

IN RE: PETITION FOR VARIANCE

(1145 Seneca Road)

15th Election District

6th Council District

Gary F. & Lori M. Caligiuri

Legal Owners

Petitioners

*

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*

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2017-0253-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Gary & Lori Caligiuri, owners of the subject property ("Petitioners"). Petitioners are requesting variance relief from §§1A04.3.A and 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit a structure (dwelling) with a height of 40 ft. and to permit side yard setbacks of 10 ft. and 13 ft. in lieu of the required 35 ft., 50 ft., and 50 ft. for a replacement dwelling. A site plan was marked as Petitioners' Exhibit 1.

Lori Caligiuri and David Billingsley 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 Environmental Protection and Sustainability (DEPS), the Bureau of Development Plans Review (DPR) and the Department of Planning (DOP). None of the reviewing agencies opposed the requests.

The site is approximately 21,692 sq. ft. in size and zoned RC-5. The property is improved with a small single-family dwelling constructed in 1929. Petitioners propose to raze that structure and construct in essentially the same footprint a new single-family dwelling. Due to the RC-5 zoning designation variances are required.

ORDER RECEIVED FOR FILING

Date

5/16/17

By

Sen

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 waterfront property is narrow and deep (approximately 50' x 419') and is therefore unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to construct the proposed replacement 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 16th day of **May, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief of the Baltimore County Zoning Regulations ("B.C.Z.R.) to permit a structure (dwelling) with a height of 40 ft. and to permit side yard setbacks of 10 ft. and 13 ft. in lieu of the required 35 ft., 50 ft., and 50 ft. for a replacement dwelling, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

ORDER RECEIVED FOR FILING

Date

5/16/17

By

sen

3. Prior to issuance of permits Petitioners must submit to the DOP building elevations to enable that agency to make the requisite finding under the RC-5 Performance Standards.

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 5/16/17

By sln



KEVIN KAMENETZ
County Executive

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

May 16, 2017

Gary & Lori Caligiuri
1145 Seneca Road
Baltimore, Maryland 21220

RE: Petition for Variance
Case No. 2017-0253-A
Property: 1145 Seneca Road

Dear Mr. & Mrs. Caligiuri:

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

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

Sincerely,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: Dave Billingsley, 601 Charwood Ct., Edgewood, Maryland 21040



CBCA

Flood

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 1145 SENECA ROAD

which is presently zoned RC5

Deed References: L-14715 F.70

10 Digit Tax Account # 1507581140

Property Owner(s) Printed Name(s) GARY F. AND LORI M. CALIGIURI

(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)

1A04.3.A AND 1A04.3.B.2.b (BCZR) TO PERMIT A STRUCTURE (DWELLING) WITH A HEIGHT OF 40 FEET AND TO PERMIT SIDE YARD SETBACKS OF 10 FEET AND 13 FEET IN LIEU OF THE REQUIRED 35 FEET, 50 FEET AND 50 FEET FOR A REPLACEMENT DWELLING

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

GARY F. CALIGIURI, LORI M. CALIGIURI

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

Signature #1

Signature #2

1145 SENECA ROAD BALTO. MD.

Mailing Address City State

21220 (610) 656-2766

Zip Code Telephone # Email Address

Representative to be contacted:

DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD MD.

Mailing Address City State

21040 (410) 619-8719, dwboz99@yahoo.com

Zip Code Telephone # Email Address

CASE NUMBER 2017-0253-A Filing Date 3/22/17

Do Not Schedule Dates: _____

Reviewer gh

REV. 10/4/11

ZONING DESCRIPTION

1145 SENECA ROAD

Beginning for the same at a point on the northeast side of Seneca Road (30 feet wide), said point being distant 1270 feet southeasterly from its intersection with the center of Chestnut Road, thence being all of Lot 154 as shown on the plat entitled Plat 2, Bowleys Quarters, recorded among the Baltimore County plat records in Plat Book 7 Folio 13.

Containing 21,692 square feet or 0.498 acre of land, more or less.

Being known as 1145 Seneca Road. Located in the 15TH Election District, 6TH Councilmanic District of Baltimore County, Md.

2017-0253-A

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

Nº 150382

Date: 3/22/17

Fund	Dept	Unit	Sub Unit	Rev		Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/					
001	800	0000		(015)						75.00

Total: 75.00

Rec From: David P. Hingsley

For: 2017-0253-A

1145 Seneca Rd

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME INM
3/23/2017 3/22/2017 09:12:01 3
REG W503 WALKIN CAN
>>RECEIPT # 719880 3/22/2017 OFLN
Dept S 528 ZONING VERIFICATION
CR NO. 150382
Recpt Tot \$75.00
\$75.00 CK \$0.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION



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 4912105

Sold To:

Gary Caligiuri - CU00595565
1145 Seneca Rd
Middle River, MD 21220-4031

Bill To:

Gary Caligiuri - CU00595565
1145 Seneca Rd
Middle River, MD 21220-4031

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

Apr 25, 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: # 2017-0253-A
1145 Seneca Road
NE/s Seneca Road, SE 1270 ft. to centerline of Chestnut Road
15th Election District - 6th Councilmanic District
Legal Owner(s) Gary and Lori Caligiuri

Variance to permit a structure (dwelling) with a height of 40 ft. and to permit side yard setbacks of 10 ft. and 13 ft. in lieu of the required 35 ft., 50 ft. and 50 ft. for a replacement dwelling.

Hearing: Monday, May 15, 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.

JT 4/734 April 25 4912105

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

CERTIFICATE OF POSTING

Date: APRIL 24, 2017

RE: Project Name: 1145 SENECA ROAD
Case Number /PAI Number: 2017-0253-A
Petitioner/Developer: MR. AND MS. CALIGIURI
Date of Hearing/Closing: MAY 15, 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 1145 SENECA ROAD

The sign(s) were posted on APRIL 24, 2017
(Month, Day, Year)

ZONING NOTICE

CASE NO. 2017- 0253-A

A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE

PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON, MD. 21204

TIME: MONDAY, MAY 15, 2017 @ 10:00 AM

VARIANCE TO PERMIT A STRUCTURE (DWELLING)
WITH A HEIGHT OF 40 FEET AND SIDE YARD
SETBACKS OF 10 FT. AND 13 FT. IN LIEU OF THE
REQUIRED 35 FT., 50 FT. AND 50 FT. FOR A
REPLACEMENT DWELLING

Postponements due to weather or other conditions are sometimes necessary.
To confirm hearing or obtain additional information, contact Department of
Permits, Approvals and Inspections, 111 West Chesapeake Avenue, Towson,
Md. 21204 (410) 887-3391

UNDER PENALTY OF LAW, DO NOT REMOVE THIS SIGN UNTIL THE DAY
OF THE HEARING. HEARINGS ARE HANDICAPPED ACCESSIBLE

(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)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 25, 2017 Issue - Jeffersonian

Please forward billing to:
Gary Caligiuri
1145 Seneca Road
Baltimore, MD 21220

610-656-2766

NOTICE OF ZONING HEARING

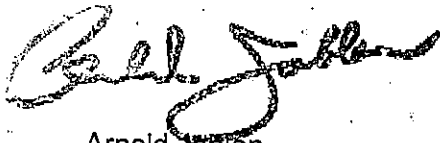
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2017-0253-A

1145 Seneca Road
NE/s Seneca Road, SE 1270 ft. to centerline of Chestnut Road
15th Election District – 6th Councilmanic District
Legal Owners: Gary & Lori Caligiuri

Variance to permit a structure (dwelling) with a height of 40 ft. and to permit side yard setbacks of 10 ft. and 13 ft. in lieu of the required 35 ft., 50 ft. and 50 ft. for a replacement dwelling.

Hearing: Monday, May 15, 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*

April 17, 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: 2017-0253-A

1145 Seneca Road

NE/s Seneca Road, SE 1270 ft. to centerline of Chestnut Road

15th Election District – 6th Councilmanic District

Legal Owners: Gary & Lori Caligiuri

Variance to permit a structure (dwelling) with a height of 40 ft. and to permit side yard setbacks of 10 ft. and 13 ft. in lieu of the required 35 ft., 50 ft. and 50 ft. for a replacement dwelling.

Hearing: Monday, May 15, 2017 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Caligiuri, 1145 Seneca Road, Baltimore 21220
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 TUESDAY, APRIL 25, 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 fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2017-0253-A

Property Address: 1145 SENECA ROAD

Property Description: North East side of Seneca Rd
Southeast 1270 feet to 9/4 of Chestnut Rd

Legal Owners (Petitioners): GARY & LORI CALIGIURI

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: GARY CALIGIURI

Company/Firm (if applicable): _____

Address: 1145 SENECA RD.

BALTO MD 21220

Telephone Number: (610) 656-2766



KEVIN KAMENETZ
County Executive

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

May 10, 2017

Gary F & Lori M Caligiuri
1145 Seneca Road
Baltimore MD 21220

RE: Case Number: 2017-0253 A, Address: 1145 Seneca Road

Dear Mr. & Ms. Caligiuri:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 22, 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 Court, Edgewood MD 21040

Date: 3/27/17

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

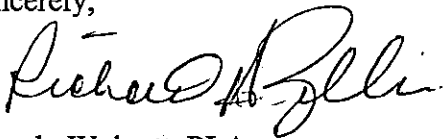
Dear Ms. Lewis:

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. 2017-0253-A

*Variance
Gerry F. & Lori M. Caligiuri
1145 Seneca 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,



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: 4/17/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-253



INFORMATION:

Property Address: 1145 Seneca Road
Petitioner: Gary F. Caligouri, Lori M. Caligiuri
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a single family dwelling to be built with a height of 40 feet, side yard setbacks (property line setbacks) of 10 feet and 13 feet in lieu of the required 35 feet, 50 feet and 50 feet respectively.

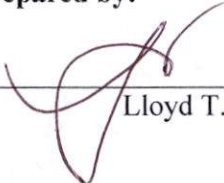
A site visit was conducted on April 4, 2017.

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

Please be advised the new dwelling is subject to the RC 5 Performance Standards pursuant to BCZR §1A04.4. 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
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: April 5, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0253-A
Address 1145 Seneca Road
(Caligiuri Property)

Zoning Advisory Committee Meeting of **April 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 replacement dwelling with less side yard setbacks and greater height than permitted. The lot is 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 tax records indicate the property is 21,150 square feet but the site plan shows the property as 21,692 square feet. The correct lot size must be determined. Lot coverage information is not provided. Lot coverage is limited to a maximum of 31.25%, with mitigation required for any lot coverage between 25% and 31.25%. 15% afforestation is required. The current proposal does not provide information as to whether the lot coverage, MBA, and afforestation requirements will be met. Without this information we cannot determine whether 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 provide information regarding lot coverage, MBA, and afforestation requirements. Without this information we cannot determine whether this request will 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;

There is incomplete information regarding the lot coverage, MBA, and afforestation requirements, so at this time this office cannot determine whether the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

Date: March 31, 2017

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 April 3, 2017
Item No. 2017-0253

DATE: April 4, 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 17-0253-04032017.doc

RE: PETITION FOR VARIANCE
1145 Seneca Road; NE/S Seneca Road,
SE 1270' to c/line to Chestnut Road
15th Election & 6th Councilmanic Districts
Legal Owner(s): Gary & Lori Caligiuri
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2017-253-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th 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

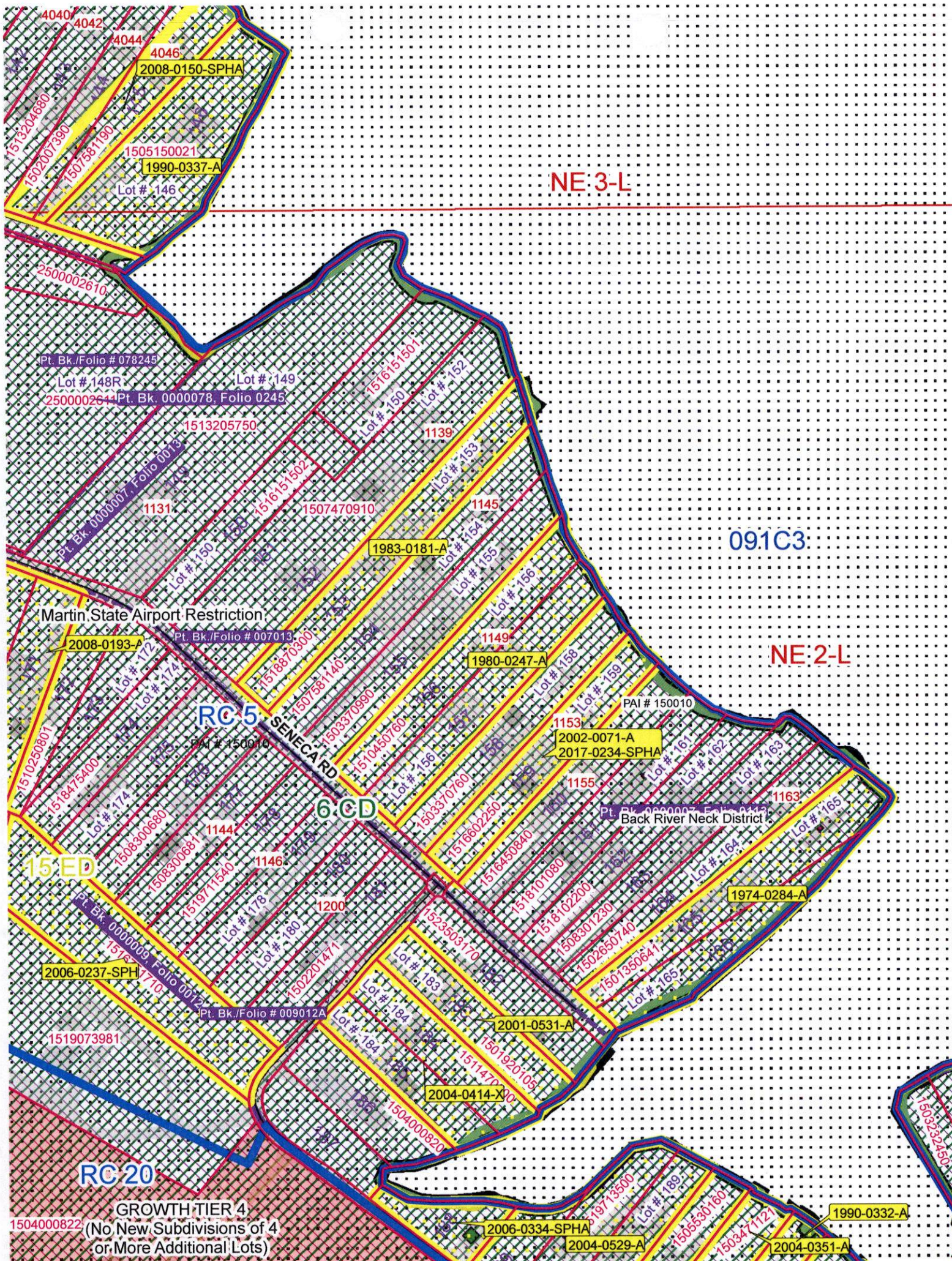
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

M E M O R A N D U M

DATE: June 16, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0253-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 15, 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



CASE NAME 1145 JENECARD
CASE NUMBER 2017-0253-A
DATE MAY 15, 2017

[illegible]

PETITIONER'S EXHIBITS

Sen
5-16-17

**1145 SENECA ROAD
CASE NO. 2017-0253-A**

- 1. PLAT TO ACCOMPANY PETITION DATED MARCH 18, 2017 (NO CHANGES)**
- 2. SDAT REAL PROPERTY SEARCH**
- 3. DEED OF RECORD L.14715 F.70 SEPTEMBER 18, 2000**
- 4. PLAT 2 BOWLEYS QUARTERS P.B. 7 F. 13 RECORDED MAY 26, 1921**
- 5. LOCATION SURVEY DATED OCTOBER 11, 2013**
- 6. AERIAL PHOTO**
- 7. BUILDING ELEVATIONS**
- 8a-d. PHOTOS**

Real Property Data Search Guide to searching the database

Search Result for BALTIMORE COUNTY

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Account Identifier: District - 15 Account Number - 1507581140

Owner Information

Owner Name:	CALIGIURI GARY F CALIGIURI LORI M	Use:	RESIDENTIAL
Mailing Address:	1145 SENECA RD BALTIMORE MD 21220-4031	Principal Residence:	YES
		Deed Reference:	/14715/ 00070

Location & Structure Information

Premises Address:	1145 SENECA RD 0-0000 Waterfront	Legal Description:	AKA 716 SENECA RD BOWLEYS QUARTERS
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Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	2
0091	0022	0150		0000			154	2015	Plat Ref:	0007/0013

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

Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use
1929	2,591 SF		21,150 SF	34

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1 1/2	NO	STANDARD UNIT	SIDING	2 full		

Value Information

	Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2016	As of 07/01/2017
Land:	264,200	264,200		
Improvements	111,300	160,400		
Total:	375,500	424,600	408,233	424,600
Preferential Land:	0			0

Transfer Information

Seller: SIEGEL MARGARET ANN	Date: 09/25/2000	Price: \$249,000
Type: ARMS LENGTH IMPROVED	Deed1: /14715/ 00070	Deed2:
Seller: JONES BETTY LOU	Date: 12/09/1988	Price: \$149,900
Type: ARMS LENGTH IMPROVED	Deed1: /08049/ 00371	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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

PETITIONER'S
EXHIBIT NO. 2

The Sentinel Title Corporation

File No. 00-1726-04-14

Tax ID # 15-07-581140

Property Address: 1145 SENECA ROAD, BALTIMORE, MD. 21220

001471

170

THIS DEED, made this 16 day of September, 2000, by and between **MARGARET ANN SIEGEL**, party of the first part, Grantor; and **GARY F. CALIGIURI** and **LORI M. CALIGIURI, his wife**, parties of the second part, Grantees.

- Witnesseth -

That in consideration of the sum of **TWO HUNDRED FORTY NINE THOUSAND DOLLARS and 00/100 (\$249,000.00)**, and other good and valuable considerations, the receipt of which is hereby acknowledged, the said Party of the First Part does grant and convey to the said Parties of the Second Part, as Tenants by the Entirety, their assigns, the survivor of them and the survivor's personal representatives and assigns in fee simple, all that lot of ground situate in **BALTIMORE COUNTY, Maryland** and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 154, as shown on a Plat entitled, "Bowleys Quarter, Plat No. 2", which Plat is recorded among the Land Records of **BALTIMORE COUNTY** in Plat Book WPC No. 7, folio 13. The improvements thereon being known as No. 1145 SENECA ROAD (formerly known as 716 Seneca Road).

BEING THE SAME lot of ground which by Deed dated December 6, 1988 and recorded among the Land Records of **BALTIMORE COUNTY**, in Liber No. 8049, folio 371, was granted and conveyed by Betty Lou Jones unto the Parties of the First Part herein named.

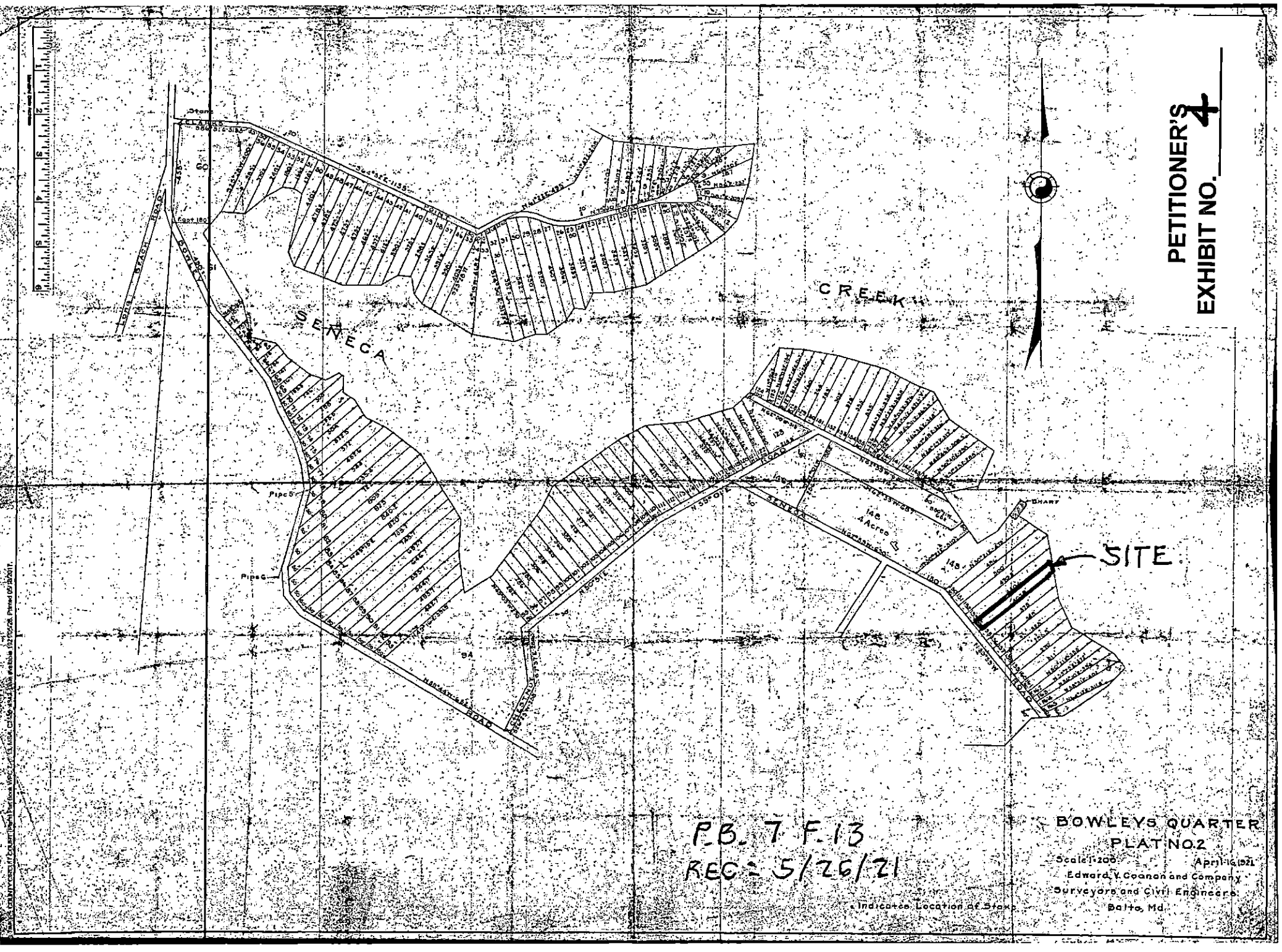
Together with the buildings and improvements thereupon; and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said described lot(s) of ground and premises, unto and to the use of the said, Parties of the Second Part, as Tenants by the Entirety, their assigns, the survivor of them and the survivor's personal representatives and assigns in fee simple.

And the said party of the first part hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property hereby granted; and that she will execute such further assurances of the same as may be requisite.

**PETITIONER'S
EXHIBIT NO. 3**

PETITIONER'S
EXHIBIT NO. **4**



P.B. 7 F.13
REC- 5/26/21

BOWLEYS QUARTER
PLAT NO. 2
Scale 1"=200' April 16, 1921
Edward V. Coonan and Company
Surveyors and Civil Engineers
Balto, Md.

Indicates Location of Stake



LOT 153
M.T. MATHIS
DEED 33576-239

WATERS OF
THE
SENECA CREEK

WITH REVETMENT
S 10°11'03" E
57.43'

APPARENT
ENCROACHMENT BY
SHED ±0.4'

APPARENT
ENCROACHMENT BY
LEAN-TO ±1.1'

APPARENT
ENCROACHMENT BY
SHED ±1.4'

LOT 155
SENECA LLC
DEED 26371-628

N 50°21'00" E
50.00'

LOT 154
0.50 Acres ±
21,822.6 Sq. Ft.

SHARED ACCESS
MACDONALD DRIVE

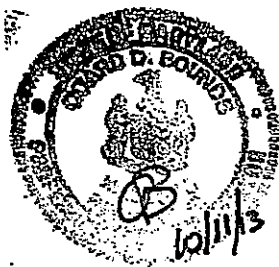
419.73'

0.2 MILES TO
CHESTNUT ROAD

SENeca ROAD
30' WIDE

N 39°39'00" W

TREE ON LINE
AT 20.5'



COORD. D. BOUNDS, PROF. LAND SURVEYOR
MD 21516 - EXP. JULY 15, 2015

GENERAL NOTES:

THIS PARCEL LIES WITHIN A LIMITED
DEVELOPMENT AREA DESIGNATED BY
BALTIMORE COUNTY.

THIS PROPERTY LIES WITHIN THE
GUNPOWDER RIVER WATERSHED.

DEED REFERENCE 14715-70
PLAT REFERENCE 0007-0013
PARCEL ID 15-07581140

**PETITIONER'S
EXHIBIT NO. 5**



BOUNDS LAND SURVEY LLC
MARYLAND & DELAWARE LAND AND
HYDROGRAPHIC SURVEYING
PO Box 20 • Newark, Maryland 21841
P. 410.728.2767 • coord.bounds@gmail.com

LOCATION SURVEY

FOR
GARY F. & LORI M. CALIGIURI

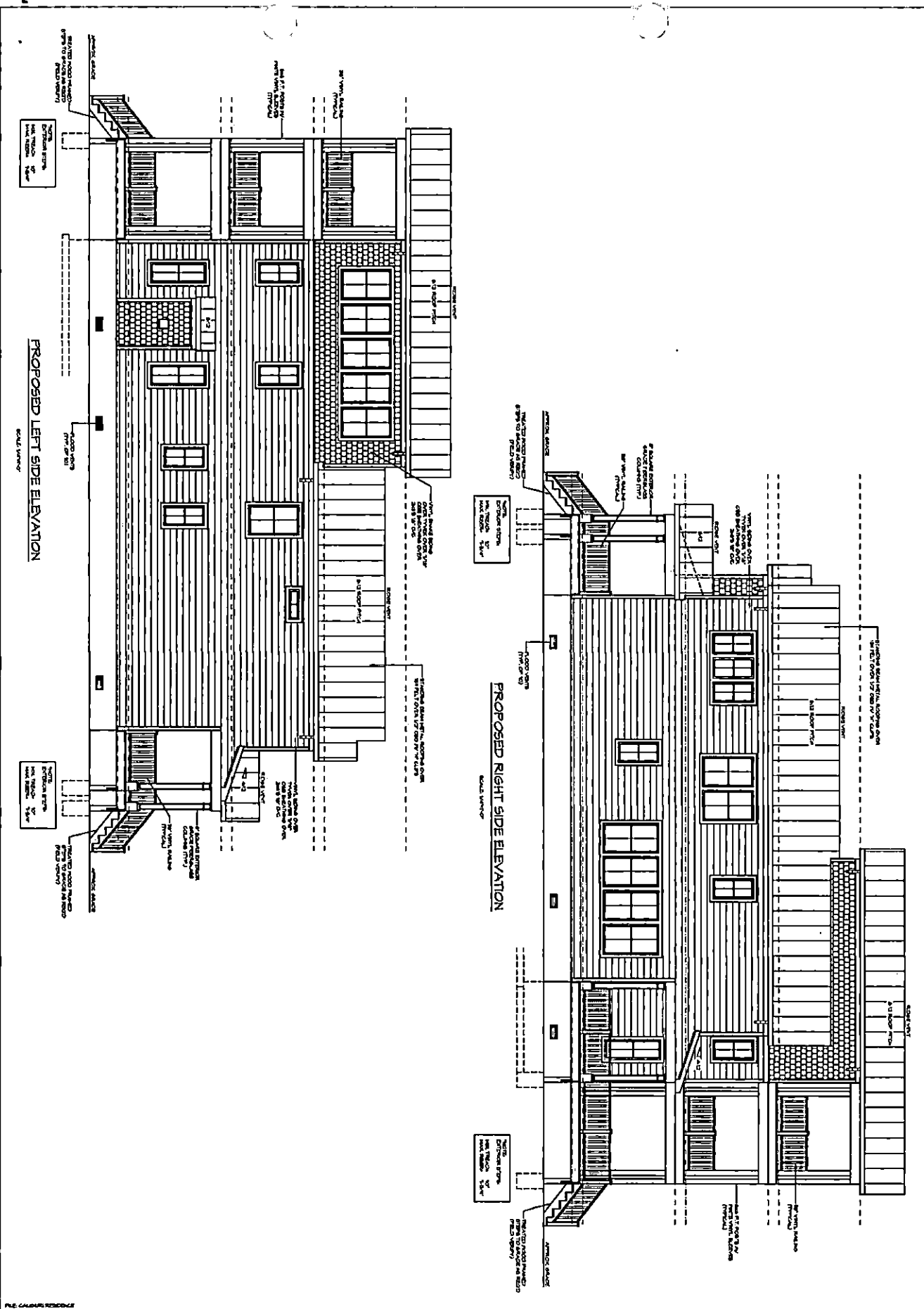
1145 SENECA ROAD - BALTIMORE, MARYLAND
TAX MAP 91, PARCEL 150 - BALTIMORE COUNTY - TAX DISTRICT 15
LOT 154 - "BOWLEYS QUARTERS"

DRAWN:	OCTOBER 11, 2013	SCALE:	1" = 50'
SURVEYED:	AUGUST 31, 2013	JOB:	U.GARY
		SHEET:	1 OF 1

SITE

1145 Seneca Rd

PETITIONER'S
EXHIBIT NO. 6



SCALE: 1/4" = 1'-0"
 DATE: 5/20/16
 SHEET NO: 1 OF 1
 GBL CUSTOM HOME
 DESIGN INC.
 PO BOX 115 FARMINGTON, MD 21048
 PHONE: 410-833-8320

PROJECT ADDRESS:
 11111 CALIGIURI RD
 BALTIMORE COUNTY, MD

THE CALIGIURI RESIDENCE



a



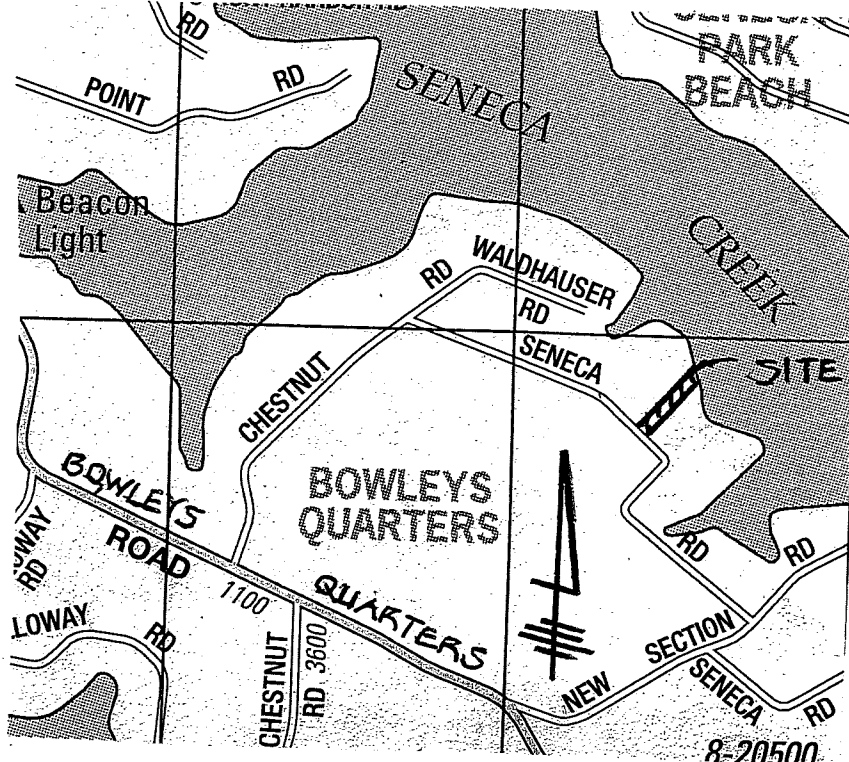
b

d



c

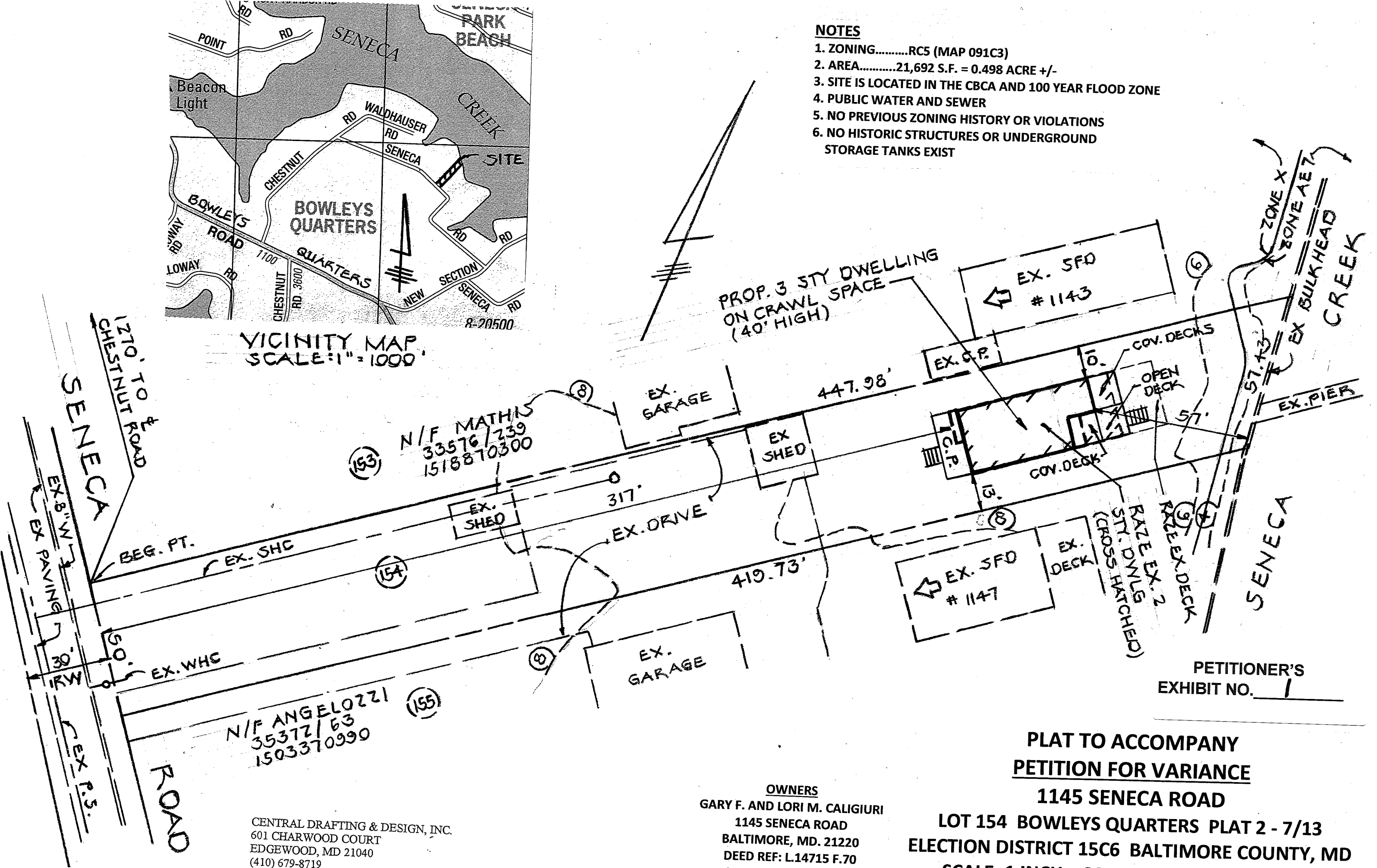




VICINITY MAP
SCALE: 1" = 1000'

NOTES

1. ZONING.....RC5 (MAP 091C3)
2. AREA.....21,692 S.F. = 0.498 ACRE +/-
3. SITE IS LOCATED IN THE CBCA AND 100 YEAR FLOOD ZONE
4. PUBLIC WATER AND SEWER
5. NO PREVIOUS ZONING HISTORY OR VIOLATIONS
6. NO HISTORIC STRUCTURES OR UNDERGROUND STORAGE TANKS EXIST



PETITIONER'S
EXHIBIT NO. 1

**PLAT TO ACCOMPANY
PETITION FOR VARIANCE**

**1145 SENECA ROAD
LOT 154 BOWLEYS QUARTERS PLAT 2 - 7/13
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD
SCALE: 1 INCH = 30 FEET MARCH 18, 2017**

**OWNERS
GARY F. AND LORI M. CALIGIURI
1145 SENECA ROAD
BALTIMORE, MD. 21220
DEED REF: L.14715 F.70
ACCT. NO. 1507581140**

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