

MEMORANDUM

DATE: January 5, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0111-A- Appeal Period Expired

The appeal period for the above-referenced case expired on January 4, 2016. 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 *
(2203 Crestnoll Road)
8th Election District *
2nd Council District *
Salvatore & Vincenza Caltabiano *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2016-0111-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Salvatore & Vincenza Caltabiano. The Petitioners are requesting Variance relief from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard addition with a side setback of 31 ft. in lieu of the required 50 ft. 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 Department of Environmental Protection and Sustainability (DEPS) dated November 18, 2015, indicating that the development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code (B.C.C.)). In addition, DEPS offered the following comments:

"The property is currently not in compliance with Baltimore County's Forest Conservation Law, as forest clearing has occurred in the Forest Conservation Easement (FCE), and house is not at least 35 feet from the FCE. Moreover, the proposed addition would encroach further into the FCE. EIR will not approve any permit for this addition until the site is brought into compliance. Also, Ground Water Management must review any future building permits prior to approval."

ORDER RECEIVED FOR FILING

Date 12-2-15

By DW

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on November 15, 2015, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

Based upon the information and comment provided by DEPS (a copy of which is attached hereto), it appears that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be denied. The Petitioners are not entitled to the grant of a variance if their property is being used in violation of County regulations, as described in the DEPS comment. If they are able to resolve the outstanding issues with DEPS within thirty (30) days of the date hereof, and provide to the OAH satisfactory proof to that effect, Petitioners would be permitted to seek reconsideration of this Order pursuant to Rule 4K of the Zoning Commissioner's Rules.

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 denied.

THEREFORE, IT IS ORDERED, this 2nd day of **December**, 2015, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard addition with a side setback of 31 ft. in lieu of the required 50 ft., be and is hereby DENIED.

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 12-2-15

2

By DW

11-30
CLOSING

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

NOV 18 2015

OFFICE OF ADMINISTRATIVE HEARINGS



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: November 18, 2015

SUBJECT: DEPS Comment for Zoning Item # 2016-0111-A
Address 2203 Crestknoll Road
(Koros, LLC Property)

Zoning Advisory Committee Meeting of November 9, 2015.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

The property is currently not in compliance with Baltimore County's Forest Conservation Law, as forest clearing has occurred in the Forest Conservation Easement (FCE), and house is not at least 35 feet from the FCE. Moreover, the proposed addition would encroach further into the FCE. EIR will not approve any permit for this addition until the site is brought into compliance. Also, Ground Water Management must review any future building permits prior to approval. – Dan Esser

Reviewer: Glenn Shaffer

Date: November 12, 2015

ORDER RECEIVED FOR FILING

Date 12-2-15

By DW



KEVIN KAMENETZ
County Executive

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

December 2, 2015

Salvatore and Vincenza Caltabiano
2203 Crestnoll Road
Reisterstown, Maryland 21136

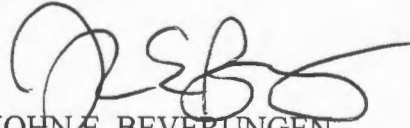
RE: Petition for Administrative Variance
Case No. 2016-0111-A
Property: 2203 Crestnoll Road

Dear Petitioners:

Enclosed please find a copy of the Order 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: Tim Macek, 30 Bush Cabin Ct., Parkton, MD 21120



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

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

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

Address 2203 CRESTNOLL RD., REISTERSTOWN, MD 21136 Currently zoned RC4
Deed Reference 10325 1 503 10 Digit Tax Account # 2200017153
Owner(s) Printed Name(s) SALVATORE AND VINCENZA CALTABIANO

(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)

BCZR: 1A04.3.B.2.b → To permit a rear yard addition with a side setback of 31 feet in lieu of the required 50 feet.

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):

SALVATORE CALTABIANO, VINCENZA CALTABIANO
Name #1 - Type or Print Name #2 - Type or Print
[Signature] [Signature]
Signature #1 Signature #2
2203 CRESTNOLL RD. REISTERSTOWN, MD
Mailing Address City State
21136 410-560-1656 NA
Zip Code Telephone # Email Address

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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

TIM MACEK

Name - Type or Print

Signature

30 Bush Cabin Ct. PARKTON, MD

Mailing Address

City

State

21120 410-598-5513 TMMACEK@COMCAST.NET
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 2016-0111-A Filing Date 11/3/15 Estimated Posting Date 11/15/15 Reviewer JS

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

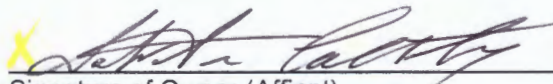
The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in 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.

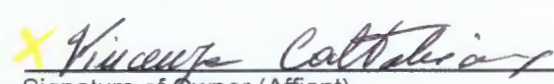
Address: 2203 CRESTNOLL RD. REISTERSTOWN, MD 21136
Print or Type Address of property City State Zip Code

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)

Adding Bedroom on 1st Floor so property owners
no longer have to use steps. Medical Reasons

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


Signature of Owner (Affiant)
SALVATORE CALTABIANO
Name- Print or Type


Signature of Owner (Affiant)
VINCENZA CALTABIANO
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:

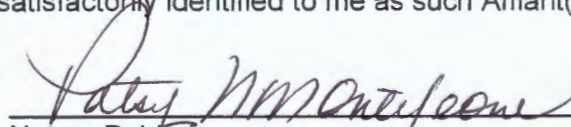
I HEREBY CERTIFY, this 26 day of Oct, 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Salvatore Caltabiano & Vincenza Caltabiano

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

AS WITNESS my hand and Notaries Seal




Notary Public

My Commission Expires 3/3/17

BEING ~~KNOWN~~ + DESIGNATED AS LOT NO. 5/, as shown on Plat entitled, "Akeley Property, Phase II, Plat 1 or 2," which Plat is recorded among the Land Records of Baltimore County in Plat Book No. SM 65, folio 121.

BEING part of that land described in Deed dated July 26, 1993 and recorded among the Land Records of Baltimore County in Liber 9989, folio 241 thereby granted and conveyed by Norma A. Rannels, personal representative to Charles V. Akeley, JR.

KNOWN AS 2203 CRESTNOLL ROAD, CONTAINING 3.0748 ACRES,
ELECTION DISTRICT 8, COUNCILMATIC DISTRICT 2.

2016-0111-A

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

No. **127347**

Date: **11/3/15**

PAID RECEIPT

BUSINESS ACTUAL TIME DEPT
11/04/2015 11/03/2015 11:01:17 2

BY: 8502 WALKER JENA JEE

RECEIPT # 846206 11/03/2015 OFLN

FOR: S 300 ZONING VERIFICATION

NO. 127347

Receipt Tot \$75.00
\$.00 CA
\$25.00 CB

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 75.00

Total: **\$ 75.00**

Rec From: **CALTAGIANO**

For: **206-0111-A**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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 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 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:

Item Number or Case Number: 2016-0111-A

Petitioner: CALTABIANO

Address or Location: 7203 CRESTNOLL RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: CALTABIANO

Address: 7203 CRESTNOLL RD

REISTERSTOWN, MD 21136

Telephone Number: 410-560-1656

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0111 -A Address 2703 CRESTNOLL RD

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

Filing Date: 11/3/15 Posting Date: 11/15/15 Closing Date: 11/30/15

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- 0111 -A Address 2703 CRESTNOLL RD

Petitioner's Name CALTABIANO Telephone 410-560-1656

Posting Date: 11/15/15 Closing Date: 11/30/15

Wording for Sign: TO PERMIT A REAR YARD ADDITION WITH A SIDE SETBACK
OF 31 FEET IN LIEU OF THE REQUIRED 50 FEET.

Revised 7/21/15

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 11/15/2015

Case Number: 2016-0111-A

Petitioner / Developer: SALVATORE CALBABIANO

Date of Hearing (Closing): NOVEMBER 30, 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:
2203 CRESTKNOLL ROAD

The sign(s) were posted on: NOVEMBER 15, 2015



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 16, 2015

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

SUBJECT: Zoning Advisory Committee Meeting
For November 9, 2015
Item No. 2016-0111, 0113, 0114, 0115, 0118 and 0120

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

DAK
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC11092015.doc

CHECKLIST

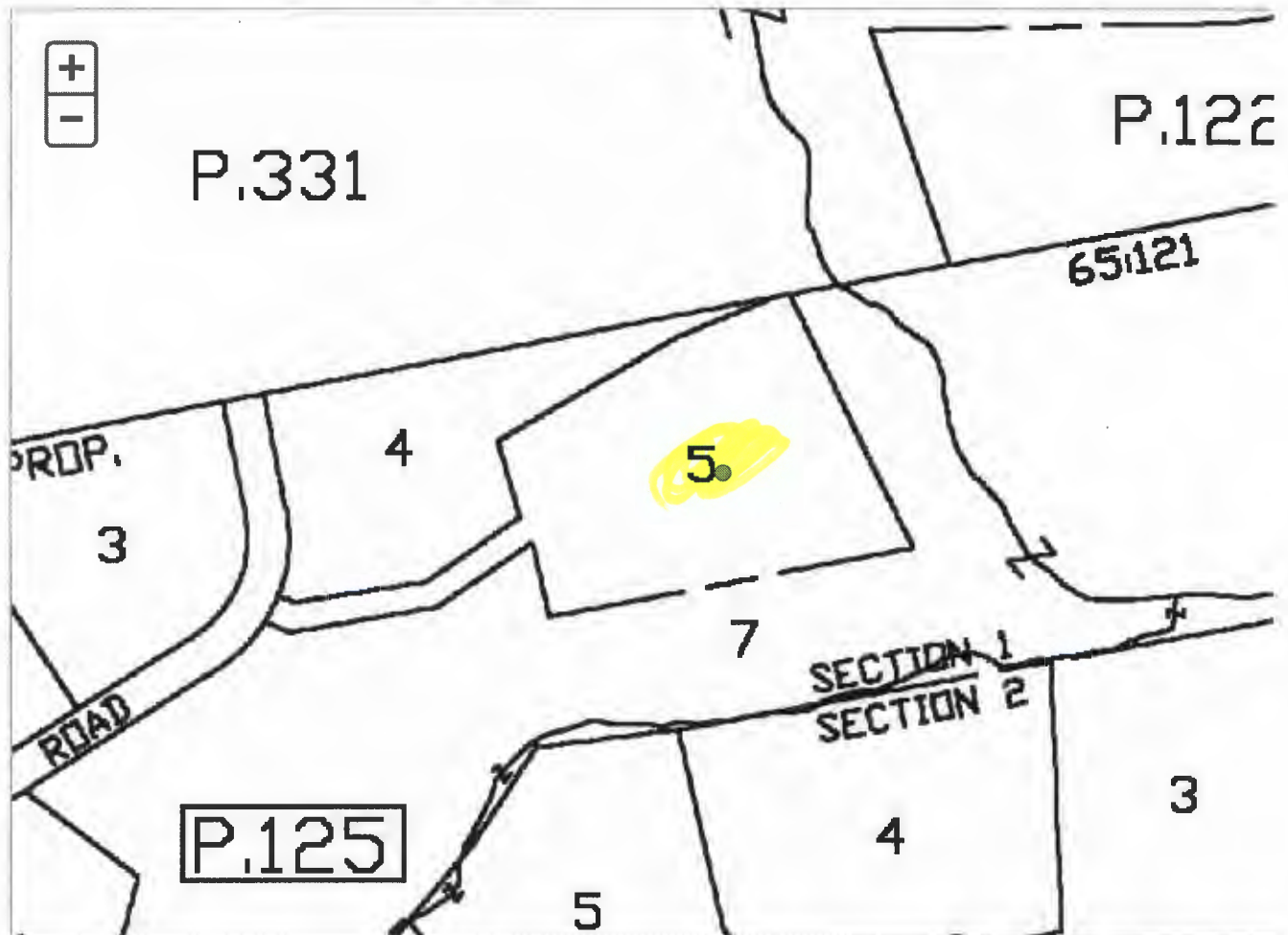
<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>11-16</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>11-18</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>11-12</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>94-492-A</u>)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING <u>15 days</u>	Date: <u>11-15-15</u> by <u>O'Keefe</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Guide to searching the database

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 08 Account Number - 2200017153			
Owner Information					
Owner Name:		CALTABIANO SALVATORE CALTABIANO VINCENZA		Use:	RESIDENTIAL
Mailing Address:		2203 CRESTNOLL RD REISTERSTOWN MD 21136-5645		Principal Residence:	YES
				Deed Reference:	/10325/ 00503
Location & Structure Information					
Premises Address:		2203 CRESTNOLL RD 0-0000		Legal Description:	3.0748 AC PHASE 2 2203 CRESTNOLL RD NER AKELEY PROPERTY
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref: 1
0050	0008	0125		0000	1 5 2014 0065/0121
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area	Property Land Area County Use
1995		7,277 SF			3.0700 AC 04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	1Att/1Det
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2014	07/01/2015	07/01/2016
Land:		241,400	241,400		
Improvements		632,400	713,100		
Total:		873,800	954,500	927,600	954,500
Preferential Land:		0			0
Transfer Information					
Seller: AKELEY CHARLES V,JR			Date: 02/04/1994	Price: \$115,000	
Type: ARMS LENGTH VACANT			Deed1: /10325/ 00503	Deed2:	
Seller:			Date:	Price:	
Type:			Deed1:	Deed2:	
Seller:			Date:	Price:	
Type:			Deed1:	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: Approved 11/19/2012					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **08** Account Number: **2200017153**

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>).

Les
7/13/94

IN RE: PETITION FOR VARIANCE
SE/S Crestnoll Road, 600' E of
the c/l Fountainhead Court
(2203 Crestnoll Road)
8th Election District
4th Councilmanic District
Salvatore Caltabiano, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-492-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 2203 Crestnoll Road, located in the Cockeysville area of northern Baltimore County. The Petition was filed by the owners of the property, Salvatore and Vincenza Caltabiano. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side property line setback of 38 feet in lieu of the required 50 feet for a proposed dwelling. The subject property and relief sought are more particularly described on the plan submitted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Salvatore and Vincenza Caltabiano, property owners. There were no Protestants present.

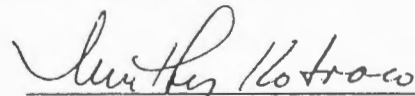
Testimony and evidence presented revealed that the subject property consists of 3.074 acres, zoned R.C. 5 and is presently unimproved. The Petitioners are desirous of developing the property with a single family dwelling in accordance with Petitioner's Exhibit 1. Due to site limitations, including a forest conservation easement and the location of the septic field, the building envelope for the proposed dwelling must be situated close to the side property line. Therefore, the requested variances are necessary in order to proceed as proposed.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of July, 1994 that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side property line setback of 38 feet in lieu of the required 50 feet for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TMK:bjs



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

11-30
Closing

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

NOV 18 2015

OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: November 18, 2015

SUBJECT: DEPS Comment for Zoning Item # 2016-0111-A
Address 2203 Crestknoll Road
(Koros, LLC Property)

Zoning Advisory Committee Meeting of November 9, 2015.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

The property is currently not in compliance with Baltimore County's Forest Conservation Law, as forest clearing has occurred in the Forest Conservation Easement (FCE), and house is not at least 35 feet from the FCE. Moreover, the proposed addition would encroach further into the FCE. EIR will not approve any permit for this addition until the site is brought into compliance. Also, Ground Water Management must review any future building permits prior to approval. – Dan Esser

Reviewer: Glenn Shaffer Date: November 12, 2015



KEVIN KAMENETZ
County Executive

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

December 1, 2015

Salvatore Caltabiano
Vincenza Caltabiano
2203 Crestnoll Road
Reisterstown MD 21136

RE: Case Number: 2016-0111 A, Address: 2203 Crestnoll Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 3, 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.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Tim Macek, 30 Bush Cabin Court, Parkton MD 21120

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



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 11/12/15

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

RE: Baltimore County
Item No. 2016-0111-A
Administrative Variance
Salvatore & Vincenza Caltabiano
2203 Crest Knoll 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. 2016-0111-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 black ink, appearing to read 'Richard A. Zeller'.

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

DWP/RAZ

Pt. Bk./Folio # MP06010

2005-0277-SPH

PAI # 080838

2005-0277-SPH

PAI # 080838 PAI # 080838

2500002704

PAI # 080838

Pt. Bk. 000058, Folio 0072

Pt. Bk./Folio # PAI # 080408

PAI # 080408

PAI # 080408
PAI # 080408

0816076721

0820032320

050B1

2016-0111-A

GROWTH TIER
(No New Subdivisions of 4
or More Additional Lots)

2 CD

RC 5

RC 4

NW 16-F

Lot # 4
2200017152

NW 16-E

2203

1994-0492-A

Lot # 5
2200017153

2201

Lot # 3 2200017151

Pt. Bk. 0000065, Folio 0122

2200017166

Lot # 7

PAI # 080594

PAI # 080594

1991-0033-X PAI # 080594

PAI # 080594

Pt. Bk./Folio # 065121

050B2

Lot # 4

Pt. Bk. 0000065, Folio 0121

2200017161

Lot # 3 2200017160

Lot # 5

2200017162

2200017163

Lot # 6

ASHGROWN WAY

RC 5

Lot # 2

2200017159

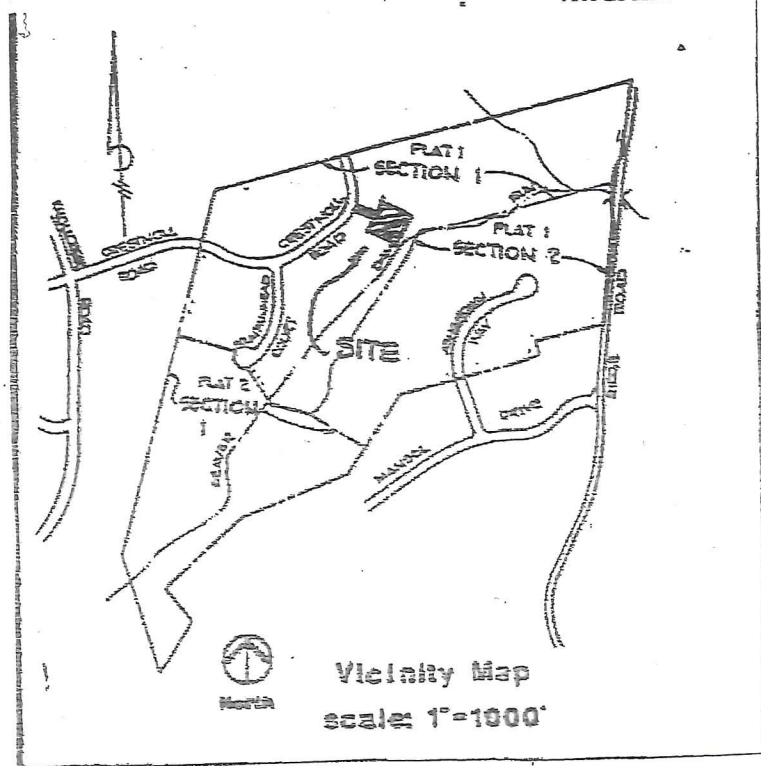








ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 2203 CRESTNOLL RD., REISTERSTOWN, MD 21136 OWNER(S) NAME(S) SALVATORE AND VINCENZA CALTABIANO
SUBDIVISION NAME AKELEY PROPERTY - PHASE II LOT # 5 BLOCK # _____ SECTION # 1
PLAT BOOK # 65 FOLIO # 065121 10 DIGIT TAX # 2200017153 DEED REF. # 103251 - 503



LOCATION INFORMATION

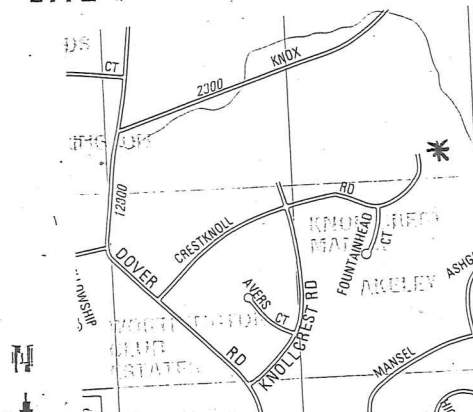
Election District: 8
Councilmanic District: 2
1"=200' scale map#: NW 167, NW 168
Zoning: RC-5
Lot size: 3.074 133,936
 acres square feet
Sewer: ☐ public ☒ private
Water: ☐ public ☒ private
Chesapeake Bay Critical Area: ☐ Yes ☒ No
Prior Zoning Hearings:

(SEE ATTACHED SHEETS)



PLAN DRAWN BY _____ DATE _____ SCALE: 1 INCH = _____ FEET

SITE VICINITY MAP

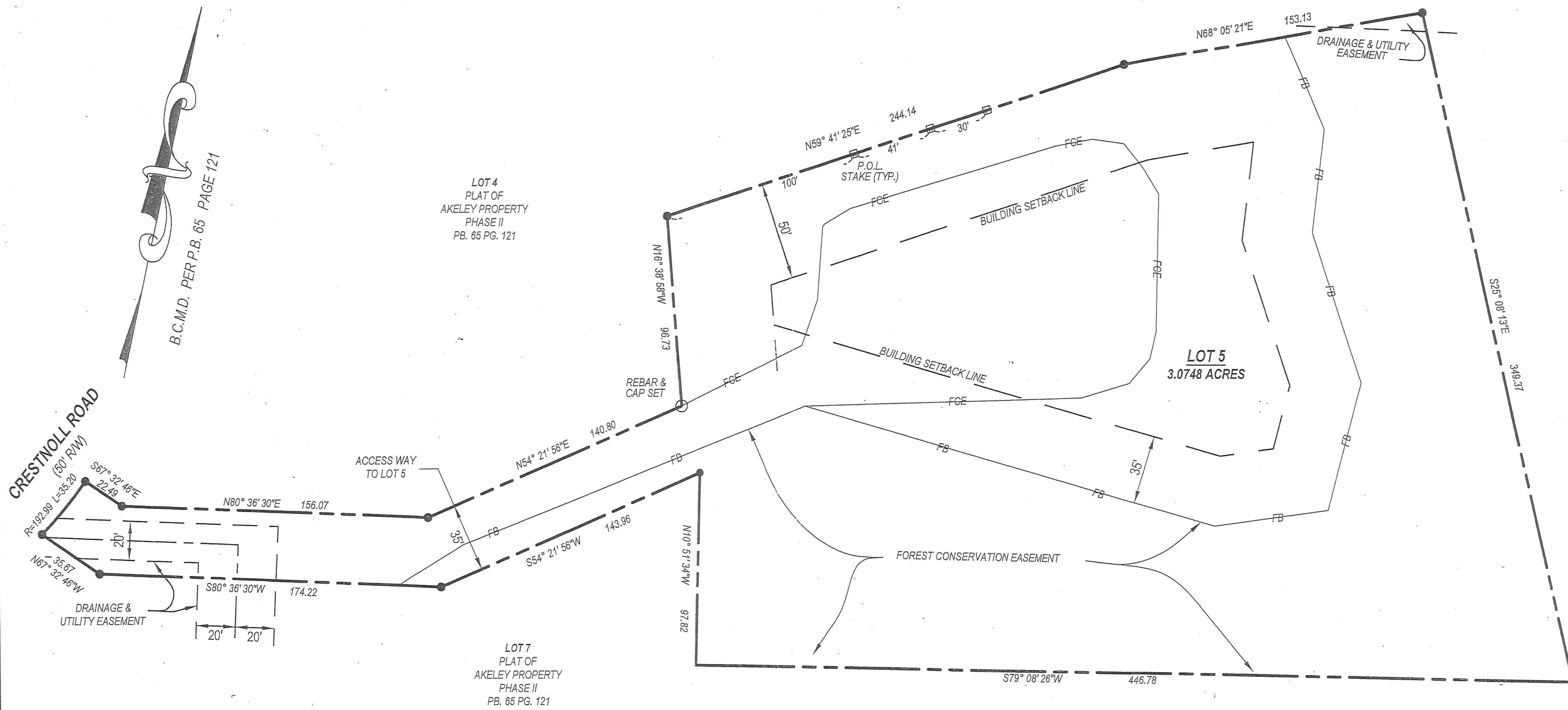


MAP IS NOT TO SCALE

ZONING MAP# 050.B1
SITE ZONED RC5
ELECTION DISTRICT 8
COUNCIL DISTRICT 2
LOT AREA ACREAGE 3.074
OR SQUARE FEET _____
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS:
PUBLIC _____ PRIVATE X
SEWER IS:
PUBLIC _____ PRIVATE X
PRIOR HEARING? YES
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW
1991-0033-X → WITHDRAWN
1994-0492-A → GRANTED

VIOLATION CASE INFO:

Pet. Exp. 1



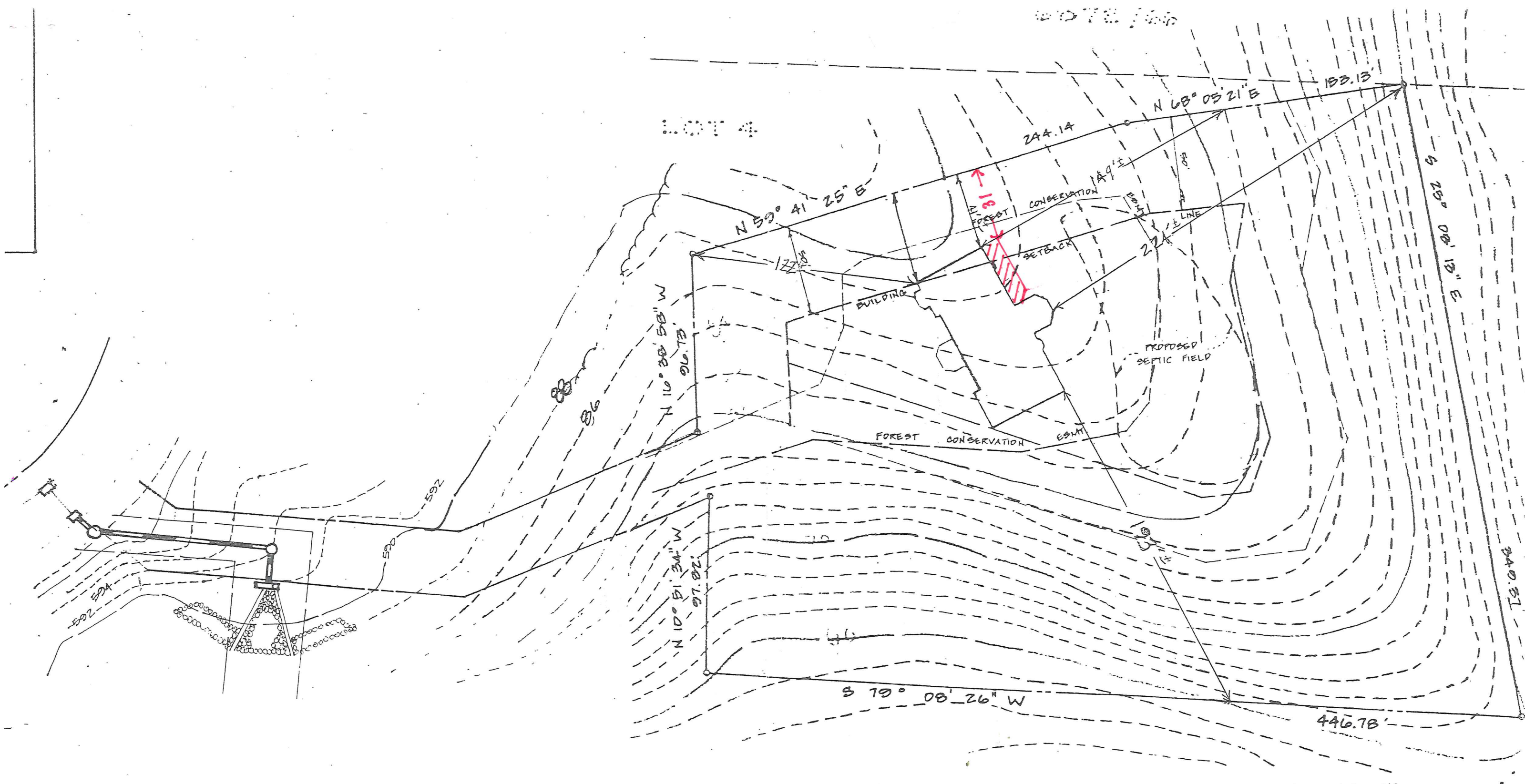
STAKEOUT PLAT
 OF
CALTABIANO PROPERTY
 LOT 5
 AKELEY PROPERTY PHASE II
 PLAT 1 OF 2
 RECORDED IN PLATBOOK 65 PAGE 121
 8th ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND
 TAX MAP - 50 GRID - 8 PARCEL - 125



exp. date: 05/08/2016

LEGEND	
FB	= FOREST BUFFER
FCE	= FOREST CONSERVATION EASEMENT
☐	P.O.L. STAKE
●	REBAR & CAP FOUND
○	REBAR & CAP SET

OWNER / DEVELOPER SALTATORE CALTABIANO VINCENZA CALTABIANO 2203 CRESTNOLL ROAD REISTERSTOWN, MD 21136	Date: OCTOBER 28, 2015
	Scale: 1 inch = 50 feet
	BPR Job No. 15-001-065
A licensed Maryland Surveyor either personally prepared the Survey as shown hereon, or was in responsible charge over its preparation and the surveying work reflected in it, in compliance with chapter 09.13.06.12 of the Maryland Minimum Standards of Practice for Land Surveyors.	
BPR INC SURVEYORS - LAND PLANNERS 150 Airport Drive Suite 4 Westminster, Maryland 21157 Phone: (410)-857-9030 (410)-876-0333 Fax: (410)876-1532 www.bprsurveying.com	



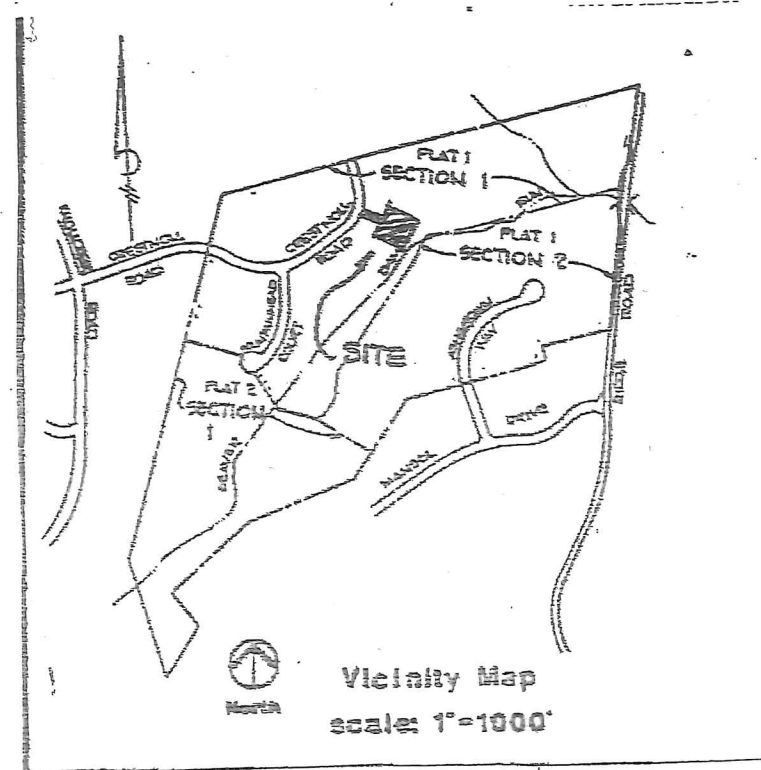
1 INCH = 50 FEET

2016-0111-A

SITE PLAN
LOT 5

copy

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 2203 CRESTNOLL RD., REISTERSTOWN, MD 21136 OWNER(S) NAME(S) SALVATORE AND VINCENZA CANTABIANO
 SUBDIVISION NAME AKELEY PROPERTY - PHASE II LOT # 5 BLOCK # _____ SECTION # 1
 PLAT BOOK # 65 FOLIO # 065121 10 DIGIT TAX # 2200017153 DEED REF. # 103251 - 503



LOCATION INFORMATION

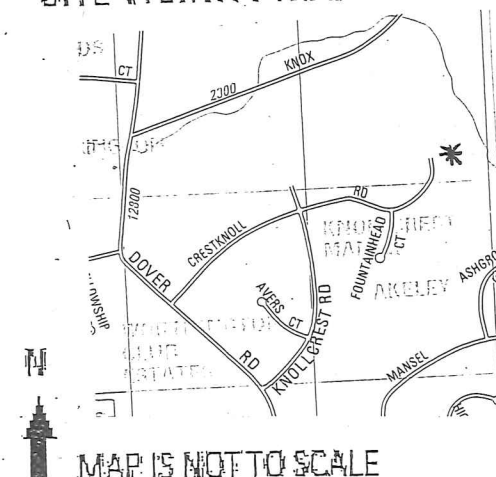
Election District: 8
 Councilmanic District: 2
 1"=200' scale map#: NW 167, NW 168
 Zoning: RC-5
 Lot size: 3.074 133,939
 acreage square feet
 Sewer: ☐ public ☒ private
 Water: ☐ yes ☒ no
 Chesapeake Bay Critical Area: ☐ yes ☒ no
 Prior Zoning Hearings: _____

(SEE ATTACHED SHEETS)



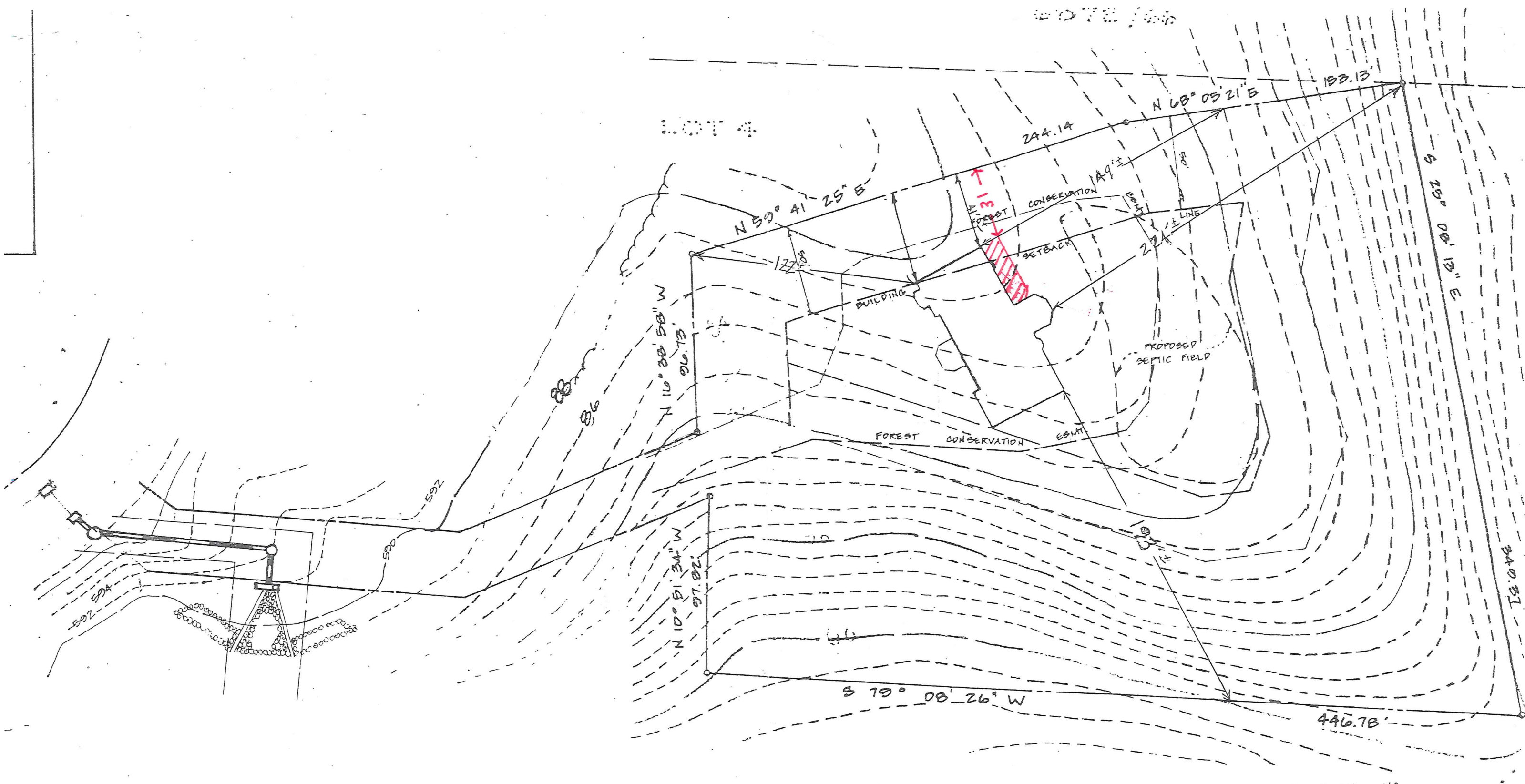
PLAN DRAWN BY _____ DATE _____ SCALE: 1 INCH = _____ FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE
 ZONING MAP# 050.B1
 SITE ZONED RC5
 ELECTION DISTRICT 8
 COUNCIL DISTRICT 2
 LOT AREA ACREAGE 3.074
 OR SQUARE FEET _____
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS: _____
 PUBLIC _____ PRIVATE X
 SEWER IS: _____
 PUBLIC _____ PRIVATE X
 PRIOR HEARING? YES
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW
1991-0033-X → WITHDRAWN
1994-0492-A → GRANTED

VIOLATION CASE INFO: _____



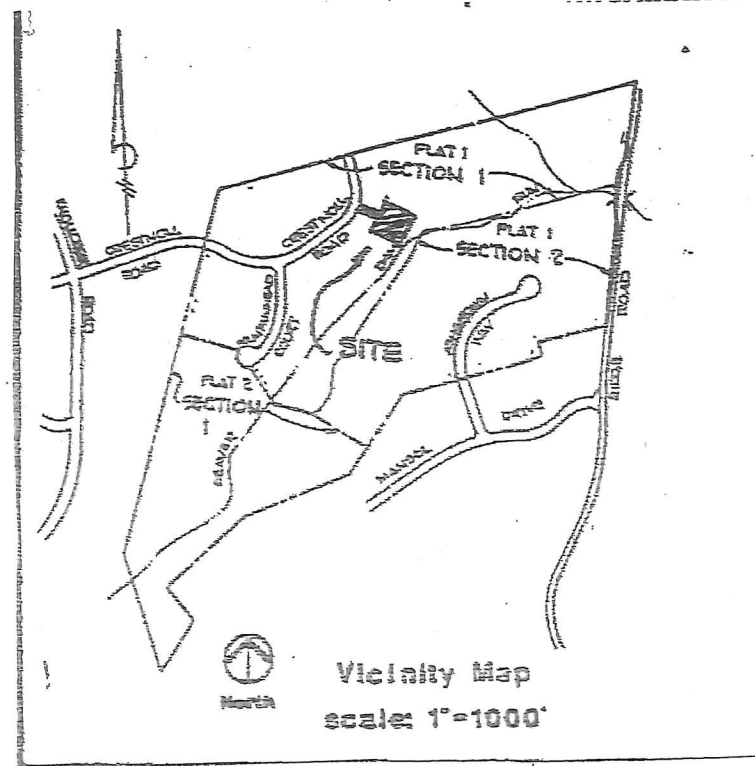
1 INCH = 50 FEET

2016-0111-A

SITE PLAN
LOT 5

12/24/16

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS: 2203 CRESTNOLL RD., REISTERSTOWN, MD 21136 OWNER(S) NAME(S) SALVATORE AND VINCENZA CALTABIANO
SUBDIVISION NAME AKELEY PROPERTY - PHASE II LOT # 5 BLOCK # _____ SECTION # 1
PLAT BOOK # 65 FOLIO # 065121 10 DIGIT TAX # 2200017153 DEED REF. # 103251 - 503



LOCATION INFORMATION

Election District: 8

Councilmanic District: 2

1"=200' scale maps: NW 16E, NW 16E

Zoning: RC-5

Lot size: 3.074 133,938
acres square feet

	public	private
SEWER:	☐	☒
WATER:	☐	☒
Chesapeake Bay Critical Area:	☐	☒

Prior Zoning Hearings:

(SEE ATTACHED SHEETS)



PLAN DRAWN BY _____ DATE _____ SCALE: 1 INCH = _____ FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 050B1

SITE ZONED RC5

ELECTION DISTRICT 8

COUNCIL DISTRICT 2

LOT AREA ACREAGE 3.074

OR SQUARE FEET _____

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC _____ PRIVATE X

SEWER IS:

PUBLIC _____ PRIVATE X

PRIOR HEARING? YES

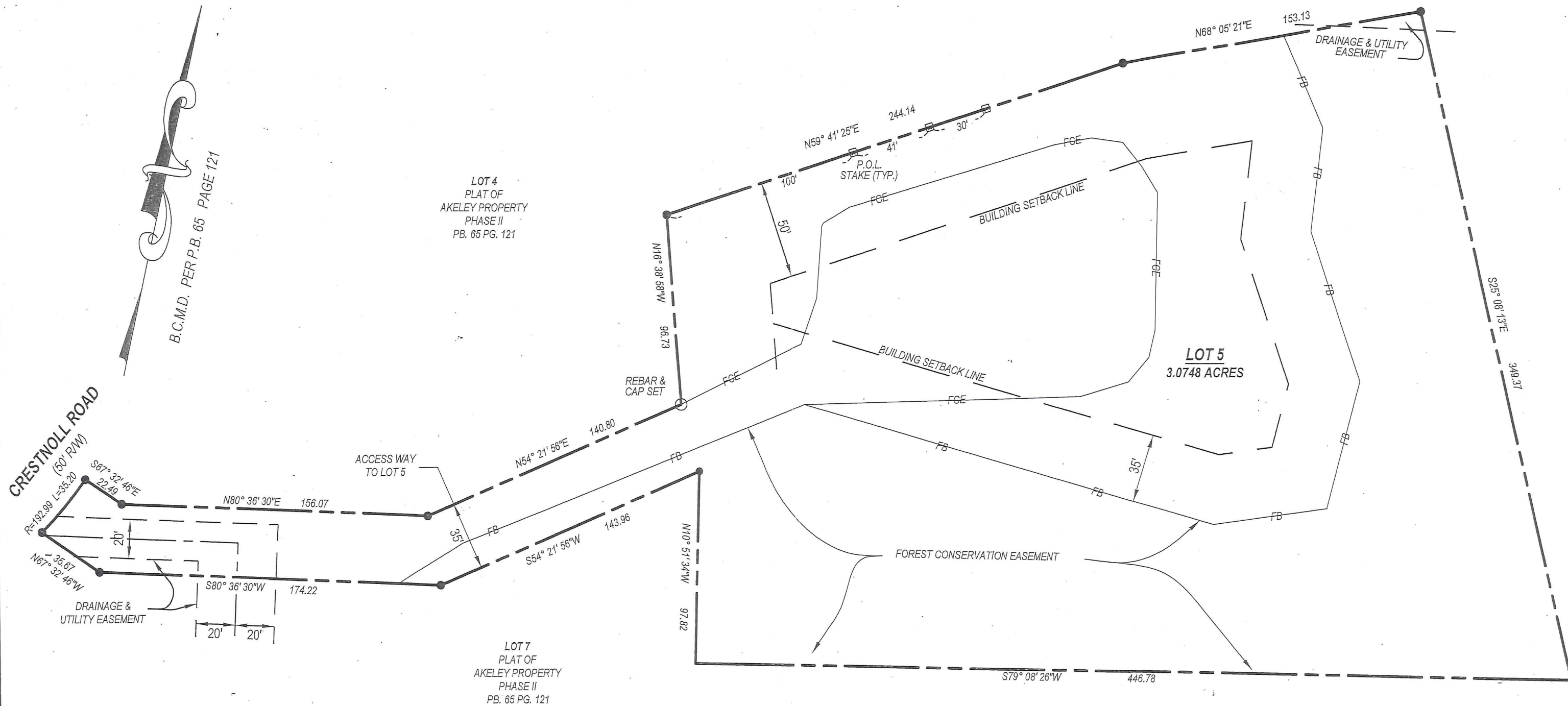
IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

1991-0033-X → WITHDRAWN

1994-0492-A → GRANTED

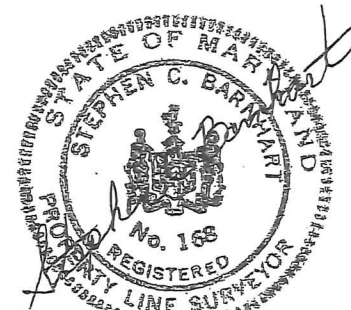
VIOLATION CASE INFO:



STAKEOUT PLAT OF **CALTABIANO PROPERTY**

LOT 5
AKELEY PROPERTY PHASE II
PLAT 1 OF 2

RECORDED IN PLATBOOK 65 PAGE 121
8th ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND
TAX MAP - 50 GRID - 8 PARCEL - 125



exp. date: 05/08/2016

LEGEND	
FB	FOREST BUFFER
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□	P.O.L. STAKE
●	REBAR & CAP FOUND
○	REBAR & CAP SET

OWNER / DEVELOPER
SALTATORE CALTABIANO
VINCENZA CALTABIANO
2203 CRESTNOLL ROAD
REISTERSTOWN, MD 21136

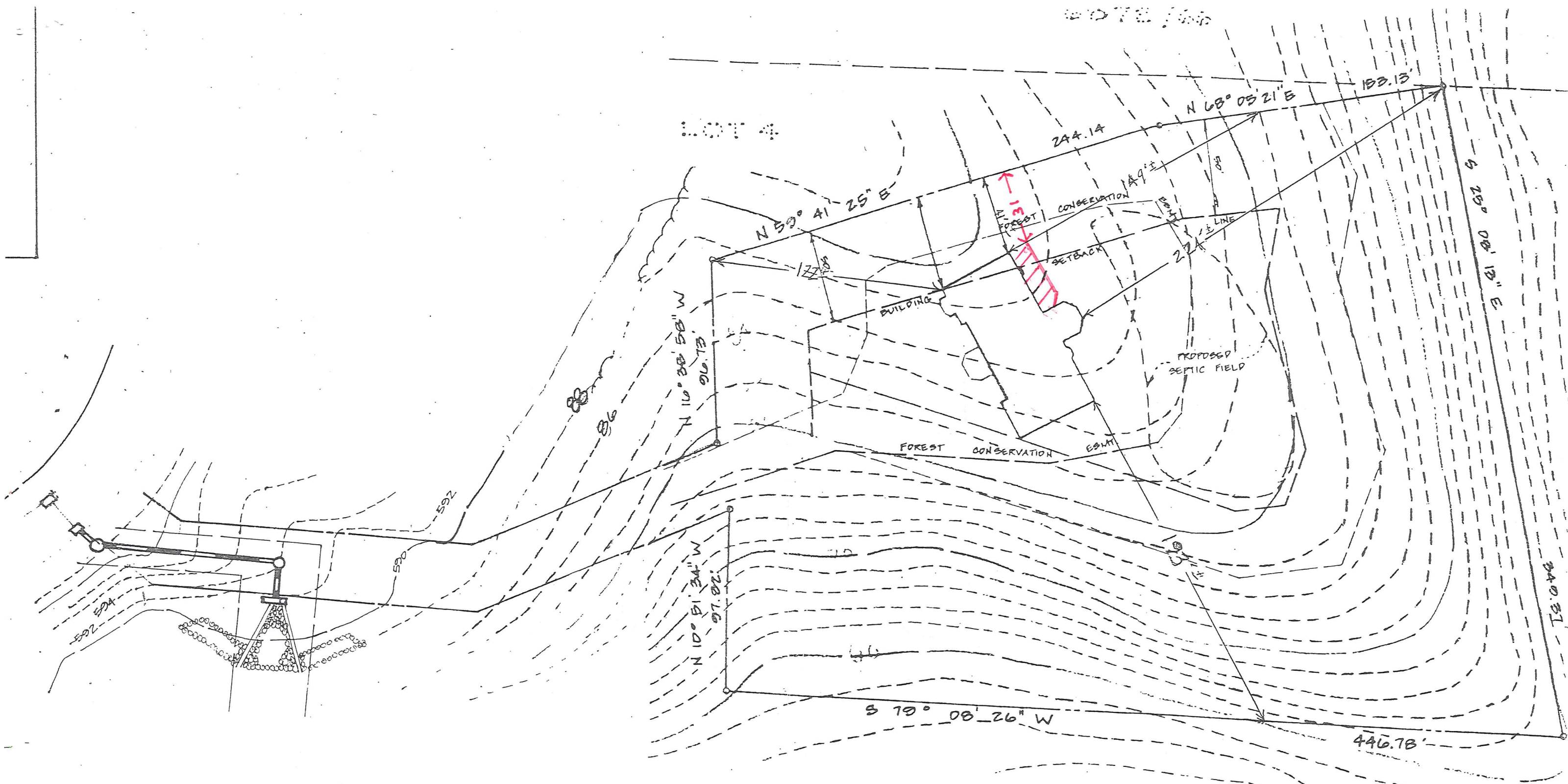
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Date: OCTOBER 28, 2015

Scale: 1 inch = 50 feet

BPR Job No. 15-001-065

BPRINC
SURVEYORS - LAND PLANNERS
150 Airport Drive
Suite 4
Westminster, Maryland 21157
Phone: (410)-857-9030
(410)-876-0333
Fax: (410)876-1532
www.bprsurveying.com



1 INCH = 50 FEET

2016-0111-A

SITE PLAN
LOT 5