

IN RE: PETITION FOR ADMIN. VARIANCE

S/S of Glenwood Road at the distance of 687'

SW of the c/line of Oakdean Road

15th Election District

6th Councilmanic District

(3501 Glennwood Road)

James K. Warrington, Jr.

Petitioner

* BEFORE THE

* OFFICE OF

* ADMINISTRATIVE HEARINGS

* FOR BALTIMORE COUNTY

* **Case No. 2012-0055-A**

* * * * *

ORDER AND OPINION

This matter comes before this Office of Administrative Hearings for Baltimore County as a Petition for Administrative Variance filed by the legal owner of the subject property, James K. Warrington, Jr. for property located at 3501 Glennwood Road. The variance request is from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an existing detached garage with a setback of 1 foot (+/-) and located in the side/rear yard in lieu of the required 2-1/2 feet and rear yard, respectively, and to permit a second story addition on existing detached garage with a height of 30 feet in lieu of the require 15 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner states that existing garage (27' x 21' x 15') was built over 70 years ago and is subjected to constant flooding. This flooding is due to its location at the end of the street and situated at the low end of the peninsula. Petitioner desires to remove and replace second floor of existing garage, raise the overall height from 15 to 30 feet and raise the existing floor by approximately 2 feet. The proposed garage (27' x 24' x30') will be used as a workshop and for storage. The Petitioner offered seven (7) letters of support from various residents in the community stating that they had no objection to the garage renovations. The subject property is .21 acres or 9,504 square feet, zoned D.R.5.5 and is located in the Frog Mortar Point subdivision of Bowleys Quarters in Baltimore County.

ORDER RECEIVED FOR FILING

Date

By

9-22-11

DJ

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 (DEPS), dated September 22, 2011. DEPS has indicated the following:

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area and is subject to Critical Area lot coverage requirements. Based on the plan and information provided, the proposed garage improvements will result in no increase in the lot coverage on the property and impacts to water quality can be minimized.

2. Conserve fish, wildlife, and plant habitat; and

This waterfront property is located within a Buffer Management Area (BMA) of the Critical Area. The applicant's plan accompanying this zoning petition shows that the proposed garage work is located outside of the 100-foot tidal buffer. By meeting BMA, lot coverage, and planting requirements, buffer functions can be maintained and conserve fish habitat in Frog Mortar Creek.

3. 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 applicant's proposal can be consistent with this goal and with established land-use policies provided that the applicant meets the requirements stated above.

There were no other comments received from any of the County reviewing agencies.

ORDER RECEIVED FOR FILING

Date

9-22-11

By

1002

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on September 4, 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 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 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 22nd day of September, 2011 that a Variance pursuant to Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ('B.C.Z.R.') to permit an existing detached garage with a setback of 1 foot (+/-) and located in the side/rear yard in lieu of the required 2-1/2 feet and rear yard, respectively, and to permit a second story addition on existing detached garage with a height of 30 feet in lieu of the require 15 feet, be and is hereby GRANTED, subject to the following:

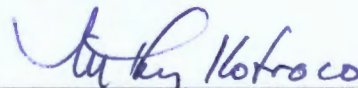
ORDER RECEIVED FOR FILING

Date

By

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. The Petitioner 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. Prior to the issuance of any building permit, Petitioner shall comply with the ZAC comment submitted by the Department of Environmental Protection and Sustainability (DEPS), dated September 22, 2011; a copy of which is attached hereto and made a part hereof.
5. When applying for a building permit, the site plan filed must reference this case and set forth and address the conditions and restrictions of this Order.

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

ORDER RECEIVED FOR FILING

Date

9-22-11

By



TMK:dlw

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 22 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 22, 2011

SUBJECT: DEPS Comment for Zoning Item # 12-055-A
Address 3501 Glenwood Road
(Warrington Property)

Zoning Advisory Committee Meeting of September 6, 2011.

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area and is subject to Critical Area lot coverage requirements. Based on the plan and information provided, the proposed garage improvements will result in no increase in the lot coverage on the property and impacts to water quality can be minimized.

2. Conserve fish, wildlife, and plant habitat; and

This waterfront property is located within a Buffer Management Area (BMA) of the Critical Area. The applicant's plan accompanying this zoning petition shows that the proposed garage work is located outside of the 100-foot tidal buffer. By meeting BMA, lot coverage, and planting requirements, buffer functions can be maintained and conserve fish habitat in Frog Mortar Creek.

Hon. Lawrence M. Stahl
DEPS Comments
Zoning Item # 12-055-A
3501 Glenwood Road
Page 2

3. 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 applicant's proposal can be consistent with this goal and with established land-use policies provided that the applicant meets the requirements stated above.

Reviewer: *Paul Dennis - Environmental Impact Review*

ORDER RECEIVED FOR FILING

Date

9-22-11

By

192



KEVIN KAMENETZ
County Executive

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

September 22, 2011

James K. Warrington, Jr.
3501 Glenwood Road
Baltimore, Maryland 21220

RE: PETITION FOR ADMIN. VARIANCE

S/S of Glenwood Road at the distance of 687' SW of the c/line of Oakdean Road
15th Election District-6th Councilmanic District

(3501 Glenwood Road)

James Warrington, Jr.—*Petitioner*

Case No. 2012-0055-A

Dear Mr. Warrington:

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

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco", is written over a light blue horizontal line.

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:dlw
Enclosure

CBCA/F 1000 Plans

Petition for Administrative Variance



to the Zoning Commissioner of Baltimore County for the property
located at 3501 GLENWOOD ROAD, BOWLEY'S QUARTERS, 21220
which is presently zoned D.R.-5.5

Deed Reference: 1 Tax Account # 1506200260

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 and 400.3 BCZR.

To permit an existing detached garage with a setback of 1' +/- and located in the side/rear yard in lieu of the required 2 1/2' and rear yard, respectively. And to permit a 2nd story addition on existing detached garage with a height of 30' in lieu of the required 15'.

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

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

3501 GLENWOOD ROAD

410-344-0532

Address

Telephone No.

BOWLEY'S QTR

MD

21220

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

JAMES K. WARRINGTON, JR.

3501 GLENWOOD ROAD

410-344-0532

BOWLEY'S QTR, MD

21220

MIDDLE RIVER

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 9-22-11 day of SEP, 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. 2012-0055-A

Reviewed By JP

Date 8/24/11

Estimated Posting Date 9/4/11

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 own and reside at 3501 GLENWOOD ROAD
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) THE GARAGE IS OVER SEVENTY (70) YEARS OLD AND SUBJECT TO FLOODING. THE GARAGE IS ACTUALLY ABOUT SIX (6) INCHES BELOW STREET LEVEL, THUS ADDING TO FLOODING ISSUES. MY PROPERTY FLOODS MORE FREQUENTLY THAN MOST OF MY NEIGHBORS DUE TO ITS LOCATION AND THE DIFFERENTIAL BETWEEN GARAGE FLOOR LEVEL AND STREET LEVEL. REQUEST VARIANCE TO REMOVE SECOND FLOOR OF EXISTING GARAGE, RAISE THE OVERALL HEIGHT OF THE GARAGE AND THEN RAISE THE EXISTING FLOOR BY APPROXIMATELY TWO (2) FEET TO AVOID MOST OF THE FLOODS.
(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.

James K. Warrington, Jr.
Signature

JAMES K. WARRINGTON, JR.
Name- print or type

Signature

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 5th day of August, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

(Name Affiant(s) here): James K. Warrington, Jr.
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Samantha Marie Perouty
Name of Notary Public

SAMANTHA MARIE PEROUTY
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires September 14, 2011
Commission expires

PLACE SEAL HERE:

ATTACHMENT TO AFFIDAVIT IN SUPPORT OF ADMINISTRATIVE VARIANCE

Typically the flooding is about 0-1.5 feet. This flooding is a constant source of mold and mildew, ruining many tools and assorted lawn equipment. When raised, the new height will be considerably less than several of the recently built and remodeled structures in the area. Just after Isabel, the County helped several of my neighbors raise their structures. I was not included in this County supported effort and have been left to do this on my own.

The flooding makes it hard to adequately use my property. This difficulty is peculiar to my garage due to its location at the end of the street and situated at the low end of the peninsula. I did not create this situation. This was created by mother nature and previous owners as well as those who designed the roads , etc.

The garage was built over 70 years ago and has not been altered by me. Strict compliance with zoning requirements does not allow me to adequately or appropriately use the property and is quite burdensome. The relief sought is in the spirit of the ordinance and the public safety and welfare will not only be served but improved. The second floor already exists and is not used for residential purposes. The new second floor will not result in an increase in residential density since it will not be used for residential purposes either. Rather it will be used as a workshop and for storage.

The relief sought is in strict harmony with the spirit and intent of the regulations and is being requested for purposes of alleviating harmful health and use effects.

ZONING HEARING PROPERTY DESCRIPTION

PART A:

ZONING PROPERTY DESCRIPTION FOR 3501 Glenwood Road.

Beginning at a point on the Southwest side of Glenwood Road which is twenty-four (24) feet wide at the distance of six hundred eighty-seven (687) feet southwest of the centerline of Oakdean Road which is twenty-four (24) feet wide.

PART B:

Being Lot # 5, in the subdivision of Frog Mortar Point as recorded in Baltimore County Plat Book CWB, Jr., Folio # 14, containing .21 Ac +/- . Located in the 15th Election District and 6th Council District.

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

No. **73683**

Date: **8/26/11**

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/ Obj	Rev/ Sub Obj				
001	805	0000		6150					75.00

Total: **75.00**

Rec From: **JAMES K Warrington, Jr.**

For: **3501 Glenwood Rd.**
Admin. Variance

2012-0055A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

Date: 9-4-11

RE: Case Number: 2012-0055-A

Petitioner/Developer: Jim Warrington

Date of Hearing/Closing: 9/19/11

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 3501 Glenwood Rd

The sign(s) were posted on

9/4/11

(Month, Day, Year)

J. Lawrence Pilson

(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

1015 Old Barn Road

(Street Address of Sign Poster)

Parkton, MD 21120

(City, State, Zip Code of Sign Poster)

410-343-1443

(Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE

CASE # 2012-0055-A

TO PERMIT AN EXISTING DETACHED GARAGE WITH A SETBACK OF 1 FOOT ± AND LOCATED IN THE SIDE/REAR YARD IN LIEU OF THE REQUIRED 2 1/2 FEET AND REAR YARD, RESPECTIVELY AND TO PERMIT A 2ND STORY ADDITION, EXISTING DETACHED GARAGE WITH A HEIGHT OF 30' IN LIEU OF THE REQUIRED 15'

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 THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON 9/19/11

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 1000 PINE AVE., TOWSON, MD 21204, (410) 887-3391

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 0055 -A Address 3501 GLENWOOD RD

Contact Person: JUN FERNANDO Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8-26-11 Posting Date: 9-4-11 Closing Date: 9-19-11

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 2012- 0055 -A Address 3501 GLENWOOD RD.

Petitioner's Name James Warrington, Jr. Telephone 410-344-0532

Posting Date: 9-4-11 Closing Date: 9-19-11

Wording for Sign: To Permit an existing detached garage with a setback of 15'
and located in the side/rear yard in lieu of the required 2 1/2' and
rear yard, respectively. And to permit a 2nd story addition on existing
detached garage with a height of 30' in lieu of the required 15'.

Revised 7/06/11

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: 2012-0055 - A

Petitioner: JAMES K. WARRINGTON, JR

Address or Location: 3501 GLENWOOD ROAD, MIDDLE RIVER, MD 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: JAMES K. WARRINGTON, JR

Address: 3501 GLENWOOD ROAD

MIDDLE RIVER, MD 21220

Telephone Number: 410-344-0532



KEVIN KAMENETZ
County Executive

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

September 14, 2011

James Warrington, Jr.
3501 Glenwood Road
Bowleys Quarters, MD 21220

RE: Case Number 2012-0055-A, 3501 Glenwood Road

Dear Mr. Warrington, Jr.,

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

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



Beverley K. Swaim-Staley, Secretary
Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 8-31-11

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

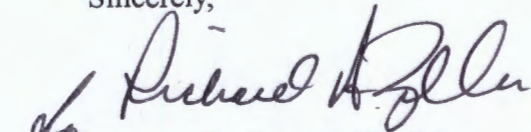
RE: Baltimore County
Item No. 2012-0055A
Administrative Variance
James Warrington, Jr.
3501 Glenwood Road.

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. 2012-0055-A

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

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 8, 2011

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

SUBJECT: Zoning Advisory Committee Meeting
For September 19, 2011
Item Nos. 2012-052, 053, 054, 055, 056, 057, 058
And 059

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-09192011 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

SEP 22 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 22, 2011

SUBJECT: DEPS Comment for Zoning Item # 12-055-A
Address 3501 Glenwood Road
(Warrington Property)

Zoning Advisory Committee Meeting of September 6, 2011.

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area and is subject to Critical Area lot coverage requirements. Based on the plan and information provided, the proposed garage improvements will result in no increase in the lot coverage on the property and impacts to water quality can be minimized.

2. Conserve fish, wildlife, and plant habitat; and

This waterfront property is located within a Buffer Management Area (BMA) of the Critical Area. The applicant's plan accompanying this zoning petition shows that the proposed garage work is located outside of the 100-foot tidal buffer. By meeting BMA, lot coverage, and planting requirements, buffer functions can be maintained and conserve fish habitat in Frog Mortar Creek.

3. 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 applicant's proposal can be consistent with this goal and with established land-use policies provided that the applicant meets the requirements stated above.

Reviewer: *Paul Dennis - Environmental Impact Review*

Debra Wiley - Case No. 2012-0055-A (Administrative Variance - Closing Date: 9/19/11)

From: Debra Wiley
To: Livingston, Jeffrey; Lykens, David
Date: 9/21/2011 11:14 AM
Subject: Case No. 2012-0055-A (Administrative Variance - Closing Date: 9/19/11)

Good Morning,

RE: 2012-0055-A - 3501 Glenwood Road, Bowleys Quarters, MD 21220

The above case is located within the Chesapeake Bay Critical Area (CBCA). As such, under Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.), no decision may be rendered by this Office concerning this request until we have received a written comment (including "no comment") from you. In order to avoid delays, please forward your recommendation in a timely manner.

Thanks.

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

AV 9-19

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

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

Account Identifier: District - 15 Account Number - 1506200260

Owner Information

Owner Name: WARRINGTON JAMES K JR **Use:** RESIDENTIAL
Mailing Address: 3501 GLENWOOD RD **Principal Residence:** YES
BALTIMORE MD 21220-2917 **Deed Reference:** 1)/12910/ 00597
2)

Location & Structure Information

Premises Address
3501 GLENWOOD RD
0-0000

Legal Description
3501 GLENWOOD RD
Waterfront FROG MORTAR POINT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0091	0015	0144		0000			5	3	Plat Ref: 0012/ 0014

Special Tax Areas
Town NONE
Ad Valorem Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1951	2,291 SF	9,504 SF	34

Stories	Basement	Type	Exterior
2.000000	NO	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2011	07/01/2012
Land	319,500	319,500		
Improvements:	179,700	179,700		
Total:	499,200	499,200	499,200	
Preferential Land:	0			

Transfer Information

Seller:	Date:	Price:
SIDDIQUE SALMA S	06/05/1998	\$237,800
Type: ARMS LENGTH IMPROVED	Deed1: /12910/ 00597	Deed2:
BACKERT ANNA M	12/05/1997	\$125,000
Type: ARMS LENGTH IMPROVED	Deed1: /12533/ 00151	Deed2:
BACKERT BERNARD A	09/12/1997	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /12380/ 00396	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County			0.00
State			0.00
Municipal			0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class:

**Charles
Parrish**
443.253.3886



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

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Page 2 of 2

Name	Account	Street	OWN OCC Map Parcel
<u>SMIT ESTHER</u>	15 1516750010	3506 GLENWOOD RD H	0091 0142
<u>SCHMIDT RICHARD G</u>	15 1900003672	3507 GLENWOOD RD H	0091 0144
<u>LANGKAM LEWIS C 3R</u>	15 1523156090	3508 GLENWOOD RD H	0091 0142
<u>ANTIPOROWICH JOHN</u>	15 1501540650	3510 GLENWOOD RD H	0091 0142
<u>MILES WILLIAM J</u>	15 1508006130	3512 GLENWOOD RD H	0091 0142
<u>HUBER GEORGE F JR</u>	15 1511771061	3514 GLENWOOD RD H	0091 0142
<u>SMITH RICHARD GERR</u>	15 1508303190	3515 GLENWOOD RD H	0091 0142
<u>SAYLOR LYLE</u>	15 1519850700	3516 GLENWOOD RD H	0091 0142
<u>SCHWARTZ EDWARD B</u>	15 1523156580	3519 GLENWOOD RD H	0091 0142
<u>BROOKSHIRE BRANDON</u>	15 1504000380	3520 GLENWOOD RD H	0091 0142
<u>CRUSE JOSEPH</u>	15 1515370410	3521 GLENWOOD RD H	0091 0142
<u>KOHAJDA MATTHEW G</u>	15 1511671470	3522 GLENWOOD RD H	0091 0142
<u>HOPKINS THOMAS L</u>	15 1504001440	3523 GLENWOOD RD H	0091 0142
<u>ROSIER WILLIE J</u>	15 2300009859	3525 GLENWOOD RD H	0091 0111
<u>MALKOWSKI STEFANIA</u>	15 1512400090	3526 GLENWOOD RD H	0091 0142
<u>COLACCE RAPHAEL A</u>	15 2300009860	3527 GLENWOOD RD H	0091 0111
<u>BIDDISON JOSIAH E</u>	15 2300009861	3529 GLENWOOD RD H	0091 0111
<u>GROVES EDWARD C JR</u>	15 2300009878	3615 GLENWOOD RD H	0091 0111
<u>WAGGONER PERRY ROB</u>	15 1700002384	3623 GLENWOOD RD N	0091 0410
<u>FOOTE HARRY M 3RD</u>	15 1508651450	3624 GLENWOOD RD H	0091 0103
<u>FRYE BARBARA D</u>	15 2000000258	3635 GLENWOOD RD H	0091 0105

TO WHOM IT MAY CONCERN:

We, the undersigned, have no objection to the proposed garage renovation at 3501 Glenwood Road, Middle River, MD 21220 by James K. Warrington, Jr. We understand that the proposed height requires a variance to the BCZR which would allow it to increase from its current height of fifteen (15) feet to a maximum of thirty (30) feet and that the first floor of the garage will remain unchanged and that the old second floor will be replaced by a new second floor with dimensions of twenty-four (24) feet by twenty-seven (27) feet with a three foot cantilever on the right side as you look at the garage from the street. In addition, we have no objection to any variance required as a result of the current set back from the property line of less than one (1) foot.

Esther Smit

Address 3506 GLENWOOD RD

Property Owners

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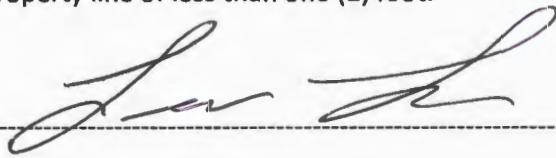
Richard M. Schmidt 35 9-10-2011

Address 3507 Glenwood Rd.

Property Owners

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Address 3508 Glenwood RD 21220

Property Owners

Lewis + ANN Haugum

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JOHN ANTIPOROWICH
Address 3510 Glenwood Rd. 9/10/11

Property Owners

Minor Zoning
Feb. 1998

AS
2/11

IN RE: PETITION FOR SPECIAL HEARING
S/S Glenwood Road, 400' W of
the c/l of Oakdean Road
(3501 Glenwood Road)
15th Election District
5th Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-256-SPH

Salma Siddique, Owner;
James Warrington, Contract
Purchaser - Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Salma Siddique, and the Contract Purchaser, James Warrington. The Petitioners seek approval of a waiver, pursuant to Section 517.2 (510.2) of the Baltimore County Building Code, and Sections 26-276, 26-670, and 26-172(a)(3) of the Baltimore County Code, to permit repairs to an existing dwelling, located in a riverine floodplain, in excess of 40% of the value of the dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Salma Saddique, legal owner of the property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a waterfront lot, located on Frog Mortar Creek in southeastern Baltimore County, consisting of a gross area of .21 acres, more or less, zoned D.R. 5.5. The property is presently improved with a single family dwelling which has existed on the property for over 50 years and has deteriorated. Ms. Siddique testified that she purchased the property approximately 5 months ago with the intention of making extensive improvements, using the



Subject Garage

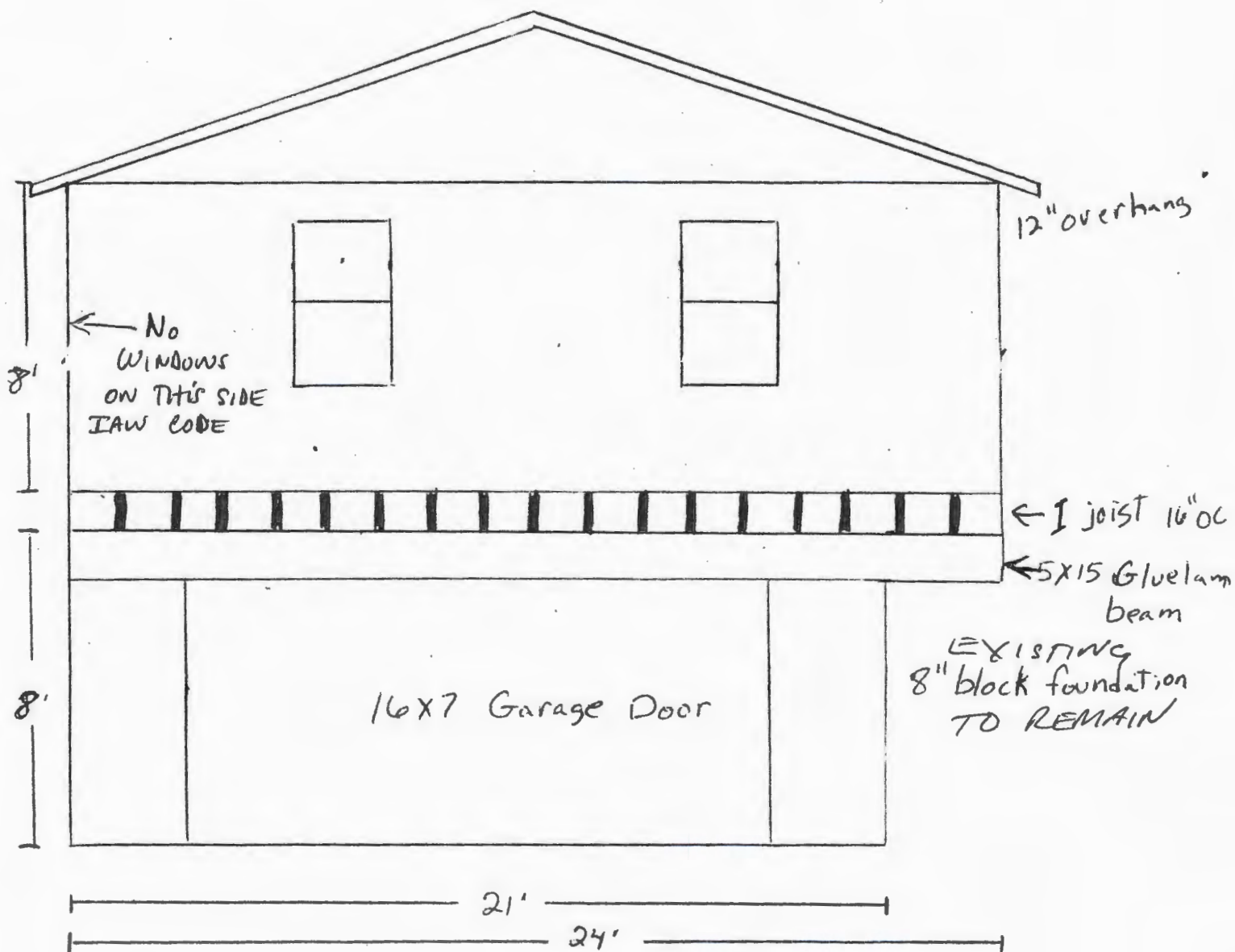
Proposed 2nd story
addition 27'x24'x30'

Form GPICPIX — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE



Subject Street

Form PICPIX.SR — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE



front view

JOB: Jim Warrington	DATE: 4-23-11	DRAWN BY: Jonas King	PHIC# 85010
------------------------	------------------	----------------------	-------------

(SIDE VIEW OF FRAMING)

RIDGE VENT
AT PEAK

PRE-ENGINEERED
WOOD TRUSSES
24" o. c.

7/16" OSB
SHEATING
(SUPPORTED BY H-CLIPS)

12

#15 FELT PAPER

30 YEAR
SHINGLES

ALUM.
DRIP EDGE

5" K-SERIES
RAINGUTTER (SEAMLESS)

ALUM. FASCIA
VINYL SOFFIT (VENTED)

VINYL SIDING

TYVEK HOUSEWRAP

2 x 4 FRAMING WALL
(STUDS 16" o. c.)

7/16 OSB SIDEWALL
SHEATING

3/4" subfloor glued &
nailed

I joist

2x6 Treated with sill seal
Metal Anchor Strap
48" o. c.

8" CMU

ENTRANCE DOOR AND
WINDOW HEADER DETAIL



2-2x10 NAILED
TOGETHER w/ 2x4
ON BOTTOM

SINGLE
JACK STUDS

DOUBLE
2x4 TOP
PLATE

8' FROM
FLOOR TO
CEILING

Single
bottom plate

JOB:

Jim Warrington

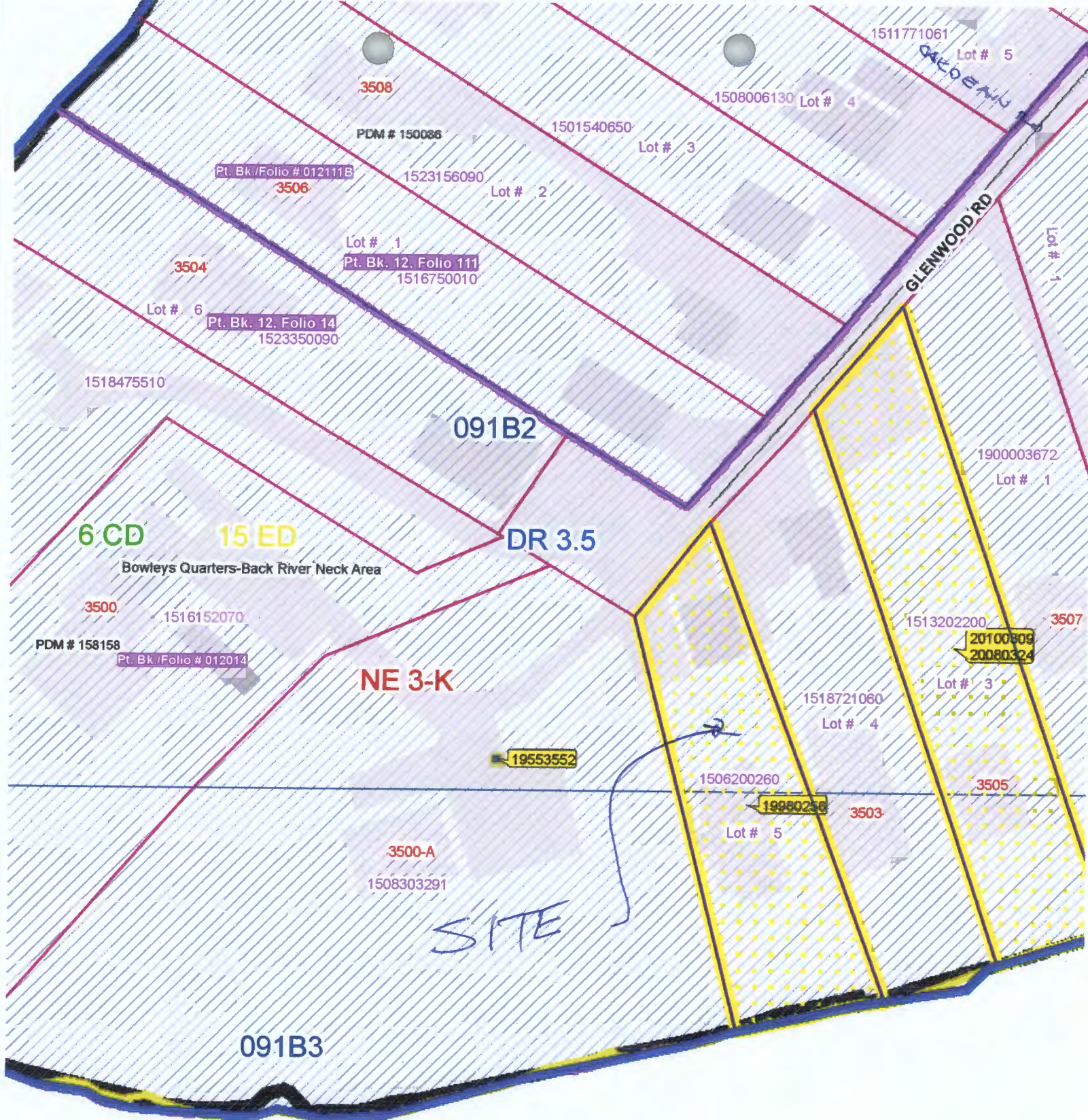
DATE:

4-23-11

DRAWN BY:

Jonas King

AMIC# 85010



1511771061

Lot # 5

1508006130 Lot # 4

1501540650

Lot # 3

PDM # 150088

1523156090

Lot # 2

Pt. Bk./Folio # 012111B
3506

Lot # 1

Pt. Bk. 12, Folio 111
1516750010

3504

Lot # 6

Pt. Bk. 12, Folio 14
1523350090

1518475510

091B2

DR 3.5

6-CD

15 ED

Bowleys Quarters-Back River Neck Area

3500

1516152070

PDM # 158158

Pt. Bk./Folio # 012014

NE 3-K

19553552

3500-A

1508303291

SITE

091B3

1900003672

Lot # 1

1513202200

20100809
20080324

Lot # 3

1518721060

Lot # 4

1506200260

19980238

Lot # 5

3503

3505

3507

CALDWELL

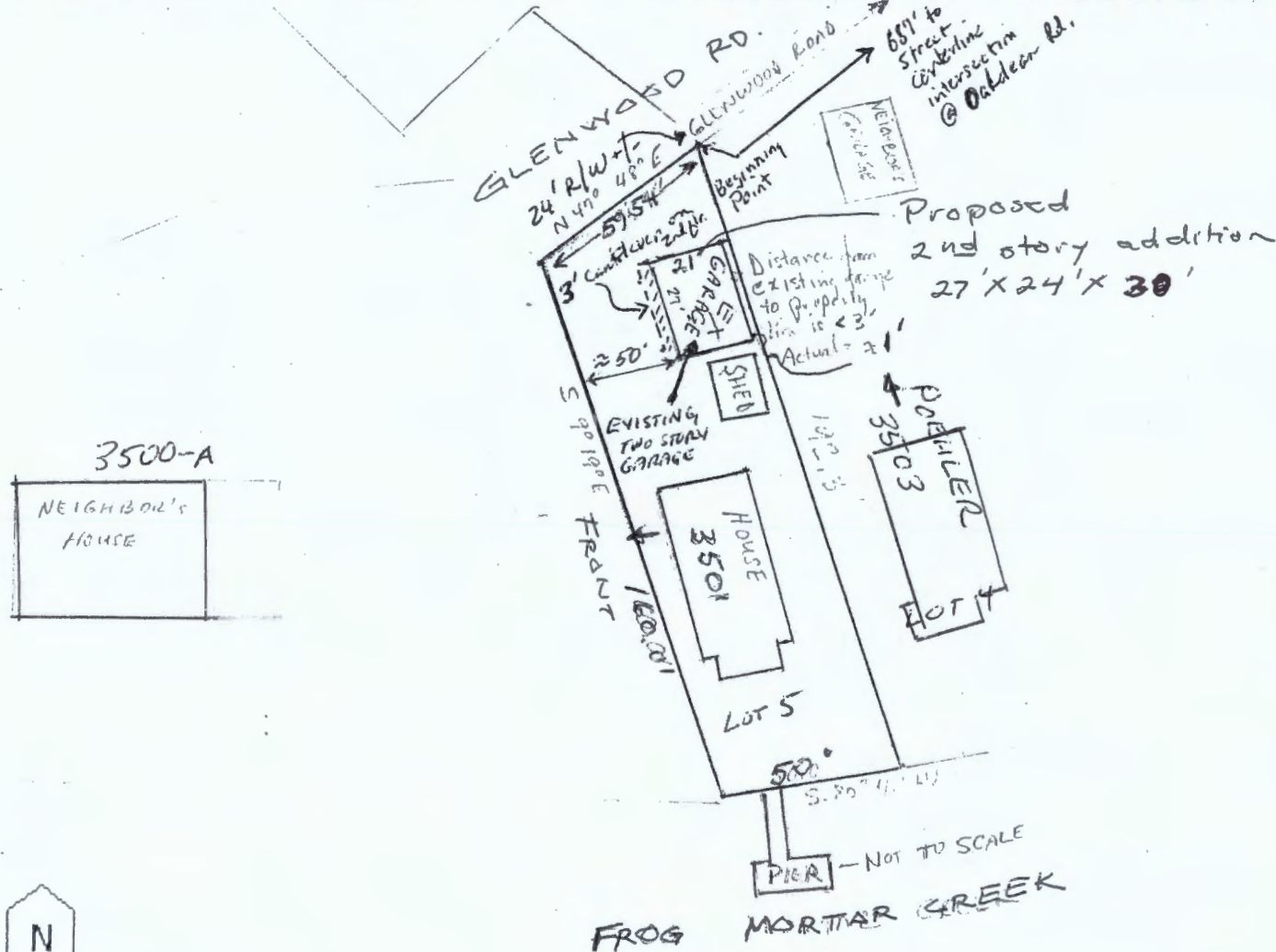
GLENWOOD RD

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 3501 GLENWOOD ROAD OWNER(S) NAME(S) JAMES K. WARRINGTON, Jr.

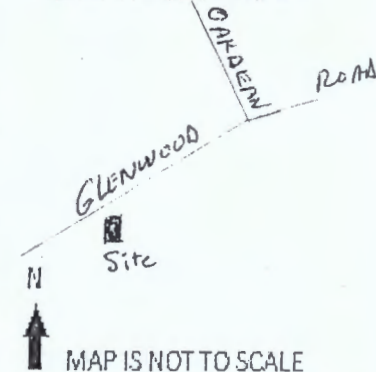
SUBDIVISION NAME FROG MORTAR POINT LOT# 5 BLOCK# _____ SECTION# CBW, Jr.

PLAT BOOK # 12 FOLIO # 14 10 DIGIT TAX # 1506200260 DEED REF. # 129101597



PLAN DRAWN BY JAMES K. WARRINGTON (OWNER) DATE 8/1/2011 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



ZONING MAP# 000102

SITE ZONED DR 3.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE .21 Ac +/-

OR SQUARE FEET _____

HISTORIC? No

IN CBCA? Yes

IN FLOOD PLAIN? Yes

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? 98A256

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

JRF
2012-0055-A