

IN RE: PETITION FOR ADMIN. VARIANCE

N side of New Section Road, 574 feet E of
the c/l of South Seneca Road
15th Election District
6th Councilmanic District
(3922 New Section Road)

Robert R. and Cathy Anne Rosensteel
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* Case No. 2012-0034-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings as a Petition for Administrative Variance filed by the legal owners of the subject property, Robert R. and Cathy Anne Rosensteel for property located at 3922 New Section Road. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory structure (detached garage) with a height of 24 feet in lieu of the maximum permitted 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners wish to construct a garage measuring 24 feet x 30 feet in size to be located on the street side of their waterfront property. The additional garage height is necessary to store personal belongings. Photographs submitted with the Petition indicate there are a number of properties with similar garages.

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 September 7, 2011, which indicates as follows:

"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:

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9-8-11

Date

By

1. This lot is located within a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area (CBCA). The proposed garage will be located outside of the 100-foot buffer. Lot coverage is limited to a maximum of 4,266 square feet with mitigation. Allowing a variance to the height limit is not contrary to CBCA lot coverage limit and the BMA requirements, and will therefore minimize adverse impacts on water quality that result from development activities.
2. The proposed development must comply with all LDA and BMA requirements, including the 15% afforestation requirement and CBCA lot coverage requirements, prior to building permit approval. Therefore the subject zoning petition will conserve fish, wildlife, and plant habitat.
3. The proposed development will be required to meet all LDA and BMA requirements and therefore will be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts”.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 14, 2011, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

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By

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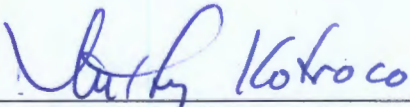
dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

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 Administrative Law Judge for Baltimore County, this 8th day of September, 2011 that a variance from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory structure (detached garage) with a height of 24 feet in lieu of the maximum permitted 15 feet, be and is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The accessory structure shall not be used for commercial purposes.
4. The Petitioners shall comply with the Zoning Advisory Committee (ZAC) comment, dated September 7, 2011, from the Department of Environmental Protection and Sustainability; a copy of which is attached and made a part hereof.

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



TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

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Date

9-8-11

By

TMK/pz

Av 8/29

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

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SEP 07 2011



OFFICE OF ADMINISTRATIVE HEARINGS

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

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

DATE: September 7, 2011

SUBJECT: DEPS Comment for Zoning Item # 12-034-A
Address 3922 New Section Road
(Rosensteel Property)

Zoning Advisory Committee Meeting of August 15, 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 lot is located within a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area (CBCA). The proposed garage will be located outside of the 100-foot buffer. Lot coverage is limited to a maximum of 4,266 square feet with mitigation. Allowing a variance to the height limit is not contrary to CBCA lot coverage limit and the BMA requirements, and will therefore minimize adverse impacts on water quality that result from development activities.
2. The proposed development must comply with all LDA and BMA requirements, including the 15% afforestation requirement and CBCA lot coverage requirements, prior to building permit approval. Therefore the subject zoning petition will conserve fish, wildlife, and plant habitat.
3. The proposed development will be required to meet all LDA and BMA requirements and therefore will be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

Reviewer: Regina Esslinger – *Environmental Impact Review*

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Date

9-8-11

By

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KEVIN KAMENETZ
County Executive

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

September 8, 2011

ROBERT R. AND CATHY ANNE ROSENSTEEL
3922 NEW SECTION ROAD
BALTIMORE MD 21220

Re: Petition for Administrative Variance
Case No. 2012-0034-A
Property: 3922 New Section Road

Dear Mr. and Mrs. Rosensteel:

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, Approvals 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 M. Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure

CBCA

Petition for Administrative Variance



to the Zoning Commissioner of Baltimore County for the property
located at 3922 New Section Rd 21220
which is presently zoned RC5

Deed Reference: 1 Tax Account # 1513200670

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.3 (BCZR)

TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH A HEIGHT
OF 24-FEET IN LIEU OF THE MAXIMUM PERMITTED 15-FEET.

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

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Robert R Rosensteel
Name - Type or Print

R R Rosensteel
Signature

Cathy A. Rosensteel
Name - Type or Print

Cathy A. Rosensteel
Signature

3922 New Section Rd. 410 426 03 87
Address Telephone No.

Balto. MD 21220
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 9-8-11 day of September, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Case No. 2012-0034-A

Reviewed By D.T. Date 8/4/11

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Estimated Posting Date 8/14/11

Date FRM476 09 9-8-11

Rev 3/09

By law

Affidavit in Support of Administrative Variance

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

That the Affiant(s) does/do presently own and reside at 3922 NEW SECTION RD
Address number Road or Street name

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

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

It has been our life long dream to live in a home by the water. When the opportunity emerged to purchase an affordable house in a community that we know well (Robert's sister lives on New Section Rd. and as a child my boating weekends started on the Seneca-my father stored his boat at nearby Baren Light Marina), so we jumped at the chance to buy this property. However, this house is much, much smaller than the home that we have lived in for the last 27 years. It also does not have a garage. We are in dire need of dry storage space, close to us, yet far away from the water's edge. We need space to store the things you need everyday, as well as family treasures and my father's trains+Christmas ornament collection, and future boating equipment. see attached

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

Robert R. Rosensteel
Signature

Robert R. Rosensteel
Name- print or type

Cathy A. Rosensteel
Signature

Cathy A. Rosensteel
Name- print or type

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

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, this 8th day of June, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

(Name Affiant(s) here): Robert R. and Cathy A. Rosensteel
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Maureen A. Gorman
Name of Notary Public

April 21, 2012
Commission expires

PLACE SEAL HERE:

easier to read request for administrative review, 3922 New Section Rd, Balto. MD 21220

It has been out life long dream to live in a home by the water. When the opportunity emerged to purchase an affordable house in a community that we know well (Robert's sister lives in New Section Rd. and as a child my boating weekends stated on the Seneca-my father stored his boat at nearby Beacon Light Marina), we jumped at the chance to buy this property. However, this house is much, much smaller then the home that we have lived in for the last 27 years. It also does not have a garage. We are in dire need of dry storage space, close to us, but far from the water's edge. We need space to store the things that you use everyday, such as lawn equipment, space to store family treasures such as my Dad's trains and Christmas ornament collection, as well as space for future boating equipment. We have noticed that several of our neighbors have two story garages and we feel that this would be the most economical (financially and in terms of yard space) solution for us.

2012-0034-A

Zoning Description for 3922 NEW SECTION ROAD

Beginning at a point on the north side of New Section Road
574-feet east of the centerline of South Seneca Road.

Being Lot #311 in the Subdivision known as "Bowleys Quarters"

As recorded in Baltimore County Plat Book #10, Folio #64
containing .313 acres. Also known as 3922 New Section Road
and located in the 15th Election District and 7th Councilmanic
District.

2012-0034-A

CERTIFICATE OF POSTING

RE: Case No 2012-0034-A

Petitioner/Developer ROSENSTEEL

Date Of Hearing/Closing: 8/29/11

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

3922 NEW SECTION RD

This sign(s) were posted on August 14, 2011

Month, Day, Year

Sincerely,

Martin Ogle 8/14/11
Signature of Sign Poster and Date

Martin Ogle

60 Chelmsford Court

Baltimore, Md, 21220

443-629-3411

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE# 2012-0034-A

TO PERMIT AN ACCESSORY STRUCTURE (GARAGE)
WITH A HEIGHT OF 24-FEET IN LIEU OF THE
MAXIMUM PERMITTED 15-FEET

PUBLIC HEARING ?

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

MONDAY, AUGUST 29, 2011

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT LOCATED
AT 111 W CHESAPEAKE AVE. TOWSON MD. 21204
TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER THE DATE UNDER PENALTY OF LAW
MEETING IS HANDICAP ACCESSIBLE

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For August 29, 2011
Item No. 2012-0034

DATE: August 19, 2011

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 12-0034-08292011.doc

Av 8/29

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

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SEP 07 2011



OFFICE OF ADMINISTRATIVE HEARINGS

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

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

DATE: September 7, 2011

SUBJECT: DEPS Comment for Zoning Item # 12-034-A
Address 3922 New Section Road
(Rosensteel Property)

Zoning Advisory Committee Meeting of August 15, 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 lot is located within a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area (CBCA). The proposed garage will be located outside of the 100-foot buffer. Lot coverage is limited to a maximum of 4,266 square feet with mitigation. Allowing a variance to the height limit is not contrary to CBCA lot coverage limit and the BMA requirements, and will therefore minimize adverse impacts on water quality that result from development activities.
2. The proposed development must comply with all LDA and BMA requirements, including the 15% afforestation requirement and CBCA lot coverage requirements, prior to building permit approval. Therefore the subject zoning petition will conserve fish, wildlife, and plant habitat.
3. The proposed development will be required to meet all LDA and BMA requirements and therefore will be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

Reviewer: Regina Esslinger – *Environmental Impact Review*

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expires March 31, 2012

Important: Read the instructions on pages 1-9.

SECTION A - PROPERTY INFORMATION

A1. Building Owner's Name RICK AND CATHY ROSENSTEEL		For Insurance Company Use:
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 3922 NEW SECTION ROAD		Policy Number
City BALTIMORE State MD ZIP Code 21220		Company NAIC Number
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) LOT 311 PLAT OF BOWLEY QUARTERS PLOT 2 BOOK 10 FOLIO 64		
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>		
A5. Latitude/Longitude: Lat. <u>N 39°-19'-02.5</u> Long. <u>W 76°-22' 18.9</u>		Horizontal Datum: ☐ NAD 1927 ☐ NAD 1983
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.		
A7. Building Diagram Number <u>1A</u>		
A8. For a building with a crawspace or enclosure(s):		A9. For a building with an attached garage:
a) Square footage of crawspace or enclosure(s) <u>1,152</u> sq ft		a) Square footage of attached garage <u> </u> sq ft
b) No. of permanent flood openings in the crawspace or enclosure(s) within 1.0 foot above adjacent grade <u> </u>		b) No. of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u> </u>
c) Total net area of flood openings in A8.b <u> </u> sq in		c) Total net area of flood openings in A9.b <u> </u> sq in
d) Engineered flood openings? ☐ Yes ☒ No		d) Engineered flood openings? ☐ Yes ☒ No

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number 240010		B2. County Name BALTIMORE COUNTY		B3. State MARYLAND	
B4. Map/Panel Number 0455	B5. Suffix F	B6. FIRM Index Date 07/16/06	B7. FIRM Panel Effective/Revised Date 09/26/08	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) 8.5
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9. ☐ FIS Profile ☐ FIRM ☐ Community Determined ☒ Other (Describe) <u> </u>					
B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other (Describe) <u> </u>					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No Designation Date <u> </u> ☐ CBRS ☐ OPA					

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete Items C2.a-h below according to the building diagram specified in Item A7. Use the same datum as the BFE.
Benchmark Utilized BCO #1180 Vertical Datum 1988 NAVD 88
Conversion/Comments

		Check the measurement used.	
a) Top of bottom floor (including basement, crawspace, or enclosure floor) <u>4.91</u>	☒ feet ☐ meters (Puerto Rico only)		
b) Top of the next higher floor <u>12.38</u>	☒ feet ☐ meters (Puerto Rico only)		
c) Bottom of the lowest horizontal structural member (V Zones only) <u> </u>	☐ feet ☐ meters (Puerto Rico only)		
d) Attached garage (top of slab) <u> </u>	☐ feet ☐ meters (Puerto Rico only)		
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) <u>0</u>	☐ feet ☐ meters (Puerto Rico only)		
f) Lowest adjacent (finished) grade next to building (LAG) <u>4.49</u>	☒ feet ☐ meters (Puerto Rico only)		
g) Highest adjacent (finished) grade next to building (HAG) <u>5.08</u>	☒ feet ☐ meters (Puerto Rico only)		
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support <u>4.41</u>	☒ feet ☐ meters (Puerto Rico only)		

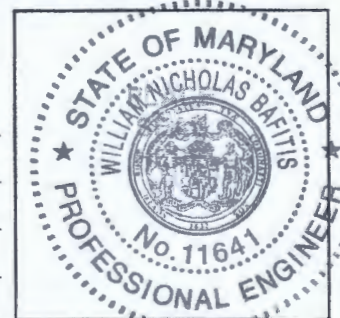
SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001. ☐

Check here if comments are provided on back of form.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☐ Yes ☒ No

Certifier's Name WILLIAM N. BAFITIS, P.E.		License Number 11641	
Title PRESIDENT		Company Name BAFITIS & ASSOCIATES, INC.	
Address 1249 ENGLEBERTH ROAD		City BALTIMORE	State MD ZIP Code 21221
Signature <u>William N. Bafitis, P.E.</u>	Date 05/06/11	Telephone 410-391-2336	



IMPORTANT: In these spaces, copy the corresponding information from Section A.

For Insurance Company Use:

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
3922 NEW SECTION

Policy Number

City BALTIMORE State MD ZIP Code 21220

Company NAIC Number

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments THE BASE FLOOD ELEVATION WAS TAKEN FROM A FLOOD STUDY DONE BY FEMA. FLOOD INSURANCE STUDY NUMBER 240010V000B REVISED SEPTEMBER 26, 2008.

Signature

Date 05/06/11

☐ Check here if attachments

SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1-E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1-E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
a) Top of bottom floor (including basement, crawlspace, or enclosure) is 0.17 ☒ feet ☐ meters ☐ above or ☒ below the HAG.
b) Top of bottom floor (including basement, crawlspace, or enclosure) is 0.42 ☒ feet ☐ meters ☒ above or ☐ below the LAG.
- E2. For Building Diagrams 6-9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 8-9 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E3. Attached garage (top of slab) is ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown. The local official must certify this information in Section G.

SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner's or Owner's Authorized Representative's Name

Address City State ZIP Code

Signature Date Telephone

Comments

☐ Check here if attachments

SECTION G - COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8 and G9.

- G1. ☐ The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. ☐ A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. ☐ The following information (Items G4-G9) is provided for community floodplain management purposes.

G4. Permit Number

G5. Date Permit Issued

G6. Date Certificate Of Compliance/Occupancy Issued

G7. This permit has been issued for: ☐ New Construction ☐ Substantial Improvement

G8. Elevation of as-built lowest floor (including basement) of the building: ☐ feet ☐ meters (PR) Datum

G9. BFE or (in Zone AO) depth of flooding at the building site: ☐ feet ☐ meters (PR) Datum

G10. Community's design flood elevation ☐ feet ☐ meters (PR) Datum

Local Official's Name

Title

Community Name

Telephone

Signature

Date

Comments

☐ Check here if attachments



**FRONT VIEW OF
SUBJECT PROPERTY**



**REAR VIEW OF
SUBJECT PROPERTY**



**STREET SCENE OF
SUBJECT PROPERTY**

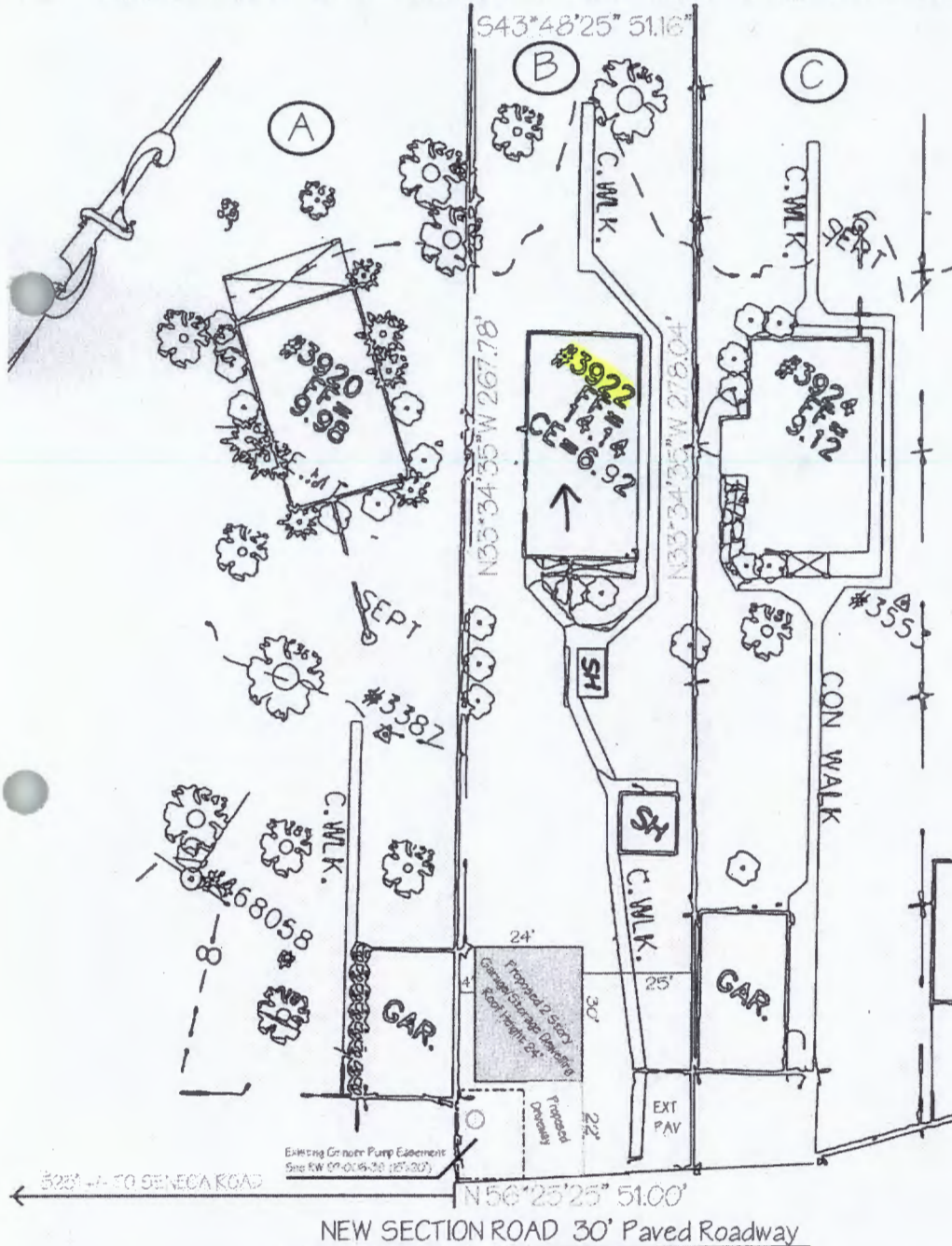
2012-0034-A

ZONING HEARING PLAN FOR VARIANCE OF

3922 NEW SECTION ROAD OWNERS ROBERT & CATHY ROSENSTEEL

SUBDIVISION 0000 LOT 311 BLOCK SECTION (N/A)

PLAT BOOK L McL M No 10 FOLIO 64 10 DIGIT TAX # 1513200670 Deed Ref (Not At This Time)



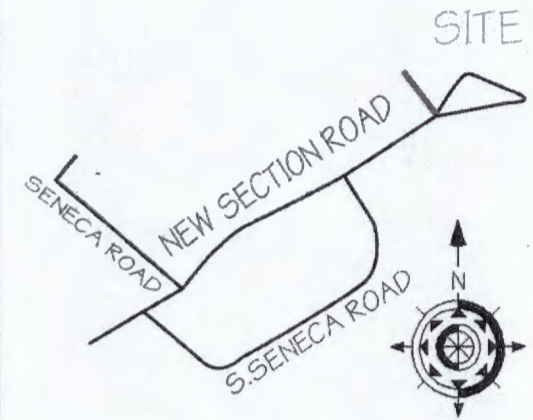
(A)
Robert Barrett &
Sophia Dritsas
3920 New Section Road
Lot 310

(B)
Robert Rosenstein &
Cathy A, His Wife
3922 New Section Road
Lot 311

(C)
Joseph F Wacławski &
Terry L. His Wife
3924 New Section Road
Lot 312

Plan Drawn By: Nick Hock
Date 6/20/2011
Scale 1 Inch = 40'

SITE VICINITY MAP



Zoning Map # 091C3

Site Zoned: RC5

Election District: 15th

Council District: 7th

Lot Area Acreage: 0.313

Historic: No

In CBCA: Yes

In a Flood Plain: Yes

Utilities

Water is

[X] Public [] Private

Sewer

[X] Public [] Private

Prior Hearing No

2012-0034-A