

**M E M O R A N D U M**

DATE: October 26, 2015  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2016-0043-A- Appeal Period Expired

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The appeal period for the above-referenced case expired on October 23, 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 ADMIN. VARIANCE  
(9243 North Point Road)  
15<sup>th</sup> Election District  
7<sup>th</sup> Council District  
Joseph L. Fugitt  
Petitioner

\* BEFORE THE  
\* OFFICE OF ADMINISTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* CASE NO. 2016-0043-A

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owner of the property, Joseph L. Fugitt ("Petitioner"). The Petitioner is requesting Variance relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard deck with a rear setback of 18 ft. in lieu of the required 22.5 ft. setback. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

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 August 31, 2015 and indicated that prior to building permit application, the Petitioner must contact the Office of the Director of Public Works to determine the flood protection elevation and whether there are any restrictions.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on August 30, 2015, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

ORDER RECEIVED FOR FILING

Date 9-23-15

By [Signature]

welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

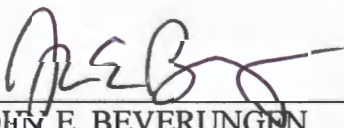
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 23<sup>rd</sup> day of **September, 2015**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard deck with a rear setback of 18 ft. in lieu of the required 22.5 ft. setback, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for his appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- Petitioner must comply with the ZAC comment from DPR dated August 31, 2015; a copy of which is attached hereto and made a part hereof.
- Petitioner must comply with Critical Area regulations prior to building permit application.

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: **ORDER RECEIVED FOR FILING**

Date 9-23-15 2

By SW

**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 31, 2015  
Item No. 2016-0043

**DATE:** August 31, 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 and whether there are any restrictions.

\* \* \* \* \*

DAK:CEN  
cc:file

ZAC-ITEM NO 16-0043-08312015.doc

**ORDER RECEIVED FOR FILING**

Date 9-23-15

By [Signature]





COLA

## ADMINISTRATIVE ZONING PETITION

F1000

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 9243 North Point Rd Currently zoned DR 5.5  
 Deed Reference 35064 / 00417 10 Digit Tax Account # 1800000961  
 Owner(s) Printed Name(s) JOSEPH LEE FUGITT

(SELECT THE HEARING(S) BY MARKING ☒ 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.
- ☒
- ADMINISTRATIVE VARIANCE**
- from Section(s)

BCZR: 1B02.3.C.1 → To permit a rear yard deck with a rear setback of 18 feet in lieu of the required 22.5 feet setback.

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):

JOSEPH FUGITT  
 Name #1 – Type or Print Name #2 – Type or Print  
[Signature]  
 Signature #1 Signature #2  
9243 North Point Rd Ft Howard MD  
 Mailing Address City State  
21052 410-739-2448 josephfugitt@  
 Zip Code Telephone # Email Address  
hotmail.com

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

Name- Type or Print  
 Signature  
 Mailing Address City State  
 Date  
 Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING  
 9-23-15  
 BY [Signature]

## Representative to be contacted:

Name – Type or Print  
 Signature  
 Mailing Address City State  
 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.

CASE NUMBER 2016-0043-A

Administrative Law Judge for Baltimore County

CHAIRMAN - JUDITH A. HARRIS

VICE CHAIRMAN - JUDITH A. HARRIS

CLERK - JUDITH A. HARRIS

Filing Date 8/20/15Estimated Posting Date 8/30/15Reviewer JS



**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: 9243 NORTH POINT RD FT. HOWARD MD 21052  
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)

My house was built in 2014 on one of the smallest lots in Ft. Howard, in the middle of the lot in order to fit within the required setback lines. My house is landlocked to the rear by 3 other homes, all with rear decks. The main level was built with a large sliding door, with a future rear deck in mind. The 18ft rear setback imposed would require the depth of my deck not to exceed 8ft. A deck of this size would be useless to my large family of 7 plus 2 dogs for anything except standing room. Our dinner table measures 7ft by 9ft for example. The relief requested would allow for a reasonably sized deck, without encroaching on any of my neighbors and still reside well within my fenced rear yard.

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

[Signature]  
Signature of Owner (Affiant)

JOSEPH FUGITT  
Name- Print or Type

\_\_\_\_\_  
Signature of Owner (Affiant)

\_\_\_\_\_  
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 11<sup>th</sup> day of August, 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Joseph Fugitt

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

AS WITNESS my hand and Notaries Seal

[Signature]  
Notary Public COLLEEN K KNIGHT  
NOTARY PUBLIC - MARYLAND  
ANNE ARUNDEL COUNTY  
My Commission Expires 05-24-2018

## **Zoning Property Description for 9243 North Point Rd, Ft Howard, MD 21052**

Beginning at a point on the west side of North Point Rd, which is 20 feet wide, at the distance of 100.43 feet, north of the centerline of Bayside Ave, which is 20 feet wide.

Being Lot#2 in the resubdivision of North Point Terrace Lots 7, 8, 9, & 10 as recorded in Baltimore County Plat Book #40, Folio #86, containing 5032 square feet. Located in the 15<sup>th</sup> Election District and 7<sup>th</sup> Council District.

2016-0043-4

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

No. **128718**

Date: **9/30/15**

**PAID RECEIPT**

BUSINESS ADDRESS: 1001 E. JEFFERSON ST. BALTIMORE, MD 21201  
 PHONE: (410) 396-1000  
 FAX: (410) 396-1001  
 RECEIPT # 128718  
 DATE 9/30/15  
 AMOUNT \$ 75.00  
 BY: [Signature]  
 FOR: [Signature]

| Fund | Dept | Unit | Sub Unit | Rev Source/Obj | Sub Rev/Obj | Dept | Obj | BS Acct | Amount   |
|------|------|------|----------|----------------|-------------|------|-----|---------|----------|
| 001  | 706  | 0000 |          | 050            |             |      |     |         | \$ 75.00 |
|      |      |      |          |                |             |      |     |         |          |
|      |      |      |          |                |             |      |     |         |          |
|      |      |      |          |                |             |      |     |         |          |
|      |      |      |          |                |             |      |     |         |          |

Total: **\$ 75.00**

Rec From: **FUGIT**

For: **7016-0043-1**

**DISTRIBUTION**

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

**CASHIER'S  
 VALIDATION**



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

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

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**For Newspaper Advertising:**

Case Number: 2016-0043-A  
Property Address: 9243 NORTH POINT RD  
Property Description: \_\_\_\_\_

Legal Owners (Petitioners): JOSEPH LEE FULITT  
Contract Purchaser/Lessee: \_\_\_\_\_

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: JOSEPH LEE FULITT  
Company/Firm (if applicable): \_\_\_\_\_  
Address: 9243 NORTH POINT RD  
FT HOWARD, MD 21052  
\_\_\_\_\_  
Telephone Number: 410-739-2448

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 2016- 0043 -A Address 9243 NORTH POINT RD

Contact Person: JASON SEIDEMAN Phone Number: 410-887-3391  
Planner, Please Print Your Name

Filing Date: 8/20/15 Posting Date: 8/30/15 Closing Date: 9/14/15

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 2016- 0043 -A Address 9243 NORTH POINT RD

Petitioner's Name JOSEPH LEE FUJITA Telephone 410-739-2448

Posting Date: 8/30/15 Closing Date: 9/14/15

Wording for Sign: TO PERMIT A REAR YARD DECK WITH A REAR SET BACK OF  
18 FEET IN LIEU OF THE REQUIRED 22.5 FEET SETBACK.

Revised 7/18/14



# CERTIFICATE OF POSTING

2016-0043-A

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

Joseph Fugitt

September 14, 2015

Date of Hearing/Closing: \_\_\_\_\_

Baltimore County Department of  
Permits, Approvals and Inspections  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: \_\_\_\_\_

9243 North Point Road

August 30, 2015

The sign(s) were posted on \_\_\_\_\_  
(Month, Day, Year)



Sincerely,

August 30, 2015

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

























CHECKLIST

| <u>Comment Received</u>               | <u>Department</u>                                                                  | <u>Support/Oppose/<br/>Conditions/<br/>Comments/<br/>No Comment</u> |
|---------------------------------------|------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| <u>8-31</u>                           | DEVELOPMENT PLANS REVIEW<br>(if not received, date e-mail sent _____)              | <u>C</u>                                                            |
| _____                                 | DEPS <u>missing 9-16-15</u><br>(if not received, date e-mail sent <u>9-16-15</u> ) | _____                                                               |
| _____                                 | FIRE DEPARTMENT                                                                    | _____                                                               |
| _____                                 | PLANNING<br>(if not received, date e-mail sent _____)                              | _____                                                               |
| <u>8-26</u>                           | STATE HIGHWAY ADMINISTRATION                                                       | <u>no objection</u>                                                 |
| _____                                 | TRAFFIC ENGINEERING                                                                | _____                                                               |
| _____                                 | COMMUNITY ASSOCIATION                                                              | _____                                                               |
| _____                                 | ADJACENT PROPERTY OWNERS                                                           | _____                                                               |
| <hr/>                                 |                                                                                    |                                                                     |
| ZONING VIOLATION                      | (Case No. _____)                                                                   |                                                                     |
| PRIOR ZONING                          | (Case No. _____)                                                                   |                                                                     |
| <hr/>                                 |                                                                                    |                                                                     |
| NEWSPAPER ADVERTISEMENT               | Date: _____                                                                        |                                                                     |
| SIGN POSTING                          | Date: <u>8-30-15</u> by <u>Block</u>                                               |                                                                     |
| <hr/>                                 |                                                                                    |                                                                     |
| PEOPLE'S COUNSEL APPEARANCE           | Yes <input type="checkbox"/> No <input type="checkbox"/>                           |                                                                     |
| PEOPLE'S COUNSEL COMMENT LETTER       | Yes <input type="checkbox"/> No <input type="checkbox"/>                           |                                                                     |
| <hr/>                                 |                                                                                    |                                                                     |
| Comments, if any <u>  <i>  </i>  </u> |                                                                                    |                                                                     |
| _____                                 |                                                                                    |                                                                     |
| _____                                 |                                                                                    |                                                                     |



Real Property Data Search ( w1)

Guide to searching the database

## Search Result for BALTIMORE COUNTY

| View Map                                                             | View GroundRent Redemption                 | View GroundRent Registration                                         |
|----------------------------------------------------------------------|--------------------------------------------|----------------------------------------------------------------------|
| <b>Account Identifier: District - 15 Account Number - 1800000961</b> |                                            |                                                                      |
| <b>Owner Information</b>                                             |                                            |                                                                      |
| <b>Owner Name:</b>                                                   | FUGITT JOSEPH L                            | <b>Use:</b> RESIDENTIAL<br><b>Principal Residence:</b> YES           |
| <b>Mailing Address:</b>                                              | 9243 NORTH POINT RD<br>BALTIMORE MD 21052- | <b>Deed Reference:</b> /35064/ 00417                                 |
| <b>Location &amp; Structure Information</b>                          |                                            |                                                                      |
| <b>Premises Address:</b>                                             | 9243 NORTH POINT RD<br>BALTIMORE MD 21052- | <b>Legal Description:</b> 9243 NORTH POINT RD<br>NORTH POINT TERRACE |
| <b>Map:</b>                                                          | <b>Grid:</b>                               | <b>Parcel:</b>                                                       |
| 0115                                                                 | 0011                                       | 0021                                                                 |
| <b>Sub District:</b>                                                 | <b>Subdivision:</b>                        | <b>Section:</b>                                                      |
|                                                                      | 0000                                       |                                                                      |
| <b>Block:</b>                                                        | <b>Lot:</b>                                | <b>Assessment Year:</b>                                              |
|                                                                      | 2                                          | 2015                                                                 |
| <b>Plat No:</b>                                                      | <b>Plat Ref:</b>                           | <b>0040/0086</b>                                                     |
| <b>Special Tax Areas:</b>                                            | <b>Town:</b>                               | <b>NONE</b>                                                          |
|                                                                      | <b>Ad Valorem:</b>                         |                                                                      |
|                                                                      | <b>Tax Class:</b>                          |                                                                      |
| <b>Primary Structure Built</b>                                       | <b>Above Grade Enclosed Area</b>           | <b>Finished Basement Area</b>                                        |
| 2014                                                                 | 2,088 SF                                   |                                                                      |
| <b>Property Land Area</b>                                            | <b>County Use</b>                          |                                                                      |
| 5,032 SF                                                             | 04                                         |                                                                      |
| <b>Stories</b>                                                       | <b>Basement</b>                            | <b>Type</b>                                                          |
| 2                                                                    | YES                                        | STANDARD UNIT                                                        |
| <b>Exterior</b>                                                      | <b>Full/Half Bath</b>                      | <b>Garage</b>                                                        |
| SIDING                                                               | 2 full/ 1 half                             | 1 Attached                                                           |
| <b>Last Major Renovation</b>                                         |                                            |                                                                      |
|                                                                      |                                            |                                                                      |
| <b>Value Information</b>                                             |                                            |                                                                      |
| <b>Base Value</b>                                                    | <b>Value As of 01/01/2015</b>              | <b>Phase-in Assessments As of 07/01/2015</b>                         |
|                                                                      |                                            | <b>As of 07/01/2016</b>                                              |
| <b>Land:</b>                                                         | 71,500                                     | 71,500                                                               |
| <b>Improvements</b>                                                  | 229,900                                    | 223,000                                                              |
| <b>Total:</b>                                                        | 301,400                                    | 294,500                                                              |
| <b>Preferential Land:</b>                                            | 0                                          | 294,500                                                              |
|                                                                      |                                            | 0                                                                    |
| <b>Transfer information</b>                                          |                                            |                                                                      |
| <b>Seller:</b> WOLINSKI DARYL                                        | <b>Date:</b> 06/13/2014                    | <b>Price:</b> \$313,000                                              |
| <b>Type:</b> ARMS LENGTH IMPROVED                                    | <b>Deed1:</b> /35064/ 00417                | <b>Deed2:</b>                                                        |
| <b>Seller:</b> PALENCAR PAMELA GAIL                                  | <b>Date:</b> 04/03/2012                    | <b>Price:</b> \$27,500                                               |
| <b>Type:</b> NON-ARMS LENGTH OTHER                                   | <b>Deed1:</b> /31894/ 00385                | <b>Deed2:</b>                                                        |
| <b>Seller:</b> HALL WILLIAM L                                        | <b>Date:</b> 05/12/2005                    | <b>Price:</b> \$0                                                    |
| <b>Type:</b> NON-ARMS LENGTH OTHER                                   | <b>Deed1:</b> /21853/ 00253                | <b>Deed2:</b>                                                        |
| <b>Exemption Information</b>                                         |                                            |                                                                      |
| <b>Partial Exempt Assessments:</b>                                   | <b>Class</b>                               | <b>07/01/2015</b>                                                    |
| <b>County:</b>                                                       | 000                                        | 0.00                                                                 |
| <b>State:</b>                                                        | 000                                        | 0.00                                                                 |
| <b>Municipal:</b>                                                    | 000                                        | 0.00 0.00                                                            |
| <b>Tax Exempt:</b>                                                   | <b>Special Tax Recapture:</b>              |                                                                      |
| <b>Exempt Class:</b>                                                 | NONE                                       |                                                                      |
| <b>Homestead Application Information</b>                             |                                            |                                                                      |
| <b>Homestead Application Status:</b> No Application                  |                                            |                                                                      |

0043

**Debra Wiley**

---

**From:** Debra Wiley  
**Sent:** Wednesday, September 16, 2015 10:28 AM  
**To:** Jeffery Livingston  
**Subject:** Administrative Variances- Closing Date: 09-14-15  
**Attachments:** AV 09-14-15.docx

Jeff,

Please find attached case descriptions for two Administrative Variances that are missing ZAC comments from DEPS and are in CBCA.

Thanks.



**ZONING COMMISSIONER'S ADMINISTRATIVE VARIANCE SCHEDULE**

Updated and Distributed 9/15/2015

**CLOSING DATE: 09/14/15**

**CASE NUMBER: 2016-0043-A**

9243 NORTH POINT RD.

Location: NW/S of N. Pt. Rd., 101 ft. N of the c/line of the intersection with Bayside Ave.

15th Election District, 7th Council District

Legal owner: Joseph Fugitt

**ADMINISTRATIVE VARIANCE** To permit a rear yard deck with a rear setback of 18 ft. in lieu of the required 22.5 ft. setback.

**CASE NUMBER: 2016-0045-A**

1212 SHORE RD.

Location: S/S of Shore Road, NW 149 ft. +/- to the c/line of Elm Drive

15th Election District, 6th Council District

Legal owners: Mark & Lorraine Illuminati

**ADMINISTRATIVE VARIANCE** To permit a proposed garage (accessory structure) with a height of 18 ft. in lieu of the maximum height of 15 ft.



KEVIN KAMENETZ  
County Executive

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

September 15, 2015

Joseph Fugitt  
9243 North point Road  
Fort Howard MD 21052

RE: Case Number: 2016-0043 A, Address: 9243 North Point Road

Dear Mr. Fugitt:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 20, 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



Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor



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

Date: 8/26/15

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

RE: Baltimore County  
Item No. 2016-0043-A  
Administrative Variance  
Joseph Fugitt  
9243 North Point Road.

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2016-0043-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,

A handwritten signature in blue ink, appearing to read 'David W. Peake'.

David W. Peake  
Metropolitan District Engineer – District 4  
Baltimore & Harford Counties

DWP/RAZ

**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 31, 2015  
Item No. 2016-0043

**DATE:** August 31, 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 and whether there are any restrictions.

\*

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\*

DAK:CEN  
cc:file

ZAC-ITEM NO 16-0043-08312015.doc



# 9243 North Point Road



2016-0043-A



Publication Date: March 24, 2011  
 Publication Agency: Department of Permits & Development Management  
 Projection/Datum: Maryland State Plane,  
 FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes

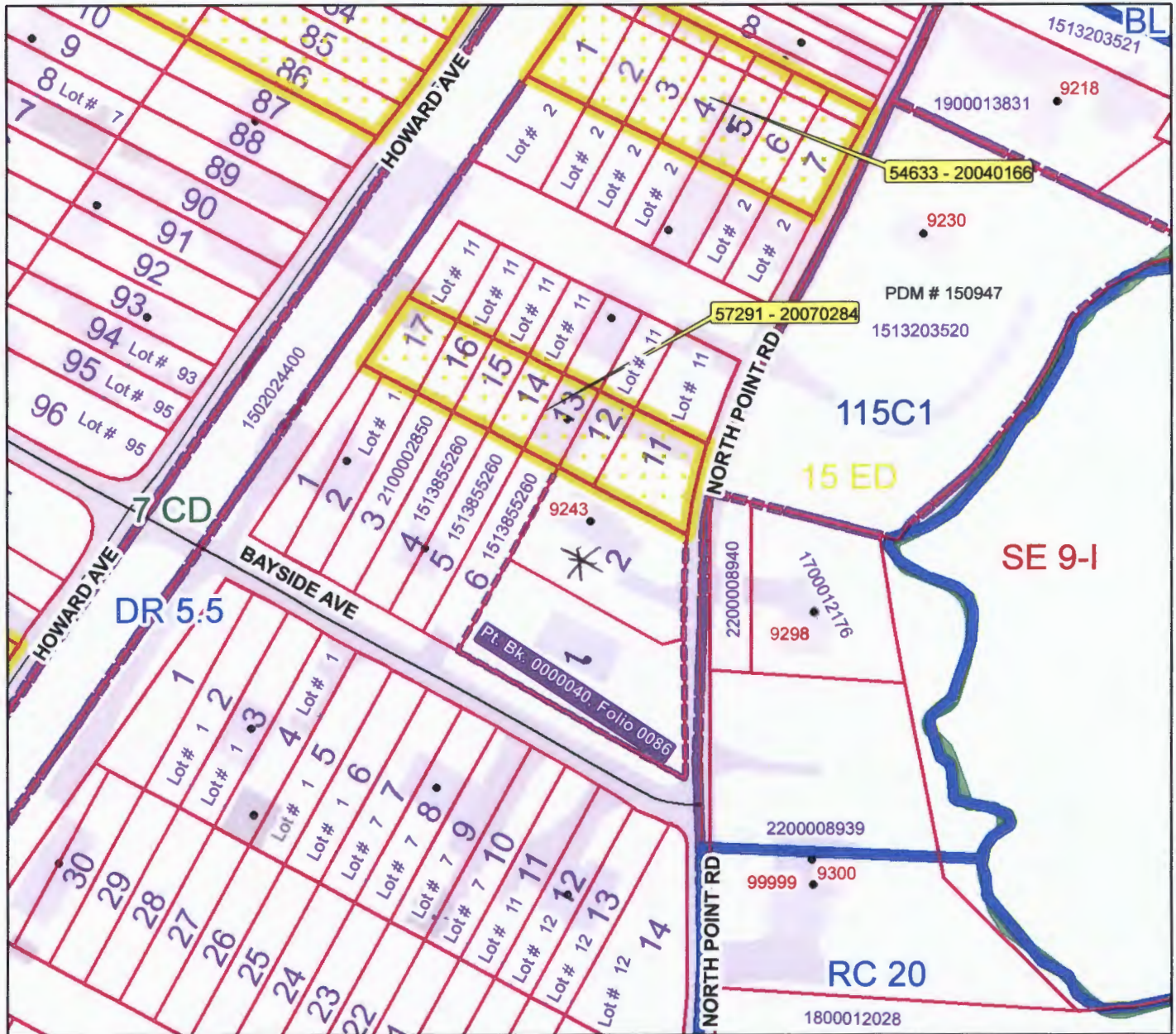


0 50 100  
 Feet

1 inch = 100 feet



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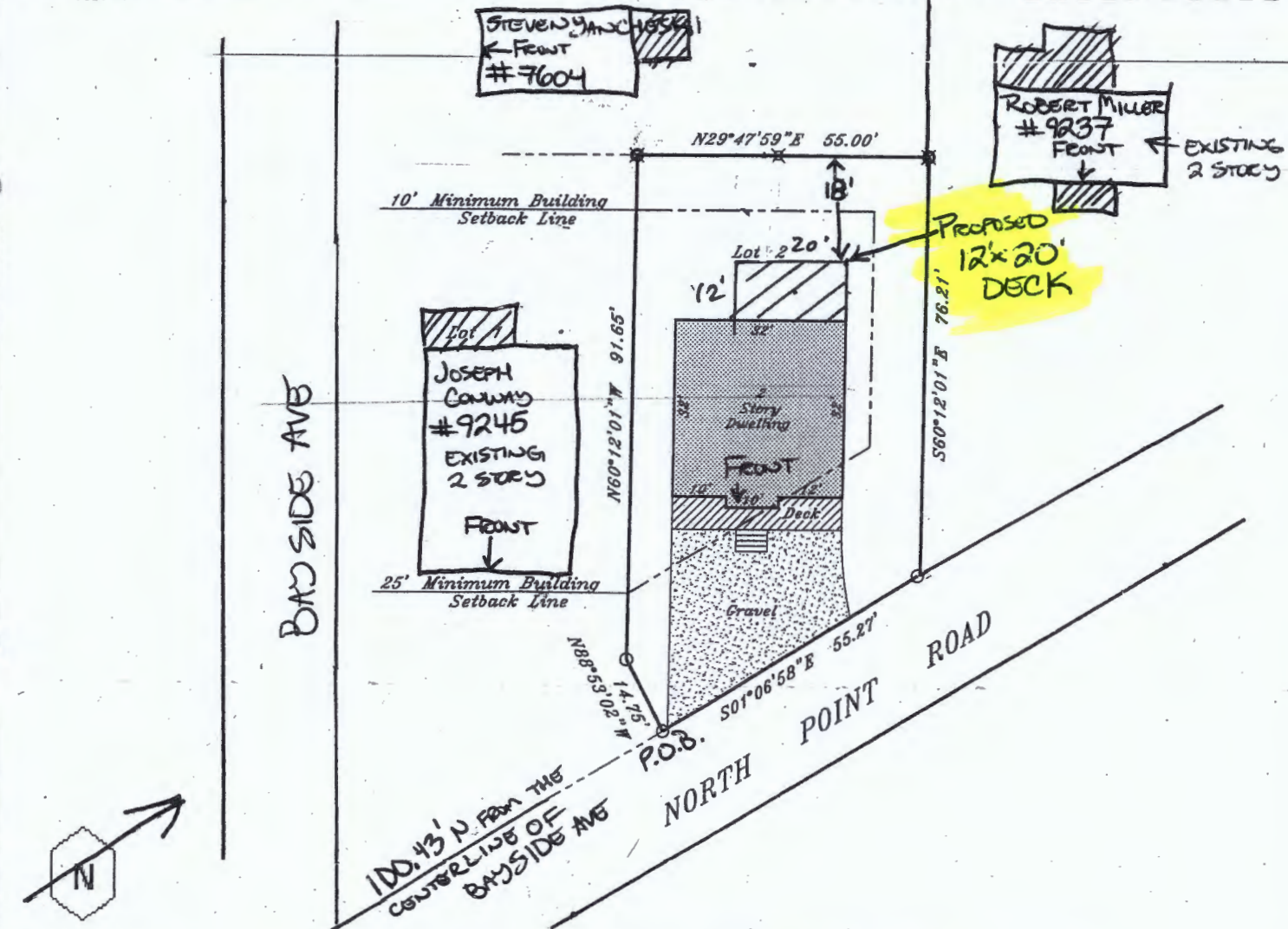


ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH ☒)

ADDRESS 9243 North Point Road OWNER(S) NAME(S) Joseph FUGITT

SUBDIVISION NAME Resubdivision of Plat of North Point Terrace Lot # 2 BLOCK # \_\_\_\_\_ SECTION # \_\_\_\_\_

PLAT BOOK # 40 FOLIO # 86 10 DIGIT TAX # 1800000961 DEED REF. # 35064/00417



PLAN DRAWN BY JOSEPH FUGITT DATE 7/21/15 SCALE: 1 INCH = 30 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP # 115C1

SITE ZONED DRS, S

ELECTION DISTRICT 15th

COUNCIL DISTRICT 7

LOT AREA ACREAGE \_\_\_\_\_

OR SQUARE FEET 5032

HISTORIC? NO

IN CBCA? YES

IN FLOOD PLAIN? YES

UTILITIES? MARK WITH ☒

WATER IS:

PUBLIC ☒ PRIVATE \_\_\_\_\_

SEWER IS:

PUBLIC ☒ PRIVATE \_\_\_\_\_

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER \_\_\_\_\_

AND ORDER RESULT BELOW \_\_\_\_\_

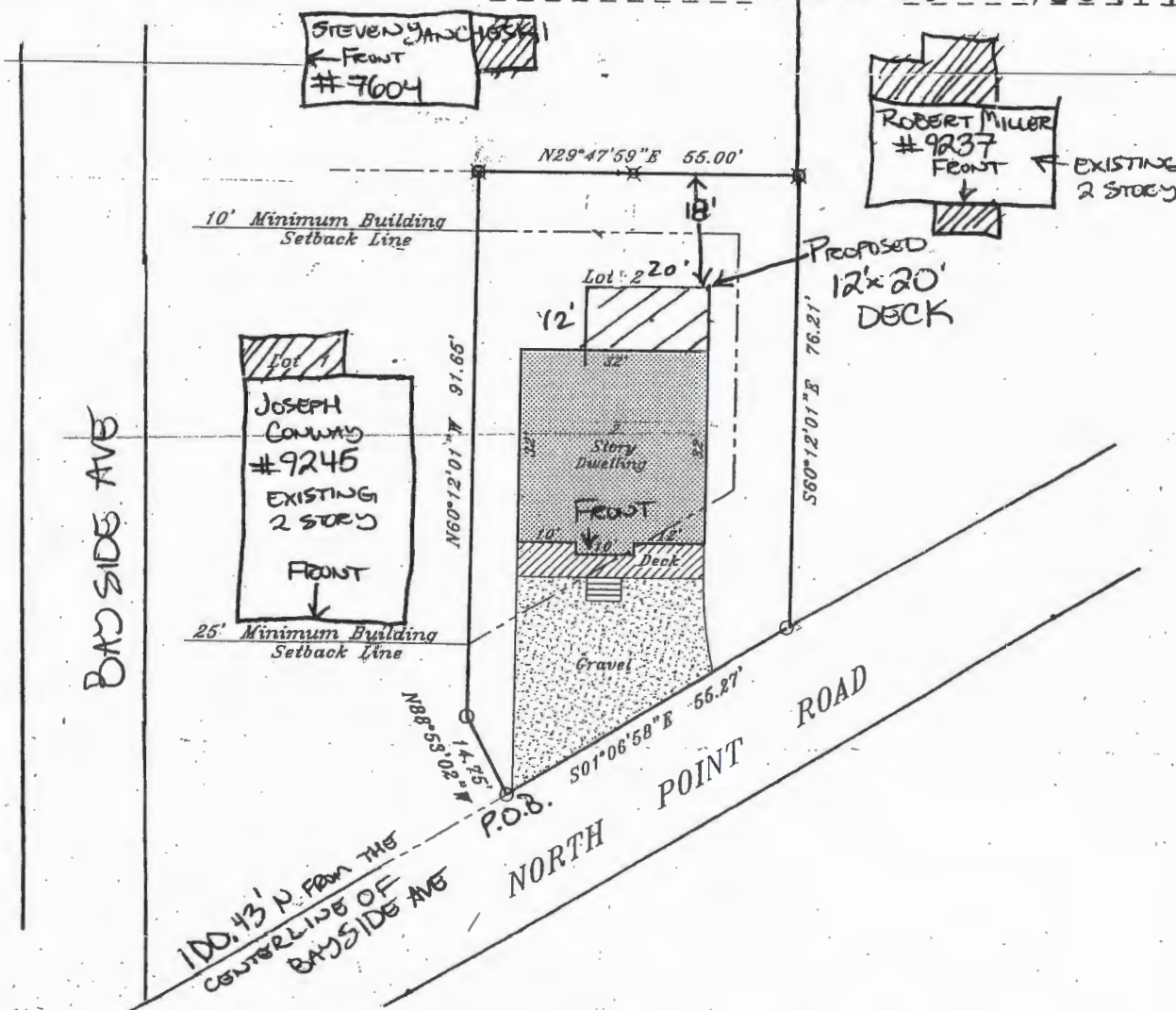
VIOLATION CASE INFO: \_\_\_\_\_

2016-0043-A

Per. Exh. 1



PLAT BOOK # 40 FOLIO # 86 10 DIGIT TAX # 1800000961 DEED REF. # 35064/00417



PLAN DRAWN BY JOSEPH FUGITT DATE 7/21/15 SCALE: 1 INCH = 30 FEET

AND ORDER RESULT BELOW

**VIOLATION CASE INFO:**

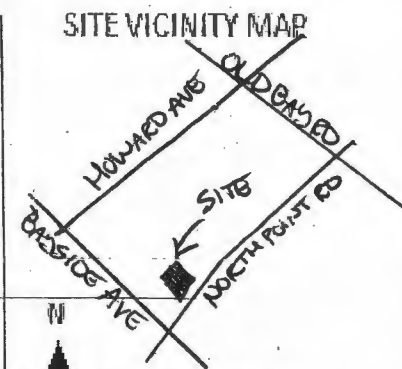
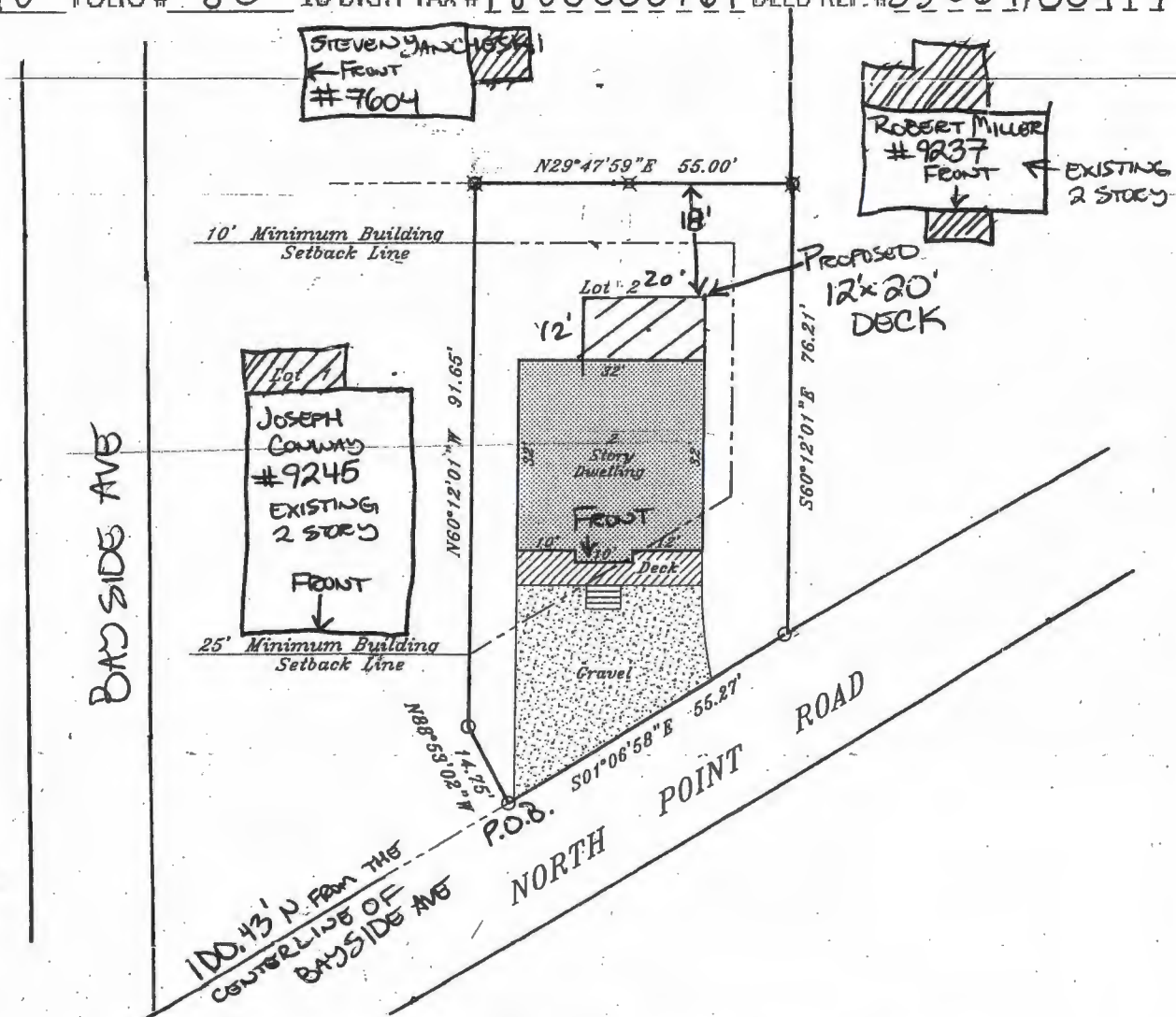
2016-0043-4

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH ☒)

ADDRESS 9243 North Point Road OWNER(S) NAME(S) Joseph FUGITT

SUBDIVISION NAME Resubdivision of Plat of North Point Terrace <sup>Lot</sup> LOT # 2 BLOCK # \_\_\_\_\_ SECTION # \_\_\_\_\_

PLAT BOOK # 40 FOLIO # 86 10 DIGIT TAX # 1800000961 DEED REF. # 35064/00417



MAP IS NOT TO SCALE

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IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

VIOLATION CASE INFO:

\_\_\_\_\_

\_\_\_\_\_

PLAN DRAWN BY JOSEPH FUGITT DATE 7/21/15 SCALE: 1 INCH = 30 FEET

2016-0043-A