

IN RE: PETITION FOR ADMIN. VARIANCE *

(1126 Susquehanna Road)

15th Election District *

6th Council District *

Frank J. Battaglia, 3rd & *

Kimberly L. Battaglia *

Petitioners *

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2018-0156-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Frank J. Battaglia, 3rd and Kimberly L. Battaglia ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 417.4 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an open access strip of 15 ft. between existing facilities of an adjoining property and proposed piles and boat lift in lieu of the required 20 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' 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 January 11, 2018 submitted by the Department of Environmental Protection and Sustainability ("DEPS"). It is to be noted that a letter of support was received from adjacent neighbors Johnny R. and Brenda Sue Miller (1122 Susquehanna Avenue), who indicate they have no objections to the Petitioner's zoning request.

ORDER RECEIVED FOR FILING

Date 1-17-18

By bw

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on December 15, 2017, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 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 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 § 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 Petitioners.

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 **January, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from §417.4 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an open access strip of 15 ft. between existing facilities of an adjoining property and proposed piles and boat lift in lieu of the required 20 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

ORDER RECEIVED FOR FILING

Date 1-17-18

By [Signature]

2. Petitioners must comply with the ZAC comment submitted by DEPS dated January 11, 2018; 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 1-17-18

By dlw



CBCA

Flood

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 1126 SUSQUEHANNA AVE. Currently zoned DB 3.5
Deed Reference L. 30192 / F. 359 10 Digit Tax Account # 1520550100
Owner(s) Printed Name(s) FRANK J. BATTAGLIA, III & KIMBERLY L. BATTAGLIA

(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)

SECTION 417.4 (BCZR) TO PERMIT AN OPEN ACCESS STRIP OF 15 FEET BETWEEN EXISTING FACILITIES OF AN ADJOINING PROPERTY AND PROPOSED PILES AND BOAT LIFT IN LIEU OF THE REQUIRED 20 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):

FRANK J. BATTAGLIA III KIMBERLY L. BATTAGLIA

Name #1 – Type or Print

Name #2 – Type or Print

Frank J. Battaglia III
Signature #1

Kimberly L. Battaglia
Signature #2

1126 SUSQUEHANNA AVE BALTO MD
Mailing Address City State

21220 1 1kbattaglia@pklaw.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:

DAVID BILLINGSLEY

Name- Type or Print

David Billingsley
Signature

601 CHARMWOOD CT. EDGEWOOD MD.
Mailing Address City State

21040 (410) 679-8719 idwb0709@yahoo.com
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 2018-0156-A
ORDER RECEIVED FOR FILING

Filing Date 12/8/17

Estimated Posting Date 12/17/17

Reviewer JS

Date 1-17-18

Rev 5/5/2016

By low

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: 1126 SUSQUEHANNA AVE BALTO. 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)

SEE ATTACHED

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

Frank J. Battaglia III
Signature of Owner (Affiant)

FRANK J. BATTAGLIA III
Name- Print or Type

Kimberly L. Battaglia
Signature of Owner (Affiant)

KIMBERLY L. BATTAGLIA
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 27th day of November, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Frank J. Battaglia III + Kimberly L. Battaglia

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

AS WITNESS my hand and Notaries Seal



LeDonna C. Berryman
Notary Public

1/12/18
My Commission Expires

REV. 5/5/2016

2018-0156-A

1126 SUSQUEHANNA AVENUE

We are purchasing a larger boat. The water depth at the existing platform and mooring piles is approximately 1.7 feet at low tide. At times, we are not able to use our boat because of the water depth. We would like to extend the pier 45 feet and construct a new boatlift near the end of the new pier. The water depth in the area of the new boat lift will be approximately 3.0 feet at low tide.

As shown on the Plat To Accompany Petition, the existing improvements located on neighboring 1122 Susquehanna Avenue encroach beyond the divisional property line. The improvements consist of a catwalk used for the owner to access his boat. We have approached the owner and he has no objection to our proposal and a letter to that effect will be placed in the file. The variance request will affect no other property owners existing improvements.

It should be noted that the proposed improvements meet the 10 foot setback required from the divisional property lines. We only need a variance to permit a 15 foot wide open access strip in lieu of the required 20 feet.

2018-0156-A

ZONING DESCRIPTION

1126 SUSQUEHANNA AVENUE

Beginning for the same at a point on the west side of Susquehanna Avenue (40 feet wide) distant 268 feet northerly from its intersection with the center of Chesapeake Avenue (40 feet wide), thence being all of Lot 32 as shown on the plat entitled Long Beach Estates recorded among the Baltimore County plat records in Plat Book 3 Folio 178.

Containing 27,798 square feet or 0.638 acre of land, more or less.

Being known as 1126 Susquehanna Avenue. Located in the 15TH Election District, 6TH Councilmanic District of Baltimore County, Md.

2018-0156-A

CERTIFICATE OF POSTING

Date: DECEMBER 15, 2017

RE: Project Name: 1126 SUSQUEHANNA AVENUE
Case Number /PAI Number: 2018-0156-A
Petitioner/Developer: BATTAGLIA
Date of Hearing/Closing: JANUARY 1, 2018

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 1126 SUSQUEHANNA AVENUE

The sign(s) were posted on DECEMBER 15, 2017
(Month, Day, Year)

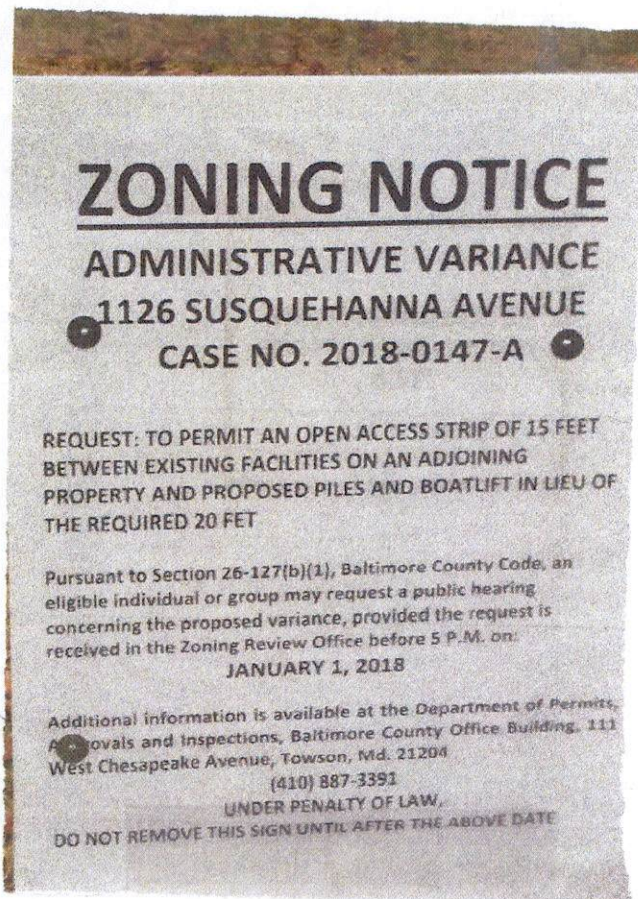
David Billingsley
(Signature of Sign Poster)

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)



BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2018- 0156 -A Address 1126 SUSQUEHANNA AVE, 21220

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

Filing Date: 12/8/17 Posting Date: 12/17/17 Closing Date: 1/1/18

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- 0156 -A Address 1126 SUSQUEHANNA AVE, 21220

Petitioner's Name BATTAGLIA Telephone 410-679-8719

Posting Date: 12/17/17 Closing Date: 1/1/18

Wording for Sign: TO PERMIT AN OPEN ACCESS STRIP OF 15 FEET BETWEEN
EXISTING FACILITIES OF AN ADJOINING PROPERTY AND PROPOSED PILES AND
BOAT LIFT IN LIEU OF THE REQUIRED 20 FEET

Revised 6/30/2018

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

NO 161157

Date: 12/8/17

		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: BATTAGLIA

For: 7018-0156-A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME IN
12/11/2017 12/08/2017 09:14:45
REG 0501 WALKIN' LJR
RECEIPT # 763414 12/08/2017 CGL
Dept 5 528 ZONING VERIFICATION
CR NO. 161157
Receipt Tot \$75.00
\$75.00 CK \$ 0.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

January 3, 2018

Frank J & Kimberly L Battaglia
1126 Susquehanna Avenue
Baltimore MD 21220

RE: Case Number: 2018-0156 A, Address: 1126 Susquehanna Avenue

Dear Mr. & Ms. Battaglia:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 8, 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 dark ink, appearing to read "W. Carl Richards, Jr.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

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



Date: 12/11/17

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

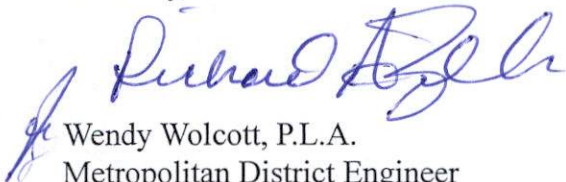
Dear Ms. Lewis:

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. 2018-0156-A

*Administrative Variance
Frank J. & Kimberly L. Battaglia
1126 Susquehanna 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, 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
me

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 18, 2017
Item No. 2018-0156-A

DATE: January 8, 2018

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



RECEIVED

JAN 11 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

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: January 11, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0156-A
Address: 1126 Susquehanna Avenue
(Battaglia Property)

Zoning Advisory Committee Meeting of **December 18, 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 encroachment of a boat lift and pilings beyond the divisional zoning property line. As currently developed, the lot meets all LDA requirements. Boat lifts and pilings are permitted under the Critical Area requirements. There is already a private pier on this lot, and the existing platform and pilings will be removed as part of this proposal. As it meets all LDA requirements, the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront and, in addition to the land improvements, is currently developed with a pier, platform and pilings. The existing pier platform and pilings will be removed and a pier extension, boatlift and pilings are proposed. Piers, boatlifts, and pilings are all permitted under the Critical Area requirements. Location of the boat lift and pilings in regards to the divisional property line do not affect the Critical Area requirements and therefore will conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

As submitted, the Critical Area requirements will be met so the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 8, 2018

FROM: *MU2*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 18, 2017
Item No. 2018-0151-A, 0152-SPH, 0153-A, 0155-SPH, 0156-A and 0157-
SPH

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: January 11, 2018

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Reviewer: Regina Esslinger

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JAN 11 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

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Date

1-17-18

By

120

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Reviewer: Regina Esslinger

ORDER RECEIVED FOR FILING

Date 1-17-18

By EW

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>1-8</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent <u>1-8</u>)	<u>NC</u>
<u>1-11</u>	DEPS (if not received, date e-mail sent <u>1-8</u>)	<u>C</u>
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent _____)	
<u>12-11</u>	STATE HIGHWAY ADMINISTRATION	<u>No object.</u>
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
<u>12-4</u>	ADJACENT PROPERTY OWNERS <u>Miller, 1122 Susquehanna Ave.</u>	<u>No objections</u>
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>12-15-17</u> by <u>Billingley</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 - 1520550100			
Owner Information					
Owner Name:		BATTAGLIA FRANK J 3RD BATTAGLIA KIMBERLY L		Use:	RESIDENTIAL
Mailing Address:		1126 SUSQUEHANNA AVE BALTIMORE MD 21220-4340		Principal Residence:	YES
				Deed Reference:	/30192/ 00359
Location & Structure Information					
Premises Address:		1126 SUSQUEHANNA AVE BALTIMORE 21220-4340 Waterfront		Legal Description: 1126 SUSQUEHANNA AVE LONG BEACH ESTATES	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0098	0004	0203		0000	32
					Assessment Year: 2018
					Plat No: 0003/ Plat Ref: 0178
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
2012		3,765 SF		27,798 SF	
				Property Land Area	
				34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	1 Attached
				Last Major Renovation	
				2012	
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2018	07/01/2017	07/01/2018
Land:		265,900	265,900		
Improvements		397,200	446,400		
Total:		663,100	712,300	663,100	679,500
Preferential Land:		0			0
Transfer Information					
Seller: FINCH STANLEY CHARLES, JR		Date: 12/01/2010		Price: \$250,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /30192/ 00359		Deed2:	
Seller: FINCH STANLEY CHARLES, JR		Date: 09/23/1999		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /14042/ 00371		Deed2:	
Seller: FINCH STANLEY CHARLES, JR		Date: 10/15/1998		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /13218/ 00354		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	0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 12/31/2012					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application Date:					

ZAC AGENDA

er: 2018-0156-A

Primary Use: RESIDENTIAL

Reviewer: SeidelmanJaso
n

ADMINISTRATIVE VARIANCE

Owner: Frank J & Kimberly L Battaglia

Contract Purchaser

Critical Area : Yes Flood Plain: Yes Historic No Election Dist Fifteenth

Councilmanic Dist Sixth

Property Address: 1126 Susquehanna AVENUE

Location: W/S of Susquehanna Avenue, 268 ft. N of the intersection with Chesapeake Avenue

Existing Zoning: DR 3.5

Area: 0.638 acre

Proposed Zoning: ADMINISTRATIVE VARIANCE:

To permit an open access strip of 15 ft. between existing facilities of an adjoining property
and proposed piles and boat lift in lieu of the required 20 ft.

Attorney:

Prior Zoning Cases:

Concurrent Cases:

Violation Cases:

Closing Date: 1/1/2018 12:00:00AM

Miscellaneous:

Johnny R. Miller
Brenda Sue Miller
1122 Susquehanna Avenue
Baltimore, Maryland 21220

December 4, 2017

Re: Frank J. Battaglia, III and Kimberly L. Battaglia
1126 Susquehanna Avenue, Baltimore, Maryland 21220
Administrative Zoning Petition

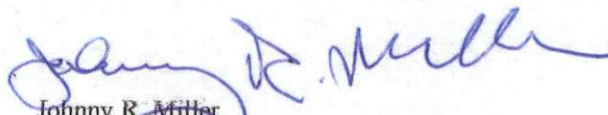
Dear Sir/Madam:

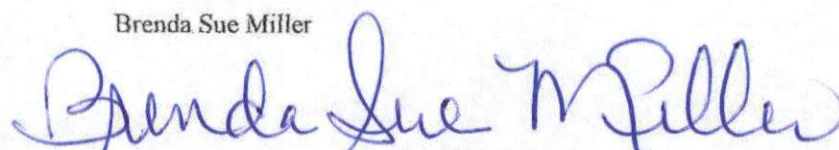
We have reviewed the attached proposal for the extension of the existing pier located at 1126 Susquehanna Avenue, Baltimore, Maryland. Based on the proposal, the extension will be forty-four (44) feet with two mooring poles for the installation of a new boat lift and a five by fifteen deck erected at the end of the new pier. Frank and Kimberly Battaglia are filing an Administrative Zoning Petition requesting permission to an open access strip of fifteen feet between our existing facilities and the proposed piles and boat lift in lieu of the required twenty feet.

This is to acknowledge that we do not have any objections to the attached drawing and Administrative Zoning Petition.

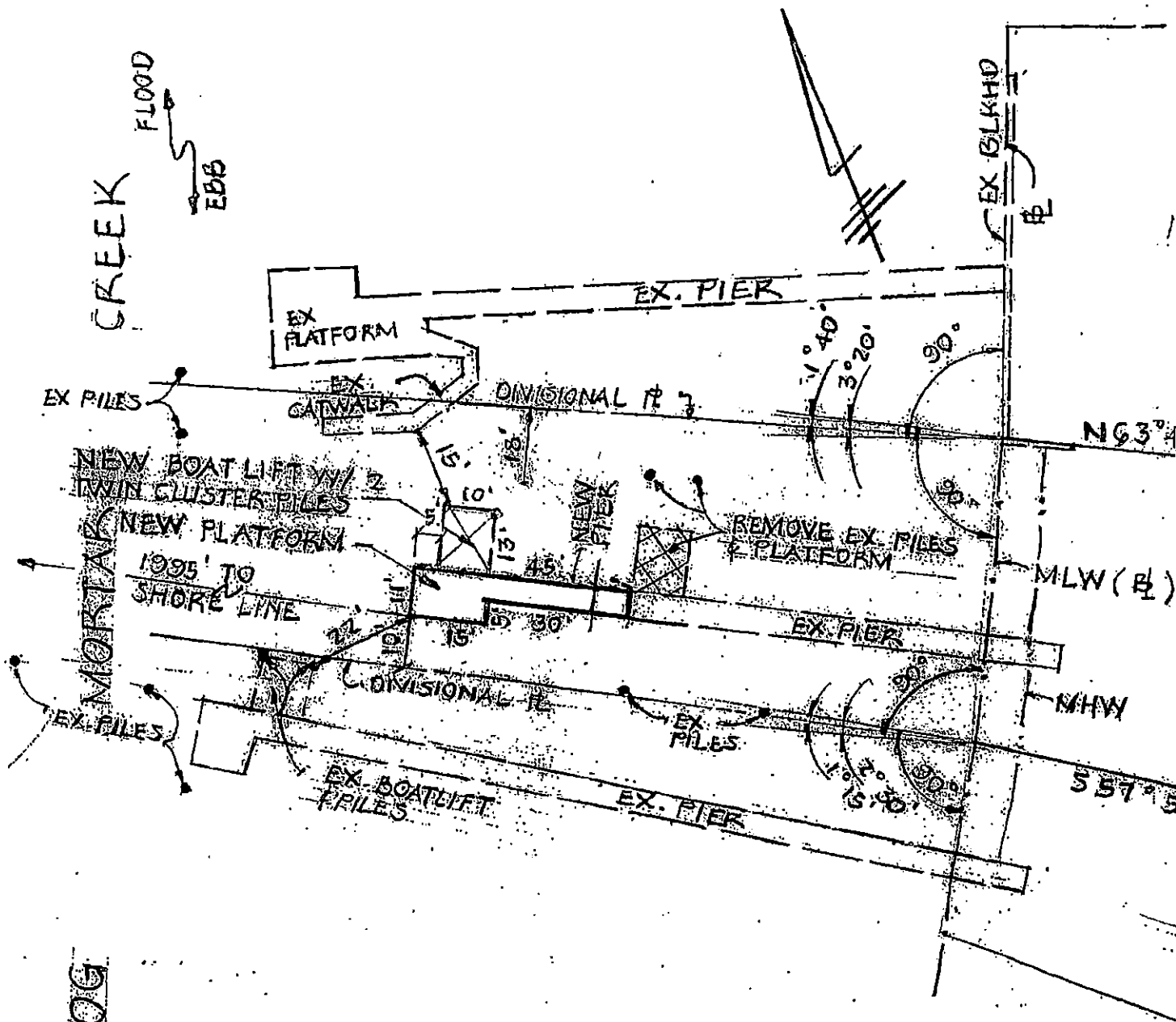
Thank you for your attention to this matter.

Sincerely,


Johnny R. Miller

Brenda Sue Miller

Dec 5, 2017

2018-0156-A



FRONT



12-1-17

MY LICENSE EXPIRES 4-12-18

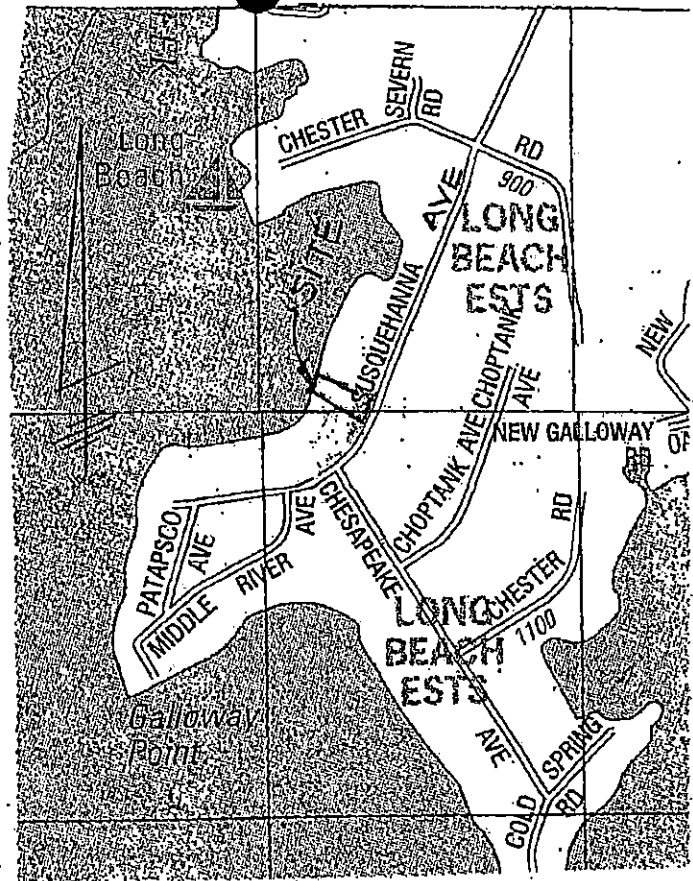
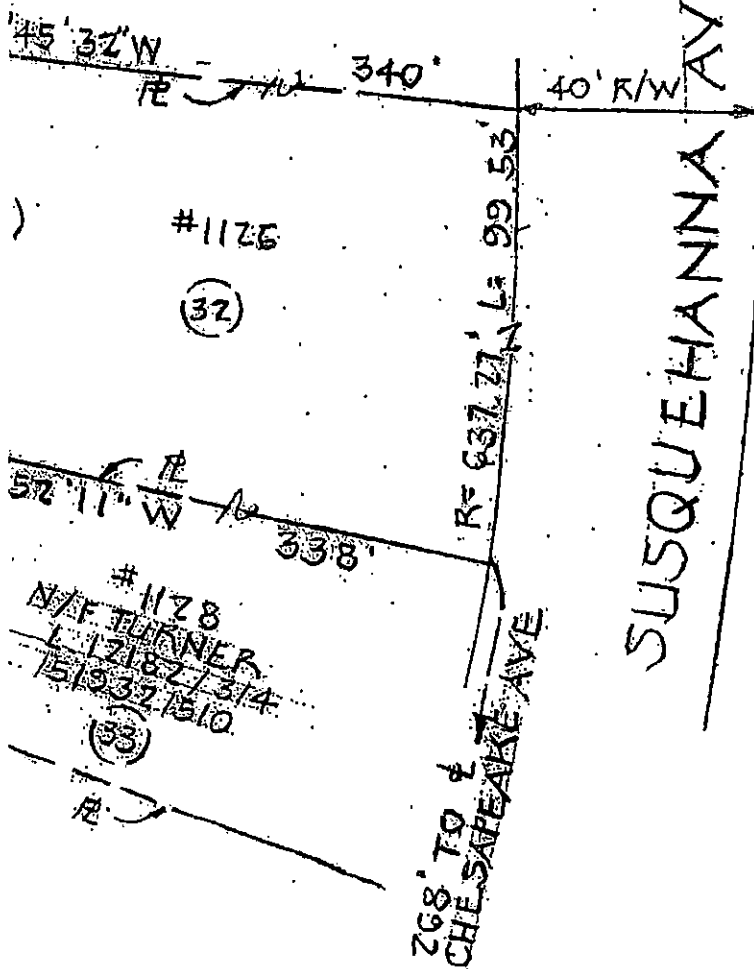
CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

NOTES

1. ZONING.....DR 3.5 (MAP NO. 09
2. LOT AREA.....27,798 S.F. = 0.63
3. PUBLIC WATER AND SEWER
4. SITE IS LOCATED IN CBCA AND 100'
5. NO VIOLATIONS, HISTORIC STRUCT
UNDERGROUND STORAGE TANKS (ARE KNOWN TO EXIST.
6. PREVIOUS ZONING HISTORY (NO

1122
N/F MILLER
L 7936 F. 643
1516002890

(31)



VICINITY MAP
SCALE: 1" = 1000'

OWNER
FRANK J. BATTAGLIA III
KIMBERLY BATTAGLIA
1126 SUSQUEHANNA AVENUE
BALTIMORE, MD. 21220
DEED REF: L.30192 F.359
ACCT. NO. 1520550100

198B1)
338 ACRE +/-

0 YEAR FLOOD ZONE
TURES OR SITES,
OR ARCHEOLOGICAL SITES

ONE)

**PLAT TO ACCOMPANY PETITION
FOR ADMINISTRATIVE VARIANCE**
1126 SUSQUEHANNA AVENUE
LOT 32 LONG BEACH ESTATES PB 3 F 178
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD
SCALE: 1 INCH = 30 FEET NOVEMBER 30, 2017

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1516002890			
Owner Information					
Owner Name:	MILLER JOHNNY RAY MILLER BRENDA SUE		Use:	RESIDENTIAL	
Mailing Address:	1122 SUSQUEHANNA AVE BALTIMORE MD 21220-4340		Principal Residence:	YES	
			Deed Reference:	/07936/ 00643	
Location & Structure Information					
Premises Address:		1122 SUSQUEHANNA AVE BALTIMORE 21220-4340 Waterfront		Legal Description:	PT LT 31 LONG BEACH ESTATES
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0098	0004	0203		0000	31 2018 0004/0131
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area		Property Land Area	County Use
1932	2,208 SF			17,708 SF	34
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 01/01/2018	As of 07/01/2017	As of 07/01/2018	
Land:	263,400	263,400			
Improvements	251,400	226,600			
Total:	514,800	490,000	514,800	490,000	
Preferential Land:	0			0	
Transfer Information					
Seller: STABILE FRANK P		Date: 08/08/1988		Price: \$175,000	
Type: ARMS LENGTH IMPROVED		Deed1: /07936/ 00643		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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		0.00 0.00	
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: Approved 12/31/2012					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application			Date:		

Debra Wiley

From: Stephen Ford
Sent: Thursday, January 11, 2018 9:18 AM
To: Debra Wiley; June Wisnom; Kristen L Lewis; Sherry Nuffer
Cc: Jeffery Livingston
Subject: Zoning Petition Comments
Attachments: ZAC 18-0156-A 1126 Susquehanna Avenue-EIR.doc

For your files,
Thanks,

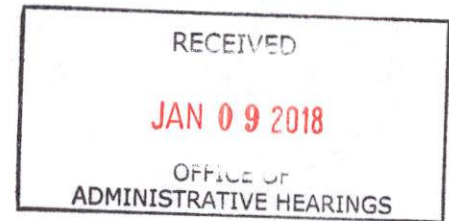
Stephen A. Ford
Engineering Associate III
Department of Environmental Protection
And Sustainability
Development Coordination
111 West Chesapeake Avenue, Room 319
Towson, Maryland 21204
sford@baltimorecountymd.gov
410-887-5859
410-887-4804 fax

Debra Wiley

From: Stephen Ford
Sent: Tuesday, January 09, 2018 8:44 AM
To: Debra Wiley
Subject: RE: CBCA ZAC Comments Needed

Debra,
These 2 items are still outstanding from our EIR group. I have sent a request to get them done now. I'll keep you posted.
Thanks,
Steve

From: Debra Wiley
Sent: Monday, January 08, 2018 10:13 AM
To: Stephen Ford <sford@baltimorecountymd.gov>
Subject: CBCA ZAC Comments Needed



Hi Steve,

Please see below administrative variances that closed on January 1, 2018. I am in receipt of the case files and they're in CBCA and file doesn't appear to have a ZAC comment.

Thanks in advance.

Case No. 2018-0154-A

1513 Burke Road

Location: SE/S of Burke Road, SW 318 ft. of Bowleys Quarters Road
Fifteenth Election District & Seventh Council District

Legal Owners: Millard W. Leary, Jr. and Karen M. Leary

Contract Purchaser: No Contract Purchaser was set

ADMINISTRATIVE VARIANCE: To permit a detached accessory building (garage) to be located in the side and front of the property with a centerline setback of 35 ft. and a second detached accessory building (relocation of a shed in the rear yard) with a centerline setback of 26 ft. in lieu of the minimum required 75 ft. on a double front lot.

Case No. 2018-0156-A

1126 Susquehanna Avenue

Location: W/S of Susquehanna Avenue, 268 ft. N of the intersection with Chesapeake Avenue
Fifteenth Election District & Sixth Council District

Legal Owner: Frank J. & Kimberly L. Battaglia

Contract Purchaser: No Contract Purchaser was set

ADMINISTRATIVE VARIANCE: To permit an open access strip of 15 ft. between existing facilities of an adjoining property and proposed piles and boat lift in lieu of the required 20 ft.

Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103

Debra Wiley

From: Debra Wiley
Sent: Monday, January 08, 2018 10:13 AM
To: Stephen Ford
Subject: CBCA ZAC Comments Needed

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1513 Burke Road

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Case No. 2018-0156-A

1126 Susquehanna Avenue

Location: W/S of Susquehanna Avenue, 268 ft. N of the intersection with Chesapeake Avenue

Fifteenth Election District & Sixth Council District

Legal Owner: Frank J. & Kimberly L. Battaglia

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ADMINISTRATIVE VARIANCE: To permit an open access strip of 15 ft. between existing facilities of an adjoining property and proposed piles and boat lift in lieu of the required 20 ft.

Debra Wiley

Baltimore County Office of Administrative Hearings

105 West Chesapeake Avenue, Suite 103

Towson, Maryland 21204

410-887-3868

Debra Wiley

From: Vishnubhai K Desai
Sent: Monday, January 08, 2018 2:12 PM
To: Debra Wiley; Stephen Ford
Cc: Eugene Cauley; Charles Nwokoro
Subject: ZAC Comments, for Case Nos. 2018-0154-A, 2018-0156-A and 2018-0158-A.
Attachments: 2018-0154-A.pdf; 2018-0156-A.pdf; 2018-0158-A.pdf

Good Afternoon,

As requested, please find attached review comments for the Case Nos. 2018-0154-A, 2018-0156-A and 2018-0158-A.

Thanks,
Vishnu Desai

From: Debra Wiley
Sent: Monday, January 08, 2018 10:43 AM
To: Stephen Ford <sford@baltimorecountymd.gov>; Vishnubhai K Desai <vdesai@baltimorecountymd.gov>
Subject: Additional ZAC Comment Missing - Admin. Var. (Closing Date : 1/1/18)

Good Morning,

Here is an additional one that's missing. Thanks again.

Case No. 2018-0158-A

8211 Peach Orchard Road

Location: SW/S of Peach Orchard Road, 180 ft. S of the centerline of the intersection with Watershed Road
Twelfth Election District & Seventh Council District

Legal Owner: Edward Auld

Contract Purchaser: No Contract Purchaser was set

ADMINISTRATIVE VARIANCE: To permit a proposed open projection (porch) with a side yard setback as close as 6 ft. and a front yard setback of 16 ft. in lieu of the required 10 ft. and a front yard average of 26 ft.

From: Debra Wiley
Sent: Monday, January 08, 2018 10:17 AM
To: Vishnubhai K Desai <vdesai@baltimorecountymd.gov>
Subject: ZAC Comments - Admin. Var. (Closing Date : 1/1/18)

Good Morning,

Please see below administrative variances that closed on January 1, 2018. I am in receipt of the case files and believe they're in floodplain but files doesn't appear to have a ZAC comment.

Thanks in advance.

Case No. 2018-0154-A

1513 Burke Road

Location: SE/S of Burke Road, SW 318 ft. of Bowleys Quarters Road

Debra Wiley

From: Debra Wiley
Sent: Monday, January 08, 2018 10:17 AM
To: Vishnubhai K Desai
Subject: ZAC Comments - Admin. Var. (Closing Date : 1/1/18)

Good Morning,

Please see below administrative variances that closed on January 1, 2018. I am in receipt of the case files and believe they're in floodplain but files doesn't appear to have a ZAC comment.

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Case No. 2018-0154-A

1513 Burke Road

Location: SE/S of Burke Road, SW 318 ft. of Bowleys Quarters Road

Fifteenth Election District & Seventh Council District

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ADMINISTRATIVE VARIANCE: To permit a detached accessory building (garage) to be located in the side and front of the property with a centerline setback of 35 ft. and a second detached accessory building (relocation of a shed in the rear yard) with a centerline setback of 26 ft. in lieu of the minimum required 75 ft. on a double front lot.

Case No. 2018-0156-A

1126 Susquehanna Avenue

Location: W/S of Susquehanna Avenue, 268 ft. N of the intersection with Chesapeake Avenue

Fifteenth Election District & Sixth Council District

Legal Owner: Frank J. & Kimberly L. Battaglia

Contract Purchaser: No Contract Purchaser was set

ADMINISTRATIVE VARIANCE: To permit an open access strip of 15 ft. between existing facilities of an adjoining property and proposed piles and boat lift in lieu of the required 20 ft.

Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868





3





098B1
NE-2-K

DR3.5

15 ED

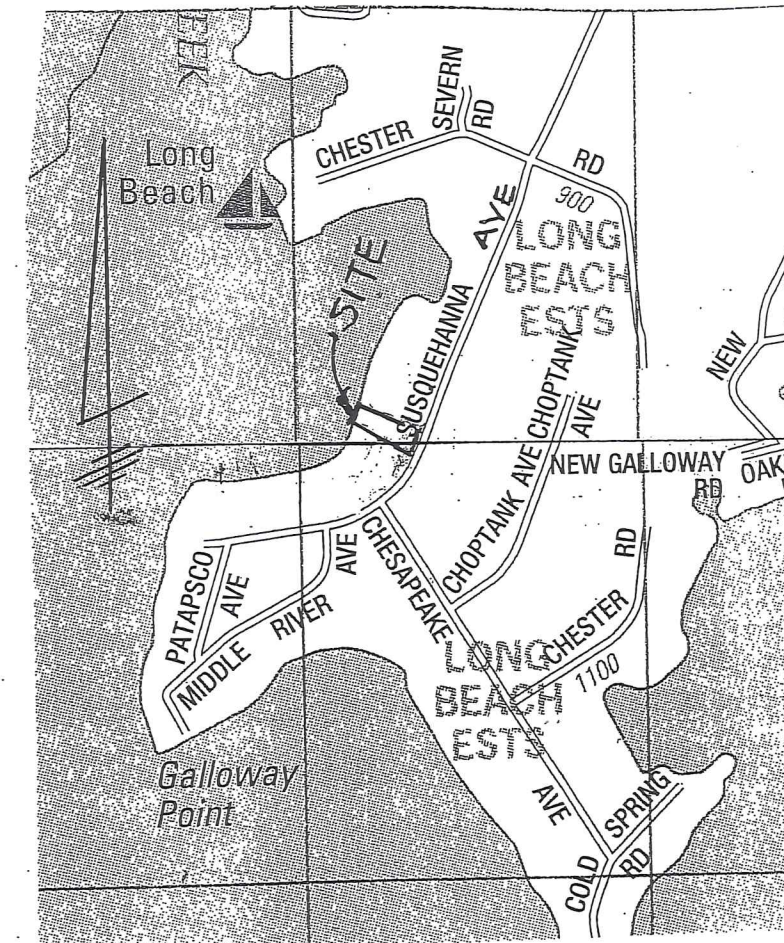
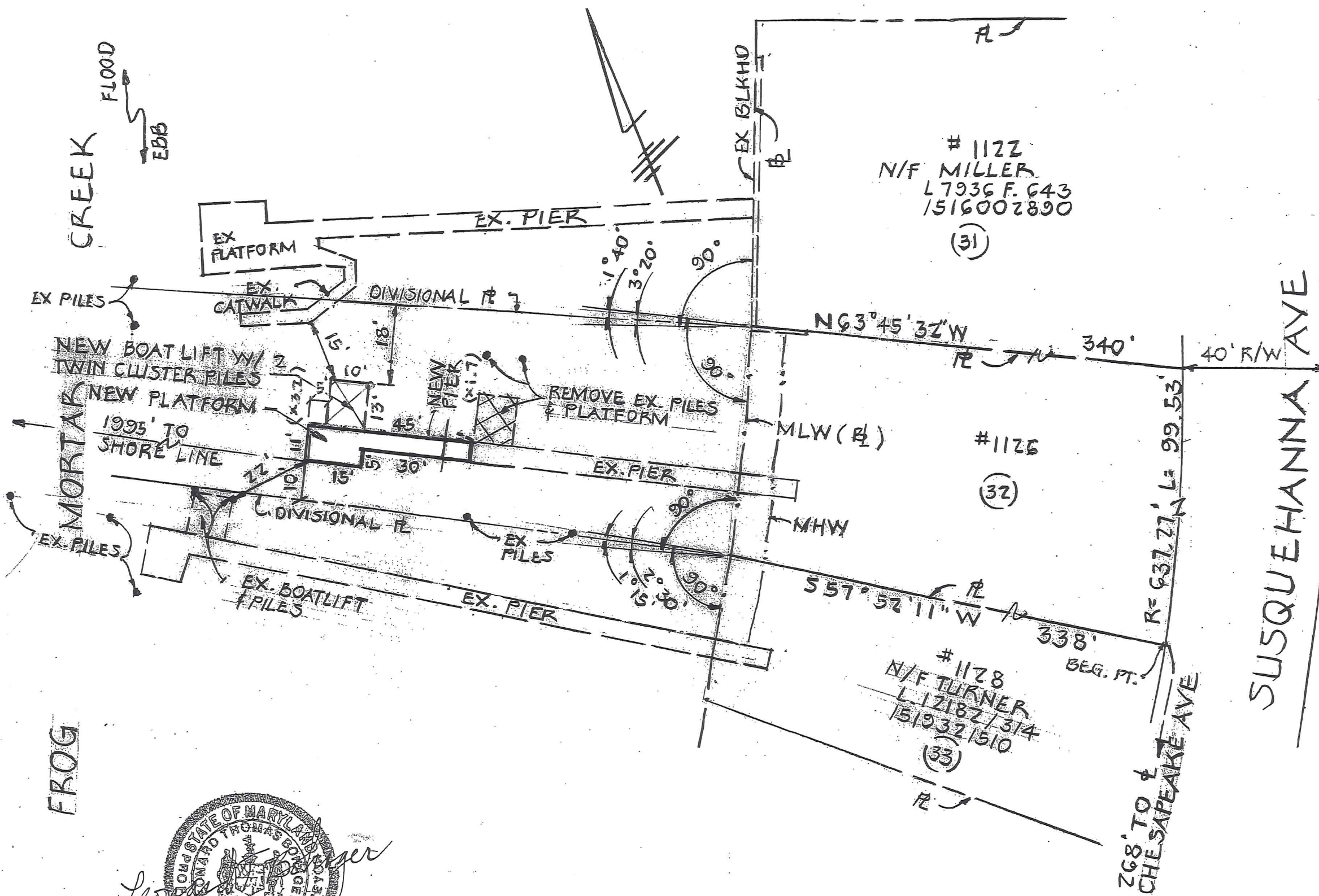
SUSQUEHANNA AVE

CHESAPEAKE AVE
0 0284

Martin State Airport Restriction

Bowleys Quarters-Back River Neck Area

Back River Neck District



VICINITY MAP
SCALE: 1" = 1000'

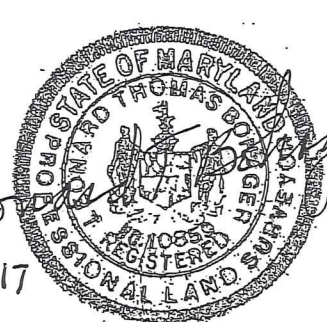
OWNER
FRANK J. BATTAGLIA III
KIMBERLY BATTAGLIA
1126 SUSQUEHANNA AVENUE
BALTIMORE, MD. 21220
DEED REF: L.30192 F.359
ACCT. NO. 1520550100

2018-0156-A

**PLAT TO ACCOMPANY PETITION
FOR ADMINISTRATIVE VARIANCE**

**1126 SUSQUEHANNA AVENUE
LOT 32 LONG BEACH ESTATES PB 3 F 178
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD
SCALE: 1 INCH = 30 FEET NOVEMBER 30, 2017**

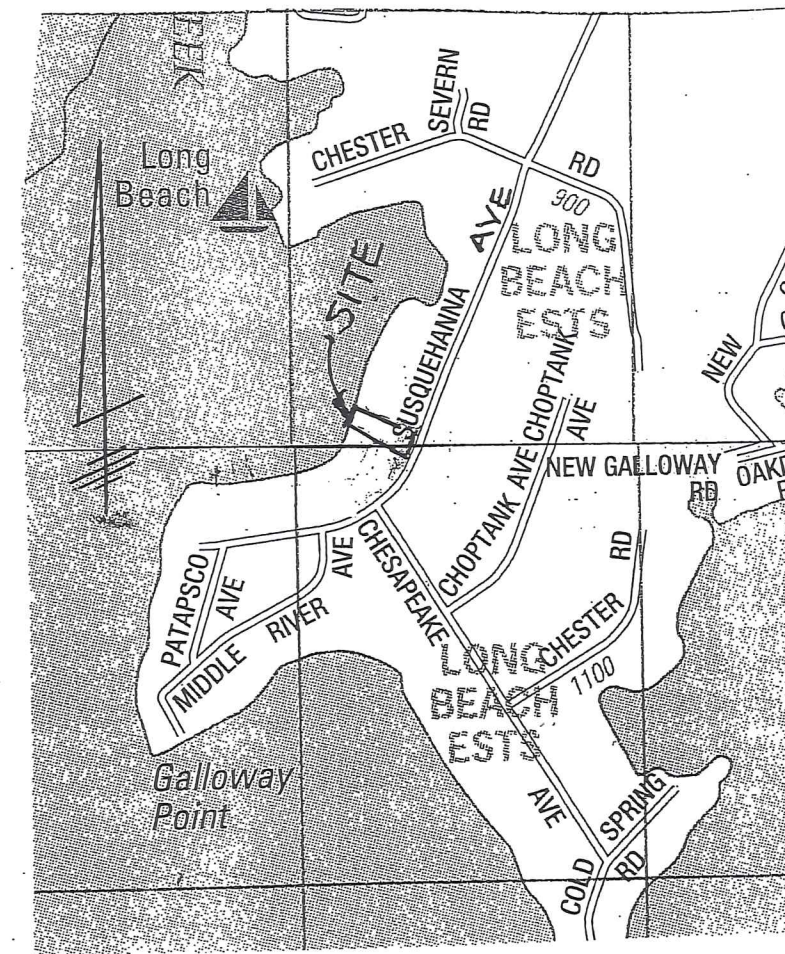
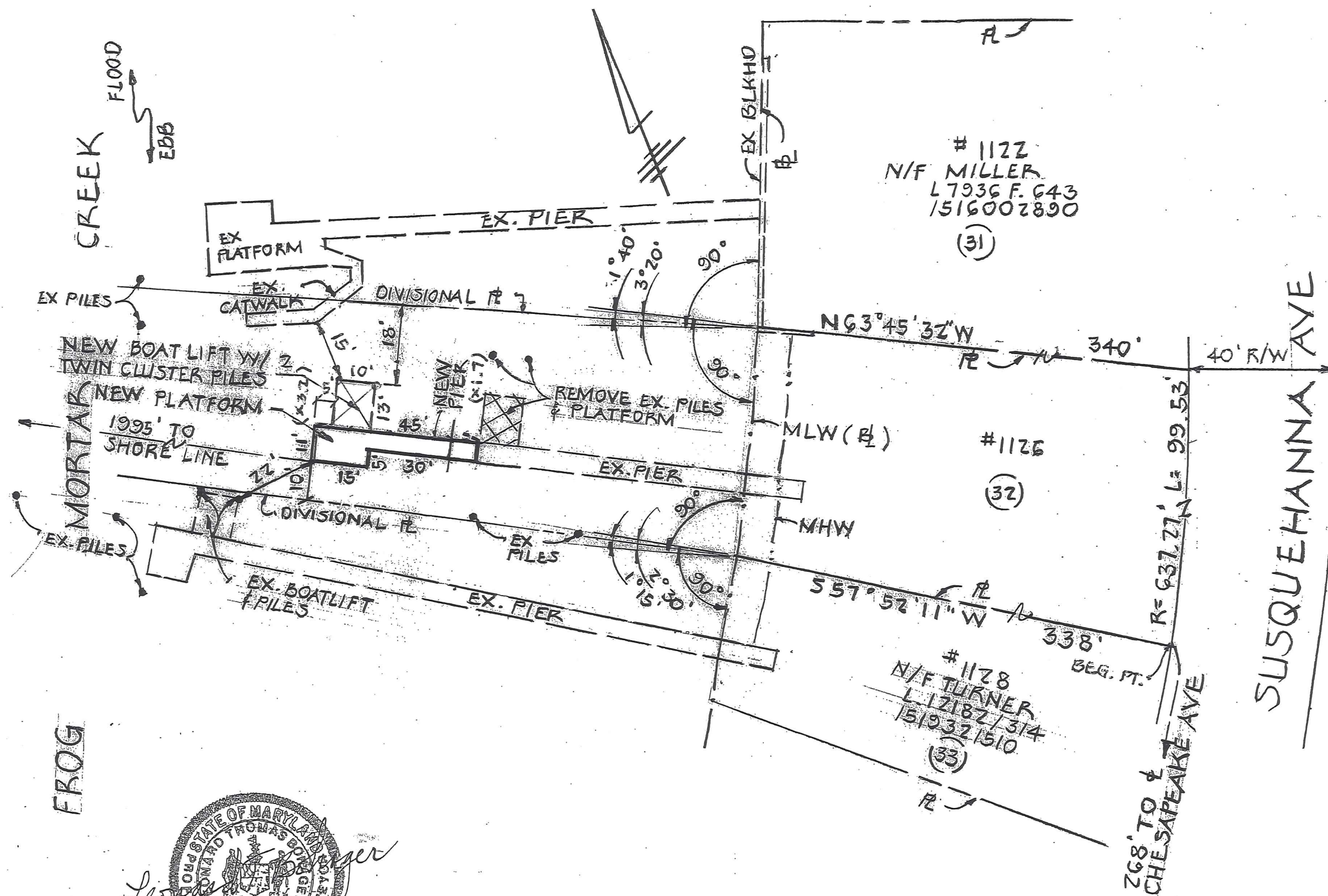
- NOTES**
1. ZONING.....DR 3.5 (MAP NO. 098B1)
 2. LOT AREA.....27,798 S.F. = 0.638 ACRE +/-
 3. PUBLIC WATER AND SEWER
 4. SITE IS LOCATED IN CBCA AND 100 YEAR FLOOD ZONE
 5. NO VIOLATIONS, HISTORIC STRUCTURES OR SITES, UNDERGROUND STORAGE TANKS OR ARCHEOLOGICAL SITES ARE KNOWN TO EXIST.
 6. PREVIOUS ZONING HISTORY (NONE)



Les [Signature]
12-1-17

MY LICENSE EXPIRES 4-12-18

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



VICINITY MAP
SCALE: 1" = 1000'

OWNER
FRANK J. BATTAGLIA III
KIMBERLY BATTAGLIA
1126 SUSQUEHANNA AVENUE
BALTIMORE, MD. 21220
DEED REF: L.30192 F.359
ACCT. NO. 1520550100

2018-0156-A

**PLAT TO ACCOMPANY PETITION
FOR ADMINISTRATIVE VARIANCE**

**1126 SUSQUEHANNA AVENUE
LOT 32 LONG BEACH ESTATES PB 3 F 178
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD
SCALE: 1 INCH = 30 FEET NOVEMBER 30, 2017**

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ARE KNOWN TO EXIST.
 6. PREVIOUS ZONING HISTORY (NONE)



MY LICENSE EXPIRES 4-12-18

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