

IN RE: PETITION FOR VARIANCE

N side of New Section Road; 264 feet NW
of the c/l of Seneca Road
15th Election District
6th Councilmanic District
(3908 New Section Road)

Joseph V. and Karen L. Maranto
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO. 2010-0282-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject property, Joseph V. and Karen L. Maranto. Petitioners are requesting Variance relief as follows:

- From Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow 10 foot side yard setbacks in lieu of the required 50 foot side yard setback in a R.C.5 Zone; and
- From Section 1A04.3.B.3 of the B.C.Z.R. to allow 18.89% building coverage in lieu of the required 15% building coverage in a R.C.5 Zone; and
- From Section 1A04.3.B.1.a of the B.C.Z.R. to allow an undersized lot of 0.240 acre in lieu of the required 1.5 acres of land in a R.C.5 Zone; and
- From Section 1A04.3.A of the B.C.Z.R to allow a building height of 38 feet in lieu of the required building height of 35 feet in a R.C.5 Zone.

The subject property and requested relief are more fully described on the revised site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the variance requests was Petitioner Karen L. Maranto and William N. Bafitis with Bafitis & Associates, Inc., the professional

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Date 6-10-10

By pm

engineer who prepared the revised site plan. There were no Protestants or other interested persons in attendance.

Testimony and evidence offered revealed that the subject property is rectangular in shape, contains approximately 10,479 square feet or 0.240 acre, more or less, zoned R.C.5. The property is approximately 50 feet wide by 209 feet deep and is located on the north side of New Section Road, which extends east from Bowleys Quarters Road and has water frontage on Seneca Creek to the north, in the Bowleys Quarters area of Baltimore County. The property is presently improved with an existing one-story dwelling, as well as a one-story one car garage located on the street side of the property.

Petitioners acquired the property in 2006 and have resided there since that time. According to SDAT property tax records, the dwelling was built in 1936 and is known as Lot 305 as part of the "Second Addition to Plat No. 2 of Bowleys Quarters" that was recorded on June 6, 1931, as shown on the recorded plat that was marked and accepted into evidence as Petitioner's Exhibit 3. At this juncture, Petitioners desire to raze the existing home and replace it with a new dwelling. They also plan to remove the existing garage and an existing stone parking area located near the garage. In order to follow through with the improvements, Petitioners are in need of the instant zoning relief from the height, area, building coverage, and setback restrictions that exist in the R.C.5 Zone.

In support of the variance requests, Petitioners' engineer, Mr. Bafitis, submitted photographs of the property and the existing dwelling, as well as the surrounding properties on each side, which were marked and accepted into evidence as Petitioners' Exhibits 4A through 4P. The photographs are emblematic of the area -- there is a mix of older "shore shacks" (such as Petitioners') in various states of maintenance and repair, as well as newer, mostly larger and taller

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By pm

homes that have been built more recently. Petitioners' home has been well cared for, but has reached its limitation as far as usable space and potential resale value down the road. Hence, Petitioners desire to raze the existing small, dated dwelling and construct a new home with today's materials and workmanship. Unfortunately for Petitioners, this endeavor also involves compliance with today's R.C.5 zoning requirements. In further support of the requested relief, Petitioners submitted letters of support from their adjacent neighbors, James S. Davison of 3906 New Section Road and Kenneth Watkins of 3910 New Section Road, which were marked and accepted into evidence as Petitioners' Exhibits 5A and 5B, respectively.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated May 14, 2010 which indicates the Office does not oppose Petitioners' request, provided the construction complies with the current R.C.5 requirements. In order to make this determination, the Office of Planning will require the submission of additional information, which will be expounded on further in this Order. Comments were received from the Bureau of Development Plans Review dated April 29, 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. Comments were also received from the Department of Environmental Protection and Resource Management dated June 8, 2010 which indicates that development of the property must comply with the Chesapeake Bay Critical Area Regulations. This lot is within a Limited Development Area (LDA) and a Buffer Management Area (BMA) in the Chesapeake Bay Critical Area. The lot coverage limits for this lot are 25%; lot

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coverage may go up to 31.25% with mitigation for the amount over 25%. The proposal shows lot coverage over the allowable amount. The 15% afforestation requirement will apply, which equates to 3 trees. For lot coverage and afforestation requirements, only the lot acreage above mean high water can be used. All BMA requirements must be met, including mitigation.

This case presents an increasingly common set of circumstances before this Commission; namely, waterfront properties in eastern Baltimore County that are zoned R.C.5, but were platted and recorded decades ago -- certainly prior to the adoption of Zoning Regulations in these areas -- and thus do not meet the current zoning requirements for setbacks, minimum area, and building coverage. In addition, because these areas are within the floodplain, the base flood and flood protection elevations also make it increasingly difficult for property owners to replace aged, often dilapidated original structures that were relatively small and intended as summer cottages with new homes of sufficient size that are often used as a primary residences, yet still not exceed the maximum allowable height of 35 feet.

Thus, the task for this Commission is to review the purpose of the R.C.5 Zone and interpret that in the context of these waterfront properties. Section 1A04.1.B states that the R.C.5 zoning classification is established in order to: (1) provide for rural-residential development in suitable areas in which basic services are not anticipated, (2) eliminate scattered and generally disorderly patterns of future rural-residential development, (3) assure that encroachments onto productive or critical natural resource areas will be minimized, and (4) provide a minimum lot size which is sufficient to provide adequate area for the proper functioning of on-lot sewer and water systems.

Turning now to the instant matter, I am persuaded to grant the requested relief. Although the subject property does not meet the minimum lot area requirement of 1½ acres, nor the height

and side yard setback limitations, in my view, this lot -- and others like it -- is clearly consistent

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By pm

with the purpose of the R.C.5 zoning classification, and therefore meets the spirit and intent of the Zoning Regulations. As to the concern over the provision of basic services and adequate area for on-site sewer and water systems, in this case the property does have access to existing public water and sewer services. As to the issue of scattered and generally disorderly patterns of future rural-residential development, that is also not impacted here. This property is a lot of record and has been in existence for almost 80 years. As depicted in the record plat accepted into evidence as Petitioners' Exhibit 3, it was platted and recorded as part of a planned layout of waterfront properties on the Bowleys Quarters peninsula. Regarding the encroachments onto productive or critical natural resource areas, this property is situated in the Chesapeake Bay Critical Area and is subject to stringent regulations at the State and local level, including lot coverage requirements, afforestation, and mitigation in environmentally sensitive areas. DEPRM's careful watch over these issues will minimize the potential impact of this development in those areas. In addition, it is noteworthy that the existing home and improvements currently have a building coverage of 18.92%; however, with the proposed new dwelling and the removal of some existing improvements, lot coverage will actually be reduced slightly to 18.89%.

I also find the property unique in a zoning sense in that the setback and height constraints cause the subject property to be disproportionately impacted by the Zoning Regulations as compared with other surrounding properties, making it virtually impossible for Petitioner to have any dwelling erected on the property. The property is only 50 feet wide and the setback for each side is 50 feet. Moreover, the base flood and flood protection elevation requirements almost automatically dictate that a proposed dwelling will begin with a 10 or 11 foot height above ground level, leaving perhaps only 25 feet for the enclosed living areas of the dwelling height, including an adequate roof pitch.

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By pm

Finally, I find that the variance requests can be granted in strict harmony with the spirit and intent of said regulations, and in such a manner as to grant relief without injury to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 10th day of June, 2010 by this Deputy Zoning Commissioner, that Petitioners' Variance requests as follows:

- From Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow 10 foot side yard setbacks in lieu of the required 50 foot side yard setback in a R.C.5 Zone; and
- From Section 1A04.3.B.3 of the B.C.Z.R. to allow 18.89% building coverage in lieu of the required 15% building coverage in a R.C.5 Zone; and
- From Section 1A04.3.B.1.a of the B.C.Z.R. to allow an undersized lot of 0.240 acre in lieu of the required 1.5 acres of land in a R.C.5 Zone; and
- From Section 1A04.3.A of the B.C.Z.R to allow a building height of 38 feet in lieu of the required building height of 35 feet in a R.C.5 zone,

be and are hereby **GRANTED**, subject to the following:

1. Petitioners are advised that they may apply for any required building permits 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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Date 6.10.10

By [Signature]

2. Prior to obtaining a building permit, Petitioners shall submit the following information to the Office of Planning for their determination that the proposed structure meets the RC 5 Performance Standards:
 - a. Submit photographs of existing adjacent dwellings to the Office of Planning.
 - b. Submit building elevations (all sides) of the proposed dwelling to the Office of Planning for review and approval. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) use the same finish materials and architectural details on the front, side and rear elevations. Use of quality material such as brick, stone or cedar is encouraged.
 - c. Design all decks, balconies, windows, dormers, chimneys and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.
 - d. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building, on the site, providing consistency in materials, colors, roof pitch and style.
 - e. Provide landscaping along the public road, if it is consistent with the existing streetscape.
3. 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.
4. 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.
5. 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.
6. Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the International Building Code.
7. 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).

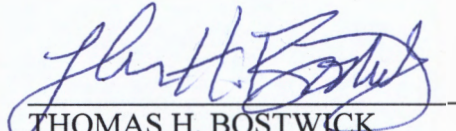
ORDER RECEIVED FOR FILING

Date 12-10-10

By pm

8. This lot is within a Limited Development Area (LDA) and a Buffer Management Area (BMA) in the Chesapeake Bay Critical Area. The lot coverage limits for this lot are 25%; lot coverage may go up to 31.25% with mitigation for the amount over 25%. The proposal shows lot coverage over the allowable amount. The 15% afforestation requirement will apply, which equates to 3 trees. For lot coverage and afforestation requirements, only the lot acreage above mean high water can be used. All BMA requirements must be met, including mitigation.

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 6.10.10

By ps



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

June 10, 2010

JOSEPH V. AND KAREN L. MARANTO
3908 NEW SECTION ROAD
BALTIMORE MD 21220

Re: Petition for Variance
Case No. 2010-0282-A
Property: 3908 New Section Road

Dear Mr. and Mrs. Maranto:

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 black ink, appearing to read "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

Enclosure

c: William N. Bafitis, Bafitis & Associates, Inc., 1249 Engleberth Road, Baltimore MD 21221



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 3908 NEW SECTION ROAD, BALTIMORE, MARYLAND 21220
which is presently zoned RC-5

Deed Reference: 23499 / 440 Tax Account # 15-19391090

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)

To allow 10' sideyard setbacks in lieu of the required 50' sideyard setbacks in a RC-5 zone per section 1A04.3 B2b (B.C.Z.R.). To allow 18.89% building coverage in lieu of the required 15% building coverage in a RC-5 zone per section 1A04.3 B3 (B.C.Z.R.). To allow undersized lot of 0.240 acres in lieu of the required 1.5 acres of land in a RC-5 zone per section 1A04.3 B1a (B.C.Z.R.). To allow a 38' building height in lieu of the required 35' building height in a RC-5 zone per section 1A04.3A (B.C.Z.R.)

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

Owner needs variances to construct a new 2 story dwelling with garage under.

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:

N/A
Name - Type or Print
Signature
Address Telephone No.
City State Zip Code

Attorney For Petitioner:

N/A
Name - Type or Print
Signature
Company
Address Telephone No.
City State Zip Code

Legal Owner(s):

JOSEPH V. MARANTO
Name - Type or Print
Signature
KAREN L. MARANTO
Name - Type or Print
Signature
3908 NEW SECTION ROAD 410-665-1070
Address Telephone No.
BALTIMORE MARYLAND 21220
City State Zip Code

Representative to be Contacted:

WILLIAM N. BAFITIS, P.E. / BAFITIS & ASSOCIATES, INC
Name
1249 ENGLEBERTH ROAD 410-391-2336
Address Telephone No.
BALTIMORE MARYLAND 21221
City State Zip Code

Case No. 2010-0282-K

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

Reviewed by _____ Date _____

REV 8/20/07

ORDER RECEIVED FOR FILING

Date 6-10-10

By pm



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 3908 NEW SECTION ROAD, BALTIMORE, MARYLAND 21220
which is presently zoned RC-5

Deed Reference: 23499 / 440 Tax Account # 15-19391090

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)

To allow 10' sideyard setbacks in lieu of the required 50' sideyard setbacks in a RC-5 zone per section 1A04.3 B2b (B.C.Z.R.). To allow 17.46% building coverage in lieu of the required 15% building coverage in a RC-5 zone per section 1A04.3 B3 (B.C.Z.R.). To allow undersized lot of 0.240 acres in lieu of the required 1.5 acres of land in a RC-5 zone per section 1A04.3 B1a (B.C.Z.R.). To allow a 38' building height in lieu of the required 35' building height in a RC-5 zone per section 1A04.3A (B.C.Z.R.)

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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:

N/A
Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

N/A
Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Case No. 2010-0282-A

REV 8/20/07

Legal Owner(s):

JOSEPH V. MARANTO
Name - Type or Print

Signature

KAREN L. MARANTO
Name - Type or Print

Signature

3908 NEW SECTION ROAD 410-665-1070

Address Telephone No.

BALTIMORE MARYLAND 21220

City State Zip Code

Representative to be Contacted:

WILLIAM N. BAFITIS, P.E. / BAFITIS & ASSOCIATES, INC
Name

1249 ENGLEBERTH ROAD 410-391-2336

Address Telephone No.

BALTIMORE MARYLAND 21221

City State Zip Code

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

Reviewed by A-TSUI Date 4/15/2010



Bafitis & Associates, Inc.

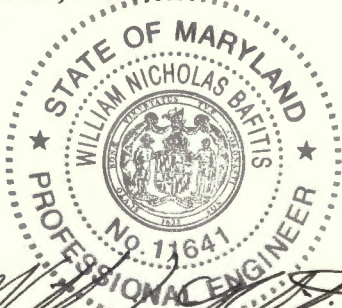
ZONING DESCRIPTION
FOR
3908 NEW SECTION ROAD
BALTIMORE COUNTY, MARYLAND
15TH ELECTION DISTRICT

Beginning for same at a point on the north side of New Section Road, 30 foot wide; and 264 feet $\pm$ northwesterly from the centerline intersection of Seneca Road 30 foot wide;

1. Thence leaving the north side of New Section Road, North $34^{\circ}-00'-24''$ West 209.58 feet to a point on Seneca Creek;
2. Thence running along Seneca Creek, North $55^{\circ}-59'-36''$ East 50.00 feet to a point;
3. Thence leaving said Creek, South $34^{\circ}-00'-24''$ East 209.58 feet to a point on the north side of New Section Road;
4. Thence running along said road, South $55^{\circ}-59'-36''$ West 50.00 feet to the point of beginning.

Containing 10,479 sq. ft. or 0.240 acres more or less.

Being known as lot 305 shown on a plat entitled "Second Addition to Plat No. 2 Bowley's Quarters" recorded among the Land Records of Baltimore County, Maryland Plat Book 10, Folio 64.



William N. Bafitis, P.E.
William N. Bafitis, P.E., MD License # 11641

2010-0282-A

3/30/10
Date

**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: 2010-0282-A
Petitioner: Joe Maranto
Address or Location: 3908 New Section Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: Joe Maranto
Address: 3908 New Section Road
Baltimore, Md 21220

Telephone Number: 410-665-1070

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

No. 73222

Date: 4/15/10

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	806	0000		6150					85.00

Total: 85.00

Rec

From: MIKEY SAMUEL

For: 3908 NEW SECTION

2010-0281-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

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

No. 51273

Date: 5/25/10

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/ Obj	Rev/ Sub Obj				
001	24	6000		1120					500.00

Total: 500.00

Rec
From:

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: # 2010-0282-A

3908 New Section Road

N/side of New Section Road, 264 feet n/west of the centerline of Seneca Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Joseph & Karen Maranto

Variance: to allow 10 feet sideyard setbacks in lieu of the required 50 feet sides yard setback in a RC-5 zone. To allow 17.46% building coverage in lieu of the required 15% building coverage in a RC-5 zone. To allow undersize lot of 0.240 acres in lieu of the required 1.5 acres of land in a RC-5 zone. To allow a 38 feet building height in lieu of the required 35 feet building height in a RC-5 zone.

Hearing: Thursday, June 10, 2010 at 10:00 a.m. in Room 106, County Office Building, 111 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/5/951 May 25

241583

CERTIFICATE OF PUBLICATION

5/27/, 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 5/25/, 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

2010-0282-A

RE: Case No.: _____

Petitioner/Developer: _____
Joseph and Karen Maranto

Date of Hearing/Closing: June 10 2010

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: _____
3908 New Section Road

The sign(s) were posted on May 26 2010

(Month, Day, Year)

Sincerely,

Robert Black /528/10

(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

CASE #2010-0282-A

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

PLACE: ROOM 106, COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: THURSDAY, JUNE 10, 2010 AT 10:00^{AM}

REQUEST: VARIANCE TO ALLOW 10 FEET SIDE YARD SETBACK
IN LIEU OF THE REQUIRED 50 FEET SIDES YARD SETBACK IN A RC-5

ZONE. TO ALLOW 12.81% BUILDING COVERAGE IN LIEU OF THE REQUIRED
15% BUILDING COVERAGE IN A RC-5 ZONE. TO ALLOW UNDERSIZE LOT
OF 0.240 ACRES IN LIEU OF THE REQUIRED 1.5 ACRES OF LAND IN A
RC-5 ZONE. TO ALLOW A 38 FEET BUILDING HEIGHT IN LIEU OF THE
REQUIRED 35 FEET BUILDING HEIGHT IN A RC-5 ZONE.

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

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

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 25, 2010 Issue - Jeffersonian

Please forward billing to:

Joe Maranto
3908 New Section Road
Baltimore, MD 21220

410-665-1070

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: 2010-0282-A

3908 New Section Road

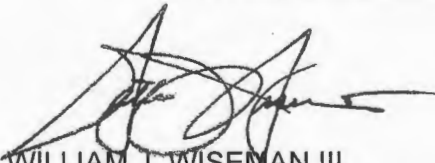
N/side of New Section Road, 264 feet n/west of the centerline of Seneca Road

15th Election District – 6th Councilmanic District

Legal Owners: Joseph & Karen Maranto

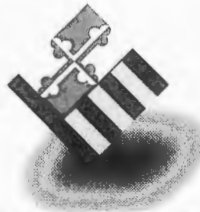
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Hearing: Thursday, June 10, 2010 at 10:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204



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
May 12, 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: 2010-0282-A

3908 New Section Road

N/side of New Section Road, 264 feet n/west of the centerline of Seneca Road

15th Election District – 6th Councilmanic District

Legal Owners: Joseph & Karen Maranto

Variance to allow 10 feet sideyard setbacks in lieu of the required 50 feet sides yard setback in a RC-5 zone. To allow 17.46% building coverage in lieu of the required 15% building coverage in a RC-5 zone. To allow undersize lot of 0.240 acres in lieu of the required 1.5 acres of land in a RC-5 zone. To allow a 38 feet building height in lieu of the required 35 feet building height in a RC-5 zone.

Hearing: Thursday, June 10, 2010 at 10:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. Maranto, 3908 New Section Road, Baltimore 21220
William Bafitis, 1249 Engleberth Road, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 26, 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.



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

June 3, 2010

Joseph and Karen Maranto
3908 New Section Rd.
Baltimore, MD 21220

Dear: Joseph and Karen Maranto

RE: Case Number 2010-0282-A, 3908 New Section Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 15, 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
William Bafitis, P.E.: Bafitis & Associates, Inc.; 1249 Engleberth Rd.; Baltimore, MD 21221

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 14, 2010
Item No.: 2010-282

DATE: June 2, 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:elm

cc: File

G:\DevPlanRev\ZAC - Comments\ZAC-ITEM NO 2010-0282-06142010.doc

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 May 10, 2010
Item No.: 2010-282

DATE: April 29, 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.

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

DAK:CEN:elm

cc: File

G:\DevPlanRev\ZAC - Comments\ZAC-ITEM NO 2010-0282-05102010.doc

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6-14-2010

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

RE: Baltimore County
Item No. 2010-0282-A
3908 New Section RD
MAZANTO 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. 2010-0282-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,

A handwritten signature in black ink, appearing to read "Steven D. Foster".

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4/27/2010

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

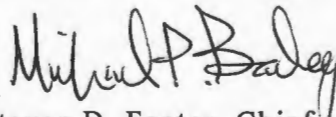
RE: Baltimore County
Item No. 2010-0282-A
3908 NEW SECTION RD
MARANTO PROPERTY
VARIANCE -

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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,


For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 14, 2010

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

SUBJECT: 3908 New Section Road

INFORMATION:

Item Number: 10-282

Petitioner: Joseph V. Maranto

Zoning: RC 5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request. However, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office prior to building permit:

1. Photographs of existing adjacent dwellings.
2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
5. Provide landscaping along the public road, if consistent with the existing streetscape.

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

Prepared By: Sue G Murray

Division Chief: Lynne J. Johnson

CM/LL

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUN 08 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: June 8, 2010

SUBJECT: Zoning Item # 10-282-A
Address 3908 New Section Road
(Maranto Property)

Zoning Advisory Committee Meeting of April 26, 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:

This lot is within a Limited Development Area (LDA) and a Buffer Management Area (BMA) in the Chesapeake Bay Critical Area. The lot coverage limits for this lot are 25%; lot coverage may go up to 31.25% with mitigation for the amount over 25%. The proposal shows lot coverage over the allowable amount. The 15% afforestation requirement will apply, which equates to 3 trees. For lot coverage and afforestation requirements, only the lot acreage above mean high water can be used. All BMA requirements must be met, including mitigation.

Reviewer: Regina Esslinger

Date: May 19, 2010



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

March 8, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: April 26th , 2010

Item Numbers: 0282, 0283, 0284, 0285, 0286, 0287, 0288 and 0289

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

RE: PETITION FOR VARIANCE * BEFORE THE
3908 New Section Road; N/S New Section * ZONING COMMISSIONER
Road; 264' NW of c/line of Seneca Road *
15th Election & 6th Councilmanic Districts * FOR
Legal Owner(s): Joseph & Karen Maranto *
Petitioner(s) * BALTIMORE COUNTY
* 10-282-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

APR 28 2010

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of April, 2010, a copy of the foregoing Entry of Appearance was mailed to Bafitis & Associates, Inc, 1249 Engleberth Road, Baltimore, MD 21221, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

MEMO

From: Aaron Tsui, Planner II



April 15, 2010

To: Zoning Commissioner/File

Re: Variance Case no. 2010-0282-A

3908 New Section Road, 15th Election District

The subject petition is filed for a replacement dwelling in Bowley's Quarter area in a RC 5 zone.

My comments:

- A similar petition (case no. 2009-0210-A) for a replacement dwelling in Bowley's Quarter in a RC 5 zone has been granted in May 7, 2009;
- Previous cases no. 2001-535A and 2004-0351A granted new dwellings in the RC5 zone before the RC 5 law change by Bill 55-04 on June 7, 2004.
- The petition is for a replacement dwelling on an existing vested lot with a dwelling. Therefore, the 'may apply for a special hearing' provision per Section 1A04.3B.1(b)(1) to alter the minimum lot size requirement does not apply.
- The "may apply for a Special Hearing" provision is also at the discretion of the Zoning Commissioner as the County Code Section 1-2-207 defines that the word "may" shall have a permissive effect and establish authority to act in a defined manner.



May 25, 2010

Baltimore County
Zoning Review
111 W. Chesapeake Avenue
Room 111
Towson, Maryland 21204
Attn: Mr. Aaron Tsui

Dear Aaron;

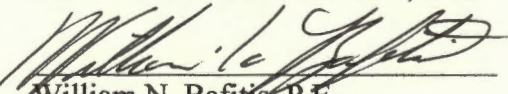
Ref: Revisions to Zoning Case Number 2010-0282-A, 3908 New Section Road,
Baltimore County, Maryland

We have revised the above reference Zoning Case Variance to allow 18.89% building coverage instead of the 17.46% in lieu of the required 15% building coverage in a RC-5 zoning 1A04.3 B3 (B.C.Z.R.) that we had petition for on our original submittal dated April 15, 2010.

Enclosed please find 3 copies of revised Petition for Variance Application, 12 copies of revised "Plan to Accompany Petition for Zoning Variance" and a check in the amount of \$70.00 for the amended submittal.

If you have any questions, please do not hesitate to call.

Sincerely,
BAFITIS & ASSOCIATES, INC.


William N. Bafitis, P.E.
President

WNB/mmr

CHECKLISTComment
ReceivedDepartmentSupport/Oppose
No Comment4-29-10

DEVELOPMENT PLANS REVIEW

say
conditions

DEPRM

e-mailed 6-7-10nc3-8-10

FIRE DEPARTMENT

nc5-14-10

PLANNING

5-way conditions

(if not received, date e-mail sent _____)

STATE HIGHWAY ADMINISTRATION

nc

TRAFFIC ENGINEERING

-

COMMUNITY ASSOCIATION

nc

ADJACENT PROPERTY OWNERS

nc

ZONING VIOLATION

(Case No. -)

PRIOR ZONING

(Case No. -)

NEWSPAPER ADVERTISEMENT

Date: 5-25-10

SIGN POSTING

Date: 5-26-10

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐Comments, if any: memo from ZRO in fileneed DEPRM comments

CASE NAME _____
CASE NUMBER 2010-0282-A
DATE 6-10-10

[illegible]

Case No.: 2010-0282-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	<i>revised site plan</i>	
No. 2	<i>zoning map</i>	
No. 3	<i>record plat</i>	
No. 4	<i>photos of site</i>	
No. 5 <i>A+B</i>	<i>letters of support</i>	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

To Whom It May Concern:

The undersigned has no objection to the owners of 3908 New Section Road and their plans to demolish their outdated one story shore house and replace it with a new two story elevated home as their primary residence. The Bowleys Quarters peninsula has seen a resurgence of activity since Tropical Storm Isabel as a result of new construction and investment in waterfront property. This investment has had a positive effect on the neighborhood, and therefore I have no objection to the proposed variances that will actually increase side yard setbacks and decrease impervious area at the above referenced location.

Printed name: JAMES S. DAVIS

Signature: [Handwritten Signature]

Address: New Section Road, Baltimore, MD 21220

Date: 4/30/2010

PETITIONER' S

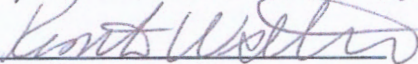
EXHIBIT NO.

5A

To Whom It May Concern:

The undersigned has no objection to the owners of 3908 New Section Road and their plans to demolish their outdated one story shore house and replace it with a new two story elevated home as their primary residence. The Bowleys Quarters peninsula has seen a resurgence of activity since Tropical Storm Isabel as a result of new construction and investment in waterfront property. This investment has had a positive effect on the neighborhood, and therefore I have no objection to the proposed variances that will actually increase side yard setbacks and decrease impervious area at the above referenced location.

Printed name: KENNETH WATRINS

Signature: 

Address: New Section Road, Baltimore, MD 21220

Date: 4/19/10

PETITIONER' S

EXHIBIT NO. 5B



Photo #1



PETITIONER'S

EXHIBIT NO. 4A-P

04/13/2010

Photo #2

2010-0282-A



Photo #3



Photo #4

2010-0282-A



Photo #5



Photo #6

2010-0282-A



Photo #7



Photo #8

2010-0282-A



Photo #9



Photo #10

2010-0282-A



Photo # 11



Photo # 12

2010-0282-A



Photo # 13



Photo # 14

2010-0282-A

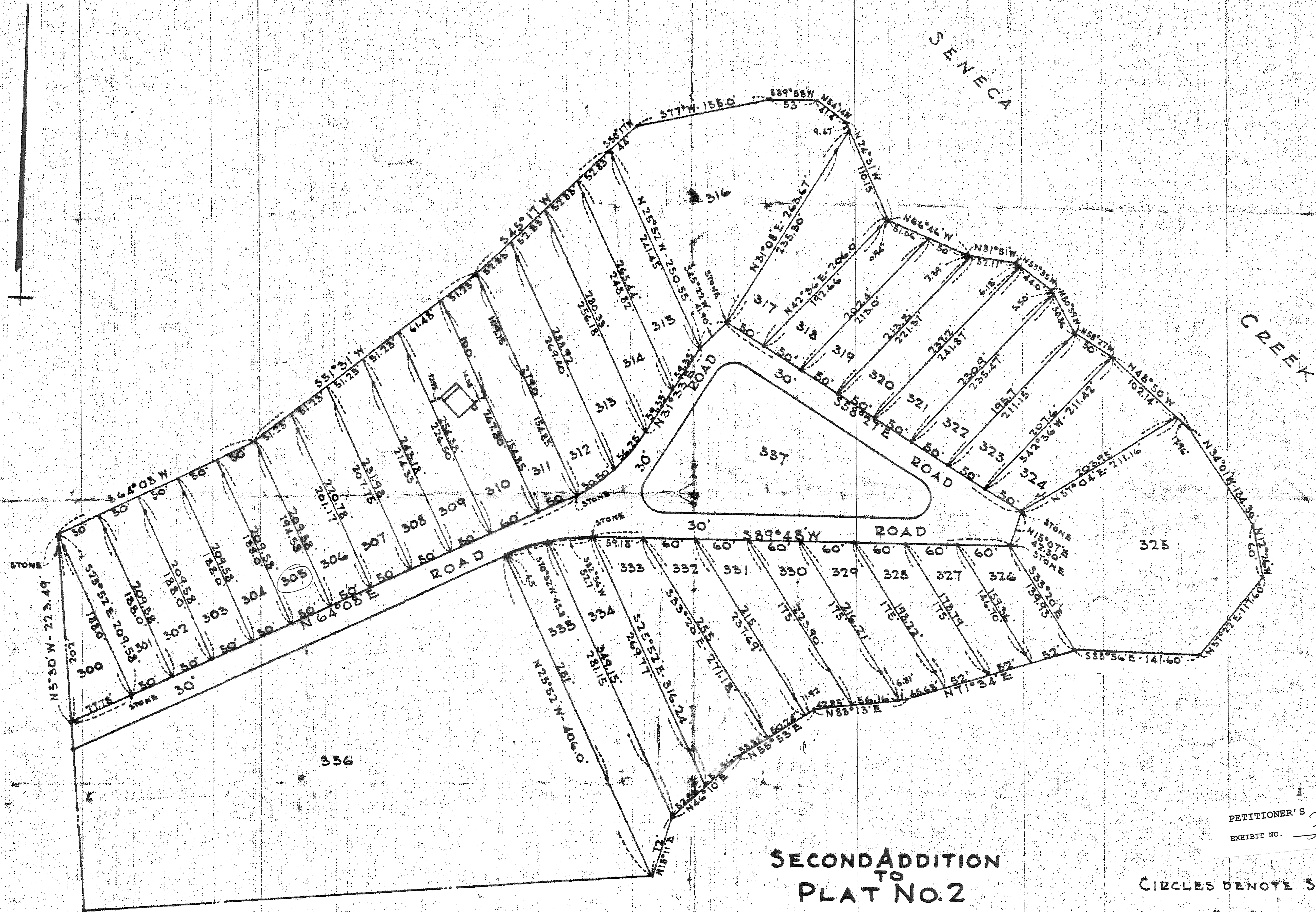


Photo #15



Photo #16

2010-0282-A



SECOND ADDITION
TO
PLAT NO. 2
BOWLEYS QUARTERS

CIRCLES DENOTE STAKES
SCALE 1"=100' JUNE 6, 1931.
E. V. COONAN & CO.
SURVEYORS & CIVIL ENGRS.
231 ST. PAUL PLACE
BALTO., MD.

PETITIONER'S
EXHIBIT NO. 3

45-1054-2136-2467



N. 601607.36
E. 1489799.94

P.O.B.

RC-5

SITE

RC-20

PETITIONER'S

EXHIBIT NO.

2

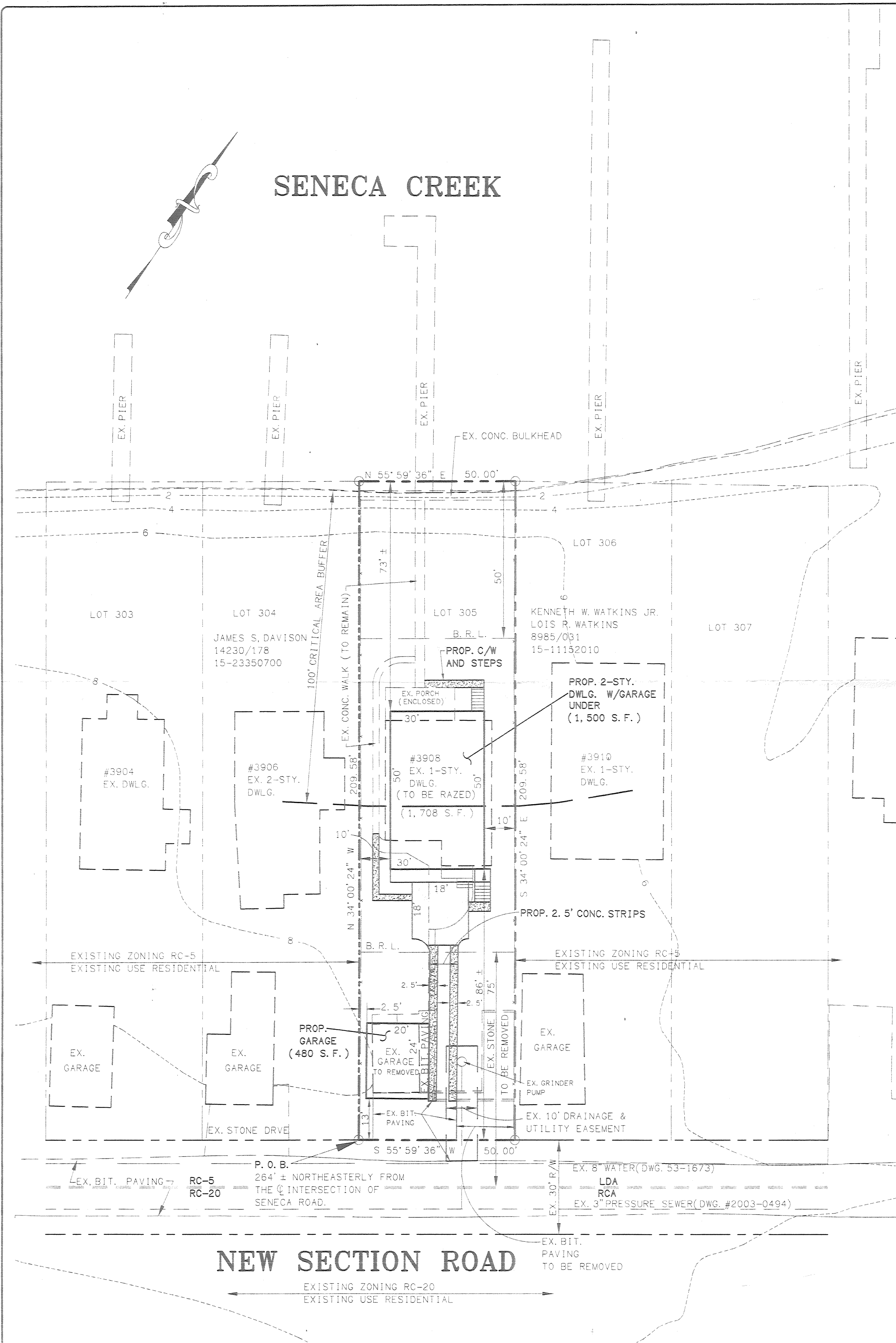
2010-0282-A

3908 New Section Road
Baltimore, Maryland 21220
Zoning Plan - 091C3
Scale - 1" = 200'

timore County

Planning and Zoning

091A2	091B2	091C2	092A2



NOTES

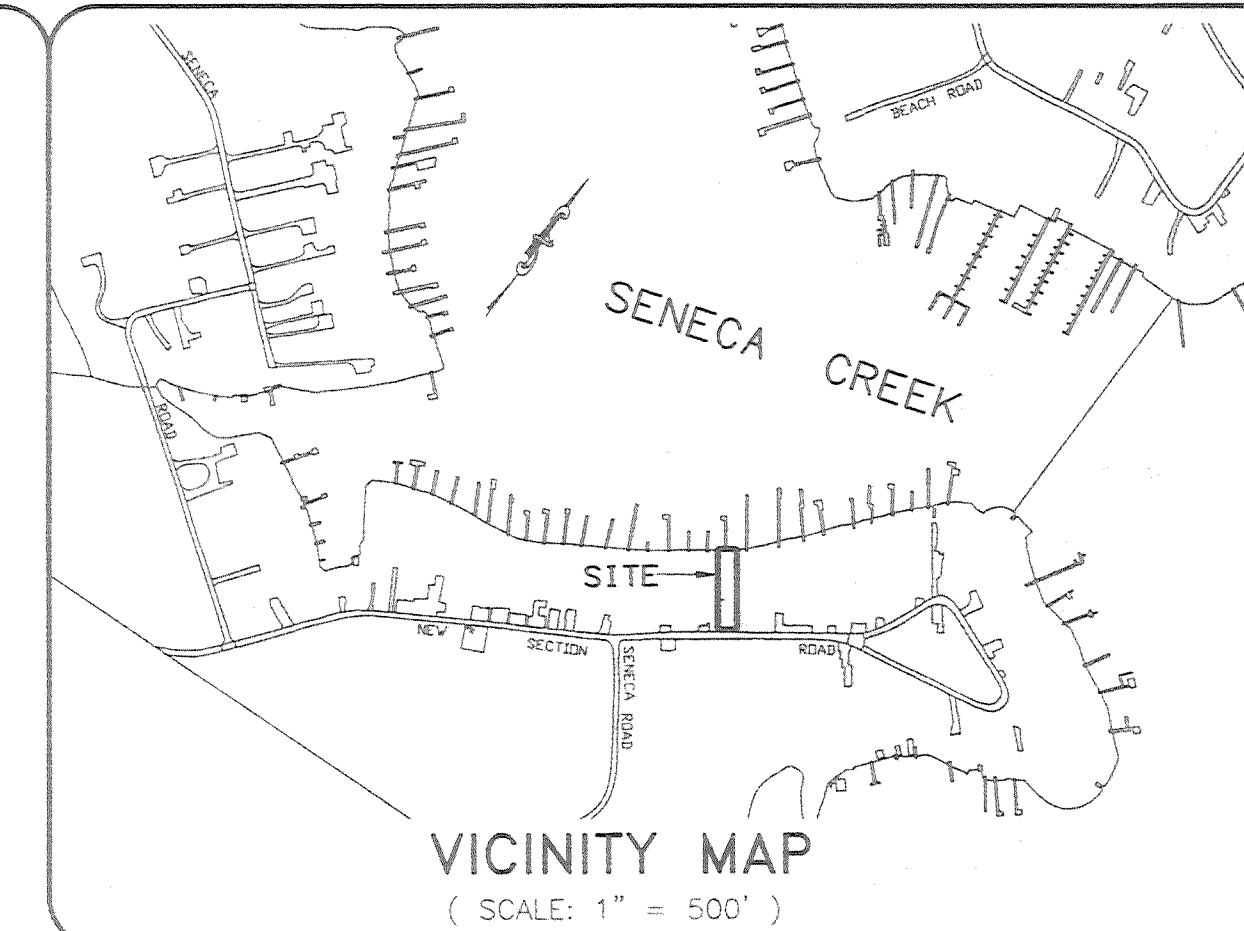
- Topography shown hereon was taken from Baltimore County GIS Topography.
- The Firm Insurance Rate Map, 240010-0455 F indicates this is situated within flood Zone AE. F.E.M.A. indicates a Flood Elevation of 8.5 NAVD 88 based on a Flood Insurance Study Number 240010V0008. A minimum first floor elevation 10.5 NAVD 88.
- Property lines shown hereon were established by public information.
- This site is situated within the Chesapeake Bay Critical Areas and is classified by land use as Limited Development Area (LDA) (MAP 91).
- There shall be no clearing, grading, construction or disturbance of vegetation within the 100' Buffer Area except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
- Any Critical Area easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas.
- This site is situated within a Mapped Buffer Management Area of the Chesapeake Bay Critical Areas.
- There are no forest or developed woodlands on this site.
- There are no Tidal or Non-Tidal Wetlands shown on this site.
- There is no significant plant or animal habitat on this site.
- There are no slopes greater than 15% on this site.
- There are no known wells on this site.
- There are no known underground storage tanks or septic systems on this site.
- There are no known potentially hazardous materials on this site as defined by Title 7-Health and Environmental Article, Annotated Code of Maryland, except as noted.
- There are no buildings or property within this site that are included on the Maryland Historical Trust Inventory, The Baltimore County Landmarks List, the National Register of Historic Places, the Maryland Archeological Survey or is a Baltimore County Historical District.
- The site has 50' ± of water frontage.
- Public Water and sewer serve this site.
- This site has not been the subject of the CPG, DRC, or Waiver Processes.
- Caution underground utilities may exist in New Section Road & onsite, contact Miss Utility (800-257-7777) prior to any construction.
- Proposed dwelling height 38'.
- All roof downspouts must discharge rainwater runoff on-to a pervious surface.

ZONING HISTORY

THERE ARE NO ZONING CASES FOR THIS SITE.

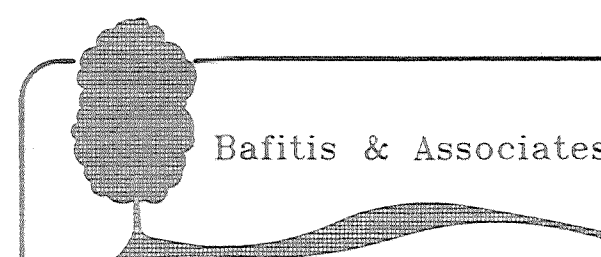
ZONING VARIANCES

- TO ALLOW 10' SIDEYARD SETBACKS IN LIEU OF THE REQUIRED 50' SIDEYARD SETBACKS IN A RC-5 ZONE PER SECTION 1A04.3 B2b. (B.C.Z.R.).
- TO ALLOW 18.89% BUILDING COVERAGE IN LIEU OF THE REQUIRED 15% BUILDING COVERAGE IN A RC-5 ZONE PER SECTION 1A04.3 B3. (B.C.Z.R.).
- TO ALLOW UNDERSIZED LOT OF 0.240 ACRES IN LIEU OF THE REQUIRED 1 1/2 ACRES OF LAND IN A RC-5 ZONE PER SECTION 1A04.3 B1a. (B.C.Z.R.).
- TO ALLOW A 38' BUILDING HEIGHT IN LIEU OF OF THE REQUIRED 35' BUILDING HEIGHT IN A RC-5 ZONE PER SECTION 1A04.3A. (B.C.Z.R.).



SITE DATA

- OWNER: JOSEPH V. MARANTO & KAREN L. MARANTO
#3908 NEW SECTION ROAD
BALTIMORE, MARYLAND 21220
- DEED REF: 23499/440
- TAX ACC. NO.: 15-19391090
- TAX MAP: 91 PARCEL: 99 LOT: 305
- PLAT REF: SECOND ADDITION TO PLAT NO. 2 BOWLEYS QUARTERS 10/64
- ELECTION DISTRICT: 15TH
- COUNCILMANIC DISTRICT: 6TH
- REGIONAL PLANNING DISTRICT: 322C
- CENSUS TRACT: 4518.02
- ZONING: RC-5
- ZONING MAP: 091C3
- USE: EXISTING: RESIDENTIAL, SINGLE FAMILY DWELLING
PROPOSED: RESIDENTIAL, SINGLE FAMILY DWELLING
- SITE AREA: 10,479 S.F. OR 0.240 AC.
- EXISTING BUILDING COVERAGE: 18.92%
- PROPOSED BUILDING COVERAGE: 18.89%



Bafitis & Associates, Inc.

William N. Bafitis, P.E.
PRESIDENT

Civil Engineers/Land Planners
SURVEYORS

1249 Engleberth Rd. Baltimore, MD 21221

(410) 391-2336

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCES

FOR #3908 NEW SECTION ROAD

15TH ELECTION DISTRICT

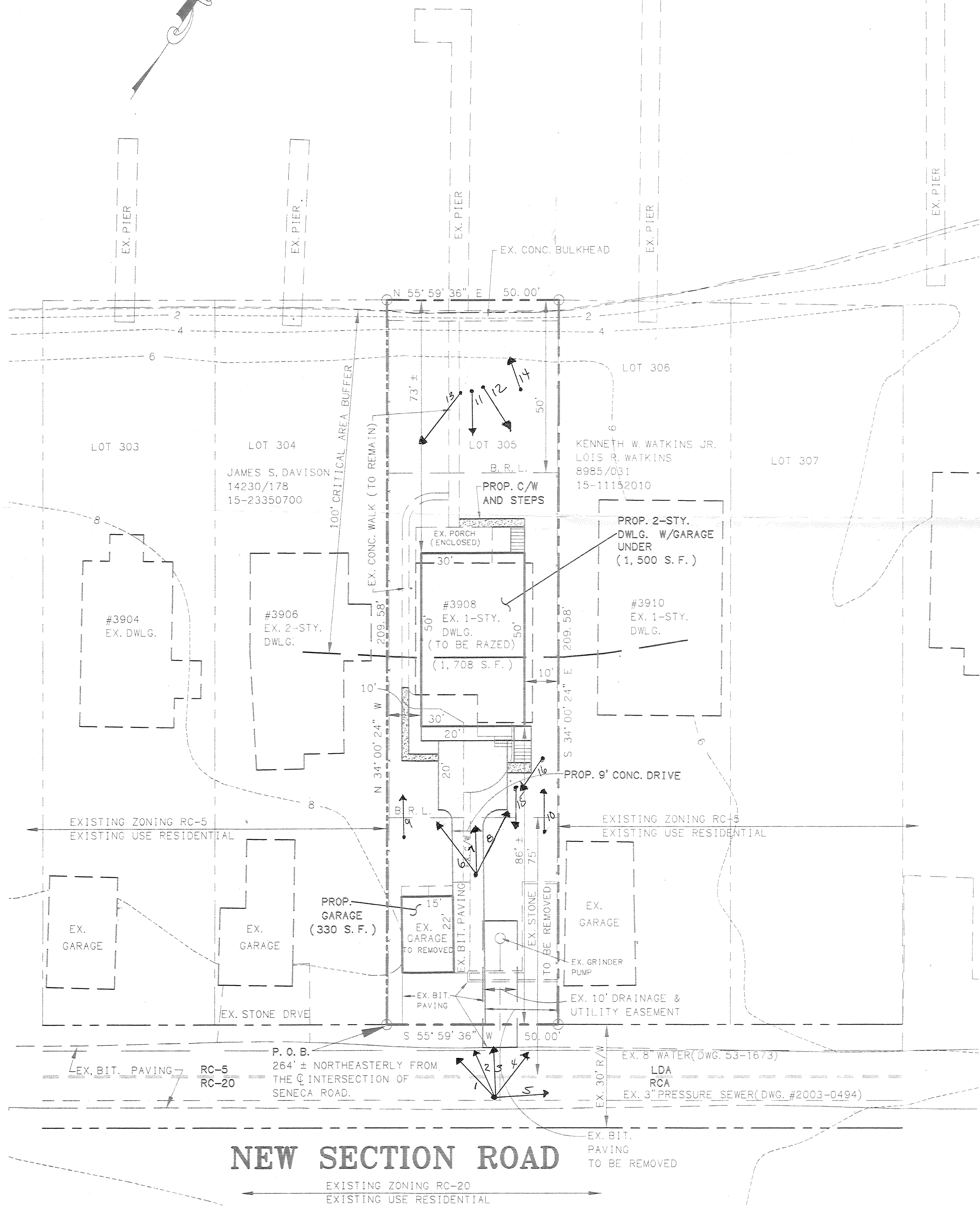
BALTIMORE COUNTY, MARYLAND

	SCALE: 1" = 20'	
	JOB ORDER NO: 21005	
1	DATE: 04/14/10	
	CHECKED: R.W.S.	
Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 11641 Expiration Date: 09/09/2011	DRAWN: N.W.B.	
	SHEET 1 OF 1	
NO.	REVISIONS	DATE
	REVISED SIZE OF GARAGE, DRIVEWAY AND PERCENT OF BUILDING COVERAGE.	05/25/10

PETITIONER'S

EXHIBIT NO. 1

SENECA CREEK



NOTES

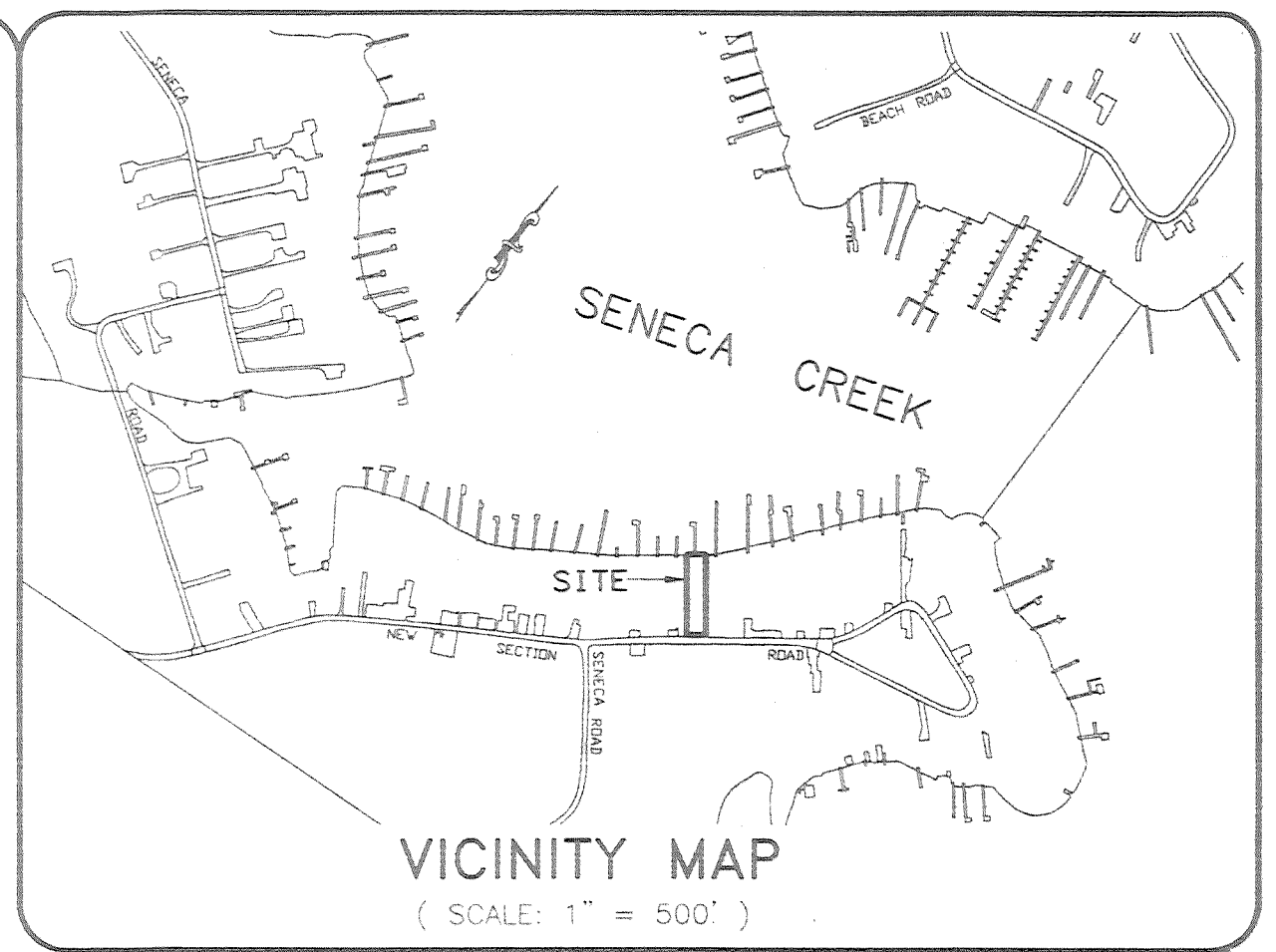
1. Topography shown hereon was taken from Baltimore County GIS Topography.
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3. Property lines shown hereon were established by public information.
4. This site is situated within the Chesapeake Bay Critical Areas and is classified by land use as Limited Development Area (LDA) (MAP 91).
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6. Any Critical Area easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas.
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9. There are no Tidal or Non-Tidal Wetlands shown on this site.
10. There is no significant plant or animal habitat on this site.
11. There are no slopes greater than 15% on this site.
12. There are no known wells on this site.
13. There are no known underground storage tanks or septic systems on this site.
14. There are no known potentially hazardous materials on this site as defined by Title 7-Health and Environmental Article, Annotated Code of Maryland, except as noted.
15. There are no buildings or property within this site that are included on the Maryland Historical Trust Inventory, The Baltimore County Landmarks List, the National Register of Historic Places, the Maryland Archeological Survey or is a Baltimore County Historical District.
16. The site has 50'± of water frontage.
17. Public Water and sewer serve this site.
18. This site has not been the subject of the CRG, DRG, or Waiver Processes.
19. Caution underground utilities may exist in New Section Road & onsite, contact Miss Utility (800-257-7777) prior to any construction.
20. Proposed dwelling height 38'.
21. All roof downspouts must discharge rainwater runoff on-to a pervious surface.

ZONING HISTORY

THERE ARE NO ZONING CASES FOR THIS SITE.

ZONING VARIANCES

1. TO ALLOW 10' SIDEYARD SETBACKS IN LIEU OF THE REQUIRED 50' SIDEYARD SETBACKS IN A RC-5 ZONE PER SECTION 1A04.3 B2b. (B.C.Z.R.).
2. TO ALLOW 17.46% BUILDING COVERAGE IN LIEU OF THE REQUIRED 15% BUILDING COVERAGE IN A RC-5 ZONE PER SECTION 1A04.3 B3. (B.C.Z.R.).
3. TO ALLOW UNDERSIZED LOT OF 0.240 ACRES IN LIEU OF THE REQUIRED 1 1/2 ACRES OF LAND IN A RC-5 ZONE PER SECTION 1A04.3 B1a. (B.C.Z.R.).
4. TO ALLOW A 38' BUILDING HEIGHT IN LIEU OF THE REQUIRED 35' BUILDING HEIGHT IN A RC-5 ZONE PER SECTION 1A04.3A. (B.C.Z.R.).



SITE DATA

- 1) OWNER: JOSEPH V. MARANTO & KAREN L. MARANTO
#3908 NEW SECTION ROAD
BALTIMORE, MARYLAND 21220
- 2) DEED REF: 23499/440
- 3) TAX ACC. NO.: 15-19391090
- 4) TAX MAP: 91 PARCEL: 99 LOT: 305
- 5) PLAT REF: SECOND ADDITION TO PLAT NO. 2 BOWLEYS QUARTERS 10/64
- 6) ELECTION DISTRICT: 15TH
- 7) COUNCILMANIC DISTRICT: 6TH
- 8) REGIONAL PLANNING DISTRICT: 322C
- 9) CENSUS TRACT: 4518.02
- 10) ZONING: RC-5
- 11) ZONING MAP: 091C3
- 12) USE: EXISTING: RESIDENTIAL, SINGLE FAMILY DWELLING
PROPOSED: RESIDENTIAL, SINGLE FAMILY DWELLING
- 13) SITE AREA: 10,479 S.F. OR 0.240 AC.
- 14) EXISTING BUILDING COVERAGE: 18.92%
- 15) PROPOSED BUILDING COVERAGE: 17.46%

PHOTO PLAN

Bafitis & Associates, Inc.
William N. Bafitis, P.E.
PRESIDENT
Civil Engineers/Land Planners
SURVEYORS
1249 Engleberth Rd. Baltimore, MD 21221 (410) 391-2336

PLAT TO ACCOMPANY
PETITION FOR ZONING VARNANCES
FOR
#3908 NEW SECTION ROAD

15TH ELECTION DISTRICT		BALTIMORE COUNTY, MARYLAND	
		SCALE: 1" = 20'	1
		JOB ORDER NO: 21005	
		DATE: 04/14/10	
		CHECKED: R.W.S.	
DRAWN: N.W.B.		SHEET 1 OF 1	
NO.	REVISIONS	DATE	

2010-0282-A