

IN RE: PETITION FOR ADMIN. VARIANCE *
(2212 Riverview Road)
15th Election District *
6th Councilmanic District *
Mark and Belinda Cunningham *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2014-0046-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by the legal owner of the property, Mark and Belinda Cunningham for property located at 2212 Riverview Road. The Petitioners are requesting Variance relief from Sections 1A04.3.B.2.b and 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.). The variance request is as follows: (1) to permit a side building to property line setbacks of 10 and 14 feet, respectively, in lieu of the required 50 feet; (2) to permit a principal building to be situated 28 feet from the centerline of a road in lieu of the required 100 feet; and (3) to permit a lot building coverage of 20.38% in lieu of the required 15%.

This matter was originally filed as an Administrative Variance, with a closing date of September 16, 2013. On September 24, 2013, Administrative Law Judge Lawrence M. Stahl requested a formal hearing on this matter. The hearing was subsequently scheduled for Thursday, December 12, 2013 at 1:30 PM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. The file reveals that the Petition was advertised and posted as required by the Baltimore County Zoning Regulations.

There were no substantive Zoning Advisory Committee (ZAC) comments received.

Appearing at the public hearing in support for this case was Mark Cunningham, legal

ORDER RECEIVED FOR FILING

Date 12-16-13

By bw

owner, Howard L. Alderman, Jr., Esquire and Dwight Little, P.E. Jean and Calvin Goeller, who reside at 2210 Riverview Road (next door) attended and opposed the petition.

Testimony and evidence revealed that the subject property is approximately 12,286 square feet and is zoned RC 5. The site is improved with a small (900 square foot) single family dwelling constructed in 1934. Petitioners propose to raze the existing house and construct in its place a new home, the design of which is shown in Exhibit 5. Petitioners require variance relief to do so.

Based upon the testimony and evidence presented, I will grant the petition for variance.

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).

The Petitioners have met this test. The lot was created long before the adoption of the B.Cl.Z.R., and the waterfront property is narrow and deep. As such, it is unique. The Petitioners would experience a practical difficulty if the regulations were strictly interpreted, since they would be unable to construct a new dwelling on the lot to replace the rundown "summer cottage" now standing. The relief would not adversely impact the public health, safety and general welfare.

I am mindful of and appreciate the sentiments expressed by Mr. Goeller: that the proposed garage would block his view of the road. As I explained at the hearing, the more common grievance in these scenarios (i.e., waterfront communities) is when a proposed home would block a neighbor's view of the water. Under Maryland law, an owner (absent an express easement for such) does not enjoy a legal right to an unobstructed view across his neighbor's

ORDER RECEIVED FOR FILING

Date 12-16-13

By low

property. Chesley v. City of Annapolis, 176 Md. App. 413, 422 (2007). Even so, the Petitioners in this case agree to relocate the proposed dwelling on the lot (by moving it 8 feet to the east, away from the Goeller residence) to create additional space between the homes, and the relief granted below will reflect that change.

Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 16th day of December, 2013 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from Sections 1A04.3.B.2.b and 1A04.3.B.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."): (1) to permit a side building to property line setbacks of 6 and 18 feet, respectively, in lieu of the required 50 feet; (2) to permit a principal building to be situated 28 feet from the centerline of a road in lieu of the required 100 feet; and (3) to permit a lot building coverage of 20.38% in lieu of the required 15%, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

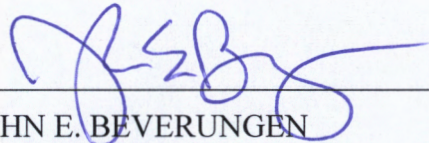
- Petitioners may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- Petitioners must submit with 15 days of the date hereof a redlined/revised site plan reflecting the side yard setbacks approved herein.

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

ORDER RECEIVED FOR FILING

Date 12-16-13

By [Signature]



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:slm

ORDER RECEIVED FOR FILING

Date 12-16-13

By lew

LITTLE & ASSOCIATES, INC.

Engineers ~~~ Land Planners ~~~ Surveyors
1055 Taylor Avenue, Suite 307, Towson, Maryland 21286
Phone (410) 296-1636 Fax (410) 296-1639

TRANSMITTAL FORM

TO: Baltimore Co. - Office of Adm. Hearings
105 W. Chesapeake Ave., Suite 103
Towson, MD 21204

DATE: 12/24/13
PROJECT NAME: Cunningham Property
OUR PROJECT NO.: 12613B

ATTN: John E. Beverungen, ALT

2212 Riverview Road
Case No.: 2014-0046-A

We are herewith submitting the following:

For approval ☐ For your use/file ☒ As requested ☒
For review ☐ Please contact our office ☐ Urgent ☐

Quantity

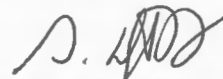
Description

1	copy - red-line Site Plan

RECEIVED
DEC 24 2013
OFFICE OF ADMINISTRATIVE HEARINGS

Comments: Pursuant to your Order dated 12/16/13 (copy attached).

Sincerely,
LITTLE & ASSOCIATES, INC.



By: G. Dwight Little, Jr., P.E.
President

cc(s): Howard Alderman (with Site Plan only)
enclosure(s)

IN RE: PETITION FOR ADMIN. VARIANCE *
(2212 Riverview Road)
15th Election District *
6th Councilmanic District *
Mark and Belinda Cunningham *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2014-0046-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by the legal owner of the property, Mark and Belinda Cunningham for property located at 2212 Riverview Road. The Petitioners are requesting Variance relief from Sections 1A04.3.B.2.b and 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.). The variance request is as follows: (1) to permit a side building to property line setbacks of 10 and 14 feet, respectively, in lieu of the required 50 feet; (2) to permit a principal building to be situated 28 feet from the centerline of a road in lieu of the required 100 feet; and (3) to permit a lot building coverage of 20.38% in lieu of the required 15%.

This matter was originally filed as an Administrative Variance, with a closing date of September 16, 2013. On September 24, 2013, Administrative Law Judge Lawrence M. Stahl requested a formal hearing on this matter. The hearing was subsequently scheduled for Thursday, December 12, 2013 at 1:30 PM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. The file reveals that the Petition was advertised and posted as required by the Baltimore County Zoning Regulations.

There were no substantive Zoning Advisory Committee (ZAC) comments received.

Appearing at the public hearing in support for this case was Mark Cunningham, legal

owner, Howard L. Alderman, Jr., Esquire and Dwight Little, P.E. Jean and Calvin Goeller, who reside at 2210 Riverview Road (next door) attended and opposed the petition.

Testimony and evidence revealed that the subject property is approximately 12,286 square feet and is zoned RC 5. The site is improved with a small (900 square foot) single family dwelling constructed in 1934. Petitioners propose to raze the existing house and construct in its place a new home, the design of which is shown in Exhibit 5. Petitioners require variance relief to do so.

Based upon the testimony and evidence presented, I will grant the petition for variance.

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).

The Petitioners have met this test. The lot was created long before the adoption of the B.Cl.Z.R., and the waterfront property is narrow and deep. As such, it is unique. The Petitioners would experience a practical difficulty if the regulations were strictly interpreted, since they would be unable to construct a new dwelling on the lot to replace the rundown "summer cottage" now standing. The relief would not adversely impact the public health, safety and general welfare.

I am mindful of and appreciate the sentiments expressed by Mr. Goeller: that the proposed garage would block his view of the road. As I explained at the hearing, the more common grievance in these scenarios (i.e., waterfront communities) is when a proposed home would block a neighbor's view of the water. Under Maryland law, an owner (absent an express easement for such) does not enjoy a legal right to an unobstructed view across his neighbor's

property. Chesley v. City of Annapolis, 176 Md. App. 413, 422 (2007). Even so, the Petitioners in this case agree to relocate the proposed dwelling on the lot (by moving it 8 feet to the east, away from the Goeller residence) to create additional space between the homes, and the relief granted below will reflect that change.

Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 16th day of December, 2013 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from Sections 1A04.3.B.2.b and 1A04.3.B.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."): (1) to permit a side building to property line setbacks of 6 and 18 feet, respectively, in lieu of the required 50 feet; (2) to permit a principal building to be situated 28 feet from the centerline of a road in lieu of the required 100 feet; and (3) to permit a lot building coverage of 20.38% in lieu of the required 15%, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 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.
- Petitioners must submit with 15 days of the date hereof a redlined/revised site plan reflecting the side yard setbacks approved herein.

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

KEVIN KAMENETZ
County Executive



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

December 16, 2013

Mark and Belinda Cunningham
1208 Pepperwood Springs Way
Bel Air, Maryland 21014

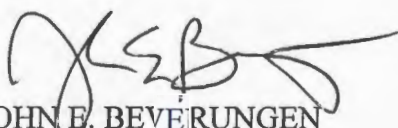
RE: Petition for Variance
Property: 2212 Riverview Road
Case No.: 2014-0046-A

Dear Mr. and Mrs. Cunningham:

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:slh
Enclosure

C: Howard L. Alderman, Esquire, 502 Washington Avenue, Towson, Maryland 21204
Dwight Little, 1055 Taylor Avenue #307, Towson, Maryland 21204
Jean and Calvin Goeller, 2210 Riverview Road, Baltimore, Maryland 21221



CBCA

Flood

ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

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

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

Address 2212 RIVERVIEW ROAD which is presently zoned RC-5

Deed Reference 29757/325 10 Digit Tax Account # 1 5 0 2 5 7 1 5 2 0

Property Owner(s) Printed Name(s) MARK AND BELINDA CUNNINGHAM

(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)
SEE ATTACHMENT #1

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

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

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

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners:

MARK CUNNINGHAM / BELINDA CUNNINGHAM

Name #1 - Type or Print Name #2 - Type or Print

Signature #1 Signature #2

1208 PEPPERWOOD SPRINGS WAY BEL AIR, MD

21014 / 410-790-8813 /

Representative to be contacted:

LITTLE & ASSOCIATES, JOHN MOTSCO

Name - Type or Print

Signature

1055 TAYLOR AVE SUITE 307 TOWSON MD

21286 / 410-296-1636 / JOHN@LITTLEASSOCIATES.COM

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 2014-0646-A Filing Date 8/22/13 Estimated Posting Date 9/1/13 Reviewer RJ

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.

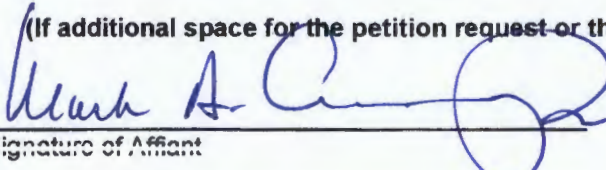
That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 2212 RIVERVIEW ROAD BALTIMORE MD 21221
Print or Type Address of property City State Zip Code

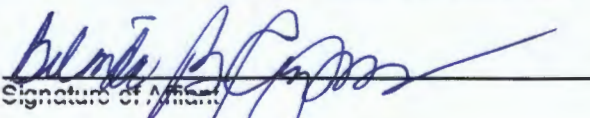
Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

SEE ATTACHMENT #2

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


Signature of Affiant

MARK CUNNINGHAM
Name- Print or Type


Signature of Affiant

BELINDA CUNNINGHAM
Name- Print or Type

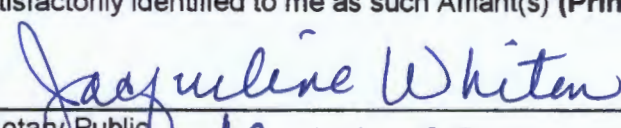
The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1st day of August, 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Mark Cunningham & Belinda Cunningham
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


Notary Public 12-17-2013
My Commission Expires

Item #0046

ATTACHMENT #1
REQUESTED RELIEF

I. VARIANCES FROM BCZR§ 1A04.3 AS FOLLOWS:

- "A" VARIANCE FROM BCZR§ 1A04.3.B.2.b. TO PERMIT A SIDE BUILDING TO PROPERTY LINE SETBACK OF 10 AND 14 FEET RESPECTIVELY IN LIEU OF THE REQUIRED 50 FEET; AND
- "B" VARIANCE FROM BCZR§ 1A04.3.B.2.b. TO PERMIT A PRINCIPAL BUILDING TO BE SITUATED 28 FEET FROM THE CENTERLINE OF A ROAD IN LIEU OF THE REQUIRED ~~75~~ FEET, AND
100 ft
- "C" VARIANCE FROM BCZR§ 1A04.3.B.3. TO PERMIT A LOT BUILDING COVERAGE OF 20.38% IN LIEU OF THE REQUIRED 15%; AND
- ~~"D" VARIANCE FROM BCZR§ 1A04.3.B.1. TO PERMIT AN EXISTING LOT HAVING A SIZE OF 0.282 ACRES~~

Item #0046

ATTACHMENT #2

Strict adherence to the RC 5 regulations, building setbacks and minimum lot size, would deem the property unbuildable. The owners wish to replace the existing dwelling with a new dwelling to be used as their primary residence. The proposed dwelling would be comparable in size and use to the existing onsite dwelling and the existing dwellings on neighboring properties along Riverview Road.

Item #0046

ZONING DESCRIPTION FOR
2212 RIVERVIEW ROAD

Beginning at a point on the southwest side of Riverview Drive, which is 20' wide, at the distance of 38' easterly from the centerline of Back River Neck Road, which has a paving width of 19'; thence, as now surveyed, (1) North 56 degrees 37 minutes 09 seconds West 75.00 feet; thence (2) South 33 degrees 22 minutes 51 seconds West 168.87 feet; thence (3) South 64 degrees 17 minutes 52 seconds East 75.68 feet; and thence (4) North 33 degrees 22 minutes 51 seconds East 158.76 feet to the place of beginning. Containing 0.282 acres, more or less, as recorded in Deed Liber R.D.A., Jr. 29757 folio 325. Also known as #2212 Riverview Drive and located in the 15th Election District, 6th Councilmanic District.



James G. Wiest
Professional Land Surveyor
Registered No. 21390
Expiration Date: 2/5/14

Item #0046

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

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: 2014-0046-A

Petitioner: MARK AND BELINDA CUNNINGHAM

Address or Location: 2212 RIVERVIEW ROAD, BALTIMORE MD, 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: MARK AND BELINDA CUNNINGHAM

Address: 1208 PEPPERWOOD SPRINGS WAY
BEL AIR, MD, 21014

Telephone Number: (410) 790-8813

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

No. **102576**

Date: **8/22/13**

PAID RECEIPT

BUSINESS ACTUAL TIME OFN
 8/23/2013 8/22/2013 11:42:31 2

REC 4502 WALKIN NEW JEE
 >>RECEIPT # 042256 8/22/2013 OFLN
 Dept 5 320 ZONING VERIFICATION
 OF NO. 102576

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
601	806	0000		6150				\$75.00

Recpt Tot \$75.00
 \$75.00 OF \$1.00 CA
 Baltimore County, Maryland

Total: **\$75.00**

Rec From:

For: **Zoning hearing - case number 2014-0046-A**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

Date: 11/17/13

RE: Case Number: 2014-0046-A

Petitioner/Developer: Mark Cunningham

Date of Hearing/Closing: 12/12/13 1:30 PM

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 2212 Riverview Rd

ZONING NOTICE

CASE # 2014-0046-A

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

JEFFERSON BLDG, ROOM 405
SACRAMENTO, CALIF. 95811

PLACE: 105 W. CUESAPARK RD.
DATE: THUR DEC 12, 2013 1:30 PM
TIME: 1:30 PM

DATE AND TIME. THE TERM IN WHICH THE ANNUAL
VARIANCE IS TERMED TO BE ADOPTED
IN PROPERTY LINE. THE REQUIRED DATA
IN PROPERTY LINE. THE REQUIRED DATA
IN PROPERTY LINE. THE REQUIRED DATA

REQUEST: - IN ORDER TO OBTAIN
14 FT. POSITIVELY, PRINTING LINE OF PHOTO
TO BE PRINTED FROM THE CENTER LINE OF PHOTO

STUDIED 20
SITUATION OF REQUIRE OF 20 24 25 IN
100 PERCENT OF CONSUMERS
100 PERCENT 20 24

DATE: 10/20/2008

FOR MORE INFORMATION OR TO ORDER, CALL 1-800-451-1234

DISPOSABLE - 100% ACET WITH 50% AVAILABLE

Oct. 17, 2013

(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)

CERTIFICATE OF POSTING

Date: 9-4-13

RE: Case Number: 2014-0046-A

Petitioner/Developer: M+B Cunningham

Date of Hearing/Closing: 9-19-13

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 2212 Riverbrook Rd



9-4-13
(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)



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

November 21, 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 November 21, 2013

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: #2014-0046-A

2212 Riverview Road

SW/s Riverview Road, 38 ft. NE of centerline of Back River Neck Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Mark & Belinda Cunningham

Variance: to permit a side building to property line setback of 10 ft. and 14 ft. respectively, in lieu of the required 50 ft; and to permit a principal building to be situated 28 ft. from the centerline of a road in lieu of the required 100 feet; to permit a lot building coverage of 20.38% in lieu of the required 15%.

Hearing: Thursday, December 12, 2013 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
11/23/2013 November 21

958646



KEVIN KAMENETZ
County Executive

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

October 28, 2013

NEW 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: 2014-0046-A

2212 Riverview Road

SW/s Riverview Road, 38 ft. NE of centerline of Back River Neck Road

15th Election District – 6th Councilmanic District

Legal Owners: Mark & Belinda Cunningham

Variance to permit a side building to property line setback of 10 ft. and 14 ft. respectively, in lieu of the required 50 ft; and to permit a principal building to be situated 28 ft. from the centerline of a road in lieu of the required 100 feet; to permit a lot building coverage of 20.38% in lieu of the required 15%.

Hearing: Thursday, December 12, 2013 at 1:30 p.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: Mr. & Mrs. Cunningham, 1208 Pepperwood Springs Way, Bel Air 21014
John Motsco, Little & Assoc., 1055 Taylor Ave., Ste. 307, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 22, 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, November 21, 2013 Issue - Jeffersonian

Please forward billing to:
Mark Cunningham
1208 Pepperwood Springs Way
Belair, MD 21014

410-790-8813

NOTICE OF ZONING HEARING

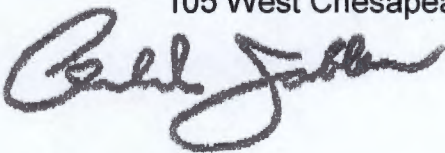
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2014-0046-A

2212 Riverview Road
SW/s Riverview Road, 38 ft. NE of centerline of Back River Neck Road
15th Election District – 6th Councilmanic District
Legal Owners: Mark & Belinda Cunningham

Variance to permit a side building to property line setback of 10 ft. and 14 ft. respectively, in lieu of the required 50 ft; and to permit a principal building to be situated 28 ft. from the centerline of a road in lieu of the required 100 feet; to permit a lot building coverage of 20.38% in lieu of the required 15%.

Hearing: Thursday, December 12, 2013 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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

October 1, 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: 2014-0046-A

2212 Riverview Road

SW/s Riverview Road, 38 ft. NE of centerline of Back River Neck Road

15th Election District – 6th Councilmanic District

Legal Owners: Mark & Belinda Cunningham

Variance to permit a side building to property line setback of 10 ft. and 14 ft. respectively, in lieu of the required 50 ft; and to permit a principal building to be situated 28 ft. from the centerline of a road in lieu of the required 100 feet; to permit a lot building coverage of 20.38% in lieu of the required 15%.

Hearing: Thursday, November 21, 2013 at 11:00 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: Mr. & Mrs. Cunningham, 1208 Pepperwood Springs Way, Bel Air 21014
John Motsco, Little & Assoc., 1055 Taylor Ave., Ste. 307, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 1, 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, October 31, 2013 Issue - Jeffersonian

Please forward billing to:
Mark Cunningham
1208 Pepperwood Springs Way
Belair, MD 21014

410-790-8813

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: 2014-0046-A

2212 Riverview Road

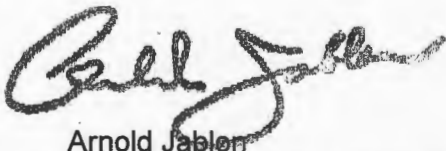
SW/s Riverview Road, 38 ft. NE of centerline of Back River Neck Road

15th Election District – 6th Councilmanic District

Legal Owners: Mark & Belinda Cunningham

Variance to permit a side building to property line setback of 10 ft. and 14 ft. respectively, in lieu of the required 50 ft; and to permit a principal building to be situated 28 ft. from the centerline of a road in lieu of the required 100 feet; to permit a lot building coverage of 20.38% in lieu of the required 15%.

Hearing: Thursday, November 21, 2013 at 11:00 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: January 27, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0046-A – Appeal Period Expired

The appeal period for the above-referenced case expired on January 15, 2014. 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

BALTIMORE COUNTY, MARYLAND

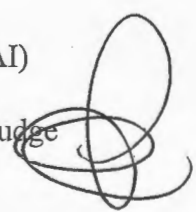
Inter-Office Memorandum

DATE: September 24, 2013

TO: Kristen Lewis, Office of Zoning Review
Department of Permits, Approvals & Inspections (PAI)

FROM: Lawrence M. Stahl, Managing Administrative Law Judge
Office of Administrative Hearings

RE: Petition for Administrative Variance – 09/16/13 Closing Date
Case No. 2014-0046-A – 2212 Riverview Road



After a review of the above-captioned case file, I am requesting that this case be set in for a public hearing. Baltimore County Code (B.C.C.) § 32-3-303(a)(1), states in pertinent part:

“ ... the Zoning Commissioner may grant variances from area and height regulations **without a public hearing if the variance petition involves an owner-occupied lot** zoned residential” (Emphasis Added)

Our office is returning the file to you for further processing such as notifying the Petitioners, posting and advertising of the hearing notices.

Thank you for your attention and cooperation in this matter.

c: Office of People's Counsel

RE: PETITION FOR ADMINSTRATIVE * BEFORE THE OFFICE
VARIANCE *
2212 Riverview Road; SW/S Riverview * OF ADMINSTRATIVE
Rd, 38' NW of c/line Back River Neck Rd * HEARINGS FOR
15th Election & 6th Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): Mark & Belinda Cunningham *
Petitioner(s) *
2014-046-A

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

OCT 07 2013

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of October, 2013, a copy of the foregoing Entry of Appearance was mailed to Little & Associates, 1055 Taylor Avenue, Suite 307, Towson, Maryland 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment

9/4

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

N/C

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

8/28/13

STATE HIGHWAY ADMINISTRATION

No Cby

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 11/21/13

SIGN POSTING Date: 11/17/13

by Pulson

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>9-4</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NO</u>
<u>9-13</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>8-28</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>9-4-13</u> by <u>Pison</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2014- 0046 -A Address 2212 Riverview Rd

Contact Person: David Duvall Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/22/13 Posting Date: 9/4/13 Closing Date: 9/19/13

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 2014- 0046 -A Address 2212 Riverview Rd

Petitioner's Name M + B Cunningham Telephone 410 790 8813

Posting Date: 9/4/13 Closing Date: 9/19/13

Wording for Sign: To Permit a proposed replacement dwelling with side yard setbacks of 10 and 14 feet in lieu of the required 50 feet each; a building to center line of road setback of 28 feet in lieu of the required 100 feet; and a building lot coverage of 30.38% in lieu of the maximum allowed 15%

Revised 7/25/13

LITTLE & ASSOCIATES, INC.

Engineers ~~~ Land Planners ~~~ Surveyors
1055 Taylor Avenue, Suite 307, Towson, Maryland 21286
Phone (410) 296-1636 Fax (410) 296-1639

TRANSMITTAL FORM

TO: Zoning

DATE: August 27, 2013

PROJECT NAME: #2212 Riverview Road
Case # 2014-0046-A

ATTN: David Duvall

OUR PROJECT NO : 12613 A

We are herewith submitting the following:

☐ For approval

☒ For your use/file

☒ As requested

☐ For review

☐ Please contact our office

☐ Urgent

Quantity

Description

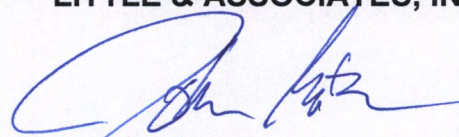
2	Photos of Existing Dwelling

Comments:

David,

To accompany Administrative Variance Package for #2212 Riverview Road. Please let me know if you should need any additional information.

Sincerely,
LITTLE & ASSOCIATES, INC.



By: John Motsco P.E.
Project Engineer

cc(s):
Enclosure(s)

Item # 0046



KEVIN KAMENETZ
County Executive

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

September 18, 2013

Mark & Belinda Cunningham
1208 Pepperwood Springs Way
Bel Air MD 21014

RE: Case Number: 2014-0046 A, Address: 2212 Riverview Road

Dear Mr. & Ms. Cunningham:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 22, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
John Motsco, Little & Associates, 1055 Taylor Avenue, Suite 307, Towson MD 21286

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 8-28-13

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

RE: Baltimore County
Item No 2014-0046-A
Administrative Variance
Mark & Belinda Cunningham
2212 Riverview 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. 2014-0046-A

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard A. Zeller', is written over a horizontal line.

Steven D. Foster, Chief/
Development Manager
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

LITTLE & ASSOCIATES, INC.

Engineers ~~~ Land Planners ~~~ Surveyors

1055 Taylor Avenue
Suite 307
Towson, MD 21286
Phone: (410) 296 – 1636
Fax: (410) 296 – 1639

October 10, 2013

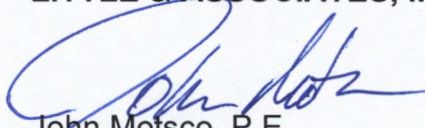
Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections -
Zoning Review
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

Re: #2212 Riverview Road
LAI PN: 12613 B
Case Number: 2014-0046-A

Ms. Lewis,

We would like to ask for a postponement of the scheduled Zoning Hearing for #2212 River View Road, from the currently scheduled date of November 21, 2013. Our clients, Mark & Belinda Cunningham, the owners of the property in questions, will be out of town the week of November 18th, 2013, We would ask that you contact our office to expedite the rescheduling of this hearing.

Sincerely,
LITTLE & ASSOCIATES, INC.



John Motsco, P.E.
Project Engineer

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections
DATE: September 04, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For September 02, 2013
Item Nos. 2014- 0039, 0041,0043,0044,0045 and 0046.

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

DAK:CEN
Cc: file

G:\DevPlanRev\ZAC -No Comments\ZAC09022013 - NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

SEP 13 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: September 13, 2013

SUBJECT: DEPS Comment for Zoning Item # 2014-0046-A
Address 2212 Riverview Road
(Cunningham Property)

Zoning Advisory Committee Meeting of August 26, 2013.

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 with reduced side yard and street setbacks and greater lot building coverage than permitted. The lot is waterfront and is developed with a single family dwelling. The proposed dwelling encroaches into the 100-foot buffer but will be farther back than the existing dwelling. Lot coverage on the entirety of this property is limited to 31.25%; the proposed lot coverage is both below the 31.25% and 232 square feet less than what currently exists. The BMA and 15% afforestation requirements will be met by the planting of 3 trees. Therefore, 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 waterfront. As proposed the BMA and afforestation requirements will be met, which 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;

Based on the information provided, the applicants will meet the requirements stated above, so the relief requested will be consistent with established land-use policies.

Reviewer: *Regina Esslinger – Environmental Impact Review (EIR)*

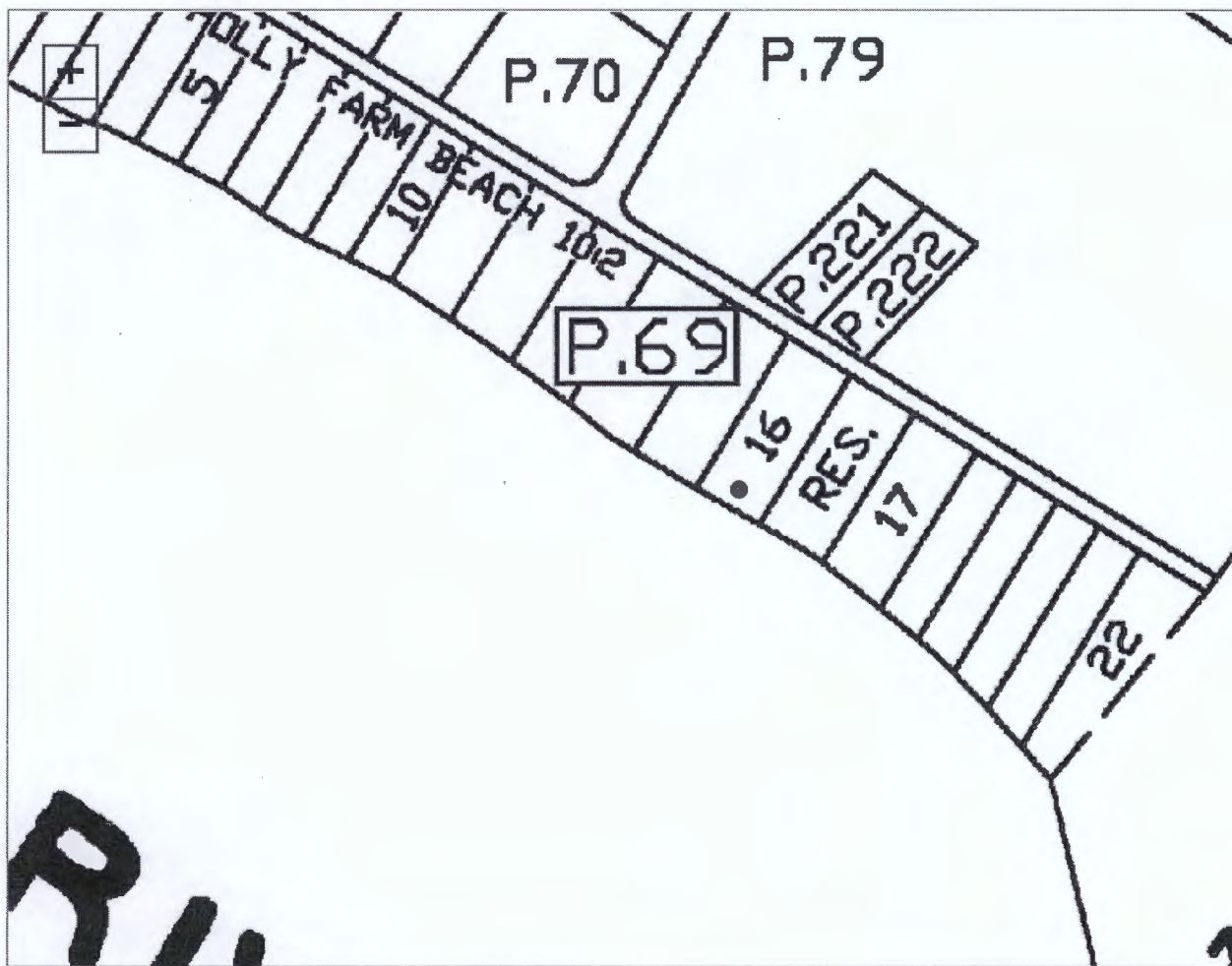
Real Property Data Search (w2)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 15 Account Number - 1502571520 ✓		
Owner Information		
Owner Name:	CUNNINGHAM MARK ALAN CUNNINGHAM BELINDA B	Use: RESIDENTIAL Principal Residence: NO
Mailing Address:	1208 PEPPERWOOD SPRINGS WAY BEL AIR MD 21014-1889	Deed Reference: 1) /29757/ 00325 2)
Location & Structure Information		
Premises Address:	2212 RIVERVIEW RD 0-0000 Waterfront	Legal Description: 2212 RIVERVIEW RD HOLLY FARM BEACH
Map: 0105	Grid: 0019	Parcel: 0069
Sub District:	Subdivision: 0000	Section:
Block:	Lot: 16	Assessment Year: 2012
Plat No:	Plat Ref: 0010/ 0002	
Special Tax Areas:	Town: NONE	Ad Valorem:
	Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1934	864 SF	14,100 SF
County Use	34	
Stories	Basement	Type
1.000000	NO	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	1 full	
Last Major Renovation		
Value Information		
	Base Value	Value
		As of
		01/01/2012
Land:	203,000	203,000
Improvements	70,700	44,700
Total:	273,700	247,700
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2013
		As of
		07/01/2014
		247,700
		247,700
Transfer Information		
Seller: KACZOROWSKI THOMAS R	Date: 08/11/2010	Price: \$275,000
Type: ARMS LENGTH IMPROVED	Deed1: /29757/ 00325	Deed2:
Seller: KACZOROWSKI CHARLES R	Date: 12/20/2006	Price: \$125,000
Type: NON-ARMS LENGTH OTHER	Deed1: /24951/ 00678	Deed2:
Seller: KACZOROWSKI RAYMOND L	Date: 03/28/2000	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /14378/ 00246	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	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		

Baltimore County

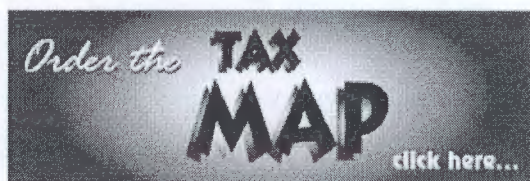
[New Search](#)District: **15** Account Number: **1502571520**

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

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

Property maps provided courtesy of the Maryland Department of Planning ©2011.

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

☒ Loading... Please Wait.

Loading... Please Wait.

-->

CASE NAME CUNNINGHAM
CASE NUMBER 2014-0046-A
DATE 12 DEC 13

[illegible]

CASE NAME Cunningham
CASE NUMBER 2014 0046-A
DATE Dec. 12, 2013

NAME _____

CITY, STATE, ZIP

E - MAIL

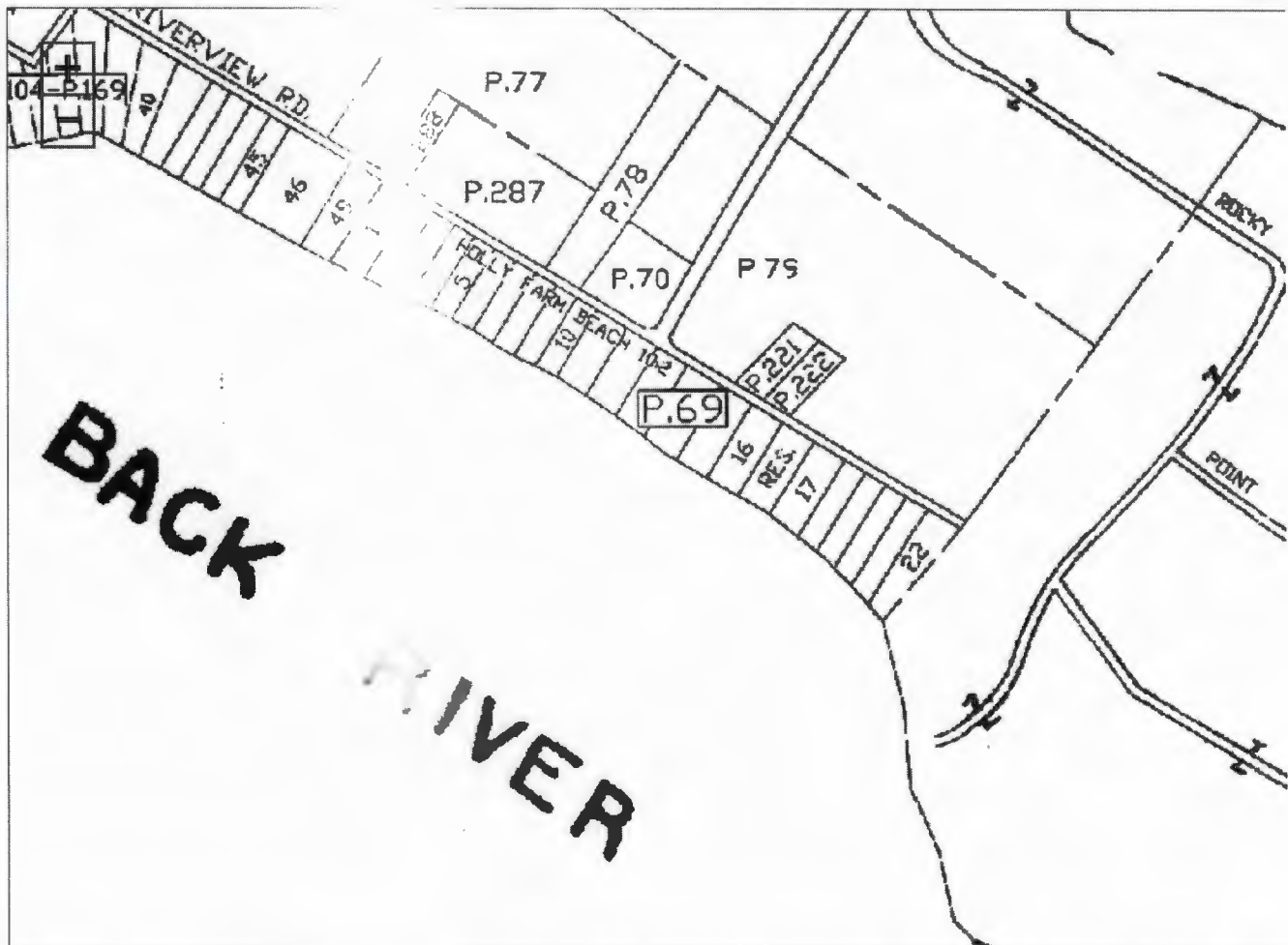
[illegible]

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registr
Account Identifier:	District - 15 Account Number - 1502571520	
Owner Information		
Owner Name:	CUNNINGHAM MARK ALAN CUNNINGHAM BELINDA B	Use: RESIDENT Principal Residence: NO
Mailing Address:	1208 PEPPERWOOD SPRINGS WAY BEL AIR MD 21014-1889	Deed Reference: 1) /29757/ 01 2)
Location & Structure Information		
Premises Address:	2212 RIVERVIEW RD 00000 Waterfront	Legal Description: 2212 RIVERVIEW RD HOLLY FA
Map: 0105	Grid: 0019	Parcel: 0069
Sub District:	Subdivision: 0000	Section:
Block:	Lot: 16	Assessment Year: 2012
Plat No:	Plat Ref:	
Special Tax Areas:	Town:	NONE
	Ad Valorem:	
	Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1934	864 SF	14,100 SF
Stories	Basement	Type
1.000000	NO	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	1 full	
Value Information		
	Base Value	Value
		As of
		01/01/2012
Land:	203,000	203,000
Improvements	70,700	44,700
Total:	273,700	247,700
Preferential Land:	0	0
Transfer Information		
Seller: KACZOROWSKI THOMAS R	Date: 08/11/2010	Price: \$275,000
Type: ARMS LENGTH IMPROVED	Deed1: /29757/ 00325	Deed2:
Seller: KACZOROWSKI CHARLES R	Date: 12/20/2006	Price: \$125,000
Type: NON-ARMS LENGTH OTHER	Deed1: /24951/ 00678	Deed2:
Seller: KACZOROWSKI RAYMOND L	Date: 03/28/2000	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /14378/ 00246	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	0.00	0.00
State:	0.00	0.00
Municipal:	0.00	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **15** Account Number: **150 571520**

The information shown on this map has been based on deed descriptions. Users noting errors are urged to contact the

from deed descriptions and plats and is not a property survey. The map should not be used for legal purposes. Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the Records Office at www.plats.net (<http://www.plats.net>)

Records office where the property is located. Plats are also available online through the Maryland State

Property maps provided courtesy of the Maryland Department of Planning ©2011.

Department of Planning ©2011.

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

at (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

☒ Loading... Please

LC ... Please Wait.

-->

Case No.: 2014-0046-A

Exhibit Sheet

Petitioner/Developer

Protestants *SW 1-27-14*
SW 12-16-13

No. 1	Plan	
No. 2	SDAT sheet	
No. 3	Letter dated 7-8-2013 from R. Esslinger	
No. 4	Aerial photo	
No. 5	Elevations	
No. 6	6A-6C Photos of site	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Real Property Data Search (w2)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 15 Account Number - 1502571520		
Owner Information		
Owner Name:	CUNNINGHAM MARK ALAN CUNNINGHAM BELINDA B	Use: RESIDENTIAL
Mailing Address:	1208 PEPPERWOOD SPRINGS WAY BEL AIR MD 21014-1889	Principal Residence: NO Deed Reference: 1) /29757/ 00325 2)
Location & Structure Information		
Premises Address:	2212 RIVERVIEW RD 0-0000 Waterfront	Legal Description: 2212 RIVERVIEW RD HOLLY FARM BEACH
Map: 0105	Grid: 0019	Parcel: 0069
Sub District:	Subdivision: 0000	Section:
Block:	Lot: 16	Assessment Year: 2012
Plat No:	Plat Ref: 0010/ 0002	Town: NONE
Special Tax Areas:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1934	864 SF	14,100 SF
County Use	Property Land Area	County Use
34	14,100 SF	34
Stories	Basement	Type
1.000000	NO	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	1 full	
Last Major Renovation		
Value Information		
	Base Value	Value
		As of
		01/01/2012
Land:	203,000	203,000
Improvements	70,700	44,700
Total:	273,700	247,700
Preferential Land:	0	0
Transfer Information		
Seller: KACZOROWSKI THOMAS R	Date: 08/11/2010	Price: \$275,000
Type: ARMS LENGTH IMPROVED	Deed1: /29757/ 00325	Deed2:
Seller: KACZOROWSKI CHARLES R	Date: 12/20/2006	Price: \$125,000
Type: NON-ARMS LENGTH OTHER	Deed1: /24951/ 00678	Deed2:
Seller: KACZOROWSKI RAYMOND L	Date: 03/28/2000	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /14378/ 00246	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	07/01/2014
Exempt Class:	NONE	0.00 0.00
Homestead Application Information		
Homestead Application Status: No Application		





KEVIN KAMENETZ
County Executive

VINCENT J. GARDINA, *Director*
Department of Environmental Protection
and Sustainability

July 8, 2013

Mr. Henry Leskinen
Eco-Science Professionals, Inc.
P O Box 5006
Glen Arm, MD 21057

RE: Cunningham Property
2212 Riverview Road

Dear Mr. ^{Henry}Leskinen:

Environmental Impact Review (EIR) has reviewed the above referenced preliminary site plan. The proposal to meet the 232 square foot lot coverage over 25% by the planting of 3 native deciduous trees prior to Use & Occupancy permit release is acceptable.

Sincerely,

A handwritten signature in black ink, reading "Regina A. Esslinger". The signature is fluid and cursive, with a long horizontal line extending from the end.

Regina A. Esslinger, Supervisor
Environmental Impact Review

2212 Riverview Rd 7.8.13/LDA/shreir/rac





2212 Riverview Avenue

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of this data, including but not limited to, actual, damages, attorneys' and experts' fees, or arising from or in connection with the use of this data.

ALL-STATE LEGAL®
**PETITIONER'S
EXHIBIT**

4

Printed 11/5/2013

2212 Riverview Road
Essex, Maryland 21221

Proposed Residence

Rendering (1) Front Elevation



Rendering (2) Rear Elevation



#2212 RIVERVIEW ROAD
CASE #2014-0046-A

8/26/13
1013



#2212 RIVERVIEW ROAD
CASE #2014-0046-A

8/26/13
2 of 3



#2212 RIVERVIEW ROAD

CASE # 2014-0046-A

8/26/13

3 of 3



12 RIVERVIEW ROAD
CASE # 2014-0046-A

8/26/13
1 of 3



212 RIVERVIEW ROAD
CASE #2014-0046-A

8/26/13
2 of 3

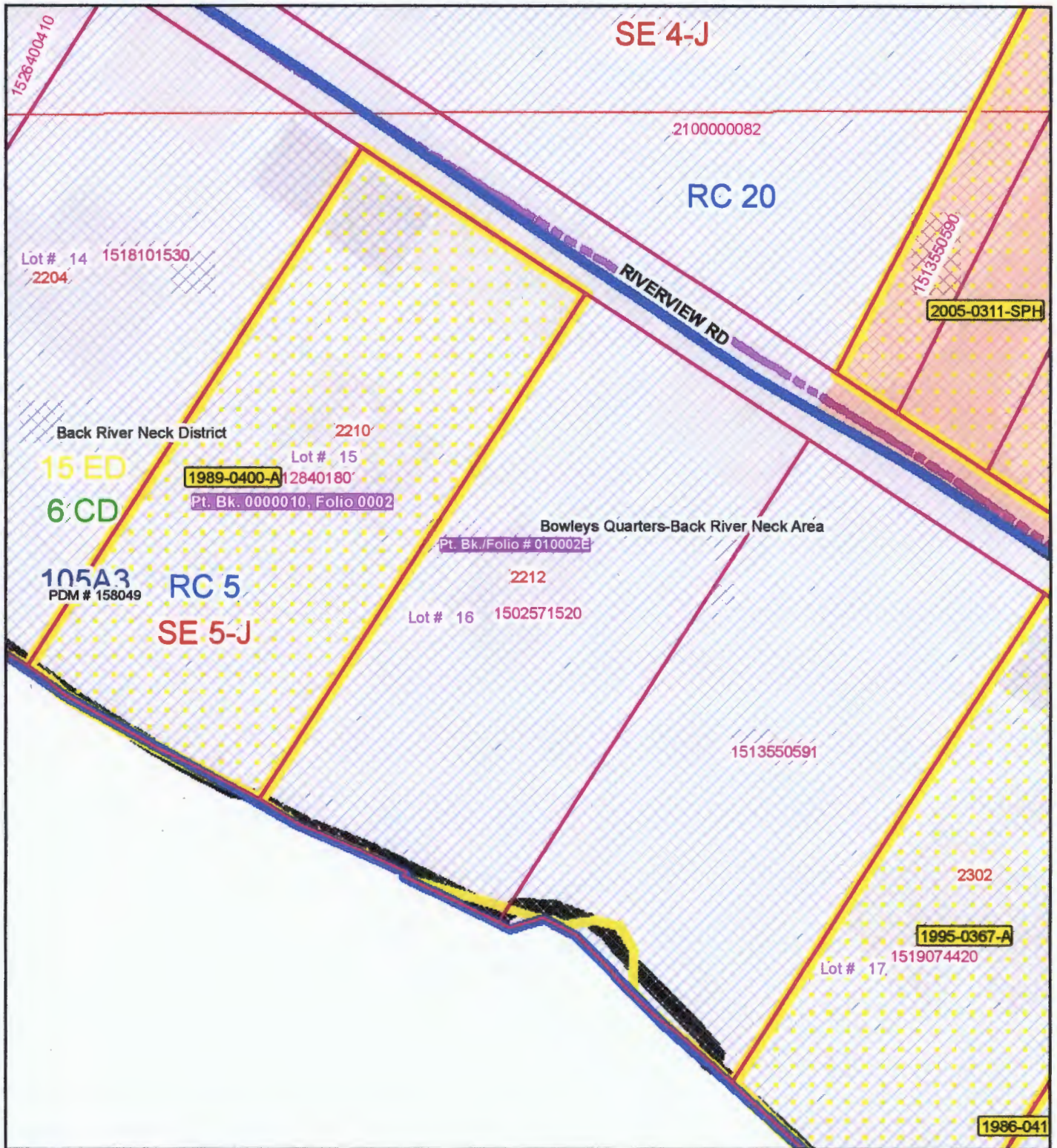


#12 RIVERVIEW ROAD
CASE # 2014-0046 -A

8/26/13
30+3



2212 Riverview Road



Publication Date: 8/21/2013



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

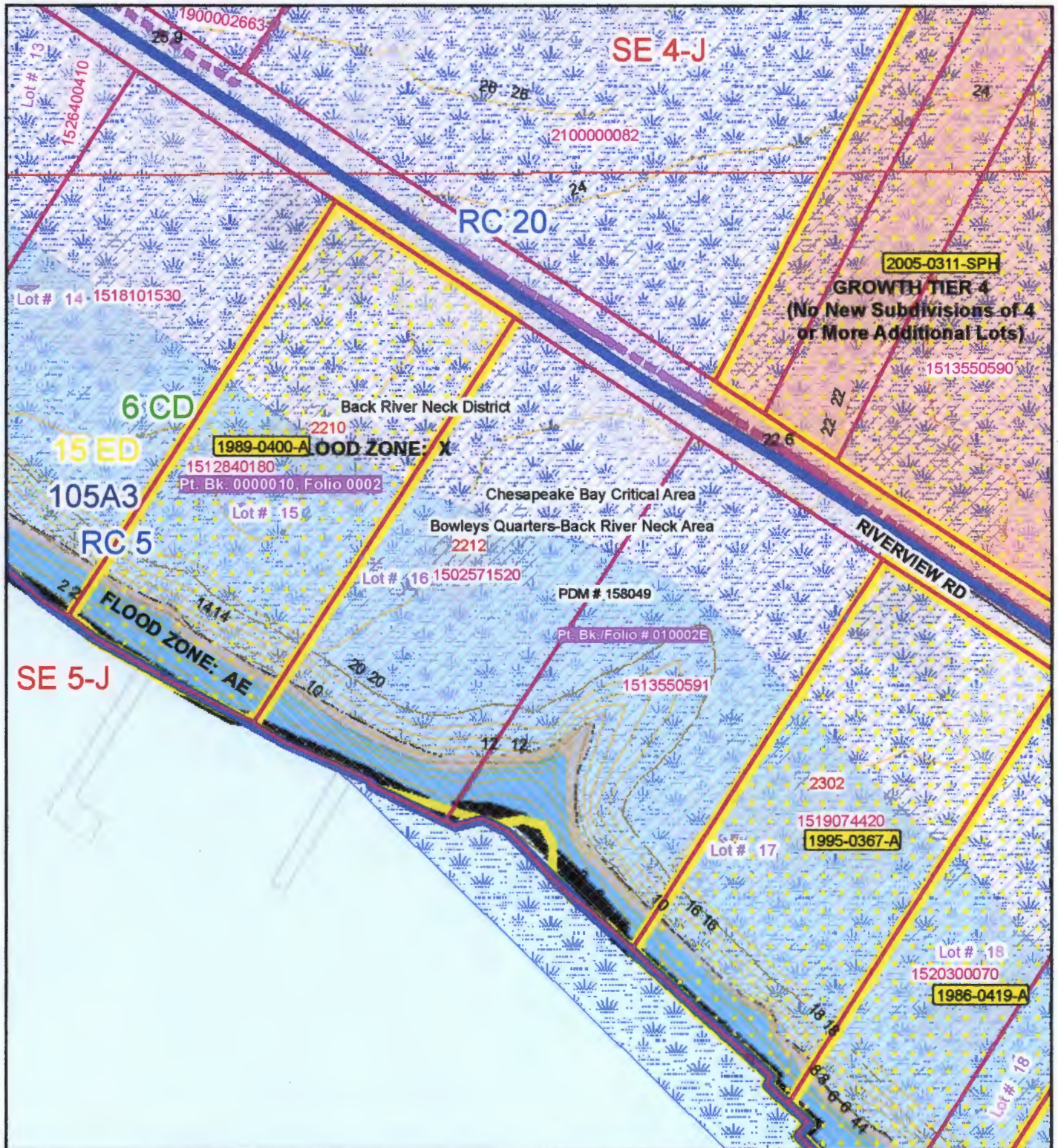


0 10 20 40 60 80 Feet

1 inch = 40 feet

Item #0046

Elevations and Flood Hazards



Publication Date: 8/22/2013



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.5 25 50 75 100 Feet

1 inch = 50 feet

Item #0046

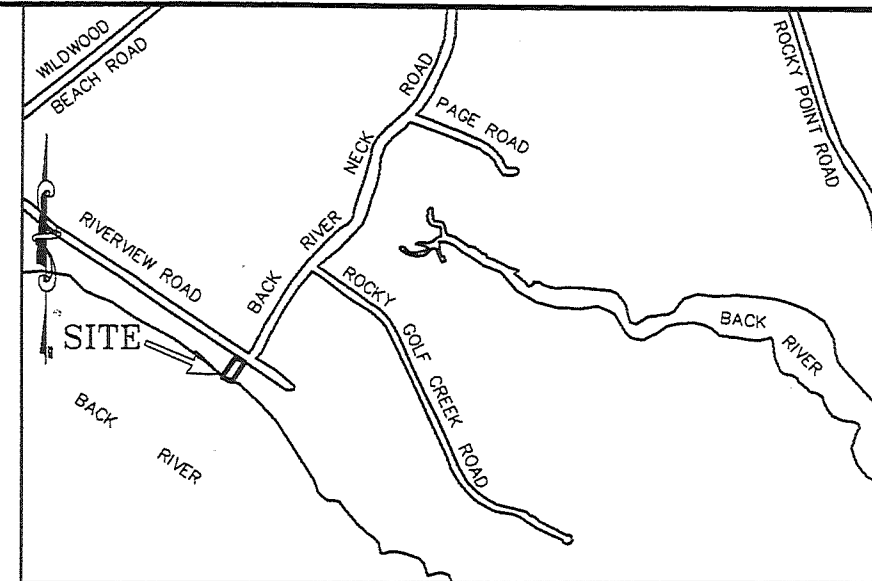
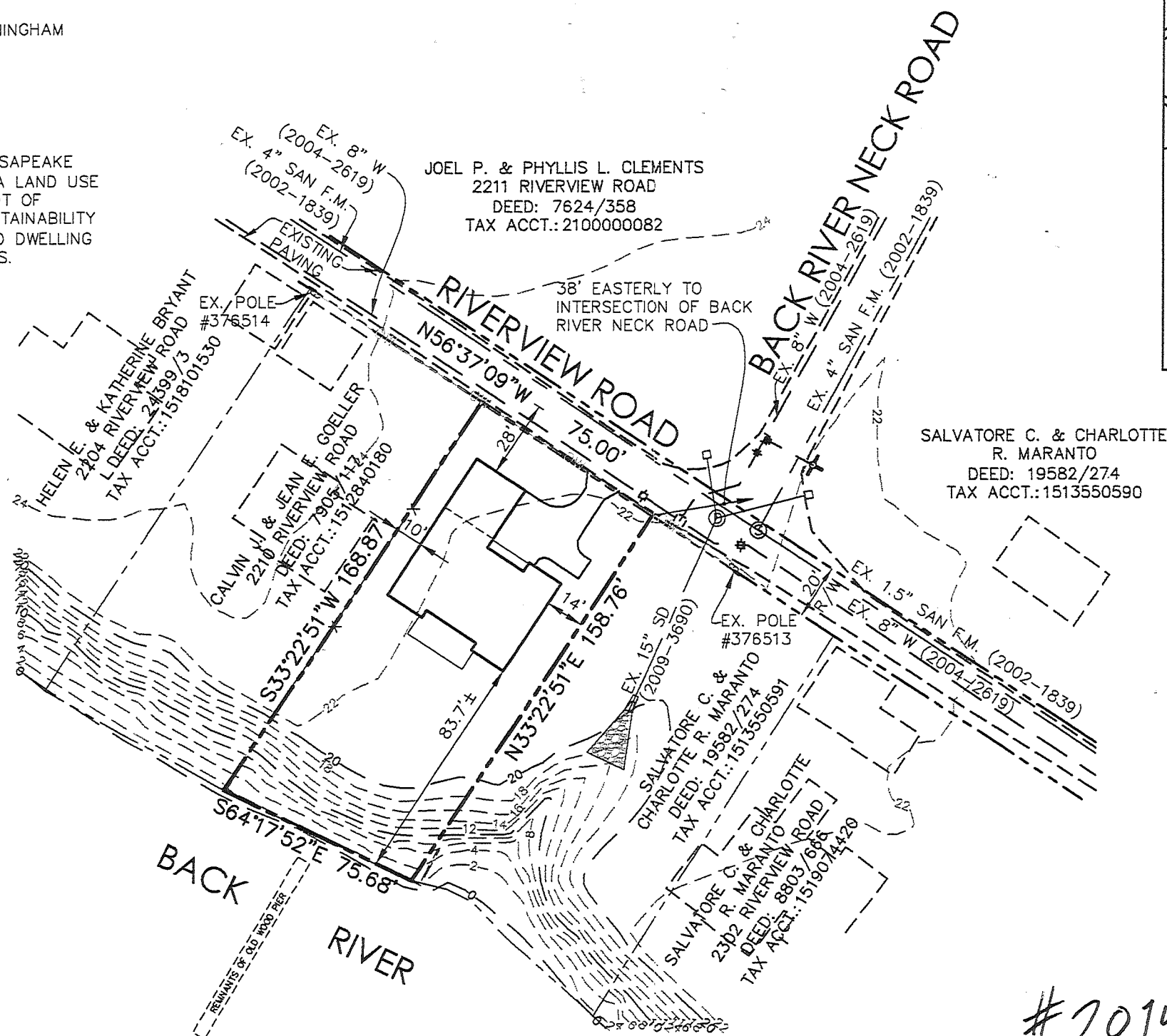


Item #0046

PROPERTY INFORMATION

1. OWNER: MARK A. & BELINDA B. CUNNINGHAM
2212 RIVERVIEW ROAD
BALTIMORE, MD 21221
2. TAX ACCOUNT #: 1502571520
3. DEED REF: 27957/325
4. SITE AREA: 0.282 AC± (12,286 S.F.)
5. THE ENTIRE SITE IS ZONED RC-5
6. THE SITE IS LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA (CBCA) AND HAS A LAND USE DESIGNATION OF LDA. THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY (DEPS) HAS APPROVED THE PROPOSED DWELLING WITH RESPECT TO CBCA REQUIREMENTS.

ZONING MAP 105A3
NOT HISTORIC
NO PRIORS
PUBLIC WATER/SEWER



VICINITY MAP

SCALE: 1"=1000'

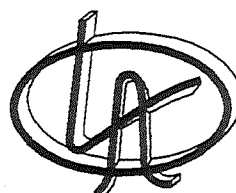
REQUESTED RELIEF

I. VARIANCES FROM BCZR § 1A04.3 AS FOLLOWS:

- "A" VARIANCE FROM BCZR § 1A04.3.B.2.b. TO PERMIT A SIDE BUILDING TO PROPERTY LINE SETBACK OF 10 AND 14 FEET RESPECTIVELY IN LIEU OF THE REQUIRED 50 FEET; AND
- "B" VARIANCE FROM BCZR § 1A04.3.B.2.b. TO PERMIT A PRINCIPAL BUILDING TO BE SITUATED 28 FEET FROM THE CENTERLINE OF A ROAD IN LIEU OF THE REQUIRED 75 FEET, AND
- "C" VARIANCE FROM BCZR § 1A04.3.B.3. TO PERMIT A LOT BUILDING COVERAGE OF 20.38% IN LIEU OF THE REQUIRED 15%; AND
- "D" VARIANCE FROM BCZR § 1A04.3.B.1. TO PERMIT AN EXISTING LOT HAVING A SIZE OF 0.282 ACRES

#2014-0046-A

RTH



LITTLE & ASSOCIATES, INC.
ENGINEERS~~LAND PLANNERS~~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639

PLAN TO ACCOMPANY
ADMINISTRATIVE VARIANCE HEARING

#2212 RIVERVIEW ROAD

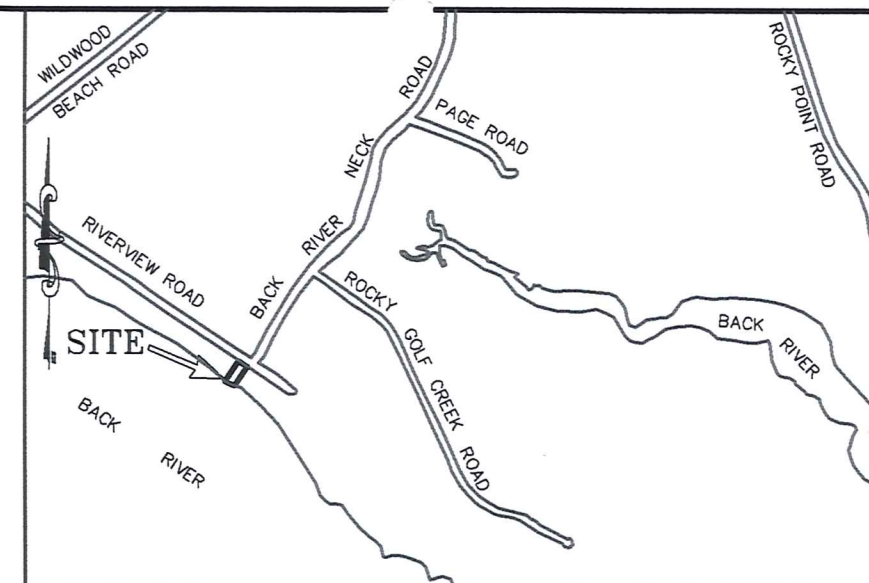
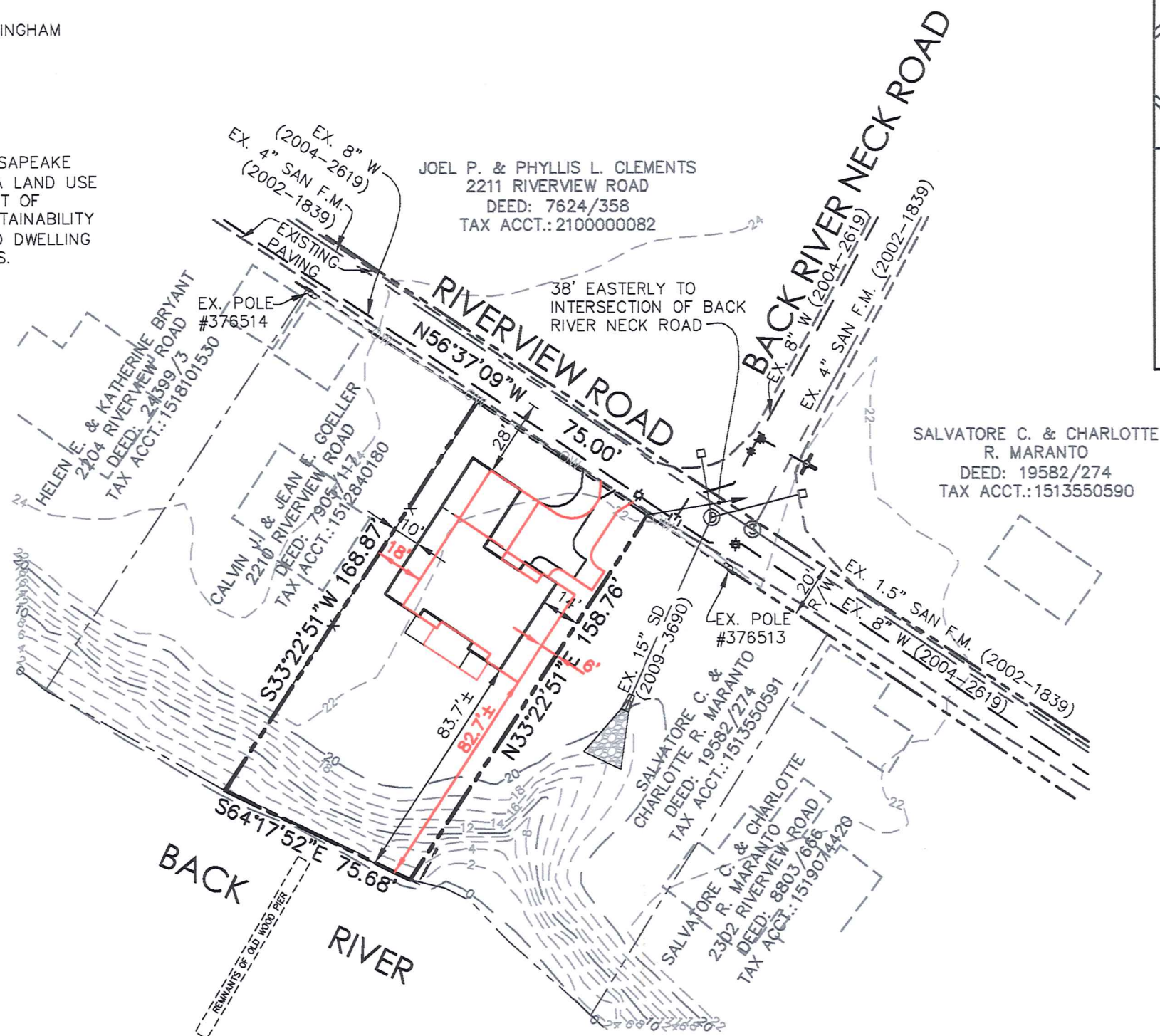
DISTRICT 15c6
SCALE: 1"=50'

BALTIMORE COUNTY, MD
JULY 30, 2013

EX-1

PROPERTY INFORMATION

1. OWNER: MARK A. & BELINDA B. CUNNINGHAM
2212 RIVERVIEW ROAD
BALTIMORE, MD 21221
2. TAX ACCOUNT #: 1502571520
3. DEED REF: 27957/325
4. SITE AREA: 0.282 AC± (12,286 S.F.)
5. THE ENTIRE SITE IS ZONED RC-5
6. THE SITE IS LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA (CBCA) AND HAS A LAND USE DESIGNATION OF LDA. THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY (DEPS) HAS APPROVED THE PROPOSED DWELLING WITH RESPECT TO CBCA REQUIREMENTS.



VICINITY MAP

SCALE: 1"=1000'

REQUESTED RELIEF

I. VARIANCES FROM BCZR § 1A04.3 AS FOLLOWS:

- "A" VARIANCE FROM BCZR § 1A04.3.B.2.b. TO PERMIT A SIDE BUILDING TO PROPERTY LINE SETBACK OF 10 AND 14 FEET RESPECTIVELY IN LIEU OF THE REQUIRED 50 FEET; AND
- "B" VARIANCE FROM BCZR § 1A04.3.B.2.b. TO PERMIT A PRINCIPAL BUILDING TO BE SITUATED 28 FEET FROM THE CENTERLINE OF A ROAD IN LIEU OF THE REQUIRED 75 FEET, AND
- "C" VARIANCE FROM BCZR § 1A04.3.B.3. TO PERMIT A LOT BUILDING COVERAGE OF 20.38% IN LIEU OF THE REQUIRED 15%; AND
- "D" VARIANCE FROM BCZR § 1A04.3.B.1. TO PERMIT AN EXISTING LOT HAVING A SIZE OF 0.282 ACRES

REDLINE PER ALJ ORDER
DATED DECEMBER 16, 2013

PLAN TO ACCOMPANY
ADMINISTRATIVE VARIANCE HEARING

#2212 RIVERVIEW ROAD

DISTRICT 15c6
SCALE: 1"=50'

BALTIMORE COUNTY, MD
JULY 30, 2013
REV. DECEMBER 23, 2013



LITTLE & ASSOCIATES, INC.
ENGINEERS~~LAND PLANNERS~~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639