

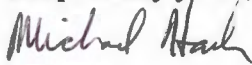
Michael Hawk
3518 Bay Dr
Baltimore, MD 21220
July 25, 2011

Arnold Jablon
Deputy Administrative Officer
Director, Department of Permits, Approvals & Inspections
111 W. Chesapeake Ave, Room 111
Towson, MD 21204

Dear Arnold Jablon:
Subject: CASE NUMBER 2011-0330-SPH
3518 Bay Drive
W/side of Bay Drive, 113 feet north of centerline of Bay Drive
15th Election District-6th Councilmanic District
Legal Owners: Michael Hawk

I am writing to request a withdrawal of the zoning hearing scheduled for June 14, 2011 (which was postponed). I would also like to request a withdrawal of the petition for a special hearing to amend the decision in case numbers 2009-0210-A and 2010-0226-A. Those cases granted 16 feet and 4 feet, which is what I would like to stick with. . Thank You for your help.

Respectfully yours,



Michael Hawk

CBCA



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County for the property located at 3518 Bay Drive Baltimore MD 21220 which is presently zoned RC 5

Deed Reference: 21023 Tax Account # 15-19000190

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
(This box to be completed by planner)

to amend the decision in cases 2009-210-A and 2010-266-A for a proposed dwelling, to permit side yard setbacks of 5'½ and 14'½ feet in lieu of the granted 16 and 4 feet, respectively, pursuant to Section 1A04.3.B.2.b

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

I, or we, agree to pay expenses of above Special Hearing, 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

City

Representative to be Contacted:

Name

Address

City

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Case No.

2011-0330-SPH

REV 07/27/07

UNAVAILABLE FOR HEARING

Reviewed By

Date

416 288-5182



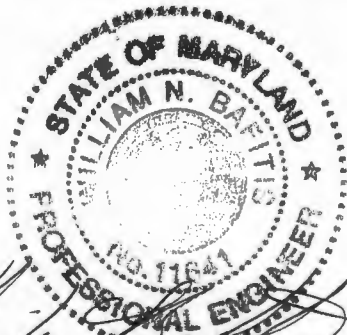
**ZONING DESCRIPTION
FOR
3518 BAY DRIVE
15TH ELECTION DISTRICT / 6th Councilmanic Dist.
BALTIMORE COUNTY, MARYLAND**

Beginning for same at a point on the Westside of Bay Drive 25' wide and 113'±
Northeasterly from the centerline intersection of Bay Drive 25' wide;

1. Thence leaving said point of beginning North 88°-04'-58" West 258.60' to a point
in the waters of Middle River;
2. Thence running with the waters of Middle River Northwesterly at 54'± to a point;
3. Thence leaving said waters South 88°-04'-58" East 278.00' to a point on the
Westside of Bay Drive;
4. Thence running along said road South 01°-55'-02" West 50.00' to the place of
beginning.

Containing 13,388 s.f. or 0.307 ac.± more or less.

Being known as lot 2 shown on a plat entitled, "Plat 3 of Bowley's Quarters" Book 09
Folio 56, recorded among the Land Records of Baltimore County, Maryland.



William N. Bafitis, P.E.
William N. Bafitis, P.E. Md. Reg. License #11641

12/16/08
Date

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

No. **65988**

Date: **5/9/11**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 5/10/2011 5/09/2011 11:41:15 5

REG 0603 WALKIN RD06 LRB
 >> RECEIPT # 516882 5/09/2011 OFLN

Dept 5 528 ZONING VERIFICATION
 CR NO. 065988

Recpt Tot \$75.00
 \$75.00 OK \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				075 ⁰⁰

Total: **075⁰⁰**

Rec
 From:

For:

zoning hearing - case # 2011-0330-SPH

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2011-0010-0011

3518 Bay Drive

W/side of Bay Drive, 113 feet north of centerline of Bay Drive

15th Election District — 6th Councilmanic District

Legal Owner(s): Michael Hawk

Special Hearing: to amend the decision in cases 2009-0210-A and 2010-0266-A for a proposed dwelling, to permit side yard setbacks of 5½ and 14½ feet in lieu of the granted 16 and 4 feet, respectively, pursuant to Section 1A04.3.B.2.b.

Hearing: Tuesday, June 14, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

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

JT 5/752 May 31

277202

CERTIFICATE OF PUBLICATION

6/2, 2011

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/31, 2011.

- ☒ 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. 2011-0330-SPH

Petitioner/Developer MICHAEL
HAWK

Date Of Hearing/Closing: 6/14/11

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 3518 BAY DRIVE

This sign(s) were posted on May 30, 2011
Month, Day, Year

Sincerely,

Martin Ogle 5/30/11
Signature of Sign Poster and Date

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

ZONING NOTICE

CASE # 2011-0330-SPH

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

ROOM 205 JEFFERSON BUILDING 105 WEST

PLACE: CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: TUESDAY, JUNE 14,
2011 AT 10:00 A.M.

REQUEST: SPECIAL HEARING TO
AMEND THE DECISION IN
CASES 2009-0210-A AND 2010-0266-A
FOR A PROPOSED DWELLING, TO PERMIT
SIDE YARD SETBACKS OF 5 1/2 AND 14 1/2 FEET IN
LIEU OF THE GRANTED 16 AND 4 FEET,
RESPECTIVELY, PURSUANT TO SECTION
1A04.3.B.2.B.

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

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

HANDICAPPED ACCESSIBLE

05/30/2011

Yadav Ofc 5/30/11

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 31, 2011 Issue - Jeffersonian

Please forward billing to:

Michael Hawk
3518 Bay Drive
Baltimore, MD 21220

410-409-5148

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2011-0330-SPH

3518 Bay Drive

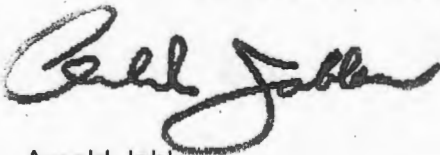
W/side of Bay Drive, 113 feet north of centerline of Bay Drive

15th Election District – 6th Councilmanic District

Legal Owners: Michael Hawk

Special Hearing to amend the decision in cases 2009-0210-A and 2010-0266-A for a proposed dwelling, to permit side yard setbacks of 5 ½ and 14 ½ feet in lieu of the granted 16 and 4 feet, respectively, pursuant to Section 1A04.3.B.2.b.

Hearing: Tuesday, June 14, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

May 19, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2011-0330-SPH

3518 Bay Drive

W/side of Bay Drive, 113 feet north of centerline of Bay Drive

15th Election District – 6th Councilmanic District

Legal Owners: Michael Hawk

Special Hearing to amend the decision in cases 2009-0210-A and 2010-0266-A for a proposed dwelling, to permit side yard setbacks of 5 ½ and 14 ½ feet in lieu of the granted 16 and 4 feet, respectively, pursuant to Section 1A04.3.B.2.b.

Hearing: Tuesday, June 14, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Michael Hawk, 3518 Bay Drive, Baltimore 21220

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, ~~JUNE~~ ^{May} 30, 2011.
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
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: 2011-0330-SPH
Petitioner: Michael Hawk
Address or Location: 3518 Bay Dr Balto MD 21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michael Hawk
Address: 3518 Bay Dr
Balto MD 21228

Telephone Number: 707-709-5148



KEVIN KAMENETZ
County Executive

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

June 6, 2010

Michael Hawk
3518 Bay Drive
Baltimore, MD 21220

RE: Case Number 2011-0330 SPH, 3518 Bay Drive

Dear Mr. Hawk,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 9, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

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: May 24, 2011

clearing 6/14/11

FROM: Andrea Van Arsdale
Director, Office of Planning

SUBJECT: 3518 Bay Drive

INFORMATION:

Item Number: 11-330

Petitioner: Michael Hawk

Zoning: RC 5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

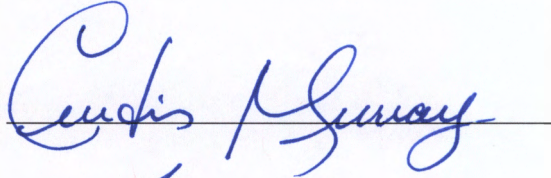
The Office of Planning does not oppose the petitioner's request. However, this office is required to provide a statement of finding to the Administrative Law Judge indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following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

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

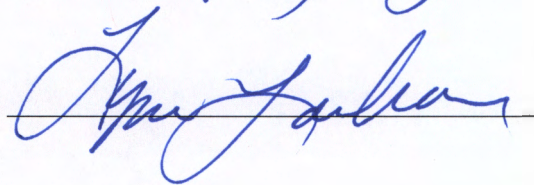
4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
5. Provide landscaping along the public road, if consistent with the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

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

Prepared By:

A handwritten signature in blue ink, appearing to read "Curtis P. Gurney", written over a horizontal line.

Division Chief:

A handwritten signature in blue ink, appearing to read "Tom J. Sullivan", written over a horizontal line.

AVA: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 May 30, 2011
Item No. 2011-330

DATE: May 25, 2011

Heating 6/1/11

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The base flood elevation for this site is 8.5 feet [NAVD 88].

The flood protection elevation is 9.5 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

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

DAK:CEN
cc: File
ZAC-ITEM NO 11-330-05302011.doc



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

May 17, 2011

County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Zoning Review

Distribution Meeting of: **May 16, 2011**

Item No.:

Administrative Variance: 2011-0324A, 2011-0328A – 0329A.

Special Hearing: 2011-0152-SPHA, 2011-0330-SPH.

Variance: 2011- 0152-SPHA, 2011-0326A, 2011-0327-SPHA, 2011-0331A – 0332A.

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



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: 5-17-11

Ms. Kristen Matthews
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

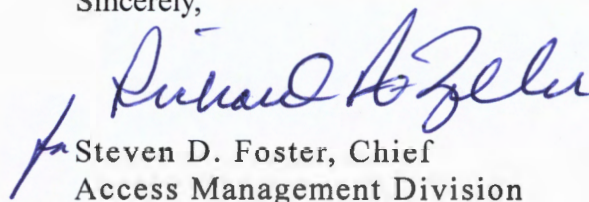
RE: Baltimore County
Item No. 2011-0330-SPH
Special Hearing
Michael Hawk
3518 Bay Drive

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. 2011-0330-SPH.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us). Thank you for your cooperation.

Sincerely,


Steven D. Foster, Chief
Access Management Division

SDF/rz

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
3518 Bay Drive; W/S Bay Drive, 113' N	*	ADMINISTRATIVE LAW
of c/line of Bay		
15 th Election & 6 th Councilmanic Districts	*	JUDGE FOR
Legal Owner(s): Michael Hawk		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2011-330-SPH

* * * * *

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

MAY 13 2011

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of May, 2011, a copy of the foregoing Entry of Appearance was mailed to Michael Hawk, 3518 Bay Drive, Baltimore, Maryland 21220, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

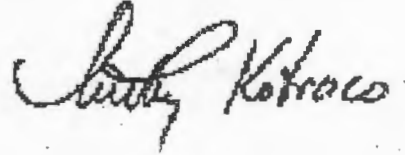
MEMORANDUM

TO: Kristen Lewis
Office of Zoning Review

FROM: Timothy M. Kotroco, Administrative Law Judge
Office of Administrative Hearings

DATE: June 10, 2011

SUBJECT: Case No. 2011-0330-SPH (Scheduled for June 14, 2011)



The above-referenced case was scheduled before the undersigned on June 14, 2011 at 10:00 AM in Room 205 of the Jefferson Building. It had been properly posted and advertised prior to the hearing. On Friday, June 10, 2011, Michael Hawk, Petitioner, visited our Office and requested a postponement for approximately thirty (30) days to allow a possible resolution with the Zomoida family located at 3516 Bay Drive.

The request was then granted (postponed) and both Mr. Hawk and Mrs. Zomoida family were advised of same via telephone today.

When this matter is rescheduled, please assign me to this case. Thanks.

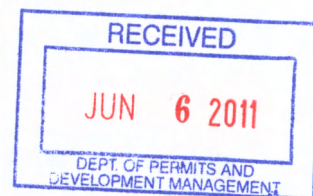
TMK:dlw

c: File

Zoning

Robert & Dyana Zomoida
3516 Bay Dr
Baltimore, MD 21220
410-335-1257

Mr. Arnold Jablon
111 W Chesapeake Ave Rm 111
Towson, MD 21204



June 3, 2011

RE: Zoning variance case # 2011-0330-SPH
3518 Bay Dr Baltimore, MD 21220

Mr. Jablon,

I am writing you to inform you that we are 100% opposed to the projected zoning variance our neighbor Michael Hawk has petitioned. He has asked to build a home five and a half feet off our property line. We are his only neighbors, so our property is the only one effected.

Mr. Hawk has been in the process of tearing down an old house and building a new one for nearly three years. We have been very patient and understanding throughout this whole process. We realize there are aspects of his building new that we are going to have to accept. We are already forced to deal with a two story garage that is one foot off our property line and we have accepted that he is moving his new house approximately twenty feet closer to the water, directly effecting the view we have had for the past seventeen years we've lived here. However, we cannot accept the newest prospect of having his new home built five and a half feet off our property line. You see, our home is already five feet off that same property line, which would put our houses only ten and a half feet apart. This is a distance that we are not comfortable with for many reasons including bedroom and bathroom window privacy in our upper level, window obstruction in our lower level, and not to mention, safety, in the event of a fire our house would be in jeopardy as well. Mr. Hawk's original house was approximately twelve feet off the property line, giving a total space between the houses of nearly eighteen feet, which is completely acceptable. We are not asking for more than what was there before, just equivalent.

We live in a neighborhood of old shore homes that many have rebuilt, as we have, but most have rebuilt in the same or near same foot print as the previous dwelling. We ask that our neighbor give us the same courtesy and I ask you to help in this matter.

Thank You Most Sincerely,
Robert & Dyana Zomoida
& our 5 boys

Case No. 2011-0330-SPH

On Friday, June 10th, received a telephone call from Rose Campbell (Zoning Review) that Mr. Michael Hawk (Petitioner) is requesting (in person) a postponement of his case scheduled for Tuesday, June 14th @ 10 AM. Since within 5 days, advised Rose to have Mr. Hawk bring his request to our office along with the case file.

Received from Mr. Hawk his letter requesting postponement. He indicated that he's working on solutions with Robert & Dyana Zomoida, his only neighbors affected, and that approximately 30 days would be sufficient time to reschedule. He stated that if a postponement is granted, he would advise the Zomoidas. He also advised that he is not being represented by counsel.

In reviewing the case file, it appears receipt of a letter dated June 3, 2011 reflects 100% opposition from the Zomoida family. No adverse ZAC comments were received other than the normal responses from DPR (flood-plain), and OP (comply with R.C.5 zoning). No ZAC comment has been received from DEPS (CBCA) as of June 10th.

Mr. Hawk was advised that the Administrative Law Judge would review the file to determine if request was granted, and that he will be contacted before the end of the day on his cell phone (410-409-5148).

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
June 10, 2011

6/10
12:31 pm.
Left v.m.
for Zomoida family
re: any problem w/
postponement req.
Deb

Michael Hawk
3518 Bay Dr
Baltimore, MD 21220
June 9, 2011

6-10
! Letter w/ Be e-mail
from Hearing Officer
Sunday

Arnold Jablon
Deputy Administrative Officer
Director, Department of Permits, Approvals & Inspections
111 W. Chesapeake Ave, Room 111
Towson, MD 21204

Dear Arnold Jablon:
Subject: CASE NUMBER 2011-0330-SPH
3518 Bay Drive
W/side of Bay Drive, 113 feet north of centerline of Bay Drive
15th Election District-6th Councilmanic District
Legal Owners: Michael Hawk

I am writing to request a postponement of the zoning hearing scheduled for June 14, 2011. I would like to postpone the hearing for approximately thirty days, at your convenience. Previous case numbers are 2009-0210-A and 2010-0226-A. I am enclosing a copy of the notice of zoning hearing for your reference. Thank You for your help.

Respectfully yours,

Michael Hawk

Michael Hawk

Michael Hawk

cell -

410. 409. 5148

6/10

2:00

Spoke to Mr.
Clark -

P/P granted
Jes

ZONING COMMISSIONER'S PUBLIC HEARING SCHEDULE

Updated and Distributed 6/3/2011

CASE NUMBER: 2011-0330-SPH

Property Address: 3518 BAY DR

Location: W/S Bay Driver, 113 feet North of centerline Bay.

15th Election District, 6th Council District

Legal Owner(s) Michael Hawk

Contract Purchaser:

SPECIAL HEARING to amend the decision in cases 2009-210-A and 2010-266-A for a proposed dwelling, to permit side yard setbacks of 5-1/2 and 14-1/2 feet in lieu of the granted 16 and 4 feet, respectively, pursuant to Section 1A4.3.B.2.b.

*Came in Friday
6-9- W/ written request to
Council Hearing Tank Side
& Debbie Wally,*

Hearing: Tuesday, 6/14/2011, 10:00:00 AM

Jefferson Building, 105 West Chesapeake Avenue, Room 205, Towson, MD 21204

CASE NUMBER: 2011-0331-A

Property Address: 4304 SPENCER ST

Location: N/S Spencer St., 150 feet W of W/S Northeast Avenue

13th Election District, 1st Council District

Legal Owner(s) John Thomas Dapore

Contract Purchaser:

VARIANCE to permit an existing dwelling on a lot containing 7,500 square feet and a lot width of 50 feet in lieu of the required 20,000 square feet and 100 feet, respectively.

Hearing: Tuesday, 6/14/2011, 11:00:00 AM

Jefferson Building, 105 West Chesapeake Avenue, Room 205, Towson, MD 21204

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

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[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 15 Account Number - 1519000190

Owner Information

Owner Name: HAWK MICHAEL C **Use:** RESIDENTIAL
Mailing Address: 3518 BAY DR **Principal Residence:** YES
BALTIMORE MD 21220-4403 **Deed Reference:** 1) /21023/ 00315
2)

Location & Structure Information

Premises Address

3518 BAY DR
0-0000

Legal Description

3518 BAY DR
Waterfront BOWLEYS QUARTERS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
0098	0011	0016		0000			2	3	Plat Ref:	0009/0056

Special Tax Areas
Town NONE
Ad Valorem Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
		13,400 SF	34

Stories **Basement** **Type** **Exterior**

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2010	07/01/2011
Land	322,350	322,300		
Improvements:	40,700	53,600		
Total:	586,540	375,900	536,420	375,900
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
MARR LESLIE	11/23/2004	\$425,000
Type: NON-ARMS LENGTH OTHER	Deed1: /21023/ 00315	Deed2:
Seller: CAMPBELL KEVIN C	Date: 06/15/2002	Price: \$310,000
Type: ARMS LENGTH IMPROVED	Deed1: /16518/ 00710	Deed2:
Seller: BISHOP JAMES E,JR CROUSE DIANE J	Date: 09/26/2000	Price: \$268,000
Type: ARMS LENGTH IMPROVED	Deed1: /14715/ 00541	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 *

Thanted
w/ Rest. ✓
5-7-09
TB
4-14-09

IN RE: PETITION FOR VARIANCE

W side of Bay Drive, 113 feet N of the
c/l intersection of Bay Drive
15th Election District
6th Councilmanic District
(3518 Bay Drive)

Michael Hawk
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FORBALTIMORE COUNTY
* CASE NO. 2009-0210-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Michael Hawk. Petitioner is requesting variance relief as follows:

- To allow 10 foot side yard setbacks in lieu of the required 50 foot side yard setbacks in an R.C.5 Zone pursuant to Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) and;
- To allow 17% building coverage in lieu of the required 15% building coverage in an R.C.5 Zone pursuant to Section 1A04.3.B.3 of the B.C.Z.R. and;
- To allow an undersized lot of 0.307 acre in lieu of the required 1.5 acres of land in an R.C.5 Zone pursuant to Section 1A04.3.B.1.a of the B.C.Z.R. and;
- To allow a 38 foot building height in lieu of the required 35 foot building height in an R.C.5 Zone pursuant to Section 1A04.3.A of the B.C.Z.R.

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

Appearing at the requisite public hearing in support of the variance requests was Petitioner Michael Hawk, as well as William N. Bafitis with Bafitis & Associates, Inc., the professional engineer who prepared the site plan. There were no Protestants or other interested citizens in attendance at the hearing.

Granted
w/ Rest.
4-19-10

TB
AV
3-22-10

IN RE: PETITION FOR ADMIN. VARIANCE *
W side of Bay Drive; 113 feet NE of the *
c/l of Bay Drive *
(3518 Bay Drive) *
15th Election District *
6th Council District *

Michael C. Hawk *
Petitioner *

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2010-0226-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owner of the subject property, Michael C. Hawk for property located at 3518 Bay Drive. The Petitioner requests a variance from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed dwelling with side setbacks of 4 feet and 16 feet in lieu of the required 50 feet and to confirm previous zoning Case No. 2009-0210-A. The subject property and requested relief are more particularly described on the site plan which was accepted into evidence and marked as Petitioner's Exhibit 1. Petitioner's existing dwelling has substantial structural defects. The only change in the subject variance case is to move the proposed dwelling 6 feet further away from the residential neighbor at 3516 Bay Drive to give both parties more space and privacy. Petitioner's other neighbor is the Bowleys Quarters Condomarina, Inc.

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 dated April 15, 2010 which indicates that development of the property must comply with the Chesapeake Bay Critical Area Regulations. This property is in a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area. All lot coverage limits, buffer management requirements, and afforestation requirements

MIDDLE

RIVER



CHESAPEAKE

BAY

PLAT NO. 3
OF
DOWLEY'S QUARTERS
REVISED
APRIL 25, 1930

FRAME
2

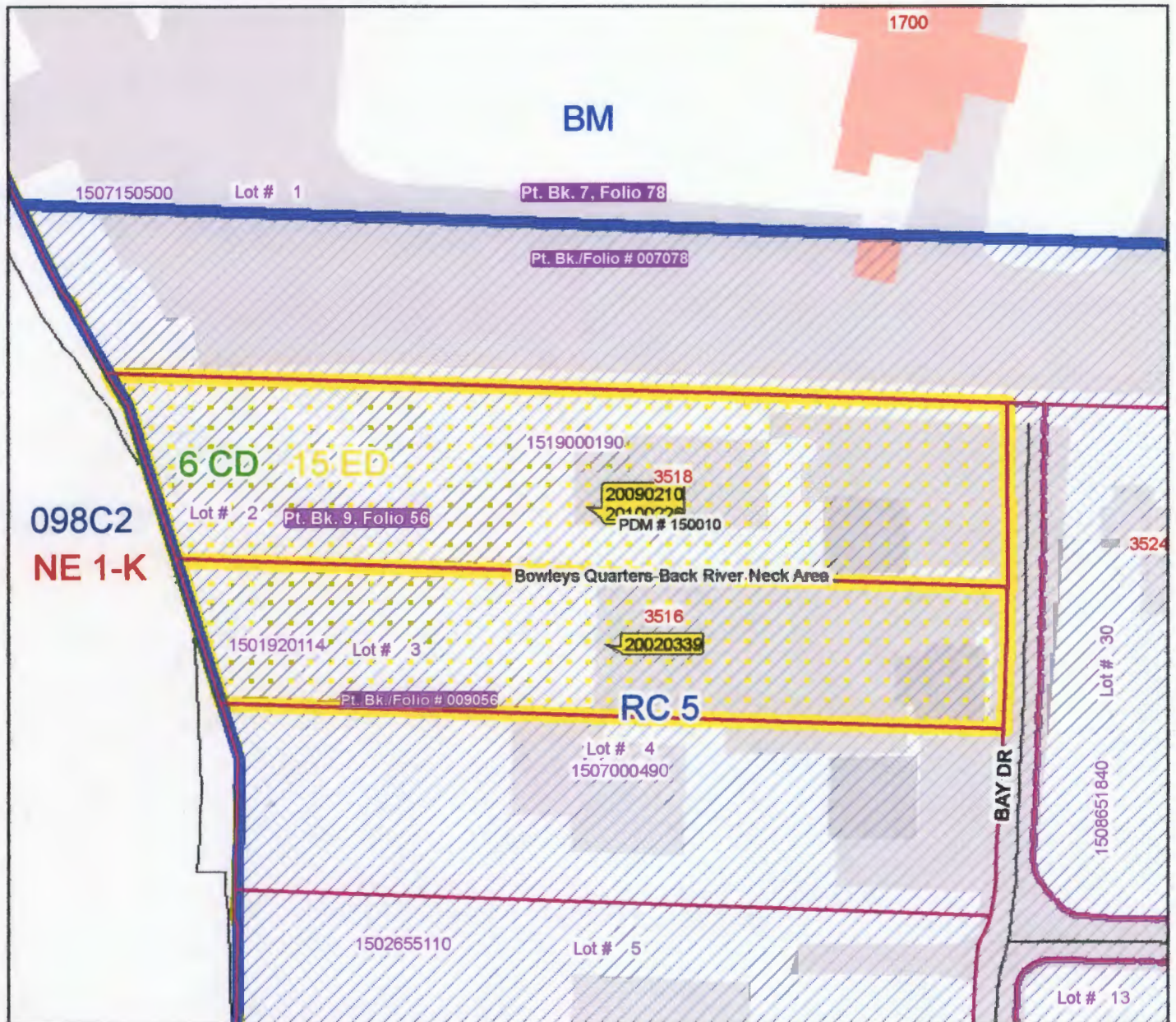
SCALE 1"=100' APR. 25, 1930.
E. V. COOMAN AND CO.
SURVEYORS & CIVIL ENGINEERS
231 COUNTRYLAND ST.
BALTIMORE, MD.

THIS PHOTO TAKEN FROM THE
RECORDS OF THE CIRCUIT
COURT FOR BALTIMORE
COUNTY IS FOR OFFICIAL
USE ONLY AND NOT TO BE
DUPLICATED FOR SALE OR
GIFT.

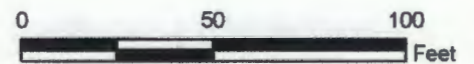
Item #330

FILED THE RECORD WITH
FILED *[Signature]*
TO *[Signature]* 1930
TYPED *[Signature]*
CLERK

3518 Bay Drive

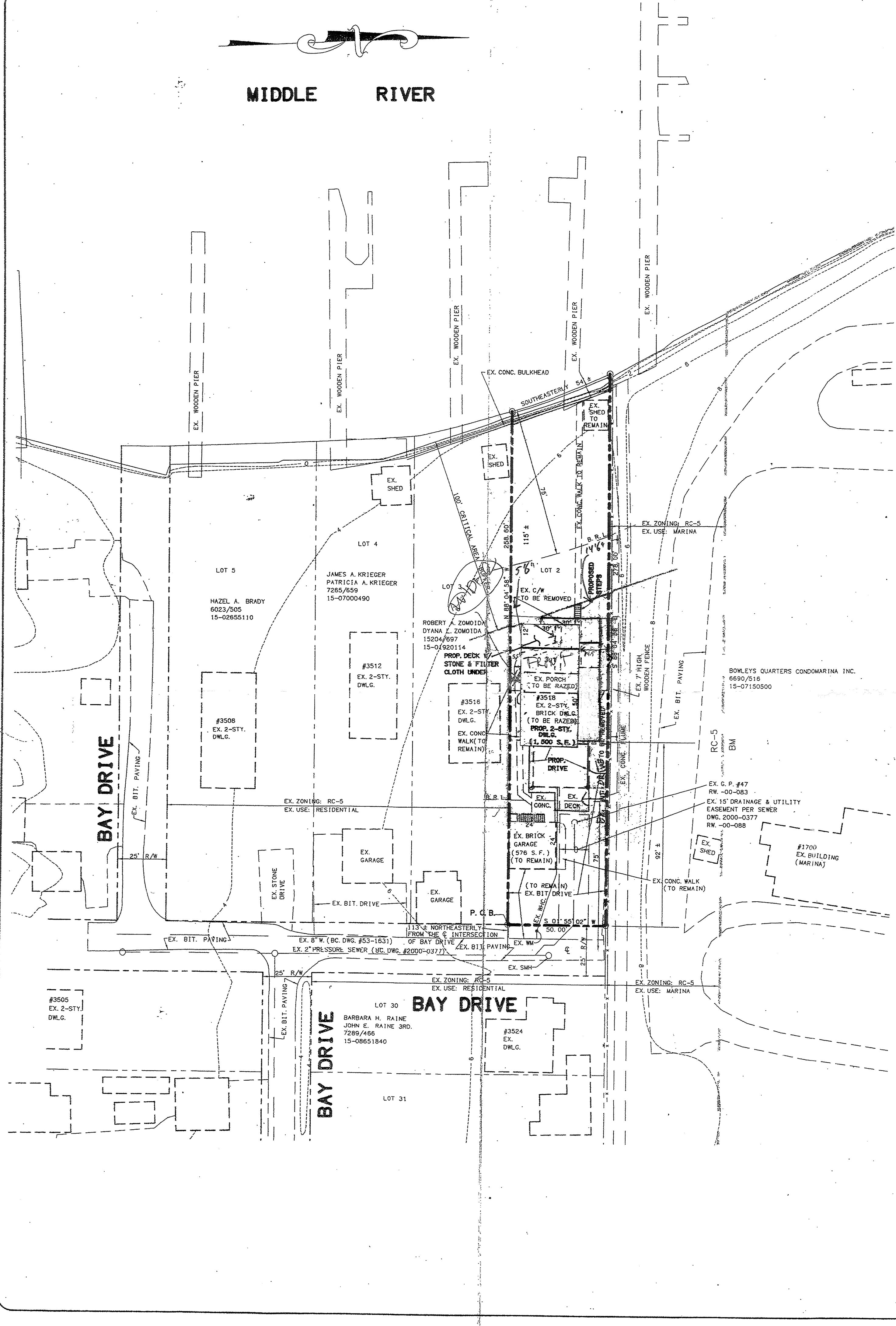


Publication Date: May 09, 2011
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



1 inch = 50 feet

Item # 330



NOTES

1. Topography shown hereon was taken from Baltimore County GIS Topography.
2. The Firm Insurance Rate Map, Panel 445 of 575 indicates this site is situated within flood Zones AE with a Flood Elevation of 9.0 (NAVD 88) for this site. Baltimore County requires a minimum first floor elevation of 9.5 NAVD 88.
3. Property lines shown hereon were established by public records.
4. This site is situated within the Chesapeake Bay Critical Areas and is classified by land use as Limited Development Area (LDA) (MAP 98).
5. There shall be no clearing, grading, construction or disturbance of vegetation within the Buffer Management Area except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
6. Any Critical Area easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas.
7. This site is situated within a Mapped Buffer Management Area of the Chesapeake Bay Critical Areas.
8. There are no forest or developed woodlands on this site.
9. There are no Tidal or Non-Tidal wetlands on this site.
10. There is no significant plant or animal habitat on this site.
11. There are no slopes greater than 15% on this site.
12. There are no known wells on this site.
13. There are no known underground storage tanks or septic systems on this site.
14. There are no known potentially hazardous materials on this site as defined by Title 7-Health and Environmental Article, Annotated Code of Maryland, except as noted.
15. There are no buildings or property within this site that are included on the Maryland Historical Trust Inventory, The Baltimore County Landmarks List, the National Register of Historic Places, the Maryland Archeological Survey or is a Baltimore County Historical District.
16. The site has 54' ± of water frontage.
17. Public Water and sewer serve this site.
18. This site has not been the subject of the CRG, DRC, or Waiver Processes.
19. Caution underground utilities may exist in Bay Drive & onsite, contact Miss Utility (800-257-7777) prior to any construction.
20. Proposed dwelling height 38'.
21. All roof downspouts must discharge rainwater runoff on-to a pervious surface.
22. All proposed work for this site is outside the 100' critical area buffer.

IMPERVIOUS AREAS

EXISTING

DWELLING & PORCH	1,725 S.F.
GARAGE	576 S.F.
DRIVEWAY	2,840 S.F.
WOODEN DECK	180 S.F.
CONC. PAD	180 S.F.
CONC. WALK	720 S.F.
SHED	187 S.F.
CONC. BULKHEAD	54 S.F.
TOTAL	6,462 S.F. = 48.8%
	13,255 S.F.

PROPOSED

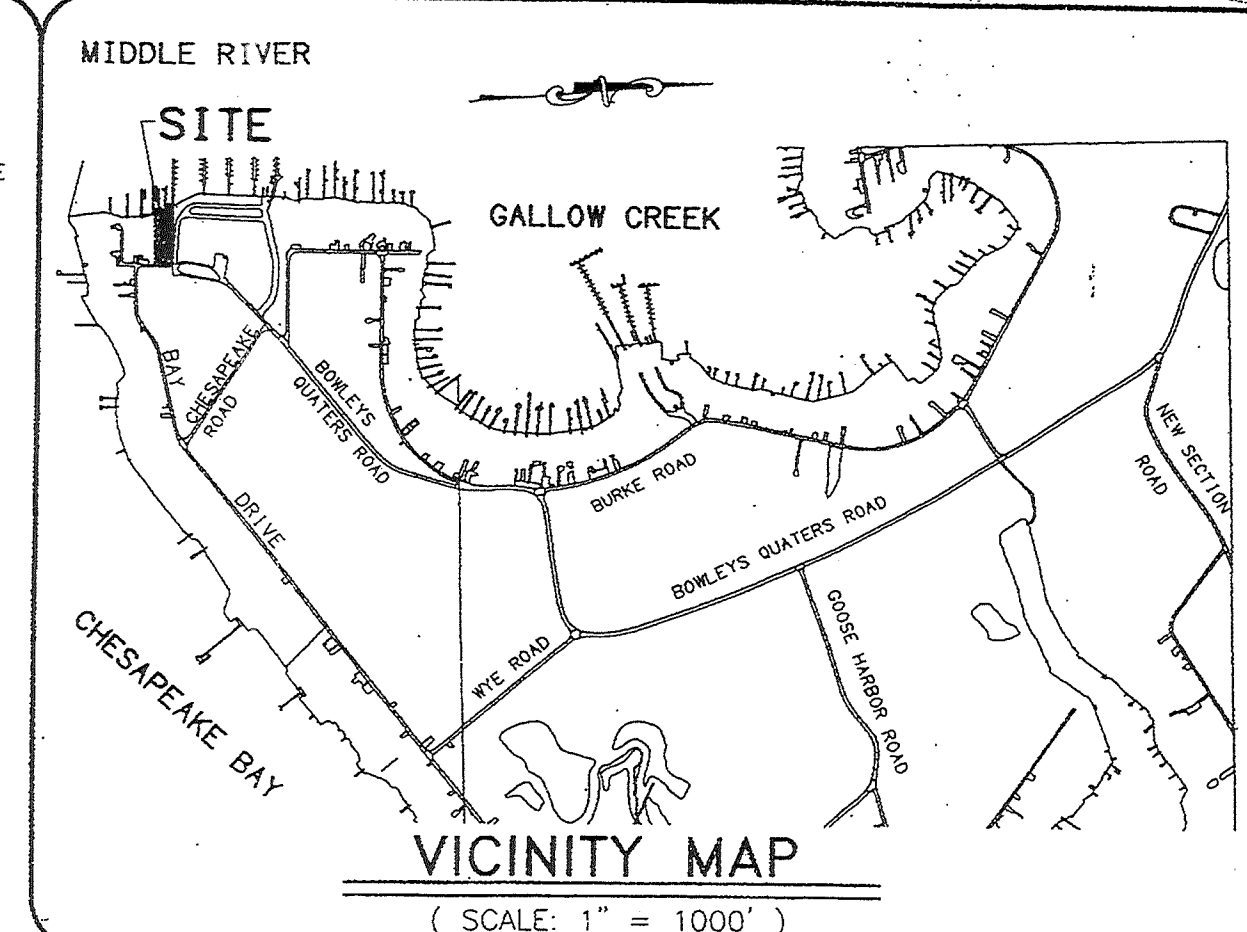
DWELLING	1,500 S.F.
GARAGE	576 S.F.
DRIVEWAY	3,553 S.F.
SHED	187 S.F.
NEW WALK	406 S.F.
CONC. BULKHEAD	54 S.F.
TOTAL	6,276 S.F. = 47.3%
	13,255 S.F.

ZONING HISTORY

THERE ARE NO ZONING CASES FOR THIS SITE.
2009-0210-A
2010-0226-A

ZONING VARIANCES

1. TO ALLOW 5'6" SIDEYARD SETBACKS IN LIEU OF THE REQUIRED 50' SIDEYARD SETBACKS IN A RC-5 ZONE PER SECTION 1A04.3 B2b. (B.C.Z.R.).
2. TO ALLOW 17% BUILDING COVERAGE IN LIEU OF THE REQUIRED 15% BUILDING COVERAGE IN A RC-5 ZONE PER SECTION 1A04.3 B3. (B.C.Z.R.).
3. TO ALLOW UNDERSIZED LOT OF 0.307 ACRES IN LIEU OF THE REQUIRED 1 1/2 ACRES OF LAND IN A RC-5 ZONE PER SECTION 1A04.3 B1a. (B.C.Z.R.).
4. TO ALLOW A 38' BUILDING HEIGHT IN LIEU OF THE REQUIRED 35' BUILDING HEIGHT IN A RC-5 ZONE PER SECTION 1A04.3A. (B.C.Z.R.).



SITE DATA

- 1) OWNER: MICHAEL C. HAWK
#3518 BAY DRIVE
BALTIMORE, MARYLAND 21220
- 2) DEED REF: 21023/315
- 3) TAX ACC. NO.: 15-19000190
- 4) TAX MAP: 98 PARCEL: 16 LOT: 2
- 5) PLAT REF: PLAT 3 OF BOWLEYS QUARTERS BOOK 09 FOLIO 56
- 6) ELECTION DISTRICT: 15TH
- 7) COUNCILMANIC DISTRICT: 6TH
- 8) REGIONAL PLANNING DISTRICT: 322B
- 9) CENSUS TRACT: 4518.02
- 10) ZONING: RC-5
- 11) ZONING MAP: 098C1 & 098C2
- 12) USE: EXISTING: RESIDENTIAL 2-STY. DWELLING
PROPOSED: RESIDENTIAL 2-STY. DWELLING
- 13) SITE AREA:

LAND AREA	= 13,255 S.F. OR 0.304 AC.
WATER AREA	= 133 S.F. OR 0.003 AC.
TOTAL AREA	= 13,388 S.F. OR 0.307 AC.

PLAT TO ACCOMPANY
PETITION FOR ZONING VARIANCES
FOR
#3518 BAY DRIVE

15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

SCALE:
1" = 30'
#2011-0330-SPH

5/8/11 5:16 PM
COPIES OF 4' SIDEYARD SETBACK side plan