



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

November 4, 2024

Taylor Lambert – [taylorrae12393@yahoo.com](mailto:taylorrae12393@yahoo.com)  
Ethan Adams  
2010 Golupski Road  
Essex, MD 21221

RE: Petition for Variance  
Case No. 2024-0202-A  
Property: 2025 River 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 black ink, appearing to be "Derek J. Baumgardner", written over a horizontal line.

DEREK J. BAUMGARDNER  
Administrative Law Judge  
for Baltimore County

DJB:dlm  
Enclosure  
c: Ryland Zuniga – [rylieroni@gmail.com](mailto:rylieroni@gmail.com)

<b>IN RE: PETITION FOR VARIANCE</b>	*	BEFORE THE
<b>(2025 River Road)</b>		
15 <sup>th</sup> Election District	*	OFFICE OF ADMINISTRATIVE
7 <sup>th</sup> Council District		
Taylor Lambert and Ethan Adams	*	HEARINGS OF
<i>Legal Owners</i>		
	*	BALTIMORE COUNTY
<b>Petitioners</b>	*	<b>CASE NO. 2024-0202-A</b>

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by Taylor Lambert and Ethan Adams (“Petitioners”), owners of the property located at 2025 River Road, Essex (the “Property”). Petitioners are requesting Variance relief from Baltimore County Zoning Regulations (“BCZR”) §§ 1A04.3.B.2.b and 1A04.3.B.3 to permit a proposed replacement dwelling with a side setback of 15 ft. for both sides in lieu of the required 50 ft.; to permit a rear yard setback of 31 ft. in lieu of the required 50 ft.; and to permit a front street setback of 34 ft. to the centerline in lieu of the required 75 ft.; and to permit 30% lot coverage in lieu of the maximum permitted lot coverage of 15%.

A public hearing was conducted on October 18, 2024, using the virtual platform WebEx in lieu of an in-person hearing. The Petition was properly advertised and posted. The Petitioners appeared *pro se* and no other interested persons attended the hearing.

The following exhibits were submitted by Petitioners and admitted into the record: (1) Site Plan; and (2) site photographs (a)-(d). The following Zoning Advisory Committee (“ZAC”) comments were received from county agencies and admitted into the record: (1) Department of Planning (“DOP”); Department of Plans Review (“DPR”); and (3) Department of Environmental Protection & Sustainability (“DEPS”). ZAC comments do not indicate any agency objections to

the requested relief.

### **Findings of Fact**

The subject property is approximately 12,708 sq. ft. in land area and is zoned in RC-5. The Property was platted in 1942. The Property has a positive zoning history in that similar relief was requested and approved in 2018 pursuant to OAH Case No. 2018-0182-A. Work on the property did not move forward at that time. The subject Petition proposes similar relief albeit with minor modifications to the Site Plan approved in Case No. 2018-0182-A. The Property was previously improved with a single-family dwelling that had deteriorated and was razed. The Petition proposes a new single-family dwelling. The property is irregular in shape and surrounding single-family residential dwellings are of similar size, siting, and character. While not located in any buffer, the Property is located within the LDA of the Chesapeake Bay Critical Area. *See* County Exhibit 3.

### **Conclusions of Law**

Petitioners are requesting variance relief from Baltimore County Zoning Regulations (“BCZR”) §§ 1A04.3.B.2.b and 1A04.3.B.3 to permit a proposed replacement dwelling with a side setback of 15 ft. for both sides in lieu of the required 50 ft.; to permit a rear yard setback of 31 ft. in lieu of the required 50ft.; and to permit a front street setback of 34 ft. to the centerline in lieu of the required 75 ft.; and to permit 30% lot coverage in lieu of the maximum permitted lot coverage of 15%. Pursuant to BCZR § 307.1, “...the [Administrative Law Judge] shall have ...the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the BCZR would result in practical difficulty or unreasonable hardship...Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area,

off-street parking or sign regulations, and only in such manner as to grant relief without injury to public health, safety and general welfare...” 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).

Having been platted in 1942, I find that the Property remains unique from the prior 2018 Order because of the property’s irregular shape. For this reason, I find that special circumstances or conditions exist that are peculiar to this property and strict compliance with the substantial setbacks of the RC-5 zone would result in practical difficulty. There is no credible evidence in this record to indicate that the variances proposed would have any adverse impacts on the health, safety, or general welfare of adjacent property owners or others in the community. The proposed single-family dwelling is in keeping with the size, siting, and character of surrounding single-family dwellings. For these reasons, I also find that the requested variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare.

THEREFORE, IT IS ORDERED, this 4<sup>th</sup> day of **November, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variances pursuant to (“BCZR”) §§ 1A04.3.B.2.b and 1A04.3.B.3 to permit a proposed replacement dwelling with a side setback of 15 ft. for both sides in lieu of the required 50 ft.; to permit a rear yard setback of 31 ft. in lieu of the required 50ft.; to permit a front street setback of 34 ft. to the centerline in lieu of the required 75 ft.; and to permit 30% lot coverage in lieu of the maximum permitted lot coverage of 15% shall

be GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners must comply with the DEPS comment, a copy of which is 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.



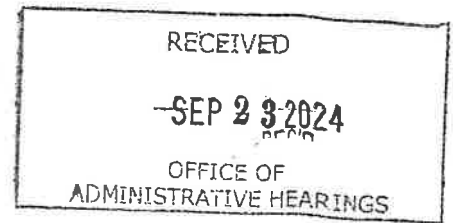
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DEREK J. BAUMGARDNER  
Administrative Law Judge for  
Baltimore County

DJB/dlm

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: September 23, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0202-A  
Address: 2025 RIVER ROAD  
Legal Owner: Taylor Lambert, Ethan Adams

Zoning Advisory Committee Meeting of September 20, 2024.

DEPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in 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. Based on the plan, Critical Area law limits the total lot coverage on the property to 25%, or a maximum of 31.25% with mitigation for the amount allowed over 25%. All future plans must show an accurate area of the property, and all lot coverage proposed to be on the site (a driveway, walks, patios, sheds, etc.). In addition, the site must meet the 15% forest requirement. If the LDA lot coverage and forest requirements can be met, the proposed development with the Zoning relief requested can minimize water quality impacts. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17).

2. Conserve fish, wildlife, and plant habitat; and

The property is not waterfront and there are no habitat protection areas on site. Development must meet Critical Area lot coverage, forest/tree requirements, and any mitigation requirements. Therefore, fish, plant, and wildlife habitat in the Chesapeake Bay watershed can be conserved if all Critical Area requirements are met.

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.

The applicant's proposal to develop the site can be consistent with this goal if development can comply with all Critical Area requirements.

Reviewer: Paul Dennis, Environmental Impact Review



# 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 2025 River Rd Essex MD 21221 Currently Zoned RC 5  
Deed Reference 40086 / 00354 10 Digit Tax Account # 2100013271  
Owner(s) Printed Name(s) Taylor Lambert, Ethan Adams

(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) See Attachment

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)

Property is to be posted and advertised as prescribed by the zoning regulations.  
I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.  
**Legal Owner(s) Affirmation:** I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

### Contract Purchaser/Lessee:

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

### Legal Owners (Petitioners):

Taylor Lambert , Ethan Adams  
Name #1 - Type or Print Name #2 - Type or Print  
Taylor Lambert , ETHAN ADAMS  
Signature #1 Signature #2  
2010 Golupski Rd Essex MD  
Mailing Address City State  
21221 , 443.824.5500 , taylorrae12393@yahoo.com  
Zip Code Telephone #'s (Cell and Home) Email Address

### Attorney for Petitioner:

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

### Representative to be contacted:

Taylor Lambert  
Name - Type or Print  
Taylor Lambert  
Signature  
2010 Golupski Rd Essex MD  
Mailing Address City State  
21221 , 443.824.5500 , taylorrae12393@yahoo.com  
Zip Code Telephone # Email Address

Case Number 2024-0202-A Filing Date 8 / 26 / 2024 Do Not Schedule Dates \_\_\_\_\_ Reviewer JK





# PETITION FOR ZONING HEARING(S)

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Signature \_\_\_\_\_  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Zip Code \_\_\_\_\_ Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_

### Legal Owners (Petitioners):

Taylor Lambert | Ethan Adams  
Name #1 - Type or Print Name #2 - Type or Print  
Taylor Lambert | ETHAN ADAMS  
Signature #1 Signature #2  
2010 Golupski Rd Essex MD  
Mailing Address City State  
21221 | 443.824.5500 | taylorrae12393@  
Zip Code Telephone #'s (Cell and Home) Email Address Yahoo.com

### Attorney for Petitioner:

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

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Case Number 2024-0202-A Filing Date 8 / 26 / 2024 Do Not Schedule Dates \_\_\_\_\_ Reviewer JK

Variance from sections: 1A04.3.B.2.b & 1A04.3.B.3, BCR

To permit a proposed <sup>replacement</sup> dwelling with a side setback of 15 feet for both sides in lieu of the required 50 feet. Also, to permit a rear yard setback of 31 feet in lieu of the required 50 feet and to permit a front street setback of 34 feet to the center line in lieu of the required 75 feet and permit 30% coverage in lieu of the maximum 15%.

### The Zoning Petition Property Description

#### PART A

Zoning Property Description for 2025 River Road, Essex, MD, 21221

Beginning at a point on the west side of River Road, which is 20 feet wide and right of way at a distance of 50 feet north of the centerline of the nearest improved intersecting street silver lane which is 20 feet wide.

#### PART B

Being Lot# (6D and 7D), Block (N/A), Section (N/A) in the subdivision of (Cedar Beach) as recorded in Baltimore County Plat Book# (13), Folio# (59), containing (.2917 acres of lot).

Located in the (15) Election District and (7) Council District.

Variance from sections: 1A04.3.B.2.b & 1A0~~4~~.3.B.3, BCR

To permit a proposed <sup>replacement</sup> dwelling with a side setback of 15 feet for both sides in lieu of the required 50 feet. Also, to permit a rear yard setback of 31 feet in lieu of the required 50 feet and to permit a front street setback of 34 feet to the center line in lieu of the required 75 feet and permit 30% coverage in lieu of the maximum 15%.

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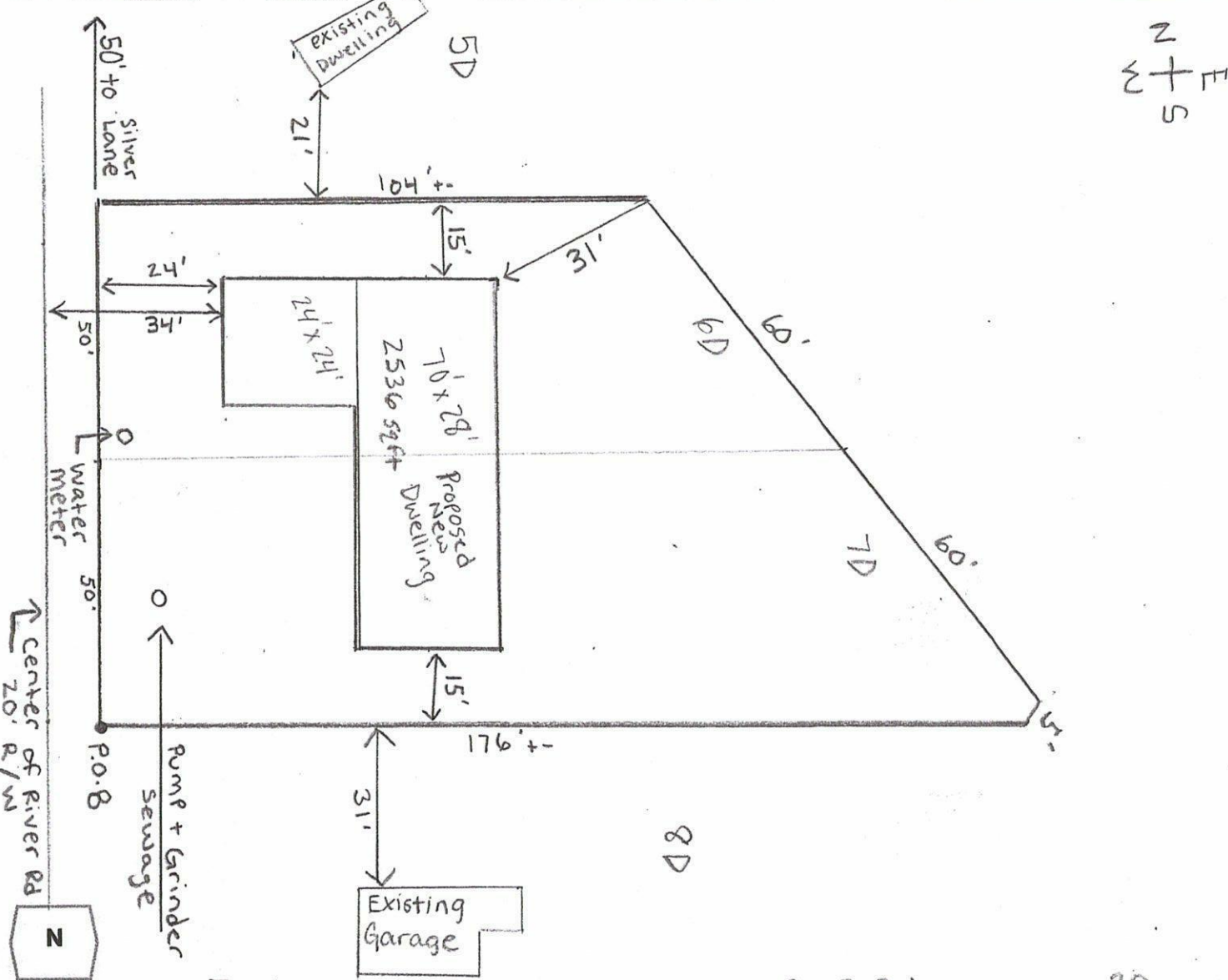
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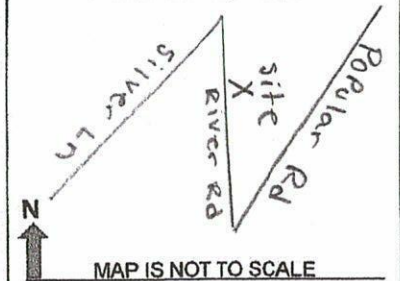
Located in the (15) Election District and (7) Council District.

Zoning Hearing Plan for Variance X for Special Hearing \_\_\_\_\_ Mark Type Requested with (X)  
 Address 2025 River Rd, Essex MD 21221 Owners(s) Name(s) Taylor Lambert, Ethan Adams  
 Subdivision Name Cedar Beach Lot # 6D, 7D Block # \_\_\_\_\_ Section # \_\_\_\_\_  
 Plat Book # 000013 Folio # 0059 10 Digit Tax # 2100013271 Deed Reference# 40086100354



2  
3  
5  
E  
S

Site Vicinity Map



Zoning Map # 0105  
 Zoning RC 5  
 Election District 15  
 Council District 7  
 Lot Area Acreage 1.2917  
 Lot Square Footage 12708  
 Historic (Yes or No) NO  
 CBCA (Yes or No) Yes  
 Flood Plain (Yes or No) NO  
 Utilities – Mark with (X)

Water is:  
 Public  Private \_\_\_\_\_  
 Sewer is:  
 Public  Private \_\_\_\_\_  
 Prior Hearing (Yes or No) Yes  
 If (Yes) list Case Number(s)

and order result(s) below:  
2018-0182-A  
Variance Granted

Violation Case Number(s)  
 \_\_\_\_\_  
 \_\_\_\_\_

Plan Drawn By Taylor Lambert Date 8-15-24 Scale: 1 inch = 30 Feet



**Permits, Approvals and  
Inspections**

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

Cashier: Jason S.  
19-Aug-2024 1:19:08P

Transaction **102472**  
1 Petition Before ALJ \$75.00

**Total \$75.00**

DEBIT CARD SALE \$75.00  
VISA 8298

Retain this copy for statement  
validation

Station: Permit Processing - Mini

19-Aug-2024 1:19:28P  
\$75.00 | Method: EMV  
US DEBIT XXXXXXXXXXXX8298  
TAYLOR LAMBERT  
Reference ID: 423200567946  
Auth ID: 001544  
MID: \*\*\*\*\*2995  
AID: A0000000980840  
AthNtwkNm: PAVD  
RtInd: DEBIT  
PIN VERIFIED

Clover ID: KQHE7EVWD7REY  
Payment F8WPZHQ7F4VFP

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

**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: 2025 River Rd Essex, MD 21221  
Legal Owners (Petitioners): Taylor Lambert, Ethan Adams  
Contract Purchaser/Lessee: \_\_\_\_\_

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Taylor Lambert  
Address: 2010 Golupski Rd Essex MD 21221  
\_\_\_\_\_  
\_\_\_\_\_  
Telephone Number: 443-824-5500

\*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.



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 - 2100013271

**Owner Information**

Owner Name: ADAMS ETHAN WAYNE      Use: RESIDENTIAL  
 LAMBERT TAYLOR RAE      Principal Residence: NO  
 Mailing Address: 2010 GOLUPSKI RD      Deed Reference: /40086/ 00354  
 BALTIMORE MD 21221-

**Location & Structure Information**

Premises Address: 2025 RIVER RD      Legal Description: LTS 6D-7D .2917 AC  
 BALTIMORE 21221-6131      2025 RIVER RD  
 CEDAR BEACH

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:  
 0105 0002 0307 15080077.04 0000 2024 Plat Ref: 0013/ 0059

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use  
 1947 1,590 SF 12,708 SF 04

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements  
 1 NO STANDARD UNITSIDING/2 1 full

**Value Information**

	Base Value	Value	Phase-in Assessments	
			As of	As of
Land:	78,400	82,800	07/01/2024	07/01/2025
Improvements	0	0		
Total:	78,400	82,800	79,867	81,333
Preferential Land:	0	0		

**Transfer Information**

Seller: MAXWELL CANDIE      Date: 03/28/2018      Price: \$69,500  
 Type: NON-ARMS LENGTH OTHER      Deed1: /40086/ 00354      Deed2:  
 Seller: MAXWELL CANDIE AKA CANDIS      Date: 12/05/2001      Price: \$0  
 MAXWELL      Deed1: /15824/ 00256      Deed2:  
 Type: NON-ARMS LENGTH OTHER  
 Seller: MATZDORF ALAN P      Date: 06/09/1992      Price: \$42,000  
 Type: ARMS LENGTH IMPROVED      Deed1: /09214/ 00010      Deed2:

**Exemption Information**

Partial Exempt Assessments: Class 07/01/2024 07/01/2025  
 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: Denied 08/13/2024

**Homeowners' Tax Credit Application Information**

Homeowners' Tax Credit Application Status: No Application Date:



**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: September 23, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0202-A  
Address: 2025 RIVER ROAD  
Legal Owner: Taylor Lambert, Ethan Adams

Zoning Advisory Committee Meeting of September 20, 2024.

DEPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in 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. Based on the plan, Critical Area law limits the total lot coverage on the property to 25%, or a maximum of 31.25% with mitigation for the amount allowed over 25%. All future plans must show an accurate area of the property, and all lot coverage proposed to be on the site (a driveway, walks, patios, sheds, etc.). In addition, the site must meet the 15% forest requirement. If the LDA lot coverage and forest requirements can be met, the proposed development with the Zoning relief requested can minimize water quality impacts. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17).

2. Conserve fish, wildlife, and plant habitat; and

The property is not waterfront and there are no habitat protection areas on site. Development must meet Critical Area lot coverage, forest/tree requirements, and any mitigation requirements. Therefore, fish, plant, and wildlife habitat in the Chesapeake Bay watershed can be conserved if all Critical Area requirements are met.

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.

The applicant's proposal to develop the site can be consistent with this goal if development can comply with all Critical Area requirements.

Reviewer: Paul Dennis, Environmental Impact Review

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE MEMORANDUM

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

**DATE:** 9/23/2024

**FROM:** Steve Lafferty  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 2024-0202-A

**INFORMATION:**

**Property Address:** 2025 River Road  
**Petitioner:** Taylor Lambert  
**Zoning:** RC 5  
**Requested Action:** Variance

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

*Variance* - To permit a proposed replacement dwelling with a side setback of 15 feet for both sides in lieu of the required 50 feet. Also, to permit a rear yard setback of 31 feet in lieu of the required 50 feet and to permit a front street setback of 34 feet to the center line in lieu of the required 75 feet and permit 30% coverage in lieu of the maximum 15%

The subject property is located in the Essex area of Baltimore County. It encompasses approximately 12,708 square feet and is zoned RC 5. The applicant intends to replace the existing dwelling constructed in 1947 with a newer one. The property is surrounded by detached residential dwellings, agricultural activities, forest conservation, middle river and light industrial activities.

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 (2018 – 0182-A) where, on March 9<sup>th</sup> 2018, the Administrative Law Judge approved a similar variance request. The request included allowing for a new dwelling with side yard setbacks of 19 feet and a rear yard setback of 43 feet, instead of the mandated 50 feet, as well as a front street setback of 35 feet instead of the usual 75 feet. It also sought approval for 30% lot coverage, which exceeds the typical maximum of 15%.

According to the Administrative Law Judge's Opinion and Order of March 9<sup>th</sup> 2018, the property is noted for its unique, irregular dimensions. Strict application of the regulations would result in practical difficulties for the petitioners in constructing the proposed dwelling. It had been determined that the

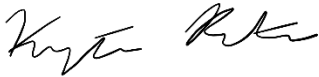
requested variances align with the BCZR's objectives and can be approved without compromising public health, safety, or general welfare.

In 2018, the Department of Planning visited the site for Case 2018-0182-A. Many homes in the neighborhood had similar improvements and setbacks. The Department believes that the requested variance fits well with the existing neighborhood designs and does not alter the character of the RC 5 zone. The Department approves the variance request under 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.

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

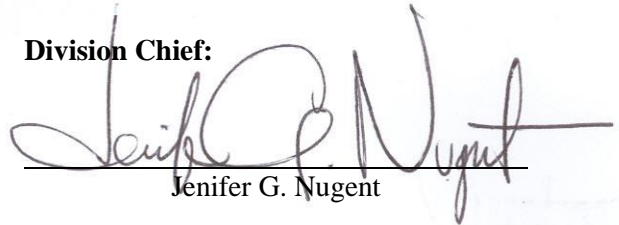
**Prepared by:**



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Krystle Patchak

**Division Chief:**



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Jenifer G. Nugent

SL/JGN/KP

c: Taylor Lambert  
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**

**INTEROFFICE CORRESPONDENCE**

**TO:** Peter Gutwald, Director  
Department of Permits, Approvals

**DATE:** September 16, 2024

**FROM:** Vishnu Desai, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
Case 2024-0202-A

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

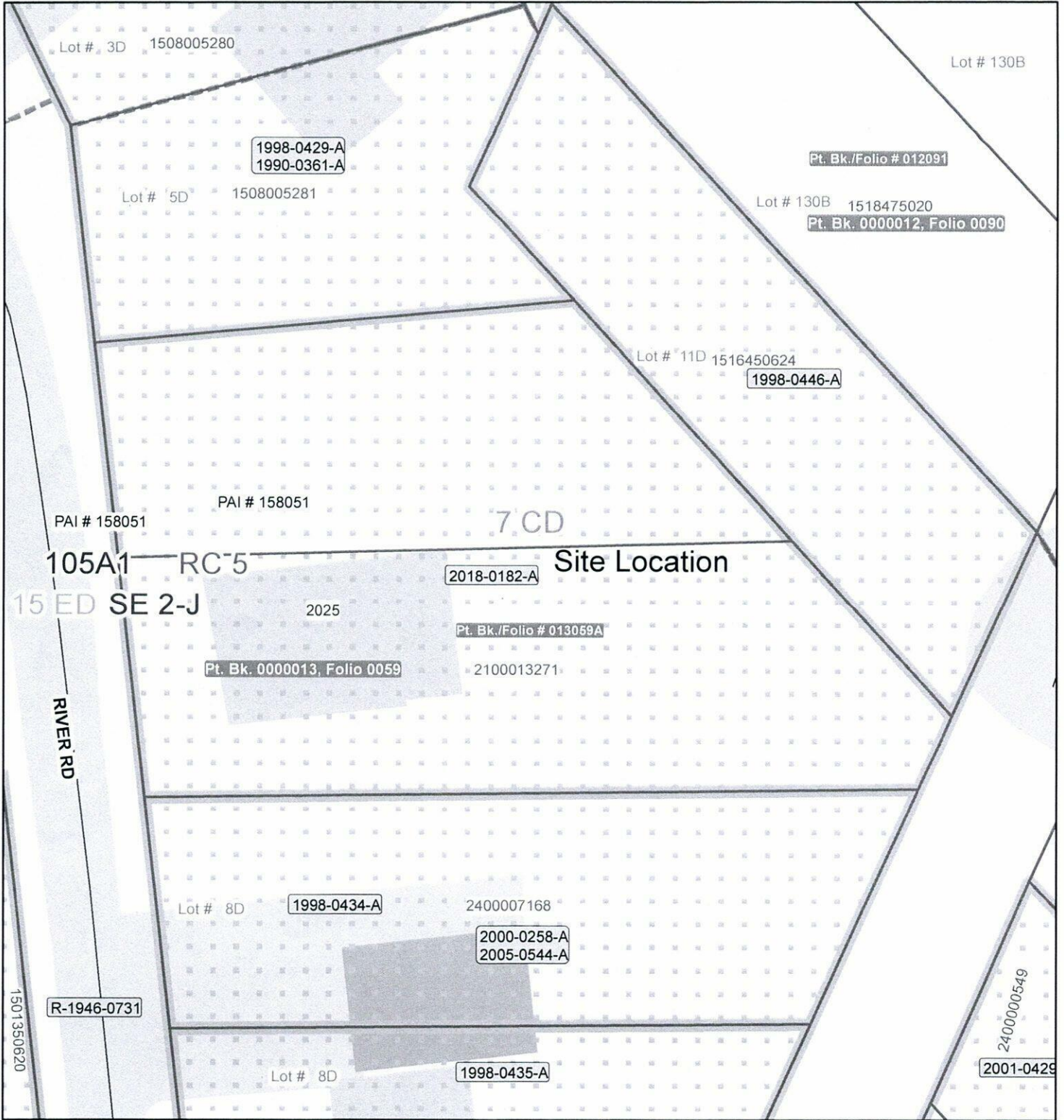
**DPR:** No comment.

**DPW-T:** No exception taken.

**Landscaping:** No comment.

**Recreations & Parks:** No comment LOS & No Greenways affected.

# 2025 River Rd



Publication Date: 8/27/2024



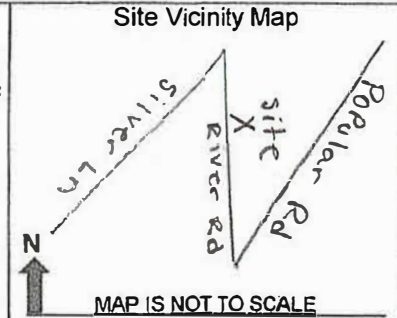
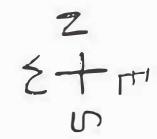
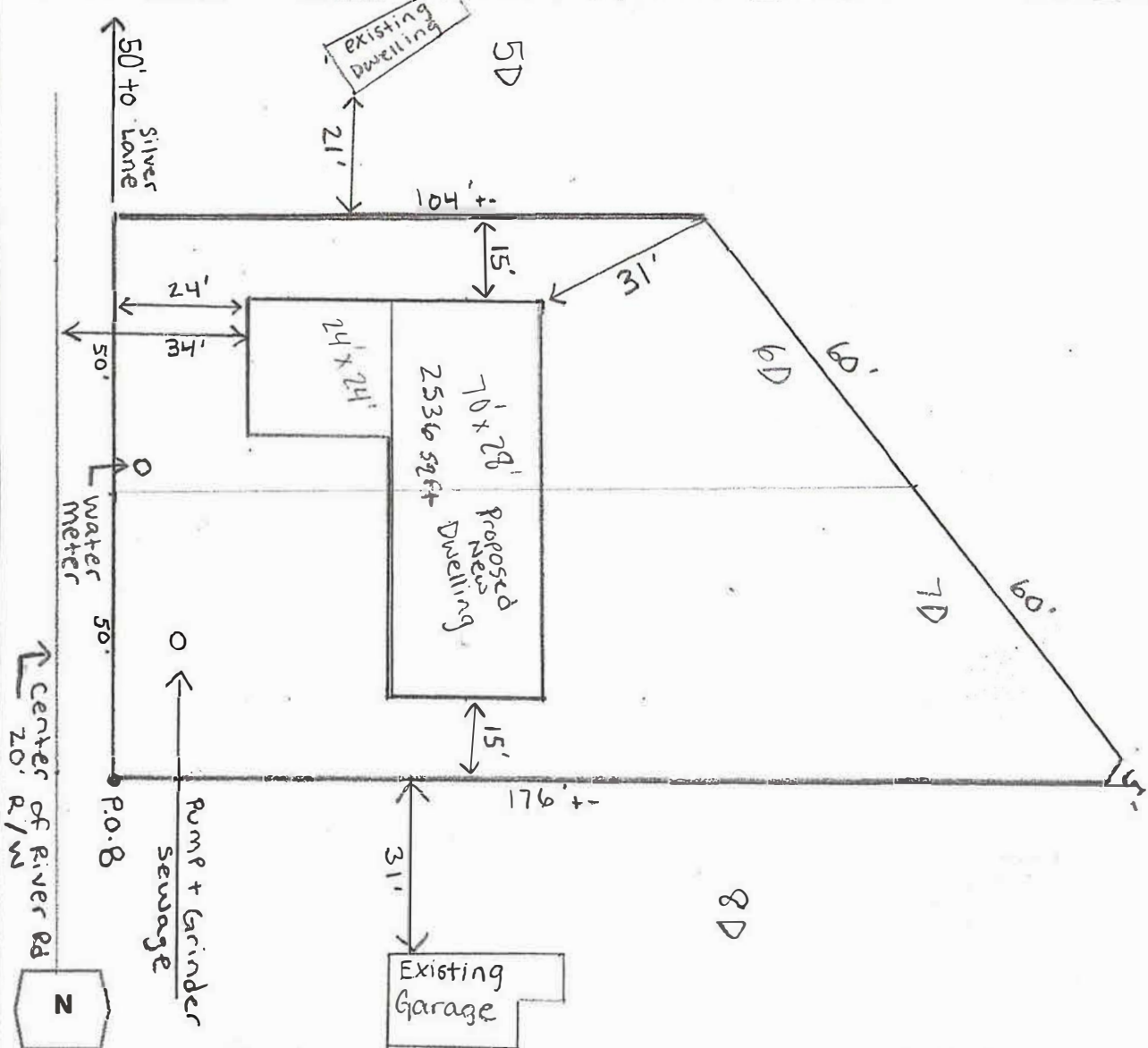
Publication Agency: Permits, Approvals & Inspections  
Projection/Datum: Maryland State Plane,  
FIPS 1900, NAD 1983/91 HARN, US Foot



0 5 10 20 30 40  
Feet

1 inch = 30 feet

Zoning Hearing Plan for Variance X for Special Hearing \_\_\_\_\_ Mark Type Requested with (X)  
 Address 2025 River Rd, Essex MD 21221 Owners(s) Name(s) Taylor Lambert, Ethan Adams  
 Subdivision Name Cedar Beach Lot # 6D, 7D Block # \_\_\_\_\_ Section # \_\_\_\_\_  
 Plat Book # 000013 Folio # 0059 10 Digit Tax # 2100013271 Deed Reference# 40086100354



Site Vicinity Map  
 Zoning Map # 0105  
 Zoning RC 5  
 Election District 15  
 Council District 7  
 Lot Area Acreage .2917  
 Lot Square Footage 12708  
 Historic (Yes or No) NO  
 CBCA (Yes or No) Yes  
 Flood Plain (Yes or No) NO

Utilities – Mark with (X)  
 Water is:  
 Public X Private \_\_\_\_\_  
 Sewer is:  
 Public X Private \_\_\_\_\_  
 Prior Hearing (Yes or No) Yes  
 If (Yes) list Case Number(s)  
 and order result(s) below:  
2018-0182-A  
Variance Granted

Violation Case Number(s)  
 \_\_\_\_\_  
 \_\_\_\_\_

Plan Drawn By Taylor Lambert Date 8-15-24 Scale: 1 inch = 30 Feet