IN RE: PETITION FOR VARIANCE S/S of Frog Mortar Road, 650 feet south Of c/l of Revolea Beach Road 15th Election District

6th Councilmanic District (934 Frog Mortar Road) BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 06-644-A

Frederick H. Meyers, Jr. & Joan A. Hradsky **Petitioners** Castle Rock Development, LLC Contract Purchaser

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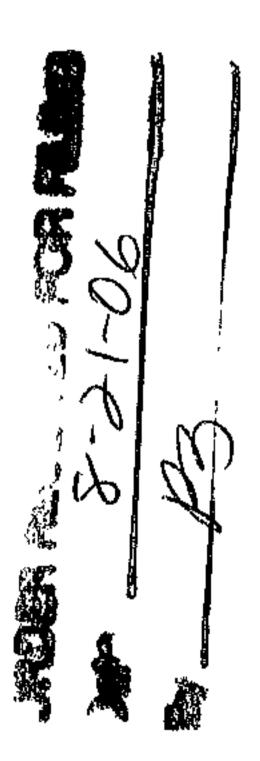
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FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Frederick H. Meyers, Jr. and Joan A. Hradsky. The Petitioner is requesting variance relief for property located at 934 Frog Mortar Road. Variance relief is requested from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot with a width of as little as 47 feet in lieu of the required 70 feet; to permit part of lot #51 and #52 with a maximum sum of side yard widths of 16 feet in lieu of the required 25 feet and side yard width of as little as 5 feet in lieu of the required 15 feet.

The property was posted with Notice of Hearing on July 22, 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.



Amended Petition

After some discussion with adjacent property owners, the Petitioner agreed to move the proposed home farther back from the water so as to lessen blocking the water view from adjacent properties as shown on the redline Plat to Accompany, Petitioner's exhibit 1. As a result the Petition was amended to allow a lot width of 46 feet (previously 47 feet) and sum of side yards of 15 feet (previously 16 feet). The Parties agreed to this amendment.

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 28, 2006, which contains restrictions. A ZAC comment letter was received from the Office of Planning dated July 7, 2006 which

20-18-8 M contains restrictions. A ZAC comment letter was received from DEPRM dated July 25, 2006 which contains restrictions. Copies of which are attached hereto and made a part hereof.

<u>Interested Persons</u>

Appearing at the hearing on behalf of the variance request were Frank Scarfiled, Brandon Scarfiled and Angela Karasinski. Deborah Dopkin, Esquire, represented the contract purchasers, Castle Rock Development, LLC. Donald. Hicks of Hicks Engineering Associates, Inc., prepared the site plan. Appearing as adjacent property owners were Paul Canatella and Malissa Canatella with David Billingsley. Greg Canatella appeared in opposition to the requests. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the subject property is composed if lot 52 and part of lot 51 of the Revolea Beach subdivision which was recorded in the land records of the County in 1920. See Petitioner's exhibit 2. The property contains 14,122 square feet zoned DR 3.5 and is presently vacant.

The Petitioner would like to erect a single family dwelling on the property as shown in Petitioner's exhibit 1. At the outset of the case the Petitioner engaged in negotiations with adjoining property owners Paul and Malissa Canatella. As the result of these discussions the Petitioner agreed to move the proposed house back approximately 15 feet from the water as shown by the redline changes to Petitioner's exhibit 1. Because of the shape of the lot, the dimensions of the variance relief requested had to be changed slightly as above.

Ms. Dobkin proffered that lot 52 and part of lot 51 merged by common ownership and use since 1926. In support of this contention she presented SDAT records and deeds as

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pilings to avoid flood damage from storm surges. Finally he cautioned the Petitioner regarding the true location of property boundaries.

All parties agreed that there had been a home on the property previously.

Findings of Fact and Conclusions of Law

The location of the prior home on the property seems to be almost even with Greg Canatella's home vis a vis the water front. The redline location pulls the new home back away from the water substantially to the extent that even the proposed deck on the new house is farther from the water than the prior house. As such the new house would seem to be much less of a problem for Mr. Canatella than the prior home unless the new house turns out to be much higher than the prior house. However the ZAC comment from DPDM indicates the new home needs to be raised only 1 or 2 feet off ground level to meet Federal Flood Insurance criteria. Consequently it appears that the new house would not have to be raised on pilings to protect against storm surge. That said, the zoning regulations only provide that dwelling not exceed 50 feet so perhaps the Petitioner would chose to build a three story house bringing Mr. Canatella's worst fear to fruition. I can not control the height of what the Petitioner chooses to build if the height meets the zoning regulations.

Considering all the testimony and evidence presented, I find special circumstances or conditions exist which are peculiar to the property and make it unique from a zoning perspective. The lot is oddly shaped and it is clear the DR 3.5 zoning regulations disproportionately impact this property as compared to others in the area.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. If strictly enforced the Petitioner could only build a home similar to a row home which would not be compatible with neighborhood.

I also find that since this is a replacement house, there is no density issue. I also note the lot area exceeds the 10,000 square ft minimum for DR 3.5 zones.

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. I understand Mr. Canatella's concern that a new house next door will undoubtedly reduce his view of the water on the eastern side of his home but I must weigh this against the Petitioner's right to use his property for a home. The new house will be reviewed for compatibility by the Planning Office and so will not adversely affect the neighborhood.

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 21st 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 lot with a width of as little as 46 feet in lieu of the required 70 feet; to permit part of lot #51 and #52 with a maximum sum of side yard widths of 15 feet in lieu of the required 25 feet and side yard width of as little as 5 feet in lieu of the required 15 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. 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.
- 3. 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.
- 4. The building engineer requires a permit for this project.
- 5. The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.
- 6. Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the County.
- 7. Submit building elevations to the Office of Planning for review and approval prior to the issuance of 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.
- 8. Provide landscaping along the public road.
- 9. 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).
- 10. The proposed redevelopment of this single lot shall not exceed 25% impervious surface limit and shall comply with the Buffer Management Area regulations pertaining to construction in the 100 foot shoreline buffer.

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



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

August 21, 2006

JOAN A HRADSKY 226 MARION AVE BALTIMORE MD 21236

FREDERICK H. MEYERS JR 3823 CREST VALE TERRACE BALTIMORE MD 21236

Re: Petition for Variance
Case No. 06-644-A
Property: 934 Frog Mortar Lane

Dear MS. Hradsky and Mr. Meyers:

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 / 482 John V. Murphy

Deputy Zoning Commissioner

JVM:pz

Enclosure

c: Deborah C. Dopkin, Esquire Please See Attached List JOAN A HRADSKY 226 MARION AVE BALTIMORE MD 21236

FREDERICK H. MEYERS JR 3823 CREST VALE TERRACE BALTIMORE MD 21236

DEBORAH DOPKIN, ESQUIRE 409 WASHINGTON AVENUE TOWSON, MD 21204

DONALD E. HICKS PE HICKS ENGINEERING ASSOCIATES 200 EAST JOPPA ROAD TOWSON MD 21286

FRANK SCARFILED 802 FROG MORTAR ROAD BALTIMORE MD 21220

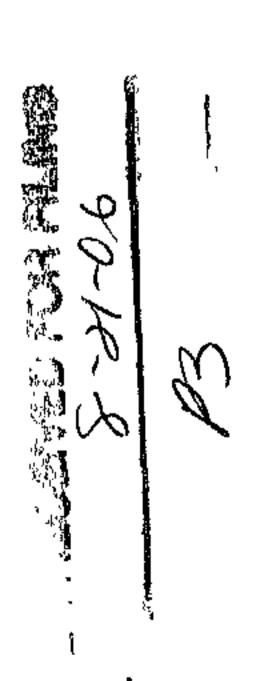
BRANDON SCARFILED 6608 O'DONNELL STREET BALTIMORE MD 21224

ANGELA KARASINSKI 6608 O'DONNELL STREET BALTIMORE MD 21224

PAUL AND MALISSA CANATELLA 938 FROG MORTAR ROAD BALTIMORE MD 21280

GREG CANATELLA 932 FROG MORTAR ROAD BALTIMORE MD 21220

DAVID BILLINGSLEY 601 CHARWOOD CT EDGEWOOD MD 21040





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 934 Frog Mortar Road which is presently zoned D.R. 3.5

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)

See Attached

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 presented 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 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 Name - 1	Type or Print H. WEJERS JR. (1)
Signature Signature CHO656 5050.	Signature Signature
Address Address City Telephone No. Zip Code	Name - Type or Print Signature Signature
Attorney For Petitioner:	Address 2.26 Nanion AUC TERRIBONOLIOS-
Deborah C. Dopkin, Esquire Name Type or Print City Sorah Monhan	PARCHO MAD. 21236 274. Don Ho Stell D. Zip Code 36 Representative to be Contacted:
Signature Deborah C. Dopkin, P.A. Company 410-821-0200	Joan A. Hradsky
409 Washington Avenue, #1000 Telephone No. Towson, Maryland 21204	Address Batto Md 21236
City State Zip Code	City State Zip Code OFFICE USE ONLY
Case No. 06-644-A	ESTIMATED LENGTH OF HEARING
Reviewed By	UNAVAILABLE FOR HEARING SM Date 6/14/06
REV 9/15/98 ANDER PRECIENCED FOR FILMER	
7-21-06	
m	

- 1. To approve a variance from Section 1B02.3.C.1 to permit a lot with a width of as little as 47° in lieu of the required 70';
- 2. To approve a variance from Section 1B02.3.C.1 to permit a lot with a maximum sum of side yard widths of 16' in lieu of the required 25', and side yard width of as little as 5' in lieu of the required 15'.

C:\docs\DCD\ZONING\castle rock petition.wpd

valid only With Impressed Seal

DATE ISSUED:

JUL 2 5 2002

HEREBY CERTIFY THAT THE ATTACHED IS A TRUE CUPY OF A RECORD ON E IN THE DIVISION OF VITAL RECORD

STATE REGISTRAR OF VITAL RECORDS

State of Maryland / Department of Health and Mental Hygiene

Certificate of Death Reg. No. 1. Decedent's Name (First, Middle, Last) 3. Time of Deal 2. Date of Death Day Month Kathleen Year Meyers 2002 4:00 A 4a Facility Name (If not institution, give street and number) 4b. City, Town, or Lucation of Death 4c. County of Death Franklin Woods Nursing Center Rossville Baltimore 5. Social Security Number 7. Age (In yrs. last birthday); N Under 1 Year 6. Sex Il Under 24 His. B Date of Birth (Month, Day, Year) May 15, 1912 9. Birthplace (State or For Country) 1□M 25€F Days Houls Months | Min. 212-05-0108 Yrs Maryland Usual Residence of Decedent 10a. State 10b. County 10c. City, Town or Location 10d. inside City Lin 1 ☐ Yes 2 🙀 Baltimore. Maryland Baltimore 100 Street and Number 10f. Zlp Code 10g. Citizen of What Country? 5100 Thomas Avenue 21236 U.S.A. 11. Marital Status 12. Was Decedent Ever in U.S. Armed Forces? 13. Was Decedent of Hispanic Origin? (Specify Yes or No-If Yes, specify Cuban, Mexican, Puerto Rican, etc.) 14. Race - American Indian, Black, White, etc. 1 ☐ Never Married 2 ☐ Married 1 ☐ Yes 2 X No If Yes, Give 1 ☐ Yes 2 X No Specify: White 3 D(Widowed 4 □ Divorced Specify: Year or Dates: 15. Decedent's Education (Specify only highest grade completed) 16a. Decedent's Usual Occupation (Give kind of work done during most of working life. DO NOT use retired) 16b. Kind of Business/Industry Self-Employed Elementary/Secondary (0-12) College (1-4or 5+) 8th Grade Owner Hardware 17. Father's Name (First, Middle, Last) 18. Mother's Name (First, Middle, Malden Surname) Thomas Lanahan (Names Unknown) 19a. Informant's Name/Relationship (Type, Print) 19b. Mailing Address (Street and Number or Rural Route Number, City or Town, State, Zip Code) Mrs. Joan Hradsky (daughter) 226 Marion Ave., Baltimore, MD 20b. Place of Disposition (Name of cemetery, crematory or other place) 20a. Method of Disposition Date 20c. Location - City or Town, State 1 ₺ Burial 2 □ Cremation 3 □ Removal from State 4 ☐ Donation 5 ☐ Other (Specify) Most Holy Redeemer Cem. 17/25/02 Baltimore. Maryland 21. Signature et Funeral Service Licensee 22. Name and Address of Facility Schimunek Funeral Homes 9705 Belair Rd., Baltimore, MD 21236 23a. Part 1. Enter the disease, or complications that caused the death. Bonot enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line. Approximate: Interval Between Onset and Death Immediate Cause (Fina) CEYEBRO VASCUSON DISESSE disease or condition resulting in death) Due to (or as a consequence of): Sequentially list conditions, if any, leading to immediate cause. Enter Underlying Cause (Disease or injury that initiated events Due to (or as a consequence of): Due to (or as a consequence of): resulting in death) Last Part II. Other significant conditions contributing to death but not resulting in the underlying cause given in Part I. 23b. Did tobacco use contribute to the cause of der 1 Yes 2 No 3 Probably 4 Unkn 24b. Were autopsy finding 24a. Was an autopsy available prior to completion of cause of death? performed? 1 Yes 2 No 1 Yes RENo 25. Was case referred to medical 26. Place of Death (Check only one) examiner? Other: 4 Nursing Home 5 Pesidence 6 DOther (Specify) 1 ☐ Yes 2 ☐ No 1 ☐ Inpatient 2 ☐ ER/Outpatient 3 ☐ DOA 27. Manneyof Death 28a. Date of Injury (Month, Day Year) 28c. Injury at Work? 28b. Time of 28d. Describe how injury occurred 1 DNatural 5 Dending injury 2 Accident Investigation М 1□ Yes 2□ No 6 ☐ Could not be 3 🔲 Suicide 28e. Place of Injury - At home, farm, street, factory, office determined 28f. Location (Street and Number or Rural Route Number, 4 🗆 Homicide building, etc. (Specify) City or Town, State) Certifying Physician: To the best of my knowledge, death occurred at the time, date and place, and due to the cause(s) and manner as stated. 29a. Certifier (Check only 2 Medical Examiner: On the basis of examination and/or investigation, in my opinion, death occurred at the time, date and place, and due to the cause(s) and manner stated. 29b. Signature and title of certifier 29c. License number 29d Date signed (Month, Day, Year) D53720 30. Name and address of person who completed cause of death (Item 23a) (Type, Print) 31. Date filed (Month, Day, Year) 32. Registrar's Signature Marchan

Hicks Engineering Associates, Inc.

ZONING DESCRIPTION OF NO. 934 FROG MORTAR ROAD FIFTEENTH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the southernmost side of Frog Mortar Road, existing 40 feet right of way, at the approximate distance of 650 feet southeasterly from the centerline of Revolea Beach Road, formerly Bengies Road, existing 40 feet wide right of way; and being Lot No 52, and Part of Lot No 51 as shown on the plat of subdivision of "Revolea Beach" as recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 5 at Folio 67

CONTAINING 14,122 square feet or 0.324 acres of land, more or less.

ALSO KNOWN AS No. 934 Frog Mortar Road and located in the Fifteenth Election District of Baltimore County, Maryland.

HICKS ENGINEERING ASSOCIATES, INC CIVIL ENGINEERS ~ LAND SURVEYORS 200 EAST JOPPA ROAD, SUITE 402 TOWSON, MARYLAND 21286 TELEPHONE: (410) 494-0001

JUNE 8, 2006

PAGE 1 OF 1

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LTIMORE FICE OF BU SCELLAN	DATE	RECEIVED.	DISTRIBUTION WHITE CASHER PINK AGENCY YELOW CUSTOMER

4108873048 4.08254

ZONING LEGALS

01/01 PAGE

PAGE 02/02

NOTICE OF ZONING HEARING

The Zoning Continues the Settimor Confy by autiturity of the Zoning Act and Regulations is a Baltimora County will hold a public hearing in Your in, I laryland on the property identified heroin as follows:

Caper # 00-944-A

994 From Mortar Road

South side of Freg Mortar Road, 8611 it it south of conterino of Revolet Beach Road
15th Election District — 6th Councilms his listrict
Logol Owner(s): Frederick H. Meyers Jr. & Joan A. Hradeky

Continct Purchaser: Castle Rock Dave upm III, LLC Varianen: to permit a lot with a width of as little as 47 lest in fieu of the required 70 lest. To prime part of lot AS1 A AS2 with a maximum sum of side year widths of 16 feet in fieu of the required 25 feet and side yeard width of as little as 5 feet in flew of the required 18 feet. Hearing: Thursday, August 10; 2006 at 10 feet, in field Avenue, Toward 25 feet and 19 feet.

WILLIAM J. WIGEMAN, III

Zoning Commissioner for Baltimore Courtine Notice: (1) Healings are Hamiltonpper Act estable; for special accommodations Places Contact he 2 ming Commissioner's Office at (410) 687-9068,

(2) For information concerning the File and or Hearing, Contact the Zoning Roview Office at (410) 68 -3391.

17 7/(33 July 25 103133

CERTIFICATE OF PUBLICATION

<u> </u>
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 125 ,200.
The Jeffersonian Arbutus Times
🗖 Arbutus Timee
☐ Catonsville Times
Towson Times
Owings Mills Times
□ NE Booster/Reporter
□ North County News

LEGAL ADVERTISING

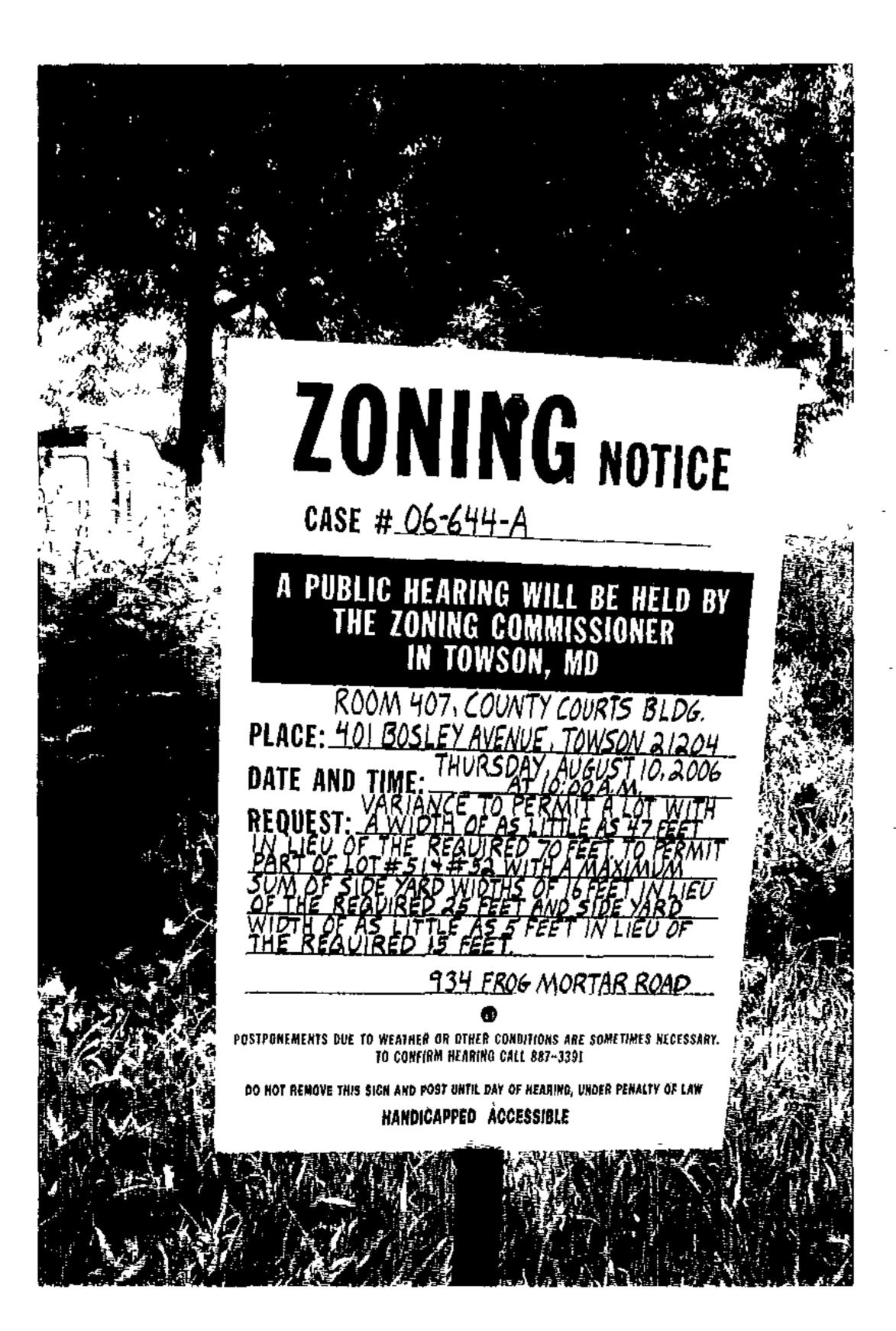
CERTIFICATE OF POSTING

Case Number: 06-644-A

Petitioner/Developer: Deborah Dopkin Esq.~Frederick Meyers~Joan Hradsky~Frank Scarfield Jr.~ Don Hicks Date of Hearing (Closing): 08/10/06

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: 934 FROG MORTAR ROAD

The sign(s) were posted on: 7/22/06



Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane (Street Address of Sign Poster)

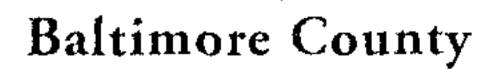
Hunt Valley Maryland 21030 (City, State, Zip Code of Sign Poster)

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





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

June 27, 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: 06-644-A

934 Frog Mortar Road

South side of Frog Mortar Road, 650 feet south of centerline of Revolea Beach Road 15th Election District – 6th Councilmanic District

Legal Owners: Frederick H. Meyers, Jr. & Joan A. Hradsky

Contract Purchaser: Castle Rock Development, LLC

<u>Variance</u> to permit a lot with a width of as little as 47 feet in lieu of the required 70 feet. To permit part of lot #51 & #52 with a maximum sum of side yard widths of 16 feet in lieu of the required 25 feet and side yard width of as little as 5 feet in lieu of the required 15 feet.

Hearing: Thursday, August 10, 2006 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Deborah Dopkin, 409 Washington Avenue, #1000, Towson 21204 Frederick Meyers, Jr., 3823 Crestvale Terrace, Baltimore 21236 Joan Hradsky, 226 Marion Avenue, Baltimore 21236 Castle Rock Development, LLC, 3001 Eastern Blvd., Middle River, 21220

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 26,2006.

- (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, July 25, 2006 Issue - Jeffersonian

Please forward billing to:

Frank Scarfield, Jr.
Castle Rock Development, LLC
3001 Eastern Avenue
Middle River, MD 21220

443-463-4476

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: 06-644-A

934 Frog Mortar Road

South side of Frog Mortar Road, 650 feet south of centerline of Revolea Beach Road 15th Election District – 6th Councilmanic District

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Hearing: Thursday, August 10, 2006 at 10:00 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 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 <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: 06 - 644- A
Petitioner: ASTLE PROKEDENTENTENT ELC
Address or Location: 934 PROY NORTAR ROAD
BALTINJORE, NO 2120
PLEASE FORWARD ADVERTISING BILL TO:
Name: FRANK OCHREISLO, VR
Address: SASTLE REED BEVELORMENSTELL
TOOL BUSTERN AVENUE
MODLE RIVER, NO 21220
Telephone Number: 443-463-4476



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director Department of Permits and August 1, 2006 Development Management

Deborah C. Dopkin, Esquire 409 Washington Avenue, #1000 Towson, MD 21204

Dear Ms. Dopkin:

RE: Case Number: 06-644-A, 934 Frog Mortar Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 14, 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. Callibald W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:amf

Enclosures

People's Counsel Frederick H. Meyers, Jr. 3823 Crestvale Terrace Baltimore 21236 Joan A. Hradsky 226 Marion Avenue Baltimore 21236 Castle Rock Development LLC 3001 Eastern Blvd Baltimore 21220



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 29,2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 26, 2006

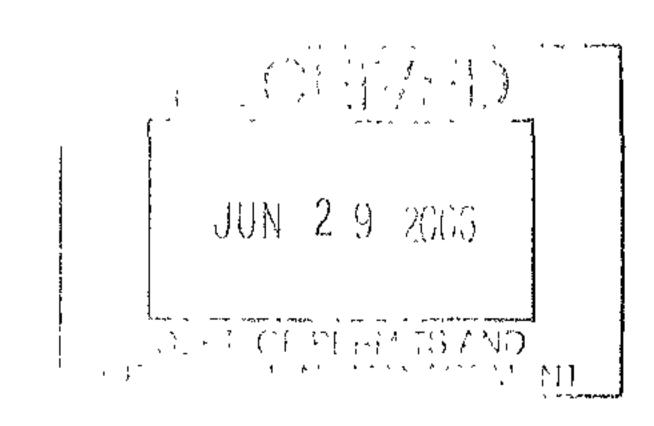
Item Number(s): 644 through 656

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





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

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

BPR

Maryland Department of Transportation

Date: 6.27.01

Baltimore County

Item No. 644

RE:

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

Dear. Ms. Matthews:

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

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

Very truly yours,

Steven D. Foster, Chief

1. 1. Doelle

Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: June 28, 2006

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 3, 2006 Item No. 644

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 10.2 feet Baltimore County Datum.

The flood protection elevation for this site is 11.2 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

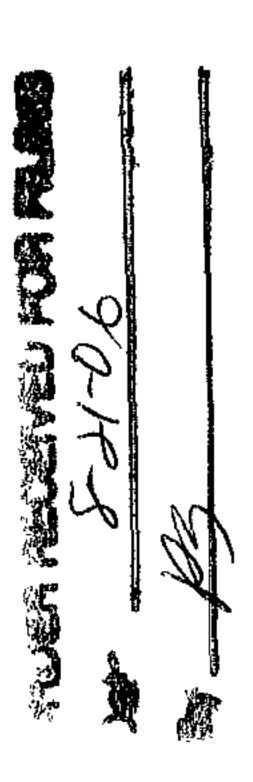
The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

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

DAK:CEN:clw

cc: File

ZAC-ITEM NO 644-06282006.doc



10 Am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: July 7, 2006

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-644- 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. However, the Office of Planning normally requests 10-foot minimum side yard setbacks. If the petitioner is able to demonstrate a hardship or practical difficulty, resulting in the Zoning Commissioner granting the variance, the Office of Planning has no objection, as there appears to be several existing undersized lots in the neighborhood.

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

1. 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.

2. Provide landscaping along the public road.

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:

JUL 1 1 2006

Division Chief:

CM/LL

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

July 25, 2006

SUBJECT:

Zoning Item # 06-644-A

Address

934 Frog Mortar Road

Zoning Advisory Committee Meeting of June 26, 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).
- Development of this property must comply with the Chesapeake Bay <u>X</u> Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

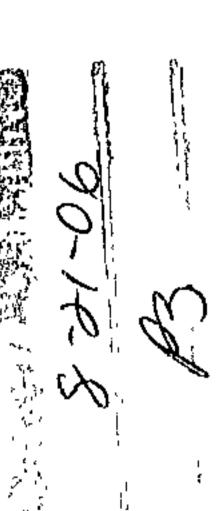
The proposed redevelopment of this single lot shall not exceed the 25% impervious surface limit and shall comply with the Buffer Management Area regulations pertaining to construction in the 100-foot shoreline buffer.

Reviewer:

Glenn Shaffer

Date: July 25, 2006

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2006\ZAC 06-644-A.dot



RE: PETITION FOR VARIANCE

934 Frog Mortar Road; S/S Frog Mortar Rd,

650' S c/line Revolea Beach Road

15th Election & 6th Councilmanic Districts

L.O.: Frederick Meyers & Joan Hradsky

C.P.: Castle Rock Development, LLC

LC

Petitioner(s) * BALTIMORE COUNTY

FOR

BEFORE THE

ZONING COMMISSIONER

* 06-644-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. O(100) = 1000 = 1000

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 27th day of June, 2006, a copy of the foregoing Entry of Appearance was mailed to, Joan Hradsky, 226 Marion Avenue, Baltimore, MD 21236 and Deborah C. Dopkin, Esquire, 409 Washington Avenue, St 1000, Towson, MD, 21204, Attorney for Petitioner(s).

RECEIVED

JUN 27 2006

Per....

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NUMBER SOLVEN SERVEN SOLVEN SERVEN SOLVEN SOLV

PETITIONER'S SIGN-IN SHEET

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CITIZEN'S SIGN-IN SHEET

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ADD		601 CHARLIDOD CT							
NAME	7 3 3	MO BILLINGSIEY							

13182578 mais 190

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot—of ground——and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said

****OFTER TO THE TOTAL TO THE TOTAL TO THE TOTAL TOTAL TO THE TOTAL TO THE TOTAL TOTAL TO THE TOTAL THE TOTAL TOTAL

And the said part Les of the first part hereby covenant—that I hely—La or mot not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that — hely will warrant specially by modelly granted and that hely will execute such further assurances of the same as may be requisite.

Witness the hands and sears of said grantor of TFST.

John F. (Petterpuse & Cal)

r.C. Land

Harry of Collection work (SKAL)

STATE OF MARYLAND

a Notary Public of the State of Maryland in and for the grandly appeared to substantial the substantial through the state of Maryland in and for the substantial through the s

the above named grantor z and z acknowledged the follogoing Deed to be $z_{1,2}$ act

As Willings my hand and Notarial Seal

Notary Public

Ridgely to the within named grantors in fee simple

Together with the buildings and improvements thereupon erected made or being and all and every the rights alloys ways waters privileges appurtenances and advantages to the same belonging or in anywise appertaining

To have and to hold the land and premises above described and mentioned and hereby intended to be conveyed together with the rights privileges appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Frederick P Heinerichs and Elizabeth G Heinerichs his wife as tenants by the entireties their assigns the survivor of them and the heirs and assigns of the survivor in fee simple subject however to the following restrictions and agreements which are hereby entered into by the parties of the second part as a part of the consideration of this deed

At no time shall the above described lot or any part thereof or any building erected thereon be sold leased or transferred to or occupied by any negro or person of negro descent. This provision however not to include occupancy by servants or any employees of owner or occupants of the above described lot.

And The said Joseph F Moreland and Mamie M Moreland his wife hereby comenant that they will warrant specially the property hereby granted and conveyed and that they will execute such further assurances of said land as may be requisite

Witness the hands and scale of the said Grantors

Test

Joseph F Moreland

(SEAL)

Edward J Kuehn

Mamie M Moreland

(SEAL)

State of Maryland

City of Baltimore to wit

I Hereby Certify that on this let day of March 1926 before me the subscriber a Notary
Public of the State of Maryland in and for Baltimore City personally appeared Joseph F
Moreland Mamie M Moreland his wife the above named Grantors and each acknowledged the aforegoing deed to be their respective act

Witness my hand and Notarial seal

(Notarial seal)

Edward J Kuehn

Notary Public

Recorded Mar 3 1926 at 3 P M & EXD Per Wm P Colo Clerk

21285 R S . 50

Ohas L Burton & wf

This Deed Made this 26th day of February in the year nineteen

Deed po

hundred and twenty six by and between Charles L Burton and Virgis Burton his wife of the first part and John F Ritterand Lary A Ritterpusch

pusch his wife of the City of Baltimore State of Maryland of

John F Ritterpusch & wf

the second part

Witnesseth that in consideration of the sum of Five Dollars and other valuable considerations the receipts whereof are hereby acknowledged the said parties of the first part do grant unto the said parties of the second part as tenants by the entireties their assigns the survivor of them and the heirs and assigns of the survivor all that lot of ground and premises situated in BaltimoreCounty and described as follows

Designing for the same on Frog Mertar Boad at a point in the division line between

corner of Lot No 51 and running thence southeasterly to the southeast corner of Lot No 51 being at a point on Frog Mortar Creek at the division line between Lots No 51 and No 52 on said plat thence northeasterly on the division line between Lots No 51 and No 52 to the northeast corner of lot No 51 said point being on Frog Mortar Road and thence westerly on Frog Mortar Road sixteen and three tenths foet to the place of beginning

Being the same piece or parcel of ground which by deed dated January 19th 1926 and recorded among the Land Records of Baltimore County in Liber W P O No 631 folio 10 was granted and conveyed by Henry Siegrist and wife to the said Charles L Burton and Virgle Burton his wife in fee simple

Together with the improvements thereon and the rights and appurtenances thereto belonging or appertaining

To have and to hold the said lot of ground and premises unto and to the use of the said parties of the second part as tenants by the entireties their assigns the survivor of them and the heirs and assigns of the survivor forever in fee simple

And the said parties of the dirst part hereby covenant that they have not done nor suffered to be done any act matter or thing whatsoever to encumber the property herebycon-veyed that they will warrant specially the property hereby granted and will execute such further assurances of the same as may be requisite

Witness the hands and seals of said grantors

Test

Charles L Burton

(SEAL)

Morton Y Bullook

Virgie Burton

(SEAL)

State of Maryland

Baltimore City to wit

I Hereby Certify that on this 26th day of February in the year/nine hundred and twenty eix before me the subscriber a Notary Public of the State of Maryland in and for Anne Arundel County personally appeared Charles L Burton and Virgie Burton his wife the within named grantors and they acknowledged the aforegoing deed to be their respective act

(Notarial seal)

Morton Y Bullock

Notary Public

Recorded Mar 3 1926 at 4.15 PM & EXD Per Wm P Cole Clerk

21286 R S & 1.50 Overles Land Co

Decă to

John F Ritterpusch & wf

This Deed Made this 27th day of February in the year one thousand nine hundred and twenty six by the Overlea Land Company of Baltimore County a body corporate duly incorporated under the laws of the State of Maryland

Dollars (\$5.) and other good and valuable considerations the receipt whereof is hereby acknowledged the said The Overlea Land Company of Baltimore County doth grant and convey unto John F Ritterpusch and Mary A Ribterpusch his wife as tenants by the entireties their assigns the survivor of them his or her heirs and assigns in fee simple all that ground and premises situate lying and being in Baltimore County aforesaid and being known as Lot numbered Fifty Two (52) Revolea Beach as shown on the plat of Revolea Beach the property of The Overlea Land Company of Baltimore County which plat is duly filed among the Land-Records of Baltimore County in Plat Book W P G Es Epilo 57

ing or apportaining

Hary A Ritterpusch his wife as tenants by the entireties their assigns the survivor of them his or her heirs and assigns in fee simple/ subject however to the following conditions which are hereby entered into by the said John F Ritterpusch and Mary A Ritterpusch his wife for themselves their heirs and assigns with the said The Overlea Land Commany of Baltimore County as a part of the consideration for this deed

First That no residence or dwelling house shall be erected on said lot costing less than Five Hundred (\$500.) Dollars and the plans or designs of said building to be erected shall be first submitted to the offive of the Overlex Land Company and approved by said Company Second That all outbuildings of any kind shall be in the rear of dwelling and shall not be within 75 feet of water front or any road except that a garage may bind on the road to be neat design and kept painted or whitewashed

Third That no swine shall be kept on said lot end no nuisance of any kind shall be maintained or allowed thereon nor any use thereof made or permitted which shall be noxious or dangerous to health

Fourth That at no time shall any part of the said lot be used or occupied for the manufacture brewing distilling or the sale of spirituous or malt liquors nor shall the said lot or any part thereof or any building erected thereon at any time hereafter be used as occupied as a drinking saloon. This Company reserves the right to cut the grass or other crops until lot is improved. Written permission must be obtained from the Company to Construct forces or buildings or to use the lands before payments are completed.

Fifth That any privy erected on said property must ne provided with a tight movable receptable or receptables and kept in a sanitary condition

That neither said lot nor any part thereof shall be sold leased transferred to or permitted to be occupied by any negro Chinaman Japanese or person of negro Chinese or Japanese descent this restriction not to include servants or employees of owner or occupant of said lot

And the said The Overlea Land Company of Baltimore County subject to the conditions to be observed by the grantees the survivor of them his or her heirs and assigns covenant that it will warrant specially the property hereby granted and conveyedand that it will execute such further assurances of said land as may be requisite

And the said The Overlea Land Company of Baltimore County doth hereby constitute and appoint Luther M R Willis to be its Attorney in its name and as its act to acknowledge this deed before anyone legally authorized to take said acknowledgment

As Witness the corporate seal of said body corporate and the signature of Martin J
Reilly the President thereof (Corporate seal) Martin J Reilly
Signed sealed and delivered President of The Overlea Land Comin the presence of Dany of Baltimore County

William H Gisin

State of Maryland

Baltimore City to wit

I Hereby pertify that on this 27th day of February 1926 before me the subscriber a Notary

Willis the Attorney named in the letter or power of attorney contained in the foregoing deed and by virtue and in pursuance of the authority therein conferred on him acknowledged the said deed to be the act of the said The Overlea Land Company of Baltimore County

Witness my hand and Notarial seal

(Notarial seal)

William H Gisin

Notary Public

Recorded Mar 3 1926 at 4.15 P M & EXD Per Wm P Colo Clerk

21299 R S \$1.00

Daniel Ruth & wf

Deed to

John P Mays et al

This Deed Made this 4th day of March in the year one thousand nine hundred and twenty six by and between Daniel Ruth and Bessie Ruth his wife of the County of York State of Pennsylvania Grantors and John P Mays and Milner Bortner of the County of Baltimore State of Maryland Grantees

Witnesseth that for and in consideration of the sum of Five Dollars and other good and valuable considerations the receipt of which is hereby acknowledged the said Grantors hereby grant and convey unto the said Grantees their heirs and assigns in fee simple as tenants in common and not as joint tenants all that lot piece parcel or tract of land situate in the Seventh Election District of Baltimore County State of Maryland which by deed dated February 12 1914 and recorded among the Band Records of Baltimore County in Liber W P C No 425 folio 96 was conveyed by John Mays Little to Christina Loschel excepting however from the description in said deed all those three tracts of land severally and respectively conveyed prior hereto by the three immediately following deeds to wit First a deed dated Cotober 21 1911 and recorded among the Land Records of Baltimore County in Liber W P C No 387 folio 377 from Conrad Locohel and Christina Locohel his wife to George L Rigney Sr second a deed dated April 6 1914 and recorded among the Land Records of Baltimore County in Liber W P C No 427 folio 220/from Christina Loschel to Emma G Fossett and third a docd dated April 29 1914 and recorded among the Land Records of Baltimore County in Liber W P 0 No 426 folio 500 from Christina Loechel to Daniel O Rigney the said excepted three tracts comprising the land lying to the east of the Gunpowder River while the remainder which is intended to beconveyed by these presents lies to the west of the east bank of the said Gunpowder River

Being all and the same land and premises which by deed dated April 12 1924 and recorded among the Land Records of Baltimore County in Liber W F C No 600 folio 349 was conveyed to the said Grantors herein by Luther Klinedinst

Together with the improvements thereupon and all the rights alleys ways waters prisiteges appurtenances and advantages to the same belonging or in chywise appertaining and especially the water rights interest and property and right of way heretofors at any time reserved respecting the property hereby intended to be conveyed and more especially the water rights interest and property and right of way particularly reserved by Christina Leechel in a deed dated April 6/1914 and recorded among the Land Records of Baltimore County in Liber W P C No 427 folio 220 from Christina Locchel to Emma C Fossett

To have and to hold the land and premises above described and mentioned and hereby in tended to be conveyed together with the rights and appartenances thereto belonging or in

A July 28 1832

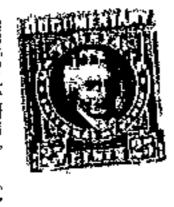
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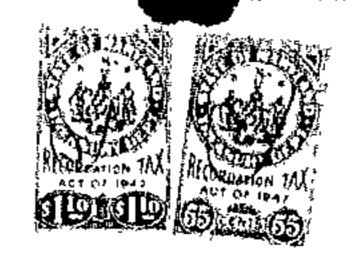
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13182578 PAGE 188









This Deed, Made this

18th

day of Johnson,

in the year one thousand nine hundred and thirty where, the housand between $A^{(n)}=s$. The table OR (n)=(n+2)A. The ERPLOCAL, (n-1)A.

of the State of Maryland, of the first part, and will obtain the State of Maryland, of the first part, and will obtain the State of Maryland, of the first part, and

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alviding the between Lots Tox. 50 and 51 on said Plat being at the north-westernwest corner of said Lot No. 51, and running thence northwestwardly to the southeesternment corner of said Lot No. 51, and running thence northwestwardly

UBB9260 MARS3

TO HAVE AND TO HOLD the said described lots of ground and premises to the said Grantees, their successors and assigns, in fee simple.

And the said Grantor hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property hereby granted; and that she will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of said Grantor.

TEST:

1 2

I HEREBY CERTIFY that on this The day of Land the year one thousand nine hundred and ninety-two, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared KATHLEEN E. MEYERS, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires:

I HEREBY CERTIFY that this Deel was prepared by or under the supervision of an attorney duly admitted to practice before the Court of Appeals of Maryland.

Return to:

Mrs. Kathleen Meyers 5100 Thomas Avenue Baltimore, Maryland 21236





Maryland Department of Assessments and Taxation **BALTIMORE COUNTY** Real Property Data Search

Go Back **View Map New Search Ground Rent**

Account Identifier:

District - 15 Account Number - 1513400300

Owner Information

Owner Name:

MEYERS KATHLEEN E HRADSKY JOAN A

MEYERS FREDERICK H,JR,TR REV TRST

Use:

RESIDENTIAL

Mailing Address:	226 MARION AVE BALTIMORE MD 21	236-4208	Deed Reference;					NO 1) / 9260/ 58 2)				
		Location	& Structure I	nform	nation							
Premises Address 934 FROG MORTAR RD)	WATERFRONT				Legai Descrip LT 52 PT 51 REVOLEA BEAC						
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Tax Exempt:

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County

Municipal

State

Partial Exempt Assessments

NO

Class

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07/01/2006

Special Tax Recapture:

* NONE *

Exemption Information

07/01/2005

LIBER 9.2 6 0 PAGE 9 5-8

TITLE NOT EXAMINED NO CONSIDERATION

THIS DEED, Made this And day of April , in the year one thousand nine hundred and ninety-two, by and between KATHLEEN E. MEYERS, widow, of Baltimore County, State of Maryland, (hereinafter referred to as the "Grantor") and KATHLEEN E. MEYERS, JOAN A. HRADSKY and FREDERICK H. MEYERS, JR., Trustees of THE KATHLEEN E. MEYERS REVOCABLE TRUST AGREEMENT, under Agreement dated "Grantees").

WITNESSETH, that in consideration of the sum of Zero Dollars (\$0.00), the said Grantor does hereby grant and convey to the said Grantees, their successors and assigns, in fee simple, all those lots of ground situate in Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING for the first thereof and known as Lot No. 52 Revolea Beach as shown on the Plat of Revolea Beach, which plat is duly recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 5, folio 67.

BEGINNING for the second thereof and being part of Lot No. 51 Revolea Beach as shown on the Plat of Revolea Beach, which plat is duly recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 5, folio 67, and described as follows:

BEGINNING for the same on the Prog Mortar Road at a point in the dividing line between Lots Nos. 50 and 51 on said Plat being at the northwesternmost corner of said Lot No. 51, and running thence northwestwardly to the southeasternmost corner of said Lot No. 51, being at a point on Frog Mortar Creek at the dividing lines between Lots Nos. 51 and 52 aforesaid to the northeasternmost corner of Lot No. 51 being at a point on Frog Mortar Road in the dividing line between Lots Nos. 51 and 52, and thence westerly on Frog Mortar Road to the place of beginning.

D RC/F 15.50 DC INP 5.00

BEING the same properties which by Deed dated

October 18, 1954, and recorded among the Land Records Sigles 50

Baltimore County in G.L.B. No. 2578, Folio 188, etc., was

granted and conveyed by John F. Ritterpusch and Mary 1,7078 C002 ROZ 717:

Ritterpusch, his wife, unto Frederick H. Mayers and

Kathleen E. Meyers, his wife, the said Frederick H.

Meyers having departed this life on January 15, 1990,

thereby vesting sole title in the said Kathleen E.

Meyers, the Grantor herein, as surviving tenant.

TOGETHER with the buildings thereupon, and the rights, alleys, waters, privileges, appurtenances and advantages thereto

for Bultimore County

ACRECULTIONAL PRESSER TAX

Director of Finance
SALTIMORE COUNTY MARYLAND

SIGNATURE M DATE 6-10-92 Por Cy-92 Menders Squares



4





Zoning Commissioner
Office of Planning
401 Bosley Avenue, Suite 405
County Courts Building
Towson, Maryland, 21204

Phate #77

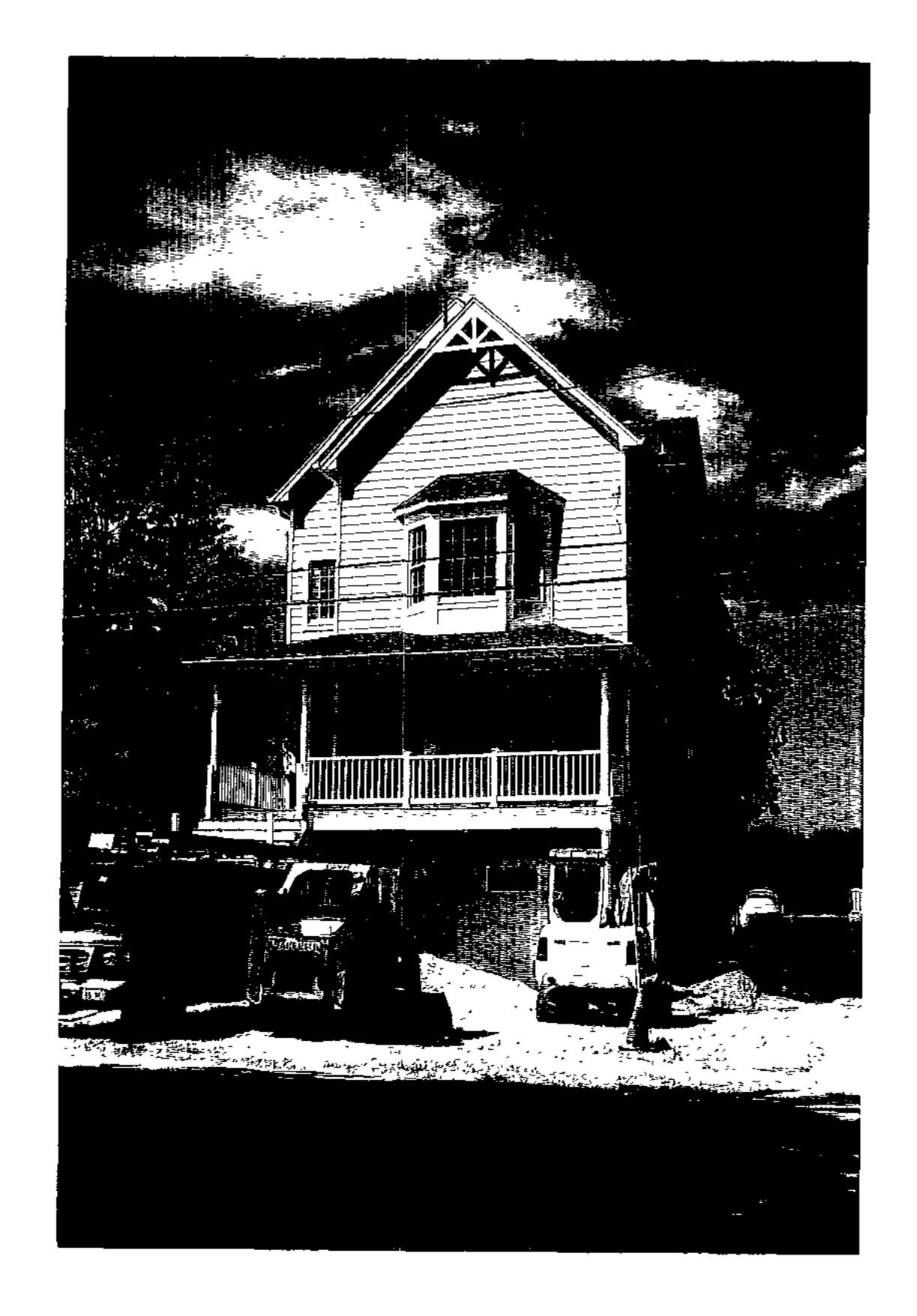
Return Service Requested





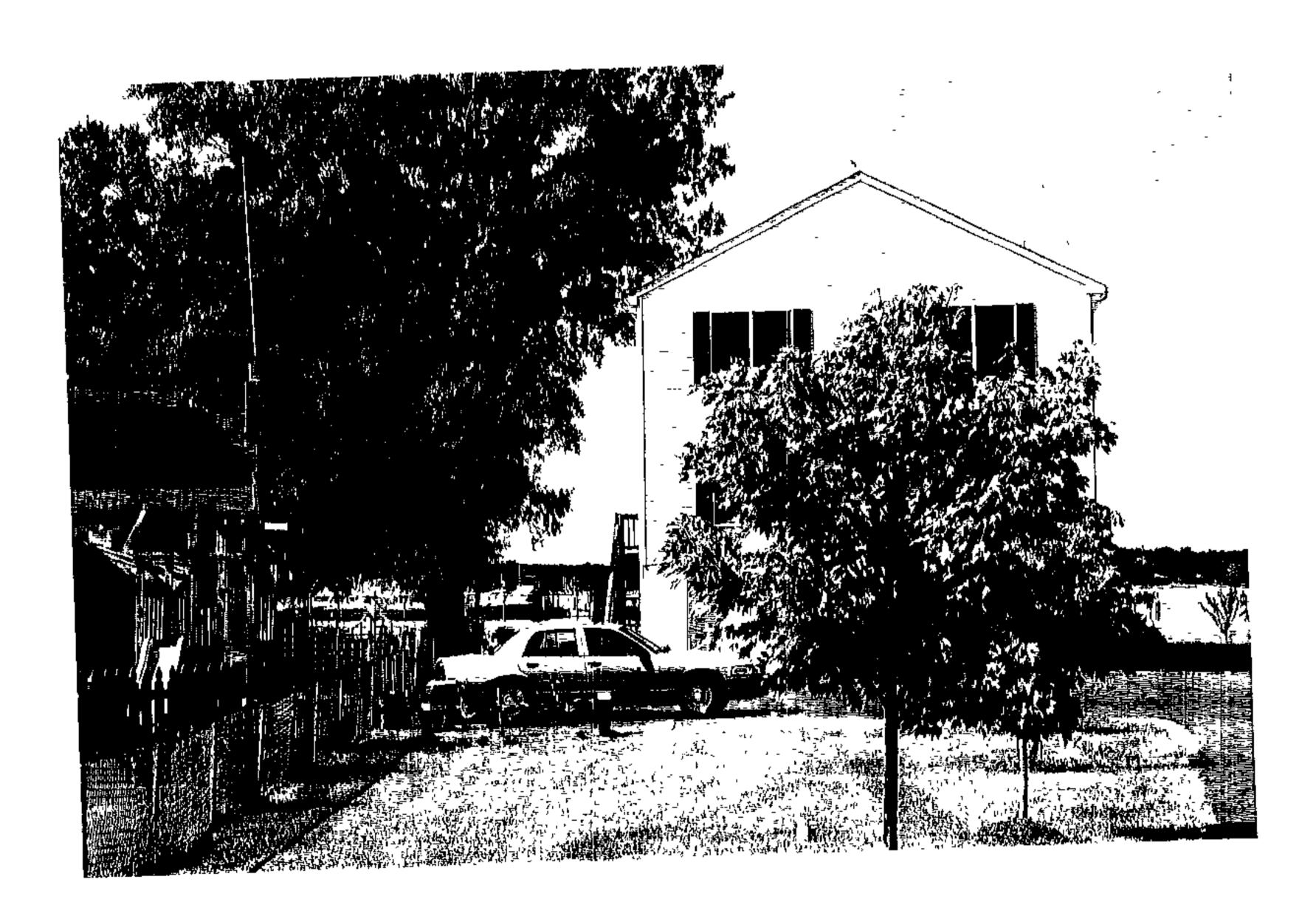


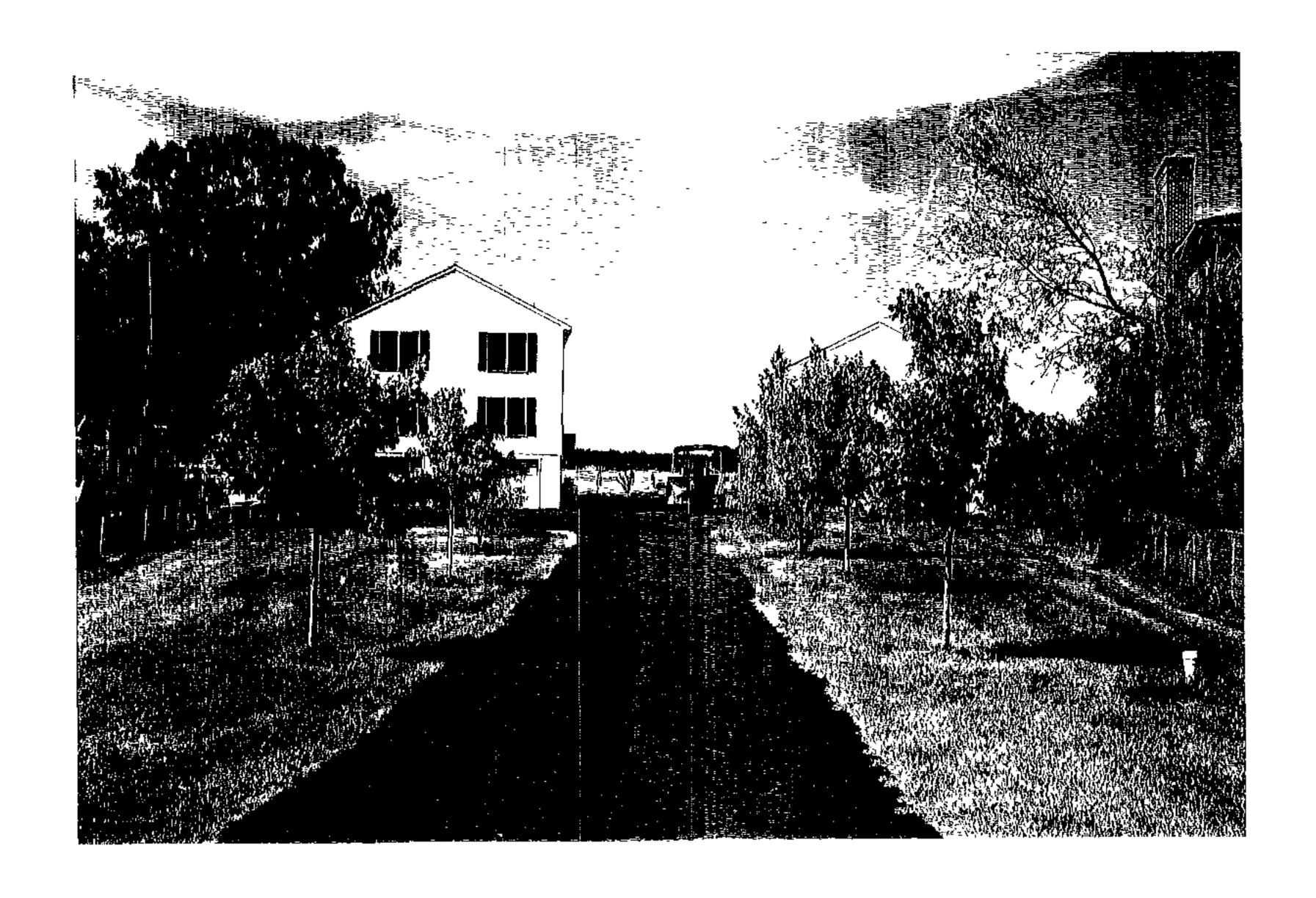
















Zoning Commissioner
Office of Planning
401 Bosley Avenue, Suite 405
County Courts Building
Towson, Maryland, 21204

FRANKE G

Return Service Requested













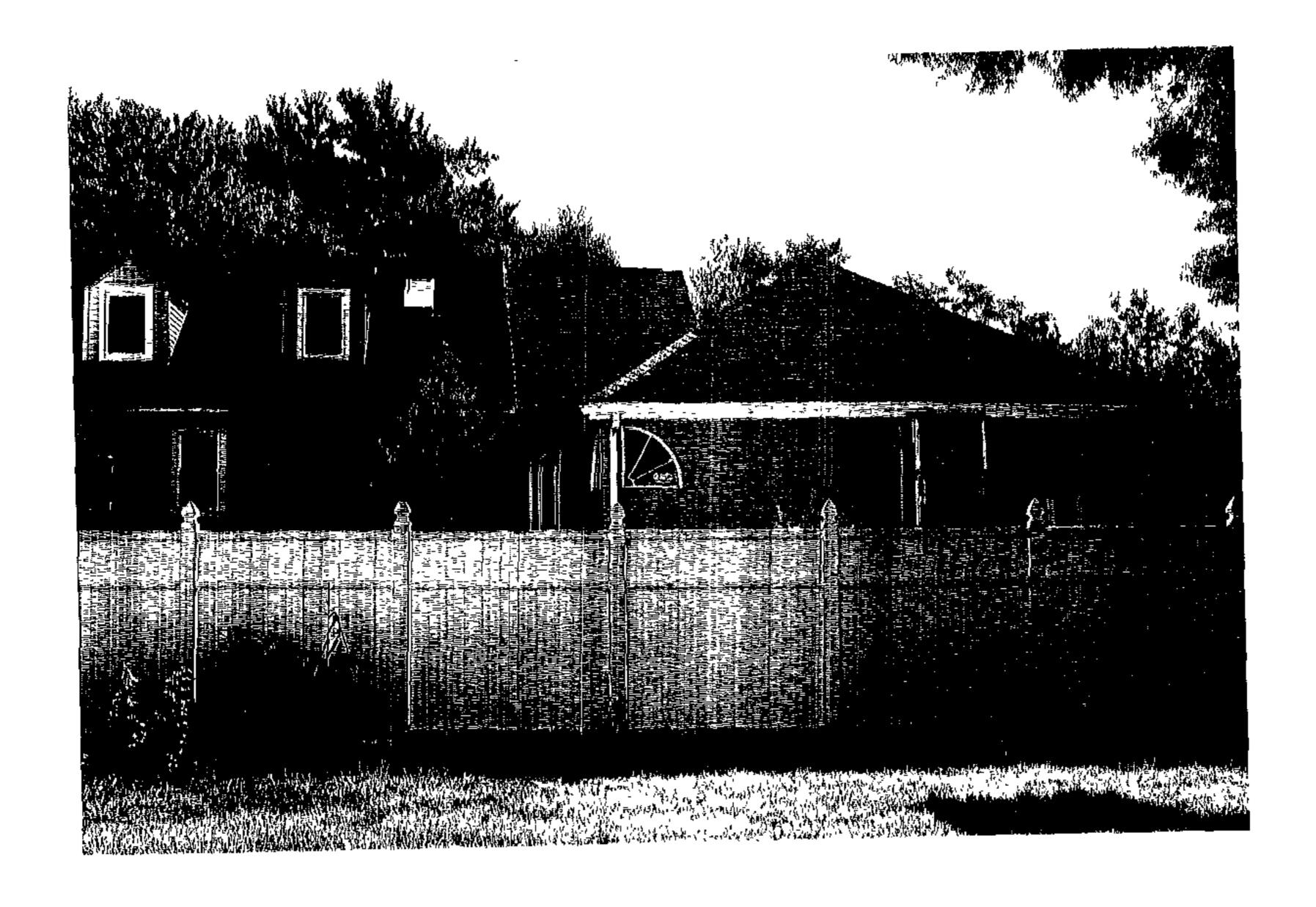
Zoning Commissioner
Office of Planning
401 Bosley Avenue, Suite 405
County Courts Building
Towson, Maryland, 21204

Thomas # 57 # 57 # 57

Return Service Requested













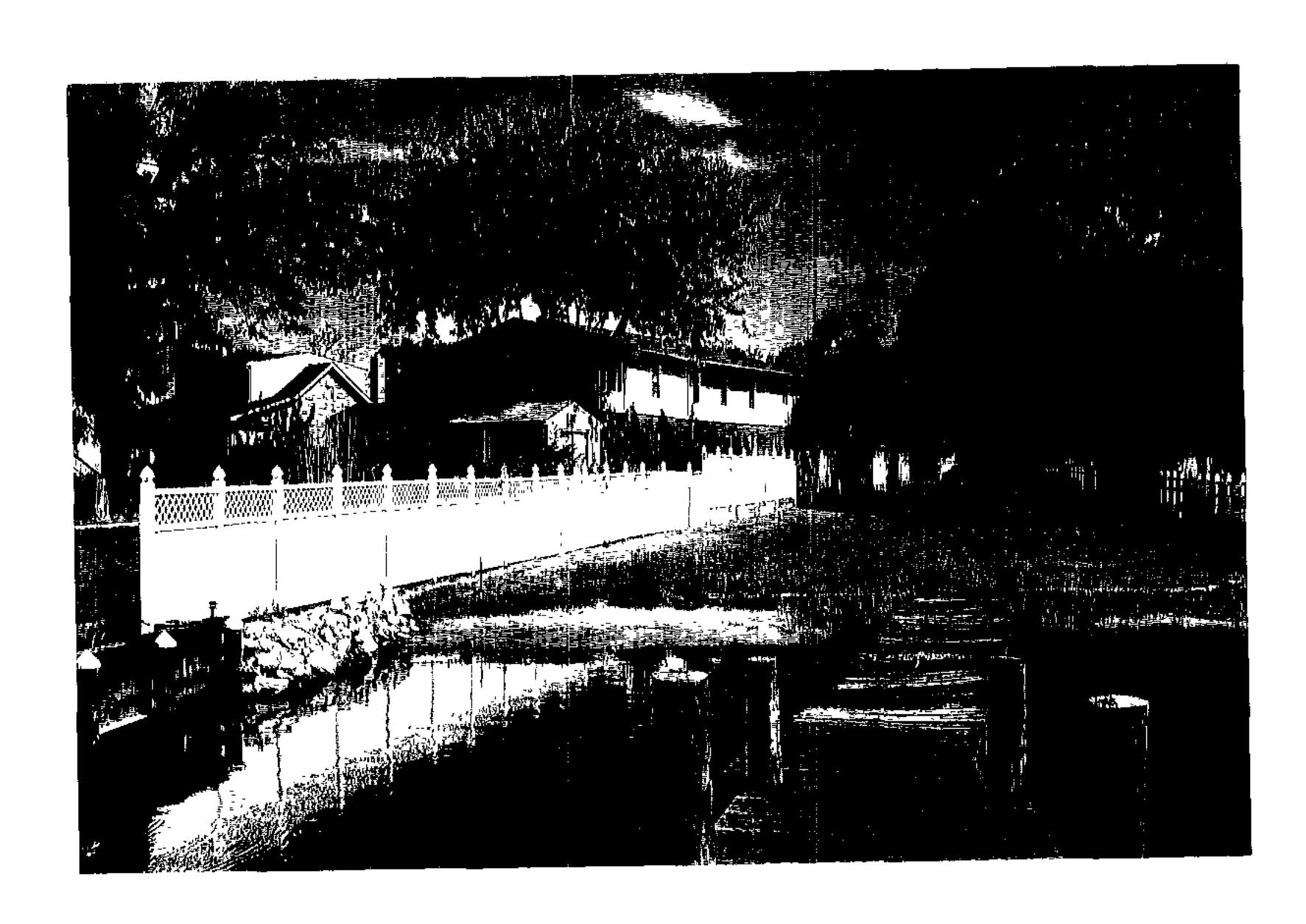




















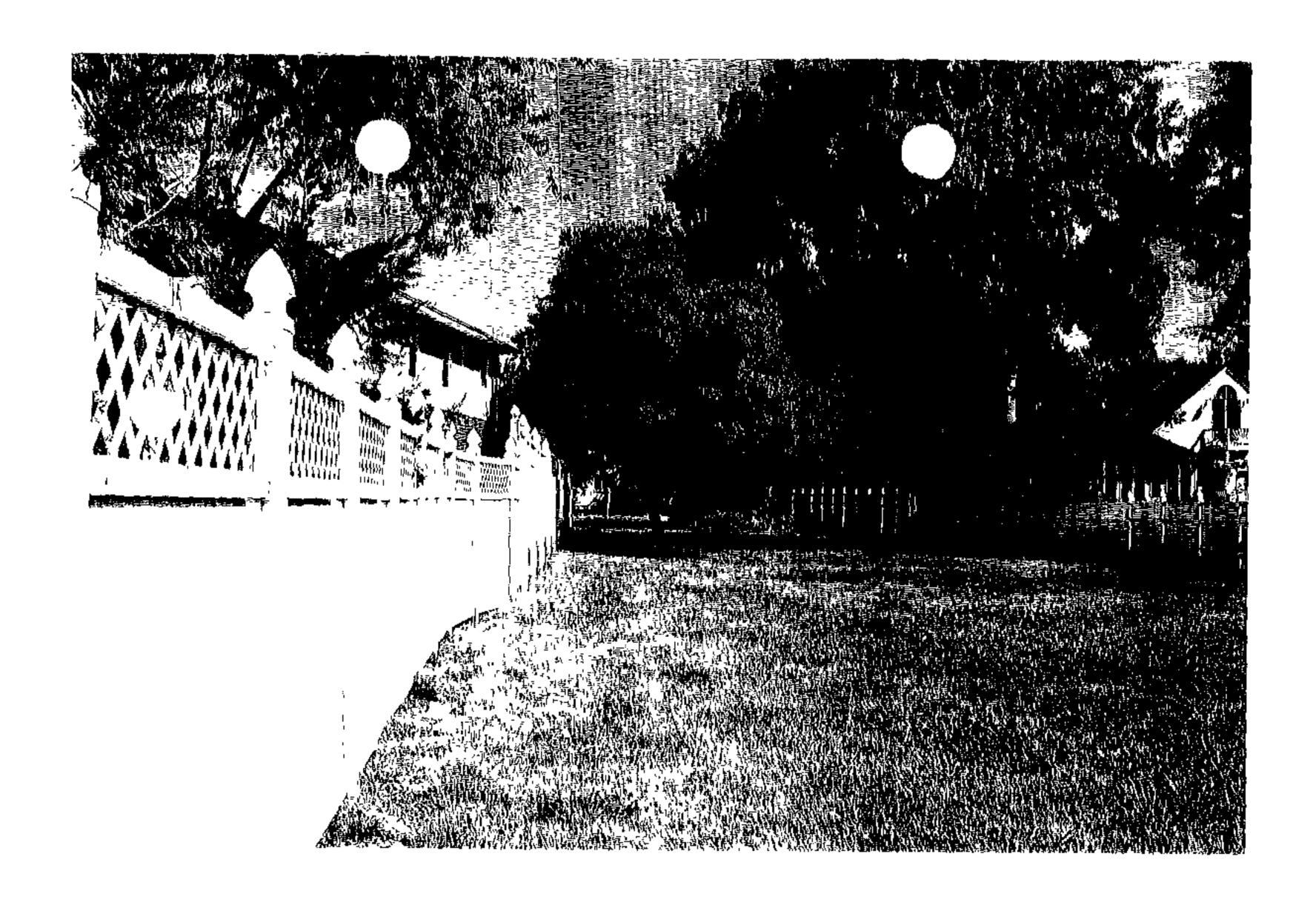
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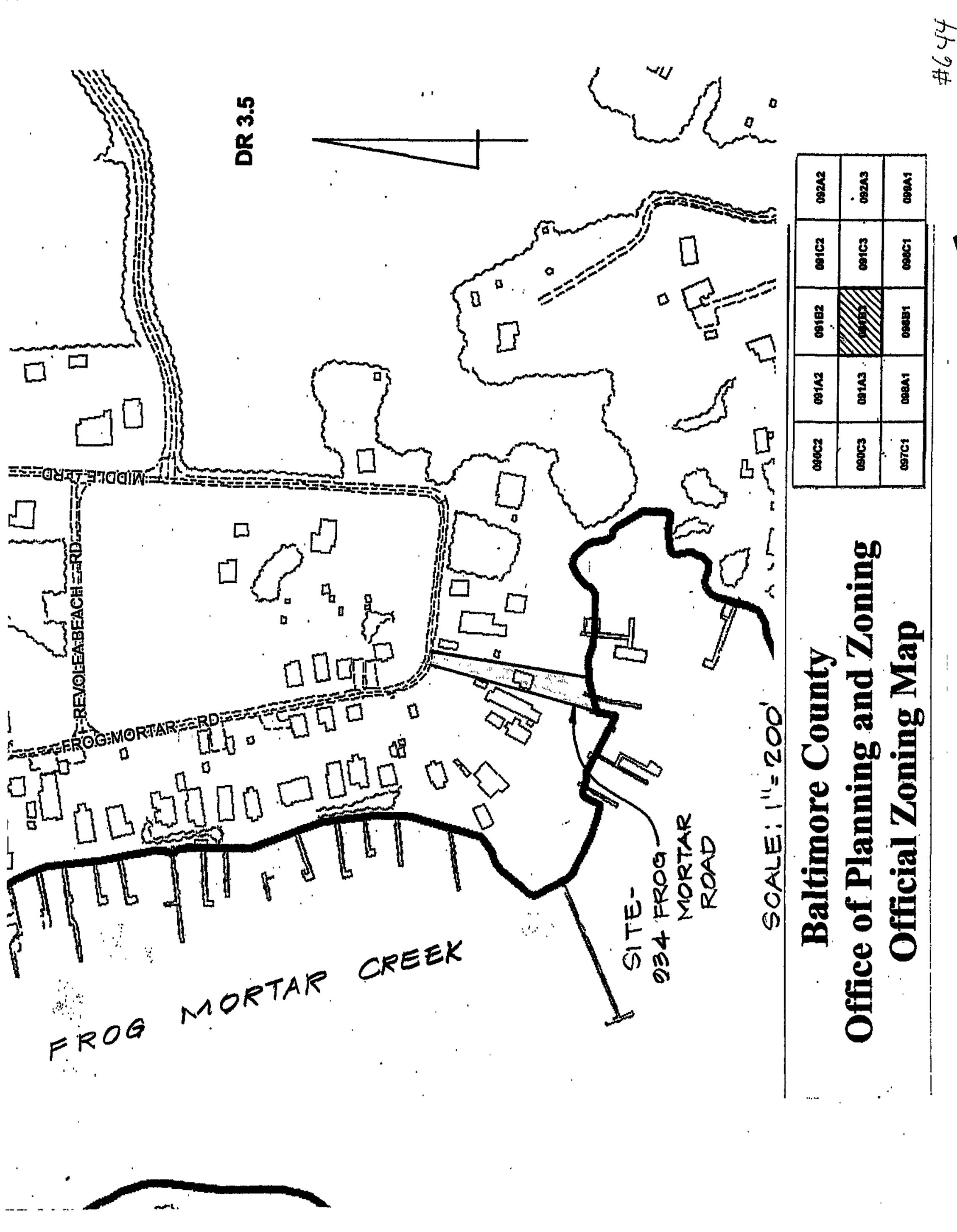




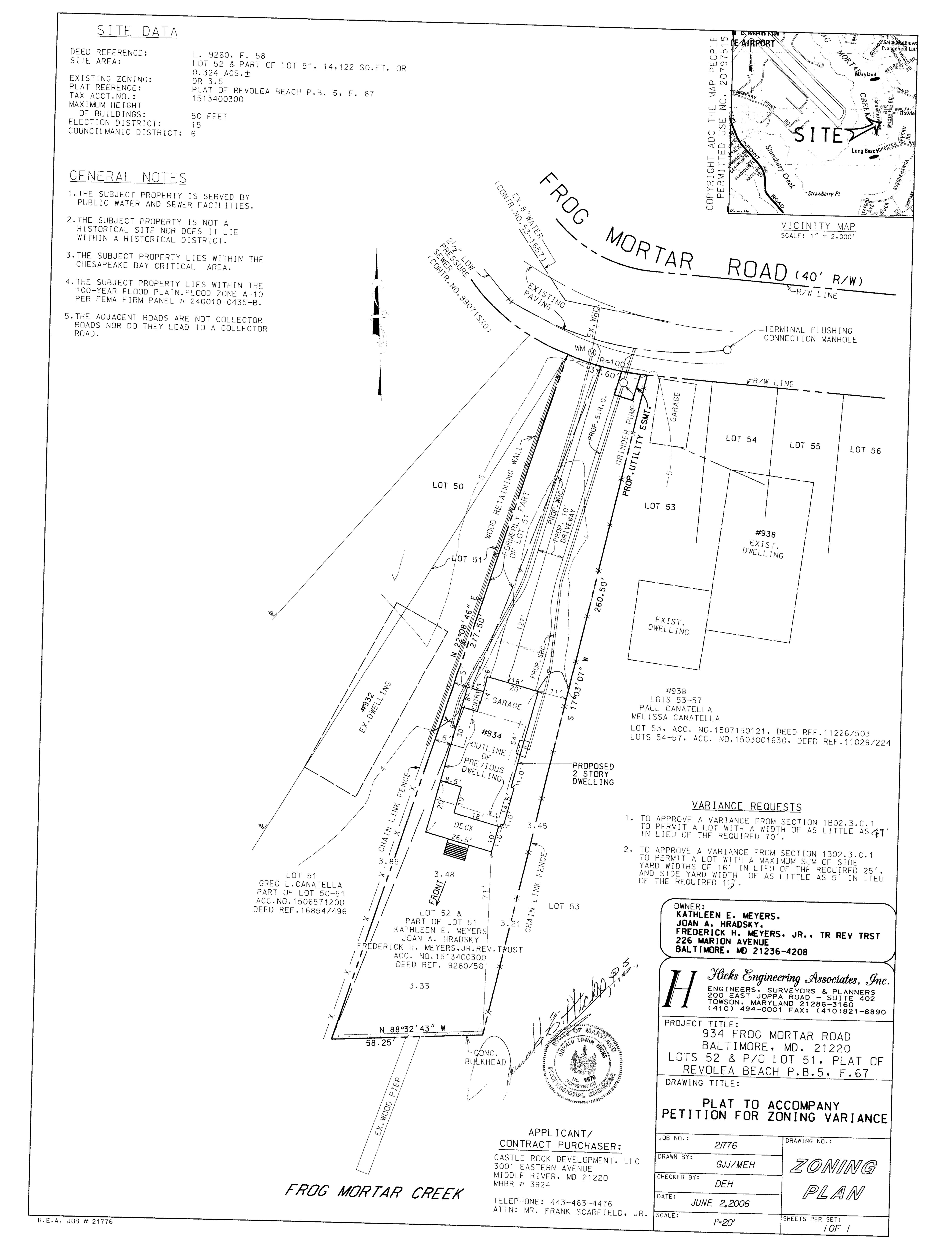


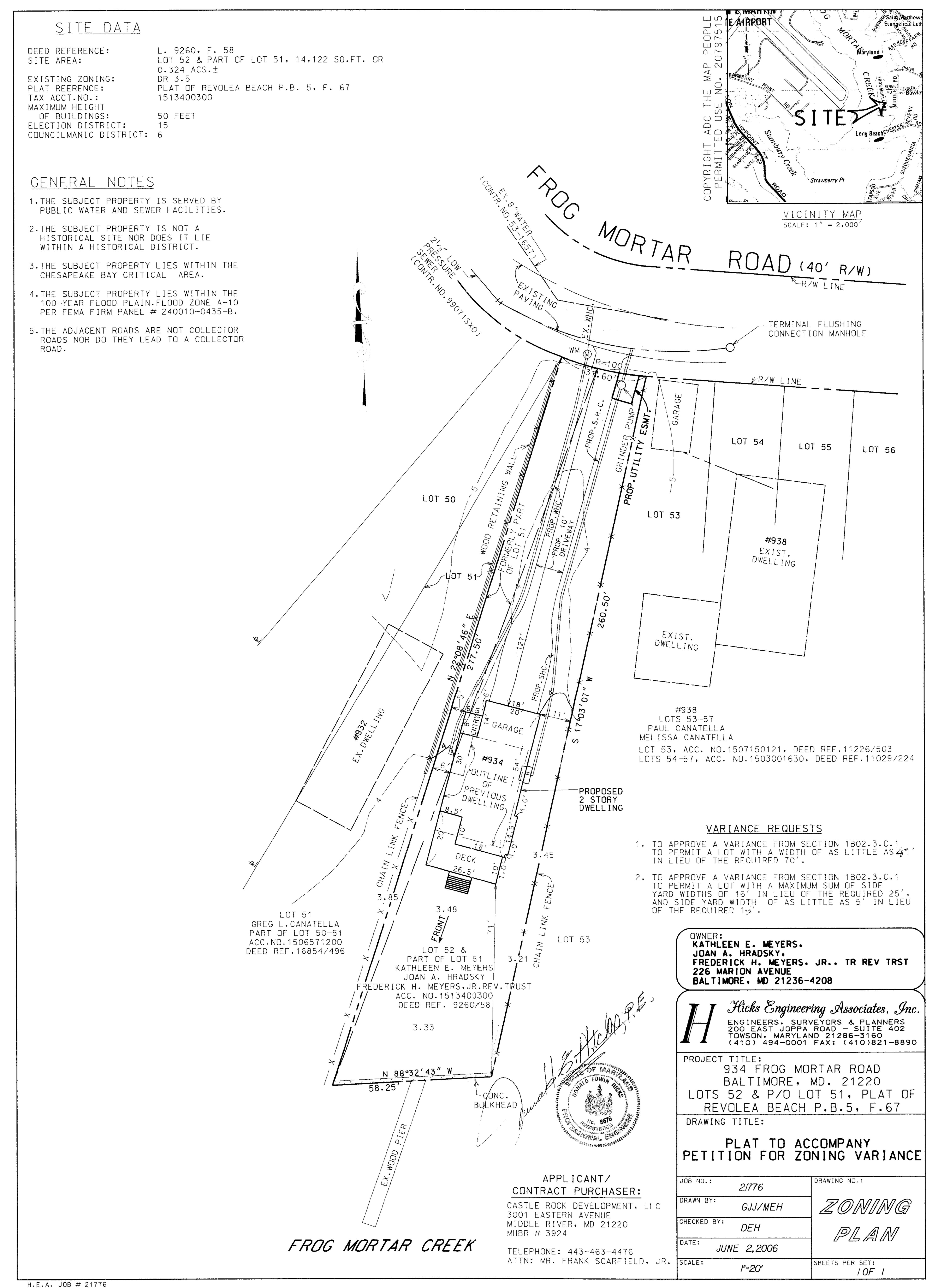






MIDDLE RIVER (FROG MORTAR CREEK) MORTAR FROG 50.5 CD E 71 698 147.75 78 10.05 50.13 50/4 50 13 50/3 MIDDLE 200' AD. 200' 2005' 200,51 65.78 | 30 13 | 30 13 | 30 13 | 30 13 | 30 13 | 30 13 | 30 13 | 30 13 | 30 13 | 30 13 | 30 13 | 30 13 | 30 13 | ROAD 180 81 82 83 84 85 86 87 6 3. N. 2. 11. 15, N. 2 79 115 113 112 3.16:15W. 8 18.7 111 110 109 100 107 106 105 X64.65 <u>፟</u>ፗጚጜኯ 258.3A 2.58.30 256.95





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exhibit 3. She further indicated that there had been a home on the property in the past, the foundation of which is shown on exhibit 1 and the aerial photograph exhibit 4 A. She also presented extensive photographs of the property, the adjoining properties and the area as exhibits 5, 6 and 7. Finally she presented elevations of the proposed house which she noted was identical to a house in the area and opined was fully compatible with the neighborhood.

Mr. Hicks, a civil engineer, described the property and pointed out the wedge shape of the lot which has 31.6 feet of frontage on Frog Mortar Road and 58 feet of waterfront. He noted that this odd shape made it difficult to fully comply with the DR 3.5 regulations, that most lots in the area are rectangular and the regulations impact this property differently from others in the area. He pointed out however that the proposed house will have 10 feet to the eastern property line to allow emergency access to the water. He noted that he could lessen to some degree the variance requested by moving the proposed house closer to the water where the lot is wider but the result would be to block the view of the water from adjoining homes. He indicated that the Petitioner would comply with all ZAC comments.

In response to questions about conforming to the side yard setback requirements, he opined that meeting the regulations would reduce the width of the home 10 feet resulting in a home similar to a row home which would not be compatible with the neighborhood.

Mr. Billingsley who represented adjacent property owners, Paul and Malissa Canatella, indicated his clients agreement to the new house at the location shown in red on exhibit 1.

Greg Canatella, adjacent property owner on the western side of the subject property, opposed any new home on the property except on the foundation and footprint of the previous home. He further objected to any house on the property which would be raised on