

IN RE: PETITION FOR ADMIN. VARIANCE
East side of Seneca Gardens Road, adjacent
to the Seneca Creek
15th Election District
6th Councilmanic District
(2022 Rocky Point Road)

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*
*

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY

Paul S.Deschenes and Diane M. Walters
Petitioners

*

CASE NO. 06-564-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, Paul S. Deschenes and Diane M. Walters. The variance request is for property located at 2022 Rocky Point Road in the eastern area of Baltimore County. The variance request is from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a setback of 20 feet in lieu of the required 50 feet for an addition.

The Petitioners state that they were informed that their lot has 50 foot wide side yard setbacks which is oddly large considering the lot is only about 90 feet wide. The setbacks overlap and require a variance for any type of expansion. They were advised that the wide setbacks were originally set because of the septic fields. However, the County has recently installed public sewer lines. Petitioners state that they need additional space and are requesting a variance to allow the construction of an addition on the side of their house. Their neighbors on both sides do not object have written letters in support of their project. The proposed one-story addition with roof deck measures 15 feet x 32 feet.

Adjacent property owners, Harry Porter III and Charlene Porter, wrote letters of support for the administrative variance request.

RECEIVED FOR FILE
6-12-06
[Signature]

Zoning Advisory Committee Comments

A Zoning Advisory Committee (ZAC) comment was received from the Department of Environmental Planning and Resource Management (DEPRM) dated June 8, 2006 which contains certain restrictions a copy of which is attached hereto and made a part hereof.

Applicable Law

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

“The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance.”

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on May 13, 2006, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner have filed the supporting affidavits and photographs 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,

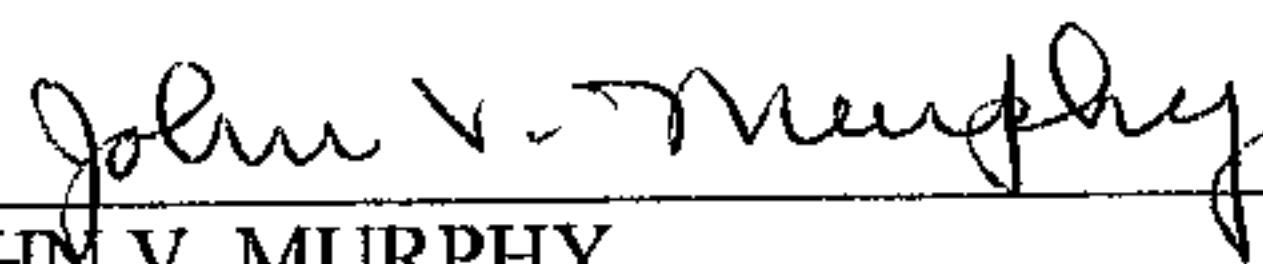
strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 12th day of June, 2006, that a variance from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a setback of 20 feet in lieu of the required 50 feet for an addition, be and is hereby GRANTED with conditions:

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. Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101) through 33-6-122 of the Baltimore County Code).
3. This property is within the Limited Development Area of the CBCA. Total impervious surface limit is 5,445 square feet and 15% tree cover must be maintained on the lot.

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



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

RECEIVED FOR FILING

6-12-06



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

June 12, 2006

PAUL S. DESCHENES AND DIANE M. WALTERS
2022 ROCKY POINT ROAD
ESSEX, MD 21221

Re: Petition for Administrative Variance
Case No. 06-564-A
Property: 2022 Rocky Point Road

Dear Mr. Deschenes and Ms. Walters:

Enclosed please find the decision rendered in the above-captioned case. The petition for administrative variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:pz
Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2022 Rocky Point Rd. Essex 21221
which is presently zoned RC5

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; BCZR

TO PERMIT A SETBACK OF 20 FEET IN LIEU OF
THE REQUIRED 50 FT FOR AN ADDITION,

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

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

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

Contract Purchaser/Lessee:

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

Attorney For Petitioner:

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

Legal Owner(s):

Name - Type or Print Paul S. Deschenes
Signature [Signature]
Name - Type or Print Diane M. Walters
Signature [Signature]
Address 2022 Rocky Point Rd. Telephone No. 443-772-0889
Essex MD 21221
State Zip Code

Representative to be Contacted:

Name SAME
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 06-564-A Reviewed By [Signature] Date 5.4.06

REV 9/15/98

Estimated Posting Date 5.14.06

6-12-06

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 2022 Rocky Point Rd.
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):

The zoning office has advised that our lot has 50-foot side yard setbacks. This setback is oddly large considering the lot is only about 90' wide. Accordingly, the setbacks overlap and require a variance for any type of expansion. The zoning office advised that the wide setbacks were originally set because of the septic fields. We understand this but do want to advise that the county has recently installed public sewer lines. We need additional space and are requesting a variance to allow construction of an addition on the side of our house. Our neighbors on both sides do not object and have written letters in support of this project.

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.

Paul S. Deschenes
Signature

Paul S. Deschenes
Name - Type or Print

Diane Walters
Signature

Diane M. Walters
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3rd day of April, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Paul S. Deschenes & Diane M. Walters
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

4/03/06
Date

Laura H. Busch
Notary Public

My Commission Expires November 3, 2008

ZONING DESCRIPTION
PAUL DESCHENES/DIANE WALTERS PROPERTY
2022 ROCKY POINT ROAD
ESSEX, MD 21221

BEGINNING for the same at an iron pipe heretofore planted in the third or south one degree no minutes east twelve hundred and thirty two feet line of the first parcel of land which, by deed dated December 29, 1916 and recorded among the Land Records of Baltimore County in Liber WPC No. 479, folio 262, was conveyed by Josephine Porter to Joseph J. Porter, said point being the beginning of the third or north eighty-two degrees four minutes east three hundred and twenty-six and forty one-hundredths feet line of that tract of land which, by deed dated May 29, 1943, and recorded among the Land Records of Baltimore County in Liber RJS No. 1296 folio 39, was conveyed by Joseph J. Porter Harry E. Porter; and running thence binding on said line and on a prolongation of same

1. North eighty-two degrees four minutes east three hundred and thirty-five and eighty-one one-hundredths feet to the center of Rocky Point Road,
as originally laid out, and to intersect the twenty-third or north three degrees thirty-four minutes east eighty-eight feet line of the first described deed, said point being distant sixty-seven and forty-six one-hundredths feet from the end of said line; thence running with and binding on the center of Rocky Point Road, as originally laid out, and on a part of said twenty-third line reversely
2. South six degrees seventeen minutes west twenty and fifty-four one-hundredths feet to the beginning of said line; then still in the centre of Rocky Point Road, as originally laid out, and on a part of the twenty-second line of said first described deed, reversely,
3. South nine degrees fifty-one minutes east seventy and thirteen one-hundredths feet ; thence leaving the said twenty-second line and said Rocky Point Road, and running for a line of division
4. South eighty-two degrees four minutes west three hundred and forty-five and fifty two one-hundredths feet to intersect the said third line of the first described deed; and thence running with and binding on a part of said line, reversely,
5. North no degrees five minutes west ninety and eighty-five one-hundredths feet to the place of beginning.

Containing .703 acres of land, more or less.

Also Known as 2022 ROCKY POINT ROAD, ESSEX, MD 21221

and located in 15th Electoral District, 6th Councilman District.

ZONING DESCRIPTION
PAUL DESCHENES/DIANE WALTERS PROPERTY
2012 ROCKY POINT ROAD
ESSEX, MD 21221

BEGINNING for the same at an iron pipe heretofore planted in the third or south one degree no minutes east twelve hundred and thirty two feet line of the first parcel of land which, by deed dated December 29, 1916 and recorded among the Land Records of Baltimore County in Liber WPC No. 479, folio 262, was conveyed by Josephine Porter to Joseph J. Porter, said point being the beginning of the third or north eighty-two degrees four minutes east three hundred and twenty-six and forty one-hundredths feet line of that tract of land which, by deed dated May 29, 1943, and recorded among the Land Records of Baltimore County in Liber RJS No. 1296 folio 39, was conveyed by Joseph J. Porter Harry E. Porter; and running thence binding on said line and on a prolongation of same north eighty-two degrees four minutes east three hundred and thirty-five and eighty-one one-hundredths feet to the centre of Rocky Point road, as originally laid out, and to intersect the twenty-third or north three degrees thirty-four minutes east eighty-eight feet line of the first described deed, said point being distant sixty-seven and forty-six one-hundredths feet from the end of said line; thence running with and binding on the centre of Rocky Point Road, as originally laid out, and on a part of said twenty-third line reversely south six degrees seventeen minutes west twenty and fifty-four one-hundredths feet to the beginning of said line; thence still in the centre of Rocky Point road, as originally laid out, and on a part of the twenty-second line of said first described deed, reversely, south nine degrees fifty-one minutes east seventy and thirteen one-hundredths feet; thence leaving the said twenty-second line and said Rocky Point Road, and running for a line of division south eighty-two degrees four minutes west three hundred and forty-five and fifty-two one-hundredths feet to intersect the said third line of the first described deed; and thence running with and binding on a part of said line, reversely, north no degrees five minutes west ninety and eighty-five one-hundredths feet to the place of beginning. Containing .703 acres of land, more or less.

541

No.

DATE 11-1-55 ACCOUNT 130

ACCOUNT

AMOUNT \$

RECEIVED
FROM: _____

Deskenes — 2022 Jan 27

FOR:

AD 2672

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No: 06-564-A

Petitioner/Developer: PAUL DESCHENES

Date Of Hearing/Closing: 5/29/06

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 2022 Rocky Pt. Rd.

This sign(s) were posted on May 13, 2006
(Month, Day, Year)

Sincerely,

Martin Ogle 5/13/06
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

im000672 (1152x864x24b jpeg)



Myatt 5/13/06

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 564 -A Address 2022 Rocky PT. Rd.

Contact Person: J. MERNY Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5-4-06 Posting Date: 5-14-06 Closing Date: 5-29-06

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- 564 -A Address 2022 Rocky PT. Rd.
Petitioner's Name PAUL DESCHENES Telephone 443-772-0889
Posting Date: 5-14-06 Closing Date: 5-29-06
Wording for Sign: A VARIANCE
To Permit A SIDE SETBACK OF 20 ft. IN
LIEU OF THE REQUIRED 50 ft. for an ADDITION.

**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: 564

Petitioner: Paul Deschenes

Address or Location: 2022 Rocky Point Road
Essex, MD 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: -Same-

Telephone Number: 443-772-0889

**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 30, 2006

Paul S. Deschenes
Diane M. Walters
2022 Rocky Point Road
Essex, MD 21221

Dear Mr. Deschenes and Ms. Walters:

RE: Case Number: 06-564-A, 2022 Rocky Point Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 4, 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:amf

Enclosures

c: People's Counsel

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



AV
5/30

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUN 08 2006

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *ML*

DATE: June 8, 2006

SUBJECT: Zoning Item # 06-564-A
Address 2022 Rocky Point Road
(Deschenes/Walters Property)

Zoning Advisory Committee Meeting of May 15, 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:

This property is within the Limited Development Area of the CBCA. Total impervious surface limit is 5,445 square feet and 15% tree cover must be maintained on the lot.

Reviewer: Kevin Brittingham

Date: June 1, 2006

67206
6/12/06
KJ

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

May 16, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: May 15, 2006

Item Numbers: 558 thru 573

564

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

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



Printed on Recycled Paper

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



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

Maryland Department of Transportation

Date: 5.16.06

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

RE: Baltimore County
Item No. 514 JCM

Dear Ms. Matthews:

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

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

Very truly yours,

Steven D. Foster, Chief
Engineering Access Permits Division

My telephone number/toll-free number is _____

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

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 24, 2006

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-564- 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

RECEIVED

MAY 26 2006

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 17, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For May 22, 2006
Item Nos. 558, 560, 561, 562, 563, (564,) 565, 566, 567, 568, 571, 572, 573

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-05172006.doc

March 24, 2006

Zoning Office
Attn: Carl Richards, Jr., Chief
Room 111
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Richards:

Our neighbors at 2022 Rocky Point Road have expressed an interest to add a 14' x 32' single-story addition with a roof deck and to extend their existing front terrace to meet the addition on the south side of their house. We have no objections to this project.

Sincerely,



Harry Porter, III
2020 Rocky Point Road
Essex, MD 21221



Charlene Porter

Ethel Porter
2024 Rocky Point Road
Essex, MD 21221

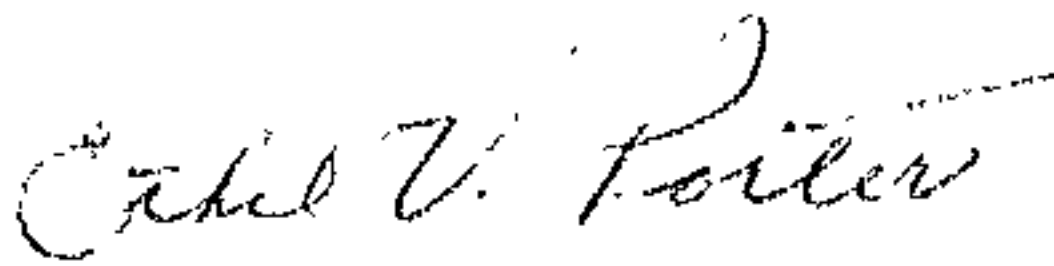
March 28, 2006

Mr. Carl Richards, Jr., Chief
Zoning Office
County Office Building
Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Richards:

My neighbors at 2022 Rocky Point Road have expressed an interest to add a 14' x 32' single-story addition with a roof deck and to extend their existing front terrace to meet the addition on the south side of their house. I have no objections to this project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ethel V. Porter".

Ethel Porter

April 4, 2007

Mr. Timothy Kotroco
Director
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, MD 21204

Mr. Joseph C. Merrey
Planner II
Zoning Review
111 West Chesapeake Avenue
Towson, MD 21204

RE: Case #06—564-A, 15th Election District

Dear Messrs. Kotroco and Merrey:

As requested and in response to Mr. Joseph Merrey's letter to me dated February 2, 2007 (please see attached copy of correspondence) I have attached a signed letter from my neighbor, Mrs. Ethel Porter, agreeing to the recent proposed changes to our second story addition.

Thank you for your assistance in this regard and I look forward to your reply.

Sincerely,



Paul S. Deschenes

Attachments: Correspondence from Mr. Joseph Merrey
Signed letter from Mrs. Ethel Porter

07-122 SUPP.



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

February 2, 2007

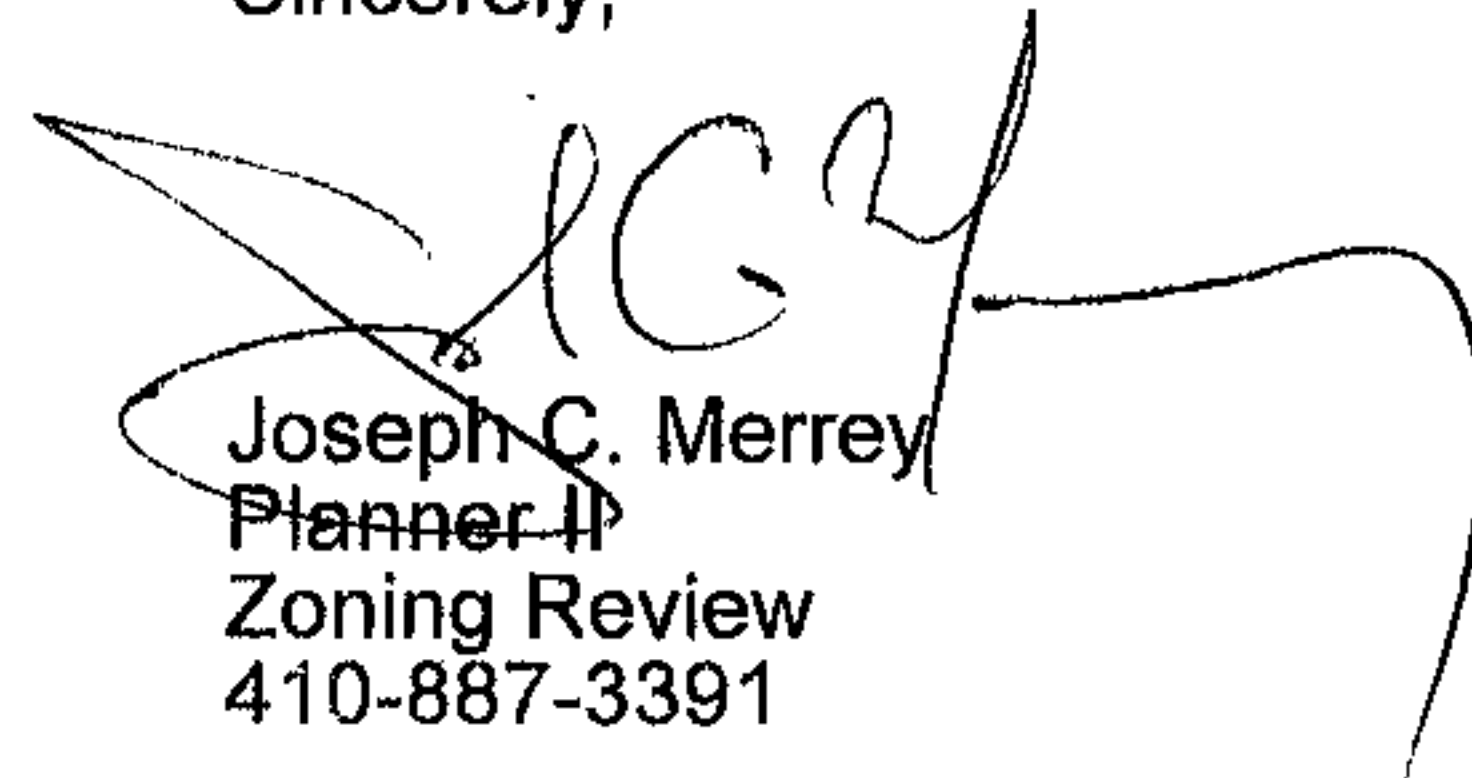
Paul Deschenes
2022 Rocky Point Road
Essex, Maryland 21221

Dear Mr. Deschenes:

RE: Zoning Spirit and Intent, Case #06-564-A, 15th Election District

Your letter to Mr. Timothy Kotroco, Director, concerning a zoning Spirit and Intent determination has been referred to me for reply. Please be advised as follows. After consulting with the Hearing Officer, Mr. John Murphy, he has advised that he will approved the proposed change to the site plan provided you secure a signed letter from your neighbor, Mrs. Ethal Porter, stating that she has reviewed the changes that you would like to make to your home, specifically, the second story addition in lieu of the roof deck, and deliver the letter to this Office, referencing this letter. This Office will then forward a letter to you stating that the proposed second story is within the Spirit and Intent of the above referenced zoning case.

Sincerely,


Joseph C. Merrey
Planner II
Zoning Review
410-887-3391

07-12-07



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

April 13, 2007

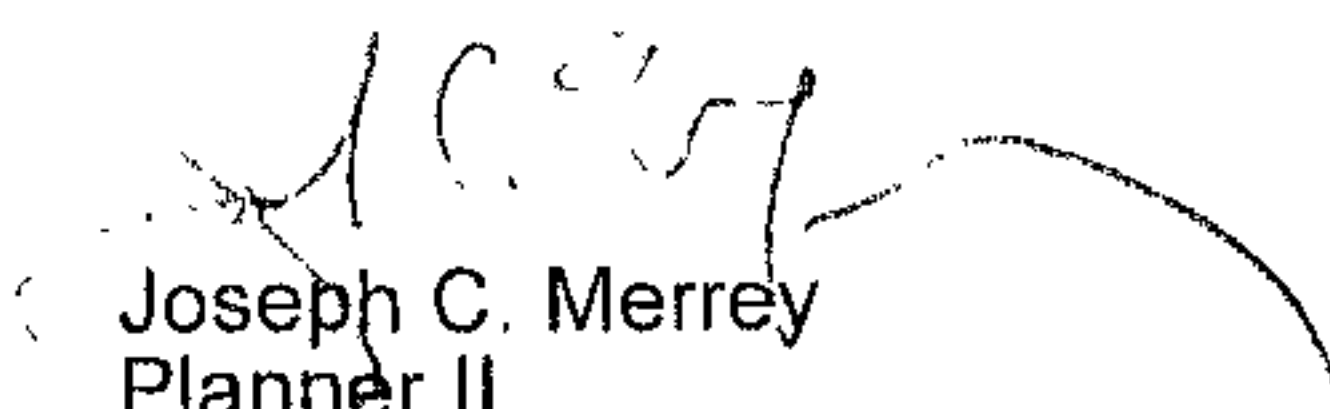
Paul Deschenes
2022 Rocky Point Road
Essex, Maryland 21221

Dear Mr. Deschenes:

RE: Zoning Spirit and Intent, Case No. 06-564-A, Supplement, 15th Election District

I have discussed this matter with Mr. Murphy, the Deputy Zoning Commissioner, and he has advised that in consideration of the letter from your neighbor, Mrs. Porter, who indicated no objection to the second story roof addition, he will find the change within the Spirit and Intent of the above referenced order. This letter must accompany the permit you file for the proposed addition.

Sincerely,


Joseph C. Merrey
Planner II
Zoning Review
410-887-3391

Ethel Porter
2024 Rocky Point Road
Essex, MD 21221

February 10, 2007

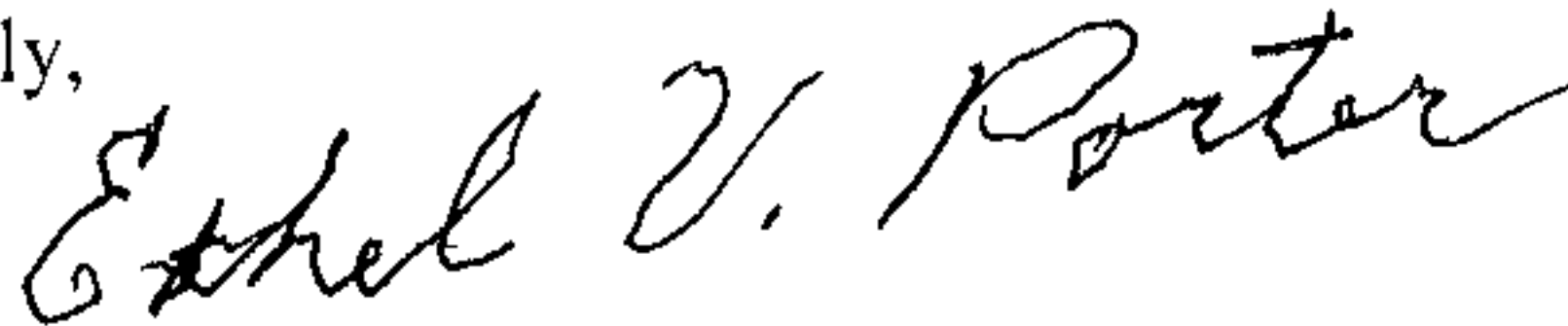
Mr. Timothy Kotroco
Director
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, MD 21204

RE: Case #06—564-A, 15th Election District

Dear Mr. Kotroco:

I have reviewed the recent changes that my next door neighbors at 2022 Rocky Point Road would like to make to their home. I have no objections to their proposal to build a second story addition in lieu of the roof deck.

Sincerely,

A handwritten signature in cursive script that reads "Ethel V. Porter". The signature is written in black ink and is positioned below the word "Sincerely,".

Ethel Porter

cc: Joseph C. Merrey, Planner II
Zoning Review

OFFICIAL ZONING MAP

105A3



105A3



PHOTO 1.JPG



PHOTO 2.JPG

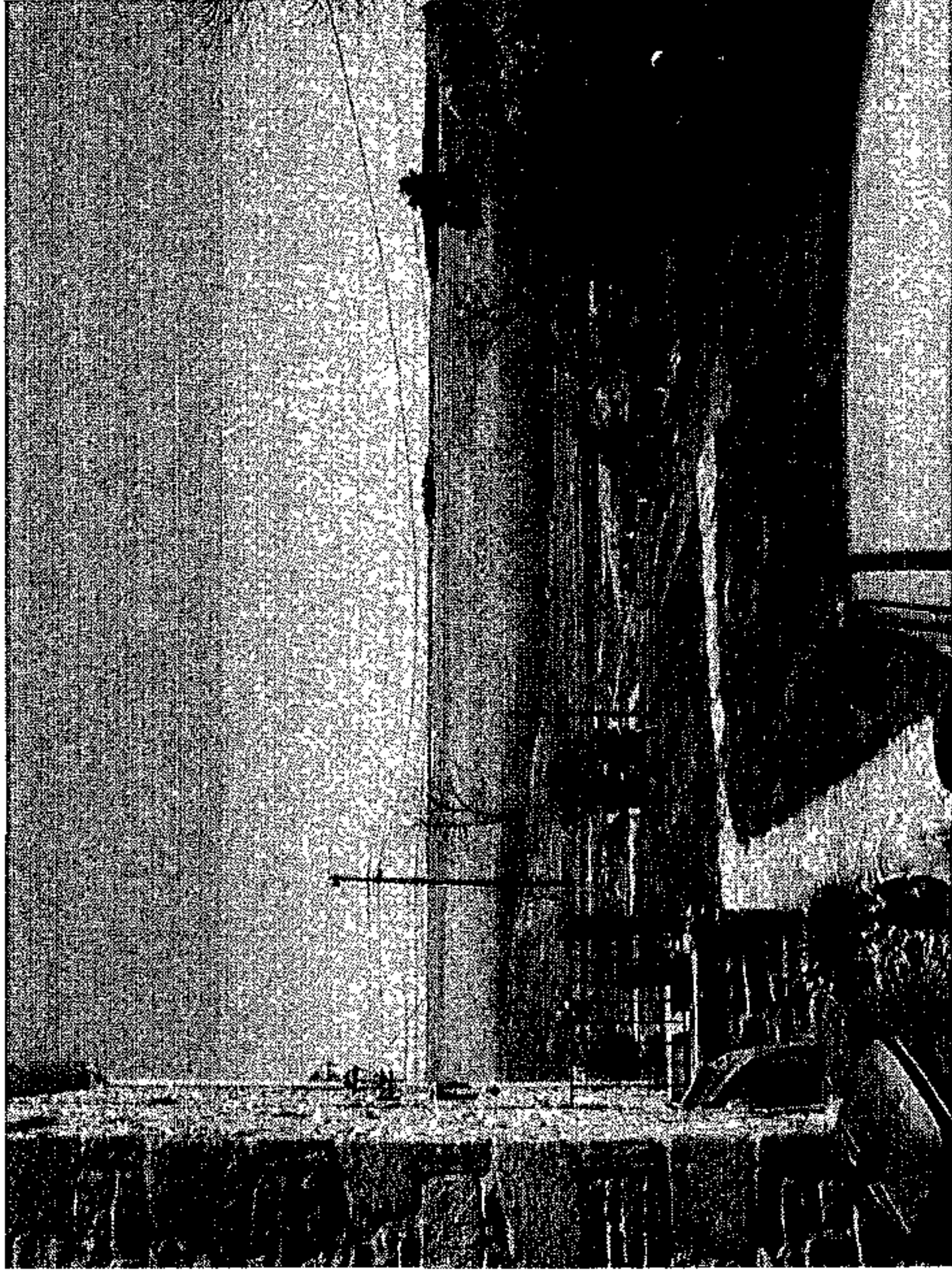


PHOTO 3.JPG

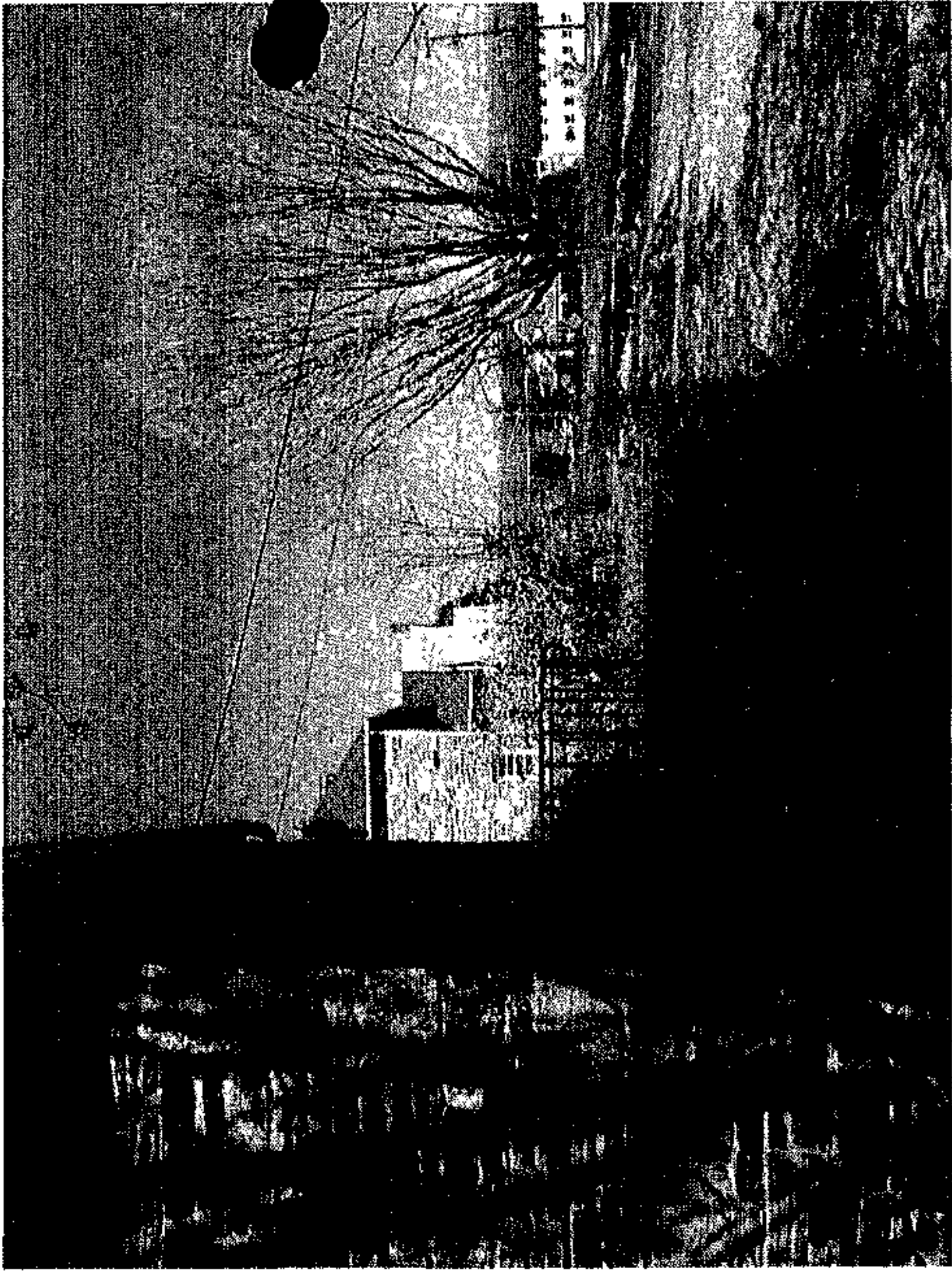


PHOTO 4.JPG

PHOTOGRAPH KEY
PAUL S DESCHENES AND
DIANE M WALTERS
2022 ROCKY POINT ROAD
MARCH 28, 2006

EXISTING
GARAGE

HARRY F PORTER, 3RD
MARY CHARLENE PORTER
MAP 105 GRID 20 PARCEL 229
DISTRICT 15 ACCOUNT # 1516602330

EXISTING
DWELLING
#2020
FRONT

P.O.B.

N82d 04'E 335.81'

90.85'

N00d 05'E

EXISTING
SHED

PROPOSED ONE STORY
ADDITION WITH ROOF DECK
APPROXIMATELY 15'X 32'

WELL LOCATION

EXISTING
DWELLING
#2022

PHOTO 2

PHOTO 1

PHOTO 3

N82d 04'E 345.52'

FRONT

SEWER LINE

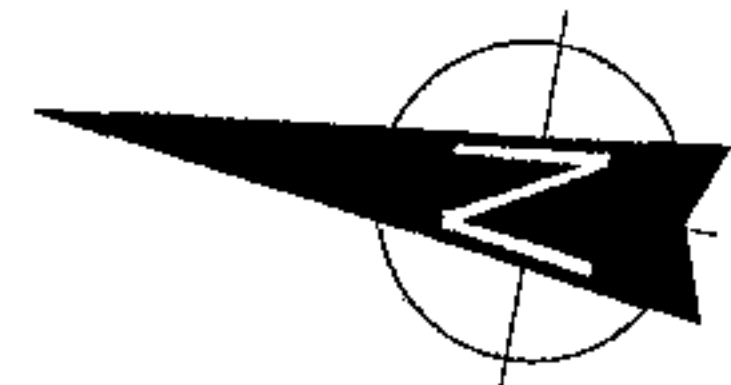
PROPOSED OPEN
PORCH EXTENSION 15'X 6'

70.13'
S09d 51'E

20.54'
S06d 17'W

+/- 1590' TO CL OF
BARRISON POINT RD

ROCKY POINT ROAD (60 R/W 36' PAVING)



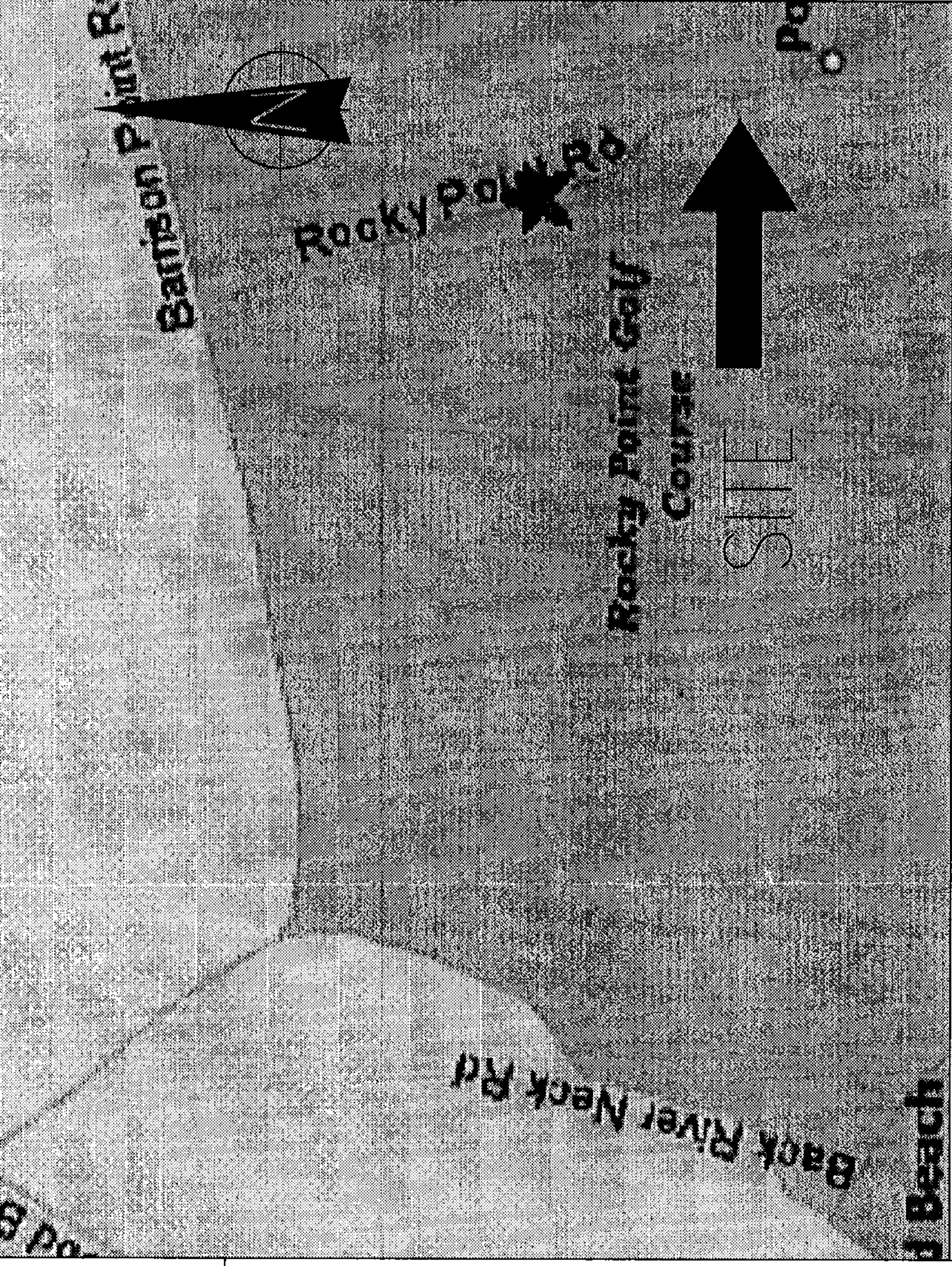
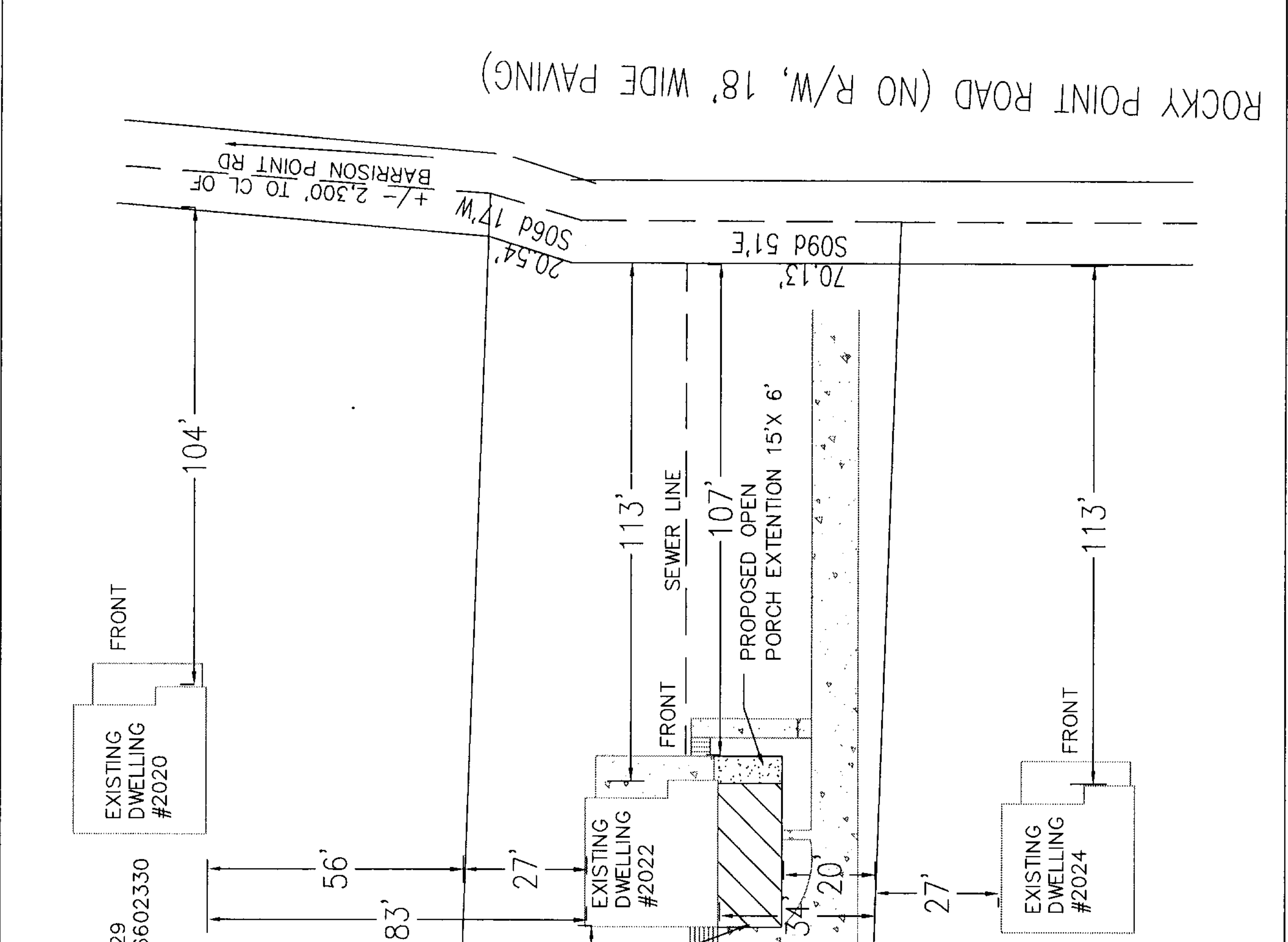
PREPARED BY: ESB

EXISTING
DWELLING
#2024
FRONT

ETHAL V PORTER
MAP 105 GRID 20 PARCEL 231
DISTRICT 15 ACCOUNT #1516600030



PHOTO 4



VICINITY MAP SCALE 1"=900'

LOCATION INFORMATION
ELECTION DISTRICT:15
COUNCILMAN DISTRICT: 6
1"=200' SCALE MAP 105, GRID 20, PARCEL 230
ZONING: RC5
LOT SIZE: .71 ACERS 31,050 SF

SEWER	PUBLIC	PRIVATE
WATER	X	X
AFFECTED AREA	YES	NO
CHESAPEAKE BAY CRITICAL AREA	X	
100 YEAR FLOOD PLAN (HOUSE IN C @ 19.7')		X
HISTORIC PROPERTY/BUILDING		X

BALTIMORE COUNTY GOVERNMENT
DEPARTMENT OF PUBLIC WORKS
DIRECTOR'S OFFICE
410-887-3728 OR 410-887-3984

FLOODPLAIN DETERMINATION

Date: 3/21/06

Prepared By: Ann Briggeman, EAI 

Requested By: Mr. Eric Beck
Beck, Powell & Parsons
29 W. Susquehanna Ave., Ste. 300
Towson, MD 21204

Address: 2022 Rocky Point Road

Property Tax No.: 15-16-601950

Floodmap: 240010-0445C

Zone: A-9, C

Elevation: Base flood elevation for 100 year floodplain is 9.4 feet (BCD).

Comments: Lowest adjacent grade to the property is 9.7 BCD. Contour running through approximate center of dwelling is 19.7 BCD. This determination is made by using Baltimore County's Geographic Information System of the property.

This determination is based on the best information made available to Baltimore County. This letter does not imply that the referenced property will or will not be free from flooding or damage. A property not in a flood zone may be damaged by a flood greater than that predicted on the FIRM or from a local drainage problem not shown on the map. This letter does not create liability on the part of the County, or any officer or employee thereof, for any damage that results from reliance on this determination.

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

**BALTIMORE COUNTY,
MARYLAND**
(UNINCORPORATED AREAS)

PANEL 445 OF 575
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
240010 0445 C

MAP REVISED:
NOVEMBER 17, 1993



Federal Emergency Management Agency

