



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

May 8, 2024

Ryan and Kara Boarman – karaboarman@gmail.com
9 Bluecrab Ct.
Dundalk, MD 21219

RE: Petition for Administrative Variance
Case No. 2024-0097-A
Property: 9 Bluecrab Ct.

Dear Mr. and Mrs. Boarman:

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,


ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlw
Enclosure

c: Chris Pluemer – chris.pluemer@sbclandscaping.com

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(9 Bluecrab Ct.)		
15 th Election District	*	OFFICE OF ADMINISTRATIVE
7 th Council District		
Ryan & Kara Boarman	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2024-0097-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, Ryan and Kara Boarman (“Petitioners”) for the property located at 9 Bluecrab Court, Dundalk (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), Sections 1B01.2.3.C.1 and 301.1, to permit a replacement deck with a rear setback of 19 ft. in lieu of the required 22.5 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. (Petitioners’. Exhibit 2). The property is located within the Chesapeake Bay Critical Area (“CBCA”) and is subject to Critical Area requirements as noted in the ZAC comment dated May 2, 2024 submitted by the Department of Environmental Protection and Sustainability (“DEPS”). In addition, a ZAC comment was received from the Bureau of Development Plans Review (“DPR”), dated April 22, 2024, indicating the following:

“DPR: In a 100-year Baltimore County floodplain AE Zone BF 7.7 FEMNAVD88.

DPW-T: A) The property is within the Tidal Special Flood Hazard Area Zone AE (BFE=8.5) per panel FIRM 2400100440F dated 9/26/08. Must comply with Flood 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 Petitioners having filed a Petition for Administrative Variance and the Property having been posted on April 19, 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 affidavits as required by Section 32-3-303 of the Baltimore County Code (“BCC”). Petitioners intend to construct a replacement deck at the rear of the residence. The existing deck is deteriorating and needs to be replaced. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 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.

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 8th day of **May, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations (“BCZR”), Sections 1B01.2.3.C.1 and 301.1, to permit a replacement deck with a rear setback of 19 ft. in lieu of the required 22.5 ft., be, and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

- 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.

- Petitioners must comply with the ZAC Comments from DEPS, DPR and DPWT; 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.



ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlw

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: April 22, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0097-A

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

DPR: In a 100-year Baltimore County floodplain AE Zone BF 7.7 FEMNAVD88.

DPW-T: A) The property is within the Tidal Special Flood Hazard Area Zone AE (BFE=8.5) per panel FIRM 2400100440F dated 9/26/08. Must comply with Flood Plain Ordinance, See County Bill 6-24, 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.

Landscaping: No comment.

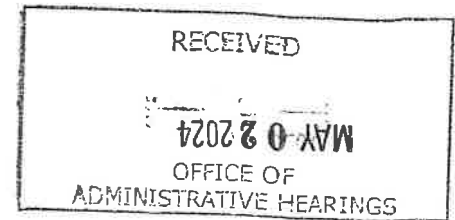
Recreations & Parks: No Greenways affected.

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



AV
MAY 02 2024



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

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

DATE: May 2, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0097-A
Address: 9 BLUECRAB CT
Legal Owner: Ryan & Kara Boarman

Zoning Advisory Committee Meeting of April 26, 2024.

DEPS 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. In particular, the property is within the Beachwood Estates subdivision and the 1996 approved final development plan restricts lot coverage of this property at 1,787 square feet. The property is currently at the maximum allowable lot coverage. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). The replacement deck was completed in summer 2022. DEPS required removal of the concrete pavers below and the under-deck roof constructed at the same time. As of August 2023, the lot was in compliance. An open wood deck, which allows water to freely pass through to soil/grass below does not count as lot coverage. Therefore, the proposed development can comply with the lot coverage restrictions and the 15% afforestation requirement, the relief requested can result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This is a non-waterfront lot within the Critical Area. The deck must comply with Critical Area regulations. Meeting lot coverage requirements and the 15% afforestation requirement 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 development meets lot coverage and afforestation requirements, this development will be consistent with established land-use policies.

Reviewer: Marie Brady



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 9 Bluecrab Court Dundalk Maryland 21219 Currently Zoned DR 3.5
Deed Reference 37450 / 00453 10 Digit Tax Account # 2 2 0 0 0 2 6 7 5 6
Owner(s) Printed Name(s) Ryan Boarman Kara Boarman

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

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

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

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

BCZR: 1B02.3.C.1 & 301.1 → To permit a replacement deck with a rear setback of 19 feet in lieu of the required 22.5 feet.

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

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

of the 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):

Ryan Boarman / Kara Boarman
Name #1 – Type or Print Name #2 – Type or Print
Ryan Boarman / Kara Boarman
Signature #1 Signature #2
9 Bluecrab Court Dundalk MD
Mailing Address City State
21219 / 443.250.9045 / kara.boarman@gmail.com
Zip Code Telephone #'s (Cell and Home) Email Address

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

Name - Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

Representative to be Contacted:

Chris Pluemer
Name - Type or Print
Chris Pluemer
Signature
P.O. Box 420 Fallston MD
Mailing Address City State
21047 / 443.966.1364 / chris.pluemer@sbclandscaping.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 2024-0097-A Filing Date 4, 10, 24 Estimated Posting Date 4, 21, 24 Reviewer JS

Revised 8/2022

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: 9 Bluecrab Court Dundalk MD 21219
Print or Type Address of Property City State Zip Code

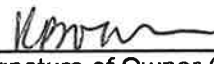
Based upon personal knowledge, the following are the facts upon which I/we base the request for an **Administrative Variance** at the above address. **(Clearly state practical difficulty or hardship here)**

In attempt to replace the existing wooden deck located on the north corner of the primary residence
we found that the existing deck is 39 inches too close to one of the rear property lines. The deck is
showing signs of deteriorating and needs to be replaced. We are not changing the size or footprint of the
existing deck to the proposed wood framed open deck. The rear lot line angles in a way that
re-constructing the deck puts the one corner of the deck 19'-2" from the line versus the 22'-6" required
as stated by Shaun Crawford of Baltimore County. We are requesting permission to rebuild the deck to
today's building codes in the same location.

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


Signature of Owner (Affiant)

Ryan Boarman
Name - Print or Type


Signature of Owner (Affiant)

Kara Boarman
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 22 day of March, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Ryan Boarman

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

AS WITNESS my hand and Notaries Seal


Notary Public

6/15/27
My Commission Expires

RICHARD D GAWLIK
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND
My Commission Expires June 15, 2027

ZONING PETITION PROPERTY DESCRIPTION

PART A:

Zoning Property Description for

9 Bluecrab Court

Dundalk MD 21219

Beginning at the Northwest side of Bluecrab Court which is 49.14ft wide along the 50ft radius ROW from the center point of the court center which is 256ft west north west of the centerline at Greencove Road a 50ft right of way.

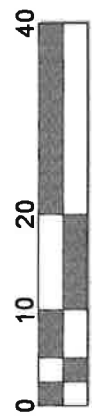
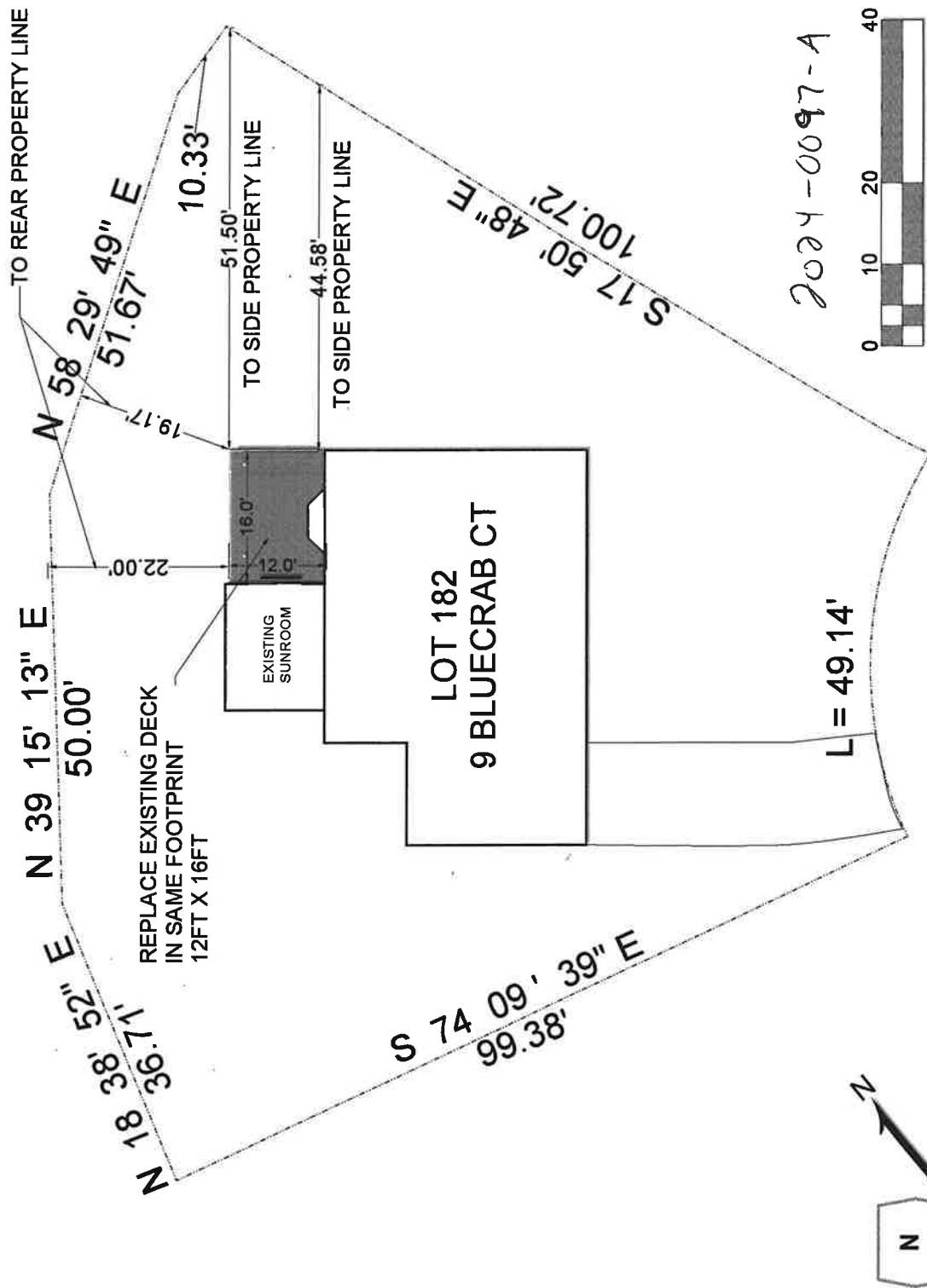
PART B:

Subdivision Lot Description

Being Lot #182, Block N/A, Section #1 in the subdivision Beachwood Estates as recorded in Baltimore County Plat Book # 0068 Folio #0098 containing 9,906 square feet. Located in the 15th Election District.

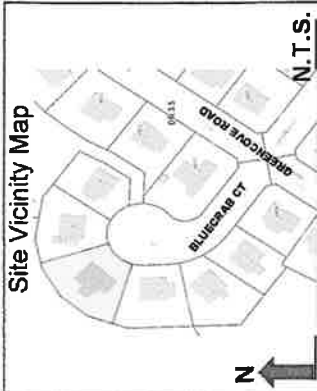
2024-0097-4

Zoning Hearing Plan for Variance X for Special Hearing _____ Mark Type Requested with (X)
 Address 9 Bluebrad Court, Dundalk MD 21219 Owners(s) Name(s) Ryan & Kara Boardman
 Subdivision Name Beachwood Estates Lot # 182 Block # _____ Section # 1
 Plat Book # 0068 Folio # 0098 10 Digit Tax # 2200026756 Deed Reference# 3 7 4 5 0 / 0 0 4 5 3



2024-0097-A

Plan Drawn By CHRIS PLUEMER Date 11/3/23 Scale: 1 inch = 20 Feet



Zoning Map # 104033
 Zoning DR 3.5
 Election District 15
 Council District 04
 Lot Area Acreage .2274
 Lot Square Footage 9,906
 Historic (Yes or No) No
 CBCA (Yes or No) Yes
 Flood Plain (Yes or No) _____
 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)

http.



**Permits, Approvals and
Inspections**

111 W CHESAPEAKE AVE
TOWSON, MD 21204
4108873353
WWW.BALTIMORECOUNTYMD.GO
V

Cashier: Tyler C.

Transaction **102210**

Total	\$75.00
CREDIT CARD SALE	\$75.00
VISA 2341	

Retain this copy for statement
validation

Station: Permit Processing - Mini

22-Mar-2024 12:05:23P

\$75.00 | Method: CONTACTLESS

VISA CREDIT

XXXXXXXXXXXX2341

VISA CARDHOLDER

Reference ID: 408200558086

Auth ID: 05696D

MID: *****2995

AID: A0000000031010

\thNtwkNm: VISA

ment FZXZDRBSM96Y

Privacy Policy
r.com/privacy

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2024 - 0097 -A Address 9 BLUECRAB COURT

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

Filing Date: 4/10/24 Posting Date: 4/21/24 Closing Date: 5/6/24

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

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

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 - 0097 -A Address 9 BLUECRAB COURT

Petitioner's Name: RYAN + KARA BOARMAN Telephone (Cell) CHRIS PLOEMER 443-966-1364

Posting Date: 4/21/24 Closing Date: 5/6/24

Wording for Sign: _____

To permit a replacement deck with a rear setback of 19 feet in lieu of the required 22.5 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: 2024-0097-A
Property Address: 9 BLUECRAB CT.
Legal Owners (Petitioners): RYAN + KARA BOARMAN
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): CHRIS PLUMER
Address: P.O. Box 420
FALLSTON, MD 21047

Telephone Number: 443-966-1364

*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.

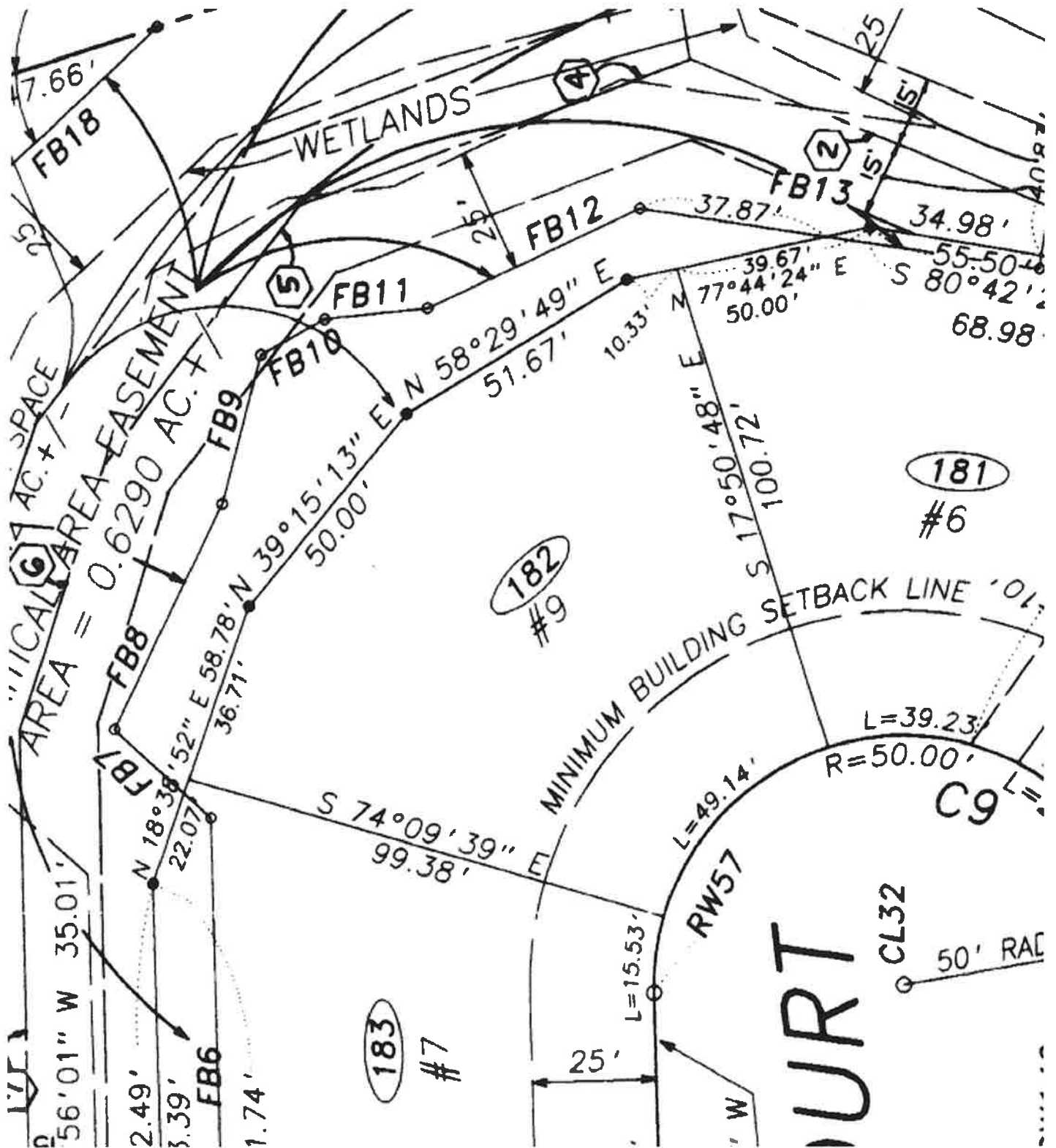
Revised 3/2022



2024-0097-A

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Special Tax Recapture: None					
Account Identifier:		District - 15 Account Number - 2200026756			
Owner Information					
Owner Name:		BOARMAN RYAN BOARMAN KARA		Use:	RESIDENTIAL
Mailing Address:		9 BLUECRAB CT BALTIMORE MD 21219-2359		Principal Residence:	YES
				Deed Reference:	/37450/ 00453
Location & Structure Information					
Premises Address:		9 BLUECRAB CT BALTIMORE 21219-2359		Legal Description:	.2274 AC PHASE 1 9 BLUECRAB CT NS BEACHWOOD ESTATES
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0104	0022	0579	15120111.04	0000	1
				Block:	Lot:
				182	2021
				Assessment Year:	Plat No:
					Plat Ref:
					0068/ 0098
Town: None					
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1997		2,220 SF		300 SF	
Property Land Area		County Use			
9,906 SF		04			
Stories	Basement	Type	Exterior Quality	Full/Half Bath	Garage
2	YES	STANDARD UNIT	SIDING/ 4	3 full/1 half	1 Attached
Last Notice of Major Improvements					
Value Information					
		Base Value		Value	
				As of	
				01/01/2021	
				Phase-in Assessments	
				As of	
				07/01/2021	
				As of	
				07/01/2022	
Land:		102,700		102,700	
Improvements		226,000		254,400	
Total:		328,700		357,100	
Preferential Land:		0		0	
				338,167	
				347,633	
Transfer Information					
Seller: BETHKE ROBERT W			Date: 04/29/2016		Price: \$329,000
Type: ARMS LENGTH IMPROVED			Deed1: /37450/ 00453		Deed2:
Seller: BEACHWOOD ESTATES L L C			Date: 05/13/2015		Price: \$173,153
Type: ARMS LENGTH IMPROVED			Deed1: /36176/ 00476		Deed2:
Seller:			Date:		Price:
Type:			Deed1:		Deed2:
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2021	
County:		000		0.00	
State:		000		0.00	
Municipal:		000		0.00 0.00	
				0.00 0.00	
Special Tax Recapture: None					
Homestead Application Information					
Homestead Application Status: Approved 06/09/2017					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application				Date:	





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 9 Bluecrab Court Dundalk Maryland 21219 Currently Zoned DR 3.5
Deed Reference 37450 / 00453 10 Digit Tax Account # 2 2 0 0 0 2 6 7 5 6
Owner(s) Printed Name(s) Ryan Boarman Kara Boarman

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

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

BCZR: 1B02.3.C.1 & 301.1 → To permit a replacement deck with a rear setback of 19 feet in lieu of the required 22.5 feet.

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

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Owner(s)/Petitioner(s):

Ryan Boarman / Kara Boarman
Name #1 – Type or Print Name #2 – Type or Print
[Signature] / [Signature]
Signature #1 Signature #2
9 Bluecrab Court Dundalk MD
Mailing Address City State
21219 / 443.250.9045 / kara.boarman@gmail.com
Zip Code Telephone #'s (Cell and Home) Email Address

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

Name - Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

Representative to be Contacted:

Chris Pluemer
Name - Type or Print
[Signature]
Signature
P.O. Box 420 Fallston MD
Mailing Address City State
21047 / 443.966.1364 / chris.pluemer@sbclandscaping.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 2024-0097-1 Filing Date 4, 10, 24 Estimated Posting Date 4, 21, 24 Reviewer JS

Revised 8/2022

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: 9 Bluecrab Court Dundalk MD 21219
Print or Type Address of Property City State Zip Code

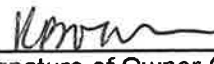
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showing signs of deteriorating and needs to be replaced. We are not changing the size or footprint of the
existing deck to the proposed wood framed open deck. The rear lot line angles in a way that
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today's building codes in the same location.

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


Signature of Owner (Affiant)

Ryan Boarman
Name - Print or Type


Signature of Owner (Affiant)

Kara Boarman
Name - Print or Type

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

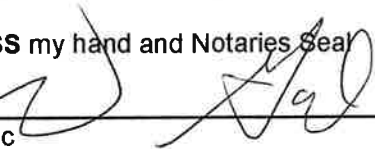
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22 day of March, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Ryan Boarman

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

AS WITNESS my hand and Notaries Seal


Notary Public

6/15/27
My Commission Expires

RICHARD D GAWLIK
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND
My Commission Expires June ~~16~~ 2027

ZONING PETITION PROPERTY DESCRIPTION

PART A:

Zoning Property Description for

9 Bluecrab Court

Dundalk MD 21219

Beginning at the Northwest side of Bluecrab Court which is 49.14ft wide along the 50ft radius ROW from the center point of the court center which is 256ft west north west of the centerline at Greencove Road a 50ft right of way.

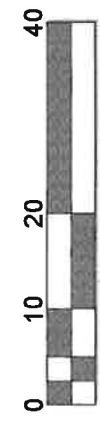
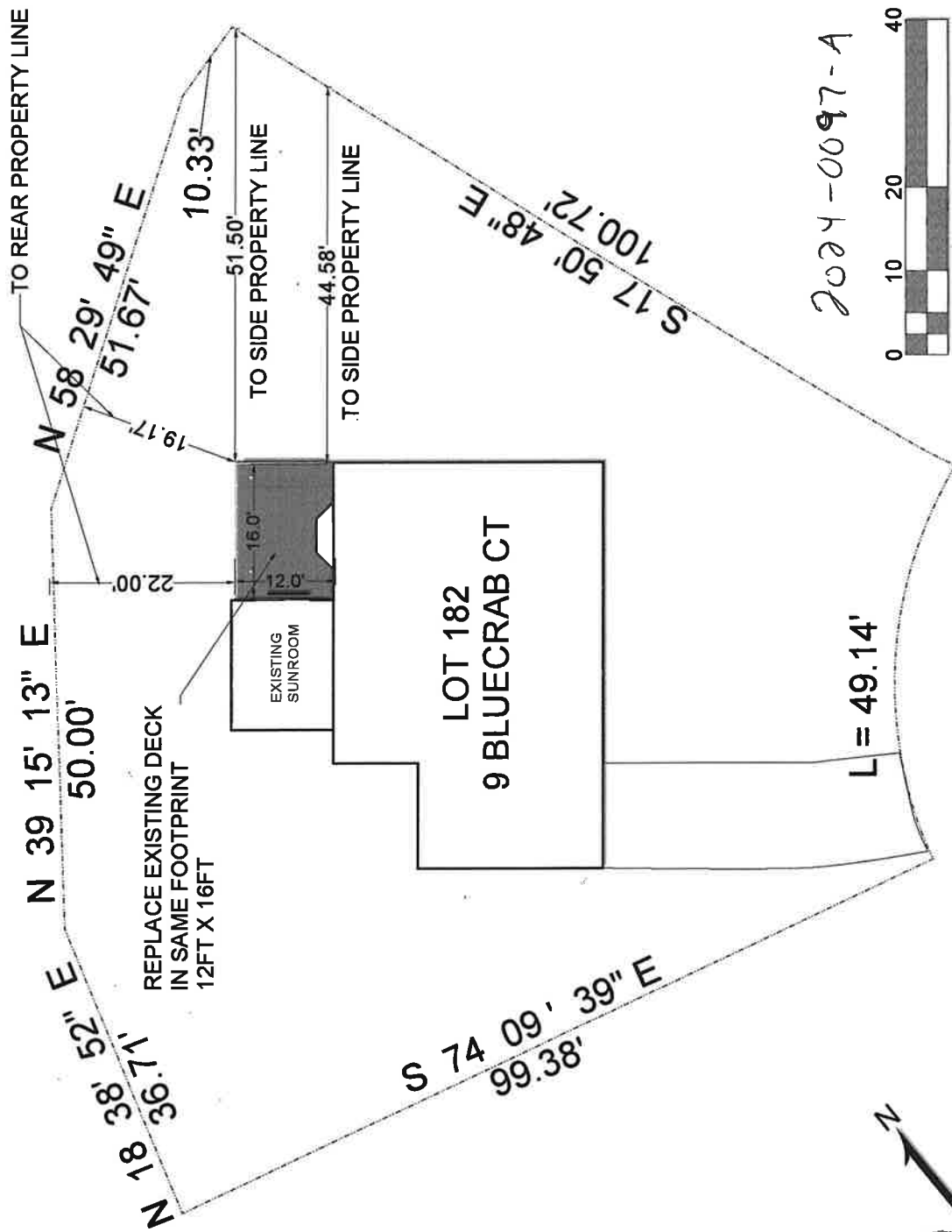
PART B:

Subdivision Lot Description

Being Lot #182, Block N/A, Section #1 in the subdivision Beachwood Estates as recorded in Baltimore County Plat Book # 0068 Folio #0098 containing 9,906 square feet. Located in the 15th Election District.

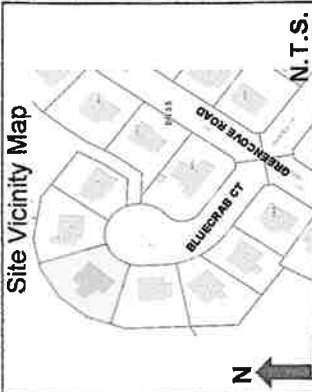
2024-0097-4

Zoning Hearing Plan for Variance X for Special Hearing _____ Mark Type Requested with (X)
 Address 9 Bluebrad Court, Dundalk MD 21219 Owners(s) Name(s) Ryan & Kara Boarman
 Subdivision Name Beachwood Estates Lot # 182 Block # _____ Section # 1
 Plat Book # 0068 Folio # 0098 10 Digit Tax # 2200026756 Deed Reference# 3 7 4 5 0 / 0 0 4 5 3



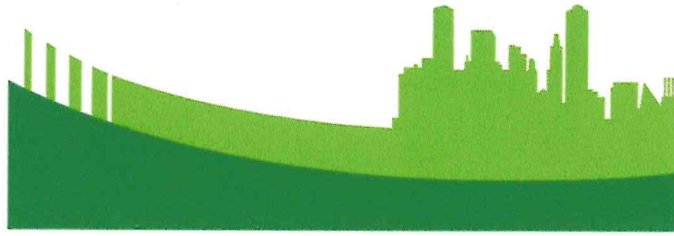
2024-0097-A

Plan Drawn By CHRIS PLUEMER Date 11/3/23 Scale: 1 inch = 20 Feet



Zoning Map # 104B3
 Zoning DR 3.5
 Election District 15
 Council District 04
 Lot Area Acreage .2274
 Lot Square Footage 9,906
 Historic (Yes or No) No
 CBCA (Yes or No) Yes
 Flood Plain (Yes or No) _____
 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) _____



CERTIFICATE OF POSTING

April 22, 2024

_____ amended for second inspection

Re:

Zoning Case No. 2024-0097-A

Legal Owner: Ryan & Kara Boarman

Closing date: May 06, 2024

Baltimore County Department of Permits, Approvals & Inspections

County Office Building

111 West Chesapeake Avenue, Room 111

111 West Chesapeake Avenue Towson, MD 21204

Attention: Jeff Perlow

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **9 Bluecrab Court**.

The signs were initially posted on **April 19, 2024**.

The subject property was also inspected on _____.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bruce E. Doak". The signature is stylized with a large "B" and "D".

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road

Freeland, MD 21053

410-419-4906 cell / 443-900-5535 office

bdoak@bruceedoakconsulting.com

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE NO. 2024-0097-A

9 Bluecrab Court Baltimore, MD 21219

**REQUEST: TO PERMIT A REPLACEMENT
DECK WITH A REAR SETBACK OF 19 FEET
IN LIEU OF THE REQUIRED 22.5 FEET**

PUBLIC HEARING?

**PURSUANT TO SECTION 26-127(b)(1) BALTIMORE
COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP
MAY REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN
THE ZONING OFFICE BEFORE MAY 6, 2024.**

**ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W.
CHESAPEAKE AVENUE TOWSON, MD 21204 410-887-3391**

ZONING NOTICE

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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 (DEPS) - Development Coordination

DATE: May 2, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0097-A
Address: 9 BLUECRAB CT
Legal Owner: Ryan & Kara Boarman

Zoning Advisory Committee Meeting of April 26, 2024.

DEPS 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. In particular, the property is within the Beachwood Estates subdivision and the 1996 approved final development plan restricts lot coverage of this property at 1,787 square feet. The property is currently at the maximum allowable lot coverage. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). The replacement deck was completed in summer 2022. DEPS required removal of the concrete pavers below and the under-deck roof constructed at the same time. As of August 2023, the lot was in compliance. An open wood deck, which allows water to freely pass through to soil/grass below does not count as lot coverage. Therefore, the proposed development can comply with the lot coverage restrictions and the 15% afforestation requirement, the relief requested can result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This is a non-waterfront lot within the Critical Area. The deck must comply with Critical Area regulations. Meeting lot coverage requirements and the 15% afforestation requirement 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 development meets lot coverage and afforestation requirements, this development will be consistent with established land-use policies.

Reviewer: Marie Brady

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: April 22, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0097-A

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

DPR: In a 100-year Baltimore County floodplain AE Zone BF 7.7 FEMNAVD88.

DPW-T: A) The property is within the Tidal Special Flood Hazard Area Zone AE (BFE=8.5) per panel FIRM 2400100440F dated 9/26/08. Must comply with Flood Plain Ordinance, See County Bill 6-24, 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.

Landscaping: No comment.

Recreations & Parks: No Greenways affected.