

IN RE: **PETITION FOR SPECIAL HEARING** *

W/S Mary Hill Court, 300' S of c/line of *

Velvet Hill Drive *

(12 Mary Hill Court) *

4th Election District *

2nd Council District *

Max L. Cohn *

Petitioner *

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2010-0077 SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for Baltimore County for consideration of Petition for Special Hearing filed by the owner of the property, Max L. Cohn, through his attorney Arnold Jablon, Esquire. The Petitioner requests a special hearing for a waiver pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), Sections 32-4-107(a)(2), 32-4-414, 32-8-301 and 32-8-303 of the Baltimore County Code (B.C.C.), and from Section 3112.0 of the Baltimore County Building Code, to permit and confirm existing additions to a single-family dwelling in the 100-year floodplain. The subject property and requested relief are more particularly described on the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Max L. Cohn, property owner, David Flowers, land planner, who is familiar with the site and took part in the preparation of the site plan, and Arnold Jablon, Esquire, the Petitioner's attorney. Mr. Flowers has been recognized and accepted as an expert witness by this Commission on land use and zoning cases, including waivers as permitted by Sections 32-4-107 and 32-8-303 of the B.C.C., and was accepted as an expert in the instant matter, specifically as to *waivers* involving Sections 32-4-107 and 32-8-303 of the B.C.C. and of 3112.0 of the Baltimore County Building Code.

ORDER RECEIVED FOR FILING

Date

By

12-1-09

123

There were no Protestants or other interested parties present. There were no adverse Zoning Advisory Committee (ZAC) comments received from any of the County reviewing agencies, however, it is noted that the Department of Public Works (DPW) in its response, dated November 9, 2009, withheld its approval. The Director suggested "relocating the easement line to exclude the existing dwelling and entirely contain the 100-year floodplain plus one-foot vertical freeboard . . .". Additionally, a letter was received from Ms. Shelley Zipper, residing at 15 Mary Hill Court, an adjacent neighbor. In her letter to the undersigned Commissioner, she stated her concern was initiated by the Petitioner's construction of an in-ground swimming pool in December of 2008. While this concern was alleviated when the location of the pool was moved, she indicated the purpose of her correspondence was to insure that the proposed relief was examined carefully and that "there can be an amicable solution for all..."

Testimony and evidence offered revealed that the requested relief involves the property on which Max Cohn resides in a one-story, single-family dwelling built in 1982 which he purchased in 1987. The property consists of 0.654 acres, more or less, zoned D.R.2 and is located in Owings Mills. As illustrated on the site plan, the subject property known as Lot 19 in the subdivision of Velvet Hills is an irregular shaped parcel at the end of a cul-de-sac. The grade or topography of the property slopes from the front to the rear, the highest elevation being in the front, the lowest in the rear of the property. Petitioner's house consists of approximately 3,000 square feet and is more particularly described on the numerous photographs received as Petitioner's Exhibit 8. The front of the house is setback 40 feet from Murry Hill Court and is at its highest elevation.

The Velvet Hills subdivision, of about 100 single-family dwellings, was constructed in or about 1980. A separate subdivision, Worthington Woods, was built to the northwest of the

subject property, and has its storm water management (SWM) facility constructed adjacent to the northwest property line with the subject property. A second subdivision, Worthington Glen, was built adjacent to Worthington Woods, just to the southwest to the subject property. It also had its SWM facility constructed to the northwest side of the subject property. Drainage from both of these SWM facilities merge into one spillway with a swale that outfalls onto the Petitioner's property as well as onto the Zipper property immediately adjacent and south of Mr. Cohn's. As a result of these facilities and spillway, a drainage and utility easement was created, which extends only the length of three properties located off of Mary Hill Court— Lots 15, 12 and 10. See Petitioner's Exhibit 1. Testimony and evidence that was presented revealed that there exists a 100-year floodplain on the subject property. The drainage and utility easement that was created is partly within the floodplain and partly outside. See Petitioner's Exhibit 5, a floodplain study prepared by KCI Technologies, Inc (KCI). The Petitioner's house borders the easement area but its additions, which are the focus of the requested relief, are partly within the easement area but outside of the floodplain. See Petitioner's Exhibits 1 and 5. The only source of water is from the SWM facilities via the spillway. There is no stream on the subject property.

In or about 1996, the Petitioner built, with all appropriate permits, an addition onto the northwest rear of the house, a portion of which was constructed within the easement area (but, as indicated above, out of the floodplain). In 2000, the Petitioner replaced an existing open, wood deck, also in the rear of the house. Permits were obtained prior to construction. The deck was also in the easement, but not within the floodplain. In 2002, a garage was added to the side of the house, which is not within either the easement area or the floodplain and a roof was constructed over the open, wood deck, referred to above, to create an enclosed sunroom. This enclosure is partly within the easement area. See Petitioner's Exhibit 3, building permit No.

B485229, for the garage and sunroom. In 2004, the sunroom was completed, *See* Petitioner's Exhibit 4, building permit No. B550827. All the additions are shown on Petitioner's Exhibit 1, as well as where the easement and the floodplain areas are delineated. Approximately 500 square feet of these additions (sunroom and deck) are within the easement area. All were constructed pursuant to valid building permits issued by the County. These existing conditions shown on Petitioner's photographic exhibits show a beautifully landscaped rear yard. They also show that the rear of the house is elevated and is supported by stilts. The area below is entirely open and contains no living area. In sum, the Petitioner is requesting a waiver to permit the additions that are within the easement area and constructed pursuant to valid building permits issued by the Department of Permits and Development Management (DPDM).

Section 32-4-107(a)(1)(i) of the B.C.C. permits the granting of waivers of any of the requirements of Subtitles 3, 4, and 5 of Title 32, if the Zoning Commissioner finds that:

1. The size, scope and nature of a proposed development does not justify compliance with title 32;
2. A waiver would be within the scope, purpose, and intent of this title; and
3. All other county laws and regulations have been complied with; or

Compliance with title 32 would cause unnecessary hardship.

Mr. Jablon proffered and Mr. Flowers confirmed that in Mr. Flowers' opinion, the Petitioner did everything he was supposed to have done. He applied for the appropriate permits, all of which were reviewed and approved by each of the County's reviewing agencies. All before construction began.

The Petitioner's nightmare began when he applied and received permits for an in-ground swimming pool and commenced construction. Unbeknownst to him then, the proposed pool was

directly within the floodplain. It was as a result of Ms. Zipper's concern, expressed to DPW, that caused Mr. Cohn to retain KCI, an engineering consultant, to prepare a floodplain study, submitted as Petitioner's Exhibit 5. The floodplain and easement areas were delineated and it was confirmed the proposed pool was within the floodplain but outside of the easement area. The Petitioner then relocated the pool outside of the floodplain. However, the study also confirmed that portions of the additions described above, were located within the easement area, although not within the floodplain. Petitioner wanted to insure compliance with the requisite regulations, thus this request for a waiver is made.

Waivers are authorized by Section 32-8-301 of the B.C.C., which provides in relevant part:

- (a) *In general.* As provided in Section 32-4-107 . . . waivers of the provisions of Section 32-4-414 . . . may be granted as specified . . . :
- (c) *General standards.* Waiver actions shall be consistent with sound floodplain management and the number of waiver actions shall be kept to a minimum.

Section 32-4-414 of the B.C.C. prohibits development in a riverine floodplain.

Section 32-8-303(a) of the B.C.C. permits waivers upon:

- (1) A showing of good and sufficient cause;
 - (2) A determination that failure to grant a waiver would result in exceptional hardship, but not economic hardship, to the applicant; and
 - (3) A determination that the granting of a waiver will not increase flood heights, safety, incur extraordinary public expense, create nuisances, cause fraud or victimization of or conflict with existing local and state laws and ordinances.
- (b) Minimum necessary. The waiver action shall be the minimum necessary, consider hazard, to afford relief.

In support of the waiver requested, Petitioner's attorney, Mr. Jablon, argued and Mr. Flowers confirmed, through testimony that the subject property has several unusual

characteristics that drive the need for the waiver. Most notable as shown on the site plan are the size, shape and location of the subject property, the close proximity of the SWM facilities of the adjacent subdivisions to the subject property, the locations of the floodplain and of the easement area, both of which exist only in the rear of the property. Mr. Flowers emphasized that the additions at issue here are 5 to 13 years old and all were done with the requisite permits.¹

In terms of unnecessary hardship, as the photos reflect, Mr. Flowers testified to remove the additions would cause serious damage to the house and to the landscape of the subject property. To do so would cause an exceptional hardship. Mr. Flowers stated that the granting of the waiver will not increase flood heights, impact public safety, incur extraordinary public expense, create a nuisance, cause fraud or victimization of the public, or conflict with existing local and state laws and ordinances. He testified that the property does not flood, thus there is no issue as to the potential for increase in flood heights. The only source of water is via the spillway from the SWM facilities and, as shown on photos, this water is diverted across the property by a swale to the appropriate outfall. Mr. Flowers further testified that the living area in the rear of the house is above grade and supported by stilts. The area below is not used for any purpose. And, of course, testimony and evidence submitted underscores that the current conditions have been longstanding. The additions have not caused or exacerbated flooding and,

¹ While admittedly not on point, I believe it analogous to refer to Section 5-114, of the Courts and Judicial Proceedings Article, Annotated Code of Maryland, Setback Line Restrictions. Specifically, Section 5-114(b)(3) provides:

...notwithstanding any other provision of State or local law to the contrary, a building permit that was otherwise validly issued, except that the permit wrongfully permitted the building or structure to violate a setback line restriction, shall be considered a valid building permit.

Sections 5-114(b)(1) and (2) prevent either a person or a governmental entity from initiating an action or proceeding arising out of a failure of a building or structure to comply with a setback line restriction more than 3 years after the date on which the violation first occurred if the building or structure was constructed or reconstructed.

It is, therefore, logical to analogize the location of portions of the Petitioner's additions within the easement to setback requirements.

RECEIVED FOR FILING

Date 12-1-09

BY [signature]

indeed, have never been or caused a problem. He opined that there would be no impact on public safety should the waiver be granted. Certainly no public expense at all is proposed should the waiver be granted. He further concluded that the additions, which have been longstanding, since 1996 to 2004, do not create any nuisance nor do they cause fraud or victimization of the public. The County knew of the additions, where they were located, was required to inspect to insure compliance with the Building, Electrical and Plumbing Codes. Mr. Flowers further notes the extensive landscaping, as shown on the photos, which, if the additions had to be removed, would by necessity, have to be removed as well. See Petitioners Exhibit 8, the photos which graphically and succinctly show the existing conditions of the house, the additions, and the landscaping on the subject property.

In his proffer, Mr. Jablon stated that Mr. Flowers would further testify that it was his opinion that there would be no adverse impact on the community if the waiver requested were to be granted and there would be no detriment to the health, safety or general welfare of the locale. Mr. Flowers would testify that it was his opinion that the strictures of Sections 32-4-107 and 32-8-303 of the B.C.C. were satisfied and that the Petitioner has shown good and sufficient cause that to comply with Section 32-4-414 of the B.C.C. would cause unnecessary hardship.

The Director of Public Works' comment of November 9, 2009 suggests relocating the easement line to exclude the dwelling and entirely contain the 100-year floodplain plus one-foot vertical freeboard. However, testimony and evidence submitted by the Petitioner confirm that while 500 square feet of the additions are within the easement area, they are outside of the floodplain. It does not appear from the comment that Mr. Adams is aware of the particular permit history of the subject property, which I believe forms the basis for the waiver request, but his comment confirms that the Petitioner's waiver request results solely from Petitioner's intent

to place a swimming pool in his rear yard. But for the pool, and Petitioner's own subsequent, and voluntary, actions to bring his property into compliance, there would be no further action noted.

Finally, all of the testimony and evidence submitted confirms that the additions are not in the floodplain. While in the easement area, I believe that the cost of relocating the easement area would far exceed the necessity of doing so. This in itself would cause unnecessary economic hardship.

Considering all the testimony and the evidence presented, I find special circumstances or conditions exist that would cause unnecessary hardship to the Petitioner. Clearly, the Petitioner had every right to believe that the additions he had designed by architects and built pursuant to all State and County laws were proper. Permits were issued legally and the Petitioner had every right and expectation to believe that his additions were in compliance with all appropriate laws and regulations. The additions have existed for a significant period of time. The additions have not caused a problem. I further find that the strict application of limitations imposed by Sections 32-4-107(a)(2), 32-4-414, 32-8-301, and 32-8-303 of the B.C.C. and 3112.0 of the Building Code would cause unnecessary hardship. Further, the Petitioner has shown good and sufficient cause for the waiver. Based on the evidence and testimony, I determine that failure to grant the waiver would result in unnecessary hardship to the Petitioner and, further, determine that the granting of the waiver will not increase flood heights, impact public safety, incur extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing local and state laws and ordinances.

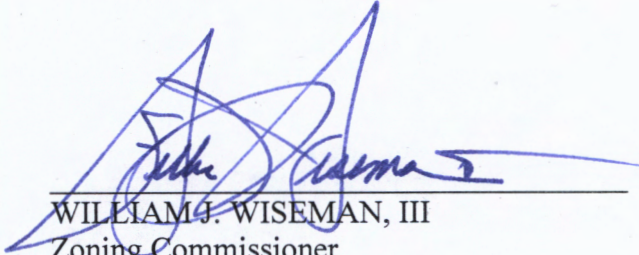
I find that the waiver requested is the minimum necessary to afford relief. Thus, I find that the waiver can be granted in such a manner as to meet the requirements of Sections 32-4-

107(a) (2), 32-4-414, 32-8-301 and 32-8-303 of the B.C.C. and Section 3112.0 of the Baltimore County Building Code.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 1st day of December 2009, that the Petitioner's request for special hearing for a waiver pursuant to Sections 32-4-107, 32-4-414, 32-8-301, and 32-8-303 of the Baltimore County Code (B.C.C.) and Section 3112.0 of the Building Code, in accordance with Petitioner's Exhibits 1, 5, and 8, be and is hereby GRANTED.

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



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

NOT RECORDED FOR FILING
Date 12-1-09
BY B2



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

December 1, 2009

Arnold E. Jablon, Esquire
Venable, LLP
210 West Pennsylvania Avenue
Suite 500
Towson, MD 21204

RE: **PETITION FOR SPECIAL HEARING**
W/S Mary Hill Court, 300' S of c/line of Velvet Hill Drive
(12 Mary Hill Court)
4th Election District - 2nd Council District
Max L. Cohn - Petitioner
Case No. 2010-0077-SPH

Dear Mr. Jablon:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, 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".

WILLIAM J. WISEMAN
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Max L. Cohn, 12 Mary Hill Court, Owings Mills, MD 21117
David Flowers, Venable, LLP, 210 West Pennsylvania Avenue, Suite 500,
Towson, MD 21204
Ms. Shelley Zepper, 15 Mary Hill Court, Owings Mills, MD 21117
People's Counsel; DPW; File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 12 Mary Hill Court

which is presently zoned DR 2

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

(This box to be completed by planner)

Waiver pursuant to section 500.6, Baltimore County Zoning Regulations; sections 32-4-107 (a)(2), 32-4-414, 32-8-301, and 32-8-303, Baltimore County Code, and section 3112.0, Baltimore County Building Code to permit and confirm existing additions to single family dwelling in 100 year floodplain.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Arnold Jablon

Name - Type or Print

Signature

Venable, LLP

Company

210 West Pennsylvania Ave.

410 494-6298

Address

Telephone No.

Towson

Maryland 21204

City

State

Zip Code

Legal Owner(s):

Max L. Cohn

Name - Type or Print

Signature

Name - Type or Print

Signature

12 Mary Hill Court

Address

Telephone No.

Owings Mills

Maryland 21117

City

State

Zip Code

Representative to be Contacted:

Arnold Jablon

Name

210 W. Pennsylvania Ave 410 494 6298

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Case No.

2010-0077-SPH

REV 9/15/98

UNAVAILABLE FOR HEARING

Reviewed By

Date

9.4.09

NOT RECEIVED FOR FILING

Date

12-1-09

By

12/1/09



ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

936 Ridgebrook Road • Sparks, MD 21152 • Phone 410-316-7800 • Fax 410-316-7885

Zoning Description for 12 Mary Hill Court

Beginning at a point on the west side of Mary Hill Court which is 50 feet wide at the distance of 300 feet south of the centerline of the nearest improved intersection street Velvet Hill Drive which is 50 feet wide. Being Lot # 19 in the subdivision of Velvet Hills as recorded in Baltimore County Plat Book # 52, Folio # 140, containing 0.66 acres. Also known as 12 Mary Hill Court and located in the 4th Election District, 2nd Councilmanic District.

**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/neighbor 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: 0077

Petitioner: MAX L. CONN

Address or Location: 12 MARY HILL CT, OWINGS MILLS 21117

PLEASE FORWARD ADVERTISING BILL TO:

Name: ANDREA JABLON

Address: 210 W. PENNSYLVANIA AVE

TOWSON 21204

Telephone Number: 410 494 6298

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 44771

Date: 9.4.09

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
9/04/2009 9/04/2009 08:45:26 5

REF MS03 WALKIN RBOS LRB
RECEIPT # 418159 9/04/2009 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				325. -

Part 5 52B ZONING VERIFICATION
CR NO. 044771

Recpt Tot \$325.00
\$325.00 CR \$0.00 CA
Baltimore County, Maryland

Total: 325. -

Rec From: M. COHN

For: 12 MARY Hill Ct.

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

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: # 2010-0077-SPH

12 Mary Hill Court

W/side of Mary Hill Court, 300 feet +/- south of the centerline of Velvet Hill Drive

4th Election District — 2nd Councilmanic District

Legal Owner(s): Max Cohn

Special Hearing: for a waiver to permit and confirm existing additions to single family dwelling in 100 year floodplain.

Hearing: Tuesday, November 10, 2009 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.

JT 10/867 October 27

219011

CERTIFICATE OF PUBLICATION

10/29/, 2009

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 10/27/, 2009.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: 2010-0077-SPH

Petitioner/Developer:_____

Max Cohn.

Date of Hearing/closing: November 10, 2009

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

Attn: Kristin 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, 12 Mary Hill Court

The sign(s) were posted on Oct. 26, 2009
(Month, Day, Year)

Sincerely,

Robert Black

Oct. 29, 2009

(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 # 2010-0077-SPH

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

PLACE: Room 104, JEFFERSON BUILDING
105 WEST CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: TUESDAY, NOVEMBER 10, 2009 AT 9:00 A.M.

REQUEST: SPECIAL HEARING FOR A WAIVER TO PERMIT
AND CONFORM EXISTING ADDITIONS TO SINGLE FAMILY DWELLING
IN 100 YEAR FLOODPLAIN.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 887-3391

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



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 5, 2009

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: 2010-0077-SPH

12 Mary Hill Court

W/side of Mary Hill Court, 300 feet +/- south of the centerline of Velvet Hill Drive

4th Election District – 2nd Councilmanic District

Legal Owners: Max Cohn

Special Hearing for a waiver to permit and confirm existing additions to single family dwelling in 100 year floodplain.

Hearing: Tuesday, November 10, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy M. Kotroco in black ink.
Timothy Kotroco
Director

TK:klm

C: Arnold Jablon, Venable, 210 W. Pennsylvania Avenue, Towson 21204
Max Cohn, 12 Mary Hill Court, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, OCTOBER 26, 2009.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 27, 2009 Issue - Jeffersonian

Please forward billing to:

Arnold Jablon
Venable, LLP
210 W. Pennsylvania Avenue
Towson, MD 21204

410-494-6298

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: 2010-0077-SPH

12 Mary Hill Court

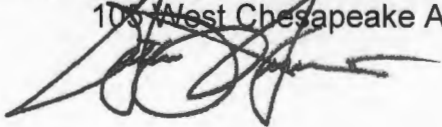
W/side of Mary Hill Court, 300 feet +/- south of the centerline of Velvet Hill Drive

4th Election District – 2nd Councilmanic District

Legal Owners: Max Cohn

Special Hearing for a waiver to permit and confirm existing additions to single family dwelling in 100 year floodplain.

Hearing: Tuesday, November 10, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
100 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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

November 3, 2009

Arnold Jablon
Venable, LLC
210 West Pennsylvania Ave.
Towson, MD 21204

Dear: Arnold Jablon

RE: Case Number 2010-0077-SPH, 12 Mary Hill Ct.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 04, 2009. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Max L. Cohn; 12 Mary Hill Ct.; Owings Mill, MD 21117

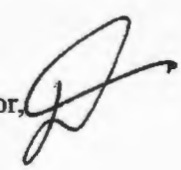
Revised
11/10/09

BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORRESPONDENCE

TO: Timothy Kotroco, Director,
Permits & Development Management

ATTN: Kristen Matthews
MS 1105

FROM: Edward Adams, Director, 
Public Works

DATE: November 9, 2009

SUBJECT: Case No. 2010-0077-SPH
Petition for Special Hearing for waiver to permit and confirm existing
additions to single family dwelling in 100-year riverine floodplain.
12 Mary Hill Court – REVISION TO COMMENTS

Section 32-8-303 (c) of the Baltimore County Code concerning waivers to the floodplain regulations says, "In considering a waiver action, comments from the state coordinating office and the County Department of Public Works shall be taken into account and maintained with the permit file." This memo is the comment from the Department of Public Works for the subject waiver.

The waiver involves existing additions to an existing house that were discovered to be encroaching into a public drainage, utility & 100-year floodplain easement during remedial action being taken to relocate an in-ground swimming pool that had been partially constructed in the same drainage, utility & 100-year floodplain easement.

This department does not recommend approval of the waiver as requested. Corrective actions including but not limited to relocating the easement line to exclude the existing dwelling and entirely contain the 100-year floodplain plus one-foot vertical freeboard would be appropriate.

The previous memo dated October 5, 2009, included a suggestion to refer this issue to the Code Enforcement office of the Department of Permits & Development Management. The purpose of this revision is to remove that request.

ECA/DLT/s

CC: Dennis Kennedy, Chief, Development Plan Review Bureau; Don Rascoe, Deputy Director, Department of Permits & Development Management; Peter M. Zimmerman, Peoples' Counsel

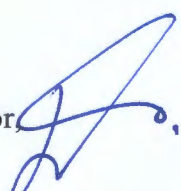
BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORRESPONDENCE

*Kristen's
Phase file
TMMK*

TO: Timothy Kotroco, Director,
Permits & Development Management

ATTN: Kristen Matthews
MS 1105

FROM: Edward Adams, Director,
Public Works 

DATE: October 5, 2009

SUBJECT: Case No. 2010-0077-SPH
Petition for Special Hearing for waiver to permit and confirm existing
additions to single family dwelling in 100-year riverine floodplain.
12 Mary Hill Court

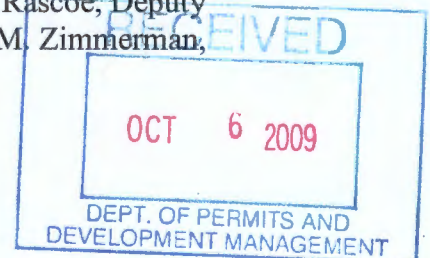
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The waiver involves existing additions to an existing house that were discovered to be encroaching into a public drainage, utility & 100-year floodplain easement during remedial action being taken to relocate an in-ground swimming pool that had been partially constructed in the same drainage, utility & 100-year floodplain easement.

This department does not recommend approval of the waiver as requested and suggests that the matter be referred to the designee of the director of the Department of Permits & Development Management for code enforcement action, including but not limited to relocating the easement line to exclude the existing dwelling and entirely contain the 100-year floodplain plus one-foot vertical freeboard, in addition to any applicable fines and penalties.

ECA/DLT/s

CC: Dennis Kennedy, Chief, Development Plan Review Bureau; Don Rascoe, Deputy
Director, Department of Permits & Development Management; Peter M. Zimmerman,
Peoples' Counsel



BW 11/10
9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 28, 2009

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

RECEIVED

SUBJECT: 12 Mary Hill Court

SEP 29 2009

INFORMATION:

Item Number: 10-077

ZONING COMMISSIONER

Petitioner: Max L. Cohn

Zoning: DR 2

Requested Action: Special Hearing

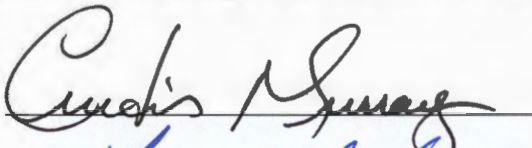
The petitioner requests a special hearing to approve existing additions to a single family dwelling in a 100-year flood plain easement area.

SUMMARY OF RECOMMENDATIONS:

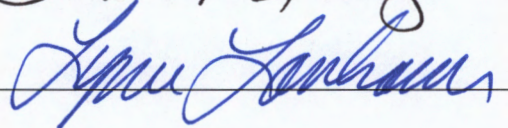
The Office of Planning defers to the Departments of Public Works and Environmental Protection and Resource Management on the recommendations concerning the requested special hearing as the relief impacts such areas enforced by those departments.

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

Prepared by:



Division Chief:
AFK/LL: CM



BW 11/10
9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 29 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: September 29, 2009
SUBJECT: Zoning Item # 10-077-SPH
Address 12 Mary Hill Court
(Cohn Property)

Zoning Advisory Committee Meeting of September 14, 2009

 X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer: JWL

Date: 9/29/09

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 21, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For September 21, 2009
Item No.: 10-077

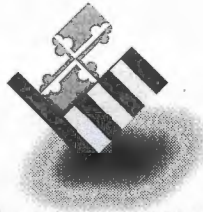
The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

A comment will be provided by the Director of Public Works.

DAK:CEN:kmt

cc: file

G:\DevPlanRev\ZAC - Comments\ZAC-ITEM NO 10-077-09212009.doc



BALTIMORE COUNTY
MARYLAND

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

September 18, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: September 14. 2009

Item Numbers 067,068,070,071,072,073,074,075,076,077,079,080,081,082,083,084
and 0085

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT. 22, 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. 2010-0077-SPH
12 KAY HILL CT
COHN PROPERTY
SPECIAL EXCEPTION

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. 2010-0077-SPH.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

A handwritten signature in purple ink that reads "Steven D. Foster".

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.sha.maryland.gov

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
12 Mary Hill Court; W/S Mary Hill Court, * ZONING COMMISSIONER
300' S of c/line Velvet Hill Drive *
4th Election & 2nd Councilmanic Districts * FOR
Legal Owner(s): Max L. Cohn *
Petitioner(s) * BALTIMORE COUNTY
* 10-077-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

SEP 23 2009

.....

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 23rd day of September, 2009, a copy of the foregoing Entry of Appearance was mailed to Arnold Jablon, Esquire, Venable, LLP, 210 Allegheny Avenue, Suite 500, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

To Kristen:
Place in zoning file
See that Mr. Wiseman
is aware of this
letter.
October 28, 2009
Tim K.

Dear Mr. Wiseman,

I am writing you in regards to a zoning notice that appeared on my neighbor's front lawn yesterday. Max Cohn is requesting a special hearing for a waiver to permit and confirm existing additions to his single family home dwelling that is in a 100 year flood plain. The hearing is set for November 10th and I will be out of the country during that week.

There are a few backyards in this development (Velvet Hills) that are built with this flood plain. We have beautiful backyards with woods and wildlife. I have lived here with my family since 1985. I am well aware that the area is not to be altered in any way. Mr. Cohn built some additions to his home years ago. I was unaware that they were in the flood plain. I never saw any notices when they were building or I would have questioned it then. I think that anyone should have the opportunity to beautify their home as they wish. However, when it could negatively affect the water drainage on my property, I question their actions.

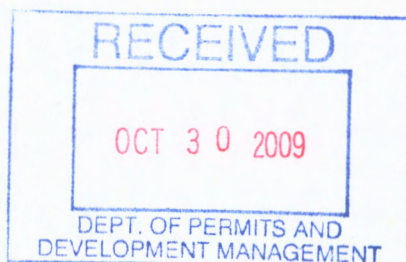
Last December, I noticed that Mr. Cohn was building an in-ground pool in his backyard directly through the flood plain. I called Dave Thomas (410-887-3984) and he was very helpful in checking to see if Mr. Cohn was in violation. In fact, Mr. Cohn was right in that flood plain. I was told that Mr. Cohn had many meetings with the county, engineers and the director of Permits (Permit # B705766 and public # 706601, I believe) and in March, the hole in the ground directly in the flood plain was filled in and a pool was placed farther from his home away from the flood area. They also fixed the flood plain area so that there was no negative impact on my yard (I am grateful for that). If I had not questioned the pool, I am afraid to think of the flooding that may have occurred on my property.

I am only telling you this because I feel that the county inspectors are the experts and I just would like them to look into this issue and make sure there can be an amicable solution for all of us. Twenty years from now, I wouldn't want to have any water problems. I do not want this to slip through the cracks like what almost happened with the pool. Since I will be unable to attend this important meeting, I am hoping that this letter will be my voice and this permit that is being requested will not be allowed until the county looks into this situation completely.

Thank you for your time.

cc: Mr. Tim Kotroco

Zoning Notice
Case# 2010-0077-SPH
Max Cohn
12 Mary Hill Court
November 10, 2009



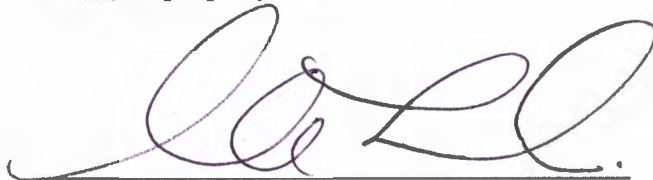
Shelley Zipper

Shelley Zipper
15 Mary Hill Court
Owings Mills, Maryland 21117
410-356-2422

Zoning Office
Department of Permits and Development Management
111 West Chesapeake Ave
Towson, Maryland 21204

Zoning Office:

Please be advised that I, the undersigned, have authorized Arnold Jablon, Esq., Venable, LLP, 210 West Pennsylvania Ave., Towson, Maryland 21204, to be my attorney-in-fact and attorney-at-law and on my behalf file the attached petition for zoning relief and for the applicable use permit. We hereby understand that the relief requested is for property I own and I hereby and herewith acknowledge my express permission for said petition to be filed on my behalf. The petition(s) filed is/are for property located at 12 Mary Hill Court, property I own.



Max L Cohn

8/26/08 (Date)

12 Mary Hill Court, Owings Mills, Maryland 21117
Address

RECEIVED

OCT 30 2009

October 28, 2009

BW
11-10-09
9am

Dear Mr. Wiseman,

ZONING COMMISSIONER

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Thank you for your time.

cc: Mr. Tim Kotroco

Zoning Notice
Case# 2010-0077-SPH
Max Cohn
12 Mary Hill Court
November 10, 2009

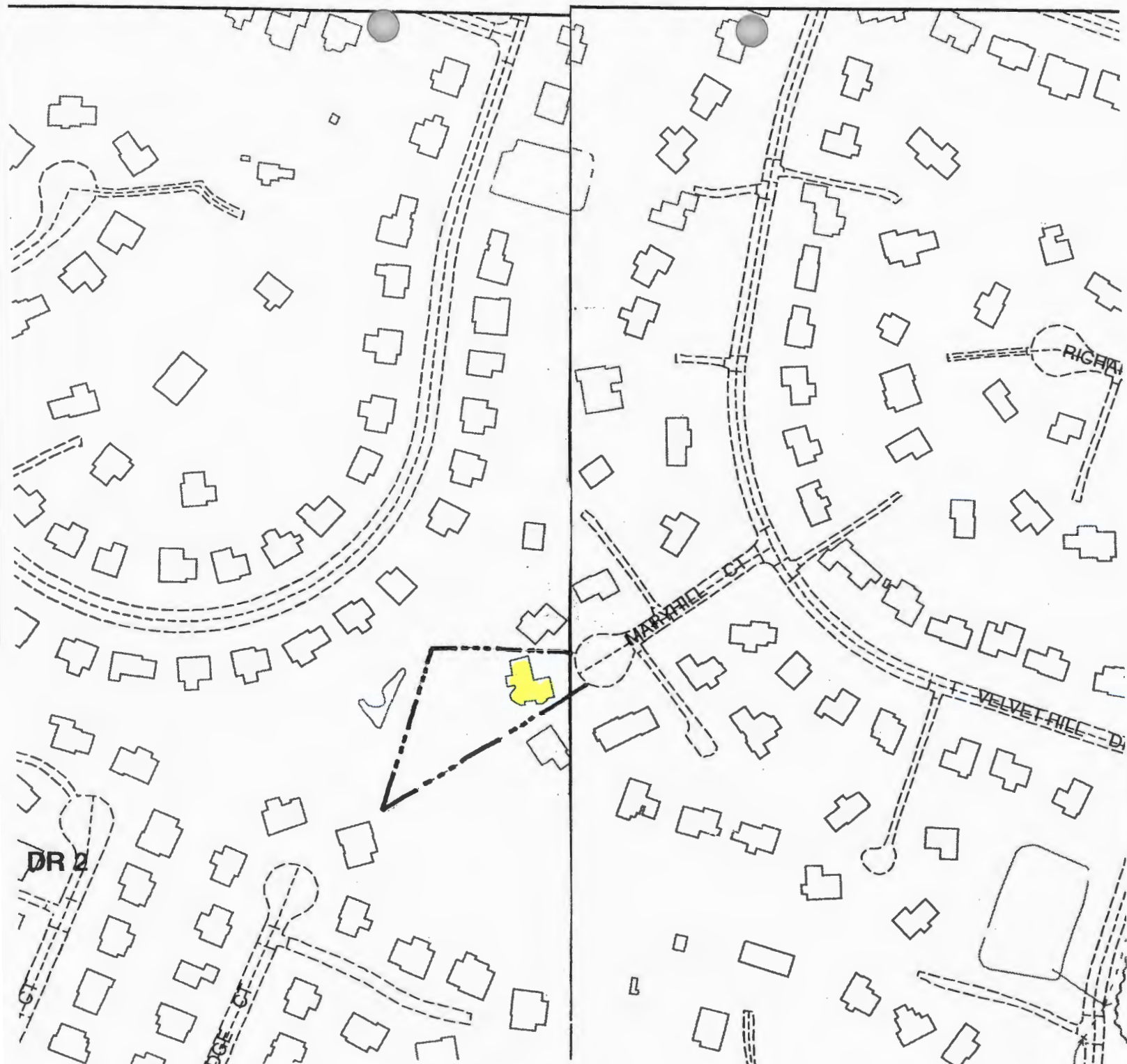
Shelley Zipper

Shelley Zipper
15 Mary Hill Court
Owings Mills, Maryland 21117
410-356-2422

CASE NAME Cohn
CASE NUMBER 2010-0577-SPH
DATE 11-10-09

[illegible]

Debbi -
Send Copy of Order
to Mr. Zappa - See letter ✓ done
in file



Baltimore County Zoning Map

Scale

1" = 200'

0 100 200 400
Feet



32-8-303 (C)
MUST CONSIDER comments of Dept of Public Works



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

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

Account Identifier: District - 04 Account Number - 1900000240

Owner Information

Owner Name: COHN MAX L TRUSTEE **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 12 MARY HILL CT
OWINGS MILLS MD 21117-1289 **Deed Reference:** 1) /16426/ 693
2)

Location & Structure Information

Premises Address **Legal Description**
12 MARYHILL CT .654 AC
12 MARYHILL CT
VELVET HILLS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
49	15	156					19	1	Plat Ref: 52/ 140

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1982	2,072 SF	28,488.00 SF	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	FRAME

Value Information

	Base Value	Value As Of 01/01/2007	Phase-in Assessments As Of 07/01/2009	As Of 07/01/2010
Land	141,120	141,120		
Improvements:	282,410	282,410		
Total:	423,530	423,530	423,530	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

Transfer Information

Seller: COHN MAX L	Date: 05/20/2002	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /16426/ 693	Deed2:
Seller: JUSTICE JACK G	Date: 06/27/1987	Price: \$170,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 7589/ 772	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

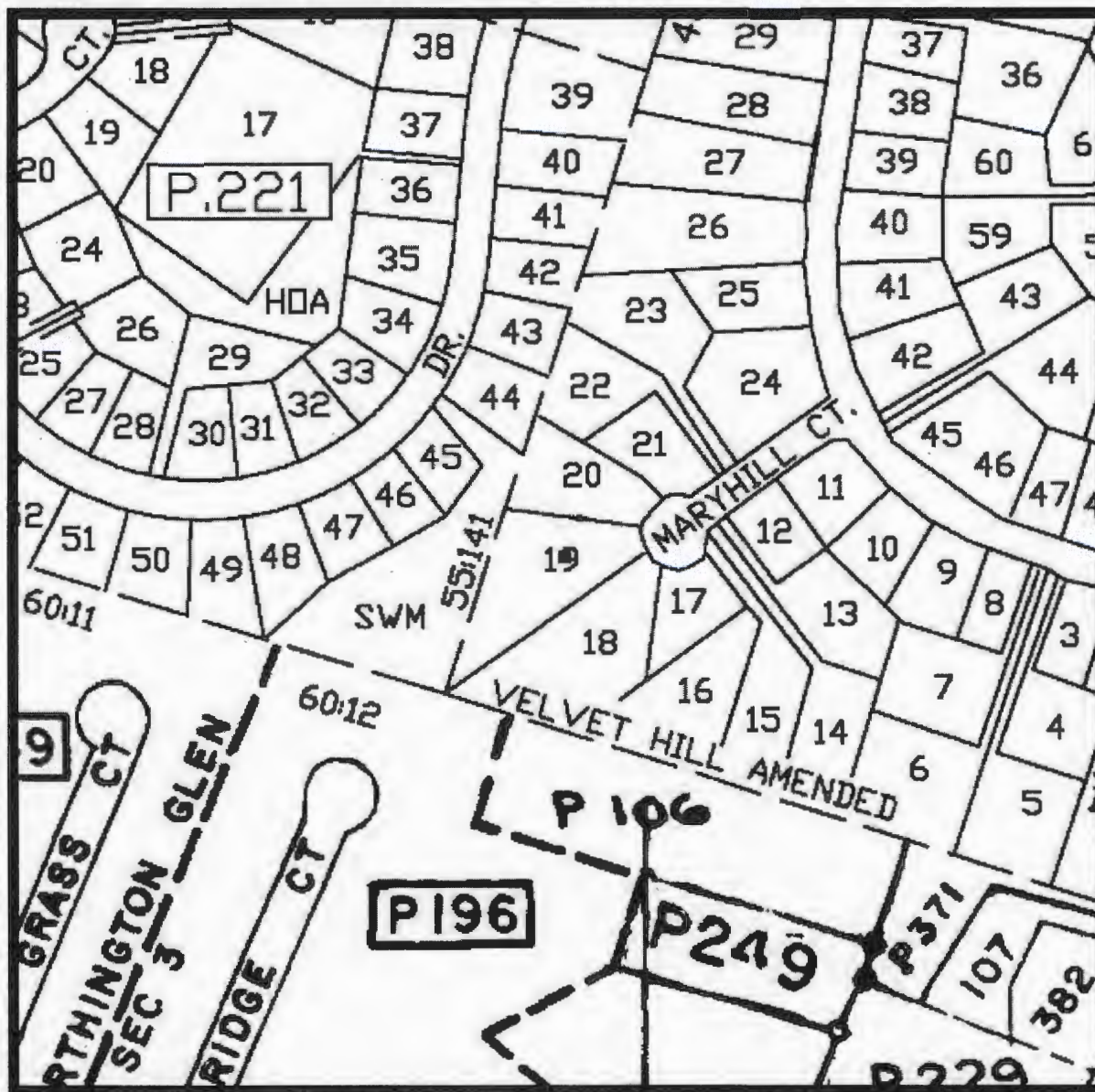
Special Tax Recapture:
* NONE *



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

**Go Back
View Map
New
Search**

District - 04 Account Number - 1900000240



Property maps provided courtesy of the Maryland Department of Planning ©2008.
For more information on electronic mapping applications, visit the Maryland Department
of Planning web site at www.mdp.state.md.us/webcom/index.html

Case No.:

2010-0079-SPHA

12 MARY HILL COURT

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site PLAN - Colorized to show ADDITIONS	
No. 2	Certified Right-of-Way Plat 100 year flood Plan	
No. 3	Permit- 2002 Garage; sun room	
No. 4	Permit- Enclose existing Deck	
No. 5	KCI- Flood PLAIN Study 2/17/09	
No. 6	ZONING MAP	
No. 7	Aerial Photo	
No. 8 11 photos	Photographs - Existing Conditions	
No. 9		
No. 10		
No. 11		
No. 12		



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

[Signature]
DIRECTOR

BUILDING PERMIT

[Signature]
BUILDINGS ENGINEER

PERMIT #: B485229 CONTROL #: MR DIST: 04 PREC: 04
DATE ISSUED: 05/08/2002 TAX ACCOUNT #: 1900000240 CLASS: 04

PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 ELEC YES PLUM NO
LOCATION: 12 MARYHILL CT
SUBDIVISION: VELVET HILLS

OWNERS INFORMATION

NAME: COHN, MAX
ADDR: 12 MARYHILL CT OWINGS MILLS MD 21117

TENANT:

CONTR: OWNER

ENGNR:

SELLR:

WORK: CONST ATTACHED 2-CAR GARAGE: 22'X25'X15'=550SF
TO SIDE, & CONST ROOF OVER EX OPEN WOOD DECK &
ENCLOSE DECK ON REAR OF EX SFD, TO CREATE
SUNROOM ENCLOSURE: 22'6"X14'9"X15'=281SF
(IRREG) FOOTERS REQUIRED. WAIVE PLANS PER ALB

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD & ADDITIONS

EXISTING USE: SFD

TYPE OF IMPRV: ADDITION

USE: ONE FAMILY

FOUNDATION: SLAB

SEWAGE: PUBLIC EXIST

BASEMENT: NONE

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 28488SF

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: NC/3'

SIDE STR SETB:

REAR SETB: NC

**THIS PERMIT
EXPIRES ONE
YEAR FROM DATE
OF ISSUE**

PETITIONER'S

EXHIBIT NO. 3



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

Timothy M. Kotroco
TIMOTHY M. KOTROCO
DIRECTOR

BUILDING PERMIT

John R. Reisinger
JOHN R. REISINGER
BUILDINGS ENGINEER

PERMIT #: B550827 CONTROL #: MR DIST: 04 PREC: 04
DATE ISSUED: 03/30/2004 TAX ACCOUNT #: 1900000240 CLASS: 04

PLANS: CONST 0 PLOT 1 R PLAT 0 DATA 0 ELEC NO PLUM NO
LOCATION: 12 MARYHILL CT
SUBDIVISION: VELVET HILLS

OWNERS INFORMATION

NAME: COHN MAX
ADDR: 12 MARYHILL CT, 21117

TENANT:

CONTR: PATIO ENCLOSURES INC
ENGR:
SELLR:

WORK: ENCLOSE EX. DECK ON REAR OF SFD WITH A
20'X19'=272SF OVERALL (IRREG.) SUNROOM.
(GLASS/ALUM.)

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD + ADDITION

EXISTING USE: SFD

TYPE OF IMPRV: ADDITION

USE: ONE FAMILY

FOUNDATION:

SEWAGE: PUBLIC EXIST

BASEMENT:

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 28,488SF

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: NC/NC

SIDE STR SETB:

REAR SETB: 85'

PETITIONER'S
EXHIBIT NO. 4



PETITIONER' S

EXHIBIT NO.

7

1.



2.



3.

4.

PETITIONER'S

EXHIBIT NO.

8

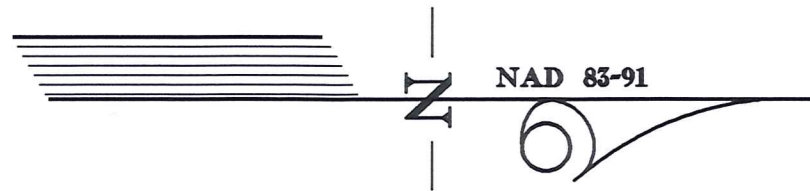
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10

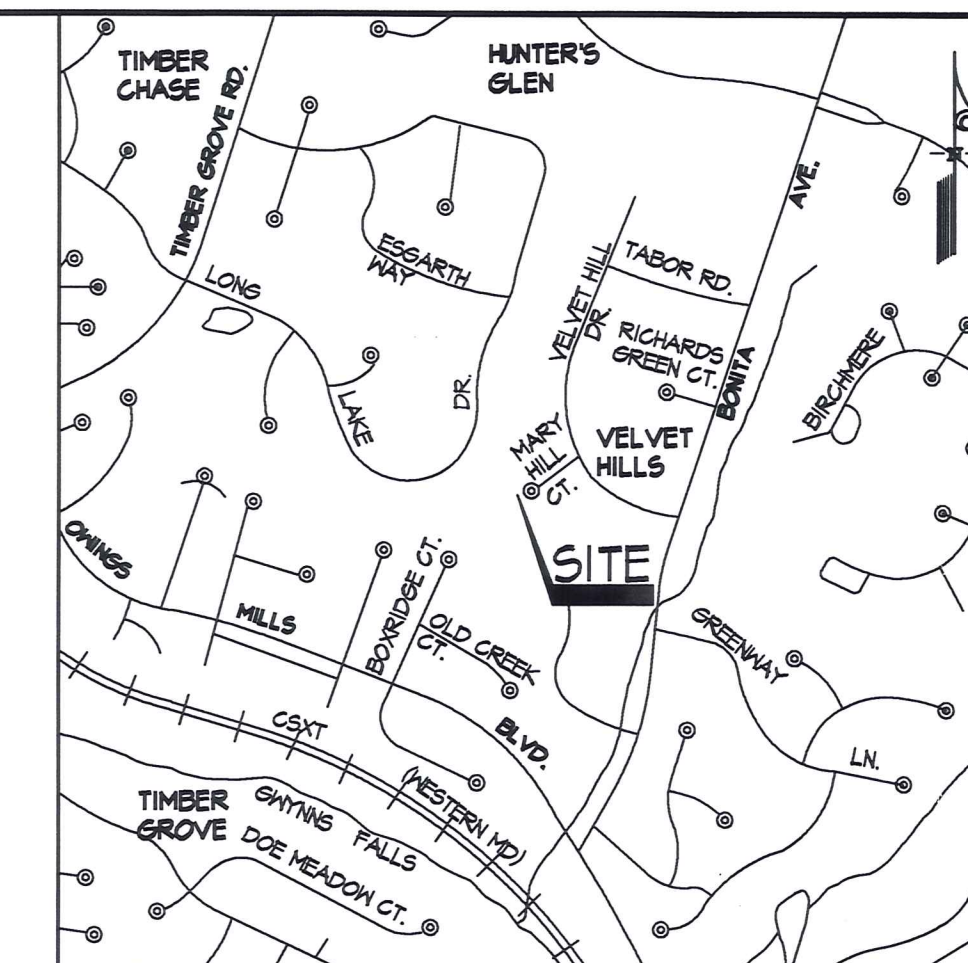


11



PLAT TO ACCOMPANY PETITION
FOR SPECIAL ZONING HEARING

PROPERTY ADDRESS
12 MARY HILL COURT
SUBDIVISION - VELVET HILLS



VICINITY MAP
SCALE: 1"=1000'

SITE DATA

1. SITE ADDRESS: 12 MARY HILL COURT, LOT 19, OWINGS MILLS
2. ELECTION DISTRICT: 4 PREC 01
3. COUNCILMANIC DISTRICT: 3
4. CENSUS TRACT: 4044.02
5. DEED REF: 16426/ 643
6. PROPERTY TAX ACCOUNT NO.: 1900000240
7. PROPERTY OWNER: MAX L. COHN, TRUSTEE
8. TOTAL SITE AREA: 28,488 H², 0.654 AC.
9. SITE IS LOCATED WITHIN THE GWYNNS FALLS WATERSHED
10. ZONING: DR 2
11. PUBLIC WATER
12. PUBLIC SEWER
13. 100 YEAR FLOOD PLAIN: YES
14. CHESAPEAKE BAY CRITICAL AREA: NO
15. HISTORIC PROPERTY / BUILDING: NO
16. PRIOR ZONING HEARING: NONE
17. 1" = 200' SCALE MAP #

SPECIAL HEARING FOR A WAIVER
CONCERNING THE FOLLOWING:

1. 500.0 BCZR
2. S-312.0 BUILDING CODE
3. S-4.414, 32-4-101, (a) (2)
4. S-32-8-301 BCZR

TO PERMIT PORTION OF THE EXISTING
HOUSE LOCATED IN THE 100 YEAR FLOOD
PLAIN EASEMENT AREA.

NOTE: THE BOUNDARY LINES AS SHOWN
ARE NOT INTENDED TO REPRESENT
AN ACUTAL SURVEY. BOUNDARY IS
FROM BEST AVAILABLE INFORMATION.
SEE PLATS AS SHOWN.

PETITIONER'S
EXHIBIT NO. 1

LEGEND

- PROPERTY LINE
- EASEMENT LINE
- EX. CONTOURS
- EX. BUILDING
- EX. TREE LINE
- EX. EDGE OF PAVEMENT
- LOT NUMBER
- APPROX. LOCATION OF EX. HOUSE
WITHIN EX. DRAINAGE, UTILITY &
100 YR FLOODPLAIN EASEMENT

PROFESSIONAL CERTIFICATION: I HEREBY
CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT
I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE
OF MARYLAND, LICENSE NO. 28455
EXPIRATION DATE: 1/5/11



ENGINEERS
PLANNERS
SCIENTISTS
CONSTRUCTION MANAGERS
10 NORTH PARK DRIVE
HUNT VALLEY, MD 21030
PHONE: (410) 316-7800
FAX: (410) 316-7817
WWW.KCI.COM

REVISIONS			
NO.	DATE	DESCRIPTION	BY

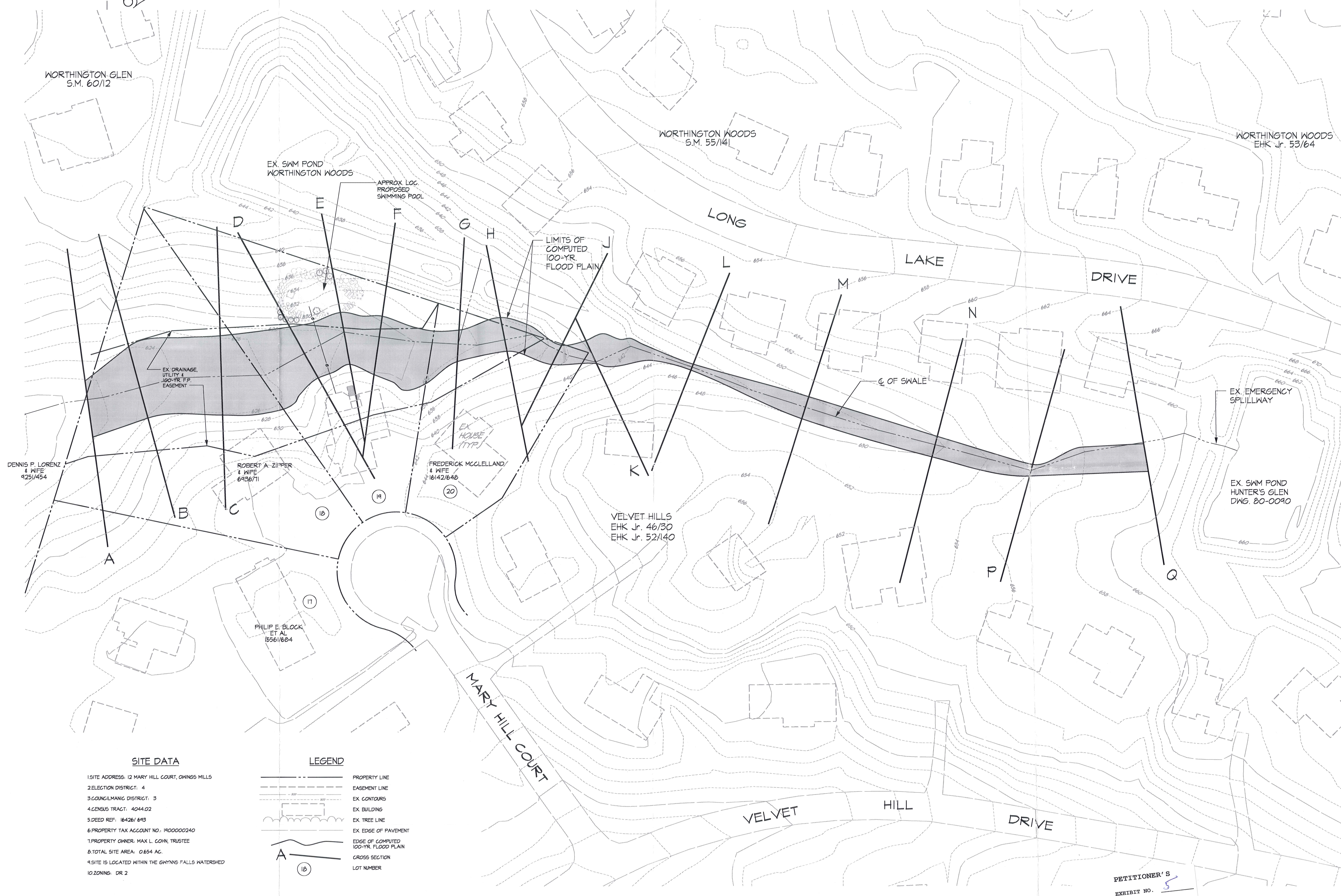
DATE
8/06/09
SCALE
1"=30'
DESIGNED BY
MSS
DRAWN BY
MSS

VELVET HILLS
PLAN TO ACCOMPANY ZONING HEARING
LOT 19

VELVET HILL SUBDIVISION

BALTIMORE COUNTY, MD

DRAWING NO.
SHEET 1 OF 1
KCI JOB NUMBER
01090025

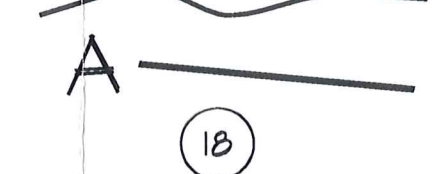


SITE DATA

- 1. SITE ADDRESS: 12 MARY HILL COURT, OWINGS MILLS
- 2. ELECTION DISTRICT: 4
- 3. COUNCILMANIC DISTRICT: 3
- 4. CENSUS TRACT: 4044.02
- 5. DEED REF: 16426/ 693
- 6. PROPERTY TAX ACCOUNT NO.: 1900000240
- 7. PROPERTY OWNER: MAX L. COHN, TRUSTEE
- 8. TOTAL SITE AREA: 0.654 AC.
- 9. SITE IS LOCATED WITHIN THE GWYNNS FALLS WATERSHED
- 10. ZONING: DR 2

LEGEND

- PROPERTY LINE
- EASEMENT LINE
- EX. CONTOURS
- EX. BUILDING
- EX. TREE LINE
- EX. EDGE OF PAVEMENT
- EDGE OF COMPUTED 100-YR. FLOOD PLAIN
- CROSS SECTION
- LOT NUMBER



PETITIONER'S
EXHIBIT NO. 5

KCI
TECHNOLOGIES

ENGINEERS
PLANNERS
SCIENTISTS
CONSTRUCTION MANAGERS

10 North Park Drive
Hunt Valley, MD 21030
Phone: (410) 316-7800
Fax: (410) 316-7817
www.kci.com

REVISIONS				DATE
NO.	DATE	DESCRIPTION	BY	

DATE: 02/17/04
SCALE: 1"=30'
DESIGNED BY: M55
DRAWN BY: JMC

VELVET HILLS
FLOOD PLAIN STUDY
LOTS 18, 19, 20

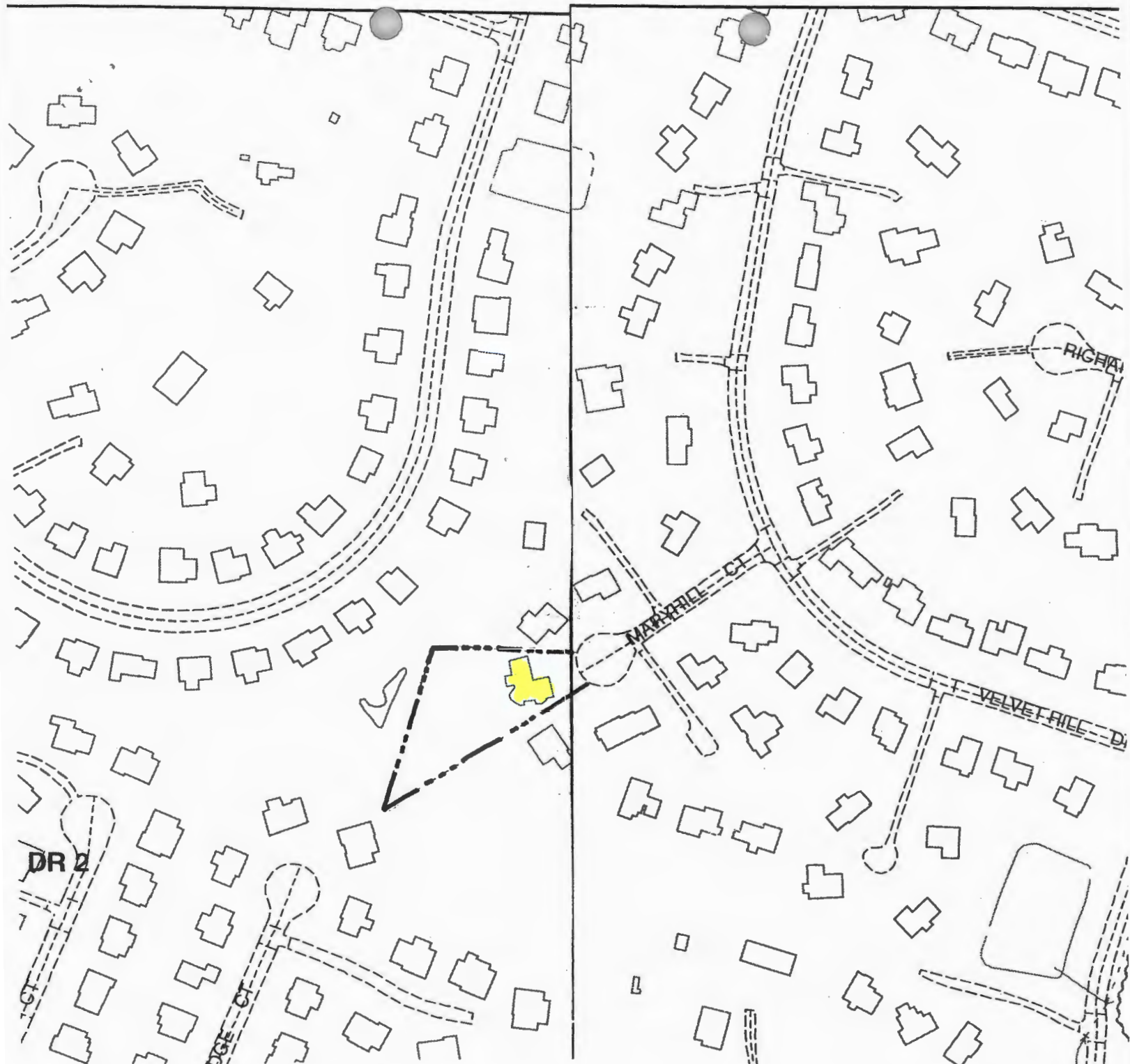
VELVET HILL SUBDIVISION

BALTIMORE COUNTY, MD

DRAWING NO. 01090025

SHEET 1 OF 1
KCI JOB NUMBER 01090025

NOTED: 10/20/04 BY: E. J. H. M. A. S. 08/20/04
BY: Matthew S. Schell, Division Chief, Urban Planning and Development
FILE: M:\2009\01090025\Drawings\01090025.dwg



Baltimore County Zoning Map

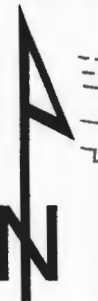
PETITIONER'S

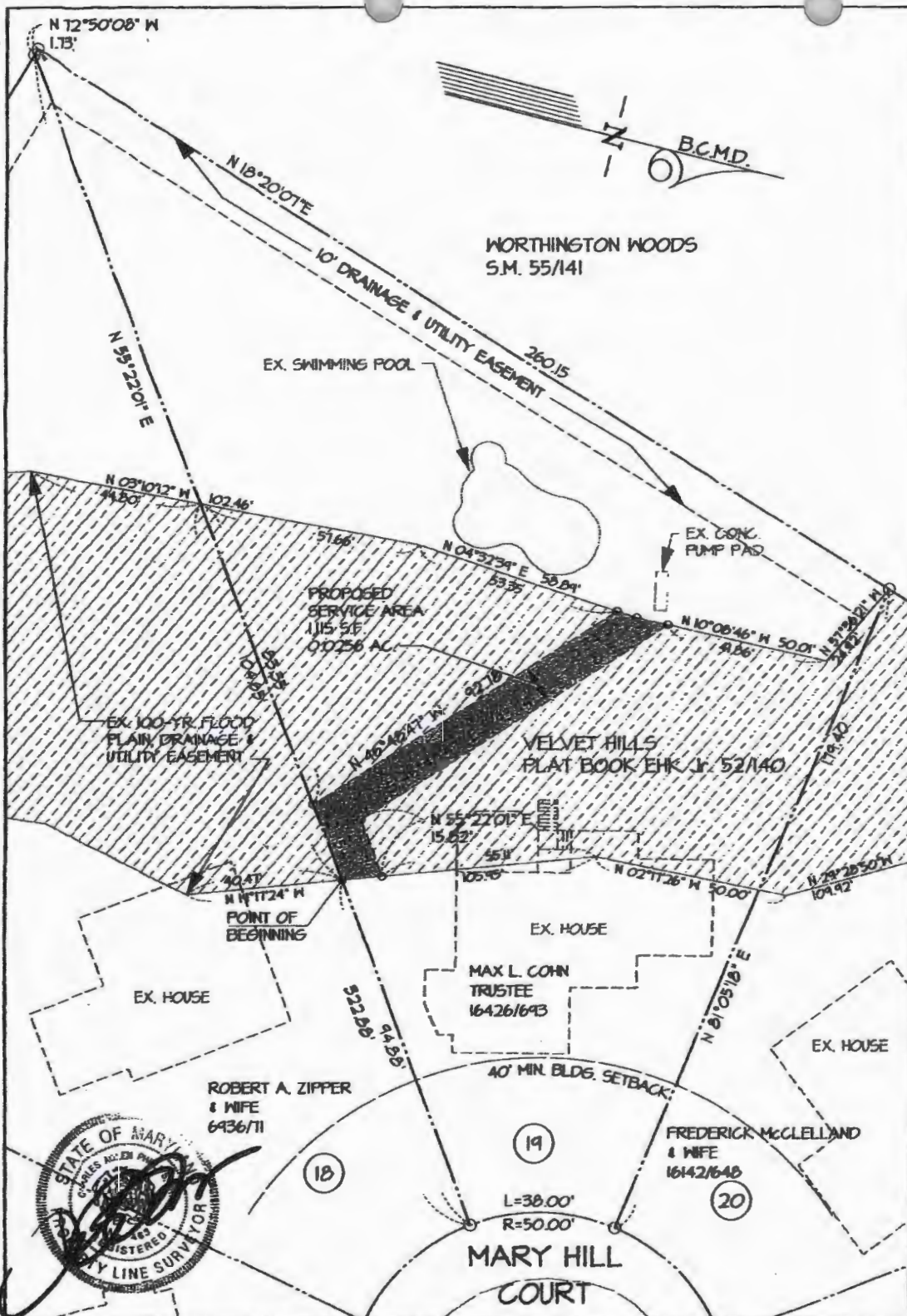
EXHIBIT NO. 6

Scale

1" = 200'

0 100 200 400
Feet





BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT BUREAU OF LAND ACQUISITION			
DISTRICT NO.	POSITION SHEET NO.	FEDERAL PROJECT NO.	MARYLAND PROJECT NO.
APPROVED _____ DIRECTOR OF PUBLIC WORKS		CHARLES A. PHILLIPS, RPLS DATE <u>4/10/09</u> REG. NO. <u>463</u>	
DATE _____		SHEET <u>1</u> OF <u>1</u> REVISIONS	
APPROVED _____ CHIEF, BUREAU OF LAND ACQUISITION		SCALE 1"=30'	
DATE _____		S.C. JOB ORDER NO.	
APPROVED _____ SUPERVISOR, DIVISION OF DRAFTING		R W	
SERVICE AREA REVERTIBLE SLOPE EASEMENT TEMPORARY CONSTRUCTION AREA		EXISTING COUNTY R/W AREA TO BE RELEASED TEMPORARY SLOPE EASEMENT	
ITEM	RECORDED	DRAWN BY	PLAT CHECKED
		MS	RC
			RC
			TITLE CHECKED

PETITIONER'S

EXHIBIT NO. 2