

M E M O R A N D U M

DATE: April 21, 2021
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0280-A – Appeal Period Expired

The appeal period for the above-referenced cases expired on April 17, 2021. 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

(2531 Barrison Point Road)

15th Election District

7th Council District

James W. & Cushla M. Srour

Legal Owners/Petitioners

*

BEFORE THE

*

OFFICE OF ADMINISTRATIVE

*

HEARINGS OF

*

BALTIMORE COUNTY

*

CASE NO. 2020-0280-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by James W. Srour and Cushla M. Srour (the "Petitioners") for property located at 2531 Barrison Point Road (the "Property"). The Petitioners are requesting variance relief from: (1) Baltimore County Zoning Regulations ("BCZR") §1A04.3 to permit a lot in an RC-5 zone with a lot coverage of 20% building coverage in lieu of the required 15% maximum building lot coverage; (2) BCZR § 400.1 to permit a proposed accessory use garage structure in the front yard or street side of a waterfront lot in lieu of the required rear yard; and (3) BCZR § 400.3 to permit a proposed accessory use garage structure with a height of 17 ft. in lieu of the required 15 ft. height maximum.

Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. The Petitioners appeared at the hearing. There were no opposing parties or interested citizens in attendance.

Zoning Advisory Committee ("ZAC") comments were received from the Department of Environmental Protection and Sustainability ("DEPS") which indicates that the subject property is located within the Limited Development Area ("LDA") and the maximum Critical Area defined lot coverage allowance for this Property is 5,594 sq. ft. with mitigation for any new amount over

ORDER RECEIVED FOR FILING

Date

By

3/18/21
Mignola

25%. A ZAC comment was also received from the Department of Planning ("DOP") which did not oppose the requested relief.

The Property is waterfront property on Hawk Cove. (Pet. Ex. 2). It is approximately 19,200 sq. ft. and zoned RC 5. (Pet. Ex. 1, 5 and 6). It is improved with a renovated single family home (2,236 sq. ft.) originally built in 1961 which faces the water (Pet. Ex. 4b and 4c) and a detached garage on Barrison Point Rd. (Pet. Ex. 4a). The Petitioners seek approval to remove the existing garage and replace it with one which is 672 sq. ft. 17 ft. tall in the same location. (Pet. Ex. 7). The garage will have a large garage door on the street side for vehicles accessed by concrete drive, and another smaller garage door on the waterfront side for water sports equipment (17 ft. kayak and 12 ft. row boat) and lawn equipment accessed via a ramp of compacted earth. (Pet. Ex. 8). The proposed garage will have a second story for storage which is needed because storage is lacking in the home. The extra height is also needed to accommodate the height of a wind surfer. The elevations of the garage show a structure designed to complement the architectural style of the home. (Pet. Ex. 8).

In addition to the proposed garage and concrete driveway, the Petitioners are proposing a new driveway to the garage and a sidewalk to the front door of the home. (Pet. Ex. 7).

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 unique because it slopes from Barrison Point Rd. toward the water. The house has peculiar architectural features and unlike other waterfront homes, it is 'L' shaped. I

find the Petitioners will suffer a practical difficulty if they had to construct the detached garage on the rear yard (water side) under BCZR, §400.1. For waterfront properties, the water side is treated as the front yard because it faces the water. Constructing a garage between the home and water is contrary to the Chesapeake Bay Criteria Area regulations ('CBCA') which seeks to locate impervious surfaces away from the water. In addition, I find the Petitioners would also suffer a practical difficulty in not being able to construct a garage which is 17 ft. in height in lieu of the required 15 ft. The second floor of the garage will be storage which is lacking in the 1961 home. The Petitioners have several pieces of water sports equipment and lawn equipment which need protection from the weather as well as being shielded from view when not being used in the water. Additionally, by constructing a taller garage, less ground coverage is being used which is consistent with CBCA lot coverage limits.

Lastly, given that the proposed total lot coverage is 5,147 sq. ft., I find the proposed Site Plan meets the 5,594 sq. ft. lot coverage allowance under CBCA and therefore the DEPS ZAC comment has been satisfied. With regard to the maximum building lot coverage for RC5 property of 15% (2,685 sq. ft.) as required by BCZR, §1A04.3, the Site Plan proposes building lot coverage of 3,160 sq. ft. (home 2,488 sq. ft. plus proposed garage of 672 sq. ft.). I find that the Petitioners will suffer an unreasonable hardship in having to reduce either the footprint of the home or the proposed garage to comply with 475 sf. The variances requested can be granted within the spirit and intent of the BCZR and without injury to the health, safety and general welfare.

THEREFORE, IT IS ORDERED, this 18th day of **March 2021**, by the Administrative Law Judge for Baltimore County, that the Petitions for Variance pursuant to Baltimore County Zoning Regulations ("BCZR") from:

- (1) BCZR, §1A04.3 to permit a lot in an RC-5 zone with a lot coverage of 20% building coverage in lieu of the required 15% maximum building lot coverage be, and it is

hereby GRANTED.

(2) BCZR, §400.1 to permit a proposed accessory use garage structure in the front yard or street side of a waterfront lot in lieu of the required rear yard be, and it is hereby GRANTED.

(3) BCZR § 400.3 to permit a proposed accessory use garage structure with a height of 17 ft. in lieu of the required 15 ft. height maximum be, and it 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. Petitioners and all subsequent owners shall not convert the proposed garage into a dwelling unit or apartment. The proposed garage shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
3. The proposed garage shall not be used for commercial purposes.
4. Petitioners must comply with the DOP and DEPS ZAC comments, copies of which are attached hereto and make a part thereof.



MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM/dlm

ORDER RECEIVED FOR FILING

Date

By

3/18/21
J. R. Mignone

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

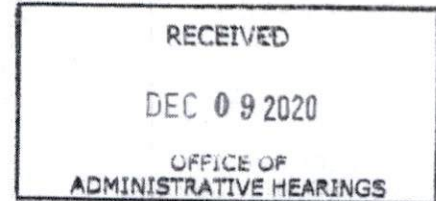
DATE: 12/8/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2020-280 SPHA

INFORMATION:

Property Address: 2531 Barrison Point Road, Essex, MD 21221
Petitioner: James and Cushla Srour
Zoning: RC 5
Requested Action: Variance



The Department of Planning has reviewed the petition for the following:

- a. Variance from § 1A04.3 of the BCZR to permit a lot in an RC 5 Zone with a lot coverage of 20% building coverage in lieu of the required 15% maximum building lot coverage; and
- b. Variance from § 400.1 of the BCZR to permit a proposed accessory use garage in the front yard or street side of a waterfront lot in lieu of the required rear yard; and
- c. Variance from § 400.3 of the BCZR to permit a proposed accessory use garage structure with a height of 17 feet in lieu of the required 15 feet maximum.

The site is located on Barrison Point Road on Sue creek. The property abuts the creek but lies mostly above the flood plain. The site property is in the RC 5 Zone and is improved with a large, newly constructed single family detached home. The existing garage/shed will be removed and replaced with the aforementioned new garage.

A site visit was conducted on 12/3/2020. The site visit confirmed that many other lots in the neighborhood have standalone garages that front the street with similar heights and lot coverages. The requested variances are not uncommon for the area.

The Department of Planning has no objections to the requests pending the garage will not be used for or converted to principal residential or commercial purposes.

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

Prepared by:

A handwritten signature in black ink, appearing to read "Krystle Patchak".

Krystle Patchak

Division Chief:

A handwritten signature in black ink, appearing to read "Jenifer G. Nugent".

Jenifer G. Nugent

ORDER RECEIVED FOR FILING

Date

By

3/18/21
[Signature]

Date: 12/8/2020
Subject: ZAC # 20-280
Page 2

CPG/JGN/KP/

c: Joseph Fraker
James W. Srour
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date

By

3/18/21

D. Mignon



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 2531 Barrison Point Rd Essex MD 21221 which is presently zoned Residential
Deed References: 37374100455 10 Digit Tax Account # 1503231150
Property Owner(s) Printed Name(s) James W + Cushman Srouer

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

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

1. ☐ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☒ a **Variance** from Section(s)

(SEE ATTACHED)

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

Height variance needed to allow adequate storage and access.

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

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

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City State

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 2020-0280-A Filing Date 11/17/2020 Do Not Schedule Dates: _____ Reviewer AT

Zoning Petition Case No. 2020-0280-A

2531 Barrison Point Road

Variance from Sections:

1A04.3 to permit a lot in an RC-5 Zone with a lot coverage of 20% building coverage in lieu of the required 15% maximum building lot coverage; and

400.1 to permit a proposed accessory use garage structure in the front yard or street side of a waterfront lot in lieu of the required rear yard; and

400.3 to permit a proposed accessory use garage structure with a height of 17 feet in lieu of the required 15 feet height maximum.

Lot Description: 531 Barrison Point Road, Essex, Md 21221

Zoning description for above

Beginning at a point on the East side of Barrison Point Rd which is 40 feet wide (row) at a distance of 4790 feet North-East of the centerline of the nearest improved intersecting street, Rocky Point Rd, which is 40 feet wide (row).

Being lot #16 and 17, block# section A in the subdivision of Hawk's Cove as recorded in Baltimore County Plat Book # 8 Folio 82 containing 19,200 square feet. Located in the election district 15, council 7

2020-0280-A

CERTIFICATE OF POSTING

2020-0280-A

RE: Case No.: _____

Petitioner/Developer: _____

James & Cushla Srouer

March 1, 2021

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:

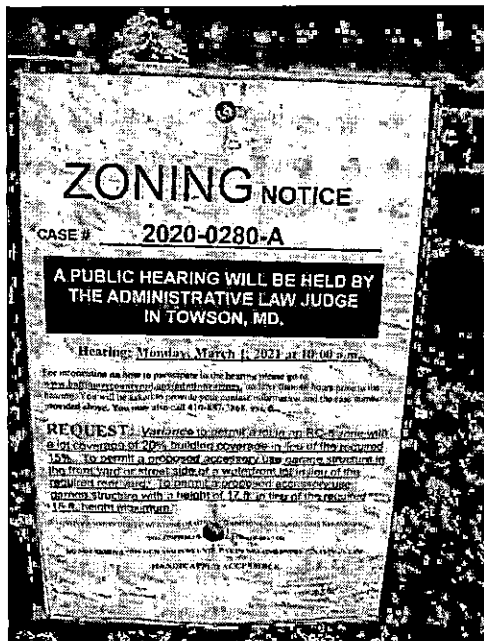
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2531 Barrison Point Road

SIGN 1 Recertification

February 9, 2021

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



Sincerely,

 February 24, 2021
(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

2020-0280-A

RE: Case No.: _____

Petitioner/Developer: _____

James & Cushla Srour

March 1, 2021

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:

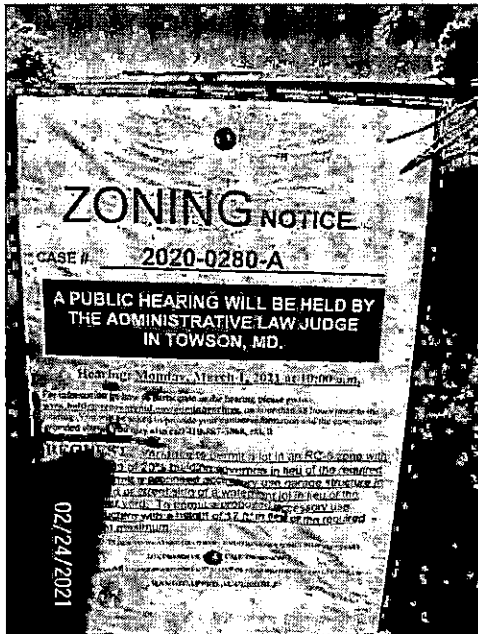
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2531 Barrison Point Road

SIGN 2 Recertification

February 9, 2021

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



Sincerely,

February 24, 2021

(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)

The Daily Record

200 St. Paul Place Suite 2480
Baltimore, Maryland 21202
1 (443) 524-8100
www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

Order #: 11958744
Case #: NOTICE OF ZONING HEA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0280-A

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:

2/9/2021



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 virtual hearing on the property identified herein as follows	
CASE NUMBER: 2020-0280-A	
2531 Barrison Point Road East side of Barrison Point 15th Election District - 7th Councilmanic District Legal Owners: James & Cushla Scour	
Variance to permit a lot in an RC-5 zone with a lot coverage of 20% building coverage in lieu of the required 15%. To permit a proposed accessory use garage structure in the front yard or street side of a waterfront lot in lieu of the required rear yard. To permit a proposed accessory use garage structure with a height of 17 ft. in lieu of the required 15 ft. height maximum.	
Hearing: Monday, March 1, 2021 at 10:00 a.m.	
For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.	
Pete Gutwald Director of Permits, Approvals and Inspections for Baltimore County	
19	

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
2531 Barrison Point Road; E/S of Barrison Pt Rd *
15th Election & 7th Councilmanic Districts * OF ADMINSTRATIVE
Legal Owner(s): James W. & Cushla M. Srour *
Petitioner(s) * HEARINGS FOR
* BALTIMORE COUNTY
* 2020-280-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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of November, 2020, a copy of the foregoing Entry of Appearance was emailed to James Srour, 2750 Indian Rock Dam Road, York, PA 17408, jushla2@gmail.com, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CERTIFICATE OF POSTING



2020-0280-A

JOHN A. OLSZEWSKI, JR.
County Executive

Petitioner/Developer:

C. PETE GUTWALD, AICP, Director
Department of Permits,
James & Cushman Strong

March 1, 2021

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:

2531 Barrison Point Road

SIGN 1

February 9, 2021

The sign(s) were posted on

(Month, Day, Year)

Sincerely,

February 9, 2021

(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)



Zoning Review | County Office Building

111 West Chesapeake Avenue, Room 124 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048

www.baltimorecountymd.gov

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DECLARATION OF POSTING



2020-0280-A

JOHN A. OLSZEWSKI, JR.
County Executive

Petitioner/Developer:

C. PETE GUTWALD, AICP, Director
Department of Permits,
James & Cushman Strouss

March 1, 2021

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: _____

2531 Barrison Point Road

SIGN 2

February 9, 2021

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

February 9, 2021

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

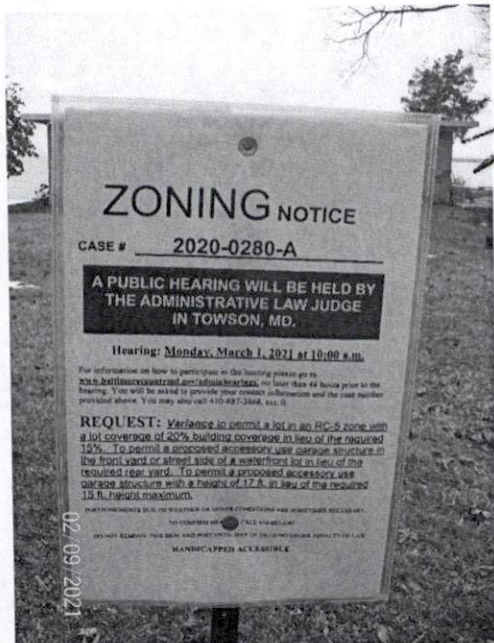
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



Zoning Review | County Office Building

111 West Chesapeake Avenue, Room 124 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048

www.baltimorecountymd.gov

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CERTIFICATE OF POSTING

2020-0280-A

RE: Case No.: _____

Petitioner/Developer: _____

James & Cushla Srour

March 1, 2021

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:

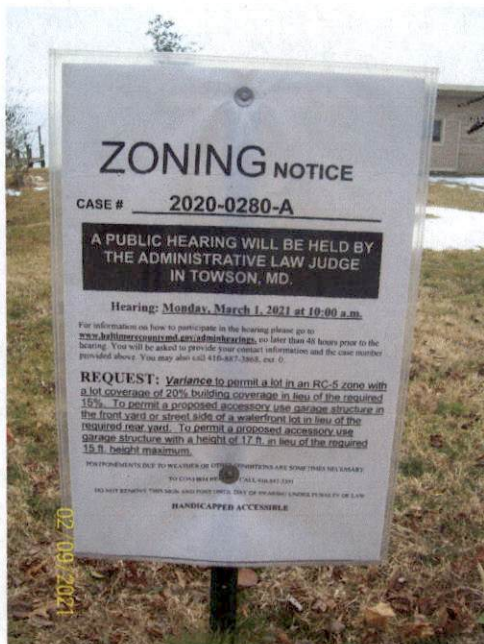
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2531 Barrison Point Road

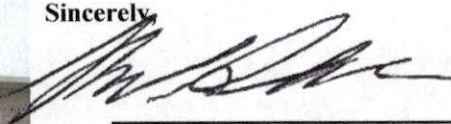
SIGN 1

February 9, 2021

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



Sincerely,

 **February 9, 2021**

(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

2020-0280-A

RE: Case No.: _____

Petitioner/Developer: _____

James & Cushla Srour

March 1, 2021

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: _____

2531 Barrison Point Road

SIGN 2

February 9, 2021

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

Sincerely,

 **February 9, 2021**
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

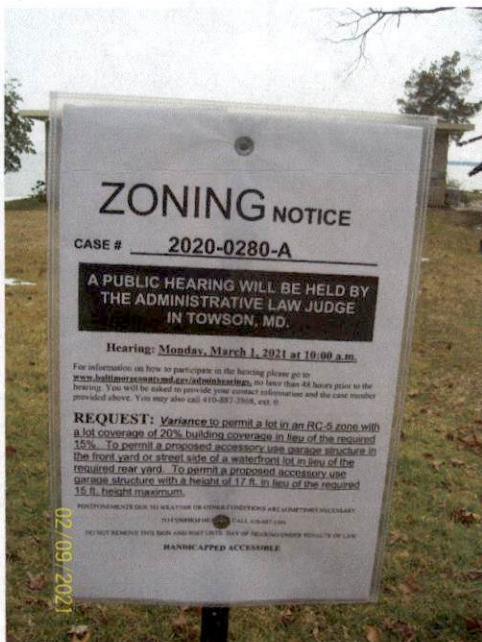
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



**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: 2020-0280-A

Property Address: 2531 Barrison Point Rd Essex MD 21221

Property Description: Single Family Dwelling. EAST SIDE
OF BARRISON POINT ROAD

Legal Owners (Petitioners): James W. Cusla M SROUR

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: James W. SROUR

Company/Firm (if applicable): _____

Address: 2750 Indian Rock Dam Rd
YORK PA 17408

Telephone Number: 717 654. 4987



JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, AICP, *Director*
Department of Permits,
Approvals & Inspections

February 22, 2021

James W Srour,
2750 Indian Rock Dam Road
York PA 17404

RE: Case Number: 2021-0280-A, 2531 Barrison Point Road

To Whom It May Concern:

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 17, 2020. 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 that reads "Jeffrey Perlow". The signature is fluid and cursive, with a horizontal line underneath the name.

Jeff Perlow
Acting Supervisor
Department of Zoning

PCG

Enclosures

CC: People's Counsel

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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: December 1, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0280-A
Address 2531 Barrison Point Road
(Srour Property)

Zoning Advisory Committee Meeting of November 30, 2020.

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

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

The subject property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The proposed development must meet LDA and MBA requirements for Critical Area lot coverage. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). Based on the property area above mean high water, the maximum Critical Area defined lot coverage allowance for this property is 5,594 square feet with mitigation for any new amount over 25%. If the applicant can meet these requirements, and meet all mitigation requirements for lot coverage, the relief requested can result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This is a waterfront property on Hawk Cove with a required Critical Area buffer covering about two-thirds of the property, including an expanded buffer area in the area of the proposed garage. Meeting the modified buffer area requirements, lot coverage requirements, tree requirements, and any mitigation requirements for buffer impacts will aid in the conservation of fish, plant, and wildlife habitat in the watershed.

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

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

Reviewer: Paul Dennis

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 12/8/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2020-280 SPHA

INFORMATION:

Property Address: 2531 Barrison Point Road, Essex, MD 21221
Petitioner: James and Cushla Srour
Zoning: RC 5
Requested Action: Variance



The Department of Planning has reviewed the petition for the following:

- a. Variance from § 1A04.3 of the BCZR to permit a lot in an RC 5 Zone with a lot coverage of 20% building coverage in lieu of the required 15% maximum building lot coverage; and
- b. Variance from § 400.1 of the BCZR to permit a proposed accessory use garage in the front yard or street side of a waterfront lot in lieu of the required rear yard; and
- c. Variance from § 400.3 of the BCZR to permit a proposed accessory use garage structure with a height of 17 feet in lieu of the required 15 feet maximum.

The site is located on Barrison Point Road on Sue creek. The property abuts the creek but lies mostly above the flood plain. The site property is in the RC 5 Zone and is improved with a large, newly constructed single family detached home. The existing garage/shed will be removed and replaced with the aforementioned new garage.

A site visit was conducted on 12/3/2020. The site visit confirmed that many other lots in the neighborhood have standalone garages that front the street with similar heights and lot coverages. The requested variances are not uncommon for the area.

The Department of Planning has no objections to the requests pending the garage will not be used for or converted to principal residential or commercial purposes.

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

Prepared by:

A handwritten signature in black ink, appearing to read "Krystle Patchak".

Krystle Patchak

Division Chief:

A handwritten signature in black ink, appearing to read "Jennifer G. Nugent".

Jenifer G. Nugent

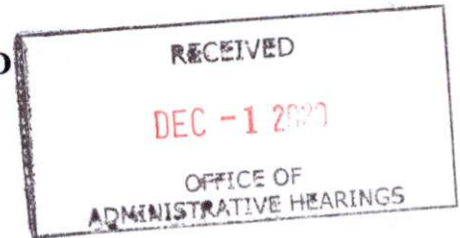
Date: 12/8/2020
Subject: ZAC # 20-280
Page 2

CPG/JGN/KP/

c: Joseph Fraker
James W. Srouer
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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: December 1, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0280-A
Address 2531 Barrison Point Road
(Srour Property)

Zoning Advisory Committee Meeting of **November 30, 2020.**

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

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

The subject property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The proposed development must meet LDA and MBA requirements for Critical Area lot coverage. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). Based on the property area above mean high water, the maximum Critical Area defined lot coverage allowance for this property is 5,594 square feet with mitigation for any new amount over 25%. If the applicant can meet these requirements, and meet all mitigation requirements for lot coverage, the relief requested can result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This is a waterfront property on Hawk Cove with a required Critical Area buffer covering about two-thirds of the property, including an expanded buffer area in the area of the proposed garage. Meeting the modified buffer area requirements, lot coverage requirements, tree requirements, and any mitigation requirements for buffer impacts will aid in the conservation of fish, plant, and wildlife habitat in the watershed.

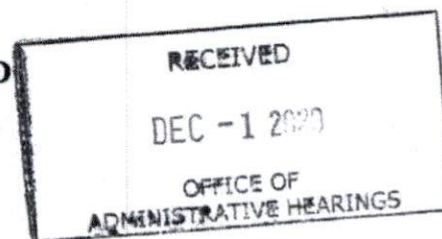
3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

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

Reviewer: Paul Dennis

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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ORDER RECEIVED FOR FILING

Date

By

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

Reviewer: Paul Dennis

ORDER RECEIVED FOR FILING

Date 3/18/21

By D. Mughan

Real Property Data Search (w1)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 15 Account Number - 1503231150		
Owner Information		
Owner Name:	SROUR JAMES W SROUR CUSHLA	Use: RESIDENTIAL Principal Residence: NO
Mailing Address:	2750 INDIAN ROCK DAM RD YORK PA 17408-	Deed Reference: /37374/ 00455
Location & Structure Information		
Premises Address:	2531 BARRISON POINT RD ESSEX 21221- Waterfront	Legal Description: LTS 16,17 BARRISON POINT
Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:	0105 0009 0080 15080078.04 0000 A 16 2021	Plat Ref: 0008/0082
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1961	2,412 SF	Property Land Area 19,200 SF
County Use	34	
Stories	Basement	Type
1	NO	STANDARD UNIT
Exterior	Quality	Full/Half Bath
STONE/	4	2 full
Garage	Last Notice of Major Improvements	
1 Detached		
Value Information		
	Base Value	Value
		As of 01/01/2018
Land:	204,300	204,300
Improvements	228,800	228,800
Total:	433,100	433,100
Preferential Land:	0	
		Phase-in Assessments
		As of 07/01/2020
		As of 07/01/2021
Transfer Information		
Seller: SROUR FARID TRUSTEE	Date: 04/11/2016	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /37374/ 00455	Deed2:
Seller: SROUR FARID TRUSTEE	Date: 02/18/2014	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /34693/ 00001	Deed2:
Seller: SROUR FARID TRUSTEE	Date: 01/02/2014	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /34567/ 00245	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

2020-0280-A

**Permits, Approvals & Inspections**111 W. Chesapeake Avenue
Towson, MD 21204Report Generated On:
11/17/2020**Permit Processing Residential Permit & Development Report**

Page 1 of 2

Property Information

Tax Account Number: 1503231150

Plat Ref: 008:082

Election District: 15

Owner Name(s): SROUR JAMES W and SROUR CUSHLA

PDM # :

Address: 2750 INDIAN ROCK DAM RD

Zoning Class.(s): RC 5

YORK, PA 17408

Elevation Range: 0ft - 12ft

Premise Address: 2531 BARRISON POINT RD

Affected Overlays		Instructions: Begin review process with Zoning Review, Room 111.												Agency Acknowledgment Initial & Date
Contact Agency	Potential Overlay Issues	New Homes	Internal Alts.	Add / Ext. Alts.	Access, Struct.	Open Decks	Piers/Pilings	Grading/SW	Tanks	Ret. Walls/Bulk	Razing	Elec. & Plumb	High Rise Apts.	
Planning Jefferson Building Room 101 Phone: 410-887-3211	Bowleys Quarters-Back River Neck Area	X												
	Zoning Class - RC 5, RC 6, RC 7, RC 8 (Except Decks)	X												
EPS-Dev. Coord. County Office Building Room 319 Phone: 410-887-3733	Chesapeake Bay Critical Area	X		X	X	X	X	X	X	X				
	100 Year Flood Zone	X		X	X	X		X	X	X				
	Possible Flood Hazard - Water Body Present	X		X	X	X		X	X	X				
PAI-Sed. Control Insp. County Office Building Room G-21 Phone: 410-887-3226	Chesapeake Bay Critical Area	X						X		X				
	100 Year Flood Zone	X						X		X				
	Possible Flood Hazard - Water Body Present	X						X		X				
PAI-Public Services County Office Building Room 119 Phone: 410-887-3751	Bowleys Quarters-Back River Neck Area	X						X						OK To File
	100 Year Flood Zone	X	X	X	X	X		X	X			X		OK To File
	Possible Flood Hazard - Water Body Present	X	X	X	X	X		X	X			X		OK To File
	InFill Lot Review	X												OK To File
	Possible Replacement Dwelling. Permit # B901242 Appl. Date: 1/13/2016	X												
Zoning Review County Office Building Room 111 Phone: 410-887-3391	Bowleys Quarters-Back River Neck Area	X												

2020-0280-A

Property Information

Tax Account Number: 1503231150

Plat Ref: 008:082

Election District: 15

Owner Name(s): SROUR JAMES W and SROUR CUSHLA

PDM # :

Address: 2750 INDIAN ROCK DAM RD

Zoning Class.(s): RC 5

YORK,PA 17408

Premise Address: 2531 BARRISON POINT RD

Elevation Range: 0ft - 12ft

Affected Overlays

Instructions: Begin review process with Zoning Review, Room 111.

Contact Agency

Potential Overlay Issues

Growth Tier 1a: Served by public sewer and outside URDL

Building Plans Review

County Office Building
Room 120
Phone: 410-887-3987

100 Year Flood Zone

Possible Flood Hazard - Water Body Present

New Homes	Agency Acknowledgment Initial & Date
Internal Alts.	
Add / Ext. Alts.	
Access, Struct.	
Open Decks	
Piers/Fillings	
Grading/SW	
Tanks	
Ret. Walls/Bulk	
Razing	
Elec. & Plumb	High Rise Apts.

X	X	X	X	X			X	X				
X	X	X	X	X			X	X				

2020-0280-A

SECTION 400 - Accessory Buildings in Residence Zones

[BCZR 1955; Bill No. 27-1963]

§ 400.1. - Location; lot coverage.

Accessory buildings in residence zones, other than farm buildings (Section 404) shall be located only in the rear yard and shall occupy not more than 40 percent thereof. On corner lots they shall be located only in the third of the lot farthest removed from any street and shall occupy not more than 50 percent of such third. In no case shall they be located less than 2½ feet from any side or rear lot lines, except that two private garages may be built with a common party wall straddling a side interior property line if all other requirements are met. The limitations imposed by this section shall not apply to a structure which is attached to the principal building by a covered passageway or which has one wall or part of one wall in common with it. Such structure shall be considered part of the principal building and shall be subject to the yard requirements for such a building.

§ 400.2. - Setback.

[Bill No. 2-1992]

Accessory buildings, including parking pads, shall be set back not less than 15 feet from the center line of any alley on which the lot abuts.

§ 400.3. - Height.

The height of accessory buildings, except as noted in Section 300, shall not exceed 15 feet.

§ 400.4. - Accessory apartments.

[Bill No. 49-2011 ☐]

An accessory apartment is permitted as a temporary use within a principal single-family detached dwelling or within an accessory building situated on the same owner-occupied lot as the principal dwelling in any zone that permits single-family dwellings, subject to the following requirements:

- A. If located within an existing single-family detached dwelling:
 - 1. An applicant shall file with the Department of Permits, Approvals and Inspections an application for a use permit for an accessory apartment, on a form approved by the Department. With the application, the applicant shall submit a declaration of understanding, on a form approved by the Department, including but not necessarily limited to the following terms and conditions:
 - a. The size of the accessory apartment may not exceed one-third of the overall floor area of the dwelling or 2,000 square feet, whichever is less;
 - b. Any and all improvements to be dedicated as an accessory apartment shall be used solely as a single-family residence; and
 - c. The accessory apartment may not have separate utility meters, such as gas and electric service.
 - 2. The Director may approve the application upon a finding that the size, location, and purpose of the accessory structure will not negatively affect the health, safety, or general welfare of the surrounding community.
- B. If located within an accessory building on the same owner-occupied property as the principal single-family detached dwelling:

2020-0280-A

1. An applicant shall file a request for a special hearing and a use permit with the Department, together with a declaration of understanding as required by Subsection A1 of this section, and a public hearing before the Office of Administrative Hearings is required.
2. The size of the accessory apartment may not exceed 1,200 square feet, and the accessory building shall comply with the requirements of Section 400.
3. Following a public hearing, the Office of Administrative Hearings may grant a request upon a finding that the size, location, and purpose of the accessory apartment conform with Section 502.1 and may impose such conditions, restrictions or regulations consistent with Section 502.2 as may be deemed necessary or advisable for the protection of surrounding and neighboring properties, including the express prohibition that the accessory apartment not be converted to a second dwelling beyond the scope of this section.
4. The accessory apartment may not have separate utility meters or water and sewerage services unless approved by the Office of Administrative hearings based on specific findings of necessity for the accessory building.

C. Approval; renewal.

1. Approval. The approval of an application for a use permit in Subsection A or a request for a special hearing and a use permit in Subsection B shall be subject to the following:
 - a. The declaration of understanding and property description, including any conditions, restrictions, or regulations imposed by the Department or the Office of Administrative Hearings, shall be recorded in the land records of Baltimore County and a copy shall be filed with the Department; and
 - b. The accessory apartment shall only be utilized by immediate family members as defined in Section 101 and may not be used by any person other than an immediate family member for any other reason.
 - c. If the accessory apartment is no longer occupied by any person named in the use permit or if the property is sold, the use permit shall terminate, and any proposed changes in occupancy to the accessory apartment by the property owner or subsequent purchaser shall require a new request for a use permit as applicable under Subsection A or B.
2. Renewal. The applicant shall renew the use permit with the Department every two years by filing a renewal on a form approved by the Department, to be dated from the month of the initial approval, and shall list the name of any person occupying the accessory apartment.

Footnotes:

--- (1) ---

1. Editor's Note—This Act stated that it applied retroactively to requests for in-law apartments filed on or after 8-1-2010, and also that owners of in-law apartments lawfully approved prior to the effective date of this Act must obtain a use permit required by this Act on or before 10-1-2012.

OVER →

§ 1A04.3. - Height and area regulations.

- A. Height regulation. No structure hereafter erected in an R.C.5 Zone shall exceed a height of 35 feet, except as provided under Section 300.
- B. Area regulations.
 - 1. Lot area; density control.

[Bill Nos. 178-1979; 55-2004 ^[9]]

- a. A lot having an area of less than one and one-half acres may not be created in an R.C.5 Zone. The maximum gross residential density is 0.5 dwelling per acre.

[Bill No. 128-2005 ^[10]]

- b. Exceptions to minimum lot size.

[Bill No. 152-2004]

- (1) The owner of a single lot of record that is not a subdivision and that is in existence prior to September 2, 2003, but does not meet the minimum acreage requirement, or does not meet the setback requirement of Paragraph 2, may apply for a special hearing under Article 5 to alter the minimum lot size requirement. However, the provisions of Section 1A04.4 may not be varied.
- (2) The Department of Planning may authorize a smaller lot size per residential unit, but in no event less than one acre per unit, for a tract of property for which growth allocation acreage has been awarded prior to June 11, 2004, pursuant to Article 32, Title 9 of the Baltimore County Code, if at least 50 percent of the tract is donated to and accepted by the County for public benefit.

[Bill No. 55-2011]

- 2. Building setbacks.

[Bill No. 55-2004]

- a. As used in this section, "collector road" means a street or road that is intended for travel, including commuter travel, between residential neighborhoods, but not for travel within neighborhoods, and is not designated as a principal arterial.

[Bill No. 77-2005 ^[11]]

- b. Any principal building hereafter constructed in an R.C.5 Zone shall be situated at least 150 feet from the center line of any collector road, or any scenic route identified in the Baltimore County Master Plan, and 100 feet from the center line of any road that leads to or connects with a collector road, and at least 75 feet from the center line of any other street or road, and at least 50 feet from any lot line other than a street line, except as otherwise provided in Paragraph 5 below.

[Bill No. 77-2005 ^[12]]

2020-0280-A

- c. Any principal building constructed in an R.C.5 Zone that is contiguous to an R.C.2 or R.C.7 Zone shall be situated at least 150 feet from the zone line.
3. Coverage. No more than 15 percent of any lot in an R.C.5 Zone may be covered by buildings, except as otherwise provided in Paragraph 5 below.
4. Exceptions for certain record lots. Any existing lot or parcel of land with boundaries duly recorded among the land records of Baltimore County with the approval of the Baltimore County Department of Planning ^[13] on or before the effective date of these zoning regulations and not part of an approved subdivision that cannot meet the minimum standards as provided within the zone may be approved for residential development in accordance with the standards prescribed in force at the time of the lot recordation.

[Bill No. 55-2011]

5. Dwellings per lot. No more than one dwelling is permitted on any lot in an R.C.5 Zone, but not excluding additional dwellings for bona fide tenant farmers.

Footnotes:

--- (9) ---

9. Editor's Note—Bill No. 178-1979 also repealed former Paragraph 2, "Minimum diametral dimension," which followed this paragraph. This bill also stated that it would not apply to any concept plan or application for limited exemption or waiver accepted for filing prior to June 7, 2004, that it would not apply to the Back River Neck District as defined in Section 4A03.13 of the Baltimore County Zoning Regulations, and any structure, building or use in existence prior to the effective date of this bill that is damaged or destroyed by fire or other casualty after the effective date of this bill would be subject to the provisions of Section 104 of the Baltimore County Zoning Regulations regarding nonconforming uses. The effective date of this bill is 6-11-2004.

--- (10) ---

10. Editor's Note—This bill also stated that it would not apply to any concept plan or application for limited exemption or waiver accepted for filing on or before 12-5-2005, nor would it override the grandfathering provisions of Bill No. 55-2004. Bill No. 128-2005 further stated that it would not apply to the Back River Neck District, as defined in Section 4A03.13.

--- (11) ---

11. Editor's Note— Section 2 of this bill stated that it would not apply to any concept plan or application for limited exemption or waiver accepted for filing prior to July 5, 2005, nor would it override any of the grandfathering provisions contained in Bill No. 55-04. Bill No. 77-2005 also stated that it would apply retroactively to May 1, 2005.

--- (12) ---

12. Editor's Note— Section 2 of this bill stated that it would not apply to any concept plan or application for limited exemption or waiver accepted for filing prior to July 5, 2005, nor would it override any of the grandfathering provisions contained in Bill No. 55-04. Bill No. 77-2005 also stated that it would apply retroactively to May 1, 2005.

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 - 1503231150							
Owner Information									
Owner Name:		SROUR JAMES W SROUR CUSHLA				Use: Principal Residence:		RESIDENTIAL NO	
Mailing Address:		2750 INDIAN ROCK DAM RD YORK PA 17408-				Deed Reference:		/37374/ 00455	
Location & Structure Information									
Premises Address:		2531 BARRISON POINT RD ESSEX 21221- Waterfront				Legal Description:		LTS 16,17 BARRISON POINT	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0105	0009	0080	15080078.04	0000	A		16	2021	Plat Ref: 0008/ 0082
Town: None									
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1961		2,412 SF				19,200 SF		34	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements		
1	NO	STANDARD UNIT	STONE/	4	2 full	1 Detached			
Value Information									
			Base Value		Value		Phase-in Assessments		
					As of 01/01/2021		As of 07/01/2020		As of 07/01/2021
Land:			204,300		264,300				
Improvements			228,800		241,700				
Total:			433,100		506,000		433,100		457,400
Preferential Land:			0		0				
Transfer Information									
Seller: SROUR FARID TRUSTEE				Date: 04/11/2016				Price: \$0	
Type: NON-ARMS LENGTH OTHER				Deed1: /37374/ 00455				Deed2:	
Seller: SROUR FARID TRUSTEE				Date: 02/18/2014				Price: \$0	
Type: NON-ARMS LENGTH OTHER				Deed1: /34693/ 00001				Deed2:	
Seller: SROUR FARID TRUSTEE				Date: 01/02/2014				Price: \$0	
Type: NON-ARMS LENGTH OTHER				Deed1: /34567/ 00245				Deed2:	
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2020			07/01/2021		
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00			0.00 0.00		
Special Tax Recapture: None									
Homestead Application Information									
Homestead Application Status: No Application									
Homeowners' Tax Credit Application Information									
Homeowners' Tax Credit Application Status: No Application						Date:			

3/1/21
at 10:00
a.m.

CASE NO. 2020- 0280-A

CHECKLIST

Comment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

DEVELOPMENT PLANS REVIEW

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

12/1

DEPS

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

Critical
Area

FIRE DEPARTMENT

12/9

PLANNING

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

Comments
No obj.

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

2/9/21

SIGN POSTING (1st)

Date:

2/9/21

by Sgt Black

SIGN POSTING (2nd)

Date:

by _____

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☒

Comments, if any: _____

Donna Mignon

From: Donna Mignon
Sent: Tuesday, February 23, 2021 10:11 AM
To: 'jushla2@gmail.com'
Subject: 2020-0280-A

Good Morning,

I received your voicemail. I am working from home today.

We don't have the file from zoning yet and we should be getting it sometime tomorrow. We need anything you wish to present at your hearing electronically so you can present your case to the Judge and anyone that wishes to attend. You have to make sure you send it electronically just in case anyone does attend who is opposition of your variance. If you don't have anything because you gave it to the zoning office, once I get the file I can call you and you can let me know what you want to present at the hearing, and I will scan into our system. I hope this helps. I can give you a call tomorrow. I am working in the office tomorrow and I will have your file and we can go over everything.

Thank you. Have a great day.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Donna Mignon

From: Donna Mignon
Sent: Monday, February 22, 2021 9:30 AM
To: 'jushla2@gmail.com'
Subject: Case No: 2020-0280-A 3/1/21 at 10:00 a.m.

Good Morning,

As you are aware, a virtual Webex hearing has been scheduled for March 1, 2021 at 10:00 a.m. You should have received an invitation in an email that invited you to this hearing.

Please note that all electronic hearing exhibits—documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at **least two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov. Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit.

If you have any questions or concerns, please feel free to contact our office.
Thank you so much

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

3/1/21 10AM

Debra Wiley

From: Kristen L Lewis
Sent: Tuesday, February 2, 2021 1:46 PM
To: Debra Wiley; Donna Mignon
Subject: Webex 2020-0280-A

Good afternoon,

Below is the information needed for a webex event.

Case number: 2020-0280-A
2531 Barrison Point Road
Legal Owners: James & Cushla Srour - jushla2@gmail.com
3/1/21 at 10 a.m.

Thank you,

Kristen Lewis-Coles
PAL - Zoning Review
410-887-3391

Debra Wiley

From: Kristen L Lewis
Sent: Tuesday, February 2, 2021 1:59 PM
To: Debra Wiley; Donna Mignon
Subject: RE: Webex 2020-0280-A

You're welcome, these numbers are running together, especially when I'm talking on the phone about one case and I working on another,

Kristen Lewis-Colles
PAI – Zoning Review
410-887-3391

From: Debra Wiley
Sent: Tuesday, February 02, 2021 1:58 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Webex 2020-0280-A

Thanks Kristen – just wanted to be sure.

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Tuesday, February 2, 2021 1:57 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Webex 2020-0280-A

Sorry I put the right case number in the subject line but not in the body of the email. Its 2020-0280-A

Kristen Lewis
PAI – Zoning Review
410-887-3391

From: Debra Wiley
Sent: Tuesday, February 02, 2021 1:50 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Webex 2020-0280-A

Kristen,

Are we sure about the case number 286 – we just did one for 2/26 but with different initials ...

Just want to make sure. I didn't think we used the same numbers.

From: Debra Wiley
Sent: Tuesday, February 2, 2021 1:47 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Webex 2020-0280-A

I'll take care of .

Thanks Kristen.

From: Kristen L Lewis <klewis@baltimorecountymd.gov>

Sent: Tuesday, February 2, 2021 1:46 PM

To: Debra Wiley <dwiley@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: Webex 2020-0280-A

Good afternoon,

Below is the information needed for a webex event.

Case number: 2020-0286-A

2531 Barrison Point Road

Legal Owners: James & Cushla Srour - jushla2@gmail.com

3/1/21 at 10 a.m.

Thank you,

Kristen Lewis-Colts

P&I – Zoning Review

410-887-3391

Debra Wiley

From: Debra Wiley
Sent: Tuesday, February 2, 2021 2:00 PM
To: Kristen L Lewis
Cc: Donna Mignon
Subject: Link - 2020-0280-A - 3/1

Event Information

Event: Zoning Hearing - Case No. 2020-0280-A - 2531 Barrison Point Rd. - James & Cushla
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e3c>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ebf>
Date and time: Monday, March 1, 2021 10:00 am
Eastern Standard Time (New York, GMT-05:00)
Duration: 1 hour
Description: Zoning Hearing
Case No. 2020-0280-A
2531 Barrison Point Road
James and Cushla Srour
Event number: 180 918 8682
Event password: 1234
Host key: 344736
Alternate Host: Donna Mignon, Henry Ayakwah, Maureen Murphy
Panelist Info:
Panelist password:
Panelist numeric password: 496745
Video Address: 1809188682@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.
Audio conference: US Toll
+1-415-655-0001
[Show all global call-in numbers](#)
Access code: 180 918 8682
Maximum number of registrants: 10000

Donna Mignon

From: Debra Wiley
Sent: Tuesday, February 2, 2021 2:00 PM
To: Kristen L Lewis
Cc: Donna Mignon
Subject: Link - 2020-0280-A - 3/1

Event Information

Event: Zoning Hearing - Case No. 2020-0280-A - 2531 Barrison Point Rd. - James & Cushli
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e3c>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=eb8>
Date and time: Monday, March 1, 2021 10:00 am
Eastern Standard Time (New York, GMT-05:00)
Duration: 1 hour
Description: Zoning Hearing
Case No. 2020-0280-A
2531 Barrison Point Road
James and Cushla Srour
Event number: 180 918 8682
Event password: 1234
Host key: 344736
Alternate Host: Donna Mignon, Henry Ayakwah, Maureen Murphy
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Audio conference: US Toll
+1-415-655-0001
[Show all global call-in numbers](#)
Access code: 180 918 8682
Maximum number of registrants: 10000

ZAC AGENDA

Case Number: 2020-0280-A **Reviewer:** Rosalie Johnson

Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: VARIANCE

Legal Owner: James W. & Cushla M. Srour

Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 2531 BARRISON POINT RD

Location: East side of Barrison Point Road.

Existing Zoning: RC 5

Area: 19,200 SQ FT

Proposed Zoning:

VARIANCE:

1A04.3 To permit a lot in an RC-5 Zone with a lot coverage of 20% building coverage in lieu of the required 15% maximum building lot coverage.

400.1 To permit a proposed accessory use garage structure in the front yard or street side of a waterfront lot in lieu of the required rear yard.

400.3 To permit a proposed accessory use garage structure with a height of 17 feet in lieu of the required 15 feet height maximum.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

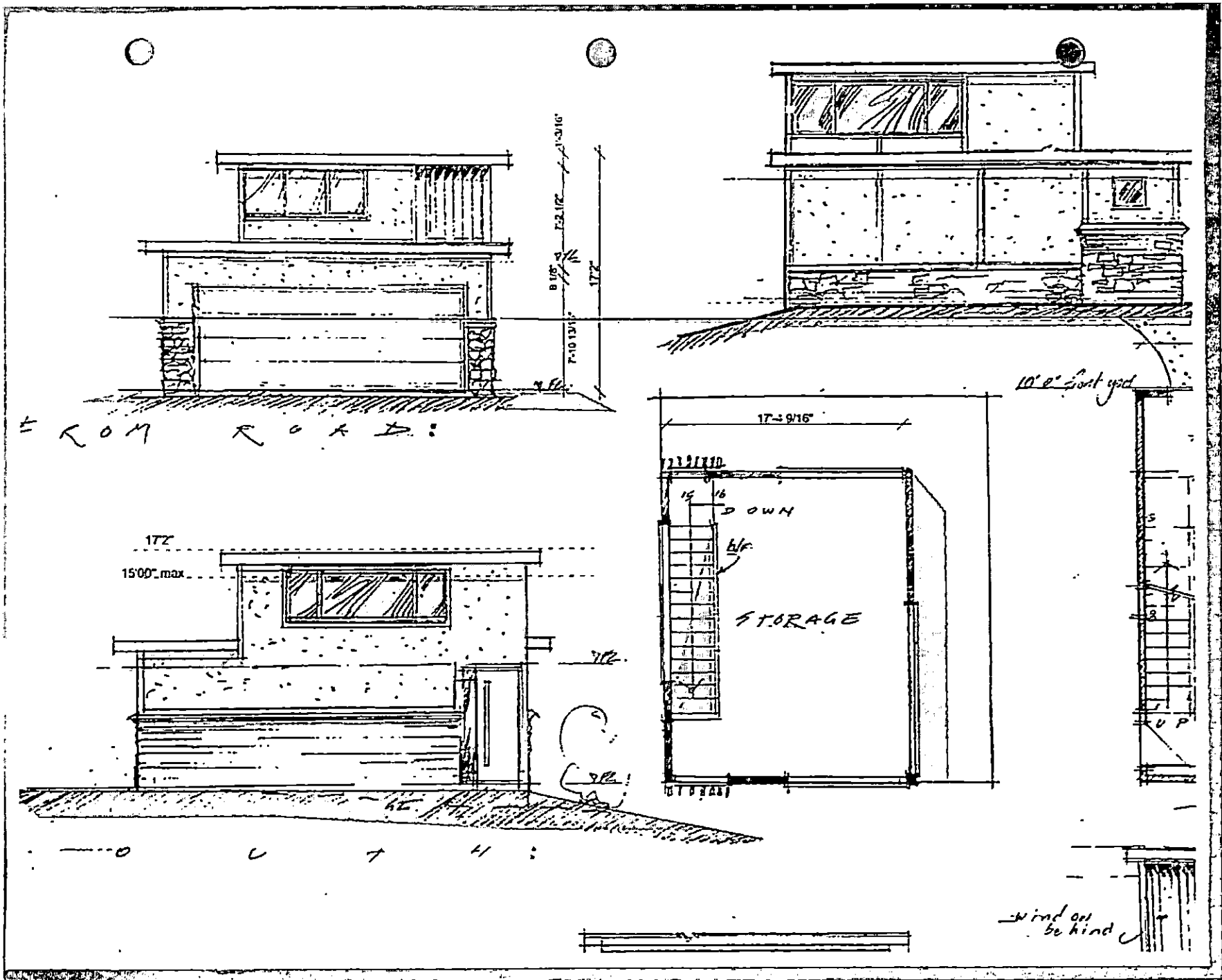
MM 3-1-21
10 Am

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Thursday, February 25, 2021 4:23 PM
To: Administrative Hearings
Subject: Recertification's For 2020-0280-A
Attachments: Re-Cert 1 2020-0280-A.doc; Re-Cert 2 2020-0280-A.doc

CAUTION: This message from 1opie@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Recertification's for 2531 Barrison Point Road. Thanks.



PROPOSED GARAGE

BALTIMORE COUNTY, CORRESPONDENCE
INTER-OFFICE CORRESPONDENCE

TO: Administrative Law Judge

FROM: Roz Johnson
Planner, Office of Zoning Review

DATE: November 17, 2020

SUBJECT: Petition for Variance; Case No. 2020-0280-A
Location: 2531 Barrison Point Road; Council Dist. 7, Election Dist. 15

The Baltimore County Office of Zoning reviewed the petitioner's request and recommended that the petitioner provide a site plan that conforms to our requirements, specifically that site plan measures to an engineering scale.

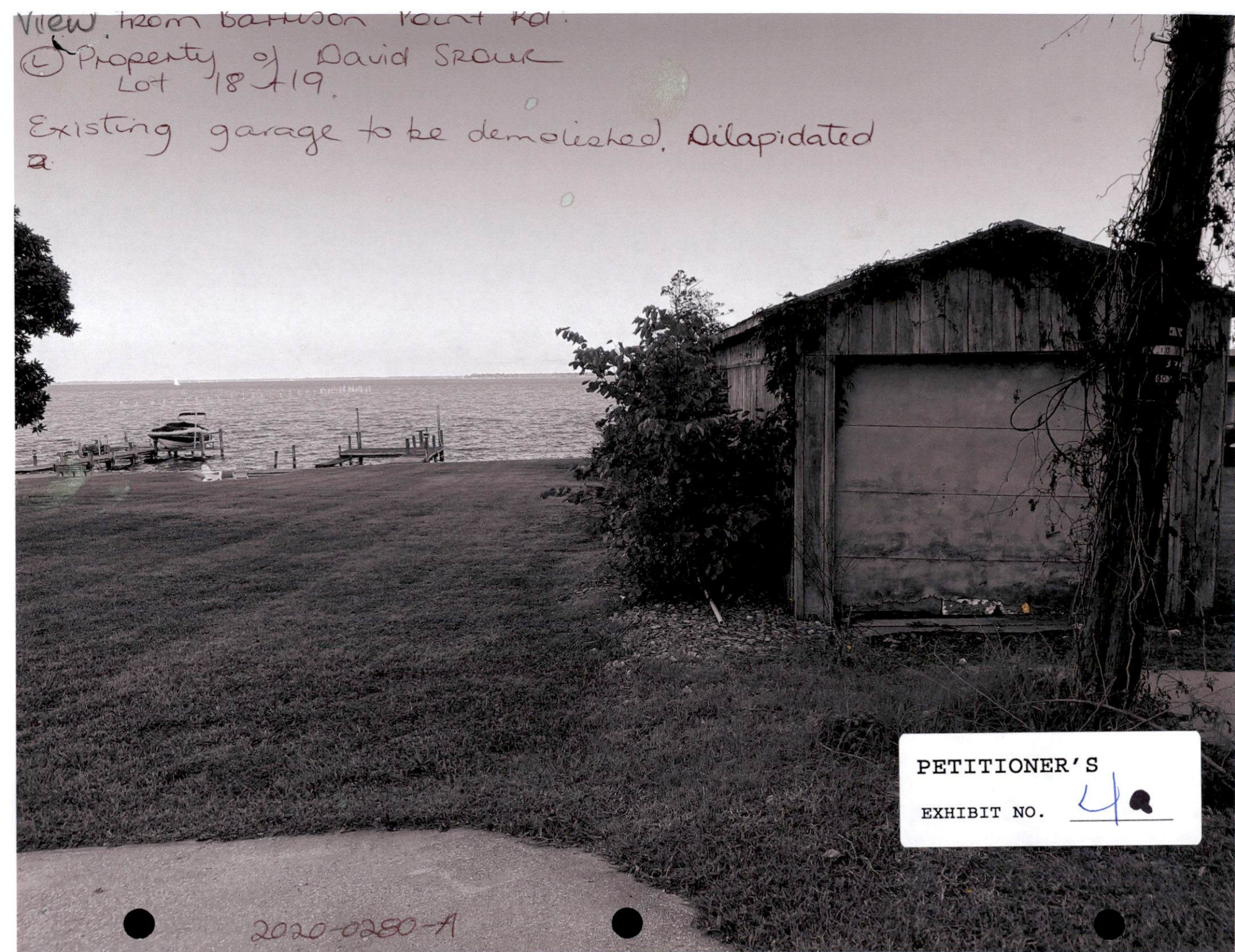
The petitioner made several attempts and decided to proceed with this site plan.

rvj

View from Battison Court Rd.

Property of David Spaul
Lot 18 + 19.

Existing garage to be demolished. Dilapidated
a.



PETITIONER'S

EXHIBIT NO.

4a

2020-0280-A

view from northern road

Center - James Cusick Srour - Lot 16+17.

Left - David Srour - Lot 18+19

Right - Elaine Franz - Lot 15

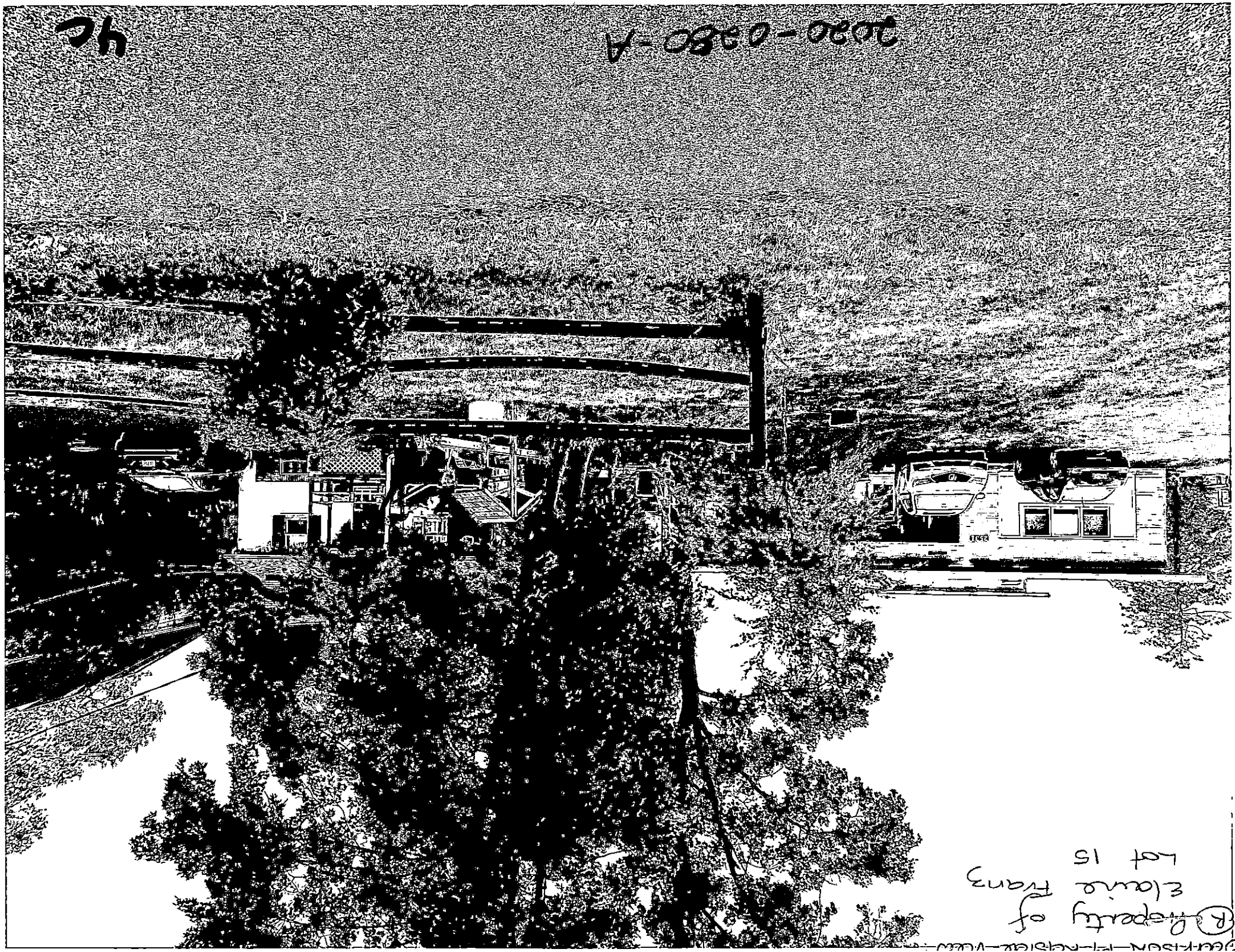


2020-0280-A

46

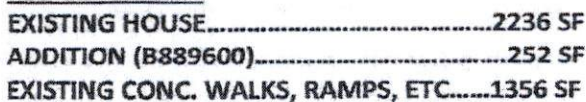
2020-0380-A

4c



Property of
Elaine Franz
Lot 15

Kernut
12/10/16.

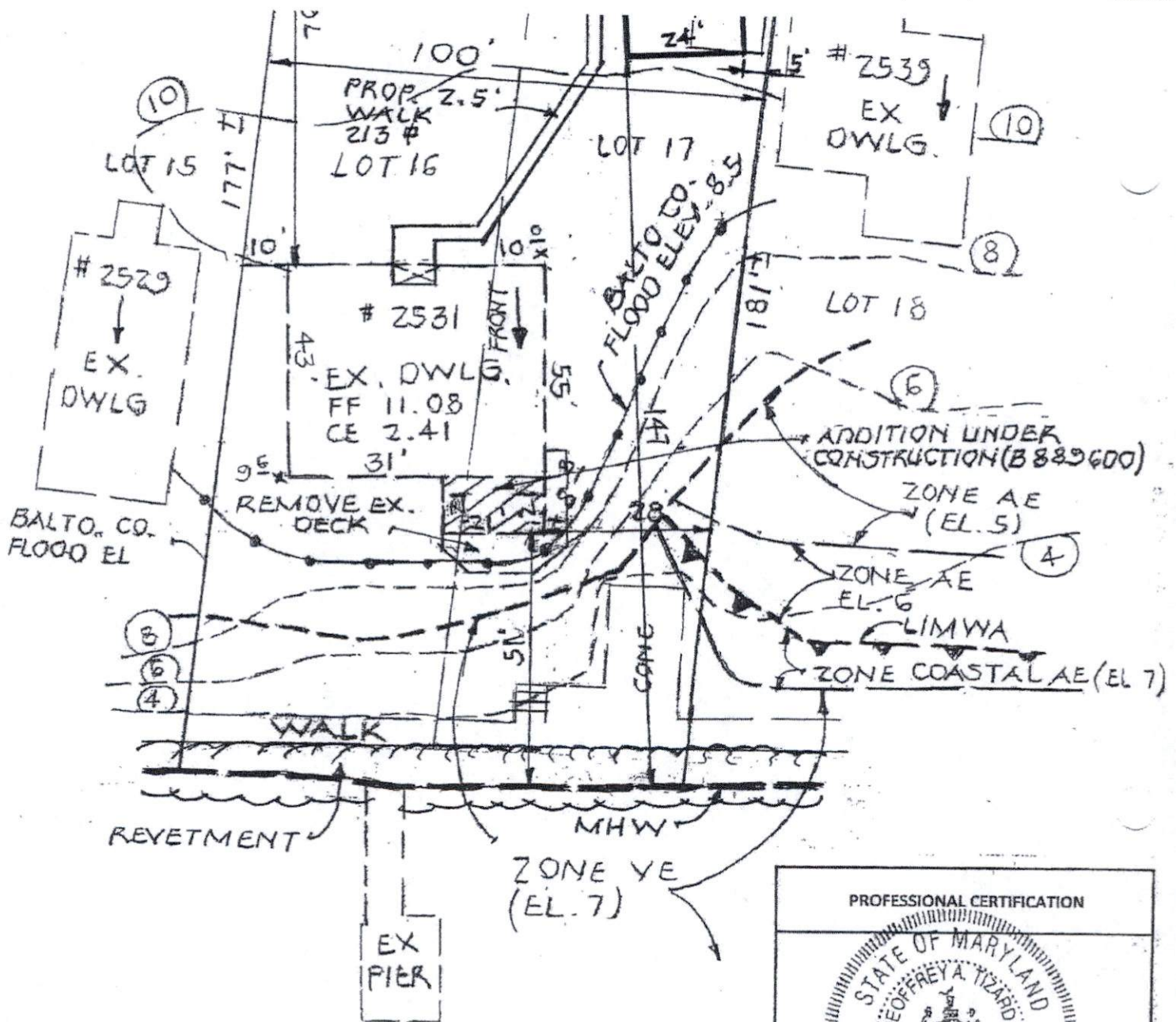


REV: 12/10/16
ADD GARAGE,
DRIVE, WALK

EXHIBIT NO.

5





LOT COVERAGES

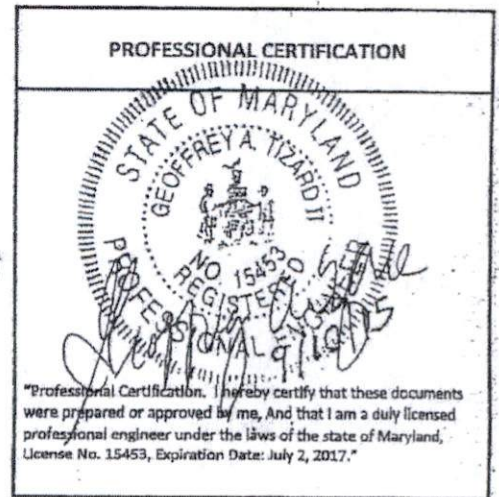
EXISTING HOUSE	2236 SF
ADDITION (B889600)	252 SF
EXISTING CONC. WALKS, RAMPS, ETC.	1356 SF
PROPOSED GARAGE	672 SF
PROPOSED WALK	213 SF
PROPOSED DRIVE	418 SF
TOTAL	5147 SF

LOT COVERAGE TABLE

LOT AREA	17,900 SF
COVERAGE PERMITTED (31.25 %)	5594 SF
COVERAGE PROPOSED	5147 SF
ADDITIONAL COVERAGE PERMITTED	447 SF

**CENTRAL DRAFTING
AND DESIGN**
601 CHARWOOD COURT
EDGEWOOD, MD 21040

REV: 12/10/16
ADD GARAGE,
DRIVE, WALK



NOTE

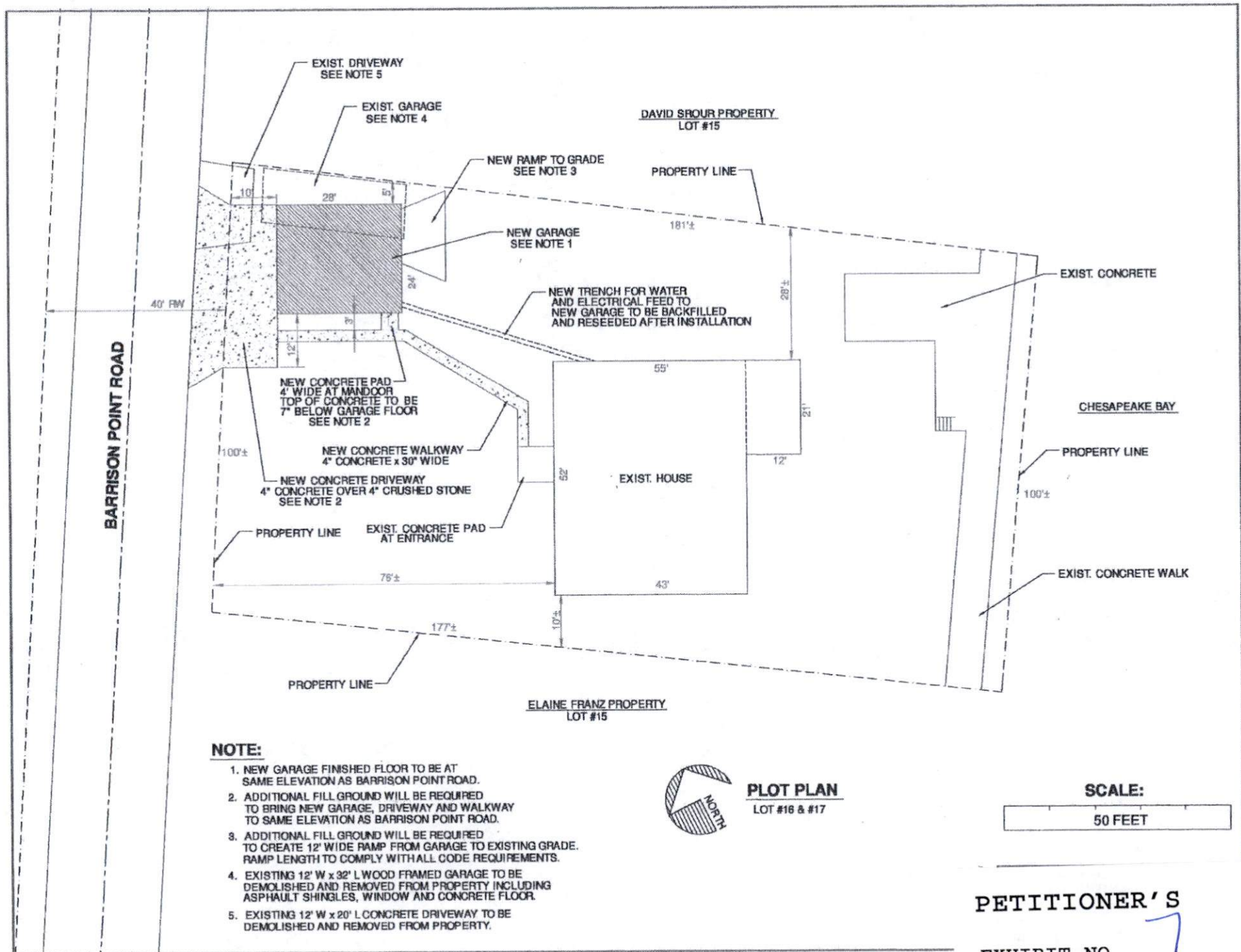
THE EXISTING
LANDWARD
YEAR TIDAL

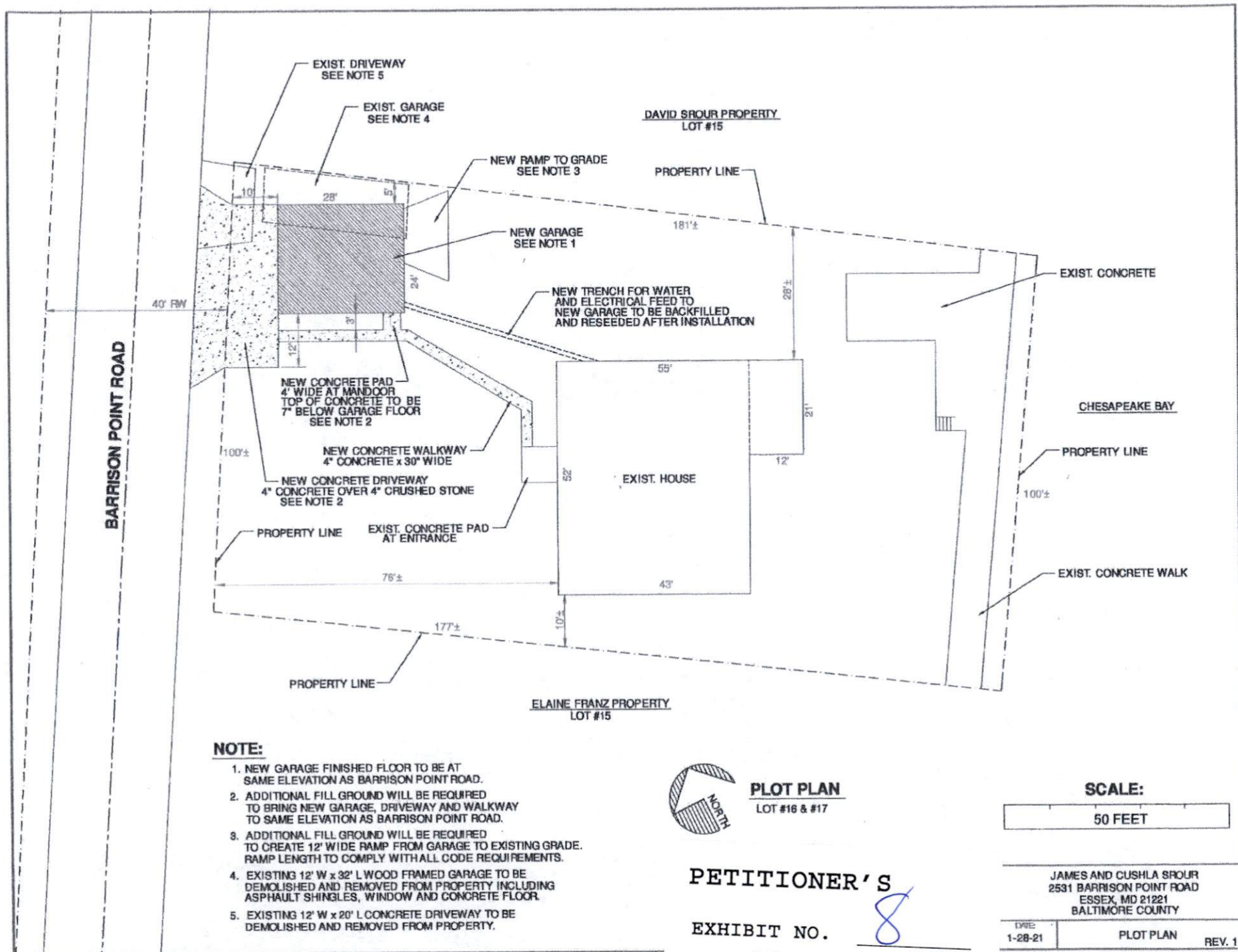
PETITIONER'S

EXHIBIT NO. 6

RE
00

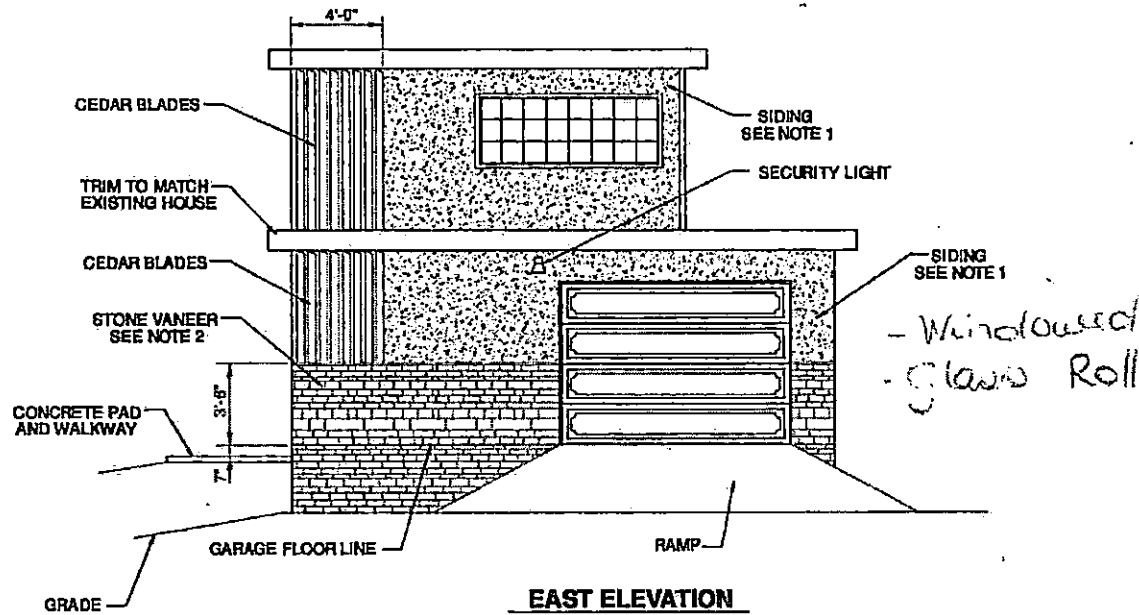
2531 BARRISON POINT ROAD
LOT 16 AND 17 BARRISON POINT P.B.8 F.82
ELECTION DISTRICT 15 BALTIMORE COUNTY, MD
SCALE: 1 INCH = 30 FEET AUGUST 15, 2015
REV: 9/14/15 REMOVE DRIVE & WALK



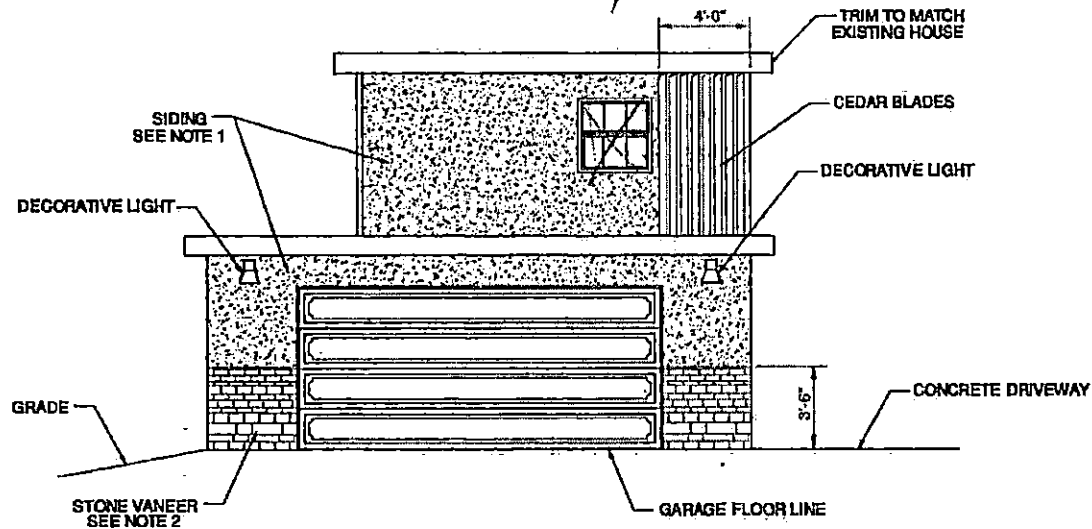


NOTE:

1. EXTERIOR SIDING TO BE HARDIE CEMENT BOARD PAINTED TO MATCH EXISTING HOUSE.
2. STONE VANEER TO MATCH EXISTING HOUSE.



- Windowed Garage Door
- Glass Roll-up Door

**SCALE:****10 FEET**

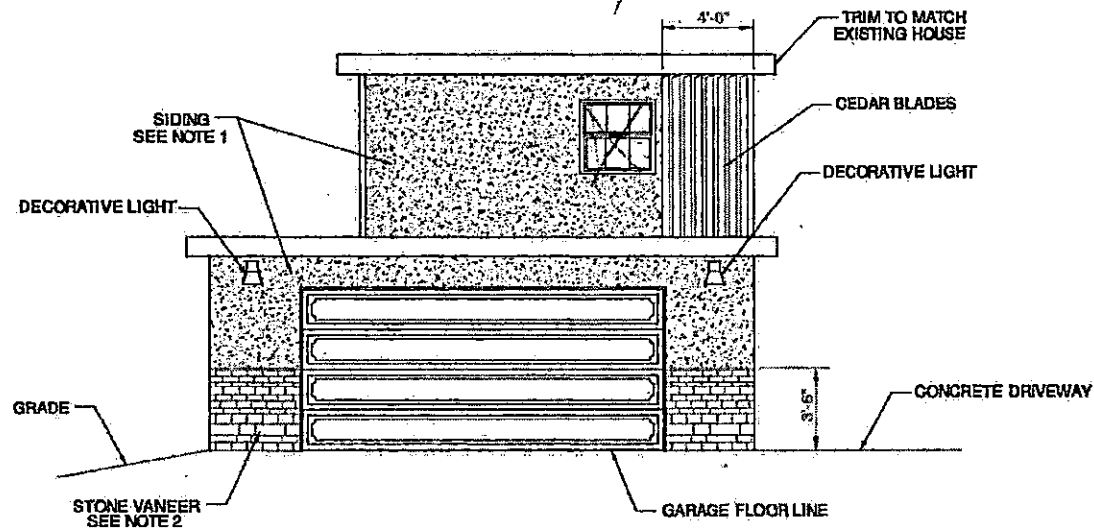
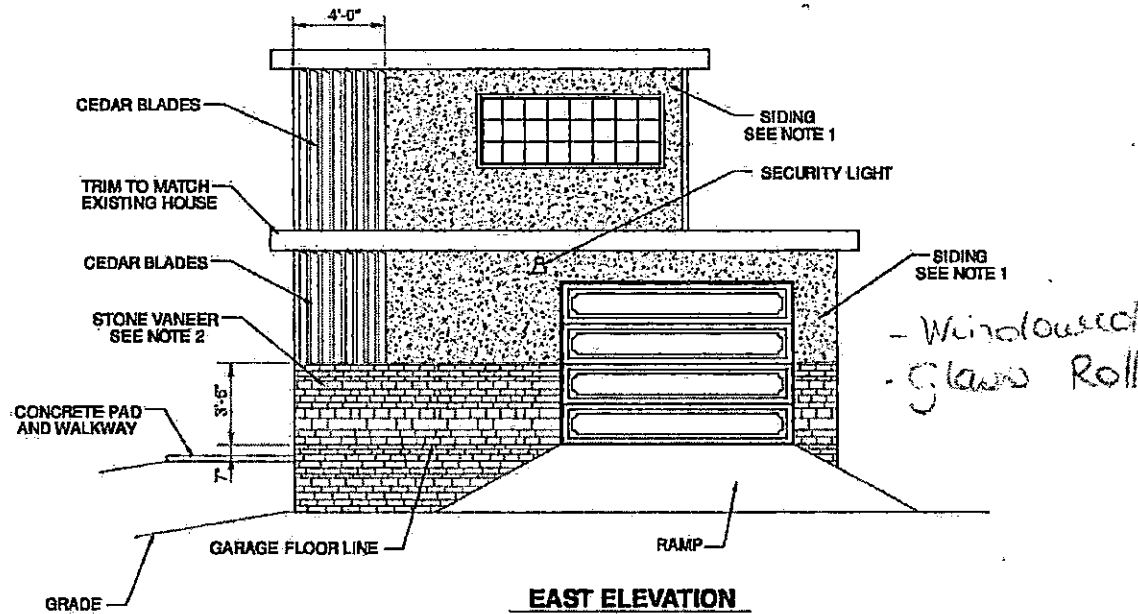
JAMES AND CUSHLA SPOUR
2531 BARRISON POINT ROAD
ESSEX, MD 21221
BALTIMORE COUNTY

DATE
1-23-21

EAST & WEST ELEVATIONS
REV. 1

NOTE:

1. EXTERIOR SIDING TO BE HARDIE CEMENT BOARD PAINTED TO MATCH EXISTING HOUSE.
2. STONE VANEER TO MATCH EXISTING HOUSE.

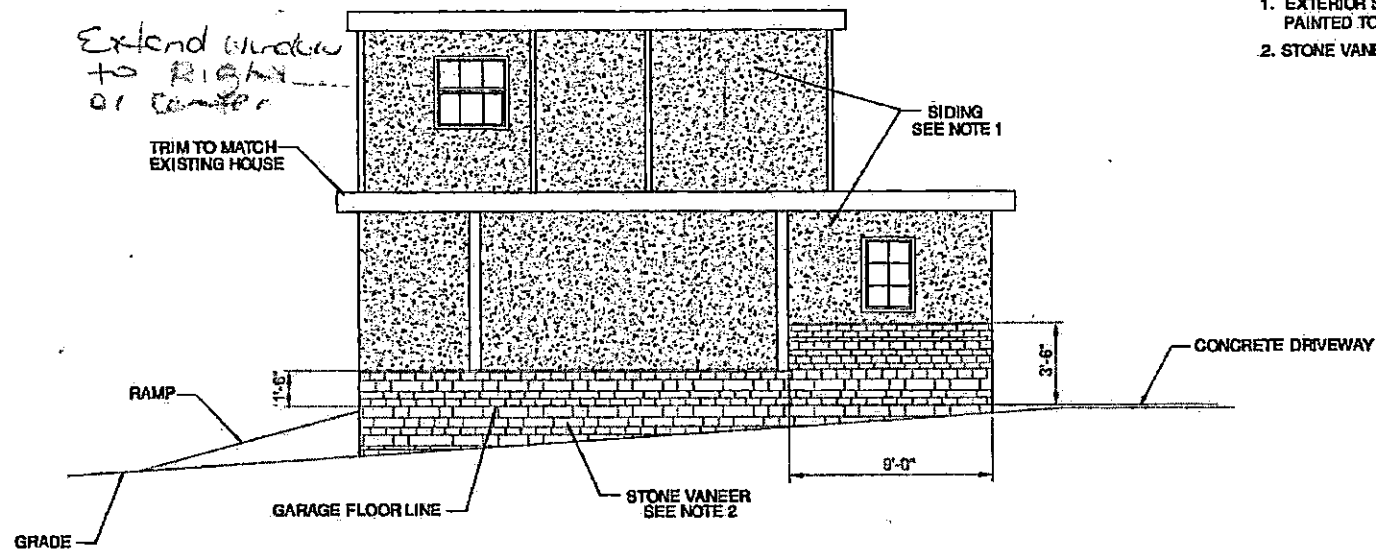
**SCALE:****10 FEET**

JAMES AND CUSHLA SPOUR
2531 BARRISON POINT ROAD
ESSEX, MD 21221
BALTIMORE COUNTY

DATE
1-28-21

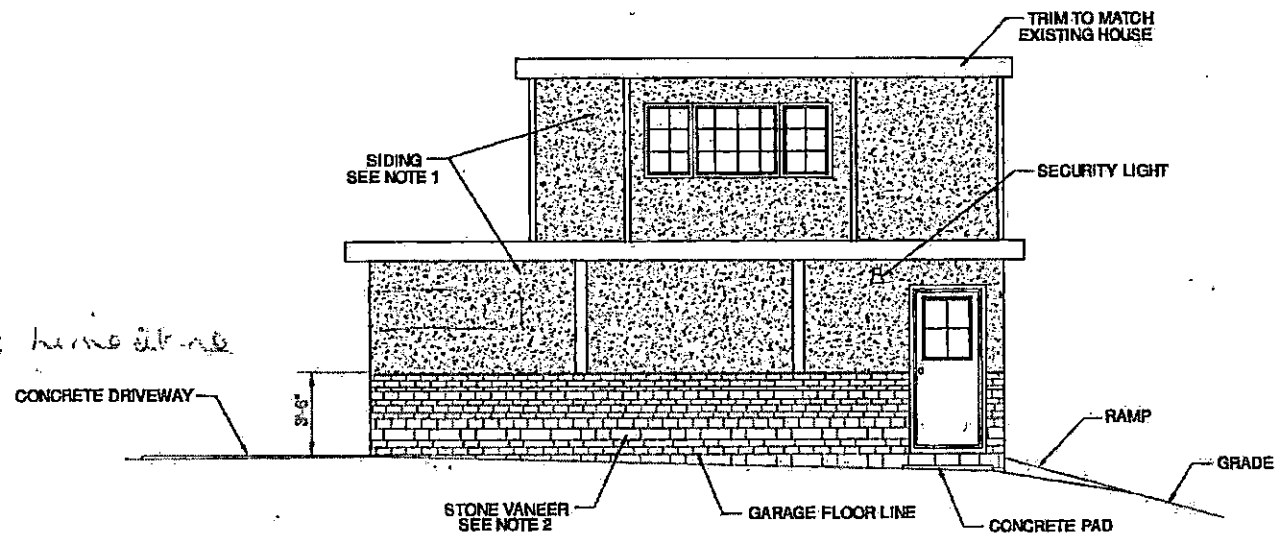
EAST & WEST ELEVATIONS

REV. 1



NORTH ELEVATION

COX



SOUTH ELEVATION

TRAIL

NOTE:

1. EXTERIOR SIDING TO BE HARDIE CEMENT BOARD PAINTED TO MATCH EXISTING HOUSE.
2. STONE VANEER TO MATCH EXISTING HOUSE.

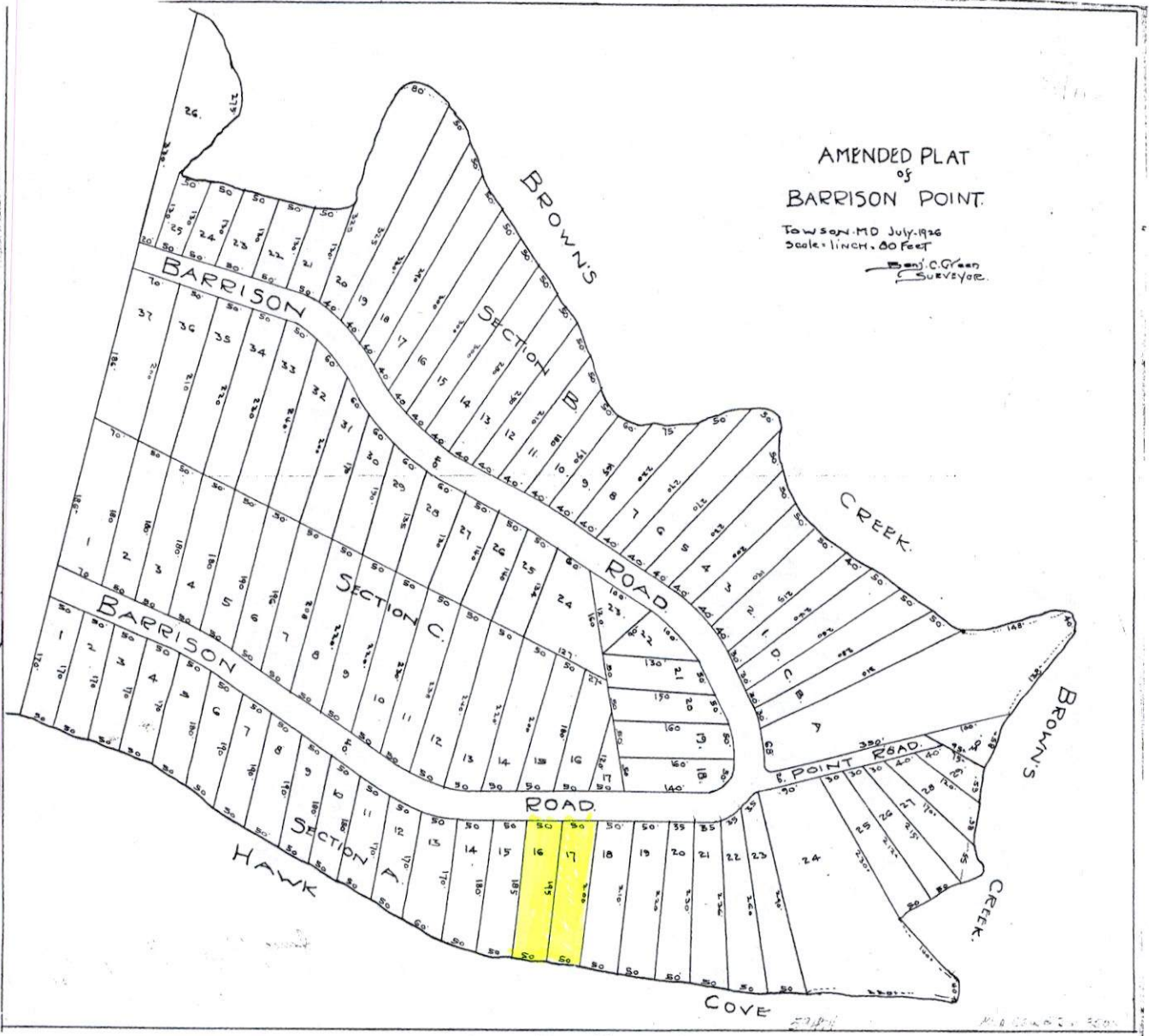
SCALE:

10 FEET

JAMES AND CUSHLA SPOUR
2531 BARRISON POINT ROAD
ESSEX, MD 21221
BALTIMORE COUNTY

DWG
1-28-21

NORTH & SOUTH ELEVATIONS
REV. 1



PETITIONER'S

EXHIBIT NO. 3

2020-0280-A

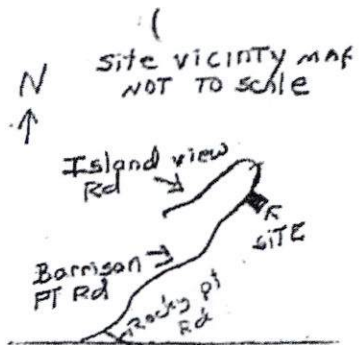
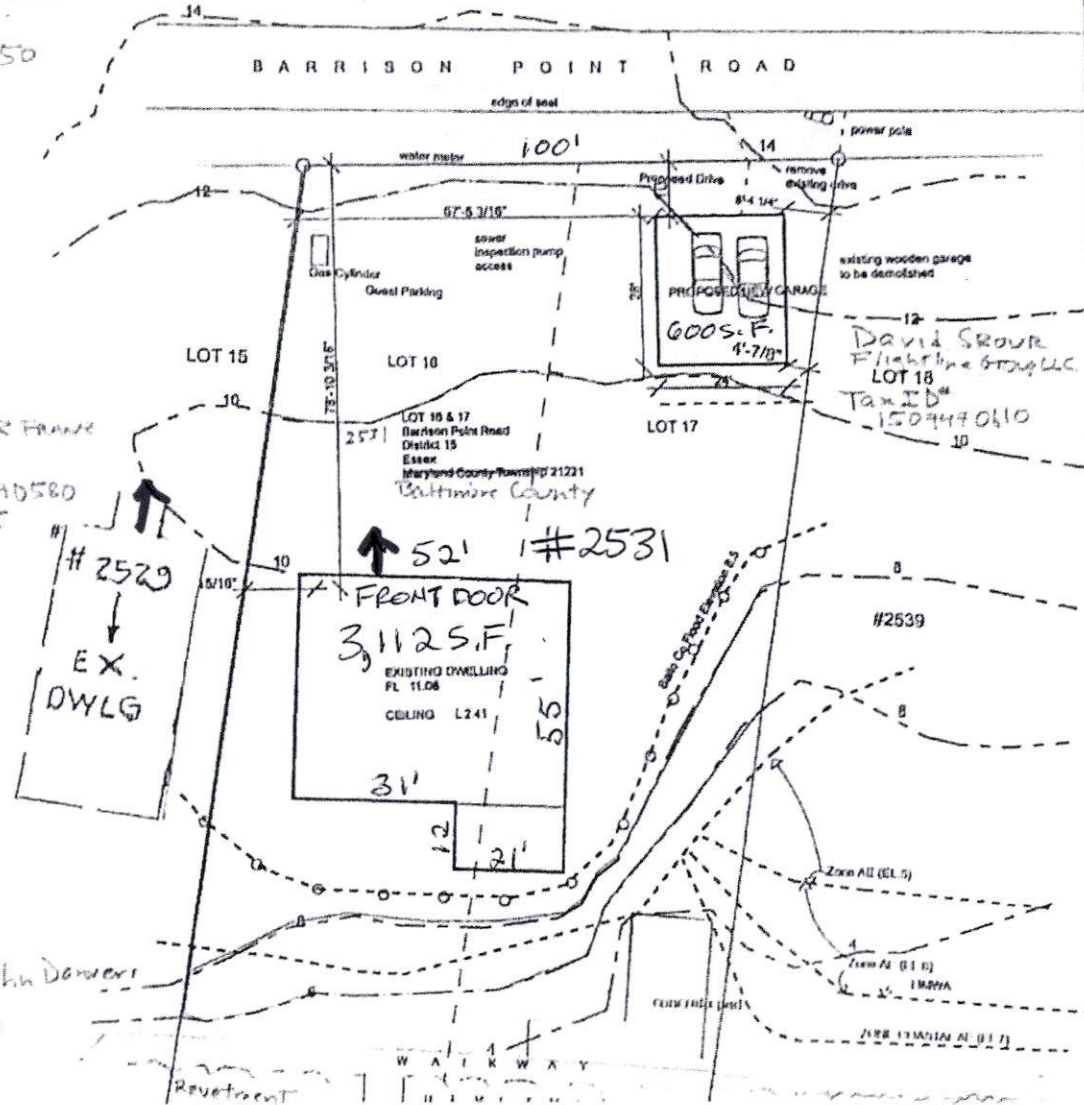
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)
 ADDRESS 2531 Barrison Pt Rd Essex MD 21221 OWNER(S) NAME(S) James & Cushla Srouer
 SUBDIVISION NAME AMENDED PLAT OF BARRISON POINT LOT #16+17 BLOCK # SECTION # A
 PLAT BOOK # WPC7 FOLIO # 174 10 DIGIT TAX # 1503331150 DEED REF. # 37374/20455

Parcel #
15-03-231150

Elaine R Frame
Tax ID #
1519340580
Lot 15

3/20/21
D.M.

Plan Drawn By John Dawers
Date 2/1/2020
Scale 1" = 30'



MAP IS NOT TO SCALE
 ZONING MAP # 105
 SITE ZONED RC5
 ELECTION DISTRICT 15
 COUNCIL DISTRICT 7
 LOT AREA ACREAGE 0.4
 OR SQUARE FEET 19,200.00
 HISTORIC? No
 IN CBCA? Yes
 IN FLOOD PLAIN? YES
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE
 SEWER IS:
 PUBLIC X PRIVATE
 PRIOR HEARING? n/a
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

 VIOLATION CASE INFO:

PETITIONER'S

EXHIBIT NO. 1

2020-0280-A

1.
N
↑
site vicinity map
NOT TO SCALE
Island view
Barrison
PT Rd
Rocky pt
Rd
SITE

A hand-drawn site plan for a property located at Barrison Point Road. The plan shows several lots and a proposed house. Key features include:

- Top Boundary:** BARRISON POINT ROAD, with a 100' distance marked.
- Waterway:** A waterway runs along the top and bottom of the property.
- Proposed House:** A rectangular structure labeled "PROPOSED 2 CAR GARAGE" with dimensions "60' x 31'". It is labeled "600 S.F." and "1'-7 1/2\"".
- Existing Structures:** A "Gas Cylinder" and "Overhead Parking" are shown near Lot 10. An "existing wooden garage to be demolished" is indicated near the proposed house.
- Lot Numbers:** LOT 15, LOT 10, LOT 17, and LOT 18 are labeled.
- Annotations:**
 - "LOT 10 & 17 Barrison Point Road District 15 Eastern Maryland County Reference 21221 Baltimore County"
 - "#2529" with an arrow pointing to a "FRONT DOOR" and "3112 S.F." area.
 - "#2531" with an arrow pointing to a "FRONT DOOR" and "3112 S.F." area.
 - "#2539" with an arrow pointing to a "FRONT DOOR" and "3112 S.F." area.
 - "EX. DWLG" (Existing Dwelling) is noted near Lot 15.
 - "Zone A2 (ELG)" is marked near the bottom right.
 - "Zone A2 (ELG)" is marked near the bottom right.
 - "Zone A2 (ELG)" is marked near the bottom right.
- Other Features:** "DANGER" is written near the bottom left. "WATERWAY" is written near the bottom center. "Retainment" is written near the bottom left.

Plan Drawn by John Darrow
Date 2/1/2020
Scale 1" = 30'

↑ MAP IS NOT TO SCALE
 ZONING MAP# 105
 SITE ZONED RC5
 ELECTION DISTRICT 15
 COUNCIL DISTRICT 7
 LOT AREA ACREAGE 0.4
 OR SQUARE FEET 19,200 sq.
 HISTORIC? NO
 IN CBCA? YES
 IN FLOOD PLAIN? YES
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? n/a
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLETION CASE INFO:

2020-0280-A