IN RE: PETITION FOR VARIANCE
S/S Loreley Beach Road, 65' SE of
c/line of North Loreley Beach Road

(6007 Loreley Beach Road)
11<sup>th</sup> Election District

5<sup>th</sup> Council District

James C. Caldwell Petitioner

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 08-053-A

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, James C. Caldwell, through his attorney, J. Carroll Holzer, Esquire. The Petitioner requests variance relief from Sections 1A01.3.B.2 & 3 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a replacement dwelling with side yard setbacks of 6 feet in lieu of the required 35 feet and a lot size of 0.30 acres (13,090 square feet) in lieu of the minimum required one acre. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing in support of the request were James Calwell and his wife, Mary J. Calwell, property owners, their attorney, J. Carroll Holzer, Esquire and Bernadette Moskunas, the consultant with Site Rite Surveying, Inc., who prepared the site plan for this property. The adjoining property owner, Craig Fuhr, and his architect, Michael Burton, appeared as interested persons in the company of their attorney, Joseph R. Woolman, III, Esquire.

Testimony and evidence offered disclosed that the property under consideration is known as Lot 56 in the subdivision of "Loreley Beach" as recorded in Baltimore County Plat Book No. 10, Folio 8, and is a rectangular shaped water oriented parcel (50' wide x 250' deep) located with frontage on Bird River in eastern Baltimore County. The property contains a gross

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area of 13,090 square feet (0.30 acres), more or less zoned R.C.2 and is improved with a modest one-story dwelling built in the 1930's and a new pier. Mr. Calwell points out that he and his wife purchased the property from William Steinitz in 2002 and have used it as a summer home with the intention of building a permanent home on the lot but have been held up awaiting for utility services to arrive.

As is often the case with older subdivisions, the Loreley Beach community was laid out many years ago (in the 1920's) well prior to the adoption of any zoning regulations in Baltimore County. Thus, most of the lots in the neighborhood are undersized and do not meet current area and width requirements of the R.C.2 standards most significantly changed November 25, 1979. These regulations require one-acre lots and 35 foot set backs from lot lines other than a street line. As shown on the site plan, the property has 50 feet of frontage on the south side of Loreley Beach Road and at the shoreline and is approximately 250 feet deep. In any event, the property is clearly undersized by today's standards given its current zoning classification requiring new lots to be one acre in area with setbacks as indicated above.

Testimony indicated that the Petitioner is desirous of removing all of the existing improvements, with the exception of the pier, and developing the property with a 38' wide x 62' deep two-story single-family dwelling. As shown on the site plan and photographs submitted, the dwelling is centered on the lot in the same area as the existing home; however, given the shape of the property, both sides of the dwelling extend into the side setbacks necessitating the requested variance relief. As noted above, current regulations require a minimum lot area of one acre and side setbacks of no less than 35 feet and a front yard setback of 75 feet from the centerline of the street. In support of the request, Mr. and Mrs. Calwell and their attorney have discussed this proposal with the adjacent neighbors on either side of the property who have no objection and will support the proposal. Testimony indicated that the proposed dwelling will be

Date CANCING TOR FILING

consistent with other homes in the community and feature similar setbacks as other homes on Loreley Beach Road which turns into Beach Drive on the other side of Days Cove Park.

However, as a condition of approval, the Petitioner shall be required to submit building elevation drawings of the proposed dwelling to the Office of Planning prior to the issuance of any building permits to assure compatibility. In view of the narrow configuration and size of the lot, compliance with the regulations is not practical or possible. Additionally, the property is located in the Limited Development Area (LDA) of the Chesapeake Bay Critical Area (CBCA) which require that the proposed development must comply with these regulations and in particular the impervious surfaces which are limited to 25% of the property. The fact that this property has existed as an improved lot of record in the Land Records of Baltimore County for many years is a persuasive factor. Thus, variance relief is requested in order to comply with the spirit and intent of these regulations (zoning and CBCA).

Based upon the testimony and evidence presented, I am persuaded to grant the requested relief. In my judgment, the Petitioners have satisfied the requirements of Section 307 of the B.C.Z.R. and *Cromwell v. Ward*, 102 Md. App. 691 (1995). The variances in this case are driven by the configuration and size of the lot. Moreover this property will be served by public water and public sewer which has recently been made available in this area. Strict compliance with the regulations would cause a practical difficulty upon the Petitioners in that a reasonable use of the land would not be permitted. Historically, the property has been used as a single-family dwelling and there will be no increase in residential density beyond that otherwise allowable by granting these variances. Finally, the neighbors support the proposal. Thus, I find that relief can be granted without detrimental impact to adjacent properties. In this regard it is noted that many other houses in the community are built and are being built on similarly sized lots. However, in granting the relief, the Petitioner is reminded that he needs to comply with the

CBCA regulations enforced 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 \_\_\_\_\_\_ day of September 2007 that the Petition for Variance seeking relief from Sections 1A01.3B.2 & 3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the construction of a replacement dwelling with side yard setbacks of 6 feet in lieu of the required 35 feet on a lot consisting of 0.30 acres in lieu of the required one acre, in accordance with Petitioner's Exhibit 1, be and the same is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the ZAC comment submitted by DEPRM and the Development Plans Review Division of the Department of Permits & Development Management (DPDM) relative to the Chesapeake Bay Critical Area and the Limited Development Area (LDA) regulations, floodplain and B.O.C.A regulations. Copies of these comments, dated August 15, 2007 and September 6, 2007 respectively, have been attached hereto and are made a part hereof.
- 3) Submit building elevations of all sides of the proposed dwelling to the Office of Planning for review and approval prior to the issuance of any building permits.

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

hereof.

WJW:dlw

LIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

Date SALAN S



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

September 21, 2007

J. Carroll Holzer, Esquire Holzer & Lee 508 Fairmount Avenue Towson, MD 21286

**RE: PETITION FOR VARIANCE** 

S/S Loreley Beach Road, 65' SE of c/line of North Loreley Beach Road (6007 Loreley Beach Road)
11<sup>th</sup> Election District - 5<sup>th</sup> Council District
James C. Caldwell - Petitioner
Case No. 08-053-A

Dear Mr. Holzer:

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

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

Such XA

WHLIAMS. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw Enclosure

c: James and Mary Calwell, 114 Homeland Avenue, Baltimore, Md. 21212
Bernadette Moskunas, Site Rite Surveying, Inc., 200 East Joppa Road, Room 101,
Towson, Md. 21286

Craig G. and Tracy R. Fuhr, 6703 Tranquil Way, Elkridge, Md. 21075 Michael Burton, CL Design Studio, LLC, 1208 Light Street, Baltimore, Md. 21230 Joseph R. Woolman, III, Esquire, J.R. Woolman, LLC, Harborplace Tower,

111 South Calvert Street, Suite 2700, Baltimore, Md. 21202

Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100, Annapolis, Md. 21401

People's Counsel; DEPRM; Development Plans Review; Office of Planning; File



REU 9/15/98

## Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6007 Loveley Blach Rel. which is presently zoned RC-1

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 sheet)

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

To Be Presented at Heaving

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 de perjury, that I/we are is the subject of this	clare and affirm, under the the legal owner(s) of the Petition.	e penalties of property which
Contract Purchas	ser/Lessee:		Legal Owner(s)		
Name Tree or Driet			JAMES C	? CALWELL	<u> </u>
Name - Type or Print			Name - Type or Print	lell	
Signature	•	<u> </u>	Signature		<u>.</u>
Address		Telephone No.	Name - Type or Print		
City	State	Zip Code	Signature		
Attorney For Peti	tioner:		114 HO1	nelpas 16	
	Carroll-Holzer, P.A.		Address	NORE MI.	Telephone No.
A POLICE AND A PROPERTY OF	508 Fairmount Ave. Towson, MD: 21286		City	State	Zip Code
Signature			J. Carroll Hol	zer P.A	
Company			508 Fairmou	int Ave.	
Address	410-	825-6961 Telephone No.	Address	71200	7-827-6965 Telephone No.
City	State	Zip Code	City	State	Zip Code
			•	FICE USE ONLY	—- <b></b>
Case No.	8-053A		ESTIMATED LEN	IGTH OF HEARING _	<u></u>

### SUPPLEMENTAL SHEET PETITION FOR VARIANCE 6007 LORELEY BEACH ROAD

The Owner, James Calwell, hereby Petitions the Zoning Commissioner for Baltimore County for a variance from Sections 1A01.3B.2 & 3, and 301.1 of the BCZR and further says:

- 1. To permit side set backs of 6 feet in lieu of the required 35 feet for a dwelling and
- 2. Construction of a replacement dwelling on a lot area consisting of 0.30 acres in lieu of the required one acre.

Date  $\frac{1}{27/07}$ 

. Carroll Holzer

C:\My Docs\Petitions 2007\Supplemental Sheet - Calwell Variance - 7-26-07

08-053A

### ZONING DESCRIPTION #6007 LORELEY BEACH ROAD

BEGINNING at a point on the south side of Lorely Beach Road which is 30 feet wide at the distance of 65 feet southeast of the centerline of North Loreley Beach Road which is 30 feet wide. Being Lot #56, in the subdivision of "Lorely Beach" as recorded in Baltimore County Plat Book #10, Folio #8, containing 13,090 S.F. +/-. Also known as 6007 Loreley Beach Road and located in the 11<sup>th</sup> Election District, 5<sup>th</sup> Councilmanic District.

Muhall Whumar

Michael V. Moskunas Reg. No. 21175

Site Rite Surveying, Inc. 200 E. Joppa Road Suite 101 Towson MD 21286

File: 6007 Loreley Beach Road

### **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: # 08-053-A

6007 Loreley Beach Road

S/side of Loreley Beach Road, 65 ft. s/east of centerline

of North Loreley Beach Road

11th Election District - 5th Councilmanic District

Legal Owner(s): James Calwell -

Variance: to permit side setback of 6 feet in lieu of the required 35 feet for a dwelling and construction of a replacement dwelling on a lot area consisting of 0.30 acres in lieu of the required one acre.

Hearing: Friday, September 7, 2007 at 9:00 a.m. In ... Room 407, County Courts Building, 401 Bosley Ave-

nue, 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...

8/434 August 23

### CERTIFICATE OF PUBLICATION

823,2007
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing on
on 823,2007.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

7480/2007 SESTIMESS ğ **三** A Table Amount No. 03910 Date: Acct 88 Total Rept Catg gns Rev Source Rev OFFICE OF BUDGET AND FINANCE BALTIMORE COUNTY, MARYLAND Orgn Sub MISCELLANEOUS RECEIPT Orgn WHITE - CASHIER Agcy DISTRIBUTION Fund From: Rec For:

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PINK - AGENCY

### CERTIFICATE OF POSTING

Baltimore County Department of

County Office Building, Room 111

111 West Chesapeake Avenue

Attention: Christen Matthews

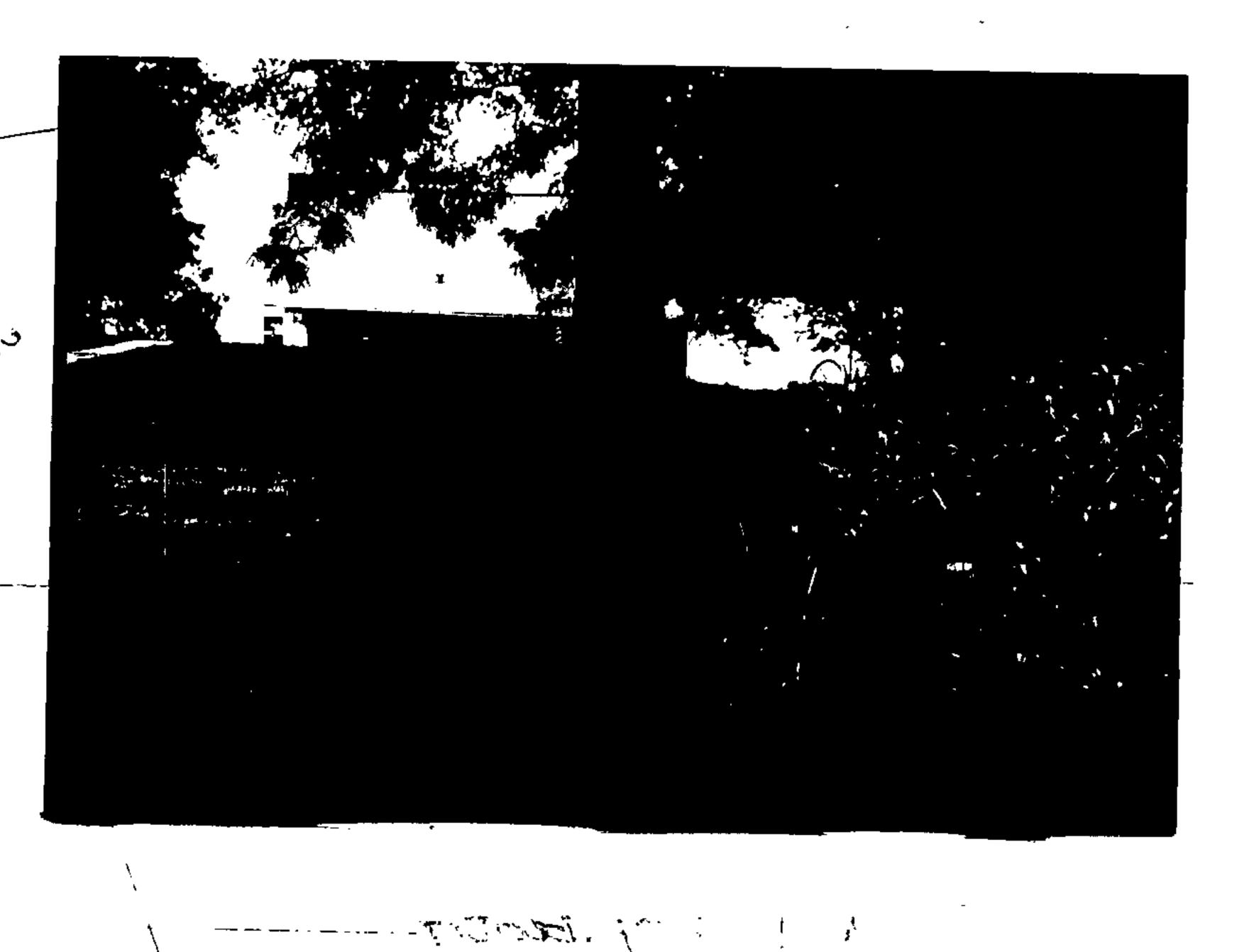
Towson, MD 21204

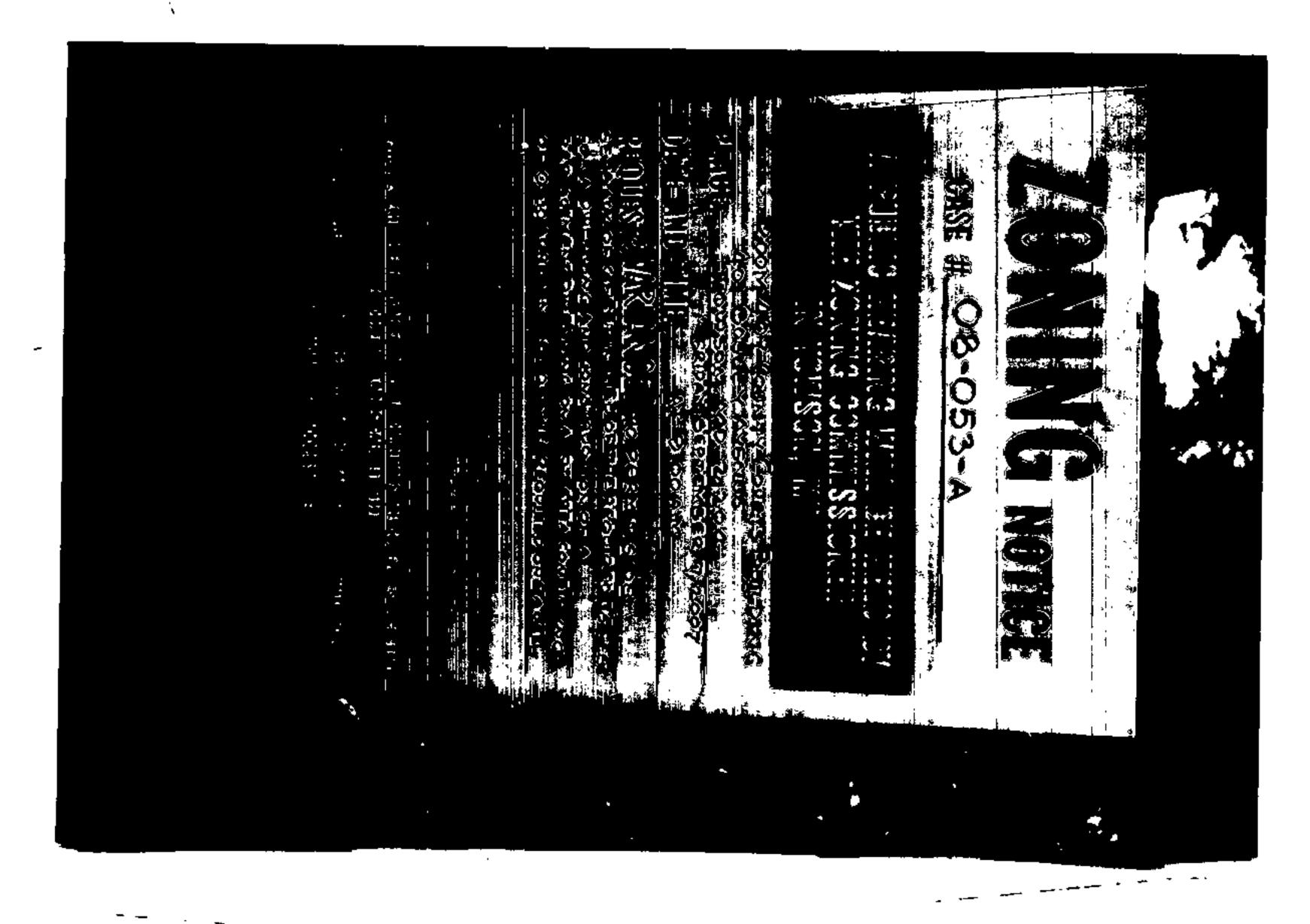
Permits and Development Management

Petitioner/Developer: JAMES CALWELL Date of Hearing/Closing: SEPT. 7, 2007 Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the propery located at \_ # 6007 LORELEY BEACH ROAD The sign(s) were posted on \( \DC, \nabla Z, \nabla \OC, \nabla Z, Sincerely, (Signature of Sign Poster and Date) CJAPLANED E. MOORE (Printed Name) 3225 RYERSONI CIRCLE BALTIMORE, MD, 21227 (City, State, Zip Code) (410) 242-4263

(Telephone Number)

RE: Case No.: 08-053-A







JAMES T. SMITH, JR. County Executive

August 21, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
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: 08-053-A

6007 Loreley Beach Road

S/side of Loreley Beach Rod, 65 ft. s/east of centerline of North Loreley Beach Road 11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owners: James Calwell

<u>Variance</u> to permit side setback of 6 feet in lieu of the required 35 feet for a dwelling and construction of a replacement dwelling on a lot area consisting of 0.30 acres in lieu of the required one acre.

Hearing: Friday, September 7, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: J. Carroll Holzer, 508 Fairmount Avenue, Towson 21286 James Calwell, 114 Homeland Avenue, Baltimore 21212

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 23, 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

Thursday, August 23, 2007 Issue - Jeffersonian

Please forward billing to:

Holzer & Lee 508 Fairmount Avenue Towson, MD 21286 410-825-6961

### **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: 08-053-A

6007 Loreley Beach Road

S/side of Loreley Beach Rod, 65 ft. s/east of centerline of North Loreley Beach Road

11<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owners: James Calwell

<u>Variance</u> to permit side setback of 6 feet in lieu of the required 35 feet for a dwelling and construction of a replacement dwelling on a lot area consisting of 0.30 acres in lieu of the required one acre.

Hearing Friday, September 7, 2007 at 9:00 a.m. in Room 407, County Courts Building,

491 Bestoy 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: 08 - 053 A
Petitioner: <u>JAMES CALWELL</u>
Address or Location: 6007 LORELEY BEACH RD
·
PLEASE FORWARD ADVERTISING BILL TO:
Name: HOLZER & LEE
Address: 508 FAIRMOUNT AVE
TOWSON, MTD 21286
Telephone Number: (410) 825 - 696



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

August 30, 2007

J. Carroll Holzer, P.A. 508 Fairmount Avenue Towson, MD 21286

Dear Mr. Holzer:

RE: Case Number: 08-053-A, 6007 Loreley 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 July 27, 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 C. Calwell 114 Homeland Avenue Baltimore 21212

### BALTIMORE COUNTY, MARYLAND

### Inter-Office Correspondence



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TO:		Timothỳ M. Kotroco					
FROM	1:	Dave Lykens, DEPRM - Development Coordination					
DATE	E:	September 6,	2007				
SUBJECT: Zoning Item # 08-53-A  Address 6007 Loreley Beach Road  Calwell Property		•	6007 Loreley Beach Road				
	Zoning	Advisory Com	mittee Meeting of September 7, 2007				
· 	The De	epartment of Entents on the above	vironmental Protection and Resource Management has no e-referenced zoning item.				
<u>X</u> follow			vironmental Protection and Resource Management offers the ove-referenced zoning item:				
	<del>-</del>	Protection of V	of the property must comply with the Regulations for the Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-3-3-120 of the Baltimore County Code).				
	<u> </u>	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> Critical	Development of this property must comply with the Chesapeake Bay I Area Regulations (Sections 33-2-101 through 33-2-1004, and					

Additional Comments:

The site is within a Limited Development Area (LDA) and a Buffer Management Area (BMA) of the Chesapeake Bay Critical Area. LDA regulations state that the lot is limited to 25% impervious surface area and that 15% tree cover be established. BMA regulations state that any proposed development in the 100-foot buffer to tidal waters requires mitigation approved by this Department. Any wetlands on the property need to be shown on a site plan and a 100-foot buffer established.

Reviewer: Regina Esslinger Date: September 6, 2007

other Sections, of the Baltimore County Code).

BW 9/7

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

**DATE:** August 27, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

6007 Loreley Beach Road

**INFORMATION:** 

**Item Number:** 

8-053

**Petitioner:** 

James C. Calwell

Zoning:

RC 2

Requested Action:

Variance

### **SUMMARY OF RECOMMENDATIONS:**

The Office of Planning does not oppose the petitioner's request to the variances requested. The setbacks and lot area requested, is consistent with that of the surrounding area, and existing pattern of development on the waterfront side of Loreley Beach Road. The Office of Planning however requests the following:

Submit building elevations of all sides of the proposed dwelling to this office for review and approval prior to the issuance of any building permits.

For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

Reviewed by:

Division Chief: AFK/LL: CM

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### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** August 15, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 20, 2007

Item No. 053

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

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

The flood protection elevation for this site is 11.2 feet.

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

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

The building engineer shall require a permit for this project.

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

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 053-08152007.doc

Date Saved For Full

Wy Elm

From:

Debra Wiley

To:

Livingston, Jeffrey

Date: Subject: 08/31/07 1:49:28 PM DEPRM Comments (CBCA) Needed for Friday, September 7th.

Hi Jeff,

Bill will be hearing Case Nos. 07-422-A & 08-053-A on the above date at 9AM and both files are marked CBCA. Just a gentle reminder that we need comment(s) for these.

The address is 6009 Loreley Beach Road.

Thanks!

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
401 Bosley Avenue, Room 405
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov



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

Maryland Department of Transportation

Date: 406457 13, 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. 8-53-A

6007 LORELEY BEACHROAD CALWELL PROPERTY

John D. Porcari, Secretary

Neil J. Pedersen, Administrator

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. 8-53-4.

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,

Division

SDF/MB



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 August 14, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 14, 2007

Item Number: Item Number 49 and 052 through 075

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

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

**DATE:** August 27, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

6007 Loreley Beach Road

INFORMATION:

Item Number:

8-053

Petitioner:

James C. Calwell

Zoning:

RC 2

Requested Action:

Variance

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For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

Reviewed by:

Division Chief: AFK/LL: CM

RE: PETITION FOR VARIANCE

6007 Loreley Beach Road; S/S Loreley Beach
Road; 65' SE North Loreley Beach Road

11<sup>th</sup> Election & 5<sup>th</sup> Councilmanic Districts
Legal Owner(s): James Calwell

\*

Petitioner(s)

**BEFORE THE** 

ZONING COMMISSIONER

**FOR** 

**BALTIMORE COUNTY** 

08-053-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 16<sup>th</sup> day of August, 2007, a copy of the foregoing Entry of Appearance was mailed to, J. Carroll Holzer, Esquire, Holzer & Lee, 508 Fairmount Avenue, Towson, MD 21286, Attorney for Petitioner(s).

RECEIVED AUG 1:6 2007

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Per....





Law Offices

J. CARROLL HOLZER, PA

J. Howard Holzer

1907-1989

THOMAS J. LEE OF COUNSEL

THE 508 BUILDING

508 Fairmount Ave. Towson, MD 21286

(410) 825:6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@BCPL.NET

July 26, 2007 # 7709

### HAND DELIVERED

Carl Richards
Department of Permits &
Development Management
County Office Building
Towson, MD 21204

Re: In the Matter of Petition for Variance 6007 Loreley Beach Road

Dear Mr. Richards:

On behalf of my client, James Calwell, regarding property located at 6007 Loreley Beach Road, attached you will find three original Petitions for Variance filed by my client, 12 plats, three copies of a sealed description of the property and one copy of a 200' scale official zoning map as well as the filing fee. Petitioner is not aware of any zoning violation involving the subject property.

For advertising purposes, the following language is to be used for posting and advertising purposes only:

"To permit side yard set backs of 6 feet in lieu of the required 35 feet for a replacement dwelling and construction of that dwelling on a lot consisting of .30 acres in lieu of the required one acre?"

By mutual agreement between Joe Woolman, attorney for Craig & Tracy Fuhr, Kristen Matthews and myself, the instant Petition for Variance should be set in on September 7, 2007 with Case No. 07-422-A.

I appreciate your assistance in this matter and if you need to call, I can be reached at 410-825-6961

Very truly yours,

J. Carroll Helzer

JCH:clh

cc: James Calwell

08-053 A

PLEASE PRINT CLEARLY

CASE NAME CA/Well
CASE NUMBER O8-053. A
DATE 9/7/07

## PETITIONER'S SIGN-IN SHEET

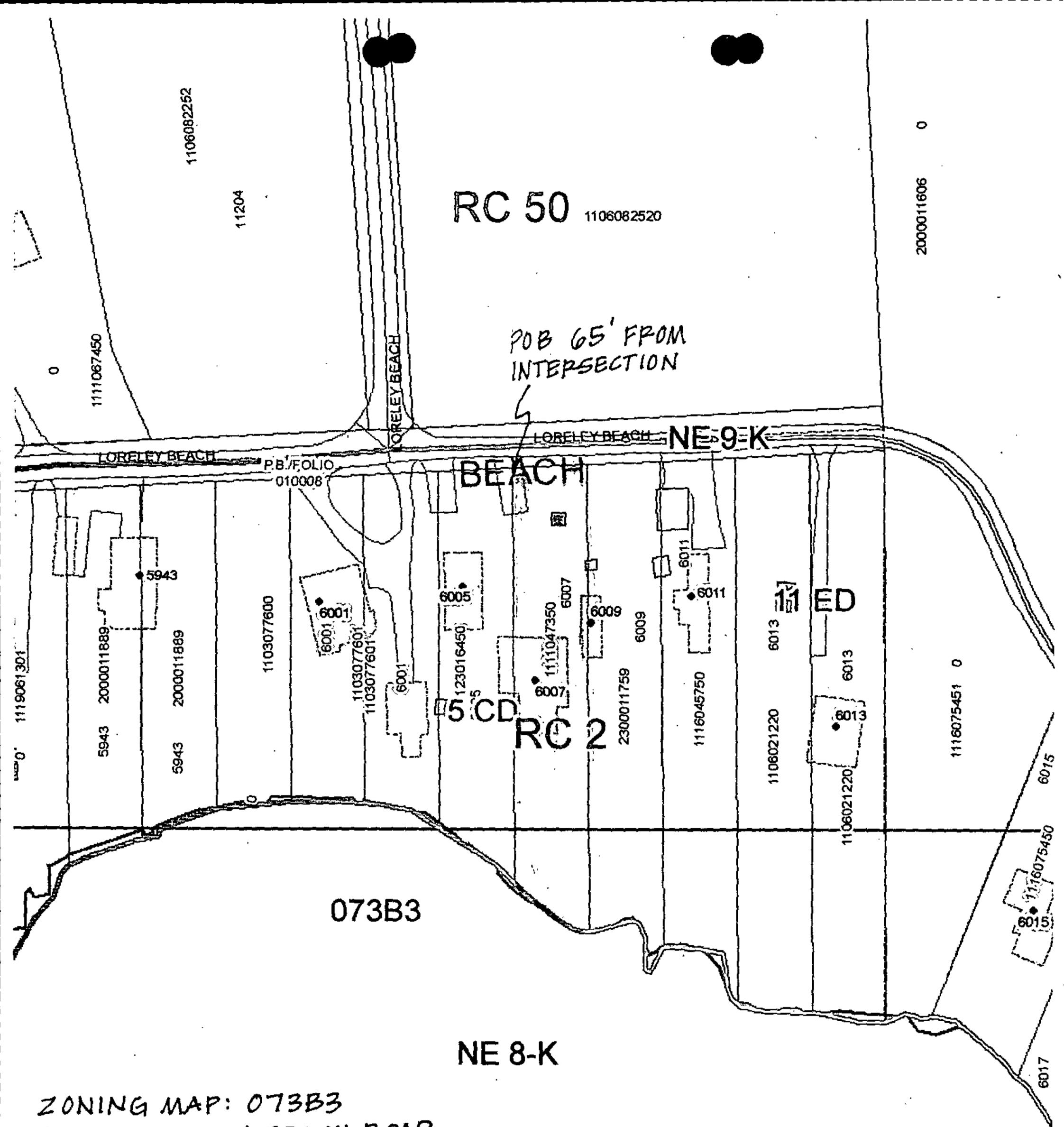
E- MAIL STATE, ZIP ADDRESS Many

PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

# PETITIONER'S SIGN-

E-MAIL  JOEE SPECCIONENIIC. CON  MONATON OCLDESIGNISTUDO.					
Baltimore, MD 21262 BALTIMORE, AD 21230					
111 South Calunts, Sezoc					
De WAME Michael Board					

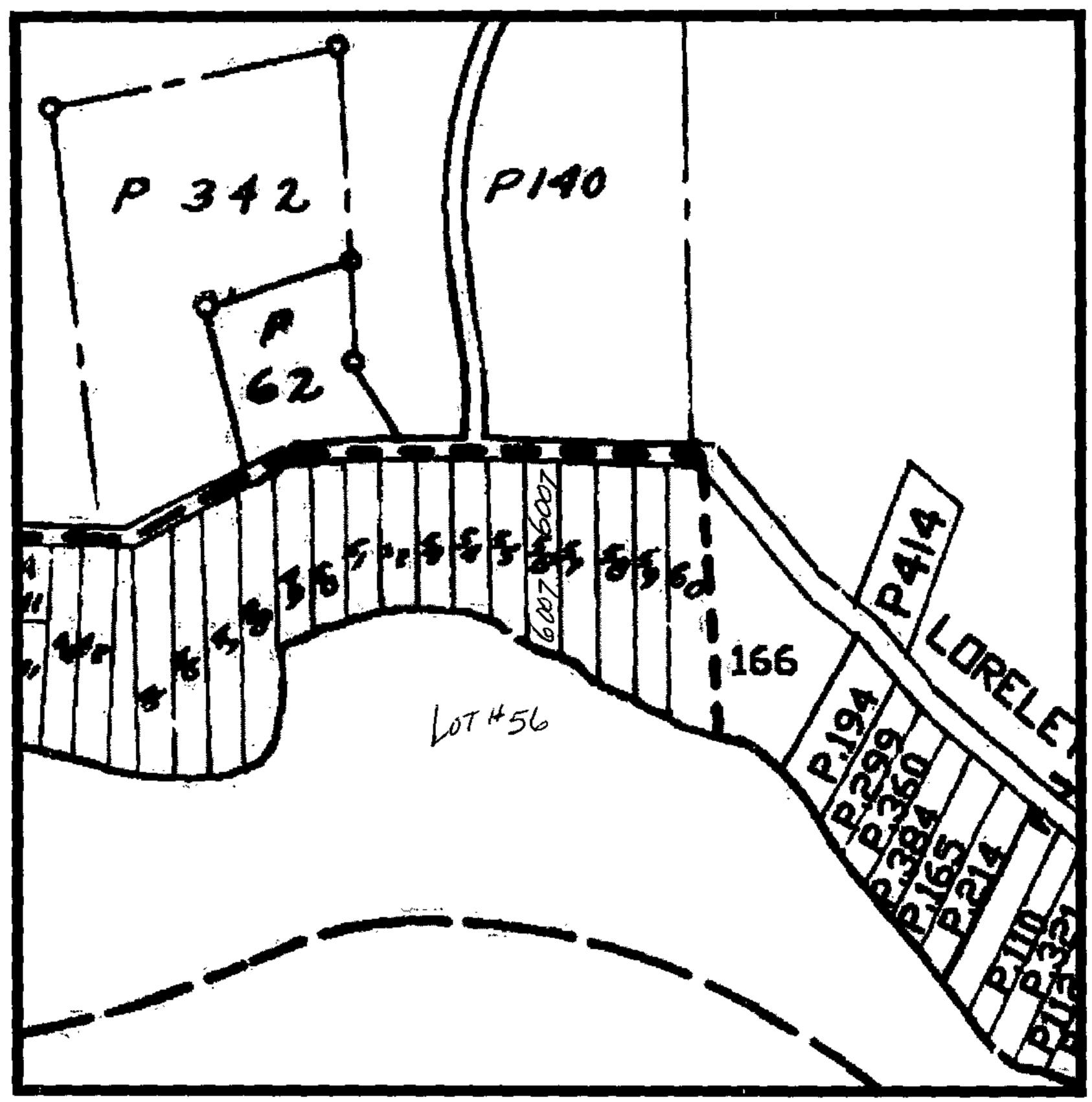


#6007 LOPELEY BEACH POAD



Go Back View Map New Search

District - 11Account Number - 1111047350



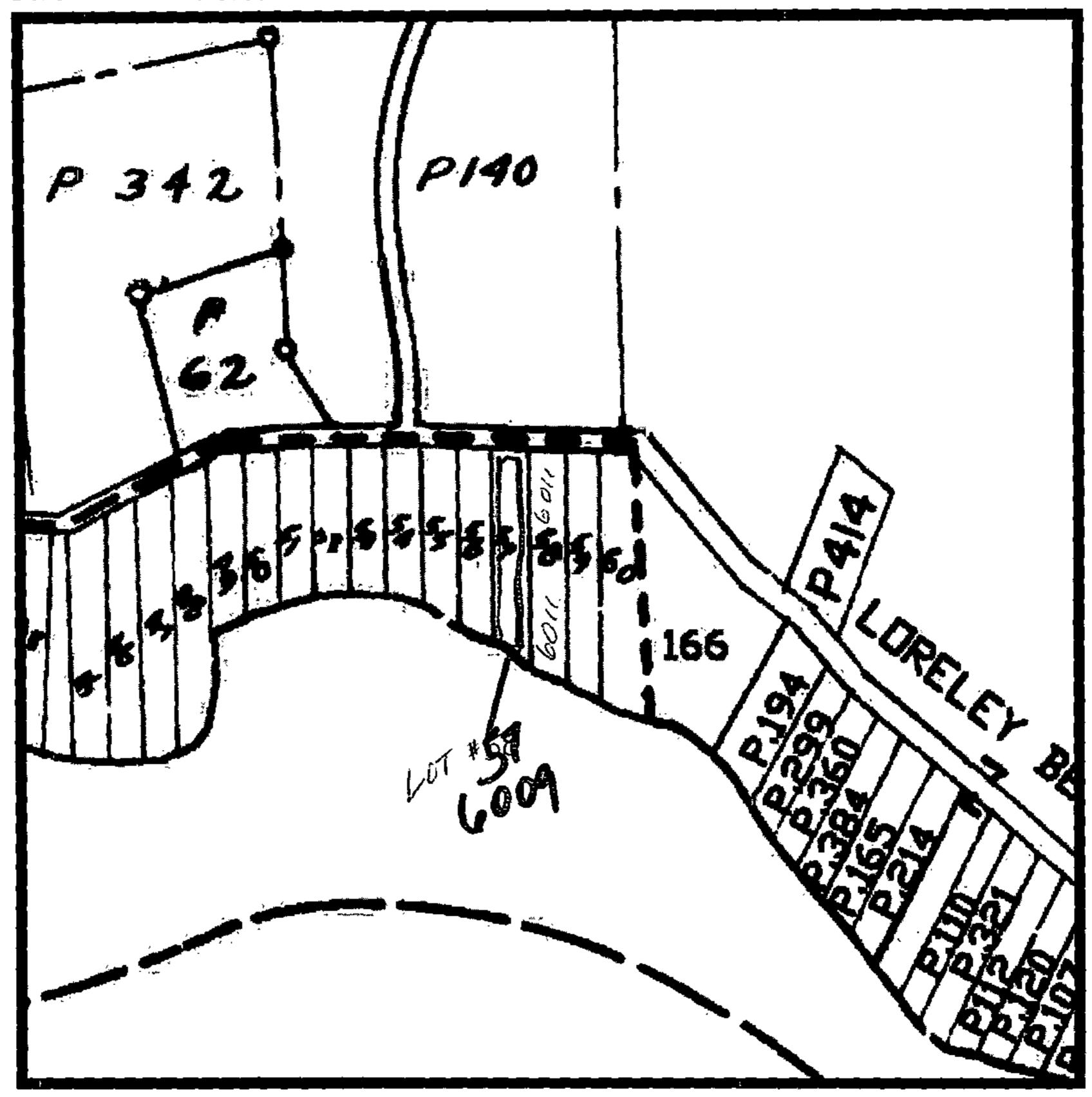
Property maps provided courtesy of the Maryland Department of Planning ©2004.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <a href="https://www.mdp.state.md.us/webcom/index.html">www.mdp.state.md.us/webcom/index.html</a>



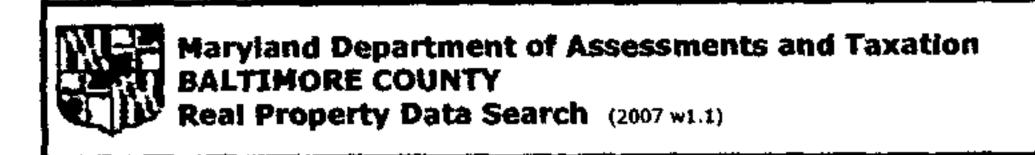
Go Back View Map New Search

District - 11 Account Number - 1116045750



Property maps provided courtesy of the Maryland Department of Planning ©2004.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <a href="https://www.mdp.state.md.us/webcom/index.html">www.mdp.state.md.us/webcom/index.html</a>



Go Back View Map New Search GroundRent

Account Identifier:	District -	11 Account N	umber - 11:	10473	350		المتعادي الاستجبريين بتسريها ينتف	
		Ow	ner Inform	tion				
Owner Name: CALWELL JA  Mailing Address: 114 HOMELA				Use: Principal Residence: Deed Reference:			e: N	ESIDENTIAL 10 ) /17217/ 672
	BALTIMORE	MD 21212-34	34	····			2	)
		Location 8	Structure	Inform	nation	·	المنصري المنصوب والمنصوب	
Premises Address						Legal I	Description	
6007 LORELEY BEACH F	RD					600714	ORELY BEAC	'H RD ES
		WATERFRON	IT				BEACH	
Map Grid Parcel S	Sub District	Subdivision	Section	Block	Lot	Assessi	nent Area	Plat No: 1
73 21 348					56		3	Plat Ref: 10/
		own						
Special Tax Areas		d Valorem						
		ax Class	بر <del>د نمی دارد بردارد برد</del>	<del></del>	<u> </u>			Country Hea
Primary Struct 1932	are Built		<b>ed Area</b> 5 SF		-	r <b>ty Land</b> ,090.00 \$		County Use 34
Stories	Basem	<u> </u>		<u>-</u>	уре		<del></del>	Exterior
1	NO		;		ARD U	TIV		FRAME
		Va	iue Informa	tion				
	Base Value	Value	Phase-in A	ssess	ments			
		As Of 01/01/2006	As Q 07/01/2007		As ( 01/200			
Land	62,270	102,270	07/01/2007	471	01/200	o .		
Improvements:	57,280	80,020						
Total:	119,550	182,290	161,376		182,29	_		
Preferential Land:	0	0	) 	<del></del>	<del></del>	0	· · · · · · · · · · · · · · · · · · ·	
Seller: STEINITZ WILL	TAM	1191	isfer Inforn	auon Date:		/2002	Orlean	\$245,000
Type: IMPROVED ARN					•	17/ 672	Deed2	• •
Seller: SQUIERS SHER	·			Date:	09/14	/1998	Price:	\$123,690
Type: IMPROVED ARM				Deed1	:/1314	7/ 686	Deed2	:
Seiler: KLIMA JOSEPH	J			Date:	07/28	3/1994	Price:	\$110,000
Type: IMPROVED ARM	1S-LENGTH		<u>.                                      </u>	Deed1	:/1067	4/ 60	Deed2	: 
	·	Exem	ption Infor		<del></del>		<del></del>	<del></del>
Partial Exempt Asses	sments		Clas	S	_	/2007	_ `	/01/2008
County State			000 000		0		0	
Municipal			000		0		o	
Tax Exempt: NO		···	<del></del>			Spec	ial Tax Re	capture:
Exempt Class:						•	* NONE	•

Case No.: 08-053-A 6007 LORELEY BEACH 25

### **Exhibit Sheet**

### Petitioner/Developer

### Protestant

No. 1	Sitz PLAN	
No. 2	PHOTO'S 2A- Father home / Caldwell-onRt LEFT SIDE	
No. 3	LZPIJIVE	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		
	-	





