

MEMORANDUM

DATE: August 17, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0331-A – Appeal Period Expired

The appeal period for the above-referenced case expired on August 16, 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 ADMIN. VARIANCE
(3674 Revolea Avenue)
15th Election District
6th Council District
Harold Morris 3rd
Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2017-0331-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owner of the property, Harold Morris 3rd ("Petitioner"). The Petitioner is requesting Variance relief from § 427.1.B.1.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to erect a 6 ft. high fence in the side yard which adjoins the neighbor's front yard. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The property is located within the Chesapeake Bay Critical Area (CBCA) and is subject to Critical Area requirements as noted in the ZAC comment dated June 26, 2016 submitted by the Department of Environmental Protection and Sustainability (DEPS).

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on June 25, 2017, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

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Date 7-17-17

By DW

welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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

THEREFORE, IT IS ORDERED, this 17th day of **July, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 427.1.B.1.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 6 ft. high fence in the rear yard which adjoins the neighboring front yard in lieu of the maximum allowed height of 42 in., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- The Petitioner may apply for his appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- The Petitioner must comply with the ZAC comment submitted by DEPS dated June 26, 2017; a copy of which is attached hereto and made a part hereof.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 7-17-17

By [Signature]



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 3674 Revolvea beach Rd Currently zoned DR 3.5
 Deed Reference 37654 / 00005 10 Digit Tax Account # 2400003606
 Owner(s) Printed Name(s) HAROLD MORRIS

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the **Affidavit** on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

- X** **ADMINISTRATIVE VARIANCE** from Section(s) 427.1.B.1.2: To erect a 6 foot high fence in the side yard which adjoins the neighbors front yard

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

- ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

HAROLD MORRIS /
 Name #1 – Type or Print Name #2 – Type or Print
[Signature] /
 Signature #1 Signature #2
3674 Revolvea beach rd middle river mo
 Mailing Address City State
21220 / 4105537354 /
 Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

 Name- Type or Print

 Signature

 Mailing Address City State
 _____ / _____ / _____
 Zip Code Telephone # Email Address

Representative to be contacted:

 Name – Type or Print

 Signature

 Mailing Address City State
 _____ / _____ / _____
 Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

ORDER RECEIVED FOR FILING

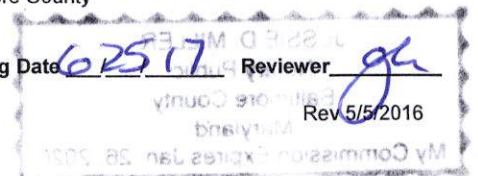
Filing Date 6/12/17

Estimated Posting Date 6/25/17

Reviewer gk

Date 7-17-17

By [Signature]



Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 3674 Revolen Beach Rd middleriver MD 21220
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

I Am requesting a variance for a 6 foot fence to
extend my yard ~~to~~ to help keep my large dogs
and young children safe from the main Road.

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

[Signature]
Signature of Owner (Affiant)

HAROLD MORRIS
Name- Print or Type

Signature of Owner (Affiant)

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27 day of May, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Harold Morris

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

1/26/2020
My Commission Expires



Affidavit in Support of Administrative Variance

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The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 3674 Revolea Beach Rd middle river MD 21220
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

I Am requesting a variance for a 6 foot fence to
extend my yard and help keep my large dogs
and young children safe from the main road.

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

[Signature]
Signature of Owner (Affiant)

Signature of Owner (Affiant)

HAROLD MORRIS
Name- Print or Type

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

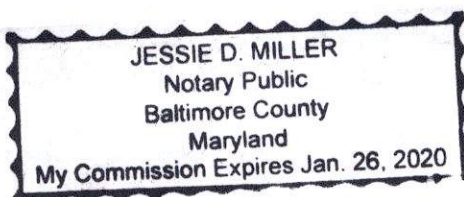
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27 day of May, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Harold Morris

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal



[Signature]
Notary Public
1/26/2020
My Commission Expires



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

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Address 3674 Revolvea beach Rd Currently zoned DR 3.5
Deed Reference 37654 / 00005 10 Digit Tax Account # 2400003606
Owner(s) Printed Name(s) HAROLD MORRIS

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the **Affidavit** on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. **X** **ADMINISTRATIVE VARIANCE** from Section(s) 427.1.31.2 To erect a 6 foot high fence in the side yard which adjoin the neighbors front yard.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

HAROLD MORRIS /
Name #1 – Type or Print Name #2 – Type or Print
[Signature] /
Signature #1 Signature #2
3674 Revolvea beach rd middleriver md
Mailing Address City State
21220 / 4105537354 /
Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

Representative to be contacted:

Name – Type or Print
Signature SAME
Mailing Address City State
Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2017-0331-A
ORDER RECEIVED FOR FILING

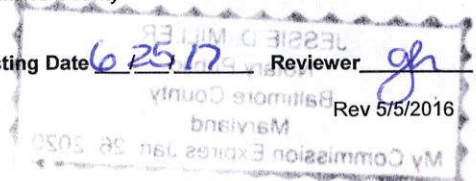
Filing Date 6/12/17

Estimated Posting Date 6/25/17

Reviewer gh

Date 7-17-17

By [Signature]



ZONING PROPERTY DESCRIPTION FOR 3674 REVOLEA BEACH ROAD

Beginning at a point on the northwest side of Revolea Beach Road, which has a 30-foot right of way, at a distance of +/- 25 feet west of the centerline of the nearest improved intersecting street Bowleys Quarters Road, which has a +/- 40-foot right of way (ie: the west corner of intersection). Being Lot #162 in the subdivision of Revolea Beach as recorded in Baltimore County Plat Book #5, Folio #67, containing 16,104 square feet. Located in the 15th Election District and 6th Councilmanic Dristict.

2017-0331-A

CERTIFICATE OF POSTING

2017-0331-A

RE: Case No.: _____

Petitioner/Developer: _____

Herold Morris

July 10, 2017

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

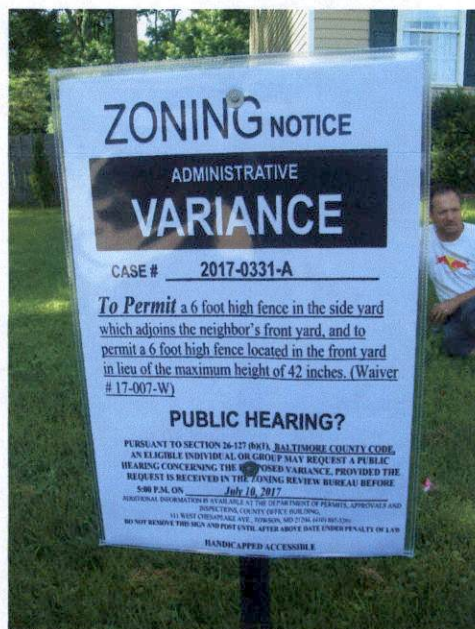
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

3674 Revolea Beach Road

June 25, 2017

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 June 25, 2017

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0331 -A Address 3674 Revoka Beach Rd

Contact Person: Gary Hucik Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 6/12/17 Posting Date: 6/25/17 Closing Date: 7/10/17

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2017- 0331 -A Address 3674 Revoka Beach Rd 21220

Petitioner's Name Harold Morris Telephone 410-553-7354

Posting Date: 6/25/17 Closing Date: 7/10/17

Wording for Sign: To Permit a 6 foot high fence in the side yard which adjoins the neighbors front yard, and to permit a 6 foot high fence located in the front yard in lieu of the maximum height of 42 inches (waiver # 17-007-W)

Revised 7/9/15

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

NO 153093

Date: 6/12/17

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

Total: 75.00

Rec From: Harold Morris

For: Administrative hearing

2017-0331-A

3674 Revoked Beach Rd

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRD
6/13/2017 6/12/2017 10:01:05 3
REG US03 WALKIN CAM
>>RECEIPT # 728415 6/12/2017 GFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 153093

Recpt Tot \$75.00
\$1.00 CK \$80.00 CA
\$5.00- CG

Baltimore County, Maryland

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

July 12, 2017

Harold Morris
3674 Revolea Beach Road
Middle River MD 21220

RE: Case Number: 2017-0331 A, Address: 3674 Revolea Beach Road

Dear Mr. Morris:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 12, 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.", written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

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



Pete K. Rahn, **Secretary**
Gregory Slater, **Administrator**

**STATE HIGHWAY
ADMINISTRATION**

Date: 6/14/17

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. 2017-0331-A

*Administrative Variance
Harold Morris
3674 Revocable Avenue*

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,

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

WW/RAZ

**Maryland Department of Transportation
State Highway Administration**

320 West Warren Road, Hunt Valley, MD 21030

410.229.2300 | TTY 800.735.2258 | roads.maryland.gov

My telephone number/toll-free number is 866.998.0367

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections
DATE: June 30, 2017

FROM: *VJR*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 19, 2017
Item No. 2017-0319, 0320, 0321, 0323, 0325, 0326, 0328, 0329 and
0331

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comment.

VKD: CEN
cc: file
G:\DevPlanRev\ZAC -No Comments\ZAC06192017.doc

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: June 26, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0331-A
Address 3674 Revolea Avenue
(Morris Property)

Zoning Advisory Committee Meeting of **June 19, 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 is subject to Critical Area requirements. The applicant is proposing to allow a 6-foot high fence in the side yard that adjoins the neighbor's front yard. The lot is not waterfront, and is encumbered by a recorded Critical Area Easement. While this office does not oppose the location of the proposed fence, the recent clearing of trees and understory is in violation of the Critical Area Easement. Restoration and/or mitigation, as required by this Department, must occur before any permits are approved. Only after restitution has occurred will adverse impacts to water quality be minimized.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront. The current vegetation clearing violation will not help conserve fish, plant, and wildlife habitat in the Chesapeake Bay. Once all restoration requirements regarding the violation have been met, the location of a

fence along one property line will not adversely impact fish, plant, and wildlife habitat.

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;

As there is currently a Critical Area violation on the property, this proposal is not consistent with the established land use policies for development in the Critical Area. Once this violation has been rectified, then the relief requested will be consistent with established land-use policies for development in the Critical Area.

Reviewer: Regina Esslinger

Date: June 23, 2017

(AV) 7-10-17

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: June 26, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0331-A
Address 3674 Revolea Avenue
(Morris Property)

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Reviewer: Regina Esslinger

Date: June 23, 2017

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

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ORDER RECEIVED FOR FILING

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Files\Content.Outlook\XEGA1Q0V\ZAC 17-0331-A-EIR 3674 Revolea Avenue.doc

Date 7-17-17

By ISW

fence along one property line will not adversely impact fish, plant, and wildlife habitat.

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Date 7-17-17

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Files\Content.Outlook\XEGA1Q0V\ZAC 17-0331-A-EIR 3674 Revolea Avenue.doc

By DW

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>6-30</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>6-26</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>6-14</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>6-25-17</u> by <u>Beck</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

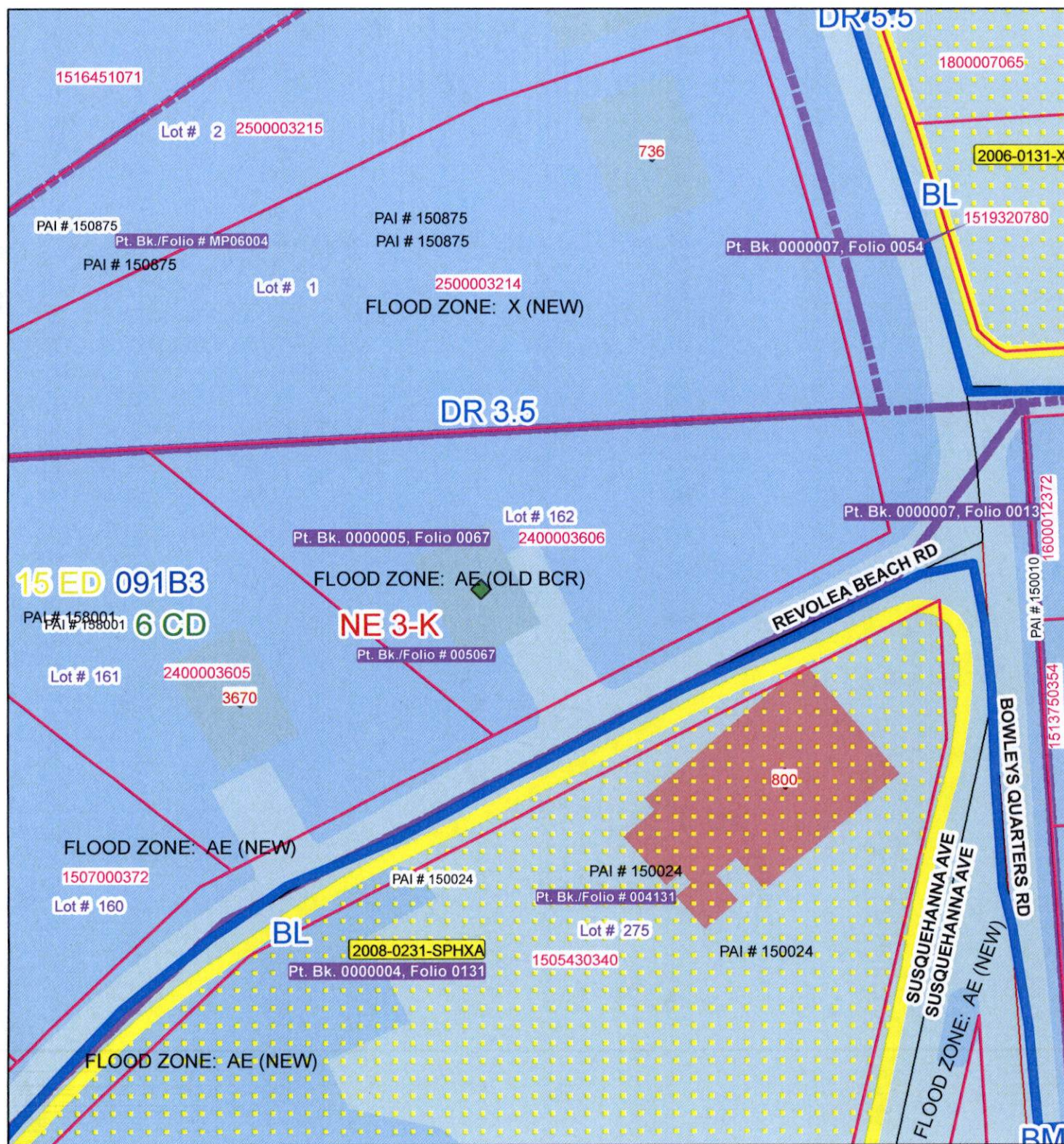
Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 2400003606			
Owner Information					
Owner Name:	MORRIS HAROLD 3RD		Use:	RESIDENTIAL	
Mailing Address:	3674 REVOLEA BEACH RD BALTIMORE MD 21220-4323		Principal Residence:	YES ✓	
			Deed Reference:	/37654/ 00005	
Location & Structure Information					
Premises Address:		3674 REVOLEA BEACH RD BALTIMORE 21220-4323		Legal Description: 3674 REVOLEA BEACH RD REVOLEA BEACH	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0091	0021	0145		0000	162 2015 0005/0067
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area		Finished Basement Area	Property Land Area	County Use
2005	2,280 SF			16,104 SF	04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	NO	STANDARD UNIT	SIDING	2 full	
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of 01/01/2015	As of 07/01/2016	As of 07/01/2017	
Land:	123,000	123,000			
Improvements	131,300	161,700			
Total:	254,300	284,700	274,567	284,700	
Preferential Land:	0			0	
Transfer Information					
Seller: NALL RYAN A		Date: 06/17/2016		Price: \$170,000	
Type: ARMS LENGTH IMPROVED		Deed1: /37654/ 00005		Deed2:	
Seller: V & W HOMES LLC		Date: 09/02/2005		Price: \$279,950	
Type: ARMS LENGTH IMPROVED		Deed1: /22480/ 00440		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					
Homeowners' Tax Credit Application Information					

Flood Hazard Area



Publication Date: 5/30/2017



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

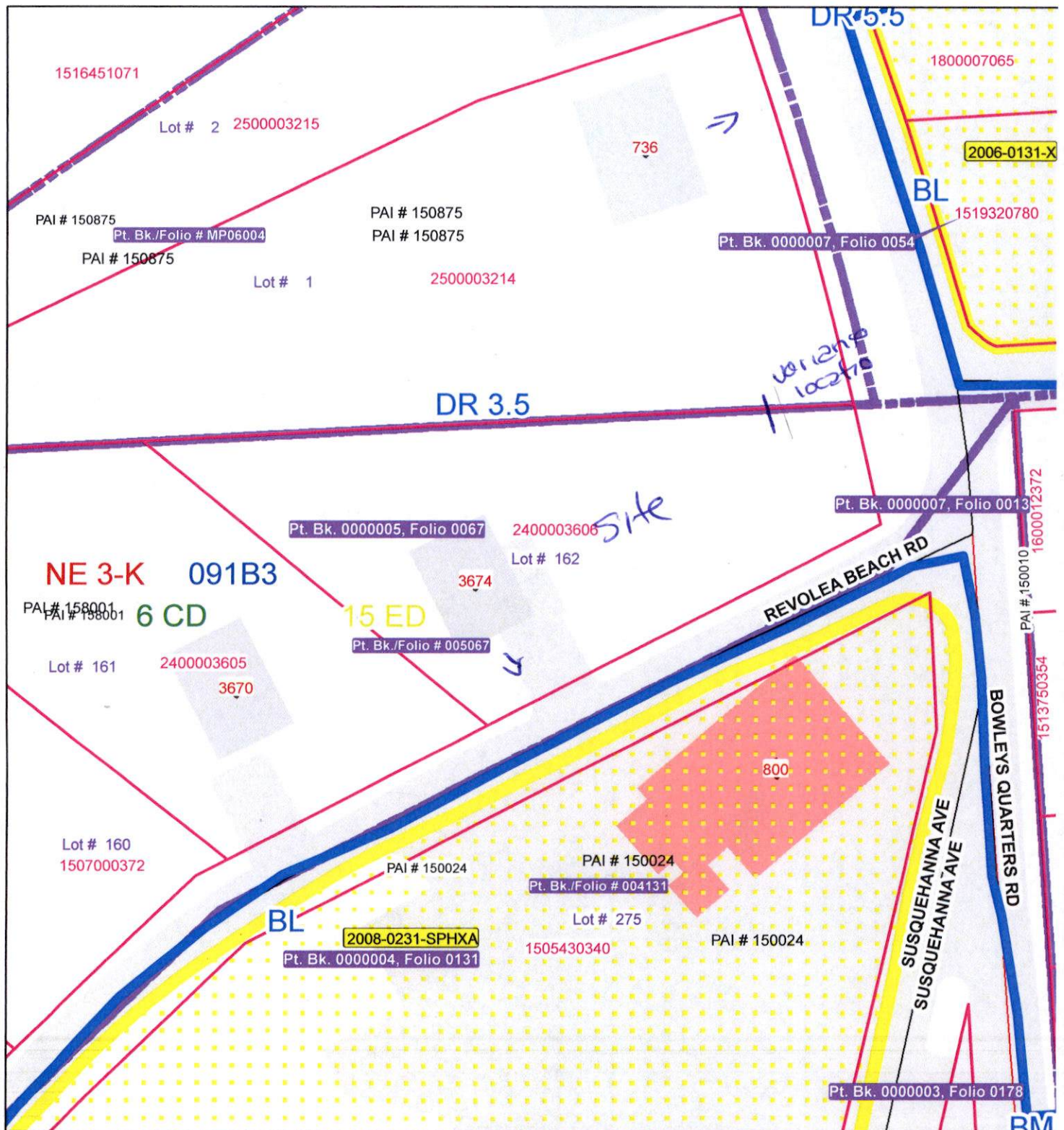


0 12.5 25 50 75 100 Feet

1 inch = 50 feet

2017-0331-A

3072 Revolea Beach Road



Publication Date: 5/30/2017



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

2017-0331-A



Front Revolea beach corner
front

2017- 0331-A



SIDE yard.

2017-0331-A

MEMORANDUM

DATE: August 17, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0331-A – Appeal Period Expired

The appeal period for the above-referenced case expired on August 16, 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 ADMIN. VARIANCE
(3674 Revolea Avenue)
15th Election District
6th Council District
Harold Morris 3rd
Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2017-0331-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owner of the property, Harold Morris 3rd ("Petitioner"). The Petitioner is requesting Variance relief from § 427.1.B.1.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to erect a 6 ft. high fence in the side yard which adjoins the neighbor's front yard. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The property is located within the Chesapeake Bay Critical Area (CBCA) and is subject to Critical Area requirements as noted in the ZAC comment dated June 26, 2016 submitted by the Department of Environmental Protection and Sustainability (DEPS).

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on June 25, 2017, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

ORDER RECEIVED FOR FILING

Date 7-17-17

By DW

welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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

THEREFORE, IT IS ORDERED, this 17th day of **July, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 427.1.B.1.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 6 ft. high fence in the rear yard which adjoins the neighboring front yard in lieu of the maximum allowed height of 42 in., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- The Petitioner may apply for his appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- The Petitioner must comply with the ZAC comment submitted by DEPS dated June 26, 2017; a copy of which is attached hereto and made a part hereof.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 7-17-17

By [Signature]



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 3674 Revolvea beach Rd Currently zoned DR 3.5
Deed Reference 37654 / 00005 10 Digit Tax Account # 2400003606
Owner(s) Printed Name(s) HAROLD MORRIS

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. X ADMINISTRATIVE VARIANCE from Section(s) 427.1.B.1.2: To erect a 6 foot high fence in the side yard which adjoins the neighbors front yard

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. _____ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

HAROLD MORRIS /
Name #1 – Type or Print Name #2 – Type or Print
[Signature] /
Signature #1 Signature #2
3674 Revolvea beach rd middle river mo
Mailing Address City State
21220 / 4105537354 /
Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address City State

Zip Code / Telephone # / Email Address

Representative to be contacted:

Name – Type or Print

Signature

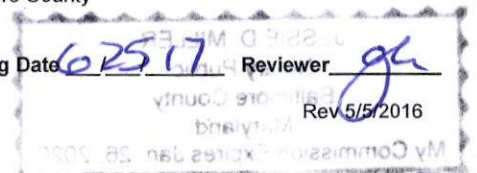
Mailing Address City State

Zip Code / Telephone # / Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2017-0331A Filing Date 6/12/17 Estimated Posting Date 6/25/17 Reviewer gl
Date 7-17-17
By [Signature]



Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 3674 Revolea Beach Rd middleriver MD 21220
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

I Am requesting a Variance for a 6 foot fence to
extend my yard ~~to~~ to help keep my large dogs
and young children safe from the main Road.

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

[Signature]
Signature of Owner (Affiant)

HAROLD MORRIS
Name- Print or Type

Signature of Owner (Affiant)

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27 day of May, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Harold Morris

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

1/26/2020
My Commission Expires



Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 3674 Revolea Beach Rd middleriver MD 21220
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

I Am requesting a variance for a 6 foot fence to extend my yard and help keep my large dogs and young children safe from the main road.

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

[Signature]
Signature of Owner (Affiant)

Signature of Owner (Affiant)

HAROLD MORRIS
Name- Print or Type

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27 day of May, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

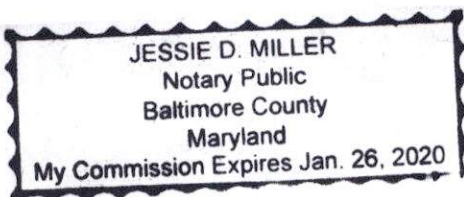
Print name(s) here: Harold Morris

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

1/26/2020
My Commission Expires





ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 3674 Revolvea beach Rd Currently zoned DR 3.5
Deed Reference 37654 / 00005 10 Digit Tax Account # 2400003606
Owner(s) Printed Name(s) HAROLD MORRIS

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ ADMINISTRATIVE VARIANCE from Section(s) 427.1.31.2 To erect a 6 foot high fence in the side yard which adjoin the neighbors front yard.

of the zoning regulations or Baltimore County, to the zoning law of Baltimore County.

2. ☐ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

HAROLD MORRIS /
Name #1 – Type or Print Name #2 – Type or Print
HAROLD MORRIS /
Signature #1 Signature #2
3674 Revolvea beach rd middleriver md
Mailing Address City State
21220 / 4105537354 /
Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

Representative to be contacted:

Name – Type or Print
Signature SAME
Mailing Address City State
Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2017-0331-A
ORDER RECEIVED FOR FILING

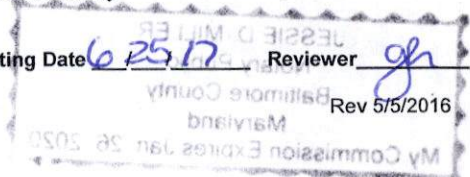
Filing Date 6/12/17

Estimated Posting Date 6/25/17

Reviewer gh

Date 7-17-17

By BW



ZONING PROPERTY DESCRIPTION FOR 3674 REVOLEA BEACH ROAD

Beginning at a point on the northwest side of Revolea Beach Road, which has a 30-foot right of way, at a distance of +/- 25 feet west of the centerline of the nearest improved intersecting street Bowleys Quarters Road, which has a +/- 40-foot right of way (ie: the west corner of intersection). Being Lot #162 in the subdivision of Revolea Beach as recorded in Baltimore County Plat Book #5, Folio #67, containing 16,104 square feet. Located in the 15th Election District and 6th Councilmanic Dristict.

2017-0331-A

CERTIFICATE OF POSTING

2017-0331-A

RE: Case No.: _____

Petitioner/Developer: _____

Herold Morris

July 10, 2017

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

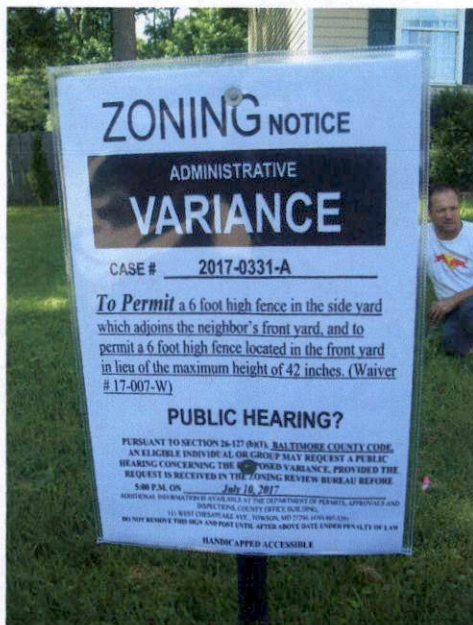
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

3674 Revolea Beach Road

June 25, 2017

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

June 25, 2017

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0331 -A Address 3674 Revoka Beach Rd

Contact Person: Gary Hucik Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 6/12/17 Posting Date: 6/25/17 Closing Date: 7/10/17

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2017- 0331 -A Address 3674 Revoka Beach Rd 21220

Petitioner's Name Harold Morris Telephone 410-553-7354

Posting Date: 6/25/17 Closing Date: 7/10/17

Wording for Sign: To Permit a 6 foot high fence in the side yard which adjoins the neighbors front yard, and to permit a 6 foot high fence located in the front yard in lieu of the maximum height of 42 inches (waiver # 17-007-W)

Revised 7/9/15

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

No 153093

Date:

6/12/17

Rev Sub
Source/ Rev/

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

Total: 75.00

Rec

From:

Harold Morris

For:

Administrative hearing

2017-0331-A

3614 Revoked Beach Rd

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRD
6/13/2017 6/12/2017 10:01:05 3
REG NS03 WALKIN CAM
>>RECEIPT # 728415 6/12/2017 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 153093

Recpt Tot \$75.00
\$0.00 CK \$80.00 CA
\$5.00- CG
Baltimore County, Maryland

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

July 12, 2017

Harold Morris
3674 Revolea Beach Road
Middle River MD 21220

RE: Case Number: 2017-0331 A, Address: 3674 Revolea Beach Road

Dear Mr. Morris:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 12, 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 circular embossed seal.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

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



Pete K. Rahn, Secretary
Gregory Slater, Administrator

STATE HIGHWAY
ADMINISTRATION

Date: 6/14/17

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. 2017-0331-A

Administrative Variance
Harold Morris
3674 Revoclea Avenue

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

Maryland Department of Transportation
State Highway Administration

320 West Warren Road, Hunt Valley, MD 21030

410.229.2300 | TTY 800.735.2258 | roads.maryland.gov

My telephone number/toll-free number is 866.998.0367

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: June 30, 2017

FROM: *MD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 19, 2017
Item No. 2017-0319, 0320, 0321, 0323, 0325, 0326, 0328, 0329 and
0331

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comment.

VKD:CEM
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC06192017.doc

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: June 26, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0331-A
Address 3674 Revolea Avenue
(Morris Property)

Zoning Advisory Committee Meeting of **June 19, 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 is subject to Critical Area requirements. The applicant is proposing to allow a 6-foot high fence in the side yard that adjoins the neighbor's front yard. The lot is not waterfront, and is encumbered by a recorded Critical Area Easement. While this office does not oppose the location of the proposed fence, the recent clearing of trees and understory is in violation of the Critical Area Easement. Restoration and/or mitigation, as required by this Department, must occur before any permits are approved. Only after restitution has occurred will adverse impacts to water quality be minimized.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront. The current vegetation clearing violation will not help conserve fish, plant, and wildlife habitat in the Chesapeake Bay. Once all restoration requirements regarding the violation have been met, the location of a

fence along one property line will not adversely impact fish, plant, and wildlife habitat.

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;

As there is currently a Critical Area violation on the property, this proposal is not consistent with the established land use policies for development in the Critical Area. Once this violation has been rectified, then the relief requested will be consistent with established land-use policies for development in the Critical Area.

Reviewer: Regina Esslinger

Date: June 23, 2017

(AV) 7-10-17

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: June 26, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0331-A
Address 3674 Revolea Avenue
(Morris Property)

Zoning Advisory Committee Meeting of **June 19, 2017**.

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The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to allow a 6-foot high fence in the side yard that adjoins the neighbor's front yard. The lot is not waterfront, and is encumbered by a recorded Critical Area Easement. While this office does not oppose the location of the proposed fence, the recent clearing of trees and understory is in violation of the Critical Area Easement. Restoration and/or mitigation, as required by this Department, must occur before any permits are approved. Only after restitution has occurred will adverse impacts to water quality be minimized.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront. The current vegetation clearing violation will not help conserve fish, plant, and wildlife habitat in the Chesapeake Bay. Once all restoration requirements regarding the violation have been met, the location of a

fence along one property line will not adversely impact fish, plant, and wildlife habitat.

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;

As there is currently a Critical Area violation on the property, this proposal is not consistent with the established land use policies for development in the Critical Area. Once this violation has been rectified, then the relief requested will be consistent with established land-use policies for development in the Critical Area.

Reviewer: Regina Esslinger

Date: June 23, 2017

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: June 26, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0331-A
Address 3674 Revolea Avenue
(Morris Property)

Zoning Advisory Committee Meeting of June 19, 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 is subject to Critical Area requirements. The applicant is proposing to allow a 6-foot high fence in the side yard that adjoins the neighbor's front yard. The lot is not waterfront, and is encumbered by a recorded Critical Area Easement. While this office does not oppose the location of the proposed fence, the recent clearing of trees and understory is in violation of the Critical Area Easement. Restoration and/or mitigation, as required by this Department, must occur before any permits are approved. Only after restitution has occurred will adverse impacts to water quality be minimized.

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ORDER RECEIVED FOR FILING

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Files\Content.Outlook\XEGA1Q0V\ZAC 17-0331-A-EIR 3674 Revolea Avenue.doc

Date 7-17-17

By SW

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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;

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Reviewer: Regina Esslinger

Date: June 23, 2017

ORDER RECEIVED FOR FILING

Date 7-17-17

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By DW

C H E C K L I S T

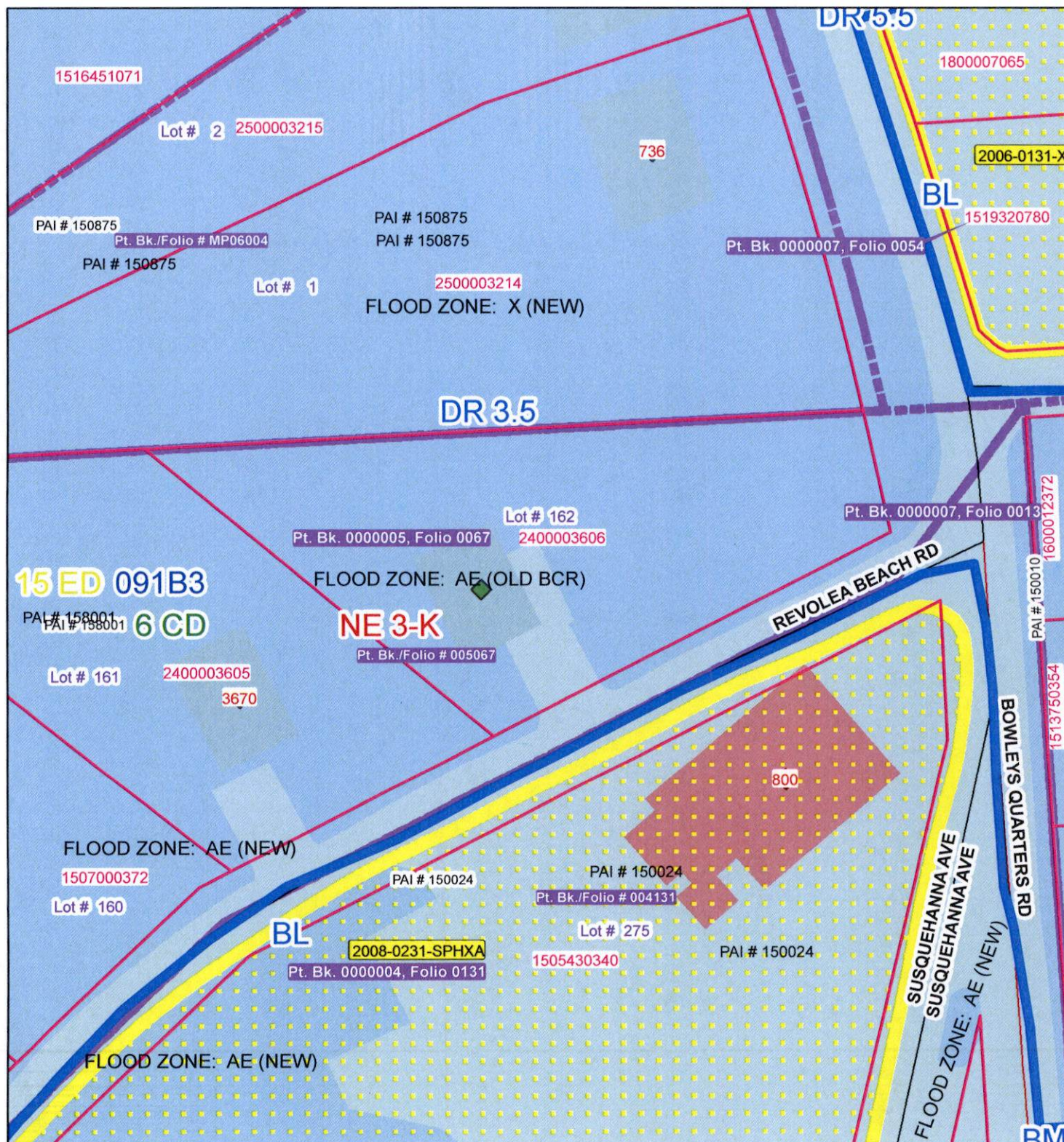
<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>6-30</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>6-26</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>6-14</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>6-25-17</u> by <u>Bluck</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 2400003606			
Owner Information					
Owner Name:	MORRIS HAROLD 3RD		Use:	RESIDENTIAL	
Mailing Address:	3674 REVOLEA BEACH RD BALTIMORE MD 21220-4323		Principal Residence:	YES	
			Deed Reference:	/37654/ 00005	
Location & Structure Information					
Premises Address:		3674 REVOLEA BEACH RD BALTIMORE 21220-4323		Legal Description: 3674 REVOLEA BEACH RD REVOLEA BEACH	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0091	0021	0145		0000	162 2015 0005/0067
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area		Property Land Area	County Use
2005	2,280 SF			16,104 SF	04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	NO	STANDARD UNIT	SIDING	2 full	
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of 01/01/2015	As of 07/01/2016	As of 07/01/2017	
Land:	123,000	123,000			
Improvements	131,300	161,700			
Total:	254,300	284,700	274,567	284,700	
Preferential Land:	0			0	
Transfer Information					
Seller: NALL RYAN A		Date: 06/17/2016		Price: \$170,000	
Type: ARMS LENGTH IMPROVED		Deed1: /37654/ 00005		Deed2:	
Seller: V & W HOMES LLC		Date: 09/02/2005		Price: \$279,950	
Type: ARMS LENGTH IMPROVED		Deed1: /22480/ 00440		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					
Homeowners' Tax Credit Application Information					

Flood Hazard Area



Publication Date: 5/30/2017



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

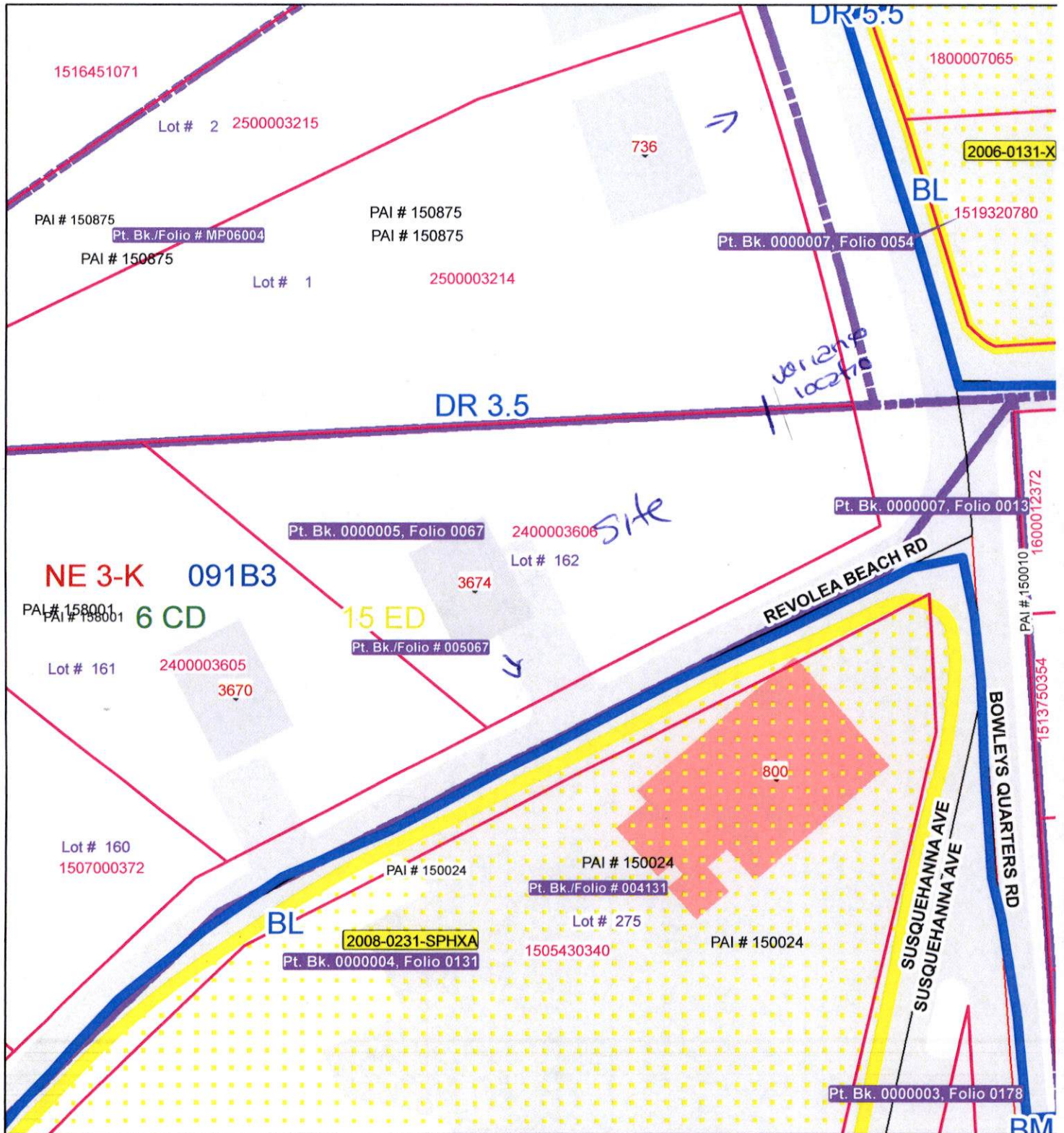


0 12.5 25 50 75 100 Feet

1 inch = 50 feet

2017-0331-A

3072 Revolea Beach Road



Publication Date: 5/30/2017



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

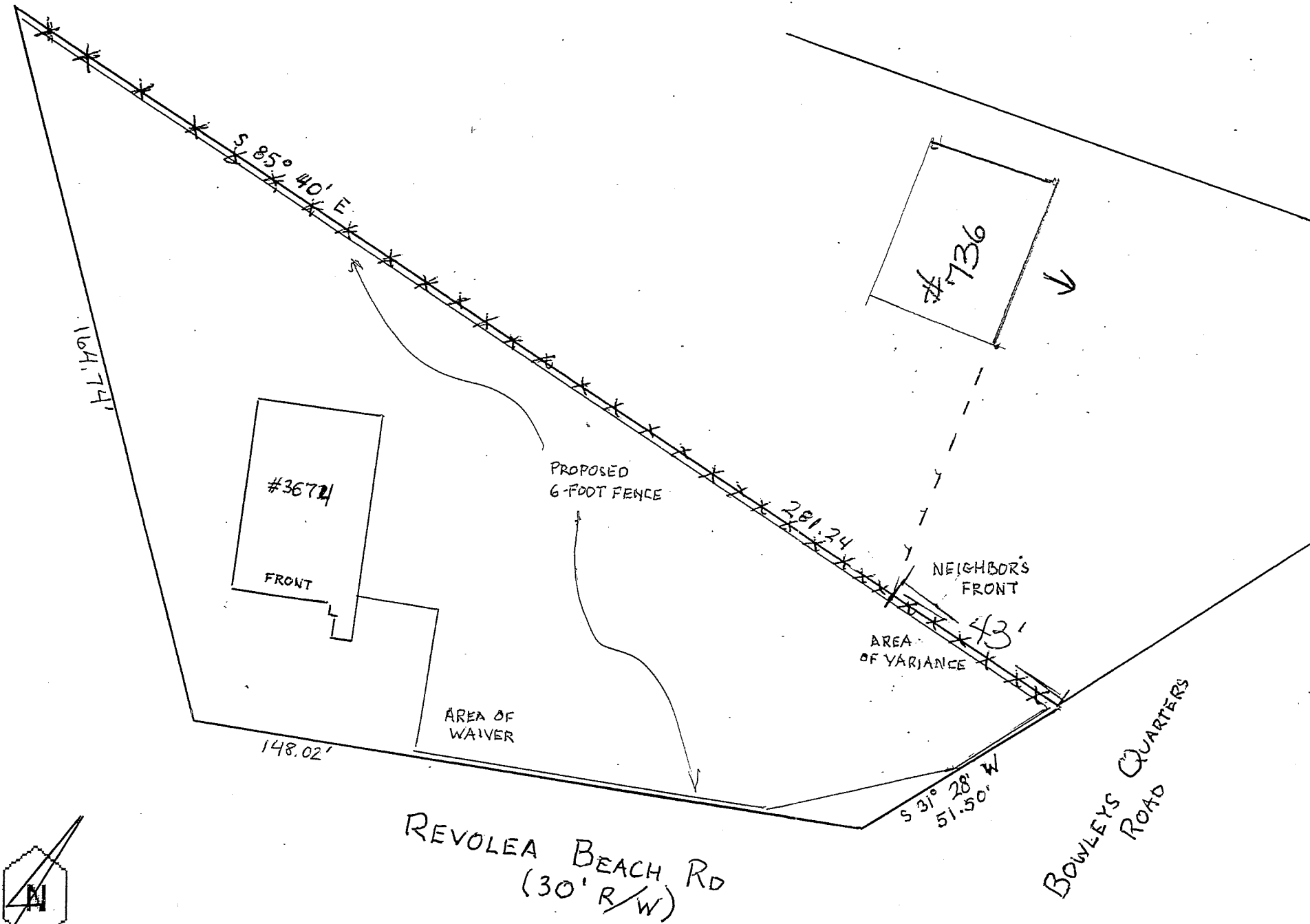


0 12.525 50 75 100 Feet

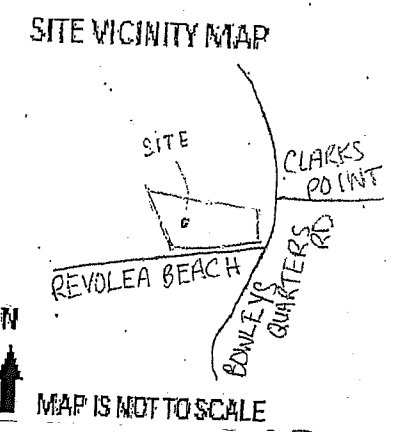
1 inch = 50 feet

2017-0331-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 3674 Revolea beach Rd OWNER(S) NAME(S) HAROLD MORRIS
 SUBDIVISION NAME Revolea beach Rd LOT # 162 BLOCK # _____ SECTION # _____
 PLAT BOOK # 5 FOLIO # 67 10 DIGIT TAX # 2400003606 DEED REF. # 37654/00005



PLAN DRAWN BY HAROLD MORRIS DATE 6/17 SCALE: 1 INCH = 30 FEET
 REVOLEA BEACH RD (30' R/W)
 BOWLEYS QUARTERS ROAD

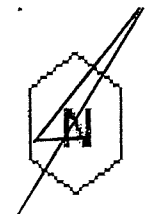
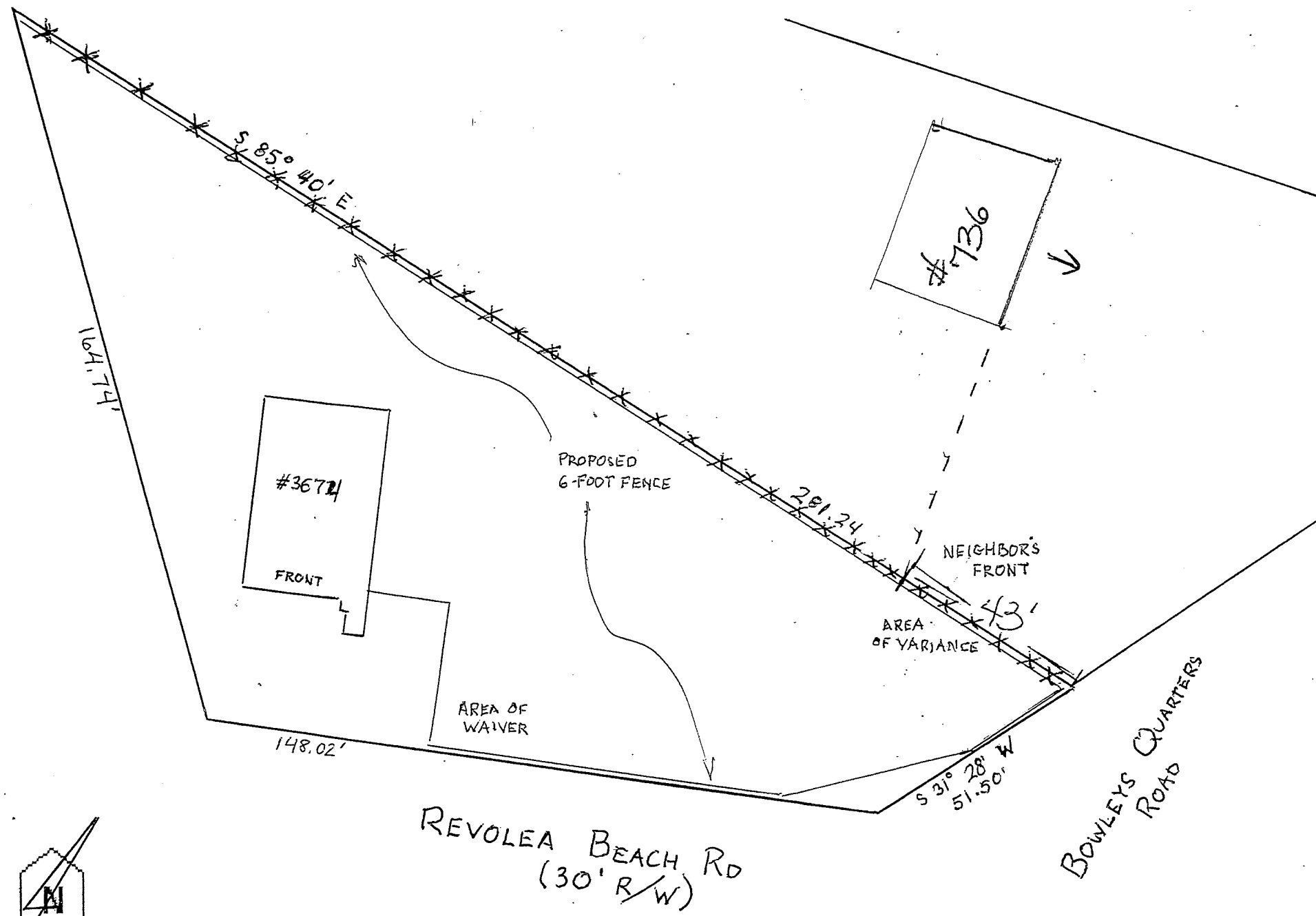


ZONING MAP# 09183
 SITE ZONED DR 3.5
 ELECTION DISTRICT 15
 COUNCIL DISTRICT 6th
 LOT AREA ACREAGE .37 Acre
 OR SQUARE FEET 16104 sq ft
 HISTORIC? NO
 IN CBCA? YES
 IN FLOOD PLAIN? YES
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:
No Pet. Ex. 1

2017-0331-A

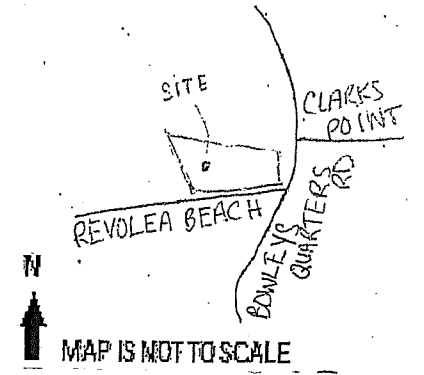
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 3674 Revolea beach Rd OWNER(S) NAME(S) HAROLD MORRIS
 SUBDIVISION NAME Revolea beach Rd LOT # 162 BLOCK # _____ SECTION # _____
 PLAT BOOK # 5 FOLIO # 67 10 DIGIT TAX # 2400003606 DEED REF. # 37654/00005



PLAN DRAWN BY HAROLD MORRIS DATE 6/17 SCALE: 1 INCH = 30 FEET

2017-0331-A

SITE VICINITY MAP



ZONING MAP# 691B3
 SITE ZONED DR 3.5
 ELECTION DISTRICT 15
 COUNCIL DISTRICT 6th
 LOT AREA ACREAGE .37 Acre
 OR SQUARE FEET 16104 sq ft
 HISTORIC? NO
 IN CBCA? YES
 IN FLOOD PLAIN? YES
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

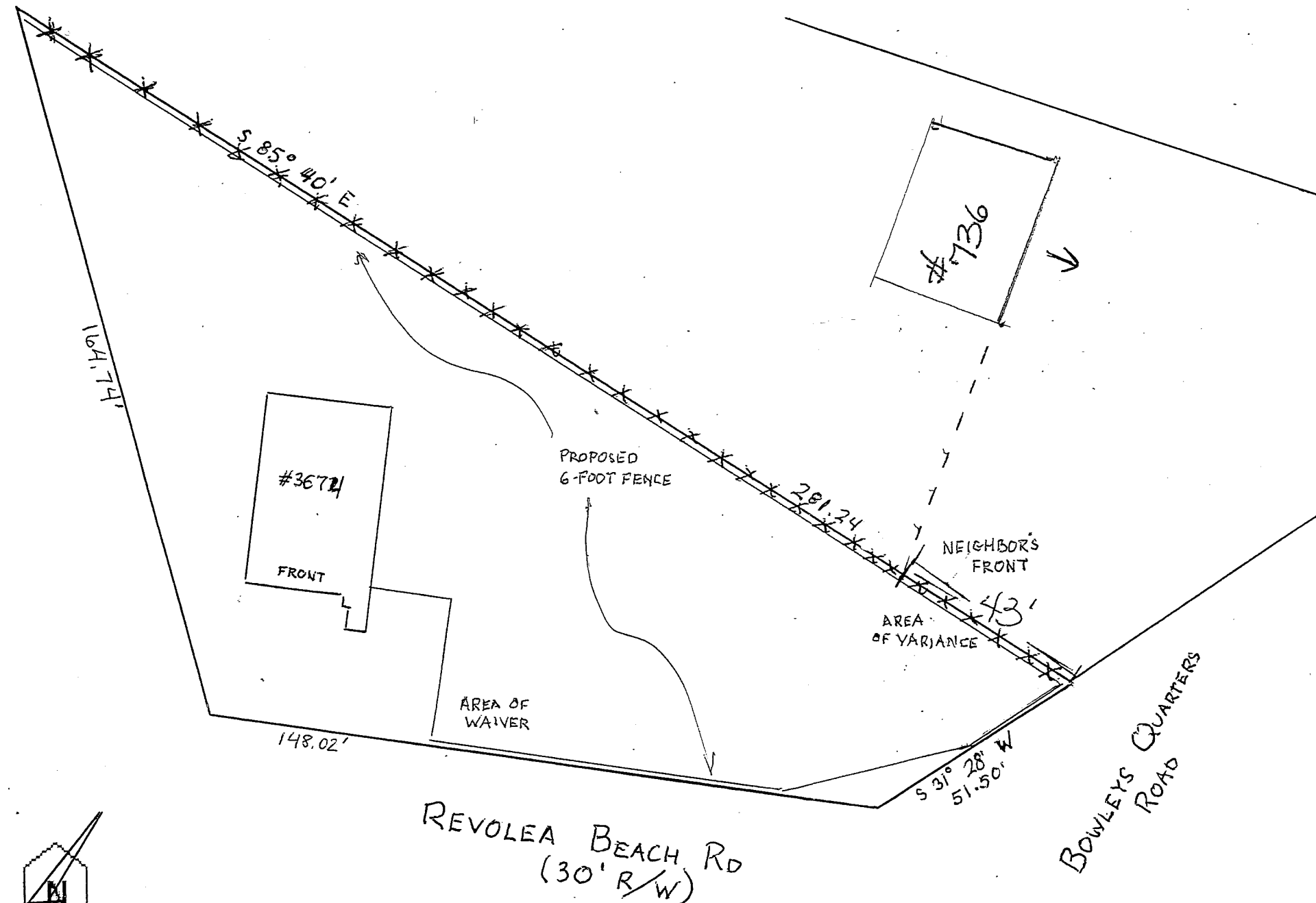
No

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 3674 Revolea beach Rd OWNER(S) NAME(S) HAROLD MORRIS

SUBDIVISION NAME Revolea beach Rd LOT # 162 BLOCK # _____ SECTION # _____

PLAT BOOK # 5 FOLIO # 67 10 DIGIT TAX # 2400003606 DEED REF. # 37654/00005



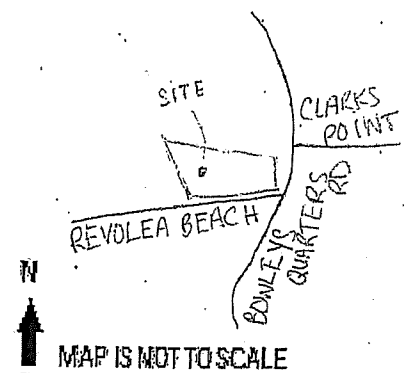
PLAN DRAWN BY HAROLD MORRIS

DATE 6/17

SCALE: 1 INCH = 30 FEET

2017-0331-A

SITE VICINITY MAP



ZONING MAP# 091B3

SITE ZONED DR 3.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 6th

LOT AREA ACREAGE .37 Acre

OR SQUARE FEET 16104 sq ft

HISTORIC? NO

IN CBCA? YES

IN FLOOD PLAIN? YES

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

No