



SIN RE: PETITION FOR VARIANCE

E/S River Drive Road, 505' N of Centerline of Alice Avenue
(7216 River Drive Road)
15th Election District
7th Council District

Scott & Mary Fortier Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 07-078-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Scott and Mary Fortier. The Petitioners request a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot area of 5,875 square feet, a rear yard of 25 feet and side yards of 9 feet and 8 feet in lieu of the required 6,000 square feet, 30 feet and 10 feet, respectively, and from Section 301.1 to permit an open porch with a setback of 19 feet in lieu of the required 22.5 feet. The subject property and requested relief are more particularly described on the site plan that accompanied the Petition when filed and the amended site plan submitted at the hearing, copies of which were accepted into evidence and marked as Petitioner's Exhibits 1 and 2, respectively.

Appearing at the requisite public hearing in support of the request were Scott and Mary Fortier, Petitioners. Also appearing were David Billingsley of Central Drafting and Design, Inc., and Bob Infussi, the consultants who assisted the Petitioners in the filing process. There were no Protestants or other interested persons present.

Testimony and evidence offered disclosed that the subject property is a rectangular shaped, unimproved waterfront lot, with the exception of an existing garage which will be razed, located on Lynch Point with Greenhill Cove to the west and near Back River in Baltimore

¹ The amended site plan prepared by Central Drafting & Design, Inc. evidences that Lot 9 is actually 5,875 square feet (122' on the west & 128' on the east), as opposed to 8,150 square feet (164.4' on the west & 162.8' on the east) depicted on the subdivision plat for Lynch Point (Petitioner's Exhibit 6) and Maryland Department of Assessments and Taxation Real Property Data (Petitioner's Exhibit 4). The lot has been reduced by erosion since first platted in 1926.



County. As noted above, the property is located with frontage on Back River and bordered by River Drive Road, just north of Alice Avenue, in Edgemere. The property contains a gross area of 5,875 square feet, or 0.135 acres, zoned D.R.5.5., 50 feet wide and 122 feet on the west side and 128 feet on the east side of the property. Subsequent to the filing of the petition, Petitioners modified their request during open hearing reducing the variance relief to permit a lot area of 5,875 square feet and a rear yard setback of 27 feet (originally 25 feet) and to approve the subject property as an undersized lot. The new plan provides for the required 10-foot side yard setbacks and removes the open deck; therefore Section 301.1 is not applicable. A revised site plan depicting these modifications was submitted into evidence and marked as Petitioner's Exhibit 2.

Testimony and evidence disclosed that the Petitioners family has owned the property for a long time and there was actually a house on the land in 1949 as evidenced by Petitioner's Exhibit 8. With the help of Gast Construction Company, Inc., the Petitioners are desirous of developing the property with a three-story family dwelling. The new house will be a three-story structure, 26 feet, 8 inches wide, by 36 feet, 8 inches deep, which will feature a sun deck on both the main and upper levels on the water oriented side of the house, and an attached one-car garage on the lower level street side of the house, with access thereto by way of the existing driveway that leads into the property from River Drive. There currently exists a garage which will be razed. It is also to be noted that the lot is served by public water and sewer.

After due consideration of all of the testimony and evidence presented, I am persuaded to grant the variance. It is clear that strict compliance with the regulations given the reduction in relief being requested would result in a practical difficulty and unreasonable hardship for the Petitioners. It is to be noted that neither the Petitioners nor their predecessors in interest ever owned adjoining land as disclosed by Exhibit 8. I find that the Zoning Advisory Committee (ZAC) comment from the Office of Planning to be in error in this regard. The granting of the rear yard setback in order to keep the houses in line so as not to obstruct the water views of adjoining property owners is appropriate to maintain balance and symmetry. Thus, I find that the relief requested can be granted without detriment to adjacent properties or the

surrounding locale. Due to the property's waterfront location and its location within a floodplain, the proposed construction shall comply with Chesapeake Bay Critical Areas regulations and Federal Flood Insurance requirements as set forth in the attached (ZAC) comments submitted by the Department of Environmental Protection and Resource Management

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

(DEPRM) and the Bureau of Development Plans Review Division.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this _______ day of October 2006 that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot area of 5,875 square feet, a rear yard of 27 feet in lieu of the required 6,000 square feet and 30 feet respectively, and to approve the subject property as an undersized lot, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with Chesapeake Bay Critical Areas regulations and Federal Flood Insurance requirements, pursuant to the ZAC comments submitted by DEPRM, dated September 13, 2006, and the Bureau of Development Plans Review Division, dated October 26, 2006, and all other appropriate environmental, floodplain and B.O.C.A. regulations relative to the protection of water quality, streams, wetlands and floodplains. Copies of those comments are attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

WJW:dlw

Zoning Commissioner for Baltimore County



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

October 30, 2006

Scott M. Fortier
Mary K. Fortier
7215 River Drive Road
Baltimore, Maryland 21219

RE: PETITION FOR VARIANCE

E/S River Drive Road, 505' N of Centerline of Alice Avenue (7216 River Drive Road)

15th Election District – 7th Council District

Scott & Mary Fortier - Petitioners

Case No. 07-078-A

Dear Mr. and Mrs. Fortier:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

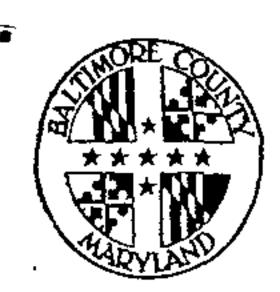
Very truly yours,

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw

c: Mr. Robert Infussi, P.O. Box 1043-7043, Belair, Md. 21014 Mr. David Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood, Md. 21040 Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100, Annapolis, Md. 21401 DEPRM; DPR; People's Counsel; Case File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7216 RIYER ORIVE ROAD

which is presently zoned DR 5.5

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 ATTACHEO

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.

Date_

Contract Purchaser/Lessee:	<u>Legal Owner(s):</u>
Name - Type or Print	Name - Type or Print
Signature	Signature
Address Telephone No.	SCOTT M. FORTIER MARY K. FORTIER
City State Zip Code	Signature Not Signature
Attorney For Petitioner:	7215 RIVER DRIVE RD. (4/0) 477-/566 Address Telephone No.
Name - Type or Print	## ## ## ## ## ## ## ## ## ## ## ## ##
Signature	Representative to be Contacted:
Company	ROBERT /NFUSS/
Address Telephone No.	P.O. BOX /043-7043 (4/0)8/7-7736 Address Telephone No.
State Zip Code	BEL A/R MD, 2/014 City State Zip Code
	OFFICE USE ONLY
Case No. 07-070-(4	ESTIMATED LENGTH OF HEARING
Reviewed By	UNAVATLABLE FOR HEARING Date 08-29-06.

SECTION 1B02.3.C.1 TO PERMIT A LOT AREA OF 5,875 SQUARE FEET, A REAR YARD OF 25 FEET AND SIDE YARDS OF 9 FEET AND 8 FEET IN LIEU OF THE REQUIRED 6,000 SQUARE FEET, 30 FEET AND 10 FEET RESPECTIVELY AND SECTION 301.1 TO PERMIT AN OPEN PORCH WITH A SETBACK OF 19 FEET IN LIEU OF THE REQUIRED 22.5 FEET.

ZONING DESCRIPTION 7216 RIVER DRIVE ROAD

Beginning at a point on the east side of River Drive Road (40 feet wide) distant 505 feet northerly from the center of Alice Avenue (40 feet wide), thence being all of Lot 9, Block O a shown on the plat entitled Lynch Point recorded in Plat Book 8 Folio 38.

Containing 5,875 square feet or 0.135 acre of land, more or less.

Being known as 7216 River Drive Road. Located in the 15TH Election District, 7TH Councilmanic District of Baltimore County, Maryland

Ü YELLOW - CUSTOMER AMOUNT ACCOUNT から MARY BUDGET & FINANCE MISCELLANEOUS RECEIPT PINK - AGENCY BALTIMORE DISTRIBUTION WHITE - CASHIER OFFICE OF RECEIVED FROM: DATE FOR:

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: # 07-078-A

7216 River Drive Road
East side of River Drive Road, 505 feet north of centerline of Alice Avenue
15th Election District — 7th Councilmanic District
Legal Owner(s): Scott & Mary Fortier
Variance: to permit a lot area of 5875 square feet, a fear yard of 25 feet and side yards of 9 feet and 8 feet in lieu yard of 25 feet and section 301.1 to permit an open porch with a setback of 19 feet in lieu of the required 22.5 feet.

Hearing: Wednesday, October 25, 2006 at 11:00 a.m.
Hearing: Towson 21204.

WILLIAM J. WISEMAN; III
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for
NOTES: (1) Hearings are Handicapped Accessible; for
Special accommodations 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.
JT 10/658 Oct. 10

CERTIFICATE OF POSTING

	RE: Case No: 07-078-A
	Petitioner/Developer: Scott MKLY FORTIEL
	Date Of Hearing/Closing: 19/25/06
Baltimore County Departme Permits and Development M County Office Building, Roo 111 West Chesapeake Avenu	lanagement om 111
Attention:	
Ladies and Gentlemen:	
This letter is to certify unde	r the penalties of perjury that the necessary posted conspicuously on the property 7210 RIVER DRIVE ROPE
Ladies and Gentlemen: This letter is to certify undesign(s) required by law were at	r the penalties of perjury that the necessary posted conspicuously on the property 7210 RIVER DRIVE ROPE

ZONING NOTICE

CASE # 07-078-A

PEBLIC HEARING WILL BE HELD ET THE ZONING COMMISSIONER
IN TOYSON, NO DETWEET IS SELECT AVERAGE

GAIT MO TIME - SEAL -

materiale 10/10/06

RE: PETITION FOR VARIANCE

7216 River Drive Road; E/S River Drive

Road, 505' N of c/line Alice Avenue

15th Election & 7th Councilmanic Districts

Legal Owner(s): Scott & Mary Fortier

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

* 07-078-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. $\int_{\Omega} \int_{\Omega} \Omega \int_{\Omega}$

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 6th day of September, 2006, a copy of the foregoing Entry of Appearance was mailed to, Robert Infussi, P.O. Box 1043-7043, Bel Air, MD 21014, Representative for Petitioner(s).

RECEIVED

CI. 0 6 2008

Person

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

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

September 18, 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: 07-078-A

7216 River Drive Road

East side of River Drive Rod, 505 feet north of centerline of Alice Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Scott & Mary Fortier

<u>Variance</u> to permit a lot area of 5875 square feet, a rear yard of 25 feet and side yards of 9 feet and 8 feet in lieu of the required 6,000 square feet, 30 feet and 10 feet respectively and Section 301.1 to permit an open porch with a setback of 19 feet in lieu of the required 22.5 feet.

Hearing: Wednesday, October 25, 2006 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Mr. & Mrs. Fortier, 7215 River Drive Road, Baltimore 21219 Robert Infussi, P.O. Box 1043-7043

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 10, 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.



DEPARTMENT OF PERMITS AND DEVELOPMENT A 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.

Petitioner SCOTT FORT	· ·
	NEK.
Address or Location. 7216 R	YER DRIVE ROAD.
PLEASE FORWARD ADVERTISING	SILL TO
Name: SCOTT FORTIER	
Address 7214 RIVER DR	NE ROAD
BALTO MO. 21	



JAMES T. SMITH, JR. County Executive

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

October 18, 2006

Scott M. Fortier Mary K. Fortier 7215 River Drive Road Baltimore, MD 21219

Dear Mr. and Mrs. Fortier:

RE: Case Number: 07-078-A, 7216 River Drive 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,

W. Carl Richards, Jr.

Supervisor, Zoning Review

u. Cal Robal D

WCR:amf

Enclosures

c: People's Counsel Robert Infussi P.O. Box 1043-7043 Bel Air 21014





BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits & Development

Management

DAV

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

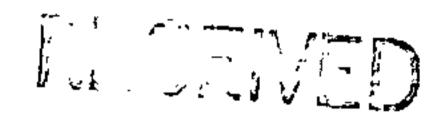
SUBJECT:

Zoning Advisory Committee Meeting

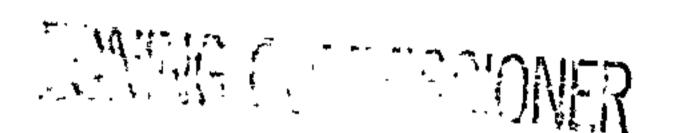
For September 11, 2006

Item No. 07-078

DATE: October 26, 2006



OCT 2 6 2006



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 07-078-09082006.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: September 11, 2006

Department of Permits & Development

Management

FROM:

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



TO:

Timothy M. Kotroco

FROM:

Jeff Livingston, DEPRM - Development Coordination JWL

DATE:

9/13/2006

SUBJECT:

Zoning Item

07-078-A

Address

7216 River Drive Road

Baltimore, MD 21219

Zoning Advisory Committee Meeting of September 4, 2006

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

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

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

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

Notice It is 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 Intensely Developed Area (IDA) and Buffer Management Area (BMA) of the CBCA. IDA regulations state that the 10% rule applies to any proposed impervious surface area. BMA regulations state that any proposed development in the 100-foot buffer to tidal waters requires mitigation approved by this Department.

Reviewer:

Kevin Brittingham

Date: 9/13/06



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) 7-078- Variance

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

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

- 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, if consistent with the existing streetscape.

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

Prepared By

Division Chief:

CM/LL

RECEIVED

DATE: September 14, 2006

SEP 2 5 2006

ZONING COMMISSIONER

State Highway

Administration

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. 078

PIVER DRIVE PROPERTY VARIANCE 07-078 A

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. 078

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 (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief U Engineering Access Permits

Division

SDF/MB

Case No.:

07-078-A

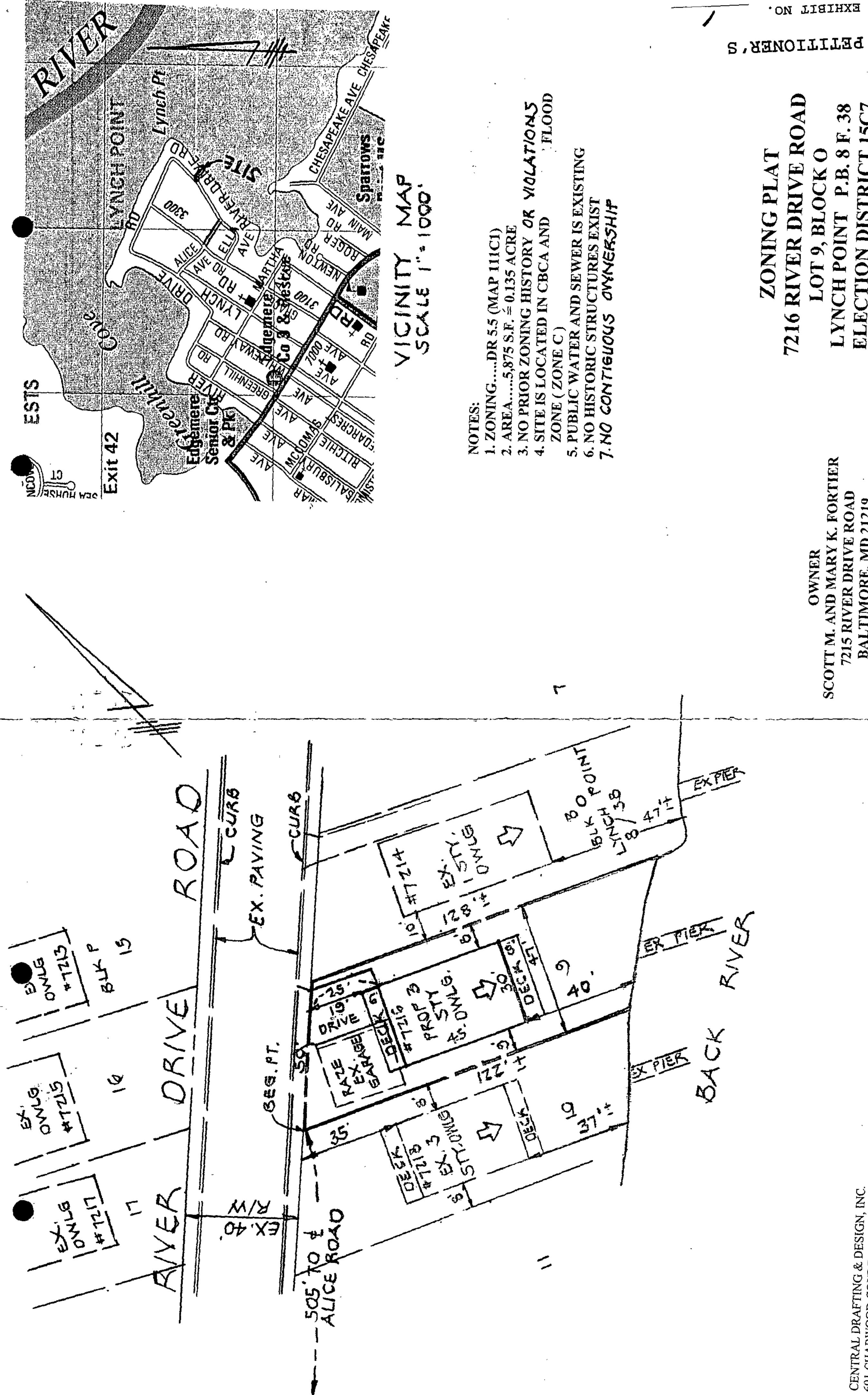
7216 RIVER DRIVE

Exhibit Sheet

Petitioner/Developer

Protestant

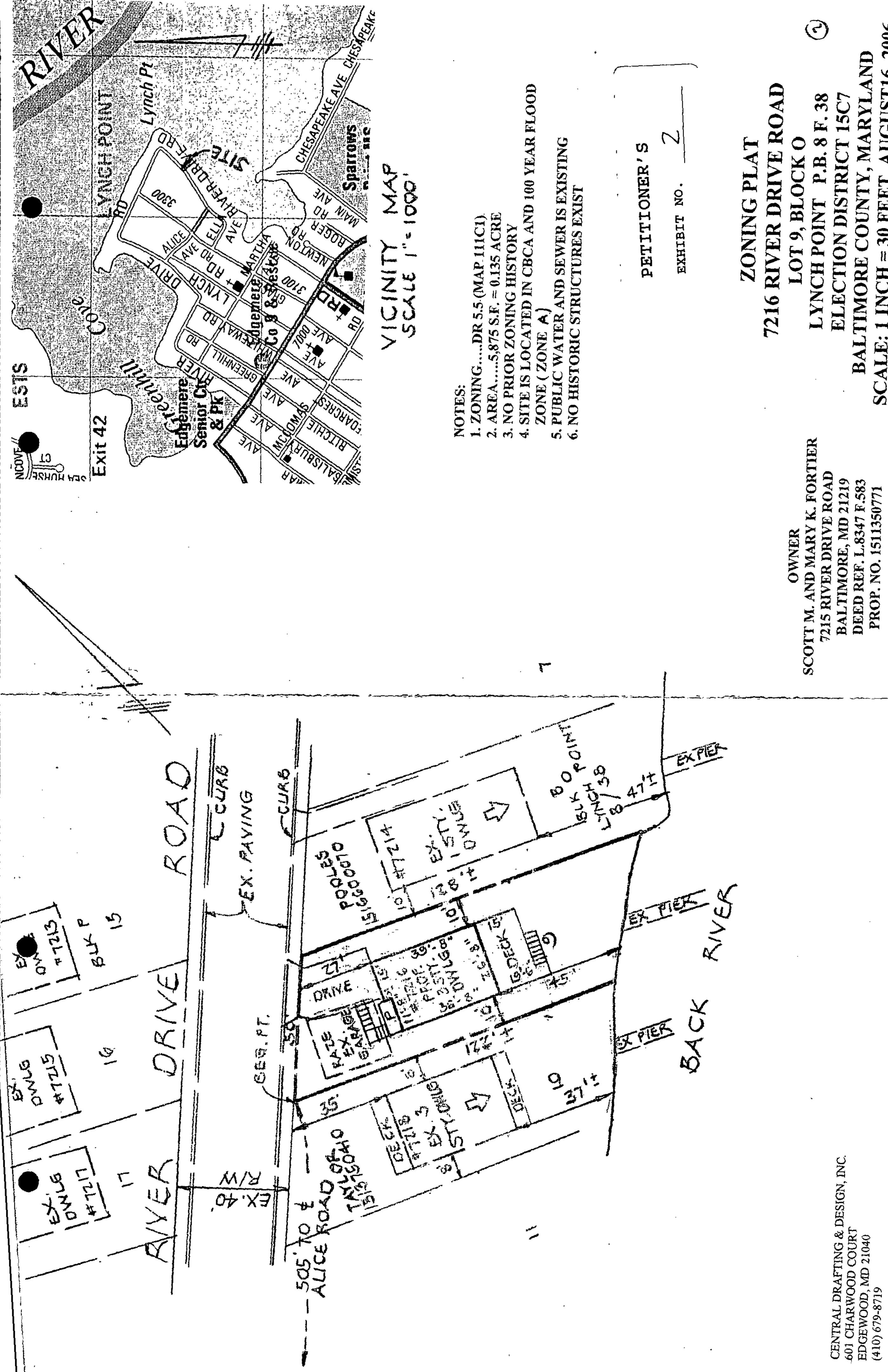
,		
No. 1	SITE PLAN to ACCOMPANY RETITION	
	ACCOMPANY PETITION	
No. 2	REUISED 5 ITE PLAN	
(AC)	10-12-06	
No. 3	Corrected amended Petition to conform with site	·
	tetition to conform with Site	Plan
No. 4	Dept. ASSESSMENTS & FAYAR	
No. 5	Deed of Record	
No. 6	Sule divison Plat.	
No. 7	BLDG Elwation	
No. 8	Sewer PLAN - 1949 Foundation Stown	
No. 9	(Lot of Record Since MAT SAR	
No. 10		
No. 11		
No. 12		



DEED REF. L.8347 F.

CENTRAL DRAFTING & DESIGN, INC. 601 CHARWOOD COURT EDGEWOOD, MID 21040 (410) 679-8719

BALTIMORE, MD

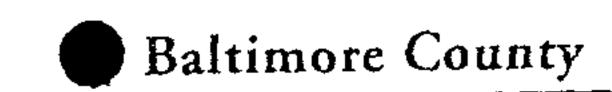


BALTIMORE, MD 21219

Department of Permits and Development Managemen

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

September 18, 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: 07-078-A

7216 River Drive Road

East side of River Drive Rod, 505 feet north of centerline of Alice Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Scott & Mary Fortier.

Variance to permit a lot area of 5875 square feet, a rear yard of 25 feet and side yet and 3 feet in lieu of the required 6,000 square feet, 30 feet and 10 feet in lieu of the required 22.5 feet.

Hearing: Wednesday, October 25, 2006 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director PETITIONER'S

EXHIBIT NO.

3

TK:klm

C: Mr. & Mrs. Fortier, 7215 River Drive Road, Baltimore 21219 Robert Infussi, P.O. Box 1043-7043 V

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 10, 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.

(3)

Click here for a plain text ADA compliant screen.



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

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

Account Identifiers

District - 15 Account Number - 1511350771

Owner Information

Owner Name:

KITKO JOSEPH E KITKO MICHAEL J

FORTIER SCOTT M FORTIER MARY K

Use;

RESIDENTIAL

Mailing Address:

7215 RIVER DR

BALTIMORE MD 21219

Dead Reference:

Principal Residences

1) / 8347/ 583

ΝŌ

Location & Structure Information

Premises Address

7216 RIVER DR

Legal Description

650 NE ELLA AV LYNCH POINT

Sub District Map Grid Parcel

Primary Structure Built

WATERFRONT Subdivision Section

Block Lot O

Assessment Area

Plat No: Plat Ref: 8/ 38

111 141

Special Tax Areas

Town Ad Valorem

Tax Class

Enclosed Area

Property Land Area

8,150.00 SF

County Use

34

0000 Stories

Basement

Type

Exterior

Value Information

Base Value

Value As Of 01/01/2006 Phase-in Assessments As Of 07/01/2005

As Of 07/01/2006

Land: Improvements:

Total:

120,150 11,060 131,210

200,150 14,920 215,070

131,210

159,163

Transfer Information

Seller: KITKO JOSEPH E Type:

Preferential Land:

NOT ARMS-LENGTH

Deed1: /8347/583 Date:

12/11/1989

Price: \$0 Deed2:

Price:

Price:

Deed 2:

Deed2;

Deedl: Date:

Deed1:

Date:

Exemption Information

0

Partial Exempt Assessments County State Municipal

Class 000 000

000

07/01/2005

07/01/2006

Tax Exempt: Exempt Class:

Seller:

Type:

Seller

Type:

NΟ

PETITIONER'S

* NONE *

Special Tax Recaptures

EXHIBIT NO.

STRAWPARTY DEED \$2

THIS DEED, made this 14M day of 10Kmles, in the year one thousand nine hundred and eighty-nine, by and between CATHERINE M. SZIMANSKI, Strawparty, of Baltimore County, Maryland, of the first park and JOSEPH E. KITKO, MICHAEL J. KITKO, SCOTT M. FORTIER and MARY K. FORTIER, his wife, Grantees, of Baltimore County, Maryland, of the second part.

WITNESSETH, that in consideration of the sum of ZERO DOLLARS (\$0.00), the actual consideration this day paid, the said party of the first part does hereby grant and convey unto the said JOSEPH E. KITKO, MICHAEL J. KITKO, SCOTT M. TORTIER and MARY K. FORTIER, his wife, the survivor of them, the survivor's heirs, personal representatives and assigns, in fee simple, as joint tenants with the right of survivorship, and not as tenants in common (however, as between SCOTT M. FORTIER and MARY K. FORTIER, his wife, as tenants by the entireties, their marital interest to be held as joint tenants with the right of survivorship with regard to the interest of all other co-owners), all that lot of ground situate in Baltimore County, State of Maryland and described as follows: that is to say:

Lot Number Nine (9), Block O and Lot Number Sixteen (16), Block P, as laid out on a Plat of Lynch Point, which Plat is recorded among the Plat Records of Baltimore County in Plat Book Liber W.P.C. No. 8, folio 38.

BEING also those same lots of ground, which by deed of even date herewith, and recorded or intended to be recorded among the Land Records of Biltimore County, immediately prior hereto, was granted and conveyed by loseph E. Kitko, in exercise of his full power to convey, lease, mortgige or otherwise encumber the property, unto Catherine M. Szimanski, Strawparty, the Grantor herein.

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 in anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises unto the parties of the second part, their heirs and assigns, in fee simple, as joint tenants with the right of survivorship and not as tenants in

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PETITIONER'S

EXHIBIT NO.

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LIBER 8 3 4 7 PAGE 5 8 4

common (subject however to the tenants by the entireties interest as more fully described in the granting clause hereinabove).

AND the said party of the first part hereby covenant 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 granted; and that she will execute such further assurances of the same as may be requisite.

At the request of the parties, no title examination was made nor requested and this peed was prepared solely on the information furnished by the within named Grantor:

WITNESS the hand and seal of the said Grantor.

WITNESS

(SEAL)

Grantor

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 14th day of Movember 1989, before me, a Notary Public of the State and County aforesaid, personally appeared CATHERINE M. SZIMANSKI, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My commission expires: July 1, 1990

#3 7320 (39)1 BBZ 712:58

Please Return To:

Norman R. Store Sutton, McCurcy & Stone, P.A. 2115 Old Crems Road Baltimore, Maryland 21220

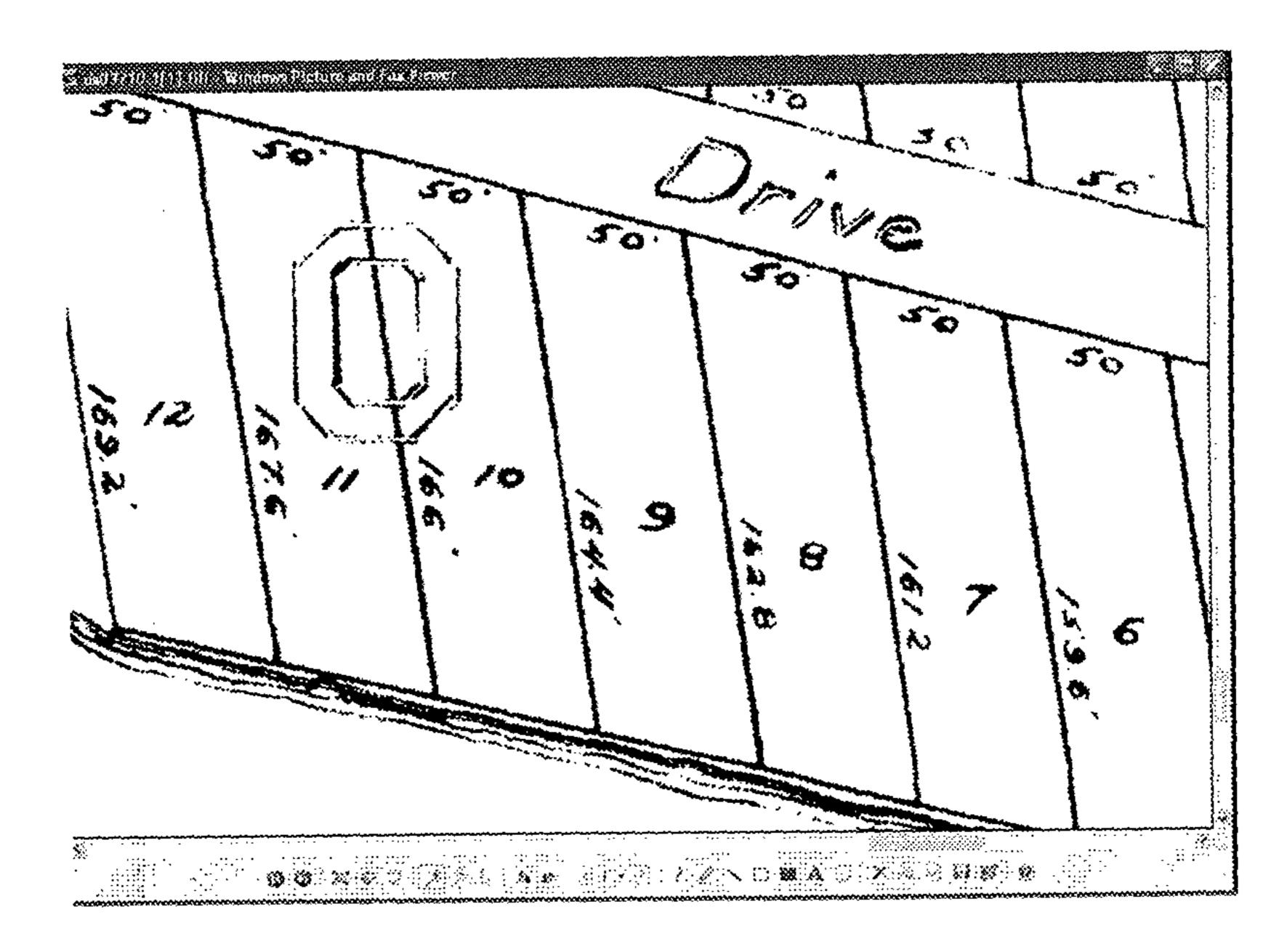
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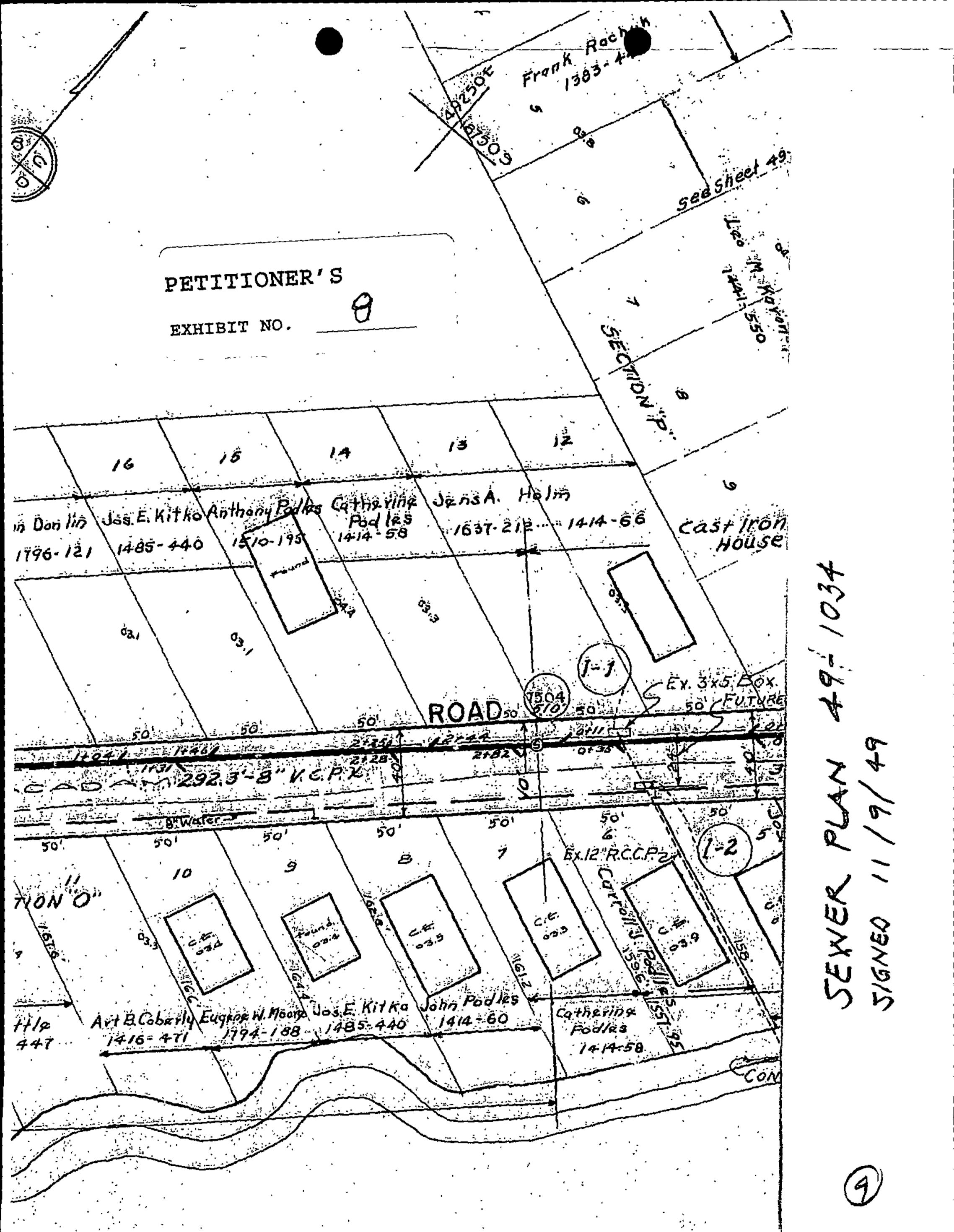
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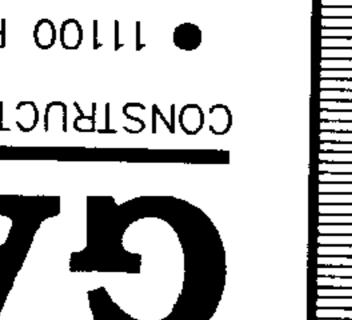
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DATE October 25, 2006

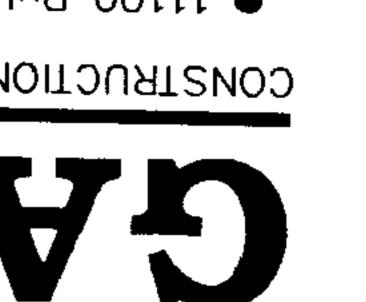
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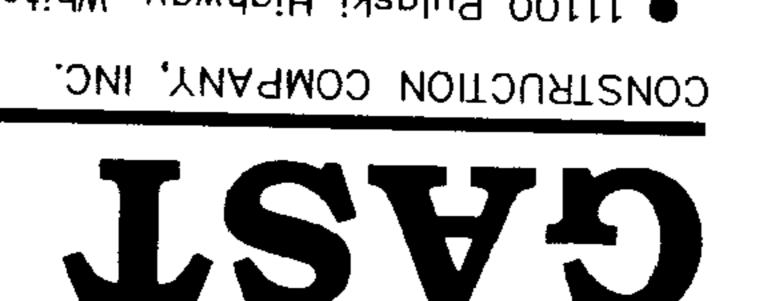
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NAME	Bob INFUSSI	H+WARY FO	DAVID BILLINGSLEY									

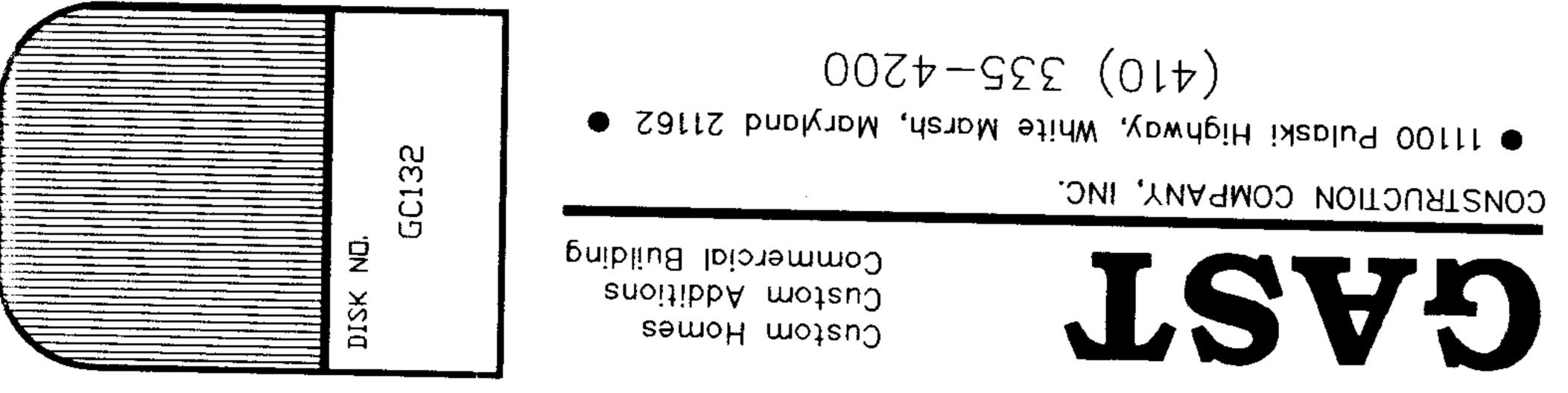
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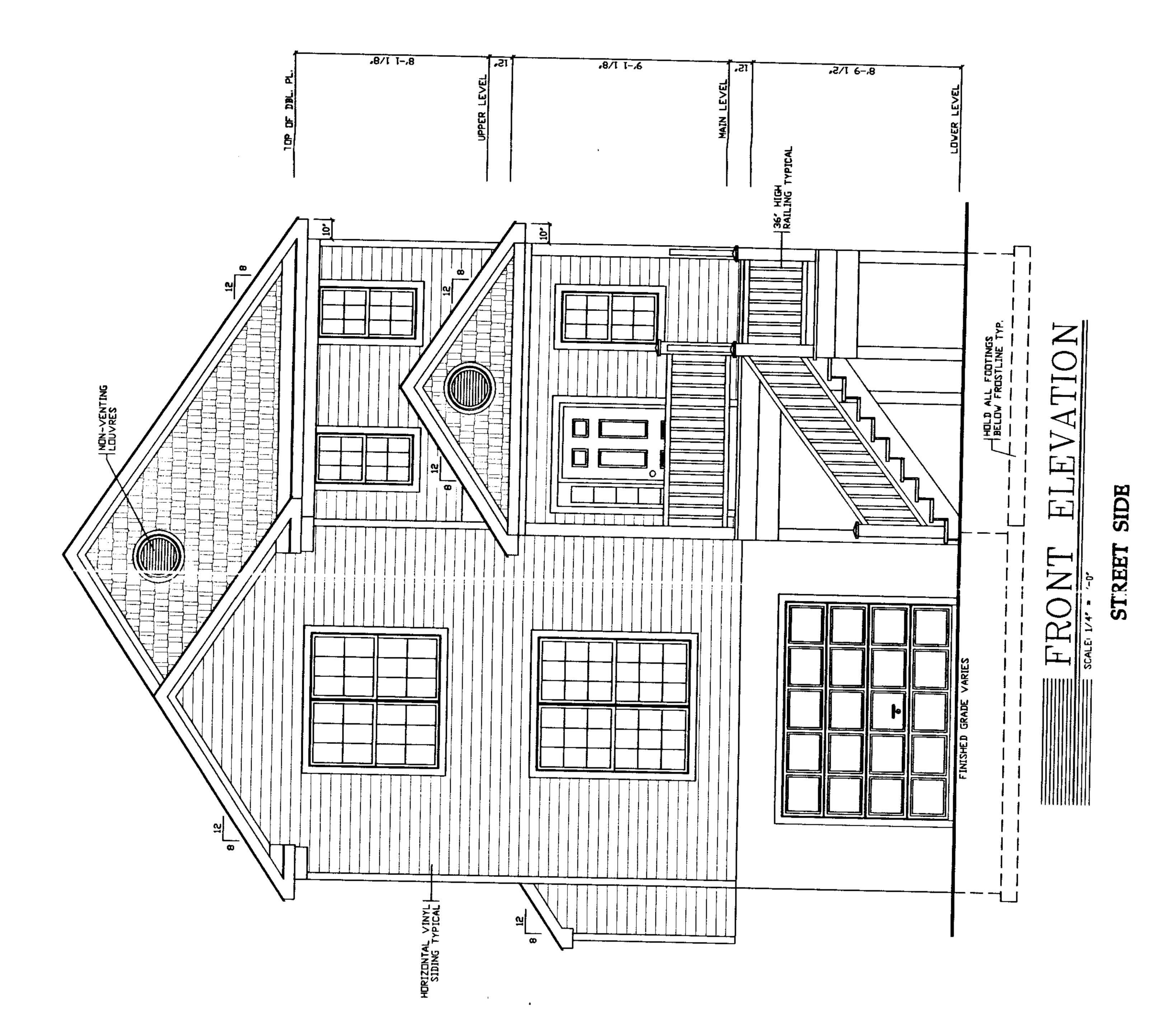


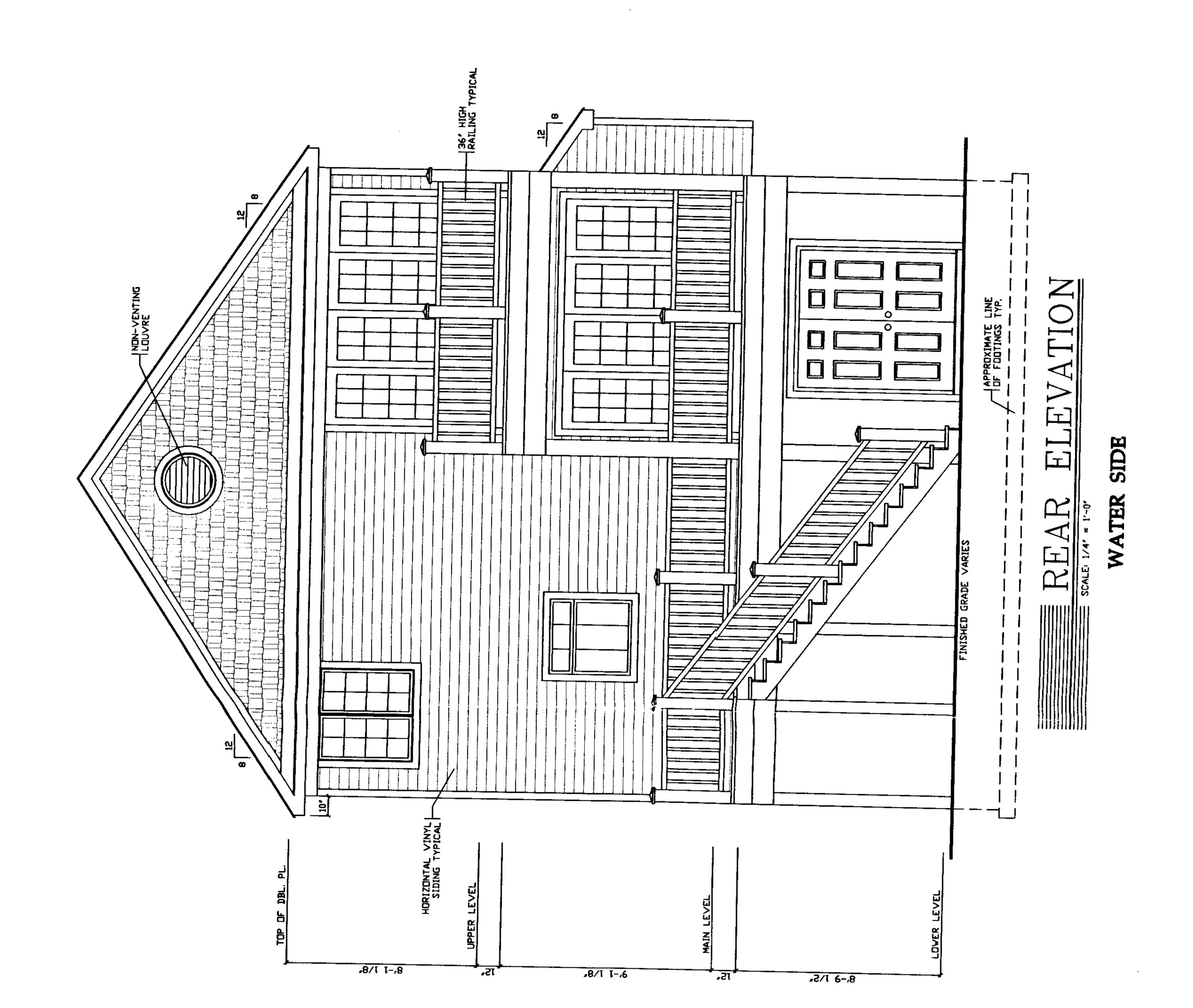








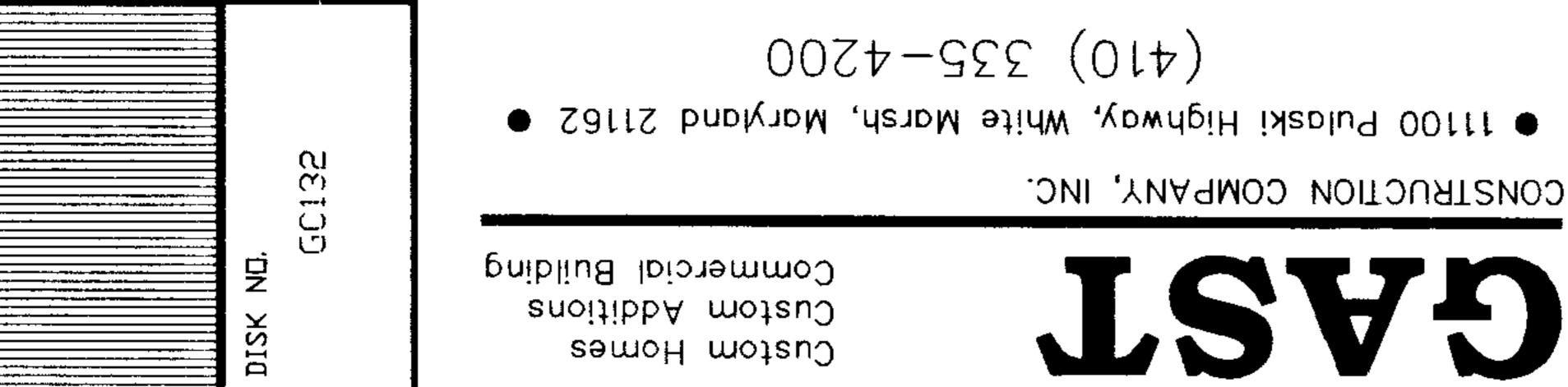


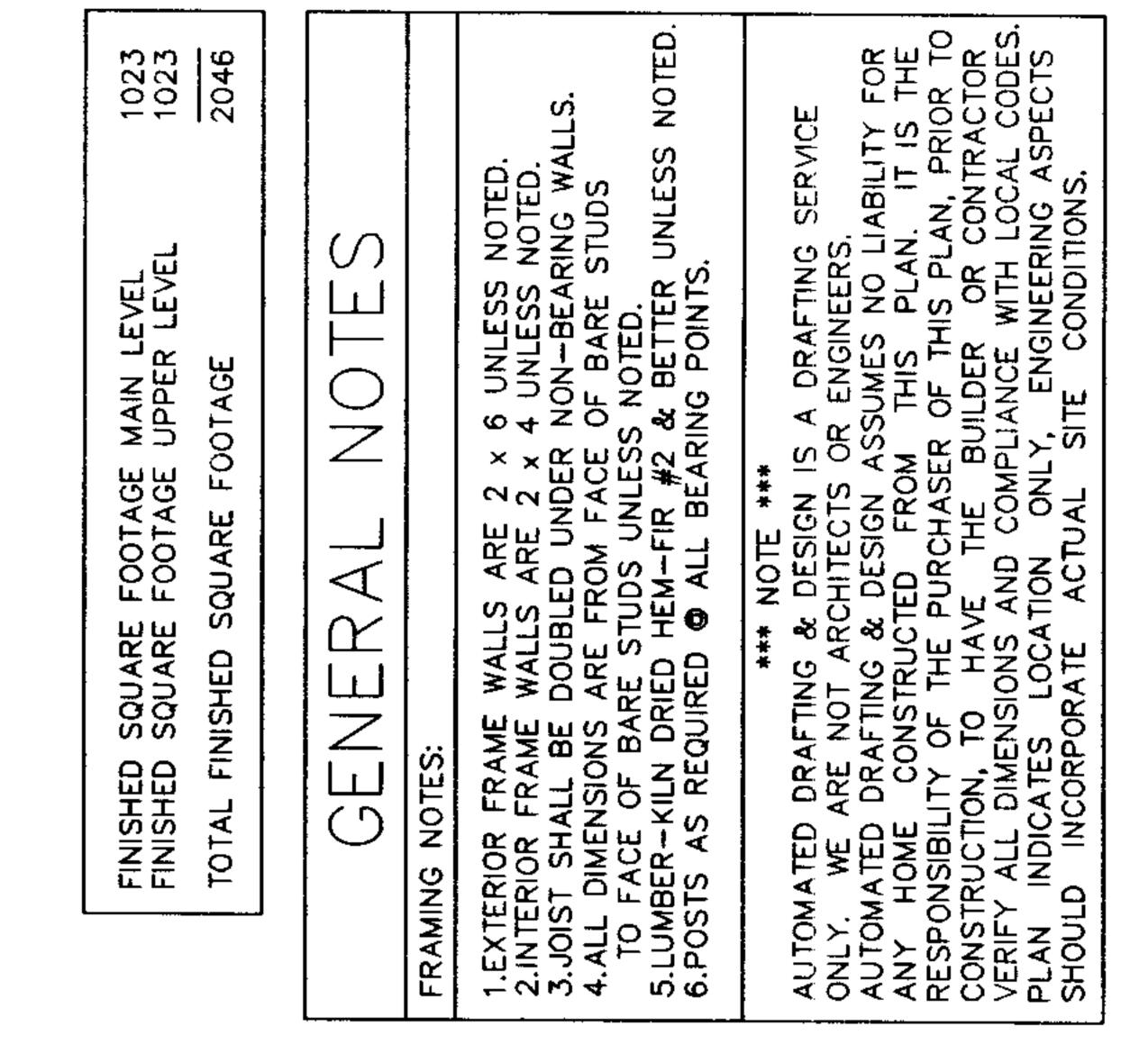


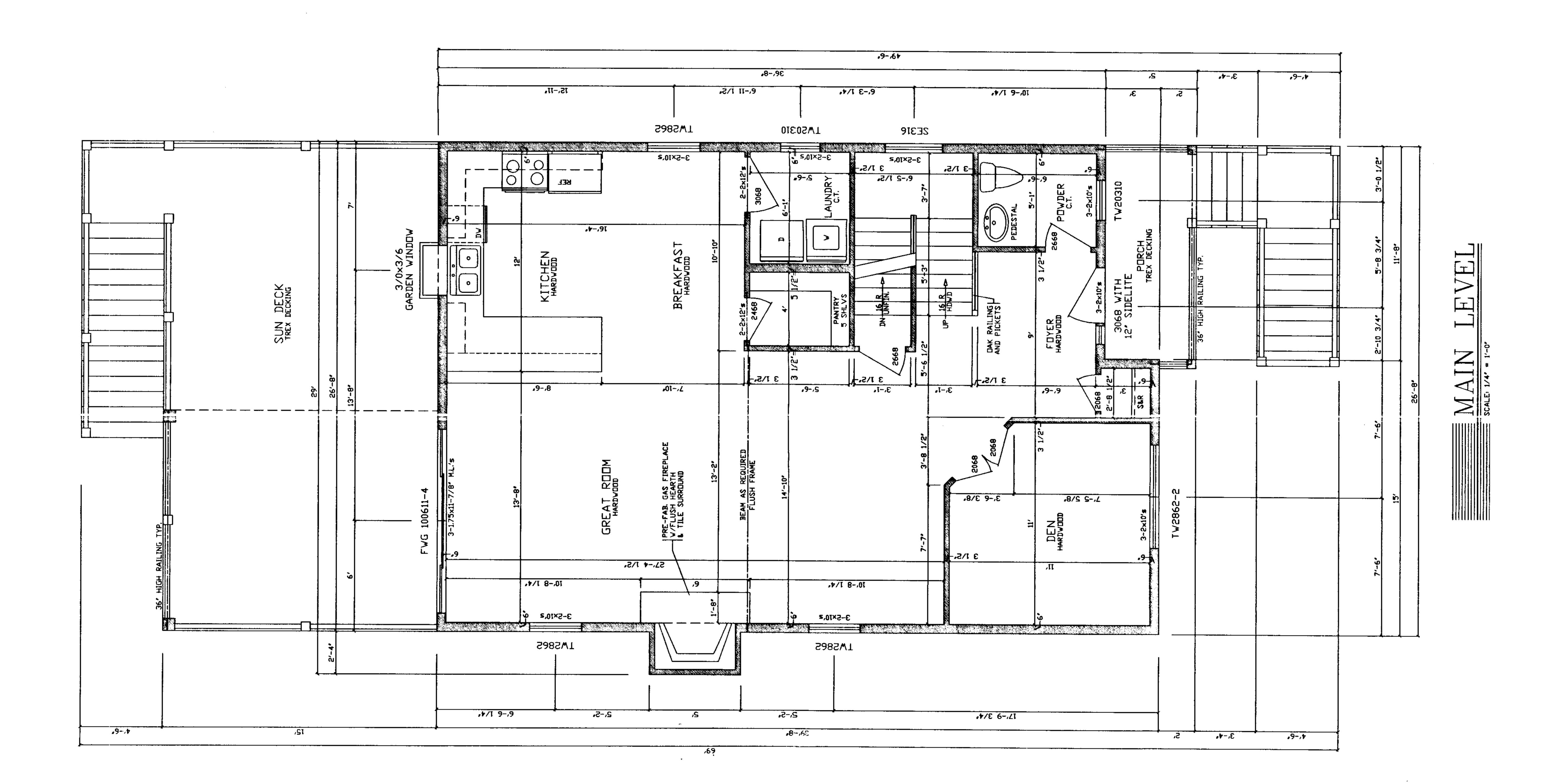
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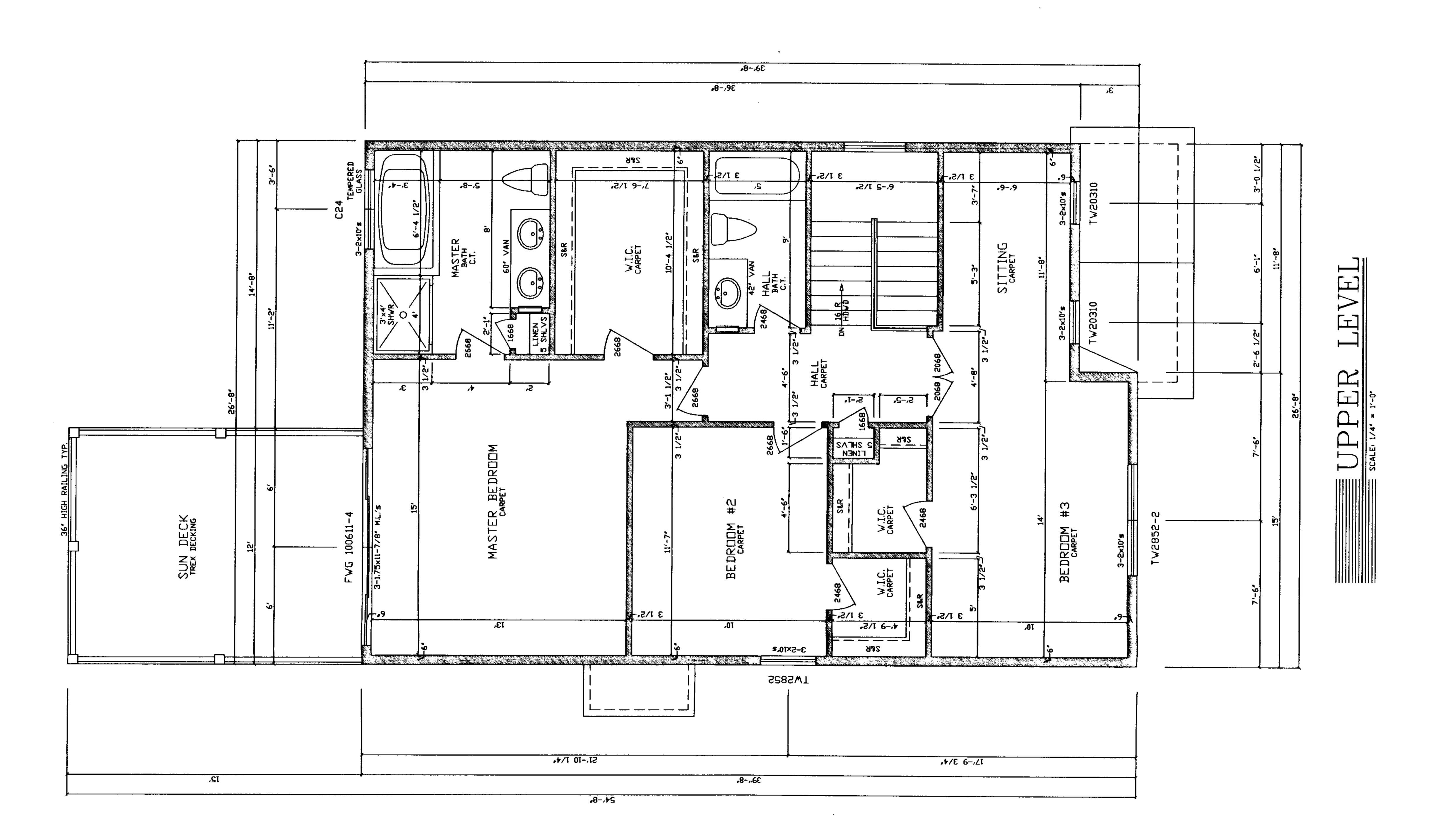


CONSTRUCTION COMPANY, INC.









TO: PATUXENT PUBLISHING COMPANY

Tuesday, October 10, 2006 Issue - Jeffersonian

Please forward billing to:

Scott Fortier 7216 River Drive Road Baltimore, MD 21219 410-417-1566

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: 07-078-A

7216 River Drive Road

East side of River Drive Rod, 505 feet north of centerline of Alice Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Scott & Mary Fortier

<u>Variance</u> to permit a lot area of 5875 square feet, a rear yard of 25 feet and side yards of 9 feet and 8 feet in lieu of the required 6,000 square feet, 30 feet and 10 feet respectively and Section 301.1 to permit an open porch with a setback of 19 feet in lieu of the required 22.5 feet.

Hearing: Wednesday, October 25, 2006 at 11:00 a.m. in Room 407, County Courts Building, 401 Procey 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.