



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 13, 2024

Jay Hammond & Susan Schulze – j.e.hammond@outlook.com
726 Nollmeyer Road
Middle River, MD 21220

RE: Petition for Administrative Variance
Case No. 2024-0008-A
Property: 726 Nollmeyer Road

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 cursive script that reads "Maureen E. Murphy".

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(726 Nollmeyer Road)		
15 th Election District	*	OFFICE OF ADMINISTRATIVE
5 th Council District		
Jay Hammond & Susan Schulze	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2024-0008-A
* * * * *		

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owners of the property, Jay Hammond and Susan Schulze (“Petitioners”) for the property located at 726 Nollmeyer Road, Middle River (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), § 400.3, to permit an accessory building (garage) (streetside) with a height of 19 ft. in lieu of the maximum allowed 15 ft.

The Property is more fully depicted on the site plan which was marked and accepted into evidence as Petitioners’ Exhibit 1. Street view photographs of the Property were provided. (Pet. Exs. 2). The Property is waterfront located on Seneca Creek. It is improved with a 2,228 sf dwelling, the front of which faces Nollmeyer Rd. Petitioners request to construct a detached garage on the street side (front yard) and at a building height which exceeds the maximum height by an additional 4 ft. The additional height is needed to accommodate the garage door height of 12 ft. and for an RV camper. Both adjoining property owners at 722 Nollmeyer Rd. (Richard Maenner) and 728 Nollmeyer Rd. (Stanley Taylorson) provided letters of support. (Pet. Ex. 3A, 3B).

A ZAC comment was received from Department of Environmental Protection and

Sustainability (“DEPS”) dated January 29, 2024, indicating that the Property is subject to Chesapeake Bay Critical Area (“CBCA”) regulations. In addition, a ZAC comment was received from Development Plans Review (“DPR”)/Department of Public Works and Transportation (“DPWT”) (undated) indicating the following:

“The property is within the Tidal Special Flood Hazard Area Zone AE (BFE=8.5) per panel FIRM 2400100435F 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.

The proposed garage as shown on the plan provided with the application is not dimensioned but appears larger than 300 square feet. The proposed garage must meet Parts 124.4 and 124.5 of the 2015 Baltimore Building Code.”

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on January 21, 2024 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavit as required by §32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of §307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners. I find that there is no evidence in the file to indicate that the requested Variance would adversely affect the health, safety or general welfare of the public and should therefore be granted.

Although the Department of Planning did not make any recommendations related to the detached garage, I will impose conditions that the detached garage shall not be converted into a

dwelling unit or apartment, shall not contain any sleeping quarters, living area, kitchen or bathroom facilities, and will not have separate electric or utility connections, or used for commercial purposes. Additionally, both the DPR/DPWT and DEPS ZAC comments will be attached to, and incorporated into the Order and must be met prior to permitting.

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

THEREFORE, IT IS ORDERED, this 13th day of **February, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations ("BCZR"), §400.1, to permit an accessory building (garage) in the front yard (streetside), be, and it is hereby, **GRANTED**; and

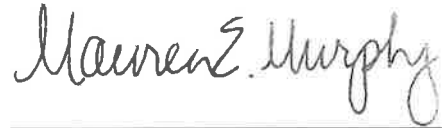
IT IS FURTHER ORDERED, that the Petition for Variance relief from the Baltimore County Zoning Regulations ("BCZR"), §400.3, to permit an accessory building (garage) with a height of 19 ft in lieu of the maximum allowed 15 ft, be, and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioners and subsequent owners shall not convert the detached garage into a dwelling unit or apartment. The detached garage shall not contain any sleeping quarters, living area, bathroom facilities or kitchen facilities.
3. The detached garage shall not have a separate utility or electric connection and shall connect all electrical to the home.
4. The detached garage shall not be used for commercial or industrial purposes.

5. Prior to permitting, Petitioners must comply with the DPR/DPWT and DEPS ZAC comments, copies of which are attached hereto and made a part hereof.

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

A handwritten signature in cursive script that reads "Maureen E. Murphy". The signature is written in dark ink and is positioned above a horizontal line.

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlw

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:

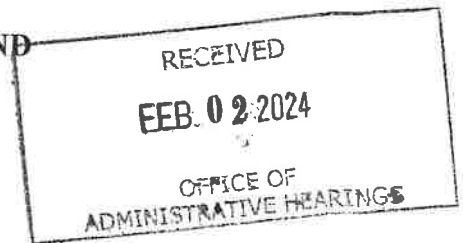
1) 2024-0008-A, 726 Nollmeyer Rd.:

- A) The property is within the Tidal Special Flood Hazard Area Zone AE (BFE=8.5) per panel FIRM 2400100435F 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.

The proposed garage shown on the plan provided with the application is not dimensioned but appears larger than 300 square feet. The proposed garage must meet Parts 124.4 and 124.5 of the 2015 Baltimore Building Code

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: January 29, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0008-A
Address: 726 NOLLMAYER RD
Legal Owner: Jay Hammond, Susan Schulze

Zoning Advisory Committee Meeting of January 26, 2024.

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

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

This waterfront property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) and is subject to Critical Area requirements. Construction of a detached garage on this property must comply with a maximum lot coverage limit (6,706 square feet) for the area of the property above mean high tide (21,460 square feet). Mitigation is required for any new lot coverage over 25% (5,365 square feet). Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). If the applicant can comply with lot coverage requirements, and meets all mitigation requirements, the relief requested will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This is a waterfront property with a required Critical Area buffer covering about one-third of the property. The proposed garage is located outside the required buffer. Therefore, meeting lot coverage requirements, tree requirements, and any mitigation requirements 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 tree and mitigation requirements, the relief requested will be consistent with established land-use policies.

Reviewer: Paul Dennis

Date: January 29, 2024



ADMINISTRATIVE ZONING PETITION
FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

Address 726 Nollmeyer Road Baltimore, MD 21220 Currently Zoned DR 3.5
Deed Reference 41667 / 00181 10 Digit Tax Account # 1507582210
Owner(s) Printed Name(s) Jay Hammond & Susan Schulze (spouse)

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

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

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

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

BCZR: 400.3 → To permit an accessory garage (streetside) with a height of 19 feet in lieu of the maximum allowed 15 feet.

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

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

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

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

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

Owner(s)/Petitioner(s):

<u>Jay Hammond</u>		<u>Susan Schulze</u>	
Name #1 – Type or Print		Name # 2 – Type or Print	
<u>Jay Hammond</u>		<u>Susan Schulze</u>	
Signature #1		Signature # 2	
<u>726 Nollmeyer Road Baltimore, MD</u>			
Mailing Address		City	State
<u>21220</u>	<u>410.365.7179</u>	<u>j.e.hammond@outlook.com</u>	
Zip Code	Telephone #'s (Cell and Home)	Email Address	

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

NA

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be Contacted:

Jay Hammond

Name - Type or Print

Jay Hammond

Signature

726 Nollmeyer Road Baltimore, MD

Mailing Address City State

21220 410.365.7179 j.e.hammond@outlook.com

Zip Code Telephone # Email Address

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

Administrative Law Judge for Baltimore County

Case Number 2024-0008-A Filing Date 1 / 8 / 24 Estimated Posting Date 1 / 21 / 24 Reviewer JS

Affidavit in Support of Administrative Variance
(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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

Address: 726 Nollmeyer Road Baltimore, MD 21220
Print or Type Address of Property City State Zip Code

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

Requesting a variance for a peak garage height of 19' from finished concrete floor. Per the construction drawings,
this variance request is to accommodate a garage door height of 12 foot providing us the ability to pull
our boat and RV into the garage.

If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Jay Hammond
Signature of Owner (Affiant)

Jay Hammond

Name - Print or Type

Susan Schulze
Signature of Owner (Affiant)

Susan Schulze

Name - Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15 day of December, 2023, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Print name(s) here: Jay Hammond Susan Schulze

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

AS WITNESS my hand and Notaries Seal

Debra C. Rugh
Notary Public

12-26-25
My Commission Expires

Part A - Zoning Property Description for: 726 Nollmeyer Road Baltimore, MD 21220

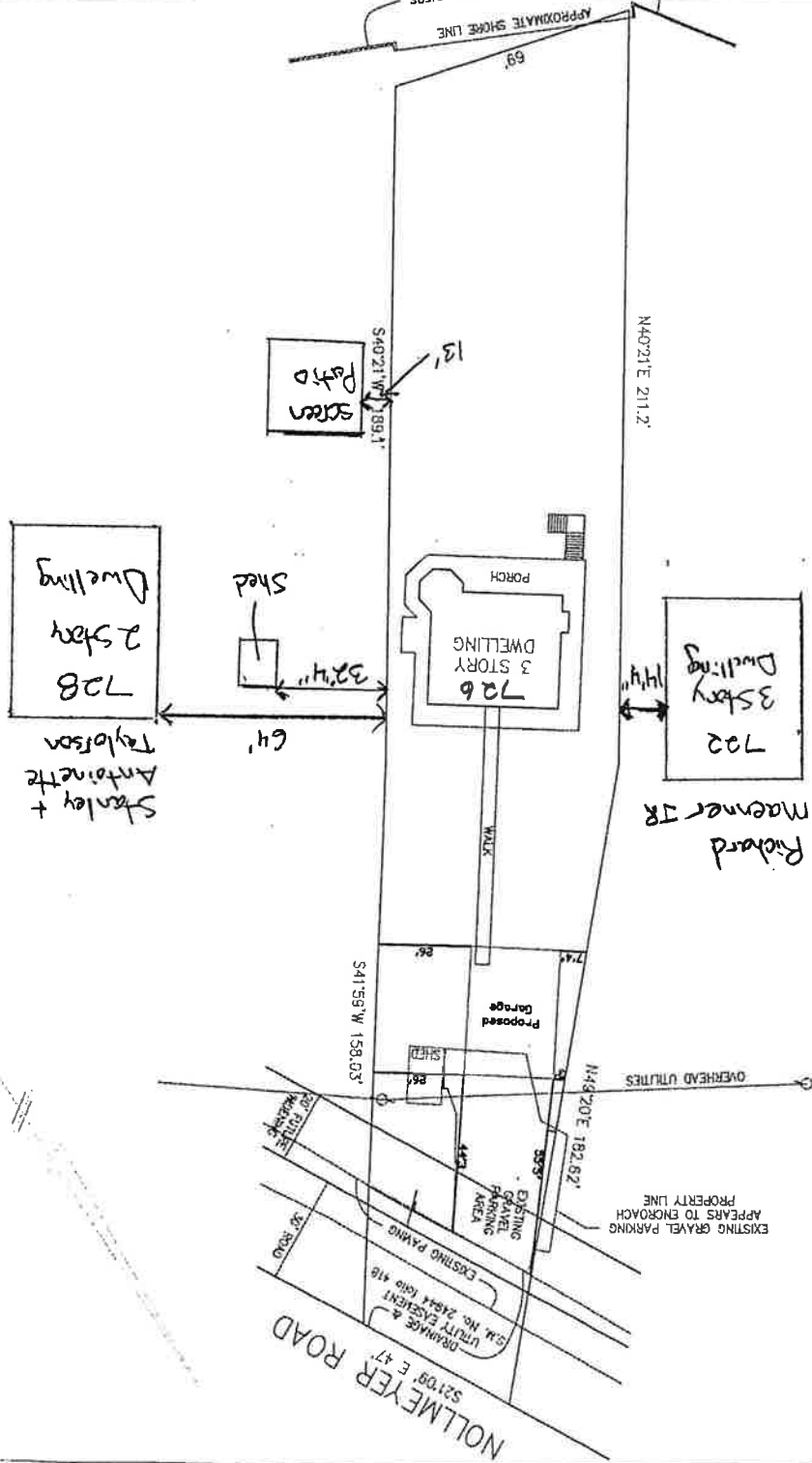
Beginning at the point on the north side of 726 Nollmeyer Road which is (47) feet wide at the distance of (860) feet east of the centerline of the nearest improved intersecting street Tidewood road which is (30) feet of right of way width) wide.

Part B - Option 1:

Thence the following courses and distances. First POC: South 41 deg. 59' West 158.03 feet, Second POC: South 40 deg 21' West 189.1 feet to the waters of Seneca Creek, Third POC: North 40 deg. 21' East 211.2 feet, Forth POC: North 49 deg. 20' East 182.62 feet back to the point of beginning, as recorded in the Deed Liber (22417), Folio (300), containing 21,460 square feet. Located in the (15th) election district and (5th) council district.

2024-0008-A

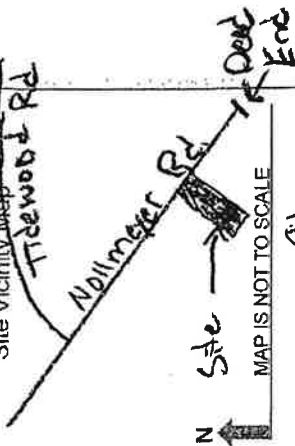
Zoning Hearing Plan for Variance X for Special Hearing _____ Mark Type Requested with (X)
 Address 726 Nollmeyer Rd Owners(s) Name(s) Jay Hammond/Susan Schelze
 Subdivision Name _____ Lot # _____ Block # _____ Section # _____
 Plat Book # 22417 Folio # 300 10 Digit Tax # 1507582210 Deed Reference# 41667100181



2024-0008-A

Plan Drawn By Jay Hammond Date 12/19/23 Scale: 1 inch = 50' Feet

Site Vicinity Map



N
 Site
 MAP IS NOT TO SCALE

Zoning Map # 91

Zoning DR 3.5

Election District 15-008

Council District 5

Lot Area Acreage 0.492654

Lot Square Footage 21460

Historic (Yes or No) No

CBCA (Yes or No) Yes

Flood Plain (Yes or No) Yes

Utilities - Mark with (X)

Water is:

Public X Private _____

Sewer is:

Public X Private _____

Prior Hearing (Yes or No) No

If (Yes) list Case Number(s)

and order result(s) below:

Violation Case Number(s)

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

No. 228950

Date: 1/4/24

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

Rec From: HAMMOND / SCHULZE

For: 2024-0008-A

726 NOLLMEYER ROAD

JS/24-0007

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

 Jay E Hammond 726 Nollmeyer Rd Baltimore, MD 21220	4028 7-7555/2520
Date: 12/20/23	
Pay to the Order of: Baltimore County	\$ 75.00
Seventy-five & 00/100	Dollars
POINT BREEZE CREDIT UNION	
For: 726 Nollmeyer Variance Reg.	Jay E Hammond
1: 2520765651: 0103648831 4028	

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2024 - 0008 - A Address 726 NOLLMAYER ROAD

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

Filing Date: 1/8/24 Posting Date: 1/21/24 Closing Date: 2/5/24

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

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

Petitioner: This Part of the Form is for the Sign Poster Only (Detach Along Dotted Line)

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number: 2024 - 0008 - A Address 726 NOLLMAYER ROAD

Petitioner's Name: JAY HAMMONS + SUSAN SCHULZE Telephone (Cell) 410-365-7179

Posting Date: 1/21/24 Closing Date: 2/5/24

Wording for Sign: _____

To permit an accessory garage (streetside) with a height of 19 feet in lieu of the maximum allowed 15 feet.

Revised 1/2022

**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: 2024-0008-A
Property Address: 726 NOLLMAYER ROAD
Legal Owners (Petitioners): JAY HAMMOND + SUSAN SCHULZE
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): JAY HAMMOND
Address: 726 NOLLMAYER ROAD
BALTIMORE, MD 21220

Telephone Number: 410-365-7179

*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

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 -** 1507582210

Owner Information

Owner Name:	HAMMOND JAY E SCHULZE SUSAN	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	726 NOLLMEYER RD MIDDLE RIVER MD 21220-3002	Deed Reference: /41667/ 00181

Location & Structure Information

Premises Address:	726 NOLLMEYER RD MIDDLE RIVER 21220-3002 Waterfront	Legal Description: 726 NOLLMEYER RD FRONT ON NOLLMEYE
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Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0091	0016	0177	15030020.04	0000				2024	
									Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
2009	2,228 SF		21,460 SF	34

Stories	Basement	Type	Exterior Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	YES	STANDARD UNITS	SIDING/3	3 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:	264,300	344,400		
Improvements	204,700	256,900		
Total:	469,000	601,300	469,000	513,100
Preferential Land:	0	0		

Transfer Information

Seller: KONKA STEVE VINCENT	Date: 07/24/2019	Price: \$445,000
Type: ARMS LENGTH IMPROVED	Deed1: /41667/ 00181	Deed2:
Seller: KONKA STEVE VINCENT	Date: 08/23/2005	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /22417/ 00300	Deed2:
Seller: KONKA STEVE VINCENT	Date: 06/21/1999	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /13838/ 00318	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

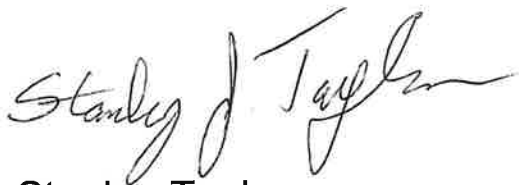
Homeowners' Tax Credit Application Information

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

To whom it may concern,

I am in support of my neighbor's, Jay Hammond & Susan Schulze residing at 726 Nollmeyer Road, variance request for a peak garage height of 19' from the finished floor.

Regards,

A handwritten signature in cursive script, appearing to read "Stanley J. Taylorson".

Stanley Taylorson
728 Nollmeyer Road

Date: 12/1/23

2024-0008-A

To whom it may concern,

I agree with my adjacent neighbor's (Jay Hammond & Susan Schulze 726 Nollmeyer Road Middle River, MD) variance request for a maximum garage height of 19' from the concrete floor.

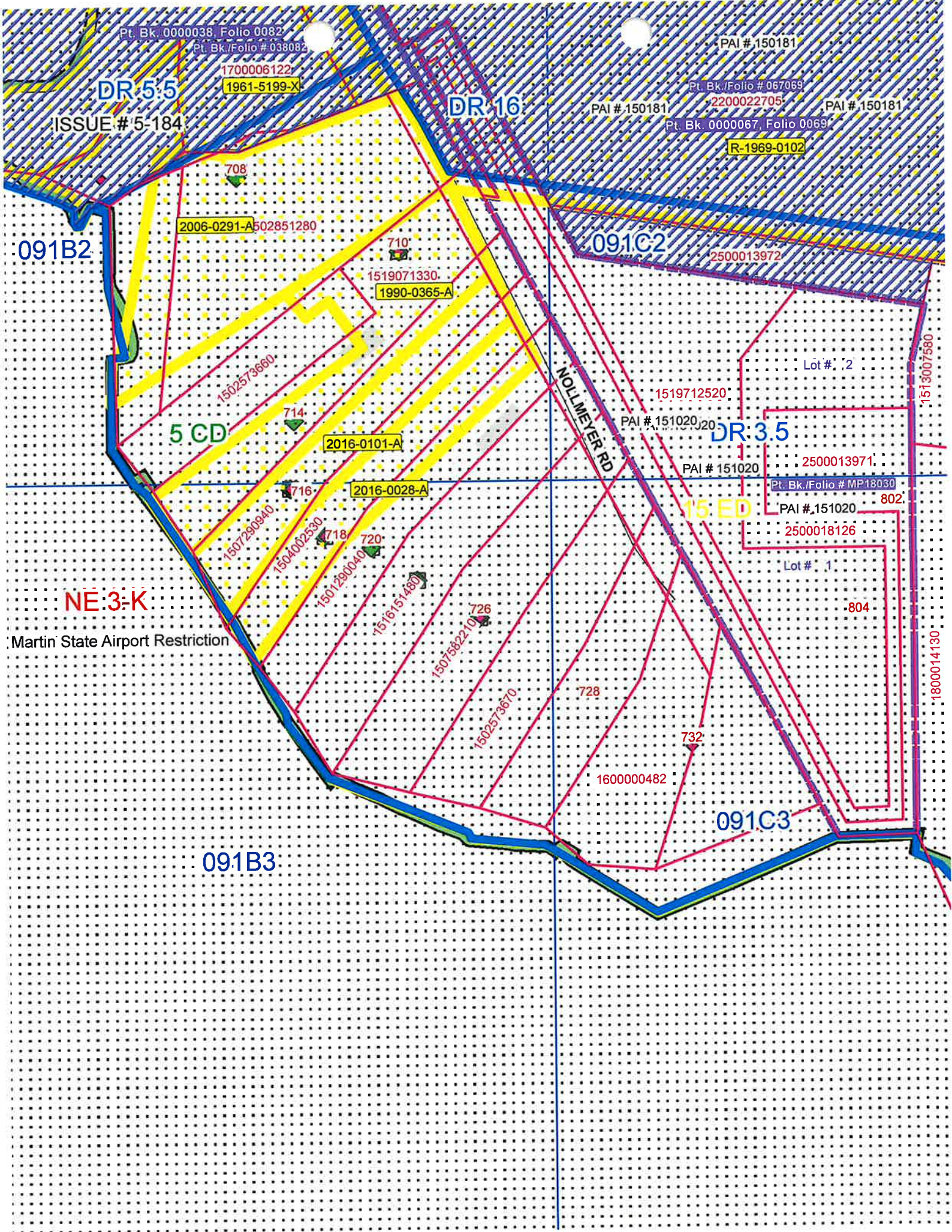
Regards,

A handwritten signature in black ink, appearing to read "Richard Maenner", written in a cursive style.

Richard Maenner
722 Nollmeyer Road

Date: NOV 11 2023

2024-0008-A



Pt. Bk. 0000038, Folio 0082
Pt. Bk./Folio # 03808

1700006122
1961-5199-X

DR 5.5
ISSUE #5-184

DR 16

PAI # 150181

PAI # 150181

Pt. Bk./Folio # 067069
2200022705

PAI # 150181

Pt. Bk. 0000067, Folio 0069
R-1969-0102

091B2

091C2

2006-0291-A502851280

2500013972

5 CD

DR 3.5

Lot # 2

1519712520

PAI # 151020, 20

PAI # 151020

2500013971

Pt. Bk./Folio # MP18030

15 ED

PAI # 151020
2500018126

Lot # 1

NE 3-K

Martin State Airport Restriction

091B3

091C3

1502573660

1519071330
1990-0365-A

2016-0101-A

2016-0028-A

1507280940

1504002530

1501280040

1516151480

1501582210

1502573670

1513007580

1800014130

804

802

728

726

732

1600000482

708

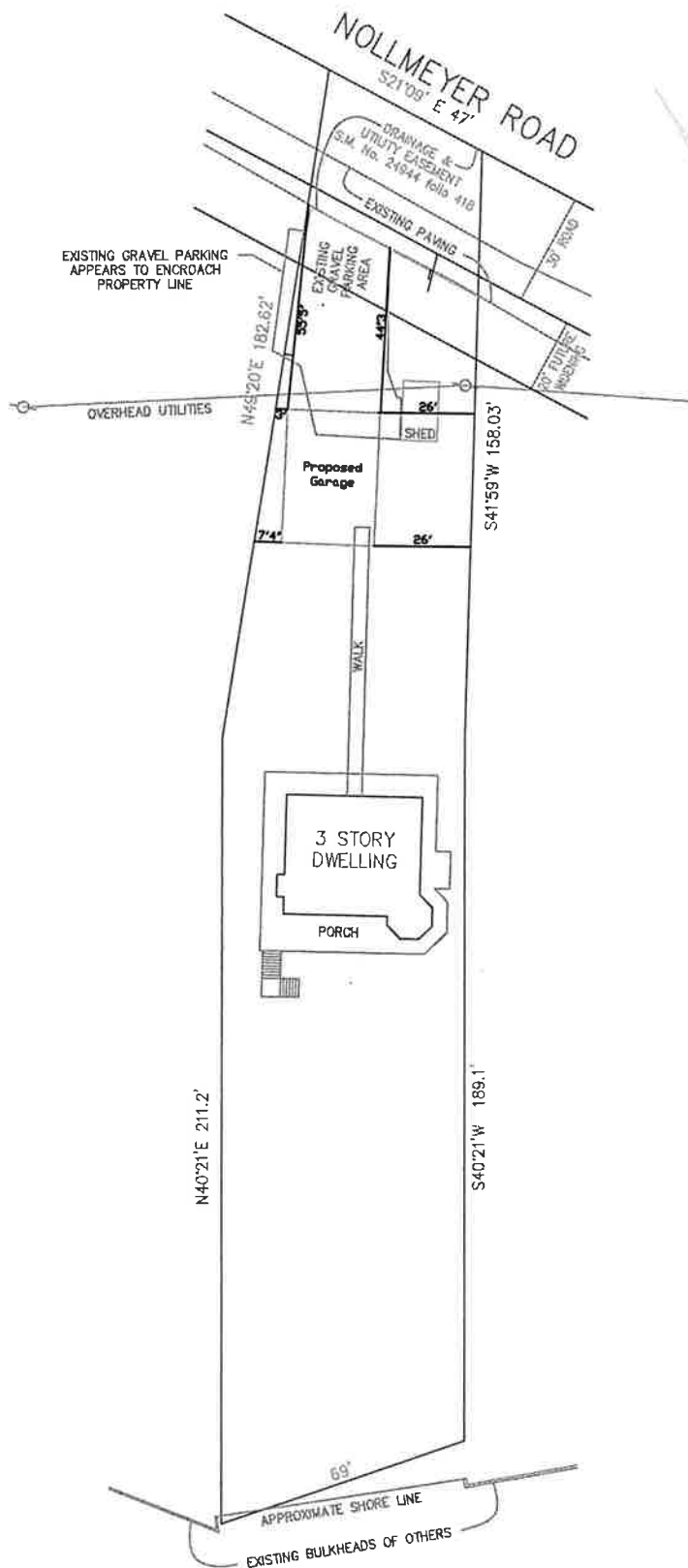
710

714

716

718

720



THE LOT SHOWN HEREON IS IN FLOOD ZONES SHOWN
PER F.E.M.A. FLOOD INSURANCE RATE MAP PANEL #240010-04350
DATED: MAY 5, 2014 SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION
BY THE 1% ANNUAL CHANCE FLOOD, BASE FLOOD ELEVATIONS DETERMINED

This plat is of benefit to a consumer only insofar as it is required by a
Lender/Title Insurance Company or their agent in connection with the
contemplated transfer, financing or re-financing. This plat is NOT to be
relied upon for the establishment or location of fences, garages, buildings
or other existing or future improvements. This plat DOES NOT provide for
the accurate identification of property boundary lines, but such identification
is not required for the transfer of title or securing financing or re-financing
of the property shown hereon.
The setback dimensions shown hereon and on they relate to structures
noted are to be interpreted as being within 2 feet either way
of the dimension shown.

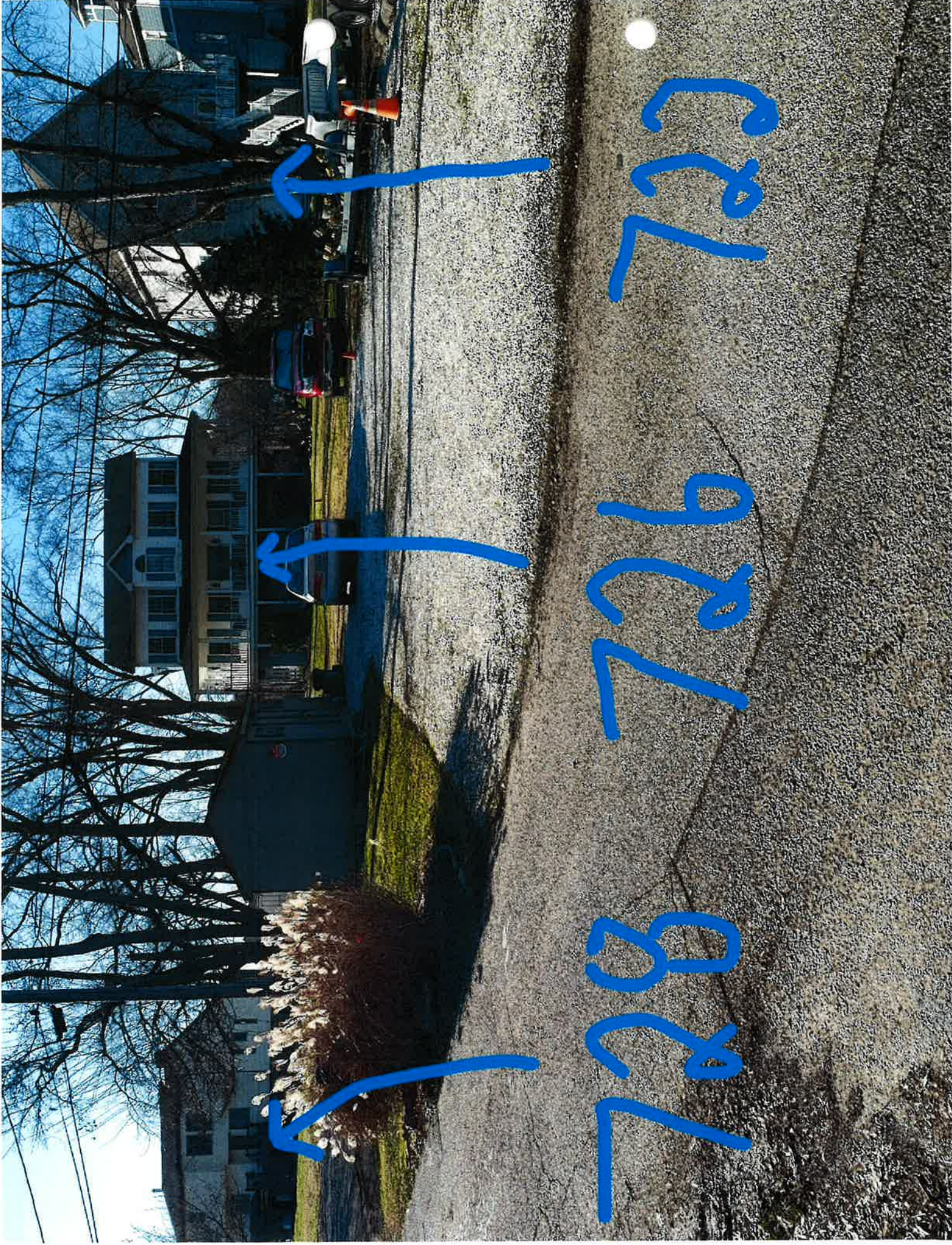
LICENSE EXPIRES/RENEWES 2/26/21

LOCATION DRAWING		GERHOLD, CROSS & E TZEL, L TD	
726 NOLLMEYER ROAD		REGISTERED PROFESSIONAL LAND SURVEYORS	
DEED REF.: S.M. No. 22417 folio 300		Suite 100	
15th ELECTION DISTRICT		320 East Towsontown Boulevard	
BALTIMORE COUNTY, MARYLAND		Towson, Maryland 21286	
DATE: 06/03/2019		PH: (410)823-4470 FAX: (410)823-4473	
SCALE: 1" = 50'		FIELD WORK: SL	
		DRAWN: SL	

727

726

728





ADMINISTRATIVE ZONING PETITION
FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

Address 726 Nollmeyer Road Baltimore, MD 21220 Currently Zoned DR 3.5
Deed Reference 41667 / 00181 10 Digit Tax Account # 1507582210
Owner(s) Printed Name(s) Jay Hammond & Susan Schulze (spouse)

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

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

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

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

BCZR: 400.3 → To permit an accessory garage (streetside) with a height of 19 feet in lieu of the maximum allowed 15 feet.

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

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

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

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

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

Owner(s)/Petitioner(s):

<u>Jay Hammond</u>	<u>Susan Schulze</u>
Name #1 – Type or Print	Name # 2 – Type or Print
<u>[Signature]</u>	<u>[Signature]</u>
Signature #1	Signature # 2
<u>726 Nollmeyer Road Baltimore, MD</u>	
Mailing Address	City State
<u>21220</u> / <u>410.365.7179</u>	<u>j.e.hammond@outlook.com</u>
Zip Code Telephone #'s (Cell and Home)	Email Address

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

NA

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be Contacted:

Jay Hammond

Name - Type or Print

[Signature]

Signature

726 Nollmeyer Road Baltimore, MD

Mailing Address City State

21220 / 410.365.7179 / j.e.hammond@outlook.com

Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for

Baltimore County, this _____ day of _____, _____ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

Case Number 2024-0008-A Filing Date 1 / 8 / 24 Estimated Posting Date 1 / 21 / 24 Reviewer JS

Affidavit in Support of Administrative Variance
(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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

Address: 726 Nollmeyer Road Baltimore, MD 21220
Print or Type Address of Property City State Zip Code

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

Requesting a variance for a peak garage height of 19' from finished concrete floor. Per the construction drawings,
this variance request is to accommodate a garage door height of 12 foot providing us the ability to pull
our boat and RV into the garage.

If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Jay Hammond
Signature of Owner (Affiant)

Jay Hammond

Name - Print or Type

Susan Schulze
Signature of Owner (Affiant)

Susan Schulze

Name - Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15 day of December, 2023, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Print name(s) here: Jay Hammond Susan Schulze

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

AS WITNESS my hand and Notaries Seal

Debra L. Rugh
Notary Public

12-26-25
My Commission Expires

Part A - Zoning Property Description for: 726 Nollmeyer Road Baltimore, MD 21220

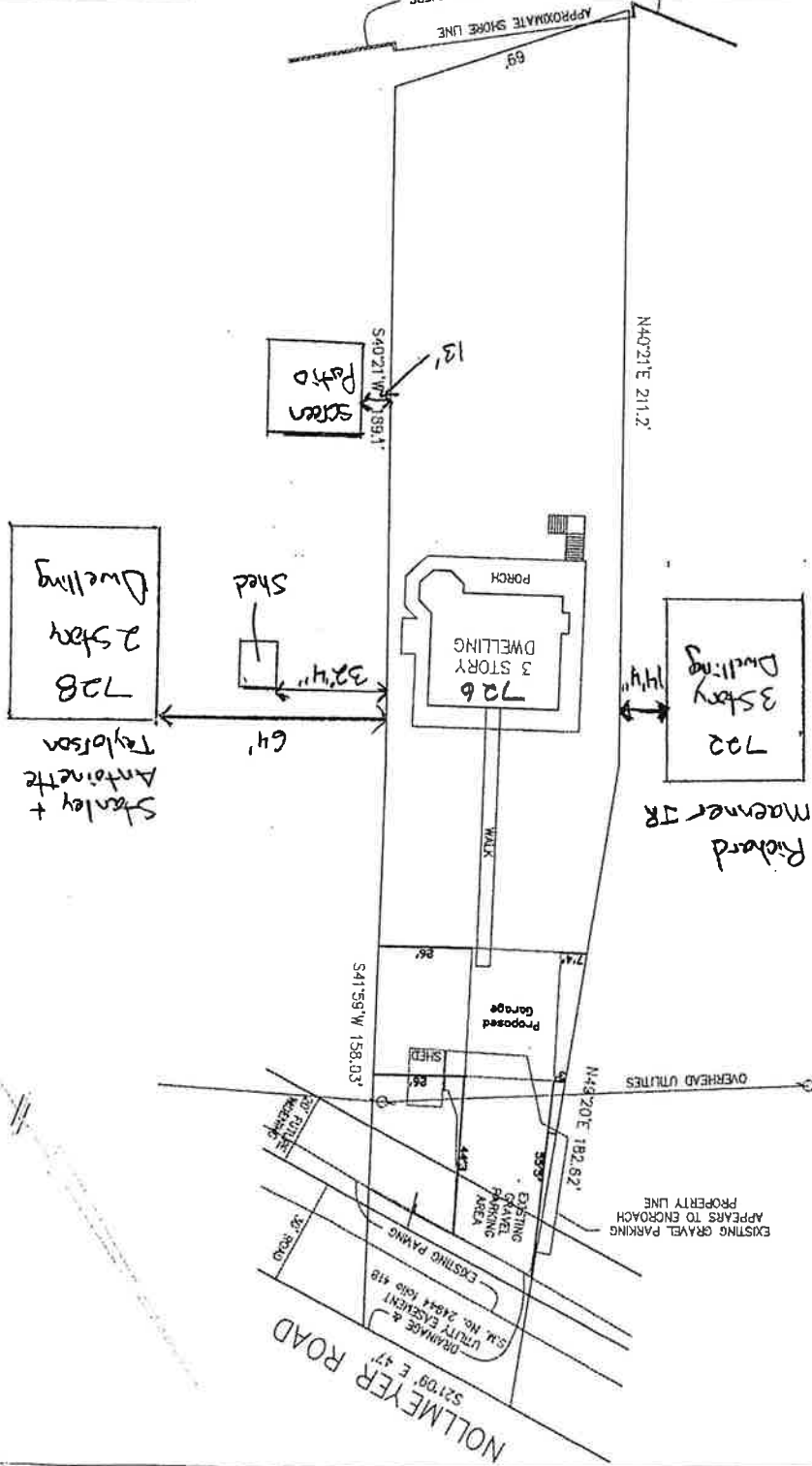
Beginning at the point on the north side of 726 Nollmeyer Road which is (47) feet wide at the distance of (860) feet east of the centerline of the nearest improved intersecting street Tidewood road which is (30) feet of right of way width) wide.

Part B - Option 1:

Thence the following courses and distances. First POC: South 41 deg. 59' West 158.03 feet, Second POC: South 40 deg 21' West 189.1 feet to the waters of Seneca Creek, Third POC: North 40 deg. 21' East 211.2 feet, Forth POC: North 49 deg. 20' East 182.62 feet back to the point of beginning, as recorded in the Deed Liber (22417), Folio (300), containing 21,460 square feet. Located in the (15th) election district and (5th) council district.

2024-0008-A

Zoning Hearing Plan for Variance X for Special Hearing _____ Mark Type Requested with (X)
 Address 726 Nollmeyer Rd Owners(s) Name(s) Jay Hammond/Susan Schulte
 Subdivision Name _____ Lot # _____ Block # _____ Section # _____
 Plat Book # 22417 Folio # 300 10 Digit Tax # 1507582210 Deed Reference# 41667100181



2024-0008-A

Plan Drawn By Jay Hammond Date 12/19/23 Scale: 1 inch = 50' Feet

Site Vicinity Map
 Nollmeyer Rd
 Tidewood Rd
 N
 Ste
 MAP IS NOT TO SCALE
 Zoning Map # 91
 Zoning DR 3.5
 Election District 15-008
 Council District 5
 Lot Area Acreage 0.492654
 Lot Square Footage 21460
 Historic (Yes or No) No
 CBCA (Yes or No) Yes
 Flood Plain (Yes or No) Yes
 Utilities - Mark with (X)
 Water is: _____
 Public X Private _____
 Sewer is: _____
 Public X Private _____
 Prior Hearing (Yes or No) No
 If (Yes) list Case Number(s) and order result(s) below:

 Violation Case Number(s)

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: LEAVE BLANK

SUBJECT: DEPS Comment for Zoning Item # 2024-0008-A
Address: 726 NOLLMEYER RD
Legal Owner: Jay Hammond, Susan Schulze

Zoning Advisory Committee Meeting of January 26, 2024.

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

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

This waterfront property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) and is subject to Critical Area requirements. Construction of a detached garage on this property must comply with a maximum lot coverage limit (6,706 square feet) for the area of the property above mean high tide (21,460 square feet). Mitigation is required for any new lot coverage over 25% (5,365 square feet). Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). If the applicant can comply with lot coverage requirements, and meets all mitigation requirements, the relief requested will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This is a waterfront property with a required Critical Area buffer covering about one-third of the property. The proposed garage is located outside the required buffer. Therefore, meeting lot coverage requirements, tree requirements, and any mitigation requirements 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 tree and mitigation requirements, the relief requested will be consistent with established land-use policies.

Reviewer: Paul Dennis

Date: January 29, 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:

1) 2024-0008-A, 726 Nollmeyer Rd.:

- A) The property is within the Tidal Special Flood Hazard Area Zone AE (BFE=8.5) per panel FIRM 2400100435F 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.

The proposed garage shown on the plan provided with the application is not dimensioned but appears larger than 300 square feet. The proposed garage must meet Parts 124.4 and 124.5 of the 2015 Baltimore Building Code