

IN RE: **PETITIONS FOR VARIANCE**
W/S Choptank Avenue, 535' & 585 NE
c/line Susquehanna Road
(13200 & 13202 Choptank Avenue)

15th Election District
6th Council District

Richard A. Robinson
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case Nos. **2011-0160-A &**
2011-0161-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Variance filed by the owner of the subject two (2) properties, Richard A. Robinson. Since the properties are owned by the same owner and are located adjacent to one another, the two cases were heard contemporaneously. In Case No. 2011-0160-A (Lot 186 – 13202 Choptank Avenue), the Petitioner requests variance relief from Sections 1B02.3.A.5 and 1B02.3C of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a minimum lot width of 50 feet in lieu of the required 55 feet for a proposed dwelling. In Case No. 2010-0161-A (Lot 187 – 13200 Choptank Avenue), Petitioner requests similar relief. Specifically, relief is requested from B.C.Z.R. Sections 1B02.3.A.5 and 1B02.3C.1 to allow a lot width of 50 feet in lieu of the minimum required lot width of 55 feet for a replacement dwelling. The subject properties and requested relief are more particularly described on the site plan submitted in each case, which were accepted into evidence and respectively marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requests were Richard A. Robinson, property owner, Robert Infussi with Expedite, LLC, the consultant assisting the Petitioner with the permitting process, and David S. Sofsky, P.E., with DSSPE Engineering, who prepared the site plans. There were no Protestants or other interested persons in attendance nor

ORDER RECEIVED FOR FILING

Date

1-7-10

By

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were there any adverse Zoning Advisory Committee (ZAC) comments received from any of the County reviewing agencies.

Testimony and evidence offered revealed that the subject lots are located on the southwest side of Choptank Avenue and Gunpowder Road and just south of the Gunpowder River in Oliver Beach. The rectangular lots are identified as Lots 186 and 187 on the plat of subdivision of Oliver Beach, which is an older subdivision that was platted and recorded in the Land Records in 1940, prior to the first set of zoning regulations in Baltimore County. As is often the case with older subdivisions, many of the lots are undersized and do not meet current area and width requirements. In this regard, both lots are 50' wide x 200' deep, contain a gross area of 20,000 square feet, zoned D.R.5.5 and must comply with the Chesapeake Bay Critical Area Regulations.

Both lots meet or exceed the lot area of the D.R.5.5 zone but do not meet the lot width requirement. The proposed dwellings will meet all front, side and rear setback requirements and will be situated on the lot consistent with other houses in the community. The only deficiency in this instance is the lot widths, which are 5 feet shy of the required 55 feet. Again, the fact that this subdivision was platted and recorded many years ago, prior to the adoption of the B.C.Z.R., is a persuasive factor, and the dwelling on Lot 187 has existed on the site where located since 1950. See Public Works Water Drawing No. 65-1028 submitted as Petitioner's Exhibit 3 that denotes the location of improvements on the lot in 1965 and also provides insight as to the pattern of development in this community.

Petitioner desires to redevelop the lots with new single-family dwellings. The existing structure and concrete patio will be removed and rebuilt. The new dwellings will be 30' wide x 40' deep and will meet all setback requirements. Public water and sewer will serve both lots.

1-7-10
103

Relief is required to approve the properties as undersized lots (width at building lines less than required by the area regulations) to permit the proposed development. Obviously, strict compliance with the regulations would create a hardship as the zoning regulations result in a denial of a reasonable and sufficient use of the property (*See Belvoir Farms v. North* 355 Md. 259 [1999]). Moreover, based on the testimony and evidence presented, the Petitioner is entitled to their variances as they have met the requirements of Section 304 of the B.C.Z.R. (*See Mueller v. People's Counsel for Baltimore County* 177 Md. App. 43 [2007]). In my view, the relief requested will not result in any detriment to the health, safety and general welfare of the surrounding locale and, therefore, would meet the spirit and intent of Section 307 for relief to be granted.

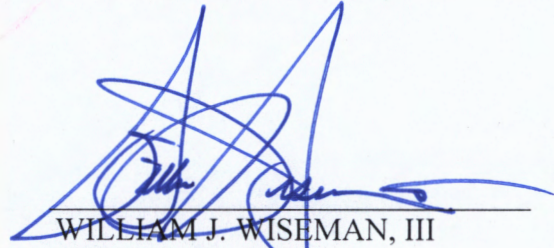
Pursuant to the advertisement, posting of the properties and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of January 2011, that the Petition for Variance filed in Case No. 2010-0160-A (Lot 186 - 13202 Choptank Road), seeking relief from Sections 1B02.3.A.5 and 1B02.3C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed buildable lot with a width of 50 feet in lieu of the required 55 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 2010-0161-A (Lot 187 - 13200 Choptank Road), seeking relief from Sections 1B02.3.A.5 and 1B02.3C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a replacement dwelling on a lot with a width of 50 feet in lieu of the minimum required 55 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED subject to the following conditions:

1. The Petitioner may apply for his building permits 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 the thirty (30) day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
2. The Petitioner shall comply with the recommendations made within the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) and the Office of Planning, dated December 22, 2010 and November 30, 2010, respectively, copies of which are attached hereto and made a part hereof.

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



WILLIAM J. WISEMAN, III
Zoning Commissioner
of Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING

Date 1-7-10

By 102



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

January 7, 2010

Richard A. Robinson
7436 Bradshaw Road
Kingsville, Maryland 21087

RE: PETITIONS FOR VARIANCE

W/S Choptank Avenue, 585' & 535 NE c/line Susquehanna Road
(13202 & 13200 Choptank Avenue)
15th Election District - 6th Council District
Richard A. Robinson – Petitioner
Case Nos. 2011-0160-A & 2011-0161-A

Dear Mr. Robinson:

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman III", written over a large, stylized circular flourish.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Robert Infussi, Expedite, LLC, 1536 Dunkeld Way, Bel Air, MD 21015
David Sofsky, 4401 Old Philadelphia Road, Bel Air, MD 21015
Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100,
Annapolis, MD 21401
People's Counsel; Office of Planning; DEPRM; File

CORRECT
FOR AGENDA 11/18/10

CASE # 2011-0160-A 13202 Chop Tank Ave.

Petition for Variance for this case should be as follows.:

To permit a lot with a 50 foot width in lieu of the required 55 feet.

Petition for Variance for this case should be as follows:
Case # 2011-0161-A 13200 Chop Tank Ave.

To permit a lot with a 50 foot width in lieu of the required 55 feet.

ORDER RECEIVED FOR FILING

Date 1-7-10

By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 13202 C Hoplam Ave 21027
which is presently zoned DR. 5.5

Deed Reference: 66441357 Tax Account # 1523750331

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) 1B02.3A.5., 1B02.3C. (BCZR)

TO PERMIT A LOT WITH A 50-FOOT WIDTH IN LIEU OF THE
REQUIRED 55-FEET.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

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

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by D.T. Date 11/3/10

Case No. 2011-D160-A

Zoning Description for 13202 Choptank Avenue, 21027

Beginning at a point on the west side of Choptank Avenue having a 50-foot right-of-way and 535-feet northeast of the centerline of Greenbank Road having a 50-foot right-of-way. Being Lot # 186 in the Subdivision known as "Part of Section B Oliver Beach" as recorded in Baltimore County Plat Book #14, Folio #37 containing 10019 square feet. Also known as 13202 Choptank Avenue and located in the 15th Election District and 6th Councilmanic District.

2011-0161-A

**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: 2011-01160-A

Petitioner: ROBINSON

Address or Location: 13200 Chop Task Ave. Chae, Md. 21027

PLEASE FORWARD ADVERTISING BILL TO:

Name: Robert Infussi (Expedite, LLC)

Address: 1536 Dunkeld Way
Bel Air, Md 21015

Telephone Number: 410-812-2236

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

No. **60775**

Date: **Sept. 13, 2011**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
11/08/2010 11/05/2010 09:04:32 2

REC #505 WALKIN DIOL DMD
>>RECEIPT # 551411 11/05/2010 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				50.00

Total: **50.00**

Rec From: **Venable, LLP**
For: **Verification Letter 210. W Pennsylvania Ave**
Towson, MD 21204
ste. 500

5 528 ZONING VERIFICATION
NO. 060775
Recpt Tot \$50.00
\$50.00 CK \$.00 CA
Baltimore County, Maryland

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: # 2011-0160-A
13202 Choptank Ave.
W/side of Choptank Avenue, 585 feet n/east of the centerline of Greenbank Road
15th Election District
6th Councilmanic District
Legal Owner(s):
Richard Robinson
Variance: to permit a lot with a 50 foot width in lieu of the required 55 feet.
Hearing: Wednesday, January 5, 2011 at 9:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 12/654 Dec. 21 263335

CERTIFICATE OF PUBLICATION

12/23/ 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 12/21/ 2010.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No 2011-0160-A

Petitioner/Developer BOB INFESSI

Date Of Hearing/Closing: 1/5/11

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 13202 CHOPTANK AVENUE

This sign(s) were posted on December 19, 2010

Month, Day, Year

Sincerely,

Martin Ogle 12/19/10
Signature of Sign Poster and Date

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

ZONING NOTICE

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

PLACE: ROOM 104 JEFFERSON BUILDING 105
WEST CHESAPEAKE AVE. TOWSON 21204

DATE/TIME: WEDNESDAY JANUARY 5, 2011
AT 9:00 A.M.

REQUEST: VARIANCE TO REAR LOT WITH A 50-FOOT WIDTH
IN LIEU OF THE REQUIRED 55-FOOT

CASE# 2011-0160-A

FOR FURTHER INFORMATION, PLEASE CONTACT THE
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
DIVISION AT:
111 W. CHESAPEAKE AVE.
TOWSON, MD 21204
TEL. 867-3391
MEETING IS HANDICAP ACCESSIBLE

12/19/2010

Robert S. 12/19/10

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 21, 2010 Issue - Jeffersonian

Please forward billing to:
Robert Infussi
Expedite, LLC
1536 Dunkeld Way
Bel Air, MD 21015

410-812-2236

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: 2011-0160-A

13202 Choptank Avenue

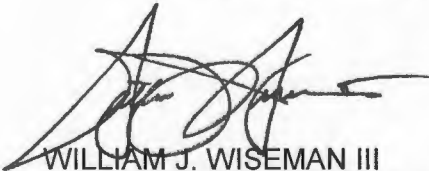
W/side of Choptank Avenue, 585 feet n/east of the centerline of Greenbank Road

15th Election District – 6th Councilmanic District

Legal Owners: Richard Robinson

Variance to permit a lot with a 50 foot width in lieu of the required 55 feet.

Hearing: Wednesday, January 5, 2011 at 9:00 a.m. in Room 104, Jefferson Building,
105 W. 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 Planning and
Development Management

December 1, 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: 2011-0160-A

13202 Choptank Avenue

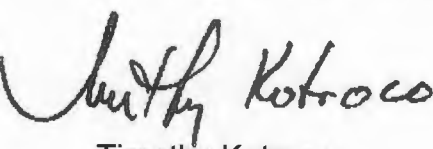
W/side of Choptank Avenue, 585 feet n/east of the centerline of Greenbank Road

15th Election District – 6th Councilmanic District

Legal Owners: Richard Robinson

Variance to permit a lot with a 50 foot width in lieu of the required 55 feet.

Hearing: Wednesday, January 5, 2011 at 9:00 a.m. in Room 104, Jefferson Building,
105 W. Chesapeake Avenue, Towson 21204


Timothy Kotroco
Director

TK:kl

C: Richard Robinson, 7436 Bradshaw Road, Kingsville 21087
Robert Infussi, Expedite, LLC, 1536 Dunkeld Way, Bel Air 21015

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 21, 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.

BW 1/5 9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

DEC 23 2010

ZONING COMMISSIONER

TO: Zoning Commissioner's Office
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: December 22, 2010
SUBJECT: Zoning Item # 11-160-A
Address 13202 Choptank Avenue
(Robinson Property)

Zoning Advisory Committee Meeting of November 15, 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) of the Chesapeake Bay Critical Area (CBCA). Granting relief to the 55-foot lot width will not eliminate the CBCA requirements. Lot coverage on each lot is limited to 25%. Lot coverage can go up to a maximum of 31.25% with mitigation for the amount over 25%. Mitigation necessary to address the lot coverage requirements will minimize adverse impacts on water quality that resulting from development activities.
2. The 15% afforestation requirement must be addressed in the LDA. Tree planting may be required. There are no impacts to wetlands or buffers. Therefore, the subject zoning petition will conserve fish, wildlife, and plant habitat.
3. The CBCA regulations apply to development activities within the 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. Any proposed development activities must meet all CBCA regulations.

— Regina Esslinger; Environmental Impact Review

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 30, 2010

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 11-160 and 161

The Office of Planning has reviewed the subject request and has determined that the petitioner owns sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. However, there appears to be several existing undersized lots in the neighborhood. The arrangement of the proposed dwellings is compatible with the neighborhood patterns. As such, this office does not oppose the petitioner's request.

If the petitioner's request is granted, the following conditions shall apply to the proposed dwelling:

1. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
2. Provide landscaping along the public road, if applicable.

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:

Curtis G. Gandy

Division Chief:

Laura Hay

CM/LL



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

December 28, 2010

Mr. Richard A. Robinson
7436 Bradshaw Road
Kingsville, Maryland 21087

Dear Mr. Robinson:

Re: 2011-0160-A Case Number, 13202 Choptank Avenue

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 3, 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:rjc
Enclosures

c: People's Counsel
Robert Infussi 1536 Dunkeld Way Bel Air 21015

BW 1/5 9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

DEC 23 2010

ZONING COMMISSIONER

TO: Zoning Commissioner's Office
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: December 22, 2010
SUBJECT: Zoning Item # 11-160-A
Address 13202 Choptank Avenue
(Robinson Property)

Zoning Advisory Committee Meeting of November 15, 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) of the Chesapeake Bay Critical Area (CBCA). Granting relief to the 55-foot lot width will not eliminate the CBCA requirements. Lot coverage on each lot is limited to 25%. Lot coverage can go up to a maximum of 31.25% with mitigation for the amount over 25%. Mitigation necessary to address the lot coverage requirements will minimize adverse impacts on water quality that resulting from development activities.
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3. The CBCA regulations apply to development activities within the 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. Any proposed development activities must meet all CBCA regulations.

– Regina Esslinger; Environmental Impact Review



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Nov. 24, 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. 2011-0160-A
13200 CHOPTANK AVE.
ROBINSON 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. 2011-0160-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 ¹ 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: November 30, 2010

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 11-160 and 161

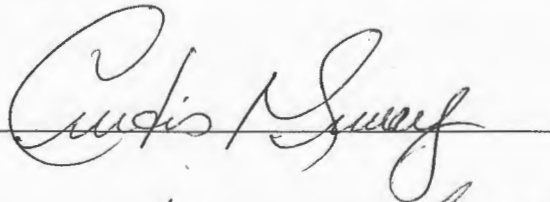
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If the petitioner's request is granted, the following conditions shall apply to the proposed dwelling:

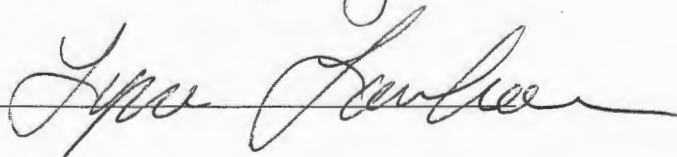
1. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
2. Provide landscaping along the public road, if applicable.

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:



Division Chief:



CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 29, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For November 29, 2010
Item Nos. 2011- 160, 161, 162, 163,
164, 165, 166, 167, 168, 169, 170,
171, 173, 174, 175, 177, 178 and 179

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-11292010 -NO COMMENTS.doc

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

November 24, 2010

Dept of PDM
Room 111, County Office Building
111 West Chesapeake Ave.
Towson, MD 21204
MS #1105

Attention Kristen Matthews

The Fire Marshal's office has no comment on the following zoning cases:

2011-0159-A, 2011-0160-A, 2011-0161-A, 2011-0162-A, 2011-0163-A, 2011-0163-A,
2011-0165-A, 2011-0166-A, 2011-0167-A, 2011-0168-SPH, 2011-0169-A, 2011-0170-A
2011-0171-XA, 2011-0172-A, 2011-0173-SPH, 2011-0174-A, 2011-0175-A,
2011-0176-SPH, 2011-0177-A, 2011-0178-A, 2011-0179-A.

Thank you,

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

Steven Judlick, Fire Marshal
Baltimore County Fire Department
Office of the Fire Marshal
410-887-4880

Visit the County's Website at www.baltimorecountyonline.info



Printed on Recycled Paper

RE: PETITION FOR VARIANCE * BEFORE THE
13200 Choptank Avenue, W/S Choptank *
Avenue, 585' NE of c/line of Greenbank Rd * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Richard Robinson * FOR
Petitioner(s) *
BALTIMORE COUNTY
*
2011-160-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

DEC 08 2010

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of December, 2010, a copy of the foregoing Entry of Appearance was mailed to Robert Infussi, 1536 Dunkeld Way, Bel Air, MD 21015, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Debra Wiley - Newspaper Advertisement(s)

From: Debra Wiley
To: Campbell, Rose; Lewis, Kristen
Date: 12/30/2010 12:57 PM
Subject: Newspaper Advertisement(s)

*Missing
newspaper
ad*

Hi there,

Just a "gentle" reminder that we are awaiting newspaper advertisements for the following cases that Bill will hear as follows:

1/5 @ 9:00 AM & 10:00 AM - Case Nos. 2011-0160-A & 2011-0161-A

1/5 @ 2:00 PM - Case No. 2011-0167-A

Thanks and have a Happy New Year !

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

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

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

Account Identifier:

District - 15 Account Number - 1523750330 ✓

Owner Information

Owner Name:	ROBINSON RICHARD A	Use:	RESIDENTIAL
Mailing Address:	7436 BRADSHAW RD KINGSVILLE MD 21087-1651	Principal Residence:	NO
		Deed Reference:	1) /29918/ 201 2)

Location & Structure Information

Premises Address	Legal Description
13200 CHOPTANK AVE	LTS 186-187 13200 CHOPTANK AVE OLIVER BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
84	1	42			B		186	3	Plat Ref:	14/ 37

Special Tax Areas

Town	
Ad Valorem	
Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1950	972 SF	20,000.00 SF	04

Stories	Basement	Type	Exterior
1 1/2	NO	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2010	07/01/2011
Land	77,000	89,000		
Improvements:	86,220	114,920		
Total:	163,220	203,920	190,352	203,920
Preferential Land:	0	0	0	0

Transfer Information

Seller:	WOODARD EVELYN AMELIA	Date:	09/23/2010	Price:	\$80,000
Type:	NOT ARMS-LENGTH	Deed1:	/29918/ 201	Deed2:	

Zoning in Area

Microsoft Access

File Edit View Insert Format Records Tools Window Help

GenInputFrm_View : Form

ZONING CASE HISTORY DATABASE (1939 - PRESENT)

GIS Attribute Table ID
(SEARCH ON THIS FIELD): 19760230 Case Type Prefix: Case Year: 1976 Case Number: 0230 Case Type Suffix: A Existing Use: DWLG- SINGLE FAMILY

Legal Owners/Petitioner
(SEARCH ON THIS FIELD): REIDER EDWARD L

House/St. Number: House/Street Number Range: House/St. No. Suffix: Prefix Dir.: Pre. Type: Street Name (SEARCH ON THIS FIELD): Suf. Type: Dir.: Suite/Apt./Unit Number:

Property Description (SEARCH ON THIS FIELD):
NW COR CHOPTANK RD, WICOMICO RD

Existing Zoning Classification: DR 5.5 (R-6) Area: 0.46 Acres Election District: 15th Councilmanic District:

Critical Area: Floodplain: Historic Area: Prior Zoning Cases:

Violation Cases: Concurrent Cases:

Tax Account ID: Deed Liber #: Deed Folio #: Miscellaneous Notes:

Find Record Next Record Previous Record Preview ZAC Agenda Report Open MS Word Exit Access Scanned Image

Record: 16466 of 26261

Form View

start Novell ... Microsoft ... Search ... Adobe ... 12:30 PM

Side yd. Setback of 7'

[illegible]

CASE NAME 2011-0160-A
CASE NUMBER _____
DATE 1-5-10

[illegible]

Case No.: 2011-0160-A 13202 CHOP TANK AVE (Lot 186)

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Sitz PLAN	
No. 2	OLIVER BEACH PLAT SECTION B 5-21-47	
No. 3	PUBLIC WORKS PLAT 1965	
No. 4	PHOTOS - PATTERN OF DEVELOPMENT	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		



D



C



Pt. Bk. 12, Folio 56

13212

151615050 Lot # 165

1518350040 Lot # 180

1508655050 Lot # 166

1518350041 Lot # 182

1502852120 Lot # 167

1523750631 Lot # 183

NE 8-M

13208

1501020010 Lot # 168

1511351890 Lot # 184

13206

1523350320 Lot # 169

Lot # 185

1512202400

13200

13204

PDM # 150193

1523750330 Lot # 186

Lot # 203

15 ED

084A1

DR 5.5

6 CD

Lot # 186

CHOPTANK RD

1523003940 Lot # 203

19760230

Pt. Bk. 14, Folio 37

1516601960 Lot # 189

Lot # 205

NE 7-M

13120

13201

1518102760 Lot # 190

1508790040 Lot # 205

13118

1518470901 Lot # 207

1513401720 Lot # 191

13116

1502371280 Lot # 192

1518470900 Lot # 208

13119

1501500330 Lot # 209

2011-0160-A



HIGHWAYS DEPARTMENT OF
BALTIMORE COUNTY.

STREET ALIGNMENT AND LOCATION.

Approved *P. Fred. Appert*
ROADS ENGINEER.

Date *September 24, 1947*

Subject to strict compliance
with approved grades
for streets



The requirements of sections 72A, 72B, 72C and 72D of
Article 17 of the Annotated Code of Maryland-1934 Edition
(Title: Clerks of Courts, Sub-title: Clerks of Circuit Courts)
as far as they relate to the making of this plat and set-
ting of the markers have been complied with.

August P. Greenberger
Owner of the land shown hereon

PLAT SHOWING PART OF
SECTION "B"
OLIVER BEACH

15TH DISTRICT, BALTIMORE COUNTY, MD.

Coordinates conform to the coordinate system of Oliver Beach

James M. ...
Registered Land Surveyor and Professional Engineer

Scale: 1"=100' May 21, 1947
E.V. Coonan & Co.
Surveyors & Civil Engrs.
231 St. Paul Place
Baltimore, Md.

PETITIONER'S

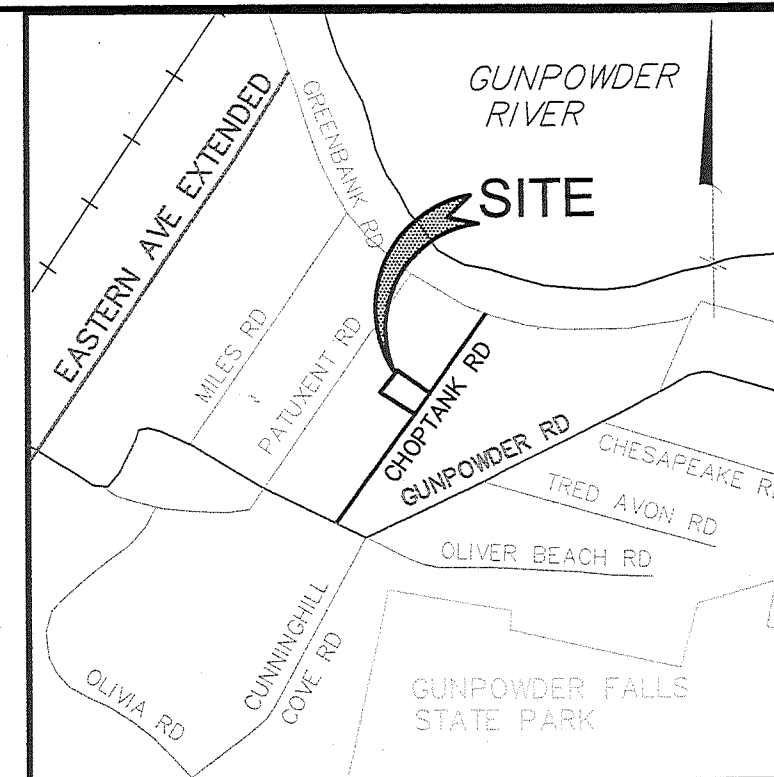
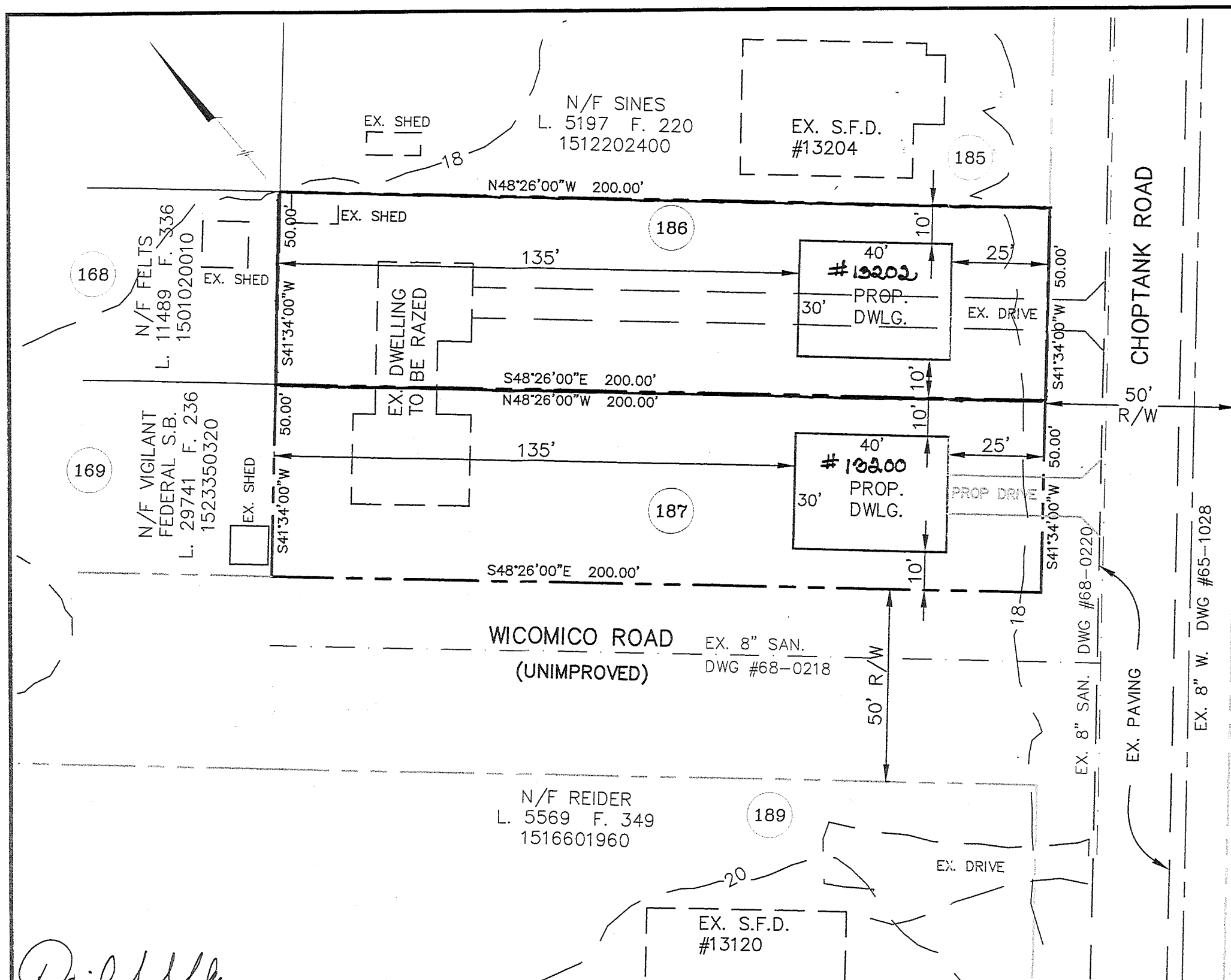
EXHIBIT NO.

2

CONTRACTOR = please notify Fire Bureau
before a fire hydrant is taken out of
service, removed or relocated. Please
call Fire Headquarters, VALLEY 537510.

CUTS BASED ON Q ROAD			
Sta.	Est. Gr.	Ex. Gr.	Cut
0+00	22.0	22.0	-1.9
1+00	21.7	21.5	-1.5
2+00	21.2	21.1	-0.5
3+00	20.7	20.7	0.0
4+00	20.2	20.4	0.2
5+00	19.7	19.4	0.3
6+00	19.1	18.9	0.2
7+00	18.2	18.5	0.3
7+52.16	17.7	17.0	-1.9
8+00	17.3	17.7	0.4
9+00	16.2	17.2	1.0
10+00	15.2	16.5	1.3
11+00	14.2	15.5	1.3
12+00	13.2	14.1	0.9
13+00	12.2	13.0	0.8





NOTES:

1. ZONING _____ DR 5.5
2. AREA _____ LOT 186 = 0.230 AC.
LOT 187 = 0.230 AC.
3. PLAT REF _____ 14/37
4. PUBLIC WATER & SEWER
5. NO KNOWN PREVIOUS ZONING HISTORY
6. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO WETLANDS, HISTORIC STRUCTURES, ARCHAEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS ON THIS SITE.
7. SITE IS LOCATED IN THE CBCA.
8. THERE IS NO FLOODPLAIN ON THIS PROPERTY IN ACCORDANCE WITH FIRM MAP NO. 2000100455F

PETITIONER'S

EXHIBIT NO. _____

David A. Sefsky

**DSSPE
ENGINEERING**

4401 OLD PHILADELPHIA RD
BEL AIR, MARYLAND 21015
PHONE: 410-893-5110

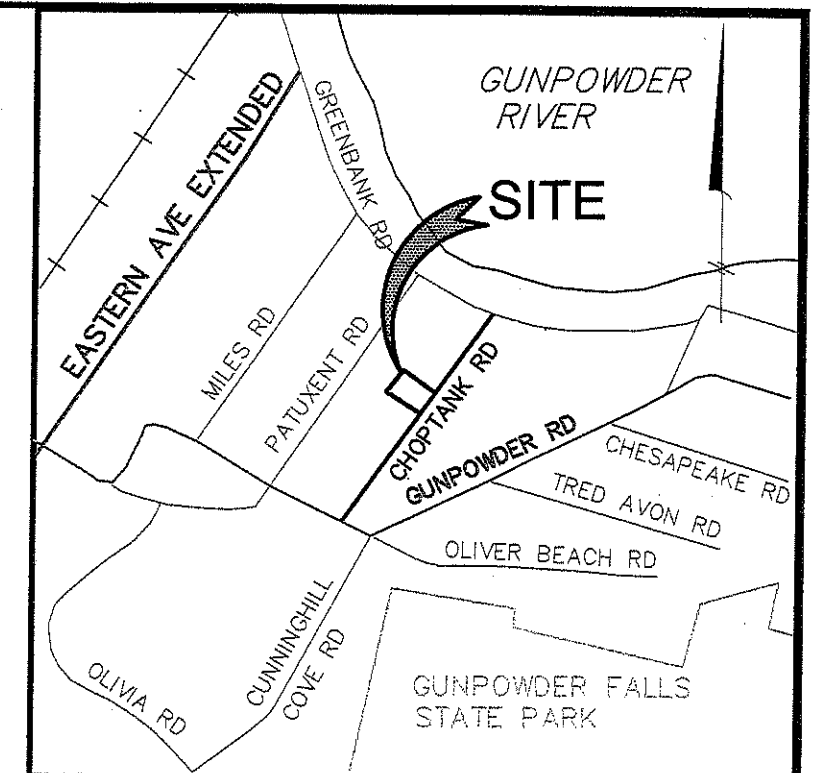
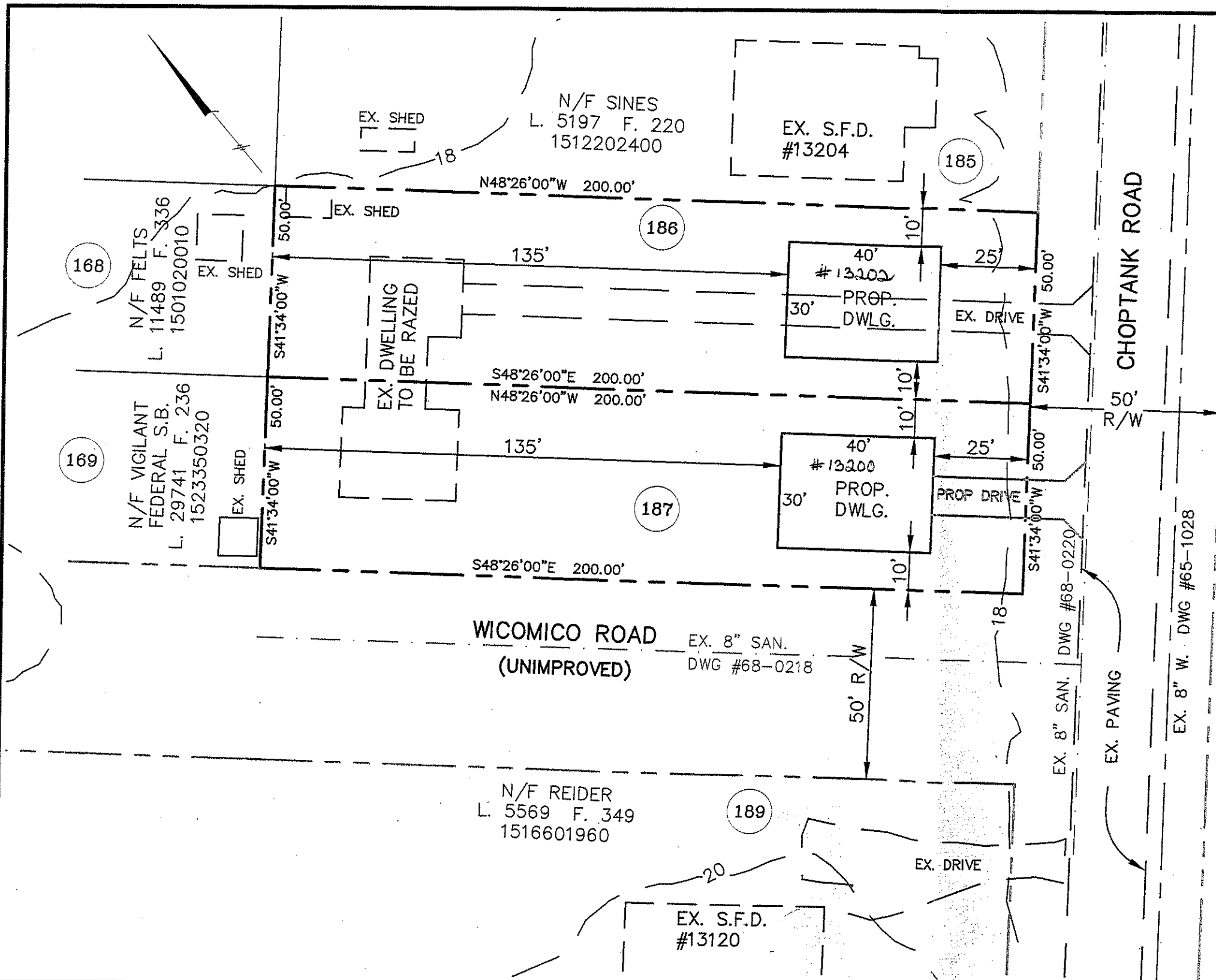
OWNER

RICHARD A. ROBINSON
7436 BRADSHAW ROAD
KINGSVILLE, MARYLAND 21087
DEED REF. L. 29918 F. 201
ACCT. NO. 1523750330

**PLAT TO ACCOMPANY PETITION
FOR VARIANCE**

13202 CHOPTANK ROAD
TAX MAP #84, PARCEL 42, LOT 186 & 187
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MARYLAND
DATE: 10/15/10 SCALE: 1" = 30'

2011-0160-A



VICINITY MAP
SCALE: 1"=1000'

NOTES:

1. ZONING _____ DR 5.5
2. AREA _____ LOT 186 = 0.230 AC.
LOT 187 = 0.230 AC.
3. PLAT REF _____ 14/37
4. PUBLIC WATER & SEWER
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**DSSPE
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OWNER

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**PLAT TO ACCOMPANY PETITION
FOR VARIANCE**

13200 CHOPTANK ROAD
TAX MAP #84, PARCEL 42, LOT 186 & 187
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MARYLAND
DATE: 10/15/10 SCALE: 1" = 30'

2011-0160-A