

MEMORANDUM

DATE: January 29, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0126-A - Appeal Period Expired

The appeal period for the above-referenced case expired on January 28, 2019. 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.'

/dlw

c:  Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(2006 Poplar Road)
15th Election District
7th Council District
Charles E. Tracey, IV
Legal Owner
Petitioner

*
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*
*
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BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2019-0126-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Charles E. Tracey, IV, legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("BCZR") to permit a side yard setback of 25 feet in lieu of the required 50 feet for a replacement dwelling on combined existing lots of record. A site plan (signed and sealed by professional engineer Robert Bathurst) was marked as Petitioner's Exhibit 1.

Charles E. Tracey appeared in support of the petition. There were no protestants or interested citizens in attendance. 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"), the Bureau of Development Plans Review ("DPR") and the Department of Environmental Protection & Sustainability ("DEPS"). None of the reviewing agencies opposed the requests.

The site is approximately 24,739 square feet in size and is zoned RC-5. The property is comprised of three separate lots shown on the plat of Cedar Beach, and is improved with a small (approximately 1,200 sf.) single-family dwelling constructed in 1929. Petitioner proposes to raze

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Date

12/28/18

By

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the existing dwelling (which is in poor condition) and construct in its place a new single-family dwelling. To do so requires variance relief given the enhanced setbacks required in the RC-5 zone.

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 has irregular dimensions and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because he would be unable to construct the proposed replacement 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 28th day of **December, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to permit a side yard setback of 25 feet in lieu of the required 50 feet for a replacement dwelling on combined existing lots of record, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his 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, Petitioner would be required to return the subject property to its original condition.
2. Prior to issuance of permits Petitioner must comply with critical area and flood protection regulations.

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3. Petitioner must submit architectural elevations to the DOP for review and approval prior to building permit application.

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

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Date 12/28/18

By slr



UBA

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 2006 Poplar Road, Baltimore, MD 21221

which is presently zoned RC-5

Deed References: 39579 / 343

10 Digit Tax Account # 15-01-290020

Property Owner(s) Printed Name(s) Charles E. Tracey, IV

(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. ☒ a Variance from Section(s)

Section 1A04.3.B.2.b to permit a side yard setback of 25 feet in lieu of the required 50 feet for a replacement dwelling on combined existing lots of record

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)

TO BE PRESENTED AT HEARING

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:

N/A

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Self

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Charles E. Tracey, IV

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2006 Poplar Road

Baltimore

MD

Mailing Address

City

State

21221

443-506-8148

sandy44x@gmail.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Robert G. Bathurst, PE, Century Engineering, Inc.

Name - Type or Print

Signature

10710 Gilroy Road

Hunt Valley

MD

Mailing Address

City

State

21031

443-589-2400

bbathurst@centuryeng.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2019-0126-A

Filing Date 10/18/18

Do Not Schedule Dates:

Reviewer JS

Zoning Property Description

for

2006 Poplar Road

Beginning at a point on the north side of Poplar Road which is 30 feet wide at a distance of 48 feet west of the centerline of the nearest improved intersecting street, Lourdes Road which is 40 feet wide. Being all of Lots 62, 63 and 64 in the subdivision of Cedar Beach - Section One as recorded in Baltimore County Plat Book WPC 7 Folio 186, containing 23,586 square feet or 0.542 acre of land, more or less.

Being known as 2006 Poplar Road located in the 15TH Election District and 7TH Councilmanic District of Baltimore County, MD 21221.

2019-0126-A

Sherry Nuffer

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Wednesday, December 26, 2018 5:02 PM
To: Sherry Nuffer
Subject: 2nd Cert. Poplar Road
Attachments: Poplar Rd. 2nd Cert..jpeg; Photo Poplar Rd. .docx

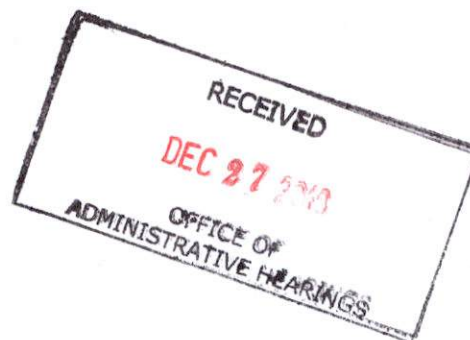
Hi Sherry,

I have attached at the 2nd Certification and photo for Poplar Road Case # 2019-0126-A for your records.

Happy New Year!

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com



SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER

DATE: 12/26/2018

Case Number: 2019-0126-A

Petitioner / Developer: CHARLES TRACEY IV ~ ROBERT BATHURST

Date of Hearing: DECEMBER 27, 2018

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
2006 POPLAR ROAD

The sign(s) were posted on: DECEMBER 5, 2018

The sign(s) were re-photographed on: DECEMBER 26, 2018



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



Re-photographed of 2nd sign posted @ 2006 Poplar Rd. 12/26/2018
CASE # 2019-0126-A

Water View - Right



2019-0126-A

The Daily Record

11 East Saratoga Street
 Baltimore, MD 21202-2199
 (443) 524-8100

<http://www.thedailyrecord.com>

Order #: 11648553
 Case #: 2019-0126-A
 Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0126-A

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

12/7/2018



Darlene Miller, Public Notice Coordinator
 (Representative Signature)

Baltimore County**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 hereinafter as follows:

CASE NUMBER: 2019-0126-A

2006 Poplar Road

N/s Poplar Road, west of intersection with Lourdes Road

15th Election District - 7th Councilmanic District

Legal Owners: Charles E. Tracey, IV

Variance to permit a side yard setback of 25 ft. in lieu of the required 50 ft. for a replacement dwelling on combined existing lots of record.

Hearing: Thursday, December 27, 2018 at 11:00 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 ACCOMMODATIONS, 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.

d7

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 12/5/2018

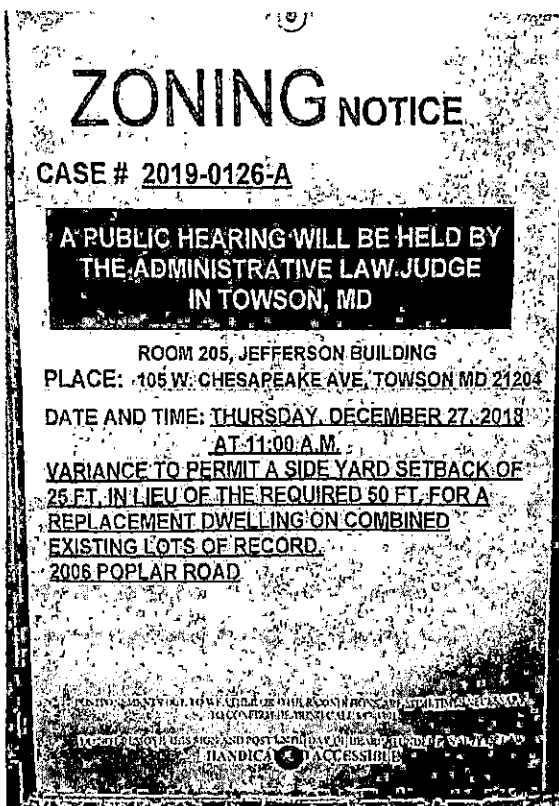
Case Number: 2019-0126-A

Petitioner / Developer: CHARLES TRACEY IV ~ ROBERT BATHURST

Date of Hearing: DECEMBER 27, 2018

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
2006 POPLAR ROAD

The sign(s) were posted on: **DECEMBER 5, 2018**



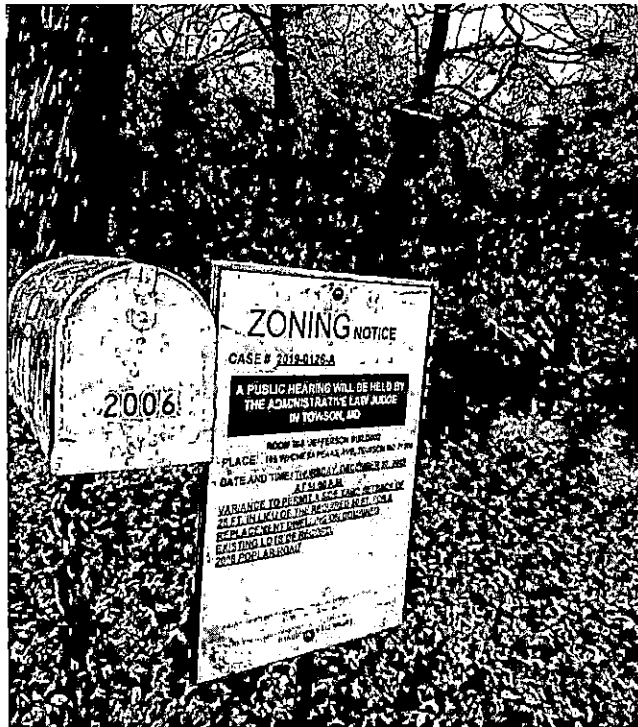
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

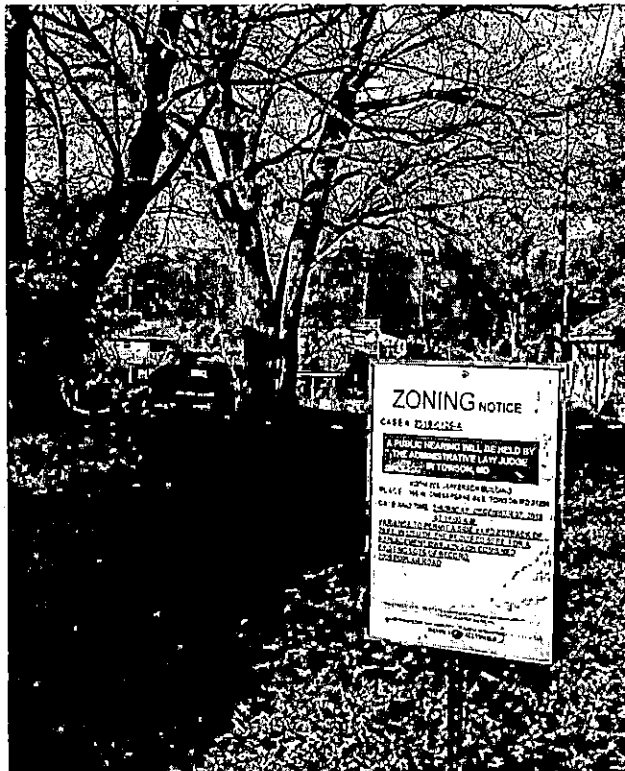
523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



1st Sign posted @ 2006 Poplar Road ~ 12/5/2018



2nd Sign posted @ 2006 Poplar Road ~ 12/5/2018
CASE # 2019-0126-A

RE: PETITION FOR VARIANCE
2006 Poplar Road; N/S Poplar Road,
48' W of c/line of Lourdes Road
15th Election & 7th Councilmanic Districts
Legal Owner(s): Charles E. Tracey, IV
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2019-126-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

OCT 29 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 29th day of October, 2018, a copy of the foregoing Entry of Appearance was mailed to Robert Bathurst, PE, Century Engineering, Inc, 10710 Gilroy Road, Hunt Valley, Maryland 21031, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



DONALD I. MOHLER III
County Executive

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

November 7, 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: 2019-0126-A

2006 Poplar Road

N/s Poplar Road, west of intersection with Lourdes Road

15th Election District – 7th Councilmanic District

Legal Owners: Charles E. Tracey, IV

Variance to permit a side yard setback of 25 ft. in lieu of the required 50 ft. for a replacement dwelling on combined existing lots of record.

Hearing: Thursday, December 27, 2018 at 11:00 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: Charles Tracey, IV, 2006 Poplar Road, Baltimore 21221
Robert Bathurst, 10710 Gilroy Road, Hunt Valley 21031

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, DECEMBER 7, 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: THE DAILY RECORD
Friday, December 7, 2018 - Issue

Please forward billing to:
Charles Tracey, IV
2006 Poplar Road
Baltimore, MD 21221

443-506-8148

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: 2019-0126-A

2006 Poplar Road
N/s Poplar Road, west of intersection with Lourdes Road
15th Election District – 7th Councilmanic District
Legal Owners: Charles E. Tracey, IV

Variance to permit a side yard setback of 25 ft. in lieu of the required 50 ft. for a replacement dwelling on combined existing lots of record.

Hearing: Thursday, December 27, 2018 at 11:00 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.

**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: 2019-0126-A

Property Address: 2006 Poplar Road, Baltimore, MD 21221

Property Description: _____

Legal Owners (Petitioners): Charles E. Tracey, IV

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Charles E. Tracey, IV

Company/Firm (if applicable): N/A

Address: 2006 Poplar Road, Baltimore, MD 21221

Telephone Number: (443) 506-8148

Revised 7/9/2015

No. 176284

Date: 10/18/88

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
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10/19/2018 10/18/2018 11:07:44

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WALKER - CRE

REFEIP

4-930128

10/18/2018

QFLN

528 ZONING VERIFICATION

עצמאות

Net Total: \$75.00

5.03 CR 5.00 CA

Prince George's County, Maryland

Total: \$ 73.00

Rec

From

TRACY

For:

2019-0126-A

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

DIRECTOR
Department of Permits,
Approvals & Inspections

December 20, 2018

Charles E. Tracey, IV
2006 Poplar Road
Baltimore, MD 21221

RE: Case Number: 2019-0126-A, Address: 2006 Poplar Road

To Whom It May Concern:

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

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Robert Bathurst, Century Engineering, 10710 Gilroy Road, Hunt Valley 21031

MDOT
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. 2018-0126A

Variance
Charles E. Tracy, IV
2006 Poplar 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

12-27

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



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

DATE: 11/15/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-126

INFORMATION:

Property Address: 2006 Poplar Road
Petitioner: Charles E. Tracey, IV
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a side yard setback of 25 feet in lieu of the required 50 feet for a replacement dwelling on combined existing lots of record.

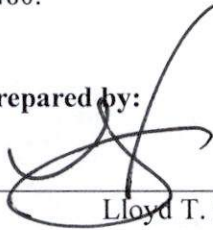
A site visit was conducted on October 31, 2018.

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

Please be advised that this site is subject to the RC 5 performance standards pursuant to BCZR §1A04.4. Architectural elevations must be submitted to the Department of Planning for review at the time of building permit application.

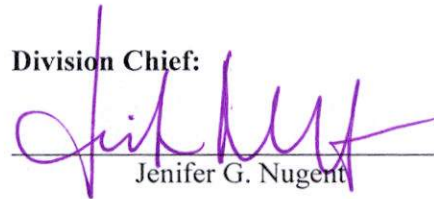
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM/

c: Krystle Patchak
Robert G. Bathurst, PE, Century Engineering, Inc.
Office of the Administrative Hearings
People's Counsel for Baltimore County

JB 12-27-18
11Am

Debra Wiley

From: Stephen Ford
Sent: Friday, December 14, 2018 10:21 AM
To: Debra Wiley; Kristen L Lewis; Mindy Clark; Sherry Nuffer
Cc: Jeffery Livingston
Subject: Zoning Petition Comments
Attachments: ZAC 19-126-A 2006 Poplar Road.doc

For your files.
Thanks,

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

JB 12-27-18
11 AM

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: December 14, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0126-A
Address 2006 Poplar Road
(Tracey, IV 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 (MBA) and is subject to Critical Area requirements. The proposed development must meet LDA and MBA requirements for Critical Area lot coverage. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). Based on the property area above mean high water of greater than 0.5-acres, the maximum Critical Area defined lot coverage allowance for this property is 5,445 square feet with mitigation for any new amount over 15%. Without an itemized accounting of all proposed Critical Area lot coverage, it cannot be determined if lot coverage requirements can be met based on this plan. If the applicant can meet these requirements, and meet all mitigation requirements for lot coverage and buffer impacts, the relief requested can result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This is a waterfront property bounded by Sue Creek to the north and west with the required Critical Area buffer covering the majority of the property. The proposed setback relief would allow the applicant to meet the MBA requirements for

location of the dwelling and for minimization of buffer impacts. Meeting the modified buffer area requirements, lot coverage requirements, tree requirements, and any mitigation requirements for buffer impacts will aid in the conservation of fish, plant, and wildlife habitat in the watershed.

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 proposed development can be designed to meet the Critical Area defined lot coverage requirements, and meet all modified buffer area, tree, and mitigation requirements, the relief requested will be consistent with established land-use policies.

Reviewer: Paul Dennis

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections
MD
FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review
SUBJECT: Zoning Advisory Committee Meeting
For November 05, 2018
Item No. 2019-0126-A

DATE: November 15, 2018

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

Prior to building permit application, the petitioner must contact the Office of the Director of Public Works in writing to determine the Flood Protection Elevation, so that first floor elevation can be established.

*

*

*

*

*

VKD: cen
cc: file

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

11/15

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

Comment

12/14

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

Comment

11/16

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)NO objection
w/ comment

10/29

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

NO Objection

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

12/7/18

SIGN POSTING (1st)

Date:

12/5/18

by

O'Keefe

SIGN POSTING (2nd)

Date:

12/24/18

by

O'Keefe

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			
Tax Exempt:				Special Tax Recapture:							
Exempt Class:				NONE							
Account Identifier:				District - 15 Account Number - 1501290020							
Owner Information											
Owner Name:				TRACEY CHARLES E IV				Use:		RESIDENTIAL	
Mailing Address:				2006 POPLAR RD BALTIMORE MD 21221-6123				Principal Residence:		YES	
								Deed Reference:		/39579/ 00343	
Location & Structure Information											
Premises Address:				2006 POPLAR RD BALTIMORE 21221-6123 Waterfront				Legal Description:		LT 62.63,84 2006 POPLAR RD CEDAR BEACH	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:		
0098	0020	0265		0000				2018	Plat Ref:	0007/ 0186	
Special Tax Areas:						Town:		NONE			
						Ad Valorem:					
						Tax Class:					
Primary Structure Built			Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1929			1,254 SF				24,739 SF		34		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation:					
2	NO	STANDARD UNIT	SIDING	1 full							
Value Information											
Base Value				Value		Phase-In Assessments					
				As of		As of		As of			
				01/01/2018		07/01/2018		07/01/2019			
Land:				205,600		205,600					
Improvements				83,600		85,900					
Total:				289,200		291,500		289,967		290,733	
Preferential Land:				0						0	
Transfer Information											
Seller: AIREY ROSANNA M				Date: 11/01/2017				Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /39579/ 00343				Deed2:			
Seller: AIREY ROSANNA M				Date: 01/21/2009				Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /27575/ 00289				Deed2:			
Seller: AIREY ROSANNA M				Date: 10/18/2002				Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /16962/ 00098				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: Approved 12/18/2017											
Homeowners' Tax Credit Application Information											
Homeowners' Tax Credit Application Status: No Application											
Date:											

CASE NAME _____
CASE NUMBER 2019-0126-A
DATE 12/27/2018

[illegible]

2019-0126-A

PLAT OF

CEDAR BEACH

SECTION ONE

FIFTEENTH DISTRICT

BALTIMORE COUNTY

MARYLAND

GEORGE L. SCHNADER
OWNER

SCALE 1"=100' JUNE 11, 1924.

E. V. CORNMAN & CO.

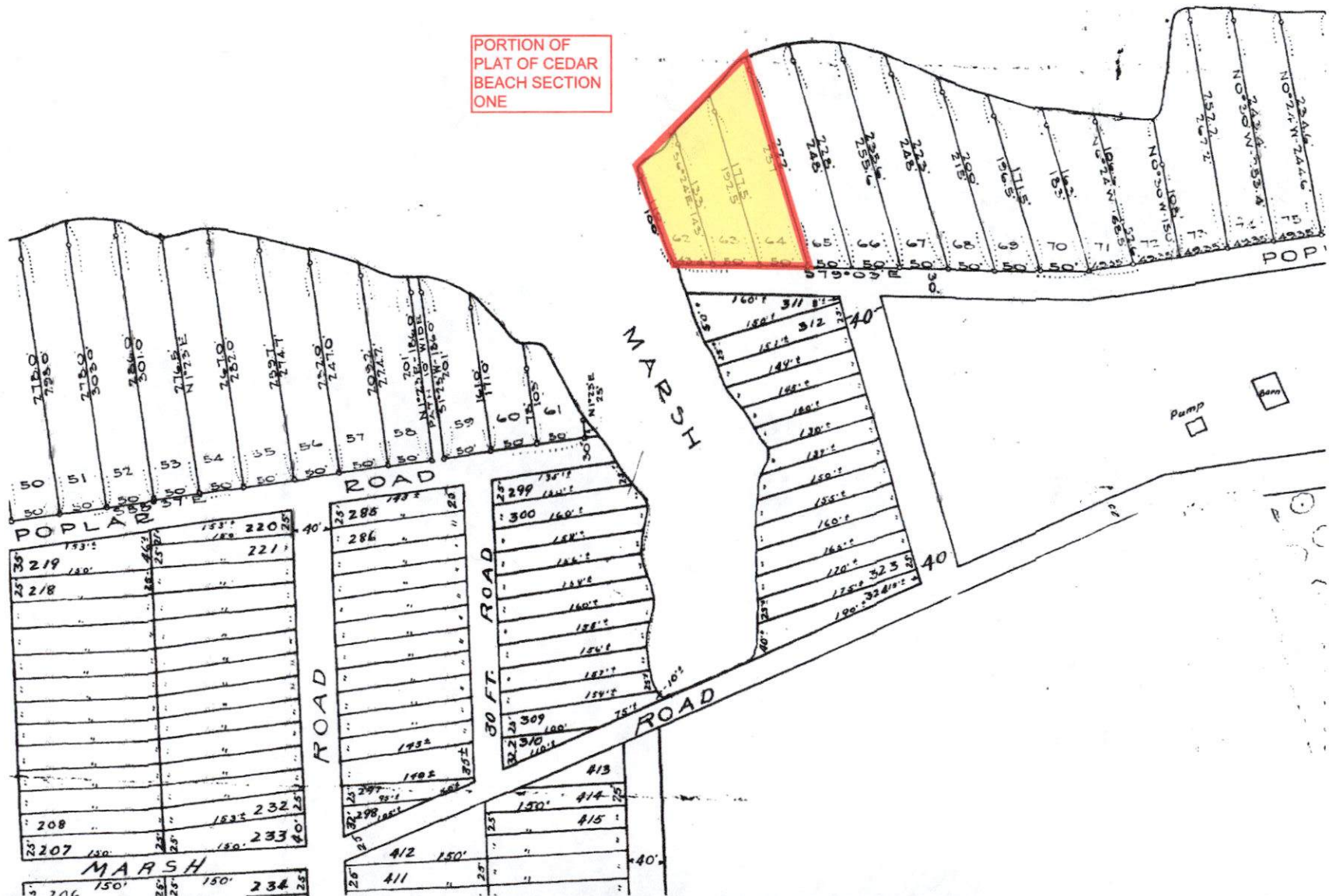
SURVEYORS

BALTIMORE

2019-0176-A

CEDAR

PORTION OF
PLAT OF CEDAR
BEACH SECTION
ONE



RC 20

SE 2-J 098A3

15 ED.

RC5

2010-0194-A

LOURDES RD

PSH RD

AI # 150733

1998-0070

Water View - Left



2019-0126-A

Schools Hobby Location Web Page Birthday Anniversar Notes

2019-01-06-A



Street View - Left

#NAME?

#NAME?

#NAME?

#NAME?

#NAME?

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#NAME?

#NAME?

Street View - far left

2019-0126-A



Street View - Left

2019-0126-A



Street View - f A



2019-0126-1

Location	Web Page	Birthday	Anniversar	Notes
----------	----------	----------	------------	-------

Street View-Right



2019-0126-A



2019-0126-A

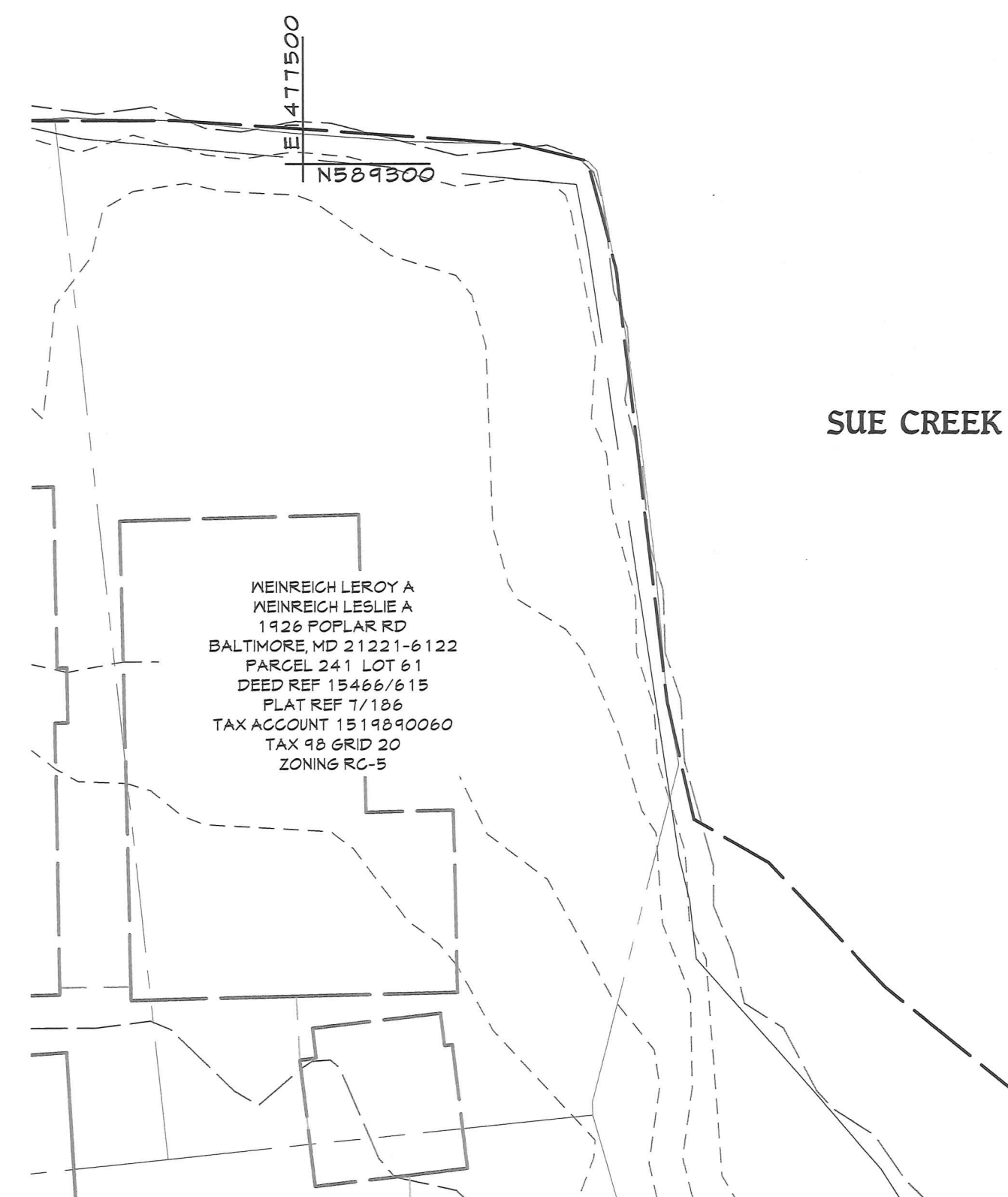
2019-0126-A



T:\2018\Facilities\2006 Poplar Road (R&B)\CIVIL\CADD\Drawings\ZP-1 Plan To Accompany Zoning Hearing For Variance.dwg Sep 14, 2018 3:17pm bbaathurst

PLAN NOTES:

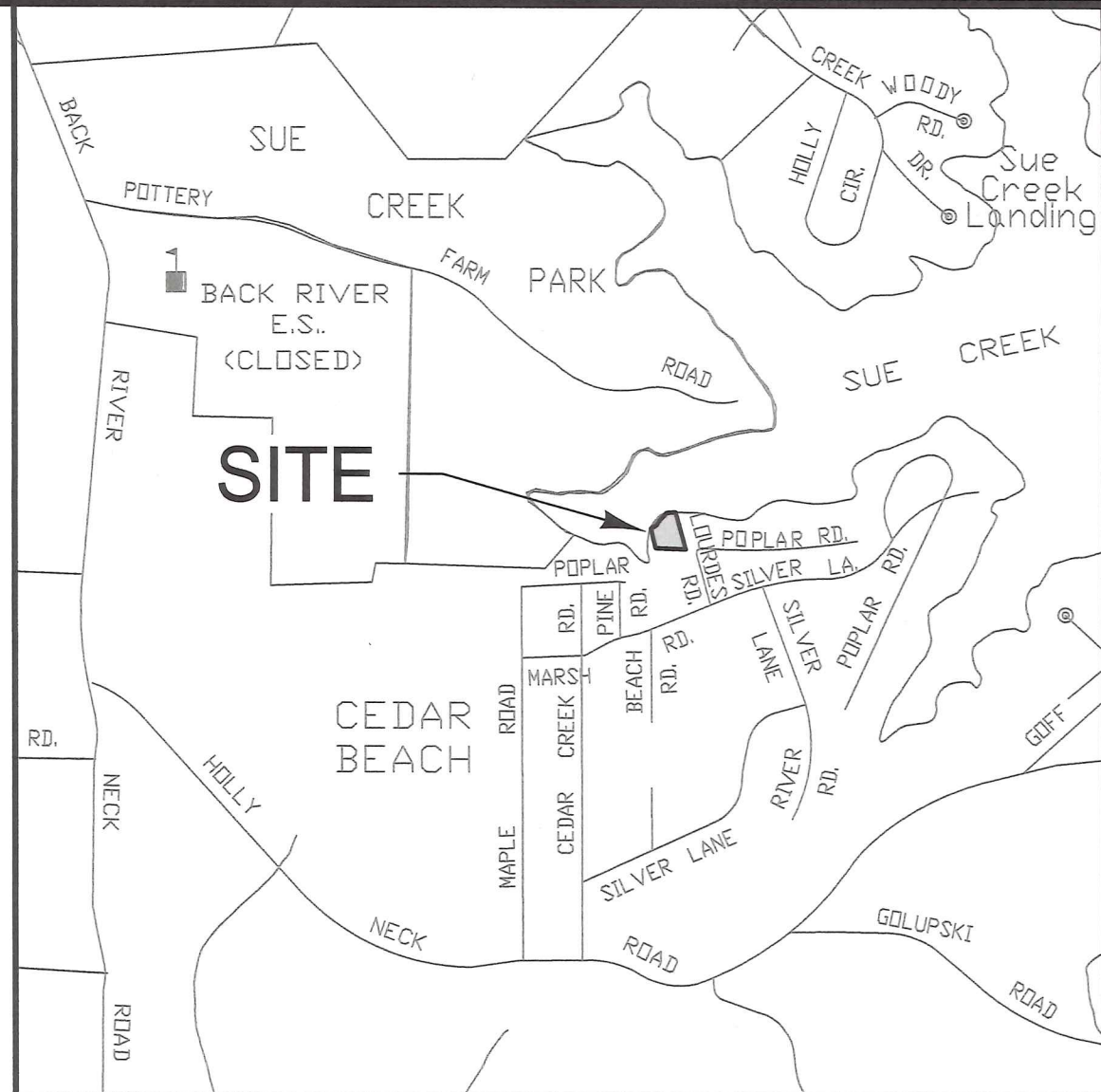
PROPERTY OWNER: CHARLES E. TRACEY, IV
PROPERTY ADDRESS: 2006 POPLAR ROAD, BALTIMORE, MD 21221-6123
TAX ACCOUNT: 1501290020
ELECTION DISTRICT: 15
COUNCILMANIC DISTRICT: 7
SUBDIVISION: CEDAR BEACH, SECTION ONE, LOTS 62, 63 & 64
PLAT BOOK: WPC 7, FOLIO 186
TAX MAP: 98, GRID: 20, PARCEL: 265
DEED REFERENCE: LIBER 39579, FOLIO 343
WATER SERVICE: PUBLIC
SEWER SERVICE: PUBLIC
MINIMUM LOT SIZE: 1.5 ACRES
LOT SIZE: 0.542 ACRES OR 23,586 SQUARE FEET
HISTORIC: NO
PROPERTY ZONING: RC-5 RURAL-RESIDENTIAL
ZONING REQUIRED SIDE YARD SETBACK: 50'
ZONING PROVIDED SIDE YARD SETBACK: 25'
ZONING MAXIMUM HEIGHT: 35 FEET
PRIOR ZONING HISTORY: NONE
CURRENT OR OUTSTANDING ZONING VIOLATIONS: NONE
EXISTING USE: RESIDENTIAL - 2-STORY SINGLE FAMILY DWELLING, PRIMARY STRUCTURE BUILT 1929 (SDAT)
PROPOSED USE: RESIDENTIAL - 1-STORY SINGLE FAMILY DWELLING
WATERSHED: MIDDLE RIVER
WITHIN CBCA: YES
CBCA ZONE: LDA [PROPERTY RESIDES FULLY WITHIN THE CBCA, THE MAJORITY OF WHICH RESIDES WITHIN THE MODIFIED BUFFER AREA]
WATERFRONT: YES
MAXIMUM LOT COVERAGE: 15%
EXISTING LOT COVERAGE: 23.4%
PROPOSED LOT COVERAGE: 24.9%
WITHIN FLOODPLAIN: YES [TIDAL]
FIRM MAP: 2400100445G [DATED MAY 5, 2014]
FIRM ZONE: AE 6 - PORTIONS OF THE PROPERTY RESIDE WITHIN THE FLOODPLAIN
BASE FLOOD ELEVATION (BFE) = 8.5 (NAVD88)
FLOOD PROTECTION ELEVATION (FPE) = 9.5 (NAVD88)
DESIGN FLOOD ELEVATION (DFE) = 10.5 (NAVD88)
PROPOSED LOWEST FLOOR ELEVATION (LFE) = 14.3 (NAVD88)
PROPOSED CRAWL SPACE SLAB ELEVATION (CSE) = 6.1 (NAVD88)



PLAN

SCALE: 1"=20'

0 20' 40'



VICINITY MAP

SCALE: 1"=1000'

LEGEND

---	Property Line
-0-	Existing Major Contour
-8-	Existing Minor Contour
-E-	Existing Underground Electric Line
-OHE-	Existing Overhead Electric Line
-G-	Existing Gas Line
-SAN-	Existing Sanitary Line
-SD-	Existing Stormdrain Line
-W-	Existing Water Line
-T-	Existing Telephone/GFP Line
[Building Symbol]	Existing Building
==	Existing Curb Line
-X-X-X-X-	Existing Fence Line
---	Existing Concrete Edge
---	Existing Edge of Paving
---	Existing Gravel Edge
[Pole Symbol]	Existing Utility Pole & Guy Wire
---	Chesapeake Bay Critical Area Buffer
---	Limit of Disturbance

DATA SOURCES:

- COORDINATES, BEARING & DISTANCES ARE REFERRED TO THE MARYLAND COORDINATE SYSTEM (NAD 83/2011) AND TIED TO THE FOLLOWING RTK POINTS:
100N589550.91 E:1477679.02 ELEV: 2.73
101N589552.61 E:1477624.31 ELEV: 9.56
- ELEVATIONS ARE REFERRED TO NAVD 88 (GEOID 12B)

DATE	BY	REVISIONS

CENTURY ENGINEERING

CONSULTING ENGINEERS - PLANNERS
10710 Gilroy Road, Hunt Valley, MD 21031
Phone: 443.589.2400 Fax: 443.589.2401
www.centuryeng.com

PLAN TO ACCOMPANY ZONING HEARING FOR VARIANCE

2006 POPLAR ROAD

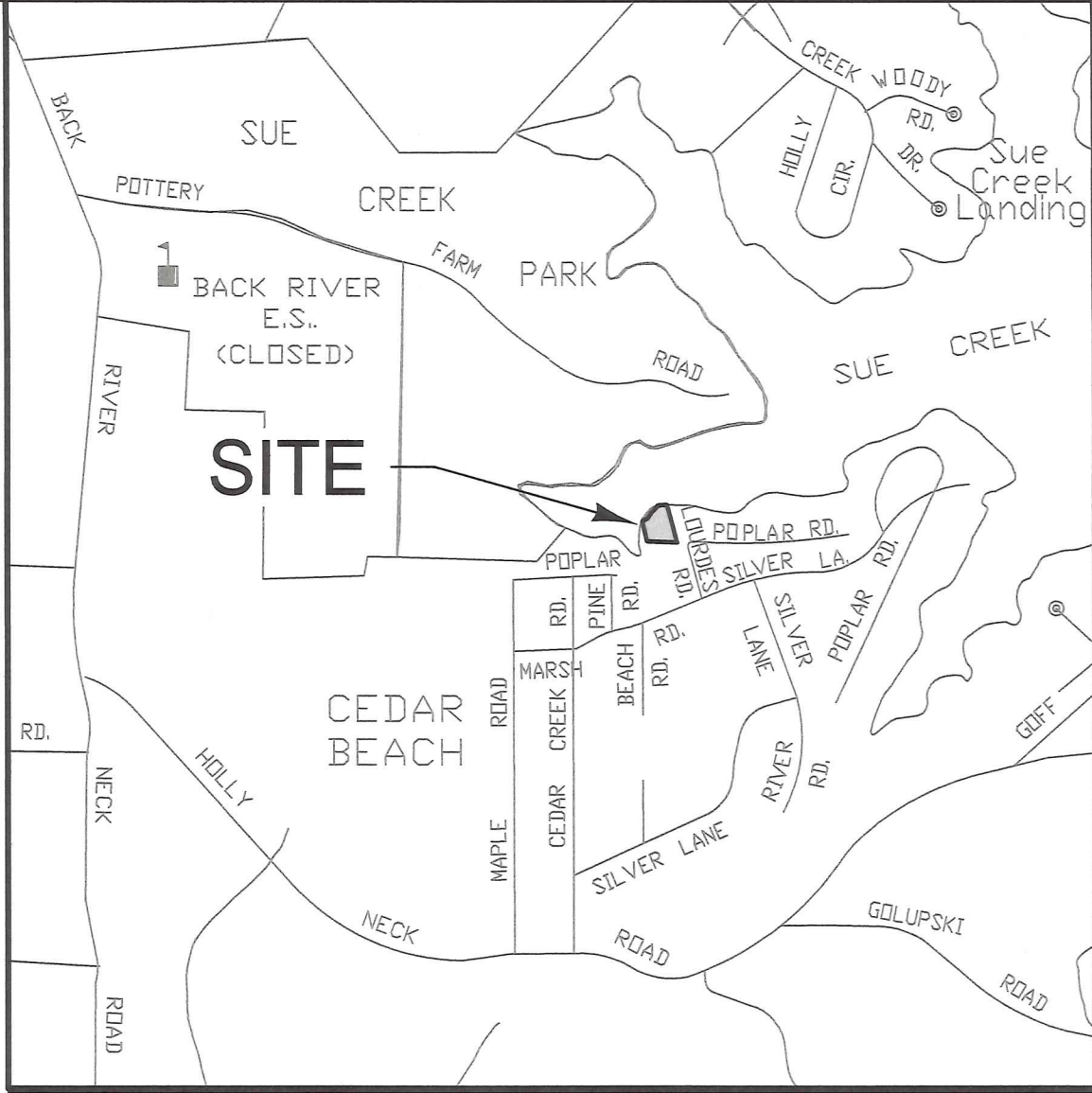


ISSUE DATES		BASE:		M.C.A.	
REVIEW:	9/14/18	DRAWN:	M.C.A.	DESIGNED:	M.C.A.
BID:		PERMIT:		CHECKED BY:	
CONSTRUCTION:		DATE CHECKED:		DRAWING:	
SCALE:	1"=20'	PROJECT NO.:			

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE No.: 24814 EXPIRATION DATE: 2-28-2020



LEGEND

- | | |
|--|-------------------------------------|
| | Property Line |
| | Existing Major Contour |
| | Existing Minor Contour |
| | Existing Underground Electric Line |
| | Existing Overhead Electric Line |
| | Existing Gas Line |
| | Existing Sanitary Line |
| | Existing Stormdrain Line |
| | Existing Water Line |
| | Existing Telephone/CAT Line |
| | Existing Building |
| | Existing Curb Line |
| | Existing Fence Line |
| | Existing Concrete Edge |
| | Existing Edge of Paving |
| | Existing Gravel Edge |
| | Existing Utility Pole & Guy Wire |
| | Chesapeake Bay Critical Area Buffer |
| | Limit of Disturbance |

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101N:589362.61 E:1477624.37 ELEV: 5.56

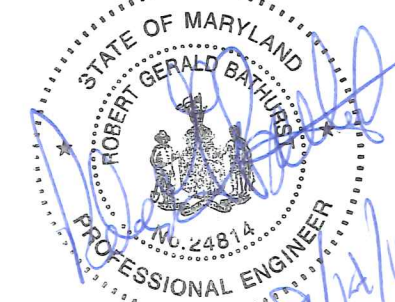
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PROJECT NO.: _____			

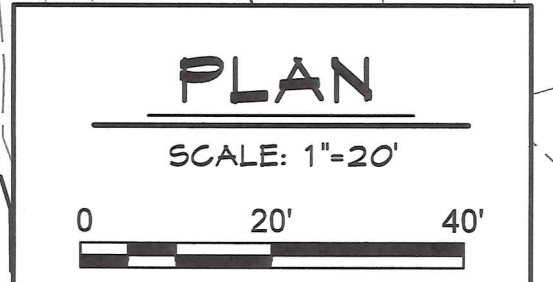
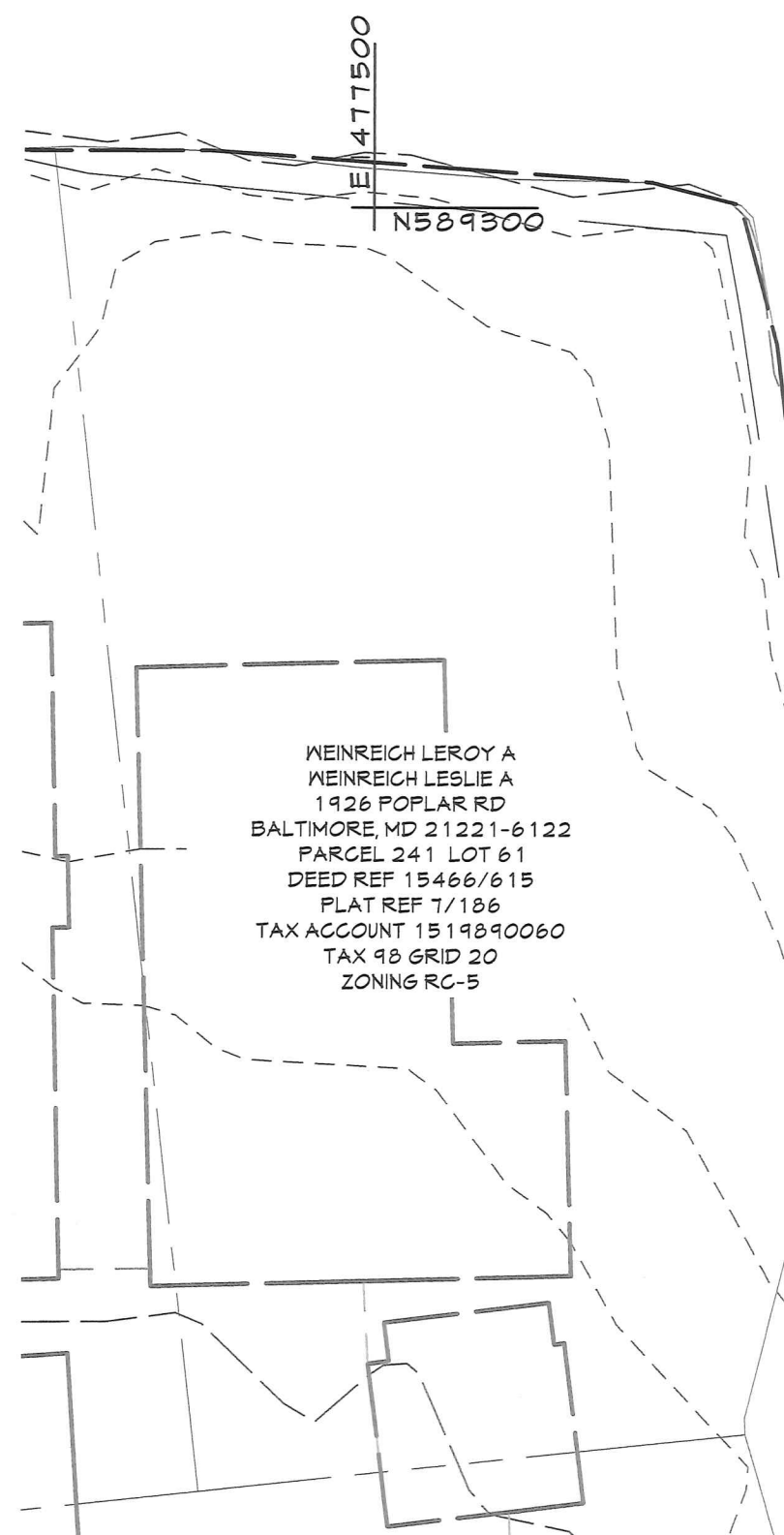
PET. EX.

T:\2018\Facilities\2006 Poplar Road (RGB)\CADD\Drawings\ZP1) Plan To Accompany Zoning Hearing For Variance.dwg Sep 14, 2018 3:17 pm bbathurst

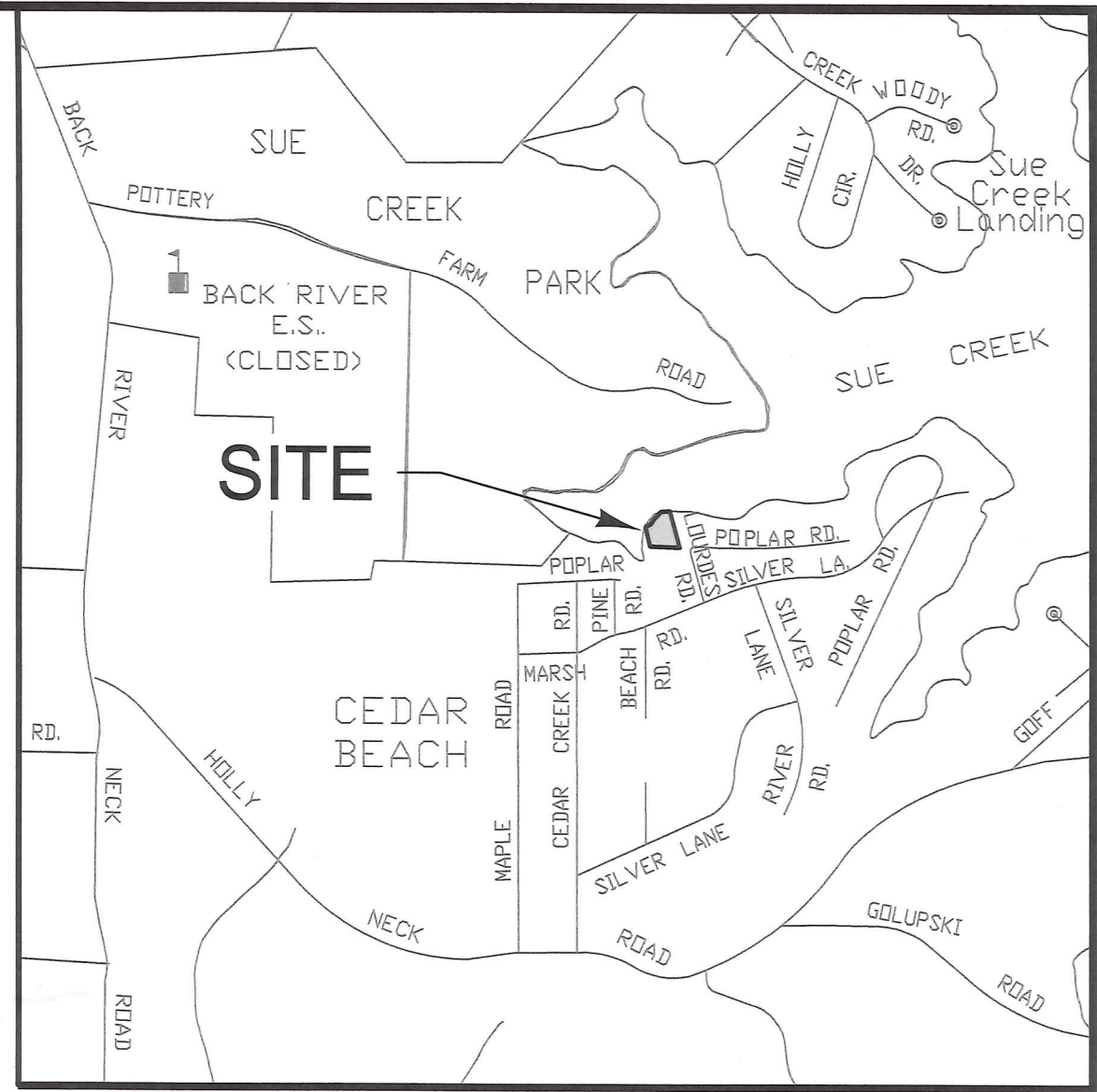
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SCALE: 1"=1000'

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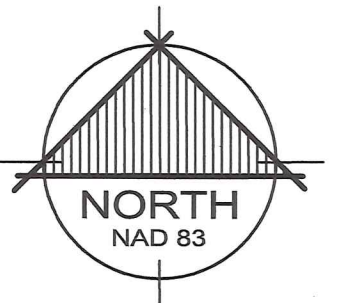
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