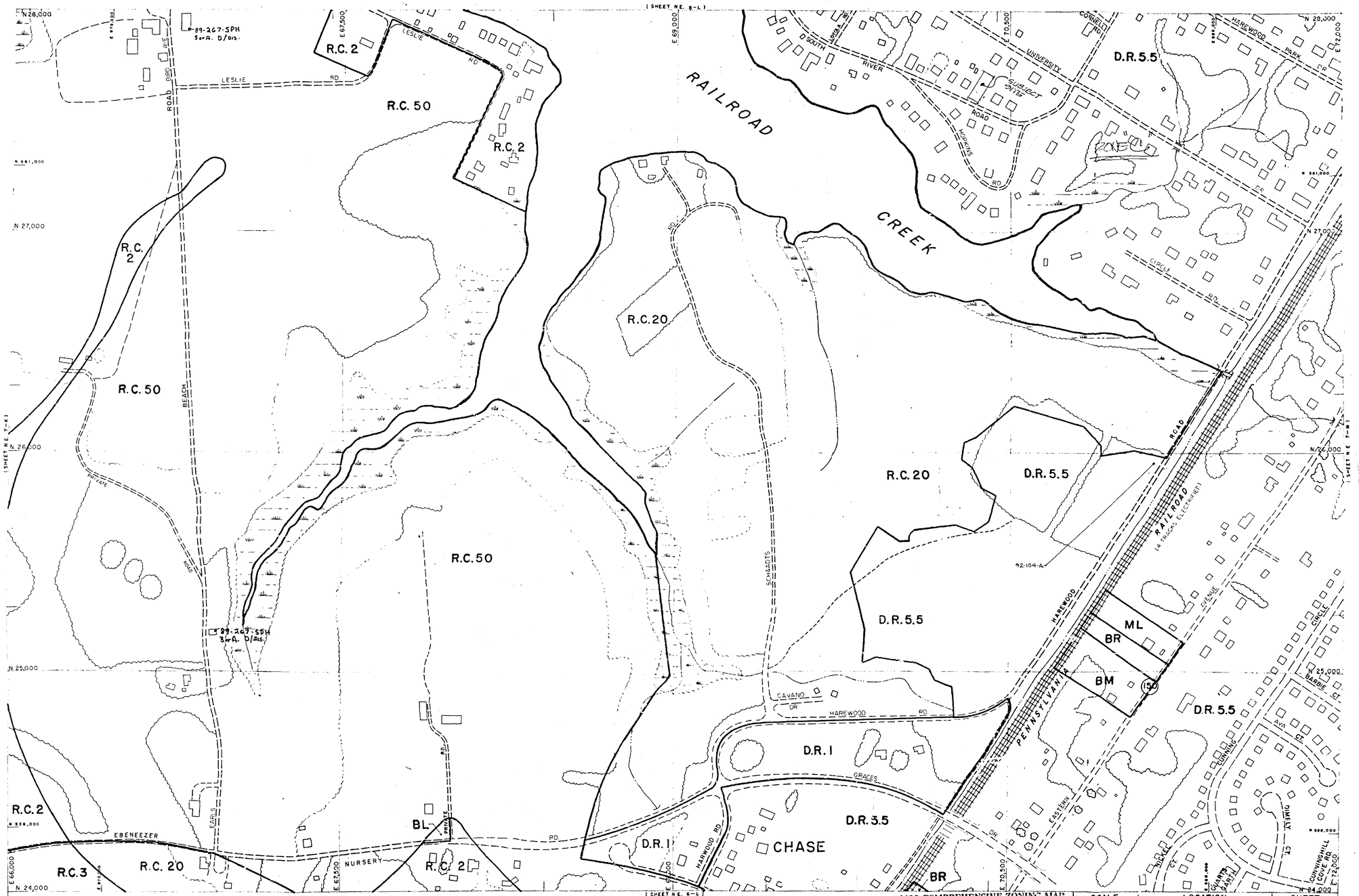


MM - SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1988 COMPREHENSIVE ZONING MAP
Accepted by the Baltimore County Council
Oct. 13, 1988
Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

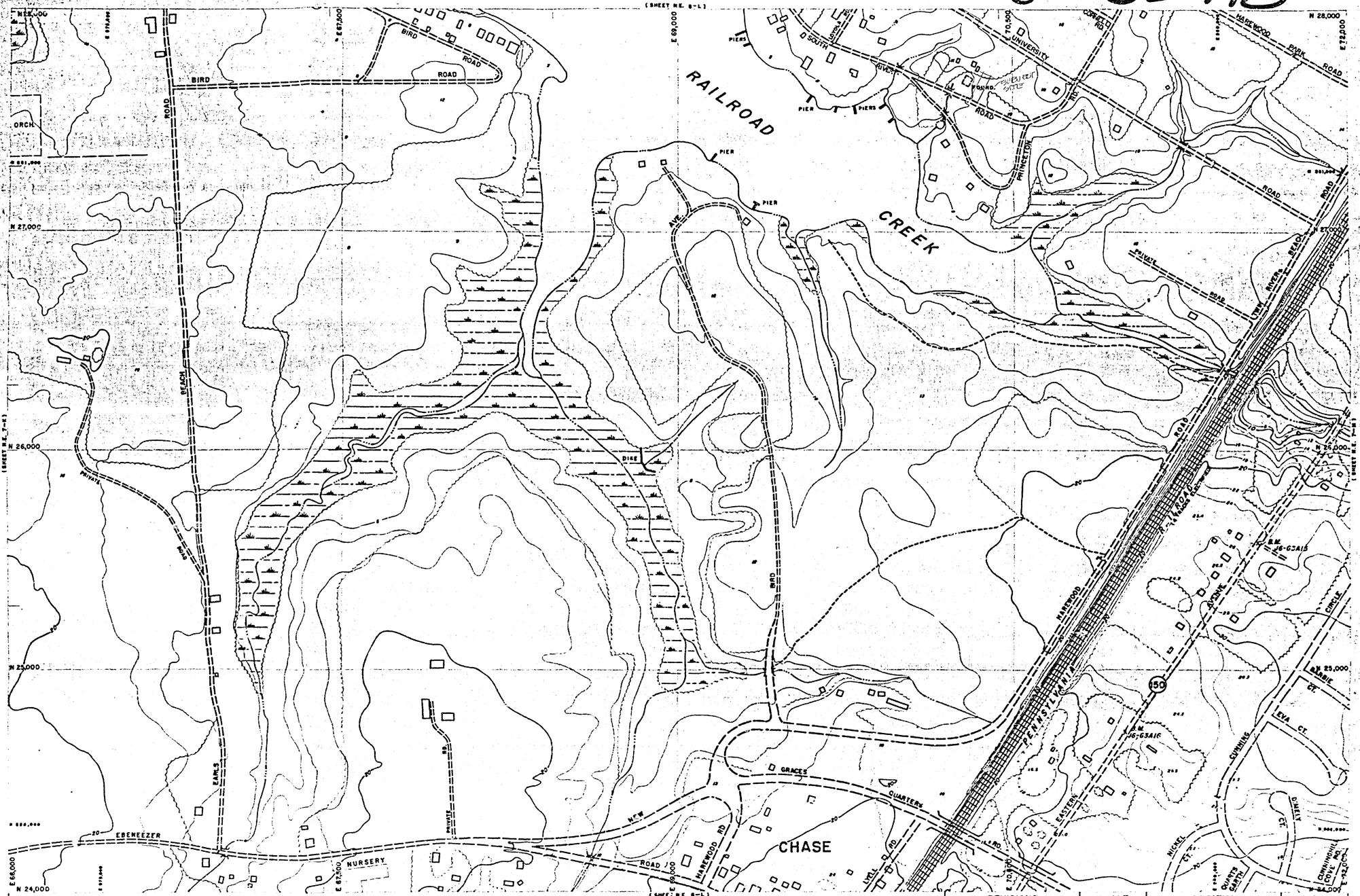
1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

William A. Howard III
Chairman, County Council

SCALE	LOCATION	SHEET
1" = 200'±	HAREWOOD PARK CHASE	N.E. 7-L
DATE OF PHOTOGRAPHY JANUARY 1986	ITEM # 377	

94-391-A

94-391-A



M 12 - SW

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS			SCALE	LOCATION	SHEET
	BY	DATE	1" = 200'	HAREWOOD PARK CHASE	N.E. 7-L
	JSL	11/1/55	DATE OF PHOTOGRAPHY APRIL 1953		
Topography Compiled By Photogrammetric Methods AERO SERVICE CORPORATION - PHILADELPHIA, PA.				ITEM # 377	

94-391-A

PLAT REQUIREMENT NO. 6

LOTS 249, 250 & 251 HOPKINS RD
William J. and Clara E. Cosden
Box 54
Chase, Maryland 21027
Tax I.D. 15-15034722940
Liber: 5298
Folio: 196
PB-PG 07-131
Parcel No. 83-6-258

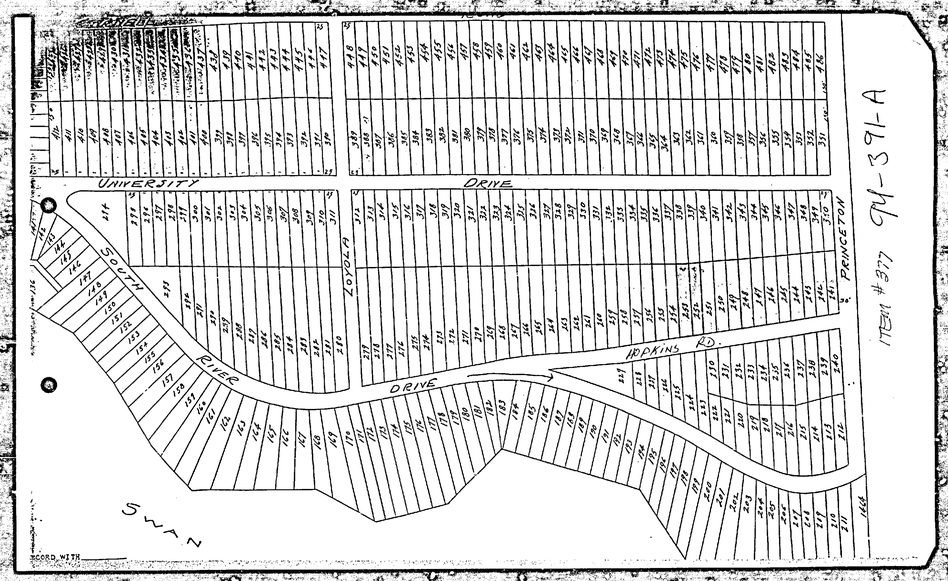
LOTS 254 & 255 HOPKINS ROAD
Anita M. Dowling
1600 White Oak Avenue
Baltimore, MD 21234
Tax I.D. 15-1519322580
Liber: 7452
Folio: 201
PB-PG 07-131
Parcel No. 83-6-258

LOTS 339, 340, 341 & 342 UNIVERSITY DRIVE
James W. & Leona M Hudson
6821 University Drive
Baltimore, MD 21220
Tax I.D. 15-1508802180
Liber: 4932
Folio: 163
PB-PG 07-131
Parcel No. 83-6-258

LOTS 336, 337 & 338 UNIVERSITY DRIVE
Gerald D. & Carolyn P. Murray
6819 University Drive
Baltimore, MD 21220
Tax I.D. 15-1513855970
Liber:
Folio:

PB-PG-07-131
Parcel No. 83-6-258

ITEM # 377



(12)

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

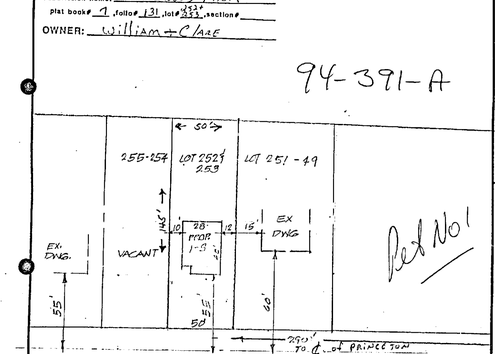
PROPERTY ADDRESS: 1600 HOPKINS RD LOTS 252 & 253 (see pages 5 & 8 of the CHECKLIST for additional required information)

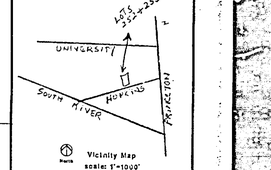
Subdivision name: HAREWOOD PARK

plat book# 9 folio# 131 lot# 252 & 253 section#

OWNER: William + Clara

94-391-A





Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

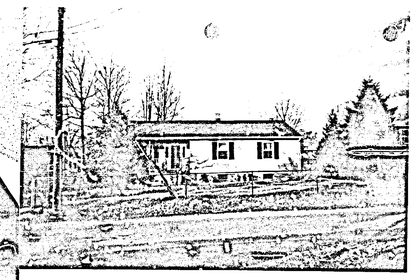
Election District: 9
Councilmanic District: 4
1"=200' scale map#: NE 7-L
Zoning: DR 5.5
Lot size: .167 acreage 7250 square feet

	public	private
SEWER:	☒	☐
WATER:	☒	☐

Chesapeake Bay Critical Area: ☒ ☐
Prior Zoning Hearings: NO

North
date: 4-5-94
prepared by: A. Johns
Scale of Drawing: 1"= 50'

Zoning Office USE ONLY!
reviewed by: R.T. ITEM #: 377 CASE#:

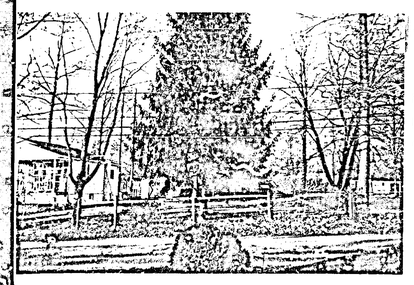


LOTS 249, 250 + 251 EXISTING HOUSE ON RIGHT OF PROPOSED DWELLING

94-391-A



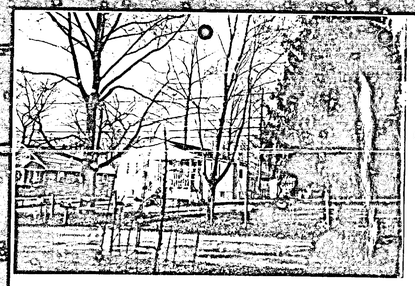
FRONT VIEW OF SUBJECT LOTS 252+253 FROM ACROSS THE STREET



FRONT OF VACANT LOTS # 254 + 255 ON LEFT OF PROPOSED DWELLING

HOUSE IN THE FAR LEFT OF PICTURE IS EXISTING ON LOTS 256+257

ITEM # 377



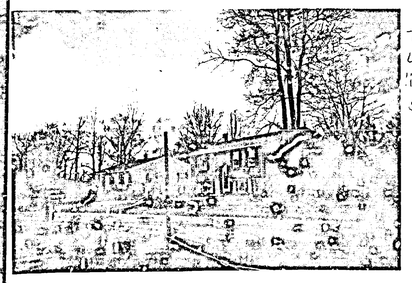
LOTS 254 THROUGH 257

LOT 254 BEING ON RIGHT OF PICTURE

94-391-A

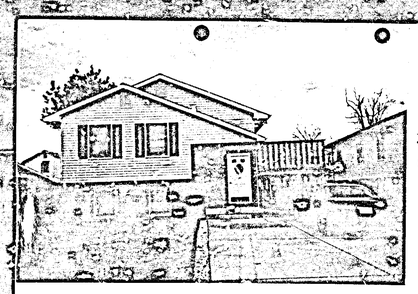


TAKEN FROM MIDDLE OF SUBJECT PROPERTY LOTS 252+253 LOOKING TOWARDS HOPKINS RD.



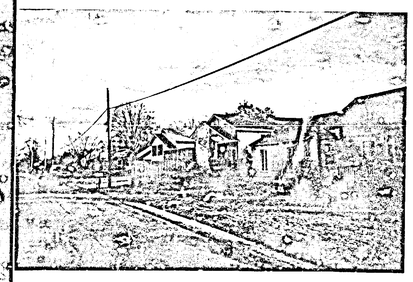
TAKEN FROM LEFT CORNER OF HOPKINS + PRINCETON SHOWING LOTS 241 THRU 251.

ITEM # 377

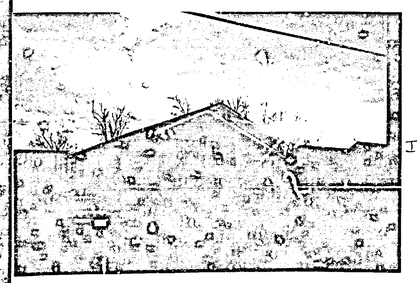


EXISTING HOME IN HAREWOOD PARK IDENTICAL TO OUR PLANS

94-391-A



THE TOP + BOTTOM PICTURE SIDE BY SIDE



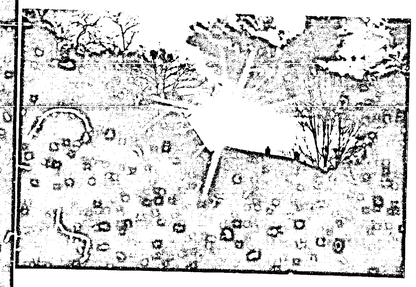
EXISTING HOME IN HAREWOOD PARK WITH IDENTICAL PLANS

ITEM # 377

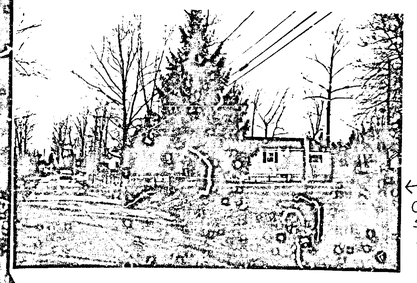


TAKEN FROM RIGHT CORNER OF PRINCETON + HOPKINS

94-391-A



2ND + 3RD HOUSE ON OPPOSITE SIDE OF STREET FROM CORNER OF PRINCETON + HOPKINS - HOUSE ON RIGHT SIDE OF PICTURE IS DIRECTLY ACROSS FROM PROPERTY



← RIGHT FRONT CORNER OF LOT SHOWING LOTS 252 THRU 257

ITEM # 377

94-391-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director
Office of Zoning Administration
and Development Management

DATE: May 6, 1994

FROM: J. James Dieter

SUBJECT: William and Clara Cosden Property
Petition for Variance - Zoning Item 377

RECEIVED

SITE LOCATION

The subject property is located at 6826 Hopkins Road in Harewood Park. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Mr. and Mrs. William Cosden

APPLICANT PROPOSAL

The applicant has requested a variance from BCZR 1B02.3.C.1 and 304 to permit residential development of an undersized 50 foot lot in a D.R. 5.5 zone in lieu of the required 55 foot width.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

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 14.15.10.01.0>.

RECEIVED
MAY 20 1994
ZADM

REGULATIONS AND FINDINGS

1. Regulation: "If a parcel or lot one-half acre or less in size was in residential use or zoned for residential purposes on or before December 1, 1985, then man-made impervious surfaces associated with that use are limited to 25% of the parcel or lot" <Baltimore County Code, Section 26-543(e)(1)>.

 Finding: The lot size is 8,000 square feet or 0.18 acre; therefore, man-made impervious surfaces shall not exceed 25% of the lot area or 2,000 square feet.

2. Regulation: "If no forest is established on proposed development sites, these sites shall be planted to provide a forest or developed woodland cover of at least 15%" <COMAR 14.15.02.04 C.(5)(e)>.

 Finding: The following plant material shall be selected from the enclosed list and planted in addition to existing vegetation to provide a 15% forested cover.

 Shrub and small tree list: 3 items - ball and burlap or 2 gallon container size

 Trees are an important factor in improving water quality. The roots of trees greatly improve the infiltration rate of storm water and efficiently remove nitrogen from subsurface flows of groundwater. Trees also act as both a barrier and a sponge, blocking and absorbing eroding soils and the phosphorous associated with them.

3. Regulation: "Infiltration of stormwater shall be maximized throughout the site, rather than directing flow to single discharge points" <Baltimore County Code, Section 26-453(h)(2)>.

4. Regulation: "Before the issuance of any Use and Occupancy permit within the Critical Area by the Department of Permits and Licenses, the Director of the Department of Environmental Protection and Resource Management, or his designee, shall determine that the development is in compliance with the Findings and Findings Plan as determined by the approving authority. The Use and Occupancy permit shall not be issued unless and until the Director of Environmental Protection and Resource Management, or his designee, certifies to the Director of Permits and Licenses that such development is in compliance with said Findings and Findings Plan" <Baltimore County Code, Section 26-455>.

5. Regulation: "Dredging, filling, or construction other than approved bulkheading shall not be permitted in any non-tidal and tidal wetlands unless the proposed development consists of utility, bridge, or street development in a non-tidal wetland and unless the Director of Environmental Protection and Resource Management finds this proposed development not detrimental to the County's Wetland Management Programs" <Baltimore County Code, Section 26-447>.

 Finding: No tidal or non-tidal wetlands were found on this site, or in the vicinity of the site. Therefore, no dredging, filling, or construction shall occur in any tidal or non-tidal wetland for this project, and this regulation has been met.

CONCLUSION

It has been determined by the Department of Environmental Protection and Resource Management (DEPRM) staff that the undersized lot under consideration can be developed as proposed and in accordance with the conditions listed above without causing adverse environmental impact. If you have any questions, please contact Ms. Patricia M. Farr at 887-3980.

J. James Dieter, Director
Department of Environmental Protection
and Resource Management

JJD/GES/tmm

c: William and Clara Cosden

COSDEN/DEPRM/WQCBCA

PETITION FOR VARIANCE
NW/S Hopkins Road, 290' E of c/l Harewood Park (6836 Hopkins Road), 15th Election Dist., 9th Councilmanic Dist.

PETITIONER :
WILLIAM J. COSDEN
CLARA E. COSDEN

: BEFORE THE
: ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: CASE NO: 94-391-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY THAT on this 17th day of May, 1994, a copy of the foregoing Entry of Appearance was mailed to William J. Cosden and Clara E. Cosden, 6828 Hopkins Road, Baltimore, MD 21220, Petitioners.

Peter Max Zimmerman

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning and Zoning
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B_____
Permit Number

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ WILLIAM J. and CLARA E. COSDEN, 6828 HOPKINS ROAD, BALTO., MD 21220 335-3336
First Name of Applicant — Address — Telephone Number

☐ Lot Address 6826 HOPKINS ROAD Election District 9 Council District 4 Square Feet 7450

Lot Location: N E S W / side / corner of _____ (street) feet from N E S W corner of PRINCETON ROAD (street)

Land Owner WILLIAM J. and CLARA E. COSDEN Tax Account Number 15-1503370431

Address 6828 HOPKINS ROAD Telephone Number _____

☐ CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Zoning)

	PROVIDED? YES	NO
1. This Recommendation Form (2 copies)	X	___
[illegible]	___	X
3. Site Plan	X	
Property (3 copies)	___	___
Topo Map (available in the 200 C.B.B.) (2 copies) (please print size clearly)	X	___
4. Building Elevation Drawings	X	___
5. Photographs (please label all photos clearly)		
Adjoining Buildings	X	___
Surrounding Neighborhood	X	___

Residential Processing Fee Paid Codes 030 & 050 ($50)
Accepted by _____ ZADM
Date _____

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY!

RECOMMENDATIONS/COMMENTS:

☐ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

ITEM # 377

Signed by: _____ Date: _____
for the Director, Office of Planning & Zoning

wmmp.pmk

PLEASE PRINT CLEARLY

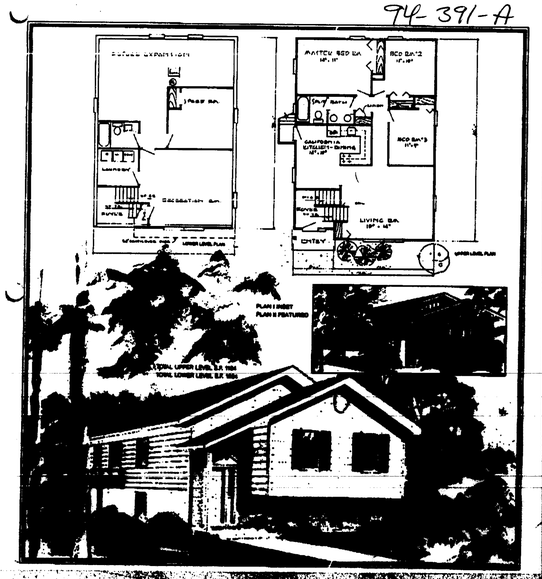
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
William Cosden	6828 Hopkins Rd
ANDREW JOHNS	Bx 65 Glen Mill 21027
	2239 06 Somerton Rd.
	Belair MD 21015
	515-0333

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THE LAMPLIGHTER

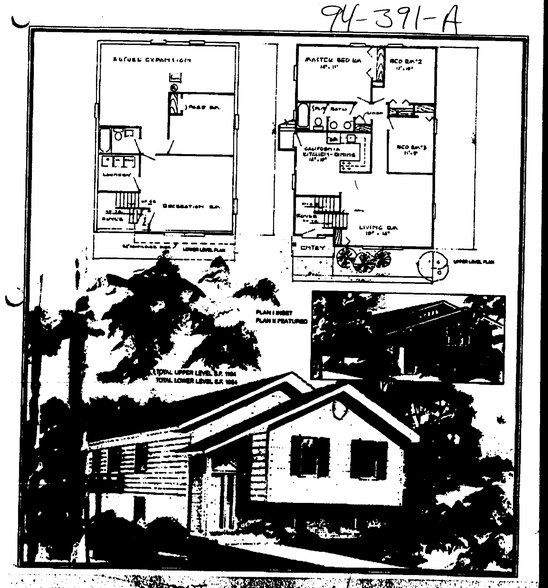
94-391-A



ITEM # 377

THE LAMPLIGHTER

94-391-A



FRONT ELEVATION

ITEM # 377

Zoning Administration
Development Management
Towson, Maryland

receipt
94-391-A

Account R-001-6150

Number

Date

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 377

Petitioner:

Location:

PLEASE FORWARD ADVERTISING BILL TO:

NAME:

ADDRESS:

PHONE NUMBER:

AJ:ggs

(Revised 04/09/93)

Printed on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
April 21, 1994 Issue - Jeffersonian

Please foward billing to:

William and Clara Cosden
6828 Hopkins Road
Baltimore, Maryland 21220
335-3336

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-391-A (Item 377)
6836 Hopkins Road
NW/S Hopkins Road, 290' E of c/l Harewood Park
15th Election District - 5th Councilmanic
Petitioner(s): William J. Cosden and Clara E. Cosden
HEARING: WEDNESDAY, MAY 11, 1994 at 9:00 a.m., Rm. 118 Old Courthouse.

Variance to permit the residential development of an undersized 50-foot lot in lieu of the required 55 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

APRIL 14, 1994

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-391-A (Item 377)
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NW/S Hopkins Road, 290' E of c/l Harewood Park
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Variance to permit the residential development of an undersized 50-foot lot in lieu of the required 55 feet.

Arnold Jablon
Director

cc: William and Clara Cosden

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

May 2, 1994

Mr. and Mrs. William J. Cosden
6828 Hopkins Road
Baltimore, Maryland 21220

RE: Case No. 94-391-A, Item No. 377
Petitioner: William J. Cosden, et ux.
Petition for Variance

Dear Mr. and Mrs. Cosden:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on April 5, 1994, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-13-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: # 377 (RT)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
for DAVID N. RAMSEY, ACTING CHIEF
~~John Contestabile, Chief~~
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/27/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner:

LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

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

8. The Fire Prevention Bureau has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 374,377,378,379,380,381, 383,384, ~~and~~ 385, and 386. PAL

RECEIVED
APR 28 1994
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

ZC

BALTIMORE COUNTY, MARYLAND

Cosden

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: May 5, 1994

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

94-391-A

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 377, 397, 398, 399, 400, 402, 409, 410, 412 and 414.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long

Division Chief: Barry L. Kerns

PK/JL:lw

ZAC.377/PZONE/ZAC1

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NW/S Hopkins Road, 290 ft. E of c/l Harewood Park * ZONING COMMISSIONER
6826 Hopkins Road
15th Election District * OF BALTIMORE COUNTY
5th Councilmanic District
William J. Cosden, et ux * Case No. 94-391-A
Petitioners

* * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 6826 Hopkins Road in the Harewood Park Subdivision of Baltimore County, near Chase. Variance relief is requested from Sections 1B02.3.C.1 and/or 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a residential development of an undersized lot 50 ft. in width, in a D.R.5.5 zone, in lieu of the required 55 ft. The subject property and relief requested is more particularly shown on the site plan marked as Petitioners' Exhibit No. 1.

Appearing at the requisite public hearing held for this case was one of the property owners, William J. Cosden. Also present was Andrew Johns, Developer. There were no Protestants present.

Testimony and evidence presented was that Mr. Cosden owns the subject property, known as lots 252 and 253 of the Harewood Park Subdivision. Presently, these lots are unimproved. Each lot is 25 ft. in width and 145 ft. in depth. Thus, the two lots, when combined, are 50 ft. wide, 5 ft. less than the required width of any lot to be developed in a D.R.5.5 zone. The lots are .167 acres in area and are, in fact, zoned D.R.5.5.

Mr. Cosden also owns three adjacent lots, known as lots 249 thru 251. These lots are improved with an existing dwelling in which the Petitioner resides. Mr. Cosden proposes selling lots 252 and 253 to Mr. Johns who plans to develop same with a one story single family dwelling. The

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Date 5/23/94
By M. Davis

proposed dwelling which is shown in the elevation drawing and proposed floor plan document, marked as Petitioner's Exhibit No. 2, will be a rancher style house. It will be similar in design to other houses in the area. In fact, the Petitioner produced a series of photographs showing similar houses which have been constructed within this subdivision. Moreover, both Mr. Johns and Mr. Cosden testified that many of the houses in this older residential community have been developed on twin lots which total 50 ft., as is requested here. As noted above, there were no Protestants present and, also, there were no adverse Zoning Plans Advisory Committee comments.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship will result

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Date 5/23/94
By M. Davis

if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requested, and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety and general welfare. Further, granting of the variance will be in strict harmony with the spirit and intent of the B.C.Z.R.

This property lies within close proximity to the Chesapeake Bay and is, therefore, subject to the Chesapeake Bay Critical Area legislation found within 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 must submit 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 have not, as yet, been submitted, as noted in the Zoning Plans Advisory Committee comments from the Department of Environmental Protection and Resource Management (D.E.P.R.M.). When D.E.P.R.M.'s final comments are completed, they shall be attached hereto and become a permanent part of the decision rendered in this case. There

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Date 5/23/94
By M. Davis

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.

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 Zoning Commissioner for Baltimore County this 23rd day of May, 1994 that a variance from Sections 1B02.3.C.1 and/or 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a residential development of an undersized lot 50 ft. in width, in a D.R.5.5 zone, in lieu of the required 55 ft., be and is hereby GRANTED, subject, however, to the following restriction 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.

2. Compliance with the Department of Environmental Protection and Resource Management recommendations to be submitted upon completion of their review of this matter.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmn

ORDER RECEIVED FOR FILING
Date 5/23/94
By M. Davis

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 19, 1994

Mr. and Mrs. William J. Cosden
6828 Hopkins Road
Baltimore, Maryland 21220

RE: Petition for Zoning Variance
Case No. 94-391-A
Location: 6826 Hopkins Road

Dear Mr. and Mrs. Cosden:

Enclosed please find the decision rendered in the above captioned cases. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

Printed on Recycled Paper

Petition for Variance

to the Zoning Commissioner of Baltimore County

94-391-A

for the property located at 6826 Hopkins Road (Lots 252 & 253)

which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
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(s) 1B02.3.C.1 & 304 (ICAR)
TO PERMIT THE RESIDENTIAL DEVELOPMENT OF AN UNDERSIZED 50' LOT IN A D.R. 5.5 ZONE, IN LIEU OF THE REQUIRED 55'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
THE WIDTH OF LOT DOES NOT MEET COUNTY ZONING REGULATIONS

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.

Contract Purchaser/Lessee:
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner:
(Type or Print Name)
Signature
Address Phone No.
City State Zipcode

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.
Legal Owner(s):
WILLIAM J. COSDEN
(Type or Print Name)
Signature
CLARA E. COSDEN
(Type or Print Name)
Signature
6828 HOPKINS ROAD
Address Phone No.
BALTIMORE, MD 21220
City State Zipcode
Name, Address and phone number of representative to be contacted.
WILLIAM J. and CLARA E. COSDEN
Name
6828 HOPKINS ROAD 335-3336
Address Phone No.

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
unavailable for Hearing
the following dates Next Two Months
ALL OTHER
REVIEWED BY: RJL DATE 4-5-94

ITEM #377

94-391-A (3)

EXAMPLE 3 – Zoning Description

- 3 copies

ITEM# 377

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 6826 HOPKINS ROAD - LOT 252 & 253
(address)
Election District 9 Councilmanic District 4

Beginning at a point on the NORTHEASTERN most side of HOPKINS ROAD
(north, south, east or west)
(street on which property fronts) which is 30'
(number of feet of right-of way width)
wide at a distance of 290' EAST of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street PRINCETON ROAD
(name of street)
which is 30' wide. *Being Lot # 252 & 253,
(number of feet of right-of-way width)
Block B 7, Section # 131 in the subdivision of
HAREWOOD PARK as recorded in Baltimore County Plat
(name of subdivision)
Book # WPC 7, Folio # 131, containing
7250 .167 Ac.
(square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber ____, Folio ____" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

7

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 94-391-A
Towson, Maryland

District 15th Date of Posting 4/29/94
Posted for: Variance
Petitioner: William + Clara Cosden
Location of property: 6826 Hopkins Rd., Md.
Location of Signs: Facing Northway Rd. & Property being posted
Remarks:
Posted by Signature Date of return: 4/29/94
Number of Signs: 1

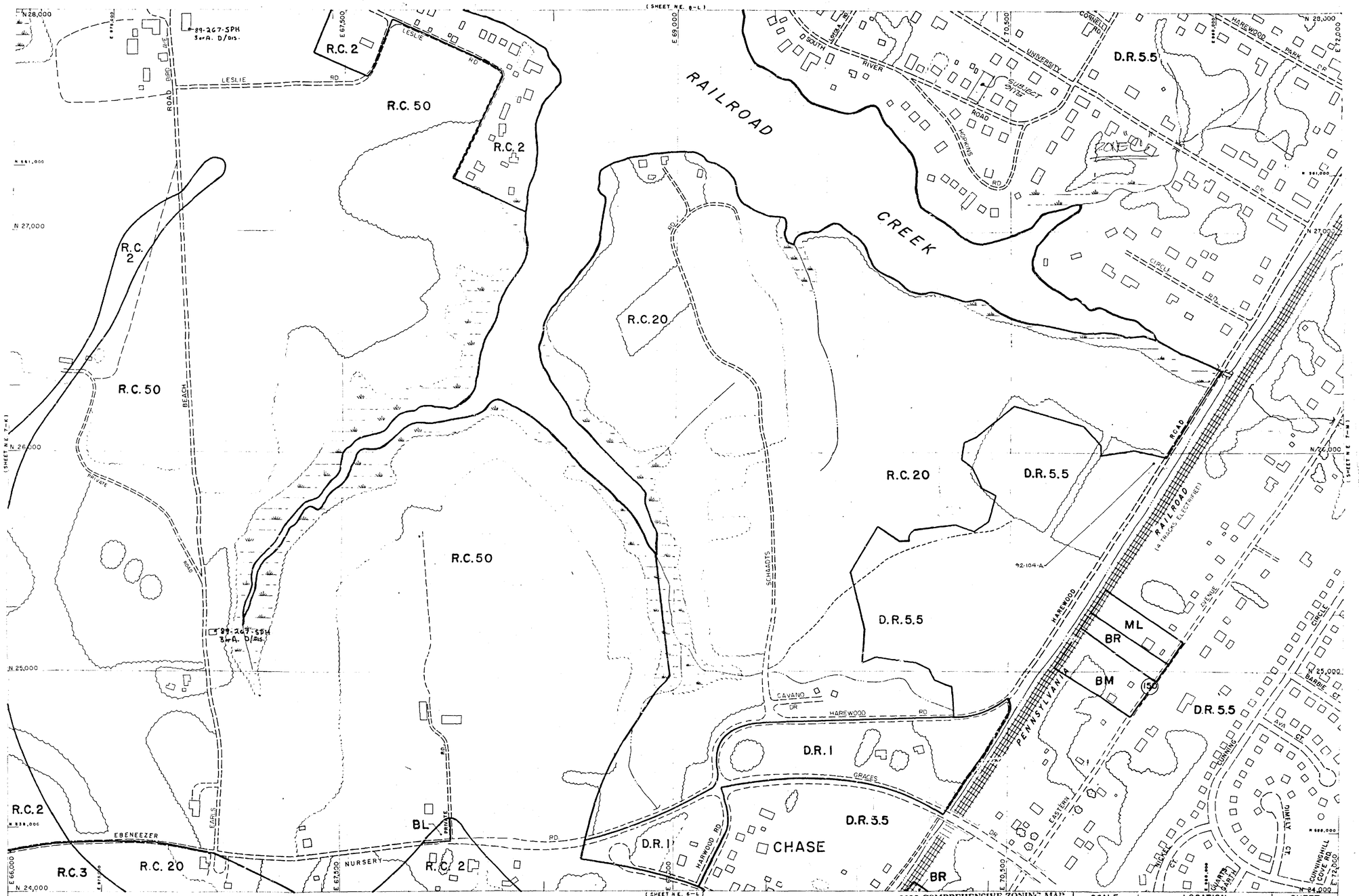


CERTIFICATE OF PUBLICATION

TOWSON, MD., April 22 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 21 1994

THE JEFFERSONIAN,
A. Henrickson
LEGAL AD. - TOWSON



MM - SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1988 COMPREHENSIVE ZONING MAP
Accepted by the Baltimore County Council
Oct. 13, 1988
Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

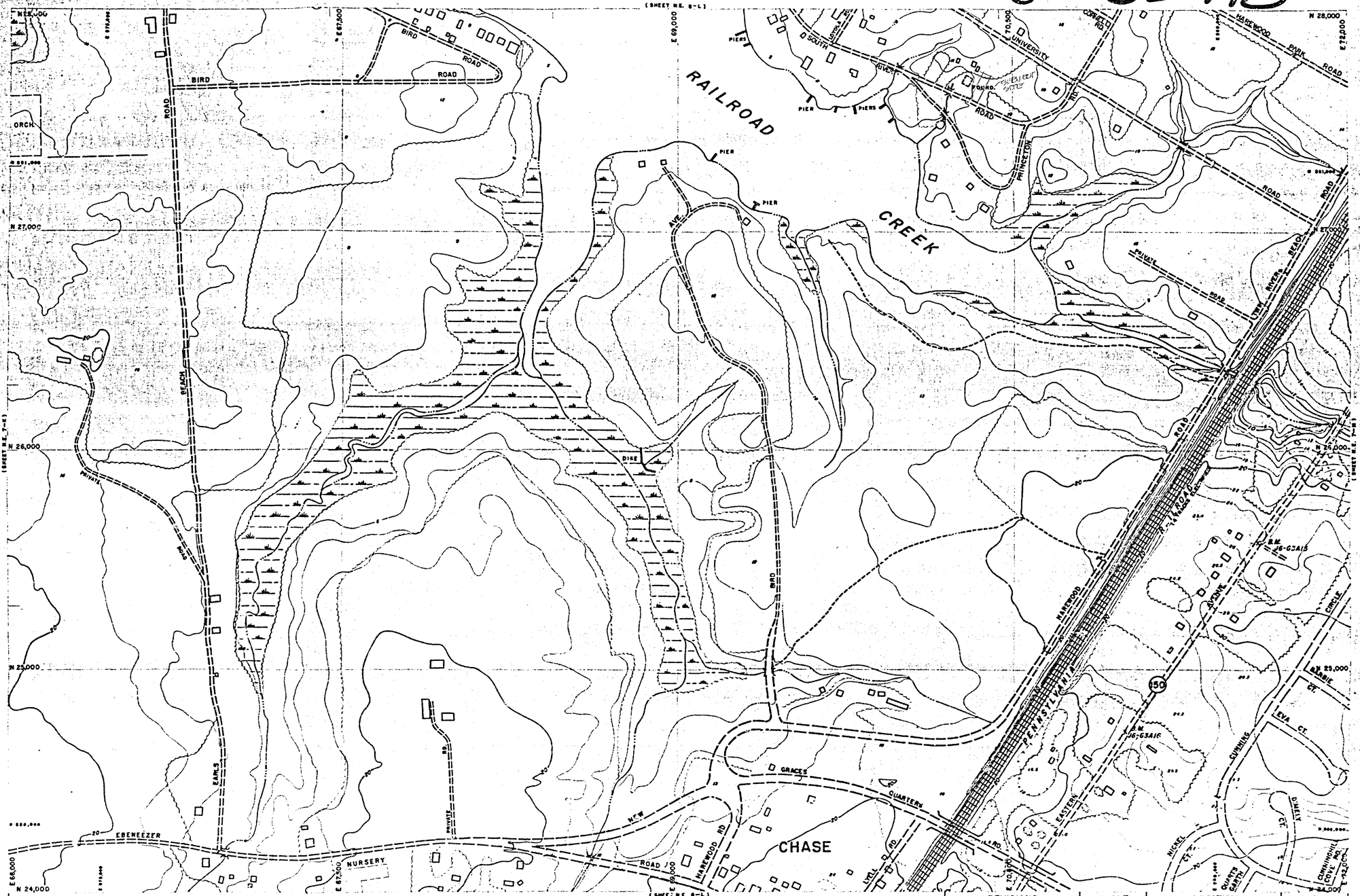
1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

William A. Howard III
Chairman, County Council

SCALE	LOCATION	SHEET
1" = 200'±	HAREWOOD PARK CHASE	N.E. 7-L
DATE OF PHOTOGRAPHY JANUARY 1986	ITEM # 377	

94-391-A

94-391-A



M 12 - SW

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS			SCALE	LOCATION	SHEET
	BY	DATE	1" = 200'	HAREWOOD PARK CHASE	N.E. 7-L
	JSL	11/1/55	DATE OF PHOTOGRAPHY APRIL 1953		
Topography Compiled By Photogrammetric Methods AERO SERVICE CORPORATION - PHILADELPHIA, PA.				ITEM # 377	

94-391-A

PLAT REQUIREMENT NO. 6

LOTS 249, 250 & 251 HOPKINS RD
William J. and Clara E. Cosden
Box 54
Chase, Maryland 21027
Tax I.D. 15-15034722940
Liber: 5298
Folio: 196
PB-PG 07-131
Parcel No. 83-6-258

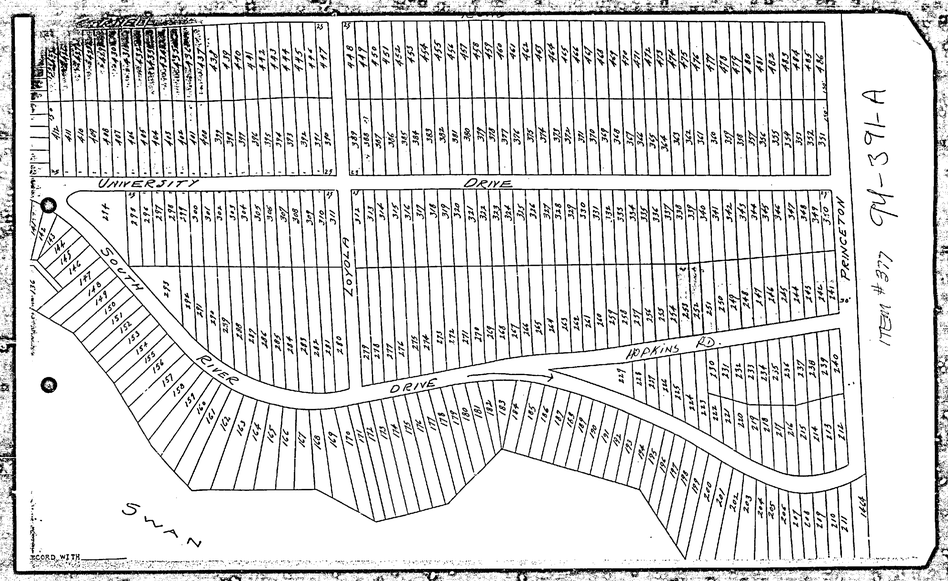
LOTS 254 & 255 HOPKINS ROAD
Anita M. Dowling
1600 White Oak Avenue
Baltimore, MD 21234
Tax I.D. 15-1519322580
Liber: 7452
Folio: 201
PB-PG 07-131
Parcel No. 83-6-258

LOTS 339, 340, 341 & 342 UNIVERSITY DRIVE
James W. & Leona M Hudson
6821 University Drive
Baltimore, MD 21220
Tax I.D. 15-1508802180
Liber: 4932
Folio: 163
PB-PG 07-131
Parcel No. 83-6-258

LOTS 336, 337 & 338 UNIVERSITY DRIVE
Gerald D. & Carolyn P. Murray
6819 University Drive
Baltimore, MD 21220
Tax I.D. 15-1513855970
Liber:
Folio:

PB-PG-07-131
Parcel No. 83-6-258

ITEM # 377



(12)

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

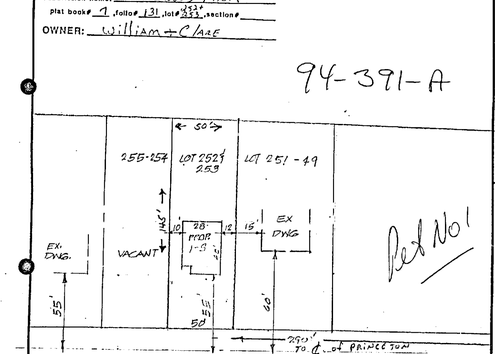
PROPERTY ADDRESS: 1600 HOPKINS RD LOTS 252 & 253 (see pages 5 & 8 of the CHECKLIST for additional required information)

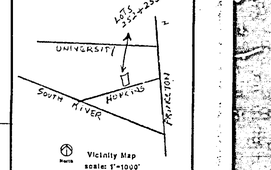
Subdivision name: HAREWOOD PARK

plat book# 9 folio# 131 lot# 252 & 253 section#

OWNER: William + Clara

94-391-A





Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

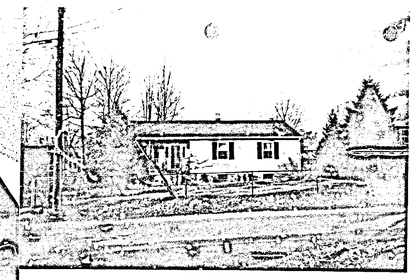
Election District: 9
Councilmanic District: 4
1"=200' scale map#: NE 7-L
Zoning: DR 5.5
Lot size: .167 acreage 7250 square feet

	public	private
SEWER:	☒	☐
WATER:	☒	☐

Chesapeake Bay Critical Area: ☒ ☐
Prior Zoning Hearings: NO

North
date: 4-5-94
prepared by: A. Johns
Scale of Drawing: 1"= 50'

Zoning Office USE ONLY!
reviewed by: R.T. ITEM #: 377 CASE#:

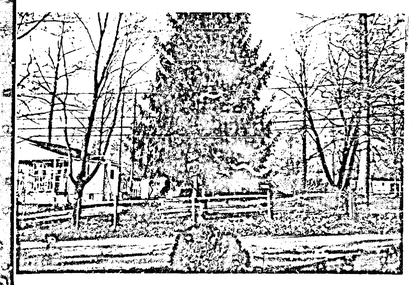


LOTS 249, 250 + 251 EXISTING HOUSE ON RIGHT OF PROPOSED DWELLING

94-391-A



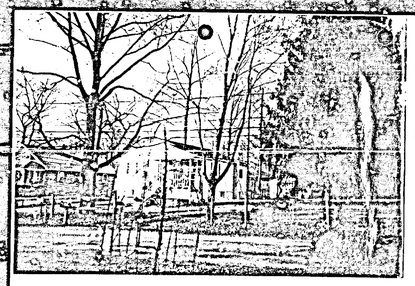
FRONT VIEW OF SUBJECT LOTS 252+253 FROM ACROSS THE STREET



FRONT OF VACANT LOTS # 254 + 255 ON LEFT OF PROPOSED DWELLING

HOUSE IN THE FAR LEFT OF PICTURE IS EXISTING ON LOTS 256+257

ITEM # 377



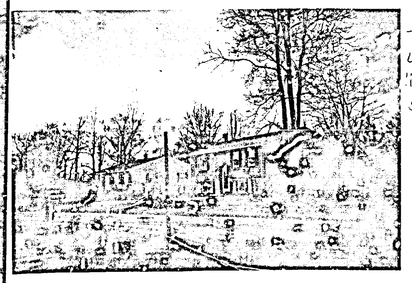
LOTS 254 THROUGH 257

LOT 254 BEING ON RIGHT OF PICTURE

94-391-A

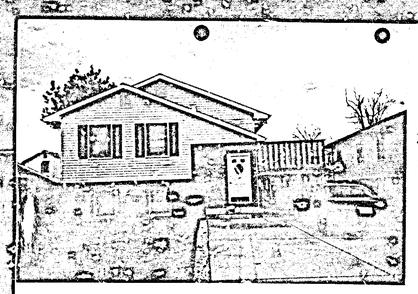


TAKEN FROM MIDDLE OF SUBJECT PROPERTY LOTS 252+253 LOOKING TOWARDS HOPKINS RD.



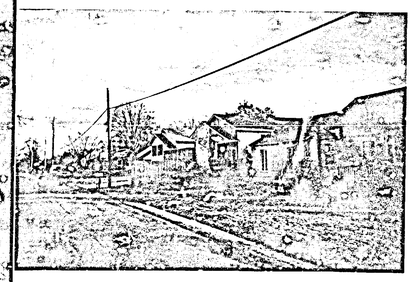
TAKEN FROM LEFT CORNER OF HOPKINS + PRINCETON SHOWING LOTS 241 THRU 251.

ITEM # 377

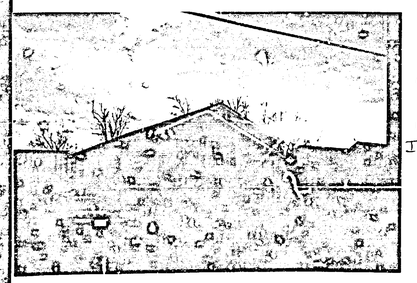


EXISTING HOME IN HAREWOOD PARK IDENTICAL TO OUR PLANS

94-391-A



THE TOP + BOTTOM PICTURE SIDE BY SIDE



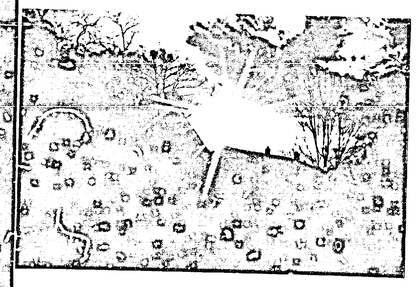
EXISTING HOME IN HAREWOOD PARK WITH IDENTICAL PLANS

ITEM # 377

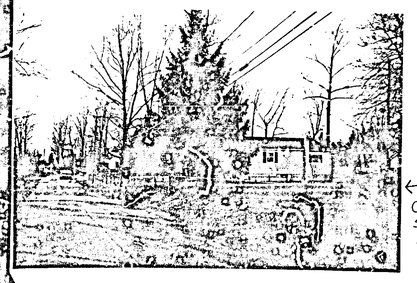


TAKEN FROM RIGHT CORNER OF PRINCETON + HOPKINS

94-391-A



2ND + 3RD HOUSE ON OPPOSITE SIDE OF STREET FROM CORNER OF PRINCETON + HOPKINS - HOUSE ON RIGHT SIDE OF PICTURE IS DIRECTLY ACROSS FROM PROPERTY



← RIGHT FRONT CORNER OF LOT SHOWING LOTS 252 THRU 257

ITEM # 377

94-391-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director
Office of Zoning Administration
and Development Management

DATE: May 6, 1994

FROM: J. James Dieter

SUBJECT: William and Clara Cosden Property
Petition for Variance - Zoning Item 377

RECEIVED

SITE LOCATION

The subject property is located at 6826 Hopkins Road in Harewood Park. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Mr. and Mrs. William Cosden

APPLICANT PROPOSAL

The applicant has requested a variance from BCZR 1B02.3.C.1 and 304 to permit residential development of an undersized 50 foot lot in a D.R. 5.5 zone in lieu of the required 55 foot width.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

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 14.15.10.01.0>.

RECEIVED
MAY 20 1994
ZADM

REGULATIONS AND FINDINGS

1. Regulation: "If a parcel or lot one-half acre or less in size was in residential use or zoned for residential purposes on or before December 1, 1985, then man-made impervious surfaces associated with that use are limited to 25% of the parcel or lot" <Baltimore County Code, Section 26-543(e)(1)>.

 Finding: The lot size is 8,000 square feet or 0.18 acre; therefore, man-made impervious surfaces shall not exceed 25% of the lot area or 2,000 square feet.

2. Regulation: "If no forest is established on proposed development sites, these sites shall be planted to provide a forest or developed woodland cover of at least 15%" <COMAR 14.15.02.04 C.(5)(e)>.

 Finding: The following plant material shall be selected from the enclosed list and planted in addition to existing vegetation to provide a 15% forested cover.

 Shrub and small tree list: 3 items - ball and burlap or 2 gallon container size

 Trees are an important factor in improving water quality. The roots of trees greatly improve the infiltration rate of storm water and efficiently remove nitrogen from subsurface flows of groundwater. Trees also act as both a barrier and a sponge, blocking and absorbing eroding soils and the phosphorous associated with them.

3. Regulation: "Infiltration of stormwater shall be maximized throughout the site, rather than directing flow to single discharge points" <Baltimore County Code, Section 26-453(h)(2)>.

4. Regulation: "Before the issuance of any Use and Occupancy permit within the Critical Area by the Department of Permits and Licenses, the Director of the Department of Environmental Protection and Resource Management, or his designee, shall determine that the development is in compliance with the Findings and Findings Plan as determined by the approving authority. The Use and Occupancy permit shall not be issued unless and until the Director of Environmental Protection and Resource Management, or his designee, certifies to the Director of Permits and Licenses that such development is in compliance with said Findings and Findings Plan" <Baltimore County Code, Section 26-455>.

5. Regulation: "Dredging, filling, or construction other than approved bulkheading shall not be permitted in any non-tidal and tidal wetlands unless the proposed development consists of utility, bridge, or street development in a non-tidal wetland and unless the Director of Environmental Protection and Resource Management finds this proposed development not detrimental to the County's Wetland Management Programs" <Baltimore County Code, Section 26-447>.

 Finding: No tidal or non-tidal wetlands were found on this site, or in the vicinity of the site. Therefore, no dredging, filling, or construction shall occur in any tidal or non-tidal wetland for this project, and this regulation has been met.

CONCLUSION

It has been determined by the Department of Environmental Protection and Resource Management (DEPRM) staff that the undersized lot under consideration can be developed as proposed and in accordance with the conditions listed above without causing adverse environmental impact. If you have any questions, please contact Ms. Patricia M. Farr at 887-3980.

J. James Dieter, Director
Department of Environmental Protection
and Resource Management

JJD/GES/tmm

c: William and Clara Cosden

COSDEN/DEPRM/WQCBCA

PETITION FOR VARIANCE
NW/S Hopkins Road, 290' E of c/l Harewood Park (6836 Hopkins Road), 15th Election Dist., 9th Councilmanic Dist.

PETITIONER :
WILLIAM J. COSDEN
CLARA E. COSDEN

: BEFORE THE
: ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: CASE NO: 94-391-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY THAT on this 17th day of May, 1994, a copy of the foregoing Entry of Appearance was mailed to William J. Cosden and Clara E. Cosden, 6828 Hopkins Road, Baltimore, MD 21220, Petitioners.

Peter Max Zimmerman

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning and Zoning
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B_____
Permit Number

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ WILLIAM J. and CLARA E. COSDEN, 6828 HOPKINS ROAD, BALTO., MD 21220 335-3336
First Name of Applicant — Address — Telephone Number

☐ Lot Address 6826 HOPKINS ROAD Election District 9 Council District 4 Square Feet 7450

Lot Location: N E S W / side / corner of _____ (street) feet from N E S W corner of PRINCETON ROAD (street)

Land Owner WILLIAM J. and CLARA E. COSDEN Tax Account Number 15-1503370431

Address 6828 HOPKINS ROAD Telephone Number _____

☐ CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Zoning)

	PROVIDED? YES	NO
1. This Recommendation Form (2 copies)	X	___
[illegible]	___	X
3. Site Plan	X	
Property (3 copies)	___	___
Topo Map (available in the 200 C.B.B.) (2 copies) (please print size clearly)	X	___
4. Building Elevation Drawings	X	___
5. Photographs (please label all photos clearly)		
Adjoining Buildings	X	___
Surrounding Neighborhood	X	___

Residential Processing Fee Paid Codes 030 & 050 ($50)
Accepted by _____ ZADM
Date _____

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY!

RECOMMENDATIONS/COMMENTS:

☐ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

ITEM # 377

Signed by: _____ Date: _____
for the Director, Office of Planning & Zoning

wmmp.pmk

PLEASE PRINT CLEARLY

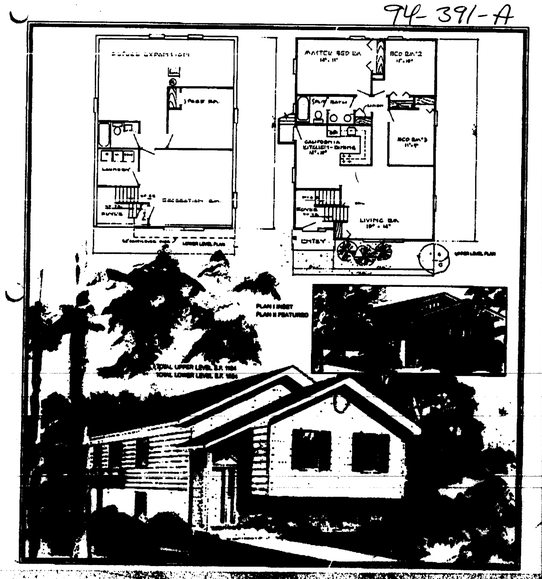
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
William Cosden	6828 Hopkins Rd
ANDREW JOHNS	Bx 65 Glen Mill 21027
	2239 06 Somerton Rd.
	Belair MD 21015
	515-0333

Printed with Soybean Ink on Recycled Paper

THE LAMPLIGHTER

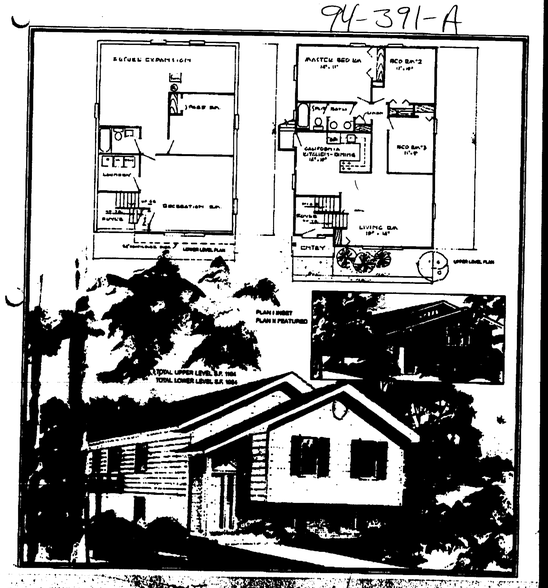
94-391-A



ITEM # 377

THE LAMPLIGHTER

94-391-A



FRONT ELEVATION

ITEM # 377

Zoning Administration
Development Management
Towson, Maryland

receipt
94-391-A

Account R-001-6150

Number

Date

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 377

Petitioner:

Location:

PLEASE FORWARD ADVERTISING BILL TO:

NAME:

ADDRESS:

PHONE NUMBER:

AJ:ggs

(Revised 04/09/93)

Printed on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
April 21, 1994 Issue - Jeffersonian

Please foward billing to:

William and Clara Cosden
6828 Hopkins Road
Baltimore, Maryland 21220
335-3336

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-391-A (Item 377)
6836 Hopkins Road
NW/S Hopkins Road, 290' E of c/l Harewood Park
15th Election District - 5th Councilmanic
Petitioner(s): William J. Cosden and Clara E. Cosden
HEARING: WEDNESDAY, MAY 11, 1994 at 9:00 a.m., Rm. 118 Old Courthouse.

Variance to permit the residential development of an undersized 50-foot lot in lieu of the required 55 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

APRIL 14, 1994

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-391-A (Item 377)
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Variance to permit the residential development of an undersized 50-foot lot in lieu of the required 55 feet.

Arnold Jablon
Director

cc: William and Clara Cosden

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

May 2, 1994

Mr. and Mrs. William J. Cosden
6828 Hopkins Road
Baltimore, Maryland 21220

RE: Case No. 94-391-A, Item No. 377
Petitioner: William J. Cosden, et ux.
Petition for Variance

Dear Mr. and Mrs. Cosden:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on April 5, 1994, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-13-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: # 377 (RT)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
for DAVID N. RAMSEY, ACTING CHIEF
~~John Contestabile, Chief~~
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/27/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner:

LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

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

8. The Fire Prevention Bureau has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 374,377,378,379,380,381, 383,384, ~~and~~ 385, and 386. PAL

RECEIVED
APR 28 1994
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

ZC

BALTIMORE COUNTY, MARYLAND

Cosden

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: May 5, 1994

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

94-391-A

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 377, 397, 398, 399, 400, 402, 409, 410, 412 and 414.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long

Division Chief: Barry L. Kerns

PK/JL:lw

ZAC.377/PZONE/ZAC1

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NW/S Hopkins Road, 290 ft. E of c/l Harewood Park * ZONING COMMISSIONER
6826 Hopkins Road
15th Election District * OF BALTIMORE COUNTY
5th Councilmanic District
William J. Cosden, et ux * Case No. 94-391-A
Petitioners

* * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 6826 Hopkins Road in the Harewood Park Subdivision of Baltimore County, near Chase. Variance relief is requested from Sections 1B02.3.C.1 and/or 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a residential development of an undersized lot 50 ft. in width, in a D.R.5.5 zone, in lieu of the required 55 ft. The subject property and relief requested is more particularly shown on the site plan marked as Petitioners' Exhibit No. 1.

Appearing at the requisite public hearing held for this case was one of the property owners, William J. Cosden. Also present was Andrew Johns, Developer. There were no Protestants present.

Testimony and evidence presented was that Mr. Cosden owns the subject property, known as lots 252 and 253 of the Harewood Park Subdivision. Presently, these lots are unimproved. Each lot is 25 ft. in width and 145 ft. in depth. Thus, the two lots, when combined, are 50 ft. wide, 5 ft. less than the required width of any lot to be developed in a D.R.5.5 zone. The lots are .167 acres in area and are, in fact, zoned D.R.5.5.

Mr. Cosden also owns three adjacent lots, known as lots 249 thru 251. These lots are improved with an existing dwelling in which the Petitioner resides. Mr. Cosden proposes selling lots 252 and 253 to Mr. Johns who plans to develop same with a one story single family dwelling. The

ORDER RECEIVED FOR FILING
Date 5/23/94
By M. Davis

proposed dwelling which is shown in the elevation drawing and proposed floor plan document, marked as Petitioner's Exhibit No. 2, will be a rancher style house. It will be similar in design to other houses in the area. In fact, the Petitioner produced a series of photographs showing similar houses which have been constructed within this subdivision. Moreover, both Mr. Johns and Mr. Cosden testified that many of the houses in this older residential community have been developed on twin lots which total 50 ft., as is requested here. As noted above, there were no Protestants present and, also, there were no adverse Zoning Plans Advisory Committee comments.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship will result

ORDER RECEIVED FOR FILING
Date 5/23/94
By M. Davis

if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requested, and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety and general welfare. Further, granting of the variance will be in strict harmony with the spirit and intent of the B.C.Z.R.

This property lies within close proximity to the Chesapeake Bay and is, therefore, subject to the Chesapeake Bay Critical Area legislation found within 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 must submit 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 have not, as yet, been submitted, as noted in the Zoning Plans Advisory Committee comments from the Department of Environmental Protection and Resource Management (D.E.P.R.M.). When D.E.P.R.M.'s final comments are completed, they shall be attached hereto and become a permanent part of the decision rendered in this case. There

ORDER RECEIVED FOR FILING
Date 5/23/94
By M. Davis

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.

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 Zoning Commissioner for Baltimore County this 23rd day of May, 1994 that a variance from Sections 1B02.3.C.1 and/or 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a residential development of an undersized lot 50 ft. in width, in a D.R.5.5 zone, in lieu of the required 55 ft., be and is hereby GRANTED, subject, however, to the following restriction 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.

2. Compliance with the Department of Environmental Protection and Resource Management recommendations to be submitted upon completion of their review of this matter.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmn

ORDER RECEIVED FOR FILING
Date 5/23/94
By M. Davis

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 19, 1994

Mr. and Mrs. William J. Cosden
6828 Hopkins Road
Baltimore, Maryland 21220

RE: Petition for Zoning Variance
Case No. 94-391-A
Location: 6826 Hopkins Road

Dear Mr. and Mrs. Cosden:

Enclosed please find the decision rendered in the above captioned cases. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

Printed on Recycled Paper

Petition for Variance

to the Zoning Commissioner of Baltimore County

94-391-A

for the property located at 6826 Hopkins Road (Lots 252 & 253)

which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
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(s) 1B02.3.C.1 & 304 (ICAR)
TO PERMIT THE RESIDENTIAL DEVELOPMENT OF AN UNDERSIZED 50' LOT IN A D.R. 5.5 ZONE, IN LIEU OF THE REQUIRED 55'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
THE WIDTH OF LOT DOES NOT MEET COUNTY ZONING REGULATIONS

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.

Contract Purchaser/Lessee:
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner:
(Type or Print Name)
Signature
Address Phone No.
City State Zipcode

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.
Legal Owner(s):
WILLIAM J. COSDEN
(Type or Print Name)
Signature
CLARA E. COSDEN
(Type or Print Name)
Signature
6828 HOPKINS ROAD
Address Phone No.
BALTIMORE, MD 21220
City State Zipcode
Name, Address and phone number of representative to be contacted.
WILLIAM J. and CLARA E. COSDEN
Name
6828 HOPKINS ROAD 335-3336
Address Phone No.

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
unavailable for Hearing
the following dates Next Two Months
ALL OTHER
REVIEWED BY: RJL DATE 4-5-94

ITEM #377

94-391-A (3)

EXAMPLE 3 – Zoning Description

- 3 copies

ITEM# 377

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 6826 HOPKINS ROAD - LOT 252 & 253
(address)
Election District 9 Councilmanic District 4

Beginning at a point on the NORTHEASTERN most side of HOPKINS ROAD
(north, south, east or west)
(street on which property fronts) which is 30'
(number of feet of right-of way width)
wide at a distance of 290' EAST of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street PRINCETON ROAD
(name of street)
which is 30' wide. *Being Lot # 252 & 253,
(number of feet of right-of-way width)
Block B 7, Section # 131 in the subdivision of
HAREWOOD PARK as recorded in Baltimore County Plat
(name of subdivision)
Book # WPC 7, Folio # 131, containing
7250 .167 Ac.
(square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber ____, Folio ____" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

7

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 94-391-A
Towson, Maryland

District 15th Date of Posting 4/29/94
Posted for: Variance
Petitioner: William + Clara Cosden
Location of property: 6826 Hopkins Rd., Md.
Location of Signs: Facing Northway Rd. & Property being posted
Remarks:
Posted by Signature Date of return: 4/29/94
Number of Signs: 1



CERTIFICATE OF PUBLICATION

TOWSON, MD., April 22 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 21 1994

THE JEFFERSONIAN,
A. Henrickson
LEGAL AD. - TOWSON