### IN RE: PETITION FOR ADMIN. VARIANCE

NE side of Chestnut Road; 265 feet E of the c/l of Chestnut Road 15<sup>th</sup> Election District 6<sup>th</sup> Councilmanic District (4030 Chestnut Road)

Lois Ann Corkran
Petitioner

- BEFORE THE
- OFFICE OF
- \* ADMINISTRATIVE HEARINGS
- \* FOR BALTIMORE COUNTY
- \* Case No. 2012-0181-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, Lois Ann Corkran. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory structure (garage) with a height of 21 feet in lieu of the maximum permitted 15 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1.

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 March 1, 2012, which state:

"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 for a garage outside the 100-foot buffer. The property owner addressed lot coverage requirements in 2008 with permit B682491. The only change from that permit is to increase the height of the garage. Additional storage on a second level, rather than an expanded footprint, helps reduce lot coverage. 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.

ORDER RE	CEIVED FOR FILING	
Date	3612	
Ву	pn	

- 2. This property is waterfront. Lot coverage and afforestation requirements have been met, which 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."

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on February 2, 2012, 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 6th day of March, 2012 that a variance from Sections 400.1 and 400.3 of the
Baltimore County Zoning Regulations ("B.C.Z.R.") and Section 400.3 of the Baltimore County
ORDER RECEIVED FOR FILING
Date

Zoning Regulations ("B.C.Z.R.") to permit an accessory structure (garage) with a height of 21 feet in lieu of the maximum permitted 15 feet, be and is hereby GRANTED, subject to the following:

- 1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 March 1, 2012, a copy of which is attached hereto and made a part hereof.

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

TIMOTHY M. KOTROCO Administrative Law Judge for Baltimore County

TMK/pz

ORDER RECEIVED FOR FILING

By m



KEVIN KAMENETZ County Executive

LAWRENCE M. STAHL

Managing Administrative Law Judge

JOHN E. BEVERUNGEN

TIMOTHY M. KOTROCO

Administrative Law Judges

March 6, 2012

LOIS ANN CORKRAN 4030 CHESTNUT ROAD BOWLEYS QUARTERS MD 21222

> Re: Petition for Administrative Variance Case No. 2012-0181-A Property: 4030 Chestnut Road

Dear Ms. Corkran:

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. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

TIMOTHY M. KOTROCO Administrative Law Judge for Baltimore County

TMK:pz

Enclosure

c: Todd Lewis, Lewis Design Group, 9400 Gunview Road, Baltimore MD 21236



FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

to the Office of Administrative Law	of Baltimore County for the property located at:
	which is presently zoned RC-S
Deed Reference 69464 / coisi	10 Digit Tax Account # \5034723 So
Property Owner(s) Printed Name(s)	CCREAN
Administrative Variances require that the Affidav	rit on the reverse of this Petition Form be completed / notarized.  Baltimore County and which is described in the description and
plat attached hereto and mad	de a part hereof, hereby petition for a
1. ADMINISTRATIVE VARIANCE from section(s)	00.3
TO PERMIT AN ACCESSORY STRU	CTURE (GARAGE) WITH A HEIGHT OF 21-FEET
IN LIEU OF THE MAXIMUM PER	
of the zoning regulations of Baltimore County, to the zoning	d law of Baltimore County
of the zoning regulations of Baltimore County, to the zoning Property is to be posted and advertised as prescribed by the zoning regulations are agreed to pay expenses of above potition(a) advertising posting	lations.
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u is the subject of this / these Petition(s).	, etc. and further agree to and are to be bounded by the zoning regulations and lattimore County.  Inder the penalties of perjury, that I / We are the legal owner(s) of the property which
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u	lattimore County.  Inder the penalties of perjury, that I / We are the legal owner(s) of the property which  Legal Owners:
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u is the subject of this / these Petition(s).  Contract Purchaser/Lessee:	LDIS COMERAN
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u is the subject of this / these Petition(s).  Contract Purchaser/Lessee:	lattimore County.  Inder the penalties of perjury, that I / We are the legal owner(s) of the property which  Legal Owners:
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u is the subject of this / these Petition(s).  Contract Purchaser/Lessee:  Name- Type or Print	Legal Owners:  Name #1 - Type of Print  Name #2 - Type or Print  Name #2 - Type or Print  Confusion  Name #2 - Type or Print
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u is the subject of this / these Petition(s).	Legal Owners:  Name #1 - Type or Print  Signature #1  Signature #2  Name #2 - Type or Print  Signature #2
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u is the subject of this / these Petition(s).  Contract Purchaser/Lessee:  Name- Type or Print  Signature	Legal Owners:  Long Print  Name #1 - Type of Print  Signature #1  Signature #2  4030 CHESTAM 29 BULLIS Or Print  Name #2 - Type or Print  Signature #2
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u is the subject of this / these Petition(s).  Contract Purchaser/Lessee:  Name- Type or Print	Legal Owners:  Los Conservation  Name #1 - Type of Print  Signature #1  Name #2 - Type or Print  Signature #2  October #2  Mailing Address  City  State
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u is the subject of this / these Petition(s).  Contract Purchaser/Lessee:  Name- Type or Print  Signature  Mailing Address  City  State	Legal Owners:  Los Concerns  Name #1 - Type or Print  Signature #1  Signature #1  Mailing Address  City  State  2122   443 - 506 - 9667
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u 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	Legal Owners:  LDIS CONCERN  Name #1 - Type of Print  Signature #1  Signature #1  Mailing Address  City  State  ZIP Code  Telephone #  Telephone #  Legal owner(s) of the property which  Name #2 - Type or Print  Name #2 - Type or Print  Signature #2  AU30 CHESTAN 20 Bours & Print  State  ZIP Code  Telephone #  Email Address
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u 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	Legal Owners:  Los Concerns  Name #1 - Type or Print  Signature #1  Signature #1  Mailing Address  City  State  2122   443 - 506 - 9667
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u 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	Legal Owners:  LDIS CONCERN  Name #1 - Type of Print  Signature #1  Signature #1  Mailing Address  City  State  ZIP Code  Telephone #  Telephone #  Legal owner(s) of the property which  Name #2 - Type or Print  Name #2 - Type or Print  Signature #2  AU30 CHESTAN 20 Bours & Print  State  ZIP Code  Telephone #  Email Address
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u 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	Legal Owners:  LUIS CONICEAN  Name #1 - Type or Print  Signature #1  Signature #2  4030 CHESTAN P. BULYCE OF PRO  Mailing Address  City  State  2122   #43 - 506 - 9667,  Zip Code  Telephone # Email Address  Representative to be contacted:
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u 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	Legal Owners:  LDIS CONCERN  Name #1 - Type of Print  Signature #1  Signature #1  Signature #2  4030 CHESTAM PO BULLICE OF Mailing Address  City  State  2122   443 - 506 - 9667,  Zip Code  Telephone # Email Address  Representative to be contacted:
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u 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	Address  Representative to be contacted:  Name - Type or Print  Name - Type or Print  Name - Type or Print  Signature  Signature
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u 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  Signature  Name- Type or Print  Signature  Name- Type or Print	Legal Owners:  Lois Concern  Name #1 - Type of Print  Signature #1  Signature #2  Mailing Address  City  State  Z122   #43 - 506 - 9667,  Zip Code  Telephone # Email Address  Representative to be contacted:  Name - Type of Print  Signature  Signature
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u 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  Signature  Name- Type or Print  Signature	Legal Owners:  LUIS CONIC RAN  Name #1 - Type of Print  Signature #1  Signature #2  4030 CHESTANT RO  Mailing Address  City  State  Z122 / 443 506 - 9667,  Zip Code  Telephone # Email Address  Representative to be contacted:  TOOD LEWIS LEWIS DESIGN GROWN  Name - Type of Print  Signature  Gyo o Guniven RO  Mailing Address  City  State  City  State  City  State  Signature  Gyo o Guniven RO  BAND  Mailing Address  City  State
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u 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  Signature  Name- Type or Print  Signature  S	Address  Representative to be contacted:  Too VEWIS LOUIS CONSTRUCTOR TO Signature  Representative to be contacted:  Signature  Signature  Representative to be Contacted:  Signature  Signature  Signature  Signature  Signature  Signature  State  State  City  State
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u 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  City State  Zip Code Telephone # Email Address  Email Address	Address  Representative to be contacted:  Too Veus Contacted:  Too Veus Contacted:  Too Contac
restrictions of Baltimore County adopted pursuant to the zoning law for B Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u 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  City State  Zip Code Telephone # Email Address  Attorney for Petitioner:  Signature Email Address  A PUBLIC HEARING having formally demanded and/or found to be	Legal Owners:  Luis Conic Ran  Name #1 - Type of Print  Signature #1  Signature #2  4030 CHESTANT RO  Mailing Address  City  State  Z122 / 443 506 - 9667,  Zip Code  Telephone # Email Address  Representative to be contacted:  The Course Ran  Name #2 - Type of Print  Signature #2  4030 CHESTANT RO  Mailing Address  City  State  Z122 / 443 506 - 9667,  Zip Code  Telephone # Email Address  Representative to be contacted:  The Course Roll Course Roll  Name - Type of Print  Signature  Geo General Roll  Signat

# Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the 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 property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address:	4030	CHETTN	r ro.	Borlige	Or	MC			ZILZL	
Print	or Type Address	of property		City		Stat	е .		Zip Coo	de
Based upon p Administrative										e)
CHANGE	EX 15	חטי ל	MAGE	Heigh		Frum	15'	120	GHN86 G	t
SMAN	METO	NEW	AODEN	STONA	63	SPACO			,	
					,					
~			'							
					-	· · · · · · · · · · · · · · · · · · ·			,	
			•		٠,					
LOIS (	Cuak R	47.	211	2535	Na	ame- Print or	Туре			
TI	ne following	information	is to be co	mpleted by a	Nota	ary Public o	f the S	tate of Mary	land	
STATE OF M	ARYLAND		OF BALT	IMORE, to	wit	i Ja	LET A	09		
I HEREBY CE	RTIFY, this	s_25 id, personal	day of	January	, 20	17 , be	efore m	ne a Notary	of Maryland,	in
W. W. S. Wales	NUCSOUS	7 452	Charles .	120016	Lo	is Cox	kran	1-7-7		Q:
the Affiant(s) he	erein, persor	nally known	or satisfact	torily identifi	ed to	me as suc	h Affia	nt(s) (Print	name(s) her	e)
AS WITNESS	my hand and	d Notaries S		Raymon	) e	Corkra	v T	L		
RAYN	OND CHARLE	S CORKRAN I	Notary	Public						
My Cor	nmission Expires	January 15, 20	14 My Cor	mmission E	xpires	3		11		



ZONING PRPERTY DESCRITION FOR 4030 CHESTNUT ROAD. BALTIMORE, MARYLAND 21222

Beginning for the same at the Northeast side of Chestnut Road which is (31.05 feet) wide running thence in a Northeasterly direction, running thence along the east side of Lot 139 (369.61 feet) to the waters of Seneca Creek ), thence in a Northwesterly direction binding on the water of said creek (100 feet) to meet the Northwest line of Lot.136, thence in a Southern direction along the dividing line between Lots 136 and 139 on said plat (376.11 feet) to the Northwest side of Chestnut Road, thence along the North east side of Chestnut Road (50.01 feet) to the place of beginning.

# MEMORANDUM

DATE: April 09, 2012

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2012-0181-A - Appeal Period Expired

The appeal period for the above-referenced case expired on April 6, 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

			D FINANC RECEIPT				7896	1	CAN PERSON (BY
Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obi	Date:		Amount	TO SELECT TO A SELECT THE SELECT
100	806	0000		6150					Section of the sectio
`									Billians From the Aller
Rec From:		=WIS 0181- A 403		STNUT		Total:		75.	
	4	.00	II) OTIL	JINUI	12.	DT	Homps	ON	
				7					CASHIER'S

# DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW

# ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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. <u>For those petitions which require a public hearing</u>, 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.

Number: 3012-0181-A
4030 CHESTNUT ROAD
 ADVERTISING BILL TO:
GUNVIEW RD

# **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case	Number 2012- 0181 -A Address 4030 CHESTNUT RD
Cont	tact Person: DONNA THOMPSON Phone Number: 410-887-3391
Filin	g Date: 1313 Posting Date: 21212 Closing Date: 212712
Any	contact made with this office regarding the status of the administrative variance should be ugh the contact person (planner) using the case number.
1.	<u>POSTING/COST</u> : 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.	<u><b>DEADLINE:</b></u> 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.	<u>POSSIBLE PUBLIC HEARING AND REPOSTING:</u> 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)
Petit	ioner: This Part of the Form is for the Sign Poster Only
	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case	Number 2012- 0181 -A Address 4030 CHESTNUT RD.
Petiti	oner's Name CORKRAN Telephone 443-506-9667
Post	ing Date: 2 2 2 12 12 Closing Date: 2 2 27 12
Word	ding for Sign: To Permit AN ACCESSORY STRUCTURE (GARAGE) WITH A
. }	HEIGHT OF 21-FRET IN LIEU OF THE MAXIMUM PERMITTED 15-FEET.

# **CERTIFICATE OF POSTING**

	2012-0181-A
	Petitioner/Developer:
	Corkran
	February 27, 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:	
	s of perjury that the necessary sign(s) required by law were ated at:
	February 12, 2012
The sign(s) were posted on	(Month, Day, Year)
La La	Sincerely,
TONING	February 12, 2012
ADMINISTRATIVE	(Signature of Sign Poster) (Date)
VARIANCE CASE W 2012-0181-A	SSG Robert Black
CASE W 2012-010" TO TO PRINT OF ALL ALL OF THE MACESTAN STREET OF ALL OF THE MACESTAN STREET OF THE MACESTAN STREE	(Print Name)
PUBLIC HEARING ?  PUBSUAT TO SECTION 24	1508 Leslie Road
PURSONANT TO SECTION \$2 ***********************************	(Address)
THE ONLINEAR RELATIONS AND ADMINISTRATION OF THE OWNER OF THE OWNER OF THE OWNER OF THE OWNER OW	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

# **BALTIMORE COUNTY, MARYLAND**

### **Inter-Office Correspondence**



RECEIVED

MAR 0 1 2012

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:

March 1, 2012

SUBJECT:

**DEPS** Comment for Zoning Item

# 2012-0181-A

Address

4030 Chestnut Road (Corkran Property)

Zoning Advisory Committee Meeting of February 6, 2012.

EPS has reviewed the subject zoning petition for compliance with the goals of the Statemandated 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 outside the 100-foot buffer. The property owner addressed lot coverage requirements in 2008 with permit B682491. The only change from that permit is to increase the height of the garage. Additional storage on a second level, rather than an expanded footprint, helps reduce lot coverage. 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. Lot coverage and afforestation requirements have been met, which will help conserve fish habitat in the Chesapeake Bay.
- 1. 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

3-6-10

# Debra Wiley - ZAC Comments - Distribution Mtg. of 2/6/12

From:

Debra Wiley

To:

Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...

Date:

2/6/2012 11:55 AM

Subject:

ZAC Comments - Distribution Mtg. of 2/6/12

### Good Morning,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0178-SPHA - 2301 York Road (No hearing date per database 2/6/12)

2012-0179-SPH - 1127 Engleberth Road - CBCA / Floodplain (No hearing date per database 2/6/12)

2012-0180-A - 6408 Baltimore National Pike (No hearing date per database 2/6/12)

2012-0181-A - 4030 Chestnut Road - CBCA (Administrative Variance - Closing Date: 2/27/12)

2012-0182-A - 100 Grist Stone Way (Administrative Variance - Closing Date: 2/27/12)

2012-0183-SPHX - 2029 2019 Monkton Road (No hearing date per database 2/6/12)

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



KEVIN KAMENETZ County Executive

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

February 22, 2012

Lois Corkran 4030 Chestnut Road Bowleys Quarters, MD 21222

RE: Case Number: 2012-0181A, 4030 Chestnut Road

Dear Ms. Corkran:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 31, 2012. 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,

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:mcn

**Enclosures** 

c: People's Counsel
Todd Lewis, Lewis Design Group, 9400 Gunview Road, Baltimore, MD 21236





Beverley K. Swaim-Staley, Secretary Melinda B. Peters, Administrator

Date: 2-6-12

Ms. Kristen Lewis Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: **Baltimore County** 

Item No 2012-0181-A Administrative Variance Lois Corkron 4030 Chestnut Road.

Dear Ms. Lewis:

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. 2012-0181-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).

Sincerely,

Access Management Division

SDF/raz

# BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: February 7, 2012

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 20, 2012

Item Nos. 2012-178,179,180,181,182,

And 183

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-02202012-NO COMMENTS.doc

Case No.: 2012-0181- A

# Exhibit Sheet

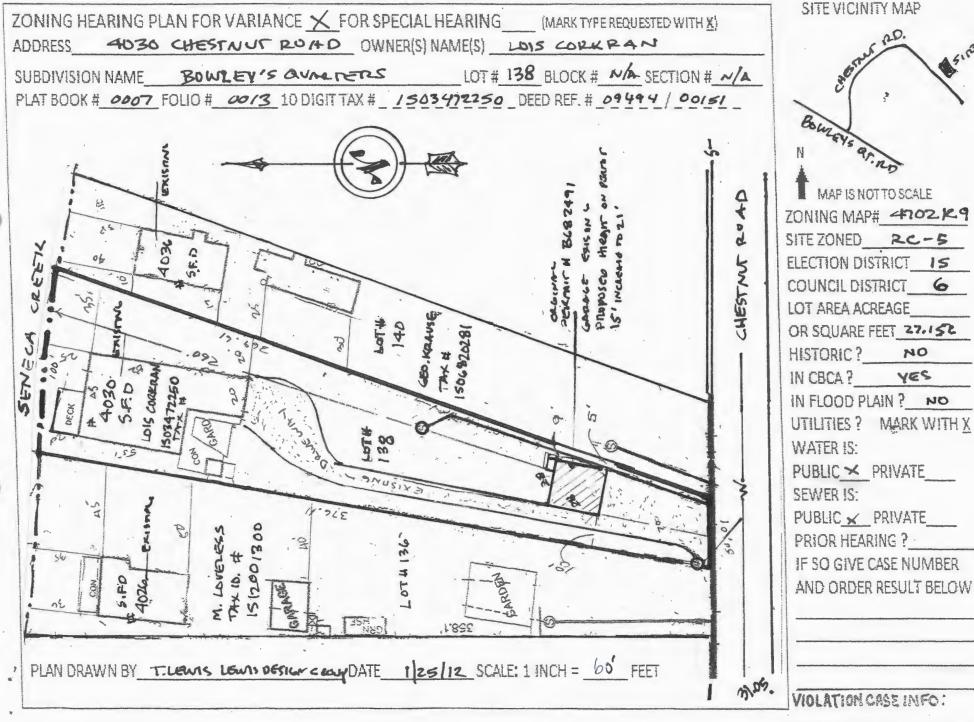
3/6/18

Petitioner/Developer

Protestant

2 and

77 1	1	T
No. 1	i est alexi	
	site plan	
27 0		
No. 2		
27 0		·
No. 3		
27 4		
No. 4		
77 5		
No. 5		
NT- C	· · · · · · · · · · · · · · · · · · ·	
No. 6		
NT- 7	· · · · · · · · · · · · · · · · · · ·	Ac de la companya de
No. 7		
·NTo O		
No. 8		
No. 9		
140. 9		
No. 10		
140. 10		
No. 11		
140. 11		-
No. 12	-	,
110. 12		
	· · · · · · · · · · · · · · · · · · ·	



Petitioner's Exhibit 1

2012-0181-A

CASE NO. 2012-0181-A

# CHECKLIST

Comment Received	<u>Department</u>	Support/Oppose/ Conditions/ Comments/ No Comment
2-7	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	NC .
3-1	DEPS (if not received, date e-mail sent 3-1)	Comments
	FIRE DEPARTMENT	· .
	PLANNING (if not received, date e-mail sent)	•
2-6	STATE HIGHWAY ADMINISTRATION	NC
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATIO	N (Case No.	
PRIOR ZONING	(Case No.	
NEWSPAPER ADVE	ERTISEMENT Date:	0
SIGN POSTING	Date: $2-17$	by Black
PEOPLE'S COUNSE	L APPEARANCE Yes No	
PEOPLE'S COUNSE	L COMMENT LETTER Yes No	
Comments, if any:		
		*

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

2012-0181-A

Go Back
View Map
New Search
GroundRent
Redemption
GroundRent
Registration

			Owner Info	rmation					
Owner Name: Mailing Address:	4030 (	RAN LOIS ANN		Use: Princip: Deed Re				RESIDENT YES 1)/09494/0	
	BALT	IMORE MD 21220-4						2)	
		Loca	tion & Structu	re Information					
Premises Address 1930 CHESTNUT RD 0-0000			Waterfr	Legal Des LT 138-139 CHESTNUT ont BOWLEYS	ΓRD				
Map Grid Parce	Sub District	Subdivision	Section	Block	Lot	Assessment Area		Plat No:	2
0091 0022 0150		0000			138	3		Plat Ref:	0007/
Special Tax Areas	Town Ad Valorem Tax Class	NONE							
Primary Structure Built 1959		Enclosed Are 3,927 SF	ea	Property 27,156 SF	Land A	rea	<u>C</u>	County Use	
Stories Desement									
Stories Basement 2.000000 NO	Type STANDARD U	Exterior  NIT 1/2 BRICK SIDI	NG						
			NG Value Infor	mation					
					12				
2.000000 NO	Base Value 325,700	Value As Of 01/01/2012 265,700	Value Infor	As Of	12				
Land Improvements: Total:	Base Value  325,700 318,200 643,900	Value As Of 01/01/2012	Value Infor	As Of 07/01/201	12				
Land Improvements: Total:	Base Value 325,700 318,200	Value As Of 01/01/2012 265,700 224,000	Value Infor Phase-in A: As Of 07/01/2011	As Of 07/01/201 489,700 0	12				
Land Improvements: Total: Preferential Land: Seller: CORKRAN RA	Base Value  325,700 318,200 643,900 0	Value As Of 01/01/2012 265,700 224,000	Value Infor Phase-in As As Of 07/01/2011	As Of 07/01/201  489,700 0  Date:	12/07/1		Price:	\$250,000	
Land Improvements: Total: Preferential Land:  Seller: CORKRAN RA Type: ARMS LENGT Seller:	Base Value  325,700 318,200 643,900 0	Value As Of 01/01/2012 265,700 224,000	Value Infor Phase-in A: As Of 07/01/2011	As Of 07/01/201	12/07/1	1992 / 00151	Price: Deed2: Price: Deed2:	\$250,000	
Land Improvements: Total: Preferential Land: Seller: CORKRAN RA Type: ARMS LENGT	Base Value  325,700 318,200 643,900 0	Value As Of 01/01/2012 265,700 224,000	Value Infor Phase-in A: As Of 07/01/2011	As Of 07/01/201  489,700 0  ormation  Date: Deed1:  Date:	12/07/1		Deed2:	\$250,000	
Land Improvements: Total: Preferential Land:  Seller: CORKRAN RA Type: ARMS LENGT  Seller: Type: Seller:	Base Value  325,700 318,200 643,900 0	Value As Of 01/01/2012 265,700 224,000	Value Infor Phase-in A: As Of 07/01/2011	As Of 07/01/201  489,700 0  Date: Deed1: Deed1: Date: Deed1:	12/07/1		Price: Deed2: Price:	\$250,000	
Land Improvements: Total: Preferential Land:  Seller: CORKRAN RA Type: ARMS LENGT  Seller: Type: Seller:	Base Value  325,700 318,200 643,900 0  YMOND C H IMPROVED	Value As Of 01/01/2012 265,700 224,000	Value Infor Phase-in As As Of 07/01/2011 644,000 Transfer Info	As Of 07/01/201  489,700 0  Date: Deed1: Deed1: Date: Deed1:	12/07/1		Price: Deed2: Price:	\$250,000	

### Patricia Zook - Case 2012-0181-A - need DEPS comment

From:

Patricia Zook

To:

Livingston, Jeffrey

Date:

3/1/2012 10:48 AM

Subject:

Case 2012-0181-A - need DEPS comment

Good morning Jeff -

This administrative variance case closed on February 27, 2012 and the file is missing a comment from DEPS.

Thanks you.

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: Created By:

Case 2012-0181-A - need DEPS comment pzook@baltimorecountymd.gov

Scheduled Date: **Creation Date:** 

3/1/2012 10:48 AM

From:

Patricia Zook

Recipient	Action	Date & Time	Comment
To: Jeffrey Livingston (jlivingston@baltimorecountymd.gov)	Delivered	3/1/2012 10:48 AM	



FRONT.



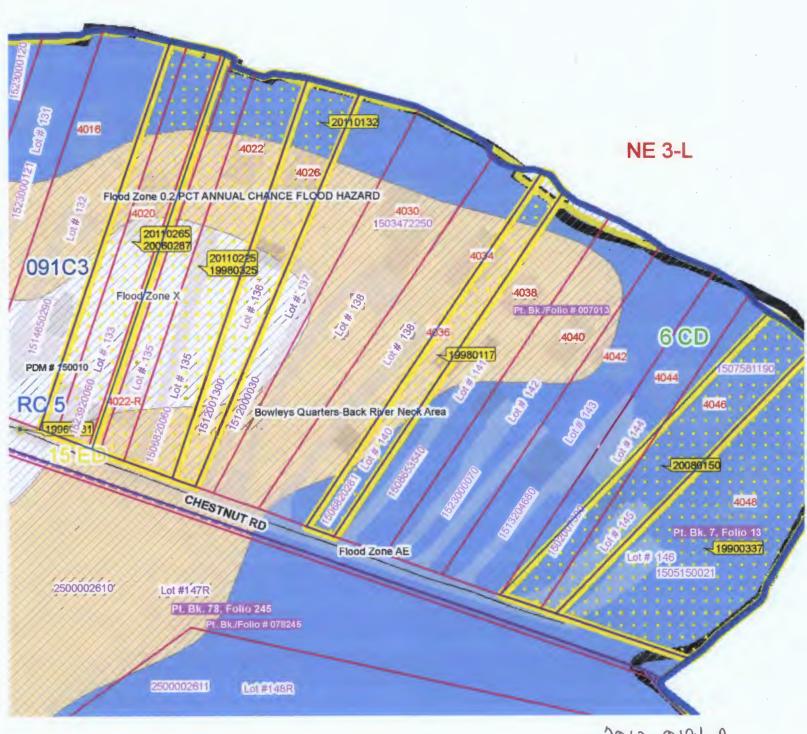
WESTSIDE



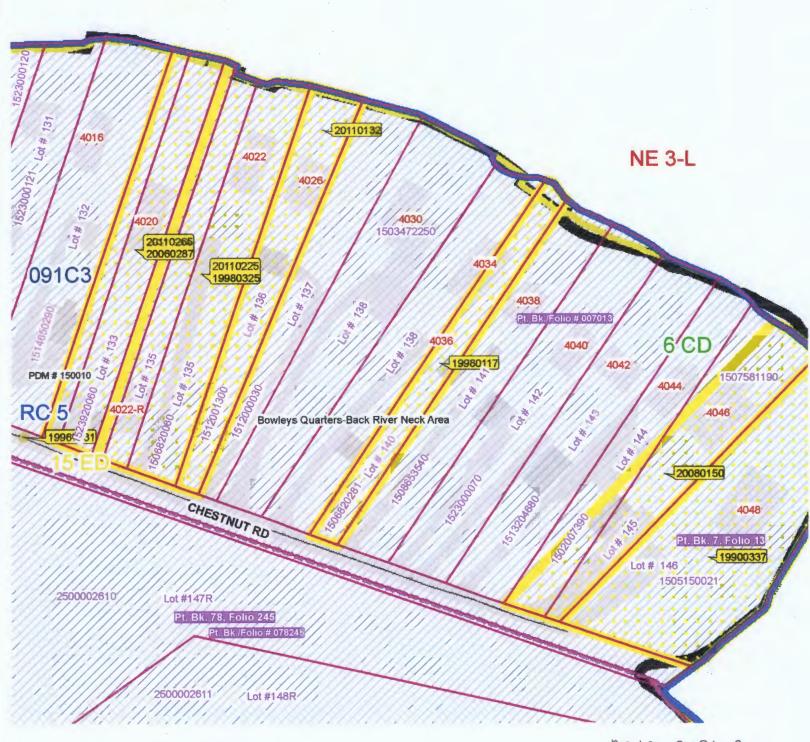
EASTSIDE



REAR



2012-0181-A



ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X) 4030 CHESTNUT ROAD OWNER(S) NAME(S) LOIS CORKPAN SUBDIVISION NAME BOWLEY'S OWNERERS LOT# 138 BLOCK # N/A SECTION # N/A PLAT BOOK # 0007 FOLIO # 00/3 10 DIGIT TAX # 1503472250 DEED REF. # 09494 / 00/5/ MAP IS NOT TO SCALE ZONING MAP# 4702 K9 SITE ZONED 2C-5 CHESTAUT ELECTION DISTRICT IS COUNCIL DISTRICT 6 LOT AREA ACREAGE OR SQUARE FEET 27.15% HISTORIC? NO IN CBCA? YES IN FLOOD PLAIN ? NO UTILITIES? MARK WITH X WATER IS: PUBLIC × PRIVATE SEWER IS: PUBLIC X PRIVATE PRIOR HEARING? IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW 1.865 PLAN DRAWN BY TILEMS LEWIS DESILE COMPDATE 1/25/12 SCALE: 1 INCH = 60 FEET VIOLATION CASE INFO:

SITE VICINITY MAP