

M E M O R A N D U M

DATE: January 17, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0506-A - Appeal Period Expired

The appeal period for the above-referenced case expired on January 16, 2020. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c: Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(1717 Beachwood Avenue)

15th Election District

7th Council District

Carolyn F. Sennett

Legal Owner

Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2019-0506-A

* * * * *

AMENDED OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Carolyn F. Sennett, legal owner of the subject property (“Petitioner”). Petitioner is requesting variance relief from Sections 1A04.3(B)(1)(a) and 1A04.3(B)(2)(b) of the Baltimore County Zoning Regulations (“BCZR”) as follows: (1) to permit construction on a lot having area of 0.413 acres in lieu of the required 1.5 acres in an RC-5 zone; (2) to permit a building to be situated 55 ft. from the centerline of a road in lieu of 75 ft.; and (3) to permit a building setback of 13 ft., 17 ft. and 40 ft. in lieu of the required 50 ft. in any lot line, respectively. A site plan was marked as Petitioner’s Exhibit 1.

Jeffrey H. Scherr, Esq. represented Petitioner. John Motsco, the professional engineer that drafted and sealed the site plan also attended the hearing. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) and the Department of Environmental Protection and Sustainability (“DEPS”).

The site is approximately 0.413 acres in size and is zoned RC-5. Mr. Scherr explained that there is an existing residence on the property that will be razed and replaced by the proposed new

ORDER RECEIVED FOR FILING

Date 12/17/19

By Sen

residence. Further, this lot is part of the Evergreen Park development plat that was recorded in 1924, far before the area was zoned RC5. Mr. Scherr also noted that two other nearby properties – 1712 and 1722 Beachwood Avenue – were recently granted similar variances in Case Nos. 2019-0058-A and 2018-0012-A. Mr. Scherr noted that the 2020 Master Plan and the Eastern Baltimore County Revitalization Strategy call for upscale residential development in the waterfront communities.

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

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

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

The property is of a trapezoid shape and is long and narrow. The property lies partially within a tidal floodplain. Further, the development where this lot is located was laid out and recorded well before the area was zoned RC5. As such the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because she would be unable to build the proposed new home. Further, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of community opposition. The DOP comments express concern about the floodplain issues on this property and those concerns will be addressed in the conditions set forth below. The comments from DEPS also address the potential flooding and wetlands issues but DEPS concluded that if all Critical Area, wetland, and floodplain issues are properly addressed that there will be minimal impacts on the environment. Finally, under principles of *stare decisis* I am persuaded by the recent Orders

ORDER RECEIVED FOR FILING

Date

12/17/19

By

sen

granting similar variance relief on this same street.

THEREFORE, IT IS ORDERED, this 17th day of **December, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to the Baltimore County Zoning Regulations: (1) to permit construction on a lot having area of 0.413 acres in lieu of the required 1.5 acres in an RC-5 zone; (2) to permit a building to be situated 55 ft. from the centerline of a road in lieu of 75 ft.; and (3) to permit a building setback of 13 ft., 17 ft. and 40 ft. in lieu of the required 50 ft. in any lot line, respectively, 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 her 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. Petitioner must prior to issuance of permits comply with the critical area and flood protection regulations.
3. Prior to construction of the proposed single family dwelling Petitioner must satisfy the RC5 performance standards, as determined in the sole discretion of the DOP.

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

PMM/sln

ORDER RECEIVED FOR FILING

Date 12/17/19
By sln



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 1717 Beechwood Avenue (Lots 62-63) which is presently zoned RC-5

Deed References: 40804/127 10 Digit Tax Account # 1900013542

Property Owner(s) Printed Name(s) Carolyn F. Sennett

(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) **1A04.3(B)(1)(a) and 1A04.3(B)(2)(b)**

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:

Gemcraft Homes, Inc.

Name- Type or Print

By:

William R. Luther / JRS

Signature William R. Luther, President

222 North Constitution Avenue, New Freedom PA

Mailing Address City State

17349 / 410-893-8458 / bluther@gemcrafthomes.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Jeffrey H. Scherr, Esquire

Name- Type or Print

Signature

Jeffrey H. Scherr
Kramon & Graham, P.A.
One South Street, Suite 2600 Baltimore MD

Mailing Address City State

21202 / 410-752-6030 / jscherr@kg-law.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Carolyn F. Sennett

Name #1 - Type or Print

Name #2 - Type or Print

Carolyn F. Sennett / JRS

Signature #1 Signature #2

1716 Beechwood Avenue Baltimore MD

Mailing Address City State

21221 / 410-686-4190 / carolynsennett44@gmail.com

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2019-0506-A

Filing Date 11/5/19

Do Not Schedule Dates: _____

Reviewer JF

Addendum to Petition for Zoning Variance
Re: 1717 Beechwood Avenue (Lots 62-63)

- (a) BCZR 1A04.3(B)(1)(a) - to permit construction on a lot having an area of 0.413 acres in lieu of the required 1.5 acres in an RC-5 Zone;
- (b) BCZR 1A04.3(B)(2)(b) - to permit a building to be situated 55' from center line of a road in lieu of 75', to permit a building setback of 13', 17' and 40' in lieu of the required 50' in any lot line, respectively; and
- (c) For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Consistent with recent decisions of the Office of Administrative Hearings, John Beverungen, Administrative Law Judge (see attached), these lots are unique as they are subject of a record plat recorded in 1924 and are now zoned RC-5. Under such zoning, no homes could be built on these lots without the requested variances.

NOVEMBER 6, 2019

ZONING DESCRIPTION FOR
#1717 BEECHWOOD AVENUE
CASE # 2019-0506-A

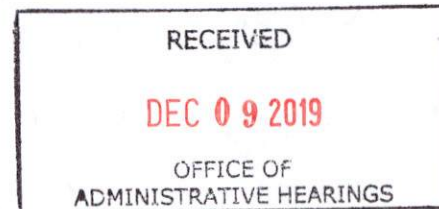
Beginning at a point on the East side of Beechwood Avenue, which is 30 feet wide, at the distance of 199 feet North of the centerline of Evergreen Lane, which is 30 feet wide. Being Lot # 62 & 63, in the subdivision of Evergreen Park as recorded in Baltimore County Plat Book #7, Folio #174, containing 18,019 total square feet or 0.413 acres. Located in the Fifteenth Election District and Seventh Council District.

PM 12-12-19
11 AM

Debra Wiley

From: Larry Pilson <lpilson@hotmail.com>
Sent: Saturday, December 7, 2019 12:23 PM
To: Administrative Hearings; Kristen L Lewis; John Motsco
Subject: 2019-0506-A 1717 Beechwood Ave. RECERT
Attachments: 1717 Beechwood Ave Recert.pdf; DSC_0918.JPG; DSC_0919.JPG

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



CERTIFICATE OF POSTING

Date: 12-7-19

RE: Case Number: 2019-0506-A RECERT

Petitioner/Developer: Gemcraft Homes

Date of Hearing/Closing: 12-12-19 11AM

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 1717 Beechwood Ave

The signs(s) were posted on RECERT 12-7-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2019-0506-A

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

PLACE: JEFFERSON BUILDING ROOM 205
105 W. CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: THURS. DEC. 12, 2019 11 AM

REQUEST: VARIANCE TO PERMIT CONSTRUCTION ON A LOT
HAVING AN AREA OF 0.413 ACRES IN LIEU OF THE REQUIRED 1.5 ACRES
IN AN RC-5 ZONE. TO PERMIT A BUILDING TO BE SITUATED 55FT
FROM CENTERLINE OF A ROAD IN LIEU OF 75 FT. TO PERMIT A BUILD-
ING SETBACK OF 13FT, 17FT. AND 40FT IN LIEU OF THE REQUIRED
50FT. IN ANY LOT LINE, RESPECTIVELY, AND FOR SUCH OTHER AND
FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE
LAW JUDGE FOR BALTIMORE COUNTY

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

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

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 2019-0506-A

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

PLACE: JEFFERSON BUILDING ROOM 205
105 W. CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: THURS. DEC. 12, 2019 11 AM

REQUEST: VARIANCE TO PERMIT CONSTRUCTION OF A LOT IN AN
AREA OF 0.43 ACRES IN LIEU OF THE REQUIRED SETBACK FROM
PC-B ZONE TO PERMIT A BUILDING TO BE SITUATED 25 FT FROM
CENTERLINE OF A ROAD IN LIEU OF THE REQUIRED SETBACK FROM
BACK OF LOT. 17 FT. WIDE TO BE IN LIEU OF THE REQUIRED SETBACK
IN ANY LOT LINE FOR SETBACK AND FOR SETBACK AND SETBACK
RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE
FOR PATTERSON COUNTY

RESPONSE DUE TO THE ADJUDICATOR OR OTHER AUTHORITY IN THE MATTER OF THE
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING OR UNTIL THE
HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

Date: 11-20-19

RE: Case Number: 2019-0506-A

Petitioner/Developer: Gemcraft Homes

Date of Hearing/Closing: 12-12-19 11AM

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 1717 Beachwood Ave

The signs(s) were posted on 11-20-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2019-0506-A

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

PLACE: JEFFERSON BUILDING ROOM 205

105 W. CHESAPEAKE AVE TOWSON, 21204

DATE AND TIME: THURS. DEC. 12, 2019 11 AM

REQUEST: VARIANCE TO PERMIT CONSTRUCTION ON A LOT
HAVING AN AREA OF 0.413 ACRES IN LIEU OF THE REQUIRED 1.5 ACRES

IN AN RC-5 ZONE, TO PERMIT A BUILDING TO BE SITUATED 55 FT.
FROM CENTERLINE OF A ROAD IN LIEU OF 75 FT, TO PERMIT A BUILD-
ING SETBACK OF 13 FT, 17 FT, AND 40 FT IN LIEU OF THE REQUIRED
50 FT IN ANY LOT LINE, RESPECTIVELY, AND FOR SUCH OTHER AND
FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE
LAW JUDGE FOR BALTIMORE COUNTY

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS
TO CONFIRM

ZONING NOTICE

CASE # 2019-0506-A

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

PLACE: JEFFERSON BUILDING ROOM 205
105 W. CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: THURS DEC 12, 2019 11 AM

REQUEST: VARIANCE TO PERMIT CONSTRUCTION ON A LOT HAVING AN
AREA OF 0.413 ACRES IN LIEU OF THE REQUIRED 1.5 ACRES IN AN
RC-5 ZONE TO PERMIT A BUILDING TO BE SITUATED 55 FT FROM
CENTERLINE OF A ROAD IN LIEU OF 75 FT. TO PERMIT A BUILDING SET-
BACK OF 3 FT. 17 FT. AND 40 FT. IN LIEU OF THE REQUIRED 50 FT
IN ANY LOT LINE RESPECTIVELY AND FOR SUCH OTHER AND FURTHER
RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE
FOR BALTIMORE COUNTY

CONDITIONS ARE SOMETIMES NECESSARY

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
1717 Beechwood Avenue; E/S of Beechwood
Avenue, @ 199' N of c/line of Evergreen Lane* OF ADMINISTRATIVE
15th Election & 7th Councilmanic Districts
Legal Owner(s): Carolyn F. Sennett * HEARINGS FOR
Contract Purchaser(s): Gemcraft Homes, Inc. * BALTIMORE COUNTY
Petitioner(s) *
* 2019-506-A

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

NOV 14 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 14th day of November, 2019, a copy of the foregoing Entry of Appearance was mailed to Jeffrey Scherr, Esquire, One South Street, Suite 2600, Baltimore, Maryland 21202, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: THE DAILY RECORD
Friday, November 22, 2019 - Issue

Please forward billing to:

Jeffrey Scherr
Kramon & Graham, P.A.
One South Street, Ste. 2600
Baltimore, MD 21202

410-752-6030

NOTICE OF ZONING HEARING

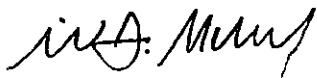
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2019-0506-A

1717 Beechwood Avenue
E/s Beechwood Avenue, north of Evergreen Lane
15th Election District – 7th Councilmanic District
Legal Owners: Carolyn Sennett
Contract Purchaser/Lessee: Gemcraft Homes, Inc.

Variance to permit construction on a lot having an area of 0.413 acres in lieu of the required 1.5 acres in an RC-5 zone. To permit a building to be situated 55 ft. from centerline of a road in lieu of 75 ft., to permit a building setback of 13 ft., 17 ft., and 40 ft. in lieu of the required 50 ft. in any lot line, respectively; and for such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Thursday, December 12, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 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.



JOHN A. OLSZEWSKI, JR.
County Executive

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

November 18, 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: 2019-0506-A

1717 Beechwood Avenue
E/s Beechwood Avenue, north of Evergreen Lane
15th Election District – 7th Councilmanic District
Legal Owners: Carolyn Sennett
Contract Purchaser/Lessee: Gemcraft Homes, Inc.

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Hearing: Thursday, December 12, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in cursive script, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Jeffrey Scherr, One South Street, Ste. 2600, Baltimore 21202
Gemcraft Homes, Inc., William Luther, 222 North Constitution Ave., New Freedom PA 17349
Carolyn Sennett, 1716 Beechwood Avenue, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 22, 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.



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:

11/22/2019

Order #: 11817792
Case #: 2019-0506-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0506-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: 2019-0506-A

1717 Beechwood Avenue

E/s Beechwood Avenue, north of Evergreen Lane

15th Election District - 7th Councilmanic District

Legal Owners: Carolyn Sennett

Contract Purchaser/Lessee: Gemcraft Homes, Inc.

Variance to permit construction on a lot having an area of 0.413 acres in lieu of the required 1.5 acres in an RC-5 zone. To permit a building to be situated 65 ft. from centerline of a road in lieu of 75 ft., to permit a building setback of 13 ft., 17 ft., and 40 ft. in lieu of the required 50 ft. in any lot line, respectively; and for such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Thursday, December 12, 2019 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

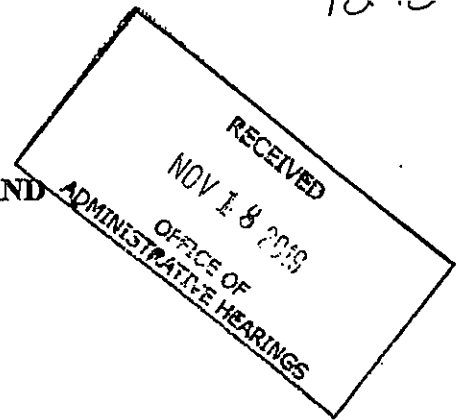
NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

n22

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: November 18, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0506-A
Address 1717 Beechwood Avenue
(Sennett Property)

Zoning Advisory Committee Meeting of November 8, 2019.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject non-waterfront property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to construct a dwelling on the property. Based on the property area, the maximum Critical Area defined lot coverage allowance for this property is 5,631 square feet with mitigation for any new amount over 4,505 square feet. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). Also, there appears to be a depression area near the proposed access drive that must be evaluated for possible wetlands and Critical Area buffer. This may require revisions to the development proposal. By meeting all these requirements, the relief requested by the applicant can result in minimal impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront, but there is the possibility that a wetland area may exist that would require a buffer on the subject property. Also, the property must meet the minimum 15% forest requirement (5 tree minimum in this case). If the proposal does not exceed lot coverage limits, and all Critical Area forest and buffer requirements can be met, it will help conserve fish, plant, and wildlife habitat in the Back River watershed.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

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

Reviewer: Paul A. Dennis

**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: 2019-0506-A

Property Address: Beechwood Avenue (Lots 62-63)

Property Description: Map 0104, Parcel 0268 (Tax Account 15-1900013542)

Legal Owners (Petitioners): Carolyn F. Sennett

Contract Purchaser/Lessee: Gemcraft Homes, Inc.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jeffrey H. Scherr, Esquire

Company/Firm (if applicable): Kramon & Graham, P.A.

Address: One South Street, Suite 2600

Baltimore, Maryland 21202

Telephone Number: 410-752-6030

Revised 7/9/2015

Date: 11/12/19

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. *2019-0506-A*

Variance
Carolyn F. Sennett
1717 Beechwood Avenue

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

Sincerely,



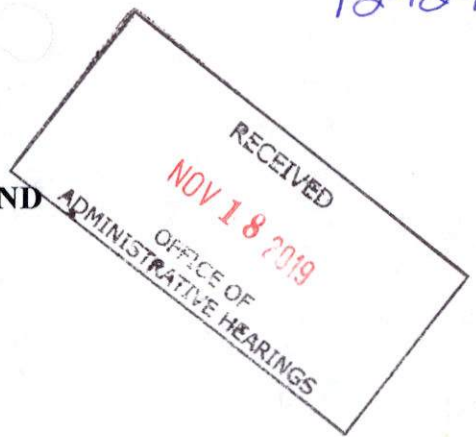
Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

12-12-19

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: November 18, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0506-A
Address 1717 Beechwood Avenue
(Sennett Property)

Zoning Advisory Committee Meeting of **November 8, 2019.**

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject non-waterfront property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to construct a dwelling on the property. Based on the property area, the maximum Critical Area defined lot coverage allowance for this property is 5,631 square feet with mitigation for any new amount over 4,505 square feet. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). Also, there appears to be a depression area near the proposed access drive that must be evaluated for possible wetlands and Critical Area buffer. This may require revisions to the development proposal. By meeting all these requirements, the relief requested by the applicant can result in minimal impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront, but there is the possibility that a wetland area may exist that would require a buffer on the subject property. Also, the property must meet the minimum 15% forest requirement (5 tree minimum in this case). If the proposal does not exceed lot coverage limits, and all Critical Area forest and buffer requirements can be met, it will help conserve fish, plant, and wildlife habitat in the Back River watershed.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

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

Reviewer: Paul A. Dennis

Kristen L Lewis

From: Kevin Wagner -MDE- <kevin.wagner@maryland.gov>
Sent: Friday, November 22, 2019 11:14 AM
To: Kristen L Lewis
Cc: Terry Curtis; Michael Mallinoff; Steve Walsh; John Bryan; Peter Max Zimmerman; Peoples Counsel; Vishnubhai K Desai; Matt F. Gawel
Subject: ZAC Agenda: Case No. 2019-0506 - 1717 Beechwood Ave.
Attachments: ZAC_Agenda_11082019.pdf; Petition_2019-0506.pdf; Plan_2019-0506.pdf; MDFRApp_1717BeechwoodAve.pdf

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

Ms. Lewis,

Good morning. Thank you for continuing to copy our office on Zoning Advisory Committee (ZAC) agenda items as it relates to the floodplain.

We're most interested in reviewing and commenting on ones that are in the regulated floodplain AND the petitioner is requesting a waiver to a County floodplain regulation.

After reviewing the agenda items for a recent case, 1717 Beechwood Avenue was flagged as not being in the floodplain when in fact it is. See the attached for reference.

Most of the proposed structure will be within the Coastal A Zone as defined by the Limit of Moderate Wave Action (LiMWA). Therefore, the structure must follow V Zone construction standards.

Sincerely,
Kevin



Maryland
Department of
the Environment

Kevin G. Wagner

Community Assistance Program Manager

kevin.wagner@maryland.gov
301-689-1495 (office) | 240-362-2143
(cell)

160 South Water Street
Frostburg, MD 21532
www.mde.maryland.gov

[Click here](#) to complete a three question customer experience survey.

Flood Risk Map



This map is not the official regulatory FIRM or DFIRM. Its purpose is to assist with determining potential flood risk for the selected location.

XY: 448697.0025351077/176629.6556400163 (State Plane Meters)

The selected location on the map is within Zone AE.

DFIRM Panel Number: 2400100445G

Scheduled Preliminary Release Date: 3/2020

Effective/Current FIRM Panel Number: 2400100445G

*Scheduled DFIRM Effective Date: 5/2021

*Dates are subject to change

For information about local floodplain regulations (i.e. local ordinances and building codes), or inquiries related to mandatory flood insurance purchase requirements, please contact your community's floodplain management office: 410-887-3984

Disclaimer:

The Mapping Services provided herein are for reference only. The user of this information understands and acknowledges that the data may be inaccurate or contain errors or omissions and the user assumes full responsibility for any risks or damages resulting from any use of or reliance upon this data. MDE and their Agents or Affiliates do not guarantee the accuracy or reliability of the data generated from this service.

The user of this information should always consult official FEMA flood maps and certified elevation data if there is any doubt of a property's flood risk. Please consult with your local, county, and/or community floodplain administrator for availability of official DFIRMs in your county.

Legend

Effective Floodplain

XY Location

A

AE

AE, FLOODWAY

AH

AO

VE

VE, RIVERINE FLOODWAY SHOWN IN COASTAL ZONE

X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD

X, 1 PCT FUTURE CONDITIONS

X, AREA WITH REDUCED FLOOD RISK DUE TO LEVEE

LIMWA

0 0.02 0.04 0.06
Miles

Data Sources:

Preliminary and Effective Floodplain: FEMA

FIRM and DFIRM Grid: FEMA

High-Resolution Aerial Photography: MD iMap

Map Projection: WGS 1984 Web Mercator Auxiliary Sphere



FEMA



MARYLAND

CASE NAME _____
CASE NUMBER _____
DATE _____

NAME _____

CITY, STATE, ZIP

[illegible]

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent)11/18 DEPS
(if not received, date e-mail sent) FIRE DEPARTMENT12/4 PLANNING
(if not received, date e-mail sent)11/12 STATE HIGHWAY ADMINISTRATION TRAFFIC ENGINEERING COMMUNITY ASSOCIATION ADJACENT PROPERTY OWNERS ZONING VIOLATION (Case No.) PRIOR ZONING (Case No.) NEWSPAPER ADVERTISEMENT Date: 11/22/19 SIGN POSTING (1st) Date: 11/20/19 by Person SIGN POSTING (2nd) Date: 12/7/19 by PersonPEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐Comments, if any:

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
1717 Beechwood Avenue; E/S of Beechwood		
Avenue, @ 199' N of c/line of Evergreen Lane*		OF ADMINISTRATIVE
15 th Election & 7 th Councilmanic Districts		
Legal Owner(s): Carolyn F. Sennett	*	HEARINGS FOR
Contract Purchaser(s): Gemcraft Homes, Inc.		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2019-506-A

* * * * *

ENTRY OF APPEARANCE

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

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

RECEIVED

NOV 12 2019
[Signature]

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of November, 2019, a copy of the foregoing Entry of Appearance was mailed to Jeffrey Scherr, Esquire, One South Street, Suite 2600, Baltimore, Maryland 21202, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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 - 15 Account Number - 1900013542							
Owner Information									
Owner Name:		SENNETT CAROLYN F				Use:		RESIDENTIAL	
Mailing Address:		1716 BEECHWOOD AVE BALTIMORE MD 21221-6503				Principal Residence:		NO	
						Deed Reference:		/40804/ 00127	
Location & Structure Information									
Premises Address:		BEECHWOOD AVE ESSEX 21221-				Legal Description:		LTS 62-63 EVERGREEN PARK	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0104	0024	0268	15080079.04	0000			62	2018	Plat Ref: 0007/0174
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		County Use	
						21,600 SF		04	
Stories	Basement	Type	Exterior /	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements		
						1 Detached			
Value Information									
			Base Value	Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2018		07/01/2019		07/01/2020	
Land:			43,100	43,100					
Improvements			10,400	10,400					
Total:			53,500	53,500		53,500		53,500	
Preferential Land:			0					0	
Transfer Information									
Seller: SENNETT LEROY WILLIAM				Date: 10/23/2018		Price: \$0			
Type: ARMS LENGTH VACANT				Deed1: /40804/ 00127		Deed2:			
Seller: KIPF MARIA				Date: 09/10/1991		Price: \$29,000			
Type: ARMS LENGTH IMPROVED				Deed1: /08908/ 00198		Deed2:			
Seller:				Date:		Price:			
Type:				Deed1:		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:			



JOHN A. OLSZEWSKI, JR.
County Executive

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

December 2, 2019

Jeffery H. Scherr
One South Street Suite 2600
Baltimore MD 21202

RE: Case Number: 2019-0506-A, 1717 Beechwood Avenue (Lots 62-63)

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 November 05, 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 faint, circular official stamp.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Gemcraft Homes Inc 222 North Constitution Avenue New Freedom PA 17349
Carolyn F. Sennett 1716 Beechwood Avenue Baltimore MD 21221

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 12/4/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-506



INFORMATION:

Property Address: 1717 Beechwood Avenue
Petitioner: Carolyn F. Sennett
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to the Baltimore County Zoning Regulations (BCZR) 1A04.3(B)(1)(a) to permit construction on a lot having an area of 0.413 acres in lieu of the required 1.5 acres in an RC 5 zone and BCZR 1A04.3(B)(2)(b) to permit a building to be situated 55 feet from center line of a road in lieu of 75 feet, to permit a building setback of 13 feet, 17 feet and 40 feet in lieu of the required 50 feet in any lot line.

A site visit was conducted on November 25, 2019. The area is one of single family residential that are typical for dwellings along Back River Neck and oriented towards the water. The site itself had a swale running through it and had standing water in the swale at the time of the inspection. The submitted plan indicates that the entire site is within the floodplain and it appears the proposal is to relocate the house to an area that is predicted to be more impacted than the existing location. The site appears to be impacted by both flooding and surge waters but additional information would need to be provided to confirm.

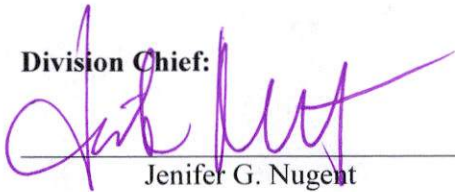
Development of this area is referenced in several plans. The Baltimore County Master Plan 2020 (adopted by Baltimore County Council November 15, 2010) references the impact of Tropical Storm Isabel on the shoreline of Baltimore County by storm surge that caused "flooding of properties and roadways in much of the eastern Baltimore County waterfront (Page 91). At the same time the Master Plan and the preceding community plan, Eastern Baltimore County Revitalization Strategy, calls for conserving and enhancing the existing waterfront communities (Page 164). The Lower Back River Neck Community Action Plan adopted by the Planning Board on July 15, 1993 with amendments provides the most specificity with the following amendment: "Any new development must be consistent with existing housing types and density, with strict enforcement of county, state, critical areas and federal environmental goals, including all wetlands, forest and water quality regulations.... (Page 3).

The Department of Planning recognizes as indicated in the community and Master Plan, the economic value of improving the County's waterfront while at the same time meeting the required environmental regulations. The site plan appears to move the dwelling location to an area of potentially greater flood impact and does not indicate how the plan would not aggravate existing flooding conditions.

For these reasons, the Department of Planning cannot support the requested variances but instead recommends that the petitioner meet with the Department of Environmental Protection and Sustainability and the Department of Public Works to investigate whether the property can be developed in such a way so to reduce the potential impact of flooding on the proposed dwelling and the impact by the development on flooding of the vicinity.

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

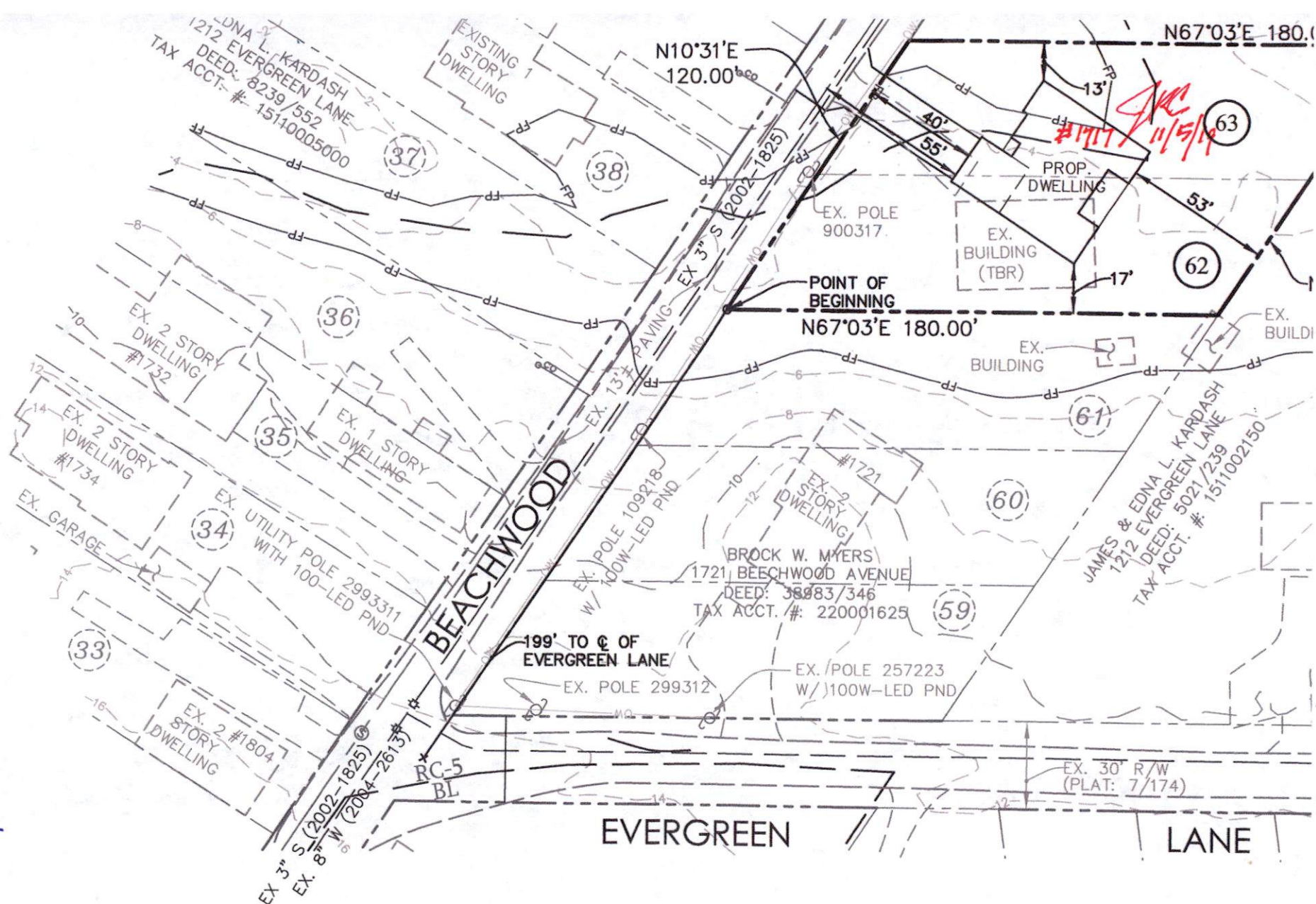
Division Chief:


Jenifer G. Nugent

CPG/JGN/LTM/

c: Wally Lippincott
Jeffrey H. Scherr, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

Address Appraisal



LITTLE & ASSOCIATES

ENGINEERS~~LAND PLANNERS~~SURVEYORS

1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286

PHONE: (410) 296-1636 FAX: (410) 296-1639

LITTLE & ASSOCIATES IS A DIVISION OF CENTURY ENGINEERING, INC.



IN RE: PETITION FOR VARIANCE

(1712 Beechwood Avenue)

15th Election District

7th Council District

Mary Linda Haddaway

Legal Owner

Petitioner

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2018-0012-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Mary Linda Haddaway, the legal owner of the subject property ("Petitioner"). As originally filed, the Petition sought variance relief from §§1A04.3.B.2.b, 1A04.3.B.3 and 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit side yard setbacks of 10 ft., a rear yard setback of 38 ft., a building coverage of 21.5% and an accessory building (garage) to be located in the front yard in lieu of the required 50 ft., 50 ft., 50 ft., maximum permitted 15% and rear yard location for the accessory building, for a replacement dwelling and garage on an existing lot of record.

The petition was amended slightly at the hearing: a detached garage will no longer be constructed, the proposed dwelling will be 40 ft. in height in lieu of the permitted 35, and building coverage is reduced to 17.1% in lieu of the maximum 15%. The proposed side and rear yard setbacks remained the same. A redlined site plan was marked as Petitioner's Exhibit 6.

Mary Haddaway and David Billingsley appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review (DPR), Department of Environmental Protection and

Sustainability (DEPS) and the Department of Planning (DOP). None of the reviewing agencies opposed the requests.

The site is approximately 0.220 acres in size and zoned RC 5. The property is improved with a single family dwelling constructed in 1926 and a detached garage, both of which will be razed. Petitioner proposes to construct a new single family dwelling on the lot.

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

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

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

The waterfront lot is narrow and deep and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because she would be unable to construct a replacement dwelling on the lot given the RC-5 setback requirements. Finally, I find that the variances can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of community and/or Baltimore County opposition.

THEREFORE, IT IS ORDERED, this 12th day of **September, 2017**, by the Administrative Law Judge for Baltimore County, that the amended Petition for Variance seeking relief from B.C.Z.R. §§1A04.3, 1A04.3.B.2.b, and 1A04.3.B.3 to permit a height of 40 feet, side yard setbacks of 10 ft., a rear yard setback of 38 ft., a building coverage of 17.1% in lieu of the maximum permitted 35 feet, required 50 ft., 50 ft., and 50 ft., and maximum permitted 15%, respectively, for a replacement dwelling on an existing lot of record, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her 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. Petitioner must prior to issuance of permits comply with the critical area and flood protection regulations.
3. Prior to construction of the proposed single family dwelling Petitioner must satisfy the RC5 performance standards, as determined in the sole discretion of the DOP.

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

Signed _____

JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:slm

IN RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
(1722 Beechwood Avenue)		
15 th Election District	*	OF ADMINISTRATIVE
7 th Council District		
PTL Re Corp.	*	HEARINGS FOR
<i>Legal Owner</i>		
Matthew W. Baumgartner &	*	BALTIMORE COUNTY
Shannon Kief, <i>Contract Purchasers</i>	*	
	*	CASE NO. 2019-0058-A
Petitioners		
* * * * *		

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by PTL RE CORP, legal owner of the subject property and Matthew W. Baumgartner & Shannon Kief, contract purchasers (“Petitioners”). Petitioners are requesting variance relief from Sections 1A04.3.A and 1A04.3.B.2.b of the Baltimore County Zoning Regulations (“BCZR”) to permit a building height of 38 ft. and side yard setbacks of 20 ft. and 20 ft. in lieu of the maximum permitted 35 ft. and required 50 ft. and 50 ft. respectively for a single-family dwelling on existing lots of record. A site plan was marked as Petitioners’ Exhibit 1.

Shannon Kief and David Billingsley appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Environmental Protection and Sustainability (“DEPS”) and the Bureau of Development Plans Review (“DPR”). Neither agency opposed the requests.

The site is approximately 16,850 sq. ft. in size and zoned RC-5. The property is unimproved and is comprised of two 50' wide lots created by the Plat of Evergreen Park recorded in 1924. Petitioners’ Exhibit 5. Petitioners propose to construct a single-family dwelling on the lots

although variance relief is needed due to the substantial setbacks required by the RC-5 regulations.

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

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

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

Cromwell and similar cases emphasize that it is the physical attributes of the property itself which must be examined to determine if a variance is justified. The subject property is narrow and deep and is therefore unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to construct a single-family dwelling on the property. 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.

THEREFORE, IT IS ORDERED, this 11th day of **October, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR Sections 1A04.3.A and 1A04.3.B.2.b to permit a building height of 38 ft. and side yard setbacks of 20 ft. and 20 ft. in lieu of the maximum permitted 35 ft. and required 50 ft. and 50 ft. respectively for a single-family dwelling on existing lots of record, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

2. Prior to issuance of permits Petitioners must comply with critical area and flood protection regulations.

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

Signed _____
JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln

IN RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
(1722 Beechwood Avenue)		
15 th Election District	*	OF ADMINISTRATIVE
7 th Council District		
PTL Re Corp.	*	HEARINGS FOR
<i>Legal Owner</i>		
Matthew W. Baumgartner &	*	BALTIMORE COUNTY
Shannon Kief, <i>Contract Purchasers</i>	*	
	*	CASE NO. 2019-0058-A
Petitioners		
* * * * *		

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by PTL RE CORP, legal owner of the subject property and Matthew W. Baumgartner & Shannon Kief, contract purchasers (“Petitioners”). Petitioners are requesting variance relief from Sections 1A04.3.A and 1A04.3.B.2.b of the Baltimore County Zoning Regulations (“BCZR”) to permit a building height of 38 ft. and side yard setbacks of 20 ft. and 20 ft. in lieu of the maximum permitted 35 ft. and required 50 ft. and 50 ft. respectively for a single-family dwelling on existing lots of record. A site plan was marked as Petitioners’ Exhibit 1.

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THEREFORE, IT IS ORDERED, this 11th day of **October, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR Sections 1A04.3.A and 1A04.3.B.2.b to permit a building height of 38 ft. and side yard setbacks of 20 ft. and 20 ft. in lieu of the maximum permitted 35 ft. and required 50 ft. and 50 ft. respectively for a single-family dwelling on existing lots of record, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

2. Prior to issuance of permits Petitioners must comply with critical area and flood protection regulations.

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

Signed
JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln

IN RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
(1712 Beechwood Avenue)		
15 th Election District	*	OF ADMINISTRATIVE
7 th Council District		
Mary Linda Haddaway	*	HEARINGS FOR
<i>Legal Owner</i>		
	*	BALTIMORE COUNTY
Petitioner		
	*	CASE NO. 2018-0012-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Mary Linda Haddaway, the legal owner of the subject property ("Petitioner"). As originally filed, the Petition sought variance relief from §§1A04.3.B.2.b, 1A04.3.B.3 and 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit side yard setbacks of 10 ft., a rear yard setback of 38 ft., a building coverage of 21.5% and an accessory building (garage) to be located in the front yard in lieu of the required 50 ft., 50 ft., 50 ft., maximum permitted 15% and rear yard location for the accessory building, for a replacement dwelling and garage on an existing lot of record.

The petition was amended slightly at the hearing: a detached garage will no longer be constructed, the proposed dwelling will be 40 ft. in height in lieu of the permitted 35, and building coverage is reduced to 17.1% in lieu of the maximum 15%. The proposed side and rear yard setbacks remained the same. A redlined site plan was marked as Petitioner's Exhibit 6.

Mary Haddaway and David Billingsley appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review (DPR), Department of Environmental Protection and

Sustainability (DEPS) and the Department of Planning (DOP). None of the reviewing agencies opposed the requests.

The site is approximately 0.220 acres in size and zoned RC 5. The property is improved with a single family dwelling constructed in 1926 and a detached garage, both of which will be razed. Petitioner proposes to construct a new single family dwelling on the lot.

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

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

The waterfront lot is narrow and deep and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because she would be unable to construct a replacement dwelling on the lot given the RC-5 setback requirements. Finally, I find that the variances can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of community and/or Baltimore County opposition.

THEREFORE, IT IS ORDERED, this 12th day of **September, 2017**, by the Administrative Law Judge for Baltimore County, that the amended Petition for Variance seeking relief from B.C.Z.R. §§1A04.3, 1A04.3.B.2.b, and 1A04.3.B.3 to permit a height of 40 feet, side yard setbacks of 10 ft., a rear yard setback of 38 ft., a building coverage of 17.1% in lieu of the maximum permitted 35 feet, required 50 ft., 50 ft., and 50 ft., and maximum permitted 15%, respectively, for a replacement dwelling on an existing lot of record, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her 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. Petitioner must prior to issuance of permits comply with the critical area and flood protection regulations.
3. Prior to construction of the proposed single family dwelling Petitioner must satisfy the RC5 performance standards, as determined in the sole discretion of the DOP.

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

Signed
JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln

IN RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
(1722 Beechwood Avenue)		
15 th Election District	*	OF ADMINISTRATIVE
7 th Council District		
PTL Re Corp.	*	HEARINGS FOR
<i>Legal Owner</i>		
Matthew W. Baumgartner &	*	BALTIMORE COUNTY
Shannon Kief, <i>Contract Purchasers</i>	*	CASE NO. 2019-0058-A
Petitioners	*	
	*	
	*	
	*	
	*	
	*	
	*	

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by PTL RE CORP, legal owner of the subject property and Matthew W. Baumgartner & Shannon Kief, contract purchasers ("Petitioners"). Petitioners are requesting variance relief from Sections 1A04.3.A and 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("BCZR") to permit a building height of 38 ft. and side yard setbacks of 20 ft. and 20 ft. in lieu of the maximum permitted 35 ft. and required 50 ft. and 50 ft. respectively for a single-family dwelling on existing lots of record. A site plan was marked as Petitioners' Exhibit 1.

Shannon Kief and David Billingsley appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Environmental Protection and Sustainability ("DEPS") and the Bureau of Development Plans Review ("DPR"). Neither agency opposed the requests.

The site is approximately 16,850 sq. ft. in size and zoned RC-5. The property is unimproved and is comprised of two 50' wide lots created by the Plat of Evergreen Park recorded in 1924. Petitioners' Exhibit 5. Petitioners propose to construct a single-family dwelling on the lots

although variance relief is needed due to the substantial setbacks required by the RC-5 regulations.

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

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

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

Cromwell and similar cases emphasize that it is the physical attributes of the property itself which must be examined to determine if a variance is justified. The subject property is narrow and deep and is therefore unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to construct a single-family dwelling on the property. 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.

THEREFORE, IT IS ORDERED, this 11th day of **October, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR Sections 1A04.3.A and 1A04.3.B.2.b to permit a building height of 38 ft. and side yard setbacks of 20 ft. and 20 ft. in lieu of the maximum permitted 35 ft. and required 50 ft. and 50 ft. respectively for a single-family dwelling on existing lots of record, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

2. Prior to issuance of permits Petitioners must comply with critical area and flood protection regulations.

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

Signed _____
JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:slh

IN RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
(1712 Beechwood Avenue)		
15 th Election District	*	OF ADMINISTRATIVE
7 th Council District		
Mary Linda Haddaway	*	HEARINGS FOR
<i>Legal Owner</i>		
	*	BALTIMORE COUNTY
Petitioner		
	*	CASE NO. 2018-0012-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Mary Linda Haddaway, the legal owner of the subject property ("Petitioner"). As originally filed, the Petition sought variance relief from §§1A04.3.B.2.b, 1A04.3.B.3 and 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit side yard setbacks of 10 ft., a rear yard setback of 38 ft., a building coverage of 21.5% and an accessory building (garage) to be located in the front yard in lieu of the required 50 ft., 50 ft., 50 ft., maximum permitted 15% and rear yard location for the accessory building, for a replacement dwelling and garage on an existing lot of record.

The petition was amended slightly at the hearing: a detached garage will no longer be constructed, the proposed dwelling will be 40 ft. in height in lieu of the permitted 35, and building coverage is reduced to 17.1% in lieu of the maximum 15%. The proposed side and rear yard setbacks remained the same. A redlined site plan was marked as Petitioner's Exhibit 6.

Mary Haddaway and David Billingsley appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review (DPR), Department of Environmental Protection and

Sustainability (DEPS) and the Department of Planning (DOP). None of the reviewing agencies opposed the requests.

The site is approximately 0.220 acres in size and zoned RC 5. The property is improved with a single family dwelling constructed in 1926 and a detached garage, both of which will be razed. Petitioner proposes to construct a new single family dwelling on the lot.

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

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

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

The waterfront lot is narrow and deep and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because she would be unable to construct a replacement dwelling on the lot given the RC-5 setback requirements. Finally, I find that the variances can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of community and/or Baltimore County opposition.

THEREFORE, IT IS ORDERED, this 12th day of **September**, 2017, by the Administrative Law Judge for Baltimore County, that the amended Petition for Variance seeking relief from B.C.Z.R. §§1A04.3, 1A04.3.B.2.b, and 1A04.3.B.3 to permit a height of 40 feet, side yard setbacks of 10 ft., a rear yard setback of 38 ft., a building coverage of 17.1% in lieu of the maximum permitted 35 feet, required 50 ft., 50 ft., and 50 ft., and maximum permitted 15%, respectively, for a replacement dwelling on an existing lot of record, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her 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. Petitioner must prior to issuance of permits comply with the critical area and flood protection regulations.
3. Prior to construction of the proposed single family dwelling Petitioner must satisfy the RC5 performance standards, as determined in the sole discretion of the DOP.

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

Signed
JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln



RC 20

RC 20

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

KELLY CASE LN

CEDAR RD

BEECHWOOD AVE

151D

7 CD

Back River Neck District

RC 5

EVERGREEN LN

BAYSIDE RD

104C3
SE 4-I

BL

1800013542
SITE
1800016265

Rowleys Quarters-Back River Neck Area

Pt. Bk. boundary, Folio 0174

John Motsco P.E.

Maryland Professional Engineer License Number 44
10710 Gilroy Road Hunt Valley, MD 21031
410-705-5020 jmotsco@centuryeng.com

PETITIONER'S

EXHIBIT NO. 4

Technical Skills

AutoCAD 2004, 2007
HEC-RAS

TR-20, TR-55
eONE Design Assistant 8.0

HEC-HMS
Microsoft Office

Technical Knowledge

Septic System Design
Floodplain analyses
Storm Drain Hydrology and Hydraulics
Geometric Road Design
Site Grading

Pressure Sewer Design
Sediment Control Design
Environmental Site Design
Stormwater Management Design
Erosion and Sediment Control

Work Experience

Little & Associates, a Division of Century Engineering, Inc., Hunt Valley, MD
Senior Project Engineer / Manager
April 2019 - Current

Little & Associates, Inc., Towson, MD – Senior Project Engineer / Manager
September 2004 – April 2019

Schedule, design, and manage all engineering, permitting and public contract administration, for a variety of residential and commercial projects, supervising a group of 6 – 9 junior engineers and CADD draftsmen. Act as the primary liaison between Investors, Construction Superintendents, and Government Agencies. Provide construction inspection and Utility As-Built documentation for security reduction and contract suitability.

Provide expert testimony in matters of Land Development, Land Planning, Zoning, Stormwater Management, and Engineering. Accepted as an expert witness by the Baltimore County Administrative Law Judge and the Baltimore County Board of Appeals

Instruct New Hires in company policy and procedures aid familiarity with corporate and governmental design standards. Train employees in basic and advanced AutoCAD commands and techniques. Revised CAD layering standards to comply with AIA standards and coordinated rollout company wide. Supervise Workstation and Networking maintenance and upgrades. Perform repairs and maintenance on large format printer. Manage web-based E-Mail server.

Education

The Pennsylvania State University
Bachelors of Science – Civil Engineering – Graduated May 2004

Training, Certifications and Awards

Maryland Professional Engineer License Number 44112
State of Maryland – Erosion & Sediment Control (Green Card) Certification
Baltimore County Soil Conservation District Consulting Firm of the Year – 2004, 2005 & 2016
Maximizing AutoCAD Productivity Seminar

John Motsco P.E.

Maryland Professional Engineer License Number 44112

10710 Gilroy Road Hunt Valley, MD 21031

410-705-5020 jmotSCO@centuryeng.com

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HEC-RAS

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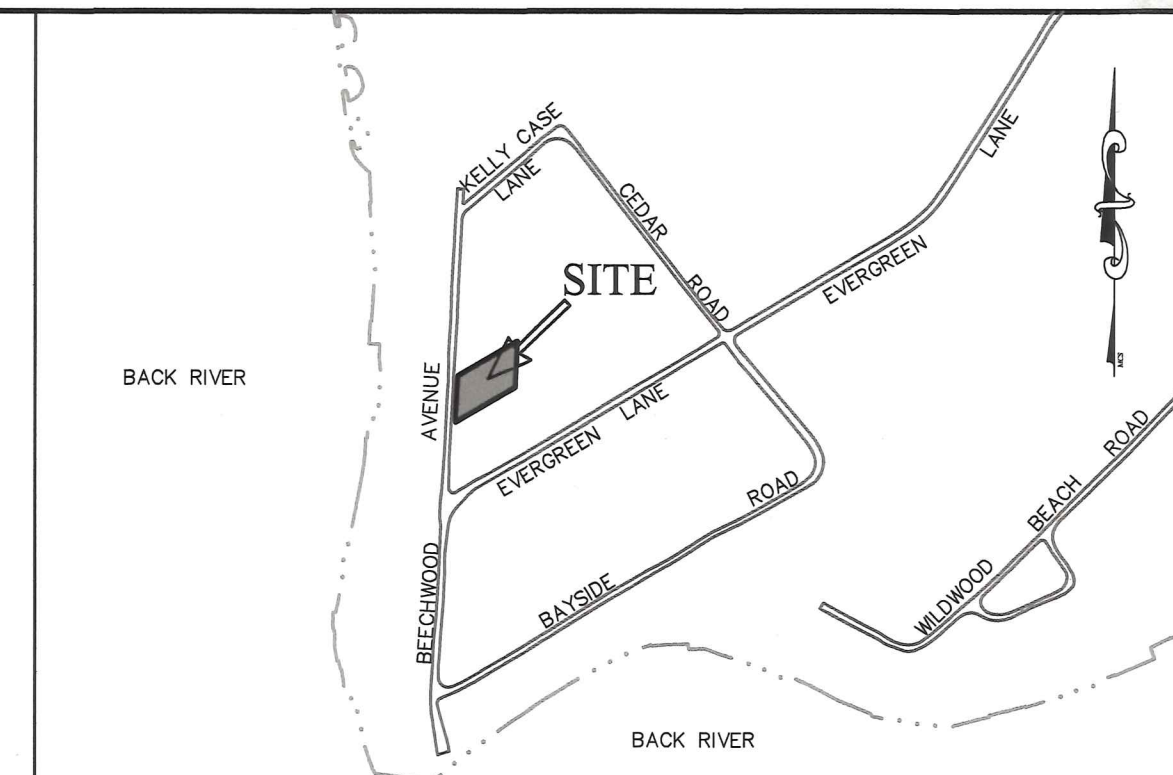
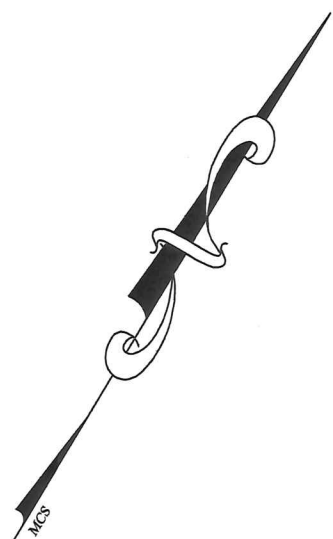
Baltimore County Soil Conservation District Consulting Firm of the Year – 2004, 2005 & 2016

Maximizing AutoCAD Productivity Seminar

Baltimore County - My Neighborhood



PETITIONER'S
EXHIBIT NO. 3



VICINITY MAP

SCALE: 1"=500'

SITE DATA

1. NET TRACT AREA: 0.413 AC± (18,019 SF)
2. SITE IS ZONED RC-5; 200 SCALE MAP 104C3
3. OWNER: CAROLYN F. SENNETT
18218 ROCKLAND ROAD
HAGERSTOWN, MD 21740
4. TAX ACCOUNT NUMBER: 1900013542
5. DEED: 40804/127
6. TAX MAP NO.: 0104 GRID: 0024 PARCEL: 268
7. PLAT: 7/147
8. THIS SITE IS LOCATED WITHIN THE BACK RIVER WATERSHED
9. THIS SITE IS NOT LOCATED WITHIN ANY DEFICIENT AREAS BASED ON THE 2019 BASIC SERVICES MAPS, PURSUANT TO SECTION 4A02, BCZR
10. THIS SITE IS LOCATED WITHIN A TIDAL FLOOD PLAIN
11. THIS SITE IS LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA
12. THERE ARE NO KNOWN ENDANGERED SPECIES HABITATS, ARCHAEOLOGICAL OR HISTORICAL SITES, OR CONTAMINATED AREAS ON THE SUBJECT PROPERTY.
13. THIS SITE HAS NO ZONING VIOLATIONS
14. CURRENT USE: VACANT
15. PROPOSED USE: RESIDENTIAL

PRIOR ZONING HISTORY

CASE # 3562-X
DENIED BY ZONING COMMISSIONER OF BALTIMORE COUNTY
ORDER DATE: 10/31/1955
REQUEST: SPECIAL EXCEPTION TO ALLOW PICNIC GROUNDS IN AN R-6 ZONE

REQUESTED RELIEF

BCZR 1A04.3(B)(1)(a) - TO PERMIT CONSTRUCTION ON A LOT HAVING AN AREA OF 0.413 ACRES IN LIEU OF THE REQUIRED 1.5 ACRES IN AN RC-5 ZONE;

BCZR 1A04.3(B)(2)(b) - TO PERMIT A BUILDING TO BE SITUATED 55' FROM CENTER LINE OF A ROAD IN LIEU OF 75', TO PERMIT A BUILDING SETBACK OF 13', 17' AND 40' IN LIEU OF THE REQUIRED 50' IN ANY LOT LINE, RESPECTIVELY;

FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

CONSISTENT WITH RECENT DECISIONS OF THE OFFICE OF ADMINISTRATIVE HEARINGS, JOHN BEVERUNGEN, ADMINISTRATIVE LAW JUDGE (SEE ATTACHED), THESE LOTS ARE UNIQUE AS THEY ARE SUBJECT OF A RECORD PLAT RECORDED IN 1924 AND ARE NOW ZONED RC-5. UNDER SUCH ZONING, NO HOMES COULD BE BUILT ON THESE LOTS WITHOUT THE REQUESTED VARIANCES.

100 YEAR FLOOD ELEVATIONS

FEMA DESIGN FLOOD ELEVATION - ZONE AE	6.0
BALTIMORE COUNTY BASE FLOOD ELEVATION	7.7
BALTIMORE COUNTY FLOOD PROTECTION ELEVATION	8.7
BALTIMORE COUNTY DESIGN FLOOD ELEVATION	9.7

PETITIONER'S

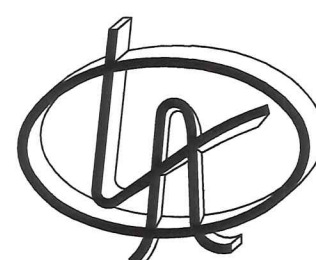
EXHIBIT NO. 1

CASE #2019-0506-A

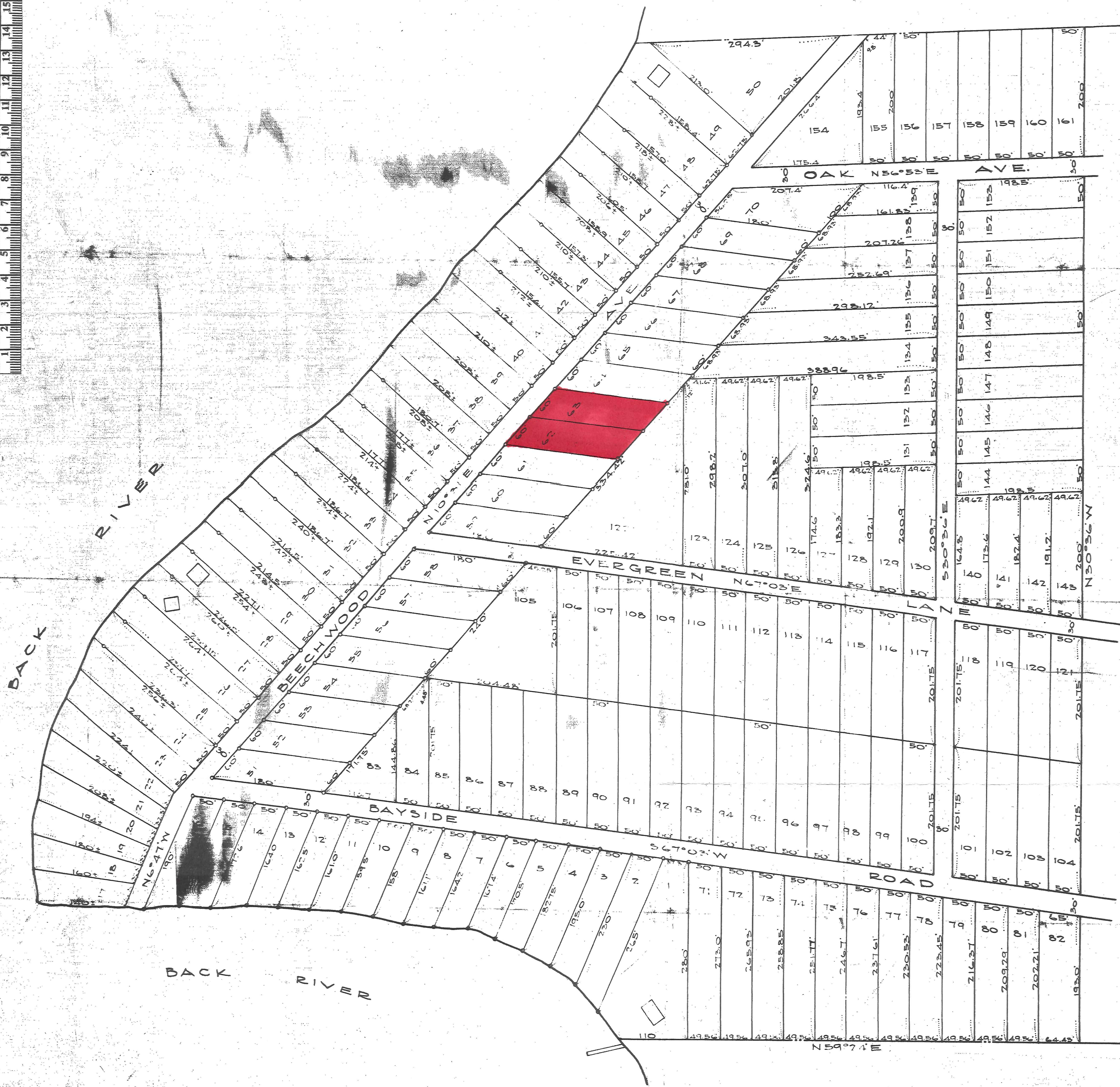
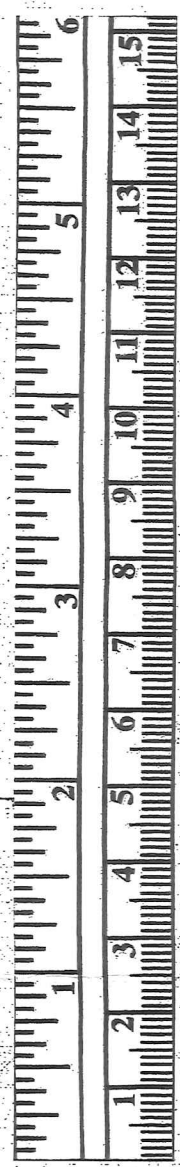
PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE AND SPECIAL HEARING #1717 BEECHWOOD AVENUE

DISTRICT 15c7
SCALE: 1"=50'

BALTIMORE COUNTY, MD
NOVEMBER 6, 2019



LITTLE & ASSOCIATES
ENGINEERS~LAND PLANNERS~SURVEYORS
10710 GILROY ROAD
HUNT VALLEY, MARYLAND 21031
PHONE: (443)705-5020 FAX: (443)589-2401
LITTLE & ASSOCIATES IS A DIVISION OF CENTURY ENGINEERING, INC.

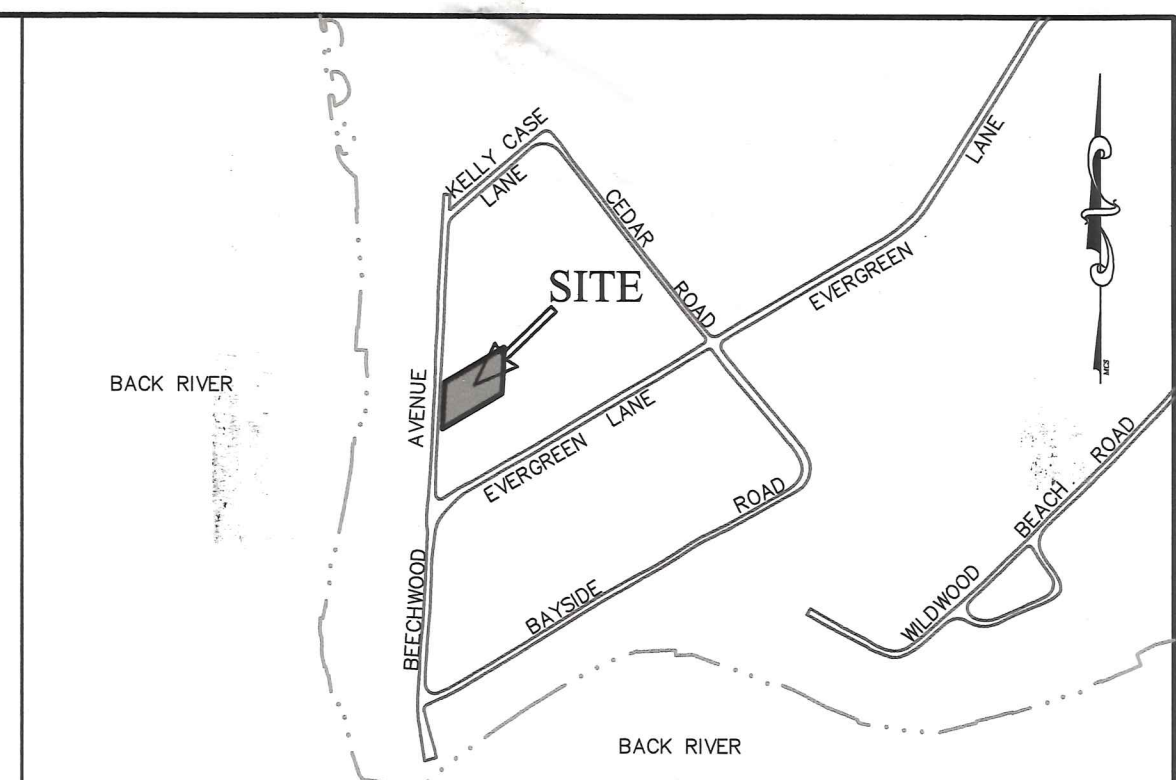
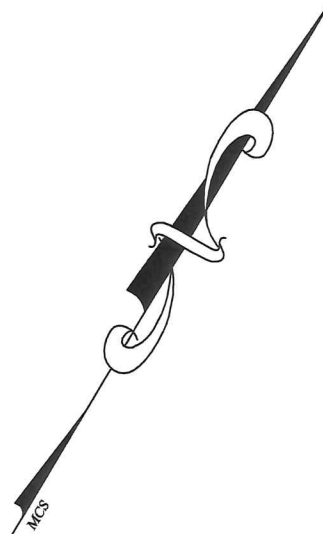


PETITIONER'S

EXHIBIT NO. 2

PLAT OF
EVERGREEN PARK
FIFTEENTH DISTRICT
BALTIMORE COUNTY
MARYLAND

SCALE 1"=100' OCT. 29, 1924.
E. X. COOZEY & SONS, INC.
SURVEYORS & CIVIL ENGINEERS
251 COURTLAND STREET
BALTIMORE, MD.



VICINITY MAP
SCALE: 1"=500'

SITE DATA

1. NET TRACT AREA: 0.413 AC± (18,019 SF)
2. SITE IS ZONED RC-5; 200 SCALE MAP 104C3
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15. PROPOSED USE: RESIDENTIAL

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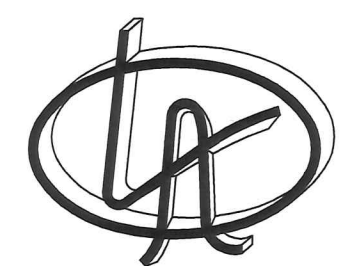
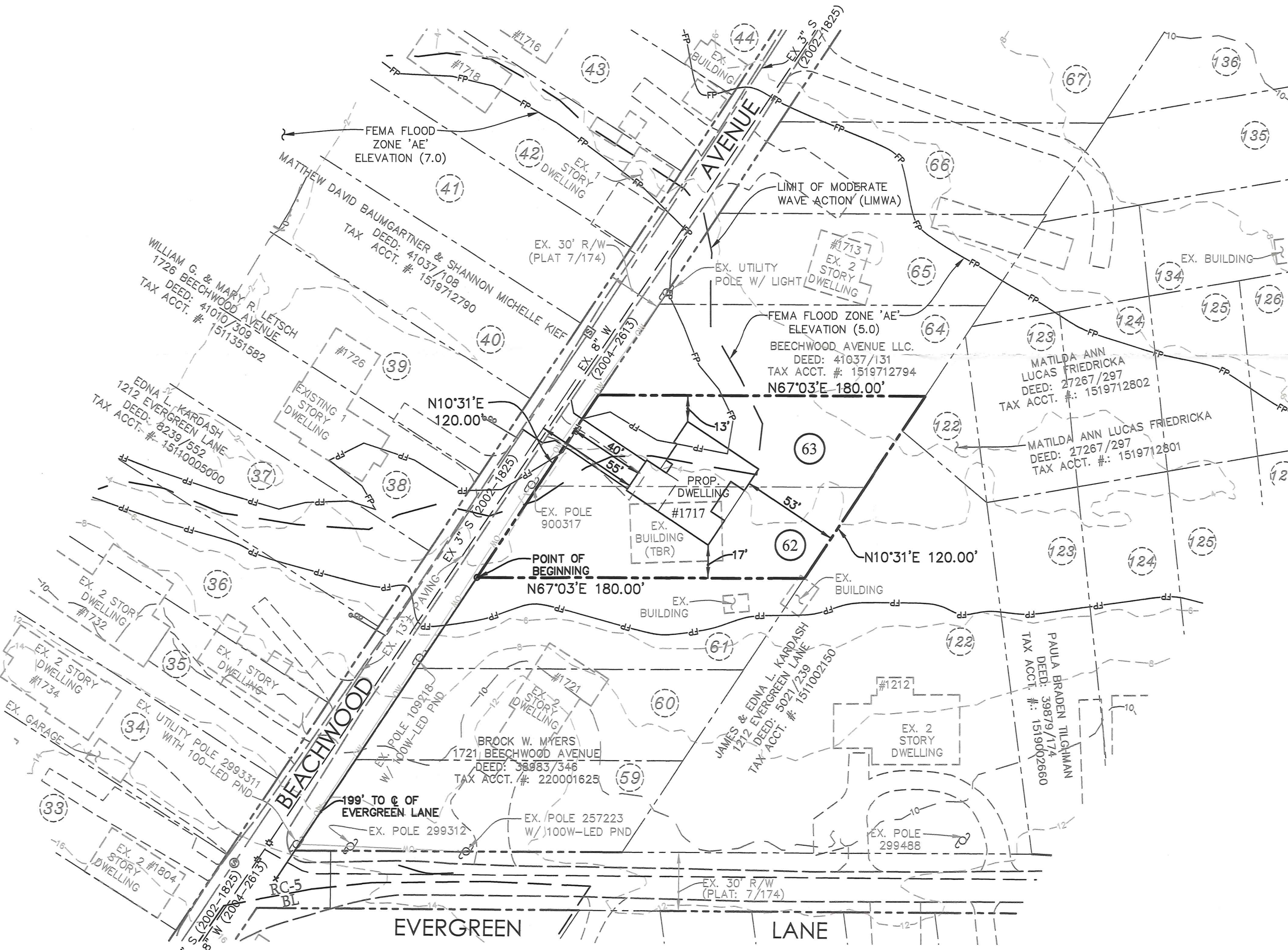
BCZR 1A04.3(B)(2)(b) - TO PERMIT A BUILDING TO BE SITUATED 55' FROM CENTER LINE OF A ROAD IN LIEU OF 75', TO PERMIT A BUILDING SETBACK OF 13', 17' AND 40' IN LIEU OF THE REQUIRED 50' IN ANY LOT LINE, RESPECTIVELY;

FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

CONSISTENT WITH RECENT DECISIONS OF THE OFFICE OF ADMINISTRATIVE HEARINGS, JOHN BEVERUNGEN, ADMINISTRATIVE LAW JUDGE (SEE ATTACHED), THESE LOTS ARE UNIQUE AS THEY ARE SUBJECT OF A RECORD PLAT RECORDED IN 1924 AND ARE NOW ZONED RC-5. UNDER SUCH ZONING, NO HOMES COULD BE BUILT ON THESE LOTS WITHOUT THE REQUESTED VARIANCES.

100 YEAR FLOOD ELEVATIONS

FEMA DESIGN FLOOD ELEVATION - ZONE AE	6.0
BALTIMORE COUNTY BASE FLOOD ELEVATION	7.7
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ENGINEERS~LAND PLANNERS~SURVEYORS
10710 GILROY ROAD
HUNT VALLEY, MARYLAND 21031
PHONE: (443)705-5020 FAX: (443)589-2401
LITTLE & ASSOCIATES IS A DIVISION OF CENTURY ENGINEERING, INC.

CASE #2019-0506-A
PLAN TO ACCOMPANY PETITION FOR
ZONING VARIANCE AND SPECIAL HEARING
#1717 BEECHWOOD AVENUE

DISTRICT 15c7
SCALE: 1"=50'
BALTIMORE COUNTY, MD
NOVEMBER 6, 2019