IN RE: PETITION FOR VARIANCE

N/S of Glenhurst Road, 280 feet of the c/l of Blatzer Road

15th Election District
7th Councilmanic District

(3922 Glenhurst Road)

Jennifer Aaron
Petitioner

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

*

CASE NO. 07-041-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Jennifer Aaron. The Petitioner is requesting variance relief for property located at 3922 Glenhurst Road. The variance request is from Section 1B02.3.C.1 Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed dwelling with a side yard setback of 9.7 feet on both sides in lieu of the required 10 feet respectively.

The property was posted with Notice of Hearing on September 19, 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 September 19, 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

10-4-06 - 10-4 -

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: ZAC comment letters were received from the Bureau of Development Plans Review dated August 8, 2006 which contains restrictions, and the Department of Environmental Protection and Resource Management dated September 7, 2006 which contains restrictions. Copies of which are attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the variance request were Jennifer Aaron, Petitioner, and Scott Chilton, with Chesapeake Bay Homes. There were no protestants or citizens at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

The subject waterfront property contains 0.219 acres +/- zoned DR 5.5 and is improved by an existing one story dwelling which Mr. Chilton described as a "shore shack". He indicated that it is in poor repair, has no building foundation as it simply sits

MINIOUN FILMS

district. In addition the lot narrows as it goes from the road to the water which causes the need for side yard variances.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. It is not practical to build a non square house.

No increase in residential density beyond that otherwise allowable by the Zoning Regulations will occur as a result of granting this variance as this is a replacement dwelling and the lot size exceeds the DR 5.5 requirements.

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 pattern of development shown by the Petitioner is similar to this plan so there will be no change to the character of the neighborhood. The existing house and house next door are much closer to the property line than the proposed house.

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 4th day of October, 2006 by this Deputy Zoning Commissioner, that the Petitioner's variance request from Section 1B02.3.C.1 Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed dwelling with a side yard setback of 9.7 feet on both sides in lieu of the required 10 feet respectively is hereby GRANTED to the following conditions:

TO-4-06

- 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 shall require 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. 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).
- 8. This property is within the Limited Development Area (LDA) and Buffer Management Area (BMA) of the CBCA. Impervious surface area is limited to 25% of the lot size, and must maintain 15% tree cover. Any impervious surface area over 25% will require mitigation or removal. BMA regulations state that no structure is allowed within 25 feet of the water without variance approval from DEPRM. Any disturbance to the 100 foot buffer will require mitigation (BMA regulation).

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

October 4, 2006

WILLIAM J. WISEMAN III

Zoning Commissioner

JENNIFER AARON 3922 GLENHURST ROAD BALTIMORE MD 21222

> Re: Petition for Variance Case No. 07-041-A

Property: 3922 Glenhurst Road

Dear Ms. Aaron:

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

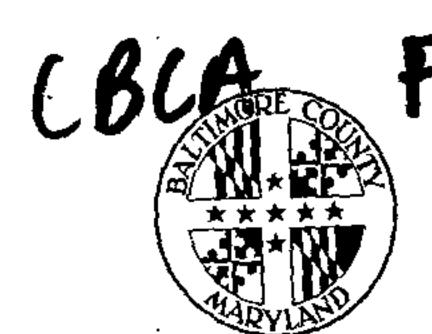
Deputy Zoning Commissioner

John V. Merphy

JVM:pz

Enclosure

c: Scott Chilton, Chesapeake Bay Homes, 27 Neptune Drive, Joppa MD 21085



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3922 Glenhurst Road which is presently zoned <u>DR 5.5</u>

This Petition shall be filed with the Department of Permits and Develo	pment 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) 1302.3.C.1	BCZR

To permit a proposed dwelling with a side yard selbacks of 9.7' on both sides in her vegived to vespectively.

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

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.

1881a de colombi, doctors and offirm, under the appolition of

		do solemnly declare and affirm, under the penalties of we are the legal owner(s) of the property which stition.
Contract Purchaser/Lessee:		<u>Legal Owner(s):</u>
		Jennifer Aaron
lame - Type or Print		Name - Type or Print
ignature		Signature
ddress	Telephone No.	Name - Type or Print
Sta	te Zip Code	Signature 2027 Classic Dand Non 275 BLC
Attorney For Petitioner:		3922 Glenhurst Road 410-375-818 Address Telephone No.
		BALTIMORE MD 2122Z
lame - Type or Print		City State Zip Code
ignature		Representative to be Contacted:
		Chesapeake Bay Homes
Company		Name
ddress	Telephone No.	27 Neptone Drive 410-538-470 Address, Telephone No.
		Joppa MD 21085
Sta	te Zip Code	City State Zip Code
		OFFICE USE ONLY
Case No. 07-041-	^	ESTIMATED LENGTH OF HEARING
المراك والمراكب والمعامد المعامد المعا	Reviewed By	UNAVAILABLE FOR HEARING
EV.0/45/00. 16 11. D	Keviewed B	y Date _8/1/0C

ZONING DESCRIPTION FOR 3922 Glenhurst Road, Baltimore, Maryland 21222.

Beginning at	a point on the _	H.E	_ side of _	GLAH	HURST PD.	
					280'	
of the cente	rline of the near	est impro	ved interse	ecting stree	t BLATZAR	RO.
which is	50'		wide	e. *Being L	ot #	··-•
					LAH HURST	
	in Baltimore Cou					
					urst Poad	
	in the 15 TH Elec					

41

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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: # 07-041-A 3922 Glenhurst Road

North side of Glenhurst Road at the distance of 280 teet of the centerline of Blatzar Road.

15th Election District — 7th Councilmanic District

Legal Owner(s): Jennifer Aaron

Variance: to permit a proposed dwelling with a side yard setback of 9.7 feet on both sides in lieu of the required 10 feet respectively.

Hearing: Tuesday, October 3, 2006 at 2:00 p.m. In Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County -

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

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

1097

CERTIFICATE OF PUBLICATION

9/21,2006
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 9/19/,2006.
The Jeffersonian
Arbutus Times Cotonavillo Timos
☐ Catonsville Times ☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

J. Willing LEGAL ADVERTISING

CERTIFICATE OF POSTING

•	RE: Case No.: 07-04/-14
The state of the s	Petitioner/Developer: JENNIFER
	AARON
	Date of Hearing/Closing: OC+ 3, 200
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue	· •
Towson, Maryland 21204	- · · · · · · · · · · · · · · · · · · ·
ATTN: Kristen Matthews {(410) 887-339	4}
Ladies and Gentlemen:	
The sign(s) were posted on	2-18-06 (Month, Day, Year) Sincerely, Robint Black 9-19-06
TONIE	(Signature of Sign Poster) (Date)
ZONIRG NOTICE	SSG Robert Black
A PUBLIC MEARING WILL BE HELD BY	(Print Name)
PLACE. Turster Octor & 3. 20002000	1508 Leslie Road
DATE AND TIME. WESTERS: Various St. Property & Developed Supressions WESTERS: Various St. P. S. Property St. Property St. P. S. P.	(Address)
Self-Market and they are self-at-less than the self-at-less than t	Dundaik, Maryland 21222
AND PROPERTY AND ADDRESS OF THE PARTY OF THE	(City, State, Zip Code)
	(410) 282-7940
\ 	(Telephone Number)

RE: PETITION FOR VARIANCE

3922 Glenhurst Road; N/S Glenhurst Road,

280' c/line Bletzar Road

15th Election & 7th Councilmanic Districts

Legal Owner(s): Jennifer Aaron

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

* 07-041-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 4th day of August, 2006, a copy of the foregoing Entry of Appearance was mailed to, Chesapeake Bay Homes, 27 Neptune Drive, Joppa, MD 21085, Representative for Petitioner(s).

RECEIVED

ACC 0 4 2006

telee Max Simmeriian

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per.....

TO: PATUXENT PUBLISHING COMPANY

Tuesday, September 12, 2006 Issue - Jeffersonian

Please forward billing to:

Jennifer Aaron 3506 Old Crown Drive Pasadena, MD 21122 410-375-8185

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: 07-041-A

3922 Glenhurst Road

Northside of Glenhurst Road at the distance of 280 feet of the centerline of Blatzar Road 15th Election District – 7th Councilmanic District

Legal Owner: Jennifer Aaron

Variance to permit a proposed dwelling with a side yard setback of 9.7 feet on both sides in lieu of the required 10 feet respectively.

Hearing: Wednesday, September 27, 2006 at 2:00 p.m. in Room 106, County Office Building, 1111 Vest 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. TO: PATUXENT PUBLISHING COMPANY

Tuesday, September 19, 2006 Issue - Jeffersonian

Please forward billing to:

Jennifer Aaron 3506 Old Crown Drive Pasadena, MD 21122 410-375-8185

CORRECTED 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: 07-041-A

3922 Glenhurst Road

Northside of Glenhurst Road at the distance of 280 feet of the centerline of Blatzar Road 15th Election District – 7th Councilmanic District

Legal Owner: Jennifer Aaron

Variance to permit a proposed dwelling with a side yard setback of 9.7 feet on both sides in lieu of the required 10 feet respectively.

Hearing: Tuesday, October 3, 2006 at 2:00 p.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

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

August 15, 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: 07-041-A

3922 Glenhurst Road

Northside of Glenhurst Road at the distance of 280 feet of the centerline of Blatzar Road 15th Election District – 7th Councilmanic District

Legal Owner: Jennifer Aaron

<u>Variance</u> to permit a proposed dwelling with a side yard setback of 9.7 feet on both sides in lieu of the required 10 feet respectively.

Hearing: Wednesday, September 27, 2006 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Jennifer Aaron, 3922 Glenhurst Road, Baltimore 21222 Chesapeake Bay Homes, 27 Neptune Drive, Joppa 21085

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 12, 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 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

August 30, 2006

NEW 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: 07-041-A

3922 Glenhurst Road

Northside of Glenhurst Road at the distance of 280 feet of the centerline of Blatzar Road 15th Election District – 7th Councilmanic District

Legal Owner: Jennifer Aaron

Variance to permit a proposed dwelling with a side yard setback of 9.7 feet on both sides in lieu of the required 10 feet respectively.

Hearing: Tuesday, October 3, 2006 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Fimothy Kotroco rector

Director

TK:klm

C: Jennifer Aaron, 3922 Glenhurst Road, Baltimore 21222 Chesapeake Bay Homes, 27 Neptune Drive, Joppa 21085

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, SEPTEMBER 18, 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.

Item Number or (Case Number: 07-041-4.
Petitioner:	Jennifer Aaron
Address or Local	ion: 3922 Glenhurst Rd. Batta, MD 21226
-	
-	ARD ADVERTISING BILL TO: Jenn, fer Aaron
PLEASE FORW	ARD ADVERTISING BILL TO:



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

September 28, 2006

Jennifer Aaron 3922 Glenhurst Road Baltimore, MD 21222

Dear Ms. Aaron:

RE: Case Number: 07-041-A, 3922 Glenhurst Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 1, 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,

W. Carl Richards, Jr.

Supervisor, Zoning Review

u. Callibal)

WCR:amf

Enclosures

c: People's Counsel

Chesapeake Bay Homes 27 Neptune Drive Joppa 21085

Fire Department

700 East Joppa Road Towson, Maryland 2128 :-5300 Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive John J. Hohman, Chief

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 212)4

August 3,2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: August 3,2006

Item No.: 031, 036, 037, 038, 039, 040, 041, 042, 043 and 044

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

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

Acting Lieutenant Don W. Muddiman Fire Marshal's Office 410-887-4880 MS-1102F



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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: August 8, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 14, 2006

Item No. 041

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

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

The flood protection elevation for this site is 10.4 feet.

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

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

The building engineer shall require a permit for this project.

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

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

DAK:CEN:clw

cc: File

ZAC-ITEM NO 041-08082006.doc

TO CTOOLET





Inter-Office Correspondence

RECEIVED



SEP 1 2 2006

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Jeff Livingston, DEPRM - Development Coordination

DATE:

September 7, 2006

SUBJECT:

Zoning Item

07-41-A

Address

3922 Glenhurst Road

Baltimore, MD 21222

Zoning Advisory Committee Meeting of August 7, 2006

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

_X __ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

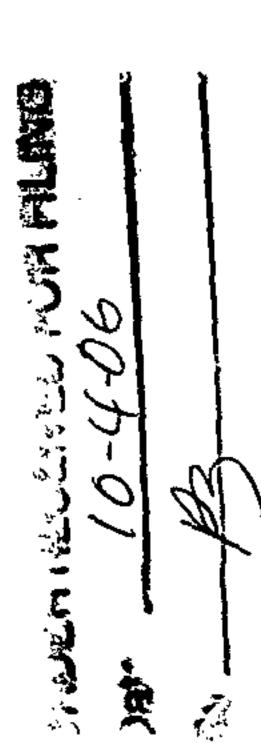
This property is within the Limited Development Area (LDA) and Buffer Management Area (BMA) of the CBCA. Impervious surface area is limited to 25% of the lot size, and must maintain 15% tree cover. Any impervious surface area over 25% will require mitigation or removal. BMA regulations state that no structure is allowed within 25 feet of the water, without variance approval from this Department. Any disturbance to the 100-foot buffer will require mitigation (BMA regulation).

Reviewer:

Kevin Brittingham

Date: 08/17/2006

S:\Devcoord\I ZAC-Zoning Petitions\ZAC 2007\ZAC 07-41-A.doc



10-3 5M

BALTIMORE COUNTY, MARYLAND

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) 7-041- Variance

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.

For further questions or additional information concerning the matters stated herein, please contact Amy Mantay in the Office of Planning at 410-887-3480.

Prepared By

Division Chief:

CM/LL

RECEIVED

DATE: August 9, 2006

AUG 1 8 2006

ZONING COMMISSIONER



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

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

Maryland Department of Transportation

Date: 8.3.06

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

RE:

Baltimore County

Item No. 74/

JRF

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. Helle

Engineering Access Permits Division

Department of Permits Add 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

August 30, 2006

Jennifer Aaron 3922 Glenhurst Road Baltimore, MD 21222

Dear Ms. Aaron:

RE: Case Number: 07-041-A, 3922 Glenhurst Road

The above matter, previously scheduled for 9/27/06, has been postponed at the request of Chesapeake Bay Homes. The hearing has been rescheduled and the new notice is attached.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with the notice of the original hearing date, as quickly as possible after you have been notified, the new hearing date should be affixed to the sign(s).

Very truly yours,

Timothy Kotroco

Director

TK:klm

C: Chesapeake Bay Homes, 27 Neptune Drive, Joppa 21085



Chesapeake Bay Homes 27 Neptune Drive Joppa, MD 21085

Phone 410.538.4700

Fax 410.538.4949

Email obhoffice@verizon.net



Kristen fore OK to postpore

August 22, 2006

Baltimore County Department Of Permits and Development Management 111 W. Chesapeake Avenue Towson, Maryland 21204

RE: Case Number 07-041-A 3922 Glenhurst Road

Kristen Matthews,

I received the notice of zoning hearing letter dated August 15, 2006. The hearing is currently scheduled for Wednesday September 27, 2006 at 2:00pm. Unfortunately, I will be out of town from September 19, 2006 thru September 30, 2006, and would like to change the meeting if possible to the first week in October. Thank you for your help in this matter.

Sincerely,

Scott Chilton

Chesapeake Bay Homes

Chesapeake Bay Homes 27 Neptune Drive Joppa, MD 21085

Phone 410.538.4700

Fax 410.538.4949

Email CBHoffice@verizon.net



Fax

To:	Kristen Matthews	From:	Scott Chilton
Company:	Dept Of Permits & Dev Mgmt	GC:	· · · · · · · · · · · · · · · · · · ·
Fax No.	410-887-3048	Date:	8/22/06
Re:	Case Number 07-041-A	_	

PLEASE PRINT CLEARLY

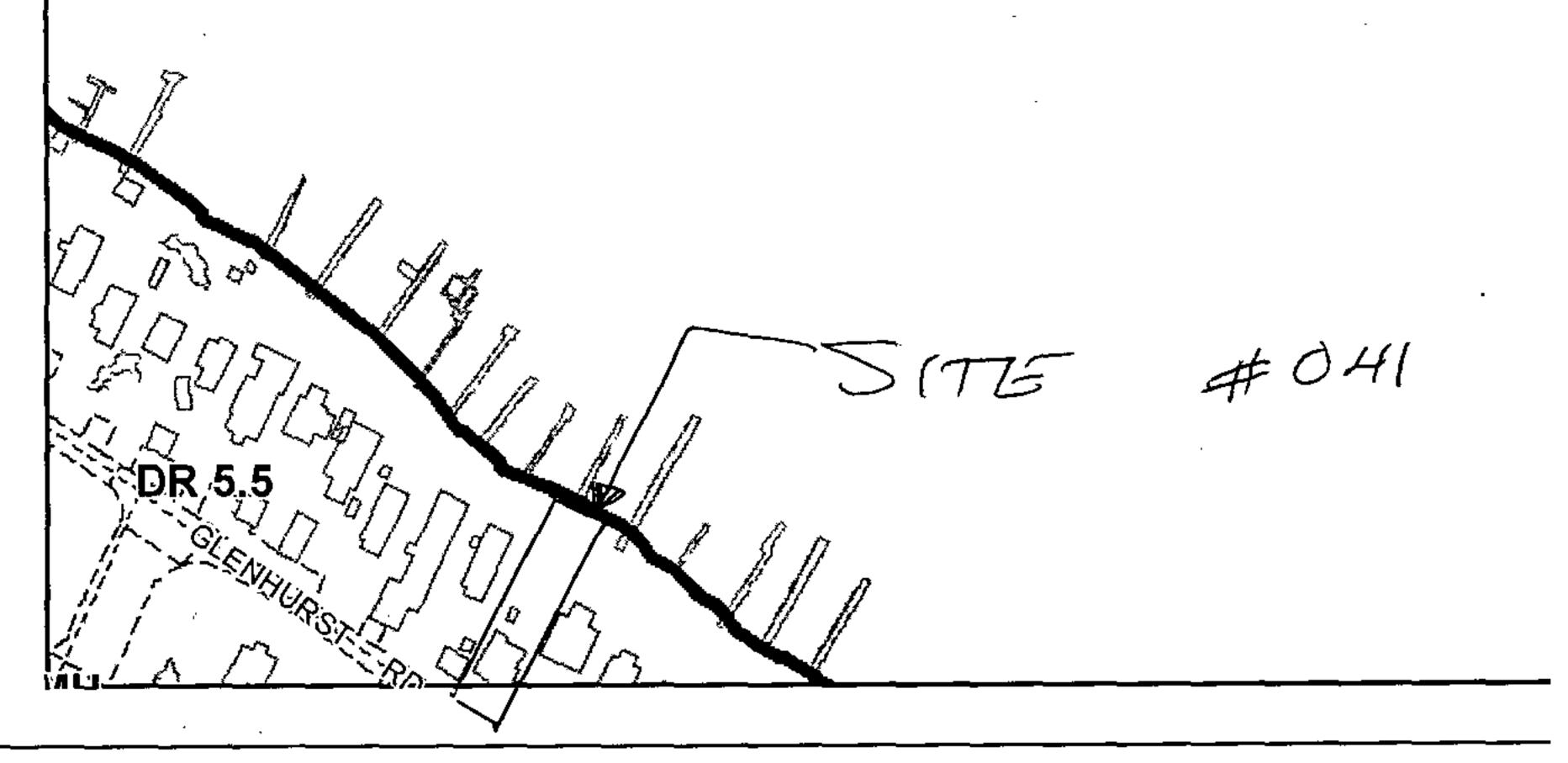
CASE NAME

CASE NUMBER

DATE OCT 3 2006

PETITIONER'S SIGN-IN SHEET

									Sensites Phason	Scott CHILTON	NAME
									3506 Old Gown Drive	27 HEPRINE DEIDE	ADDRESS
									2		CITY, STATE, ZIP
									18	CBHMBS/0 UEBJON. HET	E-MAIL



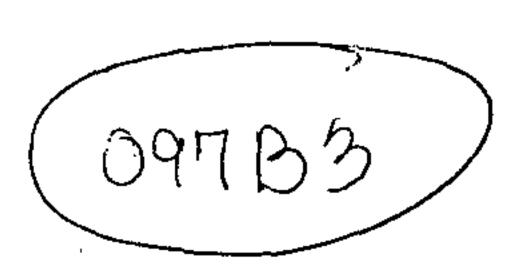
ın Sheet: 097B3


zoning depicted in this application incorporates the actions sociated with County Council Bills 82-04, 83-04, 84-04, 85-04, 04, 87-04, 88-04, and 89-04 adopted by the County Council on gust 31, 2004. The action associated with County Council Bill -04 adopted on December 6, 2004 is also depicted. In addition, inty Board of Appeals actions from MC 05-01, MC 05-02, MC 03, and MC 05-04 on February 9, 2005 are represented in this lication.

Legend

Zoning

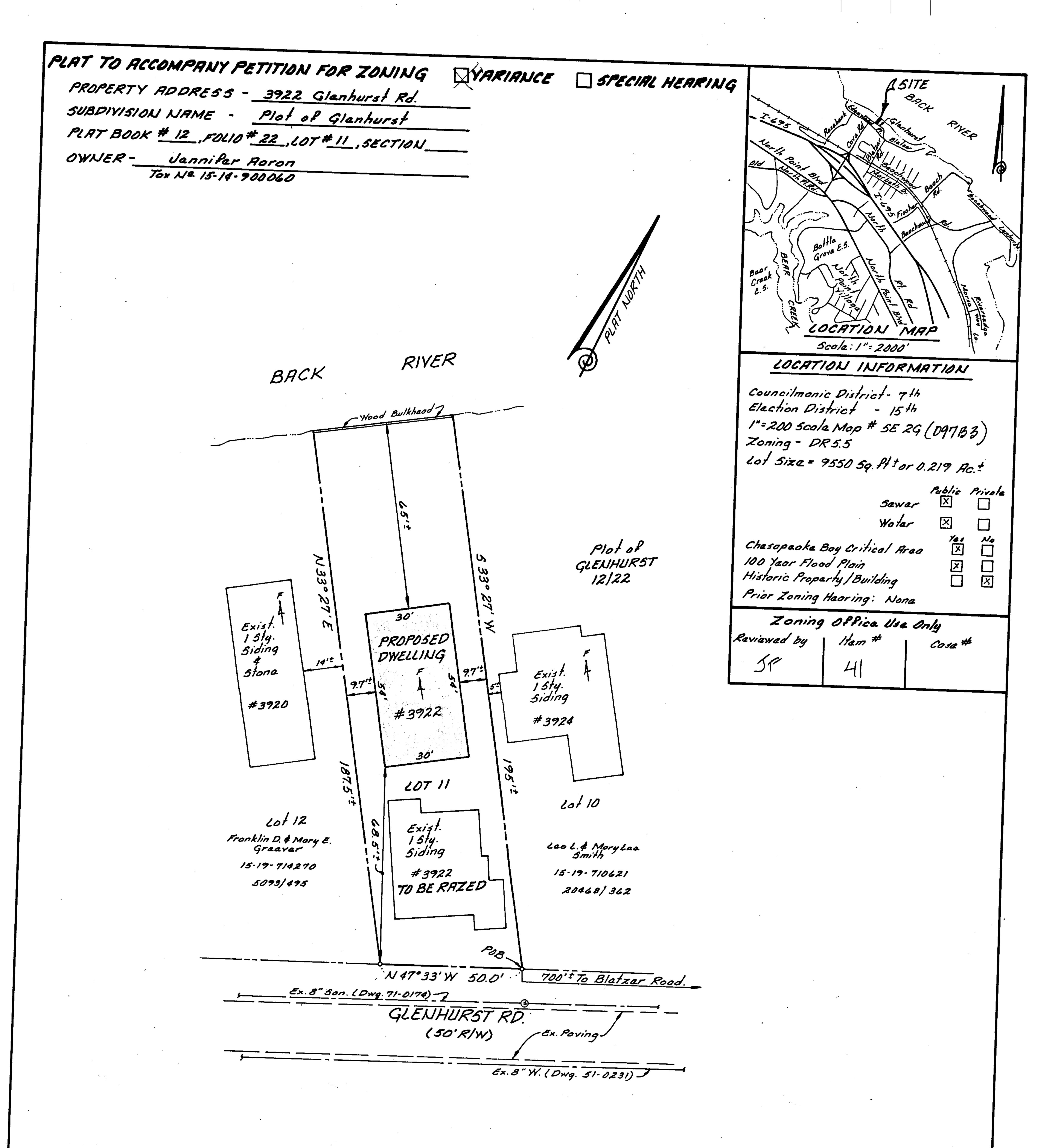
Buildings







A A A



I Laonard G. Buarhous, the Surveyor whose seal and signature is fixed on this survey plat either personally prepared the Boundary Survey or was in responsible charge over its production and the surveying work reflected initis in compliance with the requirements set forth in regulation 09.13.06 of the Annotated Code of Maryland. This survey is for the exclusive use where noted.

There are no visible Encroachments across property lines, except

Laonard G. Buarhous, Ragistarad Proparty Lina Survayor # 349

LGB SURYEYS LLC

PREPARED BY: Nottinghom, Md. 21236 (410-256-3135

SCALE OF DRAWING: 1"-20"

Dota

on several concrete blocks and is an eyesore to the community. He noted that this property is Lot 11 of the Glenhurst subdivision was recorded in the land records of the County in 1938 as shown by exhibit 2. The lot is nominally 50 x 190 feet.

The Petitioner would like to raze the existing dwelling and replace it with a 30 by 54 foot new dwelling as shown on exhibit 1. The new home would move toward the water as shown to line up with the homes on adjoining lots. Mr. Chilton noted that the need for variance arises because the lot narrows slightly as it goes from road to water. So that the proposed 30 foot home meets the regulations in the front, but misses the regulations in the rear by several inches on each side. Thus the request for variance of only several inches. See elevations of the proposed home on exhibit 3. He opined that shaving off several inches of the proposed house or building a non square house was not practical.

In regard to pattern of development of the neighborhood, he noted that the house next door is 5 feet from the property line, the existing house is 3 feet from the property line and virtually all the waterfront lots in the area have one house on one 50 foot wide lot.

Findings of Fact and Conclusions of Law

Considering all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. This subdivision and the subject lots were created much before the zoning was imposed on the area. The imposition of zoning on this property disproportionably impacts the subject property as compared to others in the zoning