

IN THE MATTER OF
THE APPLICATION OF
EUGENE L. PERKINS, III, et ux.
LEGAL OWNERS/PETITIONERS
VARIANCE - N/S OF RIVER DRIVE ROAD,
270' W OF C/LINE OF GRACE ROAD
(7006 RIVER DRIVE ROAD)
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 09-081-A

* * * * *

ORDER OF DISMISSAL

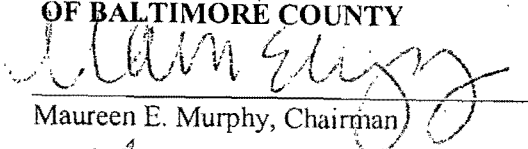
This matter comes to the Board of Appeals by way of an appeal filed by Joseph Evering, III, from a decision of the Zoning Commissioner dated December 18, 2008, in which the requested zoning relief was granted.

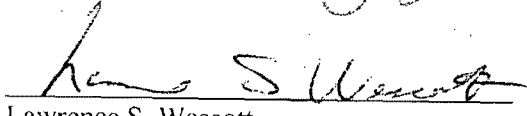
WHEREAS, the Board is in receipt of a Request to Withdraw Petition filed by William F. C. Marlow, Jr., Esquire on behalf of Eugene L. Perkins, III, Petitioner (a copy of which is attached hereto and made a part hereof); and

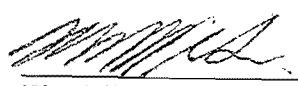
WHEREAS, said Petitioner requests that the Petition for Variance that is the subject matter of this appeal be withdrawn and dismissed without prejudice,

IT IS THEREFORE ORDERED this 10th day of April, 2009 by the Board of Appeals of Baltimore County that the Petition for Variance filed in Case No. 09-081-A be and the same is hereby **WITHDRAWN AND DISMISSED**, and that the Zoning Commissioner's Order dated December 18, 2008, including any and all relief granted therein, is rendered **null and void**.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Maureen E. Murphy, Chairman


Lawrence S. Wescott


Wendell H. Grier



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

April 10, 2009

William F. C. Marlow, Jr., Esquire
Marlow & Wyatt
404 Allegheny Avenue
Towson, MD 21204

RE: *In the Matter of: Eugene L. Perkins, III*
Case No.: 09-081-A

Dear Mr. Marlow:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

A handwritten signature in black ink that reads "Theresa Shelton/sc". The signature is fluid and cursive, with a large "T" and "S".

Theresa R. Shelton
Administrator

TRS/klc
Enclosure

c: Eugene L. Perkins, III
John Westerlund
Daniel G. Spivey
Lisa Hoerger, Natural Resource Planner/CBCA
William J. Wiseman, III/Zoning Commissioner
Office of People's Counsel
John Beverungen, County Attorney

Joseph and Loris Evering
Julie Roberts, Natural Resource Planner/CBCA
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, Director/Planning
Nancy West, Assistant County Attorney

RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
VARIANCE *
7006 River Drive Road; N/S River Drive Rd, * COUNTY BOARD OF APPEALS
270' W of c/line of c/line Grace Road *
(7006 River Drive Road) * OF
15th Election & 7th Councilmanic Districts *
Legal Owners(s): Eugene L. Perkins, III, * BALTIMORE COUNTY
et ux, Petitioners *
* Case No.: 2009-0081-A

* * * * *

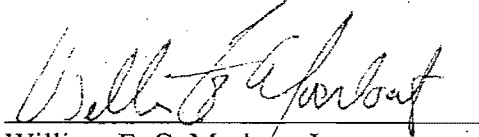
REQUEST TO WITHDRAW PETITION

EUGENE L. PERKINS AND LESLIE K. PERKINS, Petitioners, by William F. C. Marlow, Jr. and Marlow & Wyatt, their attorneys, respectfully request that the Petition for Variance filed in the above entitled matter be withdrawn and dismissed without prejudice. The grounds of the request are as follows:

1. This matter is scheduled for hearing on Tuesday, May 19, 2009 before the County Board of Appeals of Baltimore County.
2. The Board of Appeals' Rules of Practice and Procedure, Rule 3 provides, *inter alia*, that a petitioner who wishes to have a petition withdrawn and dismissed without prejudice shall withdraw the petition not less than ten (10) days before the scheduled hearing date.

For the above stated reasons, Petitioners request that their Petition for Variance be dismissed without prejudice.

Respectfully submitted,



William F. C. Marlow, Jr.
Marlow & Wyatt
404 Allegheny Avenue
Towson, Maryland 21204
(410) 821-1013
Attorneys for Eugene L. Perkins and
Leslie K. Perkins, Petitioners

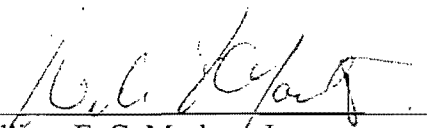
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BALTIMORE COUNTY
BOARD OF APPEALS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7 day of April, 2009, a
copy of the foregoing Request to Withdraw Petition was mailed first class, postage prepaid to:

Peter Max Zimmerman
People's Counsel for Baltimore County
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, Maryland 21204



William F. C. Marlow, Jr.
Attorney for Petitioners

IN RE: **PETITION FOR ADMIN. VARIANCE** *

N/S River Drive Road, 270' W of c/line of
Grace Road *

(7006 River Drive Road) *

15th Election District *

7th Council District *

Eugene L. Perkins, III, et ux *

Petitioners *

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2009-0081-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Eugene L. Perkins, III, and his wife, Leslie K. Perkins. The Petitioners request a Variance from Section 1B02.3C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit setbacks from a side yard (east side) of 2 feet and rear yard of 20 feet in lieu of the required 10 feet and 30 feet respectively for a proposed breezeway addition from a principal building to an existing detached garage. The subject property and requested relief are more particularly described on the site plan, floor plan and elevation drawings submitted, which were accepted into evidence and marked as Petitioners' Exhibits 1, 12 and 13.¹

This case was originally filed as an Administrative Variance, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without a formal hearing, provided certain conditions are met. First, the property is duly posted and advertised giving public notice of the requested relief. Under the Code, any property owner residing within 1,000 feet of the property in question

¹ In response to the adjacent neighbors concerns, and after ongoing discussions, these exhibits were amended to reduce the mass of the enclosed breezeway space by providing for a covered breezeway passageway between the house and garage as opposed to an enclosed breezeway addition. Amended elevation drawings were received as Petitioners' Exhibits 17 and 19.

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Date 12-18-08
By [Signature]

can request a public hearing within fifteen (15) days of the sign posting, if that person objects to the relief requested. If no hearing is requested, the matter can be considered and an Order issued by the Zoning Commissioner/Deputy Zoning Commissioner, based on the documentation contained in the file.

In this case, the property was duly posted and within the requisite time period Joseph F. Evering, III, residing at 7008 River Drive Road, filed a request for a formal demand on October 2, 2008. Thus, this matter was scheduled for a public hearing, which was held on December 9, 2008.

Appearing at the hearing in support of the request were Eugene and Leslie Perkins, property owners, their attorney, William F. C. Marlow, Jr., Esquire, and John T. Westerlund, Jr., of Bellefield Design, Inc., a consultant in architectural design and construction. Appearing as Protestants/interested parties were the adjacent neighbors Joseph and Loris Evering. There were no other interested persons present and it is noted that there were no adverse Zoning Advisory Committee (ZAC) comments submitted by any of the County reviewing agencies.

Testimony and evidence offered revealed that the subject property is a waterfront lot approximately 50 feet wide and 150 feet deep, located with frontage on Back River² and adjacent to the north side of River Drive Road in eastern Baltimore County. The property contains a gross area of 0.17 acres (7,700 square feet), more or less, zoned D.R.5.5 and improved with a two-story "Florida-style" single-family dwelling (*See* Petitioners' photograph Exhibit 2), a detached two-car garage and pier extending out into the water. The lot is identified as Lot 16 of Lynch Point, which is an older subdivision that was platted and recorded in the Land Records in

² The Zoning Commissioner's Policy Manual (ZCPM) at Sections 400.1.a and 400.2.a provides a determination of what constitutes the front yard on waterfront lots based on the orientation of the houses and accessory buildings. In most cases, as is the situation here, waterfront lots refer to the front of the structure facing the water.

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1926, prior to the first set of zoning regulations in Baltimore County. As is often the case with older subdivisions, many of the lots are undersized and do not meet current width requirements. In this regard, the D.R.5.5 regulations require a 55-foot lot width. The property is also located in the Chesapeake Bay Critical Area and Tidal Floodplain and any re-development must comply with Sections 33-2-101 through 33-2-1004 of the Baltimore County Code (B.C.C.).

Mr. Perkins acquired the property in 2006 and testified as to the appearance and condition of the structure's exterior which he describes as not being compatible with the Lynch Point subdivision and surrounding community. Both the house and garage were built twenty (20) years ago and are in need of extensive remodeling. The flat roof(s) are leaking, flashing used around parapet walls allow water to enter between the foam substrate and plywood framing causing structural damage. Both structures are covered with "dryvit", a specific brand of an exterior insulation and finish system (EIFS), and is essentially a stucco finish requiring painting. To improve the exterior appearance at the time of purchase, the Petitioners painted structural exteriors but due to its brittle condition and prior damage sustained in Hurricane Isabel, the dryvit is again stained and peeling off. Mr. Perkins testified that the home has only a master bedroom and no guest rooms. His adult son resides in the home downstairs and he and his wife anticipate that Mr. Perkins' 82-year old father will move into the home as well as Mrs. Perkins 78-year old Aunt, Ruth Stonik, who requires constant care. He testified that he consulted with architects and finally retained Mr. Westerlund to redesign and rebuild the structure(s) using existing footprints. In essence, he wants to convert the "Florida-style" home to a more compatible "Victorian" shingled style that is common to the area. The alterations will provide additional living space by modifying the existing garage converting the 16 foot high flat roof to a gambrel roof with a 24' high roof ridge cap and as noted above build a covered breezeway from

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the guestroom over the garage (*See* Petitioners' elevation drawings – Exhibit 19 and floor plans – Exhibit 13). The lower level of the garage to the front door entrance into the house will continue to function as a conventional two-car garage.

Mr. Westerlund t/a Bellefield Design, Inc., accepted as an expert in residential architectural design and construction management, was next to testify and corroborated much of what Eugene Perkins had stated. He explained the uniqueness of the property by stating that the structures are already built and located on the lot, that the current design limits the use of the home and that the dryvit (EIFS) is a flawed product. The home, with its one-family bedroom is not compatible with the area and his redesign and improvements would provide for a beautiful home, add additional bedrooms and adhere to the requirements in the County floodplain management ordinance. Since the detached accessory garage is to be attached to the existing house by a covered breezeway, it will be considered as one structure driving the need for variance relief. Due to the lot's configuration, however, the patio style walkway will be the only footprint change and will not be visually noticeable either from the street side or water side of the subject property, thus in keeping with the spirit and intent of the B.C.Z.R. He stated that strict compliance with the regulations would result in practical difficulty for the Petitioners. Compliance with Federal flood insurance conditions requires that floors be at flood protection elevation 10.4 feet. The breezeway incorporating a new entrance has been designed to allow for a more graduated "step-up" to reach the required floodplain elevation than do current movements. This will be a welcomed change and provide easier access to older occupants. In sum, Mr. Westerlund opined that his redesign and improvements would not have a detrimental impact to the health, safety or general welfare of the surrounding locale. He presented photographs – Exhibits 4, 10 and 15 – depicting similar improvements in the immediate area,

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Date 12-18-08
By [Signature]

some done prior to Hurricane Isabel, some post-Hurricane Isabel.

Joseph Evering cross-examined the witnesses presented by William Marlow and was able to demonstrate that the subject lot itself is not unique when compared with other waterfront lots in Lynch Point. Moreover, he opined that there was more than just one bedroom in the Petitioners home (*See* Protestants Exhibit 7 - Realtors Listing - advertising 3 bedrooms in January 2008) and that the desired replacement roof(s) and exterior renovations were possible without the need for variance relief. He questioned Mr. Westerlund about the construction of the enclosed breezeway, as initially proposed, having a visually detrimental affect on the adjacent lot owners who would look at the right and left side elevations and see a house 103 feet long situated on a 155 foot deep lot.

Testimony was then received from Mr. and Mrs. Evering. They have lived in their home since 1983. Interestingly, the Everings applied for a variance requesting a 3-foot side yard setback to add a one-story addition to their home built in 1924. Evidently, the Office of Planning required him to revise his plans to provide a 7-foot setback in lieu of the required 10 feet. Mr. Evering produced photographs (*See* Petitioners' Exhibits 1 and 2) that he took demonstrating the projected roof ridge heights of the breezeway and raised garage from his perspective. He emphasized that he and his wife, and their grandchildren, use and enjoy their swimming pool located in the rear yard located adjacent to the proposed breezeway. With a 24 and 19 foot height at the roof ridgeline(s) of these structures so close to the property line, he feels it would over shadow his property and block the benefit of sunlight after midday when the sun begins to descend in the western sky. He asked for a public hearing to the side yard variance request. He stated, if granted and the breezeway connection and guestroom above the garage are built, it will be visually overpowering, interfere with adequate light and air, and lower the property value of

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By [Signature]

his home. As a matter of fairness, he thought the proposed improvements were attractive but more situated for a much larger lot. Without a doubt, he stated these improvements on such a small lot would change the look and character of the neighborhood – for the worst. He felt that the variance, if granted, would benefit one owner to the detriment of his family and neighbors. In support of this opinion, a letter requesting the variance be denied was received from Daniel G. Spivey and marked as Protestants Exhibit 8.

As stated at the conclusion of the hearing, this is a difficult case. From a practical standpoint, I am appreciative of the Perkins' desire to expand and improve their home. The only impervious footprint change is the raised walkway and covered breezeway. On the other hand, the Everings have lived in a home for 25 years and fear the McMansion size of the subject proposal.

Turning to the appropriateness of the variance to permit a side yard setback of 2 feet in lieu of the required 10 feet and a rear yard setback of 20 feet in lieu of the required 30 feet, I shall grant the relief as being appropriate and consistent with the neighborhood. In the D.R.5.5 zone, the regulations require a minimum 10-foot side yard and 30-foot rear yard setbacks if the accessory structure (garage) is attached to the existing dwelling. Due to the unusual architectural and structural characteristics possessed by this property, not shared by other properties in the area, the requested variance relief is in order to comply with the spirit and intent of those regulations.

I find that the Petitioners have met the requirements of Section 307 and *Cromwell v. Ward*, 102 Md. App. 691 (1995) for relief to be granted. It is clear that strict compliance with the regulations would result in practical difficulty for the Petitioners and prevent further improvement of the property for a permitted purpose. There were no adverse comments

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Date 12-18-08
By [signature]

submitted by any County reviewing agency. Only meager evidence was presented to support the contention that a detriment would befall Messrs. Evering and Spivey's rights to light and air. Thus, I find that the relief can be granted without detrimental impact to the health, safety, or general welfare of the surrounding locale. The remodeled structures will occupy the same footprints as they do today. Due to the property's waterfront location and its location within a floodplain, the proposed construction shall comply with the Chesapeake Bay Critical Areas regulations and Federal flood insurance requirements 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 herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of December, that the Petition for Variance, seeking relief from Section 1B02.3C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed breezeway to an existing detached garage and create an addition with a side yard setback of 2 feet and a rear yard setback of 20 feet in lieu of the required 10 feet and 30 feet, respectively, in accordance with Petitioners' Exhibits 1, 13 and 19, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permits 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 Chesapeake Bay Critical Areas regulations and Federal Flood Insurance requirements pursuant to the ZAC comments submitted by DEPRM, dated October 17, 2008, and the Bureau of

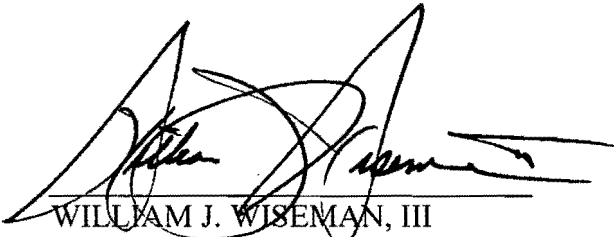
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Date 12-18-08
By [Signature]

Development Plans Review, dated October 2, 2008, 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 those comments are attached hereto and made a part hereof.

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

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

WJW:dlw



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

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Date 12-18-08
By [signature]

TB 11/7
9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: October 17, 2008
SUBJECT: Zoning Item # 09-081-A
Address 7006 River Drive Road
(Perkins Property)

RECEIVED
OCT 17 2008

BY: _____

Zoning Advisory Committee Meeting of September 29, 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:

This property is located within an Intensely Developed Area (IDA) and also located within a Buffer Management Area (BMA) of the Chesapeake Bay Critical Area (CBCA). IDA regulations state that development or re-development shall use best management practices (BMP), which reduce pollutant loading by 10% of the on-site level prior to development or redevelopment. Mitigation may be required for this proposed breezeway.

Reviewer: Shawn Krout

Date: 10/02/2008

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Date 10-18-08
By [Signature]

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 2, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For October 6, 2008
Item No. [REDACTED]

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:lrk

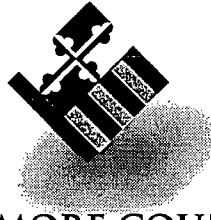
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ZAC-ITEM NO 2009-0081-A-1022008

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Date 12-18-08

By [Signature]



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

December 18, 2008

William F. C. Marlow, Jr., Esquire
Marlow & Wyatt
404 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR ADMIN. VARIANCE

N/S River Drive Road, 270' W of c/line of Grace Road
(7006 River Drive Road)
15th Election District - 7th Council District
Eugene L. Perkins, III, et ux - Petitioners
Case No. 2009-0081-A

Dear Mr. Marlow:

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 circular stamp.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

- c: Eugene L. and Leslie K. Perkins, 7006 River Drive Road, Baltimore, MD 21219
John T. Westerlund, Jr., Bellefield Design, Inc., 15132 Wheeler Lane, Sparks, MD 21152
Joseph and Loris Evering, 7008 River Drive Road, Baltimore, MD 21219
Daniel G. Spivey, 7004 River Drive Road, Baltimore, MD 21219
Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100,
Annapolis, MD 21401

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



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7006 RIVER DR RD
which is presently zoned 32-55

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) 1302.3.C.1 - to permit a

proposed breezeway to an existing detached garage and create an addition with a side yard setback of 2 feet and a rear yard setback of 20 feet in lieu of the required 10 and 30, respectively

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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. 9/14/08

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):

LESLIE K PERIC
Name - Type or Print _____
Signature Leslie K Peric
Name - Type or Print _____
Signature Eugene L Peric
Address 7006 River Drive Rd Telephone No. 410-388-059
City Sparrows Point State Md Zip Code 21219

Representative to be Contacted:

JOHN WESTERLUND
Name _____
Address 15132 WHEELER LN Telephone No. 410-382-057
City SPARKS State MD Zip Code 21152

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 2009-0081-A

Reviewed By KTD Date 9/19/08

REV 10/25/01

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Date 12-18-08

Estimated Posting Date 9/28/08

By [Signature]

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

7006 River Drive RD.
Address
Sparrows Point Md 21219
City State Zip Code

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

SEE ATTACHED

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

Leslie K Perkins
Signature

LESLIE K PERKINS
Name - Type or Print

Eugene L. Perkins
Signature

Eugene L. Perkins
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19 day of Sept., 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Victoria Shultz
Notary Public

My Commission Expires 8/1/2009

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

7006 River Da Road
Address
SPARROWS POINT MD 21219
City State Zip Code

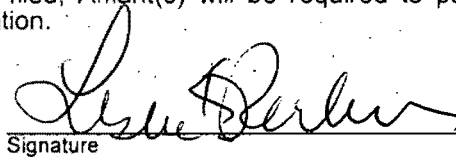
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

SEE ATTACHED

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


Signature

EUGENE L. PERKINS
Name - Type or Print


Signature

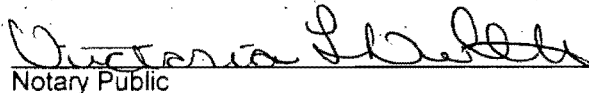
LESLIE K PERKINS
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19 day of Sept., 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal


Notary Public

My Commission Expires 8/1/2009

Flood! CBCA

TAX ACCOUNT
TAX. ACCOUNT

151R640872



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7006 RIVER DR. RD
which is presently zoned DR-55

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 permit a

proposed breezeway to an existing detached garage and create an addition with a side yard setback of 2 feet and a rear yard setback of 20 feet in lieu of the required 10 and 30, respectively

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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):

LESLIE K PERKINS

Name - Type or Print

Signature

Eugene H. Perkins

Name - Type or Print

Signature

7006 River Drive Rd 410-388-0591

Address

Sparrows Point MD

City

State

Telephone No.

21219

Zip Code

Representative to be Contacted:

JOHN WESTERLUND

Name

15132 WHISPER LN 410-382-1057

Address

SPARKS MD

City

State

Telephone No.

2152

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

CASE NO. 2009-0081-A

Reviewed By KID

Date 9/19/08

REV 10/25/01

RECEIVED FOR FILING

Date 12-18-08

By [Signature]

Posting Date

9/28/08

Zoning Commissioner of Baltimore County

We are requesting a variance to alter the existing garage structure by changing the 16' high flat roof to a 12/12 pitched roof with a 25' high ridge and to build an enclosed 12' x 20' breezeway. This will create a guest room above the garage. The improved garage will be attached to the house by a new enclosed breezeway. The new breezeway will house the new front door entrance. With the new room above the garage, the lower level would still be utilized as a conventional garage, thereby mitigating the clutter of automobiles on an already crowded street. The garage currently has existing plumbing and electric.

The existing primary dwelling will be extensively remodeled. As part of the proposed "Master Plan", all improvements to the garage and the new breezeway will be in keeping with the architecture of the newly remodeled house. In essence, they will be built to look as though they are part of the house.

The Perkins own and operate a very successful family business called "Perkins Productions LLC". This company provides, among other things: tenting, dance floors and lighting for corporate events and weddings etc. They have a 5000 s.f. office, garage and stage and lighting storage facility in the area. Most of the family members work for the business. Because of the hectic schedules and late hours that are typical in the event business, this often means sharing childcare duties and spending nights at the house, which is the hub of activity. The family requires appropriate guest areas for children and those trying to sleep. At this time there is only a master bedroom and no guest rooms.

The exterior of both the existing house and garage structures is 20 year old EIFS. We are concerned that, in light of extensive documented EIFS failures and the ensuing litigation surrounding them, that there may be damage to the structures that must be investigated and mitigated. As a practical matter, now is the time update the design and most importantly the safety of these structures. The Garage and Main house currently have flat roofs that are over 20 years old. These roofs are more prone to failure and are unattractive. The new roofs will be traditional pitched roofs with architectural shingles and attractive standing seam metal.

Because the house and garage are being remodeled into a home that is more in keeping with the local aesthetic, we feel that the improvements will be viewed as an asset to the neighborhood.

Item #0081

**ZONING DESCRIPTION FOR: 7006 River Drive Road,
Sparrows Point, Maryland**

Beginning at a point on the North side of River Drive Road which is 40 feet wide at the distance 270 feet West of the centerline of the nearest improved intersecting street Grace Road which is 40 feet wide. Being Lot #16, Section # S in the subdivision of "Lynch Point" as recorded in Baltimore County Plat Book # 8, Folio#38, containing 7700 square feet. Also known as 7006 River Drive Road and located in the 15th Election District, 7th Councilmanic District.

Item #0081

No.

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1. *What is the purpose of this study?*
 2. *What are the research questions or hypotheses?*
 3. *What is the study design?*
 4. *What is the sample size and how was it selected?*
 5. *What are the independent and dependent variables?*
 6. *What are the data collection methods?*
 7. *What are the data analysis methods?*
 8. *What are the results of the study?*
 9. *What are the conclusions of the study?*
 10. *What are the limitations of the study?*
 11. *What are the implications of the study?*
 12. *What are the future research directions?*

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Abstract

1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 26

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(Decorative separator line)

CERTIFICATE OF POSTING

RE: Case No.: 2009-0081-A

Petitioner/Developer: _____

Leslie & Eugene Perkins

Date of Hearing/Closing: Oct 13, 08

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

ATTN: Kristen Matthews

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 located at: _____

7006 River Drive Rd

The sign(s) were posted on Sept 28 2008
(Month, Day, Year)

Sincerely,

Robert Black Sept 29, 08
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2009-0081-A

TO PERMIT A PROPOSED BREEZEWAY TO AN EXISTING DETACHED GARAGE AND CREATE AN ADDITION WITH A SIDE YARD SETBACK OF 2 FEET AND A REAR YARD SETBACK OF 20 FEET IN LIEU OF THE REQUIRED 10 AND 30, RESPECTIVELY.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING

THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE

5:00 P.M. ON 10-13-08

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE



FORMAL DEMAND FOR HEARING

CASE NUMBER: 2009-0081-A

Address: 2006 RIVER Dr Rd

Petitioner(s): LESLIE + HEAN PERKINS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We JOSEPH EVERING III
Name - Type or Print

☒ Legal Owner OR ☐ Resident of
2008 RIVER Dr Rd
Address

EDGE MERE MD 21219
City State Zip Code

410 477 4971
Telephone Number

which is located approximately 0 feet from the
property, which is the subject of the above petition, **do hereby**
formally demand that a public hearing be set in this matter.
ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.

Joseph F Evering III 10-2-08
Signature Date

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: # 2009-0081-A

7006 River Drive

N/side of River Drive Road, 270 feet west of centerline of Grace Road

15th Election District — 7th Councilmanic District

Legal Owner(s): Leslie & Eugene Perkins

Variance: to permit a proposed breezeway to an existing detached garage and create an addition with a side yard setback of 2 feet and a rear yard setback of 20 feet in lieu of the required 10 and 30 respectively.

Hearing: Friday, November 7, 2008 at 9:00 a.m. in Room 104, Jefferson Building, 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 concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

10/29/2008 Oct. 23

186752

CERTIFICATE OF PUBLICATION

10/23/ 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 10/23/ 2008.

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

J. Wilkinson

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

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

Case: # 2009-0081-A

7006 River Drive

N/side of River Drive Road, 270 feet west of centerline of Grace Road

15th Election District — 7th Councilmanic District

Legal Owner(s): Leslie & Eugene Perkins

Variance: to permit a proposed breezeway to an existing detached garage and create an addition with a side yard setback of 2 feet and a rear yard setback of 20 feet in lieu of the required 10 and 30 respectively.

Hearing: Tuesday, December 9, 2008 at 11:00 a.m. in Room 104, Jefferson Building, 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 concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

11/753 Nov. 25

189590

CERTIFICATE OF PUBLICATION

11/27, 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 11/25, 2008.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 20090081-A

Petitioner/Developer: _____
Leslie & Eugene Perkins

Date of Hearing/Closing: Dec 9, 08

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

ATTN: Kristen Matthews

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 located at: _____

7006 River Drive

The sign(s) were posted on _____ Nov 24 08
(Month, Day, Year)

Sincerely,

~~08~~ _____ Robert Black Nov 24.08
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2009-0081-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

Room 104 JEFFERSON BUILDING
PLACE: 105 WEST CHESAPEAKE AVE. TOWSON 21204
DATE AND TIME: TUESDAY, DECEMBER 9, 2008 AT 11:00 A.M.
REQUEST: VARIANCE TO PERMIT A PROPOSED BREEZEWAY
TO AN EXISTING DETACHED GARAGE AND CREATE AN ADDITION WITH
A SIDE YARD SETBACK OF 2 FEET AND A REAR YARD SETBACK OF
20 FEET IN LIEU OF THE REQUIRED 10 AND 30 RESPECTIVELY.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 867 3391

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

**CERTIFICATE OF POSTING
AND SITE PLAN
IN CASE No.: 09-081-A
MUST BE RETURNED TO
THE BOARD OF APPEALS
NO LATER THAN: 5/11/09**

Requested: March 31, 2009

APPEAL SIGN POSTING REQUEST

CASE NO.: 09-081-A

7006 River Drive Road

15th ELECTION DISTRICT

APPEALED: 1/8/09

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

*****COMPLETE AND RETURN BELOW INFORMATION*****

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
The Jefferson Building, Suite 203
102 W. Chesapeake Avenue
Towson, MD 21204

Attention: Theresa Shelton
Administrator

CASE NO.: 09-081-A

LEGAL OWNER: Eugene L. Perkins, III

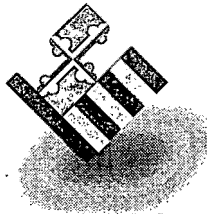
This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

7006 RIVER DRIVE ROAD
N/S RIVER DRIVE ROAD, 270' W OF C/L OF GRACE ROAD

The sign was posted on _____, 200____.

By: _____
(Signature of Sign Poster)

(Print Name)



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

October 6, 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: 2009-0081-A

7006 River Drive

N/side of River Drive Road, 270 feet west of centerline of Grace Road

15th Election District – 7th Councilmanic District

Legal Owners: Leslie & Eugene Perkins

Variance to permit a proposed breezeway to an existing detached garage and create an addition with a side yard setback of 2 feet and a rear yard setback of 20 feet in lieu of the required 10 and 30 respectively.

Hearing: Friday, November 7, 2008 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: Leslie & Eugene Perkins, 7006 River Drive, Sparrows Point 21219
John Westerlund, 15132 Wheeler Ln., Sparks 21152

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, OCTOBER 23, 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, October 23, 2008 Issue - Jeffersonian

Please forward billing to:
John Westerlund
15132 Wheeler Lane
Sparks, MD 21152

410-382-1057

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: 2009-0081-A

7006 River Drive

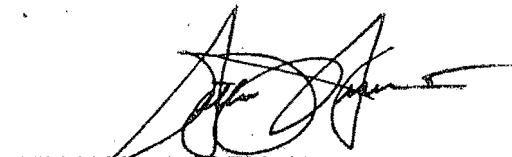
N/side of River Drive Road, 270 feet west of centerline of Grace Road

15th Election District – 7th Councilmanic District

Legal Owners: Leslie & Eugene Perkins

Variance to permit a proposed breezeway to an existing detached garage and create an addition with a side yard setback of 2 feet and a rear yard setback of 20 feet in lieu of the required 10 and 30 respectively.

Hearing: Friday, November 7, 2008 at 9:00 a.m. in Room 104, Jefferson Building,
105 West 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.

M E M O R A N D U M

DATE: November 7, 2008

TO: To The File

FROM: Thomas H. Bostwick
Deputy Zoning Commissioner
for Baltimore County

SUBJECT: Case No. 2009-0081-A – Leslie and Eugene Perks

The above-referenced case was scheduled for a hearing on Friday, November 7, 2008 at 9:00 AM. A review of the case file and a telephone conversation with the Petitioners' representative confirmed that the required posting was not done.

John Westerlund, the Petitioners' representative, was present and explained that there was an oversight in not posting the property for the hearing. I did not open the hearing or take any testimony. The Petitioners or their representative are to contact Kristen Matthews to have the matter rescheduled in the normal course. The property shall be posted and re-advertised at the Petitioners' expense.

Please ensure that the person who filed the Formal Demand for Hearing is notified of the hearing date.

The case file is being returned to the Department of Permits and Development Management.

c: Kristen Matthews, Zoning review Office

TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 25, 2008 Issue - Jeffersonian

Please forward billing to:
John Westerlund
15132 Wheeler Lane
Sparks, MD 21152

410-382-1057

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: 2009-0081-A

7006 River Drive

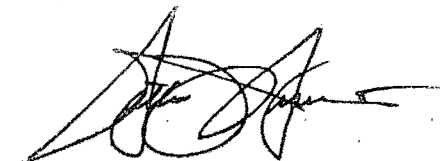
N/side of River Drive Road, 270 feet west of centerline of Grace Road

15th Election District – 7th Councilmanic District

Legal Owners: Leslie & Eugene Perkins

Variance to permit a proposed breezeway to an existing detached garage and create an addition with a side yard setback of 2 feet and a rear yard setback of 20 feet in lieu of the required 10 and 30 respectively.

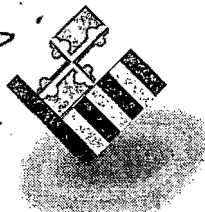
Hearing: Tuesday, December 9, 2008 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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.

Please ignore
notice you will receive
in mail, it had a wrong
posting date out.
This shows correct
posting date + info.



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

November 18, 2008
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 2009-0081-A

7006 River Drive

N/side of River Drive Road, 270 feet west of centerline of Grace Road

15th Election District – 7th Councilmanic District

Legal Owners: Leslie & Eugene Perkins

Variance to permit a proposed breezeway to an existing detached garage and create an addition with a side yard setback of 2 feet and a rear yard setback of 20 feet in lieu of the required 10 and 30 respectively.

Hearing: Tuesday, December 9, 2008 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy Kotroco in black ink.

Timothy Kotroco
Director

TK:klm

C: Leslie & Eugene Perkins, 7006 River Drive, Sparrows Point 21219
John Westerlund, 15132 Wheeler Ln., Sparks 21152

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY Monday, November 24, 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.

CASE #: 09-081-A

**MATTER OF: Eugene L. and Leslie K. Perkins –Legal
Owners / Petitioners**

7006 River Drive Road
15th Election District; 7th Councilmanic District

RE: Proposed breezeway addition from principal building; Variance from Sec. 1B02.3C.i to permit setbacks from side of 2 ft. and rear of 20 ft. ilo the required 10 ft. and 30 ft., respectively.

12/18/2009 – ZC decision that Petition for Variance – GRANTED with restrictions.

3/25/09

Matter scheduled for **Tuesday, May 18, 2009 at 10:00.**

Notices sent to the following:

c: Counsel for Petitioners/Legal Owners : William F. C. Marlow,
Jr., Esquire
Petitioners/Legal Owners : Eugene L. Perkins, III
Perkins : Leslie K.

Protestants/Appellants : Joseph F. Evering, III

John T. Westerlund, Jr., Consultant
Daniel Spivey

Peter Max Zimmerman
People's Counsel for Baltimore County
CBCA Commission
William Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, Director/Planning
Nancy West, Assistant County Attorney
John Beverungen, County Attorney

4/8/09 Request to Withdraw Petition received from William F. C. Marlow, Jr., Esquire on behalf of Petitioners.

4/10/09 Order of Dismissal issued by Board.



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

Hearing Room #2, Second Floor
Jefferson Building, 105 W. Chesapeake Avenue

March 26, 2009

NOTICE OF ASSIGNMENT

CASE #: 09-081-A **MATTER OF: Eugene L. and Leslie K. Perkins –Legal Owners / Petitioners**
7006 River Drive Road / 15th Election District; 7th Councilmanic District

RE: Proposed breezeway addition from principal building; Variance from Sec. 1B02.3C.i to permit setbacks from side of 2 ft. and rear of 20 ft. ilo the required 10 ft. and 30 ft., respectively.

12/18/2009 – ZC decision that Petition for Variance – GRANTED with restrictions.

ASSIGNED FOR: TUESDAY , MAY 19, 2009, AT 10:00 A.M.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Theresa R. Shelton, Administrator

c: Counsel for Petitioners/Legal Owners : William F. C. Marlow, Jr., Esquire
Petitioners/Legal Owners : Eugene L. Perkins, III
 : Leslie K. Perkins

Protestants/Appellants : Joseph F. Evering, III

John T. Westerlund, Jr., Consultant
Daniel Spivey

Peter Max Zimmerman
People's Counsel for Baltimore County
CBCA Commission
William Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, Director/Planning
Nancy West, Assistant County Attorney
John Beverungen, County Attorney

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2009- 0081 -A Address 7006 River Drive Rd

Contact Person: David Duval Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9/19/08 Posting Date: 9/28/08 Closing Date: 10/13/08

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2009- 0081 -A Address 7006 River Drive Rd

Petitioner's Name Leslie & Eugene Perkins Telephone 410-388-0591

Posting Date: 9/28/08 Closing Date: 10/13/08

Wording for Sign: To Permit a proposed breezeway to an existing detached garage and create an addition with a side yard setback of 2 feet and a rear yard setback of 20 feet in lieu of the required 10 and 30, respectively

WCR - Revised 7/7/08

**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: 2009-0081-A

Petitioner: EUGENE + LESLIE PERKINS

Address or Location: 7006 RIVER DR. RD

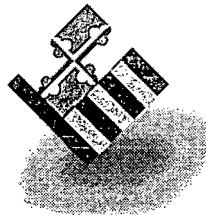
PLEASE FORWARD ADVERTISING BILL TO:

Name: JOHN WESTERLUND

Address: 15132 WHEELER LN
SPARKS MD 21152

Telephone Number: 410-382-1057

Revised 7/11/05 - 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

October 13, 2008

Leslie & Eugene Perkins
7006 River Drive Rd.
Sparrows Point, MD 21219

Dear: Leslie & Eugene Perkins

RE: Case Number 2009-0081-A, 7006 River Drive Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 19, 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,

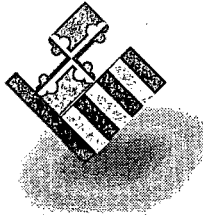
A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
John Westerlund, 15132 Wheeler Ln., Sparks, MD 21152



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

September 30, 2008

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

ATTENTION: Zoning Review planners

Distribution Meeting of: September 29, 2008

Item No.: 2009-0069-A, 2009-0078-A, 2009-0079-SPHA, 2009-0080-XA,
2009-0081-A, 2009-0082-A, and 2009-0083-A.

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.

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

Don W. Muddiman, Acting Lieutenant
Fire Marshal's Office
(Office) 410-887-4880
MS-1102F

cc: File



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: Oct. 1, 2009

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

RE: Baltimore County
Item No 2009-0081-A
7006 RIVER DRIVE RD
PERKINS PROPERTY
ADMIN. 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. 2009-0081-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
INTEROFFICE CORRESPONDENCE

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

DATE: October 2, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For October 6, 2008
Item No. 2009-0081-A

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:lrk
cc: File
ZAC-ITEM NO 2009-0081-A-1022008

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**

1800 Washington Boulevard • Baltimore MD 21230
410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Shari T. Wilson
Secretary

Anthony G. Brown
Lieutenant Governor

Robert M. Summers, Ph.D.
Deputy Secretary

October 6, 2008

VIA FACSIMILE & MAIL

Fax: 410-887-3048

Ms. Kristen Matthews
Baltimore County
Dept. of Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204 (Mail Stop #1105)

Re: ZAC Case Number: 2009-0081-A (Perkins)

Dear Ms. Matthews:

Thank you for the opportunity to provide comments on a variance request for proposed development in the floodplain.

In order for a variance to be considered, the applicant must show good and sufficient cause, a determination that failure to grant a variance would result in exceptional hardship to the applicant, and that the granting of a variance will not increase flood heights or adversely affect adjacent properties.

Mr. and Mrs. Perkins of 7006 River Road Drive propose to make improvements to an existing detached garage, construct an enclosed 12' x 20' breezeway from the detached garage to the existing home, and also make improvements to the exterior of both structures. It has been determined by the County that the proposed activity would fall within a mapped Federal Emergency Management Agency (FEMA) flood hazard zone, or 100-year floodplain. Therefore, the project must adhere to the requirements in the County floodplain management ordinance.

After reviewing the information provided by the County, the State Coordinating Office of the National Flood Insurance Program (NFIP) offers the following comments for consideration by the Zoning Advisory Committee:

1. The Flood Protection Elevation (FPE) must be determined for this site. This is the 100-year flood elevation plus any additional freeboard required by the County. This elevation is used to determine the proper height to elevate buildings and utilities.

Ms. Kristen Matthews
October 6, 2008
Page 2

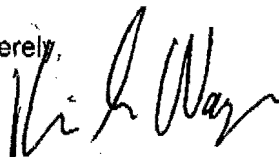
2. Since the existing detached garage is to be attached to the existing house by an enclosed breezeway, it will be considered as one structure for flood insurance rating purposes. This may cause flood insurance rates to increase.
3. It must be determined if the proposed improvements constitute substantial improvement as defined by the County floodplain management ordinance. Substantial improvement is defined as any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure, less land value. Some items may be excluded in determining substantial improvement such as minimum repairs needed to correct previously identified violations of local health, safety, or sanitary codes.
4. If it IS determined that the project constitutes substantial improvement, then the existing house AND existing garage must both be brought into compliance with the requirements of the County floodplain management ordinance.
5. If it IS NOT substantial improvement, then it is recommended that every attempt be made to protect the structures from flood damage such as using flood-resistant materials below the FPE, installing water equalizing vents in the garage, elevating all electrical and mechanical equipment servicing the building to the FPE, and anchoring any fuel tanks to prevent flotation.
6. Lastly, an Elevation Certificate should be completed by a Professional Land Surveyor to ensure that all utilities are properly elevated, the garage is properly vented, and the apartment above the garage is elevated above the FPE.

If the County is satisfied that flood heights will not be increased or adversely affect adjacent properties, and that the project will abide by all elevation requirements required by the County floodplain management ordinance, this office would not object if the County Zoning Advisory Committee wishes to grant this variance, however, it should be made clear to the applicants that the proposed actions may result in an increase in flood insurance premiums.

Should the Zoning Advisory Committee decide to grant this requests, the applicants shall still comply with all other Federal, State and Local government requirements.

Thank you again for the opportunity to provide comments. If you have any questions, please contact me at 410-537-3914.

Sincerely,



Kevin G. Wagner, CFM
NFIP State Coordinating Office

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 7, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For October 13, 2008
Item Nos. 09-0077-A, 0081, 0085-A, 0086-A,
0088-A and 0089-A

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

DAK:CEN:lrk
cc: File
ZAC-10072008 -NO COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 9, 2008

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

SUBJECT: Zoning Advisory Petition(s): Case(s) ~~09-081~~ Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request. The applicant shall present proposed building elevations to the respective community planner.

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

Prepared By:
CM/LL



TB 11/7
9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: October 17, 2008
SUBJECT: Zoning Item # 09-081-A
Address 7006 River Drive Road
(Perkins Property)

RECEIVED
OCT 17 2008

BY:.....

Zoning Advisory Committee Meeting of September 29, 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:

This property is located within an Intensely Developed Area (IDA) and also located within a Buffer Management Area (BMA) of the Chesapeake Bay Critical Area (CBCA). IDA regulations state that development or re-development shall use best management practices (BMP), which reduce pollutant loading by 10% of the on-site level prior to development or redevelopment. Mitigation may be required for this proposed breezeway.

Reviewer: Shawn Krout

Date: 10/02/2008

RE: PETITION FOR ADMINSTRATIVE * BEFORE THE
VARIANCE
7006 River Drive Road; N/S River Drive Rd,* ZONING COMMISSIONER
270' W of c/line of Grace Road
15th Election & 7th Councilmanic Districts * FOR
Legal Owner(s): Eugene L. Perkins, III, et ux.
. Petitioner(s) * BALTIMORE COUNTY
* 09-081-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/ documentation filed in the case.

RECEIVED

FEB 24 2009

lem

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 24th day of February, 2009, a copy of the foregoing Entry of Appearance was mailed to William F. C. Marlow, Esquire, 404 Allegheny Avenue, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Shari T. Wilson
Secretary

Anthony G. Brown
Lieutenant Governor

Robert M. Summers, Ph.D.
Deputy Secretary

October 6, 2008

VIA FACSIMILE & MAIL

Fax: 410-887-3048

Ms. Kristen Matthews
Baltimore County
Dept. of Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204 (Mail Stop #1105)

Re: ZAC Case Number: 2009-0081-A (Perkins)

Dear Ms. Matthews:

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After reviewing the information provided by the County, the State Coordinating Office of the National Flood Insurance Program (NFIP) offers the following comments for consideration by the Zoning Advisory Committee:

1. The Flood Protection Elevation (FPE) must be determined for this site. This is the 100-year flood elevation plus any additional freeboard required by the County. This elevation is used to determine the proper height to elevate buildings and utilities.

From: Krysundra Cannington
To: Rascoe, Donald
CC: Shelton, Theresa
Date: 04/08/09 1:25 PM
Subject: Sign Postings

Hi Mr. Rascoe,

I had dropped off a bunch of Requests for Sign Postings. We have had one case withdrawn so the sign no longer needs to be posted.

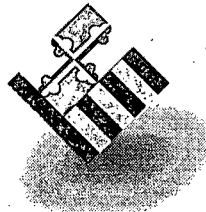
Eugene L. Perkins, III
7006 River Drive Road
Case No.: 09-081-A

If you could please return the Request with the Site Plan, at your earliest convenience, it would be greatly appreciated. Our mailstop is 2013, if you want to interoffice it over.

Thank you for your help and attention. I hope you have a very nice day.

Sunny

Sunny Cannington
Legal Secretary
County Board of Appeals
Jefferson Building, Suite 203
105 W. Chesapeake Avenue
Towson, MD 21204
(410) 887-3180
kcannington@baltimorecountymd.gov



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
March 3, 2009
*Department of Permits and
Development Management*

William Marlow, Jr. Esq.
Marlow & Wyatt
404 Allegheny Avenue
Towson, MD 21204

Dear Mr. Marlow:

RE: Case 2009-0081-A, 7006 River Drive Road

Please be advised that an appeal of the above-referenced case was filed in this office on January 8, 2009 by Joseph Evering. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

Handwritten signature of Timothy Kotroco.
Timothy Kotroco
Director

TK:klm

c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Eugene & Leslie Perkins, 7006 River Drive Road, Baltimore 21219
John Westerlund, Bellefield Design, 15132 Wheeler Lane, Sparks 21152
Joseph Evering, 7008 River Drive Road, Baltimore 21219
Daniel Spivey, 7004 River Drive Road, Baltimore 21219
CBCA Commission, 1804 West Street, Ste. 100, Annapolis 21401

APPEAL

Petition for Administrative Variance
7006 River Drive Road
N/s River Drive Rd., 270' w of c/line of Grace Rd.
15th Election District – 7th Councilmanic District
Petitioner: Eugene L. Perkins, III

Case No.: 2009-0081-A

Petition for Administrative Variance (September 9, 2008)

Zoning Description of Property

Formal Demand for Hearing (October 2, 2008 from Joseph Evering III)

Notice of Zoning Hearing (November 18, 2008)

Certification of Publication (November 25, 2008 – The Jeffersonian)

Certificate of Posting (November 24, 2008) by Robert Black

Entry of Appearance by People's Counsel (February 24, 2009)

Petitioner(s) Sign-In Sheet – One Sheet

Protestant(s) Sign-In Sheet - None

Citizen(s) Sign-In Sheet - None

Zoning Advisory Committee Comments

Petitioners' Exhibit

See Petitioner Exhibit Sheet

Protestants' Exhibits:

See Protestant Exhibit Sheet

Miscellaneous (Not Marked as Exhibit)

1. 4 Photos

Zoning Commissioner's Order (GRANTED – December 18, 2008)

Notice of Appeal received on January 8, 2009 from Joseph Evering, III

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner
Timothy Kotroco, Director of PDM
Mr. & Mrs. Perkins, 7006 River Drive Rd., Baltimore 21219
John Westerlund, Bellefield Design, Inc., 15132 Wheeler Ln., Sparks 21152
Mr. & Mrs. Evering, 7008 River Drive Rd., Baltimore 21219
Daniel Spivey, 7004 River Drive Rd., Baltimore 21219
CBCA, 1804 West Street, Ste. 100, Annapolis 21401

date sent March 3, 2009, klm

BW
12-9-08

BELLEFIELD DESIGN INC

**RESIDENTIAL ARCHITECTURE
CONSTRUCTION MANAGEMENT**

FAX: 410-472-2639

CELL: 41-382-1057

e-mail: bellefielddesigninc@verizon.net

TRANSMITTAL

TO: Zoning Commissioner

NUMBER:

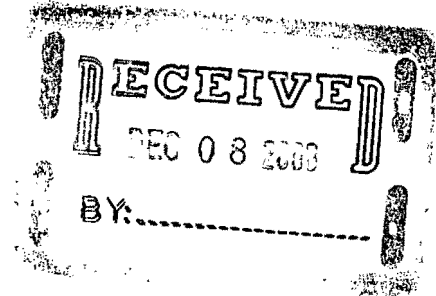
DATE: 12/8/08

FROM: Jody Westerlund

JOB#: Perkins Variance. Case # 2009-0081-A

COMMENTS:

Please see revised drawings of Perkins residence. Drawing shows a different roof ridge over garage. Height does not exceed original request.



Thankyou,

BW 12/9
11am

Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3)

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

Account Identifier: District - 15 Account Number - 1519640872

Owner Information

Owner Name: PERKINS EUGENE L,3RD
 PERKINS LESLIE K
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 7006 RIVER DRIVE RD
 BALTIMORE MD 21219-1132
Deed Reference: 1) /23734/ 724
 2)

Location & Structure Information

Premises Address 7006 RIVER DRIVE RD
Legal Description 7006 RIVER DRIVE RD
 LYNCH POINT
 WATERFRONT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
111	5	141				S	16	3		8/ 38

Special Tax Areas
 Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1991	2,232 SF	7,700.00 SF	34

Stories	Basement	Type	Exterior
2	NO	STANDARD UNIT	STUCCO

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2008	As Of 07/01/2009
Land	199,500	199,500		
Improvements:	274,650	274,650		
Total:	474,150	474,150	474,150	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

Transfer Information

Seller: MOORE KARLA A	Date: 04/25/2006	Price: \$600,000
Type: IMPROVED ARMS-LENGTH	Deed1: /23734/ 724	Deed2:
Seller: MEADOWS RONALD W	Date: 02/01/2002	Price: \$340,000
Type: IMPROVED ARMS-LENGTH	Deed1: /16055/ 723	Deed2:
Seller: THOMPSON KATHLEEN R	Date: 12/19/1989	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 8355/ 204	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

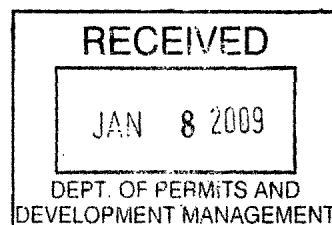
Special Tax Recapture:
 * NONE *

1-8-09

Balto. County Board of Appeals, I am
filing an appeal on Case # 2009-0081-A
subject to the Petition for the Variance
at 7006 River Drive Rd., 21219
Petitioners Eugene L. Perkins, III

Joseph F. Evermy III
7008 River Drive Rd
Edgemore MD 21219

410-477-4971



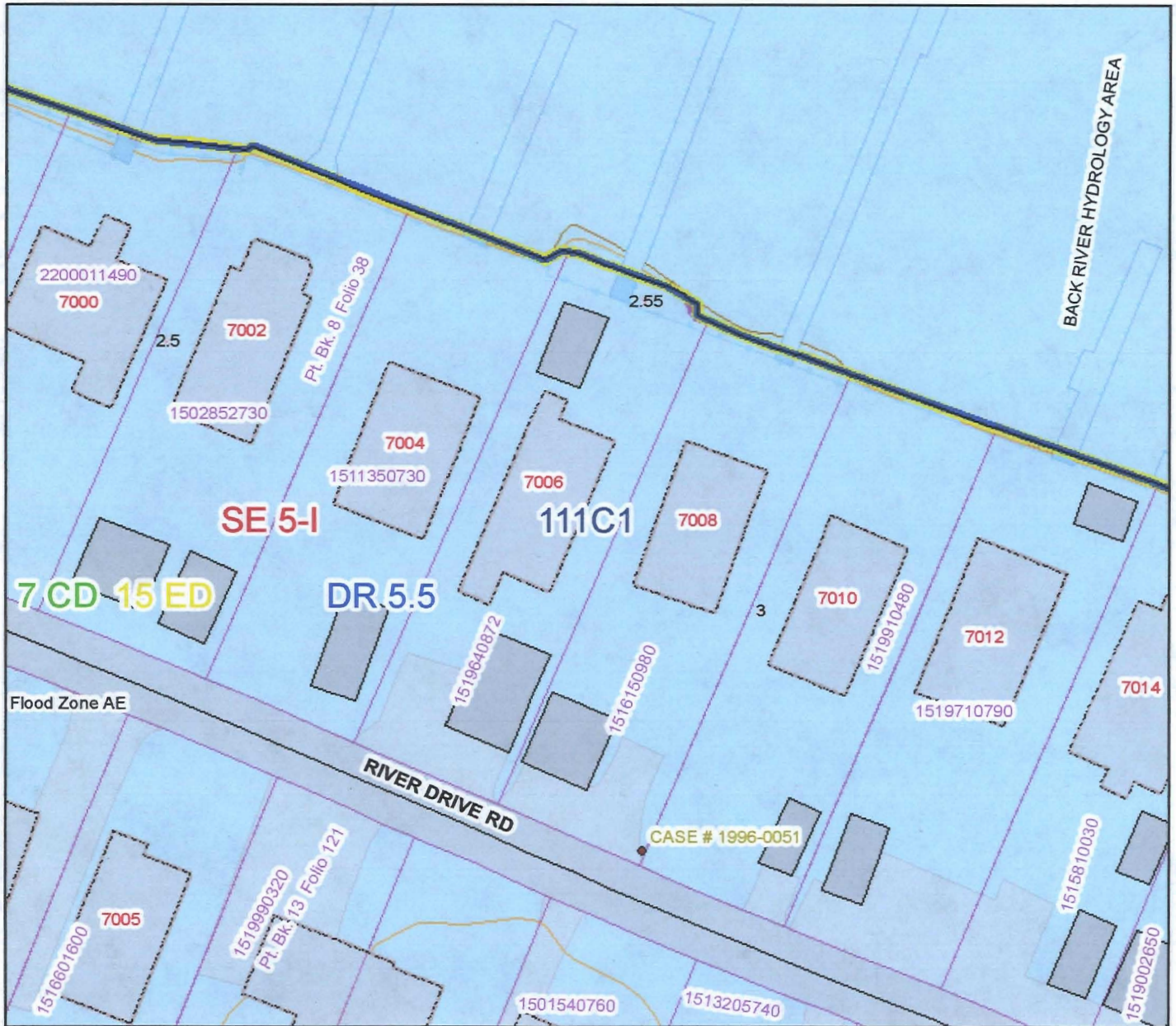
CASE NAME 7006 River Drive
CASE NUMBER 2009-0081-A
DATE Dec. 9, 2008

CASE NAME 7006 River Drive
CASE NUMBER 2009-0081-A
DATE Dec. 9, 2008

MARLOW & WYATT
(410) 821-1013

404 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

7006 River Drive Road



Publication Date: September 19, 2008
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes



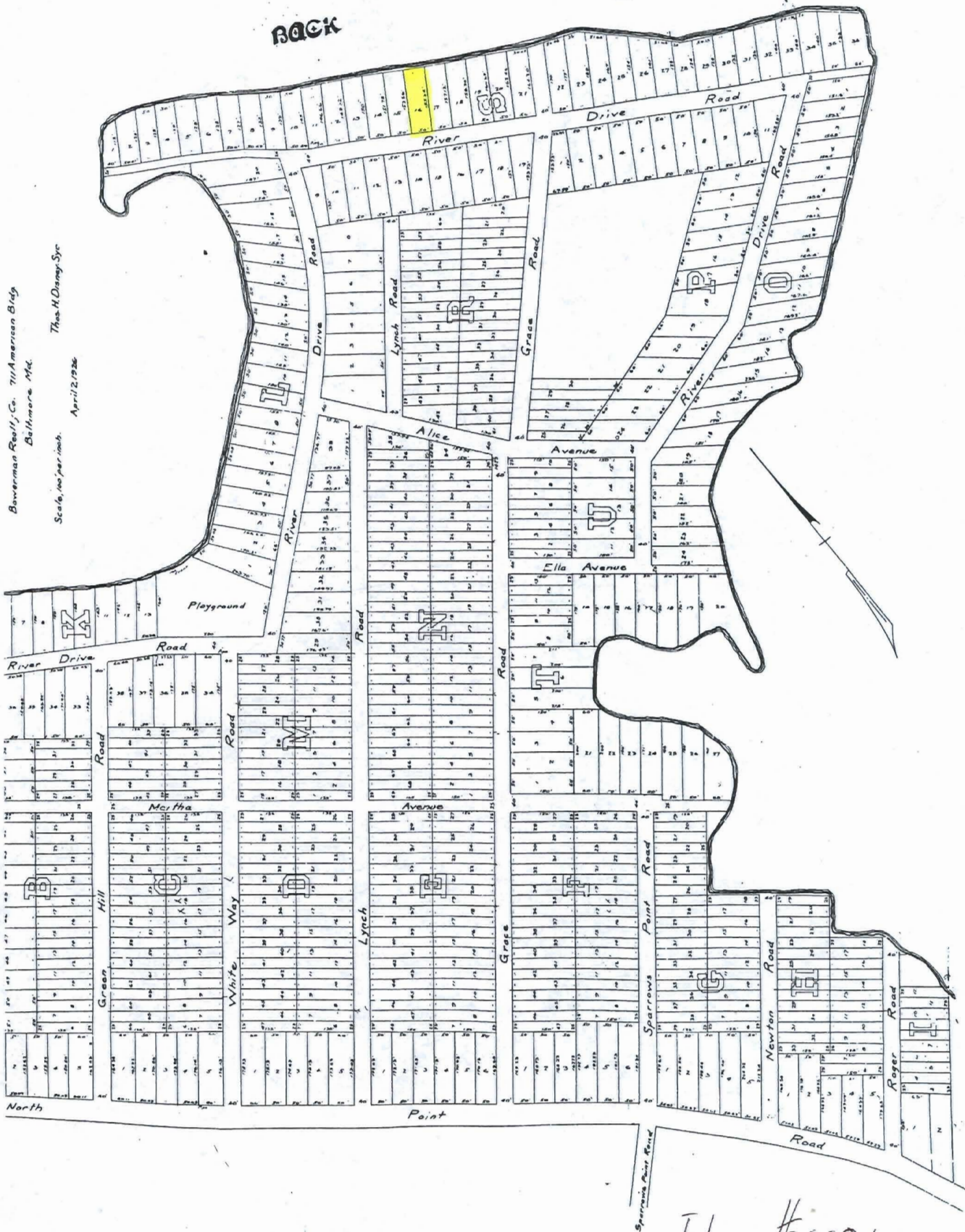
50 0 50
Feet
1 inch equals 50 feet

Item #0081

Beverman Realty Co. 714 American Bldg
 Baltimore, Md.
 Thos. H. Denny, Secy
 April 2, 1936
 Scale, 1/4" = 100 feet

RIVER

BACK



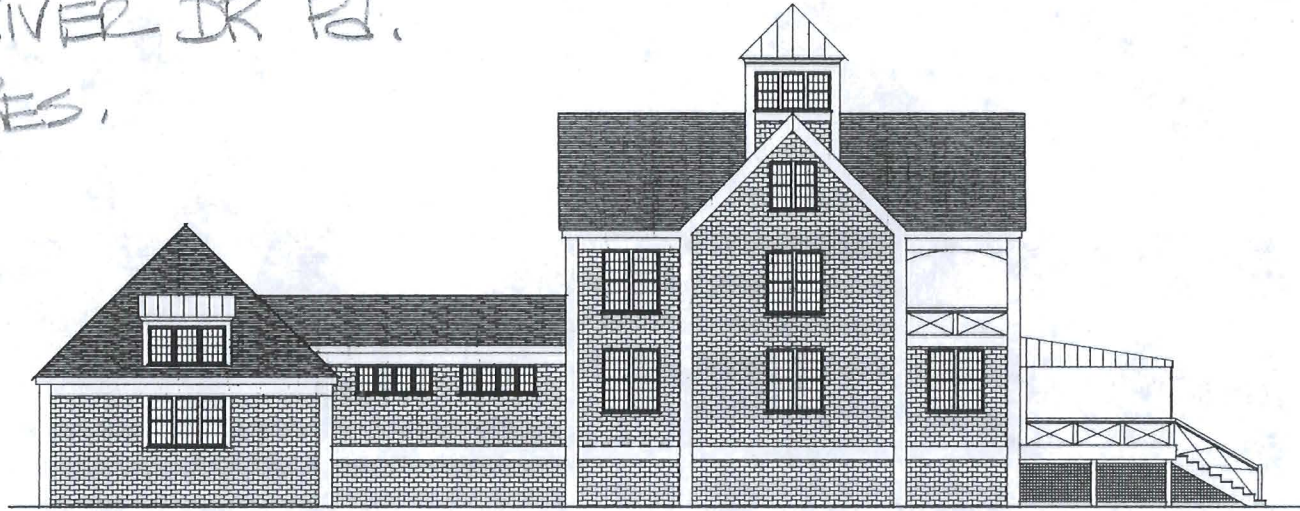
Item #0081

PROPOSED IMPROVEMENTS
TO 7006 RIVER DR RD.

PERKINS RES.

9/08

BDI 410.382.
1057



LEFT SIDE ELEVATION OF PERKINS RESIDENCE

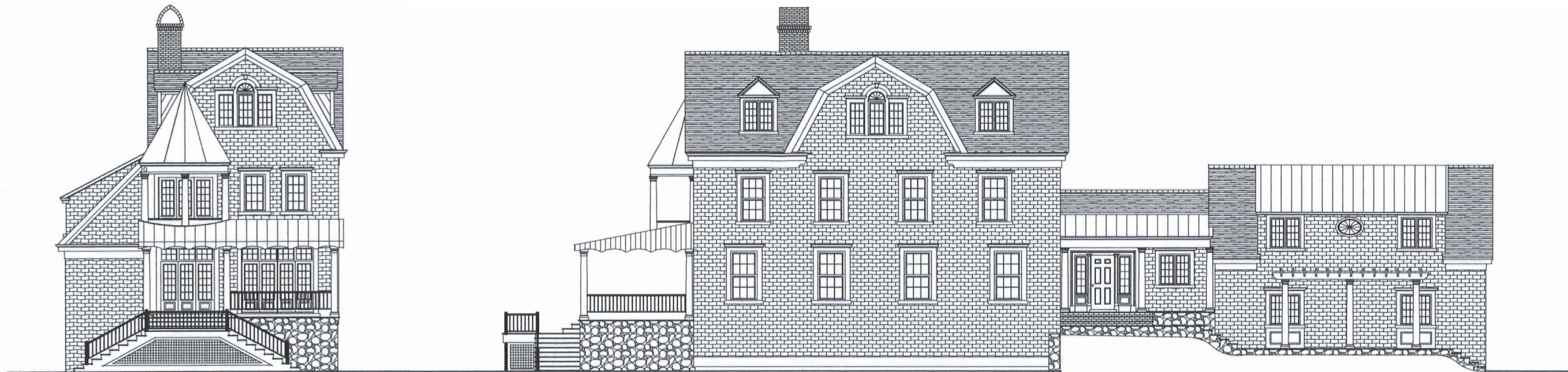


RIGHT SIDE ELEVATION OF PERKINS RESIDENCE

Item #0081

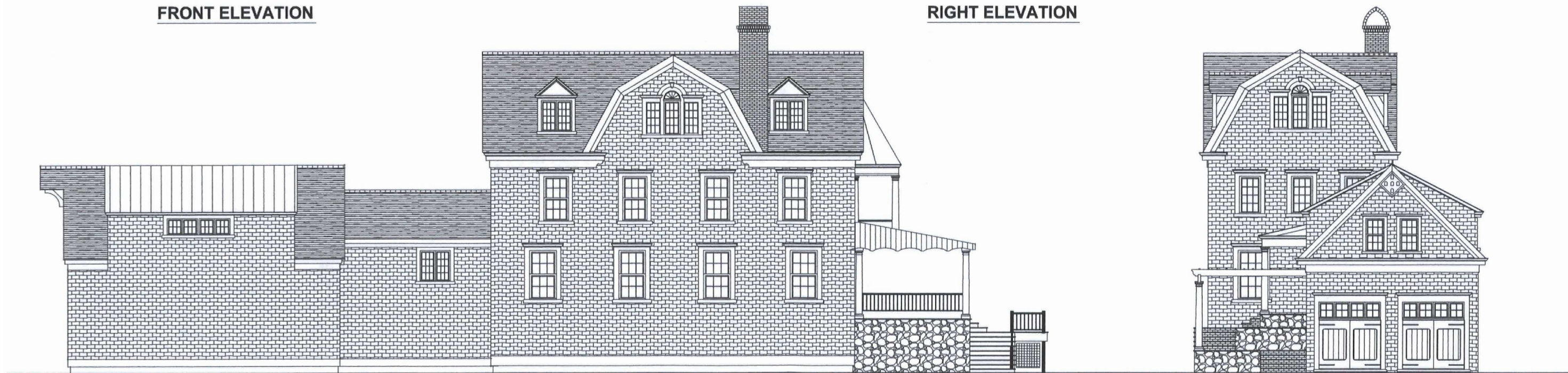






FRONT ELEVATION

RIGHT ELEVATION



LEFT ELEVATION

REAR ELEVATION

PERKINS RESIDENCE 7006 RIVER DRIVE ROAD

Exhibits

Case No.:

2009-0081-A

7006 - RIVER DRIVE RD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	PHOTO OF PROTECTED HEIGHT - BLOCKS SUN
No. 2	PHOTO - HOME & GARAGE AT TIME OF PURCHASE	PHOTO OF PROTECTED HEIGHT - BLOCKS BREEZE
No. 3	PHOTO - Subject Garage on Property and Neighbors Garage	SPIVEY HOME - 7004 7008 River Drive
No. 4	NEW HOME ON OTHER SIDE OF EVERING @ 7010	Air Conditioning @ 7010 Mums and Bothers them - fears same @ 7006
No. 5	SPACE between Garages 7006 - 7008	SPACE between Homes states Garage closer than 2' from line
No. 6	VIEW of EVERING's home at 7008 - and new home @ 7010	PHOTO of Subject Home
No. 7	Neighbors yard 7008	Metropolitan Regional LISTING INFO for 7006 RIVER DRIVE
No. 8	Neighbors yard 7008	Daniel Spivey Letter in OPPOSITION
No. 9	Neighbors yard to left taken from water side	
No. 10	7102 - LIVING QUARTERS OVER GARAGE 5 Houses Down the Street	
No. 11	MOLD ON GLASS and also IN	
No. 12	3 Elevation Drawing of Proposed Exterior Changes	

12A-136

Pro #1



12/07/2008

Pro #2



12/07/2008

Pro #3



12/01/2008



Pro # 5



Pro # 6



PROTESTANT' S

EXHIBIT NO.

4

Daniel G. Spivey
7004 River Drive Rd.
Baltimore, Md. 21219
410-477-2251

December 15, 2008

TO: William J. Wiseman
Zoning Commissioner

FROM: Daniel Spivey

SUBJECT: VARIANCE #2009-0081-A
7006 River Drive Rd.
Baltimore, Md. 21219

PAGES INCLUDING COVER

7

Protestants 7

12-15-08

Dear Sir,

The advertisement for Mr & Mrs. Perkins property proves that are three bedrooms in the House. The reason for the variance has been proven untrue and should be denied.

How can you trust Mr. Westerlund to give you an inscale drawing of the project, he should not be aloud to give his opinion in court.

Dene, and Leslie Perkins, Mr. Westerlund, and the Lawyer, Comitted perjury. They should have to pay some kind penalty for there actions.

Yours Truly,
Joseph & Louis Eversing Bld.

Home | My Matrix | Finance | Roster | Tax | Open House | Help |

Result 5 of 5. Checked 0.

[5]

Metropolitan Regional Information Systems, Inc.

BC6637693 - BALTIMORE

7006 RIVER DRIVE RD, SPARROWS POINT, MD 21219

Full Listing ☐ - Select this listing

Residential ☐ - Watch this listing

Media Center

MapPoint

Additional Info

Resource Center



7006 RIVER DRIVE

Alice Ave
Grass Rd
River Drive Rd

©2008 Microsoft Corp. ©2007 NavTEQ, and for Tele Atlas, Inc.

Status: Withdrn

Ownership: Fee Simple, Sale
Sale or Rental: Sale
Listing Type: Excl. Right
Adv Sub: LYNCH POINT
Legal Sub: LYNCH POINT
Condo/Coop Proj Name:

Style: Contemporary
Type: Detached
TH Type:
#Levels: 4
#Fireplaces: 1
Model:

List Price: \$749,212
Inc City/Town:
Zip: 21219 - 1132
Election District: 15
Old Map: BC45G08
TBM Map:
Area:

Tax ID:
HOA Fee: /
C/C Fee: /

Total Taxes: \$5,688
Tax Year: 2007
Lot AC/SF: .18/7,700

Level Location:
Age: 17
Year Built: 1991

Elementary: CALL SCHOOL BOARD

Middle: CALL SCHOOL BOARD

High: CALL SCHOOL BOARD

INTERIOR

	Total	Main	Upper 1	Upper 2	Lower 1	Lower 2
Bedrooms:	3	0	1	0	1	1
Full Baths:	2	0	1	0	1	0
Half Baths:	2	1	0	0	0	1

Room	Dimensions	Level	Flooring	Fireplace
Living Room	22 x 16	Main	Other	
Dining Room	16 x 12	Main	Wood	Gas
Bedroom-Master	21 x 14	Upper 1	Carpet	
Bedroom-Second	13 x 12	Lower 1	Other	
Bedroom-Third	13 x 11	Lower 2	Ceramic Tile	

MATRIX

Page 4 of 7

Sitting Room	10 x 8	Upper 1	Ceramic Tile
Kitchen	19 x 14	Main	Ceramic Tile
Breakfast Room	8 x 8	Main	Ceramic Tile
Foyer	10 x 9	Main	Ceramic Tile
Garage	40 x 22	Main	Other

FEATURES

Rooms: Living Room, Dining Room, Bedroom-Master, Sitting Room, Bedroom-Second, Bedroom-Third, Kitchen, Garage, Foyer, Breakfast Room, 2nd Stry Fam Ovrk, Endl Glass Prch, Lndry-Sep Rm, MBR w/Sit Rm
 Main Entrance: Foyer
 Interior Style: Floor Plan-Open, Loft
 Dining/Kitchen: Breakfast Room, Kit-Breakfast Bar, Kit-Table Space, Sep Dining Rm
 Appliances: Dishwasher, Disposal, Dryer, Exhaust Fan, Ice maker, Oven-Self Cleaning, Oven/Range-Electric, Refrigerator, Stove, Washer
 Amenities: Drapery Rods, Drapes/Curtains, FP Glass Doors, FP Mantels, Home Warranty, MBR-BA Full, Master Walk-in Closet, Shades/Blinds, Sump Pump, Tub-Soaking, W/W Carpeting, Washer/Dryer Hookup, Wood Floors, Wpool Jets
 Security:
 Windows/Doors: Atrium Doors, Bay/Bow Windows, Double Pane Windows, Insulated Door(s), Screens, Six Panel Doors
 Walls/Ceilings: 2 Story Ceilings, 9'+ Ceilings, Cathedral Ceilings, Dry Wall, Vaulted Ceilings

Basement: Yes**Foundation:**

Basement Type: Fully Finished, Outside Entrance, Side Entrance

Basement Entrance: Outside Entrance, Side Entrance

Handicap: None

Unit Description:

R-Factor Basement:

R-Factor Ceilings:

R-Factor Walls:

House Dimensions: x

SQFT-Tot Fin: 0

Above Grade Unfinished:

Above Grade Finished:

Below Grade Finished:

Below Grade Unfinished:

Directions:

BELTWAY (695) SOUTH TO EXIT 42--LEFT ON NORTH POINT ROAD--LEFT ON GRACE ROAD TO END--LEFT ON RIVER DRIVE ROAD TO PROPERTY

REMARKS

General/Agent:

YOU'VE GOT TO SEE IT TO BELIEVE IT!-UNIQUE CALIFORNIA STYLE HOME AT MOUTH OF CHESAPEAKE W/DOCK, BOAT LIFT--SUNKEN LR AND DR W/24' CEILINGS, GLASS BLOCK TURRET, MARBLE FLOORING ACCENTS--DESIGNER KITCH W/ALL APPLIANCES, CIRCULAR BKfst AREA, BKfst BAR--MBR OVERLOOKS WATER W/HUGE WALK-IN, JACUZZI, SITTING RM--BR 2 W/PRIVATE BATH-HUGE GARAGE-DECK-HOT TUB-GREAT YD-MORE-SOUTH BEACH ON THE CHESAPEAKE!

Internet/Public:

YOU'VE GOT TO SEE IT TO BELIEVE IT!-UNIQUE CALIFORNIA STYLE HOME AT MOUTH OF CHESAPEAKE W/DOCK, BOAT LIFT--SUNKEN LR AND DR W/24' CEILINGS, GLASS BLOCK TURRET, MARBLE FLOORING ACCENTS--DESIGNER KITCH W/ALL APPLIANCES, CIRCULAR BKfst AREA, BKfst BAR--MBR OVERLOOKS WATER W/HUGE WALK-IN, JACUZZI, SITTING RM--BR 2 W/PRIVATE BATH-HUGE GARAGE-DECK-HOT TUB-GREAT YD-MORE-SOUTH BEACH ON THE CHESAPEAKE!

EXTERIOR

Building Sites/Lots:

Lot Dimension: x x

Lot Acres/Sqft: .18/7,700

Exterior: Balcony, Bump-outs, Deck, Fenced-Fully, Hot Tub, Patio, Porch-enclosed, Private Pier, Sidewalks

Exterior Construction: Stucco

Lot Description: Bulkheaded, Cul-de-sac, Landscaping, Water Access, Water Front, Water View

Other Buildings: Shed

Original Builder:

New Construction: No

Property Condition: Shows Well

Roads: Black Top

Roofing: Shingle-Asphalt

Soil Type:

Topography: Level

Transportation:

View/Exposure: Bay, Garden/Lawn, Water View

Year Converted:

Year Renovated:

PARKING

Parking: Drvwy/Off Str, Garage

Garage Type: Detached

Carport Type:

Gar/Carpt/Assgn Sp: 4//

Parking Space #:

MATRIX

Parking Incl in List Price: Yes

Parking Incl in Sale Price: No

Parking Block/Square:

***UTILITIES**

Heat System: Forced Air,Heat Pump(s),Other,Zoned

Cool System: Ceiling Fan(s),Central A/C,Heat Pump(s),Zoned

Water: Public

Sewer Septic: Public Sewer

TV/Cable/Comm: 220 Line,CATV/Dwelling,DSL Available,Phone Jacks-Mod,TV Jacks

Heat Fuel: Electric,Other

Cool Fuel: Electric

Hot Water: Electric

WATER

Water Oriented: Yes

Water View: Yes

Water Frontage: 50

Dock Conveys: Yes

Blocks To Ocean: 0

Body of Water: Chesapeake Bay

Water Access: Yes

Mean Low Water: 4+

Docks: 1

Boats-Power: 3-5

Water Front: Yes

Nav Water: Yes

Dock Type: Pier

Boats-Non Power: 3-5

FINANCIAL INFORMATION

Earnest Money:

Total Taxes: \$5,688

Tax Year: 2007

Other Fees: /

City/Town Tax:

Refuse Fee:

Water/Sewer Hook-up:

Special Tax Assess: \$542

Improvements:

Investor Ratio:

County Tax: \$5,146

Tap:

Front Foot Fee:

Yr Assessed: 2007

Total Tax Assessment: \$

Total Units:

Assessments:

Land:

Project Approved:

Possession: 31-60 Days CD,61-90 Days CD

Tenant Rights:

Current Financing/Loan:

1st Trust Bal:

PI:

Int Rate:

Orig. Date:

Yrs Remain:

2nd Trust Bal:

PI:

Int Rate:

Orig. Date:

Yrs Remain:

Undr. Mtg Bal:

PI:

Int Rate:

Orig. Date:

Yrs Remain:

New Financing:

Cash to Assume:

Balloon # Years:

Annual Rent Income:

Rental Year:

Interest Rate:

Amortized Years:

Special Assessment:

Special Assessment 2:

Years:

Remaining Yrs:

Remaining Yrs:

HOA/CONDO

HOA Fee: /

Condo/Coop Fee: /

HOA/Condo/Coop Amenities:

HOA/Condo/Coop Rules:

HOA/Condo/Coop Fee Includes:

HOA/Condo/Coop Management:

HOA: No

LEGAL INFORMATION

Tax Map:

Section:

Liber: 8

Zoning Code:

Lot #: 16

Phase:

Folio: 38

Block/Square: S

Parcel Number: 141

Historic Designation ID:

Master Plan Zoning:

Contract Info: Home Warranty,Local Assoc Contr

Disclosures: Prop Disclosure

Documents:

Special Permits:

OWNER and SHOWING CONTACT

Owner 1: SELLERS

Show Contact #1: MARBY KELLY

Monthly Rent:

Show Contact #2: SALLY HECHTER

Monthly Rent:

Show Instructions: Call Office

Show Time: -

Home:

Home: (410) 877-7571

Lease Expiration:

Home: (410) 967-9847

Lease Expiration:

Show Days: All Days

Office:

Office: (410) 688-4176

Office: (410) 967-9847

PROPERTY MANAGEMENTProperty Mgmt Company:
Prop Mgr's Name:Office:
Phone:**LISTING AGENT/BROKER**Listing Agent: Kathleen Kelly
Email:Home: (410) 877-7571
Office: (410) 803-0900
Voice Mail: (410) 803-0900 Ext:210Home Fax: (410) 877-7571
Pager:
Cell: (410) 688-4176Broker Name: RE/MAX American Dream
Broker Address: 620 Main St S, BEL AIR, MD 21014Broker Code: RMAD2
Office Phone: (410) 803-0900
Office Fax: (410) 879-4771**COMPENSATION**Sub-Agent: 3.0
Disclose Dual Agency: YesBuyer-Agent: 3.0
Variable Rate: NoAdditional:
Designated Rep: NoList Date: 18-Jan-2008
VRP: No
Low Price: \$749,212
Status Change Date: 06-Jul-2008
Photo Option: Lister Will Upload AllOrig List Price: \$749,212
Prior List Price:
DOM-MLS: 170
Off Mkt Date: 06-Jul-2008
Total Photos: 30Update Type: OTHER
Update Date: 06-Jul-2008
DOM-Prop: 170

Advertising:

SOLD INFORMATION

Close Date: 06-Jul-2008

Close Price:

Seller Subsidy: \$0

[5]

Display at per page. Search selected for

Criteria: County is 'Baltimore, MD'

Status is one of 'Active', 'App Reg', 'Cntg/KO', 'Cntg/NO KO', 'Contract', 'Expired', 'Rented', 'Sold', 'Temp Off Market', 'Withdrawn'

Zip5 is '21219'

StreetNumber is 7006

StreetName is like 'river*'

Found 5 results in 0.06 seconds.

matrix

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Daniel G. Spivey
7004 River Drive Rd.
Baltimore, Md. 21219
410-477-2251

December 15, 2008

RE: Case number 2009-0081-A

William J. Wiseman
Zoning Commissioner

Dear Sir:

My name is Daniel G. Spivey and I live at 7004 River Drive Rd. I'm writing this letter about my neighbors, Leslie and Gene Perkins at 7006 River Drive Rd. and the variance hearing on 12-9-2008. I'm sorry I couldn't make it to the hearing, but I had dental appointment that could not be rescheduled. Mr. Evering at 7008 River Drive RD. told me what went on at the hearing. I would request that the variance be denied. I have the same concerns as Mr. Evering. It will block the sun and air flow in my back yard. It will lower the value of my property. I saw the drawings submitted to you by Mr. Perkins. The drawing is not a true depiction of how high the breezeway and the peak of the addition of the garage will be. You need elevation drawings for that. There isn't any drawings at all. That way if they were to get the variance, they could do what ever they wanted to do. What Mr. & Mrs. Perkins wants to do is have a 100 foot house on a 150 foot lot. This would be way out of scope of the houses in the neighbor hood. This is unacceptable. I don't need apartments over garages or apartments in houses next to me. This is a residential neighbor, with no commercial activity allowed. The house looks very nice, but not in my neighbor. The Perkins needs to put this design on a very large lot some where else.

If you would like to talk to me my home number is. 410-477-1229

Sincerely,

Daniel G. Spivey
Daniel G. Spivey

Protestants Exhibit 8

Case No.: 2009-0081-A

7006 - RIVER DRIVE RD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	PHOTO OF PROTECTED HEIGHT - Blocks SUN
No. 2	PHOTO - HOME & GARAGE AT TIME OF PURCHASE	PHOTO OF PROTECTED HEIGHT - Blocks BREEZE
No. 3	PHOTO - Subject Garage on Property and Neighbors Garage	SPIVEY HOME - 7004
No. 4	NEW HOME ON OTHER SIDE OF EVERING @ 7010	Air Conditioning @ 7010
No. 5	SPACE BETWEEN GARAGES 7006 - 7008	Mums and Brothers them - fears same @ 7006
No. 6	VIEW OF EVERING'S HOME AT 7008 - and new home @ 7010	Space between homes states garage closer than 2' from line
No. 7	Neighbors yard 7008	PHOTO OF Subject Home
No. 8	Neighbors yard 7008	Metropolitan Regional LISTING INFO for 7006 RIVER DRIVE
No. 9	Neighbors yard to left taken from water side	Daniel SPIVEY Letter in OPPOSITION
No. 10	7102 - LIVING QUARTERS OVER GARAGE 5 Houses Down the Street	
No. 11	MOLD ON GLASS and also IN	
No. 12	3 Elevation Drawing of Proposed Exterior Changes	

12A-13C

Case No.: 2009-0081-A

7006-RIVER DRIVE RD

Exhibit Sheet - Continued

Petitioner/Developer

Protestant

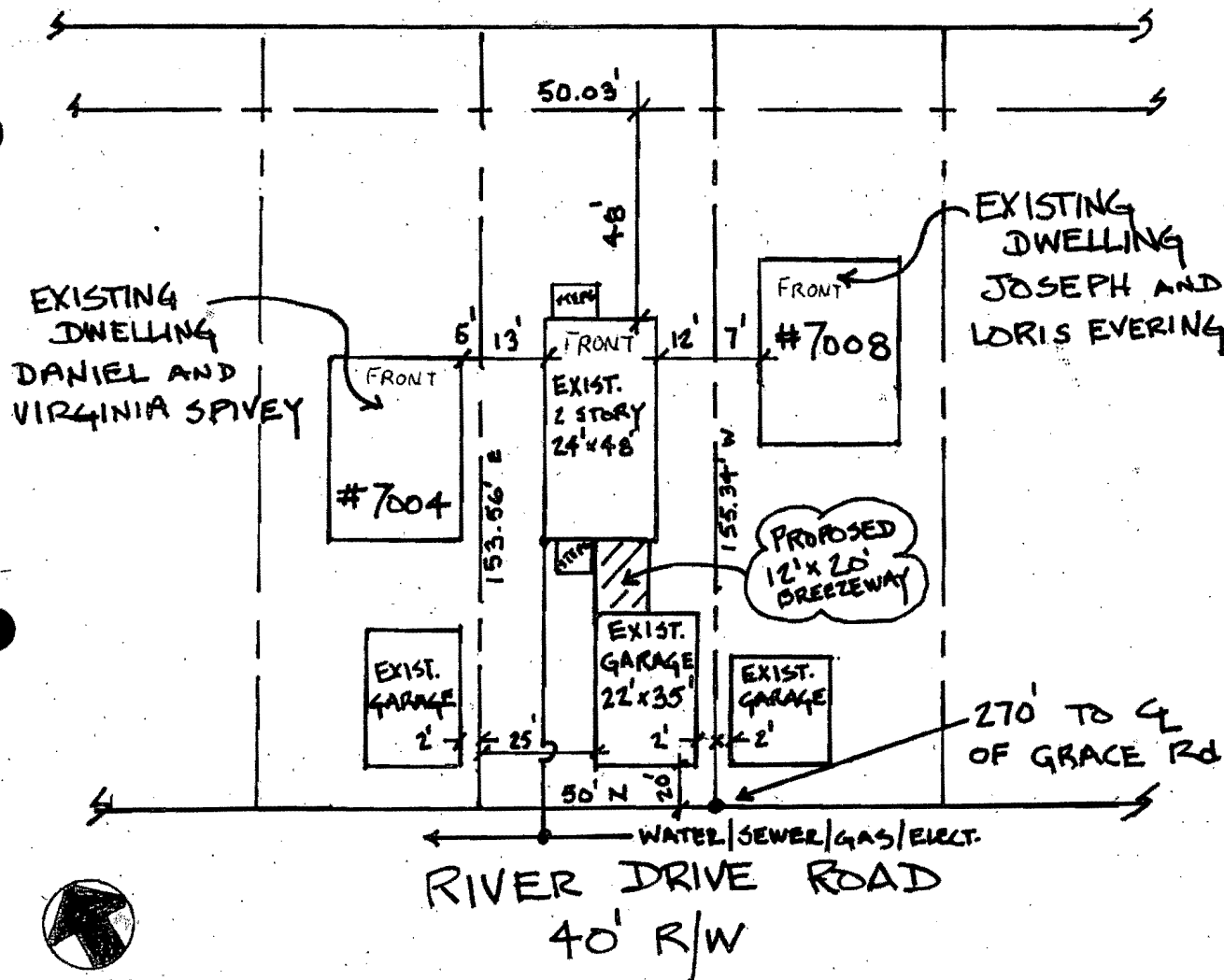
No. 13	Exterior Plans - FLOOR PLAN	
No. 14	LYNCH POINT SUBDIVISION PLAT	
No. 15	Photographs of other garages with homes built after ISABELLE	
No. 16	DEED	
No. 17	NEW ELEVATION DRAWINGS 4 Pages	
No. 18	List of Changes - from Original Submitted 12/10/08	
No. 19	12/17/08 REVISED BLDG DRAWINGS AND BREEZEWAY	
No. 20		
No. 21		
No. 22		
No. 23		
No. 24		

-15-

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

OWNER EUGENE AND LESLIE PERKINS

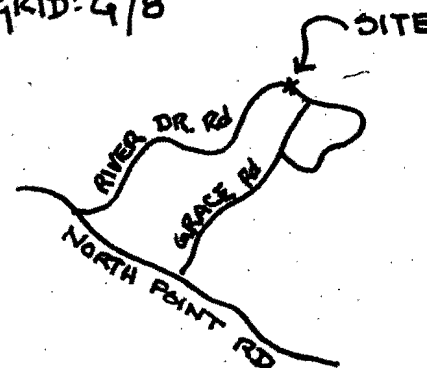
BACK RIVER



NORTH

SCALE OF DRAWING: 1" = 40

MAP: 45
GRID: G/8



VICINITY MAP
SCALE: 1" = 1000'

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 7

1" = 200' SCALE MAP # 11/C1

ZONING DR-5.5

LOT SIZE

ACREAGE	7700 SQUARE FEET
---------	---------------------

SEWER PUBLIC PRIVATE
☒ ☐

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA

YES	NO
☒	☐

100 YEAR FLOOD PLAIN ☒ ☐

HISTORIC PROPERTY/
BUILDING ☐ ☒

PRIOR ZONING HEARING

PETITIONER' S

EXHIBIT NO.



OUR FEE 1.75%
Home Selling Assistance
Residential Brokerage
CHRIS BARKLEY
410-477-0007

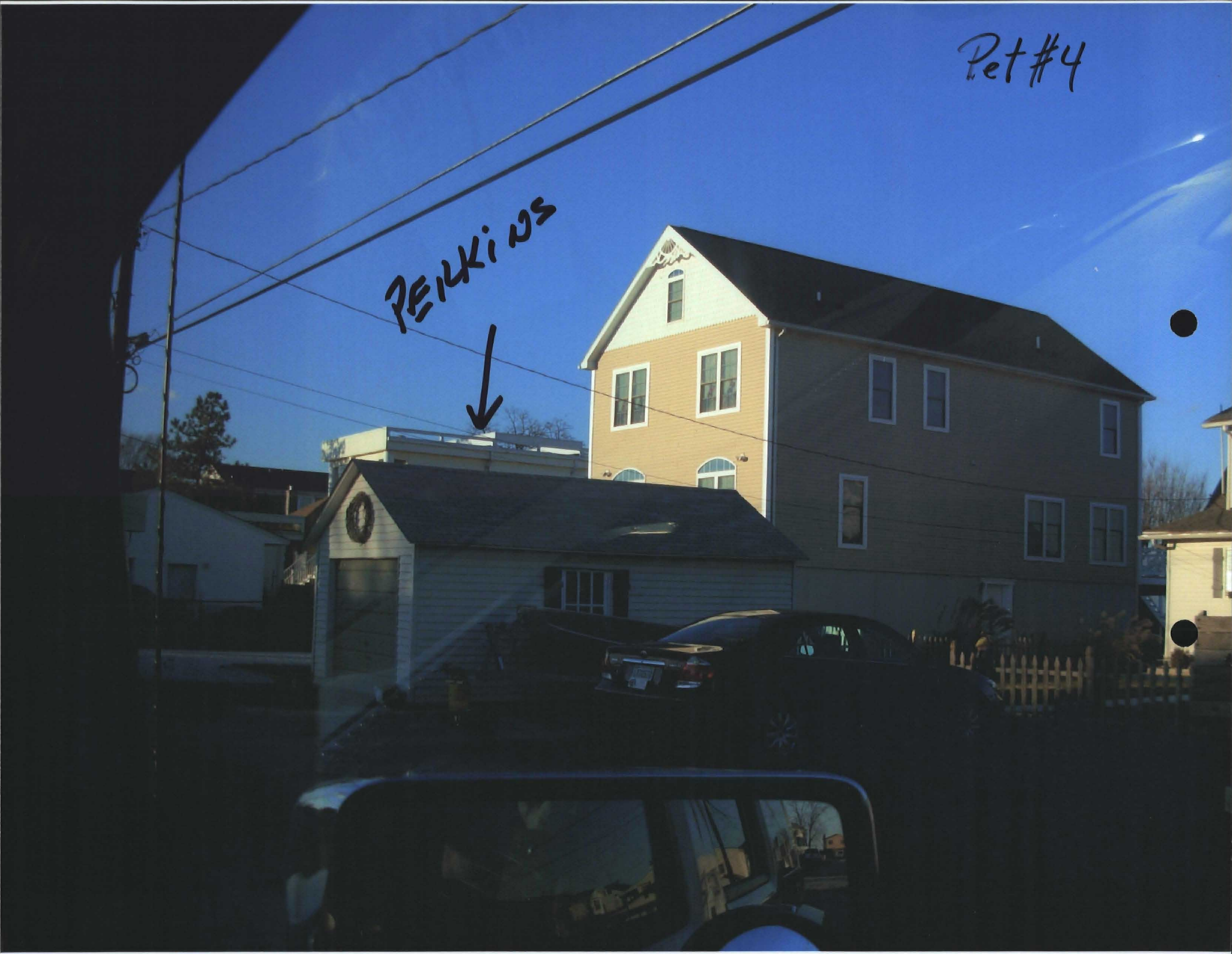
Pet # 2

Pet #3



Pet #4

PERKINS



Pet #5

7006



Pet #6



Plot #7



Pet #8



Pet#9



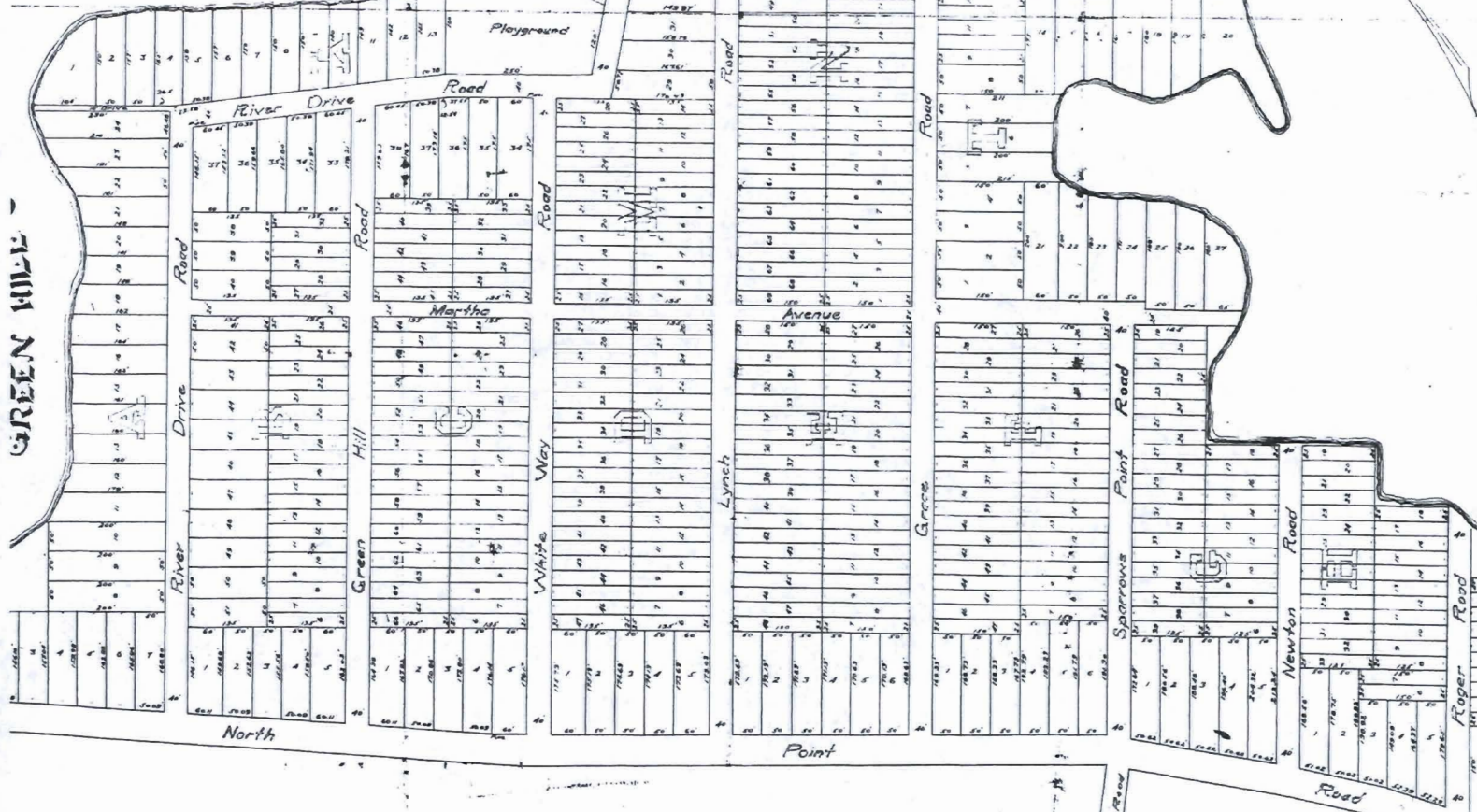
Pet #10





Pet #11

GREEN HILL



LYNCH POINT

3 miles to Sparrows Point; 12 miles to City Hall
Sole Agents
Beverman Realty Co. 711 American Bldg.
Baltimore, Md.

Scale, 100 feet per inch
The H. Disney, Inc.
April 12, 1926.

WPC 8/38
Recorded 4/26/1926

PLAINTIFF'S
EXHIBIT
14

This Deed, made this 10th day of March, 2006, by and between Karla A. Moore, by her Attorney in Fact, Barry S. Levine and Barry S. Levine, parties of the first part, Grantors; and Eugene L. Perkins, III and Leslie K. Perkins, parties of the second part, Grantees.

- Witnesseth -

That for and in consideration of the sum of Six Hundred Thousand And 00/100 Dollars (\$600,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantors do grant and convey to the said Eugene L. Perkins, III and Leslie K. Perkins, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 16, Block S, as shown on the Plat of Lynch Point, which Plat is recorded among the Plat Records of Baltimore County in Plat Book WPC No. 8, folio 38. The improvements thereon being known as 7006 River Drive Road.

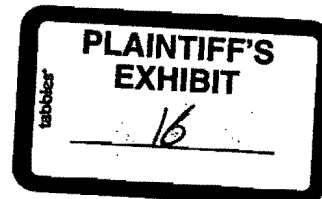
BEING the same property which, by Deed dated January 29, 2002, and recorded among the Land Records of Baltimore County, Maryland, in Liber 16055, Folio 723, was granted and conveyed by Ronalds W. Meadows and Kathleen R. Meadows, by Christa Barkley, thier att unto Karla A. Moore and Barry S. Levine, in fee simple.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Eugene L. Perkins, III and Leslie K. Perkins, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

Grantors hereby declare and affirm under the penalties of perjury that Grantors are Maryland residents and therefore exempt from the income tax withholding requirements of §10-912 of the *Tax-General Article, Annotated Code of Maryland*.



List of changes to the original submittal as shown on new Drawings dated 12/10/2008:

1. The contiguous Breezeway has been removed. In its place will be a raised patio, @ minus 6" from first floor of main house, to connect the house and garage with a safe walkway. This is approx. 9' from grade. This is the same height as the existing front door porch.
2. There will be a small Pediment overhang at the upper Garage entrance door. This will project 4' and be 16'-8" above grade. It has 2 columns but no sidewalls, so light can pass through. This will keep the rain off when locking and unlocking the door.
3. There will be a "Vestibule" to house the front door entrance. This structure will project 8' (+ or -) and be 20' (+ or -) above grade. The proposed Vestibule will be where the front door is currently located and has been designed to achieve the desired architectural criteria and still be as low as possible. Please note that the original wall of the Breezeway was 12' from the Evering property line. The wall of the proposed Vestibule will be approx. 26' from the Evering property line. This is the greatest practical distance from the Evering property to locate the front door. The vestibule will be enclosed with approx. 70% glass sides, which we feel will lesson the "curtain effect" to Mr. Evering's property.
4. Perhaps the most significant change is the lower ridge height of the Garage itself. The original request was for a 25' ridge. The revised request asks for 23'-6" ridge height. Please note that the new roof is a Gambrel type that has combined slopes which will be more pleasing to the eye. The Gambrel roof will also have less of the "curtain effect" than the vertically monolithic shed dormer wall of the original plan.

Please feel free to call me at 410-382-1057 or e-mail bellefielddesigninc@verizon.net for any further explanations/clarification.

Thankyou,

cc: BDI
cc: Marlowe
cc: Perkins
cc: Evering

John T. Westerlund Jr.

PETITIONER'S

EXHIBIT NO.

18

BELLEFIELD DESIGN INC

ARCHITECTURAL DESIGN AND CONSTRUCTION MANAGEMENT

15132 Wheeler Lane Sparks MD 21152

410-382-1057 Fax: 410-472-2639

TRANSMITTAL

To: William Wiseman, Zoning Commissioner

Date: 12-15-08

Re: Revised Perkins Plan

Case # 2009-0081-A

<u>Copies</u>	<u>Dated</u>	<u>Description</u>
1	12/10/2008	New Elevation Drawings(4) Called "Perkins Residence" 7006 River Drive Road

For Your:

☐ Use	☐ Approval	☐ Information
☒ Review/Comment	☐ Fabrication	☐ Pricing

Remarks:

Commissioner Wiseman,

Please see new drawings for your review. These new drawings represent an attempt by the Perkins to address Mr. Evering's concerns about the effect the original plan might have had on his lifestyle. The architectural changes are possible because the Perkins have sacrificed floor space in the Garage parking and living areas to make room for a stair well. They have also sacrificed the enclosed connection to the garage, with its obvious implications. The proposed floor plans for all floors of the main house had to be reversed in order to locate the proposed front entrance "Vestibule" as far from the Evering property as possible. This will have a partially negative impact on the lines of site to the water and will also negatively impact the general lighting exposure as it relates to the daily activities in each room.

The Perkins will personally deliver copies of these updated drawings to the Everings this week.

THESE ARE THE
ORIGINAL SUBMITTAL
OF ELEVATIONS FOR:

PERKINS VARIANCE

CASE # : 2009-0081-A

* DIMENSIONS ADDED BY
BEUEFIELD DESIGN INC ON 12/10/08
@ COMMISSIONER'S REQUEST



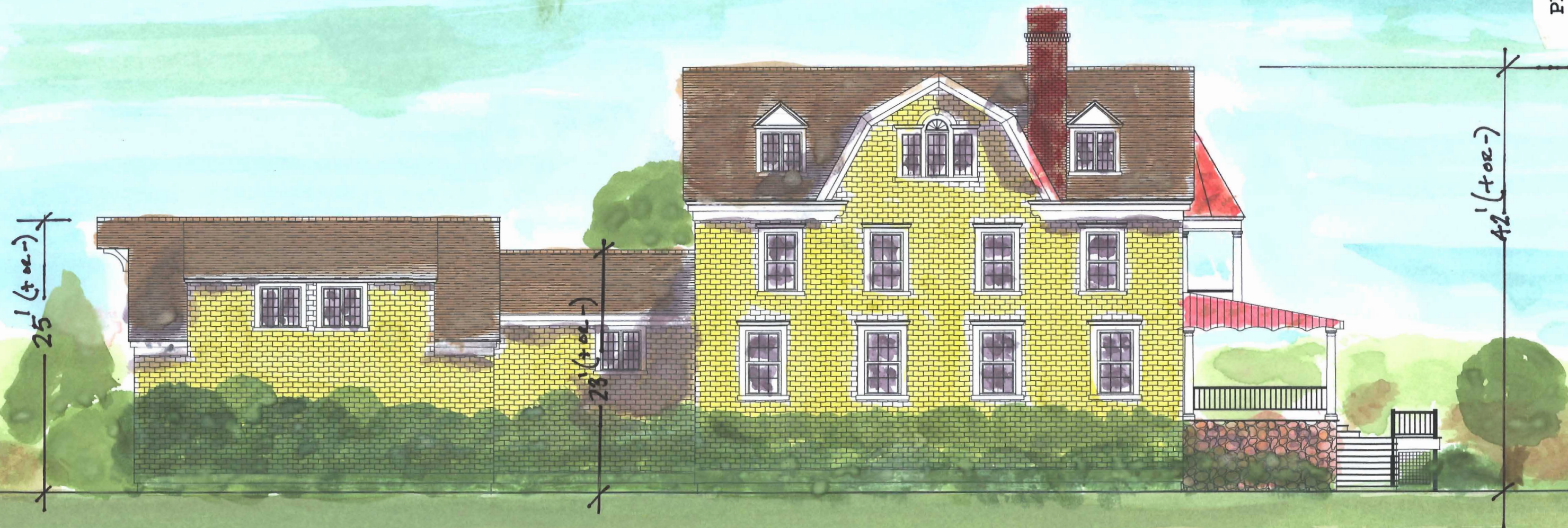
RIGHT SIDE

PETITIONER'S

EXHIBIT NO.

12C

BDL 2008



LEFT SIDE



REAR



FRONT

PETITIONER'S

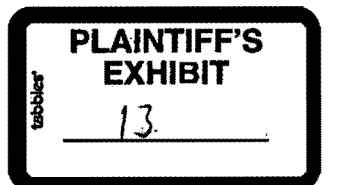
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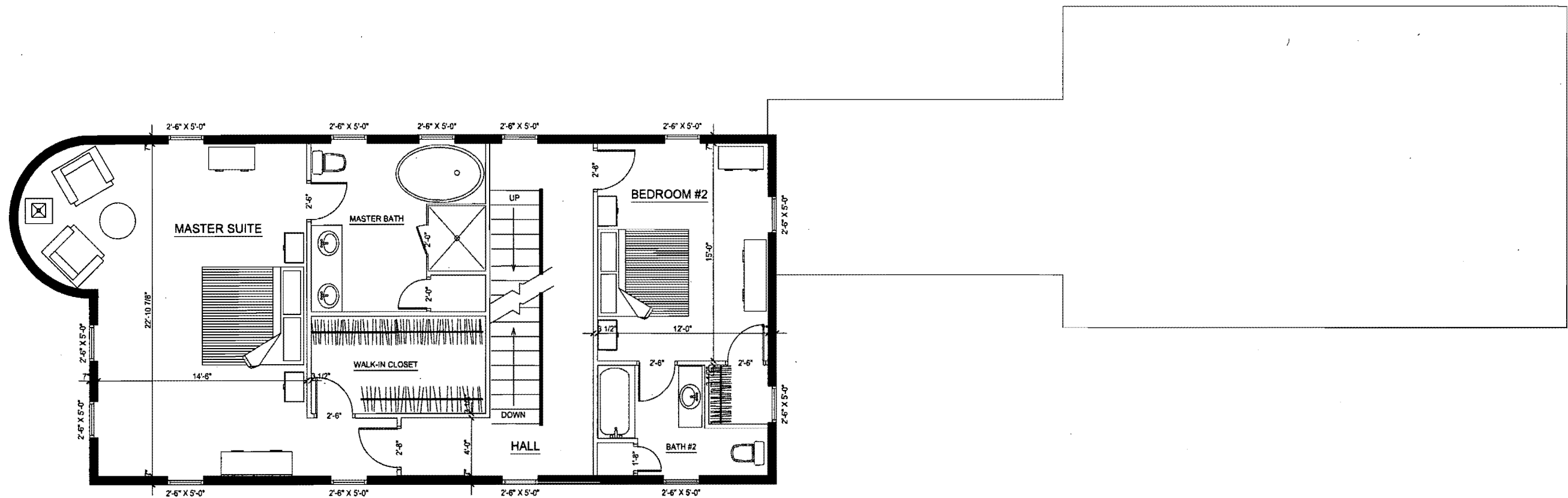
126

PERKINS RESIDENCE

PRELIMINARY PLANS / NOT FOR CONSTRUCTION

BELLEFIELD DESIGN INC



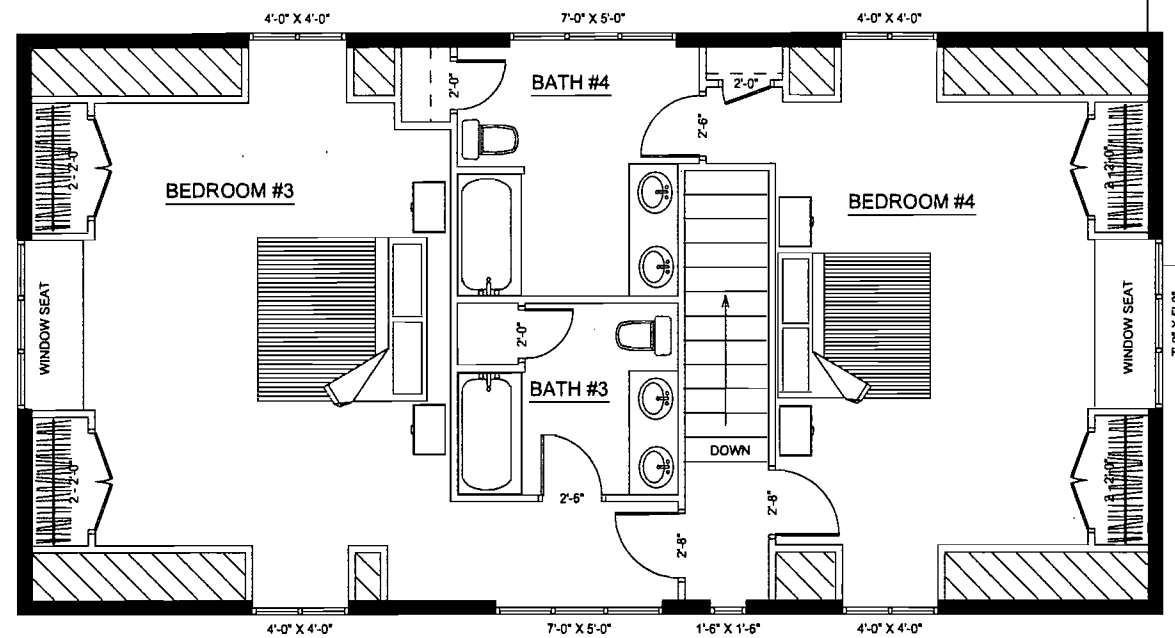


SECOND FLOOR

PERKINS RESIDENCE

PRELIMINARY PLANS / NOT FOR CONSTRUCTION

BDI SCALE: 1/8"=1' 9/ 2008



THIRD FLOOR

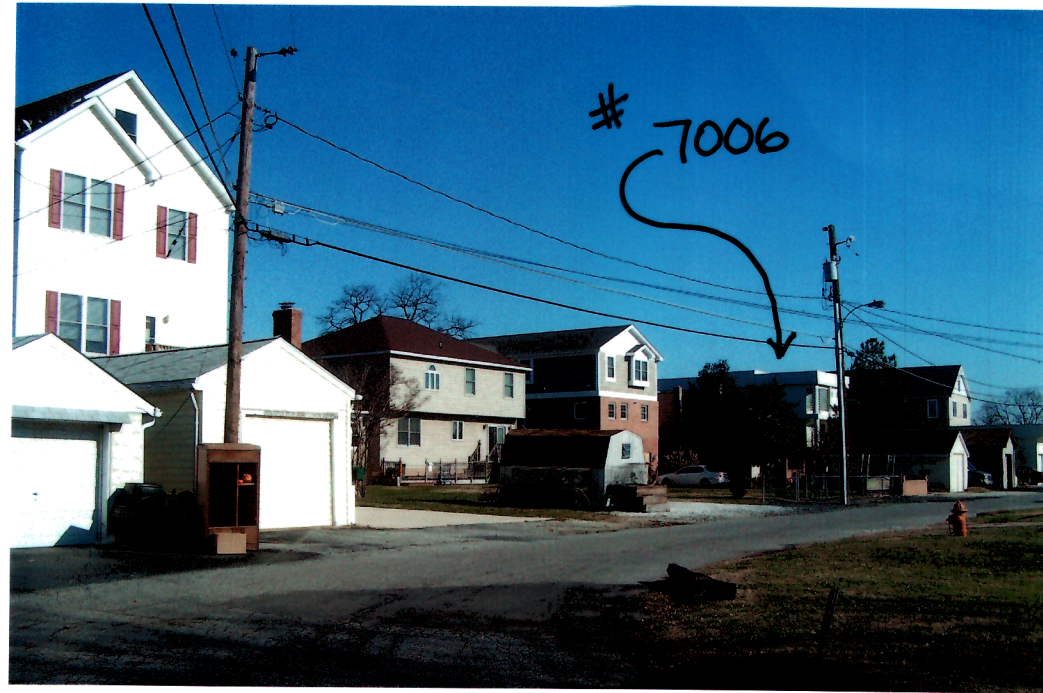
PERKINS RESIDENCE

PRELIMINARY PLANS / NOT FOR CONSTRUCTION

BDI SCALE: 1/8"=1' 9/ 2008



VIEW FROM GRACIE RD



VIEW FROM WEST



7230 RIVER DR RD
TWO STORY GARAGE



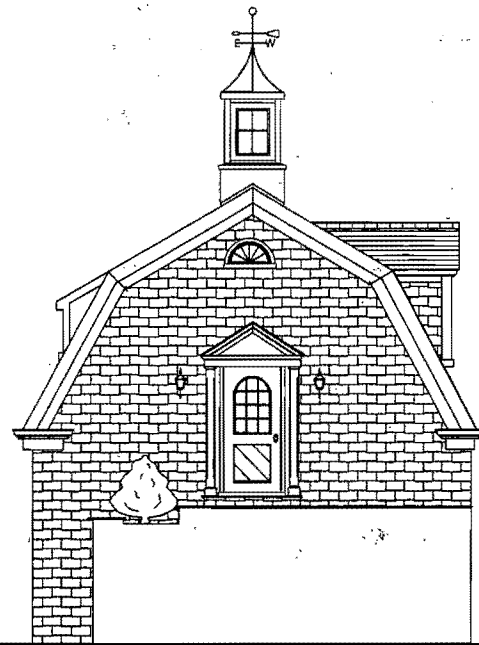
7102 RIVER DR. RD
TWO STORY GARAGE



7108 RIVER DR RD
TWO STORY GARAGE



7008 RIVER DR RD



NO HOUSE

PERKINS RESIDENSE 7006 RIVER DRIVE ROAD

FRONT ELEVATION

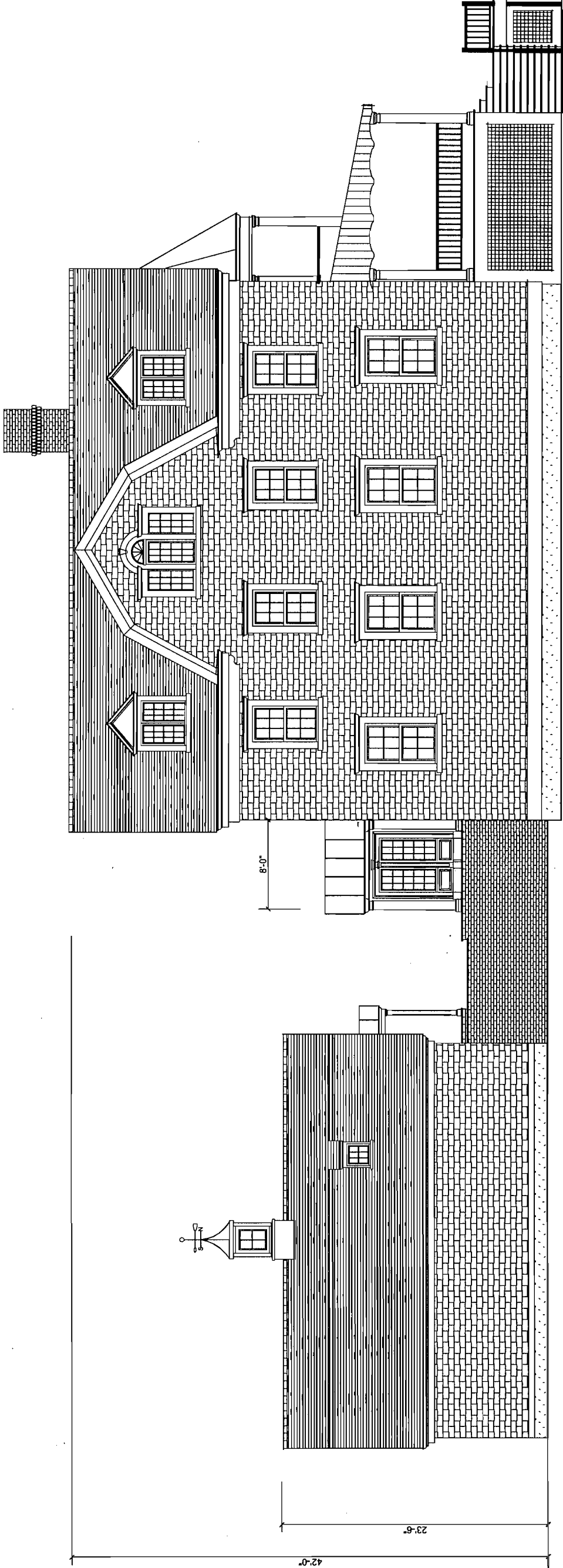
SCALE: 1" = 10'

BDI 12/10/08



PERKINS RESIDENSE 7006 RIVER DRIVE ROAD

RIGHT ELEVATION SCALE: 1" = 10' BDI 12/10/08



PERKINS RESIDENSE 7006 RIVER DRIVE ROAD

LEFT ELEVATION SCALE: 1" = 10' BDI 12/10/08



NO GARAGE

PERKINS RESIDENSE 7006 RIVER DRIVE ROAD

REAR ELEVATION SCALE: 1" = 10' BDI 12/10/08

PERKINS RESIDENCE

PRELIMINARY DRAWINGS/NOT FOR CONSTRUCTION

SCALE: 1" = 10'

BDI

12/17/08

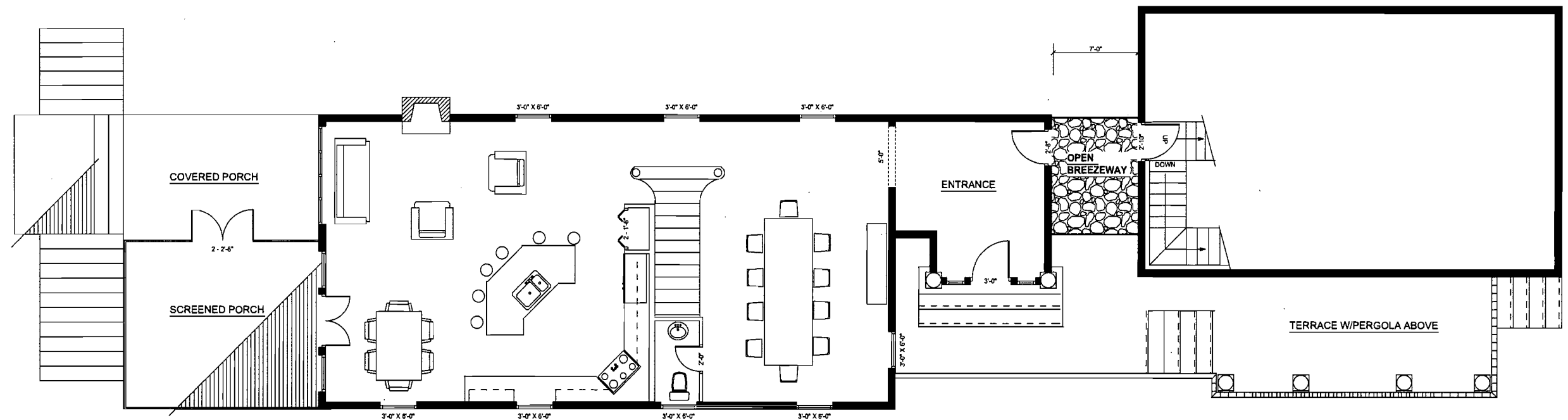
SET INCLUDES:

- 1. REVISED FLOOR PLAN**
- 2. REVISED REAR ELEVATION/NO GARAGE**
- 3. REVISED RIGHT SIDE ELEVATION**
- 4. REVISED LEFT SIDE ELEVATION**

PETITIONER'S

EXHIBIT NO.

18



FIRST FLOOR

PERKINS RESIDENCE

PRELIMINARY PLANS / NOT FOR CONSTRUCTION 12/17/08



NO GARAGE

PERKINS RESIDENCE 7006 RIVER DRIVE ROAD

REAR ELEVATION

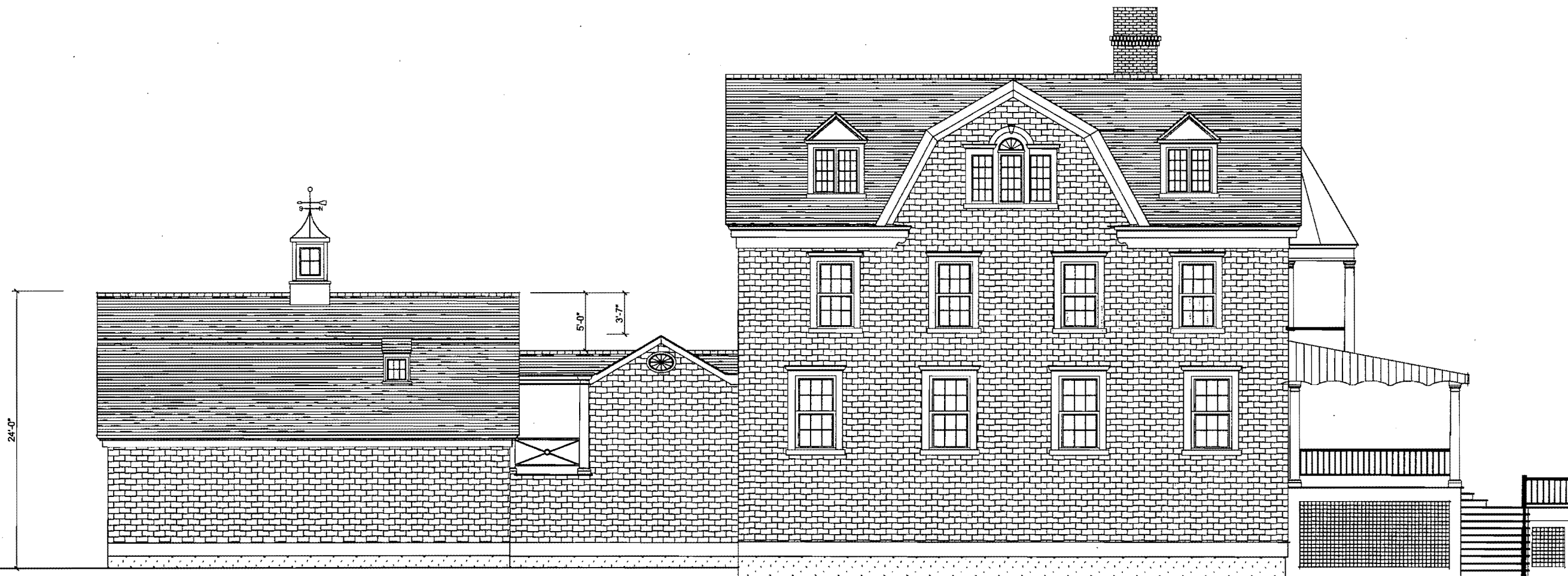
SCALE: 1" = 10'

BDI 12/17/08



PERKINS RESIDENCE 7006 RIVER DRIVE ROAD

RIGHT ELEVATION SCALE: 1" = 10' BDI 12/17/08



PERKINS RESIDENCE 7006 RIVER DRIVE ROAD

LEFT ELEVATION

SCALE: 1" = 10'

BDI 12/17/08