

IN RE: PETITION FOR ADMIN. VARIANCE

S side of Bayfront Road, 320 feet E of
the c/l of Lincoln Avenue
15th Election District
7th Councilmanic District
(7409 Bayfront Road)

Lacie E. and Kimberly A. Herl
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* Case No. 2012-0122-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 waterfront property, Lacie E. and Kimberly A. Herl for property located at 7409 Bayfront Road. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a garage with a height of 25 feet in lieu of the permitted 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the variance request was the Petitioner, Lacie E. Herl. There were no protestants or other interested parties in attendance. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations (B.C.Z.R.).

This matter was originally filed as an Administrative Variance, with a closing date of November 28, 2011. On November 28, 2011, the undersigned Administrative Law Judge called for a formal hearing on this matter. The subject dwelling is not the Petitioners' principal residence which is a requirement under the Administrative Variance process. According to the Maryland Department of Assessments report printed on November 29, 2011, the Petitioners actually reside at 7411 Bayfront Road. The hearing was subsequently scheduled for Thursday, January 5, 2012 at

ORDER RECEIVED FOR FILING

Date 1-9-12

By SMA

11:00 AM, in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. In addition, a sign was posted at the property and an advertisement was published in *The Jeffersonian* newspaper, giving neighbors and interested citizens notice of the hearing.

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 December 27, 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, they offer the following comments:

1. The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to exceed the height limits for a garage. To minimize impacts on water quality, lot coverage requirements must be met. A maximum of 15% percent is permitted. Additional storage on a second level, rather than an expanded footprint, helps reduce lot coverage. The proposed garage will be mostly over existing macadam, and the existing garage is to be razed. By meeting the lot coverage requirements and the 15% afforestation requirements, the relief requested by the applicant will result in minimal impacts to water quality.
2. This property is waterfront. It is unclear from the applicant's plan accompanying this zoning petition what the existing lot coverage is, but it appears there will be a reduction in lot coverage once the existing garage is razed. Reductions in lot coverage will help conserve fish habitat in the Chesapeake Bay.
3. Based on the information provided, it appears the applicant's proposal is consistent with this goal. The relief requested will be consistent with established land-use policies provided that the applicants meet the requirements stated above.

Testimony and evidence offered revealed that the property which is the subject of this request consists of 0.926 acres more or less and is zoned D.R.5.5. The property is a waterfront lot located on Old Road Bay and is improved with a Single Family Dwelling and a garage. The petitioner, who owns this house and the house next door as well, intends to tear down the garage and construct a new garage in its place. The new garage will be taller to allow for storage on the second floor. In order to proceed with the new garage the Variance request is necessary.

ORDER RECEIVED FOR FILING

Date 1-9-12

By SMA

Based upon the testimony and evidence presented, I am persuaded to grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioner.

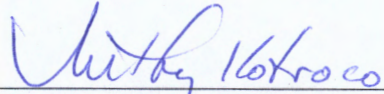
Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that Petitioner's variance request should be GRANTED.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 9th day of January, 2012 that a variance from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a garage with a height of 25 feet in lieu of the 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.

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

TMK/sma

ORDER RECEIVED FOR FILING

Date 1-9-12

By SMA



KEVIN KAMENETZ
County Executive

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

January 9, 2012

LACIE E. HERL
KIMBERLY A. HERL
7409 BAYFRONT ROAD
BALTIMORE, MD 21219

Re: Petition for Administrative Variance
Case No. 2012-0122-A
Property: 7409 Bayfront Road

Dear Mr. and Mrs. Herl:

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 Office of Administrative Hearings an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please contact our office at 410-887-3868.

Sincerely,

A handwritten signature in black ink, which appears to read "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:sma

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County for the property

located at 7409 BAYFRONT ROAD

which is presently zoned DR. 5.5

Deed Reference: 27521-100315 Tax Account # 2200023275

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

A GARAGE WITH A HEIGHT OF 25 FT IN LIEU OF THE PERMITTED 15 FT.

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):

LACIE E. HERL

Name - Type or Print

Signature

KIMBERLY A. HERL

Name - Type or Print

Signature

7409 BAYFRONT ROAD 410-901-8199

Address

Telephone No.

BALTO.

MD.

21219

City

State

Zip Code

Representative to be Contacted:

WILLIAM A. BROCATO

Name

38 ROSE PETAL CT. 410-215-6350

Address

Telephone No.

BALTO.

MD.

21234

City

State

Zip Code

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

Zoning Commissioner of Baltimore County

Case No. 2012-0122A

Reviewed By [Signature]

Date 11/4/11

ORDER RECEIVED FOR FILING

Estimated Posting Date 11/13/11

Date FRM476 09 1-9-12

Rev 3/09

By SMA

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 7409 BAYFRONT 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) _____

We wish to construct a 24' X 30' garage with a height of 25' for storage, cars and miscellaneous items. The height will exceed the maximum 15' allowed by 10'.

The existing garage will be razed in the near future, sometime after completion of the new garage. We need the additional height to accommodate cars and the many items we need to store. This garage should blend in nicely with the community.

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.

Lacie E. Herl
Signature

LACIE E. HERL
Name- print or type

Kimberly A. Herl
Signature

KIMBERLY A. HERL
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 September, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

(Name Affiant(s) here): Lacie Herl and Kimberly Herl
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Name of Notary Public

12/18/13
Commission expires

PLACE SEAL HERE:

Zoning Property Description for 7409 Bayfront Road

Beginning at a point in the centerline of Bayfront Road which is 18 feet wide at the distance of 320 feet east of the centerline of Lincoln Avenue, which is 18 feet wide.

Thence the following courses and distances

- 1. N 86 – 53 – 42 E; 54.12'**
- 2. S 09 – 21 – 44 W; 591.06'**
- 3. S 82 – 35 – 36 W ; 86.80**
- 4. N 12 – 13 – 43 W; 605.18**

Back to the point of beginning as recorded in deed liber 27521 folio 00315, containing 0.92 6+ acres. Located in the 15th election district and 7th council district. Also known as lot # 1A in the minor subdivision of Cremen-Vechioni property, minor subdivision #94-168-M, as maintained by the development of permits, approvals and inspections.

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

No. **74459**

Date: **11/4/11**

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6130					75. —

Total: **75. —**

Rec From: **Lacie. HERL**

For: **2012 - 0122 - A**

DISTRIBUTION

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

PAID RECEIPT

BUSINESS - 11/04/2011 11:04:01 1017252
 RED NEWS / WILEY - ONE DAY
 RECEIPT # 74459 11/04/2011 0000
 \$ 75.00
 Receipt For: \$75.00
 PAID 11/04/2011 \$75.00 10
 Baltimore County, Md. Cash

**CASHIER'S
 VALIDATION**

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 0122 -A

Address 7409 Bayfront Rd.

Contact Person: J. Merrey
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 11/4/11

Posting Date: 11/13/11

Closing Date: 11/28/11

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- 0122 -A

Address 7409 Bayfront Rd.

Petitioner's Name LACIE HERL

Telephone 410-961-8199

Posting Date: 11/13/11

Closing Date: 11/28/11

Wording for Sign: To Permit A GARAGE WITH A HEIGHT of 25ft.
IN LIEU of THE PERMITTED 15ft.

Revised 7/06/11

THOMAS S. DOWNS
MARK A. DOWNS
GERARD F. MILLER
JANUARY 11, 2012

**NOTICE OF ZONING
HEARING**

The Administrative Law Judges 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: # 2012-0122-A

7409 Bayfront Road
S/side of Bayfront Road,
320 feet +/- east from centerline of Lincoln Avenue
15th Election District
7th Councilmanic District
Legal Owner(s): Lacie Herl & Kimberly Herl

Variance: to permit a garage with a height of 25 feet in lieu of the permitted 15 feet.

Hearing: Thursday, January 5, 2011 at 11:00 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 12/689 Dec. 20 293164

7K
11/5/12
Signed
12/29/11

CERTIFICATE OF PUBLICATION

12/22/2011

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 12/20/2011.

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

RECEIVED

JAN 04 2012

OFFICE OF ADMINISTRATIVE HEARINGS

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2012-0122-A

RE: Case No.: _____

Petitioner/Developer: _____

Lacie Herl

November 28, 2011

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

7409 Bayfront Road

November 13, 2011

The sign(s) were posted on _____

(Month, Day, Year)



Sincerely,

(Signature of Sign Poster)

November 16, 2011

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

filed
12/30/11
men

2012-0122-A

RE: Case No.: _____

Petitioner/Developer: _____

Lacie & Kimberly Heri

January 5, 2012

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

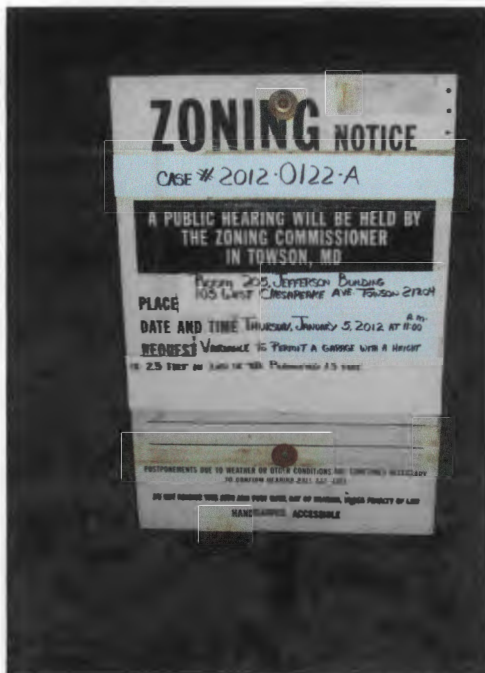
7409 Bayfront Road

RECEIVED
JAN 04 2012
OFFICE OF ADMINISTRATIVE HEARINGS

December 21, 2011

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

Sincerely,



[Signature]

December 21, 2011

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections
December 12, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0122-A

7409 Bayfront Road

S/side of Bayfront Road, 320 feet +/- east from centerline of Lincoln Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Lacie Herl & Kimberly Herl

Variance to permit a garage with a height of 25 feet in lieu of the permitted 15 feet.

Hearing: Thursday, January 5, 2012 at 11:00 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: Lacie Herl, Kimberly Herl, 7409 Bayfront Road, Baltimore 21219
William Brocato, 38 Rose Petal Court, Baltimore 21234

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

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 20, 2011 Issue - Jeffersonian

Please forward billing to:

Lacie Herl
7409 Bayfront Road
Baltimore, MD 21219

410-961-8199

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0122-A

7409 Bayfront Road

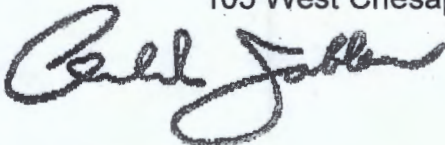
S/side of Bayfront Road, 320 feet +/- east from centerline of Lincoln Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Lacie Herl & Kimberly Herl

Variance to permit a garage with a height of 25 feet in lieu of the permitted 15 feet.

Hearing: Thursday, January 5, 2012 at 11:00 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.

MEMORANDUM

DATE: February 9, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0122-A

The appeal period for the above-referenced case expired on February 8, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

BALTIMORE COUNTY, MARYLAND

1/5 11am
Pm-205
RECEIVED

Inter-Office Correspondence

DEC 27 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: December 27, 2011

SUBJECT: DEPS Comment for Zoning Item # 2012-0122-A
Address 7409 Bayfront Road
(Herl Property)

Zoning Advisory Committee Meeting of November 14, 2011.

EPS 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. The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to exceed the height limits for a garage. To minimize impacts on water quality, lot coverage requirements must be met. A maximum of 15% percent is permitted. Additional storage on a second level, rather than an expanded footprint, helps reduce lot coverage. The proposed garage will be mostly over existing macadam, and the existing garage is to be razed. By meeting the lot coverage requirements and the 15% afforestation requirements, the relief requested by the applicant will result in minimal impacts to water quality.
2. This property is waterfront. It is unclear from the applicant's plan accompanying this zoning petition what the existing lot coverage is, but it appears there will be a reduction in lot coverage once the existing garage is razed. Reductions in lot coverage will help conserve fish habitat in the Chesapeake Bay.
3. Based on the information provided, it appears the applicant's proposal is consistent with this goal. The relief requested will be consistent with established land-use policies provided that the applicants meet the requirements stated above.

Reviewer: Regina Esslinger; Environmental Impact Review

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: November 30, 2011

TO: Kristen Matthews
Dept. of Permits, Approvals and Inspections

FROM: Patricia Zook, Legal Secretary to
Timothy M. Kotroco, Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Office of Administrative Hearings

RE: Petition for Administrative Variance
Case No. 2012-0122-A – located at 7409 Bayfront Road

After a review of the above-captioned case file, Tim Kotroco and John Beverungen have determined that this case shall be set in for a public hearing. The subject dwelling is not the Petitioners' principal residence which is a requirement under the Administrative Variance process. According to the Maryland Department of Assessments on November 29, 2011, the Petitioners actually reside at 7411 Bayfront Road.

We are returning the file to you for further processing, i.e., notifying the Petitioners, posting of the hearing notice, advertising, etc.

Thank you for your attention and cooperation in this matter.

c: Case File
Kristen Lewis, Zoning Review Office
Rose Campbell, Zoning Review Office

From: Patricia Zook
To: Lewis, Kristen
CC: Campbell, Rose; Wiley, Debra
Date: 11/30/2011 3:50 PM
Subject: Case No. 2012-0122-A - located at 7409 Bayfront Road (hearing required)
Attachments: IO-2012-00122-A AV schedule hearing.doc

Please see the inter-office memorandum regarding the above Administrative Variance request. The Administrative Law Judges have determined that this shall be set in for a public hearing.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

CONFIDENTIALITY NOTICE: The information contained in this ELECTRONIC MAIL transmission is legally privileged and confidential. It may also be subject to the attorney-client privilege or be privileged work product or proprietary information. This information is intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any use, disclosure, dissemination, distribution (other than to the addressee(s)), copying or taking of any action because of this information is strictly prohibited.

Subject: Case No. 2012-0122-A – located at 7409 Bayfront Road (hearing required)
Created By: pzook@baltimorecountymd.gov
Scheduled Date:
Creation Date: 11/30/2011 3:50 PM
From: Patricia Zook

Recipient	Action	Date & Time	Comment
CC: Debra Wiley (dwiley@baltimorecountymd.gov)	Delivered	11/30/2011 3:50 PM	
To: Kristen Lewis (klewis@baltimorecountymd.gov)	Delivered	11/30/2011 3:50 PM	
CC: Rose Campbell (RCampbell@baltimorecountymd.gov)	Delivered	11/30/2011 3:50 PM	



KEVIN KAMENETZ
County Executive

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

November 22, 2011

Lacie & Kimberly Herl
7409 Bayfront Road
Baltimore, MD 21219

RE: Case Number 2012-0122-A, 7409 Bayfront Road

Dear Ms. Lacie & Kimberly Herl,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 4, 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
William Aibrocato, 38 Rose Petal Ct., Baltimore, MD 21237

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11-14-11

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

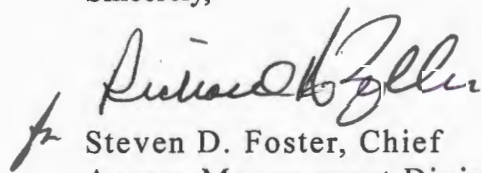
RE: Baltimore County
Item No. 2012-0122-A
Administrative Variance
Lacie & Kimberly Herl
7409 Bayfront Road.

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. *2012-0122-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: November 18, 2011

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For November 28, 2011
Item Nos. 2012-120, 122, 123, 124
And 125

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-11282011 -NO COMMENTS.doc

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment11-18DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)ncDEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)11-14

STATE HIGHWAY ADMINISTRATION

nc

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: 11-13 by _____PEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment11-18DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)NC12-27DEPS
(if not received, date e-mail sent _____)Comments

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

11-14

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

SIGN POSTING

Date:

12-20-11

Date:

by _____

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

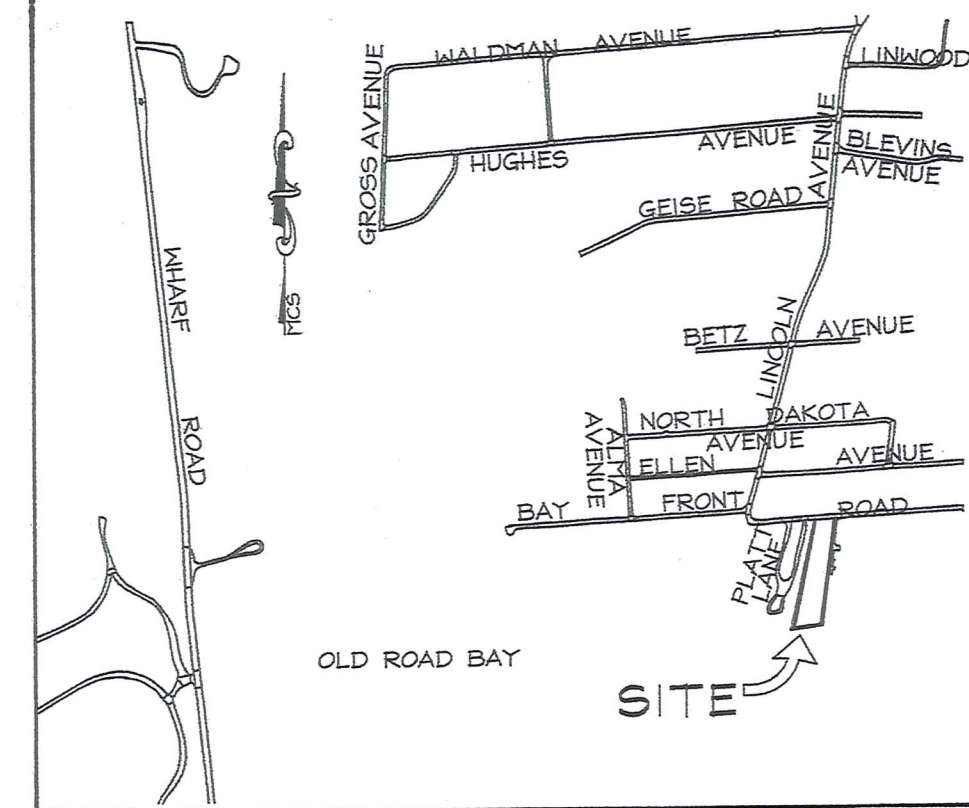
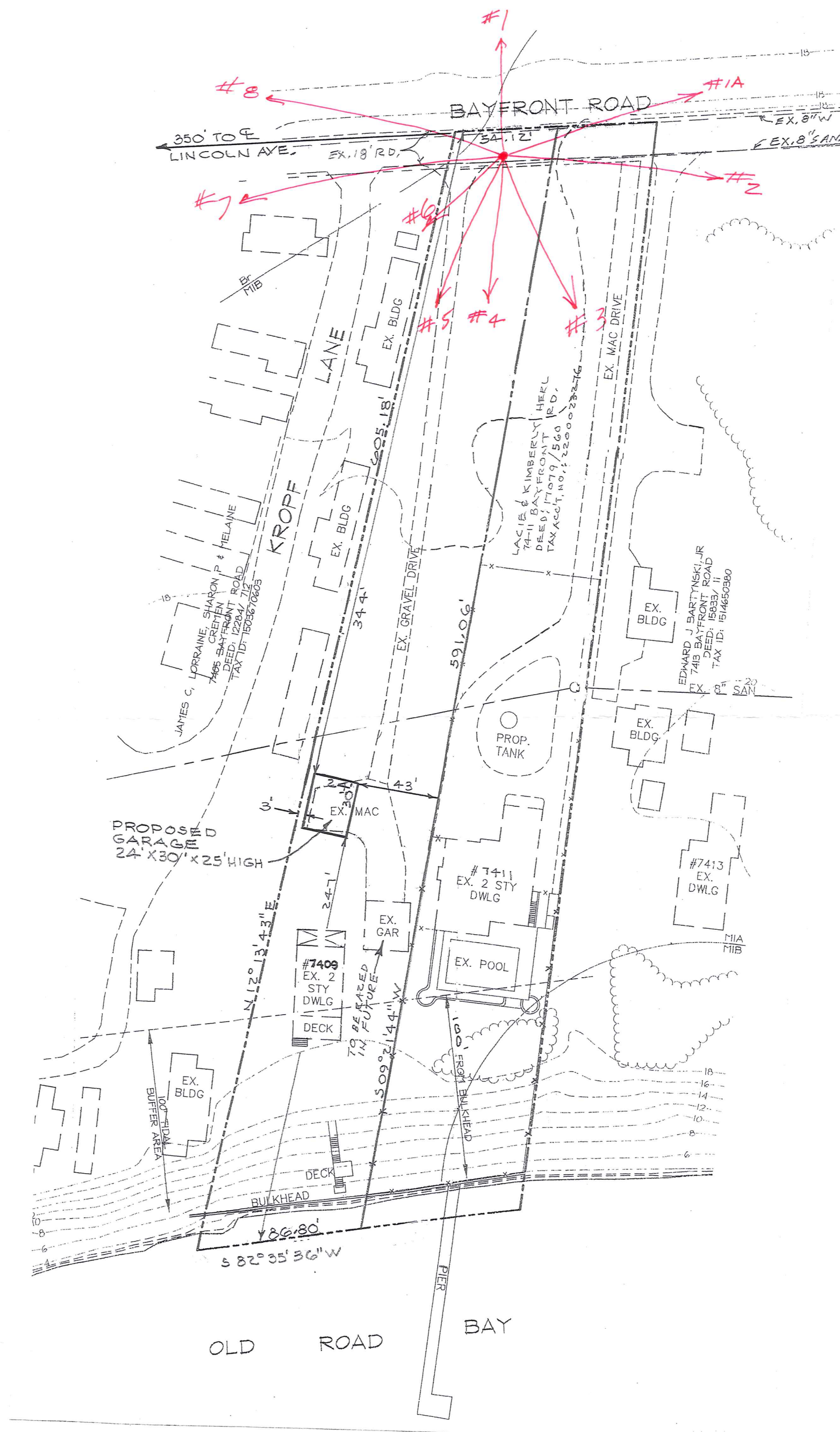
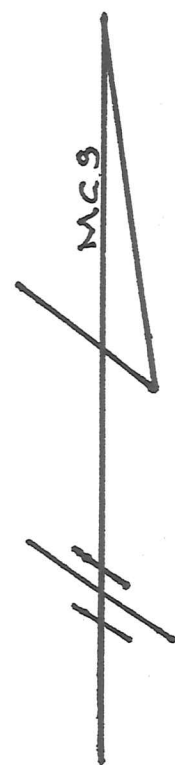
☐

No

☐

Comments, if any

(See Photos)✓ Rec'd copy 12-29 from Beach



VICINITY MAP
1"=1000'

1. THERE ARE NO PRIOR ZONING CASES FOR THIS PROPERTY.
2. ZONING MAP 1"=200' #111B3
3. ENTIRE SITE ZONED DR 5.5
4. LOT SIZE IS 40,336 S.F. OR 0.926 AC.±
5. PETITIONER RESIDES ON PROPERTY.
6. NOT LOCATED WITHIN A 100YR. FLOODPLAIN OR CBCA.

OWNER
LACIE E. HERL
KIMBERLY A. HERL
DEED REF - 27521/315
TAX ACC'T. NO. 2200023275

PETITIONER'S
EXHIBIT NO. 1

PICTURES
7409 BAYFRONT ROAD
ELECTION DIST. 15CT BALTO. CNTY., MD.
SCALE: 1"=50'
9-10-11

Case No.:

2012-01224

Exhibit Sheet

SMA 1-9-12
DW 2-9-12

Petitioner/Developer

Protestant

No. 1	Site Plan of Property	
No. 2	Photos of property	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER'S
EXHIBIT NO. 2



#1



#14



#~~8~~ 2



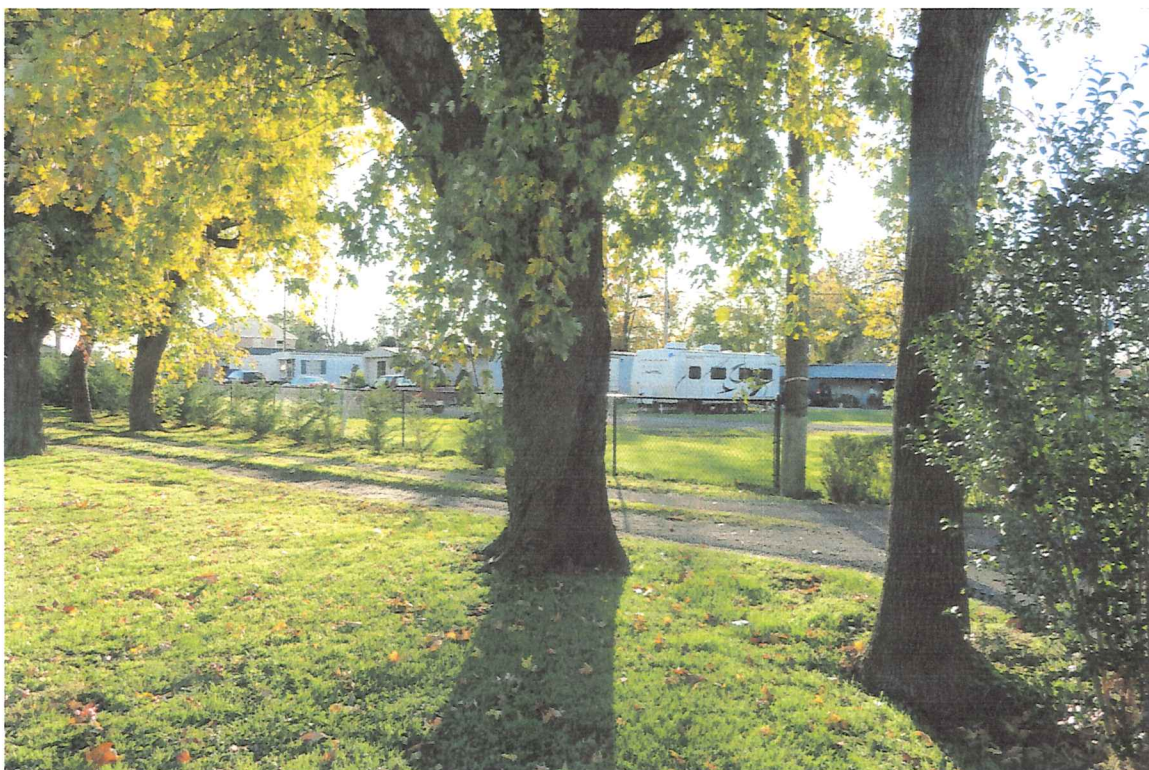
#~~8~~ 3



#9



#5



#6



#7



#8





Plan Sheet: 111B3

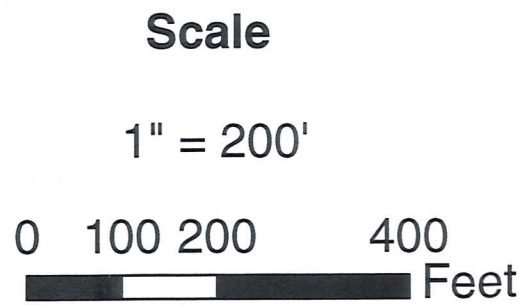
Note:
The zoning depicted in this application incorporates the actions associated with 2008 Comprehensive Zoning Map Process, zoning changes associated with an adopted Community Plan and Baltimore County Board of Appeals actions through December 31, 2008.

Legend

- Buildings
- Streams
- Vegetation
- Zoning
- Roads
- Rail Lines

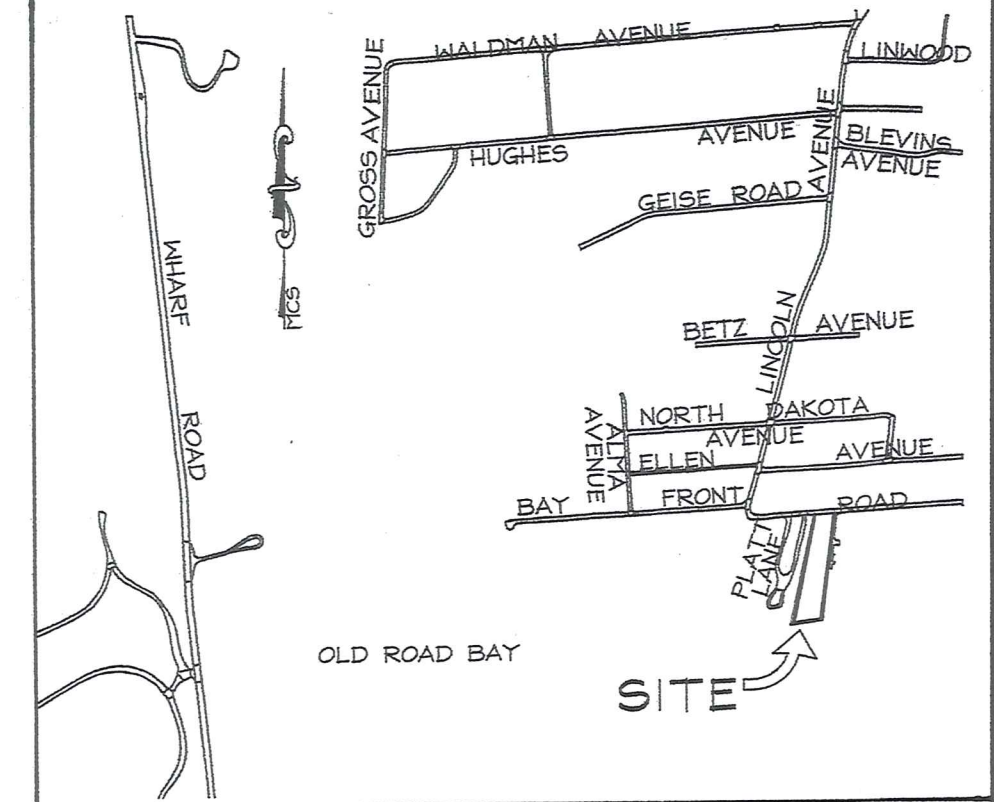
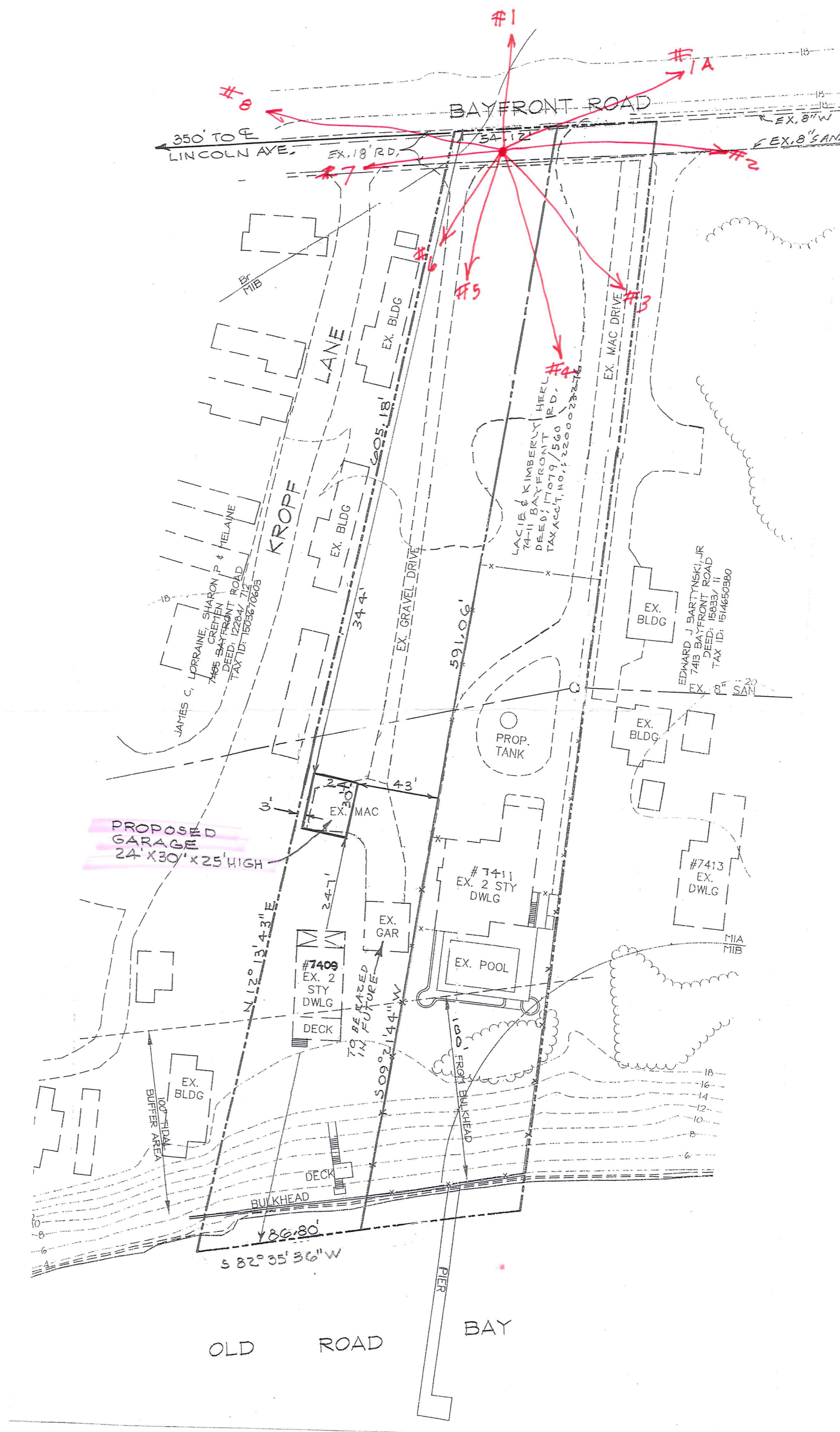
**Baltimore County
Office of Planning and Zoning
Official Zoning Map**

110C2	111A2	111B2	111C2	112A2
110C3	111A3	111B3	111C3	112A3
114C1	115A1	115B1	115C1	116A1



Data Sources:
Planimetric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2008

MC-3



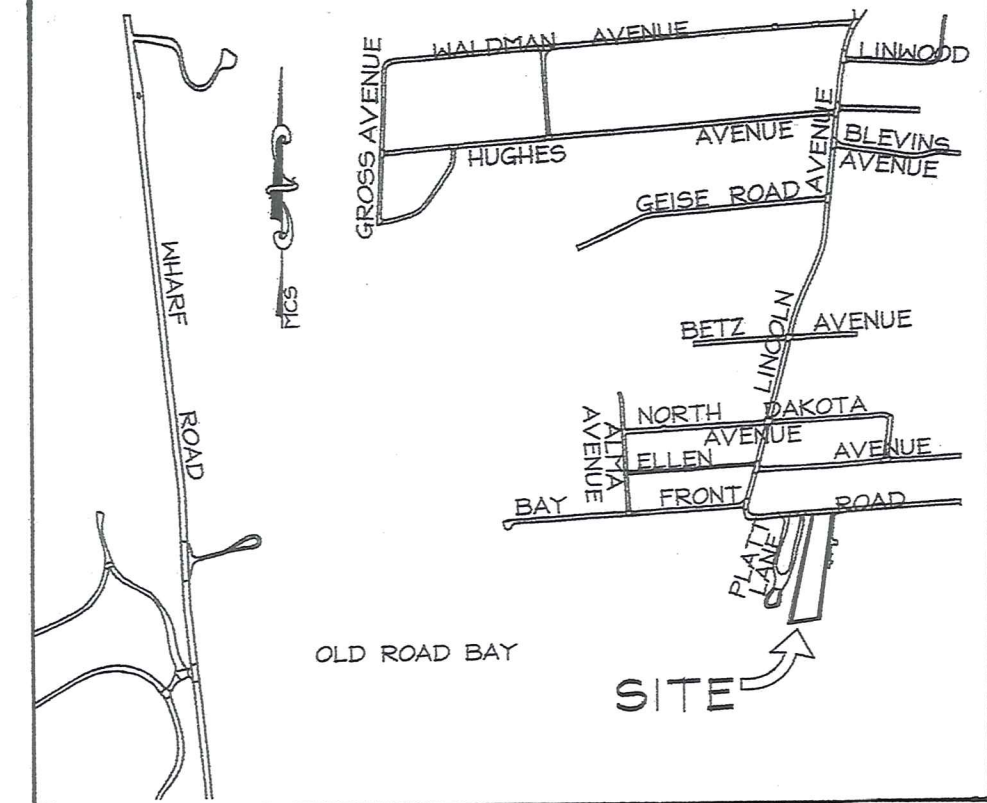
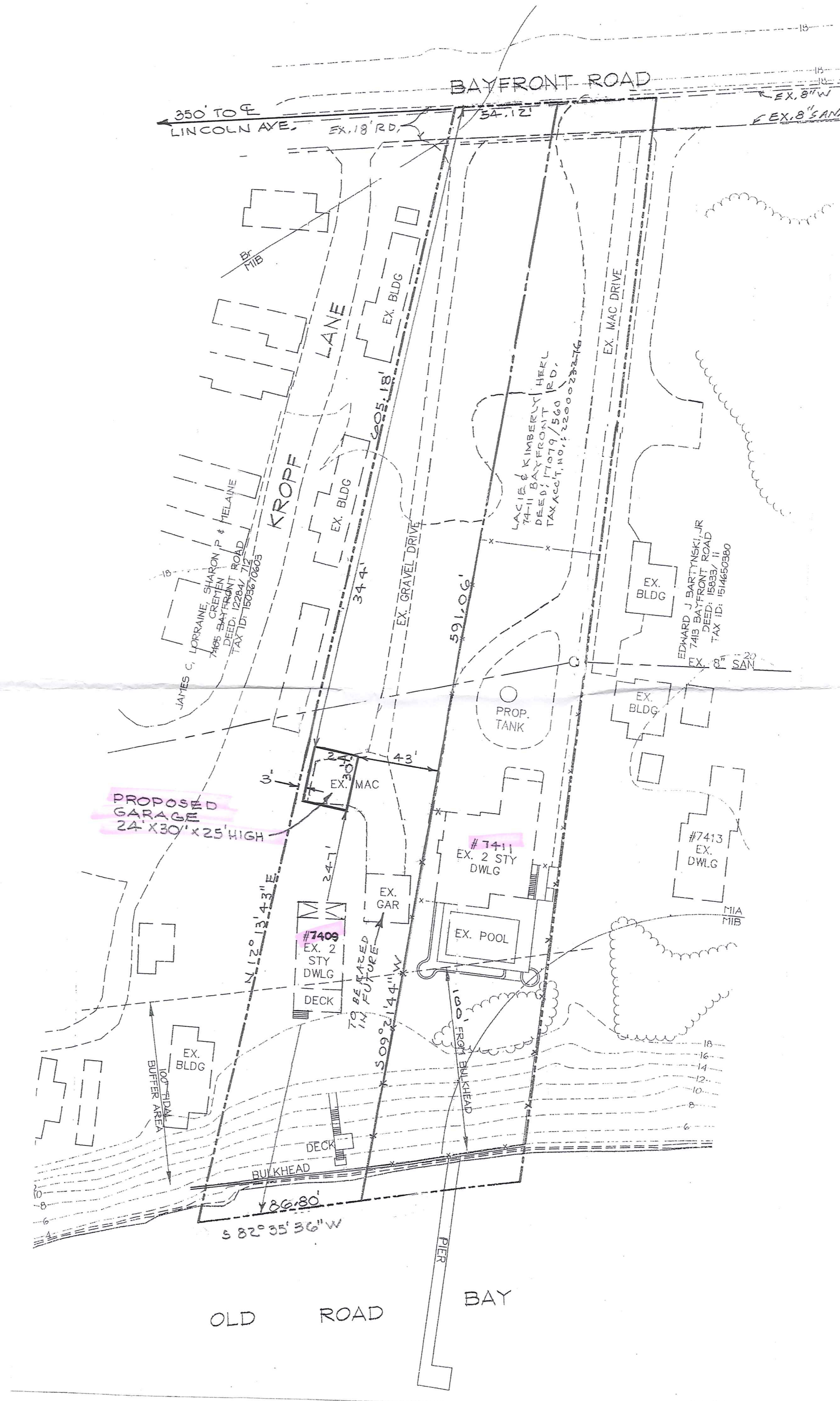
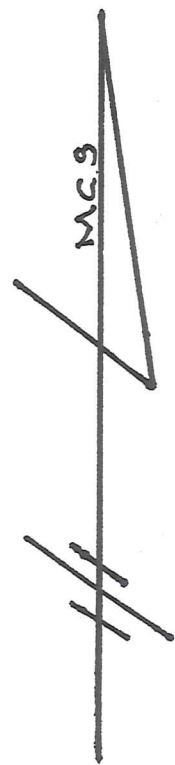
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PICTURES

7409 BAYFRONT ROAD
ELECTION DIST. 15CT BALTO. CNTY., MD.
SCALE: 1"=50' 9-10-11



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PLAN TO BE
SUBMITTED WITH
PETITION FOR ADMINISTRATIVE
VARIANCE

7409 BAYFRONT ROAD
ELECTION DIST. 15CT BALTO. CNTY., MD.
SCALE: 1"=50' 9-10-11

