

IN RE: **PETITION FOR VARIANCE**
N/S Holly Beach Road, 420' E of
Henrietta Avenue
(2614 Holly Beach Road)

15th Election District
6th Council District

Charles J. Chilton, et ux
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 08-424-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, Charles J. Chilton, and his wife, J. Michelle Chilton. The Petitioners request variance relief from Section 1A04.3B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side lot line setbacks of 3 feet (east side) and 4 feet (west side)¹ for a replacement dwelling in lieu of the required 50 feet respectively. 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.

Appearing at the requisite public hearing in support of the request were the property owners, Charles and Michelle Chilton, Austin B. Childs, the architect and consultant who prepared the site plan and building elevations, and Mark Harman, the Petitioners contractor. There were no Protestants or interested persons present.

Testimony and evidence offered disclosed that the property under consideration is a rectangular shaped waterfront parcel located with frontage on Middle River and on the north side

¹ The Zoning Review Office upon its review of the site plan determined a side yard setback of 4 feet to be appropriate. The 4-foot measurement reflects the distance from a bay window to the west side property line. B.C.Z.R. Section 301.2 exempts projections such as bay windows that extend into a side yard if they do not protrude more than 4 feet and are no longer than 10 feet in length. The west side yard setback in this case is actually 6 feet and apparently through an abundance of caution, was noted as 4 feet. Likewise, it is also noted that a 12-foot setback is actually maintained on the east side, however, a 9-foot wide stairwell projects into the side yard at the north (rear) end of the proposed dwelling.

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Date 5-21-08
By 23

of Holly Beach Road near the Chesapeake Bay in eastern Baltimore County. The property contains a gross area of 10,860 square feet, more or less, zoned R.C.5 and improved with a modest (840 square foot) one-story dwelling built in 1919. As is often the case with older subdivisions, the Holly Beach community was laid out many years ago, well prior to the adoption of the zoning regulations in Baltimore County. Thus, many, if not most, 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 50 feet of road frontage and is approximately 220 feet deep. The Petitioners purchased the property in April 2007 and are desirous of redeveloping the site with a new single-family dwelling in essentially the same footprint. The existing home is 18' wide x 34' deep and will be razed to allow a new 2-story home 34' wide x 56' deep. As evidenced by the Office of Planning's Zoning Advisory Committee (ZAC) comment, dated May 16, 2008, the building elevations and supporting material has been reviewed and found to meet the compatibility requirements set forth in B.C.Z.R. Section 1A04. In that the R.C.5 development regulations require a minimum 50-foot setback to any property line, the requested variance relief is necessary. In support of the request, testimony indicated that the proposed dwelling would be consistent with other homes in the community and feature similar setbacks as those on Holly Beach Road. Moreover, the Petitioners testified that they have spoken with their neighbors about the plans and no one had any objection. Mr. Harman, who has built many homes in the area, points out that the R.C.5 zoning classification was placed on the property when utility services were non-existent and now that they have been provided, the zoning classification should rightly be changed to D.R.5.5. Further, he indicates that this is to be considered a lot in the community where many of the existing homes were built on 50-foot

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Date 5-21-08
By [Signature]

wide lots. Thus, he 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 proposed replacement home is in keeping with those in the area and meets the spirit and intent of Section 307 and *Cromwell v. Ward*, 102 Md. App. 691 (1995) for variance relief to be granted. As noted above, the subject property has been a lot of record since the early 1900's, 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 Petitioner and prevent further improvements of the property for a permitted purpose. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency, and none of the neighbors have any objections. Thus, I find that relief can be granted without detrimental impact to the health, safety, or general welfare of the surrounding locale. However, due to the property's proximity to Middle River, the proposed improvements must comply with Chesapeake Bay Critical Area regulations as set forth in the attached ZAC comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) and the Bureau of Development Plans Review.

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

THEREFORE IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of May 2008, that the Petition for Variance seeking relief from Section 1A04.3B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a replacement dwelling on an undersized lot with side yard setbacks of 3 feet (east side) and 4 feet (west side)

CASE FILED FOR FILING

Date 5-21-08

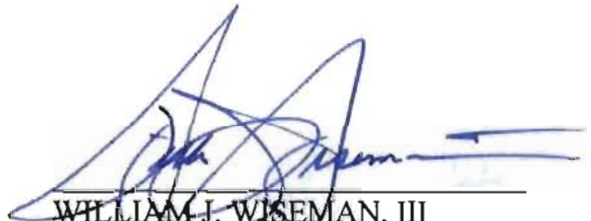
By [Signature]

both in lieu of the required 50 feet respectively, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

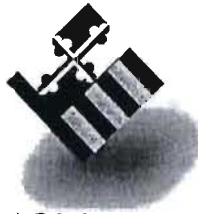
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Advisory Committee (ZAC) comments submitted by DEPRM and the Development Plans Review Division of the Department of Permits & Development Management (DPDM) relative to the Chesapeake Bay Critical Area regulations and all other appropriate environmental, floodplain and B.O.C.A regulations relative to the protection of water quality, streams, wetlands and floodplains. Copies of these comments, dated May 1, 2008 and March 28, 2008 respectively, have been attached hereto and are made a part hereof.
- 3) The proposed dwelling shall be constructed in accordance with building elevation drawings reviewed and approved by the Office of Planning.
- 4) 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.

WJW:dlw


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 5-24-08
By [signature]



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

May 21, 2008

Charles J. Chilton
J. Michelle Chilton
8341 Analee Avenue
Baltimore, Maryland 21237

RE: PETITION FOR VARIANCE

N/S Holly Beach Road, 420' E of Henrietta Avenue
(2614 Holly Beach Road)
15th Election District - 6th Council District
Charles J. Chilton, et ux - Petitioners
Case No. 08-424-A

Dear Mr. and Mrs. Chilton:

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman, III", written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Austin B. Childs, 16260 Falls Road, Monkton, MD 21111
Mark Harman, 802 Hickory Ridge Drive, Bel Air, MD 21015
Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100,
Annapolis, MD 21401
People's Counsel; Bureau of Development Plans Review; DEPRM; Office of Planning; File



CBCA Flood **Petition for Variance**

TAX ACCOUNT # **1907582540**

to the Zoning Commissioner of Baltimore County
for the property located at 2614 HOLLY BEACH RD
which is presently zoned RC-5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 ADU, 3. B. 26 TO ALLOW SIDE YARD SETBACKS
OF 3 AND 4 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: (indicate hardship or practical difficulty)

The lot is 50 ft. wide, which is undersized for the setback requirements of the RC-5 zoning. In order to construct a reasonable dwelling on the lot, we will need side yard setbacks of 3 ft. and 6 ft. on the east side and west side respectively. This is a small house (1,993 sq. ft. footprint), which, along with the existing shed and concrete pad, will require an impervious surface coverage on the lot of 24%.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

CHARLES CHILTON JR
Name - Type or Print _____
Charles Chilton
Signature _____
J. Michelle Chilton
Name - Type or Print _____
J. Michelle Chilton
Signature _____
8341 Anakee Av 410-866-8624
Address Telephone No. _____
BALTO MD 21237
City State Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 08-424-A

ORDER REFERRED FOR REVIEW **UNAVAILABLE FOR HEARING**

REV 9/15/98

Reviewed By CM Date 3-11-08
Date 5-21-08
By [Signature]

**ZONING DESCRIPTION for the
CHILTON PROPERTY, 2614 HOLLY BEACH ROAD,
BALTIMORE, MARYLAND 21221**

Beginning at a point on the North side of Holly Beach Road, which is 40 ft. wide at the distance of 420 ft. east of the centerline of the nearest intersecting street, Henrietta Avenue, which is 40 ft. wide. Being Lot No. 18, Plat No. 1, in the subdivision of Holly Beach, as recorded in Baltimore County Plat Book WPC No. 4., Folio No. 182, containing 10,750 sq. ft.. Also known as 2614 Holly Beach Road, located in the 15th Election District, 6th Councilmanic District.

08-424-A

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: # 08-424-A

2614 Holly Beach Road

N/side of Holly Beach Road, 420 feet east of Henrietta Avenue

15th Election District — 6th Councilmanic District

Legal Owner(s): Charles & J. Michelle Chilton, Jr.

Variance: to allow side yard setbacks of 3 and 4 feet in lieu of the required 50 feet.

Hearing: Tuesday, May 13, 2008 at 10:00 a.m. in Room 407, County Courts Building, 401 Boslay 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 4/871 Apr. 29

171534

CERTIFICATE OF PUBLICATION

5/1, 2008

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 4/29, 2008.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **11407**

Date: **3-11-08**

PAID RECEIPT

BUSINESS ACTUAL TIME
 3/12/2008 3/11/2008 15:31:11

REC # 01 WALKIN JRIC JHR
 >>RECEIPT # 366886 3/11/2008 OFLN

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001		006		10150				15.00

Dept 5 528 ZONING VERIFICATION
 011407

Recpt Tot 165.00
 1.00 CK 160.00 CA
 115.00- CG

Baltimore County, Maryland

Total: **15.00**

Rec From: **P. WISDOM**

For: **2014 Hwy Beach Rd**
VARINCE
08-424-2

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No: 08-424-A

Petitioner/Developer: CHARLES &
J. MICHELE CHILTON JR

Date Of Hearing/Closing: May 13, 2008

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue

Attention:

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 property
at 2614 HOLLY BEACH ROAD

This sign(s) were posted on

April 27, 2008

(Month, Day, Year)

Sincerely,

Martin Ogle 4/27/08
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)



**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.

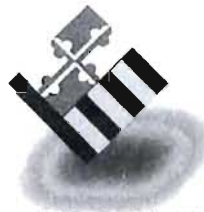
For Newspaper Advertising:

Item Number or Case Number: 08-424-A
Petitioner: CHARLES CHILTON
Address or Location: ~~8341 ANALEE AVE~~ 2614 HOLLY BEACH RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHARLES CHILTON
Address: 8341 ANALEE AVE
BALTO MD 21237
Telephone Number: 410-866-0674

Revised 2/20/98 - SCJ



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

March 31, 2008
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: 08-424-A

2614 Holly Beach Road

N/side of Holly Beach Road, 420 feet east of Henrietta Avenue

15th Election District – 6th Councilmanic District

Legal Owners: Charles & J. Michelle Chilton, Jr.

Variance to allow side yard setbacks of 3 and 4 feet in lieu of the required 50 feet.

Hearing: Tuesday, May 13, 2008 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Charles & J. Michelle Chilton, 8341 Analee Avenue, Baltimore 21237

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 28, 2008.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 29, 2008 Issue - Jeffersonian

Please forward billing to:
Charles Chilton
8341 Analee Avenue
Baltimore, MD 21237

410-866-8624

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: 08-424-A

2614 Holly Beach Road
N/side of Holly Beach Road, 420 feet east of Henrietta Avenue
15th Election District – 6th Councilmanic District
Legal Owners: Charles & J. Michelle Chilton, Jr.

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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
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

May 8, 2008

Charles Chilton, Jr.
J. Michelle Chilton
8341 Analee Avenue
Baltimore, MD 21237

Dear Mr. and Mrs. Chilton:

RE: Case Number: 08-424-A, 2614 Holly Beach Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 11, 2008. 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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 21, 2008

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

SUBJECT: 2614 Holly Beach Road
INFORMATION:

Item Number: 8-424

Petitioner: J. Michelle Chilton

Zoning: RC 5

Requested Action: Variance

RECEIVED
APR 23 2008
BY:

SUMMARY OF RECOMMENDATIONS:

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

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

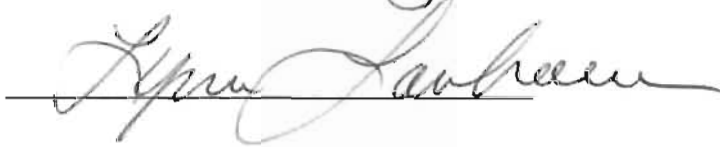
4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
5. Provide landscaping along the public road, if consistent with the existing streetscape.

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

Prepared By:



Division Chief:



CM/LL



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

State Highway
Administration

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

Maryland Department of Transportation

Date: MARCH 24, 2008

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

RE: Baltimore County
Item No. B-424-A
2614 HOLLY BEACH ROAD
CHILTON PROPERTY
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. B-424-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,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

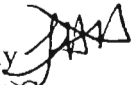
Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William Wiseman,
Zoning Commissioner

DATE: May 16, 2008

FROM: Laurie Hay 
6th District Community Planner

SUBJECT: Compatibility Finding
Case No. 8-424

The Office of Planning has reviewed the building elevations and supporting material submitted on behalf of Zoning Case 08-424 – 2614 Holly Beach Road. This Office finds them to meet the requirements of compatibility set forth in Section 1A04 (R.C. 5 - Rural Residential Zone) of the BCZR.

Please feel free to contact me with any questions.

LH:lsn

c: Austin B. Childs, Architecture LLC



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

March 26, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 24, 2008

Item Number: 418,419,420,421,422,423,424,426,427,428,429,430,431,432,433,434
and 435

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 28, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For March 31, 2008
Item No. 08-424

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

The base flood elevation for this site is 9.4 feet Baltimore County Datum.

The flood protection elevation for this site is 10.4 feet.

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

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

The building engineer shall require a permit for this project.

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

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

DAK:CEN:clw

cc: File

ZAC-ITEM NO 08-424-03282008.doc

ORIGINAL FILED FOR FILING
Date 5-21-08
By [signature]

BW 5/13
10am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
MAY 02 2008

BY:.....

TO: Timothy M. Kotroco

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

DATE: May 1, 2008

SUBJECT: Zoning Item #08-424-A
Address 2614 Holly Beach Road
(Chilton Property)

Zoning Advisory Committee Meeting of March 24, 2008

_____ 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:

The property is in a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area. Impervious surfaces are limited to 31.25%. Any impervious surface within the 100-foot buffer must meet all BMA provisions and will require mitigation or fee-in-lieu. In addition, the 15% afforestation requirement must be met.

Reviewer: Regina Esslinger

Date: April 24, 2008

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2008\ZAC 08-424-A 2614 Holly Beach Rd.doc

RE: PETITION FOR VARIANCE * BEFORE THE
2614 Holly Beach Road; N/S Holly Beach *
Road, 420' E of Henrietta Avenue * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owner(s): J. Michelle Chilton * FOR
Petitioner(s) * BALTIMORE COUNTY
* 08-424-A

* * * * *

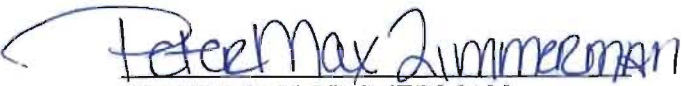
ENTRY OF APPEARANCE

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.

RECEIVED

MAR 24 2008

Per.....



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of March, 2008, a copy of the foregoing Entry of Appearance was mailed to J. Michelle Chilton, 8341 Analee Avenue, Baltimore, MD 21237, Petitioner(s).



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME _____
CASE NUMBER 08-424-A
DATE 5-13-08

[illegible]

Case No.:

08-424-A 2614 HOLLY BEACH RD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	PHOTOGRAPHS	
No. 3	BLDG Elevations Reviewed delivered to leave Hay	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw2.3)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 15 **Account Number -** 1507582540

Owner Information

Owner Name:	CHILTON CHARLES J CHILTON J MICHELLE	Use:	RESIDENTIAL
Mailing Address:	2614 HOLLY BEACH RD BALTIMORE MD 21221-2020	Principal Residence:	YES
		Deed Reference:	1) /25473/ 194 2)

Location & Structure Information

Premises Address	Legal Description
2614 HOLLY BEACH AVE	2614 HOLLY BEACH AVE HOLLY BEACH
	WATERFRONT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	1
98	22	205					18	3	Plat Ref:	4/ 182

Special Tax Areas

Town	
Ad Valorem	
Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1919	840 SF	10,750.00 SF	34
Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2006	07/01/2007	07/01/2008
Land	120,750	240,750		
Improvements:	31,910	45,440		
Total:	152,660	286,190	241,680	286,190
Preferential Land:	0	0	0	0

Transfer Information

Seller: PINEDA GLORIA F	Date: 04/10/2007	Price: \$450,000
Type: IMPROVED ARMS-LENGTH	Deed1: /25473/ 194	Deed2:
Seller: HEISLER JOHN C/PENNY K	Date: 10/06/2006	Price: \$360,000
Type: NOT ARMS-LENGTH	Deed1: /24581/ 783	Deed2:
Seller: GRAHAM CHARLES R	Date: 11/06/1997	Price: \$135,000
Type: IMPROVED ARMS-LENGTH	Deed1: /12482/ 222	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

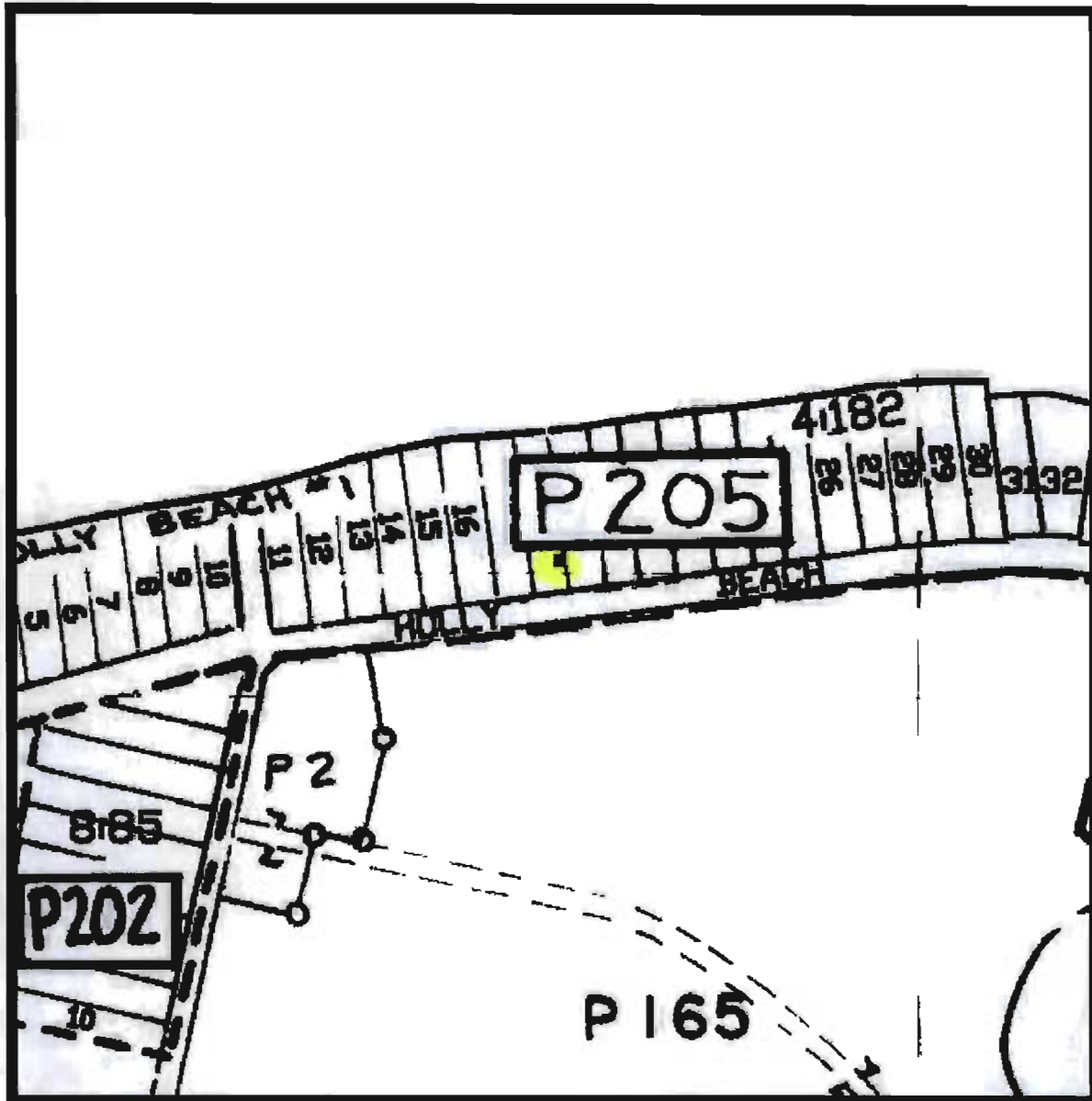
Special Tax Recapture:
 * NONE *



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

[Go Back](#)
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District - 15 Account Number - 1507582540



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 www.mdp.state.md.us/tax_mos.htm



CHESAPEAKE BAY HYDROLOGY AREA

SW 1-K

SUBJECT PROPERTY

098B3

RC 20

RC 5

6 CD

Flood Zone AE

15 ED

SE 2-K

1520000460

RC 20

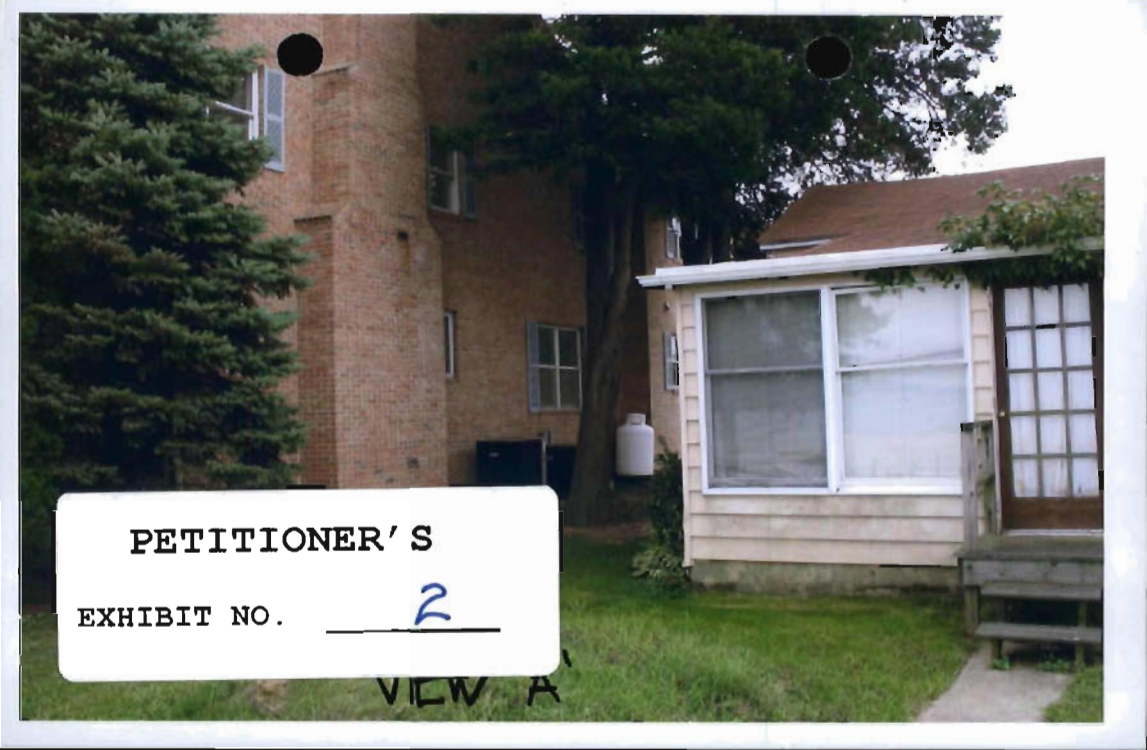
08-424-A





VIEW 'C'

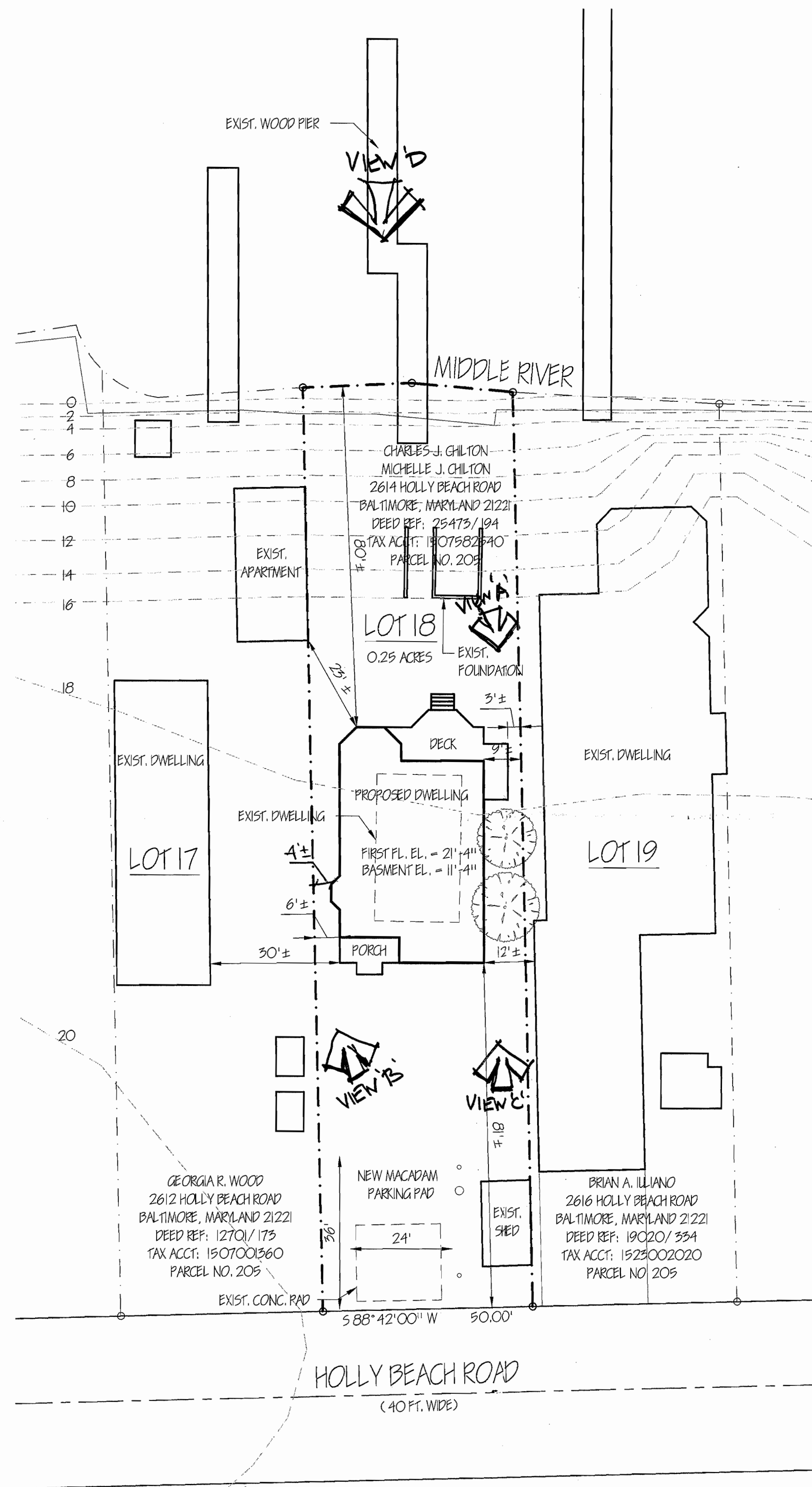




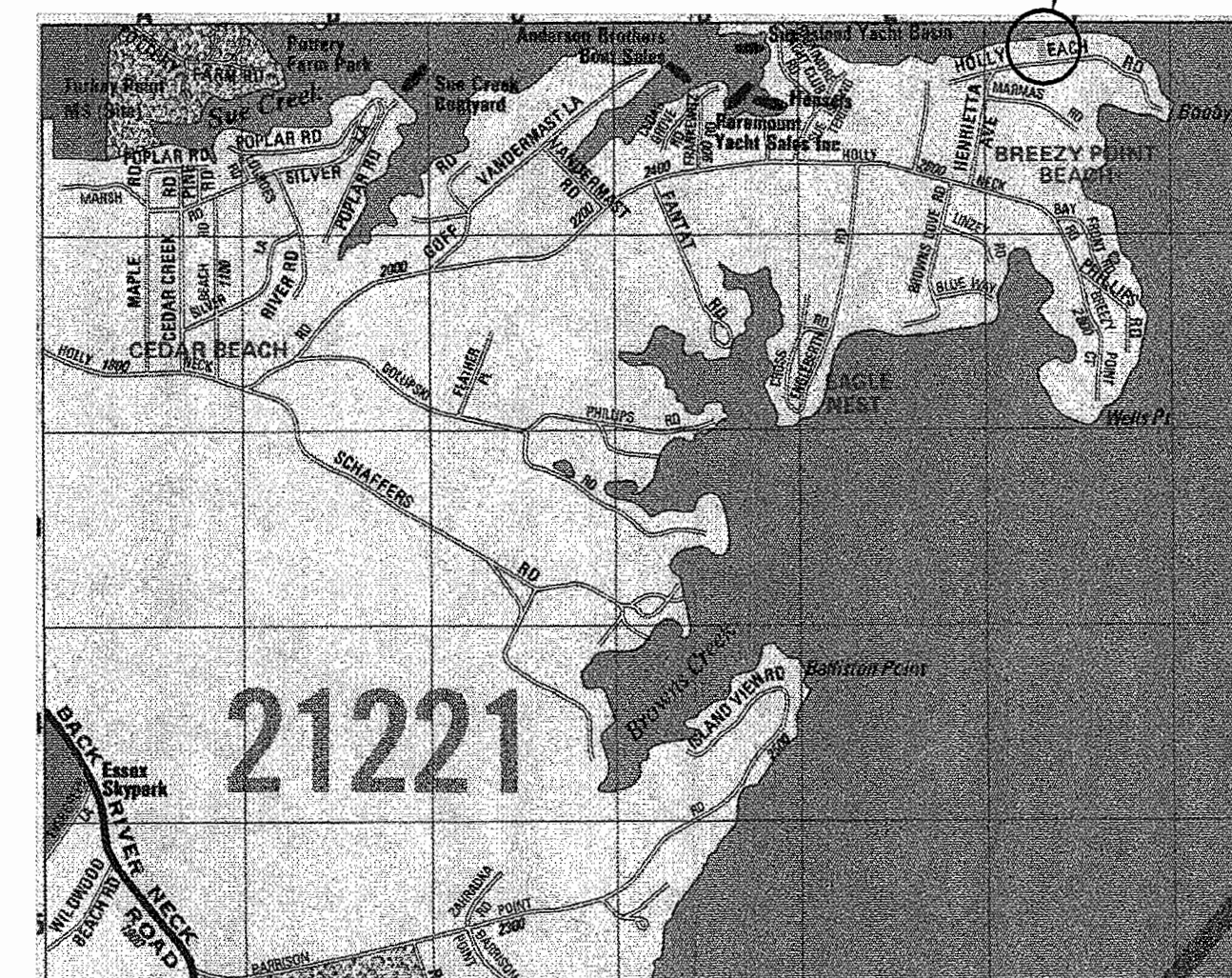
PETITIONER' S

EXHIBIT NO. 2

VIEW A



SITE PLAN
SCALE: 1" = 20'



VICINITY MAP
N.T.S.

PROJECT DATA:

PROPERTY ADDRESS:	2614 HOLLY BEACH ROAD
OWNER:	CHARLES J. CHILTON & MICHELLE J. CHILTON
LOCATION INFORMATION:	
ELECTION DISTRICT:	15
COUNCILMANIC DISTRICT:	5
1"-200" SCALE MAP #:	SE-2-K 09853
ZONING:	RC-5
LOT SIZE:	25 ACRES (10,860 SF)
SEWER:	PUBLIC
WATER:	PUBLIC
QES, BAY CRITICAL AREA:	NO C SCA
100 YEAR FLOOD PLAIN:	NO YES
HISTORIC PROPERTY:	NO
PRIOR ZONING HEARING:	NO

THE
CHILTON
RESIDENCE

NEW CONSTRUCTION

2614 Holly Beach Road
Baltimore, Maryland 21221

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No. Date Item
REVISIONS

Drawn

Checked

Approved

austin b childs
architecture

chickenranch design studio
16260 falls road
monkton, maryland 21111
410.472.4686
achildsaia@msn.com

PETITIONER'S

EXHIBIT NO. 1

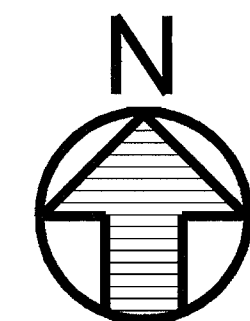
SITE PLAN

CONTRACT NO.
SCALE 1" = 20'
DATE JANUARY 16, 2008

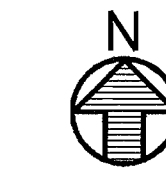
SP.1

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE

08-424-A



SCALE: 1" = 20'



N.T.S.

PROPERTY ADDRESS:	2614 HOLLY BEACH ROAD
OWNER:	CHARLES J. CHILTON & MICHELLE J. CHILTON
LOCATION INFORMATION	
ELECTION DISTRICT:	15
COUNCILMANIC DISTRICT:	5
1"-200' SCALE MAP #:	SE-2-K 0988A
ZONING:	RC-5
LOT SIZE:	.25 ACRES (10,860 SF)
SEWER:	PUBLIC
WATER:	PUBLIC
CHES. BAY CRITICAL AREA:	NO CBCA
100 YEAR FLOOD PLAIN:	NO YES
HISTORIC PROPERTY:	NO
PRIOR ZONING HEARING:	NO

2614 Holly Beach Road
Baltimore, Maryland 21221

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No.	Date	Item
REVISIONS		

Drawn

Checked

Approved _____



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monkton, maryland 21111
410.472.4686
achildsaia@msn.com

PETITIONER' S

EXHIBIT NO. 1

SITE PLAN

CONTRACT NO.

SCALE $1'' = 20'$

DATE JANUARY 16, 2008

SP.1