

MEMORANDUM

DATE: November 5, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0028-A – Appeal Period Expired

The appeal period for the above-referenced case expired on November 4, 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

IN RE: PETITION FOR VARIANCE

(718 Nollmeyer)

15th Election District

6th Council District

Kevin L. & Christina Maex-Murphy

Petitioners

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2016-0028-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 Kevin L. and Christina Maex-Murphy, owners of the subject property ("Petitioners"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §§ 1B02.3.C.1 and 301.1.A: (1) to permit a proposed replacement dwelling with a side yard setback of 6 ft. and a sum of side yard setbacks of 12 ft. in lieu of the required 10 ft. and sum of 25 ft.; and (2) to permit an open projection with a side yard setback of 3 ft. in lieu of the required 7.5 ft. A site plan was marked as Petitioners' Exhibit 1.

Kevin and Christina Murphy appeared in support of the petition. David Billingsley, whose firm prepared the site plan, assisted the Petitioners. The Petition was advertised and posted as required by the B.C.Z.R. No Protestants or interested citizens attended the hearing. The file contains a letter of support from Andrew and Kimberly Cicchini (who live next door at 720 Nollmeyer). In addition, on the day of the hearing a letter was received from Ms. Lumaro (who owns the property at 716 Nollmeyer) expressing concern about the side yard setback and proposed placement of exterior stairs. A substantive Zoning Advisory Committee (ZAC) comment was received from the Bureau of Development Plans Review (DPR), indicating that any new

ORDER RECEIVED FOR FILING

Date

10/5/15

By

Sen

construction will need to comply with flood protection regulations.

The subject property is approximately 17,600 square feet and is zoned DR 3.5. The property was improved with a modest dwelling constructed in 1921, which was damaged in Hurricane Isabel. Petitioners have razed that structure and propose to construct a new dwelling on the lot. To do so, variance relief is required.

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).

Petitioners have met this test. The lot was created long before the adoption of the B.C.Z.R. and thus the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct a suitable dwelling on the lot. 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 relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of Baltimore County opposition. At the hearing a discussion was held regarding the letter from Ms. Lumaro. Petitioners indicated they would in good faith attempt to meet with and address to the extent reasonably possible their neighbor's concerns.

THEREFORE, IT IS ORDERED, this 5th day of October, 2015, 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.") §§ 1B02.3.C.1 and 301.1.A: (1) to permit a proposed replacement dwelling with a side yard setback of 6 ft. and a sum of side yard setbacks of 12 ft. in lieu of the required 10 ft. and sum of 25 ft.; and (2) to permit an open projection (stairs) with a

ORDER RECEIVED FOR FILING

2

Date 10/5/15

By Den

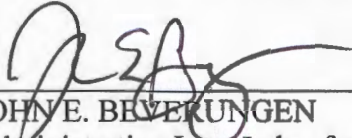
side yard setback of 3 ft. in lieu of the required 7.5 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners would be required to return the subject property to its original condition.
2. Petitioners must comply with flood protection and Critical Area regulations.

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

JEB:sln



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 10/5/15

By sln



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 718 NOLLMEYER ROAD which is presently zoned DR 3.5
 Deed References: L. 27670 F. 007 10 Digit Tax Account # 1504002530
 Property Owner(s) Printed Name(s) KEVIN L. MURPHY & CHRISTINA M. MAEX-MURPHY

(SELECT THE HEARING(S) BY MARKING X 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. X a Variance from

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):

KEVIN L. MURPHY CHRISTINA M. MAEX MURPHY

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

3715 W. OVERLEA AVE BALTO. MD.

Mailing Address City State

21206 (410) 852-5594 4murphs4e
 Zip Code Telephone # Email Address comcast.net

Representative to be contacted:

DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD MD.

Mailing Address City State

21040 (410) 679-8719 dwb0209@yahoo.com
 Zip Code Telephone # Email Address

CASE NUMBER 2016-0028-A Filing Date 8, 5, 15

Do Not Schedule Dates: _____

Reviewer B.D.

ORDER RECEIVED FOR FILING

Date

By

10/5/15
DLN

Sections 1B02.3.C.1 and 301.1.A – to permit a proposed replacement dwelling with a side yard setback of 6 feet and a sum of side yard setbacks of 12 feet in lieu of the required 10 feet and sum of 25 feet; and to permit an open projection with a side yard setback of 3 feet in lieu of the required 7½ feet.

ZONING DESCRIPTION

718 NOLLMEYER ROAD

Beginning at a point on the northeast side of Nollmeyer Road (30 feet wide) distant southeasterly 742 feet from its intersection with the center of Tidewood Road (40 feet wide), thence:

- (1) S 28° 28' 43" E 43.43 feet, thence
- (2) S 44° 25' 17" W 229.56 feet, thence
- (3) S 34° 22' 17" W 165 feet, more or less, thence
- (4) Northwesterly 48 feet, more or less, thence
- (5) N 34° 49' 17" E 146 feet, more less, thence
- (6) N 44° 25' 17" E 250.69 feet to the place od beginning.

Containing 17,600 square feet or 0.404 acre of land, more or less.

Being known as 718 Nollmeyer Road. Located in the 15TH Election District. 6TH Councilmanic District of Baltimore County, Md.°

Item #0028

**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: 2016-0028-A
Property Address: 718 HOLLMEYER ROAD
Property Description: SW SIDE HOLLMEYER RD 742' SE OF
TIDEWOOD RD.
Legal Owners (Petitioners): KEVIN & CHRISTINA MAEX-MURPHY
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: KEVIN MURPHY
Company/Firm (if applicable): _____
Address: 3715 W. OVERLEX AVE
BALTO, MD 21206

Telephone Number: (410) 852-5594



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 3556753

Sold To:

Kevin Murphy - CU00486792
3715 W Overlea Ave
Baltimore, MD 21206-1546

Bill To:

Kevin Murphy - CU00486792
3715 W Overlea Ave
Baltimore, MD 21206-1546

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

Sep 10, 2015

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: # 2016-0028-A	
718 Nollmeyer Road SW/s Nollmeyer Road, 742 ft. SE of centerline of Tidewood Road 15th Election District - 6th Councilmanic District Legal Owner(s) Kevin & Christina Murphy	
Variance: to permit a proposed replacement dwelling with a side yard setback of 6 ft. and a sum of side yard setbacks of 12 ft. in lieu of the required 10 ft. and sum of 25 ft.; and to permit an open projection with a side yard setback of 3 ft. in lieu of the required 7 1/2 ft.	
Hearing: Thursday, October 1, 2015 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.	
ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY	
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.	
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.	
9/124 September 10	3556753

The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising

CERTIFICATE OF POSTING

Date: SEPTEMBER 4, 2015

RE: Project Name: 718 NOLLMEYER ROAD
Case Number /PAI Number: 2016-0028-A
Petitioner/Developer: KEVIN AND CHRIS MURPHY
Date of Hearing/Closing: OCTOBER 1, 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 718 NOLLMEYER ROAD

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

(Month, Day, Year)

ZONING NOTICE

CASE NO. 2016-0028-A

A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE

PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON, MD, 21204

TIME: THURSDAY, OCTOBER 1, 2015 @ 1:30 PM

REQUEST: VARIANCE TO PERMIT A PROPOSED
REPLACEMENT DWELLING W/ A SIDE YARD
SETBACK OF 6 FT AND A SUM OF SIDE YARD
SETBACKS OF 12 FT IN LIEU OF THE REQUIRED 10 FT
AND SUM OF 25 FT, AND TO PERMIT AN OPEN
PROJECTION WITH A SIDE YARD SETBACK OF 3 FT IN
LIEU OF THE REQUIRED 7.5 FT.

Postponements due to weather or other conditions are sometimes
necessary. To confirm hearing or obtain additional information, contact
Department of Permits, Approvals and Inspections, 111 West Chesapeake
Avenue, Towson, Md. 21204 (410) 887-3391

UNDER PENALTY OF LAW, DO NOT REMOVE THIS SIGN UNTIL THE
DAY OF THE HEARING. HEARINGS ARE HANDICAPPED ACCESSIBLE

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 18, 2015

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: 2016-0028-A

718 Nollmeyer Road
SW/s Nollmeyer Road, 742 ft. SE of centerline of Tidewood Road
15th Election District – 6th Councilmanic District
Legal Owners: Kevin & Christina Murray

Variance to permit a proposed replacement dwelling with a side yard setback of 6 ft. and a sum of side yard setbacks of 12 ft. in lieu of the required 10 ft. and sum of 25 ft.; and to permit an open projection with a side yard setback of 3 ft. in lieu of the required 7 ½ ft.

Hearing: Thursday, October 1, 2015 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Murphy, 3715 W. Overlea Avenue, Baltimore 21206
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, SEPTEMBER 11, 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, September 10, 2015 Issue - Jeffersonian

Please forward billing to:

Kevin Murphy
3715 W. Overlea Avenue
Baltimore, MD 21206

410-852-5594

NOTICE OF ZONING HEARING

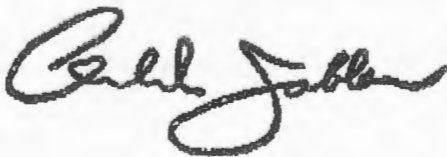
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105 West Chesapeake Avenue, Towson 21204



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
718 Nollmeyer Road; SW/S Nollmeyer Road,	*	
742' SW of c/line Tidewood Road	*	OF ADMINSTRATIVE
15 th Election & 6 th Councilmanic Districts	*	
Legal Owner(s): Kevin & Christina Murphy	*	HEARINGS FOR
Petitioner(s)	*	
	*	BALTIMORE COUNTY
	*	
	*	2016-028-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 17 2015

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 17th day of August, 2015, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 718 HOLLMEYER RD
CASE NUMBER 2016-0028A
DATE 10/1/15

[illegible]

Debra Wiley

JB 10-1-15
1:30 PM

From: concettalumaro@comcast.net
Sent: Thursday, October 01, 2015 12:36 PM
To: Administrative Hearings
Subject: case # 200016-0028-A

case # 200016-0028-A

Property owner Concetta Lumaro
716 Nollmeyer rd

Regarding the variance proposed for the Murphy parcel, I have concerns regarding the proposed side yard setback. My property borders the subject property immediately to the south side. Placement of the stairwell structure within 6' of the property boundary may become an encroachment that may carry emergency access issues as well as increased constructibility costs when I proceed with construction. The neighboring property to my north was built post Isabel and variances were waived. On this sideyard the setback is less than 3'.

I would like to see the proposed dwelling footprint revised so that it is centered on the water side of the lot as opposed to having the dwelling angled as shown. This will open up the distance between my proposed dwelling and the Murphy proposed dwelling. The three properties south of the Murphy property were all reconstructed after Isabel and also did not have zoning variances due to post storm waivers.

The existing dwelling is parallel to the side property lines and if the issue is the steps encroaching more than 3' into the setback then maybe reconfigure the steps layout or switch the house with garage right in lieu of garage left. Please reference attached drawing.

My concern is being able to access the side yards comfortably and satisfy related safety and future constructibility concerns.

Sincerely,

Concetta Lumaro
Adjacent parcel owner

RECEIVED

OCT 01 2015

OFFICE OF ADMINISTRATIVE HEARINGS

★ 10-1-15

Reg. copy of order once completed.

Deb. W.

PER R/W 94-141-2
7/21/2005

3/4" IRON PIPE FD.
(TALL & BENT)

NOLLMEYER

43.43'
MAG NAIL FD.
ROAD

43.43'
MAG NAIL FD.

30' USE IN COMM
RBC
REBAR &

15' GRINDER PUMP
EASEMENT

5/8" REBAR & CAP SET

GRINDER
PUMP

STONE DRIVE

S 44°25'17" W

REBAR & CAP FD.

REBAR & CAP FD.
PER R/W 94-141-2

IRON POST FD.

REBAR & CAP FD.
(0.50' COVER)

RBC WALK

N 44°25'17" E

8" CONC. WALK

LEAN-TO

FRAME SHED W/
LEAN-TO ROOF

REBAR & CAP FD.
KEVIN L. MURPHY
CHRISTINA MURPHY
#1504002530
27670/6
P.385

RECEIVED

OCT 01 2015

OFFICE OF ADMINISTRATIVE HEARINGS

DEED AREA
16346.78 Sq. Feet±
0.375 Acres±

5/8" REBAR & CAP SET

ENCLOSED
PORCH

5/8" REBAR & CAP SET

RICHARD D. MORRIS
KIMBERLY K. MORRIS
#714 NOLLMEYER
#1519071330
18729/611
P.184

CONC. PAD

5/8" REBAR & CAP SET

WOOD
DECK
FRAMING
FRAME

REBAR & CAP FD.

DOV.
CONC.
PORCH

REBAR & CAP FD.

hold.

9/25

recommend holding
proposed dwelling
parallel to property
line
in lieu of the
skew.

P.K. NAIL FOUND

OLD NAIL FD. IN R.R. TIE
(NOT HELD)
(0.24' NW OF LINE EXTENDED)

N 22°47'03" W

BRICK WALK
EXIST. WOOD

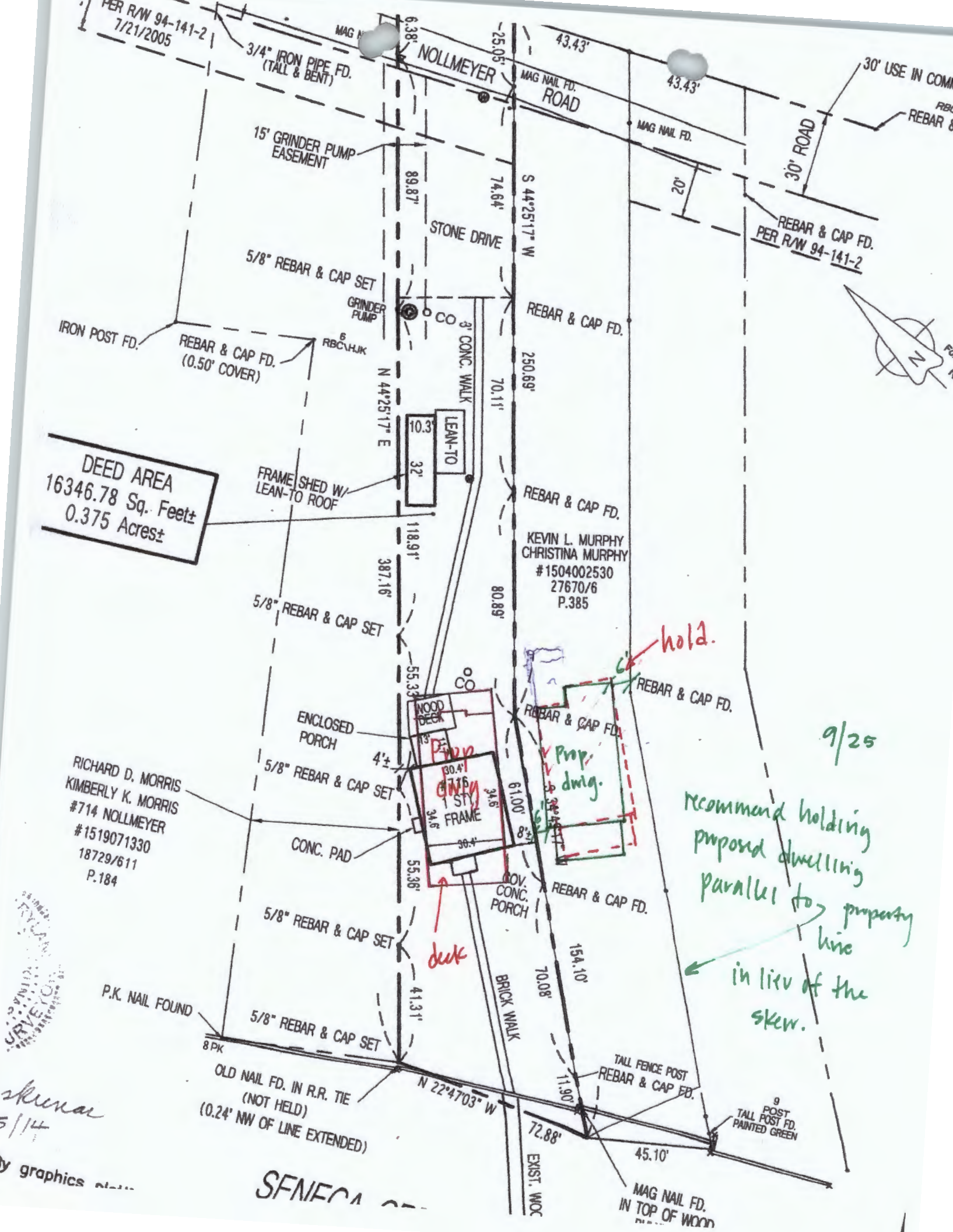
TALL FENCE POST
REBAR & CAP FD.

9
POST
TALL POST FD.
PAINTED GREEN

MAG NAIL FD.
IN TOP OF WOOD
BULKHEAD

SENECA COUNTY

skinner
5/14
by graphics plotting



DEED AREA
16346.78 Sq. Feet±
0.375 Acres±

RICHARD D. MORRIS
KIMBERLY K. MORRIS
#714 NOLLMEYER
#1519071330
18729/611
P.184

KEVIN L. MURPHY
CHRISTINA MURPHY
#1504002530
27670/6
P.385

9/25
recommend holding
proposed dwelling
parallel to property
line
in lieu of the
skew.

skunal
5/14
graphics

SFNECA

John E. Beverungen
Administrative Law Judge
105 W. Chesapeake Avenue
Towson, Md. 21204

RECEIVED

SEP 28 2015

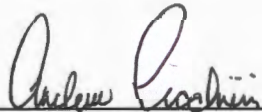
OFFICE OF ADMINISTRATIVE HEARINGS

RE: CASE NUMBER 2016-0028-A
718 NOLLMEYER ROAD
OWNERS: KEVIN AND CHRISTINA MURPHY

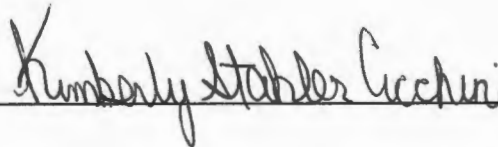
Dear Judge Beverungen:

This is to confirm that we have reviewed the referenced request for side variances with the owners and have no objection to the approval of same.

Very truly yours,



Owner, 720 Nollmeyer Road

 9/14/15

Date

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>8/17</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>8/28</u>	PLANNING (if not received, date e-mail sent _____)	<u>No Obj</u>
<u>8/11</u>	STATE HIGHWAY ADMINISTRATION	<u>No Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 9/10/15

SIGN POSTING Date: 9/4/15

by Billingsley

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

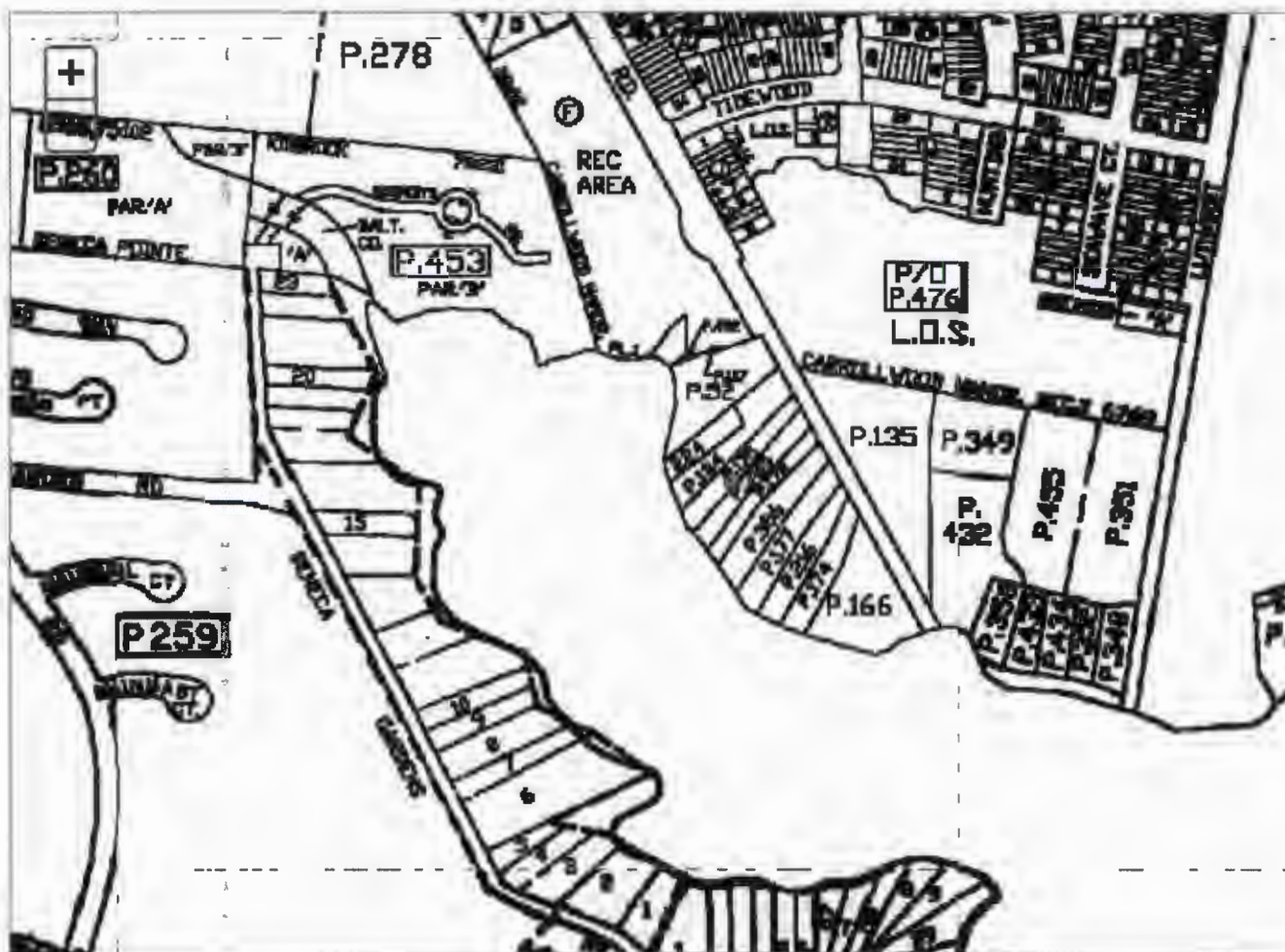
Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1504002530			
Owner Information					
Owner Name:	MURPHY KEVIN L MAEX-MURPHY CHRISTINA M		Use:	RESIDENTIAL NO	
Mailing Address:	3715 W OVERLEA AVE BALTIMORE MD 21206- 1546		Deed Reference:	/27670/ 00006	
Location & Structure Information					
Premises Address:		718 NOLLMEYER RD 0-0000 Waterfront		Legal Description:	.40 AC 718 NOLLMEYER RD SWS 3460 SW CARROLL ISLAND R
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0091	0016	0385		0000	2015
Special Tax Areas:			Town: NONE Ad Valorem: Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1921	1,020 SF		17,600 SF	34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1	YES	STANDARD UNIT	ASBESTOS SHINGLE	1 full/ 1 half	
Value Information					
	Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2015 As of 07/01/2016		
Land:	263,400	263,400			
Improvements	0	0			
Total:	263,400	263,400	263,400	263,400	
Preferential Land:	0			0	
Transfer Information					
Seller: SHORE SHACK LLC		Date: 02/18/2009	Price: \$237,000		
Type: ARMS LENGTH IMPROVED		Deed1: /27670/ 00006	Deed2:		
Seller: DANZA ANGELO, JR		Date: 03/31/2004	Price: \$200,000		
Type: NON-ARMS LENGTH OTHER		Deed1: /19816/ 00033	Deed2:		
Seller: DANZA ANGELO, JR		Date: 10/02/2003	Price: \$0		
Type: NON-ARMS LENGTH OTHER		Deed1: /18889/ 00121	Deed2:		
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015	07/01/2016		
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:	NONE				
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **15** Account Number: **1504002530**

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.

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>).



KEVIN KAMENETZ
County Executive

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

September 23, 2015

Kevin L & Christina M Maex Murphy
3715 W Overlea Avenue
Baltimore MD 21206

RE: Case Number: 2016-0028 A, Address: 718 Nollmeyer Road

Dear Mr. & Ms. Murphy:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 5, 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, reading "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 Court, Edgewood MD 21040

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Douglas H. Simmons, Acting Administrator

Date: 8/11/15

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

RE: Baltimore County

Item No 2016-0028-A

Variance
Kevin L. & Christina M. Maey
718 Nollmeyer Road. Murphy

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. 2016-0028-A.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 28, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 718 Nollmeyer Road

INFORMATION:

Item Number: 16-028

Petitioner: Kevin & Christina Murphy

Zoning: DR 3.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Variance to permit a proposed 2 story dwelling with open projection to have a side yard setback of 6 feet and a sum of side yard setbacks of 12 feet in lieu of the required 10 feet and sum of 25 feet respectively and to permit an open projection with a side yard setback of 3 feet in lieu of the required 7 ½ feet.

The Department of Planning has no objection to the granting of the petitioned zoning relief.

For further information concerning the matters stated herein, please contact Ngoné Seye Diop at 410-887-3480.

Division Chief:
AVA/KS

Kathy Schaback

C: Ngoné Seye Diop

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 17, 2015
Item No. 2016-0028

DATE: August 17, 2015

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 lowest floor elevation can be set.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0028-08172015.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 28, 2015

FROM: Andrea Van Arsdale
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Division Chief:
AVA/KS

Kathy Schaback

C: Ngoné Seye Diop

BW
11-5-15

10-5-15
Dln

PETITIONER'S EXHIBITS

**718 NOLLMAYER ROAD
CASE NO. 2016-0028-A**

- 1. PLAT TO ACCOMPANY PETITION DATED AUGUST 3, 2015 (NO CHANGES)**
- 2. SDAT REAL PROPERTY SEARCH**
- 3. TAX MAP 0091 SHOWING PARCEL 385 IN RED**
- 4. DEED OF RECORD DATED JAN. 30, 2009 LIBER 27670 FOLIO 006**
- 5. AERIAL PHOTO**
- 6a – 6d. PHOTOS**
- 7a – 7b. BUILDING ELEVATIONS**
- 8. PHOTOS OF 716 & 718 PRIOR TO RAZING**

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 - 1504002830			
Owner Information					
Owner Name:	MURPHY KEVIN L MAEX-MURPHY CHRISTINA M		Use:	RESIDENTIAL NO	
Mailing Address:	3715 W OVERLEA AVE BALTIMORE MD 21206- 1646		Deed Reference:	/27670/ 00006	
Location & Structure Information					
Premises Address:		718 NOLLMEYER RD 0-0000 Waterfront		Legal Description:	.40 AC 718 NOLLMEYER RD SWS 3460 SW CARROLL ISLAND R
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat 2015 No: Plat Ref:
0091	0016	0385		0000	
Special Tax Areas:			Town: NONE Ad Valorem: Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1921	1,020 SF		17,600 SF	34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1	YES	STANDARD UNIT	ASBESTOS SHINGLE	1 full/ 1 half	
Value Information					
	Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2014 As of 07/01/2015		
Land:	263,400	263,400			
Improvements	0	0			
Total:	263,400	263,400	263,400	263,400	
Preferential Land:	0			0	
Transfer Information					
Seller: SHORE SHACK LLC		Date: 02/18/2009		Price: \$237,000	
Type: ARMS LENGTH IMPROVED		Deed1: /27670/ 00006		Deed2:	
Seller: DANZA ANGELO, JR		Date: 03/31/2004		Price: \$200,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /19816/ 00033		Deed2:	
Seller: DANZA ANGELO, JR		Date: 10/02/2003		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /18889/ 00121		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		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

1. This screen allows you to search the Real Property database and display property records.
2. Click here for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.

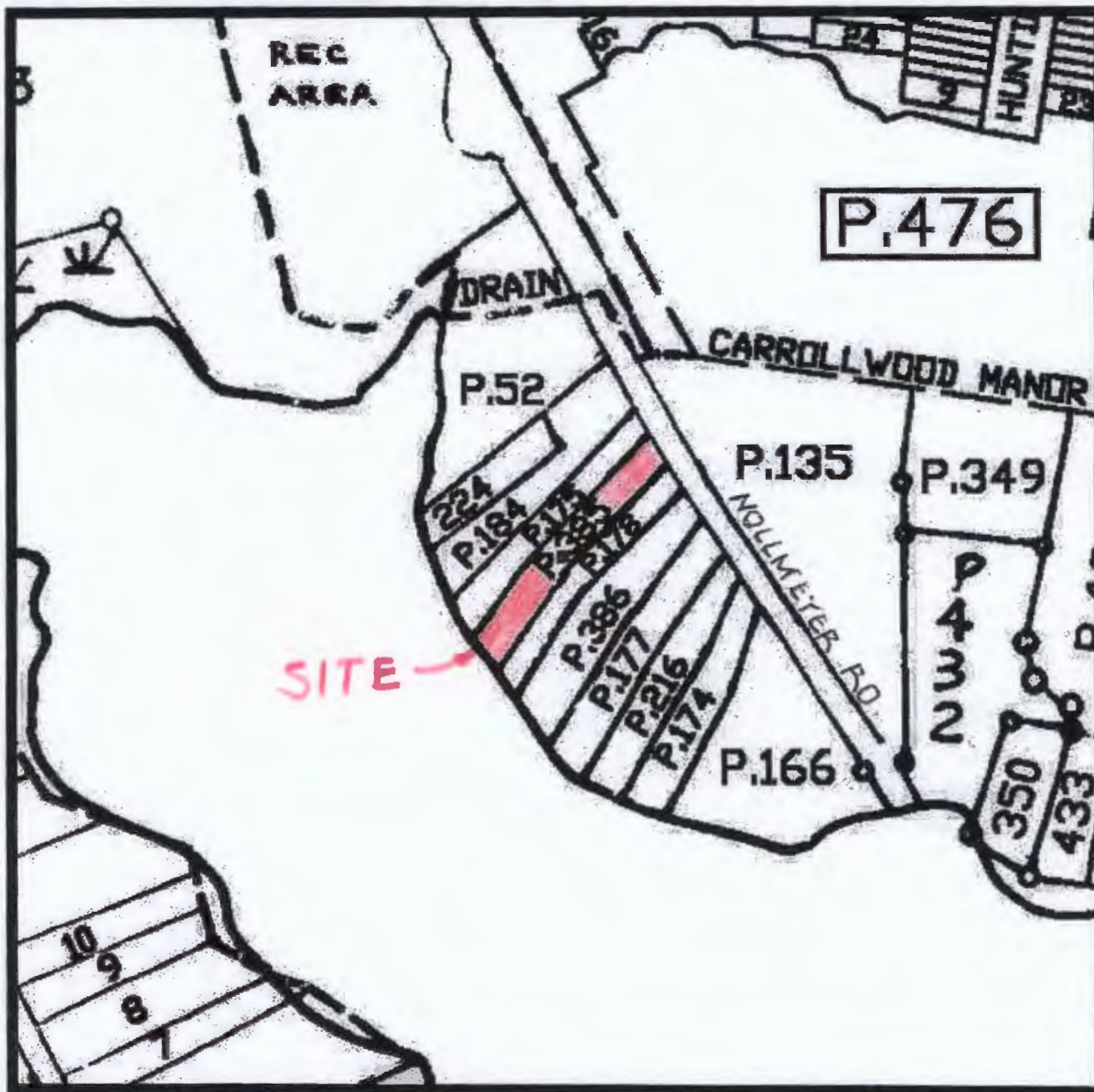
**PETITIONER'S
EXHIBIT NO. 2**



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

Go Back
View Map
New Search

District - 15 Account Number - 1504002530



Property maps provided courtesy of the Maryland Department of Planning ©2004.
 For more information on electronic mapping applications, visit the Maryland Department of Planning
 web site at www.mdp.state.md.us/webcom/index.html

PETITIONER'S
 EXHIBIT NO. 3

AFTER RECORDING, PLEASE RETURN TO:
 Chesapeake Title Company, LLC
 100 West Road, Suite 215
 Towson, MD 21204
 File No. 09-C-8227MD

Tax ID # 15-15-04002530

This Deed, made this 30th day of January, 2009, by and between SHORE SHACK, LLC, a voluntarily cancelled Maryland limited liability company and Jonathan P. Doyle, individually and as sole surviving Member of Shore Shack, LLC collectively the GRANTOR, and Kevin L. MURPHY and Christina M. MAEX-MURPHY, GRANTEES.

- Witnesseth -

That in consideration of the sum of TWO HUNDRED THIRTY SEVEN THOUSAND DOLLARS 00/100 (\$237,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor does; grant and convey to the said Kevin L. MURPHY and Christina M. MAEX-MURPHY, as tenants by the entirety, the survivor of them, and the personal representatives, heirs and/or assigns of the survivor, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland, and described as follows, that is to say:

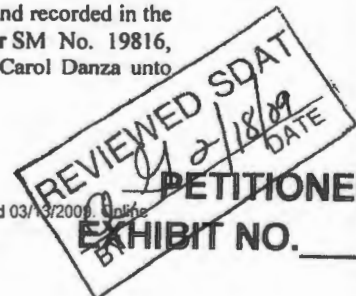
ALL that lot of ground situate in Baltimore County in the state of Maryland and described as follows:

BEGINNING for the same at a point in the easternmost boundary line of the whole tract of land of which the lot now being described is a part and which said whole tract of land is described in a Deed dated September 19, 1910 and recorded among the land records of Baltimore County in Liber W.P.C. No. 366, folio 481, from George C. Smith and Ella M. Smith, his wife to John G. Nollmeyer, distant 485.19 feet northwesterly measured along said easternmost boundary line of said whole tract of land, from the southeasternmost corner of said whole tract of land; said place of beginning being also on the northeast side of a 30 foot road to be used in common with others entitled thereto; and running thence from said place of beginning leaving the said easternmost boundary line of said whole tract of land and running for lines of division the two following courses and distances, viz: South 51 degrees, 45 minutes West 229.56 feet and South 41 degrees, 42 minutes West 167.1 feet to the waters of Seneca Creek; thence binding on the said waters of said creek and running northwesterly 45.1 feet; thence for lines of division now made the two following courses and distances, viz: North 42 degrees 09 minutes East 154.1 feet and North 51 degrees 45 minutes East 250.69 feet to intersect the said easternmost boundary line of said whole tract of land and to intersect the said northeast side of said 30 foot road; thence binding on part of said easternmost boundary line of said whole tract of land reversely, and binding on the said northeast side of said 30 foot road with the use thereof in common with others entitled thereto and running South 21 degrees 09 minutes East 43.43 feet more or less, to the place of beginning; being improved by a shore dwelling.

The improvements thereon being known as No. 718 Nollmeyer Road.

SUBJECT to a strip of land 20 feet wide for the future widening of said 30 foot road referred to hereinabove.

BEING the same property which, by Deed dated March 17, 2004, and recorded in the Land Records of the County of Baltimore, Maryland, in Liber SM No. 19816, Folio 033, was granted and conveyed by Angelo Danza, Jr. and Carol Danza unto Shore Shack, LLC, in fee simple



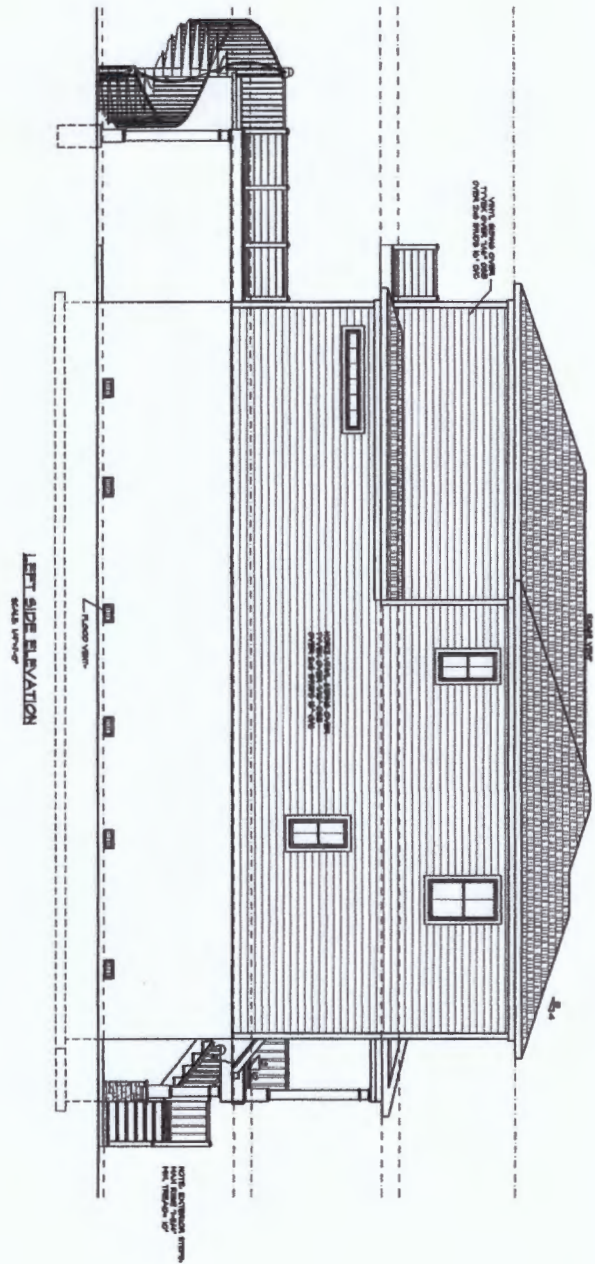


718 Nollmeyer Rd

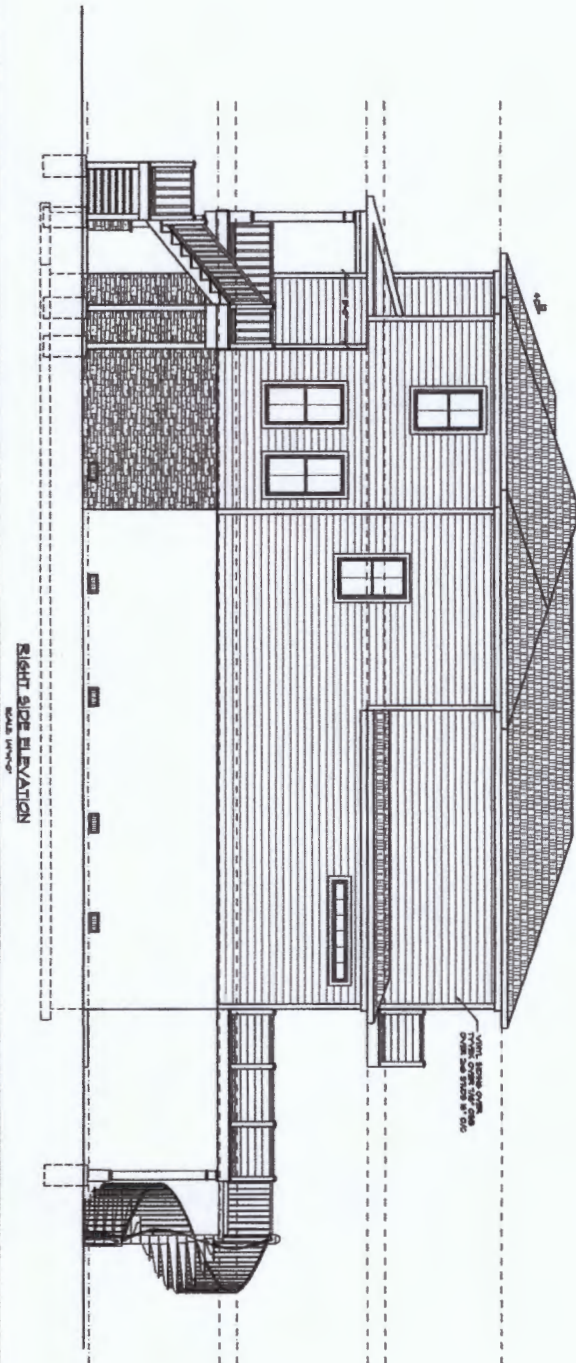
SITE

© 2015 Google

Imagery Date: 10/23/2014 39°19'31.65" N 76°23'06.93" W



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION

THE MURPHY-MAEX RESIDENCE

THE MURPHY-MAEX RESIDENCE	
SCALE: 1/4" = 1'-0"	
DATE: 10/20/08	
SHEET NO. 1	
OBL CUSTOM HOME DESIGN INC. PO BOX 301 PINEBLUFF, MO 65068	



718 Nollmeyer Street View

716 Nollmeyer Street View



716 Nollmeyer Back View

718 Nollmeyer Back View

Pet. No. 8



#718

#716

#714

99



#720

#718

#716

#714

6a



#120

#718

P 3

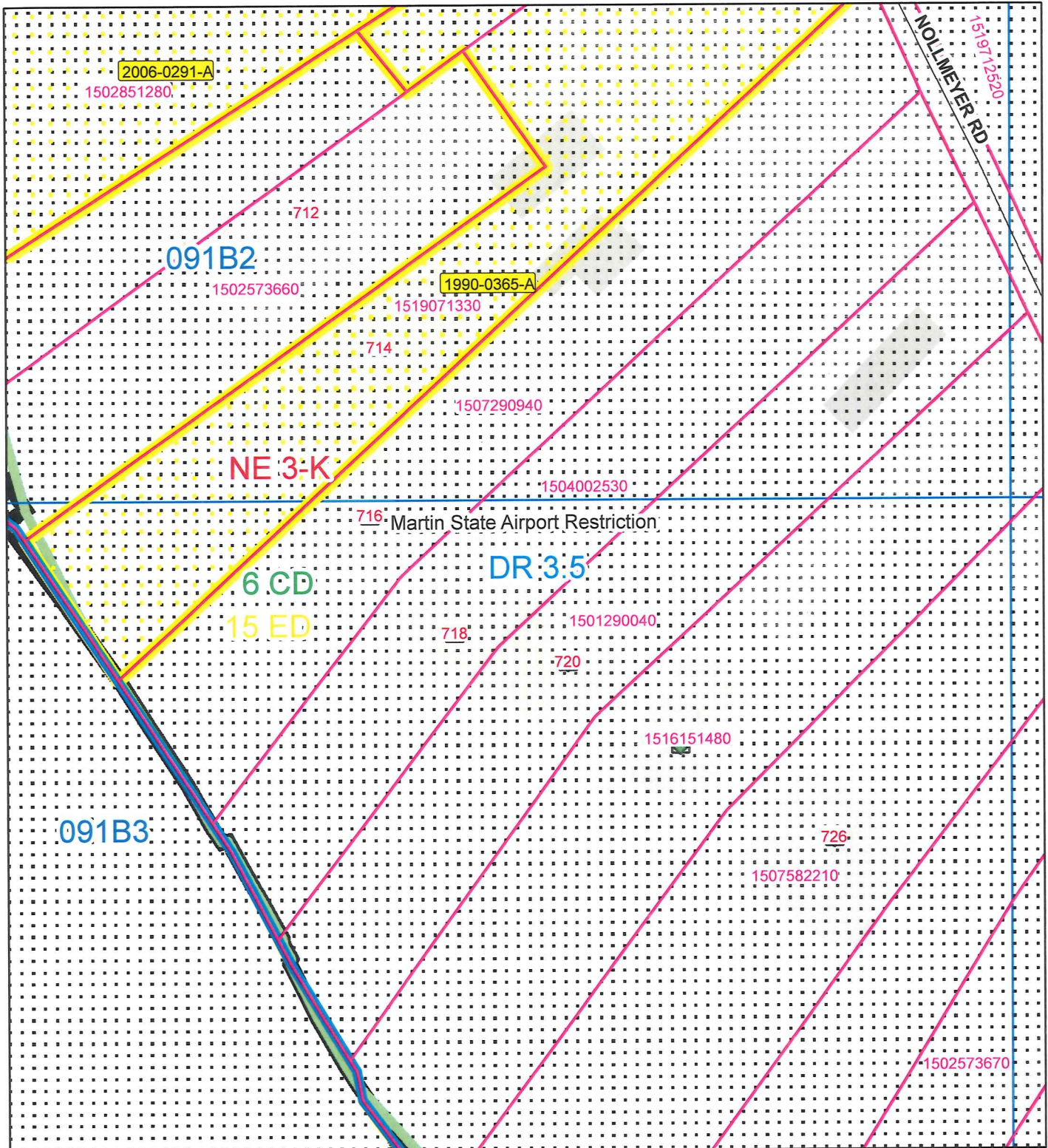


#222

#120

3 9

718 Nollmeyer Road



Publication Date: 8/5/2015



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

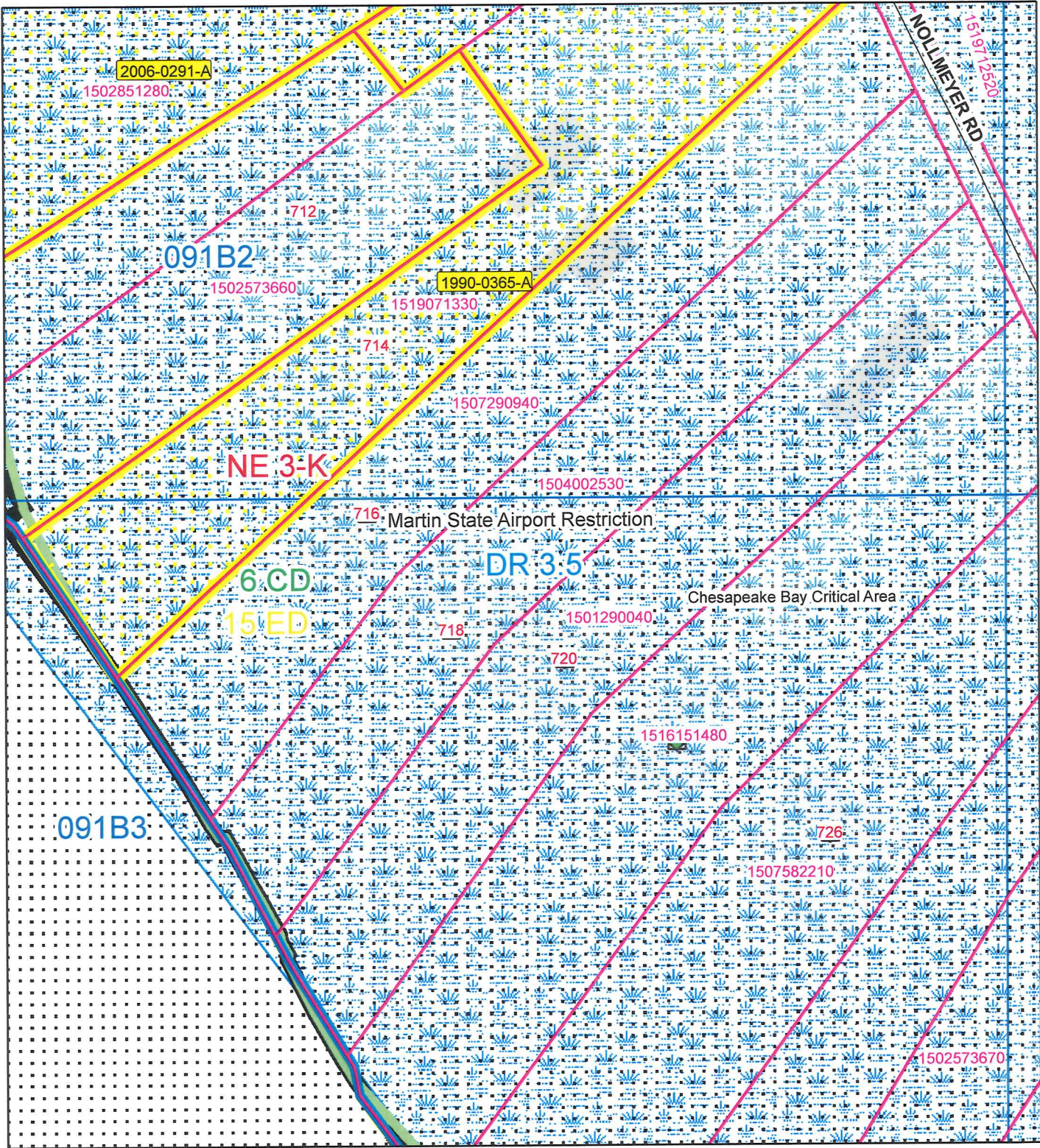


0 12.5 25 50 75 100 Feet

1 inch = 50 feet

Item # 0028

Chesapeake Bay Critical Area



Publication Date: 8/5/2015



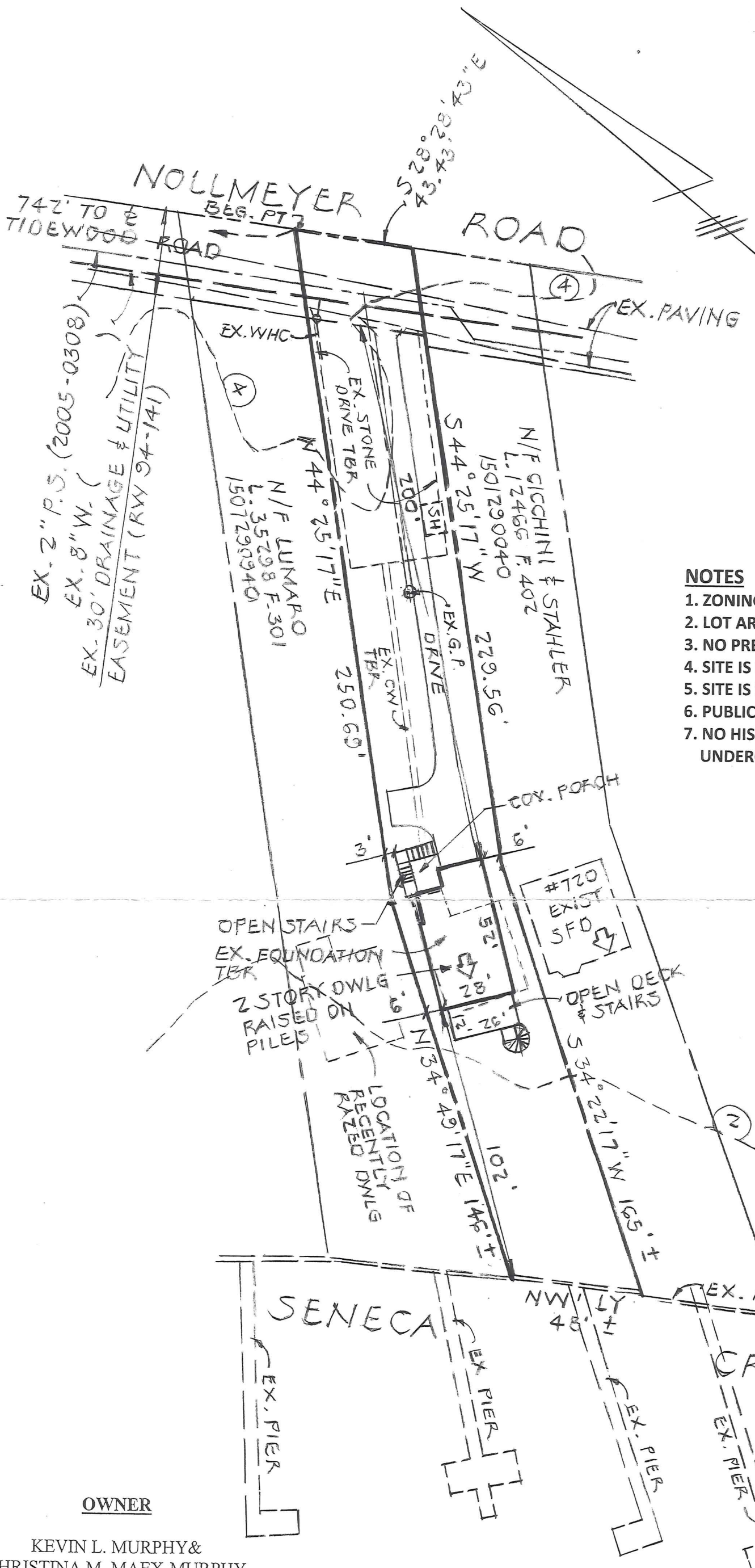
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.5 25 50 75 100 Feet

1 inch = 50 feet

Item # 0028



- NOTES**
1. ZONING....DR 3.5 (MAP 091B3)
 2. LOT AREA.....17,600 S.F. = 0.404 ACRE
 3. NO PREVIOUS ZONING HISTORY OR VIOLATIONS
 4. SITE IS LOCATED IN THE CBCA
 5. SITE IS LOCATED IN THE 100 YEAR TIDAL FLOOD ZONE
 6. PUBLIC WATER AND SEWER
 7. NO HISTORIC STRUCTURES, ARCHEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS EXIST

OWNER

KEVIN L. MURPHY &
CHRISTINA M. MAEX-MURPHY
3715 W. OVERLEA AVENUE
BALTIMORE, MD. 21206-1546
L. 27670 F. 006
ACCOUNT NO. 1504002530
(410) 852-5594

PETITIONER'S
EXHIBIT NO. 1

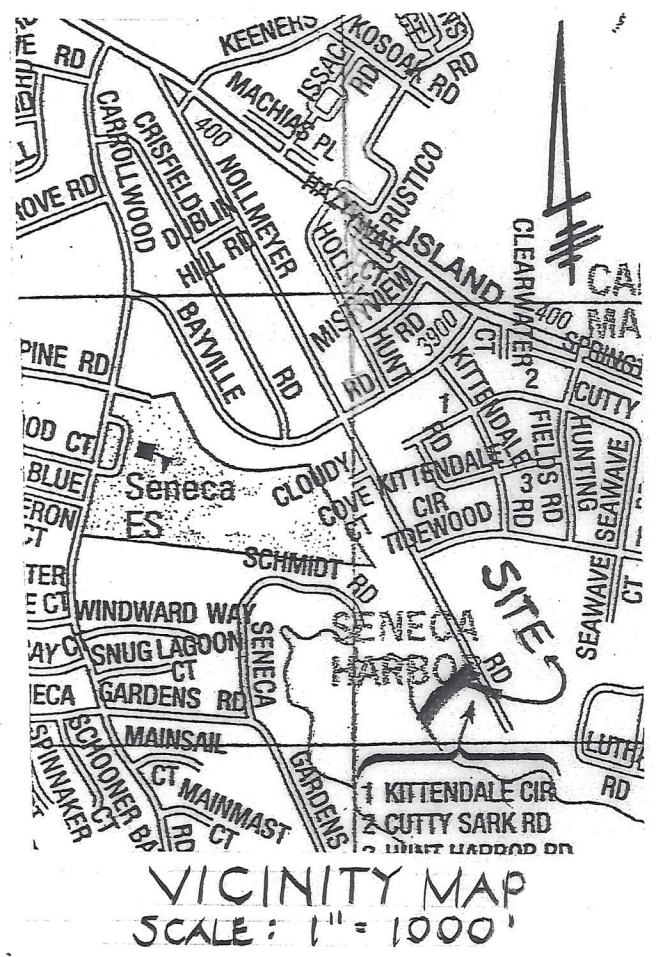
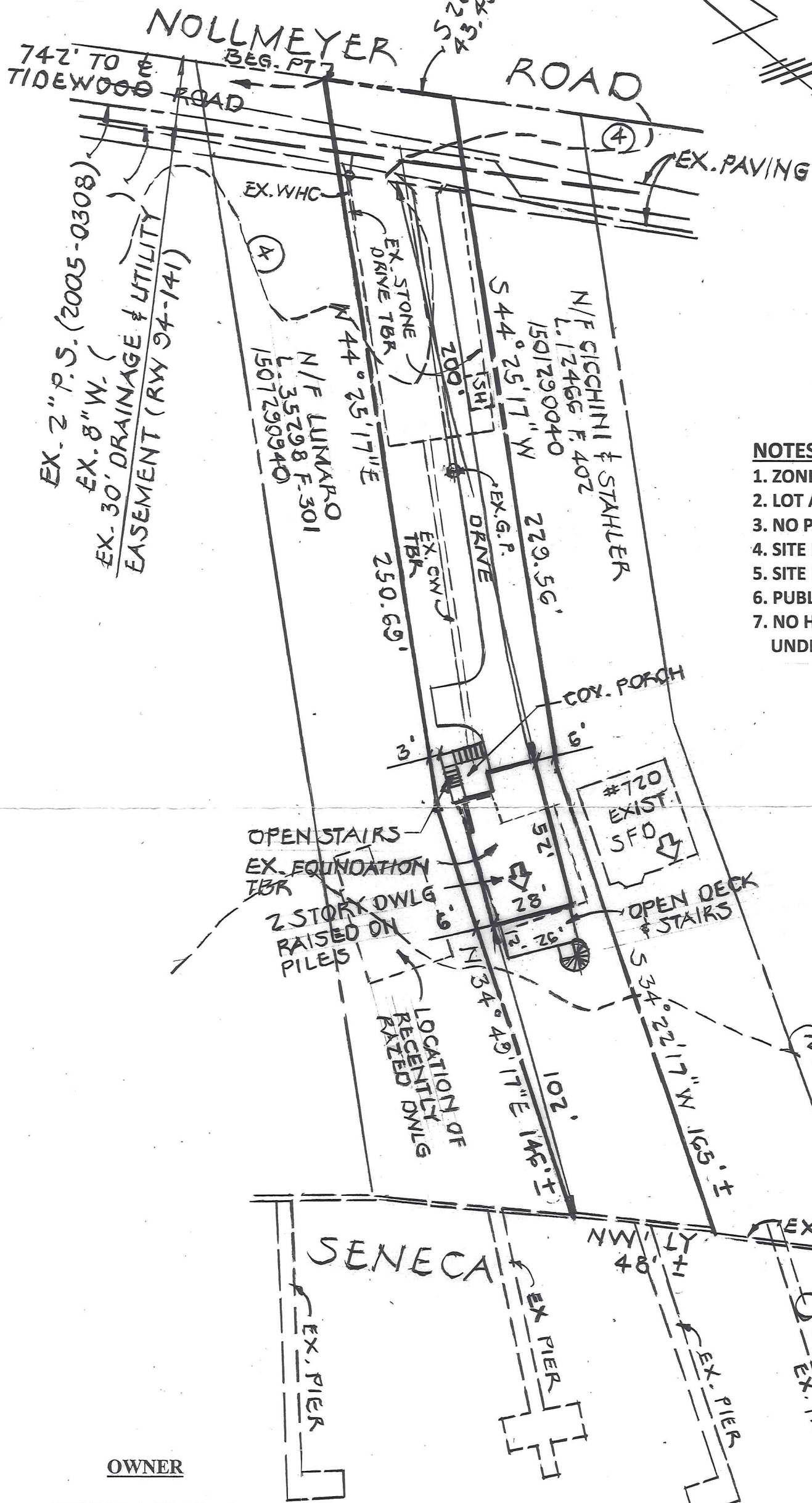
PLAT TO ACCOMPANY VARIANCE PETITION
718 NOLLMEYER ROAD
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 40 FEET AUGUST 3, 2015

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



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OWNER

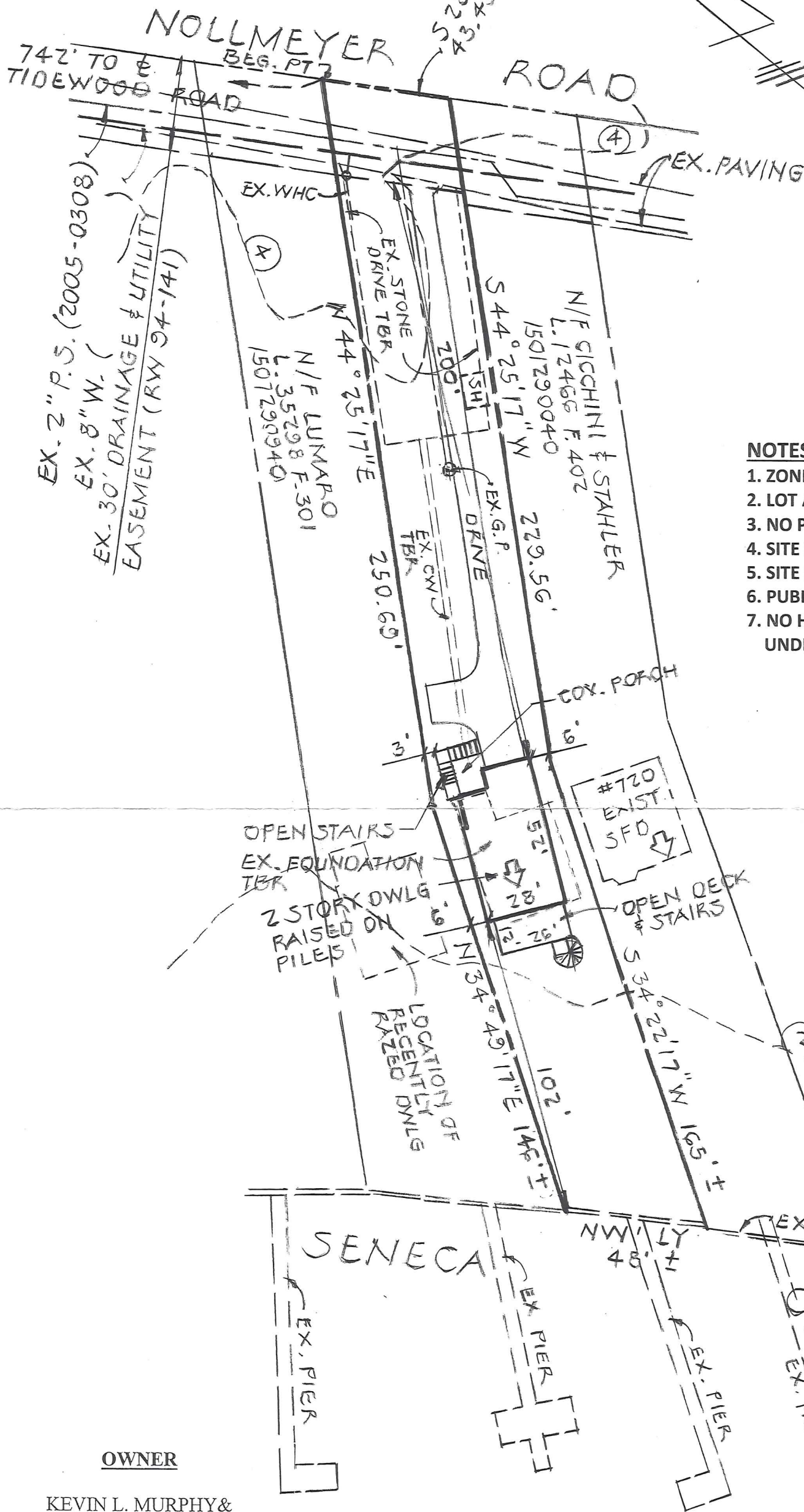
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#2016-0028-A

RD

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
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PLAT TO ACCOMPANY VARIANCE PETITION
718 NOLLMEYER ROAD
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#2016-0028-A

PLAT TO ACCOMPANY VARIANCE PETITION
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