

IN RE: PETITION FOR ADMIN. VARIANCE *
(13309 Bottom Road)
11th Election District *
3rd Councilmanic District *
Brian A. and Denise D. Fiorucci *
Petitioners *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2013-0140-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the subject property, Brian A. and Denise D. Fiorucci. The variance request is from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a garage addition on the side of an existing dwelling with a side yard setback of 5 feet in lieu of the required 35 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

It is to be noted that this administrative variance case closed on January 14, 2013 but was not received by OAH until March 20, 2013; the whereabouts of the case file between these dates is unknown.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. ZAC comments were received from the Department of Environmental Protection and Sustainability (DEPS) on March 15, 2013, indicating the following:

- Development of the property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code),
- If forest clearing will be less than 20,000 square feet, a Single Lot Declaration of Intent must be filed with DEPS prior to building permit approval to address Forest Conservation Law, and

ORDER RECEIVED FOR FILING

Date 3-21-13

By DW

- A future building permit must be reviewed by Groundwater Management, since there is a well and septic system on the site.

In addition, letters of support were received from adjacent neighbor, Timothy J. McCabe (13313 Bottom Road), and William B. Delp, owner of easement connected to Petitioners' property, (13324 Fork Road), both of whom had no objections to the requested relief.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on December 30, 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.

Although the Department 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.

ORDER RECEIVED FOR FILING

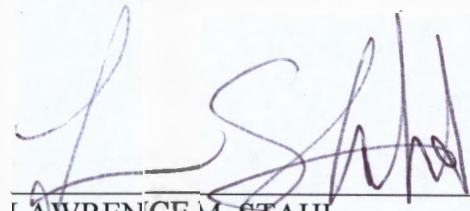
Date 3-21-13

By EW

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 21st day of March, 2013 that the Variance request from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a garage addition on the side of an existing dwelling with a side yard setback of 5 feet in lieu of the required 35 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 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. The Petitioners shall comply with the ZAC comment received from DEPS on March 14, 2013; a copy of which is attached and made a part hereto.

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


LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw

ORDER RECEIVED FOR FILING

Date 3-21-13
By dlw

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: March 14, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0195-A
Address 2126 Carroll Mill Road
(Wagner Property)

Zoning Advisory Committee Meeting of February 25, 2012.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

If forest clearing will be less than 20,000 square feet, a Single Lot Declaration of Intent must be filed with DEPS prior to building permit approval to address Forest Conservation Law. Also, a future bldg. permit must be reviewed by Groundwater Mgmt., since there is a well and septic system on this site. – Dan Esser

Reviewer: Glenn Shaffer

Date: February 28, 2013

RECEIVED

MAR 15 2013

ORDER RECEIVED FOR FILING

OFFICE OF ADMINISTRATIVE HEARINGS

Date 3-21-13
By DW



KEVIN KAMENETZ
County Executive

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

March 21, 2013

Brian A. Fiorucci
Denise D. Fiorucci
13309 Bottom Road
Hydes, Maryland 21082

RE: **PETITION FOR ADMINISTRATIVE VARIANCE**
(13309 Bottom Road)
Case No. 2013-0140-A

Dear Mr. and Mrs. Fiorucci:

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.

Very truly yours,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over the typed name.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw
Enclosure

c: Timothy J. McCabe, 13313 Bottom Road, Hydes, MD 21082
William B. Delp, 13324 Fork Road, Baldwin, MD 21013



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 13309 BOTTOM RD HYDAS MD which is presently zoned RC-2

Deed Reference 5174-612 10 Digit Tax Account # 1112084470

Property Owner(s) Printed Name(s) BRIANA & DENISE D. FIORUCCI

(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. ☒ **ADMINISTRATIVE VARIANCE** from section(s) 1 A 01-3B.3 OF BCZR TO PERMIT A GARAGE ADDITION ON THE SIDE OF AN EXISTING DWELLING WITH A SIDE YARD SETBACK OF 5 FEET IN LIEU OF THE REQUIRED 35 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 City State

Zip Code Telephone # Email Address

Legal Owners:

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

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

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 2013-0140-A Filing Date 12/17/12 Estimated Posting Date 12/30/12 Reviewer AT

~ 01/14/13

Rev 10/12/11

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: 13309 BOTTOM RD. HYDES MD 21082
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)

~~the property is not under an active zoning violation citation~~ DDF
We don't want to put the addition on the back of the house because we do not want to block the view to the horse farm out back. We are building a 2 car garage on the side of the house.

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

Brian A. Fiorucci
Signature of Affiant
BRIAN A. FIORUCCI
Name- Print or Type

Denise D. Fiorucci
Signature of Affiant
DENISE D. FIORUCCI
Name- Print or Type

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

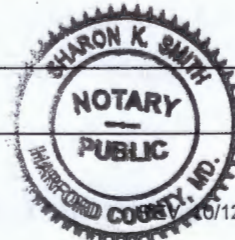
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9th day of November, 2012, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Brian A. Fiorucci Denise D. Fiorucci
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

Sharon K. Smith
Notary Public
8/25/14
My Commission Expires



Brian A. & Denise Dryden Fiorucci
13309 Bottom Road
Hydes, MD 21082

December 17, 2012

Zoning Property Description for 13309 Bottom Road, Hydes, MD 21082

Beginning at a point on the south, east side of Bottom Road, which is 15 feet of right-of-way width wide at the distance of 595 +/- of Ford Road, which is 45' of right-of-way wide.

Thence the following courses and distances beginning for the same at a point in the bed of Bottom Road (formerly known as Treadwell's Mill Road), said point being on the First Line of that parcel of land which by deed dated October 29, 1914, recorded among the Land Records of Baltimore County, MD in Liber WPC No 436 at folio 384 and distant 450.54 feet from the end thereof, said point being also the end of the First Line of that parcel of land. Line of the above first mentioned parcel of land North 45 degrees 36 minutes 00 seconds East 610.00 feet to a point thereon, thence running for lines of division, the two following courses and distances, viz (1) South 31 degrees 31 minutes 19 seconds East 337.88 feet, and South 60 degrees 59 above last mentioned parcel of land, thence binding reversely along part of said Second Line North 31 degrees 31 minutes 19 seconds West 295.37 feet to the place of beginning, containing 1.14 acres of land, more or less. Located in the Election District 11 and Counsel District 3.

2013-0140-A

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

No. **92754**

Date: **12/17/12**

PAID RECEIPT

ADDRESS: ALPINE 1000
 12/18/2012 12/17/2012 09:15:30 6
 REV: 0500 - MARYLAND STATE
 RECEIPT # 92754 12/17/2012 0011
 5.00 CASH ON HAND
 12/17/2012
 Receipt for \$75.00
 \$75.00 CB
 \$75.00 CB
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$75-

Total: **\$75-**

Rec From: **BRIAN FIORUCCI**
 For: **13309 BOTTOM RD.,**
2013-0140-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING
CERTIFICATE OF POSTING

RE: CASE NO: 2013-0140-A

PETITIONER/DEVELOPER _____

Florence

DATE OF HEARING/CLOSING: _____

1/14/13

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 13309 BOTTOM ROAD

THIS SIGN(S) WERE POSTED ON _____

December 30, 2012
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 12/30/12
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# 2013-0140-A

TO PERMIT AN ADDITION ON THE SIDE OF AN
EXISTING DWELLING WITH A SIDE YARD SETBACK OF
5 FEET IN LIEU OF THE REQUIRED 35 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(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 JANUARY 14, 2013
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 UNDER PENALTY OF LAW

MEETING IS HANDICAP ACCESSIBLE

mgalvin 12/30/12

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2013- 0140 -A Address 13309 BOTTOM ROAD
Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 12/17/12 Posting Date: 12/30/12 Closing Date: 01/14/13

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2013- 0140 -A Address 13309 BOTTOM ROAD
Petitioner's Name FIORUCCI Telephone 410.409.0572
Posting Date: 12/30/12 Closing Date: 01/14/13
Wording for Sign: To Permit AN ADDITION ON THE SIDE OF AN
EXISTING DWELLING WITH A SIDE YARD SETBACK
OF 5 FEET IN LIEU OF THE REQUIRED 35 FEET.

Revised 7/06/11



KEVIN KAMENETZ
County Executive

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

March 20, 2013

Brian A & Denise D Fiorucci
13309 Bottom Road
Hydes MD 21082

RE: Case Number: 2013-0140 A, Address: 13309 Bottom Road, 21082

Dear Mr. & Ms. Fiorucci:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 17, 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." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1-7-13

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

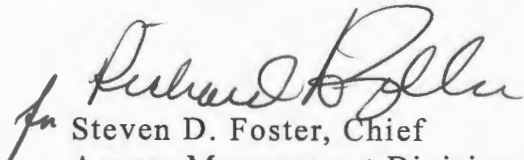
RE: Baltimore County
Item No 2013-0140-A
Administrative Variance
Brian A. & Denise Florence
13309 Bottom Road

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. 2013-0140-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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 02, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For January 07, 2012
Item Nos. 2013-0121, 0139, 0140, 0141,0142,0143,0144 and 0145.

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN
Cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: March 14, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0195-A
Address 2126 Carroll Mill Road
(Wagner Property)

Zoning Advisory Committee Meeting of February 25, 2012.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

If forest clearing will be less than 20,000 square feet, a Single Lot Declaration of Intent must be filed with DEPS prior to building permit approval to address Forest Conservation Law. Also, a future bldg. permit must be reviewed by Groundwater Mgmt., since there is a well and septic system on this site. – Dan Esser

Reviewer: Glenn Shaffer Date: February 28, 2013

RECEIVED

MAR 15 2013

OFFICE OF ADMINISTRATIVE HEARINGS

Maryland Department of Assessments and Taxation
Real Property Data Search (vw6.1A)
BALTIMORE COUNTY

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

Account Identifier:

District - 11 Account Number - 1112084470

Owner Information

Owner Name: FIORUCCI BRIAN A
FIORUCCI DENISE D
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 13309 BOTTOM RD
HYDES MD 21082-9741
Deed Reference: 1) /15595/ 00160
2)

Location & Structure Information

Premises Address
13309 BOTTOM RD
0-0000
Legal Description
1.14 AC SES BOTTOM R
13309 BOTTOM RD
SW OF FORK RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0045	0015	0153		0000				3	Plat Ref:

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1972	1,861 SF	1.1400 AC	04

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2012	07/01/2013
Land	121,600	121,600		
Improvements:	237,300	173,100		
Total:	358,900	294,700	294,700	294,700
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
LYNCH FRANCIS M	09/24/2001	\$259,500
Type: NON-ARMS LENGTH OTHER	Deed1: /15595/ 00160	Deed2:
Seller: STRICKLIN EDGAR B & MARY LOU	Date: 09/03/1969	Price: \$5,000
Type: ARMS LENGTH IMPROVED	Deed1: /05031/ 00288	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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:
Exempt Class:
Special Tax Recapture: NONE

Homestead Application Information

Homestead Application Status: Application received

§ 1A01.3. Height and area regulations.

A. Height regulation. No structure hereafter erected in an R.C.2 Zone shall exceed a height of 35 feet, except as otherwise provided under Section 300.

B. Area regulations.

[Bill No. 178-1979]

1. Subdivision lot density. No lot of record lying within an R.C.2 Zone and having a gross area of less than two acres may be subdivided. No such lot having a gross area between two and 100 acres may be subdivided into more than two lots (total), and such a lot having a gross area of more than 100 acres may be subdivided only at the rate of one lot for each 50 acres of gross area. In cases where land in single ownership is crossed by existing or proposed roads, rights-of-way or easements, the portions of land on either side of the road, right-of-way or easement shall not be considered separate parcels for the purpose of calculating the number of lots of record.

[Bill Nos. 199-1990; 125-2005]

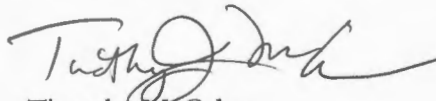
2. Lot size. A lot having an area less than one acre may not be created in an R.C.2 Zone.
3. Setback requirements. No principal structure or dwelling (whether or not it is a principal structure) in an R.C.2 Zone may be situated within 75 feet of the center line of any street or within 35 feet of any lot line other than a street line.
4. Principal dwellings per lot. No more than one principal dwelling is permitted on any lot in an R.C.2 Zone.

December 10, 2012

Dear Baltimore County Zoning Office:

I live at 13313 Bottom Road, Hydes, MD 21082 and live next door to Brian and Denise Fiorucci's property located at 13309 Bottom Road, Hydes, MD 21082. I am aware that the Fiorucci's plan to build on to their home and understand that the back portion of the addition will be approximately 30 feet from the easement, which is attached to my property. I do not have any objections to their addition being built per their plan specifications.

Sincerely,



Timothy McCabe

2013-0140-A

December 10, 2012

Dear Baltimore County Zoning Office:

I live at 13224 Fork Road, Baldwin, MD 21013 and own the easement that is connected to Brian and Denise Fiorucci's property located at 13309 Bottom Road, Hydes, MD 21082. I am aware that the Fiorucci's plan to build on to their home and understand that the back portion of the addition will be approximately 30 feet from my easement. I do not have any objections to their addition being built per their plan specifications.

Sincerely, c

William B. Delp

William Delp

2013-0140-A

Security Title Guarantee Corporation
File No. S174-612
Tax ID # 11 1112084470

CERTIFIED TRUE COPY

This Deed, made this 17th day of September, 2001, by and between FRANCIS M. LYNCH and ELLEN C. LYNCH, parties of the first part, Grantors; and BRIAN A. FIORUCCI and DENISE D. FIORUCCI, parties of the second part, Grantees.

- Witnesseth -

That for and in consideration of the sum of TWO HUNDRED FIFTY NINE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$259,500.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the recelpt whereof is hereby acknowledged, the said Grantors do grant and convey to the said BRIAN A. FIORUCCI and DENISE D. FIORUCCI, as tenants by the entirety, their assigns and unto the survivor of them, and the survivor's personal representatives and assigns, in fee simple, all that lot of ground situate in Baltimore County, Maryland and described as follows, that is to say:

BEGINNING for the same at a point in the bed of Bottom Road (formerly known as Treadwell's Mill Road), said point being on the First Line of that parcel of land which by deed dated October 29, 1914, recorded among the Land Records of Baltimore County, Maryland in Liber W.P.C. No. 436 at folio 384 was conveyed by Wellington W. Smith and Mary J. Smith, his wife, to Bernie C. Holland and distant 450.54 feet from the end thereof, said point being also the end of the First Line of that parcel of land which be deed dated October 11, 1956, recorded among the aforesaid Land Records in Liber G.L.B. 3032 at folio 116 was conveyed by Bernie C. Holland, et ux, to Melvin J. Baker, Jr., et ux, and running thence in the aforesaid bed of Bottom Road and binding reversely along part of the First Line of the above first mentioned parcel of land North 45° 36 minutes 00 seconds East 610.00 feet to a point thereon, thence running for lines of division, as now drawn, the two following courses and distances, viz: (1) South 31° 31 minutes 19 seconds East 337.88 feet, and (2) South 60° 59 minutes 41 seconds West 156.13 feet to a point on the Second Line of the above last mentioned parcel of land, thence binding reversely along part of said Second Line North 31° 31 minutes 19 seconds West 295.37 feet to the place of beginning, containing 1.14 acres of land, more or less. The description above is taken fro the survey prepared by Purdum and Jeschke, Engineers, dated November 14, 1961.

The improvements thereon being known as No. 13309 Bottom Road

BEING the same property which, by Deed dated September 3, 1969, and recorded among the Land Records of Baltimore County, Maryland, in Liber No. 5031, folio 288, was granted and conveyed by Edgar B. Stricklin and Mary Louise Stricklin unto Francis M. Lynch and Ellen C. Lynch.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights; alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said BRIAN A. FIORUCCI and DENISE D. FIORUCCI, as tenants by the entirety, their assigns and unto the survivor of them, and the survivor's personal representatives and assigns, in fee simple.

2013-0140-A

1119052850

13310

Pt. Bk. 010079-2 Folio 0100

1700007460

Pt. Bk. 010079-2 Folio 0100
PDM # 110262

1116045425

R-1979-0065

1104036202

13310 1119001950

13315

1700014410

13227
1700007454

PDM # 110927 Pt. Bk./Folio # MP02093

2004-0012-SPH

13308
1119053670

13313

2400002903

1994-0082-A
2200004145

2003-0054-A

3 CD

1113041025

BOTTOM RD

FORK RD
FORK RD

11 ED

13304
1102000376

RC 2

NE 18-H

045B3

1104075475
13302

13309
1112084470

13224

R-1947-106

13305
1102003190

1994-0139-SPH 2200027513

13301

1118072750

Pt. Bk./Folio # MP01035
PDM # 110915

13218

1600007695

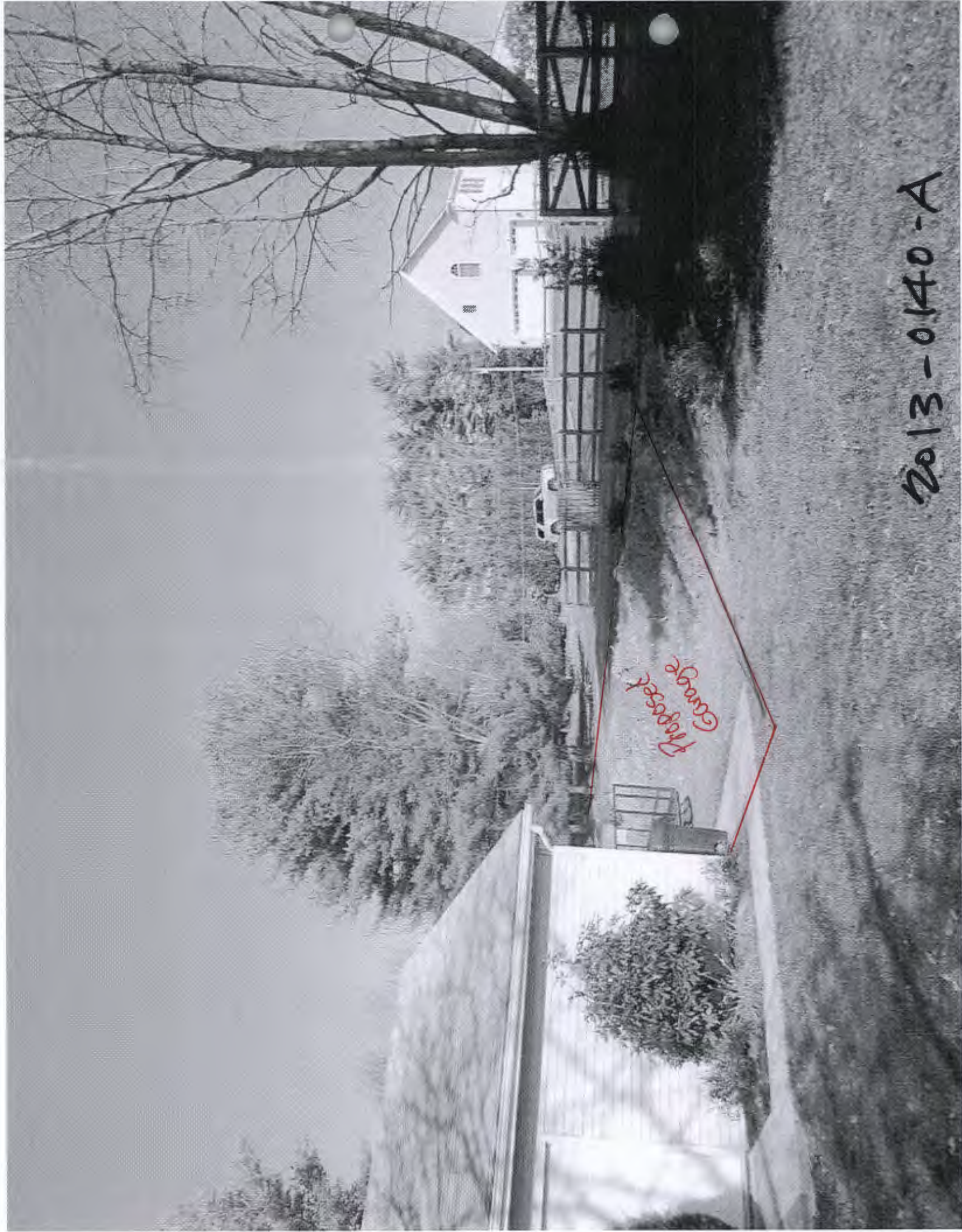
Lot # 1
2400001689

2200027512

1102037750

13303

2013-0140-A



2013-0140-A



2013-0140-A

15300 + 1000000000
Backyard



2013-0140-A



25' Rightway

Propose Garage

2013-0140-A



10.70
sq ft
25' Right way

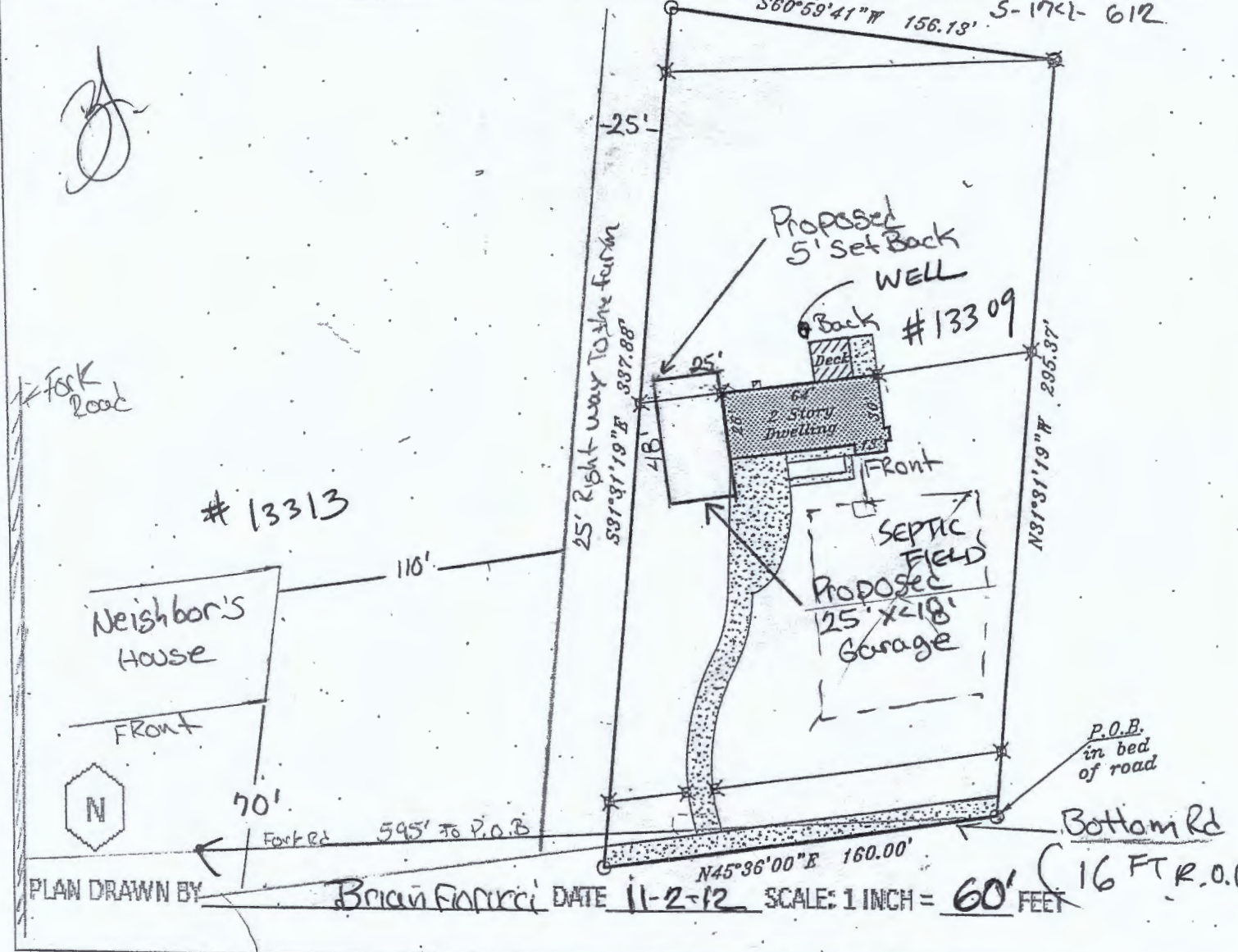
2013-0140-A

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

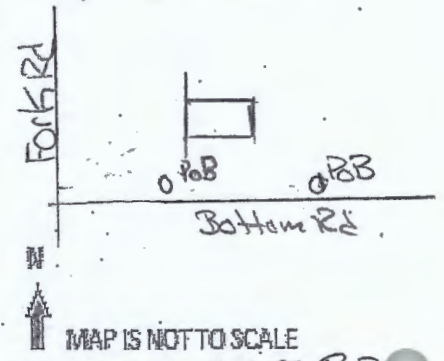
ADDRESS 13309 Bottom Rd OWNER(S) NAME(S) Brian + Denise Fiorucci

SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____

PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 1112084470 DEED REF. # 5-1741 612



SITE VICINITY MAP



MAP IS NOT TO SCALE
ZONING MAP# 0415 B3
SITE ZONED RC-2
ELECTION DISTRICT 11
COUNCIL DISTRICT 3
LOT AREA ACREAGE 1.14 AC
OR SQUARE FEET _____
HISTORIC? NO
IN CBCA? NO
IF FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS: _____
PUBLIC _____ PRIVATE X
SEWER IS: _____
PUBLIC _____ PRIVATE X
PRIOR HEARING? NO
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

For Ex 1

VIOLATION CASE INFO:

2013-0140-A