

IN RE: PETITION FOR ADMIN. VARIANCE  
S/S of Frog Mortar Road, west of c/l of  
Middle Road  
15<sup>th</sup> Election District  
6<sup>th</sup> Councilmanic District  
**(938 Frog Mortar Road)**

Paul L. Canatella and Malissa A. Canatella  
*Petitioners*

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\*  
\* CASE NO. 07-077-A

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Paul L. Canatella and Malissa A. Canatella. The variance request is for property located at 938 Frog Mortar Road. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory building (garage) to be increased to a height of 26 feet in lieu of the maximum permitted 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners state that the additional garage height is needed for storage. The existing garage is 1 story, detached, and the Petitioners plan to raise the existing frame garage to 26 feet in height.

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 Department of Environmental Protection and Resource Management dated September 13, 2006 and the Office of Planning dated September 25, 2006. Both comment letters contain restrictions are attached hereto and made a part hereof.

RECEIVED FOR FILING

10-3-06

103

### Applicable Law

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

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

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on September 9, 2006 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits and photographs as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

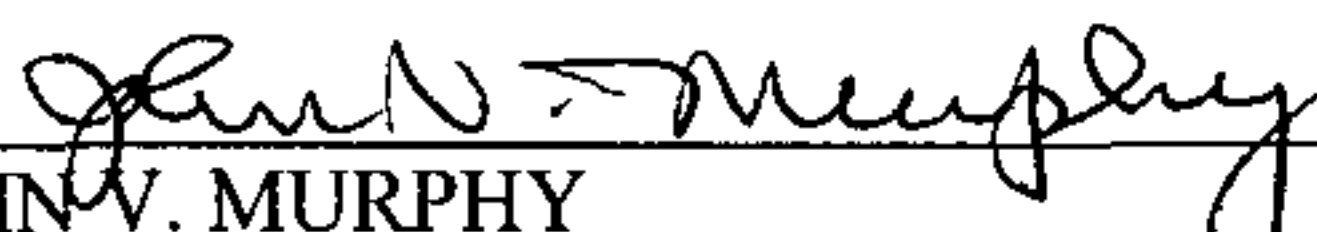
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be GRANTED.

RECEIVED KIM MILLER  
10-3-06  
P3

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 3<sup>rd</sup> day of October, 2006, that a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory building (garage) to be increased to a height of 26 feet in lieu of the maximum permitted 15 feet be and is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004 and other Sections, of the Baltimore County Code).
3. The garage expansion shall not result in any increase in impervious surface area or encroachment into the 100 foot buffer to tidal waters. Impervious surfaces are limited to 15% of the property's area above mean high water.
4. The Petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
5. The accessory structure shall not be used for commercial purposes

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

FILED  
10-30-06  
PS



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

WILLIAM J. WISEMAN III  
*Zoning Commissioner*

October 3, 2006

PAUL L. CANATELLA AND MALISSA A. CANATELLA  
938 FROG MORTAR ROAD  
BALTIMORE MD 21220

Re: Petition for Administrative Variance  
Case No. 07-077-A  
Property: 938 Frog Mortar Road

Dear Mr. and Mrs. Canatella:

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

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

Very truly yours,

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

John V. Murphy  
Deputy Zoning Commissioner

JVM:pz

Enclosure

c: David Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood MD 21040

RECEIVED FOR FILE  
10-3-06  
pz



CB CA

# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 938 FROG MORTAR ROAD  
which is presently zoned DR 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)

400.3 (BCZR) to permit an existing accessory building (garage) to be increased to a height of 26 feet in lieu of the maximum permitted 15

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

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

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

### Contract Purchaser/Lessee:

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

### Attorney For Petitioner:

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

### Legal Owner(s):

PAUL L. CANATELLA  
Signature  
MALISSA A. CANATELLA  
Name - Type or Print  
Signature  
938 FROG MORTAR RD. (410) 241-2605  
Address Telephone No.  
BALTO. MD. 21220  
State Zip Code

### Representative to be Contacted:

DAVID BILLINGSLEY  
CENTRAL DRAFTING AND DESIGN, INC.  
Name  
601 CHARWOOD CT. (410) 679-8719  
Address Telephone No.  
EDGEWOOD MD 21040  
City State Zip Code

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

CASE NO. 07-077-A

Reviewed By

Zoning Commissioner of Baltimore County

Date

8/29/06

REV 9/15/98

ORDER RECEIVED FOR FILING

Estimated Posting Date

9/10/06

10.3.06

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 938 FROG MORTAR ROAD  
Address  
BALTO. MO. 21220  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

OWNER WISHES TO PROVIDE A SECOND LEVEL WITHIN THE GARAGE TO BE UTILIZED FOR STORAGE. THE GARAGE WILL NOT BE USED FOR A COMMERCIAL USE OR A RESIDENTIAL UNIT.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Paul Canatella  
Signature

PAUL L. CANATELLA  
Name - Type or Print

Malissa A. Canatella  
Signature

MALISSA A. CANATELLA  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF ~~BALTIMORE~~ HARFORD, to wit:

I HEREBY CERTIFY, this 25 day of August, 06, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

PAUL L. CANATELLA AND MALISSA A. CANATELLA

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

8-25-06  
Date

David Warner  
Notary Public

My Commission Expires 1-21-08



CBCA

# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 938 FROG MORTAR ROAD  
which is presently zoned DR 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)

*Also* 400.3 (BCZR) to permit an existing accessory building (garage) to be increased to a height of 26 feet in lieu of the maximum permitted 15

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

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

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

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

## Contract Purchaser/Lessee:

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

## Attorney For Petitioner:

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

## Legal Owner(s):

PAUL L. CANATELLA  
Name - Type or Print \_\_\_\_\_  
Signature *Paul L. Canatella* / *Malissa A. Canatella*  
MALISSA A. CANATELLA  
Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
938 FROG MORTAR RD. (410) 241-2605  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
BALTO. MD. 21220  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

## Representative to be Contacted:

DAVID BILLINGSLEY  
Name \_\_\_\_\_  
CENTRAL DRAFTING AND DESIGN, INC.  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
601 CHARWOOD CT. (410) 679-8719  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
EDGEWOOD MD 21040  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

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

CASE NO. 07-077-A

Reviewed By *RJD*

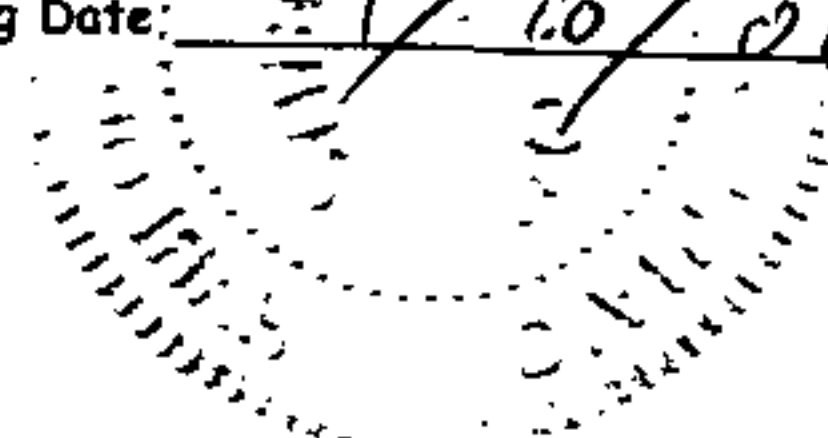
Date 8/29/06

REV 9/15/98

Estimated Posting Date: 9/10/06

WHEN RECEIVED FOR FILING

10-3-06



# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 938 FROG MORTAR ROAD  
Address  
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City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

OWNER WISHES TO PROVIDE A SECOND LEVEL WITHIN THE GARAGE TO BE UTILIZED FOR STORAGE. THE GARAGE WILL NOT BE USED FOR A COMMERCIAL USE OR A RESIDENTIAL UNIT.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

\* *Paul L. Canatella*  
Signature  
PAUL L. CANATELLA  
Name - Type or Print

\* *Malissa A. Canatella*  
Signature  
MALISSA A. CANATELLA  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF ~~BALTIMORE~~ HARFORD, to wit:

I HEREBY CERTIFY, this 25 day of August, 06, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

PAUL L. CANATELLA AND MALISSA A. CANATELLA

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

8-25-06  
Date

*Heaven O'Hara*  
Notary Public

My Commission Expires 1-21-08

**ZONING DESCRIPTION**  
**938 FROG MORTAR ROAD**

Beginning at a point on the ~~north~~<sup>**SOUTH**</sup> side of Frog Mortar Road (40 feet wide) distant westerly 150 feet from the center of Middle Road (40 feet wide), thence being all of lots 53 through 57 as shown on the plat entitled Revolea Beach, recorded among the plat records of Baltimore County in Plat Book 5 Folio 67

Being known as 938 Frog Mortar Road. Being located in the 15<sup>TH</sup> Election District, 6<sup>TH</sup> Councilmanic District of Baltimore County, Maryland.

*Item #077*

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 20347

DATE 8/29/06 ACCOUNT 001-006-6150

AMOUNT \$ 65.00

RECEIVED  
FROM:

FOR: Zoning hearing - action variance  
case # 07-077-A

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME  
8/29/2006 8/29/2006 09:47:44  
REF 1501 BALKIN JRIC HR  
>>RECEIPT # 295539 8/29/2006  
Dept 5 528 JUDICIAL VERIFICATION  
CA NO. 000357

Receipt Tot 465.00  
\$130.00 CA  
\$4.00 CA  
Baltimore County, Maryland

CASHIER'S VALIDATION

# CERTIFICATE OF POSTING

RE: Case No: 07-077-A

Petitioner/Developer: PAUL  
CANATELLA

Date Of Hearing/Closing: 9/25/06

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue

Attention:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary  
sign(s) required by law were posted conspicuously on the property  
at 938 FLOE MORTAR ROAD

This sign(s) were posted on September 9, 2006  
(Month, Day, Year)

Sincerely,

Martin Ogle 9/9/06  
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

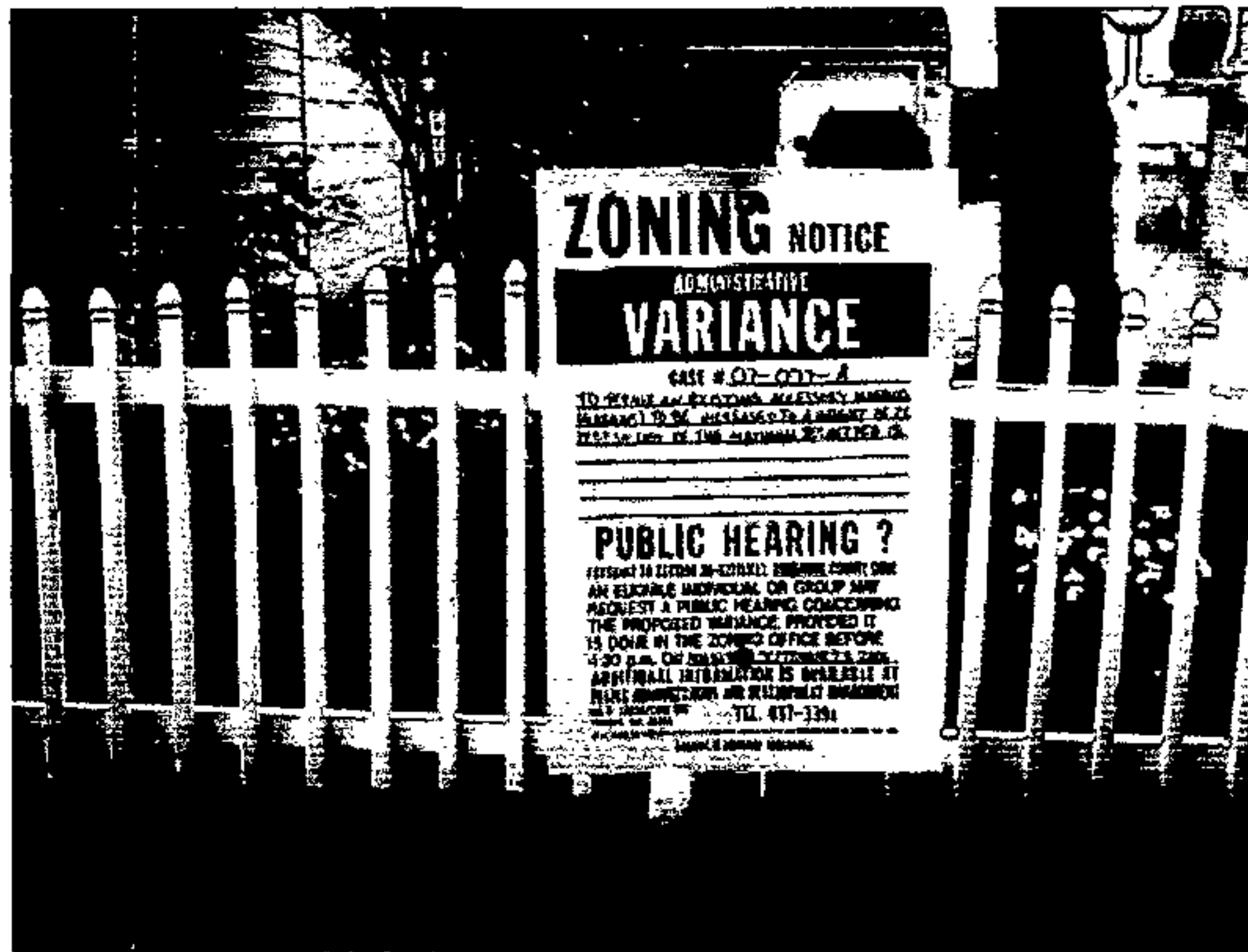
16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

im000808 (576x432x24b jpeg)



*Martin Dyle 9/9/06*

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number <sup>07</sup>06- 077 -A Address 938 Frog Mortar Rd  
Contact Person: David Duvall Phone Number: 410-887-3391  
Planner, Please Print Your Name  
Filing Date: 8/29/06 Posting Date: 9/10/06 Closing Date: 9/25/06

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only .

**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**

Case Number <sup>07</sup>06- 077 -A Address 938 Frog Mortar Rd  
Petitioner's Name Paul Canatella Telephone 410 241 2605  
Posting Date: 9/10/06 Closing Date: 9/25/06  
Wording for Sign: To Permit an existing accessory building (garage) to be  
increased to a height of 26 feet in lieu of the maximum  
permitted 15

WCR - Revised 6/25/04

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

## ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

---

#### For Newspaper Advertising:

Item Number or Case Number 07-077-A

Petitioner PALIL CANATELLA

Address or Location 938 FROG MORTAR RD.

PLEASE FORWARD ADVERTISING BILL TO

Name PALIL CANATELLA

Address 938 FROM MORTAR RD.  
BALTO MD 21220.

Telephone Number (410) (241-2605)



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

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

September 25, 2006

Paul L. Canatella  
Malissa A. Canatella  
938 Frog Mortar Road  
Baltimore, MD 21220

Dear Mr. and Mrs. Canatella:

RE: Case Number: 07-077-A, 938 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 August 29, 2006.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel  
David Billingsley Central Drafting and Design, Inc. 601 Charwood Court Edgewood  
21040

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** September 11, 2006

**FROM:** <sup>DAK</sup> Dennis A. Kennedy, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For September 11, 2006  
Item Nos. 07-071, 072, 073, 074, 075, 076, 077,  
078, 085, 086, 087, 090, 091 and 092

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS- 09082006.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

OCT - 3 2006

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination <sup>JWL</sup>

DATE: September 13, 2006

SUBJECT: Zoning Item # 07-<sup>77</sup>~~069~~-A  
Address 938 Frog Mortar Road  
(Coleman Property)

Zoning Advisory Committee Meeting of September 4, 2006

- X 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:
- 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:

The garage expansion shall not result in any increase in impervious surface area or encroachment into the 100-foot buffer to tidal waters. Impervious surfaces are limited to 15% of the property's area above mean high water.

Reviewer: Glenn Shaffer

Date: September 11, 2006

10-3-06  
10-3-06  
10-3-06

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** September 25, 2006

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

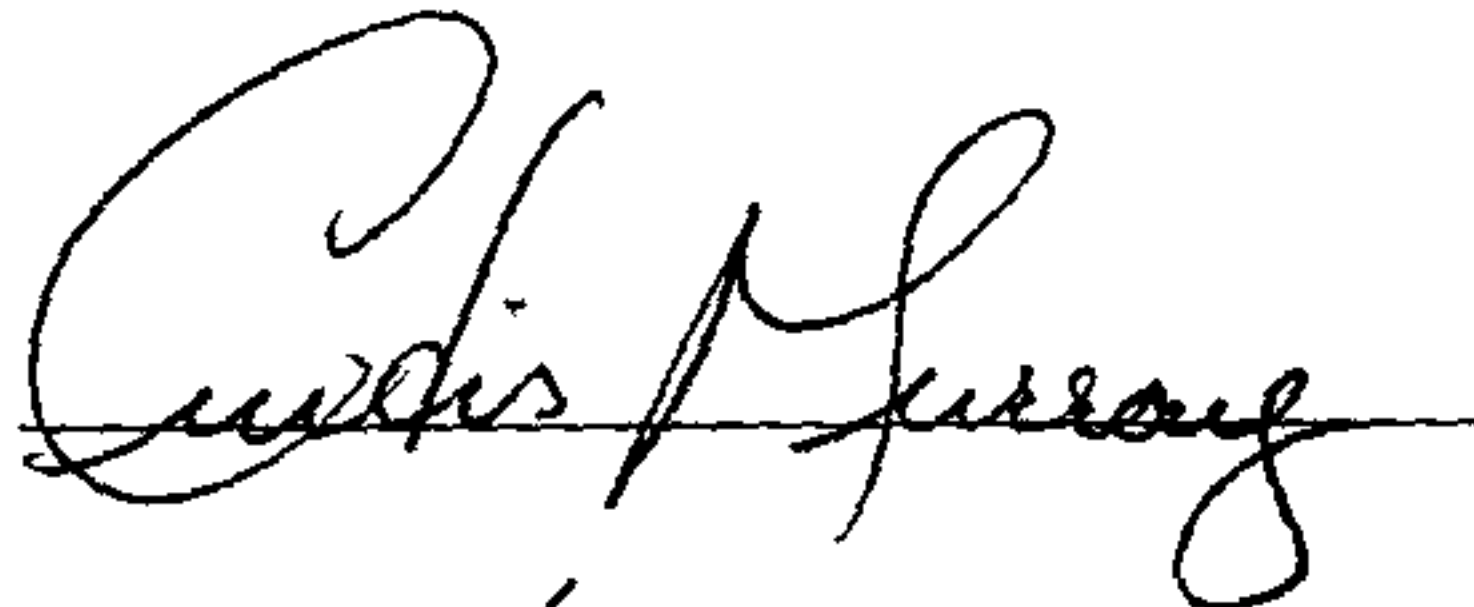
**SUBJECT:** 7-077 – Administrative Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 26 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

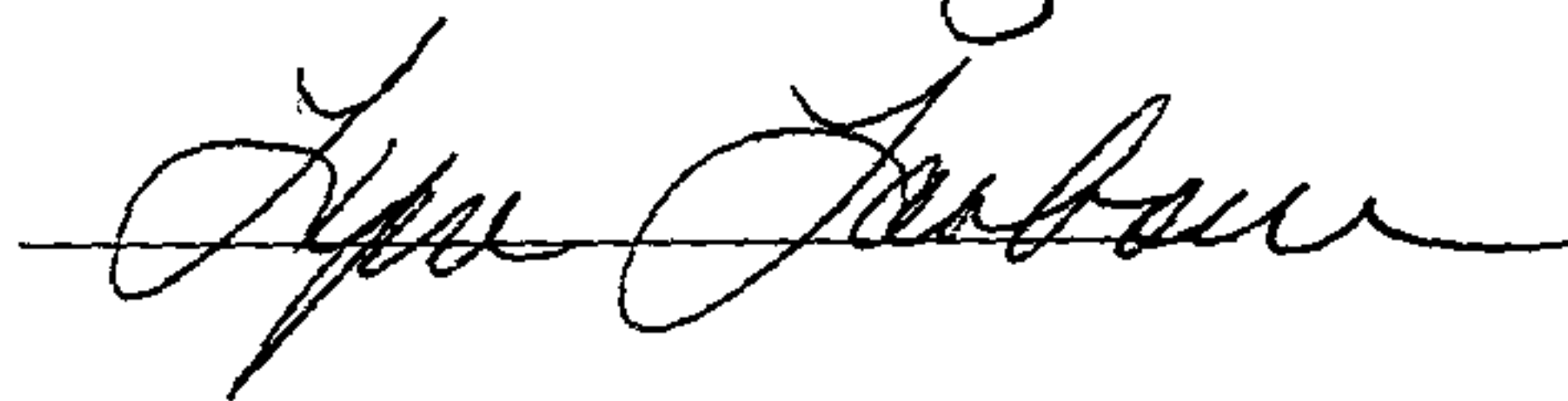
1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:



Section Chief:



AFK/LL: CM

RECEIVED

SEP 27 2006

ZONING COMMISSIONER

RECEIVED FOR PLANNING  
10-3-06  
P3



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 9/1/2006

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

RE: Baltimore County  
Item No. 077  
FROGMORTAR RD. PROPERTY  
VARIANCE #07-077A

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 077.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at ([m Bailey@sha.state.md.us](mailto:m Bailey@sha.state.md.us)).

Very truly yours,

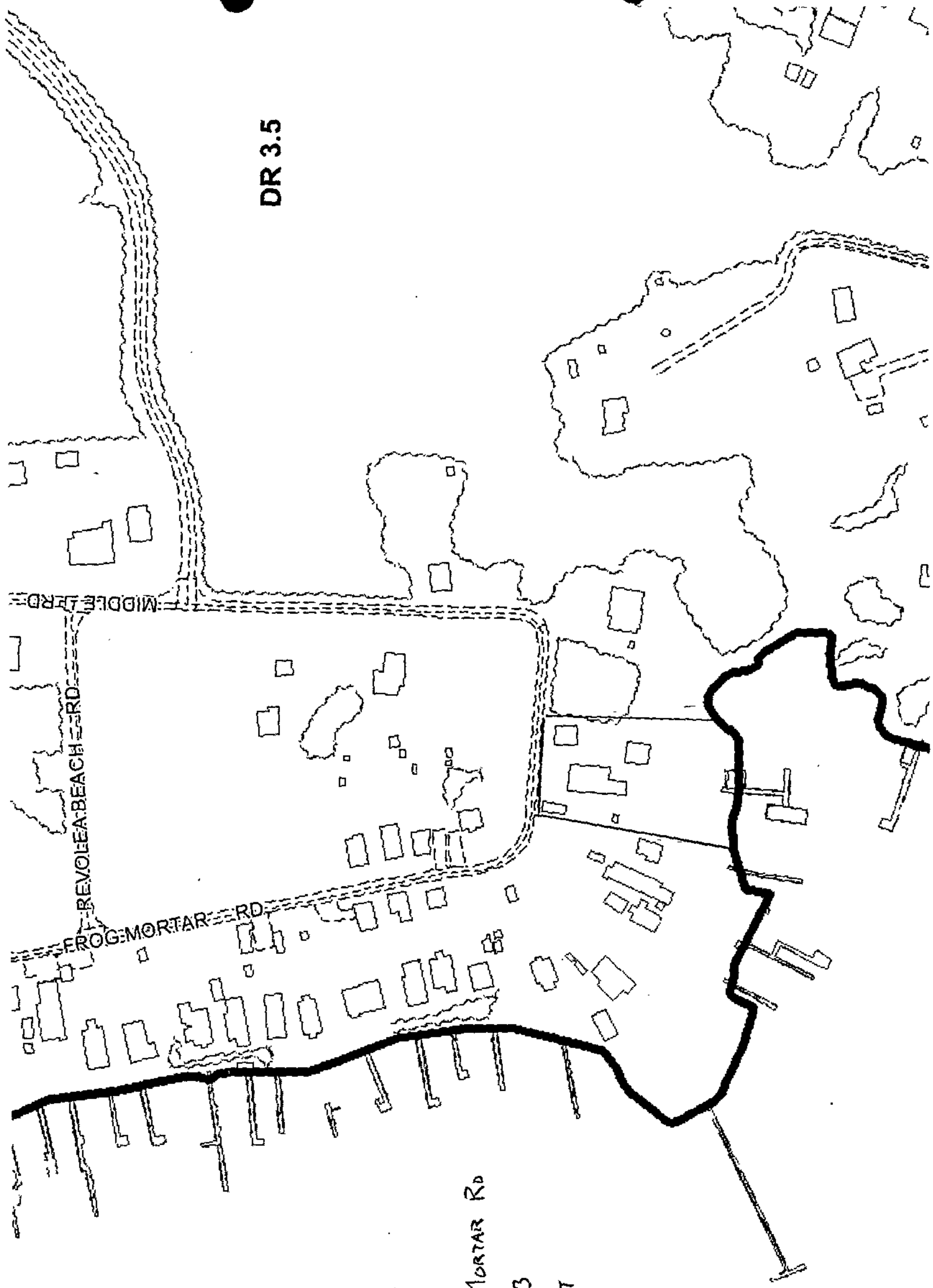
For Steven D. Foster, Chief  
Engineering Access Permits  
Division

SDF/MB

My telephone number/toll-free number is \_\_\_\_\_

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

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • [www.marylandroads.com](http://www.marylandroads.com)



DR 3.5

Item #077

938 FROG MORTAR RD  
09133  
15th DIST



Item #077



Item #  
077



5

4



6

Item #  
077

Hand-drawn site plan for a property on Frog Mortar Road. The plan shows a large rectangular lot with a north arrow pointing towards the top right. The lot is divided into several sections. At the top, there is a "RAISE EX. FRAME" area with a "26' HEIGHT" and a "GARAGE" area. Below this is a "DECK" area. To the right of the deck is a "1 1/2 STY. FR." (1 1/2 story frame) structure. Further right is a "DECK" area and a "MAC. DR." (main driveway). At the bottom right is an "EX. FR. GAR." (existing frame garage). The lot is bounded by "FROG MORTAR ROAD" on the left and "MIDDLE ROAD" on the right. A "40' R/W" (40-foot right-of-way) is indicated on the right. The lot is divided into sections numbered 51 through 60. A "REVOLVER BEACH" is located in section 53. A "GRAVEL DR." (gravel driveway) is shown in section 54. A "NO DWLG. WITHIN 115' OF R." (no dwelling within 115 feet of the road) is indicated near the bottom right. The plan also shows a "155' ±" dimension on the left and a "125' ±" dimension on the right. A "150' TO ±" dimension is shown near the bottom right. The plan is dated "EX. 5/1/67".

[illegible]

# PHOTO LOCATIONS

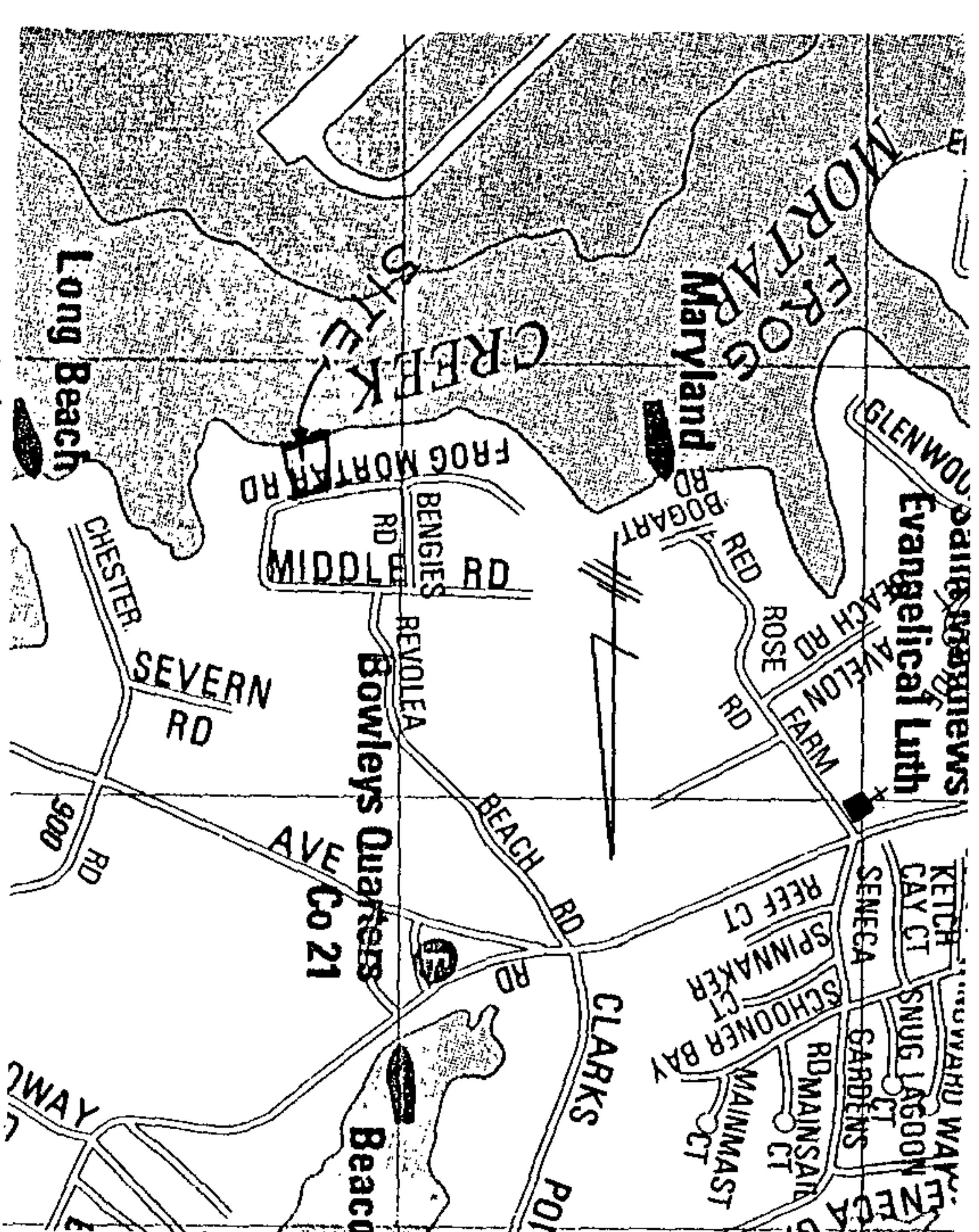
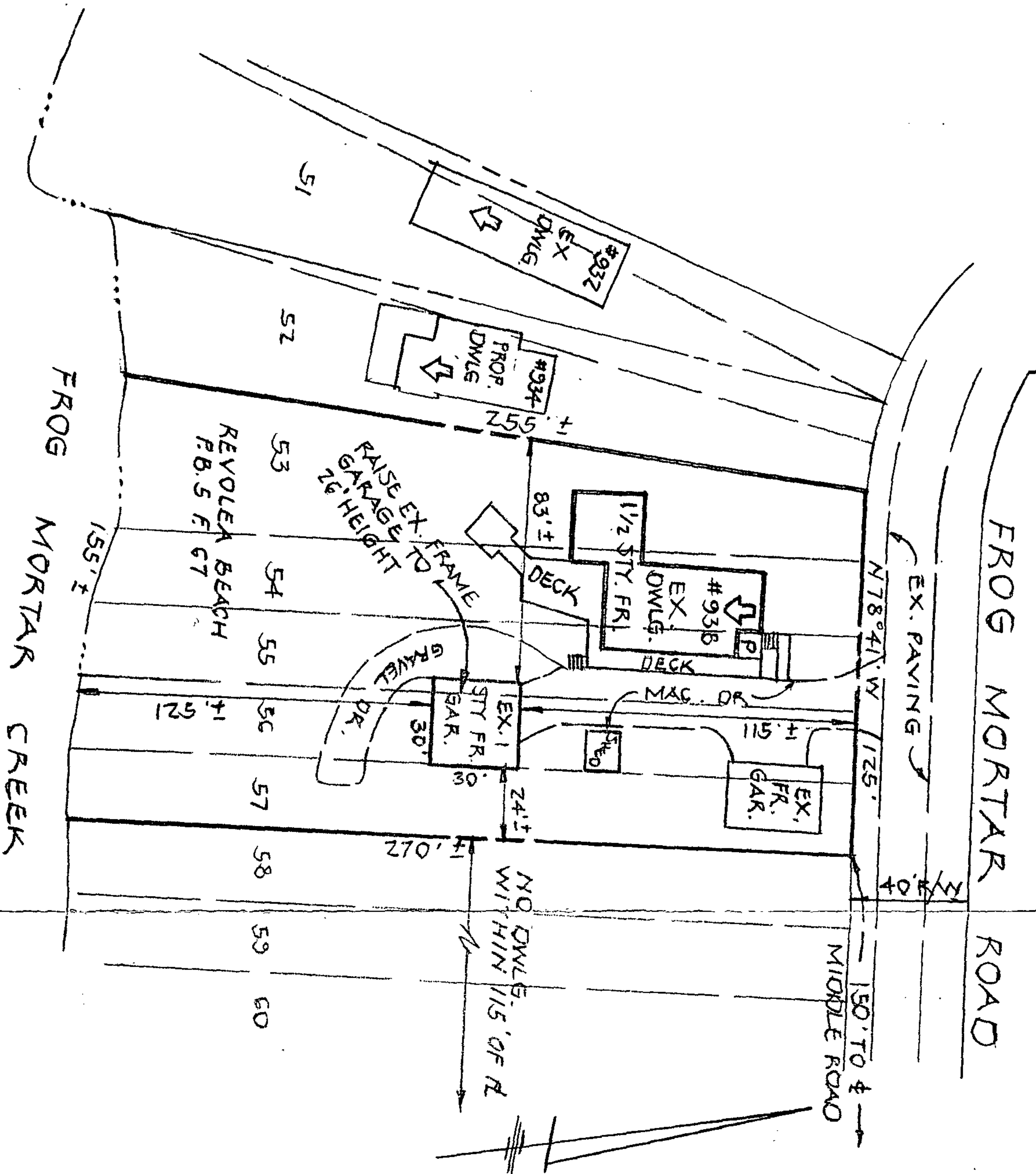
## 938 FROG MORTAR BOAT

938 FROG MORTAR ROAD

BALTIMORE COUNTY, MARYLAND

**SCALE: 1 INCH = 40 FEET**

AUGUST 24, 2006 T1 #



VICINITY MAP  
SCALE: 1"=1000'

- NOTES
1. ZONING.....DR 3.5 (MAP 091B3)
  2. LOT AREA = 36,700 S.F. = 0.84 ACRE
  3. NO PREVIOUS ZONING HISTORY
  4. PUBLIC WATER AND SEWER IS EXISTING
  5. NO HISTORIC STRUCTURES EXIST
  6. SITE IS LOCATED IN CBCA AND FLOOD ZONE A-10

#07-077-A  
*[Signature]*

PLAT TO ACCOMPANY PETITION  
FOR ADMINISTRATIVE VARIANCE

938 FROG MORTAR ROAD

OWNER  
PAUL L. AND MELISSA A. CANATELLA  
938 FROG MORTAR ROAD  
BALTO. MD, 21220

ELECTION DISTRICT 15C6

BALTIMORE COUNTY, MARYLAND

DEED REF: L.11029 F.224 & L.11226 F.503

PROP. NOS. 1507150121 & 1503001630

AUGUST 24, 2006