

M E M O R A N D U M

DATE: May 22, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0214-A - Appeal Period Expired

The appeal period for the above-referenced case expired on May 21, 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

IN RE: PETITION FOR ADMIN. VARIANCE

SW side of Newport Circle; 120.28 feet
SW of the c/l of Hopkins Landing Drive
15th Election District
6th Councilmanic District
(1709 Newport Circle)

Caroline J. and Morse Davis
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* Case No. 2012-0214-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings as a Petition for Administrative Variance filed by the legal owners of the subject property, Caroline J. and Morse Davis. The variance request is from Sections V.B.6.b and V.B.6.c of the Comprehensive Manual of Development Policies and Section 504.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a rear yard setback of 12 feet and a window to window setback of 38 feet in lieu of the required 15 feet and 40 feet respectively, and to amend the 4th amended Final Development Plan of Hopewell Point. The subject property and requested relief are more particularly described on Petitioners' 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 dated April 19, 2012, which state:

1. "The subject property is located within an Intensely Developed Area. The applicant is proposing to construct a 248 square foot addition with less rear setback than permitted. The 10% pollutant reduction requirement does not have to be met if the new impervious surface is 250 square feet or less. This addition is considered so minimal that there will be minimal impacts to water quality.
2. This property is not waterfront. No forest, wetlands, or buffers will be impacted. Therefore, there will be no impact to habitat.

ORDER RECEIVED FOR FILING

Date 4-19-12

By PJ



KEVIN KAMENETZ
County Executive

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

April 3, 2012

Caroline J. & Morse Davis
1709 Newport Circle
Baltimore, MD 21221

RE: Case Number: 2012-0214A, Address: 1709 Newport Circle, 21221

Dear Mr. & Ms. Davis:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 18, 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,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
David Billingsley, Central Drafting and Design, 601 Charwood Court, Edgewood, MD 21040

3. The relief requested will be consistent with established land-use policies provided that the applicants meet the requirements stated above."

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 18, 2012, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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

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 19th day of April, 2012 that the Variance request from Sections V.B.6.b and V.B.6.c of the Comprehensive Manual of Development Policies and Section 504.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a rear yard setback of 12 feet and a window to window setback of 38 feet in lieu of the required 15 feet and 40 feet respectively, and to amend the 4th amended Final Development Plan of Hopewell Point, be and is hereby GRANTED, subject to the following:

ORDER RECEIVED FOR FILING

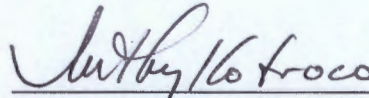
Date 4-19-12

2

By [Signature]

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the ZAC comments made by the Department of Environmental Protection and Sustainability dated April 19, 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

Date 4-19-18

3

By pm



KEVIN KAMENETZ
County Executive

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

April 19, 2012

CAROLINE J. AND MORSE DAVIS
1709 NEWPORT CIRCLE
BALTIMORE MD 21221

RE: Petition For Administrative Variance
Case No. 2012-0214-A
Property: 1709 Newport Circle

Dear Mr. and Mrs. Davis:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in cursive script, appearing to read "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure

c: David Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood MD 21040



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 1709 NEWPORT CIRCLE which is presently zoned OR 10.5

Deed Reference L 26794 F 306 10 Digit Tax Account # 2300012099

Property Owner(s) Printed Name(s) CAROLINE J. AND MORSE DAVIS

(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. X ADMINISTRATIVE VARIANCE from section(s)

SEE ATTACHED

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

Date

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners:

CAROLINE J. DAVIS, MORSE DAVIS

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

1709 NEWPORT CIRCLE BALTO., MD.

Mailing Address City State

21221, (410) 818-8234,

Zip Code Telephone # Email Address

Representative to be contacted:

DAVID BILLINGSLEY
CENTRAL DRAFTING AND DESIGN

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD MD.

Mailing Address City State

21040, (410) 679-8719, dwb0209@yahoo.com

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 3 day of July, 2012 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 2012-0214A Filing Date 3,7,12 Estimated Posting Date 3,18,12 Reviewer JCM

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.

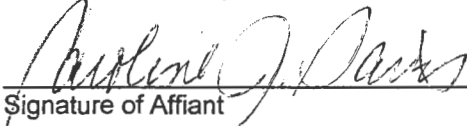
That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 1709 NEWPORT CIRCLE BALTO. MD. 21221
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

SEE ATTACHED

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)


Signature of Affiant
CAROLINE J. DAVIS
Name- Print or Type


Signature of Affiant
MORSE DAVIS
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

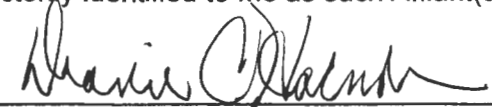
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23 day of Feb, 2012, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

CAROLINE J. DAVIS AND MORSE DAVIS
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal




Notary Public

06.21.15
My Commission Expires

SECTIONS V.B.6.b (CMDP), V.B.6.c (CMDP) AND 504.2 (BCZR) TO PERMIT A REAR
YARD SETBACK OF 12 FEET AND A WINDOW TO WINDOW SETBACK OF 38 FEET IN
LIEU OF THE REQUIRED 15 FEET AND 40 FEET RESPECTIVELY, AND TO AMEND THE
4TH AMENDED FINAL DEVELOPMENT PLAN OF HOPEWELL POINT.

1709 NEWPORT CIRCLE

PRACTICAL DIFFICULTY OR HARDSHIP

With the addition of two children, we have reached a point where we must move into a larger dwelling or attempt to construct an addition to provide additional living space. We love the neighborhood and prefer stay in our house rather than move.

We have met with a contractor and a consultant to discuss the options for an addition. Because of the interior layout and the location of the dwelling on the lot, it became obvious that the only possible location for the addition is in the rear yard and that a zoning variance would be necessary.

The addition we are proposing is modest in size (248 square feet). The exterior of the addition will match that of the existing dwelling. We have presented the proposal to our Homeowner's Association and it has been approved by them subject to our obtaining this variance.

Thank you for your consideration and should you need any additional information, please do not hesitate to contact us.

Caroline and Morse Davis

ZONING DESCRIPTION

1709 NEWPORT CIRCLE

Beginning at a point on the southwest side of Newport Circle (40 feet wide) distant 120.28 feet southwesterly from its intersection with the center of Hopkins Landing Drive (40 feet wide) thence being all of Lot 52 as shown on the plat entitled Hopewell Point, recorded among the Baltimore County plat records in Plat Book 74 Folio 06. Containing 6,272 square feet or 0.144 acre of land, more or less.

Being known as 1709 Newport Circle. Located in the 15TH Election District, 6TH Councilmanic District of Baltimore County, Md.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 0214 -A Address 1709 NEWPORT CIR.

Contact Person: J. MERREY Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3/7/12 Posting Date: 3/18 Closing Date: 4/2

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- 0214 -A Address 1709 NEWPORT CIR.

Petitioner's Name C. DAVIS Telephone _____

Posting Date: 3/18/12 Closing Date: 4/2/12

Wording for Sign: To Permit A REAR YARD SETBACK OF 12ft. AND
A WINDOW TO WINDOW SETBACK OF 38ft. IN LIEU OF
THE REQUIRED 15ft. & 40ft. RESPECTIVELY, AND TO
AMEND THE 4TH AMENDED FINAL DEVELOPMENT PLAN OF
HOPEWELL POINT.

Revised 7/06/11

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2012-0214-A
Petitioner: CAROLINE J DAVIS
Address or Location: 1709 NEWPORT CIRCLE

PLEASE FORWARD ADVERTISING BILL TO:

Name: CAROLINE J DAVIS
Address: 1709 NEWPORT CIRCLE
BALTO MD 21221

Telephone Number: _____

TRANSMISSION VERIFICATION REPORT

TIME : 03/08/2012 11:41
NAME : ZONING OFFICE
FAX : 4108873048
TEL : 4108873391
SER.# : BROK8J873573

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

03/08 11:41
94106791298
00:00:40
01
OK
STANDARD
ECM

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 0214 -A Address 1709 NEWPORT CIR.
Contact Person: J. MERREY Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 3/7/12 Posting Date: 3/18 Closing Date: 4/2

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.
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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.

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
APR 19 2012
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: April 19, 2012

SUBJECT: DEPS Comment for Zoning Item # 2012-0214-A
Address 1709 Newport Circle
(Davis Property)

Zoning Advisory Committee Meeting of March 19, 2012.

1. The subject property is located within an Intensely Developed Area. The applicant is proposing to construct a 248 square foot addition with less rear setback than permitted. The 10% pollutant reduction requirement does not have to be met if the new impervious surface is 250 square feet or less. This addition is considered so minimal that there will be minimal impacts to water quality.
2. This property is not waterfront. No forest, wetlands, or buffers will be impacted. Therefore, there will be no impact to habitat.
3. 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

ORDER RECEIVED FOR FILING

Date 4-19-12

By [Signature]

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

No.

80019

Date:

3/7/12

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
3/07/2012 3/07/2012 10:25:56 5

NO. 0003 WALKIN REOS LTD
RECEIPT # 579199 3/07/2012 OFLN

5 528 ZONING VERIFICATION
000019

Recpt Tot \$75.00
\$75.00 CR 1.00 CA
Baltimore County, Maryland

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

Total: 75.00

Rec

From:

DAVIS

For:

2012-0214-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

RE: CASE NO:

2012-004-A

PETITIONER/DEVELOPER

DAVE BILLINGSLEY

DATE OF HEARING/CLOSING:

4/2/12

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 1709 NEWPORT CIRCLE

THIS SIGN(S) WERE POSTED ON

March 18, 2012
(MONTH, DAY, YEAR)

SINCERELY,

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 # 2012-0214-A
TO REQUEST A 8'00" VARIANCE OF 12'00" AND A WINDOW
TO WINDOW SETBACK OF 30'00" TO 40'00" FROM THE BUILDING
16'00" x 40'00" RESPECTIVELY AND TO AMEND THE 47'00"
AMENDED FINAL DEVELOPMENT PLAN OF HYPERBOLIC
701017

PUBLIC HEARING ?

IF YOU, OWNER OF THE PROPERTY, OR ANY OTHER PERSON, ARE
AN ELIGIBLE PROPERTY, YOU MAY REQUEST A PUBLIC
HEARING CONCERNING THE PROPOSED VARIANCE. PROPERTIES
ELIGIBLE FOR A PUBLIC HEARING ARE THOSE THAT ARE
APPLICABLE TO THE ZONING DISTRICT. THE PUBLIC HEARING
WILL BE HELD ON MONDAY, APRIL 2, 2012, AT 10:00 AM
AT THE CITY OF CHICAGO, 111 N. LAKE STREET, 11TH FLOOR
AT 111 N. CHICAGO AVE. CHICAGO, IL 60601
TEL: (773) 443-2301

MEETING IS PUBLICLY ACCESSIBLE

03/18/2012

Michael D. 3/18/12

Case No.: 2012-0214-A

Exhibit Sheet

4/23/12
P3
DW 5/22/12

Petitioner/Developer

Protestant

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		

Dave Billingsley

From: Patricia Zook
To: dwb0209@yahoo.com
Date: 4/19/2012 11:59 AM
Subject: Fwd: Zoning Petition Comment: 2012-214-A
Attachments: Zoning Petition Comment: 2012-214-A

Good morning -

Please find attached the DEPS comment from Jeff Livingston. The order and cover letter are already drafted. I'll print both for Tim's signature and hopefully he will sign today.

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.

Patricia Zook - Case 2012-0214-A - need comment

From: Patricia Zook
To: Livingston, Jeffrey
Date: 4/12/2012 1:52 PM
Subject: Case 2012-0214-A - need comment

Hi Jeff -

I still need this DEPS comment.

Thank you.

From: Patricia Zook 4/3/2012 11:14:57 AM

Hello Jeff -

This administrative variance closed on April 2 and the file is missing a comment from your office. The site plan indicates the property is within the CBCA.

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



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Patricia Zook - Case 2012-0214-A - need comment

From: Patricia Zook
To: Livingston, Jeffrey
Date: 4/3/2012 11:14 AM
Subject: Case 2012-0214-A - need comment

Hello Jeff -

This administrative variance closed on April 2 and the file is missing a comment from your office. The site plan indicates the property is within the CBCA.

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



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CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>3-21</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>nc</u>
<u>4-19</u>	DEPS (if not received, date e-mail sent <u>4-30</u>)	<u>comment</u>
_____	FIRE DEPARTMENT <u>4-12</u>	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>3-19</u>	STATE HIGHWAY ADMINISTRATION	<u>nc</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>3-18</u> by <u>Dglu</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

Maryland Department of Assessments and Taxation
Real Property Data Search (vwl1.1A)
BALTIMORE COUNTY

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2012-0214-A

Account Identifier:

District - 15 Account Number - 2300012099

Owner Information

Owner Name:	DAVIS CAROLINE J DAVIS MORSE	Use:	RESIDENTIAL
Mailing Address:	1709 NEWPORT CIR BALTIMORE MD 21221-2225	Principal Residence:	YES
		Deed Reference:	1) /26794/ 00306 2)

Location & Structure Information

Premises Address
1709 NEWPORT CIR
0-0000

Legal Description
.144 AC
1709 NEWPORT CIR SWS
HOPEWELL POINTE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0090	0023	1350		0000			52	3	
									Plat Ref: 0074/ 0006

Special Tax Areas

Town	NONE
Ad Valorem	
Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2004	1,912 SF	6,272 SF	04

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2011	07/01/2012
Land	181,200	126,200		
Improvements:	263,300	160,900		
Total:	444,500	287,100	444,600	287,100
Preferential Land:	0			0

Transfer Information

Seller:	SCHREIBER CAROLINE J	Date:	03/19/2008	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/26794/ 00306	Deed2:	
Seller:	HOPEWELL POINT LLC	Date:	02/18/2005	Price:	\$235,150
Type:	NON-ARMS LENGTH OTHER	Deed1:	/21453/ 00332	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

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

Tax Exempt:
Exempt Class:

Special Tax Recapture:

Debra Wiley - ZAC Comments - Distribution Mtg. of March 19, 2012

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 3/21/2012 1:34 PM
Subject: ZAC Comments - Distribution Mtg. of March 19, 2012

Good Afternoon,

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.

2012-0214-A - 1709 Newport Circle - CRITICAL AREA
(Administrative Variance) Closing Date: 4/2/12

2012-0215-A - 9004 Hour Glass Court
(Administrative Variance) Closing Date: 4/2/12

2012-0216-A - 9212 Smith Avenue
(Administrative Variance) Closing Date: 4/2/12

2012-0217-A - 8118 Perry Hills Court
No hearing date assigned as of today

2012-0218-SPHA - 8611 Old Harford Road
No hearing date assigned as of today

2012-0219-A - 6014 Shady Spring Avenue
(Administrative Variance) Closing Date: 4/9/12

2012-0220-A - 7304 Gephardt Avenue (CRITICAL AREA & FLOODPLAIN)
(Administrative Variance) Closing Date: 4/9/12

2012-0221-A - 300 Hopkins Road
No hearing date assigned as of today

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

ZAC AGENDA

Case Number: 2012-0214-A

Primary Use: Residential

Reviewer: JCM

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Caroline & Morse Davis

Contract Purchaser:

Critical Area: YES **Flood Plain:** NO **Historic:** NO **Election Dist:** 15th **Councilmanic Dist:** 6th

Property Address: 1709 Newport Cir

Location: SW side of Newport Circle, 120.28 ft +/- SW from the centerline of Hopkins Landing Drive

Existing Zoning: DR 10.5

Area: 6,272 Sq ft.

Proposed Zoning: ADMINISTRATIVE VARIANCE To permit a rear yard setback of 12 feet and a window to window setback of 38 feet in lieu of the required 15 feet and 40 feet respectively, and to amend the 4th amended Final Development Plan of Hopewell Point

Attorney:

Prior Zoning Cases:

Violation Cases:

Miscellaneous:

Concurrent Cases:

Closing Date: 4/2/2012

Case Number: 2012-0215-A

Primary Use: Residential

Reviewer: LW

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Jason & Barbara Gray

Contract Purchaser:

Critical Area: NO **Flood Plain:** NO **Historic:** NO **Election Dist:** 9th **Councilmanic Dist:** 5th

Property Address: 9004 Hour Glass Ct

Location: N/E side of Hour Glass Ct, 194 +/- ft. East of the centerline of Old Harford Rd.

Existing Zoning: DR 5.5

Area: 6,343 sq. ft.

Proposed Zoning: ADMINISTRATIVE VARIANCE to permit an open projection (deck) with a rear setback of 19 ft and a side yard setback of 6 ft. in lieu of the required 22.5 feet and 7.5 feet, respectively.

Attorney:

Prior Zoning Cases:

Violation Cases:

Miscellaneous:

Concurrent Cases:

Closing Date: 4/2/2012

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



Maryland Department of Transportation

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

Date: 3-19-12

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

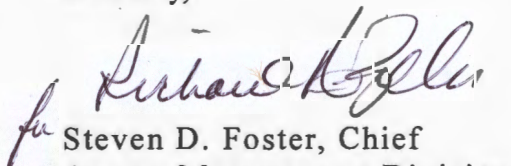
RE: Baltimore County
Item No. 2012-0214-A
Administrative Variance
Caroline & Morse Davis
1709 Newport Circle

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. 2012-0214-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,


Steven D. Foster, Chief
Access Management Division

SDF/raz

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: March 21, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For April 02, 2012
Item Nos. 2012-214, 215, 216, 217, 218, 219
And 221

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-04022012-NO COMMENTS.doc

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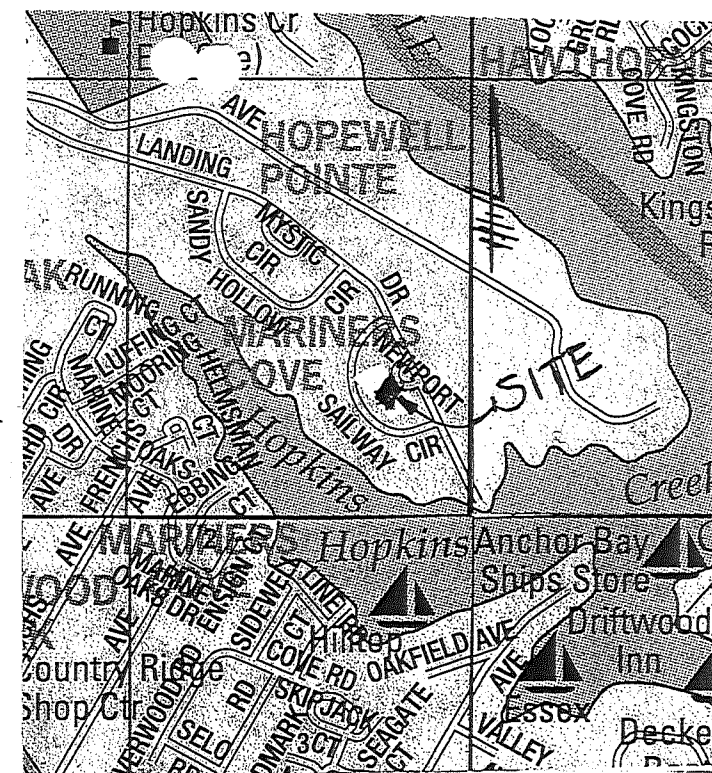
8



6



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LOCATION PLAN
SCALE 1"=1000'

ZONING MAP# 097C1
 SITE ZONED DR10.5
 ELECTION DISTRICT 15
 COUNCIL DISTRICT 6
 LOT AREA ACREAGE 0.144 AC.
 OR SQUARE FEET 6272
 HISTORIC NO
 IN-CBCA YES
 IN FLOOD PLAIN NO
 UTILITIES:
 WATER IS: PUBLIC ☒ PRIVATE
 SEWER IS: PUBLIC ☒ PRIVATE

NO PREVIOUS ZONING VIOLATIONS

PREVIOUS ZONING HISTORY:

CASE NO. 97-440-A (JUNE 11, 1997) GRANTING NUMEROUS YARD
 SETBACK VARIANCES FOR HOPEWELL POINTE SUBDIVISION

**PLAT TO ACCOMPANY REQUEST
 FOR ADMINISTRATIVE VARIANCE**

1709 NEWPORT CIRCLE

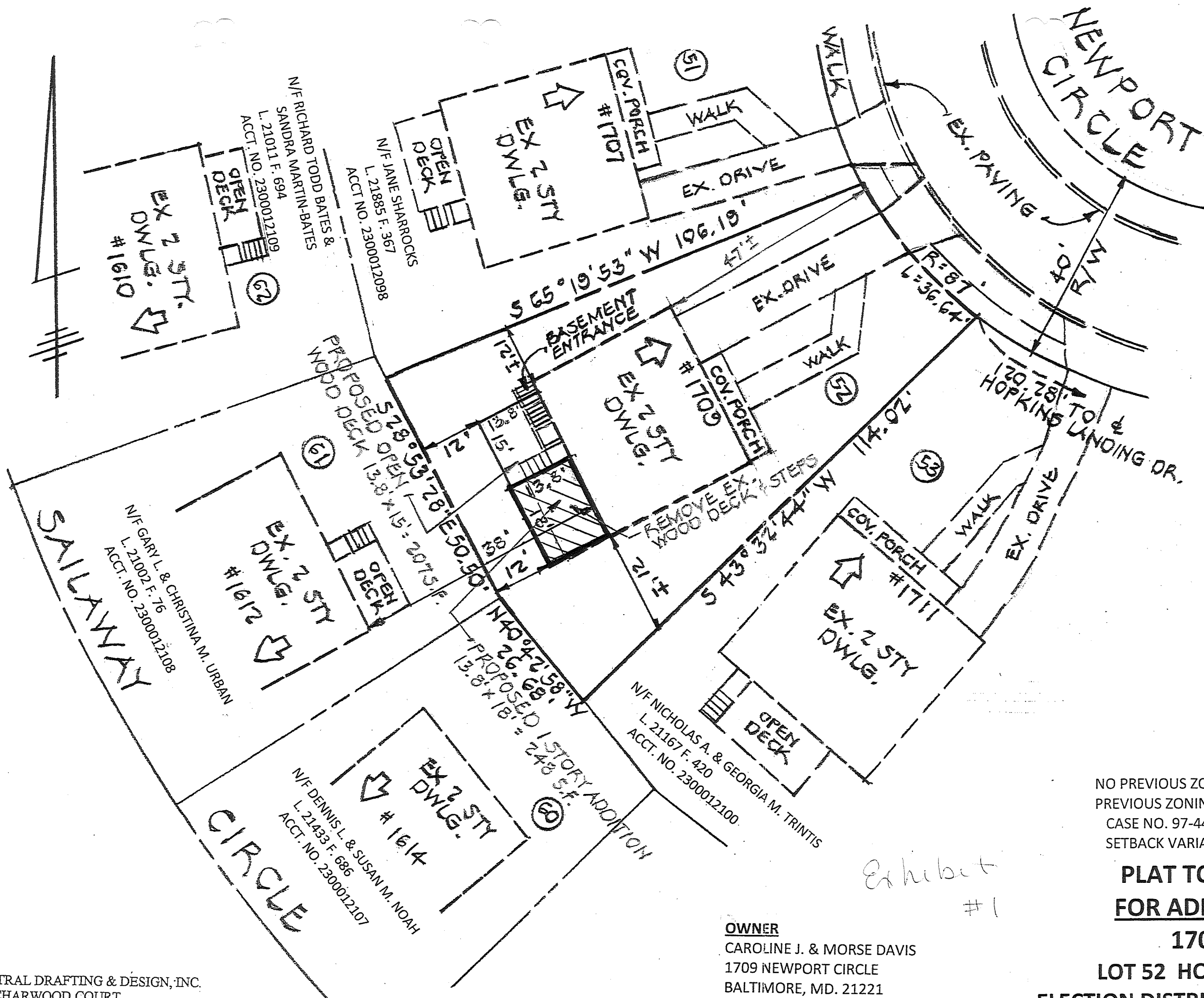
LOT 52 HOPEWELL POINTE P.B. 74 F. 06

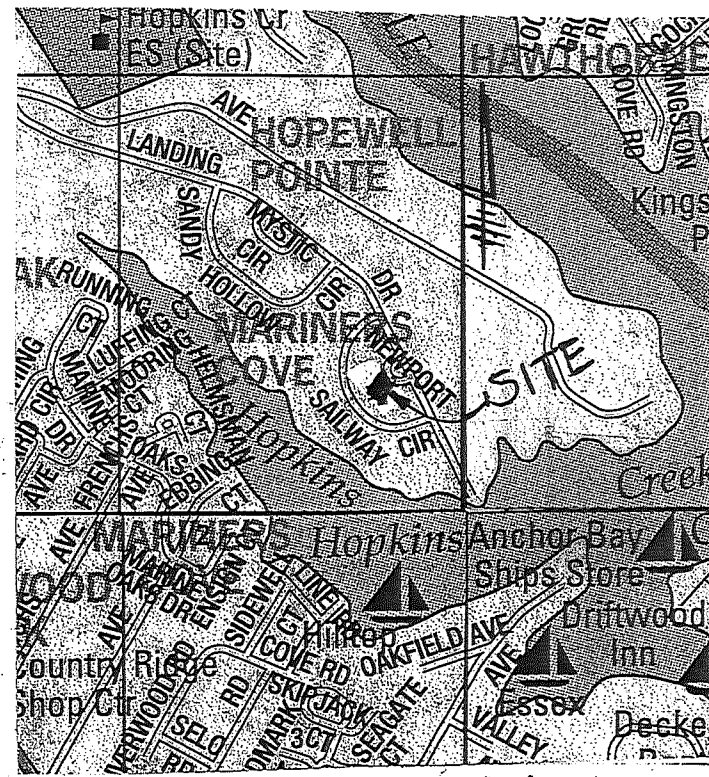
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 20 FEET FEBRUARY 27, 2012

OWNER

CAROLINE J. & MORSE DAVIS
 1709 NEWPORT CIRCLE
 BALTIMORE, MD. 21221
 L. 26794 F. 306
 ACCT. NO. 2300012099





LOCATION PLAN
SCALE 1"=1000'

ZONING MAP: 097C1
SITE ZONED: DR 10.5
ELECTION DISTRICT: 15
COUNCIL DISTRICT: 6
LOT AREA ACREAGE: 0.144 AC.
OR SQUARE FEET: 6272
HISTORIC: NO
IN/CBCA: YES
IN/FLOOD PLAIN: NO
UTILITIES:
WATER IS: PUBLIC ☒ PRIVATE ☐
SEWER IS: PUBLIC ☒ PRIVATE ☐

NOTE: NO PREVIOUS
ZONING HISTORY
OR VIOLATIONS

PHOTOS

PLAT TO ACCOMPANY REQUEST
FOR ADMINISTRATIVE VARIANCE

1709 NEWPORT CIRCLE

LOT 52 HOPEWELL POINTE P.B. 74 F. 06

ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 20 FEET FEBRUARY 27, 2012

OWNER

CAROLINE J. & MORSE DAVIS
1709 NEWPORT CIRCLE
BALTIMORE, MD. 21221
L. 26794 F. 306
ACCT. NO. 2300012099