

IN RE: PETITION FOR VARIANCE

(4003 Bay Dr.)
15th Election District
6th Council District
Katrina Koch
Legal Owner
Brian Stachorowski
Contract Purchaser
Petitioners

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*
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BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2018-0273-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Katrina Koch, legal owner of the subject property and Brian Stachorowski, contract purchaser (“Petitioners”). The Petition seeks variance relief from §1A04.3.B of the Baltimore County Zoning Regulations (“BCZR”) to permit a proposed dwelling with side yard setbacks of 10 ft. and 5 ft. in lieu of the required 50 ft., and building coverage of 18% in lieu of the maximum permitted 15%. A site plan was marked as Petitioners’ Exhibit 1.

Brian Stachorowski and David Billingsley appeared in support of the petition. Several citizens attended the hearing to obtain additional information regarding the requests. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) and the Bureau of Development Plans Review (“DPR”). Neither agency opposed the requests.

The site is approximately 11,150 square feet in size and zoned RC-5. The lot was created by the Plat of Bowleys Quarters filed in 1925. Ex. 4. The lot was improved with a single-family dwelling, although it had to be razed after sustaining flood damage in Hurricane Isabel in 2003. Petitioners propose to construct a new single-family dwelling on the unimproved lot but require variance relief given the significant setback requirements in the RC-5 zone.

ORDER RECEIVED FOR FILING

Date 6-4-18

By 100

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The waterfront property is narrow and deep and is therefore unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to construct the proposed dwelling. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of County and/or community opposition.

THEREFORE, IT IS ORDERED, this 4th day of **June, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to §1A04.3.B of the Baltimore County Zoning Regulations ("BCZR") to permit a proposed dwelling with side yard setbacks of 10 ft. and 5 ft. in lieu of the required 50 ft., and building coverage of 18% in lieu of the maximum 15%, 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.
2. Prior to issuance of permits Petitioners must comply with flood protection and critical area regulations.

ORDER RECEIVED FOR FILING

Date 6-4-18

By [Signature]

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:sln

ORDER RECEIVED FOR FILING

Date 6-4-18

By WJ



CBCA

PETITION FOR ZONING HEARING(S)

flood

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

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

Address 4003 Bay Dr. Baltimore MD 21220 which is presently zoned RC5
Deed References: 033055 337 10 Digit Tax Account # 1508801690
Property Owner(s) Printed Name(s) Katrina Koch

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

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

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

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

3. X a **Variance** from Section(s)

SEE ATTACHED

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

REVISED-TO-VARIANCE

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

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

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

Contract Purchaser/Lessee:

Brian Stacharowski
Name- Type or Print

[Signature]
Signature

3517 Santee Ct. Nottingham MD
Mailing Address City State

21236 / 443-690-3552 / Brian@affordable
Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Katrina Koch
Name #1 - Type or Print Name #2 - Type or Print

[Signature]
Signature #1 Signature #2

3 Glasshouse Gorth Nottingham MD
Mailing Address City State

21236 / 410 977 7285 / Islandmermaidse
Zip Code Telephone # Email Address
hotmail

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2018-0273-SPH Filing Date 4/11/18

Do Not Schedule Dates: Reviewer gl

CASE NUMBER _____ DATE _____

SUB CODE _____ TELEPHONE NO. _____

NAME _____

ADDRESS _____

CITY _____

STATE _____

ZIP CODE _____

DATE OF BIRTH _____

SEX _____

RACE _____

EDUCATION _____

OCCUPATION _____

RELIGION _____

DATE OF DEATH _____

CAUSE OF DEATH _____

DATE OF INTERVIEW _____

INTERVIEWER _____

DATE OF REPORT _____

REPORTER _____

DATE OF REVIEW _____

REVIEWER _____

DATE OF APPROVAL _____

APPROVAL _____

DATE OF CLOSURE _____

CLOSURE _____

DATE OF RE-OPENING _____

RE-OPENING _____

DATE OF FINAL REVIEW _____

FINAL REVIEW _____

DATE OF ARCHIVAL _____

ARCHIVAL _____

DATE OF DESTRUCTION _____

REMARKS _____

REMARKS _____

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JFB
6-1-2018
Amended at hrg.
per Pts. request.

2018-0273-A

and 10 feet

Variance Sections 1A04.3.B.2.b

To permit a proposed dwelling with a side setback as close as 5 feet to the lot line in lieu of the required 50 feet and to permit height of 45 feet in lieu of the maximum permitted of 35 feet, ~~and to permit a lot area of .289 Ac~~
~~in lieu of the required 1.5 Ac.~~ permit lot
coverage of 18% in lieu of maximum 15%.

2018-0273-SPH

Zoning Property Description For 4003 Bay Drive

Beginning at a point on the northeast side of Bay Drive which is a 30 feet wide right of way at a distance 1120 feet south of the centerline of the nearest improved intersecting street Briar Point Road which is a 30 feet wide right of way

Being known and designated as Lot Numbered Three Hundred Six (306), as shown on a plat entitled "Bay Drive Addition of Plat No. 1" (also known as the First Addition to Plat No. 1), as shown on the Plat of Bowleys Quarters Company of Baltimore County which plat is recorded among the Land Records of Baltimore County in Plat Book WPC No, 8 at folio 10. The improvements thereon being known as 4003 Bay Drive.



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

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5598855

Sold To:

Brian Stachorowski - CU00655132
3517 Santee Rd
Nottingham, MD 21236-3118

Bill To:

Brian Stachorowski - CU00655132
3517 Santee Rd
Nottingham, MD 21236-3118

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

May 10, 2018

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2018-0273-SPH
4003 Bay Drive
NE/s Bay Drive, south of Briar Point Road
15th Election District - 6th Councilmanic District
Legal Owners: Katrina Koch
Contract Purchaser/Lessee: Brian Stachorowski

Special Hearing to permit a single lot of record that is not a subdivision with a lot area of 0.289 acres in lieu of the 1.5 acres and to permit a setback as close as 5 ft. to the lot line in lieu of the required 50 ft.

Hearing: Friday, June 1, 2018 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

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

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

5598855 5/10/2018

The Baltimore Sun Media Group

By S. Wilkinson

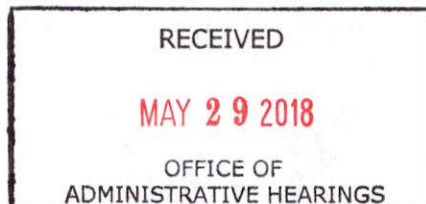
Legal Advertising

Debra Wiley

JB 6-1-18
10 Am

From: Marty Ogle <mert1114@aol.com>
Sent: Monday, May 28, 2018 6:31 PM
To: Administrative Hearings
Subject: 4003 Bay Drive
Attachments: IMG_0458.jpg; ATT00001.txt; IMG_0457.jpg; ATT00002.txt

2nd set of certificates from Martin Ogle



PLANNING DEPARTMENT

DATE: 10/11/11

PROJECT: 10/11/11

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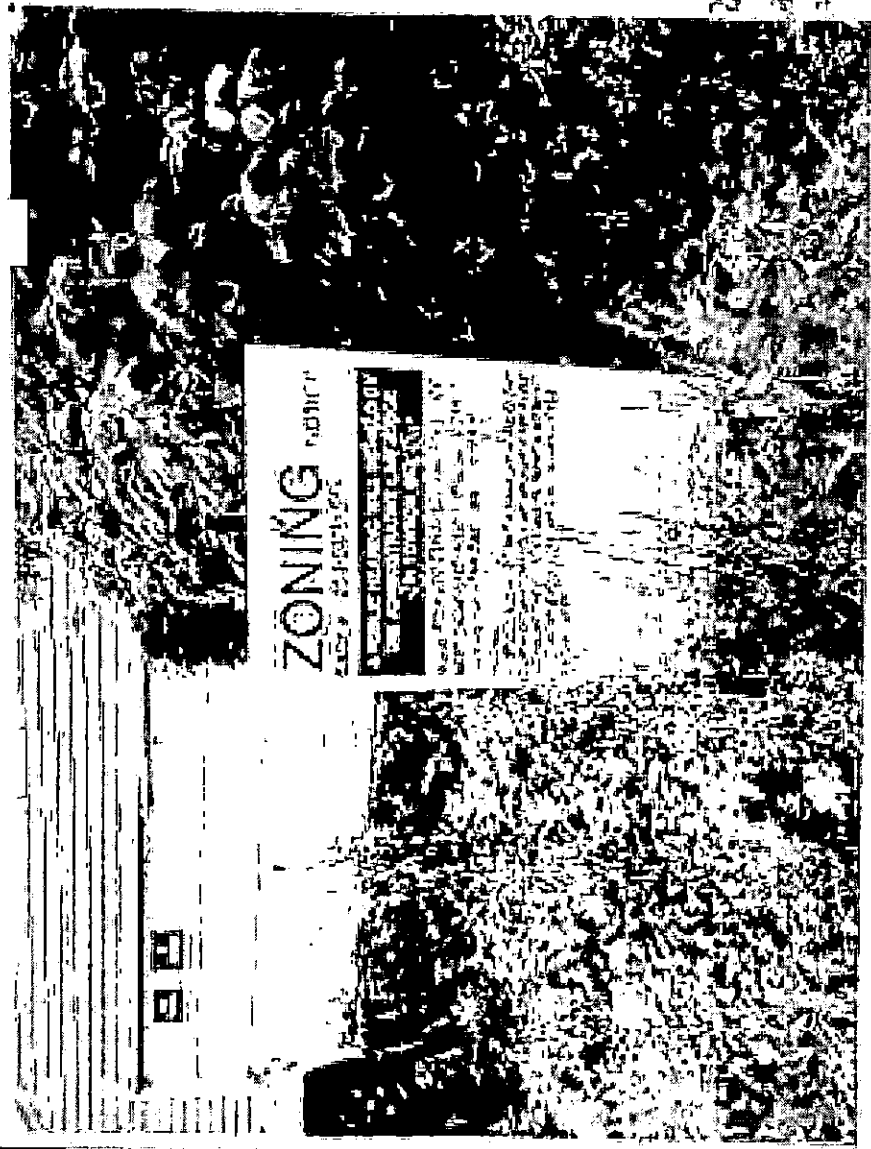
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PLANNING AND ZONING

CASE NO. 2015-0533-SPL

PLANNING AND ZONING

2015

STAFF REPORT

DATE OF PRESENTATION

6/1/16

THE PLANNING AND ZONING

COMMISSION HAS REVIEWED THE

PROPOSAL FOR THE

REVISION OF THE

PLANNING

AND ZONING

COMMISSION HAS REVIEWED THE

PROPOSAL FOR THE

REVISION OF THE

Mr. Bill Davis

THE PLANNING AND ZONING

6/1/16

6/1/16

PLANNING AND ZONING

COMMISSION

PLANNING AND ZONING

PLANNING AND ZONING

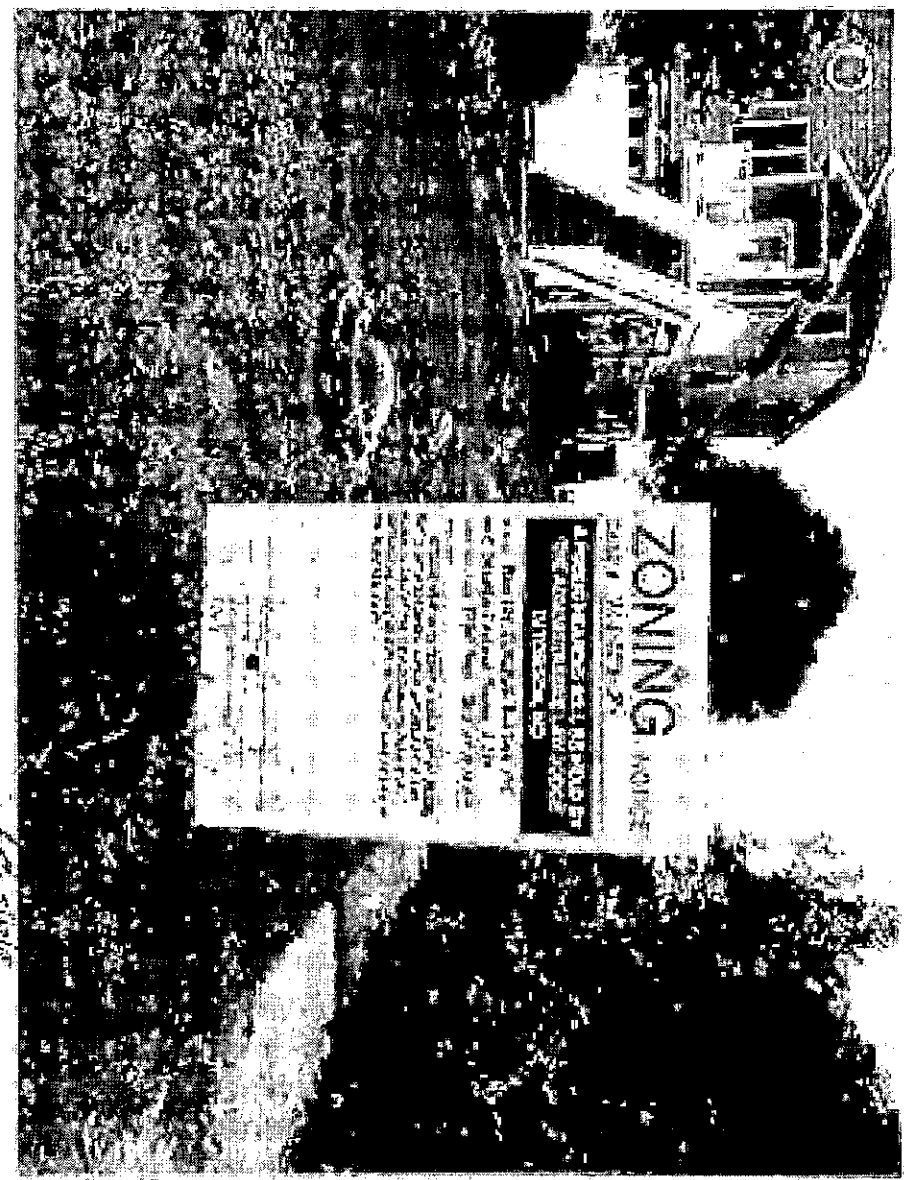
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PLANNING AND ZONING

CERTIFICATE OF POSTING

CASE NO. 2018-0273-SPH

PETITIONER/DEVELOPER

BRIAN

STACHOWSKI

DATE OF HEARING/CLOSING

6/1/18

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) EQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

4003 BAY DRIVE

SIGN #2

THIS SIGN(S) POSTED ON

May 11, 2018

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 5/11/18

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

ZONING NOTICE

CASE # 2018-0213-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: ROOM 205, JEFFERSON BUILDING 105
WEST CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: FRIDAY, JUNE 1, 2018 AT 10:00 A.M.

REQUEST:

SPECIAL HEARING TO PERMIT A SINGLE LOT OF RECORD
THAT IS NOT A SUBDIVISION WITH A LOT AREA OF 0.289
ACRES IN LIEU OF THE 1.5 ACRES AND TO PERMIT A
SETBACK AS CLOSE AS 5 FT. TO THE LOT LINE IN LIEU OF
THE REQUIRED 50 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOONER THAN NECESSARY
TO CONFIRM HEARING CALL 410-336-3391

DO NOT BE ABOVE THIS SIGN AND POST ON DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

LEFTSIDE
OF
PROPERTY
#2
SIGN

5/11/18

CERTIFICATE OF POSTING

CASE NO. 2018-0273-SPH

PETITIONER/DEVELOPER

BRIAN

STACHOWSKI

DATE OF HEARING/CLOSING

6/1/18

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) EQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

4003 BAY DRIVE

SIGN #1

THIS SIGN(S) POSTED ON

May 11, 2018

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 5/11/18

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

ZONING NOTICE

CASE # 2018-0213-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: ROOM 205, JEFFERSON BUILDING 105
WEST CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: FRIDAY, JUNE 1, 2018 AT 10:00 A.M.

REQUEST:

SPECIAL HEARING TO PERMIT A SINGLE LOT OF RECORD THAT
IS NOT A SUBDIVISION WITH A LOT AREA OF 0.289 ACRES
IN LIEU OF THE 1.5 ACRES ADD TO PERMIT A SETBACK
AS CLOSE AS 5 FT. TO THE LOT LINE IN LIEU OF THE
REQUIRED 50 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST 1 DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

RIGHTSIDE
OF
PROPERTY
#1
SIGN

5/11/18



KEVIN KAMENETZ
County Executive

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

5/1/18

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2018-0273-SPH

4003 Bay Drive
NE/s Bay Drive, south of Briar Point Road
15th Election District – 6th Councilmanic District
Legal Owners: Katrina Koch
Contract Purchaser/Lessee: Brian Stachorowski

Special Hearing to permit a single lot of record that is not a subdivision with a lot area of 0.289 acres in lieu of the 1.5 acres and to permit a setback as close as 5 ft. to the lot line in lieu of the required 50 ft.

Hearing: Friday, June 1, 2018 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Brian Stachorowski, 3517 Santee Court, Nottingham 21236
Katrina Koch, 3 Glasshouse Garth, Nottingham 21236

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 12, 2018.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 10, 2018 Issue - Jeffersonian

Please forward billing to:
Brian Stachorowski
3517 Santee Court
Nottingham, MD 21236

443-690-3552

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2018-0273-SPH

4003 Bay Drive
NE/s Bay Drive, south of Briar Point Road
15th Election District – 6th Councilmanic District
Legal Owners: Katrina Koch
Contract Purchaser/Lessee: Brian Stachorowski

Special Hearing to permit a single lot of record that is not a subdivision with a lot area of 0.289 acres in lieu of the 1.5 acres and to permit a setback as close as 5 ft. to the lot line in lieu of the required 50 ft.

Hearing: Friday, June 1, 2018 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
4003 Bay Drive; NE/S Bay Drive, *
S 1120' to Briar Point Road * OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Katrina Koch * HEARINGS FOR
Contract Purchaser(s): Brian Stachorowski *
Petitioner(s) * BALTIMORE COUNTY
* 2018-273-SPH

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
APR 17 2018

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of April, 2018, a copy of the foregoing Entry of Appearance was mailed to Katrina Koch, 3 Glasshouse Garth, Nottingham, Maryland 21236 and Brian Stachorowski, 3517 Santee Court, Nottingham, Maryland 21236, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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: 2018-0273-SP4
Property Address: 4003 Bay Dr. Baltimore, MD 21220
Property Description: _____

Legal Owners (Petitioners): Katrina Hoch
Contract Purchaser/Lessee: Brian Stachorowski

PLEASE FORWARD ADVERTISING BILL TO:

Name: Brian Stachorowski
Company/Firm (if applicable): _____
Address: 3517 Santee Ct.
Worthingham, MD 21286

Telephone Number: 443-690-3552

Revised 7/9/2015



KEVIN KAMENETZ
County Executive

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

May 23, 2018

Katrina Koch
3 Glasshouse Garth
Nottingham MD 21236

RE: Case Number: 2018-0273 SPH, Address: 4003 Bay Drive

Dear Ms. Koch:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 11, 2018. 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
Brian Stachorowski, 3517 Santee Court, Nottingham MD 21236

Date: 4/23/18

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. 2018-0273-SPH

*Variance
Ketrina Koch
4003 Bay Drive*

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



STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 4/23/18

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

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Variance
Katrina Koch
4003 Bay Drive

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

Date: 4/12/18

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. 2018-0273-SPH

*Special Hearing
Katrina Koch
4003 Bay Drive*

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,

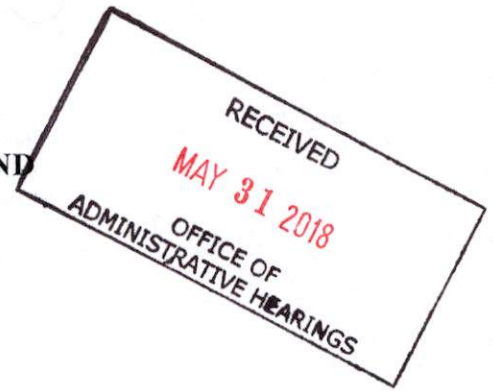
Richard Zeller

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

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: May 31, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0273-SPH *revised*
Address 4003 Bay Drive
(Koch Property)

Zoning Advisory Committee Meeting of **May 21, 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 a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The applicant is proposing to permit a lot with less lot area, reduced side yard setback, and greater height than permitted. The site plan shows a proposed dwelling and driveway. The lot is waterfront, and any proposed development must meet all LDA and MBA requirements, including lot coverage limits and afforestation requirements. The plan states the property is 12,600 square feet; therefore, lot coverage is limited to a maximum of 31.25% (3,937 square feet), with mitigation required for any lot coverage between 25% (3,150 square feet) and 31.25%. No lot coverage information was provided. 15% afforestation (4 trees) is required. If the lot coverage, afforestation, and MBA requirements can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

RECEIVED
FBI
OFFICE OF
ADMINISTRATIVE HEARINGS

CONFIDENTIAL

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront and must meet all lot coverage, MBA, and afforestation requirements. At this time this office cannot determine these requirements can be met. If these requirements are met this request will help 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;

This is a grandfathered lot. There was not enough information provided to determine if all Critical Area requirements can be met. Provided that the applicants can meet their lot coverage, MBA, and afforestation requirements, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

6-1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-273



INFORMATION:

Property Address: 4003 Bay Drive
Petitioner: Katrina Koch
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a proposed single family dwelling with a side property line setback as close as 5 feet, having a height of 45 feet on a lot containing 0.289 acres of land in lieu of the required 50 feet, 35 feet and 1.5 acres respectively.

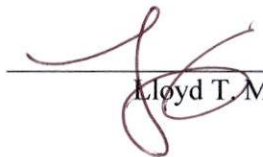
A site visit was conducted on April 23, 2018. There is an existing garage on the site which will be razed. The property is located adjacent to the county owned Miami Beach Park.

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

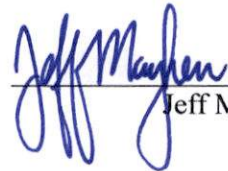
Please be advised that the site is subject to the RC 5 performance standards pursuant to BCZR §1A04. Architectural elevations must be submitted to the Department of Planning for review at the time of building permit review.

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

Prepared by:


Lloyd T. Moxley

Deputy Director:


Jeff Mayhew

AVA/KS/LTM/

c: Krystle Patchak
Brian Stacharawski
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 18, 2018

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 30, 2018
Item No. 2018-0273 **REVISED TO VARIANCE**

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 shall contact the Office of the Director of Public Works to determine the Flood Protection elevation, so that the first floor elevation can be established.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 4, 2018

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 23, 2018
Item No. 2018-0273-SPH

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 shall contact the Office of the Director of Public Works to determine the Flood Protection elevation, so that the first floor elevation can be established.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 5/16/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-273

INFORMATION:

Property Address: 4003 Bay Drive
Petitioner: Katrina Koch
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a proposed single family dwelling with a side property line setback as close as 5 feet, having a height of 45 feet on a lot containing 0.289 acres of land in lieu of the required 50 feet, 35 feet and 1.5 acres respectively.

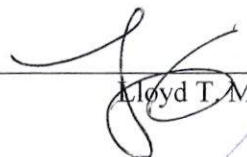
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The Department of Planning has no objections to granting the petitioned zoning relief.

Please be advised that the site is subject to the RC 5 performance standards pursuant to BCZR §1A04. Architectural elevations must be submitted to the Department of Planning for review at the time of building permit review.

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

Prepared by:


Lloyd T. Moxley

Deputy Director:


Jeff Mayhew

AVA/KS/LTM/

c: Krystle Patchak
Brian Stacharawski
Office of the Administrative Hearings
People's Counsel for Baltimore County

MEMORANDUM

DATE: July 6, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0273-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 5, 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

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: May 31, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0273-SPH *revised*
Address 4003 Bay Drive
(Koch Property)

Zoning Advisory Committee Meeting of **May 21, 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 a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The applicant is proposing to permit a lot with less lot area, reduced side yard setback, and greater height than permitted. The site plan shows a proposed dwelling and driveway. The lot is waterfront, and any proposed development must meet all LDA and MBA requirements, including lot coverage limits and afforestation requirements. The plan states the property is 12,600 square feet; therefore, lot coverage is limited to a maximum of 31.25% (3,937 square feet), with mitigation required for any lot coverage between 25% (3,150 square feet) and 31.25%. No lot coverage information was provided. 15% afforestation (4 trees) is required. If the lot coverage, afforestation, and MBA requirements can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.



STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 5/24/18

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. 2018-0273-SPH

Variance
Katrina Koch
4003 Bay Drive

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

FROM: VKD
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 21, 2018
Item No. 2018-0273-SPH **REVISED**

DATE: June 16, 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 shall contact the Office of the Director of Public Works to determine the Flood Protection elevation, so that the first floor elevation can be established.

* * * * *

VKD: cen
cc: file

P2-6
19W
6-4-18

PETITIONER'S EXHIBITS

**4003 BAY DRIVE
CASE NO. 2018-0273-SPH**

- 1. PLAT TO ACCOMPANY PETITION DATED APRIL 9, 2018 SHOWING REQUEST TO EXTEND DEPTH OF DWELLING TO 60 FEET (NO EFFECT ON VARIANCES REQUESTED)**
- 1A. SITE PLAN DATED MAY 21, 2018**
- 2. SDAT REAL PROPERTY DATA SEARCH**
- 3. DEED OF RECORD DATED JANUARY 7, 2013 LIBER 33055 FOLIO 337**
- 4. PLAT OF BOWLEYS QUARTERS ADDITION TO PLAT 1 PB 8 F 10**
- 5. AERIAL PHOTO**
- 6A-C. PHOTOS**
- 7. BUILDING ELEVATIONS**

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1508801690			
Owner Information					
Owner Name:		KOCH KATRINA		Use:	RESIDENTIAL
Mailing Address:		3 GLASSHOUSE GARTH BALTIMORE MD 21236-4857		Principal Residence:	NO
				Deed Reference:	/33055/ 00337
Location & Structure Information					
Premises Address:		4003 BAY DR BALTIMORE 21220-4036 Waterfront		Legal Description:	4003 BAY DR BOWLEYS QUARTERS
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0098	0006	0015		0000	
					Block:
					306
					Assessment Year:
					2018
					Plat No:
					1
					Plat Ref:
					0008/ 0010
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			NONE		
			Tax Class:		
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
				Property Land Area	
				12,600 SF	
				County Use	
				34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					1 Detached
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	
			01/01/2018	07/01/2017	
				As of	
				07/01/2018	
Land:		197,100	236,100		
Improvements		6,900	6,900		
Total:		204,000	243,000		
Preferential Land:		0		204,000	217,000
					0
Transfer Information					
Seller: HUBBE JENNIFER L		Date: 01/15/2013		Price: \$225,000	
Type: ARMS LENGTH IMPROVED		Deed1: /33055/ 00337		Deed2:	
Seller: HUBBE-NIDA JENNIFER L		Date: 06/22/2010		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /29602/ 00474		Deed2:	
Seller: WINCHESTER PAMELA A		Date: 02/12/2003		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /17535/ 00655		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: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

PETITIONER'S
EXHIBIT NO. 2

Lawyers Trust Title Company
 File No. 12-1657JCA
 Tax ID # (15) 15-08-801690

This Deed, made this 7th day of January, 2013, by and between **Jennifer L. Hubbe**, GRANTOR, and **Katrina Koch**, GRANTEE.

Witnesseth -

That in consideration of the sum of TWO HUNDRED TWENTY FIVE THOUSAND DOLLARS 00/100 (\$225,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantee, as sole owner, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

Being known and designated as Lot Numbered Three Hundred Six (306), as shown on a plat entitled "Bay Drive Addition of Plat No. 1" (also known as the First Addition to Plat No. 1), as shown on the Plat of Bowleys Quarters Company of Baltimore County which plat is recorded among the Land Records of Baltimore County in Plat Book WPC No. 8 at folio 10. The improvements thereon being known as 4003 Bay Drive.

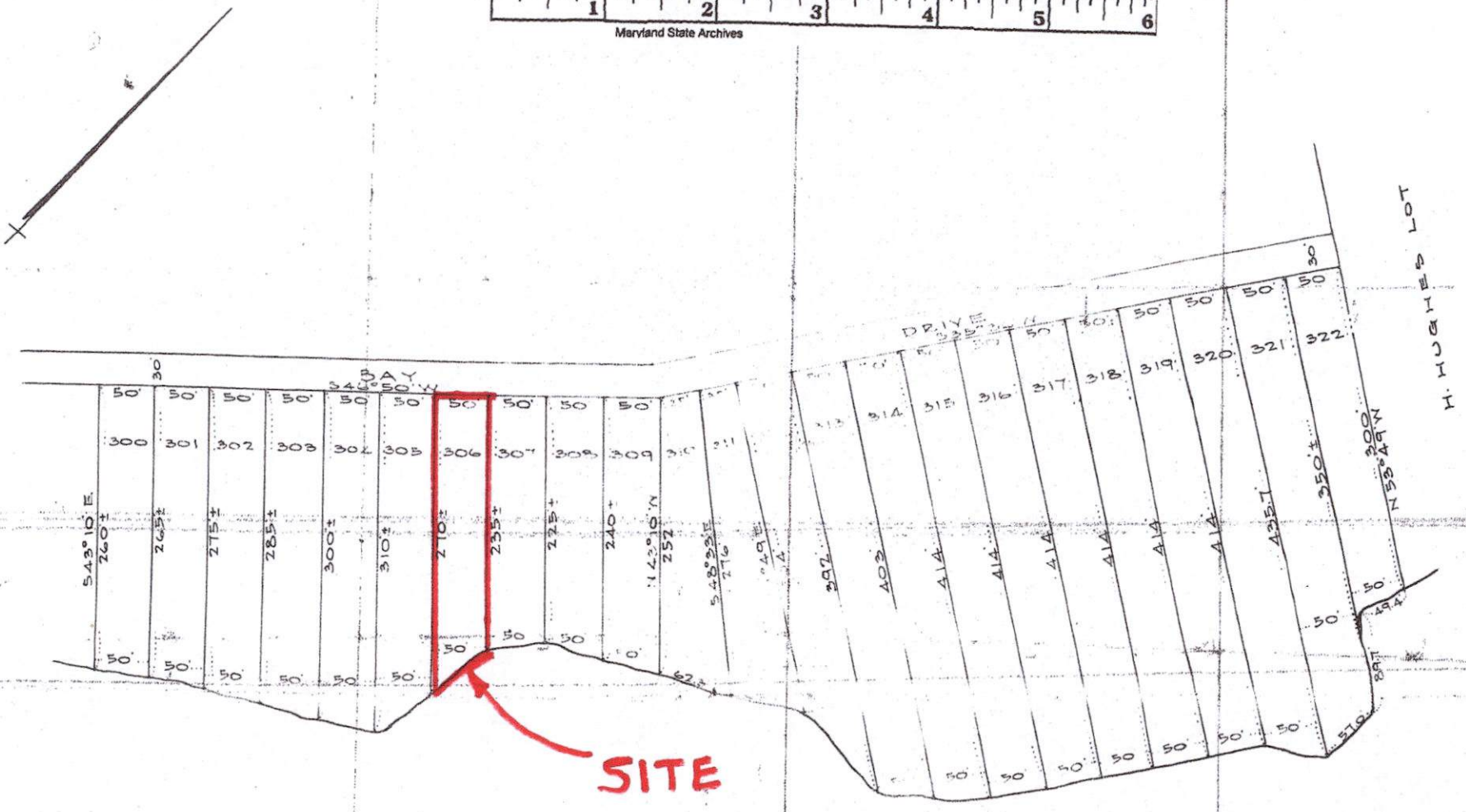
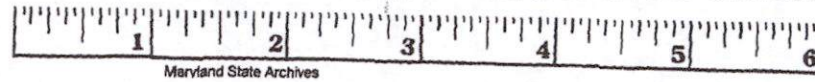
Being the same property, which by deed dated June 9, 2009 and recorded among the Land Records of Baltimore County in Liber RDA, Jr. 29602 at Folio 474, was granted and conveyed by Alfred E. Nida and Jennifer L. Hubbe-Nida unto Jennifer L. Hubbe.

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

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Katrina Koch, as sole owner, in fee simple.

And the Grantor hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant Specially the property hereby granted; and that she will execute such further assurances of the same as may be requisite.

BALTIMORE COUNTY CIRCUIT COURT (Plaintiff) Book WFC 8, p. 10, MSA - C2136_3913. Date available 8/20. Printed 05/27/2018.



CHESAPEAKE

BAY

BOWLEY'S QUARTERS ADDITION TO PLAT No. 1

SCALE 1"=100' AUG. 14, 1925.
E. Y. COONAN & CO
SURVEYORS & CIVIL ENG'S.
231 COURTLAND ST.
BALTIMORE, MD.

BOWLEY'S QUARTERS ADDITION TO PLAT 1
PB 8 F.10 RECORDED AUGUST 20, 1925

PETITIONER'S
EXHIBIT NO. 4

Untitled Map

Write a description for your map.

Legend

SITE



4003 Bay Dr

Google Earth

PETITIONER'S
EXHIBIT NO. 5



00 ft

Untitled Map

Write a description for your map.

Legend



Google Earth

© 2018 Google

481 ft



Untitled Map

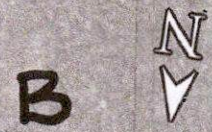
Write a description for your map.

Legend



Google Earth

© 2018 Google



4.93 ft

Untitled Map

Write a description for your map.

Legend



Google Earth

© 2018 Google



538 ft



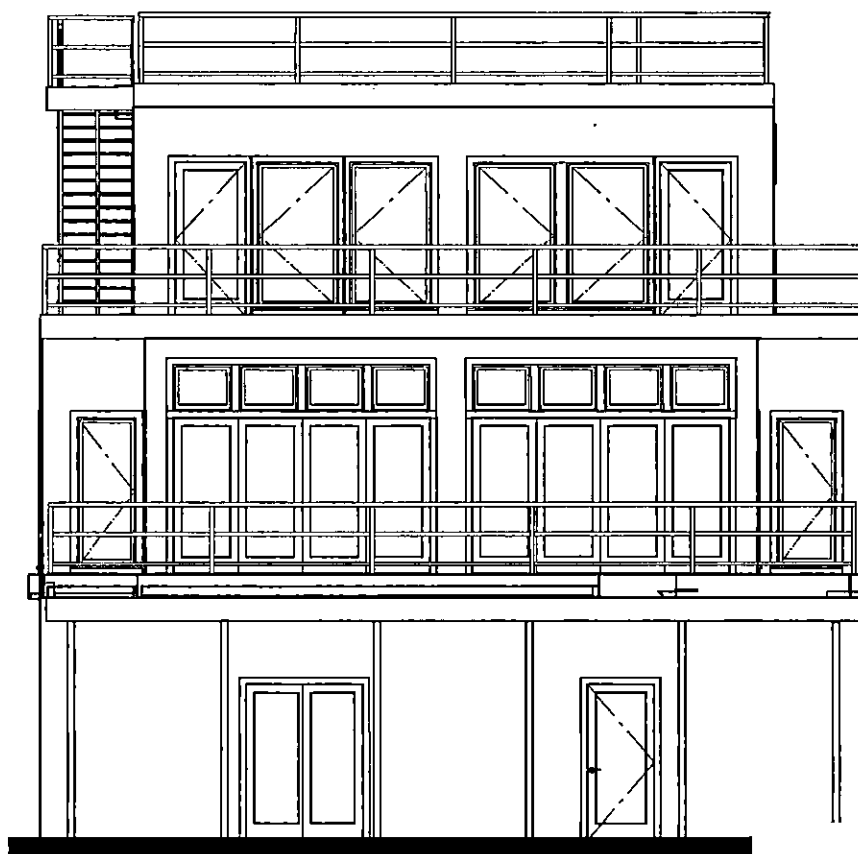
MAUREEN
COPELAND
717.599.9590

NEW RESIDENCE FOR BRIAN & KELLY STACHOROWSKI
4003 BAY DRIVE, MIDDLE RIVER, MD 21220

PRELIM.
PLANS
5.10.2018



FRONT ELEVATION
SCALE 1/8" = 1'-0"



REAR ELEVATION
SCALE 1/8" = 1'-0"

PETITIONER'S
EXHIBIT NO. **7**

【

CASE NAME 4003 BAY DRIVE
CASE NUMBER 2018-0273-SPH
DATE 6/1/18

PETITIONER'S SIGN-IN SHEET

E - MAIL

[illegible]

DATE _____

[illegible]

Sherry Nuffer

From: Sherry Nuffer
Sent: Tuesday, May 29, 2018 2:57 PM
To: Jeffery Livingston
Subject: 2018-0273-A

Jeff,

The above mentioned case is scheduled for a hearing on Friday June 1, 2018 at 10:00 am.

It is located in a CBCA area. I see no comments located in the file from DEPS.

Are you going to issue a comment?

Please advise.

Thank you,

Sherry

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>5/18</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>Comment</u>
<u>5/31/18</u>	DEPS (if not received, date e-mail sent <u>5/29/18</u>)	<u>Comment</u>
_____	FIRE DEPARTMENT	_____
<u>5/17</u>	PLANNING (if not received, date e-mail sent _____)	<u>NO objection w/ comment</u>
<u>4/23</u>	STATE HIGHWAY ADMINISTRATION	<u>no Objection</u>
_____	TRAFFIC ENGINEERING	_____
<u>5/18</u>	COMMUNITY ASSOCIATION	<u>Opposition</u>
<u>5/21</u>	ADJACENT PROPERTY OWNERS	<u>Opposition</u>
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>5/10/18</u>	
SIGN POSTING (1 st)	Date: <u>5/11/18</u>	by <u>Ogle</u>
SIGN POSTING (2 nd)	Date: <u>5/27/18</u>	by <u>Ogle</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 - 1508801690							
Owner Information										
Owner Name:		KOCH KATRINA			Use:		RESIDENTIAL			
Mailing Address:		3 GLASSHOUSE GARTH BALTIMORE MD 21236-4857			Principal Residence:		NO			
					Deed Reference:		/33055/ 00337			
Location & Structure Information										
Premises Address:		4003 BAY DR BALTIMORE 21220-4036 Waterfront			Legal Description:		4003 BAY DR BOWLEYS QUARTERS			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	1
0098	0006	0015		0000			306	2018	Plat Ref:	0008/ 0010
Special Tax Areas:					Town:		NONE			
					Ad Valorem:					
					Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
						12,600 SF		34		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
					1 Detached					
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of		As of	
					01/01/2018		07/01/2017		07/01/2018	
Land:			197,100		236,100					
Improvements			6,900		6,900					
Total:			204,000		243,000		204,000		217,000	
Preferential Land:			0						0	
Transfer Information										
Seller: HUBBE JENNIFER L				Date: 01/15/2013			Price: \$225,000			
Type: ARMS LENGTH IMPROVED				Deed1: /33055/ 00337			Deed2:			
Seller: HUBBE-NIDA JENNIFER L				Date: 06/22/2010			Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /29602/ 00474			Deed2:			
Seller: WINCHESTER PAMELA A				Date: 02/12/2003			Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /17535/ 00655			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: No Application										
Homeowners' Tax Credit Application Information										
Homeowners' Tax Credit Application Status: No Application						Date:				

6-1-18

Sherry Nuffer

From: James Hock <james.n.hock@gmail.com>
Sent: Friday, May 18, 2018 11:52 AM
To: Administrative Hearings
Subject: 4003 Bay Drive



May 18, 2018

Office of Administrative Hearings
105 W. Chesapeake Ave. Suite 103
Towson, MD 21204

Subject: Case # 2018-0273-SPH
4003 Bay Drive, Middle River, MD

The Honorable John E. Beverungen, Administrative Law Judge

Dear Sir,

As president of the Bowleys Quarters Improvement Association (BQIA), I am writing you to support one of our members who resides on the property next to this vacant lot. Our member opposes the variance proposed that would result in a 5-foot building setback along his property. He would be in favor of a 10-foot setback, which is more in keeping with other properties in the immediate neighborhood. Further, he would not be opposed to a 5-foot setback on the opposite side of the vacant lot, adjacent to county parkland.

BQIA as a matter of policy supports existing zoning and land use regulations in our predominantly Resource Conservation community. We also recognize that certain routine variances are necessary to accommodate new construction on BowleysQuarters waterfront lots. But when a variance goes beyond being routine and is opposed by our members for valid reasons, we must take a position in consideration of our members' reaction to the proposed changes.

Therefore, BQIA opposes the proposed 5-foot building setback along our member's property but would support such a setback on the side adjoining the county parkland.

Thank you for taking our position into account as your rule on this case.

Respectfully,

James Hock, President
BQIA

Sent from my iPad

6-1-18

Sherry Nuffer

From: Fred Hylla <fredhylla@gmail.com>
Sent: Saturday, May 19, 2018 11:29 AM
To: Administrative Hearings
Subject: Zoning Notice Case #2018-0273-SPH 4003 Bay Drive

May 19, 2018

Office of Administrative Hearings
105 W. Chesapeake Ave. Suite 103
Towson, MD 21204



Subject: **Case # 2018-0273-SPH**
4003 Bay Drive, Middle River, MD

The Honorable John E. Beverungen, Administrative Law Judge

Dear Sir:

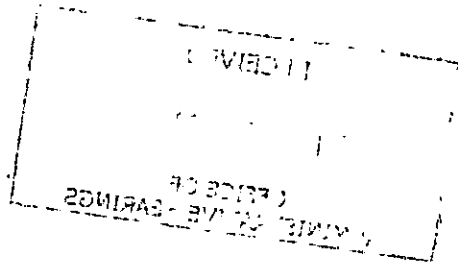
I am the owner of the property located at 4005 Bay Drive and adjacent to this subject vacant lot. As such, I am in opposition to the proposed 5-foot setback along my property line. I have no problem with a 10-foot setback, which I complied with for the construction of my house during 2009. My understanding is that a 10-foot setback is the typical setback for a 50-foot wide bay-front lot in my neighborhood. On the other hand, I am not in opposition to a 5-foot setback on the property line adjacent to the Miami Beach Baltimore County Park.

In addition, my understanding is that the front wall of the new house that may/will be built on said subject lot may not be any closer to the water (Chesapeake Bay) than my house. This was explained to me by a representative of Baltimore County Zoning while my house was under construction. While I cannot remember the representative's name, he stated this regulation is a result of the fact that the 4003 – 4009 Bay Drive water-front property lines angle back to the road from south to north; i.e, the length of the 4003 property from the bay to the road is shorter than my lot. Consequently, I want to go on record that I would/will oppose a house located on 4003 Bay Drive if the wall of the house facing the Bay is closer to the water than that of my own house.

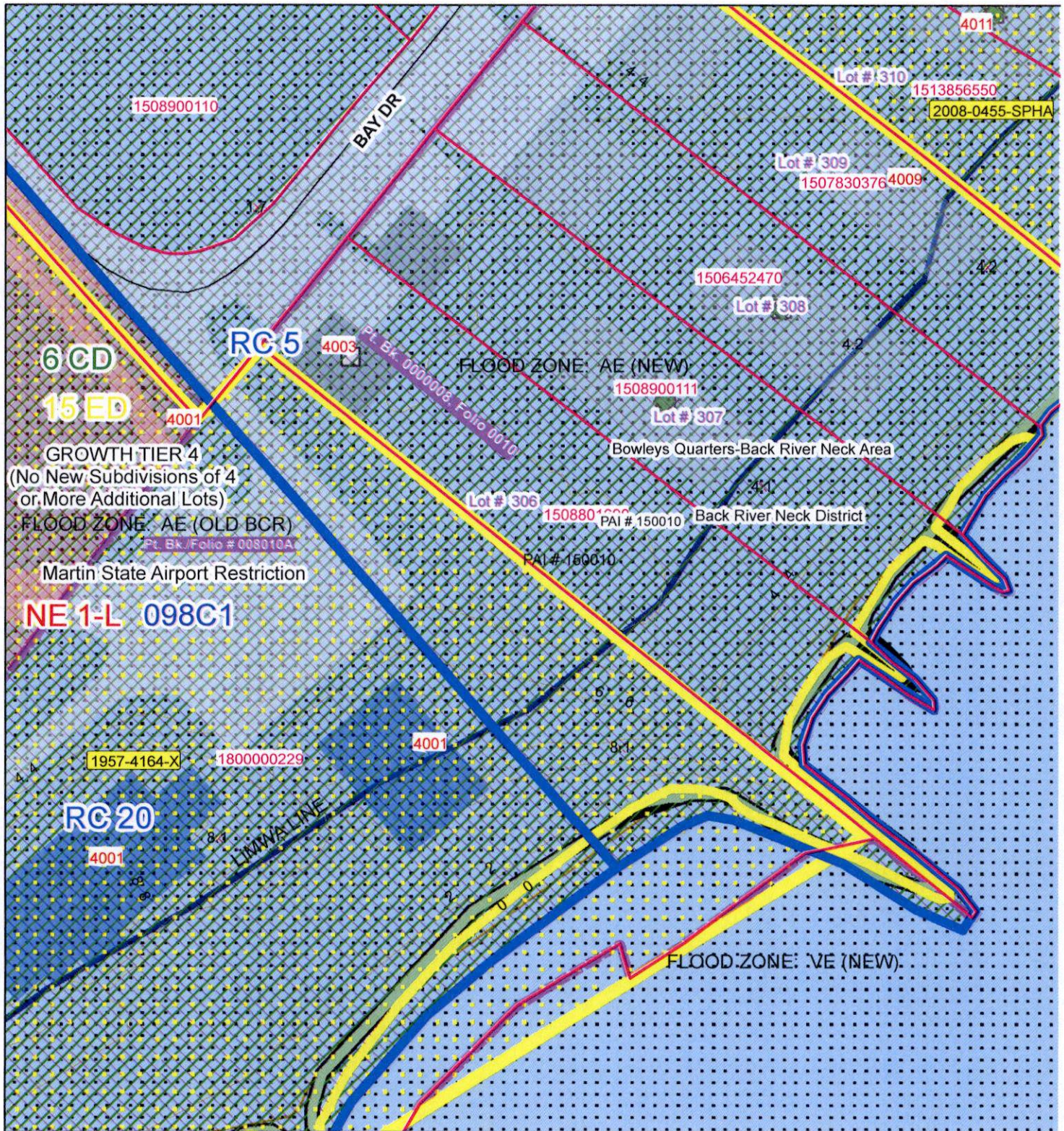
Thank you for taking my position into account as part of your decision on this case.

Kind Regards,

Fred Hylla



4003 Bay Dr



Publication Date: 4/11/2018



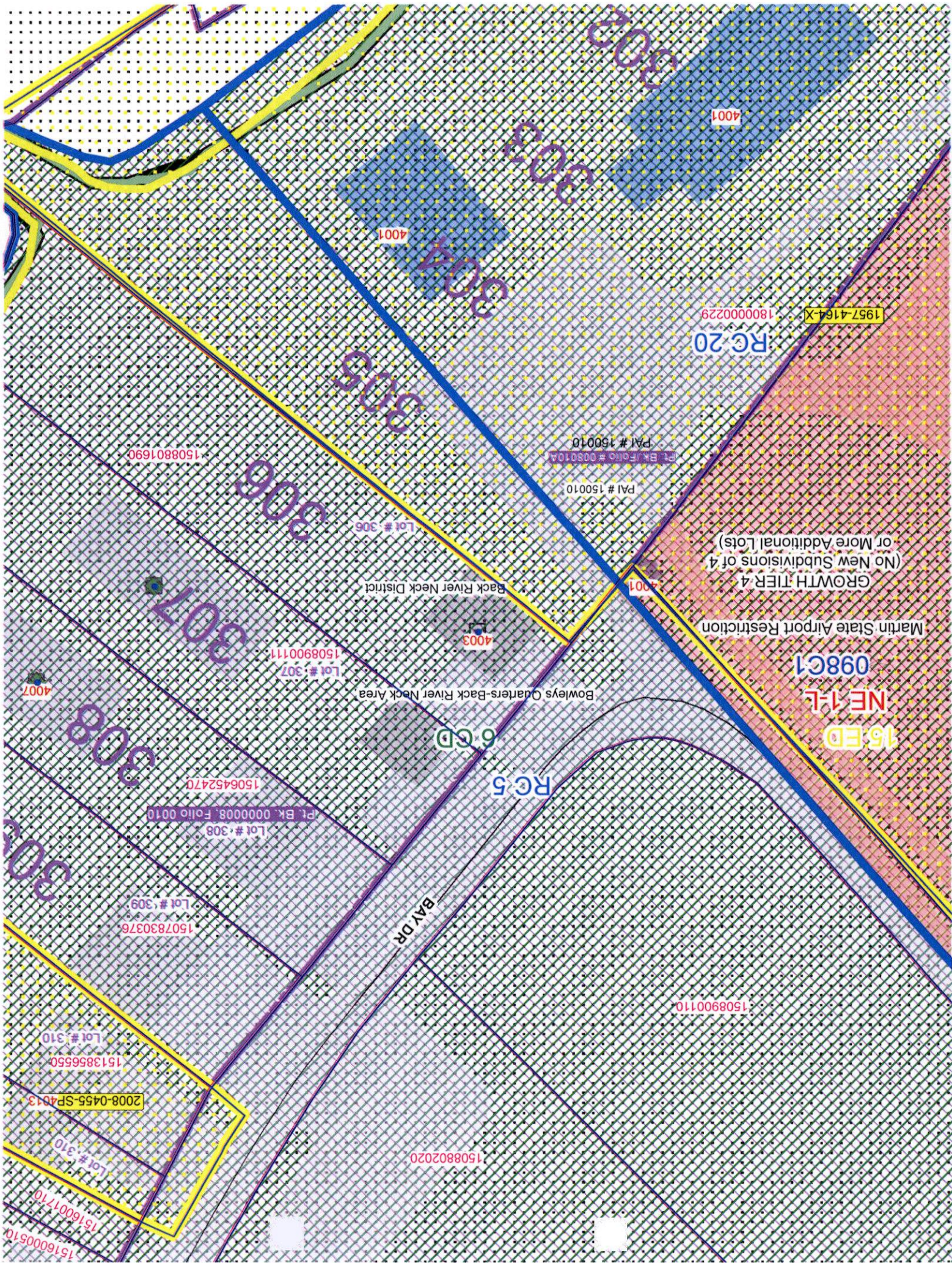
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.525 50 75 100 Feet

1 inch = 50 feet

2018-0273-SPH



RC 20

RC 5

098C1

NE 1-L

15 ED

Back River Neck District

Bowleys Quarters-Back River Neck Area

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

Martin State Airport Restriction

BAY DR

4001

4001

1957-4164-X

1800000229

Pl. Bk. Folio # 0080104
PAI # 150010

PAI # 150010

Lot # 306

1508801690

Lot # 307
1508900111

4003

6 CD

Lot # 308
Pl. Bk. 0000008, Folio 0010
1506452470

Lot # 309
1507830376

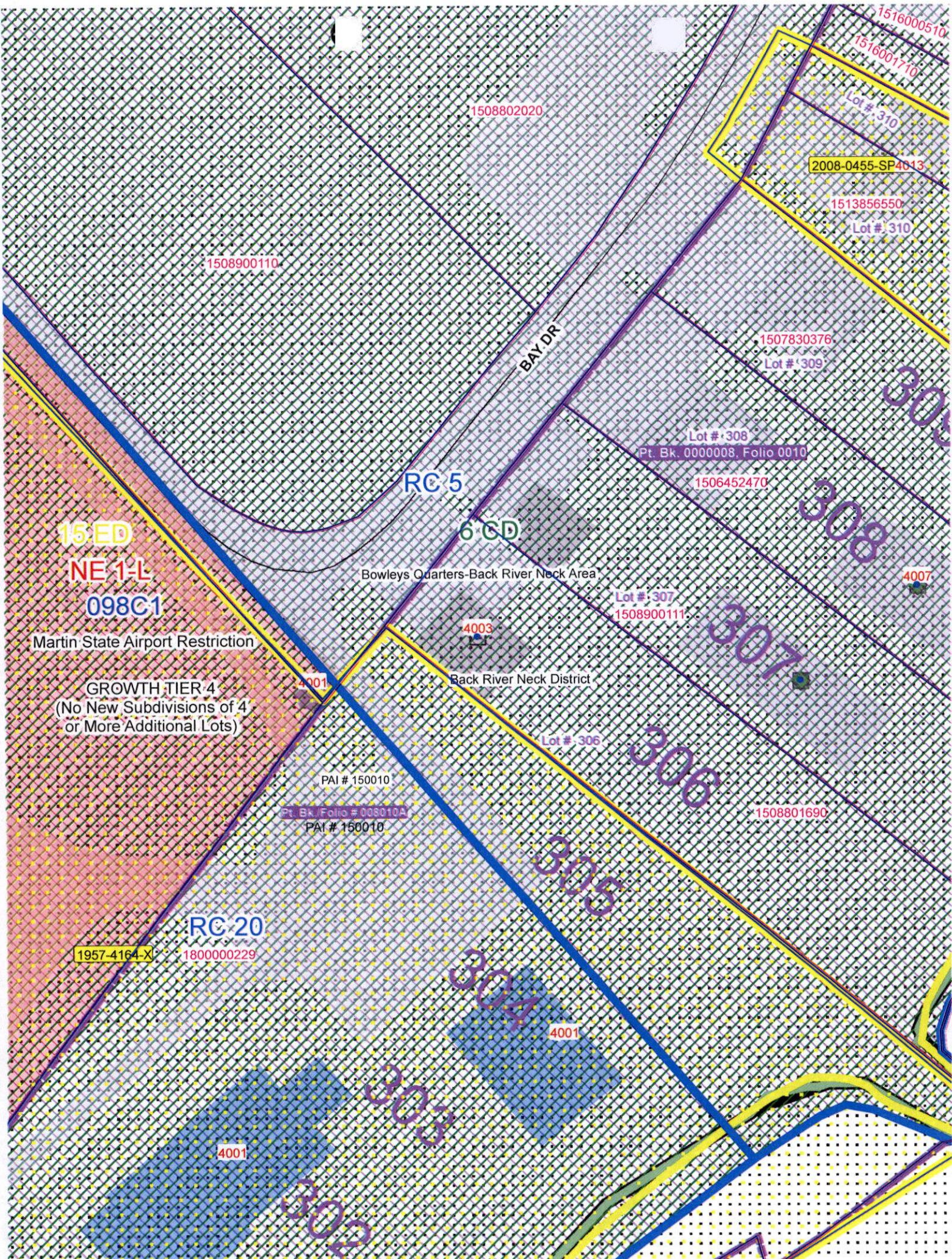
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2008-0455-SF4013

1508802020

1508900110

Lot # 310
1516001710
1516000510



1508802020

1516000510
1516001710

2008-0455-SP4013

1513856550
Lot # 310

1508900110

BAY DR

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Lot # 309

RC 5

6 CD

Lot # 308
Pt. Bk. 0000008, Folio 0010

1506452470

15 ED
NE 1-L
098C1

Martin State Airport Restriction

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

Bowleys Quarters-Back River Neck Area

Lot # 307
1508900111

4003

Back River Neck District

4001

PAI # 150010

Pt. Bk/Folio # 008010A
PAI # 150010

Lot # 306

RC 20

1957-4164-X

1800000229

1508801690

4001

4001

Date: 4/18/18

001	700	0000		0000				1000

Rec From Karna Koch / Kelly Sturdevant

For 4003 Benz / Por

Total

DISTRIBUTION

WHITE - CASHIER

PINK- AGENCY

YELLOW CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S VALIDATION

Date: 4/11/18

APPENDIX

BUSINESS ACTUAL TIME DR

REG HSCF WALKIN LRG

RECEIPT N: 949556 4/11/2018 0FL

5: 528 ZONING VERIFICATION

169010

Recot Tot 75.00

#BX-06-CA

Baltimore County, Maryland

Total: 15

4003 Bay Dr

GOLD-ACCOUNTING

PLEASE PRESS HARD!!!

**CASHIER'S
VALIDATION**

FLOOD ZONE DESIGN DATA

FEMA MAP NO. 2400100465G (EFF. 5/5/2014)

FEMA FLOOD ZONE AE

FEMA BASE FLOOD ELEVATION 6.0

BALTIMORE COUNTY FLOOD ZONE AE

BALTIMORE COUNTY BASE FLOOD ELEVATION 8.5

DESIGN BASE FLOOD ELEVATION 8.5

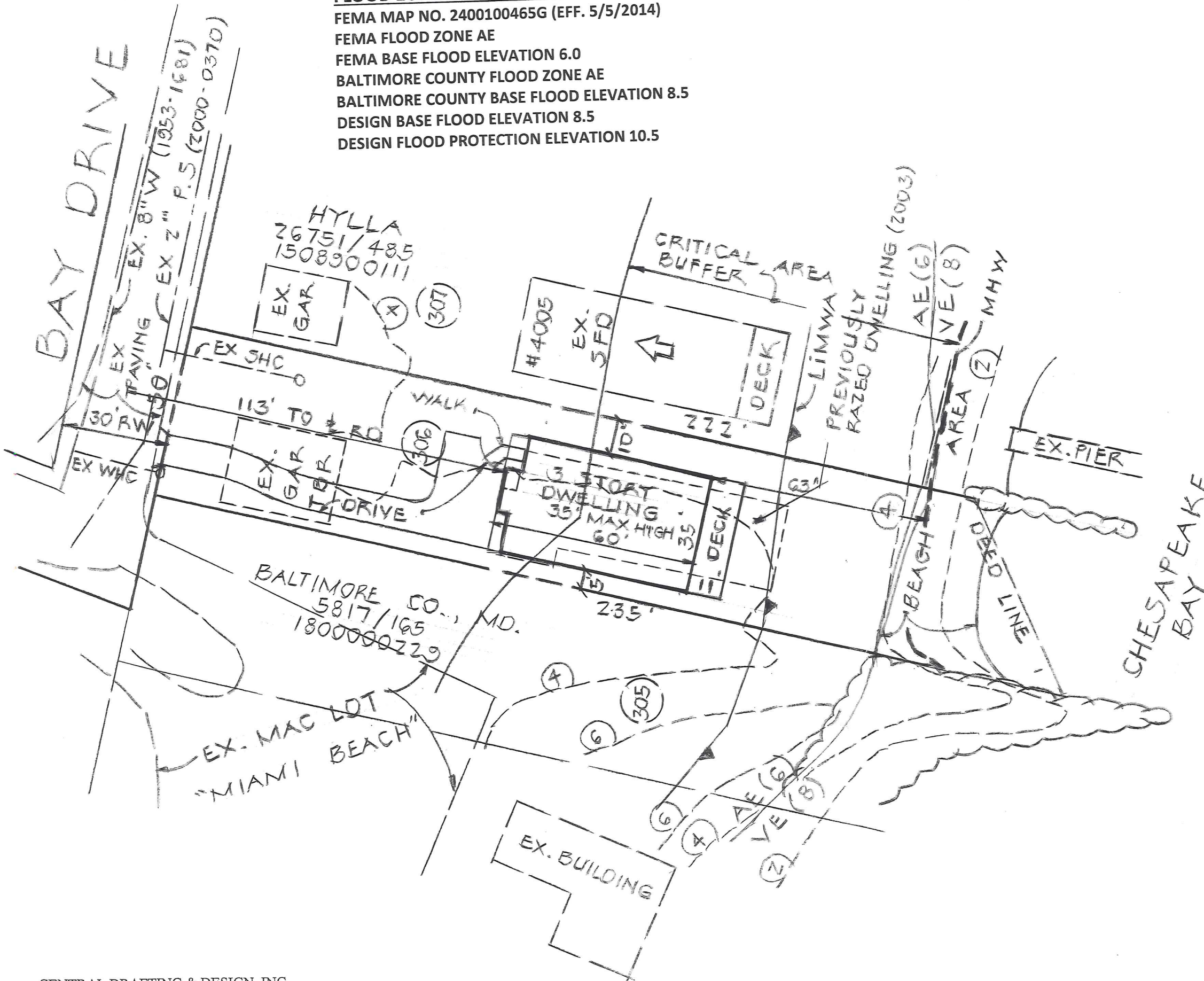
DESIGN FLOOD PROTECTION ELEVATION 10.5

LOT COVERAGES

DWELLING.....	2006 SF
WALKS.....	50 SF
STAIRS.....	80 SF
DRIVE.....	1300 SF
TOTAL.....	3436 SF

LOT COVERAGE TABLE

LOT AREA.....	11,150 SF
LOT COVERAGE PERMITTED.....	3485 SF
LOT COVERAGE PROPOSED.....	3436 SF
ADDITIONAL COVERAGE PERMITTED.....	49 SF



PETITIONER'S
EXHIBIT NO. 1A

SITE PLAN

4003 BAY DRIVE

LOT 306 BOWLEYS QUARTERS 8/10

ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 30 FEET MAY 21, 2018

FLOOD ZONE DESIGN DATA

FEMA MAP NO. 2400100465G (EFF. 5/5/2014)

FEMA FLOOD ZONE AE

FEMA BASE FLOOD ELEVATION 6.0

BALTIMORE COUNTY FLOOD ZONE AE

BALTIMORE COUNTY BASE FLOOD ELEVATION 8.5

DESIGN BASE FLOOD ELEVATION 8.5

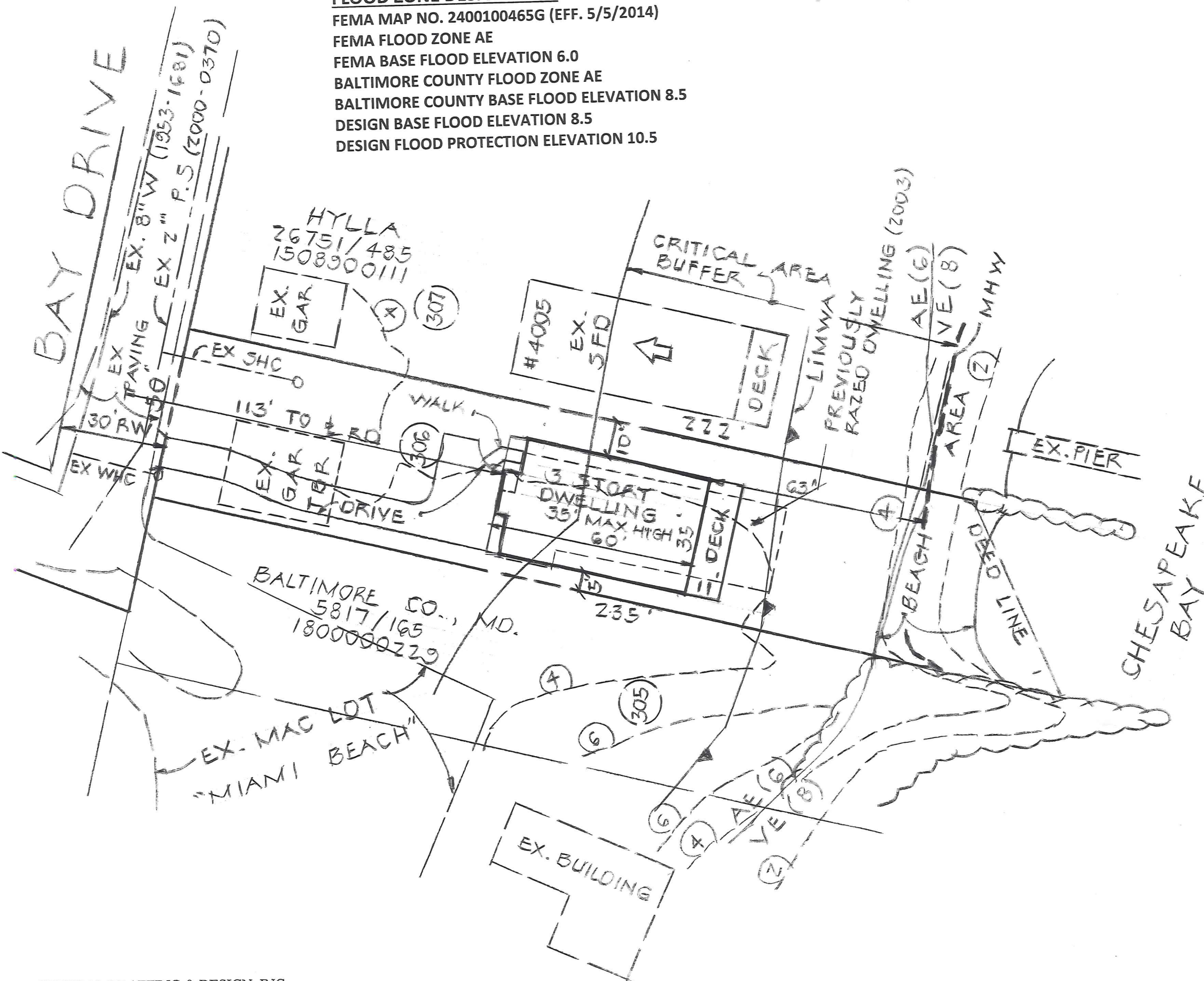
DESIGN FLOOD PROTECTION ELEVATION 10.5

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PETITIONER'S
EXHIBIT NO. **GA-C**

PHOTOS

SITE PLAN

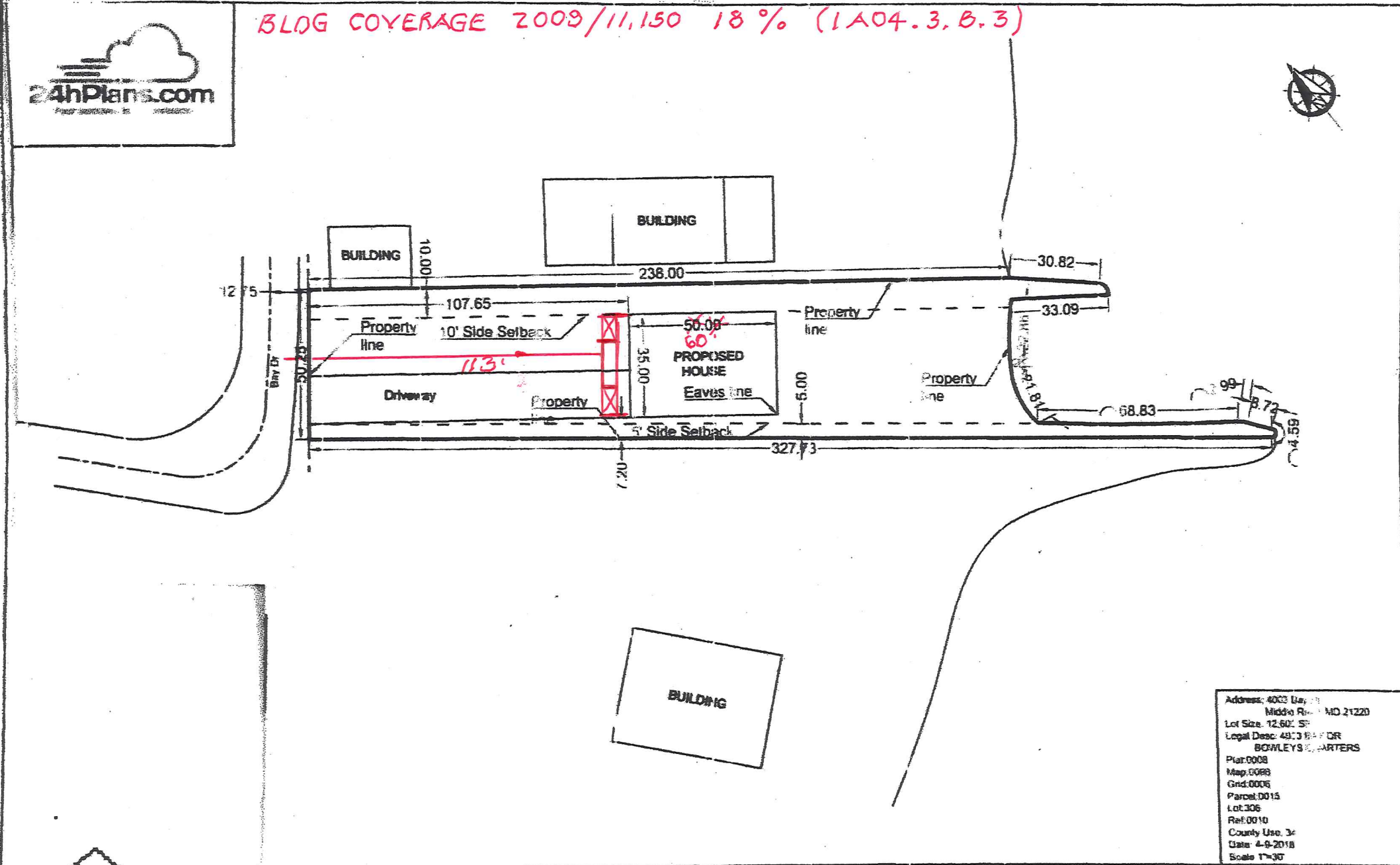
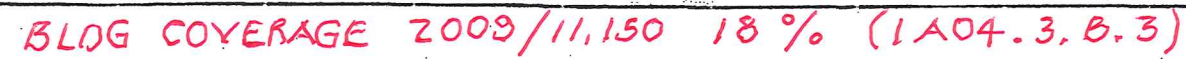
4003 BAY DRIVE

LOT 306 BOWLEYS QUARTERS 8/10

ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.

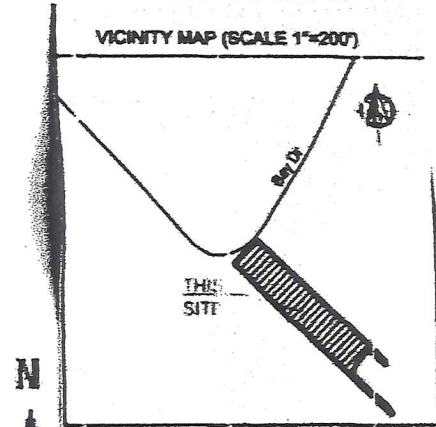
SCALE: 1 INCH = 30 FEET MAY 21, 2018

PLAT BOOK # 8 FOLIO # 10 10 DIGIT TAX # 1508801690 DEED REF. # 03305/5337



PLAN DRAWN BY 24hplans.com DATE 4/9/2018 SCALE: 1 INCH = 30 FEET

VICINITY MAP (SCALE 1"=200').



M

MAP IS NOT TO SCALE

ZONING MAP# 098C1

SITE ZONED RC 5

ELECTION DISTRICT 15ED

COUNCIL DISTRICT 6

LOT AREA ACREAGE

OR SQUARE FEET ~~12,600~~ 11,150

HISTORIC? 60

IN CBGA? Yes

IN FLOOD PLAIN? Yes

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE

SEWER IS:

PUBLIC X PRIVATE

PRIOR HEARING? 100

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

PETITIONER'S
EXHIBIT NO. 1

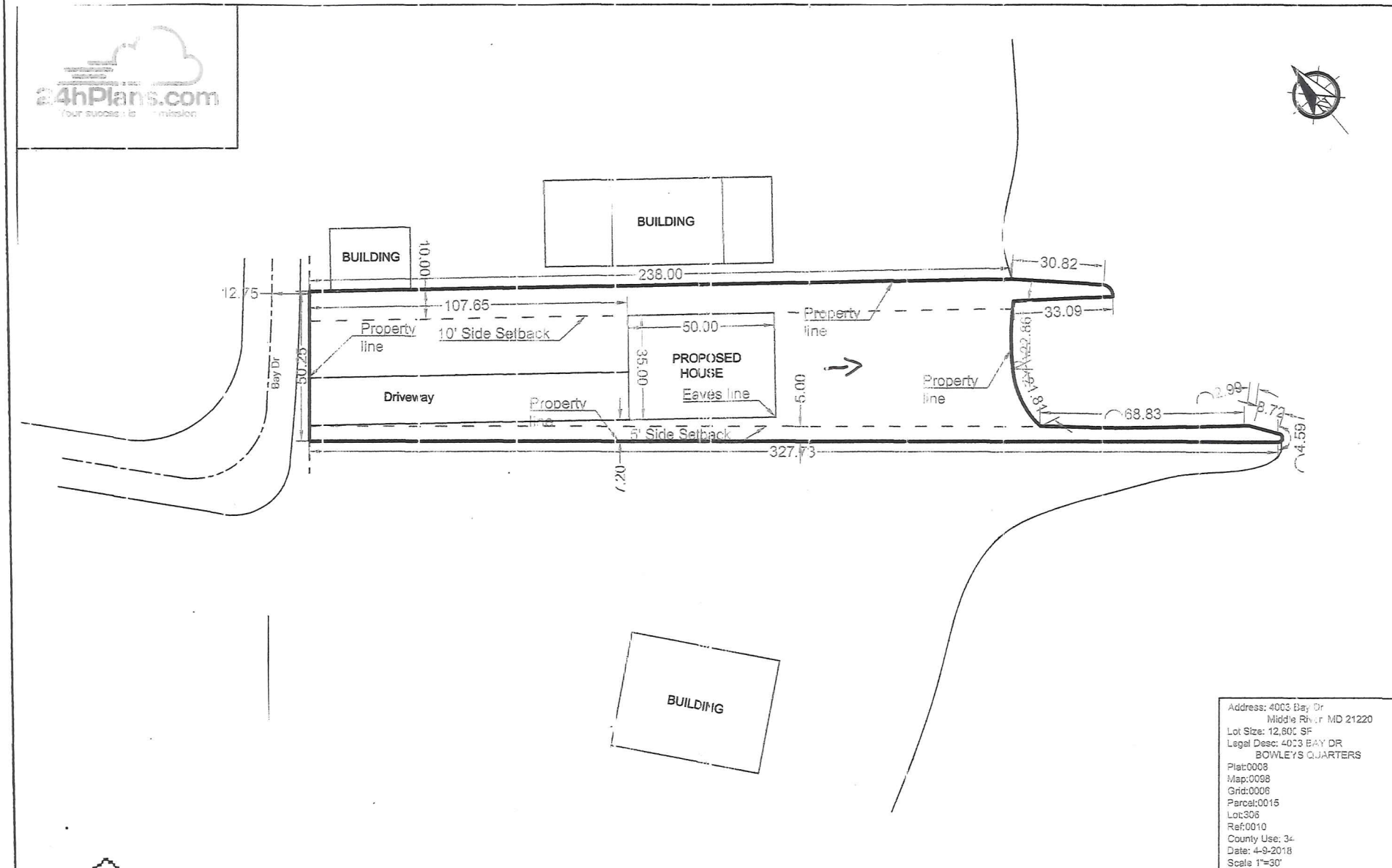
VIOLATION CASE INFO:

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

ADDRESS 4003 Bay Dr. Baltimore MD 21220 OWNER(S) NAME(S) Katrina Koch

SUBDIVISION NAME N/A LOT # 306 BLOCK # N/A SECTION # N/A

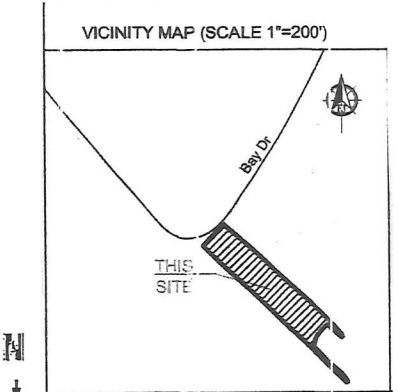
PLAT BOOK # 8 FOLIO # 10 10 DIGIT TAX # 1508801690 DEED REF. # 0330515337



PLAN DRAWN BY Kelly Stachorowski
24hplans.com

DATE 4/9/2018 SCALE: 1 INCH = 30 FEET

SITE VICINITY MAP



N



MAP IS NOT TO SCALE

ZONING MAP# 098C1

SITE ZONED RC5

ELECTION DISTRICT 15ED

COUNCIL DISTRICT 6

LOT AREA ACREAGE _____

OR SQUARE FEET 12,600

HISTORIC? No

IN CBCA? Yes

IN FLOOD PLAIN? Yes

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? No

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2018-0273-SPH