# IN RE: PETITION FOR VARIANCE (1300 Shore Road)

15<sup>th</sup> Election District 3<sup>rd</sup> Councilmanic District Scott Copinger Petitioner

- BEFORE THE
- \* OFFICE OF ADMINISTRATIVE
- \* HEARINGS FOR
- \* BALTIMORE COUNTY
- \* CASE NO. 2015-0107-A

#### **OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by the legal owner, Scott Copinger, for property located at 1300 Shore Road. The Petitioner is requesting variance relief from Section 417.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed pier with a 0 ft. setback to the divisional property line in lieu of the minimum 10 ft.

A hearing was held on Thursday, February 26, 2015 at 11:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. Scott Copinger and Bernadette Moskunas from Site Rite Surveying attended in support of the request. Neighbor, Joanna Esty supports the request. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Environmental Protection and Sustainability (DEPS) dated January 16, 2015.

The Petition was advertised and posted as required by the Baltimore County Zoning Regulations.

The subject property (zoned DR 5.5) is approximately 13,312 square feet and is improved with a single family dwelling.

ORDER RECEIVED FOR FILING

Date 33/15

By \_\_\_\_\_\_

To obtain variance relief requires a showing that:

(1) The property is unique; and

(2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

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

Petitioner has met this test. The shoreline of Petitioners property is irregular itself as well as in relation to its adjacent neighbor.

Petitioner would experience a practical difficulty if the regulations were strictly interpreted, as there are already existing piers at approximately the same angle from the shore as the proposed pier. Without the requested variance Petitioner would be unable to construct his pier in harmony with the adjacent piers that are already in the immediate area. I also believe the variance can be granted without a detrimental impact upon the community.

Finally, in order to align his new pier in harmony with those of his neighbors, the proposed pier will, of necessity, cross the division line with the property owned by adjacent neighbor Joanna Esty, who resides at 1216 Shore Road. Letters were submitted both from Ms. Esty and Lou and Ann Workmeister (who are the other adjacent neighbors), agreeing to and supporting Petitioners requests. Presuming Petitioners request meets all other standards, the building engineer should grant the Petitioners request for a permit to construct the proposed pier.

THEREFORE, IT IS ORDERED, this <u>3rd</u> day of March, 2015 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from B.C.Z.R. § 417.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed pier with a 0 ft. setback to the divisional property line in lieu of the minimum 10 ft., be and is hereby GRANTED, and

IT IS FURTHER ORDERED that Petitioners plans be submitted to the Building Engineer

ORDER RECEIVED FOR FILING

DS

By\_

to issue an appropriate permit consistent with this Opinion and Order.

The relief granted herein shall be subject to the following:

- 1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
- 2. Prior to issuance of permits, Petitioner must comply with the Department of Environmental Protection and Sustainability ZAC comment dated January 16, 2015, a copy of which is attached hereto and incorporated herein.

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

LAWRENCE M. STAHL

Managing Administrative Law Judge for

**Baltimore County** 

LMS:sln

ORDER RECEIVED FOR FILING

Date\_\_\_\_\_\_\_

By.

#### **BALTIMORE COUNTY, MARYLAND**

#### **Inter-Office Correspondence**

RECEIVED



JAN 1 6 2015

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:

January 16, 2015

SUBJECT:

DEPS Comment for Zoning Item

# 2015-0107-A

Address

1300 Shore Road (Copinger Property)

EPS has reviewed the subject zoning petition for compliance with the goals of the Statemandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to allow a pier with a 0 foot setback to the divisional property line instead of the minimum 10 foot setback. The lot is waterfront and has a dwelling. The proposed pier runs parallel to the existing pier to the south. No structures are proposed on the land. The pier will be within the allowable width and length limits, therefore the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

So long as the pier meets length and width limits and is constructed with all required permits to required standards, it 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 ORDER RECEIVED FOR FILING

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Date\_ 3315

By\_\_\_\_

fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

The Critical Area requirements allow for private piers on residential lots; therefore, the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger – Environmental Impact Review (EIR)

ORDER RECEIVED FOR FILING

Date\_\_\_\_3



KEVIN KAMENETZ County Executive

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

March 3, 2015

Scott Copinger 1300 Shore Road Baltimore, Maryland 21220

RE:

Petition for Variance

Property: 1300 Shore Road Case No. 2015-0107-A

Dear Mr. Copinger:

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.

LAWRENCE M. STAI

Managing Administrative Law Judge

for Baltimore County

LMS:sln Enclosure

Bernadette Moskunas, Site Rite Surveying, 200 E. Joppa Road, Room 101 c: Towson, Maryland 21286

# CBCA

### **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 Hearings	for Baltimore County for the property located at:
Address 300 SNOW KORA	Currently zoned D. R. 5.5
Deed Reference 28265 / 49	10 Digit Tax Account # 1 5 1 9 6 4 0 3 2 0
Owner(s) Printed Name(s) Scott Copinger	
(SELECT THE HEARING(S) BY MARKING X AT THE APPR	ROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)
For Administrative Variances, the Affidavit on the	e reverse of this Petition form must be completed and notarized.
attached hereto and made a part hereof, hereby petition fo	
1. ADMINISTRATIVE VARIANCE from Section(s)	417.3 BCZR. To permit a propos back to the divisional property
line in lieu of the mil	nimum 10 feet.
of the zoning regulations of Baltimore County, to the zoning	g law of Baltimore County.
<ol> <li> ADMINISTRATIVE SPECIAL HEARING to appropriate type of work in this space: i.e., to refer the control of the</li></ol>	rove a waiver pursuant to Section 32-4-107(b) of the Baltimore raze, alter or construct addition to building)
of the Baltimore County Code to the development law of F	Politimore County
of the Baltimore County Code, to the development law of E Property is to be posted and advertised as prescribed by the zoning regul	lations.
I/ we agree to pay expenses of above petition(s), advertising, posting, etc Baltimore County adopted pursuant to the zoning law for Baltimore Count	c. and further agree to be bound by the zoning regulations and restrictions of
	Owner(s)/Petitioner(s):
	Scott Copinger
	Name #1 - Type or Print Name #2 - Type or Print
	12
	Signature #1 Signature # 2
•	
	Mailing Address City State
	4
	21220 , 4 0 9 16 5955 , Scott copinger @ gmail
	5
Attorney for Owner(s)/Petitioner(s):	Representative to be contacted:
	Bernadotte Moskunas Site Rife Snavying
Name- Type or Print	Name - Type or Print
	Smalittel Moshina
Signature	Signature
	200 E. Joppa Road Rm 101 Towson, MD
Mailing Address City State	Mailing Address City State
	21286, 410 828 9060, SHEVITCING@ adl. con
Zip Code Telephone # Email Address	Zip Code Telephone # Email Address
	to be required, it is ordered by the Office of Administrative Hearings for Baltimore oct matter of this petition be set for a public hearing, advertised, and re-posted as
Admin	nistrative Law Judge for Baltimore County
Admin	instruction budge for balantois doubly
CASE NUMBER 2015 0107 A Filing Date 16 16	Estimated Posting Pete ACASE Beviewed No.
	Rev 5/8/2014

By=

#### **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 and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 1300 Shore Road	Baltimore	MD	2/220 State	Zip Code
Based upon personal knowledge, the f Administrative Variance at the above a	ollowing are the fac	cts upon	which I/we bas	se the request for an
Due to the location of the meet the B.C.Z. P. for water	adjacent neigh front construct	bovis i	pier it is in	mpossible to
(If additional space for the petition requ	est or the above state	ement is	needed, label and	d attach it to this Form)
Signature of Owner (Affiant)			re of Owner (Affiar	
Scott Copinger Name-Print of Type		Name- F	Print or Type	
The following information is t	o be completed by a	Notary P	ublic of the State	of Maryland
STATE OF MARYLAND, COUNTY OF	BALTIMORE, to	wit:		
I HEREBY CERTIFY, this 3/51 and for the County aforesaid, personally a	ay of <u>October</u> , ppeared:	2014	, before me a	Notary of Maryland, in
Print name(s) here: Scott Copinger				
the Affiant(s) herein, personally known or	satisfactorily identifie	d to me	as such Affiant(s	).
AS WITNESS my hand and Notaries Seal	Acqueline Notary Public 410	mag	lano m	chowell
Jacqueline Megliano McDowell	My Commission Ex	pires		

#### ZONING PROPERTY DESCRIPTION #1300 Shore Road

BEGINNING on the southwest side of Shore Road which is 50 feet wide at the distance of 25 feet southwest of the centerline of Elm Drive which is 45 feet wide. Being Lot No. 244 in the subdivision of "Stansbury Manor" as recorded in the Baltimore County Plat Book No. 13, folio No. 138, containing 13,312 square feet, more or less. Located in the 15<sup>th</sup> Election District and 6<sup>th</sup> Councilmanic District.

Michael V. Moskunas

**Professional Land Surveyor** 

Reg. No. 21175

Site Rite Surveying, Inc. 200 E. Joppa Road Suite 101 Towson MD 21286 (410) 828-9060

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#### **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 2015- 0107 -A Address 300 Shire Pand
Contact Person: Gary Hout Planer, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 11 6 14 Posting Date: 11 10 14 Closing Date: 12 01
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. <u>POSTING/COST:</u> 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.
2. <u>DEADLINE</u> : 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.
4. 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 2015- 0107 -A Address 1300 Shore Poad
Petitioner's Name Scott Copinger Telephone 410 916-5955
Posting Date: 11/10/14 Closing Date: 12/01/14
Wording for Sign: To permit a proposed pier with a 10 toot
in her of the 10 fet minimum set-back.

#### CERTIFICATE OF POSTING



		40									
	CASE NO: 2015 - 0107-A										
	PETITIONER/DEVELOPER SITE RITE SUBJETINE INC.										
	DATE OF HEARING/CLOSING:										
BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 11 WEST CHESAPEAKE AVENUE											
ATTENTION:	TTENTION:										
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	TO CERITFY UNDER THE PENALTIES OF PERJURY TO N(S) REQUIRED BY LAW WERE POSTED CONSPICUO										
	1300 SHORE RUAD										
(1	RE POSTED ON November 14, 2014  MONTH, DAY, YEAR)  SINCERELY, ALL A. 11										
	SIGNATURE OF SIGN POSTER AND DATE:										
	MARTIN OGLE (SIGN POSTER)										
	60 CHELMSFORD COURT										
	BALTIMORE,MD 21220										

(ADDRESS) PHONE NUMBER:443-629-3411



Mabush 11/14/14



501 N. Calvert St., P.O. Box 1377 Baltimore, Maryland 21278-0001

January 12, 2015

Dear Sir or Madam,

Re: Zoning Case # 2015-0107-A

Due to an error by this office, the Notice of Zoning Hearing as mentioned above which was scheduled to run on December 30, 2014 did not run on this date.

The notice ran the following week on January 6<sup>th</sup>, 2015.

Please accept our apologies for any inconvenience this error may have cuaused.

Yours, truly

Susan Wilkinson Legal Advertising

410-332-6132



501 N. Calvert St., P.O. Box 1377 Baltimore, Maryland 21278-0001 tel: 410/332-6000 800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 2942951

#### Sold To:

Scott Copinger - CU00404170 1300 Shore Rd Middle River, MD 21220

#### Bill To:

Scott Copinger - CU00404170 1300 Shore Rd Middle River, MD 21220

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Jan 06, 2015

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

#### 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: # 2015-0107-A
1300 Shore Poed

1300 Shore Road SW/s Shore Road, 25 ft. SE to the intersection of Shore

SW/s Shore Road, 25 ft. SE to the intersection of shore Road and Elm Drive
15th Election District - 3rd Councilmanic District
Legal Owner(s) Scott Copinger
Variance: to permit a proposed pier with a 0 ft. setback to the divisional property line in lieu of the minimum 10 ft. Hearing: Friday, January 23, 2015 at 1:30 p.m., Jefferson Building, Room 205, 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.

JT 1/648 January 6

•	CASE NO: 0015-010 (-A
	PETITIONER/DEVELOPER
	SITE LITE SULVEYING INC
	DATE OF HEARING/CLOSING:
	1/23/15
PERMITS AND COUNTY OFFI	COUNTY DEPARTMENT OF DEVELOPMENT MANAGEMENT CE BUILDING,ROOM 111 ESAPEAKE AVENUE
ATTENTION:	
ADIES AND G	ENTI FMFN:
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	IS TO CERITFY UNDER THE PENALTIES OF PERJURY THAT THE GN(S)REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
	1300 SHOLE ROLD
	700 2110-2 7013
HIS SIGN(S) W	(MONTH, DAY, YEAR)
	SINCERELY, July 1/1/15
	SIGNATURE OF SIGN POSTER AND DATE:
	MARTIN OGLE
	(SIGN POSTER)
	60 CHELMSFORD COURT
	BALTIMORE,MD 21220
	(ADDRESS)
	PHONE NUMBER:443-629-3411



malingle 1/1/15

#### **Sherry Nuffer**

From:

Sherry Nuffer

Sent:

Thursday, January 15, 2015 1:02 PM

To: Subject: Jeffery Livingston 2015-0107-A

Jeff,

There is a hearing on the above referenced case on Friday, January 23, 2015. It is located in a CBCA Flood area and we have no ZAC comments. For your convenience I've attached a case description for this case.. Please Advise.

Thank you,

Sherry

#### CASE NUMBER: 2015-0107-A

1300 SHORE RD.

Location: SW/S of Shore Rd., 25 ft. SE to the intersection of Shore Road and Elm Drive

15th Election District, 3rd Council District

Legal owner:

Scott Copinger

ADMINISTRATIVE VARIANCE To permit a proposed pier with a 0 ft. setback to the divisional property line in lieu of the minimum 10 ft.

**Hearing:** Friday, 1/23/2015, 1:30 PM, Jefferson Building, 105 West Chesapeake Avenue, Room 205, Towson, MD 21204

TO: PATUXENT PUBLISHING COMPANY

Tuesday, December 30, 2014 Issue - Jeffersonian

Please forward billing to:

Scott Copinger 1300 Shore Road Baltimore, MD 21220 410-916-5955

41. 1 200

#### 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: 2015-0107-A

1300 Shore Road

SW/s Shore Road, 25 ft. SE to the intersection of Shore Road and Elm Drive

15<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Scott Copinger

Variance to permit a proposed pier with a 0 ft. setback to the divisional property line in lieu of the minimum 10 ft.

Hearing: Friday, January 23, 2015 at 1:30 p.m., Jefferson Building Room 205, 105 W. 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 December 10, 2014 ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

#### 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: 2015-0107-A

1300 Shore Road

SW/s Shore Road, 25 ft. SE to the intersection of Shore Road and Elm Drive

15<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Scott Copinger

Variance to permit a proposed pier with a 0 ft. setback to the divisional property line in lieu of the minimum 10 ft.

Hearing: Friday, January 23, 2015 at 1:30 p.m., Jefferson Building, Room 205, 105 W. Chesapeake Avenue, Towson 21204

Arnold Jabon Director

AJ:kl

C: Scott Copinger, 1300 Shore Road, Baltimore 21220
Bernadette Moskunas, 200 E. Joppa Road, Rm. 101, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 3, 2015.

(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.



KEVIN KAMENETZ County Executive

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

December 2, 2014

Scott Copinger 1300 Shore Road Baltimore MD 21220

RE: Case Number: 2015-0107 A, Address: 1300 Shore Road

Dear Mr. Copinger:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 6, 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,

U. Cal Richal &

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Bernadette Moskunas, Site Rite Surveying, 200 E Joppa Road, Room 101, Towson MD 21286

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



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

Date: 11/17/14

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

**Baltimore County** RE:

Item No 2015-0107-A
Administrative Vavioure
Scott Copinger
1300Shore 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. 2015-0107-A

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) extension 5598, or by email at (rzeller@sha.state.md.us).

Steven D. Foster, Chief/ Development Manager

Access Management Division

SDF/raz

# BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: November 21, 2014

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

**Zoning Advisory Committee Meeting** 

For November 24, 2014

Item No. 2015-0098, 0105, 0107, 0108 and 0110

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

DAK:CEN cc:file

#### **BALTIMORE COUNTY, MARYLAND**

#### **Inter-Office Correspondence**

RECEIVED



JAN 16 2015

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:

January 16, 2015

SUBJECT:

DEPS Comment for Zoning Item

# 2015-0107-A

Address

1300 Shore Road (Copinger Property)

EPS has reviewed the subject zoning petition for compliance with the goals of the Statemandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to allow a pier with a 0 foot setback to the divisional property line instead of the minimum 10 foot setback. The lot is waterfront and has a dwelling. The proposed pier runs parallel to the existing pier to the south. No structures are proposed on the land. The pier will be within the allowable width and length limits, therefore the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

So long as the pier meets length and width limits and is constructed with all required permits to required standards, it 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;

The Critical Area requirements allow for private piers on residential lots; therefore, the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger - Environmental Impact Review (EIR)

#### **BALTIMORE COUNTY, MARYLAND**

#### Inter-Office Memorandum

DATE: December 2, 2014

TO: Kristen Lewis, Office of Zoning Review

Department of Permits, Approvals & Inspections (PAI)

FROM: John E. Beverungen, Administrative Law Judge

Office of Administrative Hearings

RE: Petition for Administrative Variance – 12/01/14 Closing Date

Case No. 2015-0107-A - 1300 Shore Road

After a review of the above-captioned case file, I am requesting that this case be set in for a public hearing.

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

**VARIANCE** 

1300 Shore Road; SW/S Shore Road, 25' SE\*

of intersection of Shore Road & Elm Drive

15th Election & 6th Councilmanic Districts

Legal Owner(s): Scott Copinger

RECEIVED

Petitioner(s)

BEFORE THE OFFICE

**OF ADMINSTRATIVE** 

**HEARINGS FOR** 

**BALTIMORE COUNTY** 

2015-107-A

DEC 1 1 2014

\* \* \* \* \*
OFFICE OF ADMINISTRATIVE HEARINGS

#### **ENTRY OF APPEARANCE**

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

Peter Max Zummerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel Jefferson Building, Room 204

Carle S Vemlio

105 West Chesapeake Avenue Towson, MD 21204

(410) 887-2188

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 11th day of December, 2014, a copy of the foregoing Entry of Appearance was mailed to Bernadette Moskunas, Site Rite Surveying, 200 E. Joppa Road, Room 101, Towson, Maryland 21286, Representative for Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

#### MEMORANDUM

TO:

Kristen Lewis

Office of Zoning Review

FROM:

Lawrence M. Stahl, Managing Administrative Law Judge

Office of Administrative Hearings

DATE:

January 26

SUBJECT:

Case No. 2015-0107-A

As you are aware, the above-referenced case was scheduled before the undersigned on January 23, 2015. This case is being generally continued so that the Petitioner can consult with Don Brand for proper filing.

These matters are now being returned to you for rescheduling and processing. Thanks.

LMS:sln

c: File

#### MEMORANDUM

DATE:

April 8, 2015

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2015-0107-A - Appeal Period Expired

The appeal period for the above-referenced case expired on April 2, 2015. 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

#### **Debra Wiley**

From:

Debra Wiley

Sent:

Tuesday, December 02, 2014 10:41 AM

To:

Jeffery Livingston

**Subject:** 

ZAC Comment Needed - 2015-0107-A - Closing date: 12/1 - 1300 Shore Rd.

Hi Jeff,

Zoning has indicated that the above Administrative Variance is in CBCA and we have no ZAC comment from DEPS. For your convenience, I've included a case description for this particular case.

Please provide ASAP.

Thanks.

#### CASE NUMBER: 2015-0107-A

1300 SHORE RD.

Location: SW/S of Shore Rd., 25 ft. SE to the intersection of Shore Rd. and Elm Drive

15th Election District, 3rd Council District

Legal owner:

Scott Copinger

ADMINISTRATIVE VARIANCE To permit a proposed pier with a 0 ft. setback to the divisional property line in lieu of the minimum 10 ft.

Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

10/29/2014

To whom it may concern;

I, Joanna Esty, am aware and approve of the installation of a new pier at my neighbors house located at 1300 Shore Road. Scott Copinger has reviewed the proposed pier plans with me. If you have any questions, please feel free to contact us.

Thanks,

Joanna Esty

1216 Shore Road

#### Real Property Data Search (w1)

#### Guide to searching the database

#### Search Result for BALTIMORE COUNTY

View N	Map	8	Vlew Ground	Rent Rede	mption			View	Ground	Rent Re	gistratio	n	
Account	Identifi	er:	Distri	ct - 15 Acc	ount Nur	nber - 1	51964032	0					
		- New York			Owner Inf								
Owner Name: Mailing Address:			1300	NGER SCO SHORE RD TIMORE MD	)	Principal Resi						_	
,					n & Struct	ture in	ormation						
Premise	s Addre	188:	1300 0-000 Wate	SHORE RD		L	egal Desci	ription	:	1300 S STANS	HORE REBURY M	WS ANOR	
Map:	Grid:	Parcel:	Sub District:	Subdivisi	ion: Se	ction:	Block:	Lot:	Asse Year:	ssment	Plat No:		
0091	0019	0253		0000	4			244	2015		Plat Ref:	0013/ 0138	
Specia	Tax A	reas:			Ad	wn: I Valor x Clas				NO	ONE		
Primar Built 1994	y Struct	ture	Above Grad Area 2,016 SF	e Enclosed	d Fin		Basement		Proper Area 13,312	ty Land SF	Co Us 34	unty e	
Stories	Bas	sement	Type STANDARD		Exterior FRAME	Full/ 2 ful	Half Bath	Ga	rage	Last Ma	ajor Reno	vation	
1 1/2	110		OTANDARD		Value Info								
			Base	e Value	Val	ue		Phas	e-in Ass	sessmen	ıts		
					As	-	5	As of			As of 07/01/201	5	
Land:			262,3	300		2,300		01.01					
Improv	ements		145,7	700	166	3,300							
Total:			408,0	000	428,600		408,000		00		414,867		
Prefere	ential La	ind:	0								0		
				T	ransfer in	format	ion						
			HOME LOAN		Date: 06/19 Deed1: /28		0049			rice: \$37 eed2:	72,000		
Seller:	BERUB	E VALER	getter incommunication for	_	Date: 04/07/2008 Deed1: /26861/ 00399			Price: \$517,798 Deed2:					
			ANTHONY	turns or outlier	Date: 02/11			Price: \$265,000					
			GTH OTHER	_	Deed1: /14		390			eed2:	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
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Municip	al:		000			0.	00.00			0.00 0.	00		
	empt:				Special Ta	x Reca	pture:						
	t Class:	1			NONE								

Homestead Application Status: No Application



#### Guide to searching the database

#### Search Result for BALTIMORE COUNTY

View Map View GroundRent Re						demption View GroundRent Registration							
Account	District - 16 Account Number - 1602470312												
Owner Name: ESTY JOAN					NA Use: Principal R			RESIDI YES			ENITIAL		
Mailing A	Address	B:		1216 SHORE RD BALTIMORE MD 21220- 6626				Deed Reference:			133405/ 00276		
				0010				formation					
Premise	s Addre	38:		1216 BALT Water	SHORE IMORE rfront	RD 21220-5	526	Legal Desc	ription	:	PT LT 1216 S BULL	40 .5596 HORE R NECK	AC D
Map:	Grid:	Parcel:	Sub	rict:	Subdiv	ision:	Section:	Block:	Lot:	Asse:	ssment	Plat No:	
0091	0019	0067			0000				40	2015		Plat Ref:	0004/
Specia	I Tax A	reas:		4	er in the drone		Town: Ad Valor Tax Clas				NO	NE	*
Primar Built 1920	y Struc	ture	Above Area 1,690		e Enclos	sed	Finished Area	Basement		Propert Area 24,376	ty Land SF	Co Us 34	unty
Stories	Bas YES	sement	Type	DARD	UNIT	Exterio		Half Bath	Gara 1 Ca		Last Ma	jor Ren	ovation
							Informati						
Land:	ements			265,0 40,50 305,5	0		Value As of 01/01/201 265,000 40,500 305,500	2	As of 07/01/	2014	sessmen A	ts As of 17/01/201	5
Prefer	ential L	nnd:		0									
							r Informa						
		K JOSEP				Date: 04/03/2013 Deed1: /33405/ 00276					rice: \$23 eed2:	5,000	
Seller:	BLAZE	K JOSEP	HÄBL	AZEK	tiqueti	Date: 0	g - 49 Au	P	rice: \$0				
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						Exempti	on Inform						
County:		Assessm	ents:	Class 000				07/01/2014 0.00			07/01/	2015	
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Tax Ex	empt:	P 0	ni Ace i Sunda		1910	Specia	I Tax Rec	apture:					4 4
								Information					

	HONFOR PERMIT DATE: 2/4/15
	COUNTY MARYLAND TS, APPROVALS & INSPECTIONS OF A F. N. 1/1/2
DEPARTMENT OF PERMI	OEA: L'D'IQ
12469147	#1200 Carrier BLDG.
	\$ 300 Snore Road YES WES
RECRIPT #: A707348 SUITE/SPACE/FLOOR	
CONTROL #: WF SUBDIV: "STANS VA	
XREF #: TAX ACCOUNT*#:	1   S 9640320 DISTRICT PRECINCT
FEE: 70- NAME CODINGOV	
PAID:   ADDR   1300 Shore	
PAID BY	DOES THIS BLDG.
INSPECTOR: APPLICANT INFO	DRMATION HAVE SPRINGERS
I HAVE CAREFULLY READ THIS APPLICATION NAME: BOWN A	eth Moskunas YES_ NO X
AND KNOW THE SAME IS CORRECT AND TRUE. COMPANY: SALE	K Surveying Inc
AND THAT IN DOING THIS WORK ALL PROVIDENCE STREET 200 E SINGER BALTHORE COUNTY COME AND CITY, ST, ZIP TOWS	Joppa Holed RM 101
APPROPRIATE STATE REGULATIONS WILL BE CHIT, ST, ZIP	601
OR NOT AND LITTLE PROVINCE ALL PROVINCES APPLICANT	
INSPECTIONS. SIGNATURE: DANNE	dotte Moshim DRC#
PLANS: CONST 2	
TENANT	
CONTR. OWNLY.	
TYPE F IMPROVEMENT ENGNR:	
1. NEW BLDG CONST SELLR:	v .
2. ADDITION 3. ALTERATION	
4. REPAIR DESCRIBE PROPOS	SED WORK: CBOA. Construct 120' long x 6' wide pier on
5. WRECKING Dark Head Creek per pl	ans. Army Corps & state permits may be required for
6. MOVING proposed construction.	and with our position from the state of the
7. OTHER	sport to
	Will use county Plans P. M.
TYPE OF USE	Will bye Court
	Dlane.
RESIDENTIAL NON-RESIDE	SNTIAL
01. ONE FAMILY 08. AMUS	SEMENT, RECREATION, PLACE OF ASSEMBLY
	RCH, OTHER RELIGIOUS BUILDING TE (LENGTH HEIGHT )
04. FIVE OR MORE FAMILY 11. INDU	STRIAL, STORAGE BUILDING
05. SWIMMING POOL 13. SERV	CING GARAGE
	ICE STATION, REPAIR GARAGE
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06. GARAGE 14. HOSE 07. OTHER 01=0 15. OFFI	TICE STATION, REPAIR GARAGE PITAL, INSTITUTIONAL, NURSING HOME ICE, BANK, PROFESSIONAL IC UTILITY
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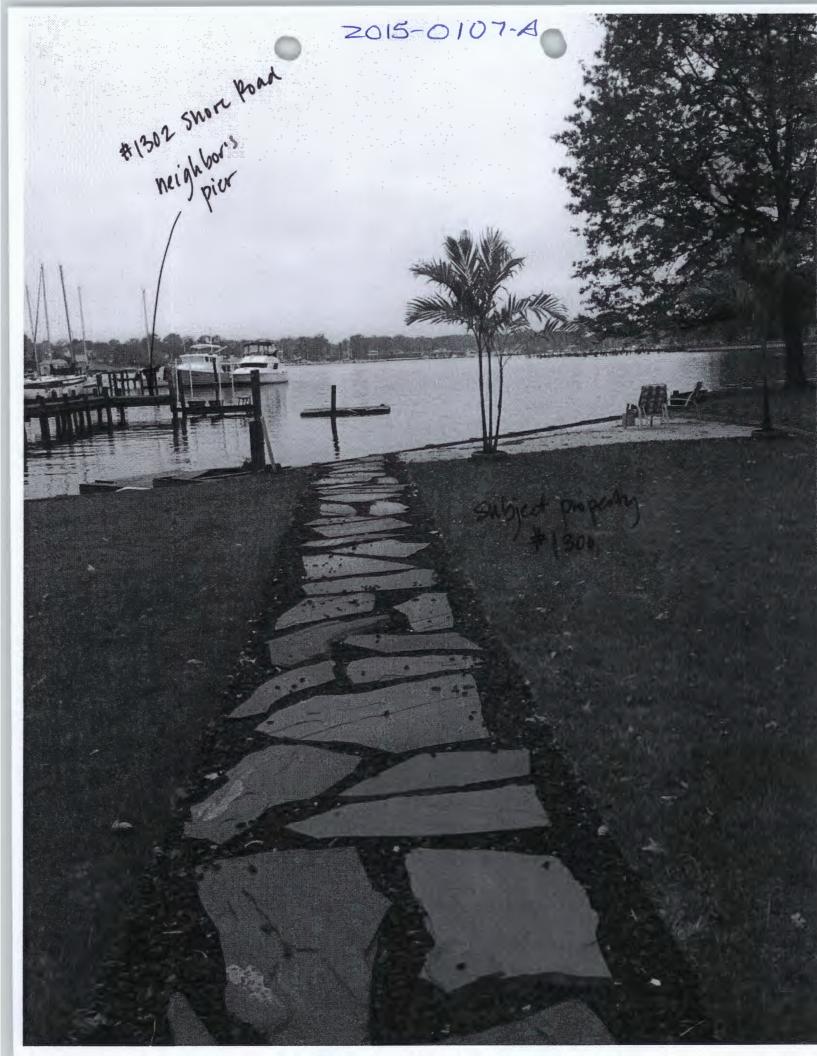
## PLEASE PRINT CLEARLY

CASE NAME 1300 Shore Poal CASE NUMBER 2015 - 0107-A DATE 2/26/2015

# PETITIONER'S SIGN-IN SHEET

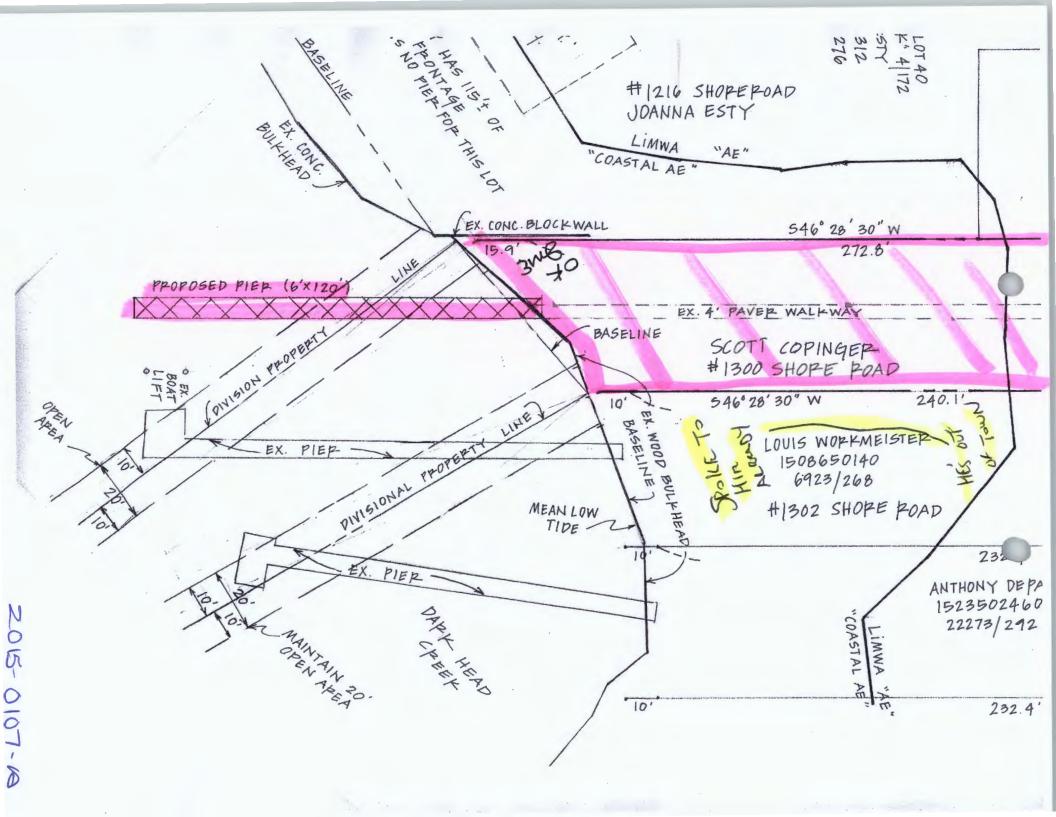
NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
emadete Moskunas	· 200 E. Joppa Poad Rm 101.	Towson, MD 21286	siteriteine@ aol. com
SCOTT CONNCER	1300'SHORE NO	WIDDLE KNOW IND SISSO	Scattropingar@gmail.com
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Dood won's Toes # X-1010-5102





Case No.: \_

2815-0107 A

**Exhibit Sheet** 

818

Sln 3-3-15

Petitioner/Developer

**Protestants** 

No. 1	SURVEY PLAT OF PIEP	
No. 2	ARIEL VIEW OF SITE	
No. 3		
No. 4		
No. 5		
No. 6		A.
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		
No. 12	·	

#### 10/29/2014

To whom it may concern;

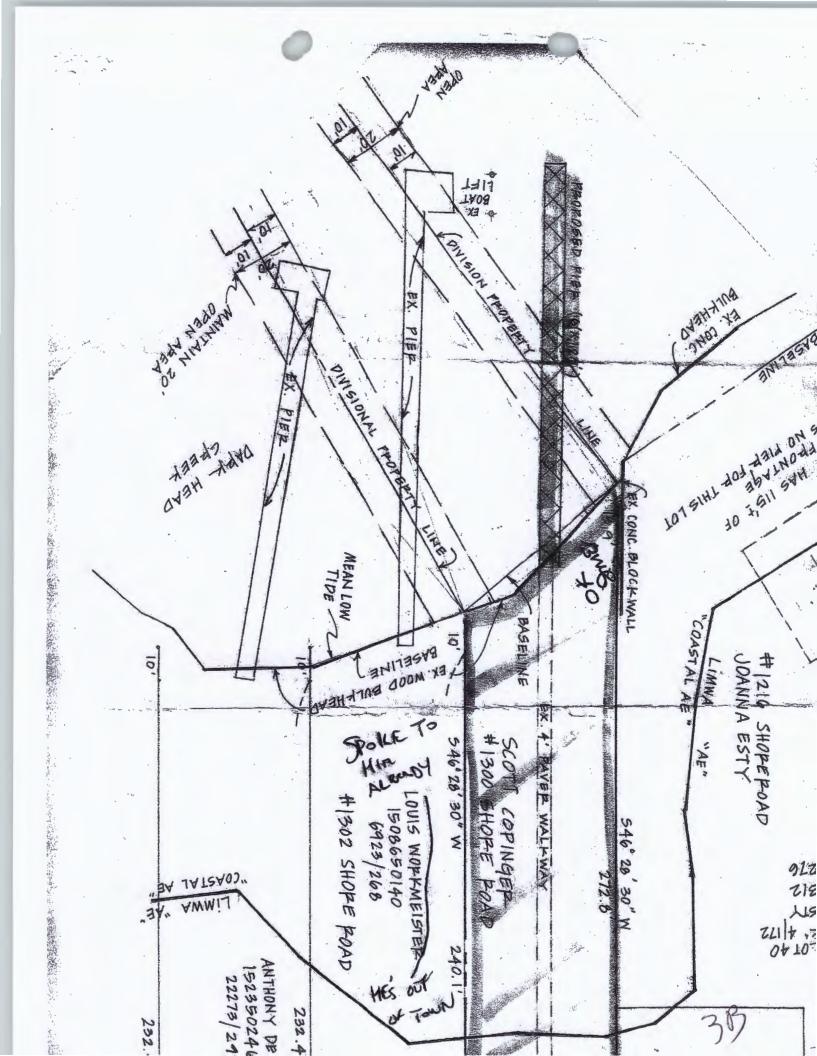
I, Joanna Esty, am aware and approve of the installation of a new pier at my neighbors house located at 1300 Shore Road. Scott Copinger has reviewed the proposed pier plans with me. If you have any questions, please feel free to contact us.

Thanks,

Joanna Esty

1216 Shore Road

in the



10/29/2014

To whom it may concern;

We reside at 1302 Shore Road. Our neighbor, Scott Copinger, at 1300 Shore Road has reviewed the proposed pier plans with us and we are in agreement with the installation and construction of the pier. If you have any questions, please feel free to contact us.

Thanks,

Lou & Ann Workmeister

Join Workmeester

1302 Shore Road

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My Neighborhood Map

Baltimore County My Neighborhood

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