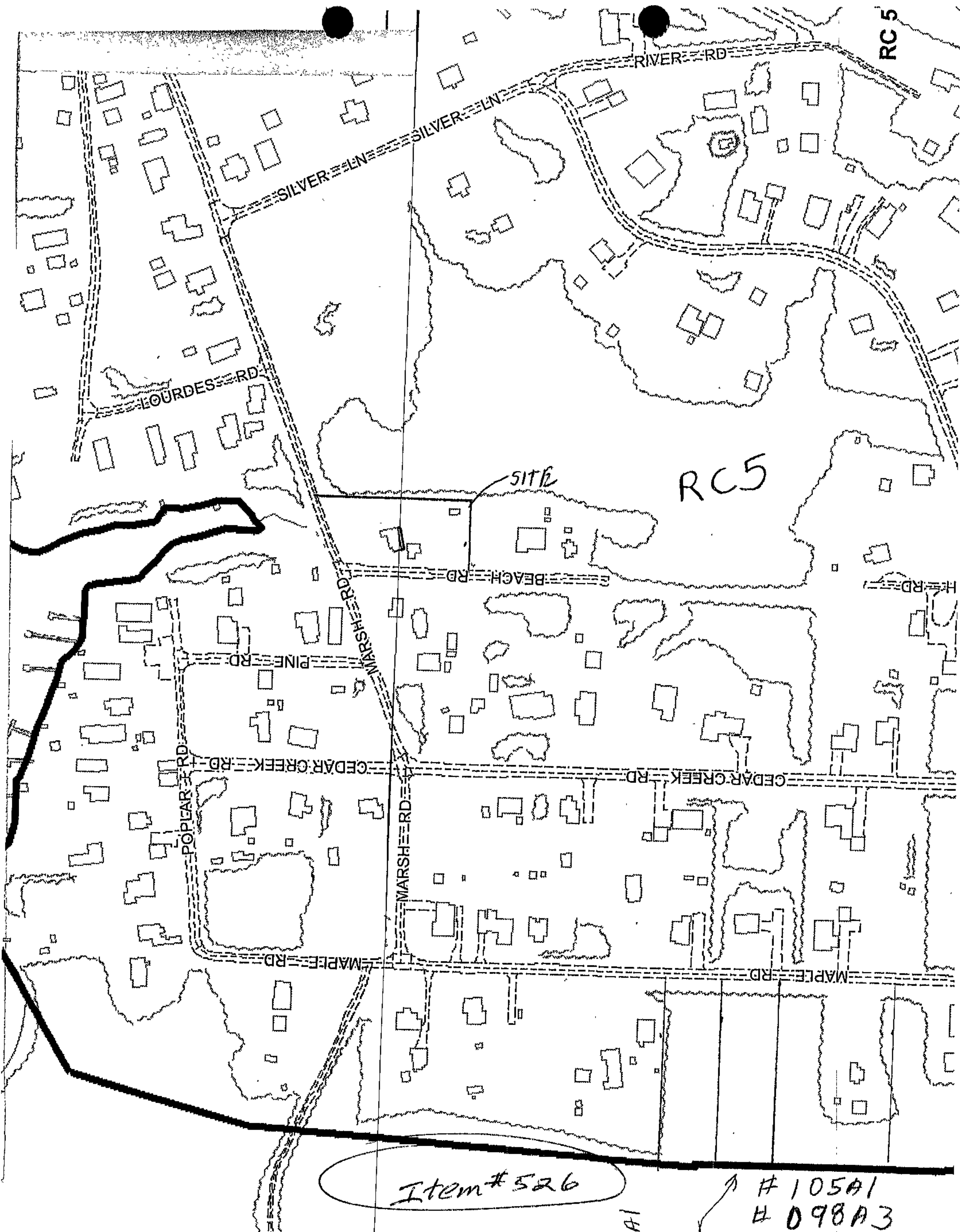
Peter Max Zimmerman

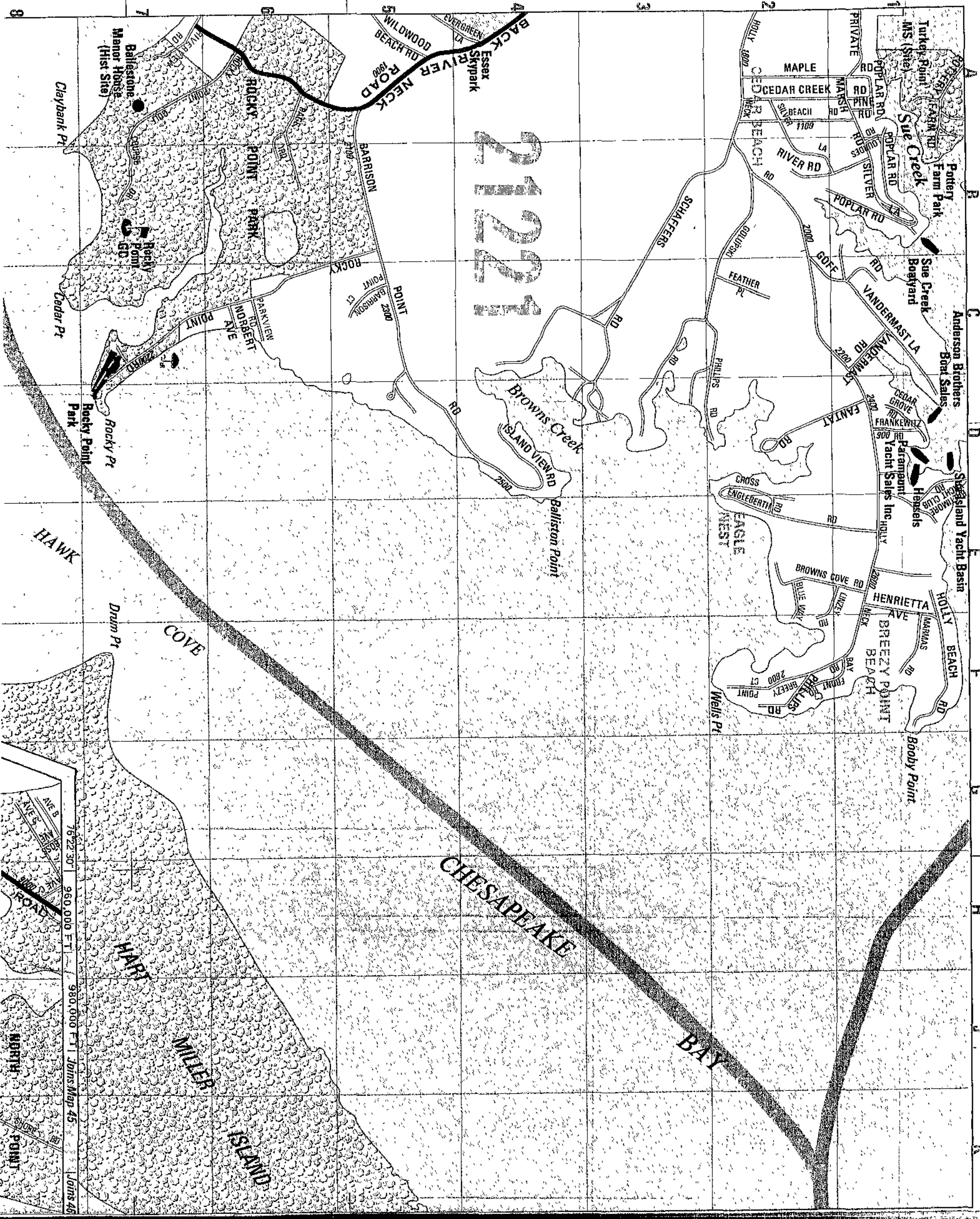
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME _____
CASE NUMBER _____
DATE _____

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]





Case No.:

06-526-A

1013 BEACH RD.

Exhibit Sheet

Petitioner/Developer

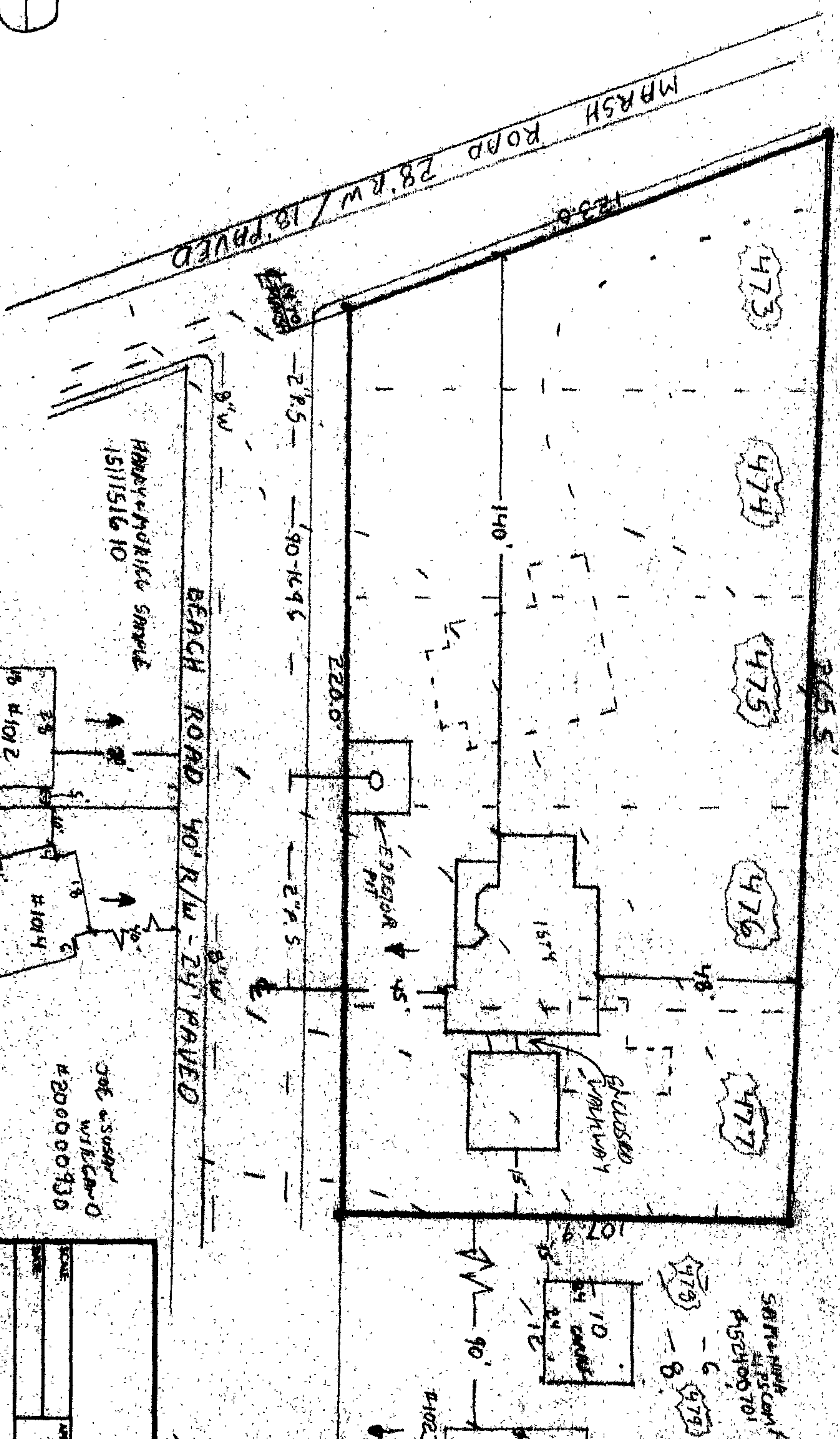
Protestant

No. 1	SITE PLAN	
No. 2	BLDG ELEVATIONS	
No. 3	ELEVATION PLAT	
No. 4	PHOTO'S OF PROPERTY	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

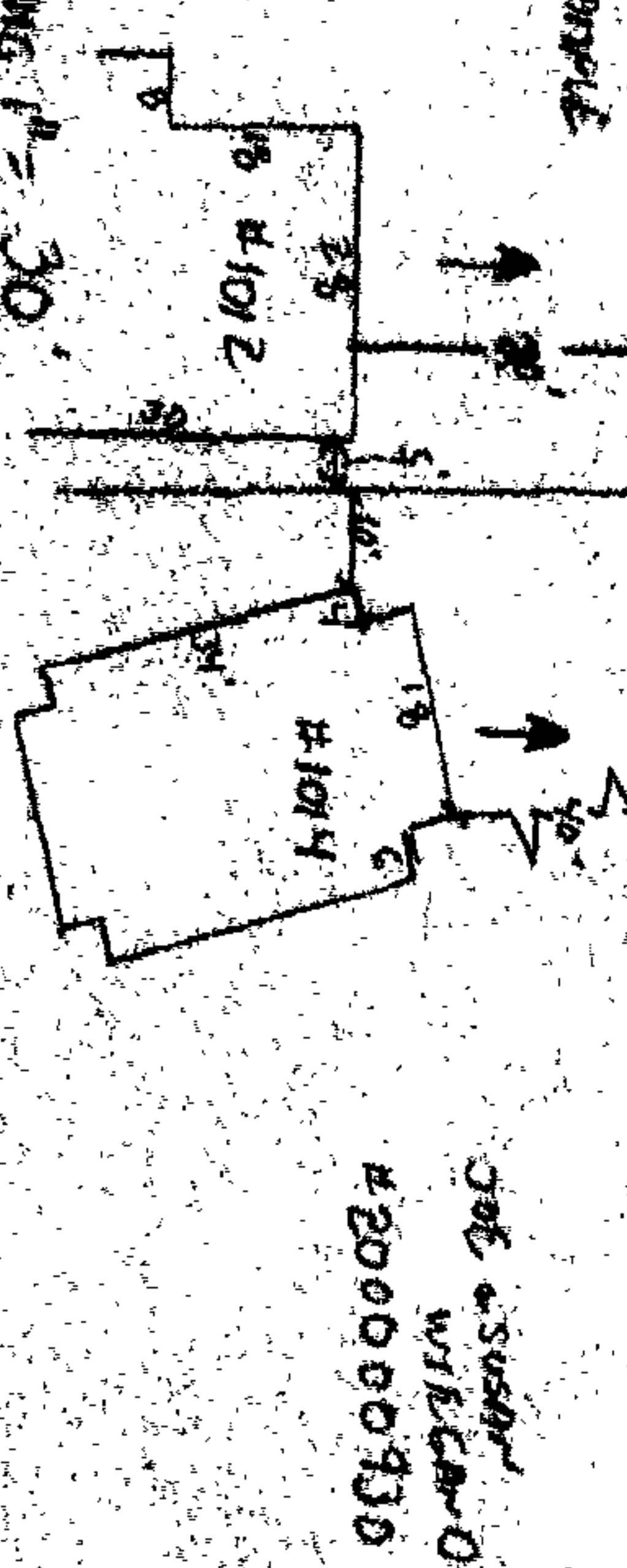
PROPERTY ADDRESS 1012 BEACH RD
SUBDIVISION NAME CEBBAR BEACH
PLAT BOOK # 13 PARCELS 472-477
OWNER IRENE MEYER

JOANNE & LOUIS VVONNE OFFICER
2300063960



PREPARED BY BUCK JONES

SCALE OF DRAWING 1" = 30'



JOE & SUSAN WILCOX
2000009330



ADC P-46-A-1

LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # 105A1-098A3

ZONING RC5

LOT SIZE 778 33,985

ACRES 0.78

PUBLIC PRIVATE

SEWER ☒

WATER ☒

CHESTERMAN CRITICAL AREA ☒

100 YEAR FLOOD PLAIN ☒

HISTORIC PROPERTY ☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE # 526

APPROVED BY:

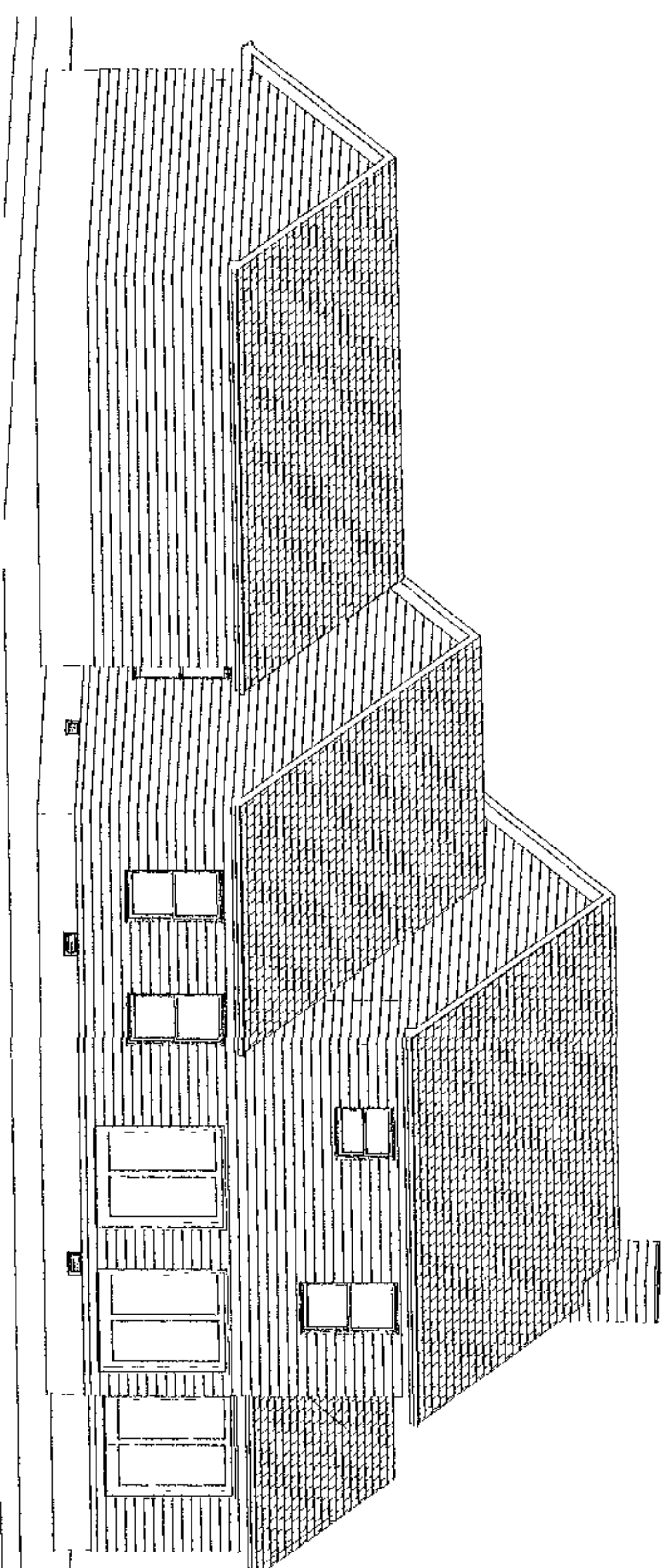
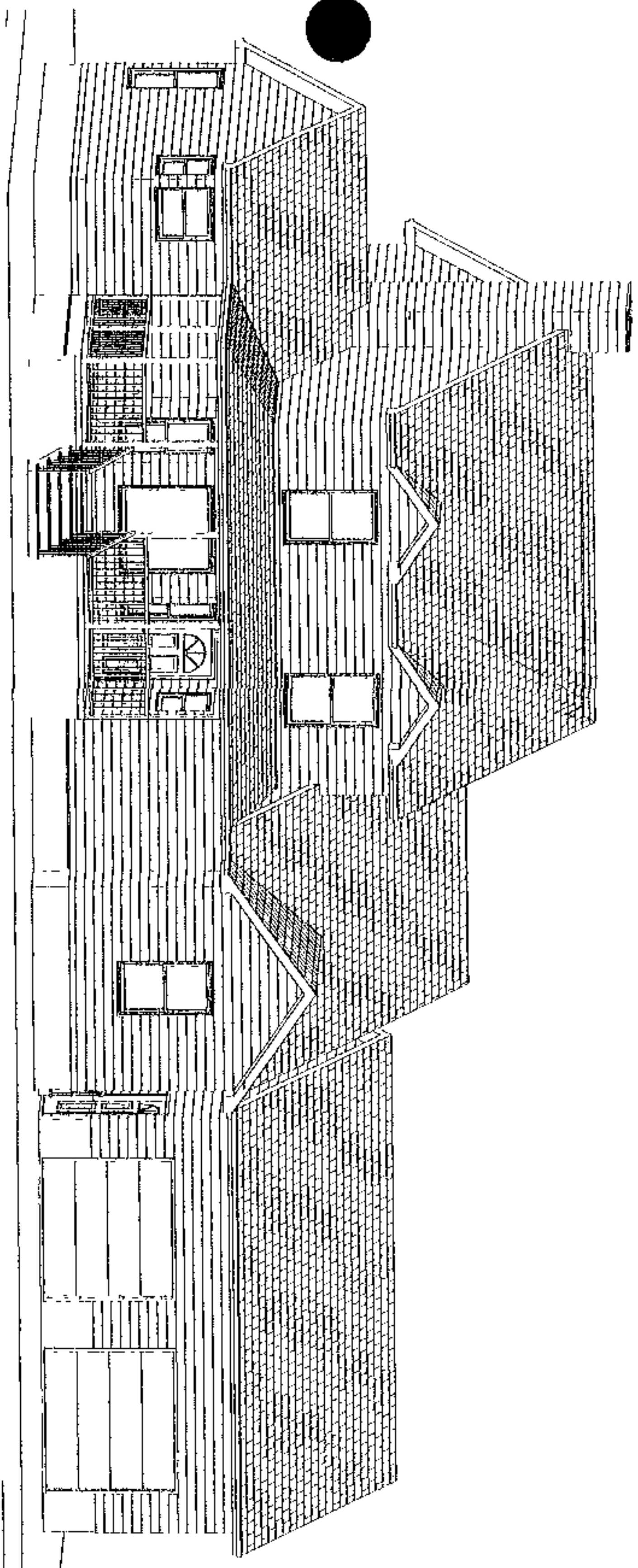
DATE:

DESIGNED BY:

REVIEWED:

PETITIONER'S

EXHIBIT NO. 1



FREESTATE GENERAL CONTRACTORS

810 BACK RIVER NECK RD 410-574-9337

DATE 12-15-05

METZGER RESIDENCE
3 D PLANS

DRAWN BY
SKIP STORM

PETITIONER'S

EXHIBIT NO. **2**

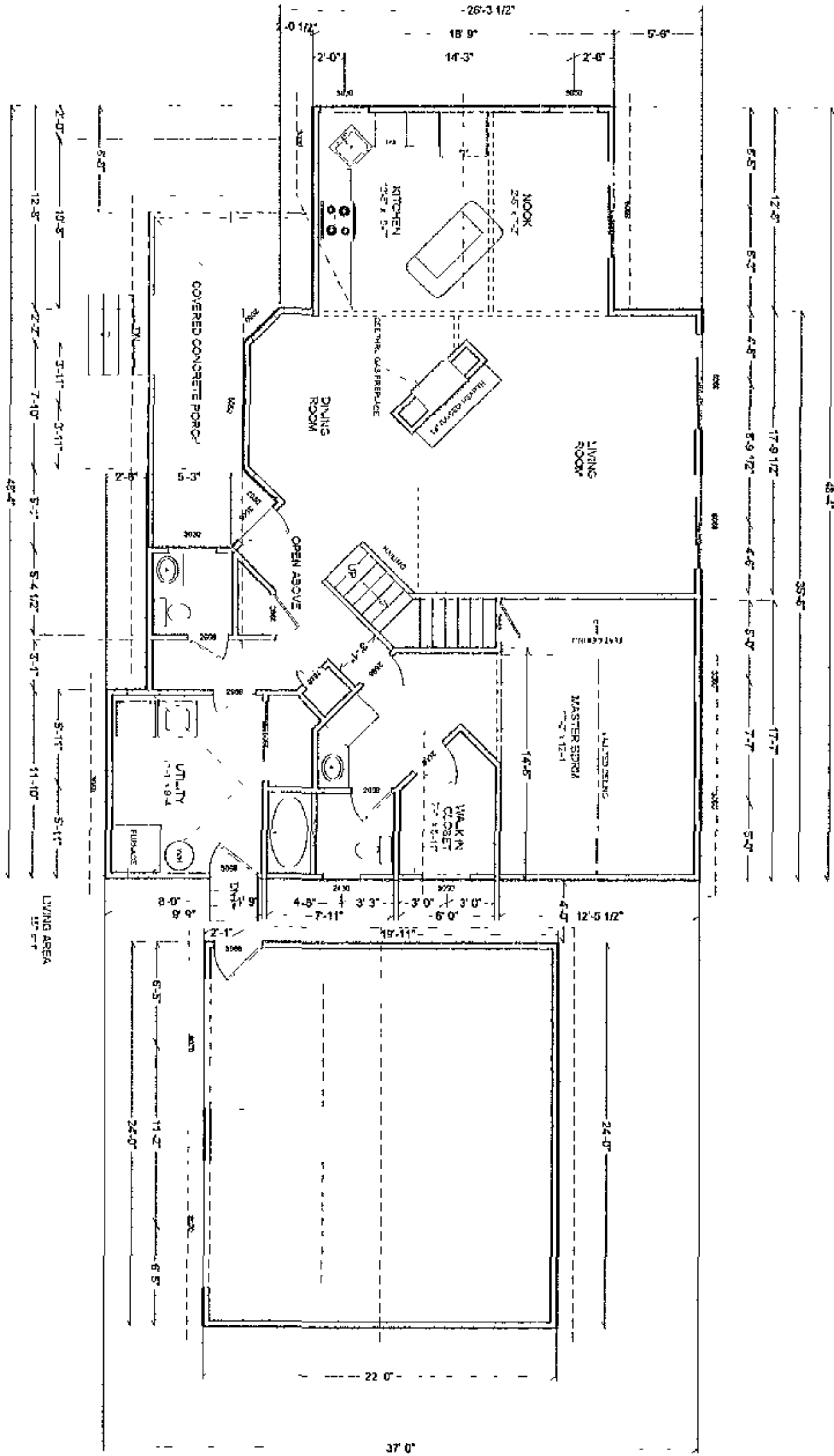
FREESTATE GENERAL CONTRACTORS

810 BACK RIVER NECK RD 410-574-9337

SCALE 1/4" = 1'
DATE 12-15-05

METZGER RESIDENCE
FIRST FLOOR PLAN

DRAWN BY
SKIP STORM
PAGE # 2



FREESTATE GENERAL CONTRACTORS

810 BACK RIVER NECK RD 410-574-9337

SCALE 1/4" = 1'

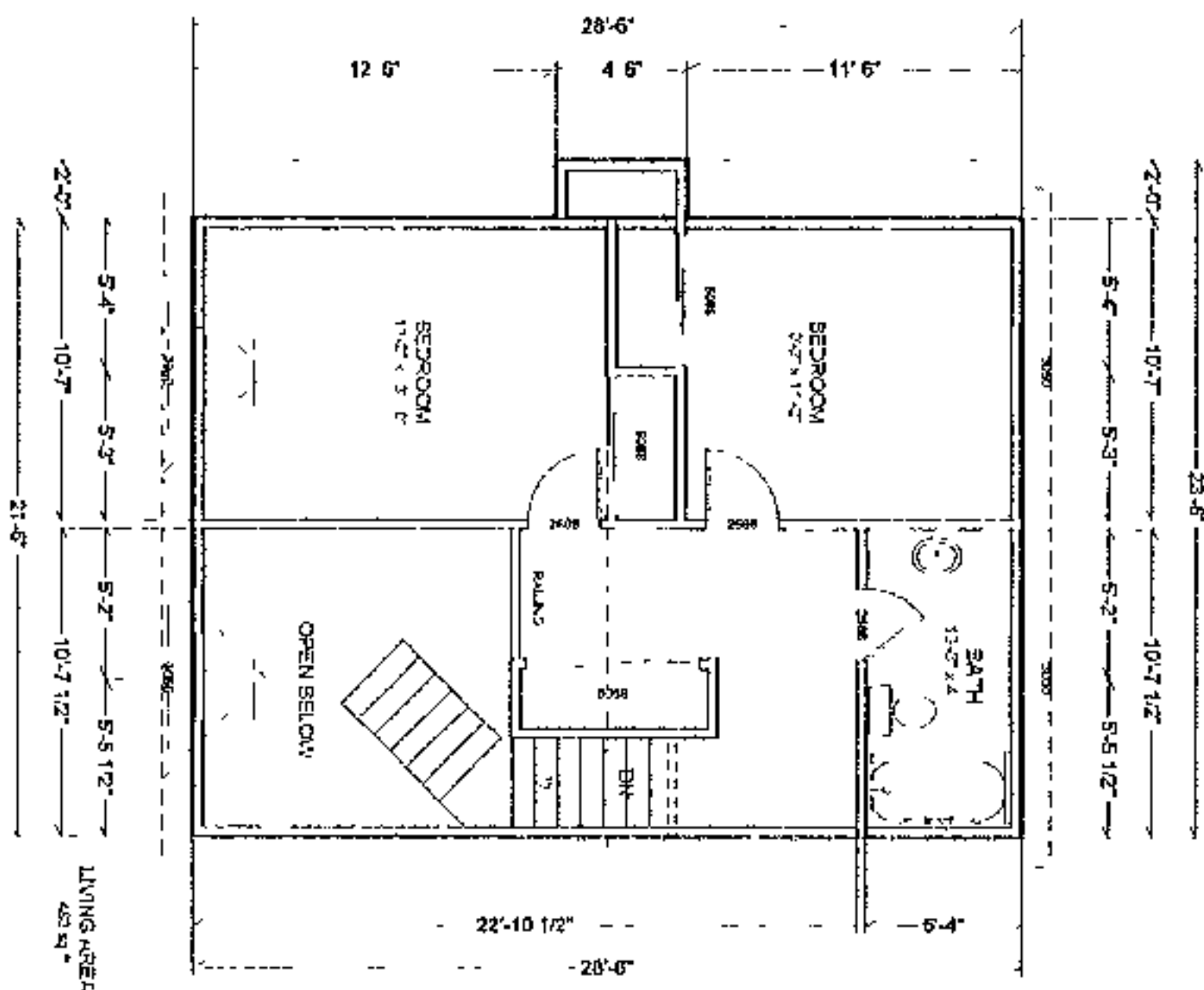
DATE 12-15-05

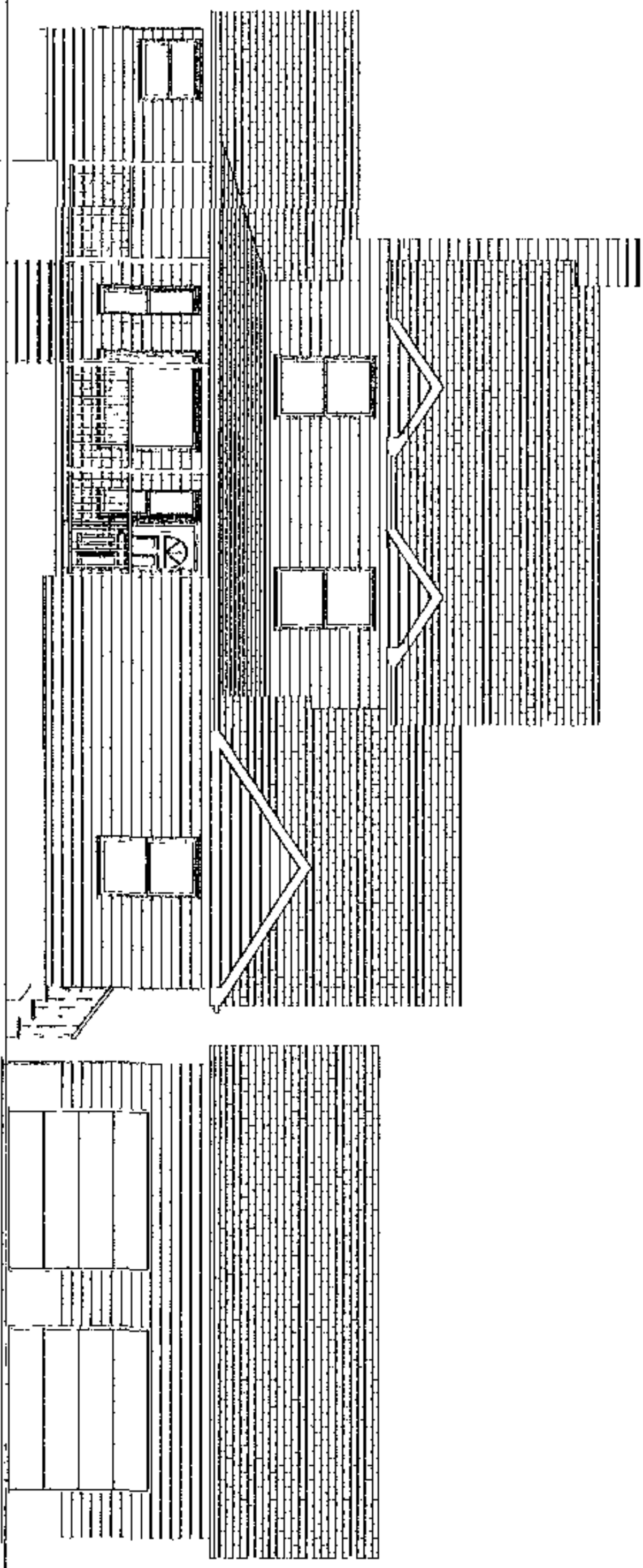
METZGER RESIDENCE

SECOND FLOOR PLAN

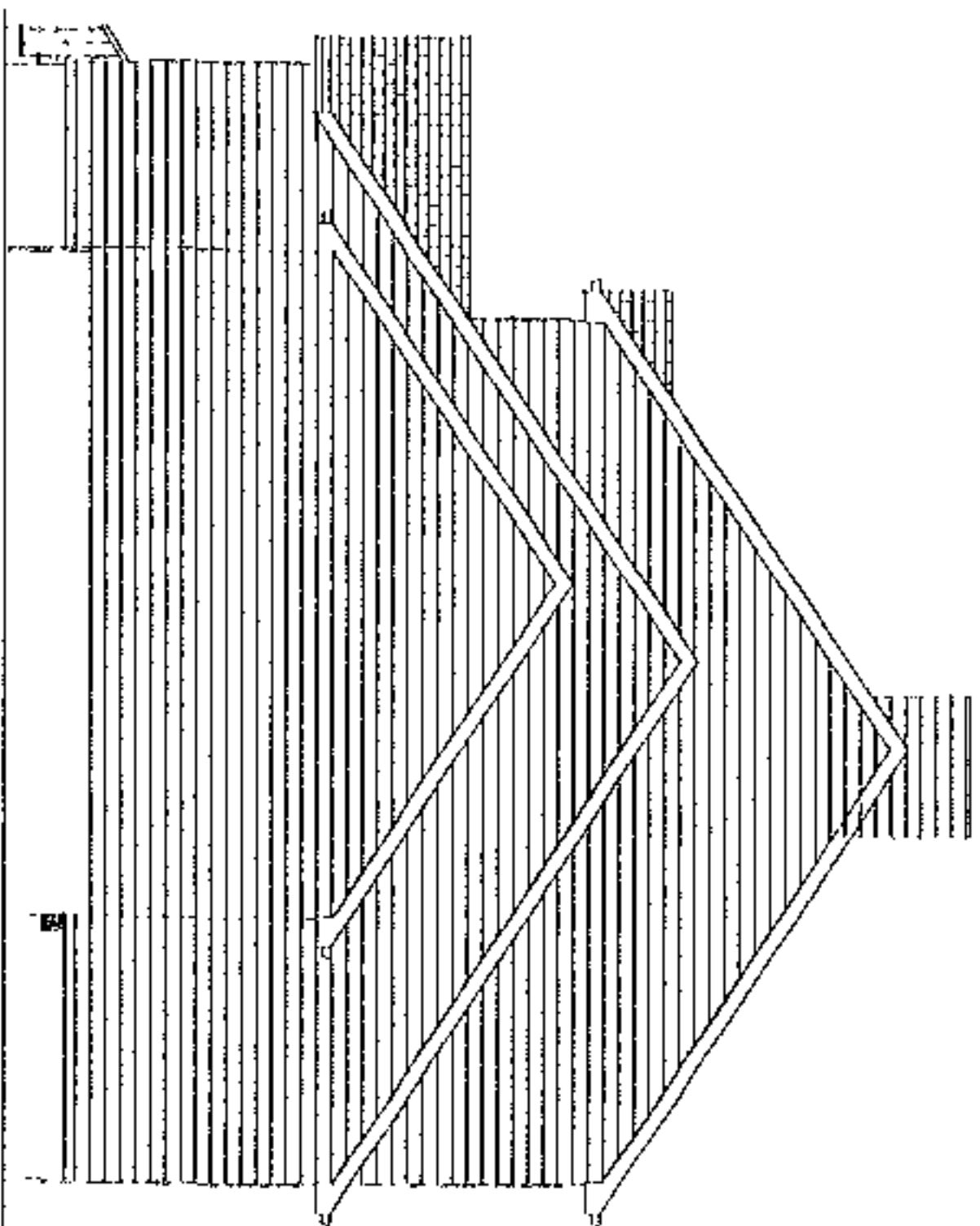
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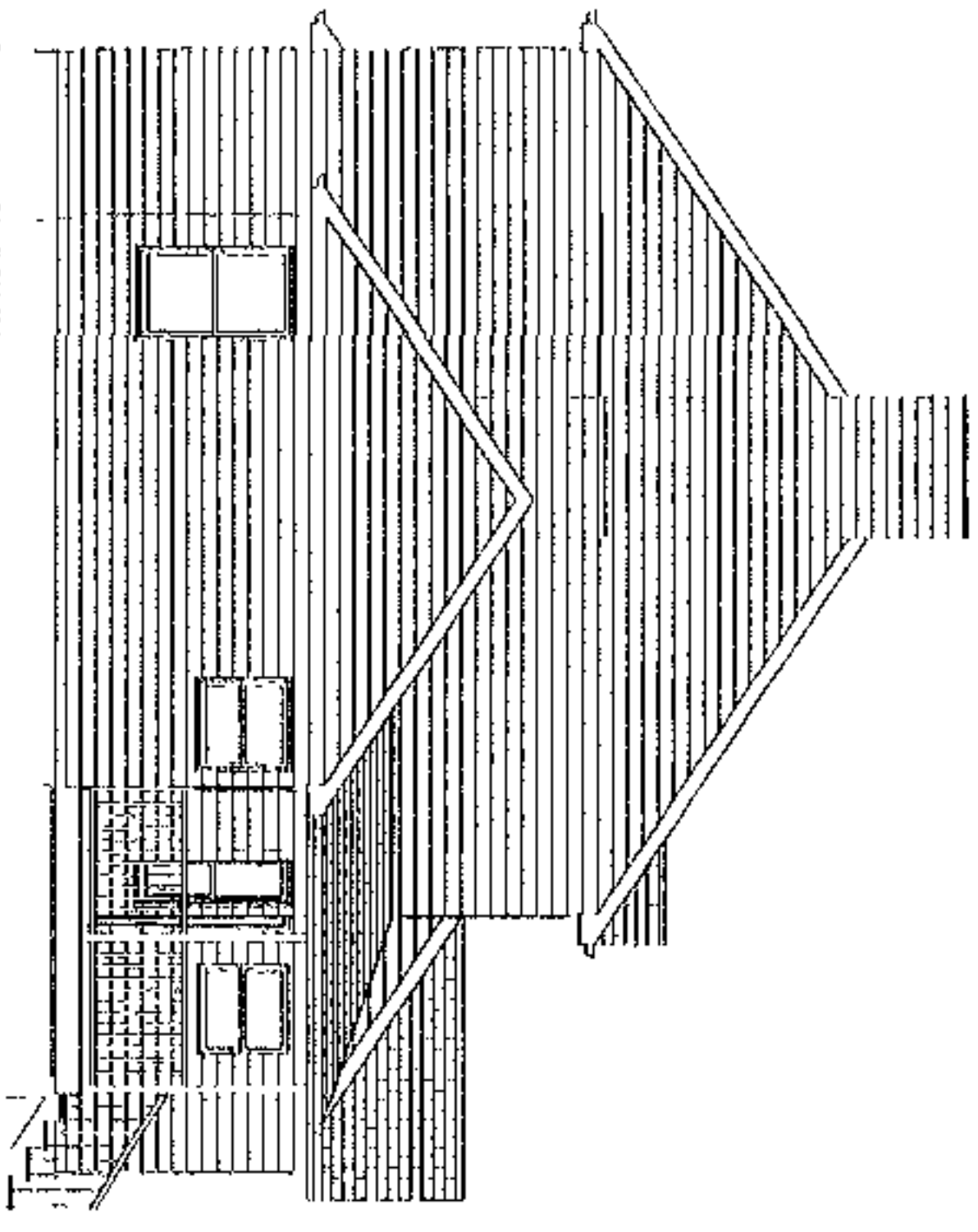




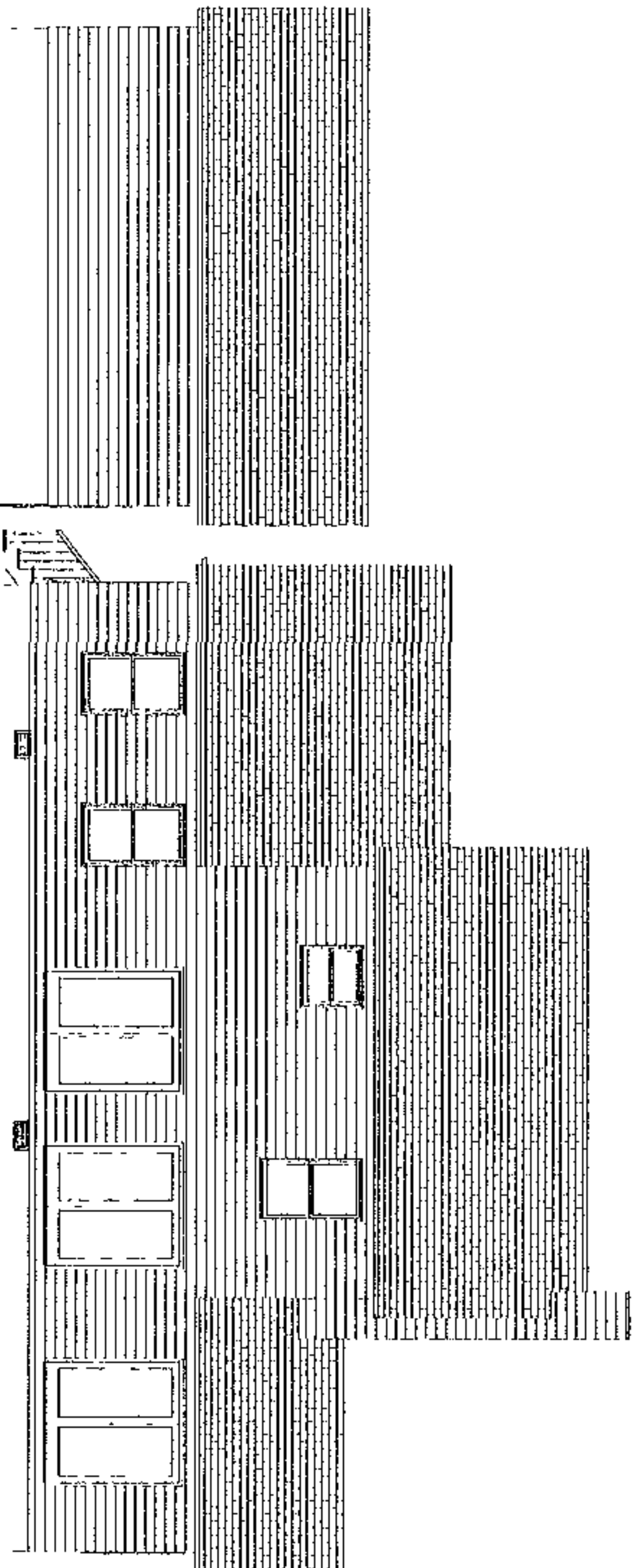
FRONT



LEFT SIDE



RIGHT SIDE



REAR

FREESTATE GENERAL CONTRACTORS

810 BACK RIVER NECK RD 410-574-9337

SCALE 1/4" = 1'

DATE 12-15-05

MEITZGER RESIDENCE

ELEVATIONS

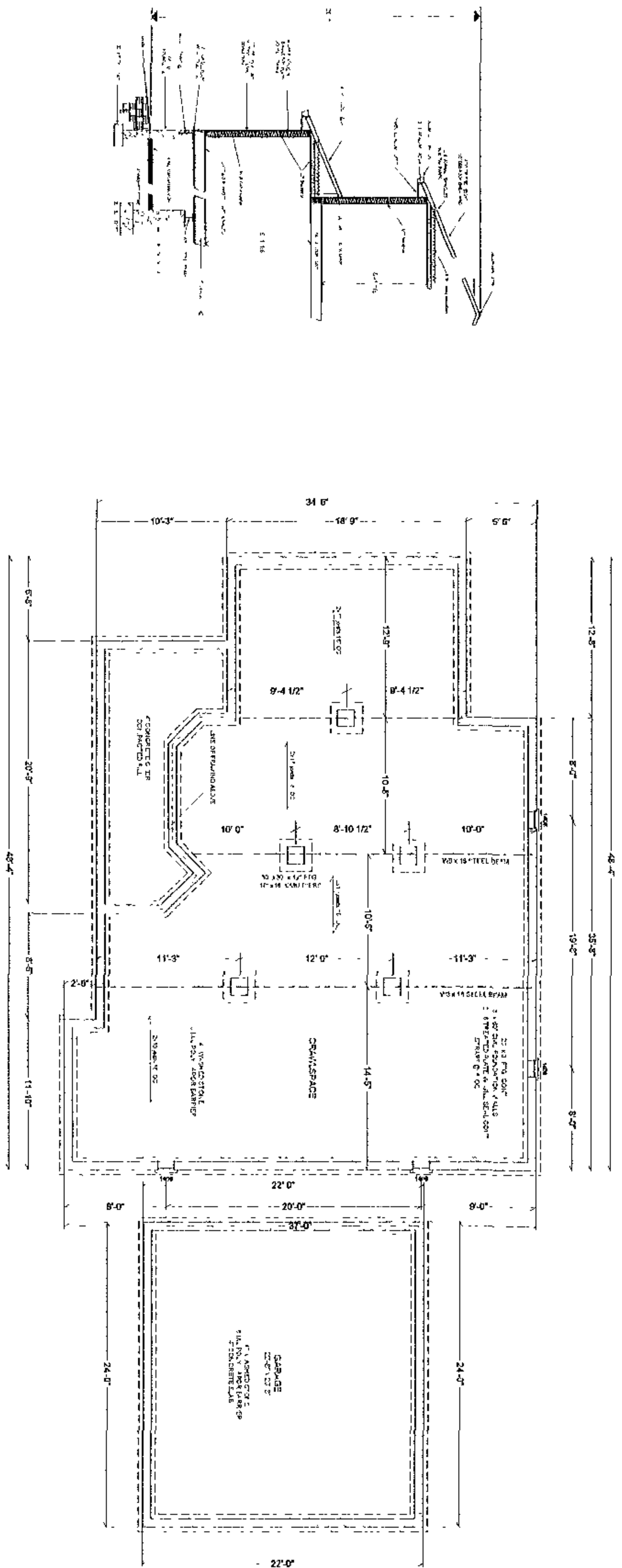
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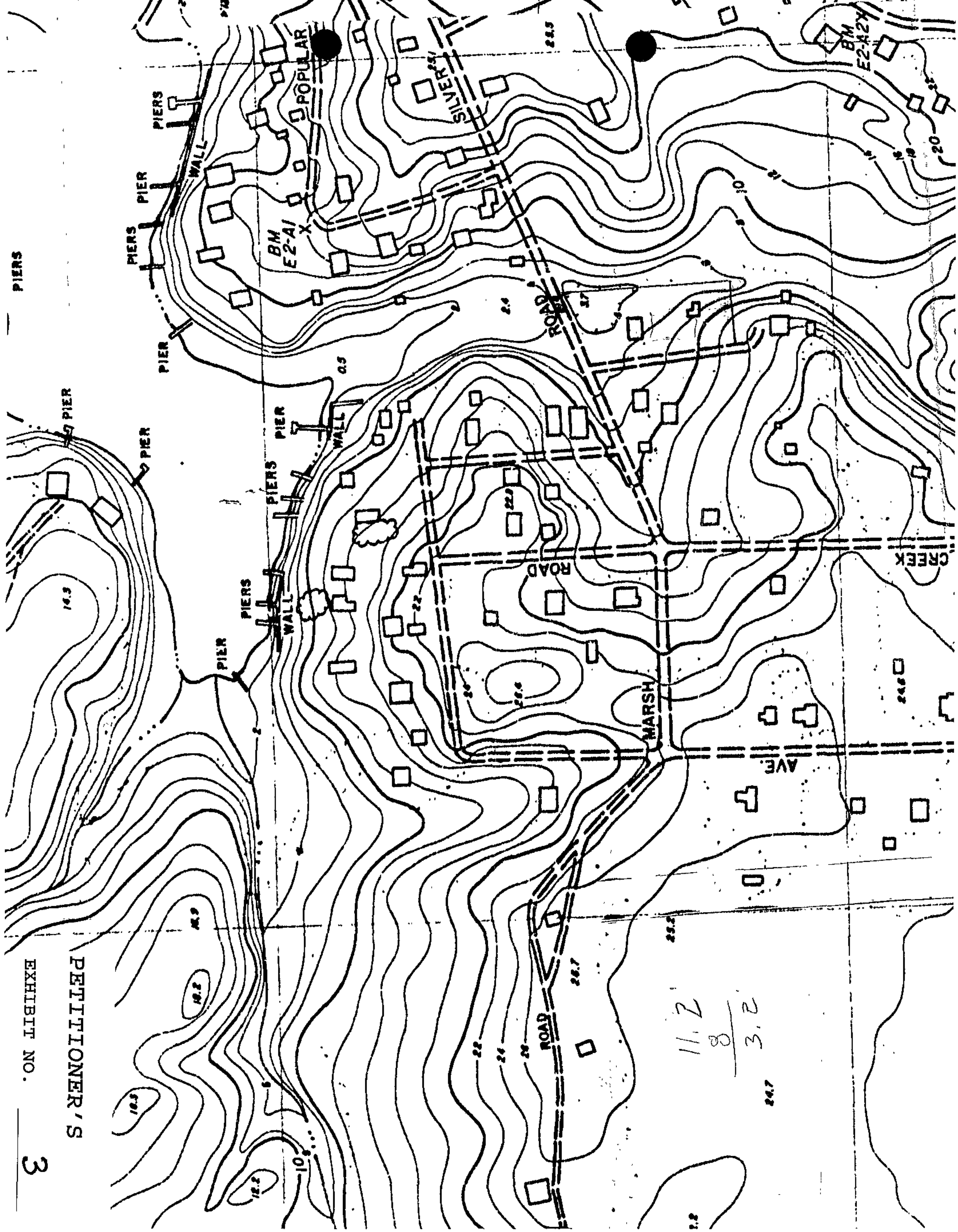
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810 BACK RIVER NECK RD 410-574-9337

**MEITZGER RESIDENCE
FOUNDATION PLAN**

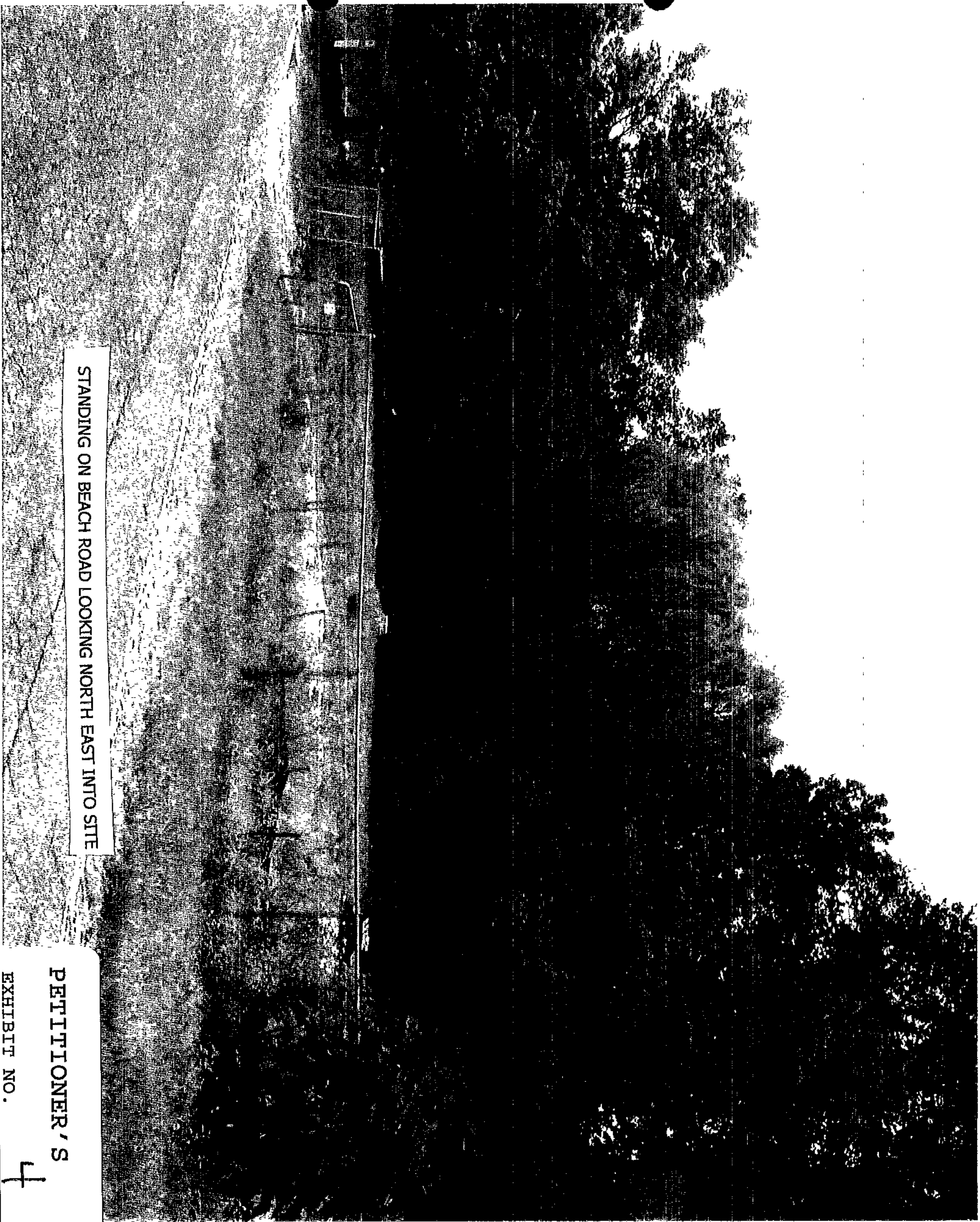
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PETITIONER'S

EXHIBIT NO. 3

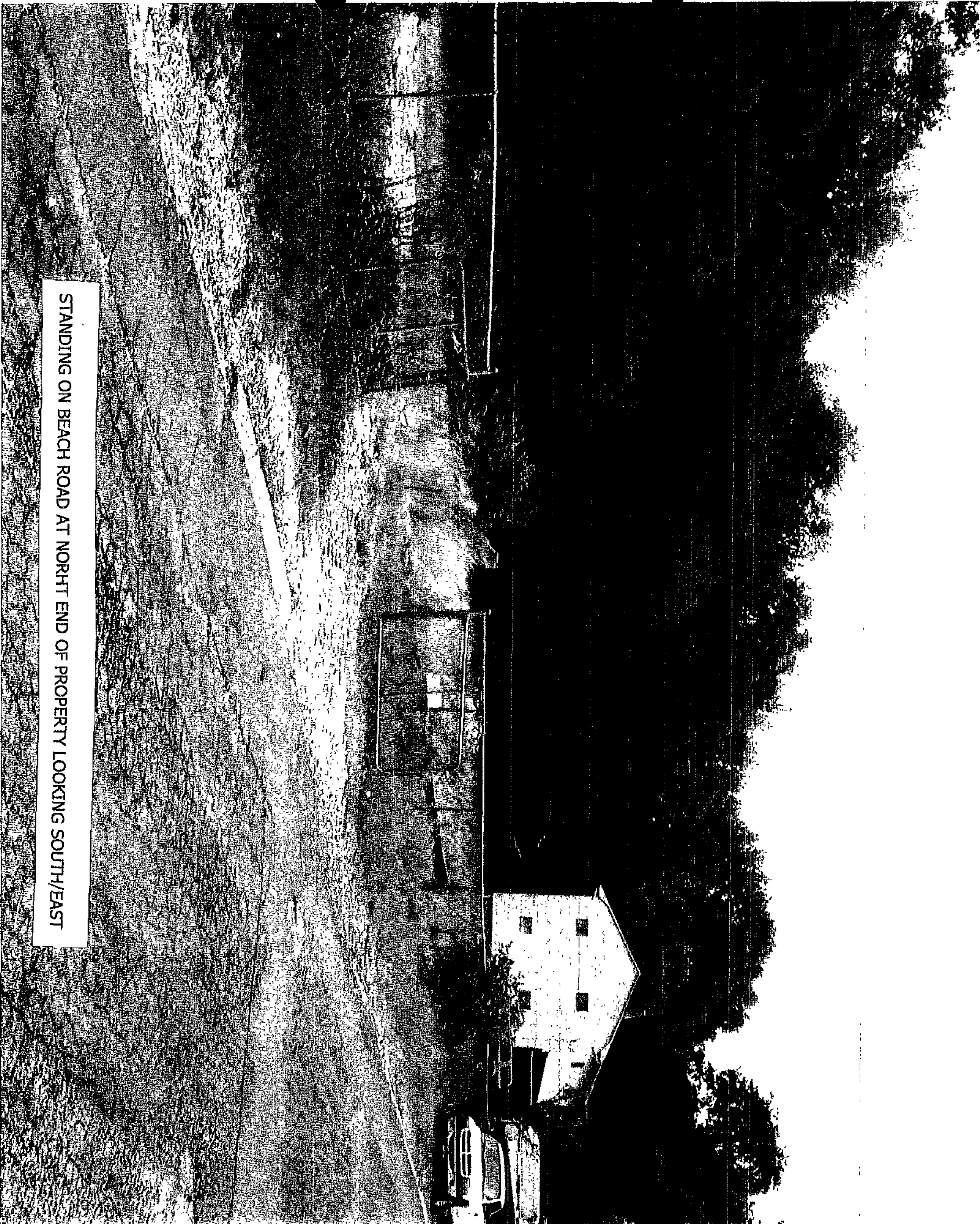


STANDING ON BEACH ROAD LOOKING NORTH EAST INTO SITE

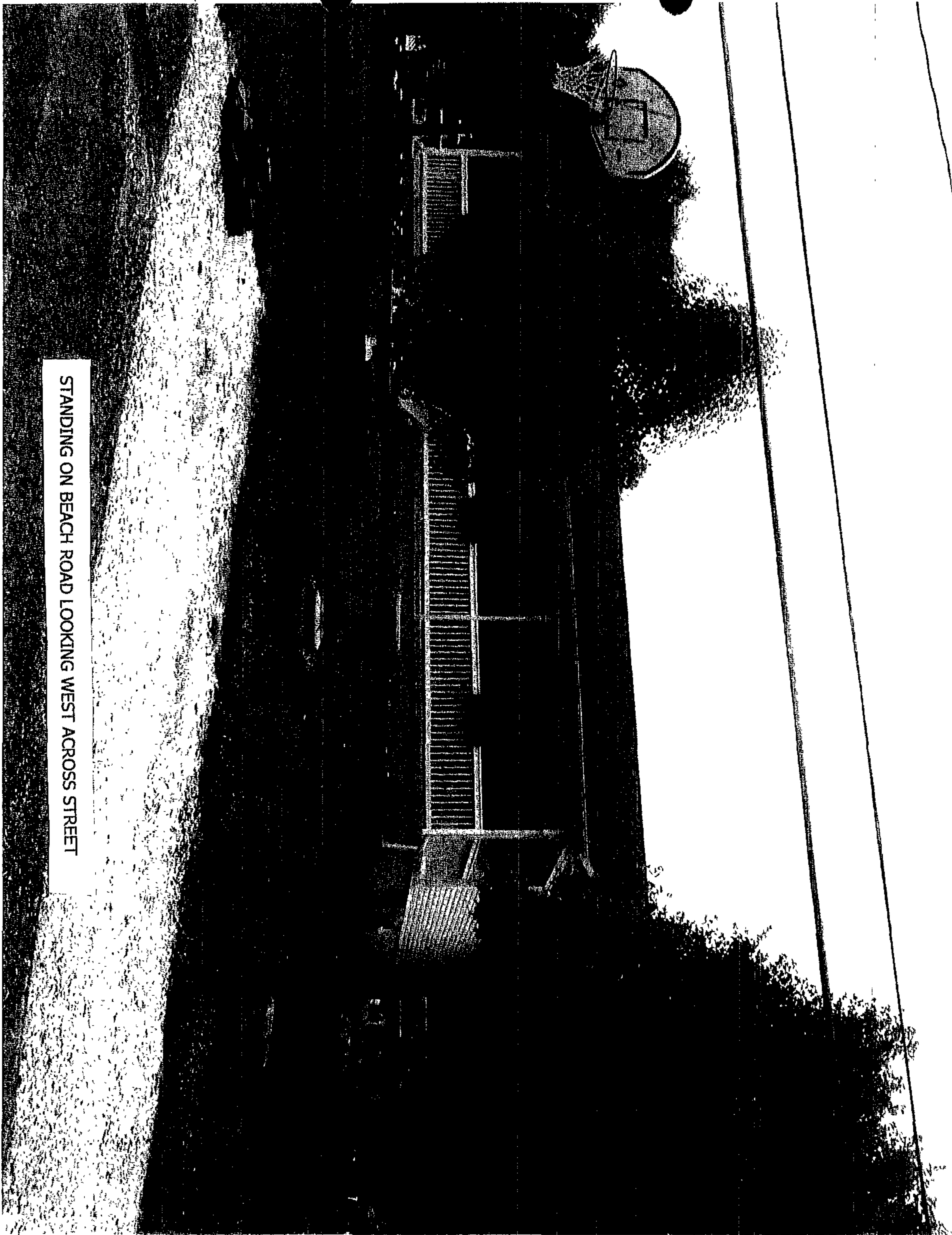
PETITIONER'S

EXHIBIT NO.

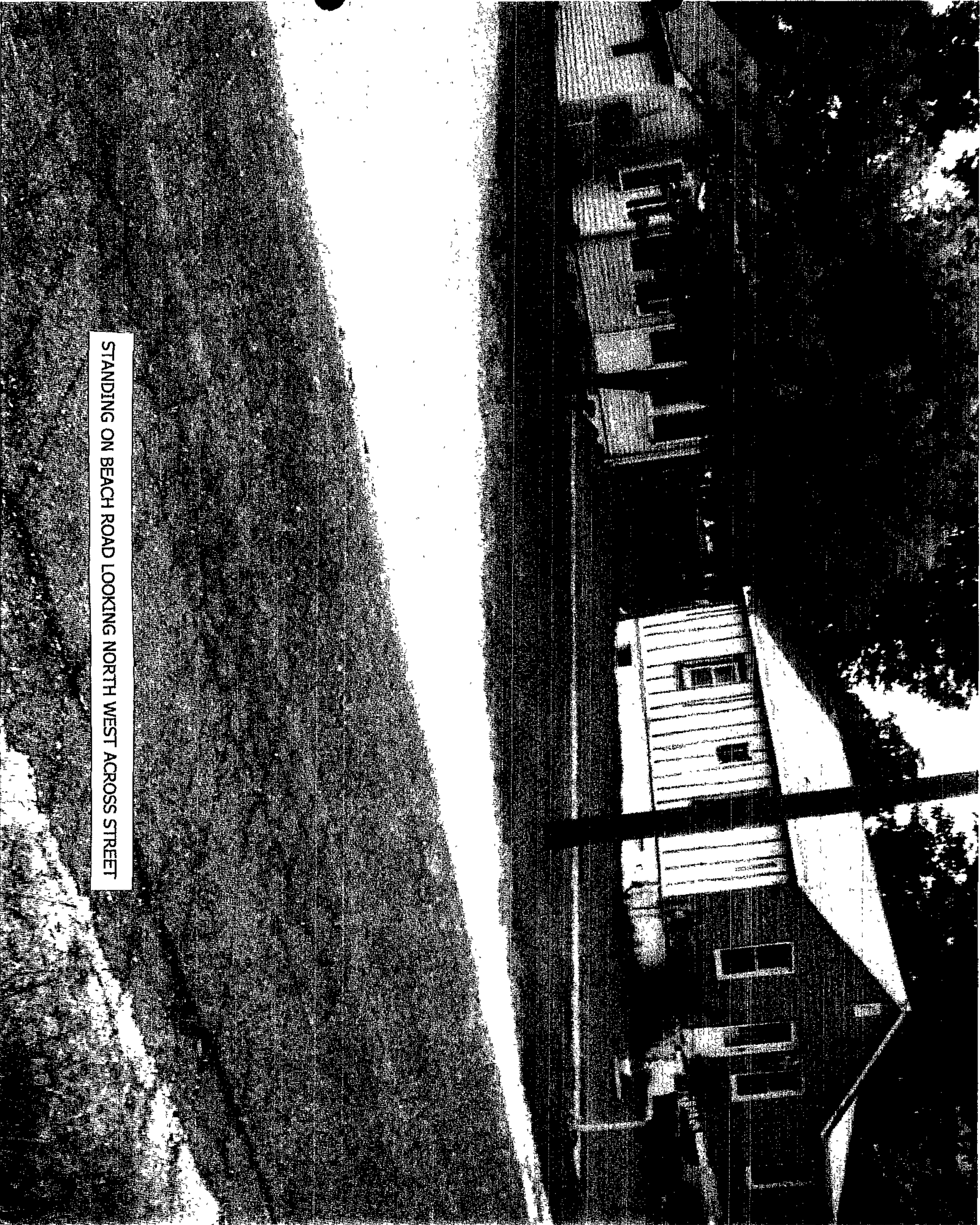
4



STANDING ON BEACH ROAD AT NORTH END OF PROPERTY LOOKING SOUTH/EAST



STANDING ON BEACH ROAD LOOKING WEST ACROSS STREET



STANDING ON BEACH ROAD LOOKING NORTH WEST ACROSS STREET



STANDING ON BEACH ROAD LOOKING SOUTH EAST, PROPOSED PROPERTY TO LEFT