



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

September 11, 2023

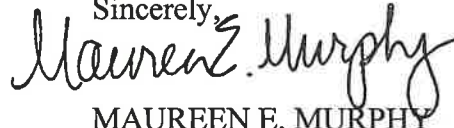
Adam Rosenblatt, Esquire – amrosenblatt@venable.com
Venable, LLP
210 W. Chesapeake Avenue, Suite 500
Towson, MD 21204

RE: Petition for Variance
Case No. 2023-0146-A
Property: 7833 N. Cove Road

Dear Mr. Rosenblatt:

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

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlm
Enclosure

c: Mitchell Butta – Mitchell.butta@ngc.com
Dianne Maevers – dmaevers@helmsman-properties.com
Dianna Maevers- dmaevers@helmsman-properties.com
J Scott Dallas- jsdinc@aol.com
John Vontran - jvontran@baltimorecountymd.gov
Ray Grannas- rpgrannas@comcast.net
Sandy and Craig- sandy.adamsdoyle@gmail.com

IN RE: PETITION FOR VARIANCE
(7833 N Cove Road)
15th Election District
7th Council District
Mitchell Butta & Dianna Maevers
Legal Owner

Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS OF
* BALTIMORE COUNTY
* **CASE NO. 2023-0146-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by Mitchell Butta and Dianna Maevers (“Petitioners”) for property located at 7833 N. Cove Road, Sparrows Point (“Property”). Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”) pursuant to an Amended Petition as follows:

- 1) From BCZR, §400.1: To locate an accessory structure (garage) in the front yard in lieu of the rear yard.
- 2) From the BCZR, §400.3: for an accessory structure (garage) with a height of 26 ft in lieu of a maximum 15 ft.
- 3) From the BCZR, §1B02.3.C for a dwelling with individual side yard setbacks of 5 ft in lieu of a minimum 10 ft.

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, in support of the Petition, along with J. Scott Dallas, registered property line surveyor, who prepared and sealed a site plan (the “Site Plan”). (Pet. Ex. 1). Adam M. Rosenblatt, Esquire and Venable, LLP, represented the Petitioners. Raymond Grannas, 7831 N. Cove Rd. testified that he had no objection to the relief. Sandy and Craig Doyle, 7827 N. Cove Rd. also did not oppose the requested relief.

Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP"), the Department of Environmental Protection and Sustainability ("DEPS") and Department of Public Works and Transportation ("DPWT"), these agencies did not oppose the requested relief.

The Property is a waterfront lot measuring 0.241 acres +/- (10,507 sf) and is improved with a home and detached garage constructed in 1934. (Pet. Ex. 1). The Property was created as Lot 691 on the Plat of Lodge Forest recorded in the Land Records of Baltimore County (Liber 10, folio 76). (Pet. Ex. 5). It is zoned Density Residential (DR 5.5). Aerial photographs show the Property is narrow on street side and fans out on the water side. (Pet. Ex. 3). Street view photographs show the condition of the existing improvements and adjoining properties. (Pet. Ex. 4).

Petitioners propose to raze the existing dilapidated structures and to construct a 2-story replacement dwelling which faces the street as well as a detached garage. Architectural renderings were provided showing the orientation of the front door toward the street side. (Pet. Ex.6). Due to the Chesapeake Bay Critical Area ("CBCA") regulations, one-half of the Property is not buildable, forcing the placement of the home toward the street. DEPS required the replacement dwelling to be 76 ft from the Grannas' wooden bulk head so that it will be setback equidistant from the adjoining homes. The proffered evidence was that most of the homes in the neighborhood were 30 ft wide. Due to the narrowness of the Property toward the street side, Variance relief is needed for the side yard setback. (Pet. Ex. 1).

The replacement garage will measure 420 sf, and will now be located on the side of the Property adjoining 7805 N. Cove Rd., rather than along the Grannas' property line. It will be located in the front yard due to the orientation of the front door toward the street; this generated Variance relief for the garage location. Most detached garages in the neighborhood are located on

the street side. Due to the lot coverage regulations, the additional height of 11 ft is needed for storage in the detached garage. Petitioners also desire to match the roof pitch on the replacement dwelling. Additionally, an in-ground pool will be constructed on the water front side which was confirmed at the hearing to be the rear yard; no Variance relief is needed for the pool.

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 due to its irregular shape as shown on the aerial photograph and the Site Plan. I find the unique features create a practical difficulty in complying with the side yard setback for the home which has been pushed toward the street in order to comply with the CBCA. Additionally, because it is waterfront property, the location of the detached garage on the street side (which is now the front yard) is necessary to prevent unnecessary grading on the waterfront (rear yard) and to prevent obstruction of the water view. Given the lot coverage regulations, the garage needs to have a smaller footprint and built with additional height which can then be used for storage space. I find that the requested Variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare, particularly in light of the lack of opposition.

THEREFORE, IT IS ORDERED, this 11th day of **September, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from BCZR, §400.1 to locate an accessory structure (garage) in the front yard in lieu of the rear yard is hereby, **GRANTED**; and

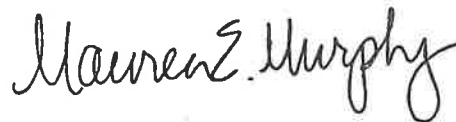
IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §400.3 for an accessory structure (garage) with a height of 26 ft. in lieu of a maximum 15 ft., be, and it is hereby **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §1B02.3.C for a dwelling with individual side yard setback of 5 ft. in lieu of a minimum 10 ft., 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 subsequent owners shall not convert the detached garage into a dwelling unit or apartment. The proposed detached garage shall not contain any sleeping quarters, bathroom, kitchen area or living area.
3. There shall be no second utility and/or electric meter(s). All utility and electric shall extend from the house to the detached garage.
4. The detached garage shall not be used for commercial or industrial purposes.
5. Petitioners shall comply with the DPR/DPWT ZAC comment and the DEPS ZAC comment copies of which are attached hereto.
6. The Site Plan (Pet. Ex. 1) is attached hereto and incorporated herein in its entirety.

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



MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County



PETITION FOR ZONING HEARING(S)

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

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

Address 7833 N. Cove Road which is presently zoned DR 5.5
Deed References: 47459/136 10 Digit Tax Account # 1 5 2 6 4 0 0 5 6 0
Property Owner(s) Printed Name(s) Mitchell Butta and Dianna Maevers

(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
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. X a **Variance** from Section(s) SEE ATTACHED.

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

TO BE PRESENTED AT HEARING.

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:

Adam M. Rosenblatt

Name- Type or Print

Signature

210 W. Penn. Ave, Suite 500 Towson MD
Mailing Address City State

21204 / 410-494-6271 / amrosenblatt@venable.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

See Attached

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:

Adam M. Rosenblatt

Name - Type or Print

Signature

210 W. Penn. Ave, Suite 500 Towson MD
Mailing Address City State

21204 / 410-494-6271 / amrosenblatt@venable.
Zip Code Telephone # Email Address

CASE NUMBER 2023-0146 A

Filing Date 7/3/2023

Do Not Schedule Dates:

Reviewer Mark

7833 N. COVE ROAD

ATTACHMENT TO PETITION FOR VARIANCE

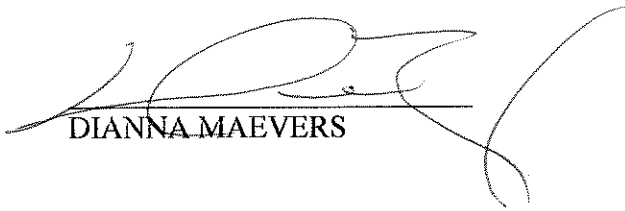
1. Variance from Section 400.1 to locate an accessory structure (pool) in the front yard in lieu of the rear yard.
2. Variance from Section 400.3 for an accessory structure (garage) with a height of 26 feet in lieu of a maximum 15 feet.
3. Variance from Section 1B02.3.C for a dwelling with individual side yard setbacks of 5 feet in lieu of a minimum 10 feet.
4. Also, for such further relief as the Administrative Law Judge may require.

7833 N. COVE ROAD

ATTACHMENT TO PETITION FOR VARIANCE

PROPERTY OWNERS


MITCHELL BUTTA


DIANNA MAEVERS

J.S. DALLAS, INC.

Surveying & Engineering

P.O. Box 26

Baldwin, MD 21013

(410)817-4600

FAX (410)817-4602

ZONING DESCRIPTION

LOT 691 LODGE FOREST (10-76)

(#7833 NORTH COVE ROAD)

15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point on the east side of North Cove Road, 40 feet wide, at the distance of 85 feet northeasterly from the extension of the centerline of North Cove Road, 40 feet wide thence running with and binding on said east side of North Cove Road, by line of agreement (1) **North 22 degrees 32 minutes 00 seconds East 38.84 feet** thence running with and binding on the property line between Lots 691 and 690 by line of agreement (2) **South 62 degrees 53 minutes 25 seconds East 235.30 feet** to the waters of North Point Creek at and existing bulkhead there situate the five following courses and distances: (3) **South 50 degrees 28 minutes 58 seconds West 25.34 feet** (4) **South 68 degrees 08 minutes 53 seconds West 6.94 feet** (5) **South 73 degrees 25 minutes 40 seconds West 24.82 feet** (6) **South 85 degrees 01 minutes 08 seconds West 13.26 feet** and (7) **South 81 degrees 08 minutes 30 seconds West 6.31 feet** thence leaving said waters of North Point Creek and running with and binding on the property line between Lots 691 and 692 by line of agreement (8) **north 57 degrees 23 minutes 00 seconds West 184.15 feet** to the place of beginning.

BEING Lot 691 as shown on the Plat of Lodge Forest as recorded among the Land Records of Baltimore County in Plat Book No. 10 folio 76.

The improvements thereon being known as #7833 North Cove Road.

CONTAINING 10,507 square feet of land, more or less or 0.241 acres of land, more or less.

Note: Description above for the purposes of Zoning relief only.



2023-0146-A

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 20, 2023
Item No. 2023-0146-A

DATE: July 17, 2023

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

DPW&T Comments:

- A) A portion of the property is within the Tidal Special Flood Hazard Area Zone AE (BFE=7.7) per panel FIRM 2400100555F dated 9/26/08. Must comply with Flood Plain Ordinance, See County Bill 40-15 (the latest edition of the Baltimore county Code) and Bill 42-15, and Section 32-4-414 of Article 32, Title 4 of the Baltimore County Code, 2003, as amended. The LiMWA is not on the property.

VKD: JK
cc: file

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2033-0146-A

Property Address: 7833 N. Cove Road

Property Description: East Side of North Cove Road, 85 feet
northeast of the extension of the centerline of N. Cove Road

Legal Owners (Petitioners): Mitchell Butler & Dianna Maevers

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barbara Lukasevich

Company/Firm (if applicable): Venable LLP

Address: 210 W. Pennsylvania Ave, Suite 500

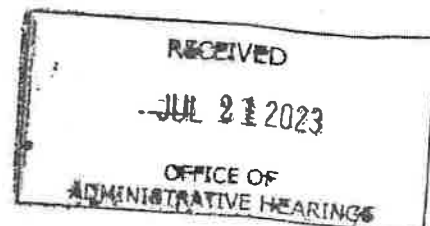
Towson, MD 21204

Telephone Number: 410-494-6200

Revised 7/9/2015

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: July 21, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0146-A
Address: 7833 N COVE RD
Legal Owner: Mitchell Butta & Dianna Maevers

Zoning Advisory Committee Meeting of July 17, 2023.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

The subject property is located within a Limited Development Area (LDA) of the Chesapeake Bay Critical Area and is subject to Critical Area requirements. The applicant is proposing to permit a pool in the front yard in lieu of the rear yard, a garage with a height of 26 feet in lieu of the maximum 15 feet, and individual side yard setbacks of 5 feet in lieu of the minimum 10 feet. The lot is waterfront and within a Modified Buffer Area (MBA). Any proposed development must meet all LDA and MBA requirements, including lot coverage limits and afforestation requirements. Lot coverage is limited to a maximum of 31.25% (3,283 square feet), with mitigation required for any new lot coverage between 25% (2,627 square feet) and 31.25%. Proposed lot coverage information has not been provided. There is a 15% afforestation requirement in the LDA. On a lot of this size three (3) trees are required. Mitigation for any new impacts to the MBA are required. Proposed impact to the MBA has not been provided. If the lot coverage, afforestation, and MBA requirements are met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront and within a Modified Buffer Area (MBA). The property must meet all lot coverage, afforestation, and MBA mitigation

requirements. If lot coverage, afforestation, and MBA mitigation requirements are met, this request will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

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

This is a grandfathered lot. Provided that the applicants meet their lot coverage, afforestation, and MBA mitigation requirements, then the relief requested will be consistent with the established land-use policies.

Additional Comments:

Reviewer: Libby Errickson 7/18/23

CERTIFICATE OF POSTING

2023-0146-A

RE: Case No.: _____

Petitioner/Developer: _____

Mitchell Butta, Dianna Maevers

August 30, 2023

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: _____

7833 North Cove Road ***SIGN 1***

August 10, 2023

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



Sincerely,



(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

2023-0146-A

RE: Case No.: _____

Petitioner/Developer: _____

Mitchell Butta, Dianna Maevers

August 30, 2023

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:

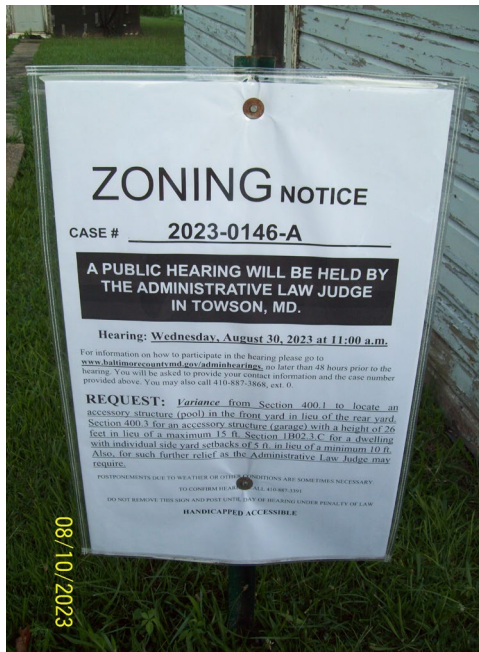
Ladies and Gentlemen:

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: _____

7833 North Cove Road ***SIGN 2***

August 10, 2023

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



Sincerely,

 **August 10, 2023**

(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, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 7/26/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0146-A

INFORMATION:

Property Address: 7833 North Cove Road
Petitioner: Mitchell Butta, Dianna Maevers
Zoning: DR 5.5
Requested Action: Variance

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

Variance(s) -

1. From Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to locate an accessory structure (pool) in the front yard in lieu of the rear yard;
2. From Section 400.3 of the BCZR for an accessory structure (garage) with a height of 26 feet in lieu of the maximum permitted 15 feet;
3. From Section 1B02.3.C of the BCZR for a dwelling with individual side yard setbacks of 5 feet in lieu of a minimum of 10 feet; and
4. For such further relief as the Administrative Law Judge may require.

The subject site is an approximately 12,040 square foot waterfront parcel in the Sparrows Point area. The site is currently improved with a one-story, single family detached dwelling and a garage. Per the petition and the site plan, the property owners wish to raze both the dwelling and garage and construct a new dwelling, garage, and pool on the property. The proposed dwelling will front the water and the pool is proposed to go in front of it (facing waterfront). The pool will not be visible from the public right-of-way. The garage is proposed to be located behind the dwelling, closer to North Cove Road.

The subject site is within the boundaries of the Greater Dundalk-Edgemere Community Conservation Plan, the Eastern Baltimore County Revitalization Strategy, and the Eastern Baltimore County Pedestrian and Bicycle Access Plan. The Greater Dundalk-Edgemere Community Conservation Plan explains that the Greater Dundalk area has 64 of the approximately 219 miles of shoreline in Baltimore County, and it emphasizes what an asset the waterfront is and how it is a nice place to live (pages 3-4).

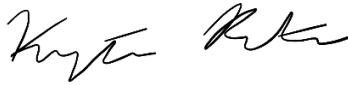
The Department of Planning contacted the representative for the petition via email on July 13th, 2023 seeking additional information on the requests. In a July 18th, 2023 reply, the representative explained that the proposed home will be approximately 32 feet in height. The proposed height of the garage is 26 feet to accommodate storage. The two structures will be similar architecturally. The property is unique because of its angled waterfront nature, because it is 20 feet narrower at the building line than the adjacent

properties, and also the grade slopes down towards the water. Further, it was explained that the home must be located a minimum of 76 feet away from the water due to Critical Area Regulations, creating further hardship on where the garage and pool can be placed.

The Department of Planning has no objections to the requested Variance relief. The proposed location of the pool in the front yard will not be highly visible from the public right of way. Further, the location is only considered the front yard due to the dwellings orientation towards the water. The increase in the garage height will account for storage and will allow the Petitioner to match the architectural style of the primary dwelling. Approval of the proposed setbacks for the dwelling will allow the lot to be developable, given the narrow nature of the lot and the Critical Area Requirements.

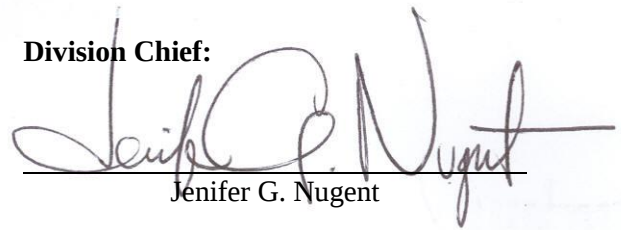
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Adam M. Rosenblatt
Michael Thomas, Community Planner
Ngone Seye Diop, Community Planning Division Chief
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of 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: July 21, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0146-A
Address: 7833 N COVE RD
Legal Owner: Mitchell Butta & Dianna Maevers

Zoning Advisory Committee Meeting of July 17, 2023.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

The subject property is located within a Limited Development Area (LDA) of the Chesapeake Bay Critical Area and is subject to Critical Area requirements. The applicant is proposing to permit a pool in the front yard in lieu of the rear yard, a garage with a height of 26 feet in lieu of the maximum 15 feet, and individual side yard setbacks of 5 feet in lieu of the minimum 10 feet. The lot is waterfront and within a Modified Buffer Area (MBA). Any proposed development must meet all LDA and MBA requirements, including lot coverage limits and afforestation requirements. Lot coverage is limited to a maximum of 31.25% (3,283 square feet), with mitigation required for any new lot coverage between 25% (2,627 square feet) and 31.25%. Proposed lot coverage information has not been provided. There is a 15% afforestation requirement in the LDA. On a lot of this size three (3) trees are required. Mitigation for any new impacts to the MBA are required. Proposed impact to the MBA has not been provided. If the lot coverage, afforestation, and MBA requirements are met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront and within a Modified Buffer Area (MBA). The property must meet all lot coverage, afforestation, and MBA mitigation

requirements. If lot coverage, afforestation, and MBA mitigation requirements are met, this request will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

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

This is a grandfathered lot. Provided that the applicants meet their lot coverage, afforestation, and MBA mitigation requirements, then the relief requested will be consistent with the established land-use policies.

Additional Comments:

Reviewer: Libby Errickson 7/18/23

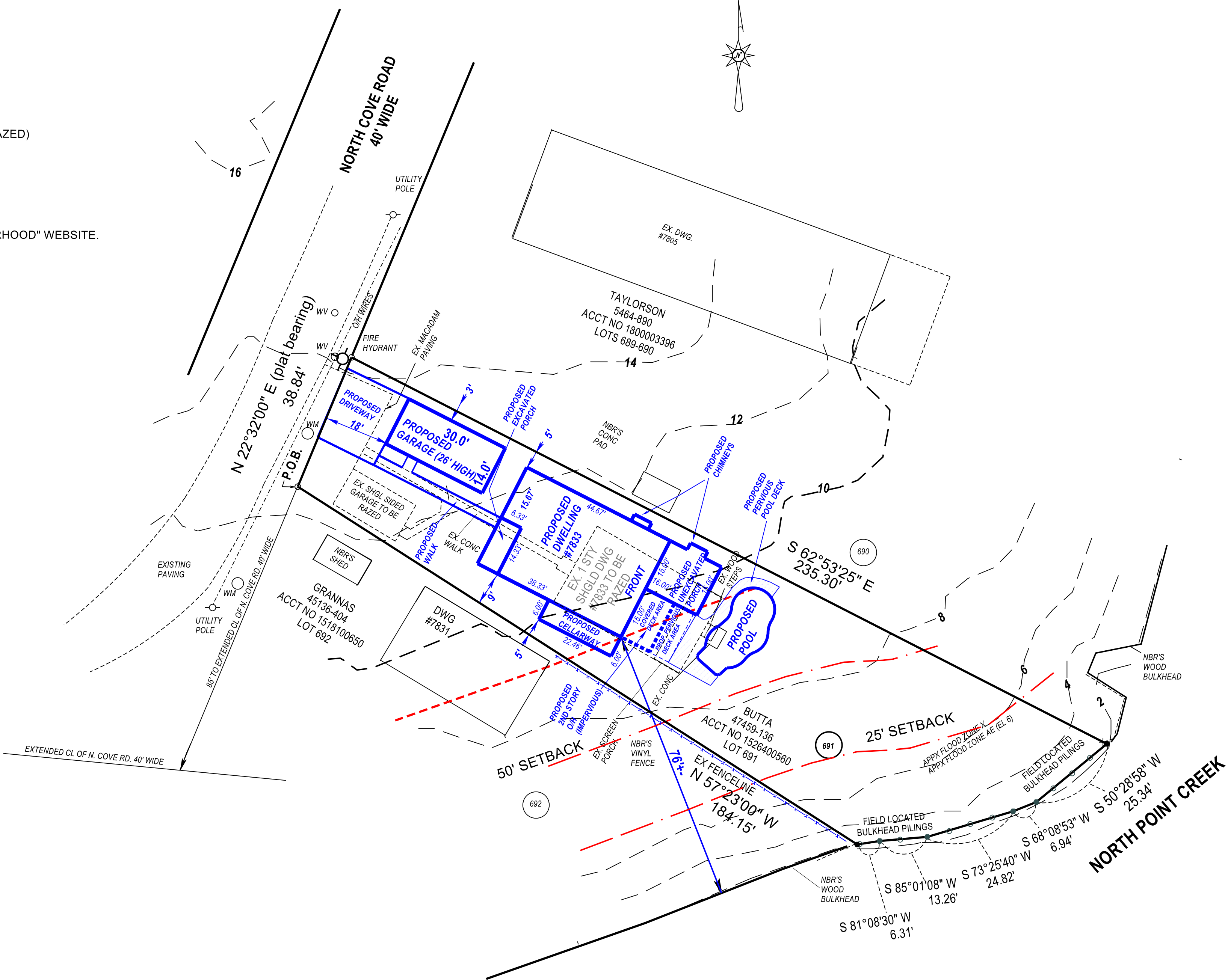
GENERAL NOTES:

1. OWNER:
MITCHELL S. BUTTA
DIANNA JEAN MAEVERS
1000 RAMBLE RUN ROAD
MIDDLE RIVER, MD. 21220
2. EXISTING LOT AREAS
10507 SQ. FT.+/- = 0.241 AC. +/-
(12,040 Sq.Ft. PER SDAT)
3. ADC MAP LOCATION: 45-H-11

4. UTILITIES:
PUBLIC SEWER
PUBLIC WATER

5. THE SITE LIES WITHIN ZONE 'X' AND "AE" (EL 6) AS SHOWN
ON F.I.R.M. 2400100555G DATED MAY 05, 2014.
6. EX. STRUCTURE = 1 STORY (TO BE RAZED) 1 STORY GARAGE (TO BE RAZED)
7. DEED REF: JLE 47459-136
8. TAX ACCOUNT: #1526400560
9. COUNCILMANIC DISTRICT: 7TH
10. CONTOURS SHOWN HEREON PER BALTIMORE COUNTY "MY NEIGHBORHOOD" WEBSITE.
11. WATERSHED: BALTIMORE HARBOR
12. TAX MAP: #111, PARCEL 98, LOT 691
13. ZONING: DR 5.5
(PER BALT. CO. WEBSITE)
14. NO KNOWN PREVIOUS ZONING CASES ON FILE:
15. REQUIRED SETBACKS:
D.R. 5.5:
FRONT: 25' REAR: 30' SIDE 10'
MIN. NET. LOT AREA PER DWG. UNIT: 6000 SQ. FT
MIN. LOT WIDTH 55'
- PROPOSED SETBACKS:
GARAGE FRONT: 18' DWELLING FRONT: 55'
DWELLING, REAR: 76' (90 DEGREES TO BULKHEAD), SIDE 5'
16. THE SITE LIES WITHIN THE CHESAPEAKE BAY
CRITICAL AREA. (L.D.A.)
17. THERE ARE NO HISTORIC FEATURES ON THE SITE NOR
IS THE SITE ITSELF HISTORIC.
18. NO KNOWN PREVIOUS DRC MEETINGS
19. NO KNOWN PERMITS ON FILE.
20. SITE IS WITHIN BUFFER MANAGEMENT AREA

MINIMUM BASE FLOOD (BFE) 7.7 (NAVD88)
MINIMUM FF 9.7 IF REQUIRED



VICINITY MAP
1"=1000'

J.S. DALLAS, INC.
SURVEYING & ENGINEERING
P.O. BOX 26
BALDWIN, MD. 21013
(410) 817-4600



06-27-2023
DATE

SITE PLAN TO ACCOMPANY
PETITION FOR ZONING VARIANCE

#7833 NORTH COVE ROAD
LOT 691 LODGE FOREST 10-76 (8-87)
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.
1" = 20'
REV 06-27-2023

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

No. 221288

Date: 7/3/2023

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

Rec From: Venable LLP

For: Zoning Variance Filing
7833 N. Cove Rd
Zoning Case 2023-0146-A

MSK

DISTRIBUTION

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

GOLD - ACCOUNTING

CASHIER'S
VALIDATION

Real Property Data Search ()
Search Result for BALTIMORE COUNTY



[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier:

JOHN A. OLSZEWSKI, JR.
County Executive

District - 15 Account Number - 1526400560

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

Owner Information

Owner Name: BUTTA MITCHELL S
MAEVERS DIANNA JEAN
Mailing Address: 1000 RAMBLE RUN RD
MIDDLE RIVER MD 21220-
Use: RESIDENTIAL
Principal Residence: NO
Deed Reference: /47459/ 00136

Location & Structure Information

Premises Address: 7833 N COVE RD
SPARROWS POINT 21219-1919
Waterfront
Legal Description: LODGE FOREST

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0111 0017 0098 15130121.04 0000 691 2021 Plat Ref: 0010/ 0076

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1934	768 SF		12,040 SF	34

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	NO	STANDARD UNITASBESTOS SHINGLE/3		1 full			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2021	07/01/2022	07/01/2023
Land:	162,500	162,500		
Improvements	1,100	1,200		
Total:	163,600	163,700	163,667	163,700
Preferential Land:	0	0		

Transfer Information

Seller:	Date:	Price:
TAYLORSON LORETTA V	10/19/2022	\$195,000
Type: NON-ARMS LENGTH OTHER	Deed1: /47459/ 00136	Deed2:
Seller: ZIPFEL FRANK J	Date: 11/18/1986	Price: \$51,000
Type: ARMS LENGTH IMPROVED	Deed1: /07411/ 00023	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
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

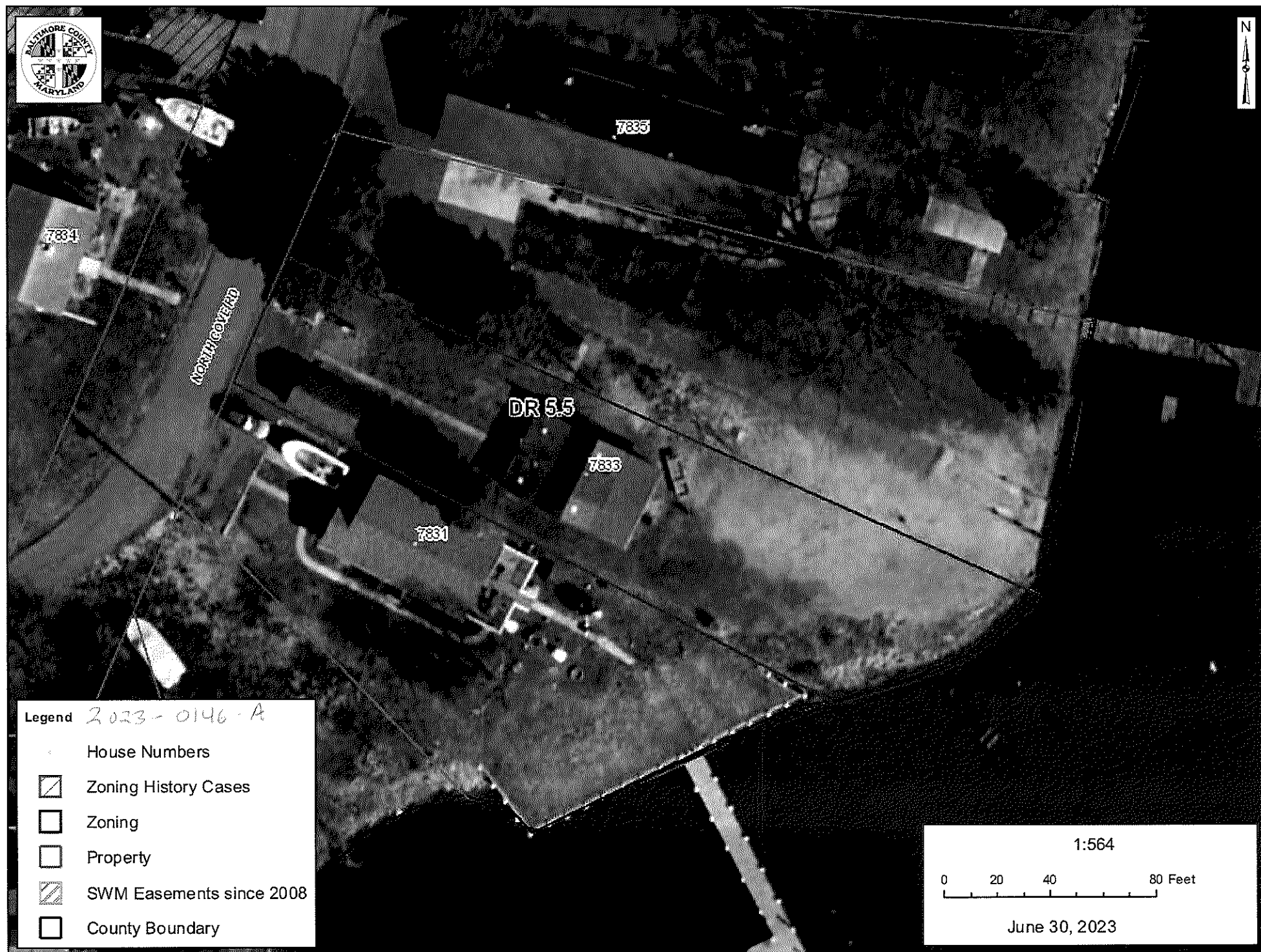
Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

2023-0146-A

Aerial of 7833 N. Cove Road



Baltimore County - My Neighborhood

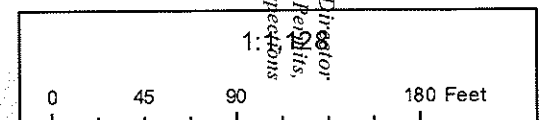


JOHN A. OLSZEWSKI, JR.
County Executive



100

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



July 3, 2023

Sources: Esri, HERE, Garmin, Intermap, Incremental P, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, Swisstopo, The Swedish Land Survey, Esri Taiwan, Google, Swisstopo, China (Hong Kong), (c) OpenStreetMap contributors

Baltimore County Government, County of Anne Arundel, VITA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |



7844

7842

7838

7841

—7839

7835

7834

7833

7831

7822

7828

7827

NORTH COVE RD

DR 5.5

NORTH COVE RD

111 West Chesapeake X

Zoning Review | County Office Building

www.baltimorecountymd.gov

Legend

House Numbers



Zoning History Cases



Zoning



Property



SWM Easements since 2008



County Boundary

2023-0146-A

Printed on recycled paper containing 30 percent post-consumer material

GENERAL NOTES:

- OWNER:
MITCHELL G. BUTTA
DIANNA JEAN MAEYERS
1000 RAMBLE RUN ROAD
MIDDLE RIVER, MD. 21220
- EXISTING LOT AREAS
1050' SQ. FT. = 0.241 AC. ±
(12,040 SQ. FT. PER 50' DAT)
- ADJ. MAP LOCATION: 45-11-11

- UTILITIES:
PUBLIC SEWER
PUBLIC WATER

- THE SITE LIES WITHIN ZONE "C" AND "AE" (EL. 6) AS SHOWN ON F.I.R.M. 240010055SG DATED MAY 05, 2014.

- EX. STRUCTURE = 1 STORY (TO BE RAZED) 1 STORY GARAGE (TO BE RAZED)

- DEED REF: JLE #2459-136

- TAX ACCOUNT: #15264000060

- COUNCILMANIC DISTRICT: 7TH

- CONTOURS SHOWN HEREON PER BALTIMORE COUNTY "MY NEIGHBORHOOD" WEBSITE.

- WATERSHED: BALTIMORE HARBOR

- TAX MAP: #111, PARCEL 98, LOT 691

- ZONING: DR 5 S
(PER BALT. CO. WEBSITE)

- NO KNOWN PREVIOUS ZONING CASES ON FILE:

- REQUIRED SETBACKS:

- D.R. 5.5:
FRONT: 25' REAR: 30' SIDE 10'
MIN. NET LOT AREA PER DWG. UNIT: 6000 SQ. FT.
MIN. LOT WIDTH 55'

- PROPOSED SETBACKS:

- GARAGE ENTRY: 15'
DWELLING FRONT: 76' (90 DEGREES TO BULKHEAD)
SIDE 5'
DWELLING REAR: 65' (STREET FACE)

- THE SITE LIES WITHIN THE CHESAPEAKE BAY

- CRITICAL AREA (C.A.)

- THERE ARE NO HISTORIC FEATURES ON THE SITE NOR

- IS THE SITE ITSELF HISTORIC

- NO KNOWN PREVIOUS ENG. MEETINGS

- NO KNOWN PERMITS ON FILE

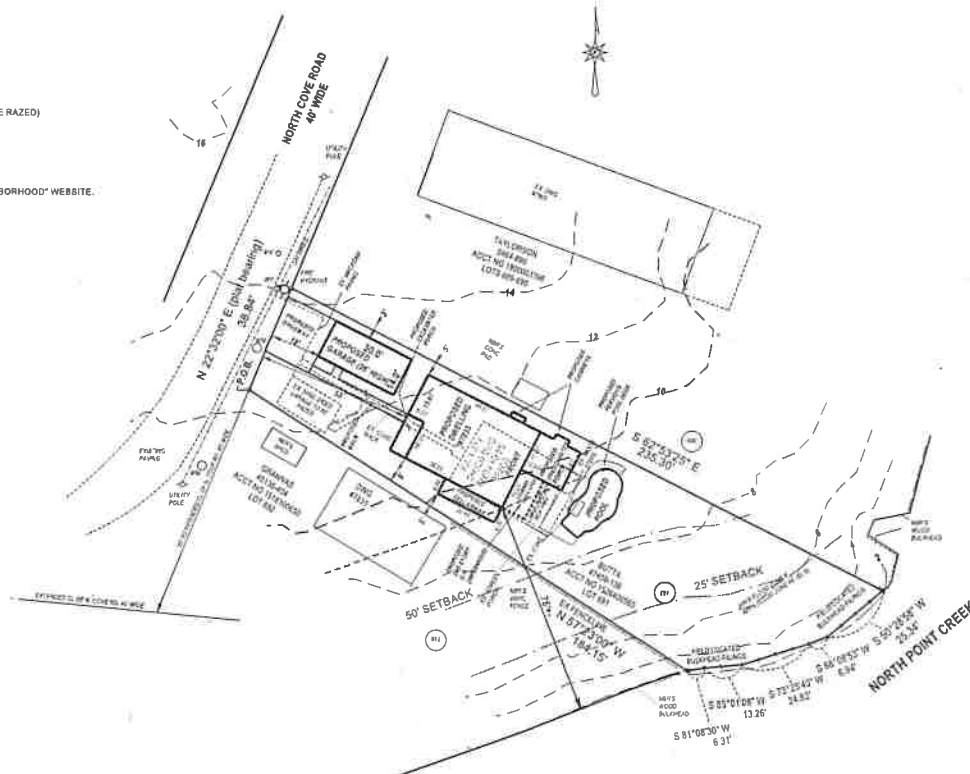
- SITE IS WITHIN BUFFER MANAGEMENT AREA

MINIMUM BASE FLOOD (BFE) 7.7 (NAVD83)
MINIMUM FE 9.7 IF REQUIRED

PETITIONER'S
EXHIBIT
1



VICINITY MAP
1"=100'



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08-28-2023
DATE

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LOT 691 LODGE FOREST 10-76 (8-97)
15TH ELECTION DISTRICT
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