

MEMORANDUM

DATE: October 11, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0051-A – Appeal Period Expired

The appeal period for the above-referenced case expired on October 10, 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
(7 Sidewell Court)
15th Election District
7th Council District
Charles P. Kafka
Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2018-0051-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 Charles P. Kafka ("Petitioner"). The Petitioner is requesting variance relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed side yard addition with a side setback of 5 ft. in lieu of the required 10 ft. 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 August 29, 2017 submitted by the Department of Environmental Protection and Sustainability (DEPS). It is to be noted that letters were received from three (3) physicians advising against Petitioner's wife climbing stairs due to major health concerns. In addition, a signed petition was received from 11 adjacent property owners indicating their support of Petitioner's zoning request.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on August 20, 2017, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 9-8-17

By 120

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 welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information and photographs 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.

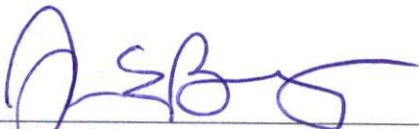
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 8th day of **September, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed side yard addition with a side setback of 5 ft. in lieu of the required 10 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. 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.
2. Petitioner must comply with the ZAC comment from DEPS, dated August 29, 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 9-8-17

By kw

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 29, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0051-A
Address 7 Sidewell Court
(Kafka Property)

Zoning Advisory Committee Meeting of **August 21, 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 requirements. The plan provided does not include all the information required to determine the Critical Area lot coverage allowances. With the carport that exist across property lines, the area of both properties may need to be used to calculate lot coverage and forest/tree requirements. The area indicated as lot 10 would be well over lot coverage allowances. If future permit application review finds that the proposed addition would result in lot coverage greater than the maximum allowed, an amount of lot coverage equal to the size of the addition, or lot coverage over the maximum allowed, must be removed and restored to a vegetated condition to comply with requirements. If development can comply with the LDA lot coverage and forest requirements, the proposed development with the zoning relief requested can be accomplished with minimization of water quality impacts. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17).

ORDER RECEIVED FOR FILING

Date 9-8-17

By [Signature]

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

The property is not waterfront and there are no habitat protection areas on site. Development must meet Critical Area lot coverage, forest/tree requirements, and any mitigation requirements. Therefore, fish, plant, and wildlife habitat in the Chesapeake Bay watershed can be conserved if all Critical Area requirements are met.

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 applicant's proposal to develop the site can be consistent with this goal if development can comply with all Critical Area requirements. Based on the current information, it appears that the amount of lot coverage may be an issue, and trees/shrubs may need to be planted on the site.

Reviewer: Paul Dennis

Date: August 24, 2017

S:\EPS\Shared\DEShared\Devcoord\1 ZAC-Zoning Petitions\ZAC 2018\ZAC 18-0051-A 7 Sidewell Court.doc

ORDER RECEIVED FOR FILING

Date 9-8-17

By [Signature]



CMA

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 7 Sidewell CT. 21221

Currently zoned DR5.5

Deed Reference 10079 / 00131

10 Digit Tax Account # 15 16 00 28 10

Owner(s) Printed Name(s) _____

(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)

BCZR: 1B02.2.C.1 3 → To permit a proposed side yard addition with a side setback of 5 feet in lieu of the required 10 feet.

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):

Charles P. KAFKA

Name #1 – Type or Print

Name #2 – Type or Print

Charles P. Kafka

Signature #1

Signature #2

7 Sidewell CT ESSEX Md.

Mailing Address

City

State

21221 410-812-8311 BuckK193@AOL.com

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 2018-0051-A

Filing Date 8/11/17

Estimated Posting Date 8/29/17

Reviewer JS

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: 7 Sidewell Ct. Essex Md. 21221
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)

Wife has LATTER STAGE of COPD is Oxygen Dependent.
She has EXTREME difficulty with Moving Around & Should
AVOID STAIRS (SEE LETTERS FROM DOCTORS)

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

Charles P. Kafka
Signature of Owner (Affiant)

Charles P. Kafka

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 9 day of August, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Charles P. Kafka

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

03/10/2018
My Commission Expires

Affidavit in Support of Administrative Variance

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

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She has EXTREME difficulty with Moving Around + Should
AVOID STAIRS (SEE LETTERS FROM DOCTORS)

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

Charles P. Kafka

Signature of Owner (Affiant)

Charles P. Kafka

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 9 day of August, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Charles P. Kafka

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

03/10/2018
My Commission Expires



CBFA

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 7 Sidewell CT. 21221

Currently zoned DR5.5

Deed Reference 1009 / 00131

10 Digit Tax Account # 15 16 00 28 10

Owner(s) Printed Name(s) _____

(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)

BCZR: 1B02.2.C.1 → To permit a proposed side yard addition with a side setback of 5 feet in lieu of the required 10 feet.

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):

Charles P. KAFKA

Name #1 – Type or Print

Name #2 – Type or Print

Charles P. Kafka

Signature #1

Signature #2

7 Sidewell CT ESSEX Md.

Mailing Address

City

State

21221 410-812-8311 BUCKK193@AOL.COM

Zip Code

Telephone #

Email Address

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

Representative to be contacted:

Name- Type or Print

Name – Type or Print

Signature

Signature

Mailing Address

City

State

Mailing Address

City

State

Zip Code

Telephone #

Email Address

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

2018-0051-A

Filing Date

8/11/17

Estimated Posting Date

8/20/17

Reviewer

JS

Zoning Property Description for #7 Sidwell Court

Beginning at a point on the east side of Sidwell Court which is 40' wide at a distance of 259 feet, more or less, northeast of the centerline of Core Road which is 60 feet wide.

thence the following courses and distances:

• N $29^{\circ}26'$ E, 63.48 feet; curve with a radius of 207.45 feet and length of 75.34 feet; curve with a radius of 20.00 feet and a length of 31.43 feet; N $39^{\circ}45'30''$ W, 17.47 feet; S $33^{\circ}43'20''$ W, 142.93 feet and N $60^{\circ}34'$ W, 45.00 feet back to the point of beginning as recorded in Deed Liber 10079, folio 131, containing 14,508 square feet, more or less. Located in the 15th Election District and 7th Councilmanic District

2018-0051-A

CERTIFICATE OF POSTING

2018-0051-A

RE: Case No.:

Petitioner/Developer:

Charles Kafka

September 4, 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:

7 Sidwell Court

August 20, 2017

The sign(s) were posted on

(Month, Day, Year)



Sincerely,

August 20, 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 2018- 0051 -A Address 7 SIDDELL CT., 21221

Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/11/17 Posting Date: 8/20/17 Closing Date: 9/4/17

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 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 a neighbor (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 Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written 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 Administrative Law Judge), 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 2018- 0051 -A Address 7 SIDDELL CT., 21221

Petitioner's Name CHARLES KAFKA Telephone 410-812-8311

Posting Date: 8/20/17 Closing Date: 9/4/17

Wording for Sign: To Permit A SIDE YARD ADDITION WITH A SIDE SETBACK OF
5 FEET IN LIEU OF THE REQUIRED 10 FEET.

Revised 6/30/2018

**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: 2018-0051-A
Property Address: 7 Sidewell Court
Property Description: East side of Sidewell Court, northeast of
Cove Road.
Legal Owners (Petitioners): Charles Kafka
Contract Purchaser/Lessee: n/a

PLEASE FORWARD ADVERTISING BILL TO:

Name: Charles Kafka
Company/Firm (if applicable): n/a
Address: 7 Sidewell Court
Baltimore, MD 21221

Telephone Number: 410 812-8311

№ 157166

Date: 8/17/17

				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: [illegible]
From: KAFKA

For: 2018-0151-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS	ACTUAL	TIME	RAW
8/15/2017	8/11/2017	10:59:39	1
REQ USOL - WALKIN LIR			
>>RECEIPT # 735012	8/11/2017		OFIN
Dept 5	SLS ZONING VERIFICATION		
CE NO.	157146		

Receipt Tot. \$75.00
 \$1.00 CK \$100.00 CA
 \$25.00 CG
 Baltimore County Maryland

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

September 6, 2017

Charles P Kafka
7 Sidewell Court
Essex MD 21221

RE: Case Number: 2018-0051 A, Address: 7 Sidewell Court

Dear Mr. Kafka:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 11, 2017. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Date: 8/14/17

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. 2018-0051A

*Administrative Variance
Charles P. Kafka
7 Sidewell Court*

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

INTEROFFICE CORRESPONDENCE

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

DATE: August 23, 2017

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 21, 2017
Item No. 2018-0043-A, 0044-A, 0045-A, 0046-SPHA, 0049-A and 0051-A

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

* * * * *

VKD:CEN
cc:file

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 29, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0051-A
Address 7 Sidewell Court
(Kafka Property)

Zoning Advisory Committee Meeting of **August 21, 2017**.

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

The property is not waterfront and there are no habitat protection areas on site. Development must meet Critical Area lot coverage, forest/tree requirements, and any mitigation requirements. Therefore, fish, plant, and wildlife habitat in the Chesapeake Bay watershed can be conserved if all Critical Area requirements are met.

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 applicant's proposal to develop the site can be consistent with this goal if development can comply with all Critical Area requirements. Based on the current information, it appears that the amount of lot coverage may be an issue, and trees/shrubs may need to be planted on the site.

Reviewer: Paul Dennis

Date: August 24, 2017

I, Charles Kafka (Buck) reside at 7 Sidewell Ct. I plan to add a 17'x17' addition on the Northeast side of my house that will be towards my neighbor's at 19 Sidewell Ct. I'm requesting a variance to build 51/2' and not the 10' required from the property line. It will not infringe on any other neighbor.

My wife, Sandy, is oxygen dependent and in the latter stages of COPD. At this point, she is forced to climb our steep steps, which is very difficult for her. We need the addition, which will include a bedroom, bath, and closet so she can stay on the first floor.
This is a medical hardship.

We hope you will sign this request so we can get a permit to build.

Please sign and print your name and address.

Many thanks,
The Kafka's

- 1 Tiffany Dube Tiffany S. Dube 1 Sidewell Ct 21221
- 2 Nancy L. Lucas Nancy L. Lucas 2 Sidewell Ct 21221
- 10 Thomas F. Kafka Thomas F. KAFKA 10 SIDEWELL CT. 21221
- 12 Ryland Sant Ryland Sant 12 Sidewell Ct 21221
- 14 John Dufour John Dufour 14 Sidewell Ct 21221
- 18 Eugen Protzko, MD Eugen Protzko, MD 18 Sidewell Ct 21221
- 19 Janet Abeys Janet Abeys 19 Sidewell Ct 21221
- 20 Robert L. Brady Robert L. Brady 20 Sidewell Ct. 21221
- 21 Nick Gentile Nick Gentile 21 Sidewell CT Essex 21221
- 22 Sam Gillespie Sam R Gillespie 22 SIDEWELL CT ESSEX 21221
- 24 David Friskey David Friskey 24 SIDEWELL CT, ESSEX, MD 2122



Russell K. Hales, M.D.
Assistant Professor of Radiation Oncology
and Molecular Radiation Sciences
Director,
Thoracic Multidisciplinary Clinic

Kimmel Cancer Center
Johns Hopkins Bayview
300 Mason Lord Drive
Baltimore, MD 21224
410-550-6597 Phone
410-550-6598 Fax
radonc-thoracic@jhmi.edu



JOHNS HOPKINS
MEDICINE

THE SIDNEY KIMMEL
COMPREHENSIVE CANCER
CENTER

Department of Radiation Oncology and Molecular Radiation Sciences
300 Mason Lord Drive/White Awning/Baltimore, Maryland 21224

August 3, 2017

Ms. Sandra Kafka (date of birth: 3/19/1948) is a 69 year old patient of mine who is a lung cancer survivor, but with significant lung dysfunction associated with advanced COPD. She is supplemental oxygen dependent. She is unable to ambulate up stairs and I have advised against housing options that require living space on a 2nd level. Instead, she should utilize house options that providing for living on one floor.

Please contact me if you have additional questions

Sincerely,

Russell K. Hales, MD
Assistant Professor of Radiation Oncology
And Molecular Radiation Sciences.
Director Thoracic Multidisciplinary Clinic
Sidney Kimmel Cancer Center
Thoracic Center of Excellence
Johns Hopkins Bayview
300 Mason Lord Drive
Baltimore MD, 21224
410-550-6597 Phone
410-550-6598 Fax

Johns Hopkins
Bayview Pulmonary
5501 Hopkins Bayview Cir.
Asthma & Allergy Ctr, 2nd Fl.
Baltimore MD 21224-6821
Phone: 410-550-2304
Fax: 410-550-1821

June 22, 2017

To Sir/Madam,

Please accept this letter of medical necessity on behalf of patient Sandra Kafka, date of birth 3/18/1948. Mrs. Kafka first came under my care in March, 2017 for treatment of severe chronic obstructive pulmonary disease.

Because of the stage of her disease, she has extreme difficulty with moving around and should avoid stairs.

Thank you for your attention to this matter and your concern for Mrs. Kafka's ongoing health. If you have any questions and concerns about this letter, please feel free to contact me at 410-550-2304.

Sincerely,

Emily Brigham MD
Emily Pfeil Brigham, MD



UNIVERSITY of MARYLAND
FACULTY PHYSICIANS, INC.

Faculty Practices of the
University of Maryland School of Medicine

Cardiac
Ambulatory Center
419 W Redwood St
Suite 520
Baltimore MD
21201-7001
Ph: 667-214-1717
Fax: 410-328-2255

7/26/2017

RE: Sandra L Kafka
7 Sidewell Court
Baltimore MD 21221
Date of Birth: 3/18/1948

To whom it may concern,

I have been asked to write a letter in support of Ms. Sandra Kafka's application to add an addition to her home that does not require her to climb stairs. I am her cardiologist at UMMC who has been following her since June 2016.

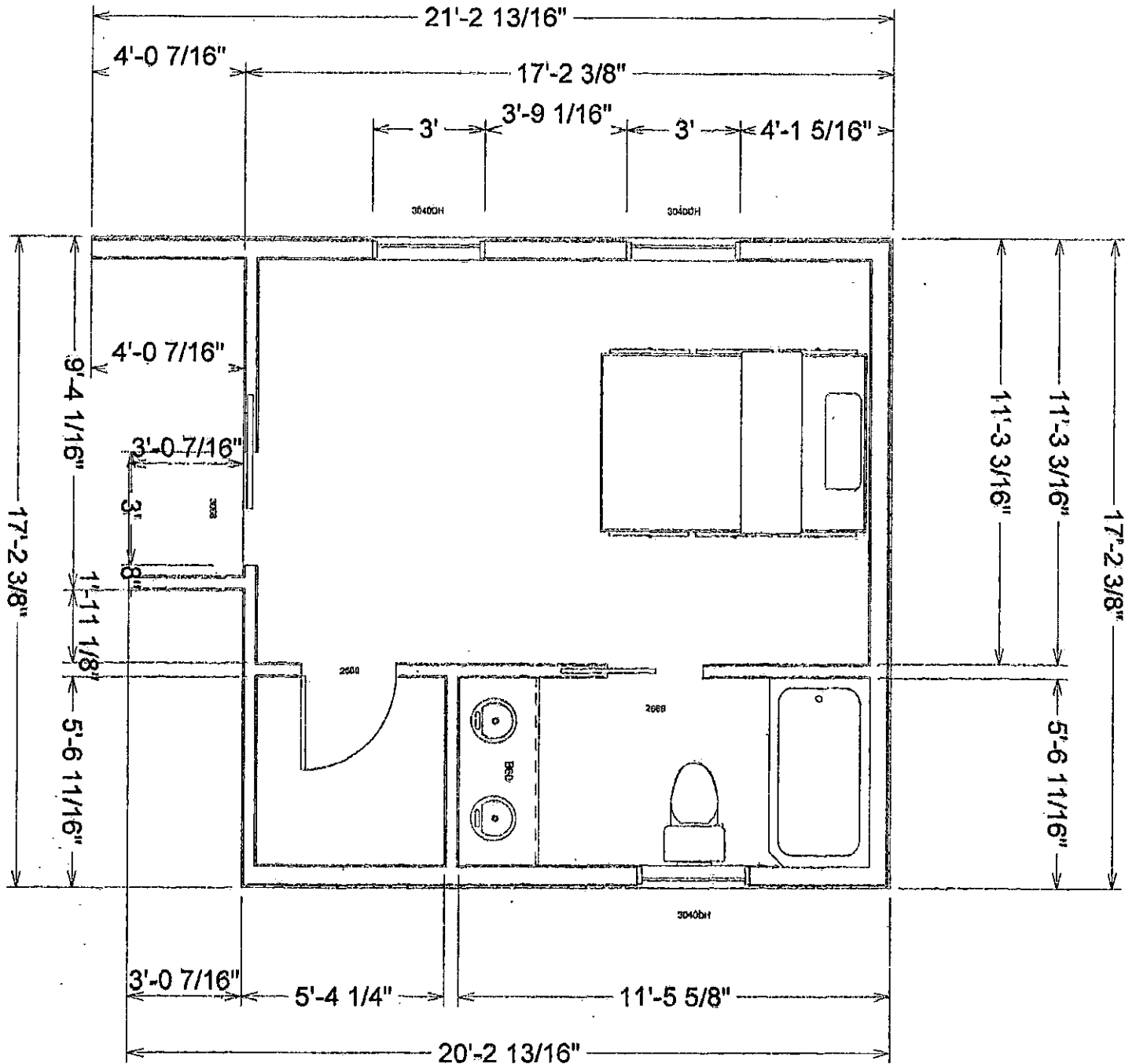
Ms. Kafka has two major health concerns that limits her ability to climb stairs safely for which a single-story home/bedroom would be very beneficial. The first is severe lung disease for which she requires 24-hr portable oxygen that is exacerbated by exertion such as climbing stairs. The second is a high risk of bleeding combined with the necessity of staying on at least one blood thinner. She recently had a severe nosebleed requiring a multiple-day hospitalization but still requires at least an aspirin because of her prior stents in her heart and arteries.

Please feel free to contact me if I can provide any additional information.


Sincerely,

Stanley Shi-Dan Liu, MD
Assistant Professor
University of Maryland School of Medicine
Department of Medicine, Division of Cardiovascular Medicine

LIVING AREA
290 sq ft



C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>8-29</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
	FIRE DEPARTMENT	_____
	PLANNING (if not received, date e-mail sent _____)	_____
<u>8-14</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>8-20-17</u> by <u>Black</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

0051-A

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1516002810			
Owner Information					
Owner Name:	KAFKA CHARLES P		Use:	RESIDENTIAL	
Mailing Address:	7 SIDEWELL CT BALTIMORE MD 21221-2920		Principal Residence:	YES	
			Deed Reference:	/10079/ 00131	
Location & Structure Information					
Premises Address:		7 SIDEWELL CT 0-0000		Legal Description: 7 SIDEWELL CT SES PRICES COVE PLAT	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0097	0005	0508		0000	10 2018
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1949	1,200 SF		14,508 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	NO	STANDARD UNIT	SIDING	1 full	1 Detached
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of 01/01/2015	As of 07/01/2017	As of 07/01/2018	
Land:	51,600	51,600			
Improvements	88,100	88,100			
Total:	139,700	139,700	139,700		
Preferential Land:	0				
Transfer Information					
Seller: NOMIKOS FANNY		Date: 10/19/1993		Price: \$1	
Type: NON-ARMS LENGTH OTHER		Deed1: /10079/ 00131		Deed2:	
Seller: PARIS EMANUEL G,ET AL		Date: 09/05/1973		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /05391/ 00983		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: Approved 10/11/2008

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No
Application

Date:

ZAC AGENDA

Case Number: 2018-0051-A
Type: ADMISTRATIVE VARIANCE
Legal Owner: Charles P Kafka
Contract Purchaser

Primary Use: RESIDENTIAL

Reviewer: SeidelmanJason

Critical Area : Yes Flood Plain: No Historic No Election Dist Fifteenth Councilmanic Dist Seventh
Property Address: 7 Sidewell COURT

Location: SE/S of Sidewell Court, 260 ft. NE of the centerline of the intersection with Cove Road

Existing Zoning: DR 5.5

Area: 14,508 sq. ft.

Proposed Zoning: ADMISTRATIVE VARIANCE:

To permit a proposed side yard addition with a side setback of 5 ft. in lieu of the required 10 ft.

Attorney:

Prior Zoning Cases:

Concurrent Cases:

Violation Cases:

Closing Date:

9-4-17 per June
9-6

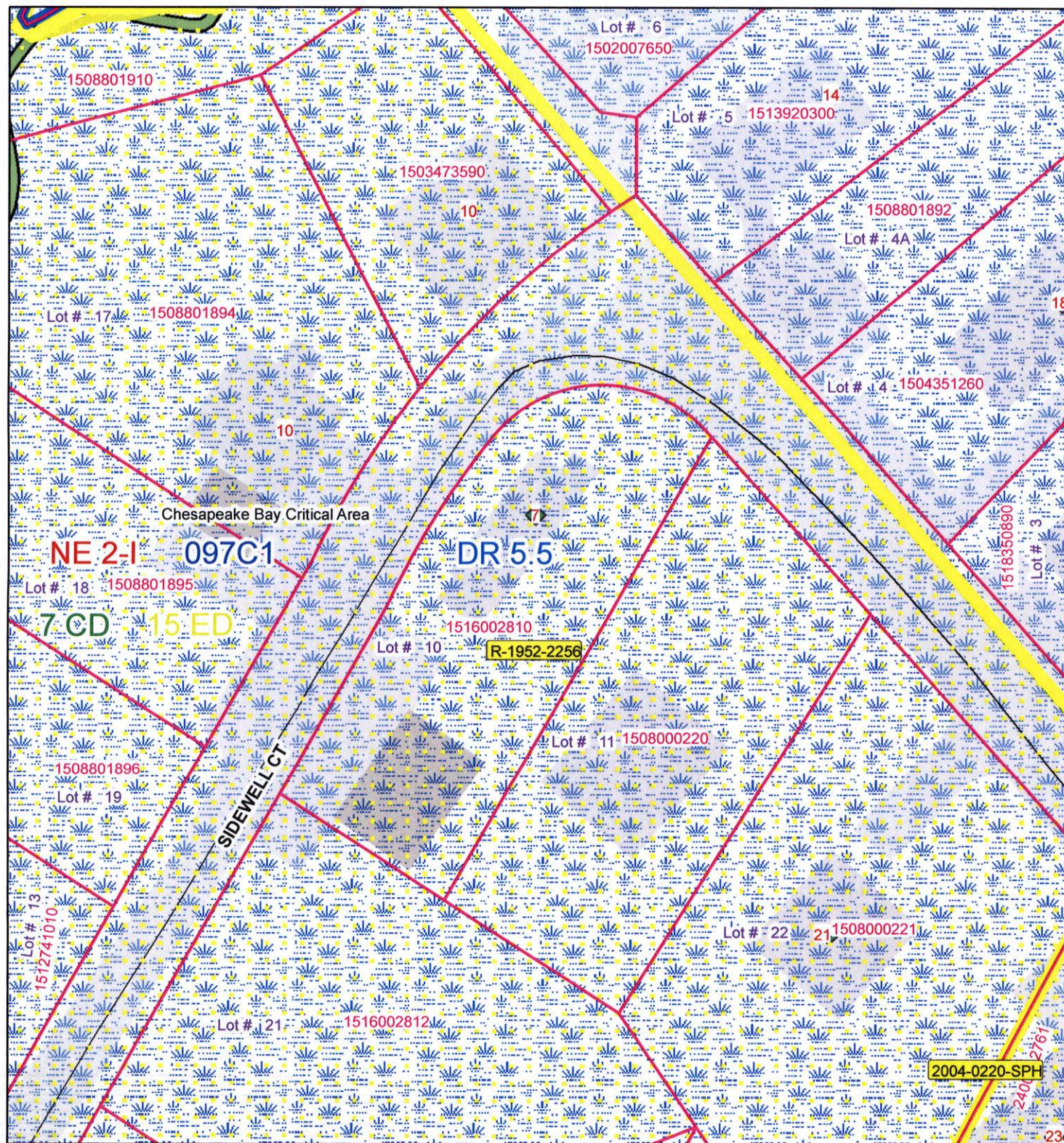
Miscellaneous:

Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration			
Account Identifier:			District - 15 Account Number - 1516002810						
Owner Information									
Owner Name:			KAFKA CHARLES P			Use:		RESIDENTIAL	
Mailing Address:			7 SIDEWELL CT BALTIMORE MD 21221-2920			Principal Residence:		YES	
						Deed Reference:		/10079/ 00131	
Location & Structure Information									
Premises Address:			7 SIDEWELL CT 0-0000			Legal Description: 7 SIDEWELL CT SES PRICES COVE PLAT			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0097	0005	0508		0000			10	2018	Plat Ref:
Special Tax Areas:					Town:		NONE		
					Ad Valorem:				
					Tax Class:				
Primary Structure Built			Above Grade Living Area		Finished Basement Area		Property Land Area		County Use
1949			1,200 SF				14,508 SF		04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
2	NO	STANDARD UNIT	SIDING	1 full	1 Detached				
Value Information									
			Base Value		Value		Phase-in Assessments		
					As of 01/01/2015		As of 07/01/2017		As of 07/01/2018
Land:			51,600		51,600				
Improvements			88,100		88,100				
Total:			139,700		139,700		139,700		
Preferential Land:			0						
Transfer Information									
Seller: NOMIKOS FANNY				Date: 10/19/1993			Price: \$1		
Type: NON-ARMS LENGTH OTHER				Deed1: /10079/ 00131			Deed2:		
Seller: PARIS EMANUEL G,ET AL				Date: 09/05/1973			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /05391/ 00983			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: Approved 10/11/2008									

Chesapeake Bay Critical Area



Publication Date: 8/11/2017



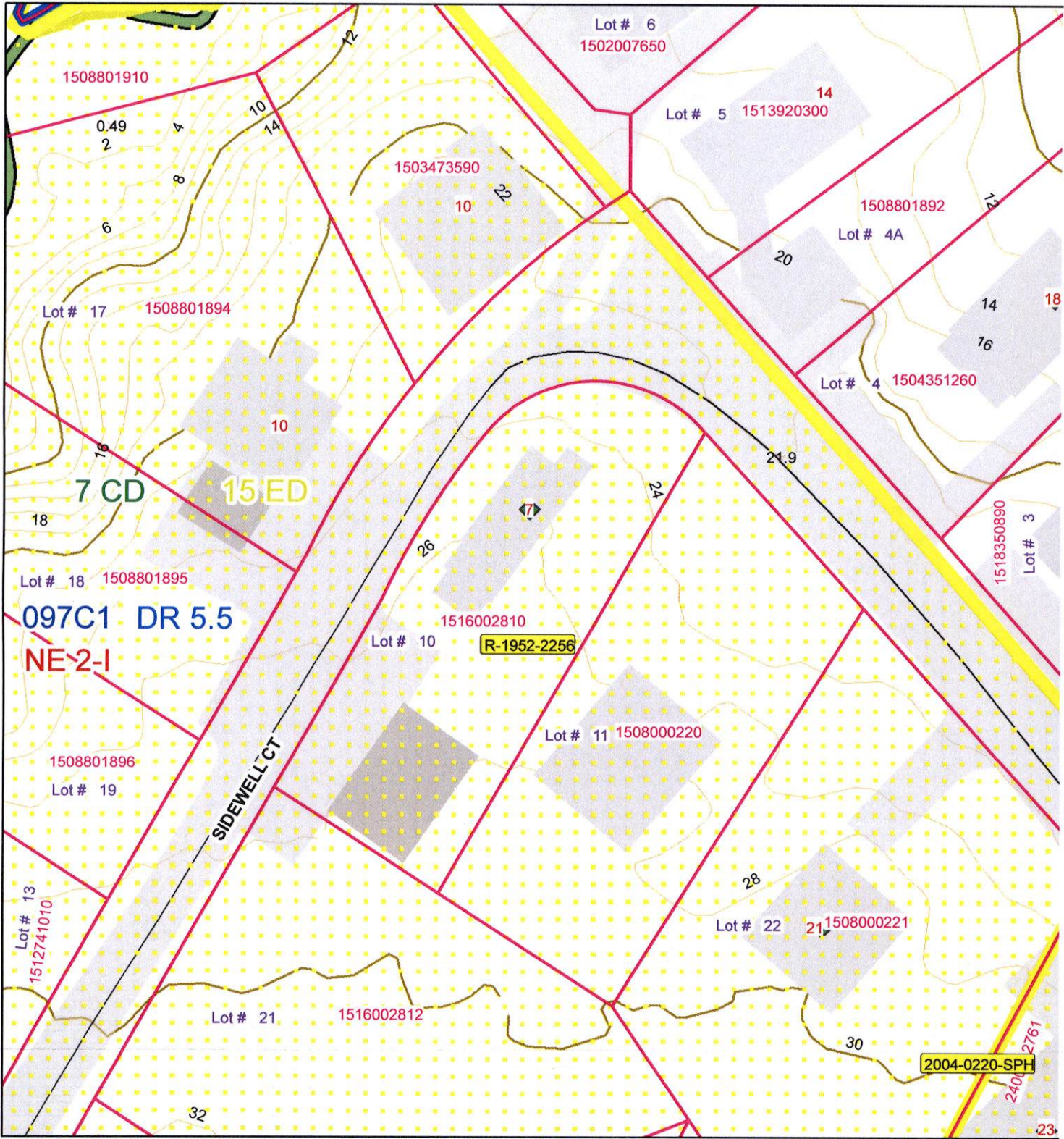
Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 10 20 40 60 80 Feet

1 inch = 40 feet

Elevations



Publication Date: 8/11/2017

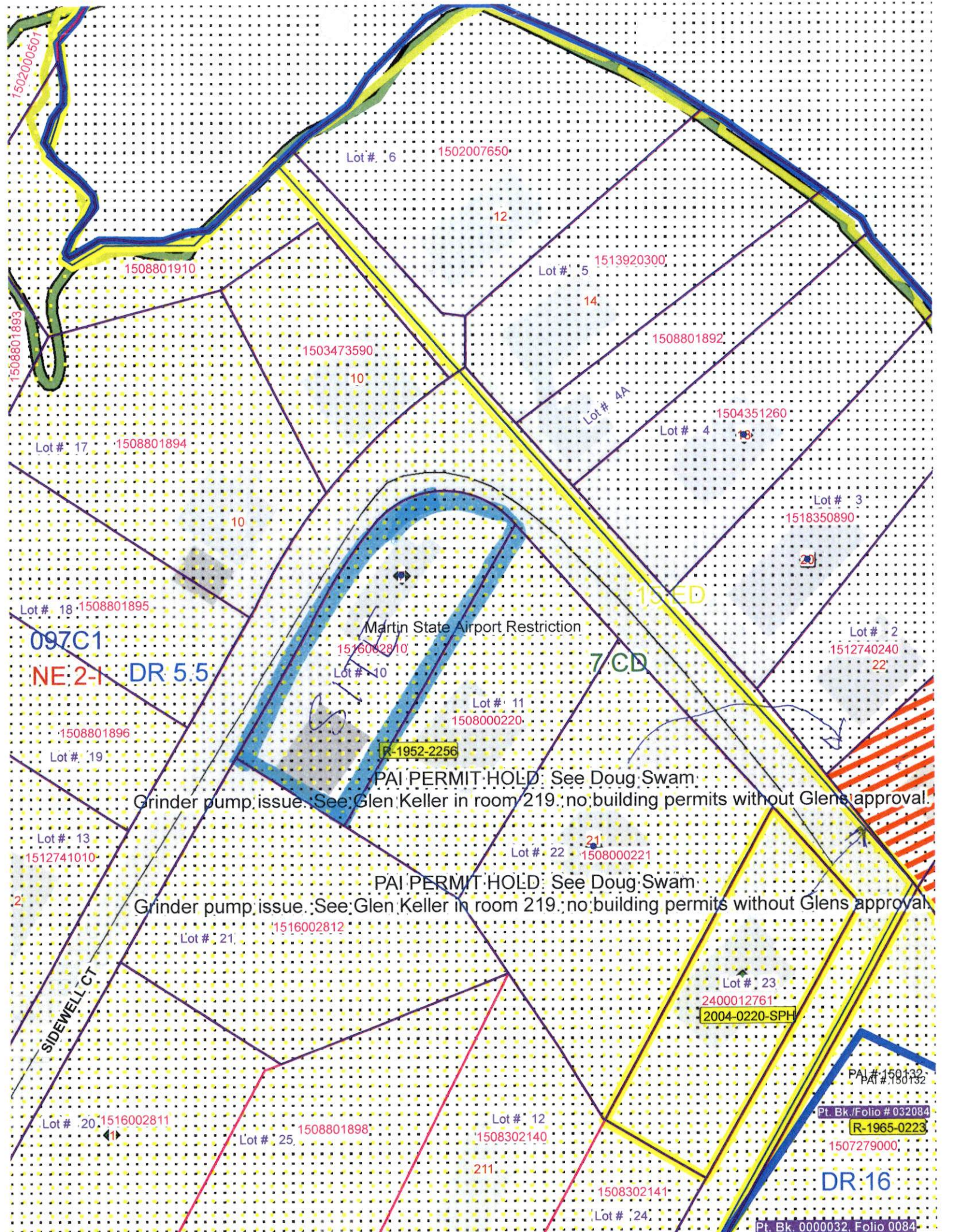


Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 10 20 40 60 80 Feet

1 inch = 40 feet



PAI PERMIT HOLD: See Doug Swam
Grinder pump issue. See Glen Keller in room 219; no building permits without Glens approval.

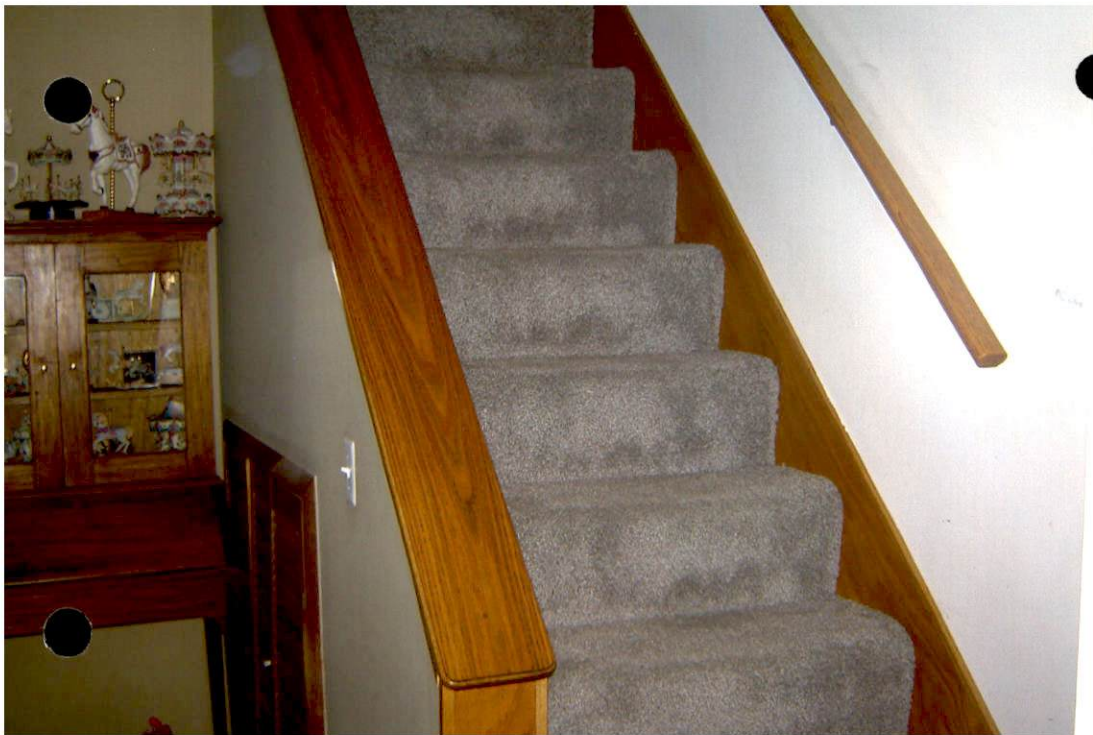
PAI PERMIT HOLD: See Doug Swam
Grinder pump issue. See Glen Keller in room 219; no building permits without Glens approval.

PAI # 150132
PAI # 180132
Pt. Bk. 0000032, Folio # 032084
R-1965-0223
1507279000

DR 16



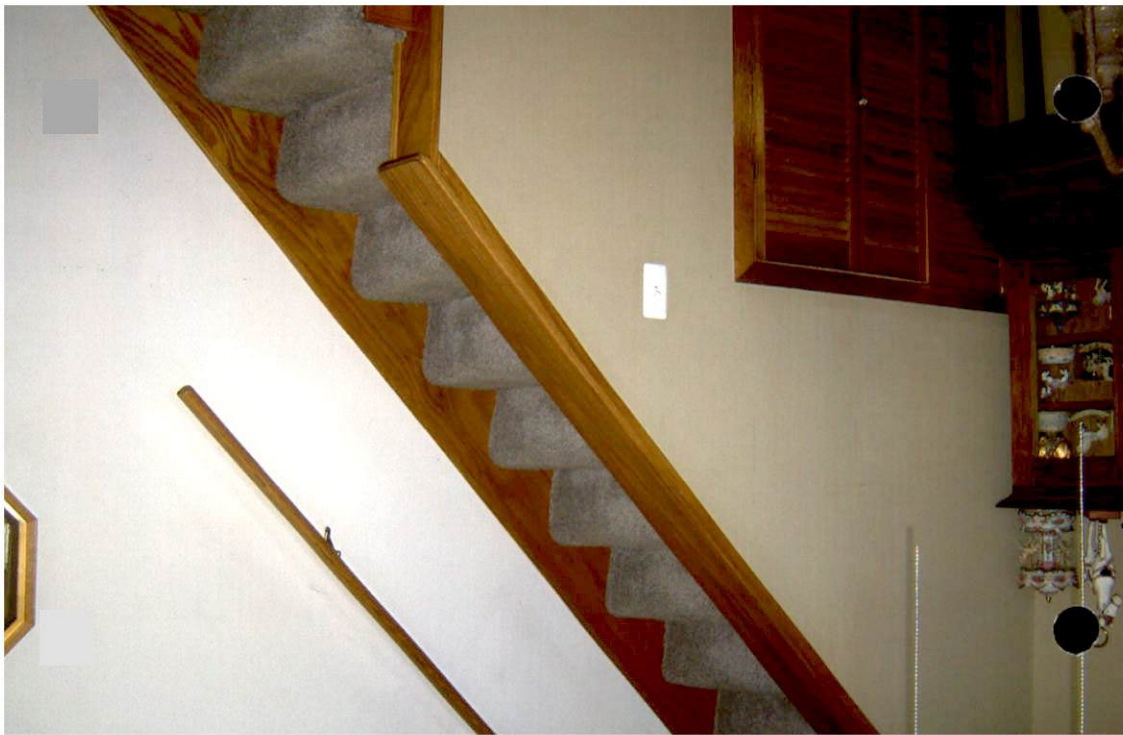




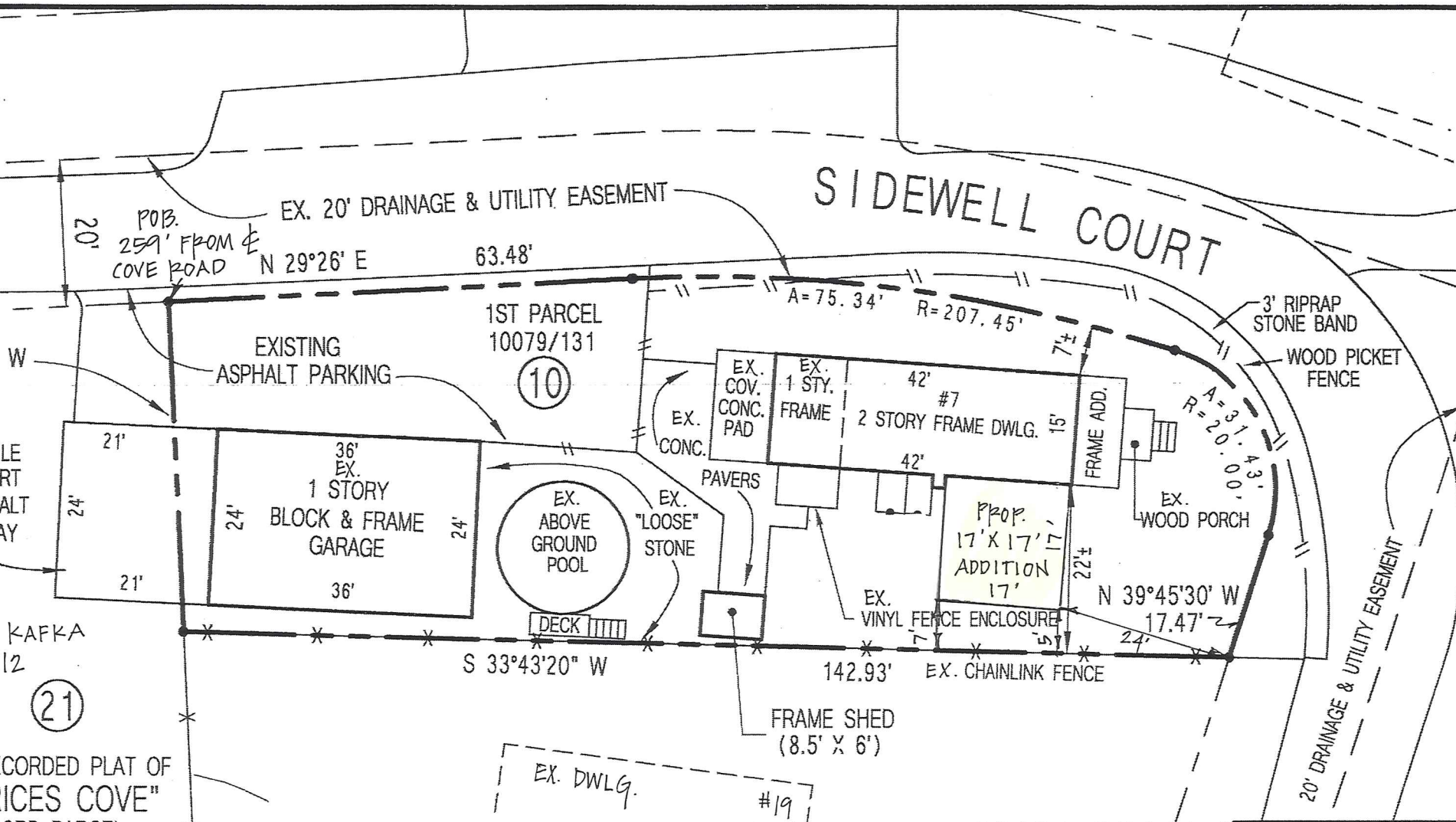












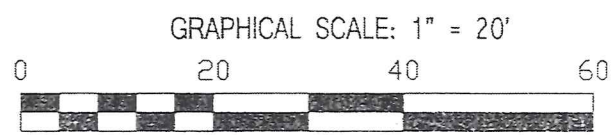
- EX. ZONING D.R. 5.5 (
- EX. PUBLIC SEWER & WA
- NOT LOCATED IN A HISTO
- AREA OR 100 YEAR FL
- PLAIN.
- LOCATED IN CBCA (
- NO PRIOR ZONING HI
- EX. USE: SFD
- PROP. USE: SFD W/ PR
- ADDITION

(ACCURACY OF SETBACKS:

OWNER: CHARLES KAFKA
7 SIDEWELL COURT
BALTIMORE MD 212
(410) 812-8311
TAX ACCT NO. 15160028
LOT AREA: 14,508 S.

Michael W. Moskurias
Professional Land Surveyor #2
License Expires: 6/25/2019

FLOOD INSURANCE NOTE: By graphics plotting only,
this property is in ZONE "X"
of the Flood Insurance Rate Map, Community Panel No.
2400100440G effective date of 05/05/2014
Exact designations can only be determined by an Elevation
Certificate. Based on the above information, this property
IS NOT in a Special Flood Hazard Area.



PLAN TO ACCOMPANY ADMINISTRATIVE VARIAN

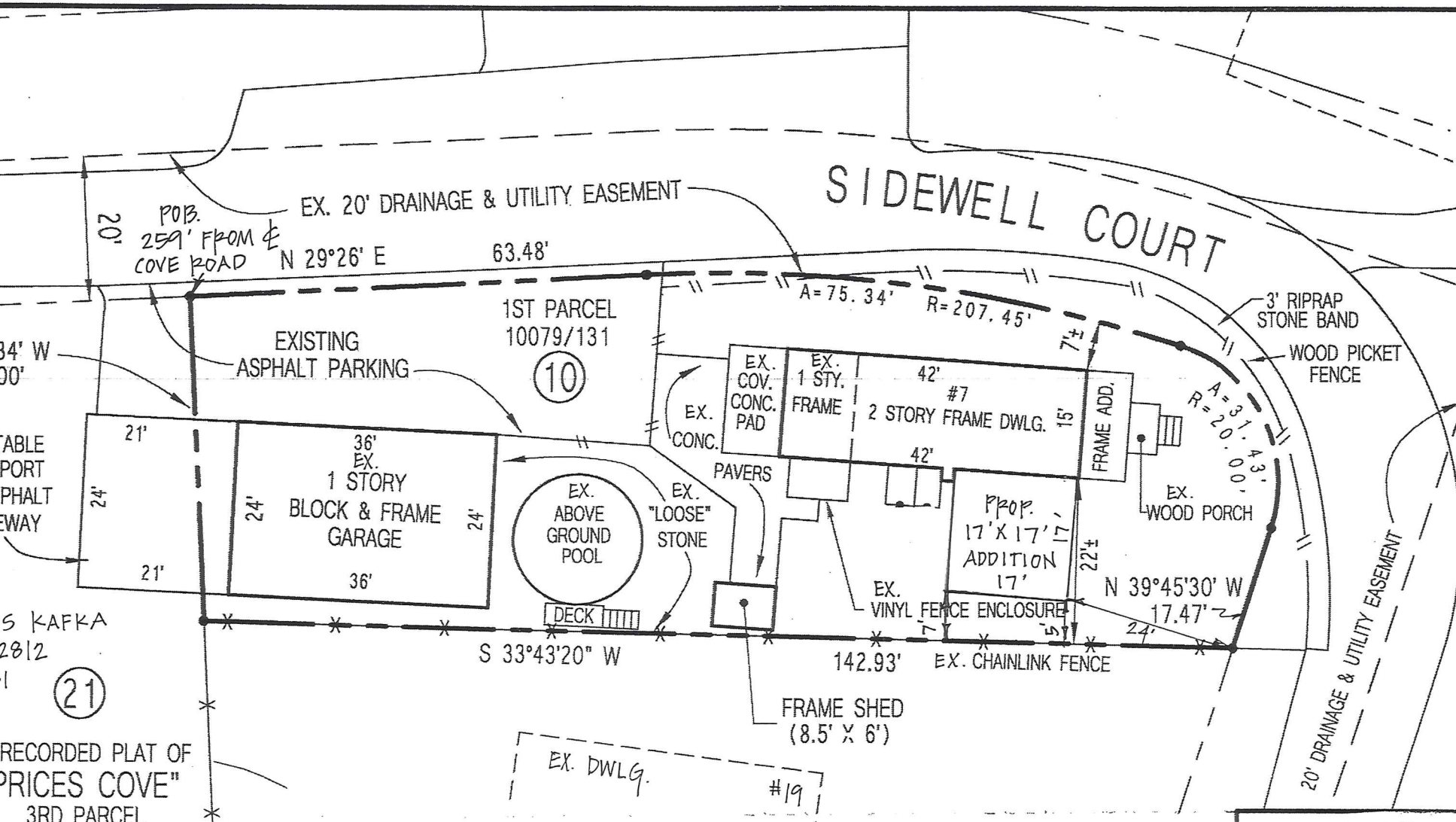
#7 SIDEWELL COURT
LOTS 10 & 21 UNRECORDED PLAT OF
"PRICES COVE"

TAX MAP: 97 - GRID: 5 - PARCEL: 508
DEED REFERENCE: 10079/131
15TH ELECTION DISTRICT 7C
BALTIMORE COUNTY, MARYLAND

Scale: 1" = 20'	Date: 08/07/2017	JOB #10598
Drawn: M.V.M.	Checked: B.L.M.	SURVEY'D: M

Pet. Exp. 1

ERITE
SURVEYING INC.
200 E. JOPPA ROAD
SHELL BUILDING, SUITE 101
TOWSON, MD. 21286
410-828-9060



- EX. ZONING D.R. 5.5
- EX. PUBLIC SEWER & V
- NOT LOCATED IN A HIS
- AREA OR 100 YEAR
- PLAIN.
- LOCATED IN CBCA
- NO PRIOR ZONING
- EX. USE: SFD
- PROP. USE: SFD W/
- ADDITION

(ACCURACY OF SETBACKS)

OWNER: CHARLES KAFKA
7 SIDEWELL COURT
BALTIMORE MD 21202
(410) 812-8311
TAX ACCT NO. 151600
LOT AREA: 14,508

Michael V. Moskunias
Professional Land Surveyor
License Expires: 6/25/2017

FLOOD INSURANCE NOTE: By graphics plotting only,
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GRAPHICAL SCALE: 1" = 20'



PLAN TO ACCOMPANY ADMINISTRATIVE VARIATION

#7 SIDEWELL COURT
LOTS 10 & 21 UNRECORDED PLAT OF
"PRICES COVE"

TAX MAP: 97 - GRID: 5 - PARCEL: 508
DEED REFERENCE: 10079/131
15TH ELECTION DISTRICT 7C
BALTIMORE COUNTY, MARYLAND

Scale: 1" = 20'	Date: 08/07/2017	JOB #105
Drawn: M.V.M.	Checked: B.L.M.	SURVEY'D:

TERITE
SURVEYING INC.
200 E. JOPPA ROAD
SHELL BUILDING, SUITE 101
TOWSON, MD. 21286
410-828-9060

The plat is a benefit to the consumer insofar as it is required by the lender, title insurance company or its agent with contemplated transfer, financing

The plat is not to be relied upon for the location of fences, garages, buildings or other improvements existing or future improvements.

The plat does not provide for the actual location of property lines, but such identification is required for the transfer of title or sale of the property or refinancing.

(ACCURACY OF SETBACK

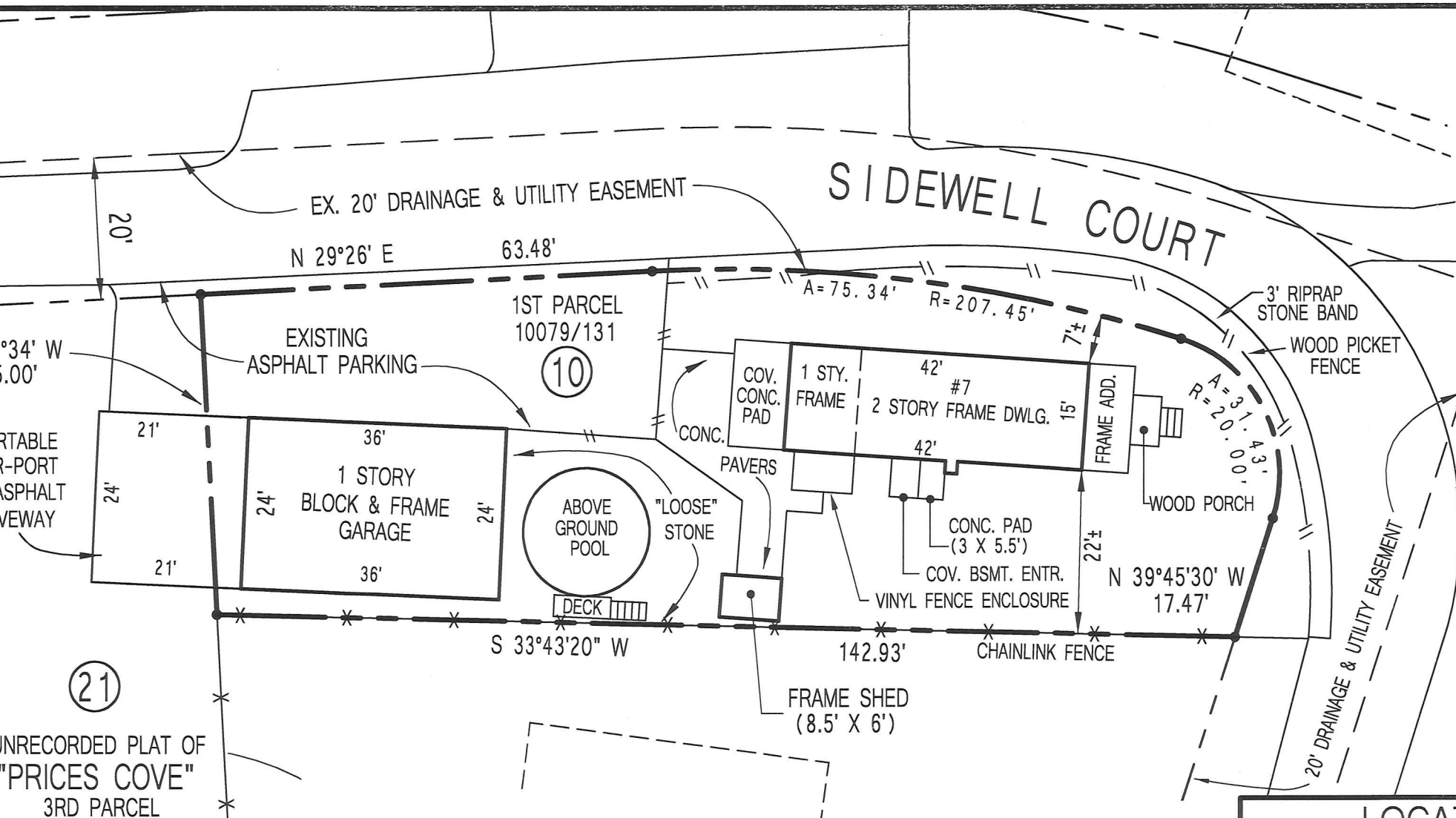


Michael V. Moskunas
Professional Land Surveyor
License Expires: 6/25/2025

#7 SIDEWELL COUP
LOTS 10 & 21 UNRECORDED PLAT
"PRICES COVE"

TAX MAP:97 - GRID:5 - PARCEL:5
DEED REFERENCE: 10079/131
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1" = 20'	Date: 08/07/2017	JOB #1
Drawn: M.V.M.	Checked: B.L.M.	SURVEY



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GRAPHICAL SCALE: 1" = 20'



SITE RITE
SURVEYING INC.
200 E. JOPPA ROAD
SHELL BUILDING, SUITE 101
TOWSON, MD. 21286
410-828-9060