IN RE: PETITION FOR VARIANCE SE/S of Wicomico Road, 280 feet NE of Monacacy Road 15th Election District 6th Councilmanic District

(2225 Wicomico Road)

BEFORE THE

DEPUTY ZONING COMMISSIONER *

* OF BALTIMORE COUNTY

* CASE NO. 06-629-A

Nancy and Arthur Hoffman **Petitioners**

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Nancy and Arthur Hoffman. The Petitioner is requesting variance relief for property located at 2225 Wicomico Road. Variance relief is requested from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed replacement dwelling with a sum of side yards of 20 feet in lieu of 25 feet, a lot width of 50 feet in lieu of 70 feet, and an area of 8,100 square feet in lieu of the required 10,000 square feet.

The property was posted with Notice of Hearing on July 24, 2006, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief and time and date of the public hearing. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on July 25, 2006 to notify any interested persons of the scheduled hearing date and relief requested.

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."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment letter was received from the Bureau of Development Plans Review dated June 27, 2006, which contains restrictions. A ZAC comment letter was received from the Department of Environmental Protection and Resource Management dated July 21, 2006 which contains restrictions. A ZAC comment letter was received from the Office of Planning dated July 14, 2006 which contains restrictions. Copies of these comments are attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the variance request were Nancy and Arthur Hoffman, Petitioners. Appearing at the hearing were neighbors Susan Evans, George and Margaret Schneider and Vincent Cala. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property contains 8,000 square feet zoned DR 3.5 and although had been improved by a single family dwelling is now vacant. The subject property is lot 239 of the Middleborough subdivision which was recorded among the land records of the County in 1916. Mr. Hoffman presented a County sewer plan from 1962 which shows the subject lot and the old house/garage on the lot in exhibit 2.

The Petitioners would like to build a home on the lot which is 50 feet wide as shown on exhibit 1. DR 3.5 regulations require 70 feet of width. The area of the lot is 8,000 square feet while the regulations require 10,000 square feet. The Petitioners stated there was nothing the Petitioners could do about this problem as no land was available from neighboring properties to make the lot wider or the area larger. The neighbors attending the hearing confirmed this.

In regard to the house, as shown in exhibit 1 the house will have 10 foot side yard setbacks resulting in a house 30 feet wide. While this proposal meets the side yard setback, it provides only 20 feet for the sum of the side yards whereas 25 feet are required. The Petitioners testified that the old cottage which had been razed in 1976 was 30 feet wide. In addition reducing the new house to 25 feet wide to meet the sum of the side yard setback requirements would so reduce the size of the house as to be impractical for the Petitioners' family needs. In addition they pointed out that such a long narrow house would not be compatible with the size or style of the houses in the neighborhood. The neighbors agreed and did not object to the size of the house.

The neighbors own property on both sides of and behind the subject property.

They did not oppose the Petitioners building the proposed house, but wanted clarification

2-5-06

of several issues. They were concerned that the Petitioners could move the new house to either side and still meet the sum of the side yard setbacks if a variance were granted. They questioned how the front yard setback was derived. They want assurance that the Petitioner would not build up their property and change the flow of storm water onto adjacent properties. Finally they wanted to know if the old foundation had to be removed.

Findings of Fact and Conclusions of Law

Considering all the testimony and evidence presented, I find special circumstances or conditions exist which are peculiar to the property and make the property unique from a zoning perspective. The lot was created many years before the DR zoning was imposed upon it. As such the property is affected differently that other lots in the zoning district.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. There is no more land to acquire on either side to make the lot wider and or larger. The house would be impractically small if the sum of the side yard setback is strictly enforced.

Density will not be affected as there was a house on this lot in the past.

Finally, I find this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. The neighbors agree to the new home and hopefully the discussion at the hearing answered their questions. I will require the Petitioners to comply with the ZAC comments and Petitioner's exhibit 1. This will insure the new house will not moved sideways. I will not require the Petitioners to show a wider right of way for Wicomico Road as requested by Development Plans Review as

this is the dead end of a dead end street which will never be widened. The front yard setback for the new home has been calculated for the average setback of the adjoining homes.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 9th day of August, 2006, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed replacement dwelling with a sum of side yards of 20 feet in lieu of 25 feet, a lot width of 50 feet in lieu of 70 feet, and an area of 8,100 square feet in lieu of the required 10,000 square feet be and is hereby granted subject to the following conditions:

- 1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner 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 33-2-1004, and other Sections, of the Baltimore County Code).
- 3. This property is within the Limited Development Area of the CBCA. Impervious surface area is limited to 25% of the lot size and 15% tree cover must be maintained. The property is also in a Buffer Management Area of the CBCA, which establishes a 100 foot buffer to tidal waters.
- 4. In conformance with *Federal Flood Insurance* Requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.
- 5. 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.
- 6. The building engineer shall require a permit for this project.

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- 7. The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.
- 8. Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the County.
- 9. The new home shall be located as shown on exhibit 1.

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

OHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

August 9, 2006

NANCY AND ARTHUR HOFFMAN 7803 ELMHURST AVENUE BALTIMORE MD 21234

> Re: Petition for Variance Case No. 06-629-A Property: 7803 Elmhurst Avenue

Dear Mr. and Mrs. Hoffman:

Enclosed please find the decision rendered in the above-captioned case. The petition for 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,

John V. Murphy

Deputy Zoning Commissioner

John V. Murphy/pg

JVM:pz

Enclosure

c: Susan Evans, 2276, Monocacy Road, Middleborough MD 21221 George and Margaret Schneider, 2227 Wicomico Road, Middleborough MD 21221 Vince Cala, 2223 Wicomico Road, Middleborough MD 21221



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at <u>2225 Wilcomico Rd.</u>
which is presently zoned <u>DR 3.5</u>

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) | BOZ, 3, C. 1. TO PERMIT A PROPOSED REPLACEMDENT DEPUTION WITH A SUM OF SIDE YARDS OF ZO FT. IN LIEU OF 25 FT ALOT WITH OF 50 FT INLIEU OF 70 FT. AND AN AMERICA OF 8,100 SQ FT AND INLIEU OF 10,000 SQ FT A

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE DETERMINED AT HEARING

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 perjury, that I/we s the subject of this Petit	solemnly declare and affirm, under are the legal owner(s) of the proper ion.	r the penalties of erty which
Contract Purchaser/Lessee:		Legal Owner(s): HOFFMAN Nan	CU FARTHUR
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ignature		Signature	HUR
ddress	Telephone No	Name - Type or Print	Man
State	Zip Code	Signature	
Attorney For Petitioner:		7803 ELNWURST A	VE 410.882.8627
N/A		Baltimore /VD	Telephone No.
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Case No. 06 629 A	•	ESTIMATED LENGTH OF HE	ARING /HR
		UNAVAILABLE FOR HEARIN Date 6/07	G/
EV 9/15/90000	Reviewed By	VI Date 6/07	406
			ı

ZONING DESCRIPTION, PROPOSED CONSTUCTION OF RESIDENCE

Owner: HOFFMAN

6

Zoning Description for: 2225 Wicomico Road, Zoned DR 3.5

Beginning at a point on the Southeast side of Wicomico Road which is 30 feet wide and a distance of 280 feet Northeast of the intersection of Monacacy Road and Wicomico Rd, Monocacy Road is also 30 feet wide. Being Lot #239 in the Subdivision of "Middleborough", as recorded in the Baltimore County Plat Book WPC #4, Folio #191 containing 8160 sq. ft, or .187 acre. Also known as 2225 Wicomico Road, located in the 15th Election District. Deed recorded in Liber EHK Jr #5713, Folio #96

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BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE SILL ACCOUNT MILE SILL SILL SILL SILL SILL SILL SILL S	AMOUNT \$ 1/2	THOW.	DISTRIBUTION WHITE CASHIER WANTE CASHIER

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: # 06-629-A

2225 Wicomico Road Southeast side of Wicomico Road, 280 feet northeast

of Monacacy Road

15th Election District — 6th Councilmanic District
Legal Owner(s): Nancy & Arthur Hoffman

Varience: to permit a proposed replacement dwelling
with a sum of side yards of 20 feet in lieu of 25 feet a lot
width of 50 feet in lieu of 70 feet, and an area of 8,100 sq.
feet in lieu of the required 10,000 sq. feet.
Hearing: Tuesday, August 8, 2006 at 11:00 a.m. in
Room 106, County Office Building, 111 West Chesapeake 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.

17.2728 July 25

JT 7/726 July 25

CERTIFICATE OF PUBLICATION

7/27/,2006
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing on $\frac{7}{25}$, $\frac{2006}{}$.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
S. Wilking
LEGAL ADVERTISING

POSTED 7/24/06 22. R. P. E. 24/06

	KE: Case No.: 06-629-A
	Petitioner/Developer:
	MR. & MRS. HOFFMAN
	Date of Hearing/Closing: 8/8/06
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention:	
Ladies and Gentlemen:	•
were posted conspicuously on the property local 225 VV	cated at
The diam(c) were pected on	7/24/06
The sign(s) were posted on	(Month, Day, Year)
	Sincerely,
ZONING NOTICE CASE & OB-629-A DESCRIPTION OF THE PRINCE BY HIS BY THE TONING OF THE SOURCE BY A SECURITY RAD PLACE - RELATION From Sample From P of Engineering and PRINCE BY PLACE - RELATION From Sample From P of Engineering and PRINCE BY OF THE SAMPLE BY SAMPL	(Signature of Sign Poster and Date) RICHERD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) FALLS TOWN, MD 21047
With the site and	(City, State, Zip Code)
	(410) 879·31ZZ
275 WICOMICO RP.	(Telephone Number)

RE: PETITION FOR VARIANCE

2225 Wicomico Road; SE/S Wicomico

Road, 280' NE Monacacy Road

15th Election & 6th Councilmanic Districts

Legal Owner(s): Nancy & Arthur Hoffman

Petitioner(s)

* BEFORE THE

ZONING COMMISSIONER

FOR

*

* BALTIMORE COUNTY

* 06-629-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

People's Counsel for Baltimore County

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 26th day of June, 2006, a copy of the foregoing Entry of Appearance was mailed to, Nancy & Arthur Hoffman, 7803 Elmhurst Avenue, Baltimore, MD 21234, Petitioner(s).

RECEIVED

2 6 2006

Persona no

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 25, 2006 Issue - Jeffersonian

Please forward billing to:
Arthur Hoffman
7803 Elmhurst Avenue
Baltimore, MD 21234

410-882-8627

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: 06-629-A

2225 Wicomico Road

Southeast side of Wicomico Road, 280 feet northeast of Monacacy Road

15th Election District – 6th Councilmanic District

Legal Owners: Nancy & Arthur Hoffman

<u>Variance</u> to permit a proposed replacement dwelling with a sum of side yards of 20 feet in lieu of 25 feet a lot width of 50 feet in lieu of 70 feet, and an area of 8,100 sq. feet in lieu of the required 10,000 sq. feet.

Hearing: Tuesday, August 8, 2006 at 11:00 a.m. in Room 106, County Office Building,

111 West Chesapeake 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

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

June 19, 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: 06-629-A

2225 Wicomico Road

Southeast side of Wicomico Road, 280 feet northeast of Monacacy Road

15th Election District – 6th Councilmanic District

Legal Owners: Nancy & Arthur Hoffman

Variance to permit a proposed replacement dwelling with a sum of side yards of 20 feet in lieu of 25 feet a lot width of 50 feet in lieu of 70 feet, and an area of 8,100 sq. feet in lieu of the required 10,000 sq. feet.

Hearing: Tuesday, August 8, 2006 at 11:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Mr. & Mrs. Hoffman, 7803 Elmhurst Avenue, Baltimore 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JULY 24, 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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number 16 624
Petitioner: HOFFMAN, Arthur J. & Nangy L.
Address or Location: 2225 WicomicoRd Balt 2122
PLEASE FORWARD ADVERTISING BILL TO Name: — PRTHUI HOTTMAN
Address: 7803 ELMHURST AVE
Balt Md 21234
Telephone Number: 4/0-892-6627



JAMES T. SMITH, JR. County Executive

August 2, 2006

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

Nancy L. Hoffman Arthur Hoffman 7803 Elmhurst Avenue Baltimore, MD 21234

Dear Mr. and Mrs. Hoffman:

RE: Case Number: 06-629-A, 2225 Wicomico Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 7, 2006.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

u. Cal Rihal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 June 20,2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 19, 2006

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Item Numbers: Item Number 611,621,624-637, 639-643

Pursuant to your request, the referenced plan(s) have been reviewed by 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

1

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: June 27, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 21, 2006 Item No. 629

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

The minimum right-of-way for public roads in Baltimore County is 40-feet. Show the right-of-way for Wicomico Road centered on existing 30-foot right-of-way, adjust the setback 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.

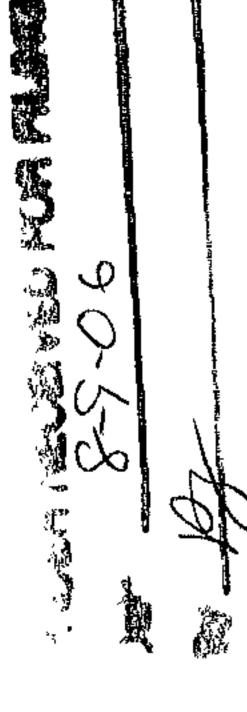
The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

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

DAK:CEN:clw

cc: File

ZAC-ITEM NO 629-06272006.doc



Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination JWL

DATE:

July 21, 2006

SUBJECT:

Zoning Item

06-629-A

Address

2225 Wicomico Road Baltimore, MD 21221

Zoning Advisory Committee Meeting of June 19, 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).

Notice 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. Impervious surface area is limited to 25% of the lot size and 15% tree cover must be maintained. The property is also in a Buffer Management Area of the CBCA, which establishes a 100 foot buffer to tidal waters.

Reviewer:

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Kevin Brittingham

Date: July 10, 2006

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2006\ZAC 06-629-A.doc

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 6-629- Variance

The Office of Planning has reviewed the subject request and has determined that the petitioner does not own sufficient adjoining land to conform to the minimum width and area requirements and therefore does meet the standards stated in Section 304.1.C of the BCZR. Additionally, there appears to be several existing undersized lots in the neighborhood. As such, this office does not oppose the petitioner's request.

If the petitioner's request is granted, the following conditions shall apply to the proposed dwelling:

Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.

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

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CM/LL

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Par Carlos Marian

DATE: July 14, 2006

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20MMG (0MMGS0) #17

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

DATE: July 26, 2006

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-629- 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 Curtis Murray in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

CM/LL

PECENT.

JUL 27 2006

ZONING COMMISSIONER



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

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

Maryland Department of Transportation

Date: 6-20.06

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

RE: Baltimore County

Item No. 629

JLL

Dear. Ms. Matthews:

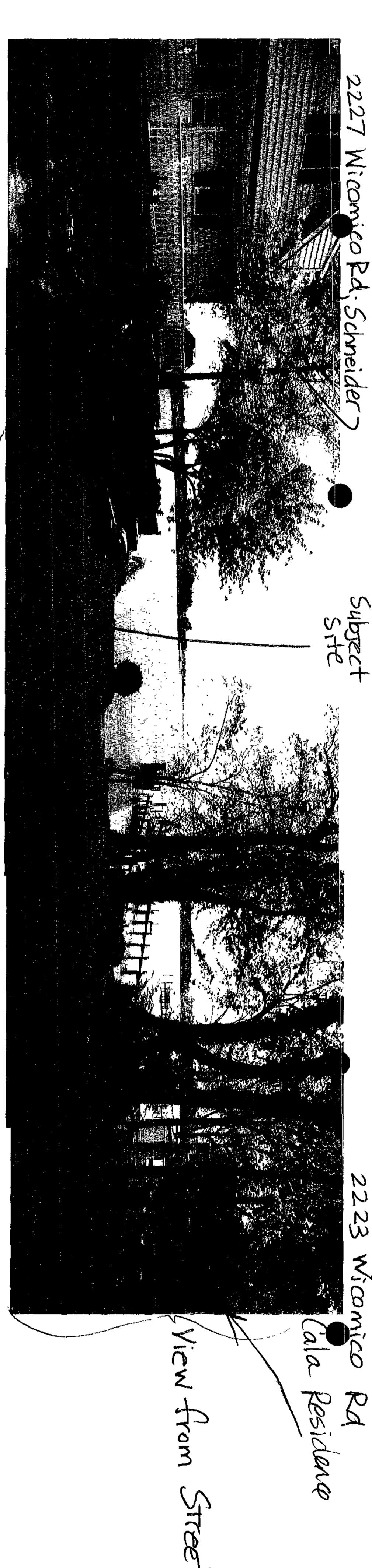
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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







DATE	CASE NUMBER	CASE NAME

PELLICIER'S SIGN-IN SHEET

									9 11011	Hol	ARTHUR Hoffman	NAME
											7803 Elmhurst Au	ADDRESS
											2/2	CITY, STATE, ZIP
										ļ	ast hothando con ca	E- MAIL

CITIZEN'S SIGN-IN SHEET

		NAME ADDRESS CITY, STATE, Z JULIAN ENOUS 2276 Monocacy Rd Middle borough FORGE SCHNEIDER 2227 MICOMICT RD MIDDLE " NCENT J. CALA 2223 WILLIAM Rd " NCENT J. CALA 2223 WILLIAM Rd " NCENT J. CALA 2223 WILLIAM Rd " NOTE TO STATE, Z
		Middleborough, MD 2
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