

IN RE: PETITION FOR ZONING VARIANCE
 NW/8 Bird River Beach Road,
 384' SW of the c/l Crooks Road
 (966 Bird River Beach Road)
 15th Election District
 5th Councilmanic District
 William L. Gray, Jr., et ux
 Petitioners

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 89-430-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit side yard setbacks of 20 feet each in lieu of the required minimum of 35 feet for a proposed garage addition in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 966 Bird River Beach Road, consists of 1.10 acres zoned R.C. 2, and is located within the Chesapeake Bay Critical Areas. Petitioners purchased the property in November 1986 and propose constructing a single family dwelling with an attached garage. Testimony indicated that due to the narrow width of the lot and desire for an attached garage, Petitioners requested the instant variance. Petitioners testified the garage could be separate from the dwelling unit; however, to do so would necessitate the removal of existing mature trees to the rear of the property. Testimony indicated that in an effort to have the least impact on the property with respect to Critical Areas legislation, Petitioners wanted to remove the least number of trees as possible. Petitioners have discussed their plans with adjoining property owners who have indicated they have no objections. Further testimony indicated that the granting of the variance will have no adverse effect on the health, safety or general welfare of the community.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. Clearly, the request is not based upon conditions or circumstances which are the result of the Petitioner's actions, nor does the request arise from a condition relating to land use building use, either permitted or non-conforming, on another property. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

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

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 4th day of May, 1989 that the Petition for Zoning Variance to permit side yard setbacks of 20 feet each in lieu of the required minimum of 35 feet for a proposed garage addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however,

to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition; and,

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated March 14, 1989, attached hereto and made a part hereof.

ANN M. NASTAROWICZ
 Deputy Zoning Commissioner
 for Baltimore County

AMN:bjjs

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Case # 89-430-A

TO: Mr. J. Robert Haines
 Zoning Commissioner

DATE: March 14, 1989

FROM: Mr. Robert W. Sheesley

SUBJECT: Petition for Zoning Variance - Item #332
 Gray Property - 966 Bird River Beach Road

RECEIVED
 MAR 16 1989

ZONING OFFICE

The subject property is located at 966 Bird River Beach Road in the subdivision of Bird River Beach. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area.

The applicant has requested a Zoning Variance from Section 1A01.3.B.3. "to permit two side lot line setbacks of 20 feet in lieu of the minimum 35 feet".

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish 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."

<<COMAR 14.15.10.01.>>

The proposed development will comply with Critical Area Law provided that the zoning petition is conditioned with the following requirements:

1. Two major deciduous trees or four conifer trees shall be planted and maintained on the lot. A combination of these two tree types is acceptable provided that 2,000 square feet of tree cover is provided. A major deciduous tree is estimated to cover 1,000 square feet and a conifer, 500 square feet at maturity.

Memo to Mr. J. Robert Haines
 March 14, 1989
 Page 2

2. Storm water runoff shall be directed from impervious surfaces associated with this petition to pervious areas to encourage maximum infiltration.
3. Rooftop runoff shall be directed through down-spouts and into a dry well of approved design to encourage maximum infiltration (see attached dry well design).

Upon compliance with the above requirements, this project will be approved. Please contact Mr. David C. Flowers at 887-9980 if you require additional information.

Robert W. Sheesley
 Robert W. Sheesley, Director
 Department of Environmental Protection
 and Resource Management

RWS:DCF:tjg

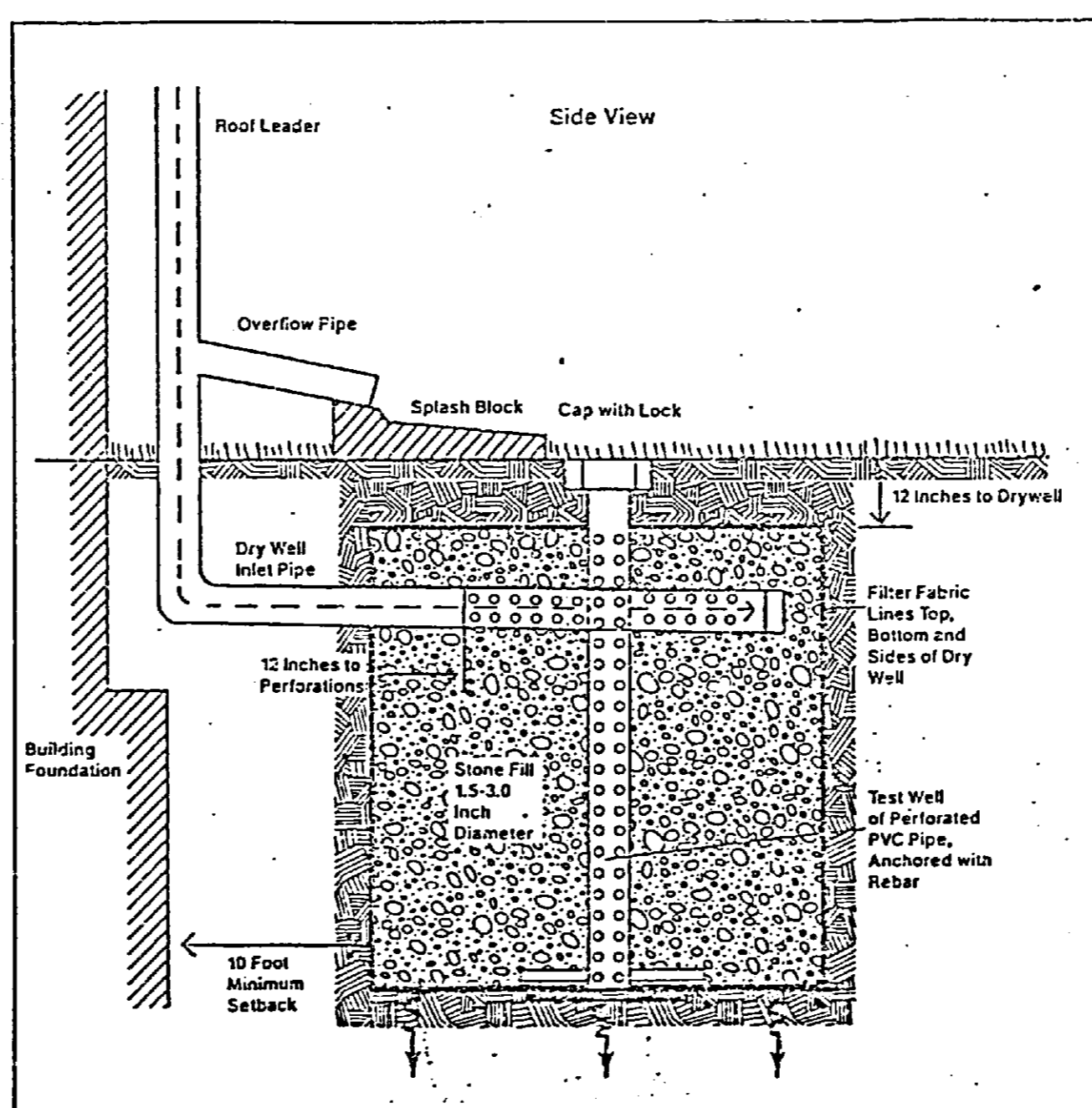
Attachment

cc: The Honorable Ronald B. Hickernell
 The Honorable Norman R. Lauenstein
 The Honorable Dale T. Volz

DESIGN 4:

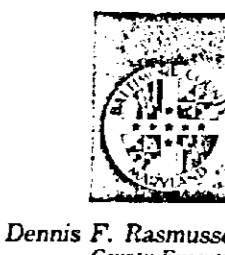
Dry Well Designs. (Figure 5.8). Dry wells are a basic trench variation which are designed exclusively to accept rooftop runoff from residential or commercial buildings (Figure 5.8). Additional guidance on dry well design is available from Md WRA (1984). Basically, the leader from the roof is extended into an underground trench, which is situated a minimum of ten feet away from the building foundation. Rooftop gutter screens are needed to trap any particles, leaves and other debris, and must be regularly cleared.

Figure 5.8: Dry Well Design (adapted from Md WRA, 1984)



Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21284
 (301) 887-3333
 J. Robert Haines
 Zoning Commissioner

May 4, 1989



Dennis F. Rasmussen
 County Executive

Mr. & Mrs. William L. Gray, Jr.
 424 Meadow Road
 Baltimore, Maryland 21206

RE: PETITION FOR ZONING VARIANCE
 NW/8 Bird River Beach Road, 384' SW of the c/l of Crooks Road
 (966 Bird River Beach Road)
 15th Election District - 5th Councilmanic District
 William L. Gray, Jr., et ux - Petitioners
 Case No. 89-430-A

Dear Mr. & Mrs. Gray:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party 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 Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ
 Deputy Zoning Commissioner
 for Baltimore County

AMN:bjjs

cc: Chesapeake Bay Critical Areas Commission
 Tawes State Office Bldg., D-4
 Annapolis, Maryland 21404

Department of Environmental Protection & Resource Management

People's Counsel

File

PETITION FOR ZONING VARIANCE #332 CRITICAL AREA
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-430-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1401.3.B.3. To permit (2) side lot line setbacks of 20 ft. in lieu of the minimum 35 ft. Petitioner was made aware that site is in Chesapeake Bay Critical Area and that Dave Flowers in DEPRM must be contacted with letter for the hearing. The Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See Attached Sheet

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do 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 Petition.

Contract Purchaser: (Type or Print Name) _____
 Signature _____
 Address _____
 City and State _____

Legal Owner(s):
 WILLIAM LAWRENCE GRAY, JR.
 (Type or Print Name)
 Signature _____
 KAREN ANN GRAY
 (Type or Print Name)
 Signature _____
 424 Meadow Road
 Baltimore, MD 21206
 Name, address and phone number of legal owner, contract purchaser or representative to be contacted
 City and State _____

Attorney for Petitioner: (Type or Print Name) _____
 Address _____
 City and State _____
 Name, address and phone number of legal owner, contract purchaser or representative to be contacted
 City and State _____

Attorney's Telephone No.: _____

ORDERED BY The Zoning Commissioner of Baltimore County, this 11th day of March, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 3rd day of May, 1989, at 2 o'clock P.M.

J. Robert Haines
 Zoning Commissioner of Baltimore County.

966 Bird River Beach
EXPLANATION FOR FILING

The applicants sought property to build a duplicate of the house they were living in that would allow for an attached garage. The property in question was located in June of 1988. Noting the width of the property and the width of the proposed house, this applicant contacted Baltimore County and inquired as to how close to the side property line was permissible to build. The response was 10 feet. The applicant, not being an expert in the field, did not know to ask for a thorough explanation and the person from the County did not ask any questions about the zoning.

The applicant then sold his house incurring \$8,000 in real estate expenses. Costly house plans were then drafted. A well was drilled costing \$2,885, and an additional \$1,100 due upon hookup. This was begun after first submitting a proposal to Baltimore County to drill in a location with the proposed dwelling at that time being the same as is the subject of this variance. At no time was there any mention of the proposed dwelling being too close to the side property lines.

It was not until an application for a building permit was made before anyone advised us of a problem with the side setbacks.

The applicants have over \$46,000 spent on this endeavor. Had we known from the onset that the proposed dwelling could not be built on this property as planned with the garage attached, we would not have purchased this property and would have looked further for land to accommodate the dwelling desired.

332 CRITICAL AREA
ZONING DESCRIPTION

Being known and designated as Lot No. 1, as shown on the Plat entitled, "Bird River Beach", which plat is recorded among the Land Records of Baltimore County in Plat Book EHK, Jr. No. 54, folio 88. The improvements thereon to be known as 966 Bird River Beach Road.

Being a part of the same lot of ground which by Deed dated May 29, 1986 and recorded among the Land Records of Baltimore County in Liber SM No. 7552, folio 199, which was granted and conveyed by A. Louis Winkler and C. Bernice Winkler, his wife, unto the Grantors herein.

2363
NOTICE OF HEARING
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland on Wednesday, May 3, 1989 at 2:00 p.m.

THE TIMES
 Middle River, Md., 19
 This is to Certify, That the annexed was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the last day of April, 1989.

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 157A
 Date of Posting: 4/18/89
 Posted for: William Lawrence Gray, Jr.
 Location of property: 966 Bird River Beach Rd., 326 sq/kw/lot, R-1
 Location of Sign: 966 Bird River Beach Rd., 15' x 70' sign, on property of R. Winkler
 Remarks: _____
 Posted by: _____
 Number of Signs: _____

Baltimore County Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 494-3353
 J. Robert Haines
 Zoning Commissioner
 March 17, 1989
NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
 CASE NUMBER: 89-430-A
 966 Bird River Beach Road, 326 sq c/l Crooks Road
 966 Bird River Beach Road
 15th Election District - 5th Councilmanic
 Petitioner(s): William Lawrence Gray, Jr., et ux
 HEARING SCHEDULED: WEDNESDAY, MAY 3, 1989 at 2:00 p.m.

Variance to permit (2) side lot line setbacks of 20 ft. in lieu of the minimum 35 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
 Zoning Commissioner of Baltimore County
 cc: William Lawrence Gray, Jr., et ux
 Chesapeake Bay Critical Area Commission
 File

Baltimore County Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 (301) 837-3353
 J. Robert Haines
 Zoning Commissioner
 February 22, 1989
 Dennis F. Rasmussen
 County Executive

Mr. William L. Gray, Jr.
 424 Meadow Road
 Baltimore, Maryland 21206

Re: Item, #332 89-430-A
 Dear Mr. Gray:

Please be advised that although your request for an early hearing will be given every consideration, regulations require that all matters within the Chesapeake Bay Critical Area be reviewed by the Department of Environmental Protection and Resource Management, before same can be set for hearing.

Upon completion of their review, written comments will be forwarded to this office. At that time, your case will be set on the first available date.

If you have any further questions, please feel free to contact this office.

Very truly yours,
 J. Robert Haines
 ZONING COMMISSIONER
 for Baltimore County

JRHigs

Baltimore County Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 494-3353
 J. Robert Haines
 Zoning Commissioner
 Date: 4/19/89

Mr. & Mrs. William Lawrence Gray
 424 Meadow Road
 Baltimore, Maryland 21206
 Re: Petition for Zoning Variance
 CASE NUMBER: 89-430-A
 966 Bird River Beach Road, 326 sq c/l Crooks Road
 966 Bird River Beach Road
 15th Election District - 5th Councilmanic
 Petitioner(s): William Lawrence Gray, Jr., et ux
 HEARING SCHEDULED: WEDNESDAY, MAY 3, 1989 at 2:00 p.m.

Dear Mr. & Mrs. Gray:
 Please be advised that \$78.03 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building in Towson, Maryland, 111 W. Chesapeake Avenue, 15 minutes before

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE-REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. _____
 DATE: 4/13/89 ACCOUNT: P-01-115-000
 AMOUNT: \$ 78.03
 RECEIVED BY: William Lawrence Gray, Jr.
 FOR: 4/13/89 89-430-A
 B 8117*****46318
 VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

NOTICE OF HEARING
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland on Wednesday, April 6, 1989 at 2:00 p.m.

THIS IS TO CERTIFY, THAT the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on April 6, 1989.

THE JEFFERSONIAN,
 S. Zabe Orban
 Publisher

PO 10923
 reg M27124
 ca 89-430-A
 price \$ 39.40

February 9, 1989
 Mitch Kellman
 Baltimore County Zoning Office
 111 W. Chesapeake Ave. (Rm. 113)
 Towson, MD 21204
 Dear Mr. Kellman:

I am writing this letter in reference to the zoning variance item #332 that I filed on February 7, 1989. I would respectfully request any assistance in obtaining an as early as possible hearing date, rather than the customary 90 days.

I am building my own home and it will take approximately six months to complete. There was some considerable delay in obtaining the property and the permit thus far through no fault of my own. After selling my previous home to buy this property and build a new house, I rented a house with a one-year lease beginning November 1988. If the delays continue, I will be faced with not having my house built and my lease running out.

Any help in this matter will be greatly appreciated.
 Thank you.

William L. Gray, Jr.
 424 Meadow Road
 Baltimore, MD 21206

Project: 36249
 Non-Liquid Karen Ann Gray
 Case # 89-430-A

The Chesapeake Bay Critical Area Commission has received the above-referenced project. The staff will review the project, and you will be notified when the review has been completed.

Project Evaluation Division
 974-2426

89-430-A
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
16th day of March, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: William L. Gray, Jr., et ux
Petitioner's Attorney: James E. Dyer
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 17, 1989

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Mr. William Lawrence Gray, Jr.
424 Meadow Road
Baltimore, MD 21206

RE: Item No. 332, Case No. 89-430-A
Petitioner: William L. Gray, Jr., et ux
Petition for Zoning Variance

Dear Mr. Gray:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 406
Towson, Maryland 21204
494-6354

March 1, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

RECEIVED
MAR 23 1989

Dennis F. Rasmussen
County Executive

Dear Mr. Haines,

The Bureau of Traffic Engineering has no comments for items number 331, 332, 335, 337, & 338.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lab

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 332, Zoning Advisory Committee Meeting of February 21, 1989

Property Owner: William Lawrence Gray, Jr., et ux
Location: NW/4 of Bird River Beach Road District:

Water Supply: private Sewage Disposal: private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other apparatuses pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been must be conducted.
() The results are valid until August 30, 1991.
- () Soil percolation tests results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until 12/16/91.
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others

D.F. Rasmussen
Dennis F. Rasmussen
County Executive

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-6500

Paul H. Reincke
Chief

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: William Lawrence Gray, Jr., et ux

Location: NW/4 of Bird River Beach Road

Item No.: 332 Zoning Agenda/February 21, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or ___ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Paul H. Reincke* 3-17-89 NOTED & APPROVED: *Capt. Wm. J. Brady*
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: April 21, 1989
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: ZONING ADVISORY COMMENTS

Case No. 89-430-A
Item No. 332

Re: William L. Gray, Jr., et ux

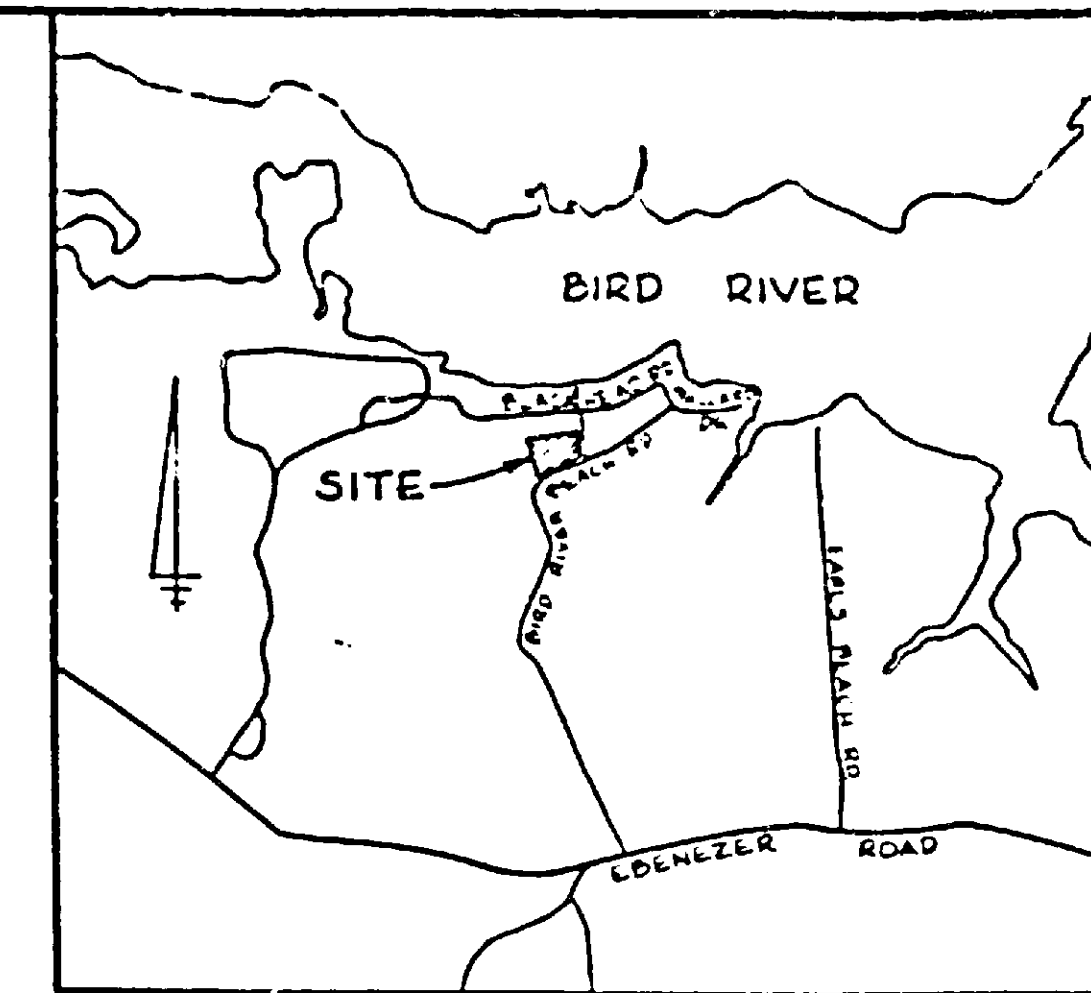
The Petitioners request a variance to allow side yard setbacks of 20 feet in lieu of the required 35 feet. In reference to this request, this office offers no comment.

A:5389.txt pg.1

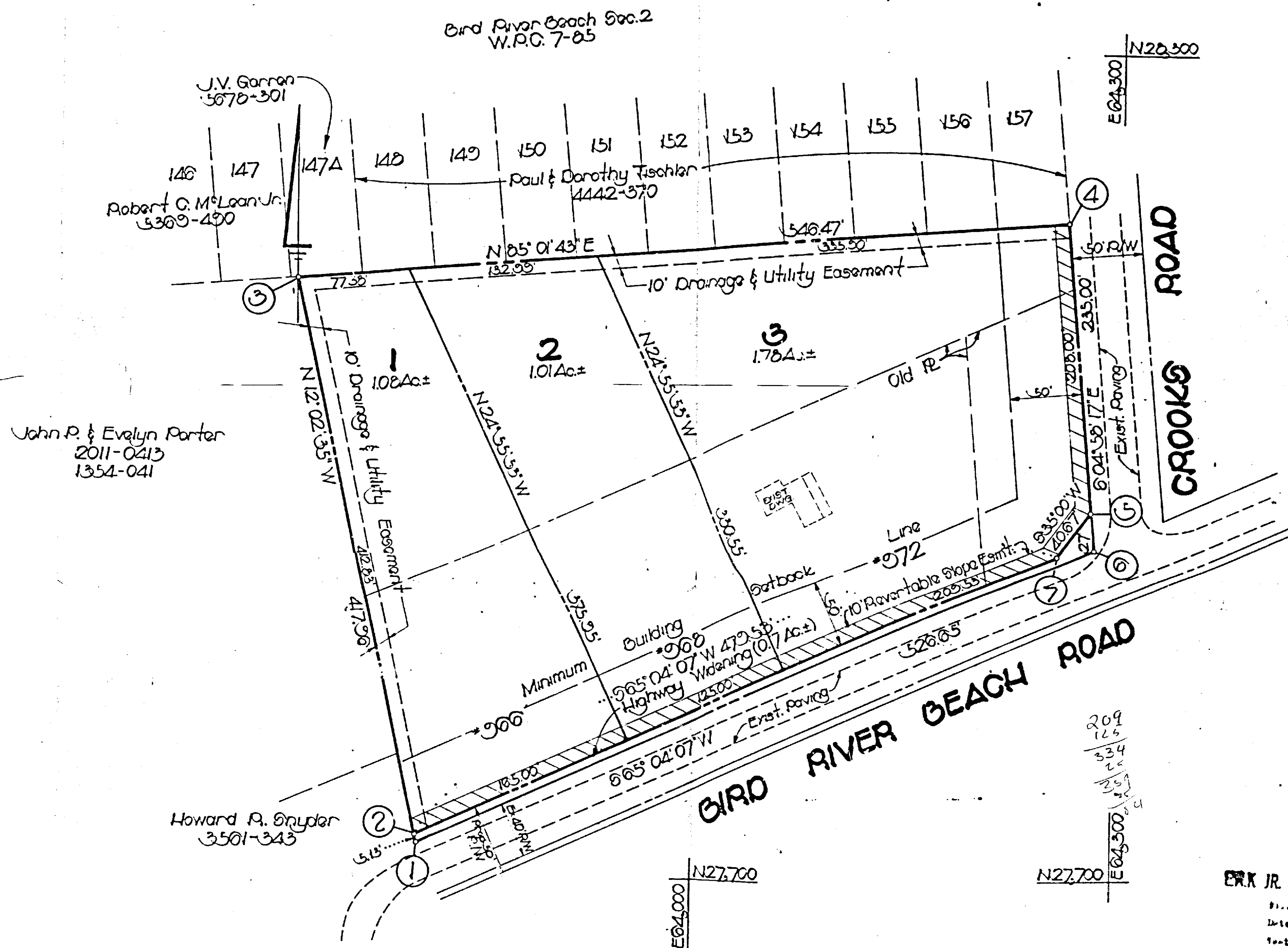
cc: Mr. & Mrs. Gray
4/25/89

COORDINATES

Point	North	East
1	27,723.20	63,865.18
2	27,726.22	63,804.10
3	28,131.96	63,717.96
4	28,179.31	64,262.37
5	27,972.10	64,280.40
6	27,945.20	64,282.74
7	27,938.78	64,257.07



VICINITY MAP
SCALE: 1" = 2000'



GENERAL NOTES

- Gross Site Area - 44.40±
- Net Site Area - 39.90±
- Existing Zoning - RQ-2
- Density Calculations:
- Number of lots allowed - (4.4+1) = 4
- Number of lots proposed - 3
- The plat may expire in accordance with the provisions of Section 22-68 (Bill #58-82).
- The information shown hereon may be superseded by a subsequent or amended plat.
- Recording of this plat does not guarantee installation of streets or utilities by Baltimore County.
- Additional information concerning this plat may be obtained from the Office of Planning and Zoning, and the Department of Public Works.
- Permission to subdivide this property into three lots was granted by the Baltimore Co. Board of Appeals, 822 N° 83-38-8PH.
- Dead Reference: C. Bernice Winkler to A. Louis Winkler and wife, July 10, 1979. Recorded among the bird records of Baltimore County E.H.K. Jr., Liber 6051, folio 608.
- Sewer Watershed Area II.
- Formal irrevocable offers of dedication have been made.
- Recording of this plat does not constitute or imply acceptance by the Co. of any street, easements, or other public areas shown on this plat.

ERK JR. 54 F011 88
DATE FOR RECORD
DATE APR 11 1996
T-11

REVISIONS		
NO	DATE	DESCRIPTION

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 110, JEFFERSON BLDG., TOWSON, MD., 21284
PHONE 823-3535

OWNER/DEVELOPER
#332 Joseph Kraus
972 Bird River Beach Rd.
Baltimore, Md. 21250
256-5329

BIRD RIVER BEACH

Final Record Plat
Resubdivision of lots 156 & 157 and a portion of Section 2 - W.P.C. 7 folio 65

Highway and Highway widening Slope, Drainage & Utility Easements shown hereon are reserved unto the developer in a hereby offered for dedication to Calto Co., Md. The developer, his personal representatives & assigns shall convey said areas by deed to Calto Co., Md. at no cost.

PERCOLATION WILL BE VOID FOR ALL PURPOSES
All requirements of the Maryland Department of Health and Mental Hygiene, Division of Health and Environmental Control, shall be complied with.

NOTE: Coordinates and bearings shown are referred to the system of coordinates established in the Baltimore County Metropolitan District and are based on the following traverse stations:
11241 11275
N28,439.22 N27,925.25
E64,276.04 E64,317.23

ACCOUNT #s: 15-18-720631 + 15-18-720630

RVA. Completed
Final Plat Checked
Planning
Engineering
Street Names
Misc Nos.

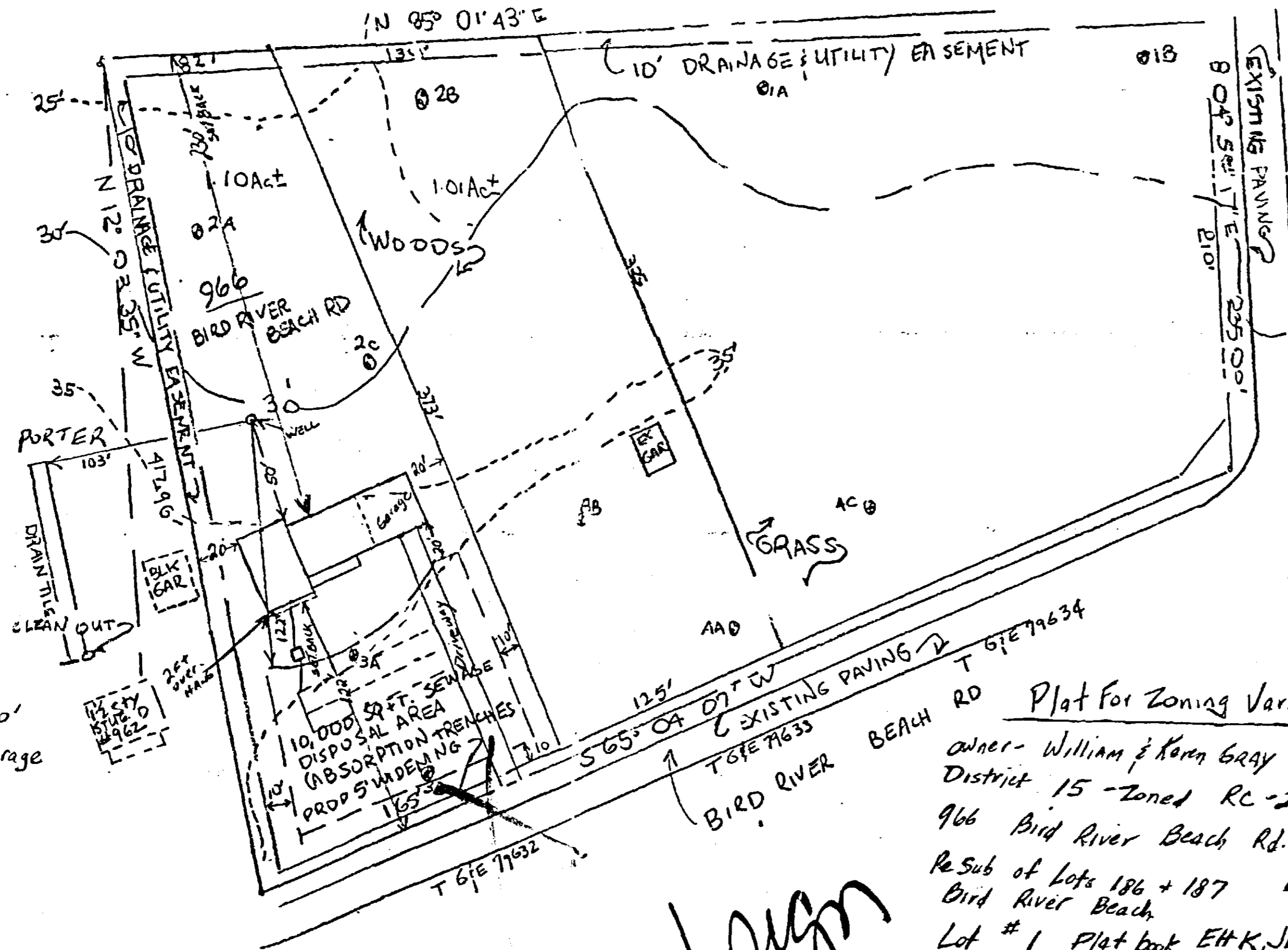
Approved: DEPT. OF PUBLIC WORKS
Director
Approved: CALTO CO. HEALTH DEPARTMENT
Deputy State & County Health Officer
Approved: BALTIMORE COUNTY PLANNING AND ZONING



SURVEYORS CERTIFICATE
THE UNDERSIGNED, A REGISTERED 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 3-106 OF THE REAL PROPERTY ARTICLE OF ANNOTATED CODE OF MARYLAND, PARTICULARLY INsofar AS SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

OWNERS CERTIFICATE
THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT HEREBY CERTIFIES THAT, TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENTS OF SUBSECTION (C) OF SECTION 3-106 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.

NOTE
THE STREETS AND/OR ROADS AS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS ARE FOR PURPOSE OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE; THE FEE SIMPLE TITLE TO THE CEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEEDS TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.



Proposal to Change Side
Setbacks from 35' to 20'
to allow an attached Garage

1 page

Plat for Zoning Variance
owner - William & Karen Gray
District 15 - Zoned RC-2
966 Bird River Beach Rd.
Re Sub of Lots 186 + 187 Lot Size 1.10 ACRES
Bird River Beach
Lot # 1 Plat book E.H.K., JR No 54 Folia 88
Scale: 1" = 50'

#3
CRITICAL **PETITIONER EXHIBIT** 1



Vicinity MAP

