

IN RE: PETITION FOR ADMIN. VARIANCE

N side of Bird River Grove Road, 3,969
feet E of Ebenezer Road
15th Election District
6th Councilmanic District
(11116 Bird River Grove Road)

Wayne Allen Sody
Petitioner

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **Case No. 2012-0139-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings as a Petition for Administrative Variance filed by the legal owner of the subject waterfront property, Wayne Allen Sody for property located at 11116 Bird River Grove Road. The variance request is from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") and Section 400.1.d(2) of the Zoning Commissioner's Policy Manual, to permit a replacement accessory building (garage) to be located in the side yard with a 2 feet setback and a 24 feet height in lieu of the permitted rear yard only, 2.5 feet setback and 15 feet height, and to permit a street centerline setback of 29 feet in lieu of the minimum required 75 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner desire to construct a garage measuring 24 feet wide by 30 feet long x 24 feet height. An existing garage will be replaced with a two car, two story garage to house two vehicles, recreational vehicles and storage for the family. No storage is available in the existing house because it does not have a basement and there is very limited closet and attic space.

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 December 27, 2011. DEPS has reviewed the subject zoning

ORDER RECEIVED FOR FILING

Date 1-4-12

By pm

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 and to reduce the side yard setbacks for a garage. To minimize impacts on water quality, lot coverage requirements must be met. A maximum of 31.25% percent, or 3,219 square feet, is permitted. Additional storage on a second level, rather than an expanded footprint, helps reduce lot coverage. The existing garage is 360 square feet; the replacement garage is 720 square feet. 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 whether the requested relief will exceed the lot coverage limit on site. If the proposal does not exceed lot coverage limits, it will help conserve fish habitat in Bird River.
3. This office is unable to determine whether 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.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on December 11, 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

ORDER RECEIVED FOR FILING

Date 1-4-12 2

By [Signature]

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 4th day of January, 2012 that a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") and Section 400.1.d(2) of the Zoning Commissioner's Policy Manual, to permit a replacement accessory building (garage) to be located in the side yard with a 2 feet setback and a 24 feet height in lieu of the permitted rear yard only, 2.5 feet setback and 15 feet height, and to permit a street centerline setback of 29 feet in lieu of the minimum required 75 feet, be and is hereby GRANTED, subject to the following:

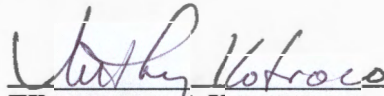
1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. 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. Compliance with the ZAC comments made by the Department of Environmental Protection and Sustainability dated December 27, 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 restrictions of this Order.

ORDER RECEIVED FOR FILING

Date 1-4-12 3

By [Signature]

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/pz

ORDER RECEIVED FOR FILING

Date 1-4-12

4

By pm

AV 12/26

BALTIMORE COUNTY, MARYLAND

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 # 2012-0139-A
Address 11116 Bird River Grove Road
(Sody Property)

Zoning Advisory Committee Meeting of December 5, 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. 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 and to reduce the side yard setbacks for a garage. To minimize impacts on water quality, lot coverage requirements must be met. A maximum of 31.25% percent, or 3,219 square feet, is permitted. Additional storage on a second level, rather than an expanded footprint, helps reduce lot coverage. The existing garage is 360 square feet; the replacement garage is 720 square feet. 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 whether the requested relief will exceed the lot coverage limit on site. If the proposal does not exceed lot coverage limits, it will help conserve fish habitat in Bird River.
3. This office is unable to determine whether 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

C:\DOCUME~1\DWILEY~1\BA2\LOCALS~1\Temp\XPgrpwise\ZAC 12-0139-A 11111 Bird River Grove Road.doc

ORDER RECEIVED FOR FILING

Date

1-4-12

By

12



KEVIN KAMENETZ
County Executive

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

January 4, 2012

WAYNE ALLEN SODY
11116 BIRD RIVER GROVE ROAD
WHITE MARSH MD 21162

Re: Petition for Administrative Variance
Case No. 2012-0139-A
Property: 11116 Bird River Grove Road

Dear Mr. Sody:

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, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure



Flood Plains ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 1116 BIRD RIVER GROVE ROAD which is presently zoned RC2

Deed Reference 0019/00685 10 Digit Tax Account # 1507001710

Property Owner(s) Printed Name(s) _____

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. ☒ **ADMINISTRATIVE VARIANCE** from section(s) 400.1, 400.3, BC2R & Section 400.1.d(2) of the Zoning Commissioner's Policy Manual (ZCPM), to permit a replacement accessory building (garage) to be located in the side yard with a 2 feet setback and a 24 feet height in lieu of the permitted rear yard only, 2 1/2 feet setback and 15 feet height, and to permit a street centerline setback of 29 feet in lieu of the minimum required 75 feet. of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

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 petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name- Type or Print _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Legal Owners:

Name #1 - Type or Print _____ Name #2 - Type or Print _____

Signature #1 _____ Signature #2 _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Name - Type or Print _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, 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.

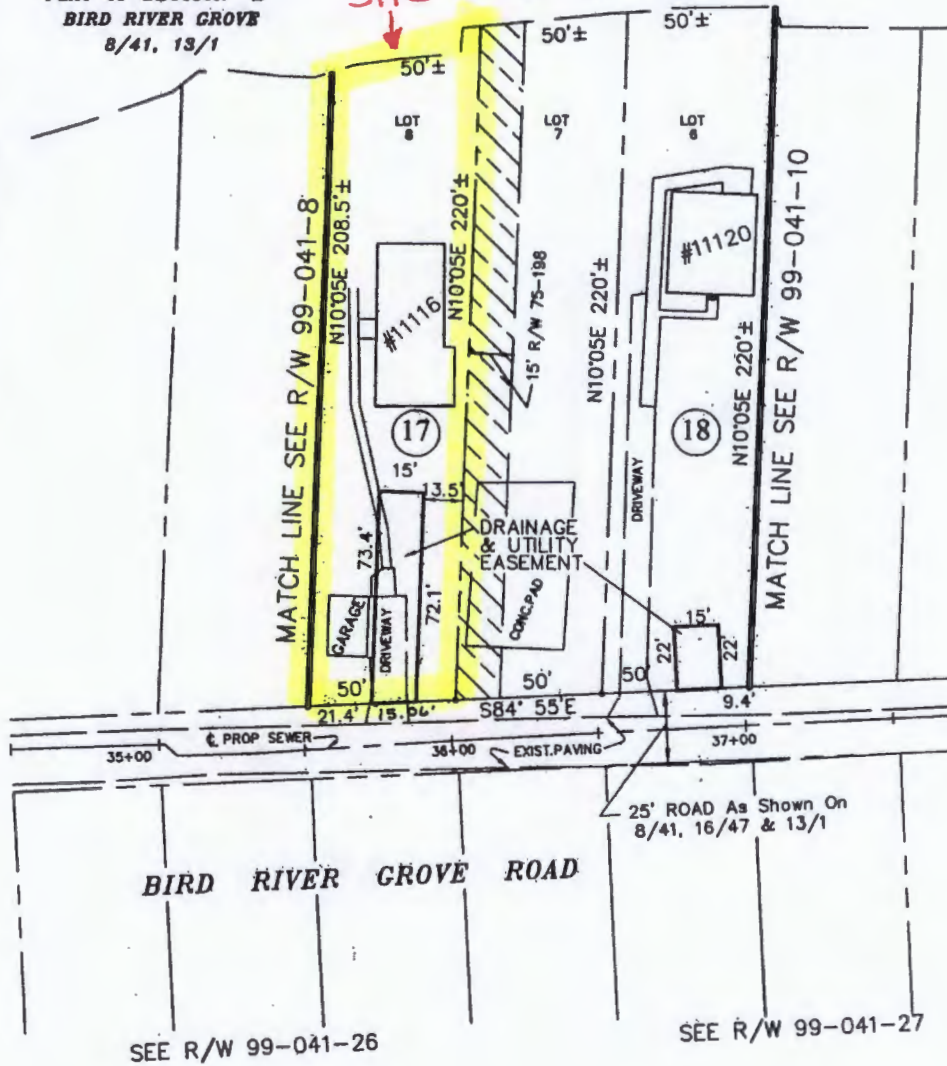
Administrative Law Judge of Baltimore County

CASE NUMBER 2012-0139-A Filing Date 11/29/2011 Estimated Posting Date 12/11/2011 Reviewer JNP

0014311 712

PLAT OF SECTION "B"
BIRD RIVER GROVE
8/41, 13/1

SITE BIRD RIVER



17

WAYNE ALLEN SODY
S.M. 10819/685

DRAINAGE AND UTILITY EASEMENT AREA=
1091 SQ.FT. ± or 0.025 Ac ±

18

GREGORY C. NELSON
& BARBARA A. his wife
S.M. 13136/744

DRAINAGE AND UTILITY EASEMENT AREA=
330 SQ.FT. ± or 0.008 Ac ±

BALTIMORE COUNTY		DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT		BUREAU OF LAND ACQUISITION	
DISTRICT NO. 15 & 5		POSITION SHEET NO.		FEDERAL PROJECT NO.	
		CONSTRUCTION PLAN NO.		MARYLAND PROJECT NO.	
APPROVED DIRECTOR OF PUBLIC WORKS		☐ AREA TO BE ACQUIRED ☐ REVERTIBLE SLOPE EASEMENT ☐ TEMPORARY CONSTRUCTION AREA		☐ EXISTING COUNTY R/W ☐ AREA TO BE RELEASED ☐ TEMPORARY SLOPE EASEMENT	
DATE		ITEM NO.		DATE	
APPROVED		RECORDED		SHEET	
BUREAU OF LAND ACQUISITION		DRAWN BY		SCALE: 1" = 50'	
DATE		PLAT CHECKED		B.C. JOB ORDER NO.	
BA CIRCUIT COURT (Land Records) [MSA]		AREA CHECKED		2005. 1 - 2 - 997	
APPROVED		TITLE CHECKED		RW 99-041-9	
DIVISION OF DRAFTING					
DATE					

2012-0139-A

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

No. **74907**

Date: 11/29/2011

PAID RECEIPT

BUSINESS RETAIL TIME DEM
11/30/2011 11/29/2011 14:31:56 2
REC MS02 MAIL JEW JEE
>>RECEIPT # 756622 11/29/2011 OPEN

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount	Dept
001	806	0000		6150						75.00	5

Total: 75.00

Rec From: Wayne Allen Sody
For: 11116 Bird River Grove Road
2013-0139-A (2004)

DISTRIBUTION

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

Dept 5 528 ZINDB VERIFICATION
CR NO. 074907
Recpt Tot 75.00
475.00 CR 4.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING
CERTIFICATE OF POSTING

RE: CASE NO: 2012-0139-A

PETITIONER/DEVELOPER _____

WAYNE ALLEN SODY

DATE OF HEARING/CLOSING: _____

12/26/11

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 THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT 11116 BIRD RIVER GROVE RD

THIS SIGN(S) WERE POSTED ON December 11, 2011
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 12/11/11
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2012-0139-A

TO PERMIT A REPLACEMENT ACCESSORY BUILDING (GARAGE)
TO BE LOCATED IN THE SIDE YARD WITH A 2 FEET SETBACK AND
A 24 FEET HEIGHT IN LIEU OF THE PERMITTED REAR YARD
AND ONLY, 2 1/2 FEET SETBACK, AND 15 FEET HEIGHT, AND TO
PERMIT A STREET CENTERLINE SETBACK OF 29 FEET IN LIEU
OF THE MINIMUM REQUIRED 75 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 DECEMBER 26, 2011

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

FOR AN AGENDA THIS NOTICE MUST BE FILED WITH THE ZONING OFFICE.
MEETING IS HANDICAP ACCESSIBLE

12/11/2011

My admin 12/11/11

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 0139 -A Address 11116 Bird River Grove Road
Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner Please Print Your Name

Filing Date: 11/29/2011 Posting Date: 12/11/2011 Closing Date: 12/26/2011

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

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

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2012- 0139 -A Address 11116 Bird River Grove Road
Petitioner's Name Wayne Allen Sody Telephone 410-344-9107

Posting Date: 12/11/2011 Closing Date: 12/26/2011

Wording for Sign: To Permit a replacement accessory building (garage) to be located in the side yard with a 2 feet setback and a 24 feet height in lieu of the permitted rear yard only, 2 1/2 feet setback, and 15 feet height, and to permit a street centerline setback of 29 feet in lieu of the minimum required 75 feet.

Revised 7/06/11

Case No.: 2012-0139-A

Exhibit Sheet

Petitioner/Developer

Protestant

2/8/12
P3
19W
2/8/12

No. 1	Site plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Maryland Department of Assessments and Taxation
Real Property Data Search (vw6.2A)
BALTIMORE COUNTY

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

Account Identifier: District - 15 Account Number - 1507001710

Owner Information

Owner Name: SODY WAYNE ALLEN **Use:** RESIDENTIAL
Mailing Address: 11116 BIRD RIVER GROVE RD **Principal Residence:** YES
WHITE MARSH MD 21162-1806 **Deed Reference:** 1)/10819/ 00685
2)

Location & Structure Information

Premises Address

11116 BIRD RIVER GROVE RD
0-0000

Legal Description

11116 BIRD RVR GR RD NS
Waterfront BIRD RIVER GROVE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
0073	0020	0325		0000	B	B	8	3		0013/ 0001

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1948	1,320 SF	10,300 SF	34

Stories	Basement	Type	Exterior
1.000000	NO	STANDARD UNIT BRICK	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2011	07/01/2012
Land	177,300	177,300		
Improvements:	119,400	79,200		
Total:	296,700	256,500	296,800	256,500
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
MARSHALL DONALD F	11/04/1994	\$118,000
Type: ARMS LENGTH IMPROVED	Deed1: /10819/ 00685	Deed2:
MARSHALL DONALD F	10/19/1993	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /10079/ 00175	Deed2:
SIEJACK MADGALENA	11/18/1988	\$58,000
Type: ARMS LENGTH IMPROVED	Deed1: /08029/ 00453	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	0.00
State	000	0.00	0.00
Municipal	000	0.00	0.00

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

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>12-9</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>nc</u>
<u>12-27</u>	DEPS (if not received, date e-mail sent _____)	<u>comments</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>12-2</u>	STATE HIGHWAY ADMINISTRATION	<u>nc</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS (3)	<u>support</u>
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>12-11</u> by <u>Ogle</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

SITE - EXISTING GARAGE



WEST
NEIGHBOR
GARAGE

SITE
EXISTING
GARAGE



2012-0139-A

SITE - EXISTING GARAGE

WEST
NEIGHBOR
GARAGE



EAST
NEIGHBOR
HOUSE



2012-0139-A



Environmental Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 9/23/2011

2012-0139-A

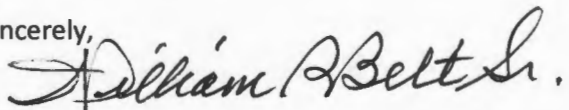
November 28, 2011

To Whom It May Concern:

Wayne Sody has shown me his plans for proposed construction of a new garage on his property at 11116 Bird River Grove Road. I am aware that Mr. Sody wishes to construct a 2-car garage and put a second level on the garage, measuring about 24 feet high.

I have no objection to Mr. Sody's proposed garage.

Sincerely,

A handwritten signature in cursive script that reads "William A. Belt Sr.".

WILLIAM BELT

11117 Bird River Grove Road

White Marsh, MD 21162

2012-0139-A

Nov. 26, 2011

To Whom It May Concern -

My name is Gregory Nelson and I live at 11120 Bird River Grove Rd. in White Marsh, Md. I understand that Wayne Sody is asking for a variance to build a new garage.

He has showed me the plans and I have no objection,

Sincerely,

Gregory Nelson

2012-039-A

M E M O R A N D U M

DATE: February 8, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0139-A – Appeal Period Expired

The appeal period for the above-referenced case expired on February 3, 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

Patricia Zook - 2012-0139-A & 2012-0056-A -- 30 day appeal period up

From: Patricia Zook
To: Adams, Sarah; Wiley, Debra; Zook, Patricia
Date: 2/3/2012
Due: 2/3/2012
Subject: 2012-0139-A & 2012-0056-A -- 30 day appeal period up

2012-0056-A is the 'chicken' case - their request for reconsideration was denied.

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.

November 28, 2011

To Whom It May Concern:

Wayne Sody has shown me his plans for proposed construction of a new garage on his property at 11116 Bird River Grove Road. I am aware that Mr. Sody wishes to construct a 2-car garage and put a second level on the garage, measuring about 24 feet high.

I have no objection to Mr. Sody's proposed garage.

Sincerely,

LINDA SRIEDT



11114 Bird River Grove Road

White Marsh, MD 21162

2012-0139-A



KEVIN KAMENETZ
County Executive

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

December 19, 2011

Mr. Wayne Sody
11116 Birdriver Grove Road
Whitemarsh, MD 21162

RE: Case Number 2012-0139 A, 11116 Birdriver Grove Road

Dear Mr. & Mrs. Royston,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 29, 2011. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: December 9, 2011

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

SUBJECT: Zoning Advisory Committee Meeting
For December 19, 2011
Item Nos. 2012-136, 137, 139,
And 140

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-12192011 -NO COMMENTS.doc

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 12-2-11

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

RE: Baltimore County

Item No. 2012-0139-A.

Administrative Variance

Wayne Allen Sody

11116 Bird River Grove 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. 2012-0139-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,

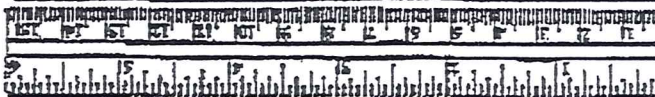
A handwritten signature in blue ink, appearing to read "Steven D. Foster".
Steven D. Foster, Chief
Access Management Division

SDF/rz

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

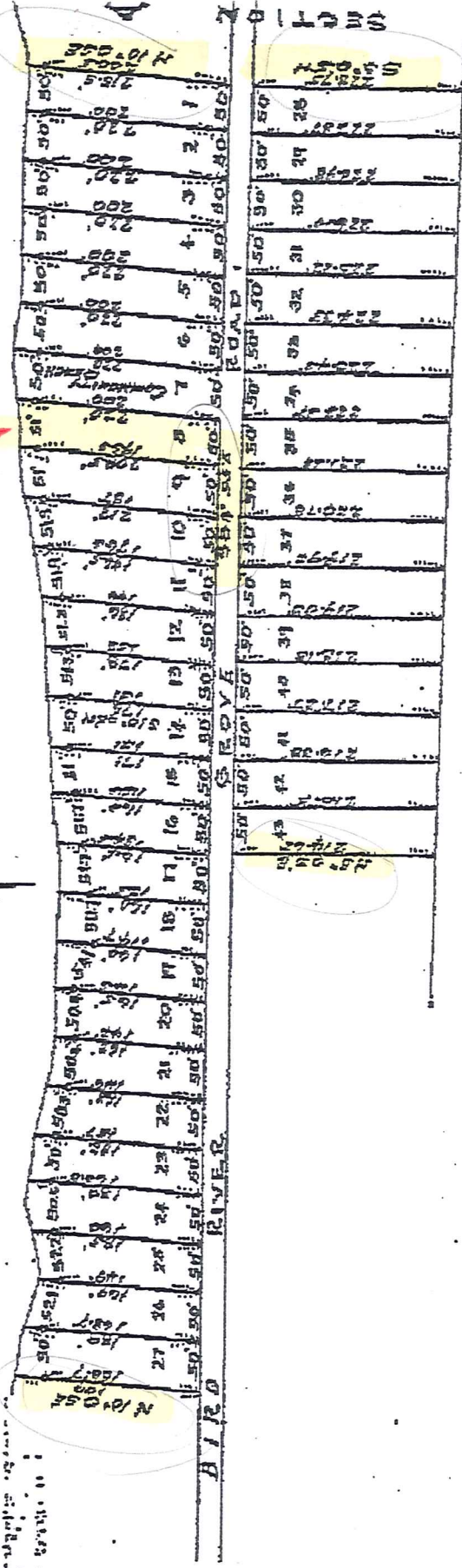
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov



RIVER

SITE

BIRD



AMENDED

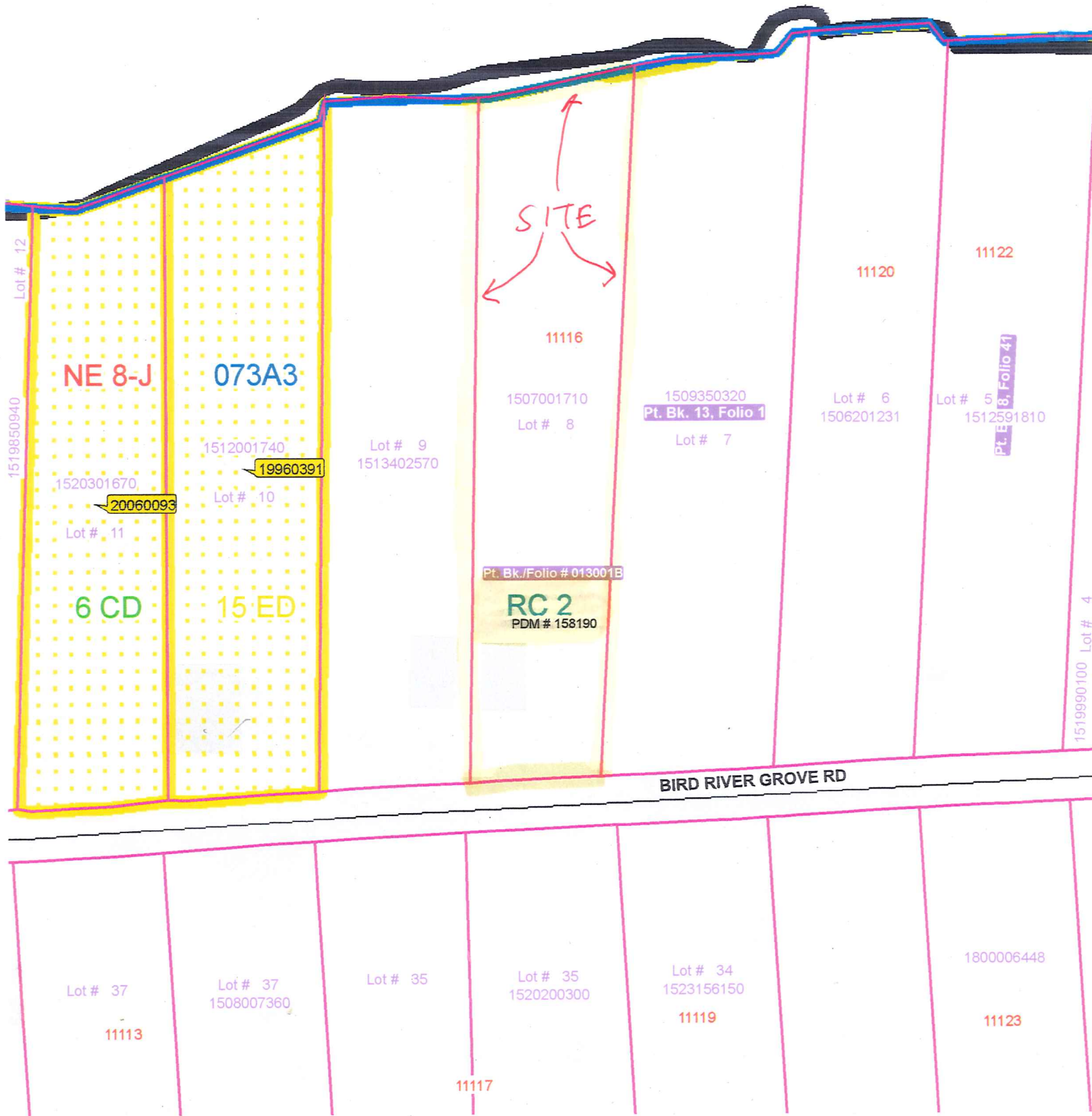
PLAT OF

SECTION B
BIRD RIVER GROVE
AND RIVER DEVELOPMENT CORP
OWNERS,

DEALER IN BALTIMORE MAR 26, 1928.
E. A. COOPER & CO.
SUNDRIES & CIVIL ENGINEER.
231 COURTLAND ST.
BALTIMORE MD.

Revised By
J. M. H. Green
Approved by
J. M. H. Green
Baltimore, Md.
January 1928

2012-0139-A



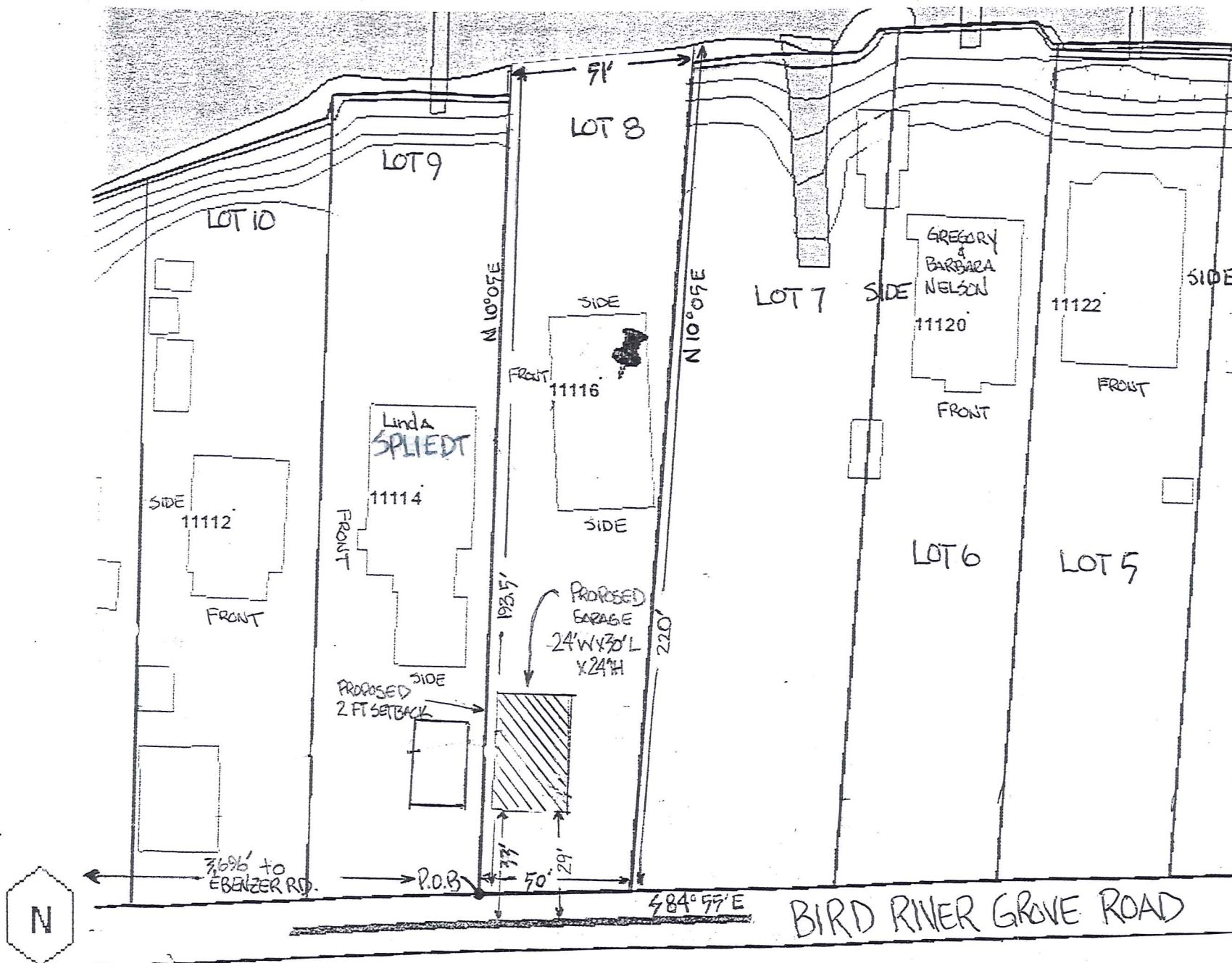
2012-0139-A

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

ADDRESS 11116 BIRD RIVER GROVE ROAD OWNER(S) NAME(S) WAYNE ALLEN SODY

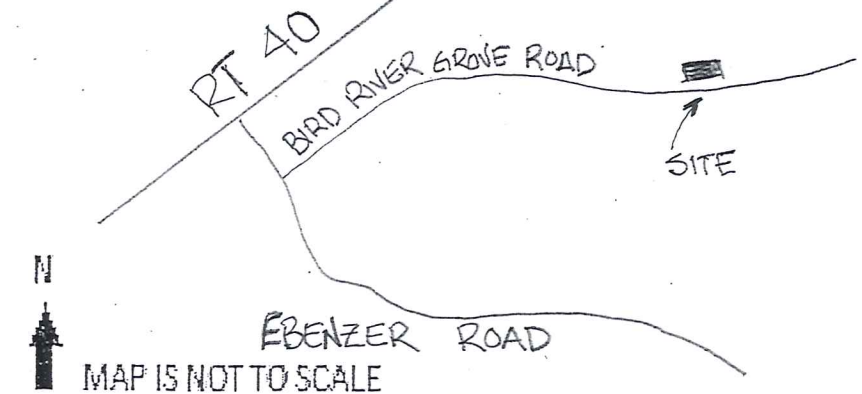
SUBDIVISION NAME BIRD RIVER GROVE LOT # 8 BLOCK # B SECTION # B

PLAT BOOK # 13 FOLIO # 1 10 DIGIT TAX # 1507001110 DEED REF. # 10819/00685



PLAN DRAWN BY WAYNE ALLEN SODY DATE 11.16.11 SCALE: 1 INCH = 40 FEET

SITE VICINITY MAP

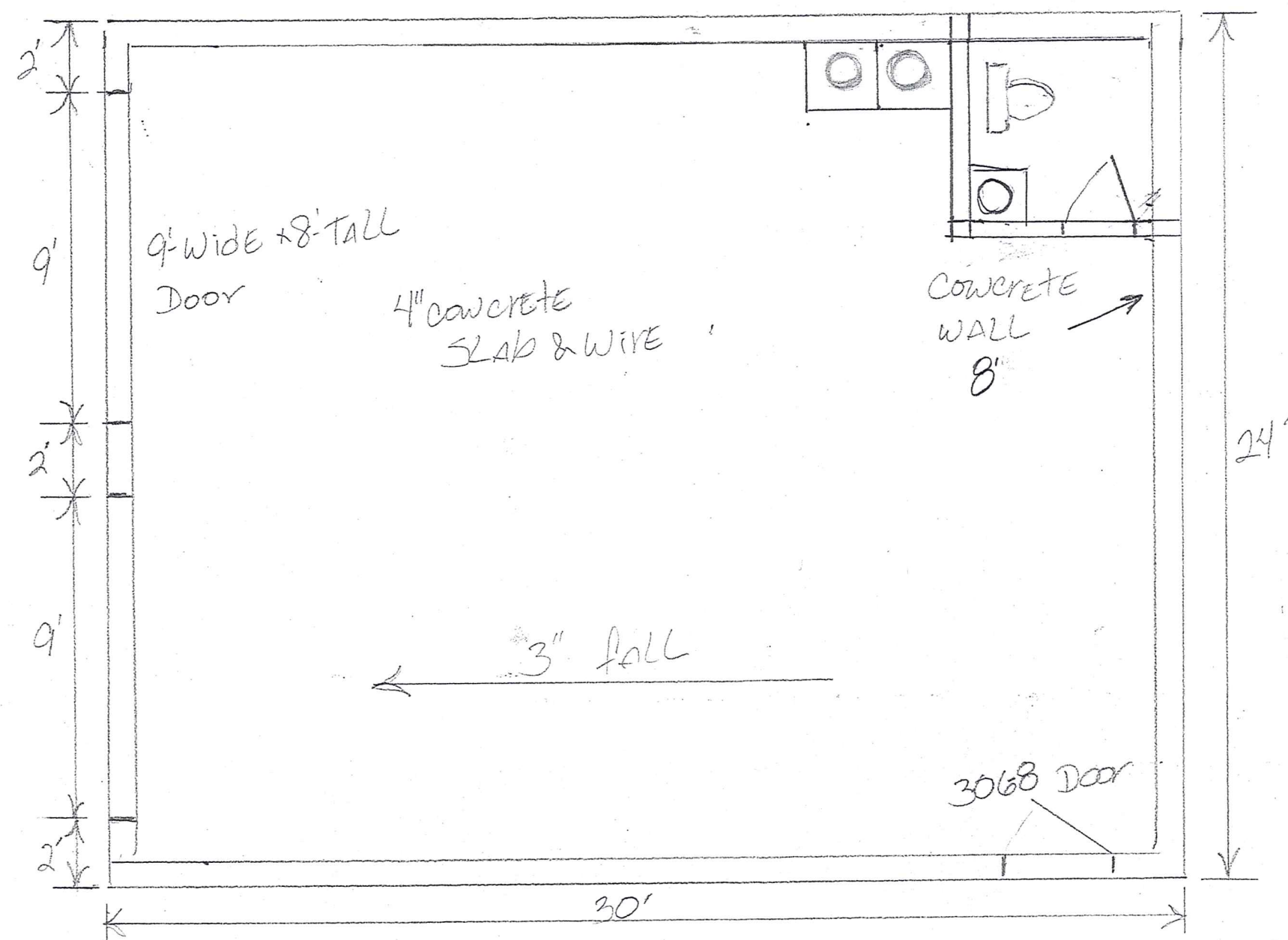


MAP IS NOT TO SCALE
ZONING MAP# 073A3
SITE ZONED RC2
ELECTION DISTRICT 15
COUNCIL DISTRICT 6
LOT AREA ACREAGE .236
OR SQUARE FEET 10,300
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? YES
UTILITIES? MARK WITH X
WATER IS:
PUBLIC ☒ PRIVATE _____
SEWER IS:
PUBLIC ☒ PRIVATE _____
PRIOR HEARING? _____
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

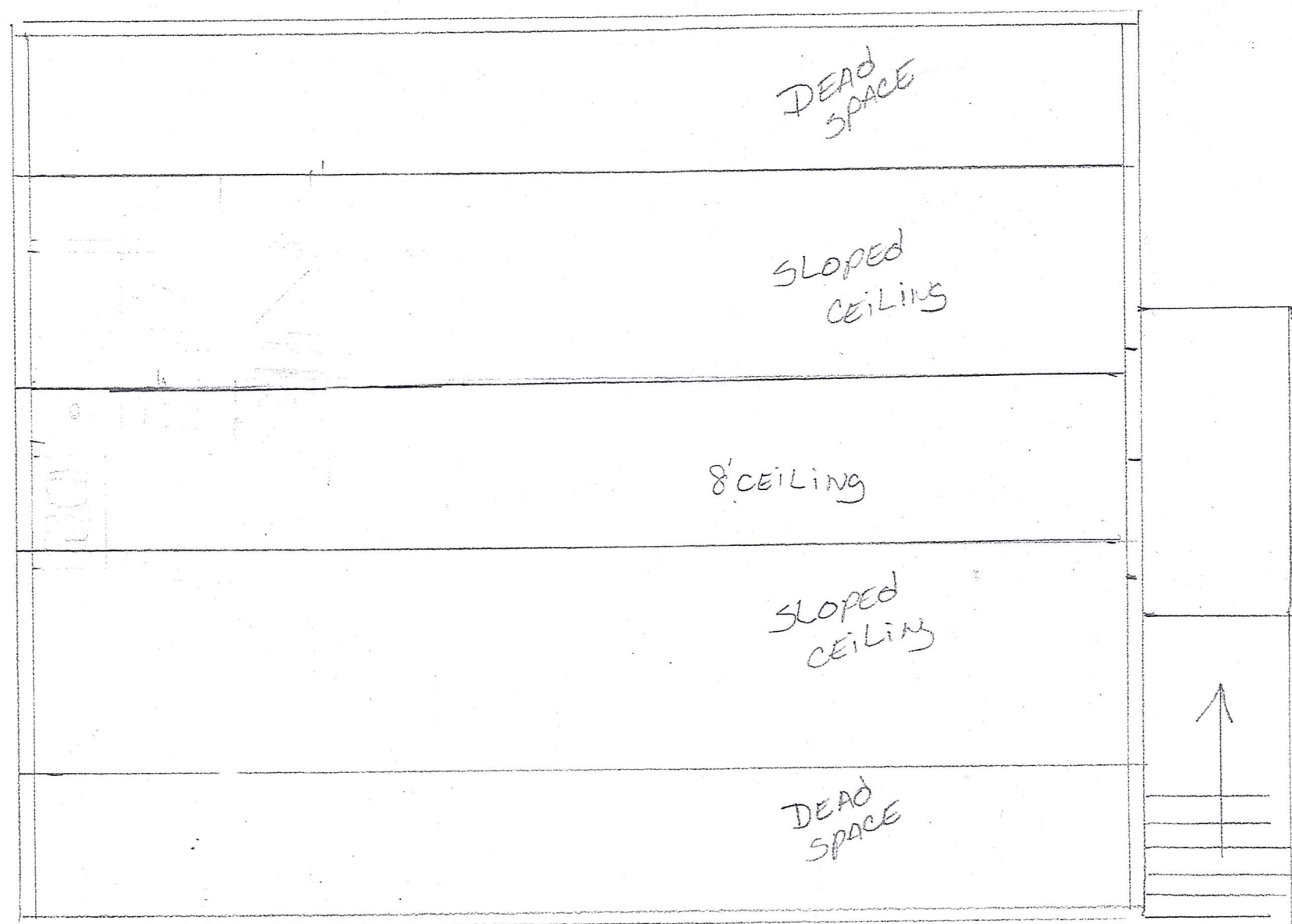
VIOLATION CASE INFO:

Petitioner's
Exhibit #1

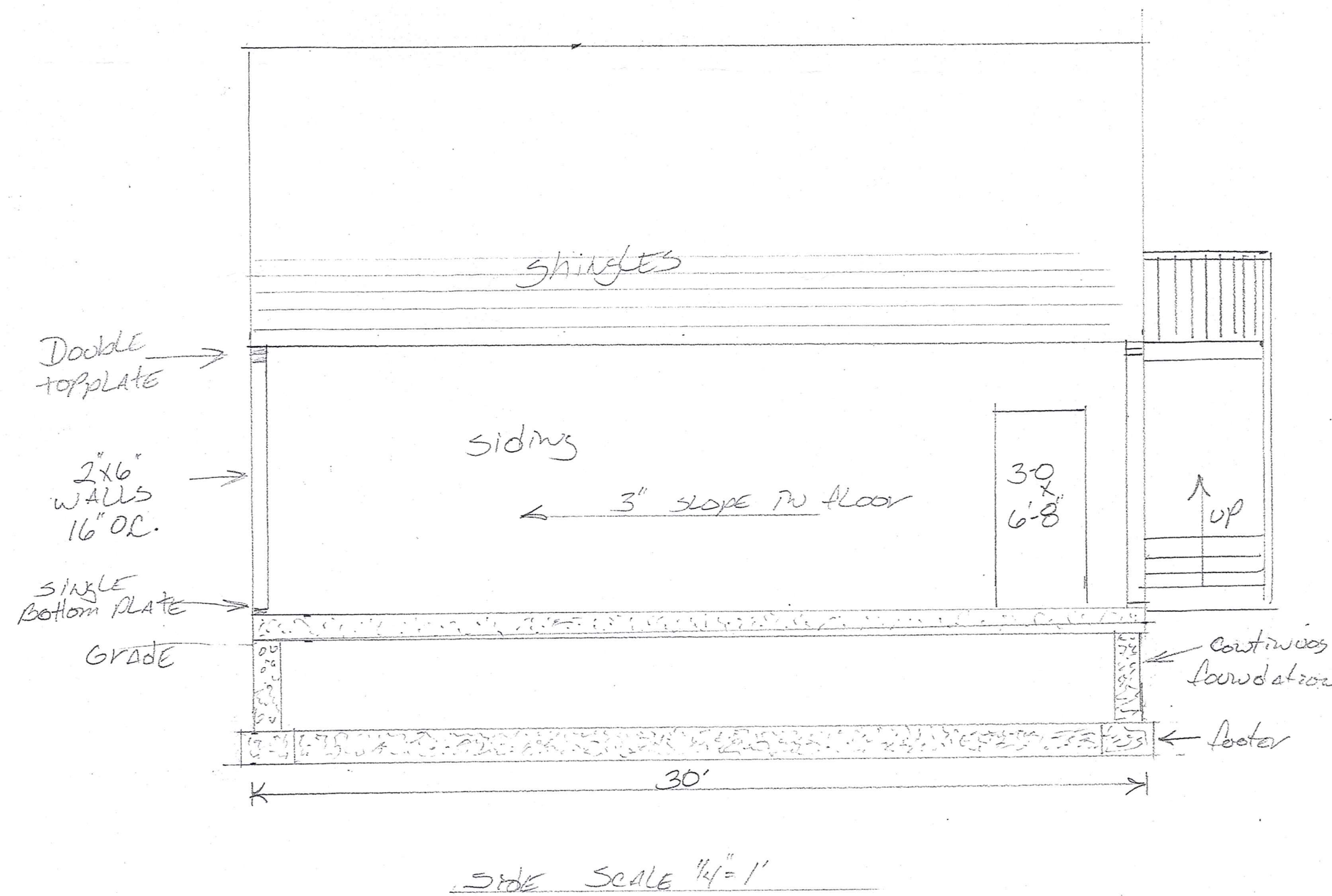
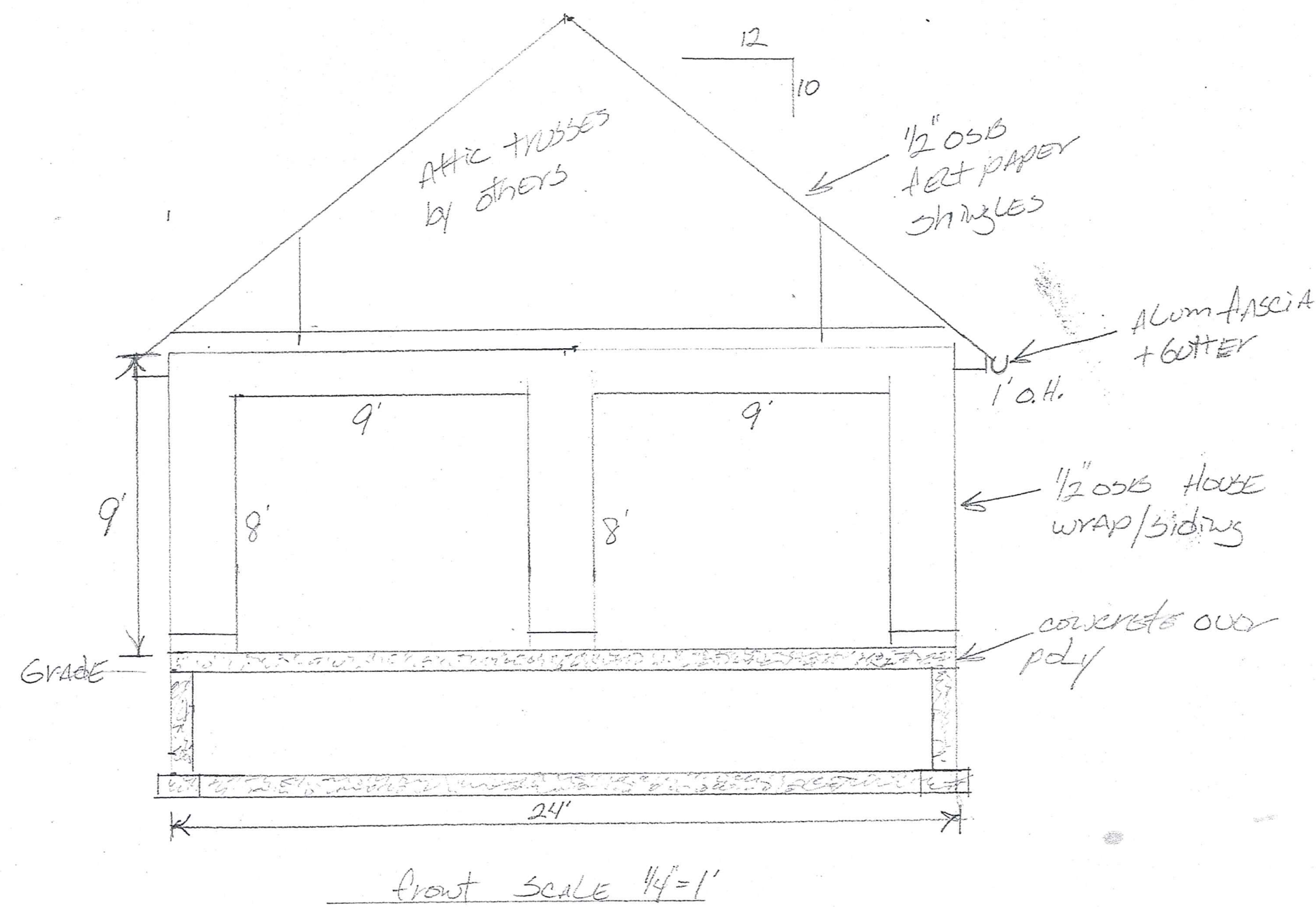
2012-0139-A



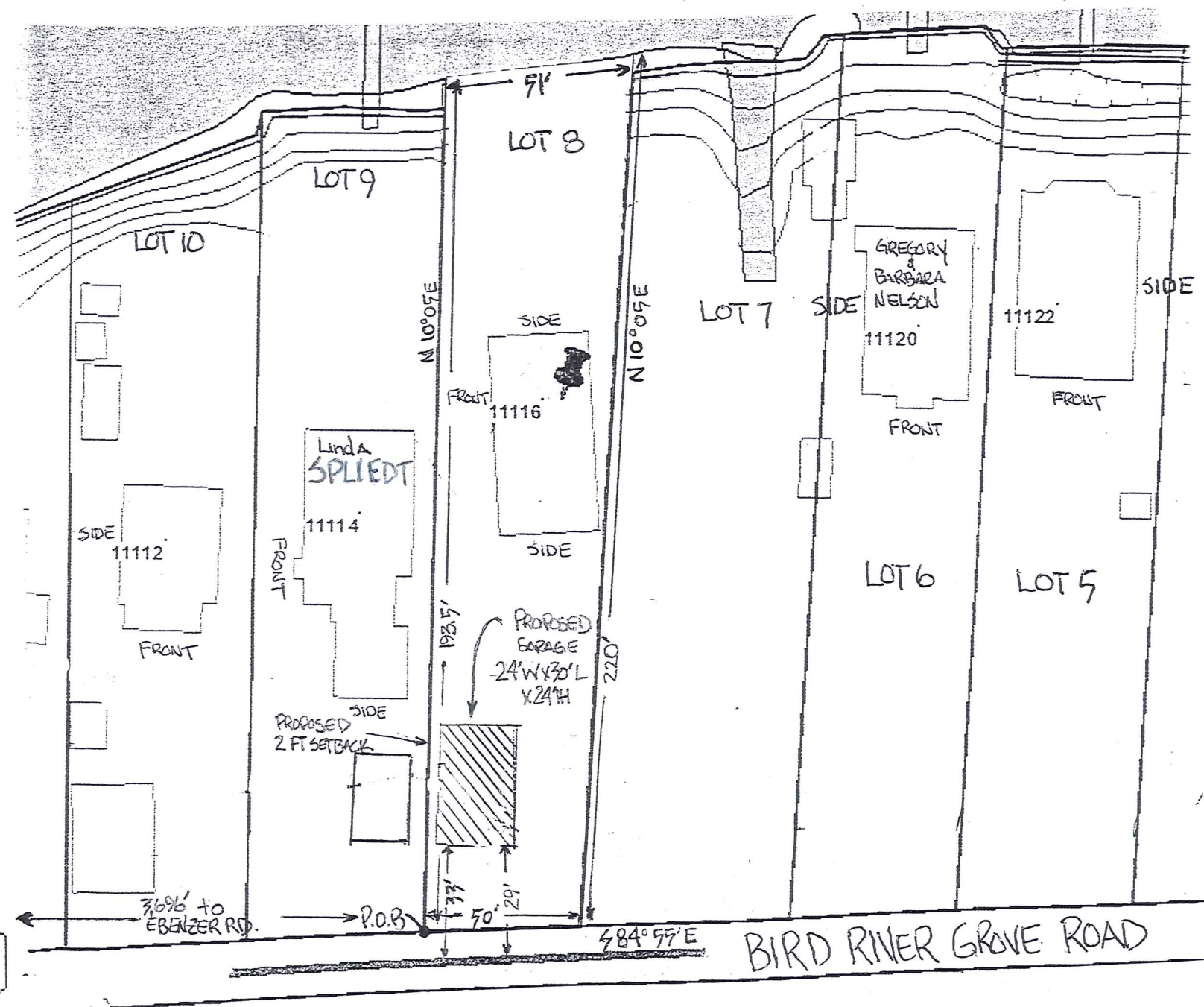
1st FL & foundation SCALE 1/4" = 1'



2ND FLOOR SCALE 1/4" = 1'

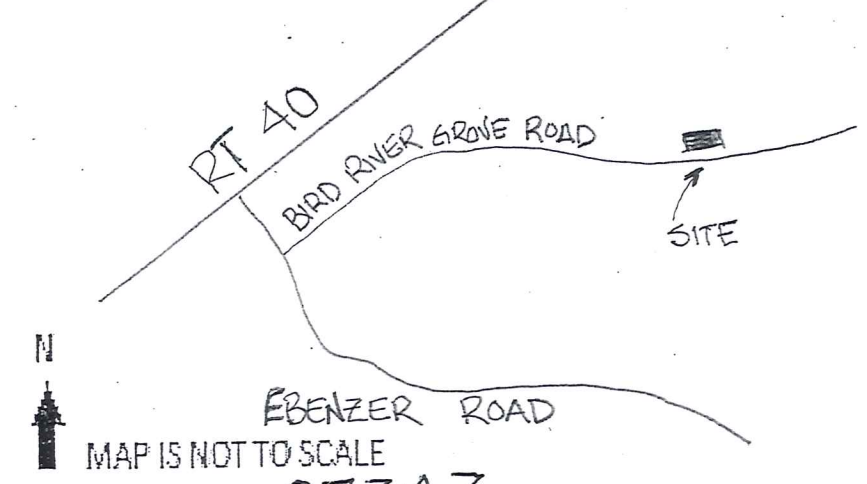


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 ADDRESS 11116 BIRD RIVER GROVE ROAD OWNER(S) NAME(S) WAYNE ALLEN SODY
 SUBDIVISION NAME BIRD RIVER GROVE LOT # 8 BLOCK # B SECTION # B
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SITE VICINITY MAP



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2012-0139-A