



KEVIN KAMENETZ
County Executive

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

May 9, 2013

Michael L. Peregoy
Sandra M. Peregoy
3601 Bay Drive
Baltimore, Maryland 21220

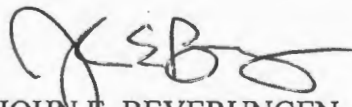
Re: Petition for Administrative Variance
Case No. 2013-0223-A
Property: 3601 Bay Drive

Dear Mr. and Mrs. Peregoy:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file with the Baltimore County Board of Appeals an appeal within thirty (30) days from 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:dlw
Enclosure

c: Manuel Pospisil, 3609 Bay Drive, Baltimore, MD 21220

IN RE: PETITION FOR ADMIN. VARIANCE

(3601 Bay Drive)

15th Election District

6th Council District

Michael L. and Sandra M. Peregoy

Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2013-0223-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Michael L. and Sandra M. Peregoy. The Petitioners are requesting Variance relief from §§1A04.4.D.3 and 427 of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) To permit a 6' high fence that is 6' from the public right-of-way in lieu of the permitted 50' setback, and (2) To permit a 6' high fence with a 6" setback in the side yard of a family dwelling that is in the front yard of the neighboring single family dwelling in lieu of the permitted 10' setback. 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.

In addition to the zoning relief requested, the Petitioners need waiver relief to construct a fence higher than allowed in accordance with Part 122.1 of the Baltimore County Building Code. This issue is usually determined by the Baltimore County Buildings Engineer. However, when the request is made in conjunction with zoning relief, the matter comes to the Office of Administrative Hearings for resolution, pursuant to the delegation of authority found in Part 122.4 of the Baltimore County Building Code.

ORDER RECEIVED FOR FILING

Date 5-9-13

By BW

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies. In addition, it is to be noted that a letter of support was received from Manuel Pospisil, the adjoining neighbor at 3609 Bay Drive who had no objection to the requested relief.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 13, 2013, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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

The Baltimore County Building Code provides that the maximum height for a residential fence in a front yard is 42". The Petitioners would like to construct a 6' tall fence, to safely contain their two dogs that can jump a fence 4' in height. This is sufficient justification to grant the waiver, in that it will prevent the dogs from bothering the neighbors in the community or becoming a hazard to motorists.

ORDER RECEIVED FOR FILING

Date 5-9-13

By 100

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance and building code waiver should be granted. With respect to the side yard setbacks for the fence, I believe the fence should be positioned at least 18" from the property boundary to allow room for repairs or maintenance of the fence.

THEREFORE, IT IS ORDERED, this 9th day of May, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from §§1A04.4.D.3 and 427 of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) To permit a 6' high fence that is 6' from the public right-of-way in lieu of the permitted 50' setback, and (2) To permit a 6' high fence with a 18" setback in the side yard of a family dwelling that is in the front yard of the neighboring single family dwelling in lieu of the permitted 10' setback, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the waiver to construct a fence 6' in height, in accordance with Parts 122.1 and 122.4 of the Baltimore County Building Code, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

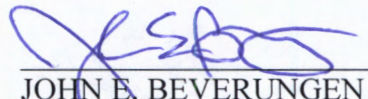
1. The Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING

Date 5-9-13

By lwj

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 5-9-13

By dlw



CBC

ADMINISTRATIVE ZONING PETITION

FLOOD PLAIN

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 3601 Bay Drive

which is presently zoned RC-5

Deed Reference 23519/0392

10 Digit Tax Account # 1507000371

Property Owner(s) Printed Name(s) MICHAEL & SARAH PEREGRIN

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

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. **X** ADMINISTRATIVE VARIANCE from section(s) 1A04.4.D.3; 427

Section: 1A04.4.D.3; 427

To permit a 6ft. high fence that is 6ft. from the public right of way in lieu of the permitted 50ft. setback.

To permit a 6ft. high fence with a 6 inch setback in the side yard of a single family dwelling that is in the front yard of the neighboring single family dwelling in lieu of the permitted 10ft. setback.

07(b), 32-4-223.(8), and
ilding)

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

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners:

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
5-9-13

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER 2013-0223-A

Filing Date 4/4/2013

Estimated Posting Date 4/14/13

Reviewer W

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 3601 Bay Drive Baltimore MD 21220
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

Have 2 dogs which have undergone nos. Please
however both dogs constantly barking thru fence & nos.
are nuisance to neighbors. So much so that
in 1991, fence along property line between Lot #198 &
Lot #192. The Lot #192 is 3' higher elevation than
Lot #198. Therefore proper fence would be 3' high only
on that side.

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

Michael Lee Peregoy
Signature of Affiant

MICHAEL LEE PEREGOY
Name- Print or Type

Sandra M. Peregoy
Signature of Affiant

Sandra M. Peregoy
Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of March, 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Michael Lee Peregoy Sandra M. Peregoy
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

Mary M. Tine
Notary Public (MARY M. TINE)
3-10-2015
My Commission Expires

ZONING PREOPERTY DESCRIPTION FOR:

3601 BAY DRIVE, MIDDLE RIVER, MD 21220

Description:

Beginning at a point on the south east side of Bay Drive which is 25' wide at the distance of 35' south west of the centerline of the nearest improved intersecting street Chesapeake Avenue which is 15' wide.

Subdivision Lot Info:

Being Lots# 29, 198, 199, 200 and 201 in the subdivision of Bowley's Quarters Plat 3 as recorded in Baltimore, County Plat Book #7, Folio # 12, containing 1.15 Acers. Located in the 15th Election District and 6th Council District.

2013-0223-A

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

No.

96278

Date:

4/4/13

PAID RECEIPT

BUSINESS ACTION TIME USER

4/04/2013 4/04/2013 10:27:00 2

REC WSO5 WALXIN DODL DOD

>>RECEIPT # 640505 4/04/2013 OFLH

Dept 5 520 ZUMING VERIFICATION

CR #1 096278

Receipt Int 175.00

\$1.00 CR 100.00 CA

15.00 CG

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150						75.00

Total:

75.00

Rec From

Michael Peregoy

For

3601 Bay Drive

2013-0213-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No 2013-0223-A

Petitioner/Developer MICHAEL &
SANDY PEREWOY

Date Of Hearing/Closing: 4/29/13

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 3601 BAY DRIVE

This sign(s) were posted on April 13, 2013

Month, Day, Year

Sincerely,

Martin Ogle 4/13/23
Signature of Sign Poster and Date

Martin Ogle

60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE# 2013-0223-A

TO PERMIT A 6 FT. HIGH FENCE THAT IS 6 FT. FROM THE PUBLIC RIGHT OF WAY IN LIEU OF THE PERMITTED 50 FT. SETBACK. TO PERMIT A 6 FT. HIGH FENCE WITH A 6 INCH SETBACK IN THE SIDE YARD OF A SINGLE FAMILY DWELLING THAT IS IN THE FRONT YARD OF THE NEIGHBORING SINGLE FAMILY DWELLING IN LIEU OF THE PERMITTED 10 FT. SETBACK

PUBLIC HEARING ?

PURSUANT TO SECTION 26-12701(1) BALTIMORE COUNTY CODE AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 P.M. ON MONDAY APRIL 29, 2013
ADDITIONAL INFORMATION IS AVAILABLE AT ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT LOCATED AT 111 W. CHERAPEAKE AVE. TOWSON MD. 21284
TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL THE DATE UNDER PENALTY OF LAW

MEETING IS HANDICAP ACCESSIBLE

martin 4/13/23

M E M O R A N D U M

DATE: June 11, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0223-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 10, 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

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>4-19</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>4-30</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
	FIRE DEPARTMENT	
<u>4-19</u>	PLANNING (if not received, date e-mail sent _____)	<u>Do not understand justification nor do they support it, hence</u>
<u>4-16</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>4-13-13</u> by <u>Ogle</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____



Application for Administrative Waiver
Of Building Code Fence Height Limitations

2013-0223-A

Instructions: Fill out the information below above the signature line, sign & date. Prepare and submit a **Site Plan** (see requirements on the back of this page) and **Certification of Posting** (provided by the sign poster) to the Building Engineer, Room 105, County Office Building, 111 W. Chesapeake Avenue, Towson, MD 21204. Note that if no public hearing is requested, the waive decision will be based on evidence presented along with County maintained information about the site.

Property Address

3601 Bay Drive

Owner Michael L. + Sandra M. Peregoy

Owner Address 3601 Bay Drive
Baltimore MD 12120

Corner Lot? Yes ☒ No

Fence located in ☒ Front ☐ Side ☐ Rear Yard along side property line

Fence Height Allowed by Building Code 42"

Fence Height Requested 6' (Attach fence location drawing.)

Basis for Request:

To contain 2 dogs that can jump a 4' fence
Note: neighboring property is 3 ft higher than mine

Applicant's Signature

Michael L. Peregoy

Date:

4/4/13

(County Use Only)

Waiver Number 13-254

Date Property Posted

Input/comments/protests received within 15 days?

Yes/No

Has Hearing been requested?

Yes/No

(If Yes, attach record of Hearing)

Final Disposition:

Buildings Engineer

Date

CASE #

2013-0223-A



WAIVER APPLICATION SITE PLAN FILING REQUIREMENTS

1. **Scale:** For property area less than 40 acres use one inch equals 20, 30, 40 or 50 feet. If larger, use one inch equals 100 feet.
2. **Property Boundaries:** Depict using heavy bold line with dimensions. Show north arrow.
3. **Streets/Rights-of-Way:** Show boundary streets and rights-of way; show internal roads and rights-of-way; show impervious areas such as paving and widths.
4. **Adjacent Ownership:** Show names and addresses of owners of your lot and all adjacent lots.
5. **Buildings & Setbacks:** Show building front and side set backs and indicate with an arrow the locations of the fronts of all buildings.
6. **Aerial Map:** Provide an aerial map view of requested fence location. (This may be obtained from the Zoning Office in Room 111).
7. **Fence:** Include fence type, height, location and setbacks from the property lines.

ALL OF THE ABOVE INFORMATION MUST BE COMPLETE AND ACCURATE OR THE APPLICATION WILL NOT BE PROCESSED. THE PLANNERS IN THE ZONING OFFICE CAN EXPLAIN THE ABOVE REQUIREMENTS IN MORE DETAIL, IF REQUIRED.

Questions? Contact the Zoning Office by phone at 410-887-3391 and in person at Room 111, County Office Building, 111 W. Chesapeake Avenue, Towson, MD 21204.

CASE #

2013-0223-A



Baltimore County Department of
Permits and Development Management
Building Engineer's Office
111 West Chesapeake Avenue
Towson, MD 21204
410-887-3373
FAX 410-887-2824

**FORMAT FOR NOTICE OF FILING OF APPLICATION
FOR FENCE HEIGHT WAIVER**

The sign to be posted must be obtained from any of the county's list of approved sign posters. The sign will be the standard 24" x 36" size used for zoning variances, and will contain the following language:

NOTICE

A request has been made for a waiver to construct a fence higher than allowed in accordance with PART 122.4 of the Baltimore County Building Code.

Fence location: Front Yard along the side property lines

Height allowed: 42"

Height requested: 6'

Anyone living within 1,000 feet of this property may request a public hearing on this matter if such request is made within 15 days of the posting date set forth below or submit written comments for consideration to the address below.

Posting Date: _____

Address: _____

Please contact 410-887-3373 for information

Building Engineer for Baltimore County
Department of Permits and Development Management
111 West Chesapeake Avenue, Rm. 105
Towson, MD 21204

CASE #
2013-0223-A

BALTIMORE COUNTY BUILDING CODE



Baltimore County Council Bill 40-12

Effective July 1, 2012

www.baltimorecountymd.gov

1 CHARGE OF THE BUILDING, AT THE ADDRESS TO WHICH BALTIMORE COUNTY'S
2 DIRECTOR OF BUDGET AND FINANCE MAELS TAX BILLS IN ACCORDANCE WITH SECTION
3 11-2-302 OF THE BALTIMORE COUNTY CODE, 2003.

4 **PART 121.3 FAILURE TO COMPLY WITH AN ORDER ISSUED BY THE BUILDING**
5 **OFFICIAL.** WHENEVER THE OWNER, AGENT OR PERSON IN CONTROL OF THE BUILDING
6 OR STRUCTURE FAILS TO COMPLY WITH AN ORDER ISSUED BY THE BUILDING OFFICIAL
7 UNDER THE AUTHORITY CONTAINED IN THIS CODE TO REPAIR OR RAZE AN UNSAFE
8 STRUCTURE, THE BUILDING OFFICIAL SHALL INSTITUTE OR CAUSE TO BE INSTITUTED
9 APPROPRIATE REMEDIAL ACTION INCLUDING THE RAZING OF THE BUILDING OR
10 STRUCTURE. THE COST OF RAZING AND REMOVAL OR REPAIRING SHALL BE CHARGED
11 AGAINST THE REAL ESTATE UPON WHICH THE STRUCTURE IS LOCATED AND SHALL BE
12 A LIEN UPON THE REAL ESTATE.

13 **PART 121.4 UNREASONABLE REPAIR COSTS.** WHENEVER THE BUILDING OFFICIAL
14 DETERMINES THAT THE COST OF REQUIRED REPAIRS WOULD EXCEED 100 PERCENT OF
15 THE THEN CURRENT VALUE OF THE STRUCTURE REPORTED ON THE ASSESSMENT
16 ROLLS MAINTAINED BY THE MARYLAND DEPARTMENT OF ASSESSMENTS AND
17 TAXATION, THE REPAIRS SHALL BE PRESUMED UNREASONABLE, AND IT SHALL BE
18 PRESUMED, FOR THE PURPOSE OF THIS SECTION, THAT THE STRUCTURE IS A NUISANCE
19 AND MAY BE ORDERED RAZED WITHOUT THE OWNER HAVING THE OPTION TO REPAIR
20 IT.

21 **PART 121.5 TEMPORARY SAFEGUARDS.** IF AN UNSAFE CONDITION EXISTS WHICH
22 REQUIRES IMMEDIATE CORRECTION, THE CODE OFFICIAL MAY TAKE SUCH
23 CORRECTIVE ACTION AS IS DEEMED APPROPRIATE AND NECESSARY TO ABATE THE
24 UNSAFE CONDITION PRIOR TO COMPLYING WITH THE NOTICE REQUIREMENTS OF THIS
25 SECTION.

26 **PART 121.6 TAMPERING WITH SIGNS OR OTHER SAFETY MEASURES ORDERED BY**
27 **THE CODE OFFICIAL.** NO PERSON, EXCEPT A PERSON AUTHORIZED BY THE CODE
28 OFFICIAL, SHALL REMOVE, UNLOCK, DESTROY, OR TAMPER WITH IN ANY MANNER ANY
29 LOCKED GATE, DOOR, OR BARRICADE, CHAIN, ENCLOSURE, SIGN, TAG, OR SEAL PUT IN
30 PLACE BY THE CODE OFFICIAL PURSUANT TO THIS CODE.

31 **PART 122 FENCES.**

32 **PART 122.1 RESIDENTIAL PROPERTIES.** FENCES ON RESIDENTIAL PROPERTY SHALL
33 COMPLY WITH THE FOLLOWING HEIGHT REQUIREMENTS:

1 **1. FRONT YARDS.** THE MAXIMUM HEIGHT PERMITTED FOR ANY RESIDENTIAL
2 OCCUPANCY FENCE SHALL BE 42 INCHES ABOVE NORMAL GRADE IN A FRONT YARD.

3 **2. SIDE AND REAR YARDS.** THE MAXIMUM HEIGHT PERMITTED FOR ANY
4 RESIDENTIAL OCCUPANCY FENCE SHALL BE SIX FEET ABOVE NORMAL GRADE IN A
5 SIDE AND REAR YARD (AS DEFINED BY THE BALTIMORE COUNTY ZONING
6 REGULATIONS). A FENCE MAY BE ERECTED UP TO TEN FEET HIGH IN A SIDE OR REAR
7 YARD WHEN THE FENCE IS SET BACK FROM THE PROPERTY LINE A HORIZONTAL
8 DISTANCE OF TWO FEET FOR EVERY VERTICAL FOOT OF HEIGHT IN EXCESS OF SIX FEET.

9 **EXCEPTION:** IF THE REAR OR SIDE YARD ADJOINS THE FRONT YARD OF ANOTHER
10 RESIDENCE, OR IF THE SIDE YARD ADJOINS A PUBLIC ROAD IN A D.R. OR R.C. 5 ZONE,
11 THE BALTIMORE COUNTY ZONING REGULATIONS SHALL CONTROL.

12 **3. MISCELLANEOUS PROVISIONS.** IF A FENCE IS INSTALLED ON TOP OF A WALL
13 WHICH HAS BEEN ERECTED TO RETAIN EARTH OR SUPPORT A STRUCTURE SUCH AS A
14 PORCH OR DECK AND IF THE FENCE IS USED FOR PROTECTION OF THE PUBLIC, THE
15 HEIGHT OF THE FENCE SHALL BE MEASURED FROM THE GRADE OR DECK SURFACE TO
16 THE TOP OF THE FENCE AS MAY BE APPLICABLE. PRIVACY FENCES INTENDED TO
17 SCREEN PORTIONS OF YARD AREAS SUCH AS PATIOS, SWIMMING POOLS, ETC. MAY BE
18 SITUATED IN FRONT YARDS AND MAY EXCEED 42 INCHES IF SHOWN ON A FINAL
19 DEVELOPMENT PLAN AND APPROVED BY THE DIRECTOR OF PLANNING AND BY THE
20 ZONING COMMISSIONER.

21 **PART 122.2 COMMERCIAL PROPERTIES.** FENCES TO BE ERECTED FOR THE ENCLOSURE
22 OR PROTECTION OF ANY PREMISES OTHER THAN RESIDENTIAL PROPERTY MAY BE
23 CONSTRUCTED UP TO 12 FEET HIGH. HOWEVER, THE BUILDING OFFICIAL IS HEREBY
24 AUTHORIZED AND EMPOWERED TO ORDER A FENCE TO BE BUILT HIGHER THAN 12 FEET
25 IN ANY LOCATION WHEN SUCH FENCE IS NECESSARY TO PROVIDE PROPER PROTECTION
26 AROUND A DANGEROUS PLACE, HIGHLY HAZARDOUS OPERATION, ATHLETIC FIELD OR
27 ANY OTHER LOCATION WHERE SUCH A HIGH FENCE IS NECESSARY FOR THE
28 PROTECTION OR SAFETY OF THE PUBLIC.

29 **PART 122.3 ALL PROPERTIES.** ALL FENCES SHALL COMPLY WITH THE FOLLOWING
30 REQUIREMENTS:

31 1. ELECTRIC FENCES SHALL BE PERMITTED ONLY ON FARMS FOR THE RETENTION
32 OF LIVESTOCK, AND ONLY IF THE ELECTRIC FENCES ARE NOT A SAFETY HAZARD TO
33 PEOPLE.

1 2. NO FENCE SHALL HAVE ANY PROJECTING SHARP POINTS, JAGGED EDGES OR
2 OTHER PROJECTIONS WHICH MAY INJURE PERSONS OR ANIMALS COMING IN CONTACT
3 WITH SUCH FENCE, AND NO FENCE LESS THAN FOUR FEET HIGH SHALL HAVE SHARP
4 PICKETS OR VERTICAL POINTED OBJECTS ON TOP.

5 3. BARBED WIRE OR OTHER APPROVED RETARDING MATERIAL OR CONSTRUCTION
6 MAY BE PLACED ON TOP OF ANY FENCE WHICH IS MORE THAN SIX FEET, NINE INCHES
7 HIGH EXCEPT WHERE SUCH BARBED WIRE OR OTHER RETARDING MATERIAL WILL
8 CREATE A HIGHLY HAZARDOUS CONDITION. BARBED WIRE FENCES SHALL BE
9 PERMITTED ON FARMS FOR THE RETENTION OF LIVESTOCK ONLY IF THE FENCES ARE
10 NOT A SAFETY HAZARD TO PEOPLE.

11 **PART 122.4 WAIVERS.** ANY PERSON MAY APPLY FOR A WAIVER TO THE HEIGHT
12 LIMITATION REQUIREMENTS OF PARTS 122.1 AND 122.2. THE BUILDING OFFICIAL OR
13 DESIGNEE IS HEREBY EMPOWERED TO GRANT SUCH WAIVERS, PROVIDED PUBLIC
14 NOTICE HAS BEEN GIVEN AND A PUBLIC HEARING HAS BEEN HELD BEFORE THE
15 BUILDING OFFICIAL OR DESIGNEE IF REQUESTED. PUBLIC NOTICE SHALL CONSIST OF
16 POSTING THE PROPERTY FOR A PERIOD OF 15 DAYS. ANYONE LIVING WITHIN 1000 FEET
17 OF THE SUBJECT PROPERTY MAY REQUEST A PUBLIC HEARING, OR MAY SUBMIT
18 WRITTEN COMMENTS FOR CONSIDERATION. IF NO PUBLIC HEARING IS REQUESTED, THE
19 BUILDING OFFICIAL OR DESIGNEE MAY GRANT A WAIVER CONTAINING ANY
20 APPROPRIATE CONDITIONS OR LIMITATIONS. IF A PUBLIC HEARING IS REQUESTED,
21 NOTICE SHALL BE FURTHER PROVIDED BY POSTING THE PROPERTY FOR AN
22 ADDITIONAL 15 DAYS. SUCH NOTICE SHALL INCLUDE THE DATE, TIME, AND LOCATION
23 OF THE HEARING. ANY APPEAL FROM THE DECISION OF THE BUILDING OFFICIAL OR HIS
24 DESIGNEE WILL BE PURSUANT TO SECTION 32-4-281 OF THE BALTIMORE COUNTY CODE,
25 2003. ANY ORDER BY THE BUILDING OFFICIAL GRANTING A WAIVER SHALL CONTAIN A
26 FINDING OF FACT SETTING FORTH AND SPECIFYING THE REASON OR REASONS FOR
27 MAKING SUCH VARIANCE.

28 **PART 123 CONSTRUCTION IN FLOOD HAZARD AREAS GENERALLY.**

29 ALL PERMITTED ACTIVITY IN A FLOOD HAZARD AREA SHALL BE SUBJECT TO THE
30 LEGAL REQUIREMENTS SET FORTH IN SECTION 32-4-414 OF ARTICLE 32, TITLE 4 OF THE
31 BALTIMORE COUNTY CODE, 2003 TITLED FLOODPLAIN AND WETLAND PROTECTION AND
32 ARTICLE 32, TITLE 8 OF THE BALTIMORE COUNTY CODE, 2003 TITLED FLOODPLAIN
33 MANAGEMENT AS WELL AS THE REQUIREMENTS OF THIS CODE.

34 **PART 123.1 SELECTED DEFINITIONS.**

Baltimore County, MD
Thursday, May 9, 2013

ARTICLE 4. SPECIAL REGULATIONS

SECTION 427. Fences

[Bill Nos. 111-1986; 137-2004; 65-2005 Editor's Note: See also Section 3111.0 of the Building Code of Baltimore County.]

§ 427.1. Conditions for use; exceptions.

A. Notwithstanding any other provisions of this Code or the Baltimore County Code, in a D.R. or R.C. 5 Zone located in a historic district, the maximum height of a residential occupancy fence is 42 inches if the fence is erected in the side yard of a lot that adjoins a public road.

B.

1. A residential occupancy fence may not be erected in the rear or side yard of a lot which adjoins the front yard of another on which a residence has been built, except in accordance with the provisions of this section.
2. The fence may not exceed 42 inches in height if situated within 10 feet of the adjoining front yard property line.
3. Any person may request a variance from the requirements of this subsection.

C. Applicability.

1. Subsection **B** of this section does not apply to a fence required by § 13-6-101 of the Baltimore County Code, as revised, to be constructed in order to screen a swimming pool.
2. Subsection **B** of this section does not apply if the residences on the adjoining lots are more than 200 feet apart.

Baltimore County, MD
Thursday, May 9, 2013

ARTICLE 1A. RESOURCE CONSERVATION ZONES

SECTION 1A04. R.C.5 (Rural-Residential) Zone

§ 1A04.4. Performance standards.

[Bill No. 55-2004] *Editor's Note: This bill also repealed former Section 1A04.4, regarding life-care facilities. , Editor's Note: This bill also stated that it would not apply to any concept plan or application for limited exemption or waiver accepted for filing prior to June 7, 2004, that it would not apply to the Back River Neck District as defined in Section 4A03.13 of the Baltimore County Zoning Regulations, and any structure, building or use in existence prior to the effective date of this bill that is damaged or destroyed by fire or other casualty after the effective date of this bill would be subject to the provisions of Section 104 of the Baltimore County Zoning Regulations regarding nonconforming uses. The effective date of this bill is 6-11-2004.]*

A. The standards in this section apply to all residential development in the R.C.5 Zone, including single lots of record and minor subdivisions.

B. Intent; evaluation of compliance.

1. These standards are intended to ensure that rural residential development conforms with a quality of design that maintains and reflects the rural character of the County.
2. The evaluation of compliance shall occur as part of the review of development proposals. In addition to all other times required by law, the Department of Planning shall review a plan and submit findings to ensure compliance, including site layout of principal buildings and proposed roads, at the time of perc test application and at the time of construction document submission. **[Bill No. 55-2011]**
3. The Department of Planning may require the submittal of sufficient information, such as a written narrative of the salient features of the site, the design concept of the site plan, a photo montage and building elevations and grading plans, from which a finding can be made on compliance of the project with the standards. **[Bill No. 55-2011]**
4. Deviation from the standards may be allowed only if clearly necessary to:
 - a. Comply with another standard; or

- b. Comply with environmental regulations or otherwise protect resources.
- 5. Deviation from the standards is not permitted for the purpose of allowing additional lots.

C. Consideration of findings; deviation from standards. **[Bill Nos. 122-2010; 55-2011]**

- 1. The findings of the Department of Planning shall be submitted to the hearing officer or to the Director of Permits, Approvals and Inspections, as applicable.
- 2. The hearing officer or the Director of Permits, Approvals and Inspections, as applicable, shall adopt the findings presented by the Department of Planning before a development plan is approved, unless the hearing officer or Director determines that the findings constitute an abuse of discretion or are unsupported by the documentation and evidence presented to the office. The Department of Planning may recommend relaxation of public works standards if necessary to enhance or maintain the rural character of the proposed development provided that public safety is not jeopardized.

D. Site planning.

- 1. A development proposal shall:
 - a. Reflect the traditional rural character of the area in architectural form, scale, materials, detailing and landscaping context.
 - b. Retain the existing quality vegetation of the site to the fullest extent possible and protect the root systems of the remaining vegetation during construction.
 - c. Integrate, where possible, significant features of the site, such as distinctive buildings, vistas, topographic features, specimen trees, tree stands, hedgerows, monuments, landmarks and gardens, into the site design, and retain the existing character of the features and their settings.
 - d. Coordinate building design, site layout, and grading so that grade transitions are gradual and respect the existing topography.
 - e. Provide for smooth transitions between the proposed development and the surrounding rural area by arranging and orienting the proposed buildings and site improvements to complement those in the surrounding vicinity.
 - f. Provide varietal transitions between proposed buildings and site improvements with respect to setback, street patterns, and building-to-street grade relationships.
- 2. Reverse-frontage lots are permitted only if the applicant can demonstrate that adequate setbacks, topography, berming, landscaping or building design will effectively screen private yard space and decks from the public view.

3. Fences may not be located closer than 50 feet to a public right-of-way.

4. Panhandle lots must conform to § 32-4-409 of the Baltimore County Code and to the standards in the Comprehensive Manual of Development Policies.

5. Streets shall incorporate curvilinear or circular features.

E. Open space. A development proposal shall:

1. Integrate open space areas into the proposed development by:

a. Creating focal points along streets;

b. Locating landscaped open green spaces that may be viewable from the development entrance or adjoining public street; and

c. Orienting dwelling units around open areas or squares.

2. Incorporate significant features, such as stands of trees, into open areas.

3. In addition to plant material, use fences, walls or earth forms to provide effective and attractive screens and buffers where necessary. Buffer quantities are not limited by the Baltimore County Landscape Manual.

F. Landscape design.

1. A development proposal shall be landscaped to maintain and enhance a rural character, especially as visible from an arterial or connector road. This may include a provision for contiguous tree growth of the same species or trees with design characteristics and growth habits that are similar to those of the surrounding rural area.

2. Community signage shall be designed with natural materials that reflect a rural character. The design for community signage, including the size of lettering, shall be shown on the schematic landscape plan or included in the final development plan and shall be part of the approval process before issuance of any building permits.

G. Buildings.

1. A development proposal shall:

a. Allow variety in housing type or design, while maintaining continuity in scale, rhythm, proportion and detail.

b. Orient the front of the dwelling toward the street and incorporate prominent entries and porches or stoops in front building facades.

c. Provide for the coordinated architectural design of decks, balconies, windows, dormers, chimneys and porches as components of the building following

dominant building lines, proportions, style and scale. Decks shall be screened to minimize visibility from a public street.

- d. Design 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.
 - e. Ensure that exteriors of all buildings use the same finish materials and architectural details on all front, side and rear elevations. Use of quality material such as brick, stone or cedar is encouraged.
2. Garages may not become the dominant street feature. Garage doors shall use items such as windows, decorative patterns, and color to relieve the visual impact of the house from the street.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2013- 0223 -A Address 3601 Bay Drive
Contact Person: LEONARD W. POSILEWSKI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4/4/13 Posting Date: 4/14/13 Closing Date: 4/29/13

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

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

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2013- 0223 -A Address 3601 Bay Drive
Petitioner's Name Michael & Sandra Percego Telephone 443-677-4071
Posting Date: 4/14/13 Closing Date: 4/29/13

Wording for: To permit a 6ft. high fence that is 6ft. from the public right of way in lieu of the _____
permitted 50ft. setback.
To permit a 6ft. high fence with a 6 inch setback in the side yard of a single _____
family dwelling that is in the front yard of the neighboring single family dwelling in lieu _____
of the permitted 10ft. setback.

Revised 7/06/11

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: April 30, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0223-A
Address 3601 Bay Drive
(Peregoy Property)

Zoning Advisory Committee Meeting of April 15, 2013.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Regina Esslinger – Environmental Impact Review (EIR)

RECEIVED

APR 30 2013

OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: April 19, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For April 22, 2013
Item Nos. 2013- 0222, 0223, 0225, 0226, 0227, 0228 and 0231

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

DAK:CEN
Cc: file



KEVIN KAMENETZ
County Executive

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

April 30, 2013

Michael L. & Sandra M. Peregoy
3601 Bay Drive
Baltimore MD 21220

RE: Case Number: 2013-0223 A, Address: 3601 Bay Drive

Dear Mr. & Ms. Peregoy:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 4, 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 written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4-16-13

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

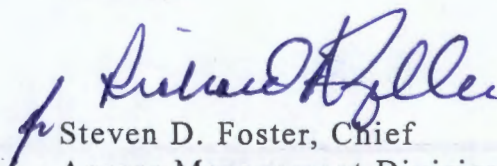
RE: Baltimore County
Item No 2013-0223-A
Administrative Variance
Michael L. ; Sandra M. Perego
3601 Bay Drive

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. 2013-0223-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

Reference Case# 2013-0223-A

To Whom It May Concern:

This letter is to give consent and authorize the installation of a 6' ornamental fence between Lot #192, addressed as 3609 Bay Drive, Baltimore-MD 21220 my property, and Lot #198 addressed 3601 Bay Drive, Baltimore – MD 21220 owned by Michael and Sandra Peregoy, from the roadside extending the length of the property towards the bulkhead. I am also confirming that Lot #192 has a rise on the land of 3' resulting in the fence only extending 3' above the property. Please feel free to contact me at the number listed below if you have any additional questions.

Manuel Pospisil

Phone: 410-804-6110

Signature:

Manuel Pospisil

Date:

4/8/2018

miss mary 420 0869

maria Hometh 410 839 2443

Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

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

Account Identifier: District - 15 Account Number - 1516601681

Owner Information

Owner Name: POSPISIL MARY A **Use:** RESIDENTIAL
Mailing Address: 507 LIGHTHOUSE CT **Principal Residence:** NO
HAVRE DE GRACE MD 21078-4133 **Deed Reference:** 1) /05993/ 00629
2)

Location & Structure Information

Premises Address **Legal Description**
3609 BAY DR LT 202,203
BALTIMORE 21220-

Waterfront BOWLEYS QUARTERS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	1
0098	0004	0004		0000			202	3	Plat Ref:	0007/ 0012

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1965	1,532 SF	25,200 SF	34

Stories	Basement	Type	Exterior
1.000000	YES	STANDARD UNIT BRICK	

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:	222,800	128,400		
Total:	548,100	393,700	393,700	393,700
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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

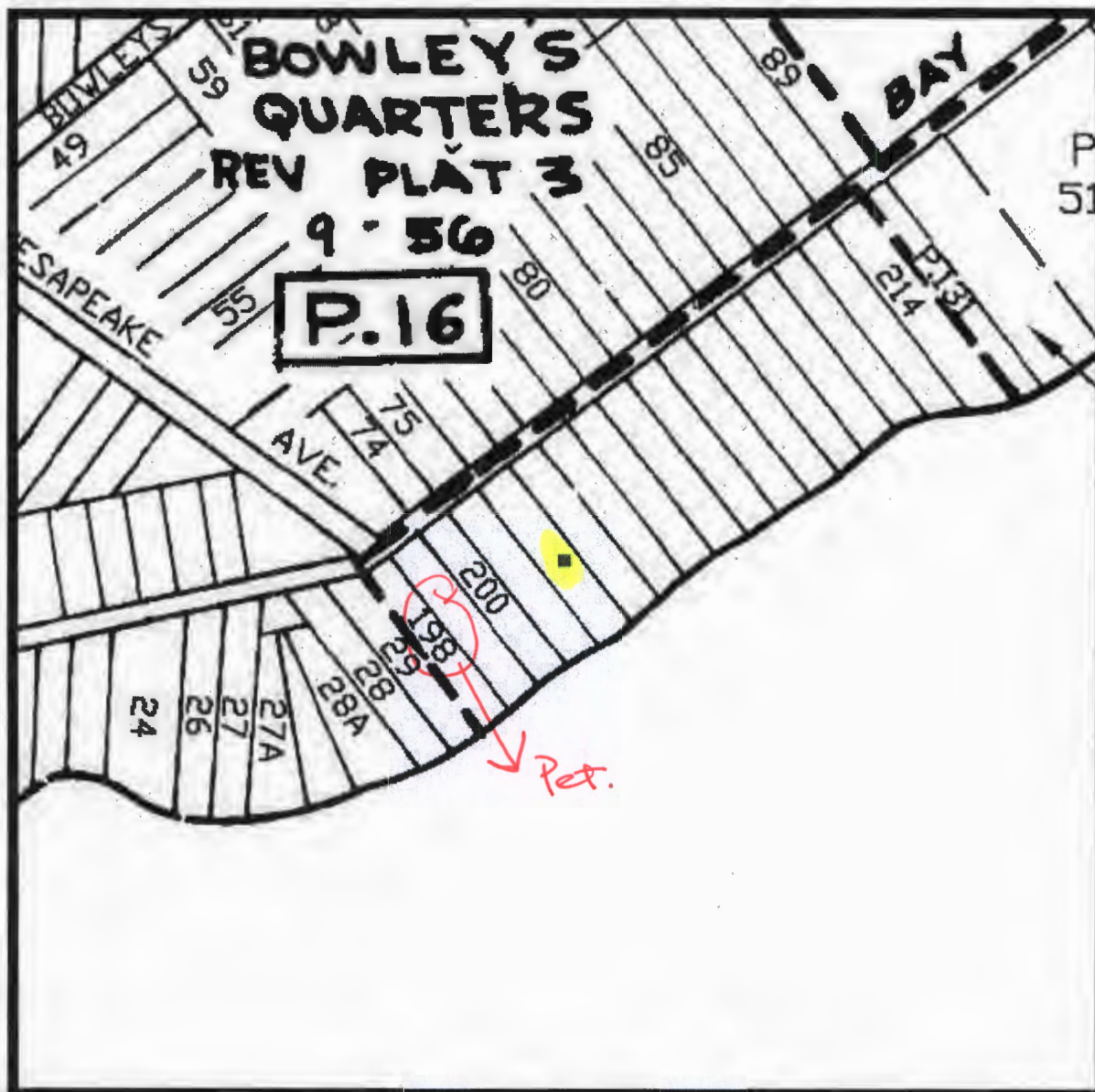
Homestead Application Status: No Application



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BALTIMORE COUNTY
Real Property Data Search

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District - 15 Account Number - 1516601681



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BALTIMORE COUNTY

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[GroundRent Registration](#)

Account Identifier: District - 15 Account Number - 1507000371

Owner Information

Owner Name: PEREGOY MICHAEL L
PEREGOY SANDRA M
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 3601 BAY DR
BALTIMORE MD 21220-4404
Deed Reference: 1) /23519/ 00392
2)

Location & Structure Information

Premises Address: 3601 BAY DR
0-0000
Legal Description: LTS 198,199,200,201
3601 BAY DR
Waterfront BOWLEYS QUARTERS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
0098	0004	0004		0000			198	3	1	0007/ 0012

Special Tax Areas: Town Ad Valorem Tax Class
NONE

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1955	1,972 SF	1.1500 AC	34

Stories	Basement	Type	Exterior
1.000000	NO	STANDARD UNIT	STUCCO

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2012	07/01/2013
Land	334,900	298,900		
Improvements:	167,600	127,100		
Total:	502,500	426,000	426,000	426,000
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
GALL EMILY M	03/14/2006	\$1,650,000
Type:	Deed1:	Deed2:
ARMS LENGTH MULTIPLE	/23519/ 00392	
Seller:	Date:	Price:
Type:	Deed1:	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

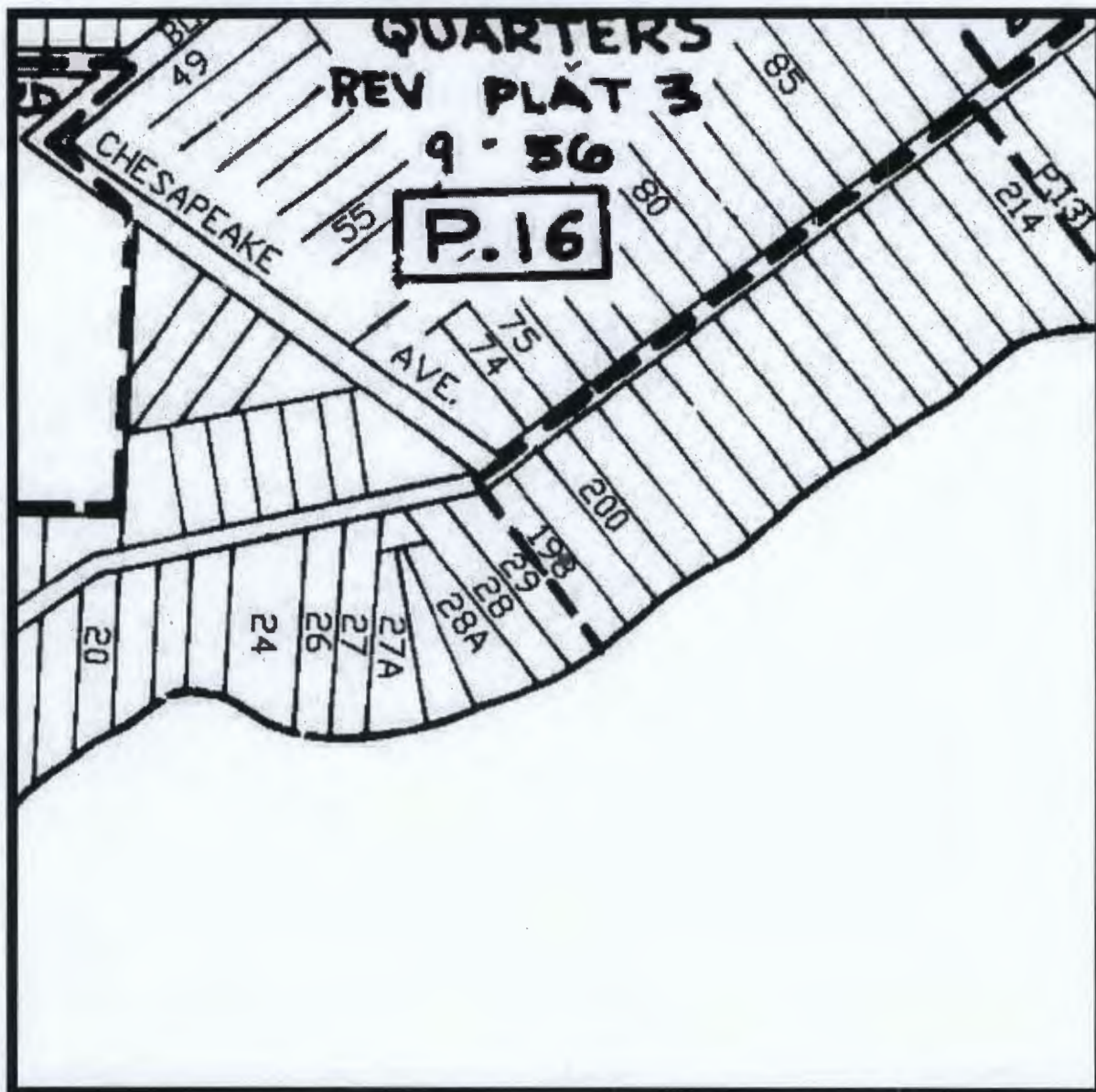
Homestead Application Status:	No Application



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BALTIMORE COUNTY
Real Property Data Search

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District - 15 Account Number - 1507000371



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BALTIMORE COUNTY

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

Account Identifier:

District - 15 Account Number - 1507000370

Owner Information

Owner Name: PEREGOY MICHAEL L
PEREGOY SANDRA M
Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 3601 BAY DR
BALTIMORE MD 21220-4404
Deed Reference: 1) /23519/ 00392
2)

Location & Structure Information

Premises Address

BAY DR
BALTIMORE 21220-4404

Legal Description

Waterfront BOWLEYS QUARTERS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	3
0098	0011	0016		0000			29	3	Plat Ref:	0009/ 0056

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built **Enclosed Area** **Property Land Area** **County Use**
13,886 SF 34

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

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2012	07/01/2013
Land	162,400	132,400		
Improvements:	0	0		
Total:	162,400	132,400	132,400	132,400
Preferential Land:	0			0

Transfer Information

Seller: GALL EMILY M	Date: 03/14/2006	Price: \$1,650,000
Type: ARMS LENGTH MULTIPLE	Deed1: /23519/ 00392	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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

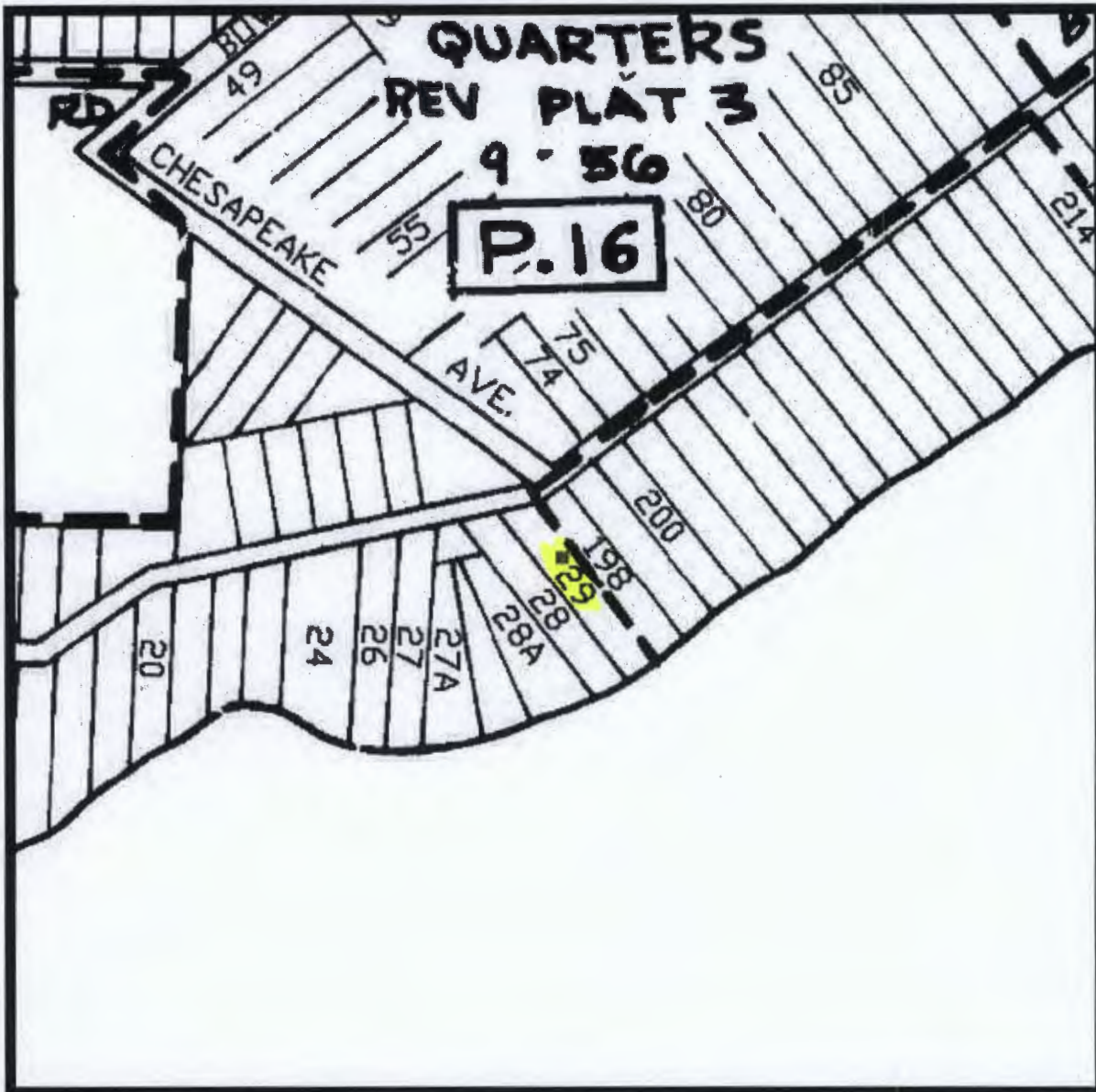
Homestead Application Status: No Application



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

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District - 15 Account Number - 1507000370



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

From: Lynn Lanham
To: Richards, Carl
Date: 4/19/2013 4:27 PM
Subject: admin 2013-223
Attachments: planningcopier@baltimorecountymd.gov

We can not understand the justification for this request nor do we support a 6'high fence along the road.

Lynn Lanham
Chief, Development Review
mlanham@baltimorecountymd.gov
410-887-3480
410-887-5862 Fax
Baltimore County Department of Planning

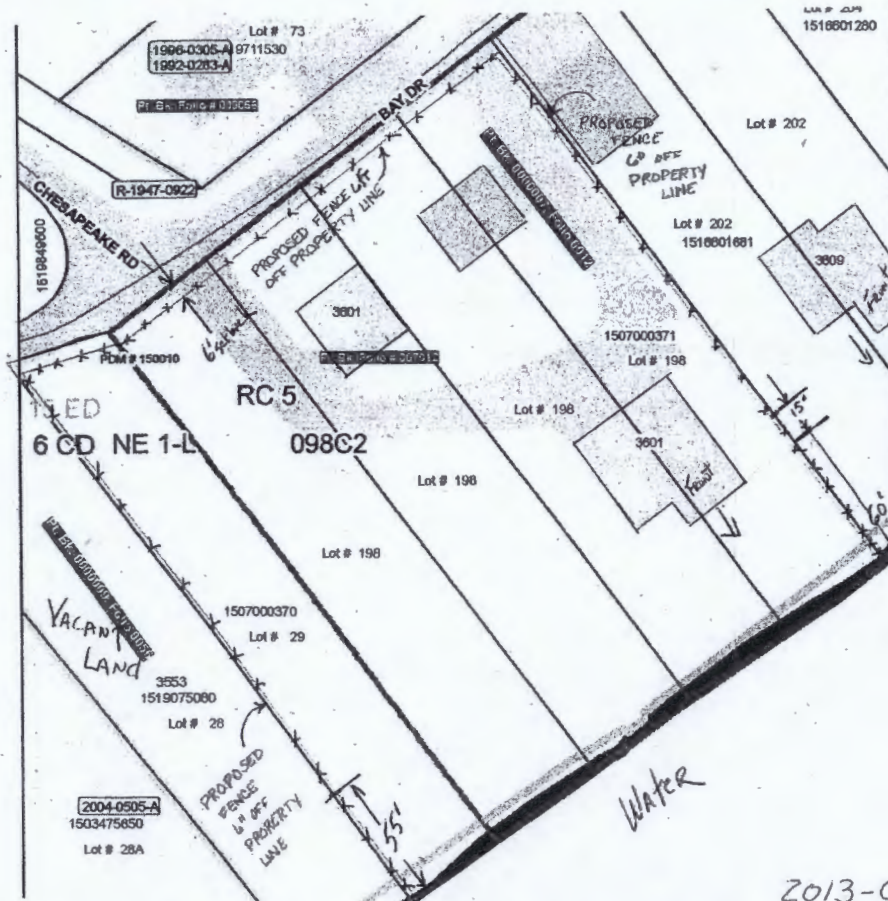
105 W. Chesapeake Ave.
Suite 101
Towson, MD 21204

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

ADDRESS 3601 BAY DR BALTIMORE MD 21220 OWNER(S) NAME(S) MICHAEL & SANDRA PEREGOY
29.198,199

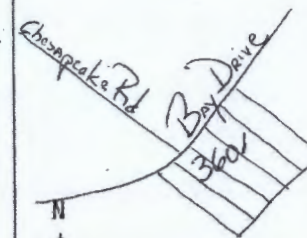
SUBDIVISION NAME BOWLEYS QUARTERS Plat 3 LOT # 200,201 BLOCK # _____ SECTION # _____

PLAT BOOK # 7 FOLIO # 12 10 DIGIT TAX # 1507000371 DEED REF. # 2351910292



PLAN DRAWN BY MICHAEL PEREGOY DATE 4/3/13 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



RECEIVED
APR 15 2013
OFFICE OF PLANNING

MAP IS NOT TO SCALE
ZONING MAP# 098C2
SITE ZONED RC-5
ELECTION DISTRICT 15
COUNCIL DISTRICT 6
LOT AREA ACREAGE 1.15 AC
OR SQUARE FEET _____
HISTORIC? NO
IN CBCA? Yes
IN FLOOD PLAIN? Yes
UTILITIES? MARK WITH X
WATER IS:
PUBLIC ☒ PRIVATE _____
SEWER IS:
PUBLIC ☒ PRIVATE _____
PRIOR HEARING? No
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:



1 inch = 50 feet

2013-0223-A

Permit No. _____
Receipt No. _____

Make checks payable to Baltimore County, Maryland --- PERMIT FEES ARE NON-REFUNDABLE

RC5

Tax Account # _____

Type or print in ink: 3601 841 Drive MICHAEL RIVER 0921220
Work Site Address Election District

Owner's Name MICHAEL PERESKY Phone No. 443 677 4071

Mailing Address 3601 841 Drive MICHAEL RIVER MD 21220

Owner's Agent _____ Phone No. _____

COMPLETE BELOW OR ATTACH A PLAN THAT CLEARLY SHOWS:

Property line dimensions, easements, existing buildings, road names, and location of alleys, Corner Lot: Yes ☐ No ☒

Proposed fence, total length 241'75", height 6', and type ORNLAMENTAL IRON Historic District: Yes ☐ No ☒

Property line setbacks: front 0", sides 0", and rear 10' Property use SFD Rear/Side yard abuts adjoining front yard: Yes ☐ No ☒

SITE PLAN

FENCE REGULATIONS

Permit is required for fences over 42 inches high(measured vertical to ground, even if fence is placed on top of wall). Fences erected within easement must be removed at owner's expense, if required.

Building Code, Part 122:

509.1 - Residential Fences -- Maximum height of 42 inches in front yard as determined by BCZR and 6 feet in side and rear yards at the property line. Maximum height of 10 feet in side and rear yards, provided set back 2 feet for vertical foot over 6 feet.

509.2 - Commercial Fences -- Maximum height of 12 feet. Building's Engineer may approve higher fence for dangerous, hazardous, or athletic field. Electric and barbed wire fences are only permitted for the retention of and when not a safety hazard to the public. No projections less than 4 feet high. Barbed wire and other retarding material may be on top of fence that is at least 6 feet, 9 inches high.

Zoning Code (BCZR) (access easements cannot be fenced) 102.5 - Corner Lot -- No fence or other obstruction to vision is permitted higher than 3 feet within 25 feet of a corner of two streets, 15 feet of a street and alley, and 10 feet of two alleys.

427 - Residential Fences in side or rear yard which adjoins residential front yard (setback and maximum height): zero to 10 feet - 42 inches, 10 to 20 feet - 48 inches, 20 to 30 feet - 60 inches, and over 30 feet - no limit. Required pool fence and houses more than 200 feet apart are exceptions.

Fence Waivers: All requests for a waiver of heights over 42" in front yard must be submitted to the Building Engineer. Waiver requests require posting and may require a public hearing if height is contested. Contested front yard waiver hearings are held before the Building Engineer. If a zoning variance and fence waiver are required, both hearings shall be before the Zoning Commissioner.

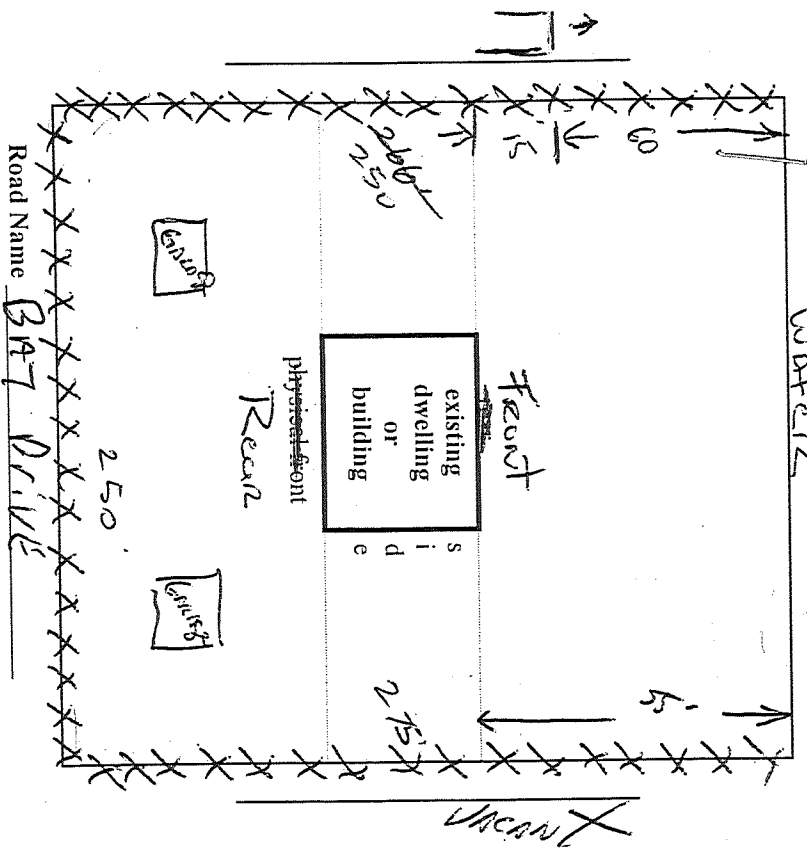
County Code, Section 21-3, Obstruction of Drivers' View:

Corner Lots: The County Code (Section 21-3) does not allow a fence on a corner lot to obstruct the vision of drivers as they reach the intersection. If a sight problem is noted later, the property owner will be required to move the fence. So, to be safe, contact Traffic Engineering at 410-887-3553 for a free site inspection before you build the fence. An issued permit does NOT certify that the fence will be in compliance.

CERTIFICATION (OWNER/AGENT)

I have carefully read the above regulations and hereby certify that the proposed fence will be located on private property, will not violate the codes, and that the information supplied is true, complete, and correct.

Michael Peresky 1-30-13 MICHAEL PERESKY
Signature Date Print or Type Name



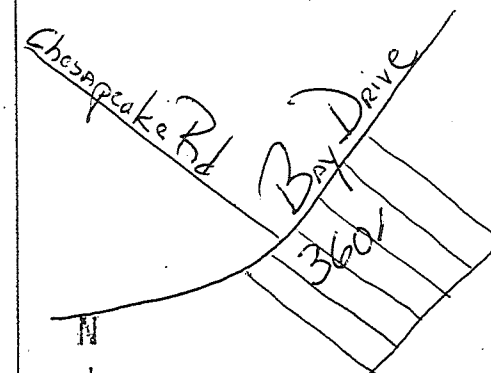
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 3601 BAY DR BALTIMORE MD 21220 OWNER(S) NAME(S) MICHAEL & SANNIA Peregoy
29, 198, 199

SUBDIVISION NAME BOWLEYS QUARTERS Plat 3 LOT # 200, 201 BLOCK # _____ SECTION # _____

PLAT BOOK # 7 FOLIO # 12 10 DIGIT TAX # 1507000371 DEED REF. # 2351910392

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 098C2

SITE ZONED RC-5

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE 1.15 AC

OR SQUARE FEET _____

HISTORIC? NO

IN CBCA? Yes

IN FLOOD PLAIN? Yes

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

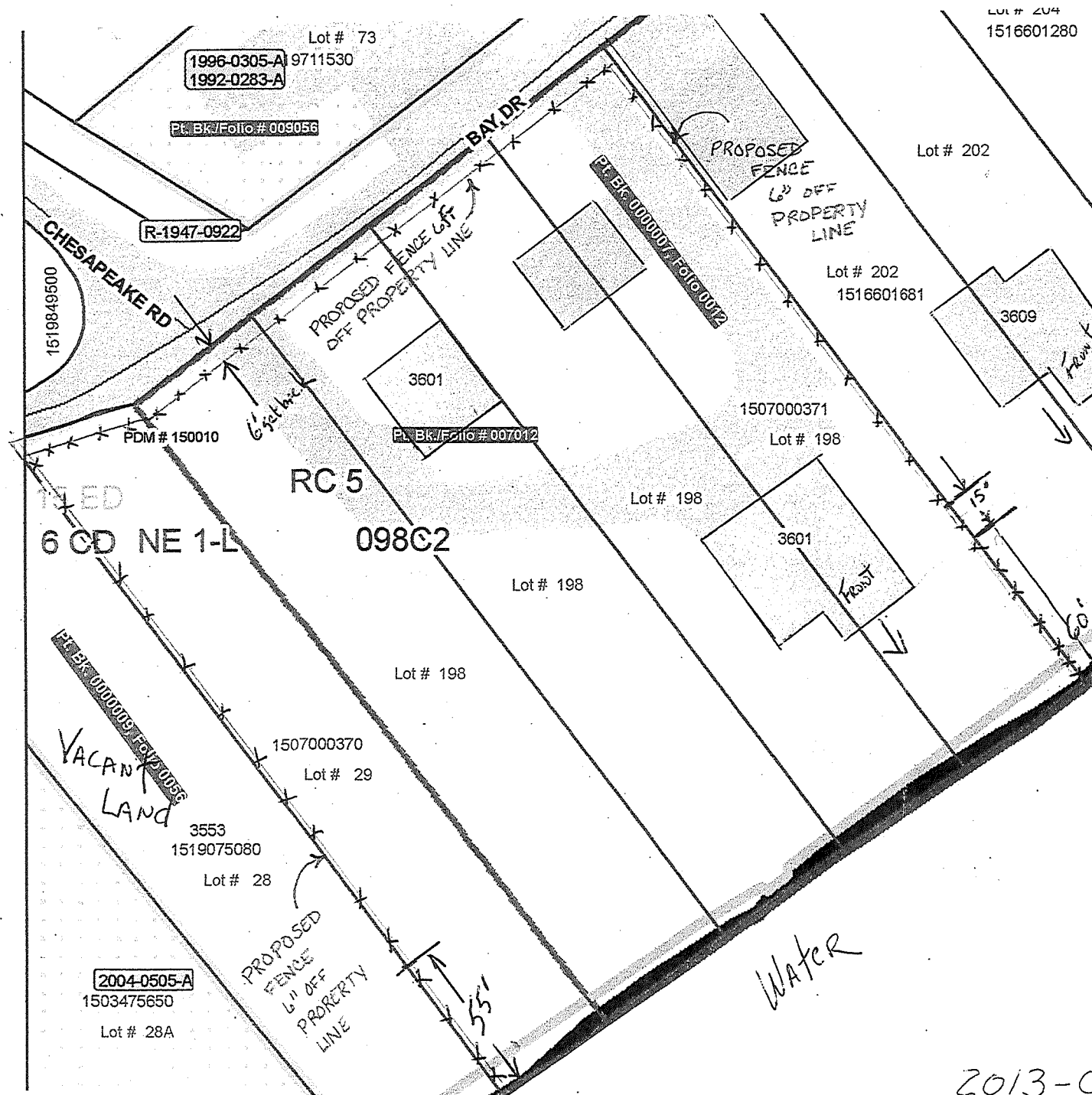
PUBLIC X PRIVATE _____

PRIOR HEARING? No

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:



2013-0223-A

PLAN DRAWN BY MICHAEL PEREGOY

DATE 4/3/13 SCALE: 1 INCH = 50 FEET

Pet.
Exch.
1