

MEMORANDUM

DATE: February 20, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0164-A – Appeal Period Expired

The appeal period for the above-referenced case expired on February 16, 2018. 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 *
(9306 Sea Horse Court)
15th Election District
7th Council District
Harry A. & Deana M. Groff
Petitioners

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2018-0164-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, Harry A. and Deana M. Groff (“Petitioners”). The Petitioners are requesting Variance relief pursuant to § 1B01.2.C.1.b of the Baltimore County Zoning Regulations (“B.C.Z.R.”), to permit a rear yard addition (existing open deck to be enclosed) with a rear setback of 18 ft. in lieu of the required 30 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”). In addition, a ZAC comment was received from the Bureau of Development Plans Review (“DPR”) dated January 10, 2018, indicating that prior to building permit application, Petitioners must contact the office of the Director of Public Works to determine the flood protection elevation so that floor elevation can be set.

ORDER RECEIVED FOR FILING

Date 1-17-18

By [Signature]

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on December 24, 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 § 1B01.2.C.1.b of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a rear yard addition (existing open deck to be enclosed) with a rear setback of 18 ft. in lieu of the required 30 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

2

By [Signature]

2. Petitioners must comply with the ZAC comments received from DEPS, dated January 11, 2018, and DPR, dated January 10, 2018; copies of which are 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



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 9306 Sea Horse Ct. Sparrows Pt. MD 21219 Currently zoned _____
 Deed Reference _____ 10 Digit Tax Account # _____
 Owner(s) Printed Name(s) Harry A. Groff Deana M. Groff

(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. ADMINISTRATIVE VARIANCE from Section(s) _____

To permit a rear yard addition (existing open deck to be enclosed) with a rear setback of 18 ft. in lieu of the required 30 ft.

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):

HARRY GROFF 1 DEANA GROFF
 Name #1 – Type or Print Name #2 – Type or Print
Harry A. Groff 1 Deana Groff
 Signature #1 Signature #2
9306 SEA HORSE CT SPARROWS PT, MD
 Mailing Address City State
21219 4109005805 DEANAGROFF@VERIZON.NET
 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 2018-0164-A Filing Date 12/15/17 Estimated Posting Date 12/24/17 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: 9306 SEA HORSE CT SPARROWS POINT, MD 21219
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)

* Existing deck to be covered
* INCREASES SPACE FOR GROWING FAMILY
* NO VISUAL ISSUES WITH NEIGHBORS
* BACK YARD SMALL
* HOA APPROVED TO MATCH HOUSE

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

Debra A Groff
Signature of Owner (Affiant)

DEBRA GROFF
Name- Print or Type

Harry A Groff
Signature of Owner (Affiant)

HARRY GROFF
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 15 day of DEC, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

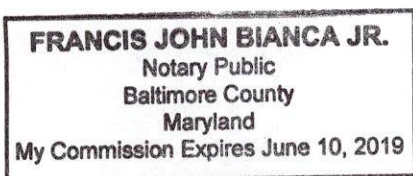
Print name(s) here: DEBRA GROFF

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

June 10, 2019
My Commission Expires



Affidavit in Support of Administrative Variance

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

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

Address: 9306 Sea Horse Ct Sparrows Pt MD 21215
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)

- * Existing deck to be covered
- * Increase living space for growing family
- * No visual issues with neighbors
- * Back yard is small
- * HOA approved to match house

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

[Signature]
Signature of Owner (Affiant)
Deana Groff
Name- Print or Type

[Signature]
Signature of Owner (Affiant)
Harry Groff
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:

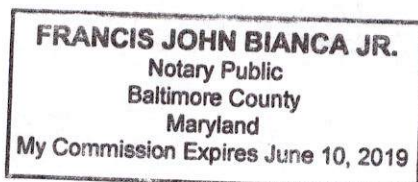
I HEREBY CERTIFY, this 15 day of Dec, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Deana Groff

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
June 10, 2019
My Commission Expires





ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING
To be filed with the Department of Permits, Approvals and Inspections

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

Address 9306 SEA HORSE CT SPARROWS PT, MD 21219 Currently zoned _____
Deed Reference _____ 10 Digit Tax Account # _____
Owner(s) Printed Name(s) HARRY A GROFF DEANA M. GROFF

(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. ADMINISTRATIVE VARIANCE from Section(s) _____

To permit a rear yard addition (existing open deck to be enclosed) with a rear setback of 18 ft. in lieu of the required 30 ft.

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):

HARRY GROFF , DEANA GROFF
Name #1 – Type or Print Name #2 – Type or Print
Harry A Groff , Deana Groff
Signature #1 Signature #2
9306 SEA HORSE CT SPARROWS PT, MD
Mailing Address City State
21219 , 4109005805 , DEANAGROFF@VERIZON.NET
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 2018-0164-A Filing Date 12/15/17 Estimated Posting Date 12/24/17 Reviewer JS

Zoning Description for 9306 Sea Horse Court

Beginning at a point on the east side of Sea Horse Court which is 50 feet wide at the distance of 235 feet south of the centerline of Greencove Circle which is 50 feet wide. Being Lot #72 in the subdivision of "Beachwood Estates" as recorded in Baltimore County Plat Book #72, Folio #131 containing 6,653 square feet. Also known as 9306 Sea Horse Court and located in the 15th Election District, 7th Councilmanic District.

2018-0164-A

~~03-051-A~~

3 COPIES

W-4810-8106

CERTIFICATE OF POSTING

2018-0164-A

RE: Case No.: _____

Petitioner/Developer: _____

Groff

January 8, 2018

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:

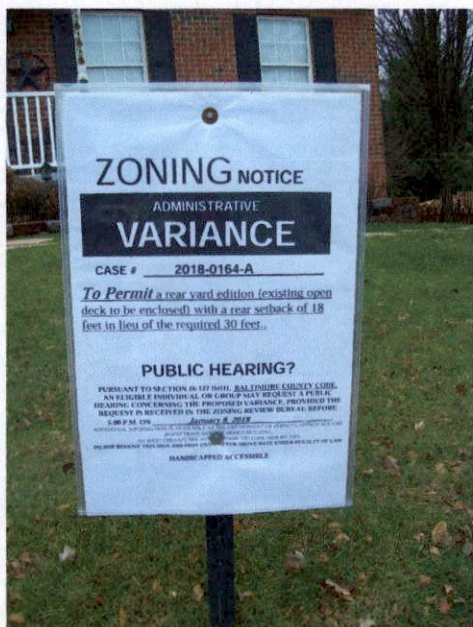
Ladies and Gentlemen:

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: _____

9306 Sea Horse Ct

December 24, 2017

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



Sincerely,

December 24, 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- 0164 -A Address 9306 SEA HORSE CT., 21219
Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 12/15/17 Posting Date: 12/24/17 Closing Date: 1/8/18

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- 0164 -A Address 9306 SEA HORSE CT., 21219
Petitioner's Name GROFF Telephone 410-900-5805
Posting Date: 12/24/17 Closing Date: 1/8/18
Wording for Sign: TO PERMIT A REAR YARD EDITION (EXISTING OPEN DECK TO BE ENCLOSED) WITH A REAR SETBACK OF 18 FEET IN LIEU OF THE REQUIRED 30 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: 2018-0164-A

Property Address: 9306 SEA HORSE CT., 21219

Property Description: _____

Legal Owners (Petitioners): HARRY + DEANA GROFF

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: HARRY + DEANA GROFF

Company/Firm (if applicable): _____

Address: 9306 SEA HORSE CT.

SPARROWS POINT, MD 21219

Telephone Number: 410-900-5805

Revised 7/9/2015

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

NO 161164

Date: 12/15/17

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

Total: \$ 75.00

Rec From: GRIFF

For: 2018-0164-A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DM
12/15/2017 12/15/2017 09:28:17 1
REG. NSD1 - WALTON LJR
RECEIPT # 766692 12/15/2017 OFLN
Dept 5 520 ZONING VERIFICATION
CR. NO. 161164

Recpt Tot \$75.00
\$75.00 CR 1.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

January 9, 2018

Harry & Deana Groft
9306 Sea Horse Court
Sparrows Point MD

RE: Case Number: 2018-0164 A, Address: 9306 Sea Horse Court

Dear Mr. & Ms. Groft:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 15, 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

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 1/3/18

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
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. 2018-0164-A

*Administrative Variance
Harry & Deana Groot
9306 Sea Horse 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

RECEIVED

JAN 10 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 01, 2018
Item No. 2018-0164-A

DATE: January 10, 2018

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

Prior to building permit application, the petitioner must contact the office of the Director of Public works to determine the flood protection elevation so that floor elevation can be set.

* * * * *

VKD: cen
cc: file

Debra Wiley

From: Vishnubhai K Desai
Sent: Wednesday, January 10, 2018 1:49 PM
To: Debra Wiley; Stephen Ford
Cc: Eugene Cauley; Charles Nwokoro
Subject: Administrative Variance - Case No. 2018-0164-A
Attachments: 2018-0164-A.pdf

Good Afternoon,
Please find attached comments for Case No. 2018-0164-A.

Thanks,

Vishnu Desai

From: Debra Wiley
Sent: Wednesday, January 10, 2018 9:43 AM
To: Stephen Ford <sford@baltimorecountymd.gov>; Vishnubhai K Desai <vdesai@baltimorecountymd.gov>
Subject: Administrative Variance - Case No. 2018-0164-A

Good Morning,

Please see below administrative variance that closed on January 8, 2018. I am in receipt of the case file and it doesn't contain a ZAC comment from your agencies.

Thanks in advance.

Case No. 2018-0164-A

9306 Sea Horse Court

Location: E/S of Sea Horse Court, 235 ft. S of the centerline of Greencove Circle

Fifteenth Election District & Seventh Council District

Legal Owner: Harry & Deana Groft

Contract Purchaser: No Contract Purchaser was set

ADMINISTRATIVE VARIANCE: To permit a rear yard addition (existing open deck to be enclosed) with a rear setback of 18 ft. in lieu of the required 30 ft.

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

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

SUBJECT: DEPS Comment for Zoning Item # 2018-0164-A
Address 9306 Sea Horse Court
(Graft Property)

Zoning Advisory Committee Meeting of **January 1, 2018.**

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 enclose an existing deck with less rear yard setbacks than permitted. The lot is not waterfront and is not grandfathered, and contains a dwelling and driveway. Lot coverage is limited to a maximum of 1,541 square feet, as shown on the approved Beachwood Estates subdivision plan. Existing and proposed lot coverage was not provided. If the lot coverage requirement is met, then 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 not waterfront. If the lot coverage requirement can be met, it will help conserve fish, plant, and wildlife habitat.

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

If the lot coverage requirement can be met, then the relief requested will be consistent with established land-use policies for development in the Critical Area.

Reviewer: Regina Esslinger

Debra Wiley

From: Stephen Ford
Sent: Thursday, January 11, 2018 3:06 PM
To: Debra Wiley; June Wisnom; Kristen L Lewis; Sherry Nuffer
Cc: Jeffery Livingston
Subject: Zoning Petition Comments
Attachments: ZAC 18-0164-A 9306 Sea Horse Court-EIR.doc; ZAC 18-0169-A 11156 Red Lion Road-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: Wednesday, January 10, 2018 3:08 PM
To: Debra Wiley; Vishnubhai K Desai
Cc: Regina A. Esslinger
Subject: RE: Administrative Variance - Case No. 2018-0164-A

I am still waiting on comments from our agencies on 2018-0164-A. It is in the Critical area and we rec'd this in the pack Carl gave me on 12-28-17.
Steve

From: Debra Wiley
Sent: Wednesday, January 10, 2018 9:43 AM
To: Stephen Ford <sford@baltimorecountymd.gov>; Vishnubhai K Desai <vdesai@baltimorecountymd.gov>
Subject: Administrative Variance - Case No. 2018-0164-A

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Case No. 2018-0164-A

9306 Sea Horse Court

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Fifteenth Election District & Seventh Council District

Legal Owner: Harry & Deana Groft

Contract Purchaser: No Contract Purchaser was set

ADMINISTRATIVE VARIANCE: To permit a rear yard addition (existing open deck to be enclosed) with a rear setback of 18 ft. in lieu of the required 30 ft.

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

Debra Wiley

From: Debra Wiley
Sent: Wednesday, January 10, 2018 9:43 AM
To: Stephen Ford; Vishnubhai K Desai
Subject: Administrative Variance - Case No. 2018-0164-A

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Fifteenth Election District & Seventh Council District

Legal Owner: Harry & Deana Groft

Contract Purchaser: No Contract Purchaser was set

ADMINISTRATIVE VARIANCE: To permit a rear yard addition (existing open deck to be enclosed) with a rear setback of 18 ft. in lieu of the required 30 ft.

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

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

SUBJECT: DEPS Comment for Zoning Item # 2018-0164-A
Address 9306 Sea Horse Court
(Groft Property)

Zoning Advisory Committee Meeting of **January 1, 2018**.

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 enclose an existing deck with less rear yard setbacks than permitted. The lot is not waterfront and is not grandfathered, and contains a dwelling and driveway. Lot coverage is limited to a maximum of 1,541 square feet, as shown on the approved Beachwood Estates subdivision plan. Existing and proposed lot coverage was not provided. If the lot coverage requirement is met, then 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 not waterfront. If the lot coverage requirement can be met, it will help conserve fish, plant, and wildlife habitat.

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

If the lot coverage requirement can be met, then the relief requested will be consistent with established land-use policies for development in the Critical Area.

Reviewer: Regina Esslinger

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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This property is not waterfront. If the lot coverage requirement can be met, it will help conserve fish, plant, and wildlife habitat.

ORDER RECEIVED FOR FILING

Date 1-17-18

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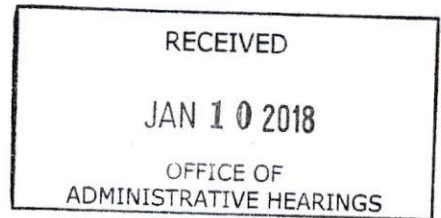
If the lot coverage requirement can be met, then the relief requested will be consistent with established land-use policies for development in the Critical Area.

Reviewer: Regina Esslinger

ORDER RECEIVED FOR FILING

Date 1-17-18

By low



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 01, 2018
Item No. 2018-0164-A

DATE: January 10, 2018

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

Prior to building permit application, the petitioner must contact the office of the Director of Public works to determine the flood protection elevation so that floor elevation can be set.

* * * * *

VKD: cen
cc: file

ORDER RECEIVED FOR FILING

Date 1-17-18

By bw

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
-----------------------------	-------------------	---

1-10*Flood*DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent 1-10-18)

1-11*CBCA*DEPS
(if not received, date e-mail sent 1-10-18)

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

1-3

STATE HIGHWAY ADMINISTRATION

No object.

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: 12-24-17 by BlackPEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 2300003153			
Owner Information					
Owner Name:	GROFF HARRY A GROFF DEANA M		Use:	RESIDENTIAL	
Mailing Address:	9306 SEA HORSE CT BALTIMORE MD 21219-2375		Principal Residence:	YES	
			Deed Reference:	/16601/ 00342	
Location & Structure Information					
Premises Address:		9306 SEA HORSE CT 0-0000		Legal Description:	.1527 AC PHASE 2 9306 SEA HORSE CT ES BEACHWOOD ESTATES
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0104	0022	0595		0000	2 432
					Assessment Year: 2018
					Plat No: 2 Plat Ref: 0072/0131
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
2002	1,344 SF	400 SF	6,653 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	1 Attached
Last Major Renovation					
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2015	07/01/2017	07/01/2018	
Land:	101,600	101,600			
Improvements	141,400	141,400			
Total:	243,000	243,000	243,000		
Preferential Land:	0				
Transfer Information					
Seller: BEACHWOOD I LIMITED PARTNERSHIP		Date: 07/10/2002		Price: \$195,455	
Type: ARMS LENGTH IMPROVED		Deed1: /16601/ 00342		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	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 02/17/2009					
Homeowners' Tax Credit Application Information					

2018-0164-A

ZAC AGENDA

Case Number: 2018-0164-A

Primary Use: RESIDENTIAL

Reviewer: SeidelmanJason

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Harry & Deana Groft

Contract Purchaser:

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

Property Address: 9306 Sea Horse COURT

Location: E/S of Sea Horse Court, 235 ft. S of the centerline of Greencove Circle

Existing Zoning: DR 3.5

Area: 6,653 sq. ft.

Proposed Zoning: ADMINISTRATIVE VARIANCE:

To permit a rear yard addition (existing open deck to be enclosed) with a rear setback of 18 ft. in lieu of the required 30 ft.

Attorney:

Prior Zoning Cases: 2003-0051-A

Concurrent Cases:

Violation Cases:

Closing Date: 1/8/2018 12:00:00AM

Miscellaneous:

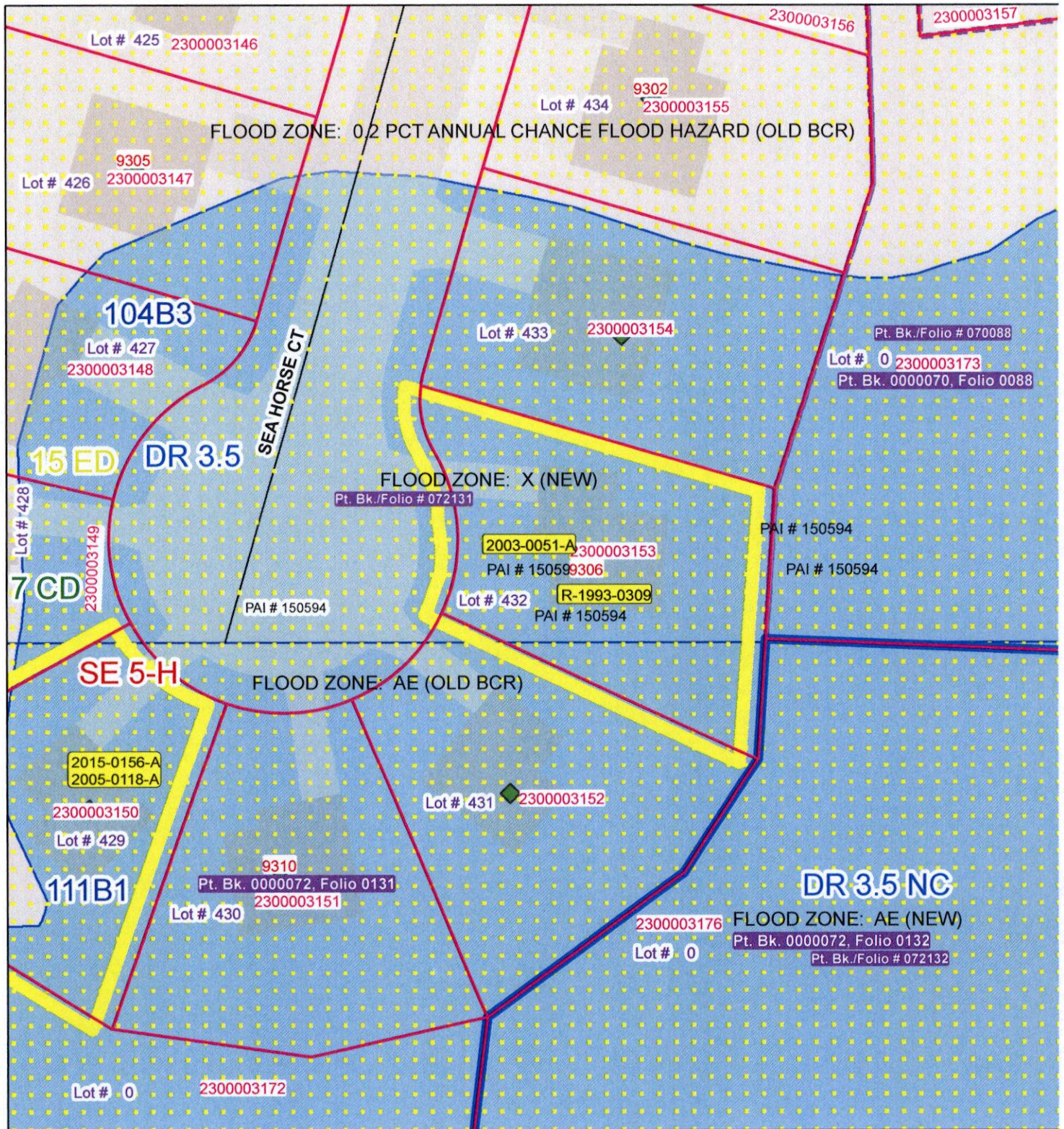
2018-0164-A



2018-0164-A



Flood Hazard Area



Publication Date: 12/6/2017

2018-0164-1



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

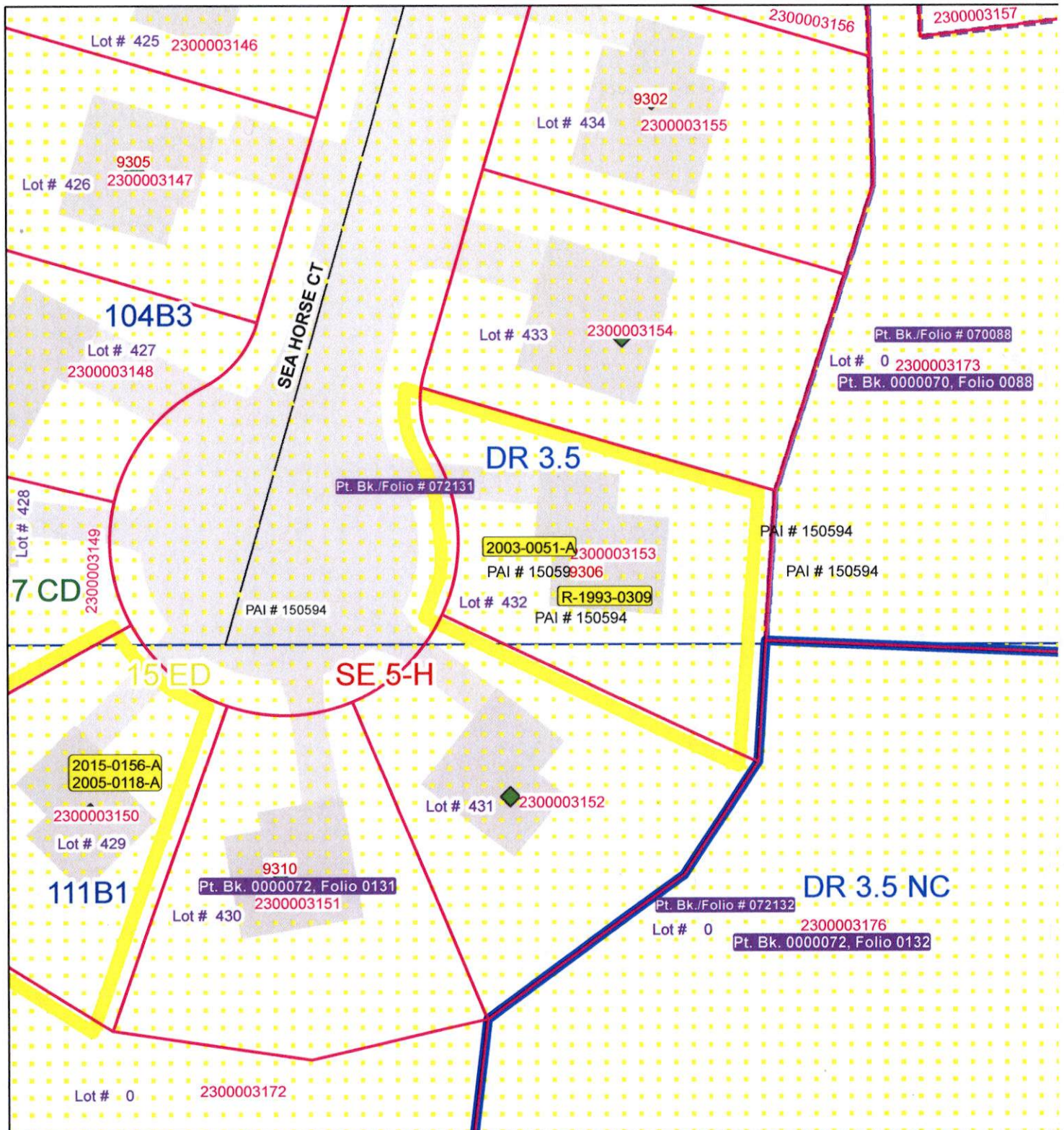


0 10 20 40 60 80 Feet

1 inch = 40 feet

2012-01-01

306 Sea Horse Court



Publication Date: 12/6/2017

208-0164-A



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

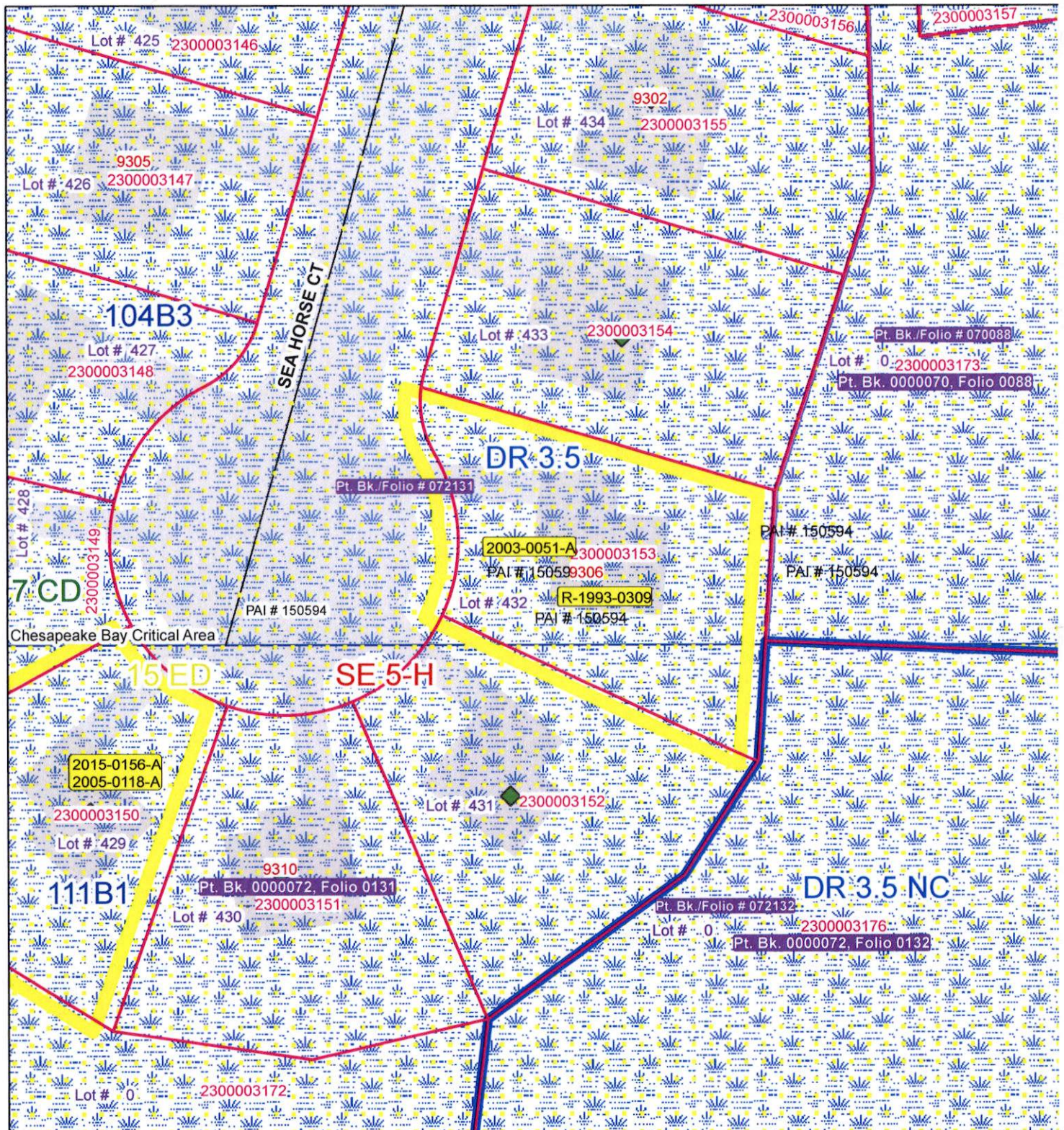


0 10 20 40 60 80 Feet

1 inch = 40 feet

6-1111-8106

Chesapeake Bay Critical Area



Publication Date: 12/6/2017

2018-0164-A



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

1-4013-3106

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 9306 SEA HORSE COURT

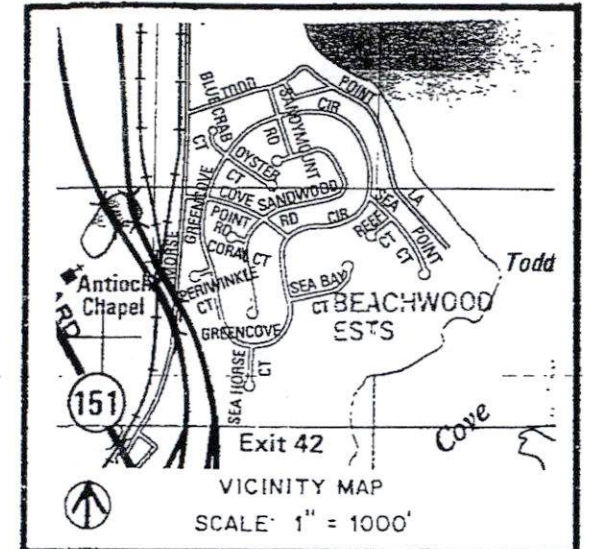
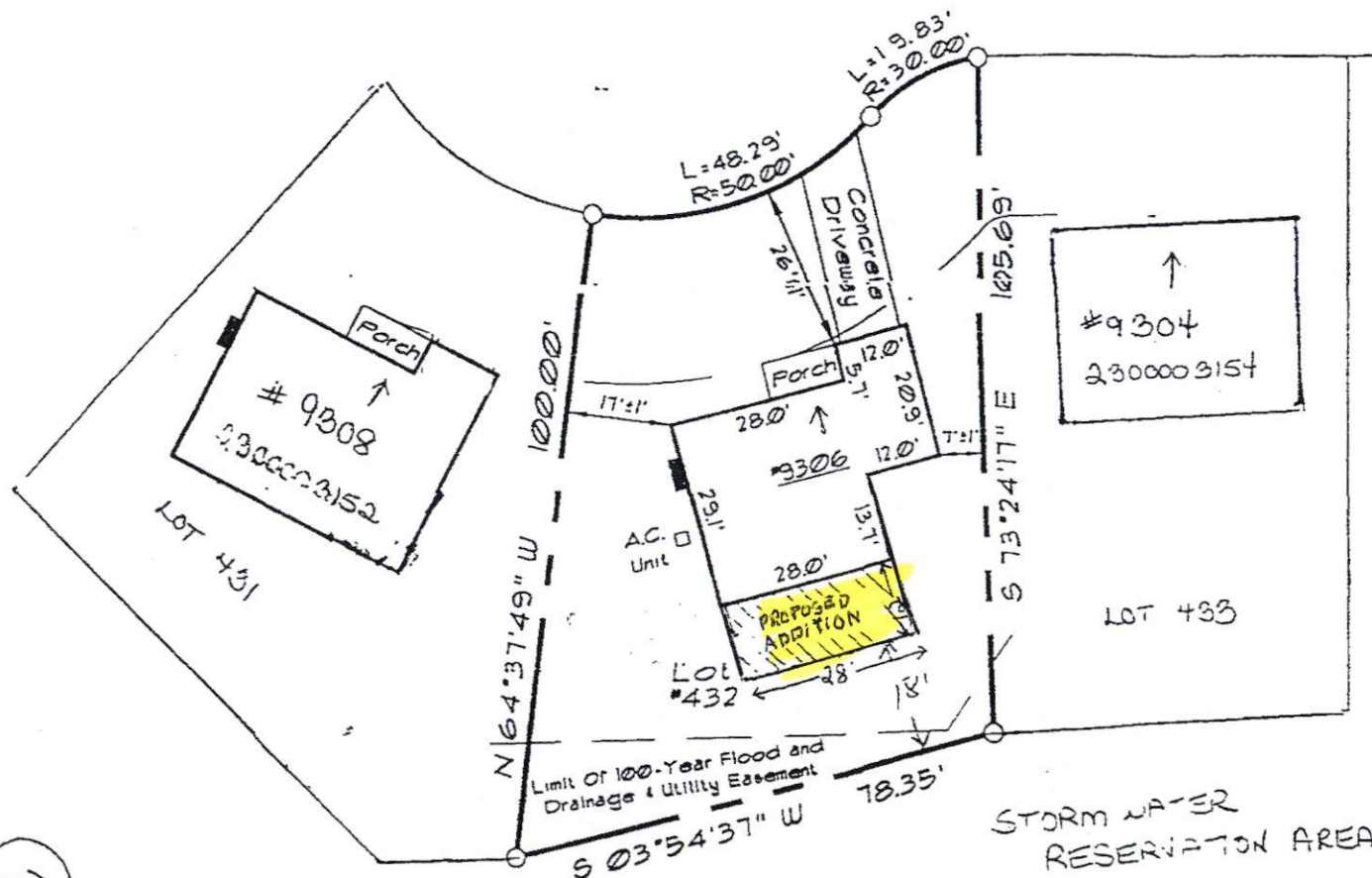
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME BEACHWOOD ESTATES

PLAT BOOK # 72 FOLIO # 131 LOT # 432 SECTION # 2

OWNER HARRY + DEANA GROFF

SEA HORSE COURT



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 7

1" = 200' SCALE MAP # 104B3+111B1

ZONING D.R. 3.5

LOT SIZE 16653
ACREAGE SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE
WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☒ YES ☐ NO

100 YEAR FLOOD PLAIN ☒ ☐

HISTORIC PROPERTY/ BUILDING ☐ ☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

D. THOMPSON 051 00 051 A

SCALE OF DRAWING: 1" = 30'

2018-0164-A

Pet. Exh. 1

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 9306 SEA HORSE COURT

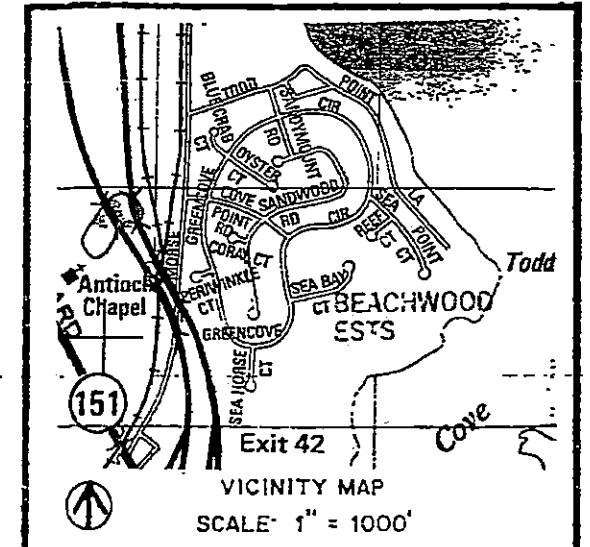
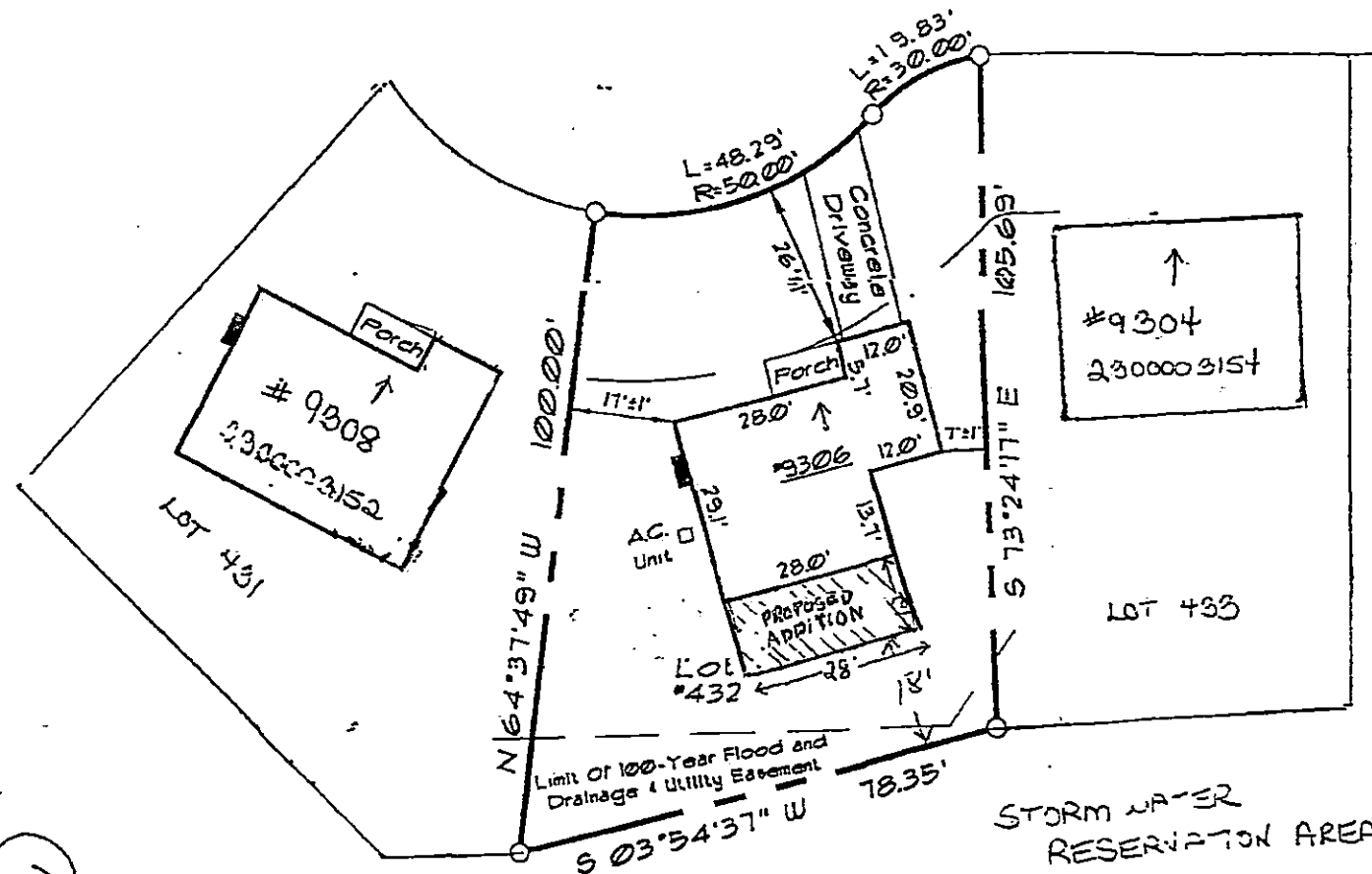
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

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1"=200' SCALE MAP # 104B3+111B1

ZONING DR.3.5

LOT SIZE 1.653
ACREAGE SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☒ YES ☐ NO

100 YEAR FLOOD PLAIN ☒ ☐

HISTORIC PROPERTY/BUILDING ☐ ☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

D. Thompson 051 03-05-11

SCALE OF DRAWING 1" = 30'

2018-0164-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

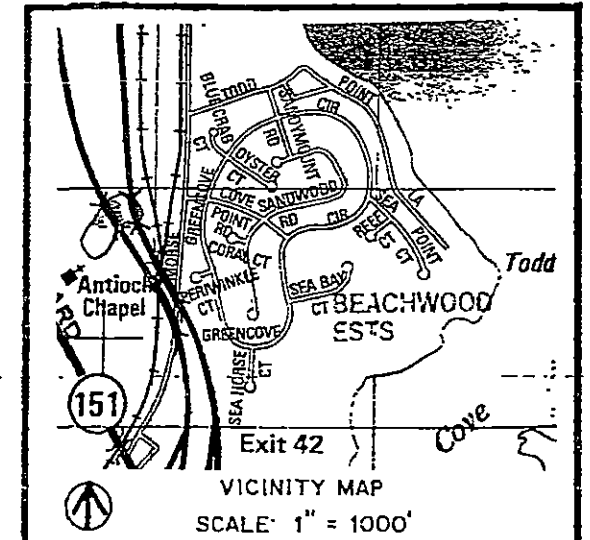
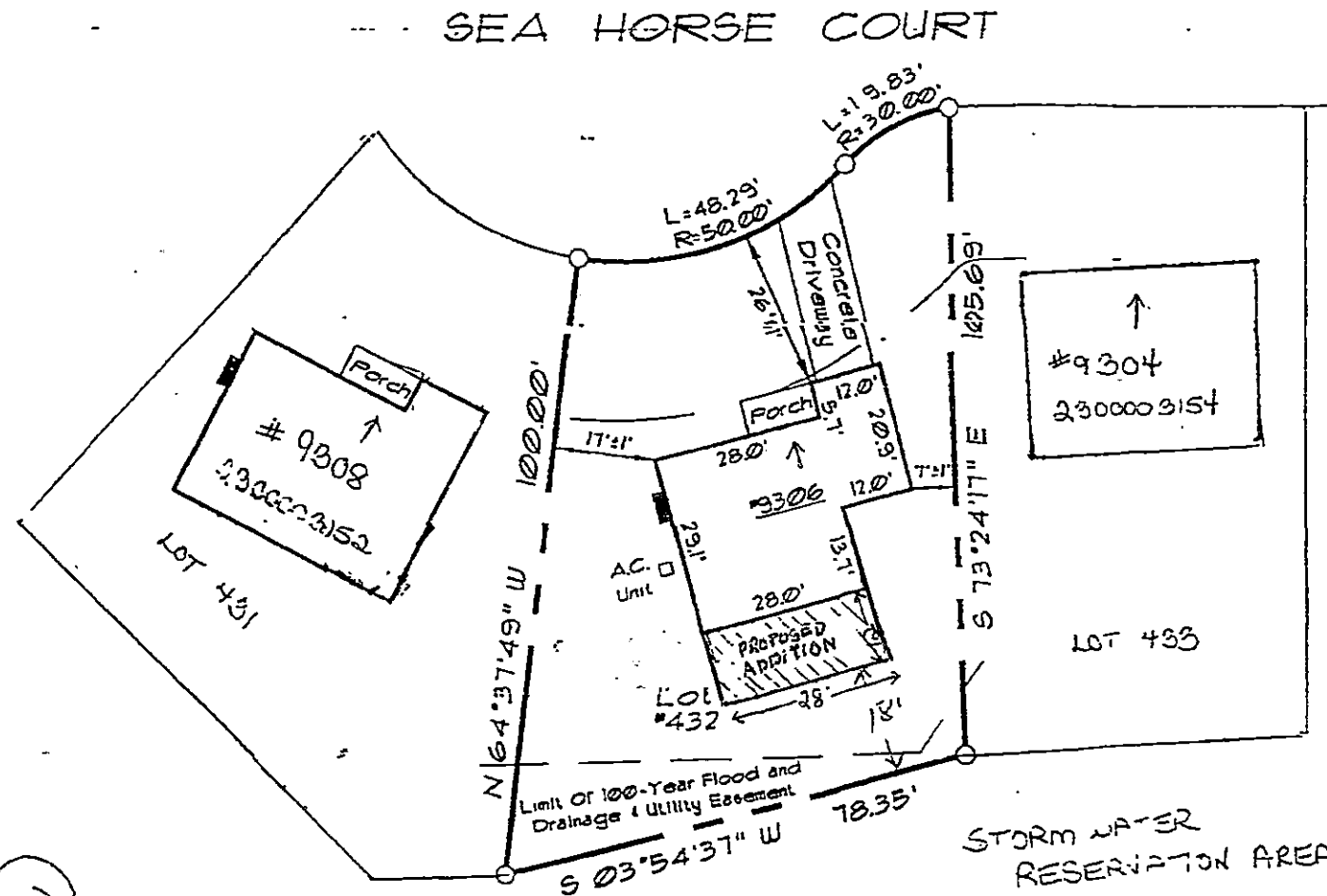
PROPERTY ADDRESS 9306 SEA HORSE COURT

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME BEACHWOOD ESTATES

PLAT BOOK # 72 FOLIO # 131 LOT # 431 SECTION # 2

OWNER HARRY + DEANA GROFF



LOCATION INFORMATION			
ELECTION DISTRICT	15		
COUNCILMANIC DISTRICT	7		
1"=200' SCALE MAP #	104B3+111B1		
ZONING	D.R. 3.5		
LOT SIZE	ACREAGE	6.653 SQUARE FEET	
		PUBLIC	PRIVATE
SEWER		☒	☐
WATER		☒	☐
CHESAPEAKE BAY CRITICAL AREA		YES ☒	NO ☐
100 YEAR FLOOD PLAIN		YES ☒	NO ☐
HISTORIC PROPERTY/ BUILDING		☐	☒
PRIOR ZONING HEARING	NONE		
ZONING OFFICE USE ONLY			
REVIEWED BY	ITEM #	CASE #	
D. Thompson	051	02-051-A	

SCALE OF DRAWING 6" = 1" = 30'

2018-0164-A