

M E M O R A N D U M

DATE: October 16, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0017-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on October 13, 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 SPECIAL HEARING** *
(7702 Bay Front Road)
15th Election District *
7th Council District *
John M. & Adrian Goodman *
Legal Owners *
Petitioners *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2018-0017-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of John M. & Adrian M. Goodman, legal owners ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to approve an undersized lot.

John Goodman and David Billingsley appeared in support of the petition. Two neighbors attended the hearing to express concerns with storm water drainage from the site. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Environmental Protection and Sustainability (DEPS), indicating Petitioners must comply with the Critical Area regulations. A site plan was marked and admitted as Petitioners' Exhibit 1.

The subject property is approximately 0.173 acres in size and zoned DR 5.5. The lot was created in 1924 upon the filing of the plat of Lodge Forest. Exhibit 4. The lot is unimproved and Petitioners propose to construct a single family dwelling on the property. The proposed dwelling would have sufficient front, rear and side yard setbacks that comply with the B.C.Z.R. The only deficiency is the width of the lot: this lot is 50 ft. wide while the DR 5.5 regulations require 55 ft.

ORDER RECEIVED FOR FILING

Date 9/13/17

By Sen

In terms of drainage from the site, Mr. Billingsley stated final permits would not be issued by Baltimore County unless Petitioners can demonstrate they are not increasing the flow or volume of surface water onto neighboring properties. Norman Anderson (who would construct the proposed dwelling) testified he would create berms or swales at the site to ensure water is not discharged onto neighboring lots.

The sole zoning request is pursuant to B.C.Z.R. §304, which concerns the use of undersized lots. The court of special appeals has stressed an applicant under §304 does not need to establish uniqueness and/or special circumstances, which are required in a variance case. *Mueller v. People's Counsel*, 177 Md. App. 43, 87 (2007) ("B.C.Z.R. § 304 does not contain elements of practical difficulty or uniqueness, which are embodied in § 307"). That regulation provides in pertinent part as follows:

§304.1. Types of dwellings allowed; conditions

Except as provided in Section 4A03, a one-family detached or semidetached dwelling may be erected on a lot having an area or width at the building line less than that required by the area regulations contained in these regulations if:

A. Such lot shall have been duly recorded either by deed or in a validly approved subdivision prior to March 30, 1955;

B. All other requirements of the height and area regulations are complied with; and

C. The owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations.

As noted above, the lot was created by plat in 1924 and all yard setbacks and height requirements are satisfied. As such, I believe B.C.Z.R. §304.1.A & B are satisfied. Also, the Petitioner does not own any land adjacent to or near this lot, so B.C.Z.R. §304.1.C is also satisfied. This regulation is designed to allow owners to construct a dwelling on a lot of record that does not meet the current lot width requirements. Based on the aerial photo (Exhibit 5) it would appear many homes in the area are situated on 50 ft. wide lots. As such I also believe the proposed

ORDER RECEIVED FOR FILING

Date

9/13/17

By

Sen

dwelling would be appropriate and compatible with the neighborhood and the request will be granted.

THEREFORE, IT IS ORDERED this 13th day of **September, 2017** by this Administrative Law Judge, that the Petition for Special Hearing to approve an undersized lot pursuant to B.C.Z.R. §304, be and is hereby GRANTED.

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 satisfy critical area regulations.
3. Petitioners must obtain approval from DEPS to remove the large tree on the lot.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 9/13/17

By sln



CBCA

PETITION FOR ZONING HEARING(S)

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

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

Address 7702 BAY FRONT ROAD which is presently zoned DR5.5
 Deed References: L38778 F-451 10 Digit Tax Account # 2290024548
 Property Owner(s) Printed Name(s) JOHN M. AND ADRIAN M. GOODMAN

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

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

1. ☒ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN UNDERSIZED LOT PER SECTION 304(BCLR)

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

3. ☐ a Variance from Section(s)

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner

Name- Type or Print

Signature

Date

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

JOHN M. GOODMAN

ADRIAN M. GOODMAN

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

7802 7TH ST. BALTO., MD.

Mailing Address

City

State

21219 (410) 477-9924

Zip Code

Telephone #

Email Address

Representative to be contacted:

DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD MD.

Mailing Address

City

State

21040 (410) 679-8719 dwb0209@yahoo.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2018-0017-4 Filing Date 7/14/17

Do Not Schedule Dates: _____

Reviewer JCM

REV. 10/4/11

ZONING DESCRIPTION

7702 BAY FRONT ROAD

Beginning at a point on the north side of Bay Front Road (variable width), distant 50.61 feet easterly from its intersection with the east side of Lodge Forest Road (40 feet wide), thence:

- (1) Northerly 156.4 feet, thence
- (2) Easterly 50 feet, thence
- (3) Southerly 148.9 feet, thence
- (4) Westerly 50.61 feet to the place of beginning.

Containing 7550 square feet or 0.173 acre of land, more or less.

Being known as 7702 Bay Front Road. Located in the 15TH Election District, 7TH Councilmanic District of Baltimore County, Maryland.

2018-0017-A



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5134316

Sold To:

John Goodman - CU00614643
2802 7th St
Sparrows Point, MD 21219-1665

Bill To:

John Goodman - CU00614643
2802 7th St
Sparrows Point, MD 21219-1665

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

Aug 22, 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: # 2018-0017-SPH 7702 Bay Front Road N/s Bay Front Road, 50.61 ft. easterly from the E/s of Lodge Forest Road 15th Election District - 7th Councilmanic District Legal Owner(s) John & Adrian Goodman Special Hearing to determine whether or not the Administrative Law Judge should approve an undersized lot. Hearing: Monday, September 11, 2017 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204. ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868. (2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391. JT 8/725 Aug. 22 5134316

The Baltimore Sun Media Group

By *S. Wilkinson*

Legal Advertising

CERTIFICATE OF POSTING

Date: AUGUST 17, 2017

RE: Project Name: 7702 BAY FRONT ROAD
Case Number /PAI Number: 2018-0017-SPH
Petitioner/Developer: JOHN AND ADRIAN GOODMAN
Date of Hearing/Closing: SEPT. 11, 2017

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 7702 BAY FRONT ROAD

The sign(s) were posted on AUGUST 17, 2017
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

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

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



KEVIN KAMENETZ
County Executive

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

August 1, 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: 2018-0017-SPH

7702 Bay Front Road

N/s Bay Front Road, 50.61 ft. easterly from the E/s of Lodge Forest Road

15th Election District – 7th Councilmanic District

Legal Owners: John & Adrian Goodman

Special Hearing to determine whether or not the Administrative Law Judge should approve an undersized lot.

Hearing: Monday, September 11, 2017 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: John & Adrian Goodman, 2802 7th Street, Baltimore 21219
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 22, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 22, 2017 Issue - Jeffersonian

Please forward billing to:
John Goodman
2802 7th Street
Baltimore, MD 21219

410-477-9924

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: 2018-0017-SPH

7702 Bay Front Road

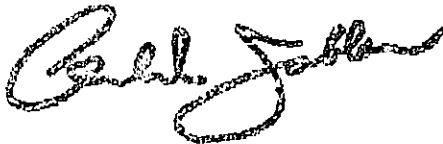
N/s Bay Front Road, 50.61 ft. easterly from the E/s of Lodge Forest Road

15th Election District – 7th Councilmanic District

Legal Owners: John & Adrian Goodman

Special Hearing to determine whether or not the Administrative Law Judge should approve an undersized lot.

Hearing: Monday, September 11, 2017 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
7702 Bay Front Road; N/S Bay Front Road, *
50.61' Easternly from Lodge Forest Road * OF ADMINISTRATIVE
15th Election & 7th Councilmanic Districts * HEARINGS FOR
Legal Owner(s): John & Adrian Goodman * BALTIMORE COUNTY
Petitioner(s) *
* 2018-017-SPH

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

JUL 18 2017

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of July, 2017, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, Maryland 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

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

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

For Newspaper Advertising:

Case Number: 2018 0017-SPH

Property Address: 7702 Bay Front Road

Property Description: That property located on the N/S of Bay Front Rd, 50.61 ft Eastern by of east/s of Lodge Forest Rd

Legal Owners (Petitioners): John & Adrian Hoodman

Contract Purchaser/Lessee: N/A.

PLEASE FORWARD ADVERTISING BILL TO:

Name: John Hoodman

Company/Firm (if applicable): _____

Address: 7802 7TH Street
Bolte Md. 21219

Telephone Number: (410) 477-9924

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

No. 154850

Date: 7/14/17

PAID RECEIPT

BUSINESS ACTUAL TIME RUN
7/14/2017 7/14/2017 09:28:59 5
REG MEOS WALKIN LRS
>>RECEIPT # 904502 7/14/2017 DFLH
Dept S S2B ZODING VERIFICATION
CR NO. 154850
Receipt Tot \$75.00
\$79.00 OT
Baltimore County, Maryland

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: CENTRAL DRAFTING & DESIGN

For: 2018-0017-SPH.

DISTRIBUTION

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

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

September 6, 2017

John M & Adrian M Goodman
2802 7th Street
Baltimore MD 21219

RE: Case Number: 2018-0017 SPH, Address: 7702 Bay Front Road

Dear Mr. & Ms. Goodman:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 14, 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 horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

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

Date: 7/17/17

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

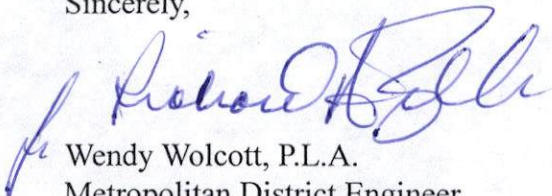
Dear Ms. Lewis:

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. 2018-0017-SPH

*Special Hearing
John M. & Adrienne M. Goodman
7702 Bay Front 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,

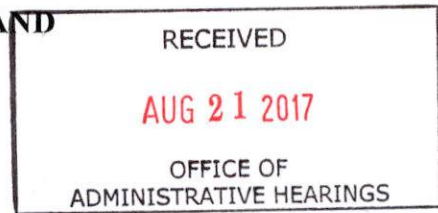


Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

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: August 21, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0017-SPH
Address 7702 Bay Front Road
(Goodman Property)

Zoning Advisory Committee Meeting of **July 24, 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 plan submitted with this zoning petition requests to construct a single-family dwelling on a non-waterfront, undersized lot. In order to minimize impacts on water quality, the applicant must comply with the LDA lot coverage limit, which, for a property this size, is 2,388 sf, with mitigation required for lot coverage between 25% (1,888 sf) and 2,388 sf. The LDA regulations also require 15% afforestation on the property, which equates to 2 trees for a property this size. According to the plan submitted for this review, proposed lot coverage is shown as approximately 1,879 sf, consisting of a driveway, dwelling, areaway and walkway. Any plan or application that is received by this Department will be reviewed for compliance with the LDA lot coverage regulations, as well as the afforestation requirement. Therefore, by allowing the items requested by the petitioner, impacts on water quality will be minimized.

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

The current development proposal for the property will be reviewed for the application of the LDA regulations, which will minimize impacts to any adjacent buffers, thereby will improve buffer functions, and conserve fish, wildlife and plant habitat in nearby Old Road 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 petitioner's request, if granted, will be consistent with established land use policies and will minimize or avoid environmental impacts provided that the applicants meet any LDA requirements applicable to the proposal.

Reviewer: Thomas Panzarella; Date: August 21, 2017
Environmental Impact Review

9.11

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 8/9/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-017



INFORMATION:

Property Address: 7702 Bay Front Road
Petitioner: John M. Goodman, Adrian M. Goodman
Zoning: DR 5.5
Requested Action: Special Hearing

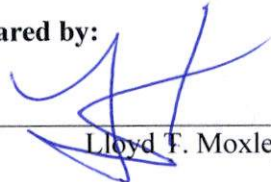
The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve an undersized lot.

A site visit was conducted on July 18, 2017.

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

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

Prepared by:



Lloyd F. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak
David Billingsley, Central Drafting & Design, Inc.
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 11, 2017

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 24, 2017
Item No. 2017-0354-A, 355-SPHA,
2018-0001, 0003-A, 0005-SPH, 0006-A, 0007-SPHX, 0009-A, 0010-SPH,
0014-A, 0016-A, 0017-SPH, 0018-A, 0019-A, 0020-A

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

VKD:CEN
cc:file

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 8/9/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-017

INFORMATION:

Property Address: 7702 Bay Front Road
Petitioner: John M. Goodman, Adrian M. Goodman
Zoning: DR 5.5
Requested Action: Special Hearing

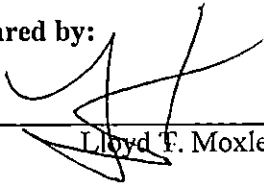
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Prepared by:



Lloyd F. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak
David Billingsley, Central Drafting & Design, Inc.
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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3. A wood mulch pathway; or
4. A deck with gaps to allow the water to pass freely.

The plan submitted with this zoning petition requests to construct a single-family dwelling on a non-waterfront, undersized lot. In order to minimize impacts on water quality, the applicant must comply with the LDA lot coverage limit, which, for a property this size, is 2,388 sf, with mitigation required for lot coverage between 25% (1,888 sf) and 2,388 sf. The LDA regulations also require 15% afforestation on the property, which equates to 2 trees for a property this size. According to the plan submitted for this review, proposed lot coverage is shown as approximately 1,879 sf, consisting of a driveway, dwelling, areaway and walkway. Any plan or application that is received by this Department will be reviewed for compliance with the LDA lot coverage regulations, as well as the afforestation requirement. Therefore, by allowing the items requested by the petitioner, impacts on water quality will be minimized.

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

The current development proposal for the property will be reviewed for the application of the LDA regulations, which will minimize impacts to any adjacent buffers, thereby will improve buffer functions, and conserve fish, wildlife and plant habitat in nearby Old Road 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 petitioner's request, if granted, will be consistent with established land use policies and will minimize or avoid environmental impacts provided that the applicants meet any LDA requirements applicable to the proposal.

Reviewer: Thomas Panzarella; Date: August 21, 2017
Environmental Impact Review

—

CASE NAME 7702 BAYFRONT RD

CASE NUMBER 2018-0017-SPH

DATE 9/11/17

PETITIONER'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

John Goodman	2802 7th St	Sparrows Point Md
Norman Anderson	2921-B Sparrows Pt Rd	Balt Md 21219
DAVID BILLINGSLEY	601 CHARWOOD ST.	EDGEWOOD MD 21040

CASE NAME

CASE NUMBER

DATE _____

2018-0017-SPH

9/11/2017

NAME _____

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

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>8/11</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>no Comment</u>
<u>8/21</u>	DEPS (if not received, date e-mail sent _____)	<u>Comment</u>
_____	FIRE DEPARTMENT	_____
<u>8/11</u>	PLANNING (if not received, date e-mail sent _____)	<u>no Obj</u>
<u>7/17</u>	STATE HIGHWAY ADMINISTRATION	<u>no Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>8/22/17</u>	
SIGN POSTING	Date: <u>8/17/17</u>	by <u>Buelingsley</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 - 2200024548			
Owner Information					
Owner Name:	GOODMAN JOHN MICHAEL GOODMAN ADRIAN MCKENZIE		Use: Principal Residence:	RESIDENTIAL NO	
Mailing Address:	2802 7TH ST SPARROWS POINT MD 21219-		Deed Reference:	/38778/ 00457	
Location & Structure Information					
Premises Address:		7702 BAY FRONT RD SPARROWS POINT 21219-		Legal Description:	PT LT 1057 LODGE FOREST
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0111	0017	0098		0000	1057 2018 0008/ 0086
Special Tax Areas:			Town: Ad Valorem: Tax Class:		
			NONE		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
			7,550 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of 01/01/2015	As of 07/01/2017	As of 07/01/2018
Land:		55,500	55,500		
Improvements		0	0		
Total:		55,500	55,500	55,500	
Preferential Land:		0			
Transfer Information					
Seller: ROBERTS PAUL F		Date: 03/29/2017		Price: \$64,000	
Type: ARMS LENGTH VACANT		Deed1: /38778/ 00457		Deed2:	
Seller: BOWLING JOSEPH F, JR		Date: 12/13/1996		Price: \$30,000	
Type: ARMS LENGTH IMPROVED		Deed1: /11939/ 00214		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2017		07/01/2018	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	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					
Homeowners' Tax Credit Application Status: No Application					
Date:					

SW
10-16-17

Sen
9-13-17

**PETITIONER'S EXHIBITS
7702 BAY FRONT ROAD
CASE NO. 2018-0017-SPH**

- 1. PLAT TO ACCOMPANY PETITION DATED JUNE 13, 2017 (NO CHANGES)**
- 2. SDAT REAL PROPERTY DATA SEARCH**
- 3. DEED OF RECORD L.38778 F.457 RECORDED MARCH 17, 2017**
- 4. PLAT OF LODGE FOREST PB 7 F 152 RECORDED AUGUST 13, 1924**
- 5. AERIAL PHOTO**
- 6. PROPOSED DWELLING ELEVATIONS**
- 7a – 7c. PHOTOS**

Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 2200024548			
Owner Information					
Owner Name:	GOODMAN JOHN MICHAEL GOODMAN ADRIAN MCKENZIE		Use:	RESIDENTIAL NO	
Mailing Address:	2802 7TH ST SPARROWS POINT MD 21219-		Deed Reference:	/38778/ 00457	
Location & Structure Information					
Premises Address:		7702 BAY FRONT RD SPARROWS POINT 21219-		Legal Description:	PT LT 1057 LODGE FOREST
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0111	0017	0098		0000	
					Block:
					1057
					Lot:
					2015
					Assessment Year:
					Plat No: 0008/0086
					Plat Ref: 0008/0086
Special Tax Areas:			Town:		
			NONE		
Ad Valorem:					
Tax Class:					
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
			7,550 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					Last Major Renovation
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of 01/01/2015	As of 07/01/2016	As of 07/01/2017
Land:		55,500	55,500		
Improvements		0	0		
Total:		55,500	55,500	55,500	55,500
Preferential Land:		0			0
Transfer Information					
Seller: ROBERTS PAUL F		Date: 03/29/2017		Price: \$64,000	
Type: ARMS LENGTH VACANT		Deed1: /38778/ 00457		Deed2:	
Seller: BOWLING JOSEPH F, JR		Date: 12/13/1996		Price: \$30,000	
Type: ARMS LENGTH IMPROVED		Deed1: /11939/ 00214		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					
Homeowners' Tax Credit Application Status: No Application					
Date:					

PETITIONER'S
EXHIBIT NO. 2

Guaranteed Trust Trust, LLC
 File No.: GTT-7414
 Tax ID No.: (15)22-00-024548

IMP FD SURE \$40.00
 RECORDING FEE \$20.00
 TR TAX STATE \$320.00
 TOTAL \$380.00
 JLE JNS
 Mar 29, 2017 09:48 am

This Deed, made this 17th day of March, 2017, by and between Paul F.

Roberts and Betty L. Roberts, parties of the first part, Grantors; and John Michael
 Goodman and Adrian McKenzie Goodman, parties of the second part, Grantees.

PAID RECEIPT
 DATE 03/29/2017 TIME 08:16:30
 TAX ID: 2200024548
 CO. TR TAX \$960.00
 RECORDATION TAX \$320.00
 JS Baltimore County, Maryland

- **Witnesseth** -

That for and in consideration of the sum of Sixty-Four Thousand

And 00/100 Dollars (\$64,000.00), which includes the amount of any outstanding
 Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said
 Grantors do grant and convey to the said John Michael Goodman and Adrian McKenzie
 Goodman, as tenants by the entirety unto the survivor of them, his or her heirs and
 assigns, in fee simple, all that lot of ground situate in the County of Baltimore, State of
 Maryland and described as follows, that is to say:

Being known and designated as Lot No. 1057 as shown on the Plat of
 Lodge Forest recorded among the Land Records of Baltimore County,
 Maryland in Plat Book W.P.C. No. 7, folio 152, and in Plat Book W.P.C.,
 No. 8, folios 86 and 87, respectively. Saving and Excepting therefrom
 however, 56 feet of the rear portion of the aforesaid lot as originally
 reserved and retained by John Denski and Julia Demski, his wife, in Deed
 dated October 13, 1931, and recorded as aforesaid in Liber L.McL.M. No.
 888, folio 64, to Charles Bartosh and Agnes Bartosh, his wife.

BEING the same fee simple property which, by Deed dated July 19, 1996,
 and recorded in the Land Records of the County of Baltimore, Maryland, in
 Liber 11939, Folio 214, was granted and conveyed by Joseph F. Bowling,
 Jr. a/k/a Joseph F. Bowling and Barbara A. Bowling, Co-Trustees and
 Successor Trustees of the Bowling Revocable Living Trust Agreement
 unto Paul F. Roberts and Betty L. Roberts, his wife.

Together with the buildings and improvements thereon erected, made or
 being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and
 advantages thereto belonging, or in anywise appertaining.

PETITIONER'S
 EXHIBIT NO. **3**

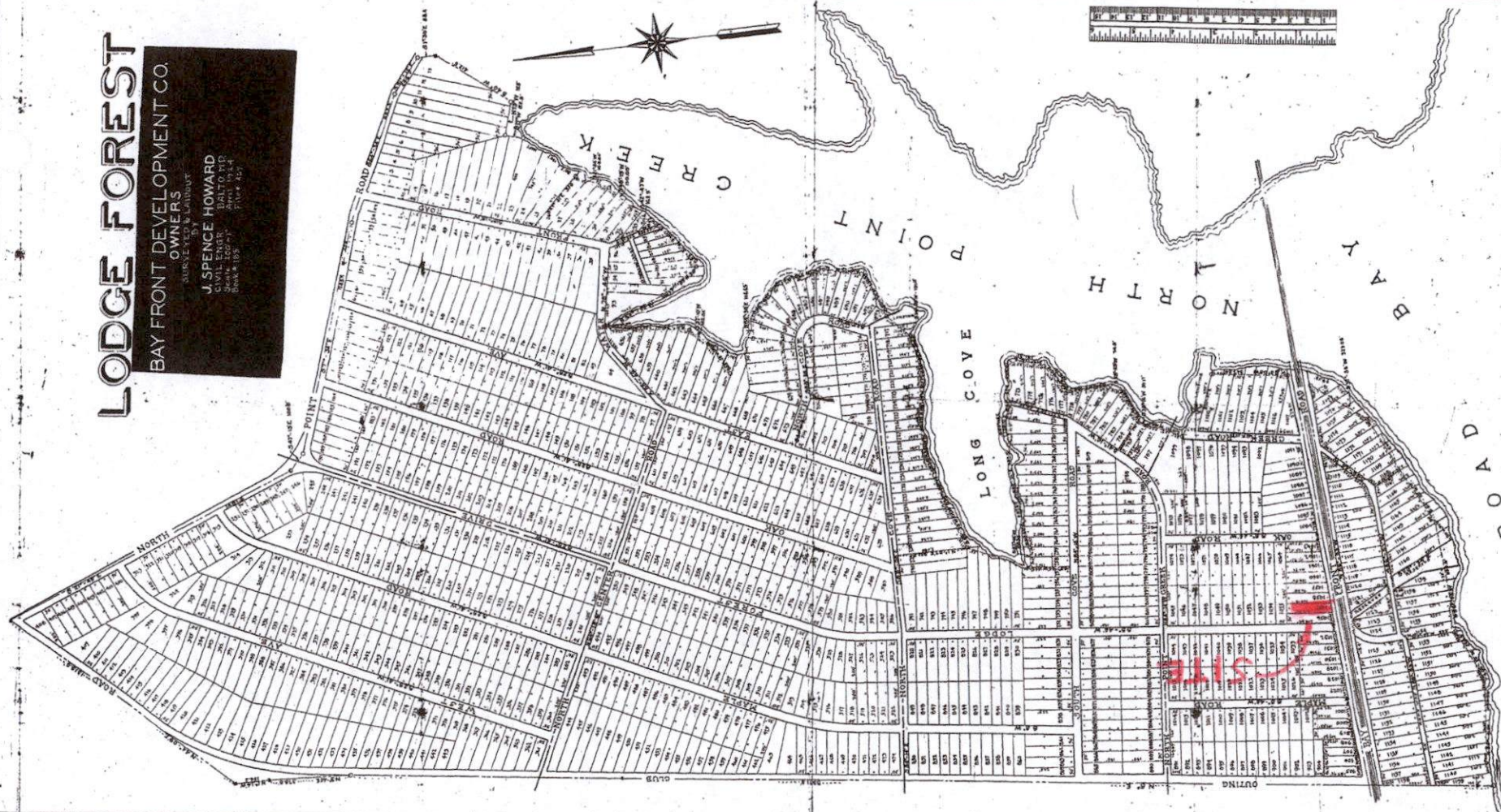
LODGE FOREST

BAY FRONT DEVELOPMENT CO.

OWNERS

J. SPENCE HOWARD

GRANT TO THE
SOUTH LEECH
BOOK 185
PAGE 157



PETITIONER'S
EXHIBIT NO. 4

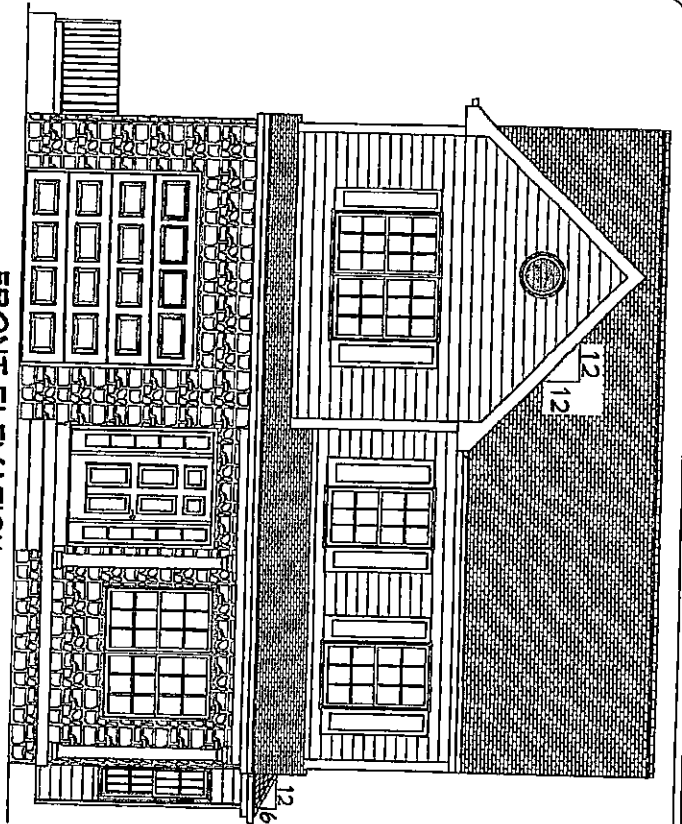
P.B. 7 F 15Z
REC: AUG. 13, 1924

Google Maps

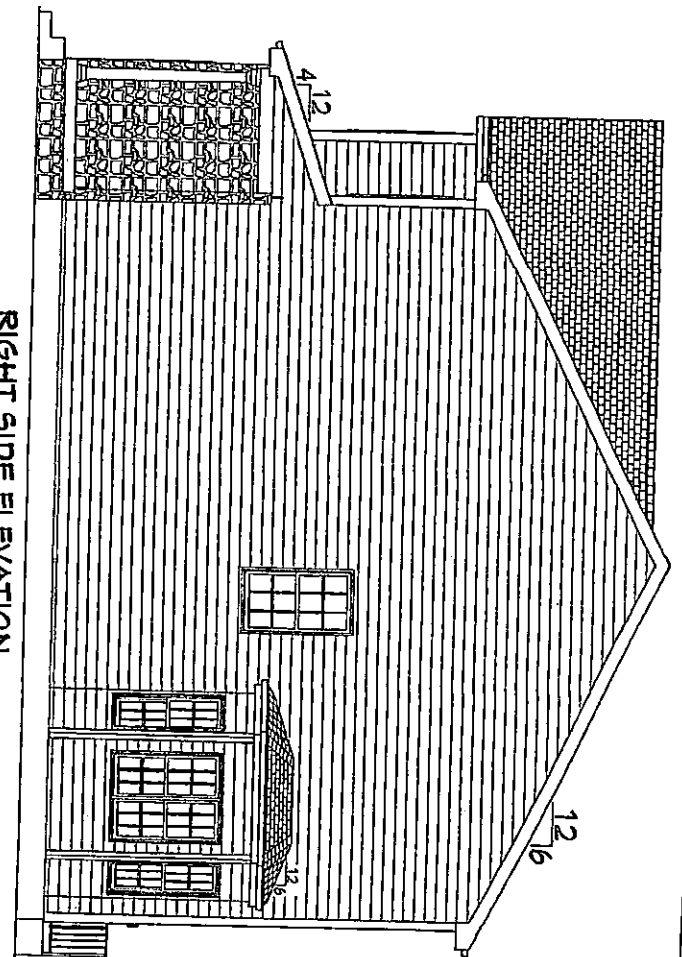


Imagery ©2017 Google, Map data ©2017 Google United States 20 ft

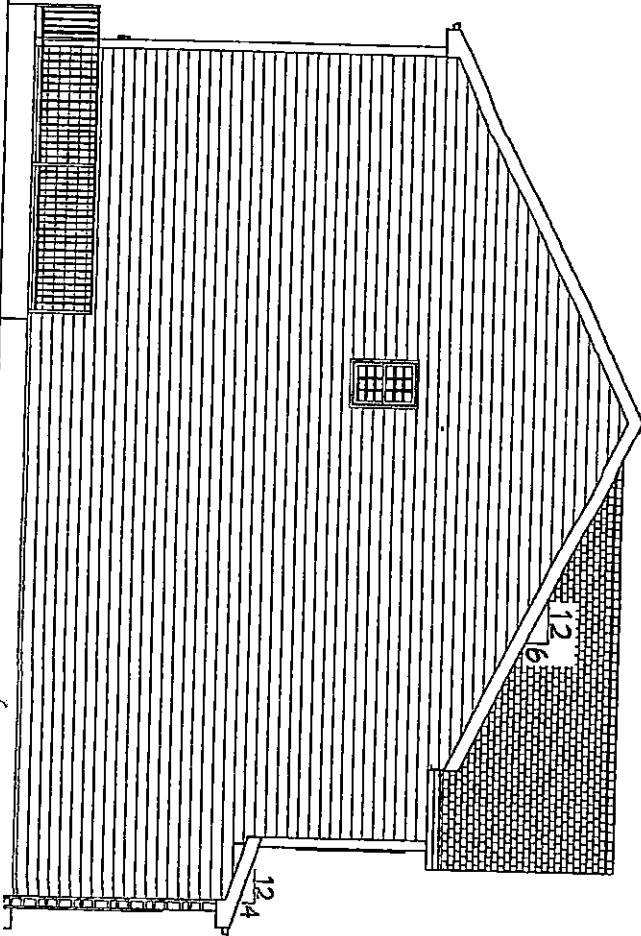
FRONT ELEVATION



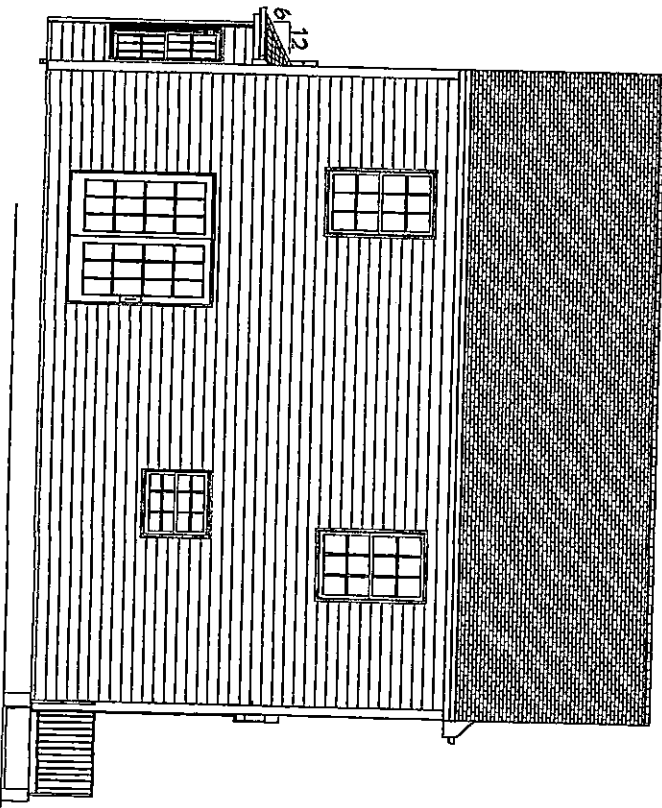
RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



REAR ELEVATION



PETITIONER'S
EXHIBIT NO. **6**

4TH GENERATION DESIGNS LLC
7603 OLD HARFORD ROAD
BALTIMORE, MD. 21234
443-425-0941
WILLIAM (SKIP) STORM

CHESAPEAKE CUSTOM
PROPERTIES LLC

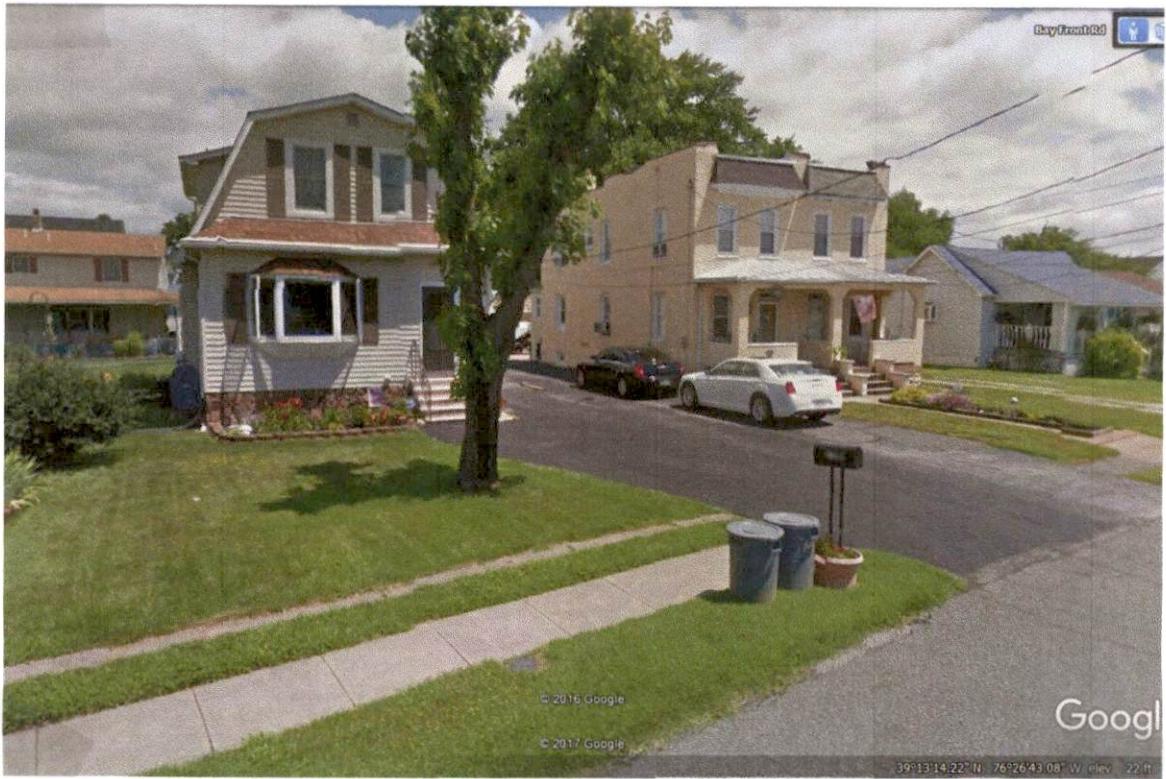
SHEET TITLE:
ELEVATIONS

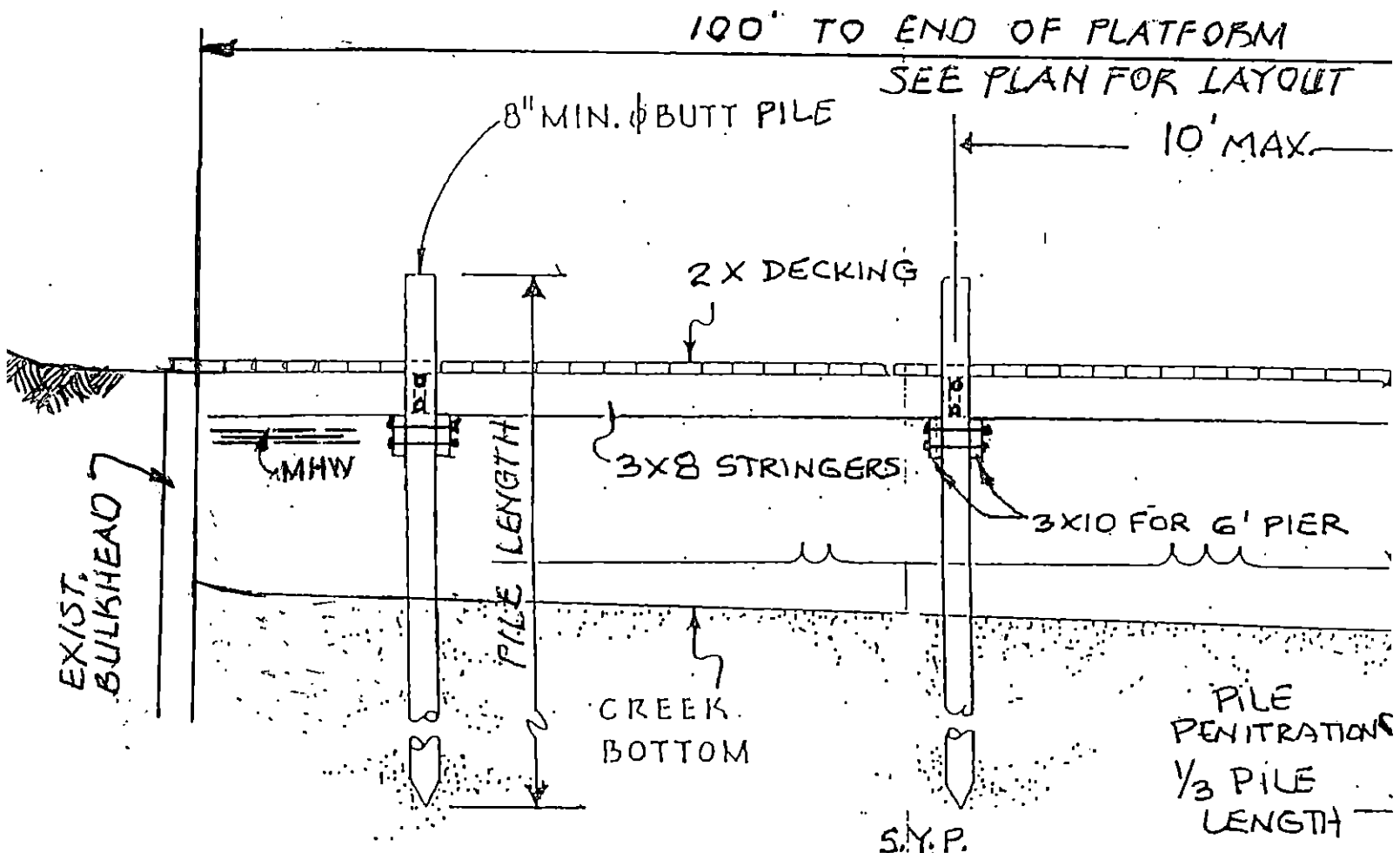
DATE
12/2/2016

SCALE

DATE PREPARED
12/2/2016
SHEET

A - 3





NOTE: ALL LUMBER TO BE C.C.A. TREATED f_b min. = 1,200

ALL HARDWARE TO BE HOT DIPPED GALVINIZED

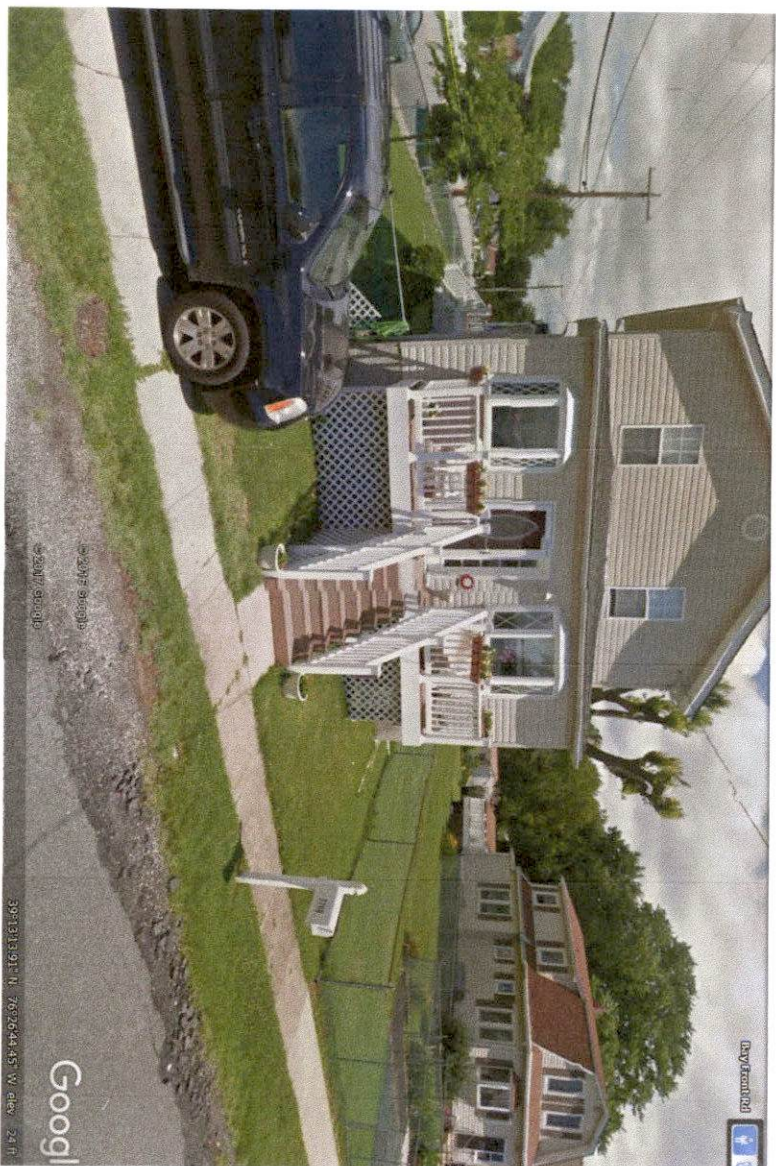
SECTION

NO SCALE

a



b

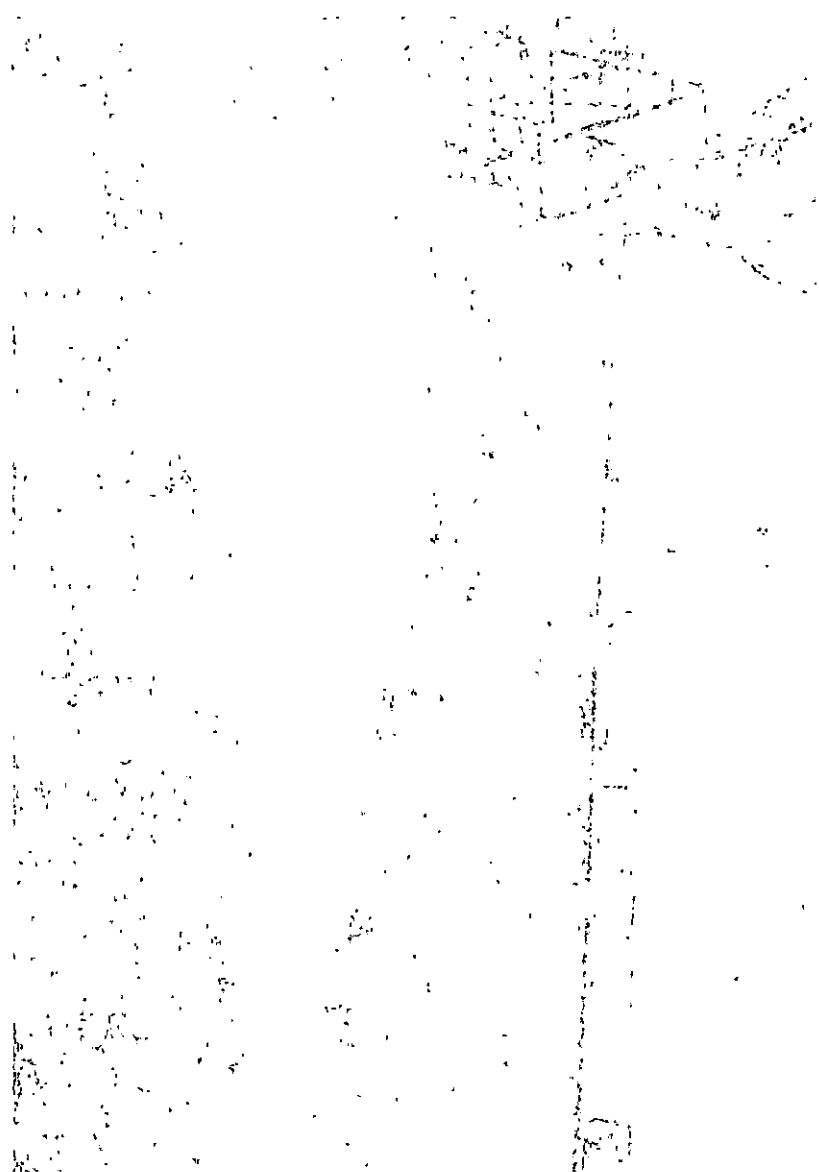


8

1

2
3







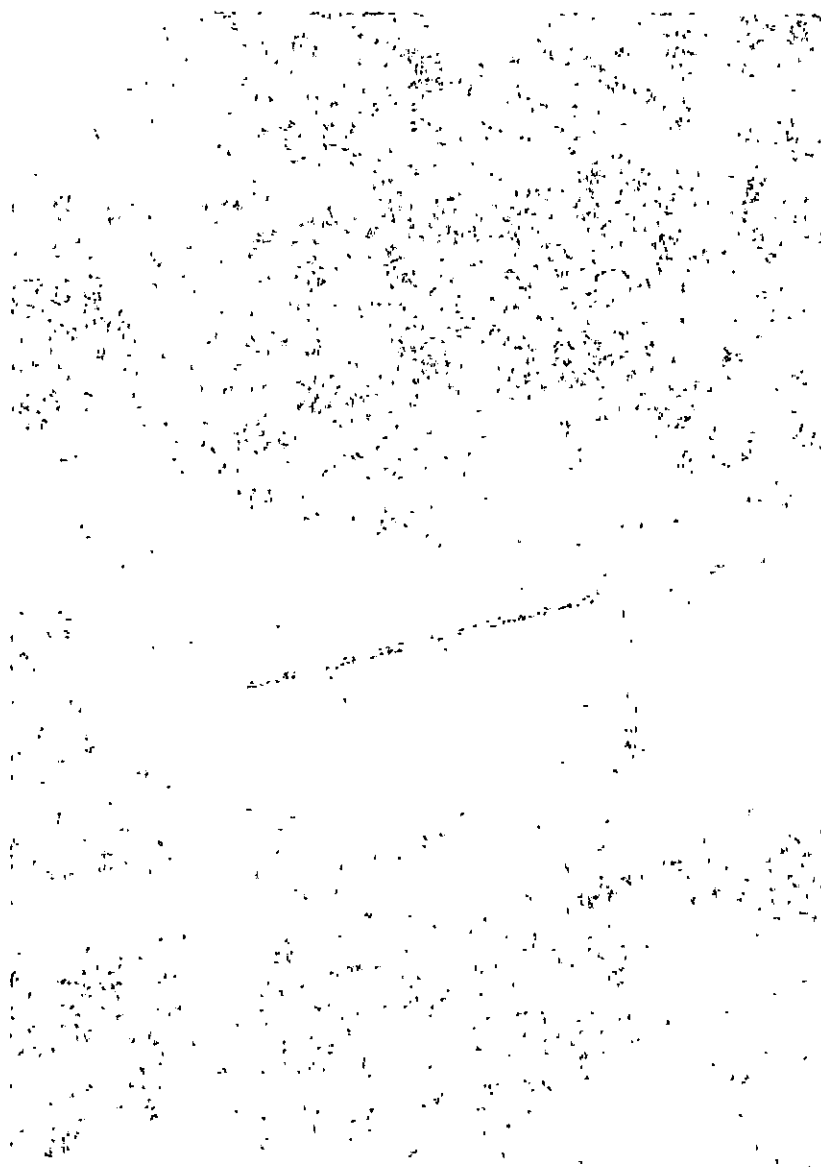
THE
FEDERAL
BUREAU OF
INVESTIGATION
OF THE
DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

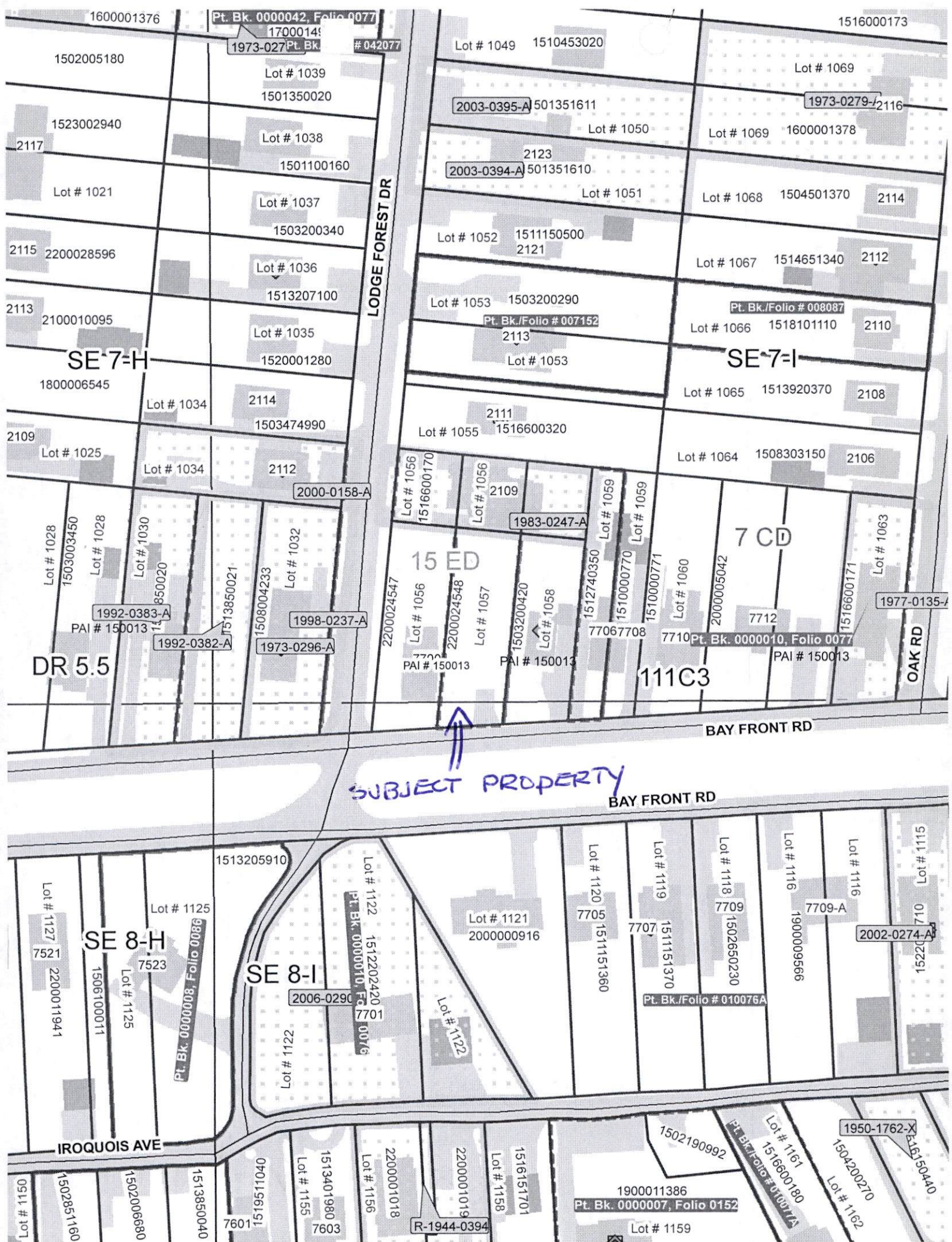
REPORT OF
SPECIAL AGENT
IN CHARGE
OF THE
BUREAU OF INVESTIGATION
OF THE
DEPARTMENT OF JUSTICE
WASHINGTON, D. C.



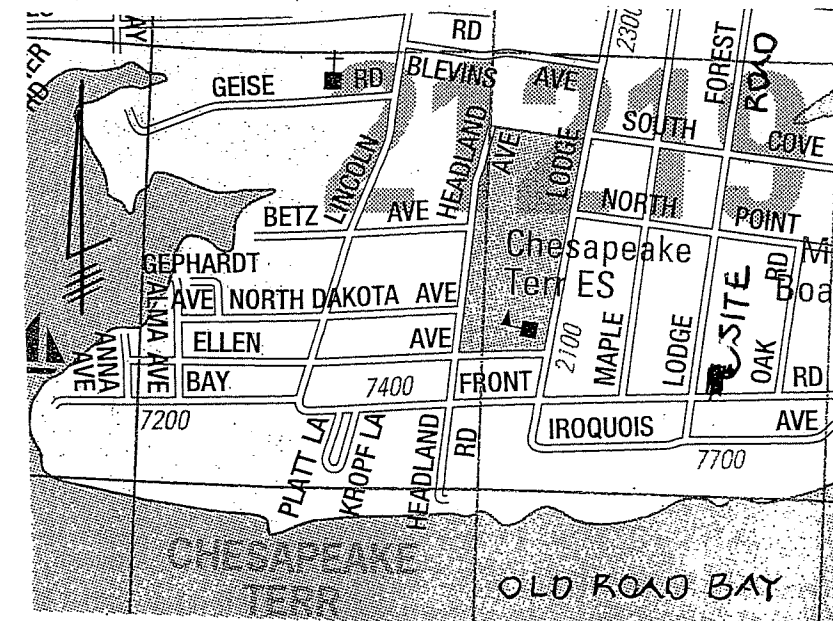
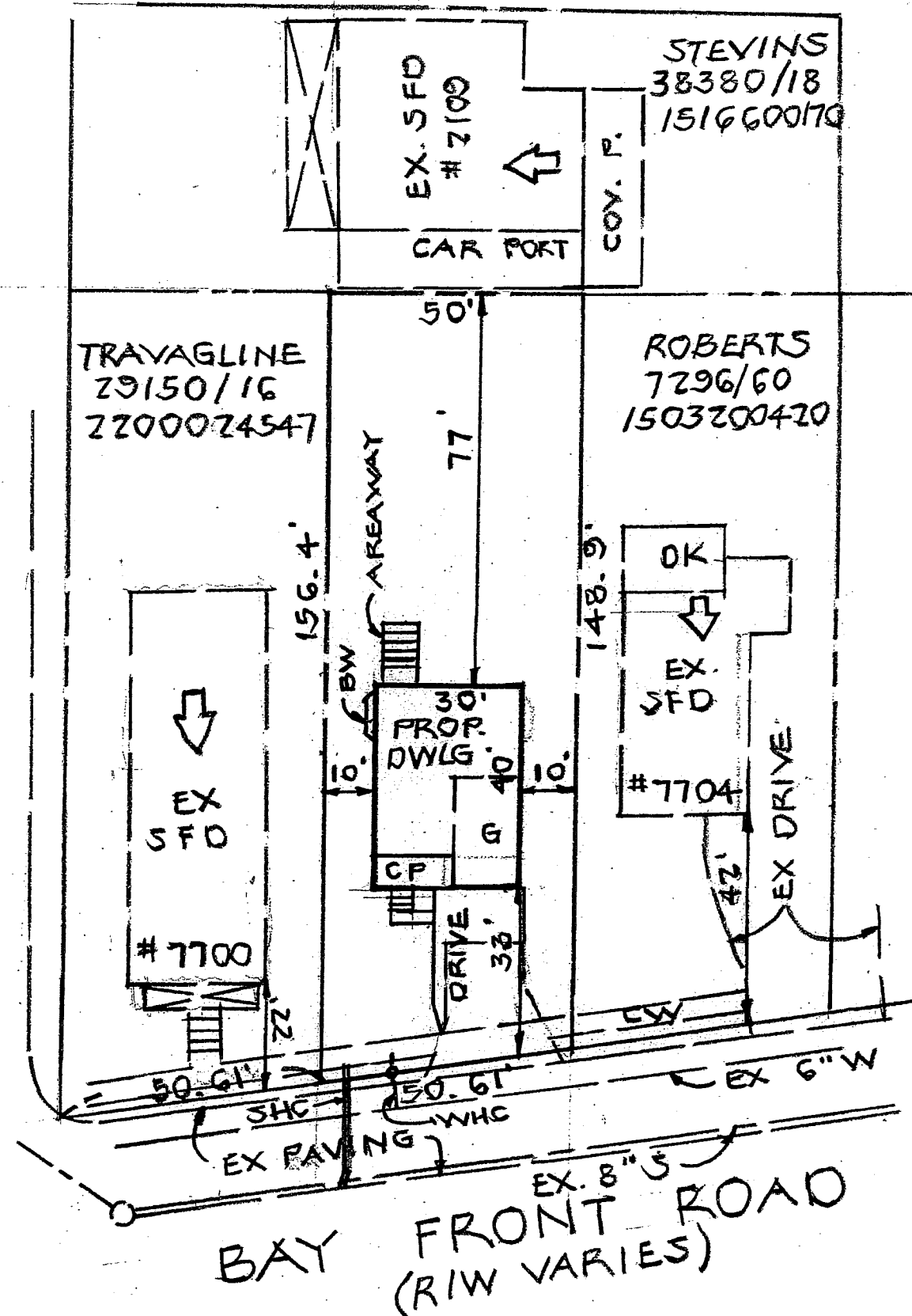








LODGE FOREST ROAD



VICINITY MAP
SCALE: 1" = 1000'

NOTES

1. ZONING.....DR 5.5 (MAP 111C3)
2. AREA.....7550 S.F. = 0.173 ACRE +/-
3. SITE IS LOCATED IN THE CBCA
4. SITE IS NOT LOCATED IN THE 100 YEAR FLOOD ZONE
5. PUBLIC WATER AND SEWER
6. NO HISTORIC STRUCTURES OR UNDERGROUND STORAGE TANKS EXIST
7. NO VIOLATIONS ARE KNOWN TO EXIST
8. PREVIOUS ZONING HISTORY
A REQUEST FOR AN UNDERSIZED LOT WAS FILED ON APRIL 25, 2017, RECEIPT NO. 153047, POSTED ON MAY 6, 2017 AND A FORMAL DEMAND FOR A HEARING WAS FILED ON MAY 22, 2017

OWNER

JOHN M. AND ADRIAN MCKENZIE
2802 7TH STREET
SPARROWS POINT, MD. 21219
DEED REF: L.38778 F.457
ACCT. NO. 2200024548

**PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING**

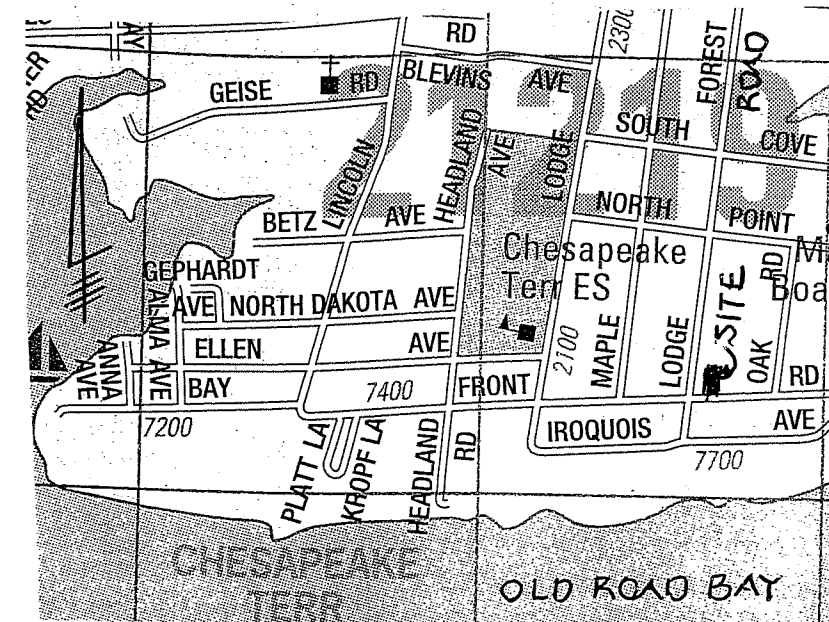
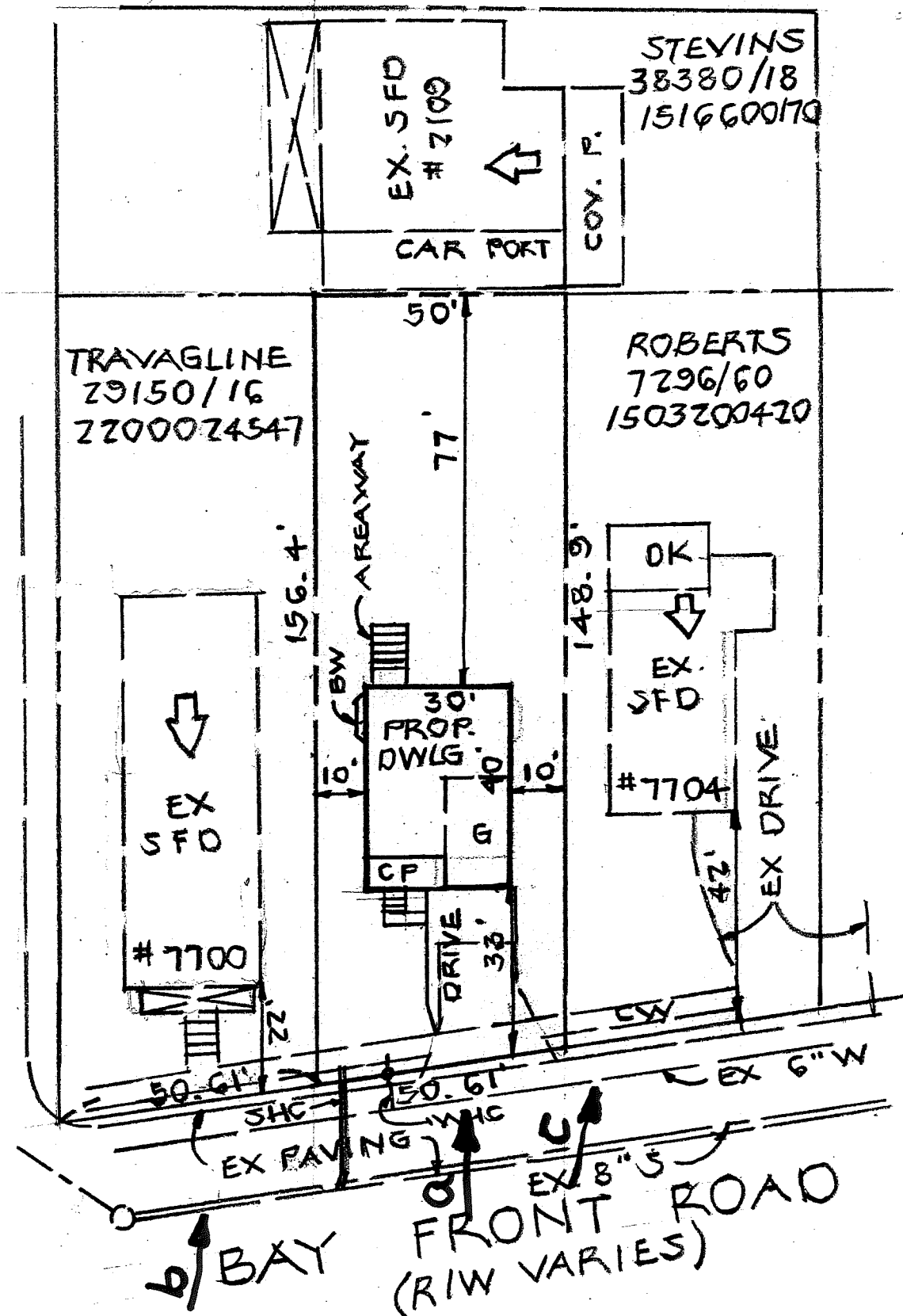
7702 BAY FRONT ROAD

ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 30 FEET JUNE 13, 2017



LODGE FOREST ROAD



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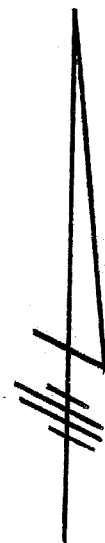
PHOTOS

PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING

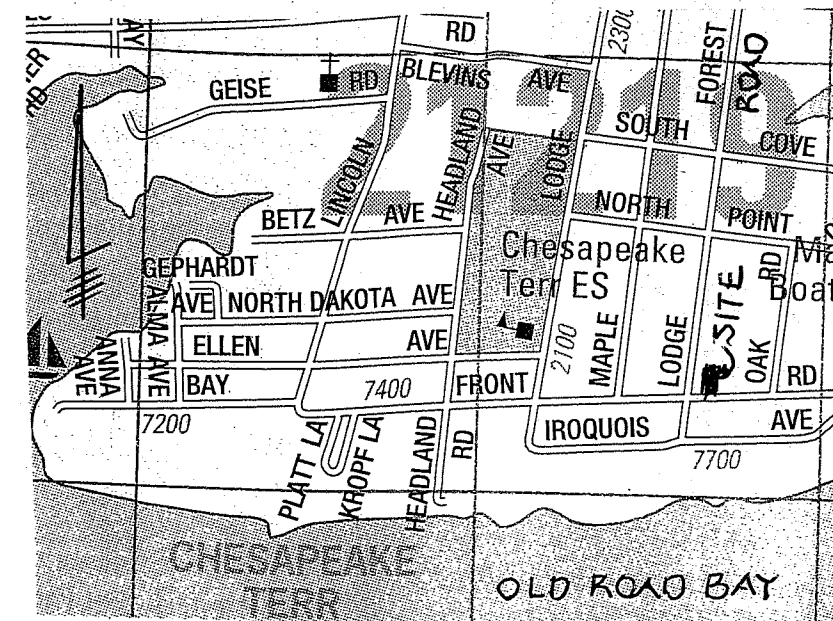
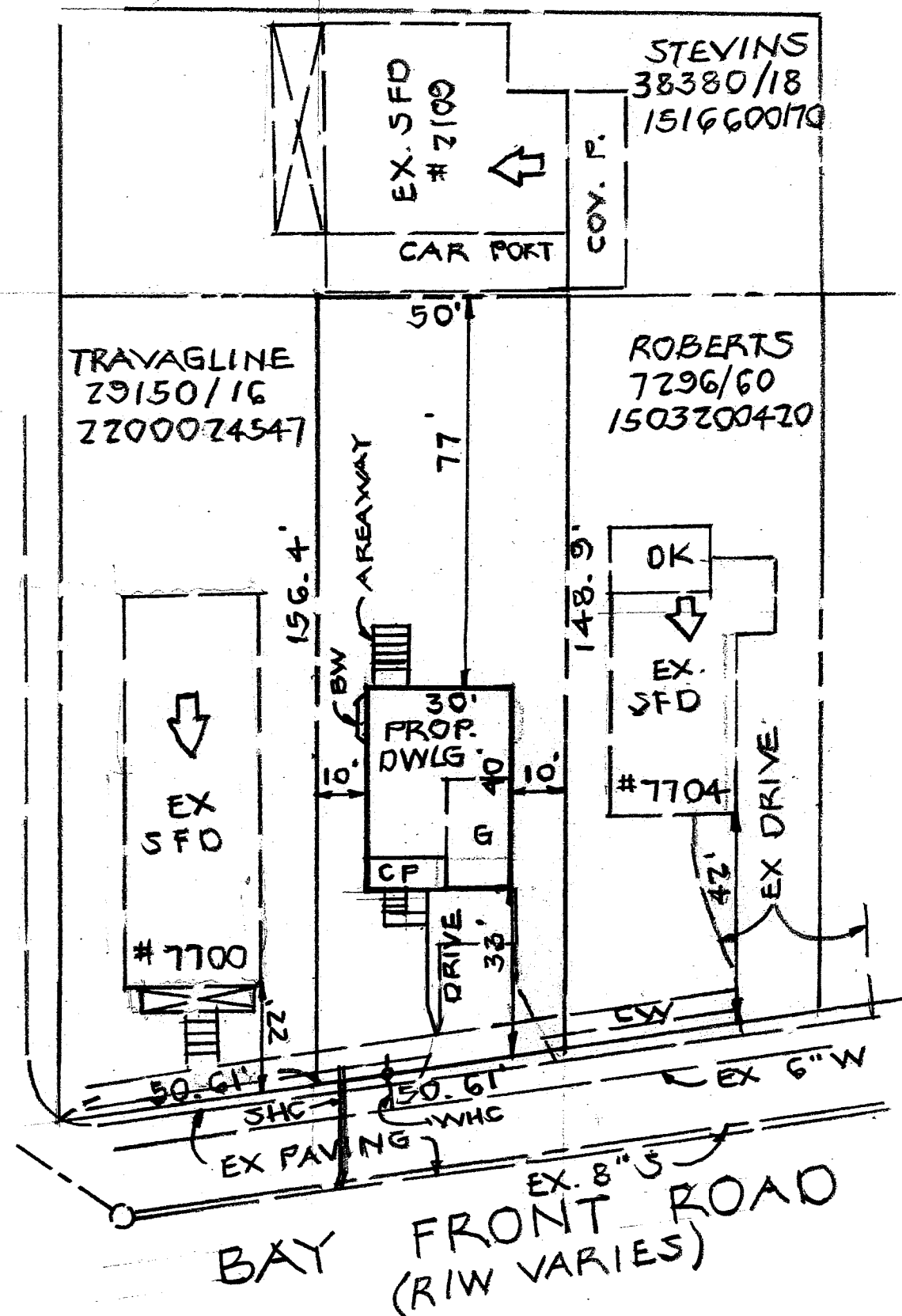
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LODGE FOREST ROAD



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SPARROWS POINT, MD. 21219
DEED REF: L.38778 F.457
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**PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING**

7702 BAY FRONT ROAD

ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 30 FEET JUNE 13, 2017