

M E M O R A N D U M

DATE: March 23, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0137-A- Appeal Period Expired

The appeal period for the above-referenced case expired on March 18, 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



KEVIN KAMENETZ
County Executive

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

February 17, 2016

David Billingsley
601 Charwood Court
Edgewood, Maryland 21040

RE: Petition for Variance
Case No. 2016-0137-A
Property: 1334 Goose Neck Road

Dear Mr. Billingsley:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

IN RE: PETITION FOR VARIANCE
(1334 Goose Neck Road)
15th Election District
6th Council District
Goose Neck Homes, LLC
Petitioner

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*
*

BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2016-0137-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 Goose Neck Homes, LLC, owner of the subject property ("Petitioner"). The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §§ 1A04.3.A & 1A04.3.B.2.b to permit a building height of 50 ft. and side yards of 25 ft. and 25 ft. in lieu of the required 35 ft., 50 ft. and 50 ft. for a replacement dwelling. A site plan was marked as Petitioner's Exhibit 1.

Mary Snellinger, a principal of the entity owner, appeared in support of the Petition. David Billingsley from Central Drafting & Design, Inc. assisted the Petitioner. The Petition was advertised and posted as required by the B.C.Z.R. No Protestants or interested citizens attended the hearing. Substantive Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review (DPR) and the Department of Environmental Protection and Sustainability (DEPS).

The subject property is approximately 23,450 square feet and is zoned RC 5. The property is improved with a small single-family dwelling which was constructed in 1928, and is comprised of two lots (Lots 250 and 251), each of which is 50 ft. wide. The Petitioner proposes to raze the existing home and construct a larger dwelling straddling the lot lines, which will have the legal

ORDER RECEIVED FOR FILING

Date 2-17-16

By aw

effect of merging the lots.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioner has met this test. The property was subdivided long before the adoption of the B.C.Z.R., and Petitioner must also contend with existing site conditions. As such, the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be unable to build a replacement dwelling on the lots. 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 and/or community opposition.

THEREFORE, IT IS ORDERED, this 17th day of **February, 2016**, 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.") §§ 1A04.3.A & 1A04.3.B.2.b to permit a building height of 50 ft. and side yards of 25 ft. and 25 ft. in lieu of the required 35 ft., 50 ft. and 50 ft. respectively, for a replacement dwelling, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

ORDER RECEIVED FOR FILING

Date 2-17-16

By [Signature]

2. Petitioner must prior to issuance of permits comply with the Critical Area and flood protection regulations.

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 2-17-16

By [Signature]



CBCA

F1001

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 1334 GOOSE NECK ROAD which is presently zoned RCS
 Deed References: L. 34385 F. 133 10 Digit Tax Account # 1504501050151
 Property Owner(s) Printed Name(s) GOOSE NECK HOMES LLC

(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 SECTIONS 1A04.3.A & 1A04.3.B.2.b (BCZR) TO PERMIT A BUILDING HEIGHT OF 50 FEET AND SIDE YARDS OF 25 FEET AND 25 FEET IN LIEU OF THE REQUIRED 35 FEET, 50 FEET AND 50 FEET FOR A REPLACEMENT DWELLING

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):GOOSE NECK HOMES LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2922 TOONE ST. BALTO. MD.
 Mailing Address City State

21224 (410) 259-3160 rsnellinger@chambersusa.com
 Zip Code Telephone # Email Address

Representative to be contacted:DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARMWOOD CT EDGEWOOD MD.
 Mailing Address City State

21040 (410) 679-8719 idwboz09@yahoo.com
 Zip Code Telephone # Email Address

CASE NUMBER 2016-0137-A Filing Date 12/3/15 Do Not Schedule Dates: _____ Reviewer m

REV. 10/4/11

ZONING DESCRIPTION
1334 GOOSE NECK ROAD

Beginning for the same at a point on the northeast side of Goose Neck Road (30 feet wide), distant 505 feet northwesterly of its intersection with the center of Goose Harbor Road, thence being all of Lots 250 and 251 as shown on the plat entitled Plat 2, Bowleys Quarters, recorded among the Baltimore County plat records in Plat Book 9 Folio 12.

Containing 23,450 square feet or 0.538 acre of land, more or less.

Located in the 15TH Election District, 6TH Councilmanic District of Baltimore County, Md.

2016-0137-A



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 3857927

Sold To:

Goose Neck Homes, LLC - CU00511626
2922 Toone St
Baltimore, MD 21224-4877

Bill To:

Goose Neck Homes, LLC - CU00511626
2922 Toone St
Baltimore, MD 21224-4877

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

Jan 05, 2016

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: # 2016-0137-A
1334 Goose Neck Road
NE/s Goose Neck Road, 505 ft. N/westerly of Goose Neck Harbor Road
15th Election District - 6th Councilmanic District
Legal Owner(s) Goose Neck Homes, LLC

Variance: to permit a building height of 50 ft. and side yards of 25 ft and 25 ft in lieu of the required 35 ft., 50 ft. and 50 ft. for a replacement dwelling.

Hearing: Monday, January 25, 2016 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.

JT 1/604 January 5 3857927

The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising

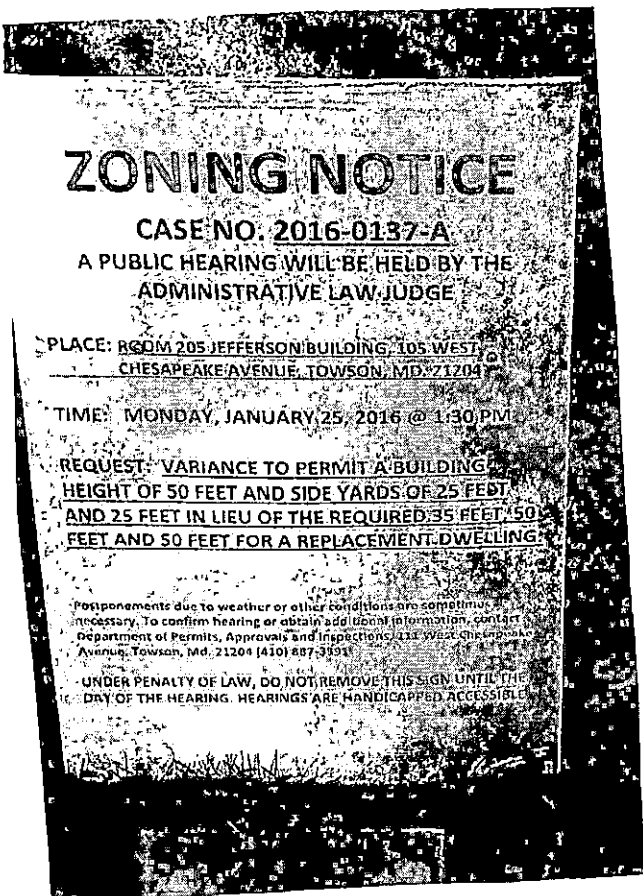
CERTIFICATE OF POSTING

Date: JANUARY 4, 2016

RE: Project Name: 1334 GOOSE NECK ROAD
Case Number /PAI Number: CASE NO. 2016-0137-A
Petitioner/Developer: GOOSE NECK HOMES LLC
Date of Hearing/Closing: JANUARY 25, 2016

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 1334 GOOSE NECK ROAD

The sign(s) were posted on JANUARY 4, 2016
(Month, Day, Year)



David 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*

December 8, 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: 2016-0137-A

1334 Goose Neck Road
NE/s Goose Neck Road, 505 ft. N/westerly of Goose Neck Harbor Road
15th Election District – 6th Councilmanic District
Legal Owners: Goose Neck Homes, LLC

Variance to permit a building height of 50 ft. and side yards of 25 ft. and 25 ft. in lieu of the required 35 ft., 50 ft. and 50 ft. for a replacement dwelling.

Hearing: Monday, January 25, 2016 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: David Billingsley, 601 Charwood Court, Edgewood 21040
Richard Snellinger, Goose Neck Homes, LLC, 2922 Toone Street, Baltimore 21224

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 5, 2016**
- (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
Tuesday, January 5, 2016 Issue - Jeffersonian

Please forward billing to:
Richard Snellinger
Goose Neck Homes, LLC
2922 Toone Street
Baltimore, MD 21224

410-259-3160

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2016-0137-A

1334 Goose Neck Road
NE/s Goose Neck Road, 505 ft. N/westerly of Goose Neck Harbor Road
15th Election District – 6th Councilmanic District
Legal Owners: Goose Neck Homes, LLC

Variance to permit a building height of 50 ft. and side yards of 25 ft. and 25 ft. in lieu of the required 35 ft., 50 ft. and 50 ft. for a replacement dwelling.

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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
1334 Goose Neck Road; NE/S Goose Neck Rd, *
505' N/Westerly Goose Neck Harbor Road * OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Goose Neck Homes LLC * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2016-137-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.

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 11th day of December, 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

RECEIVED

DEC 11 2015

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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: 2016-0137-A
Property Address: 1334 GOOSE NECK ROAD
Property Description: LOTS 250 & 251 BOWLEYS QUARTERS

Legal Owners (Petitioners): GOOSE NECK HOMES LLC
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: RICHARD SNEELLINGER
Company/Firm (if applicable): _____
Address: 7922 TOONE ST.
BALTO. MD. 21224

Telephone Number: (410) 259-3160

Revised 5/20/2014

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

No. **134174**

Date: **12/3/15**

PAID RECEIPT

RECEIVED ACTUAL TIME DRD
12/04/2015 12/03/2015 09:44:26 5
3 4305 VALRIN PBO5 LER
RECEIPT P 811210 12/03/2015 OFLN
FOT 5 528 ZONING VERIFICATION
P. NO. 134174
Fapt Luk \$75.00
AC5.00 OK 2.00 CO
Baltimore County, Maryland

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

Total: **75.00**

Rec From: **Central Draft**

For: **1334 Goose Neck Rd**

2016-0137-1A

DISTRIBUTION

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

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

January 20, 2016

Goose Neck Homes LLC
Richard Snellinger
2922 Toone Street
Baltimore MD 21224

RE: Case Number: 2016-0137 A, Address: 1334 Goose Neck Road

Dear Mr. Snellenger:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 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." 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 K. Rutherford, Lt. Governor



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

Date: 12/7/15

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

RE: Baltimore County
Item No. 2016-0137-A
Variance
Goose Neck Homes, LLC
1334 Goose Neck 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. 2016-0137-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

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-137

DATE: January 4, 2016

INFORMATION:

Property Address: 1334 Goose Neck Road
Petitioner: Goose Neck Homes, LLC
Zoning: RC 5
Requested Action: Variance

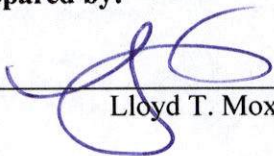
RECEIVED
JAN 04 2016
OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the petition for variance to permit a replacement dwelling having a height of 50 feet and property line (side) setbacks of 25 feet in lieu of the required 35 feet and 50 feet respectively.

The Department has no objections to granting the petitioned zoning relief.

For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:


Lloyd T. Moxley

Division Chief:


Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak
David Billingsley, Central Drafting & Design, Inc.
Office of the Administrative Hearings
People's Counsel for Baltimore County

1-25

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

DEC 14 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: December 14, 2015

SUBJECT: DEPS Comment for Zoning Item # 2016-0137-A
Address 1334 Goose Neck Road
(Goose Neck Homes, LLC Property)

Zoning Advisory Committee Meeting of December 7, 2015.

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

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

The subject property is located within a Limited Development Area (LDA) and a Buffer Management Area (BMA) and is subject to Critical Area requirements. The applicant is proposing to construct a replacement single family dwelling with attached garage with reduced side yard setbacks and increased height. The lot is waterfront, and the proposed dwelling must meet all LDA and BMA requirements, including lot coverage, afforestation, and mitigation. Complete lot coverage and afforestation information was not provided, but if the proposal meets all LDA and BMA requirements, the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront. If lot coverage, BMA, afforestation and mitigation requirements will be met, then that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

If BMA, afforestation, mitigation and lot coverage requirements are met the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

Date: December 14, 2015

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 December 14, 2015
Item No. 2016-0137

DATE: December 8, 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 elevations.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0137-12142015.doc

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: January 4, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-137

INFORMATION:

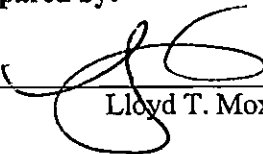
Property Address: 1334 Goose Neck Road
Petitioner: Goose Neck Homes, LLC
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a replacement dwelling having a height of 50 feet and property line (side) setbacks of 25 feet in lieu of the required 35 feet and 50 feet respectively.

The Department has no objections to granting the petitioned zoning relief.

For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak
David Billingsley, Central Drafting & Design, Inc.
Office of the Administrative Hearings
People's Counsel for Baltimore County

CASE NO. 2016- 0137-A

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>12/8</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
<u>12/14</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
<u>1/4</u>	FIRE DEPARTMENT PLANNING (if not received, date e-mail sent _____)	<u>No Obj</u>
<u>12/7</u>	STATE HIGHWAY ADMINISTRATION TRAFFIC ENGINEERING	<u>No Obj</u>
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 1/5

SIGN POSTING Date: 1/4

by Buellingsley

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

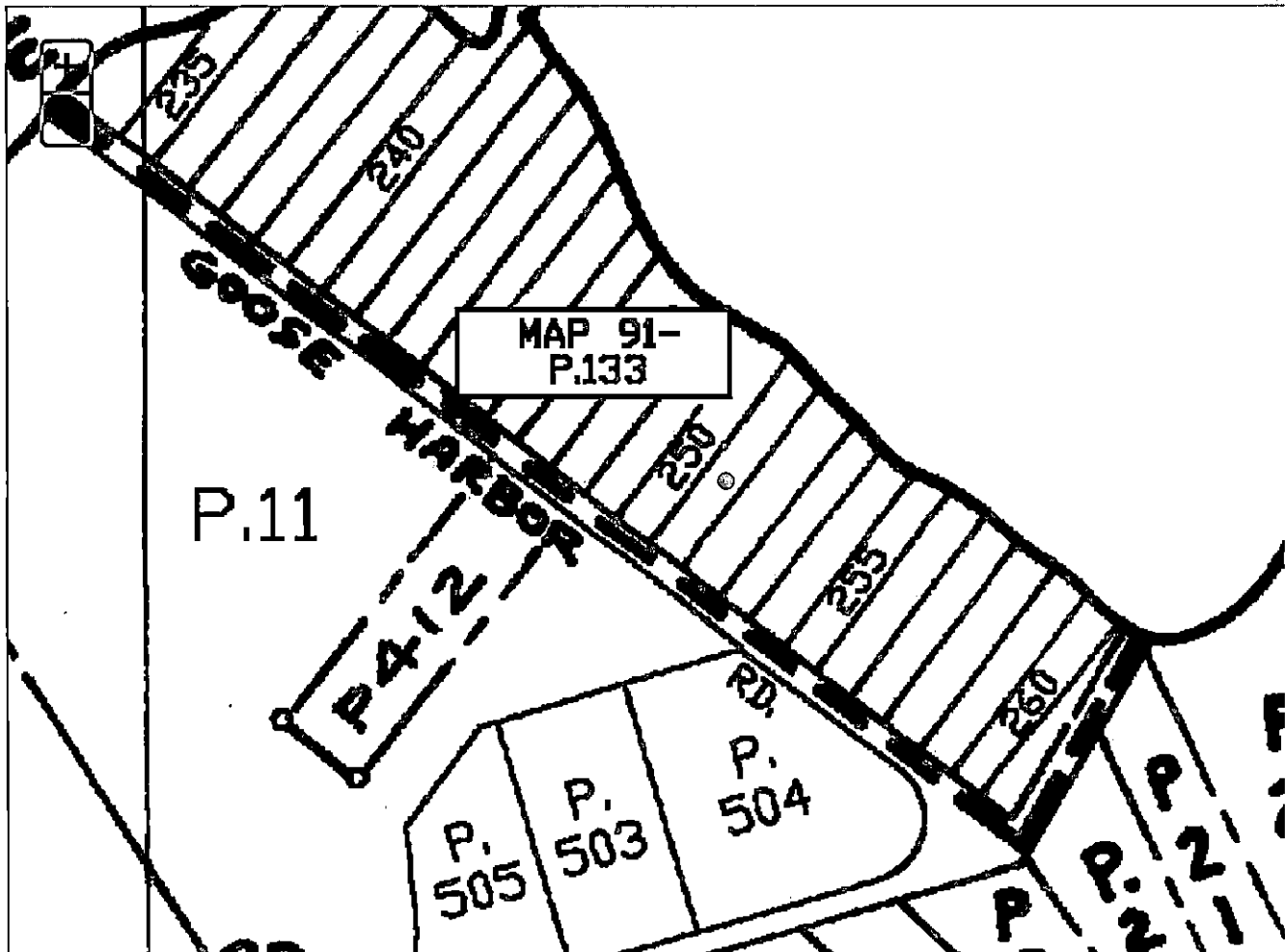
Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1504501051			
Owner Information					
Owner Name:		GOOSE NECK HOMES LLC		Use:	RESIDENTIAL
Mailing Address:		STE 111 1800 WASHINGTON BLVD BALTIMORE MD 21230-		Principal Residence:	NO
				Deed Reference:	/34385/ 00133
Location & Structure Information					
Premises Address:		1334 GOOSE NECK RD BALTIMORE 21220- Waterfront		Legal Description:	
				BOWLEYS QUARTERS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0091	0023	0133		0000	
Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:	2
	251	2015		0009/0012	
Special Tax Areas:			Town:		
			NONE		
Ad Valorem:					
Tax Class:					
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1928	1,496 SF		11,200 SF	34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1	NO	STANDARD UNIT	SIDING	1 full	
Value Information					
Base Value		Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2015	07/01/2015	07/01/2016	
Land:	261,200	261,200			
Improvements	35,000	68,200			
Total:	296,200	329,400	307,267	318,333	
Preferential Land:	0			0	
Transfer Information					
Seller:		Date:		Price:	
HOLIN WAYNE E		10/30/2013		\$405,000	
Type:		Deed1:		Deed2:	
ARMS LENGTH MULTIPLE		/34385/ 00133			
Seller:		Date:		Price:	
MORGAN JAMES C		05/22/1978		\$0	
Type:		Deed1:		Deed2:	
NON-ARMS LENGTH OTHER		/05887/ 00034			
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: No Application					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **15** Account Number: **1504501051**

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>).

Debra Wiley

From: Debra Wiley
Sent: Friday, January 29, 2016 7:56 AM
To: 'David Billingsley'
Cc: Kristen L Lewis; Sherry Nuffer (snuffer@baltimorecountymd.gov); John E. Beverungen
Subject: Rescheduled Cases from 1/25 - Inclement Weather

Dave,

This is to confirm the rescheduling of your cases that were scheduled for 1/25. Please be reminded that there is no requirement for re-posting since the County was closed for inclement weather. These cases will be heard in Room 104 (NOT 205), Jefferson Building, on the 1st floor, as follows.

Wed., 2/17 @ 10 AM – Case No. 2016-0137-A – 1334 Goose Neck Rd.

Wed., 2/17 @ 11 AM – Case No. 2016-0138-SPH – 210 Bowleys Quarters Rd.

Please be sure to advise your clients of the above as this email serves as notification.

Thank you.

From: David Billingsley [mailto:dwb0209@yahoo.com]
Sent: Friday, January 29, 2016 7:36 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Re: Postponed cases

2016-0137-A at 10:00
2016-0138-A at 11:00
Thanks again

Dave Billingsley
Central Drafting and Design
410-679-8719 OFFICE
410-458-1401 CELL

From: Debra Wiley <dwiley@baltimorecountymd.gov>
To: David Billingsley <dwb0209@yahoo.com>
Sent: Friday, January 29, 2016 7:27 AM
Subject: RE: Postponed cases

You're welcome. Please let me know the case no. you'd like for 10 and then for 11. No need to repost.

Thanks.

From: David Billingsley [mailto:dwb0209@yahoo.com]
Sent: Thursday, January 28, 2016 4:22 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Postponed cases

Hi Debbie

Thanks for getting back to me so soon. I would like to get the Feb. 17 date at 10 and 11. Do I need to re-post ?

Thanks

Dave Billingsley
Central Drafting and Design
410-679-8719 OFFICE
410-458-1401 CELL



CONNECT WITH BALTIMORE COUNTY



<http://www.baltimorecountymd.gov/>

Debra Wiley

From: Debra Wiley
Sent: Friday, January 29, 2016 7:59 AM
To: John E. Beverungen; Lawrence Stahl; Sherry Nuffer
Cc: Kristen L Lewis
Subject: Additions to Feb. Calendar - ROOM 104

The following two cases have been rescheduled due to the County closing for inclement weather on Mon., Jan. 25th. There is no need for re-posting.

Wed., 2/17 @ 10 AM – Case No. 2016-0137-A – 1334 Goose Neck Rd. – ROOM 104

Wed., 2/17 @ 11 AM – Case No. 2016-0138-SPH – 210 Bowleys Quarters Rd. – ROOM 104

Please mark your calendars accordingly. Thanks.

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

PLEASE PRINT CLEARLY

PETITIONER'S SIGN-IN SHEET

CASE NAME Jose De la Hoz
CASE NUMBER 2016-137
DATE 2/17/2016

NAME

ADDRESS

CITY, STATE, ZIP

E-MAIL

DAVID W. BILLINGSLEY

601 CHERRYWOOD CT

EDGEWOOD, MD. 21040

MARY SNELLINGER

2922 TOONE ST

BALTO, MD. 21224

CHERYL WILLIAMS

11100 PULASKI HIGHWAY

WHITE MARSH MD 21162

PETITIONERS

PETITIONER'S EXHIBITS
1334 GOOSE NECK ROAD
CASE NO. 2016-0137-A

DW 3-23-16

DW
2-17-16

1. PLAT TO ACCOMPANY PETITION DATED NOVEMBER 9, 2015 (NO CHANGES)

2a – b. SDAT REAL PROPERTY DATA SEARCH

3. PORTION OF TAX MAP 0091

4. DEED OF RECORD DATED OCTOBER 25, 2013 LIBER 34385 FOLIO 133

5. AERIAL PHOTO

6a – d. PHOTOS

7a – c. BUILDING ELEVATIONS

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 - 1504501051			
Owner Information					
Owner Name:		GOOSE NECK HOMES LLC		Use:	RESIDENTIAL
Mailing Address:		STE 111 1880 WASHINGTON BLVD BALTIMORE MD 21230-		Principal Residence:	NO
				Deed Reference:	/34385/ 00133
Location & Structure Information					
Premises Address:		1334 GOOSE NECK RD 0-0000 Waterfront		Legal Description:	
				BOWLEYS QUARTERS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0091	0023	0133		0000	251
				Assessment Year:	Plat No:
				2015	0009/0012
Special Tax Areas:			Town:		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area	Property Land Area
1928		1,496 SF			11,200 SF
				County Use	
				34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1	NO	STANDARD UNIT	SIDING	1 full	
Value Information					
		Base Value	Value As of	Phase-in Assessments	
			01/01/2012	As of	As of
				07/01/2014	07/01/2015
Land:		261,200	261,200		
Improvements		35,000	35,000		
Total:		296,200	296,200	296,200	
Preferential Land:		0			
Transfer Information					
Seller:		Date:		Price:	
HOLIN WAYNE E		10/30/2013		\$405,000	
Type:		Deed1:		Deed2:	
ARMS LENGTH MULTIPLE		/34385/ 00133			
Seller:		Date:		Price:	
MORGAN JAMES C		05/22/1978		\$0	
Type:		Deed1:		Deed2:	
NON-ARMS LENGTH OTHER		/05887/ 00034			
Seller:		Date:		Price:	
Type:		Deed1:		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
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.
4. The following pages are for information purpose only. The data is not to be used for legal report the accuracy of these records, the Department makes no warranties, expressed or implied, reg

PETITIONER'S
EXHIBIT NO. 2a

2
STOCK
an

Real Property Data Search (w3)

Guide to searching the database

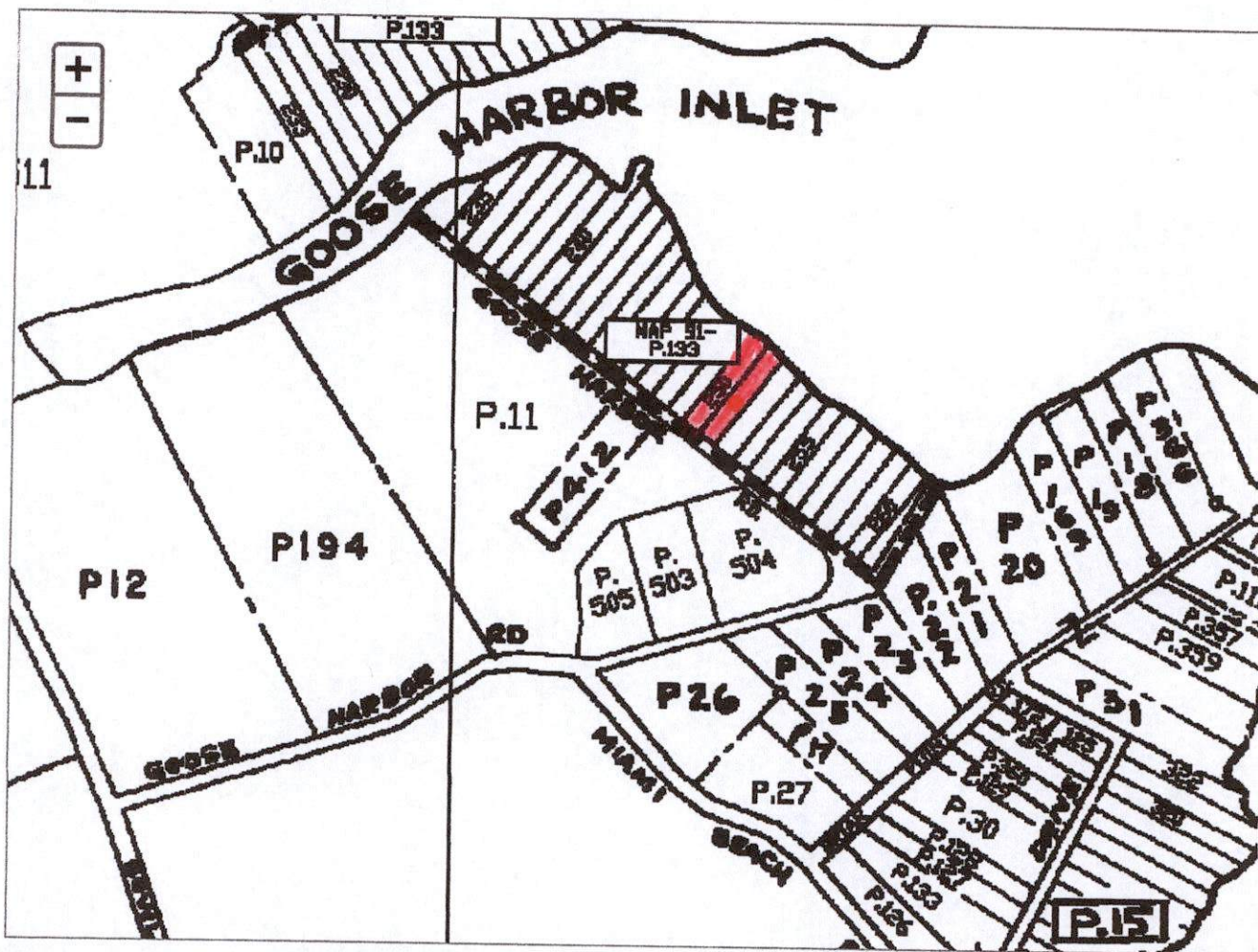
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1504501050			
Owner Information					
Owner Name:	GOOSE NECK HOMES LLC		Use:	RESIDENTIAL	
Mailing Address:	STE 111 1800 WASHINGTON BLVD BALTIMORE MD 21230-		Principal Residence:	NO	
			Deed Reference:	/34385/ 00133	
Location & Structure Information					
Premises Address:		GOOSE NECK RD BALTIMORE 21230- Waterfront		Legal Description:	
				BOWLEYS QUARTERS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0091	0023	0133		0000	250
					Assessment Year:
					2015
					Plat No:
					2
					Plat Ref:
					0009/0012
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			NONE		
			Tax Class:		
			NONE		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area		Property Land Area
					11,200 SF
					County Use
					34
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					Last Major Renovation
Value Information					
		Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		2,800	2,800		
Improvements		0	0		
Total:		2,800	2,800	2,800	2,800
Preferential Land:		0			0
Transfer Information					
Seller: HOLIN WAYNE E		Date: 10/30/2013		Price: \$405,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /34385/ 00133		Deed2:	
Seller: MORGAN JAMES C		Date: 05/22/1978		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /05887/ 00034		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: No Application					

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3. Deleted accounts can only be selected by Property Account Identifier.
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**PETITIONER'S
EXHIBIT NO. 26**

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **15** Account Number: **1504501051**

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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>).

PETITIONER'S
EXHIBIT NO. 3

This Deed, MADE THIS 25th day of October in the year Two Thousand Thirteen by and between Wayne E. Holin and Denice J. Holin, parties of the first part, and Goose Neck Homes, LLC, a Maryland limited liability company, party of the second part.

Witnesseth, That in consideration of the sum of Four Hundred Five Thousand Dollars and NO Cents (\$405,000.00), the receipt of which is hereby acknowledged, the said parties of the first part do grant and convey to the said party of the second part, in fee simple, that parcel of ground situate in Baltimore County, Maryland and described as follows, that is to say:

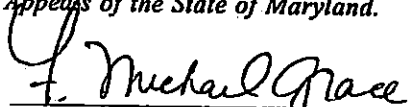
BEING KNOWN AND DESIGNATED as Lots Numbered Two Hundred Fifty (#250) and Two Hundred Fifty-One (#251) First Addition to Plat Number Two (#2) as shown on the plat of the property of Bowley's Quarter Company of Baltimore County, which plat is duly filed among the Land Records of Baltimore County in Plat Book W.H.M. No. 9 folio 12.

Tax ID Nos. 15-1504501051, Lot No. 251
15-1504501050, Lot No. 250

The improvements thereon being known and designated as 1334 Goose Neck Road, Middle River, MD 21220.

BEING the same parcel of ground which by deed dated May 18, 1978 and recorded among the Land Records of Baltimore County, Maryland in Liber 5887, folio 34 which was granted and conveyed by James C. Morgan and Melva R. Morgan unto Wayne E. Holin and Denice J. Holin, the Grantors herein.

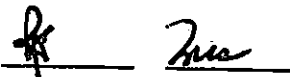
This is to certify the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland.


F. Michael Grace, Esquire

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said party of the second part as sole owner, its successors and/or assigns, in fee simple.

BUYERS INITIAL HERE

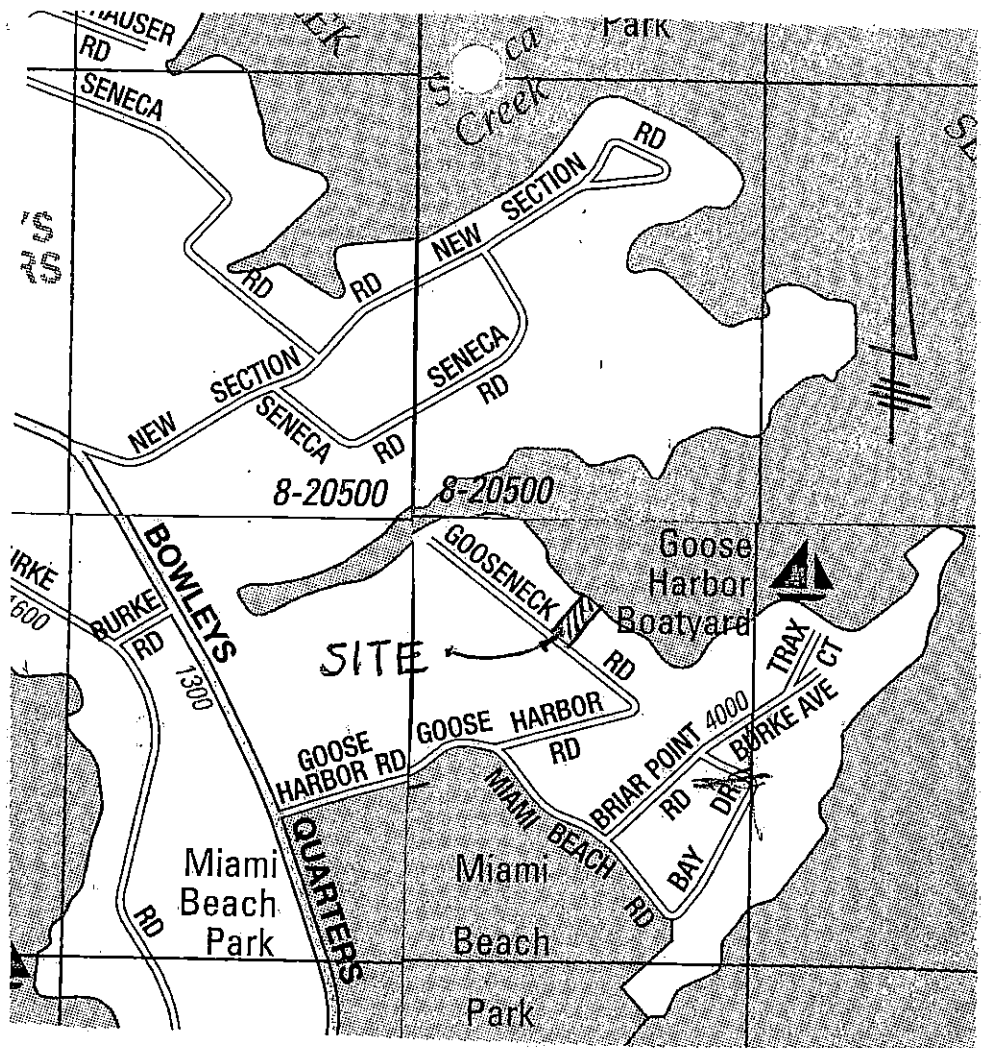


PETITIONER'S
EXHIBIT NO. 4



PETITIONER'S
EXHIBIT NO. 5

ETHIC



VICINITY MAP
SCALE: 1" = 1000'

NOTES

1. ZONING.....RC5 (MAP 098C1)
2. AREA.....23,450 S.F. = 0.538 ACRE +/-
3. PREVIOUS ZONING HISTORY.....CASE NO. 1987-0500-A GRANTING
A 42 FOOT SIDE IN LIEU OF 50 FEET
4. SITE IS LOCATED IN THE CBCA AND A 100 YEAR TIDAL FLOOD ZONE
5. PUBLIC WATER AND SEWER IS AVAILABLE
6. TO THE PREPARER'S KNOWLEDGE, NO VIOLATIONS, HISTORIC
STRUCTURES, OR UNDERGROUND STORAGE TANKS EXIST
7. BUILDING AREA.....3440 S.F. BUILDING COVERAGE.....14.7 %
8. BUILDING HEIGHT.....50 FEET

PHOTOS

**PLAT TO ACCOMPANY PETITION
FOR VARIANCE**

1334 GOOSE NECK ROAD

**LOTS 250 & 251 PLAT 2 BOWLEYS QUARTERS PB 9 F 12
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.**

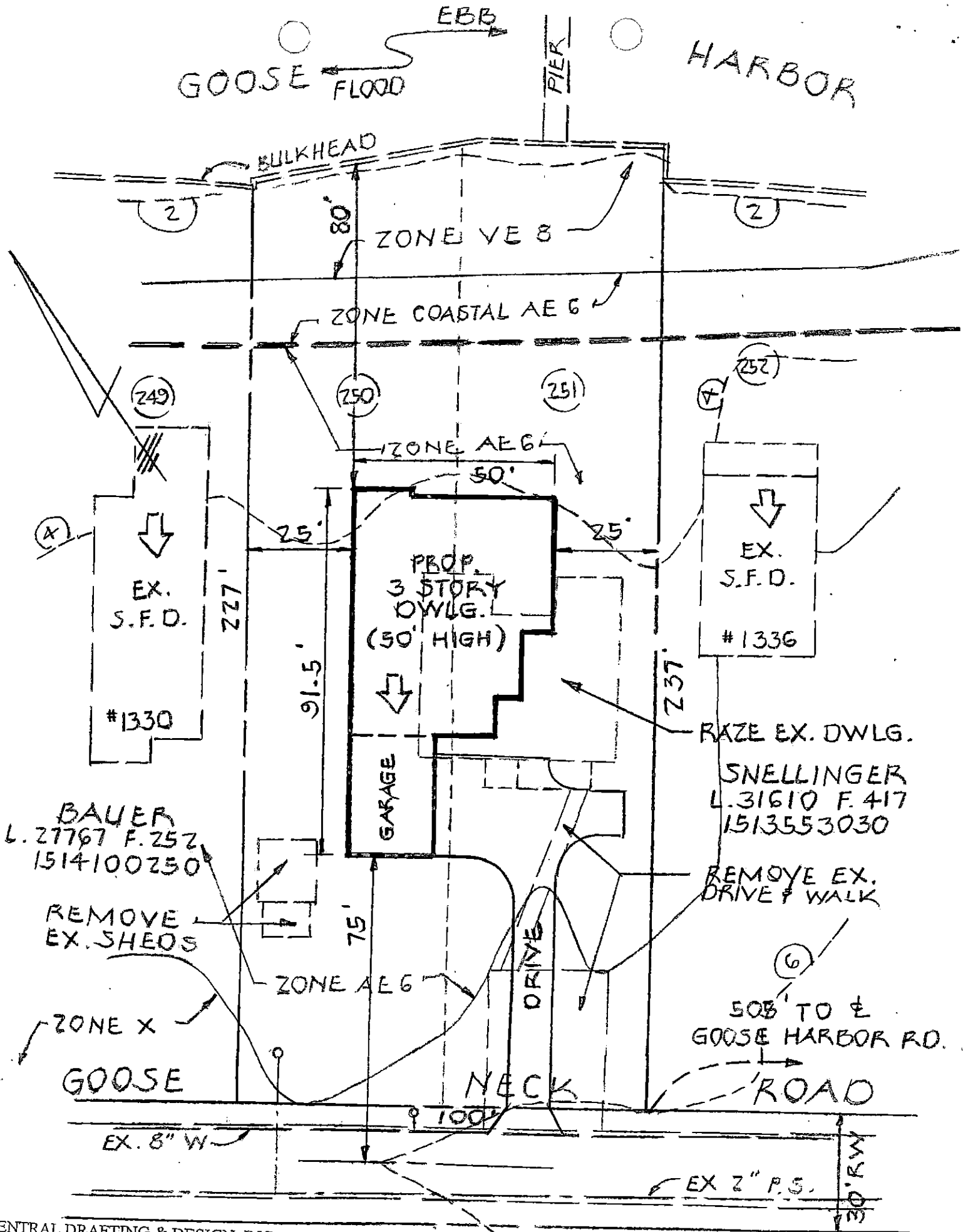
SCALE: 1 INCH = 30 FEET NOVEMBER 9, 2015

6a-d

OWNER

GOOSE NECK HOMES LLC
2922 TOONE STREET
BALTIMORE, MD. 21224
DEED REF: L.34385 F.133

ACCT. NO. 1504501050 & 1504501051





ROAD SIDE VIEW

PETITIONER'S
EXHIBIT NO. 7a

NOT FOR



NOTE:
STAIRS WITH 2 OR MORE RISERS SHALL BE PROVIDED WITH HANDRAILS. HANDRAILS SHALL BE A MINIMUM OF 34" IN HEIGHT AND NOT MORE THAN 38" IN HEIGHT. RAILS ARE TO BE MEASURED VERTICALLY FROM THE NOSING OF THE TREADS.
PORCHES, DECKS, BALCONIES OR RAISED FLOOR SURFACES LOCATED MORE THAN 30" ABOVE THE FLOOR OR GRADE BELOW SHALL HAVE GUARDS A MINIMUM OF 36" HIGH.
RISERS ARE TO BE CLOSED SUCH THAT THE OPENING BETWEEN THE TREADS DOES NOT PERMIT THE PASSAGE OF A 4" DIA SPHERE.

JONATHAN RIVERA
(410) 226-5745
JONATHANRIVERA.COM

PROFESSIONAL CERTIFICATION
I certify that these documents were prepared or approved by me, and that I am a duly licensed professional architect under the laws of the State of Maryland.
License Number #14479
Expiration Date 4/30/2014.

Snellinger Residence
PROPOSED RESIDENCE
1334 Goose Neck, Bowleys Quarters, Baltimore Coun

REVISIONS	
4-18-15	STATUS REVIEW
6-31-15	STATUS REVIEW
ISSUE DATES:	
7-23-15	STATUS REVIEW

PETITIONER'S
EXHIBIT NO. **7b**

WATER FRONT ELEVATION

Snellinger Residence
PROPOSED RESIDENCE
1334 Goose Neck, Bowleys Quarters, Baltimore County

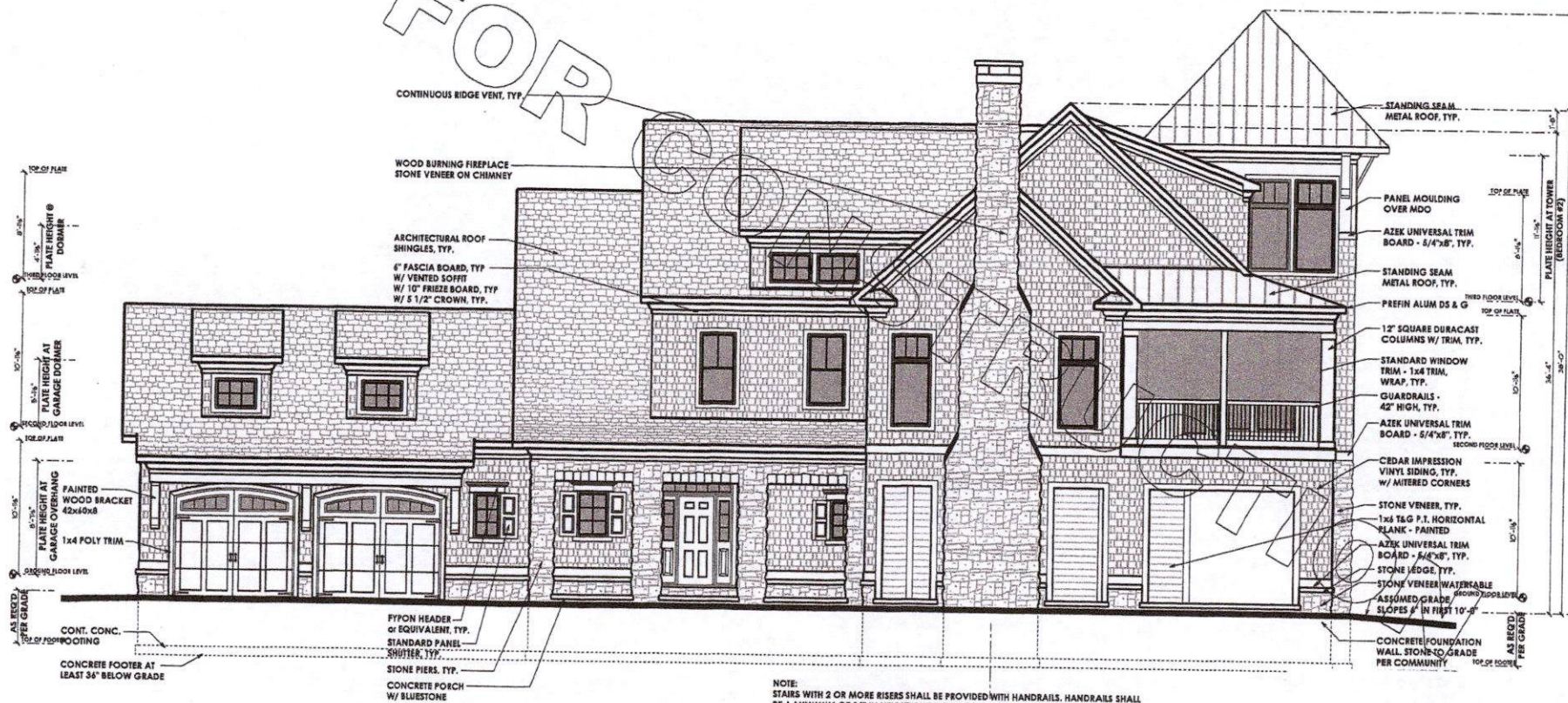
REVISIONS

△	4-18-15	STATUS RE
△	5-31-15	STATUS REV
△		
△		
△		
△		
△		

ISSUE DATES:

PETITIONER'S
EXHIBIT NO. 7c

RIGHT SIDE ELEVATION

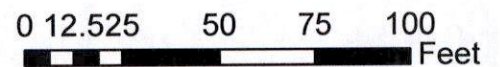
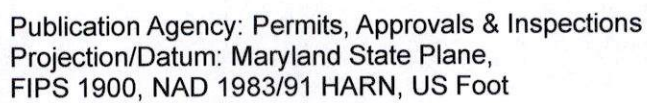
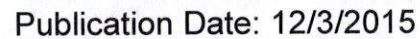


NOTE:
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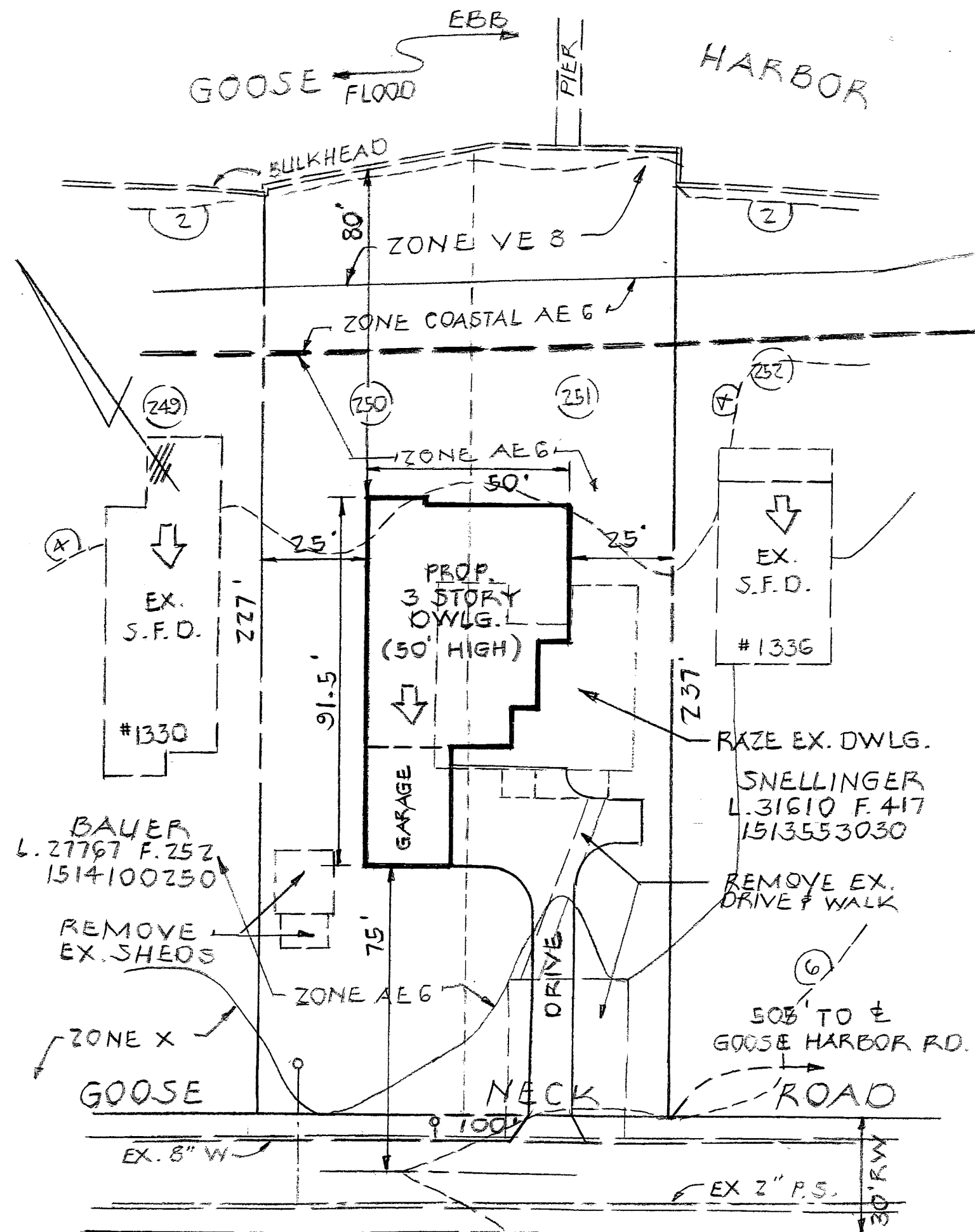
PORCHES, DECKS, BALCONIES OR RAISED FLOOR SURFACES LOCATED MORE THAN 30" ABOVE THE FLOOR OR GRADE BELOW SHALL HAVE GUARDS A MINIMUM OF 36" HIGH.

RISERS ARE TO BE CLOSED SUCH THAT THE OPENING BETWEEN THE TREADS DOES NOT PERMIT THE PASSAGE OF A 4" DIA SPHERE.

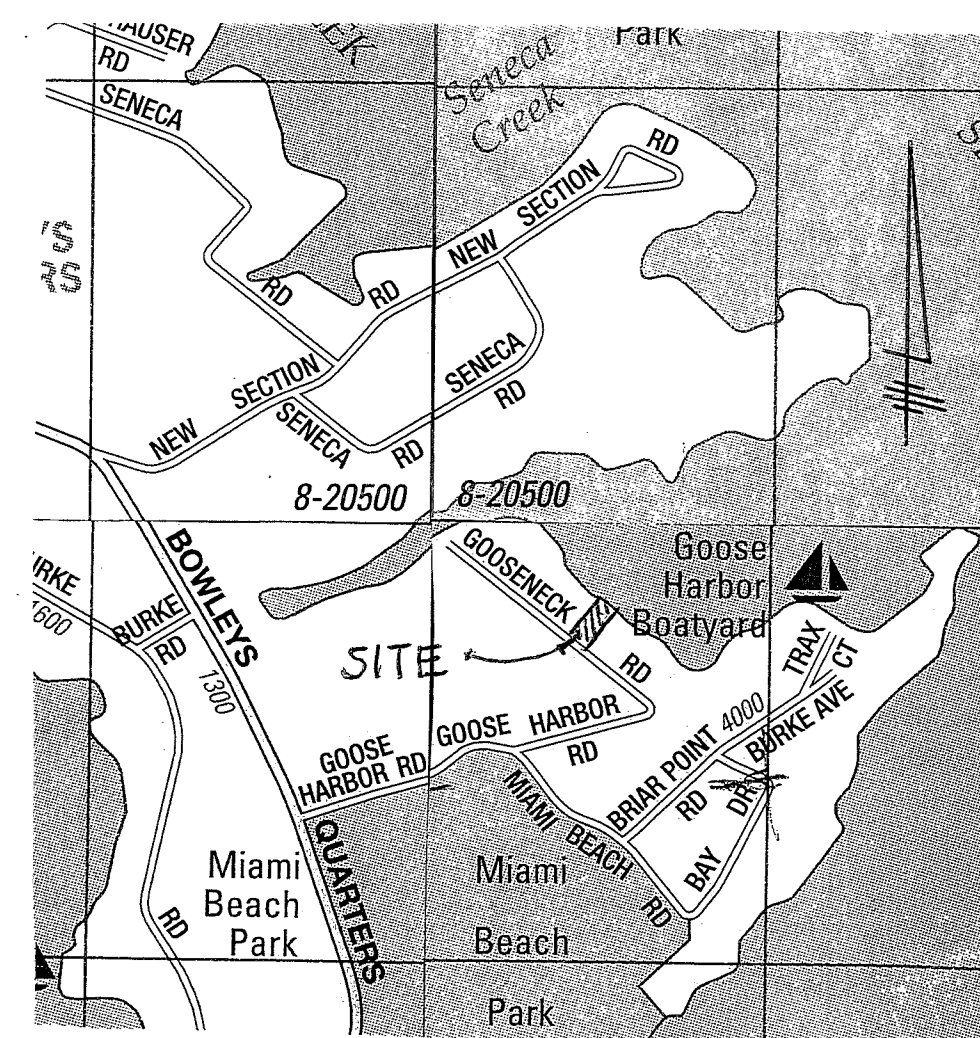
2.6-0137-A



1 inch = 50 feet



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



VICINITY MAP
SCALE: 1" = 1000'

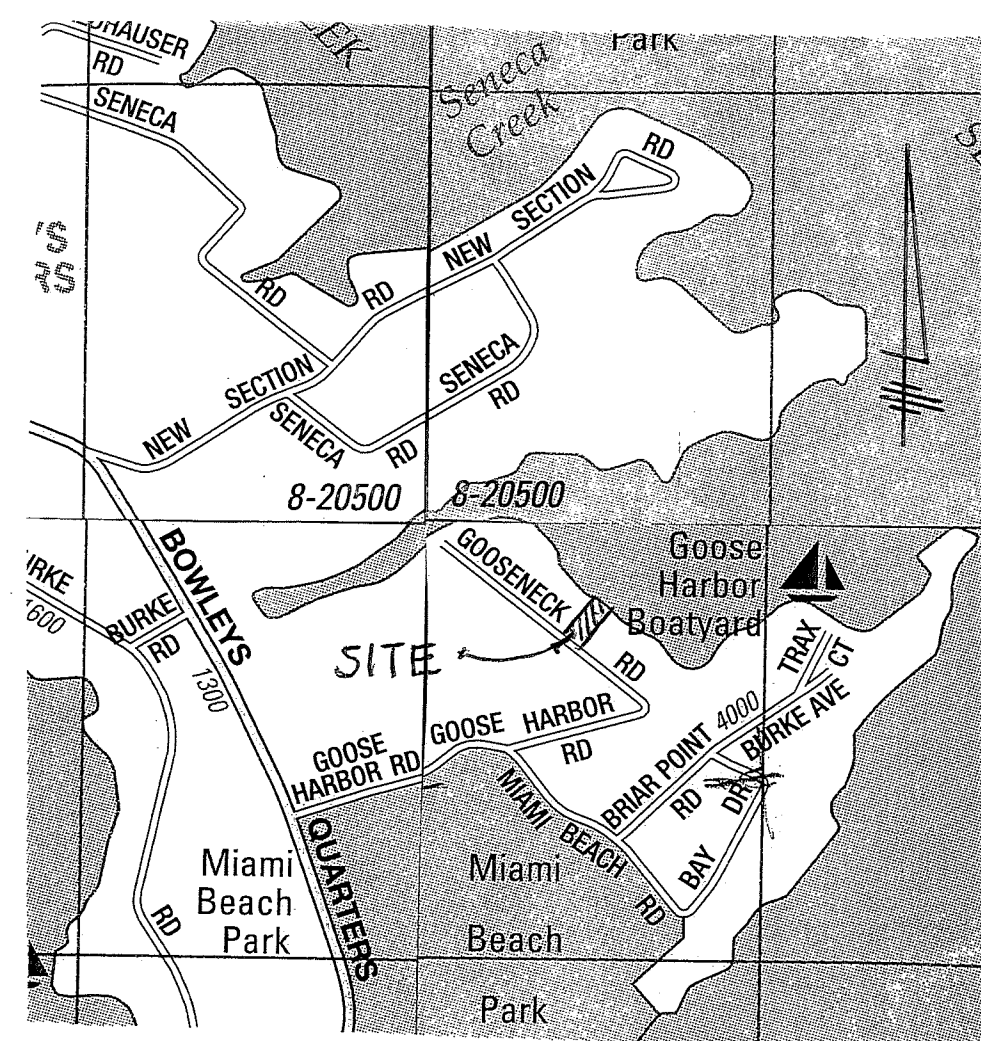
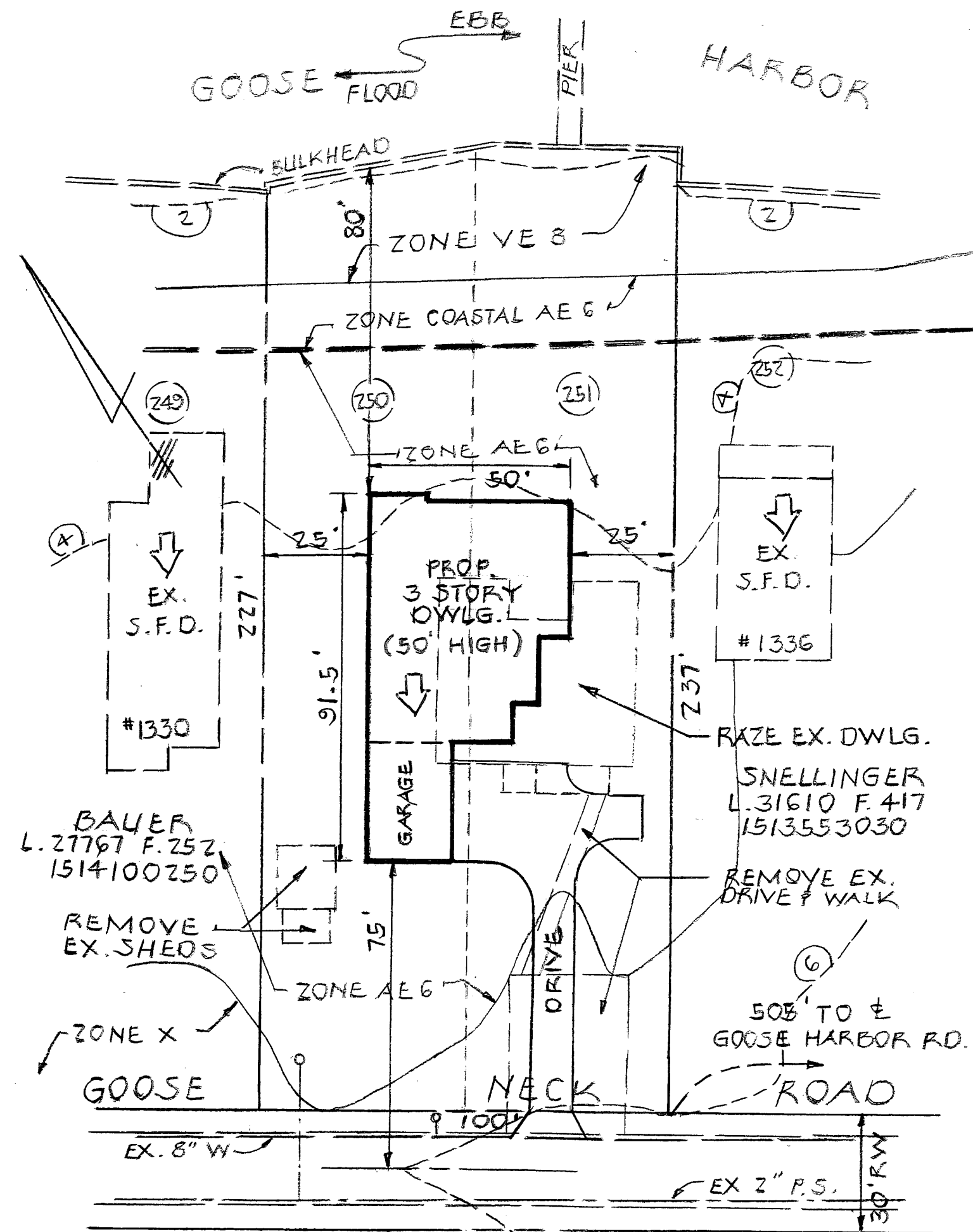
NOTES

1. ZONING.....RC5 (MAP 098C1)
2. AREA.....23,450 S.F. = 0.538 ACRE +/-
3. PREVIOUS ZONING HISTORY.....CASE NO. 1987-0500-A GRANTING A 42 FOOT SIDE IN LIEU OF 50 FEET
4. SITE IS LOCATED IN THE CBCA AND A 100 YEAR TIDAL FLOOD ZONE
5. PUBLIC WATER AND SEWER IS AVAILABLE
6. TO THE PREPARER'S KNOWLEDGE, NO VIOLATIONS, HISTORIC STRUCTURES, OR UNDERGROUND STORAGE TANKS EXIST
7. BUILDING AREA.....3440 S.F. BUILDING COVERAGE.....14.7 %
8. BUILDING HEIGHT.....50 FEET

①

OWNER
GOOSE NECK HOMES LLC
2922 TOONE STREET
BALTIMORE, MD. 21224
DEED REF: L.34385 F.133
ACCT. NO. 1504501050 & 1504501051

**PLAT TO ACCOMPANY PETITION
FOR VARIANCE**
1334 GOOSE NECK ROAD
LOTS 250 & 251 PLAT 2 BOWLEYS QUARTERS PB 9 F 12
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET NOVEMBER 9, 2015



VICINITY MAP
SCALE: 1" = 1000'

- NOTES**
1. ZONING.....RC5 (MAP 098C1)
 2. AREA.....23,450 S.F. = 0.538 ACRE +/-
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 7. BUILDING AREA.....3440 S.F. BUILDING COVERAGE.....14.7 %
 8. BUILDING HEIGHT.....50 FEET

2016-0137-A

**PLAT TO ACCOMPANY PETITION
FOR VARIANCE**

1334 GOOSE NECK ROAD

**LOTS 250 & 251 PLAT 2 BOWLEYS QUARTERS PB 9 F 12
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET NOVEMBER 9, 2015**

OWNER
GOOSE NECK HOMES LLC
2922 TOONE STREET
BALTIMORE, MD. 21224
DEED REF: L.34385 F.133
ACCT. NO. 1504501050 & 1504501051