



KEVIN KAMENETZ
County Executive

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

March 29, 2013

Christopher Pasko
3812 Middle River Road
Baltimore, Maryland 21220

RE: Petition for Variance
Case No.: 2013-0175-A
Property: 7355 Chesapeake Road

Dear Mr. Pasko:

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", is written over the printed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

IN RE: PETITION FOR VARIANCE
(7355 Chesapeake Road)
15th Election District
6th Councilman District
Christopher Pasko
Petitioner

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*
*

BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2013-0175-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Christopher Pasko, the legal owner of the subject property. The Petitioner is requesting Variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed addition (attached garage) to have a side yard setback of 4.7 ft. in lieu of the required 10 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests was Christopher Pasko, owner. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

A Zoning Advisory Committee (ZAC) comment was received from the Department of Environmental Protection and Sustainability (DEPS), indicating Petitioner must comply with certain CBCA regulations prior to permit issuance. In addition, Mr. Kennedy of Bureau of Development Plans Review (DPR) submitted a comment noting that Petitioner must comply with tidal floodplain regulations, and Mr. Pasko indicated he had a flood certificate showing his property meets the required floodplain elevation.

ORDER RECEIVED FOR FILING

Date 3-29-13

By Sen

Testimony and evidence revealed that the subject property is 10,000 square feet and is zoned DR 5.5. The Petitioner is restoring and enlarging an existing dwelling on site, and 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).

Petitioner has met this test. The lot is narrow (50' width) and was created in the 1940's before the adoption of the B.C.Z.R. Thus, it is unique.

If the B.C.Z.R. were strictly enforced, the Petitioner would indeed suffer a practical difficulty, given he would be unable to construct the contemplated improvements. 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 County opposition. In addition, Petitioner's adjoining neighbors indicated in writing they were not opposed to the petition.

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.

ORDER RECEIVED FOR FILING

Date 3-29-13

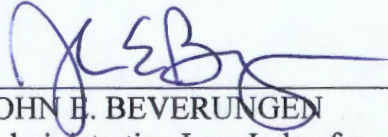
By Sen

THEREFORE, IT IS ORDERED, this 29th day of March, 2013, 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 addition (attached garage) to have a side yard setback of 4.7 ft. in lieu of the required 10 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for his appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner 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.



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:slm

ORDER RECEIVED FOR FILING

Date 3-29-13

By slm

CBC

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 7355 Chesapeake Road Baltimore, MD 21220

which is presently zoned BR 5.5 DR 5.5

Deed References: 30335/00018

10 Digit Tax Account # 1504750010

Property Owner(s) Printed Name(s) Christopher Pasko

(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

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

3. ☒ a **Variance** from Section(s) 1B02.3.C.1 - to permit a proposed addition (attached garage) to have a side yard setback of 4.7 feet in lieu of the required 10 feet
Requesting a variance to build a slightly larger attached garage in place of the previous garage.

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)

see attached

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

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):

Christopher Pasko

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

3812 Middle River Ave Baltimore MD

Mailing Address

City

State

21220

443-904-4015

mane3215@gmail.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Christopher Pasko

Name - Type or Print

Signature

3812 Middle River Ave Baltimore MD

Mailing Address

City

State

21220

443-904-4015

mane3215@gmail.com

Zip Code

Telephone #

Email Address

SE NUMBER 203-0175-A

Filing Date 1, 23 13

Do Not Schedule Dates:

Reviewer

REV. 10/4/11

REASON FOR VARIANCE REQUEST

I am requesting a variance for a few reasons.

First, I unknowingly built the foundation and installed a slab that is larger than current regulations permit. The building inspector showed up informing me of the violation and told me I had to pull a permit for the garage. While researching this, I realized that it is approximately 2 - 2.5' wide than the original garage and that I was only grandfathered in on my setbacks as long as the structure remained standing. Unfortunately the original garage was built around 1950 and was on a very unstable footing as well as the structure itself not very structurally sound, requiring that we rebuild it.

Also, I need the garage to have the ability to store my vehicle, which is an f250 Ford Pickup truck. The truck is approximately 7' wide from panel to panel and with the mirrors its 8' wide. I have had problems in the past where my truck has been broken into and had various items taken, as such I only park my vehicle inside now. Furthermore, a 9' wide garage would not be able to make use of the standard 8' wide garage door available now as the foundation wall will eliminate 8" from one side and the interior framing eliminate 4" from the opposite side. Once the opening is installed it would be less than 8' total, likely around 7'4" or slightly less.

Item #0175

ZONING PROPERTY DESCRIPTION FOR 7355 CHESAPEAKE ROAD

Beginning at a point on the South side of Chesapeake Road which is 20 feet wide at the distance of 158 feet West of the centerline of the nearest improved intersecting street Susquehanna Road which is fifteen feet wide.

Being Lot#234, Section A in the subdivision of Oliver Beach as recorded in Baltimore County Plat Book ¹²~~#012056D~~, Folio ⁵⁶~~#012056D~~, containing 10,000 square feet. Located in the 15 Election District and 6 Council District.

Item #0175

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 - 0175 - A

Petitioner: Christopher Pasko

Address or Location: 7355 Chesapeake Rd Baltimore, MD 21200

PLEASE FORWARD ADVERTISING BILL TO:

Name: Christopher Pasko

Address: 11437 Eastern Ave

Baltimore, MD 21200

Telephone Number: 443-904-4015

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

No. **94035**

Date: **1/23/13**

PAID RECEIPT

BUSINESS ACTUAL TIME ORN
 1/23/2013 1/23/2013 10:19:34 B

REG 4904 WALKIN SHIL SAN
 RECEIPT # 354074 1/23/2013 DELH

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount	Rept
001	800	0000		6150				\$75.00	CR 10

5 528 ZONING VERIFICATION
 094035

Rept Tot: \$75.00
 \$75.00 CR 1.00 CA
 Baltimore County, Maryland

Total: **\$75.00**

Rec
 From:

For:

Zoning Hearing - case # 2013-0175-A

CERTIFICATE OF POSTING

Date: 3-8-13

RE: Case Number: 2013-0175-A

Petitioner/Developer: Chris Pasco

Date of Hearing/Closing: 3-28-13

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 7355 Chesapeake Rd

ZONING NOTICE

CASE # 2013-0175-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: JEFFERSON BLDG, ROOM 205
105 W. CHESAPEAKE AVE. TOWSON, MD 21204
DATE AND TIME: THURSDAY MAR 28, 2013 10 AM
REQUEST: VARIANCE TO PERMIT A
PROPOSED ADDITION (ATTACHED GARAGE)
TO HAVE A 5' SIDE YARD SETBACK OF
4 FEET 7 INCHES IN LIEU OF THE REQUIRED
10 FEET
NOTIFICATIONS ARE TO BE MADE BY OTHER CONDITIONS AND SOMETIMES NECESSARY.
TO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW.
HANDICAPPED ACCESSIBLE

3-8-13
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

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: # 2013-0175-A

7355 Chesapeake Road

S/s Chesapeake Road, 158 ft. W/of centerline of
Susquehanna Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Christopher Pasko

Variance: to permit a proposed addition (attached garage) to have a side yard setback of 4.7 feet in lieu of the required 10 feet.

Hearing: Thursday, March 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.
3/008 Mar. 7 908355



501 N. Calvert Street, Baltimore, MD 21278

March 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 March 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

February 25, 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: 2013-0175-A

7355 Chesapeake Road

S/s Chesapeake Road, 158 ft. W/of centerline of Susquehanna Road

15th Election District – 6th Councilmanic District

Legal Owner: Christopher Pasko

Variance to permit a proposed addition (attached garage) to have a side yard setback of 4.7 feet in lieu of the required 10 feet.

Hearing: ^{Thursday} Tuesday, March 28, 2013 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Christopher Pasko, 3812 Middle River Avenue, Baltimore 21220

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MARCH 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.

410-335-3391

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 7, 2013 Issue - Jeffersonian

Please forward billing to:
Christopher Pasko
3812 Middle River Avenue
Baltimore, MD 21220

443-904-4015

NOTICE OF ZONING HEARING

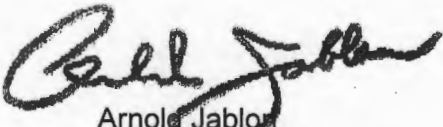
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0175-A

7355 Chesapeake Road
S/s Chesapeake Road, 158 ft. W/of centerline of Susquehanna Road
15th Election District – 6th Councilmanic District
Legal Owner: Christopher Pasko

Variance to permit a proposed addition (attached garage) to have a side yard setback of 4.7 feet in lieu of the required 10 feet.

Hearing: ~~Tuesday~~ ^{Thursday}, March 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 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: May 9, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0175-A - Appeal Period Expired

The appeal period for the above-referenced case expired on April 29, 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

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
7355 Chesapeake Road; S/S Chesapeake Road, *
158' W of c/line Susquehanna Road * OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Christopher Pasko * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2013-175-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.

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

FEB 06 2013

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of February, 2013, a copy of the foregoing Entry of Appearance was mailed to Christopher Pasko, 3812 Middle River Avenue, Baltimore, Maryland 21220, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Case No.: 2013-0175-A

Exhibit Sheet

DW
5-9-13

3-29-13
pen

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Neighbors' signatures	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

MAR 12 2013



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: March 12, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0175-A
Address 7355 Chesapeake Road
(Pasko Property)

Zoning Advisory Committee Meeting of January 28, 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 is subject to Critical Area requirements. The applicant is proposing to construct an addition and an attached replacement garage with reduced side yard setbacks. The lot is not waterfront and is developed with a dwellings, shed, attached garage, and driveway. The proposed garage and dwelling are outside of the 100-foot buffer. Lot coverage on the entirety of this property is limited to 31.25% (3125 square feet), with mitigation required for lot coverage over 25% (2500 square feet). No lot coverage information was provided, but based on the plan it appears the proposal is below the lot coverage maximum. If the applicant can meet the lot coverage requirements and the 15% afforestation requirement of 3 trees, the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront. The garage will be slightly larger than the existing garage. 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 and 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 (EIR)*

RECEIVED

MAR 12 2013

OFFICE OF ADMINISTRATIVE HEARINGS



KEVIN KAMENETZ
County Executive

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

March 21, 2013

Christopher Pasko
3812 Middle River Road
Baltimore MD 21220

RE: Case Number: 2013-0175 A, Address: 7355 Chesapeake Road, 21220

Dear Mr. Pasko:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 23, 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, reading "W. Carl Richards, Jr.", written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel



State Highway
Administration

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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1-30-13

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

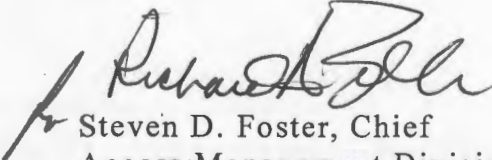
RE: Baltimore County
Item No 2013-0175-A
Variance
Christopher Pasko
7355 Chesapeake Road

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. 2013-0175-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,


Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For February 04, 2013
Item Nos. 2013-0173, 0175, and 0177.

DATE: January 30, 2013

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

DAK:CEN
Cc: file

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 February 4, 2013
Item No. 2013-0175

DATE: February 8, 2013

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

Please disregard our previous comment dated Jan. 30, 2013.

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 13-0175-02042013.doc

2/21/13
JO WLR

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 13, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 7355 Chesapeake Road

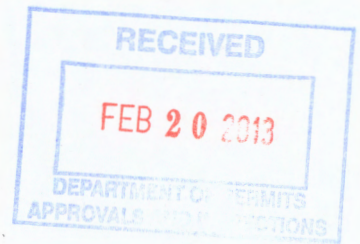
INFORMATION:

Item Number: 13-175

Petitioner: Christopher Pasko

Zoning: DR 5.5

Requested Action: Variance



SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. This department does not oppose the petitioner's request for a side yard setback of 4.7 feet in lieu of the required 10 feet.

The rear portion of the proposed garage addition will sit in a flood plain. The petitioner shall contact Dennis Kennedy, Permits, Approvals and Inspections to discuss this proposed condition.

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

Prepared by:

Curtis Murray

Division Chief:

AVA/LL: CM

Lynne Jarman

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 13, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 7355 Chesapeake Road

INFORMATION:

Item Number: 13-175

Petitioner: Christopher Pasko

Zoning: DR 5.5

Requested Action: Variance

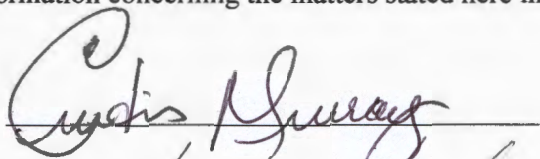
SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. This department does not oppose the petitioner's request for a side yard setback of 4.7 feet in lieu of the required 10 feet.

The rear portion of the proposed garage addition will sit in a flood plain. The petitioner shall contact Dennis Kennedy, Permits, Approvals and Inspections to discuss this proposed condition.

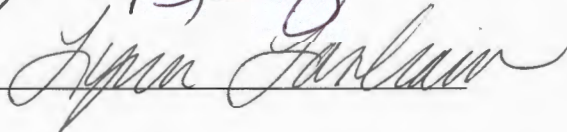
For further information concerning the matters stated here in, please contact Matt Diana at 410-887-3480.

Prepared by:



Division Chief:

AVA/LL: CM



RECEIVED

FEB 15 2013

OFFICE OF ADMINISTRATIVE HEARINGS

CASE NO. 2013-

0175-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
2/8/13	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	C
3/12/13	DEPS (if not received, date e-mail sent _____)	C
	FIRE DEPARTMENT	
2/13/13	PLANNING (if not received, date e-mail sent _____)	C
1/30/13	STATE HIGHWAY ADMINISTRATION	No Obj
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 3/7/13	
SIGN POSTING	Date: 3-8-13 by Pulson	
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 (vw5.1A)
BALTIMORE COUNTY

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

Account Identifier: District - 15 Account Number - 1504750010

Owner Information

Owner Name: PASKO CHRISTOPHER **Use:** RESIDENTIAL
Principal Residence: NO
Mailing Address: 3812 MIDDLE RIVER RD **Deed Reference:** 1) /30335/ 00018
BALTIMORE MD 21220- 2)

Location & Structure Information

Premises Address **Legal Description**
7355 CHESAPEAKE RD 7355 CHESAPEAKE RD SS
BALTIMORE 21220-1161 OLIVER BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0084	0002	0040		0000	A		234	3	
									Plat Ref: 0012/ 0056

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1949	576 SF	10,000 SF	04

Stories	Basement	Type	Exterior
1.000000	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	86,500	86,500		
Improvements:	63,700	30,900		
Total:	150,200	117,400	117,400	117,400
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
ROBINSON RICHARD A	01/06/2011	\$83,000
Type: NON-ARMS LENGTH OTHER	Deed1: /30335/ 00018	Deed2:
STENZEL ERNEST A TRUSTEE	10/27/2010	\$68,250
Type: NON-ARMS LENGTH OTHER	Deed1: /30055/ 00001	Deed2:
STENZEL ERNEST A	06/10/1994	\$1
Type: NON-ARMS LENGTH OTHER	Deed1: /10580/ 00224	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

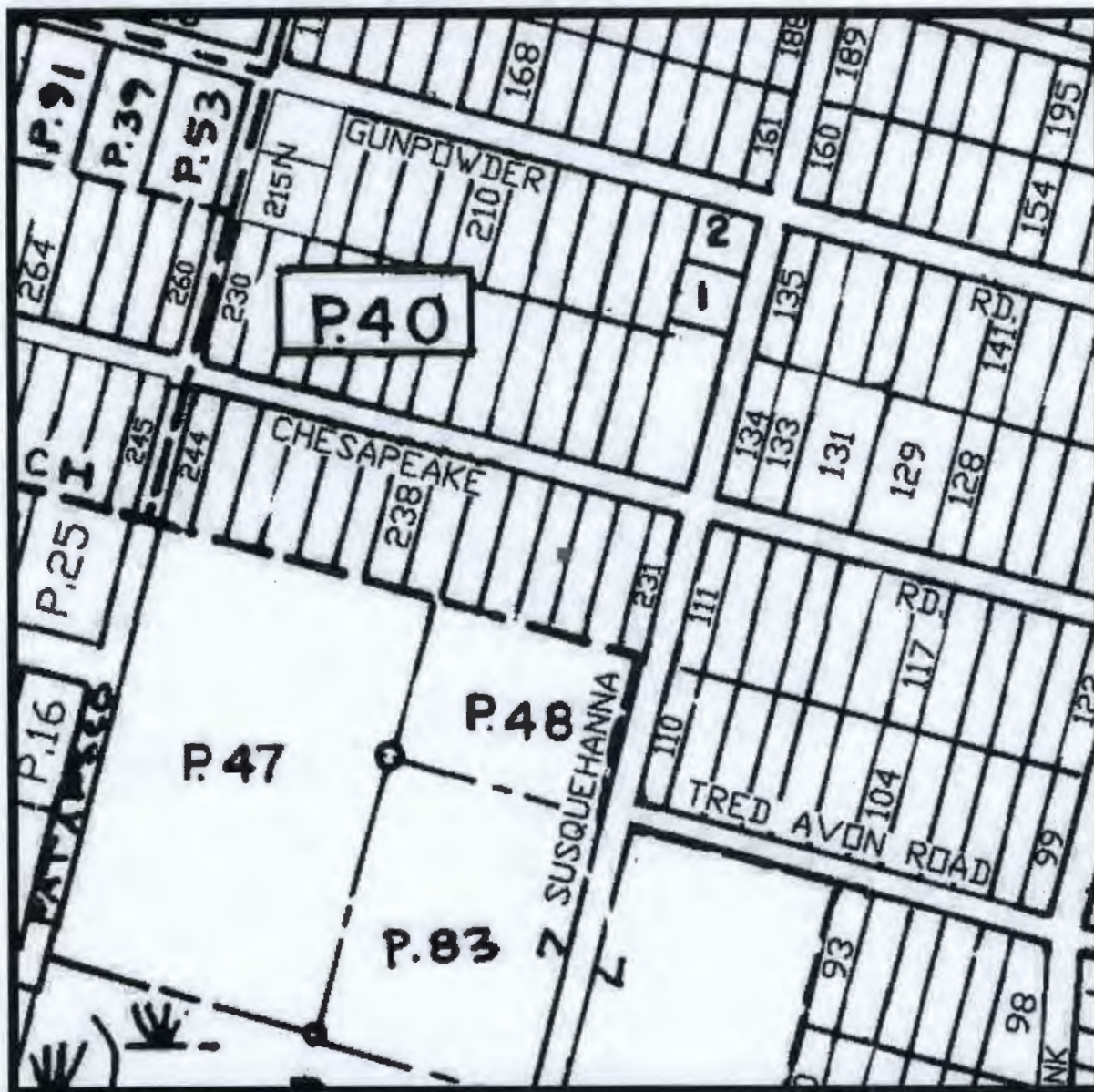
Item #0175



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

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District - 15 Account Number - 1504750010



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.

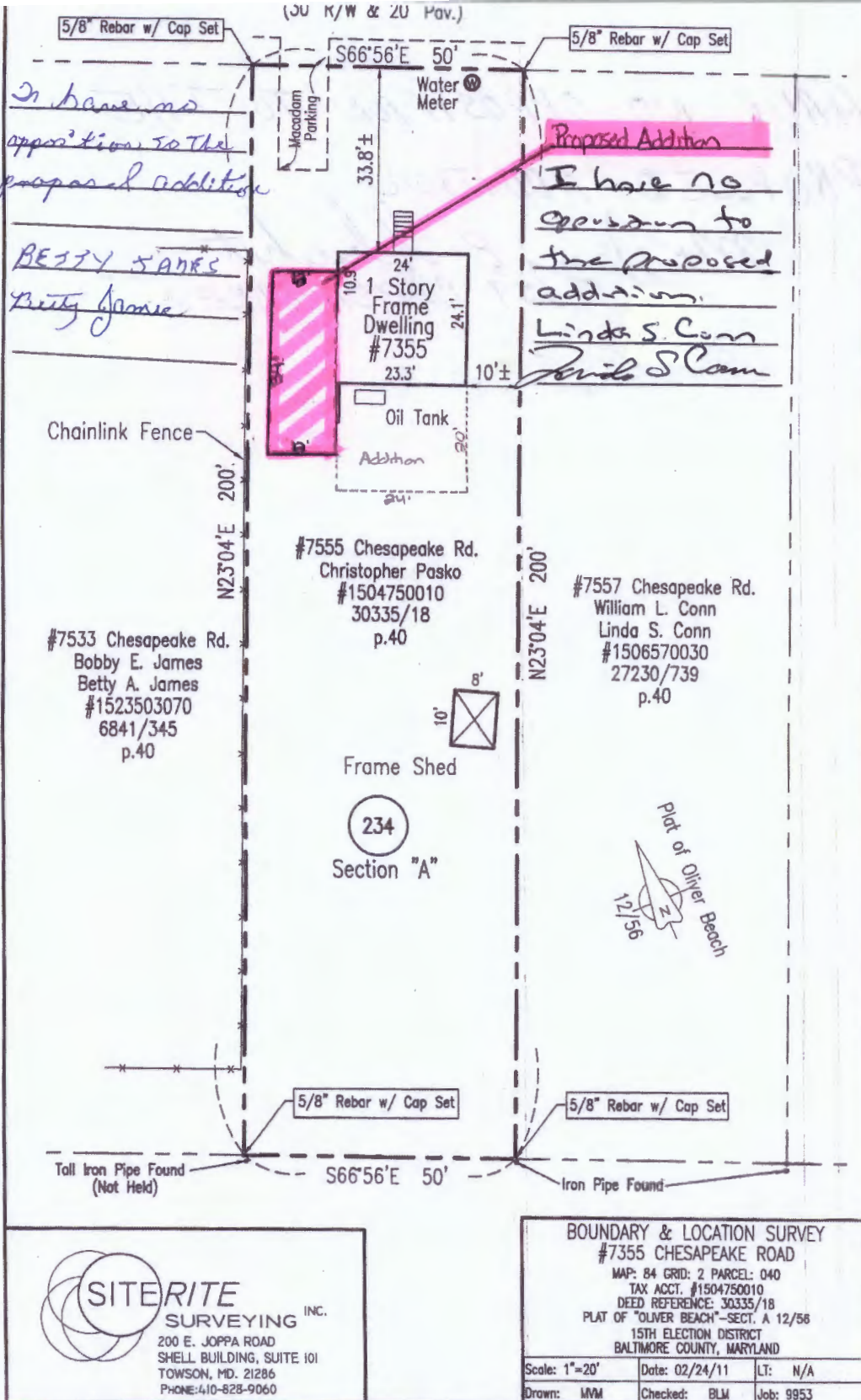
3 HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)

S 7355 Chesapeake Rd Baltimore, MD 21220 OWNER(S) NAME(S) Christopher Pasko

SECTION NAME Oliver Beach LOT # 234 BLOCK # SECTION #

BOOK # 020300 FOLIO # 0000 10 DIGIT TAX # 1504750010 DEED REF. # 30335 / 0018

SITE VICINITY MAP



SITERITE SURVEYING INC.
200 E. JOPPA ROAD
SHELL BUILDING, SUITE 101
TOWSON, MD. 21286
PHONE: 410-828-9060

MAP IS NOT TO SCALE

ZONING MAP# 08441

SITE ZONED DP 5.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE

OR SQUARE FEET 10000

HISTORIC? No

IN CBQA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE

SEWER IS:

PUBLIC ☒ PRIVATE

PRIOR HEARING? 2005

IF SO GIVE CASE NUMBER

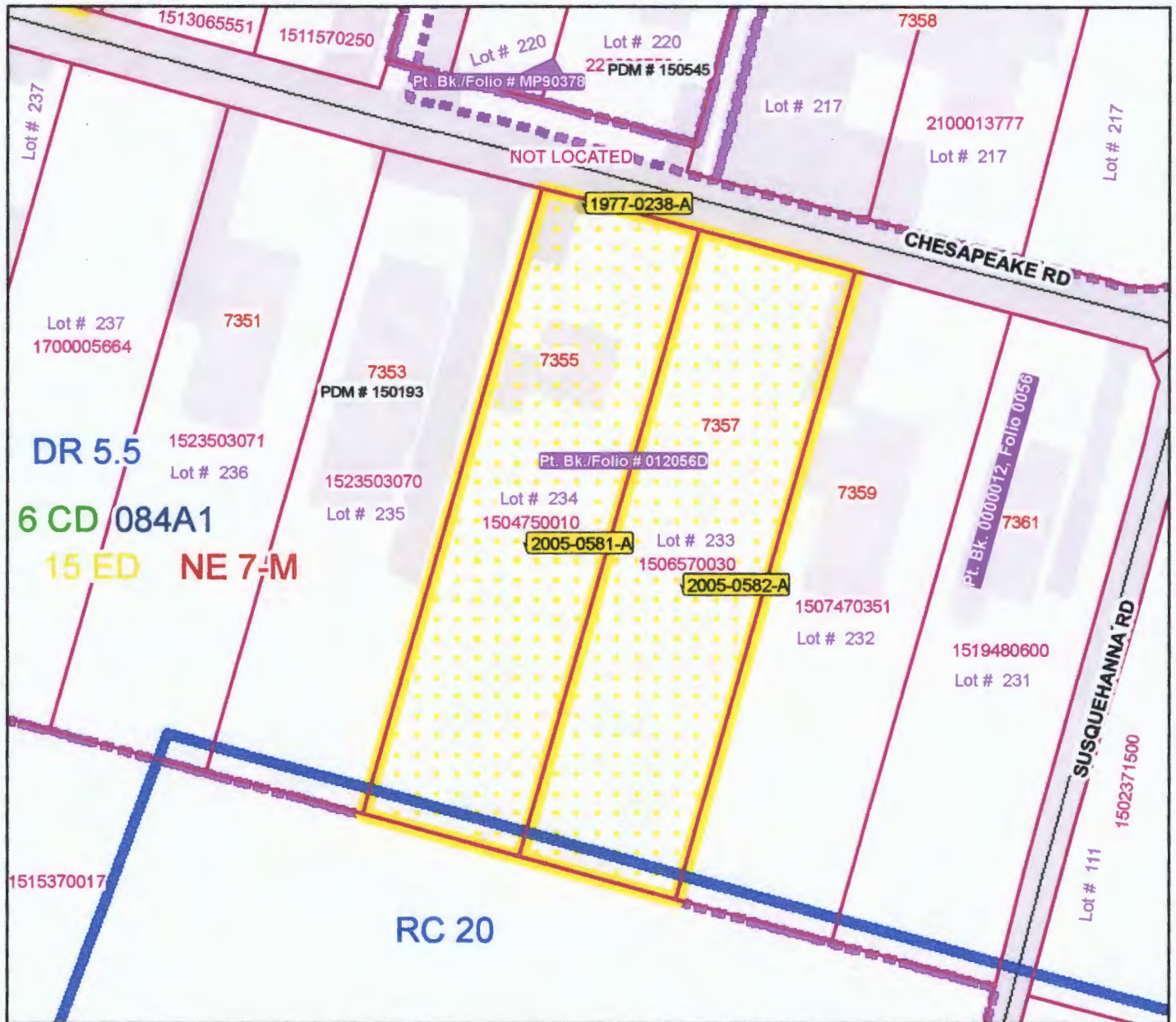
AND ORDER RESULT BELOW

2005-0501-A

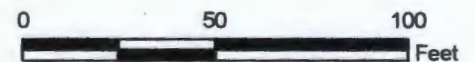
VIOLATION CASE INFO:

Petitioner's # 2

7355 Chesapeake Road



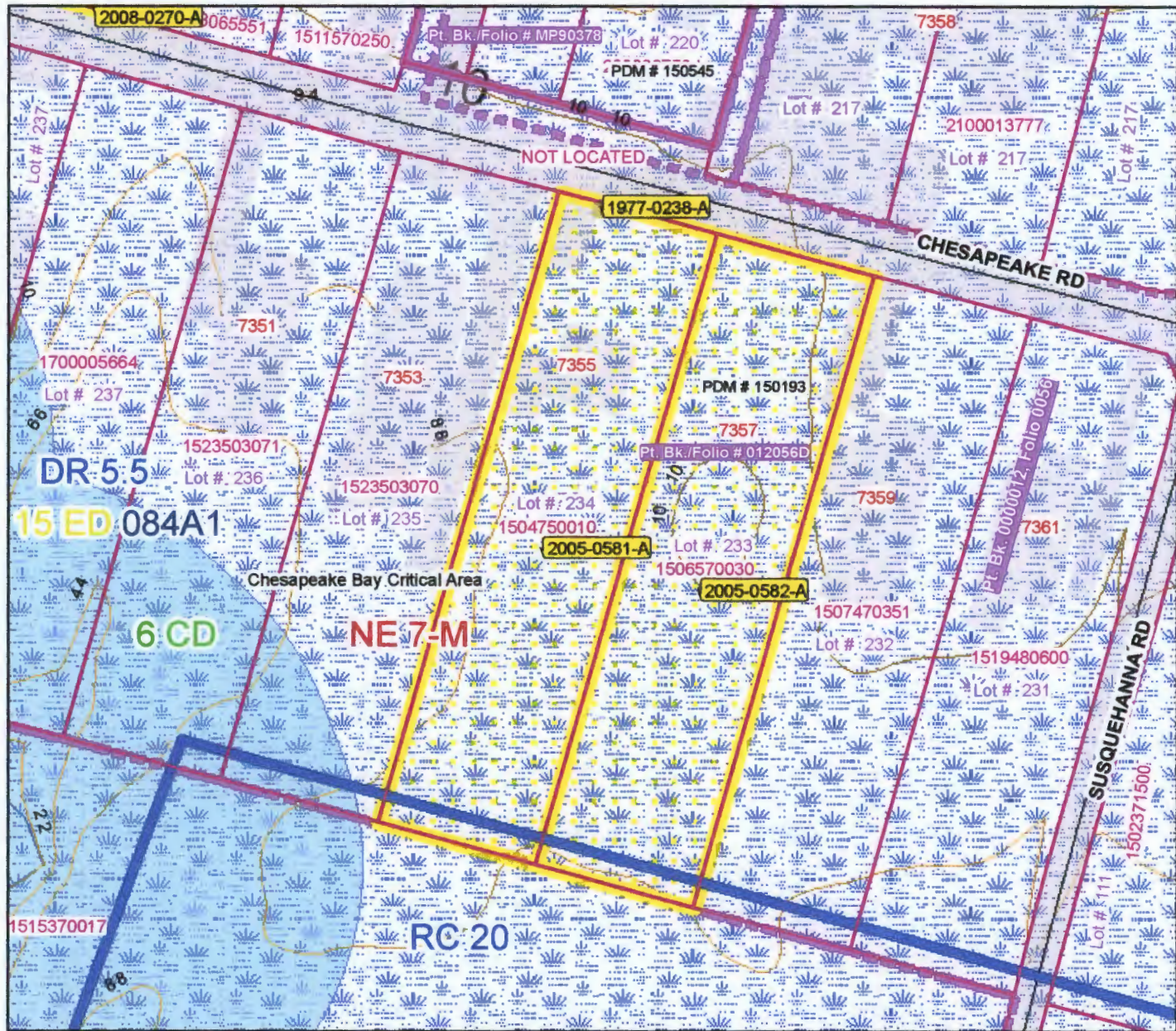
Publication Date: January 22, 2013
 Publication Agency: Permits, Approvals and Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



1 inch = 50 feet

Item #0175

Elevations and Flood Hazards



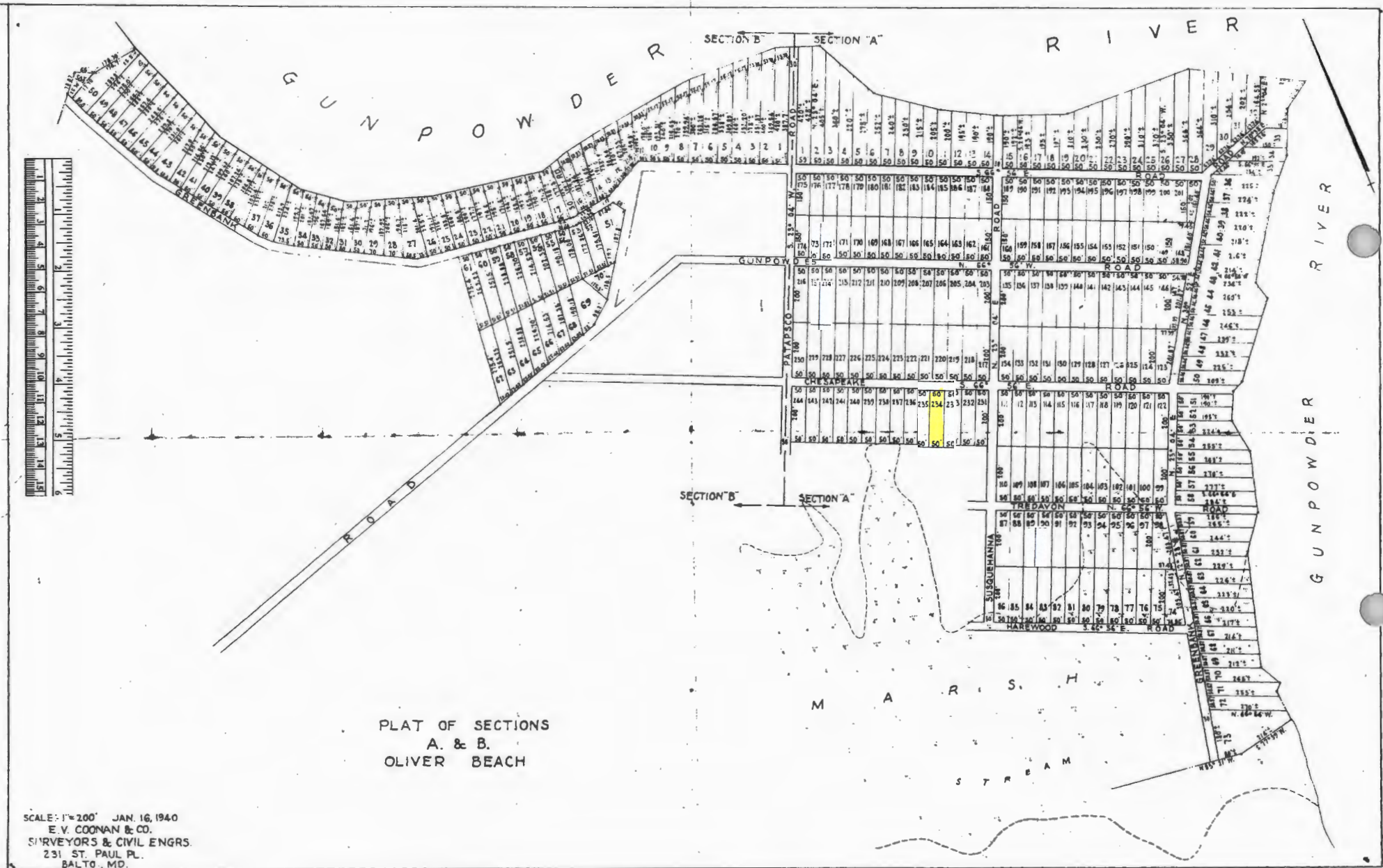
Publication Date: January 22, 2013
Publication Agency: Permits, Approvals and Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



A horizontal scale bar with markings at 0, 50, and 100. The word "Feet" is written at the right end of the bar.

1 inch = 50 feet

Item #0175



Item #0175

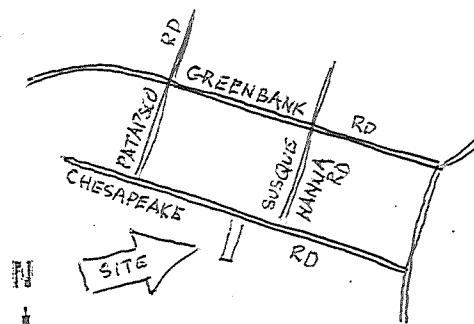
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 7355 Chesapeake Rd Baltimore, MD 21220 OWNER(S) NAME(S) Christopher Pasko

SUBDIVISION NAME Oliver Beach LOT# 234 BLOCK# _____ SECTION# A

PLAT BOOK # 12 FOLIO # 56 10 DIGIT TAX# 1504750010 DEED REF. # 30335 / 0018

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 084A1

SITE ZONED DR 5.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE _____

OR SQUARE FEET 10000

HISTORIC? No

IN CBCA? Yes

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE _____

SEWER IS:

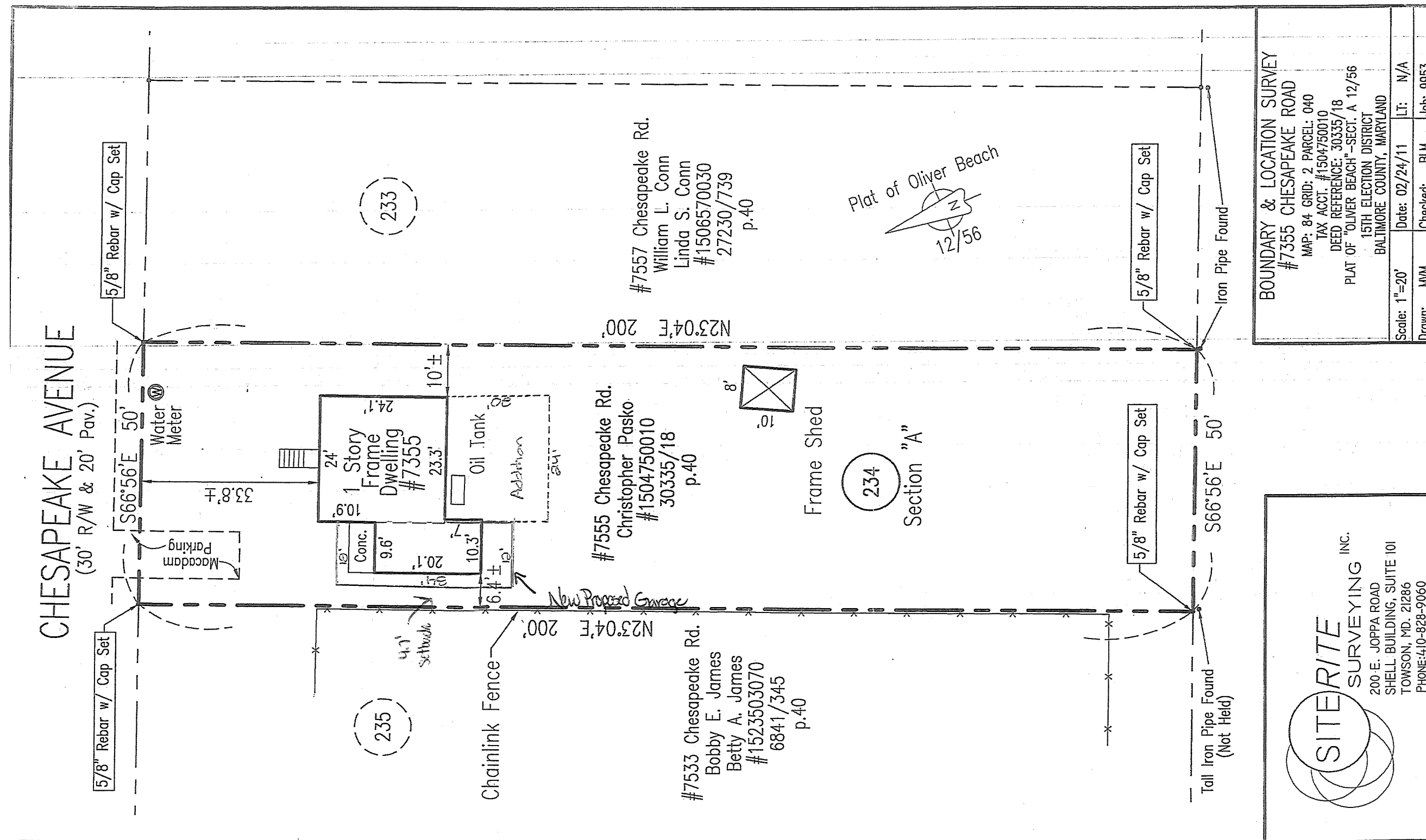
PUBLIC ☒ PRIVATE _____

PRIOR HEARING? 2005 Yes

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

2005-0581-A

VIOLATION CASE INFO:



PLAN DRAWN BY Site Rite DATE 1/17/2013 SCALE: 1 INCH = 20' FEET

#2013-0175-A

RJ #1 Petitioner