



KEVIN KAMENETZ
County Executive

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

March 26, 2015

Eugene C. Salvo, Jr. & Doris Salvo Gryctz
2634 Holly Beach Road
Baltimore, Maryland 21221

RE: Petition for Administrative Variance
Case No. 2015-0191-A
Property: 2634 Holly Beach Road

Dear Petitioners:

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,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: David Billingsley, 601 Charwood Ct., Edgewood, MD 21040

IN RE: PETITION FOR ADMIN. VARIANCE *
(2634 Holly Beach Road)
15th Election District *
7th Council District
Eugene C. Salvo, Jr. & Doris Salvo Gryctz *
Petitioners

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2015-0191-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Eugene C. Salvo, Jr. & Doris Salvo Gryctz ("Petitioners"). The Petitioners are requesting Variance relief pursuant to §§ 1A04.3.B.2.b and 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R) as follows: (1) To permit a side yard setback of 10 ft. in lieu of the permitted 50 ft. and for an addition (one story, two-car garage) to an existing dwelling; and (2) To permit an existing shed in the front yard in lieu of the permitted rear yard. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. A ZAC comment was received from the Bureau of Development Plans Review (DPR) dated March 9, 2015, indicating that the ground elevation at the proposed garage is not within the tidal floodplain.

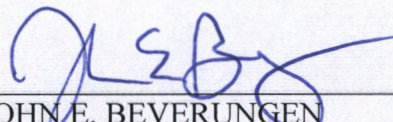
The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 4, 2015, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 3-26-15

By ESW

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 3-26-15

By (Signature)



CAC

ADMINISTRATIVE ZONING PETITION

FLOOD

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 2634 HOLLY BEACH ROAD Currently zoned RCS
Deed Reference L. 280211 F 292 10 Digit Tax Account # 1519001970
Owner(s) Printed Name(s) EUGENE C. SALVO, JR. & DORIS SALVO GRYCTZ

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

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. X **ADMINISTRATIVE VARIANCE** from Section(s) 1A04.3.B.2.6 & 400.1 (BCZR)

To permit a side yard setback of 10 feet in lieu of the permitted 50 feet and for an addition to an existing dwelling and to permit an existing shed in the front yard in lieu of the permitted rear yard.

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

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

EUGENE C. SALVO, JR. & DORIS SALVO GRYCTZ
Name #1 – Type or Print Name #2 – Type or Print
Eugene C. Salvo Jr. Doris Salvo Gryctz
Signature #1 Signature #2
2634 HOLLY BEACH RD BALTO, MD.
Mailing Address City State
21221 (410)335-8857
Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print
DAVID BILLINGSLEY
Signature
601 CHARWOOD CT. EDGEWOOD MD.
Mailing Address City State
21040 (410)679-8719 dwb0209@yahoo.com
Zip Code Telephone # Email Address

Representative to be contacted:

DAVID BILLINGSLEY
Name- Type or Print
David Billingsley
Signature
601 CHARWOOD CT. EDGEWOOD MD.
Mailing Address City State
21040 (410)679-8719 dwb0209@yahoo.com
Zip Code Telephone # Email Address

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

Administrative Law Judge for Baltimore County

CASE NUMBER 2015-0191-A Filing Date 2/27/2015 Estimated Posting Date 3/8/15 Reviewer

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: 2634 HOLLY BEACH RD BALTO MD 21221
Print or Type Address of property City State Zip Code

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

SEE ATTACHED

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

Eugene C. Salvo, Jr.
Signature of Owner (Affiant)

EUGENE C. SALVO, JR.
Name- Print or Type

Doris Salvo Gryetz
Signature of Owner (Affiant)

DORIS SALVO GRYETZ
Name- Print or Type

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

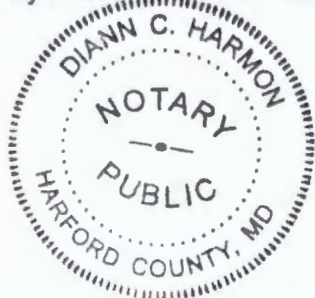
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19 day of Feb, 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: EUGENE C. SALVO JR AND DORIS SALVO GRYETZ

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal



Diann C. Harmon
Notary Public

11.21.14
My Commission Expires

REV. 5/8/2014

0191-A

2634 HOLLY NECK ROAD

The owner wishes to construct a one story two car garage attached to the existing dwelling. Due to the layout and location of the existing dwelling, it is not possible to construct the proposed garage in any location other than as shown on the plat accompanying the request.

It should be noted that a substantial number of properties in this immediate neighborhood have requested and been granted variances for side yard setbacks as small as 2 feet.

0191-A

ZONING DESCRIPTION

2634 HOLLY BEACH ROAD

Beginning at a point on the north side of Holly Beach Road (40 feet wide), distant 936 feet easterly from its intersection with the center of Henrietta Avenue, thence being all of Lots 29 and 30 as shown on the plat entitled Holly Beach recorded among the Baltimore County Plat Records in Plat Book 4 Folio 182. Containing 20,300 square feet or 0.466 acre of land, more or less.

Being known as 2634 Holly Beach Road. Located in the 15TH Election District and the 7TH Councilmanic District of Baltimore County, Maryland.

2015-0191-A











MEMORANDUM

DATE: April 28, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0191-A – Appeal Period Expired

The appeal period for the above-referenced case expired on April 27, 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

CASE NO. 2015- 0191-A

CHECKLIST

**Comment
Received**

Department

**Support/Oppose/
Conditions/
Comments/
No Comment**

3-9

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

C

DEPS Missing 3-24-15
(if not received, date e-mail sent 3-25-15)

FIRE DEPARTMENT

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

3-9

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: 3-4-15 by Billingsley

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 2015- 0191 -A Address 2634 Holly Beach Rd

Contact Person: LEONARD Wasilewski Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/27/15 Posting Date: 3/8/15 Closing Date: 3/23/15

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. **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.
2. **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.
3. **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- 0191 -A Address 2634 Holly Beach Road
Petitioner's Name Eugene C. Salvo & Doris Salvo/Graytz Telephone 410-335-8857
Posting Date: 3/8/15 Closing Date: 3/23/15

Wording for Sign:

To permit a side yard setback of 10 feet in lieu of the permitted 50 feet and
for an addition to an existing dwelling and to permit an existing shed in the front yard
in lieu of the permitted rear yard.

Revised 7/18/14

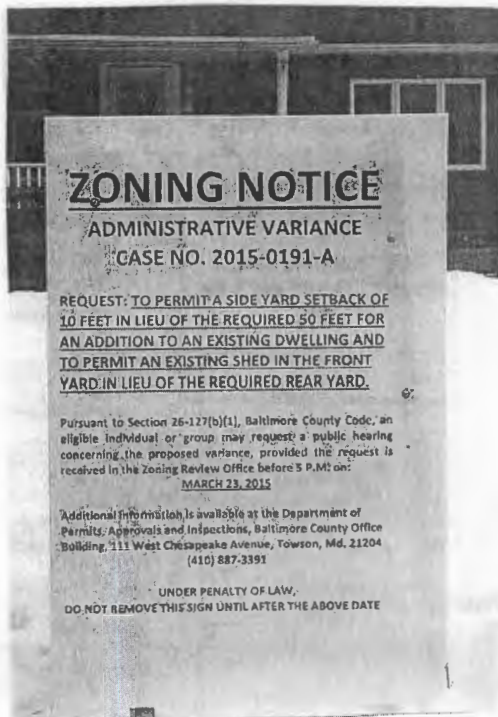
CERTIFICATE OF POSTINGDate: MARCH 4, 2015

RE: Project Name: 2634 HOLLY BEACH ROAD
Case Number /PAI Number: CASE NO. 2015-0191-A
Petitioner/Developer: SALVO / GRYCTZ
Date of Hearing/Closing: MARCH 23, 2015

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 _____
2634 HOLLY BEACH ROAD

The sign(s) were posted on MARCH 4, 2015

(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)

Debra Wiley

From: Debra Wiley
Sent: Wednesday, March 25, 2015 9:42 AM
To: Jeffery Livingston
Subject: ZAC Comment - 2015-0191-A

Hi Jeff,

The Administrative Variance case file is missing the CBCA ZAC comment. I have provided a case description for your convenience.

Thanks.

CASE NUMBER: 2015-0191-A

2634 HOLLY BEACH RD.

Location: N/S of Holly Beach Road, 936 ft. E of the c/line of Henrietta Avenue
15 Election District, 7th Council District

Legal owners: Eugene C. Salvo Jr & Doris Salvo Gryctz

ADMINISTRATIVE VARIANCE (1) To permit a side yard setback of 10 ft. in lieu of the permitted 50 ft. and for an addition to an existing dwelling; and (2) To permit an existing shed in the front yard in lieu of the permitted rear yard.

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



KEVIN KAMENETZ
County Executive

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

March 23, 2015

Eugene C. Jr & Doris Salvo Grytz
2634 Holly Beach Road
Baltimore MD 21221

RE: Case Number: 2015-0191 A, Address: 2634 Holly Beach Road

Dear Mr. & Ms. Grytz:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 27, 2015. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
David Billingsley, 601 Charwood Road, Edgewood MD 21040

Lawrence J. Hogan, Jr., Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Acting Secretary
Melinda B. Peters, Administrator

Date: 3/9/15

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

RE: Baltimore County
Item No. 2015-0191-A
Administrative Variance
Eugene C. Salvo & Doris Salvo
Gryetz
2634 Holly Beach 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. 2015-0191-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).

Sincerely,

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For March 9, 2015
Item No. 2015-0191

DATE: March 9, 2015

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

The ground elevation at the proposed garage is not within the tidal floodplain.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 15-0191-03092015.doc

2634 Holly Beach Road 2015-0191-A



Publication Date: 2/27/2015

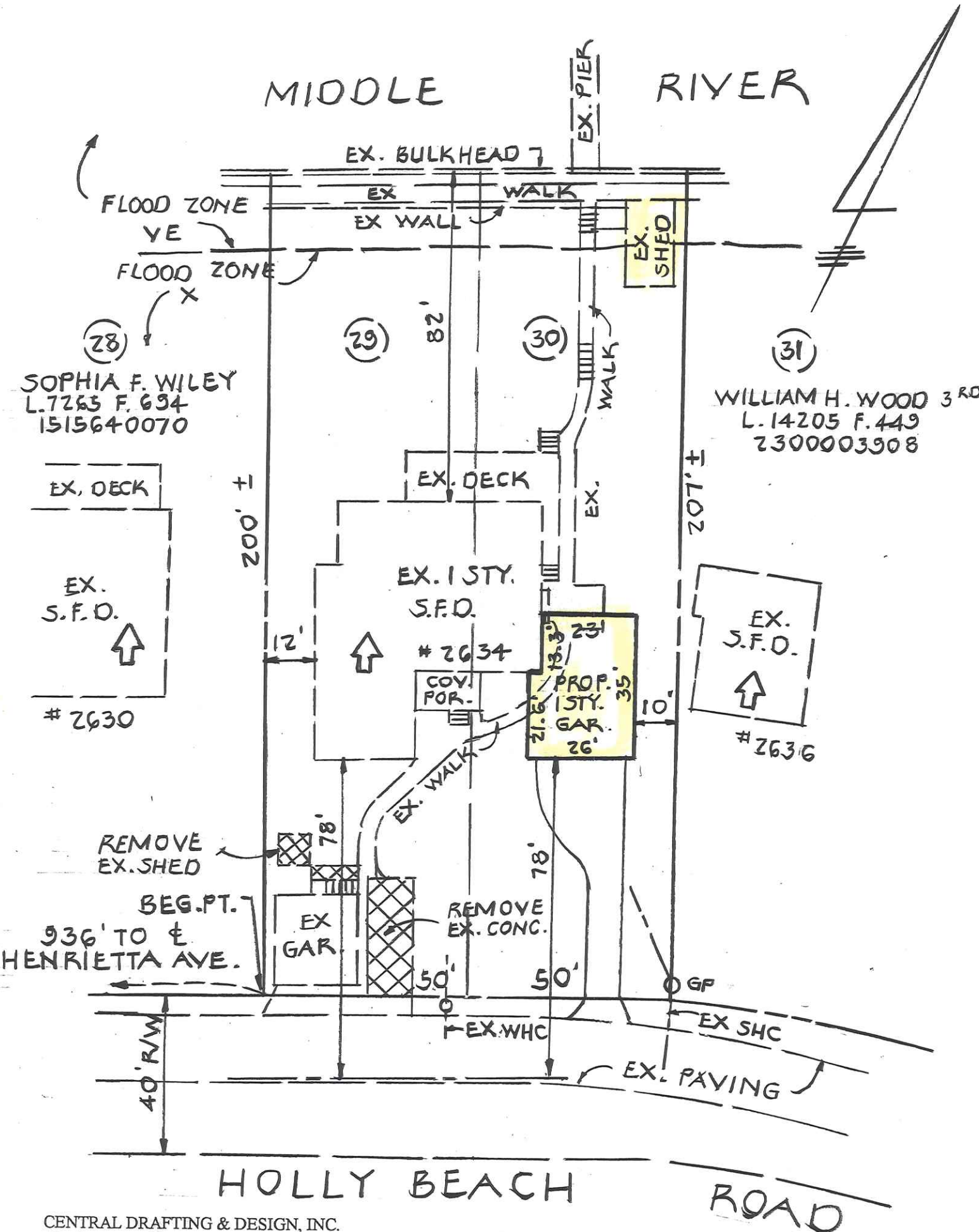


Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



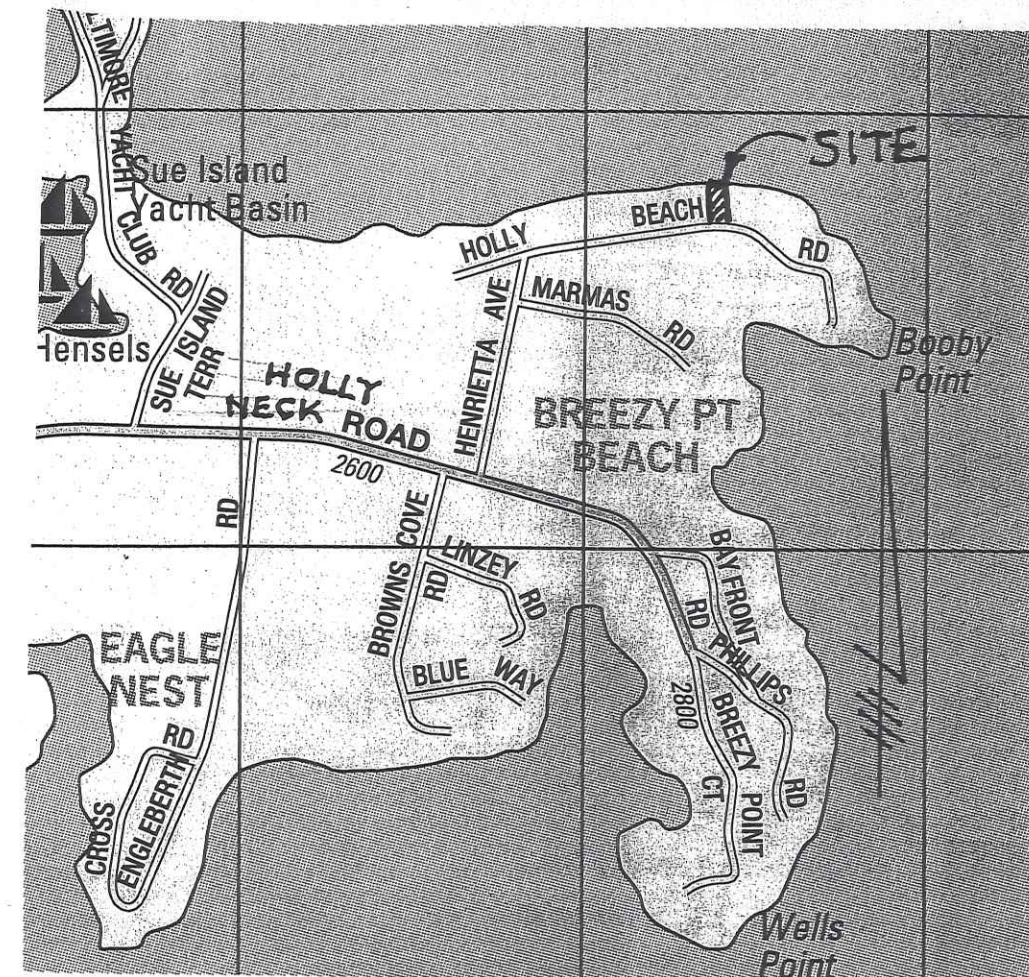
0 12.5 25 50 75 100 Feet

1 inch = 50 feet



CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

OWNER
EUGENCE C. SALVO
DORIS SALVO GRYCTZ
2634 HOLLY BEACH ROAD
BALTIMORE COUNTY, MD. 21221
(410) 335-8857
DEED REF: L.28021 F.292
TAX ACCT. NO. 1519001970



VICINITY MAP
SCALE: 1" = 1000'

NOTES

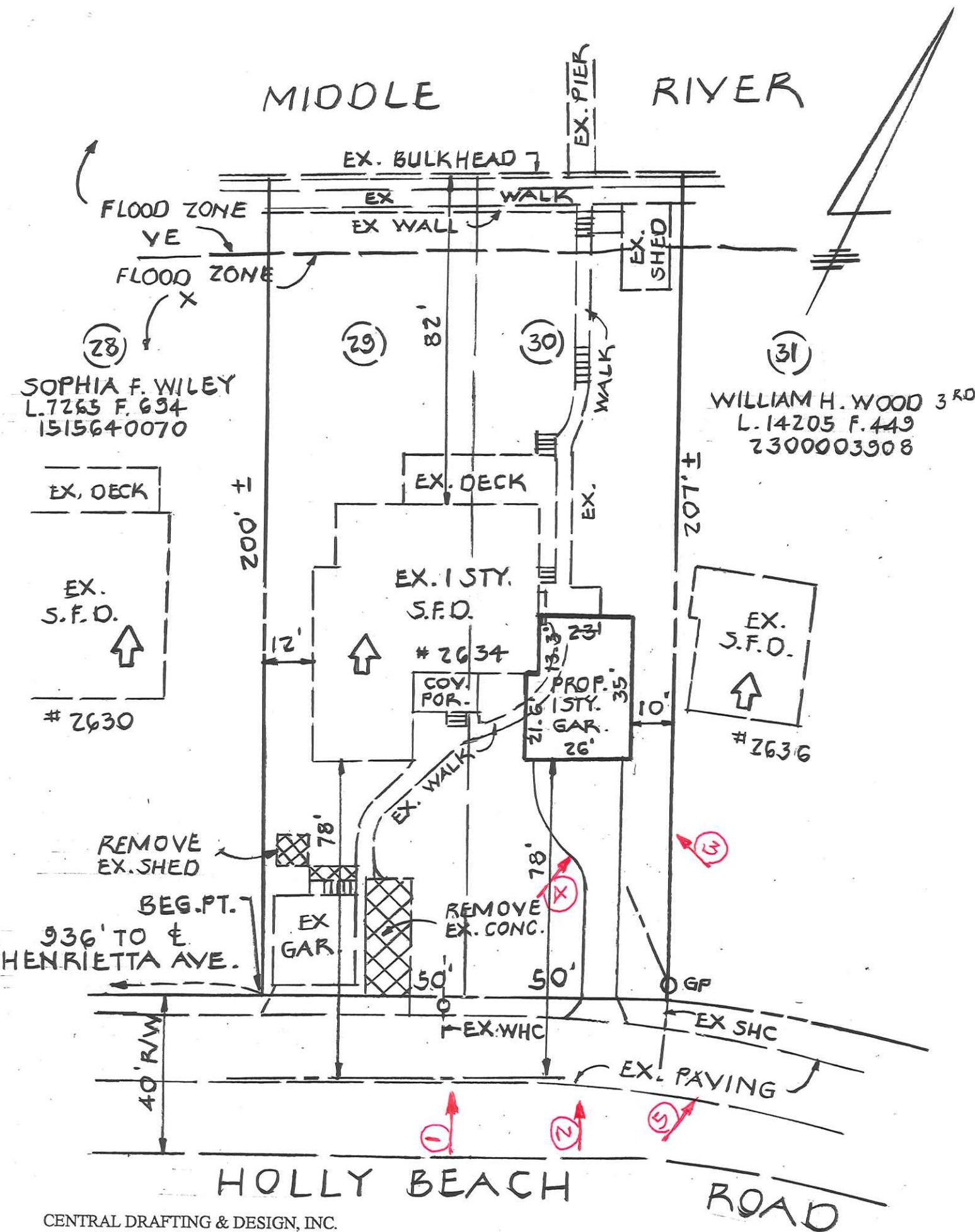
1. ZONING.....RC 5 (MAP NO. 098B3)
2. LOT AREA.....20,300 S.F. = 0.466 ACRE +/-
3. NO PREVIOUS ZONING HISTORY OR VIOLATIONS ARE KNOWN.
4. A PORTION OF THE PROPERTY IS IN A 100 YEAR FLOOD ZONE
5. ENTIRE SITE IS LOCATED IN THE CBCA
6. PUBLIC WATER AND SEWER
7. TO THE PREPARER'S KNOWLEDGE, NO ARCHEOLOGICAL SITES, HISTORIC STRUCTURES, OR UNDERGROUND STORAGE TANKS EXIST

2015-0191-A

PLAT TO ACCOMPANY PETITION FOR ADMINISTRATIVE VARIANCE

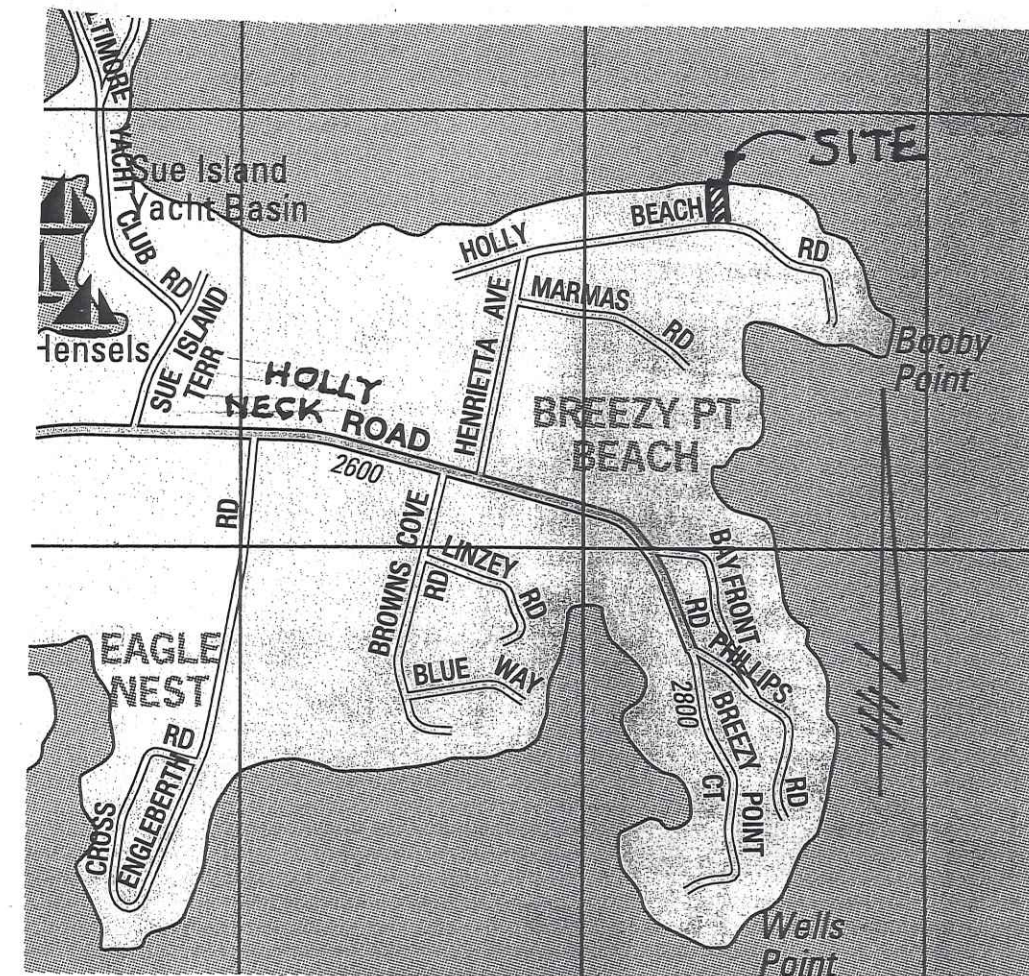
2634 HOLLY BEACH ROAD
LOTS 29 AND 30 HOLLY BEACH P.B. 4 F. 182
ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET FEBRUARY 14, 2015

Pet. Exh. A



CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

OWNER
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DORIS SALVO GRYCTZ
2634 HOLLY BEACH ROAD
BALTIMORE COUNTY, MD. 21221
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DEED REF: L.28021 F.292
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SCALE: 1" = 1000'

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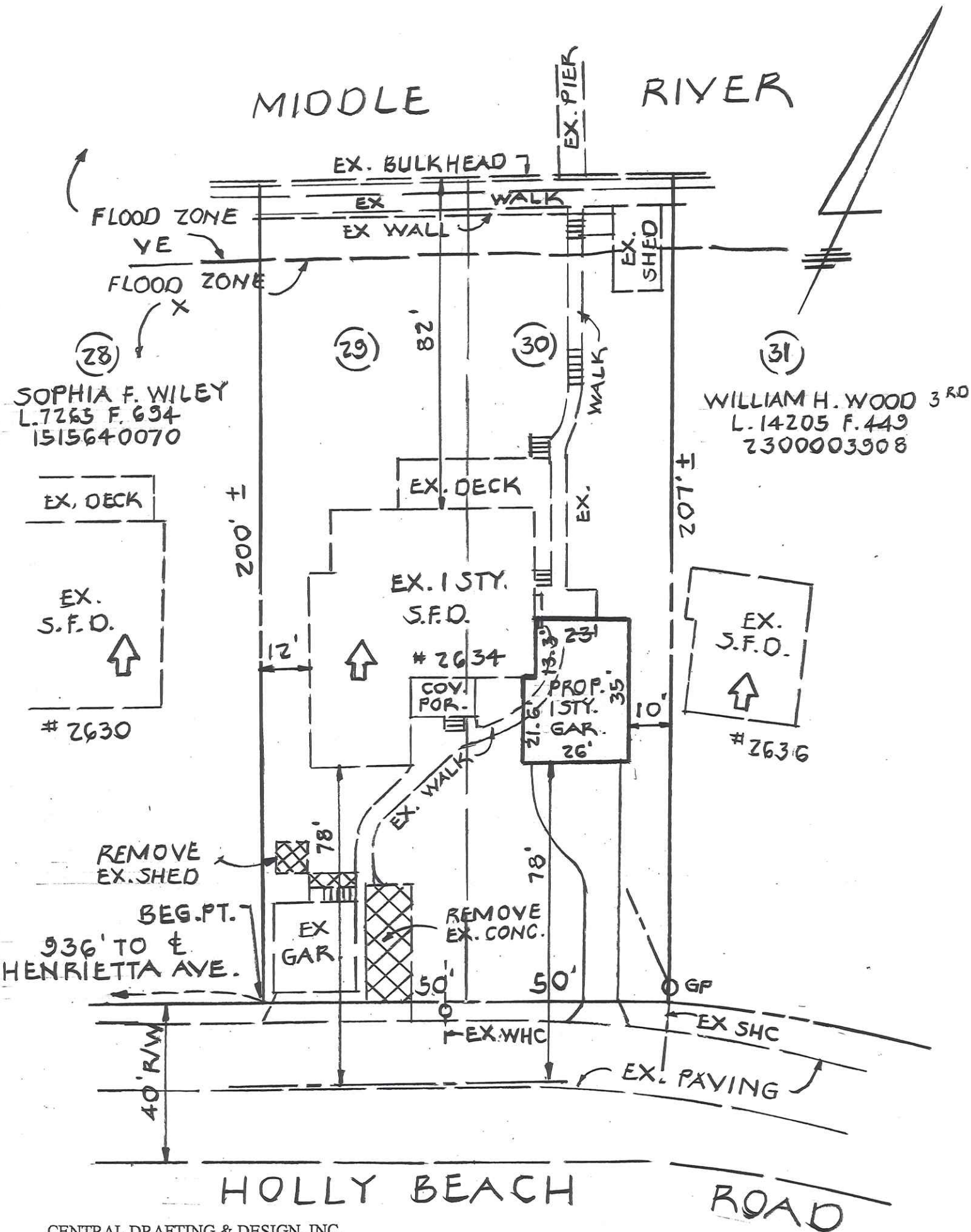
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PHOTOS

PLAT TO ACCOMPANY PETITION FOR
ADMINISTRATIVE VARIANCE

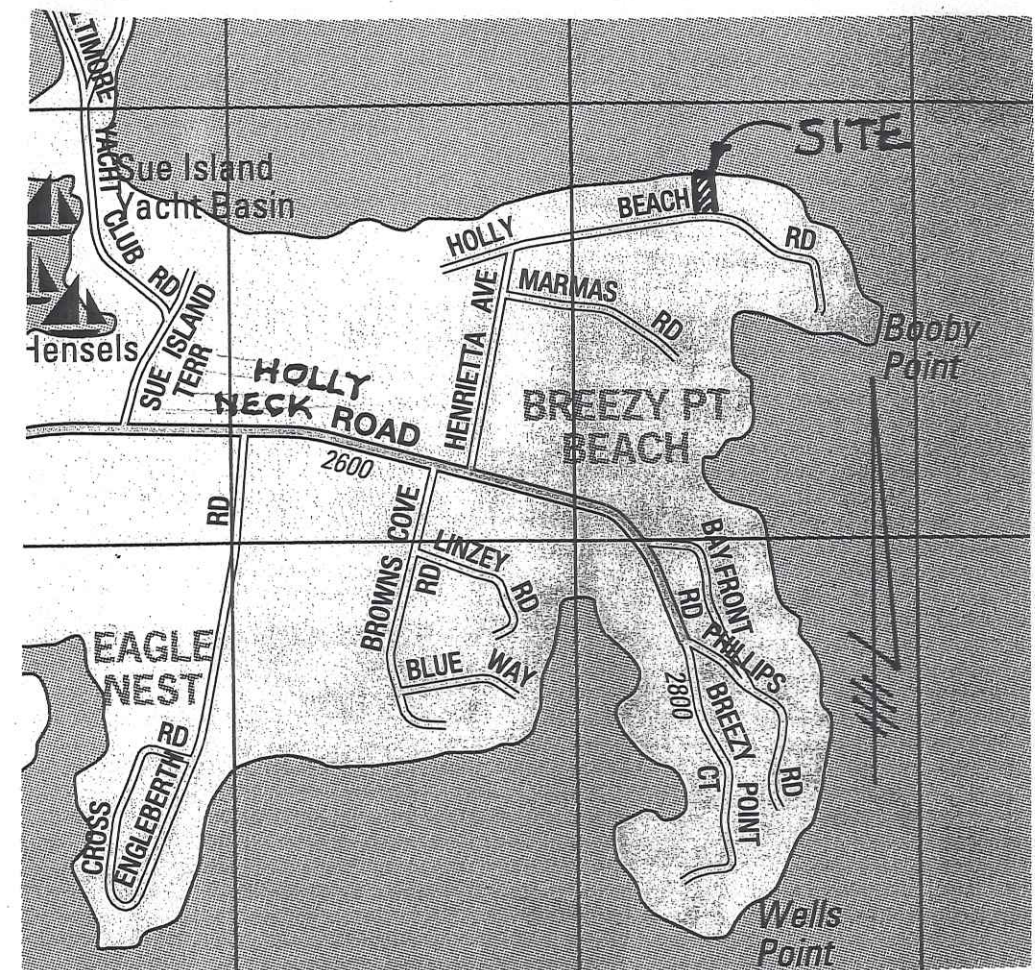
2015-0191-A

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ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET FEBRUARY 14, 2015



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**PLAT TO ACCOMPANY PETITION FOR
ADMINISTRATIVE VARIANCE**

2015-0191-A

2634 HOLLY BEACH ROAD
LOTS 29 AND 30 HOLLY BEACH P.B. 4 F. 182
ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET FEBRUARY 14, 2015