

IN RE: PETITION FOR ADMIN. VARIANCE
S side of Wye Road, 1100 feet S of
Middleborough Road
15th Election District
6th Councilmanic District
(342 Wye Road)

Mark W. Liberto
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* BALTIMORE COUNTY
* CASE NO. 07-290-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 owner of the subject property, Mark W. Liberto. The variance request is for property located at 342 Wye Road. The variance request is from Sections 1B02.3.C.1 and 301.1 to permit a proposed addition and proposed second (2nd) floor balcony with a side yard setback of 9 feet and sum of side yard setbacks of 20 feet in lieu of the minimum required 10 feet and 25 feet, respectively; and to permit a proposed area-way (open projection) and proposed first (1st) floor porch (open projection) with a side yard setback of 5 feet and a sum of side yard setbacks of 16 feet in lieu of the minimum required 7.5 feet and 18.75 feet, respectively.

The Petitioner proposes to construct a 30 foot x 30 foot addition facing Wye Road, a 30 foot x 8 foot porch facing the water, an 8 foot x 8 foot balcony on the second floor facing the water, and a 20 foot x 4 foot area-way. The addition will contain two stories with a full basement. In order to provide for basement level egress code requirements, a new area-way is proposed to extend from the front of the new addition and will measure 20 feet x 4 feet. The planned additions and improvements are in order to provide a future need for family-related elderly care. The improvements will provide increased livable area beyond the existing limited

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functionality of the current dwelling. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1.

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 comments were received from the Bureau of Development Plans Review dated January 4, 2007 which contains restrictions; and the Department of Environmental Protection and Resource Management dated January 29, 2007 which contains restrictions. Copies of which are incorporated herein and made a part hereof the file.

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 December 28, 2006 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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The Petitioner has 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.

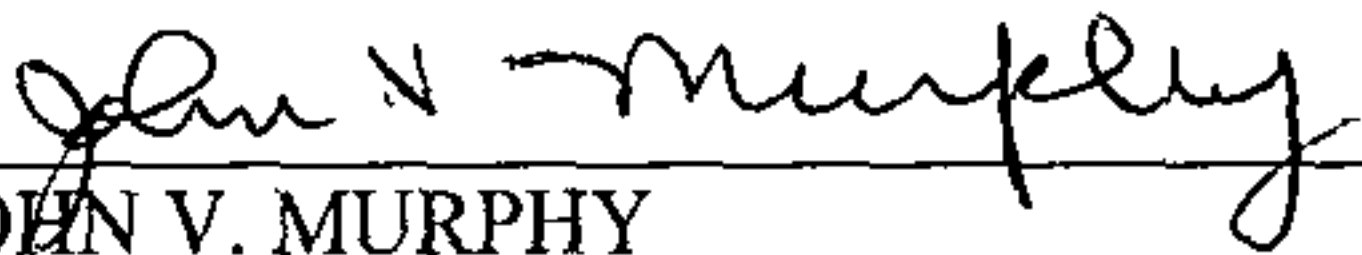
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 31st day of January, 2007, that a variance from Sections 1B02.3.C.1 and 301.1 to permit a proposed addition and proposed second (2nd) floor balcony with a side yard setback of 9 feet and sum of side yard setbacks of 20 feet in lieu of the minimum required 10 feet and 25 feet, respectively; and to permit a proposed area-way (open projection) and proposed first (1st) floor porch (open projection) with a side yard setback of 5 feet and a sum of side yard setbacks of 16 feet in lieu of the minimum required 7.5 feet and 18.75 feet, respectively be and is hereby GRANTED, subject to the following:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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. The base flood elevation for this site is 10.2 feet Baltimore County Datum.
3. The flood protection elevation for this site is 11.2 feet.

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4. In conformance with *Federal Flood Insurance Requirements*, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.
5. The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.
6. The building engineer shall require a permit for this project.
7. The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.
8. Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the County.
9. Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004 and other Sections of the Baltimore County Code).
10. This property is located in the CBCA Limited Development and Buffer Management Areas. Therefore, any development requires compliance with impervious surface limit, tree coverage and tidal buffer requirements. If structures and/or impervious surfaces have been added without approval of DEPRM, the site must be brought into compliance.

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

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CBCA

Flood



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 342 WYE 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) BO2, 3.0.1 & 301.1, BC2R, to permit

a proposed addition and proposed 2nd floor balcony with a side yard setback of 9 feet and sum of sideyard setbacks of 20 feet in lieu of the minimum required 10 feet and 25 feet, respectively, and to permit a proposed areaway (open projection) and proposed 1st floor porch (open projection) with a side yard setback of 5 feet and a sum of sideyard setbacks of 16 feet in lieu of the minimum required 7 1/2 feet and 18 3/4 feet, respectively, 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

Signature

Company

Address

Telephone No.

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 07-290-A day of 1-31-07 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.

Legal Owner(s):

MARK W. LIBERTO

Name - Type or Print

Signature

Name - Type or Print

Signature

342 WYE ROAD 410-686-9010

Address

Telephone No.

BALTIMORE, MD 21221

City

State

Zip Code

Representative to be Contacted:

MARK W. LIBERTO

Name

342 WYE ROAD 410-303-5000

Address

Telephone No.

BALTIMORE, MD 21221

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO.

07-290-A

REV 10/25/01

Reviewed By

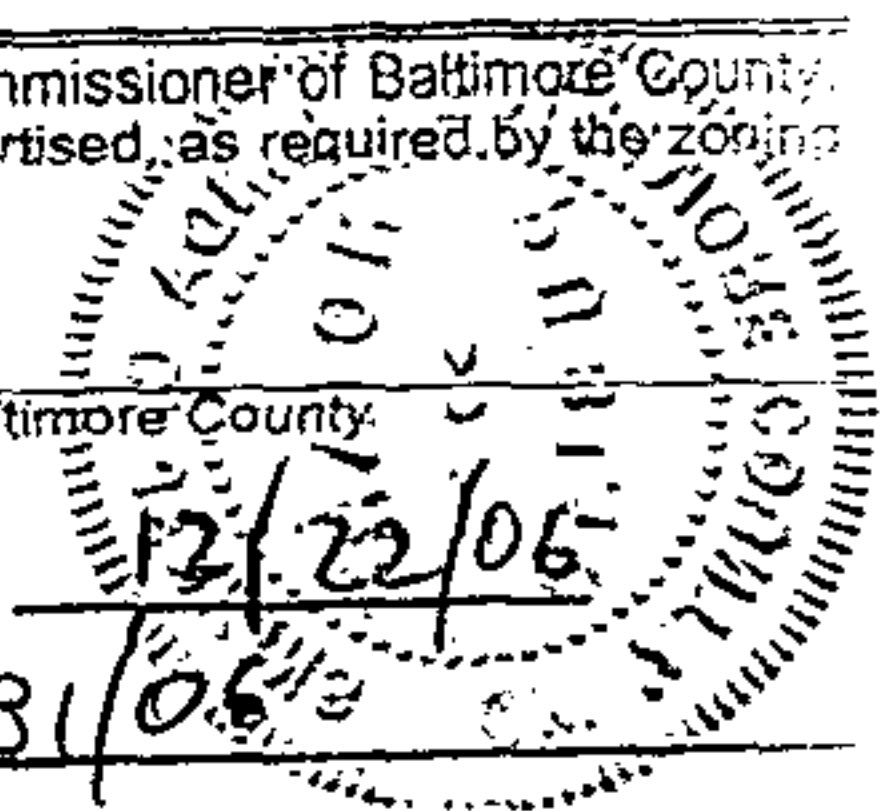
JNP

Date

12/22/06

Estimated Posting Date

12/31/06



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

342 WYE ROAD

Address

BALTIMORE,

City

MD

State

21221

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):

SEE ATTACHED

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.



Signature

MARK W. LIBERTO

Name - Type or Print

Signature

Name - Type or Print

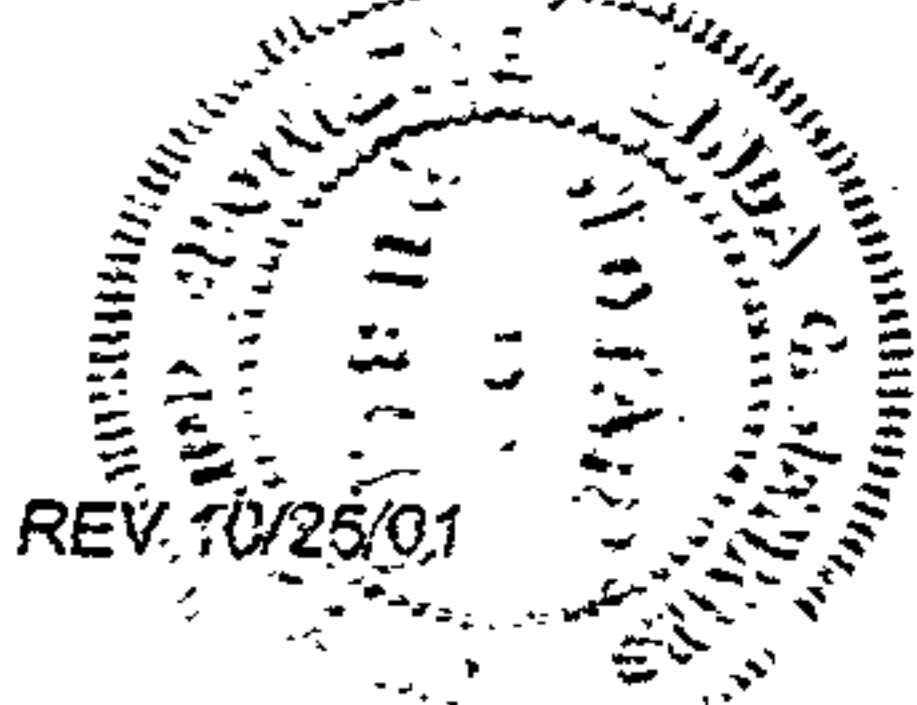
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11 day of DECEMBER, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARYLAND

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal





Notary Public

My Commission Expires

7-1-09

~~Description~~

~~Beginning at a point on the south side of Wye Road which is 30 feet of right-of-way wide at the distance of 1,100 feet south of the centerline of the nearest improved intersecting street, Middleborough Road, which is 50 feet of right-of-way wide. Being Lot #159, as recorded in the Baltimore County Plat Book #4, Folio #191, containing 13,624 square feet. Also known as 342 Wye Road and located in the 15th Election District, 6th Councilmanic District.~~

It is declared that the following project description is required for variance to provide for the proposed building improvements beyond the non-conformed site.

The proposed additions to the existing 30' x 32' dwelling are to include:

1. A 100% increased area footprint (30') occurring at the front (north) property and will contain 2 stories with full basement.
2. An addition of a post footing and above-grade lumber-framed deck will extend an additional 8' to the water-side (south) property at the first floor level. This deck framing will also provide an 8' x 8' second level deck, and will not extend further than the proposed deck as mentioned.
3. In order to provide for basement-level egress code requirements, a new areaway is proposed to extend from the front of the new addition (north), and will measure 20' x 4', and have an eyebrow roof extend to meet this 4' at the front and west side elevations.

Practical difficulty

1. The property owner requires the proposed additions and improvements to be made to the existing building in order to provide a future need for family-related elderly care.
2. The owner acknowledges that the variance is required to provide for the proposed building improvements beyond the non-conformed zoning status of the property.
3. The intended improvements will provide increased livable value beyond the existing limited functionality of the current dwelling.

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ZONING DESCRIPTION FOR 342 Wye Road

Beginning at a point on the south side of Wye Road which is 30 feet of right-of-way wide at the distance of 1,100 feet south of the centerline of the nearest improved intersecting street, Middleborough Road, which is 50 feet of right-of-way wide. Being Lot #159, as recorded in the Baltimore County Plat Book #4, Folio #191, containing 13,624 square feet. Also known as 342 Wye Road and located in the 15th Election District, 6th Councilmanic District.

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BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 23068

DATE 12/22/2016 ACCOUNT 2-001-006-6150
 AMOUNT \$ 65.00

RECEIVED FROM: Mark Liberto

FOR: Adm. Services - 342 Wye Road
07-290-A (Liberto)

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
 BUSINESS ACTUAL TYPE ORG
 12/22/2016 12/22/2016 1000000 5
 REC-23068 BALANCE 1000000
 RECEIPT # 417533 12/22/2016 00114
 Dept 5 521 1000000 1000000
 AMT. 65.00
 Receipt Tot 65.00
 45.00 PA
 Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

Date: 12/28/06

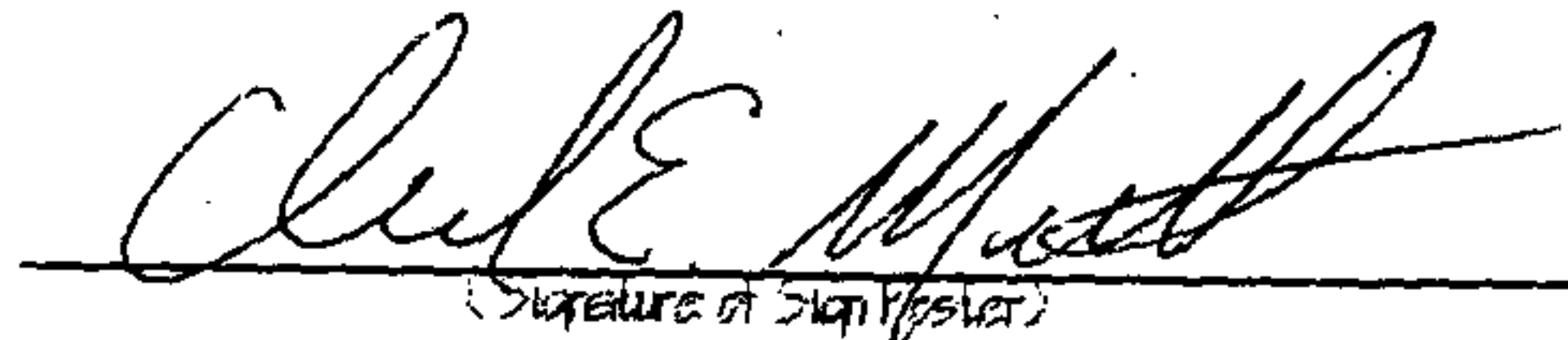
RE: Case Number: 07-290-A

Petitioner/Developer: MARK W. LIBERTO

Date of Hearing/Closing: 1/15/07

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 342 WYE ROAD, BALTIMORE MD 21221

The sign(s) were posted on DECEMBER 28, 2006
(Month, Day, Year)


(Signature of Sign/Poster)

Charles E. Merritt
9831 Madgett Road
Baltimore, MD 21234
410-665-5562



ZONING NOTICE
ADMINISTRATIVE VARIANCE

CASE # 07-290A
TO PERMIT A PROPOSED ADDITION AND A
PROPOSED 2ND FLOOR BALCONY WITH A SIDE
YARD SETBACK OF 7 FEET AND A SUM OF SIDING
SETBACKS OF 20 FEET IN LIEU OF THE MINIMUM
REQUIRED 50 FEET AND 25 FEET, RESPECTIVELY, AND
TO PERMIT A PROPOSED SIDEYARD (OPEN PROTECTION)
AND PROPOSED 1ST FLOOR PORCH (OPEN PROTECTION)
WITH A SIDEYARD SETBACK OF 5 FEET AND A SUM OF
SIDING SETBACKS OF 16 FEET IN LIEU OF THE MINIMUM
REQUIRED 7 1/2 FEET AND 18 3/4 FEET, RESPECTIVELY.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(K)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON JAN 15, 2007
ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07- 290 -A

Address 342 Wye Road

Contact Person: Jeffrey Perlow
Planner: Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 12/22/06

Posting Date: 12/31/06

Closing Date: 1/15/07

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

- 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.
- 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.
- 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.
- 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 07- 290 -A

Address 342 Wye Road

Petitioner's Name Mark Liberto

Telephone 410-686-9010

Posting Date: 12/31/06

Closing Date: 1/15/07

Wording for Sign: To Permit a proposed addition and proposed 2nd floor balcony with a side yard setback of 9 feet and sum of side yard setbacks of 20 feet in lieu of the minimum required 10 feet and 25 feet, respectively, and to permit a proposed areaway (open projection) and proposed 1st floor porch (open projection) with a side yard setback of 5 feet and a sum of side yard setbacks of 16 feet in lieu of the minimum required 7½ feet and 18¾ feet, respectively.

WCR - Revised 6/25/04

DESCRIPTION

REVISIONS TO ARCHITECTURAL DRAWINGS TO INCLUDE THE REMOVAL OF THE EXISTING ATTIC FLOOR/ROOF LEVEL TO ALLOW FOR THE REMOVAL OF THE EXISTING FIRST FLOOR. ALL ADDITION OF BUILDING SET AT THE FIRST FLOOR LEVEL AS WELL AS EXISTING FULL BASEMENT. ALL SECOND FLOOR WITH NEW ROOF WILL BE CONSTRUCTED AS WELL AS WATER FRONT PORCH & ENTRY.

PROJECT NO. 12345
DATE: 12/15/2023
DRAWN BY: J. SMITH
CHECKED BY: M. JONES
APPROVED BY: K. BROWN

GENERAL NOTES:

- ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.
- ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AND SHALL BE SUBMITTED FOR APPROVAL BY THE ARCHITECT PRIOR TO INSTALLATION.
- ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.
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FOUNDATION

- ALL FOUNDATION WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.
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FRAMING

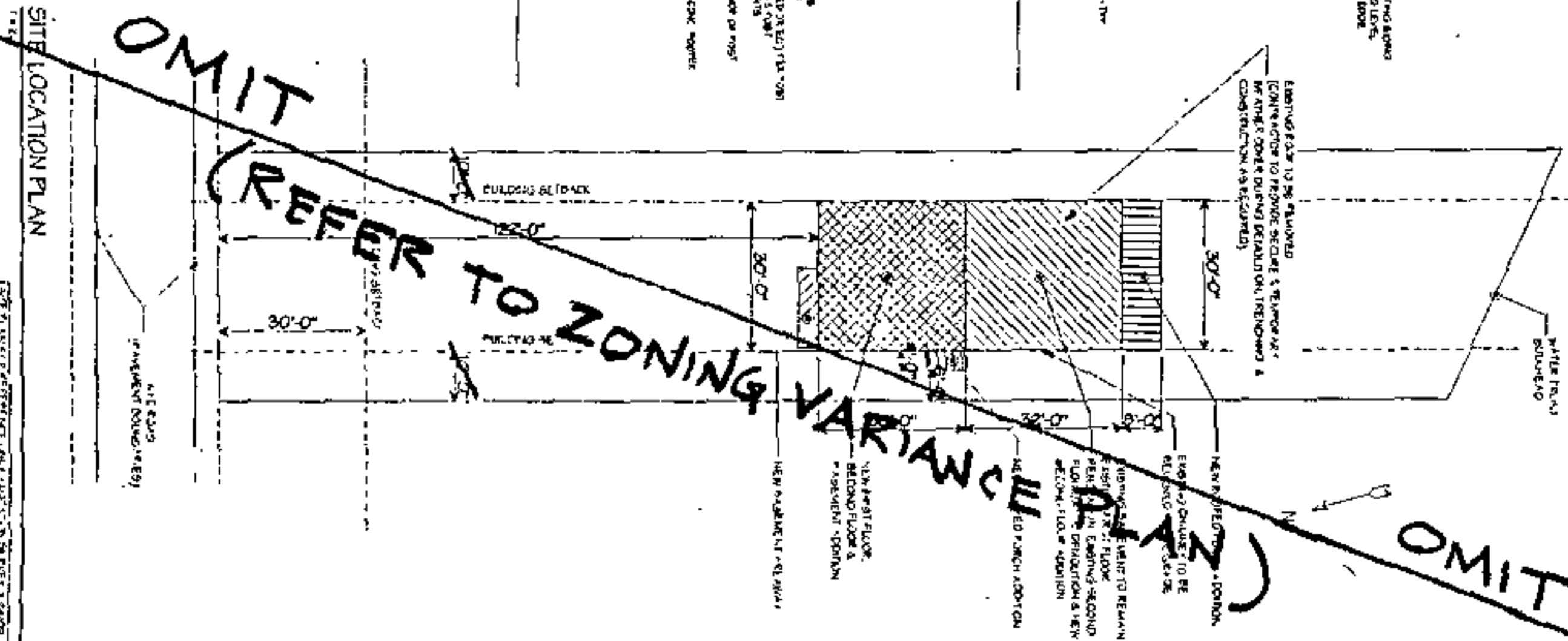
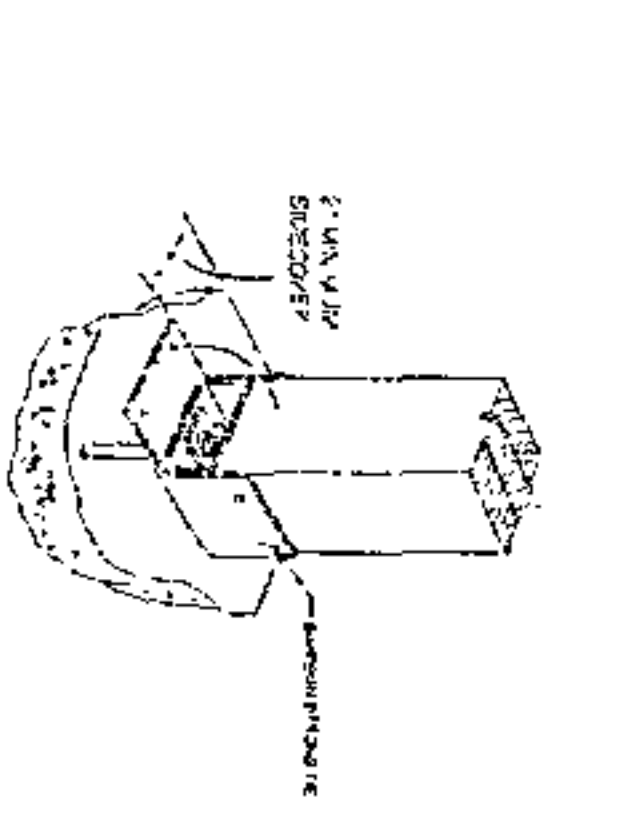
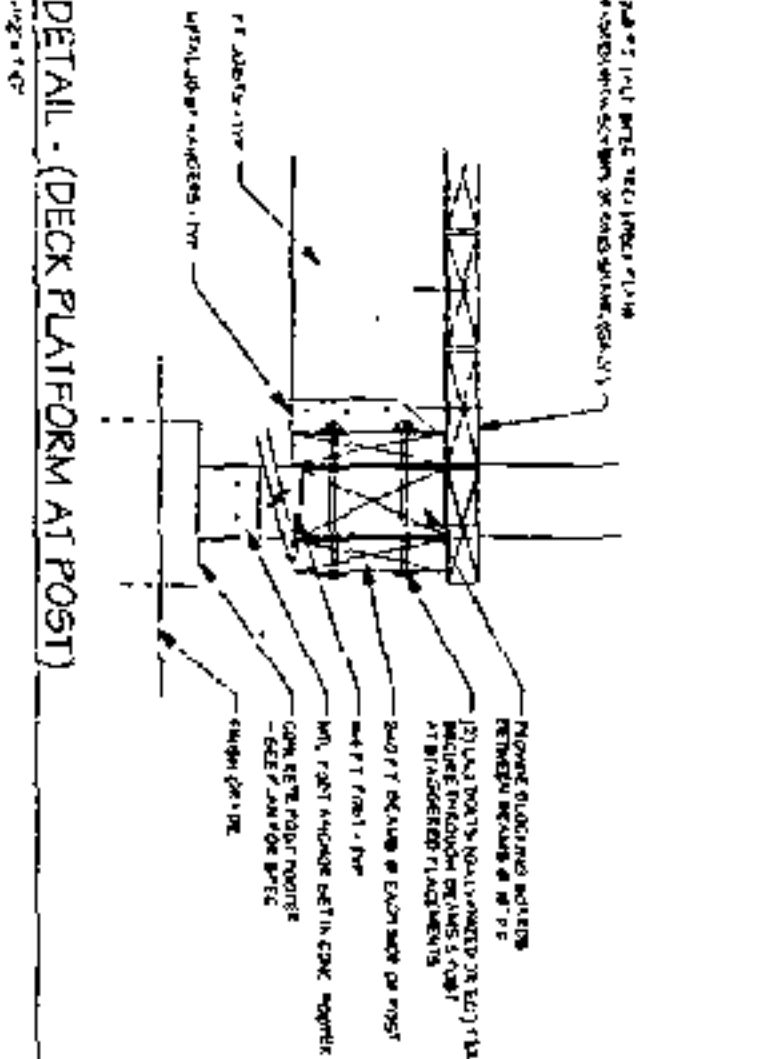
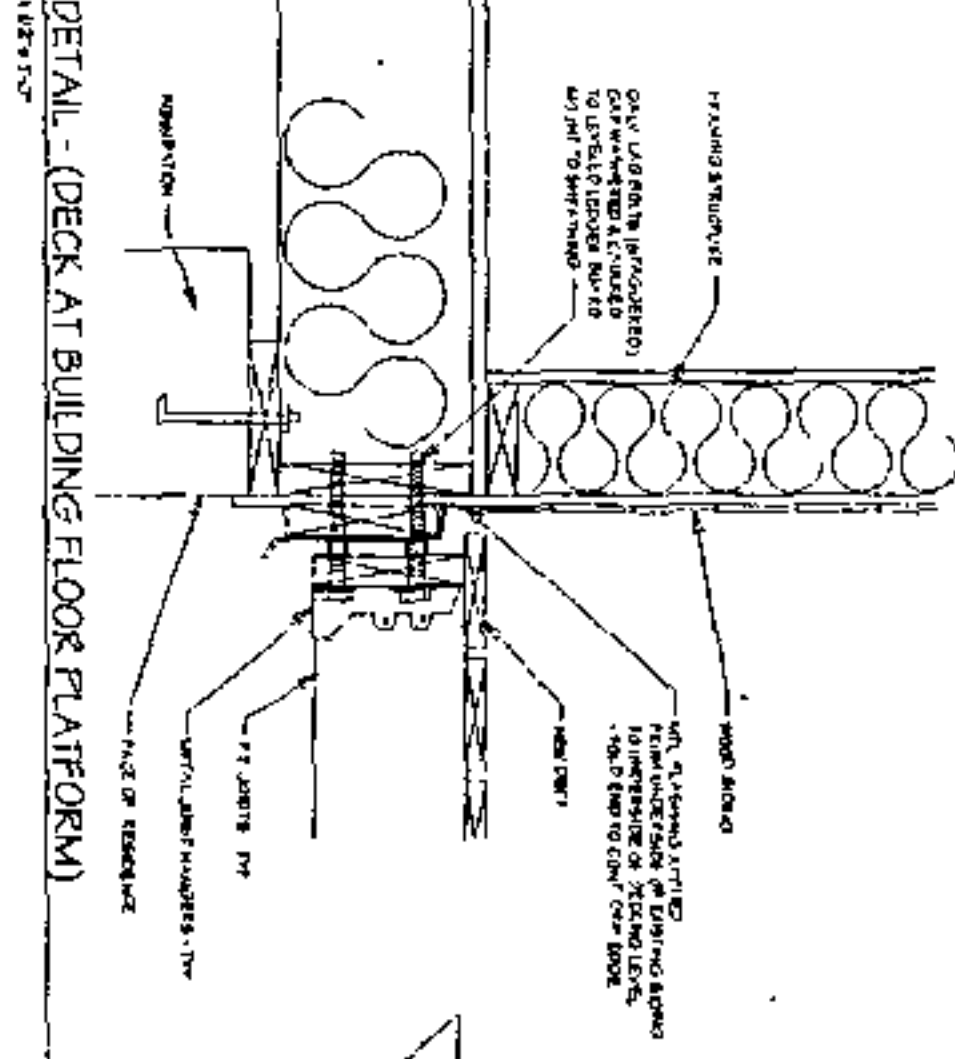
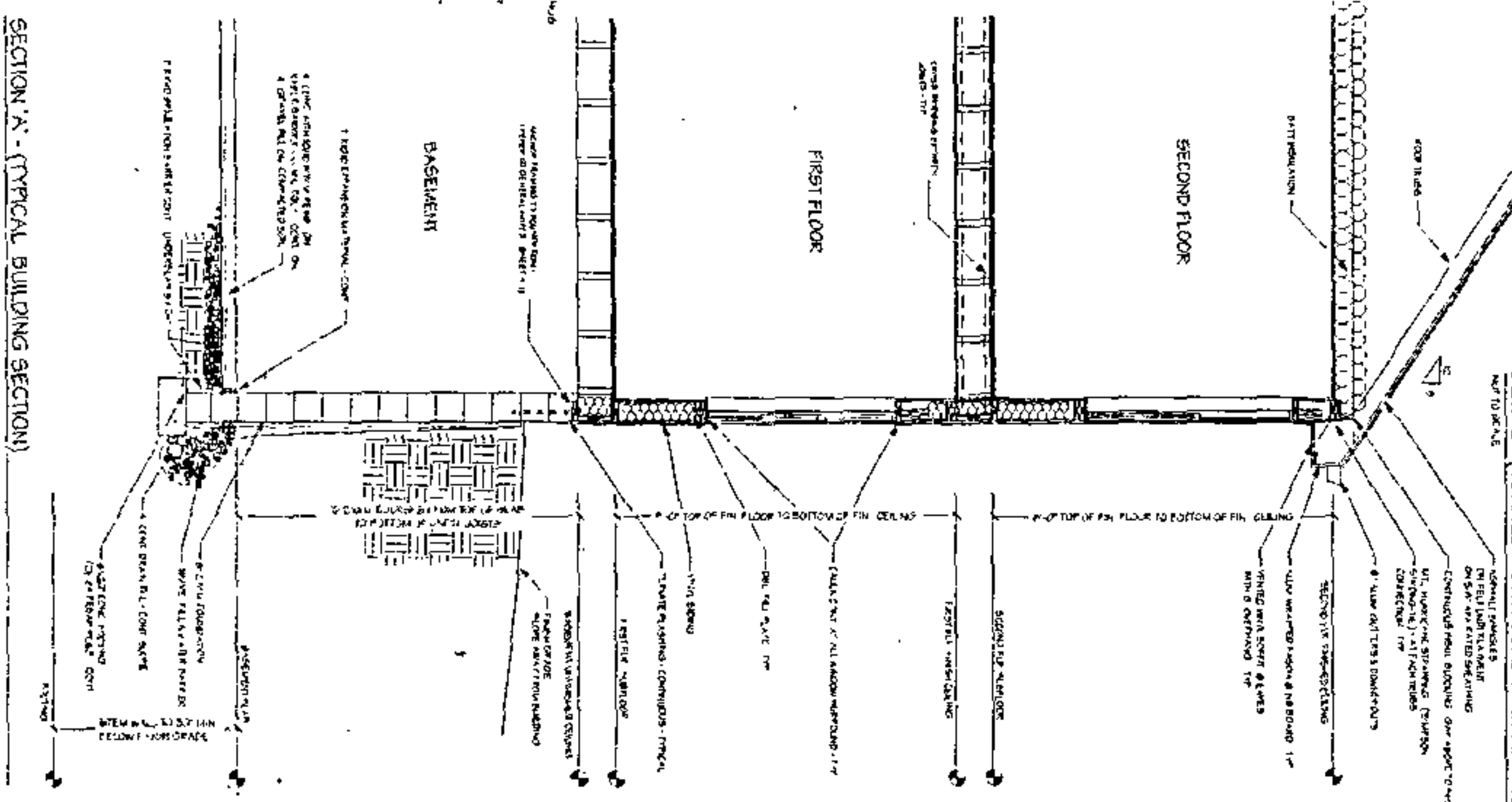
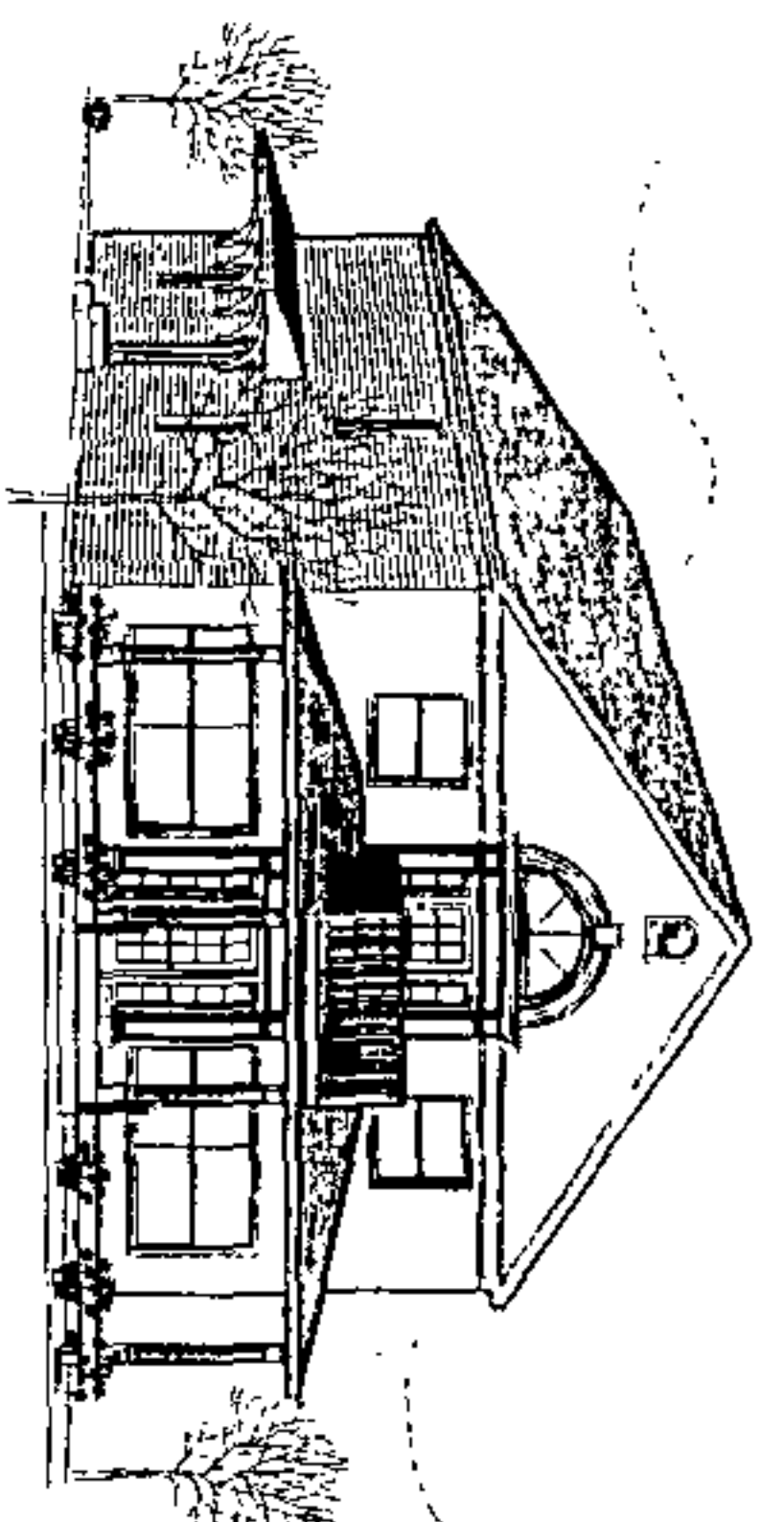
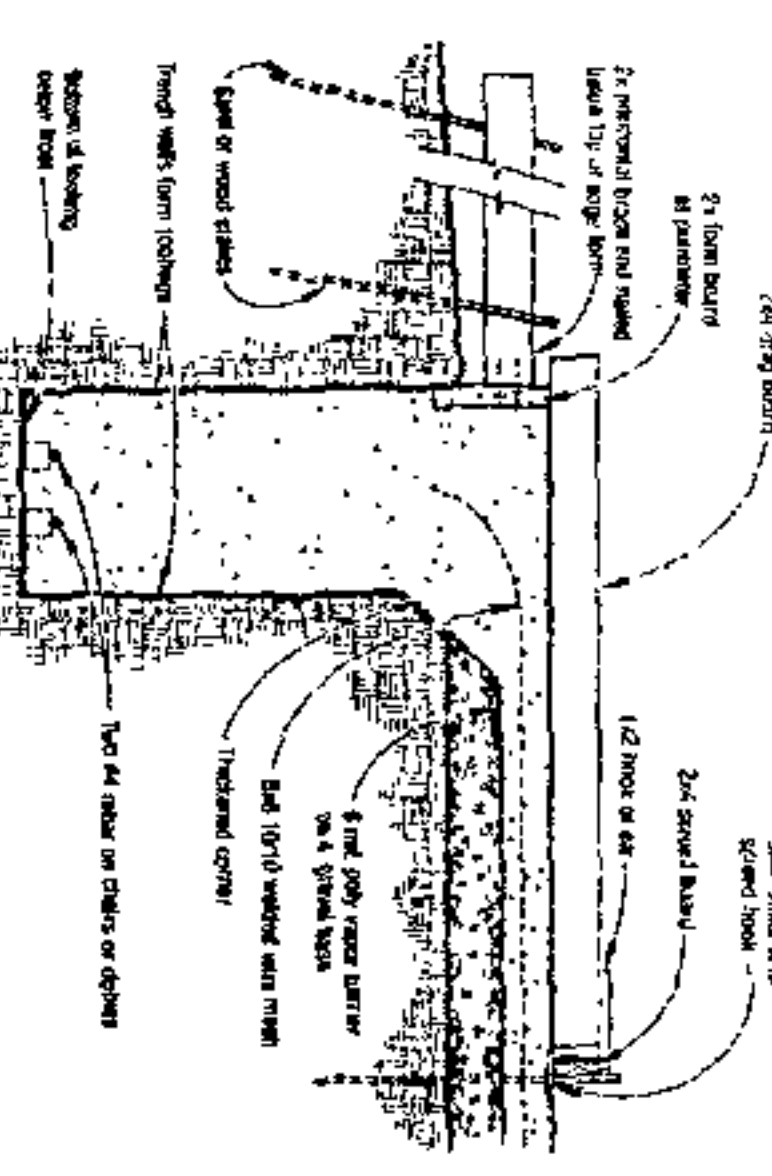
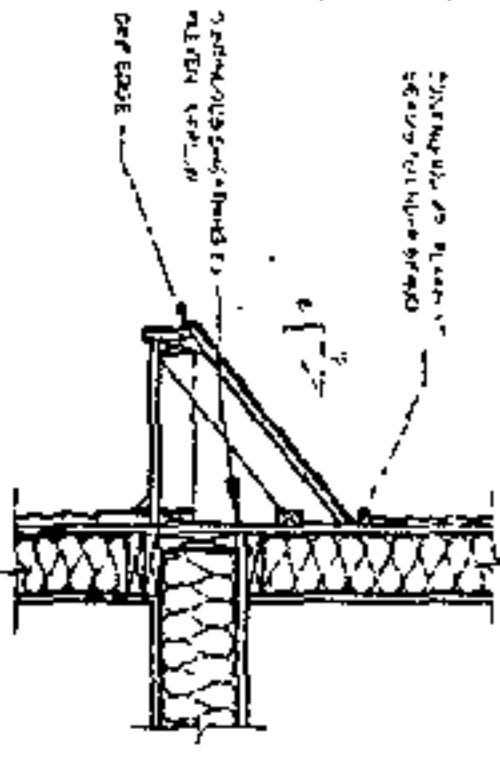
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INSULATION AND VENTILATION

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MISCELLANEOUS

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- ALL MISCELLANEOUS WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
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- ALL MISCELLANEOUS WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.



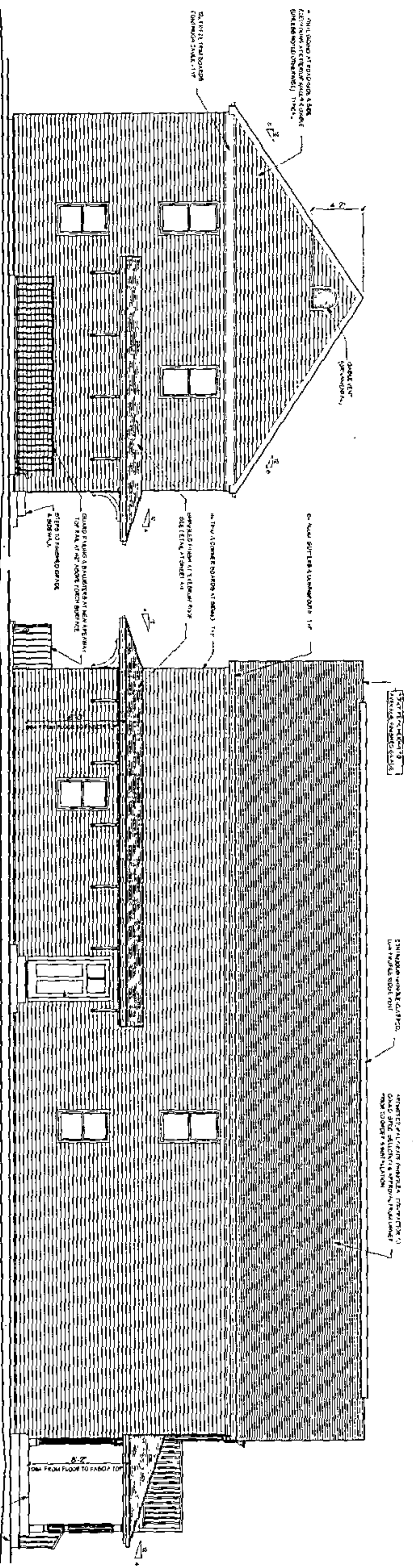
LIBERTO RESIDENCE
342 WYE ROAD
BALTIMORE, MD 21221

Exhibit A Model Home

DATE: 12/15/2023
DRAWN BY: J. SMITH
CHECKED BY: M. JONES
APPROVED BY: K. BROWN

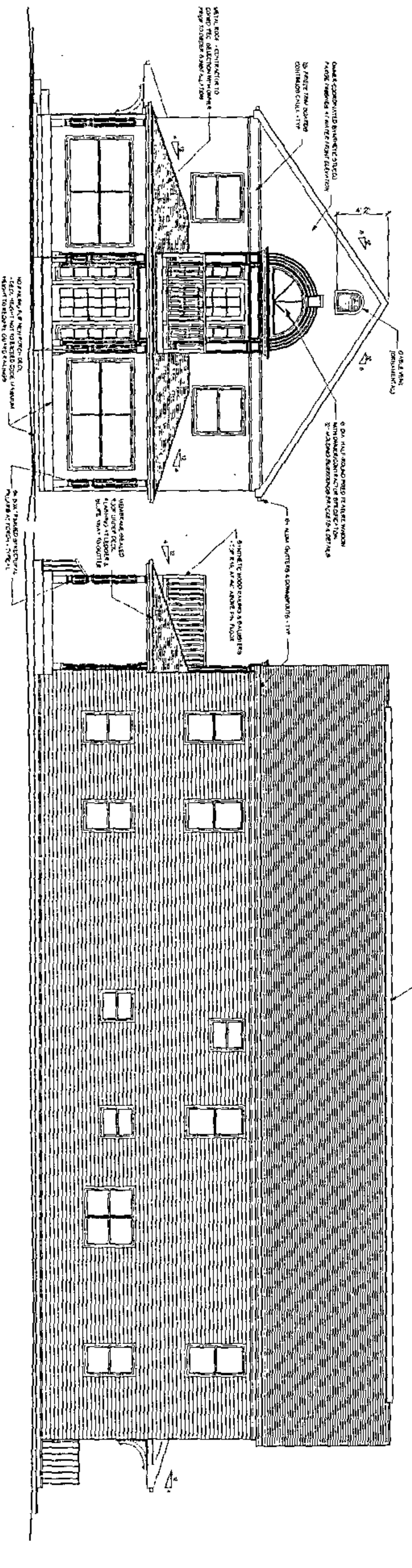
PROJECT NO. 12345
DATE: 12/15/2023
DRAWN BY: J. SMITH
CHECKED BY: M. JONES
APPROVED BY: K. BROWN

07-290-A



ROAD-SIDE ELEVATION - (NORTH)

RIGHT SIDE ELEVATION - (WEST)



WATER FRONT ELEVATION - (SOUTH)

LEFT SIDE ELEVATION - (EAST)

LIBERTO RESIDENCE 342 WYE ROAD BALTIMORE, MD 21221

Exhibit A Model Home



Exhibit A
7000 Greenleaf Avenue
Ft. Belvoir, MD 20758
410-763-9100

LIBERTO RESIDENCE, HOME AND ITS OWNER
ARE NOT RESPONSIBLE FOR ANY INFORMATION
PROVIDED OR NOT PROVIDED BY THE
MARYLAND DEPARTMENT OF GENERAL SERVICES
OR ITS AFFILIATES. THE INFORMATION IS
FOR INFORMATIONAL PURPOSES ONLY.

NO.	DESCRIPTION	QTY	UNIT PRICE	TOTAL
1	LIBERTO RESIDENCE	1	\$100,000.00	\$100,000.00
2	LIBERTO RESIDENCE	1	\$100,000.00	\$100,000.00
3	LIBERTO RESIDENCE	1	\$100,000.00	\$100,000.00
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99	LIBERTO RESIDENCE	1	\$100,000.00	\$100,000.00
100	LIBERTO RESIDENCE	1	\$100,000.00	\$100,000.00

07-290-A

[illegible][illegible]

Exhibit A Model Home



Exhibit A Model Home and the geometric interpretation of the model. The model is a square with side length 1, inscribed in a circle of radius $\frac{1}{2}$. The square is rotated 45 degrees so its vertices touch the circle's circumference. The circle is divided into four segments by the square's sides. The top and bottom segments are shaded gray, while the left and right segments are white.

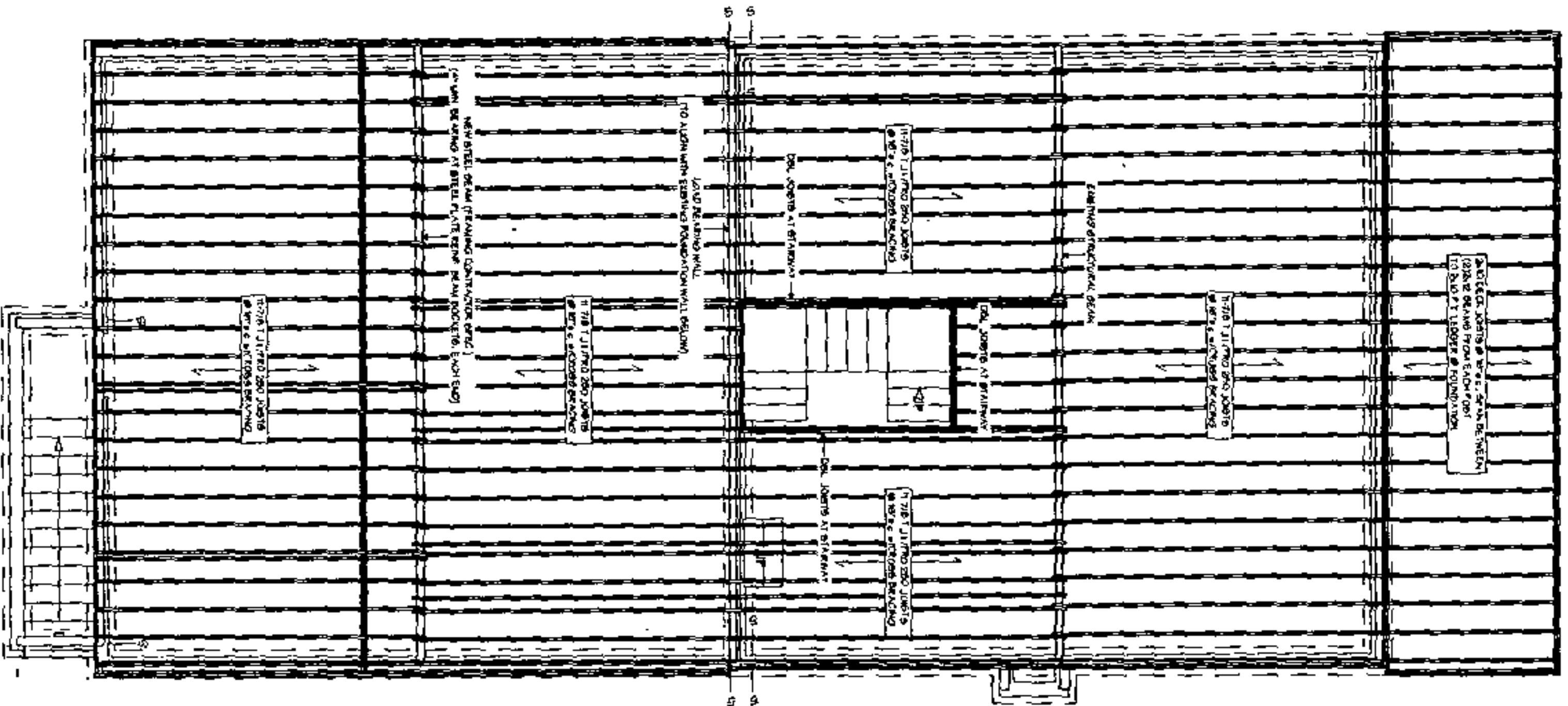
7446 Emerald Avenue
Beverly Hills, CA 90210
and 818-271-0700

open 10:00 a.m. to 6:00 p.m.
and 10:00 a.m. to 5:00 p.m.

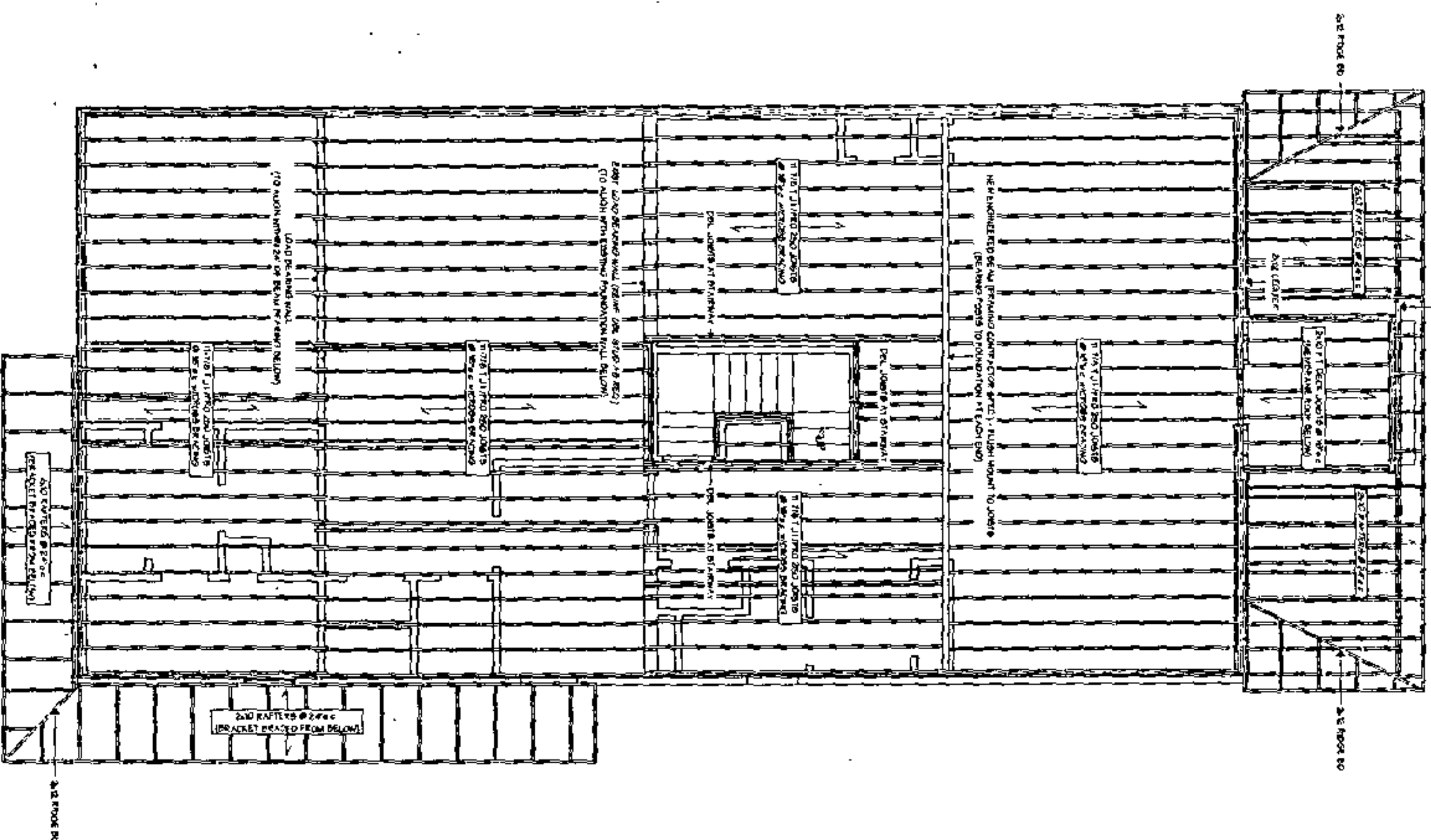
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Exhibit A Model Home and the geometric interpretation of the model. The model is a square with side length 1, inscribed in a circle of radius $\frac{1}{2}$. The square is rotated 45 degrees so its vertices touch the circle's circumference. The circle is divided into four segments by the square's sides. The top and bottom segments are shaded gray, while the left and right segments are white.

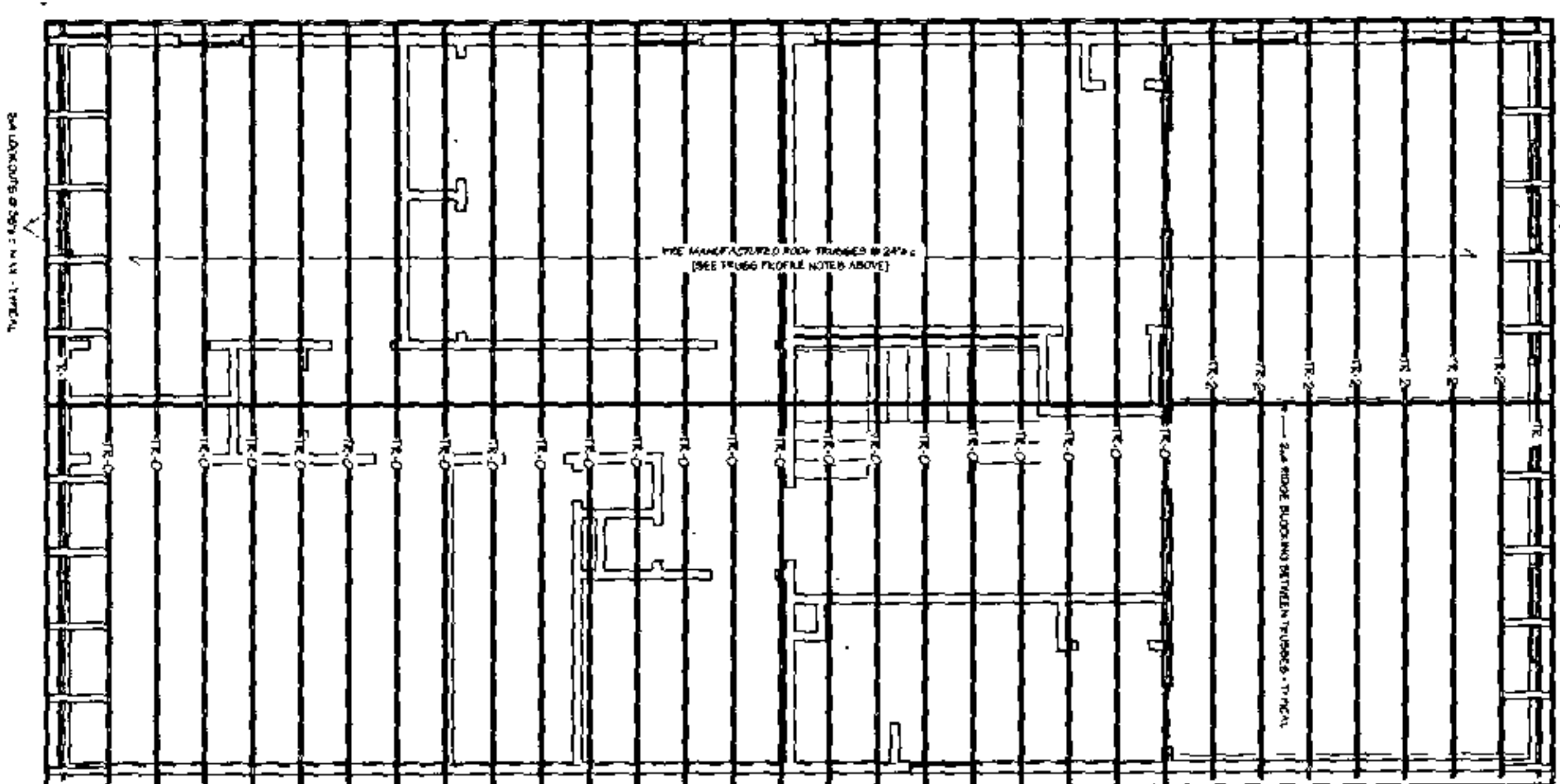
07-290-A



FIRST FLOOR FRAMING PLAN



SECOND FLOOR FRAMING PLAN



ROOF FRAMING PLAN

NOTES:
1. ALL ROOF TRUSSES TO BE MANUFACTURED TO MEET THE REQUIREMENTS OF THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION, INC. (AISC) 360-10.
2. ALL ROOF TRUSSES TO BE MANUFACTURED TO MEET THE REQUIREMENTS OF THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION, INC. (AISC) 360-10.
3. ALL ROOF TRUSSES TO BE MANUFACTURED TO MEET THE REQUIREMENTS OF THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION, INC. (AISC) 360-10.

LIBERTO RESIDENCE

342 WYE ROAD
BALTIMORE, MD 21221

Exhibit A Model Home



342 WYE RD
BALTIMORE, MD 21221
410-555-0730

1. ALL ROOF TRUSSES TO BE MANUFACTURED TO MEET THE REQUIREMENTS OF THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION, INC. (AISC) 360-10.
2. ALL ROOF TRUSSES TO BE MANUFACTURED TO MEET THE REQUIREMENTS OF THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION, INC. (AISC) 360-10.
3. ALL ROOF TRUSSES TO BE MANUFACTURED TO MEET THE REQUIREMENTS OF THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION, INC. (AISC) 360-10.

NO.	REVISION	DATE	BY	CHKD
1	ISSUED FOR PERMIT	10/1/00	J. LIBERTO	J. LIBERTO
2	REVISED FOR CONSTRUCTION	10/1/00	J. LIBERTO	J. LIBERTO
3	REVISED FOR CONSTRUCTION	10/1/00	J. LIBERTO	J. LIBERTO
4	REVISED FOR CONSTRUCTION	10/1/00	J. LIBERTO	J. LIBERTO
5	REVISED FOR CONSTRUCTION	10/1/00	J. LIBERTO	J. LIBERTO
6	REVISED FOR CONSTRUCTION	10/1/00	J. LIBERTO	J. LIBERTO
7	REVISED FOR CONSTRUCTION	10/1/00	J. LIBERTO	J. LIBERTO
8	REVISED FOR CONSTRUCTION	10/1/00	J. LIBERTO	J. LIBERTO
9	REVISED FOR CONSTRUCTION	10/1/00	J. LIBERTO	J. LIBERTO
10	REVISED FOR CONSTRUCTION	10/1/00	J. LIBERTO	J. LIBERTO

FLOOR & ROOF TRUSSES
FRAMING PLAN

A-4

07-290-A

SCALE:

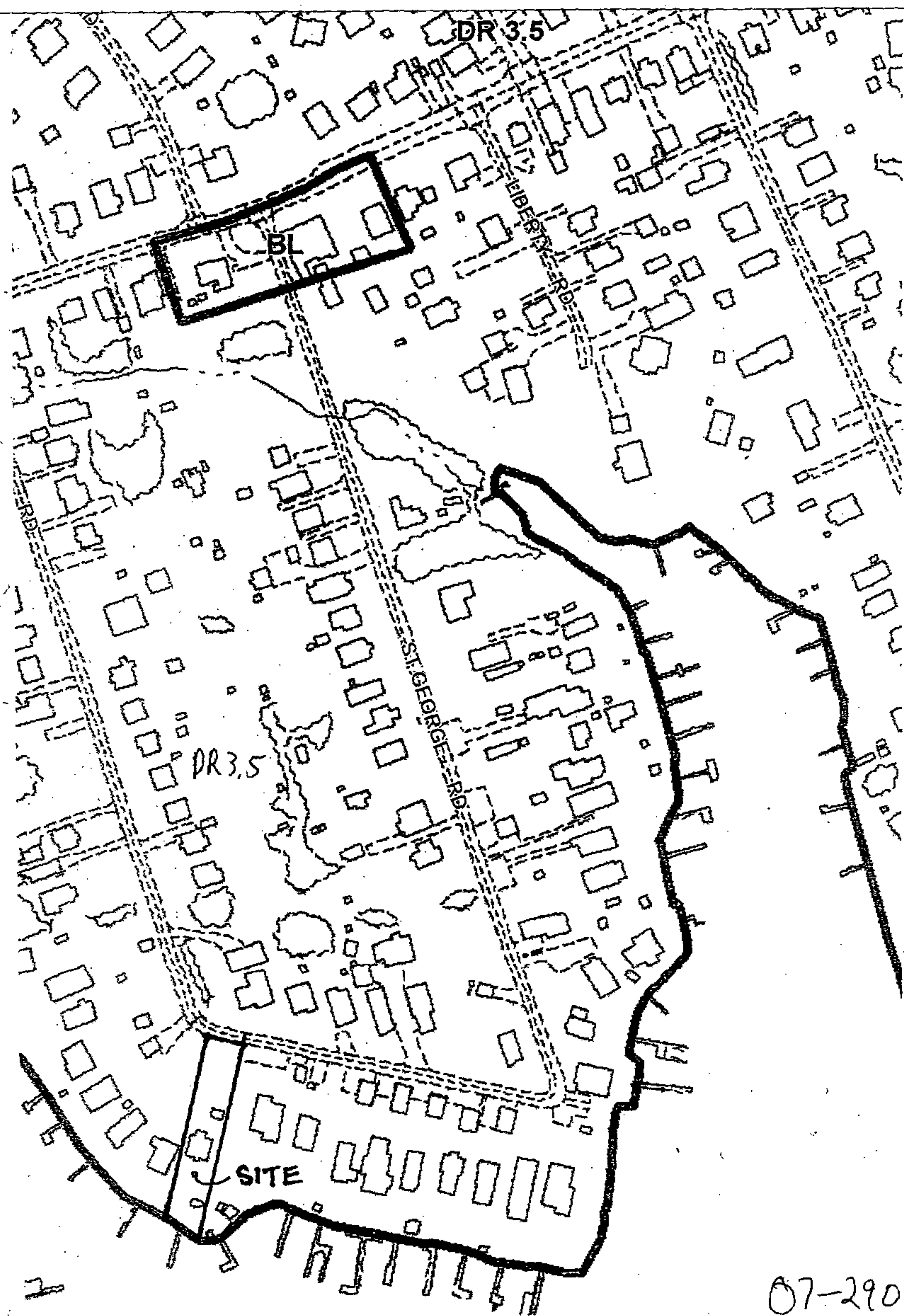
1" = 200'

LOCATION:

342 WYE ROAD
BALTIMORE, MD 21221

MAP #

098 A1



07-290-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

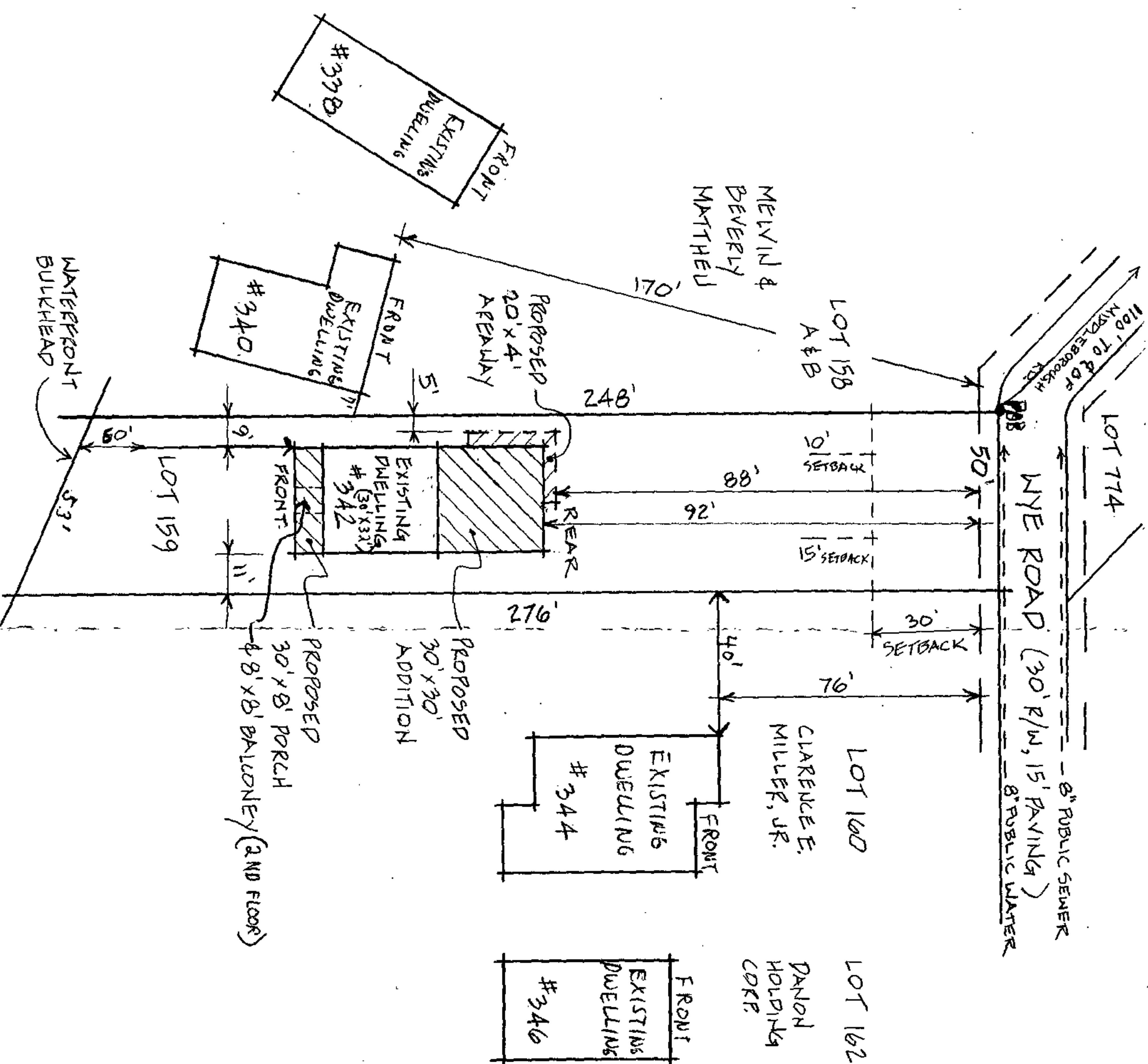
PROPERTY ADDRESS 342 WYE ROAD

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME MIDDLEBOROUGH

PLAT BOOK # 4 FOLIO # 191 LOT # 159 SECTION # 1

OWNER MARK W. LIBERTO

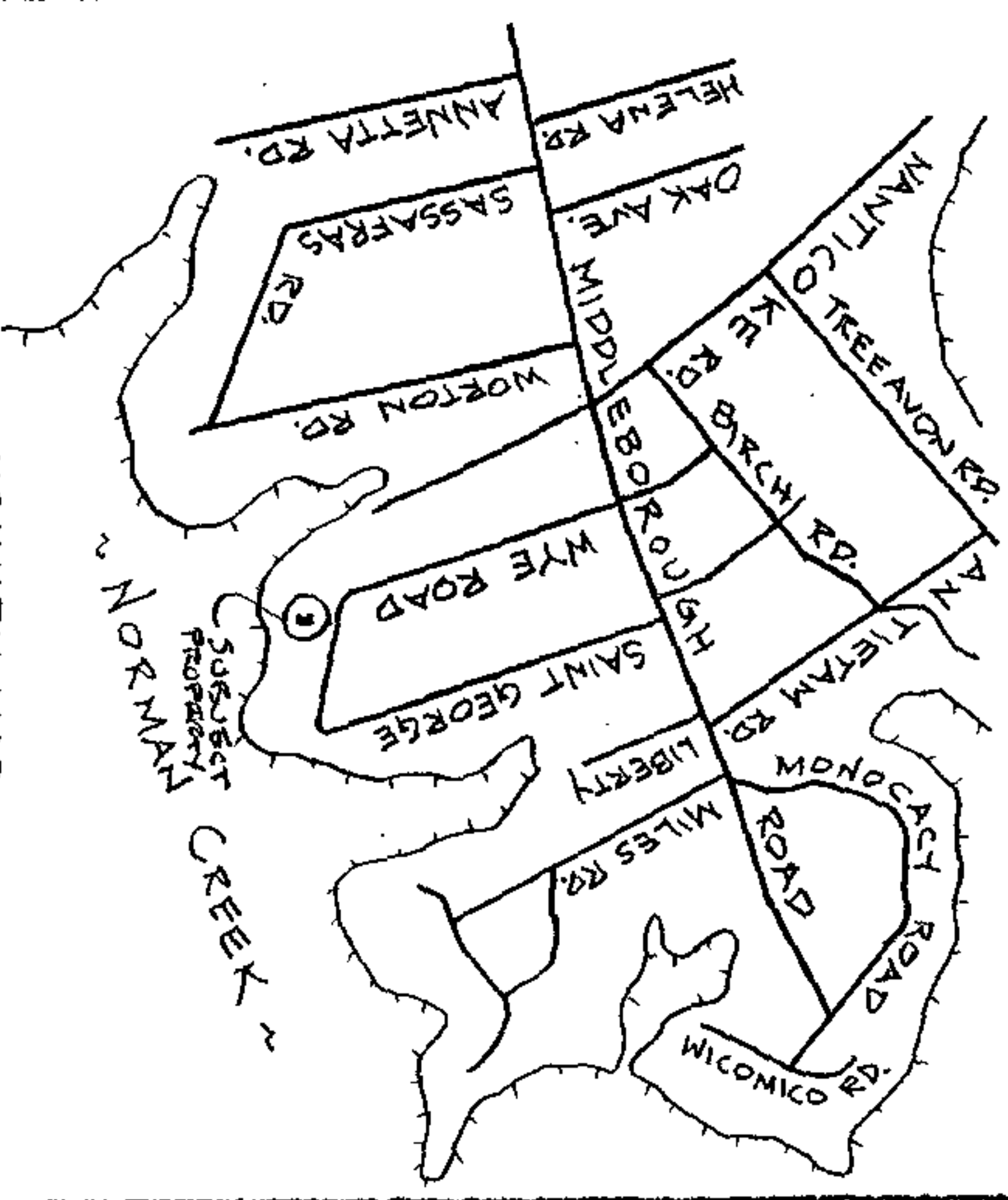


PREPARED BY ELK

SCALE OF DRAWING: 1" = 40'



VICINITY MAP
SCALE: 1" = 1000'



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # 098A1

ZONING DR-3.5

LOT SIZE 0.31 ACRES 13,624 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒

CHESAPEAKE BAY CRITICAL AREA ☒

100 YEAR FLOOD PLAIN 4-10 ☒

HISTORIC PROPERTY / BUILDING ☐

PRIOR ZONING HEARING NONE

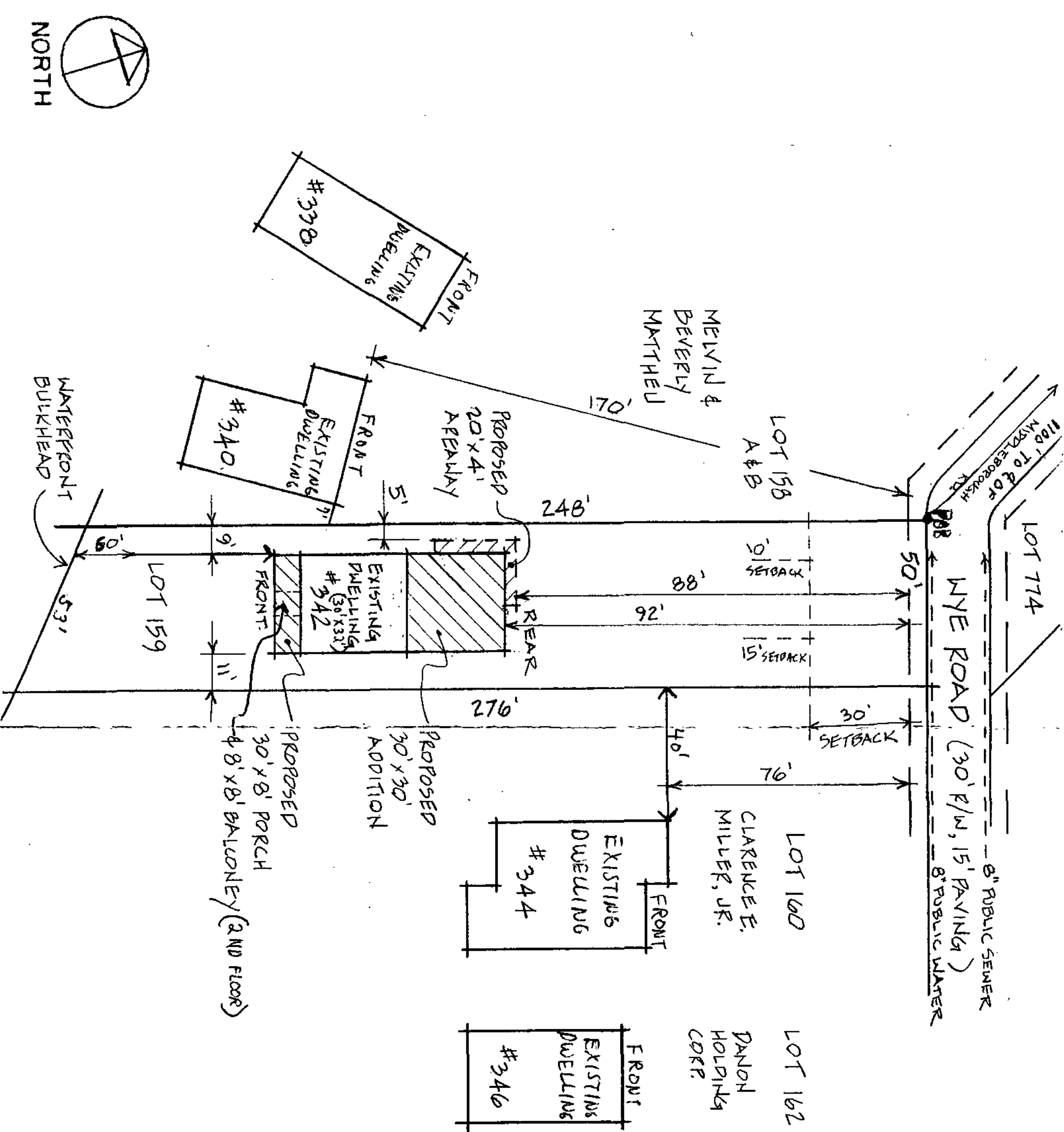
ZONING OFFICE USE ONLY

REVIEWED BY JNF ITEM # 290 CASE # 0729074

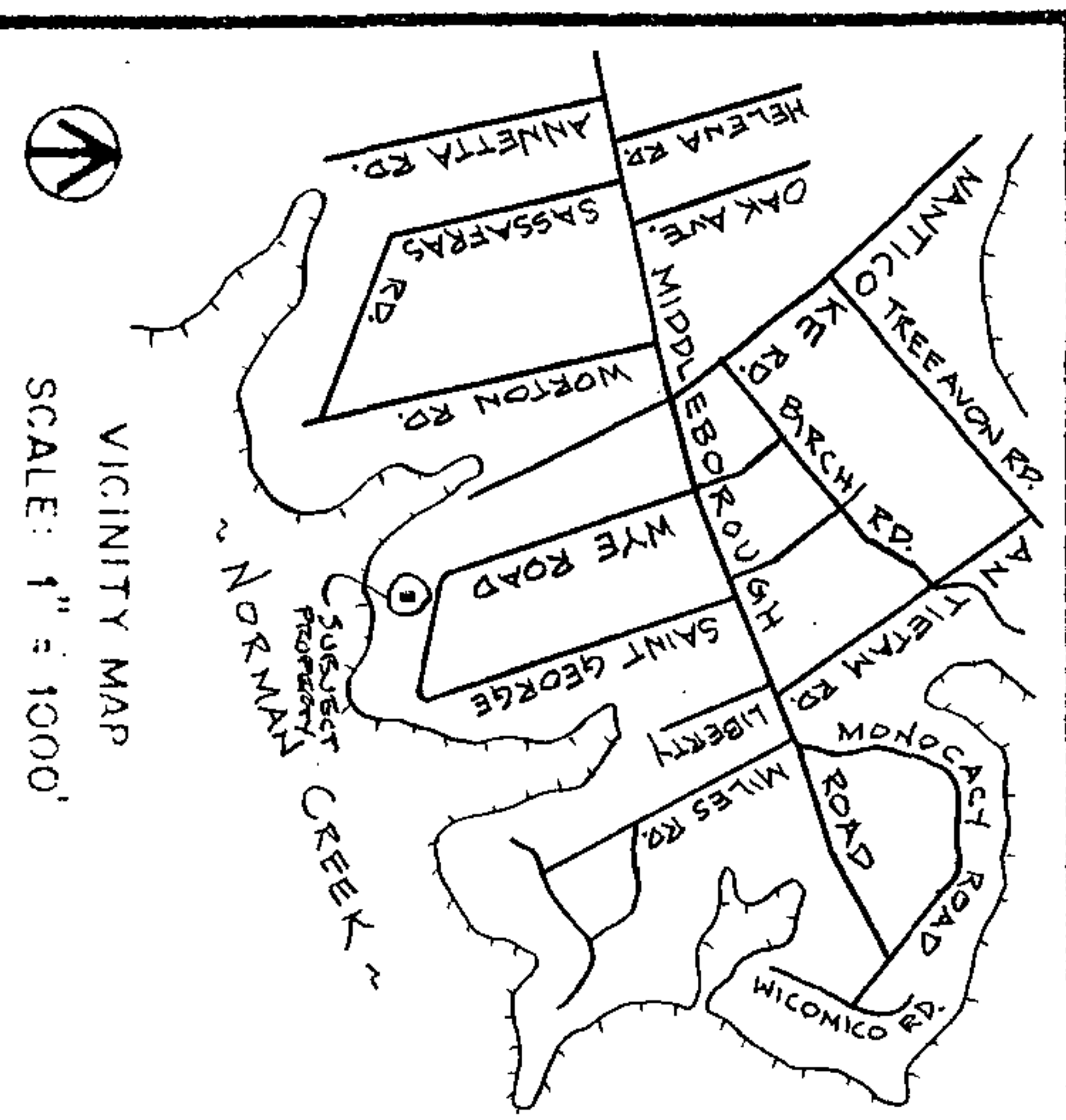
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 342 WYE ROAD SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME MIDDLEBOROUGH
PLAT BOOK # 4 FOLIO # 191 LOT # 159 SECTION # 1
OWNER MARK W. LIBERTO



PREPARED BY ELK SCALE OF DRAWING: 1" = 40'



LOCATION INFORMATION

ELECTION DISTRICT 15
COUNCILMANIC DISTRICT 6
1"=200' SCALE MAP # 098A1
ZONING DR-3.5

LOT SIZE	ACREAGE	SQUARE FEET
<u>0.31</u>	<u>13.624</u>	

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☒	☐
100 YEAR FLOOD PLAIN A-10	☒	☐
HISTORIC PROPERTY / BUILDING	☐	☒
PRIOR ZONING HEARING	<u>NONE</u>	

ZONING OFFICE USE ONLY

REVIEWED BY JMP ITEM # 290 CASE # 07-290-4



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

January 16, 2007

Mark W. Liberto
342 Wye Road
Baltimore, MD 21221

Dear Mr. Liberto:

RE: Case Number: 07-290-A, 342 Wye Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 22, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel



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

State Highway
Administration

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

Maryland Department of Transportation

Date: JAN 8, 2007

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

RE: Baltimore County
Item No. 7-290A
342 WYE ROAD
LIBERTO PROPERTY
ADMINISTRATIVE VARIANCE

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. 7-290A.

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
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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 4, 2007

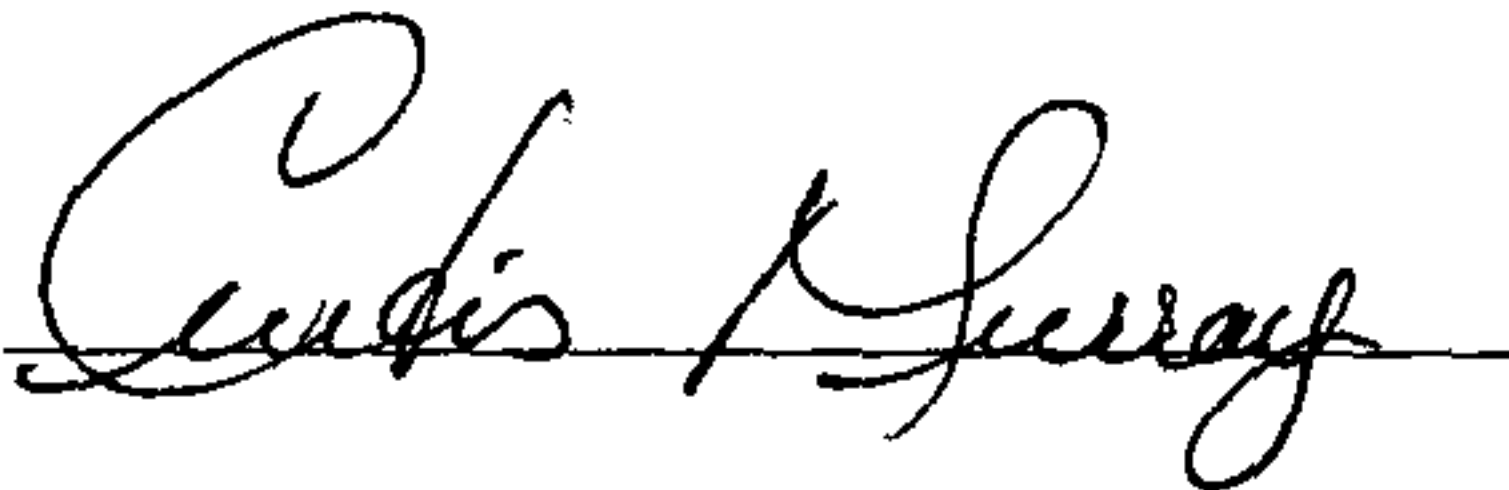
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 7-290 Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Prepared By:



Division Chief:



CM/LL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 4, 2007

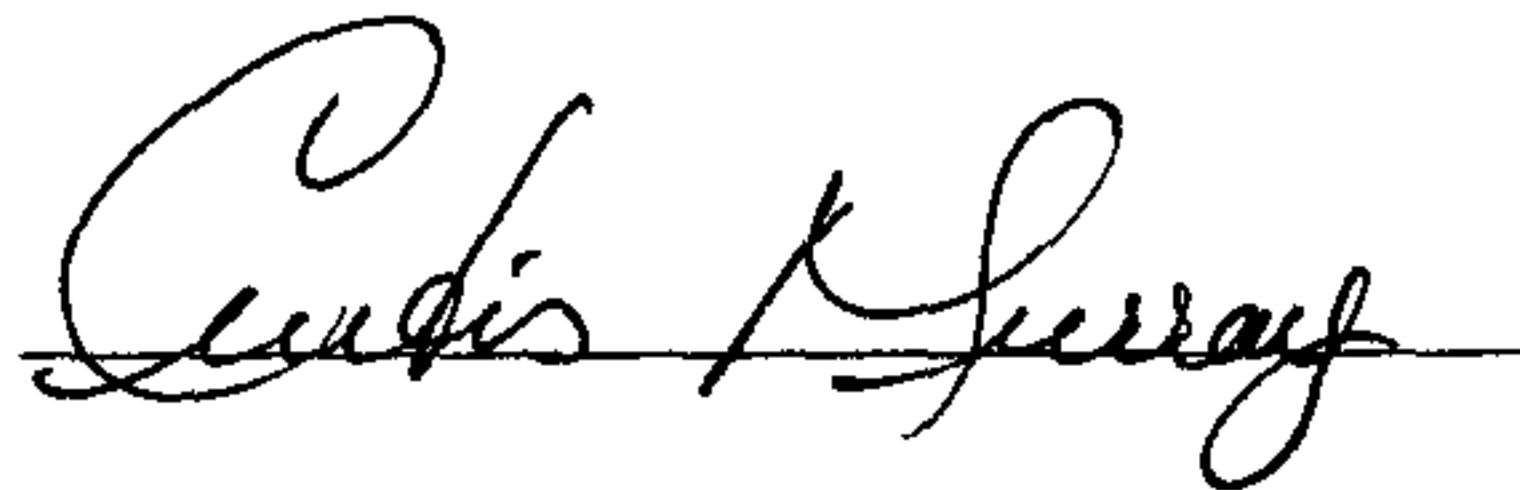
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For further questions or additional information concerning the matters stated herein, please contact Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL

RECEIVED

JAN 05 2007

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 4, 2007

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 8, 2006
Item No. 07-290

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

The base flood elevation for this site is 10.2 feet Baltimore County Datum.

The flood protection elevation for this site is 11.2 feet.

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

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

The building engineer shall require a permit for this project.

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

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

DAK:CEN:clw

cc: File

ZAC-ITEM NO 07-290-01032007.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



JAN 3 2007

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *JWL*

DATE: January 29, 2007

SUBJECT: Zoning Item # 07-290-A
Address 342 Wye Road
(Liberto Property)

Zoning Advisory Committee Meeting of January 1, 2007

_____ 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 located in the Chesapeake Bay Critical Area (CBCA) Limited Development (LDA) and Buffer Management (BMA) Areas. Therefore, any development requires compliance with impervious surface limit, tree coverage, and tidal buffer requirements. If structures and/or impervious surfaces have been added without approval of DEPRM, the site must be brought into compliance.

Reviewer: Paul A. Dennis

Date: January 25, 2007



342. WYE RD. (NORTH)
STREET SIDE VIEW FROM WYE RD.

07-290-A

340 WYERD.
↪



↪ 342 WYERD.

(SOUTH)
VIEW FROM WATERFRONT

07-290-A



342 WYE RD. (SOUTH)
WATERFRONT VIEW

← FENCE TO
ADJACENT
PROPERTY
AT
344 WYE RD.

07-290-A

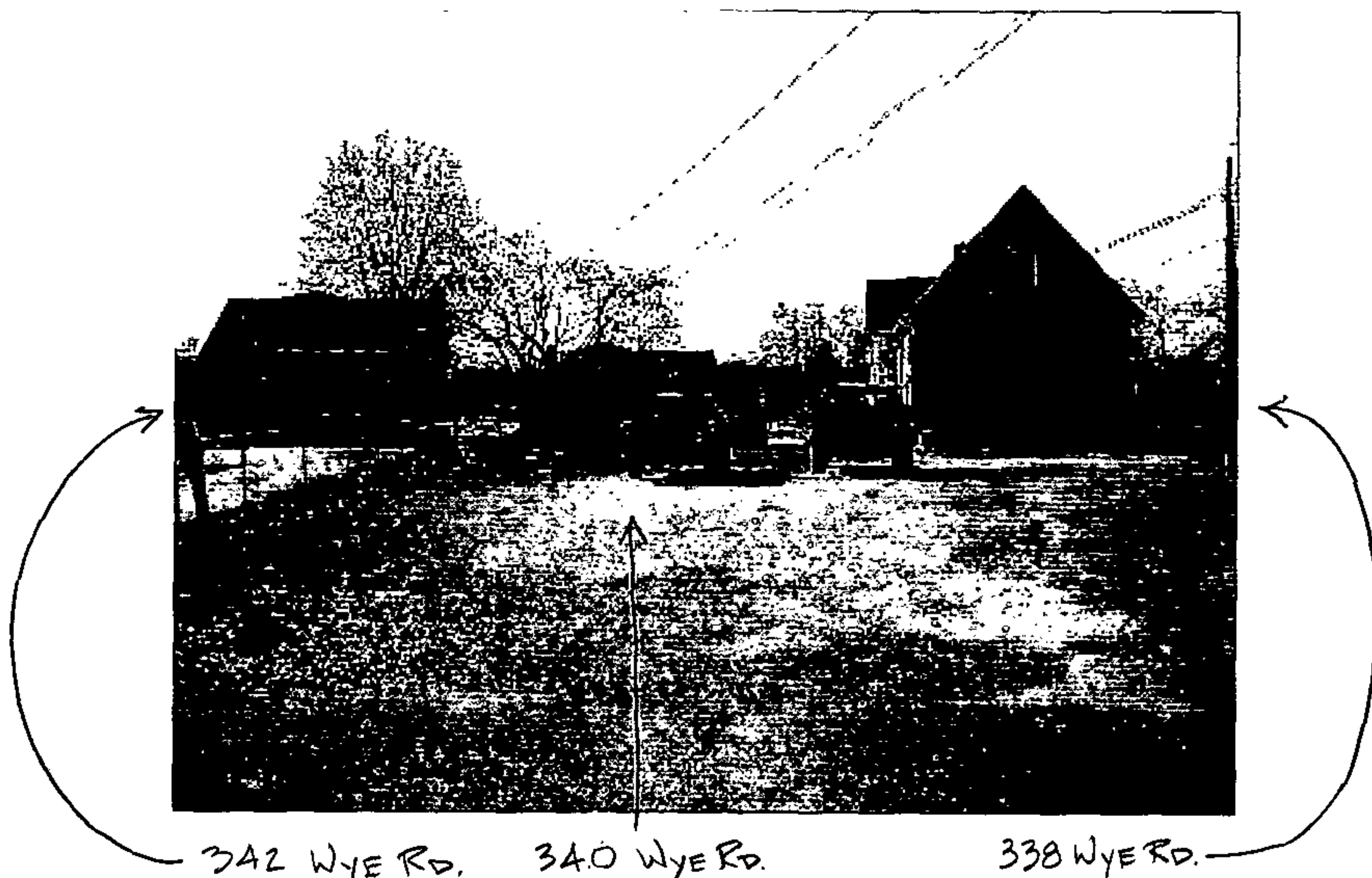
342 WYER RD



GAZEBO AT
342 WYER RD.
PROPERTY

344 WYER RD. (IN BACKGROUND)
WATERFRONT VIEW

07-290-A



STREETSIDE VIEW FROM WYE. RD. (NORTH)

07-290-A



344 WYE RD.

SHED OF 342 WYE RD
(NORTH PROPERTY) ~ STREET SIDE

07-290-A

344 Wye Rd.
↙



↘ 342 Wye Rd.
(NORTH)
FACING TO
STREET SIDE

07-290-A

FACE TO STREET



FACE TO
WATERFRONT

344 WYE RD. (WEST)

07-290-A

342 WyERd



338 WyERd

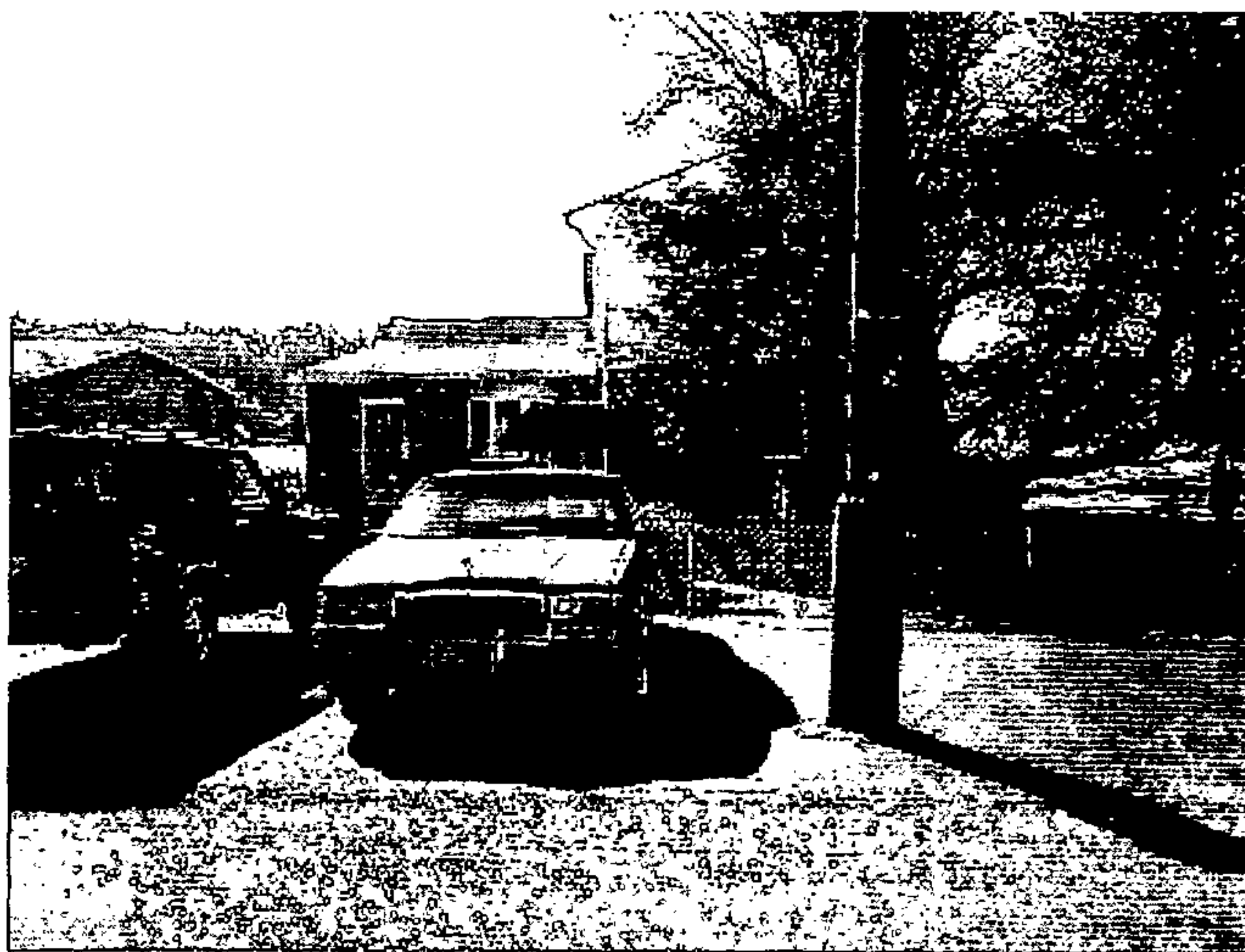
340 WyERd

07-290-A



338 WYE RD.
(AS FACING 342 WYE RD. PROPERTY)

07-290-A



344 WYE RD. (NORTH)
VIEW FROM WYE RD. FACING STREETSIDE

07-290-4



342 WYE RD.
(SOUTH)
VIEW FACING WATERFRONT

07-290-A

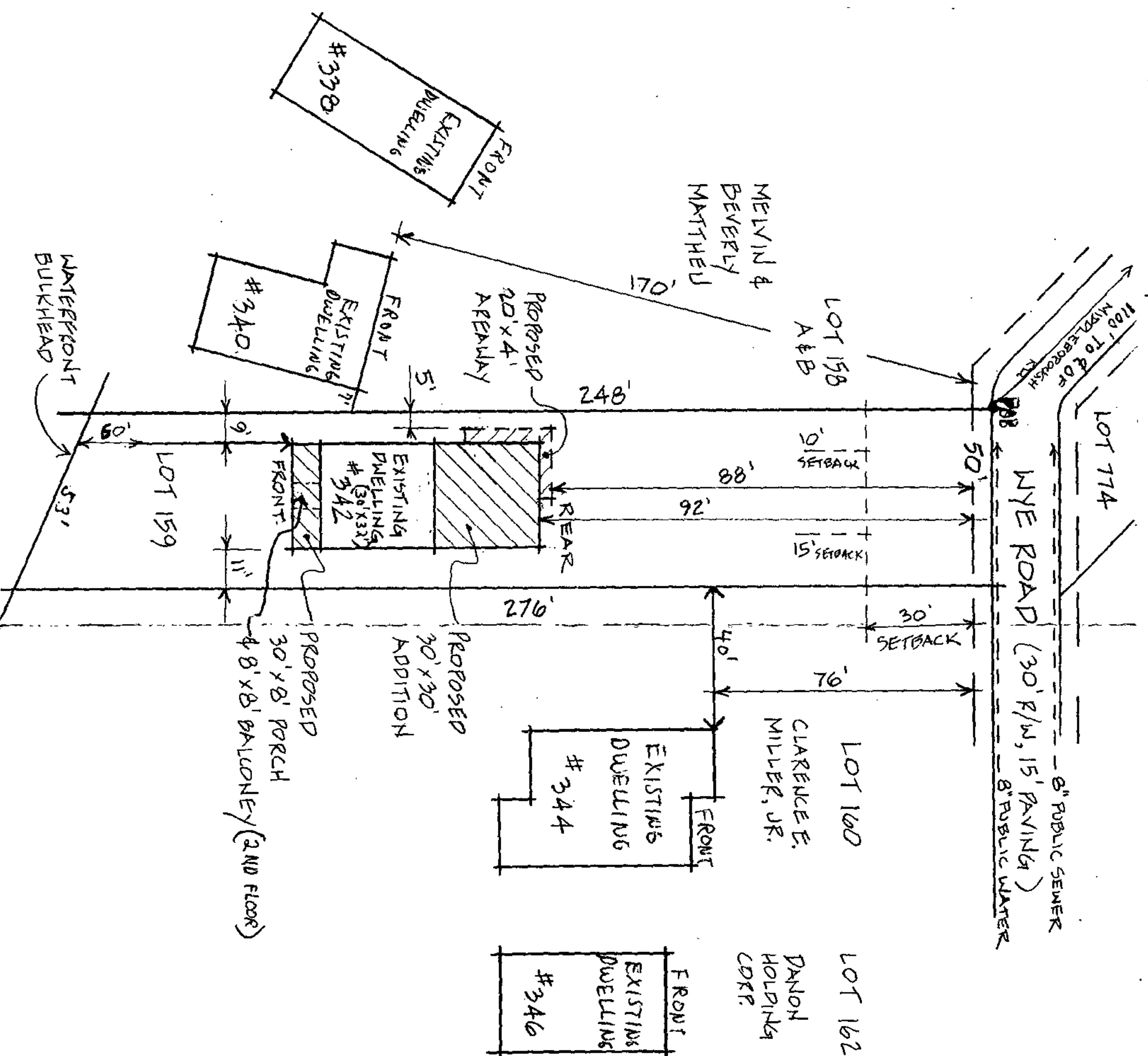
☒ VARIANCE ☐ SPECIAL HEARING

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

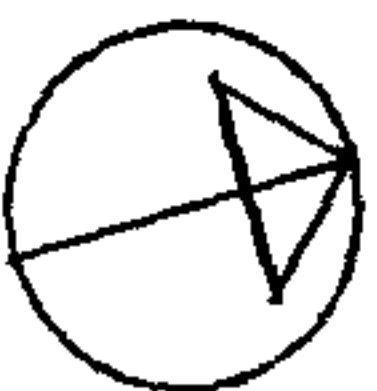
NAME MIDLEBOROUGH

4 FOLIO # 191 LOT # 159 SECTION # 7

MARK W. LIBERTO

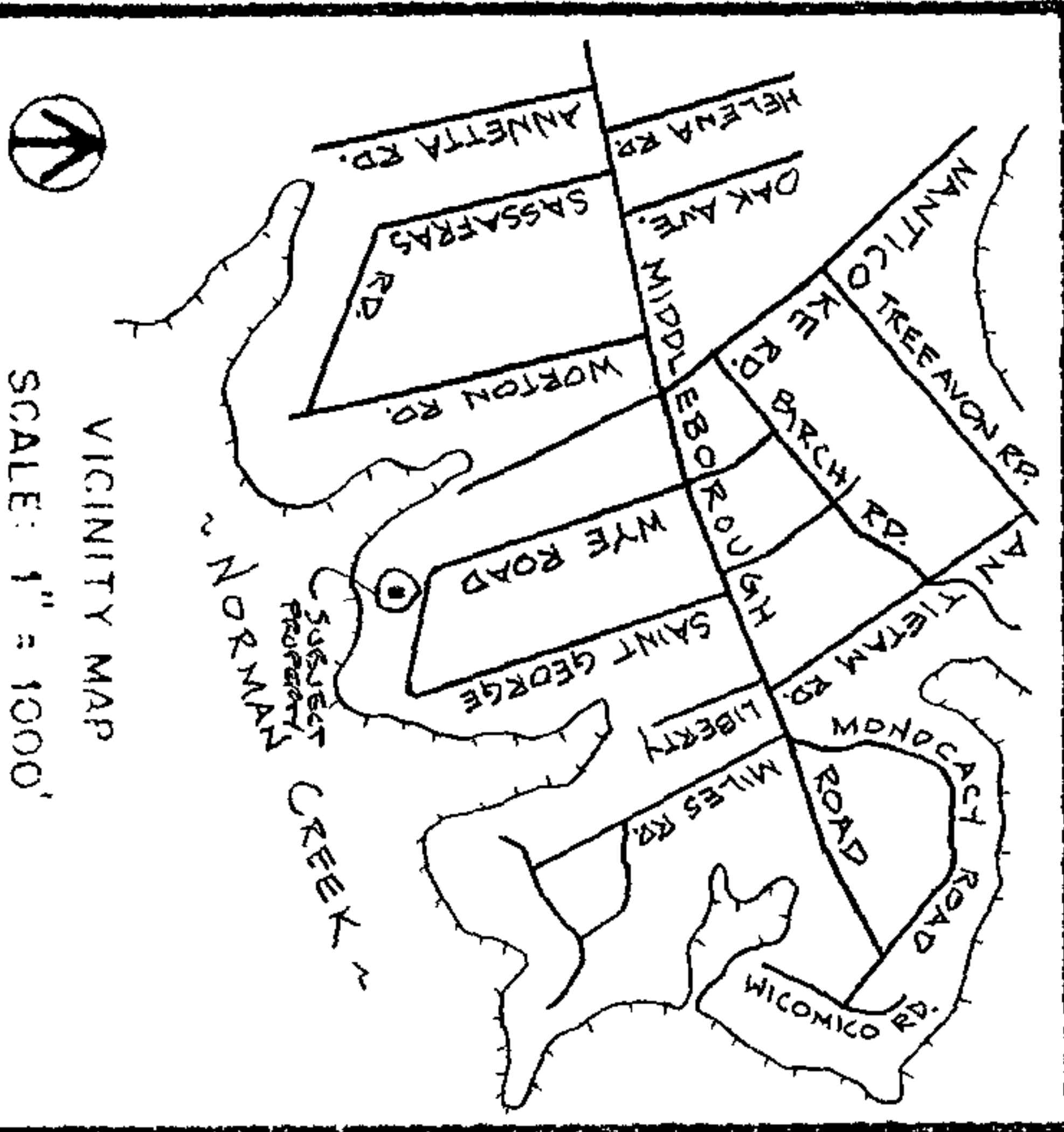


PREPARED BY E.M.K



NORTH

SCALE OF DRAWINGS: 1" = 40'



LOCATION INFORMATION

ELECTION DISTRICT 15
COUNCILMANIC DISTRICT 6
1"=200' SCALE MAP # 098A1

LOT SIZE
0.31
ACREAGE
13,624
SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☒	☐
100 YEAR FLOOD PLAIN	☒	☐
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING	None	

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

JP 290-107-2004