CBCA

Flood

ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 6011 Loreley Beach Rd. White Marsh 21162 **Currently zoned** RC2

Deed Reference 37638/ 00362 10 Digit Tax Account # ~~3763800362~~ 1116045750

Owner(s) Printed Name(s) Tara and Kersten von Jacobi

(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) . . . Section 100.6 – to permit the stabling of poultry on a property of 0.30 acres in lieu of the minimum required 1 acre.

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):

Tara von Jacobi / Kersten von Jacobi
Name #1 – Type or Print / Name # 2 – Type or Print

Signature #1 / Signature # 2

6011 Loreley Beach Rd / White Marsh / MD
Mailing Address / City / State

21162 / (443) 854-7016 / alriclover1@yahoo.com
Zip Code / Telephone # / Email Address

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

Name- Type or Print

Signature

Mailing Address / City / State

Zip Code / Telephone # / Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address / City / State

Zip Code / Telephone # / Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____day of _____, _____ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0124-A **Filing Date** 10/18/18 **Estimated Posting Date** 10/28/18 **Reviewer** RT

Rev 5/5/2016

ZONING PROPERTY DESCRIPTION FOR
6011 LORELEY BEACH ROAD

Beginning at a point on the south side of Loreley Beach Road, which is 30 feet wide, at the distance of 175 feet, more or less, east of the centerline of North Loreley Beach Road, which is 30 feet wide, being Lot 58 in the subdivision of "Plat No. 1, Loreley Beach" as recorded in Baltimore County Plat Book L.McL.M. No. 10, folio 8, containing 15,760 square feet or 0.362 acres of land, more or less, located in the 11th Election District and ~~5th~~ 6th Council District.

Item #0124

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0124 -A Address 6011 Loreley Beach Rd

Contact Person: David Duvall Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10/18/18 **Posting Date:** 10/28/18 **Closing Date:** 11/12/18

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 2019- 0124 -A Address 6011 Loreley Beach Rd

Petitioner's Name Tara + Kersten von Jacobi Telephone 443 854 7016

Posting Date: 10/28/18 **Closing Date:** 11/12/18

Wording for Sign: *To Permit* the stabling of poultry on a property of 0.30 acres in lieu of the minimum required 1 acre.

Revised 6/30/2019

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: 2019-0124-A

Property Address: 6011 Loreley Beach Road White Marsh, MD 21162

Property Description: south side of Loreley Beach Rd, +/- 175' east of N Loreley Beach Rd

Legal Owners (Petitioners): Tara and Kersten von Jacobi

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Tara von Jacobi

Company/Firm (if applicable): _____

Address: 6011 Loreley Beach Rd White Marsh, MD 21162

Telephone Number: (443) 854-7016

Revised 7/9/2015

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

No. 176282

Date: 10/18/18

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				575.00

Total: 575.00

Rec From:

For: Zoning hearing - case #2019-0124-A

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

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
10/19/2018	10/18/2018	09:14:46	3

REG WSD3 WALKIN CAM
>>RECEIPT # 794092 10/18/2018 OFLN
Dept 806 528 ZONING VERIFICATION
Rec# 176282
Rcpt Tot $75.00
$75.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

DONALD I. MOHLER III
County Executive

November 14, 2018

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

Tara Von Jacobi & Kersten Von Jacobi
6011 Loreley Beach Rd.
White Marsh, MD 21162

Dear Ms.Jacobi:

RE: Case Number: 2019-0124A, Address: 6011 Loreley Beach Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 18, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel

Withdrawn

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: November 20, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0124-A
Address 6011 Loreley Beach Road
(Jacobi Property)

Zoning Advisory Committee Meeting of **November 5, 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 and is subject to Critical Area requirements. The applicant is proposing to raise chickens on a lot smaller than permitted. No development activity is proposed. The lot is waterfront and all LDA requirements, including lot coverage limits and afforestation are met. Because all Critical Area requirements are met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

   No development activity is proposed, which 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;

   All Critical Area buffer, lot coverage, and afforestation requirements are met, so the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

C:\Users\snuffer\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\WPHS9SSK\ZAC 19-0124-A-EIR 6011 Loreley Beach Road.doc

TO: THE DAILY RECORD
Tuesday, December 18, 2018 - Issue

Please forward billing to:
Tara von Jacobi
6011 Loreley Beach Road
White Marsh, MD 21162

443-854-7016

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: 2019-0124-A
6011 Loreley Beach Road
S/s Loreley Beach Road, 175 ft. east of North Loreley Beach Road
11th Election District – 6th Councilmanic District
Legal Owners: Tara von Jacobi & Kersten von Jacobi

Variance to permit the stabling of poultry on a property of 0.30 acres in lieu of the minimum required 1 acre.

Hearing: Monday, January 7, 2019 at 1:30 p.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.

Debra Wiley

From: Debra Wiley
Sent: Thursday, November 15, 2018 2:03 PM
To: Kristen L Lewis
Subject: Administrative Variance - Case No. 2019-0124-A (Closing date: 11/12/18)
Attachments: 20181115135926047.pdf

Hi Kristen,

Please see attached.

Thanks.

-----Original Message-----
From: adminhearingscpr@baltimorecountymd.gov [mailto:adminhearingscpr@baltimorecountymd.gov]
Sent: Thursday, November 15, 2018 1:59 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 11.15.2018 13:59:25 (-0500)
Queries to: adminhearingscpr@baltimorecountymd.gov

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: November 15, 2018

TO: Kristen Lewis, Office of Zoning Review
Department of Permits, Approvals & Inspections (PAI)

FROM: John E. Beverungen, Administrative Law Judge
Office of Administrative Hearings

RE: Petition for Administrative Variance – 11/12/18 Closing Date
Case No. 2019-0124-A – 6011 Loreley Beach Road, 21162

After a review of the above-captioned case file, I am requesting that this case be set in for a public hearing.

Our office is returning the file to you for further processing such as notifying the Petitioners as well as the two neighbors who submitted correspondence (6047 and 6009 Loreley Beach Road), posting and advertising of the hearing notices.

Thank you for your attention and cooperation in this matter.

c: Office of People's Counsel

MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

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

Date: 10/29/18

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. 2019-0124-A
Administrative Variance
Tova Von Jacobi & Kersten Von Jacobi
6011 Loreley Beach Road.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

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

WW/RAZ

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Tax Exempt:
Exempt Class:
Special Tax Recapture: NONE

Account Identifier: **District** - 11 **Account Number** - 1116045750

Owner Information

Owner Name:	VON JACOBI KERSTEN RYAN VON JACOBI TARA CHRISTINE	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	6011 LORELEY BEACH RD WHITE MARSH MD 21162-1607	**Deed Reference:**	/37638/ 00362

Location & Structure Information

Premises Address:	6011 LORELEY BEACH RD WHITE MARSH 21162-1607 Waterfront	**Legal Description:**	3335 E ORLEY AVE LORELEY BEACH

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	1
0073	0021	0348		0000			58	2018	Plat Ref:	0010/ 0008

Special Tax Areas:
Town: NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1951	2,086 SF		15,760 SF	34

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1	NO	STANDARD UNIT	SIDING	4 full		

Value Information

	Base Value	Value As of 01/01/2018	Phase-in Assessments As of 07/01/2018	As of 07/01/2019
Land:	105,700	105,700		
Improvements	93,800	181,600		
Total:	199,500	287,300	228,767	258,033
Preferential Land:	0			0

Transfer Information

Seller: MURRAY RICHARD J 4TH **Type:** ARMS LENGTH IMPROVED	**Date:** 06/15/2016 **Deed1:** /37638/ 00362	**Price:** $275,000 **Deed2:**
Seller: GODDARD ROGER L **Type:** ARMS LENGTH IMPROVED	**Date:** 11/19/2002 **Deed1:** /17119/ 00694	**Price:** $155,000 **Deed2:**
Seller: REED CHRISTOPHER J **Type:** ARMS LENGTH IMPROVED	**Date:** 09/17/1987 **Deed1:** /07672/ 00626	**Price:** $100,000 **Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Tax Exempt:
Exempt Class:
Special Tax Recapture: NONE

Homestead Application Information

Homestead Application Status: Approved 06/23/2017

Homeowners' Tax Credit Application Information	
Homeowners' Tax Credit Application Status: No Application	**Date:**

Real Property Data Search (w1)

Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Account Identifier: **District** - 11 **Account Number** - 1116045750

Owner Information

Owner Name:	VON JACOBI KERSTEN RYAN VON JACOBI TARA CHRISTINE	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	6011 LORELEY BEACH RD WHITE MARSH MD 21162-1607	**Deed Reference:**	/37638/ 00362

Location & Structure Information

Premises Address:	6011 LORELEY BEACH RD WHITE MARSH 21162-1607 Waterfront	**Legal Description:**	3335 E ORLEY AVE LORELEY BEACH

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	1
0073	0021	0348		0000			58	2018	Plat Ref:	0010/ 0008

Special Tax Areas: **Town:** NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1951	2,086 SF		15,760 SF	34

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1	NO	STANDARD UNIT	SIDING	4 full		

Value Information

	Base Value	Value As of 01/01/2018	Phase-in Assessments As of 07/01/2018	As of 07/01/2019
Land:	105,700	105,700		
Improvements	93,800	189,800		
Total:	199,500	295,500	231,500	263,500
Preferential Land:	0			0

Transfer Information

Seller: MURRAY RICHARD J 4TH	**Date:** 06/15/2016	**Price:** $275,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /37638/ 00362	**Deed2:**
Seller: GODDARD ROGER L	**Date:** 11/19/2002	**Price:** $155,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /17119/ 00694	**Deed2:**
Seller: REED CHRISTOPHER J	**Date:** 09/17/1987	**Price:** $100,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /07672/ 00626	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
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

Item # 0124

CASE NO. 2019- 0124-A

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	
CBCA	DEPS (if not received, date e-mail sent)	
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent)	
10-29	STATE HIGHWAY ADMINISTRATION	No object.
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
11-13	ADJACENT PROPERTY OWNERS	Oppose

(1) Robert + Betsy Eisbart, 6047 Loreley Beach Rd.

ZONING VIOLATION (Case No. [redacted])

PRIOR ZONING (Case No. 2017-0018-A)

NEWSPAPER ADVERTISEMENT Date:

SIGN POSTING (1st) Date: 10-28-18 by Ogle

SIGN POSTING (2nd) Date: 11-12-18 by "

PEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any:

(2) Mark + Chris Freinberg, 609 Loreley Beach Rd. Oppose

JB (AV) 8-15-16
(Prior Zoning)

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(6011 Loreley Beach Road)		
11th Election District	*	OFFICE OF ADMINISTRATIVE
6th Council District		
Kersten R. & Tara C. Von Jacobi	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	**CASE NO. 2017-0018-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, Kersten R. & Tara C. Von Jacobi ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 1A01.3.B.3 of the Baltimore County Zoning Regulations ("B.C.Z.R) to permit an addition to an existing single family dwelling creating side yard setbacks as close as 10 ft. in lieu of the minimum required 35 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 July 29, 2016 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) indicating that prior to permit application, Petitioners must contact the Office of the Director of Public Works to determine the flood protection elevation.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 30, 2016, 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 **22nd** day of **August, 2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1A01.3.B.3 of the Baltimore County Zoning Regulations ("B.C.Z.R) to permit an addition to an existing single family dwelling creating side yard setbacks as close as 10 ft. in lieu of the minimum required 35 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 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.

- Petitioners must comply with the ZAC comments from DEPS and DPR; 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

AV 8-15-16

BALTIMORE COUNTY, MARYLAND

RECEIVED

JUL 29 2016

OFFICE OF ADMINISTRATIVE HEARINGS

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: July 29, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0018-A
Address 6011 Loreley Beach Road
(Jacobi Property)

Zoning Advisory Committee Meeting of **July 25, 2016**.

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 construct an addition with less side yard setback than permitted. The addition is not within the 100-foot buffer. The lot is waterfront, and the proposed addition must meet all LDA requirements, including lot coverage limits and afforestation. Existing and proposed lot coverage information will be below the 25% limit. 5 trees are required to meet the afforestation requirement. If the afforestation requirement can be 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 waterfront. If the afforestation requirement will be met, then that 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;

   If the afforestation requirement can be met, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger Date: July 29, 2016

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: July 29, 2016

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 01, 2016
Item No. 2017-0018

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

Prior to Building permit application, the petitioner must contact the office of the Director of Public Works to determine the flood protection elevation.

* * * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0018-08012016.doc

Kristen L Lewis

From: Tara Cimino <alriclover1@yahoo.com>
Sent: Thursday, December 13, 2018 12:45 PM
To: Kristen L Lewis
Subject: Request to Cancel variance meeting

Mrs. Lewis,

I just contacted you to request cancelling the meeting for my variance. My case number is #2019-0124-A.

Thank you,

Tara von Jacobi
6011 Loreley Beach Road
White Marsh, MD 21162

Sent from Yahoo Mail on Android

RE:	PETITION FOR ADMINSTRATIVE VARIANCE	*	BEFORE THE OFFICE
	6011 Loreley Beach Road; S/S Loreley Beach Road, 175' E of N Loreley Beach Rd	*	OF ADMINSTRATIVE
	11th Election & 6th Councilmanic Districts	*	HEARINGS FOR
	LegalOwner(s): Tara & Kersten von Jacobi Petititioner(s)*		BALTIMORE COUNTY
		*	2019-124-A

* * * * * * * * * * * * *

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
NOV 20 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 20th day of November, 2018, a copy of the foregoing Entry of Appearance was mailed to Tara & Kersten von Jacobi, 6011 Loreley Beach Road, White Marsh, MD 21162, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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: November 20, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0124-A
Address 6011 Loreley Beach Road
(Jacobi Property)

Zoning Advisory Committee Meeting of **November 5, 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 and is subject to Critical Area requirements. The applicant is proposing to raise chickens on a lot smaller than permitted. No development activity is proposed. The lot is waterfront and all LDA requirements, including lot coverage limits and afforestation are met. Because all Critical Area requirements are met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

   No development activity is proposed, which 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;

   All Critical Area buffer, lot coverage, and afforestation requirements are met, so the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

C:\Users\mclark\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\57K2D3FZ\ZAC 19-0124-A-EIR 6011 Loreley Beach Road (002).doc

BALTIMORE COUNTY, MARYLAND

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

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Reviewer: Regina Esslinger

C:\Users\mclark\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\57K2D3FZ\ZAC 19-0124-A-EIR 6011 Loreley Beach Road (002).doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 15, 2018

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 05, 2018
Item No. 2019-0124-A

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 in writing to determine the Flood Protection Elevation, so that first floor elevation can be established.

* * * * *

VKD: cen
cc: file

JOHN A. OLSZEWSKI, JR.
County Executive

DIRECTOR
Department of Permits, Approvals & Inspections

December 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: 2019-0124-A
6011 Loreley Beach Road
S/s Loreley Beach Road, 175 ft. east of North Loreley Beach Road
11th Election District – 6th Councilmanic District
Legal Owners: Tara von Jacobi & Kersten von Jacobi

Variance to permit the stabling of poultry on a property of 0.30 acres in lieu of the minimum required 1 acre.

Hearing: Monday, January 7, 2019 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

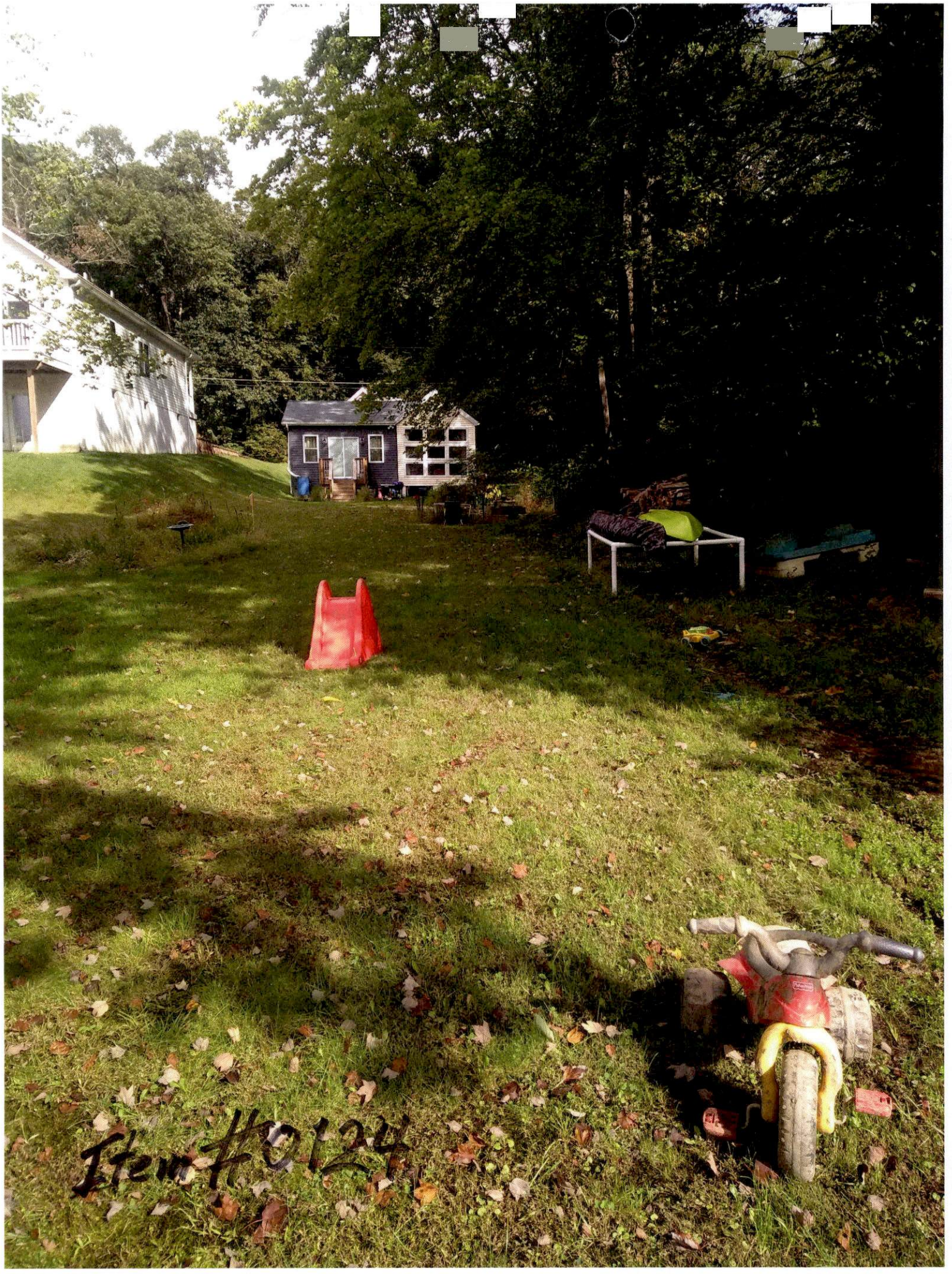
AJ:kl

C: von Jacobi, 6011 Loreley Beach Road, White Marsh 21162
Mr. & Mrs. Freinberg, 6009 Loreley Beach Road, White Marsh 21162
Betsy Eisbart, 6047 Loreley Beach Road, White Marsh 21162

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 18, 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.


Item #01

Rear shot of property where poultry will be located.


Item #0124

Rear shot of property where poultry will be located.

Nov. 4, 2018

To: File

Re: Case # 201-0124-A

To whom it may concern:

We live at 6009 Loreley Beach Rd., White Marsh adjacent to 6011 Loreley Beach Rd. All the single waterfront lots are 50 feet wide - approximately .30 acres. The homes are quite close - about 15 feet apart. Our lots are consistantly wet. 6011 is at a lower elevation and is often flooded up to 1/3 of the property due to rain and high tides. We feel that constructing a chicken coop so close to our home will adversely affect our quality of life due to the noise and odor. We also are concerned about the negative affect on property values. We live across the street from state owned woodland and have many chicken predators including coyotes, foxes and raccoons. We do not want to attract these animals to our property. Bald eagles also frequent the trees at the back of our property - hunting for food.

Four years ago we built our new dream home on the Bird River. We would like to be able to enjoy the waterfront from our back deck without the noise and smell from chickens. Our properties are too small and too close. Please do not grant this variance.

Sincerely, Mark & Chris Saunders

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration

Tax Exempt:		**Special Tax Recapture:**	
Exempt Class:		NONE	
Account Identifier:	**District - 11 Account Number -** 2300011759		

Owner Information

Owner Name:	FREINBERG MARK J FREINBERG CHRISTINE N	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	6009 LORELEY BEACH RD WHITE MARSH MD 21162-1607	**Deed Reference:**	/32332/ 00001

Location & Structure Information

Premises Address:	6009 LORELEY BEACH RD RD WHITE MARSH 21162-1607 Waterfront	**Legal Description:**	6009 LORELEY BEACH RD LORELY BEACH

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0073	0021	0348		0000			57	2018	Plat Ref: 0010/ 0008

Special Tax Areas:		**Town:**	NONE
		Ad Valorem:	
		Tax Class:	

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
2015	2,160 SF		14,090 SF	34

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1	YES	STANDARD UNIT	SIDING	2 full/ 1 half	1 Attached	

Value Information

	Base Value	Value As of 01/01/2018	Phase-in Assessments As of 07/01/2018	Phase-in Assessments As of 07/01/2019
Land:	102,500	102,500		
Improvements	292,800	311,800		
Total:	395,300	414,300	401,633	407,967
Preferential Land:	0			0

Transfer Information

Seller: FUHR CRAIG G **Type:** ARMS LENGTH IMPROVED	**Date:** 07/20/2012 **Deed1:** /32332/ 00001	**Price:** $120,000 **Deed2:**
Seller: GRAND LODGE OF ANCIENT, **Type:** ARMS LENGTH IMPROVED	**Date:** 09/10/2003 **Deed1:** /18752/ 00087	**Price:** $80,000 **Deed2:**
Seller: SMITH ELIZABETH DIANNE **Type:** NON-ARMS LENGTH OTHER	**Date:** 03/14/2003 **Deed1:** /17678/ 00441	**Price:** $0 **Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
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:**

Sherry Nuffer

From: betsy eisbart <betsyeisbart@gmail.com>
Sent: Friday, November 09, 2018 4:02 PM
To: Administrative Hearings
Subject: Fwd: Zoning exception request 2019-0124-A

Sent from my iPad

Begin forwarde

Closing
11/12/18

From: m>
Date: PM EST
To: ac recountymd.gov
Cc: b
Subj t 2019-0124-A

Dear Judge,

This letter is written in order to enter our concerns, as neighbors, to the proposed zoning exception 2019-0124-A to grant permission for chickens to be housed at 6011 Loreley Beach Rd. Due to prior commitments, we will be out of the state and unable to attend the scheduled meeting on this matter.

We live at 6047 Loreley Beach Rd where we own our home.
The homes on Loreley Beach Rd, including ours and the property at 6011 abut the Bird River and are all no more than 100 feet from it.
They all also lie in the Chesapeake Bay critical area and are within the ERTL.
The property in question is also bordered by woodland with a stream running through and then draining into the property in question.

The property in question is zoned residential and is substantially less than the required acreage for its RC2 status and for the acreage required for keeping fowl.

We have also been advised by the owner of the property that her intent is to make a commercial venture of maintaining these chickens if the exception is permitted.

We feel the proposed zoning exception would adversely effect us, the value of our property, and the quality of our life.

A commercial use is not in keeping with the area.
Additionally, we feel that the proposed zoning exception would have significant negative environmental effects, impacting the Bird River through additional wastewater runoff.

The property currently exists with side yard exceptions that have enabled structures within 15 feet of the property lines; excessive impermeable area under roof, and problematic drainage.

Establishing a residence structures for these animals will result in additional impermeable area. If no additional structure is proposed, there can be no effective containment of waste. Unless special structures are built and maintained liquid waste from the birds will runoff to the river that is within 100' as will any liquid waste that arises from water used to clean out the the chicken's area. But, any new structures would further add to current excess impermeable spaces.

Other correspondence from neighbors directly adjacent to the property in question have been directed to Baltimore County Zoning and should also be considered. These letters outline similar concerns from those neighbors.

Robert and Betsy Eisbart
Cell 443 474 8608
Sent from my iPad

Sherry Nuffer

From: betsy eisbart <betsyeisbart@gmail.com>
Sent: Friday, November 09, 2018 3:56 PM
To: Administrative Hearings
Subject: Fwd: Zoning exception request 2019-0124-A

Sent from my iPad

Begin forwarded message:

From: Robert Eisbart <reisb@aol.com>
Date: November 9, 2018 at 3:43:21 PM EST
To: administativehearings@baltimorecountymd.gov
Cc: betsyeisbart@gmail.com
Subject: Zoning exception request 2019-0124-A

Dear Judge,

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Robert and Betsy Eisbart
Cell 443 474 8608
Sent from my iPad

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Tax Exempt:
Exempt Class:
Special Tax Recapture: NONE

Account Identifier: **District** - 11 **Account Number** - 1123000875

Owner Information

Owner Name: EISBART ROBERT
EISBART BETSY

Use: RESIDENTIAL
Principal Residence: YES

Mailing Address: 6047 LORELEY BEACH RD
WHITE MARSH MD
21162-1607

Deed Reference: /19271/ 00424

Location & Structure Information

Premises Address: 6047 LORELEY BEACH RD
0-0000
Waterfront

Legal Description: 6047 LORELEY BEACH RD
MOUNT ARARAT SHORES

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0073	0021	0118		0000			3	2018	Plat Ref:

Special Tax Areas:
Town: NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
2004	1,479 SF		11,800 SF	34

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
1 1/2	NO	STANDARD UNIT	STUCCO	1 full/ 1 half		

Value Information

	Base Value	Value As of 01/01/2018	Phase-in Assessments As of 07/01/2018	Phase-in Assessments As of 07/01/2019
Land:	101,800	101,800		
Improvements	158,100	181,200		
Total:	259,900	283,000	267,600	275,300
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
WALLIS FRANK	12/10/2003	$220,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /19271/ 00424	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
County:	000	0.00	
State:	000	0.00	

Municipal:	000	0.00|0.00	0.00|0.00

Tax Exempt:
Exempt Class:

Special Tax Recapture:
NONE

Homestead Application Information

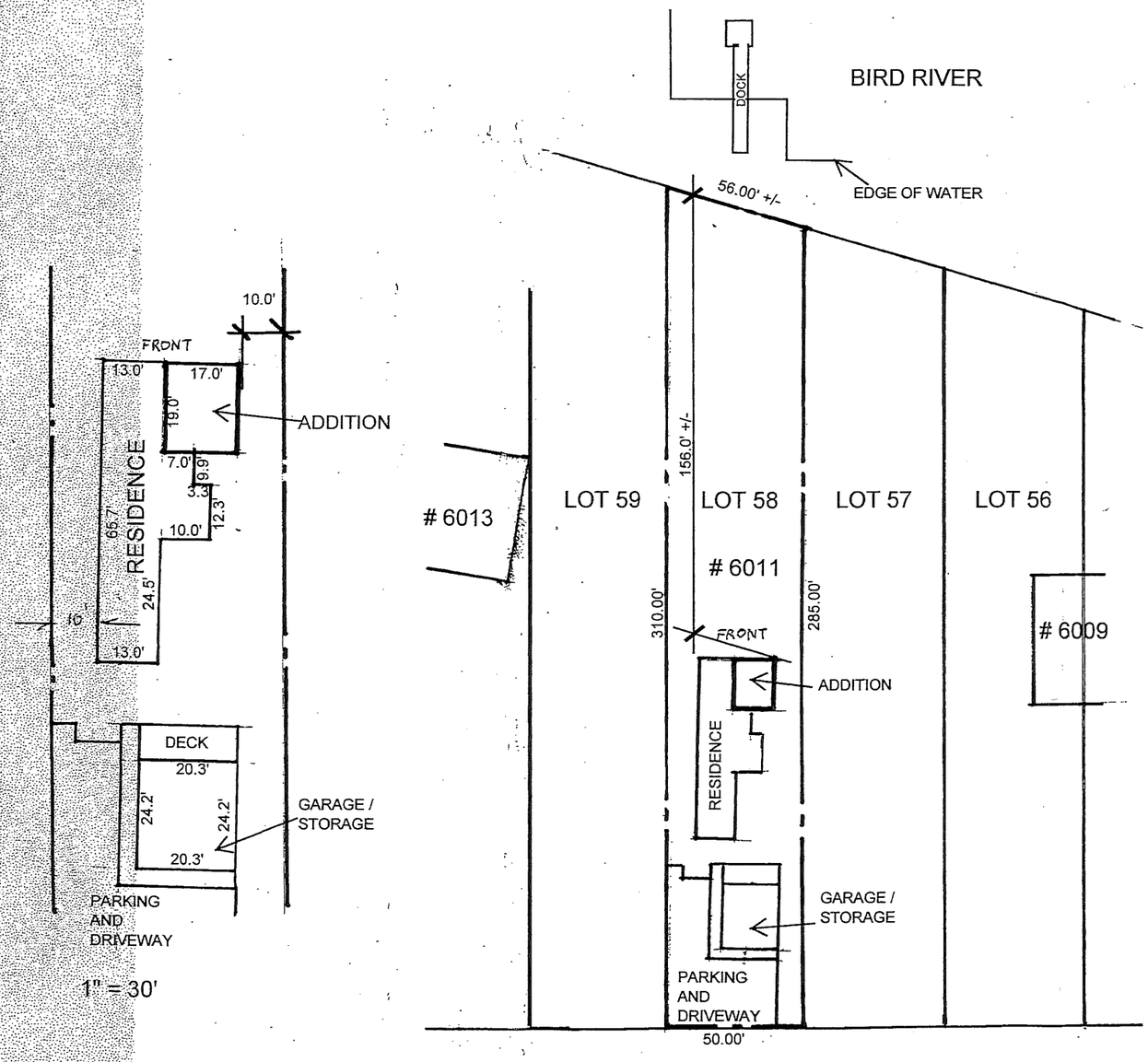
Homestead Application Status: Approved 03/03/2009

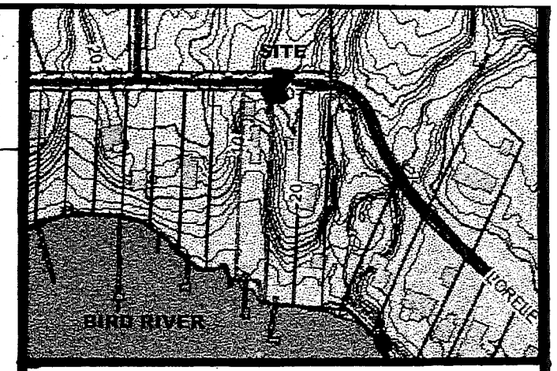
Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: Application Received **Date:** 08/31/2018

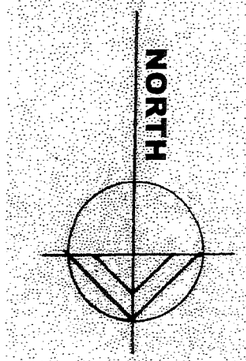
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

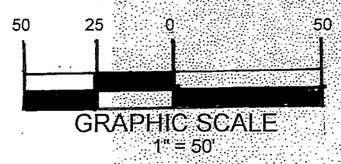
6011 LORELEY BEACH ROAD, WHITE MARSH, 21162. PLAT REF : 1 OF LORELEY BEACH, LOT 58. TAX MAP 0073
GRID 0021, PARCEL 0348
OWNERS : KERSTEN R & TARA C VON JACOBI TAX #11-16-045-750





VICINTY MAP - NOT TO SCALE





LOCATION INFORMATION

ELECTION DISTRICT	11	
COUNCILMANIC	6	
GIS TITLE 1'=200' SCALE MAP # 073B3		
ZONING - RC 2		
LOT SIZE	0.30 ACRES	15,760 SQUARE FEET
SITE COVEREGE	EXISTING 13.0%	PRPOPOSED 13.7%
PUBLIC SEWER		
PUBLIC WATER		
CHESAPEAKE BAY CRITICAL AREA -		YES
100-YEAR FLOOD PLAIN -		YES
HISTORIC PROPERTY -		NO
PRIOR ZONING HEARING -		~~NONE~~ 2017-0018-A

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #

#2019-0124-A

LORELEY BEACH ROAD
30' WIDE R / W
SCALE – 1 : 50

PREPARED BY CARL DYHRBERG JULY 2016

Pet. Exh. 1