

IN RE: PETITION FOR VARIANCE

(3825 Bay Drive)
15th Election District
6th Council District
Paul and Michelle Oliver
Legal Owners

Petitioners

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BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2017-0227-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Paul and Michelle Oliver, owners of the subject property ("Petitioners"). Petitioners are requesting variance relief from §§ 1A04.3.A, 1A04.3.B.2.b, 1A04.3.B.3 and 301.1 of the Baltimore County Zoning Regulations ("B.C.Z.R") as follows: (1) to permit a dwelling with a height of 45 ft. in lieu of the maximum permitted 35 feet; (2) to permit a dwelling with a front yard setback of 40 feet from the center of a road or street in lieu of the required 75 ft. and side yard setbacks of 27 ft. and 15 ft., in lieu of the required 50 ft. and 50 ft.; (3) to permit a building coverage of 21.5% in lieu of the permitted 15%; and (4) to permit an open porch with side yard setbacks of 20 ft. and 30 ft., in lieu of the required 37.5 ft. and 37.5 ft. A site plan was marked as Petitioners' Exhibit 1.

Paul Oliver and David Billingsley appeared in support of the petition. Timothy Kotroco, Esq., represented the Petitioners. 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 Environmental Protection and Sustainability (DEPS) and the Department of Planning (DOP). Neither agency opposed the requests.

ORDER RECEIVED FOR FILING

Date 4-24-17

By [Signature]

The site is approximately 31,750 sq. ft. in size and zoned RC-5. The waterfront property is comprised of Lots 248, 249 and 250 as shown on the Plat of Bowleys Quarters. Though the property was improved with a dwelling, that structure was razed in the last few years. Petitioners propose to construct a new single-family dwelling on the property, although 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 lots are narrow and deep, which renders the property unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to construct the proposed single-family dwelling. 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.

THEREFORE, IT IS ORDERED, this 24th day of **April, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to §§ 1A04.3.A, 1A04.3.B.2.b, 1A04.3.B.3 and 301.1 of the Baltimore County Zoning Regulations ("B.C.Z.R") as follows: (1) to permit a dwelling with a height of 45 ft. in lieu of the maximum permitted 35 feet; (2) to permit a dwelling with a front yard setback of 40 feet from the center of a road or street in lieu of the required 75 ft. and side yard setbacks of 27 ft. and 15 ft.; in lieu of the required 50 ft. and 50 ft.; (3) to permit a building coverage of 21.5% in lieu of the permitted 15%; and (4) to

ORDER RECEIVED FOR FILING

Date 4-24-17

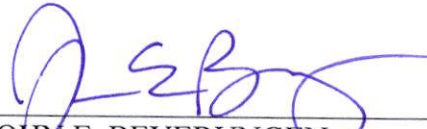
By 190

permit an open porch with side yard setbacks of 20 ft. and 30 ft., in lieu of the required 37.5 ft. and 37.5 ft., 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 its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Prior to issuance of permits Petitioners must submit to the DOP architectural elevations of the proposed improvements which will enable that agency to make the requisite finding under the RC-5 performance standards.
3. Prior to issuance of permits Petitioners must comply with critical area and flood protection regulations.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 4-24-17

By JSW



KEVIN KAMENETZ
County Executive

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

April 24, 2017

Timothy M. Kotroco, Esq.
305 Washington Avenue
Suite 502
Towson, MD 21204

Jennifer R. Busse, Esq.
Whiteford, Taylor & Preston, LLLP
Towson Commons, Suite 300
One West Pennsylvania Avenue
Towson, MD 21204-5332

RE: Petition for Variance
Case No. 2017-0227-A
Property: 3825 Bay Drive

Dear Counsel:

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

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

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



CBCA

PETITION FOR ZONING HEARING(S)

Flood

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 3825 BAY DRIVE which is presently zoned RC5
Deed References: L37070 E439 10 Digit Tax Account # 1512000520 1512
Property Owner(s) Printed Name(s) PAUL D. & MICHELLE P. OLIVER

(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:

- ☐ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
- ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
- ☒ 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):

PAUL D. OLIVER / MICHELLE P. OLIVER

Name #1 - Type or Print Name #2 - Type or Print

[Signature] / Michelle P. Oliver

Signature #1 Signature #2

1219 ELSING RD. BALTO. MD.

Mailing Address City State

21221 / (443) 677-4254

Zip Code Telephone # Email Address

Representative to be contacted:

DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARNWOOD CT EDGEWOOD MD

Mailing Address City State

21040 / (410) 679-8719 / dwbozco@yahoo.com

Zip Code Telephone # Email Address

CASE NUMBER 2017-0027-A Filing Date 2/24/17 Do Not Schedule Dates: _____ Reviewer JS

SECTION 1A04.3.A TO PERMIT A DWELLING WITH A HEIGHT OF 45 FEET IN LIEU OF THE MAXIMUM PERMITTED 35 FEET

SECTION 1A04.3.B.2.b TO PERMIT A DWELLING WITH A FRONT YARD SETBACK OF 40 FEET FROM THE CENTER OF A ROAD OR STREET IN LIEU OF THE REQUIRED 75 FEET AND SIDE YARD SETBACKS OF 27 FEET AND 15 FEET IN LIEU OF THE REQUIRED 50 FEET AND 50 FEET

1A04.3.B.3 TO PERMIT A BUILDING COVERAGE OF 21.5 % IN LIEU OF THE PERMITTED 15 %.

301.1 TO PERMIT AN OPEN PORCH WITH SIDE YARD SETBACKS OF 20 FEET AND 30 FEET IN LIEU OF THE REQUIRED 37.5 FEET AND 37.5 FEET.

ZONING DESCRIPTION

3825 BAY DRIVE

Beginning for the same at a point on the south side of Bay Drive (30 feet wide) distant 412 feet easterly from its intersection with the center of Wye Road (30 feet wide), thence being all of Lots 248, 249 and 250 as shown on the plat entitled Plat One, Bowleys Quarters recorded among the Baltimore County Plat records in Plat Book 8 Folio 73.

Containing 31,750 square feet or 0.729 acre of land, more or less.

Being known as 3825 Bowleys Quarters Road. Located in the 15TH Election District, 6TH Councilmanic District of Baltimore County, Md.

2017-0227-A

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

№ 150311

Date: 2/24/17

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

Total: \$ 75.00

Rec From: 2017-0027-A

For: OLIVER

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME IDN
2/27/2017 2/24/2017 10:59:55 1

REG W501 WALKIN LJR
>>RECEIPT # 708828 2/24/2017 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 150311

Recpt Tot \$75.00
\$75.00 CR \$1.00 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**

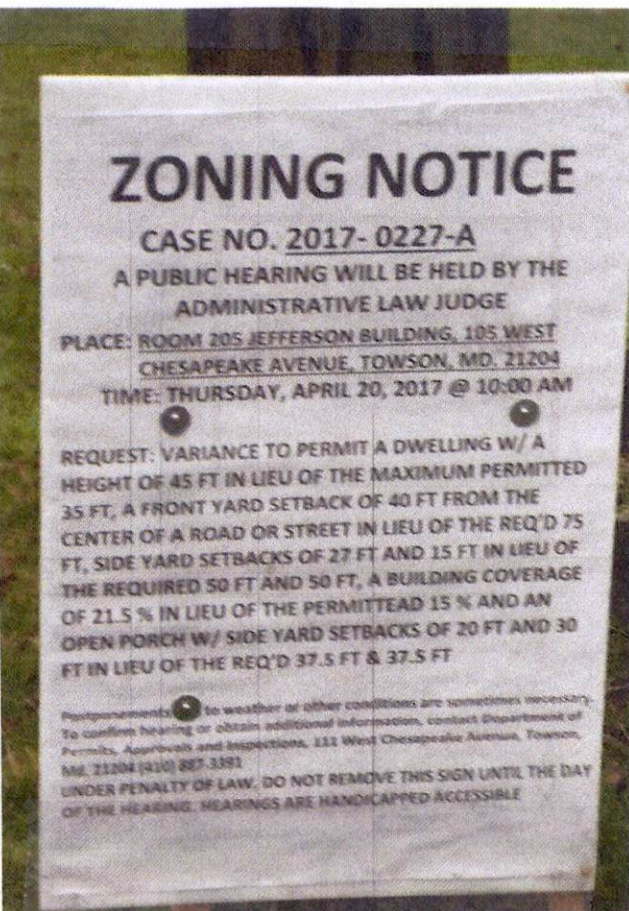
CERTIFICATE OF POSTING

Date: MARCH 31, 2017

RE: Project Name: 3825 BAY DRIVE
Case Number /PAI Number: 2017-0227-A
Petitioner/Developer: PAUL AND MICHELLE OLIVER
Date of Hearing/Closing: APRIL 20, 2017

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 3825 BAY DRIVE

The sign(s) were posted on MARCH 31, 2017
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)



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 4858340

Sold To:

Paul Oliver - CU00591205
1219 Elsing Rd
Essex, MD 21221-6311

Bill To:

Paul Oliver - CU00591205
1219 Elsing Rd
Essex, MD 21221-6311

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

Mar 30, 2017

The Baltimore Sun Media Group

By

S. Wilkerson

Legal Advertising

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: # 2017-0227-A

3825 Bay Drive
SE/S of Bay Drive, 412 ft. easterly from the centerline of intersection with Wye Road
15th Election District - 6th Councilmanic District
Legal Owner(s) Paul & Michelle Oliver

Variance: to permit a dwelling with a height of 45 ft. in lieu of the maximum permitted 35 ft. To permit a dwelling with a front yard setback of 40 ft. from the center of a road or street in lieu of the required 75 ft. and side yard setbacks of 27 ft. and 15 ft. in lieu of the required 50 ft. and 50 ft. To permit a building coverage of 21.5% in lieu of the permitted 15%. To permit an open porch with side yard setbacks of 20 ft. and 30 ft. in lieu of the required 37.5 ft. and 37.5 ft.

Hearing: Thursday, April 20, 2017 at 10:00 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.

3/204, March 30

4858340

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 30, 2017 Issue - Jeffersonian

Please forward billing to:
Paul Oliver
1219 Elsing Road
Baltimore, MD 21221

443-677-4254

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: 2017-0227-A

3825 Bay Drive

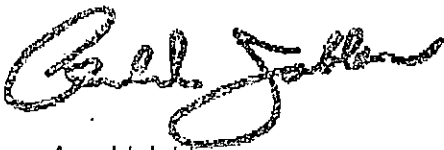
SE/S of Bay Drive, 412 ft. easterly from the centerline of intersection with Wye Road

15th Election District – 6th Councilmanic District

Legal Owners: Paul & Michelle Oliver

Variance to permit a dwelling with a height of 45 ft. in lieu of the maximum permitted 35 ft. To permit a dwelling with a front yard setback of 40 ft. from the center of a road or street in lieu of the required 75 ft. and side yard setbacks of 27 ft. and 15 ft. in lieu of the required 50 ft. and 50 ft. To permit a building coverage of 21.5% in lieu of the permitted 15%. To permit an open porch with side yard setbacks of 20 ft. and 30 ft. in lieu of the required 37.5 ft. and 37.5 ft.

Hearing: Thursday, April 20, 2017 at 10:00 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.



KEVIN KAMENETZ
County Executive

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

March 21, 2017

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: 2017-0227-A

3825 Bay Drive

SE/S of Bay Drive, 412 ft. easterly from the centerline of intersection with Wye Road

15th Election District – 6th Councilmanic District

Legal Owners: Paul & Michelle Oliver

Variance to permit a dwelling with a height of 45 ft. in lieu of the maximum permitted 35 ft. To permit a dwelling with a front yard setback of 40 ft. from the center of a road or street in lieu of the required 75 ft. and side yard setbacks of 27 ft. and 15 ft. in lieu of the required 50 ft. and 50 ft. To permit a building coverage of 21.5% in lieu of the permitted 15%. To permit an open porch with side yard setbacks of 20 ft. and 30 ft. in lieu of the required 37.5 ft. and 37.5 ft.

Hearing: Thursday, April 20, 2017 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Oliver, 1219 Elsing Road, Baltimore 21221
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MARCH 31, 2017.**
- (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.

**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: 2017-0227-A
Property Address: 3825 BAY DRIVE
Property Description: _____

Legal Owners (Petitioners): PAUL OLIVER
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: PAUL OLIVER
Company/Firm (if applicable): _____
Address: 1219 ELSING RD
BALTO., MD. 21221

Telephone Number: (443) 677-4254



KEVIN KAMENETZ
County Executive

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

April 12, 2017

Paul D & Michelle P Oliver
1219 Elsing Road
Baltimore MD 21221

RE: Case Number: 2017-0227 A, Address: 3825 Bay Drive

Dear Mr. & Ms. Oliver:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 24, 2017. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
David Billingsley, 601 Charwood Road, Edgewood MD 21040

TV WCR

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 March 3, 2017
Item No. 2017-0227

DATE: April 24, 2017

The Bureau of Development Plans Review has reviewed the subject zoning items 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 17-0227-03032017.doc

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



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

Date: 2/27/17

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. 2017-0227-A

*Variance
Paul D. & Michelle P. Oliver
3825 Bay Drive.*

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

Sincerely,

A handwritten signature in black ink, appearing to read "Wendy Wolcott".

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: 3/15/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-227



INFORMATION:

Property Address: 3825 Bay Drive
Petitioner: Paul O. Oliver, Michelle P. Oliver
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for a variances to permit a single family dwelling with a height of 45 feet, a 40 foot setback from the centerline of a road, and property line setbacks of 27 feet, 15 feet, 20 feet and 30 feet, in lieu of the required 75 feet, 50 feet, and 37.5 feet respectively, and a building coverage of 21.5% in lieu of the permitted 15 %.

A site visit was conducted on March 7, 2017. This site is subject to the RC 5 Performance Standards as listed in Section 1A04.4 of the BCZR.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Architectural elevations must be submitted to the attention of the contact person listed below for approval at the time of building permit.

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

Prepared by:



Jessie A. Bialek

Division Chief:



Kathy Schlabach

AVA/KS/JAB/ka

c: Krystle Patchak
David Billingsley, Central Drafting & Design, 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 (EPS) - Development Coordination

DATE: March 6, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0227-A
Address 3825 Bay Drive
(Oliver Property)

Zoning Advisory Committee Meeting of **March 3, 2017**

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 new dwelling with less side yard setbacks than permitted. The lot is vacant and waterfront, and the proposed dwelling must meet all LDA and MBA requirements, including lot coverage limits, dwelling setbacks from the water, and afforestation requirements. The dwelling is proposed to be 70 feet from the bulkhead. MBA regulations require that the dwelling be sited as close to the water as the adjoining dwelling farthest from the water, which is 78 feet. The tax records indicate the property is 33,027 square feet but the site plan shows the property as 31,750 square feet. The correct lot size must be determined. Lot coverage information is not provided. Lot coverage is limited to a maximum of 5,445 square feet, with mitigation required for any lot coverage between 15% and 5,445 square feet. 15% afforestation is required. The current proposal does not meet the MBA requirements and does not provide information as to whether the lot coverage and afforestation requirements will be

met. Therefore, this proposal does not show that 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 and does not meet the current MBA requirements. Lot coverage and afforestation information was not provided. This request does not currently 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;

The MBA requirements have not been met and incomplete information regarding the lot coverage and afforestation requirements were provided, so the relief requested will not be consistent with established land-use policies.

Reviewer: Regina Esslinger

Date: March 6, 2017

RE: PETITION FOR VARIANCE
3825 Bay Drive; SE/S of Bay Drive, 412' E
Of c/line with Wye Road
15th Election & 6th Councilmanic Districts
Legal Owner(s): Paul & Michelle Oliver
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2017-227-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

MAR 06 2017

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of March, 2017, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, Maryland 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

M E M O R A N D U M

DATE: May 25, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0227-A – Appeal Period Expired

The appeal period for the above-referenced case expired on May 24, 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
VARIANCES

3825 Bay Drive
Lots 248-250

15th Election District
6th Councilmanic District

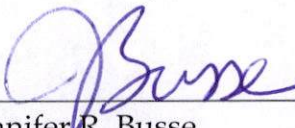
Paul and Michelle Oliver,
Legal Owners

* BEFORE THE
* ADMINISTRATIVE LAW
* JUDGE FOR
* BALTIMORE COUNTY
*
Zoning Case No. 2017-0227-A
*

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of Jennifer R. Busse and Whiteford, Taylor & Preston L.L.P., on behalf of Mr. Kenneth Stastny in the above referenced matter. Mr. Stastny owns and resides at 3815 Bay Drive, adjacent to the property subject to the above referenced zoning case.



Jennifer R. Busse
Whiteford, Taylor & Preston L.L.P.
One W. Pennsylvania Avenue
Suite 300
Towson, Maryland 21204-4515
(410) 832-2000

CERTIFICATE OF SERVICE

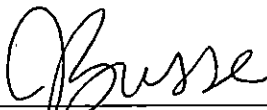
I HEREBY CERTIFY that on this 13th day of April 2017, a copy of the foregoing

Entry of Appearance was mailed to:

Mr. and Mrs. Paul Oliver
1219 Elsing Road
Baltimore, Maryland 21221

Peter M. Zimmerman, Esquire
People's Counsel for Baltimore County
Old Courthouse, Room 47
400 Washington Avenue
Towson, Maryland 21204

Ms. Kristen Lewis
Baltimore County Permits, Approvals & Inspections
111 W. Chesapeake Avenue
Room 111
Towson, Maryland 21204



Jennifer R. Busse

TIMOTHY M. KOTROCO, Esq.

305 Washington Avenue, Suite 502

Towson, Maryland 21204

410-299-2943

Tkotroco@gmail.com

April 20, 2016

The Honorable John E. Beverungen
Administrative Law Judge for Baltimore County
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Re: Case No. 2017-0227-A
Entry of Appearance

Dear Judge Beverungen:

Please enter my appearance on behalf of the Petitioners, Paul and Michelle Oliver. Kindly direct all future mailings and correspondence to my office at the address listed above. Thank you for your consideration of this request.

Very truly yours,



Timothy M. Kotroco

TMK/eak

WHITEFORD, TAYLOR & PRESTON L.L.P.

JENNIFER R. BUSSE
DIRECT LINE (410) 832-2077
DIRECT FAX (410) 339-4027
jbusse@wtplaw.com

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

BALTIMORE, MD
BETHANY BEACH, DE*
BETHESDA, MD
COLUMBIA, MD
DEARBORN, MI
FALLS CHURCH, VA
LEXINGTON, KY
PITTSBURGH, PA
ROANOKE, VA
WASHINGTON, DC
WILMINGTON, DE*

WWW.WTPLAW.COM
(800) 987-8705

April 13, 2017

Via Hand Delivery

Honorable John E. Beverungen
Jefferson Building, Suite 103
105 W. Chesapeake Avenue
Towson, Maryland 21204



**Re: Zoning Case 2017-227-A
Request for Postponment**

Dear Judge Beverungen:

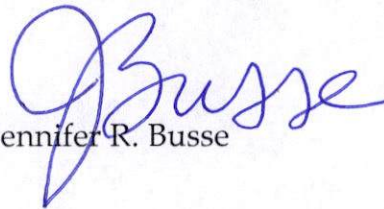
Yesterday, this office was retained to represent Mr. Ken Stastny regarding the petition for variances filed by Mr. and Mrs. Oliver relating to 3825 Bay Drive. My client owns and resides in the property adjacent and to the east at 3815 Bay Drive.

It was in the evening of Tuesday, April 11th, that my client saw the zoning sign posted at the property. Presumably, the sign was posted last week in order to satisfy the statutory posting requirements, but my client does not drive past his own house since it is a dead end road. Mr. Stastny was only alerted to walk past his own house yesterday (which led to him seeing the sign) after noticing metal stakes with pink flags on his property. Thus, he immediately sought legal counsel.

Unfortunately, Mr. Stastny will be out of town (on the west coast) on April 20th, the date for which the hearing is currently set. Due to the upcoming religious holiday, during which Mr. Stastny has family coming into town to visit, he does not expect to have time before he goes out of town (and therefore before the hearing) to fully analyze this matter and then obtain answers to the questions he has and resolve his concerns with the Olivers regarding the requested zoning relief. One potential crucial issue is the location of the shared property line. I am in the process of seeking Mr. and Mrs. Oliver's contact information now so as to permit Mr. Stastny to begin communications with the Olivers.

Thus, the purpose of my writing now is to respectfully request a postponement of the hearing set for April 20th. Thank you for your consideration of this request. Mr. Stastny is hopeful that he can resolve his concerns directly with Mr. and Mrs. Oliver but again, due to the upcoming holiday and his trip out of town, there is not sufficient time to do so before April 20th.

Sincerely,



Jennifer R. Busse

Attachment (Entry of Appearance)

cc: *via first class mail*

Peter Max Zimmerman, Esquire (Baltimore County People's Counsel)

Mr. and Mrs. Oliver (1219 Elsing Road, Baltimore, MD 21221

Kristen Lewis (Baltimore County PAI)

John E. Beverungen

From: Busse, Jennifer R. <jbusse@wtplaw.com>
Sent: Thursday, April 20, 2017 9:40 AM
To: John E. Beverungen; Mr. Timothy M. Kotroco Esquire
Cc: Ken Stastny
Subject: Bay Drive hearing today

Good morning Your Honor and Mr. Kotroco, I am pleased to report that Mr. Stastny is grateful for having had the chance to review the Olivers' plans and is comfortable with their proposal. Therefore I will not be attending the hearing this morning. Thank you again for your assistance.

Jennifer Busse

This transmission contains information from the law firm of Whiteford, Taylor & Preston LLP which may be confidential and/or privileged. The information is intended to be for the exclusive use of the planned recipient. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately.

Sherry Nuffer

From: Busse, Jennifer R. <jbusse@wtplaw.com>
Sent: Friday, April 14, 2017 1:59 PM
To: John E. Beverungen
Cc: David Billingsley; Sherry Nuffer
Subject: Re: Case # 2017-227-A

Thank you Judge.

Mr. Billingsley - I am in New Orleans but will make myself available at any point tomorrow that is convenient for you.
Can you email me your phone number?
Thank you!

Jennifer Busse

On Apr 13, 2017, at 2:17 PM, John E. Beverungen <jbeverungen@baltimorecountymd.gov> wrote:

Ms. Busse,

I am receipt of your request for postponement in the above case, currently scheduled for April 20, 2017 at 10:00 a.m. You have entered your appearance on behalf of Ken Stastny, who resides at 3815 Bay Drive. My office does not yet have the complete file for this case, but I was able to review the Petition and note Mr. Billingsley prepared the plan and will be assisting Petitioners. As such, I would first ask that you contact Mr. Billingsley and determine whether the Petitioners object to the postponement request.

Assuming the request were to be granted, your client would be responsible for notifying the area community association(s) of the postponement, as well as having a sticker placed on the zoning sign noting the hearing had been canceled. In addition, you would need to arrange with Petitioners a mutually agreeable date for the rescheduled hearing, and your client would be responsible for having a zoning sign posted at the site advising the public of the rescheduled hearing date.

John Beverungen
ALJ



CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

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John E. Beverungen

From: John E. Beverungen
Sent: Thursday, April 13, 2017 3:18 PM
To: Busse, Jennifer R.
Cc: 'David Billingsley'; Sherry Nuffer (snuffer@baltimorecountymd.gov)
Subject: Case # 2017-227-A

Ms. Busse,

I am receipt of your request for postponement in the above case, currently scheduled for April 20, 2017 at 10:00 a.m. You have entered your appearance on behalf of Ken Stastny, who resides at 3815 Bay Drive. My office does not yet have the complete file for this case, but I was able to review the Petition and note Mr. Billingsley prepared the plan and will be assisting Petitioners. As such, I would first ask that you contact Mr. Billingsley and determine whether the Petitioners object to the postponement request.

Assuming the request were to be granted, your client would be responsible for notifying the area community association(s) of the postponement, as well as having a sticker placed on the zoning sign noting the hearing had been canceled. In addition, you would need to arrange with Petitioners a mutually agreeable date for the rescheduled hearing, and your client would be responsible for having a zoning sign posted at the site advising the public of the rescheduled hearing date.

John Beverungen
ALJ

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption				View GroundRent Registration			
Account Identifier:			District - 15 Account Number - 1512000520							
Owner Information										
Owner Name:			OLIVER PAUL DAVID OLIVER MICHELLE PEGGY JEAN			Use: Principal Residence:		RESIDENTIAL NO		
Mailing Address:			1219 ELSING RD BALTIMORE MD 21221-			Deed Reference:		/37070/ 00439		
Location & Structure Information										
Premises Address:			3825 BAY DR 0-0000 Waterfront			Legal Description:		LT 249,250 BOWLEYS QUARTERS		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	1
0098	0012	0014		0000			249	2015	Plat Ref:	0008/ 0073
Special Tax Areas:					Town:		NONE			
					Ad Valorem:					
					Tax Class:					
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use		
						18,705 SF		34		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of		As of	
					01/01/2015		07/01/2016		07/01/2017	
Land:			263,600		263,600					
Improvements			0		0					
Total:			263,600		263,600		263,600		263,600	
Preferential Land:			0						0	
Transfer Information										
Seller: NECHAY RUDOLF W				Date: 01/13/2016			Price: \$600,000			
Type: ARMS LENGTH MULTIPLE				Deed1: /37070/ 00439			Deed2:			
Seller: LASSAHN EDGAR F,JR				Date: 07/30/2012			Price: \$800,000			
Type: ARMS LENGTH MULTIPLE				Deed1: /32357/ 00385			Deed2:			
Seller:				Date: 09/21/2011			Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /31208/ 00170			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										

IN RE: PETITION FOR VARIANCE
SE/S of Bay Drive,
213 ft. E of Wye Road
15th Election District
6th Councilmanic District
(3815 Bay Drive)

Eva M. & Rudolf W. Nechay
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-574-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Eva M. and Rudolf W. Nechay. The Petitioners are requesting variance relief for property located at 3815 Bay Drive in the eastern area of Baltimore County. The variances are requested from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:

1. from Section 1A04.3.B.2, to permit a side yard setback of 14 ft. and 21 ft. in lieu of the required 50 ft.;
2. from Section 400.1, to permit an existing accessory structure with a setback of 0.4 ft. in lieu of the required 2.5 ft. to remain;
3. from Section 400.1, to permit an accessory structure in front yard of residence in lieu of the rear yard as required; and
4. from Section 1A04.3.B.3, to permit an impervious area lot coverage of 25.8% in lieu of maximum permitted 15%.

The property was posted with Notice of Hearing on July 31, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a

Notice of Zoning hearing was published in "The Jeffersonian" newspaper on August 3, 2004 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. - *Variances*.

ORDER RECEIVED FOR FILING

Date

9/2/04

By

Case # 77-220-A

77-220-A #194 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Edgar F. Lassahn, Sr., legal owner of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1.4A-2.5.3 of the Zoning Ordinance to permit a side yard of 3'-10" in lieu of required 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (Indicate hardship or practical difficulty)

This proposed addition is to a bathroom and it is only practical and efficient to connect to the existing utilities at this location.

See attached description.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

Edgar F. Lassahn, Sr.
Lloyd Owner
Address: 7401 Belair Road
Baltimore, Md. 21236
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of March, 1977, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 16th day of May, 1977, at 10:00 A.M.

1977-77-220-A
#194
5/16/77

DATE 22-10-77
GABER RECEIVED FOR FILING

RE: PETITION FOR VARIANCE
5/5 of Bay Drive 411' E of
Wye Road, 15th District
EDGAR F. LASSAHN, SR., Petitioner
Case No. 77-220-A

Mr. Commissioner:

Pursuant to the authority contained in Section 534.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the purpose of any preliminary or final Order in connection therewith.

Charles E. Knapp, Jr.
Deputy People's Counsel
John W. Headen, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 11th day of May, 1977, a copy of the foregoing Order was mailed to Mr. Edgar F. Lassahn, Sr., 7401 Belair Road, Baltimore, Maryland 21236, Petitioner.

John W. Headen, III
John W. Headen, III
People's Counsel



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-2201
S. ERIC DINIEN
ZONING COMMISSIONER

May 19, 1977

Mr. Edgar F. Lassahn, Sr.
7401 Belair Road
Baltimore, Maryland 21236

RE: Petition for Variance
5/5 of Bay Drive, 411' E of Wye Road -
15th Election District
Edgar F. Lassahn, Sr. - Petitioner
NO. 77-220-A (Item No. 194)

Dear Mr. Lassahn:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
GEOFFREY B. MARTINAK
Deputy Zoning Commissioner

GJM/rac

Attachments

cc: John W. Headen, III, Esquire
People's Counsel

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
853-4470

February 16, 1977

Zoning Description

All that piece or parcel of land situate, lying and being in the Fifteenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same on the south side of Bay Drive at the northeast corner of Lot No. 256 as shown on the Second Addition to Plat No. 1 Bowleys Quarters and recorded among the Land Records of Baltimore County in First Book W.P.C. No. 8 Folio 73, said piece of beginning being North 60 degrees 54 minutes East 111 feet measured northwesterly along the south side of Bay Drive from the prolongation southerly of the center line of Wye Road, thence running and binding on the south side of Bay Drive, North 60 degrees 54 minutes East 150 feet to the northeast corner of Lot No. 259 as shown on the aforementioned plat of Bowleys Quarters, thence leaving Bay Drive and binding on the division line between Lots Nos. 256 and 251 as shown on said plat, South 29 degrees 06 minutes East 226 feet more or less to the Chesapeake Bay, thence running and binding on the Chesapeake Bay, South 68 degrees 09 minutes West 151.21 feet to intersect the division line between Lots Nos. 267 and 268 as shown on the aforementioned plat of Bowleys Quarters and thence running and binding on said division line, North 29 degrees 06 minutes West 255.20 feet to the place of beginning.

Containing 0.82 of an Acre of land, more or less.

Said Lots Nos. 256, 259 and 250 as shown on Second Addition to "Plat No. 1 Bowleys Quarters" and recorded among the Land Records of Baltimore County in First Book W.P.C. No. 8 Folio 73.



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 9, 1977

COUNTY OFFICE BUILDING
100 E. Calverton Ave.
Towson, Maryland 21204
Nicholas, B.

MEMBERS
BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE BOARD COMMISSION
BUREAU OF FIRE PROTECTION
HEALTH DEPARTMENT
PROJECT PLANNING
POLICING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
HOUSING DEVELOPMENT

Mr. Edgar F. Lassahn, Sr.
7401 Belair Road
Baltimore, Maryland 21236

RE: Variance Petition
Item No. 194
Petitioner - Edgar F. Lassahn

Dear Mr. Lassahn:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

This waterfront property, currently zoned R.C. 5 and improved with a single family dwelling and pavilion is located on the south side of Bay Drive east of Wye Road in the 15th Election District. Adjacent properties are also zoned R.C. 5 and improved with similar type uses.

This Variance is necessitated by your proposal to construct an addition closer to the easterly side property line than the existing non-conforming 15 foot setback.

This property lies within an Environmental Protection Area, as shown on the Interim Development Control Map as provided by Bill 12-77, and therefore, any application for building permits may be affected by said bill.

Mr. Edgar F. Lassahn, Sr.
Page 2
Item No. 194
May 9, 1977

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,
Nicholas B. Nicholas
Nicholas B. Nicholas, Esq.
Acting Chairman
Zoning Plans Advs

ENCIRf

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204

March 11, 1977

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-2211

Mr. S. Eric Dinien, Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Dinien:

Comments on Item 194, Zoning Advisory Committee Meeting, March 1, 1977, are as follows:

Property Owner: Edgar F. Lassahn, Sr.
Location: 5/5 Bay Drive 411' E. Wye Road
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 3' 10" in lieu of the required 50' Acres: 0.82 District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Winkley
John L. Winkley
Planner III
Project and Development Planning

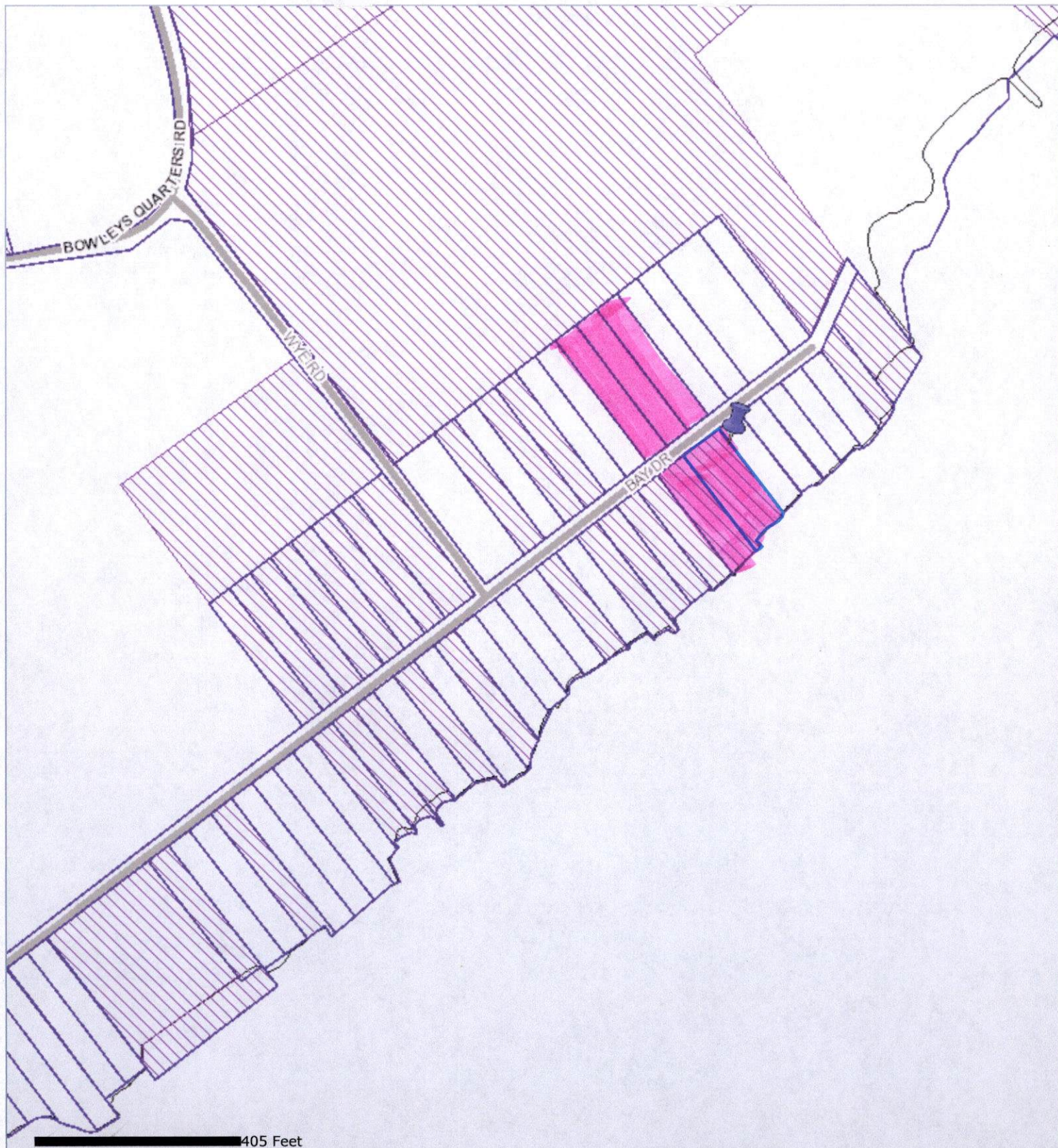
AUG 02 1977

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS



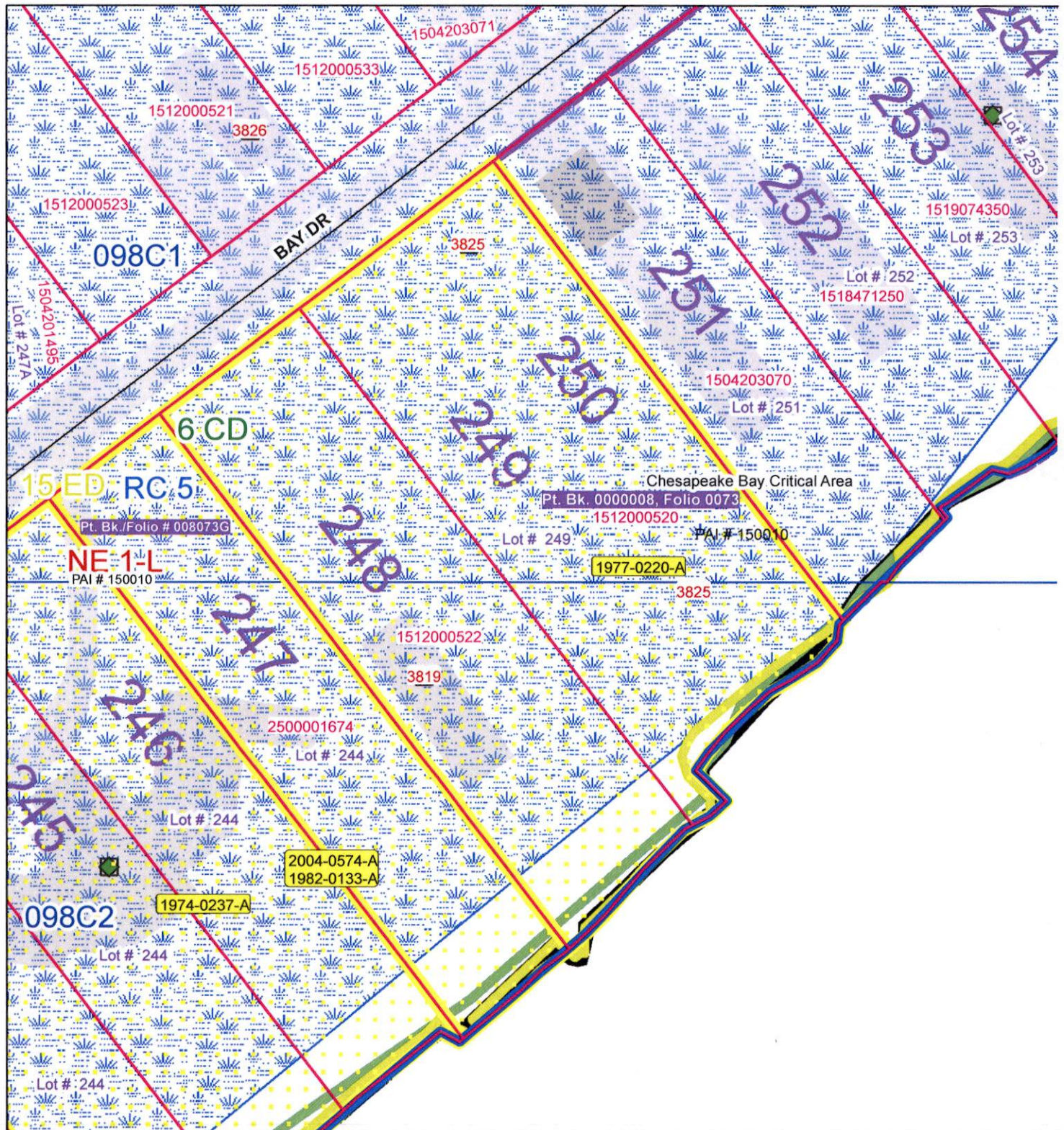
Permit Review Map

Created By
Baltimore County
My Neighborhood



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Chesapeake Bay Critical Area



Publication Date: 2/24/2017



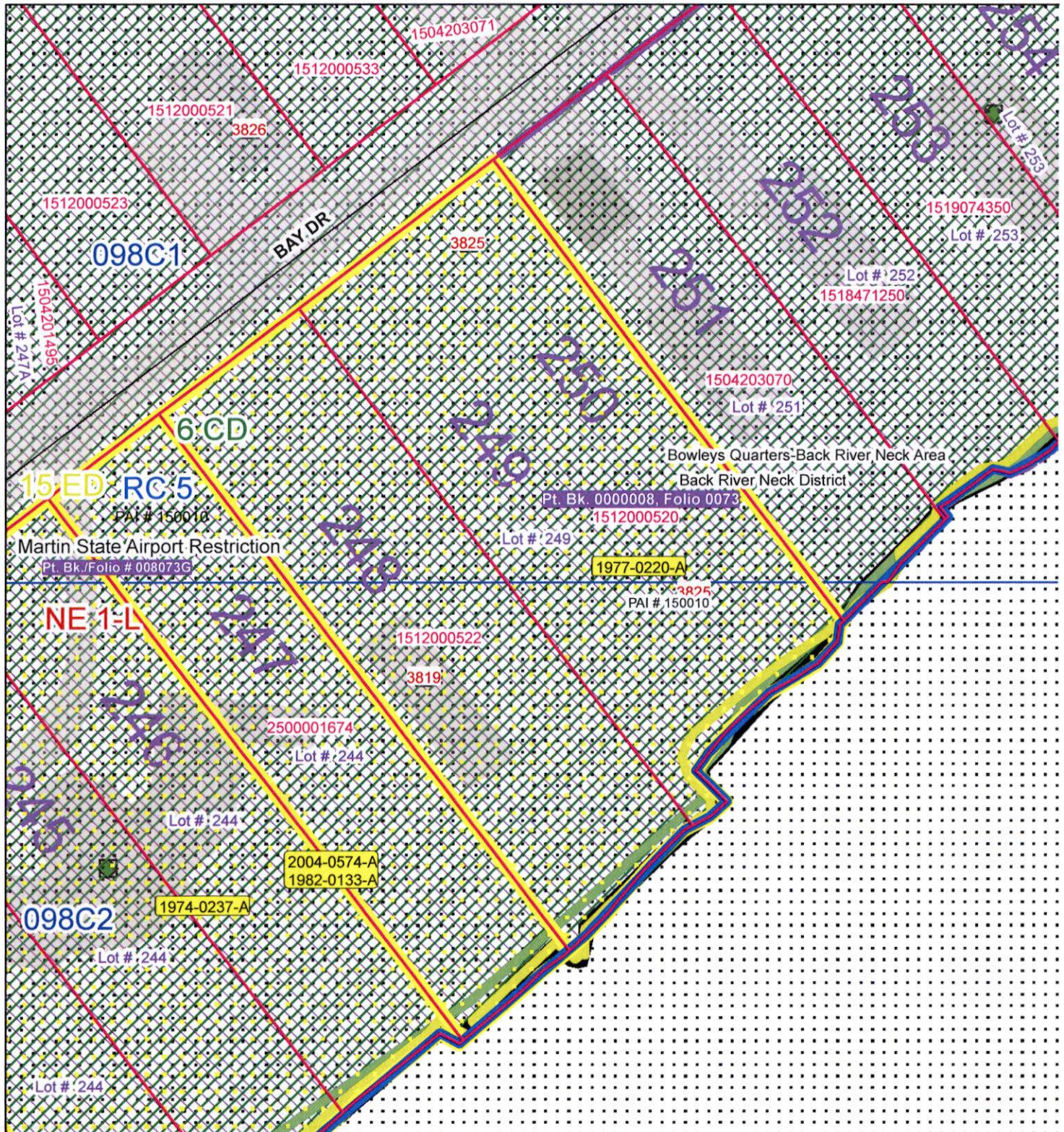
Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.525 50 75 100 Feet

1 inch = 50 feet

3825 Bay Drive



Publication Date: 2/24/2017



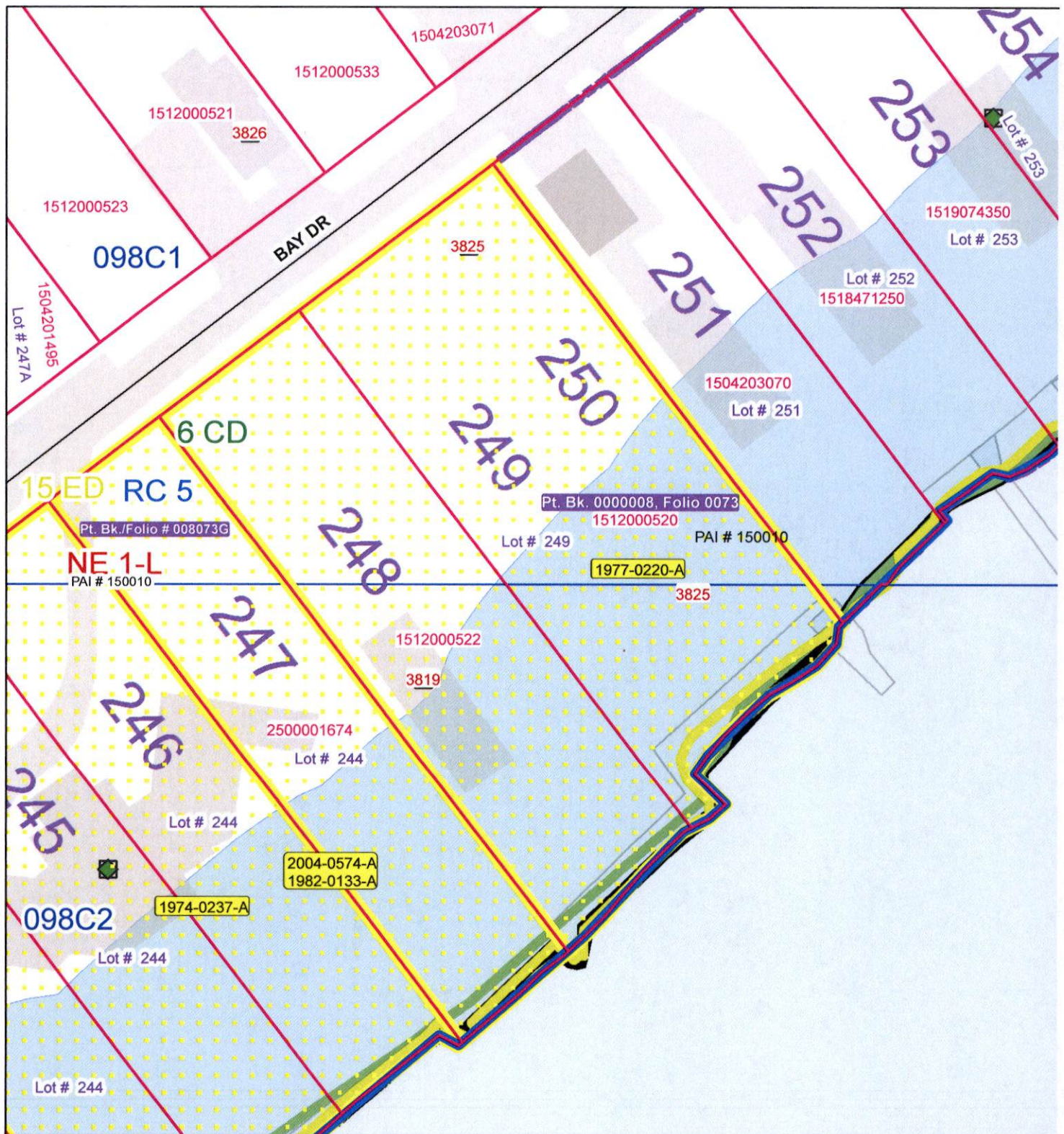
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.525 50 75 100 Feet

1 inch = 50 feet

Possible Flood Hazard Area



Publication Date: 2/24/2017



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

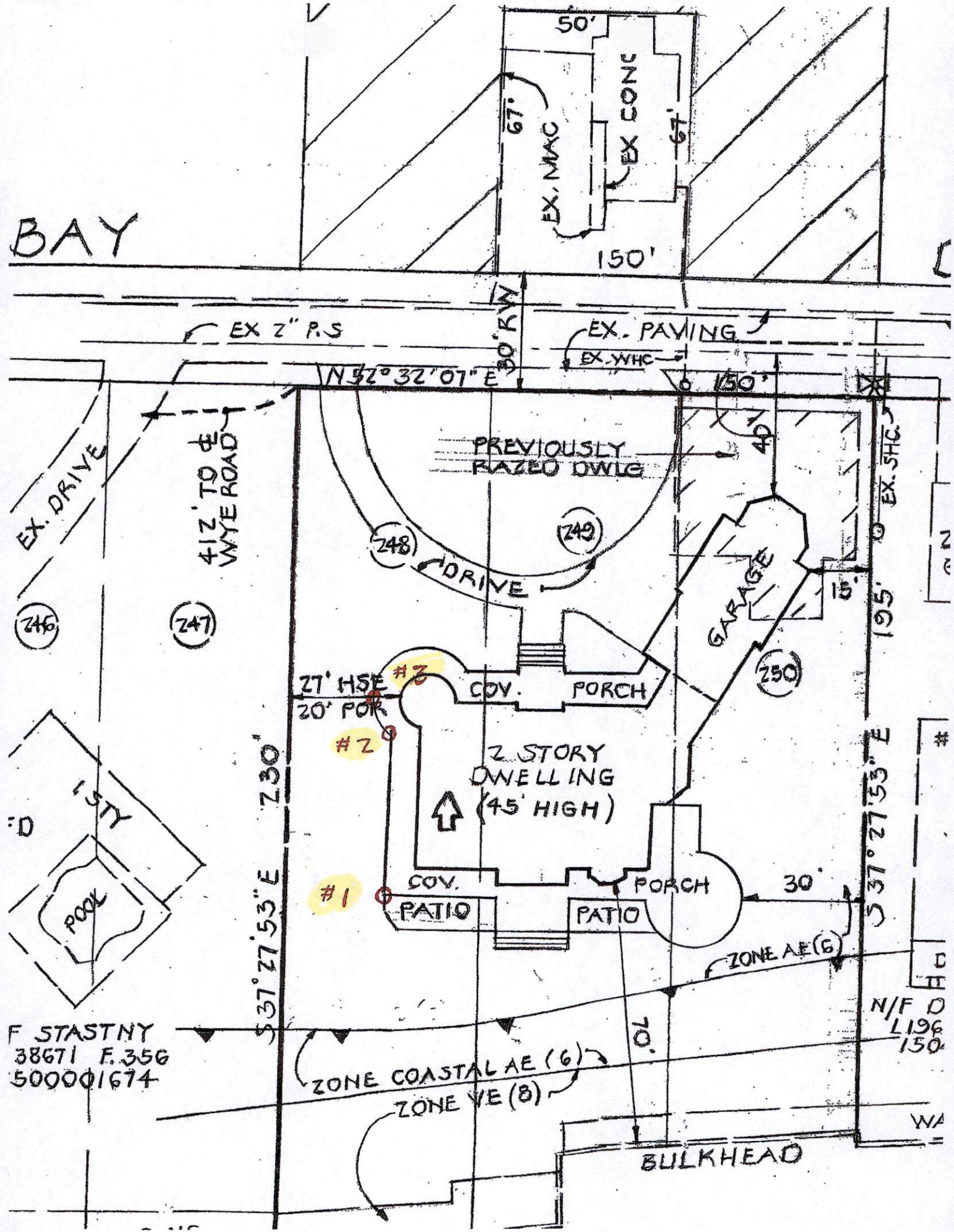
1 inch = 50 feet

CASE NAME _____
CASE NUMBER 2017-0227-
DATE _____ A

A

[illegible]

BAY



F STASTNY
38671 F.356
500001674

N/F D
L196
150

WA

Case No.: 2017-0227-A

Exhibit Sheet

Petitioner/Developer

Protestant

19W
5-25-17
19W
A-24-17

No. 1	Plan	
No. 2	Elevation drawings	
No. 3	Photos	
No. 4	Aerial photos	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Oliver Residence

PROPOSED FAMILY RESIDENCE

~~3643~~ Bay Drive, Middle River, Maryland

3825

Tuesday, September 20, 2016



EX. 3







Ex. 4



My Neighborhood Map

Created By
Baltimore County
My Neighborhood

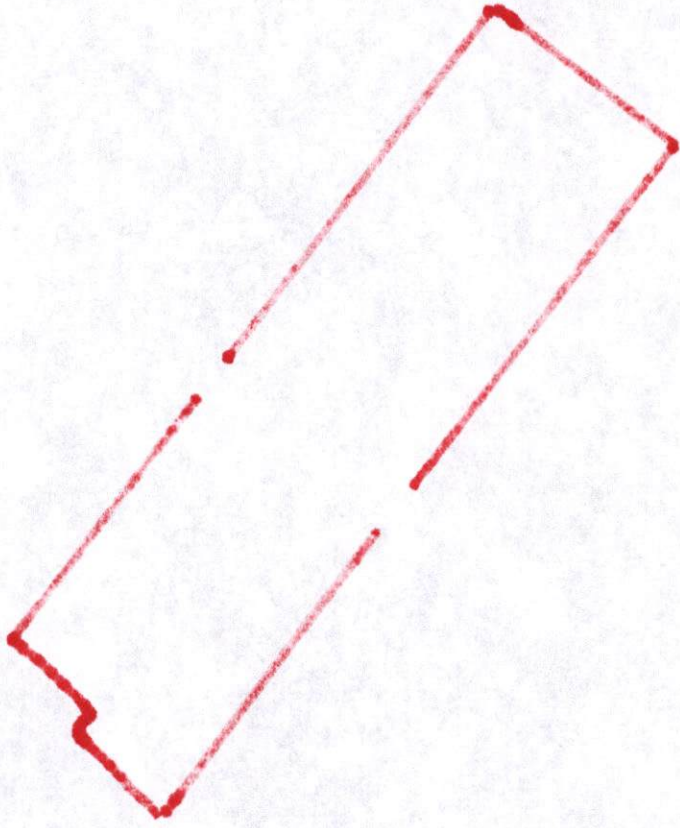


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Printed 4/18/17

4. 13

1





My Neighborhood Map

Created By
Baltimore County
My Neighborhood



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Printed 4/14/17

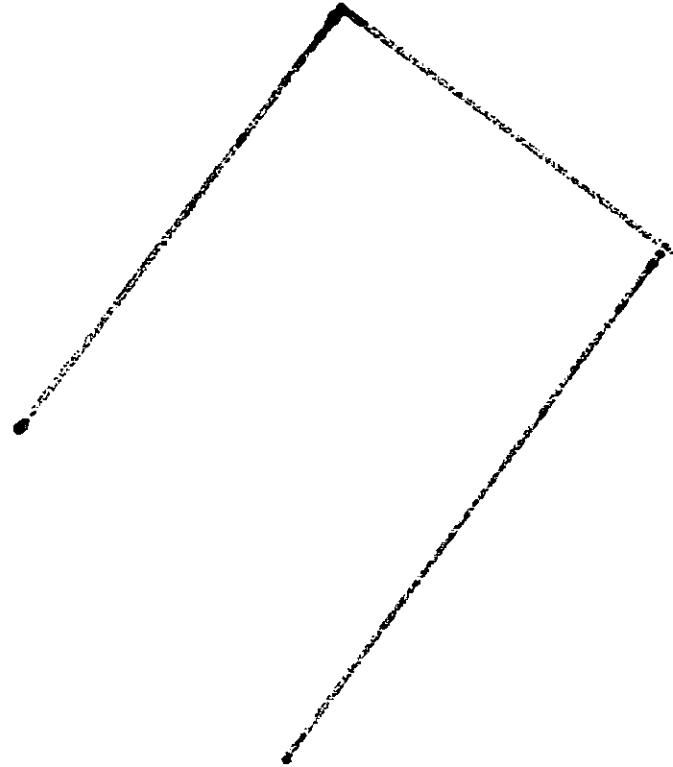


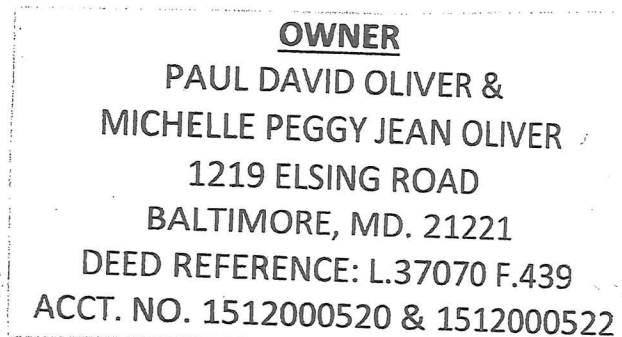
1



**MD. ENVIRONMENTAL
RESOURCES & LAND
INFORMATION NETWORK
2010-2011**

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geo Base, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community, MDIMAP, MDP, SDAT, MDIMap, DoIT





NOTES

1. ZONING...RC 5 (MAPS 098C1 & 098C2)
2. LOT AREA.....31,750 S.F. = 0.729 ACRE +/-
3. PUBLIC WATER AND SEWER IS AVAILABLE
4. SITE IS LOCATED IN CBCA AND 100 YEAR TIDAL FLOOD ZONE
5. TO THE PREPARER'S KNOWLEDGE, NO HISTORIC STRUCTURES, ARCHEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS EXIST.
6. BUILDING AREA = 6818 SF (INCLUDES PORCHES)
BUILDING COVERAGE = 21.5 %
7. BUILDING HEIGHT = 45'
8. ZONING HISTORY – CASE NO. 1977-0220-A (MAY 19, 1977) GRANTED A SIDE YARD VARIANCE 3 FEET 10 INCHES IN LIEU OF THE REQUIRED 50 FEET

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

3825 BAY DRIVE
LOTS 248, 249 & 250 PLAT ONE
BOWLEYS QUARTERS P.B. 8 F. 73

ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET DECEMBER 22, 2016

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

REV: 4/15/17
OWNERSHIP #3815

Ex. 1