

IN RE: PETITION FOR ADMIN. VARIANCE

SW side of Seneca Park Road; SW corner.
of Seneca Park Road and Beach Road
15th Election District
6th Councilmanic District
(874 Seneca Park Road)

John J. and Donna M. Carbone
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2011-0085-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 J. and Donna M. Carbone for property located at 874 Seneca Park Road. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a second story addition to an existing accessory building with a height of 18 feet 9 inches in lieu of the maximum allowed 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to construct a 12 feet x 25 feet second story addition onto the existing garage to provide much needed storage.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental Protection and Resource Management (DEPRM) dated October 25, 2010. DEPRM has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. This lot is located within a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area (CBCA). Relief to the maximum height for a roof replacement will not affect the Critical Area requirements and therefore will have no adverse impacts on water quality that result from development activities.

ORDER RECEIVED FOR FILING

Date 11-4-10

By pm

2. The proposed development must comply with all LDA and BMA requirements. Replacing an existing roof will not have any impacts on fish, wildlife, and plant habitat.
3. Replacing an existing roof is consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 26, 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 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.

The case file contains a memorandum from Aaron Tsui, Planner II, in the Zoning Review Office dated August 26, 2010 which states that Timothy Kotroco, Director of Permits and Development Management, issued a provisional zoning permit for the Petitioners to proceed with the desired work at their own risk.

Although the Office of Planning did not make any recommendations related to the garage height and usage, I will impose conditions that the accessory structure 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.

ORDER RECEIVED FOR FILING

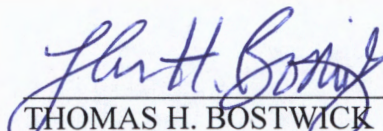
Date 11-4-10
By P3

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 4th day of November, 2010 that an Administrative Variance from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a second story addition to an existing accessory building with a height of 18 feet 9 inches in lieu of the maximum allowed 15 feet 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. The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area or kitchen facilities.
3. The accessory structure 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 11-4-10

By pn



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

November 4, 2010

JOHN J. AND DONNA M. CARBONE
874 SENECA PARK ROAD
BALTIMORE MD 21220

Re: Petition for Administrative Variance
Case No. 2011-0085-A
Property: 874 Seneca Park Road

Dear Mr. and Mrs. Carbone:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

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.

Sincerely,

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 874 Seneca Park Rd.
which is presently zoned RC-5

Deed Reference: 20109 1500 Tax Account # 15-19-640450

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) 400.3 OF BC2R TO

PERMIT A SECOND STORY ADDITION TO AN EXISTING
ACCESSORY BUILDING WITH A HEIGHT OF 18 FEET 9 INCHES
IN LIEU OF THE MAXIMUM ALLOWED 15 FEET

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 11-4-10 day of November, 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.

2011-0085-A

Reviewed By

ATSEI

Date

8/26/2010

Estimated Posting Date

9/5/10 - 9/20/10

FRM476_09

ORDER RECEIVED FOR FILING

Date

11-4-10

By

pm

Rev 3/09

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently own and reside at 874 Seneca Park Rd.
Address number Road or Street name

and that this address is the subject of this variance request as required by law.

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 the hardship or practical difficulty; attach an additional sheet if needed)

STORAGE is desperately needed - would need
variance to build an entire new building in another part of
my lot. Plus other parts of site would have environmental
problems.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, and the Affiant(s) desire to proceed with their variance request, they will be responsible for reposting the property and for payment of the advertising fees. They also understand that they may be required to provide additional information.

[Signature]
Signature

JOHN J CARBONE, MD
Name- print or type

[Signature]
Signature

DONNA CARBONE
Name- print or type

A Notary Public must complete the following section prior to the filing appointment.

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, this 16 day of August, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

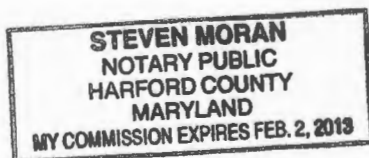
(Name Affiant(s) here): John J Carbone & Donna Carbone
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Name of Notary Public

Feb 2 2013
Commission expires

PLACE SEAL HERE:



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

No. **59571**

Date: **8/26/10**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 8/27/2010 8:26/2010 14:12:18 2

REG 8505- WALKIN DOLL DRD
 RECEIPT # 542960 8/26/2010 07:14
 Dep: 5 320 ZONING VERIFICATION
 CR NO. 059571

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$115-

Receipt Tot \$115.00
 \$115.00 CR 1.00
 Baltimore County, Maryland

Total: **\$115-**

Rec From: _____

For: **874 SENECA PARK RD**

① 2011-0085-A

② PROVISIONAL PERMIT TO PROCEED PER TMK

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

ZONING DESCRIPTION FOR 874 SENECA PARK ROAD

Beginning at the south-west side of Seneca Park Road (which is 30 feet wide), south-west corner of Seneca Park Road and Beach Road (which is 20 feet wide). Being lot#44, in the Subdivision of Seneca Park Beach as recorded in Baltimore County Plat Book 8, folio 6, containing 24,400 square feet. Also known as 874 Seneca Park Road and located in the 15th Election District, & 6th Councilmanic District.

2011-0085-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 200¹¹ 0085 -A Address 874 SENECA PARK ROAD

Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/26/2010 Posting Date: 9/5/10 Closing Date: 9/20/10

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number. *Agreed by Don Rescoe* *Amintani* 9/17/10

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 200¹¹ 0085 -A Address 874 SENECA PARK RD
Petitioner's Name JOHN J. CARBONE Telephone 410-308-8897

Posting Date: _____ Closing Date: _____

Wording for Sign: To Permit A SECOND STORY ADDITION TO AN EXISTING
ACCESSORY BUILDING WITH A HEIGHT OF 18 FEET 9 INCHES
IN LIEU OF THE MAXIMUM ALLOWED 15 FEET

WCR - Revised 7/7/08

Baltimore County Government
Office of Permits and Development Management
111 West Chesapeake Avenue, Room 111
Towson, MD 21204
(410) 887-3391



PROVISIONAL APPROVAL

PERMIT NUMBER: 59571

Date: Aug. 26, 2010

Location: 874 Seneca Park Road

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following Conditions:

☒ Owner has filed for a ~~public hearing~~, Item # AN ADMINISTRATIVE VARIANCE FOR THE 2ND STORY ADDITION TO AN EXISTING ACCESSORY BUILDING

☐ Owner must file for a public hearing within days before the Zoning Commission requesting relief from all conflicts with the Baltimore County Zoning Regulations.

☐ Owner/contract purchaser must submit a complete revised site development plan and requested accompanying information within days resolving all possible conflicts with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above referenced permit.

However, in the event that any or all of the above conditions are not completed as stipulated, and/or the petition for relief has been denied, dismissed, or withdrawn, this provisional approval is rescinded forthwith.

Immediately thereafter, the owner/contract purchaser must return the property to the condition it was in prior to the beginning of said construction and accepts full financial liability in the matter.

AT

ZONING STAFF

Anthony Kotroco / AT PER TMK

DIRECTOR, PERMITS & DEVELOPMENT MANAGEMENT

I have read the above statement and I agree to abide by the decision of the zoning commissioner, if applicable, in this matter. I also hereby certify that I, the undersigned, am in fact the owner and, if applicable, the contract purchaser and not just an agent for same.

Signed - Owner [Signature] Signed - Contract Purchaser [Signature]

Printed Name JOHN J. CARBONE, MD Printed Name DONNA M. CARBONE

Address 874 Seneca Park Rd. Address Same

Baltimore, MD 21228

ATM
8/26/10
Posting
dates
revised
Per Don
Reecore
Bantoni
9/17/10

CERTIFICATE OF POSTING

2011-0085-A

RE: Case No.: _____

Petitioner/Developer: _____
John J. Carbone

_____ Oct. 11, 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: _____

874 Seneca Park Road

September 26 2010
The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

Robert Black October 1 2010
(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 # 2011-0085-A

TO PERMIT A SECOND STORY ADDITION TO AN EXISTING
ACCESSORY BUILDING WITH A HEIGHT OF 18 FEET 9 INCHES
IN LIEU OF THE MAXIMUM ALLOWED 15 FEET

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 10-11-10

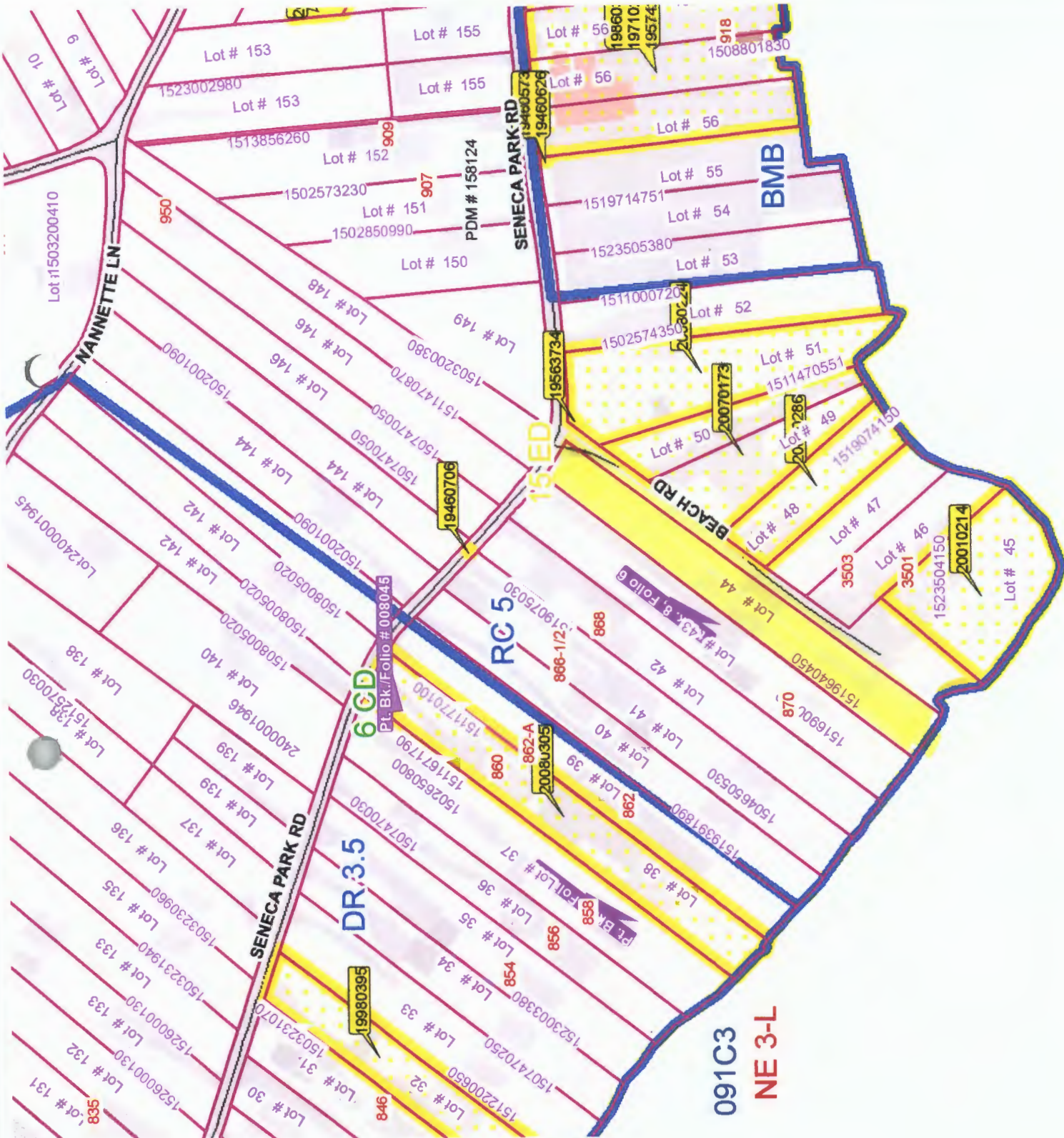
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204

TEL. 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER BOARD MEETING. VIOLATION PENALTY OF LAW. RETURN BOTH TO ZADM. RM. 104

MEETING IS HANDICAP ACCESSIBLE



2011-0085-A

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

October 4, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: September 27, 2010

Item Number: 2011-0085-A

The Baltimore County Fire Department has no comments.

Lt. Jimmie D. Mezick
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File



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

State Highway
Administration

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: OCT. 1, 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. 2011-0085-A
874 SENECA PARK RD
CARPENE 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. 2011-0085-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,

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

Patricia Zook - Case 2011-0085-A - file being returned to ZRO

From: Patricia Zook
To: Williams, LaShenda
Date: 9/29/2010 10:16 AM
Subject: Case 2011-0085-A - file being returned to ZRO
CC: Bostwick, Thomas

Good morning -

This case originally closed on 9-20-10 and was delivered to our office yesterday. In reviewing the case file, the certification of posting is missing. I then called the contact person and also spoke to the contractor and both indicated that the posting is being done, but the closing date hasn't arrived yet. That new closing date is October 12, 2010. I also spoke to John Sullivan who is assisting the Petitioners and he confirmed that the posting wasn't done for 9-20-10 and the new posting date is October 12, 2010.

The ZAC agenda (distribution meeting of September 27, 2010) also indicates the closing date for this case is October 12, 2010. Perhaps this is why the County agencies have not yet commented on the variance request.

Therefore, I am sending this case file back to the Zoning Review Office to await the closing date of October 12, 2010. This way the file is available for the public to review, or provide comment, or request a hearing.

I understand that Tim Kotroco has issued a 'provisional permit' to the Petitioners who are constructing at their own risk.

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

410-887-3868

pzook@baltimorecountymd.gov

ZAC AGENDA

Case Number: 2011-0085-A

Primary Use: Residential

Reviewer: AT

Type: ADMINISTRATIVE VARIANCE

Legal Owner: John & Nonna Carbone

Contract Purchaser:

Critical Area: YES Flood Plain: YES Historic: NO Election Dist: 15th

Councilmanic Dist: 6th

Property Address: 874 Seneca Park Rd

Location: South west corner of Seneca Park Road and Beach Road.3

Existing Zoning: RC-5

Area: 24,400 Square Feet

Proposed Zoning: ADMINISTRATIVE VARIANCE To permit a second story addition to an existing accessory building with a height of 18 feet 9 inches in lieu of the maximum allowed 15 feet.

Attorney:

Miscellaneous: The closing date for this case is: 10/12/2010

Case Number: 2011-0089-A

Primary Use: Residential

Reviewer: JLL

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Robert & Eleanor Huber

Contract Purchaser:

Critical Area: NO Flood Plain: NO Historic: NO Election Dist: 10th

Councilmanic Dist: 3rd

Property Address: 33 Sunnyview Dr

Location: South side of Sunnyview Drive; 360 feet east of Valley Green Court.

Existing Zoning: RC-6

Area: 0.5 Acre

Proposed Zoning: ADMINISTRATIVE VARIANCE To permit a side yard setback of 10 feet for a proposed addition in lieu of the required 15 feet.

Attorney:

Miscellaneous: The closing date for this case is: 10/12/2010

JOHN AND DONNA CARBONE
874 Seneca Park Road
Baltimore, Maryland 21220
410.308.8897
Email spineguy5@comcast.net

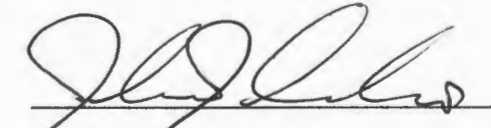
August 25, 2010

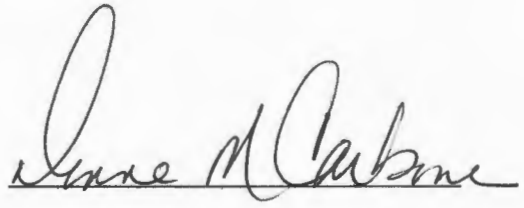
To whom it may concern:

We, the owners of 874 Seneca Park Road, Baltimore, Maryland 21220, located in Baltimore County, are proceeding at our own risk in the construction of the garage structure on the aforementioned property.

We are aware that the completed roofline will be three feet nine inches above the allowed height for a storage structure.

The attic above this garage will be the only storage on the property which is needed badly. This attic will not be used as living space- there is NO kitchen or bath room in the garage.


John J. Carbone, MD


Donna M. Carbone

2011-0085-A



2011-0085-A

07.30.2010 09:17

07.30.2010 08:16

2011-0085-A





2011-0085A



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
September 28, 2010
Baltimore County Department of Permits and
Development Management

John & Donna Carbone
874 Seneca Park Rd.
Baltimore, MD 21220

RE: Case Number 2011-0085-A, 874 Seneca Park Rd.

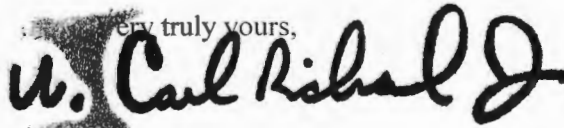
Dear: John & Donna Carbone

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 26, 2010.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning	410-887-3480
Department of Environmental Protection and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,


W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lw

C: People's Counsel
Barbara Schaeffer; 7905 Solley Rd.; Glen Burnie, MD 21060

MEMO

From: Aaron Tsui, Planner II  August 26, 2010

To: Zoning Commissioner/File

Re: Variance Case no. 2011-0085-A

874 Seneca Park Road, 15th Election District

The subject petition is filed for a second story addition to an existing accessory building in a RC 5 zone.

Mr. Timothy Kotroco, the Director of PDM, has authorized the followings:

- Accept the petition as an administrative variance to variance the height requirement only;
- The subject property has two existing dwellings built in the 1940's; the existing accessory building is located in between the dwellings;
- A provisional zoning permit has been issued per the Director; the petitioner proceeds with the work at his own risks. See letter from the petitioner in file.

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2000-¹¹ 0085 -A Address 874 SENECA PARK ROAD.

Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/26/2010 Posting Date: 9/5/10 Closing Date: 9/20/10

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.
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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 2000-¹¹ 0085 -A Address 874 SENECA PARK RD
Petitioner's Name JOHN J. CARBONE Telephone 410-308-8897

Posting Date: _____ Closing Date: _____

Wording for Sign: To Permit A SECOND STORY ADDITION TO AN EXISTING
ACCESSORY BUILDING WITH A HEIGHT OF 18 FEET 9 INCHES
IN LIEU OF THE MAXIMUM ALLOWED 15 FEET.

WCR - Revised 7/7/08

Maryland Department of Assessments and Taxation
Real Property Data Search (vw2.3)
BALTIMORE COUNTY

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

Account Identifier: District - 15 Account Number - 1519640450

Owner Information

Owner Name: CARBONE JOHN J
CARBONE DONNA M
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 874 SENECA PARK RD
BALTIMORE MD 21220-2312
Deed Reference: 1) /20109/ 500
2)

Location & Structure Information

Premises Address 874 SENECA PARK RD
Legal Description LT 44
874 SENECA PARK RD
WATERFRONT SENECA PARK BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
91	17	139					44	3	Plat Ref: 8/ 6

Special Tax Areas
Town Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1940	2,163 SF	24,400.00 SF	34

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	BRICK

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2010	07/01/2011
Land	181,600	181,600		
Improvements:	300,820	334,550		
Total:	482,420	516,150	504,906	516,150
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
HELWEG MARY J	05/24/2004	\$500,000
Type: MULT ACCTS ARMS-LENGTH	Deed1: /20109/ 500	Deed2:

2011-0085-A

Seller:	TAYLOR EDWARD L	Date:	07/13/2001	Price:	\$285,000
Type:	MULT ACCTS ARMS-LENGTH	Deed1:	/15384/ 258	Deed2:	
Seller:	TAYLOR EDWARD L	Date:	04/09/1987	Price:	\$0
Type:	NOT ARMS-LENGTH	Deed1:	/ 7511/ 845	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	Special Tax Recapture:			
Exempt Class:		* NONE *			

Patricia Zook - Case 2011-0085-A - file being returned to ZRO

From: Patricia Zook
To: Williams, LaShenda
Date: 9/29/2010 10:16 AM
Subject: Case 2011-0085-A - file being returned to ZRO
CC: Bostwick, Thomas

Good morning -

This case originally closed on 9-20-10 and was delivered to our office yesterday. In reviewing the case file, the certification of posting is missing. I then called the contact person and also spoke to the contractor and both indicated that the posting is being done, but the closing date hasn't arrived yet. That new closing date is October 12, 2010. I also spoke to John Sullivan who is assisting the Petitioners and he confirmed that the posting wasn't done for 9-20-10 and the new posting date is October 12, 2010.

The ZAC agenda (distribution meeting of September 27, 2010) also indicates the closing date for this case is October 12, 2010. Perhaps this is why the County agencies have not yet commented on the variance request.

Therefore, I am sending this case file back to the Zoning Review Office to await the closing date of October 12, 2010. This way the file is available for the public to review, or provide comment, or request a hearing.

I understand that Tim Kotroco has issued a 'provisional permit' to the Petitioners who are constructing at their own risk.

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

410-887-3868

pzook@baltimorecountymd.gov



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

November 1, 2010

John & Donna Carbone
874 Seneca Park Rd.
Baltimore, MD 21220

Dear: John & Donna Carbone

RE: Case Number 2011-0085-A, 874 Seneca Park Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 26, 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

AV 912910

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

OCT 26 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM – Development Coordination

DATE: October 25, 2010

SUBJECT: Zoning Item #11-085-A
Address 874 Seneca Park Road
(Carbone Property)

DEPRM has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. This lot is located within a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area (CBCA). Relief to the maximum height for a roof replacement will not affect the Critical Area requirements and therefore will have no adverse impacts on water quality that result from development activities.
2. The proposed development must comply with all LDA and BMA requirements. Replacing an existing roof will not have any impacts on fish, wildlife, and plant habitat.
3. Replacing an existing roof is consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

Reviewer: Regina Esslinger

Date: October 14, 2010

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To: Williams, LaShenda
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CC: Bostwick, Thomas

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 4, 2010

RECEIVED

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

OCT 12 2010

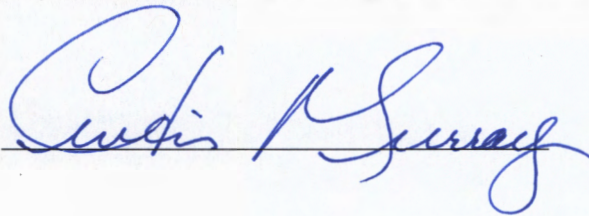
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 11-085- Administrative Variance**

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

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

Prepared By:
CM/LL



RECEIVED

OCT 12 2010

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 5, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For October 12, 2010
Item Nos. 2011- 085, 089, 090, 092,
093, 094, 096, 097, 098, 100, 101
And 104

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

DAK:CEN:cab
cc: File
G:\DevPlanRev\ZAC -No Comments\ZAC-10122010 -NO COMMENTS.doc

CHOCOLATE



NOTE:



PROPOSED WORK:

Project number	Project Number
Date	Issue Date
Drawn by	Author
