IN RE: PETITION FOR VARIANCE

N side Holly Beach Road, 120 feet W of Henrietta Avenue 15th Election District 6th Councilmanic District (2508 Holly Beach Road)

Kurt and Alice Huppert

Petitioners

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 07-558-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

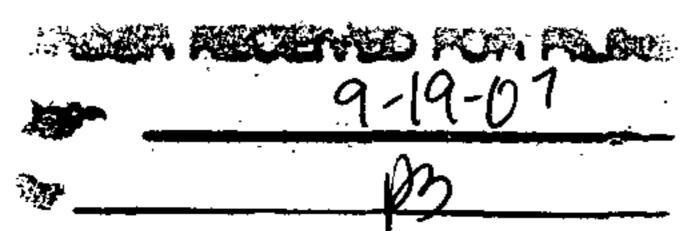
This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject property, Kurt and Alice Huppert The Petitioners are requesting variance relief as follows:

- From Section 1A04.3.B.2.b to permit a 58 foot setback from the centerline of a road in lieu of the minimum required 75 feet, and to permit side yard setbacks of 10 feet each in lieu of the minimum required 50 feet; and
- From Section 1A04.3.B.3 to permit a lot coverage of 25% in lieu of the maximum permitted 15% for a replacement dwelling, and
- From Section 400.1 to permit a proposed accessory structure (pool) in front in lieu of the required rear yard.

The subject property and requested relief are more particularly described on the site plan, which was marked and accepted into evidence as Petitioner's Exhibit 1.

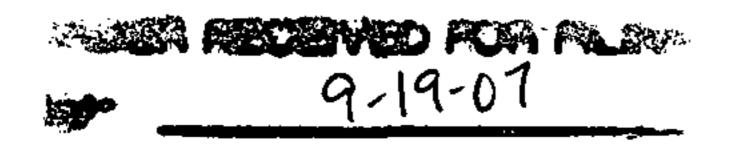
Appearing at the requisite public hearing in support of the variance request was Petitioner Kurt Huppert and James Grammer with McKee & Associates, Inc., the consultant who prepared the site plan. There were no Protestants or other interested citizens in attendance at the hearing.

Testimony and evidence offered revealed that the subject property is a rectangular-shaped lot approximately 100 feet wide and 200 feet deep containing 19,500 square feet or 0.45 acre,



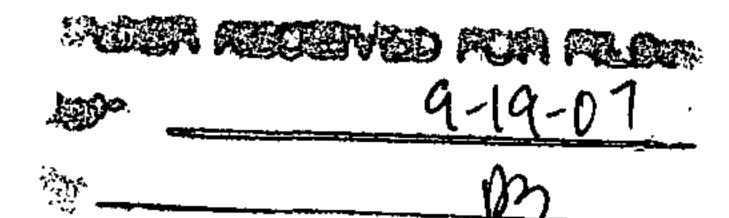
more or less, zoned R.C.5. The property is located along the southern shoreline of Middle River. The property comprises lots seven and eight which were originally recorded in the land records in 1913. The property is improved with an existing one-story dwelling built in approximately 1919, prior to the existing zoning regulations. There are also several sheds located on the property. The property is serviced by public water and sewer (a grinder pump system was installed several years ago). Petitioners purchased the property in April 2003 and began cleaning up the lot, unsure of the long term future of the existing dwelling. Following the destructive force of Hurricane Isabel in September 2003 and after consideration of the age and condition of the dwelling. Petitioners have decided to raze the existing dwelling in order to construct a replacement dwelling.

The proposed dwelling will be approximately 48 feet wide by 28 feet deep, and the detached garage will be approximately 24 feet wide by 24 feet deep, with a four-foot wide breezeway in between, for a total width of 76 feet. The proposed dwelling and garage will also be placed more parallel to Holly Beach Road, but at an angle on the subject property, resulting in more width to the structures in relation to the side yard setback requirements. Petitioners desire to locate the replacement dwelling and garage closer to Holly Beach Avenue in order to have more usable space in the front yard and to preserve the views of the shoreline for themselves as well as their neighbors. They also wish to place an in-ground pool approximately 20 feet wide by 40 feet long in the front of the property, between the shoreline and the replacement dwelling. Thus, Petitioners are in need of variance relief in order to place the dwelling closer to the road (58 feet from the centerline of the road instead of the minimum required 75 feet); to permit the structures to be closer to the side yards (setbacks of 10 feet each instead of the minimum required 50 feet); to permit a larger replacement dwelling than the existing dwelling (lot



coverage of 25% in lieu of the maximum permitted 15% for a replacement dwelling); and to permit an accessory structure (pool) in the front yard (rather than in the required rear yard).

In further support of the variance requests, Petitioner introduced photographs of the subject property and the surrounding areas. These photographs were marked and accepted into evidence as Petitioner's Exhibits 3A through 3K. Exhibits 3A and 3B show the subject property with the exterior of the dwelling in dilapidated condition. The roof appears to be sagging in several areas, the foundation is crumbling, and the doors and windows are in disrepair. In addition, Exhibits 3C and 3D show the shoreline of the subject property. In particular, Exhibit 3C shows a large, sandy beach area with rocks acting as a buffer to the water. Exhibit 3D is a side view of the shoreline and shows a significant drop-off of approximately 16 to 18 feet from a level area near the northwest corner of the existing dwelling to the sandy beach. Although they own the subject property all the way to the shoreline, Petitioners indicate that the useable space is severely impacted and limited by the slope of the property and by the depth of the property toward the sandy beach area. Petitioners believe this makes their property unique, as also illustrated by the topographical lines shown on the site plan. They also point to the fact that the adjacent properties along the shoreline to the east (lots 9, 10, and 11 on the site plan) sit further out toward the water by approximately 15 to 20 feet than the subject property. Also, the adjacent properties along the shoreline to the west (lots 3, 4, 5, and 6) have much more gradual slopes to the water than the subject property. Finally, Petitioner's consultant, Mr. Grammer, opined that due to the uniqueness of the lot and its configuration, denying the requested variance relief would not allow Petitioners to utilize the lot for its best purpose without practical difficulty or undue hardship. He also opined that the granting the variance requests would not have an adverse effect on any adjacent neighbors (and in fact moving the proposed replacement dwelling

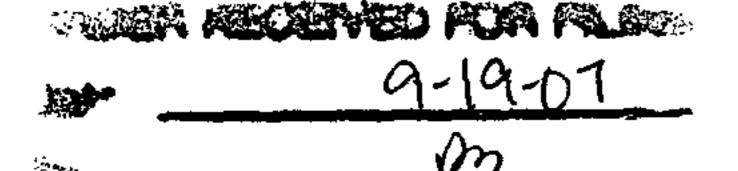


closer to the road would improve neighbors' sightlines), nor would granting the variance requests be detrimental to the health, safety, and general welfare of the community.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. The ZAC comment received from the Department of Environmental Protection and Resource Management (DEPRM) dated August 2, 2007 indicates that the development of the subject property must comply with the Chesapeake Bay Critical Area Regulations. It also states the property is within a Limited Development Area (LDA) and Buffer Management Area (BMA) and must comply with the regulations related to these areas as well, including that impervious surfaces are limited to 31.25% and that 15% afforestation must be addressed. The ZAC comment received from the Office of Planning dated July 10, 2007 indicates the Office does not oppose Petitioners' variance requests, but that the property must comply with the R.C.5 requirements. In order for Planning to prepare a statement of finding as to compliance, a litany of information must be submitted to the Planning Office, which includes photographs of existing adjacent dwellings, building elevations, design information of all structures and appurtenances, and landscaping information.

Based on the testimony and evidence presented at the hearing, I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requests. I find that the use of the property is significantly limited by the present location of the existing dwelling and the severe drop off of the property toward the shoreline. This is exacerbated by the fact that the shoreline also contains a large sandy beach area. While the sandy beach may be desirable to a degree, it also effectively shrinks the useable area of the lot for Petitioners. Therefore, I find the property unique in a zoning sense.

I also find that strict compliance with the zoning regulations of Baltimore County would result in practical difficulty and undue hardship, and would deny Petitioners the best use of their



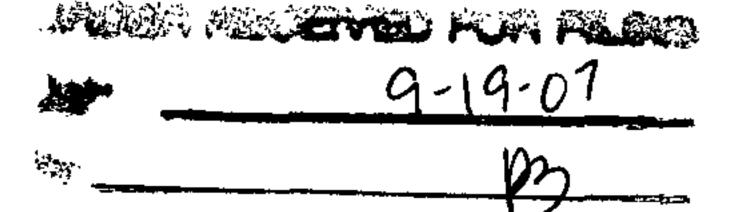
property. Finally, I find that these variances can be granted in strict harmony with the spirit and intent of the zoning regulations and the ZAC comments, and in such a manner as to grant relief without injury to the public, health, safety or general welfare. Based on the photographs of the surrounding areas accepted into evidence as Petitioners' Exhibits 3E through 3K, it appears that Petitioners' intentions with regard to the subject property are consistent with the appearances and uses of the properties nearby. Thus, I find that relief can be granted such that there will be no detrimental impact to adjacent properties or the surrounding locale. The proposed development must also comply with the Chesapeake Bay Critical Area regulations.

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 with restrictions.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this ________ day of September, 2007 that the Petition for Variance seeking relief as follows:

- From Section 1A04.3.B.2.b to permit a 58 foot setback from the centerline of a road in lieu of the minimum required 75 feet, and to permit side yard setbacks of 10 feet each in lieu of the minimum required 50 feet; and
- From Section 1A04.3.B.3 to permit a lot coverage of 25% in lieu of the maximum permitted 15% for a replacement dwelling, and
- From Section 400.1 to permit a proposed accessory structure (pool) in front in lieu of the required rear yard;

be and the same is hereby GRANTED, subject to the following restrictions which shall be conditions precedent to the relief granted herein:



- 1. 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 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. 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 property is within a Limited Development Area (LDA) and a Buffer Management Area (BMA) and must meet all LDA and BMA requirements. Impervious surfaces are limited to 31.25% of the site and 15% afforestation must be addressed.
- 4. Prior to obtaining a building permit, Petitioner shall submit information to the Office of Planning in order to enable the Office to prepare a statement of finding indicating how the proposed construction complies with the current R.C.5 requirements, including the following:
 - a. Submit photographs of existing adjacent dwellings to the Office of Planning.
 - b. Submit building elevations (all sides) of the proposed dwelling to the Office of Planning for review and approval. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) use the same finish materials and architectural details on the front, side and rear elevations. Use of quality material such as brick, stone or cedar is encouraged.
 - c. Design all decks, balconies, windows, dormers, chimneys and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.
 - d. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building, on the site, providing consistency in materials, colors, roof pitch and style.
 - e. Provide landscaping along the public road, if it is consistent with the existing streetscape.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

THOMAS H. BOSTWICK Deputy Zoning Commissioner

for Baltimore County

THB:pz



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

September 19, 2007

KURT AND ALICE HUPPERT 213 SHERWOOD ROAD COCKEYSVILLE MD 21030

Re: Petition for Variance
Case No. 07-558-A

Property: 2508 Holly Beach Road

Dear Mr. and Mrs. Huppert:

Enclosed please find the decision rendered in the above-captioned case.

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,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: James Grammer, McKee & Associates, Inc., 5 Shawan Road, Suite 1, Cockeysville MD 21030



CBCA

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2508 HOLLY BEACH ROAD which is presently zoned RC-5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

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

SEE ATTACHED

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.

Legal Owner(s): Contract Purchaser/Lessee: HUPPERT Name - Type or Print Name - Type or Print Signature Signature HUPPEAT ALISON Name Type or Print Telephone No. Address Zip Code Signature State City SHERWOOD 410 683-0464 Attorney For Petitioner: Telephone No. Address 21030 COCKEYSVILLE Zip Code State Name - Type or Print City Representative to be Contacted: GRAMMER JAMES Signature MCKEE & ASSOC. INC Name Company 5 SHAWAN ROAD 410 527-1535 Telephone No. Address Telephone No. Address COCKEYSVILLE MD 21030 Zip Code State State Zip Code City OFFICE USE ONLY Case No. UNAVAILABLE FOR HEARING Reviewed By JL REV 9/15/98 DER RECEIVED FOR FRAME

Engineering • Surveying • Environmental Planning Real Estate Development

2508 HOLLY BEACH ROAD 15TH ELECTION DISTRICT BALTIMORE COUNTY, MD

REQUESTED ZONING VARIANCE RELIEF:

1. Requesting a variance from Section 1A04.3.B.2.b. to permit a 58-foot setback from the centerline of a road in-lieu of the minimum required 75-feet, and to permit side yard setbacks of 10-feet each in-lieu of the minimum required 50-feet, and from Section 1A04.3.B.3. to permit a lot coverage of 25% in-lieu of the maximum permitted 15%. For A REPLACEMENT DUELLING, AND SECTION 400, I TO PERMIT A PROPOSED ACCESSEN STRUTTERS (PM) IN TERMIT

DUELLING, AND SECTION 400, I TO PERMIT A PROPOSED ACCESSORY STRUCTURE (POOL) IN FRONT IN 2. Any other relief as deemed necessary by the Zoning Commissioner. LIEU OF READIRED

PRACTICAL DIFFICULTY AND HARDSHIP:

- 1. The subject property is 100-feet wide. Application of the required 50-foot side yard setbacks will not permit the construction of a dwelling.
- The property is topographically restricted due to a significant elevation change along the shoreline.
- 3. Placing the proposed dwelling closer to the street is in keeping with the Chesapeake Bay Critical Area requirements.
- 4. Other testimony to be provided at the hearing.



ZONING DESCRIPTION 2508 HOLLY BEACH ROAD 15TH ELECTION DISTRICT BALTIMORE COUNTY, MD

BEGINNING at a point on the North side of Holly Beach Road Road, 40 feet wide, said point being situated 102' +/- westerly from the centerline extension of Henrietta Avenue, 40 feet wide. Being Lots 7 and 8 as shown on Plat No. 1, Holly Beach recorded in Baltimore County Plat Book W.P.C. 4, page 182 and containing 19,500sf or 0.45 acres of land, more or less.

Being known as 2805 Holly Beach Road and lying in the 15th Election District, 6th Councilmanic District.

56

Engineering • Surveying • Environmental Planning Real Estate Development

DATE: Aug. 09, 2007

TO: Baltimore County, Zoning

RE: Case No.: 07-558-A # 2508 Holly Beach Road

ATTEN	MAI :Job No. : 05-103 ATTENTION: Mrs. Kristen Matthews							
(X) We	e are submitting	() We are returning	() We are forwarding					
() Her	ewith	() Under separate cover						
No.		Descri	otion					
1	Certificate Of Posting							
2	Photos							
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()Ple	ase call when ready	() Please return to this of	ffice () In accordance with your request					
Remai	rks:							
For fur	ther information, please	contact the writer at this offi	ce.					
		V	erytruly yours,					
			Ackee & Associates inc.					
			Villiam D. Gulick, Ir					

cc: File

HECEIVED

AUG 1 0 2007

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

> Shawan Place • Suite 1 • 5 Shawan Road • Cockeysville, MD 21030 Tel: 410-527-1555 • Fax: 410-527-1563 • E-Mail: @mckeeinc.com

CE OF ZONING HEARING NO.

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: # 07-558-A
2508 Holly Beach Road
N/side of Holly Beach Road, 120 feet west of Henrietta

Avenue
15th Election District - 6th Councilmanic District
Legal Owner(s): Kurt & Alison Huppert
Variance: to permit a 58 foot setback from the centerline
of a road in lieu of the minimum required 75 feet and to
permit side yard setbacks of 10 feet each in lieu of the,
minimum required 50 feet, and to permit a lot coverage of
25% in lieu of the maximum permitted 15% for a replacement dwelling and to permit a proposed accessry structure (pool) in front of the required rear yard.
Hearing: Wednesday, August 22, 2007 at 10:00 a.m.
In Room 407, County Courts Building, 401 Bosley
Avenue; Towson 21204.

WILLIAM J. WISEMAN, III
Zorning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

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

JT 8/609 August 7

OF PUBLICATION

2007

, that the annexed advertisement was published successive weeks, the first publication appearing paper published in Baltimore County, Md., in the following weekly newsp THIS IS TO CERTIFY once in each of 9

The Jeffersonian

- Arbutus Times
- Catonsville Times
- Towson Times
- ĭmes Owings Mills T
- NE Booster/Reporter
- North County News

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LEGAL ADVERTISING

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BALTIMO OFFICE OF MISCELL	Pecelves of the second	DISTRIBUTION CAN		•	

CERTIFICATE OF POSTING

Baltimore County Dept. of Permits & Development Management 111 W. Chesapeake Avenue, Rm. 111 Towson, MD 21204

Attention: Ms Kristen Matthews

RE:Case Number: 07-558-A

SEE

ATTACH PHOTOGRAPH

QF

SIGN POSTED ON

PROPERTY

Petitioner/Developer: Kurt & Alison Huppert

Date of Hearing/Closing: Wednesday, August 22, 2007 at 10:00 am

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 #2508 Holly Beach Road

The sign(s) were posted on

Aug. 01, 2007

Month, Day, Year

(Signature of Sign Poster)

William D. Gulick, Jr.

(Printed Name of Sign Poster)

McKee and Associates, Inc.

5 Shawan Road, Suite 1

(Street Address of Sign Poster)

Cockeysville, MD 21030

(City, State, Zip Code of Sign Poster)

(410) 527-1555

(Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ

Date: Aug. 09, 2007

MAI Job No: 05-103

ZONING HOTICE

CASE # 07-558-A

A PUBLIC HEARING WILL BE HELD BY THE ZOHING COMMISSIONER IN TOUSON, MO

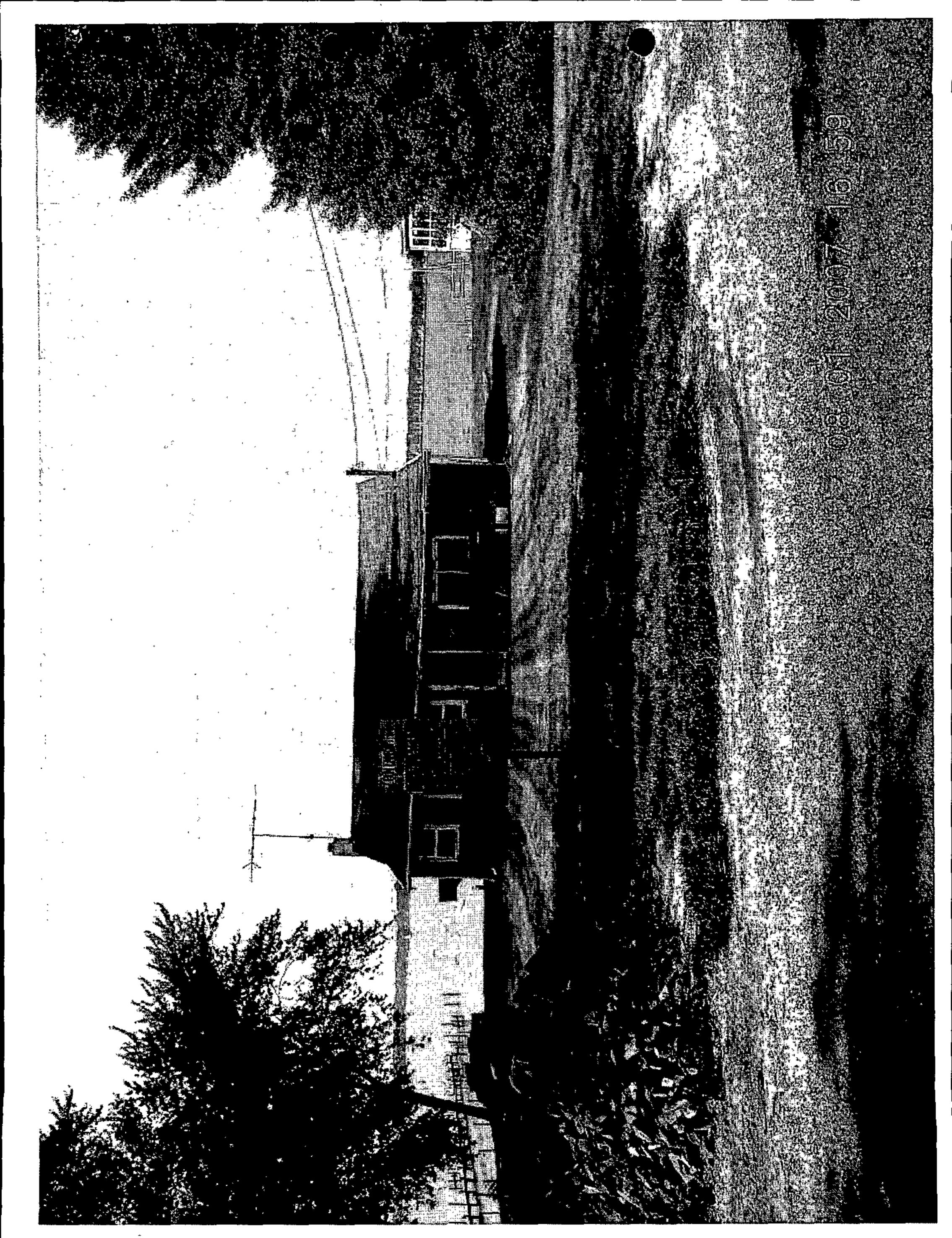
COUNTY COOKTO BUILDING ROOM 407
FUNCE: 10 MEGALEY AVENUE
PLACE: 10 MEGALEY AVENUE

DATE AND TIME: AUG: 22, 2007 10:00 AM
VARIANCE TO PERMIT A 50 FOOT SETREQUEST: BACK FROM THE CENTERLINE OF A ROAD IN LIEU
OF THE MINIMUM REQUIRED 75 FEET AND TO FERMIT SIDE
YARD SETBACKS OF 10 PEET EACH IN LIEU OF THE MINIMUM
REQUIRED 50 FREET, AND TO PERMIT A LOT COVERAGE OF 25%
IN LIEU OF THE WAXIMUM PERMITTED 15% FOR A REPLY SHEAT
DWEELING AND TO PERMIT A PROFESSED ACCESSIONT

STRUCTURE (ROOL) IN FRONT OF THE REQUIRED REAR YARD.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIEN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE



RE: PETITION FOR VARIANCE

2508 Holly Beach Road; N/S Holly Beach Rd,

120' W Henrietta Avenue

15th Election & 6th Councilmanic Districts Legal Owner(s): Kurt & Alice Huppert

Petitioner(s)

BEFORE THE BOARD

OF APPEALS

FOR

BALTIMORE COUNTY

07-558-A

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of July, 2007, a copy of the foregoing Entry of Appearance was mailed to, James Grammer, McKee & Associates, 5 Shawan Road, Suite 1, Cockeysville, MD 21030, Representative for Petitioner(s).

RECEIVED

JUL - 3 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per...



Engineering • Surveying • Environmental Planning Real Estate Development

	Baltimore Coun	-	DATE:	6/15/2007
Development Manageme Zoning Office		lanagement	RE:	Case No. 07-558-A 2508 Holly Beach Road
ATTE	NTION: John Le	ewis		
	e are submitting erewith	☐ We are ref ☐ Under sep	•	☐ We are forwarding
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REMA	RKS: John,	·		
	Please 13, incl	do not have this healusive, as I will not be	ring sched available	uled between August 2 and August during that time. Thank you.
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For fu	rther information	n, please contact the	writer at th	is office.
		:	V	ery truly yours,
				ames D. Grammer, Associate
Enclos	sures			

CC:



JAMES T. SMITH, JR: County Executive

July 2, 2007
TIMOTHY M. KOTROCO, Director

Department of Permits and

RING

Development Management

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: 07-558-A

2508 Holly Beach Road

N/side of Holly Beach Road, 120 feet west of Henrietta Avenue

15th Election District – 6th Councilmanic District

Legal Owners: Kurt & Alison Huppert

<u>Variance</u> to permit a 58 foot setback from the centerline of a road in lieu of the minimum required 75 feet and to permit side yard setbacks of 10 feet each in lieu of the minimum required 50 feet, and to permit a lot coverage of 25% in lieu of the maximum permitted 15% for a replacement dwelling and to permit a proposed accessory structure (pool) in front of the required rear yard.

Hearing: Wednesday, August 22, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

buth Rotroco

Director

TK:klm

C: Kurt & Alison Huppert, 213 Sherwood Road, Cockeysville 21030 James Grammer, McKee & Assoc., 5 Shawan Rd., Ste. 1, Cockeysville 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 7, 2007.

- (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.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, August 7, 2007 Issue - Jeffersonian

Please forward billing to:

Kurt Huppert 213 Sherwood Road Cockeysville, MD 21030 410-683-0464

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: 07-558-A

2508 Holly Beach Road

N/side of Holly Beach Road, 120 feet west of Henrietta Avenue

15th Election District – 6th Councilmanic District

Legal Owners: Kurt & Alison Huppert

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Hearing: Wednesday, August 22, 2007 at 10:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:						
Item Number or Case Number: 07-558-A						
Petitioner: KURT HUPPERT, ALISON HUPPERT						
Address or Location: 2508 HOLLY BEACH ROAD						
PLEASE FORWARD ADVERTISING BILL TO:						
Name: KURT HUPPERT						
Address: 213 SHERWOOD ROAD						
COCKEYSVILLE, M.D 21030						
Telephone Number: 410 683-04-64						



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

August 15, 2007

Kurt Huppert Alison Huppert 213 Sherwood Road Cockeysville, MD 21030

Dear Mr. and Mrs. Huppert:

RE: Case Number: 07-558-A, 2508 Holly Beach Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 14, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

James Grammer McKee & Associates, Inc. 5 Shawan Road, Suite 1 Cockeysville 21030

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



	ZC		₩∑ 2007	
	AUG	02	2007	W
B.	Y:			

TO:	Timothy M. Kotroco						
FROM:	Dave Lykens, DEPRM - Development Coordination						
DATE:	August 2, 2007						
SUBJECT:	Zoning Item # 07-558-A Address 2508 Holly Beach Road (Huppert Property)						
Zonin	g Advisory Committee Meeting of June 25, 2007						
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.						
	epartment of Environmental Protection and Resource Management offers lowing 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 (Secti 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).						
<u>X</u>	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 property is within a Limited Development Area (LDA) and a Buffer Management Area (BMA) and must meet all LDA and BMA requirements. Impervious surfaces are limited to 31.25% of the site and 15% afforestation must be addressed.

Reviewer:

Regina Esslinger

Date: July 31, 2007

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: July 10, 2007

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

2508 Holley Beach Road

INFORMATION:

Item Number:

7-558

Petitioner:

Mr. And Mrs. Kurt and Alison Huppert

Zoning:

RC 5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request. However, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

- 1. Photographs of existing adjacent dwellings.
- 2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
- 3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.

5. 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 Nkechi Hislop with the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

CM/LL



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: JUNE 25, 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. 7-558-A

2508 HOLLY BEACH RD

HUPPERTPROPERTY

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. 7-558-A

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,

Engineering Access Permits

Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: June 27, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 2, 2007

Item Nos. 07-521, 555, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569,

570, 571, and 572

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-06272007.doc

Fire Department

700 East Joppa Road Towson, Maryland 21286-5500 Tel: 410-887-4500



Baltimore County

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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 July 3, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 25, 2007

558

Item Number: 555 through 572

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

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

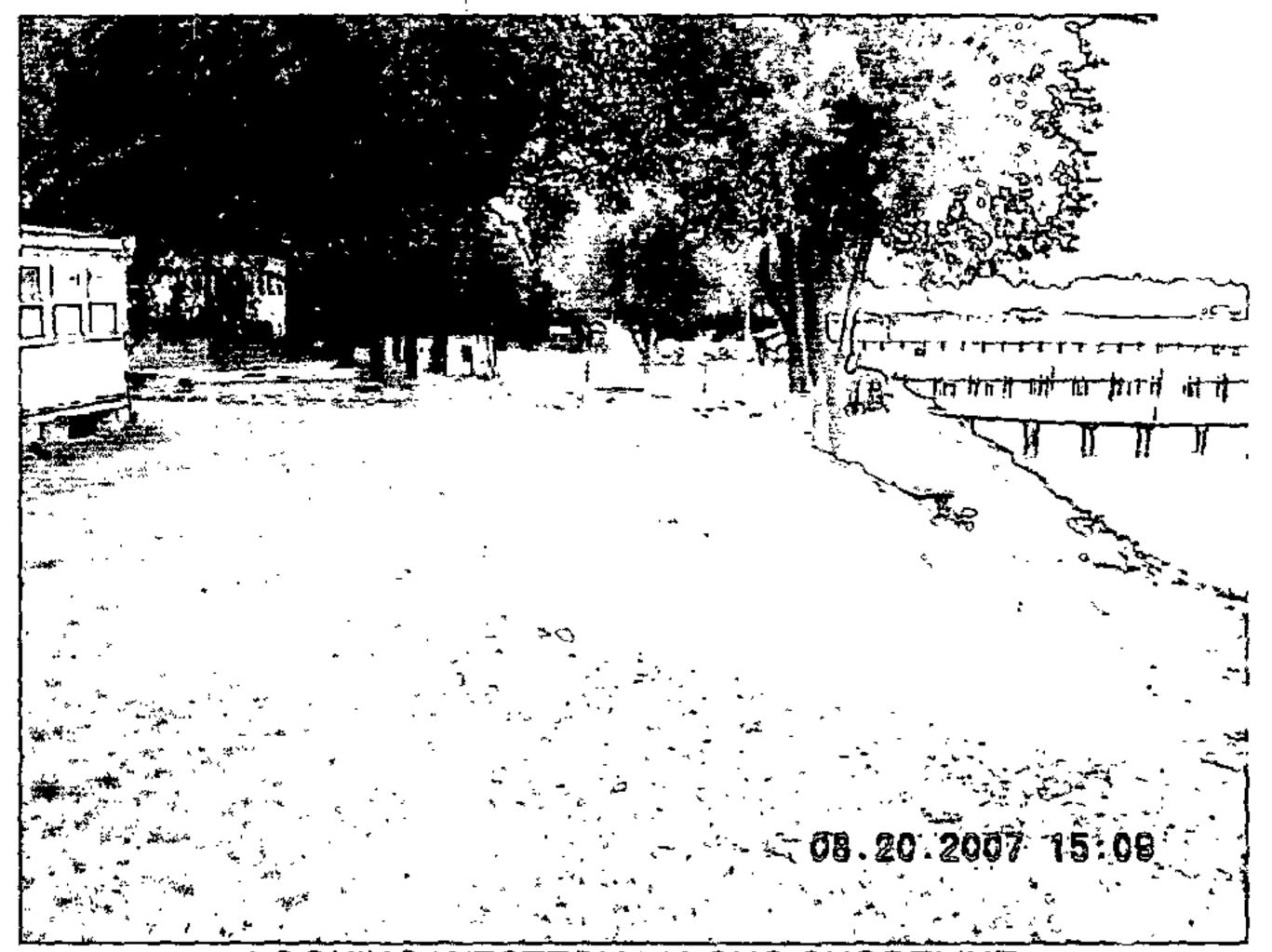
Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File

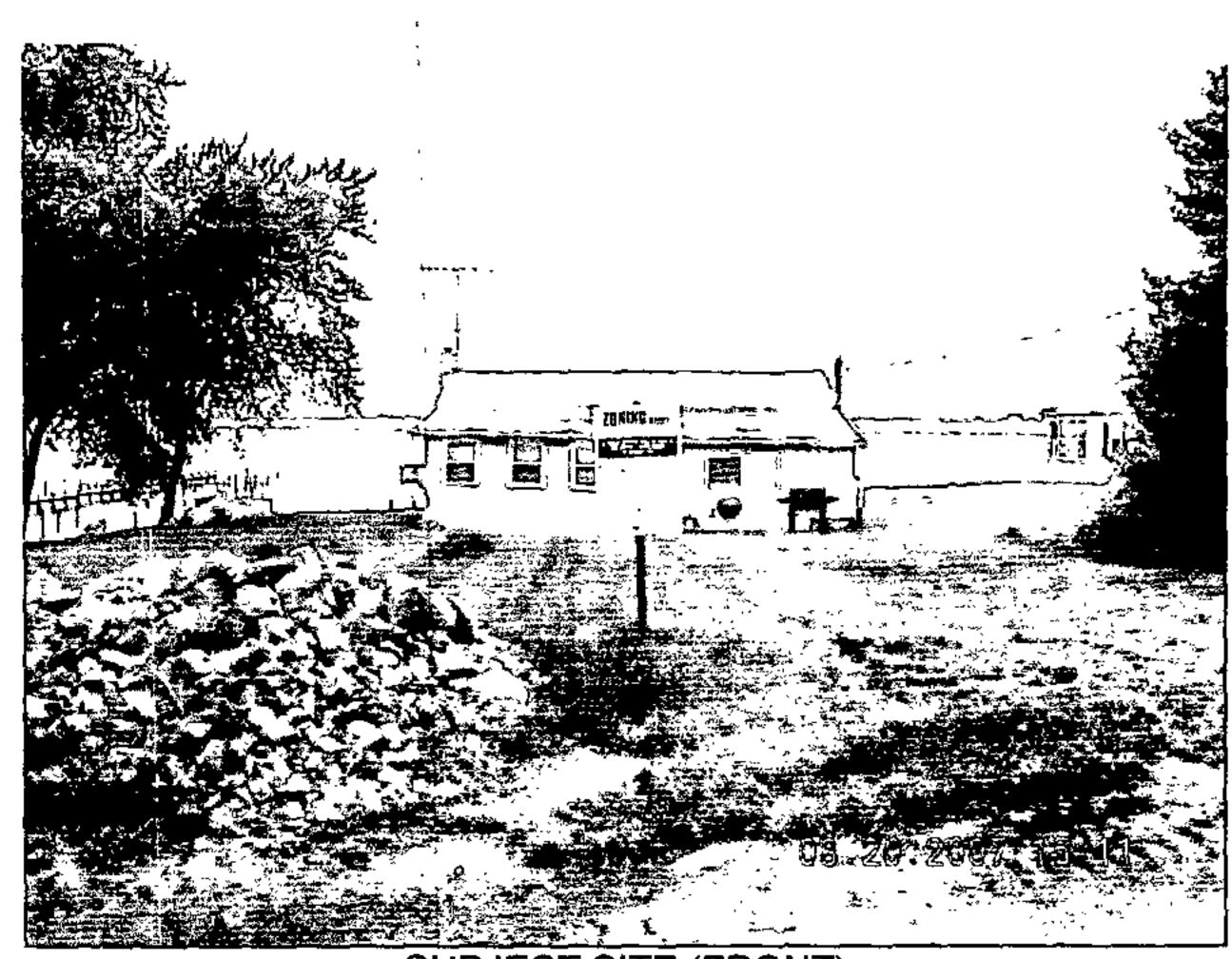




SHORELINE OF SUBJECT SITE



LOOKING WESTERLY ALONG SHORELINE



SUBJECT SITE (FRONT)



SUBJECT SITE (REAR)

PETITIONER'S

EXHIBIT NO.

2

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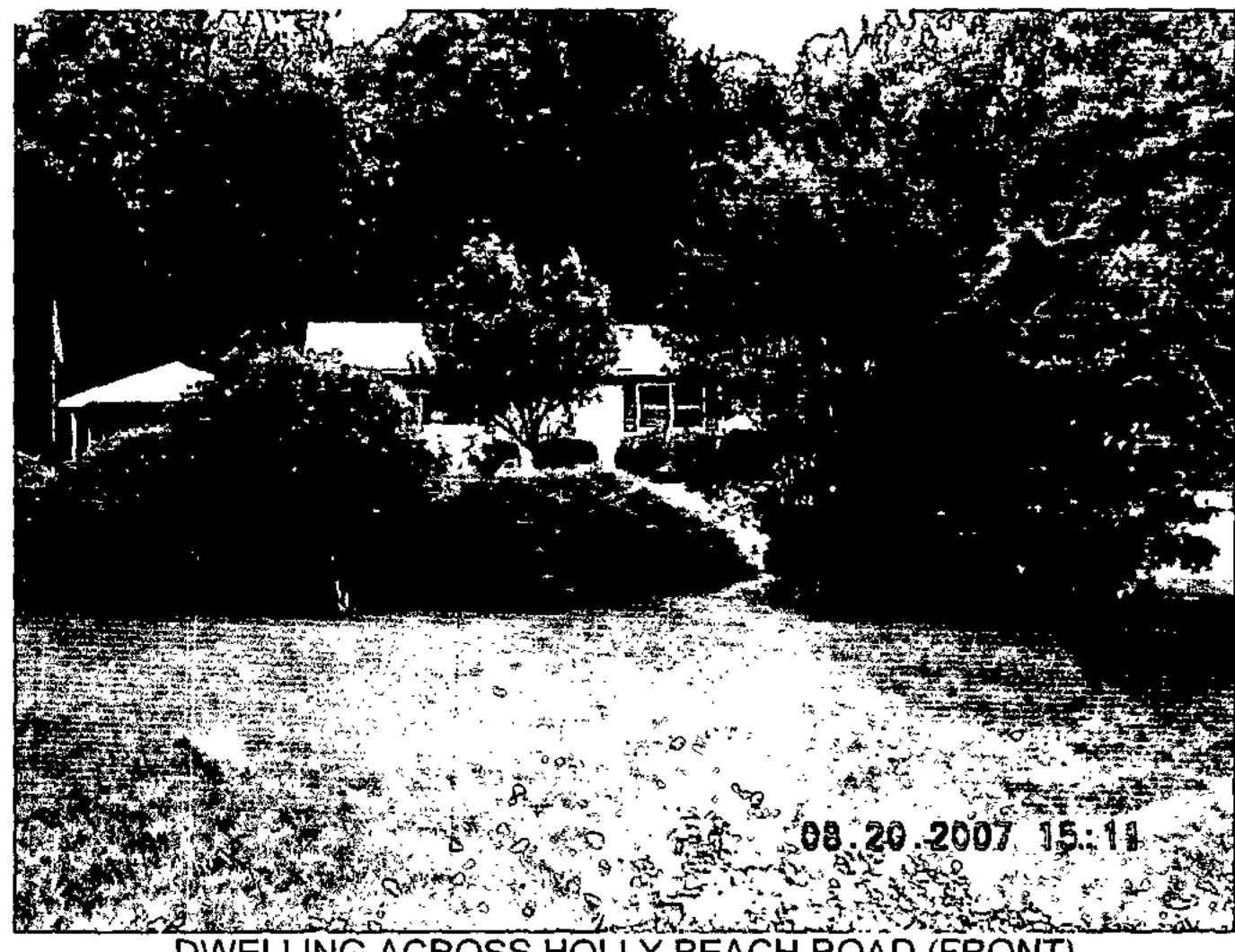
TOWARDS EAST ELEVATION OF #2506 HOLLY BEACH ROAD



WESTERLY ALONG HOLLY BEACH ROAD



EASTERLY ALONG HOLLY BEACH ROAD

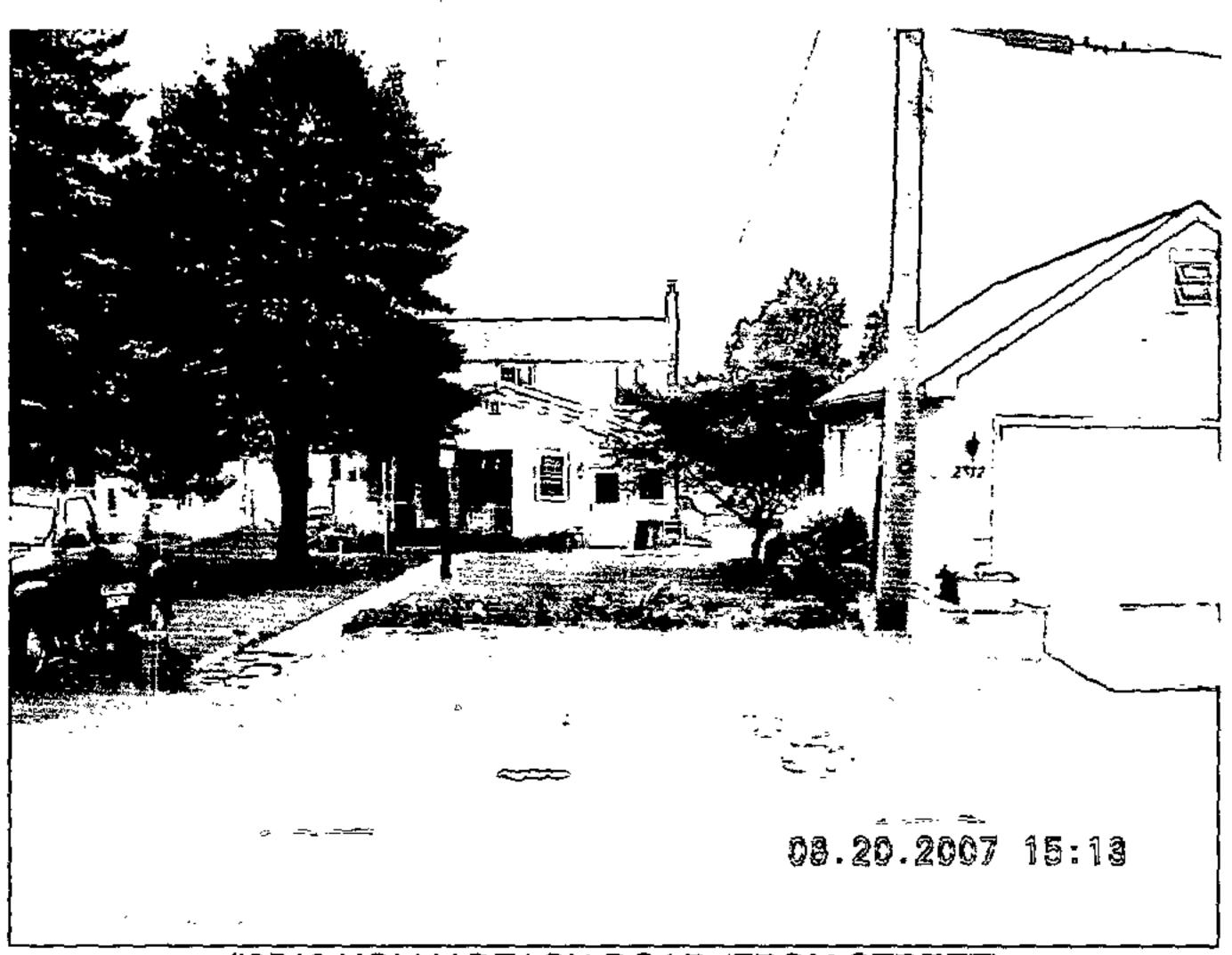


DWELLING ACROSS HOLLY BEACH ROAD (FRONT)

H



#2510 HOLLY BEACH ROAD (FROM STREET)

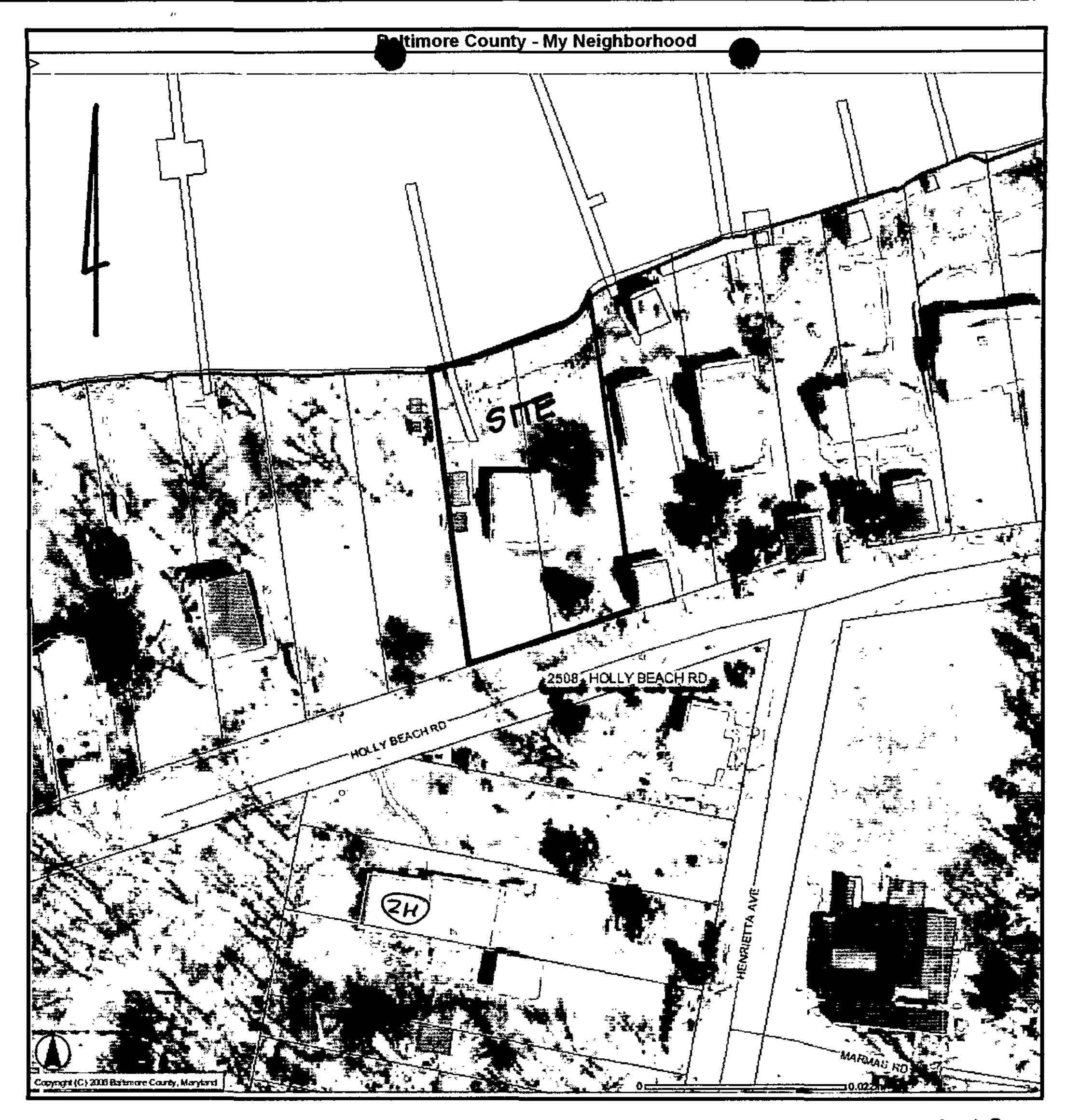


#2512 HOLLY BEACH ROAD (FROM STREET)

T



REAR ELEVATION OF #257 HENRIETTA AVENUE



2508 HOLLY BEACH ROAD CASE NO. 07.558 A

PETITIONER'S

EXHIBIT NO. 3

TB 8/22 10 Am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: July 10, 2007

ECEIVE JUL 1 1 2007

Department of Permits and Development Management

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Prepared By:

Division Chief:

CM/LL

PLEASE PRIN

CASE NAME 828 CASE NUMBER 07-

Hour Bere

Jarammer @ mckeeinc.com				
COCKEYSWILE, MP 21030				
ADDRESS MUKEE & 4550C., INC 5 SHAWAN ROAD STE! 213 Shewood RD				
JAMES D. GRAMMER KULL F. HUPPELT				

