

IN THE MATTER OF
JOSEPH CORASANITI - LEGAL OWNER AND
PETITIONER FOR VARIANCE ON THE PROPERTY
LOCATED AT 311 SOLLERS POINT ROAD

12TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 19-419-A

* * * * *

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Gregory James, Protestant/Appellant, from a decision of the Administrative Law Judge dated October 29, 2019 in which the requested zoning relief was granted with conditions. An Amended Order of the Administrative Law Judge dated December 3, 2019, in which paragraph 3 of the Order dated October 29, 2019 was amended.

WHEREAS, the Board is in receipt of a Voluntary Dismissal of Variance Case filed by Timothy Kotroco, Esquire on behalf of Joseph Corasaniti, Petitioner (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Petitioner requests that the Petition for Variance that is the subject matter of this appeal be withdrawn and dismissed without prejudice,

IT IS THEREFORE ORDERED this 7th day of July, 2020 by the Board of Appeals of Baltimore County that, in accordance with Board of Appeals Rules of Practice and Procedure, Rule 3.b.2, the Petition for Variance filed in Case No.: 19-419-A be and the same is hereby **WITHDRAWN AND DISMISSED** without prejudice.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**



William A. McComas, Chair



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

July 7, 2020

Timothy M. Kotroco, Esquire
305 Washington Avenue, Suite 502
Towson, Maryland 21204

Re: In the matter of: *Joseph Corasaniti – Legal Owner*
Case No.: 19-419-A

Dear Counsel:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,


Krysundra "Sunny" Cannington
Administrator

KLC/taz
Enclosure
Duplicate Original Cover Letter

c: Joseph Corasaniti
Gregory James
Victor Heggins
Joyce Murray
Servant Courtney Speed
Office of People's Counsel
Paul M. Mayhew, Managing Administrative Law Judge
C. Pete Gutwald, Director/Department of Planning
Michael D. Mallinoff, Director/PAI
Nancy C. West, Assistant County Attorney/Office of Law
James R. Benjamin, Jr., County Attorney/Office of Law

IN RE: PETITION FOR VARIANCE

*

BEFORE THE

(311 Sollers Point Road)
12th Election District
7th Council District
Joseph Corasaniti
Legal Owners
Petitioners

*

BOARD OF APPEALS

*

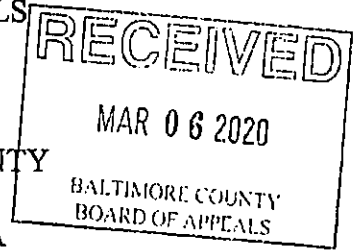
FOR

*

BALTIMORE COUNTY

*

Case No. 2019-419-A



* * * * *

VOLUNTARY DISMISSAL OF VARIANCE CASE

The Petitioner and Owner, Joseph Corasaniti, by and through his undersigned counsel, requests this Board of Appeals to dismiss the above referenced zoning case without prejudice, and for reasons in support thereof, states the following:

1. This matter is currently set for a hearing before the Board on March 24, 2020 at 10am. The Petitioner has redesigned his project and is now able to construct the subject building on his property in a manner that would require no setback relief. Accordingly, the request for variance relief is now moot and the matter should be dismissed without prejudice.

Accordingly, it is respectfully requested that this matter be dismissed without prejudice.

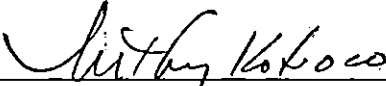
Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco, Esquire
305 Washington Avenue, Suite 502
Towson, Maryland 21204
410-299-2943

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 6th day March, 2020 a copy of the foregoing Request for Voluntary Dismissal was mailed first class, postage prepaid to Peter M. Zimmerman, People's Counsel for Baltimore County, The Jefferson Building, Suite 204, 105 W. Chesapeake Avenue, Towson, Maryland 21204 and to Gregory James, 110 Turner Avenue, Baltimore, Maryland 21222, Appellant.



Timothy M. Kotroco, Esquire



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

March 17, 2020

To whom it may concern:

Due to concerns about COVID-19, all Board of Appeals hearings and deliberations are being cancelled beginning March 18, 2020 through April 3, 2020. Including but not limited to the matters of:

Shafi Javid, MD (Hanover Pike Solar, LLC), Case No.: CBA-20-022;
Prime Storage North Point Boulevard, Case No.: CBA-20-017;
Philip Tirabassi, Case No.: CBA-20-011;
Joseph Corasaniti, Case No.: 19-419-A;
Nepali American Cultural Center, Case No.: 18-122-X and CBA-19-004; and
Stillway Associates Partnership (Enclave at Lyons Mill), Case No.: CBA-20-018

We will continue to evaluate and adjust as the situation progresses. All hearings and deliberations will be reassigned as soon as possible. Notices will be sent upon rescheduling and our website, www.baltimorecountymd.gov/Agencies/appeals/index.html, will be updated with any changes.

We kindly request that you forward this letter to the parties, or anyone else you know involved in this matter.

Please contact our office with any questions.

Very truly yours,

A handwritten signature in black ink that reads "Sunny Cannington". The signature is written in a cursive, flowing style.

Krysundra Cannington
Administrator

IN RE: **PETITION FOR VARIANCE**

*

BEFORE THE

(311 Sollers Point Road)
12th Election District
7th Council District
Joseph Corasaniti
Legal Owners
Petitioners

*

BOARD OF APPEALS

*

FOR

*

BALTIMORE COUNTY

*

Case No. 2019-419-A



* * * * *

VOLUNTARY DISMISSAL OF VARIANCE CASE

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1. This matter is currently set for a hearing before the Board on March 24, 2020 at 10am. The Petitioner has redesigned his project and is now able to construct the subject building on his property in a manner that would require no setback relief. Accordingly, the request for variance relief is now moot and the matter should be dismissed without prejudice.

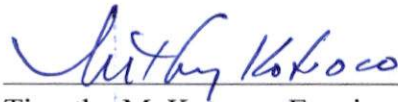
Accordingly, it is respectfully requested that this matter be dismissed without prejudice.

Respectfully Submitted,

Timothy M. Kotroco, Esquire
305 Washington Avenue, Suite 502
Towson, Maryland 21204
410-299-2943

CERTIFICATE OF SERVICE

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Timothy M. Kotroco, Esquire

IN RE: PETITION FOR VARIANCE

*

BEFORE THE

(311 Sollers Point Road)

*

BOARD OF APPEALS

12th Election District

*

7th Council District

*

FOR

Joseph Corasaniti

*

BALTIMORE COUNTY

Legal Owners

Petitioners

*

Case No. 2019-419-A

* * * * *

ORDER

Upon the foregoing Request to Voluntarily Dismiss this Variance Case filed by the Owner/Petitioner herein, It is this _____ day of March, 2020 by the Board of Appeals for Baltimore County:

ORDERED, the Variance petition filed herein be dismissed without prejudice.

Board of Appeals for Baltimore County



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

February 12, 2020

NOTICE OF POSTPONEMENT AND REASSIGNMENT

IN THE MATTER OF: Joseph Corasaniti
311 Sollers Point Road
19-419-A 12th Election District; 7th Councilmanic District

Re: Petition for Variance pursuant to § 232.2 & 232.1 of the BCZR to:
1) permit a side yard setback of 7.5 ft. in lieu of the required 10 ft.; and
2) allow a front yard setback of 27 ft. in lieu of the required 40 ft.

10/29/19 Opinion and Order of the Administrative Law Judge wherein the Petition for Variance was GRANTED, with conditions.

12/3/19 Amended Order of the Administrative Law Judge wherein paragraph 3 of the Order of October 29, 2019 was amended.

ASSIGNED FOR: **MARCH 24, 2020, AT 10:00 A.M.**

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.
- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
- If you require special accommodations, please contact this office at least one week prior to hearing date.
- Parties must file one (1) original and three (3) copies of all Motions, Memoranda, and exhibits with the Board unless otherwise requested. Said Motions, Memoranda and exhibits must be in MDEC compliant formats pursuant to the Maryland Rules, unless otherwise requested.
- Please contact our office for information about projection equipment. A minimum of forty-eight (48) hours-notice is required. Supply is limited and not guaranteed.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra Cannington, Administrator

Notice of Postponement and Reassignment
In the matter of: Joseph Corasaniti
Case number: 19-419-A
February 12, 2020
Page 2

c. Counsel for Petitioners
Legal Owner

: Timothy M. Kotroco, Esquire
: Joseph Corasaniti

Protestant

: Gregory James

William Bafitis, P.E.
Victor Heggins
Joyce Murray
Servant Courtney Speed

C. Pete Gutwald, Director/Department of Planning
James R. Benjamin, Jr., County Attorney
Michael D. Mallinoff, Director/PAI
Nancy C. West, Assistant County Attorney
Office of People's Counsel
Paul M. Mayhew, Managing Administrative Law Judge

TIMOTHY M. KOTROCO

Attorney at Law
305 Washington Avenue, Suite 502
Towson, Maryland 21204
410-299-2943
Tkotroco@gmail.com

February 10, 2020

HAND DELIVERED

Board of Appeals for Baltimore County
Jefferson Building, Second Floor, Suite 203
105 West Chesapeake Avenue
Towson, Maryland 21204
Attention: Krysundra "Sunny" Cannington, Administrator



Re: In the Matter of: Joseph Corasaniti—Legal Owner
311 Sollers Point Road
Case No. 19-419-A
Request for Postponement

Dear Ms. Cannington & Members of the Board,

I represent Joseph Corasaniti, the owner and petitioner in the above referenced case. The variance requested in this matter was approved by Administrative Law Judge Paul Mayhew on December 3, 2019. A timely appeal was filed by a neighbor, Mr. Gregory James. A new hearing has been set before the Board on March 3, 2020 at 10am.

My client, Mr. Corasaniti is unable to attend the hearing on the scheduled date. It is respectfully requested that the matter be postponed and reset to a new hearing date. This is the first time that the case has been set for a hearing. A postponement will also give the applicant additional time to resolve any outstanding issues relating to this request.

It is respectfully requested that the matter be postponed and reset before the Board. Thank you for your consideration of this request.

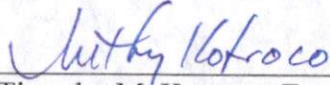
Very truly yours,

A handwritten signature in blue ink that reads "Timothy M. Kotroco".

Timothy M. Kotroco

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 10th day of February, 2020, a copy of the foregoing Request for Postponement was mailed to Mr. Gregory James, 110 Turner Avenue, Baltimore, Maryland 21222 and People's Counsel for Baltimore County, 105 W. Chesapeake Ave., Suite 204, Towson, Maryland 21204.



Timothy M. Kotroco, Esquire



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

January 16, 2020

NOTICE OF ASSIGNMENT

IN THE MATTER OF: Joseph Corasaniti
311 Sollers Point Road
19-419-A 12th Election District; 7th Councilmanic District

Re: Petition for Variance pursuant to § 232.2 & 232.1 of the BCZR to:
1) permit a side yard setback of 7.5 ft. in lieu of the required 10 ft.; and
2) allow a front yard setback of 27 ft. in lieu of the required 40 ft.

10/29/19 Opinion and Order of the Administrative Law Judge wherein the Petition for Variance was GRANTED, with conditions.

12/3/19 Amended Order of the Administrative Law Judge wherein paragraph 3 of the Order of October 29, 2019 was amended.

ASSIGNED FOR: **MARCH 3, 2020, AT 10:00 A.M.**

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE:

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For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra Cannington,
Administrator



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

January 16, 2020

NOTICE OF ASSIGNMENT

IN THE MATTER OF: Joseph Corasaniti
311 Sollers Point Road
19-419-A 12th Election District; 7th Councilmanic District

Re: Petition for Variance pursuant to § 232.2 & 232.1 of the BCZR to:
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ASSIGNED FOR: **MARCH 3, 2020, AT 10:00 A.M.**

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

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**Krysundra Cannington,
Administrator**

Notice of Assignment
In the matter of: Joseph Corasaniti
Case number: 19-419-A
January 16, 2020
Page 2

c. Counsel for Petitioners
Legal Owner

: Timothy M. Kotroco, Esquire
: Joseph Corasaniti

Protestant

: Gregory James

William Bafitis, P.E.
Victor Heggins
Joyce Murray
Servant Courtney Speed

C. Pete Gutwald, Director/Department of Planning
James R. Benjamin, Jr., County Attorney
Michael D. Mallinoff, Director/PAI
Nancy C. West, Assistant County Attorney
Office of People's Counsel
Paul M. Mayhew, Managing Administrative Law Judge



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge

December 31, 2019

Timothy M. Kotroco, Esq.
305 Washington Avenue, Suite 502
Towson, Maryland 21204



RE: **APPEAL TO BOARD OF APPEALS –**
Petition for Variance
Case No. 2019-0419-A
Property: 311 Sollers Point Road

Dear Mr. Kotroco:

Please be advised that an appeal of the above-referenced case was filed in this Office on December 30, 2019. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,
A handwritten signature in black ink that reads "Paul M. Mayhew".

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM/sln

c: Baltimore County Board of Appeals
Peter Max Zimmerman, People's Counsel for Baltimore County
Cheryl K. James, 110 Turner Avenue, Baltimore, Maryland 21222
Victor Heggins, 4223 Wynfield Dr., Owings Mills, Maryland 21117
Joyce Murray, 6717 Laurel Dr., Baltimore, Maryland 21207
Servant Courtney Speed, 201 Main Street, Turners Station, Maryland 21222

APPEAL

Petition for Variance
(311 Sollers Point Road)
12th Election District – 7th Councilmanic District
Legal Owner: Joseph Corasaniti
Contract Purchaser: N/A
Case No. 2019-0419-A



Petition for Variance (August 8, 2019)

Zoning Description of Property

Certificate of Posting – October 2, 2019 (John Altmeyer)
Re-certification- October 18, 2019 (John Altmeyer)

Newspaper Advertisement – (The Daily Record) – October 4, 2019

Notice of Zoning Hearing – September 23, 2019

People's Counsel Entry of Appearance – August 13, 2019

Zoning Advisory Committee Comments

Petitioner's Sign-in Sheets – 1 Sheet

Citizen's Sign-in Sheets- 1 Sheet

Petitioner(s) Exhibits –

1. Site Plan
2. Photos of Site
3. Plan w/ accompanying photos
4. Redlined Plan
5. My Neighborhood Aerial Photo

Protestant(s) Exhibits-

Miscellaneous (Not Marked as Exhibits)- SDAT-Real Property Search

Administrative Law Judge Order and Letter (GRANTED with Conditions October 29, 2019)

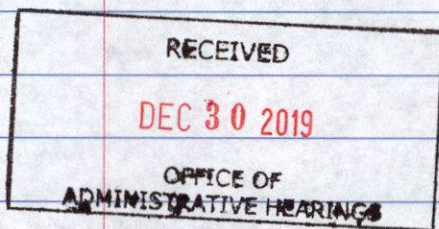
Petitioner's Motion for Reconsideration (November 26, 2019)

Administrative Law Judge Order and Letter on Motion for Reconsideration (Amended December 12, 2019 Condition No. 3) All other aspects and provision of October 29, 2019 Order shall remain in full force and effect.

Appeal from Mr. Gregory James- December 30, 2019

I Gregory James is filing a
appeal on 2019-0419-A

12-30-2019
Gregory James



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

No. **174848**

Date: **12/30/19**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
12/30/2019 12/30/2019 12:46:44 5

RE W505 WALKIN LRB

RECEIPT # 051748 12/30/2019 OFLN

5 550 MISCELLANEOUS - IN

LR NO. 174848

Recpt Tot \$ 300.00

.00 CA 300.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	8010	0100		6020				300.00

Total: **300.00**

Rec From: **Gregory James**

For: **20190409-A**

311 Sollers Point Rd

Cash

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge

December 3, 2019

Timothy M. Kotroco, Esq.
305 Washington Avenue, Suite 502
Towson, Maryland 21204

RE: Petition for Variance (MOTION FOR RECONSIDERATION)
Case No. 2019-0419-A
Property: 311 Sollers Point Road

Dear Mr. Kotroco:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in cursive script, reading "Paul M. Mayhew".
PAUL M. MAYHEW

Managing Administrative Law Judge
for Baltimore County

PMM: sln
Enclosure

c: Cheryl K. James, 110 Turner Avenue, Baltimore, Maryland 21222
Victor Heggins, 4223 Wynfield Dr., Owings Mills, Maryland 21117
Joyce Murray, 6717 Laurel Dr., Baltimore, Maryland 21207
Servant Courtney Speed, 201 Main Street, Turners Station, Maryland 21222

IN RE: PETITION FOR VARIANCE

(311 Sollers Point Road)

12th Election District

7th Council District

Joseph Corasaniti

Legal Owner

Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2019-0419-A

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AMENDED ORDER

On November 26, 2019 the Petitioner filed a Motion for Reconsideration concerning condition 3 of the original Order, which provides that “[t]he Petitioner shall maintain the ‘pocket park’ at the front of the property except for the portion upon which the driveway is depicted on the rubricated Site Plan.” In the Motion for Reconsideration counsel for Petitioner states that “[t]his restriction appears to convey in perpetuity the obligation to permanently restrict this portion of the Petitioner’s property for use as a park,” and that “this bench and landscaping was placed on this property without the prior written approval or written permission of the owner, at a time when the property was vacant. The property was [then] sold at auction to my client. As the new owner, he is willing to allow the benches and landscaping to remain so long as they do not interfere with his current or future use of his property.” Counsel then explains that in the future his client may need to move or alter the “pocket park” in order to permit all necessary ingress and egress. Finally, the Motion asks that the original Order be amended in order to clarify that his client has not conveyed or ceded any legal interest in the property.

It was not my meaning or intent to Order the Petitioner to convey any legal interest in this property, as I understand I do not have the authority to do so under the Baltimore County Charter or Code. Indeed, nowhere in the Order is this stated nor is there any named grantee of such a

ORDER RECEIVED FOR FILING

Date

12/31/19

By

Den

conveyance. However, counsel for Petitioner did state at the hearing of this matter that his client would maintain the "pocket park" at the front of the lot to the extent possible for use by the community in conjunction with the MTA bus stop. While this was purely voluntary, this offer was made to the community at the hearing in an attempt to address their opposition to the requested variance relief, and I trust that the offer was made in good faith.

Therefore, upon consideration of the Motion for Reconsideration, paragraph 3 of the Order of October 29, 2019 is amended as follows:

3. Petitioner shall in good faith maintain the "pocket park" at the front of the property for use by the community in connection with the MTA bus stop. If and when the Petitioner needs to remove any of the landscaping or benches in order to have necessary ingress and egress to the site the Petitioner will restore the benches and landscaping to the extent reasonably possible. Nothing in this Order purports to convey any legal interest in the property or create legal or equitable rights on the part of any person or group other than the owner of record.

All other aspects and provisions of the Order of October 29, 2019 shall remain in full force and effect.

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

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

12/3/19

Date

ORDER RECEIVED FOR FILING

Date

12/3/19

By

Den

IN RE: **PETITION FOR VARIANCE**

(311 Sollers Point Road)
12th Election District
7st Council District
Joseph Corasiniti
Legal Owner
Petitioner

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

Case No. 2019-0419-A

RECEIVED

NOV 26 2019

OFFICE OF
ADMINISTRATIVE HEARINGS

* * * * *

PETITIONER'S MOTION FOR RECONSIDERATION

The Petitioner and Owner, Joseph Corasiniti, by and through his undersigned counsel, requests this Honorable Court to reconsider its decision dated the 29st day of October, 2019 and in support thereof, states the following:

1. This matter came on for a hearing before your Honor on the 24th day of October, 2019.

2. After a hearing on the merits, the petition for variance was granted by Order dated the 29th day of October 2019, subject to certain conditions and restrictions. (Copy Attached)

3. The purpose of this request for reconsideration involves restriction #3 of that Order which states: ***"The Petitioner shall maintain the "pocket Park" at the front of the property except for that portion upon which the driveway is depicted on the rubricated Site Plan"***.

4. This restriction appears to convey in perpetuity the obligation to permanently restrict this portion of the Petitioner's property for use as a park. You may recall that the testimony at the hearing demonstrated that members of the community placed two benches and some landscaping onto the front portion of this lot, to be used in connection with the MTA bus stop that is located within the County's right of way at the corner of Sollers Point Road and Turner Avenue.

This bench and landscaping was placed on this property without the prior written approval or written permission of the owner, at a time when the property was vacant. The property was sold at auction to my client. As the new owner, he is willing to allow the

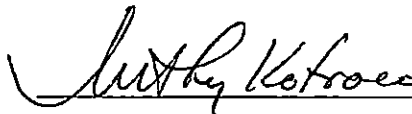
benches and landscaping to remain so long as they do not interfere with his current or future use of his property. He already needs to construct a driveway through that area of the property so that he may have access from Sollers Point Road to his own property. This will cause him to have to move the benches to make way for the driveway access to his storage building.

Also, as stated at the hearing, the owner intends to store a very rare and antique steam engine within the new storage building. The steam engine is a working train engine which is difficult to transport and maneuver. Proper driveway access from Sollers Point Road is an absolute necessity in order to back the steam engine and trailer into the storage building.

Accordingly, based on the above, we ask that you modify restriction #3 to read as follows or language similar to the following:

“The Petitioner has voluntarily agreed, but is not legally obligated to maintain the benches and landscaping that support the existing MTA bus stop. This restriction does not convey to the community any legal interest in the property, as this ALJ does not have the authority to convey an interest in property. The owner may retract this permission, should the need arise in the future for the owner to utilize that portion of his property.”

Respectfully Submitted,

A handwritten signature in cursive script, reading "Timothy M. Kotroco", written over a horizontal line.

Timothy M. Kotroco, Esquire
305 Washington Avenue, Suite 502
Towson, Maryland 21204
410-299-2943

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 26th day November, 2019 a copy of the foregoing MOTION was mailed first class, postage prepaid to Peter M. Zimmerman, People's Counsel for Baltimore County, The Jefferson Building, Suite 204, 105 W. Chesapeake Avenue, Towson, Maryland 21204 and to the neighbors whose names appeared on the sign in sheet.



Timothy M. Kotroco, Esquire

IN RE: PETITION FOR VARIANCE

(311 Sollers Point Road)

12th Election District

7th Council District

Joseph Corasaniti

Legal Owner

Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2019-0419-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Petition for Variance filed by Joseph Corasaniti, legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from Sections 232.2 & 232.1 of the Baltimore County Zoning Regulations ("BCZR") as follows: (1) to permit a side yard setback of 7.5 ft. in lieu of the required 10 ft.; and (2) to allow a front yard setback of 27 ft. and 20 ft. in lieu of the required 40 ft. A rubricated site plan was marked as Petitioner's Exhibit 1.

Civil Engineer, William Bafitis appeared in support of the petition. Timothy M. Kotroco, Esq. represented Petitioner. There were protestants and 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 Department of Environmental Protection and Sustainability ("DEPS") and the Bureau of Development Plans Review ("DPW").

Mr. Kotroco proffered the following facts. His client, Mr. Corasaniti purchased the property at auction. It is a vacant lot upon which he wants to build a storage building to store a couple of antique automobiles as well as an antique steam engine. The plans call for an office and a restroom within the structure. The building will be used for Corasiniti's personal storage use

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Date 10/29/19

By sen

only. There will be no commercial use of any kind. This is a use that is permitted as of right in this BL zone. *See*, Petitioner's Exhibit 5.

Mr. Kotroco described the unique features of the property, including the following: It is long and narrow and slightly asymmetrical. It has a public bus stop at the front right corner. Mr. Kotroco submitted a series of aerial photos (Petitioner's Exhibit 2) as well as a series of numbered ground level photos with a corresponding Site Plan (Petitioner's Exhibit 3). Residents of the neighborhood have created a "pocket park" at the front of the property near the bus stop. They have planted a row of evergreen trees which screens this park area from the rest of the lot and they have placed a couple of park benches there. Mr. Kotroco stated that he has spoken with Ms. Edie Brooks, a neighborhood activist, and he has assured her that Mr. Corasiniti will keep the park on the property for the community's use and benefit. Mr. Kotroco noted that several of the trees appear to be dying and he pledged that his client would plant similar trees in their place. He explained that the property is bordered on the front by Sollers Point Road and on the right by Turner Avenue. As a result the lot has "double frontage" under BCZR Sections 232.1 (front yard) and 232.2 (side yard). He explained that they meet the setbacks from Sollers Point Road but they need variance relief from the setbacks from Turner Avenue.

Cheryl James then posed several questions. She owns the home at 110 Turner Avenue, which adjoins the subject property at the rear. She asked how tall the structure would be. The engineer, Mr. Bafitis testified that it will be a one story structure and would be 20' high at the most. Ms. James asked whether landscaping would be planted at the rear of the building to screen it as much as possible from her property. Mr. Bafitis stated that they would move the building up several feet from the rear property line and would plant a landscape screen.

Servant Courtney Speed then testified. She explained that a "charrette" was held for this

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Date 10/29/19
By Sen

neighborhood back in 2003 and that one of the long term planning goals was to encourage local business development that would create jobs for members of the Turner Station community. She observed that this proposed storage structure would not do that. She did concede that the property has sat vacant and undeveloped for many years (Ms. James estimated 15 years). None of the community members in attendance had any questions about the specific setback relief requested in the Petition and none voiced any objections to that specific relief.

I note that in the comments from the Department of Planning, they too point out that the site is in the Eastern Baltimore County Revitalization Strategy plan area, and that "a stated goal of said plan is the promotion of commercial development that '*stabilizes, strengthens, and diversifies the neighborhood's economy and improves the economic and visual image of the area.*'" (emphasis in original). In light of this the DOP recommends several conditions for the requested variance relief, including review and final approval by the County Landscape Architect, as well as the use of "solid, quality materials in its construction." No comment is made concerning the fact that this use will not have any impact on the neighborhood's economy.

VARIANCE

A variance request involves a two-step legal analysis, 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).

For the reasons explained above, I find that the property is unique. It has an irregular shape, and has a bus stop and "pocket park." Further it has "double frontage" which necessitates the requested variance relief. If the Regulations were strictly interpreted, Petitioner would experience

ORDER RECEIVED FOR FILING

Date 10/29/19
By Sen

a practical difficulty because he would be unable to build the planned storage structure. 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. Although it would have been ideal to have a local business on this property that would create employment for the community the fact is that this property has sat vacant for the last fifteen years. The storage building planned for this site will be a very passive use that will not create any traffic, noise or nuisance of any kind. And, as noted above, this use is permitted by right in this BL zone.

THEREFORE, IT IS ORDERED, this 29th day of **October, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to the Baltimore County Zoning Regulations as follows: (1) to permit a side yard setback of 7.5 ft. in lieu of the required 10 ft.; and (2) to allow a front yard setback of 27 ft. and 20 ft. in lieu of the required 40 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

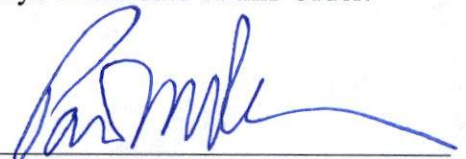
1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order 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 ZAC comments submitted by DOP, DEPS and DPR, copies of which are attached hereto and made a part hereof.
3. Petitioner shall maintain the "pocket park" at the front of the property except for the portion upon which the driveway is depicted on the rubricated Site Plan.
4. The building will be sited far enough from the rear property line to accommodate a landscape screen between this building and the property at 110 Turner Avenue to the rear.
5. The building will be no higher than 20 feet.

ORDER RECEIVED FOR FILING

Date 10/29/19

By Sen

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 10/29/19
By Sen



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge

October 29, 2019

Timothy M. Kotroco, Esq.
305 Washington Avenue, Suite 502
Towson, Maryland 21204

RE: Petition for Variance
Case No. 2019-0419-A
Property: 311 Sollers Point Road

Dear Mr. Kotroco:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM: sln
Enclosure

c: Cheryl K. James, 110 Turner Avenue, Baltimore, Maryland 21222
Victor Heggins, 4223 Wynfield Dr., Owings Mills, Maryland 21117
Joyce Murray, 6717 Laurel Dr., Baltimore, Maryland 21207
Servant Courtney Speed, 201 Main Street, Turners Station, Maryland 21222

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Mallinoff, Director
Department of Permits, Approvals

FROM: ^{MD} Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 09, 2019
Item No. 2019-0419-A

DATE: 09/06/19

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

If Zoning Relief is granted, a Landscape Plan is required per the requirements of the Landscape Manual. A Lighting Plan is also required.

* * * * *

VKD: cen
cc: File

ORDER RECEIVED FOR FILING

Date

10/29/19

By

sen

10-24

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

FROM: C. Pete Gutwald
Director, Department of Planning

DATE: 8/29/2019

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-419



INFORMATION:

Property Address: 311 Sollers Point Road
Petitioner: Joseph Corasaniti
Zoning: BL
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit a side yard setback of 7.5' feet and front yard setbacks of 27' and 20' in lieu of the required 10' and 40' respectively.

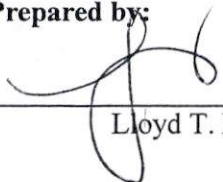
A site visit was conducted on 8/19/2019. The subject site is located in the Eastern Baltimore County Revitalization Strategy plan area, being adopted into the MP2020 on July 1, 1996. A stated goal of said plan is the promotion of commercial development that "*stabilizes, strengthens and diversifies the area's economy*" and "*improves the economic and visual image of the area*" (EBCRS pg. 16).

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Architectural elevations must be provided to the Department to the attention of the contact person listed below for approval prior to the issuance of building permits. The Department recommends as a condition of approval that the building incorporate solid quality materials in its construction.
- The site shall provide landscaping to the satisfaction and approval of the Baltimore County Landscape Architect.
- Any signage shall conform the requirements of BCZR § 450 and be of a professional quality.

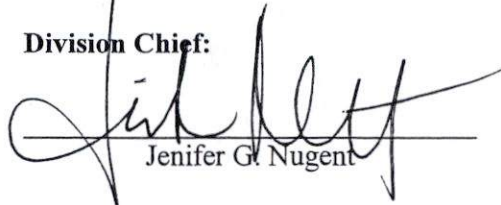
For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

CPG/JGN/LTM/

c: Laurie Hay

James Hermann, R.L.A., Department of Permits, Approvals and Inspections
William N. Bafitis, P.E.
Timothy Kotroco, Esq.
Office of the Administrative Hearings
People's Counsel for Baltimore County

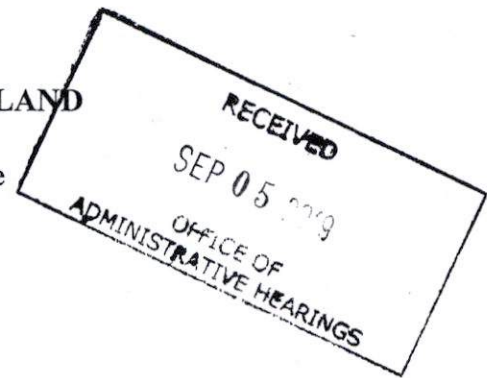
ORDER RECEIVED FOR FILING

Date

By

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: September 3, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0419-A
Address 311 Sollers Point Road
(Corasaniti Property)

Zoning Advisory Committee Meeting of **August 9, 2019.**

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

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 an Intensely Developed Area (IDA) of the Chesapeake Bay Critical Area and may be subject to practices that reduce water quality impacts associated with stormwater runoff, commonly referred to as the Critical Area 10% Rule. The applicant's plan proposes the construction of a one-story office building and a storage building, with reduced front yard and side yard setbacks. The project will be reviewed for application of the Critical Area 10% Rule. By meeting the IDA pollutant reduction requirements, allowing the additional impervious surface requested by the applicant will result in minimal impacts to water quality.

2. Conserve fish, wildlife, and plant habitat; and

The subject property is not a waterfront property, nor is it immediately adjacent to a tidal or non-tidal resource, therefore, the property does not contain a Critical Area buffer, however, the current development proposal for the property will be reviewed for application of the IDA 10% pollutant reduction requirements, which will improve off site

ORDER RECEIVED FOR FILING
Date 10/01/19
By SPD

buffer functions and conserve fish habitat in proximity to nearby Peach Orchard Creek and Bear Creek.

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.

The applicant's proposal is subject to review for application of the Critical Area IDA pollutant reduction requirements, therefore, is consistent with this goal. The requests, if granted, will be consistent with established land-use policies, provided that the applicants meet any IDA requirements applicable to the proposal.

Reviewer: Thomas Panzarella
Environmental Impact Review

ORDER RECEIVED FOR FILING

Date

10/29/19

By

Sen

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

CASE NAME 2019-0419-A
CASE NUMBER _____
DATE _____

[illegible]

DW 10-24-19
10 Am

Debra Wiley

From: John Altmeyer <jaltmeyer@aol.com>
Sent: Friday, October 18, 2019 9:15 PM
To: Debra Wiley; Sherry Nuffer; Bafitisassoc@comcast.net
Subject: Fwd: 311 Sollers Point Rd 2019-0419-A
Attachments: Scan0041.pdf

CAUTION: This message from jaltmeyer@aol.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi:

Attached are the recheck photos for 311 Sollers Point Rd.

John M. Altmeyer

-----Original Message-----

From: John Altmeyer <jaltmeyer@aol.com>
To: dwiley <dwiley@baltimorecountymd.gov>; snuffer <snuffer@baltimorecountymd.gov>; Bafitisassoc <Bafitisassoc@comcast.net>
Sent: Fri, Oct 18, 2019 9:12 pm
Subject: 311 Sollers Point Rd 2019-0419-A

Hi:

Attached are the recheck pictures for the above site.

John M. Altmeyer
410 382 6580



CERTIFICATE OF POSTING

Date: 10/02/2019 & recheck on 10/18/2019

RE: Project Name: _____
Case Number /PAI Number: 2019-0419-A
Petitioner/Developer: Joseph Corasaniti
Date of Hearing/Closing: 10/24/2019

Public Hearing

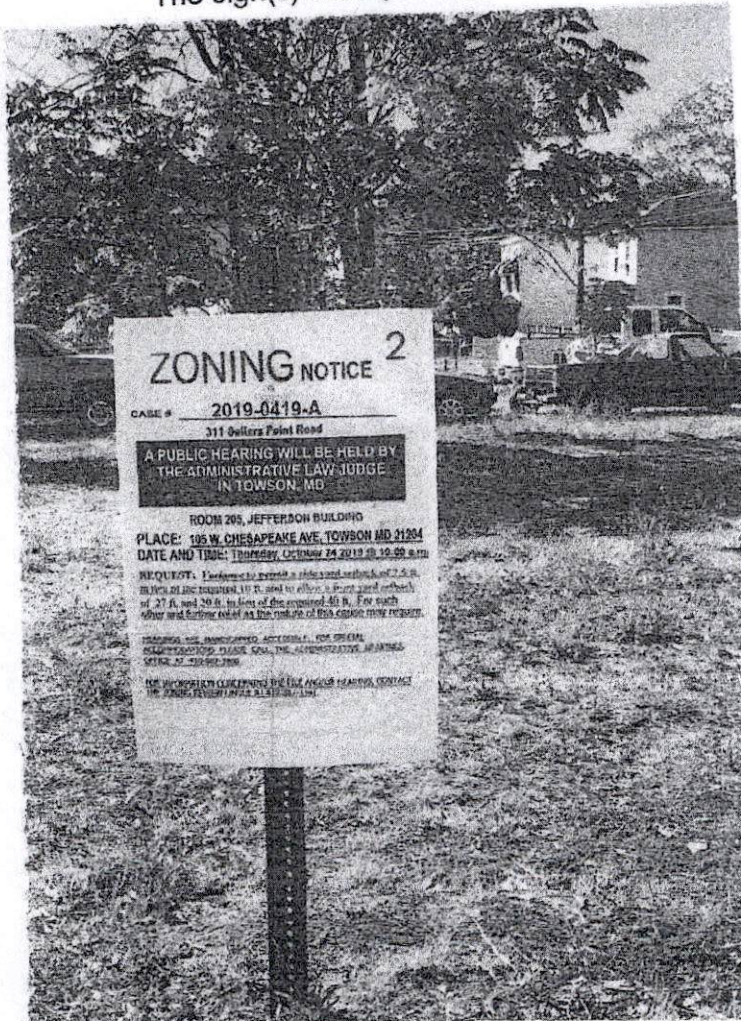
RECEIVED

OCT 21 2019

OFFICE OF
ADMINISTRATIVE HEARINGS

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 311 Sollers Point Rd.

The sign(s) were posted on 10/02/2019 & recheck on 10/18/2019
(Month, Day, Year)



John M. Altmeyer
(Signature of Sign Poster)

John M. Altmeyer
(Printed Name of Sign Poster)

21722 Orwig Rd.
(Street Address of Sign Poster)

Freeland, MD. 21053
(City, State, Zip Code of Sign Poster)

410-382-6580
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

Date: 10/02/2019 & recheck on 10/18/2019

RE: Project Name: _____ Public Hearing

Case Number /PAI Number: 2019-0419-A

Petitioner/Developer: Joseph Corasaniti

Date of Hearing/Closing: 10/24/2019

RECEIVED

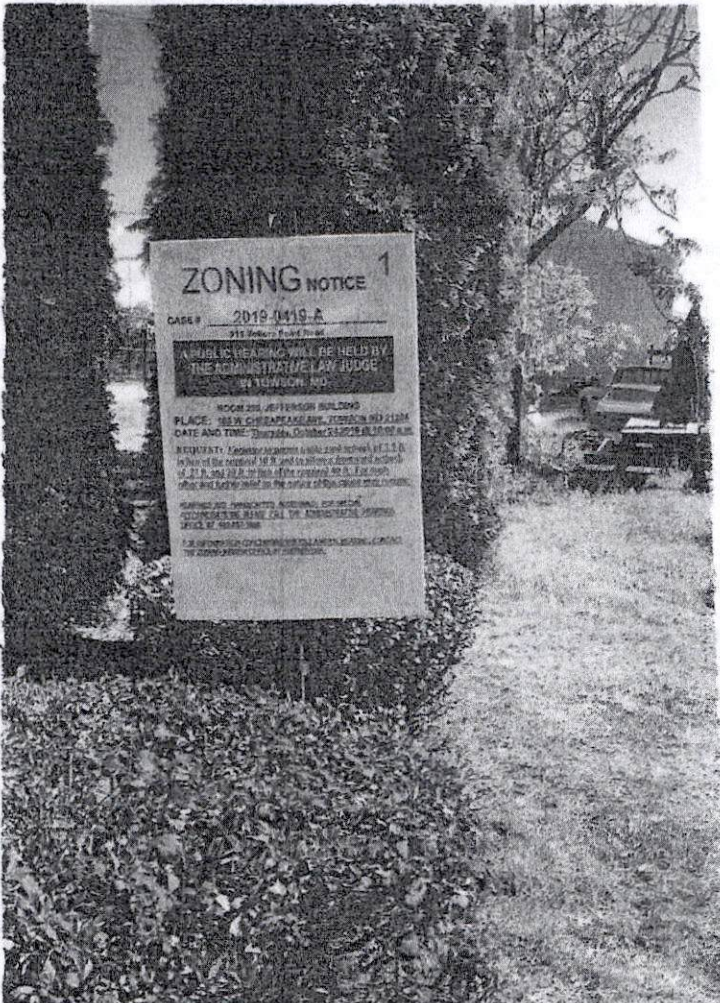
OCT 21 2019

OFFICE OF
ADMINISTRATIVE HEARINGS

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 311 Sollers Point Rd.

The sign(s) were posted on 10/02/2019 & recheck on 10/18/2019

(Month, Day, Year)



John M. Altmeppen
(Signature of Sign Poster)

John M. Altmeyer
(Printed Name of Sign Poster)

21722 Orwig Rd.
(Street Address of Sign Poster)

Freeland, MD. 21053
(City, State, Zip Code of Sign Poster)

410-382-6580
(Telephone Number of Sign Poster)



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

October 17, 2019

Timothy Kotroco
305 Washington Ave Suite 502
Towson MD 21204

RE: Case Number: 2019-0419-A, 311 Sollers Point 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 August 08, 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,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
William N. Bafitis P.E 1249 Engleberth Road Baltimore MD 21221

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 8/29/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-419



INFORMATION:

Property Address: 311 Sollers Point Road
Petitioner: Joseph Corasaniti
Zoning: BL
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit a side yard setback of 7.5' feet and front yard setbacks of 27' and 20' in lieu of the required 10' and 40' respectively.

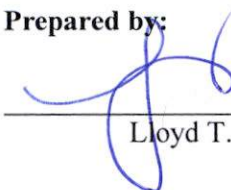
A site visit was conducted on 8/19/2019. The subject site is located in the Eastern Baltimore County Revitalization Strategy plan area, being adopted into the MP2020 on July 1, 1996. A stated goal of said plan is the promotion of commercial development that "*stabilizes, strengthens and diversifies the area's economy*" and "*improves the economic and visual image of the area*" (EBCRS pg. 16).

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Architectural elevations must be provided to the Department to the attention of the contact person listed below for approval prior to the issuance of building permits. The Department recommends as a condition of approval that the building incorporate solid quality materials in its construction.
- The site shall provide landscaping to the satisfaction and approval of the Baltimore County Landscape Architect.
- Any signage shall conform the requirements of BCZR § 450 and be of a professional quality.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

CPG/JGN/LTM/

c: Laurie Hay

James Hermann, R.L.A., Department of Permits, Approvals and Inspections
William N. Bafitis, P.E.
Timothy Kotroco, Esq.
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Michael Mallinoff, Director
Department of Permits, Approvals

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 09, 2019
Item No. 2019-0419-A

DATE: 09/06/19

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

If Zoning Relief is granted, a Landscape Plan is required per the requirements of the Landscape Manual. A Lighting Plan is also required.

*

*

*

*

*

VKD: cen
cc: File

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: September 3, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0419-A
Address 311 Sollers Point Road
(Corasaniti Property)

Zoning Advisory Committee Meeting of **August 9, 2019.**

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

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 an Intensely Developed Area (IDA) of the Chesapeake Bay Critical Area and may be subject to practices that reduce water quality impacts associated with stormwater runoff, commonly referred to as the Critical Area 10% Rule. The applicant's plan proposes the construction of a one-story office building and a storage building, with reduced front yard and side yard setbacks. The project will be reviewed for application of the Critical Area 10% Rule. By meeting the IDA pollutant reduction requirements, allowing the additional impervious surface requested by the applicant will result in minimal impacts to water quality.

2. Conserve fish, wildlife, and plant habitat; and

The subject property is not a waterfront property, nor is it immediately adjacent to a tidal or non-tidal resource, therefore, the property does not contain a Critical Area buffer, however, the current development proposal for the property will be reviewed for application of the IDA 10% pollutant reduction requirements, which will improve off site

buffer functions and conserve fish habitat in proximity to nearby Peach Orchard Creek and Bear Creek.

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.

The applicant's proposal is subject to review for application of the Critical Area IDA pollutant reduction requirements, therefore, is consistent with this goal. The requests, if granted, will be consistent with established land-use policies, provided that the applicants meet any IDA requirements applicable to the proposal.

Reviewer: Thomas Panzarella
Environmental Impact Review

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 8/14/19

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

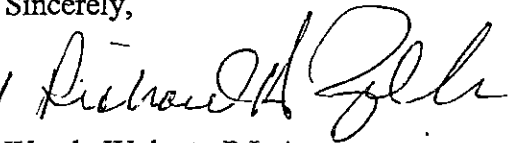
Dear Ms. Lewis:

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. 2019-0419-A

Variance
Joseph Carasanti
311 Sollers Point 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

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

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:

10/4/2019

Order #: 11796487
Case #: 2019-0419-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0419-A



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 herein as follows:

CASE NUMBER: 2019-0419-A

311 Sollers Point Road

S/s of Sollers Point Road, s/w of Turner Avenue

12th Election District - 7th Councilmanic District

Legal Owners: Joseph Corasaniti

Variance to permit a side yard setback of 7.5 ft. in lieu of the required 10 ft. and to allow a front yard setback of 27 ft. and 20 ft. in lieu of the required 40 ft. For such other and further relief as the nature of this cause may require.

Hearing: Thursday, October 24, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 106 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

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.

04

CERTIFICATE OF POSTING

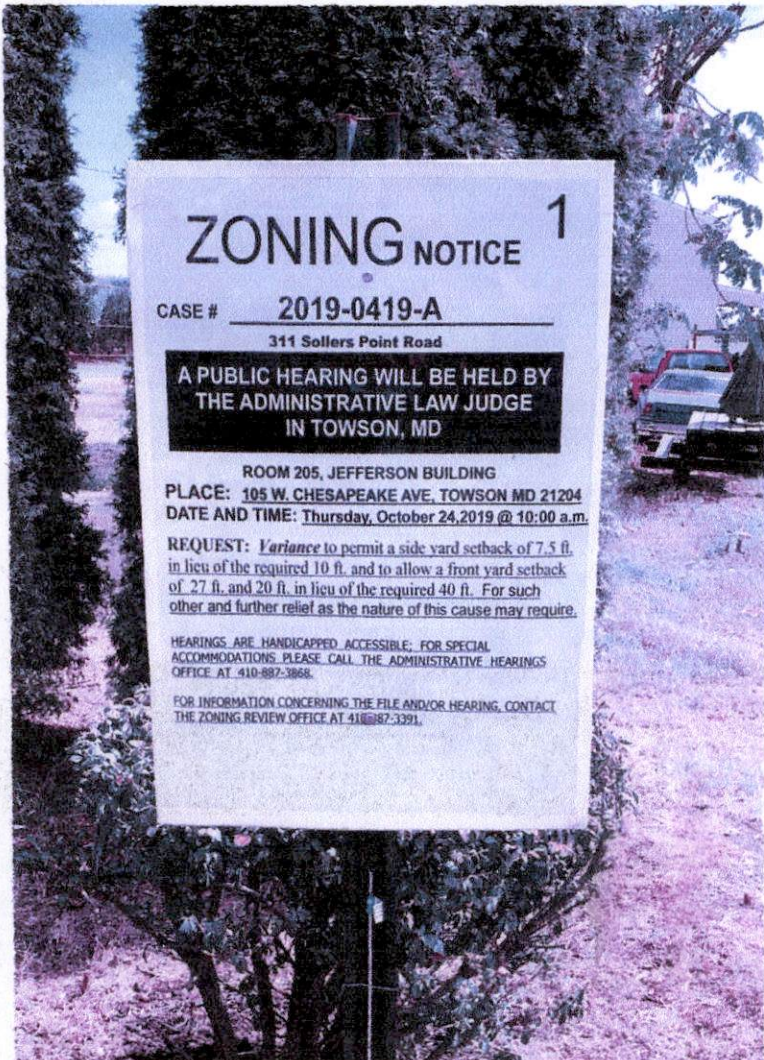
Date: 10/02/2019

RE: Project Name: Public Hearing
Case Number /PAI Number: 2019-0419-A
Petitioner/Developer: Joseph Corasaniti
Date of Hearing/Closing: 10/24/2019

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 311 Sollers Point Rd.

The sign(s) were posted on 10/02/2019

(Month, Day, Year)




(Signature of Sign Poster)

John M. Altmeyer

(Printed Name of Sign Poster)

21722 Orwig Rd.

(Street Address of Sign Poster)

Freeland, MD. 21053

(City, State, Zip Code of Sign Poster)

410-382-6580

(Telephone Number of Sign Poster)



STATE OF

IN SENATE

REPORT

OF THE

COMMISSIONERS

OF THE LAND OFFICE

CERTIFICATE OF POSTING

Date: 10/02/2019

RE: Project Name: Public Hearing
Case Number /PAI Number: 2019-0419-A
Petitioner/Developer: Joseph Corasaniti
Date of Hearing/Closing: 10/24/2019

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 311 Sollers Point Rd.

The sign(s) were posted on 10/02/2019

(Month, Day, Year)



John M. Altmeyer
(Signature of Sign Poster)

John M. Altmeyer
(Printed Name of Sign Poster)

21722 Orwig Rd.
(Street Address of Sign Poster)

Freeland, MD. 21053
(City, State, Zip Code of Sign Poster)

410-382-6580
(Telephone Number of Sign Poster)



1. 1950 1951 1952 1953 1954 1955 1956 1957 1958 1959 1960 1961 1962 1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358

[illegible]

1. *Journal of the American Medical Association*, 2000; 283: 2686-2692.



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

September 23, 2019

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: 2019-0419-A

311 Sollers Point Road
S/s of Sollers Point Road, s/w of Turner Avenue
12th Election District – 7th Councilmanic District
Legal Owners: Joseph Corasaniti

Variance to permit a side yard setback of 7.5 ft. in lieu of the required 10 ft. and to allow a front yard setback of 27 ft. and 20 ft. in lieu of the required 40 ft. For such other and further relief as the nature of this cause may require.

Hearing: Thursday, October 24, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Timothy Kotroco, 305 Washington Avenue, Ste. 502, Towson 21204
Joseph Corasaniti, 8208 Northview Road, Baltimore 21222
William Bafitis, 1249 Engleberth Road, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, OCTOBER 4, 2019.**
- (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.**

RE: PETITION FOR VARIANCE
311 Sollers Point Road; S/S of Sollers Point
Road, SW of c/line of Turner Avenue
12th Election & 7th Councilmanic Districts
Legal Owner(s): Joseph Corasaniti
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2019-419-SPHA

* * * * *

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

AUG 13 2019

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 13th day of August, 2019, a copy of the foregoing Entry of Appearance was mailed to William Bafitis, P.E., 1249 Engleberth Road, Baltimore, Maryland 21221 and Timothy Kotroco, Esquire, 305 Washington Avenue, Suite 502, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



PETITION FOR ZONING HEARING(S)

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 **#311 SOLLERS POINT ROAD**

which is presently zoned **BL**

Deed References: **40397/059**

10 Digit Tax Account # **12-18036390**

Property Owner(s) Printed Name(s) **JOSEPH CORASANITI**

(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)

See Attached

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

See Attached

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:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

TIMOTHY KOTROCO

Name- Type or Print

Signature

305 WASHINGTON AVE. TOWSON, MD. SUITE 502

Mailing Address

City

State

21204

410-299-2943

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

JOSEPH CORASANITI

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

#8208 NORTHVIEW ROAD BALTIMORE, MD.

Mailing Address

City

State

21222

443-604-2761

Zip Code

Telephone #

Email Address

Representative to be contacted:

WILLIAM N. BAFITIS, P.E.

Name - Type or Print

Signature

1249 ENGLEBERTH ROAD BALTIMORE, MARYLAND

Mailing Address

City

State

21221

410-391-2336 bafitisassoc@comcast.net

Zip Code

Telephone #

Email Address

CASE NUMBER

2019-0419-A

Filing Date

8/8/19

Do Not Schedule Dates:

Reviewer

REV. 10/4/11

ATTACHMENT TO VARIANCE PETITION

The Petitioner, requests the following zoning relief:

VARIANCE RELIEF from section 232.2 of the BCZR, to permit a side yard setback of 7.5ft in lieu of the required 10ft and from section 232.1 to allow a front yard setback of 27ft. and 20ft. in lieu of the required 40ft.

AND For such other and further relief as the nature of this cause may require.

2019-0419-A



Baltimore County - My Neighborhood



PETITIONER'S

EXHIBIT NO.

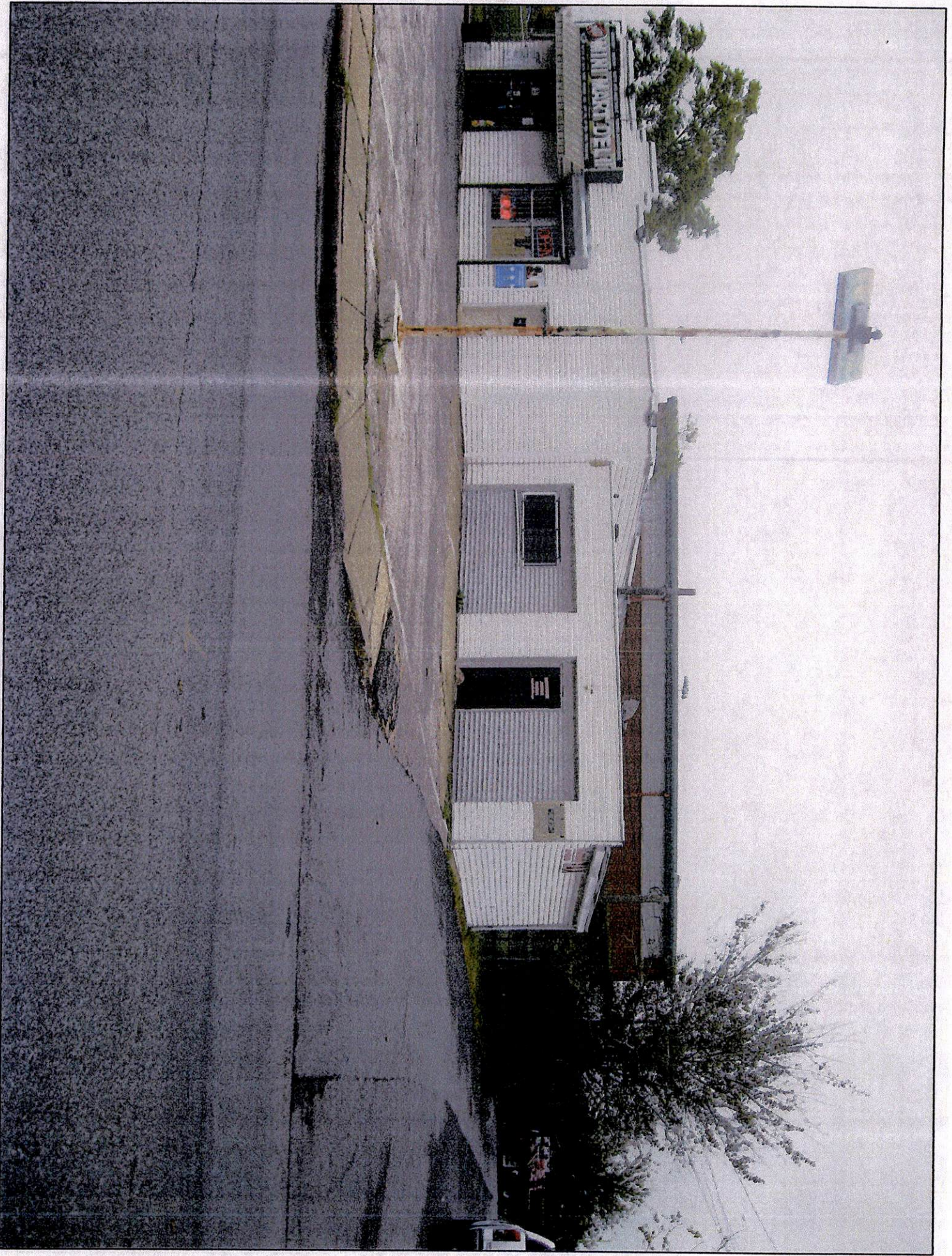
5



PHOTOGRAPH 1



PHOTOGRAPH 2



PHOTOGRAPH 3



PHOTOGRAPH 4



PHOTOGRAPH 5



PHOTOGRAPH 6



PHOTOGRAPH 7



PHOTOGRAPH 8



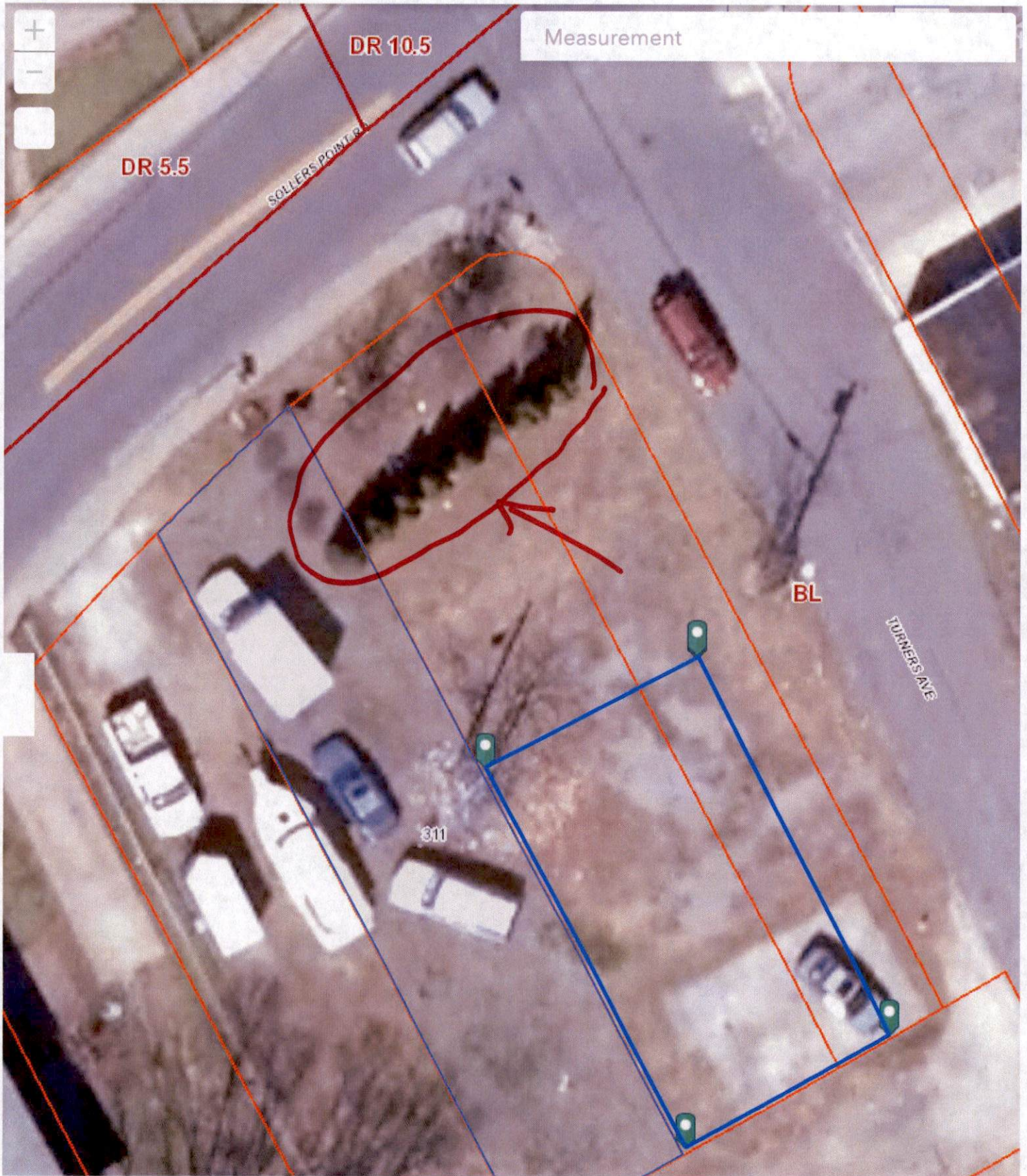
Imagery ©2019 Google, Imagery ©2019 Commonwealth of Virginia, Maxar Technologies, Sanborn, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2019 50 ft

PETITIONER'S

EXHIBIT NO. 2a-e



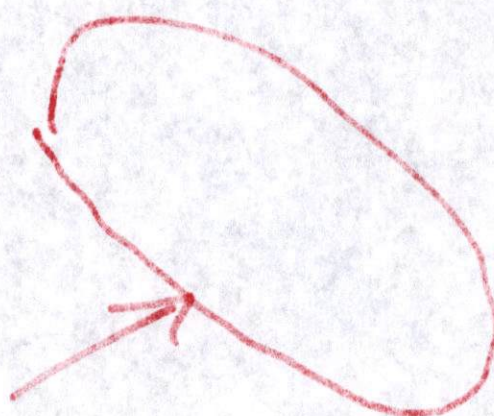
Baltimore County - My Neighborhood



213

20ft

-76.510 39.244 Degrees



Google Maps 110 Turner Ave

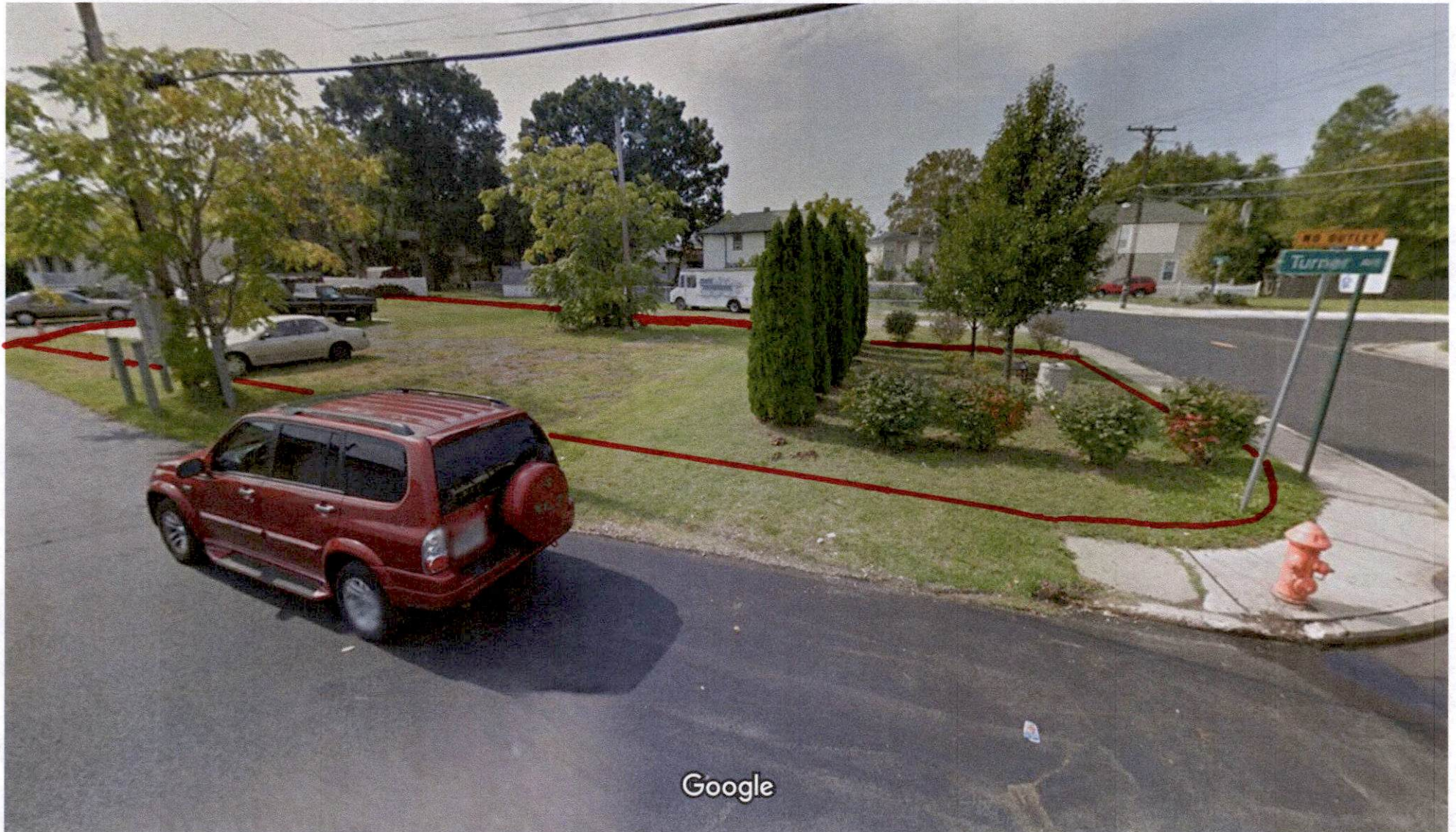
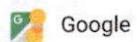


Image capture: Sep 2012 © 2019 Google

Dundalk, Maryland



Street View - Sep 2012

2c

1

2

3

4

5

6

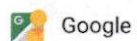


199 Turner Ave



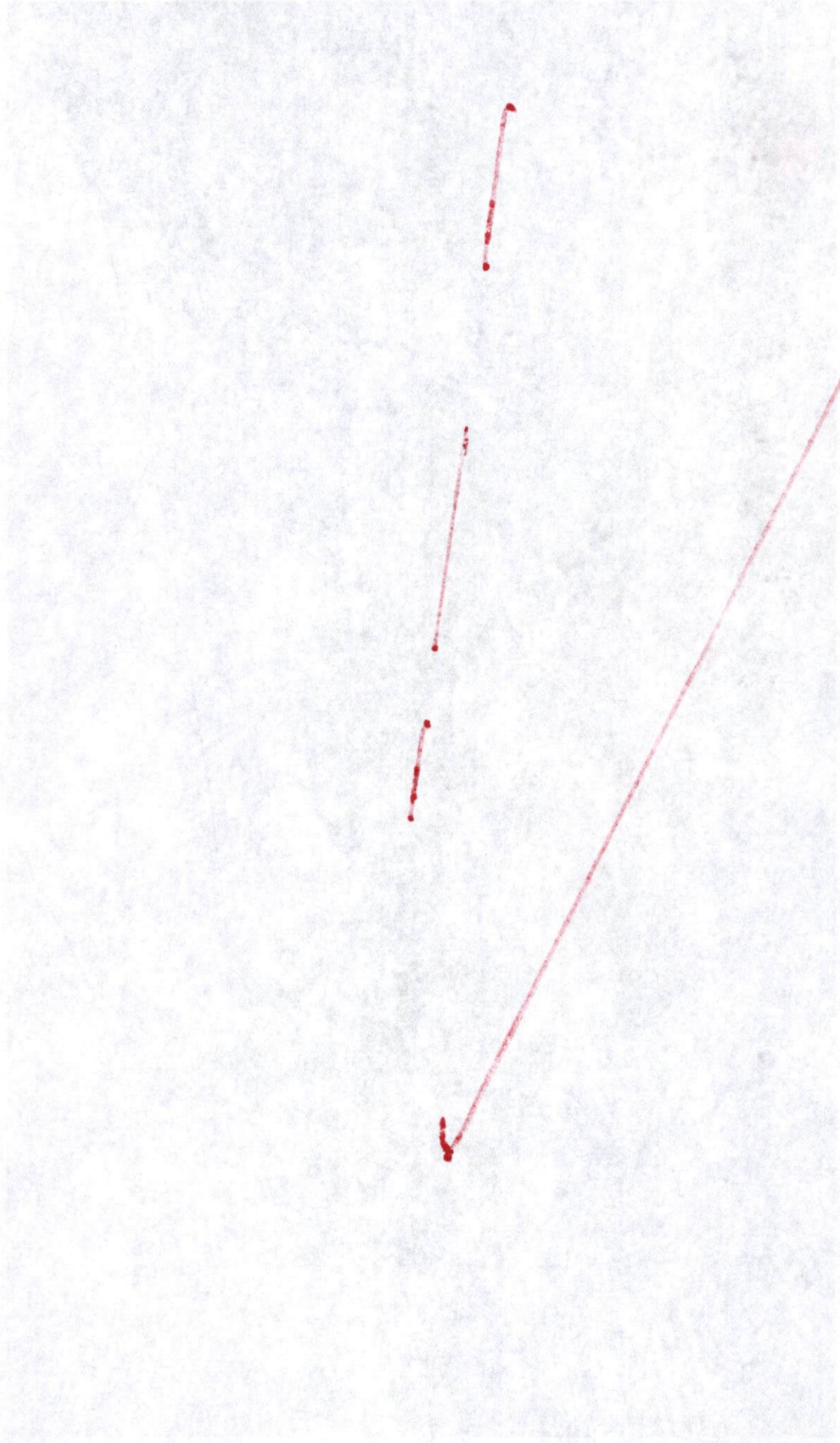
Image capture: Sep 2012 © 2019 Google

Dundalk, Maryland



Street View - Sep 2012

2d



1

2

3

4



Google Maps

314 Sollers Point Rd

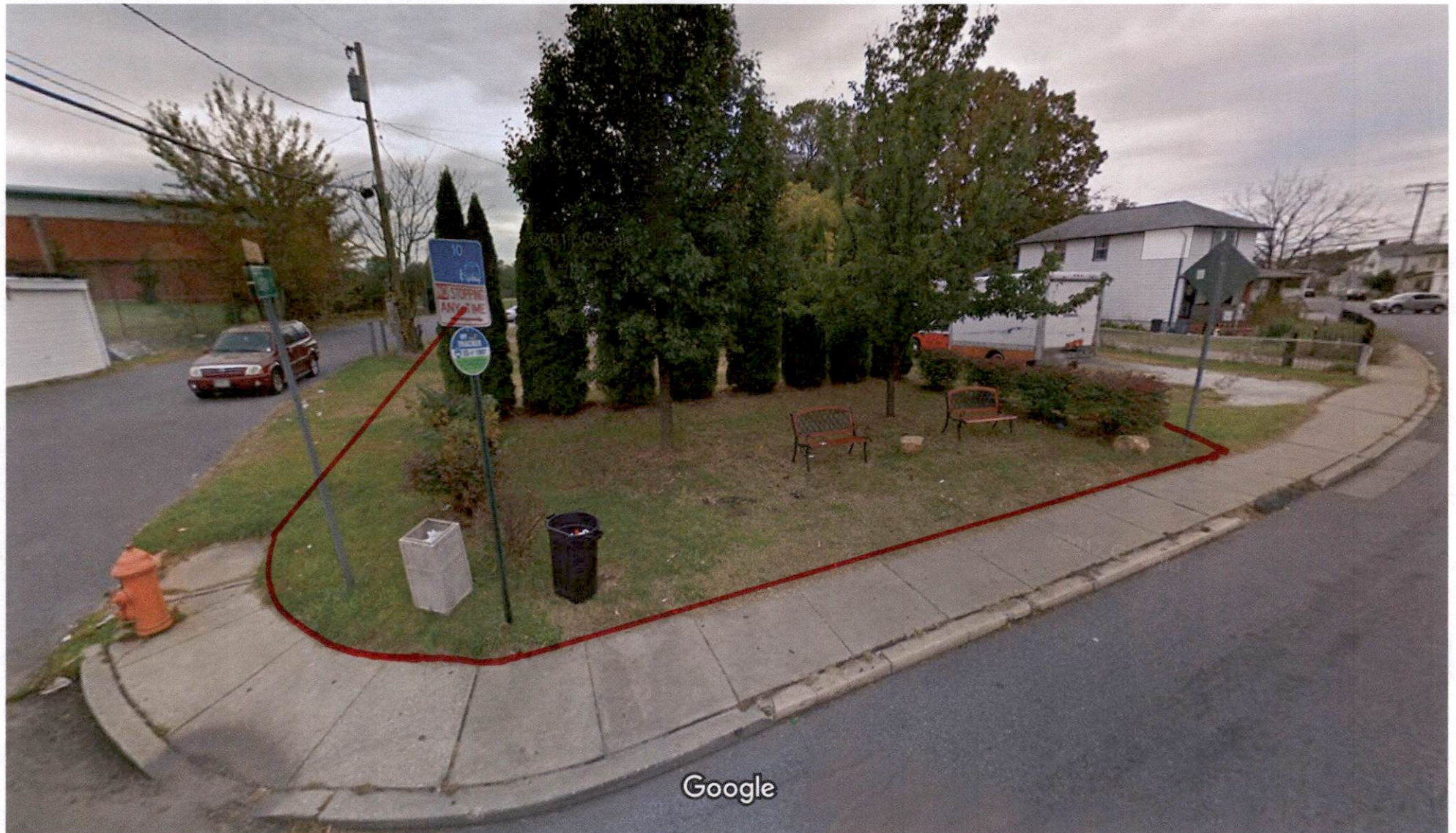


Image capture: Nov 2016 © 2019 Google

Dundalk, Maryland



Street View - Nov 2016

2e



Case No.: 2019-0419-A 311 Solters Point Road

Exhibit Sheet

Petitioner/Developer

Protestants

Sen
10-29-19

No. 1	Site Plan	
No. 2	Photos of Site	
No. 3	Plan w Accompanying Photos	
No. 4	Redlined Plan	
No. 5	My Neighborhood Aerial Photo	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



ZONING DESCRIPTION FOR

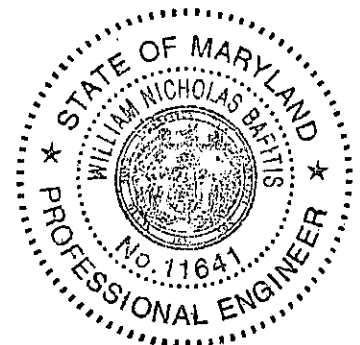
#311 SOLLERS POINT ROAD
BALTIMORE, MARYLAND 21222
12th ELECTION DISTRICT

BEGINNING AT A POINT ON THE SOUTH SIDE OF SOLLER POINT ROAD 40' WIDE;
AND 60'± SOUTHWESTERLY FROM THE CENTERLINE INTERSECTION OF TURNER AVENUE
40' WIDE;

- 1) THENCE RUNNING ALONE SOLLERS POINT ROAD; A CURVE TO THE RIGHT WITH A RADIUS OF 300' AND A ARC LENGTH OF 7.28' (CHORD BEARING NORTH 52°-05'-14" EAST AND A CHORD DISTANCE OF 7.28') TO A POINT;
- 2) NORTH 52°-27'-30" EAST 22.06' TO A POINT;
- 3) THENCE RUNNING ALONE SAID ROAD; A CURVE TO THE RIGHT WITH A RADIUS OF 10' AND A ARC LENGTH OF 17.84' (CHORD BEARING SOUTH 78°-12'-15" EAST AND A CHORD DISTANCE OF 15.17') TO A POINT ON THE WEST SIDE OF TUNER AVENUE;
THENCE RUNNING ALONG TURNER AVENUE
- 4) SOUTH 28°-52'-00" EAST 104.57' TO A POINT;
THENCE LEAVING SAID AVENUE THE FOLLOWING TWO COURSES AND DISTANCES:
- 5) SOUTH 61°-08'-00" WEST 40.00' TO A POINT;
- 6) NORTH 28°-52'-00" WEST 109.98' TO THE POINT OF BEGINNING.

CONTAINING: 4,558 S.F. OR 0.10 AC. MORE OR LESS


WILLIAM N. BAFITIS, P.E. MD. REG. #11641



SEAL

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					
Account Identifier:		District - 12 Account Number - 1218036390			
Owner Information					
Owner Name:		CORASANITI JOSEPH		Use: RESIDENTIAL	
Mailing Address:		8208 NORTHVIEW RD BALTIMORE MD 21222-		Principal Residence: NO	
				Deed Reference: /40397/ 00059	
Location & Structure Information					
Premises Address:		311 SOLLERS POINT RD DUNDALK 21222-		Legal Description: PT LTS 7,8 311 SOLLERS POINT RD SS TURNER	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref: 0005/0082
0110	0005	0045	12060108.04	0000	7 2018
Special Tax Areas: None			Town: None		
			Ad Valorem: None		
			Tax Class: None		
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
				Property Land Area 4,838 SF	
County Use		04			
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
			/		
Last Notice of Major Improvements					
Value Information					
		Base Value		Value	
				As of 01/01/2018	
				As of 07/01/2019	
				As of 07/01/2020	
Land:		14,800		14,800	
Improvements		0		0	
Total:		14,800		14,800	
Preferential Land:		0		0	
Transfer Information					
Seller: TEMPLE WALLACE		Date: 06/21/2018		Price: \$20,000	
Type: ARMS LENGTH VACANT		Deed1: /40397/ 00059		Deed2:	
Seller: SELF CHARLES WAYNE		Date: 06/11/2008		Price: \$9,000	
Type: ARMS LENGTH VACANT		Deed1: /27081/ 00443		Deed2:	
Seller: DAVIS MICHAEL A		Date: 07/27/2005		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /22262/ 00108		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2019 07/01/2020	
County:		000		0.00	
State:		000		0.00	
Municipal:		000		0.00 0.00 0.00 0.00	
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application				Date:	

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

Attorney

9/16/19

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

Comment

9/3

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

Comment

FIRE DEPARTMENT

8/29

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

8/14

STATE HIGHWAY ADMINISTRATION

No Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 10/4/19

SIGN POSTING (1st) Date: 10/2/19

by Attorney

SIGN POSTING (2nd) Date: 10/18/19

by Attorney

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 8/29/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-419

INFORMATION:

Property Address: 311 Sollers Point Road
Petitioner: Joseph Corasaniti
Zoning: BL
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit a side yard setback of 7.5' feet and front yard setbacks of 27' and 20' in lieu of the required 10' and 40' respectively.

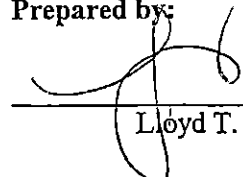
A site visit was conducted on 8/19/2019. The subject site is located in the Eastern Baltimore County Revitalization Strategy plan area, being adopted into the MP2020 on July 1, 1996. A stated goal of said plan is the promotion of commercial development that "*stabilizes, strengthens and diversifies the area's economy*" and "*improves the economic and visual image of the area*" (EBCRS pg. 16).

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

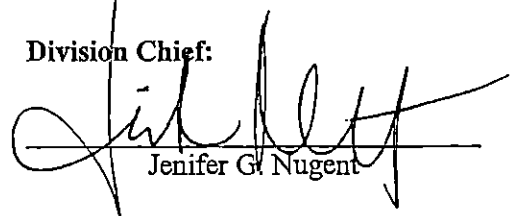
- Architectural elevations must be provided to the Department to the attention of the contact person listed below for approval prior to the issuance of building permits. The Department recommends as a condition of approval that the building incorporate solid quality materials in its construction.
- The site shall provide landscaping to the satisfaction and approval of the Baltimore County Landscape Architect.
- Any signage shall conform the requirements of BCZR § 450 and be of a professional quality.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Jenifer G. Nugent

CPG/JGN/LTM/

c: Laurie Hay

James Hermann, R.L.A., Department of Permits, Approvals and Inspections
William N. Bafitis, P.E.
Timothy Kotroco, Esq.
Office of the Administrative Hearings
People's Counsel for Baltimore County

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/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: 2019-0419-A

Property Address: #311 SOLLER POINT ROAD BALTIMORE MD. 21222

Property Description: EXISTING VACANT LOT

Legal Owners (Petitioners): JOSEPH CORASANITI

Contract Purchaser/Lessee: _____

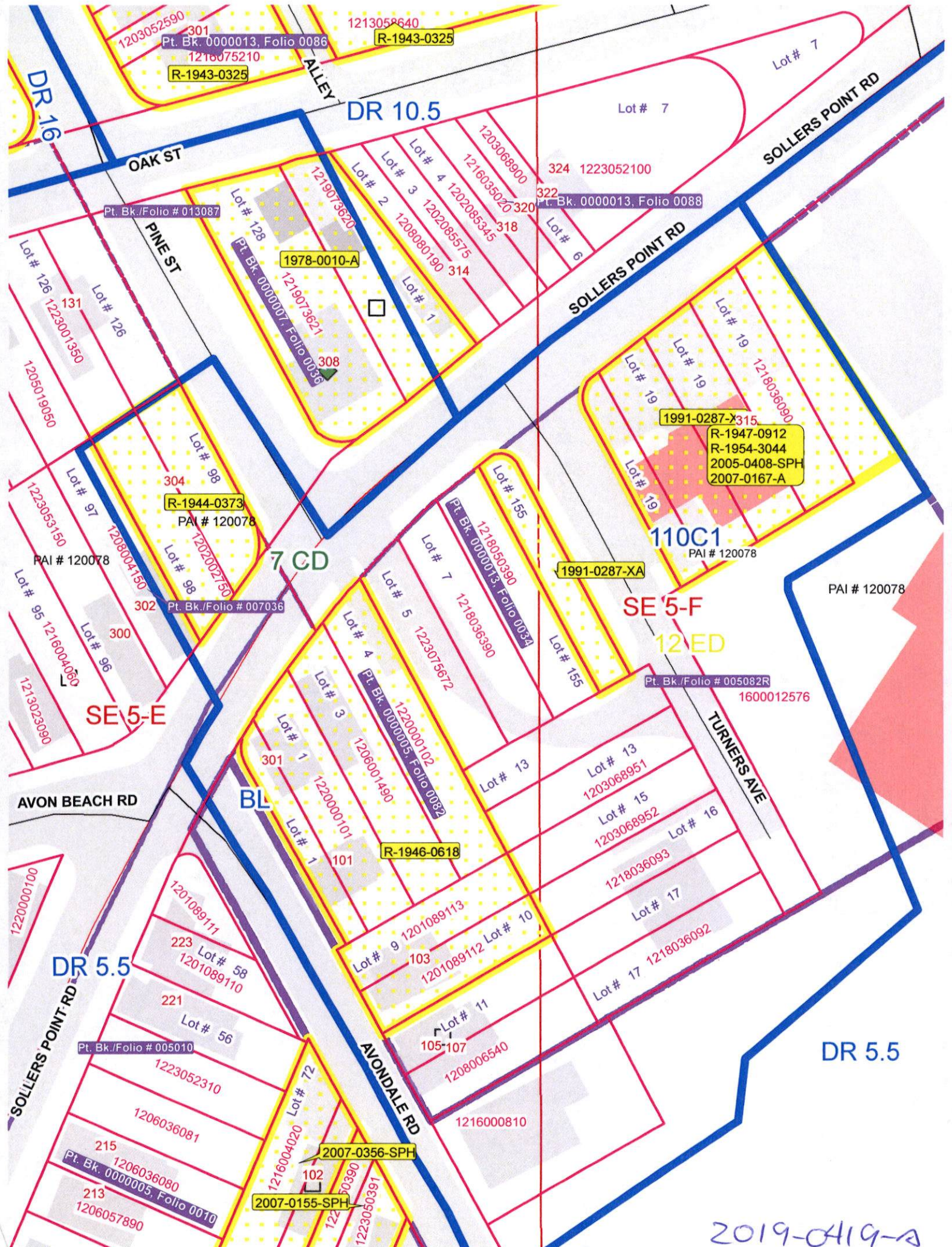
PLEASE FORWARD ADVERTISING BILL TO:

Name: JOSEPH CORASANITI

Company/Firm (if applicable): _____

Address: 8208 NORTHVIEW ROAD BALTIMORE, MARYLAND 21222

Telephone Number: 443-604-2761



2019-0419-A

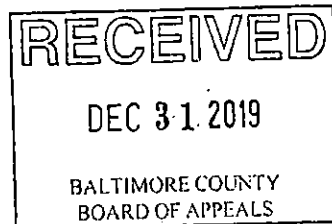


JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge

December 31, 2019

Timothy M. Kotroco, Esq.
305 Washington Avenue, Suite 502
Towson, Maryland 21204



RE: **APPEAL TO BOARD OF APPEALS –**
Petition for Variance
Case No. 2019-0419-A
Property: 311 Sollers Point Road

Dear Mr. Kotroco:

Please be advised that an appeal of the above-referenced case was filed in this Office on December 30, 2019. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,
A handwritten signature in cursive script, appearing to read "Paul M. Mayhew".

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM/sln

c: Baltimore County Board of Appeals
Peter Max Zimmerman, People's Counsel for Baltimore County
Cheryl K. James, 110 Turner Avenue, Baltimore, Maryland 21222
Victor Heggins, 4223 Wynfield Dr., Owings Mills, Maryland 21117
Joyce Murray, 6717 Laurel Dr., Baltimore, Maryland 21207
Servant Courtney Speed, 201 Main Street, Turners Station, Maryland 21222

APPEAL

**Petition for Variance
(311 Sollers Point Road)
12th Election District – 7th Councilmanic District
Legal Owner: Joseph Corasaniti
Contract Purchaser: N/A
Case No. 2019-0419-A**

Petition for Variance (August 8, 2019)

Zoning Description of Property

Certificate of Posting – October 2, 2019 (John Altmeyer)
Re-certification- October 18, 2019 (John Altmeyer)

Newspaper Advertisement – (The Daily Record) – October 4, 2019

Notice of Zoning Hearing – September 23, 2019

People's Counsel Entry of Appearance – August 13, 2019

Zoning Advisory Committee Comments

Petitioner's Sign-in Sheets – 1 Sheet

Citizen's Sign-in Sheets- 1 Sheet

Petitioner(s) Exhibits –

1. Site Plan
2. Photos of Site
3. Plan w/ accompanying photos
4. Redlined Plan
5. My Neighborhood Aerial Photo

Protestant(s) Exhibits-

Miscellaneous (Not Marked as Exhibits)- SDAT-Real Property Search

Administrative Law Judge Order and Letter (GRANTED with Conditions October 29, 2019)

Petitioner's Motion for Reconsideration (November 26, 2019)

Administrative Law Judge Order and Letter on Motion for Reconsideration (Amended December 12, 2019 Condition No. 3) All other aspects and provision of October 29, 2019 Order shall remain in full force and effect.

Appeal from Mr. Gregory James- December 30, 2019



PETITION FOR ZONING HEARING(S)

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 **#311 SOLLERS POINT ROAD**

which is presently zoned **BL**

Deed References: **40397/059**

10 Digit Tax Account # **12-18036390**

Property Owner(s) Printed Name(s) **JOSEPH CORASANITI**

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

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

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

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

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

See Attached

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

See Attached

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:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

TIMOTHY KOTROCO

Name- Type or Print

Signature

305 WASHINGTON AVE. TOWSON, MD. SUITE 502

Mailing Address

City

State

21204

410-299-2943

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

JOSEPH CORASANITI

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

#8208 NORTHVIEW ROAD BALTIMORE, MD.

Mailing Address

City

State

21222

443-604-2761

Zip Code

Telephone #

Email Address

Representative to be contacted:

WILLIAM N. BAFITIS, P.E.

Name - Type or Print

Signature

1249 ENGLEBERTH ROAD BALTIMORE, MARYLAND

Mailing Address

City

State

21221

410-391-2336

Zip Code

Telephone #

Email Address

CASE NUMBER **2019-0419-A**

Filing Date **8/8/19**

Do Not Schedule Dates: _____

Reviewer **gr**

ATTACHMENT TO VARIANCE PETITION

The Petitioner, requests the following zoning relief:

VARIANCE RELIEF from section 232.2 of the BCZR, to permit a side yard setback of 7.5ft in lieu of the required 10ft and from section 232.1 to allow a front yard setback of 27ft. and 20ft. in lieu of the required 40ft.

AND For such other and further relief as the nature of this cause may require.

2019-0419-A



Bafitis & Associates, Inc.

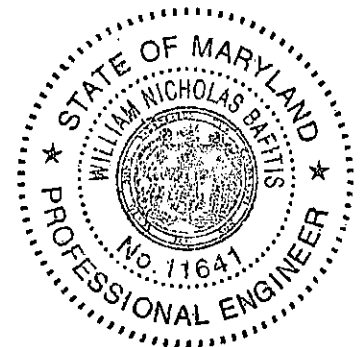
ZONING DESCRIPTION FOR

#311 SOLLERS POINT ROAD
BALTIMORE, MARYLAND 21222
12th ELECTION DISTRICT

BEGINNING AT A POINT ON THE SOUTH SIDE OF SOLLER POINT ROAD 40' WIDE;
AND 60'± SOUTHWESTERLY FROM THE CENTERLINE INTERSECTION OF TURNER AVENUE
40' WIDE;

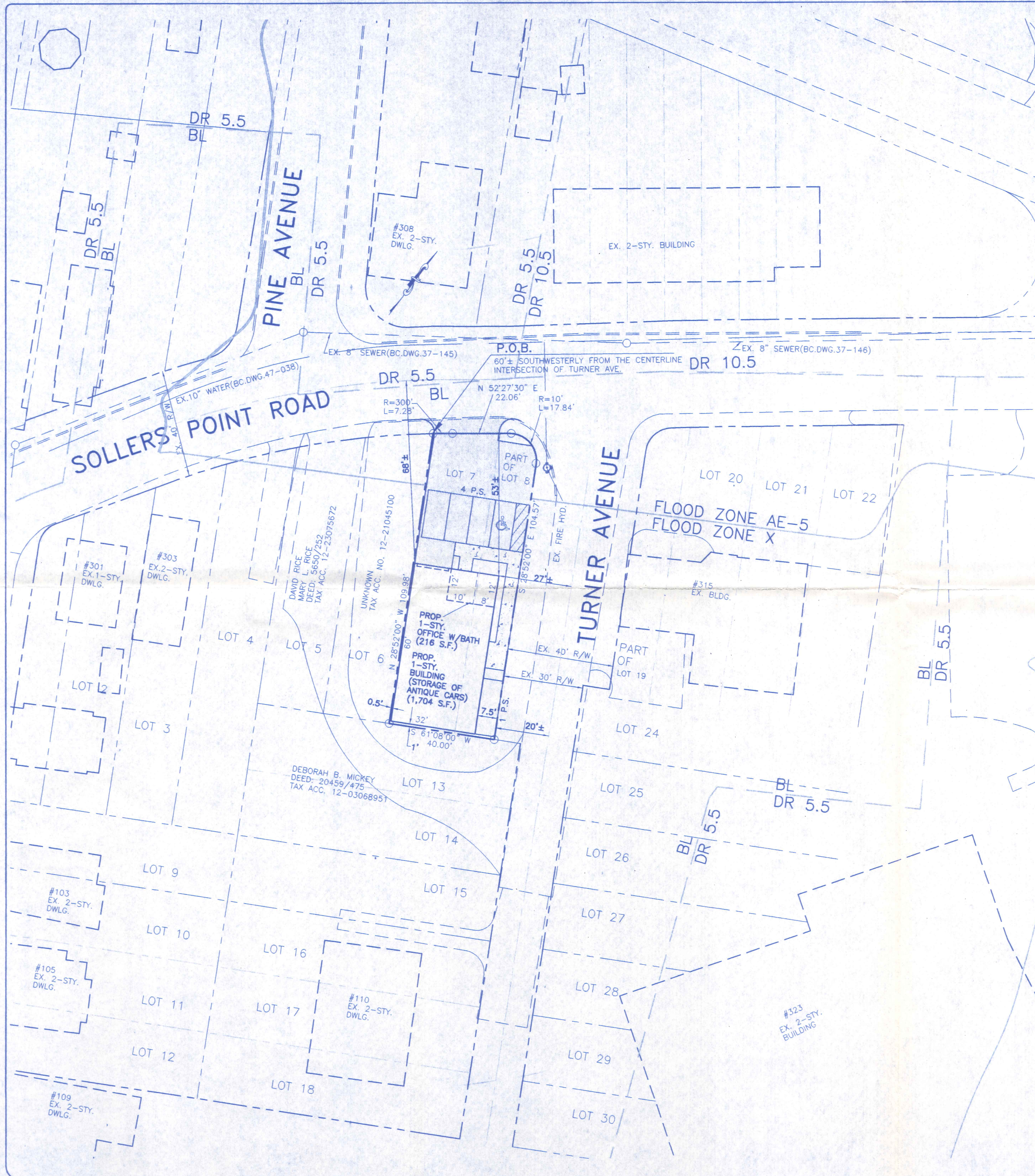
- 1) THENCE RUNNING ALONE SOLLERS POINT ROAD; A CURVE TO THE RIGHT WITH A RADIUS OF 300' AND A ARC LENGTH OF 7.28' (CHORD BEARING NORTH 52°-05'-14" EAST AND A CHORD DISTANCE OF 7.28') TO A POINT;
- 2) NORTH 52°-27'-30" EAST 22.06' TO A POINT;
- 3) THENCE RUNNING ALONE SAID ROAD; A CURVE TO THE RIGHT WITH A RADIUS OF 10' AND A ARC LENGTH OF 17.84' (CHORD BEARING SOUTH 78°-12'-15" EAST AND A CHORD DISTANCE OF 15.17') TO A POINT ON THE WEST SIDE OF TUNER AVENUE;
THENCE RUNNING ALONG TURNER AVENUE
- 4) SOUTH 28°-52'-00" EAST 104.57' TO A POINT;
THENCE LEAVING SAID AVENUE THE FOLLOWING TWO COURSES AND DISTANCES:
- 5) SOUTH 61°-08'-00" WEST 40.00' TO A POINT;
- 6) NORTH 28°-52'-00" WEST 109.98' TO THE POINT OF BEGINNING.

CONTAINING: 4,558 S.F. OR 0.10 AC. MORE OR LESS



SEAL


WILLIAM N. BAFITIS, P.E. MD. REG. #11641



NOTES

- Topography shown hereon was taken from Baltimore County GIS Topography.
- The Firm Insurance Rate Map, 240010-0535 G indicates this is situated within flood Zone AE & X. F.E.M.A. indicates a Flood Elevation of 7.7 NAVD 88 based on a Flood Insurance Study Number 240010V000B. A minimum first floor elevation 9.7 NAVD 88.
- Property lines shown hereon were established by public information.
- This site is situated within the Chesapeake Bay Critical Areas and is classified by land use as Intensity Developed Area (IDA) (MAP 110).
- There shall be no clearing, grading, construction or disturbance of vegetation except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
- This site is not situated within a Mapped Buffer Management Area of the Chesapeake Bay Critical Areas.
- There are no forest or developed woodlands on this site.
- There are No Tidal & Non-Tidal Wetlands shown on this site.
- There is no significant plant or animal habitat on this site.
- There are no slopes greater than 15% on this site.
- There are no known wells on this site.
- There are no known underground storage tanks or septic systems on this site.
- There are no known potentially hazardous materials on this site as defined by Title 7-Health and Environmental Article, Annotated Code of Maryland, except as noted.
- There are no buildings or property within this site that are included on the Maryland Historical Trust Inventory, The Baltimore County Landmarks List, the National Register of Historic Places, the Maryland Archeological Survey or is a Baltimore County Historical District.
- Public Water and sewer serve this site.
- This site has not been the subject of the CRG, DRC, or Waiver Processes.
- Caution underground utilities may exist in Sollers Point Road & onsite, contact Miss Utility (800-257-7777) prior to any construction.
- Proposed dwelling height.

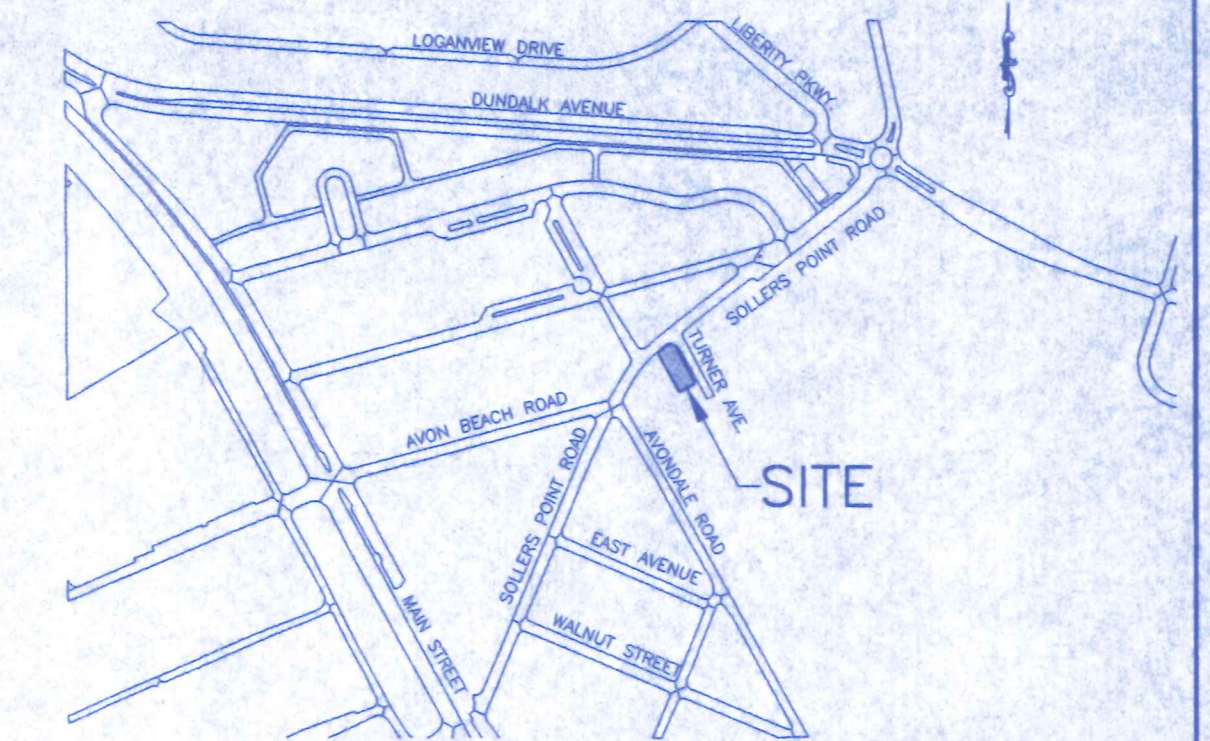
ZONING HISTORY

THERE ARE NO CASES FOR THIS SITE.

ZONING REQUEST

VARIANCE RELIEF FROM SECTION 232.2 OF THE BCZR, TO PERMIT A SIDE YARD SETBACK OF 7.5' IN LIEU OF THE REQUIRED 10' AND FROM SECTION 232.1 TO ALLOW A FRONT YARD SETBACK OF 27'± AND 20'± IN LIEU OF THE REQUIRED 40'.

AND FOR SUCH OTHER AND FURTHER RELIEF AS THE NATURE OF THIS CAUSE MAY REQUIRE.



VICINITY MAP
(SCALE: 1" = 500')

SITE DATA

- OWNER: JOSEPH CORASANTI
#8208 NORTHVIEW ROAD
BALTIMORE, MARYLAND 21222
TELEPHONE: 443-604-2761
- DEED REF: 40397/059
- TAX ACC. NO.: 12-18036390
- TAX MAP: 110 PARCEL: 45 LOT: 7 & PART OF 8
- PLAT REF: PLAT OF TURNER PARK BOOK 05 PAGE 82
- ELECTION DISTRICT: 12TH
- COUNCILMANIC DISTRICT: 7TH
- REGIONAL PLANNING DISTRICT: 329C
- CENSUS TRACT: 4213
- ZONING: BL
- ZONING MAP: 110C1
- USE: EXISTING: COMMERCIAL (VACANT)
PROPOSED: COMMERCIAL (TWO STORY GARAGE W/OFFICE)
- SITE AREA: 4,558 S.F. OR 0.10 AC.±

FLOOD NOTE

THIS SITE IS SITUATED IN A AE & X FLOOD ZONE ACCORDING TO F.E.M.A. FIRM MAP 240010-0535G DATED 05/05/14 AND THE BASE FLOOD ELEVATION IS 5.0. BALTIMORE COUNTY BUILDING CODE USE; F.E.M.A. FLOOD STUDY NO. 240010V000B DONE IN 09/26/08. THE BASE FLOOD ELEVATION IS 7.7 AND THE FLOOD PROTECTION ELEVATION IS 8.7. PER BALTIMORE COUNTY POLICY.



Bafitis & Associates, Inc.

William N. Bafitis, P.E.
PRESIDENT

Civil Engineers/Land Planners
SURVEYORS

1249 Engleberth Rd. Baltimore, MD 21221

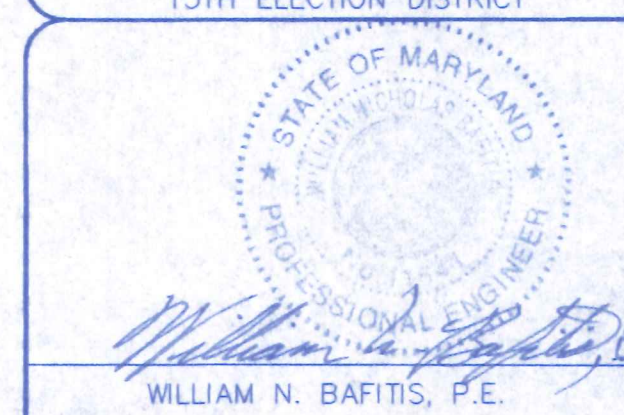
(410) 391-2336

PLAN TO ACCOMPANY ZONING PETITION FOR VARIANCE

FOR #311 SOLLERS POINT ROAD

15TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND



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. 11641 Expiration Date: 09/09/2021

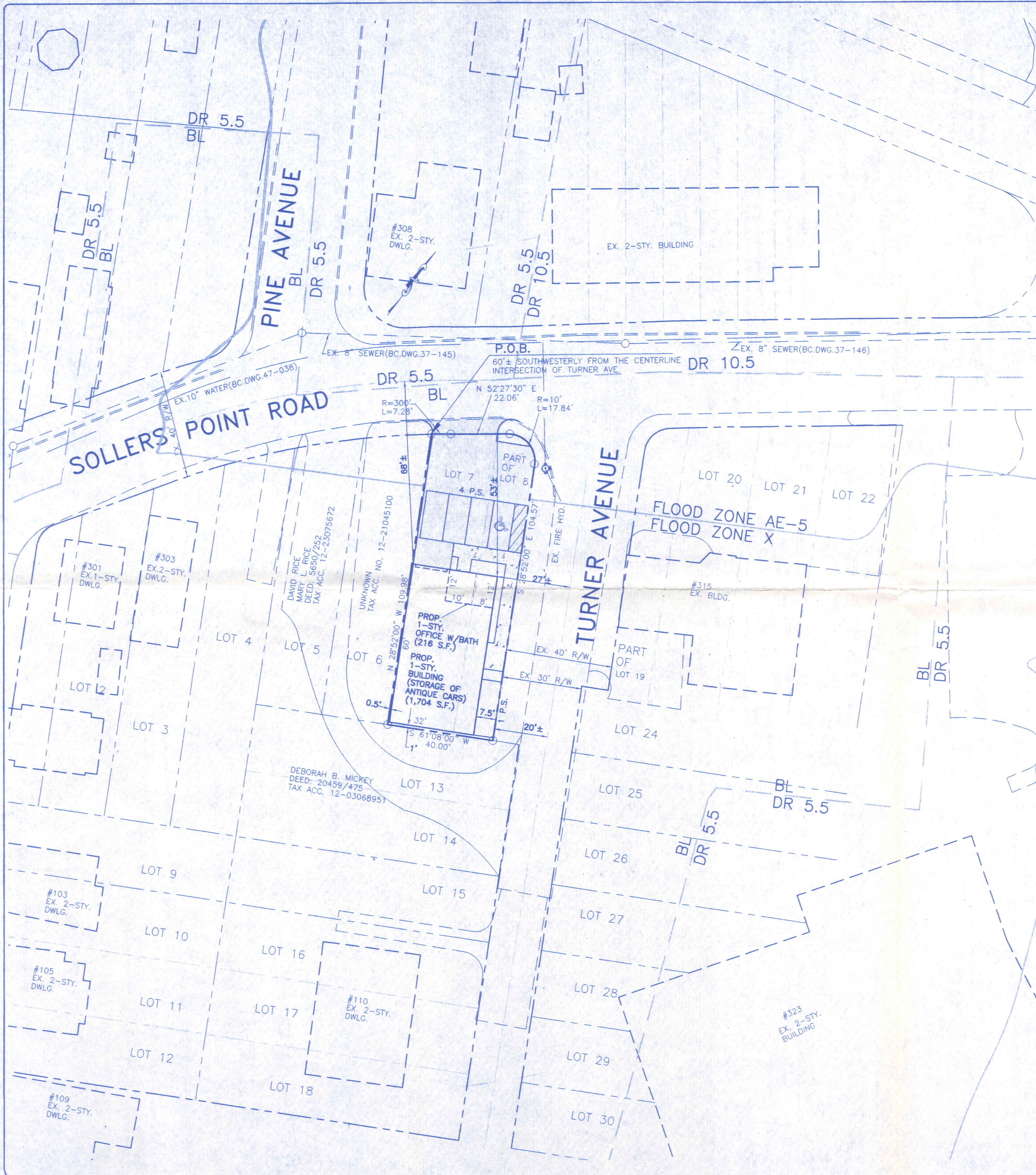
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REVISIONS

DATE

PETITIONER'S
EXHIBIT NO. 1

2019-04/19-A



NOTES

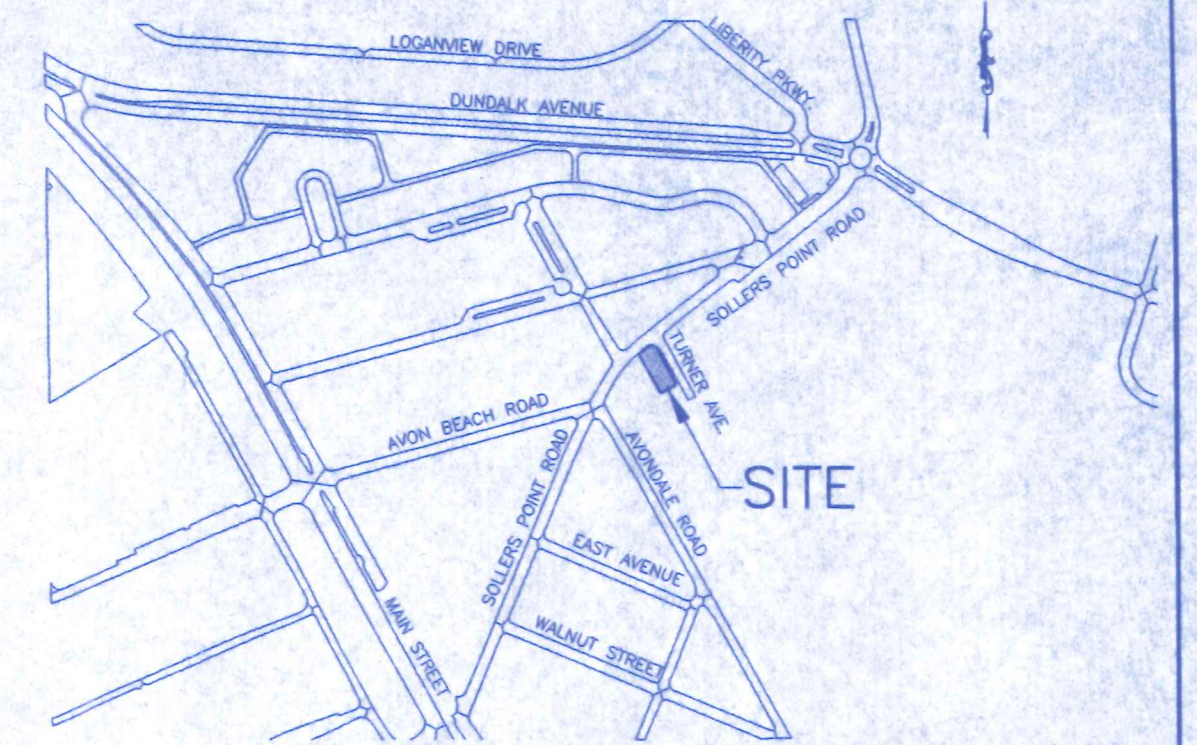
1. Topography shown hereon was taken from Baltimore County GIS Topography.
2. The Firm Insurance Rate Map, 240010-0535 G indicates this is situated within flood Zone AE & X. F.E.M.A. indicates a Flood Elevation of 7.7 NAVD 88 based on a Flood Insurance Study Number 240010V0008. A minimum first floor elevation 9.7 NAVD 88.
3. Property lines shown hereon were established by public information.
4. This site is situated within the Chesapeake Bay Critical Areas and is classified by land use as Intensely Developed Area (IDA) (MAP 110).
5. There shall be no clearing, grading, construction or disturbance of vegetation except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
6. This site is not situated within a Mapped Buffer Management Area of the Chesapeake Bay Critical Areas.
7. There are no forest or developed woodlands on this site.
8. There are No Tidal & Non-Tidal Wetlands shown on this site.
9. There is no significant plant or animal habitat on this site.
10. There are no slopes greater than 15% on this site.
11. There are no known wells on this site.
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17. Caution underground utilities may exist in Sollers Point Road & onsite, contact Miss Utility (800-257-7777) prior to any construction.
18. Proposed dwelling height.

ZONING HISTORY

THERE ARE NO CASES FOR THIS SITE.

ZONING REQUEST

VARIANCE RELIEF FROM SECTION 232.2 OF THE BCZR, TO PERMIT A SIDE YARD SETBACK OF 7.5' IN LIEU OF THE REQUIRED 10' AND FROM SECTION 232.1 TO ALLOW A FRONT YARD SETBACK OF 27'± AND 20'± IN LIEU OF THE REQUIRED 40'.
AND FOR SUCH OTHER AND FURTHER RELIEF AS THE NATURE OF THIS CAUSE MAY REQUIRE.



VICINITY MAP
(SCALE: 1" = 500')

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- 11) ZONING MAP: 110C1
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PROPOSED: COMMERCIAL (TWO STORY GARAGE W/OFFICE)
- 13) SITE AREA: 4,558 S.F. OR 0.10 AC.±

FLOOD NOTE

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Bafitis & Associates, Inc.

William N. Bafitis, P.E.
PRESIDENT

Civil Engineers/Land Planners
SURVEYORS

1249 Engleberth Rd. Baltimore, MD 21221

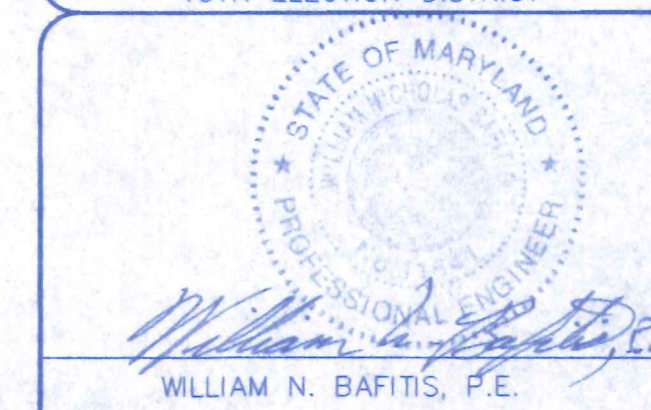
(410) 391-2336

PLAN TO ACCOMPANY ZONING PETITION FOR VARIANCE

FOR #311 SOLLERS POINT ROAD

15TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND



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. 11641 Expiration Date: 09/09/2021

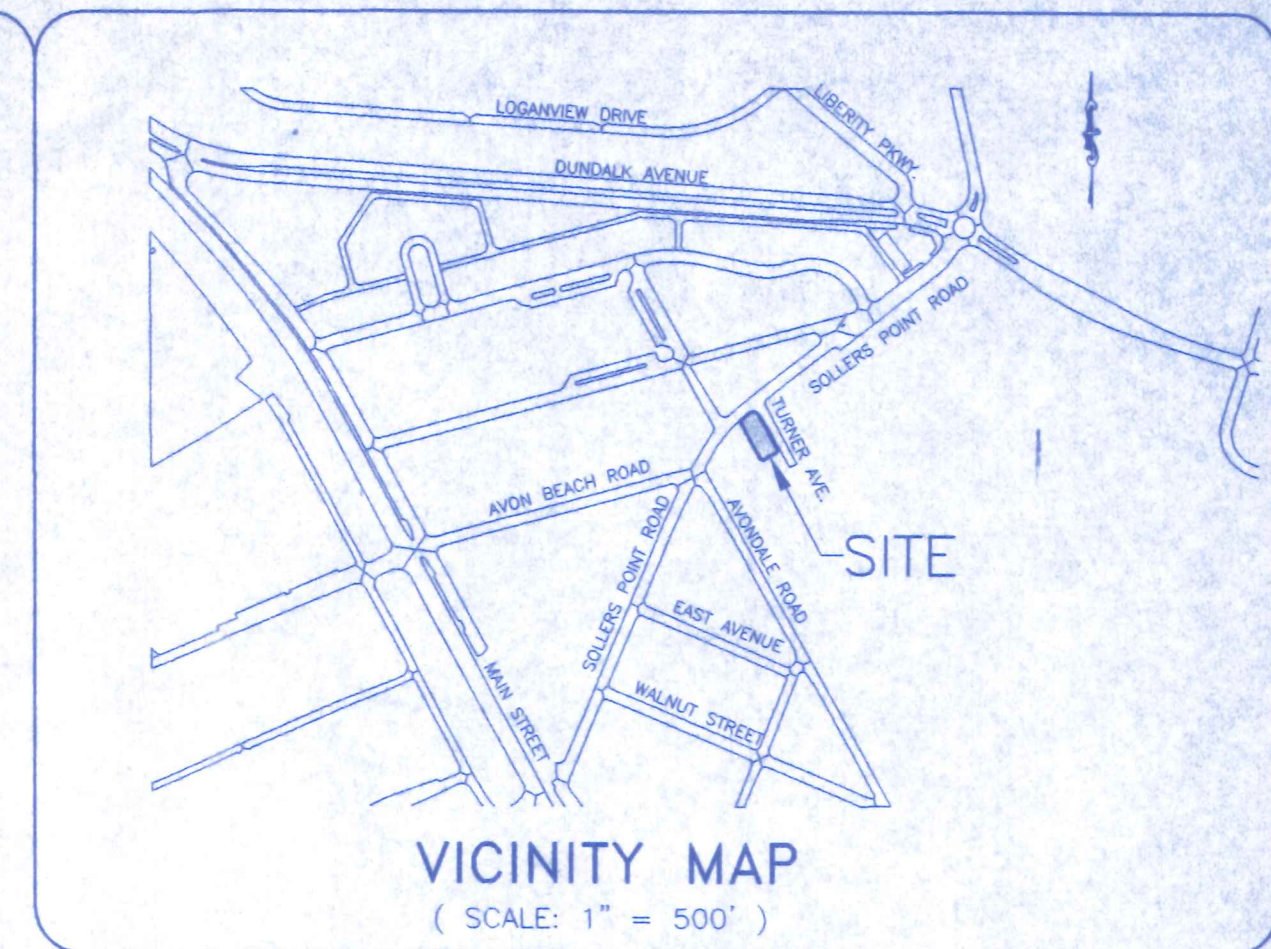
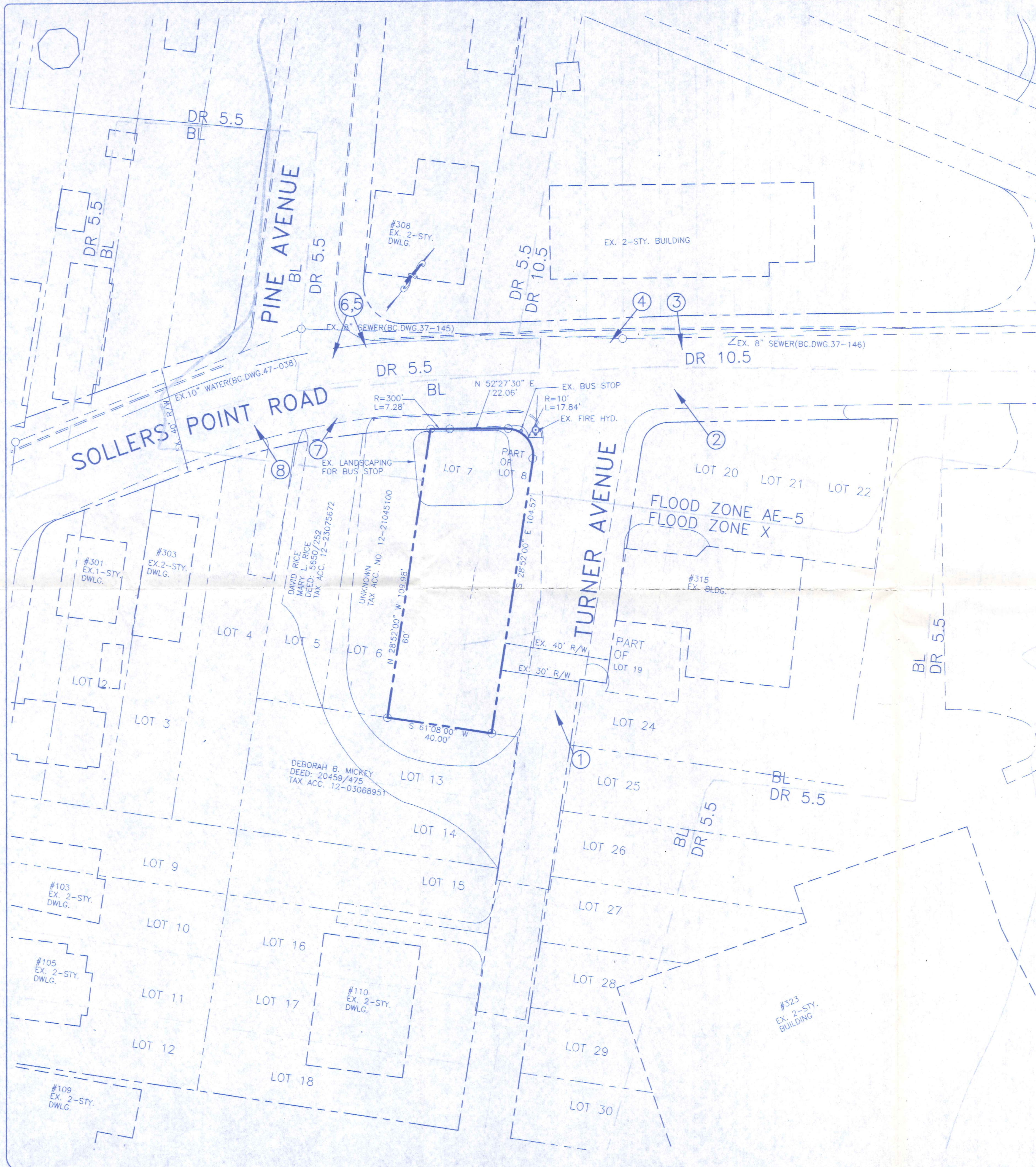
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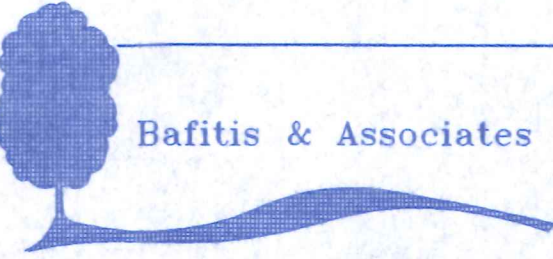
SHEET 1 OF 1

NO.	REVISIONS	DATE

PETITIONER'S
EXHIBIT NO. 1

2019-0919-A





Bafitis & Associates

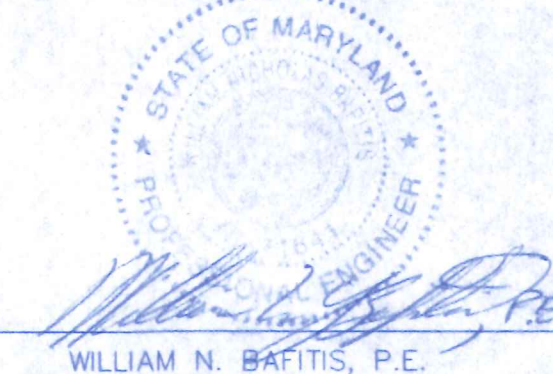
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William N. Bafitis, P.E.

Civil Engineers/Land Planners
SURVEYORS

(410) 391-2336
bafitisassoc@comcast.net

PHOTOGRAPH PLAN
FOR
#311 SOLLERS POINT ROAD

15TH ELECTION DISTRICT		BALTIMORE COUNTY, MARYLAND															
 WILLIAM N. BAFITIS, P.E. 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. 11641 Expiration Date: 09/09/2021	1	SCALE: 1" = 20'	JOB ORDER NO: 21806														
		DATE: 10/23/19	CHECKED: W.N.B.														
		DRAWN: N.W.B.															
	SHEET 1 OF 1																
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- ## ZONING HISTORY

ZONING REQUEST

VICINITY MAP
(SCALE: 1" = 500')

SITE DATA

- 
- Bafitis & Associates

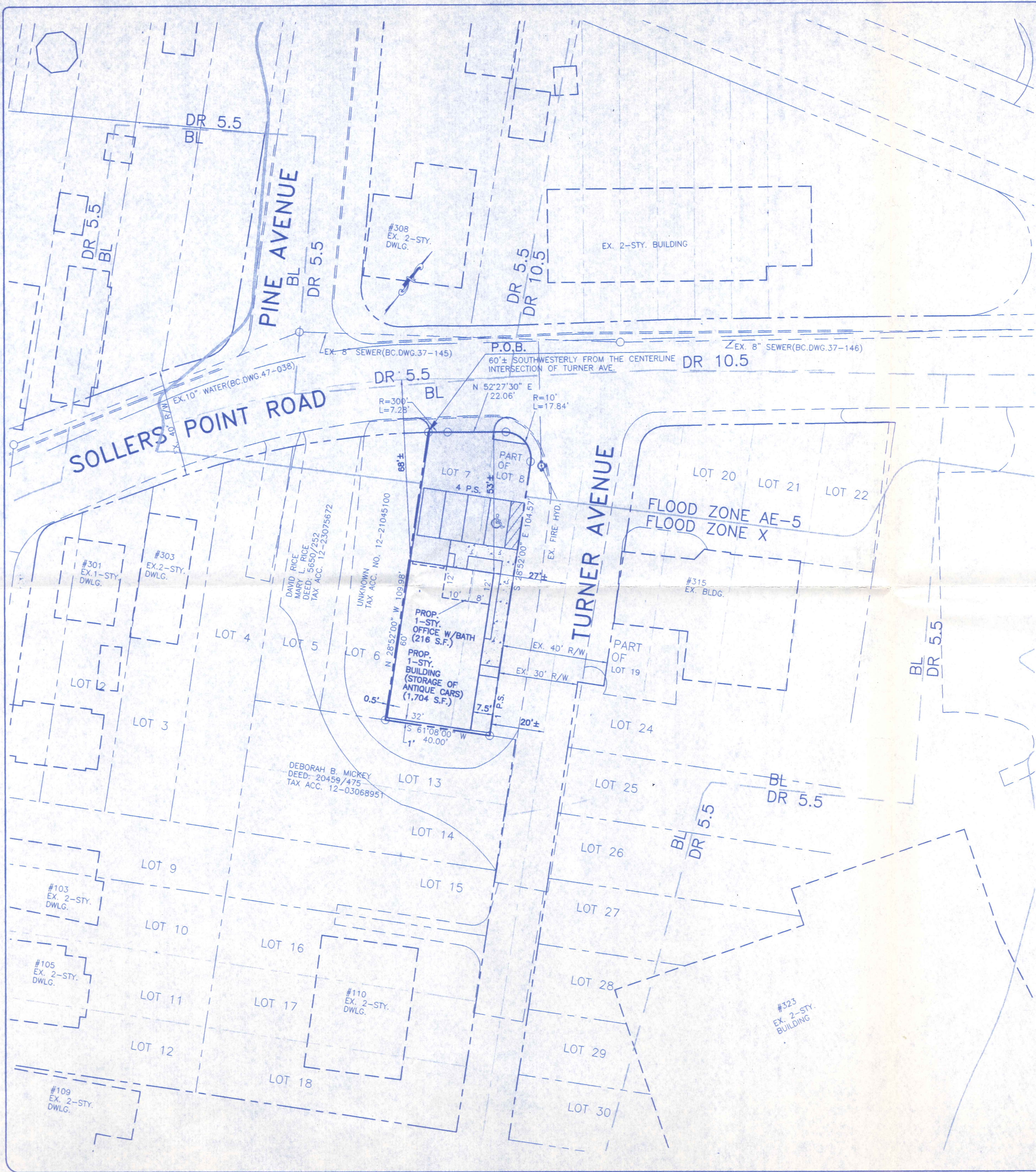
William N. Bafitis, P.E.
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SURVEYORS
(410) 391-2336
bafitisassoc@comcast.net

PLAN TO ACCOMPANY
ZONING PETITION FOR VARIANCE
FOR
#311 SOLLERS POINT ROAD

BALTIMORE COUNTY, MARYLAND

1		SCALE: 1" = 20'
		JOB ORDER NO: 21806
		DATE: 08/05/19
		CHECKED: W.N.B.
WILLIAM N. BAFITIS, P.E. 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. 11641 Expiration Date: 09/09/2021		DRAWN: N.W.B.
SHEET <u>1</u> OF <u>1</u>		
NO.	REVISIONS	DATE
	REDLINE REVISIONS	10/23/19

EXHIBIT NO.



NOTES

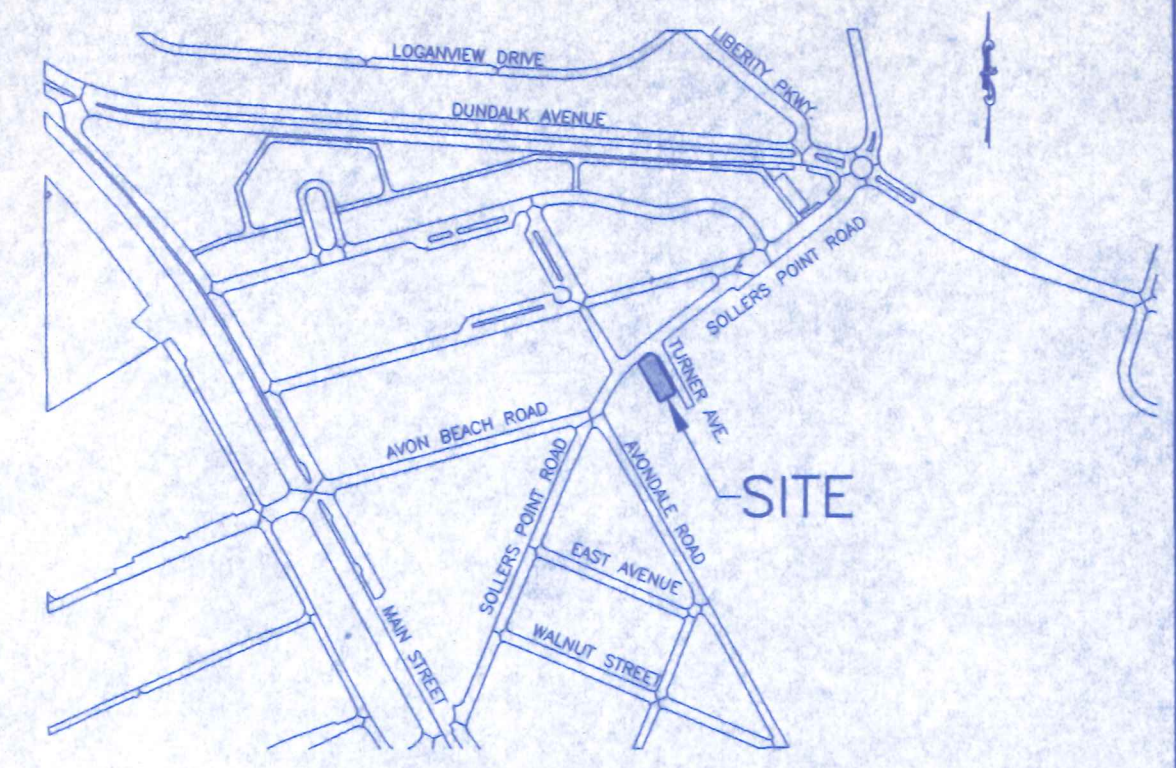
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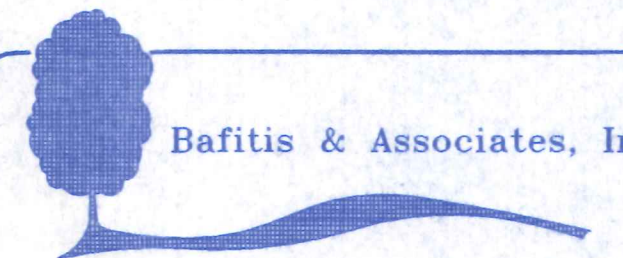
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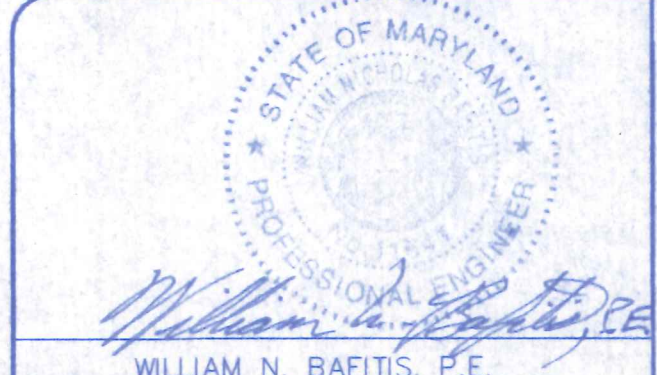
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SHEET 1 OF 1

NO.	REVISIONS	DATE