

KEVIN KAMENETZ
County Executive



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

October 1, 2014

David Billingsley
601 Charwood Ct.
Edgewood, Maryland 21040

RE: Petition for Variance
Property: 2539 Barrison Point Road
Case No. 2015-0024-A

Dear Mr. Billingsley:

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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

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

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:sln
Enclosure

c: David and Stephanie Srour, 10303 Coniston Ct.
Potomac, Maryland 20854

IN RE: PETITION FOR VARIANCE
(2539 Barrison Point Road)
15th Election District
6th Council District
Flightline, LLC
Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2015-0024-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of the legal owner of the subject property. The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §§ 1A04.3.B.2.b, 1A04.3.b.3 and 301.1.A to permit a proposed replacement dwelling with a rear yard setback of 33 ft. to the centerline of a road that leads to a collector road, side yard setbacks of 21 ft. and 22 ft. a building coverage of 18% and an open projection (porch) with a side yard setback of 14 ft. in lieu of the required 100 ft., 50 ft., and 50 ft., 15% and 37.5 ft., respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the request were David and Stephanie Srour. David Billingsley, whose firm prepared the site plan, appeared on behalf of the Petitioner. The Petition was advertised and posted as required by the B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review (DPR) indicating that prior to building permit application the Petitioner must contact the office of the Director of Public Works to determine the flood protection elevation so that the floor elevation can be set. The Department of Planning (DOP) stated that they have no objection

ORDER RECEIVED FOR FILING

Date 10-1-14

By SPW

to the Petitioners request for a variance conditioned upon the following: add vegetative screening along the eastern tract boundary.

Mr. Billingsley proffered on behalf of the Petitioners that the subject lots, totaling approximately 0.441 acres are each 50' wide and are zoned RC 5. There is presently a 1,836 sq. ft. dwelling on one of the lots, which is in serious disrepair. The Petitioners wish to raze this structure and construct a new home in the center of the two lots. The 100' lot frontage, although sufficient for a two-story structure, require under the applicable zoning, 50' side yard setbacks. He noted that the present structure on lot 18 encompasses 23.24% of one lot.

Petitioners planned structure, without a garage, is 13% of the lot coverage, within the permitted 15%.⁴ However, they wish to attach a garage instead of constructing an accessory structure. With the garage attached, there is 18% coverage.

Mr. Billingsley asserts that the two properties taken together are unique in that the overwhelming number of homes in the area are constructed on one 50' wide lot. Further, he observes that without the requested variances, the proposed structure cannot be built.

Finally, Petitioners have submitted two letters, one from Mr. James F. Cox, Sr. and the other from Mr. James W. Srour, the adjacent property owners, stating that they have been made aware of the specifications of the new structure and support the granting of the variance.

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).

ORDER RECEIVED FOR FILING

Date 10-1-14

By [Signature]

Petitioner has met the test. The subject property is unlike the vast majority of other properties within the immediate area, both as to size and frontage, and is therefore unique within the affected area.

It is also clear that if the variances are not granted, the planned structure utilizing both properties could not be built. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant such relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of County agency opposition (although, based upon the comments of the DPR and the DOP they will have some preliminary requirements before allowing the project to proceed), and the support of the Petitioners neighbors.

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and for the reasons set forth above, the variance relief requested shall be granted.

THEREFORE, IT IS ORDERED, this 1st day of October, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") §§ 1A04.3.B.2.b, 1A04.3.b.3 and 301.1.A to permit a proposed replacement dwelling with a rear yard setback of 33 ft. to the centerline of a road that leads to a collector road, side yard setbacks of 21 ft. and 22 ft. a building coverage of 18% and an open projection (porch) with a side yard setback of 14 ft. in lieu of the required 100 ft., 50 ft., and 50 ft., 15% and 37.5 ft., respectively, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 10-1-14

By [Signature]

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 comply with the ZAC comments of DOP and DPR; which are attached hereto and incorporated herein.

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

LMS:sln


LAWRENCE M. STAHL
Managing Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 10-1-14

By [Signature]



CBCA

FLOOD

PETITION FOR ZONING HEARING(S)

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

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

Address 2539 BARRISON POINT ROAD which is presently zoned RC5
Deed References: L. 34276 F. 756 10 Digit Tax Account # 1507470610
Property Owner(s) Printed Name(s) FLIGHTLINE LLC

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

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

1. ☐ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

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

3. ☒ a **Variance** from Section(s)

SEE ATTACHED

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING

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 (Petitioners): FLIGHTLINE LLC

DAVID SROUR, MEMBER

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

10303 CONISTON CT. POTOMAC, MD

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD MD

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER

2015-0024-A

Filing Date

7, 31, 14

Do Not Schedule Dates:

Reviewer

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

No. **112372**

Date: **7/31/14**

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

Total: **\$ 75**

Rec
From:

For:

zoning hearing - case # 2015-0024-A

DISTRIBUTION

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

PAID RECEIPT

7/31/2014 7/31/2014 10:30:11
 501 8504 844101 UNPS LIR
 7/31/2014 7/31/2014 10:30:11
 5 501 844101 VERIFICATION
 17 41 112372
 Expt tot **175.00**
 5017.00 01
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/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 legal owner/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:

Case Number: 2015-0024-A
Property Address: 2539 BARRISON POINT RD
Property Description: _____

Legal Owners (Petitioners): FLIGHTLINE LLC
Contract Purchaser/Lessee: —

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID BILLINGSLEY
Company/Firm (if applicable): CENTRAL DRAFTING & DESIGN
Address: 601 CHARWOOD CT
EDGEWOOD, MD. 21040

Telephone Number: (410) 679-8719



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

August 28, 2014

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 August 28, 2014

☐ 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: #2015-0024-A

2539 Barrison Point Road
E/s Barrison Point Road, 4890 ft. n' and e of Rocky Point Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Flightline, LLC, David Srour, Member

Variance to permit a proposed replacement dwelling with a rear yard setback of 33 feet to the centerline of a road that leads to a collector road, side yard setbacks of 21 feet and 22 feet, a building coverage of 18% and an open projection (porch) with a side yard setback of 14 feet in lieu of the required 100 feet, 50 feet, 15% and 37 1/2 feet, respectively.

Hearing: Thursday, September 18, 2014 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 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.
8/364 August 28 991832

CERTIFICATE OF POSTING

Date: August 27, 2014

RE: Project Name: 2539 Barrison Point Road
Case Number /PAI Number: 2015-0024-A
Petitioner/Developer: Flightline LLC
Date of Hearing/Closing: Thursday, September 18, 2014

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 2539 Barrison Point Road

The sign(s) were posted on August 27, 2014

(Month, Day, Year)

David W. Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)





KEVIN KAMENETZ
County Executive

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

August 13, 2014

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: 2015-0024-A

2539 Barrison Point Road

E/s Barrison Point Road, 4890 ft. n and e of Rocky Point Road

15th Election District – 6th Councilmanic District

Legal Owners: Flightline, LLC, David Srour, Member

Variance to permit a proposed a proposed replacement dwelling with a rear yard setback of 33 feet to the centerline of a road that leads to a collector road, side yard setbacks of 21 feet and 22 feet, a building coverage of 18% and an open projection (porch) with a side yard setback of 14 feet in lieu of the required 100 feet, 50 feet, 15% and 37 ½ feet, respectively.

Hearing: Thursday, September 18, 2014 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: David Srour, Flightline, LLC, 10303 Coniston Ct., Potomac 20854
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, AUGUST 29, 2014.**
- (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, August 28, 2014 Issue - Jeffersonian

Please forward billing to:
David Billingsley
601 Charwood Court
Edgewood, MD 21040

410-679-8719

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: 2015-0024-A

2539 Barrison Point Road

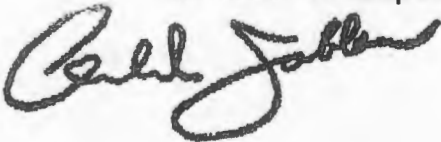
E/s Barrison Point Road, 4890 ft. n and e of Rocky Point Road

15th Election District – 6th Councilmanic District

Legal Owners: Flightline, LLC, David Srour, Member

Variance to permit a proposed a proposed replacement dwelling with a rear yard setback of 33 feet to the centerline of a road that leads to a collector road, side yard setbacks of 21 feet and 22 feet, a building coverage of 18% and an open projection (porch) with a side yard setback of 14 feet in lieu of the required 100 feet, 50 feet, 15% and 37 ½ feet, respectively.

Hearing: Thursday, September 18, 2014 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.

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
2539 Barrison Point Road; E/S Barrison Point	*	
Road, 4890' N & E of c/line Rocky Point Rd	*	OF ADMINSTRATIVE
15 th Election & 6 th Councilmanic Districts	*	
Legal Owner(s): Flightline, LLC	*	HEARINGS FOR
Petitioner(s)	*	BALTIMORE COUNTY
	*	2015-024-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

AUG 18 2014



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 18th day of August, 2014, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, Maryland 21040, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

9/18

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 22, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 2539 Barrison Point Road
INFORMATION:

RECEIVED

Item Number: 15-024

AUG 27 2014

Petitioner: Flightline LLC

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: RC 5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan and has no objection to the petitioners request for a variance conditioned upon the following:

1. Add vegetative screening along the eastern tract boundary.

Further, the site is located in the Limited Development Area (LDA) and Chesapeake Bay Critical Area, buffer management area. The Department of Planning recommends the petitioner contact the Department of Environmental Protection and Sustainability concerning development within these areas.

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

Prepared by: 

AVA/LL

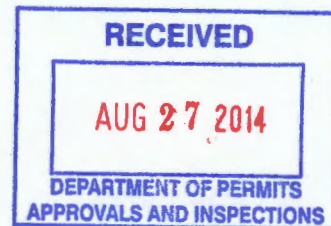
ORDER RECEIVED FOR FILING

Date 10-17-14

By ov

→
ove

8/28/14
20



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

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

DATE: August 22, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 2539 Barrison Point Road

INFORMATION:

Item Number: 15-024

Petitioner: Flightline LLC

Zoning: RC 5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan and has no objection to the petitioners request for a variance conditioned upon the following:

1. Add vegetative screening along the eastern tract boundary.

Further, the site is located in the Limited Development Area (LDA) and Chesapeake Bay Critical Area, buffer management area. The Department of Planning recommends the petitioner contact the Department of Environmental Protection and Sustainability concerning development within these areas.

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

Prepared by: 

AVA/LL

M E M O R A N D U M

DATE: November 3, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0024-A – Appeal Period Expired

The appeal period for the above-referenced case expired on October 31, 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

CENTRAL DRAFTING AND DESIGN
601 CHARWOOD COURT
EDGEWOOD, MARYLAND 21040
(410) 679-8719 FAX (410) 679-1298

September 29, 2014 (Hand delivered)

Lawrence M. Stahl
Managing Administrative Law Judge
Office of Administrative Hearings
105 West Chesapeake Avenue
Towson, Md. 21204

RECEIVED

SEP 29 2014

RE: FLIGHTLINE LLC / DAVID SROUR
2539 BARRISON POINT ROAD
CASE NO. 2015-0024-A

OFFICE OF ADMINISTRATIVE HEARINGS

Dear Judge Stahl:

Enclosed, please find copies of letters from the adjacent property owners confirming that they have no objections to the approval of the variance requests as filed.

Thank you for your cooperation in this matter.

Very truly yours,



David W. Billingsley

Cc: Davis and Stephanie Srouer

9/24/2014

Lawrence M. Stahl
Managing Administrative Law Judge
Office of Administrative Hearings
105 West Chesapeake Avenue
Towson, MD 21204

RECEIVED

SEP 29 2014

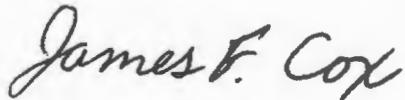
OFFICE OF ADMINISTRATIVE HEARINGS

RE: Flightline, LLC / David Srouer
2539 Barrison Point Road
Case No. 2015-0024-A

Dear Judge Stahl:

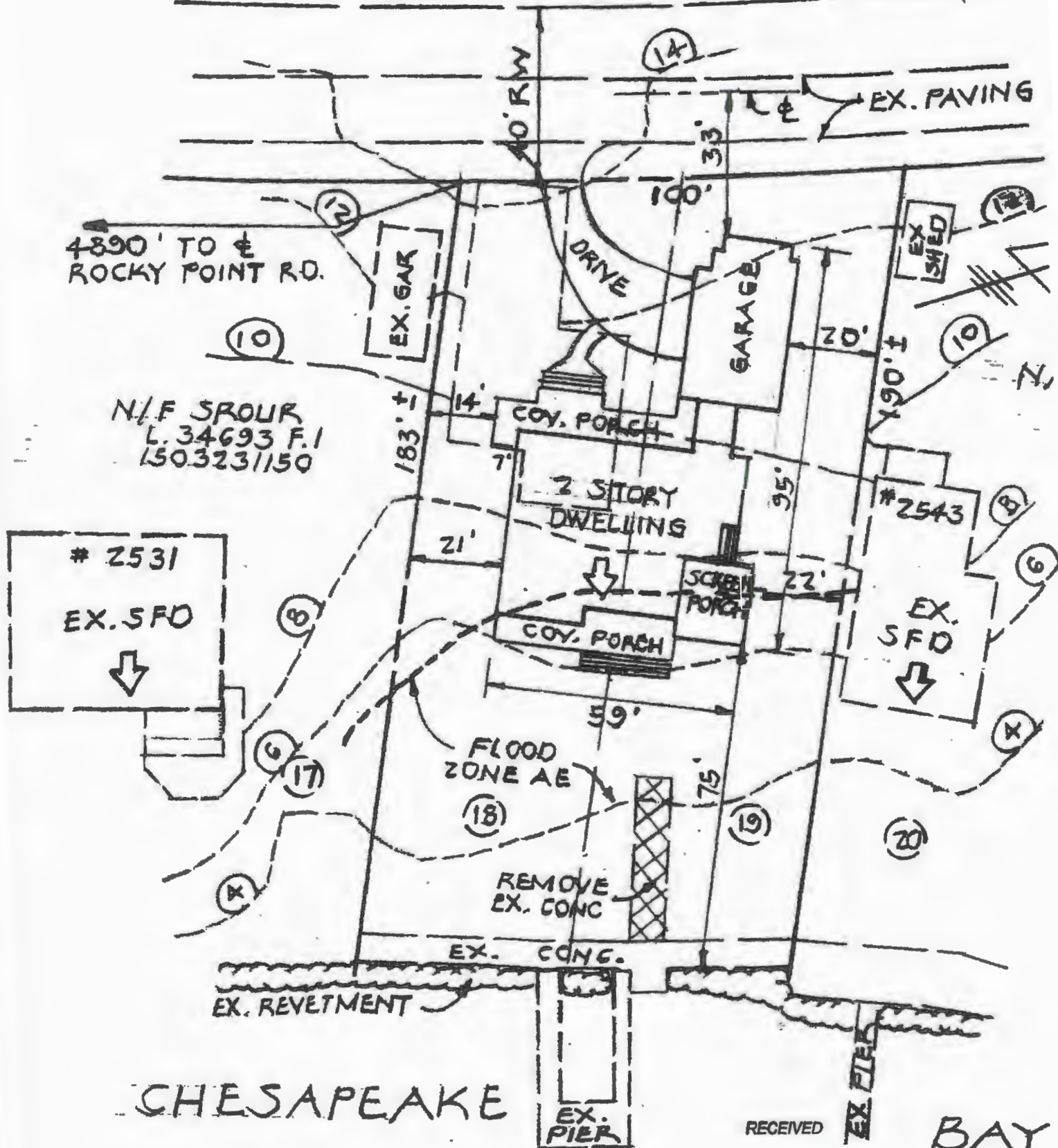
This is to confirm that I have reviewed the referenced variance request, including the attached plat provided to me from Baltimore County, Dept of Permits, Rm 111, 111 W. Chesapeake Ave, filed by Flightline, LLC / David Srouer and have no objection to the approval of same.

Very truly yours,



James F. Cox, Sr
2543 Barrison Point Rd
Baltimore, MD 21221

BARRISON POINT ROAD



James W. Snour
10209 Sorrel Avenue
Potomac, Md. 20854

9/22/14

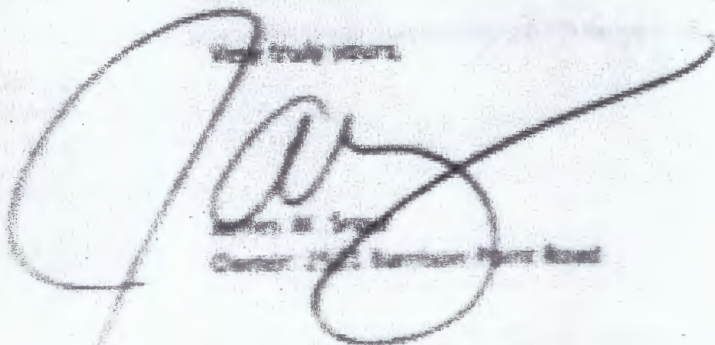
Lawrence M. Stahl
Managing Administrative Law Judge
Office of Administrative Hearings
105 West Chesapeake Avenue
Towson, Md. 21204

RE: Flightline, LLC / David Snour
2539 Barrison Point Road
Case No. 2015-0024-A

Dear Judge Stahl:

This is to confirm that I have reviewed the referenced variance request filed by Flightline, LLC / David Snour and have no objection to the approval of same.

Very truly yours,



James W. Snour
Owner, 2539 Barrison Point Road

RECEIVED

SEP 29 2014

OFFICE OF ADMINISTRATIVE HEARINGS

CASE NAME 2539-~~BAR~~ LSON POINT ROAD
CASE NUMBER 2015-0024-A
DATE SEPTEMBER 18, 2014

CASE NAME 2539-~~BAR~~ LSON POINT ROAD
CASE NUMBER 2015-0024-A
DATE SEPTEMBER 18, 2014

[illegible]

Sherry Nuffer - 2015-0024-A

From: Sherry Nuffer
To: Lykens, David
Date: 9/15/2014 10:32 AM
Subject: 2015-0024-A

Dave,

I received file for case No.: 2015-0024 that is scheduled for a hearing on Thursday September 18, 2014 @ 11am. It is located in CBCA area and there are no DEPS ZAC comment. Please advised

Thank you,

Sherry

P.S. Am I still sending these to you or is Jeff back?

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

Message Id: 5416F86B.4D0 : 210 : 21833
Subject: 2015-0024-A
Created By: snuffer@baltimorecountymd.gov
Scheduled Date:
Creation Date: 9/15/2014 10:32 AM
From: Sherry Nuffer

Recipients:

Recipient	Action	Date & Time	Comment
 NCH_PO.NCH_DOM	Delivered	9/15/2014 10:32 AM	
To: David Lykens (dlykens@baltimorecountymd.gov)	Read	9/15/2014 1:30 PM	

Post Offices

Post Office	Delivered	Route
NCH_PO.NCH_DOM	9/15/2014 10:32 AM	baltimorecountymd.gov

Files

File	Size	Date & Time
MESSAGE	1405	9/15/2014 10:32 AM
TEXT.htm	1403	9/15/2014 10:32 AM

Options

Auto Delete: No
Concealed Subject: No
Expiration Date: None
Notify Recipients: Yes
Priority: Standard
Reply requested by None
Security: Standard
To Be Delivered: Immediate

Record Id

Record Id: 5416C02B.NCH_DOM.NCH_PO.100.1696736.1.337F.1
Common Record Id: 5416C02B.NCH_DOM.NCH_PO.200.20000D2.1.31BFC.1

CASE NO. 2015-

0024-A

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

8/15/14

DEVELOPMENT PLANS REVIEW

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

C

DEPS

(if not received, date e-mail sent 9/15/14)

FIRE DEPARTMENT

8/22/13

PLANNING

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

C

8/13/14

STATE HIGHWAY ADMINISTRATION

No Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

8/28/14

SIGN POSTING

Date:

8/27/14

by Bellingsley

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

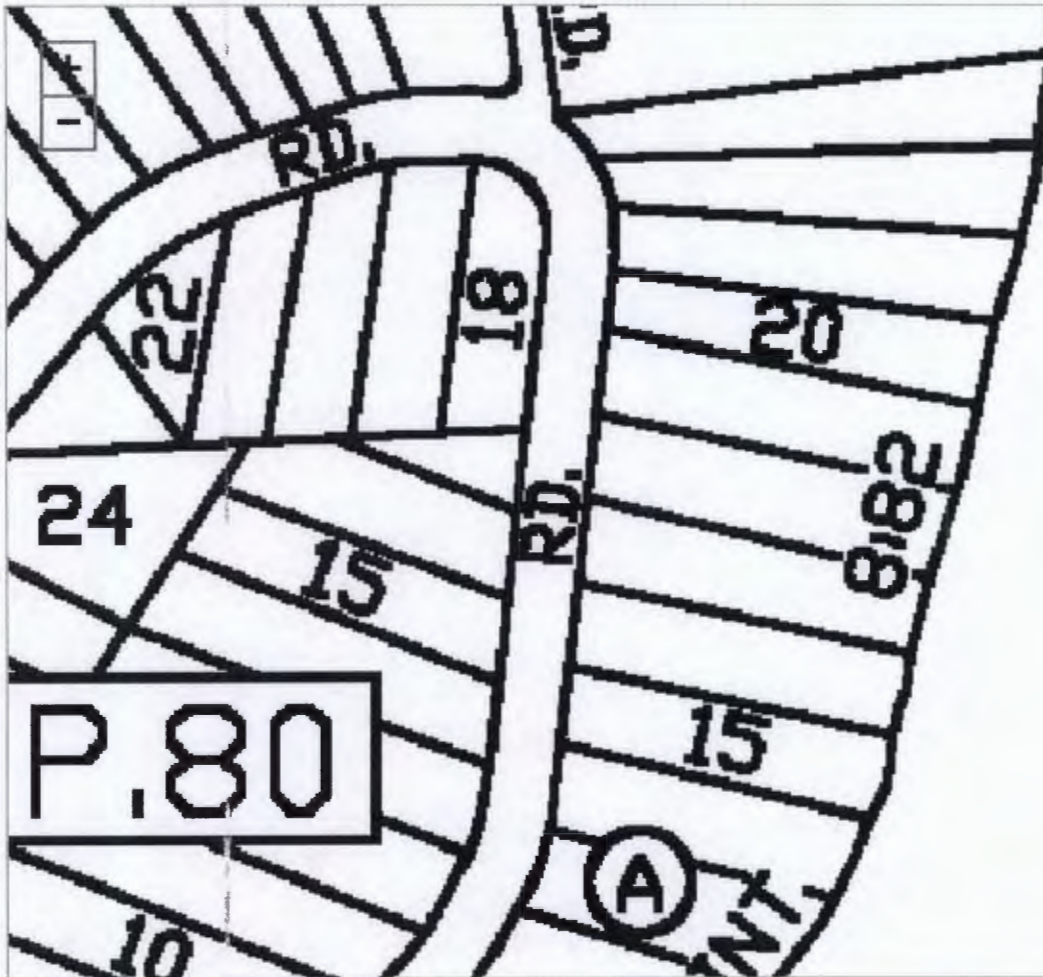
Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1507470610			
Owner Information					
Owner Name:		FLIGHTLINE GROUP LLC		Use: RESIDENTIAL	
Mailing Address:		10303 CONISTON CT POTOMAC MD 20854-		Principal Residence: NO	
				Deed Reference: /34276/ 00256	
Location & Structure Information					
Premises Address:		2539 BARRISON POINT RD 0-0000 Waterfront		Legal Description: LTS 18,19 2539 BARRISON POINT RD BARRISON POINT	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0105	0009	0080		0000	A
					Block:
					18
					Lot:
					2015
					Assessment Year:
					Plat No:
					Plat Ref:
					0007/0176
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area	
1958		1,836 SF		Property Land Area	
				21,000 SF	
				County Use	
				34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1	NO	STANDARD UNIT	STUCCO	2 full	Last Major Renovation
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2012		07/01/2014	
				As of	
				07/01/2015	
Land:	204,700	204,700			
Improvements	104,400	104,400			
Total:	309,100	309,100		309,100	
Preferential Land:	0				
Transfer Information					
Seller: BURY MARY JANE		Date: 09/30/2013		Price: \$350,000	
Type: ARMS LENGTH IMPROVED		Deed1: /34276/ 00256		Deed2:	
Seller: BURY FRANK W		Date: 12/12/2008		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /31670/ 00029		Deed2:	
Seller: GOELLER LAWRENCE J		Date: 09/17/1973		Price: \$39,500	
Type: ARMS LENGTH IMPROVED		Deed1: /04395/ 00319		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2014	
				07/01/2015	
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 \(http://sdat.resiusa.org/RealProperty/\)](http://sdat.resiusa.org/RealProperty/)District: **15** Account Number: **1507470610**

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

[\(http://imsweb05.mdp.state.md.us/website/mosp/\)](http://imsweb05.mdp.state.md.us/website/mosp/)

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KEVIN KAMENETZ
County Executive

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

September 10, 2014

Flightline LLC
David Srour, Member
10303 Coniston Court
Potomac MD 20854

RE: Case Number: 2015-0024 A, Address: 2539 Barrison Point Rd

Dear Mr. Srour:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 31, 2014. 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
David Billingsley, 601 Charwood Court, Edgewood MD 21040

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



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

Date: 8/13/14

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

RE: Baltimore County
Item No 2015-0024-A
Variance
Flightline, LLC, David Spears,
Member
2539 Barrison Point 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. 2015-0024-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/
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

9/18

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 22, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 2539 Barrison Point Road

INFORMATION:

Item Number: 15-024

Petitioner: Flightline LLC

Zoning: RC 5

Requested Action: Variance

RECEIVED

AUG 27 2014

OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan and has no objection to the petitioners request for a variance conditioned upon the following:

1. Add vegetative screening along the eastern tract boundary.

Further, the site is located in the Limited Development Area (LDA) and Chesapeake Bay Critical Area, buffer management area. The Department of Planning recommends the petitioner contact the Department of Environmental Protection and Sustainability concerning development within these areas.

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

Prepared by: _____



AVA/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For August 18, 2014
Item No. 2015-0024

DATE: August 15, 2014

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

Prior to building permit application the petitioner must contact the office of the Director of Public Works to determine the flood protection elevation so that the floor elevation can be set.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 15-0024-08182014.doc

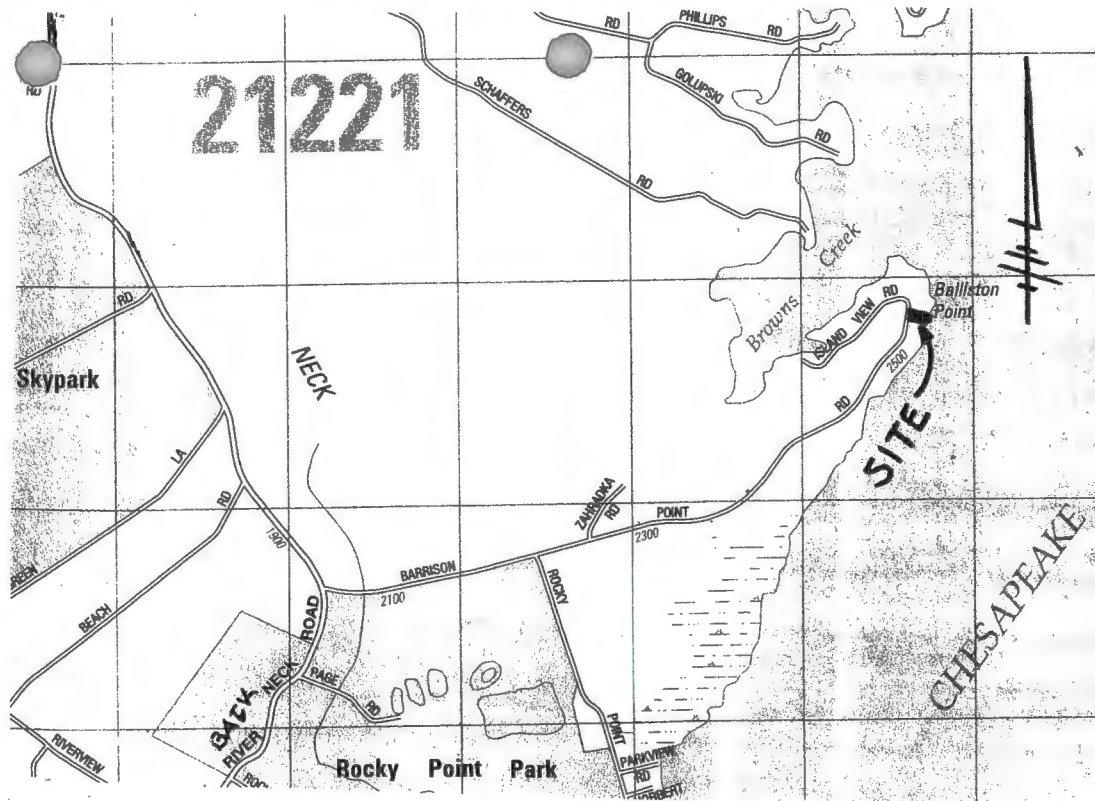
PETITIONER'S EXHIBITS

**2539 BARRISON POINT ROAD
CASE NO. 2015-0024-A**

*PA 11-3-14
DW 10-1-14*

- 1. PLAT TO ACCOMPANY PETITION DATED JULY 17, 2014 (NO CHANGES)**
- 2. SDAT REAL PROPERTY DATA SEARCH**
- 3. TAX MAP 0105**
- 4. DEED OF RECORD (LIBER 34276 FOLIO 256 DATED SEPT. 23, 2013)**
- 5. PLAT OF BARRISON POINT (PB 7 F 176 DATED JANUARY 21, 1925)**
- 6. AERIAL PHOTO**
- 7a – 7f. PHOTOS**
- 8. BUILDING ELEVATIONS**

COX
25010 F.415
508550190



VICINITY MAP
SCALE 1" = 2000'

NOTES:

1. ZONING.....RC 5 (MAP NO. 105B2)
2. LOT AREA.....19,200 S.F. = 0.441 ACRE +/-
3. PUBLIC WATER AND SEWER
4. SITE IS LOCATED IN LIMITED DEVELOPMENT AREA, AND BUFFER MANAGEMENT AREA WITHIN THE CHESAPEAKE BAY CRITICAL AREA
5. A PORTION OF THE SITE IS LOCATED IN THE 100 YEAR FLOOD ZONE
6. NO PREVIOUS ZONING HISTORY OR VIOLATIONS KNOWN
7. NO HISTORIC STRUCTURES, ARCHEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS ARE KNOWN TO EXIST
8. BUILDING COVERAGE.....3450 / 19,200 = 18 %

PETITIONER'S
EXHIBIT NO. 1

OWNER
FLIGHTLINE GROUP LLC
10303 CONISTON COURT
POTOMAC, MD. 20854
L.34276 F.256
ACCT. NO. 1507470610

PLAT TO ACCOMPANY PETITION FOR VARIANCE

2539 BARRISON POINT ROAD

LOTS 18 AND 19 BARRISON POINT P.B.8 F.82

ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 30 FEET JULY 17, 2014

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 15 Account Number - 1507470610							
Owner Information									
Owner Name:		FLIGHTLINE GROUP LLC				Use:		RESIDENTIAL	
Mailing Address:		10303 CONISTON CT POTOMAC MD 20854-				Principal Residence:		NO	
						Deed Reference:		/34276/ 00256	
Location & Structure Information									
Premises Address:		2539 BARRISON POINT RD 0-0000				Legal Description:		LTS 18,19 2539 BARRISON POINT RD BARRISON POINT	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0105	0009	0080		0000	A		18	2012	Plat Ref: 0007/0176
Special Tax Areas:					Town:		NONE		
					Ad Valorem:				
					Tax Class:				
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use	
1958		1,836 SF				21,000 SF		34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
1.000000	NO	STANDARD UNIT	STUCCO	1 full					
Value Information									
Base Value			Value		Phase-in Assessments				
			As of		As of		As of		
			01/01/2012		07/01/2013		07/01/2014		
Land:			204,700						
Improvements			173,900						
Total:			378,600		309,100		309,100		
Preferential Land:			0				0		
Transfer Information									
Seller: BURY MARY JANE				Date: 09/30/2013			Price: \$350,000		
Type: ARMS LENGTH IMPROVED				Deed1: /34276/ 00256			Deed2:		
Seller: BURY FRANK W				Date: 12/12/2008			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /31670/ 00029			Deed2:		
Seller: GOELLER LAWRENCE J				Date: 09/17/1973			Price: \$39,500		
Type: ARMS LENGTH IMPROVED				Deed1: /05395/ 00319			Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2013			07/01/2014		
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00			0.00 0.00		
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		HOMEOWNERS TAX CREDIT							
Homestead Application Information									
Homestead Application Status: No Application									

PETITIONER'S
EXHIBIT NO. 2

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **15** Account Number: **1507470610**

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(<http://msweb05.mdp.state.md.us/website/mosp/>)

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PETITIONER'S
EXHIBIT NO. 3

AFTER RECORDING RETURN TO:
Flightline Group, LLC
10303 Coniston Court
Potomac, MD 20854

DOCUMENT PREPARED BY:
Sage Title Group, LLC
7939 Honeygo Boulevard, Suite 124
Baltimore, MD 21236
File Number: 106772WHMS

Tax ID#: 15 1507470610

This Deed, MADE THIS ^{23rd} 16th day of September, 2013, by and between Mary Jane Bury, party of the first part, and Flightline Group LLC, a Maryland Limited Liability Company, party of the second part.

WITNESSETH, That in consideration of the sum of **THREE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$350,000.00)**, the receipt of which is hereby acknowledged, the said party of the first part does grant and convey to the said party of the second part, in fee simple, all that parcel of ground situated in **Baltimore County, Maryland** and as described as follows, that is to say:

ALL THOSE two lots of ground situate, lying and being in the 15th Election District, Baltimore County, Maryland, and described as follows that is to say:

BEING designated and known as Lot Nos. 18 and 19, Section A, Hawk Cove, as laid down on the Plat of Barrison Point, filed for record in the Circuit Court for Baltimore County, Maryland in January 21, 1925, in Plat Book W.P.C. No. 7, folio 176.

The improvements thereon being known as 2539 Barrison Point Road, Essex, Maryland 21221.

Tax ID#: 15 1507470610

BEING the same property which by deed dated January 25, 2012 and recorded among the Land Records of Baltimore County, Maryland in Liber No. 31670, folio 029, was granted and conveyed by Mary Jane Bury unto Mary Jane Bury, as sole owner.

AND ALSO BEING the same property which by deed dated December 5, 2008 and recorded among the Land Records of Baltimore County, Maryland in Liber No. 27504, folio 463, was granted and conveyed by Mary Jane Bury unto Mary Jane Bury, as Life Tenant with full powers, Remainder unto Daxton Garrett Bury and Chantz Joseph Bury.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

SUBJECT TO all rights, easements, restrictions, covenants and reservations of record.

TO HAVE AND TO HOLD the said described lot(s) of ground and premises to the said party of the second part, as Flightline Group LLC, a Maryland Limited Liability Company its successors and/or assigns in fee simple.

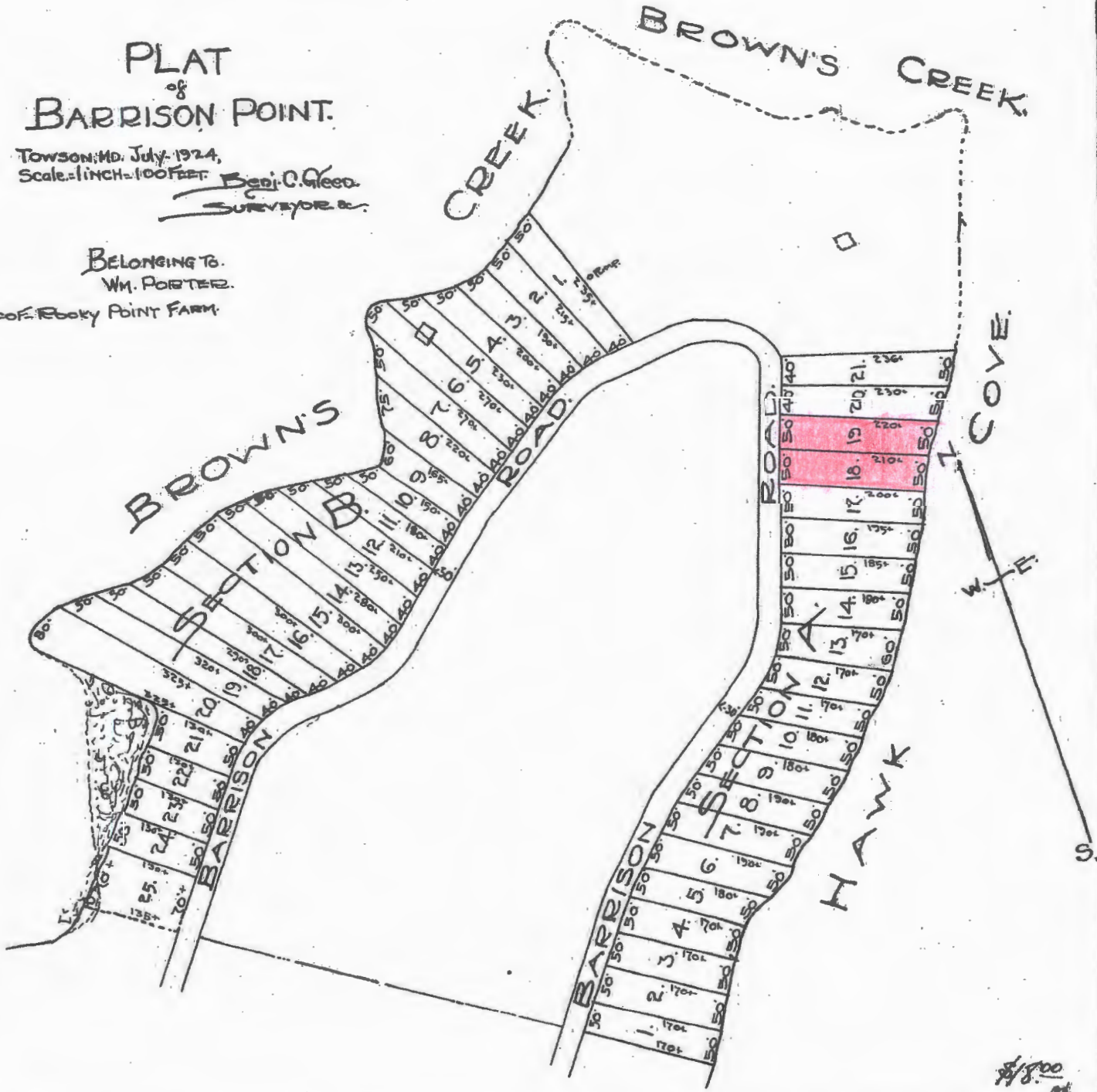
Buyers' Initials: _____

PETITIONER'S
EXHIBIT NO. 4

PLAT of BARRISON POINT.

TOWSON, MD. July, 1924,
Scale: 1 INCH = 100 FEET
Benj. C. Giesd.
SURVEYOR &c.

BELONGING TO
WM. PORTER.
PART OF ROCKY POINT FARM.





PETITIONER'S
EXHIBIT NO. 6



My Neighborhood Map

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 the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 9/13/2014



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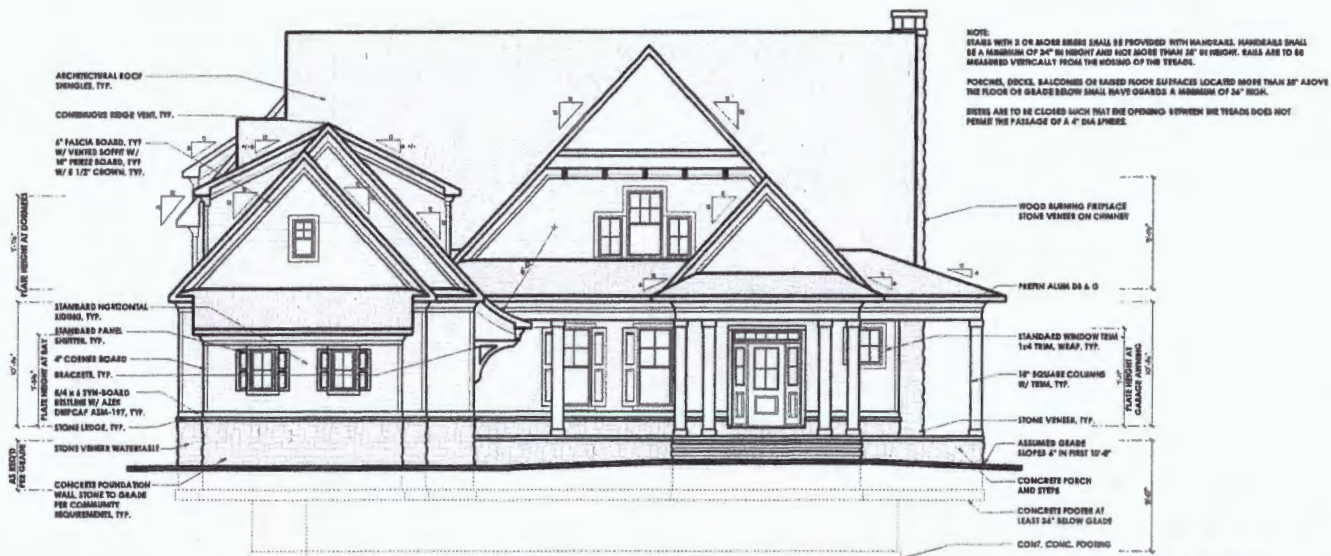
2



F



RIGHT ELEVATION



FRONT ELEVATION

(ROADSIDE)

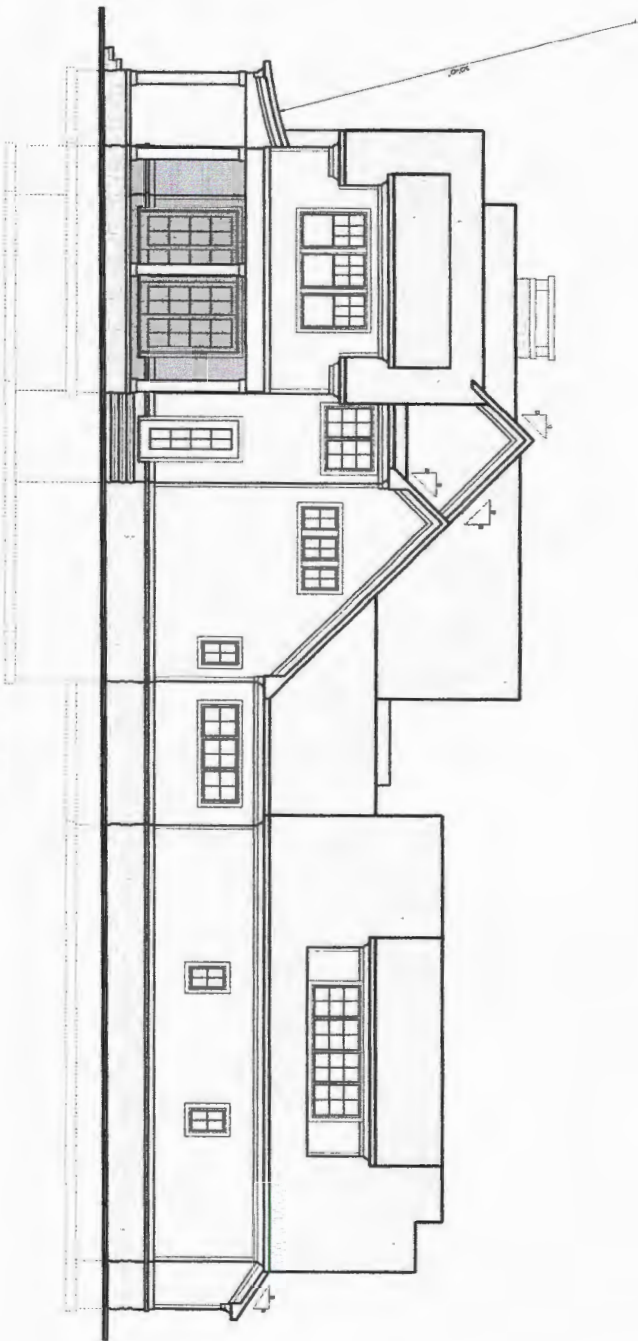
PETITIONER'S
EXHIBIT NO. **8**

Srour Residence
PROPOSED RESIDENCE
7539 Barrison Point Road, Middle River, Maryland

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SCALE: 1/8" = 1'-0"
ELEVATIONS
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PRINT DATE: August 10, 2014

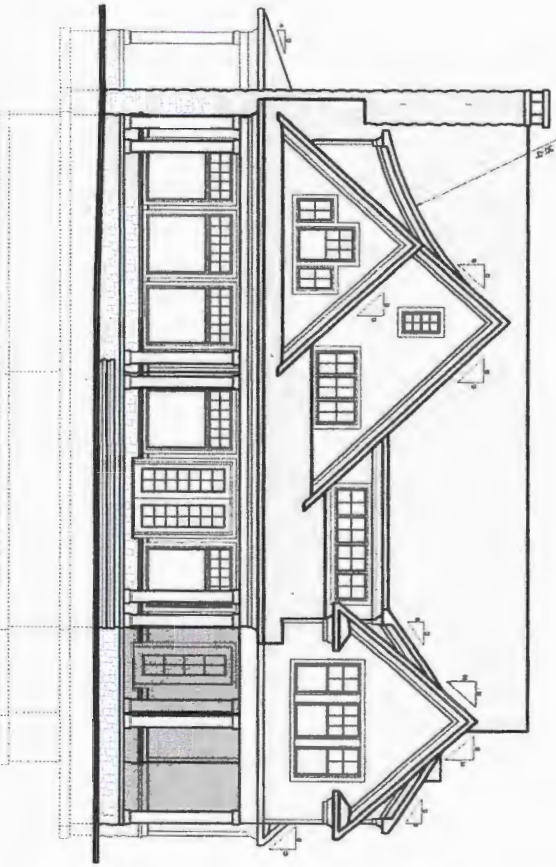
10'-0" 10'-0" 10'-0" 10'-0" PLANT BEDS AT REAR



LEFT ELEVATION

10'-0" 10'-0" 10'-0" PLANT BEDS AT REAR

10'-0" 10'-0" 10'-0" PLANT BEDS AT REAR

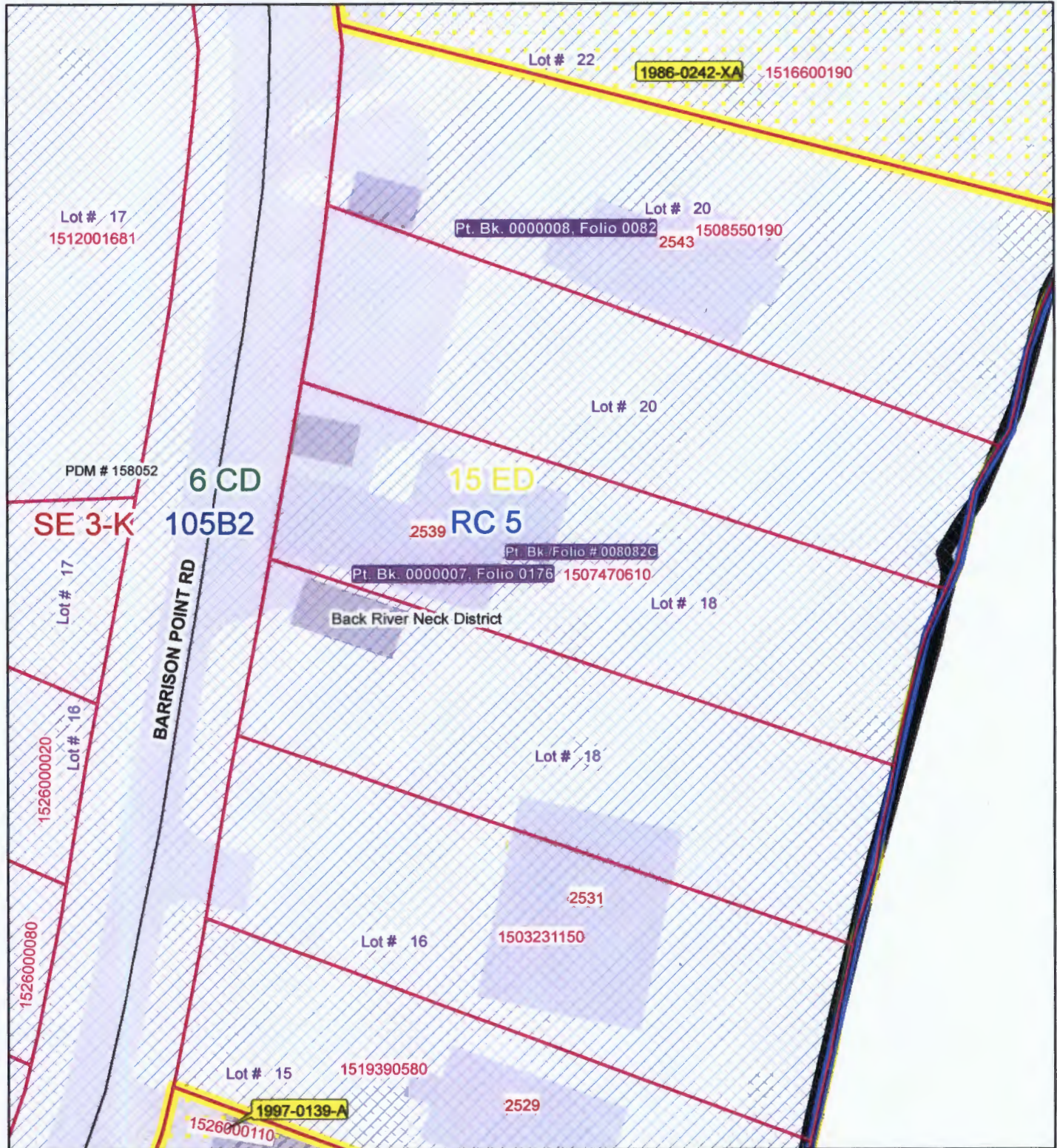


REAR ELEVATION

10'-0" 10'-0" 10'-0" PLANT BEDS AT REAR

(WATER SIDE)

2539 Barrison Point Road



Publication Date: 7/30/2014



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

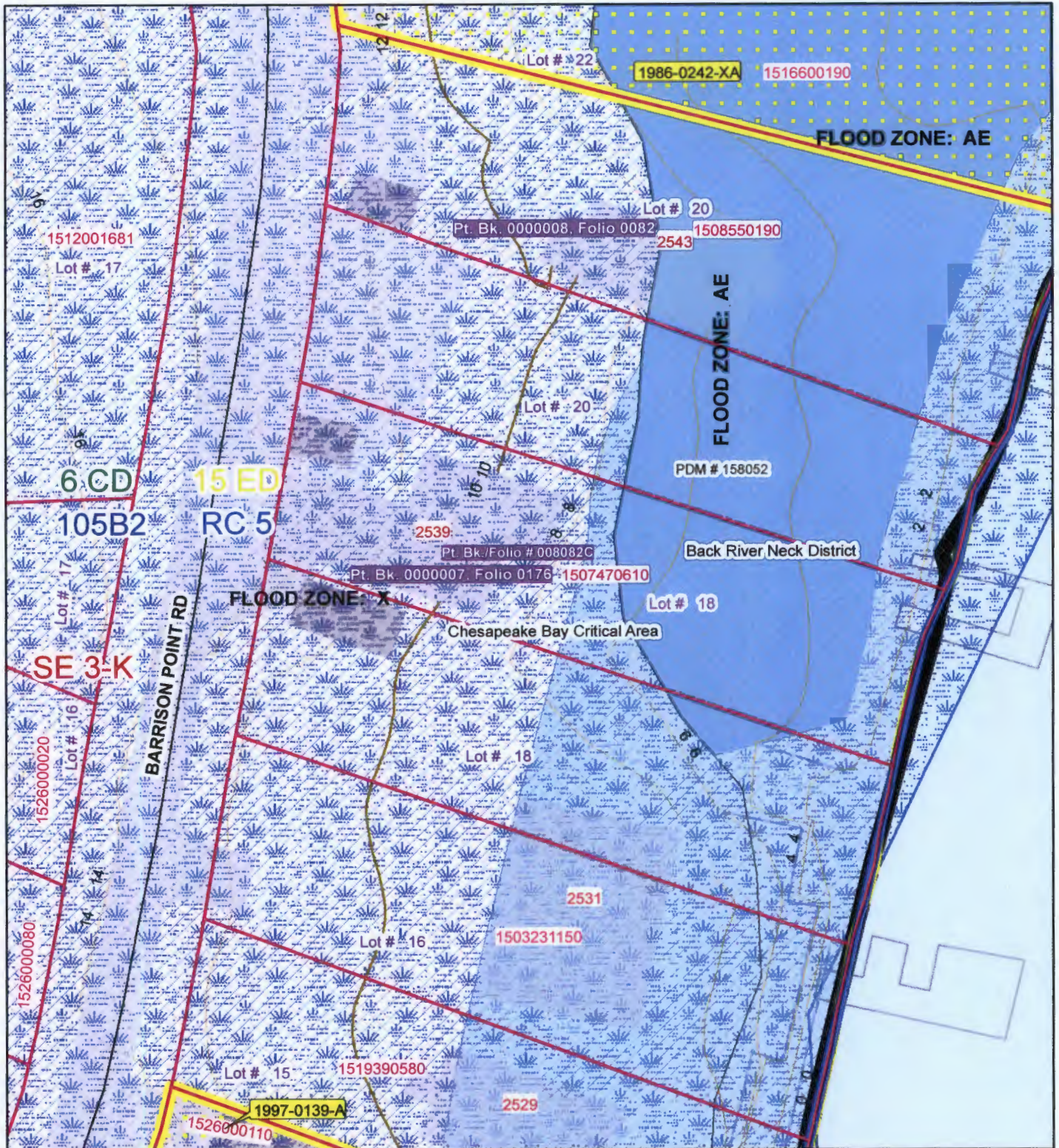


0 10 20 40 60 80 Feet

1 inch = 40 feet

Item #0024

Elevations and Flood Hazards



Publication Date: 7/30/2014



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 # 0024

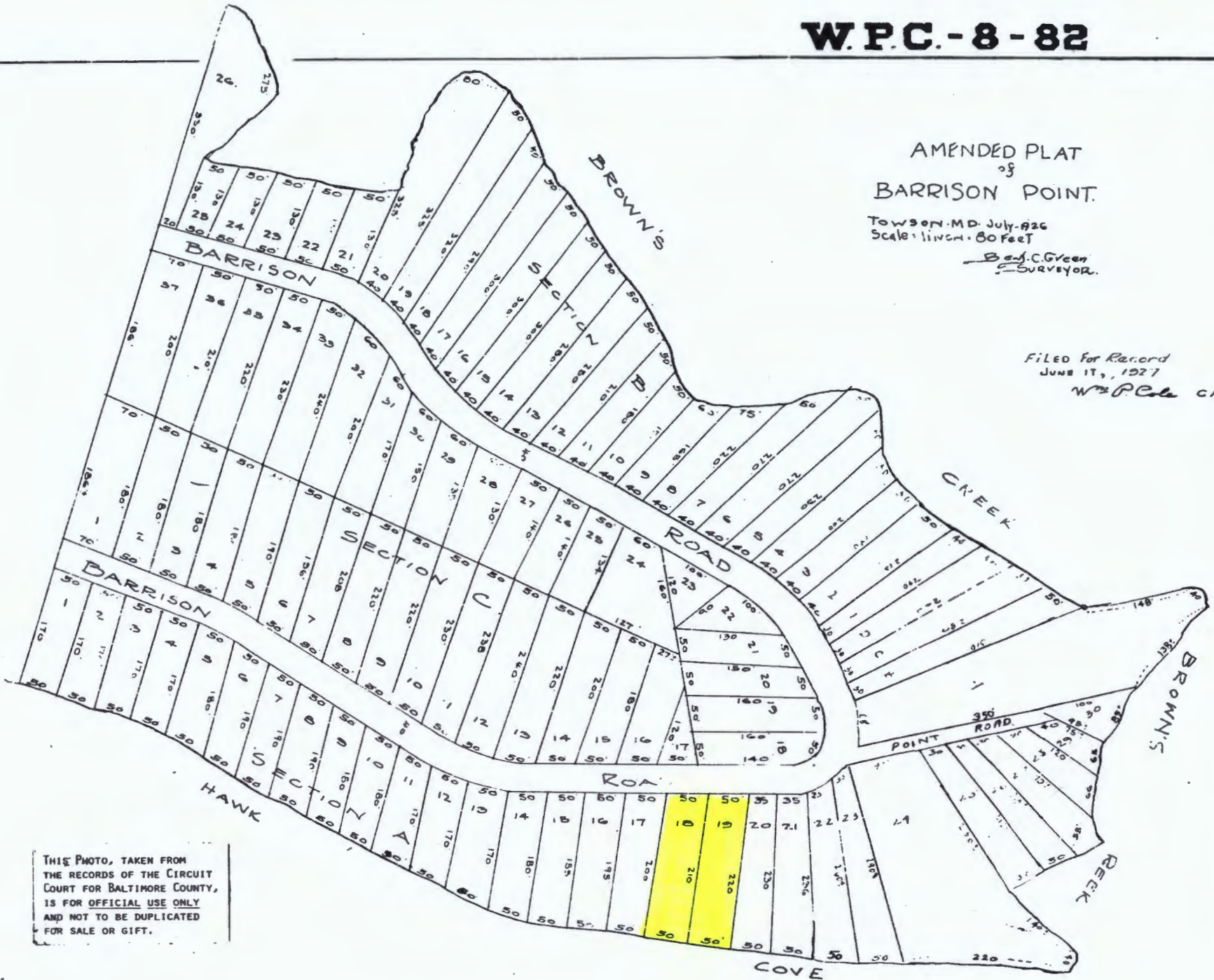
AMENDED PLAT
of
BARRISON POINT.

TOWSON, MD. July, 1926
Scale: 1 inch = 80 Feet

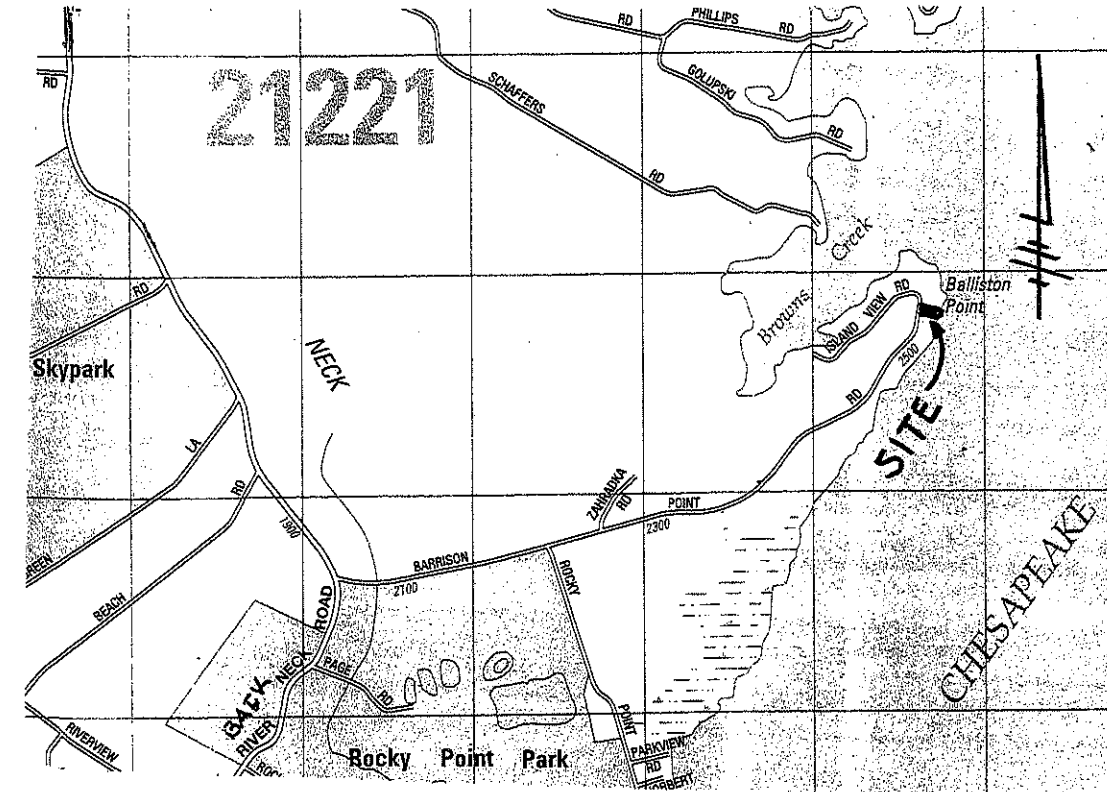
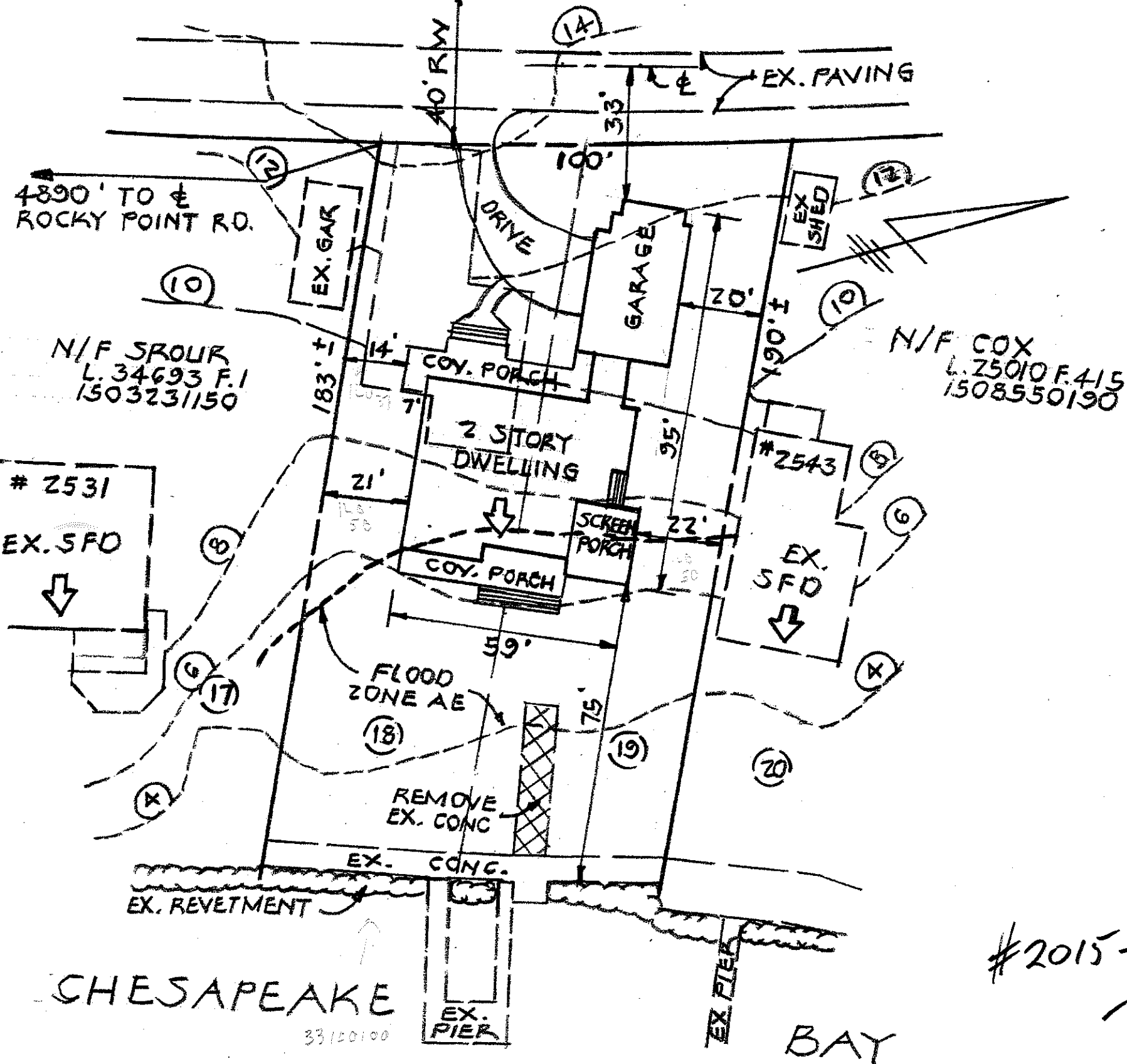
B. C. Green
Surveyor.

Filed for Record
June 17, 1927

W. P. Cole Clerk.



BARRISON POINT ROAD



VICINITY MAP
SCALE 1" = 2000'

NOTES:

1. ZONING.....RC 5 (MAP NO. 105B2)
2. LOT AREA.....19,200 S.F. = 0.441 ACRE +/-
3. PUBLIC WATER AND SEWER
4. SITE IS LOCATED IN LIMITED DEVELOPMENT AREA, AND BUFFER MANAGEMENT AREA WITHIN THE CHESAPEAKE BAY CRITICAL AREA
5. A PORTION OF THE SITE IS LOCATED IN THE 100 YEAR FLOOD ZONE
6. NO PREVIOUS ZONING HISTORY OR VIOLATIONS KNOWN
7. NO HISTORIC STRUCTURES, ARCHEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS ARE KNOWN TO EXIST
8. BUILDING COVERAGE.....3450 / 19,200 = 18 %

OWNER

FLIGHTLINE GROUP LLC
10303 CONISTON COURT
POTOMAC, MD. 20854
L.34276 F.256
ACCT. NO. 1507470610

#2015-0024-A
R.D.

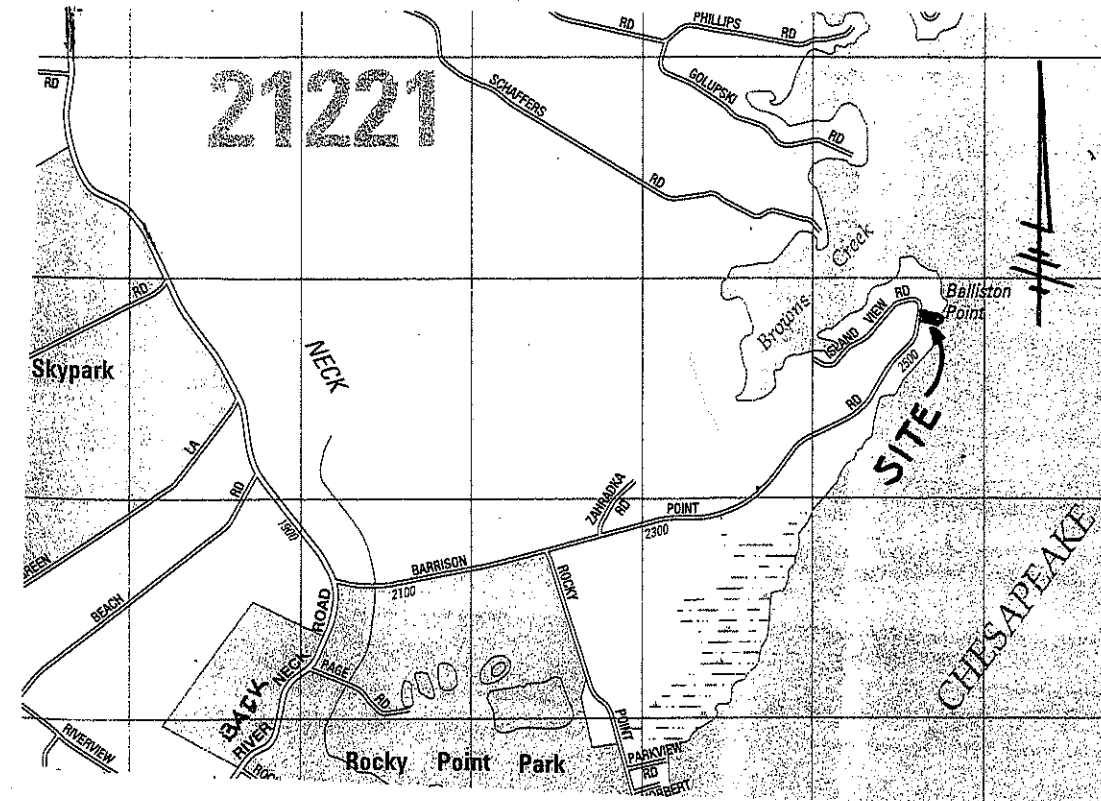
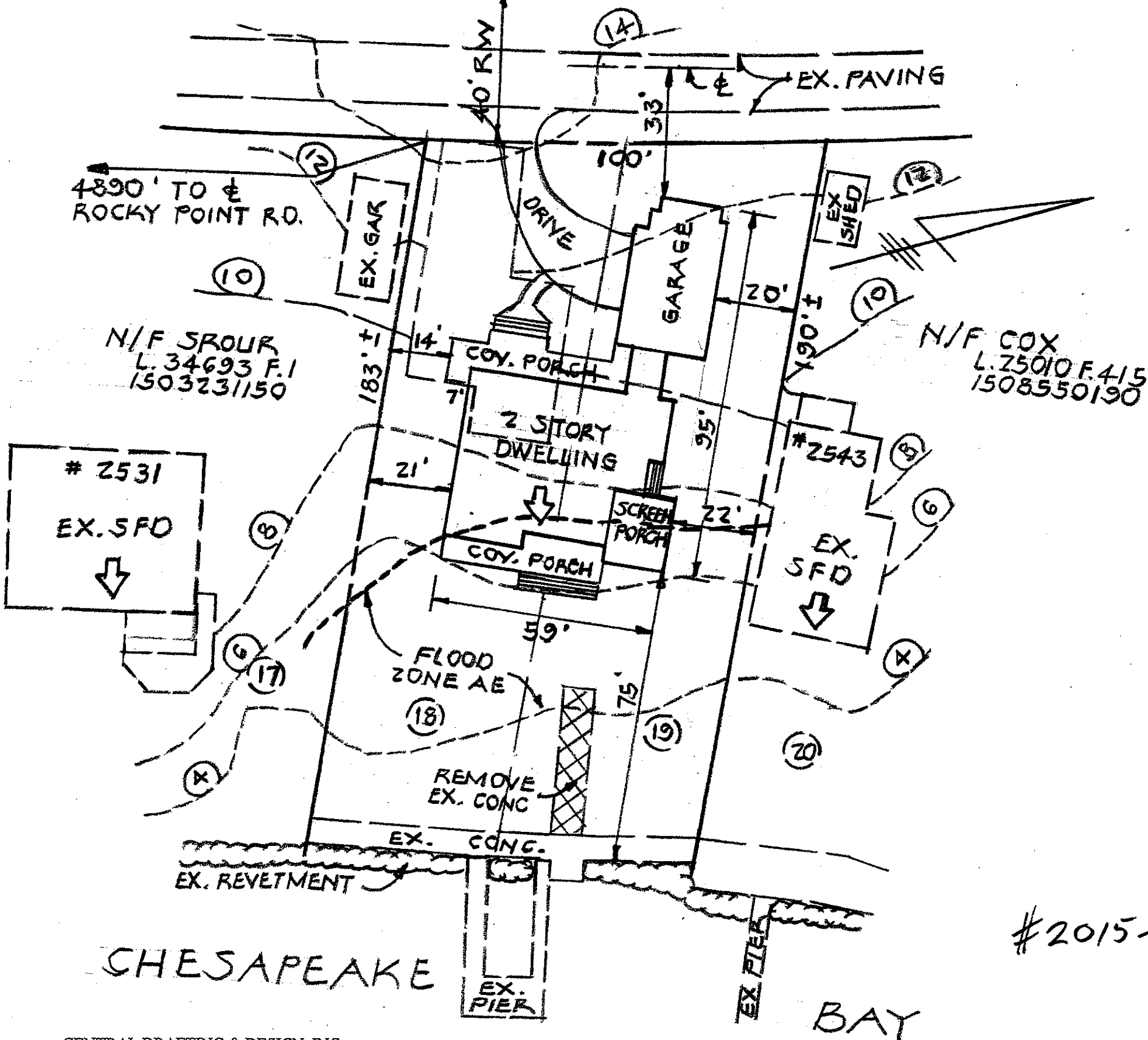
PLAT TO ACCOMPANY PETITION FOR VARIANCE

2539 BARRISON POINT ROAD

LOTS 18 AND 19 BARRISON POINT P.B.8 F.82
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 30 FEET JULY 17, 2014

BARRISON POINT ROAD



VICINITY MAP
SCALE 1" = 2000'

NOTES:

1. ZONING.....RC 5 (MAP NO. 105B2)
2. LOT AREA.....19,200 S.F. = 0.441 ACRE +/-
3. PUBLIC WATER AND SEWER
4. SITE IS LOCATED IN LIMITED DEVELOPMENT AREA, AND BUFFER MANAGEMENT AREA WITHIN THE CHESAPEAKE BAY CRITICAL AREA
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OWNER

FLIGHTLINE GROUP LLC
10303 CONISTON COURT
POTOMAC, MD. 20854
L.34276 F.256
ACCT. NO. 1507470610

#2015-0024-A

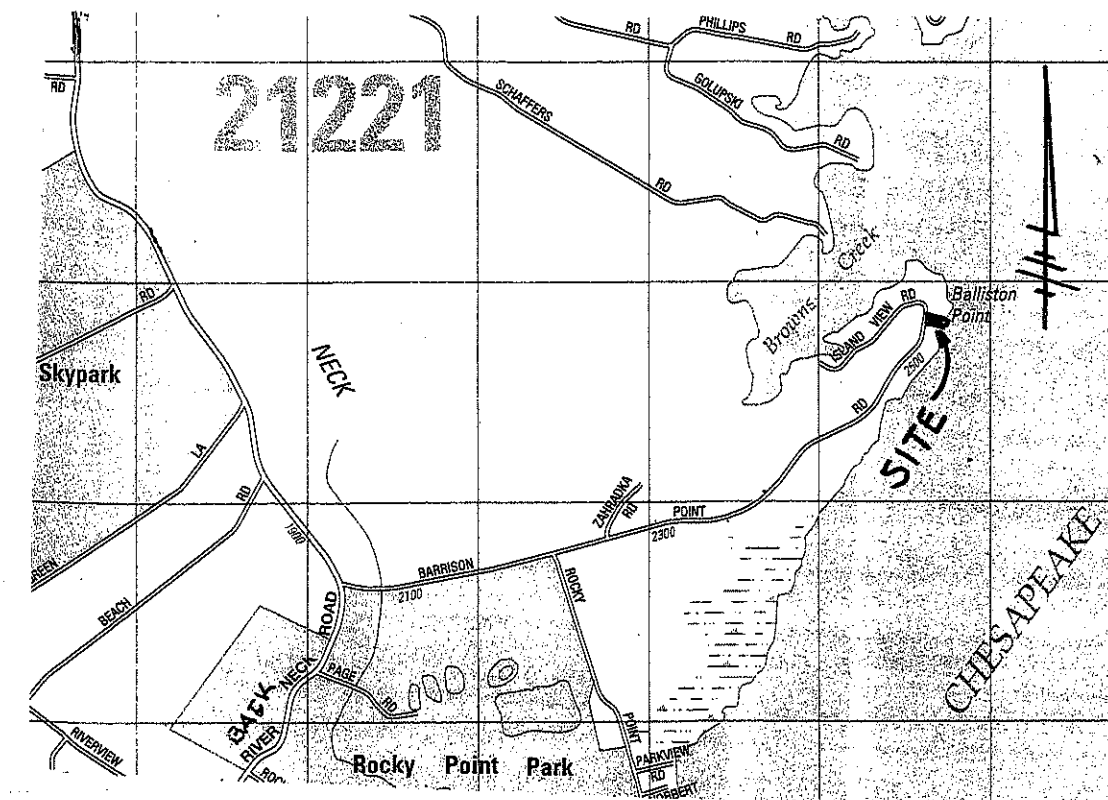
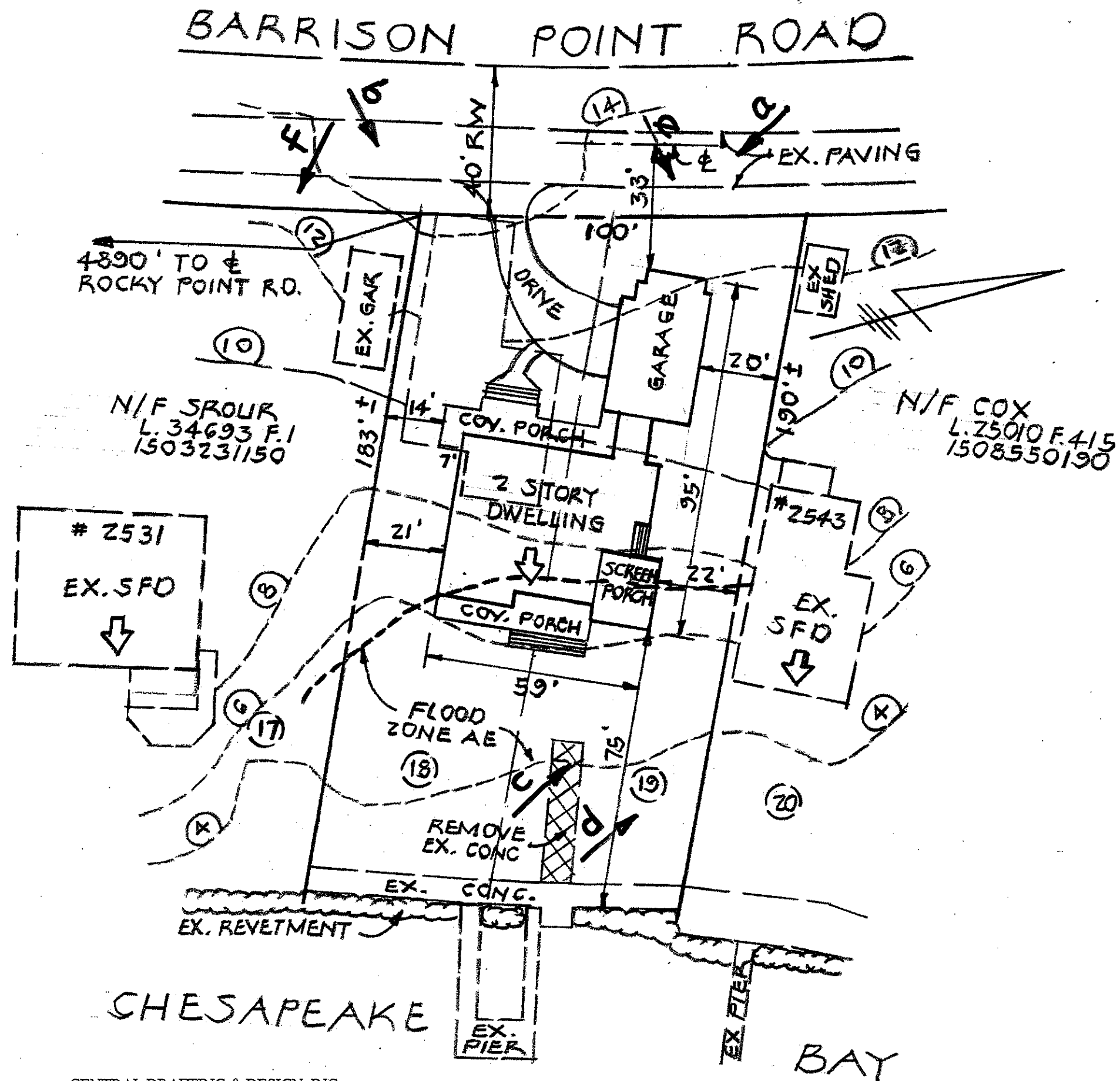
R.D.

PLAT TO ACCOMPANY PETITION FOR VARIANCE

2539 BARRISON POINT ROAD

LOTS 18 AND 19 BARRISON POINT P.B.8 F.82
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 30 FEET JULY 17, 2014



NOTES:

1. ZONING.....RC 5 (MAP NO. 105B2)
2. LOT AREA.....19,200 S.F. = 0.441 ACRE +/-
3. PUBLIC WATER AND SEWER
4. SITE IS LOCATED IN LIMITED DEVELOPMENT AREA, AND BUFFER MANAGEMENT AREA WITHIN THE CHESAPEAKE BAY CRITICAL AREA
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8. BUILDING COVERAGE.....3450 / 19,200 = 18 %

PETITIONER'S
EXHIBIT NO. **7a-6f**

OWNER
FLIGHTLINE GROUP LLC
10303 CONISTON COURT
POTOMAC, MD. 20854
L.34276 F.256
ACCT. NO. 1507470610

PHOTOS

PLAT TO ACCOMPANY PETITION FOR VARIANCE

2539 BARRISON POINT ROAD
LOTS 18 AND 19 BARRISON POINT P.B.8 F.82
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET JULY 17, 2014