IN RE: **PETITION FOR ADMIN. VARIANCE**	*	BEFORE THE
E/Side of Maple Road, 437′ N of c/line Marsh Road	*	ZONING COMMISSIONER
(1031 Maple Road) 15th Election District	*	OF
7th Council District	*	BALTIMORE COUNTY
Heriberto M. Marini, Jr., et ex Petitioners	*	**Case No. 08-003-A**

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Heriberto M. Marini, Jr. and his wife, Pauline R. Marini, through their attorney Edward C. Covahey, Jr., Esquire. The Petitioners request variance relief from Sections 1A04.3B.2.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the following: (1) A front yard setback for the existing structure and proposed addition of 54.91 feet in lieu of the required 75 feet from the centerline of the existing road; (2) North property line side yard setback for the proposed addition of 17.16 feet in lieu of the required 50 feet; (3) North property line side yard setback for the porch of 12.76 feet in lieu of the required 37.5 feet, and (4) South property side yard setback for the existing structure of 26.69 feet in lieu of the required 50 feet. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioners' Exhibit 1.

This case was originally filed as an Administrative Variance, pursuant to Section 32-3-303 of the Baltimore County Code (B.C.C.). That section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, the property in question is posted for a period of fifteen (15) days during which time any property owner residing within 1,000 feet of the property may demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning

ORDER RECEIVED FOR FILING
Date 9-26-07
By

Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303(a)(2)(i) of the Baltimore County Code. The subject property having been posted and there being no request for a public hearing, a decision could have been rendered based upon the documentation contained within the case file. While no objections were received from neighbors, the case was set for a public hearing by this Zoning Commission, *sua sponta*, in view of the property's water-oriented location which is in the Chesapeake Bay Critical Area.

Appearing at the requisite public hearing in support of the request were Heriberto M. Marini, Jr., Petitioner, Fanny Marini, Petitioner's daughter, Jeffrey Cerquetti, P.E. and Walter T. Parr, of BPS/Land Technology, the engineers and surveyors who have developed the plans for the new addition and remodel of the existing structure. As noted above, Edward C. Covahey, Jr., Esquire appeared on behalf of the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered disclosed that the property under consideration consists of four (4) lots of record (Lots 185 through 189) and when combined form a rectangular shaped parcel located with frontage on the east side of Maple Road approximately 1,500 feet south of Sue Creek in eastern Baltimore County. The property contains a gross area of 15,000 square feet, more or less, zoned R.C.5, and is improved with a modest (1,310 square foot) 1-½ story dwelling in which the Petitioners have resided since 1982. Heriberto and Pauline Marini find themselves in poor health and propose the construction of a 600 square foot, 2-story addition. Their daughter, Fanny Marini, who is assigned to the National Guard at Martin's State Airport, will reside in the new addition and provide assistance and care to her parents.

As is often the case with older subdivisions, the Cedar Beach community was laid out many years ago (April 1925), well prior to the adoption of the zoning regulations in Baltimore County. Thus, many of the lots in the neighborhood are undersized and do not meet current area and width requirements. As shown on the site plan, the subject property has 100 feet of road

ORDER RECEIVED FOR FILING
Date 9-26-07
By GW

frontage and is 150 feet deep, thus is clearly undersized by today's standards. Therefore, variance relief is requested in order to comply with the spirit and intent of those regulations. In that the R.C.5 development regulations require a minimum 50-foot setback to any property line and a 75-foot setback from any road, the requested relief is necessary. In support of the request, testimony indicated that the proposed addition would be consistent with other houses in the community and feature similar setbacks as those on Maple Road (*See* Petitioners' Exhibits 2 through 6 consisting of the subdivision plat, topographical map and photographs demonstrating the pattern of development). Thus, Mr. Covahey submits that the relief requested is appropriate and is consistent with the neighborhood.

After due consideration of the testimony and evidence presented, I find that the Petitioners have met the requirements of Section 307 and *Cromwell v. Ward*, 102 Md. App. 691 (1995) for relief to be granted. As noted above, the subject properties have been lots of record since 1925, well prior to the adoption of the R.C.5 zoning regulations in 1979. It is clear that strict compliance with the regulations would result in practical difficulty for the Petitioners and prevent further improvements of the property for a permitted purpose. There were no adverse comments submitted by any County reviewing agency, and none of the neighbors have any objections and support the proposal (*See* collectively the letters of support from the owners of properties located at 1028, 1025, 1030, and 1033 Maple Road). However, due to the properties close proximity to Sue Creek, the proposed improvements must comply with Chesapeake Bay Critical Area regulations as set forth in the attached Zoning Advisory Committee (ZAC) comment submitted by the Department of Environmental Protection and Resource Management (DEPRM).

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of September 2007 that the Petition for Administrative Variance seeking

ORDER RECEIVED FOR FILING
Date 9-26-07
By

relief from Sections 1A04.3B.2.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the following:

- A front yard setback for the existing structure and proposed addition of 54.91 feet in lieu of the required 75 feet from the centerline of the existing road;
- North property line side yard setback for the proposed addition of 17.16 feet in lieu of the required 50 feet;
- North property line side yard setback for the porch of 12.76 feet in lieu of the required 37.5 feet, and
- South property side yard setback for the existing structure of 26.69 feet in lieu of the required 50 feet

in accordance with Petitioners' Exhibit 1, be and are 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 made aware that proceeding at this time is at his 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 the Chesapeake Bay Critical Area regulations and Limited Development Area (LDA) requirements, a copy of DEPRM's comment dated September 13, 2007, is attached hereto and made a part hereof.

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code (B.C.C.).

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING
Date 9-26-07
By DEC

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

September 26, 2007

WILLIAM J. WISEMAN III
Zoning Commissioner

Edward C. Covahey, Jr., Esquire
Covahey, Boozer, Devan & Dore, P.A.
614 Bosley Avenue
Towson, Maryland 21204

RE: **PETITION FOR ADMIN. VARIANCE**
E/Side of Maple Road, 437' N of c/line Marsh Road
(1031 Maple Road)
15th Election District - 7th Council District
Heriberto M. Marini, Jr., et ex - Petitioners
Case No. 08-003-A

Dear Mr. Covahey:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative 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
Enclosure

c: Heriberto M. and Pauline R. Marini, 1031 Maple Road, Baltimore, Md. 21221
Fanny Marini, 17 Kinship Road, Baltimore, Md. 21222
Jeffrey Cerquett, P.E. & Walter T. Parr, BPS/Land Technology, 1602 Bosworth Court, Bel Air, Md. 21015
Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100, Annapolis, Md. 21401
People's Counsel; DEPRM; File

CBCA

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1031 Maple Road

which is presently zoned RC 5

This Petition shall be filed with the Office of Zoning Administration & 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 EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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:

(Type or Print Name)

Signature

Address

City State Zipcode

Legal Owner(s):

Heriberto M. Marini, Jr.
(Type or Print Name)

Heriberto M. Marini Jr.
Signature

Pauline R. Marini
(Type or Print Name)

Pauline R. Marini
Signature

Attorney for Petitioner:

Edward C. Covahey, Jr.
(Type or Print Name)

Signature

614 Bosley Ave. 410-828-9441
Address Phone No

Towson, MD 21204
City State Zipcode

1031 Maple Road 410-574-8516
Address Phone No.

Baltimore, MD 21221
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Heriberto M. Marini, Jr.
Name

1031 Maple Road 410-574-8516
Address Phone No.

Baltimore, MD 21221

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

Date 9-24-07

By

REVIEWED BY: JF DATE: 6-29-07

ESTIMATED POSTING DATE: 7-8-07

ITEM #: 08-003-A

A 380

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 1031 Maple Road
address

Baltimore, MD 21221
City State Zip Code

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

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

Heriberto M. Marini Jr.
(signature)

Heriberto M. Marini, Jr.
(type or print name)

Pauline R. Marini
(signature)

Pauline R. Marini
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29 day of June, 2007 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Heriberto M. Marini, Jr. and Pauline R. Marini

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

AS WITNESS my hand and Notarial Seal.

6-29-07
date

Linda D. Della Rose
NOTARY PUBLIC

My Commission Expires: 6-1-08

LINDA D. DELLA ROSE NOTARY PUBLIC BALTIMORE COUNTY, MD.

CBCA

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1031 Maple Road

which is presently zoned RC 5

This Petition shall be filed with the Office of Zoning Administration & 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 EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

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

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

Edward C. Covahey, Jr.
(Type or Print Name)

Signature

614 Bosley Ave. 410-828-9441
Address Phone No.

Towson, MD 21204
City State Zipcode

Legal Owner(s):

Heriberto M. Marini, Jr.
(Type or Print Name)

Heriberto M. Marini Jr.
Signature

Pauline R. Marini
(Type or Print Name)

Pauline R. Marini
Signature

1031 Maple Road 410-574-8516
Address Phone No.

Baltimore, MD 21221
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Heriberto M. Marini, Jr.
Name

1031 Maple Road 410-574-8516
Address Phone No.

Baltimore, MD 21221

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____, 19___ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

ORDER RECEIVED FOR FILING

Zoning Commissioner of Baltimore County

Date 9-26-07

By

REVIEWED BY: JF DATE: 6-29-07

ESTIMATED POSTING DATE: 7-8-07

ITEM #: 08-003-A

A383

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 1031 Maple Road
address

Baltimore, MD 21221
City State Zip Code

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

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

(signature)
Heriberto M. Marini, Jr.
(type or print name)

(signature)
Pauline R. Marini
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29 day of June, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Heriberto M. Marini, Jr. and Pauline R. Marini

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

AS WITNESS my hand and Notarial Seal.

6-29-07
date

NOTARY PUBLIC

My Commission Expires: 6-1-08

LINDA D. DELLA ROSE NOTARY PUBLIC BALTIMORE COUNTY, MD.

ZONING DESCRIPTION FOR 1031 MAPLE ROAD

Beginning at a point on the east side of Maple Road which is an 40' wide at the distance of 437 feet more or less north of the centerline of the nearest improved intersection street Marsh Road which 25 feet. Being lots numbers 185,186,187 and 189 Parcel 161 in the subdivision of Cedar Beach as recorded in Baltimore County Plat Book # 7, folio 186 containing 15,000 square feet. Also known as 1031Maple Road and located in the 15th Election District, 7th Councilmanic District

#003

NEW NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #08-003-A
1031 Maple Road
E/side of Maple Road at the distance of 437 feet north of the centerline of Marsh Road
15th Election District-7th Councilmanic District
Legal Owner(s): Heriberto M. & Pauline Marini, Jr.

Variance: to permit a front yard setback for the existing structure and proposed addition of 54.91 feet in lieu of the required 75 feet from the centerline of the existing road and North property line side yard setback for the proposed addition of 17.16 feet in lieu of the required 50 feet and North property line side yard setback for the porch of 12.76 feet in lieu of the required 37.5 feet and South property side yard setback for the existing structure of 26.69 feet in lieu of the required 50 feet.

Hearing: Thursday, September 20, 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 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/9/615 Sept. 4 147630

CERTIFICATE OF PUBLICATION

9/6/, 2007

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/4/, 2007.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

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: # 08-003-A
1031 Maple Road
E/side of Maple Road at the distance of 437 feet north of the centerline of Marsh Road
15th Election District - 7th Councilmanic District
Legal Owner(s): Heriberto M. & Pauline Marini, Jr.

Variance: to permit a front yard setback for the existing structure and proposed addition of 54.91 feet in lieu of the required 75 feet from the centerline of the existing road and North property line side yard setback for the proposed addition of 17.16 feet in lieu of the required 50 feet and North property line side yard setback for the porch of 12.76 feet in lieu of the required 37.5 feet and South property side yard setback for the existing structure of 26.69 feet in lieu of the required 50 feet.

Hearing: Thursday, September 6, 2007 at 9:00 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 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 8/685 Aug. 21 145989

CERTIFICATE OF PUBLICATION

8/23/, 2007

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/21/, 2007.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

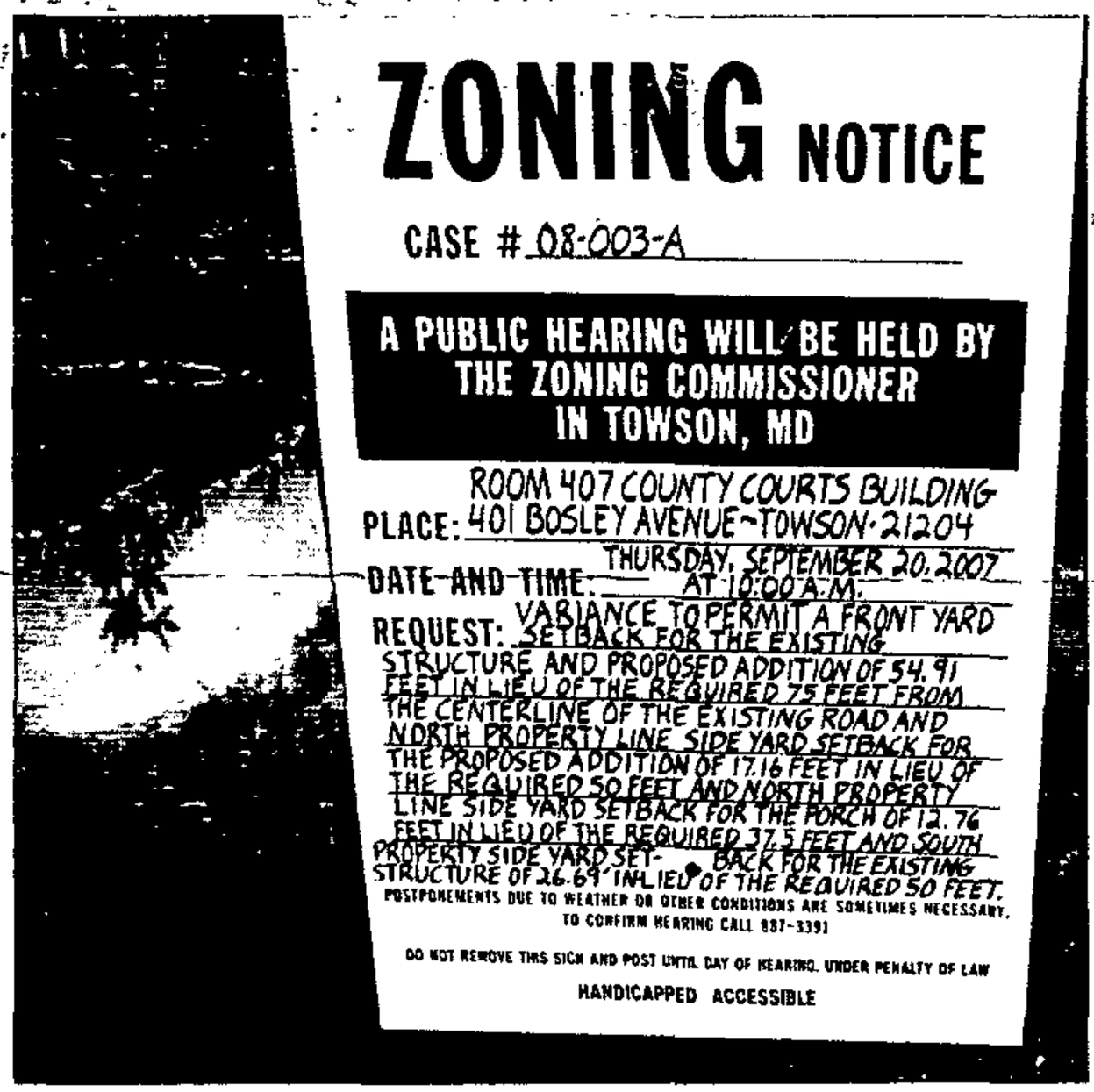
LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS
DATE: 09/04/07
Case Number: 08-003-A
Petitioner / Developer: EDWARD COVAHEY JR.,ESQ.~
MR. & MRS. MARINI JR.
Date of Hearing (Closing): SEPTEMBER 20, 2007

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:
1031 MAPLE ROAD

The sign(s) were posted on: 09/02/07



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

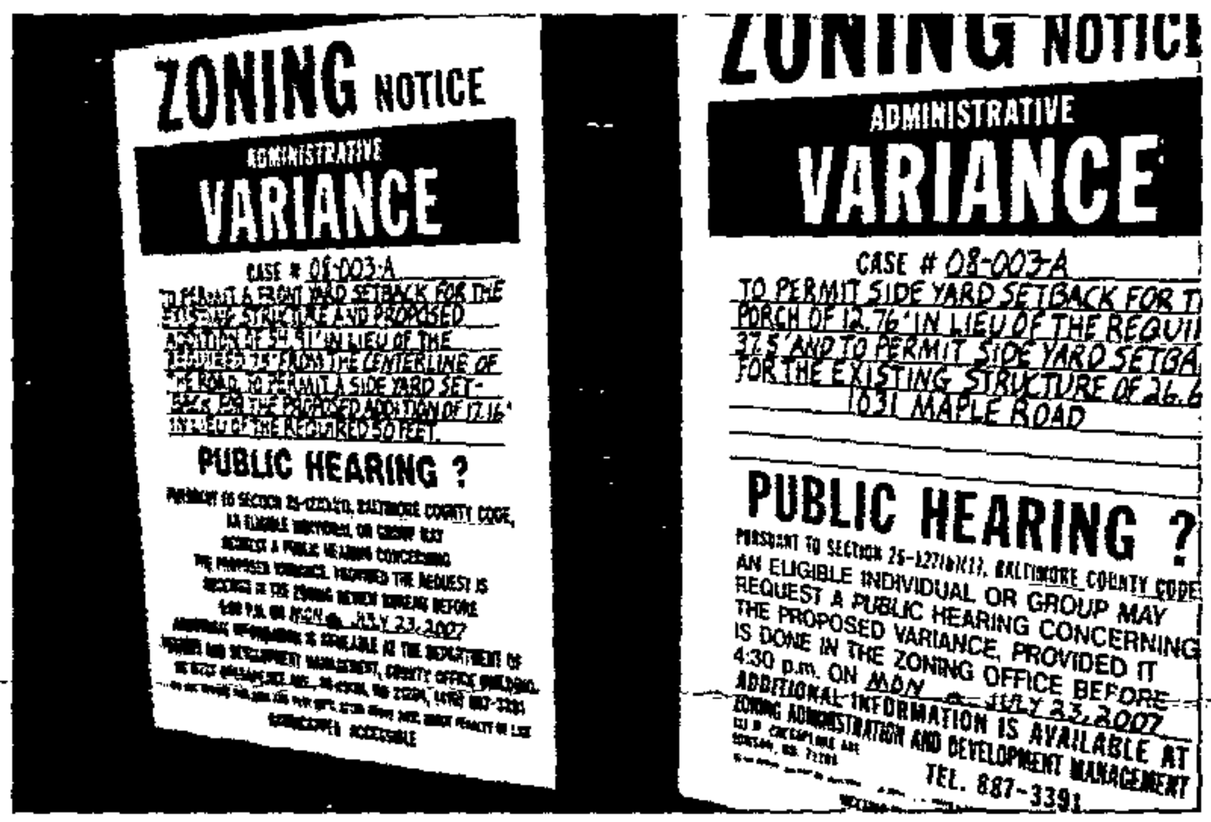
410 – 666 – 5366
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS
DATE: 07/5/07
Case Number: 08-003-A
Petitioner / Developer: EDWARD C. COVAHEY JR.~
HERIBERTO & PAULINE MARINIE
Date of Hearing (Closing): JULY 23, 2007

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:
1031 MAPLE ROAD

The sign(s) were posted on: 07/04/07



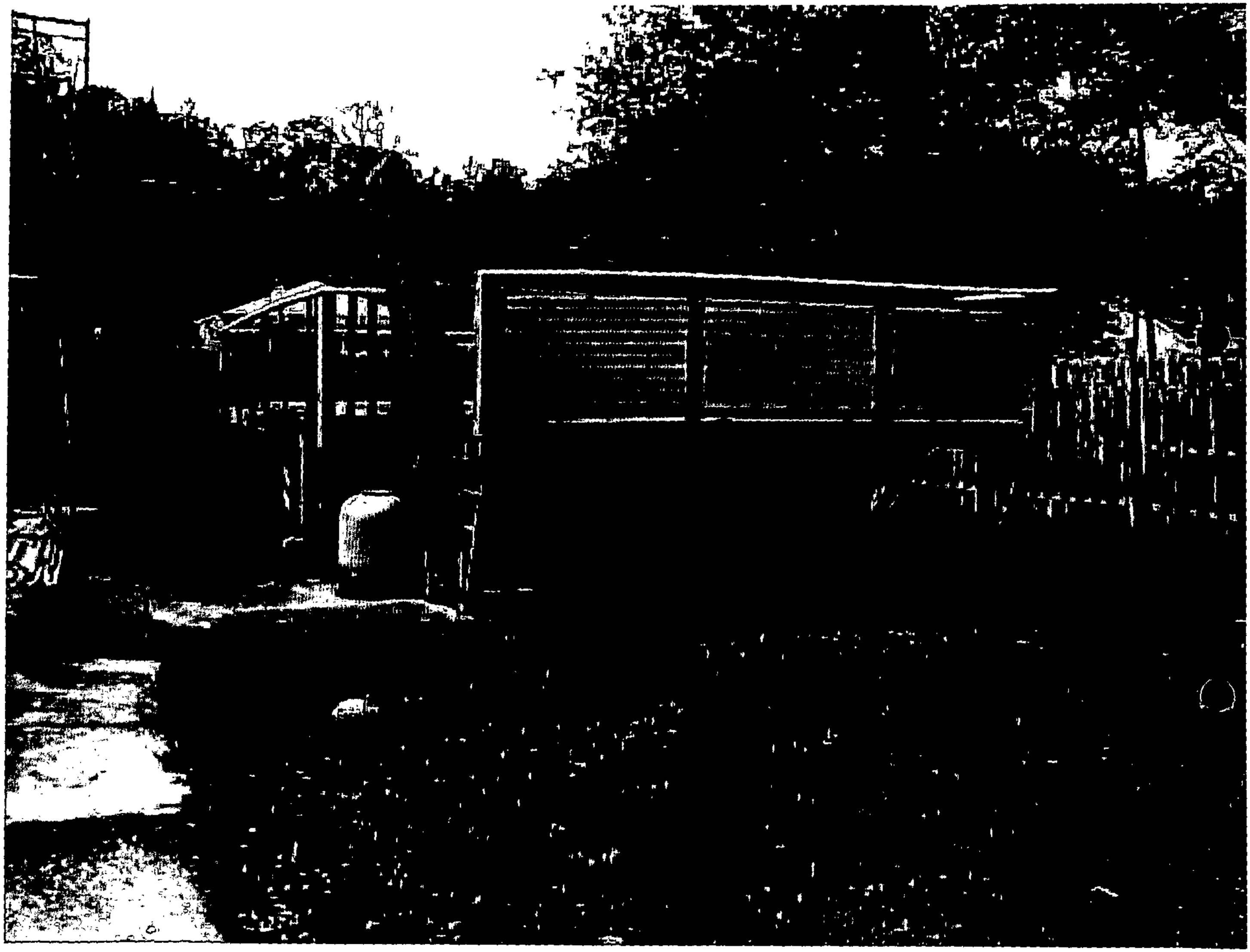
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 – 666 – 5366
(Telephone Number of Sign Poster)



PROPOSED ADDITION LOCATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 00938

Date: 6-27-07

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	056			6150				65.00
							Total:	$ 65.00

Rec From: Northern Medical Jr.

For: Appeal Variance Case # 08-203-A
1031 Mohle Rd.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

BUSINESS DATE	ACTUAL DATE	TIME	DRW
6/29/2007	6/29/2007	12:02:12	4

506 WALKIN KWIK PYM
RECEIPT # 573783 6/29/2007 UFLH
Rept 5 528 ZONING VERIFICATION
Ref # 000938
Recpt Tot $65.00
$65.00 CK $0.00 CA
Baltimore County, Maryland

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08-003 -A Address 1031 MAPLE RD.

Contact Person: JUN FERNANDO Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 6-29-07 **Posting Date:** 7-8-07 **Closing Date:** 7-23-07

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.

2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.

3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.

4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 08-003 -A Address 1031 MAPLE RD.

Petitioner's Name Heriberto & Pauline Marini Telephone 410-574-8516

Posting Date: 7-8-07 **Closing Date:** 7-23-07

Wording for Sign: To Permit a front yard setback for the existing structure and proposed addition of 54.91' in lieu of the required 75' from the centerline of the road. To permit a side yard setback for the proposed addition of 17.16' in lieu of the required 50'. To permit side yard setback for the porch of 12.76' in lieu of the required 17.5'. And to permit side yard setback for the existing structure of 26.69' in lieu of the required 50'.

~~WCR - Revised 6/25/04~~
~~BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT~~
~~ZONING REVIEW~~

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 08-003-A

Petitioner: MR. & MRS HUMBERTO M. MARINI

Address or Location: 1031 MAPLE ROAD BALTIMORE, MD 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR & MRS HUMBERTO MARINI

Address: 1031 MAPLE ROAD
BALTIMORE, MD 21221

Telephone Number: 410.591.2522

Revised 7/11/05 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 4, 2007 Issue - Jeffersonian

Please forward billing to:
Deborah Kendall-Sipple 410-887-3353
Permits & Development Management
111 West Chesapeake Avenue
Towson, MD 21204

NEW NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 08-003-A
1031 Maple Road
E/side of Maple Road at the distance of 437 feet north of the centerline of Marsh Road
15th Election District – 7th Councilmanic District
Legal Owners: Heriberto M. & Pauline Marini, Jr.

Variance to permit a front yard setback for the existing structure and proposed addition of 54.91 feet in lieu of the required 75 feet from the centerline of the existing road and North property line side yard setback for the proposed addition of 17.16 feet in lieu of the required 50 feet and North property line side yard setback for the porch of 12.76 feet in lieu of the required 37.5 feet and South property side yard setback for the existing structure of 26.69 feet in lieu of the required 50 feet.

Hearing: Thursday, September 20, 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.

BALTIMORE COUNTY

MARYLAND

August 17, 2007

JAMES T. SMITH, JR.
County Executive

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

NEW NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 08-003-A
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Hearing: Thursday, September 20, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Edward Covahey, Jr., 614 Bosley Avenue, Towson 21204
Mr. & Mrs. Marini, Jr., 1031 Maple Road, Baltimore 21221

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, SEPT. 5, 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.

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

August 2, 2007

Edward Covahey, Jr.
614 Bosley Avenue
Towson, MD 21204

Dear Mr. Covahey, Jr.:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 08-003-A

The purpose of this letter is to officially notify you that your administrative posting procedure has been superceded by a timely public hearing demand by the zoning commissioner requiring a public hearing concerning the above proposed administrative procedure.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

The property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact Jun Fernando at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:klm

C: Mr. & Mrs. Marini, Jr.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 21, 2007 Issue - Jeffersonian

Please forward billing to:
Heriberto Marini
1031 Maple Road
Baltimore, MD 21221

Changed to D. Sirpale Hearing demanded by D.Z.C.

~~410-591-2522~~

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: 08-003-A
1031 Maple Road
E/side of Maple Road at the distance of 437 feet north of the centerline of Marsh Road
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Legal Owners: Heriberto M. & Pauline Marini, Jr.

Variance to permit a front yard setback for the existing structure and proposed addition of 54.91 feet in lieu of the required 75 feet from the centerline of the existing road and North property line side yard setback for the proposed addition of 17.16 feet in lieu of the required 50 feet and North property line side yard setback for the porch of 12.76 feet in lieu of the required 37.5 feet and South property side yard setback for the existing structure of 26.69 feet in lieu of the required 50 feet.

Hearing: Thursday, September 6, 2007 at 9:00 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.

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

August 2, 2007

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

NOTICE OF ZONING HEARING

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Hearing: Thursday, September 6, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Edward Covahey, Jr., 614 Bosley Avenue, Towson 21204
Mr. & Mrs. Marini, Jr., 1031 Maple Road, Baltimore 21221

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 22. 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.

Kristen

COVAHEY, BOOZER, DEVAN & DORE, P. A.

ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204

410-828-9441

FAX 410-823-7530

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER *
MARK S. DEVAN
THOMAS P. DORE
BRUCE EDWARD COVAHEY
JENNIFER MATTHEWS HERRING
FRANK V. BOOZER, JR.

*ALSO ADMITTED TO D.C. BAR

ANNEX OFFICE
SUITE 302
606 BALTIMORE AVE.
TOWSON, MD 21204
410-828-5525
FAX 410-296-2131

August 14, 2007

VIA FAX - 410-887-5708
and FIRST CLASS MAIL

Timothy Kotroco, Director
Baltimore County DPDM
111 W. Chesapeake Ave., Room 105
Towson, Maryland 21204

Re: Case No. 08-003-A
1031 Maple Road
Legal Owners: Heriberto M. and Pauline Marini, Jr.

Dear Mr. Kotroco:

I received notice setting the above-captioned in for a public hearing on September 6, 2007, however, I must respectfully request a postponement in that I will be out of the State of Maryland on a preplanned vacation.

It would be appreciated if I could be called with respect to rescheduling same at a time that does not conflict with a court case.

Thank you for your kind consideration in this matter.

Very truly yours,

Edward C. Covahey, Jr.

ECC,Jr./ldr
0814ldr06
cc: Mr. & Mrs. Heriberto M. Marini, Jr.
Mr. Thomas Parr

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

July 23, 2007

Edward C. Covahey, Jr.
614 Bosley Avenue
Towson, MD 21204

Dear Mr. Covahey:

RE: Case Number: 08-003-A, 1031 Maple 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 29, 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.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Heriberto M. Marini, Jr. Pauline R. Marini 1031 Maple Road Baltimore 21221

BW 9/20
10 AM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED
SEP 13 2007
BY:_____

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination JWL

DATE: September 13, 2007

SUBJECT: Zoning Item # 08-03-A
Address 1031 Maple Road
(Marini Property)

Zoning Advisory Committee Meeting of July 16, 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 within the Limited Development Area (LDA) of the Chesapeake Bay Critical Area (CBCA) and must meet restrictions on impervious surface area. In addition, a minimum of 15% tree cover (5 trees) is required. Impervious area cannot exceed 31.25% of the lot or the amount grandfathered by EIR – DEPRM.

Reviewer: Paul A. Dennis Date:

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2008\ZAC 08-03-A.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

July 17, 2007

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

ATTENTION: Zoning Review planners

Distribution Meeting of: July 16, 2007

Item No.: 001, 003, 004, 007, 008, 009, 010, 011, 012, 013, 014, 016, 017, 018, 019

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

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.

Acting Lieutenant William F. Connolly Jr.
Fire Marshal's Office
(O)410-887-4881 (C)443-829-29
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 26, 2007

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-003**

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: Curtis Murray

Division Chief: Lynn Lochner

CM/LL

W:\DEVREV\ZAC\8-003.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: July 18, 2007

FROM: Dennis A. Kennedy, Supervisor DAK for
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 20, 2007
Item Nos. 07-470, 08-001, 002, 003, 004, 005, 006, 007, 008, 009, 011, 012, 013, 014, 015, 016, 017, 018 and 019

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

DAK:CEN:cab
cc: File
ZAC-NO COMMENTS-07202007.doc

BW 9/20
10mm

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED
SEP 13 2007
BY:_____

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination JWL

DATE: September 13, 2007

SUBJECT: Zoning Item # 08-03-A
Address 1031 Maple Road
(Marini Property)

Zoning Advisory Committee Meeting of July 16, 2007

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Additional Comments:
This property is located within the Limited Development Area (LDA) of the Chesapeake Bay Critical Area (CBCA) and must meet restrictions on impervious surface area. In addition, a minimum of 15% tree cover (5 trees) is required. Impervious area cannot exceed 31.25% of the lot or the amount grandfathered by EIR – DEPRM.

Reviewer: Paul A. Dennis Date:

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2008\ZAC 08-03-A.doc

ORDER RECEIVED FOR FILING
Date 9-26-07
By PD

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

State Highway Administration
Maryland Department of Transportation

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

Date: JULY 16, 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. 08-3-A
1031 MAPLE ROAD
MARINI 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. 08-3-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,

Michael P. Bailey

for Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 26, 2007

RECEIVED
JUL 30 2007
BY:

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-003** Admin 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: Curtis Murray

Division Chief: Lynn Lanham

CM/LL

W:\DEVREV\ZAC\8-003.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: July 30, 2007

TO: Kristen Matthews
Dept. of Permits & Development Mgmt.

FROM: Patricia Zook, Legal Secretary to
Thomas Bostwick, Deputy Zoning Commissioner

RE: Petition for Variance
Case No. 08-003 – 1031 Maple Road – (administrative variance)

After a review of the above-captioned case file on Friday, July 27, 2007 William J. Wiseman III, Zoning Commissioner, has requested that this case be set in for a public hearing.

We are returning the file to you for further processing, i.e., notifying the petitioner, posting of hearing notices, etc. Per Bill, the County is to post and advertise the hearing.

Thank you for your attention and cooperation in this matter.

PLEASE PRINT CLEARLY

CASE NAME _____
CASE NUMBER _____
DATE _____

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Walter T Parr	1602 Bosworth Ct	Bel Air, MD	Tom-Parr@bpseng.neets.com
Jeffrey Cerquetti	4416 Fieldgreen Road	Nottingham, MD. 21236	Jeff.Cerquetti@bpsengineers.com
Fanny Marini	17 Mindship Rd	Baltimore, MD 21222	fayrini@4@aol.com
Heri Bexto M. Marini Jr.	1031 Maple Rd.	Balto. Maryland 21221	
	Ed C. Covatey Jr Esq.		
	Attorney		

EXHIBIT A

For the property located at 1031 Maple Road

This Petition shall be filed with the Office of Zoning Administration & 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 1A04.3B2b and Section 301.1 to permit the following:

1. A front yard setback for the existing structure and proposed addition of 54.91 feet in lieu of the required 75 feet from the center line of the existing road.

2. North property line side yard setback for the proposed addition of 17.16 feet in lieu of the required 50 feet.

3. North property line side yard setback for the porch of 12.76 feet in lieu of the required 37.5 feet.

4. South property side yard setback for the existing structure of 26.69 feet in lieu of the required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons:

1. The subject property is unique in that it was created as a consequence of a subdivision recorded among the Plat Records of Baltimore County in Plat Book 7, folio 186 dated April 21, 1925.

2. It is impossible to build an addition on the subject property without the requested variance.

3. The overall density of the lot will not be affected.

4. RC 5 zoning is inappropriate as the site is served by public sewer and water.

ldr070543

EXHIBIT A

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4. RC 5 zoning is inappropriate as the site is served by public sewer and water.

ldr070543

Case No.: 08-003-A 1031 MAPLE ROAD

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	Site Plan	
No. 2	SUB DIVISION PLAT	
No. 3	GSI MAP - topography and Pattern of Development	
No. 4	Building Elevation Drawing	
No. 5	PHOTOGRAPHS - 1100 MAPLE	
No. 6	Photograph - Further to left of this Property.	
No. 7	Collectively - Letters of Support 1028 1025 1030 1033	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

1100 Maple Rd

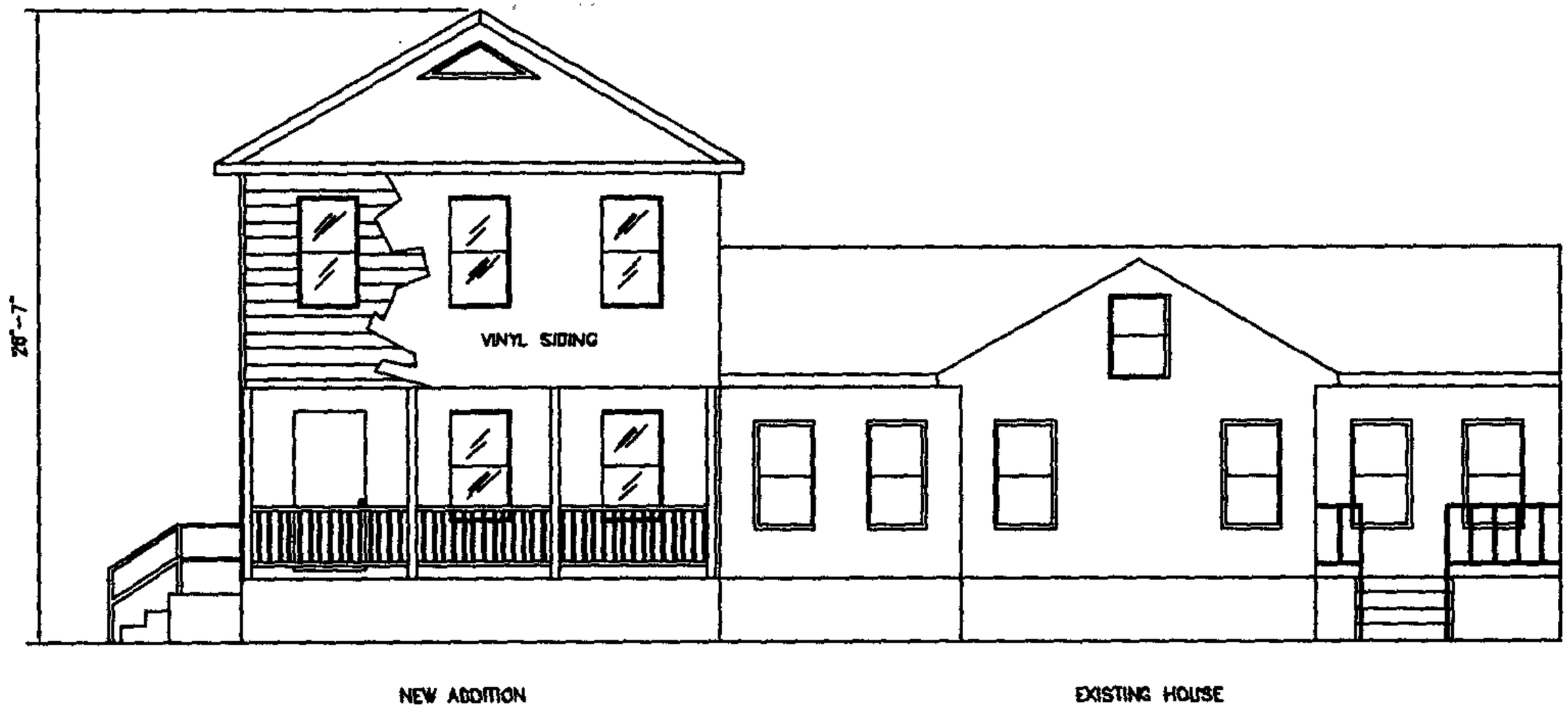
PETITIONER'S

EXHIBIT NO. 5

REMOVE ARCH IN MIDDLE AND EXTEND BLOCK WALL

PETITIONER'S

EXHIBIT NO. Q



SCALE: 1/4" = 1'-0"

FRONT ELEVATION

A / A01

1/4" = 1'-0"

PETITIONER'S

EXHIBIT NO. 4

maryland PE License No. 30892

JOB NAME: MARINI RESIDENCE LOCATION: 1031 MAPLE ROAD ESSEX, MD. 21221	DRAWN BY: JC	CHECKED BY: JC	
	SCALE: AS NOTED		
	DATE: 8/1/07		
CONTRACTOR:	JOB NUMBER	SHEET	
DESCRIPTION: SIDE ADDITION		A03	△

19 September 2007

Department of Permits and Development Management
Zoning
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

To Whom It May Concern:

This letter is to acknowledge that we are aware and have seen the plans to build the addition to the existing home located at 1031 Maple Road to which we are not against the construction of the addition.

Dawn & Joseph Duffy
1033 Maple Road
Baltimore, MD 21221

Dawn Marie Duffy
Joseph A Duffy

PETITIONER'S
EXHIBIT NO. 1

19 September 2007

Department of Permits and Development Management
Zoning
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

To Whom It May Concern:

This letter is to acknowledge that we are aware and have seen the plans to build the addition to the existing home located at 1031 Maple Road to which we are not against the construction of the addition.

Donna L. Ayres
Dennis M Ayres

Dennis & Donna Ayres
1030 Maple Road
Baltimore, MD 21221

19 September 2007

Department of Permits and Development Management
Zoning
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

To Whom It May Concern:

This letter is to acknowledge that I am aware and have seen the plans to build the addition to the existing home located at 1031 Maple Road to which I am not against the construction of the new addition.

Carol Lin
1025 Maple Road
Baltimore, MD 21221

19 September 2007

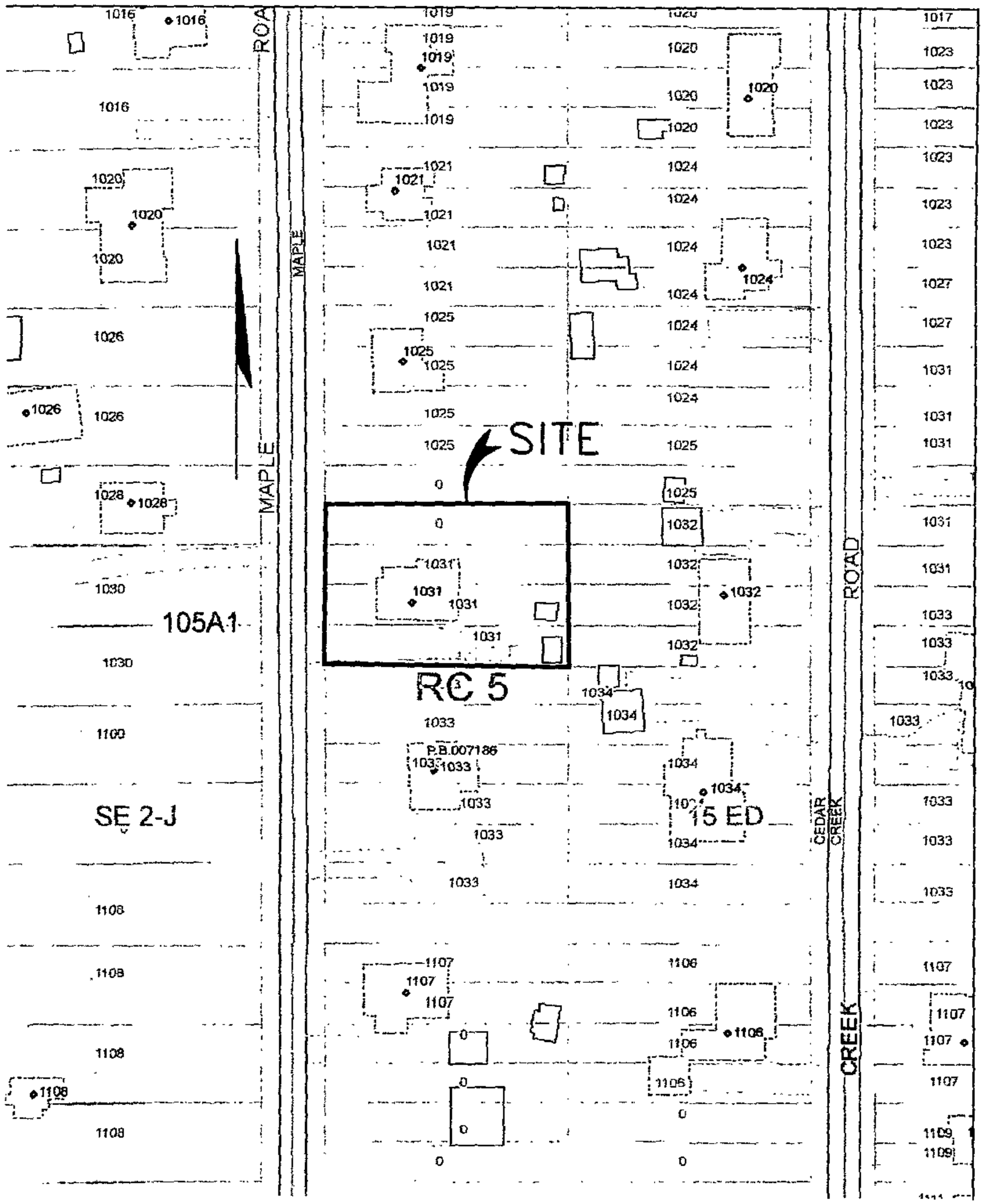
Department of Permits and Development Management
Zoning
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

To Whom It May Concern:

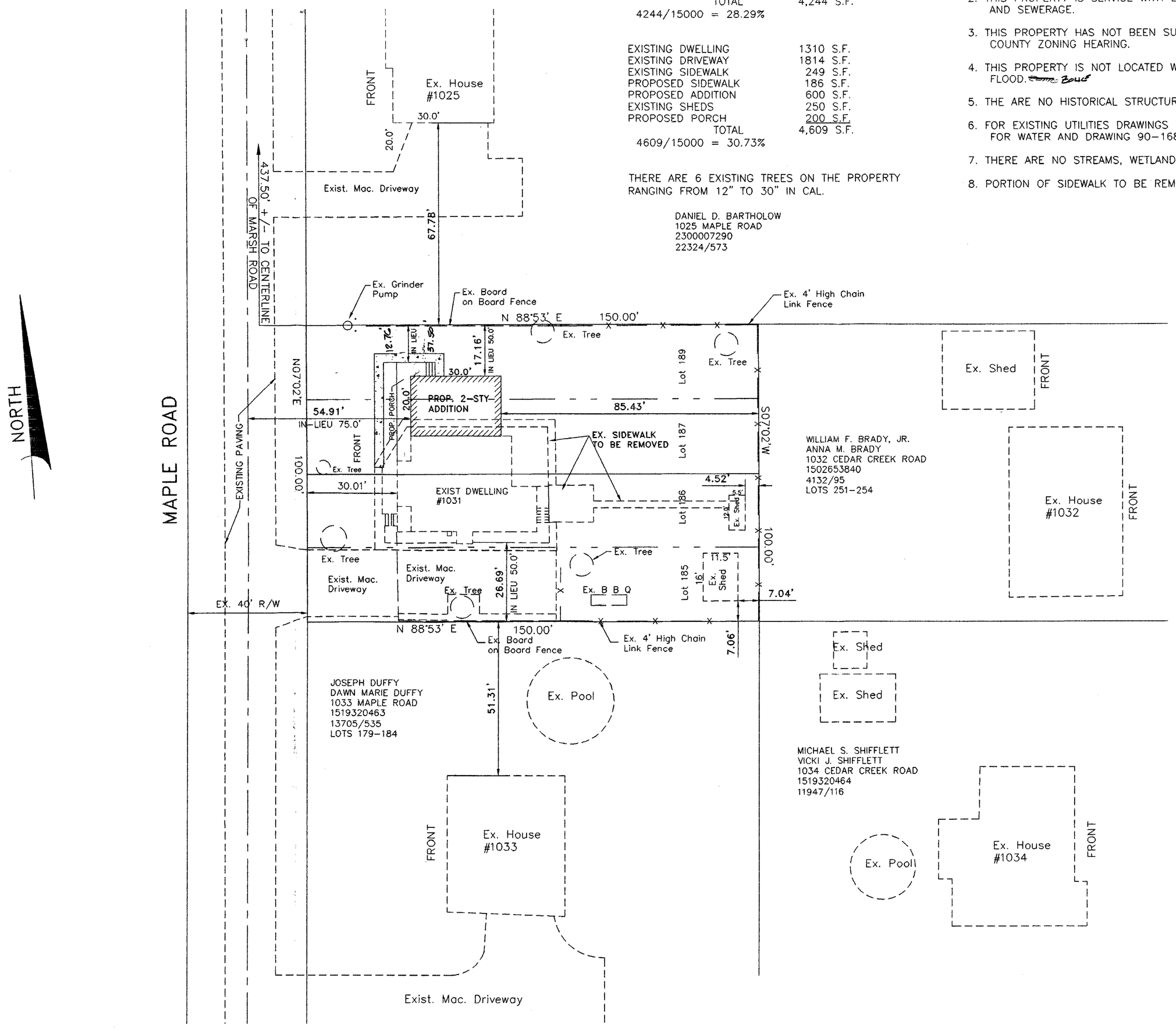
This letter is to acknowledge that we are aware and have seen the plans to build the addition to the existing home located at 1031 Maple Road to which we are not against the construction of the addition.

Louis Baldi

Louis & Cynthia Baldi
1028 Maple Road
Baltimore, MD 21221



BALTIMORE COUNTY
ZONING MAP
MAP 105A1
SCALE: 1"=200'



IMPERVIOUS AREA CALCULATION

EXISTING DWELLING	1310 S.F.
EXISTING DRIVEWAY	1814 S.F.
EXISTING SIDEWALK	685 S.F.
EXISTING SHEDS	250 S.F.
TOTAL	4,244 S.F.

4244/15000 = 28.29%

EXISTING DWELLING	1310 S.F.
EXISTING DRIVEWAY	1814 S.F.
EXISTING SIDEWALK	249 S.F.
PROPOSED SIDEWALK	186 S.F.
PROPOSED ADDITION	600 S.F.
EXISTING SHEDS	250 S.F.
PROPOSED PORCH	200 S.F.
TOTAL	4,609 S.F.

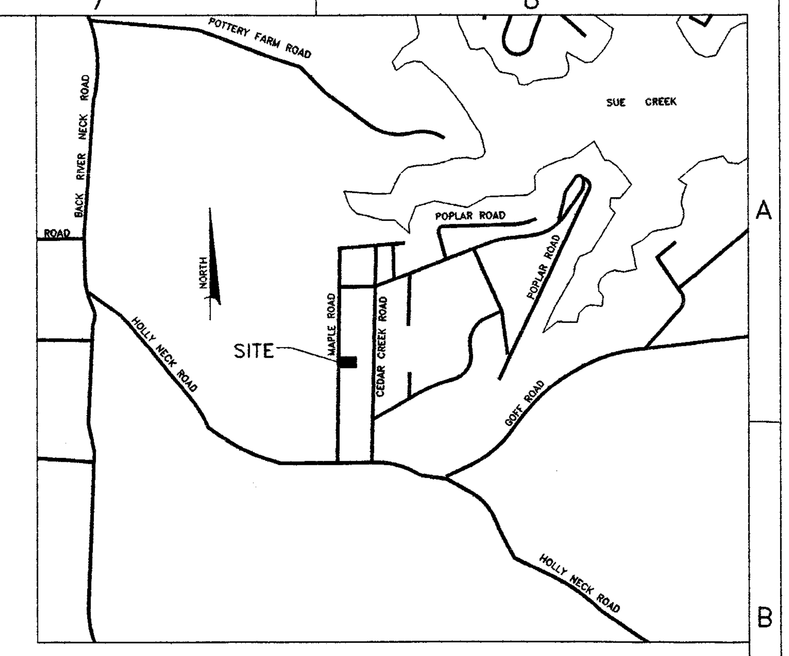
4609/15000 = 30.73%

THERE ARE 6 EXISTING TREES ON THE PROPERTY RANGING FROM 12" TO 30" IN CAL.

DANIEL D. BARTHOLOW
1025 MAPLE ROAD
2300007290
22324/573

GENERAL NOTES

1. THIS PROPERTY IS LOCATED WITHIN THE CHESAPEAKE CRITICAL AND IS DESIGNATED AS LIMITED DEVELOPMENT AREA (LDA)
2. THIS PROPERTY IS SERVICE WITH EXISTING PUBLIC WATER AND SEWERAGE.
3. THIS PROPERTY HAS NOT BEEN SUBJECT TO ANY BALTIMORE COUNTY ZONING HEARING.
4. THIS PROPERTY IS NOT LOCATED WITHIN AN EXISTING FLOOD. ~~Zone~~ Zone
5. THE ARE NO HISTORICAL STRUCTURES ON THIS PROPERTY.
6. FOR EXISTING UTILITIES DRAWINGS SEE, DRAWING 66-701 FOR WATER AND DRAWING 90-1682 FOR SEWER.
7. THERE ARE NO STREAMS, WETLANDS OR FOREST ON THIS PROPERTY.
8. PORTION OF SIDEWALK TO BE REMOVED FOR NEW ADDITION.



VICINITY MAP
SCALE: 1" = 1000'

ZONING VARIANCES REQUESTED

1. FRONT SETBACK OF 54.91 FEET IN-LIEU OF THE REQUIRED 75.0 FEET FROM THE CENTERLINE OF EXISTING ROAD FOR THE EXISTING STRUCTURE AND PROPOSED ADDITION.
2. NORTH PROPERTY LINE SIDE YARD SETBACK OF 17.16 FEET IN-LIEU OF THE REQUIRED 50 FEET.
3. NORTH PROPERTY LINE SIDE YARD SETBACK OF 12.76 FEET FOR PROJECT IN-LIEU OF THE REQUIRED 50 FEET.
4. SOUTH PROPERTY LINE SIDE YARD SETBACK OF 26.69 FEET IN-LIEU OF THE REQUIRED 50.0 FEET.

LOCATION INFORMATION

ELECTION DISTRICT 15
COUNCILMANIC DISTRICT 7
1" = 200' SCALE MAP # 105A1
ZONING RC 5
EXISTING COVERAGE 1,559 SF/15,000 = 10.29%
PROPOSED COVERAGE 2,159 SF/15,000 = 14.39%
PERMITTED COVERAGE 15% X 15000 = 2,250%

LOT SIZE	0.3444 ACREAGE	15,000 SQUARE FEET
	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☒	☐
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING: NONE

OWNERS

HERIBERTO M. & PAULINE A. MARINI
1031 MAPLE ROAD
"CEDAR BEACH SECTION 1"
PLAT BOOK 7 FOLIO # 186
LOT # 185, 186,187 & 189
SCALE OF DRAWING: 1" = 20'

ZONING OFFICE USE ONLY		
REVIEWED BY	ITEM #	CASE #
JF	003	

BPS/land Technology
ENGINEERS & SURVEYORS
1602 Bosworth Court Bel Air, Maryland 21015
PHONE: 410-893-8286

PROJECT:
MR. & MRS. HERIBERTO MARINI
1031 MAPLE ROAD
BALTIMORE, MARYLAND 21221

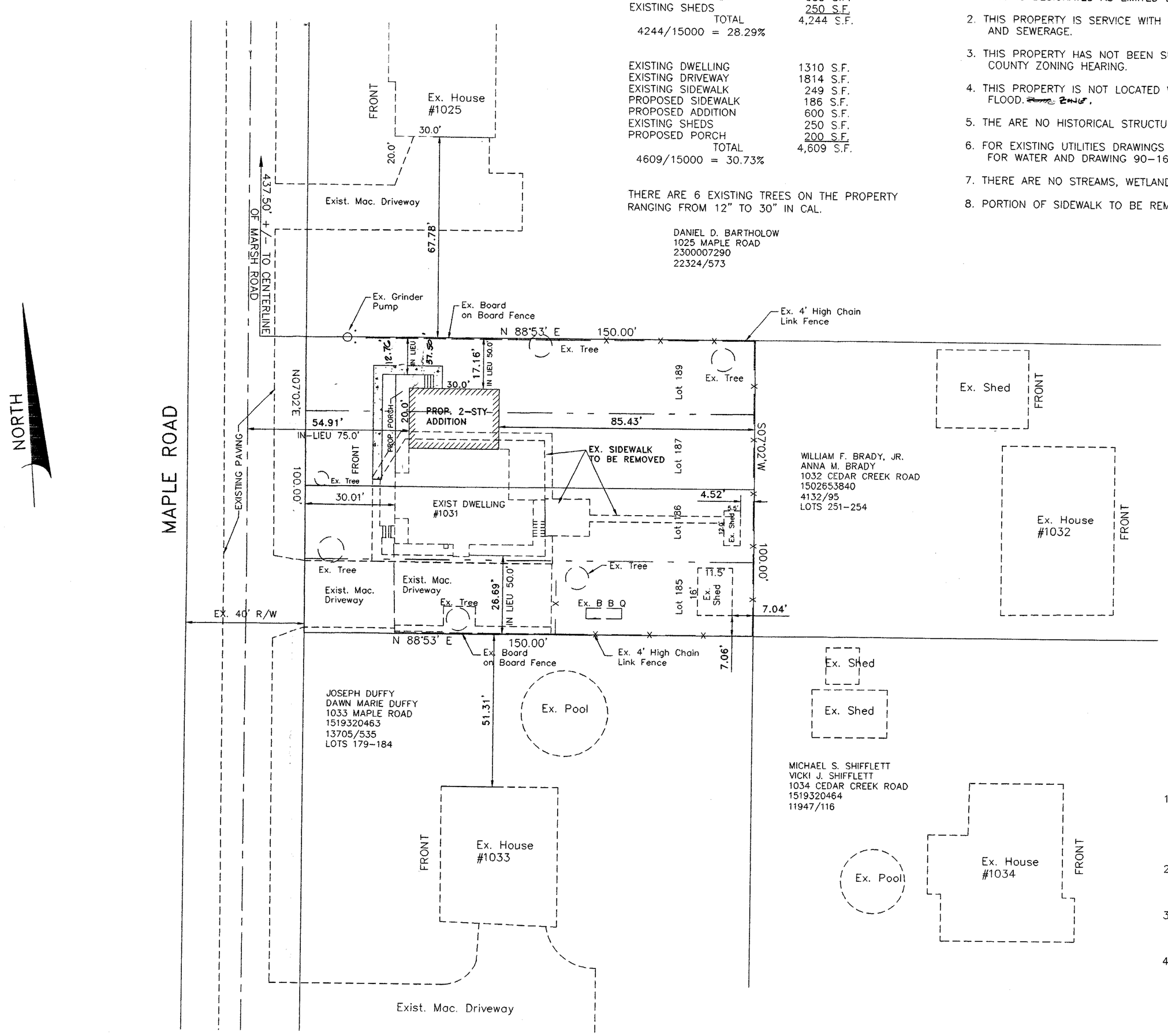
REV.	DATE	DESCRIPTION	BY	CHK'D	APPR

SCALE: 1" = 20' DATE: June 28, 2007 DESIGNED: WTP DRAWN: WTP PROJECT NO:

SHEET TITLE
PLAT TO ACCOMPANY PETITION FOR ADMINISTRATION VARIANCE

SHEET NO. AV-01 REV.

CAD FILE: MARINI\DWG\BASE 1 OF 1



WILLIAM F. BRADY, JR.
ANNA M. BRADY
1032 CEDAR CREEK ROAD
1502653840
4132/95
LOTS 251-254

JOSEPH DUFFY
DAWN MARIE DUFFY
1033 MAPLE ROAD
1519320463
13705/535
LOTS 179-184

MICHAEL S. SHIFFLETT
VICKI J. SHIFFLETT
1034 CEDAR CREEK ROAD
1519320464
11947/116

IMPERVIOUS AREA CALCULATION

EXISTING DWELLING	1310 S.F.
EXISTING DRIVEWAY	1814 S.F.
EXISTING SIDEWALK	685 S.F.
EXISTING SHEDS	250 S.F.
TOTAL	4,244 S.F.

4244/15000 = 28.29%

EXISTING DWELLING	1310 S.F.
EXISTING DRIVEWAY	1814 S.F.
EXISTING SIDEWALK	249 S.F.
PROPOSED SIDEWALK	186 S.F.
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THERE ARE 6 EXISTING TREES ON THE PROPERTY RANGING FROM 12" TO 30" IN CAL.

DANIEL D. BARTHOLOW
1025 MAPLE ROAD
2300007290
22324/573

GENERAL NOTES

1. THIS PROPERTY IS LOCATED WITHIN THE CHESAPEAKE CRITICAL AND IS DESIGNATED AS LIMITED DEVELOPMENT AREA (LDA)
2. THIS PROPERTY IS SERVICE WITH EXISTING PUBLIC WATER AND SEWERAGE.
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5. THE ARE NO HISTORICAL STRUCTURES ON THIS PROPERTY.
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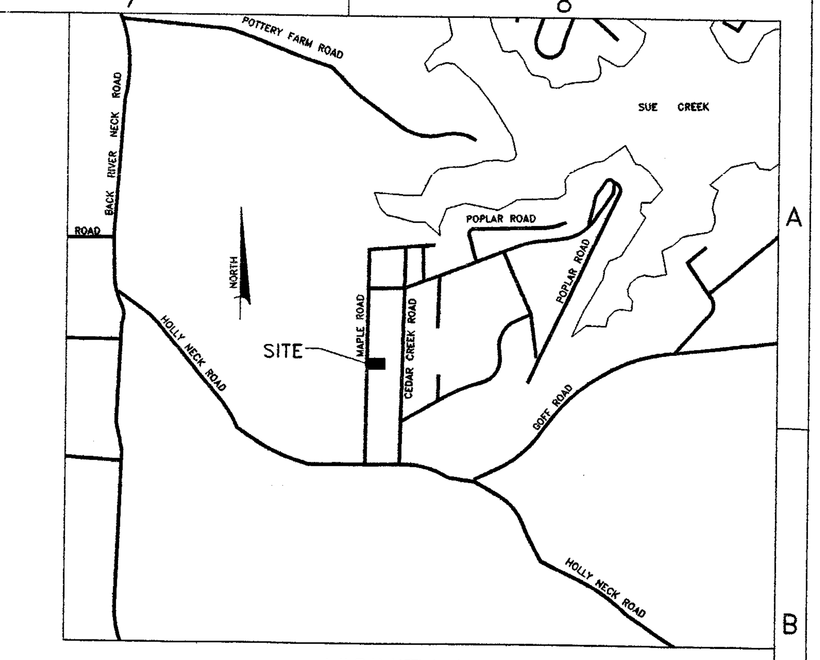

VICINITY MAP

SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT	15
COUNCILMANIC DISTRICT	7
1" = 200' SCALE MAP #	105A1
ZONING	RC 5
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	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☒	☐
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING: NONE

ZONING VARIANCES REQUESTED

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OWNERS

HERIBERTO M. & PAULINE A. MARINI
1031 MAPLE ROAD
"CEDAR BEACH SECTION 1"
PLAT BOOK 7 FOLIO # 186
LOT # 185, 186,187 & 189
SCALE OF DRAWING: 1" = 20'

ZONING OFFICE USE ONLY		
REVIEWED BY	ITEM #	CASE #
JRF	003	

BPS/land Technology
ENGINEERS & SURVEYORS
1602 Bosworth Court Bel Air, Maryland 21015
PHONE: 410-893-8286

PROJECT:

MR. & MRS. HERIBERTO MARINI

1031 MAPLE ROAD
BALTIMORE, MARYLAND 21221

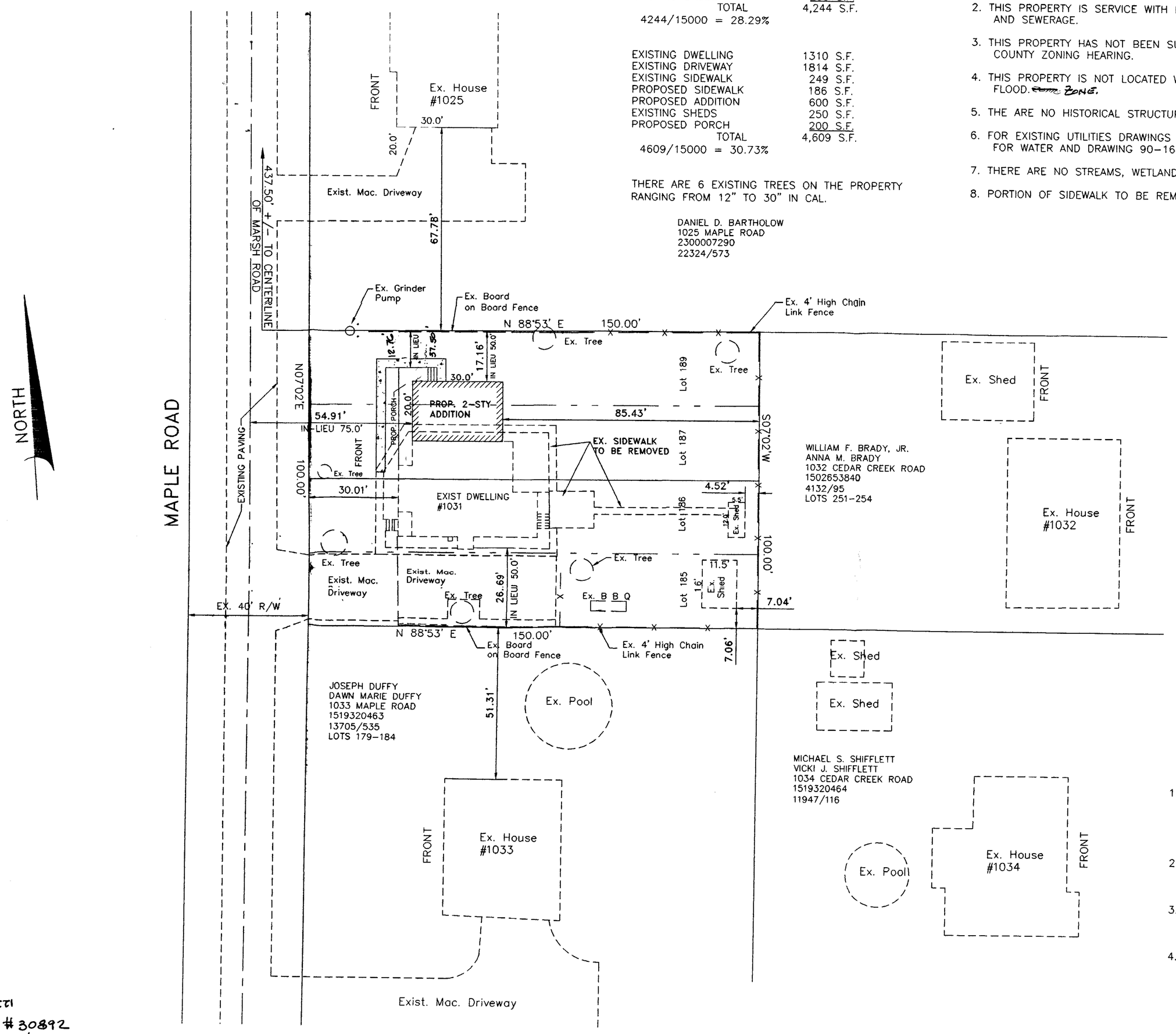
REV.	DATE	DESCRIPTION	BY	CHK'D	APPR

SCALE: 1" = 20' | DATE: June 28, 2007 | DESIGNED: WTP | DRAWN: WTP | PROJECT NO:

SHEET TITLE: PLAT TO ACCOMPANY PETITION FOR ADMINISTRATION VARIANCE

SHEET NO. AV-01 | REV.

CAD FILE: MARINI\DWG\BASE | 1 OF 1



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DANIEL D. BARTHOLOW
1025 MAPLE ROAD
2300007290
22324/573

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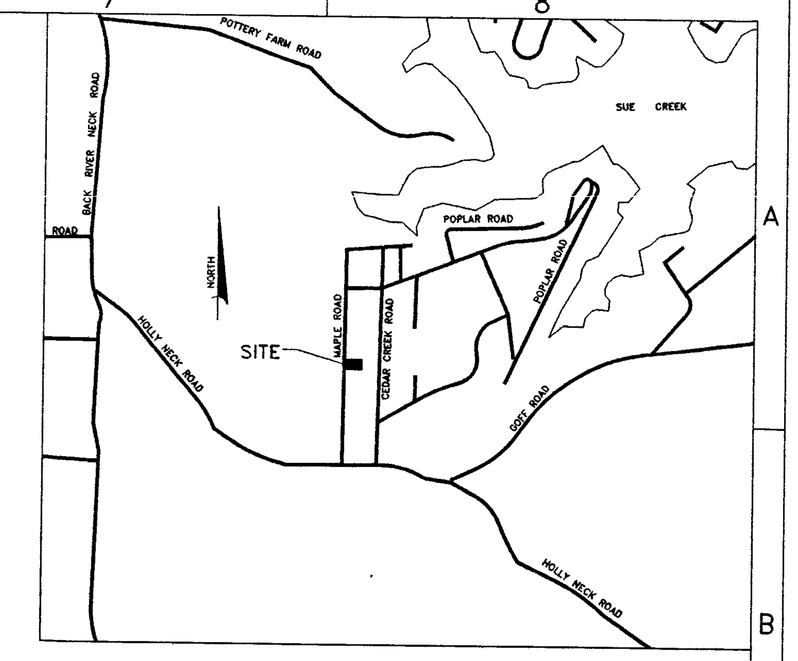

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SCALE: 1" = 1000'

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WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☒	☐
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING: NONE

ZONING VARIANCES REQUESTED

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OWNERS

HERIBERTO M. & PAULINE A. MARINI
1031 MAPLE ROAD
"CEDAR BEACH SECTION 1"
PLAT BOOK 7 FOLIO # 186
LOT # 185, 186,187 & 189
SCALE OF DRAWING: 1" = 20'

JEFFREY CERQUETTI
MARYLAND P.E. LICENSE # 30892

ZONING OFFICE USE ONLY		
REVIEWED BY	ITEM #	CASE #
JE	003	

BPS/land Technology
ENGINEERS & SURVEYORS
1602 Bosworth Court Bel Air, Maryland 21015
PHONE: 410-893-8286

PROJECT:
MR. & MRS. HERIBERTO MARINI
1031 MAPLE ROAD
BALTIMORE, MARYLAND 21221

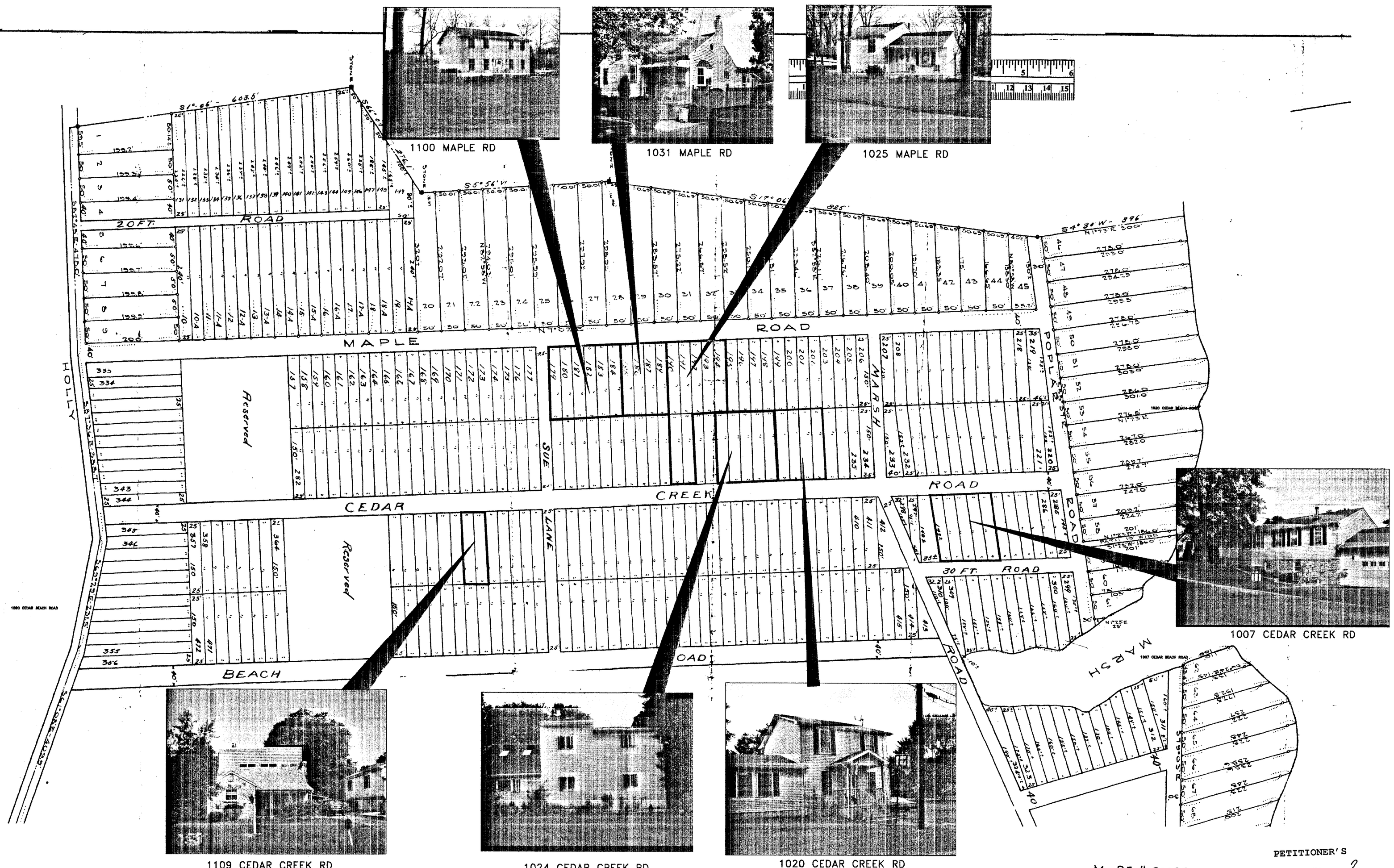
REV.	DATE	DESCRIPTION	BY	CHK'D	APPR

SCALE: 1" = 20' | DATE: June 28, 2007 | DESIGNED: WTP | DRAWN: WTP | PROJECT NO:

SHEET TITLE
PLAT TO ACCOMPANY PETITION FOR ADMINISTRATION VARIANCE

SHEET NO. AV-01 | REV.
CAD FILE: MARINI\DWG\BASE | 1 OF 1

PETITIONER'S EXHIBIT NO. 1



PETITIONER'S EXHIBIT NO. 2

Md. P.E. # 30892

BPS/land Technology
ENGINEERS & SURVEYORS
1602 Bosworth Court Bel Air, Maryland 21015
PHONE: 410-893-8286

PROJECT:

MR. & MRS. HERIBERTO M. MARINI

1031 MAPLE ROAD
BALTIMORE, MARYLAND

REV.	DATE	DESCRIPTION	BY	CHK'D	APPR
A	SEPT. 2007	PRELIMINARY			

SCALE: 1" = 100' | DATE: | DESIGNED: | DRAWN:

SHEET TITLE | SHEET NO. | REV. | PROJECT NO: | CAD FILE: | OF

MD. P.E. # 30892

PETITIONER'S EXHIBIT NO. 3

BPS/land Technology
ENGINEERS & SURVEYORS
1602 Bosworth Court Bel Air, Maryland 21015
PHONE: 410-893-8286

PROJECT:

MARINI RESIDENCE

1031 MAPLE ROAD
BALTIMORE COUNTY, MARYLAND

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REV.	DATE	DESCRIPTION	BY	CHK'D	APPR
A		PRELIMINARY			

SCALE: 1"=50' | DATE: | DESIGNED: WTP | DRAWN: | PROJECT NO: | CAD FILE: | OF

SHEET TITLE:

ZONING EXHIBIT

SHEET NO. | REV.