



KEVIN KAMENETZ
County Executive

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

March 1, 2013

Robert A. Sersen, Sr.
3802 Chestnut Road
Baltimore, Maryland 21220

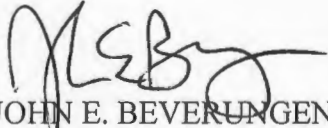
RE: Petition for Special Hearing and Variance
Case No.: 2013-0150-SPHA
Property: 3802 Chestnut Road

Dear Mr. Sersen:

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,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: William N. Bafitis, 1249 Engleberth Road, Baltimore, Maryland 21221

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE *
(3802 Chestnut Road) *
15th Election District *
6th Councilmanic District *
Robert A., Sr. & Robert A., Jr. Sersen *
Petitioners *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2013-0150-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed by Robert A., Sr. & Robert A., Jr. Sersen, legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), (1) To amend the previous site plan in zoning Case No. 1973-0026-A by removing all structures and accessory structures at 3800, 3802 and 3802A Chestnut Road; and (2) To allow a new structure and new accessory structures (2 garages) with a new address at 3802 Chestnut Road. A petition for variance seeks the following relief: (1) To allow the new structure 38 ft. +/- for both side yard setbacks in lieu of the required 50 ft. side yard setback and 34 ft. +/- for new decks for both side yard setbacks in lieu of the required 37.5 ft.; (2) To allow the new accessory structures 11 ft. +/- for both side yard setbacks in lieu of the required 50 ft. side yard setback; and (3) To allow in a RC 5 zone an undersize lot of 1.214 acres in lieu of the required 1.5 acres. 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 in support of the requests was Robert A. Sersen, Sr. and William N. Bafitis, P.E. from Bafitis & Associates, Inc, the firm that prepared the site plan and was assisting the Petitioners through the permitting process. The file reveals that the Petition

Date

3/11/13

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ORDER RECEIVED FOR FILING

was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. There were no Protestants in attendance, and the file does not contain any letters of protest or opposition. In fact, Petitioner presented a letter dated January 19, 2013 with the signatures of six adjacent neighbors, all of whom indicated their support for the project.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The Department of Environmental Protection and Sustainability (DEPS) indicated that Petitioners are obliged to satisfy certain Chesapeake Bay Critical Area (CBCA) regulations, and the Department of Planning (DOP) supports the project and indicated the plan satisfied the RC-5 performance standards set forth in the B.C.Z.R.

The subject property is 52,878 square feet (1.214 acres) and is zoned RC-5. The Petitioners have owned the property for over 80 years, and the site contains 3 separately deeded lots. The Petitioners propose to combine the lots, build one single family dwelling (50' x 65') and two garages (24' x 24'). The garages will be located in the front yard of the new dwelling (facing Chestnut Road), which also requires variance relief under B.C.Z.R. §400.

The Special Hearing relief is essentially a "housekeeping" measure, in that it merely seeks to amend (in accordance with the terms of this Order) the prior 1973 zoning case involving this property and construct a new single family dwelling on site. The proposed improvements will greatly reduce the density and impervious surfaces presently existing, and will be an improvement to the neighborhood. As such, the Special Hearing will be granted.

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.

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Date

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By

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

The Petitioners have met this test. The subject property is composed of 3 separate (and narrow) parcels that were configured long before the adoption of the B.C.Z.R. Thus, the property is unique for zoning purposes. The Petitioners would experience a practical difficulty if the regulations were strictly enforced, given they would be unable to complete the proposed improvements to the property, which will eliminate three (storm damaged) dwellings to be replaced with one single family dwelling constructed according to modern standards.

Pursuant to the advertisement, posting of the property, and public hearing, and after considering the testimony and evidence offered, I find that Petitioners' Special Hearing and Variance requests should be granted.

THEREFORE, IT IS ORDERED this 1st day of March 2013, by this Administrative Law Judge, that Petitioners' request for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), (1) To amend (in accordance with the terms of this Order) the previous site plan in zoning Case No. 1973-0026-A, by removing all structures and accessory structures at 3800, 3802 and 3802A Chestnut Road; and (2) To allow a new structure and new accessory structures (2 garages) with new address at 3802 Chestnut Road, be and is hereby GRANTED.

IT IS FURTHER ORDERED that Petitioners' Variance request under the B.C.Z.R., (1) to permit 38 ft. +/- side yard setbacks for the single family dwelling in lieu of the required 50 ft. side yard setbacks, and 34 ft. +/- for new decks for both side yard setbacks in lieu of the required 37.5 ft.; (2) to permit 11 ft. +/- side yard setbacks for the garages in lieu of the required 50 ft. side yard setbacks; (3) To allow in a RC 5 zone an undersize lot of 1.214 acres in lieu of the required 1.5 acres; and (4) to permit the accessory structures (garages) to be located in the front

ORDER RECEIVED FOR FILING

Date 3/1/13

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By Sen

yard instead of the required rear yard location, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for appropriate permits 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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

JEB/dlw



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 3/1/13

By sen



CHCA

FLOOD PLAIN

PETITION FOR ZONING HEARING(S)

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 3802 Chestnut Road which is presently zoned RC-5
 Deed References: 31846/055 10' Digit Tax Account # 15-19271170 & 15-02005810
 Property Owner(s) Printed Name(s) Robert A. Sersen, Sr. & Robert A. Sersen, Jr.

(SELECT THE HEARING(S) BY MARKING ☒ 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 1) To amend the previous site plan zoning case 1973-0026-A:

To remove all structures and accessory structures @ #3800, 3802 and #3802A Chestnut Rd. 2) To allow a new structure and new accessory structures (2 garages) with new address @ #3802 Chestnut Road.

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

3. ☒ a **Variance** from Section(s) 1) 1A04.3.B.2.b (B.C.Z.R.) To allow the new structure 38' ± for both side yard setbacks in-lieu of the required 50' side yard setback.; and 34' ± for new decks for both side yard setbacks in-lieu of the required 37.5'..
 2) 1A04.3.B.2.b (B.C.Z.R.) to allow the new accessory structures 11'± for both side yard setbacks in-lieu of the required 50' side yard setback: 3) 1A04.3.B.1.a. (B.C.Z.R.) to allow in a RC-5 zone an undersize lot of 1.214 Ac. in-lieu of the required 1-1/2 Acres.

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)

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 bound 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 (Petitioners):

Robert A. Sersen, Sr.

Name #1 - Type or Print

Signature #1

3802 Chestnut Road, Baltimore County, Maryland

Mailing Address City State

21220 / 443-799-1105

Zip Code Telephone # Email Address

Representative to be contacted:

William N. Bafitis, P.E. / Bafitis & Associates, Inc.

Name - Type or Print

Signature

1249 Engleberth Rd. Baltimore County Maryland

Mailing Address City State

21221 / 410-391-2336 / bafitisassoc@comcast.net

Zip Code Telephone # Email Address

CASE NUMBER 2013-0150-SPHA Filing Date 01/04/13

Do Not Schedule Dates: _____

Reviewer: AT



Bafitis & Associates, Inc.

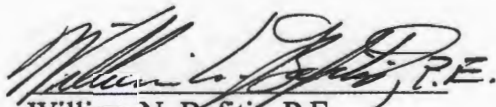
ZONING DESCRIPTION
FOR
3802 CHESTNUT ROAD
BALTIMORE, MARYLAND 21220

Beginning for the same at a point on the Northside of Chestnut Road 30' wide; and 462'± southwesterly from the centerline intersection of Seneca Road 30' wide;

1. Thence running along Chestnut Road South 44°-21'25", West 125.00 to a point;
2. Thence leaving said road North 45°-38'-35", West 424.77' to the waters of Seneca Creek;
3. Thence following said Creek, Northeasterly 125'±;
4. Thence leaving said creek, South 45°-38'-35" East 428.32'; to the place of beginning.

Containing 1.214 Ac. more or less.

Being known as part of Lot 106, Lots 107 and 108 as shown on a plat entitled Plat 2 of Bowleys Quarters recorded among the land records Baltimore County, Maryland. Plat Book 07, Folio 013.


William N. Bafitis, P.E.



Seal _____

2013-0150-SPHA

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2013-0150-SPHA
Petitioner: ROBERT A. SERSEN, SR.
Address or Location: 3802 CHESTNUT Rd., BALTO. Md. 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: WILLIAM BAFITIS
Address: 1249 ENGLEBERTH Rd.
BALTO. Md. 21221
Telephone Number: 410-391-2336

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

No. **92765**
 Date: **01/02/13**

DUPLICATE PAID RECEIPT

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000				6150				\$ 150

Total: **\$ 150**

Rec From: _____
 For: **3802 CHESTNUT RD**
2013-0150-SPHA

BUSINESS ACTUAL TIME TRW
 1/02/2013 1/02/2013 11:13:42 66
 REC# 92765 WALKIN TAY TST
 RECEIPT# 92765 1/02/2013 66LN
 Dept 55 528 ZONING CERTIFICATION
 RECNO. 0022765
 Recpt Tot \$150.00
 \$150.00 CCA \$4000 CCA
 Baltimore County, Maryland

Ck# 451

CERTIFICATE OF POSTING

2013-0150-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Robert Sersen, Sr. & Robert Sersen, Jr.

February 28, 2013

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

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 located at: _____

3802 Chestnut Rd

February 8, 2013

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

February 8, 2013

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



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: #2013-0150-SPHA

3802 Chestnut Road

N/S Chestnut Road, 462 ft. S/W of centerline of Seneca Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Robert Sersen, Sr. & Robert Sersen, Jr.

Special Hearing to amend the previous site plan zoning case 1973-0026-A; to remove all structures and accessory structures @ 3800, 3802 & 3802A Chestnut Road; to allow a new structure and new accessory structures (2 garages) with new address 3802 Chestnut Road. **Variance** to allow the new structure 38 ft. +/- for both side yard setbacks in lieu of the required 50 ft. +/- side yard setback; and 34 ft. +/- for new decks for both side yard setbacks in lieu of the required 37.5 ft. To allow the new accessory structures 11 ft. +/- for both side yard setbacks in lieu of the required 50 ft. side yard setback; to allow in a RC-5 zone an undersize lot of 1.214 acres in lieu of the required 1-1/2 acres.

Hearing: Thursday, February 28, 2013 at 10:00 a.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.
02/009 February 7 902643



501 N. Calvert Street, Baltimore, MD 21278

February 7, 2013

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 February 7, 2013.

- ☒ 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

January 14, 2013

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 NUMBER: 2013-0150-SPHA

3802 Chestnut Road

N/s Chestnut Road, 462 ft. S/w of centerline of Seneca Road

15th Election District – 6th Councilmanic District

Legal Owners: Robert Sersen, Sr. & Robert Sersen, Jr.

Special Hearing to amend the previous site plan zoning case 1973-0026-A; to remove all structures and accessory structures @3800, 3802 & 3802A Chestnut Road; to allow a new structure and new accessory structures (2 garages) with new address 3802 Chestnut Road. Variance to allow the new structure 38 ft. +/- for both side yard setbacks in lieu of the required 50 ft. +/- side yard setback; and 34 ft. +/- for new decks for both side yard setbacks in lieu of the required 37.5 ft. To allow the new accessory structures 11 ft. +/- for both side yard setbacks in lieu of the required 50 ft. side yard setback; to allow in a RC-5 zone an undersize lot of 1.214 acres in lieu of the required 1-1/2 acres.

Hearing: Thursday, February 28, 2013 at 10:00 a.m. in Room 205, Jefferson Building,
111 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director

AJ:kl

C: Robert Sersen, Sr., Robert Sersen, Jr., 3802 Chestnut Rd., Baltimore 21220
William Bafitis, 1249 Engleberth Road, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, FEBRUARY 8, 2013.**
- (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, February 7, 2013 Issue - Jeffersonian

Please forward billing to:
William Bafitis
1249 Engleberth Road
Baltimore, MD 21221

410-391-2326

NOTICE OF ZONING HEARING

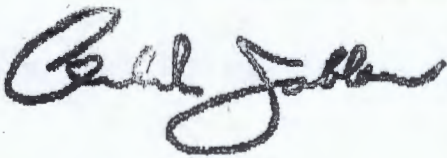
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0150-SPHA

3802 Chestnut Road
N/s Chestnut Road, 462 ft. S/w of centerline of Seneca Road
15th Election District – 6th Councilmanic District
Legal Owners: Robert Sersen, Sr. & Robert Sersen, Jr.

Special Hearing to amend the previous site plan zoning case 1973-0026-A; to remove all structures and accessory structures @3800, 3802 & 3802A Chestnut Road; to allow a new structure and new accessory structures (2 garages) with new address 3802 Chestnut Road. Variance to allow the new structure 38 ft. +/- for both side yard setbacks in lieu of the required 50 ft. +/- side yard setback; and 34 ft. +/- for new decks for both side yard setbacks in lieu of the required 37.5 ft. To allow the new accessory structures 11 ft. +/- for both side yard setbacks in lieu of the required 50 ft. side yard setback; to allow in a RC-5 zone an undersize lot of 1.214 acres in lieu of the required 1-1/2 acres.

Hearing: Thursday, February 28, 2013 at 10:00 a.m. in Room 205, Jefferson Building,
111 West Chesapeake Avenue, Towson 21204



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.



KEVIN KAMENETZ
County Executive

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

February 20, 2013

Robert A. Sersen Sr.
Robert A. Sersen Jr.
3802 Chestnut Road
Baltimore MD 21220

RE: Case Number: 2013-0150 SPHA, Address: 3802 Chestnut Road, 21220

Dear Mssrs. Sersen:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 2, 2013. 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 stylized with a large, looped "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
William N. Bafitis, P.E., Bafitis & Associates, 1249 Engleberth Road, Baltimore MD 21221

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1-11-13

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

RE: Baltimore County
Item No 2013-0150-SPHA
Special Hearing Variance
Robert A. Sr. & Robert A. Jr.
Sensen
3802 Chestnut 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. 2013-0150-SPHA.

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 blue ink, appearing to read "Steven D. Foster".
Steven D. Foster, Chief
Access Management Division

SDF/raz

Maryland Department of Assessments and Taxation
Real Property Data Search (vw2.1A)
BALTIMORE COUNTY

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

Account Identifier: District - 15 Account Number - 1519271170

Owner Information

Owner Name:	SERSEN ROBERT A SR SERSEN CAROL A	Use:	RESIDENTIAL
Mailing Address:	3802 CHESTNUT RD BALTIMORE MD 21220-4023	Principal Residence:	YES
		Deed Reference:	1) /25952/ 00574 2)

Location & Structure Information

Premises Address	Legal Description
3802 CHESTNUT RD 0-0000	3802 CHESTNUT RD Waterfront BOWLEYS QUARTERS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
0091	0022	0150		0000			108	3		2
									Plat Ref:	0007/ 0013

Special Tax Areas	Town	NONE
	Ad Valorem	
	Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1962	3,158 SF	16,150 SF	34

Stories	Basement	Type	Exterior
1.500000	NO	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	323,000	263,000		
Improvements:	222,300	162,400		
Total:	545,300	425,400	425,400	425,400
Preferential Land:	0			0

Transfer Information

Seller:	SERSEN RAYMOND B	Date:	07/25/2007	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/25952/ 00574	Deed2:	
Seller:	SERSEN RAYMOND B	Date:	09/14/1981	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/06327/ 00049	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:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

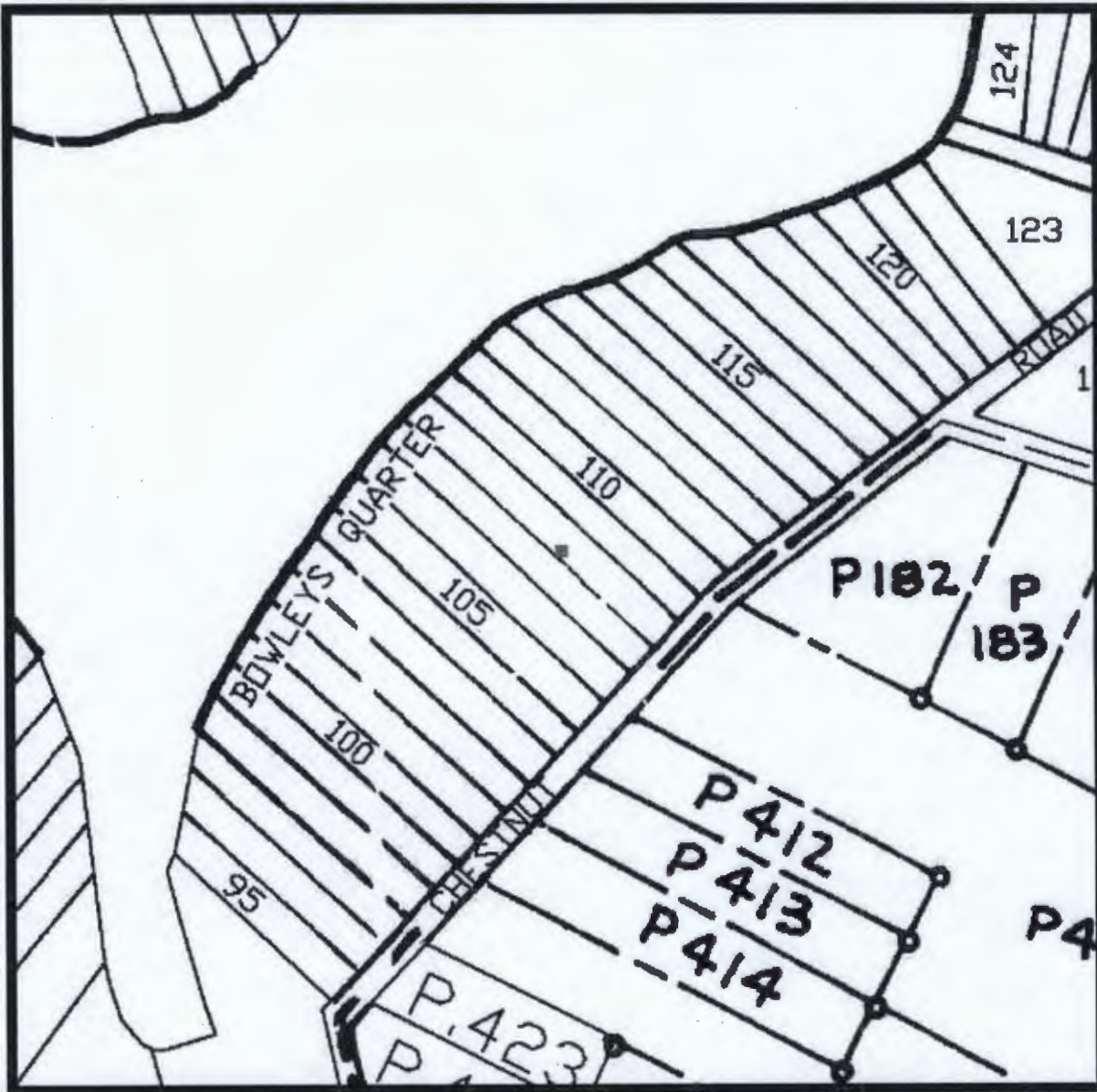
Homestead Application Status: No Application



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

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

District - 15 Account Number - 1519271170



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.

Maryland Department of Assessments and Taxation
Real Property Data Search (vw2.1A)
BALTIMORE COUNTY

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

Account Identifier: District - 15 Account Number - 1502005810

Owner Information

Owner Name:	SERSEN ROBERT A SR SERSEN ROBERT A JR	Use:	RESIDENTIAL
Mailing Address:	3802 CHESTNUT RD BALTIMORE MD 21220-4023	Principal Residence:	NO
		Deed Reference:	1) /31846/ 00055 2)

Location & Structure Information

Premises Address	Legal Description
3800 CHESTNUT RD 0-0000	LT 107 PT 106 3800 CHESTNUT RD Waterfront BOWLEYS QUARTERS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
0091	0022	0150		0000			107	3		2
									Plat Ref:	0007/ 0013

Special Tax Areas	Town	NONE
	Ad Valorem	
	Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1950	1,838 SF	25,575 SF	34

Stories	Basement	Type	Exterior
1.500000	NO	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	325,300	265,300		
Improvements:	139,300	88,400		
Total:	464,600	353,700	353,700	353,700
Preferential Land:	0			0

Transfer Information

Seller:	SERSEN ROBERT A,SR	Date:	03/21/2012	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/31846/ 00055	Deed2:	
Seller:	BALBO STEVEN A	Date:	01/13/2012	Price:	\$350,000
Type:	ARMS LENGTH IMPROVED	Deed1:	/31607/ 00262	Deed2:	
Seller:	BALBO STEVEN A	Date:	01/14/2000	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/14265/ 00196	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

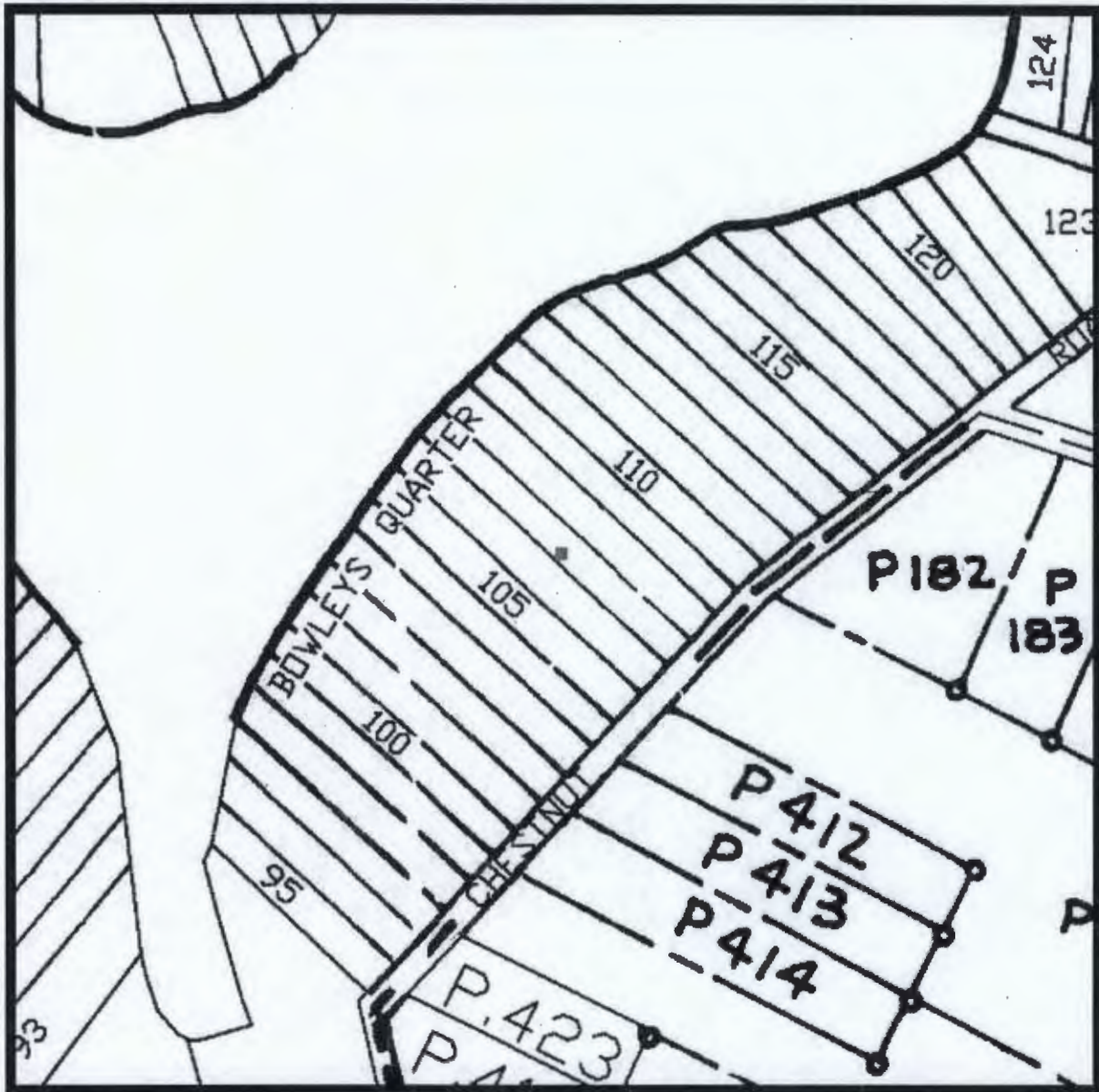
Homestead Application Status:	No Application
--------------------------------------	----------------



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

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

District - 15 Account Number - 1502005810



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.

2/8/13
WCH
jue

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 30, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 3802 Chestnut Road

INFORMATION:

Item Number: 13-150

Petitioner: Robert A. Sersen Sr.

Zoning: RC 5

Requested Action: Special Hearing and Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. According to Baltimore County's GIS information, the proposed buildings will be located within a 100-year floodplain. The petitioner and any prospective contract purchasers should be advised that the new buildings must comply with all applicable regulations pertaining to the construction of buildings in a floodplain.

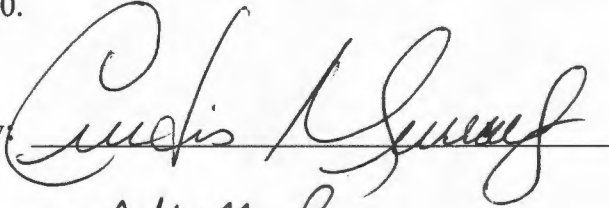
Additionally, this department is required to provide a statement of finding to the Administrative Law Judge indicating how the proposed construction complies with the current RC 5 performance standard requirements. To prepare the statement of finding, the following information must be submitted to this department:

1. Photographs of existing adjacent dwellings.
2. Submit building elevations (all sides) of the proposed dwelling to this department for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

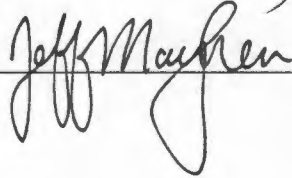
4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
5. Provide landscaping along the public road, if consistent with the existing streetscape.

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

Prepared by:

A handwritten signature in cursive script, appearing to read "Curtis A. Gurey", written over a horizontal line.

Division Chief:
AVA/LL: CM

A handwritten signature in cursive script, appearing to read "Jeff Mayhew", written over a horizontal line.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 21, 2013
Item No. 2013-0150

DATE: January 14, 2013

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:CEN
cc: file
ZAC-ITEM NO 13-0150-01212013.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 20, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 3802 Chestnut Road

INFORMATION:

Item Number: 13-150, AMENDED

Petitioner: Robert A. Sersen Sr.

Zoning: RC 5

Requested Action: Special Hearing and Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's additional submittals of photographs, and architectural elevations and finds that the application is in compliance with the RC 5 performance standards and recommends approval of the special hearing and variance requests.

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

Prepared by: _____

Division Chief: _____
AVA/LL: CM

RECEIVED

FEB 20 2013

OFFICE OF ADMINISTRATIVE HEARINGS

Sherry Nuffer - 2013-0150-SPHA

From: Sherry Nuffer
To: Livingston, Jeffrey
Date: 2/22/2013 1:43 PM
Subject: 2013-0150-SPHA

Jeff,

In reviewing the case file it appears there is no ZAC comment from your department; CBCA area.
Hearing Date is 2/28/13 @ 10:00 am. Just giving you a heads up.

Thank you,

Sherry

Sherry Nuffer
Legal Assistant
Office of Administrative Hearings
105 W. Chesapeake Avenue
Room 103
Towson, Maryland 21204
410-887-3868
Fax: 410-877-3468

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: February 27, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0150-SPHA
Address 3802 Chestnut Road
(Sersen Property)

Zoning Advisory Committee Meeting of January 7, 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. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

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 and two detached garages with reduced side yard setbacks and an undersized lot. The lot is waterfront and is developed with three dwellings, two piers, three sheds, a garage, a pavilion, and two driveways. The proposed dwelling is outside of the 100-foot buffer. Lot coverage on the entirety of this property is limited to 15%. The plan shows property that extends out into the water. For lot coverage and afforestation purposes, only the lot area above mean high water can be used. It appears that lot coverage will be below the 15% limit of the revised lot acreage. If the applicant can meet the lot coverage requirements and the 15% afforestation requirements, the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

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FEB 27 2013

OFFICE OF ADMINISTRATIVE HEARINGS

This property is waterfront. If lot coverage and afforestation requirements are met, that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

Afforestation information was not included and total lot size needs to be clarified. 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*

2-28-13
10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 30, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 3802 Chestnut Road

INFORMATION:

Item Number: 13-150

Petitioner: Robert A. Sersen Sr.

Zoning: RC 5

Requested Action: Special Hearing and Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. According to Baltimore County's GIS information, the proposed buildings will be located within a 100-year floodplain. The petitioner and any prospective contract purchasers should be advised that the new buildings must comply with all applicable regulations pertaining to the construction of buildings in a floodplain.

Additionally, this department is required to provide a statement of finding to the Administrative Law Judge indicating how the proposed construction complies with the current RC 5 performance standard requirements. To prepare the statement of finding, the following information must be submitted to this department:

1. Photographs of existing adjacent dwellings.
2. Submit building elevations (all sides) of the proposed dwelling to this department for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

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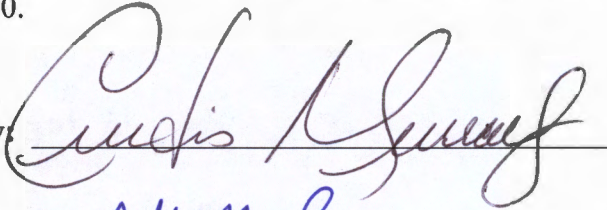
FEB 05 2013

OFFICE OF ADMINISTRATIVE HEARINGS

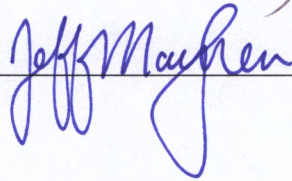
4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
5. Provide landscaping along the public road, if consistent with the existing streetscape.

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

Prepared by:



Division Chief:
AVA/LL: CM



RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
3802 Chestnut Road; N/S Chestnut Rd,	*	OF ADMINISTRATIVE
462' SW c/line Seneca Road		
15 th Election & 6 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Robert, Sr. & Robert, Jr. Sersen		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2013-150-SPHA

* * * * *

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.

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

RECEIVED

JAN 08 2013

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of January, 2013, a copy of the foregoing Entry of Appearance was mailed to William Bafitis, P.E., 1249 Engleberth Road, Baltimore, MD 21221, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

MEMORANDUM

DATE: April 3, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0150-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on April 1, 2013. 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

CASE NAME 3802 Chestnut
CASE NUMBER 2013-150 SP4A
DATE 2-28-13

[illegible]

CASE NO. 2013-

0150-~~A~~ SPHACHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
1/14/13	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	C
2/27/13	DEPS (if not received, date e-mail sent 2/22/13)	C
2/20/13	FIRE DEPARTMENT Jeffrey Livingston	Supports
1/11/13	PLANNING (if not received, date e-mail sent _____)	NO Objection
	STATE HIGHWAY ADMINISTRATION	
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 2/7/13	
SIGN POSTING	Date: 2/8/13 by Black	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

NE 3-K

091B3

RC 5

NE 2-K

Martin State Airport Restriction

091C3

Bowleys Quarters-Back River, Neck Area

CHESTNUT RD

2009-0185-A

2011-0024-A

1973-0177-A

1973-0026-A

1977-0055-A

2005-0362-A
2002-0052-A

2000-0344-A
2010-0213-A

2013-0150-SPHA

Case No.:

2013-150-SPHA

Exhibit Sheet

DJ
4-3-13

ALN
3-1-13

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Neighbor Signatures	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Robert A. Sersen, Sr.

3802 Chestnut Road, Middle River, MD 21220
410-335-4438 home / 443-799-1105 cell

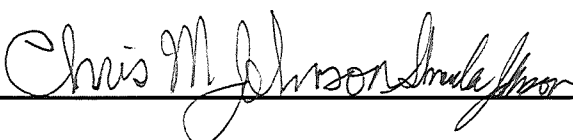
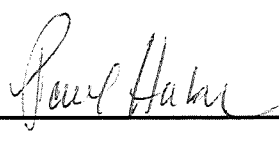
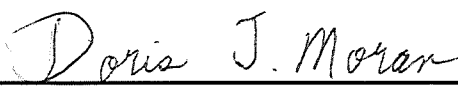
19 January 2012

To my neighbors on Chestnut Road,

As you know my plans are to demo the existing dwellings and structures on 3800 & 3802 Chestnut Road to improve the two properties with one dwelling and attached garages per the drawings drafted by Al Braden.

By signing below you are attesting that:

- You have seen and understand the proposed prints for the improvements of 3800/3802 Chestnut Road.
- You have no issues or problems with the project and welcome the renovations as it is an improvement on the existing properties.

<u>Name</u>	<u>Address</u>	<u>Signature</u>	<u>Date</u>
Mr. & Mrs. David Hash	3804 Chestnut Road		Chris Hash 1/24/13
Mr. & Mrs. Chris Johnson	3808 Chestnut Road		Chris M Johnson 2-24-13
Mr. & Mrs. Thomas Cole	3810 Chestnut Road		Elizabeth Cole Thomas J Cole 2/17/13
Mr. & Mrs. Paul Huber	3742 Chestnut Road		Paul Huber Elizabeth Huber 2/4/13
Ms. Joanne Kraft	3738 Chestnut Road		Joanne Kraft 2-18-13
Ms. Doris Moran	3741 Chestnut Road		Doris J. Moran 2-21-13

P's #2

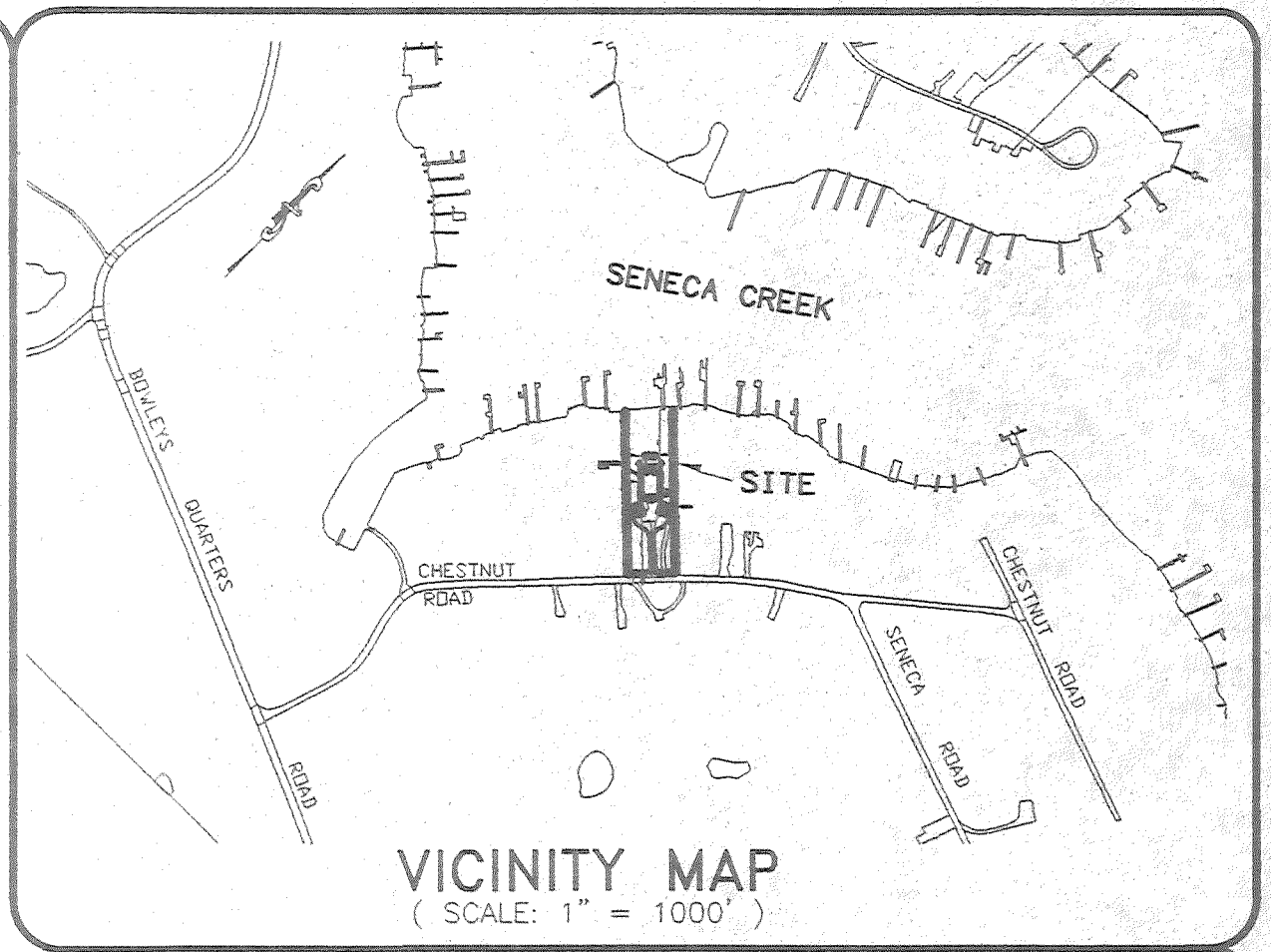
SENECA CREEK

BUILDING COVERAGE

EXISTING: 5,783 S.F. / 52,878 S.F. =
0.1094 X 100 = 10.94%
PROPOSED: 4,429 S.F. / 52,878 S.F. =
0.0838 X 100 = 8.37%
ALLOWED: 15% X 52,878 S.F. = 7,931.70 S.F.

NOTES

1. Topography shown hereon was taken from Baltimore County GIS Topography & Updated by field survey. (SEPTEMBER, 2012)
2. The Firm Insurance Rate Map, 240010-0435 F indicates this is situated within flood Zone AE. F.E.M.A. indicates a Flood Elevation of 8.5 NAVD 88 based on a Flood Insurance Study Number 240010V000B. A minimum-first floor elevation 10.5 NAVD 88.
3. Property lines shown hereon were established by public information.
4. This site is situated within the Chesapeake Bay Critical Areas and is classified by land use as Limited Development Area (LDA) (MAP 91).
5. There shall be no clearing, grading, construction or disturbance of vegetation within the 100' Buffer Area except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
6. This site is situated within a Mapped Buffer Management Area of the Chesapeake Bay Critical Areas.
7. There are no forest or developed woodlands on this site.
8. There are no Tidal & Non-Tidal Wetlands shown on this site.
9. There is no significant plant or animal habitat on this site.
10. There are no slopes greater than 15% on this site.
11. There are no known wells on this site.
12. There are no known underground storage tanks or septic systems on this site.
13. There are no known potentially hazardous materials on this site as defined by Title 7-Health and Environmental Article, Annotated Code of Maryland, except as noted.
14. There are no buildings or property within this site that are included on the Maryland Historical Trust Inventory, The Baltimore County Landmarks List, the National Register of Historic Places, the Maryland Archeological Survey or is a Baltimore County Historical District.
15. The site has 140'± of water frontage.
16. Public Water and sewer serve this site.
17. Caution underground utilities may exist in Chestnut Road & onsite, contact Miss Utility (800-257-7777) prior to any construction.
18. Proposed dwelling height < 35'.
19. All roof downspouts must discharge rainwater runoff on-to a pervious surface.



SITE DATA

- 1) OWNER: ROBERT A. SERSEN SR. & ROBERT A. SERSEN JR.
#3802 CHESTNUT ROAD
BALTIMORE, MARYLAND 21220
TELEPHONE NO.: 410-335-4438
- 2) DEED REF: 31846/00055
- 3) TAX ACC. NO.: 15-19271170 & 15-02005810
- 4) TAX MAP: 91 PARCEL: 150 LOTS: 108, 107 & PART OF 106
- 5) PLAT REF: PLAT 2 OF BOWLEYS QUARTERS BOOK 0007 FOLIO 0013
- 6) ELECTION DISTRICT: 15TH
- 7) CONCLIMANIC DISTRICT: 6TH
- 8) REGIONAL PLANNING DISTRICT: 322C
- 9) CENSUS TRACT: 4518.02
- 10) ZONING: RC-5
- 11) ZONING MAP: 091B3 & 091C3
- 12) USE: EXISTING: RESIDENTIAL, 1-1/2 STORY SINGLE FAMILY DWELLING
PROPOSED: RESIDENTIAL, 2-STORY SINGLE FAMILY DWELLING
- 13) SITE AREA: 52,878 S.F. OR 1.214 AC.

ZONING HISTORY

CASE NO. 1973-0026-A
FOR #3800 CHESTNUT ROAD.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 19th day of April, 1973, by the County Board of Appeals ORDERED, that the Order of the Zoning Commissioner of August 14, 1972 is hereby affirmed; and that the Petition for variances is Granted from and after the date of this Order, to permit side yard of fourteen (14) feet and twenty-four (24) feet instead of the required fifty (50) feet; and to permit a side yard for an accessory structure (storage shed and carport) of five (5) feet and thirty (30) feet instead of the required fifty (50) feet, subject to the approval of a site plan by the Bureau of Public Services and the office of Planning and Zoning.

Any appeal from this decision must be in accordance with Chapter 1100, sub-Title B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slowik, Chairman
W. Charles Parker
Robert L. Gilford

SPECIAL HEARING REQUEST

1. TO AMEND THE PREVIOUS SITE PLAN ZONING CASE 1973-0026-A; TO REMOVE ALL STRUCTURES AND ACCESSORY STRUCTURES @ #3800, #3802, AND #3802A CHESTNUT ROAD.
2. TO ALLOW A NEW STRUCTURE AND NEW ACCESSORY STRUCTURES (TWO GARAGES) WITH NEW ADDRESS @ #3802 CHESTNUT ROAD.

VARIANCE REQUEST

1. TO ALLOW THE NEW STRUCTURE OF 38'± FOR BOTH SIDE YARD SETBACKS IN-LIEU OF THE REQUIRED 50' SIDE YARD SETBACK; AND 34'± FOR NEW DECKS FOR BOTH SIDE YARD SETBACKS IN-LIEU OF THE REQUIRED 37.5'; PER SECTION 1A04.3.B.2.b (B.C.Z.R.).
2. TO ALLOW THE NEW ACCESSORY STRUCTURES 11'± FOR BOTH SIDE YARD SETBACKS IN-LIEU OF THE REQUIRED 50' SIDE YARD SETBACK; PER SECTION 1A04.3.B.2.b (B.C.Z.R.).
3. TO ALLOW IN A RC-5 ZONE AN UNDERSIZE LOT OF 1.214 AC. IN-LIEU OF THE REQUIRED 1-1/2 ACERS PER SECTION 1A04.3.B.1.a. (B.C.Z.R.).

Bafitis & Associates, Inc. William N. Bafitis, P.E. PRESIDENT
Civil Engineers/Land Planners SURVEYORS
1249 Engleberth Rd. Baltimore, MD 21221 (410) 391-2336

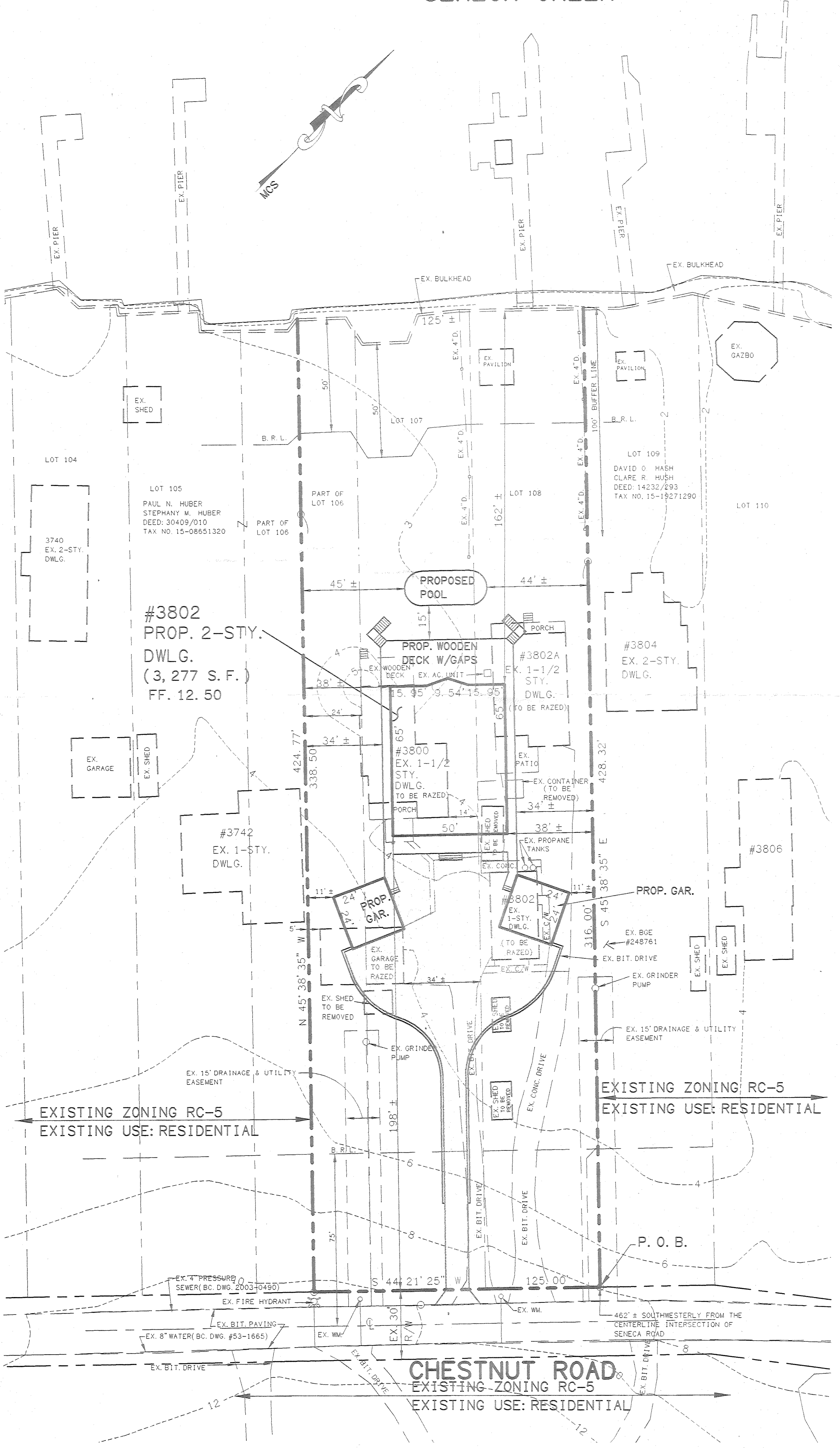
PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING AND VARIANCES FOR #3802 CHESTNUT ROAD

15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

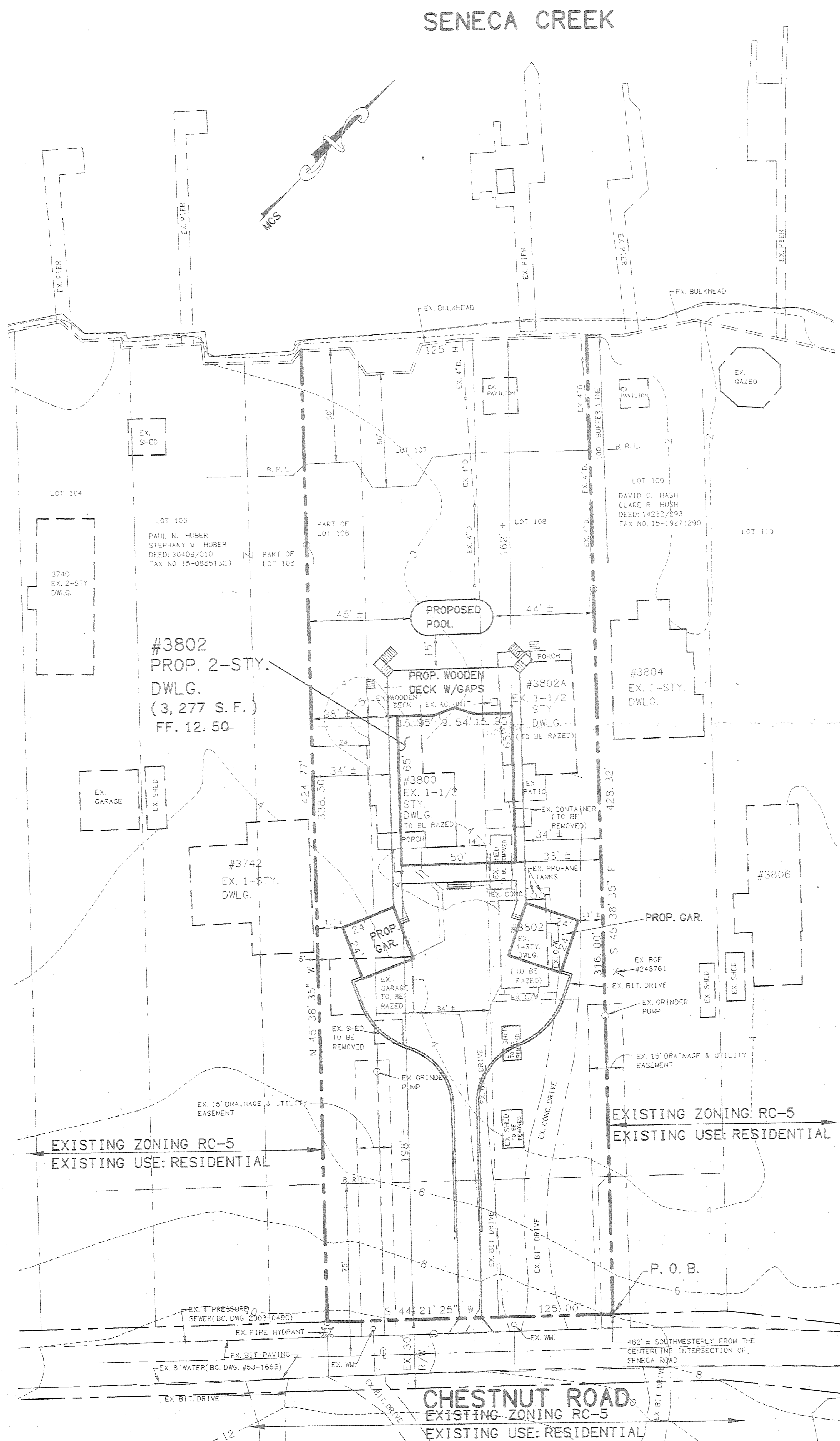
SCALE: 1" = 30'
JOB ORDER NO: 21213
DATE: 12/20/12
CHECKED: W.N.B.
DRAWN: N.W.B.

Professional Certification: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 11641 Expiration Date: 09/09/2013

NO.	REVISIONS	DATE



2013-0150-SPHA



BUILDING COVERAGE

EXISTING: 5,783 S.F. / 52,878 S.F. =
0.1094 X 100 = 10.94%
PROPOSED: 4,429 S.F. / 52,878 S.F. =
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- The Firm Insurance Rate Map, 240010-0435 F indicates this is situated within flood Zone AE. F.E.M.A. indicates a Flood Elevation of 8.5 NAVD 88 based on a Flood Insurance Study Number 240010V0008. A minimum first floor elevation 10.5 NAVD 88.
- Property lines shown hereon were established by public information.
- This site is situated within the Chesapeake Bay Critical Areas and is classified by land use as Limited Development Area (LDA) (MAP 91).
- There shall be no clearing, grading, construction or disturbance of vegetation within the 100' Buffer Area except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
- This site is situated within a Mapped Buffer Management Area of the Chesapeake Bay Critical Areas.
- There are no forest or developed woodlands on this site.
- There are no Tidal & Non-Tidal Wetlands shown on this site.
- There is no significant plant or animal habitat on this site.
- There are no slopes greater than 15% on this site.
- There are no known wells on this site.
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- There are no buildings or property within this site that are included on the Maryland Historical Trust Inventory, The Baltimore County Landmarks List, the National Register of Historic Places, the Maryland Archeological Survey or is a Baltimore County Historical District.
- The site has 140' ± of water frontage.
- Public Water and sewer serve this site.
- Caution underground utilities may exist in Chestnut Road & onsite, contact Miss Utility (800-257-7777) prior to any construction.
- Proposed dwelling height < 35'.
- All roof downspouts must discharge rainwater runoff on-to a pervious surface.

ZONING HISTORY

CASE NO. 1973-0026-A
FOR #3800 CHESTNUT ROAD.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 19th day of April, 1973, by the County Board of Appeals ORDERED, that the Order of the Zoning Commissioner of August 14, 1972 is hereby affirmed; and that the Petition for variances is Granted from and after the date of this Order, to permit side yard of fourteen (14) feet and twenty-four (24) feet instead of the required fifty (50) feet; and to permit a side yard for an accessory structure (storage shed and carport) of five (5) feet and thirty (30) feet instead of the required fifty (50) feet, subject to the approval of a site plan by the Bureau of Public Services and the office of Planning and Zoning.

Any appeal from this decision must be in accordance with Chapter 1100, sub-title B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

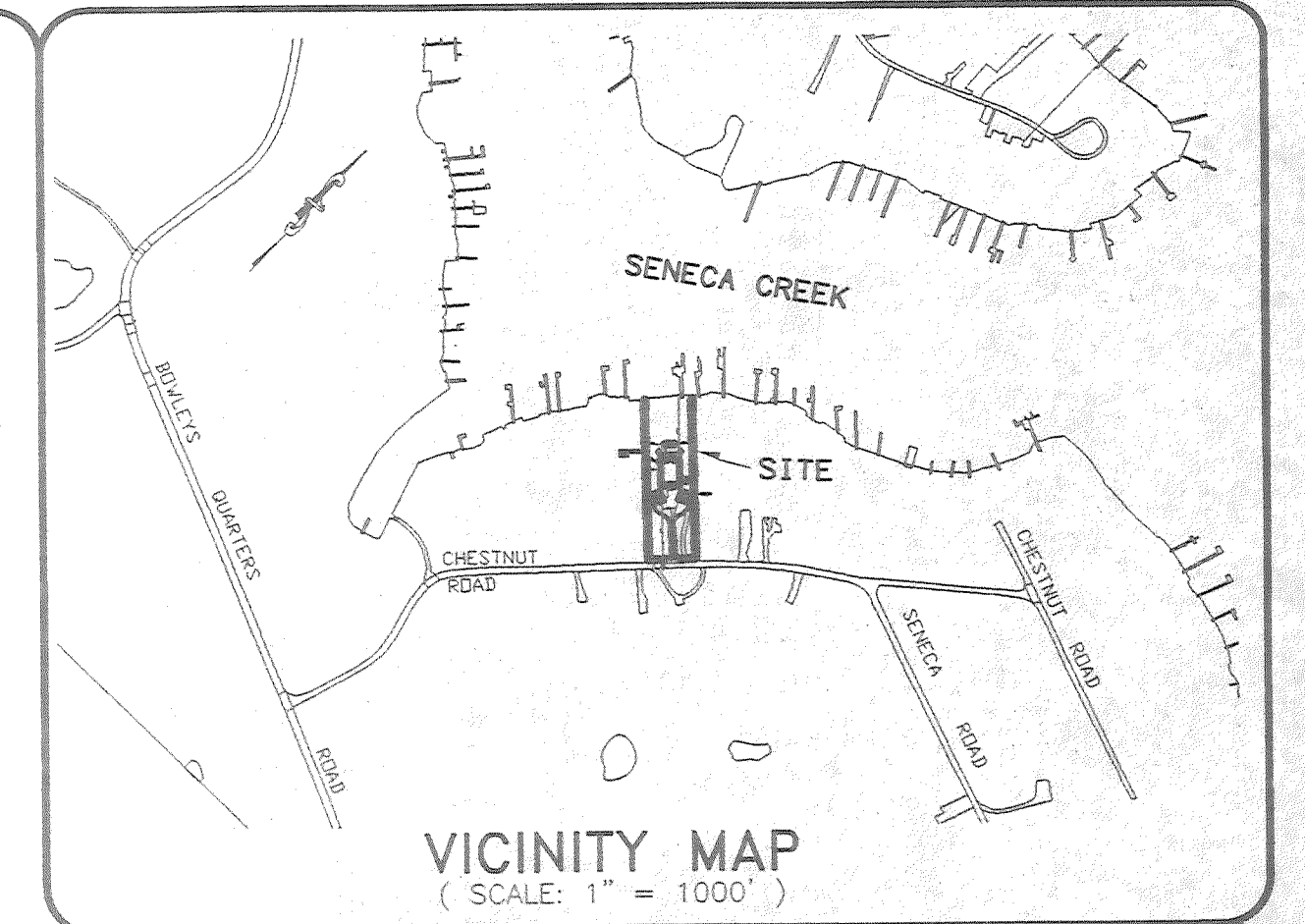
John A. Slowik, Chairman
W. J. Parker
Robert L. Gilland

SPECIAL HEARING REQUEST

- TO AMEND THE PREVIOUS SITE PLAN ZONING CASE 1973-0026-A; TO REMOVE ALL STRUCTURES AND ACCESSORY STRUCTURES @ #3800, #3802, AND #3802A CHESTNUT ROAD.
- TO ALLOW A NEW STRUCTURE AND NEW ACCESSORY STRUCTURES (TWO GARAGES) WITH NEW ADDRESS @ #3802 CHESTNUT ROAD.

VARIANCE REQUEST

- TO ALLOW THE NEW STRUCTURE OF 38' ± FOR BOTH SIDE YARD SETBACKS IN-LIEU OF THE REQUIRED 50' SIDE YARD SETBACK; AND 34' ± FOR NEW DECKS FOR BOTH SIDE YARD SETBACKS IN-LIEU OF THE REQUIRED 37.5'; PER SECTION 1A04.3.B.2.b (B.C.Z.R.).
- TO ALLOW THE NEW ACCESSORY STRUCTURES 11' ± FOR BOTH SIDE YARD SETBACKS IN-LIEU OF THE REQUIRED 50' SIDE YARD SETBACK; PER SECTION 1A04.3.B.2.b (B.C.Z.R.).
- TO ALLOW IN A RC-5 ZONE AN UNDERSIZE LOT OF 1.214 AC. IN-LIEU OF THE REQUIRED 1-1/2 ACERS PER SECTION 1A04.3.B.1.a. (B.C.Z.R.).



SITE DATA

- OWNER: ROBERT A. SERSEN SR. &
ROBERT A. SERSEN JR.
#3802 CHESTNUT ROAD
BALTIMORE, MARYLAND 21220
TELEPHONE NO.: 410-335-4438
- DEED REF: 31846/00055
- TAX ACC. NO.: 15-19271170 & 15-02005810
- TAX MAP: 91 PARCEL: 150 LOTS: 108, 107 & PART OF 106
- PLAT REF: PLAT 2 OF BOWLEYS QUARTERS BOOK 0007 FOLIO 0013
- ELECTION DISTRICT: 15TH
- CONCILMANIC DISTRICT: 6TH
- REGIONAL PLANNING DISTRICT: 322C
- CENSUS TRACT: 4518.02
- ZONING: RC-5
- ZONING MAP: 091B3 & 091C3
- USE: EXISTING: RESIDENTIAL, 1-1/2 STORY SINGLE FAMILY DWELLING
PROPOSED: RESIDENTIAL, 2-STORY SINGLE FAMILY DWELLING
- SITE AREA: 52,878 S.F. OR 1.214 AC.

Bafitis & Associates, Inc.
William N. Bafitis, P.E.
PRESIDENT
Civil Engineers/Land Planners
SURVEYORS
1249 Engleberth Rd. Baltimore, MD 21221 (410) 391-2336

PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING AND VARIANCES FOR #3802 CHESTNUT ROAD	
15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND	
 Professional Certification: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 11641 Expiration Date: 09/09/2013.	SCALE: 1" = 30'
	JOB ORDER NO: 21213
	DATE: 12/20/12
	CHECKED: W.N.B.
DRAWN: N.W.B.	
SHEET 1 OF 1	
NO.	REVISIONS

Ps#1 2013-0150-LPHA