



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

February 27, 2024

TW Robbins - twrobbins95@gmail.com
Lloyd R. Robbins, Jr.
3706 Red Grove Road
Middle River, MD 21220

RE: Petition for Variance
Case No. 2024-0004-A
Property: 4602 Todd Point Lane

Dear Petitioners:

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,

A handwritten signature in black ink, appearing to read "Andrew M. Belt", is written over a horizontal line.

ANDREW M. BELT
Administrative Law Judge
for Baltimore County

MEM :dlm
Enclosure

c: Patrick Richardson, Jr. – rick@richardsonengineering.net
Mark Ford – melmarkllc@gmail.com

IN RE: PETITION FOR VARIANCE
(4602 Todd Point Lane)
15th Election District
7th Council District
TW Robbins & Lloyd R. Robbins, Jr.
Legal Owners

Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS OF
* BALTIMORE COUNTY
* **CASE NO. 2024-0004-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by the legal owners, TW Robbins and Lloyd R. Robbins, (“Petitioners”) for property located at 4602 Todd Point Lane, Sparrows Point (“the Property”). The Petitioners are requesting from the Baltimore County Zoning Regulations (“BCZR”), § 1B02.3.C.1, to permit a side yard setback of 10 ft. and a total of 22 ft. in lieu of the minimum required 10 ft. and 25 ft. total. From BCZR, § 1B052.3.C.1, to permit a street rear yard setback of 27 ft. in lieu of the required average setback of 34 ft.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. TW Robbins and Lloyd R. Robbins appeared on behalf of the Petitioners. Patrick Richardson of Richardson Engineering also attended and assisted the Petitioners. Mr. Richardson prepared the site plan and is marked as Petitioner’s Exhibit 1. Mark Ford, whose family owns the property to the south of the subject site attended but did not oppose the proposed variance relief.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”), the Department of Environmental Protection and Sustainability (“DEPS”) and from the Department of Public Works and Transportation, (“DPW&T”), these agencies did not

oppose to the requested relief.

Mr. Richardson proffered the Petitioners' case. The property is approximately 6,913 sq. ft., in the Sparrows Point area. It is a waterfront lot, with Back River to its east. The site is improved with approximately 761 square foot single family detached dwelling. The Petitioners wish to raze the existing dwelling and construct a new, three story, elevated, single family detached dwelling with a deck. (Pet. Ex. 1 & 4) The new dwelling is not proposed to be in the same footprint as the existing structure, but rather will be located more centrally on the lot and further from the neighboring dwelling to the north. The existing dwelling is in significant disrepair and is not elevated in keeping with current flood protection standards for waterfront properties, making its remodeling financially unfeasible. Between the property to the north and the subject property is a narrow strip of open space owned by the HOA for Beechwood Estates, an adjacent subdivision, which decreases the amount of the subject property's side yard setback. (Pet. Ex 1-3) The property to the south is currently, unimproved. Mr. Ford clarified that his family is still seeking to develop this property.

The subject property has a unique rhombus shape, causing Todd Point Lane to be 27 ft. from the proposed structure at the northwest corner of the property and 34 ft. at the southwest corner. The proposed structure will be closer to the street than the existing structure in order to ensure that the new structure will sit back further from the water than the dwelling to the north.

In prior Zoning Case No. 03-294-A the Zoning Commissioner granted variance relief similar to that being requested in the case at bar. That case involved 4600 Todd Point Lane, the property to the north of the subject property. In that case the Petitioner requested a sum of the side yard setbacks of 22 ft. in lieu of 25 ft., with 11 ft. side yard setbacks on each side. This requested relief is almost identical to that being requested in the case at bar. In granting the variance relief

in the prior case, the Zoning Commissioner stated “As is often the case with older communities, this subdivision was recorded in the Land record of Baltimore County many years ago, prior to the first set of zoning regulations in Baltimore County. Thus, many of the lots are undersized and lack sufficient width and area to meet current zoning requirements.”

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).

As explained above, the site is unique in its rhombus-type shape, its abutment to an open space strip owned by the adjacent subdivision and due to the lot’s creation prior to Baltimore County zoning regulations. The Petitioners would experience a practical difficulty if the proposed variance relief was denied due their inability to construct a dwelling on a lot that was created prior modern zoning regulations. I find that the variances are within the spirit and intent of the zoning regulations and that they will not harm the public health, safety or welfare.

THEREFORE, IT IS ORDERED, this 27th day of **February 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR § 1B02.3.C.1, to permit a side yard setback of 10 ft. and a total of 22 ft. in lieu of the minimum required 10 ft. and 25 ft. total. From BCZR, § 1B052.3.C.1, to permit a street rear yard setback of 27 ft. in lieu of the required average setback of 34 ft. be and is hereby **.GRANTED.**

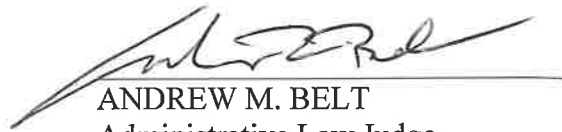
The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an

appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

2. Petitioner shall comply with the DEPS and DWP&T comments, copies of which are attached and made a part hereto.

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



ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB/dlm

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: February 2, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0004-A
Address: 4602 TOOD POINT LANE
Legal Owner: TW Robbins, Lloyd Robbins, Jr.

Zoning Advisory Committee Meeting of January 26, 2024.

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

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

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to permit a 3-story single-family dwelling with a side yard setback of 10 feet and 22 feet total in lieu of the minimum required 10 feet and 25 feet total, and to permit a streetside yard setback of 27 feet in lieu of the minimum required 34 feet. The lot is waterfront and is within a Modified Buffer Area (MBA). Any proposed development must meet all LDA and MBA requirements, including lot coverage limits, MBA mitigation, and afforestation requirements. Lot coverage is limited to a maximum of 25% + 500 sf (2,234 square feet), with mitigation required for any new lot coverage between 25% and 25% + 500 sf. The site plan provided indicates that proposed lot coverage will be below the maximum limit. 15% afforestation (2 trees) is required. Mitigation for any new impacts to the MBA will be required. The majority of the proposed dwelling will be within the MBA and an increase in MBA impact is proposed. If the lot coverage, afforestation,

and MBA mitigation 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 is within a Modified Buffer Area (MBA). The property must meet all lot coverage, afforestation requirements, and any 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 2/1/2024

The Department of Public Works and Transportation (DPWT) Bureau of Engineering and Construction offers the following comments following the review of the ZAC Agenda for the distribution meeting of January 19, 2024 and comments due January 26, 2024:

2024-0004-A, 4602 Todd Point Lane.:

- A) The property is within the Tidal Special Flood Hazard Area Zone AE (BFE=7.7) per panel FIRM 2400100440F 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



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 4602 Todd Point Lane Currently Zoned DR-3.5
Deed Reference _____ / _____ 10 Digit Tax Account # 1506450090
Owner(s) Printed Name(s) T.W. Robbins & Lloyd R. Robbins, Jr.

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

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

1. 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) 1B02.3.C.1 to permit a side yard setback of 10' and a total of 22' in lieu of the minimum required 10' and 25' total. 1B02.3.C.1 to permit a street side yard setback of 27' in lieu of the required average setback of 34'

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

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):

TW Robbins / Lloyd R. Robbins Jr.
Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 _____ Signature #2 _____
3706 Red Grove Road Middle River MD
Mailing Address _____ City _____ State _____
21220. / 443-600-1343. / Twrobbins95@gmail.com
Zip Code Telephone #'s (Cell and Home) Email Address

Representative to be contacted:

Richardson Engineering, LLC.
Name - Type or Print _____
Signature _____
7 Deneison Street. Timonium. MD
Mailing Address _____ City _____ State _____
21093. / 410-560-1502. / Rick@richardsonengineering.net
Zip Code Telephone # Email Address

Case Number 2024-0804-A Filing Date 1 / 3 / 24 Do Not Schedule Dates _____ Reviewer IR

**ZONING PROPERTY DESCRIPTION FOR
4602 TODD POINT LANE
15th ELECTION DISTRICT
7th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

Located on the East side of Todd Point Lane approximately 2,080+/- feet East of the intersection of Morse Road and Todd Point Road. Then running Easterly away from Todd Point Lane the following bearings and distances 1) North 68 degrees 43 minutes 00 seconds East 137.00 feet, 2) Southerly along Back River 52.21 feet, 3) South 68 degrees 43 minutes 00 seconds West 135.00 feet, 4) North 6 degrees 41 minutes 00 seconds West 51.67 feet, to the point of beginning.

Containing a net area of 6,800 square feet or 0.16 acres +/-.

2024-0004-A

**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: 2024-0004-A
Property Address: 4602 TODD POINT LANE
Legal Owners (Petitioners): TW ROBBINS & LLOYD R ROBBINS, JR.
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): TW ROBBINS
Address: 3706 RED GROVE RD
MIDDLE RIVER, MD 21220

Telephone Number: 443-600-1343

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

Revised 3/2022

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

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Revised 3/2022

BALTIMORE COUNTY DEPARTMENTS OF PERMITS APPROVALS & INSPECTIONS

APPROVED SIGN POSTERS

John Altmeyer
Cell: 410-382-6580
jaltmeyer@aol.com

J. Lawrence Pilson, R.S.
Cell: 443-834-8162
lpilson@hotmail.com

Richard Hoffman
Cell: 443-243-7360
dick_e@comcast.net

Linda O'Keefe
Work: 410-666-5366
Cell: 443-604-6431
lucky linda1954@yahoo.com

Eric Hadaway
Work: 410-296-3333
ehadaway@dmw.com

Bruce E. Doak
Work: 443-900-5535
Cell: 410-419-4906
bdoak@bruceedoakconsulting.com

David Billingsley
Work: 410-679-8719
dwb0209@yahoo.com

Martin Ogle
Cell: 443-629-3411
mert1114@aol.com

Sgt. Robert A. Black
Cell: 410-499-7940
1opie@comcast.net

The petitioner must use one of the sign posters on this approval list. Any reposting must also be done by one of these approved posters. If you wish to select a poster not listed on the list above, prior approval by the Department of Permits, Approvals and Inspections/Zoning is required.

This department is not associated with any of the above posters, nor do we recommend any specific one. We do suggest that you contact a number of them to compare prices, since their charges may vary.

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
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Special Tax Recapture: None

Account Identifier: District - 15 Account Number - 1506450090

Owner Information

Owner Name:	ROBBINS LLOYD RICHARD JR ROBBINS T W	Use:	RESIDENTIAL NO
Mailing Address:	3714 RED GROVE RD MIDDLE RIVER MD 21220-	Principal Residence:	NO
		Deed Reference:	/48548/ 00304

Location & Structure Information

Premises Address:	4602 TODD POINT RD SPARROWS POINT 21219- Waterfront	Legal Description:	0.16 NES TODD POINT 600 NW MERRITS LA
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Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0104	0022	0317	15120105.04	0000				2024	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1952	480 SF		6,936 SF	34

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1 1/2	NO	STANDARD UNITASBESTOS SHINGLE/3		1 full			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2024	07/01/2023	07/01/2024
Land:	179,500	225,000		
Improvements	46,200	70,400		
Total:	225,700	295,400	225,700	248,933
Preferential Land:	0	0		

Transfer Information

Seller: FOULKE ELIZABETH S FOULKE GENE R	Date: 11/15/2023	Price: \$230,000
Type: ARMS LENGTH IMPROVED	Deed1: /48548/ 00304	Deed2:
Seller: FOULKE ELIZABETH S FOULKE GENE R	Date: 10/04/2006	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /24565/ 00734	Deed2:
Seller: FOULKE ELIZABETH S FOULKE GENE R	Date: 10/17/1988	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /07999/ 00686	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2023	07/01/2024
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

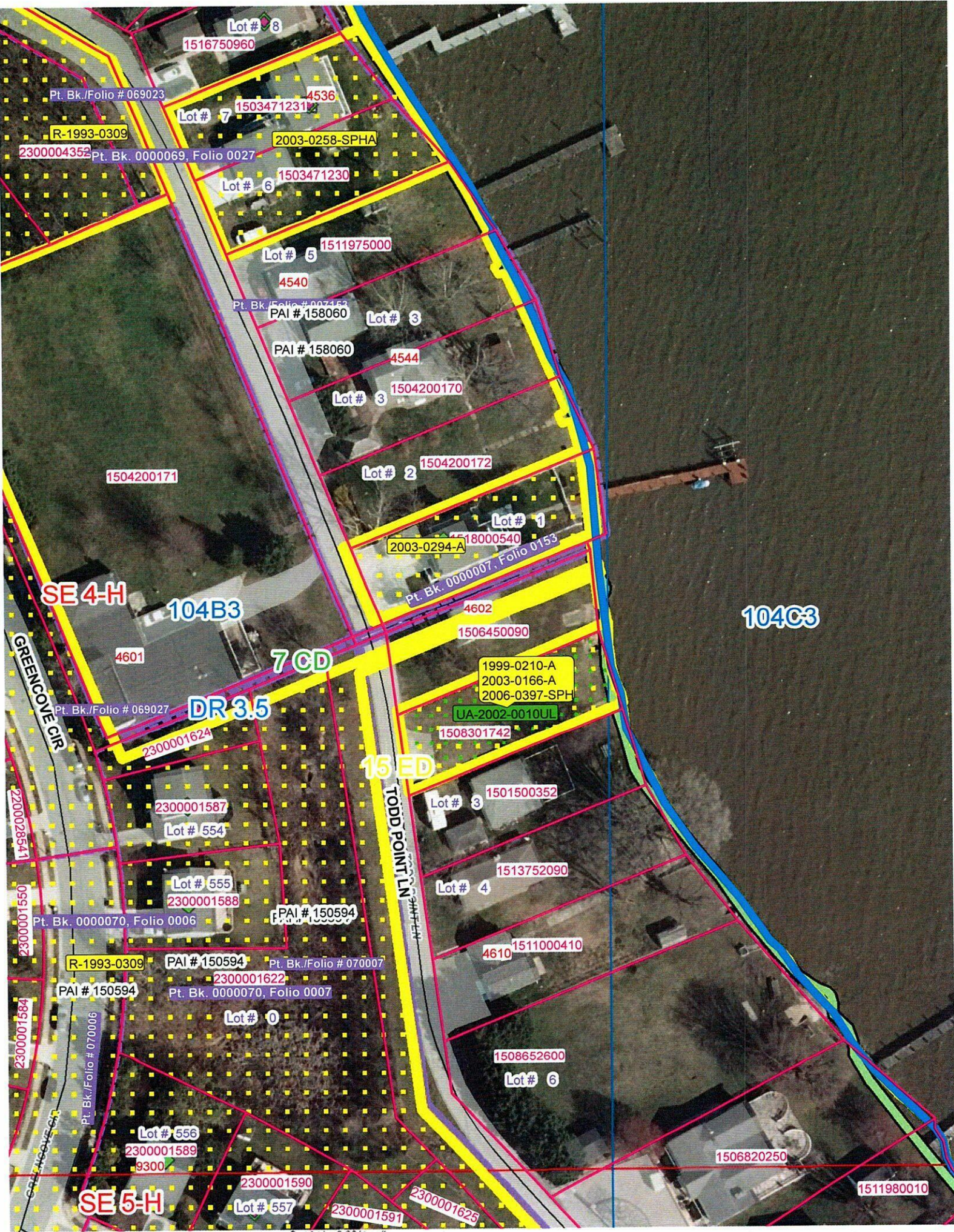
Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

2024-0004-A



Lot # 8

1516750960

Pt. Bk./Folio # 069023

4536

Lot # 7

1503471231

R-1993-0309

2003-0258-SPHA

2300004352

Pt. Bk. 0000069, Folio 0027

Lot # 6

1503471230

Lot # 5

1511975000

4540

Pt. Bk./Folio # 007252

PAI # 158060

Lot # 3

PAI # 158060

4544

Lot # 3

1504200170

Lot # 2

1504200172

Lot # 1

2003-0294-A

18000540

Pt. Bk. 0000007, Folio 0153

4602

1506450090

1999-0210-A
2003-0166-A
2006-0397-SPH

UA-2002-0010UL

1508301742

Lot # 3

1501500352

Lot # 4

1513752090

4610

1511000410

1508652600

Lot # 6

1506820250

1511980010

SE 4-H

104B3

7 CD

DR 3.5

16 ED

104C3

GREYCOVE CIR

TODD POINT LN

SE 5-H

GREYCOVE CIR

CERTIFICATE OF POSTING

2024-0004-A

RE: Case No.: _____

Petitioner/Developer: _____

T.W. Robbins, Lloyd Robbins, Jr.

February 26, 2024

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: Jeff Perlow:

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: _____

4602 Todd Point Lane ***SIGN 1A & 1B***

February 5, 2024

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

Sincerely,

February 5, 2024

(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 Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: February 2, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0004-A
Address: 4602 TODD POINT LANE
Legal Owner: TW Robbins, Lloyd Robbins, Jr.

Zoning Advisory Committee Meeting of January 26, 2024.

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

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

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to permit a 3-story single-family dwelling with a side yard setback of 10 feet and 22 feet total in lieu of the minimum required 10 feet and 25 feet total, and to permit a streetside yard setback of 27 feet in lieu of the minimum required 34 feet. The lot is waterfront and is within a Modified Buffer Area (MBA). Any proposed development must meet all LDA and MBA requirements, including lot coverage limits, MBA mitigation, and afforestation requirements. Lot coverage is limited to a maximum of 25% + 500 sf (2,234 square feet), with mitigation required for any new lot coverage between 25% and 25% + 500 sf. The site plan provided indicates that proposed lot coverage will be below the maximum limit. 15% afforestation (2 trees) is required. Mitigation for any new impacts to the MBA will be required. The majority of the proposed dwelling will be within the MBA and an increase in MBA impact is proposed. If the lot coverage, afforestation,

and MBA mitigation 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 is within a Modified Buffer Area (MBA). The property must meet all lot coverage, afforestation requirements, and any 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 2/1/2024

The Department of Public Works and Transportation (DPWT) Bureau of Engineering and Construction offers the following comments following the review of the ZAC Agenda for the distribution meeting of January 19, 2024 and comments due January 26, 2024:

2024-0004-A, 4602 Todd Point Lane.:

- A) The property is within the Tidal Special Flood Hazard Area Zone AE (BFE=7.7) per panel FIRM 2400100440F 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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 1/26/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0004-A

INFORMATION:

Property Address: 4602 Todd Point Lane
Petitioner: TW Robbins, Lloyd R. Robbins, Jr.
Zoning: DR 3.5
Requested Action: Variance

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

Variance(s) -

1. From Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 10' and a total of 22' in lieu of the minimum required 10' and total of 25'; and
2. From Section 1B02.3.C.1 to permit a street side yard setback of 27' in lieu of the required average setback of 34'.

The subject site is an approximately 6,913 square foot parcel in the Sparrows Point area. It is a waterfront lot, with Back River to its east. The site is improved with an approximately 761 square foot single family detached dwelling. Per the State Department of Assessments and Taxation, the Petitioner purchased the property in the Fall of 2023. Per the petition and submitted site plan, the Petitioner wishes to raze the existing dwelling on the subject site and construct a new, three-story, single family detached dwelling with a deck. The new dwelling is not proposed to be in the same footprint as the existing, but rather located more centrally on the lot.

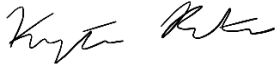
Uses surrounding the subject site are single family detached dwellings, many of which are located on similarly sized lots. The property to the north of the subject site (4600 Todd Point Lane) was the subject of Zoning Case 2003-294-A, which granted Variance relief for decreased sum side yard setbacks and approved the site as an undersized lot.

The subject site is within the boundary of the Wells-McComas Community Conservation Plan, adopted March 18th, 2002, and the Greater Dundalk-Edgemere Community Conservation Plan, adopted March 20th, 2000. The Wells-McComas Community Conservation Plan acknowledges that the waterfront is one of the greatest assets and contributors to the quality of life in the community, and that it's noted for its quiet and peaceful contribution to the lived of the residents (page 5). The Greater Dundalk-Edgemere Community Conservation Plan discusses how much of an asset the waterfront is and recognizes it as being a great place to live (page 4).

The Department of Planning has no objections to the requested relief, as the dwelling will be located more centrally on the lot and the requested relief is in keeping with the neighborhood.

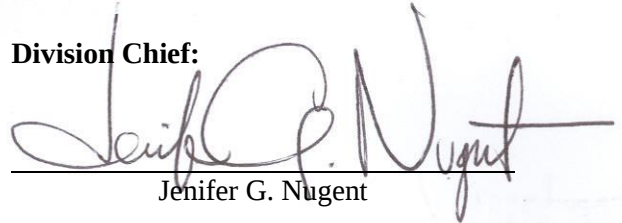
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Patrick Richardson, Richardson Engineering, LLC
Maria Mougridis, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 12/2/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0161-SPHXA (REVISED)

INFORMATION:

Property Address: 9200 Liberty Road
Petitioner: FAS LLC- Brandon Wylie
Zoning: R0/DR 5.5
Requested Action: Special Exception/Special Hearing/Variance

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

Special Hearing - To amend prior approval provided in Case 2002-0174-XA and permit the expansion of an existing and previous approved funeral establishment to include a crematorium.

Special Exception - In the alternative, Petition for Special Exception to permit a funeral establishment and accessory crematorium in accordance with BCZR Section 1B01.1.C.9.

Variance(s) -

1. Petition for Variance in accordance with BCZR Section 1B01.1.B.1.c and e(2), (3) and (5) to permit a parking lot with an RTA buffer and RTA setback of 11 feet in lieu of the otherwise required 50 feet and 75 feet, respectively.
2. And, for any further relief deemed necessary by the Administrative Law Judge.

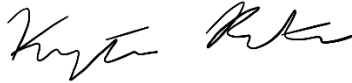
The proposed site is a 4.834-acre property zoned RO/DR 5.5. The property is situated on Liberty Road and is surrounded by mostly residential uses. The property has an existing 1-story commercial building on the site that is being used as a funeral home.

It should be noted that residents have expressed significant opposition to these requests, voicing major concerns. Any potential expansion of the funeral home could further disrupt the residents. At this time, the applicant is proposing to extend the parking areas to alleviate the existing parking issues/deficit, which is problematic due to large funeral processions. Currently, some attendees are compelled to park in adjacent areas and cross the busy road without the benefit of a crosswalk or traffic light to reach the property when there is a parking overflow. Although this helps with parking concerns, this reduces the provided RTA buffer and setback required. The Department of Planning feels that the proposed 11 foot RTA buffer and setback in lieu of the required 50 feet and 75 feet respectively, does not provide an adequate buffer between the residential and funeral establishment crematory use.

The Department of Planning does **NOT** support the special exception to permit a funeral establishment with an accessory crematorium, as it would adversely affect the health, safety, and general welfare of the residential community.

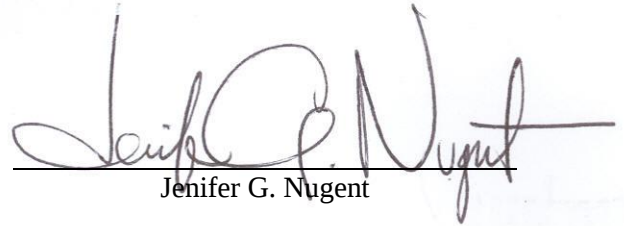
For further information, concerning the matters stated herein, please contact Brett M. Williams at 410-887-3482.

Prepared by:



Krystle Patchak

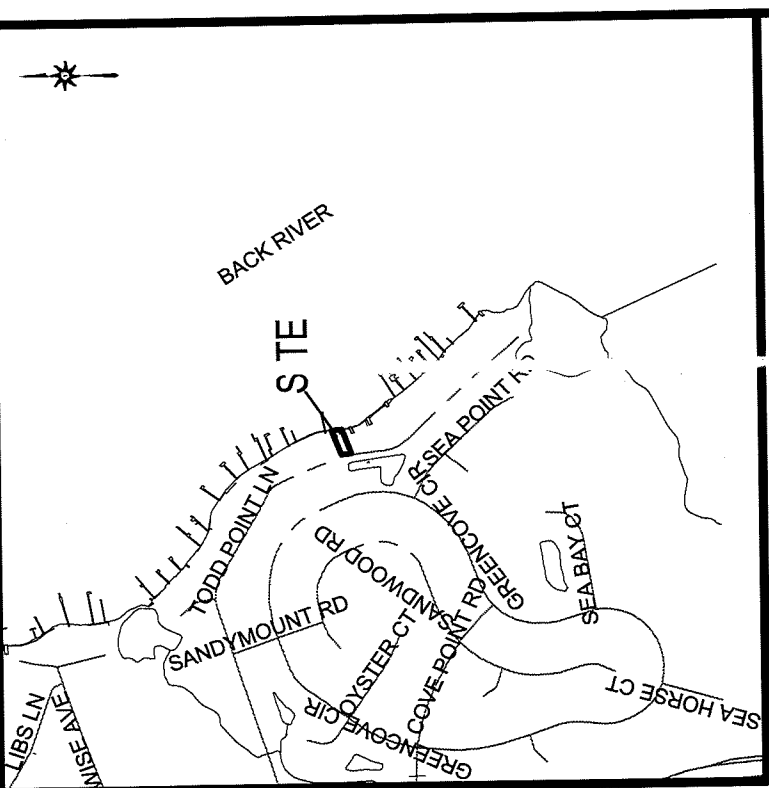
Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Jennifer Busse- Rosenberg Martin Greenberg LLP
Yolanda Gregory, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County



VICINITY MAP

SCALE: 1" = 1000'

GENERAL NOTES:

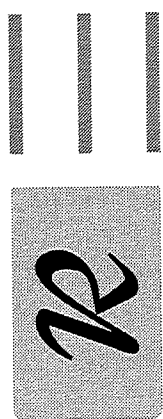
- [illegible]

AREAS:

EXISTING—	
DWELLING	= 761 SQ.FT.
WALK	= 275 SQ.FT.
TOTAL	= 1,036 SQ.FT.
PROPOSED—	
DWELLING	= 1008 SQ.FT.
DRIVEWAY	= 362 SQ.FT.
STEP/PORCH	= 94 SQ.FT.
TOTAL	= 1,464 SQ.FT.

LOT COVERAGE:
EXISTING = 1,036 SQ.FT. / 6,800 X 100 = 15.24%
PROPOSED = 1,464 SQ.FT. / 6,800 X 100 = 21.53%

COVERAGE IN BUFFER:
EXISTING: DWELLING: 761 SQ.FT.
WALK: 275 SQ.FT.
PROPOSED: DWELLING: 945 SQ.FT.
DECK: 96 SQ.FT.



7 Deneison Street
Timonium, Maryland 21093
Phone: 410-560-1502, info@richardsonengineering.net

PLAN TO ACCOMPANY ZONING PETITION FOR ROBBINS RESIDENCE

4602 TODD POINT LANE

BALTIMORE COUNTY
15TH ELECTION DISTRICT

MARYLAND
C DISTRICT

10-11-2011 REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	LNR	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	11-17-23	23161	1 OF 1

2024-0004-A