

IN RE: PETITION FOR ADMIN. VARIANCE

SE side of Chestnut Road, 678 feet SW of
the c/l of Seneca Road
15th Election District
6th Councilmanic District
(3733 Chestnut Road)

Charles E. Kelly
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2011-0024-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Charles E. Kelly for property located at 3733 Chestnut Road. The variance request is from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an addition with side yard setbacks of 15 feet and 40 feet in lieu of the required 50 feet, respectively. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner desires to construct a rear addition measuring 32 feet x 26 feet in size. The current 10 feet x 12 feet master bedroom, one small single bathroom and one small closet are no longer adequate. An addition, including a larger master bedroom, bath and closet are needed to make to dwelling more livable. Photographs submitted with the Petition clearly show that the right side of the property is screened by dense vegetation. The most affected neighbor residing at 3737 Chestnut Road did not voice any objection to the proposed addition.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Bureau of Development Plans Review dated August 5, 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

ORDER RECEIVED FOR FILING

Date 9-24-10

By B

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 received from the Department of Environmental Protection and Resource Management dated September 8, 2010 which indicates that development of the property must comply with the Chesapeake Bay Critical Area Regulations. This property is within the Limited Development Area (LDA) of the Chesapeake Bay Critical Area. All LDA requirements must be met. Lot coverage is limited to 15%. Forest clearing up to 20% must be mitigated at a 1:1 ratio, forest clearing between 20% - 30% must be mitigated at a 1/5:1 ratio for the entire area cleared, and forest clearing over 30% requires a Critical Area variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on July 30, 2010 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, 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 Petitioner.

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

ORDER RECEIVED FOR FILING

Date 9-24-10 2

By PM

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 8th day of September, 2010 that a variance from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an addition with side yard setbacks of 15 feet and 40 feet in lieu of the required 50 feet, respectively is hereby GRANTED, subject to the following:

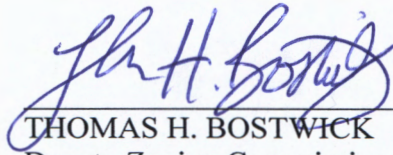
1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The base flood elevation for this site is 10.2 feet Baltimore County Datum.
3. The flood protection elevation for this site is 11.2 feet.
4. 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.
5. 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.
6. The building engineer shall require a permit for this project.
7. The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.
8. Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the International Building Code.
9. 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).
10. This property is within the Limited Development Area (LDA) of the Chesapeake Bay Critical Area. All LDA requirements must be met. Lot coverage is limited to 15%. Forest clearing up to 20% must be mitigated at a 1:1 ratio, forest clearing between 20% -30% must be mitigated at a 1/5:1 ratio for the entire area cleared, and forest clearing over 30% requires a Critical Area variance.

ORDER RECEIVED FOR FILING

Date 9-24-10

By B

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 9-24-10

By Bj



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

September 8, 2010

CHARLES E. KELLY
3733 CHESTNUT ROAD
MIDDLE RIVER MD 21220

Re: Petition for Administrative Variance
Case No. 2011-0024-A
Property: 3733 Chestnut Road

Dear Mr. Kelly:

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

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

Very truly yours,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3733 CHESTNUT RD
which is presently zoned RC 5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.2.6 BCZR

To permit an addition with a side yards setback of 15' & 40'
in lieu of the required 50', respectively.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Date 9-24-10

Address Telephone No.

By [Signature]

City State Zip Code

Legal Owner(s):

CHARLES E KELLY

Name - Type or Print

Charles E Kelly

Signature

Name - Type or Print

Signature

3733 CHESTNUT RD 410-335-6265

Address Telephone No.

MIDDLE RIVER MD 21220

City State Zip Code

Representative to be Contacted:

Name

Address

City

Telephone No.

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 9-24-10 day of September, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 2011-0024-A

Reviewed By JF Date 7-20-10

REV 10/25/01

Estimated Posting Date 8-1-10

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

3733 CHESTNUT RD.

Address

MIDDLE RIVER MD

City

State

21220

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):

This request for a variance is because the current 10'x12' master bedroom, one small single bathroom, and one small closet are no longer adequate. An addition, including a larger master bedroom, bath, and closet, is needed to make the home more livable.

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.

Charles E Kelly

Signature

Charles E Kelly

Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14 day of July, 2010, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Charles E Kelly

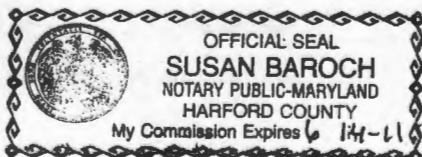
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Susan Baroch

Notary Public

My Commission Expires 6-14-2011



ZONING DESCRIPTION OR 3733 CHESTNUT RD.
(address)

Beginning at a point on the SOUTH EAST side of
(north, south, east or west)

CHESTNUT ROAD which is 30
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 678.80 SOUTH WESTERLY of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street SENECA
(name of street)

which is 30 wide. *Being Lot # —
(number of feet of right-of-way width)

Block —, Section # — in the subdivision of BOWLEYS QUARTERS PLAT #2
(name of subdivision)

as recorded in Baltimore County Plat Book # 7, Folio # 13.

containing 1.229. Also known as 3733 CHESTNUT RD
(square feet or acres) (property address)

and located in the 15 Election District, 6 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number,
then DO NOT attempt to use the Lot, Block and Subdivision

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2011 0024 -A Address 3733 CHESTNUT RD.

Contact Person: JUN FERNANDO Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 7-20-10 Posting Date: 8-1-10 Closing Date: 8-16-10

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 2011 0024 -A Address 3733 CHESTNUT RD.
Petitioner's Name Charles E. Kelly Telephone 410-335-6265
Posting Date: 8-1-10 Closing Date: 8-16-10
Wording for Sign: To Permit an addition with a side yards setback
of 15' and 40' in lieu of the required 50', respectively.

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: 2011-0024-A

Petitioner: CHARLES E KELLY

Address or Location: 3733 CHESTNUT ROAD MIDDLE RIVER MD 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHARLES E KELLY

Address: 3733 CHESTNUT ROAD

MIDDLE RIVER MARYLAND 21220

Telephone Number: 410-335-6265

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

No. 58612

Date: 7-20-10

PAID RECEIPT

BUSINESS RETURN TIME (NO)
 7/20/2010 7/20/2010 00:59:42
 443 0005 0017N 0001 000
 RECEIPT N 58612 7/20/2010 00:00
 S 828 JONING VERIFICATION
 058612
 Receipt for 405.00
 405.00 CR 4.00 CB
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					65.00

Total: 65.00

Rec From: Charles Kelly

For: Admin Variance
3733 Chestnut Rd.
CASA
2011-0024-A

JRF

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No 2011-0024-A

Petitioner/Developer CHARLES E. KELLY

Date Of Hearing/Closing: 8/16/10

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 3733 CHESTNUT RD

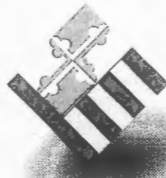


July 30, 2010
Month, Day, Year
Sincerely,

Martin Ogle 7/30/10
Signature of Sign Poster and Date

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

Martin Ogle 7/30/10



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

August 16, 2010

Charles Kelly
3733 Chestnut Rd.
Middle River, MD 21220

Dear: Charles Kelly

RE: Case Number 2011-0024-A, 3733 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 July 20, 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 2, 2010

RECEIVED

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

AUG 03 2010

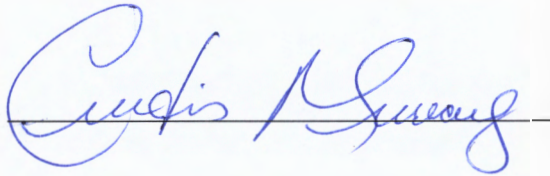
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 11-024- 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

A handwritten signature in blue ink, appearing to read "Curtis R. Gueary", is written over a horizontal line.



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

July 27, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 9, 2010

Item No.: **Administrative Variance: 2011-0021A – 0025A, and 2011-0027A**

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore County Fire Marshal's Office** and the comment below is applicable and required to be corrected or incorporated into the final plans for the above listed properties.

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

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
410-887-4880
Mail Stop: 1102

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: August 2, 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. 2011-0024-A
3733 CHESTNUT ROAD
KELLY 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. 2011-0024-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,

Michael P. Bailey
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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 08 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: September 8, 2010
SUBJECT: Zoning Item # 11-024-A
Address 3733 Chestnut Road
(Kelly Property)

Zoning Advisory Committee Meeting of July 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 property is within the Limited Development Area (LDA) of the Chesapeake Bay Critical Area. All LDA requirements must be met. Lot coverage is limited to 15%. Forest clearing up to 20% must be mitigated at a 1:1 ratio, forest clearing between 20% -30% must be mitigated at a 1/5:1 ratio for the entire area cleared, and forest clearing over 30% requires a Critical Area variance.

Reviewer: Regina Esslinger

Date: September 7, 2010

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 5, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For August 9, 2010
Item No. 2011-024

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

ZAC-ITEM NO 11-024-08052010.doc

Patricia Zook - 2 Admin. Variances - DEPRM comments needed

From: Patricia Zook
To: Livingston, Jeffrey
Date: 8/17/2010 12:38 PM
Subject: 2 Admin. Variances - DEPRM comments needed
CC: Bostwick, Thomas; Wiley, Debra

Jeff -

The two below-described administrative variances closed on Monday, August 16 and we need DEPRM comments.

CASE NUMBER: 2011-0024-A

3733 Chestnut Road
Location: SE side of Chestnut Road, 678 feet SW of the c/l of Seneca Road.
15th Election District, 6th Councilmanic District
Legal Owner(s): Charles Kelly
Closing Date: 8/16/2010

ADMINISTRATIVE VARIANCE To permit an addition with a side yard setback of 15 feet and 40 feet in lieu of the required 50 feet, respectively.

CASE NUMBER: 2011-0030-A

2226 Monocacy Road
Location: W side of Monocacy Road; 500 feet N of Middle Borough Road.
15th Election District, 6th Councilmanic District
Legal Owner(s): John Conrad Jr.
Closing Date: 8/16/2010

ADMINISTRATIVE VARIANCE To permit an accessory building (garage) with an addition to be 7'2 from the street right of way in lieu of the required 30 feet.

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 - 2 Admin. Variances - DEPRM comments needed

From: Patricia Zook
To: Livingston, Jeffrey
Date: 9/1/2010 11:19 AM
Subject: 2 Admin. Variances - DEPRM comments needed
CC: Bostwick, Thomas; Wiley, Debra

Jeff -

The two below-described administrative variances closed on Monday, August 16 and we need DEPRM comments.

CASE NUMBER: 2011-0024-A

3733 Chestnut Road

Location: SE side of Chestnut Road, 678 feet SW of the c/l of Seneca Road.

15th Election District, 6th Councilmanic District

Legal Owner(s): Charles Kelly

Closing Date: 8/16/2010

ADMINISTRATIVE VARIANCE To permit an addition with a side yard setback of 15 feet and 40 feet in lieu of the required 50 feet, respectively.

CASE NUMBER: 2011-0030-A

2226 Monocacy Road

Location: W side of Monocacy Road; 500 feet N of Middle Borough Road.

15th Election District, 6th Councilmanic District

Legal Owner(s): John Conrad Jr.

Closing Date: 8/16/2010

ADMINISTRATIVE VARIANCE To permit an accessory building (garage) with an addition to be 7'2 from the street right of way in lieu of the required 30 feet.

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

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ No Comment</u>
<u>8-5-10</u>	DEVELOPMENT PLANS REVIEW	<u>conditions</u>
<u>9-8-10</u>	DEPRM (if not received, date e-mail sent <u>8-17-10</u> <u>9-1-10</u>)	<u>conditions</u>
<u>7-27-10</u>	FIRE DEPARTMENT	<u>nc</u>
<u>8-2-10</u>	PLANNING (if not received, date e-mail sent _____)	<u>nc</u>
<u>8-2-10</u>	STATE HIGHWAY ADMINISTRATION	<u>nc</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>7-30-10</u> <u>by Ogle</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☒	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☒	

Comments, if any: _____

2011-0024-A



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw1.1d)

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

Account Identifier: District - 15 Account Number - 1511151680

Owner Information

Owner Name: KELLY CHARLES E
 KELLY CECILIA
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 3733 CHESTNUT RD
 BALTIMORE MD 21220-4021
Deed Reference: 1) / 3925/ 528
 2)

Location & Structure Information

Premises Address 3733 CHESTNUT RD
Legal Description 1.229 AC SES
 CHESTNUT RD
 678 SW OF SENECA RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
91	23	413						3	Plat Ref:

Special Tax Areas Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1961	1,369 SF	1.23 AC	04

Stories	Basement	Type	Exterior
1	NO	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2009	Phase-in Assessments As Of 07/01/2010	As Of 07/01/2011
Land	132,870	132,870		
Improvements:	108,000	100,810		
Total:	240,870	233,680	233,680	233,680
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *





RIGHT
BACK
AREA
OF
HOUSE

PROPOSED
ADDITIONAL AREA

BACK OF HOUSE





LEFT SIDE OF
HOUSE FROM THE
FRONT

PROPOSED
ADDITION
AREA



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 3733 CHESTNUT ROAD

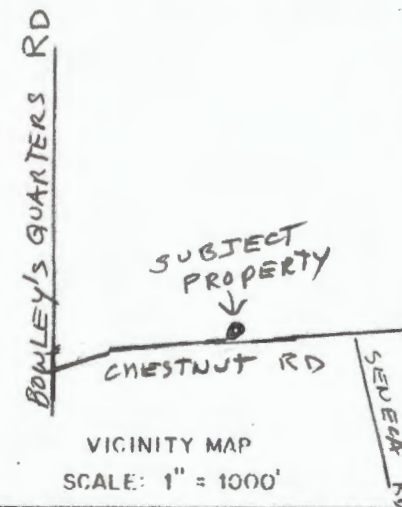
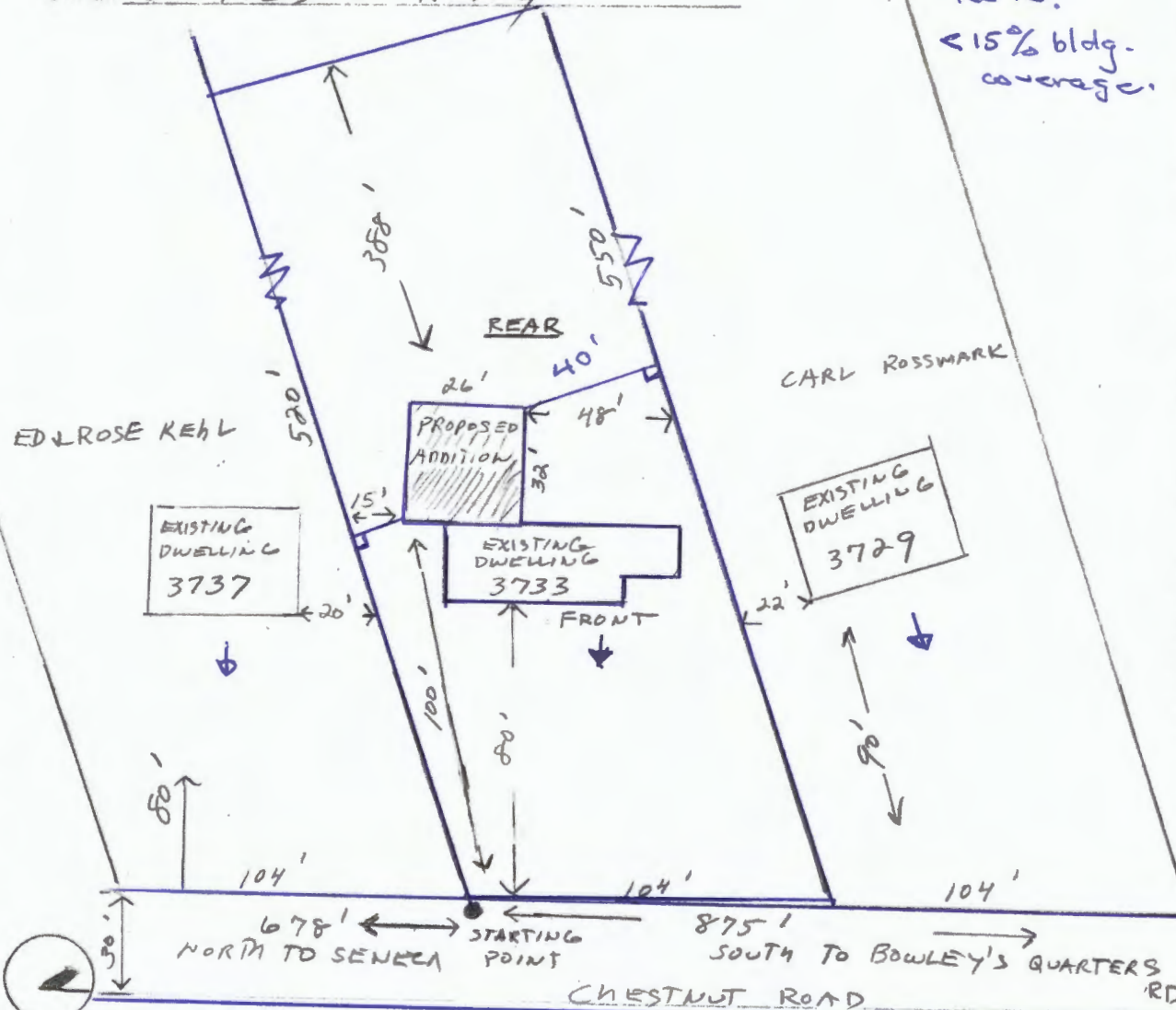
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME _____

PLAT BOOK # 7 FOLIO # 13 LOT # _____ SECTION # _____

OWNER CHARLES E KELLY

NOTE:
 $< 15\%$ bldg.
 coverage.



LOCATION INFORMATION

ELECTION DISTRICT 15
 COUNCILMANIC DISTRICT 6
 1" = 200' SCALE MAP # 115C2/091C3
 ZONING RC 5

LOT SIZE 1.229 ACRES 53,535 SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☒	☐
100 YEAR FLOOD PLAIN	☒	☐
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING	<u>1973-0177</u>	

ZONING OFFICE USE ONLY
 REVIEWED BY _____ ITEM # _____ CASE # _____

PREPARED BY CK

SCALE OF DRAWING: 1" = 50'

JF 0024 2011-0024A