

IN RE: **PETITION FOR VARIANCE**
N/Side Stumpfs Road, 1,500' N of
Blackhead Road
(1210 Stumpfs Road)

15th Election District
6th Council District

Phillip J. Orem, et ux
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 2010-0208-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Phillip J. Orem, and his wife, Helen J. Orem. The Petitioners seek relief from Sections 1A01.3.B.1 & 3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a single-family (replacement) dwelling on a lot less than the required one acre (R.C.2 - 0.3972 acre) side yard setbacks of 22 feet and 24 feet in lieu of the required 35 feet and a setback to centerline of right-of-way (paving) of 54 feet in lieu of the required 75 feet. The subject property and requested relief are more particularly described on the site plan which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request were Helen J. Orem, property owner, Bernadette L. Moskunas with Site Rite Surveying, Inc., the consultant who prepared the site plan for this property and assisting the Petitioners through the process, and Thomas H. Ernst, R.S., with Ernst Environmental Services, Inc., a registered sanitarian, helping the Petitioners with the environmental and groundwater constraints and well and septic system location(s). It is to be noted that a letter of support for this replacement home was received and signed by 24 residents in the community, including the President of the Bird River Beach

ORDER RECEIVED FOR FILING

Date

3-29-10

By

103

Community Association, received as Petitioners' Exhibit 5. There were no Protestants or other interested persons present.

The subject waterfront property consists of two (2) lots identified on Maryland Department of Assessments and Taxation Map 83 as Lots 14 and 15 of the Bird River View subdivision in Middle River. The tract forms a rectangular shaped parcel located on the north side of Stumpfs Road, west of Blackhead Road and fronts on the Bird River. The property contains a combined area of 19,960 square feet (0.458 acres), split-zoned R.C.2 (17,260 square feet) with a strip of R.C.50 (2,700 square feet) along the southern property line and improved with a modest one-story residential structure built in 1952. As is often the case with older subdivisions, Bird River View was laid out many years ago, well prior to the adoption of the zoning regulations in Baltimore County. Thus, many of the lots in the neighborhood are undersized and do not meet current area and width requirements. The GIS Services Map, submitted as Petitioners' Exhibit 3, shows the pattern of development with many of the waterfront homes on 50 foot wide lots. As illustrated on the site plan, the subject property has 100 feet of road access on the existing paved road¹ and is 190 feet deep. The property has been in the Petitioners' family's possession since 1963 and used as their summer vacation home.² As shown on the site plan, they are now desirous of redeveloping the property with a one-story ranch-style retirement home (52' wide x 24' deep) removing or razing the existing dwelling which is only setback 40 feet from the existing shoreline and placing the new home further back on the property at a distance of 87 feet from the shoreline more in keeping with the Chesapeake Bay Critical Area (CBCA) regulations. They will also improve the property's overall

¹ Stumpfs Road is not located within the 16-foot right-of-way called for on the plat. It is actually within the Petitioners property boundaries and this fact drives the need for the setback of the centerline of the roads paving. If Stumpfs Road would have been built within the platted right-of-way, no variance from B.C.Z.R. Section 1A01.3.B.3 would be necessary or required.

² Helen Orem obtained the property and improvements from her father's, William H. Deering, estate in 2009.

appearance by removing the existing decks and metal shed currently located on Lots 14 and 15. In that the R.C.2 development regulations require a minimum 35-foot setback to any side yard property line, the requested variance relief is necessary. In support of the request, testimony indicated that the proposed dwelling would be consistent with other homes in the community and feature similar setbacks. Ms. Moskunas points out that while the R.C.2 zoning classification prohibits the creation of a lot having an area less than one (1) acre (B.C.Z.R. Section 1A01.3.B.2), these lots have been lots of record and recorded in Plat Book 8, Folio 84, since 1927. Further, she indicates that this is to be considered a larger lot in the community where many of the existing homes were built on 50-foot wide lots. Thus, she submits that the relief requested is appropriate and is consistent with the neighborhood. Mr. Ernst indicated that he has been working with the Department of Environmental Protection and Resource Management (DEPRM) in regard to the groundwater and septic system issues that result from the property's location within the Limited Development Area (LDA) regulations of the CBCA and Buffer area. See Environmental submittals marked as Petitioner's Exhibit 4. These environmental regulations govern the location of the replacement dwelling. In order to obtain approval of the Environmental Impact Review and Groundwater Management Sections of DEPRM, zoning relief is necessary.

After due consideration of the testimony and evidence presented, I find that the proposed home in the location depicted on Petitioners' Exhibit 1 is in keeping with the homes in the area and meets the spirit and intent of Section 307 and *Cromwell v. Ward*, 102 Md. App. 691 (1995) for variance relief to be granted. As noted above, the subject property has been a lot of record since 1927, well prior to the adoption of the zoning regulations in 1945 and the R.C.2 zoning regulations in 1979. It is clear that strict compliance with the regulations would result in

practical difficulty for the Petitioners and prevent the further improvements of the property for a permitted purpose. Additionally, and as corroborated by the Real Property Data Sheet, a residential structure has been located on the property since 1952. Moreover, there were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency. Thus, I find that relief can be granted without detrimental impact to the health, safety, or general welfare of the surrounding locale. However, due to the property's close proximity to the Bird River, the proposed improvements must comply with Chesapeake Bay Critical Area (CBCA) regulations as set forth in the attached ZAC comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) and the Bureau of Development Plans Review.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 29th day of March 2010, that the Petition for Variance seeking relief from Sections 1A01.3.B.1 & 3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a single-family (replacement) dwelling on a lot less than the required one acre (R.C.2 - 0.3972 acre) with side yard setbacks of 22 feet (west side) and 24 feet (east side) in lieu of the required 35 feet and a setback to the centerline of the right-of-way (paving) of 54 feet in lieu of the required 75 feet, in accordance with Petitioners' Exhibit 1, be and is hereby granted subject to the following conditions:

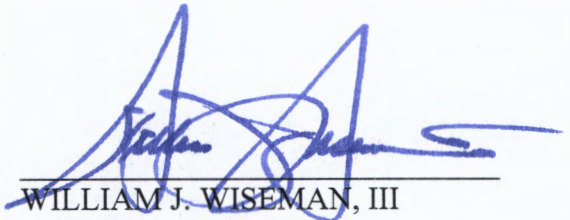
1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is made aware that that proceeding at this time is at his own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded

2. Compliance with the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) and the Development Plans Review (DPR) relative to the Chesapeake Bay Critical Area (CBCA) regulations and all other appropriate environmental, floodplain and B.O.C.A. regulations relative to the protection of water quality, streams, wetlands and floodplains. Copies of those comments, dated March 9, 2010 and February 12 2010, respectively, have been attached hereto and are made a part hereof.

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

Order.

WJW:dlw


WILLIAM J. WISEMAN, III
Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING

Date

3-22-10

By

WJW



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

March 29, 2010

Phillip J. Orem
Helen J. Orem
4324 Washington Boulevard
Baltimore, Maryland 21227

RE: **PETITION FOR VARIANCE**
N/Side Stumpfs Road, 1,500' N of Blackhead Road
(1210 Stumpfs Road)
15th Election District - 6th Council District
Phillip J. Orem, et ux - Petitioners
Case No. 2010-0208-A

Dear Mr. and Mrs. Orem:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman, III", written over a circular stamp or seal.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Bernadette L. Moskunas, Site Rite Surveying Inc., 200 East Joppa Road, Room 101,
Towson, MD 21286
Thomas H. Ernst, R.S., Ernst Environmental Services, Inc., 1907 Midland Road,
Baltimore, MD 21222
Chesapeake Bay Critical Area Commission, 804 West Street, Suite 100,
Annapolis, MD 21401
People's Counsel; DEPRM; DPR; File



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at #1210 Stumpfs Road
which is presently zoned RC2 & RC50

Deed Reference: 28726 / 131 Tax Account # 1504201370

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) 1A01.3.B.1 & 3; BC2R, TO
PERMIT A SINGLE-FAMILY DWELLING ON A LOT LESS
THAN THE REQUIRED ONE ACRE (RC-20 0.3972 AC.), SIDEYARD
SETBACKS OF 22ft AND 24ft IN LIEU OF THE REQUIRED 35ft.
AND A SETBACK TO CENTERLINE OF RIGHT-OF-WAY OF 54ft.
IN LIEU OF THE REQUIRED 75ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.)

see attached

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):

Helen J. Orem

Name - Type or Print

Signature

Phillip Orem

Name - Type or Print

Signature

4324 Washington Blvd. 410-242-7753

Address Telephone No.

Baltimore MD 21227-4536

City State Zip Code

Representative to be Contacted:

Site Rite Surveying, Inc.

Name 200 E. Joppa Road, Room 101 410-828-9060

Address Telephone No.

Towson MD 21286

City State Zip Code

Case No. 2010-0208-A
ORDER RECEIVED FOR FILING

REV 8/20/07

Date 3-29-10

By [Signature]

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

Reviewed by [Signature] Date 2.3.10

REASONS:

1. Property has been held intact by family for 60 years. One tax account number for Lots 14 and 15 as shown on a Plat dated 1927 entitled Bird River View. Plat created prior to the adoption of the 1945 Zoning Regulations.
2. This is a Replacement Dwelling. There is no contiguous ownership to accommodate the current zoning regulations. The road servicing the existing dwellings along Stumpfs Road is not located within the 16' right-of-way called for on the said plat. It is within the property boundaries. In addition, the property is waterfront and requires compliance with Chesapeake Bay Critical Area. Groundwater Management Regulations also govern the location of the replacement dwelling. These three (3) concerns strictly limit the ability to position the dwelling in compliance with any of the regulations. Therefore, in order to meet the approval of Environmental Impact Review and Groundwater Management, Zoning relief is needed.
3. Undue hardship is a result of the limits of lot area, environmental issues and the existing paving of Stumpfs Road. This request is within the spirit and intent of the Baltimore County Zoning Regulations and will not adversely affect the general welfare or safety of the surrounding neighborhood.

**ZONING DESCRIPTION
#1210 STUMPFS ROAD**

BEGINNING at a point on the north side of Stumpfs Road which is 16 feet wide at the distance of 1500 feet north of Blackhead Road which is 40 feet wide. Being Lot Nos. 14 and 15 in the Subdivision of "Bird River View" as recorded in Baltimore County Plat Book No. 8, folio 84, containing 19,960.119 S.F. Also known as #1210 Stumpfs Road and located in the 15th Election District, 6th Councilmanic District.



Michael V. Moskunas
Reg. No. 21175

Site Rite Surveying, Inc.
200 E. Joppa Road, Room 101
Towson MD 21286
(410) 828-9060

DEPARTMENT OF PERMITS AND DEVELOPMENT
MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING
HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number

2010-0208-A

Petitioner:

Phillip OREM

Address or Location:

1210 Stumps Rd.

PLEASE FORWARD ADVERTISING BILL TO

Name:

Site Site Surveying, Inc.

Address:

200 E. Joppa, Room 101
Towson, Md. 21286

Telephone Number:

410-828-9060

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

No. 47371

Date: 7-2-77

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
				Obj	Sub Obj				

Total: _____

Rec
From: AMT

For: _____

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: # 2010-0208-A

1210 Stumpfs Road

N/side of Stumpfs Road, 1500 feet +/- n/side of Blackhead Road

15th Election District — 6th Councilmanic District

Legal Owner(s): Helen & Phillip Orem

Variance: to permit a single family dwelling on a lot less than the required one acre (RC-2 0.3972 acres), side yard setbacks of 22 feet and 24 feet in lieu of the required 35 feet and setback to centerline of right-of-way of 54 feet in lieu of the required 75 feet.

Hearing: Tuesday, March 23, 2010 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 3/724 March 9

232011

CERTIFICATE OF PUBLICATION

3/12/2010

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 3/9/2010.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No 2010-0208-A

Petitioner/Developer HELEN ?
PHILLIP OREM

Date Of Hearing/Closing 3/23/10

**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 1210 STUMPS ROAD

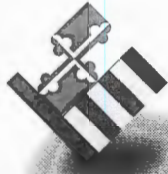
This sign(s) were posted on March 7, 2010
Month, Day, Year

Sincerely,

Signature of Sign Poster and Date
Martin Ogle 3/7/10

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

03/07/2010



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, Director
Department of Permits and
Planning Management
February 23, 2010

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: 2010-0208-A

1210 Stumpfs Road

N/side of Stumpfs Road, 1500 feet +/- n/side of Blackhead Road

15th Election District – 6th Councilmanic District

Legal Owners: Helen & Phillip Orem

Variance to permit a single family dwelling on a lot less than the required one acre (RC-2 0.3972 acre), side yard setbacks of 22 feet and 24 feet in lieu of the required 35 feet and a setback to centerline of right-of-way of 54 feet in lieu of the required 75 feet.

Hearing: Tuesday, March 23, 2010 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. Orem, 4324 Washington Blvd., Baltimore 21227
Site Rite Surveying, inc., 200 E. Joppa Road, Rm. 101, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 8, 2010**
- (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, March 9, 2010 Issue - Jeffersonian

Please forward billing to:
Site Rite Surveying, Inc.
200 E. Joppa Road, Rm. 101
Towson, MD 21286

410-828-9060

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: 2010-0208-A

1210 Stumpfs Road

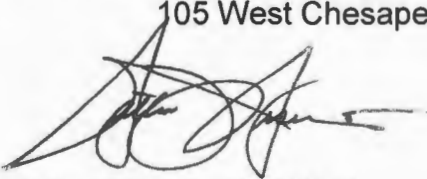
N/side of Stumpfs Road, 1500 feet +/- n/side of Blackhead Road

15th Election District – 6th Councilmanic District

Legal Owners: Helen & Phillip Orem

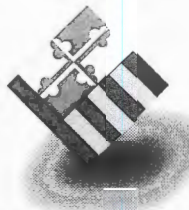
Variance to permit a single family dwelling on a lot less than the required one acre (RC-2 0.3972 acre), side yard setbacks of 22 feet and 24 feet in lieu of the required 35 feet and a setback to centerline of right-of-way of 54 feet in lieu of the required 75 feet.

Hearing: Tuesday, March 23, 2010 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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

March 17, 2010

Helen & Phillip Orem
4324 Washington Blvd.
Baltimore, MD 21227

Dear: Helen & Phillip Orem

RE: Case Number 2010-0208-A, 1210 Stumpfs Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 032010. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Site Rite Surveying, Inc; 200 E. Joppa Rd. Rm. 101; Towson, MD 21286

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: February 12, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For February 22, 2010
Item No.: 2010-208

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

The base flood elevation for this site is 10.2 feet Baltimore County Datum.

The flood protection elevation for this site is 11.2 feet.

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

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

The building engineer shall require a permit for this project.

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

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC - Comments\ZAC-ITEM NO 2010-0208-02222010.doc

ORDER RECEIVED FOR FILING

Date

3-29-10

By

DAK

BW 3/23
9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

MAR 09 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: March 9, 2010
SUBJECT: Zoning Item # 10-208-A
Address 1210 Stumpfs Road
(Orem Property)

Zoning Advisory Committee Meeting of February 8, 2010

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:

There are several environmental issues to resolve prior to approval of the new house building permit at this site. For Groundwater Management Section specific issues please contact Rob Powell at (410) 887-2762. – *Dan Esser; Groundwater Management*

This property is located within a Limited Development Area (LDA) of the Chesapeake Bay Critical Area (CBCA) and must comply with all CBCA regulations prior to building permit approval. A Critical Area variance is required to permit disturbance of the 100-foot Critical Area Buffer. – *Adrienne Metzbowser; Environmental Impact Review*

ORDER RECEIVED FOR FILING

Date

3-29-10

By

BW

BW 3/23
9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 18, 2010

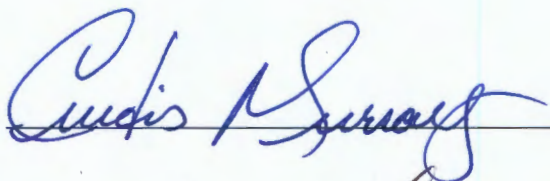
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-208-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.

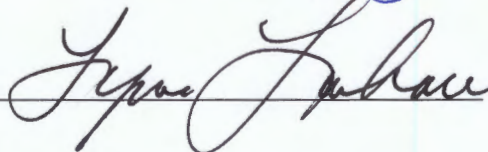
Prepared By:



RECEIVED

FEB 19 2010

Division Chief:
CM/LL



ZONING COMMISSIONER



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

February 10, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: February 08, 2010

Item Numbers: 0175,0184,0205,0206,0207,0208

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: FEB, 22, 2010

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

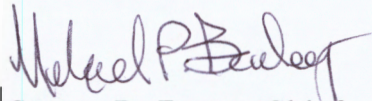
RE: Baltimore County
Item No. 2010-0208-A
1210 STUMPS RD
OREM PROPERTY
VARIANCE -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2010 - 0208-A.

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,


Foster 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 VARIANCE
1210 Stumpfs Road; S/S Stumpfs Road,
1500' N/S of Blackhead Road
15th Election & 6th Councilmanic Districts
Legal Owner(s): Helen & Phillip Orem
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 10-208-A

* * * * *

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.

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

RECEIVED

FEB 16 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of February, 2010, a copy of the foregoing Entry of Appearance was mailed to Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286 , Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 1210 Stumps Road
CASE NUMBER 2010-0208-A
DATE 3/23/10

CASE NAME 1210 Stumps Road
CASE NUMBER 2010-0208-A
DATE 3/23/10

Ernst Environmental Services Inc.

Thomas H. Ernst, R.S.

Registered Sanitarian

1907 Midland Road
Baltimore, MD 21222-4643
Email: ernstenvser@comcast.net

Office & Fax
(410) 288-5081

Case No.: 2010-0208-A 1210 StumpFS RD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	→ Site PLAN	
No. 2	→ Sub Division Brid RIVER VIEW	
No. 3	→ TOPO MAP	
No. 4	→ Environmental Submittals to DEPRM	
No. 5	→ 23 Petitioners in Support - President of association as well	
No. 6	→	
No. 7	→ Bldg Elevations	
No. 8	→ Real Property Data Sheet	
No. 9		
No. 10		
No. 11		
No. 12		



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JONAS A. JACOBSON, *Director*
Department of Environmental Protection
and Resource Management

February 22, 2010

Helen & Phillip Orem
4324 Washington Boulevard
Baltimore, MD 21227

RE: Critical Area Administrative Variance
1210 Stumpfs Road

Dear Mr. & Mrs. Orem:

A Critical Area Variance application was received on February 1, 2010 to impact the 100-foot Critical Area Buffer for the purpose of constructing a replacement single family dwelling on the landward side of the existing dwelling. Enclosed is the advertisement for your Critical Area Administrative Variance. As referenced in the application instructions, this must be published in a local neighborhood newspaper. Please forward the Certificate of Publication so I can verify publication and calculate the 15-day notice period.

If you have any questions regarding these requirements or if we can be of assistance, please contact me at (410) 887-3980.

Sincerely,

A handwritten signature in black ink, appearing to read "Adriene Metzbower".

Adriene Metzbower
Natural Resource Specialist
Environmental Impact Review

Enclosure

cc: Tom Ernst, Ernst Environmental Services, Inc.

1210 Stumpfs Rd CAV news letter.doc/CAV/shreir/AAM

PETITIONER'S

EXHIBIT NO.

4

BALTIMORE COUNTY

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

NOTICE OF CRITICAL AREA VARIANCE APPLICATION

ADDRESS: 1210 Stumpfs Road, Middle River, MD

LEGAL OWNER: Helen & Phillip Orem

The Baltimore County Department of Environmental Protection and Resource Management hereby gives fifteen (15) days notice, pursuant to Section 33-2-205 of the Baltimore County Code, that a variance to Chesapeake Bay Critical Area requirements was received to impact the 100-foot Critical Area Buffer for the purpose of constructing a replacement single family dwelling. Anyone interested in submitting written comments may do so by sending correspondence to Environmental Impact Review, Baltimore County Department of Environmental Protection and Resource Management, 105 W. Chesapeake Avenue, Suite 400, Towson, Maryland 21204.

Part A. Applicant/Property Owner Information.

Property Address 1210 STUMPES ROAD Subdivision BIRD RIVER VIEW
LOTS 14 & 15

Applicant(s) HELEN & PHILLIP OREM Phone No. (410) 242-7753

Mailing Address 4324 WASHINGTON BOULEVARD

City BALTIMORE State MD Zip Code 21227

Property Owner(s) HELEN & PHILLIP OREM Phone No. (410) 242-7753

Mailing Address 4324 WASHINGTON BOULEVARD

City BALTIMORE State MD Zip Code 21227

Part B. Property and Critical Area Information.

(NOTE: LEAVE BLANK. THIS BLOCK WILL BE FILLED IN BY DEPRM PERSONNEL)

Permit/SC No. _____ to construct _____

CA Designation(s): _____ IDA _____ LDA _____ RCA _____ Acreage/Lot Size _____

Existing Impervious Surfaces _____ square ft. _____ percent of property

Proposed Impervious Surfaces _____ square ft. _____ percent of property

Water: _____ private _____ public Sewer: _____ private _____ public

Waterfront? yes _____ no _____ Waterbody _____

Is the proposed activity within the 100 foot buffer? yes _____ no _____

Is the proposed activity within the limits of Habitat Protection Areas, tidal wetlands, or nontidal wetlands/associated buffers? yes _____ no _____

If so, list type(s) _____

Is the proposed activity within forest or developed woodland? yes _____ no _____

Variance Type(s): _____ impervious surface limit variance _____ other variance

Section(s) of Code from which variance is being requested

PETITIONER'S

Reviewer _____ Date _____

EXHIBIT NO.

4

Part C. Project Description.

Briefly describe the proposed project or activity for which a variance is requested.

Proposal is to remove existing 623.5 ft² house and 130 ft² of sheds and pit privy within the Critical Area on Bird River and to replace with new modular house of 1383 ft² of which 764 ft² is proposed within the Critical Area. New house to be served by water well and Bay Restoration Fund (B.R.F.) approved on-site sewage disposal system.

Part D. Alternates to Variance Request.

Briefly describe any alternates to requesting a variance which you considered, and why these alternates are not feasible.

Modernization of existing house is unapprovable because living space is below elevation of F.E.M.A. Flood plain

A two story house is undesirable because of limitations of health disabilities.

Part E. Variance Provisions of the Critical Area Criteria (COMAR 27.01.11).

Briefly explain any special conditions or circumstances^{which} exist that are peculiar to the land or structure and how a literal enforcement of the provisions of the regulations relative to these conditions or circumstances would result in unwarranted hardship.

The property has been improved with a house for nearly 60 years and denial of administrative variance requested would be a taking of the property.

Part E. Continued.

Briefly explain how a literal interpretation of the Critical Area regulations will deprive you (the property owner) of rights commonly enjoyed by other properties in similar areas within the Critical Area.

The property is within a community of other properties that have been allowed to upgrade housing since enactment of the State of Maryland Critical Areas laws.

Briefly explain how granting of the variance will not confer upon you (the property owner) any special privilege that would be denied by the Critical Area regulations to other lands or structures within the Critical Area.

Three generations of our family have enjoyed use of a house on this property and we only desire to improve with a more energy efficient and environmentally friendly home having complete basic sanitary services.

Briefly explain how the variance request is not based upon conditions or circumstances which are the result of actions by you (the property owner), and how the request does not arise from any condition related to land or building use, either permitted or non-conforming, on any neighboring property.

There have been no modifications to the property to alter drainage, cover or use. This variance request does not arise from any conditions on any neighboring properties.

Part E. Continued.

Briefly describe how granting of the variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area, and how granting of the variance will be in harmony with the general spirit and intent of the Critical Area regulations. Include any proposed mitigative measures to minimize impacts to these resources.

Living on Bird River for much of my life, we are concerned about the health and wellfare of the River and the Chesapeake Bay. As stated earlier, we are removing significant structures from the near waterfront including a shallow pit privy. We understand and agree to planting native species trees and shrubs and have no plans for construction of a pier or bulkheading.

Part F. Additional Information.

Use this space to provide any other information about the site or project pertinent to this variance request. Attach additional sheets if necessary.

See attached January 11, 2010 letter to J. Robert Powell attached.

Applicant Signature _____ Date _____

Applicant Signature _____ Date _____

Property Owner Signature _____ Date _____

Property Owner Signature _____ Date _____

William Wiseman, Esq.,
Zoning Commissioner
Baltimore County
105 W. Chesapeake Ave.
Towson, MD 21204

Re: Orem Property
1210 Stumpfs Rd.

Dear Mr. Wiseman,

We are aware of the plans of Helen & Phillip Orem to replace their home, at the referenced location which is in our community. We understand that in order for them to be able to replace the house, they must receive various zoning & critical area setback variances. We have reviewed the site plan of their proposed construction as depicted on a drawing dated Jan. 11, 2010 and support them in their applications for administrative variance.

Name	Address	Phone Number
STEVE KLING	6508 BLACKHEAD RD	410-530-7440
Harry Stromberger	6512 BLACKHEAD RD	410 335 5149
STEVE FACKETT	6618 BLACKHEAD RD.	410-335-0003

Re: Orem Property
1210 Stumps Rd.

Name	Address	Phone Number
FRANCIS KENDZINSKI	6604 BLACKHEAD Rd.	410-335-6475
JAMES SULLIVAN	6536 BLACKHEAD RD	410 335-8577
Laura Varanko	6540 Blackhead Rd.	(410) 335-2633
COURTNEY & MAREK TOPOLSKI	6538 BLACKHEAD RD	410-335-2844

Ginny Kerl 443 838 8923

Breda Mustard 12548 Blackhead Rd 410-244-4443

Pres.
BRBCA

Sandra Stromberger 6512 Blackhead Rd 410 335-5149

Marcella Keph 6723 Mallard Rd. 410-335-5650

Richard V. Kauffman 6700 Mallard Rd. 410-335-6700

Peter Tury 1216 Stump Rd 21220 410 335-8915

Thomas P. Blahly 1220 Stumps Rd 21220 410-335-7660

Linda Blahly 1220 Stumps Rd 21220 410 335-7660

John Cole 1222 Stumps Rd 21220 410-335-5492

William Elch 1222 Stumps Rd 21220 410-335-5492

Marilyn Holtman 1226 Stumps Rd. 21220 410-335-8341

Robert Holtman 1226 Stumps Rd 21220 410-335-8341

Jewelry Novotny 1228 Stumps Rd 21220 410 335-3310

Maria Greg + Megan McVey 1230 Stumps Rd 21220 410 335-9376

Peggy M. Gornel 1236 Stump Rd. 21220 410-335-4341


Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw6.3d)

[Go Back](#)
[View Map](#)
[New Search](#)
Account Identifier: District - 15 Account Number - 1504201370

Owner Information

Owner Name:	OREM HELEN J OREM PHILLIP	Use:	RESIDENTIAL
Mailing Address:	4324 WASHINGTON BLVD BALTIMORE MD 21227-4536	Principal Residence:	NO
		Deed Reference:	1) /28726/ 131 2)

Location & Structure Information

Premises Address	Legal Description
1210 STUMPFS RD	LT 14,15 1210 STUMPFS RD BIRD RIVER VIEW
WATERFRONT	

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
83	4	425					14	3	Plat Ref: 8/ 84

Special Tax Areas	Town Ad Valorem Tax Class
--------------------------	--

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1952	480 SF	18,180.00 SF	34
Stories	Basement	Type	Exterior
1	NO	STANDARD UNIT	FRAME

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2009	07/01/2010
Land	179,290	179,290		
Improvements:	28,840	22,090		
Total:	208,130	201,380	201,380	201,380
Preferential Land:	0	0	0	0

Transfer Information

Seller: OREM HELEN J	Date: 10/08/2009	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /28726/ 131	Deed2:
Seller: DEERING WILLIAM H	Date: 01/20/2009	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /11770/ 402	Deed2:
Seller: DEERING WILLIAM H	Date: 08/29/1996	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /11770/ 402	Deed2:

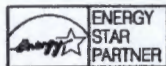
Exemption Information

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 *

PETITIONER'S
EXHIBIT NO.

7



☐ Yes! I want the option to build my new home to ENERGY STAR specifications and save up to 35% on my energy bills.

THIS HOME HAS BEEN DESIGNED SPECIFICALLY FOR:

OREM

MIDDLE RIVER, MD
BALTIMORE COUNTY

BUILDER:

ARTISAN FINE HOMES

REFERENCE #
24730

PTL# 24730
MD

BUILDER:
ARTISAN FINE HOMES

CUSTOMER/PROJECT:
OREM

excel
HOMES
WWW.EXCELHOMES.COM

300 CORPORATE CENTER DR
SUITE 602
CAMP HILL, PA 17011

DESIGN INFORMATION

ROOF:
PITCH: ☐ 5/12 ☐ 7/12 ☐ 8/12 ☐ 12/12
TYPE: ☐ WOOD TRUSS ☐ STORAGE TRUSS
SPACING: ☐ 24" O.C. ☐ 18" O.C. ☐ 12" O.C.

EXTERIOR WALLS:
SIZE: ☐ 2x4 ☐ 2x6
SPACING: ☐ 24" O.C. ☐ 18" O.C.

MARRIAGE WALLS:
SIZE: 1st Flr ☐ 2x4 ☐ 2x6
SPACING: ☐ 24" O.C. ☐ 18" O.C.
SIZE: 2nd Flr ☐ 2x4 ☐ 2x6
SPACING: ☐ 24" O.C. ☐ 18" O.C.

CEILING HEIGHTS:
1ST FLOOR: ☐ 8'-0" ☐ 9'-0" ☐ OTHER _____
2ND FLOOR: ☐ 8'-0" ☐ 9'-0" ☐ OTHER _____

FLOOR JOISTS:
SIZE: ☐ 2x6 SPFC ☐ 2x10 SPFC
SPACING: ☐ 18" O.C. ☐ 12" O.C.

WINDOWS:
BRAND: ☐ MWT CLASSIC ☐ ANDERSEN
☐ PELLA ☐ 300
STYLE: ☐ SINGLE HUNG ☐ DOUBLE HUNG
UP RATING: _____

FOUNDATION:
TYPE: ☐ BASEMENT ☐ CRAWL SPACE

HVAC:
TYPE: ☐ ENTIRE SYSTEM BY FACTORY
☐ PARTIAL SYSTEM BY FACTORY
☐ ON-SITE BY BUILDER

ITU LOSS: 47.88

THIS DRAWING AND DESIGN IS THE PROPERTY OF EXCEL HOMES, LLC. ANY REPRODUCTION OF THE DRAWING OR DESIGN IS PROHIBITED WITHOUT THE EXPRESS WRITTEN CONSENT OF EXCEL HOMES, LLC.

ADJUSTMENTS MADE FOR CODE COMPLIANCE AND PRODUCTION CAPABILITY

DRAWING MAY BE REVERSED

DESIGNER: CHECKED: KSH KSH
BY: YTD YTD
PE PE

DESCRIPTION

SITE CONDITIONS:

GROUND SNOW LOAD: 30 PSF
WIND SPEED: 10 MPH
EXPOSURE: B
SEISMIC CATEGORY: SINGLE FAMILY
LIVE GROUP: WOOD FRAME UNPROTECTED

SQUARE FOOTAGE:

FIRST FLOOR: 1,389 SQ. FT.
SECOND FLOOR: - SQ. FT.
BONUS ROOM: - SQ. FT.
GARAGE: - SQ. FT.
TOTAL: 1,389 SQ. FT.

OVERALL SIZE: 34'-0" x 62'-0"
MODEL: SPECIAL CRESTWOOD 2

NO. DATE: P01 10-28-09 P02 10-28-09 P03 11-11-09

DRAWING TITLE:

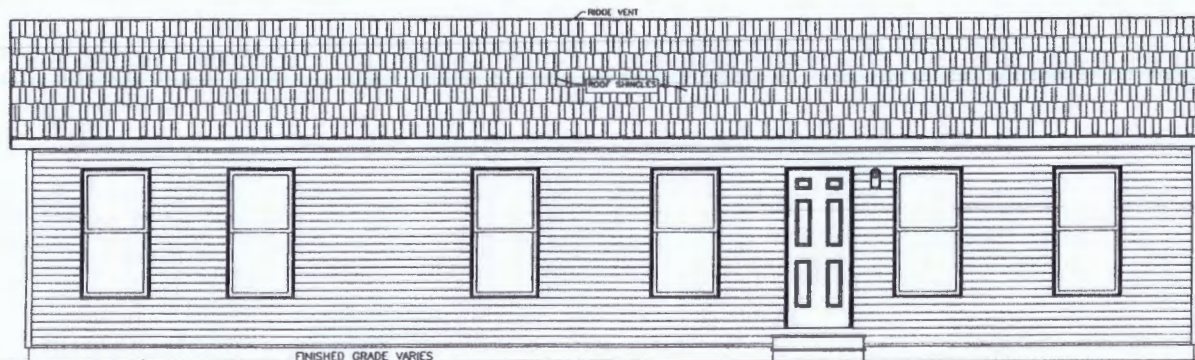
COVER SHEET

SCALE: NTS SHEET: 1

±14'-5" TOP OF SILL TO PEAK

8'-0" 1ST FLOOR CEILING HEIGHT

1ST FLOOR FLOOR
TOP OF SILL
GRADE



FRONT ELEVATION

NOTES:

1. ITEMS SHOWN ON THE EXTERIOR ELEVATION DRAWINGS ARE FOR ILLUSTRATIVE PURPOSES ONLY

PETITIONER'S

EXHIBIT NO.

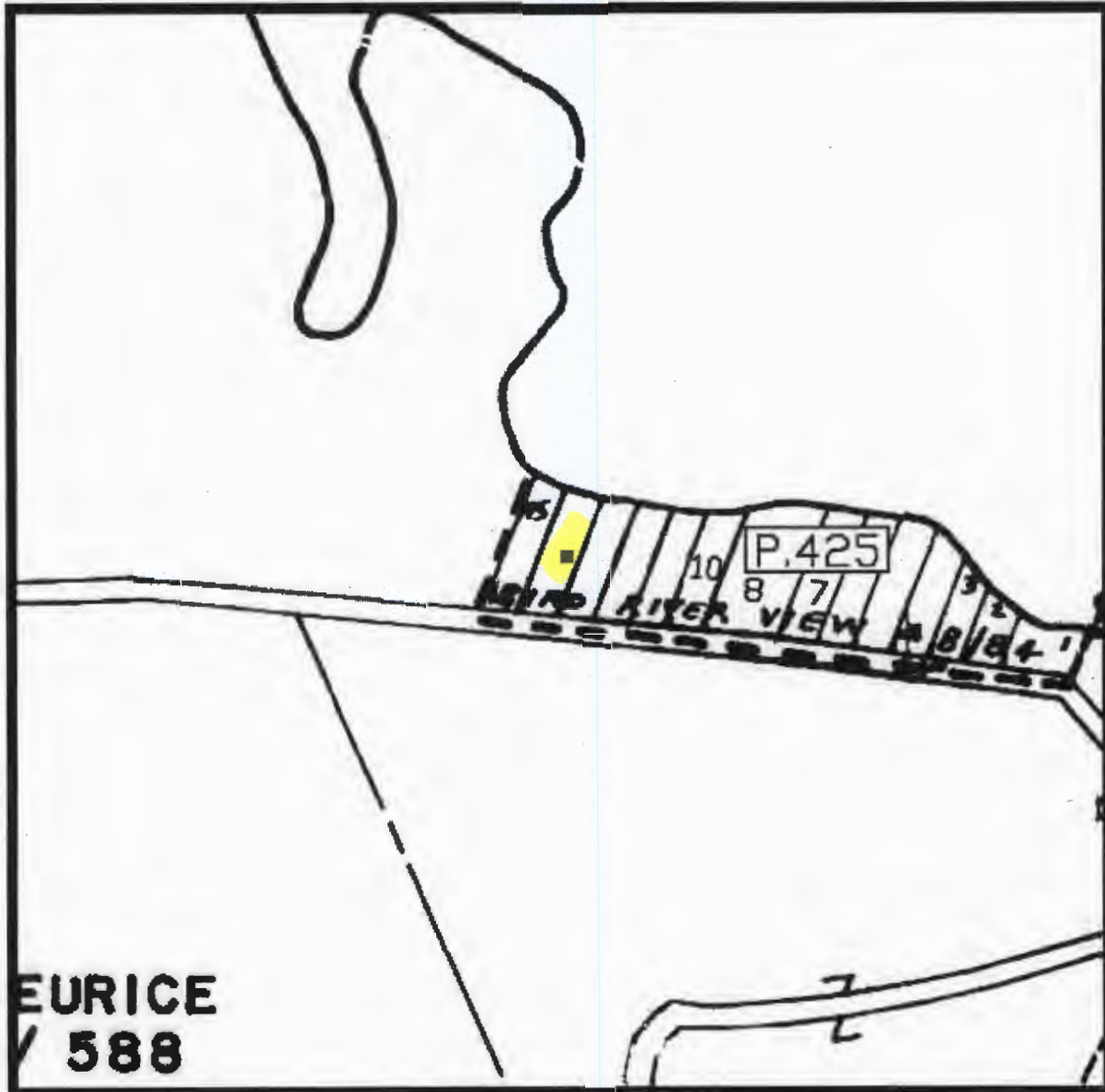
6



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

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

District - 15 Account Number - 1504201370



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

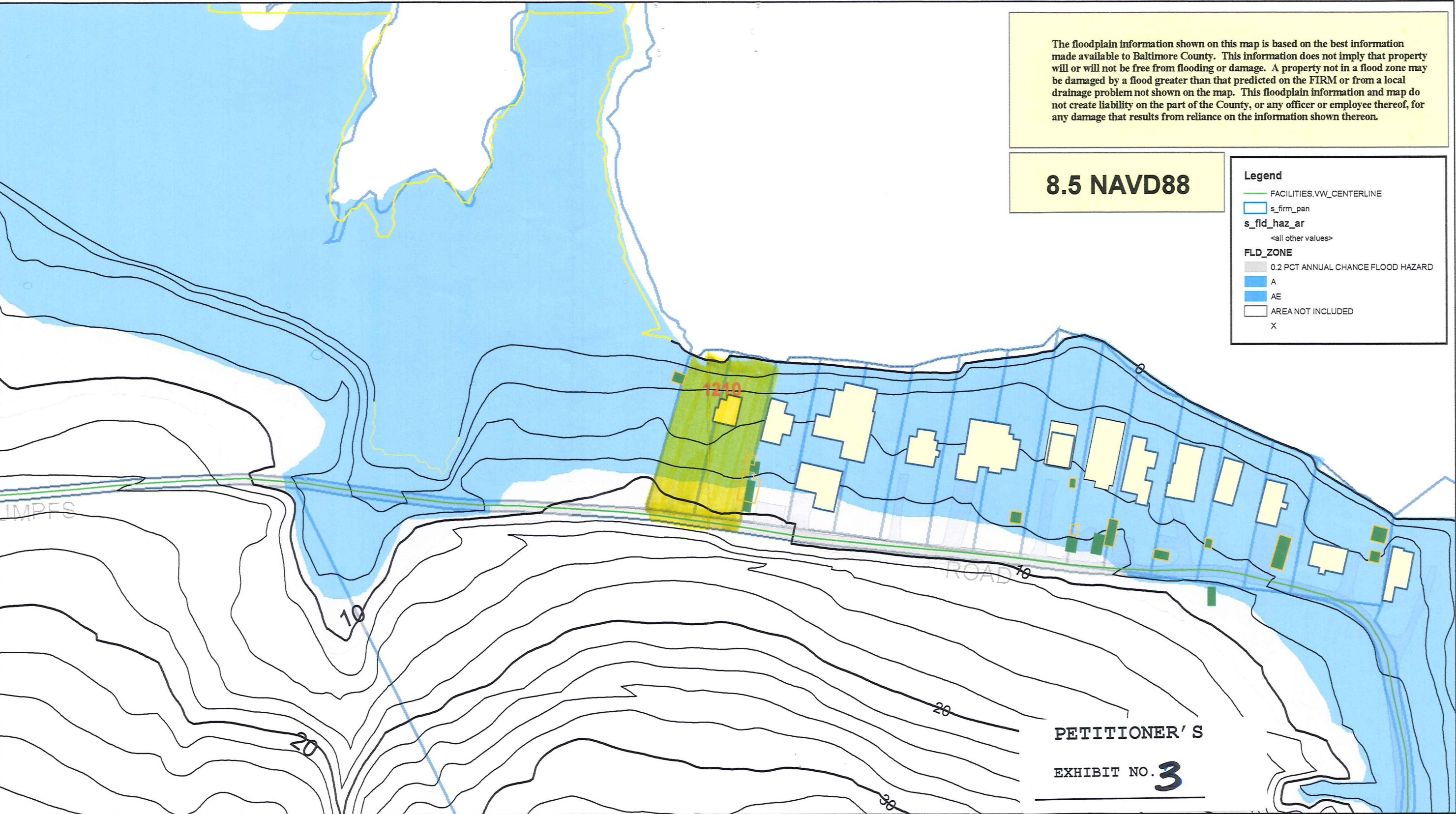
Property maps provided courtesy of the Maryland Department of Planning ©2009.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

TOPO MAP FOR 1210 STUMPFS ROAD

The floodplain information shown on this map is based on the best information made available to Baltimore County. This information does not imply that property will or will not be free from flooding or damage. A property not in a flood zone may be damaged by a flood greater than that predicted on the FIRM or from a local drainage problem not shown on the map. This floodplain information and map do not create liability on the part of the County, or any officer or employee thereof, for any damage that results from reliance on the information shown thereon.

8.5 NAVD88

- Legend**
- FACILITIES.VW_CENTERLINE
 - s_firm_pan
 - s_fld_haz_ar
 - <all other values>
- FLD_ZONE**
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
 - A
 - AE
 - AREA NOT INCLUDED
 - X



Coordinate System:
Maryland State Plane: NAD83/91 Horizontal Datum
Elevations in Feet: NAVD88 Vertical Datum
Date of Data Capture: March 2005
Scale of Date Capture: 1" = 100'
Date of Aerial Photography: March 2007

The utility (sanitary sewer and/or storm drain) location information shown is not guaranteed correct and should only be used as a reference. Locations of appurtenances should be verified using construction drawings, which are available in room 206 of the Baltimore County Office Building, or, through actual field investigations.

Note:
Floodplain elevation data from FEMA Flood Insurance Rate Map 2400100295F is based on NAVD 88.


BALTIMORE COUNTY
MARYLAND
Baltimore County, MD
Department of Public Works
GIS Services

For internal use only.
The cadastral information on this plot was compiled from existing deed information. This information is not to be considered authoritative. This survey information was not field checked and certified by a licensed land surveyor.


Prepared By:
Robin Hurley, EA III
DPW Directors Office
October 8, 2009
100 50 0 100
Feet

1519510630

NE 8-K 083B1

STUMPFS RD

6 CD

1600004078

P.O.B. 1500' NORTH OF
BLACKHEAD ROAD
#1210 STUMPFS ROAD

RC 50

RC 2



20020426

1210

1212

1216

1218

20070225

1222

1224

1226

Pt. Bk. 8 Folio 84

Lot # 6

1523750200

1507583380

20000151

1501290010

Lot # 7

2400013450

Lot # 8

1508654631

1505190160

Lot # 10

19980135

1513750481

1216

1513750480

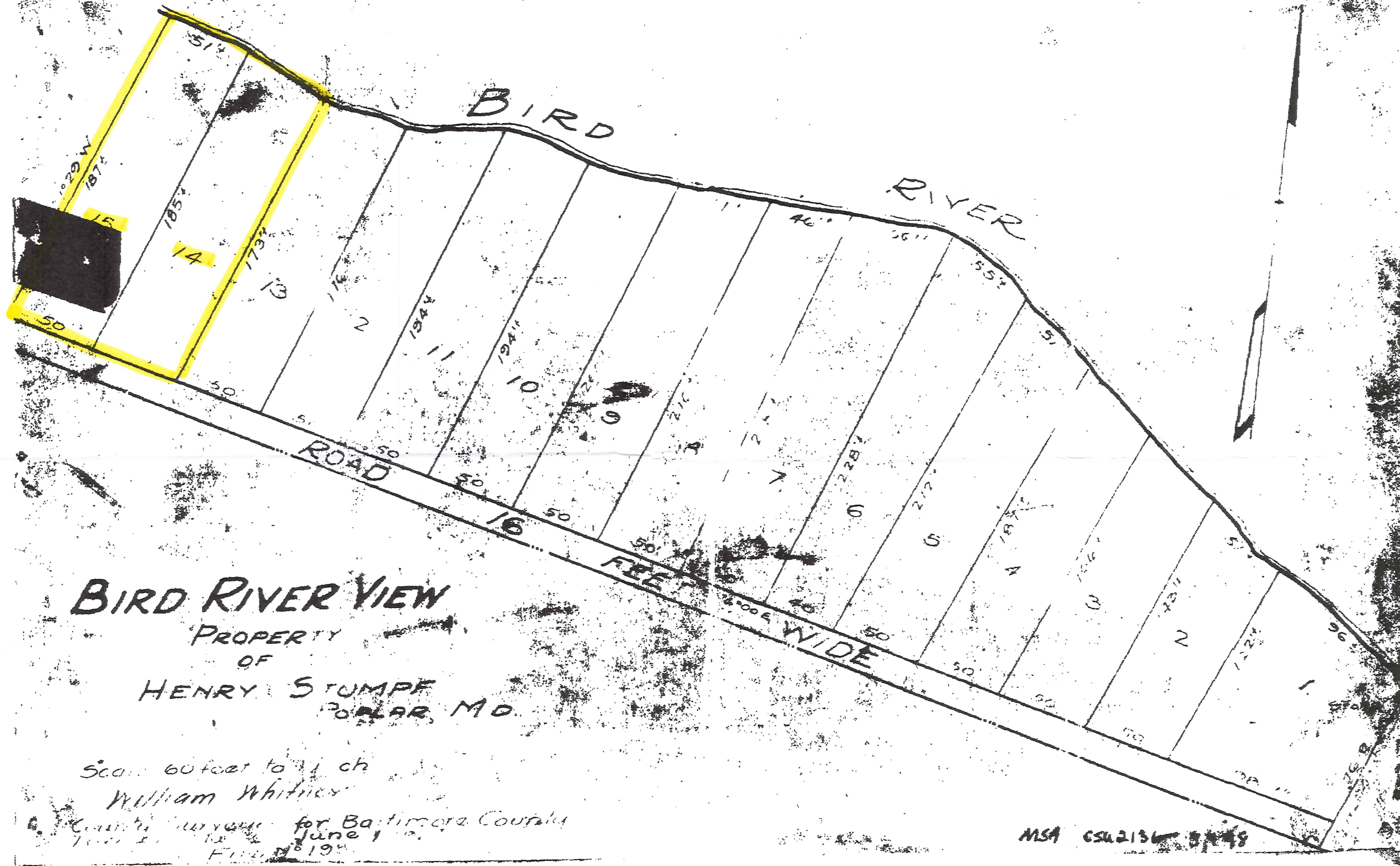
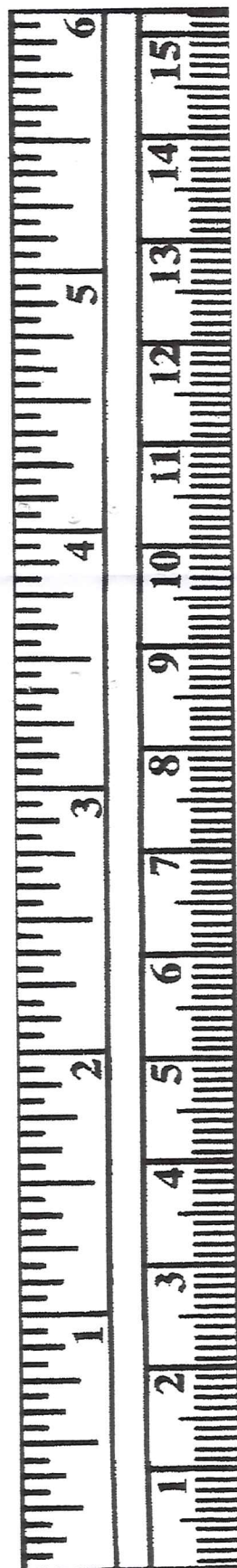
1503370630

Lot # 13

1504201370

Lot # 14

Lot # 15



SCALE 1 IN = 20 FT

1210 STUMPPS ROAD

BALTIMORE COUNTY

ELECTION DISTRICT 15

January 11th 2010

BIRD RIVER

(WATER)

Existing Shoreline

Ex. Wood Bulkhe

Original Plat lines

Wood Shed

Metal Shed

Original Plat lines

Screen Porch

Cov. Wood Deck

Frame Addition

53' +/-

22' +/-

Helen J. Orem
#1504201370
Parcel 425

Covered
Wood Deck

#1212
Existing
2 Sty.
Frame
Dwelling

24'

Wood Deck

16'

15

14

13

N 21°29' E 187' +/-

185' +/-

N 21°29' E 173' +/-

S 21°29' W

APPROXIMATE TREELINE

PERCD
SYSTEMS

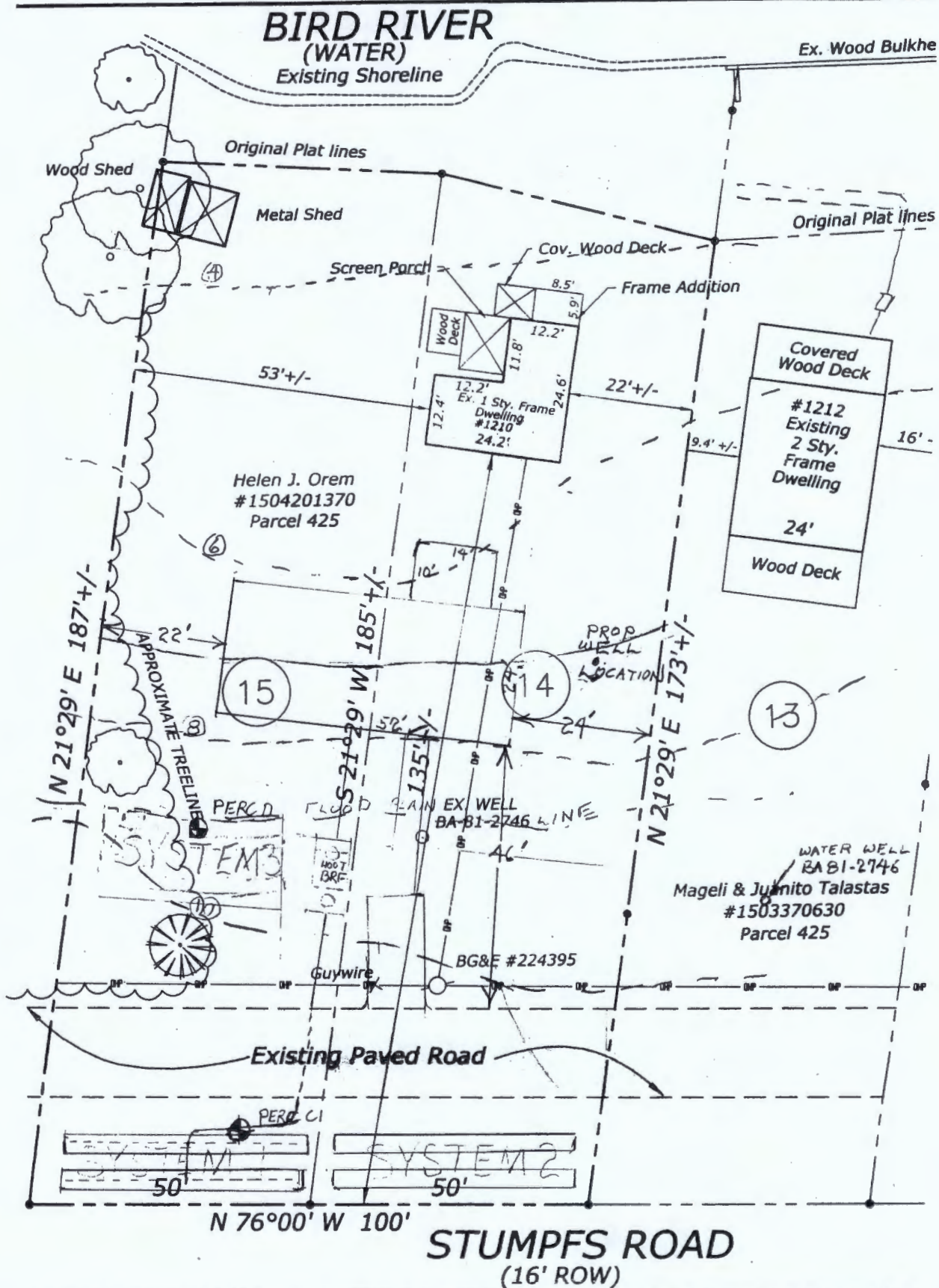
WOOD
BRK

EX. WELL
BA-81-2746

BG&E #224395

WATER WELL
BA-81-2746
Mageli & Junito Talastas
#1503370630
Parcel 425

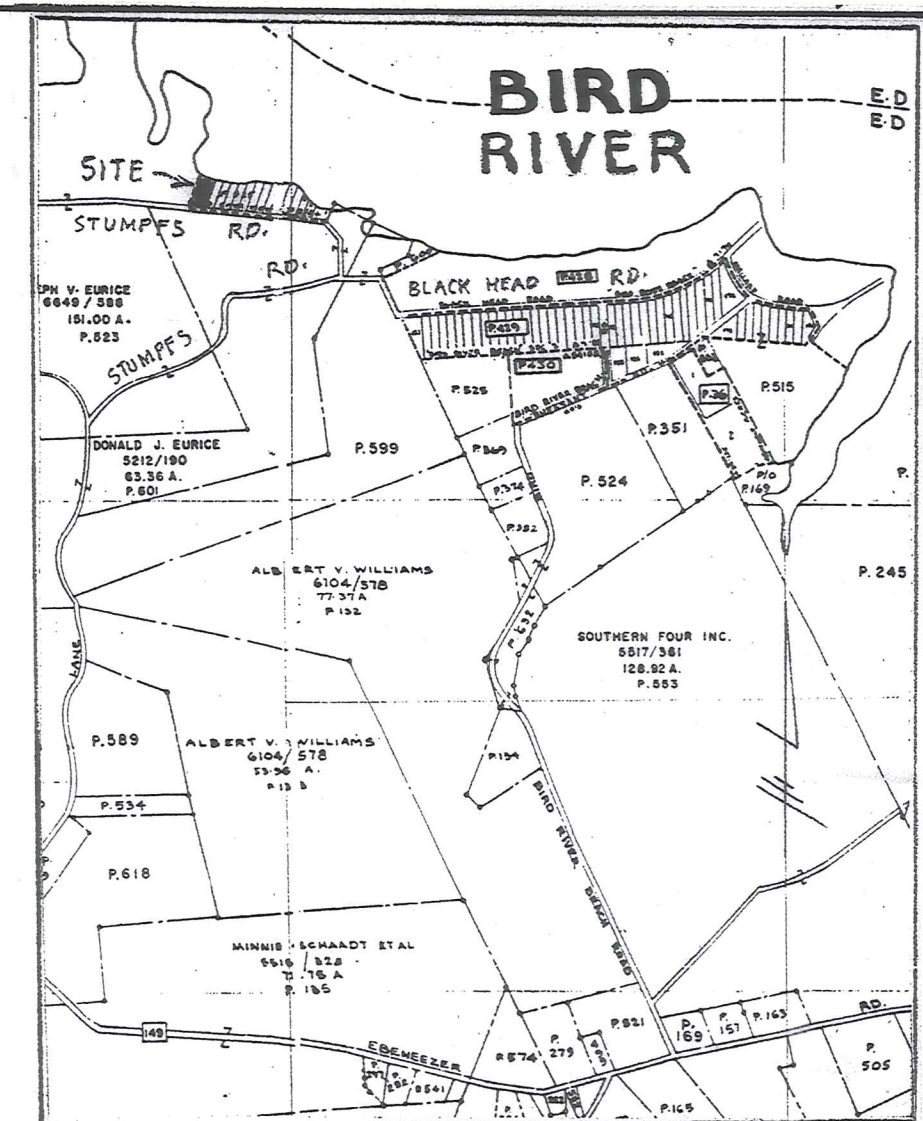
January 11th 2010



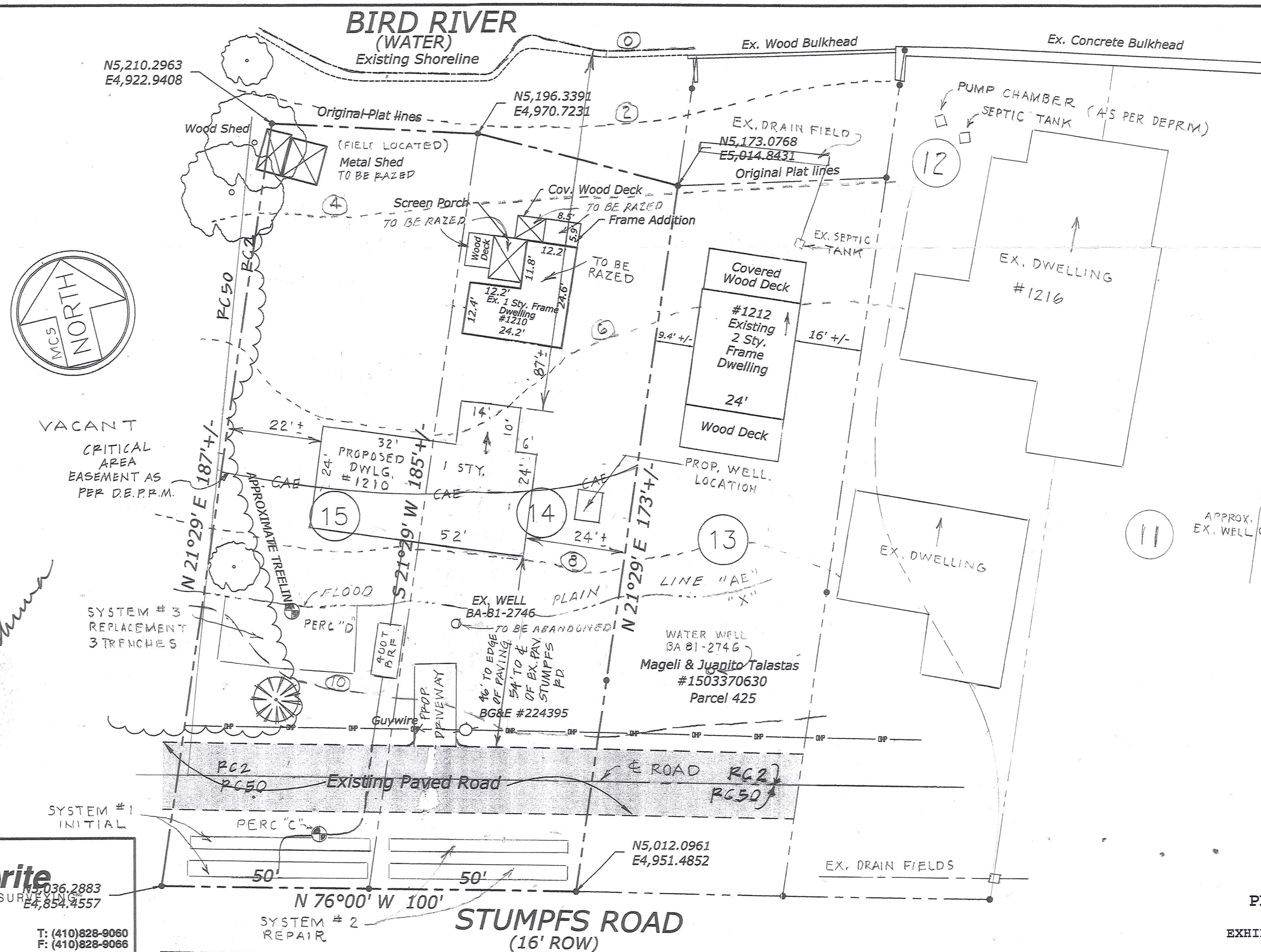
GENERAL NOTES:

- Existing Lot Area: 18,180 S.F. $\pm$ 0.417 Ac $\pm$ - (Real Property Search) and 19,960 S.F. $\pm$ 0.4582 Ac $\pm$ (Property Area up to shoreline)
- Existing Zoning: RCZ (08381) & RC50
- Existing Well and Septic Systems are shown within 200' of the subject property
- Existing Use: Single Family Dwelling (Not Primary Residence)
PROPOSED USE: Single Family Dwelling (Replacement Dwelling to become primary residence)
- There is an existing well on site BA-81-2746 to be abandoned. (Well Abandonment Report to be furnished to DEPRM. New Well Proposed) There is no private septic system, an outhouse exists on site.
- The property consists of Lots 14 and 15 as shown on a plat entitled "Bird River View" recorded in Plat Book 8, folio 84 dated 1927.
- Property is located within The Chesapeake Bay Critical Area. (LDA)
- Property is located within the 100 Year Flood Plain Area. (8.5 NAVD 88)
Community Panel No. 2400100295F Zone: "AE" and "X" Map dated 9/26/2008
- Not located in an Historic District
- The existing dwelling was constructed in 1952 and to be razed along with all accessory structures. A replacement dwelling is proposed.
- The existing soils map: No. 37
Soils: ShC2
- Perc Tests "A" and "B" as shown were conducted and approved by Rob Powell (GWM) on 12/07/2009.
- Septic Disposal System being designed by Thomas Ernst, R.L.S. of Ernst Environmental Services, Inc.
- A Critical Area Variance is to be submitted directly to EIR (Regina Esslinger)

RC2 LOT AREA: 17,260 S.F. $\pm$ 0.3972 Ac $\pm$
RC50 LOT AREA: 2,700 S.F. $\pm$ 0.061 Ac $\pm$



VICINITY MAP
SCALE: 1" = 1200'



OWNER: HELEN and PHILLIP OREM
4324 WASHINGTON BLVD.
BALTIMORE MD 21227-4536
TAX MAP: 83 GRID: 4 PARCEL: 425
TAX ACCT. NO. 1504201370
DEED REF.: 28726 / 131

PLAN TO ACCOMPANY CBA ADMINISTRATIVE VARIANCE
AND PETITION FOR ZONING VARIANCE
"OREM PROPERTY"
#1210 STUMPS ROAD
LOTS 14 AND 15
BIRD RIVER VIEW 8/84
ELECTION DISTRICT: 15 C6
BALTIMORE COUNTY, MD
SCALE: 1" = 20'
JANUARY 27, 1010
JOB #9835

PETITIONER'S

EXHIBIT NO.

200 E. JOPPA RD
SUITE 101
TOWSON, MD 21286

T: (410)828-9060
F: (410)828-9066

siterite
SURV 036.2883
E4,854.4557