

IN RE: PETITION FOR ADMIN. VARIANCE

E side of Rockaway Beach Avenue; 1554 feet
NE of Regina Avenue
15th Election District
5th Councilmanic District
(607 Rockaway Beach Avenue)

Nancy S. Seidel
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2010-0177-A

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before this Deputy Zoning Commissioner for consideration of a Motion for Reconsideration filed on February 3, 2010 by the Petitioner's representative, Tom Berg of Berg Contracting Services LLC, to amend the Order issued January 21, 2010 to reflect that the Petitioner is also seeking relief from the front setback of 47 feet instead of 50 feet and relief for the 25% rule on the left side of the property. The Motion for Reconsideration was filed pursuant to Rule 4(k) of Appendix G of the Baltimore County Zoning Regulations (B.C.Z.R.) wherein the Rules of Practice and Procedure Before the Zoning Commissioner/Hearing Officer for Baltimore County are provided. Rule 4(k) permits a party to file a Motion for Reconsideration of an Order issued by the Zoning Commissioner. This Motion must be filed within 30 days of the date the Order was issued, and must state with specificity the grounds and reasons for their request.

This matter originally came before this Deputy Zoning Commissioner as a Petitioner for Administrative Variance filed by the legal owner of the subject property, Nancy S. Seidel. The variance request is from Sections 1B02.3.C.1 and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory building (shed) to be located in the front yard with an 8 inch side yard setback and 16 feet front street setback, respectively, in lieu of the

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Date 2-23-10

By pm

required rear yard with a 2.5 feet side yard setback and 30 feet front street setback, respectively.¹

The Petitioner's request was granted in this Commissioner's January 21, 2010 Order.

Following issuance of the January 21, 2010 Order, Petitioner discovered that the Zoning Official had neglected to include all of the variance relief being sought, namely relief from the front setback of 47 feet instead of 50 feet and relief for the 25% rule on the left side of the property. The additional relief was described in detail as items 2 and 3 on the Petitioner's Affidavit in Support of the Administrative Variance. Evidently, when the Zoning Official prepared the variance request description on the Petition, items 2 and 3 were inadvertently left off. This problem was not the Petitioner's and she should not be penalized for the oversight by the Zoning Official.

The Petitioner reposted the property on January 31, 2010 to indicate the additional variance relief being sought. This variance relief should have been listed on the original sign posting on December 27, 2009. None of the Petitioner's neighbors expressed any concern over the variance request.

In considering the Motion for Reconsideration, the undersigned reviewed the file, including the site plan and photographs, as well as the Findings of Fact and Conclusions of Law dated January 21, 2010. After reviewing the evidence, I am persuaded to grant the Motion and grant the variance request. Based upon the information available, there is no evidence in the file

¹ The Zoning Commissioner's Policy Manual (Z.C.P.M.), Sections 400.1A and 400.2A, 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 as facing the water. In this case, it was incorrectly noted by the Zoning Review Office that the front of the home faced Rockaway Beach Avenue. The site plan was corrected to show the front of the home as facing the Middle River. Since it is determined that the front of the dwelling faces the Middle River, an accessory structure (shed) is permitted in the rear yard of the subject property. The Petition was corrected to read "from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory building (shed) with an 8 inch side yard setback in lieu of the required 2.5 feet side yard setback".

ORDER RECEIVED FOR FILING

Date 2-23-10

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By PM

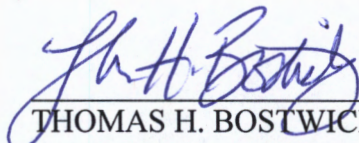
to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner. Petitioner's dwelling is constructed much closer to Rockaway Beach Avenue than either adjacent property owner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 23rd day of February, 2010 that a Variance relief from the front setback of 47 feet instead of 50 feet and relief for the 25% rule on the left side of the property are hereby GRANTED; and

IT IS FURTHER ORDERED that all other terms and conditions of this Commissioner's January 21, 2010 Order shall remain in full force and effect.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date 2-23-10

By pm



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

February 23, 2010

NANCY S. SEIDEL
607 ROCKAWAY BEACH AVENUE
BALTIMORE MD 21221

Re: Petition for Administrative Variance
Order on Motion for Reconsideration
Case No. 2010-0177-A
Property: 607 Rockaway Beach Avenue

Dear Ms. Seidel:

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

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

Very truly yours,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Tom Berg, Berg Contracting Services LLC, 222 Hobbitts Lane, Westminster MD 21158

Berg Contracting Services, LLC
222 Hobbitts Lane
Westminster, MD 21158

February 3, 2010

Thomas H. Bostwick
Deputy Zoning Commissioner
Zoning Commissioner's Office
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

RE: Case No. 2010-0177A , Petitioner Nancy S. Seidel

Dear Mr Bostwick:

Please accept this request for Reconsideration of the existing decision for the above referenced case number. I am asking for an amended change of decision on behalf of my client as a result of an oversight in the zoning department that was not caught by Ms. Seidel as she was following the guidance of an official in the department. This is a statement from Ms. Seidel regarding the morning she filed the variance paperwork.

"In reference to my meeting with (Zoning Official) on December 14, 2009. I had two sets of paperwork to file (2) separate variances. Upon reading those papers, (Zoning Official) stated, "I don't know why they are making you file these." I stated, "I don't know why, I'm doing it because I was instructed that I had too. He told me to add the second variance to the one with the shed that there was no reason to file separate paperwork. I did as I was instructed. He (Zoning Official) sent me next door to pay the cashier for the variance while he filled out the paperwork. When I came back he gave me the paperwork for the sign posting and told me who to call for the posting. The sign was posted as he directed on the paperwork."

Nancy Seidel
607 Rockaway Beach Avenue
Baltimore, MD 21221

The following is background information regarding the petition for variance for Ms. Seidel's property. The reason there were two sets of variance paperwork is that we were under the impression that as two separate permits were being filed, one for the shed and one for the additions to the property and the shed was already onsite so the variances would be separate. As directed, she added items numbered (2) Requesting relief for front set back of 47' instead of 50'. (3) Relief for 25% rule on left side of property. Item number (1) is for the shed regarding its proximity to the property line. The items are clearly detailed on the second page, although they are in a different color ink on the Affidavit in Support of Administrative Variance. The Affidavit page is filled out by the property owner and the upper portion of page one was filled out by the Zoning Official. Ms. Seidel did not proof read the sign detail which excluded items #2 and #3 although very clear on the second page. It is very clear that there was a mistake in filling out the paperwork which is not directly the fault of Ms. Seidel as a result we don't feel that she should be penalized with additional fees or time although we realize that some additional time and expense may be un-avoidable. Ms. Seidel has re-posted the property with the two items that were not included on the original sign was posted. A picture of the newly posted sign should be submitted to your office on or about February 2nd, 2010 by Mr. Ogle that posted both signs.

February 3, 2010

Thank you, for your time and your consideration regarding this matter and a prompt resolution as there is a time limit to the initial case filing. If I may be of additional assistance please feel free to call my cell @ 443-791-2010.

Sincerely,

Tom Berg
President

IN RE: PETITION FOR ADMIN. VARIANCE

E side of Rockaway Beach Avenue; 1554 feet
NE of Regina Avenue
15th Election District
5th Councilmanic District
(607 Rockaway Beach Avenue)

Nancy S. Seidel
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2010-0177-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Nancy S. Seidel for property located at 607 Rockaway Beach Avenue. The variance request is from Sections 1B02.3.C.1 and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory building (shed) to be located in the front yard with an 8 inch side yard setback and 16 feet front street setback, respectively, in lieu of the required rear yard with a 2.5 feet side yard setback and 30 feet front street setback, respectively.¹ Petitioner has an existing small shed located on the street side (rear yard) of her property. The property is approximately 40 feet and relocating the shed would not leave enough room for parking vehicles. Petitioner states that all the neighboring properties have sheds on property lines. Petitioner's dwelling was constructed much closer to Rockaway Beach Avenue than the adjacent dwellings.

¹ The Zoning Commissioner's Policy Manual (Z.C.P.M.), Sections 400.1A and 400.2A, 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 as facing the water. In this case, it was incorrectly noted by the Zoning Review Office that the front of the home faced Rockaway Beach Avenue. The site plan is hereby corrected to show the front of the home as facing the Middle River. Since it is determined that the front of the dwelling faces the Middle River, an accessory structure (shed) is permitted in the rear yard of the subject property. The Petition is hereby corrected to read "from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory building (shed) with an 8 inch side yard setback in lieu of the required 2.5 feet side yard setback".

1-21-10
R

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental Protection and Resource Management dated January 21, 2010 which indicates that the property must comply with the Chesapeake Bay Critical Area Regulations. The subject shed and adjoining concrete pad require compliance with the noted regulations with respect to lot coverage limits.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on December 27, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

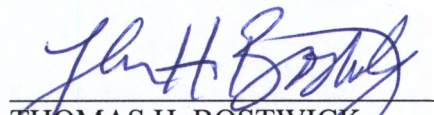
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 21st day of January, 2010 that a Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory building (shed) with an 8 inch side yard setback in lieu of the required 2.5 feet side yard setback is hereby GRANTED, subject to the following:

~~PLANNING DEPARTMENT FOR PLANNING~~
1-21-10 ps

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004 and other Sections of the Baltimore County Code).
3. The subject shed and adjoining concrete pad require compliance with the noted regulations with respect to lot coverage limits.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

RECEIVED FROM PLANNING
1-21-10




BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

January 21, 2010

NANCY S. SEIDEL
607 ROCKAWAY BEACH AVENUE
BALTIMORE MD 21221

Re: Petition for Administrative Variance
Case No. 2010-0177-A
Property: 607 Rockaway Beach Avenue

Dear Ms. Seidel:

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

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

Very truly yours,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 607 Rockaway Beach Ave
which is presently zoned DB 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 & 400.1, BC2R, to permit

an existing accessory building (shed) to be located in the front yard with an 8 inch side yard setback and 16 feet front street setback, ~~in~~ respectively, in lieu of the required rear yard with a 2½ feet side yard setback and 30 feet front street setback, 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):

Nancy S. Seidel

Name - Type or Print

Nancy S. Seidel

Signature

Name - Type or Print

Signature

607 Rockaway Beach Ave

Address

410-686-1555 Wk

410-574-6434 Hm

Telephone No.

Baltimore

City

Maryland

State

21221

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

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.

Zoning Commissioner of Baltimore County

CASE NO. 2010-0177-A

Reviewed By JNP

Date 12/14/09

REV 10/25/01

1-21-10

Estimated Posting Date 12/27/09

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 607 Rockaway Beach Ave
Address
Baltimore Maryland 21221
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):

To Whom It May Concern:

- ① I am requesting a variance for the placement of a shed just off the property line. Due to the size of the lot (40'), moving the shed would not leave enough room for parking. All of the properties in this area have their shed on the property line.
- ② Relief of front setback of 47' instead of 50'
- ③ Relief of 25% rule on left side property dwelling

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.

Nancy S Seidel
Signature

Signature

Nancy S. Seidel
Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 7 day of December, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Mary A. Salamone
Notary Public
My Commission Expires 8/1/10

Lancy S. Seidel
607 Rockaway Beach Ave
Baltimore, Maryland 21221

Zoning Description for 607 Rockaway Beach Ave.

Beginning at a point on the east side of Rockaway Beach Ave. which is 30 ft wide at the distance of 1,554.70 ft Northeastly along east side of Rockaway Beach Ave from the intersection with the northeast side of a 40 ft Ave as shown on Plat. Being Lot # 67 in the Subdivision of Turkey Point Farm, as recorded in Baltimore County Plat Book # 4, Folio # 171, containing 10,482 sq ft. of land -(0.24 acres). Also Known as 607 Rockaway Beach Ave. and located in the 15th Election District, Councilmanic District

Meters and Bounds

NE 40 ft, SE 230.70, Cross Cut SE 23 ft +- SE 43 ft (+-) →
NW 36 ft, Cross Cut NW 234.41 ft to the place of the beginning.

2010-0177-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0177 -A Address 607 Rockaway Beach Ave.

Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 12/14/09 Posting Date: 12/27/09 Closing Date: 1/11/2010

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

- 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.
- 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.
- 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.
- 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 2010- 0177 -A Address 607 Rockaway Beach Avenue

Petitioner's Name Nancy Seidel Telephone 410-686-1550
410-574-6434

Posting Date: 12/27/09 Closing Date: 1/11/2010

Wording for Sign: To Permit an existing accessory building (shed) to be located in the front yard with an 8 inch side yard setback and 16 feet front street set back, respectively, in lieu of the required rear yard with a 2 1/2 feet side yard setback and 30 feet front street setback, respectively.

Revised 8/20/09

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

No. **47695**

Date: **12/14/09**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 12/14/2009 12/14/2009 10:53:40 2

REF 0502 WALKIN JEAN JEE
 RECEIPT # 665414- 12/14/2009 DEPU

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
801	806	0000		6150				65.00

5 528 20TH VERIFICATION
 12/14/09 047695

Receipt Tot \$65.00
 1.00 CR \$65.00 CA
 Baltimore County, Maryland

Total: **65.00**

Rec From: **Nancy Seidel**
 For: **Adm. Uoviano - 607 Rockaway Beach Ave.**
2010-0177-A (Seidel)

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No 2010-0177-A

Petitioner/Developer NANCY
SEIDEL

Date Of Hearing/Closing 2/15/10

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

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 607 KIDLAWAY BEACH AVE.

This sign(s) were posted on January 31, 2010

Month, Day, Year

Sincerely,

Martin Ogle 1/31/10
Signature of Sign Poster and Date

Martin Ogle

60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411

RECEIVED

FEB 02 2010

ZONING COMMISSIONER

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2010-0177-A

BUILDING FRONT AND
REAR ADDITION REQUIRING THE FOLLOWING 2 VARIANCES
1) TO RELIEF OF FRONT SETBACK OF 47' INSTEAD OF 50'
2) RELIEF FOR 25% RULE ON LEFT SIDE OF PROPERTY.

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 IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON MONDAY FEBRUARY 15, 2010

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 N. CHESAPEAKE AVE. TEL 887-3391

CERTIFICATE OF POSTING

RE: Case No 2010-0177-A

Petitioner/Developer NALVEY
SEIDEL

Date Of Hearing/Closing: 1/11/10

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

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 607 ROCKAWAY BEACH AVE.

This sign(s) were posted on December 27, 2009
Month, Day, Year

Sincerely,

Martin Ogle 12/27/09
Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2010-0177-A

TO PERMIT AN EXISTING ACCESSORY BUILDING (SHED) TO BE
LOCATED IN FRONT YARD WITH A 8'X12' SIDE YARD SETBACK AND A 16
FEET FRONT STREET SIDE SETBACK RESPECTIVELY IN LIEU OF THE REQUIRED
REAR YARD WITH 2 1/2 FEET SIDE YARD SETBACK AND 30 FEET FRONT
STREET SETBACK RESPECTIVELY

PUBLIC HEARING ?

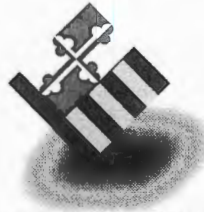
PURSUANT TO SECTION 20-12710(K1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON MONDAY @ JANUARY 11, 2010

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

111 N. CHARLESSTOWN RD.
TOWSON, MD 21204

TEL. 887-3391

MEETING IS NONDISCRIMINATORY



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

January 12, 2010

Nancy Seidel
607 Rockaway Beach Ave.
Baltimore, MD 21221

Dear: Nancy Seidel

RE: Case Number 2010-0177-A, 607 Rockaway Beach Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 14, 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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 4, 2010

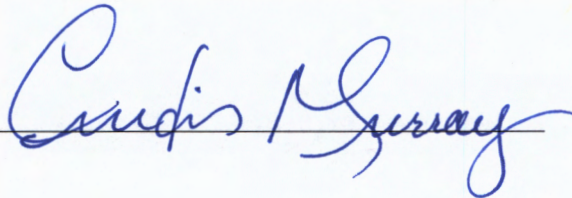
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-177- Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Prepared By:
CM/LL



RECEIVED

JAN 04 2010

ZONING COMMISSIONER



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

December 23, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: December 21, 2009

Item Numbers: 0174, 0177, 0178, 0180 and 0181

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

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

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

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 5, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For January 4, 2010
Item Nos. 2010-0166, 173, 177, 178,
180 and 181

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-01052010 -NO COMMENTS.doc



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: JAN. 4, 2010

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

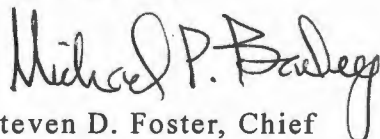
RE: Baltimore County
Item No. 2010-0177-A
607 ROCKAWAY BEACH AVE.
SEIDEL PROPERTY
ADMIN. VARIANCE -

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. 2010-0177A.

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,


For¹ 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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JAN 21 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: January 21, 2010
SUBJECT: Zoning Item # 10-177-A
Address 607 Rockaway Beach Avenue
(Seidel Property)

Zoning Advisory Committee Meeting of December 21, 2009

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

The subject shed and adjoining concrete pad require compliance with the noted regulations with respect to lot coverage limits.

Reviewer: Thomas Panzarella

Date: January 15, 2010



BALTIMORE COUNTY
MARYLAND

BALTIMORE COUNTY
OFFICE OF THE ZONING COMMISSIONER
JEFFERSON BUILDING, SUITE 103
105 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204

Phone: 410-887-3868

Fax: 410-887-3468

F A X C O V E R S H E E T

DATE: 2-24-10

NO. OF PAGES INCLUDING COVER SHEET: 5

TO:

Tom Berg
Berg Contracting
Services

FROM:

Patti Zook

PHONE: 410 876 1348

FAX NO.: 410 876 0362

MESSAGE:

2010-0177-A
607 Rockaway Beach Avenue
Nancy Seidel

REMARKS: ☐ URGENT ☐ FOR REVIEW ☐ REPLY ASAP ☐ PLEASE COMMENT
☐ PLEASE REPLY ☐ PLEASE RECYCLE

Thomas Bostwick - Reconciliation of petition

From: Tom Berg <tomb@bergcontracting.com>
To: <tbostwick@baltimorecountymd.gov>
Date: 2/2/2010 9:40 AM
Subject: Reconciliation of petition
CC: <doughgirls@aol.com>

Good morning Mr. Bostwick,

Thank you for meeting with me on Friday. Here is the letter requesting Reconciliation of petition for Ms. Seidel. I have left out the name of the Zoning official responsible for filling out the paperwork. Please feel free to let me know if the letter should be reworded to suite our purpose. FYI, Ms. Seidel met with Mr. Perlot yesterday to discuss the events again on her own accord. He made a comment to her that Maryland Building Permits was involved in the process with us and she could have had them involved with resolving the variance issue. They charge \$1,500 dollars to complete a variance because the process can be so involved. I understand that rules and regulations have to be followed but a homeowner should not have to hire a company to make sure someone fills out paper properly. Thank you again for your assistance in resolving this matter. I have copied Ms Seidel also.

Thank you,
Tom Berg

Tom Berg
Berg Contracting Services
222 Hobbitts Lane
Westminster, MD 21158
MHIC# 122970
Office 410-876-1348
Fax 410-876-0362
Cellular 443-791-2010

From: Jeffrey Livingston
To: Wiley, Debra; Zook, Patricia
Date: 1/21/2010 8:52 AM
Subject: ZAC 10-177-A
Attachments: ZAC 10-177-A.doc

Here it is.

Patricia Zook - Case 2010-0177-A - DEPRM comment needed

From: Patricia Zook
To: Livingston, Jeffrey
Date: 1/20/2010 1:24 PM
Subject: Case 2010-0177-A - DEPRM comment needed

Hello Jeff -

This e-mail was previously sent to you on January 12, 2010.

Good morning Jeff -

We need DEPRM comments on the below-described administrative variance case that we just received.

CASE NUMBER: 2010-0177-A

607 Rockaway Beach Avenue

Location: E side of Rockaway Beach Avenue; 1554 feet NE of Regina Avenue.

15th Election District, 5th Councilmanic District

Legal Owner(s): Nancy Seidel

Closing Date: 1/11/2010

ADMINISTRATIVE VARIANCE To permit an existing accessory building (shed) to be located in the front yard with an 8 inch side yard setback and 16 feet front street setback, respectively, in lieu of the required rear yard with a 2.5 feet side yard setback and 30 feet front street setback, respectively.

Thanks for your help.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

Patricia Zook - Case 2010-0177-A - DEPRM comment needed

From: Patricia Zook
To: Livingston, Jeffrey
Date: 1/12/2010 9:52 AM
Subject: Case 2010-0177-A - DEPRM comment needed

Good morning Jeff -

We need DEPRM comments on the below-described administrative variance case that we just received.

CASE NUMBER: 2010-0177-A

607 Rockaway Beach Avenue

Location: E side of Rockaway Beach Avenue; 1554 feet NE of Regina Avenue.

15th Election District, 5th Councilmanic District

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Thanks for your help.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

Adjoining neighbor approval of variance.

I CAROL STEWART give my
approval for relief of the 25% rule on the left side of the neighboring
property at 607 Rockaway Beach Ave. Baltimore, MD 21221.

Carol Stewart,
12/10/09

2010-0177-A



2010-0177-A



606 Roadside

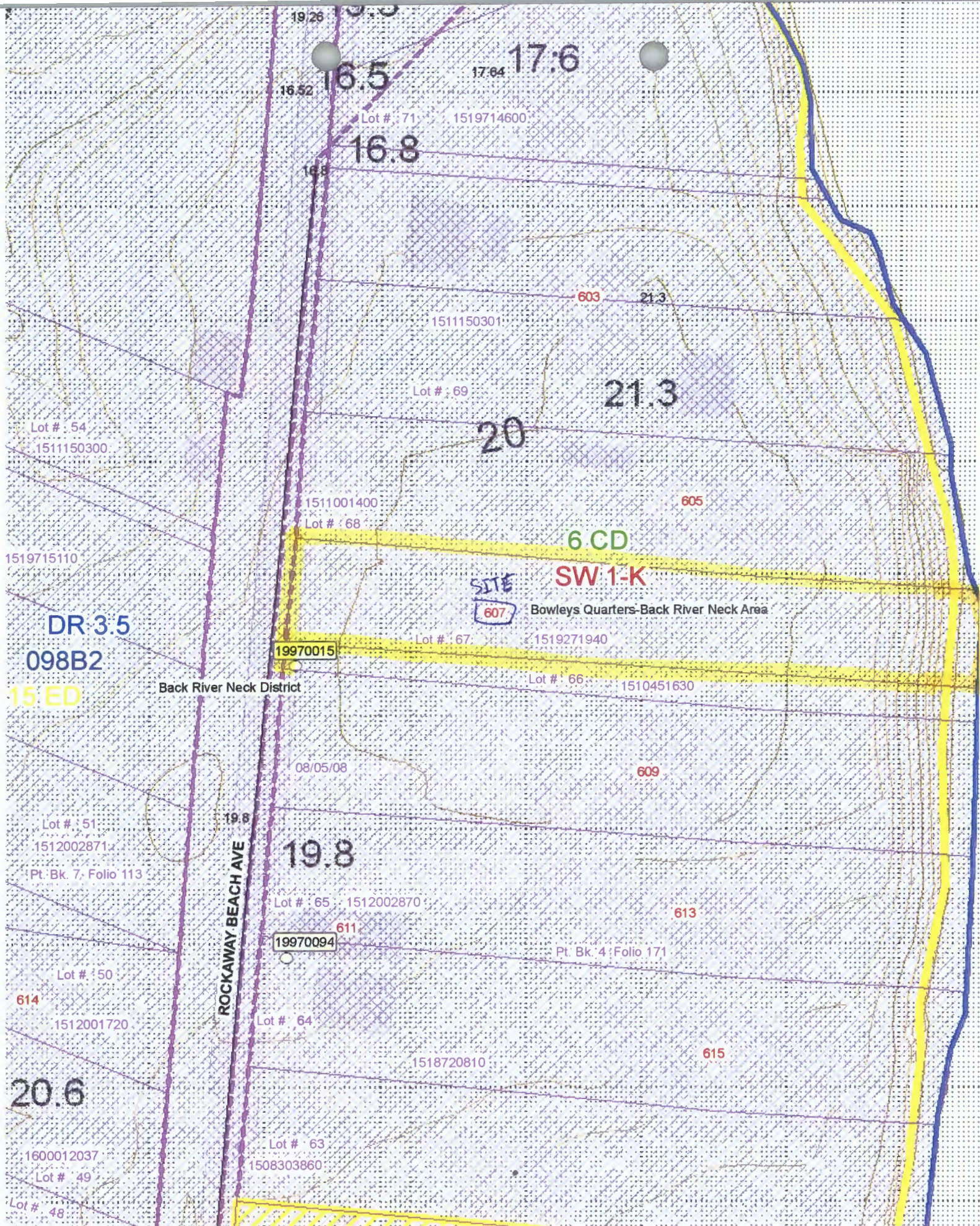
607 Shed

608

609

Waderside. Shed 607 Rockaway Beach Ave → 605

2010-0177-A



2010-0177-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

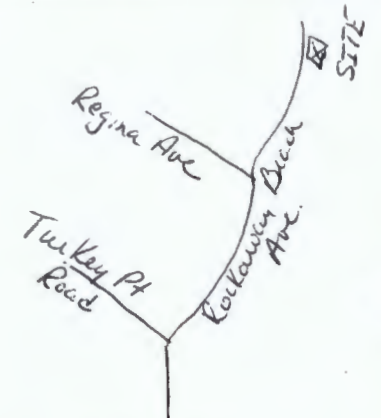
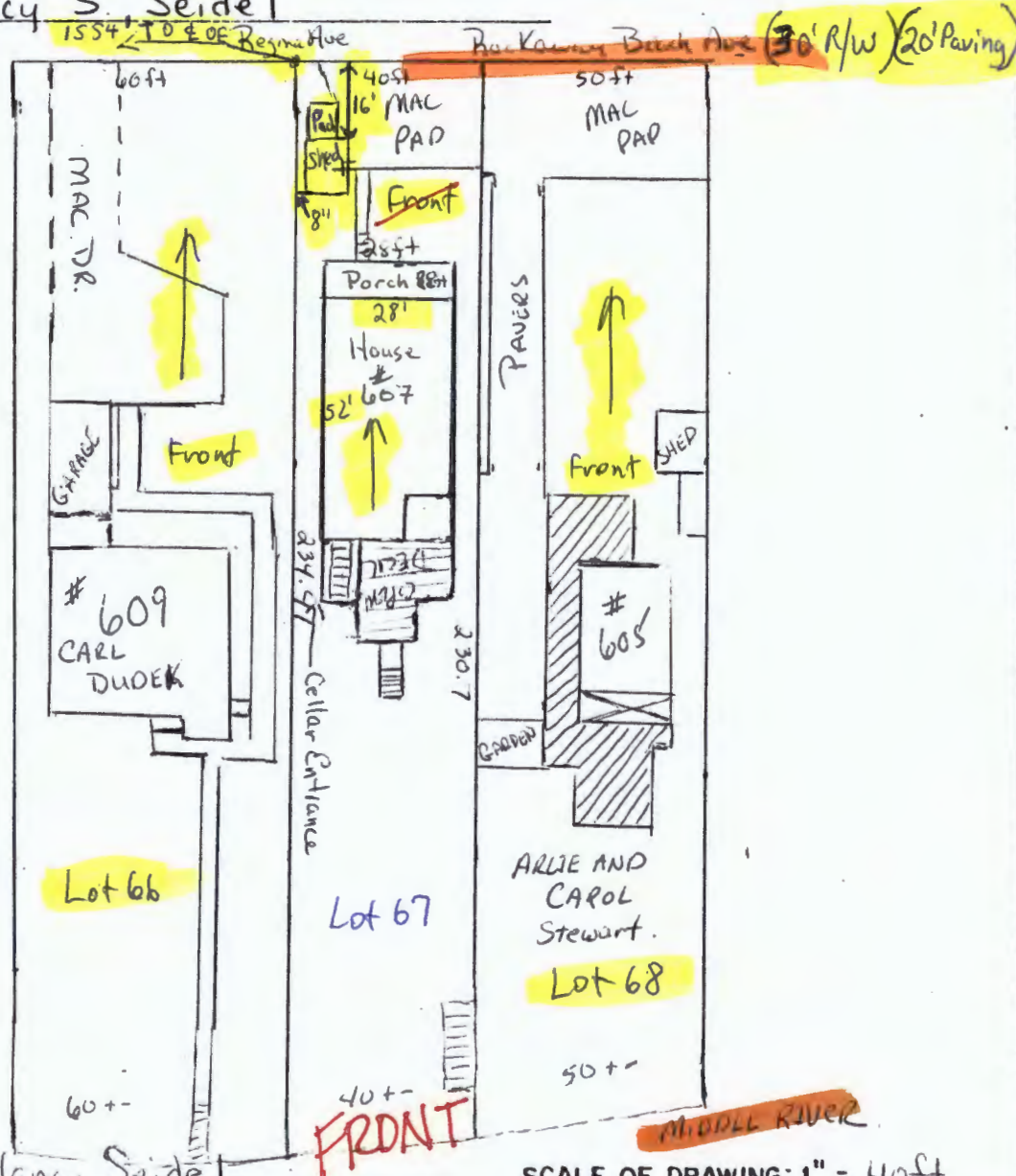
PROPERTY ADDRESS 607 Rockaway Beach Ave

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

SUBDIVISION NAME Turkey Point Farm

PLAT BOOK # 4 FOLIO # 171 LOT # 67 SECTION #

OWNER Nancy S. Seidel



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 15th
COUNCILMANIC DISTRICT 5
1" = 200' SCALE MAP # 09882 SE-1A
ZONING DR 3.5
LOT SIZE 0.24 10,482
ACREAGE SQUARE FEET
SEWER ☒ PUBLIC ☐ PRIVATE
WATER ☒ PUBLIC ☐ PRIVATE
CHESAPEAKE BAY CRITICAL AREA ☒ YES ☐ NO
100 YEAR FLOOD PLAIN ☐ YES ☒ NO
HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO
PRIOR ZONING HEARING Yes 1997-0015

ZONING OFFICE USE ONLY

REVIEWED BY JNP ITEM # 0177 CASE # 2010-0177-A

PREPARED BY Nancy Seidel

SCALE OF DRAWING: 1" = 40ft