

M E M O R A N D U M

DATE: May 16, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0267-A- Appeal Period Expired

The appeal period for the above-referenced case expired on May 15, 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.'

c: Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
(4514 Todd Point Lane) *
15th Election District * OFFICE OF ADMINISTRATIVE
7th Council District * HEARINGS FOR
Brent S. Yoder * BALTIMORE COUNTY
Petitioner *
* CASE NO. 2019-0267-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 owner of the property, Brent S. Yoder (“Petitioner”). The Petitioner is requesting Variance relief pursuant to § 1B02.3 of the Baltimore County Zoning Regulations (“BCZR”), to permit a proposed addition to be located in rear yard of existing dwelling and to have a setback as follows: 4.8' +/- side yard setback to southeast property line in lieu of the required 10'. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner’s 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 recommended by the Department of Environmental Protection and Sustainability (“DEPS”) and the Development of Plans Review (“DPR”).

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on March 24, 2019, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 4-16-19

By BW

The Petitioner has filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). 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 BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 16th day of **April, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B02.3 of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed addition to be located in rear yard of existing dwelling and to have a setback as follows: 4.8' +/- side yard setback to southeast property line in lieu of the required 10', be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 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.
- Prior to issuance of permits, Petitioner must comply with CBCA and flood protection regulations.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw
ORDER RECEIVED FOR FILING

Date 4-16-19 2

By [Signature]



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 4514 TODD POINT LANE, 21219 Currently zoned DR 3.5
 Deed Reference 12227 / 560 10 Digit Tax Account # 1513753300
 Owner(s) Printed Name(s) BRENT YODER

(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) 1B02.3, B22R

SEE AFFIDAVIT

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.

ORDER RECEIVED FOR FILING
 Date 4-16-19
 BY [Signature]

Owner(s)/Petitioner(s):

BRENT YODER
 Name #1 – Type or Print Name #2 – Type or Print
See Affidavit for Signature
 Signature #1 Signature #2
4514 TODD PT LANE, SPARROWS PT, MD
 Mailing Address City State
21219 / 443 425-8289
 Zip Code Telephone # Email Address

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

ARNOLD JABLON
 Name- Type or Print
[Signature]
 Signature
210 W PRAN AVE, TOWSON 21204
 Mailing Address City State
410 494 6284 ARJABLON@VENABLE
 Zip Code Telephone # Email Address COM

Representative to be contacted:

ARNOLD JABLON
 Name – Type or Print
[Signature]
 Signature
SAME
 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 2019-0267-A Filing Date 3/12/2019 Estimated Posting Date 3/24/2019 Reviewer WCR

Affidavit in Support of Administrative Variance

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

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

Address: 4514 TODD POINT LANE, SPARROWS POINT, MD 21219
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. **(Clearly state practical difficulty or hardship here)**

SEE ATTACHED

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

BRENT YODER
Signature of Owner (Affiant)

Brent Yoder
Name- Print or Type

Signature of Owner (Affiant)

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of March, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Brent Yoder

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

AS WITNESS my hand and Notaries Seal

Barbara A. Lukasevich
Notary Public
3/19/22
My Commission Expires

Variance Requested

To permit proposed addition to be located in rear yard of existing dwelling and to have a setback as follows:

1. 4.8' +/- side yard setback to southeast property line in lieu of required 10'.

AFFIDAVIT IN SUPPORT OF ADMINISTRATIVE VARIANCE

Attachment

The Petitioner's home, at 4514 Todd Point Lane, Sparrows Point, was constructed on or about 1950, and has been on the subject property continuously and without interruption to the present date. The house has been a single family residence since 1950, without interruption. The Petitioner has resided in the home since 1997, when he purchased the property. The front of the property is to Todd Point Lane, the rear to Back River. The property is zoned DR 3.5. The DR 3.5 zone requires the side yard setback to be 10'. BCZR 1B02.3. The purpose for this request is to secure a variance to the southeast property line of 4.8'+/- in lieu of the required 10' for the addition. No other variances are required.

The Petitioner proposes to construct a 2-story addition to the existing house, which is 2 story, to include living quarters. The addition as proposed will be 23.2' +/- wide x 19.9'+/- long. The existing house is 23.2'+/- wide x 32.8' +/- long, as more particularly described and shown on the attached site plan. The addition is proposed to be attached to the rear of the home, as shown. The addition is not a separate and distinct dwelling unit. The proposed addition side yard setbacks will be extended in line with the setbacks of the existing house. The existing house side yard setback to the southeast property line is 4.8'+/-.

The proposed side yard setback to the east property line is 4.8'+/-, which is the same as the side yard setback of the existing house to the southeast property line. As noted on the site plan and above, the addition's building line will be in line with the existing house.

The property is unique due to its location. The original plat was recorded in 1923. The lot is narrow and backs up into Back River.

The proposed area for the addition lends itself to the utilization of the existing single family dwelling.

In order to conform to the existing conditions as well as for the proposed addition, a variance is requested from section 1B02.3C, BCZR.

There are no active Code Enforcement violation cases on this site.

General Notes

1. Area of property: 7,750 SF
2. Existing Zoning of Property: DR 3.5
3. Existing Use of Property: residential
4. Proposed zoning of property: DR 3.5
5. Proposed Use of Property: residential
6. Property served by public water and sewer
7. Proposed addition: 23.2' x 19.9'
8. Petitioner's requesting variance to southeast side yard of 4.8'+/- in lieu of required 10'
9. Existing dwelling constructed on or about 1950
10. Existing property has no zoning history

2019-0267-A

Property Description

Beginning for the first and known as Lot No. 19, as laid out on the Plat of Merritt Farm Waterfront, as recorded amongst the Land Records of Baltimore County in Plat Book WPC No. 7 Folio 153

Beginning for the second at an iron pipe heretofore driven in the ground on the northeast side of Shore Road, 20 feet wide, at the dividing line between Lots Nos. 18 and 19 on the Plat of Merritt Farm Shore Property and which said Plat is recorded among the Land Records of Baltimore County in Plat Book WPC No. 7, Part 2, Folio 153; and running thence from said place of beginning, binding on said dividing line, north 55 decrees 50 minutes east 154 feet, more or less, to the Water of Back River; thence binding on said Waters and running southeasterly parallel or nearly so with said Shore Road, 2.0 feet; thence for a line of division south 55 decrees 50 minutes west 154 feet, more or less, to the said northeast side of said Shore Road; thence binding on the said northeast side of said Shore Road, and running north 55 degrees 50 minutes west 2.0 feet, more or less, to the place of beginning. Containing 295 square feet of land, more or less. Being the northwesternmost 2 feet of Lot No. 18 on the plat of Merritt Farm Shore Property above referred to. Being known as 4514 Todd Point Lane.

Being the same lot of ground described in a Deed dated February 15, 1991 and recorded among the Land Records of Baltimore County in Liber 8717 Folio 653 from Janes W. Moffitt and Margaret G. Moffitt unto Edward L Mason, Jr. and Dolores J. Mason, the within Grantors.

2019-0267-A

Carl Richards Jr

From: Arnold Jablon <ajablon@comcast.net>
Sent: Tuesday, January 29, 2019 9:11 PM
To: Carl Richards Jr
Subject: Admin variance

Ok, a friend of a friend has an existing on the water house, constructed on or about 1950, who wants to build an addition. Here is the situation:

1. Location 4514 Todd Point Rd, 21210. Water side is Back River; plat is Merritt Farm Waterfront
2. Lot is zoned 5.5; *(Wrong! Lot is Zoned DR 3.5)*
3. lot size is 7750sf;
4. front is to road;
5. 2 story house;
6. 1sr fl area 715sf;
7. addition proposed 500sf +/-; approx 21' x 23'; *} 70% expansion*
8. facing house, right side yard setback is 5'; *(Needs 10 feet)*
9. Facing house, left side setback is 17'; *(Needs 15 feet)*
10. House to front property line is 25';
11. From rear building line to rear property line about 150';
12. Existing height of house approximately 16'. Existing height will be maintained.

The addition will extend rearward, toward the water, maintaining existing side yard setbacks

Now, if I drew an adequate picture, what does he need? Ha! Can you give me some idea? Thanks.

CERTIFICATE OF POSTING

2019-0267-A

RE: Case No.: _____

Petitioner/Developer: _____

Brent Yoder

April 8, 2019

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

4514 Todd Point Road

SIGN 1 Recertification

March 24, 2019

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



Sincerely,

 April 5, 2019
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0267-A

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Petitioner/Developer: _____

Brent Yoder

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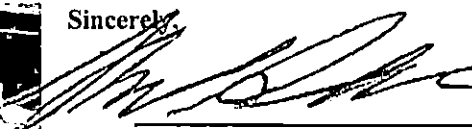
SIGN 2 Recertification

March 24, 2019

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



Sincerely,



(Signature of Sign Poster)

April 5, 2019

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

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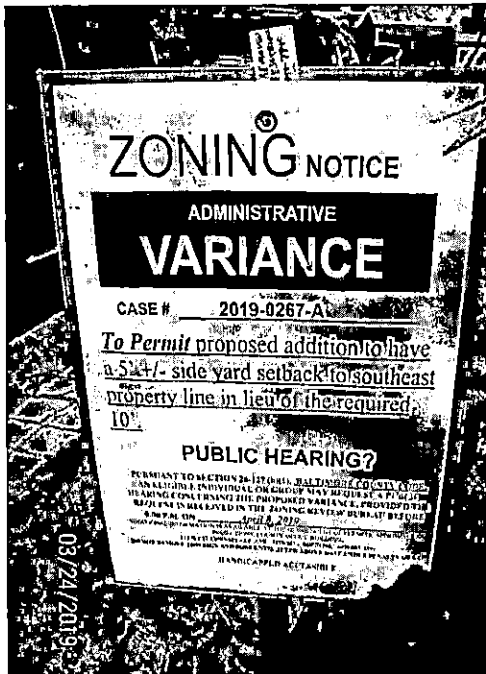
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SIGN 2

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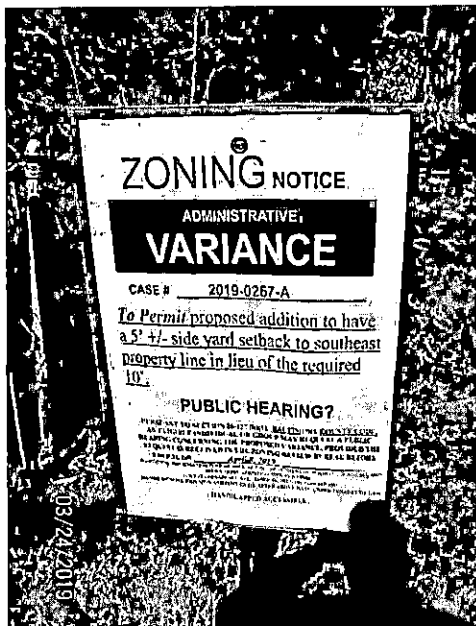
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4514 Todd Point Road

SIGN 1

March 24, 2019

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(Month, Day, Year)



Sincerely,

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(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

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(Telephone Number)

CERTIFICATE OF POSTING

2019-0267-A

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Petitioner/Developer: _____

Brent Yoder

April 8, 2019

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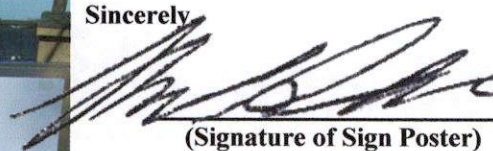
SIGN 2

March 24, 2019

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(Month, Day, Year)



Sincerely,

 March 24, 2019
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0267 -A Address 4514 Todd Point Lane

Contact Person: W. Carl Richards, Jr. Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3/12/2019 Posting Date: 3/24/2019 Closing Date: 4/8/2019

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- 0267 -A Address 4514 Todd Point Lane

Petitioner's Name Brent Yoder Telephone 443-425-8289

Posting Date: 3/24/2019 Closing Date: 4/8/2019

Wording for Sign: To Permit a proposed dwelling addition to be located in the rear yard of existing dwelling with side yard setback of 4.8 feet from Southeast property line in lieu of the minimum required 10 feet.

Revised 6/30/2019

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

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0267 -A Address 4514 Todd Point Lane

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Planner, Please Print Your Name

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- 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.

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Revised 6/30/2019



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

April 9, 2019

Arnold Jablon
210 W Penn Ave
Towson MD 21204

RE: Case Number: 2019-0267-A, 4514 Todd Point Lane

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 March 12, 2019. 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/kl

Enclosures

c: People's Counsel
Brent Yoder 4514 Todd Point Lane Sparrows Pt, MD 21219

Date: 3/20/19

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

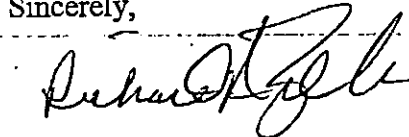
Dear Ms. Lewis:

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. 2019-0267-A

*Administrative Variance
Sent Yoder
4514 Todd Drive Lane*

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

CASE NO. 2019- 0267-AV

CHECKLIST

**Support/Oppose/
Conditions/
Comments/
No Comment**

**Comment
Received**

Department

4-16

None
None

Flood
CBLA

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

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

FIRE DEPARTMENT

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

3-20

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: 3-24-19 by Black

SIGN POSTING (2nd) Date: 4-5-19 by "

PEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Search Result for BALTIMORE COUNTY

1/2

Homestead Application Status: Approved 02/22/2019

Homeowners' Tax Credit Application Information

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

ZAC AGENDA

Case Number: 2019-0267-A **Reviewer:** Carl Richards
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Bent Yoder
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** Yes **Historic:** No **Election Dist:** 15 **Council Dist:** 7

Property Address: 4514 TODD POINT LN

Location: NE/S of Todd Point Lane, 150' SE of Shore Road.

Existing Zoning: DR 3.5

Area: 7,750

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit proposed addition to be located in rear yard of existing dwelling and to have a setback as follows: 4.8' +/- side yard setback to southeast property line lieu of the required 10'

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 04/08/2019

Miscellaneous Notes:

Case Number: 2019-0268-A **Reviewer:** Gary Hucik
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: William R. & Julie A. Kinkel
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** Yes **Historic:** No **Election Dist:** 12 **Council Dist:** 1

Property Address: 8248 NORTHVIEW RD

Location: North side of Northview Road North West 300 feet to the centerline of Bullneck court.

Existing Zoning: DR 5.5

Area: .126

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit a replacement pier and a platform with setback from the established divisional property lines of 0 feet and open access strips between facilities of adjoining property owners of 12 feet and 15 feet in lieu of the required 20 feet.

Attorney: Not Available

Prior Zoning Cases: R-1943-0303

Concurrent Cases: None

Violation Cases: None

Closing Date: 04/08/2019

Miscellaneous Notes:

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: April 24, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0267-A
Address 4514 Todd Point Lane
(Yoder Property)

Zoning Advisory Committee Meeting of **March 25, 2019.**

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 two story addition with less side yard setbacks than permitted. The lot is waterfront and the existing dwelling is partially within the 100-foot buffer. The addition will be entirely within the buffer. As proposed, the addition is within the allowable lot coverage limits and meets the afforestation requirement for LDA. Mitigation, in the form of plantings and/or fee-in-lieu, will be required to meet the MBA requirements. Because the lot coverage, afforestation, and MBA requirements are or 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 and meets lot coverage and afforestation requirements. MBA requirements can be met through plantings and/or payment of a fee-in-lieu.

By meeting the LDA and MBA requirements, 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. The applicant is meeting all LDA requirements and can meet the MBA requirements. Therefore, the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

FRONT, RIGHT SIDE, VARIANCE (S E SIDE)



FLUSH VILLAGE ROAD



Turn / driveway to left





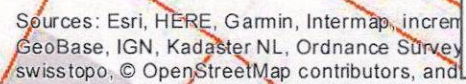


REAR, W/SHED SIDE, NEIGHBORS SHED IN PICTURE (ON SIDE)

CENTRAL SPOT PICK UP



2019-2020



March 1, 2019



Enter Property Address Here



Publication Date: 1/30/2019



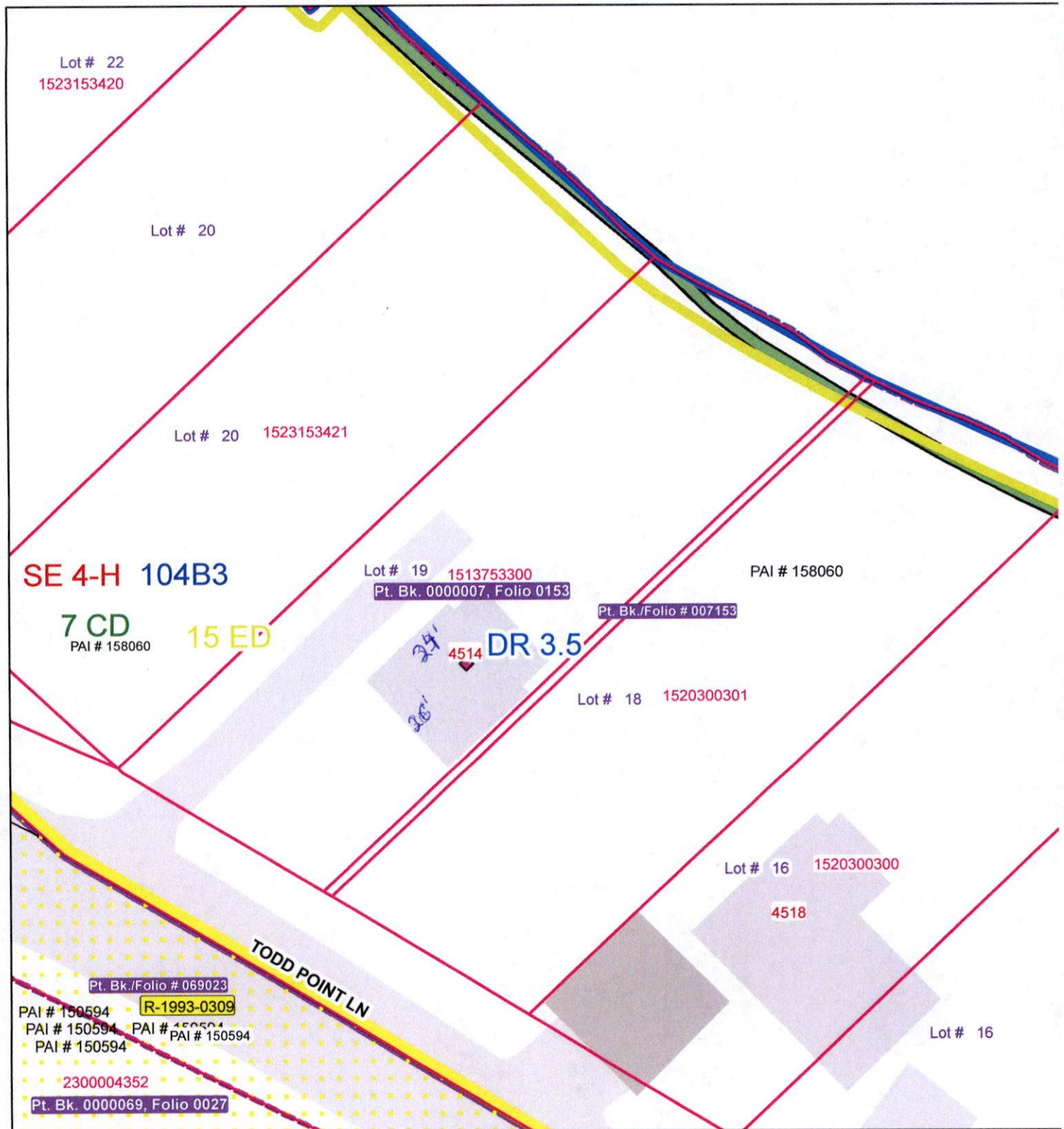
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 5 10 20 30 40
Feet

1 inch = 30 feet

Enter Property Address Here



Publication Date: 1/30/2019

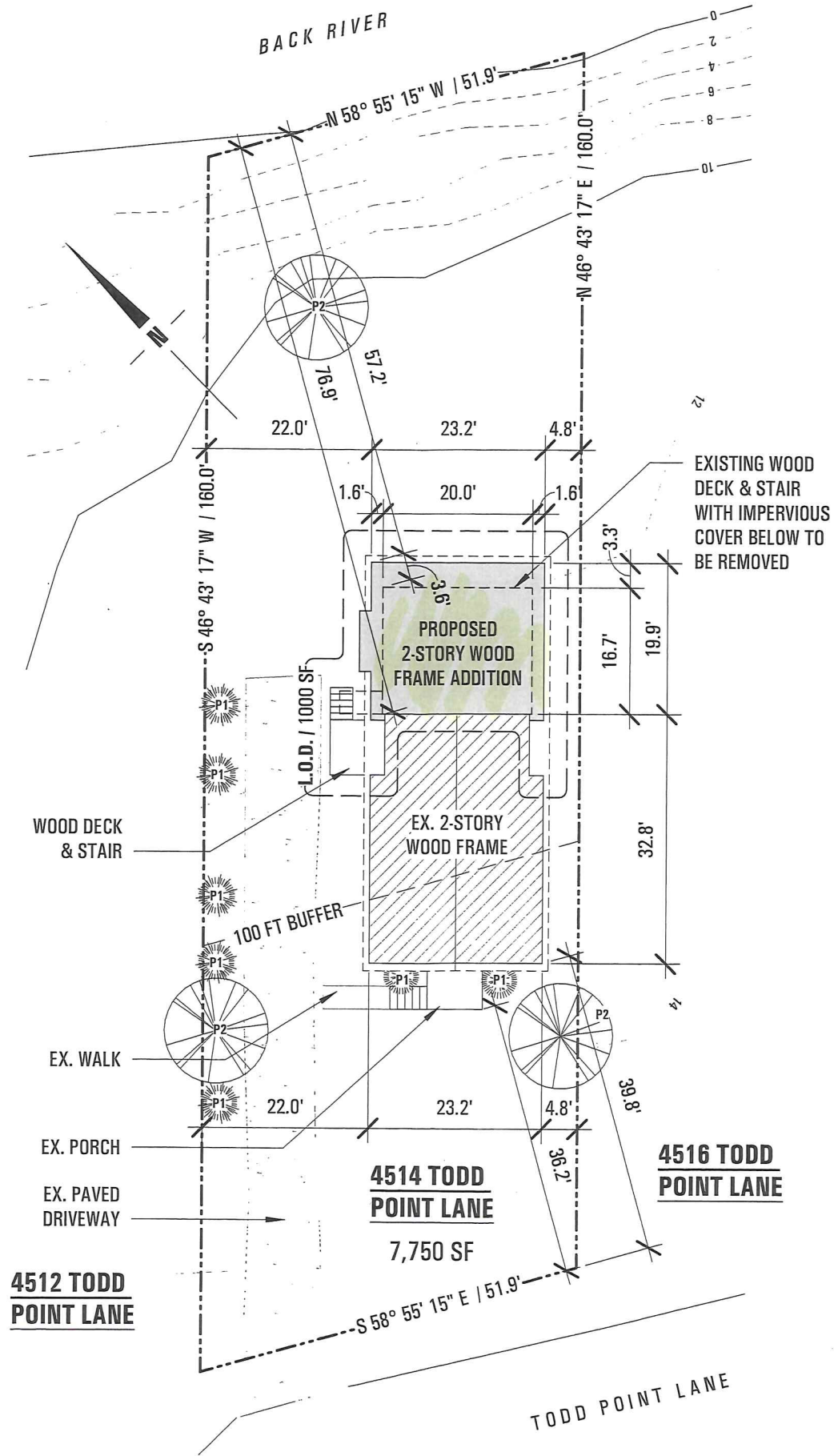


Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

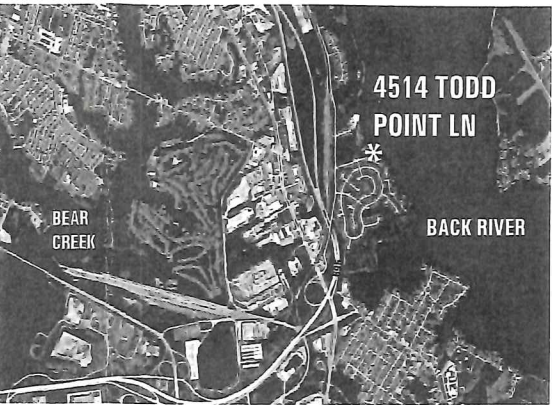


0 5 10 20 30 40 Feet

1 inch = 30 feet



SITE VICINITY MAP



PROPERTY INFORMATION

OWNER: BRENT YODER
ADDRESS: 4514 TODD POINT LN
SPARROWS POINT, MD 21219

TAX ACCOUNT NO.: 1513753300
DEED REFERENCE NO.: 12227/ 00560
TAX MAP/GRID/PARCEL: 0104 / 0016 / 0220

LOT AREA: 7,750 SF

SITE ZONING: DR 3.5
PRIOR ZONING CASES: NONE
ZONING VIOLATIONS: NONE

ELECTION DISTRICT: 15
COUNCILMANIC DISTRICT: 7

HISTORIC DIST. / CBCA / FLOOD PLAIN: NO
UTILITIES: PUBLIC WATER & SEWER

LEGEND

- SHRUB, TYPICAL OF (7)
- TREE, TYPICAL OF (3)
30" Ø

TABLES - AREA CALCS

GROSS BUILDING AREA	
EX. BASEMENT	730 SF
EX. FLOOR 1	730 SF
EX. FLOOR 2	730 SF
TOTAL EXISTING BUILDING	2190 SF

ADDITION FLOOR 1	480 SF
ADDITION FLOOR 2	500 SF
TOTAL ADDITION	980 SF

TOTAL GROSS AREA 3170 SF

LIMIT OF DISTURBANCE 12.9% / 1000 SF

IMPERVIOUS SURFACE

EXISTING STRUCTURE	730 SF
EXISTING WALK	30 SF
EXISTING DECK	330 SF
EXISTING DRIVEWAY	940 SF
TOTAL EXISTING	26.2 % / 2030 SF

PROPOSED ADDITIONAL 150 SF

TOTAL IMPERVIOUS 28.1% / 2180 SF

33:D

33:DESIGN, LLC
2209 MARYLAND AVENUE
BALTIMORE, MD 21218

OWNER
BRENT YODER
4514 TODD POINT LN
SPARROWS POINT, MD 21219

GENERAL CONTRACTOR
PRECISION BUILDERS, LLC
P.O. BOX 343
FORT HOWARD, MD 21052

REAR ADDITION
4514 TODD POINT LANE

NO.	DESCRIPTION	DATE
2	REVISION	JAN 22 2019
3	REVISION 2	FEB 8 2019
4	REVISION 3	FEB 15 2019
5	REVISION 4	FEB 25 2019

PROJ. NO. 17-110
SCALE 1" = 20'-0"

SHEET NAME
SITE PLAN

SHEET NUMBER

A100

01 SITE PLAN
1" = 20'-0"

Per. Exh. 1

2019-0267-A