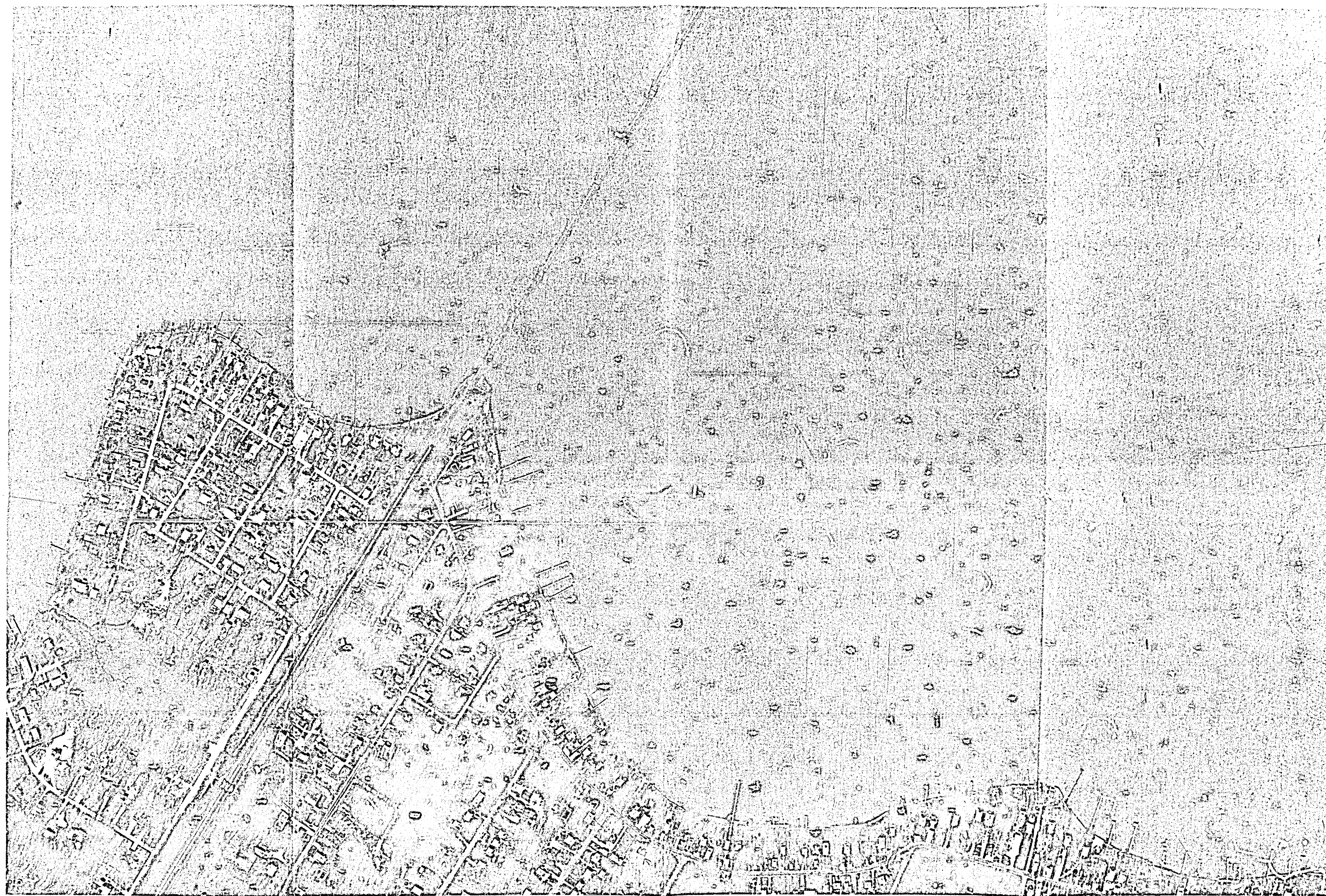


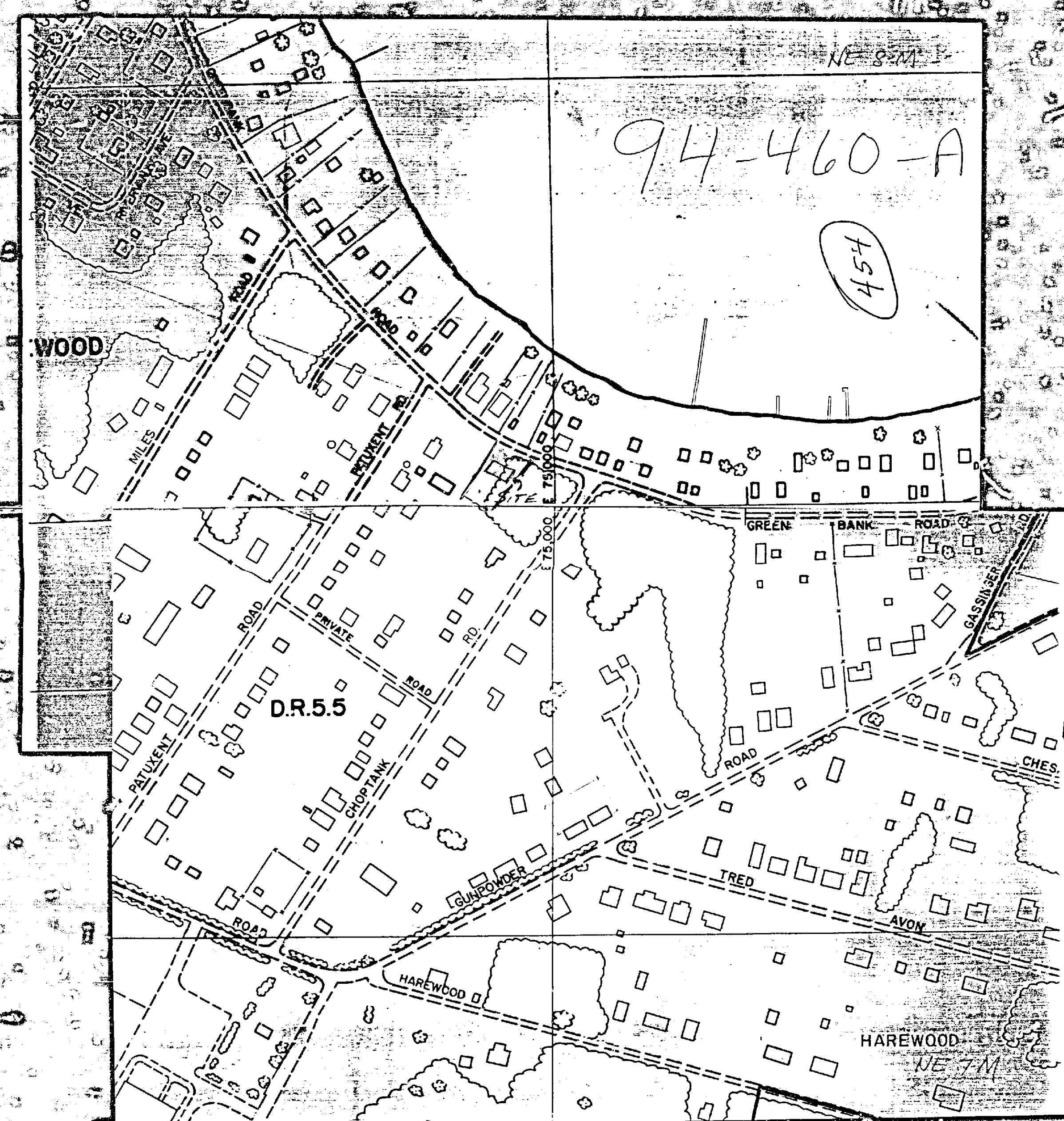


BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	HAREWOOD	N.E. 8-M
DATE OF PHOTOGRAPHY JANUARY 1986		

94-460-A



94-460-A

LOCATION INFORMATION
Election District: 15th
Councilmanic District: 5th
1"=200' scale map: NE 8-M
Zoning: D.R.5.5
Lot size: .23 acreage 10,018 square feet

SEWER: ☒ YES ☐ NO
WATER: ☒ YES ☐ NO
Chesapeake Bay Critical Area: ☐ YES ☒ NO
Prior Zoning Hearings: None

Zoning Office USE ONLY!
Reviewed by: [Signature] ITEM #: 454 CASE#:

Plat to accompany Petition for Zoning Variance ☒ Special Hearing ☐ Variance
see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 7127 GREENBANK RD.
Subdivision name: OLIVER BEACH
plat book: 14, page 31, lots 201 & 202
OWNER: Richard K. Nesbitt

HOUSE LOCATION FOR 7127 GREENBANK ROAD BALTIMORE COUNTY MARYLAND
FLOOD ZONE: FLOOD ZONE 1
SCALE: 1" = 20'
DATE: 3/20/94
FILE NO. P01022-177

NOTES:
THIS PLAT NOT INTENDED FOR USE IN THE ESTABLISHMENT OF PROPERTY LINES.

Zoning Plans Advisory Committee Comments
Mr. and Mrs. Richard K. Nesbit
Date: June 3, 1994
Page 2

2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.
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If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton in the zoning office at 887-3391 or the commenting agency.

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR:cm



O. James Lighthizer
Secretary
Hal Kassoff
Administrator

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. 454 (JSS)

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 H. RAMSEY, ACTING CHIEF
John Constable, 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, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: June 1, 1994

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

SUBJECT: Petitions from Zoning Advisory Committee

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

Item Nos. 429, 440, 444, 445, 449, 450, 453 and 454.

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:

Division Chief:

PK/JL:lw

ZAC.440/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

June 13, 1994

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

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #454 - Nesbit
7127 Greenbank Road
Zoning Advisory Committee Meeting of May 31, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with Chesapeake Bay Critical Area Regulations by meeting the following conditions:

1. The sum of all man-made impervious areas shall not exceed 25% of the lot. Current impervious surfaces equal 2029 square feet or 20% of the lot. The proposed garage and addition cannot exceed 476 square feet.
2. All new downspouts must run across the lawn.
3. The proposed project must have a minimum 25 foot buffer from the non-tidal wetland on the adjacent unimproved lot.

JLP:KK:sp

NESBIT/DEPRM/TXTS8P

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

June 16, 1994

(410) 887-3353

Mr. and Mrs. Richard K. Nesbit
7127 Greenbank Road
Baltimore, Maryland 21220

RE: Case No. 94-460-A, Item No. 454
Petition for Administrative Variance

Dear Mr. and Mrs. Nesbit:

Enclosed are copies of comments received from the Department of Environmental Protection and Resource Management on June 16, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Charlotte Minton
Charlotte Minton

Enclosure

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 29, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Richard K. and Kathy H. Nesbit
7127 Greenbank Road
Baltimore, Maryland 21220

Re: CASE NUMBER: 94-460 (Item 454)
7127 Greenbank Road
3/8 Greenbank Road, 162 +/- MI of Centerline Choptank Road
5th Election District - 5th Councilmanic District

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before May 29, 1994. The closing date (June 13, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

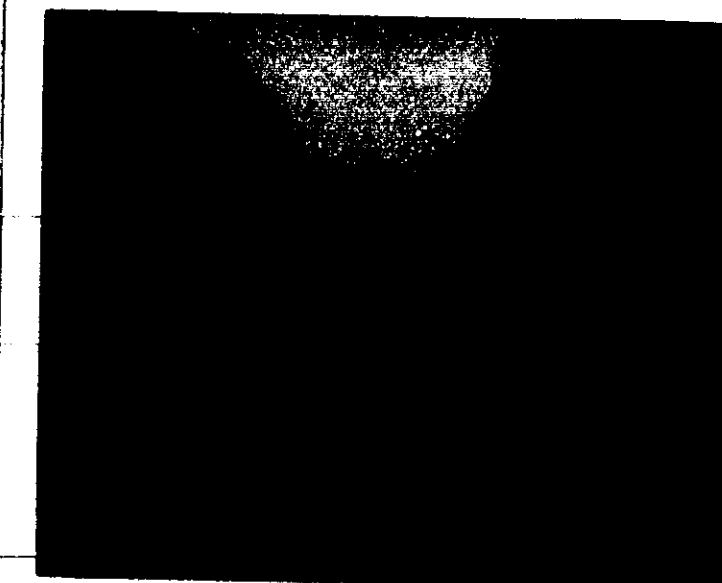
3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

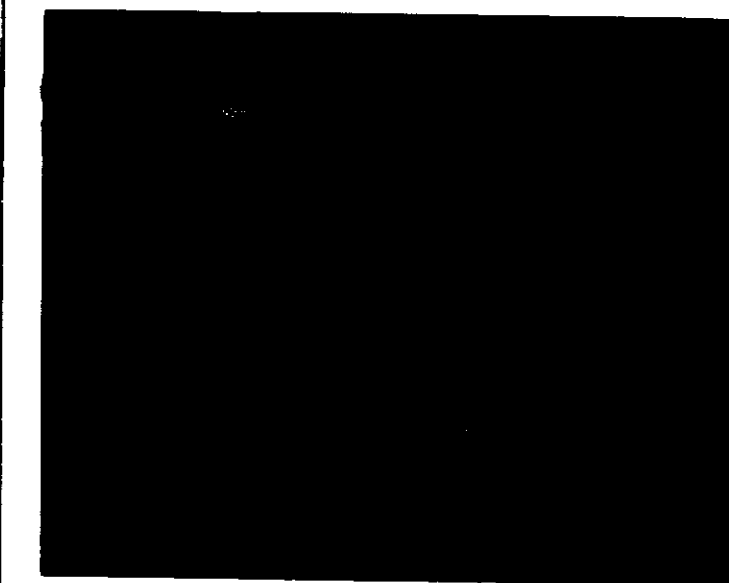
Arnold Jablon
Arnold Jablon
Director

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on Recycled Paper

94-460-A



94-460-A



Printed with Soybean Ink
on Recycled Paper

IN RE: PETITION FOR ADMIN. VARIANCE
S/S Greenbank Road, 162.85' NW
of the c/l of Choptank Road
(7127 Greenbank Road)
15th Election District
5th Councilmanic District
Richard K. Nesbit, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property, known as 7127 Greenbank Road, located in the Oliver Beach area of southeastern Baltimore County. The Petition was filed by the owners of the property, Richard K. and Kathy M. Nesbit. The Petitioners seek relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 feet, 2 inches in lieu of the minimum required 10 feet for an attached garage in accordance with the plat submitted into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

It should be noted that this property is located within the Chesapeake Bay Critical Areas and as such, is subject to compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) as to Critical Areas legislation. The relief granted herein is contingent upon the Petitioners submitting a findings plan for review and approval by DEPRM prior to the issuance of any permits.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of June, 1994 that the Petition for Administrative Variance seeking relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 feet, 2 inches in lieu of the minimum required 10 feet for an attached garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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 relief granted herein shall be rescinded.
- 2) The relief granted herein is contingent upon the Petitioners submitting a findings plan for review and approval by DEPRM prior to the issuance of any permits.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

ORDER RECEIVED FOR FILING
Date 6/20/94
By [Signature]

LES:bjs

- 2 -

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204



June 15, 1994

(410) 887-4386

Mr. & Mrs. Richard Nesbit
7127 Greenbank Road
Baltimore, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Greenbank Road, 162.85' NW of the c/l of Choptank Road
(7127 Greenbank Road)
15th Election District - 5th Councilmanic District
Richard K. Nesbit, et ux - Petitioners
Case No. 94-460-A

Dear Mr. & Mrs. Nesbit:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

[Signature]
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM

People's Counsel

File

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 5/20/94
Posted for: VARIANCE
Petitioner: Richard K. Nesbit, et ux
Location of property: 7127 Greenbank Rd, S/S
Location of Sign: 7127 Greenbank Rd, S/S
Remarks:
Posted by: [Signature] Date of return: 5/20/94
Number of Signs: 1



Baltimore County
Zoning Administration &
Development Management
211 West Chesapeake Avenue
Towson, Maryland 21204

CRITICAL

Account: R-001-6199

Item Number: 454

Taken in by: [Signature]

Owner: Richard K. Nesbit

Site: 7127 Greenbank Rd.

#010 Residential (ADMIN) Variance Filing fee \$50.00
#080 Sign & Posting 35.00
Total \$85.00

0240280117NCHMC
RA C01D455N005-20-94

Please Make Checks Payable To: Baltimore County

\$85.00

Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 7127 GREENBANK RD.
which is presently zoned D.R.S.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 1802.3.C.1 to allow side yard setback of 2 ft., 2 in. (for an attached garage) in lieu of the minimum required 10 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty):

IN ORDER TO PLACE A GARAGE ON MY IMPROVED LOT IT IS NECESSARY THAT I INTRUDE ON THE SIDE SET BACK

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 Purchase Lease
Type or Print Name: RICHARD KENNETH NESBIT
Signature: Richard Kenneth Nesbit
Address: 7127 GREENBANK RD. (W) 335-1948
City: BALTO. MD. 21220
State: MD. 21220
Phone No: 335-1948
Name: Address and phone number of representative to be contacted: RICHARD K. NESBIT, 7127 GREENBANK RD., BALTO. MD. 21220, 335-1948

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 15th day of June 1994, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, at the regular meeting of the Zoning Department of Baltimore County, and that the property be posted.

RECEIVED BY: [Signature] DATE: 5-20-94
ESTIMATED POSTING DATE: 5-29-94
ITEM #: 454

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify therein in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7127 GREENBANK RD.
BALTO. MD. 21220

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address, indicate true or false difficulty:

IN ORDER TO PLACE A GARAGE ON MY IMPROVED LOT IT IS NECESSARY THAT I INTRUDE ON THE SIDE SET BACK

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Richard Kenneth Nesbit
Richard Kenneth Nesbit
Kathy M. Nesbit
Kathy M. Nesbit

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 15th day of May, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Richard Kenneth Nesbit and Kathy M. Nesbit

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

5/19/94

My Commission Expires: 10/1/94

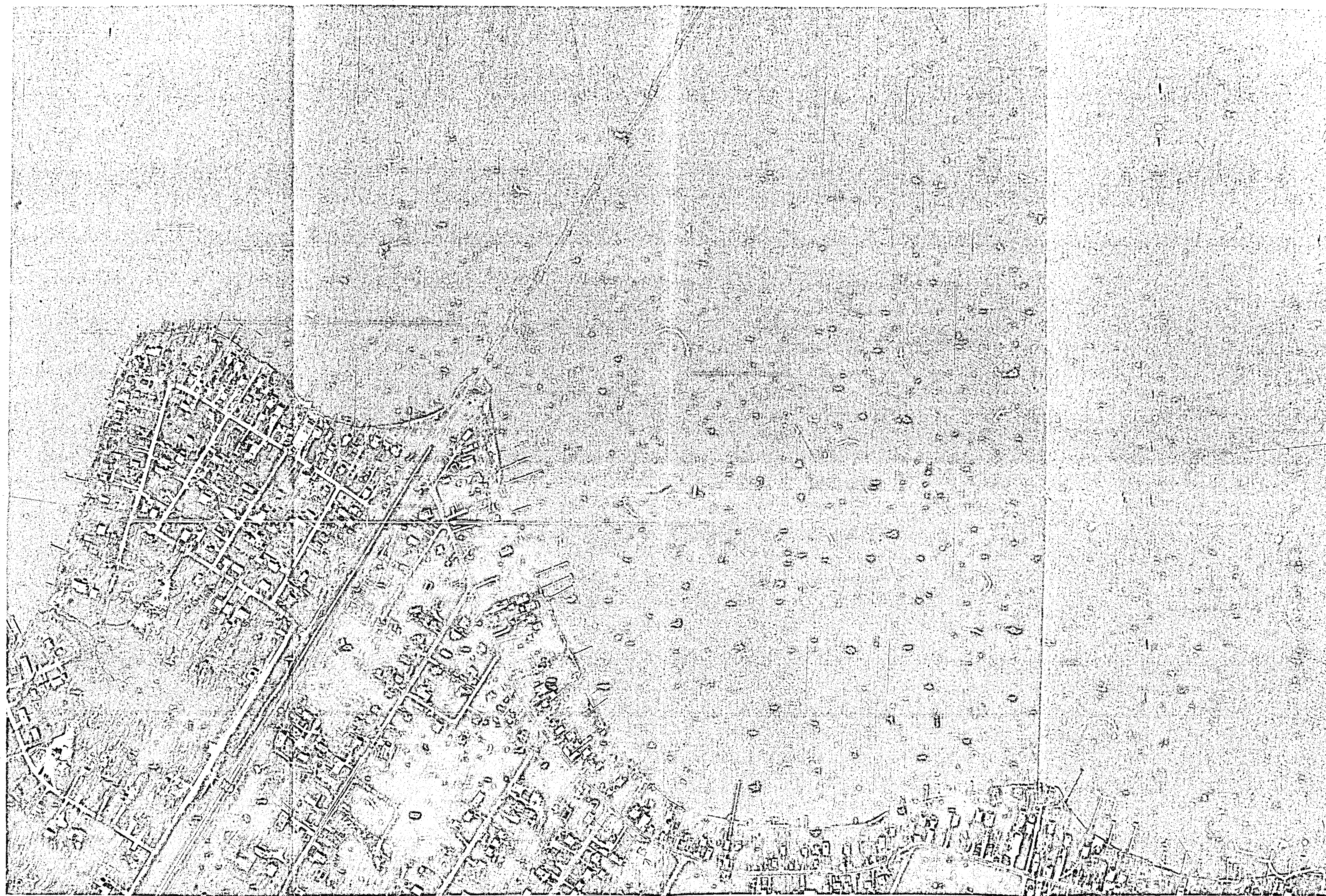
EXAMPLE 3 - Zoning Description - 3 copies
94-460-H

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 7127 GREENBANK RD.
Election District 15th Councilmanic District 5th
Beginning at a point on the South side of GREENBANK ROAD (north, south, east or west) which is FIFTY (50') (number of feet of right-of-way width) (street on which property fronts) wide at a distance of 162.85 EAST NW (number of feet) (north, south, east or west) of the centerline of the nearest improved intersecting street CHOPTANK ROAD (name of street) which is FIFTY (50') wide. *Being Lot # 80 + Parcel 1.
Block OLIVER BEACH Section # Section "B" in the subdivision of OLIVER BEACH (name of subdivision) as recorded in Baltimore County Plat Book # 14 Folio # 37 containing 0.23 ACRES (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.

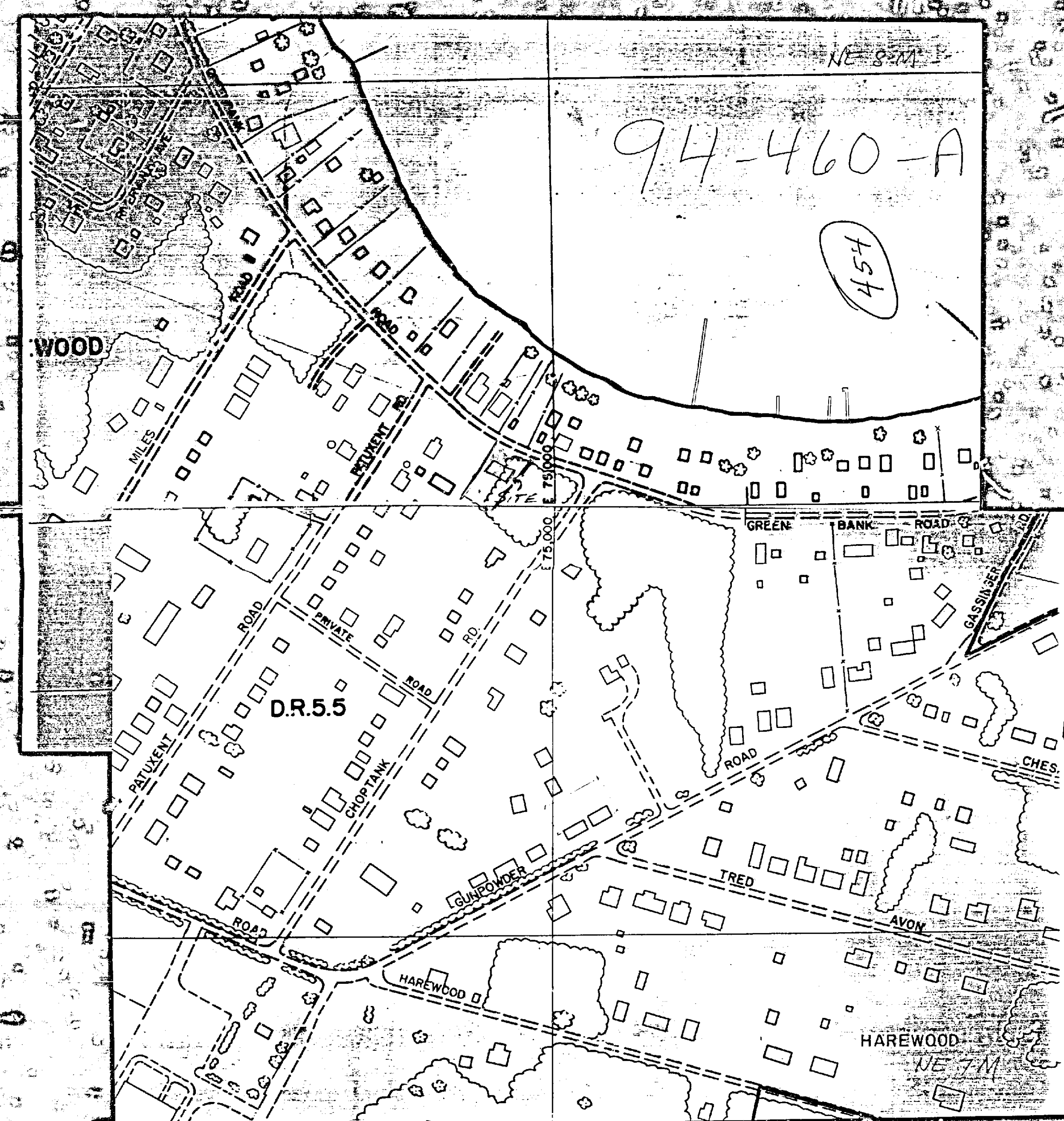


BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	HAREWOOD	N.E. 8-M
DATE OF PHOTOGRAPHY JANUARY 1986		

94-460-A



94-460-A

LOCATION INFORMATION
Election District: 15th
Councilmanic District: 5th
1"=200' scale map: NE 8-M
Zoning: D.R.5.5
Lot size: .23 acreage 10,018 square feet

SEWER: ☒ YES ☐ NO
WATER: ☒ YES ☐ NO
Chesapeake Bay Critical Area: ☐ YES ☒ NO
Prior Zoning Hearings: None

Zoning Office USE ONLY!
Reviewed by: [Signature] ITEM #: 454 CASE#:

Plat to accompany Petition for Zoning Variance ☒ Special Hearing ☐ Variance
see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 7127 GREENBANK RD.
Subdivision name: OLIVER BEACH
plat book: 14, page 31, lots 201 & 202
OWNER: Richard K. Nesbitt

HOUSE LOCATION FOR 7127 GREENBANK ROAD BALTIMORE COUNTY MARYLAND
FLOOD ZONE: FLOOD ZONE 1
SCALE: 1" = 20'
DATE: 3/20/94
FILE NO. P01022-177

NOTES:
* 23 & PART OF 81
BRING KNOWN AS LOTS * BLOCK - SECTION B PLAT - AS SHOWN ON A PLAT ENTITLED "PLAT SHOWING PART OF RECORD IN THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND" OLIVER BEACH PLAT BOOK 14, FOLIO 37, PLAT NO. 177
HOUSE LOCATION FOR 7127 GREENBANK ROAD BALTIMORE COUNTY MARYLAND
FLOOD ZONE: FLOOD ZONE 1
SCALE: 1" = 20'
DATE: 3/20/94
FILE NO. P01022-177

Diagram Details:
- Shed: 10' x 12'
- Proposed Addition: 20' x 20'
- Proposed 1 1/2 Car Garage: 22' x 22'
- Split Level House No. 7127: 50.8' x 12'
- Deck: 18' x 34.8'
- Porch: 1.7' O.H.
- Greenbank Road: 21' Pave
- Water: 147.68'
- Vacant Lot: 65.70'

Zoning Plans Advisory Committee Comments
Mr. and Mrs. Richard K. Nesbit
Date: June 3, 1994
Page 2

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If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton in the zoning office at 887-3391 or the commenting agency.

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR:cm



O. James Lighthizer
Secretary
Hal Kassoff
Administrator

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

Re: Baltimore County
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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 H. RAMSEY, ACTING CHIEF
John Constable, 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, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: June 1, 1994

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

SUBJECT: Petitions from Zoning Advisory Committee

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

Item Nos. 429, 440, 444, 445, 449, 450, 453 and 454.

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:

Division Chief:

PK/JL:lw

ZAC.440/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

June 13, 1994

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

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #454 - Nesbit
7127 Greenbank Road
Zoning Advisory Committee Meeting of May 31, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with Chesapeake Bay Critical Area Regulations by meeting the following conditions:

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JLP:KK:sp

NESBIT/DEPRM/TXTS8P

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

June 16, 1994

(410) 887-3353

Mr. and Mrs. Richard K. Nesbit
7127 Greenbank Road
Baltimore, Maryland 21220

RE: Case No. 94-460-A, Item No. 454
Petition for Administrative Variance

Dear Mr. and Mrs. Nesbit:

Enclosed are copies of comments received from the Department of Environmental Protection and Resource Management on June 16, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Charlotte Minton
Charlotte Minton

Enclosure

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 29, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Richard K. and Kathy H. Nesbit
7127 Greenbank Road
Baltimore, Maryland 21220

Re: CASE NUMBER: 94-460 (Item 454)
7127 Greenbank Road
3/8 Greenbank Road, 162 +/- MI of Centerline Choptank Road
5th Election District - 5th Councilmanic District

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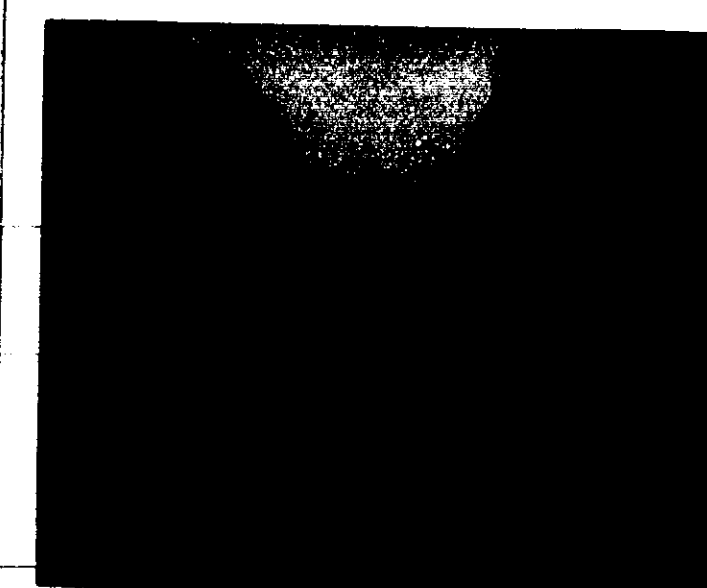
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Arnold Jablon
Arnold Jablon
Director

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on Recycled Paper

94-460-A



94-460-A



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on Recycled Paper

IN RE: PETITION FOR ADMIN. VARIANCE
S/S Greenbank Road, 162.85' NW
of the c/l of Choptank Road
(7127 Greenbank Road)
15th Election District
5th Councilmanic District
Richard K. Nesbit, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-460-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property, known as 7127 Greenbank Road, located in the Oliver Beach area of southeastern Baltimore County. The Petition was filed by the owners of the property, Richard K. and Kathy M. Nesbit. The Petitioners seek relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 feet, 2 inches in lieu of the minimum required 10 feet for an attached garage in accordance with the plat submitted into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

It should be noted that this property is located within the Chesapeake Bay Critical Areas and as such, is subject to compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) as to Critical Areas legislation. The relief granted herein is contingent upon the Petitioners submitting a findings plan for review and approval by DEPRM prior to the issuance of any permits.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of June, 1994 that the Petition for Administrative Variance seeking relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 feet, 2 inches in lieu of the minimum required 10 feet for an attached garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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 relief granted herein shall be rescinded.
- 2) The relief granted herein is contingent upon the Petitioners submitting a findings plan for review and approval by DEPRM prior to the issuance of any permits.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

- 2 -

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 6/20/94
By [Signature]

LES:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204



June 15, 1994

(410) 887-4386

Mr. & Mrs. Richard Nesbit
7127 Greenbank Road
Baltimore, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Greenbank Road, 162.85' NW of the c/l of Choptank Road
(7127 Greenbank Road)
15th Election District - 5th Councilmanic District
Richard K. Nesbit, et ux - Petitioners
Case No. 94-460-A

Dear Mr. & Mrs. Nesbit:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

[Signature]
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM

People's Counsel

File

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 24 Date of Posting: 5/28/94
Posted for: VARIANCE
Petitioner: Richard K. Nesbit, et ux
Location of property: 7127 Greenbank Rd, S/S
Location of Sign: Living room, 2nd floor, property, 7127 Greenbank Rd
Remarks:
Posted by: [Signature] Date of return: 5/28/94
Number of Signs: 1



Baltimore County
Zoning Administration &
Development Management
211 West Chesapeake Avenue
Towson, Maryland 21204

CRITICAL

Account: R-001-6199

Item Number: 454

Taken in by: [Signature]

Owner: Richard K. Nesbit

Site: 7127 Greenbank Rd.

#010 Residential (ADMIN) Variance Filing fee \$50.00
#080 Sign & Posting 35.00
Total \$85.00

0240280117NCHRC
RA C01D455N005-20-94

Please Make Checks Payable To: Baltimore County

\$85.00



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7127 GREENBANK RD.
which is presently zoned DRS.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 1802.3.C.1 to allow side yard setback of 2 ft., 2 in. (for an attached garage) in lieu of the minimum required 10 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty):
IN ORDER TO PLACE A GARAGE ON MY IMPROVED LOT IT IS NECESSARY THAT I INTRUDE ON THE SIDE SET BACK

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 Purchase Lease
Legal Name(s):
Richard Kenneth Nesbit
Richard Kenneth Nesbit
Kathy M. Nesbit
Kathryn Nesbit
Address:
7127 GREENBANK RD. (W) 335-1948
BALTO. MD. 21220
City, State, Zip
Name, Address and phone number of representative to be contacted:
Name: [Signature] Phone No.: [Signature]
A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, at the request of the petitioner, throughout Baltimore County, and that the property be improved.
Zoning Commissioner of Baltimore County
REVIEWED BY: [Signature] DATE: 5-20-94
ESTIMATED POSTING DATE: 5-29-94
Printed with Degraded Ink on Recycled Paper
ITEM #: 454

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify therein in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7127 GREENBANK RD.
BALTO. MD. 21220

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address, indicate true or false difficulty:

IN ORDER TO PLACE A GARAGE ON MY IMPROVED LOT IT IS NECESSARY THAT I INTRUDE ON THE SIDE SET BACK

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signatures of Richard K. Nesbit and Kathryn Nesbit]
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of May, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Richard Kenneth Nesbit and Kathy M. Nesbit

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

5/19/94
My Commission Expires: 10/1/94

EXAMPLE 3 - Zoning Description - 3 copies 94-460-H

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 7127 GREENBANK RD.
Election District 15th Councilmanic District 5th

Beginning at a point on the South side of GREENBANK ROAD (north, south, east or west) which is FIFTY (50') (number of feet of right-of-way width) (street on which property fronts) wide at a distance of 162.85 EAST NW (number of feet) (north, south, east or west) of the

centerline of the nearest improved intersecting street CHOPTANK ROAD (name of street)

which is FIFTY (50') wide. *Being Lot # 80 + Parcel 1, (number of feet of right-of-way width)

Block OLIVER BEACH Section # Section "B" in the subdivision of (name of subdivision) as recorded in Baltimore County Plat

Book # 14 Folio # 37, containing 0.23 ACRES (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.