

IN RE: PETITION FOR ADMIN. VARIANCE

N side of Gephardt Avenue; 195 feet W
of North Dakota Avenue
15th Election District
7th Councilmanic District
(7304 Gephardt Avenue)

Michael S. and Deborah Loncala
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* Case No. 2012-0220-A

* * * * *

OPINION AND ORDER

This matter comes before this Office of Administrative Hearings for Baltimore County as a Petition for Administrative Variance filed by the legal owners of the subject waterfront property, Michael S. and Deborah Loncala. The variance request is from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory building in the front yard of the existing dwelling in lieu of rear yard, and to allow a height of 20 feet in lieu of the maximum allowed 15 feet. 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:

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. "The subject property is located within a Limited Development Area (LDA) and a Buffer Management Area (BMA) and is subject to Critical Area requirements. The applicant is proposing to allow an 896 square foot accessory structure in the front yard and to exceed the height limits. The lot is waterfront and contains the existing dwelling. The accessory structure is not proposed within the 100-foot buffer. Lot coverage on the entirety of this property is limited to 5,445 square feet. The accessory structure is to be

ORDER RECEIVED FOR FILING

Date 4-19-12

By ps

placed partially over the existing driveway. Based on our information, current lot coverage is 4,096 square feet. By meeting the lot coverage requirements, BMA 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. If lot coverage and afforestation requirements are met, that will help conserve fish habitat in the Chesapeake Bay.

Based on the information provided, this office has determined that the applicant's proposal is consistent with this goal. Provided that the applicants meet the requirements stated above, the relief requested will be consistent with established land-use policies."

Comments were received from the Bureau of Development Plans Review dated March 21, 2012. The comments indicate that the first floor or basement must be at least one foot above the flood plain elevation in all construction, the building should be designed and adequately anchored to prevent flotation or collapse and constructed of materials resistant to flood damage. Flood-resistant construction should be in accordance with the Baltimore County Building Code which adopts, with exceptions, the International Building Code.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 25, 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.

ORDER RECEIVED FOR FILING

Date 4-19-18 2

By pm

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 19th day of April, 2012 that a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory building in the front yard of the existing dwelling in lieu of rear yard, and to allow a height of 20 feet in lieu of the maximum allowed 15 feet, be and is hereby GRANTED, subject to the following:

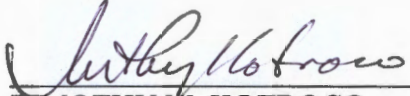
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners 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 April 19, 2012, a copy of which is attached hereto and made a part hereof.
5. Compliance with the ZAC comments made by the Bureau of Development Plans Review dated March 21, 2012, a copy of which is attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING

Date 4-19-12

By [Signature]

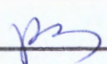
Any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

ORDER RECEIVED FOR FILING

Date 4-19-12 4

By 

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 # 2012-0220-A
Address 7304 Gephardt Avenue
(Loncala Property)

Zoning Advisory Committee Meeting of March 19, 2012.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. The subject property is located within a Limited Development Area (LDA) and a Buffer Management Area (BMA) and is subject to Critical Area requirements. The applicant is proposing to allow an 896 square foot accessory structure in the front yard and to exceed the height limits. The lot is waterfront and contains the existing dwelling. The accessory structure is not proposed within the 100-foot buffer. Lot coverage on the entirety of this property is limited to 5,445 square feet. The accessory structure is to be placed partially over the existing driveway. Based on our information, current lot coverage is 4,096 square feet. By meeting the lot coverage requirements, BMA 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. If lot coverage and afforestation requirements are met, that will help conserve fish habitat in the Chesapeake Bay.
3. Based on the information provided, this office has determined that the applicant's proposal is consistent with this goal. Provided that the applicants meet the requirements stated above, the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger; Environmental Impact Review

ORDER RECEIVED FOR FILING

Date

4-19-12

Bv

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For April 02, 2012
Item No. 2012-0220

DATE: March 21, 2012

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The base flood elevation for this site is 7.7 feet [NAVD 88].

The flood protection elevation is 8.7 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK:CEN
cc: File
ZAC-ITEM NO 12-0220-04022012.doc

ORDER RECEIVED FOR FILING

Date 4-19-12
By [Signature]



KEVIN KAMENETZ
County Executive

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

April 19, 2012

MICHAEL S. AND DEBORAH LONCALA
7304 GEPHARDT AVENUE
SPARROWS POINT MD 21219

RE: Petition For Administrative Variance
Case No. 2012-0220-A
Property: 7304 Gephardt Avenue

Dear Mr. and Mrs. Loncala:

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



CBCA FLOOD PLAIN

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 7304 GEPHARDT AVE which is presently zoned DR 5.5

Deed Reference 13363/00380 10 Digit Tax Account # 1502570970

Property Owner(s) Printed Name(s) MICHAEL & DEBORAH LONCALA

(SELECT THE HEARING(S) BY MARKING ☒ 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

- ☒ **ADMINISTRATIVE VARIANCE** from section(s) Section 400.1; 4003 BCZR
To permit an accessory building in front yard of the existing dwelling in lieu of rear yard; to allow the height of 20 feet in lieu of maximum allowed 15 feet

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

- ☐ **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

Legal Owners:

MICHAEL LONCALA / DEBORAH LONCALA

Name #1 – Type or Print

Name #2 – Type or Print

Michael Loncala
Signature #1

Deborah Loncala
Signature #2

7304 GEPHARDT AVE SPARKSPT MD
Mailing Address City State

21219 / 410-477-0080
Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

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

ORDER RECEIVED FOR FILING

4-19-12
Date

By
Signature

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 2012-0220-A Filing Date 3/12/12 Estimated Posting Date 3/30/12 Reviewer AT/G.H

Rev. 10/12/11

41119 0007 1088

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: 7304 GERHARDT AVE SPARROWS PT MD 21219
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)

PLACING STRUCTURE OVER EXISTING PARKING PAD FOR PRACTICALITY
& EASE OF ACCESS

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

Michael Loncala
Signature of Affiant

MICHAEL LONCALA
Name- Print or Type

Deborah Loncala
Signature of Affiant

DEBORAH LONCALA
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 12th day of MARCH, 2012, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

MICHAEL LONCALA & DEBORAH LONCALA
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



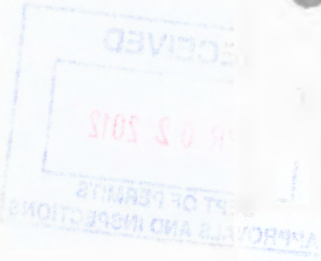
[Signature]
Notary Public

8-10-14
My Commission Expires

ZONING PROPERTY DESCRIPTION FOR 7304 GEPHARDT AVE

Beginning at a point on the north side of Gephardt Ave which is 15 ft wide at the distance of 195 ft west of the centerline of the nearest improved intersection street, North Dakota Avenue, which is 20 ft wide. Being Lots # 51 @ 52, Section A, in the subdivision of CHESAPEAKE TERRACE as recorded in Baltimore County Plat Book # 5, Folio # 34, containing 22,969 sq. ft. Located in the 15th Election District, 7th Council District.

CERTIFICATE OF POSTING
CERTIFICATE OF POSTING



RE:CASE NO: 2012-0220-A

PETITIONER/DEVELOPER _____

MICHAEL LONGMA

DATE OF HEARING/CLOSING: _____

4/9/12

AV
4-9-12

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

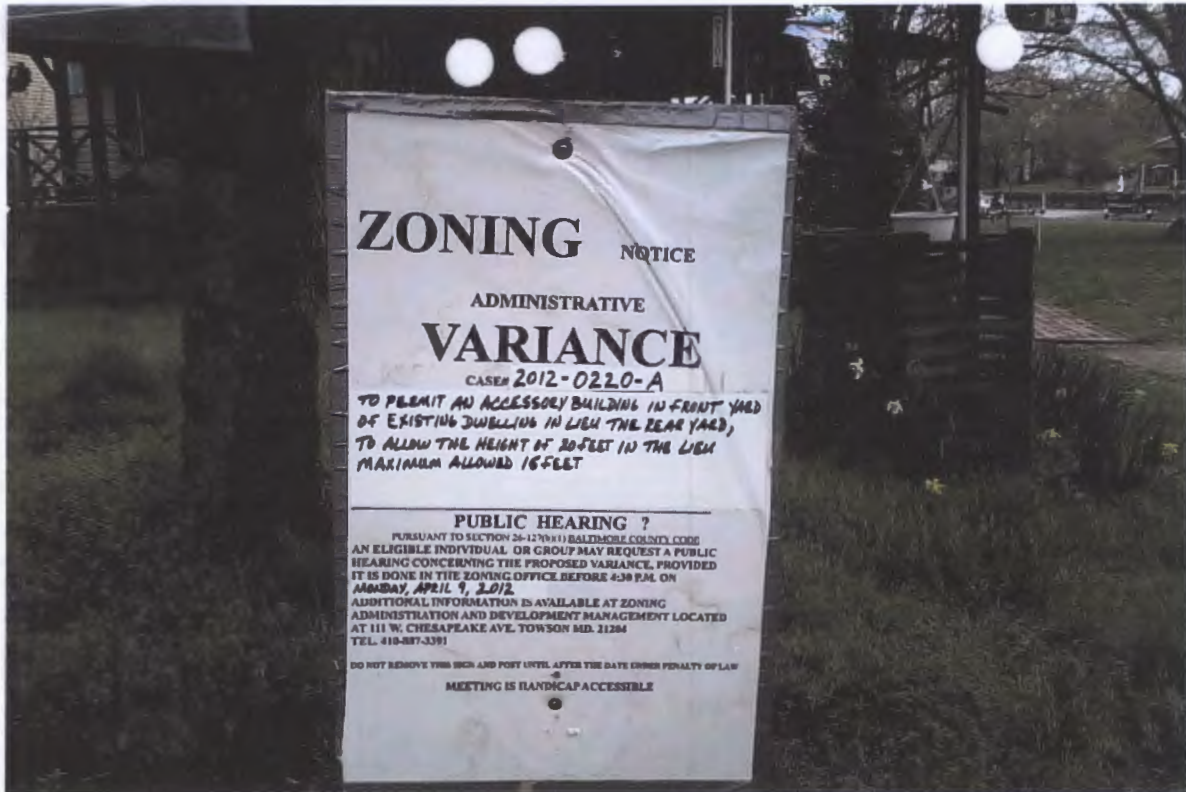
LADIES AND GENTLEMEN:

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 7304 GEPHARDT AVENUE

THIS SIGN(S) WERE POSTED ON March 25, 2012
(MONTH, DAY, YEAR)

SINCERELY,
Martin Ogle 3/25/12
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# 2012-0220-A

TO PERMIT AN ACCESSORY BUILDING IN FRONT YARD
OF EXISTING DWELLING IN LIEU THE REAR YARD,
TO ALLOW THE HEIGHT OF 20 FEET IN THE LIEU
MAXIMUM ALLOWED 16 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-1270X(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, APRIL 9, 2012.
ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT LOCATED
AT 111 W. CHESAPEAKE AVE. TOWSON MD. 21204
TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER THE DATE OTHER PENALTY OF LAW

MEETING IS HANDICAP ACCESSIBLE

Myah Ogle 3/25/12

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

No.

80024

Date:

3/12/12

PAID RECEIPT

BUSINESS ACTION TIME DRN
3/13/2012 3/12/2012 10:10:55 5

REQ W503 WALKIN ROOM LAB

RECEIPT W 579663 3/12/2012 OFLN

Dept 5 520 ZONING VERIFICATION

CR NO. 080024

Recpt Tot 475.00

\$4.00 CR 1991.00 CA

\$5.00 C6

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0060		6150				75.00

Total: 75.00

Rec From:

Michael Lencala

For:

Varicella

2012-0220-1A

7304 Gephg-ct Ave.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 0220 -A Address 7304 Gephardt Avenue

Contact Person: Gary Hucik Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3/12/12 Posting Date: 3/25/12 Closing Date: 4/9/12

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- 0220 -A Address 7304 Gephardt Avenue

Petitioner's Name Michael Loncala Telephone 410-477-0080

Posting Date: 3/25/12 Closing Date: 4/9/12

Wording for Sign: To Permit An accessory building in front yard of the existing dwelling in lieu the rear yard, To allow the height of 20 feet in the new maximum allowed 15 feet.

Revised 7/06/11



KEVIN KAMENETZ
County Executive

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

April 11, 2012

Michael & Deborah Loncala
7304 Gephardt Avenue
Sparrows Point, MD 21219

RE: Case Number: 2012-0220A, Address: 7304 Gephardt Avenue.

Dear Mr. Loncala:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 12, 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 that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

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

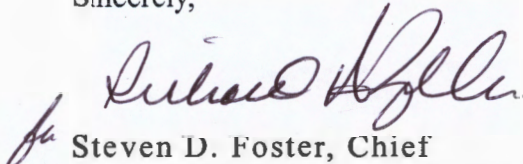
RE: Baltimore County
Item No. 2012-0220-A
Administrative Variance
Michael & Deborah Loncala
7304 Cephardt Avenue

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. *2012-0220-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



KEVIN KAMENETZ
County Executive

VINCENT J. GARDINA, *Director*
Department of Environmental Protection
and Sustainability

February 28, 2012

Mr. Michael Loncala
7304 Gephardt Avenue
Sparrows Point, Maryland 21219

Re: Building Permit Application #B781405
7304 Gephardt Avenue
Construct Storage Building

Dear Mr. Loncala:

The Environmental Impact Review Section of this Department has received and reviewed the above-referenced building permit application, which proposes to construct a 28'X32', detached boat storage building. The application is approved with the following comments:

The property is located within a Limited Development Area (LDA) and Buffer Management Area of the Chesapeake Bay Critical Area. The LDA regulations impose lot coverage limits of 5,445 square feet (sf) on a property this size 22,969 sf. Existing lot coverage is approximately 3,600 sf. Proposed and existing lot coverage is approximately 4096 sf, when deducting for the area of the proposed building on existing coverage. This amount is below the lot coverage limits. Please be advised that 5,445 sf of lot coverage cannot be exceeded.

If there are any questions regarding this correspondence, please contact me at (410) 887-3980.

Sincerely,

A handwritten signature in black ink, reading "Thomas Panzarella". The signature is fluid and cursive, with the first name "Thomas" and last name "Panzarella" clearly visible.

Thomas Panzarella
Environmental Impact Review

7304gephardtAveLDA.BMA2.28.12.doc/sheir/tomP

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. 2012-0220-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

Patricia Zook - Case 2012-0220-A - in CBCA - need DEPS comment

From: Patricia Zook
To: Livingston, Jeffrey
Date: 4/12/2012 2:42 PM
Subject: Case 2012-0220-A - in CBCA - need DEPS comment

Hello Jeff -

This administrative variance closed 4/9/12 and the property is located in the CBCA. Before we can proceed further, we need a DEPS comment.

Thank you for your help.

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.

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: 2012-0220-A

Primary Use: Residential

Reviewer: AT/HG

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Michael & Deborah Loncala

Contract Purchaser:

Critical Area: YES **Flood Plain:** YES **Historic:** NO **Election Dist:** 15th **Councilmanic Dist:** 7th

Property Address: 7304 Gephardt Ave

Location: N/S of Gephardt Avenue, 195 ft W of North Dakota Ave.

Existing Zoning: DR 5.5

Area: 22,969 sq ft

Proposed Zoning: ADMINISTRATIVE VARIANCE To permit an accessory building in front yard of the existing dwelling in lieu of rear yard; to allow the height of 20 ft in lieu of maximum allowed 15 ft.

Attorney:

Prior Zoning Cases:

Violation Cases:

Miscellaneous:

Concurrent Cases:

Closing Date: 4/9/2012

Case Number: 2012-0221-A

Primary Use: Residential

Reviewer: DD

Type: VARIANCE

Legal Owner: Christine Rothbaum

Contract Purchaser:

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

Property Address: 300 Hopkins Rd

Location: N/E corner of Hopkins Rd and Dorking Road

Existing Zoning: DR 10.5

Area: 0.086 Acres, 3,774 sq. ft.

Proposed Zoning: VARIANCE To permit an existing open projection (existing deck, porch and landing) with a rear yard setback of 24.33 ft. in lieu of the required 37.5 ft.

Attorney:

Prior Zoning Cases:

Violation Cases:

Miscellaneous:

Concurrent Cases:

Closing Date:

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

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[Registration](#)

2012-0220-A

Account Identifier:

District - 15 Account Number - 1502570970

Owner Information

Owner Name:	LONCALA MICHAEL S LONCALA DEBORAH	Use:	RESIDENTIAL
Mailing Address:	7304 GEPHARDT AVE BALTIMORE MD 21219-2121	Principal Residence:	YES
		Deed Reference:	1) /13363/ 00380 2)

Location & Structure Information

Premises Address	Legal Description
7304 GEPHARDT AVE	LTS 51,52
BALTIMORE 21219-0000	NS GEPHARDT AVE

Waterfront

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0111	0022	0127		0000			51	3	
									Plat Ref: 0005/ 0034

Special Tax Areas

Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1955	2,080 SF	22,969 SF	34

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	165,200	165,200		
Improvements:	235,700	133,700		
Total:	400,900	298,900	401,000	298,900
Preferential Land:	0			0

Transfer Information

Seller:	BOYER GLADYS I	Date:	12/10/1998	Price:	\$166,200
Type:	ARMS LENGTH IMPROVED	Deed1:	/13363/ 00380	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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:		Special Tax Recapture:
Exempt Class:		NONE

Homestead Application Information

Homestead Application Status:	Approved 09/18/2009
--------------------------------------	---------------------

Pt. Bk./Folio # 006038 1513203832
Pt. Lot # Folio 36 287

20090291
1516350220

111B3
SE 7-H

Lot # 51
1502570970

1503670820
Pt. Bk. 5, Folio 34

Lot # 71A

PDM # 150027

DR 5.5

Pt. Bk./Folio # 006034

15 ED

1516003150

1506450020

Lot # 44

7 CD

ALMA AVE

Lot # 45
1502370762

19522227

19730183

PDM # 150281 NORTH DAKOTA AVE

GEPHARDT AVE

7308

1507580070

Lot # 53

7308

1506000920

Lot # 54

Pt. Bk./Folio # 007169A

Lot # 29A
1519322250

7312

PDM # 15029

V/L # 27

0803156380

20080282
19890343

M01110127001
Pt. Bk./Folio # 045058
PDM # 150901

Pt. Bk./Folio # 045058
Lot # 51
2117

Lot # 38
1502370761

1513007841
Lot # 37
7307

1511151730
Lot # 36
7309

1511502300
Lot # 35
7311

1503232640
Lot # 34
7313

33 # Lot 7

2012-0230

REAR OF PROPERTY



02.16.2012 11:41



02.16.2012 11:41

SIDE OF HOUSE

SIDE OF HOUSE



FACING CUL-DE-SAC

SIDE OF HOUSE



02.16.2012 11:41



02.16.2012 11:42

REAR OF PROP - WATER BEHIND PMF

Driveway



02.16.2012 11:44



02.16.2012 11:44

FRONT OF LOT

Case No.: 2012-0220-A

Exhibit Sheet

4/23/12 *[Signature]*

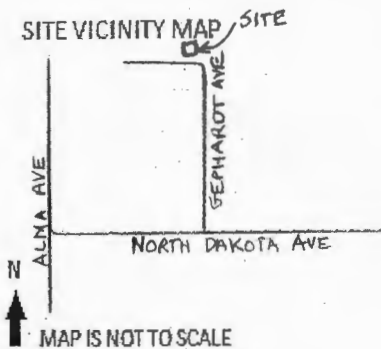
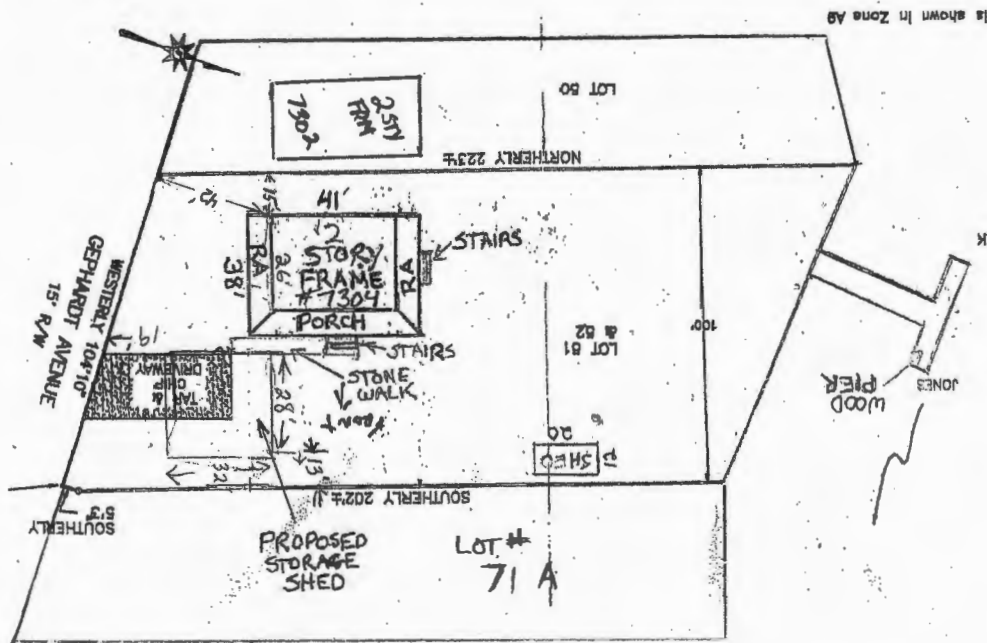
Petitioner/Developer

Protestant

DW 5/22/12

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		

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 7304 GEPHARDT AVE OWNER(S) NAME(S) MICHAEL & DEBORAH LONCALA
 SUBDIVISION NAME CHESAPEAKE TERRACE LOT# 51 BLOCK# _____ SECTION# A
 PLAT BOOK # 5 FOLIO # 34 10 DIGIT TAX # 1502570970 DEED REF. # L3363100380



MAP IS NOT TO SCALE
 ZONING MAP# 111B3
 SITE ZONED DR 5.5
 ELECTION DISTRICT 15TH
 COUNCIL DISTRICT 7TH
 LOT AREA ACREAGE _____
 OR SQUARE FEET 22,969
 HISTORIC? No
 IN CBCA? YES
 IN FLOOD PLAIN? YES
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? No
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

PLAN DRAWN BY MIKE LONCALA DATE 3-6-2012 SCALE: 1 INCH = 40' FEET

Exhibit 1

2012-0220-A