

IN RE: PETITION FOR ADMIN. VARIANCE

S side of Wye Road, 1,100 feet SW of
the c/l of Middleborough Road
15th Election District
6th Councilmanic District
(342 Wye Road)

Mark William Liberato
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2011-0235-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, Mark William Liberato for property located at 342 Wye Road. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a swimming pool in the front yard of an existing single family dwelling in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner desire to construct a swimming pool in the front yard or waterside of the property. The subject property fronts on Norman Creek. The front or waterside of the property contains a 12 feet x 20 feet deck and 12 feet x 20 feet gazebo which will be removed. A portion of the existing paver walkway will also be removed. The gravel area measuring 23 feet x 23 feet on the Wye Road side of the property will also be removed. The new swimming pool and pool deck will be an attractive outdoor amenity for the family. None of the neighbors expressed any concern about the proposal.

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 Sustainability dated March 2, 2011. DEPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County

ORDER RECEIVED FOR FILING

Date 3-15-11

By 

Zoning Regulations, Section 500.14. Based upon this review, DEPS offers the following comments:

1. This waterfront property is located in a Limited Development Area and a Buffer Management Area within the Chesapeake Bay Critical Area. Development of this property must comply with maximum lot coverage limits, must meet restrictions on development within the 100-foot tidal buffer, and must meet a minimum 15% tree cover requirement. Based on this, DEPRM has determined that adverse impacts on water quality from the pollutants discharged from the proposed development can be minimized with compliance and mitigation pursuant to Critical Area requirements. Mitigation requirements may include removal of lot coverage and the planting of native trees and shrubs.
2. The subject development can meet the requirement to conserve fish, wildlife, and plant habitat by bringing the site into compliance with all Critical Area requirements and through mitigation.
3. The proposed development is permitted under the State-mandated Critical Area regulations provided that development is in compliance with all Critical Area requirements. Lot coverage on the property and within the tidal buffer is limited. In this case, lot coverage removal will be required for compliance. Compliance with the Critical Area requirements, and mitigation can allow the subject development to be consistent with established land use policy 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 Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on February 20, 2011, 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.

ORDER RECEIVED FOR FILING

Date 3-15-11 2

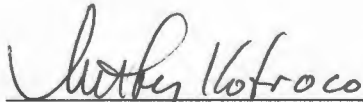
By [Signature]

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 15th day of March, 2011 that a variance from Section 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a swimming pool in the front yard of an existing single family dwelling in lieu of the required rear yard 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. This waterfront property is located in a Limited Development Area and a Buffer Management Area within the Chesapeake Bay Critical Area. Development of this property must comply with maximum lot coverage limits, must meet restrictions on development within the 100-foot tidal buffer, and must meet a minimum 15% tree cover requirement.

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


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:pz

ORDER RECEIVED FOR FILING

Date 3-15-11

By pr



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

March 15, 2011

MARK WILLIAM LIBERATO
342 WYE ROAD
BALTIMORE MD 21221

Re: Petition for Administrative Variance
Case No. 2011-0235-A
Property: 342 Wye Road

Dear Mr. Liberato:

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 with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Kotroco", is written over a faint, larger signature.

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure



CBCA, FP

FAX ACCOUNT # 1506571010

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 342 WYE RD.
which is presently zoned D.R. 3.5

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) 400.1

To permit a swimming pool in the front yard of an existing ~~single~~ family dwelling
in lieu of the rear yard.

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

Address

City State Zip Code

ORDER RECEIVED FOR FILING

Date

By

Telephone No.

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City State Zip Code

Representative to be Contacted:

Name

Address

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 2011-0235-A

REV 10/25/01

Reviewed By Tu Date 2/7/11

Estimated Posting Date 2/20/11

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 342 WYE RD.
Address
BALTIMORE MD. 21221
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

ACCESSORY STRUCTURE BEING INSTALLED IN WHAT IS CURRENTLY
CONSIDERED THE FRONT OF THE PROPERTY

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.

Mark William Liberto
Signature

Mark William Liberto
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5 day of FEBRUARY, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

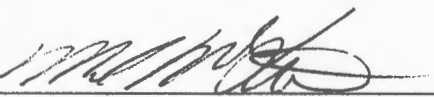


Milton G. Merryman
Notary Public

My Commission Expires My Commission Expires December 9, 2011

Administrative Variance Case # 2011-0235- A
342 Wye Rd.
Balto. Md. 21221

Reason for requesting pool to be located in front yard instead of back yard is that the back yard has little room for pool due to wide drive way, shed, children's play area with large swing set and room for parking, there is no place to park on the public road without impeding traffic.



Mark W. Liberto

ZONING DESCRIPTION FOR 342 Wye Road

Beginning at a point on the south side of Wye Road which is 30 feet of right-of-way wide at the distance of 1,100 feet south of the centerline of the nearest improved intersecting street, Middleborough Road, which is 50 feet of right-of-way wide. Being Lot #159, as recorded in the Baltimore County Plat Book #4, Folio #191, containing 13,624 square feet. Also known as 342 Wye Road and located in the 15th Election District, 6th Councilmanic District.

CASE NUMBER 2011-0235-A

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

No. **62944**

Date: **2/7/11**

PAID RECEIPT

BUSINESS ACTUAL TIME ID#
 2/08/2011 2/07/2011 09:55:45 2

REC WSO2 MAIL JEVA JEE
 RECEIPT # 723515 2/07/2011 OFLN
 Dept 5 528 ZONING VERIFICATION
 CR NO. 062944

Receipt Tot \$75.00
 1.00 CK 180.00 CA
 \$5.00- CB

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150						75.00

Total: **75.00**

Rec From: **Mark Liberto**

For: **342 Wye Rd**
21221

2011-0235-A

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

2011-0235-A

RE: Case No.: _____

Petitioner/Developer: _____

Mack William Liberto

Mar 7, 2011

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: Kristen Matthews:

Ladies and Gentlemen:

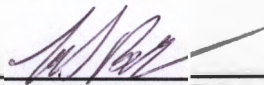
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

342 Wye Road

February 20, 2011

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

Sincerely,



February 20, 2011

(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 # 2011-0235-A

TO PERMIT A SWIMMING POOL IN THE FRONT YARD
OF AN EXISTING FAMILY DWELLING IN LIEU OF THE
REQUIRED REAR YARD

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON 3-7-11

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204

TEL. 887-3391

SEE THE VARIANCE CASE FILE AND ONLY AFTER VARIANCE GRANTED SHALL THE PROPOSED POOL BE SETBACK DATE TO YARD, MAY 2011

MEETING IS HANDICAP ACCESSIBLE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2011- 0235 -A Address 342 Wye Rd
Contact Person: LEONARDO Wasilewski Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/7/11 Posting Date: 2/20/11 Closing Date: 3/7/11

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

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

(Detach Along Dotted Line)

Case Number Changed

Petitioner: This Part of the Form is for the Sign Poster Only. Please Contact me 410-887-3391 and your sign poster

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2011- 0235 -A Address 342 Wye Road
Petitioner's Name Mark William Liberto Telephone 410-686-6684
Posting Date: 2/20/11 Closing Date: 3/7/11
Wording for Sign: To Permit A SWIMMING pool in the front yard
of an existing single family dwelling in lieu of the
required REAR yard.

WCR - Revised 7/7/08

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2011- 0235 -A Address 342 Wye Rd
Contact Person: LEONARD Wasilewski Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/7/11 Posting Date: 2/20/11 Closing Date: 3/7/11

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- 0235 -A Address 342 Wye Road
Petitioner's Name Mark William Liberto Telephone 410-686-6684
Posting Date: 2/20/11 Closing Date: 3/7/11
Wording for Sign: To Permit A SWIMMING pool in the front yard
of an existing single family dwelling in lieu of the
required REAR yard.

WCR - Revised 7/7/08



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 28, 2011

Mark William Liberto
342 Wye Road
Baltimore, MD 21221

RE: Case Number 2011-0235A , 342 Wye Road, Baltimore, MD 21221

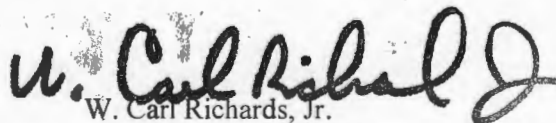
Dear Mr. Liberto,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 7, 2011. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,


W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits,
Approvals and Inspections

DATE: February 16, 2011

RECEIVED

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

FEB 23 2011

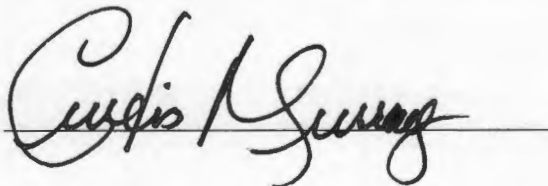
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 11-235- Administrative Variance**

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

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

Prepared By:
CM/LL



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

SUBJECT: Zoning Advisory Committee Meeting
For February 21, 2011
Item Nos. 2011- 231, 232, 233, 234
and 235

DATE: February 24, 2011

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-02212011 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Dave Lykens, Department of Environmental Protection and Sustainability (DEPS) -
Development Coordination

DATE: March 2, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-235-A
Address 342 Wye Road
(Liberto Property)

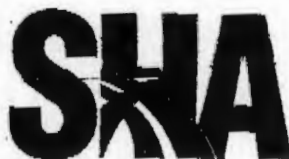
Zoning Advisory Committee Meeting of February 14, 2011.

DEPS 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 waterfront property is located in a Limited Development Area and a Buffer Management Area within the Chesapeake Bay Critical Area. Development of this property must comply with maximum lot coverage limits, must meet restrictions on development within the 100-foot tidal buffer, and must meet a minimum 15% tree cover requirement. Based on this, DEPRM has determined that adverse impacts on water quality from the pollutants discharged from the proposed development can be minimized with compliance and mitigation pursuant to Critical Area requirements. Mitigation requirements may include removal of lot coverage and the planting of native trees and shrubs.
2. The subject development can meet the requirement to conserve fish, wildlife, and plant habitat by bringing the site into compliance with all Critical Area requirements and through mitigation.
3. The proposed development is permitted under the State-mandated Critical Area regulations provided that development is in compliance with all Critical Area requirements. Lot coverage on the property and within the tidal buffer is limited. In this case, lot coverage removal will be required for compliance. Compliance with the Critical Area requirements, and mitigation can allow the subject development to be consistent with established land use policy 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: Paul Dennis

Date: March 2, 2011



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

State Highway
Administration

Beverly K. Swaim-Staley, Secretary
Neil J. Pederson, Administrator

Maryland Department of Transportation

Date: 2-16-2011

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

RE: Baltimore County
Item No 2011-0235-A
342 WYE ROAD
LIBERTO 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. 2011-0235-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 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
Access Management Division

SDF/mb



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

February 11, 2011

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

Admin
3/7/11

ATTENTION: Zoning Review

Distribution Meeting of: **February 14, 2011**

Item No.:

Administrative Variance: 2011-0232A, 2011-0235A.

Variance: 2011-0231A, 2011-0233A – 0234A.

Comments:

The Baltimore County Fire Marshal's Office has **no comments** on the above case numbers at this time.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.2A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent Redemption](#)
[GroundRent Registration](#)

Account Identifier: District - 15 Account Number - 1506571010

Owner Information			
Owner Name:	LIBERTO MARK W	Use:	RESIDENTIAL
Mailing Address:	342 WYE RD BALTIMORE MD 21221-1546	Principal Residence:	YES
		Deed Reference:	1) /23609/ 00074 2)

Location & Structure Information	
Premises Address 342 WYE RD 0-0000	Legal Description 342 WYE RD SW Waterfront MIDDLEBOROUGH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
0097	0012	0373		0000			159	3		0004/ C

Special Tax Areas	Town	NONE
	Ad Valorem	
	Tax Class	

Primary Structure Built 1948	Enclosed Area 3,840 SF	Property Land Area 13,624 SF	County Use 34
--	----------------------------------	--	-------------------------

Stories 2.000000	Basement YES	Type STANDARD UNIT STUCCO	Exterior STANDARD UNIT STUCCO
----------------------------	------------------------	-------------------------------------	---

Value Information				
	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2010	07/01/2011
Land	202,400	202,400		
Improvements:	366,690	388,230		
Total:	569,090	590,630	583,450	590,630
Preferential Land:	0			0

Transfer Information				
Seller:	LIBERTO MARK W	Date:	03/31/2006	Price: \$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/23609/ 00074	Deed2:
Seller:	FRANCZKOWIAK LAWRENCE JOSEPH	Date:	11/07/2002	Price: \$280,000
Type:	ARMS LENGTH IMPROVED	Deed1:	/17058/ 00202	Deed2:
Seller:	FRANCZKOWIAK LAWRENCE JOSEPH	Date:	12/01/1993	Price: \$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/10181/ 00635	Deed2:

Exemption Information			
Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County			0.00
State			0.00
Municipal			0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	* NONE *

IN RE: PETITION FOR ADMIN. VARIANCE

S side of Wye Road, 1100 feet S of
Middleborough Road
15th Election District
6th Councilmanic District
(342 Wye Road)

Mark W. Liberto
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* BALTIMORE COUNTY
* CASE NO. 07-290-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, Mark W. Liberto. The variance request is for property located at 342 Wye Road. The variance request is from Sections 1B02.3.C.1 and 301.1 to permit a proposed addition and proposed second (2nd) floor balcony with a side yard setback of 9 feet and sum of side yard setbacks of 20 feet in lieu of the minimum required 10 feet and 25 feet, respectively; and to permit a proposed area-way (open projection) and proposed first (1st) floor porch (open projection) with a side yard setback of 5 feet and a sum of side yard setbacks of 16 feet in lieu of the minimum required 7.5 feet and 18.75 feet, respectively.

The Petitioner proposes to construct a 30 foot x 30 foot addition facing Wye Road, a 30 foot x 8 foot porch facing the water, an 8 foot x 8 foot balcony on the second floor facing the water, and a 20 foot x 4 foot area-way. The addition will contain two stories with a full basement. In order to provide for basement level egress code requirements, a new area-way is proposed to extend from the front of the new addition and will measure 20 feet x 4 feet. The planned additions and improvements are in order to provide a future need for family-related elderly care. The improvements will provide increased livable area beyond the existing limited

2007-1-31-07

1-31-07

P3

CASE NUMBER 2011-0235

2011-0235-A

LOOKING TOWARD ADJACENT DWELLING TO LEFT
NE



0235-A



FS

RIGHT
LOOKING TOWARD ADJACENT DWELLING ON
SEE



0235-A

Looking to the SE



0235-A

Looking . EAST



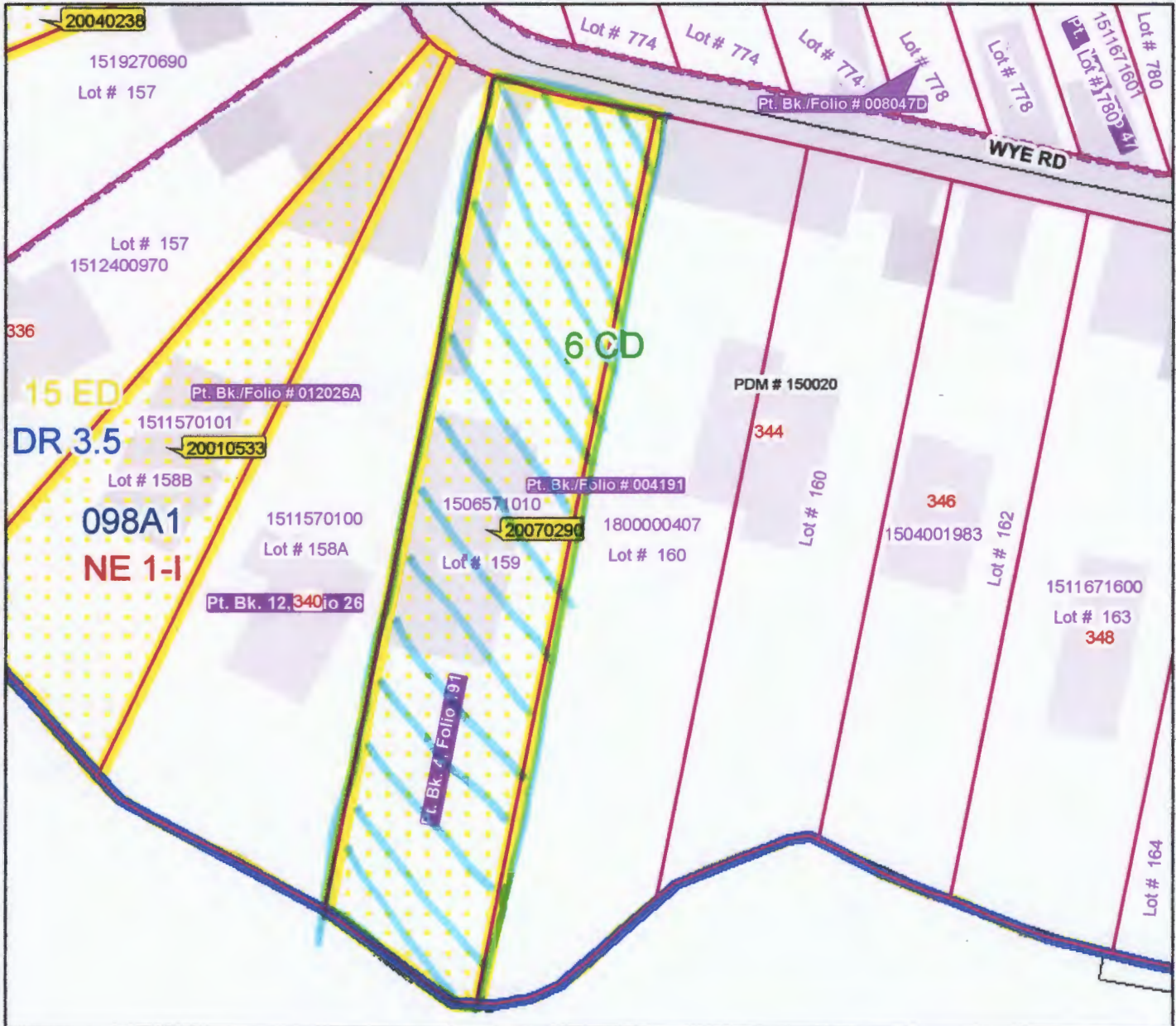
0235-A

LOOKING NORTH TOWARD EXISTING HOME ON
SUBJECT PROPERTY (NAMELY 342 WYE RD.)

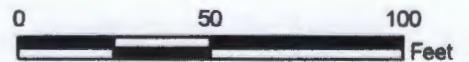


0235-A

342 WYE ROAD 2011-0235-A



DQ Map Notes



1 inch = 50 feet



Publication Date: February 07, 2011
 Publication Agency: Department of Permits & Development Management
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

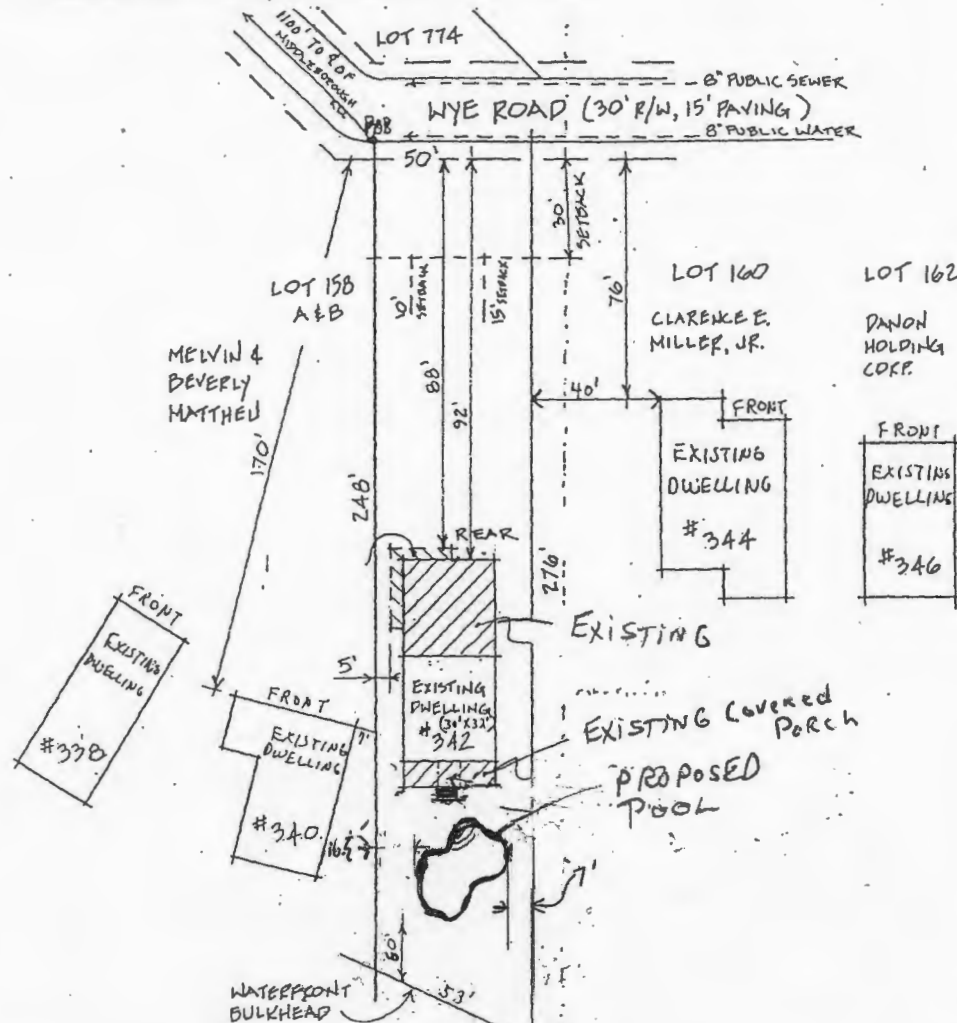
PROPERTY ADDRESS 342 WYE ROAD

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

SUBDIVISION NAME MIDDLEBOROUGH

PLAT BOOK # 4 FOLIO # 191 LOT # 159 SECTION # 1

OWNER MARK W. LIBERTO



PREPARED BY ELK

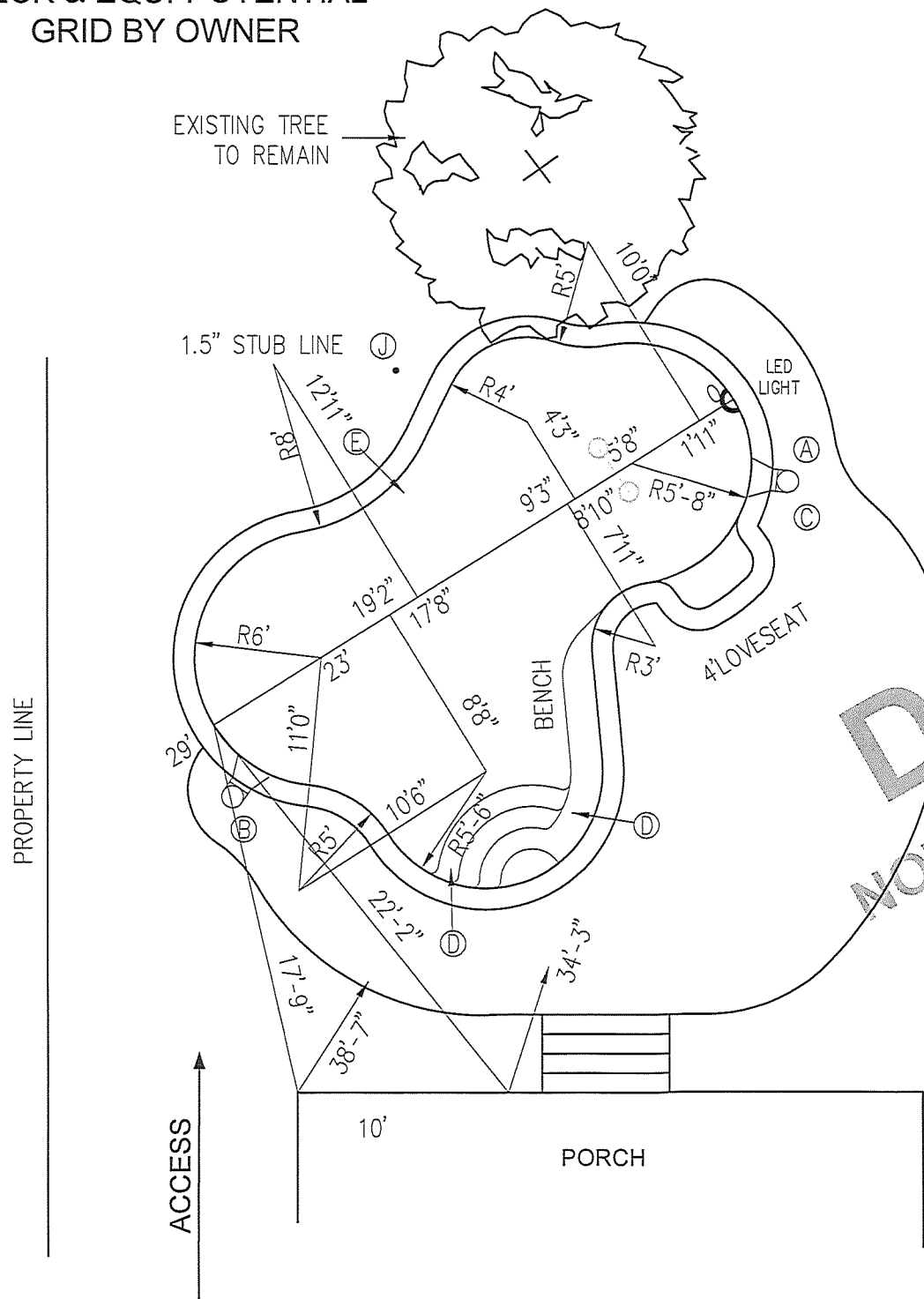
SCALE OF DRAWING: 1" = 60



LOCATION INFORMATION			
ELECTION DISTRICT	15		
COUNCILMANIC DISTRICT	6		
1" = 200' SCALE MAP #	098A1		
ZONING	DR-3.5		
LOT SIZE	0.31	13,624	
	ACREAGE	SQUARE FEET	
	PUBLIC	PRIVATE	
SEWER	☒	☐	
WATER	☒	☐	
CHESAPEAKE BAY CRITICAL AREA	☒	YES	NO
100 YEAR FLOOD PLAIN A-10	☒	☐	☐
HISTORIC PROPERTY/ BUILDING	☐	☐	☒
PRIOR ZONING HEARING	2007-0290-A		

ZONING OFFICE USE ONLY
 REVIEWED BY Th ITEM # 2011 CASE # 0235-A

DECK & EQUI-POTENTIAL
GRID BY OWNER



DRAWING APPROVED: DATE _____

BY: _____

BOBCAT
DIG

DRAFT COPY
NOT APPROVED FOR CONSTRUCTION

PLUMBING	SIZE	RUN
A SKIMMER	2.0	20
B SKIMMER	2.0	75
C POOL DRAIN	2.0	35
D RETURNS	2.0	50
E AUTO CLEANER	1.5	40
F SPA RETURN	2.0	
G SPA DRAIN	2.0	
H AIR LINE	2.0	
J STUB LINE	1.5	30

2011-0235-A

DRAWING SCALE: 1/8" = 1'
Unless otherwise noted

***MISCELLANEOUS**

BOBCAT DIG
START-UP CHEMICAL PACKAGE
DARK FITTINGS & DRAIN COVERS
30' 1.5" STUB LINE FOR FUTURE WATER FALL
DOOR ALARM INCLUDED
FILTER WITHIN 20' OF WATER LINE
100 LIN FT ELECTRICAL CONDUIT

AGREEMENT DOES NOT INCLUDE ANY ADDITIONAL
DECK, RETAINING WALLS, OR YARD DRAINS

BUYER: TO WET DOWN CONCRETE SHELL AT LEAST TWICE DAILY FOR SEVEN DAYS.

NOTE

Changes from the agreement are by addendum
only, signed by both parties and paid in full at
time of affixing signature. No changes will occur
prior to signing addendum.

APPROVAL STAMP

Approved
TBD

NOTE: To be numbered and referred to on Plan via Symbol

☉	T.O.C. = ?	Date	Description
⚠	----	2-1-11	CONSTRUCTION DRAWING BY GMB
⚠	----	----	----
⚠	----	----	----

REVISIONS

Date Description

2-1-11 CONSTRUCTION DRAWING BY GMB

ACCOUNT
NUMBER 11-030-006-3

CUSTOMER INFORMATION

LAST NAME:	LIBERTO	HOME PHONE:	410-686-6684
FIRST NAME:	MARK AND LAURA	CELL PHONE:	410-303-5000
ADDRESS:	342 WYE ROAD	WORK PHONE:	443-956-4075
CITY:	ESSEX	STATE:	MD
ZIP:	21221	COUNTY:	BALTIMORE
SUBDIVISION:	MIDDLEBOROUGH	DAY TELE DESC:	
EMAIL ADDRESS:	MARKLIBERTO@YAHOO.COM		

POOL SHELL SPECIFICATIONS

POOL SHAPE:	MT. LAGOON	MAX WIDTH	19'	FT
POOL AREA:	400	SF MAX LENGTH	29'	FT
DEPTH:	3'-6" to 6'-6"	PERIMETER:	89	LF
DIVING POOL:	NO	APPROX VOLUME:	14,500	GAL
STEPS:	CLASSIC	RETURNS:	2	
EXT. 2ND STEP:	8	FT SKIMMERS:	2	
SWIM OUT (INSIDE):	N/A	FT SWIM OUT (OUTSIDE)	(1) @ 4, ,	FT
PLAYPOOL/SUN SHELF:	N/A	OVERFLOW LINE:	N/A	LF
COZY CORNER:	N/A	CLEANER LINE:	PRESSURE	

RAISED BOND BEAM SPECIFICATIONS

6" RBB:	N/A	LF RBB VENEER MATL:	N/A	
12" RBB	N/A	LF RBB VENEER AREA:	N/A	SF
18" RBB	N/A	LF NOTCH BEAM:	N/A	LF
24" RBB	N/A	LF HANDHOLD REQ'D:	NO	
30" RBB	N/A	LF SHEER DESCENT(S):	N/A	
36" RBB	N/A	LF FOUNTAIN(S):	N/A	
OTHER WATER FEATURE: 1.5" STUB LINE FOR FUTURE WATER FALL				

SPA SPECIFICATIONS

SPA AREA:	N/A	SF SPA PLBG RUN:	N/A	LF
SPA PERIM:	N/A	LF SPA RAISED HEIGHT:	N/A	IN
SPA LIGHT(S) TYPE:	N/A	DAM WALL:	N/A	
BOOSTER PUMP:	N/A	SPA VENEER MATL:	N/A	
AIR BLOWER:	N/A	HP SPA VENEER AREA:	N/A	SF
JETS (QTY):	N/A	SPILLWAY WIDTH:		
OTHER:	N/A	WATER FEATURE(S)		

TILE - COPING - INT. FINISH

TILE TYPE:	SKN-6	INT. FINISH TYPE:	QUARTZ
COPING:	BULLNOSE BRICK	INT. FINISH COLOR:	GRANITE
COPING COLOR CHOICE:	GREYSTONE	BENCH TILE LOC:	N/A
TRIM TILE SIZE/TYPE:	N/A	LF STEP TILE LOC:	N/A

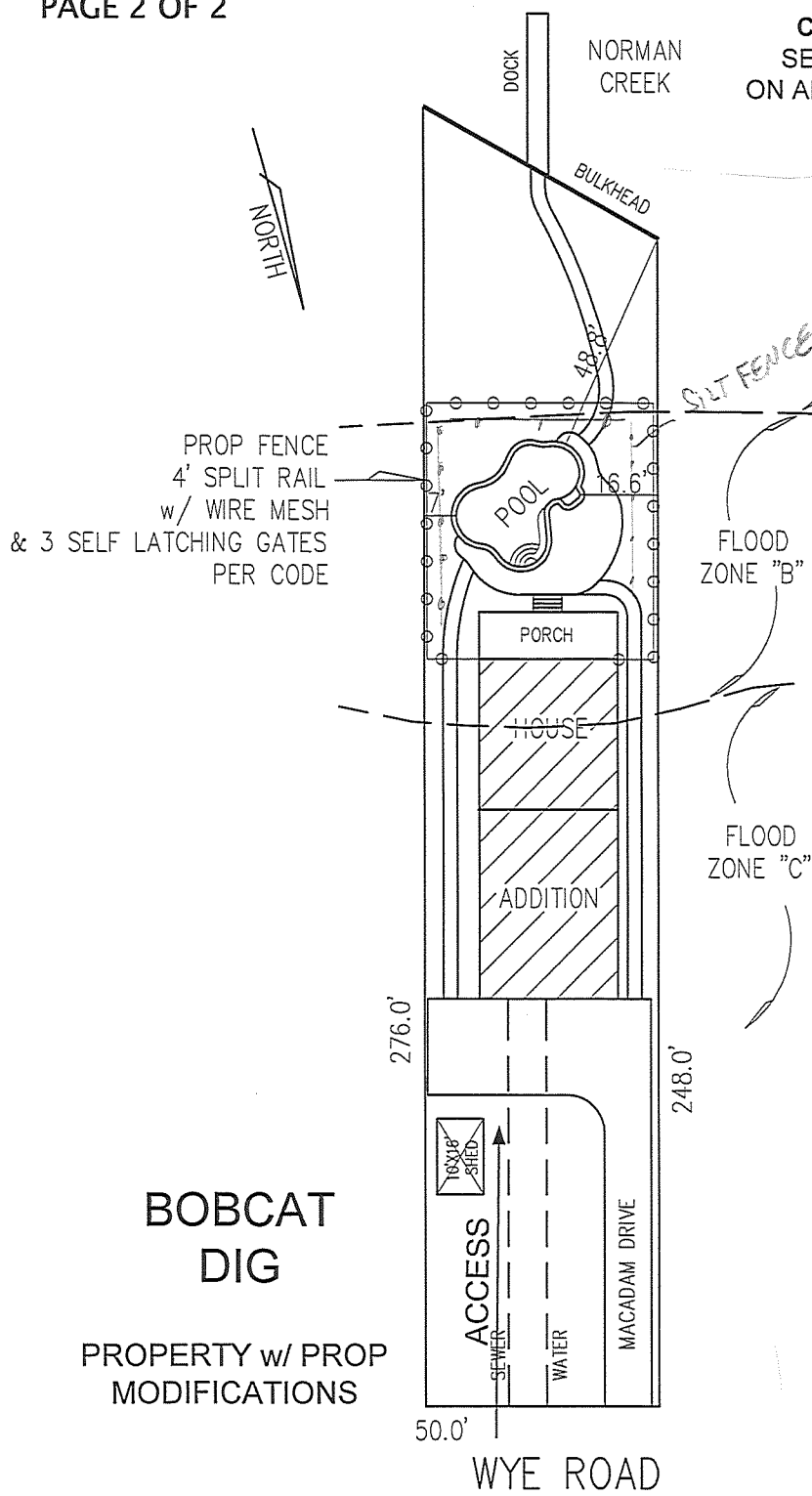
EQUIPMENT

FILTER TYPE:	48 SF DE	FILL LINE / DISTANCE:	N/A	LF
FILTER PUMP SIZE:	1 HP	1	MAIN DRAINS:	DUAL
AUTO CLEANER:	STUB ONLY	CHLORINATOR TYPE:	PRO-G	
CLEANER PUMP:	N/A	SANTIZER:	PRO-G	
POOL LIGHT(S):	(1) LED POOL	CONTROLLER MODEL:	TIMECLOCK	
HEAT PUMP:	155A HEAT PUMP	IN FLOOR SYSTEM:	SOLAR RECIRC	
HEATER:	N/A	DIVING BOARD:	N/A	
HEATER VENT (if Req'd):	N/A	POOL COVER:	SAFETY :	
ADD'L PUMP	N/A	AUTO COVER:	N/A	

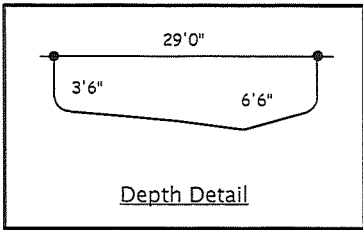
APPURTENANCES

POOL DECK AREA:	OWNER	SF DECK PIERS	N/A	
POOL DECK DRAINAGE	OWNER	DRAIN PIPE TOTAL	N/A	LF
POOL DECK MATERIAL:	OWNER	WALL AREA:	N/A	SF
OTHER DECK DRAINAGE	N/A	WALL TYPE:	N/A	
EXISTING DECK TOPPING	N/A	WALL CONTRACTOR:	OWNER	
EXISTING DECK AREA	N/A	WALL VENEER:	N/A	
DECK CONTRACTOR:	OWNER	WALL CAP MATL:	N/A	
ELECTRIC CONTRACTOR:	OWNER	POOL DECK STEPS:	N/A	LF
FENCE CONTRACTOR:	OWNER	STEP TREAD/RISER	N/A	
DOOR / GATE ALARMS:	INCLUDED - IF NEEDED	CHILD SAFETY FENCE	N/A	
GAS CONTRACTOR:	N/A			



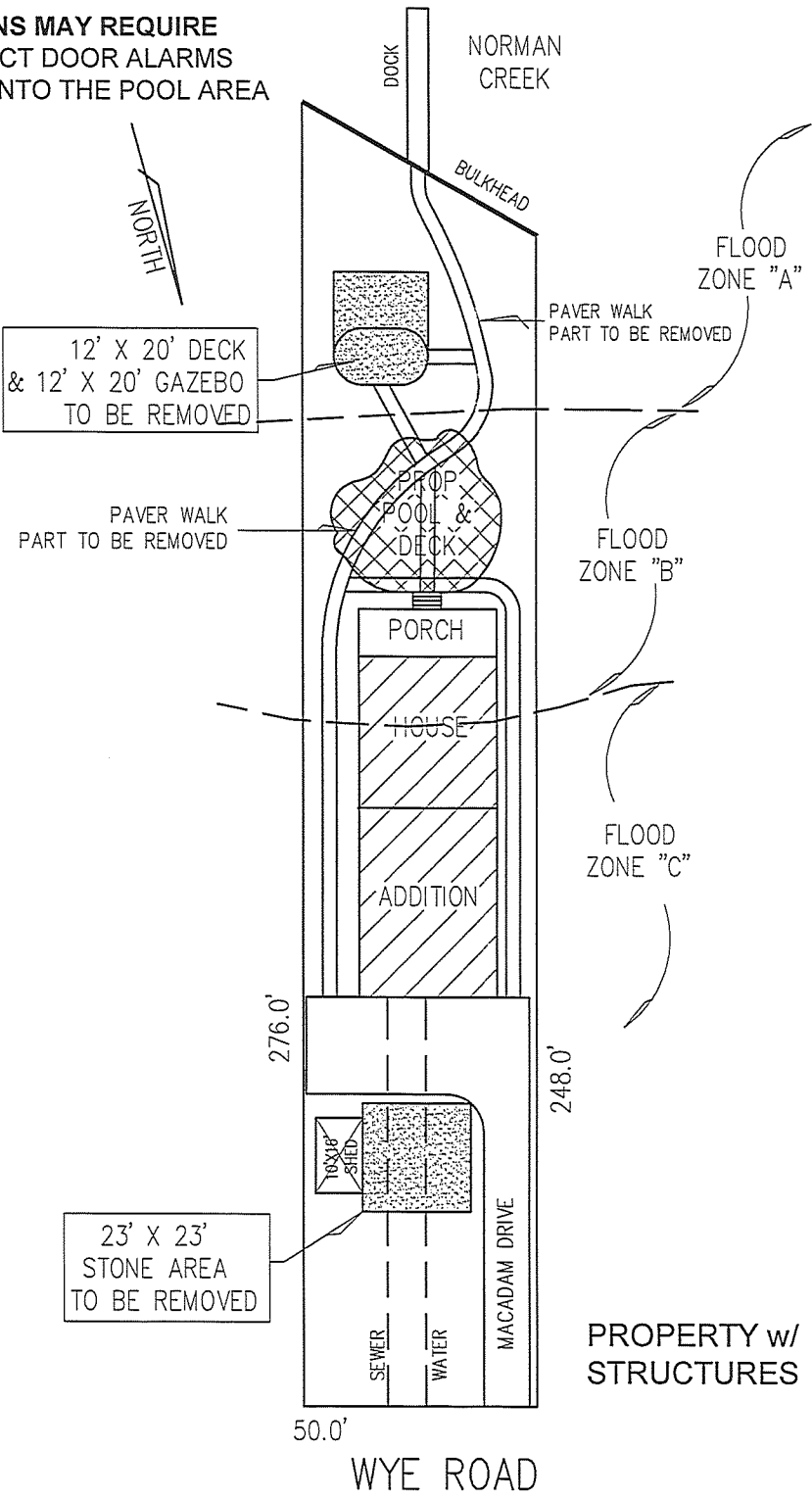


Survey Plan
SCALE: 1"=40'



NOTE
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NOTE:		To be numbered and referred to on Plan via Symbol		REVISIONS	
				Date	Description
⊕		T.O.C. = ?		2-1-11	CONSTRUCTION DRAWING BY CMB
⚠		----		----	----
⚠		----		----	----
⚠		----		----	----



Survey Plan
SCALE: 1"=40'

2011-0235-A

LIBERTO		JOB NO: 30006	
CUSTOMER INFORMATION			
LAST NAME:	LIBERTO	HOME PHONE:	410-686-6684
FIRST NAME:	MARK AND LAURA	CELL PHONE:	410-303-5000
ADDRESS:	342 WYE ROAD	WORK PHONE:	443-956-4075
CITY:	ESSEX	STATE:	MD
ZIP:	21221	COUNTY:	BALTIMORE
SUBDIVISION:	MIDDLEBOROUGH	DAY TELE DESCR:	
EMAIL ADDRESS:	MARKLIBERTO@YAHOO.COM		
SITE NOTES			
ATTENTION PAUL DENNIS			
EXISTING IMPERVIOUS SURFACE TO BE REMOVED:			
23'X23' GRAVEL AREA	529 SQ FT		
12'X20' GAZEBO	225 SQ FT		
12'X20' DECK	240 SQ FT		
TOTAL IMPERVIOUS REMOVED	994 SQ FT		
PROP IMPERVIOUS SURFACE TO BE ADDED:			
SWIMMING POOL	497 SQ FT		
CONCRETE POOL DECK	497 SQ FT		
TOTAL IMPERVIOUS TO BE ADDED	994 SQ FT		
Directions			
DIRECTIONS			
BALTIMORE COUNTY			
MAP PG 37 GRID K-10			
CROSS STREET: MIDDLEBORO ROAD			
SITE CONDITIONS			
ADD'L EXC. GRADING:	N/A	HRS WATER SOURCE:	CITY
DIG TYPE:	BOBCAT	SEWER or SEPTIC:	SEWER
DIRT HAUL:	YES	DRAIN REQ'D / TYPE:	NO
STUMP REMOVE QTY:	N/A	LAWN SPRINKLERS:	NO
FENCE REMOVAL:	N/A	TEMP FENCE:	YES
SLAB REMOVAL:	OWNER	SILT FENCE:	N/A
ADD'L ISSUES		POWER LINES	NO
POOL SETBACKS			
REAR:	6	FT. EQUIPMENT:	FT
SIDES:	6	FT. FENCE:	4
HOUSE:		FT. OTHER SETBACKS:	
ANTHONY & SYLVAN CONTACT INFORMATION			
DESIGNER:	DUFFY, MIKE	CELL PHONE NO:	#N/A
A&S OFFICE:	SEVERNA PARK	OFFICE PHONE NO:	(301) 490-1919
ADDRESS:	556E. GOV. RITCHIE HWY	SEVERNA PARK, MD 21146	
GENERAL MANAGER:	ALAN WALKER	PERMIT OFFICE:	BALTIMORE
SIGN DATE:	1/0/1900	PERMIT OFFICE TEL:	