

UH  
comment  
8/20/05

UH  
comment  
6/29/05

BC 347-05    Langrill, Michael  
SUB

MSA-S-1829-4810

Robert L. Ehrlich, Jr.  
Governor

Michael S. Steele  
Lt. Governor



Martin G. Madden  
Chairman

Ren Serey  
Executive Director

**STATE OF MARYLAND  
CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

1804 West Street, Suite 100, Annapolis, Maryland 21401  
(410) 260-3460 Fax: (410) 974-5338  
[www.dnr.state.md.us/criticalarea/](http://www.dnr.state.md.us/criticalarea/)

June 29, 2005

Mr. Michael Kulis  
Baltimore County DEPRM  
401 Bosley Avenue, Suite 416  
Towson, Maryland 21204

Re: Langrill Property – Revised Plan

Dear Mr. Kulis:

I have received a revised plan for the above-referenced subdivision and variance request. It appears the comments of my last letter dated May 26, 2005 were not addressed with the resubmittal. Please have the applicant respond to those issues. In regard to the variance to continue an existing use in the 100-foot Buffer, this office offers no objections.

Thank you for the opportunity to comment. Please telephone me if you have any questions concerning the above comments at (410) 260-3478.

Sincerely,

A handwritten signature in cursive script that reads "Lisa A. Hoerger".

Lisa A. Hoerger  
Natural Resources Planner

cc: BC 347-05

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May 26, 2005

Mr. Michael Kulis  
Baltimore County DEPRM  
401 Bosley Avenue, Suite 416  
Towson, Maryland 21204

Re: Langrill Property

Dear Mr. Kulis:

I have received the above-referenced subdivision request. The applicant proposes to create two lots in the Limited Development Area. I have outlined my comments below.

1. The impervious surface calculations do not appear to include the driveways serving each lot. Does the County consider these gravel drives impervious or pervious? If impervious, please have the applicant recalculate existing impervious figures.
2. A note appears on the plan that addresses clearing however; the plan does not mention whether any clearing will be necessary with the construction of the dwelling on proposed lot 2. Please have the applicant clarify this issue.

Thank you for the opportunity to comment. Please telephone me if you have any questions concerning the above comments at (410) 260-3478.

Sincerely,

A handwritten signature in cursive script that reads "Lisa A. Hoerger".

Lisa A. Hoerger  
Natural Resources Planner

cc: BC 347-05

**Department of Environmental Protection  
and Resource Management**

401 Bosley Avenue, Suite 416  
Towson, Maryland 21204



BC 347-05  
**Baltimore County**

*James T. Smith, Jr., County Executive  
David A.C. Carroll, Director*

**RECEIVED**

JUL 26 2005

CRITICAL AREA COMMISSION

July 18, 2005

Mr. George Langrill  
2708 Sams Creek Road  
New Windsor, MD 21776

Re: 736 Sue Grove Road  
Critical Area Administrative Variance

Dear Mr. Langrill:

The Department of Environmental Protection and Resource Management (DEPRM) has received your variance request to allow an existing dwelling to remain in the 100 foot buffer to tidal waters as part of a two lot subdivision of the subject property. The Director of DEPRM may grant a variance to the Chesapeake Bay Critical Area regulations in accordance with regulations adopted by the Critical Area Commission concerning variances as set forth in COMAR 27.01.11. There are five (5) criteria listed in COMAR 27.01.11 that shall be used to evaluate the variance request. All five of the criteria must be met in order to approve the variance.

The first criterion requires that special conditions exist that are peculiar to the land or structure, and that literal enforcement of the regulations would result in unwarranted hardship. The house and ancillary impervious surface area was constructed in the buffer well prior to inception of the CBCA Regulations. Consequently, a literal interpretation of the regulations would result in an unwarranted hardship, as you have and intend to continue actively using this dwelling in the buffer. Therefore, this criterion is met.

The second criterion requires that a literal enforcement of the regulations would deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area. Other properties in similar areas of the Critical Area have been allowed to maintain structures and impervious surfaces in the buffer if they predated the regulations and were not being intensified. Therefore, a literal enforcement of the regulations would deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area, and this criterion is met.

The third criterion requires that granting of a variance will not confer upon an applicant any special privilege that would be denied to other lands or

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)



Mr. George Langrill  
736 Sue Grove Road  
July 18, 2005  
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structures within the Critical Area. As stated above, other properties in similar areas of the Critical Area have been allowed to maintain structures and impervious surfaces in the buffer if they predated the regulations and were not being intensified. Therefore, granting the requested variance will not confer upon you, the applicant, any special privilege that would be denied to other lands or structures within the Critical Area and this criterion is also met.

The fourth criterion requires that a variance is not based upon conditions or circumstances which are the result of actions by the applicant, nor does the request arise from any condition relating to land or building use, either permitted or non-conforming, on any neighboring property. There was no way of knowing that the current CBCA regulations would be promulgated and enforced at the time the impervious surfaces and structures were constructed. Therefore, there are no conditions or circumstances, which are the result of actions by you, nor does the request arise from any condition relating to land or building use on any neighboring property. Consequently, this criterion is met.

The fifth criterion requires that granting of the variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area, and that the granting of the variance will be in harmony with the general spirit and intent of the Critical Area regulations. Your amended variance request includes removal of approximately 450 square feet of existing impervious surface from the buffer, thus resulting in a reduction of existing impervious surface in the buffer.

Based upon our review, this Department finds that the first four of the above criteria have been met, and that the fifth criterion can be met by removing existing impervious surfaces from the buffer and establishing a protective easement as described below. Therefore, the requested variance is hereby approved in accordance with Section 33-2-205 of the Baltimore County Code with the following conditions:

1. The attached "Notice of Granting of Variance" must be published in The Eagle, The Avenue, or the East County Times. Final variance approval cannot be granted until fifteen (15) calendar days after the notice has been published. A copy of the Certificate of Publication for the advertisement issued by the newspaper, or a copy of the advertisement from the paper must be submitted to this office prior to receiving final variance approval.
2. The dwelling's concrete patio, porches, and sidewalk in the 100-foot shoreline buffer shall be removed prior to minor subdivision approval and those areas converted to pervious. To that end, the porches may be replaced with pervious wooden decking and stairs.

Mr. George Langrill  
736 Sue Grove Road  
July 18, 2005  
Page 3

- 3. The 100-foot shoreline buffer shall be recorded as a Critical Area Easement prior to minor subdivision approval. This easement must be recorded via either a right of way plat or record plat, with a Declaration of Protective Covenants resulting use of this easement also recorded at that time.

It is the intent of this Department to approve this variance subject to the above conditions. Changes in site layout may require submittal of revised plans and an amended variance request.

Please sign the statement on the next page and then return a copy of the Certificate of Publication, the revised plot plan, and the letter to this Department c/o Mr. Glenn Shaffer of Environmental Impact Review. Failure to return a signed copy of this letter and the other two items may result in delays in processing of permits or other development plans for the subject property, and/or may render this variance null and void.

If you have questions regarding this project, please contact Mr. Shaffer at 410-887-3980.

Sincerely,



David A. C. Carroll  
Director

DACC:ges

c: ~~Ms. Lisa Hoerger, CBCA Commission~~

I/We have read and agree to implement the above requirements to bring the subject property into compliance with Chesapeake Bay Critical Area regulations.

\_\_\_\_\_  
Owners' Signatures

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owners' Printed Names

Mr. George Langrill  
736 Sue Grove Road  
July 18, 2005  
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**BALTIMORE COUNTY**

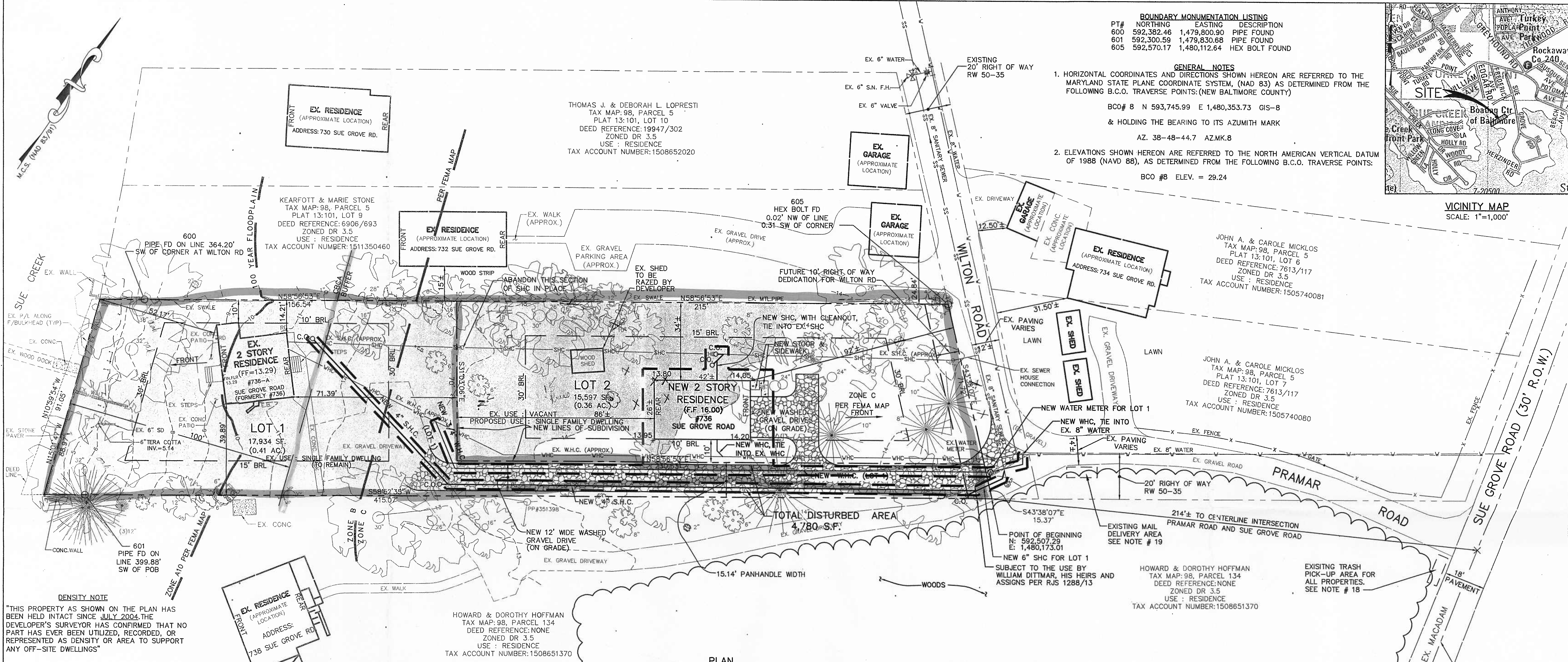
**DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT**

**NOTICE OF GRANTING OF VARIANCE**

**ADDRESS:** 736-A Sue Grove Road

**LEGAL OWNER:** George & Deborah Langrill

The Baltimore County Department of Environmental Protection and Resource Management, pursuant to Section 33-2-205 of the Baltimore County Code, hereby gives notice that a variance from Section 33-2-402 of the Code, Chesapeake Bay Critical Area Requirements, will be granted for the purpose of allowing an existing dwelling to remain in the 100 foot buffer to tidal waters on the referenced property as part of a minor subdivision. Any person or persons, jointly or severally, or any taxpayer aggrieved or feeling aggrieved by this decision, may appeal to the Baltimore County Board of Appeals within forty-five (45) days from the date of this notice. Appeals must be made in writing, stating the reason for appeal, and must be mailed to Environmental Impact Review, Baltimore County Department of Environmental Protection and Resource Management, 401 Bosley Avenue, Suite 416, Towson, Maryland 21204. All appeals must be accompanied by a check for \$100.00 payable to Baltimore County Government.



**BOUNDARY MONUMENTATION LISTING**

PT#	NORTHING	EASTING	DESCRIPTION
600	592,382.46	1,479,800.90	PIPE FOUND
601	592,300.59	1,479,830.68	PIPE FOUND
605	592,570.17	1,480,112.64	HEX BOLT FOUND

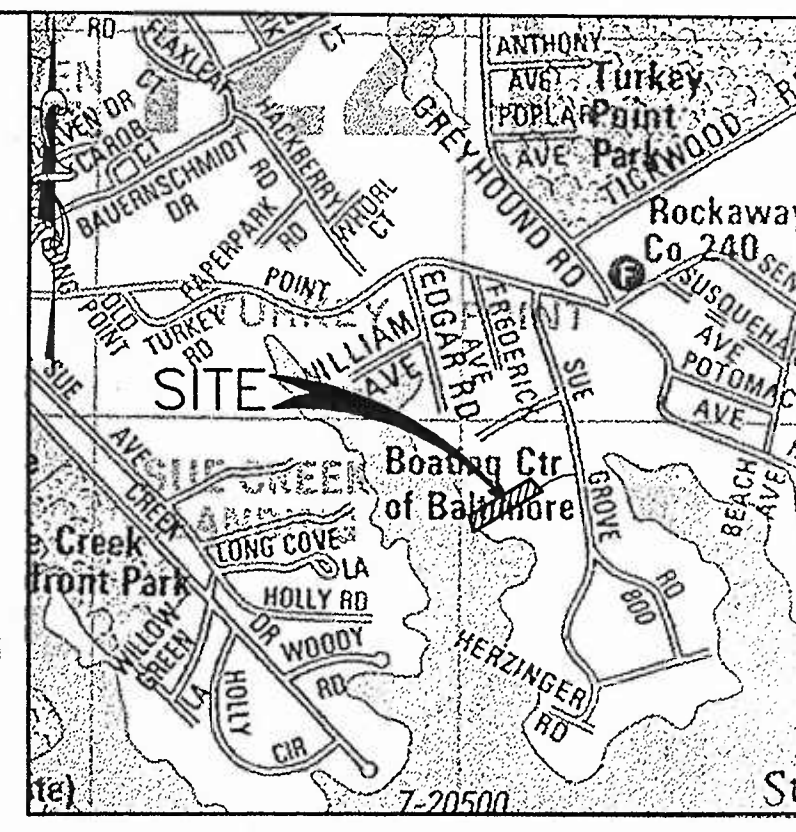
**GENERAL NOTES**

1. HORIZONTAL COORDINATES AND DIRECTIONS SHOWN HEREON ARE REFERRED TO THE MARYLAND STATE PLANE COORDINATE SYSTEM, (NAD 83) AS DETERMINED FROM THE FOLLOWING B.C.O. TRAVERSE POINTS: (NEW BALTIMORE COUNTY)

BCO # 8 N 593,745.99 E 1,480,353.73 GIS-8  
 & HOLDING THE BEARING TO ITS AZUMITH MARK  
 AZ. 38-48-44.7 AZ.MK.8

2. ELEVATIONS SHOWN HEREON ARE REFERRED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), AS DETERMINED FROM THE FOLLOWING B.C.O. TRAVERSE POINTS:

BCO #8 ELEV. = 29.24



**DENSITY NOTE**

"THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE JULY 2004. THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART HAS EVER BEEN UTILIZED, RECORDED, OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS"

**LEGEND**

	EXISTING	NEW
BUILDING	EX. BLDG.	NEW BLDG.
PAVING	EX. GRAVEL	NEW GRAVEL
SIDEWALK	EX. CONC.	NEW WALK
SLOPE > 0.5%		
ELECTRIC BOX	EX.	
FIRE HYDRANT	EX.	
POWER POLE	EX.	
ROOF DRAIN	EX.	
SANITARY MANHOLE	EX.	
SANITARY CLEANOUT	EX.	
VENT PIPE	EX.	
WATER METER	EX.	
WATER VALVE	EX.	
WATER LINE	EX. W.	NEW WHC
WATER HOUSE CONNECTION	EX. WHC	NEW 6" SHC
SANITARY LINE	EX. SS	
SANITARY HOUSE CONNECTION	EX. SHC	
FENCE	EX. X	
SWALE	EX. ---	
CONTOUR	EX. ---	
LIMIT OF DISTURBANCE	EX. ---	
RETAINING WALL	EX. ---	
TREES	EX. ---	
PROPERTY LINE	EX. ---	
BUILDING RESTRICTION LINE	EX. ---	
WOODS	EX. ---	

**GENERAL NOTES**

1) OWNER/DEVELOPER/APPLICANT : MR. GEORGE L. LANGRILL 2708 SAMS CREEK ROAD NEW WINDSOR, MD 21776 (410) 875 - 2864

2) ENGINEER/SURVEYOR : WHITNEY, BAILEY, COX & MAGNANI, LLC 849 FAIRMOUNT AVENUE, SUITE 100 BALTIMORE, MARYLAND 21286 ATTN: THOMAS M. OREISCH, L.S. PHONE: 410-512-4800

3) PROPERTY INFORMATION : a) TRACT AREA (GROSS/NET) : 0.79Ac / 0.77Ac b) ZONING MAP: S.E. 1J c) SCHOOL DISTRICTS: ELEMENTARY - MIDDLEBOROUGH E.S. MIDDLE - DEEP CREEK M.S. HIGH - CHESAPEAKE H.S. d) SUB-SEWERSHED: 39 e) WATERSHED: MIDDLE RIVER f) REGIONAL PLANNING DISTRICT: 328 g) TAX ACCT. NO.: 15-08-852850 h) PLAT REFERENCE: 13/101 DATED: AUGUST 26, 1940 i) DEED REFERENCE: LIBER R.J.S. 1288, FOLIO 13 j) TAX MAP: 98, PARCEL 5, LOT 8 k) CENSUS TRACT: 450900

4) ZONING: DR 3.5 DWELLING UNITS ALLOWED = 0.79 Ac x 3.5 D.U. / AC. = 2 DWELLING UNITS PROPOSED = 2

5) PRIOR ZONING HEARINGS: SEE CASE NO. 05-218-SPHA THIS SHEET

6) THIS PROPERTY IS IN FLOOD ZONES A10, B AND C PURSUANT TO FEMA PANEL NUMBER 240010-0445-C

7) THIS PROPERTY IS WITHIN THE CHESAPEAKE BAY CRITICAL AREA, LIMITED DEVELOPMENT AREA (LDA) 15% MAXIMUM IMPERVIOUS SURFACE IS ALLOWED PER LOT.

CALCULATIONS:  
 LOT 1: BUILDING FOOTPRINT OF EXISTING 2 STORY RESIDENCE=908 SF. EXISTING CONCRETE STEPS, PATIO AND WALK=568 SF. TOTAL IMPERVIOUS EXISTING=1,476 SF./17,935 SF. LOT AREA=8.2 %  
 LOT 2: PROPOSED BUILDING FOOTPRINT=1,092SF. PROPOSED CONCRETE STOOP AND WALK=50 SF. TOTAL IMPERVIOUS PROPOSED=1,142 SF./15,597 SF. LOT AREA=7.3 %

8) THIS PROPERTY IS EXEMPT FROM THE BALTIMORE COUNTY FOREST CONSERVATION REGULATIONS SINCE THE PROPERTY IS ENTIRELY WITHIN THE CRITICAL AREA, HOWEVER A PORTION OF THIS PROPERTY IS WITHIN "DEVELOPED WOODLAND" AS SHOWN ON DEPRM 1988 AERIAL MAPS. THERE IS A MAXIMUM ALLOWABLE CLEARING OF 30% IN THIS AREA ON THE PROPERTY AND THE PROPERTY OWNER MUST PAY INTO A DEPRM FUND TO MITIGATE TREES TO BE CLEARED SHOULD THE MAXIMUM ALLOWABLE BE EXCEEDED.

9) THERE ARE NO KNOWN WETLANDS, HISTORIC STRUCTURES OR ENDANGERED SPECIES ON THIS PROPERTY.

10) THE ENTIRE SITE FALLS WITHIN A LENOR (LMB) SOIL PROFILE.

11) DR 3.5 BULK REGULATIONS PURSUANT TO SECTION 1802.3.C.1 (SMALL LOT TABLE)

	REQUIRED	EXISTING
<b>LOT 1</b>		
FRONT	30'	52.17'
REAR	30'	71.39'
SIDES	10' MIN. (TOTAL 25' BOTH SIDES)	10' & 39.89' (TOTAL 49.89')
<b>LOT 2</b>		
FRONT	30'	91' ±
REAR	30'	88' ±
SIDES	10' MIN. (TOTAL 25' BOTH SIDES)	10' & 30' ± (TOTAL 40' ±)

BUILDING HEIGHT ALLOWED: 50 FT. MAX.  
 BUILDING HEIGHT PROPOSED: 30 FT ±

12) THE FLOOD PROTECTION ELEVATION FOR THIS SITE IS 10.4 FEET

13) IN CONFORMANCE WITH FEDERAL FLOOD INSURANCE REQUIREMENTS, THE FIRST FLOOR OR BASEMENT FLOOR MUST BE AT LEAST 1 FOOT ABOVE THE FLOOD PLAIN ELEVATION IN ALL CONSTRUCTION.

14) THE PROPERTY TO BE DEVELOPED IS LOCATED ADJACENT TO TIDEWATER. THE DEVELOPER IS ADVISED THAT THE PROPER SECTIONS OF BALTIMORE COUNTY BUILDING CODE MUST BE FOLLOWED WHERE ELEVATION LIMITATIONS ARE PLACED ON THE LOWEST FLOOR (INCLUDING BASEMENTS) OF RESIDENTIAL DEVELOPMENT

15) THE NEW BUILDING SHALL BE DESIGNED AND ADEQUATELY ANCHORED TO PREVENT FLOTATION, COLLAPSE, OR LATERAL MOVEMENT OF STRUCTURE WITH MATERIALS RESISTANT TO FLOOD DAMAGE

16) FLOOD-RESISTANT CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENT OF B.O.C.A. INTERNATIONAL BUILDING CODE ADOPTED BY THE COUNTY.

17) COVENANTS PROVIDING FOR COMMON USE AND MAINTENANCE OF THE PANHANDLE DRIVE SHALL BE RECORDED

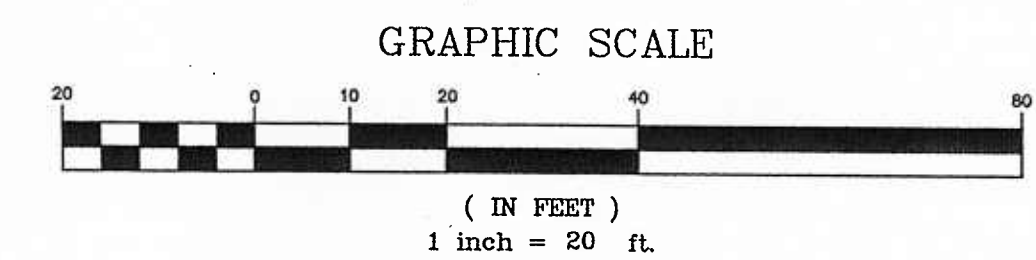
18) BALTIMORE COUNTY CURRENTLY COLLECTS TRASH IN A REMOTE LOCATION FOR ALL LOTS ALONG WILTON RD AT ITS INTERSECTION WITH SUE GROVE RD

19) MAIL DELIVERY WILL REMAIN AT ITS PRESENT LOCATION. A DELIVERY BOX FOR # 736-A SUE GROVE RD IS TO BE ADDED AT THE PRESENT LOCATION

**ZONING AND PLANNING RELIEF GRANTED UNDER SPECIAL HEARING AND VARIANCE CASE NO. 05-218-SPHA DATED JANUARY 18, 2005**

1. A VARIANCE FROM SECTION 102.4 OF THE B.C.Z.R. TO ALLOW TWO LOTS, EACH WITH A LOT AREA LESS THAN 20,000 SF. TO ABUT A RIGHT-OF-WAY OF 20 FEET IN LIEU OF THE REQUIRED 30 FEET WIDTH. FOR A PROPOSED DWELLING.

2. A WAIVER TO ALLOW A PANHANDLE LOT WITH AN IN-FEE STRIP OF LAND FOR ACCESS THAT IS 15.14 FEET WIDE IN LIEU OF REQUIRED 20 FEET WIDTH PURSUANT TO SECTION 32-4-409(b)(2)(i) OF THE B.C.Z.R..



DATE	NO.	REVISIONS

**MINOR SUBDIVISION OF #736 SUE GROVE ROAD**  
 15TH ELECTION DISTRICT, 6TH COUNCILMANIC DIST. BALTIMORE COUNTY, MD

ENGINEERS/SURVEYORS: **WB** Consulting Engineers  
 849 Fairmount Avenue (410) 512-4500  
 Baltimore, Maryland 21286 (410) 324-4100 (FAX)  
**WHITNEY, BAILEY, COX & MAGNANI, LLC**

DESIGN: BC/PJC  
 DRAWN: SC/MCJ  
 CHECKED: BC/TMO  
 DATE: 03/17/2005  
 SCALE: 1" = 20'  
 WBCM JOB NO: 2004-0380-000  
 SHEET #: 1 OF 1

STATE OF MARYLAND PROFESSIONAL ENGINEER AND SURVEYOR LICENSE NO. 10000 3-25-05