



KEVIN KAMENETZ
County Executive

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

June 29, 2017

Mr. & Mrs. John Whelehan
2712 Holly Beach Road
Baltimore, MD 21221

Dear Mr. & Mrs. Whelehan:

Re: Spirit & Intent Letter, Hearing Case #2017-0132-A, 2712 Holly Beach Road, 15th Election District

This is in response to your letter to Arnold Jablon, Director of Permits, Approvals and Inspections, who has authorized this reply. Based on the information contained in your letter, the available zoning records and my conversation with Mr. Carl Richards, Zoning Supervisor, the following has been determined.

1. The subject property is currently zoned RC-5 (Resource Conservation – Rural Residential) per Baltimore County Zoning Map no 098C3.
2. The red lined plan represents moving the proposed dwelling away from the western property line which reduces the approved 33 ft., setback to 29 ft. Regretfully, the proposed modification is not within the spirit and intent of hearing case 2017-0132-A. Should you not agree with this decision, you may request a determination by Special Hearing before the Administrative Law Judge to amend the previously approved case 2017-0132-A or apply for another variance.

The foregoing is merely an informal opinion. It is not an expert or legal opinion. It is not intended to be relied on as expert or legal advice, and is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,


Ian Fernando
Planner II
Zoning Review

JRF/kl

Mr. and Mrs. John Whelehan
2712 Holly Beach Road
Baltimore, Md 21221

Mr. Arnold Jablon, Director
Baltimore county Zoning Office
County Office Building
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

RE: Spirit and Intent Letter
Zoning Case No. 2017-0132-A

Dear Mr. Jablon,

This letter is a request for your approval and concurrence that the enclosed "red-lined" plan meets the spirit and intent of the approved site plan presented and approved in the above referenced zoning case.

Per the zoning order, Judge Beverungen granted the following: (1) to permit a replacement dwelling with a 40 ft. setback to the centerline of a road in lieu of the required 75 ft. and to permit side yard setbacks of 4 ft. and 33 ft. in lieu of the required 50 ft. for each side; (2) to permit a setback of 9 ft. for an open projection (deck) in lieu of the required 37.5 ft. and (3) to permit a building coverage of 31.35% in lieu of the maximum 15%.

At the time of the hearing, we presented written documents from adjoining neighbors indicating they were not opposed to the project. As that is still the case with the property located at #2722 Holly Beach Road, the neighbors at #2716 are voicing concern. Prior to the public hearing we met with Mr. and Mrs. Sobus in an attempt to resolve any issues with the proposed replacement dwelling. They felt as though their concerns with the zoning hearing for #2710 Holly Beach Road (abutting their western property line) fell on deaf ears. Therefore, we were doing our best to listen and address the concerns in order to create an amicable relationship.

The "red-lined" plan represents moving the proposed dwelling away from the western property line which reduces the approved 33 ft. setback to 29 ft. With this revision it decreases the relief sought and granted; namely, the 40 ft. to the centerline is now 44 ft., the 4 ft. setback is now 5 ft. and the 9 ft. open projection setback is 15 ft.

We hope that you agree with our interpretation that the proposed modification meets the spirit and intent of Zoning Case No. 2017-0132-A and provide a letter of written confirmation of your agreement.

We have enclosed, with this letter, a "red-lined" variance plan, an approved copy of Mr. Beverungen's order and a check for the \$20 processing fee for the spirit and intent letter.

Thank you in advance for your time and attention to this matter.

Best regards,

Mr. and Mrs. John Whelehan

JO:JRI-
S+I
6/23/17 uca

#17-240
\$20⁰⁰

MEMORANDUM

DATE: February 22, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0132- A – Appeal Period Expired

The appeal period for the above-referenced case expired on February 21, 2017. 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

(2712 Holly Beach Road)

15th Election District

7th Council District

John & A. Renee Whelehan

Legal Owners

Petitioners

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2017-0132-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by John & A. Renee Whelehan, owners of the subject property ("Petitioners"). The Petitioners are requesting variance relief from the Baltimore County Zoning Regulations (B.C.Z.R) as follows: (1) to permit a replacement dwelling with a 40 ft. setback to the centerline of a road in lieu of the required 75 ft. and to permit side yard setbacks of 4 ft. and 33 ft. in lieu of the required 50 ft. for each side; (2) to permit a setback of 9 ft. for an open projection (deck) in lieu of the required 37.5 ft.; and (3) to permit a building coverage of 31.25% in lieu of the required 15%. A site plan was marked as Petitioners' Exhibit 1.

Owners John & Renee Whelehan and Bernadette Moskunas with Site Rite Surveying, Inc., appeared in support of the petition. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Department of Environmental Protection and Sustainability (DEPS). Neither agency opposed the requests and the concerns identified in their comments will be included as conditions in the Order below. The Bureau of Development Plans Review noted a tidal floodplain exists on the property, although the proposed improvements are not within the floodplain area.

ORDER RECEIVED FOR FILING

Date 11/20/17

By Sen

The property is approximately 0.57 acres and is zoned RC 5. The property is improved with a single-family dwelling constructed in 1924. Petitioners propose to raze that structure and in its place (and in roughly the same footprint) construct a new single-family dwelling. To do so variances are required.

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 property is irregularly shaped and the lot was created by the Plat of Broring Point (Ex. 2), which was recorded before adoption of the B.C.Z.R. As such, it is unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to construct a modern dwelling on the lot. Finally, I find that the variances 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 community and/or Baltimore County opposition. In addition, both of the adjoining neighbors indicated they were not opposed to the project. Ex. 5.

THEREFORE, IT IS ORDERED, this 20th day of January, 2017, by the Administrative Law Judge for Baltimore County, that the Petition for Variance: (1) to permit a replacement dwelling with a 40 ft. setback to the centerline of a road in lieu of the required 75 ft. and to permit side yard setbacks of 4 ft. and 33 ft. in lieu of the required 50 ft. for each side; (2) to permit a setback of 9 ft. for an open projection (deck) in lieu of the required 37.5 ft.; and (3) to permit a building coverage of 31.25% in lieu of the maximum 15%, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 1/20/17
By Den

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.
3. Prior to issuance of permits Petitioners must satisfy the performance standards for the RC 5 zone, as determined in the sole discretion of the DOP.

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

11/20/17

By

sln



CBCA

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 2112 Holly Beach Road which is presently zoned RC5
 Deed References: 35211/212 10 Digit Tax Account # 1513855420
 Property Owner(s) Printed Name(s) John and A. Renee Whelahan

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ a **Variance** from Section(s)

see attached

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):

John Whelahan, A. Renee Whelahan

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2112 Holly Beach Road Balto. MD

21221, 410 218-9266

Zip Code Telephone # Email Address

Representative to be contacted:

Bernadette Moskunas / Site Rite Surveying Inc.

Name - Type or Print

Signature

200 E. Joppa Road, Rm 101 Towson, MD

21286, 410 828 9060, siteriteinc@aol.com

Zip Code Telephone # Email Address

CASE NUMBER 2017-0132-A Filing Date 11/15/2016 Do Not Schedule Dates: Reviewer BR

1A04.3.B.2.b to permit a replacement dwelling with a 40 ft. setback to the centerline of a road in lieu of the required 75 ft. and to permit side yard setbacks of 4 ft. and 33 ft. in lieu of the required 50 ft. for each side.

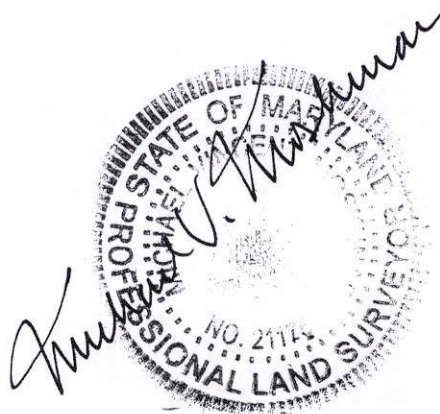
Section 301.1 to permit a setback of 9 ft. for an open projection (deck) in lieu of the required 37.5 ft.

1A04.3.B.3 to permit a building coverage of 31.25% in lieu of the required 15%.

Zoning Property Description for #2712 Holly Beach Road

Beginning at a point on the north side of Holly Beach Road which is 25 feet wide (plat) at the distance of 1560 feet east of the centerline of Henrietta Avenue which is 40 feet wide (plat). Being Lot 14 in the subdivision of "Plat of Broring" as recorded in Baltimore County Plat Book No. 6, folio No. 101, containing 24,973 square feet, more or less. Located in the 15th Election District, 7th Council District.

Michael V. Moskunas
Professional Land Surveyor
Reg. No. 21175
Site Rite Surveying, Inc.
200 E. Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410)828-9060



2017-0132-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 4677945

Sold To:

John Whelehan - CU00577861
2712 Holly Beach Rd
Essex, MD 21221-2021

Bill To:

John Whelehan - CU00577861
2712 Holly Beach Rd
Essex, MD 21221-2021

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

Dec 29, 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: # 2017-0132-A
2712 Holly Beach Road
N/s Holly Beach Road, 1560 ft. E/of centerline of Henrietta Avenue
15th Election District - 7th Councilmanic District
Legal Owner(s) John & A. Renee Whelehan

Variance: to permit a replacement dwelling with a 40 ft. setback to the centerline of a road in lieu of the required 75 ft. and to permit side yard setbacks of 4 ft. and 33 ft. in lieu of the required 50 ft. for each side. To permit a setback of 9 ft. for an open projection (deck) in lieu of the required 37.5 ft.; to permit a building coverage of 31.25% in lieu of the required 15%.

Hearing: Thursday, January 19, 2017 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.

12/210 December 29 4677945

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

CERTIFICATE OF POSTING

CERTIFICATE OF POSTING

CASE NO: 2017-0132-A

PETITIONER/DEVELOPER

SITE RITE SURVEYING INC

DATE OF HEARING/CLOSING:

1/19/17

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 CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT

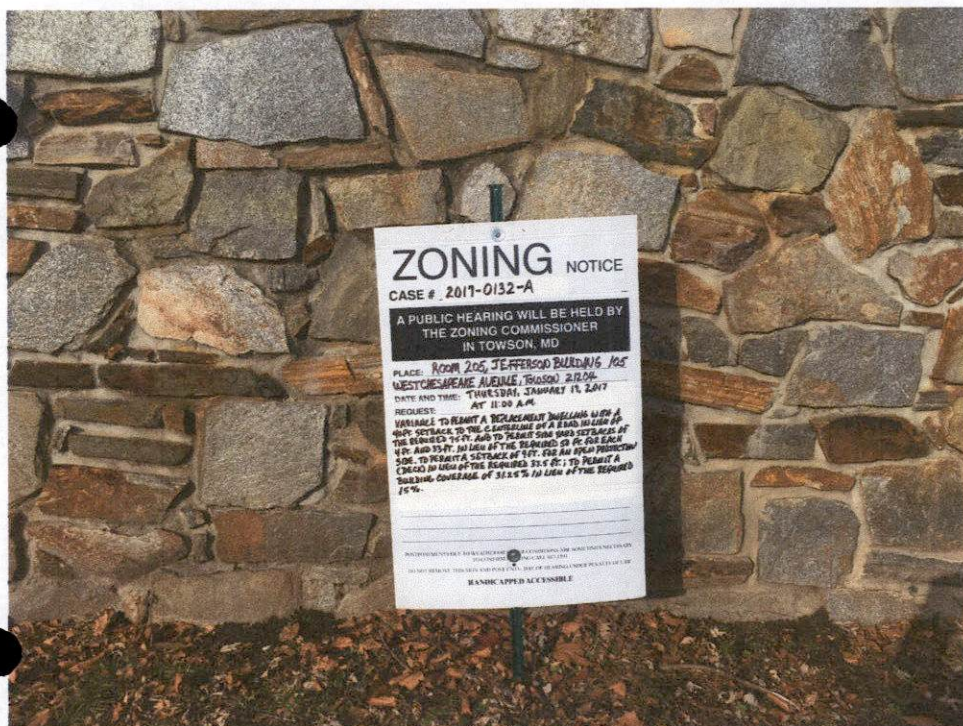
2712 HOLLY BEACH ROAD

THIS SIGN(S) WERE POSTED ON December 30, 2016
(MONTH, DAY, YEAR)

SINCERELY,

 12/30/16
SIGNATURE OF SIGN POSTER AND DATE:

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



myaingle 12/30/16



KEVIN KAMENETZ
County Executive
December 16, 2016

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

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: 2017-0132-A

2712 Holly Beach Road
N/s Holly Beach Road, 1560 ft. E/of centerline of Henrietta Avenue
15th Election District – 7th Councilmanic District
Legal Owners: John & A. Renee Whelehan

Variance to permit a replacement dwelling with a 40 ft. setback to the centerline of a road in lieu of the required 75 ft. and to permit side yard setbacks of 4 ft. and 33 ft. in lieu of the required 50 ft. for each side. To permit a setback of 9 ft. for an open projection (deck) in lieu of the required 37.5 ft.; to permit a building coverage of 31.25% in lieu of the required 15%.

Hearing: Thursday, January 19, 2017 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Whelehan, 2712 Holly Beach Road, Baltimore 21221
Bernadette Moskunus, 200 E. Joppa Road, Rm. 101, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, DECEMBER 30, 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
Thursday, December 29, 2016 Issue - Jeffersonian

Please forward billing to:
John Whelehan
2712 Holly Beach Road
Baltimore, MD 21221

410-218-9266

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: 2017-0132-A

2712 Holly Beach Road

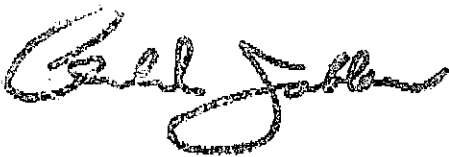
N/s Holly Beach Road, 1560 ft. E/of centerline of Henrietta Avenue

15th Election District – 7th Councilmanic District

Legal Owners: John & A. Renee Whelehan

Variance to permit a replacement dwelling with a 40 ft. setback to the centerline of a road in lieu of the required 75 ft. and to permit side yard setbacks of 4 ft. and 33 ft. in lieu of the required 50 ft. for each side. To permit a setback of 9 ft. for an open projection (deck) in lieu of the required 37.5 ft.; to permit a building coverage of 31.25% in lieu of the required 15%.

Hearing: Thursday, January 19, 2017 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 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
2712 Holly Beach Road, N/S Holly Beach Road, *
1,560' E of c/line with Henrietta Avenue * OF ADMINISTRATIVE
15th Election & 7th Councilmanic Districts *
Legal Owner(s): John & Renee Whelehan * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2017-132-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.

RECEIVED

NOV 22 2016

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 22nd day of November, 2016, a copy of the foregoing Entry of Appearance was mailed to Site Rite Surveying, Inc, 200 E. Joppa Road, Room 101, Towson, Maryland 21286, Representative for Petitioner(s).

Peter Max Zimmerman

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 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: 2017-0132-A
Property Address: 2712 Holly Beach Road
Property Description: Lot 14 "Plat of Browning" 6/101 located on the north side of Holly Beach Road east of Henrietta Avenue
Legal Owners (Petitioners): John and A. Renee Wheelahan
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: John Wheelahan
Company/Firm (if applicable): N/A
Address: 2712 Holly Beach Road
Baltimore, MD 21221

Telephone Number: 410 218 9266

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

№ 145741

Date: 11/15/16

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	806	0020		6150					\$ 75.00

Total: \$ 75.00

Rec From: Renee Whelton

For: Variance

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

211 612-A

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
11/15/2016 11/15/2016 10:24:54 2
REG 0002 WALKIN JEE
>>RECEIPT # 983988 11/15/2016 CFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 145741
Recpt Tot \$75.00
\$75.00 CK \$1.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

January 12, 2017

John & A Renee Whelehan
2712 Holly Beach Road
Baltimore MD 21221

RE: Case Number: 2017-0132 A, Address: 2712 Holly Beach Road

Dear Mr. & Ms. Whelehan:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 15, 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 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
Bernadette Moskunus, Site Rite Surveying, 200 E Joppa Road, Rm 101, Towson MD 21286

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



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

Date: 11/21/16

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. 2017-0132-A

Variance
John & Renee Whelehan
2712 Holly Beach 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
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 12/20/2016

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-132

DEC 22 2016

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 2712 Holly Beach Road
Petitioner: John Whelehan, A. Renee Whelehan
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a single family dwelling with a 40 ft. setback to the centerline of a road, property line setbacks of 4 ft. and 33 ft., an open projection (deck) having a property line setback of 4 ft. in lieu of the required 75 ft., 50 ft. and 37.5 ft. respectively and to permit a building coverage of 31.25% in lieu of the required 15%.

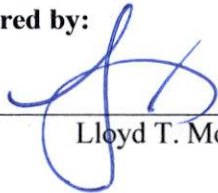
A site visit was conducted on November 22, 2016.

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

Please be advised the site is subject to the R.C. 5 Performance Standards § 1A04.4 and as such architectural elevations must be submitted to the Department of Planning for review at the time of building permit application.

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
Bernadette Moskunus, Site Rite Surveying, Inc.
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED



NOV 28 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 (DEPS) - Development Coordination

DATE: November 28, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0132-A
Address 2712 Holly Beach Road
(Whelehan Property)

Zoning Advisory Committee Meeting of November 28, 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 reduced roadside and side yard setbacks, an open deck with a 9-ft. setback, and building coverage, as defined by Zoning, of 31.25% in lieu of the required 15%. The proposed development must meet LDA and MBA requirements for lot coverage. Based on a property area above mean high water of 21,000 square feet, the maximum Critical Area defined lot coverage allowance for this property is 31.25% with mitigation for any new amount over 25%. If the applicant can meet these requirements, and meet all mitigation requirements for lot coverage and buffer impacts, the relief requested can result in minimal adverse impacts to water quality. Critical Area Lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17).

2. Conserve fish, plant, and wildlife habitat;

This is a waterfront property located near the mouth of Middle River with the required Critical Area buffer covering the majority of the property. The proposed setback relief would allow the applicant to meet the MBA requirements for location of the dwelling and for minimization of buffer impacts. Meeting the modified buffer area requirements, lot coverage requirements, tree requirements, and any mitigation requirements for buffer impacts will aid in the conservation of fish, plant, and wildlife habitat in the watershed.

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 construction of the dwelling, garage, porches, decks, and other Critical Area defined lot coverage can meet all modified buffer area, lot coverage, tree, and mitigation requirements, the relief requested will be consistent with established land-use policies.

Reviewer: Paul Dennis

Date: November 28, 2016

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 22, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For November 28, 2016
Item No. 2017-0132

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

Tidal flood plain is on this property, but the proposed building is not within it.

* * * * *

DAK:CEN
Cc:file
ZAC-ITEM NO 17-0132-11142016.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 12/20/2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-132

INFORMATION:

Property Address: 2712 Holly Beach Road
Petitioner: John Whelehan, A. Renee Whelehan
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a single family dwelling with a 40 ft. setback to the centerline of a road, property line setbacks of 4 ft. and 33 ft., an open projection (deck) having a property line setback of 4 ft. in lieu of the required 75 ft., 50 ft. and 37.5 ft. respectively and to permit a building coverage of 31.25% in lieu of the required 15%.

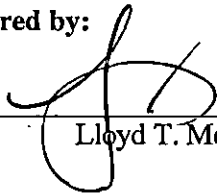
A site visit was conducted on November 22, 2016.

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

Please be advised the site is subject to the R.C. 5 Performance Standards § 1A04.4 and as such architectural elevations must be submitted to the Department of Planning for review at the time of building permit application.

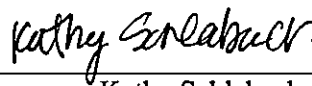
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak
Bernadette Moskunus, Site Rite Surveying, Inc.
Office of the Administrative Hearings
People's Counsel for Baltimore County

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: November 28, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0132-A
Address 2712 Holly Beach Road
(Whelehan Property)

Zoning Advisory Committee Meeting of **November 28, 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;

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If the construction of the dwelling, garage, porches, decks, and other Critical Area defined lot coverage can meet all modified buffer area, lot coverage, tree, and mitigation requirements, the relief requested will be consistent with established land-use policies.

Reviewer: Paul Dennis

Date: November 28, 2016

CASE NAME 2712 Holly Beach Rd
CASE NUMBER 2017-0132-A
DATE 1-19-17

[illegible]

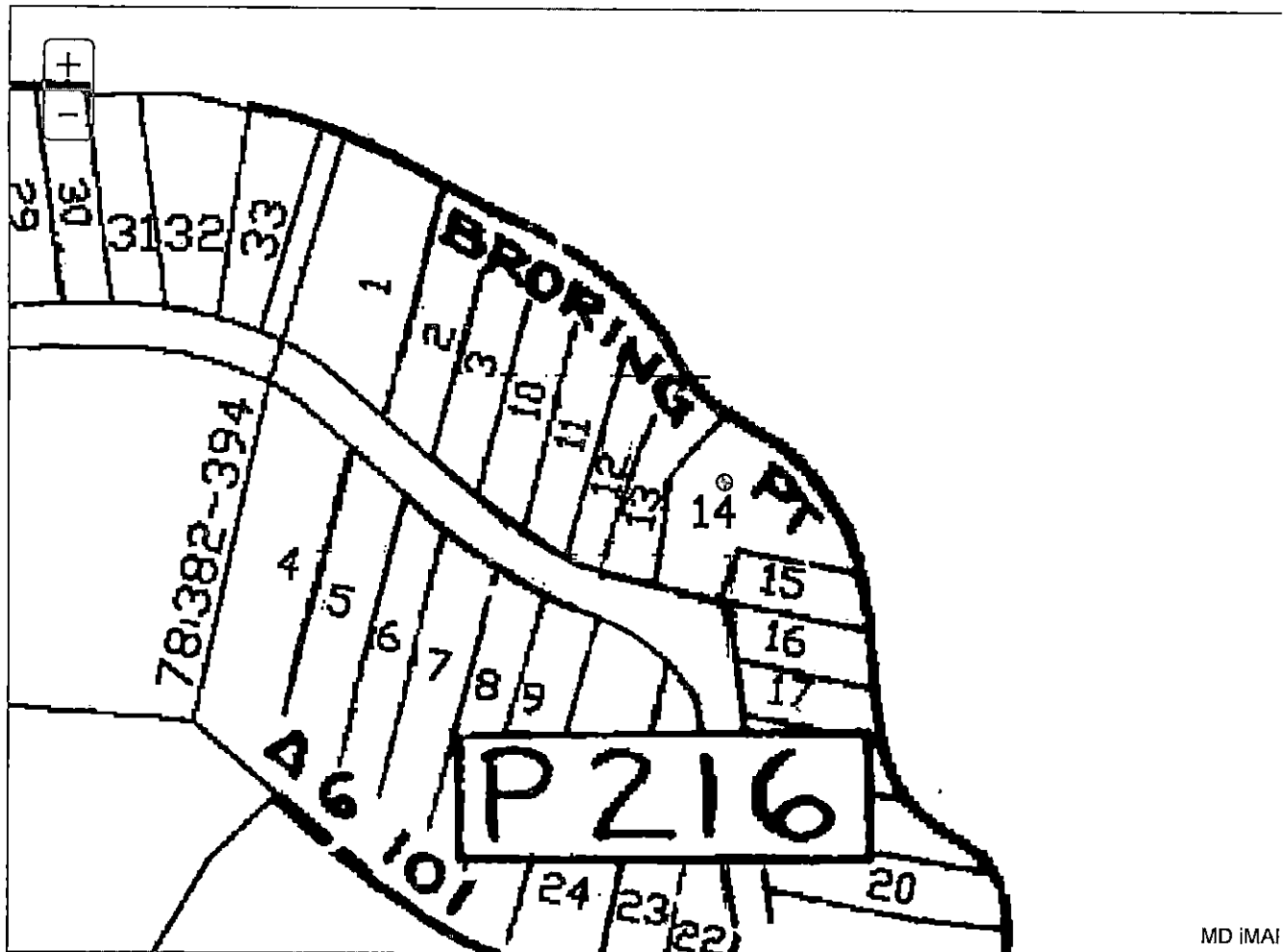
CASE NO. 2017- 0132-A

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>11/22</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>Comment</u>
<u>11/28</u>	DEPS (if not received, date e-mail sent _____)	<u>Comment</u>
_____	FIRE DEPARTMENT	_____
<u>12/22</u>	PLANNING (if not received, date e-mail sent _____)	<u>No obj w/ comment</u>
<u>11/21</u>	STATE HIGHWAY ADMINISTRATION	<u>No obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>12/29/16</u>	
SIGN POSTING	Date: <u>12/30/16</u> by <u>Ogle</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Baltimore County

[New Search \(http://sdat.dat.maryland.gov/RealProperty\)](http://sdat.dat.maryland.gov/RealProperty)District: **15** Account Number: **1513855450**

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>).

SE 1-K

SE 1-L

2702

Pt. Bk./Folio # 004182

1523155350

2704

PAI # 158083

2000-0510-A

1523505130

PAI # 158083

2706

2007-0068-A
1994-0359-A

2708

Lot # 11

1513208420

1508650090

1955-3413-XA

2710

2009-0340-A

Lot # 13

1505150010

Lot # 14

1513855450

2712

Pt. Bk. 0000006, Folio 0101

098C3

SE 2-K

SE 2-L

Back River Neck District

Bowleys Quarter - Back River Neck Area

PAI # 158084

HOLLY BEACH RD FROM HENRIETTA AVE

PAI # 158084

2007-0243-SPHA

1516550120

Lot # 15

2722

Lot # 16

1505610160

2724

Lot # 16

2726

2006-0222-A

1973-0104-A

1506572100

Lot # 18

Lot # 19

1510250070

2725

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Lot # 23

1518350160

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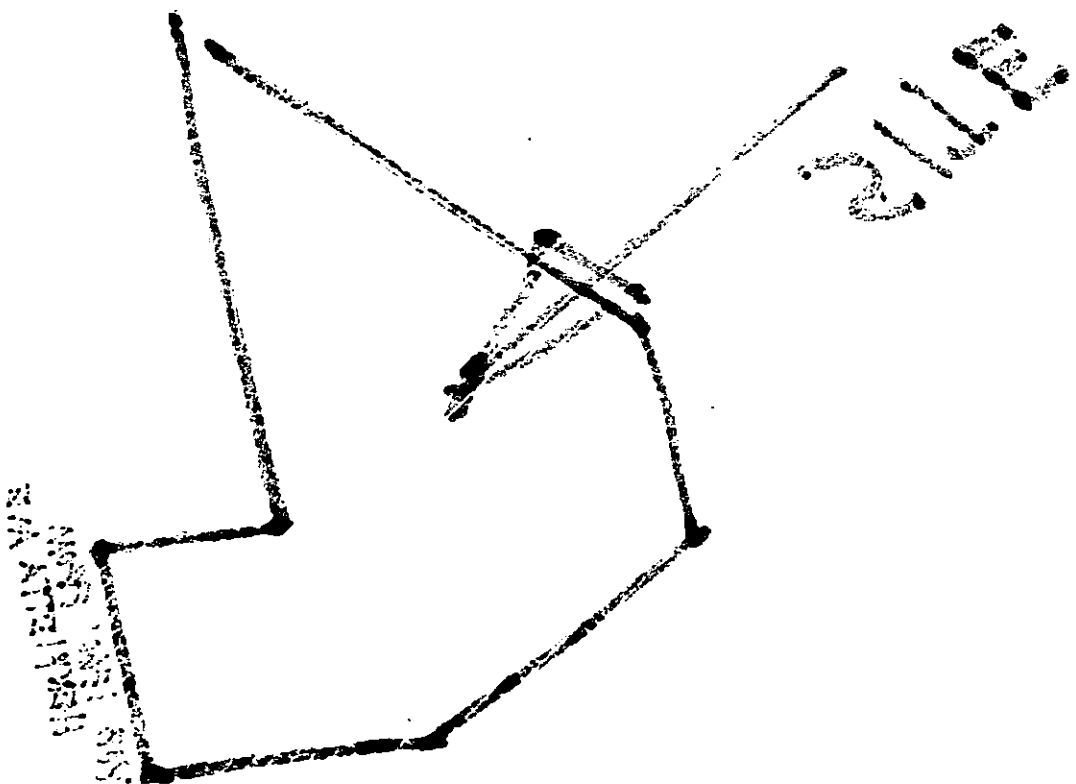
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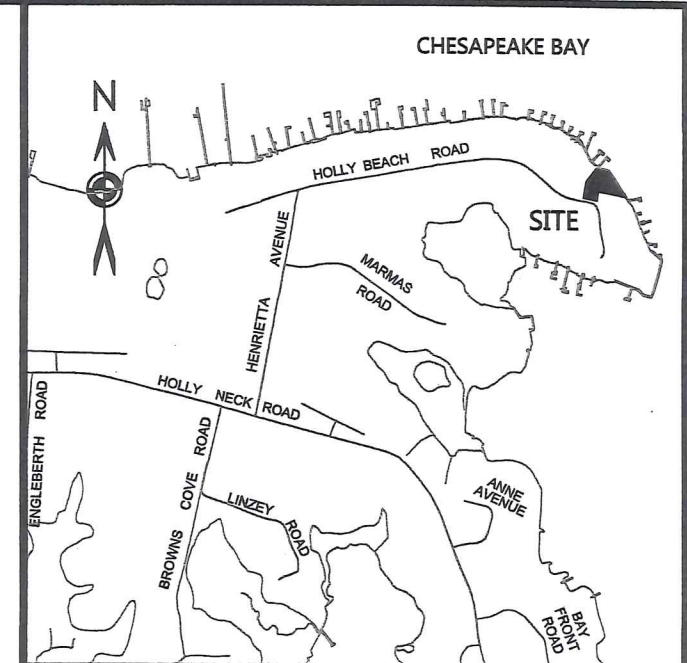
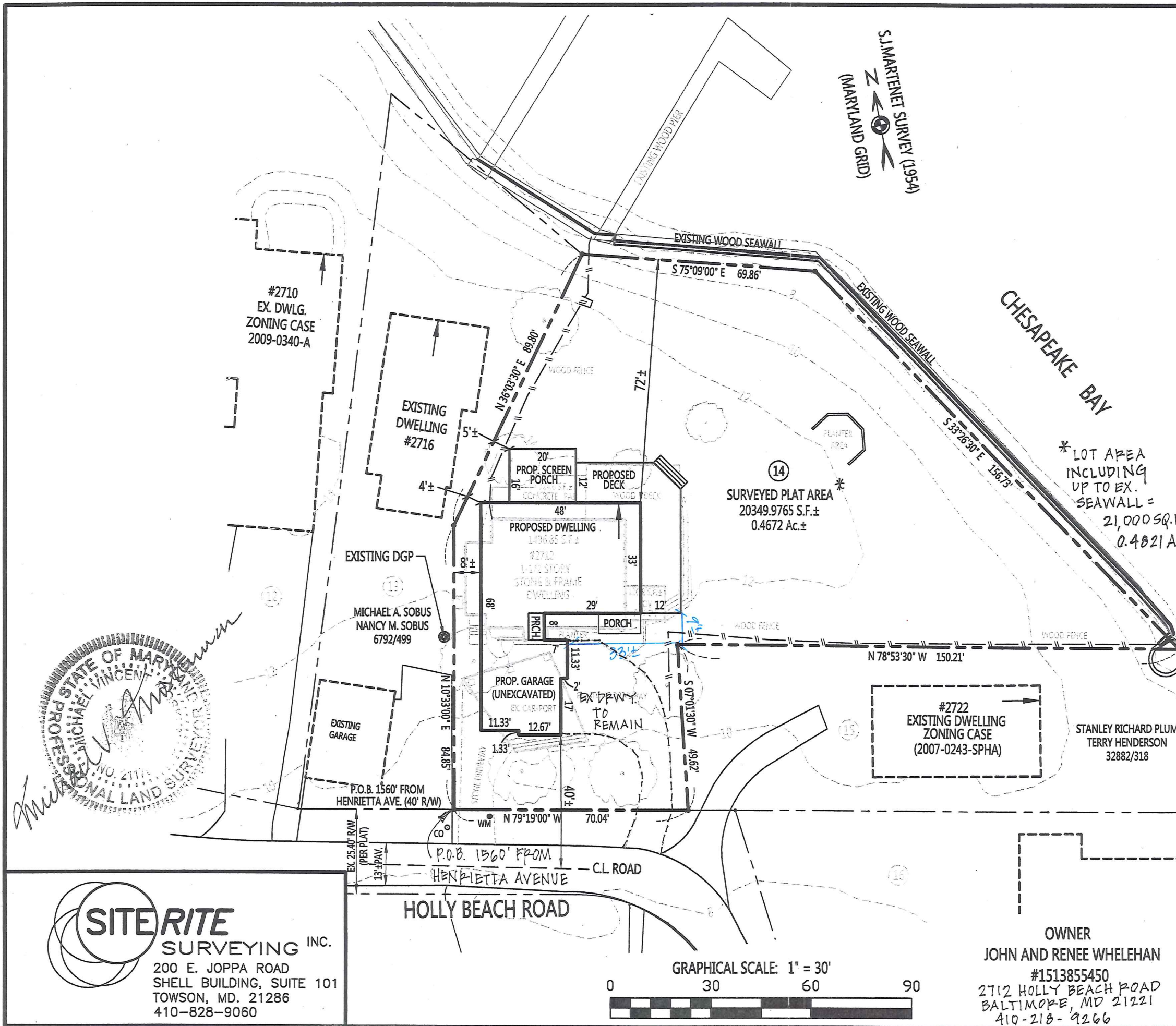
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Handwritten text, possibly a list or index, arranged in two columns. The text is heavily stylized and difficult to decipher, but appears to contain numbers and letters.



GENERAL NOTES

1. EXISTING ZONING: RC5 (098C3)
2. LOT SIZE: SDAT 24,973 S.F.± / 0.57 AC.± (SDAT)
3. EXISTING USE: SINGLE FAMILY DWELLING
4. PROPOSED USE: REPLACEMENT SINGLE FAMILY DWLG.
5. THIS PROPERTY IS NOT LOCATED IN AN HISTORIC DISTRICT.
6. THIS PROPERTY IS COMPLETELY LOCATED WITHIN THE (LDA) CBCA.
7. THIS PROPERTY IS SERVICED BY PUBLIC WATER AND SEWER.
8. THIS PROPERTY IS PARTIALLY LOCATED IN A 100 YEAR FP AREA:
2014 FEMA "X" AND "VE"
2008 FEMA "X" AND "AE"
9. THERE IS NO ZONING HISTORY OR VIOLATIONS FOR THIS PROPERTY.
10. THIS PROPERTY IS LOCATED WITHIN THE MARTIN STATE AIRPORT RESTRICTION AREA.
11. ALLOWABLE LOT COVERAGE PER CBCA REGULATIONS: 6562 S.F.±
EXISTING LOT COVERAGE: 3880 SQ. FT. ±

PROPOSED LOT COVERAGE 3276.43 SQ. FT. ±
LOT AREA USED FOR CBCA & ZONING = 21,000 S.F. ±
EX. LOT COV. = 18%
PROP. LOT COV. = 16%

#0132

PLAN TO ACCOMPANY VARIANCE

#2712 HOLLY BEACH ROAD

LOT-14 PLAT 6/101
"PLAT OF BRORING"

TAX MAP: 98 GRID: 23 PARCEL: 216
DEED REFERENCE: 35211/212
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

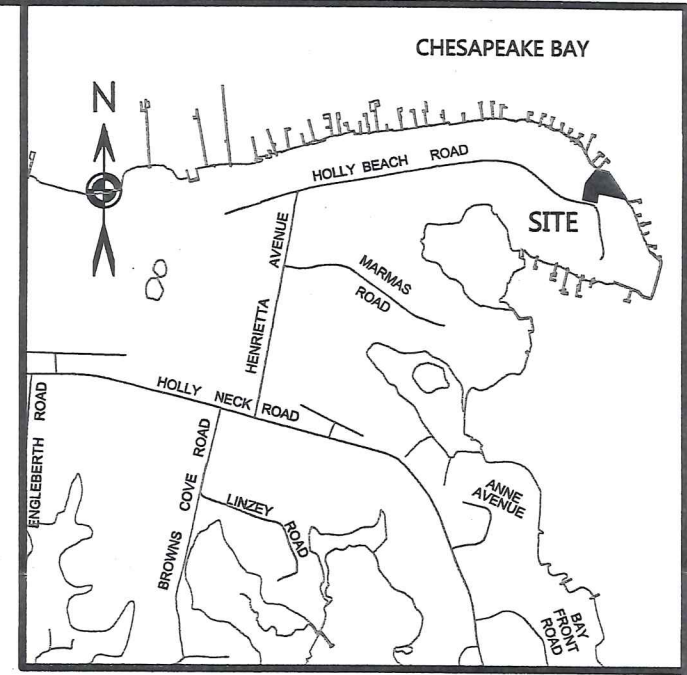
Scale: 1" = 30'	Date: 11/09/2016	JOB #10481FIELD
Drawn: M.V.M.	Checked: B.L.M.	SURVEY'D: M.V.M.

SITERITE
SURVEYING INC.
200 E. JOPPA ROAD
SHELL BUILDING, SUITE 101
TOWSON, MD. 21286
410-828-9060

OWNER
JOHN AND RENEE WHELEHAN
#1513855450
2712 HOLLY BEACH ROAD
BALTIMORE, MD 21221
410-218-9266

S. MARTINET SURVEY (1954)
(MARYLAND GRID)

Nancy M. Sobus
Michael A. Sobus
1/16/2017



VICINITY MAP SCALE 1" = 1000'

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#2710
EX. DWLG.
ZONING CASE
2009-0340-A

EXISTING
DWELLING
#2716

20' PROP. SCREEN PORCH
12' PROP. DECK

PROPOSED DWELLING
1411 STORY
STONE & FRAME
DWELLING

PROP. GARAGE
(UNEXCAVATED)

#2722
EXISTING DWELLING
ZONING CASE
(2007-0243-SPHA)

STANLEY RICHARD PLUM
TERRY HENDERSON
32882/318



MICHAEL A. SOBUS
NANCY M. SOBUS
6792/499

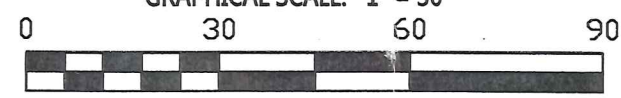
P.O.B. 1560' FROM
HENRIETTA AVE. (40' R/W)

P.O.B. 1560' FROM
HENRIETTA AVENUE

HOLLY BEACH ROAD

SITERITE
SURVEYING INC.
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SHELL BUILDING, SUITE 101
TOWSON, MD. 21286
410-828-9060

GRAPHICAL SCALE: 1" = 30'



OWNER
JOHN AND RENEE WHELEHAN
#1513855450
2712 HOLLY BEACH ROAD
BALTIMORE, MD 21221
410-218-9266

PLAN TO ACCOMPANY VARIANCE

#2712 HOLLY BEACH ROAD

LOT-14 PLAT 6/101

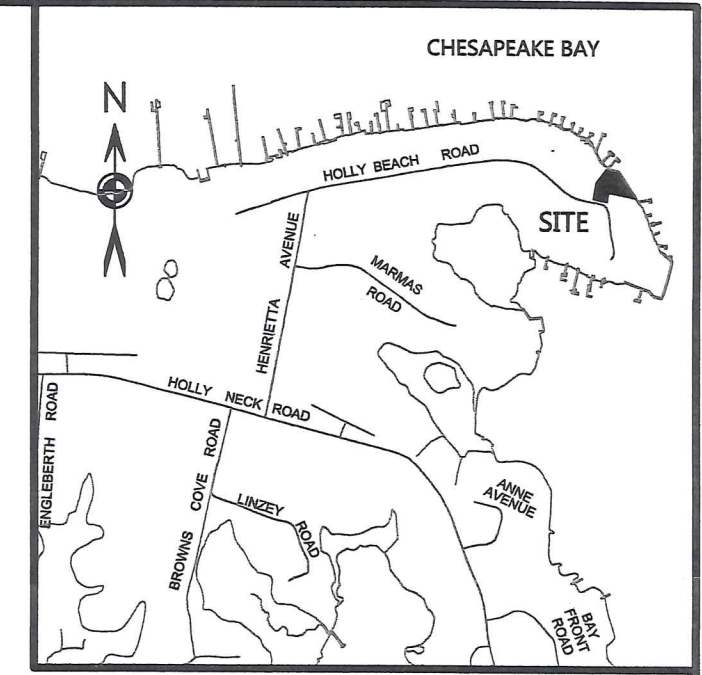
"PLAT OF BRORING"

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BALTIMORE COUNTY, MARYLAND

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Drawn: M.V.M.	Checked: B.L.M.	SURVEY'D: M.V.M.

S. MARTINET SURVEY (1954)
(MARYLAND GRID)

Sean E. Conner
Terry F. Henderson
Jay L. Henderson



VICINITY MAP SCALE 1" = 1000'

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• EX. LOT COV. = 18%
• PROP. LOT COV. = 16%

* LOT AREA INCLUDING UP TO EX. SEAWALL = 21,000 S.F. ± 0.4821 AC. ±

(14) SURVEYED PLAT AREA 20349.9765 S.F. ± 0.4672 AC. ±

STANLEY RICHARD PLUM
TERRY HENDERSON
32882/318

#2722 EXISTING DWELLING ZONING CASE (2007-0243-SPHA)

MICHAEL A. SOBUS
NANCY M. SOBUS
6792/499

#2710 EX. DWLG. ZONING CASE 2009-0340-A

EXISTING DWELLING #2716

PROPOSED DWELLING 1496.85 S.F. ±
1-1/2 STORY STONE & FRAME DWELLING

PROP. GARAGE (UNEXCAVATED) 61 CAR. PORT

EXISTING GARAGE

P.O.B. 1560' FROM HENRIETTA AVE. (40' R/W)

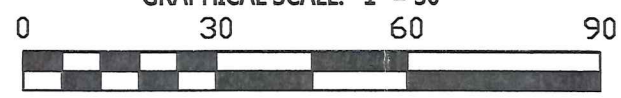
P.O.B. 1560' FROM HENRIETTA AVENUE

C.L. ROAD

HOLLY BEACH ROAD

OWNER
JOHN AND RENEE WHELEHAN
#1513855450
2712 HOLLY BEACH ROAD
BALTIMORE, MD 21221
410-218-9266

GRAPHICAL SCALE: 1" = 30'



PLAN TO ACCOMPANY VARIANCE

#2712 HOLLY BEACH ROAD

LOT-14 PLAT 6/101

"PLAT OF BRORING"

TAX MAP: 98 GRID: 23 PARCEL: 216

DEED REFERENCE: 35211/212

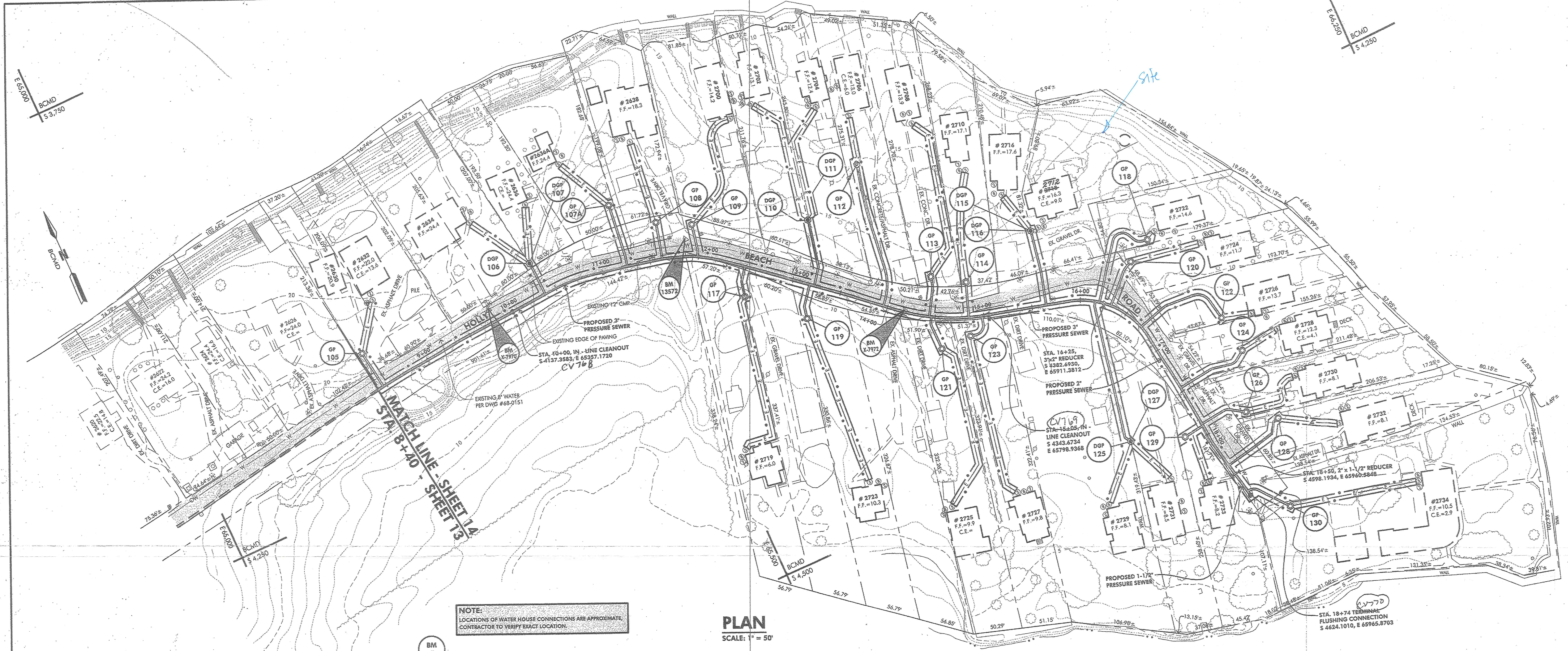
15TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

Scale: 1" = 30'	Date: 11/09/2016	JOB #10481FIELD
Drawn: M.V.M.	Checked: B.L.M.	SURVEY'D: M.V.M.

Petitioners No. 5

SITERITE SURVEYING INC.
200 E. JOPPA ROAD
SHELL BUILDING, SUITE 101
TOWSON, MD. 21286
410-828-9060

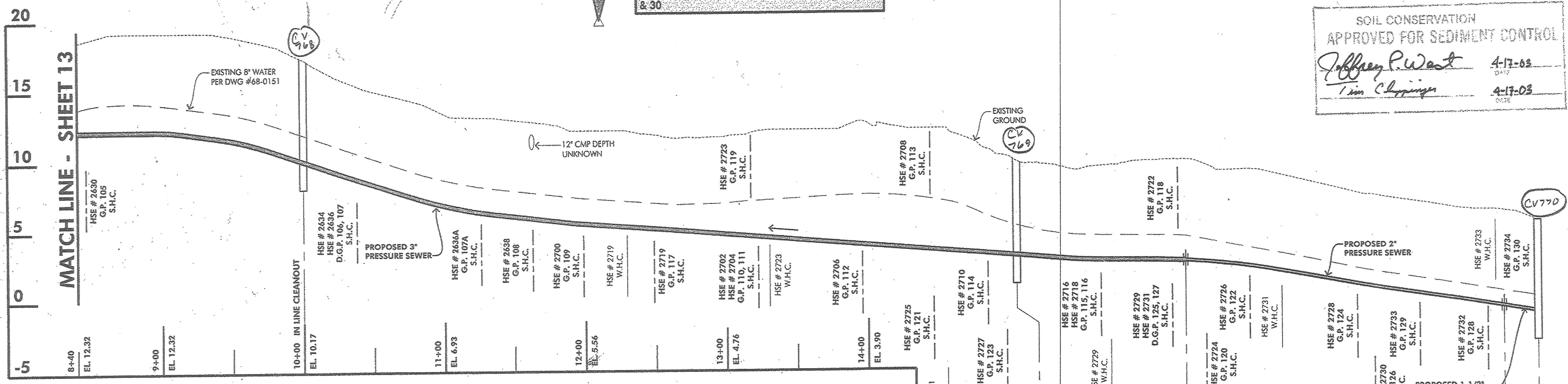


PLAN
SCALE: 1" = 50'

NOTE:
LOCATIONS OF WATER HOUSE CONNECTIONS ARE APPROXIMATE.
CONTRACTOR TO VERIFY EXACT LOCATION.

NOTE:
FOR BENCHMARK INFORMATION SEE SHEETS 29
& 30

SOIL CONSERVATION
APPROVED FOR SEDIMENT CONTROL
Jeffrey P. West 4-17-03
Tom Chappin 4-17-03



PROFILE HOLLY BEACH ROAD
SCALE: HORIZ. 1"=50', VERT. 1"=5'

HOLLY BEACH ROAD									
GP No.	HOUSE	OWNER	T.A. NO.	DEED REF.	TYPE	PUMP INVERT (FEET)	GROUND AT GP (ELEVATION)	SOUTHING	EASTING
130	2734	KATHERINE D. DANNA, TRUSTEE	1504001670	12874/696	SIMPLEX	-4.0	6.0	4651.0575	65998.2814
129	2733	CORNELL & JOYCE D'IPSKI	1511000390	10113/665	SIMPLEX	0.5	6.7	4540.7665	65937.6168
128	2732	MARVIN C. BURICE	1502470441	12490/33	SIMPLEX	1.6	6.3	4564.58	66024.21
127	2731	JOSEPH & BARBARA BYRNES	1518350160	8520/134	DUPLEX	-1.9	7.2	4521.2080	65872.3032
126	2730	BONIFACE MIKULJA	1510250070	15751/23	SIMPLEX	0.5	6.6	4545.4411	65996.8409
125	2729	CHESTER & DARLENE STEFANOWICZ, JR.	1510001590	10090/444	DUPLEX	-1.9	7.2	4521.2080	65872.3032
124	2728	ROBERT L. HACKER	1506572100	14955/68	SIMPLEX	-0.2	8.2	4486.3660	66019.7264
123	2727	RICKI S. ECK	1504201700	10701/321	SIMPLEX	0.0	9.5	4356.1960	65773.0345
122	2726	ALBERT BECKER JR. ET AL.	1502200300	10710/593	SIMPLEX	4.5	8.5	4446.4722	66014.1314
121	2725	HELEN BUDRESKI	1502852540	11271/533	SIMPLEX	0.7	10.3	4355.9335	65740.9167
120	2724	GLORIA L. MITON L. & RUDAWN ENSMOUTH, TRUSTEES	1505610140	12832/214	SIMPLEX	3.3	10.5	4357.6084	65952.5089
119	2723	MICHAEL & MARSHA DALTON	1519320320	7908/427	SIMPLEX	2.4	8.9	4269.8344	65628.6144
118	2722	PAULINE D. PLUM	1516550120	14332/283	SIMPLEX	7.1	11.5	4344.7227	65977.1234
117	2719	ROBERT & NAOMI CHAMBERS	1800007063	6415/325	SIMPLEX	-0.3	9.7	4222.7460	65579.374
116	2718	ALLEN & GERALDINE GREENFIELD	1513855450	6439/126	DUPLEX	3.5	13.2	4281.6102	65872.5569
115	2716	MICHAEL & NANCY SOBIS	1505180010	6792/499	DUPLEX	3.5	13.2	4281.6102	65872.5569
114	2710	KENNETH MASKILL	1513208420	4950/726	SIMPLEX	8.5	13.0	4304.8619	65791.2075
113	2708	JOHN & GENEVIEVE HEUAN	1508650090	7664/297	SIMPLEX	6.6	14.0	4285.4146	65760.5819
112	2706	MACCORM & KIM STEPHANIC, JR.	1512590160	11019/506	SIMPLEX	5.7	15.7	4138.66	65741.24
111	2704	ROBERT J. & CYNTHIA L. WILSON	1523505130	12699/50	DUPLEX	4.7	14.7	4181.7058	65669.8942
110	2702	NEL & BEVERLY SCHMIDT	1523155350	5433/903	DUPLEX	4.7	14.7	4181.1058	65669.8942
109	2700	THEODORE V. & KATHERINE M. DANNA	1507151070	11872/519	SIMPLEX	-6.8	14.3	4135.3655	65559.6327
108	2638	ANTHONY Z. & CAMILLE E. MARK	1502554390	13370/250	SIMPLEX	9.5	13.5	4118.2382	65527.0946
107A	2636 A	ERIC & HELENE TIFON	2300039099	13100/103	SIMPLEX	10.0	14.5	4081.7731	65490.8460
107	2636	WILLIAM H. WOOD, 3RD	2300039098	14205/449	DUPLEX	9.75	19.2	4101.7128	65392.2112
106	2634	EUGENE & DOBIS SALVO	1519001970	4161/253	DUPLEX	9.75	19.2	4101.7128	65392.2112
105	2630	CHARLES & SOPHIA WREY	1515640070	7265/494	SIMPLEX	15.3	21.5	4111.8171	65199.1125

NOTE:
DESIGN AND DRAWING BASED ON
BALTIMORE COUNTY METROPOLITAN
DISTRICT GRID SYSTEM AND DATUM

CONTRACT NO.
03073SX0
JOB ORDER NO.
201-0096-0009
SHEET 14 OF 38
DWG. NO.
2003-0204
FILE: 1
received

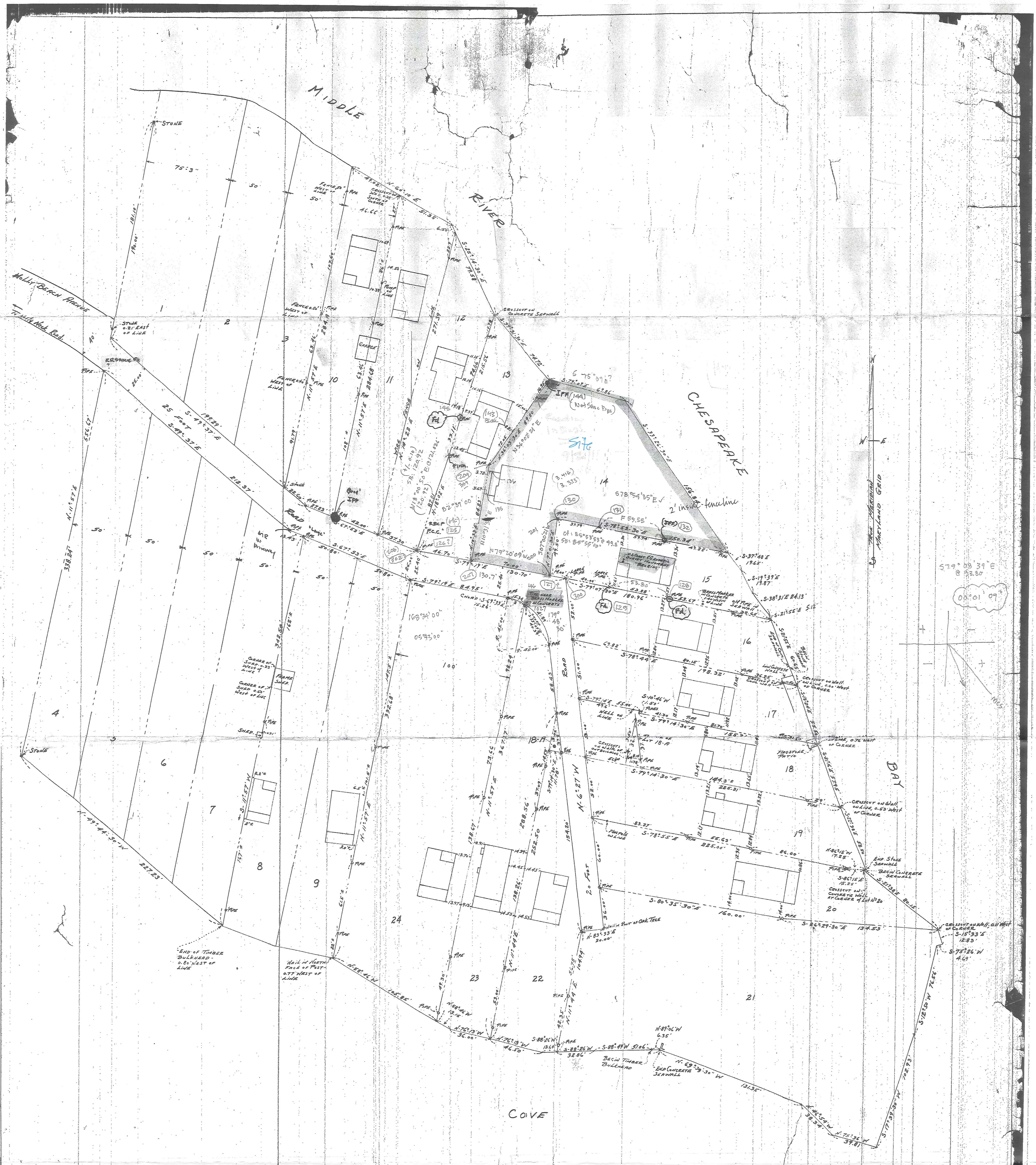


ROAD PERMIT AND GRADES	REVISED AS PER RECORD PRINT	DATE	REVISION	BY
PERMIT REQUESTED	DRAFTSMAN	DATE	ADD PUMP ELEV. 1074+109	SM
PERMIT NUMBER	DATE	11/20/03	Change SW & OR. 110+00, 112+00	SM
GRADE ESTABLISHED	DATE	7/12/04	MOVE GR 128	DSW
PROFILE NUMBER	DATE	4/15/03		

DESIGNED S.A.C.	BUREAU OF ENGINEERING AND CONSTRUCTION	HIGHWAYS	STRUCTURES	STORM DRAINS	SEWER	WATER	FIELD ENGINEER
DRAWN S.A.C.	REVIEWED	4/15/03	4/15/03	4/15/03	4/15/03	4/15/03	4/15/03
CHECKED R.M.S.	DATE	4/15/03	4/15/03	4/15/03	4/15/03	4/15/03	4/15/03

APPROVED	DATE	4/15/03
APPROVED	DATE	4/15/03
APPROVED	DATE	4/15/03

P. W. A. DIR. NO.	KEY SHEET	SCALE	BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING & CONSTRUCTION
27-NW, E-NE	27-NW, E-NE	PLAN: 1"=50'	PLAN & PROFILE / GRADING, SEDIMENT & EROSION CONTROL
RIGHT OF WAY	POSITION SHEET	PROFILE: 1"=50'	HOLLY NECK SEWAGE SYSTEM
			SUBDIVISION HOLLY NECK
			EL. DISTRICT NO. 16 C - 8



PLAT OF SURVEY
BROOKING POINT
15th Election Dist. BALTIMORE COUNTY
SCALE 30 FEET TO ONE INCH
J. F. MORTIMER & Co.
Surveyors & Civil Engrs.
Baltimore, Md.
May 10, 1954
By Howard C. Sutton Reg. No. 11753

PETITIONER'S
EXHIBIT NO. 42

PETITIONER'S

EXHIBIT NO. 1

#2710
EX. DWLG.
ZONING CASE
2009-0340-A

EXISTING
DWELLING
#2716

EXISTING DGP

MICHAEL A. SOBUS
NANCY M. SOBUS
6792/499

EXISTING
GARAGE

P.O.B. 1560' FROM
HENRIETTA AVE. (40' R/W)

HOLLY BEACH ROAD

20'
PROP. SCREEN
PORCH

48'
PROP. DWELLING

1436.25 S.F. ±
#2712
1.5 STORY
STONE & FRAME
DWELLING

29'

12'

8'

11.33'

12.67'

1.33'

40' ±

70.04'

N 79°19'00" W

WM

P.O.B. 1560' FROM
HENRIETTA AVE.

C.L. ROAD

72' ±

N 36°23'30" E 89.80'

5' ±

4' ±

WOOD FENCE

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Petitioners #4



My Neighborhood Map

Created By
Baltimore County
My Neighborhood

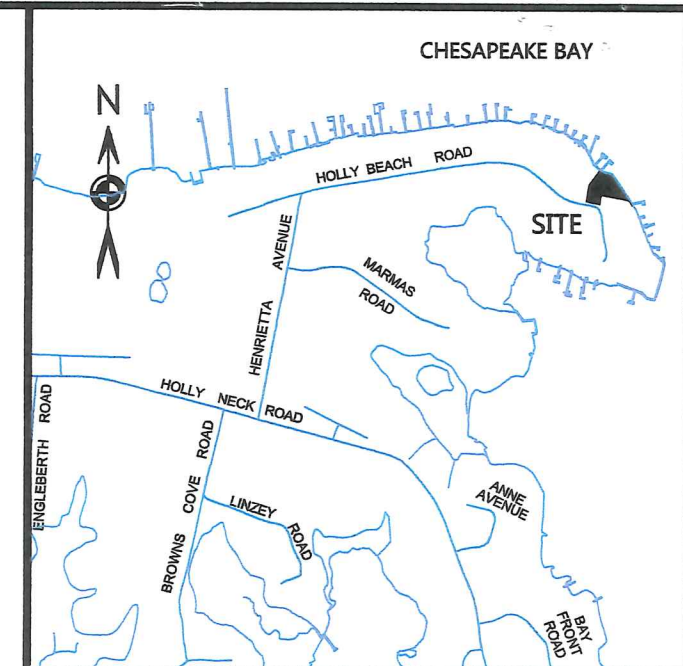


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Printed 1/13/2017

S. MARTINET SURVEY (1954)
(MARYLAND GRID)

NOTE: THE ONLY CHANGE TO THE
PETITIONER'S EXHIBIT IS THE
ANGLE OF THE PROPOSED DWLG.



VICINITY MAP SCALE 1" = 1000'

GENERAL NOTES

1. EXISTING ZONING: RC5 (098C3)
2. LOT SIZE: SDAT 24,973 S.F. ± / 0.57 AC. ± (SDAT)
3. EXISTING USE: SINGLE FAMILY DWELLING
4. PROPOSED USE: REPLACEMENT SINGLE FAMILY DWLG.
5. THIS PROPERTY IS NOT LOCATED IN AN HISTORIC DISTRICT.
6. THIS PROPERTY IS COMPLETELY LOCATED WITHIN THE (LDA) CBCA.
7. THIS PROPERTY IS SERVICED BY PUBLIC WATER AND SEWER.
8. THIS PROPERTY IS PARTIALLY LOCATED IN A 100 YEAR FP AREA:
2014 FEMA "X" AND "VE"
2008 FEMA "X" AND "AE"
9. THERE IS NO ZONING HISTORY OR VIOLATIONS FOR THIS PROPERTY.
10. THIS PROPERTY IS LOCATED WITHIN THE MARTIN STATE AIRPORT RESTRICTION AREA.
11. ALLOWABLE LOT COVERAGE PER CBCA REGULATIONS: 6562 S.F. ±
EXISTING LOT COVERAGE: 3880 SQ. FT. ±

PROPOSED LOT COVERAGE 3276.43 SQ. FT. ±
LOT AREA USED FOR CBCA & ZONING = 21,000 S.F. ±
EX. LOT COV. = 18%
OPROP. LOT COV. = 16%

JUNE 20, 2017
RED-LINE PLAN FOR SPIRIT AND INTENT LETTER

PLAN TO ACCOMPANY VARIANCE

#2712 HOLLY BEACH ROAD

LOT-14 PLAT 6/101

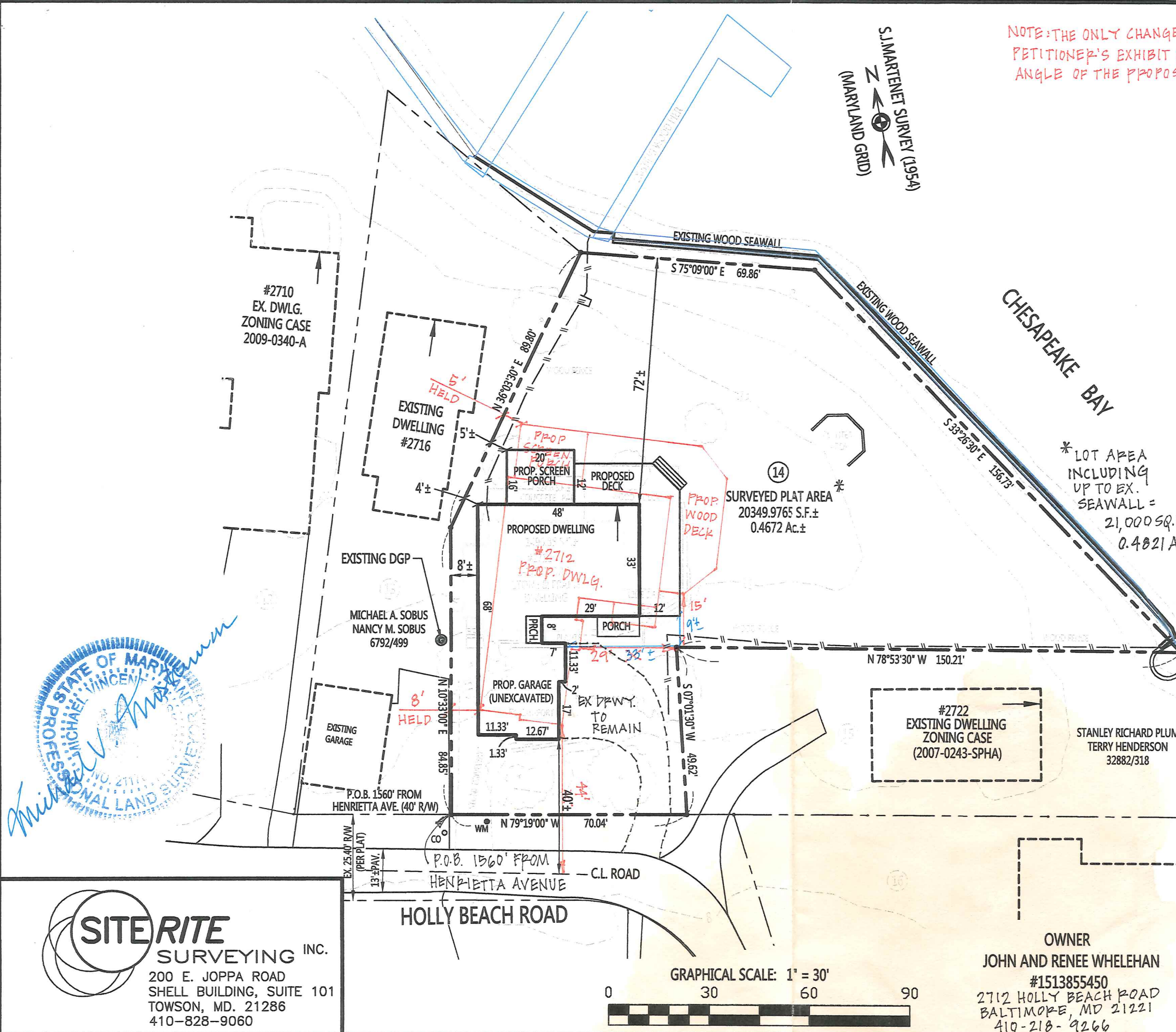
"PLAT OF BRORING"

TAX MAP: 98 GRID: 23 PARCEL: 216

DEED REFERENCE: 35211/212

15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1" = 30'	Date: 11/09/2016	JOB #10481FIELD
Drawn: M.V.M.	Checked: B.L.M.	SURVEY'D: M.V.M.



OWNER
JOHN AND RENEE WHELEHAN
#1513855450
2712 HOLLY BEACH ROAD
BALTIMORE, MD 21221
410-218-9266



SITERITE
SURVEYING INC.
200 E. JOPPA ROAD
SHELL BUILDING, SUITE 101
TOWSON, MD. 21286
410-828-9060