

2IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND ZONING VARIANCE
W/S South Bend Road, 230 ft. SW * ZONING COMMISSIONER
of c/l East Battle Grove Ave
7605 South Bend Road * OF BALTIMORE COUNTY
15th Election District
7th Councilmanic District * Case No. 96-57-XA
Christopher M. Roth, et al
Petitioners *
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as both a Petition for Special Exception and Petition for Zoning Variance for the property located at 7605 South Bend Road. This is a waterfront property which abuts School House Creek in the eastern section of Baltimore County. The Petitions are filed by Christopher M. Roth and Michelle D. Kincaid, property owners. Special Exception relief is requested to approve an existing fishing and shellfishing facility, shoreline, Class I. Numerous variances are requested. They are:

From Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit a setback as close as 1 ft. for existing garage and carport in lieu of required 2.5 ft.;

From Section 1B02.3.C.1 to permit a side yard setback of 2 ft. for existing dwelling in lieu of required 10 ft.;

From Section 1B01.2.C.1.a and c to permit an existing shed (and prop. enlargement of same) in a front and side yard; and a side yard of 0 ft. in lieu of required 20 ft. and a front and side yard of 0 ft. in lieu of the required 40 ft. and 20 ft. respectively.

All of the relief requested is more particularly shown on Petitioners' Exhibit No. 1, the site plan to accompany the Petitions for Special Exception and Variance.

Appearing at the requisite public hearing held for this case were the

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Date

By

10/15/95
Ch. H. H. H.

MICROFILMED

aforementioned property owners/Petitioners. Also present was Paul Lee, the Engineer who prepared the site plan marked as Petitioners' Exhibit No. 1. There were no Protestants or other interested persons present.

The uncontradicted testimony and evidence presented was that the subject site is approximately 6,018 sq. ft. in net area and is zoned D.R.5.5. As noted above, this is a waterfront property with access to School House Cove. The property is presently improved with an existing 2 story dwelling which features an attached deck. Other improvements on the property include an existing shed, a garage and carport and a pier which leads from the bulkhead into the cove. The parcel is located in a residential area. Many of the other lots in the vicinity are used for dwelling purposes.

Mr. Roth is a fisherman and has been employed in this trade for several years. He is licensed by and his business regulated through the State of Maryland. Testimony offered was that no additional development will occur on the site, however, the zoning relief is requested in order to legitimize existing conditions. There are no sales of seafood from the property except on an extremely limited basis during holidays (e.g., Memorial Day, 4th of July, etc.) and on occasional weekends. Moreover, there are no signs advertising the fishing business on the site.

Mr. Roth described the business by stating that he owns two boats both approximately 22 ft. in length. Depending on the season Mr. Roth makes his catch and at the end of the day transports same to his clients. Most of his sales are made to restaurants and seafood houses in the area.

A fishing and shellfishing facility, Shoreline, Class I is defined by Section 101 of the BCZR as a "shoreline fishing and shellfishing facility that can accommodate a fishing business no larger than that entailing the use of not more than two commercial fishing boats and is situated on a lot also occupied by the primary residents of its operator, who is a person who

is required to have a license by any of the provisions of Title IV of the Natural Resources Article of the Annotated Code of Maryland. For the purposes of these regulations, a commercial fishing boat does not include a boat of more than 45 ft. long". (emphasis in original) It is clear that Mr. Roth's business falls within this definition.

Special exceptions can be granted pursuant to the Baltimore County Zoning Regulations upon the showing that the Petitioner complies with Section 502.1 of the BCZR. Therein, a list of standards is provided which the Petitioner must satisfy. Essentially, the Petitioner must show that the use can be conducted without detriment to the health, safety and general welfare of the locale.

In this case, I am persuaded that the Petitioners have met their burden. Several letters in support of the Petitions were submitted from surrounding neighbors. The business, as conducted, does not detrimentally affect the neighborhood. Photographs of the site show that the property is well maintained. Based on the uncontradicted facts presented, I am persuaded that the Petition for Special Exception should be granted.

Variances are regulated by Section 307 of the BCZR. The Petitioner, in order for variance relief to be approved, must show that the property carries a unique characteristic which would result in a practical difficulty upon the Petitioner and/or his property if strict adherence to the regulations were required. Also, it must be shown that variance relief can be granted without detriment to the surrounding locale and that the relief is consistent with the spirit and intent of the BCZR. The unique feature of this property is that this is an extremely deep, yet narrow, lot. It is to be noted that the variances are requested to legitimize existing structures and not for any proposed development. Requiring strict adherence to the BCZR would constitute practical difficulty on the Petitioners in that rea-

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Date 10/5/95
By M. G. G. G.

sonable use of the lot would not be possible if the required setbacks were maintained.

For all of these reasons the variances should and will be granted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 5th day of October, 1995 that, pursuant to the Petition for Special Exception, approval for an existing fishing and shellfishing facility, shoreline, Class I, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit a setback as close as 1 ft. for existing garage and carport in lieu of required 2.5 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B02.3.C.1 to permit a side yard setback of 2 ft. for existing dwelling in lieu of required 10 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B01.2.C.1.a and c to permit an existing shed (and prop. enlargement of same) in a front and side yard; and a side yard of 0 ft. in lieu of required 20 ft., and a front and side yard of 0 ft., in lieu of the required 40 ft. and 20 ft., respectively, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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By

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2. The Petitioners shall comply with all requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated August 23, 1995, attached hereto and made a part thereof.



LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING

Date

10/1/95

By

M. Good

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 4, 1995

Mr. Christopher M. Roth
Ms. Michelle D. Kincaid
7605 South Bend Road
Baltimore, Maryland 21222

RE: Petitions for Special Exception and Variance
Case No. 96-57-XA
Property: 7605 South Bend Road

Dear Mr. Roth and Ms. Kincaid:

Enclosed please find the decision rendered on the above captioned case. The Petitions for Special Exception and Zoning Variance have been granted, with restriction, 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 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.
cc: Mr. Paul Lee



60336 8/11/95



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7605 South Bend Road

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) 1. 400.1 to permit a setback as close as 1' for ex. garage & carport in lieu of req'd. 2.5', 2. 1B02.3.C.1 to permit a side yard of 2' for ex. dwelling in lieu of req'd. 10', 3. 1B01.2.C.1.a & c to permit an existing shed (and prop. enlargement of same) in a front & side yard and a side yard of 0' in lieu of req'd. 20' & a front and side yard of 0' in lieu of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) Of the req'd. 40' & 20' (non-residential setback variances).

The existing structures on the property are in violation of the present Zoning Regulations or Statutes.

To permit variances for non-residential setbacks in lieu of the required setbacks

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)

Christopher M. Roth

(Type or Print Name)

Signature

Michelle D. Kincaid

(Type or Print Name)

Signature

7605 South Bend Road

477-9278

Address

Phone No

Baltimore, Maryland

21222

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Paul Lee Engineering, Inc.

Name

304 W. Pennsylvania Avenue

821-5941

Address

Towson, Md. 21204

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE



Printed with Soybean Ink
on Recycled Paper

MICROFILMED

Paul Lee, P.E.

96-57-XA

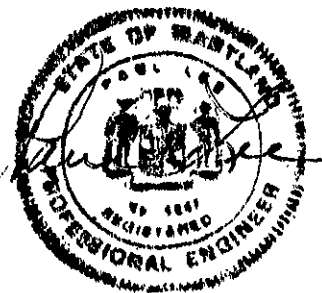
Paul Lee Engineering Inc.

304 W. Pennsylvania Ave.

Towson, Maryland 21204

410-821-5941

DESCRIPTION



#7605 SOUTH BEND ROAD

ELECTION DISTRICT 15 BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point located on the west side of South Bend Road, said point also being located Southerly - 230 feet $\pm$ from the center of East Battle Grove Avenue; thence leaving said west side of South Bend Road (1) Southwesterly - 180 feet $\pm$ (field - 205 feet $\pm$) to the shore line of Schoolhouse Cove, thence running along said shore line for a scaled distance (2) Southeasterly - 53 feet $\pm$, thence leaving said shore line of Schoolhouse Cove (3) Northeasterly - 175 feet $\pm$ (field - 195 feet $\pm$) to the west side of South Bend Road, thence binding on the west side of South Bend Road by a curve to the right (4) $R = 80.63$ feet for a distance of 23.87 feet $\pm$.

Containing 6018 s.f of land more or less.

#56

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6/30/95

Engineers — Surveyors — Site Planners

J.O. 95-016

CERTIFICATE OF POSTING 96-57-XA
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1378 Date of Posting 9/3/95
Posted for: Special Exemption & Variance
Petitioner: Christopher & Michele Kivcid
Location of property: 7005 Bayview Road Rd, W3
Location of Signs: Facing roadway on property being zoned
Remarks: _____
Posted by M. Kivcid Date of return: 9/18/95
Number of Signs: 1



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BALTIMORE COUNTY
DEPARTMENT OF PLANNING AND ZONING
SEP 19 1995

Baltimore County Government
Office of Zoning Administration
and Development Management

#56



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/neighborhood 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 assessed 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.: 56

Petitioner: Christopher M. Roth / Michelle D. Kincaid

Location: 7605 South Bend Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Christopher M. Roth / Michelle D. Kincaid

ADDRESS: 7605 South Bend Road

Baltimore, MD 21222

PHONE NUMBER: (410) 477-9278

AJ:ggs

(Revised 04/09/93)



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 #887-344
(Item 56)
7685 South Bend Road
W/S South Bend Road
2307 SW of East Battle
Grove Avenue
15th Electoral District
7th Councilmanic

Legal Owner(s):
Christopher M. Roth and
Michelle D. Kincaid
Hearing: Tuesday,
September 19, 1995 at
9:00 a.m. in Rm. 118, Old
Courthouse.

Special Exception for an existing fishing and shellfishing facility, shoreline, Class 1. Variance to permit a setback as close as 1 foot for existing garage and carport in lieu of the required 2.5 feet for existing dwelling in lieu of the required 10 feet; and to permit an existing shed (and proposed enlargement of same) in a front and side yard and a side yard of zero feet in lieu of the required 20 feet and a front and side yard of zero feet in lieu of the required 40 feet and 20 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.
Aug. 31

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/1, 1995

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 8/31, 1995.

THE JEFFERSONIAN,

A. H. Erickson

LEGAL AD. - TOWSON

TO: PUTUXENT PUBLISHING COMPANY
August 31, 1995 Issue - Jeffersonian

Please forward billing to:

Christopher M. Roth
Michelle D. Kincaid
7605 South Bend Road
Baltimore, MD 21222
410-477-9278

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: 96-57-XA (Item 56)
7605 South Bend Road
W/S South Bend Road, 230' SW of c/l East Battle Grove Avenue
15th Election District - 7th Councilmanic
Legal Owner: Christopher M. Roth and Michelle D. Kincaid
HEARING: TUESDAY, SEPTEMBER 19, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for an existing fishing and shellfishing facility, shoreline, Class I.
Variance to permit a setback as close as 1 foot for existing garage and carport in lieu of the required 2.5 feet for existing dwelling in lieu of the required 10 feet; and to permit an existing shed (and proposed enlargement of same) in a front and side yard and a side yard of zero feet in lieu of the required 20 feet and a front and side yard of zero feet in lieu of the required 40 feet and 20 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.

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

004849

DATE 8/7/95 ACCOUNT 01-015
Item: 56
By: mark 96-57-XA
AMOUNT \$ 620.00

RECEIVED Roth, Christopher M. - 7605 South Bend Rd
FROM:

030 - Spec. Exception — \$ 300.00
020 - zoning variance — \$ 200.00
080 - 2 signs — \$ 120.00

FOR: 620.00

MITCHELL

0200280041MITCHELL
RA 0004:01PM08-07-95

\$420.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 25, 1995

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 hereinin 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: 96-57-XA (Item 56)

7605 South Bend Road

W/S South Bend Road, 230' SW of c/l East Battle Grove Avenue

15th Election District - 7th Councilmanic

Legal Owner: Christopher M. Roth and Michelle D. Kincaid

HEARING: TUESDAY, SEPTEMBER 19, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for an existing fishing and shellfishing facility, shoreline, Class I.

Variance to permit a setback as close as 1 foot for existing garage and carport in lieu of the required 2.5 feet for existing dwelling in lieu of the required 10 feet; and to permit an existing shed (and proposed enlargement of same) in a front and side yard and a side yard of zero feet in lieu of the required 20 feet and a front and side yard of zero feet in lieu of the required 40 feet and 20 feet.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Christopher M. Roth and Michelle D. Kincaid
Paul Lee Engineering, Inc.

- 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.

8/30/95





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 12, 1995

Mr. Christopher M. Roth
Ms. Michelle D. Kincaid
7605 South Bend Road
Baltimore, MD 21222

RE: Item No.: 56
Case No.: 96-57-XA
Petitioner: C. M. Roth, et al

Dear Mr. Roth:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 8, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



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

TO: Mr. Arnold Jablon, Director August 23, 1995
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #56 - Roth Property
7605 South Bend Road
Zoning Advisory Committee Meeting of August 21, 1995

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

Environmental Impact Review

The property is located in a Limited Development Area (LDA) of the Chesapeake Bay Critical Area (CBCA), and is therefore subject to the following regulations:

1. The partially constructed shed is in the 100-foot buffer to Schoolhouse Cove, thus the applicant must apply for a Chesapeake Bay Critical Area Administrative Variance (CAAV). Contact the Environmental Impact Review Section (EIR) at 887-3980 to obtain an application.
2. If permitted development on a property currently exceeds the 25% impervious surface limit, that percentage may be maintained during redevelopment of the property. Current impervious surfaces equal 2947 square feet or 49% of the lot.

✓
JLP:KK:sp

c: Mr. Christopher Roth
Ms. Michele Kincaid

ROTH/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: September 6, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

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

Item No. 56

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:

Carol L. Kerns

PK/JL

MICROFILMED

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: August 28, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for August 28, 1995
Items 055, 056, 063, and 064

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw

RECEIVED

Baltimore County Government
Fire Department



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

(410) 887-4500

DATE: 08/23/95

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

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF AUGUST 21, 1995

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 Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 29, 55, 56, 57, 58, 60, 62,
63 & 64.

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





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

8-16-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 056 (MJK)

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

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,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

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

RECORDED

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
PETITION FOR VARIANCE		
7605 South Bend Road, W/S South Bend Rd,	*	ZONING COMMISSIONER
230' SW of c/l East Battle Grove Avenue		
15th Election District, 7th Councilmanic	*	OF BALTIMORE COUNTY
Christopher Roth and Michelle Kincaid	*	CASE NO. 96-57-XA
Petitioners		
* * * * *		

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
 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of September, 1995, a copy of the foregoing Entry of Appearance was mailed to Paul Lee Engineering, Inc., 304 W. Pennsylvania Avenue, Towson, MD 21204, representative for Petitioners.

Peter Max Zimmerman
 PETER MAX ZIMMERMAN

MICROFILMED

9/18/15

To whom it may concern,

I, George D. Malone of 7509 S. Bond Rd do not object to Chris Roth of 7605 South Bond Rd conducting his crab business from his home.

George D. Malone

Day Phone 887-0197
Home Phone 477-3717



(410)-887-0197
(410)-887-0190

Home 477-3717

EASTERN TECHNICAL HIGH SCHOOL

1100 Mace Avenue
Baltimore, Maryland 21221

GEORGE MALONE

To whom it may concern

I do not oppose of the neighbors
to use their property for
commercial use at 7605 South
Bend Rd.

Daniel J. Betts

7601 South Bend Rd
Dundalk Md 21222



✓ Jeonette Kelly
at 7611 South Bend
Rd. have no problem
with Chris Roth calling
at his house 7605 South
Bend Rd.

Jeonette Kelly
Sept 18th 1995

✓ Danell W. Rogers of 7609 South Bend
Rd. have no problem having Chris Roth
calling from his home at 7605 South
Bend Rd.



Danell W. Rogers
7609 South Bend Rd
9-18-95

MICROFILM

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Christopher M Rth
Michelle D - Kincard
PAUL LEE

7605 SOUTH BEND RD
7605 South Bend Rd
304 W. PENNSYLVANIA AVE 25204



J Edward J Zelenka Jr
at 7508 South Bend Rd.
have no problem of
Chris Roth at 7605
South Bend crabbing at
said property.

Edward J Zelenka Jr
Sept. 18, 1995



Marie Goldsby 7613 South
Bend Rd. see no reason
why this man can't
crab from his house.

Everyone else who wants to
do so. Marie Goldsby 9/18/95

9/18/95

To Whom it may
concern.

I John Waller of
7603 S. Bend Rd do not
object to Chris Roth
of 7605 doing crab
business from his address

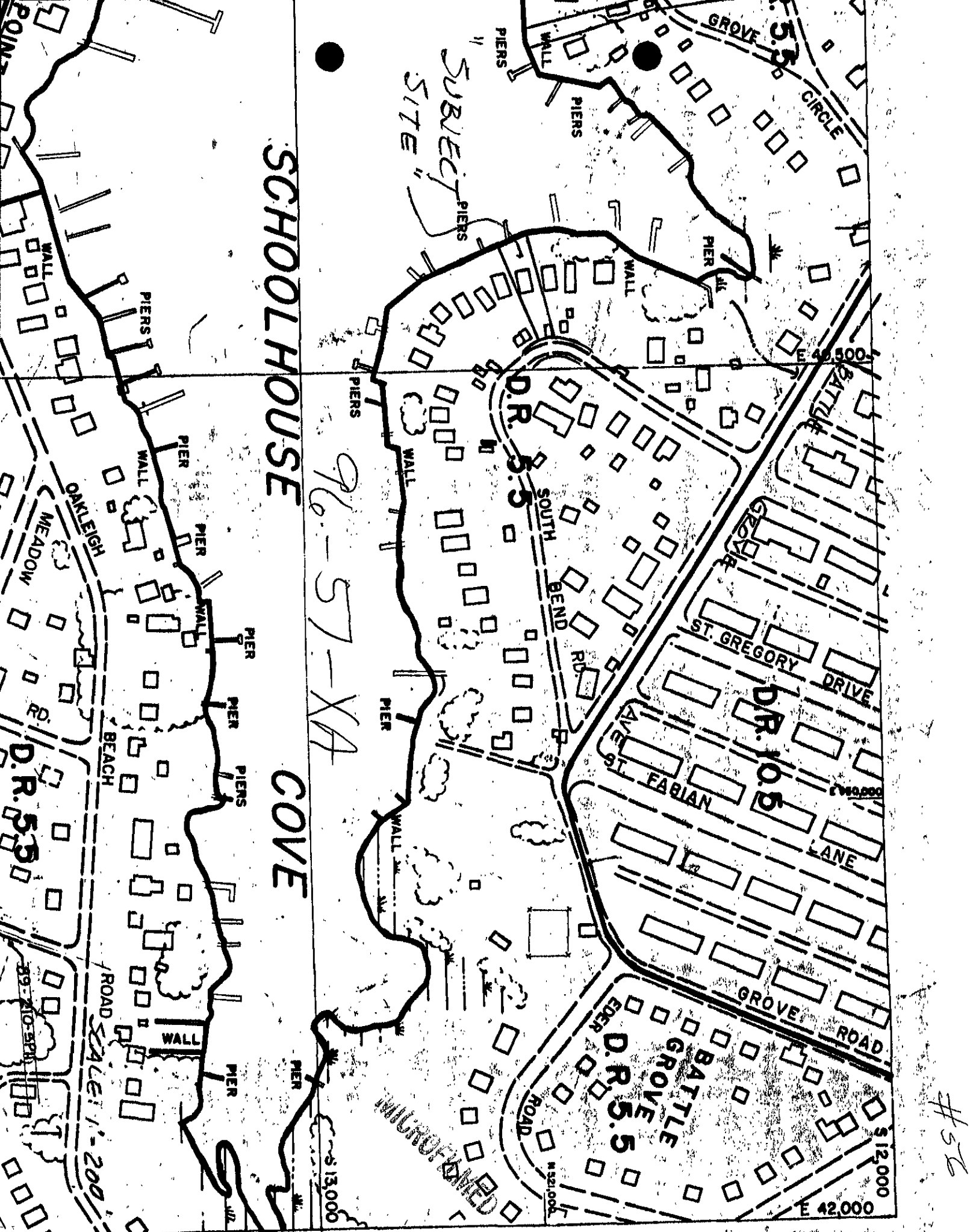
John Waller
7603 S. Bend
Baltimore, Md 21222

9-18-95

To Whom It May Concern:

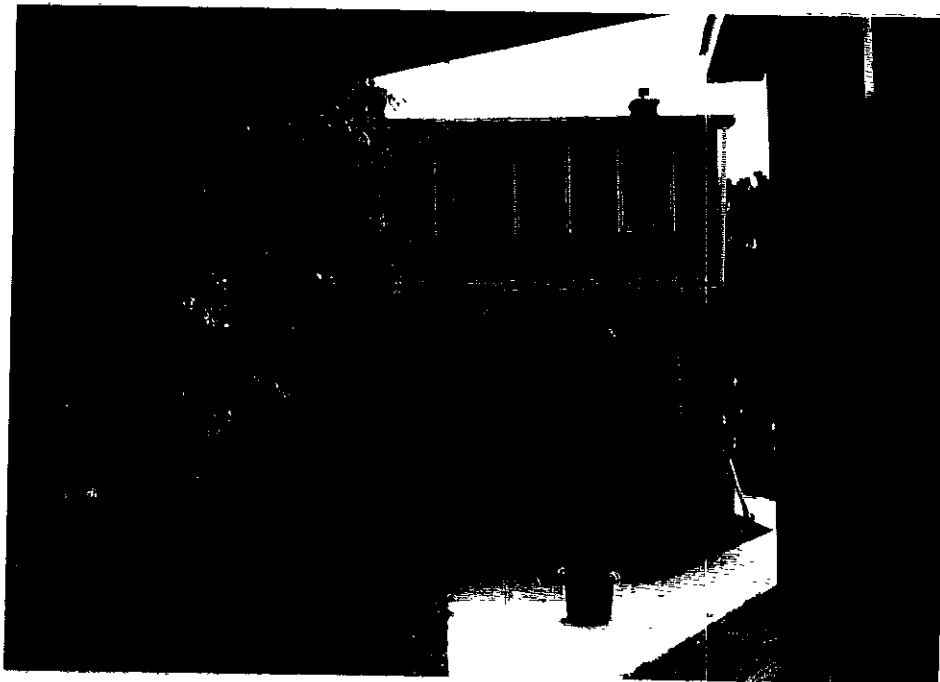
I Nan Dulaj and John Dulaj Sr. of
7607 South Bend Rd. do not object to
Chris Roth of 7605 doing a crab business
from his address.

Yours Truly
Mrs Nan Dulaj
7607 S. Bend Rd.
Baltimore, Md. 21222











ZIN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND ZONING VARIANCE * ZONING COMMISSIONER
W/S South Bend Road, 230 ft. SW * OF BALTIMORE COUNTY
of c/l East Battle Grove Ave *
7605 South Bend Road *
15th Election District * Case No. 96-57-XA
7th Councilmanic District *
Christopher M. Roth, et al
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as both a Petition for Special Exception and Petition for Zoning Variance for the property located at 7605 South Bend Road. This is a waterfront property which abuts School House Creek in the eastern section of Baltimore County. The Petitions are filed by Christopher M. Roth and Michelle D. Kincaid, property owners. Special Exception relief is requested to approve an existing fishing and shellfishing facility, shoreline, Class I. Numerous variances are requested. They are:

From Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit a setback as close as 1 ft. for existing garage and carport in lieu of required 2.5 ft.;

From Section 1802.3.C.1 to permit a side yard setback of 2 ft. for existing dwelling in lieu of required 10 ft.;

From Section 1801.2.C.1.a and c to permit an existing shed (and prop. enlargement of same) in a front and side yard; and a side yard of 0 ft. in lieu of required 20 ft. and a front and side yard of 0 ft. in lieu of the required 40 ft. and 20 ft. respectively.

All of the relief requested is more particularly shown on Petitioners' Exhibit No. 1, the site plan to accompany the Petitions for Special Exception and Variance.

Appearing at the requisite public hearing held for this case were the

forementioned property owners/Petitioners. Also present was Paul Lee, the Engineer who prepared the site plan marked as Petitioners' Exhibit No. 1. There were no Protestants or other interested persons present.

The uncontradicted testimony and evidence presented was that the subject site is approximately 6,018 sq. ft. in net area and is zoned D.R.5.5. As noted above, this is a waterfront property with access to School House Cove. The property is presently improved with an existing 2 story dwelling which features an attached deck. Other improvements on the property include an existing shed, a garage and carport and a pier which leads from the bulkhead into the cove. The parcel is located in a residential area. Many of the other lots in the vicinity are used for dwelling purposes.

Mr. Roth is a fisherman and has been employed in this trade for several years. He is licensed by and his business regulated through the State of Maryland. Testimony offered was that no additional development will occur on the site, however, the zoning relief is requested in order to legitimize existing conditions. There are no sales of seafood from the property except on an extremely limited basis during holidays (e.g., Memorial Day, 4th of July, etc.) and on occasional weekends. Moreover, there are no signs advertising the fishing business on the site.

Mr. Roth described the business by stating that he owns two boats both approximately 22 ft. in length. Depending on the season Mr. Roth makes his catch and at the end of the day transports same to his clients. Most of his sales are made to restaurants and seafood houses in the area.

A fishing and shellfishing facility, Shoreline, Class I is defined by Section 101 of the BCZR as a "shoreline fishing and shellfishing facility that can accommodate a fishing business no larger than that entailing the use of not more than two commercial fishing boats and is situated on a lot also occupied by the primary residents of its operator, who is a person who

is required to have a license by any of the provisions of Title IV of the Natural Resources Article of the Annotated Code of Maryland. For the purposes of these regulations, a commercial fishing boat does not include a boat of more than 45 ft. long". (emphasis in original) It is clear that Mr. Roth's business falls within this definition.

Special exceptions can be granted pursuant to the Baltimore County Zoning Regulations upon the showing that the Petitioner complies with Section 502.1 of the BCZR. Therein, a list of standards is provided which the Petitioner must satisfy. Essentially, the Petitioner must show that the use can be conducted without detriment to the health, safety and general welfare of the locale.

In this case, I am persuaded that the Petitioners have met their burden. Several letters in support of the Petitions were submitted from surrounding neighbors. The business, as conducted, does not detrimentally affect the neighborhood. Photographs of the site show that the property is well maintained. Based on the uncontradicted facts presented, I am persuaded that the Petition for Special Exception should be granted.

Variances are regulated by Section 307 of the BCZR. The Petitioner, in order for variance relief to be approved, must show that the property carries a unique characteristic which would result in a practical difficulty upon the Petitioner and/or his property if strict adherence to the regulations were required. Also, it must be shown that variance relief can be granted without detriment to the surrounding locale and that the relief is consistent with the spirit and intent of the BCZR. The unique feature of this property is that this is an extremely deep, yet narrow, lot. It is to be noted that the variances are requested to legitimize existing structures and not for any proposed development. Requiring strict adherence to the BCZR would constitute practical difficulty on the Petitioners in that re-

sonable use of the lot would not be possible if the required setbacks were maintained.

For all of these reasons the variances should and will be granted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 5th day of October, 1995 that, pursuant to the Petition for Special Exception, approval for an existing fishing and shellfishing facility, shoreline, Class I, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit a setback as close as 1 ft. for existing garage and carport in lieu of required 2.5 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1802.3.C.1 to permit a side yard setback of 2 ft. for existing dwelling in lieu of required 10 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1801.2.C.1.a and c to permit an existing shed (and prop. enlargement of same) in a front and side yard; and a side yard of 0 ft. in lieu of required 20 ft., and a front and side yard of 0 ft., in lieu of the required 40 ft. and 20 ft., respectively, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING
Date 10/10/95
By Christopher M. Roth

ORDER RECEIVED FOR FILING
Date 10/10/95
By Michelle D. Kincaid

ORDER RECEIVED FOR FILING
Date 10/10/95
By Christopher M. Roth

2. The Petitioners shall comply with all requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated August 23, 1995, attached hereto and made a part thereof.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
Baltimore County

LES:mmm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 4, 1995

Mr. Christopher M. Roth
Mr. Michelle D. Kincaid
7605 South Bend Road
Baltimore, Maryland 21222

RE: Petitions for Special Exception and Variance
Case No. 96-57-XA
Property: 7605 South Bend Road

Dear Mr. Roth and Ms. Kincaid:

Enclosed please find the decision rendered on the above captioned case. The Petitions for Special Exception and Zoning Variance have been granted, with restriction, 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 887-3353.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att.
cc: Mr. Paul Lee



Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 7605 South Bend Road

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 thereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

An existing fishing and shellfishing facility, shoreline, Class I.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception 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.

Contact Person(s) Name: Christopher M. Roth
Type or Print Name: Christopher M. Roth
Signature: *Christopher M. Roth*
Address: Michelle D. Kincaid
Type or Print Name: Michelle D. Kincaid
Signature: *Michelle D. Kincaid*
City: Baltimore, Maryland
State: MD
Zip: 21222
Phone No: 477-9278
Address: 7605 South Bend Road
City: Baltimore, Maryland
State: MD
Zip: 21222
Phone No: 477-9278
Name: Paul Lee Engineering, Inc.
Address: 304 W. Pennsylvania Avenue
City: Towson, MD
State: MD
Zip: 21204
Phone No: 821-5941
ESTIMATED LENGTH OF HEARING: 2 hr.
The following dates are available for hearing: 2 hr.
ALL OTHER: 2 hr.
REVIEWED BY: *LES* DATE: 10/10/95



Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 7605 South Bend Road

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 thereof, hereby petition for a Variance from Sections 1. 400.1 to permit a setback as close as 1' for ex. garage & carport in lieu of req'd. 2.5', 2. 1802.3.C.1 to permit a side yard of 2' for ex. dwelling in lieu of req'd. 10', 3. 1801.2.C.1.a & c to permit an existing shed (and prop. enlargement of same) in a front & side yard and a side yard of 0' in lieu of req'd. 20' & a front and side yard of 0' in lieu of the Zoning Regulations of Baltimore County, to use the herein described property for

The existing structures on the property are in violation of the present Zoning Regulations or Statutes.

To permit variances for non-residential setbacks in lieu of the required setbacks

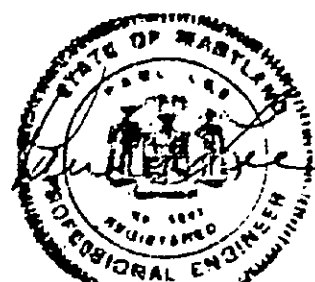
Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant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

Contact Person(s) Name: Christopher M. Roth
Type or Print Name: Christopher M. Roth
Signature: *Christopher M. Roth*
Address: Michelle D. Kincaid
Type or Print Name: Michelle D. Kincaid
Signature: *Michelle D. Kincaid*
City: Baltimore, Maryland
State: MD
Zip: 21222
Phone No: 477-9278
Address: 7605 South Bend Road
City: Baltimore, Maryland
State: MD
Zip: 21222
Phone No: 477-9278
Name: Paul Lee Engineering, Inc.
Address: 304 W. Pennsylvania Avenue
City: Towson, MD
State: MD
Zip: 21204
Phone No: 821-5941
ESTIMATED LENGTH OF HEARING: 2 hr.
The following dates are available for hearing: 2 hr.
ALL OTHER: 2 hr.
REVIEWED BY: *LES* DATE: 10/10/95

ORDER RECEIVED FOR FILING
Date 10/10/95
By Christopher M. Roth

Paul Lee P.E.

Paul Lee Engineering Inc.
308 W. Pennsylvania Ave.
Towson, Maryland 21204
410-881-5341



DESCRIPTION

#7605 SOUTH BEND ROAD

ELECTION DISTRICT 15 BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point located on the west side of South Bend Road, said point also being located southerly - 230 feet ± from the center of East Battle Grove Avenue; thence leaving said west side of South Bend Road (1) Southwesterly - 180 feet ± (field - 205 feet ±) to the shore line of Schoolhouse Cove, thence southeasterly - 53 feet ±, thence leaving said shore line of Schoolhouse Cove (3) Northeasterly - 175 feet ± (field - 195 feet ±) to the west side of South Bend Road, thence binding on the west side of South Bend Road by a curve to the right (4) R = 80.63 feet for a distance of 23.87 feet ±.

Containing 6018 s.f. of land more or less.

#56

6/30/95

Engineers — Surveyors — Site Planners J.O. 95-016

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th
Date of Posting: 9/1/95
Posted for: Special Exception & Variance
Petitioner: Christopher M. Roth and Michelle D. Kincaid
Location of property: 7605 South Bend Road, Baltimore, MD
Location of Sign: Property located on property being zoned
Remarks:
Posted by: [Signature]
Number of Signs: 1
Date of return: 9/1/95

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 at Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: 96-57-XA
(Item 56)
7605 South Bend Road
15th Election District
230' SW of c/l East Battle Grove Avenue
15th Election District - 7th Councilmanic
Legal Owner(s): Christopher M. Roth and Michelle D. Kincaid
Hearing: Tuesday, September 19, 1995 at 9:00 a.m. in Rm. 118, Old Courthouse

Special Exception for an existing fishing and shellfishing facility, shoreline, Class I.
Variance to permit a setback as close as 1 foot for existing garage and carport in lieu of the required 2.5 feet for existing dwelling in lieu of the required 10 feet; and to permit an existing shed (and proposed enlargement of same) in a front and side yard and a side yard of zero feet in lieu of the required 20 feet and a side yard of zero feet in lieu of the required 40 feet and 20 feet.

NOTES: (1) Hearings are handicapped accessible. For special accommodations please call 887-3353.
(2) For information concerning the hearing, please call 887-3391.
(3) For information concerning the file and/or hearing, please call 887-3391.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/1, 1995

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 8/31, 1995.

THE JEFFERSONIAN,

U. Henriksen
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
000049
DATE: 8/2/95 ACCOUNT: 61-615
Item: 56
96-57-XA
AMOUNT: \$620.00
RECEIVED By: Christopher M. Roth - 7605 South Bend Rd
FROM: [Signature]
630 - Cash Receipt - \$620.00
620 - Cash Receipt - \$620.00
610 - Cash Receipt - \$620.00
FOR: [Signature]
VALIDATION OR SIGNATURE OF CASHIER

TO: PUBLISHER PUBLISHING COMPANY
August 31, 1995 Issue - Jeffersonian

Please forward billing to:

Christopher M. Roth
Michelle D. Kincaid
7605 South Bend Road
Baltimore, MD 21222
410-477-9276

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 at Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-57-XA (Item 56)

7605 South Bend Road
W/S South Bend Road, 230' SW of c/l East Battle Grove Avenue
15th Election District - 7th Councilmanic

Legal Owner: Christopher M. Roth and Michelle D. Kincaid
HEARING: TUESDAY, SEPTEMBER 19, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for an existing fishing and shellfishing facility, shoreline, Class I.
Variance to permit a setback as close as 1 foot for existing garage and carport in lieu of the required 2.5 feet for existing dwelling in lieu of the required 10 feet; and to permit an existing shed (and proposed enlargement of same) in a front and side yard and a side yard of zero feet in lieu of the required 20 feet and a front and side yard of zero feet in lieu of the required 40 feet and 20 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
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 25, 1995

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 at Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-57-XA (Item 56)
7605 South Bend Road

W/S South Bend Road, 230' SW of c/l East Battle Grove Avenue

15th Election District - 7th Councilmanic

Legal Owner: Christopher M. Roth and Michelle D. Kincaid

HEARING: TUESDAY, SEPTEMBER 19, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for an existing fishing and shellfishing facility, shoreline, Class I.
Variance to permit a setback as close as 1 foot for existing garage and carport in lieu of the required 2.5 feet for existing dwelling in lieu of the required 10 feet; and to permit an existing shed (and proposed enlargement of same) in a front and side yard and a side yard of zero feet in lieu of the required 20 feet and a front and side yard of zero feet in lieu of the required 40 feet and 20 feet.

[Signature]

Arnold Jablon
Director

cc: Christopher M. Roth and Michelle D. Kincaid
Paul Lee Engineering, Inc.

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.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 12, 1995

Mr. Christopher M. Roth
Ms. Michelle D. Kincaid
7605 South Bend Road
Baltimore, MD 21222

RE: Item No.: 56
Case No.: 96-57-XA
Petitioner: C. M. Roth, et al

Dear Mr. Roth:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 8, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

Baltimore County Government
Office of Zoning Administration
and Development Management

#56

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/neighborhood 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.: 56

Petitioner: Christopher M. Roth/Michelle D. Kincaid

Location: 7605 South Bend Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Christopher M. Roth/Michelle D. Kincaid

ADDRESS: 7605 South Bend Road

PHONE NUMBER: (410) 477-9276

NJ:995

(Revised 04/09/93)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: September 6, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

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

Item No. 56

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: Carol L. Kerns

PK/JL

ITEM56/PZONE/TXTJML

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: August 28, 1995

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for August 28, 1995
Items 055, 056, 063, and 064

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:6W

Baltimore County Government
Fire Department

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

(410) 887-4500

DATE: 08/23/95

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

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF AUGUST 21, 1995

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.

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 29, 55, 56, 57, 58, 60, 62, 63 & 64.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office. PHONE 887-4681. MS-1102F



David L. Winstead
Secretary
Hal Kassoff
Administrator

8-16-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 056 (MJK)

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

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
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2259 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
7605 South Bend Road, W/S South Bend Rd.
230' SW of c/l East Battle Grove Avenue
15th Election District, 7th Councilmanic
Christopher Roth and Michelle Kincaid
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-57-XA

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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of September, 1995, a copy of the foregoing Entry of Appearance was mailed to Paul Lee Engineering, Inc., 304 W. Pennsylvania Avenue, Towson, MD 21204, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

9/10/95
To whom it may concern,
I, George D. Malone of 7509 S. Bend Rd. do not object to Chris Roth of 7605 South Bend Rd. conducting his crab business from his home.

George D. Malone
Day Phone 887-0197
Home Phone 477-3717

(410) 887-0197 Home 477-3717
(410) 887-0196
EASTERN TECHNICAL HIGH SCHOOL
1100 Mace Avenue
Baltimore, Maryland 21221
GEORGE MALONE

To whom it may concern
I do not oppose of the neighbors to use their property in a use at 7605 South Bend Rd.

Daniel J. Rogers
7601 South Bend Rd.
Dundalk, MD 21222

I, Jeannette Kelly at 7611 South Bend Rd. have no problem with Chris Roth crabbing at his home 7605 South Bend Rd.

Jeannette Kelly
Sept 18th 1995

I, Donnell W. Rogers of 7609 South Bend Rd. have no problem having Chris Roth crabbing from his home at 7605 South Bend Rd.

Donnell W. Rogers
7609 South Bend Rd.
9-18-95

I, Edward J. Zaleski at 7508 South Bend Rd. have no problem of Chris Roth at 7605 South Bend crabbing at said property.

Edward J. Zaleski
Sept. 18, 1995

I, Marie G. Rogers of 7613 South Bend Rd. see no reason why this man can't crab from his house. Everyone else who wants to do so. Please Golden 7613



96-57-XA