MEMORANDUM

DATE: May 3, 2016

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2016-0163-A- Appeal Period Expired

The appeal period for the above-referenced case expired on April 21, 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 VARIANCE **(2612 Holly Beach Road)** 15th Election District 7th Council District Raymond & Karen Evans *Legal Owners* Petitioners	* * * * * *	BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS FOR BALTIMORE COUNTY **CASE NO. 2016-0163-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 Raymond and Karen Evans, legal owners of the subject property ("Petitioners"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §1A04.3.B.2.b to permit a replacement dwelling to be built with side setbacks of 10 ft. each in lieu of the required 50 ft. each. A site plan was marked as Petitioners' Exhibit 1.

Raymond and Karen Evans appeared in support of the Petition. 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 Department of Planning (DOP), Bureau of Development Plans Review (DPR) and the Department of Environmental Protection and Sustainability (DEPS).

The subject property is approximately 10,500 square feet and is zoned RC 5. The property is improved with a small single family dwelling (SFD) constructed in 1919. Petitioners propose to raze that structure and in its place construct a small SFD (approximately 2,000 sq. ft.). The waterfront property is located within the critical area, although the Bureau of DPR confirmed it is not in the 100 year flood plain.

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).

Petitioners have met this test. The narrow (50') and deep lot was created long before the adoption of the B.C.Z.R., and the property is therefore unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct the proposed dwelling. 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 absence of community and/or County opposition.

THEREFORE, IT IS ORDERED, this **22nd** day of **March, 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.B.2.b to permit a replacement dwelling to be built with side setbacks of 10 ft. each in lieu of the required 50 ft. each, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

2. Prior to issuance of permits Petitioners must comply with the Critical Area Regulations.

ORDER RECEIVED FOR FILING
Date 3/22/16
By Sen

3. Prior to issuance of permits Petitioners must demonstrate to the DOP's satisfaction their compliance with the RC5 zone performance standards in B.C.Z.R. §1A04.4.

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/sln

ORDER RECEIVED FOR FILING
Date 3-22-16
By Sln

CBCA

PETITION FOR ZONING HEARING(S)

FIOOD

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 2612 HOLLY BEACH RD. **which is presently zoned** RC5

Deed References: 36321 / 00231 10 Digit Tax Account # 1 5 0 7 0 0 1 3 6 0

Property Owner(s) Printed Name(s) RAYMOND AND KAREN EVANS

(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 Section(s)

BCZR: 1A04.3.B.2.b. → To permit a replacement dwelling to be built with side setbacks of 10 feet each in lieu of the required 50 feet each.

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)** THE LOT IS 50 FOOT WIDE WHICH IS UNDERSIZED FOR THE SET BACK REQUIREMENTS OF THE RC5 ZONING. THE REPLACEMENT DWELLING PROPOSED WITH 10 FOOT SET BACKS ON BOTH EAST AND WEST SIDES. THIS IS A SMALL REPLACEMENT HOUSE (2040 SQ.FT.) WHICH ALSO INCLUDES SCREENED IN FRONT PORCH, GARAGE, AND REAR PORCH. THE PLANNED IMPERVIOUS COVERAGE FOR THIS LOT WILL NOT EXCEED 30%.

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

Legal Owners (Petitioners):

RAYMOND EVANS / KAREN EVANS

Name #1 – Type or Print / Name #2 – Type or Print

Signature #1 / Signature # 2

2612 HOLLY BEACH RD. BALTIMORE, MD

Mailing Address City State

21221 / 301-466-5174 / revans@evanssalesmg.com

Zip Code / Telephone # / Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code / Telephone # / Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address City State

Zip Code / Telephone # / Email Address

ORDER RECEIVED FOR FILING
Date 3-22-16
By

CASE NUMBER 2016-0163-A **Filing Date** 1/14/16 **Do Not Schedule Dates:** _____ **Reviewer** JS

REV. 10/4/11

Zoning Description for the

Evans Property, 2612 Holly Beach Rd,

Baltimore, Maryland 21221

Beginning at a point on the North side of Holly Beach Road, which is 40 ft. wide at the distance of 370 ft. east of the centerline of the nearest intersecting street, Henrietta Avenue, which is 40 ft wide.

Being Lot No. 17 Plat No. 1, in the subdivision of Holly Beach, as recorded in the Baltimore County Plat Book WPC No. 4., Folio No. 182, containing 10,500 sq. ft.. Also known as 2612 Holly Beach Rd, located in the 15th Election District and the 7th Councilmanic District.

2016-0163-A

THE BALTIMORE SUN MEDIA GROUP

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 3992771

Sold To:
Raymond Evans - CU00522020
3853 Fairway Oaks Dr
Hampstead,MD 21074-1349

Bill To:
Raymond Evans - CU00522020
3853 Fairway Oaks Dr
Hampstead,MD 21074-1349

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

Mar 01, 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: # 2016-0163-A
2612 Holly Beach Road
N/S of Holly Beach Road, 370 ft. e/of centerline of intersection with Henrietta Avenue
15th Election District - 7th Councilmanic District
Legal Owner(s) Raymond & Karen Evans

Variance: to permit a replacement dwelling to be built with side setbaacks of 10 feet each in lieu of the required 50 feet each.

Hearing: Monday, March 21, 2016 at 11:00 a.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 3/600 March 1 3992771

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

CERTIFICATE OF POSTING

CERTIFICATE OF POSTING

CASE NO: 2016-0163-A

PETITIONER/DEVELOPER

RAY & KAREN EVANS

DATE OF HEARING/CLOSING:

3/21/16

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING,ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERITFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S)REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY AT

2612 HOLLY BEACH ROAD

THIS SIGN(S)WERE POSTED ON March 1, 2016.
(MONTH,DAY,YEAR)

SINCERELY,

3/1/16

SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE,MD 21220
(ADDRESS)
PHONE NUMBER:443-629-3411


ZONING NOTICE
CASE # 2016-0163-A
A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMISSIONER
IN TOWSON, MD
PLACE:
DATE AND TIME: MONDAY, MARCH 21, 2016
AT 11:30 A.M.
REQUEST:

3/1/16

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 1, 2016 Issue - Jeffersonian

Please forward billing to:
Raymond Evans
3853 Fairway Oaks Drive
Hampstead, MD 21074

301-466-5174

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: 2016-0163-A
2612 Holly Beach Road
N/s of Holly Beach Road, 370 ft. e/of centerline of intersection with Henrietta Avenue
15th Election District – 7th Councilmanic District
Legal Owners: Raymond & Karen Evans

Variance to permit a replacement dwelling to be built with side setbacks of 10 feet each in lieu of the required 50 feet each.

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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.

KEVIN KAMENETZ
County Executive

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

January 22, 2016

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: 2016-0163-A
2612 Holly Beach Road
N/s of Holly Beach Road, 370 ft. e/of centerline of intersection with Henrietta Avenue
15th Election District – 7th Councilmanic District
Legal Owners: Raymond & Karen Evans

Variance to permit a replacement dwelling to be built with side setbacks of 10 feet each in lieu of the required 50 feet each.

Hearing: Monday, March 21, 2016 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Evans, 2612 Holly Beach Road, Baltimore 21221

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 1, 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.

RE: PETITION FOR VARIANCE 2612 Holly Beach Road; N/S Holly Beach Road, 370' E of c/line intersection Henrietta Avenue 15th Election & 7th Councilmanic Districts Legal Owner(s): Raymond & Karen Evans Petitioner(s)	* * * * *	BEFORE THE OFFICE OF ADMINSTRATIVE HEARINGS FOR BALTIMORE COUNTY 2016-163-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

RECEIVED
JAN 21 2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of January, 2016, a copy of the foregoing Entry of Appearance was mailed to Raymond & Karen Evans, 2612 Holly Beach Road, Baltimore, Maryland 21221, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

No. 134133

Date:

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	706	0000		[illegible]				[illegible]

Total:

Rec From: Fund

For:

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/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 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: 2016-0163-A

Petitioner: RAYMOND AND KAREN EVANS

Address or Location: 2612 HOLLY BEACH RD BALTIMORE MD 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: RAYMOND EVANS

Address: 3853 FAIRWAY OAKS DR.
HAMPSTEAD MD 21074

Telephone Number: 301-466-5174

site file
410 828 9000
Immediate
Pete
Freedom

KEVIN KAMENETZ
County Executive

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

March 17, 2016

Raymond & Karen Evans
2612 Holly Beach Road
Baltimore MD 21221

RE: Case Number 2016-0163 A, Address: 2612 Holly Beach Road

Dear Mr. & Ms. Evans

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 14, 2016. 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

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

State Highway Administration
Maryland Department of Transportation

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

Date: 1/21/16

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

RE: Baltimore County
Item No. 2016-0163-A
Variance
Raymond & Karen Evans
2612 Holly Beach Road.

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2016-0163-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,

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

DWP/RAZ

3-21

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: February 11, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED
FEB 16 2016
OFFICE OF ADMINISTRATIVE HEARINGS

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 16-163

INFORMATION:
Property Address: 2612 Holly Beach Road
Petitioner: Raymond & Karen Evans
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit a replacement dwelling to be built with side setbacks of 10 feet in lieu of the required 50 feet. A site visit was conducted on January 27, 2016.

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

Please be aware that the requirements of BCZR § 1A04.4 will apply to the site proposal at the time of building permit review. 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
Raymond Evans
Office of the Administrative Hearings
People's Counsel for Baltimore County

s:\planning\dev rev\zac\zacs 2016\16-163.docx

3121

RECEIVED
FEB 01 2016
OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

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

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

DATE: LEAVE BLANK

SUBJECT: DEPS Comment for Zoning Item # 2016-0163-A
Address 2612 Holly Beach Road
(Evans Property)

Zoning Advisory Committee Meeting of January 25, 2016.

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 Modified Buffer Area (MBA) and is subject to Critical Area requirements. The applicant is proposing to construct a replacement dwelling with side yard setbacks of 10-feet in lieu of the required setback requirements. The proposed development must meet LDA and MBA requirements for lot coverage in the LDA. The plan submitted does not appear to include all existing lot coverage. The maximum lot coverage allowance for this property (31.25% with mitigation for any new amount over 25%), must be based on the area of the property above mean high water and back to the actual road right-of-way. If the applicant can meet these requirements, and meet all mitigation requirements for lot coverage and buffer impacts, the relief requested will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

   This property is waterfront. If lot coverage requirements, tree requirements, and mitigation requirements for buffer impacts can be met, this will help conserve fish, plant, and wildlife habitat in Middle River.

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

Reviewer: Paul Dennis Date: January 26, 2016

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: February 3, 2016

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

DAK

SUBJECT: Zoning Advisory Committee Meeting
For January 25, 2015
Item No. 2016-0163

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

The proposed building site is not in the 100 year flood plain.

* * * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0163- 01252016.doc

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: February 11, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 16-163

INFORMATION:
Property Address: 2612 Holly Beach Road
Petitioner: Raymond & Karen Evans
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit a replacement dwelling to be built with side setbacks of 10 feet in lieu of the required 50 feet. A site visit was conducted on January 27, 2016.

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

Please be aware that the requirements of BCZR § 1A04.4 will apply to the site proposal at the time of building permit review. 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
Raymond Evans
Office of the Administrative Hearings
People's Counsel for Baltimore County

CASE NO. 2016-0163-A

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
2/3	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	C
2/1	DEPS (if not received, date e-mail sent _____)	C
	FIRE DEPARTMENT	
2/11	PLANNING (if not received, date e-mail sent _____)	no Obj
1/21	STATE HIGHWAY ADMINISTRATION	no Obj
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 3-1-16

SIGN POSTING Date: 3-1-16 by Ogle

PEOPLE'S COUNSEL APPEARANCE Yes ☑ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

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 - 1507001360**

Owner Information

Owner Name:	EVANS RAYMOND D EVANS KAREN L	Use:	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	2612 HOLLY BEACH RD BALTIMORE MD 21221-2020	Deed Reference:	/36321/ 00231

Location & Structure Information

Premises Address:	2612 HOLLY BEACH RD 0-0000 Waterfront	Legal Description:	2612 HOLLY BEACH RD SS HOLLY BEACH

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	1
0098	0022	0205		0000			17	2015	Plat Ref:	0004/ 0182

Special Tax Areas:		Town:	NONE
		Ad Valorem:	
		Tax Class:	

Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use
1919	1,220 SF		10,500 SF	34

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1	NO	STANDARD UNIT	SIDING	1 full		

Value Information

	Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2015	As of 07/01/2016
Land:	260,500	260,500		
Improvements	61,200	70,800		
Total:	321,700	331,300	324,900	328,100
Preferential Land:	0			0

Transfer Information

Seller: SULLIVAN BARBARA	Date: 06/19/2015	Price: $405,000
Type: ARMS LENGTH IMPROVED	Deed1: /36321/ 00231	Deed2:
Seller: WOOD GEORGIA R	Date: 12/18/2008	Price: $424,000
Type: ARMS LENGTH IMPROVED	Deed1: /27515/ 00195	Deed2:
Seller: BIRI MARINO	Date: 03/09/2004	Price: $0
Type: NON-ARMS LENGTH OTHER	Deed1: /12701/ 00173	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

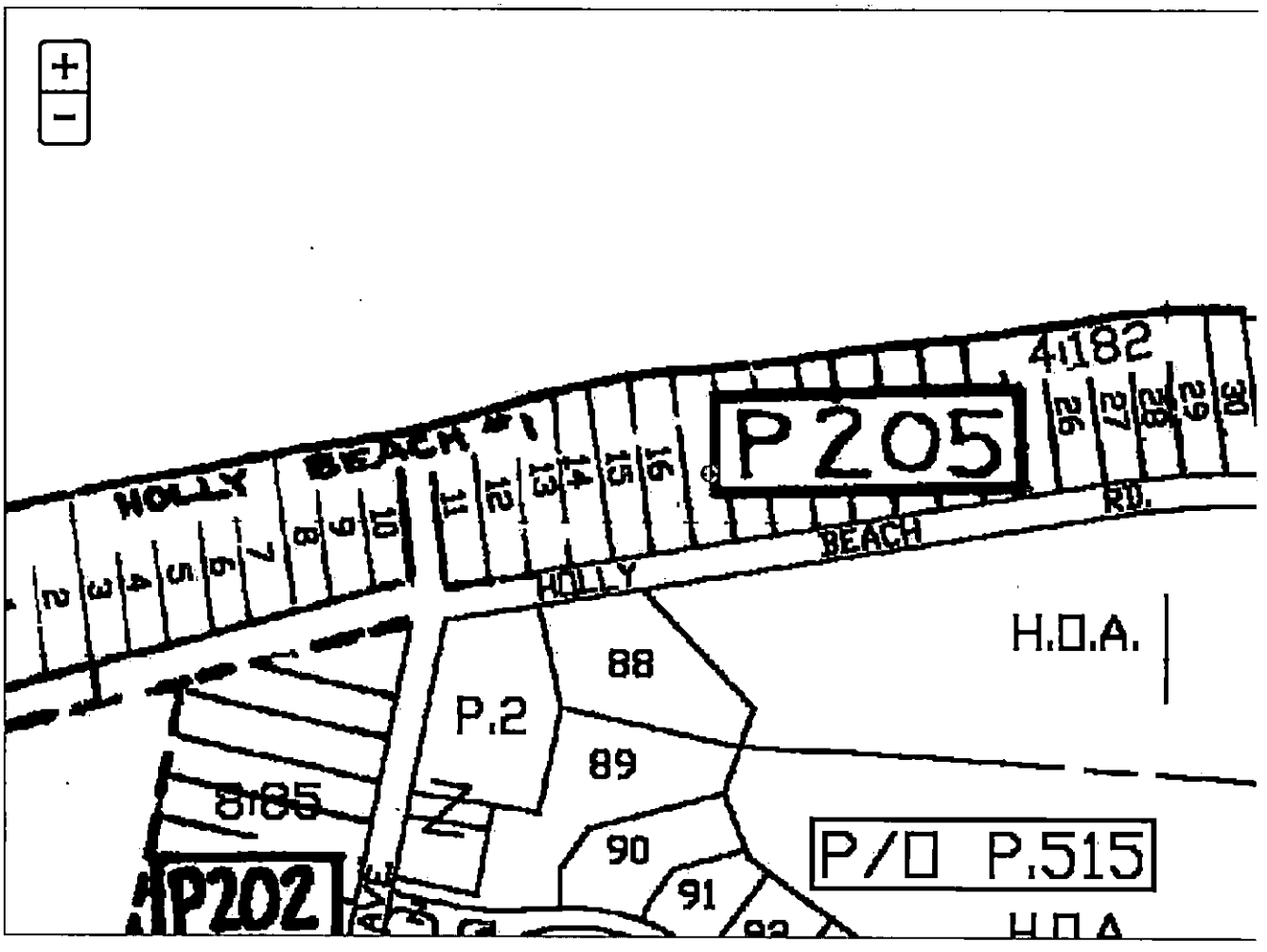
Homestead Application Information

Homestead Application Status: No Application

Baltimore County

New Search (http://sdat.dat.maryland.gov/RealProperty)

District: **15** Account Number: **1507001360**



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.

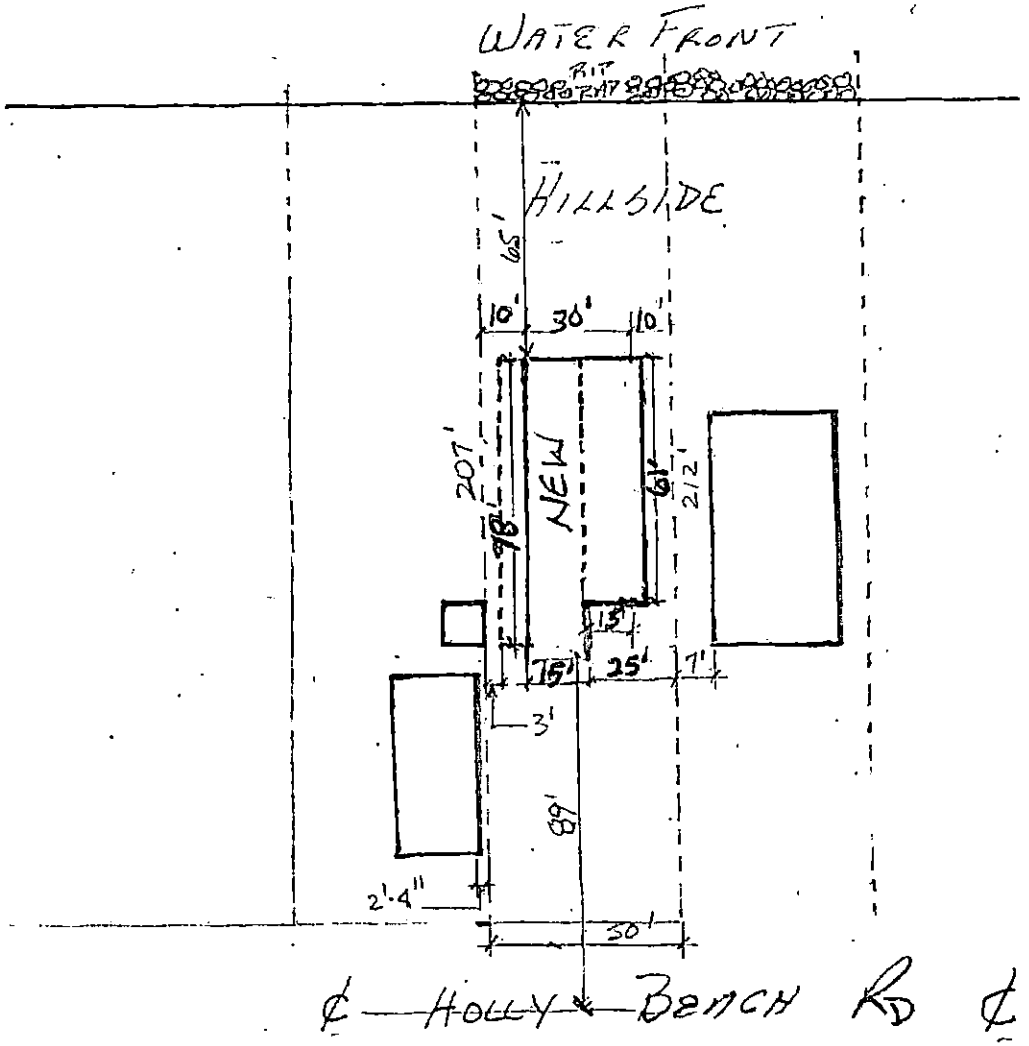
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (http://www.mdp.state.md.us/OurProducts/OurProducts.shtml).

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING ____ (MARK TYPE REQUESTED WITH X)

ADDRESS 2612 HOLLY BEACH RD OWNER(S) NAME(S) RAYMOND AND KAREN EVANS

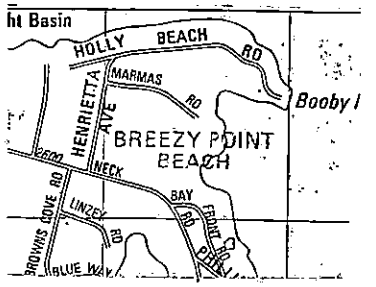
SUBDIVISION NAME HOLLY BEACH LOT # 17 BLOCK # ____ SECTION # ____

PLAT BOOK # 4 FOLIO # 182 10 DIGIT TAX # 1501001560 DEED REF. # 36321/00231



PLAN DRAWN BY RAY EVANS DATE 1.11.2016 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



N

MAP IS NOT TO SCALE

ZONING MAP # 98

SITE ZONED RC 5

ELECTION DISTRICT 15TH

COUNCIL DISTRICT 7TH

LOT AREA ACREAGE ____

OR SQUARE FEET 10,500

HISTORIC ? —

IN CBCA ? —

IN FLOOD PLAIN ? —

UTILITIES ?. MARK WITH X

WATER IS:

PUBLIC X PRIVATE ____

SEWER IS:

PUBLIC X PRIVATE ____

PRIOR HEARING ? ____

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2016-0163-A

Petitioners No. 1

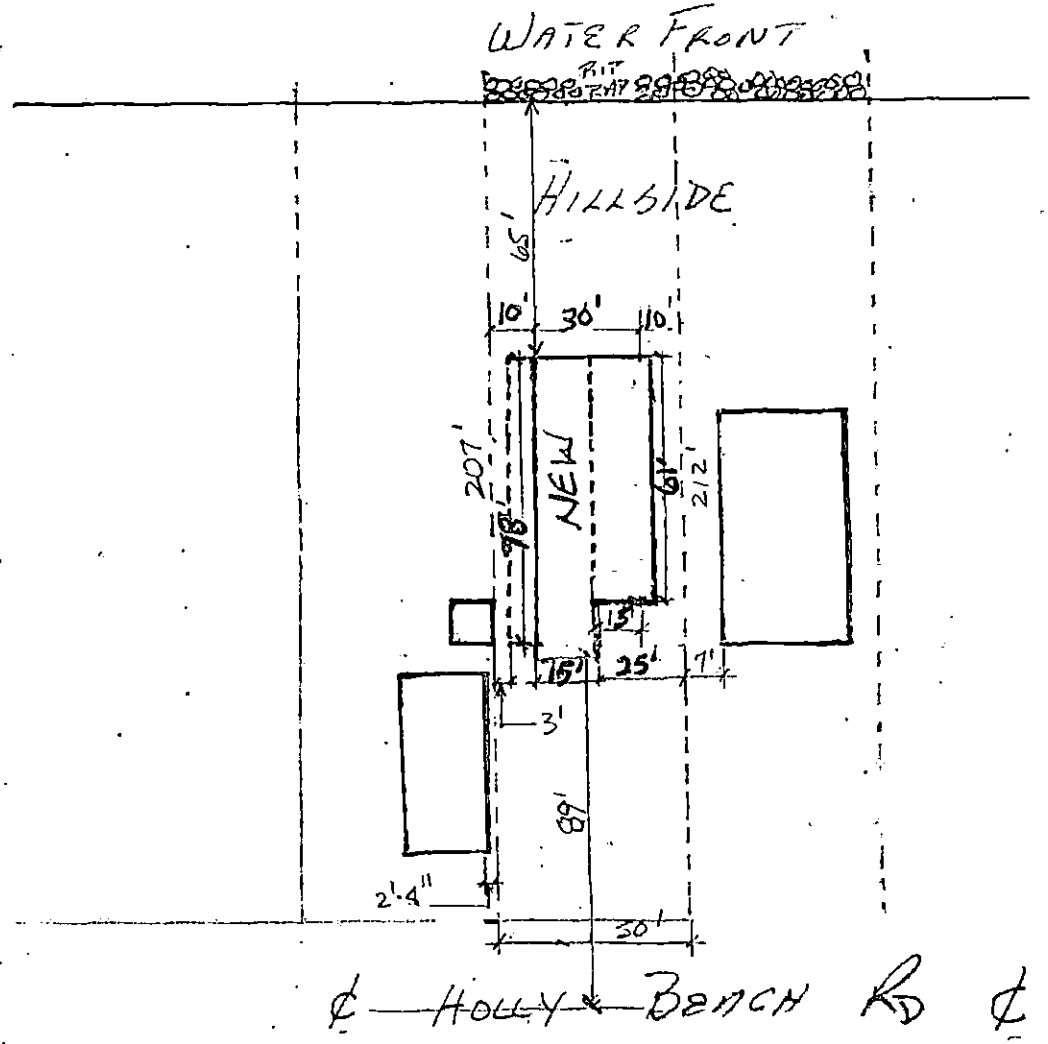
Legible copy

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING ____ (MARK TYPE REQUESTED WITH X)

ADDRESS 2612 HOLLY BEACH RD OWNER(S) NAME(S) RAYMOND AND KAREN EVANS

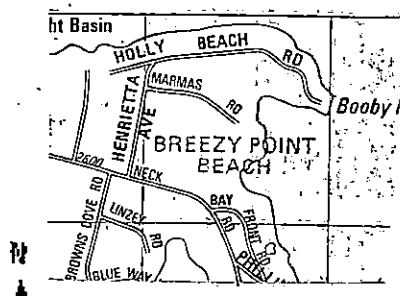
SUBDIVISION NAME HOLLY BEACH LOT # 17 BLOCK # ____ SECTION # ____

PLAT BOOK # 4 FOLIO # 182 10 DIGIT TAX # 1501001360 DEED REF. # 36321/00231



PLAN DRAWN BY RAY EVANS DATE 1·11·2016 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP # 98

SITE ZONED RC5

ELECTION DISTRICT 15TH

COUNCIL DISTRICT 7TH

LOT AREA ACREAGE ____

OR SQUARE FEET 10,500

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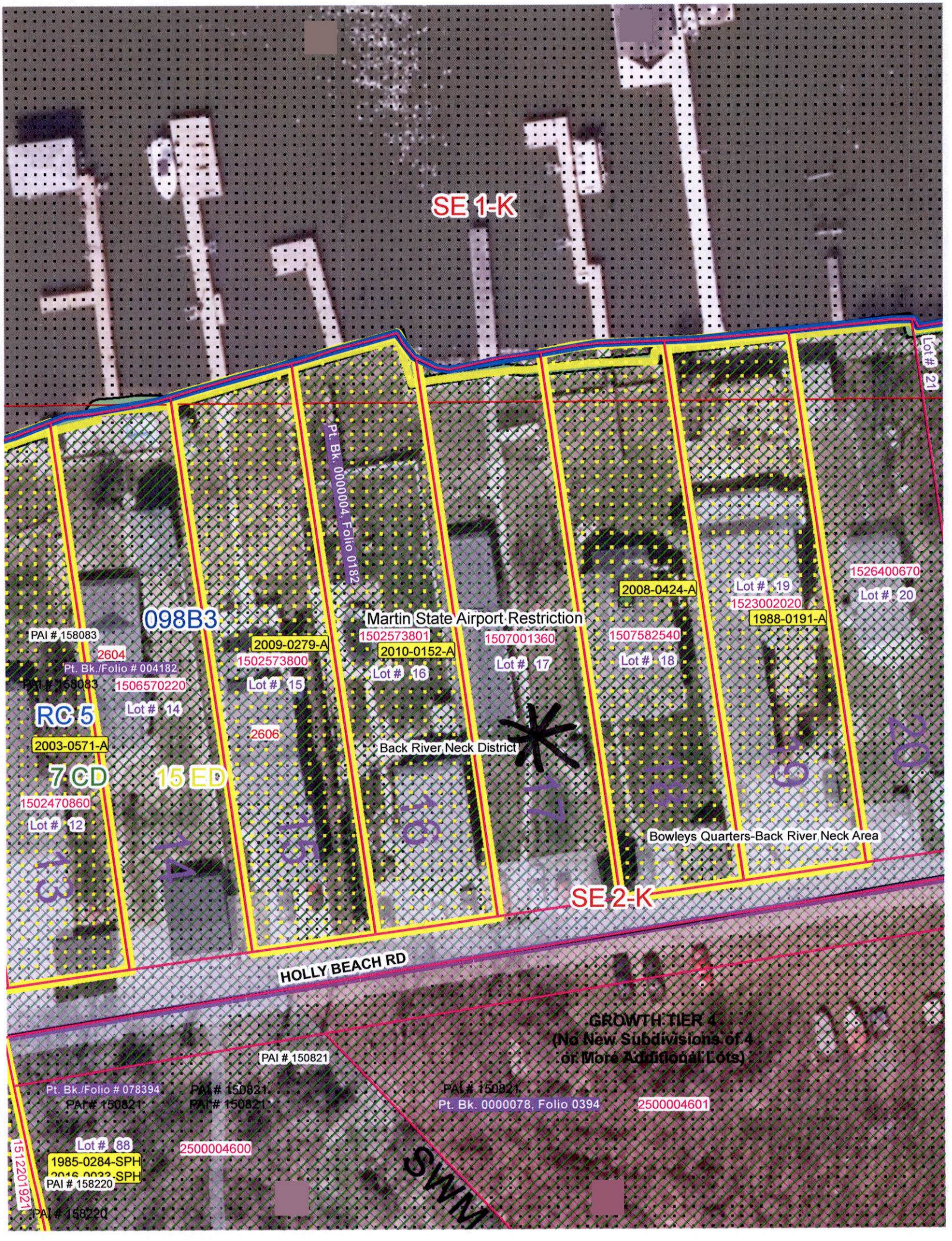
SE 1-K
Lot # 21
Pt. Bk. 0000004, Folio 0182
1526400670
Lot # 20
2008-0424-A
Lot # 19
1523002020
1988-0191-A
098B3
Martin State Airport Restriction
PAI # 158083
2604
2009-0279-A
1502573801
2010-0152-A
1507001360
1507582540
Pt. Bk./Folio # 004182
1502573800
Lot # 16
Lot # 17
Lot # 18
PAI # 158083
1506570220
Lot # 15
RC 5
Lot # 14
2606
2003-0571-A
Back River Neck District
7 CD
15 ED
1502470860
Lot # 12
Bowleys Quarters-Back River Neck Area
SE 2-K
HOLLY BEACH RD
GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)
PAI # 150821
Pt. Bk./Folio # 078394
PAI# 150821
PAI# 150821
PAI# 150821
PAI# 150821
Pt. Bk. 0000078, Folio 0394
2500004601
Lot # 88
2500004600
1985-0284-SPH
2016-0033-SPH
PAI # 158220
1512201921
PAI # 158220