



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

September 10, 2024

Leonard R. Sligh – lsligh3315@gmail.com
2043 Sue Avenue
Baltimore, MD 21221

RE: Petition for Variance
Case No. 2024-0170-A
Property: 2052 Holly Neck Road

Dear Mr. Sligh:

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 dark ink, appearing to read "AMB", followed by a long horizontal line extending to the right.

ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB :dlm
Enclosure

c: Deborah Cascio – deborahcascio@verizon.net
Keith – bfoy2008@gmail.com

IN RE: PETITION FOR VARIANCE	*	BEFORE THE
(2052 Holly Neck Road)		
15 th Election District	*	OFFICE OF ADMINISTRATIVE
7 th Council District		
Deborah Cascio & James Taylor	*	HEARINGS OF
<i>Legal Owners</i>		
Leonard R. Sligh	*	BALTIMORE COUNTY
<i>Contract Purchaser/Lessee</i>		
	*	CASE NO. 2024-0170-A
Petitioners		
* * * * * * *		

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by Deborah Cascio and James Taylor, legal owners and Leonard R. Sligh, contract purchaser (“Petitioners”) for property located at 2052 Holly Neck Road, Essex (the “Property”). The Petitioners are requesting Variance relief from Baltimore County Zoning Regulations (“BCZR”), § 1A04.3.B.2.b, to approve a proposed dwelling with a setback of 46 ft. in lieu of the required 150 ft. from the centerline of any collector road (Holly Neck Road).

A public WebEx hearing was conducted virtually in lieu of an in-person hearing and was held on September 9, 2024 at 10:00 a.m. The Petition was properly advertised and posted. Petitioners, Deborah Cascio and Leonard Sligh appeared at the hearing. There were no interested parties or protestants at the hearing.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) the Department of Public Works and Transportation (“DPWT”) and the Department of Environmental Protection and Sustainability (“DEPS”)

The Property is approximately 2.26 acres and is zoned RC 5. The Petitioners want to construct a single-family dwelling on the property. The property is surrounded by detached residential dwellings, agricultural activities, and areas designed for forest conservation and forest

buffer easements.

Mr. Sligh testified that the subject property faces Holly Neck Road and is part of a parcel which was the previously subject of Case No. 2018 0024-SPH involving Petitioner Casio's property located to the east of the subject property, fronting 1937 Silver Lane. As a result of that case, the Petitioners entered into a Critical Area Easement with Baltimore County that occupies roughly 80% of the subject property. (Pet. Ex. 2) Mr. Sligh explained that the Petitioners are proposing the construction of an approx. 1,344 sq ft. house and garage fronting Holly Neck Road on the limited area unaffected by the Critical Area Easement. (Pet. Ex. 12) He noted that the existence of the easement restricts the ability to set back the proposed dwelling further from the road, thus causing the need for the requested variance relief. Mr. Sligh provided photos of dwellings in the immediate area that have similar set backs and that have less than the 1.5 acre lots as proposed in the instant case. (Pet. Ex. 6 – 11) Additionally, Mr. Sligh explained that the modest size of the proposed dwelling is also in keeping with the surrounding community. As noted on the site plan, the dense wooded area to either side of the proposed dwelling with further shield it from the view of the nearest neighbors. (Pet. Ex. 4, 12, 13) Additionally, Petitioners offered into evidence a Petition signed by several members of the surrounding community in support of the proposed relief. (Pet. Ex. 14)

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The fact that 80 % of the subject property is encompassed by a Critical Area Easement clearly satisfies the “uniqueness” requirement in the *Cromwell* analysis. The restraints caused by this easement prohibit the Petitioners from setting the proposed dwelling further back from the Holly Neck Road. Additionally, I find that the Petitioners will suffer a practical difficulty if variance relief were denied in that the proposed modest dwelling could not be constructed. I further find that the Variance relief here is within the spirit and intent of the zoning regulations and that they will not harm the public health, safety or welfare, particularly in light of the lack of opposition.

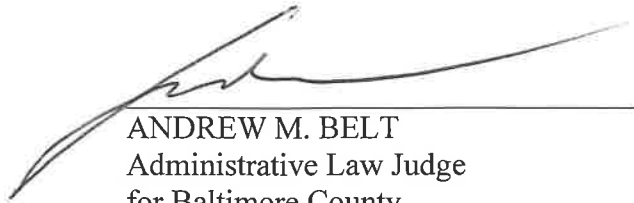
Accordingly, the Petitioners’ request for variance relief is GRANTED.

THEREFORE, IT IS ORDERED, this 10th day of **September 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR, §1A04.3.B.2.b, to approve a proposed dwelling with a setback of 46 ft. in lieu of the required 150 ft. from the centerline of any collector road (Holly Neck Road). , be and is hereby **GRANTED**; and

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners shall comply with conditions set forth in the DOP, DEPS and DPWT comments and are attached hereto.
3. The Site Plan (Pet. Ex. 15) is attached hereto and incorporated herein.

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 MEMORANDUM

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

DATE: 8/2/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0170-A

INFORMATION:

Property Address: 2052 Holly Neck Road
Petitioner: Deborah J. Cascio and James C. Taylor
Zoning: RC 5
Requested Action: Variance

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

Variance - From Section(s) BCZR 1A04.3.B.2.b. to approve a proposed dwelling with a setback of 46 ft in lieu of the required 150 ft from the center line of any collector road (Holly Neck Rd)

The subject property is located on the east side of Silver Lane, 933 feet northeast of the centerline of Cedar Creek Road in the Essex area of Baltimore County. It encompasses approximately 115,702 square feet and is zoned RC 5. The applicant intends to build a single-family dwelling on the property. The property is surrounded by detached residential dwellings, agricultural activities, and areas designated for forest conservation and forest buffer easements.

The R.C.5 zoning classification was established in response to concerns over wasteful and disorderly rural-residential development and inadequate lot sizes for on-lot sewer and water systems. These issues could result in undue financial hardships and negatively affect the safety and welfare of citizens. In identifying specific areas suitable for rural-residential development, the aim is to direct future growth towards these areas and prevent disorderly development patterns. The R.C.5 zoning classification serves to provide suitable areas for rural-residential development, minimize encroachments on natural resource areas, and provide a minimum lot size for proper on-lot sewer and water system functioning.

The subject property has a zoning history where, on September 14th, 2017, the Administrative Law Judge approved a Special Hearing request. The request included merging Lots 505 and 506 due to the existing driveway, increasing the size of Lot 506 from 0.23 acres to 0.94 acres, and permitting the combined area of Lots 505 and 506 to total 1.15 acres, instead of the required 1.5 acres for undersized lots in an RC 5 zone.

The applicant cited the following practical hardships and justifications regarding this variance request:

1. Without the requested variance, the property would be unbuildable. Constructing the proposed modest home of 1,344 sq. ft., including a garage, would not be feasible.

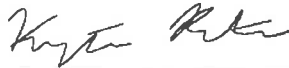
2. The requested variance aligns with the character of adjoining properties in the neighborhood. Some properties are close to the road, while others are not, as evidenced by the attached pictures.
3. The hardship is not a result of any actions by the purchaser/builder.
4. The property will be used for a single-family home. The proposed home will be a well-received addition to the community, with a height not exceeding 29 feet, an off-street driveway for safe parking, and a mailbox at the front.
5. The proposed house will fit well with the existing community, which includes relatively new adjoining properties and some well-kept older homes.

The Department of Planning believes that the requested relief is consistent with similar requests and designs in the neighborhood and does not alter the character of the RC 5 zone. The Department has no objections to this variance request, subject to the following conditions:

1. This site is subject to the RC 5 Performance Standards as listed in Section 1A04.4 of the BCZR.
2. A detailed architectural elevation must be submitted to the Department of Planning for review at permitting.
3. The Petitioners or subsequent owners shall not convert the proposed garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area or kitchen facilities.
4. The garage shall not be used for commercial purposes.

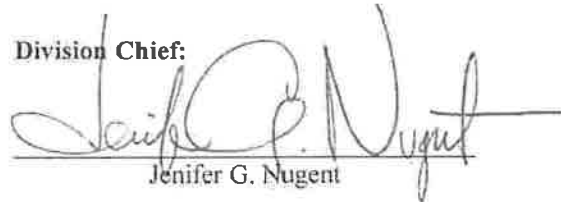
For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Leonard Sligh, Representative
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 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: August 12, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0170-A
Address: 2052 HOLLY NECK ROAD
Legal Owner: Deborah Cascio, James Taylor

Zoning Advisory Committee Meeting of August 5, 2024.

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (DEPS) has provided written recommendations describing how the proposed request would address for following requirements:

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 and is subject to Critical Area requirements. Critical Area lot coverage (defined in State of Maryland Natural Resources Article §8-1802(a)(17)) is limited to 15% (9,813 square feet). An existing Critical Area Easement for protection of Critical Area buffer and forest covers about 80 per cent of the property and can further limit the lot coverage allowance. The property is currently the subject of a Chesapeake Bay Critical Area administrative variance for impacts to the required principal structure setback measured off the Critical Area Easement that occurs on three sides of the proposed dwelling with attached garage. The zoning relief requested would allow the development of this property without Critical Area buffer impacts, and would allow for some rear yard.

2. Conserve fish, wildlife, and plant habitat;

With a Critical Area Easement protecting the Critical Area buffer and forest (about 80 per cent of the property), and the zoning relief requested, the development of the property can result in the conservation of fish, wildlife, and plant habitat in the Critical Area.

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.

By meeting all Critical Area lot coverage, buffer, and forest requirements, and by minimizing impacts to the principal structure setback measured off the outer limits of the Critical Area Easement, the development can be consistent with established land-use policies.

Reviewer: Paul Dennis, Environmental Impact Review

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0170-A

DATE: July 30, 2024

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

DPR: No comment.

DPW-T: The property is within the Tidal Special Flood Hazard Area Zone AE (BFE=8.5) per panel FIRM 2400100445F 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 comment LOS & No Greenways affected.

Exhibit 15





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 2052 HOLLY NECK RD 21221 Currently Zoned RC5
Deed Reference 46275 / 423 10 Digit Tax Account # 15-19711821
Owner(s) Printed Name(s) DEBORAH J. CASCIO JAMES C TAYLOR

(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)

BCZR 1A04.3.B.2.b To approve a proposed dwelling with a setback of 46 ft in lieu of the required 150 ft from the center line of any collector road (Holly Neck Rd)

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)

SEE ATTACHMENT I+II

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:

LEONARD R SLIGIT
Name - Type or Print

[Signature]
Signature

2043 SUB AVE BALTO MD
Mailing Address City State

21221 443 9923163 LSLIGH3315@GMAIL.COM
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

DEBORAH J CASCIO JAMES C TAYLOR
Name #1 - Type or Print Name #2 - Type or Print

[Signature] [Signature]
Signature #1 Signature #2

1937 SILVER LAKE BALTO MD
Mailing Address City State

21221 443 629 3530 DEBORAH.CASCIO@VERIZON.NET
Zip Code Telephone #'s (Cell and Home) Email Address

Attorney for Petitioner:

LEONARD R SLIGIT
Name - Type or Print

[Signature]
Signature

2043 SUB AVE BALTO MD
Mailing Address City State

21221 443 9923163 LSLIGH3315@GMAIL.COM
Zip Code Telephone # Email Address

Representative to be contacted:

LEONARD R. SLIGIT
Name - Type or Print

[Signature]
Signature

2043 SUB AVE BALTO MD
Mailing Address City State

21221 443 992 3163 LSLIGH3315@GMAIL.COM
Zip Code Telephone # Email Address

Case Number 2024-0170-A Filing Date 7/8/2024 Do Not Schedule Dates Reviewer CP

ATTACHMENT I

- A. The first step requires the petitioner to prove, to the satisfaction of the ALJ, that the property whereon structures are to be placed (or uses conducted) is unique, unusual, and different from the surrounding properties such that the uniqueness causes the zoning provision to impact more on the subject property than on the surrounding properties.

AN APPROVED BUILDING LOT WAS CREATED AND APPROVED IN ZONING CASE # 2012-0024-SP11. THE LIMITED USE OF LOT 520 IS APPROX. 120' OFF HOLLYNECK RD. THE ZONING IN THIS AREA IS RLS WHICH REQUIRES A 70' FRONT YARD SETBACK. MY PROPOSED HOUSE IS 38' DEEP INCLUDING FRONT PORCH AND TO HAVE A SMALL BACK YARD AND NOT ENCRDACHING INTO ROAD. CAFE I AM ASKING FOR A 35' FRONT YARD SETBACK.

- B. The second step of the test requires that the petitioner must demonstrate that strict compliance with the BCZR would result in either practical difficulty or unreasonable hardship. The Court of Special Appeals in *Anderson v. Board of Appeals, Town of Chesapeake Beach*, 22 Md. App. 28, stated:

1. "To prove undue hardship for a use variance, the following three criteria must be met:

- i BY NOT RELIEVING THE VARIANCE REQUESTED WOULD CREATE OUR PROPERTY UNUSABLE IN BUILDING THE PROPOSED MODEST HOME OF 1344 SQ FT. INCLUDING GARAGE
 - ii THE REQUEST OF VARIANCE WOULD BE IN KEEPING WITH THE ADJOINING PROPERTIES IN AND AROUND THE NEIGHBORHOOD. SOME ARE CLOSE TO THE ROAD SOME ARE NOT. SEE ATTACHED ~~PHOTOS~~ PICTURES
 - iii HARDSHIP HAS NOTHING TO DO WITH ANY ACTIONS BY ME PURCHASER/BUILDER
2. To provide practical difficulty for an area variance, the following criteria must be met:

- i STRICT COMPLIANCE WITH THE RLS ZONING WOULD NOT ALLOW ME TO HAVE ROOM TO BUILD MY HOME WITH REASONABLE BACK YARD AND NOT TO DISTURB CAFE
- ii BECAUSE OTHER PROPERTY OWNERS WERE GRANTED VARIANCES IN THE CEDAR BEACH AREA IT WOULD BE AN INJUSTICE ACT NOT TO GRANT THE APPLIED FOR VARIANCE.
- iii I AM ASKING FOR THE 35' SETBACK TO MAINTAIN A SAFE DISTANCE FROM PROPOSED HOUSE TO THE EXISTING 30 MPH HOLLYNECK RD. PROPOSED LANDSCAPE AT ROAD WILL ALLOW FOR SAFE FOOT TRAFFIC ALONG ROADWAY

2024-0170-A

C. THE PROPERTY WILL BE USED FOR A SINGLE FAMILY HOME

D THE PROPOSED HOME WILL BE A WELL RECEIVED ADDITION TO THE EXISTING COMMUNITY WITH A HEIGHT NOT EXCEEDING 29' A OFF STREET DRIVEWAY FOR SAFE PARKING. MAILBOX POSTED @ FRONT ONLY. ADJOINING PROPERTIES IN THE AREA ARE RELATIVELY NEW SOME ARE WELL KEPT OLDER HOMES SO OUR PROPOSED HOUSE WILL BE A GOOD FIT.

2024-0172A

ZONING PROPERTY DESCRIPTION FOR

2052 Hollyneck Rd (Parcel 100)

Beginning at a point on the West side of Hollyneck Rd which is 21 feet wide at a distance of 273 feet Northeast of the centerline of the nearest improved intersecting street, Golupski Rd which is 20 feet wide.

2024-0170-A

PROPERTY DESCRIPTION
OPTION II.

BEING LOT # 520 BLOCK 12 SECTION 14.4
OF THE SUBDIVISION CEDAR BEACH
AS RECORDED IN THE BALTIMORE COUNTY
PLAT BOOK 12 FOLIO 123 CONTAINING
65,423 SQ FT AND 1.502 ACRES
LOCATED IN THE 15th ELECTION DISTRICT
COUNCILMAN DISTRICT 7th ZONING MAP
~~105~~ 105A1

2024-017 2-A

FOR
1.2.7 SILVER LANE LOTS 505 AND 506
& PART OF PARCEL 100
BALTIMORE, MARYLAND 21221
15TH ELECTION DISTRICT

Beginning at a point on the Eastside of Silver Lane 40 feet wide; 933 ' Northeasterly from the centerline intersection of Cedar Creek Road 50' wide;

Thence running along Silver Lane the following 2 (Two) courses and distances:

- 1) North 37°-17'-57" East 50.00 feet to a point;
- 2) North 37°-39'-57" East 49.38 feet to a point;

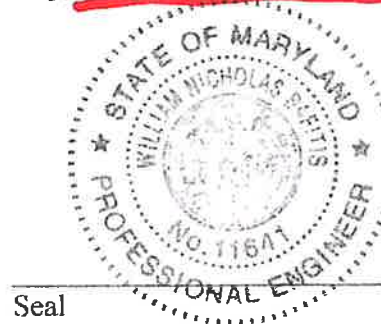
Thence leaving said lane the following 5 (five) courses and distances;

- 3) South 52°-20'-03" East 150.44 feet to a point;
- 4) South 59°-29'-03" East 161.81 feet to a point;
- 5) South 30°-30'-57" West 168.86 feet to a point;
- 6) North 59°-28'-44" West 203.02 feet to a point;
- 7) North 22°-58'-11" West 149.44 feet to the point of beginning;

Containing 50,285 Square Feet or 1.154 Acres more or less

Being known as lots 505 and 506 shown on a plat entitled plat of Cedar Beach Book 12 Folio 90 which is recorded among the Land Records of Baltimore County, Maryland and parcel 100 recorded in deed Liber 34752 Folio 123.


William N. Bafitis, P.E. MD Reg. # 11641



Civil Engineers / Land Planners / Surveyors - 1249 Engleberth Road / Baltimore, Maryland 21221 / 410-391-2336

2018-00241-SPH

2024-070-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: _____

Property Address: _____

2024-0170-A

2052 Holly Neck Rd (Parcel 100)

Baltimore MD 21221

Legal Owners (Petitioners): _____

Deborah Cascio James Taylor

Contract Purchaser/Lessee: _____

Leonard Singh

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): _____

Leonard Singh

Address: _____

2043 Sue Ave

Baltimore MD 21221

Telephone Number: _____

443-992-3163

*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.



**Permits, Approvals and
Inspections**

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

Cashier: Tyler C.

Transaction **102411**

Total	\$75.00
CREDIT CARD SALE	\$75.00
MASTERCARD 2598	

Retain this copy for statement
validation

Station: Permit Processing - Mini
02-Jul-2024 12:25:31P
\$75.00 | Method: CONTACTLESS
Mastercard XXXXXXXXXXXX2598
Reference ID: 418400565141
Auth ID: 01123P
MID: *****2995
AID: A0000000041010
AthNtwkNm: MASTERCARD

Payment 3JCWDNHVSMYCG

Clover Privacy Policy
<https://clover.com/privacy>

2024-0170-A



Certificate of Posting

Case# 2024-0170-A
 Petitioner/Developer
Leonard Sligh

Date of Hearing/Closing
September 9, 2024

Baltimore County Department of Permits and Management
 County Office Building Room 111; 111 West Chesapeake Ave. Towson Md. 21204
 Attention:

Ladies and Gentlemen:

This is to certify under penalties of perjury that the necessary sign/signs required by law were posted conspicuously on the property located at 2052 Holly Neck Road on August 17, 2024. Signs 1A & 1B

Sincerely, Martin Ogle

Martin Ogle
 9912 Maidbrook Road
 Parkville, Md. 21234
 443-629-3411

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: August 12, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0170-A
Address: 2052 HOLLY NECK ROAD
Legal Owner: Deborah Cascio, James Taylor

Zoning Advisory Committee Meeting of August 5, 2024.

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (DEPS) has provided written recommendations describing how the proposed request would address for following requirements:

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 and is subject to Critical Area requirements. Critical Area lot coverage (defined in State of Maryland Natural Resources Article §8-1802(a)(17)) is limited to 15% (9,813 square feet). An existing Critical Area Easement for protection of Critical Area buffer and forest covers about 80 per cent of the property and can further limit the lot coverage allowance. The property is currently the subject of a Chesapeake Bay Critical Area administrative variance for impacts to the required principal structure setback measured off the Critical Area Easement that occurs on three sides of the proposed dwelling with attached garage. The zoning relief requested would allow the development of this property without Critical Area buffer impacts, and would allow for some rear yard.

2. Conserve fish, wildlife, and plant habitat;

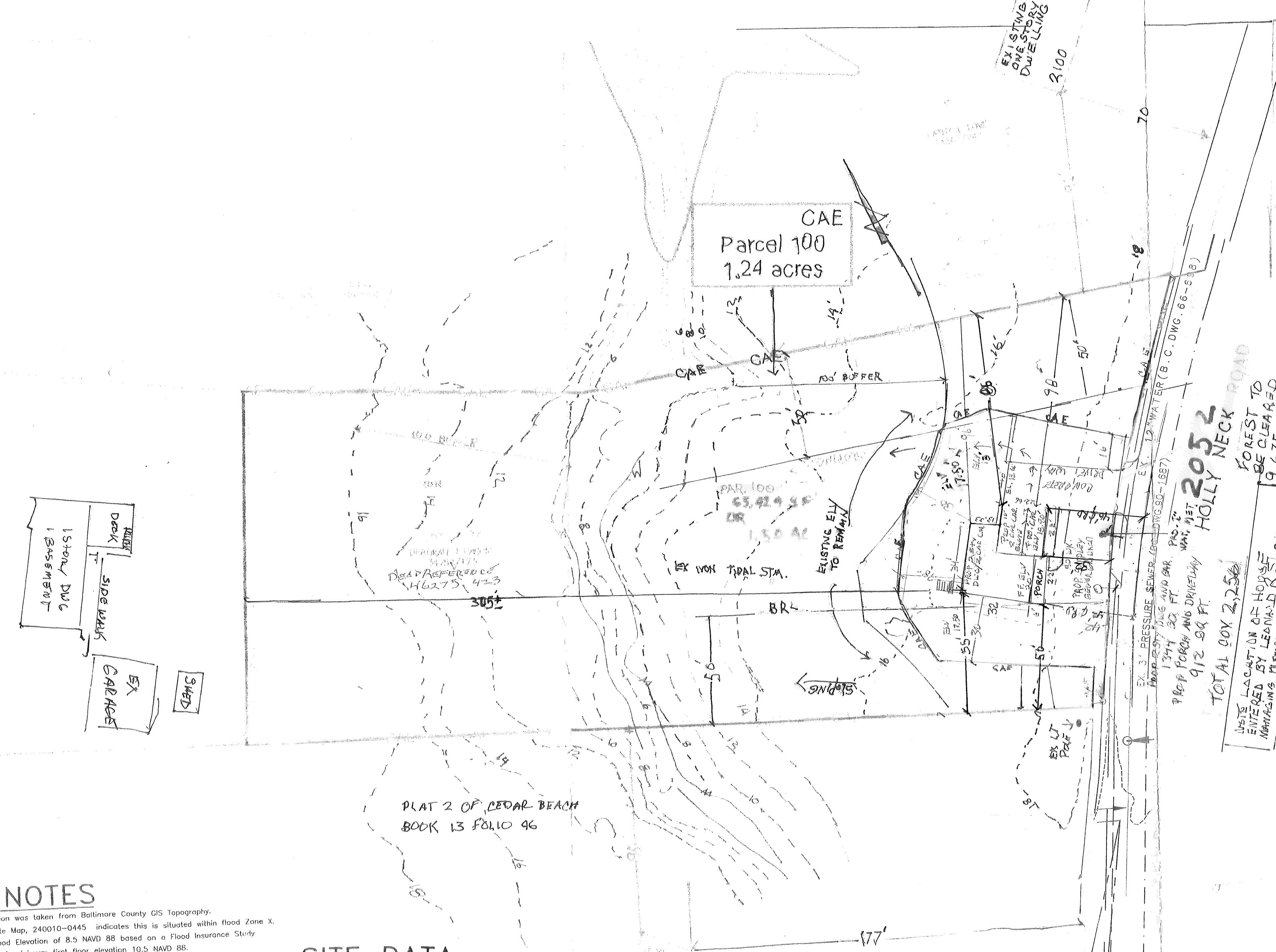
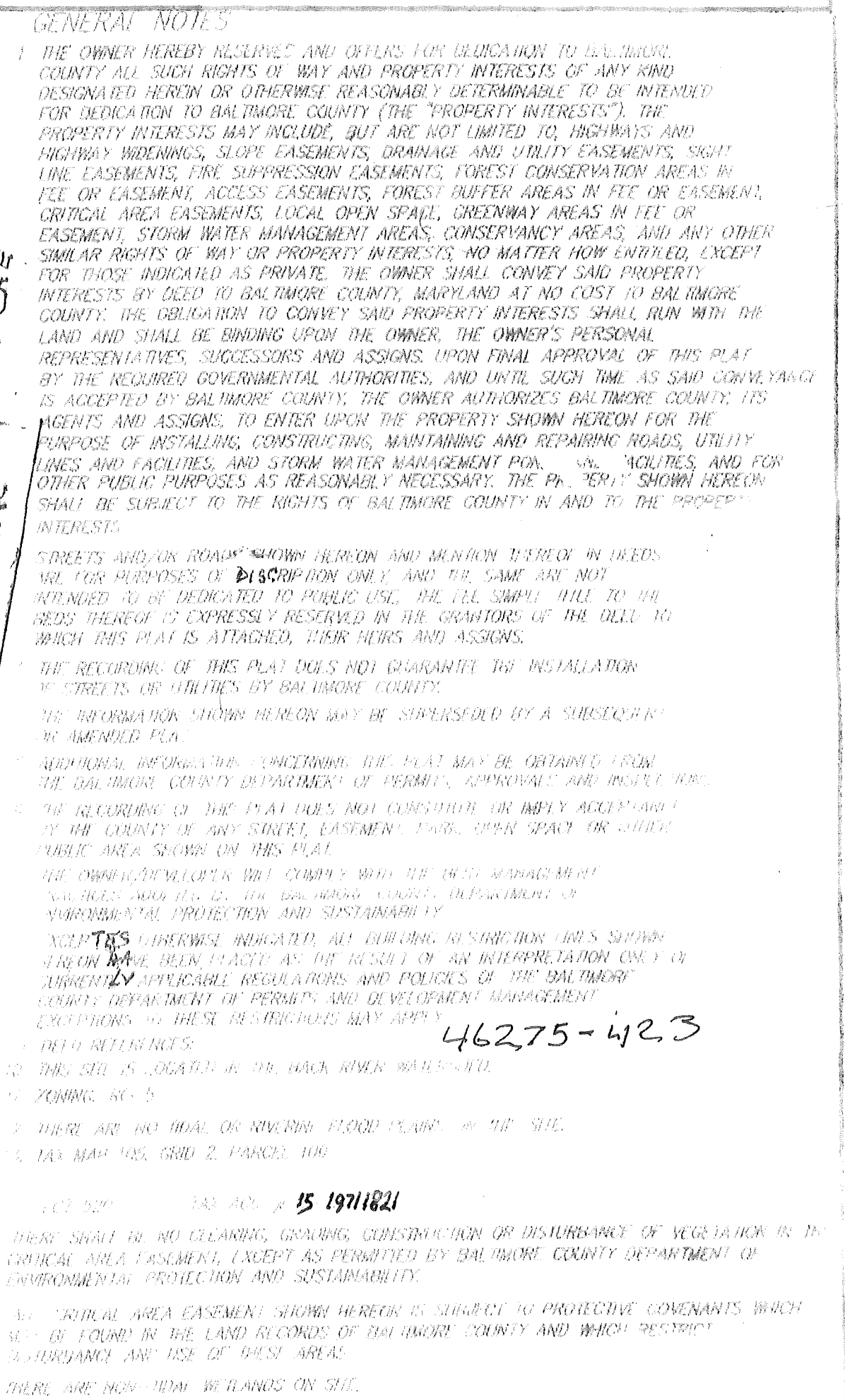
With a Critical Area Easement protecting the Critical Area buffer and forest (about 80 per cent of the property), and the zoning relief requested, the development of the

property can result in the conservation of fish, wildlife, and plant habitat in the Critical Area.

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.

By meeting all Critical Area lot coverage, buffer, and forest requirements, and by minimizing impacts to the principal structure setback measured off the outer limits of the Critical Area Easement, the development can be consistent with established land-use policies.

Reviewer: Paul Dennis, Environmental Impact Review



Lot 506

1. Topography shown hereon was taken from Baltimore County GIS Topography.
2. The Firm Insurance Policy No. 2, 240101-0445, Baltimore County is situated within flood Zone A.
3. F.E.M.A. indicates a Flood Elevation of 8.5 NAWD BB based on a Flood Insurance Study Number 2401010ND03B. A minimum first floor elevation 10.5 NAWD BB.
4. Property lines shown hereon were established by public information.
5. This site is situated within the Chesapeake Bay Critical Areas and is classified by Land use as Limited Development Area (LDA) (MAP 105).
6. There shall be no clearing, grading, construction or disturbance of vegetation within the 100' Buffer Area except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
7. There are forest or developed woodlands on this site.
8. There is no significant plant or animal habitat on this site.
9. There are no slopes greater than 15% on this site except along stream banks.
10. There are no known wells on this site.
11. There are no known underground storage tanks or septic systems on this site.
12. There are no known potentially hazardous materials on this site as defined by Title 7 Health and Environmental Article, Annotated Code of Maryland.
13. There are no buildings or property within this site that are included on the Maryland Historical Trust Inventory, The Baltimore County Landmarks List, the National Register of Historic Places, the Maryland Archeological Survey or is a Baltimore County Historical District.
14. Public Water and Sewer serve this site.
15. This site has not been the subject of the CRG, DRC, or Waiver Processes.

1) OWNER: DEBORAH J. CASCIO & TERR L. MILLER
#1937 SILVER LANE
BALTIMORE, MARYLAND 21221

2) DEED REF: 46275-423

3) TAX ACC. NO.: 15-19711820, 15-19711821

4) TAX MAP: 105 PARCEL: 100 LOT: 505,506

5) PLAT REF: CEDAR BEACH BOOK 12 FOLIO 90

6) ELECTION DISTRICT: 15TH

7) COUNCILMANIC DISTRICT: 7TH

8) REGIONAL PLANNING DISTRICT: 328

9) CENSUS TRACT: 4510

10) ZONING: RC 5

11) ZONING MAP: 105A1

12) USE: PROPOSED: RESIDENTIAL, SINGLE FAMILY DWELLING

THE APPROVAL OF THIS PLAN IS BASED ON A REASONABLE EXPECTATION THAT THE WATER AND SEWER SERVICE THAT IS PLANNED FOR THIS DEVELOPMENT WILL BE AVAILABLE WHEN NEEDED. HOWEVER, BUILDING PERMITS MAY NOT BE ISSUED UNTIL THE PLANNED WATER AND SEWER FACILITIES ARE COMPLETED AND ORDERED TO BE INSTALLED TO SERVE THE PROPOSED DEVELOPMENT.

THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE ORDINANCE 0502 DATED 10/2/17.

THE RECOMMENDATIONS MUST COMPLY WITH THE WITH COMMENTS AS NOTED HEREIN. IN ZONING CO

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE CARE AND ATTENTION THE LOT RECONFIGURATION AND RECONFIGURATION PLANS DATED 05/05/19 AND HAVE COMPARED WITH THE SUBJECT TRACT PLANS (ATTACHED).

COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE MARYLAND COORDINATE SYSTEM NAD 83/2011, BASED UPON THE FOLLOWING REFERENCE STATIONS		
POINT	NORTHING	EASTING
GIS-64	586,909.46	1,477,981.23
AZ-64	587,302.05	1,478,467.82

OWNER'S CERTIFICATE

THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS PLAT HEREBY CERTIFIES THAT, TO THE BEST OF THEIR KNOWLEDGE, THE REQUIREMENTS OF SUBSECTION (C) OF SECTION 3-10B OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INsofar AS SAME CONCERNS THE MAKING OF THE PLAT AND SETTING OF THE MARKERS.

Deborah J. Casco - OWNER 1/12/21

DEBORAH J. CASCO TITLE DATE

OWNER(S)

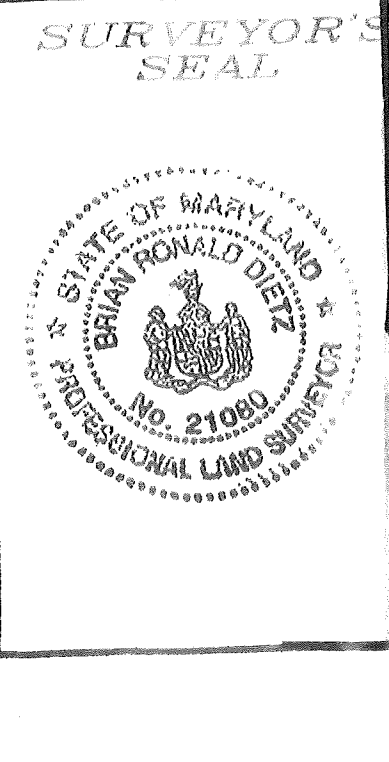
SURVEYOR'S CERTIFICATE

THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN Laid OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY INsofar AS THE SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

Brian Dietz 1-11-2021

BRIAN DIETZ
PROFESSIONAL LAND SURVEYOR NO.21080 EXPIRED DATE: 02/12/23

2247616



TELEGRAPH J. CASCIO & TERRI L. MILLER
1937 SILVER LANE
BALTIMORE, MARYLAND 21221
TELEPHONE NO. 551-8004

PROP SINGLE FAMILY DWELLING
LOCATION ENTERED L. R. SLIGHT

COMPUTED BY NAME _____
CHECKED BY BRANON _____
DRAWN BY NAME _____

PLAT OF CEDAR BEACH

15th ELECTION DISTRICT 6th COUNCILMAN'S DISTRICT

BALTIMORE COUNTY, MARYLAND 21221

SHEET 1 OF 1 SCALE: 1" = 30' DATE: 7/8/24

LEONARD R SLIGH MAN. MEM
L+R TRADITIONAL HA. LLC

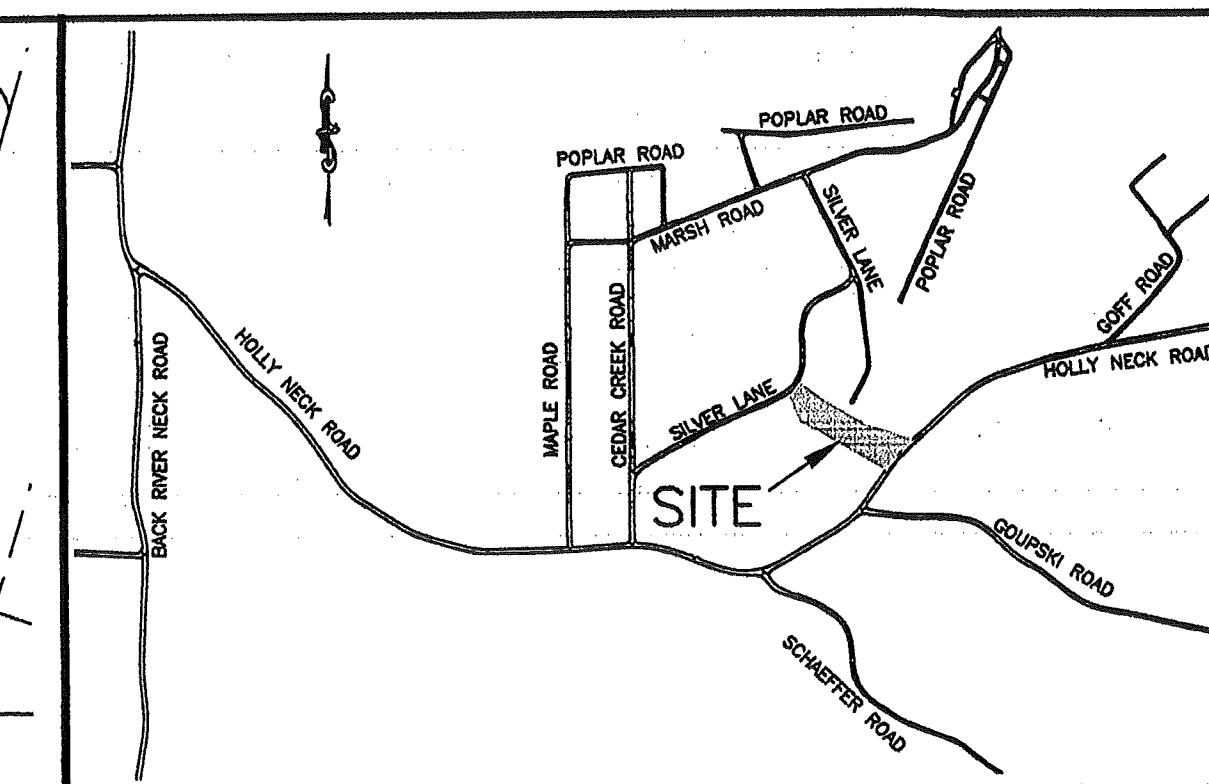
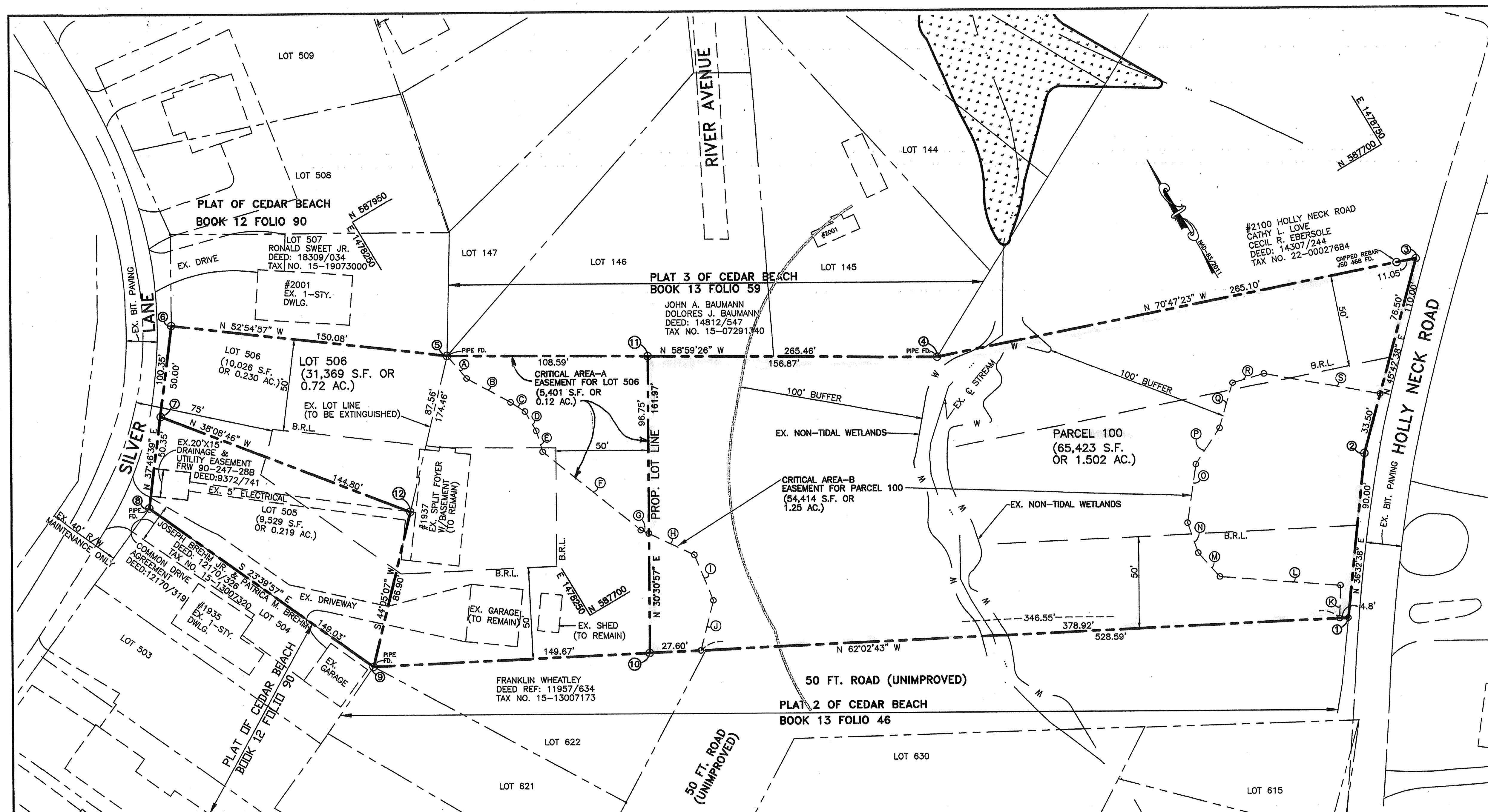
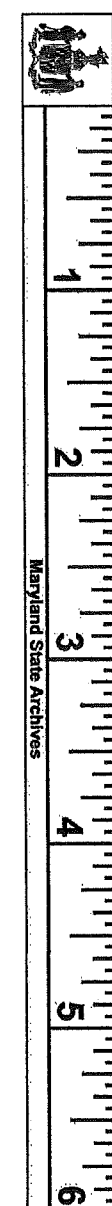
MSA 51236-12620

REVISED 7/8/24
Site PLAN-PARCEL 100
(2052 HOLLYNECK RD)

P242616

MSA 51236-12681

2024-0170-A

VICINITY MAP
SCALE: 1" = 1000'

GENERAL NOTES

- THE OWNER HEREBY RESERVES AND OFFERS FOR DEDICATION TO BALTIMORE COUNTY ALL SUCH RIGHTS OF WAY AND PROPERTY INTERESTS OF ANY KIND DESIGNATED HEREIN OR OTHERWISE REASONABLY DETERMINABLE TO BE INTENDED FOR DEDICATION TO BALTIMORE COUNTY (THE "PROPERTY INTERESTS"). THE PROPERTY INTERESTS MAY INCLUDE, BUT ARE NOT LIMITED TO, HIGHWAYS AND HIGHWAY WIDENINGS, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, SIGHT LINE EASEMENTS, FIRE SUPPRESSION EASEMENTS, FOREST CONSERVATION AREAS IN FEE OR EASEMENT, ACCESS EASEMENTS, FOREST BUFFER AREAS IN FEE OR EASEMENT, CRITICAL AREA EASEMENTS, LOCAL OPEN SPACE, GREENWAY AREAS IN FEE OR EASEMENT, STORM WATER MANAGEMENT AREAS, CONSERVANCY AREAS, AND ANY OTHER SIMILAR RIGHTS OF WAY OR PROPERTY INTERESTS, NO MATTER HOW ENTITLED, EXCEPT FOR THOSE INDICATED AS PRIVATE. THE OWNER SHALL CONVEY SAID PROPERTY INTERESTS BY DEED TO BALTIMORE COUNTY, MARYLAND AT NO COST TO BALTIMORE COUNTY. THE OBLIGATION TO CONVEY SAID PROPERTY INTERESTS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, THE OWNER'S PERSONAL REPRESENTATIVES, SUCCESSORS AND ASSIGNS, UPON FINAL APPROVAL OF THIS PLAT BY THE REQUIRED GOVERNMENTAL AUTHORITIES, AND UNTIL SUCH TIME AS SAID CONVEYANCE IS ACCEPTED BY BALTIMORE COUNTY, THE OWNER AUTHORIZES BALTIMORE COUNTY, ITS AGENTS AND ASSIGNS, TO ENTER UPON THE PROPERTY SHOWN HEREON FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING AND REPAIRING ROADS, UTILITY LINES AND FACILITIES, AND STORM WATER MANAGEMENT PONDS AND FACILITIES, AND FOR OTHER PUBLIC PURPOSES AS REASONABLY NECESSARY. THE PROPERTY SHOWN HEREON SHALL BE SUBJECT TO THE RIGHTS OF BALTIMORE COUNTY IN AND TO THE PROPERTY INTERESTS.
- STREETS AND/OR ROADS SHOWN HEREON AND MENTION THEREOF IN DEEDS ARE FOR PURPOSES OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE. THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.
- THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
- THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
- ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS.
- THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.
- THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY.
- EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT. EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY.
- DEED REFERENCES: 27890/225 & 34752/123
- THIS SITE IS LOCATED IN THE BACK RIVER WATERSHED.
- ZONING: RC-5
- THERE ARE NO TIDAL OR RIVERINE FLOOD PLAINS ON THIS SITE.
- TAX MAP 105, GRID 2, PARCEL 100
LOT 505 & 506 TAX ACC. # 15-19711820
LOT 520 TAX ACC. # 15-19711821
- THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE CRITICAL AREA EASEMENT, EXCEPT AS PERMITTED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY.
- ANY CRITICAL AREA EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
- THERE ARE NON-TIDAL WETLANDS ON SITE.

17. THE APPROVAL OF THIS PLAT IS BASED ON A REASONABLE EXPECTATION THAT THE WATER AND SEWER SERVICE THAT IS PLANNED FOR THIS DEVELOPMENT WILL BE AVAILABLE WHEN NEEDED. HOWEVER, BUILDING PERMITS MAY NOT BE ISSUED UNTIL THE PLANNED WATER AND SEWER FACILITIES ARE COMPLETED AND DETERMINED TO BE ADEQUATE TO SERVE THE PROPOSED DEVELOPMENT.

18. THIS PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE DRC# 050217-LLA, DATED 10/10/17.

THE RECOMMENDATIONS:
MUST COMPLY WITH THE WITH COMMENTS & RESTRICTIONS IN ZONING CASE #2018-0024-SP11

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE LOT CONSOLIDATION AND RECONFIGURATION PLAN DATED: 05/06/19 AND HAVE PREPARED WITH DUE DILIGENCE THIS PLAT.(APPROVED)

Filed for record

JLE LIBER
Date: 79 FOLIO 954
JUL 21 2021Test: Julie E. Enn
Clerk

LR - Plat Fee - 5.00
Subdivision Name: PLAT OF CEDAR BEACH
Ref: 79 - 954
Total: 10.00
07/21/2021 02:23 CC03-J
#1219488 CC0301 - Baltimore County/CC03.01.13 - Register 13

COORDINATE TABLE

POINTS	NORTHING	EASTING
1	587,488.0445	1,478,601.9294
2	587,560.3508	1,478,655.5190
3	587,637.1617	1,478,734.2594
4	587,724.3915	1,478,483.9213
5	587,861.1482	1,478,256.3982
6	587,951.8441	1,478,136.6723
7	587,912.1244	1,478,106.0424
8	587,872.3282	1,478,075.1982
9	587,735.8310	1,478,135.0196
10	587,665.6698	1,478,267.2260
11	587,805.2041	1,478,349.4699
12	587,798.2516	1,478,195.4784

EXISTING LOT AREAS

LOT 505: 9,529 S.F. OR 0.219 AC.
LOT 506: 10,033 S.F. OR 0.230 AC.
PARCEL 100: 86,759 S.F. OR 1.992 AC.
TOTAL: 106,321 S.F. OR 2.441 AC.

NEW LOT AREAS

LOT 505: 9,536 S.F. OR 0.219 AC.
LOT 506: 31,361 S.F. OR 0.720 AC.
PARCEL 100: 65,424 S.F. OR 1.502 AC.
TOTAL: 106,321 S.F. OR 2.441 AC.

BEARINGS & DISTANCES FOR CRITICAL AREA EASEMENT

A	S 09°56'40" E	16.22'	J	S 44°46'33" W	28.38'
B	S 30°36'14" E	27.19'	K	N 32°39'37" E	17.90'
C	S 25°21'39" E	9.13'	L	N 55°01'45" W	65.40'
D	S 00°58'53" W	12.19'	M	N 11°00'39" W	17.63'
E	S 14°11'40" W	11.91'	N	N 11°41'01" E	17.31'
F	S 20°20'29" E	68.21'	O	N 38°55'07" E	32.28'
G	S 35°17'11" E	4.86'	P	N 63°53'33" E	23.44'
H	S 33°54'13" E	27.02'	Q	N 47°01'56" E	25.68'
I	S 08°14'30" W	26.82'	R	S 75°36'25" E	17.79'

DEDICATION TABLE

TYPE OF CONVEYANCE	NO.	TOTAL AREA (AC.)
CRITICAL AREA EASEMENT	2	1.37

PWA COMPLETED
ZONING JCM 6/1/21
DEV. DESIGN MCD 4/26/2021
DEV. ENGINEER RSD 4-23-21
STREETS, NUMBERING JCM 6/1/21
REAL ESTATE COMPLIANCE MCD 5-14-21
PARKS & RECREATION JCM 4-24-2021

APPROVED BY THE DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS PURSUANT TO SECTION 32-4-272, BALTIMORE COUNTY CODE:

For: JCM dev. mar. 7/10/21
DIRECTOR OF DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS DATE

APPROVED: OK JCM
DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY DATE 5/15/21
M180008

COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE MARYLAND COORDINATE SYSTEM NAD 83/2011, BASED UPON THE FOLLOWING REFERENCE STATIONS:

POINT	NORTHING	EASTING
GIS-64	586,909.46	1,477,981.23
AZ-64	587,302.05	1,478,467.82

OWNER'S CERTIFICATE

THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS PLAT HEREBY CERTIFY THAT, TO THE BEST OF THEIR KNOWLEDGE, THE REQUIREMENTS OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INsofar AS SAME CONCERNS THE MAKING OF THE PLAT AND SETTING OF THE MARKERS.

Deborah J. Cascio-Owner 1/12/21
DEBORAH J. CASCIO
OWNER(S) TITLE DATE

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY INsofar AS THE SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

Brian Dietz 1-11-2021
BRIAN DIETZ
PROFESSIONAL LAND SURVEYOR NO. 21080 EXPIRED DATE: 02/12/23

SURVEYOR'S SEAL



OWNER

DEBORAH J. CASCIO & TERR L. MILLER
#1937 SILVER LANE
BALTIMORE, MARYLAND 21221
TELEPHONE 410-391-7824

COMPUTED BY: N.W.B.
CHECKED BY: BRIAN DIETZ
DRAWN BY: N.W.B.

FOR LOT LINE ADJUSTMENT ONLY.

FIRST AMENDMENT OF LOTS 505, 506, ON A PLAT OF CEDAR BEACH PLAT BOOK 12, FOLIO 90 (OCTOBER 08, 1919)

PLAT OF CEDAR BEACH

15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND 21221

SHEET 1 OF 1 SCALE: 1" = 30' DATE: 01/07/21

Bafitis & Associates, LLC.

1249 Engleberth Rd. Baltimore, MD 21221

William N. Bafitis, P.E.
PRESIDENT
Civil Engineers/Land Planners
SURVEYORS
(410) 391-2336

MSA 51236-12681

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: July 30, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0170-A

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

DPR: No comment.

DPW-T: The property is within the Tidal Special Flood Hazard Area Zone AE (BFE=8.5) per panel FIRM 2400100445F 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 comment LOS & No Greenways affected.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 8/2/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0170-A

INFORMATION:

Property Address: 2052 Holly Neck Road
Petitioner: Deborah J. Cascio and James C. Taylor
Zoning: RC 5
Requested Action: Variance

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

Variance - From Section(s) BCZR 1A04.3.B.2.b. to approve a proposed dwelling with a setback of 46 ft in lieu of the required 150 ft from the center line of any collector road (Holly Neck Rd)

The subject property is located on the east side of Silver Lane, 933 feet northeast of the centerline of Cedar Creek Road in the Essex area of Baltimore County. It encompasses approximately 115,702 square feet and is zoned RC 5. The applicant intends to build a single-family dwelling on the property. The property is surrounded by detached residential dwellings, agricultural activities, and areas designated for forest conservation and forest buffer easements.

The R.C.5 zoning classification was established in response to concerns over wasteful and disorderly rural-residential development and inadequate lot sizes for on-lot sewer and water systems. These issues could result in undue financial hardships and negatively affect the safety and welfare of citizens. In identifying specific areas suitable for rural-residential development, the aim is to direct future growth towards these areas and prevent disorderly development patterns. The R.C.5 zoning classification serves to provide suitable areas for rural-residential development, minimize encroachments on natural resource areas, and provide a minimum lot size for proper on-lot sewer and water system functioning.

The subject property has a zoning history where, on September 14th, 2017, the Administrative Law Judge approved a Special Hearing request. The request included merging Lots 505 and 506 due to the existing driveway, increasing the size of Lot 506 from 0.23 acres to 0.94 acres, and permitting the combined area of Lots 505 and 506 to total 1.15 acres, instead of the required 1.5 acres for undersized lots in an RC 5 zone.

The applicant cited the following practical hardships and justifications regarding this variance request:

1. Without the requested variance, the property would be unbuildable. Constructing the proposed modest home of 1,344 sq. ft., including a garage, would not be feasible.

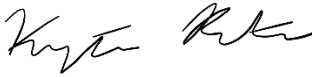
2. The requested variance aligns with the character of adjoining properties in the neighborhood. Some properties are close to the road, while others are not, as evidenced by the attached pictures.
3. The hardship is not a result of any actions by the purchaser/builder.
4. The property will be used for a single-family home. The proposed home will be a well-received addition to the community, with a height not exceeding 29 feet, an off-street driveway for safe parking, and a mailbox at the front.
5. The proposed house will fit well with the existing community, which includes relatively new adjoining properties and some well-kept older homes.

The Department of Planning believes that the requested relief is consistent with similar requests and designs in the neighborhood and does not alter the character of the RC 5 zone. The Department has no objections to this variance request, subject to the following conditions:

1. This site is subject to the RC 5 Performance Standards as listed in Section 1A04.4 of the BCZR.
2. A detailed architectural elevation must be submitted to the Department of Planning for review at permitting.
3. The Petitioners or subsequent owners shall not convert the proposed garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area or kitchen facilities.
4. The garage shall not be used for commercial purposes.

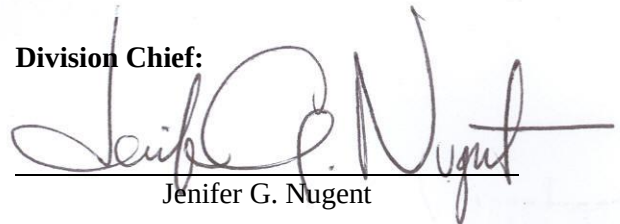
For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Leonard Sligh, Representative
Maria Mougridis, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)
[View GroundRent Redemption](#)
[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 18 Account Number - 1519711821

Owner Information

Owner Name: CASCIO DEBORAH J Use: RESIDENTIAL
TAYLOR JAMES C Principal Residence: NO
Mailing Address: 1937 SILVER LANE Deed Reference: /46275/ 00423
BALTIMORE MD 21221-6133

Location & Structure Information

Premises Address: HOLLY NECK RD Legal Description:
BALTIMORE 21221- CEDAR BEACH

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0105 0002 0100 15080077.04 0000 520 2024 Plat Ref: 0012/ 0090

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
2,2600 AC 04

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements

Value Information

	Base Value	Value As of 01/01/2024	Phase-in Assessments As of 07/01/2023	As of 07/01/2024
Land:	46,200	47,900		
Improvements	0	0		
Total:	46,200	47,900	46,200	46,767
Preferential Land:	0	0		

Transfer Information

Seller:	Date:	Price:
CASCIO DEBORAH J	01/25/2022	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /46275/ 00423	Deed2:
Seller: MILLER ALBERT W 3RD	Date: 03/10/2014	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /34752/ 00123	Deed2:
Seller: CASCIO DEBORAH J	Date: 04/07/2009	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /27890/ 00230	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

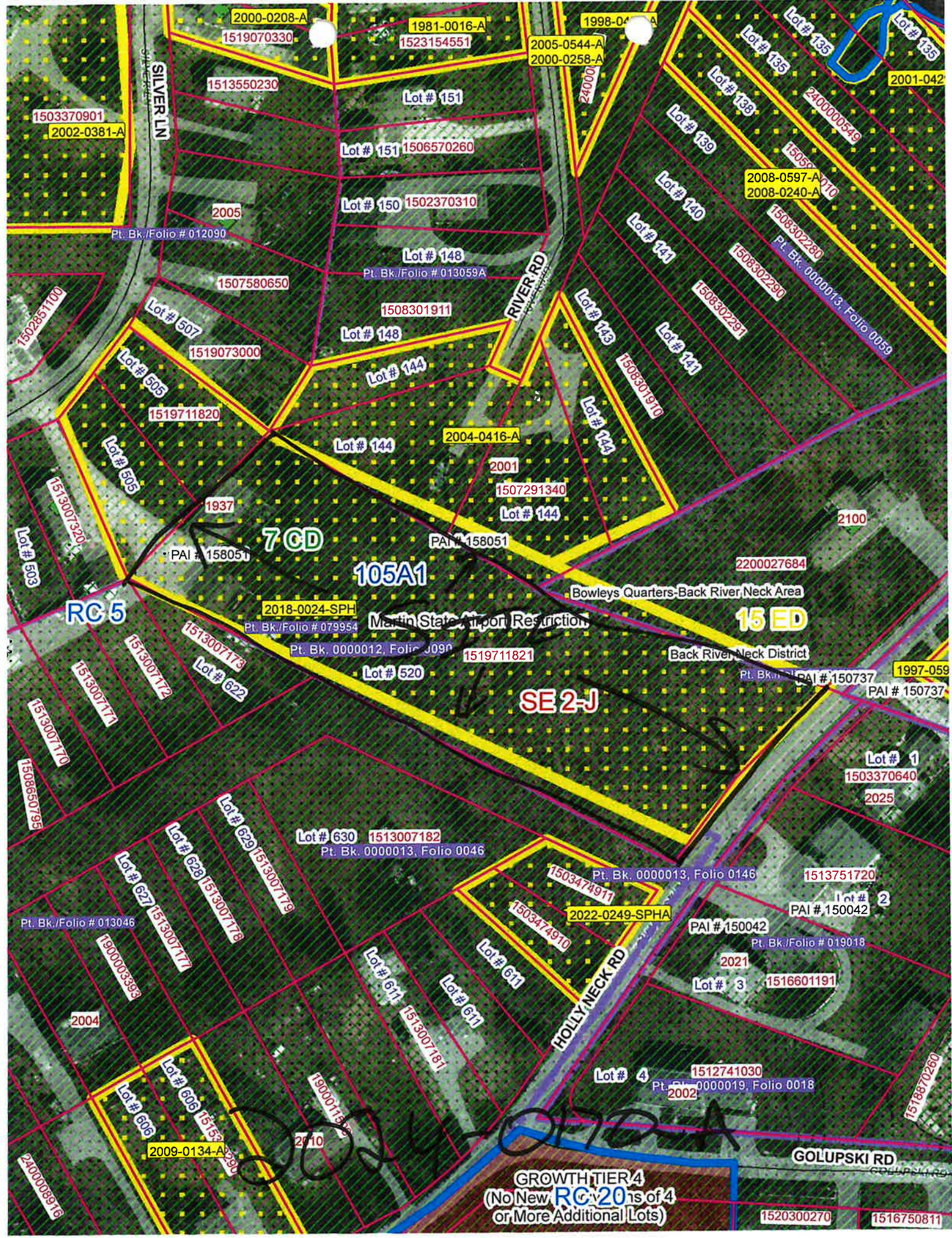
Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2024-0170A



GROWTH TIER 4
(No New RC 20s of 4
or More Additional Lots)