

IN RE: PETITION FOR ADMIN. VARIANCE

NW side of Chestnut Road; 250 feet W
of the c/l of Seneca Road
15th Election District
6th Councilmanic District
(3812 Chestnut Road)

John Johlito, Jr. and Elizabeth Johlito
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2010-0213-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 owners of the subject property, John Johlito, Jr. and Elizabeth Johlito for property located at 3812 Chestnut Road. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a shed to be located in the front yard in lieu of the required rear yard with a height of 18 feet in lieu of the permitted 15 feet (portion existing). The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to replace an existing shed for storage of lawn mowers, air compressor, grandchildren's bikes, camping equipment, lawn furniture and golf cart. These items cannot be adequately stored in the garage because it protects a 1967 restored Mustang and a 1997 Mustang. The existing garage and existing attached shed are already constructed and located in the front yard. Petitioners' site plan shows that the proposed replacement shed will be smaller than the existing shed. There is virtually no rear yard on this property. The existing dwelling was constructed approximately 125 feet from the front property line and the existing garage was constructed 87 feet from the road.

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

ORDER RECEIVED FOR FILING

Date 4.14.10

By [Signature]

Protection and Resource Management dated April 12, 2010 which states that development of the property must comply with the Chesapeake Bay Critical Area Regulations. The property is in a Limited Development Area (LDA) of the Chesapeake Bay Critical Area. Lot coverage requirements and 15% afforestation requirements must be met. Comments were received from the Bureau of Development Plans Review dated February 25, 2010. The comments indicate that the first floor or basement must be at least one foot above the flood plain elevation in all construction, the building should be designed and adequately anchored to prevent flotation or collapse and constructed of materials resistant to flood damage. Flood-resistant construction should be in accordance with the Baltimore County Building Code which adopts the International Building Code. Although the Office of Planning did not make any recommendations related to the shed height and usage, I will impose conditions that the shed not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

Tom Cole residing at 3810 Chestnut Road, the most affected property owner, stated that he does not object to the demolition of the existing shed and the construction of a new addition to the two car garage. The dimensions of the new construction are 22 feet x 24 feet and 2.5 feet from the property line.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on February 28, 2010 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have 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

ORDER RECEIVED FOR FILING

Date 4-14-10

By [Signature] 2

the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, 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 Petitioners.

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 14th day of April, 2010 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a shed to be located in the front yard in lieu of the required rear yard with a height of 18 feet in lieu of the permitted 15 feet (portion existing) is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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 Petitioners 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 property is in a Limited Development Area (LDA) of the Chesapeake Bay Critical Area. Lot coverage requirements and 15% afforestation requirements must be met.
4. The base flood elevation for this site is 10.2 feet Baltimore County Datum.
5. The flood protection elevation for this site is 11.2 feet.
6. In conformance with Federal Flood Insurance Requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

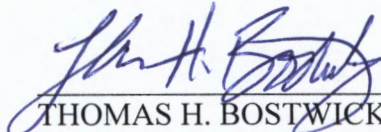
ORDER RECEIVED FOR FILING

Date 4.14.10 3

By PO

7. The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.
8. The building engineer shall require a permit for this project.
9. The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.
10. Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the International Building Code.
11. The Petitioner or subsequent owners shall not convert the subject shed into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
12. The shed shall not be used for commercial purposes.

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 4-14-10

By PO



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

April 14, 2010

JOHN JOHLITO, JR. AND ELIZABETH JOHLITO
3812 CHESTNUT ROAD
BALTIMORE MD 21220

Re: Petition for Administrative Variance
Case No. 2010-0213-A
Property: 3812 Chestnut Road

Dear Mr. and Mrs. Johlito:

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

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

Very truly yours,

A handwritten signature in cursive script, reading "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: April 13, 2010

TO: File

FROM: Patricia Zook, Legal Secretary to 
Thomas Bostwick, Deputy Zoning Commissioner

RE: Petition for Administrative Variance
Case No. 2010-0213-A -- located at 3812 Chestnut Road

This case file was originally received in our Office on March 4, 2010 with the administrative variance files that closed on March 1, 2010. As the closing date was not until March 15, 2010, the file was placed in the 'pick up' tray ready to be picked up by a representative from the Zoning Review Office. An e-mail was sent to the Zoning Review Office on March 4th to let them know what happened. However, the case file was not picked up by the Zoning Review Office until March 19, 2010 at 10:30 am. March 15 came and went and with no case description received from the Zoning Review Office or a phone call to inquire if we had the file, it was not clear if the request was withdrawn.

Petitioner called our Office on April 9, 2010 inquiring about the status. Petitioner was told that the Zoning Commissioner's Office received the file too early (on March 4) and that the file was returned to the Zoning Review Office. That Office never pulled the case file to be returned to us. Petitioner was advised that the file was not sent back to our office for review and Order issuance and suggested that she contact the Zoning Review Office.

The case file was brought to the Zoning Commissioner's Office on April 9, 2010.



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3812 Chestnut Rd
which is presently zoned RCS

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) 400.1 & 3. BCZR to permit a shed to

be located in the front yard in lieu of the required rear yard with a height of 18ft in lieu of the permitted 15ft. (portion existing)

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

Date 4.14.10

Address

By [Signature]

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.

Legal Owner(s):

John Calvin Jolith Jr

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

MD

State

Telephone No.

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 2010-0213-A

REV 10/25/01

Reviewed By [Signature]

Date

2-5-10

Estimated Posting Date

2/18/28

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

3812 Chestnut RD
Address
Balto MD 21220
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):

We need to replace existing Shed for Storage of Lawn Mowers, Air Compressor, grandchildren bikes, camping equipment, Lawn Furniture and golf cart. These items cannot be stored in garage because of restored 67 mustang and 97 mustang. We cannot build in back of house because house is on property line due to subdivision.

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.

* Calvin Jahlitz
Signature
John Calvin Jahlitz Jr
Name - Type or Print

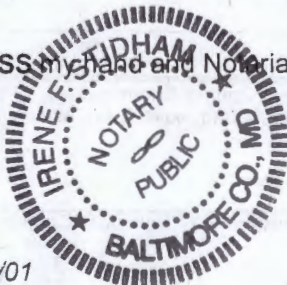
Elizabeth Jahlitz
Signature
Elizabeth Jahlitz
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2 day of January, 2010, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Calvin Jahlitz Jr + Elizabeth Jahlitz
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Irene F. Stidham
Notary Public
My Commission Expires 1-6-12

ZONING DESCRIPTION FOR 3812 Chestnut Rd.

Beginning at a point on the North West side of
Chestnut Rd. which is 20 Ft. Paving
wide at the distance 250 feet South West of the
centerline of the nearest improved intersecting street Seneca Rd.
which is 20 Ft. paving wide. *Being Lot # parts of 112 & 113
Block Section# in the subdivision of Bowleys Quarters
as recorded in Baltimore county Plat Book # 7, Folio # 13,
containing 10200 Square Feet. Also known as 3812 Chestnut Rd.
and located in the 15th Election District, 6th Councilmanic District.

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0213 -A

Address 3812 CHESTNUT Rd.

Contact Person: _____
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 2-17-10

Posting Date: 2-28

Closing Date: 3-15

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

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

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2010- 0213 -A

Address 3812 CHESTNUT Rd.

Petitioner's Name John J. Vito, Jr.

Telephone 410-335-3635

Posting Date: 2-28-10

Closing Date: 3-15-10

Wording for Sign: To Permit A SHED TO BE LOCATED IN THE
FRONT YARD IN LIEU OF THE REQUIRED FENCE
WITH A HEIGHT OF 18 FT. IN LIEU OF THE
PERMITTED 15 FT.

MAILED : 2-17-10

Revised 8/20/09

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0213 -A Address 3812 CHESTNUT Rd.

Contact Person: J. Merley Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2-5-10 Posting Date: 2/14 Closing Date: 3/1

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- 0213 -A Address 3812 CHESTNUT Rd
Petitioner's Name John De Jolito, JR. Telephone 410-335-3635
Posting Date: 2/14 Closing Date: 3/1
Wording for Sign: To Permit A SHED TO BE LOCATED IN
THE FRONT YARD IN LIEU OF THE REQUIRED REAR
WITH A HEIGHT OF 18ft. IN LIEU OF THE
PERMITTED 15-ft.

Revised 8/20/09

**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: 0213

Petitioner: _____

Address or Location: 3812 Chestnut Rd Balto MD 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: Calvin Johlitz

Address: 3812 Chestnut Rd
Balto MD 21220

Telephone Number: 410-395-3635

No.

Date:

PAID RECEIPT

[illegible]

Total:

For:

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

+ - CERTIFICATE OF POSTING

2010-0213-A

RE: Case No.: _____

Petitioner/Developer: _____

John Johlitz, Jr.

March 15, 2010

Date of Hearing/Closing: _____

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: _____
3812 Chestnut Road

February 28 2010

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

Sincerely,

Robert Black

3/3/10

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2010-0213-A

TO PERMIT A SHED TO BE LOCATED IN THE FRONT YARD
IN LIEU OF THE REQUIRED REAR WITH A HEIGHT OF 18 FT. IN LIEU
OF THE PERMITTED 15 FT.

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

3-15-10

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204

TEL. 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW. RETURN BOTH TO ZADM, RM. 101

MEETING IS HANDICAP ACCESSIBLE



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

March 1, 2010

John & Elizabeth Johlito
3812 Chestnut Rd.
Baltimore, MD 21220

Dear: John & Elizabeth Johlito

RE: Case Number 2010-0213-A, 3812 Chestnut 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 05, 2010. 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

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: FEB. 25, 2010

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

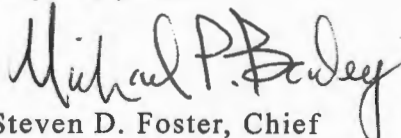
RE: Baltimore County
Item No. 2010-0213-A
3812 CHESNUT ROAD
JOHLITO PROPERTY
ADMIN. VARIANCE

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. 2010-0213-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,


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

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

DATE: February 24, 2010

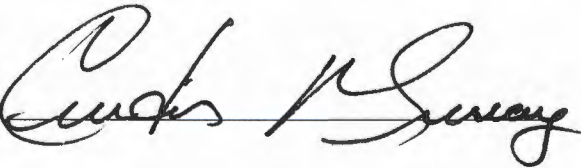
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-213- 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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For March 8, 2010
Item No.: 2010-213

DATE: February 25, 2010

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 2010-0213-03082010.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

APR 12 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: April 12, 2010

SUBJECT: Zoning Item # 10-213-A
Address 3812 Chestnut Road
(Johlitz Property)

Zoning Advisory Committee Meeting of February 22, 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:

The property is in a Limited Development Area (LDA) of the Chesapeake Bay Critical Area. Lot coverage requirements and 15% afforestation requirements must be met.

Reviewer: Regina Esslinger

Date: March 16, 2010

Patricia Zook - Case 2010-0213-A - comment needed - in CBCA

From: Patricia Zook
To: Livingston, Jeffrey
Date: 4/9/2010 12:17 PM
Subject: Case 2010-0213-A - comment needed - in CBCA

Hello Jeff -

I need DEPRM comments for this administrative variance that closed March 15. The file was just brought over to me today.

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 – Re: Case No. 2010-0213-A -- located at 3812 Chestnut Road

From: Patricia Zook
To: Williams, SaShenda
Date: 3/14/2010 3:40 PM
Subject: Case No. 2010-0213-A – closes March 15, 2010 – not March 1, 2010

The above-referenced administrative variance case was brought over on March 4, 2010 with the cases that closed on March 1, 2010. However, this case doesn't close until March 15. I'll place the file in the tray to be returned to your Office to await the closing of March 15.

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

410-887-3868

pzook@baltimorecountymd.gov

>>>LaShenda Williams 3/14/2010 3:40 PM>>>

Patricia Zook - Case 2010-0213-A - description needed - closed March 15, 2010

From: Patricia Zook
To: Williams, LaShenda
Date: 4/9/2010 12:15 PM
Subject: Case 2010-0213-A - description needed - closed March 15, 2010

LaShenda -

I need a case description for this administrative variance that closed March 15, 2010 and the file was just brought over to us.

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

410-887-3868

pzook@baltimorecountymd.gov

Zoning Commissioner's Admin Hearing Schedule
Updated 4/13/2010

CASE NUMBER: 2010-0213-A

3812 Chestnut Road

Location: NW side of Chestnut Road; 250 feet W of the c/l of Seneca Road.

15th Election District, 6th Councilmanic District

Legal Owner(s): John Calvin Johlito Jr. and Elizabeth Virginia Johlito

Closing Date: 3/15/2010

ADMINISTRATIVE VARIANCE To permit a shed to be located in the front yard in lieu of the required rear yard with a height of 18 feet in lieu of the permitted 15 feet. (portion existing)

125



Existing Garage and Shed with Deck
to be razed.



Showing distance between Garage and Shed
with deck.



Shed to be razed.



Shed and Deck to be razed.



Property line



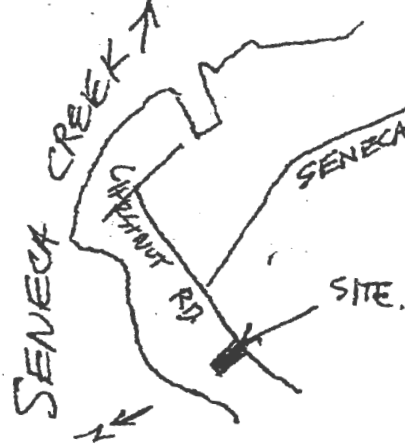
This is showing that Garage (and new Construction) is further than Shed to be razed from property line.



Showing no back yard. Only side yard.



Inside of Garage. No room for Golf Cart
Lawn Furniture and bikes.



Plat to accompany Petition for Zoning VARIANCE

PROPERTY ADDRESS: 3812 Chestnut Rd

Subdivision name: BOWLEYS QUARTERS

plat book # 7, folio # 13, lot # 113, subd # 12, section # —

OWNER: John Calvin & Elizabeth Virginia Johnitz
← SENECA CREEK

LOCATION INFORMATION

Election District: 15

Councilmanic District: 6

1"=200 scale map #: 09103

Zoning: RC-5

Lot size: 10,200 square feet

SITE IS ~~NOT~~ IN 100YR. FLOOD PLAIN.

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☒ no ☐ yes

Prior Zoning Hearings: 00-344-A

Red lines represent existing Shed and patio to be razed.

Blue lines represent new Structure to be attached to existing garage. The variance to allow structure in front yard to also have 2nd floor with a height of 18' and to be 2'5" from property line.

THE UNDERSIGNED IS RESPONSIBLE FOR THE ACCURACY OF ALL PETITION INFORMATION AS DRAWN BY BALTO Co. John Calvin Johnitz

1/14/2000

SCALE: 1"=50'



CHESTNUT ROAD
20 FT. PAVING