

M E M O R A N D U M

DATE: September 24, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0181-A – Appeal Period Expired

The appeal period for the above-referenced cases expired on September 23, 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 ADMIN. VARIANCE	*	BEFORE THE
(1400 Wilson Point Road)		
15th Election District	*	OFFICE OF ADMINISTRATIVE
6th Council District		
Thomas P. & Amanda C. Nieto	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2020-0181-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") as a Petition for Administrative Variance filed by the legal owners of the property, Thomas P. and Amanda C. Nieto ("Petitioners"). The Petitioners are requesting Variance relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations ("BCZR"), to permit a front yard addition (enclosure of existing porch) with a side street setback of 8.25 ft. in lieu of the required 25 ft. and to allow an existing rear yard setback of 8.5 ft. in lieu of the required 30 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee ("ZAC") comments were received and are made part of the record of this case. There were no adverse ZAC comments submitted by any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 2, 2020, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). Based upon the information available, there is no evidence in

ORDER RECEIVED FOR FILING

Date 8/24/20
By D Mignon

the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

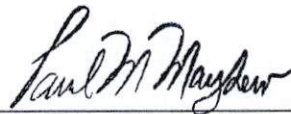
Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 24st day of **August, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations ("BCZR"), to permit a front yard addition (enclosure of existing porch) with a side street setback of 8.25 ft. in lieu of the required 25 ft. and to allow an existing rear yard setback of 8.5 ft. in lieu of the required 30 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for the appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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:dlm

ORDER RECEIVED FOR FILING

Date

8/24/20

By

D. M. Magon



ADMINISTRATIVE ZONING . PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 1400 Wilson Point Road, Middle River, MD 21220 Currently zoned DR 5.5
 Deed Reference 24992 / 00082 10 Digit Tax Account # 1504502040
 Owner(s) Printed Name(s) Thomas P. Nieto, Amanda C. Nieto

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

For Administrative Variances, the **Affidavit** on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. **X** **ADMINISTRATIVE VARIANCE** from Section(s)

BCZR: 1B02.3.C.1. → To permit a front yard addition (enclosure of existing porch) with a side street setback of 8.25 feet in lieu of the required 25 feet and to allow an existing rear yard setback of 8.5 feet in lieu of the required 30 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Thomas P. Nieto	Amanda C. Nieto	
Name #1 – Type or Print	Name #2 – Type or Print	
<i>Thomas P. Nieto</i>	<i>Amanda C. Nieto</i>	
Signature #1	Signature #2	
1400 Wilson Point Road	Middle River	MD
Mailing Address	City	State
21220	410-686-6232	nieto.tom@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 _____

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

Name – Type or Print _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

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

Administrative Law Judge for Baltimore County

CASE NUMBER 2020-0181-A Filing Date 7/24/20 Estimated Posting Date 8/2/20 Reviewer JS

Affidavit in Support of Administrative Variance

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

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

Address: 1400 Wilson Point Road Middle River MD 21220
Print or Type Address of property City State Zip Code

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

Due to the odd 45 degree position the dwelling on property, it would never be possible to improve the property based on curren zoning law. We are unable to extend the footprint on any side due to setback limits. The plat clearly illustrates the issues with the layout. We would like to use the existing front porch that is already under the current single roof to convert to liveable space. Similar corner lots in this neighborhood have the same setback issues.

Thomas P. Nieto
Signature of Owner (Affiant)

Thomas P. Nieto
Name- Print or Type

Amanda C. Nieto
Signature of Owner (Affiant)

Amanda C. Nieto
Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8 day of July, 2020, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: THOMAS + AMANDA NIETO

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

AS WITNESS my hand and Notaries Seal

Cathy M. Gunk
Notary Public
12/22/20
My Commission Expires

Zoning Description of Property

ZONING PROPERTY DESCRIPTION FOR, 1400 Wilson Point Road, beginning at a point on the West side Wilson Point Road which is 45 feet wide at a distance of 15 feet South of the centerline of the nearest improved intersecting street, Fir Drive, which is 30 feet wide.

Being Lot# 131, Section #4, in the subdivision of Stansbury Manor as recorded in Baltimore County Plat Book# 0013, Folio# 0138, containing 792 Sq Ft. dwelling on 5,776 Sq Ft land area. Located in the 16th Election District and the 6th Council District.

2070-0181-A

CERTIFICATE OF POSTING

2020-0181-A

RE: Case No.: _____

Petitioner/Developer: _____

NIETO

August 17, 2020

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

1400 Wilson Point Road

SIGN 1

August 2, 2020

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



Sincerely,

August 2, 2020

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0181-A

RE: Case No.: _____

Petitioner/Developer: _____

NIETO

August 17, 2020

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

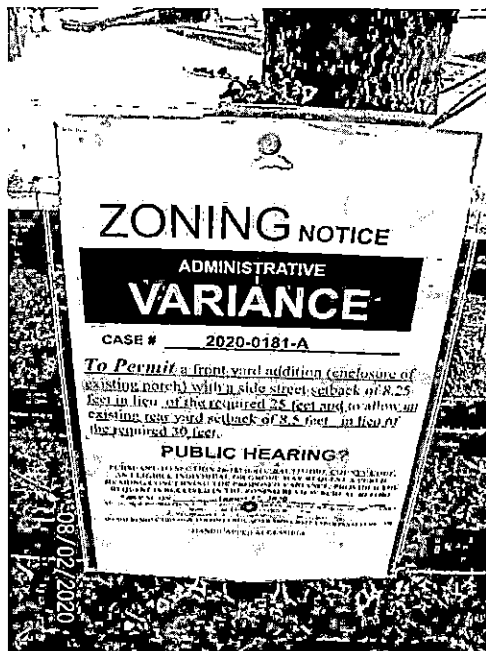
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1400 Wilson Point Road

SIGN 2

August 2, 2020

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



Sincerely,

August 2, 2020

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2020- 0181 -A Address 1400 WILSON POINT ROAD

Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 7/24/20 Posting Date: 8/2/20 Closing Date: 8/17/20

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2020- 0181 -A Address 1400 WILSON POINT ROAD

Petitioner's Name Nieto Telephone 410-686-6232

Posting Date: 8/2/20 Closing Date: 8/17/20

Wording for Sign: To Permit

 → To permit a front yard addition (enclosure of existing porch) with a side street
setback of 8.25 feet in lieu of the required 25 feet and to allow an existing rear yard setback of 8.5 feet
 in lieu of the required 30 feet.

Revised 2/20/2020

**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/neighbor 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: 2020-0181-4

Property Address: 1400 Wilson Point Road

Property Description: Single family dwelling

Legal Owners (Petitioners): Tom P. Nieto + Amanda C. Nieto

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Amanda Nieto

Company/Firm (if applicable): _____

Address: 1400 Wilson Point Road
Middle River, MD 21220

Telephone Number: 410-686-6232

Revised 7/9/2015

July 9, 2020

Baltimore County Zoning Office

Attn: Carl Richards

111 W. Chesapeake Ave.

Towson, MD 21204

Dear Mr. Richards,

Please find the attached zoning application along with my \$75.00 check for processing.

We are looking at adding additional living space to our home by enclosing our existing front porch.

I called and spoke with someone in the zoning office that said it would be alright to submit our application by mail due to the restrictions put in place from COVID19.

I followed the instructions as best I could on the application and have submitted the notarized application along with the diagrams of my property.

Please let me know if there is any other information that you need to process my application.

I can be reached by phone at 410-686-6232, cell phone at 443-310-2427 or by email at amandac88@hotmail.com

Thank you so much for your time and consideration and I hope you are staying safe.

Sincerely,

Amanda Nieto

8-25 in view of
18314

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

No. 199777

Date: 7/24/20

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 75.00
Total:								\$ 75.00

Rec From: NIETO

For: 2020-0181-A

DISTRIBUTION

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

CASHIER'S
VALIDATION

AMANDA C. NIETO 03-04
THOMAS P. NIETO
1400 WILSON POINT ROAD
MIDDLE RIVER, MD 21220

65-7767
2550 D

1821

DATE 7/9/20

PAY TO
THE ORDER OF

Baltimore County
Seventy-Five and 00/100 \$ 75.00
DOLLARS

First
Financial
FEDERAL CREDIT UNION

MEMO Permit Fee

Amanda Nieto

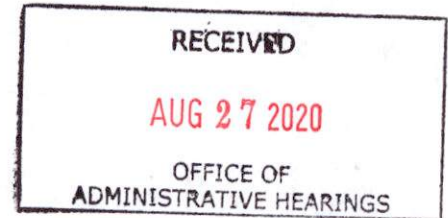
MP

2550776711 1906512811 01821

SPECIALTY BLUE

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



*Rec'd
after order
issued*

TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: August 27, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0181-A
Address 1400 Wilson Point Road
(Nieto Property)

Zoning Advisory Committee Meeting of **August 3, 2020.**

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, non-waterfront property is located within an Intensely Developed Area (IDA) of the Chesapeake Bay Critical Area. Properties that are located within an IDA are subject to practices that reduce water quality impacts associated with stormwater runoff, commonly referred to as the Critical Area 10% Rule. The petitioner is requesting to allow reduced setbacks to construct a 120 square foot (sf) addition. The project exempt from these regulations because the new impervious surfaces are less than 250 sf. Any future building permit applications and/or plans received by the Environmental Impact Review (EIR) Section of DEPS will be reviewed for the applicability of the 10% Rule regulations and any required mitigation. Allowing the request with this petition will result in minimal impacts to water quality.

RECEIVED

ADMINISTRATIVE
OFFICE OF
THE SECRETARY

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

The subject property is not a waterfront property. There is not a Critical Area buffer projected onto the property. Any building permits or plans submitted to EIR will be reviewed for the application of the IDA 10% pollutant reduction requirements, which will improve buffer functions and conserve fish habitat in proximity to nearby Stansbury Creek and Middle River. As shown on the plan with this petition, the project is exempt from these regulations

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 request to allow reduced yard setbacks to construct a 120 square foot addition is consistent with this goal in the IDA. The project, as designed, is exempt from the IDA regulations but will be subject to review for application of these requirements if revisions are made and impacts increase to 250 sf or greater. Allowing this request will be consistent with established land-use policies.

Reviewer: Thomas Panzarella
Environmental Impact Review



JOHN A. OLSZEWSKI, JR.
County Executive

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

August 17, 2020

Thomas P. Nieto
1400 Wilson Point Road
Middle River MD 21220

RE: Case Number: 2020-0181-A

Dear: Thomas P. Nieto

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspections (PAI) on July 24, 2020.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning	410-887-3480
Department of Environmental Protection and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:

C: People's Counsel

CASE NO. 2020- 6181-A**C H E C K L I S T**

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
------------------------------------	--------------------------	--

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

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

_____	FIRE DEPARTMENT	_____
-------	-----------------	-------

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

_____	STATE HIGHWAY ADMINISTRATION	_____
-------	------------------------------	-------

_____	TRAFFIC ENGINEERING	_____
-------	---------------------	-------

_____	COMMUNITY ASSOCIATION	_____
-------	-----------------------	-------

_____	ADJACENT PROPERTY OWNERS	_____
-------	--------------------------	-------

ZONING VIOLATION	(Case No. _____)
------------------	------------------

PRIOR ZONING	(Case No. _____)
--------------	------------------

NEWSPAPER ADVERTISEMENT	Date: _____	
-------------------------	-------------	--

SIGN POSTING (1 st)	Date: <u>8-2-20</u>	by <u>Black</u>
---------------------------------	---------------------	-----------------

SIGN POSTING (2 nd)	Date: _____	by _____
---------------------------------	-------------	----------

PEOPLE'S COUNSEL APPEARANCE	Yes	☐	No	☐
-----------------------------	-----	--------------------------	----	--------------------------

PEOPLE'S COUNSEL COMMENT LETTER	Yes	☐	No	☐
---------------------------------	-----	--------------------------	----	--------------------------

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 15 Account Number - 1504502040		
Owner Information		
Owner Name:	NIETO THOMAS P NIETO AMANDA C	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	1400 WILSON POINT RD BALTIMORE MD 21220-5422	Deed Reference: /24992/ 00082
Location & Structure Information		
Premises Address:	1400 WILSON POINT RD 0-0000	Legal Description: 1400 WILSON POINT RD STANSBURY MANOR
Map:	Grid:	Parcel:
0091	0019	0253
Neighborhood:	Subdivision:	Section:
15030022.04	0000	4
Block:	Lot:	Assessment Year:
	131	2018
Plat No:		Plat Ref:
		0013/ 0138
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1942	792 SF	Property Land Area
		5,776 SF
County Use		04
Stories	Basement	Type
1	NO	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	3	1 full
Garage	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of
		01/01/2018
Land:	60,700	60,700
Improvements	57,600	59,100
Total:	118,300	119,800
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2019
		As of
		07/01/2020
		119,300
		119,800
		0
Transfer Information		
Seller: PILO ANTHONY R	Date: 12/29/2006	Price: \$170,000
Type: ARMS LENGTH IMPROVED	Deed1: /24992/ 00082	Deed2:
Seller: PILO ANTHONY R	Date: 09/20/2006	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /24494/ 00722	Deed2:
Seller: PILO ANTHONY R	Date: 08/22/2001	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /15492/ 00573	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	07/01/2019
State:	000	0.00
Municipal:	000	0.00
		0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 01/13/2009		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

ZAC AGENDA

Case Number: 2020-0180-A **Reviewer:** Gary Hucik
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Nettie R Hines
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 2 **Council Dist:** 4

Property Address: 9301 TULSEMERE RD
Location: South East Corner of Tulsemere Road and Winands Road.

Existing Zoning: DR 3.5 **Area:** 10,584 SQ FT

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

From Section 1B02.3.C.1 BCZR; To permit a proposed addition with a front yard setback of 25 feet in lieu of the required 30 feet and a side yard of 7 feet in lieu of the required 10 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 08/17/2020

Miscellaneous Notes:

Case Number: 2020-0181-A **Reviewer:** Jason Seidelman
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Thomas P. Nieto, Amanda C. Nieto
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** Yes **Historic:** No **Election Dist:** 15 **Council Dist:** 6

Property Address: 1400 WILSON POINT RD

Location: West side of Wilson Point Road (45'), 15' South of the center line of the intersection with Fir Drive.

Existing Zoning: DR 5.5 **Area:** 5,776 SQ FT

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 1B02.3.C.1 To permit a front yard addition (enclosure of existing porch) with a side street setback of 8.25 feet in lieu of the required 25 feet and to allow an existing rear yard setback of 8.5 feet in lieu of the required 30 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 08/17/2020

Miscellaneous Notes:



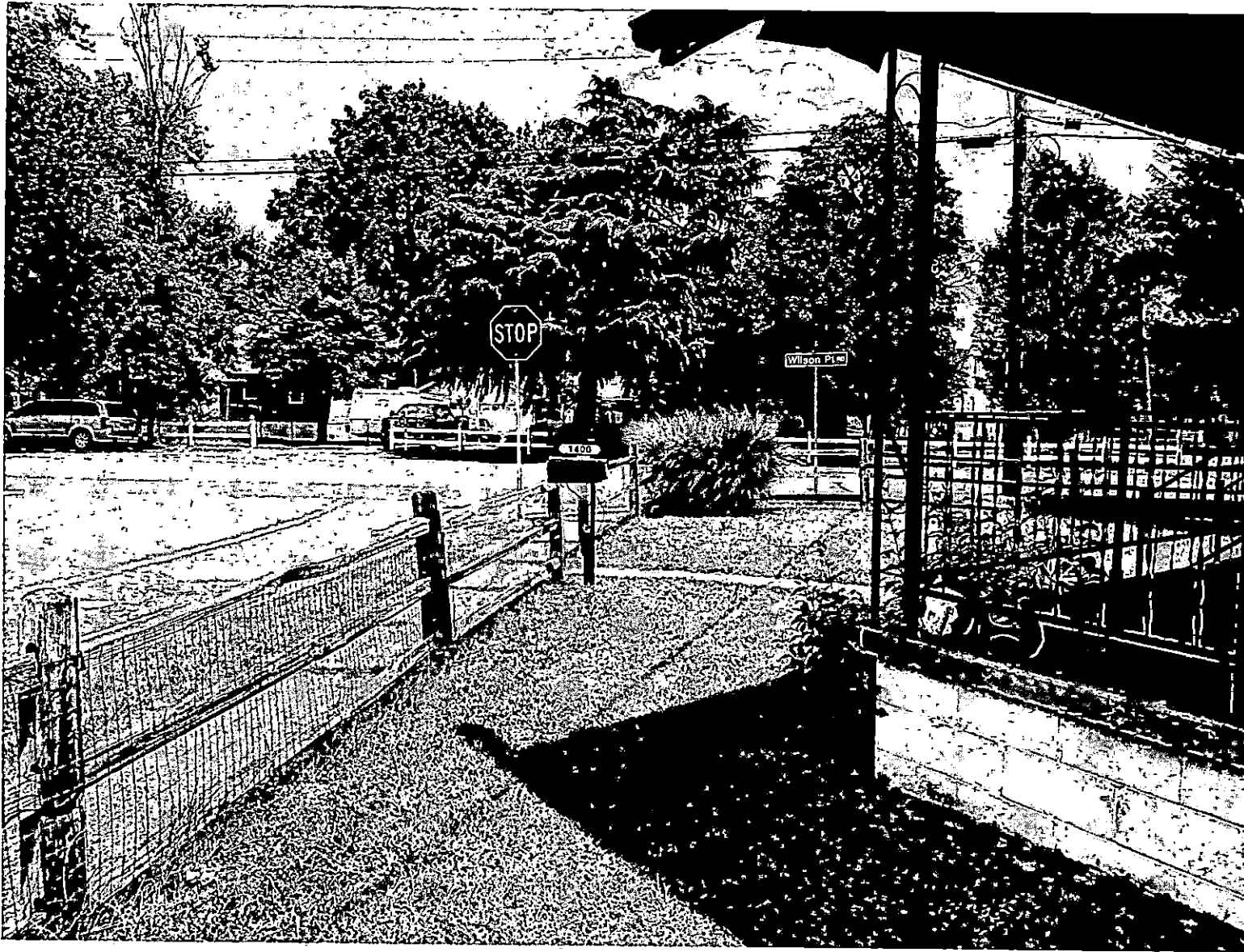
View, looking southwest,
of current covered front
porch from Wilson Point
Rd. The neighbor's front
porch is just visible on
the right.



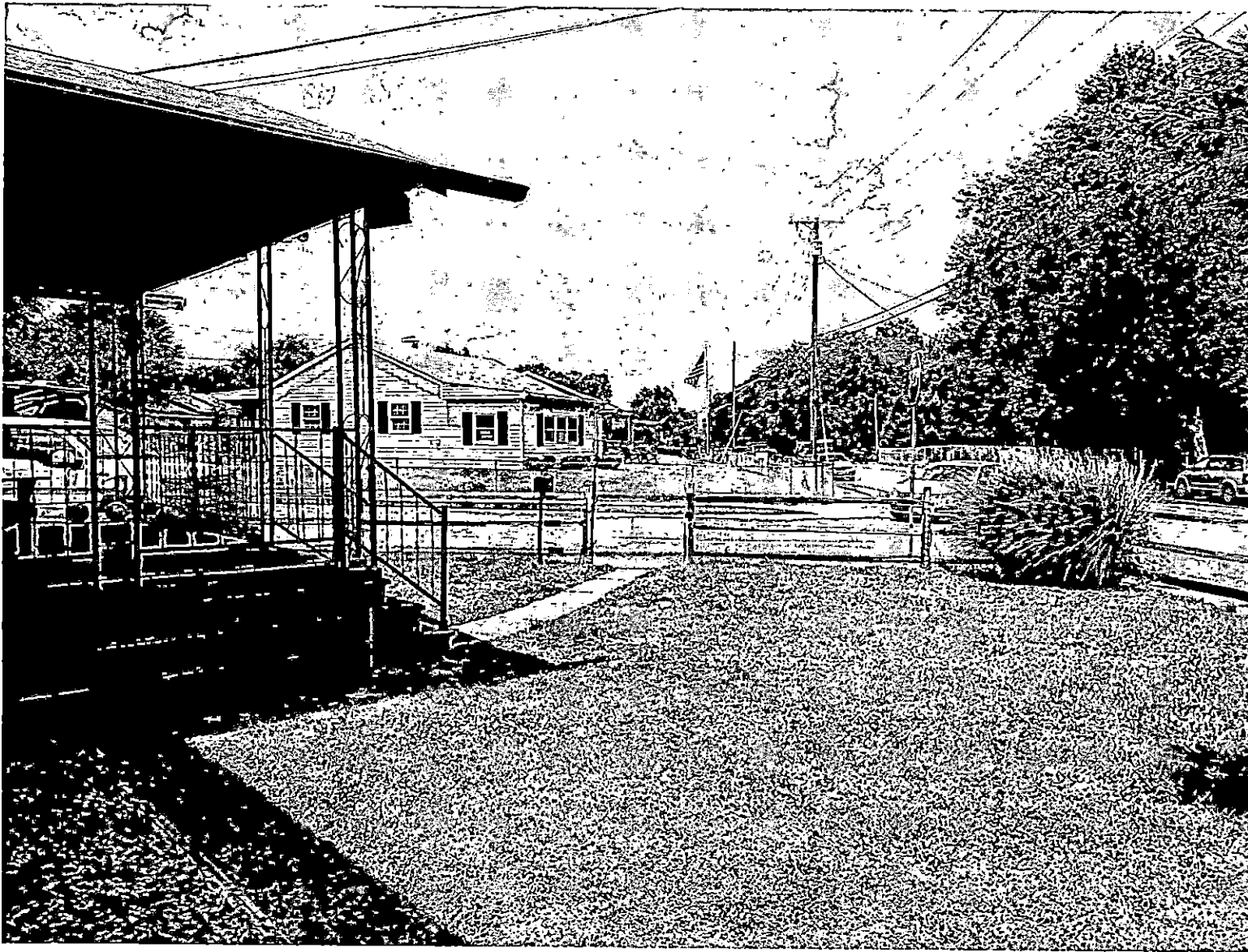
View across porch,
looking northwest with
Fir Dr. visible. Current
porch shown under
existing roof (new roof
as of Feb 2020). New
room would utilize
approx. 80% of this
existing covered space.



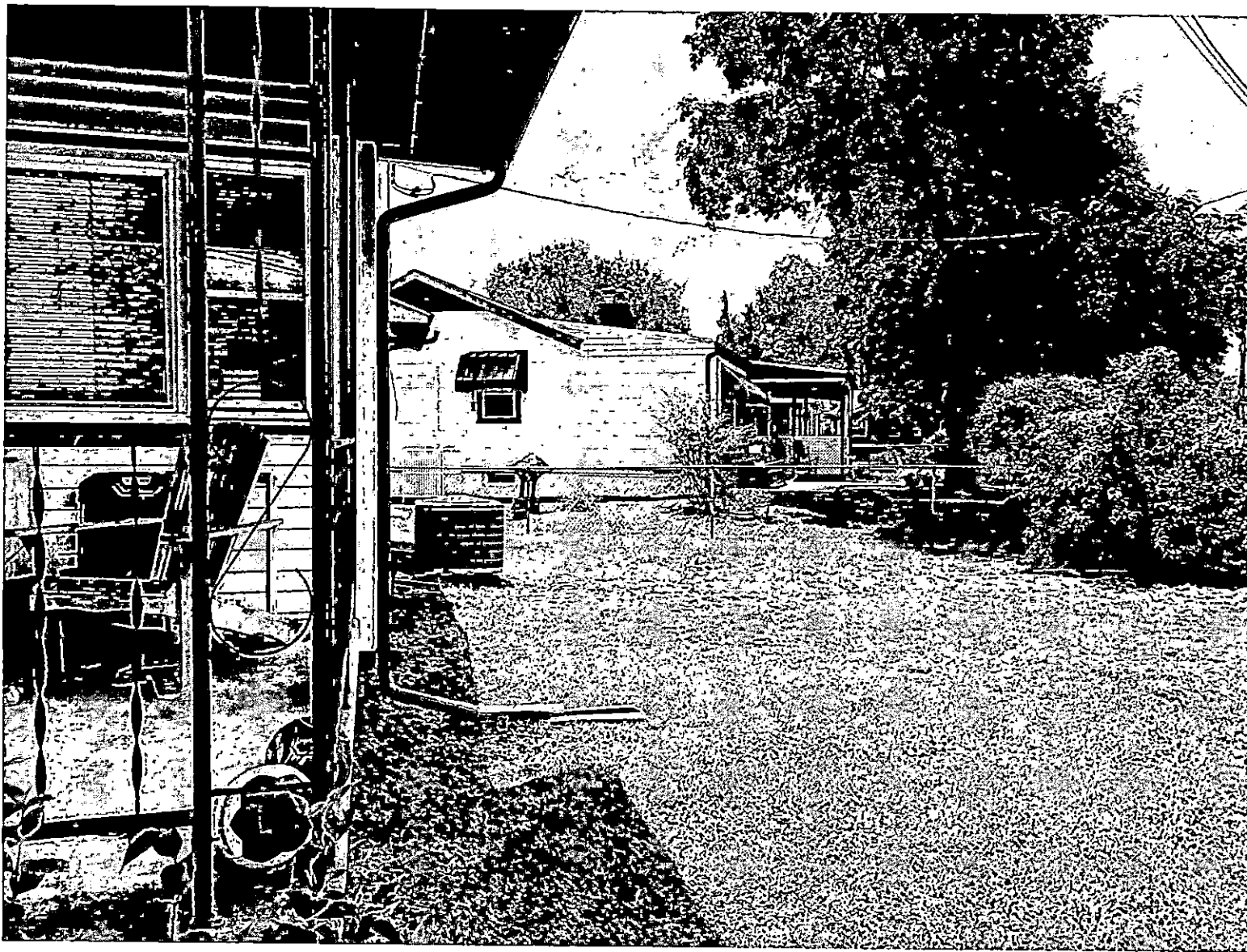
View across porch,
looking southeast, toward
Wilson Point Road.



View looking east toward
intersection of Wilson
Point Rd. and Fir Dr.
Existing covered porch is
on the right.



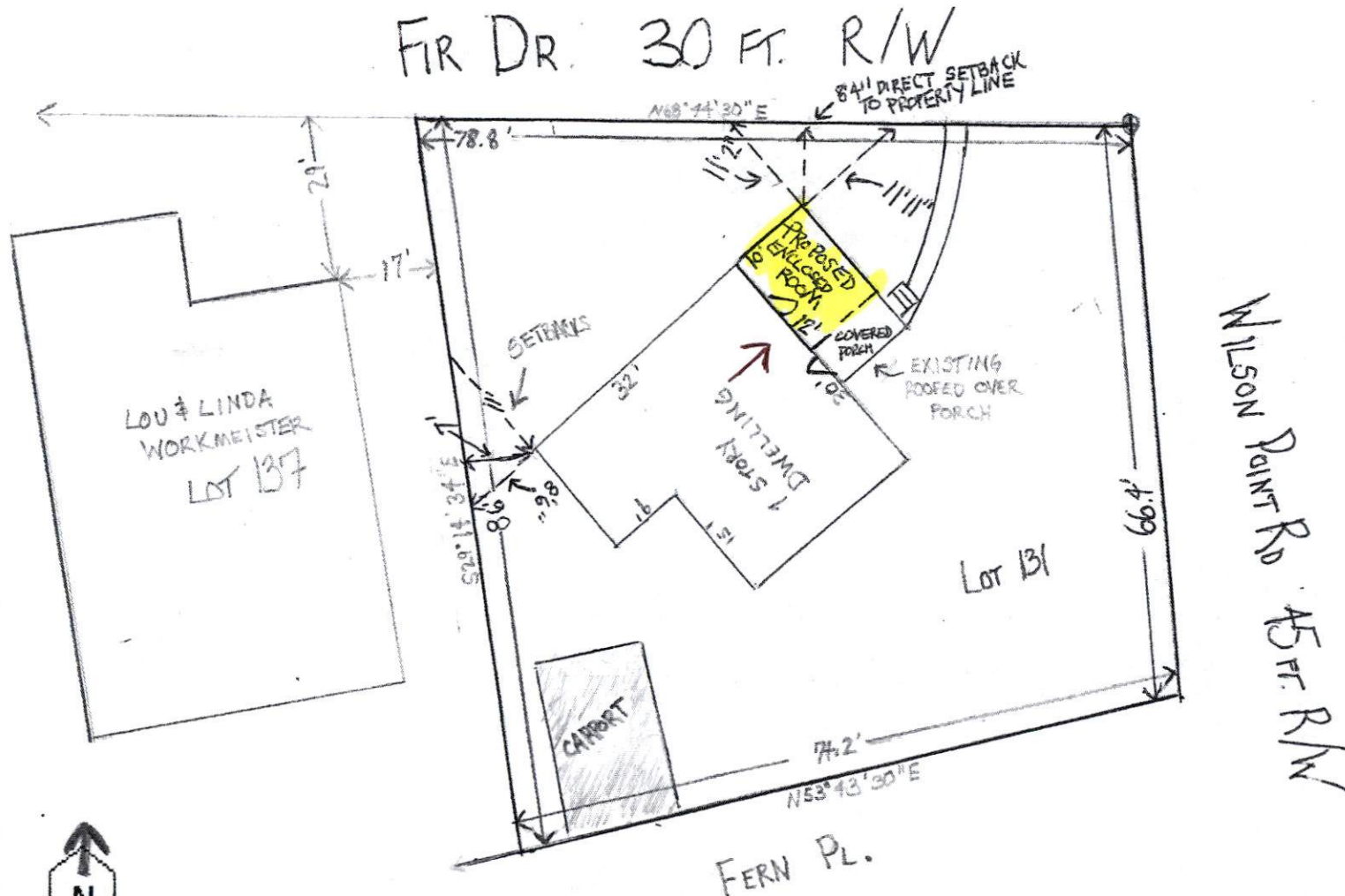
View looking
North/Northwest, of
intersection between Fir
Dr. and Wilson Point Rd.
Existing porch is shown
on the left.



View looking
South/Southwest, along
sidewall of house, from
corner of existing porch.

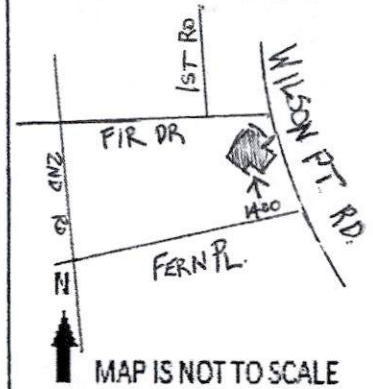
The neighboring
property (Lot 137) is
shown in the background.

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 1400 WILSON POINT ROAD OWNER(S) NAME(S) THOMAS P NIETO, AMANDA C NIETO
 SUBDIVISION NAME STANSBURY MANOR LOT # 131 BLOCK # _____ SECTION # 4
 PLAT BOOK # 13 FOLIO # 138 10 DIGIT TAX # 1504502010 DEED REF. # 24912/00082



PLAN DRAWN BY THOMAS NIETO DATE 7/19/2020 SCALE: 1 INCH = 20' FEET

SITE VICINITY MAP

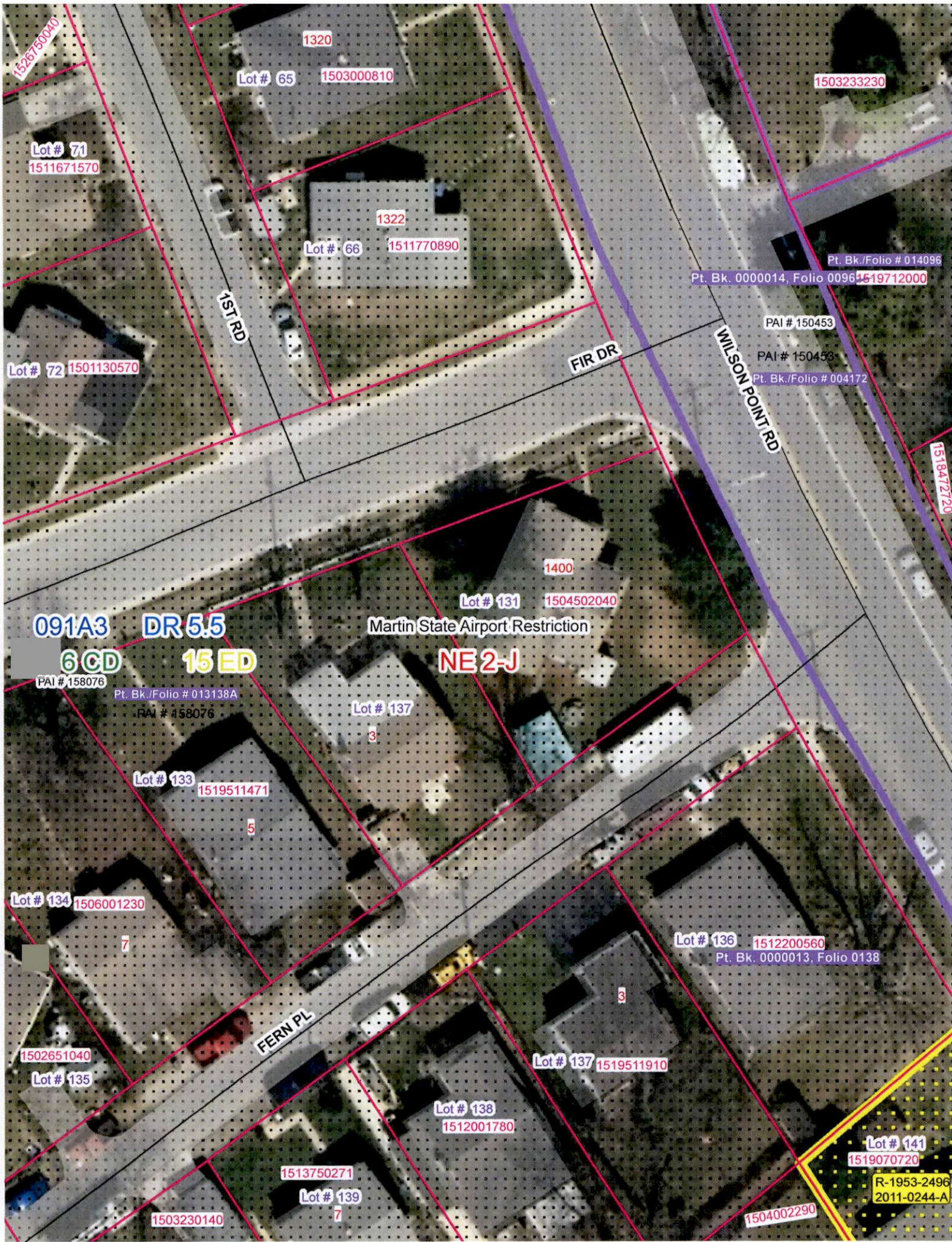


ZONING MAP# 0091
 SITE ZONED DR 5.5
 ELECTION DISTRICT 16
 COUNCIL DISTRICT 6
 LOT AREA ACREAGE _____
 OR SQUARE FEET 5,776
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

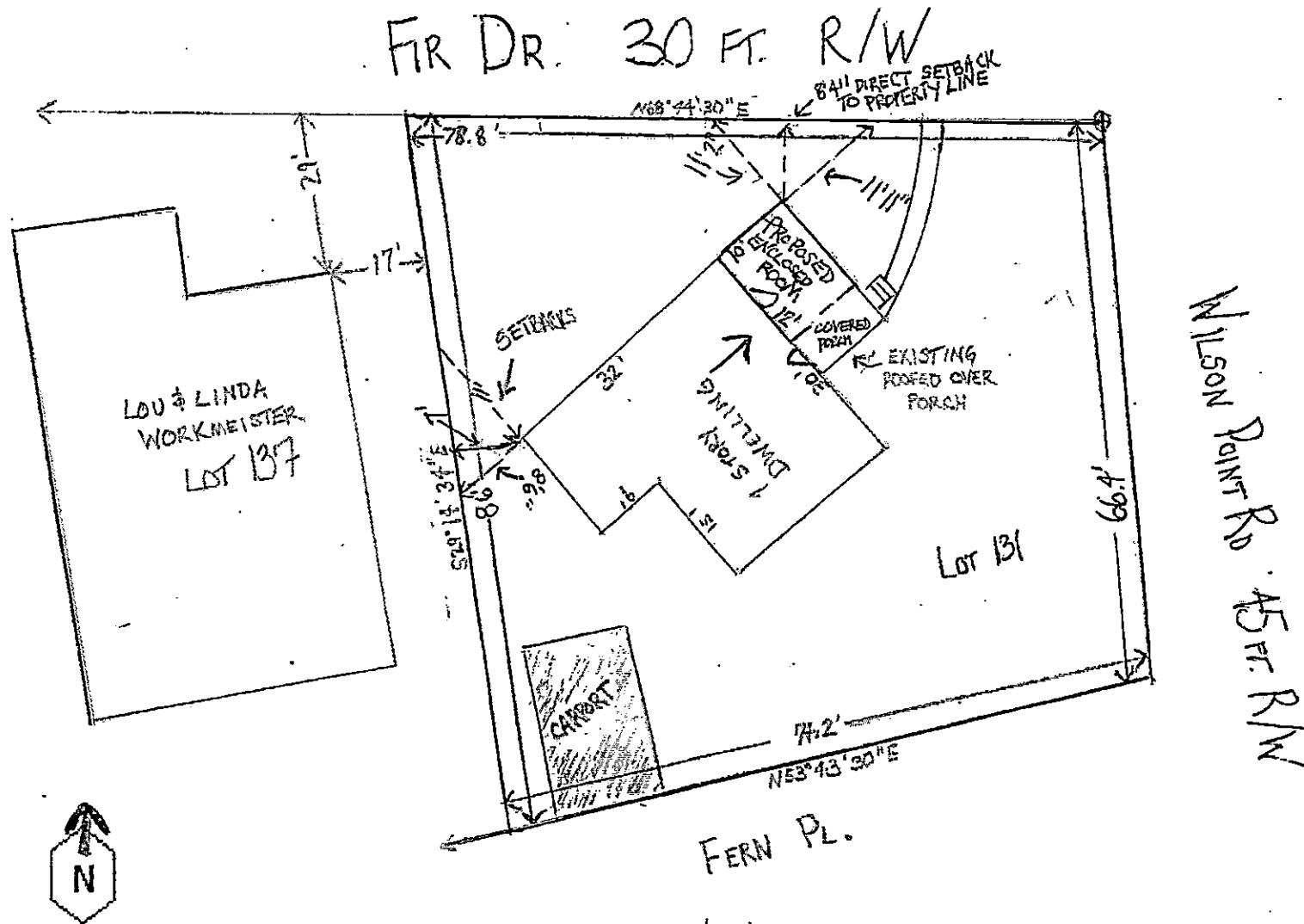
VIOLATION CASE INFO:

2020-0181-A

Pet. Exh. 1

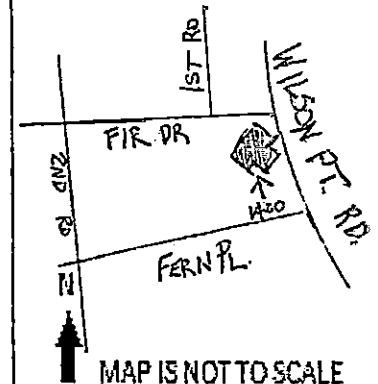


ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 1400 WILSON POINT ROAD OWNER(S) NAME(S) THOMAS P NIETO, AMANDA C NIETO
 SUBDIVISION NAME STANSBURY MANOR LOT # 131 BLOCK # _____ SECTION # 4
 PLAT BOOK # 13 FOLIO # 138 10 DIGIT TAX # 1504502010 DEED REF. # 24912/00082



PLAN DRAWN BY THOMAS NIETO DATE 7/19/2020 SCALE: 1 INCH = 20' FEET

SITE VICINITY MAP



ZONING MAP# 0091
 SITE ZONED DR 5.5
 ELECTION DISTRICT 16
 COUNCIL DISTRICT 6
 LOT AREA ACREAGE _____
 OR SQUARE FEET 5,776
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2020-0181-A