



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

November 20, 2012

William Colberg
1910 Denbury Drive
Baltimore, MD 21222

RE: Petition for Variance
Case No.: 2013-0075-A
Property: 820 Seneca Park Road

Dear Mr. Colberg:

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 "JEB", with a long horizontal flourish extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: James C. Barr, 2533 North Ashland Avenue, #4B, Chicago, IL 60614

IN RE: PETITION FOR VARIANCE

(820 Seneca Park Road)

15th Election District

6th Councilmanic District

James C. Barr,

Legal Owner

William Colberg,

Contract Purchaser

Petitioners

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2013-0075-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by the legal owner of the subject property, James C. Barr, LLC, and the contract purchaser, William Colberg, ("Petitioners"). The Petitioners are requesting Variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed replacement dwelling with a side yard setback of 10' and a combination of side yard setbacks of 22' in lieu of the minimum of 10' and a combination of 25'. The Petition also seeks approval for constructing the home on a lot 50' wide in lieu of the required 70'. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing held for this case was William Colberg. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. There were no Protestants or other interested persons in attendance, and the file does not contain any letters of protest or opposition.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. A ZAC comment was received from the Department of Planning (DOP) on October 17, 2012 indicating at time of application for the building permit, the applicant should be required to

ORDER RECEIVED FOR FILING

Date 11-20-12

By [Signature]

comply with the provisions of Section 304 (Use of Undersized Single-Family Lots), and elevation drawings of the proposed dwelling and photographs representative of existing dwellings in the neighborhood should be provided for review by the DOP. In addition, ZAC comments were received from the Department of Environmental Protection and Sustainability (DEPS) on October 15, 2012, indicating that Petitioners were obliged to comply with certain Critical Area regulations, as set forth in B.C.Z.R. § 500.14. Finally, ZAC comments were received from the Bureau of Development Plans Review (DPR) dated October 4, 2012 indicating that Petitioners must comply with Baltimore County's various floodplain regulations and building code requirements.

Testimony and evidence revealed that the subject property is 15,950 square feet (0.37 acres) and is zoned DR 3.5. The property is improved with a single-family dwelling that has suffered severe flood damage and is now uninhabitable. Apparently, the home has been vacant for 10+/- years. The Petitioner is under contract to purchase the lot, and wants to raze and remove the dilapidated home and rebuild in its place a new home measuring 60' x 28'. To do so requires variance relief.

Based upon the testimony and evidence presented, I will grant the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioners have met this test. The lot is very narrow (50') similar to all other lots in this Seneca Park Beach neighborhood. In addition, the lot has angled property boundaries at the waterline and fronting on Seneca Park Road, which also renders the property "unique" in the zoning sense.

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Date 11-20-12

By law

If the B.C.Z.R. were strictly enforced, the Petitioners would indeed suffer a practical difficulty and/or hardship, given that they would be unable to construct a dwelling on the site.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of opposition from the community and the lack of negative comments from Baltimore County reviewing agencies. In fact, both of the adjoining neighbors have indicated they are supportive of the request. Exhibit 3. Mr. Colberg indicated that many of the older "shore shack" homes in the area (on 50' wide lots) have been replaced with modern and attractive new dwellings, and photos in the file (Exhibit 2) depict these homes, many of which are much larger than the modest dwelling proposed by the Petitioners.

Finally, I will not require the Petitioners to comply with B.C.Z.R. § 304, as recommended by DOP. This petition seeks relief under B.C.Z.R. § 307 (not § 304), which is a separate mechanism for obtaining variance relief. Even so, and to ensure the proposed dwelling is compatible with the neighborhood, I will condition the relief upon the DOP's approval prior to building permit issuance of building elevation drawings of the home.

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and for the reasons set forth above, the variance relief requested shall be granted.

THEREFORE, IT IS ORDERED, this 20th day of November, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed replacement dwelling with a side yard setback of 10' and a combination of side yard setbacks of 22' in lieu of the minimum of 10' and a combination of 25'; and to construct a replacement dwelling on a lot 50' wide in lieu of the required 70', be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 11-20-12

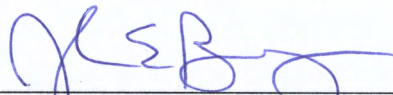
3

By [Signature]

The relief granted herein shall be conditioned upon and subject to the following:

1. The Petitioners may apply for any required permits and may be granted same upon receipt of this Order; however the Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason, this Order is reversed, the Petitioners will be required to return and be responsible for returning said property to its original condition.
2. Petitioners must comply with the ZAC comments of DEPS and DPR; copies of which are attached and made a part hereof. In addition and prior to issuance of building permits, the Petitioners must submit for approval to DOP elevation drawings of the proposed dwelling.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 11-20-12

By  4

**CBCA****PETITION FOR ZONING HEARING(S)****FLOOD PLAIN**

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 820 Seneca Park Road which is presently zoned DR 3.5
 Deed References: 26689 / 643 10 Digit Tax Account # 1506572192
 Property Owner(s) Printed Name(s) James C Barr

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

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. **X** a **Variance** from Section(s) 1802.3.C.1 To permit a proposed replacement dwelling with a side yard set back of 10 feet and a combination of a side yard set backs of 22 feet in lieu of the minimum of 10 feet and a combination of 25 feet and Built on a lot 50 feet wide in lieu of required blue of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARINGINCREASE SETBACK BY 3FT ON ONE SIDE OF PROPERTY

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:WILLIAM COLBERG

Name- Type or Print

William Colberg

Signature

3013 DUNBAR ROAD BALTIMORE MD

Mailing Address

City

State

21222

Zip Code

(410) 963-3557, JAY@USEVALET.COM

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 203-0075-AFiling Date 9/24/12**Legal Owners (Petitioners):**JAMES C. BARR

Name #1 - Type or Print

Name #2 - Type or Print

James C Barr

Signature #1

Signature #2

2533 N. Ashland AVE #4B

Mailing Address

City

State

60614

Zip Code

773-251-4070

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

By Do Not Schedule Dates: Reviewer G.H.

Zoning property description for 820 Seneca Park Road. Beginning at a point on the Southwest side of Seneca Park Road which is 16' r/w wide at the distance of 910' (+/-) South + East of the centerline of the nearest improved intersecting street Nannette Lane which is 16' r/w wide.

Being lot #21 in the subdivision of Seneca Park Beach as recorded in Baltimore County Plat Book # 8, Folio #6, containing 15950 total square feet. Located in the 15th Election District and 6th Council District.

2013-0075-A

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

No: 90150156

Date: 9/24/12

PAID RECEIPT

BUSINESS ACTUAL TIME 000
 9/25/2012 9/24/2012 11:17:22 2

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	000		6150						75.00

Total: 75.00

Rec From: William Colberg
 For: Variance
2013-0075-A

REC NO. 090156
 RECEIPT # 090156
 Dept 5 520 ORIGIN VERIFICATION
 Recpt 101 175.00
 \$75.00 01 1.00 04
 Baltimore County, Maryland

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

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/neighborhood 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: 2013-0075-A

Petitioner: WILLIAM COLBERG

Address or Location: 820 SENECA PARK ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: WILLIAM COLBERG

Address: 9337 BEOWOLF CIR.

ROSSVILLE, MD. 21237

Telephone Number: (410) 963-3557

Letter of Transmittal

William D. Gulick, Jr.

Consultant to Land Development and Industry
Commercial and Residential
2944 Edgewood Avenue
Baltimore, MD 21234
Phone - 410-530-6293
E-mail - wdgjr@comcast.net

To: Balto. Co. PAI, Zoning office, Attn.: Ms. Kristen Lewis

We Are Sending You: ☒ Attached ☐ Under separate cover the following items:

☐ Copy of Letter ☒ Prints ☒ Documents ☐ Other

No. of Copies Date Description

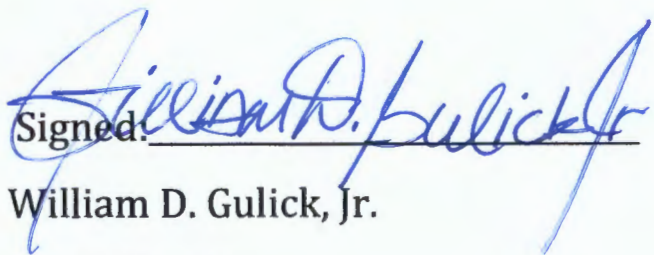
1	Oct. 25, 2012	Certificate Of Posting
2	Oct. 25, 2012	Site Photos

Transmittals are as checked below:

☐ For approval ☒ For your use ☐ As requested ☐ For review & content

Project: 2013-0075-A

Remarks: 820 Seneca Park Rd.

Signed: 

William D. Gulick, Jr.

Project Manager

Certificate of Posting

Department of Permits, Approval, and Inspections
Baltimore County
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

Date: Oct. 25, 2012

Attention: Zoning Office, Ms. Kristen Lewis

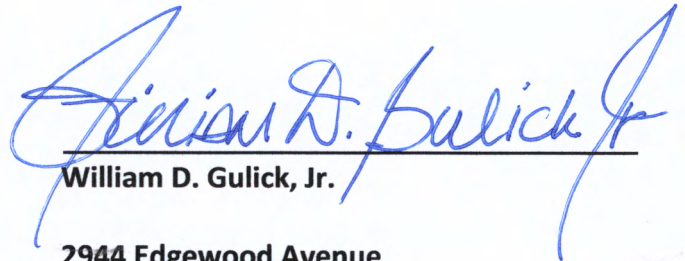
Re: Case Number: 2013-0075-A

Petitioner/Developer: William Colberg & James Barr

Date of Hearing/Closing: Nov. 15, 2012

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 820 Seneca Park Rd.

The sign(s) were posted on: Oct 25 , 2012



William D. Gulick, Jr.

2944 Edgewood Avenue
Baltimore, MD 21234
(410) 530-6293

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #2013-0075-A

820 Seneca Park Road

SW/s Seneca Park Road, 910 ft. +/- to centerline of Nannette Lane

15th Election District - 6th Councilmanic District

Legal Owner(s): James Barr

Contract Purchaser: William Colberg

Variance: to permit a proposed replacement dwelling with a side yard setback of 10 feet and a combination of a side yard setback of 22 feet in lieu of the minimum of 10 feet and combination of 25 feet and built on a lot 50 feet wide in lieu of the required 70 feet.

Hearing: Thursday, November 15, 2012, at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing Contact the Zoning Review Office at (410) 887-3391.
10/305 October 25 883486



501 N. Calvert Street, Baltimore, MD 21278

October 25, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on October 25, 2012.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson



KEVIN KAMENETZ
County Executive

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

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15th Election District – 6th Councilmanic District

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Contract Purchaser: William Colberg

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105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: William Colberg, 3013 Dunran Road, Baltimore 21222
James Barr, 2533 N. Ashland Avenue, #4B, Chicago, IL 60614

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, OCTOBER 26, 2012.
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 25, 2012 Issue - Jeffersonian

Please forward billing to:
William Colberg
9337 Beowolf Circle
Rossville, MD 21237

410-963-3557

NOTICE OF ZONING HEARING

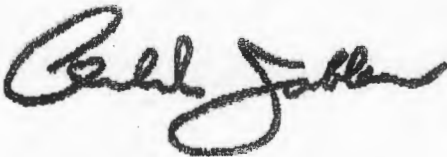
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Contract Purchaser: William Colberg

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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

M E M O R A N D U M

DATE: December 26, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0075-A - Appeal Period Expired

The appeal period for the above-referenced case expired on December 20, 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

RE: PETITION FOR VARIANCE
820 Seneca Park Road; SW/S Seneca Park
Road, 910' c/line Nannette Lane
15th Election & 6th Councilmanic Districts
Legal Owner(s): James C. Barr
Contract Purchaser(s): William Colberg
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2013-075-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

OCT 03 2012

.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of October, 2012, a copy of the foregoing Entry of Appearance was mailed to James Barr, 2533 N. Ashland Avenue, Suite 4B, Chicago, IL 60614 and William Colberg, 3013 Dunran Road, Baltimore, MD 21222, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 2013-0075-A
CASE NUMBER 2013-0075-A
DATE 11/15/12

[illegible]

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

OCT 15 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: October 12, 2012

SUBJECT: DEPS Comment for Zoning Item # 2013-0075-A
Address 820 Seneca Park Road
(Barr Property)

Zoning Advisory Committee Meeting of October 1, 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 a replacement single family dwelling with reduced setbacks and lot width. The lot is waterfront and is developed with a dwelling and driveway. The proposed dwelling is not within the 100-foot buffer. Lot coverage on the entirety of this property is limited to 31.25% (4,984 square feet), with mitigation required for new lot coverage over 25% (3,987.5 square feet). If the applicant can meet the lot coverage requirements and the 15% afforestation requirements of 5 trees, 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, plant, and wildlife habitat in the Chesapeake Bay.
3. Lot coverage information was not included. 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

C:\DOCUME~1\dwiley\LOCALS~1\Temp\XPGrpWise\ZAC 13-075-A 820 Seneca Park Road.doc

ORDER RECEIVED FOR FILING

Date

By

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 October 15, 2012
Item No. 2013-0075

DATE: October 4, 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 9.5 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
cc: File
ZAC-ITEM NO 13-0075-10042012.doc

ORDER RECEIVED FOR FILING

Date 11-20-12
By 125

11-15 1:30

CASE NO. 2013- 0075-A**CHECKLIST**

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>10-4</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
<u>10-15</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
<u>10-17</u>	PLANNING (if not received, date e-mail sent _____)	<u>C</u>
<u>10-1</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>10-25-12</u>	
SIGN POSTING	Date: <u>10-25-12</u> by <u>Julie</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 (vw6.2A)
BALTIMORE COUNTY

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

Account Identifier: District - 15 Account Number - 1506572192

Owner Information

Owner Name: BARR JAMES C TRUSTEE **Use:** RESIDENTIAL
Mailing Address: UNIT 4B **Principal Residence:** NO
2533 N ASHLAND AVE **Deed Reference:** 1)/26689/ 00643
CHICAGO IL 60614-2059 2)

Location & Structure Information

Premises Address **Legal Description**
820 SENECA PARK RD 802 SENECA PARK RD
0-0000 Waterfront SENECA PARK BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0091	0017	0139		0000			21	3	
									Plat Ref: 0008/ 0006

Town NONE
Special Tax Areas **Ad Valorem**
Tax Class

Primary Structure Built **Enclosed Area** **Property Land Area** **County Use**
15,950 SF 34

Stories **Basement** **Type** **Exterior**

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2012	07/01/2013
Land	179,400	179,400		
Improvements:	0	0		
Total:	179,400	179,400	179,400	179,400
Preferential Land:	0			0

Transfer Information

Seller: BARR JAMES C, JR	Date: 02/21/2008	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /26689/ 00643	Deed2:
Seller: BARR ELLEN FREEBURGER	Date: 05/17/2006	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /23857/ 00514	Deed2:
Seller: FREEBURGER STUART J	Date: 09/24/1987	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /07680/ 00182	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
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

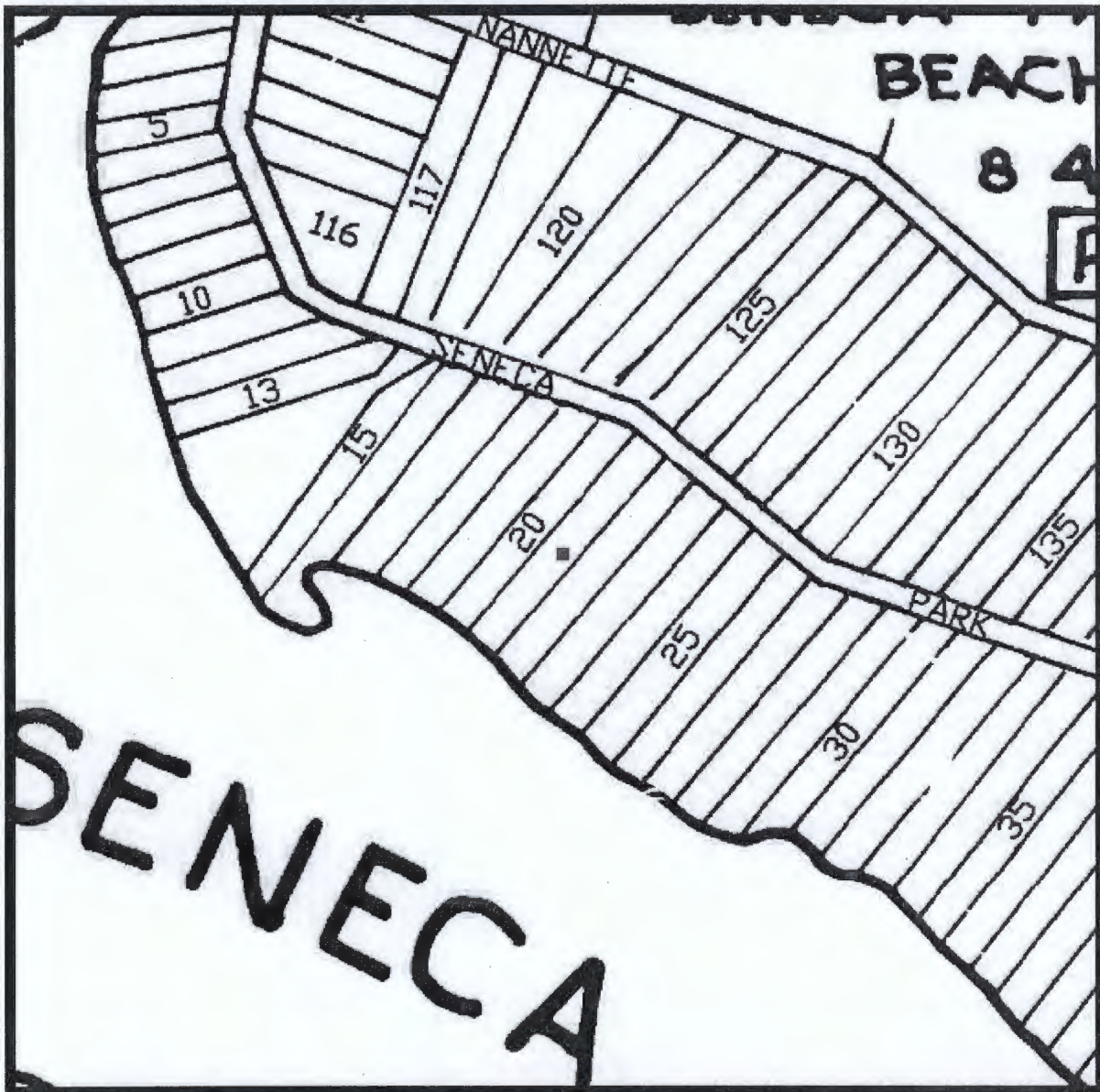
Homestead Application Status: No Application



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

[Go Back](#)
[View Map](#)
[New Search](#)

District - 15 Account Number - 1506572192



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2011.
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

11-15 1:30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: October 15, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 820 Seneca Park Road

RECEIVED

INFORMATION:

OCT 17 2012

Item Number: 13-075

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: James C. Barr

Zoning: DR 3.5

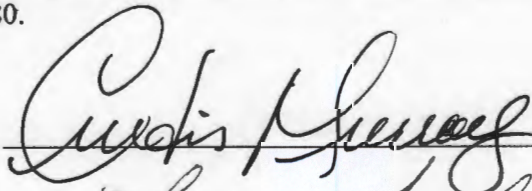
Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

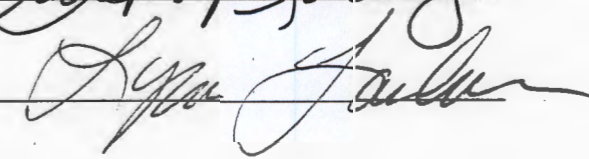
The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner's property is an undersized lot because it doesn't comply with the minimum lot width requirements of the BCZR. The width of this lot is 50 feet while a minimum of 70 feet is required. At the time of application for the building permit, the applicant should be required to comply with the provisions of Section 304 (Use of Undersized Single-Family Lots). At that time, elevation drawings of the proposed dwelling and photographs representative of existing dwellings in the neighborhood should be provided for review by the Department of Planning.

For further information concerning the matters stated here in, please contact Dennis Wertz at 410-887-3480.

Prepared by:



Division Chief:
AVA/LL: CM





KEVIN KAMENETZ
County Executive

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

November 8, 2012

James Barr
2533 N. Ashland Avenue #4B
Chicago IL 60614

RE: Case Number: 2013-0075 A Address: 820 Seneca Park Road

Dear Mr. Barr:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 24, 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." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
William Colberg, 1910 Denbury Drive, Baltimore MD 21222

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



Darrell B. Mobley, Acting Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10-6-12

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

RE: Baltimore County
Item No. 2013-0075-A
Variance
James C. Barr
820 Seneca Park 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. 2013-0075-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,

A handwritten signature in black ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

OCT 15 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: October 12, 2012

SUBJECT: DEPS Comment for Zoning Item # 2013-0075-A
Address 820 Seneca Park Road
(Barr Property)

Zoning Advisory Committee Meeting of October 1, 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 a replacement single family dwelling with reduced setbacks and lot width. The lot is waterfront and is developed with a dwelling and driveway. The proposed dwelling is not within the 100-foot buffer. Lot coverage on the entirety of this property is limited to 31.25% (4,984 square feet), with mitigation required for new lot coverage over 25% (3,987.5 square feet). If the applicant can meet the lot coverage requirements and the 15% afforestation requirements of 5 trees, 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, plant, and wildlife habitat in the Chesapeake Bay.
3. Lot coverage information was not included. 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*

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 October 15, 2012
Item No. 2013-0075

DATE: October 4, 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 9.5 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
cc: File
ZAC-ITEM NO 13-0075-10042012.doc

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE



TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: October 15, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 820 Seneca Park Road

INFORMATION:

Item Number: 13-075
Petitioner: James C. Barr
Zoning: DR 3.5
Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner's property is an undersized lot because it doesn't comply with the minimum lot width requirements of the BCZR. The width of this lot is 50 feet while a minimum of 70 feet is required. At the time of application for the building permit, the applicant should be required to comply with the provisions of Section 304 (Use of Undersized Single-Family Lots). At that time, elevation drawings of the proposed dwelling and photographs representative of existing dwellings in the neighborhood should be provided for review by the Department of Planning.

For further information concerning the matters stated here in, please contact Dennis Wertz at 410-887-3480.

Prepared by:

A handwritten signature in black ink, appearing to read "Curtis P. Givens", written over a horizontal line.

Division Chief:
AVA/LL: CM

A handwritten signature in black ink, appearing to read "Lynn Faulkner", written over a horizontal line.

Case No.: 2013-0075-A

Exhibit Sheet

Petitioner/Developer

Protestant

12-26-12 DW
11-20-12 DW

No. 1	Site Plan	
No. 2	Color Photos	
No. 3	Letter of Support	
No. 4	Seneca Park Beach Plat	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

TIME: 08:52:39 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 03/22/2013
DATE: 06/25/2013 BUILDING DETAIL 1 VLC 14:21:47

DRC#

PERMIT # B811846 PLANS: CONST 02 PLOT 7 PLAT 0 DATA 0 EL 1 PL 1

TENANT SPRINKLER SYSTEM REQ'D

BUILDING CODE:

CONTR: POINT GROUP, LLC

IMPRV 1

ENGNR: RICHARDSON ENGINEERING, LLC

USE 01

SELLR:

FOUNDATION BASE

WORK: CONSTRUCT FOUNDATION FOR AND ERECT STATE

2 3

APPROVED INDUSTRIALIZED DWELLING W/TWO CAR L/L

CONSTRUC FUEL SEWAGE WATER

GARAGE, FIREPLACE-O/S PROJ NOT TO EXC 4X10, 3

2 3 1E 1E

BEDROOMS, 2ND & 3RD FLR CANTILEVERS, 2ND FLR COVD

CENTRAL AIR 1

PORCH. 27'6"X50'X35'=3958SF CASE #13-0075-A.

ESTIMATED COST

PROPOSED USE: SFD

OWNERSHIP: 1

EXISTING USE: VACANT

RESIDENTIAL CAT: 1

#EFF: #1BED:

#2BED:

#3BED:

TOT BED:

TOT APTS:

1 FAMILY BEDROOMS: 3

PASSWORD:

ENTER - NEXT DETAIL

PF2 - APPROVALS

PF7 - PREV. SCREEN

PF9 - SAVE

PF1 - GENERAL PERMIT

PF3 - INSPECTIONS

PF8 - NEXT SCREEN

CLEAR - MENU

2006-0061-A

2002-0156-A

Lot # 122

1502002510

Lot # 122

Lot # 124

1505000390

1991-0217-A
PDM # 150859

Lot # 125
1502002140

Lot # 17
1520800582

Lot # 18
1506201780

1502571790

Lot # 19

2.9

816

Pt. Bk. 0000008, F818 0045
1503000470

Lot # 20

Chesapeake Bay Critical Area: Flood Zone 1001

15 E3
PDM # 158124

DR 3-5

Pt. Bk./Folio # 008045

NE 3-L

091C3

Martin State Airport Restriction

6 CD

Lot # 21

1506572192

Lot # 22

1516000380
1996-0344-A

824

1519711270

Lot # 23

Lot # 24

1523501680

Lot # 25

1519640040

Lot # 26

1507900000

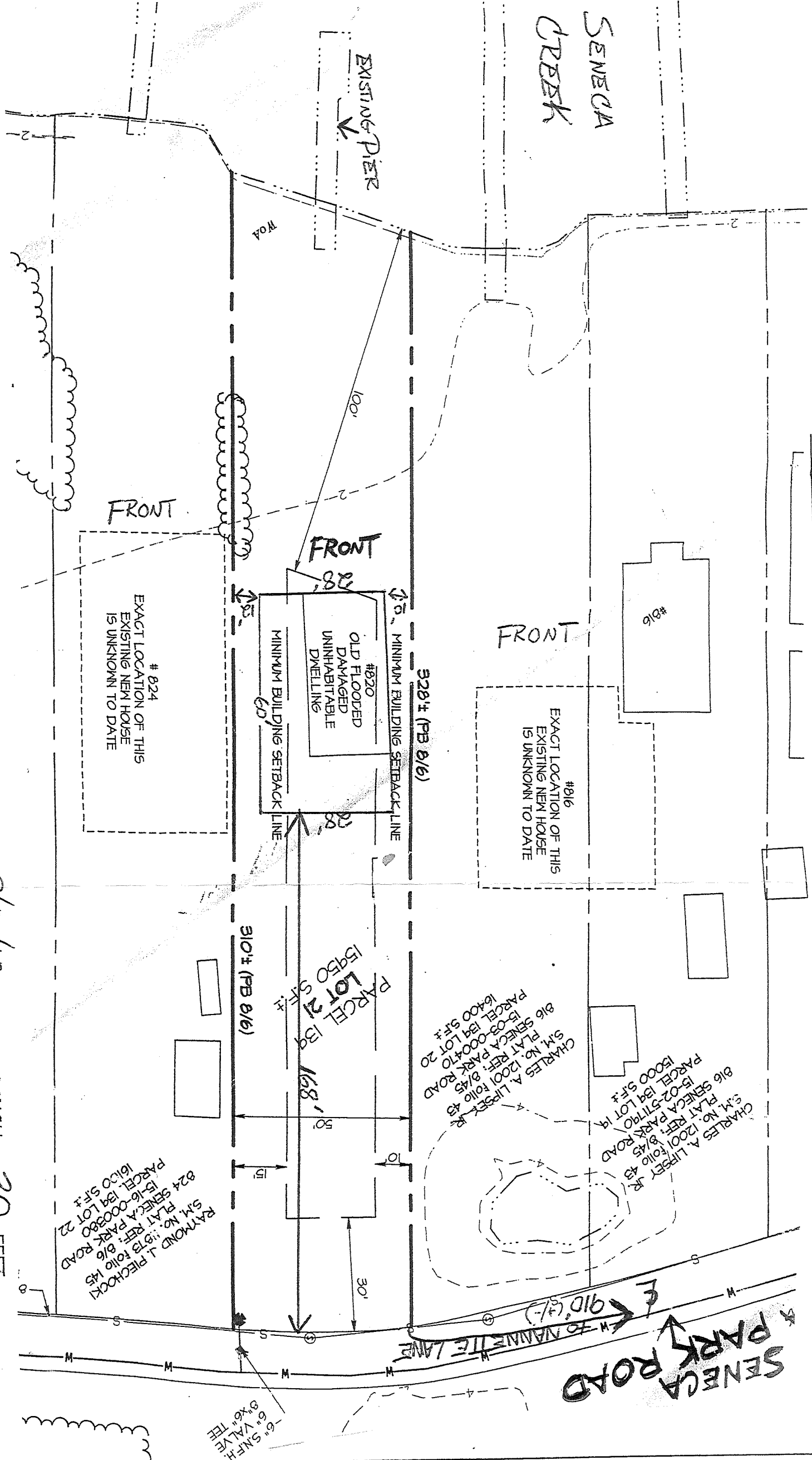
2013-0075-A

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

ADDRESS 820 SENECA PARK ROAD OWNER(S) NAME(S) JAMES C. BARR JR.

SUBDIVISION NAME SENECA PARK BEACH LOT # 21 BLOCK # — SECTION # —

PLAT BOOK # 8 FOLIO # 6 10 DIGIT TAX # 150657212 DEED REF. # 26689100643



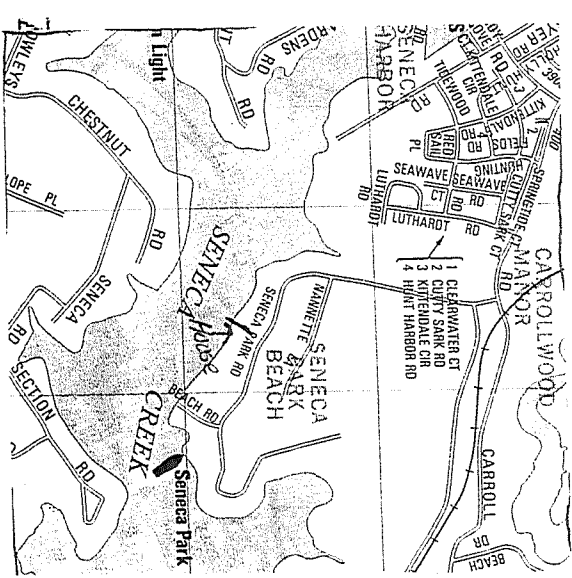
PLAN DRAWN BY _____

DATE 9/21/12 SCALE: 1 INCH = 30 FEET

2013-0075-A

#1

SITE VICINITY MAP



SITE ZONED DR 3.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE .37

OR SQUARE FEET 15,950

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: _____