

IN RE: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

(4010 Briar Point Road) *

15th Election District

6th Council District *

David H. & Tyler D. Eggelton

Legal Owners *

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2017-0284-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of David H. Eggelton & Tyler D. Eggelton, legal owners ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit a single lot of record and proposed dwelling that is not a subdivision and that was in existence prior to September 2, 2003 to have an area of 1.04 acres in lieu of the required 1.5 acres. In addition, a Petition for Variance seeks: (1) to permit a garage to be located in the front yard of a dwelling in lieu of the rear yard; (2) to permit a garage with a maximum height of 18 ft. in lieu of the required 15 ft.; and (3) for the proposed dwelling, to permit side yard setbacks each to be 30 ft. in lieu of the required 50 ft. A revised site plan was marked and accepted into evidence as Petitioners' Exhibit 1.

Owners David H. and Tyler D. Eggelton and surveyor Bruce E. Doak appeared in support of the requests. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review (DPR), the Department of Environmental Protection and Sustainability (DEPS) and the Department of Planning (DOP). None of the reviewing agencies opposed the requests.

ORDER RECEIVED FOR FILING

Date

6/14/17

By

Sen

The subject property is approximately 1.04 acres in size and is zoned RC 5. Mr. Doak testified the lot was created by deed in 1959. See Petitioners' Ex. 2. The waterfront property is unimproved and Petitioners propose to construct a new single-family dwelling on the lot. Petitioners also plan to construct a detached garage in the front yard, and a revised site plan was submitted (Petitioners' Ex. 1) showing the garage has been relocated to be on a line even with the front façade of the existing dwelling at 4016 Briar Point Road, as requested by the DOP. Zoning relief is required for both the dwelling and accessory building.

SPECIAL HEARING

The special hearing request concerns the 1.04 acre lot, which does not satisfy the 1.5 acre minimum lot size in the R.C. 5 zone. The pertinent regulation states a "lot having an area of less than 1 ½ acres may not *be created* in an R.C. 5 zone." B.C.Z.R. §1A04.3.B. (emphasis added). This lot was "created" in 1959, well before the adoption of the R.C. 5 regulations, which begs the question of whether zoning relief is required in the first instance. Even so, the Regulations provide certain "exceptions to minimum lot size," and as pertinent here indicate a lot which does not satisfy the "minimum acreage requirement" may be approved by special hearing. *Id.*

As is frequently the case, the Regulations do not provide a standard by which such a special hearing request should be judged. The Regulations expressly state the relief is by way of "special hearing under Article 5" rather than a variance, and as with all zoning requests the relief should not be granted unless Petitioners can establish the health, safety and general welfare of the public will not be negatively impacted. B.C.Z.R. § 600.1. Based on the revised site plan and other exhibits, I do not believe granting the special hearing request will have a detrimental impact upon the community.

The lot is slightly over one acre in size, and it appears based on an aerial photo (Pet. Ex. 3) as if other homes in the area are situated on parcels of a similar size. In addition, Petitioner submitted

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Date

6/14/17

By

Sen

elevation drawings (Pet. Ex. 5A & 5B) which indicate the home will be well-designed and attractive, and a condition will also be included in the final order requiring Petitioners to satisfy the R.C. 5 Performance Standards.

VARIANCE

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 lot is narrow and deep (approximately 100 ft. x 450 ft.); this irregular shape renders the property unique. Petitioners would experience practical difficulty if the regulations were strictly interpreted because they would be unable to construct the proposed improvements. Finally, as demonstrated by the lack of County and/or community opposition, I do not believe granting the requests would have a detrimental impact upon the community.

THEREFORE, IT IS ORDERED this 14th day of **June, 2017**, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit a single lot of record and proposed dwelling that is not a subdivision and that was in existence prior to September 2, 2003 to have an area of 1.04 acres in lieu of the required 1.5 acres, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the petition for variance: (1) to permit a garage to be located in the front yard of a dwelling in lieu of the rear yard; (2) to permit a garage with a maximum height of 18 ft. in lieu of the required 15 ft.; and (3) for the proposed dwelling, to permit side yard setbacks each to be 30 ft. in lieu of the required 50 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 6/14/17
By Aln

The relief granted herein shall be subject to and conditioned upon the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners must prior to issuance of permits comply with critical area and flood protection regulations.
3. Petitioners must prior to issuance of permits satisfy the R.C. 5 Performance Standards, 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.

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 6/14/17

By sln



KEVIN KAMENETZ
County Executive

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

June 14, 2017

David Eggelton
Tyler Eggelton
913 Ridgebrook Road, Suite 216
Sparks, Maryland 21152

RE: Petitions for Special Hearing and Variance
Case No. 2017-0284-SPHA
Property: 4010 Briar Point Road

Dear Petitioners:

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:sln
Enclosure

c: Bruce E. Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053



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 4010 BRIAR POINT ROAD which is presently zoned RCS
Deed References: JLE 38733/128 10 Digit Tax Account # 1516001980
Property Owner(s) Printed Name(s) DAVID H. EGGLETON & TYLER D. EGGLETON

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. X a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED SHEET

2. _____ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a Variance from Section(s)

SEE ATTACHED SHEET

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)

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

N/A

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner

Name- Type or Print

Signature

Date

N/A

Mailing Address BY City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

• DAVID H EGGLETON TYLER D EGGLETON

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

Signature #1 Signature #2

• 913 RIDGEBROOK RD SPARKS MD

Mailing Address City State

• 21152 • 443 324 1320 • VIPERANWCE@yahoo.com

Zip Code Telephone # Email Address

Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING

Name - Type or Print

Signature

Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND MD

Mailing Address City State

21053 • 410-419-4906

Zip Code Telephone # Email Address

BDOAK@BRUCEEDOAKCONSULTING.COM

CASE NUMBER 2017-284-SPHA Filing Date 4/20/17 Do Not Schedule Dates: _____ Reviewer JS

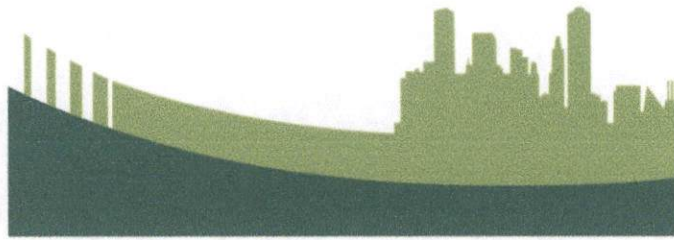
Requests for 4010 Briar Point Road

Special Hearing

To permit a single lot of record and proposed dwelling that is not a subdivision and that was in existence prior to September 2, 2003 to have an area of 1.04 acres in lieu of the required 1.5 acres and does not meet the required setbacks. (undersized lot)

Variances

- 1) To permit a garage to be located in the front yard of a dwelling in lieu of the rear yard.**
- 2) To permit a garage with a maximum height of 18 in. in lieu of the required 15 ft.**
- 3) For the proposed dwelling, to permit side yard setbacks each to be 30 ft. in lieu of the required 50 ft.**



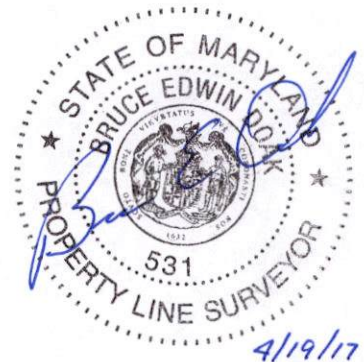
Zoning Description

4010 Briar Point Road- 1.04 Acre Lot
Fifteenth Election District Sixth Councilmanic District
Baltimore County, Maryland

Beginning at a point on the north side of Briar Point Road, approximately 275 feet easterly of the centerline of Bay Drive, thence running on the north side of Briar Point Road and running with and binding on the outlines of the subject property, the following course and distance, viz 1) North 55 degrees 24 minutes East 101.05 feet, thence leaving Briar Point Road and continuing to run and bind on the outlines of the subject property, the three following courses and distances, viz. 2) North 26 degrees 21 minutes West 455.67 feet, 3) South 56 degrees 10 minutes West 100.86 feet and 4) South 26 degrees 21 minutes East 457.03 feet to the point of beginning.

Containing 1.04 acres of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.



Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

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

№ 153041

Date: 4/20/17

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$150.00

Total: \$150.00

Rec From: EGGINGTON

For: 2017-0750-SPHA

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 4/21/2017 4/20/2017 12:18:07 3
 REG #803 WALKIN CAM
 >>RECEIPT # 723228 4/20/2017 GFLH
 Dept 5 528 ZONING VERIFICATION
 CR NO. 153041
 Recpt Tot \$150.00
 \$150.00 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 4967941

Sold To:

David Eggleton - CU00600444
913 Ridgebrook Rd
Ste 216
Sparks Glencoe, MD 21152-9467

Bill To:

David Eggleton - CU00600444
913 Ridgebrook Rd
Ste 216
Sparks Glencoe, MD 21152-9467

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

May 23, 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: # 2017-0284-SPHA
4010 Briar Point Road
N/S Briar Point Road, 275 ft. E/ of centerline of Bay Drive
15th Election District - 6th Councilmanic District
Legal Owner(s) David & Tyler Eggleton

Special Hearing: to permit a single lot of record and proposed dwelling that is not a subdivision and that was in existence prior to September 2, 2003 to have an area of 1.04 acres in lieu of the required 1.5 acres and does not meet the required setbacks (undersized lot).

Variance: 1. To permit a garage to be located in the front yard of a dwelling in lieu of the rear yard. 2. To permit a garage with a maximum height of 18 ft. in lieu of the required 15 ft. 3. For the proposed dwelling, to permit side yard setbacks each to be 30 ft. in lieu of the required 50 ft.

Hearing: Monday, June 12, 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.

JT 5/25 May 23 4967941

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

May 24, 2017

Re:
Zoning Case No. 2017-0284-SPHA
Legal Owner: David & Tyler Eggleton
Hearing date: June 12, 2017

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

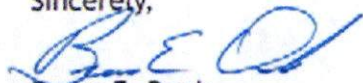
Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 4010 Briar Point Road.

The sign was posted on May 23, 2017.

Sincerely,



Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

CASE NO. 2017-0284-SPHA

4010 Briar Point Road

A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE
IN TOWSON MARYLAND

PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Monday June 12, 2017 11:00 AM

SPECIAL HEARING 1) TO PERMIT A SINGLE LOT OF RECORD AND PROPOSED DWELLING THAT IS NOT A SUBDIVISION AND THAT WAS IN EXISTENCE PRIOR TO SEPTEMBER 2, 2003 TO HAVE AN AREA OF 1.04 ACRES IN LIEU OF THE REQUIRED 1.5 ACRES AND DOES NOT MEET THE REQUIRED SETBACKS (UNDERSIZED LOT).

VARIANCE 1) TO PERMIT A GARAGE TO BE LOCATED IN THE FRONT YARD OF A DWELLING IN LIEU OF THE REAR YARD. 2) TO PERMIT A GARAGE WITH A MAXIMUM HEIGHT OF 18 FT. IN LIEU OF THE REQUIRED 15 FT. 3) FOR THE PROPOSED DWELLING, TO PERMIT SIDE YARD SETBACKS EACH TO BE 30 FEET IN LIEU OF THE REQUIRED 50 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM THE HEARING CALL 410-667-2391
DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER PENALTY OF LAW
THE HEARING IS MANDATORILY ACCESSIBLE

• •



TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 23, 2017 Issue - Jeffersonian

Please forward billing to:

David Eggleton
913 Ridgebrook Road, Ste. 216
Sparks, MD 21152

443-324-1320

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: 2017-0284-SPHA

4010 Briar Point Road

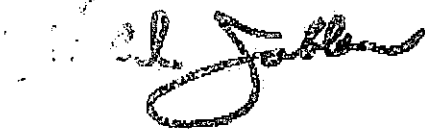
N/s Briar Point Road, 275 ft. E/of centerline of Bay Drive

15th Election District – 6th Councilmanic District

Legal Owners: David & Tyler Eggleton

Special Hearing to permit a single lot of record and proposed dwelling that is not a subdivision and that was in existence prior to September 2, 2003 to have an area of 1.04 acres in lieu of the required 1.5 acres and does not meet the required setbacks (undersized lot). **Variance** 1. To permit a garage to be located in the front yard of a dwelling in lieu of the rear yard. 2. To permit a garage with a maximum height of 18 ft. in lieu of the required 15 ft. 3. For the proposed dwelling, to permit side yard setbacks each to be 30 ft. in lieu of the required 50 ft.

Hearing: Monday, June 12, 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.



KEVIN KAMENETZ
County Executive

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

May 10, 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: 2017-0284-SPHA

4010 Briar Point Road

N/s Briar Point Road, 275 ft. E/of centerline of Bay Drive

15th Election District – 6th Councilmanic District

Legal Owners: David & Tyler Eggleton

Special Hearing to permit a single lot of record and proposed dwelling that is not a subdivision and that was in existence prior to September 2, 2003 to have an area of 1.04 acres in lieu of the required 1.5 acres and does not meet the required setbacks (undersized lot). **Variance** 1. To permit a garage to be located in the front yard of a dwelling in lieu of the rear yard. 2. To permit a garage with a maximum height of 18 ft. in lieu of the required 15 ft. 3. For the proposed dwelling, to permit side yard setbacks each to be 30 ft. in lieu of the required 50 ft.

Hearing: Monday, June 12, 2017 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: David & Tyler Eggleton, 913 Ridgebrook Road, Ste. 216, Sparks 21152
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 23, 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 AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Item Number or Case Number: 2017-284-SP4A

Petitioner: DAVID H. & TYLER D. EGGLETON

Address or Location: 4010 BRIAR POINT ROAD BALTIMORE MD 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID EGGLETON

Address: 913 RIDGEBROOK ROAD SUITE 216

SPARKS MD 21152

Telephone Number: 443-324-1320

Revised 2/20/98 - SCJ



KEVIN KAMENETZ
County Executive

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

June 7, 2017

David H Eggleton
Tyler D Eggleton
913 Ridgebrook Road
Sparks MD 21152

RE: Case Number: 2017-0284 SPHA, Address: 4010 Briar Point Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 20, 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.", is written over a faint, circular official stamp.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Bruce E Doak, 3801 Baker Schoolhouse Road, Freeland MD 21053

Date: 4/26/17

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. 2017-0284-SPHA

*Special Hearing Variance
David H. Eggleston & Tyler D. Eggleston
4010 Briar Point 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

6-12

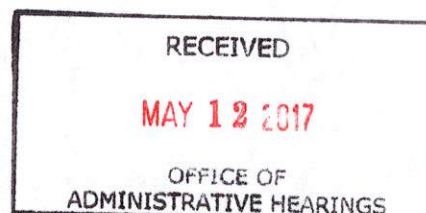
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 5/10/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-284



INFORMATION:

Property Address: 4010 Briar Point Road
Petitioner: David H. Eggleton, Tyler D. Eggleton
Zoning: RC 5
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a special hearing to permit a single lot of record and proposed dwelling that is not a subdivision which was in existence prior to September 2, 2003 to have an area of 1.04 acres in lieu of the required 1.5 acres and does not meet the setback requirement. The Department has also reviewed the petition for variance to permit a detached accessory structure (garage) to be located in the front yard of a dwelling with a maximum height of 18 inches [sic] (feet) in lieu of the required rear yard and 15 feet respectively and to permit a proposed single family dwelling with side yard (property line) setbacks of 30 feet in lieu of the required 50 feet.

A site visit was conducted on May 2, 2017. In response to preliminary Department comments, the petitioner's representative submitted a revised plan detail received by the Department on 5/3/2017 placing the proposed garage on a line even with and behind the front façade of the existing dwelling at 4016 Briar Point Road.

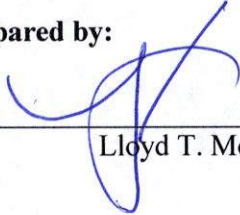
The Department has no objection to granting the petitioned zoning relief conditioned upon the revised garage location as shown on the aforementioned detail being incorporated into the site plan submitted in support of the petition.

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

Date: 5/10/2017
Subject: ZAC #17-284
Page 2

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
Bruce E. Doak, Bruce E. Doak Consulting
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: May 8, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0284-SPHA
Address 4010 Briar Point Road
(Eggleton Property)

Zoning Advisory Committee Meeting of **May 1, 2017**.

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

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 is subject to Critical Area lot coverage requirements. Critical Area lot coverage differs from BCZR lot coverage and is defined in Natural Resources Article §8-1802(a)(17), as follows:

(17) (i) "Lot coverage" means that percentage of total lot or parcel that is:

1. Occupied by a structure, parking area, driveway, walkway, or roadway; or
2. Covered with gravel, stone, shell impermeable decking, a paver, permeable pavement, or any manmade material

(ii) "Lot coverage" includes the ground area covered or occupied by a stairway or impermeable deck.

(iii) "Lot coverage" does not include:

1. A fence or wall that is less than 1 foot in width that has not been constructed with a footer;
2. A walkway in the buffer or expanded buffer, including a stairway, that provides direct access to a community or private pier;
3. A wood mulch pathway; or
4. A deck with gaps to allow the water to pass freely.

The subject property comprises approximately one acre. In order to minimize impacts to water quality, the applicant must comply with the LDA lot coverage requirements, which, for a property this size, is a maximum of 15% of the property size (approx. 6,534 sf). The petitioners are requesting to permit a proposed, detached garage to be located in the front yard of a future dwelling in lieu of the rear yard; to permit a garage with a maximum height of 18 feet in lieu of the required 15 feet; and for the proposed dwelling, to permit side yard setbacks each to be 30 feet in lieu of the required 50 feet. The property is also located within a Modified Buffer Area (BMA), which further restricts lot coverage and structures within 100 feet landward of mean high water (100 foot buffer). According to the plan submitted for this review, there are no proposed impacts within the 100 foot buffer. By granting the petitioners' requests, impacts to water quality will be minimized by compliance with the LDA lot coverage regulations, and MBA requirements. Depending on what is proposed by a building permit application(s), this may include compliance with forest clearing regulations, an application for a Critical Area variance, and/or the recordation of a Critical Area Easement on the property, in the land records of Baltimore County. The LDA regulations also require 15% afforestation, which equates to 13 trees for a property this size. Existing trees will be counted toward this requirement.

2. Conserve fish, wildlife, and plant habitat; and

The current development proposal for the property will be reviewed for application of the LDA and MBA requirements, which will improve buffer functions, and conserve fish, wildlife and plant 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 requested items by the petitioners will be consistent with established land use policies, provided that the applicants meet all LDA and MBA requirements applicable to the proposal. The request, if granted, will minimize environmental impacts.

Reviewer: Thomas Panzarella; Environmental Impact Review
May 8, 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 May 1, 2017
Item No. 2017-0284

DATE: May 8, 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 17-0284-05012017.doc

MEMORANDUM

DATE: July 17, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0284-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on July 14, 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

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
4010 Briar Point Road; N/S Briar Point Road,	*	OF ADMINISTRATIVE
275' E of c/line of Bay Drive		
15 th Election & 6 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): David & Tyler Eggleton	*	BALTIMORE COUNTY
Petitioner(s)	*	
	*	2017-284-SPHA

* * * * *

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

APR 26 2017

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of April, 2017, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Attorney for Petitioner(s).

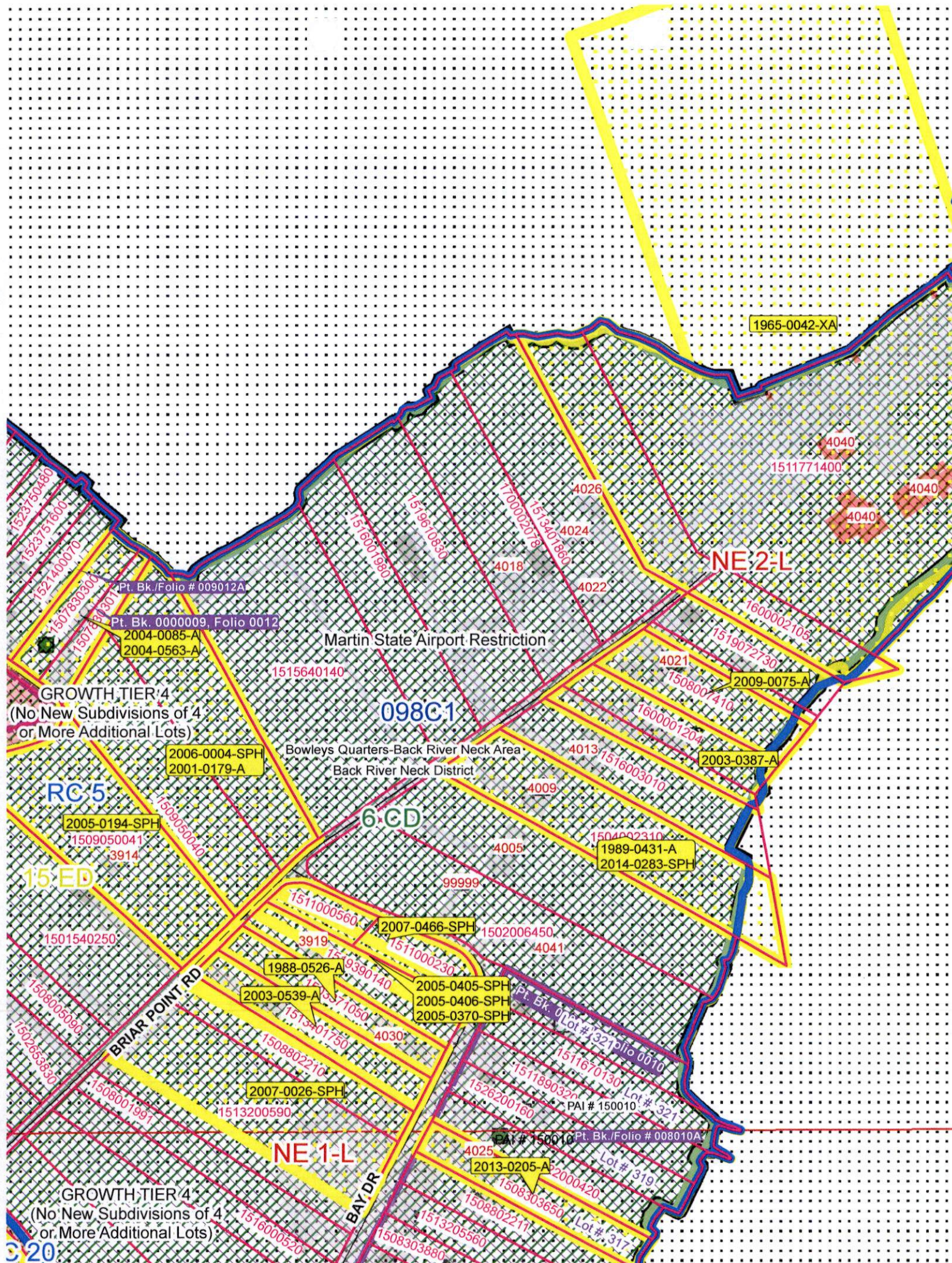
Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 15 Account Number - 1516001980							
Owner Information									
Owner Name:		EGGLETON DAVID H EGGLETON TYLER D			Use: Principal Residence:		RESIDENTIAL NO		
Mailing Address:		UNIT 216 913 RIDGEBROOK RD SPARKS MD 21152-			Deed Reference:		/38733/ 00128		
Location & Structure Information									
Premises Address:		4010 BRIAR POINT RD BALTIMORE 21220- Waterfront			Legal Description:		1.04 AC NWS BRIAR POINT RD FRONTS GOOSE HARB		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:
0098	0006	0169		0000				2015	
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area 1.0400 AC		County Use 34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
Value Information									
		Base Value		Value As of 01/01/2015		Phase-in Assessments As of 07/01/2016		As of 07/01/2017	
Land:		130,200		130,200					
Improvements		1,000		1,000					
Total:		131,200		131,200		131,200		131,200	
Preferential Land:		0						0	
Transfer Information									
Seller: PAZOUREK JOSEPH A JR Type: ARMS LENGTH IMPROVED				Date: 03/15/2017 Deed1: /38733/ 00128		Price: \$119,900 Deed2:			
Seller: PAZOUREK JOSEPH A, JR Type: NON-ARMS LENGTH OTHER				Date: 09/15/2004 Deed1: /20690/ 00704		Price: \$0 Deed2:			
Seller: PAZOUREK JEROME E Type: NON-ARMS LENGTH OTHER				Date: 04/06/1990 Deed1: /08448/ 00008		Price: \$0 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									



CASE NAME EGGLESTON
CASE NUMBER 2017-0289-SHA
DATE 6/12/17

[illegible]

6/12
11 AM

Case No.: 2017-0284-SHA (4010 Briar Pt. Rd.)

Exhibit Sheet

Petitioner/Developer

192
7-17-17

Protestants

Slu
6-14-17

No. 1	site plan (revised)	
No. 2	Deed	
No. 3	Aerial photo (My Neighborhood)	
No. 4	Buffer Management Plan	
No. 5	5A + 5B Architectural Elevations	
No. 6	Letter from Daniel Utter (neighbor)	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

This Deed, Made this 18th day of December

in the year one thousand nine hundred and fifty-nine, by and between

- Jane Homer Lee and Ferdinand C. Lee, her husband, -

of Collier County, State of Florida, ~~and the State of Maryland~~, of the first part, and

X - Jerome E. Pazourek and Evelyn K. Pazourek, his sister, -

of the second part.

Witnesseth, that in consideration of the sum of Five Dollars and other valuable consideration, receipt of which is hereby acknowledged, -
thesaid Jane Homer Lee and Ferdinand C. Lee, her husband, -

do grant and convey unto thesaid Jerome E. Pazourek and Evelyn K. Pazourek, his sister, as joint tenants, and not as tenants in common, the survivor of them, their assigns and the survivor's -

heirs and assigns, in fee simple, all that lot and parcel of the ground, situate, lying and being in Baltimore County, State of Maryland, aforesaid, and described as follows, that is to say:—

Beginning for the same at a point on the northwest side of Burke Road (20 feet wide) at the end of the second or South 18 degree 18 minute East 456.90 foot line of the parcel of land which by deed dated July 13, 1956 and recorded among the land records of Baltimore County in Liber G.L.B. No. 2982, folio 543, and which was conveyed by Janet H. Hughes to Joseph J. Orzolek and Julia Orzolek, his wife, and running thence binding on said northwest side of Burke Road, with the use thereof in common with others, (the courses herein being referred to the True Meridian established by Baltimore County Metropolitan District) North 55 degrees 24 minutes East 101.05 feet, thence northwesterly parallel to and 100 feet northeasterly measured at right angles from said second line in the conveyance from Hughes to Orzolek, North 26 degrees 21 minutes West 455.07 feet to the waters of Goose Harbor Creek, thence binding on said shore line, South 56 degrees 10 minutes West 100.86 feet to the beginning of said second line in the conveyance from Hughes to Orzolek, thence with and binding on said second line, South 26 degrees 21 minutes East 457.03 feet to the place of beginning.

PETITIONER'S

EXHIBIT NO.

2



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs, as a result of, or in connection with, the use of this data.

Printed 11/28/16

PETITIONER'S

EXHIBIT NO. 3

- [illegible]

R403.21 MECHANICAL DUCT INSULATION:
SUPPLY DUCTS IN ATTIC R-6 MINIMUM
SUPPLY DUCTS OUTSIDE OF CONDITIONED SPACES R-6 MINIMUM
ALL OTHER DUCTS EXCEPT THOSE LOCATED COMPLETELY INSIDE
THE BUILDING THERMAL ENVELOPE R-6 MINIMUM. DUCTS LOCATED
UNDER CONCRETE SLABS MUST BE R-6 MINIMUM

RAC9.2.2 DUCT SEALING:
ALL DUCTS, AIR HANDLERS, FILTER BOXES WILL BE SEALED JOINTS
AND BEAMS WILL COMPLY WITH SECTION M1301.4.1 OF THE IBC.

A DUCT TIGHTNESS TEST ("DUCT BLASTER" DUCT TOTAL LEAKAGE TEST) SHALL BE PERFORMED ON ALL HOMES AND SHALL BE VERIFIED BY EITHER A POST CONSTRUCTION TEST OR A SMOKE-TOO TEST. DUCT TIGHTNESS IS NOT REQUIRED IF THE AIR HANDLER AND ALL DUCTS ARE LOCATED WITHIN THE CONDITIONED SPACE.

R403.5 MECHANICAL VENTILATION:
OUTDOOR (MAKE-UP) AIR WILL BE BROUGHT INTO THE HOME
THRU A DUCT WITH AN AUTOMATIC OR GRAVITY DAMPER.

R403.6 EQUIPMENT SHALL COMPLY WITH R403.4

RA02.6 EQUIPMENT SIZES SHALL COMPLY WITH RA02.6

RA04.1 LIGHTING EQUIPMENT.
A MINIMUM OF 75% OF ALL LAMPS (LIGHTS) MUST BE
HIGH-EFFICACY LAMPS.

WATER HEATER:
MINIMUM EFFICIENCY ESTABLISHED BY NAECA

MECHANICAL TESTING:
ALL MECHANICAL TESTING TO BE PERFORMED BY CONTRACTOR.
THIS CONTRACTOR ALSO RESPONSIBLE FOR GENERATING
CERTIFICATE OF COMPLIANCE AND AFFIXING TO ELECTRICAL PANEL.

CERTIFICATE OF COMPLIANCE AND AFFIDAVIT TO ELECTRICAL PANEL

_____ RIDGE VENT _____

(continued)



THE UNITED STATES OF AMERICA
DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

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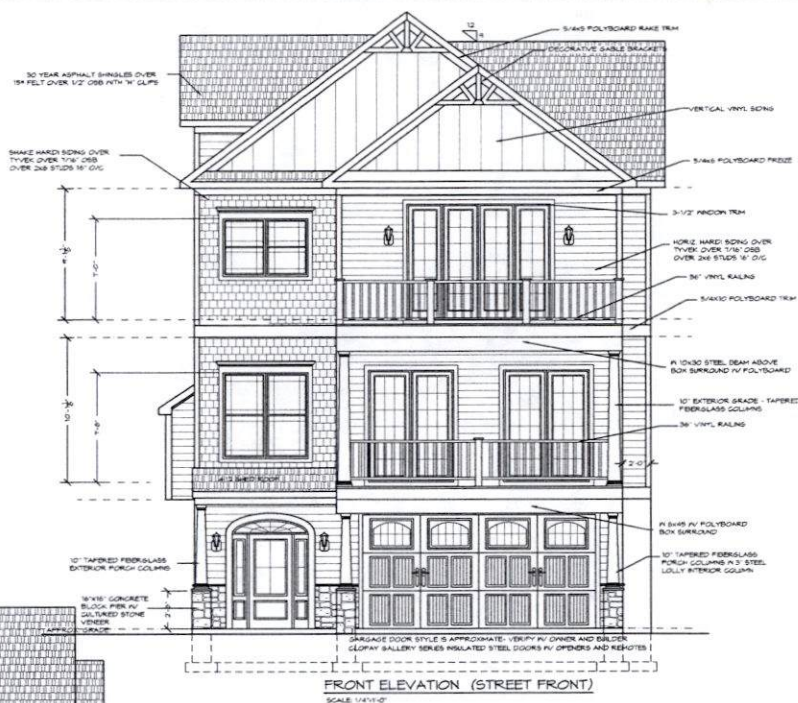
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The diagram shows a central square load connected to three phase conductors (labeled 1, 2, and 3) via three separate lines. The conductors are arranged in a triangular pattern around the central load.

SMARTVENT FLOOD VENT TYPICAL

— $\Gamma(\mathbb{R}P^1, \mathcal{A}_0)$



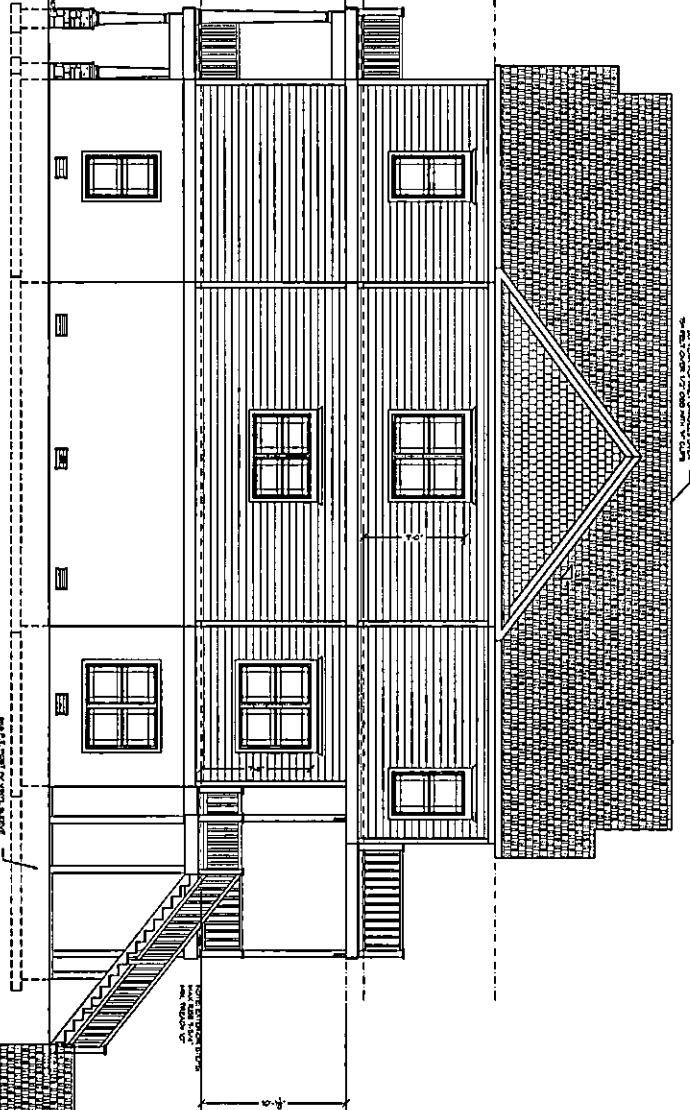
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EXHIBIT NO. 5A & B

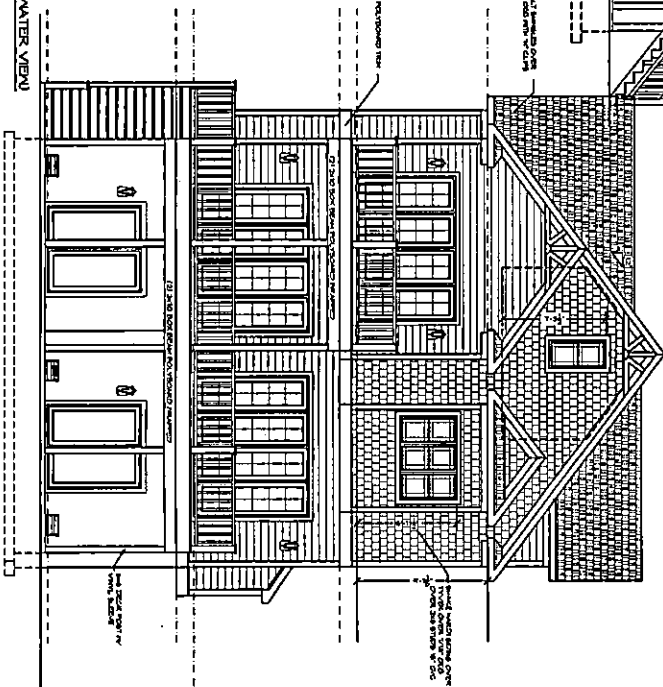
1. PER BALTIMORE COUNTY BUILDING CODE (BMC) §§ 47-101 PART 123-13 AREAS AND LIMITED STORAGE MUST BE SOLY FOR PARKING VEHICLES AND LIMITED STORAGE HAVING INTERIOR WALLS, GELINGS, AND FLOOR ELIMINATE BELOW FLOOD PROTECTION ELEVATION UNFINISHED. FIRE PROTECTION STILL APPLIES.
2. PER THE BALTIMORE COUNTY BUILDING CODE (BMC) §§ 47-101 PART 123-13 AREAS BELOW THE FLOOD PROTECTION ELEVATION SHALL BE CONSTRUCTED OF FLOOD-RESISTANT MATERIALS. FIRE PROTECTION STILL APPLIES.
3. PER THE BALTIMORE COUNTY BUILDING CODE (BMC) §§ 47-101 PART 123-13 AREAS BELOW THE FLOOD PROTECTION ELEVATION, CONTACTS, ELECTRICAL, PLUMBING, REFRIGERATION, OR APPLIANCES LOCATED BELOW THE FLOOD PROTECTION ELEVATION SHALL BE FIRE PROTECTION STILL APPLIES.
4. REVEAL FLOOD PROTECTION REQUIREMENTS AND NOTE THAT ANY MECHANICAL, ELECTRICAL, AND EQUIPMENT SHALL BE REMOVED AND DISPOSED OF.

SCALE 1/4" = 1'-0"	
DATE	
SHEET NO. 1 OF 9	

RIGHT SIDE ELEVATION
SCALE 1/4" = 1'-0"



REAR ELEVATION (WATER VIEW)
SCALE 1/4" = 1'-0"



June 9, 2017

To whom it may concern:

I, Daniel Utter, owner of 4016 Briar Point Road, Baltimore, Maryland 21220, fully support the zoning request by David and Tyler Eggleton, owners of 4010 Briar Point Road.

Please allow this letter to serve as my consent. Please feel free to contact me with any questions or concerns.

Best regards,

A handwritten signature in black ink, appearing to be 'D. Utter', written over a horizontal line.

Daniel Utter
BMU Properties, LLC
4016 Briar Point Road
Baltimore, MD 21220
443-992-8511

PETITIONER' S

EXHIBIT NO. 6

GENERAL SITE INFORMATION

1. Ownership: David H. Eggleton and Tyler D. Eggleton
913 Ridgebrook Road Suite 216 Sparks MD 21152
2. Address: 4010 Briar Point Road Baltimore MD 21220
3. Deed references: JLE 38733/128
4. Area: 26,789 sq. ft. / 1.04 acre (per SDAT)
5. Tax Map / Parcel / Tax account #: 98 / 169 / 15-16-001980
6. Election District: 15 Councilmanic District: 6
ADC Map: 4823A1 GIS tile: 098C1 Position sheet: 108NW10
Census tract: 451802 Census block: 24005418023006
Schools: Seneca ES Middle River MS Kenwood HS
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tiles 022A2 and the information provided by Baltimore County on the internet.
8. Improvements: Vacant

OFFICE OF ZONING

Zoning: R.C. 5 There are no previous zoning cases on the subject lot.

Parking Calculations

Required parking spaces: 2
(2 parking spaces per dwelling)
Parking spaces provided on site: 2

R.C. 5 Setbacks for Dwellings

Front: 75 feet from the center line of a street or road
Side / Rear: 50 feet from a property line other than a street line

ENVIRONMENTAL IMPACT

Watershed: Gunpowder River URDL land type: 1

1. The existing dwelling is currently serviced by public water and sewer.
2. There are no underground storage tanks on the subject property.
3. The subject property is in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

OFFICE OF PLANNING

Regional Planning District: Windlass District Code: 322

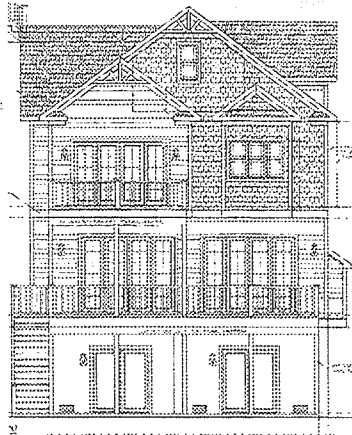
1. The subject property is not in a historic district.

PROPOSED DEVELOPMENT

The construction of a dwelling and a garage



FRONT ELEVATION
(STREET FRONT)



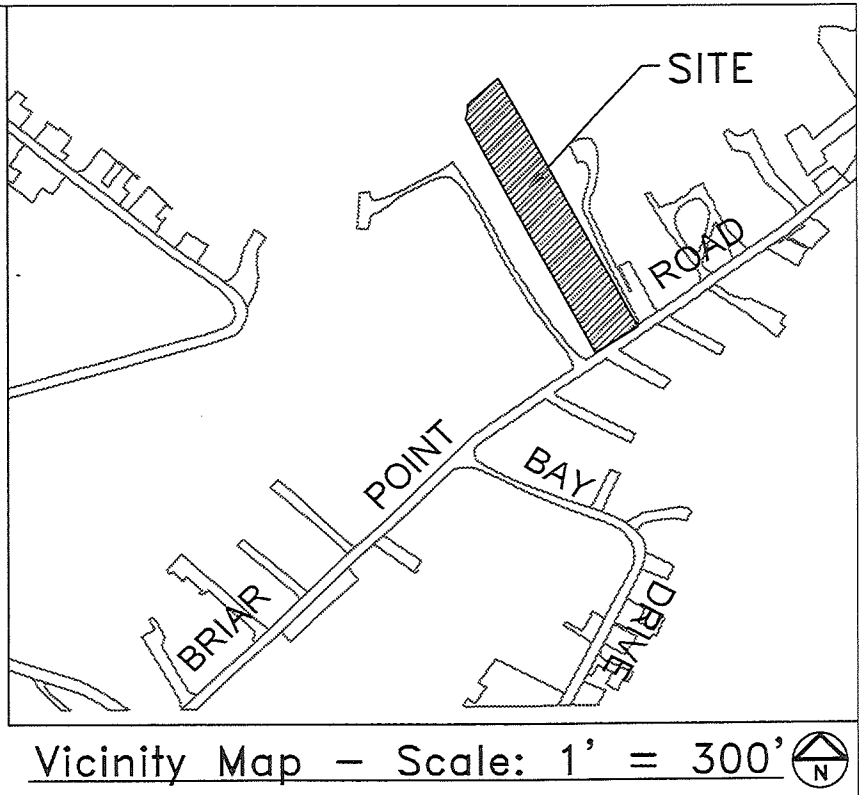
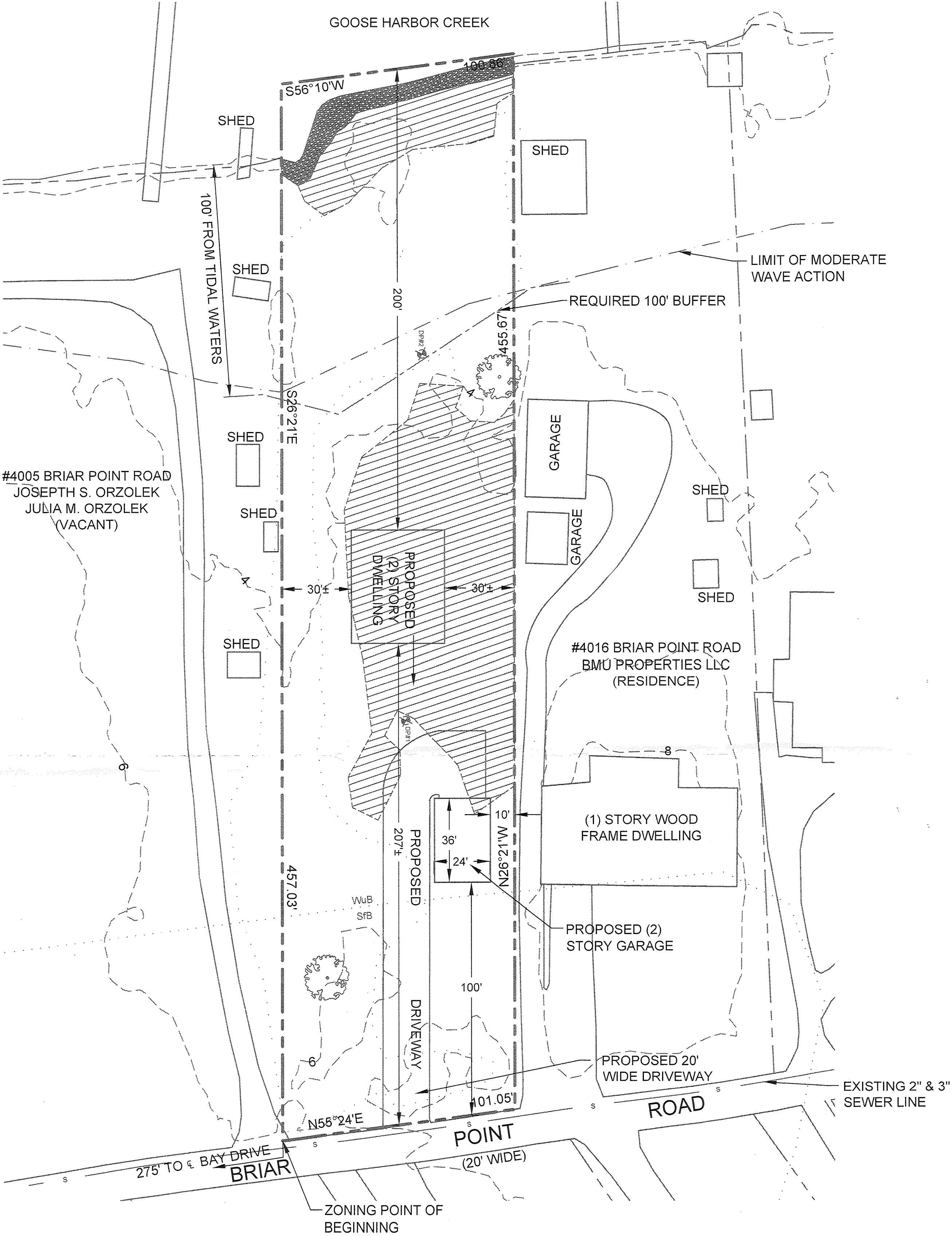
REAR ELEVATION
(WATER VIEW)



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Fresland, MD 21063
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION
FOR THE
DAVID H. & TYLER D. EGGLETON PROPERTY
#4010 BRIAR POINT ROAD

BALTIMORE COUNTY, MARYLAND
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT



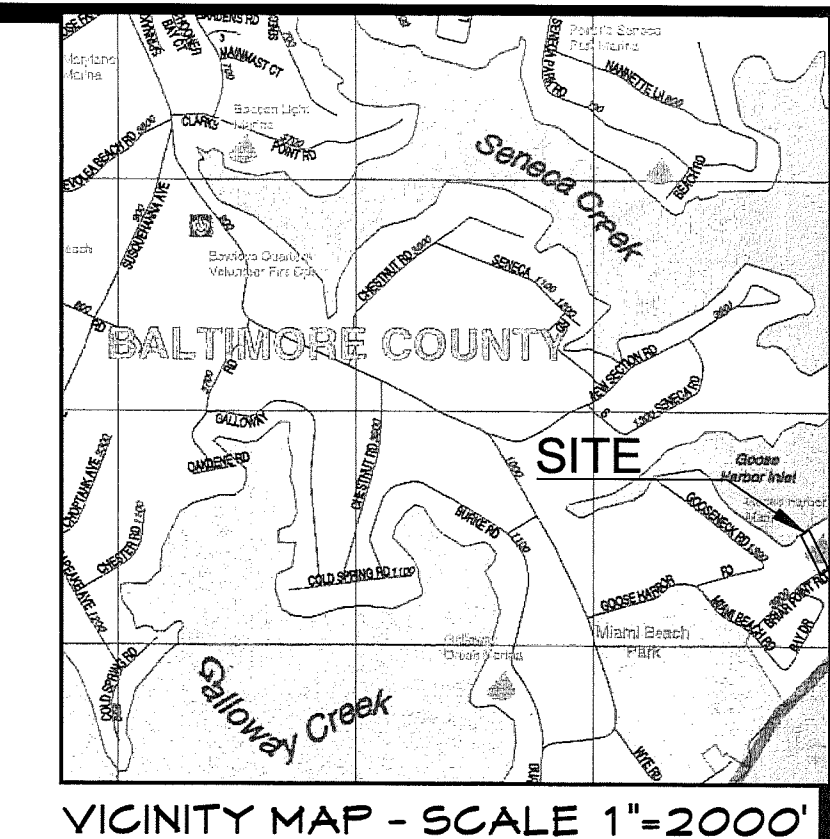
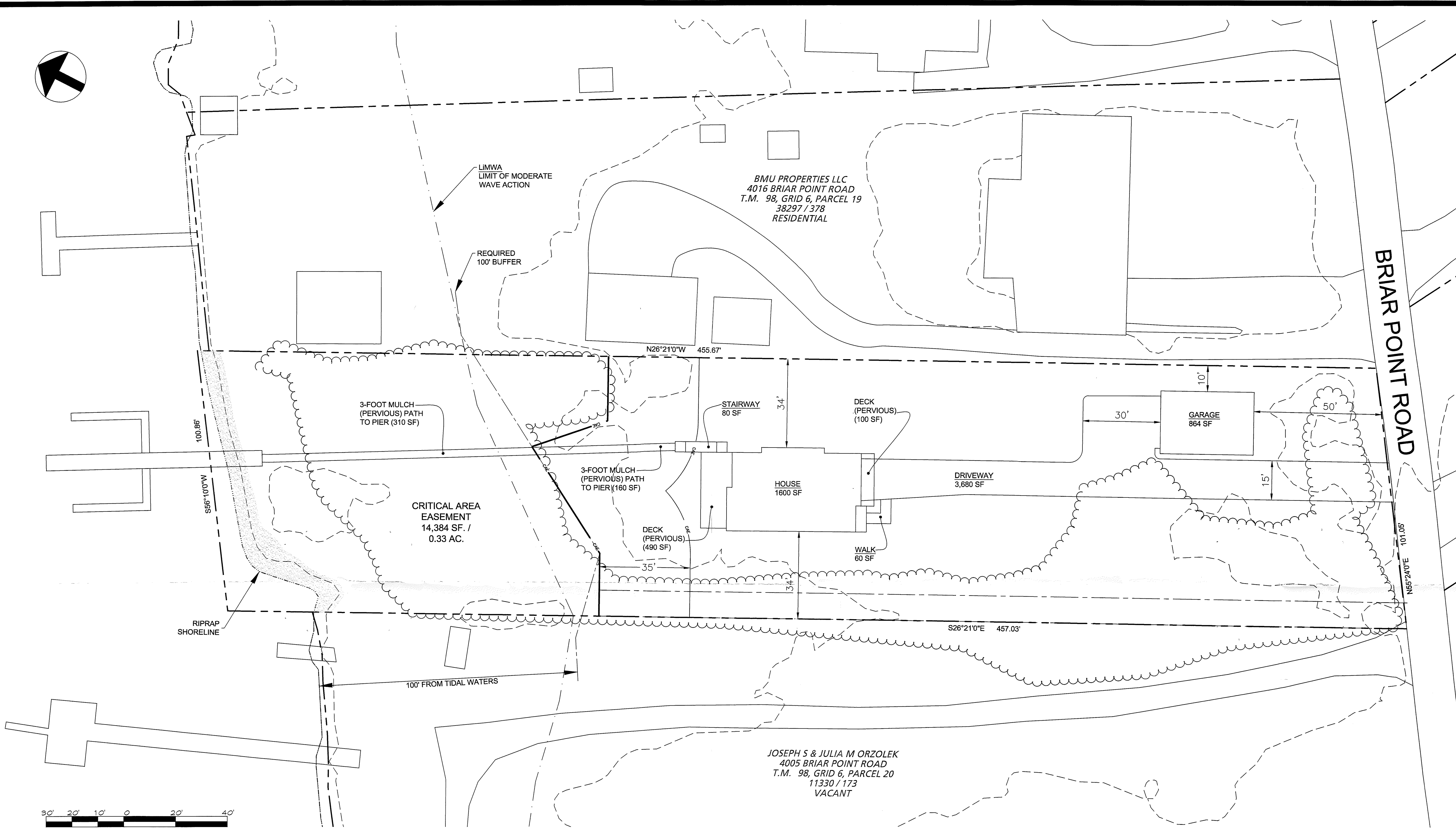
Date: 4/8/2017
Scale: 1"=30"



REVISION
5/3/17 MOVE GARAGE PER PLANNING'S REVIEW
COMMENTS

PETITIONER'S

EXHIBIT NO. 1



NOTES

1. PROPERTY LINES SHOWN ARE FROM DEED AND DOES NOT REPRESENT A FIELD RUN BOUNDARY SURVEY
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS (TILE 98C1)
3. THE SUBJECT PROPERTY IS LOCATED IN THE LIMITED DEVELOPMENT AREA OF THE CHESAPEAKE BAY CRITICAL AREA
4. LOTS SHOWN HEREON IS TO BE SERVED BY PUBLIC WATER AND SEWER
5. THE SITE IS LOCATED IN THE GOOSE HARBOR INLET WATERSHED (USE II)
6. THE SITE IS SHOWN IN ZONE AE ON THE FIRM MAP OF BALTIMORE COUNTY ON COMMUNITY PANEL 2400100465G

LEGEND

- PROPERTY LINE ---
- EXISTING TREE LINE ~~~~~
- SOILS BOUNDARY -.-.-
- WATERS EDGE -.-.-
- LIMWA LINE -.-.-
- CBCA BUFFER -.-.-

15% TREE COVER OF LDA SITES IS REQUIRED

15% OF 26,789 SF = 4,018 SF
9,452 SF OF EXISTING FOREST WITHIN PROPOSED CAE EASEMENT

FOREST CLEARING CALCULATIONS

15,456 SF OF EXISTING FOREST ON SITE

6,004 SF FOREST CLEARING IS PROPOSED (39%)
THE PROPOSED FOREST CLEARING IS LOCATED OUTSIDE THE 100' BUFFER

1:1 MITIGATION FOR CLEARING UP TO 20%
1½:1 MITIGATION FOR CLEARING UP TO 30%
3:1 MITIGATION FOR CLEARING OVER 30%

LOT COVERAGE (SQ FT)								
TOTAL SITE AREA	15% LIMIT LOT COVERAGE	HOUSE	STAIRWAY	WALK	DRIVEWAY	GARAGE	TOTAL	PERCENTAGE LOT COVERAGE
45,302	6,795	1,600	80	60	3,680	864	6,284	13.9%

MITIGATION REQUIREMENTS

FOREST REMOVAL

PROPOSED FOREST CLEARED: 6,004 SF OR 39%

3:1 MITIGATION @ \$ 1.50/SF = \$ 3,754.50

THE PATH TO THE PIER FOR WATER ACCESS

MITIGATED AT A RATE 2:1 (99 SF X 2 = 198 SF, FEE-IN-LIEU RATE IS \$ 1.50/SF = \$297.00)

TOTAL AMOUNT OF MITIGATION FEE-IN-LIEU = \$24,216.00

REVISIONS DATE DESCRIPTION		HUMAN & ROHDE, INC. Landscape Architects 512 Virginia Ave. Towson, Maryland 21286 (410) 825-3885 Phone (410) 825-3887 Fax	PROPERTY OWNER: DAVID H. EGGLETON & TYLER D EGGLETON 913 RIDGEBROOK ROAD UNIT 216 SPARKS, MD 21152 1.04 ACRES TAX ACCOUNT NO.: 1516001980 TAX MAP 98 PARCEL 169 15TH ELECTION DISTRICT 6th COUNCILMANIC DISTRICT ZONED RC 5	4010 BRIAR POINT ROAD	BUFFER MANAGEMENT PLAN	SCALE: 1" = 20'
						DESIGNED: DML
						DRAWN: EEV
						CHECKED: DML
						DATE: JUNE 7, 2017
PETITIONER'S						SHEET: 1 of 1