



KEVIN KAMENETZ
County Executive

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

November 20, 2012

Barbara Sullivan
3822 New Section Road
Baltimore, MD 21220

Re: Spirit & Intent - case #2012-0287-A; 3822 New Section Road; 15th Election District

Dear Ms. Sullivan:

Your recent letter to this office regarding the above referenced property was forwarded to me for reply. Based upon the information provided and my review of the aforementioned zoning case, the following has been determined.

The Department of Environmental Protection and Sustainability requested that the garage be relocated 10 ft. closer to the road in order to meet the Chesapeake Bay Critical Area permeable area requirements. Since the proposed garage will not change in area, height or side yard setbacks, then the red-lined site plan submitted with your letter dated Oct. 25, 2012 is within the Spirit and Intent of the subject case. All the restrictions and conditions still apply as detailed in the zoning order.

The foregoing is merely an informal opinion; it is not an expert or legal opinion. It is not intended to be relied on as expert or legal advice, and is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

I trust that the information set forth in this letter is sufficiently detailed and responsive to your request. If you need further information or have any questions, I can be reached at 410-887-3391.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bruno Rudaitis".

Bruno Rudaitis
Zoning Review

BR:br

MEMORANDUM

DATE: July 19, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0287-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 18, 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

N side of New Section Road; 687.9 feet E
of the c/l of Seneca Road
15th Election District
6th Councilmanic District
(3822 New Section Road)

Barbara L. Sullivan
Petitioner

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **Case No. 2012-0287-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 owner of the subject property, Barbara L. Sullivan. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed garage with a height of 23 feet in lieu of the required 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 Bureau of Development Plans Review dated May 17, 2011, which 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 the International Building Code. Comments were also received from the Department of Environmental Protection and Sustainability dated June 8, 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:

ORDER RECEIVED FOR FILING

Date 6-18-12

By BM

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 accessory structure to exceed the height limits. The lot is waterfront and contains the existing dwelling, shed, and driveway. The proposed garage is not within the 100-foot buffer and will add 546 square feet of lot coverage. The amount of existing lot coverage was not provided. Lot coverage on the entirety of this property is limited to 31.25% (3,297 square feet), with mitigation required for new lot coverage over 25% (2,637.5 square feet). If the applicant can meet 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. If lot coverage, BMA, and afforestation requirements are met, that will help conserve fish habitat in the Chesapeake Bay.

This office is unable to determine whether 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.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on May 20, 2011, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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

ORDER RECEIVED FOR FILING

Date 6-18-12

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, this 18th day of June, 2012 by the Administrative Law Judge for Baltimore County, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed garage with a height of 23 feet in lieu of the required 15 feet, be and is hereby GRANTED.

The relief granted herein shall be 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 Petitioners or subsequent owners shall not convert the subject garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The garage shall not be used for commercial purposes.
4. Compliance with the ZAC comments made by the Bureau of Development Plans Review dated May 17, 2012, a copy of which is attached hereto and made a part hereof.
5. Compliance with the ZAC comments made by the Department of Environmental Protection and Sustainability dated June 8, 2012, a copy of which is attached hereto and made a part hereof.

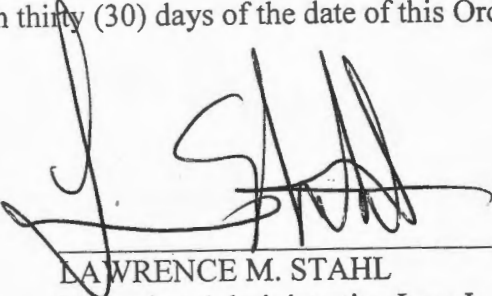
ORDER RECEIVED FOR FILING

Date 6-18-12

3

By [Signature]

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

A handwritten signature in black ink, appearing to read 'L. Stahl', is written over a horizontal line.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS/pz

ORDER RECEIVED FOR FILING

Date 6-18-18

By [signature]



KEVIN KAMENETZ
County Executive

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

June 18, 2012

BARBARA L. SULLIVAN
3822 NEW SECTION ROAD
BALTIMORE MD 21220

RE: Petition For Administrative Variance
Case No. 2012-0287-A
Property: 3822 New Section Road

Dear Ms. Sullivan:

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 black ink, appearing to read "L. Stahl", is written over a horizontal line.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:pz

Enclosure

c: Damon Cogar, PO Box 567, Crownsville MD 21032

**CBEA****ADMINISTRATIVE ZONING PETITION****FLOOD PLAIN**

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 3822 NEW SECTION RD. which is presently zoned RC-5Deed Reference 10232 / 00050 10 Digit Tax Account # 1512002130Property Owner(s) Printed Name(s) BARBARA L. SULLIVAN(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) 400.3 BCZR To permit a proposed Garage with a height of 23 feet in lieu of the required 15 feet

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

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

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

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).**Contract Purchaser/Lessee:**

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address Date City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
6-18-12
pm**Legal Owners:****BARBARA SULLIVAN**

Name #1 - Type or Print

Name #2 - Type or Print

Barbara L Sullivan

Signature #1

Signature #2

3822 NEW SECTION RD. BALT. MD.

Mailing Address City State

21220 / 410-458-0959 /

Zip Code Telephone # Email Address

Representative to be contacted:**DAMON COGAR**

Name - Type or Print

Damon Cogar

Signature

P.O. BOX 567 CROWNSVILLE, MD.

Mailing Address City State

21032 / 443-871-3340 / DAMON@ADSGONLINE.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 _____ 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 2012-0287-A Filing Date 5/9/12 Estimated Posting Date 5/29/12 Reviewer G.H/BR

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: 3822 NEW SECTION RD. BALTIMORE, MARYLAND 21220
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)

I AM REQUESTING A VARIANCE TO THE HEIGHT RESTRICTIONS OF 15 FT. TO AN ACCESSORY STRUCTURE. MY HOUSE WAS BUILT IN 1939 AND IS A 1 1/2 SINGLE FAMILY DWELLING IN THE BOWLEY'S QUARTERS SUBDIVISION, A WATER FRONT COMMUNITY AND IN A FLOOD PLAIN. THE HOUSE WAS CONSTRUCTED WITH VERY LITTLE STORAGE. I NEED ADDITIONAL STORAGE FOR VALUABLES AND WOULD LIKE TO PLACE TO KEEP MY CARS AND LAWN EQUIPMENT. THE GARAGE I'M REQUESTING WILL BE 24'X26' TWO STORY WITH AN OVERALL HEIGHT OF 23' THIS WILL ALLOW ME THE ADDITIONAL STORAGE ON THE SECOND FLOOR THAT MY HOUSE DOES NOT HAVE. THE ROAD WHERE MY PROPERTY IS LOCATED IS NEW SECTION RD, MANY OF THE HOMES ALREADY HAVE GARAGES AND SEVERAL HAVE GARAGES OVER THE 15' HEIGHT. THE APPROVAL OF THIS WOULD PROVIDE MUCH NEEDED STORAGE

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

Barbara L. Sullivan
Signature of Affiant

Signature of Affiant

BARBARA L. SULLIVAN
Name- Print or Type

Name- Print or Type

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

ANNE ARUNDEL
STATE OF MARYLAND, COUNTY OF wit:

I HEREBY CERTIFY, this 7 day of MAY, 2012, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

BARBARA L. SULLIVAN
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



Daniel F. Edgar
Notary Public

SEPT. 1, 2014

My Commission Expires



Atlantic Development Services Group, LLC
P.O. Box 567
Crownsville, Maryland 21032-1218

Zoning Property Description for 3822 New Section rd. Baltimore, Md. 21220

Beginning at a point on the North side of New Section Rd. which is 50 feet wide at a distance of 687.9 ft. East of the centerline of the nearest improved intersecting street Seneca Rd. which is 30' wide. Being Lot# 207, in the subdivision of Bowley's Quarter's in Baltimore County Plat Book # 0009 Folio # 0012 containing 10,550 sq. ft.. Located in Election District 15 and Councilmatic District 6.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 0287 -A Address 3822 New Section RD

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

Filing Date: 5/9/12 Posting Date: 5/20/12 Closing Date: 6/4/12

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- 0287 -A Address 3822 New Section RD

Petitioner's Name Barbara Sullivan Telephone 410-458-0959

Posting Date: 5/20/12 Closing Date: 6/4/12

Wording for Sign: To Permit a proposed Garage of a height
of 23 feet in lieu of the required 15 feet

Revised 7/06/11

No. 83462
Date: 5/9/12

Date:

PAID RECEIPT

BUSINESS	ACTION	TIME	LOG
5/09/2012	5/09/2012	11:20:39	

REG NO. 528 ZHONGHAI VERIFICATION
DEPT. 5 03442

Doc NO. 528 ZONING VERIFICATION

Receipt Tot \$75.00
\$75.00 Ck \$75.00
Baltimore County, Maryland 1.00

**CASHIER'S
VALIDATION**

[illegible]

Total: 75.00

Rec
From:

AD56.

For:

Ad. Variance. Cas# 2012-0287-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 2012-0287-A
TO PERMIT A PROPOSED GARAGE OF A
HEIGHT OF 23 FEET IN LIEU OF THE
REQUIRED 15 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-121(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE. PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 P.M. ON *Monday, June 4, 2012*
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
TEL. 887-3391

MEETING IS PAPERLESS ACCESSIBLE

05/20/2012

Walden 5/20/12

CERTIFICATE OF POSTING

RE: CASE NO: 2012-0087-A

PETITIONER/DEVELOPER _____

BARBARA SULLIVAN

DATE OF HEARING/CLOSING: _____

6/4/12

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 3822 NEW SECTION ROAD

THIS SIGN(S) WERE POSTED ON _____

May 20, 2012
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 5/20/12
SIGNATURE OF SIGN POSTER AND DATE:

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



KEVIN KAMENETZ
County Executive

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

June 5, 2012

Barbara Sullivan
3822 New Section Road
Baltimore MD 21220

RE: Case Number: 2012-0287-A, Address: 3822 New Section Road, 21222

Dear Ms. Sullivan:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 9, 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.", is written over a dark, textured background.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:jaf

Enclosures

c: People's Counsel
Damon Cogar, P O Box 567, Crownsville MD 21032

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



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

Date: 5-15-12

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

RE: Baltimore County
Item No 2012-0287-A
Administrative Variance
Barbara Sullivan
3822 New Section 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. 2012-0287-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,

for 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

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

SUBJECT: Zoning Advisory Committee Meeting
For May 28, 2012
Item No. 2012-0287

DATE: May 17, 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 8.5 feet [NAVD 88].

The flood protection elevation is 9.5feet.

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 12-0287-05282012.doc

ORDER RECEIVED FOR FILING

Date 6-18-12

By [Signature]

AV 6/4/12

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
JUN 13 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: June 8, 2012

SUBJECT: DEPS Comment for Zoning Item # 2012-0287-A
Address 3822 New Section Road
(Sullivan Property)

Zoning Advisory Committee Meeting of May 14, 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 accessory structure to exceed the height limits. The lot is waterfront and contains the existing dwelling, shed, and driveway. The proposed garage is not within the 100-foot buffer and will add 546 square feet of lot coverage. The amount of existing lot coverage was not provided. Lot coverage on the entirety of this property is limited to 31.25% (3,297 square feet), with mitigation required for new lot coverage over 25% (2,637.5 square feet). If the applicant can meet 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. If lot coverage, BMA, and afforestation requirements are met, that will help conserve fish habitat in the Chesapeake Bay.
3. This office is unable to determine whether 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 6-18-12

By C:\DOCUME~1\DWILEY~1\BA2\LOCALS~1\Temp\XPgrpwise\ZAC 12-0287-A 3822 New Section Road.doc

2012-0287-A

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

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

waterfront

Account Identifier:

District - 15 Account Number - 1512002130

Owner Information

Owner Name: SULLIVAN BARBARA L **Use:** RESIDENTIAL
Mailing Address: 3822 NEW SECTION RD **Principal Residence:** YES
BALTIMORE MD 21220-4028 **Deed Reference:** 1) /10232/ 00050
2)

Location & Structure Information**Premises Address**

3822 NEW SECTION RD
0-0000

Legal Description

3822 NEW SECTION RD ES
Waterfront BOWLEYS QUARTERS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	2
0091	0023	0133		0000			207	3	Plat Ref:	0009/ 0012

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1939	1,716 SF	10,550 SF	34

Stories	Basement	Type	Exterior
1.500000	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	304,500	247,500		
Improvements:	132,000	77,100		
Total:	436,500	324,600	436,500	324,600
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
WIDEMAN LINDA A	12/21/1993	\$177,000
Type: ARMS LENGTH IMPROVED	Deed1: /10232/ 00050	Deed2:
Seller: LANG ELIZABETH M	Date: 10/23/1991	Price: \$155,000
Type: ARMS LENGTH IMPROVED	Deed1: /08947/ 00663	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 01/13/2009

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment5-17DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)comments6-8DEPS
(if not received, date e-mail sent _____)comments

FIRE DEPARTMENT

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

5-15

STATE HIGHWAY ADMINISTRATION

nc

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: 5-20 by OglePEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Case No.: 2012-0287-A

Exhibit Sheet

193 7/19/12
6/20/12
P3

Petitioner/Developer

Protestants

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













Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.2A)
BALTIMORE COUNTY

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[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 15 Account Number - 1512002130

Owner Information

Owner Name: SULLIVAN BARBARA L **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 3822 NEW SECTION RD
BALTIMORE MD 21220-4028 **Deed Reference:** 1) /10232/ 00050
2)

Location & Structure Information

Premises Address

3822 NEW SECTION RD
0-0000

Legal Description

3822 NEW SECTION RD ES
Waterfront BOWLEYS QUARTERS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	2
0091	0023	0133		0000			207	3	Plat Ref:	0009/0012

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1939	1,716 SF	10,550 SF	34

Stories	Basement	Type	Exterior
1.500000	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	304,500	247,500		
Improvements:	132,000	77,100		
Total:	436,500	324,600	436,500	324,600
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
WIDERMANN LINDA A	12/21/1993	\$177,000
Type:	Deed1:	Deed2:
ARMS LENGTH IMPROVED	/10232/ 00050	
Seller:	Date:	Price:
LANG ELIZABETH M	10/23/1991	\$155,000
Type:	Deed1:	Deed2:
ARMS LENGTH IMPROVED	/08947/ 00663	
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:	

2012-0287-A

3822 New Section Road

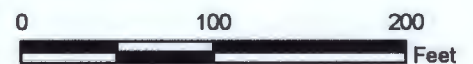


2012-0287-A



Publication Date: May 03, 2012
 Publication Agency: Department of Permits & Development Management
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes



1 inch = 100 feet



Environmental Map

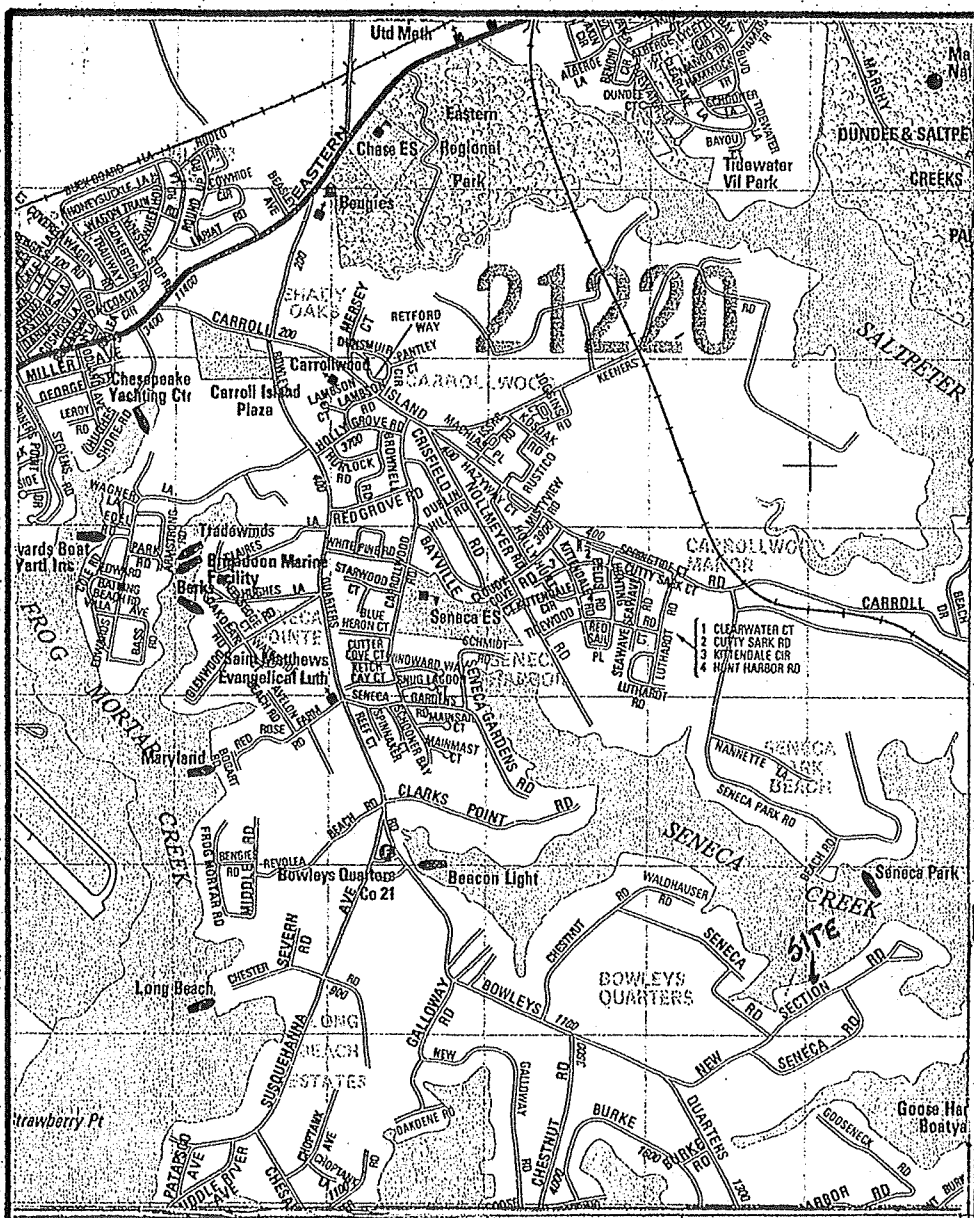
Created By
Baltimore County
My Neighborhood



202-0287-A

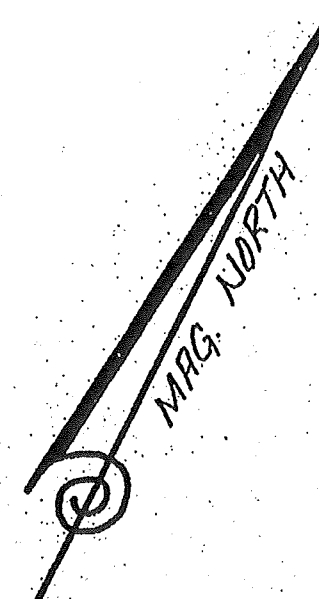
Printed 5/8/2012

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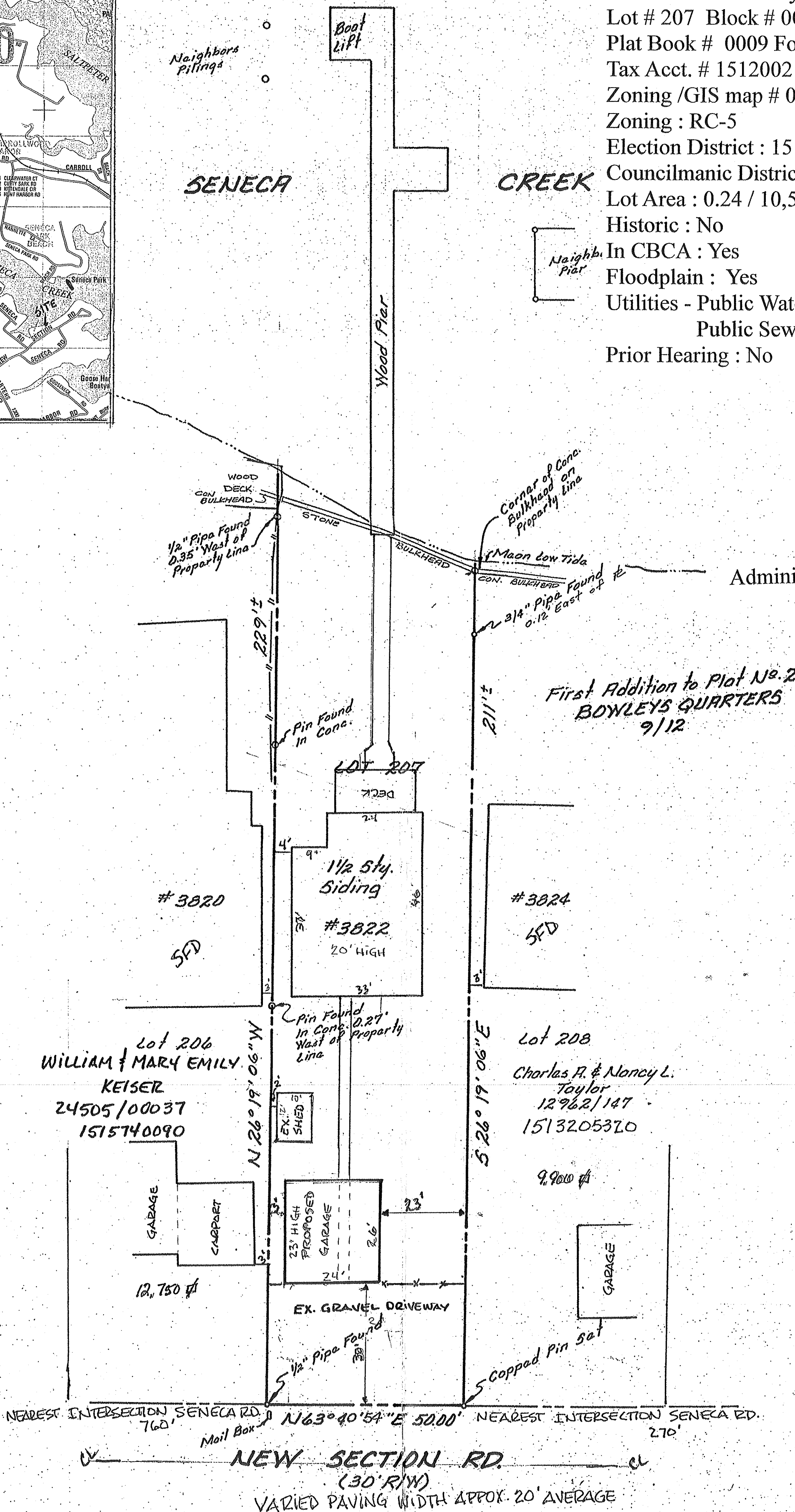
Vicinity Map

Owner : Barbara L. Sullivan
 Address : 3822 New Section Rd. Balt., Md. 21220
 Subdivision : Bowleys Quarters
 Lot # 207 Block # 0023 Section # 0133
 Plat Book # 0009 Folio # 0012
 Tax Acct. # 1512002130 Deed Ref. # 10232/00050
 Zoning /GIS map # 091C3
 Zoning : RC-5
 Election District : 15
 Councilmanic District : 6
 Lot Area : 0.24 / 10,550 sq. ft.
 Historic : No
 In CBCA : Yes
 Floodplain : Yes
 Utilities - Public Water
 Public Sewer
 Prior Hearing : No



SCALE 1" = 20'

Administrative Hearing Request



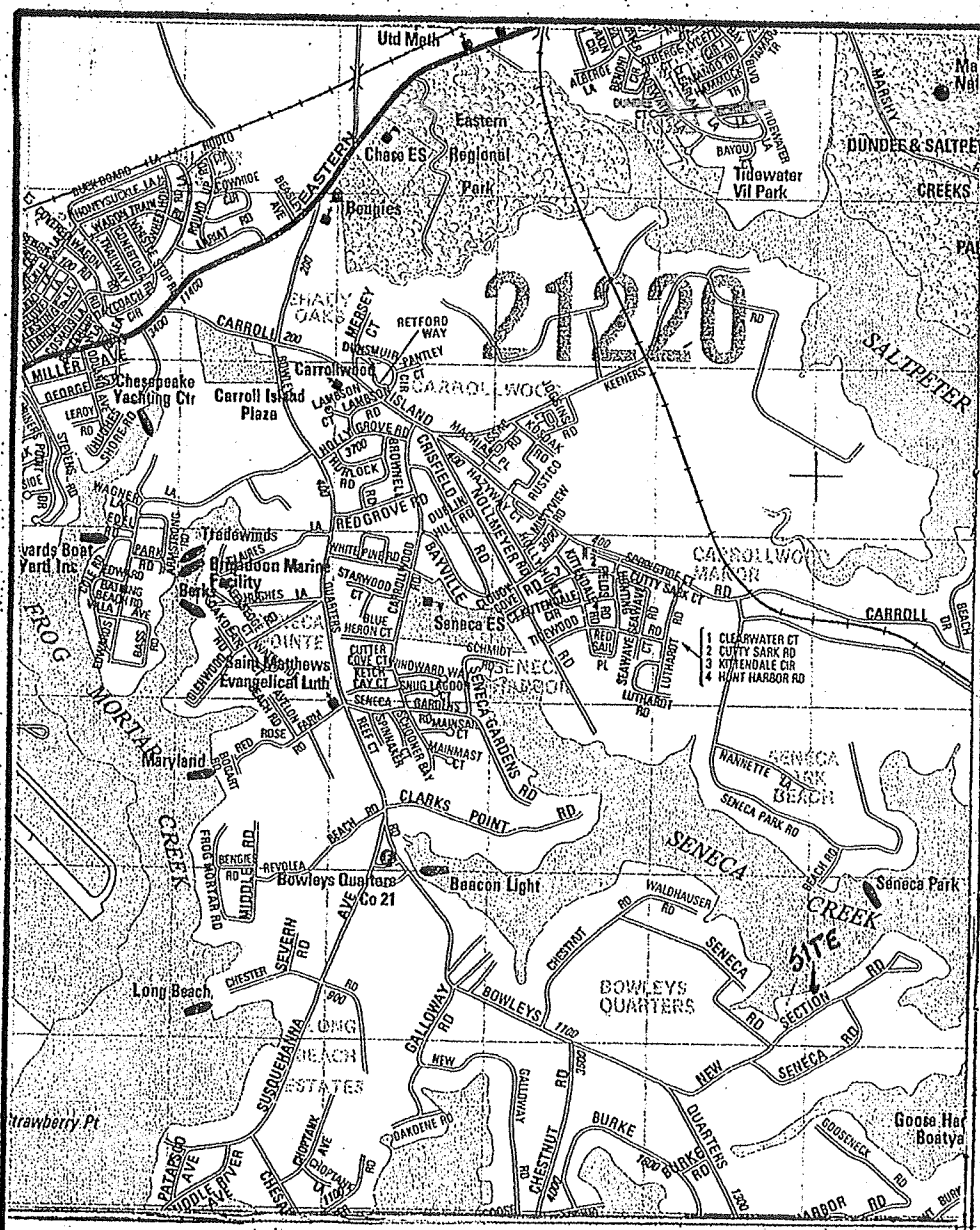
I Leonard G. Buarhous, the Surveyor whose seal and signature is fixed on this survey plot either personally prepared the Boundary Survey or was in responsible charge over its production and the surveying work reflected in it is in compliance with the requirements set forth in regulation 09.13.06 of the Annotated Code of Maryland. This survey is for the exclusive use of Barbara L. Sullivan. There are no visible encroachments across property lines, except where noted.

Leonard G. Buarhous, Registered Property Line Surveyor # 349
 8/28/06
 Date



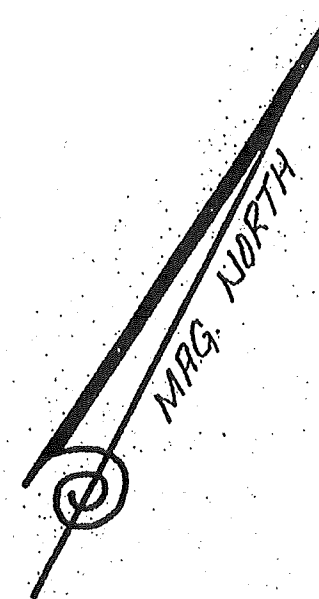
#3822 NEW SECTION RD.
 15th Elect. Dist. - Baltimore County, Md.
 Scale: 1" = 20' - Date: Aug. 28, 2006
 Owner
 Barbara L. Sullivan
 15-12-002130

2012-0287-A



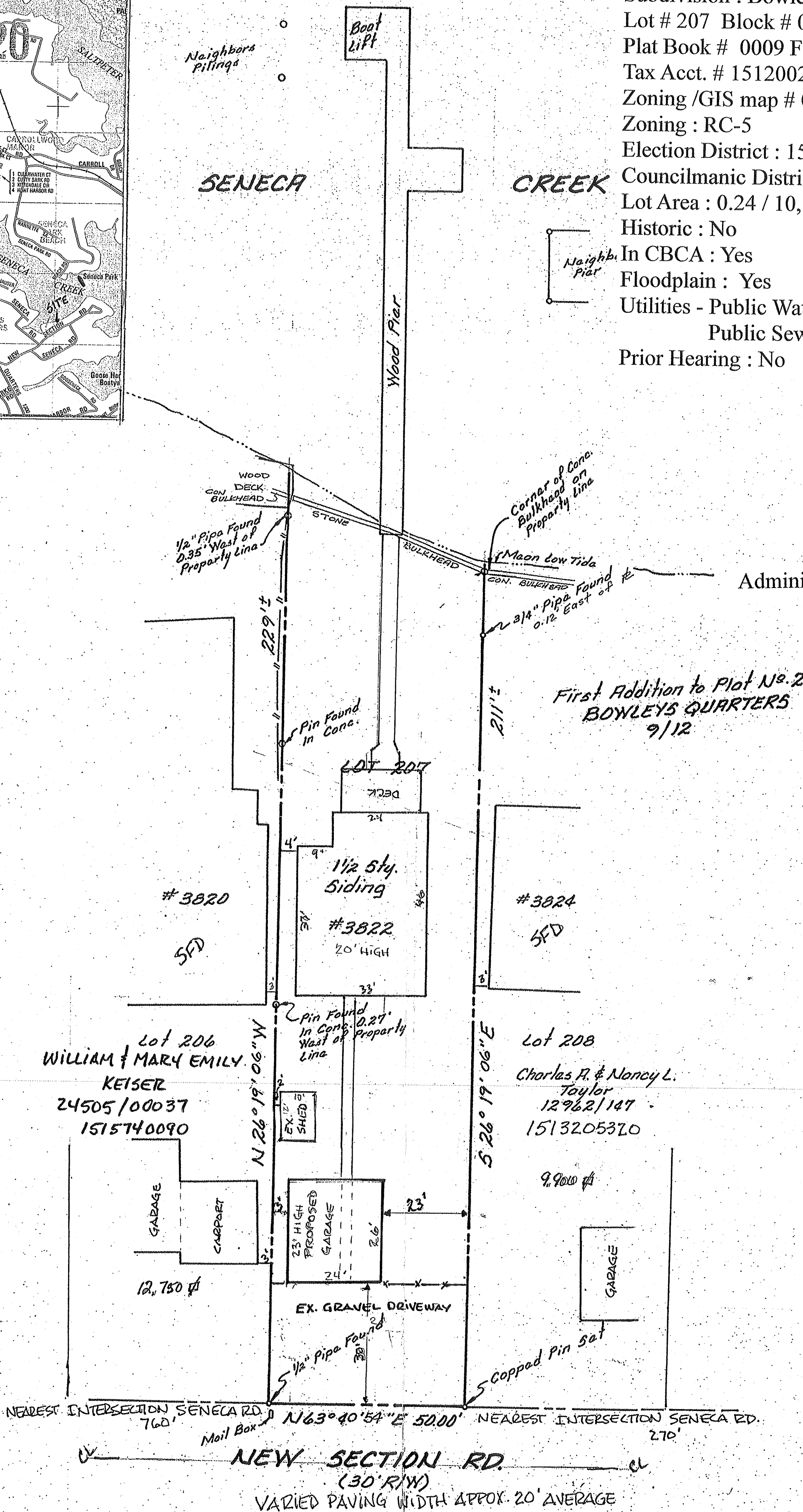
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Leonard G. Buarhous
 Leonard G. Buarhous, Registered Property Line Surveyor # 349

8/25/06
 Date



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