

M E M O R A N D U M

DATE: December 15, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0105-A- Appeal Period Expired

The appeal period for the above-referenced case expired on December 14, 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 *
(806 Seneca Park Road)
15th Election District *
6th Council District *
Jerry E. & Tina M. Lopez *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2017-0105-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Jerry E. & Tina M. Lopez ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 400.3 of the Baltimore County Zoning Regulations, to permit an accessory building (garage) with a height of 24 ft. in lieu of the maximum permitted 15 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. The property is located within the Chesapeake Bay Critical Area (CBCA) and is subject to Critical Area requirements as noted in the ZAC comment dated October 25, 2016 submitted by the Department of Environmental Protection and Sustainability (DEPS). In addition, a ZAC comment was received from the Bureau of Development Plans Review (DPR) dated October 28, 2016, indicating that "Prior to building permit application, the petitioner must contact the office of the Director of Public Works to determine the flood protection elevation, so that the floor elevation can be set."

ORDER RECEIVED FOR FILING

Date 11-14-16

By [Signature]

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 20, 2016, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Although the Department of Planning did not make any recommendations related to the proposed garage's height and usage, I will impose conditions that the garage shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, and kitchen or bathroom facilities.

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

THEREFORE, IT IS ORDERED, this 14th day of **November, 2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 400.3 of the Baltimore County Zoning Regulations, to permit an accessory building (garage) with a height of 24 ft. in lieu of the maximum permitted 15 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

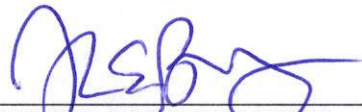
Date 11-14-16

By law

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners or subsequent owners shall not convert the garage into a dwelling unit or apartment. The garage shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
3. The garage shall not be used for commercial purposes.
4. Petitioners must comply with the ZAC comments from DEPS and DPR, copies of which are attached hereto and made a part hereof.

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 11-14-16

By dlw

BALTIMORE COUNTY, MARYLAND

11-7
RECEIVED

Inter-Office Correspondence

OCT 25 2016

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: October 25, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0105-A
Address 806 Seneca Park Road
(Lopez Property)

Zoning Advisory Committee Meeting of October 24, 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 garage with greater height than permitted. The proposed garage is not within the 100-foot buffer. The lot is waterfront, and the proposed garage must meet all LDA requirements, including lot coverage limits and afforestation. Existing and proposed lot coverage is not provided. The tax records indicate the property is 8,670 square feet, while the plan states the lot area is 14,900 square feet. Correct acreage must be determined before lot coverage and afforestation amounts can be calculated. The plan does not specify if there are existing trees on site and if they will remain. If the lot coverage and afforestation requirements can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

ORDER RECEIVED FOR FILING

C:\Users\snufer\AppData\Local\Microsoft\Windows\Temporary Internet
Files\Content.Outlook\WPHS9SSK\ZAC 17-0105-A 806 Seneca Park Road-EIR.doc

Date 11-14-16
By (SW)

This property is waterfront. No impacts are proposed within the 100-foot buffer. If the lot coverage and afforestation 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 the lot coverage and afforestation requirements can be met, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

Date: October 25, 2016

ORDER RECEIVED FOR FILING

Date 11-14-16

ew



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 806 SENECA PARK ROAD

Deed Reference L.36048 / F.304

Currently zoned DR 3.5

Owner(s) Printed Name(s) JERRY E. & TINA M. LOPEZ

10 Digit Tax Account # 15 16 8 99 000

(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)

400.3 TO PERMIT AN ACCESSORY BUILDING (GARAGE) WITH A HEIGHT OF 24 FEET IN LIEU OF THE MAXIMUM PERMITTED 15 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):

JERRY E. LOPEZ / TINA M. LOPEZ

Name #1 – Type or Print

Name #2 – Type or Print

Jerry E. Lopez

Tina M. Lopez

Signature #1

Signature #2

806 SENECA PARK RD BALTO. MD.

Mailing Address

City

State

21220

(443) 632-6675

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:

DAVID BILLINGSLEY

Name – Type or Print

David Billingsley

Signature

601 CHARYWOOD CT. EDGEWOOD, MD

Mailing Address

City

State

21040

(410) 679-8719

dwbozo@yahoo.com

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 21 day of 11-14-16 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 2017-0105-A

Filing Date 10/14/16

Estimated Posting Date 10/23/16

Reviewer JF

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: 806 SENECA PARK RD BALTO MD. 21220
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)

SEE ATTACHED

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

Jerry E. Lopez
Signature of Owner (Affiant)
JERRY E. LOPEZ
Name- Print or Type

Tina M. Lopez
Signature of Owner (Affiant)
TINA M. LOPEZ
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 9th day of October, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Jerry E. Lopez and Tina M. Lopez
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

Schwan Hoffmann
Notary Public
November 17, 2016
My Commission Expires

AFFIDAVIT IN SUPPORT OF ADMINISTRATIVE VARIANCE

We are requesting an administrative variance to permit the construction of a 25 foot by 29 foot garage with a second story which will be 24 feet high.

Our home is located in a 100 year flood zone which limits the lower level to parking or storage of items that may well be damaged during flooding. We are currently storing frequently required personal property at an offsite storage unit which is inconvenient, not to mention expensive. Many items are heirlooms which we would prefer to store at our property without being concerned with flood damage or theft from the storage unit.

The proposed garage will be designed to architecturally blend in with our house design and will not be used for commercial purposes or provide additional living quarters.

ZONING DESCRIPTION

806 SENECA PARK ROAD

Beginning for the same at a point on the southwest side of Seneca Park Road (30 feet wide), distant 645 feet southeasterly from its intersection with the center of Nannette Lane, thence:

1. S 46° 40' W 90 feet
2. S 45° W 210 feet, more or less to Seneca Creek, thence:
3. Southeasterly 55 feet, more or less
4. N 45° E 207 feet, more or less
5. N 46° 40' E 90 feet to the southwest side of Seneca Park Road, thence:
6. N 62° 30' W 52.14 feet to the place of beginning.

Containing 14,900 square feet or 0.342 acre of land, more or less.

Being known as 806 Seneca Park Road. Located in the 15TH Election District, 6TH Councilmanic District of Baltimore County, Maryland°

CERTIFICATE OF POSTING

Date: OCTOBER 20, 2016

RE: Project Name: 806 SENECA PARK ROAD
Case Number /PAI Number: 2017-0105-A
Petitioner/Developer: JERRY AND TINA LOPEZ
Date of Hearing/Closing: NOVEMBER 7, 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 806 SENECA PARK ROAD

The sign(s) were posted on OCTOBER 20, 2016
(Month, Day, Year)

ZONING NOTICE

ADMINISTRATIVE VARIANCE
CASE NO. 2017-0105-A

REQUEST: TO PERMIT AN ACCESSORY BUILDING
(GARAGE) WITH A HEIGHT OF 24 FEET IN LIEU OF
THE MAXIMUM PERMITTED 15 FEET

Pursuant to Section 26-127(b)(1), Baltimore County Code, an
eligible individual or group may request a public hearing
concerning the proposed variance, provided the request is
received in the Zoning Review Office before 5 P.M. on:
NOVEMBER 7, 2016

Additional information is available at the Department of Permits,
Approvals and Inspections, Baltimore County Office Building, 111
West Chesapeake Avenue, Towson, Md. 21204
(410) 887-3391

UNDER PENALTY OF LAW,
DO NOT REMOVE THIS SIGN UNTIL AFTER THE ABOVE DATE

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)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0105 -A Address 806 SENECA PARK RD.

Contact Person: JUL FERNANDO Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10-14-16 Posting Date: 10-23-16 Closing Date: 11-7-16

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 2017- 0105 -A Address 806 SENECA PARK RD

Petitioner's Name JERRY & TINA LOPEZ Telephone 443-632-6675

Posting Date: 10-23-16 Closing Date: 11-7-16

Wording for Sign: To Permit an accessory building (garage) with a height of 24 feet in lieu of the maximum permitted 15 feet.

Revised 7/6/16

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/neighbor 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 twenty (20) 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: 2017-0105-A
Property Address: 806 SENECA PARK RD
Property Description: _____
Legal Owners (Petitioners): JERRY LOPEZ
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: JERRY LOPEZ
Company/Firm (if applicable): _____
Address: 806 SENECA PARK RD.
BALTO MD 21220
Telephone Number: 443 632-6675

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

Nº 145714

Date: 10/14/16

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

Total: 75.00

Rec From: Central Drafting & Design

For: 806 San Jose Park Rd
Case # 2017-0105-A

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
10/17/2016 10/14/2016 10:39:12 3
REG #503 WALKIN CAN
>>RECEIPT # 700961 10/14/2016 GFLM
Dept 5 528 ZONING VERIFICATION
CR NO. 145714
Recpt Tot \$75.00
\$75.00 CK \$0.00 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

November 9, 2016

Jerry E & Tina M Lopez
806 Seneca Park Drive
Baltimore MD 21220

RE: Case Number: 2017-0105 A, Address: 806 Seneca Park Drive

Dear Mr. & Ms. López:

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

A handwritten signature in dark 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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy, ^{DAK}Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 24, 2016
Item No. 2017-0105

DATE: October 28, 2016

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

Prior to building permit application, the petitioner must contact the office of the Director of Public Works to determine the flood protection elevation, so that the floor elevation can be set.

* * * * *

DAK:CEN
Cc:file
ZAC-ITEM NO 17-0105-10172016.doc

ORDER RECEIVED FOR FILING

Date 11-14-16

By (signature)

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



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

Date: 10/19/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No.

2017-0105-A
Administrative Variance
Jerry E. & Tina M. Lopez
806 Seneca Park Road.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard Zeller'.

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 24, 2016
Item No. 2017-0105

DATE: October 28, 2016

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

Prior to building permit application, the petitioner must contact the office of the Director of Public Works to determine the flood protection elevation, so that the floor elevation can be set.

* * * * *

DAK:CEN
Cc:file
ZAC-ITEM NO 17-0105-10172016.doc

BALTIMORE COUNTY, MARYLAND

11-7
RECEIVED

Inter-Office Correspondence

OCT 25 2016

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: October 25, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0105-A
Address 806 Seneca Park Road
(Lopez Property)

Zoning Advisory Committee Meeting of **October 24, 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 garage with greater height than permitted. The proposed garage is not within the 100-foot buffer. The lot is waterfront, and the proposed garage must meet all LDA requirements, including lot coverage limits and afforestation. Existing and proposed lot coverage is not provided. The tax records indicate the property is 8,670 square feet, while the plan states the lot area is 14,900 square feet. Correct acreage must be determined before lot coverage and afforestation amounts can be calculated. The plan does not specify if there are existing trees on site and if they will remain. If the lot coverage and afforestation requirements can be met, then 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. No impacts are proposed within the 100-foot buffer. If the lot coverage and afforestation 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 the lot coverage and afforestation requirements can be met, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

Date: October 25, 2016

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>10-28</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
<u>10-25</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>10-19</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>10-20-16</u> by <u>Billingsley</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		



A



B



C



D



3

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 - 1516899000			
Owner Information					
Owner Name:		LOPEZ JERRY E LOPEZ TINA M		Use:	RESIDENTIAL
Mailing Address:		806 SENECA PARK RD BALTIMORE MD 21220-2312		Principal Residence:	YES
				Deed Reference:	/36048/ 00304
Location & Structure Information					
Premises Address:		806 SENECA PARK RD BALTIMORE 21220-2312 Waterfront		Legal Description:	PT LT 15 SENECA PARK RD SENECA PARK BEACH
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0091	0017	0139		0000	15
				Assessment Year:	Plat No:
				2015	0008/0045
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area		Property Land Area
2006	1,492 SF				8,670 SF
County Use	34				
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	YES	STANDARD UNIT	SIDING	2 full	1 Attached
Last Major Renovation					
2006					
Value Information					
		Base Value	Value As of	Phase-in Assessments	
			01/01/2015	As of	As of
				07/01/2016	07/01/2017
Land:		176,600	176,600		
Improvements		134,200	166,200		
Total:		310,800	342,800	332,133	342,800
Preferential Land:		0			0
Transfer Information					
Seller: DATTOLI DIANE		Date: 04/13/2015		Price: \$470,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /36048/ 00304		Deed2:	
Seller: PTASZYNSKI FRANCES		Date: 01/10/2006		Price: \$349,900	
Type: ARMS LENGTH MULTIPLE		Deed1: /24804/ 00001		Deed2:	
Seller: PTASZYNSKI JAMES		Date: 05/26/1999		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /13774/ 00505		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class			07/01/2016	07/01/2017
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					

[illegible]

1 inch = 50 feet

Real Property Data Search (w4)

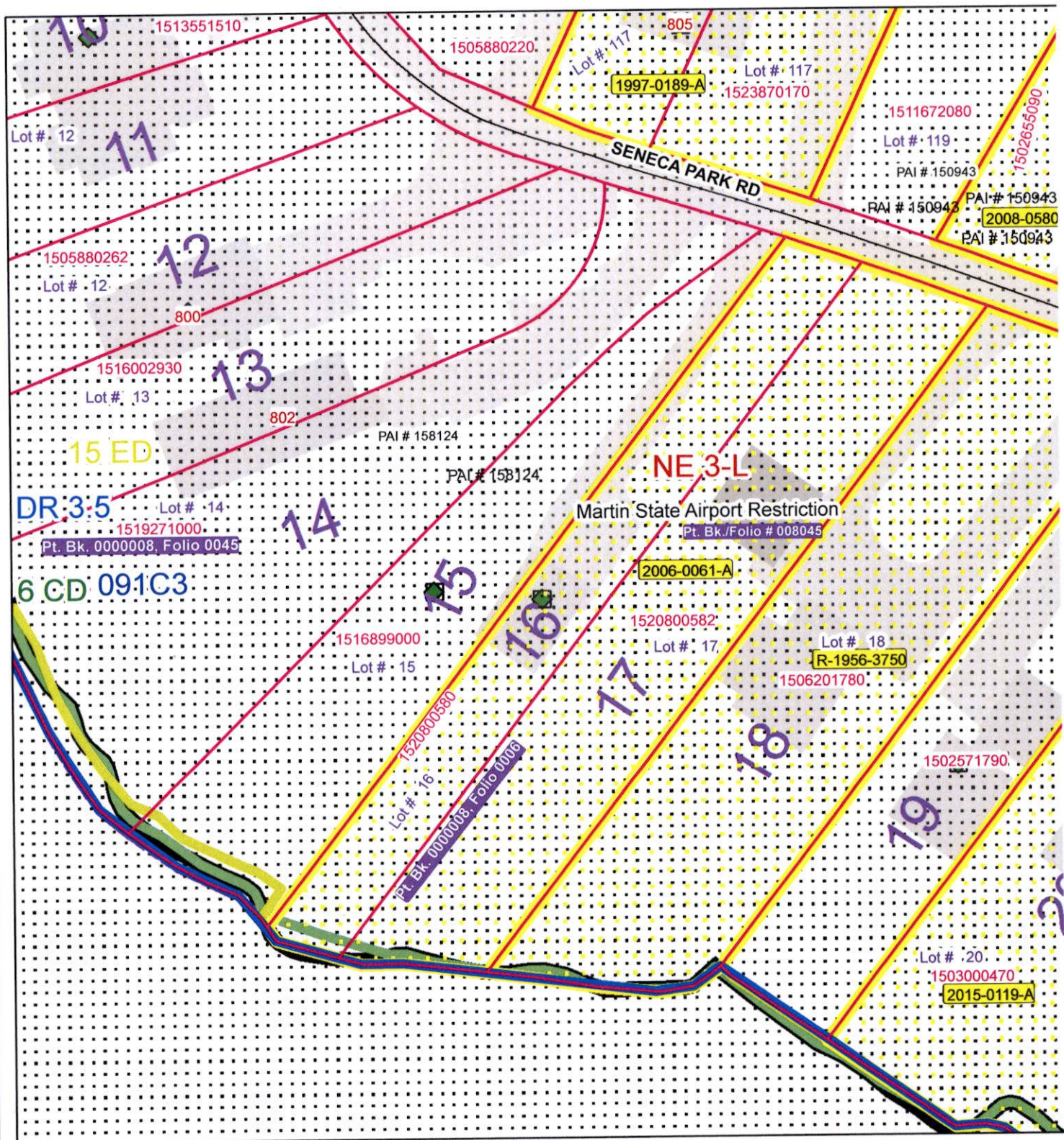
Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1516899000			
Owner Information					
Owner Name:		LOPEZ JERRY E LOPEZ TINA M		Use: RESIDENTIAL Principal Residence: YES	
Mailing Address:		806 SENECA PARK RD BALTIMORE MD 21220-2312		Deed Reference: /36048/ 00304	
Location & Structure Information					
Premises Address:		806 SENECA PARK RD BALTIMORE 21220-2312 Waterfront		Legal Description: PT LT 15 SENECA PARK RD SENECA PARK BEACH	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0091	0017	0139		0000	15 2015 0008/0045
Special Tax Areas:			Town: NONE Ad Valorem: Tax Class:		
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area	
2006		1,492 SF		8,670 SF	
Property Land Area		County Use			
8,670 SF		34			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	STANDARD UNIT	SIDING	2 full	1 Attached 2006
Value Information					
		Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2016 As of 07/01/2017	
Land:		176,600	176,600		
Improvements		134,200	166,200		
Total:		310,800	342,800	332,133	342,800
Preferential Land:		0			0
Transfer Information					
Seller: DATTOLI DIANE		Date: 04/13/2015		Price: \$470,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /36048/ 00304		Deed2:	
Seller: PTASZYNSKI FRANCES		Date: 01/10/2006		Price: \$349,900	
Type: ARMS LENGTH MULTIPLE		Deed1: /24804/ 00001		Deed2:	
Seller: PTASZYNSKI JAMES		Date: 05/26/1999		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /13774/ 00505		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class	07/01/2016	07/01/2017	
County:		000	0.00		
State:		000	0.00		
Municipal:		000	0.00 0.00	0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

Seneca Park Road, Tax #15-13-899-000



Publication Date: 10/14/2016



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



0 12.525 50 75 100 Feet

1 inch = 50 feet

Chesapeake Bay Critical Area



Publication Date: 10/14/2016



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



0 12.5 25 50 75 100 Feet

1 inch = 50 feet

Possible Flood Hazard Area



Publication Date: 10/14/2016

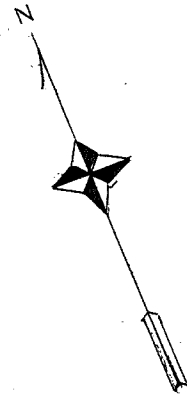


Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.525 50 75 100 Feet

1 inch = 50 feet



SENECA PARK BEACH

EDGAR E. KENLY
SALES AGENT
HOMewood 2695

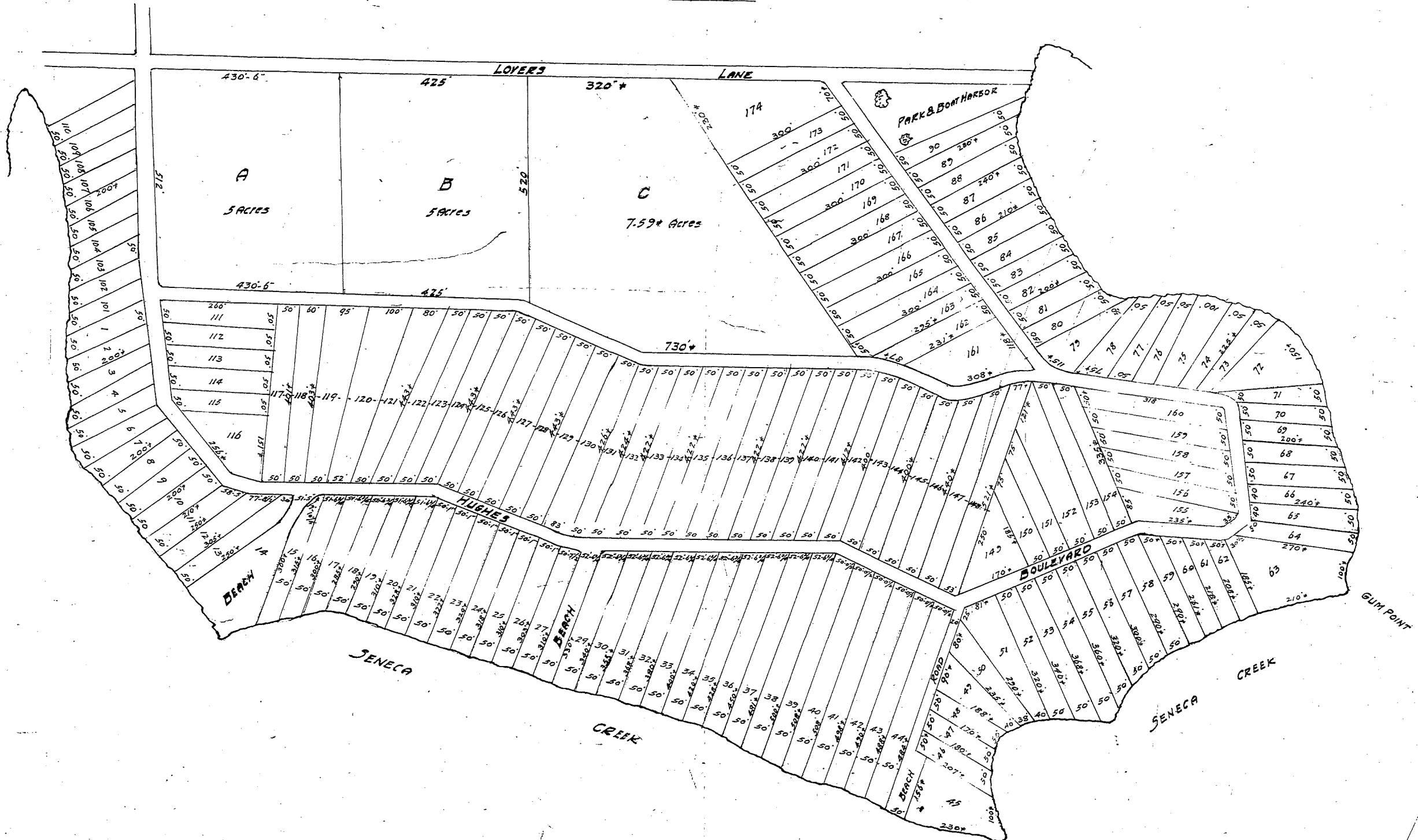
SCALE 1"=100'
TOLLEY & BAYES CO.
CIVIL ENGRS.
BALTO. MD.

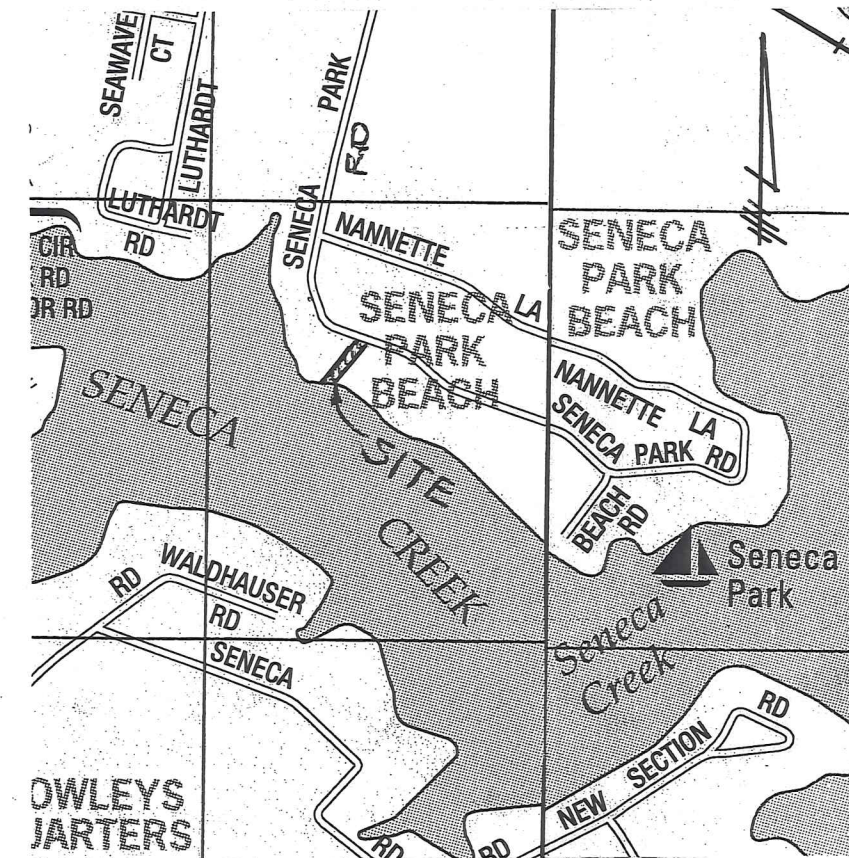
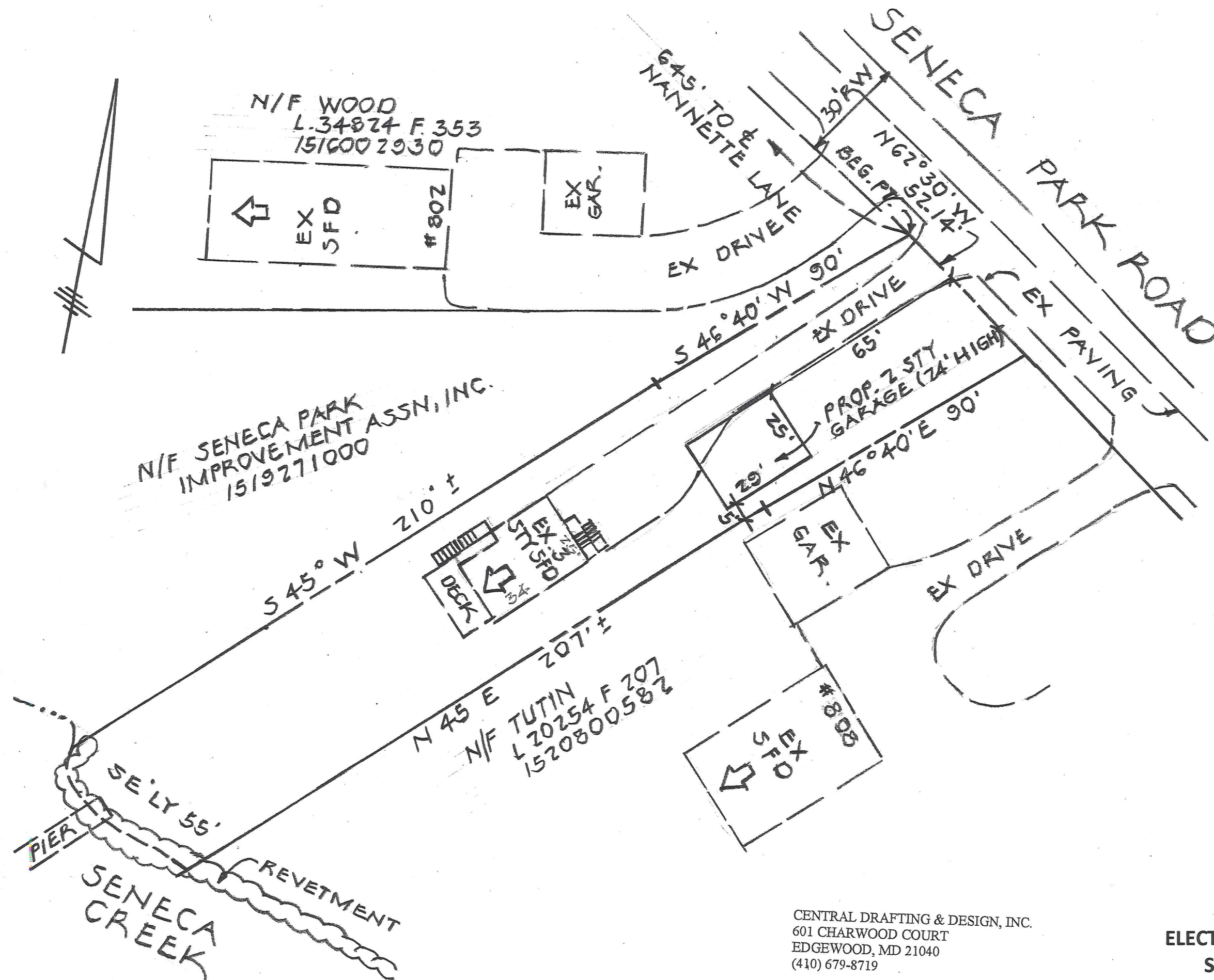
REVISED PLAN
APRIL 1926

CARROLL'S

ISLAND

ROAD





LOCATION PLAN
SCALE 1" = 1000'

NOTES

1. ZONING.....DR 3.5 (MAP 091C3)
2. LOT AREA.....14,900 S.F. = 0.342 ACRE +/-
3. PUBLIC WATER AND SEWER
4. SITE IS LOCATED IN 100 YEAR FLOOD ZONE AND CBCA
5. NO PREVIOUS ZONING HISTORY OR VIOLATIONS
6. NO HISTORIC SITES OR STRUCTURES, OR UNDERGROUND STORAGE TANKS EXIST.

OWNER

JERRY E. AND TINA M. LOPEZ
806 SENECA PARK ROAD
BALTIMORE, MD. 21220
DEED REF: L.36048 F.304
ACCT. NO. 1516899000

**PLAT TO ACCOMPANY PETITION
FOR ADMINISTRATIVE VARIANCE**

806 SENECA PARK ROAD

ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD

SCALE: 1 INCH = 30 FEET OCTOBER 8, 2016

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