

IN RE: PETITION FOR VARIANCE
SW of Nannette Lane, 485 feet SW
of Seneca Park Road
15th Election District
6th Councilmanic District
(811 Nannette Lane)

Joann C. Wroblewski
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **CASE NO. 2008-0580-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Joann C. Wroblewski. Petitioner is requesting variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a lot width of 60 feet in lieu of the required minimum 70 feet (at the front building line). The subject property and requested relief are more fully depicted on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the variance request was Petitioner Joann C. Wroblewski and Michele Betley. Also appearing in support of the requested relief was Scott Dallas with J.S. Dallas, Inc., the property line surveyor who prepared the site plan. There were no Protestants or other interested persons in attendance at the hearing.

Testimony and evidence offered revealed that the subject property is irregular-shaped and contains approximately 31,920 square feet or 0.73 acre, more or less, zoned D.R.3.5. The property is situated in the "Seneca Park Beach" subdivision, which was originally platted in 1926.¹ The property is located between Nannette Lane to the north and Seneca Park Road to the

¹ While the property is technically in a "subdivision", this office has traditionally treated old Land Record subdivisions as simply "lots of record." This lot was created prior to Council Bill 55-04, which provides for an exception through a special hearing for undersized lots. See, Section 1A04.3.B.1(b) of the B.C.Z.R.

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south, and is south of Carroll Island Road in the Middle River area of Baltimore County. The lot is somewhat unusual in that the Nannette Lane end of the property is almost twice as wide (100 feet) as the Seneca Park Road end of the property (52 feet). The property also averages approximately 420 feet long. It is improved with an existing one-story single-family vinyl sided dwelling built in 1963 and located on the Nannette Lane end of the property.

According to the real property data search, Petitioner has owned the subject property since 1992. At this juncture, and given the unusual layout of the property wherein it has access to a public street on two fronts, Petitioner desires to subdivide the property and proposes a dwelling that would front the Seneca Park Road end of the property. In so doing, Mr. Dallas noted that Petitioner does not require any front, side, or rear yard setback variances, nor any area or height variances. In addition, the new lot will have access to public water and sewer services; however, due to the tapering of the lot from the Nannette Lane end to the Seneca Park Road end of the property, Petitioner is in need of a variance from the minimum width requirement.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental Protection and Resource Management dated June 27, 2008 which indicates that the property must comply with the Chesapeake Bay Critical Area regulations. The site is in a Limited Development Area and must comply with 25% lot coverage requirements. Any subdivision of the property cannot exceed 15% lot coverage overall, and 15% afforestation must also be addressed. Comments were received from the Bureau of Development Plans Review dated June 26, 2008, which indicates that the first floor or basement must be at least one foot above the flood plain elevation in all construction, the building should be designed and adequately anchored to prevent flotation or collapse and constructed of materials resistant to flood damage.

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Flood-resistant construction should be in accordance with the Baltimore County Building Code, which adopts the International Building Code. Comments were also received from the Office of Planning dated August 8, 2008. This initial comment from Laurie Hay, a Community Planner, recommended denial of Petitioner's variance request because it appeared that Petitioner is attempting to create an undersized lot, and variances are typically not supported when creating lots deficient in area and/or width.

In light of the comment from Planning, Mr. Dallas requested that the record be kept open for a short period to allow him the opportunity to communicate with Ms. Hay in order to clarify his client's plans concerning the property. Shortly thereafter, Mr. Dallas sent the undersigned an email dated September 8, 2008 indicating that he had met with Ms. Hay and discussed the site plan and Petitioner's proposal. Following that meeting, Ms. Hay contacted Mr. Dallas and indicated that her comment would be amended to reflect "no objection" to Petitioner's plans.

Considering of all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Clearly, the property has several characteristics that drive the need for the variance. It was platted in 1926, long before the adoption of the B.C.Z.R. and was laid out in such a way that one end of the property is almost twice as wide as the other end. The property also fronts a public street at both ends of the property, thereby resulting in "multiple fronts." While the property has ample density to allow for the proposed subdivision, the aforementioned constraints drive the need for the lot width variance at the front building line of the proposed new dwelling.

I further find that the imposition of zoning on this property disproportionably impacts the subject property as compared to others in the zoning district. This property has density availability due to its size -- and its access from public streets at each end -- that other properties

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nearby do not have, hence the zoning regulations potentially inhibit Petitioner's use of the property for a permitted purpose more than others in the area.

Finally, I find this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. Thus, I find that this variance can be granted in such a manner as to meet the requirements of Section 307 of the B.C.Z.R., as established in *Cromwell v. Ward*, 102 Md.App. 691 (1995).

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's variance request should be granted.

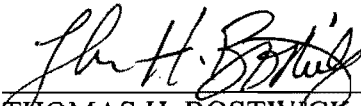
THEREFORE, IT IS ORDERED this 24th day of September, 2008 by this Deputy Zoning Commissioner, that Petitioner's variance request from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a lot width of 60 feet in lieu of the required minimum 70 feet (at front building line) be and is hereby GRANTED. The relief granted herein shall be subject to the following:

1. Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004 and other Sections of the Baltimore County Code).
3. The site is in a Limited Development Area of the Chesapeake Bay Critical Area and must comply with 25% lot coverage requirements. Any subdivision of the property cannot exceed 15% lot coverage overall. 15% afforestation must also be addressed.
4. The base flood elevation for this site is 10.2 feet Baltimore County Datum.

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9.24.08
m

5. The flood protection elevation for this site is 11.2 feet.
6. 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.
7. 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.
8. The building engineer shall require a permit for this project.
9. The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.
10. Flood-resistant construction shall be in accordance with the Baltimore County Building Code, which adopts, with exceptions, the International Building Code.

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



THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

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JP

9.24.08

BY





BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

September 24, 2008

JOANN C. WROBLEWSKI
5002 SHIRLEYBROOK AVENUE
ROSEDALE MD 21237

Re: Petition for Variance
Case No. 2008-0580-A
Property: 811 Nannette Lane

Dear Ms. Wroblewski:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Th. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: J. Scott Dallas, J.S. Dallas, Inc., PO Box 26, Baldwin MD 21013
Michele Betley, 5002 Shirleybrook Avenue, Rosedale MD 21237



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property

located at 811 Nannette Lane

which is presently zoned D.R. 3.5

Deed Reference: 9034 / 694 Tax Account # 1502655090

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) 1B02.3.C.1 to allow a lot width of 60 feet in lieu of the required minimum 70 feet. (AT FRONT BLDG. LINE) JSD

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.) The narrow, uneven lot width forces any proposed dwelling to be over 190 feet from Sereca Park Road in order to meet the 70' lot width. The proposed 60' width is more in conformance with the neighborhood and allows for similar lot depths on the Nannette and Sereca Park portions of the subject site.

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):

Joanne C. Wroblewski

Name - Type or Print

Signature

Name - Type or Print

Signature

5002 Shirleybrook Ave 410-591-3329

Address

Telephone No.

Rosedale

MD

21237

City

State

Zip Code

Representative to be Contacted:

J.S. Dallas, Inc. Scott Dallas

Name

P.O. Box 26

410-817-4600

Address

Telephone No.

Baldwin

MD

21013

City

State

Zip Code

Case No. 2008 0580 A

REV 8/20/07

Office Use Only

Estimated Length of Hearing 1 hr
Unavailable For Hearing

Reviewed by JL

Date 6/17/08

9:24:08

102

J. S. DALLAS, INC.

SURVEYING & ENGINEERING

P.O. BOX 26
BALDWIN, MD 21013
(410) 817-4600
FAX (410) 817-4602

0580

ZONING DESCRIPTION FOR # 811 NANNETTE LANE

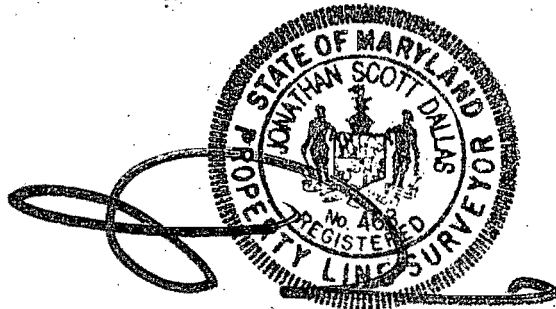
BEGINNING at a point on the southwest side of Nannette Lane, approximately 30 feet wide, at the distance of 485 feet, more or less southeast of the center of Seneca Park Road, approximately 30 feet wide.

BEING Lot No.120, "**SENECA PARK BEACH**" as recorded in Baltimore County Plat Book No.8 Folio 45.

CONTAINING 31,920 square feet of land, more or less or **0.73** acres of land, more or less.

ALSO known as **# 811 NANNETTE LANE** and located in the 15TH Election District 6TH Councilmanic District.

Note: above description is based on existing record plat and is for zoning purposes only.



**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: #2008-0580-A
811 Nannette Lane
S/west of Nannette Lane, 485
feet s/west of Seneca Park
Road
15th Election District
6th Councilmanic District
Legal Owner(s): Joanne C.
Wroblewski
Variance: to allow a lot width
of 60 feet in lieu of the required
minimum 70 feet (at a front
building line).
Hearing: Friday, August 22,
2008 at 10:00 a.m. in Hear-
ing Room 1, Jefferson Build-
ing, 105 West Chesapeake
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 concern-
ing the File and/or Hearing,
Contact the Zoning Review Of-
fice at (410) 887-3391.

8/022 Aug. 7 180264

CERTIFICATE OF PUBLICATION

8/7/, 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 8/7/, 2008.

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

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **15996**

Date: **6/17/08**

PAID RECEIPT

JC 0580

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
<i>001</i>	<i>006</i>			<i>6150</i>				<i>65.00</i>

Total: *65.00*

Rec
From:

J.A. Winkler Jr.

For:

R/V 311 Nannette LA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

BUSINESS ACTUAL TIME
 6/17/2008 6/17/2008 09:57:39
 REG 1501 WALKIN JRIC JHR
 RECEIPT # 378771 6/17/2008 DPL
 S.S.C. ZORLINE VERIFICATION
 015996
 Receipt Tot \$45.00
 \$45.00 CR
 Baltimore County, Maryland

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 08/07/08

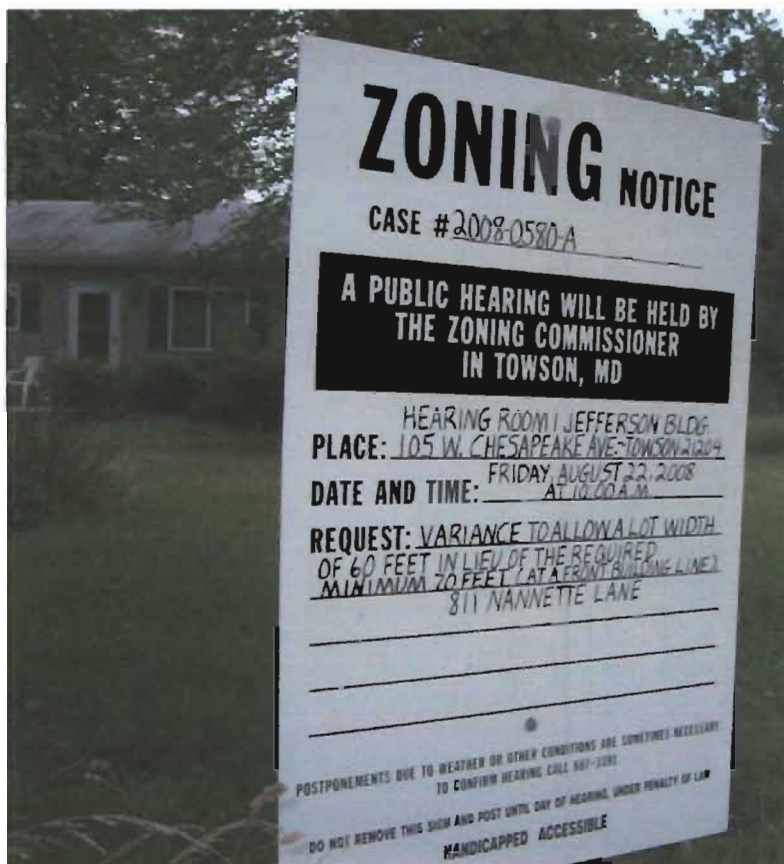
Case Number: 2008-0580-A

Petitioner / Developer: JOANNE WROBLEWSKI~J.S. DALLAS, INC.

Date of Hearing (Closing): AUGUST 22, 2008

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:
811 NANNETTE LANE & SENECA PARK ROAD (ON-SITE)

The sign(s) were posted on: AUGUST 5, 2008



Linda O'Keefe
(Signature of Sign Poster)

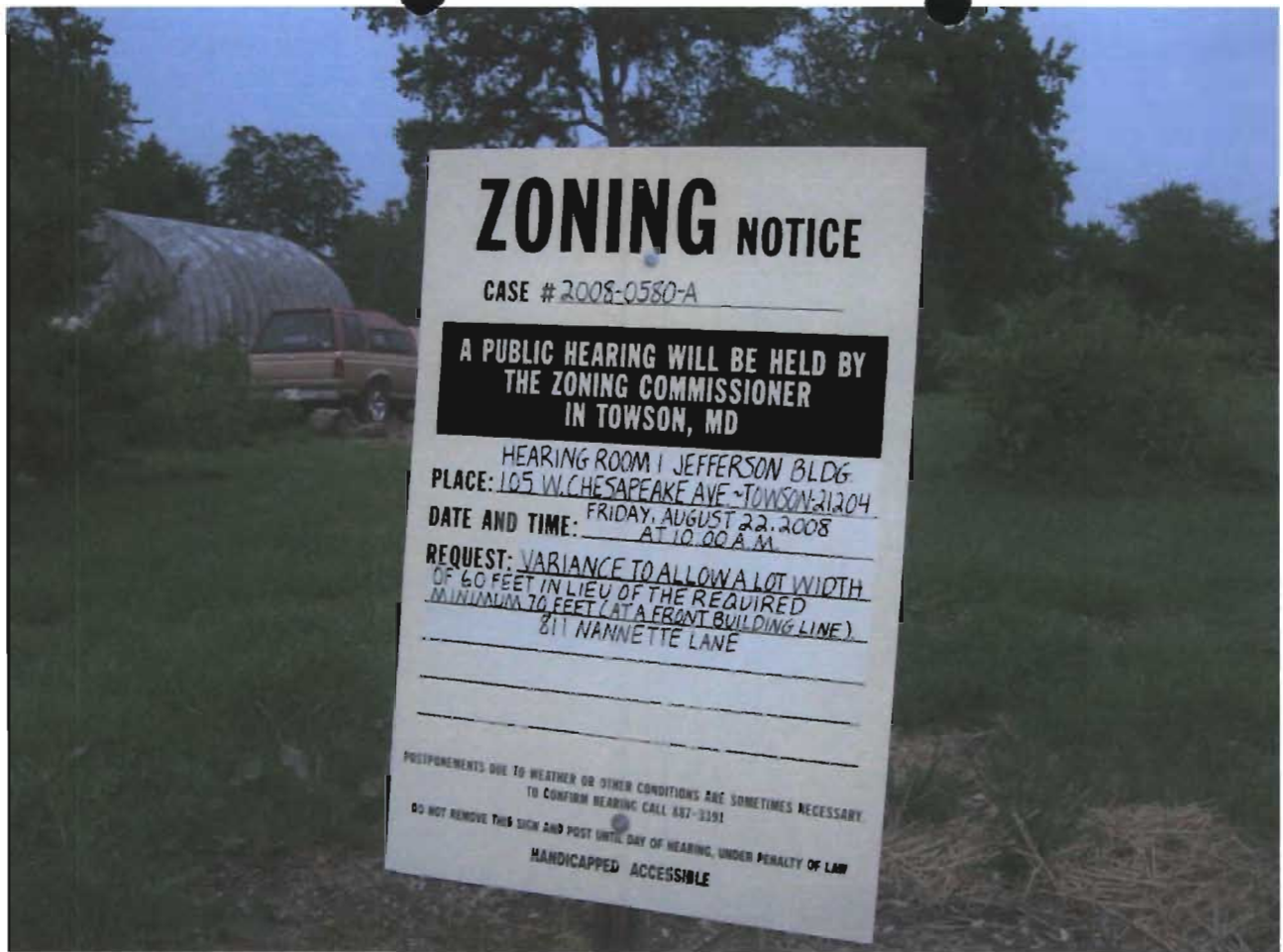
Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

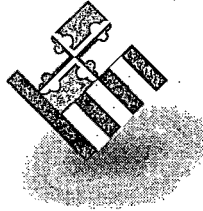
Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

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

811 NANNETTE LANE



Seneca Park Rd (ON-SITE)



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

July 8, 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: 2008-0580-A

811 Nannette Lane
S/west of Nannette Lane, 485 feet s/west of Seneca Park Road
15th Election District – 6th Councilmanic District
Legal Owners: Joanne C. Wroblewski

Variance to allow a lot width of 60 feet in lieu of the required minimum 70 feet (at a front building line).

Hearing: Friday, August 22, 2008 at 10:00 a.m. in Hearing Room 1, Jefferson Building,
105 W. Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Joanne Wroblewski, 5002 Shirleybrook Avenue, Rosedale 21237
J. S. Dallas, P.O. Box 26, Baldwin 21013

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 7, 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
Thursday, August 7, 2008 Issue - Jeffersonian

Please forward billing to:
Joanne Wroblewski
811 Nannette Lane
Baltimore, MD 21237

410-591-3329

NOTICE OF ZONING HEARING

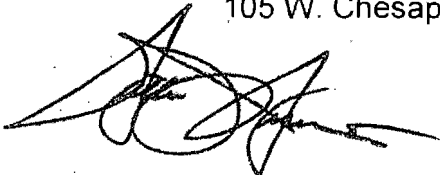
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105 W. Chesapeake Avenue, Towson 21204



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 Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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:

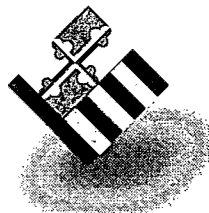
Item Number or Case Number: 2008 0580 A
Petitioner: Joanne C. Wroblewski
Address or Location: 811 Nannette Lane

PLEASE FORWARD ADVERTISING BILL TO:

Name: Joanne C. Wroblewski
Address: 811 Nannette Lane
Baltimore MD. 21237

Telephone Number: 410 591. 3329

Revised 2/20/98 - SCJ



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

August 13, 2008

Joann C. Wroblewski
5002 Shirleybrook Ave.
Rosedale, MD 21237

Dear: Joann C. Wroblewski

RE: Case Number 2008-0580-A, 811 Nannette Ln.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 17, 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,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Scott Dallas: J.S. Dallas, Inc., P.O. Box 26, Baldwin, MD 21013

TB
8-22-08

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 8, 2008

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AUG 18 2008

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

BY:.....

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-580- Variance**

The Office of Planning has reviewed the above referenced case(s) and recommends the petitioner's request be denied. It appears as though the applicant is attempting to create an undersized lot. Variances are not typically supported when creating lots deficient in area and/or width.

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: *Laurie Hay*

Division Chief: *Pat Keller*
CM/LL

recommends
denial

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 9, 2008

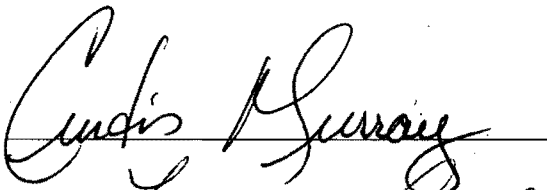
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-580- Variance** (*revised comment*)

The Office of Planning has reviewed the above referenced case(s). After speaking with the petitioner's engineer the Office of Planning does not oppose the petitioner's.

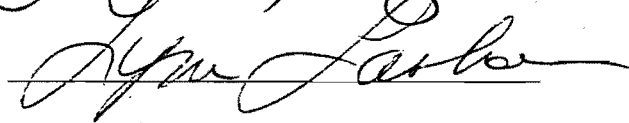
For further questions or additional information concerning the matters stated herein, please contact Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:

CM/LL



TB 8/22
10 AM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination *JWL*
DATE: June 27, 2008
SUBJECT: Zoning Item # 08-580-A
Address 811 Nannette Lane
(Wroblewski Property)

RECEIVED
JUN 27 2008

BY:.....

Zoning Advisory Committee Meeting of June 23, 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 site is in a Limited Development Area (LDA) of the Chesapeake Bay Critical Area and must comply with 25% lot coverage requirements. Any subdivision of the property cannot exceed 15% lot coverage overall. 15% afforestation must also be addressed.

Reviewer: Regina Esslinger

Date: June 27, 2008

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 26, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For June 30, 2008
Item No. 08-0580

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.

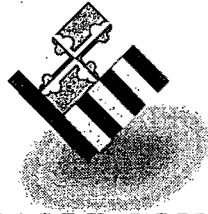
The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

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

DAK:CEN:lrk

cc: File

ZAC-ITEM NO 08-0580-06262008



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

July 3, 2008, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 23, 2008

Item Number: 0572, 0573, 0574, 0576, 0577, 0578, 0579, 0580

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



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

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

Maryland Department of Transportation

Date: 6-25-2008

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

RE: Baltimore County
Item No 2008-0580-A
811 NANNETTE LANE
WROBLEWSKI 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. 2008-0580-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,

Foster Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



RE: PETITION FOR VARIANCE * BEFORE THE
811 Nannette Lane; SW of Nanette Lane, *
485' SW Seneca Park Road * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Joann Wroblewski * FOR
Petitioner(s) * BALTIMORE COUNTY
* 08-580-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

JUL 01 2008

.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 1st day of July, 2008, a copy of the foregoing Entry of Appearance was mailed to J. Scott Dallas, P.O. Box 26, Baldwin, MD 21013, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Thomas Bostwick - 811 Nanette Lane 2008-0850-A

From: <Jsding@aol.com>
To: <tbostwick@baltimorecountymd.gov>
Date: 08/22/08 1:17 PM
Subject: 811 Nanette Lane 2008-0850-A
CC: <jwroble@jhmi.edu>

J. S. DALLAS, INC.

SURVEYING AND ENGINEERING
P.O. BOX 26 BALDWIN, MD. 21013
PH 410-817-4600
FACS 410-817-4602

August 22, 2008

Mr. Thomas H. Bostwick
Deputy Zoning Commissioner
tbostwick@baltimorecountymd.gov

RE: 811 Nanette Lane
2008-0850-A
(my job # 08-1203)

Dear Mr. Bostwick:

In accordance with the hearing referenced above, you have kindly offered to leave the case open pending resolution of the Planning Office comment (received at the hearing today) dated 8-8-08..

As we discussed at the hearing, I immediately visited the Planning Office, initially asking to see Deputy Director Long (who was not in today), then Ms. Lanham (who could not meet with me), and then Mr. Murray who had prepared the comment. Mr. Murray was not familiar with the specific case and suggested that I speak with Ms. Hay, the area planner, who I eventually did meet with. I left copies of Exhibits #1 and #2 and the Planning comment with Ms Hay after explaining the situation and your concerns about a possible future appeal from the Planning Office and/or People's Counsel.

Ms. Hay should be contacting me next week, hopefully with a revised or rescinded followup comment. I will forward anything I receive directly to your office. Thank you for your consideration in this matter.

Sincerely,

Thomas Bostwick - 811 Nanette Lane 2008-580-A

From: <Jsding@aol.com>
To: <tbostwick@baltimorecountymd.gov>
Date: 09/04/08 3:30 PM
Subject: 811 Nanette Lane 2008-580-A
CC: <jwroble@jhmi.edu>

J. S. DALLAS, INC.

SURVEYING AND ENGINEERING
P.O. BOX 26 BALDWIN, MD. 21013
PH 410-817-4600
FACS 410-817-4602

September 4, 2008

Mr. Thomas H. Bostwick
Deputy Zoning Commissioner
tbostwick@baltimorecountymd.gov

RE: 811 Nanette Lane
2008-0580-A
(my job # 08-1203)

Dear Mr. Bostwick:

In accordance with the hearing referenced above, you have kindly offered to leave the case open pending resolution of the negative Planning Office comment dated 8-8-08.

I was finally able to speak with Ms. Hay today after numerous telephone attempts. She said that she has "no problem with changing the comment" and recommending approval, but needs to review with Ms. Lanham before issuing her revised comment.

Ms. Hay should be contacting me tomorrow with an update. I will forward anything I receive directly to your office. Thank you for your consideration in this matter.

Sincerely,

J Scott Dallas, PLS
President
J S Dallas, Inc.

2008-0580-A

Note To File

Applicant advised that ^{ownership of lot} ~~area~~ must be on
30' RW, or Variance from 102.4 BCR
required. It appears to be OK

app = Scott Dallas

JH
6/17/08

also app agreed

(FP LOCATION)

More site plans (14 total) will be
added to the 12 filed in a timely
manner.

PLEASE PRINT CLEARLY

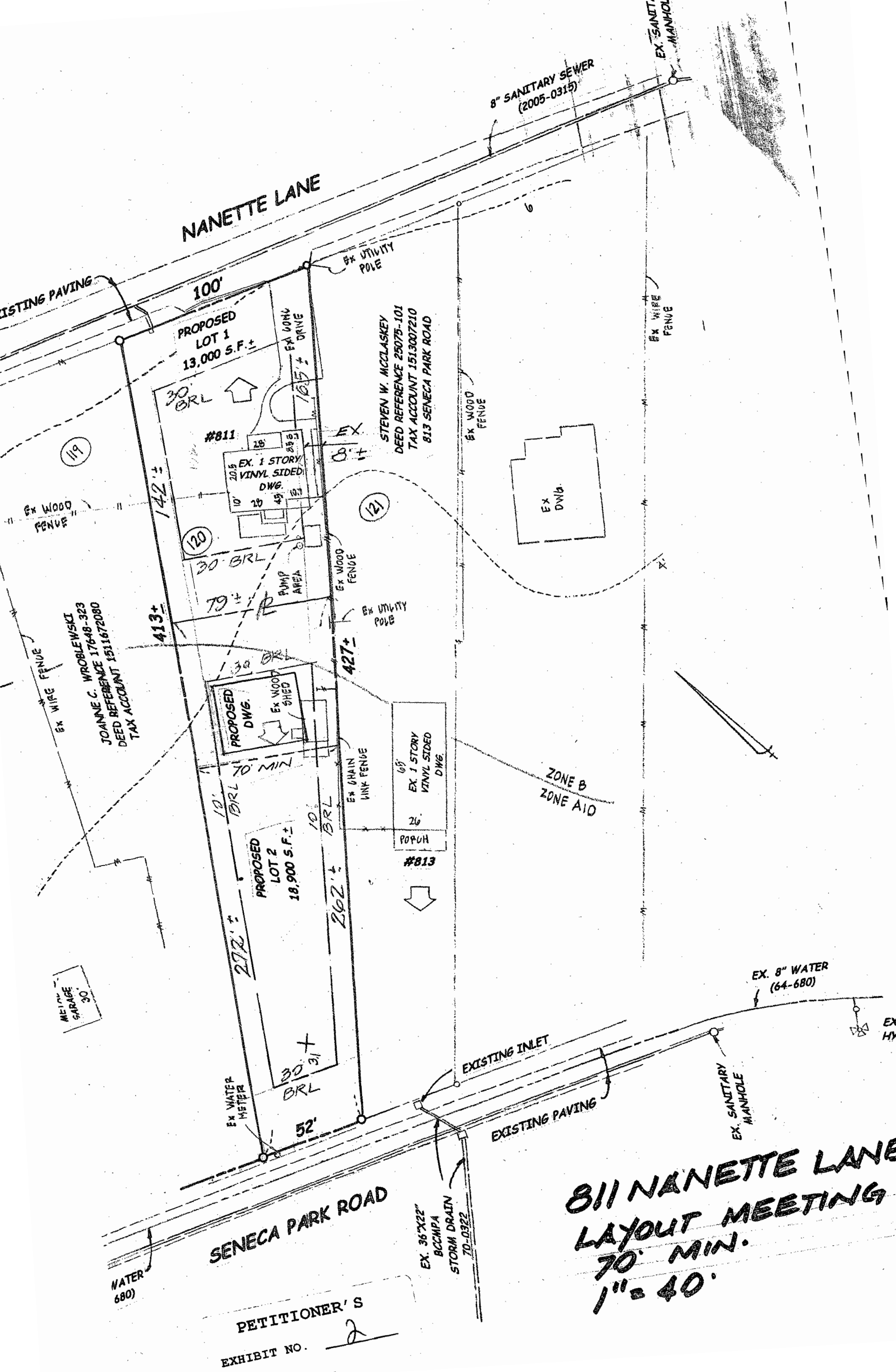
CASE NAME

CASE NUMBER 2007-0580-A

DATE 8-22-08

PETITIONER'S SIGN-IN SHEET

[illegible]



8" SANITARY SEWER
(2005-0315)

NANETTE LANE

PROPOSED LOT 1
13,000 S.F.±

#811

EX. 1 STORY VINYL SIDED DWG.

STEVEN W. MCCLASKEY
DEED REFERENCE 25075-101
TAX ACCOUNT 1513007210
813 SENECA PARK ROAD

EX DWG.

PROPOSED DWG.

PROPOSED LOT 2
18,900 S.F.±

#813

EX. 1 STORY VINYL SIDED DWG.

ZONE B
ZONE A1D

EX. 8" WATER
(64-680)

EXISTING INLET

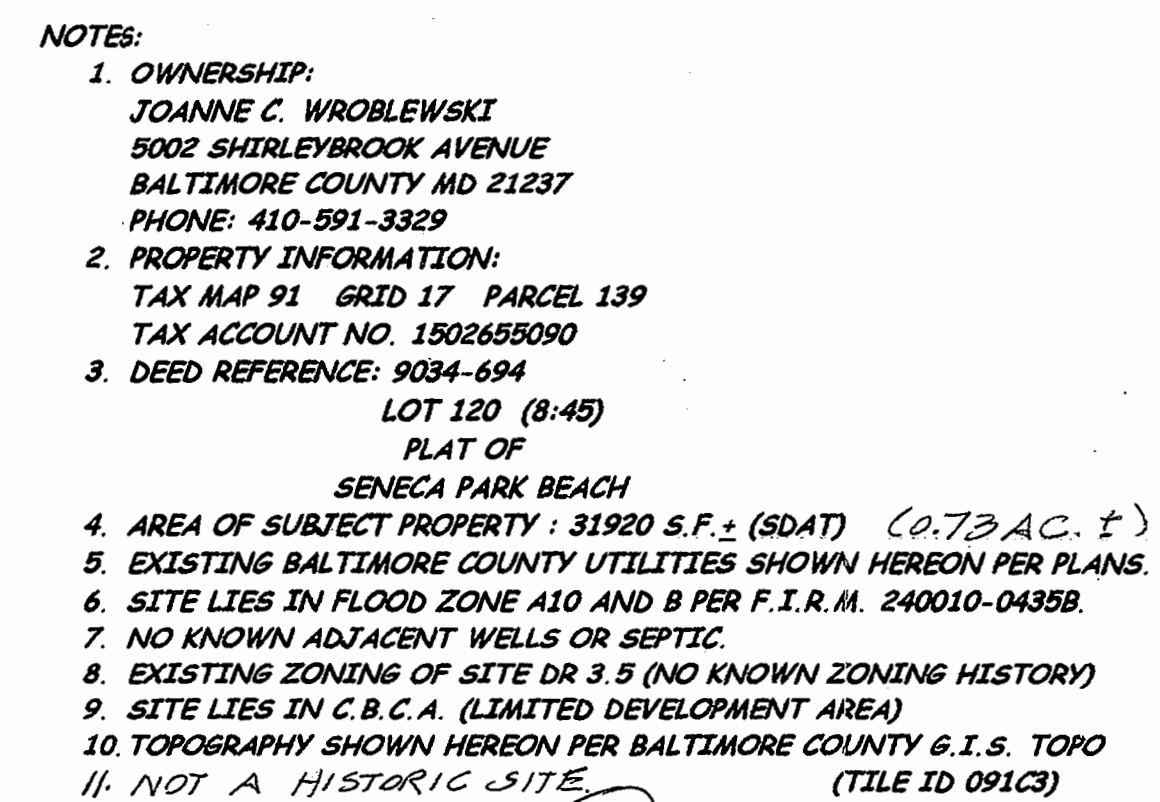
EXISTING PAVING

SENECA PARK ROAD

811 NANETTE LANE
LAYOUT MEETING
70' MIN.
1" = 40'

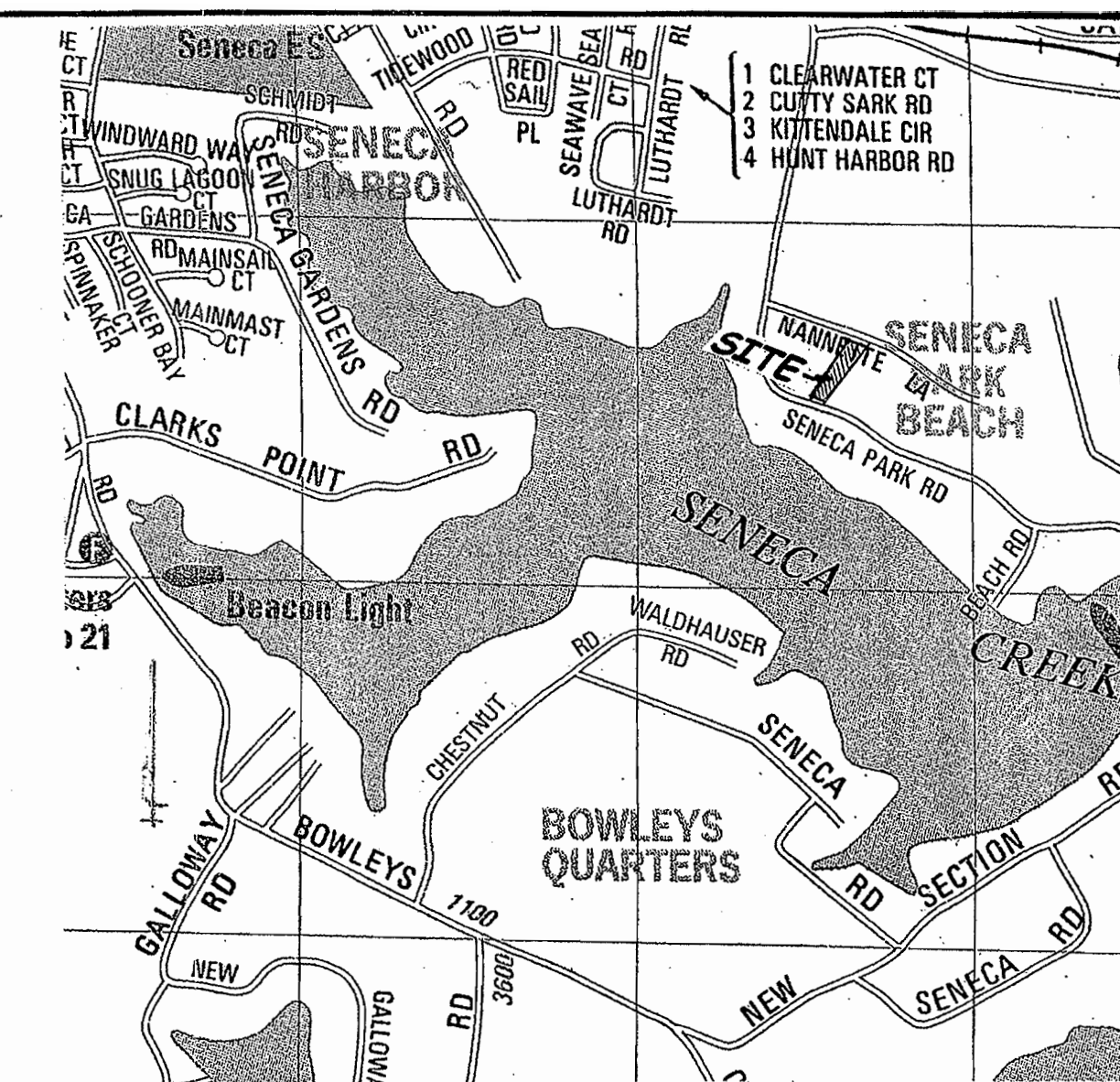
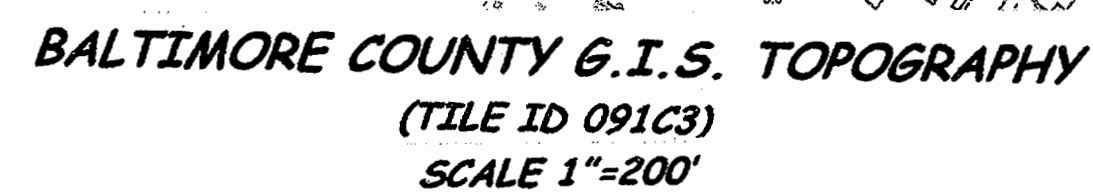
PETITIONER'S

EXHIBIT NO. 2

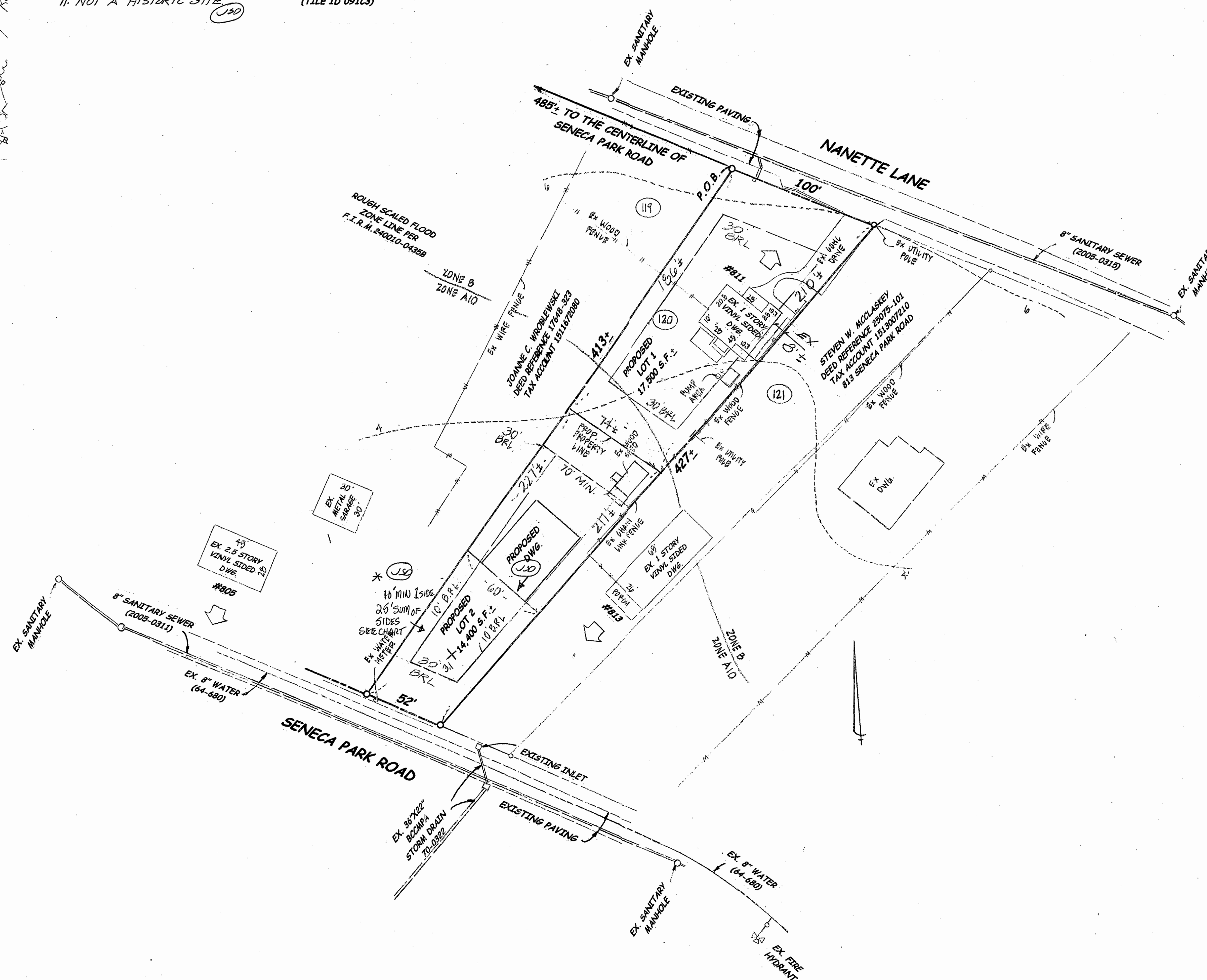
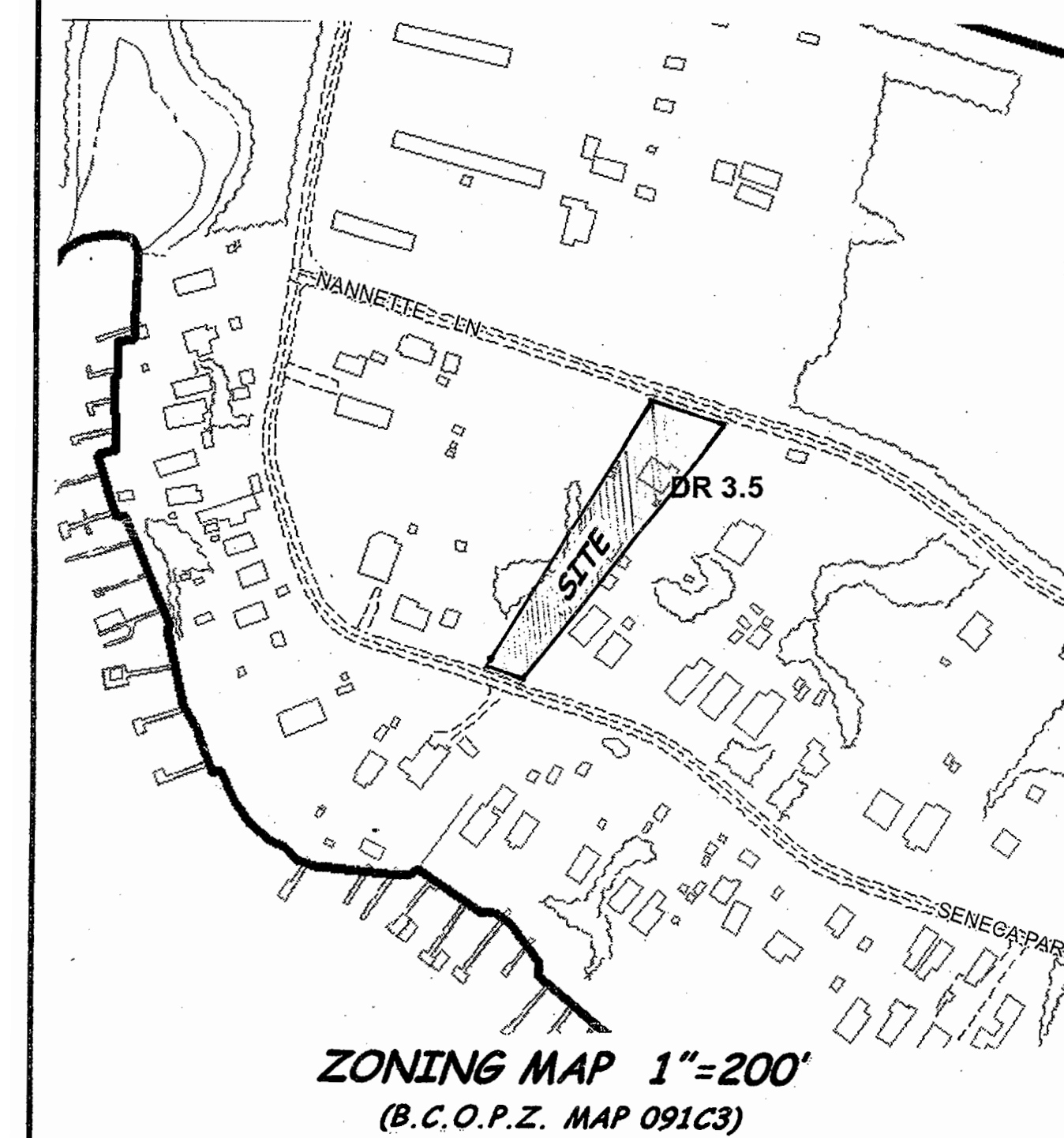


Zoning Classification	Minimum Net Lot Area per Dwelling Unit (sq. ft.)	Minimum Lot Width (feet)	Minimum Front Yard Depth (feet)	Minimum Width of Individual Side Yard (feet)	Minimum Sum of Side Yard Widths (feet)	Minimum Rear Yard Depth (feet)
D.R.1	40,000	150	50	20	50	50
D.R.2	20,000	100	40	15	40	40
D.R.3.5	10,000	70	30	10	25	30
D.R.5.5	6,000	55	25	10	--	30
D.R.10.5	3,000	20	10	10	--	50
D.R.16	2,500	20	10	25	--	30

SETBACK INFORMATION



LOCATION MAP 1"=1000'



PETITIONER' S
EXHIBIT NO. 1

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE
#811 NANETTE LANE
 15TH ELECTION DISTRICT 6TH COUNCILMANIC DISTRICT
 BALTIMORE COUNTY, MD
 SCALE: 1"=40' 6-11-08

