

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
 AND VARIANCES - E/S Maple Road, 262.5' *
 and 312.5' E of the c/l Sue Lane * DEPUTY ZONING COMMISSIONER
 (1027 and 1025 Maple Road)
 15th Election District * OF BALTIMORE COUNTY
 5th Councilmanic District *
 Daniel D. Bartholow * Case Nos. 96-341-SPHA and
 Petitioner * 96-342-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as combined Petitions for Special Hearing and Variance for the properties known as 1025 and 1027 Maple Road, two adjoining parcels located in the vicinity of Holly Neck Road in Essex/Cedar Beach. The Petitions were filed by the owner of the property, Daniel D. Bartholow. In Case No. 96-341-SPHA, the Petitioner seeks approval of an existing dwelling on an undersized lot, and variance relief to permit side yard setbacks of 5 feet and 18 feet in lieu of the minimum required 50 feet for each. In Case No. 96-342-SPHA, the Petitioner seeks approval of an undersized lot, and variance relief from Section to permit a front yard to street centerline setback of 50 feet in lieu of the required 75 feet, and side yard setbacks of 15.5 feet each in lieu of the required 50 feet, for a proposed dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Daniel D. Bartholow, property owner, and Michael K. Smith, a representative of BPI Land Technologies, Inc. There were no Protestants present.

Testimony and evidence offered revealed that the Petitioner owns five adjoining lots in the Cedar Beach community, namely, Lots 190 through

ORDER RECEIVED FOR FILING
 Date 4/30/96
 By [Signature]

MICROFILMED

194. The entire parcel is zoned R.C. 5 and totals 0.60 acres in area. Each of the lots are 25 feet wide; however, Lots 190 and 191 are 300 feet deep and have a combined area of 0.34 acres. Lots 192, 193, and 194 are only 150 feet deep and have a combined area of 0.26 acres. As shown on the site plan, Lots 190 and 191 have been improved with a single family dwelling known as 1027 Maple Road. Apparently, this dwelling has existed for some time and maintains side setbacks of 5 feet on the north side and 18 feet on the south side. Lots 192 through 194 are presently vacant and the Petitioner wishes to develop those combined lots with a single family dwelling. The proposed dwelling will be 28' x 44' in dimension and will maintain a setback of 30 feet from the front property line, which is consistent with other homes in the vicinity. In order to proceed as proposed, the Petitioner must seek the special hearing and variance relief as set forth above to legitimize conditions which have existed on both properties since prior to the effective date of the regulations governing development in the R.C.5 zone.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing relief and variances were not granted. In Case No. 96-341-SPHA, the relief requested is for existing conditions and not for any new construction. In Case No. 96-342-SPHA, strict compliance with the regulations would render this property undevelopable and unduly restrict the use of the land for an otherwise permitted purpose. In the opinion of this Deputy Zoning Commissioner, the proposed development is consistent with other development in the surrounding community and meets the spirit and intent of the zoning regulations. I further find that the

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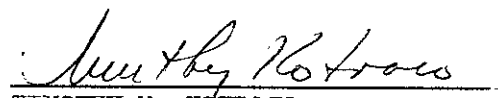
ORDER RECEIVED FOR FILING
Date 1/21/96
By [Signature]

relief requested will not be detrimental to the public health, safety, and general welfare.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30th day of April, 1996 that the Petitions for Special Hearing and Variance in Case No. 96-341-SPHA to approve an existing dwelling on an undersized lot, and a variance to permit side yard setbacks of 5 feet and 18 feet in lieu of the required 50 feet for each, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petitions for Special Hearing and Variance in Case No. 96-342-SPHA seeking approval of an undersized lot, and variance relief to permit a front yard to street centerline setback of 50 feet in lieu of the required 75 feet, and side yard setbacks of 15.5 feet each in lieu of the required 50 feet, for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 4/30/96
By [Signature]



Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 30, 1996

Mr. Daniel D. Bartholow
6807 Belclare Road
Baltimore, Maryland 21222

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
E/S Maple Road, 262.5' and 312.5' E of the c/l Sue Lane
(1027 and 1025 Maple Road)
15th Election District - 5th Councilmanic District
Daniel D. Bartholow - Petitioner
Case Nos. 96-341-SPHA and 96-342-SPHA

Dear Mr. Bartholow:

Enclosed please find a copy of the decision rendered in the above-captioned matters. The Petitions for Special Hearing and Variance have 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,

A handwritten signature in cursive script that reads "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: DEPRM; People's Counsel

File

ENCLOSURE

CRITICAL

AND VARIANCE



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1027 MAPLE ROAD
96-341-SPTA which is presently zoned R.C. 5

This Petition shall be filed with the Department of Permits & 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

an existing dwelling on a proposed undersized lot and to allow side yard setbacks of 5 ft. and 18 ft. in lieu of the minimum required 50 ft. each.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee.

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

Legal Owner(s).

X Daniel D Bartholow
(Type or Print Name)

X DANIEL D. BARTHLOW
Signature

(Type or Print Name)

Signature

6807 BELCLARE RD. 282-4428
Address Phone No

BALTIMORE MD 21222
City State Zipcode

Name, Address and phone number of representative to be contacted

MICHAEL K. SMITH - BPS/land tech., inc.
Name

P.O. BOX 5614 21210 435-0800
Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING See #1025 Maple Rd.
unavailable for Hearing

the following dates _____ Next Two Months

ALL OTHER

REVIEWED BY: [Signature] DATE 3-6-96

ORDER RECEIVED FOR FILING
Date 4/30/96

MICROFILMED

338

96-341-SPHA

ZONING DESCRIPTION FOR PROPOSED 1027 MAPLE ROAD (~~Existing Dwelling~~)

Beginning at a point on the east side of Maple Road which is 40 feet wide at the distance of 262.5 feet north of the centerline of Sue Lane which is 25 feet wide. Being Lots 190, 191, 249 and 250 in the subdivision of "Cedar Beach" as recorded in Baltimore County Plat Book W.P.C. No. 7, Part 2, Folio 186, containing 15,000 square feet or 0.34 acres. Also to be known as 1027 Maple Road and located in the Fifteenth Election District, Fifth Councilmanic District.

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15

Posted for: Case No. 96-341 SPHA Date of Posting: April 11 1996

Petitioner: DANIEL D. BARTHOLLOU

Location of property: 1027 Maple Road

Location of Sign: _____

Remarks: _____

Posted by: DAVID Taylor

Number of Signs: 1

Date of return: _____

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: _____

Date of Posting: _____

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-341

District: 15

Date of Posting: 3/14/92

Posted for:

Petitioner: DANIEL D. BERTHOLOWSKI

Location of property: 1037 MAPLE ROAD

Location of signs: FRENT LAWN

Remarks:

Posted by:

Number of Signs: 11

Date of return: 3/14/92

RECORDED

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 21284, at Room 118, Old Courthouse, Washington Avenue, Towson, Maryland 21284 as follows:

Case: #98-341-SPHA
(Item 338)
1027 Maple Road
ES Maple Road, 262.5' N of
C/Sue Lane
15th Election District
5th Councilmanic
Legal Owner(s):
Daniel D. Bartholow

Special Hearing: to approve an existing dwelling on a proposed undersized lot. Variances: to allow side yard setbacks of 5 feet and 18 feet in lieu of the minimum required 50 feet each.
Hearing: Tuesday, April 18, 1998 at 9:00 a.m. in Rm. 118, Old Courthouse.

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.

3222 March 21 1997

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

March 21, 1998

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 *March 21, 1998*.

THE JEFFERSONIAN,

D. A. Smith
LEGAL AD. - TOWSON

Lawrence E. Schmidt

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

Fee ~~3.38~~
Nf
8.32

DATE 5-6-96 ACCOUNT R-001-6150

96-341-5PHA
AMOUNT \$ 270.⁰⁰

RECEIVED FROM: Oldham Family Alliance FCU
030 - 2 special hearing at \$50.⁰⁰ ea. — \$ 100.⁰⁰
" 010 - 2 2-3 Ven notes at \$50.⁰⁰ ea. — 100.⁰⁰
" 080 - 2 Sup. 9-20 Sting at \$35.⁰⁰ ea. — 70.⁰⁰
FOR: 1. Total - \$ 270.⁰⁰

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



Baltimore County
 Department of Permits and
 Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

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

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

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

 ARNOLD JABLON, DIRECTOR

 For newspaper advertising:

Item No. 338 ^{cond 344} Petitioner: DANIEL D. BARTHLOW

Location: 1027 MAPLE ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DANIEL D. BARTHLOW

ADDRESS: 6807 BELCLARE ROAD

BALTIMORE, MD. 21222

PHONE NUMBER: (410) 282-4428

MICROFILMED

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book# _____, folio# _____, lot# _____, section# _____

OWNER: _____



North

date: _____
 prepared by: _____
 Scale of Drawing: 1" = _____



Vicinity Map
 North
 scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____ acreage _____ square feet

public private
 SEWER:
 WATER:
 Chesapeake Bay Critical Area: YES NO

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

3/14/96
230
②

The application for your proposed Building Permit Application has been accepted for filing by J. Sullivan on 3-6-96 Date (A)

A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE 3-16-96 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES ___ NO ___ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 4-1-96 C (B-3 Work Days)

TENTATIVE DECISION DATE 4-5-96 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District 15

Location of property: 1027 Maple Road

Posted by: [Signature] Date of Posting: 3/14/96
Signature

Number of Signs: ①

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TO: PUTUXENT PUBLISHING COMPANY

March 21, 1996 Issue - Jeffersonian

Please forward billing to:

Daniel D. Bartholow
6807 Belclare Road
Baltimore, MD 21222
282-4428

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: 96-341-SPHA (Item 338)
1027 Maple Road
E/S Maple Road, 262.5' N of c/l Sue Lane
15th Election District - 5th Councilmanic
Legal Owner: Daniel D. Bartholow

Special Hearing to approve an existing dwelling on a proposed undersized lot.
Variance to allow side yard setbacks of 5 feet and 18 feet in lieu of the minimum required 50 feet each.

HEARING: TUESDAY, APRIL 16, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

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.

RECORDED



Baltimore County
Department of Permits and
Development Management

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

March 14, 1996

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: 96-341-SPHA (Item 338)
1027 Maple Road
E/S Maple Road, 262.5' N of c/l Sue Lane
15th Election District - 5th Councilmanic
Legal Owner: Daniel D. Bartholow

Special Hearing to approve an existing dwelling on a proposed undersized lot.
Variance to allow side yard setbacks of 5 feet and 18 feet in lieu of the minimum required 50 feet each.

HEARING: TUESDAY, APRIL 16, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

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

Arnold Jablon
Director

cc: Daniel D. Barthlow
Michael K. Smith

- 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

April 9, 1996

Mr. Daniel D. Bartholow
6807 Belclare Road
Baltimore, MD 21222

RE: Item No.: 338
Case No.: 96-341-SPHA
Petitioner: D. D. Bartholow
1027 Maple Road

Dear Mr. Bartholow:

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 March 6, 1996.

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.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



John Alexander

4/13/96
8

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: March 22, 1996

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

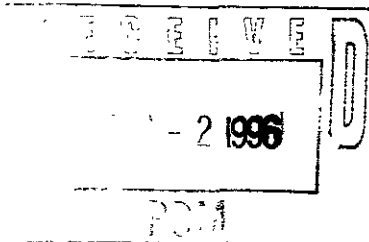
SUBJECT: Zoning Advisory Committee Meeting
for March 25, 1996
Item Nos. 335, 336, 337, (338), 339, 341

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

RWB:jrb

cc: file

ZONE3A



MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 03/13/96

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 MAR. 18, 1996

Item No.: SEE BELOW Zoning Agenda:

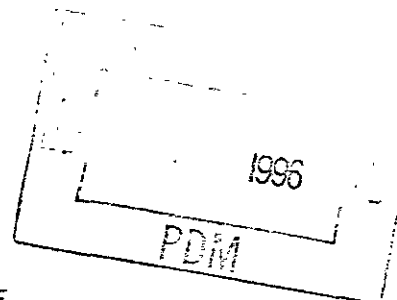
Gentlemen:

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: 334, 335, 336, 337, 338, 339, 340, 341 AND 342.

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

cc: File





**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

3-18-96

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

RE: Baltimore County
Item No. 338 (JJS)

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,

A handwritten signature in cursive script that reads "Bob Small".

A handwritten word "for" in cursive script, positioned to the left of the typed name.

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

MICROFILMED

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

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
March 27, 1996

FROM: Robert A. Wirth *RAW/ams*
DEPRM

SUBJECT: Zoning Item #338 - Bartholow Property
1027 Maple Road
Zoning Advisory Committee Meeting of March 18, 1996

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

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

It appears that this petition for the existing dwelling located at 1027 Maple Road complies with Chesapeake Bay Critical Area Regulations.

RAW:KK:sp

BARTHOL/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: March 25, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 1025 & 1027 Maple Road

INFORMATION:

Item Number:

338 & 344

Petitioner:

Bartholow Property

Property Size:

Zoning:

RC-5

Requested Action:

Variance and Undersized Lot Request

Hearing Date:

/ /

SUMMARY OF RECOMMENDATIONS:

The applicant seeks approval to construct a dwelling on an undersized lot at 1025 Maple Road, and to allow a front yard setback of 50' to the street centerline and side yard setbacks of 15.5 feet each in lieu of the required 75' and 50' each, respectively. In addition, the applicant requests approval of an existing dwelling on an undersized lot and to allow side yard setbacks of 5' and 18' in lieu of the required 50'.

Based upon a review of the information provided, staff can find no justification for the variances requested on the proposed lot. Additionally, the petitioner cannot comply with the lot area/density control regulation outlined in Section 1A04.3B.1 of the Baltimore County Zoning Regulations. Therefore, staff recommends that the applicant's request be denied. Denial of the variances for the proposed lot would render relief sought for the existing lot moot.

Prepared by:

Jeffery W. Long

Division Chief:

Daryl L. Kern

PK/JL

MICROFILMED

PETITION PROBLEMS

#334 --- MJK

1. Need title of person signing for contract purchaser.

#338 --- JJS

1. No section numbers listed for variance on petition form.

#339 --- JCM

1. Need correct zoning – petition says D.R.-5.5, folder says D.R.-3.5 – which is correct?

#341 --- CAM

1. Notary section is incomplete/incorrect.

#342 --- JCM

1. Why is receipt dated 2/29/96 and everything else dated 3/8/96????

RECEIVED

See Special Hearing & VAR
Item # 338 filed 3/6.

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

B _____
Permit Number

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

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: **Undersized Lots**

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

MINIMUM APPLICANT SUPPLIED INFORMATION:

BPS/land technology, inc P.O. BOX 5614 BALTO. 21210 (410) 435-0800
Print Name of Applicant Address Telephone Number

Lot Address 1027 MAPLE ROAD Election District 15 Council District 5 Square Feet 26,250

Lot Location: NES W (side) corner of MAPLE ROAD, 250 feet from NES W corner of SUE LANE & MAPLE RD.
(street) (street)

Land Owner DANIEL D. BARTHOLDW Tax Account Number 1516906720, 1502006332, 1502006330

Address 6807 BELCLARE ROAD Telephone Number (410) 282-4428
BALTIMORE, MD. 21222

CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation

	PROVIDED?		
	YES	NO	
1. This Recommendation Form (3 copies)	<u>X</u>	—	<div style="border: 1px dashed black; padding: 5px;"> Residential Processing Fee Paid Codes 030 & 080 (\$85) Accepted by _____ ZADM Date _____ </div>
2. Permit Application	—	<u>X</u>	
3. Site Plan Property (3 copies)	<u>X</u>	—	
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	<u>X</u>	—	
4. Building Elevation Drawings	<u>X</u>	—	
5. Photographs (please label all photos clearly)			
Adjoining Buildings	—	<u>X</u>	
Surrounding Neighborhood	—	<u>X</u>	

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

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

Signed by: _____
for the Director, Office of Planning & Community Conservation

Date:

MICROFILMED

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
1027 Maple Road, E/S Maple Road, 262.5'	*	ZONING COMMISSIONER
N of c/l Sue Lane, 15th Election		
District, 5th Councilmanic	*	OF BALTIMORE COUNTY
Legal Owner: Daniel D. Bartholow	*	CASE NO. 96-341-SPHA
Petitioner		
* * * * *		

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 2nd day of April, 1996, a copy of the foregoing Entry of Appearance was mailed to Michael K. Smith, BPS Land Tech., Inc., P. O. Box 5614, Baltimore, MD 21210, representative for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MICROFILMED

W.P.C. No 7 PART 2 - 186

96-341-SPHA

MICROFILMED

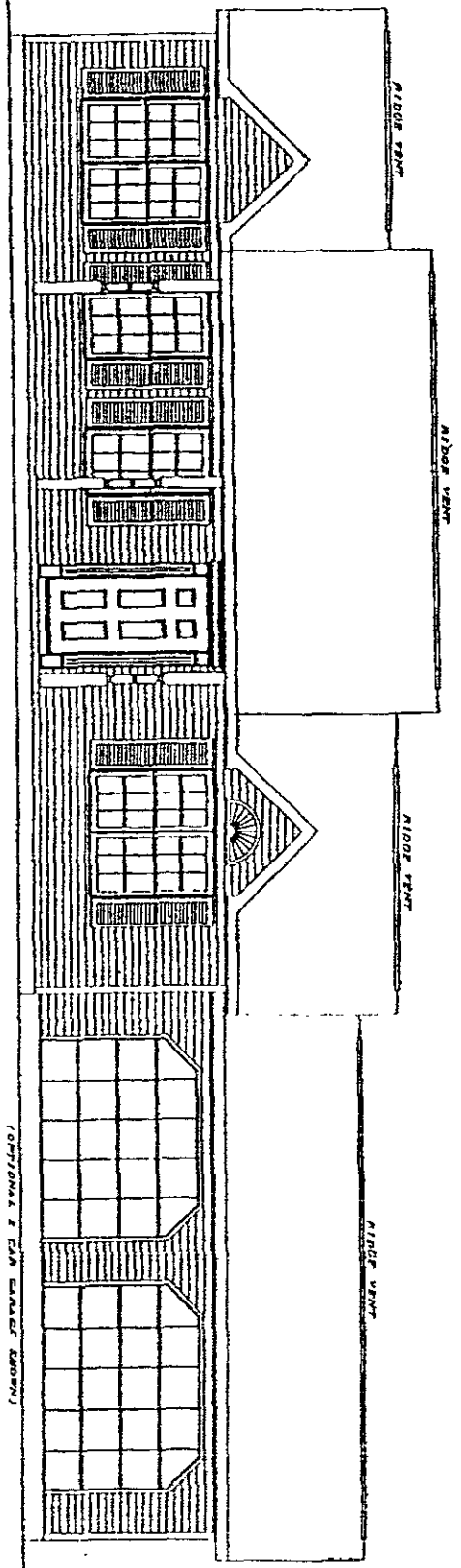


338

DEVELOPMENT

ADD S-143-76

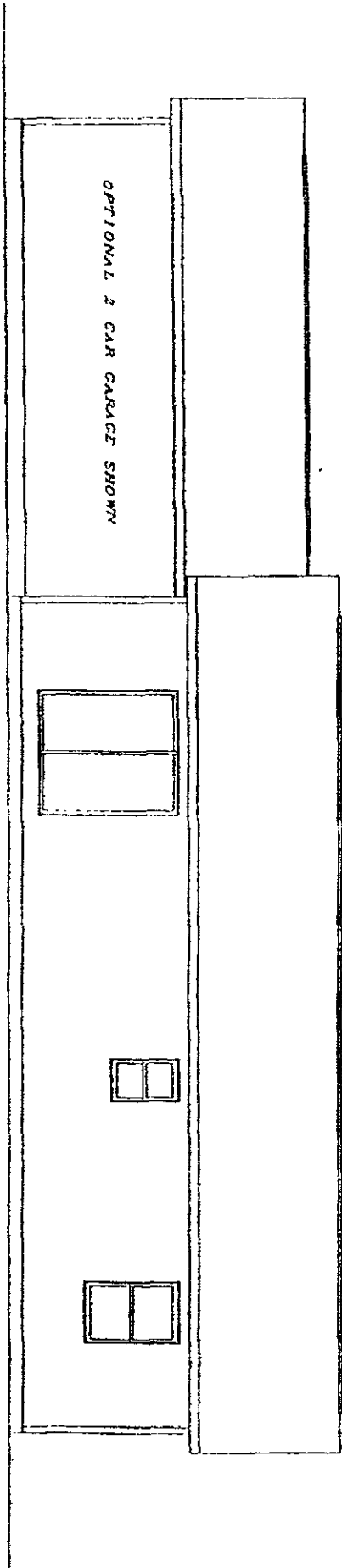




FRONT ELEVATION
PRELIMINARY PLAN # 103

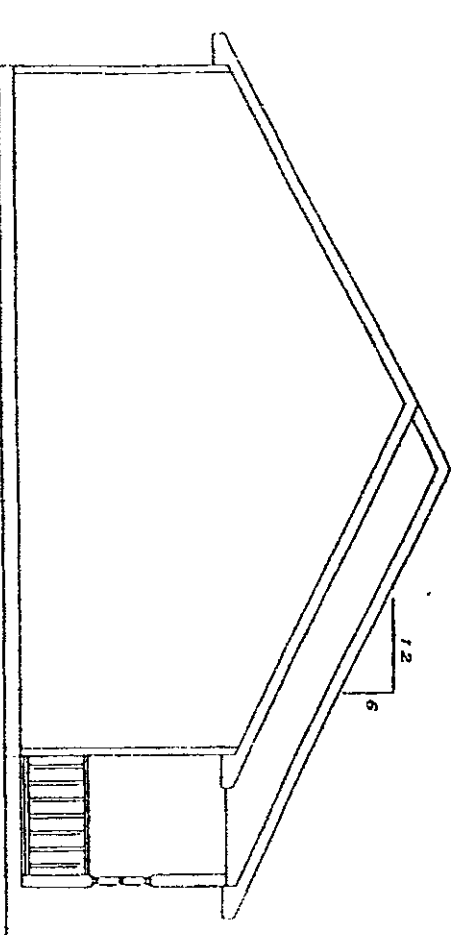
NOT TO BE CONSIDERED

TITLE:	PRELIMINARY PLAN #103
DATE:	20 FEB 91
REVISIONS:	
SCALE:	3/16"=1'-0"
DRAWN BY:	DNP
APPROVED BY:	
DRAWING #:	
FOREST HOME SYSTEMS INC. - SELINGROVE PA.	

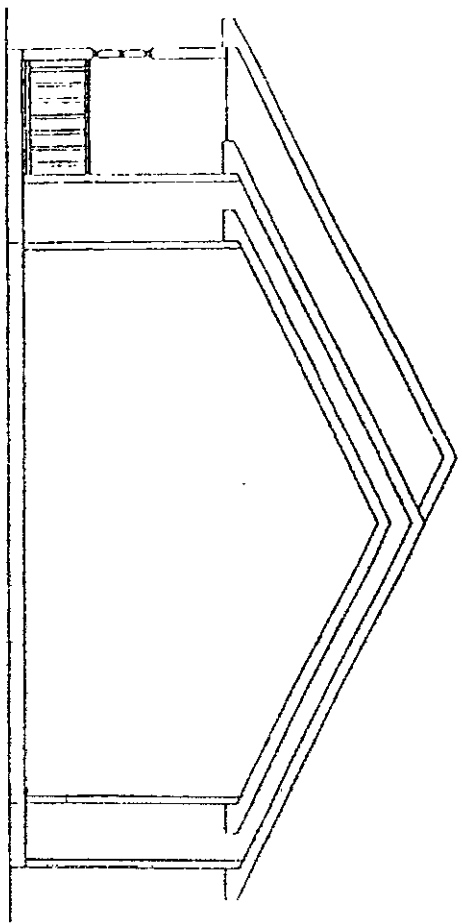


REAR ELEVATION

TITLE: PRELIMINARY PLAN #103	
DATE: 11 MARCH 91	SCALE: 3/16"=1'-0"
REVISIONS	DRAWN BY: DRH
	APPROVED BY:
DRAWING #	
FOREST HOME SYSTEMS INC. - SELINSGROVE PA.	



LEFT CABLE ELEVATION



RIGHT CABLE ELEVATION

TITLE: PRELIMINARY PLAN #103	
CABLE ELEVATIONS	
DATE: 26 FEB 91	SCALE: 3/16" = 1'-0"
REVISIONS:	DRAWN BY: DRP
	APPROVED BY:
DRAWING 1	
FOREST HOUR SYSTEMS INC - SELLSINGROVE PA	



MICROFILMED

2









ENCLOSURE

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCES - E/S Maple Road, 262.5' and 312.5' E of the c/l Sue Lane (1027 and 1025 Maple Road) 15th Election District 5th Councilmanic District

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

Case Nos. 96-341-SPHA and 96-342-SPHA

Daniel D. Bartholow
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as combined Petitions for Special Hearing and Variance for the properties known as 1025 and 1027 Maple Road, two adjoining parcels located in the vicinity of Holly Neck Road in Essex/Cedar Beach. The petitions were filed by the owner of the property, Daniel D. Bartholow. In Case No. 96-341-SPHA, the Petitioner seeks approval of an existing dwelling on an undersized lot, and variance relief to permit side yard setbacks of 5 feet and 18 feet in lieu of the minimum required 50 feet for each. In Case No. 96-342-SPHA, the Petitioner seeks approval of an undersized lot, and variance relief from Section to permit a front yard to street centerline setback of 50 feet in lieu of the required 75 feet, and side yard setbacks of 15.5 feet each in lieu of the required 50 feet, for a proposed dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Daniel D. Bartholow, property owner, and Michael K. Smith, a representative of SPT Land Technologies, Inc. There were no Protestants present.

Testimony and evidence offered revealed that the Petitioner owns five adjoining lots in the Cedar Beach community, namely, Lots 190 through

194. The entire parcel is zoned R.C. 5 and totals 0.60 acres in area. Each of the lots are 25 feet wide; however, lots 190 and 191 are 300 feet deep and have a combined area of 0.34 acres. Lots 192, 193, and 194 are only 150 feet deep and have a combined area of 0.26 acres. As shown on the site plan, Lots 190 and 191 have been improved with a single family dwelling known as 1027 Maple Road. Apparently, this dwelling has existed for some time and maintains side setbacks of 5 feet on the north side and 16 feet on the south side. Lots 192 through 194 are presently vacant and the Petitioner wishes to develop those combined lots with a single family dwelling. The proposed dwelling will be 28' x 44' in dimension and will maintain a setback of 30 feet from the front property line, which is consistent with other homes in the vicinity. In order to proceed as proposed, the Petitioner must seek the special hearing and variance relief as set forth above to legitimize conditions which have existed on both properties since prior to the effective date of the regulations governing development in the R.C.5 zone.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing relief and variances were not granted. In Case No. 96-341-SPHA, the relief requested is for existing conditions and not for any new construction. In Case No. 96-342-SPHA, strict compliance with the regulations would render this property undevelopable and unduly restrict the use of the land for an otherwise permitted purpose. In the opinion of this Deputy Zoning Commissioner, the proposed development is consistent with other development in the surrounding community and meets the spirit and intent of the zoning regulations. I further find that the

relief requested will not be detrimental to the public health, safety, and general welfare.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30th day of April, 1996 that the Petitions for Special Hearing and Variance in Case No. 96-341-SPHA to approve an existing dwelling on an undersized lot, and a variance to permit side yard setbacks of 5 feet and 18 feet in lieu of the required 50 feet for each, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petitions for Special Hearing and Variance in Case No. 96-342-SPHA seeking approval of an undersized lot, and variance relief to permit a front yard to street centerline setback of 50 feet in lieu of the required 75 feet, and side yard setbacks of 15.5 feet each in lieu of the required 50 feet, for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

Timothy M. Rotroco
TIMOTHY M. ROTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 4/24/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 30, 1996

Mr. Daniel D. Bartholow
6807 Belclare Road
Baltimore, Maryland 21222

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
E/S Maple Road, 262.5' and 312.5' E of the c/l Sue Lane
(1027 and 1025 Maple Road)
15th Election District - 5th Councilmanic District
Daniel D. Bartholow - Petitioner
Case Nos. 96-341-SPHA and 96-342-SPHA

Dear Mr. Bartholow:

Enclosed please find a copy of the decision rendered in the above-captioned matters. The Petitions for Special Hearing and Variance have 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,

Timothy M. Rotroco
TIMOTHY M. ROTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: DEPRM: People's Counsel

File

ORDER RECEIVED FOR FILING
Date 4/23/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 4/23/96
By [Signature]

CRITICAL AND VARIANCE
Petition for Special Hearing
to the Zoning Commissioner of Baltimore County
for the property located at 1027 MAPLE ROAD
76-341-SPHA which is presently zoned R.C.5

This Petition shall be filed with the Department of Permits & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an existing dwelling on a proposed undersized lot and to allow side yard setbacks of 5 ft. and 18 ft. in lieu of the minimum required 50 ft. each.

ZONING DESCRIPTION FOR PROPOSED 1027 MAPLE ROAD

Beginning at a point on the east side of Maple Road which is 40 feet wide at the distance of 262.5 feet north of the centerline of Sue Lane which is 25 feet wide. Being Lots 190, 191, 192 and 193 in the subdivision of "Cedar Beach" as recorded in Baltimore County Plat Book M.P.C. No. 7, Part 2, Folio 185, containing 15,000 square feet or 0.34 acres. Also to be known as 1027 Maple Road and located in the Fifteenth Election District, Fifth Councilmanic District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: Apr 1st 1996

Posted for: Case No. 96-341-SPHA

Petitioner: Daniel D. Bartholow

Location of property: 1027 Maple Road

Location of Sign: _____

Remarks: _____

Posted by: David Taylor Date of return: _____

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 21, 1996

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 March 18, 1996.

THE JEFFERSONIAN,
A. Hemmison
LEGAL AD. - TOWSON

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

Contract Purchaser/Owner: _____
Type or Print Name: _____
Signature: _____
Address: _____
City: _____ State: _____ Zip/Code: _____

Legal Owner(s):
Name: Daniel D. Bartholow
Signature: _____
Type or Print Name: _____
Address: 6807 BELCLARE RD. 21222
City: BALTIMORE State: MD Zip/Code: 21222
Name, Address and phone number of representative to be contacted:
MICHAEL K. SMITH - SPT/land tech inc
Name: P.O. BOX 514 21210 Phone No: 435-0800
Address: _____ Phone No: _____

ESTIMATED LENGTH OF HEARING: See #1025 minutes
Date: 4/24/96

ALL OTHER
REVIEWED BY: [Signature] DATE: 4/24/96

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: 3/1/96

Posted for: 96-341

Petitioner: Daniel D. Bartholow

Location of property: 1027 MAPLE ROAD

Location of Sign: BEHIND LAWN

Remarks: _____

Posted by: [Signature] Date of return: 3/1/96

Number of Signs: 1

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

DATE: 3-6-96 ACCOUNT: R-001-6150

96-341-SPHA AMOUNT: \$ 270.00

RECEIVED Oldham Family Alliance FCV

030 - 2 Special Hearings of \$50.00 ea. = \$ 100.00
010 - 2 R.C.5 Variances of \$50.00 ea. = 100.00
080 - 2 Signs + posting of \$35.00 ea. = 70.00

Appropriator: Daniel D. Bartholow Total: \$ 270.00

Date: 1027 (6) pro owner BALTIMORE COUNTY
VALIDATION ON SIGNATURE OF CARRIER

ORDER RECEIVED FOR FILING
Date 4/23/96
By [Signature]



Baltimore County
Department of Permits and
Development Management

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

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 Nos. 338 and 344
Petitioner: DANIEL D. BARTHOLOW

Location: 1027 MAPLE ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DANIEL D. BARTHOLOW

ADDRESS: 6807 BELCLARE ROAD

BALTIMORE, MD. 21222

PHONE NUMBER: (410) 282-4428

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2 DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT

The application for your proposed Building Permit Application has been accepted for filing by J. Sullivan on 3-6-96 Date (A)

A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE 3-16-96 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES NO -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 4-1-96 C (B-3 Work Days)

TENTATIVE DECISION DATE 4-5-96 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District 15

Location of property: 1027 Maple Road

Posted by: [Signature] Date of Posting: 3/1/96

Number of Signs: 10

TO: FUTURE PUBLISHING COMPANY
March 21, 1996 Issue - Jeffersonian

Please forward billing to:

Daniel D. Bartholow
6807 Belclare Road
Baltimore, MD 21222
282-4428

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

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

CASE NUMBER: 96-341-SHA (Item 338)

1027 Maple Road

E/S Maple Road, 262.5' W of c/l Sue Lane

15th Election District - 5th Councilmanic

Legal Owner: Daniel D. Bartholow

Special Hearing to approve an existing dwelling on a proposed undersized lot. Variance to allow side yard setbacks of 5 feet and 18 feet in lieu of the minimum required 50 feet each.

HEARING: TUESDAY, APRIL 16, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

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

March 14, 1996

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

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

CASE NUMBER: 96-341-SHA (Item 338)

1027 Maple Road

E/S Maple Road, 262.5' W of c/l Sue Lane

15th Election District - 5th Councilmanic

Legal Owner: Daniel D. Bartholow

Special Hearing to approve an existing dwelling on a proposed undersized lot. Variance to allow side yard setbacks of 5 feet and 18 feet in lieu of the minimum required 50 feet each.

HEARING: TUESDAY, APRIL 16, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

Daniel D. Bartholow
Michael K. Smith

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

April 9, 1996

Mr. Daniel D. Bartholow
6807 Belclare Road
Baltimore, MD 21222

RE: Item No.: 338
Case No.: 96-341-SHA
Petitioner: D. D. Bartholow
1027 Maple Road

Dear Mr. Bartholow:

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 March 6, 1996.

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.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management Date: March 22, 1996

FROM: Robert W. Rowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
For March 25, 1996
Item Nos. 335, 336, 337, 338, 339, 341

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

RWB:jrb

cc: file

ZONE3A

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4830

DATE: 03/13/96

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 MAR. 18, 1996

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: 334, 335, 336, 337, 338, 339, 340, 341 AND 342.

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

cc: File
Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

3-18-96

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

RE: Baltimore County
Item No. 338 (JJS)

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
for
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2255 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

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

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
March 27, 1996

FROM: Robert A. Wirth RAW/AM
DEPRM

SUBJECT: Zoning Item #338 - Bartholow Property
1027 Maple Road
Zoning Advisory Committee Meeting of March 18, 1996

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

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

It appears that this petition for the existing dwelling located at 1027 Maple Road complies with Chesapeake Bay Critical Area Regulations.

RAW:KK:sp
BARTHOL/DEPRM/TXISBP

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, POM
DATE: March 25, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 1025 & 1027 Maple Road

INFORMATION:
Item Number: 338/344
Petitioner: Bartholow Property
Property Size: _____
Zoning: RC-5
Requested Action: Variance and Undersized Lot Request
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:
The applicant seeks approval to construct a dwelling on an undersized lot at 1025 Maple Road, and to allow a front yard setback of 50' to the street centerline and side yard setbacks of 15.5 feet each in lieu of the required 75' and 50' each, respectively. In addition, the applicant requests approval of an existing dwelling on an undersized lot and to allow side yard setbacks of 5' and 18' in lieu of the required 50'.

Based upon a review of the information provided, staff can find no justification for the variances requested on the proposed lot. Additionally, the petitioner cannot comply with the lot area/density control regulation outlined in Section 1A04.3B.1 of the Baltimore County Zoning Regulations. Therefore, staff recommends that the applicant's request be denied. Denial of the variances for the proposed lot would render relief sought for the existing lot moot.

Prepared by: *Jeffery M. Long*
Division Chief: *Carol L. Verno*
PK/JL

PETITION PROBLEMS

- #334 --- MJK
1. Need title of person signing for contract purchaser.
- #338 --- JJS
1. No section numbers listed for variance on petition form.
- #339 --- JCM
1. Need correct zoning - petition says D.R.-5.5, folder says D.R.-3.5 - which is correct?
- #341 --- CAM
1. Notary section is incomplete/incorrect.
- #342 --- JCM
1. Why is receipt dated 2/29/96 and everything else dated 3/8/96????

Special Hearing & VAR
Item # 338 Ailed 3/6.

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDermid
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Department of Permits & Development Management

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

MINIMUM APPLICANT SUPPLIED INFORMATION:
BPS/land technology, inc. P.O. Box 5144 Towson, 21210 (410) 455-0400
Lot Address: 1027 MAPLE ROAD Election District 15 Council District 5 Square Feet 26,250
Lot Location: 250' feet from E/W corner of SUITE LANE & MAPLE RD.
Lead Owner: DANIEL D. BARTHOLOW Tax Account Number 1516700710, 1517000731, 1518000750
Address: 452 6807 BELLAIR ROAD Baltimore, MD 21222 Telephone Number (410) 281-4425

CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation

1. This Recommendation Form (3 copies)	YES	NO	Residential Processing Fee Paid Codes 000 & 001 (P&C)
2. Permit Application	X		Accepted by: JCM
3. Site Plan Property (3 copies) 1:500 M.S.D. (two copies on the 24" x 36" sheet) (2 copies) Green (one copy)	X		Date: _____
4. Building Elevation Drawings	X		
5. Photographs (taken from the street level) Adjacent Buildings		X	
Surveying Report/notes		X	

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATION/COMMENTS:
 Approval Disapproval Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: _____ Date: _____
Office of Planning & Community Conservation
Revised 9/5/95

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
1027 Maple Road, E/S Maple Road, 262.5'
N of c/l Sue Lane, 15th Election
District, 5th Councilmanic

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-341-SPHA

Legal Owner: Daniel D. Bartholow
Petitioner

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.

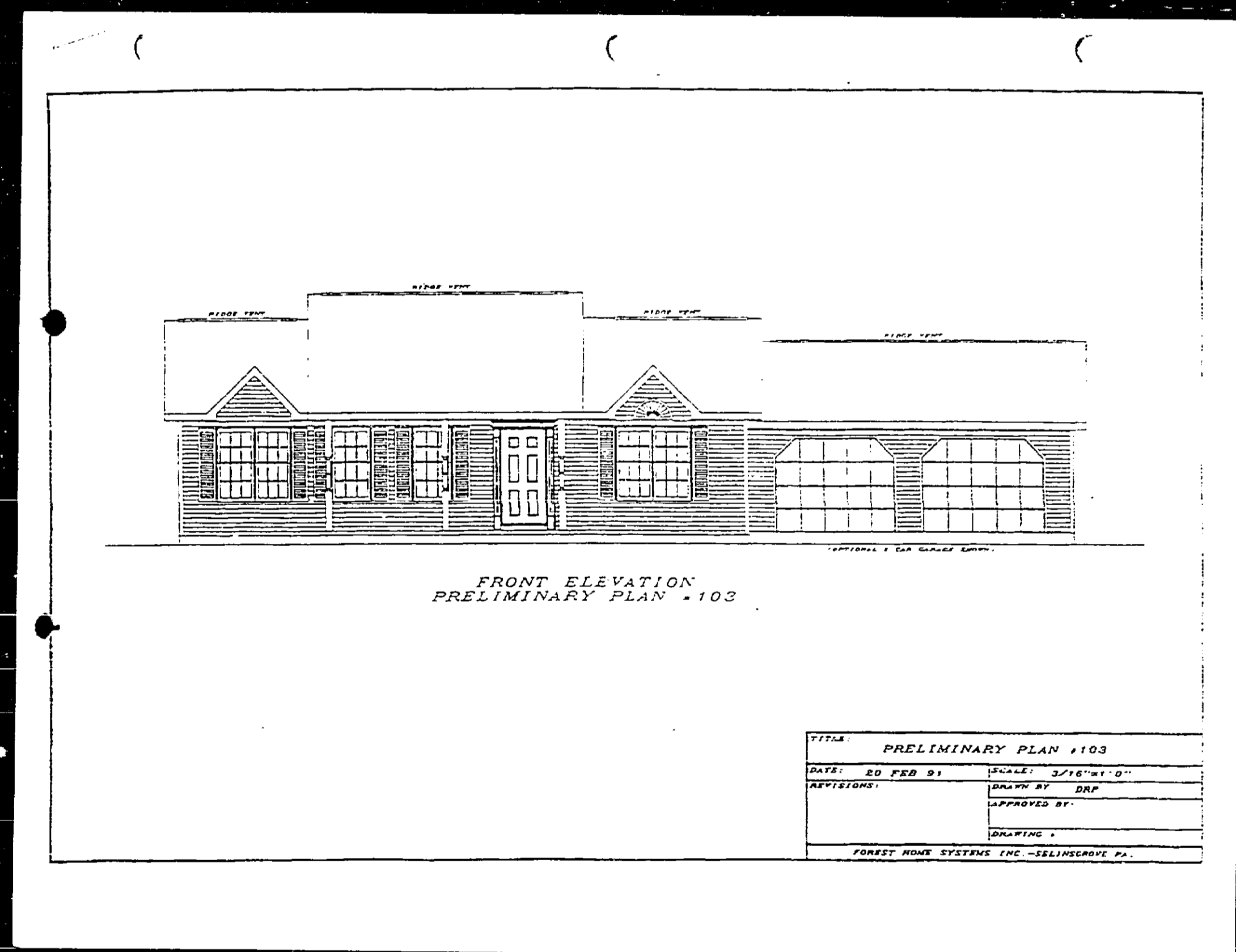
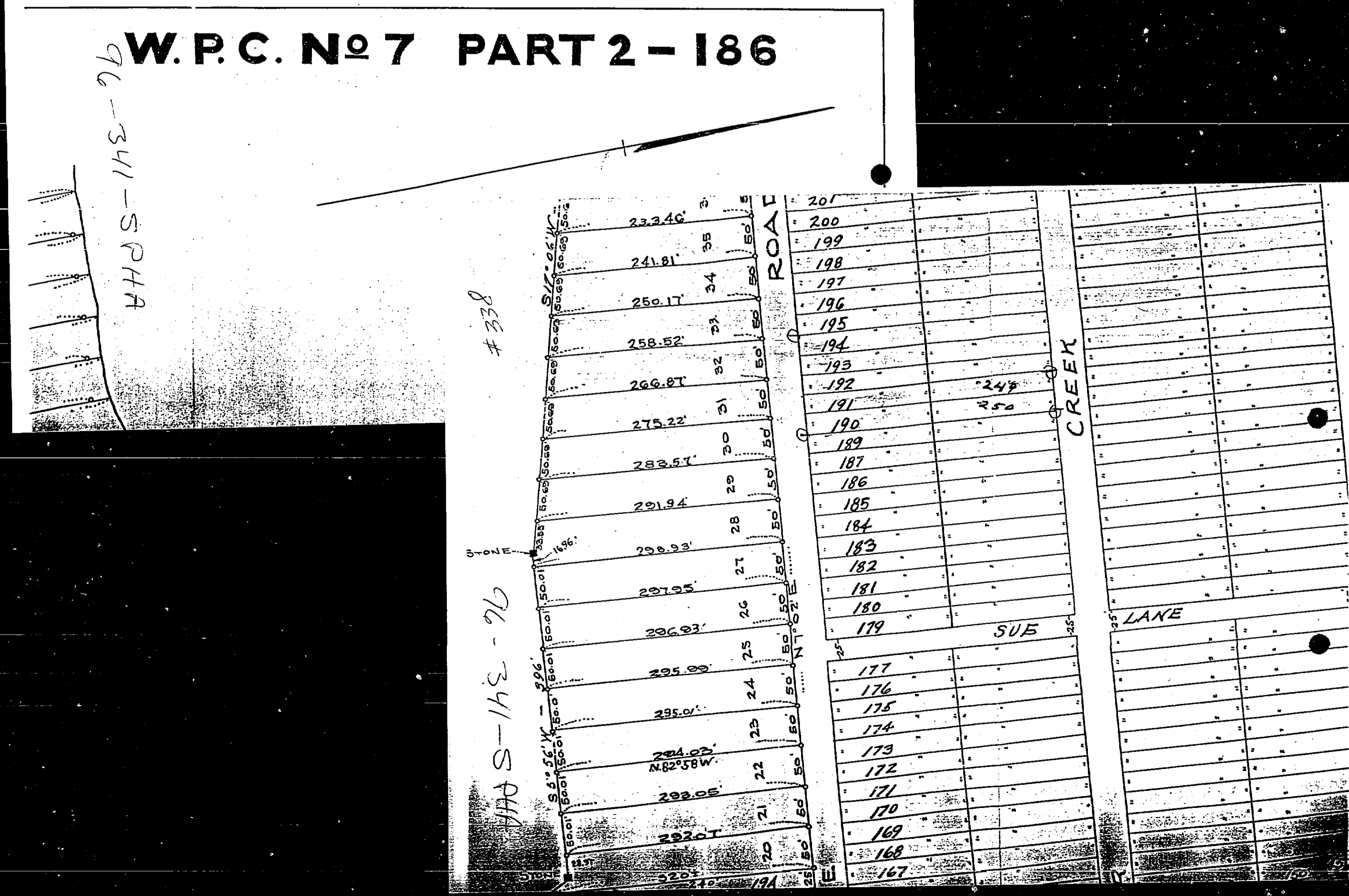
Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

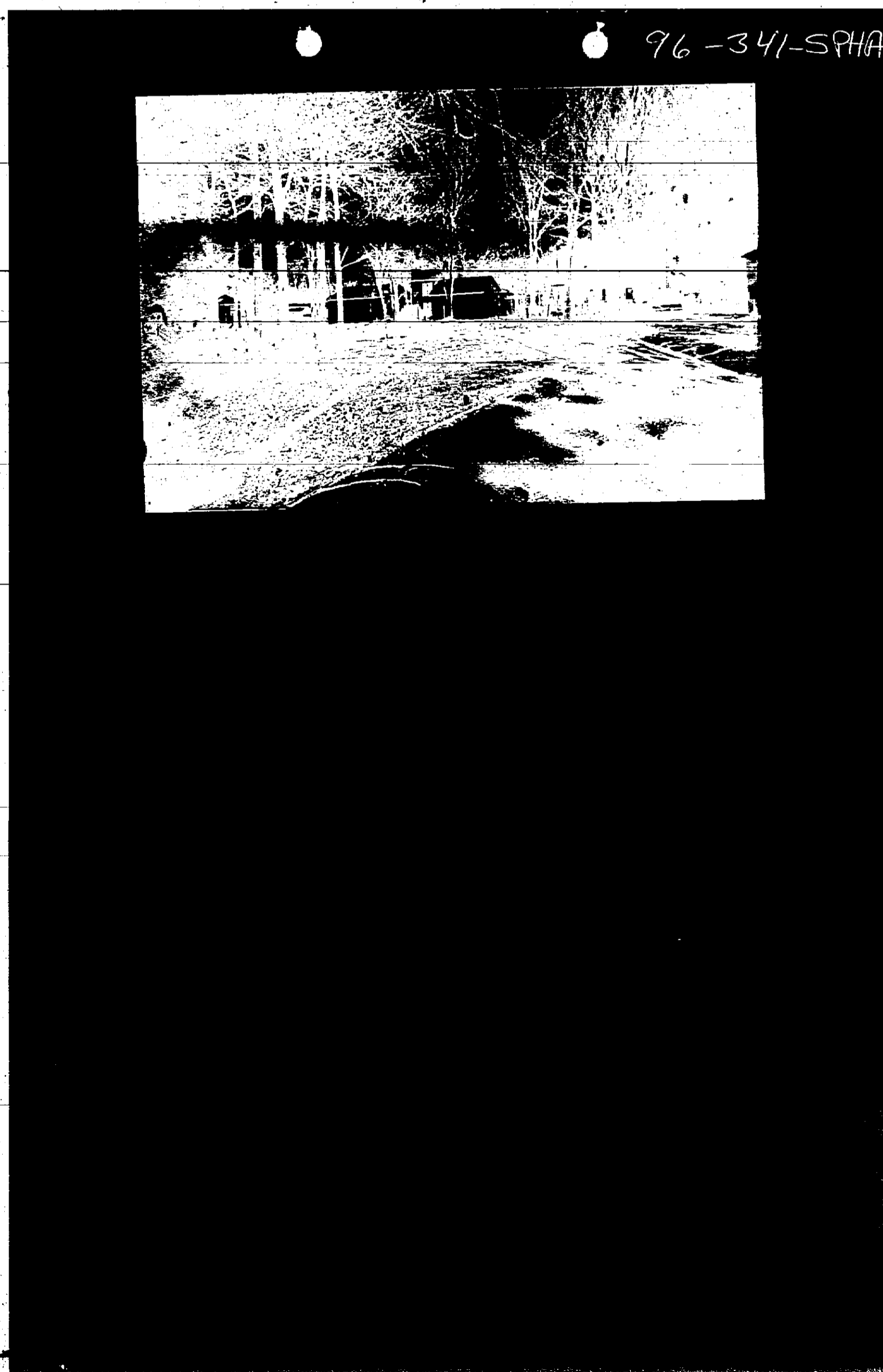
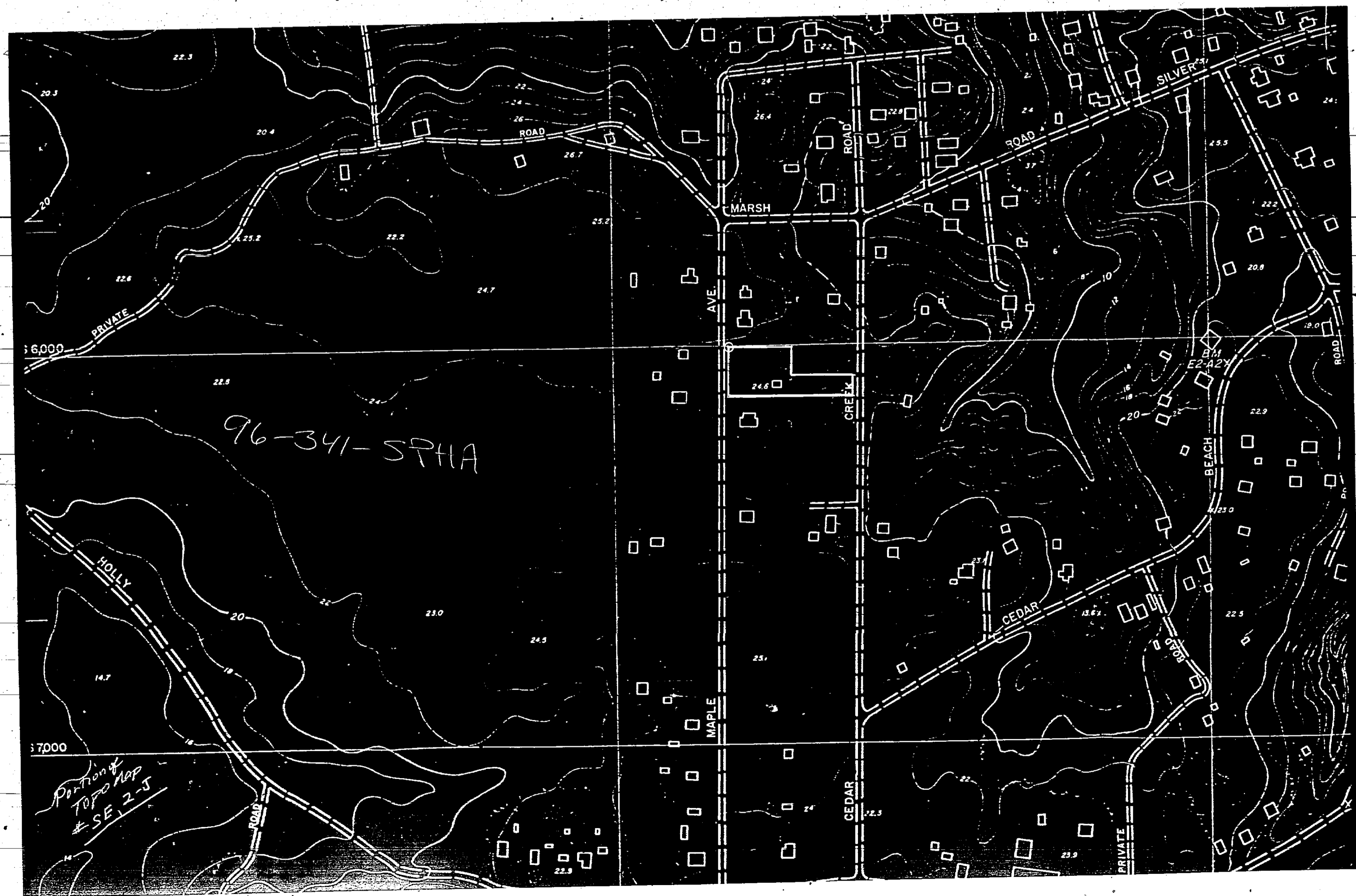
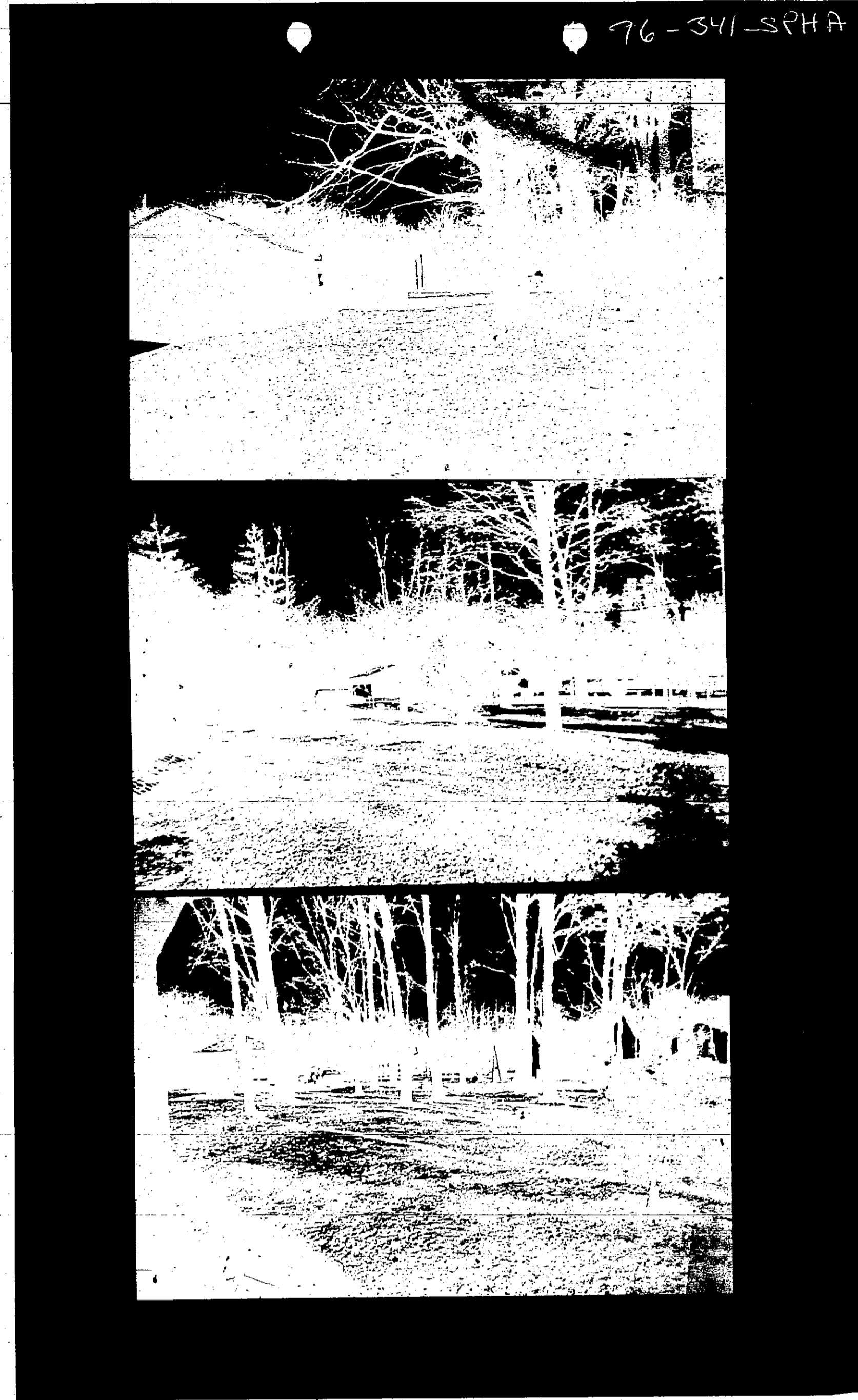
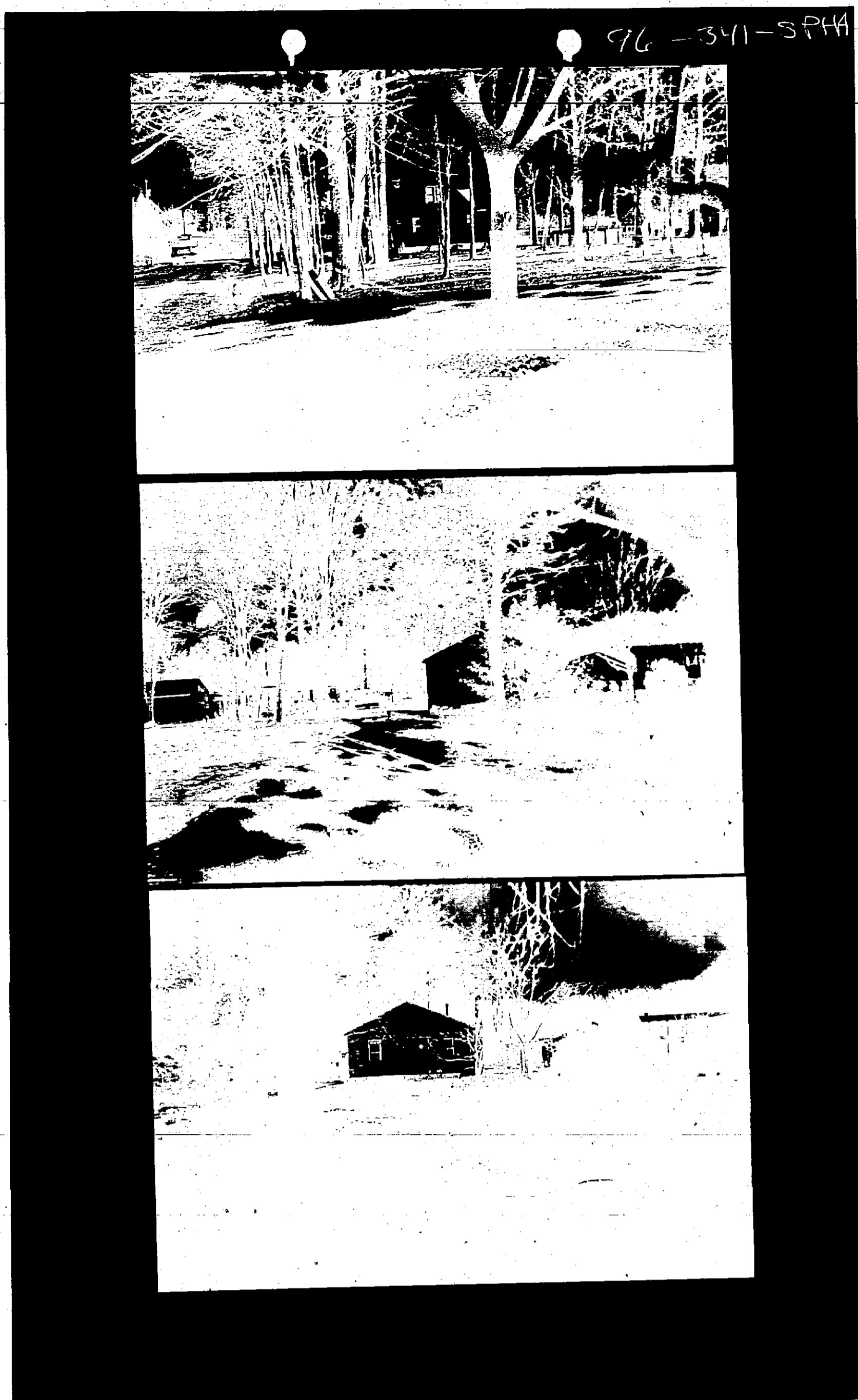
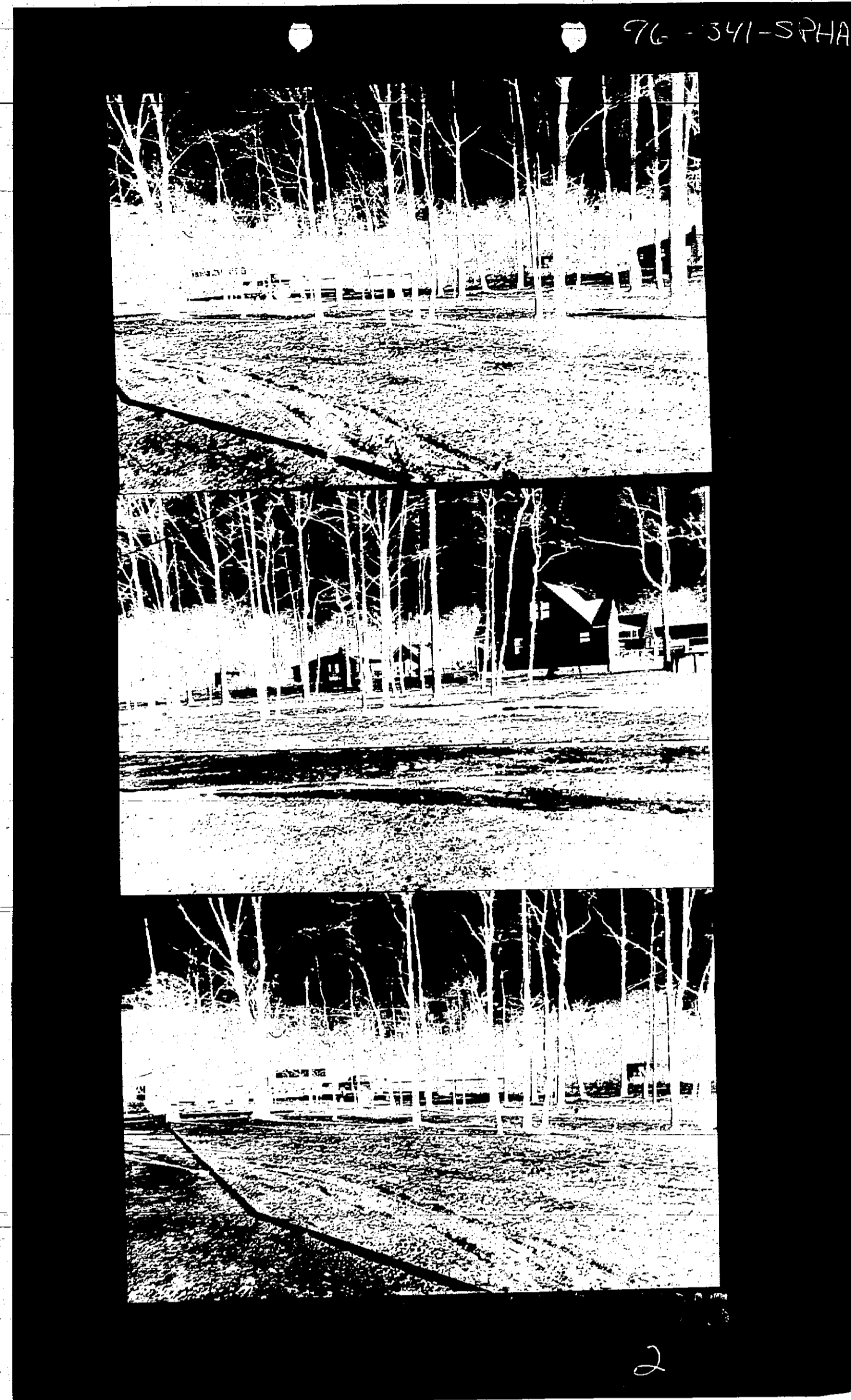
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 987-2188

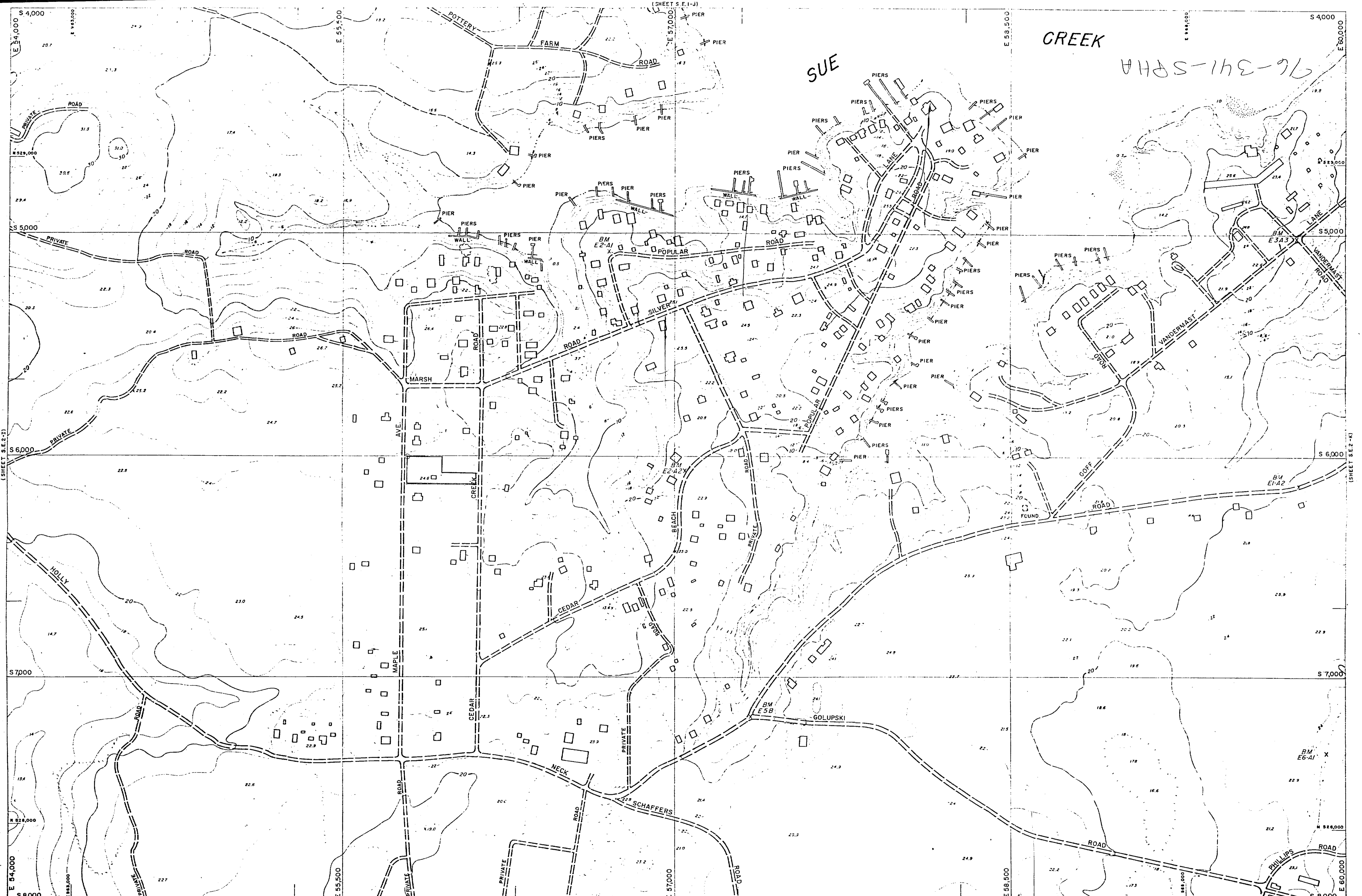
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of April, 1996, a copy of the foregoing Entry of Appearance was mailed to Michael K. Smith, BPS Land Tech., Inc., P. O. Box 5614, Baltimore, MD 21210, representative for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN





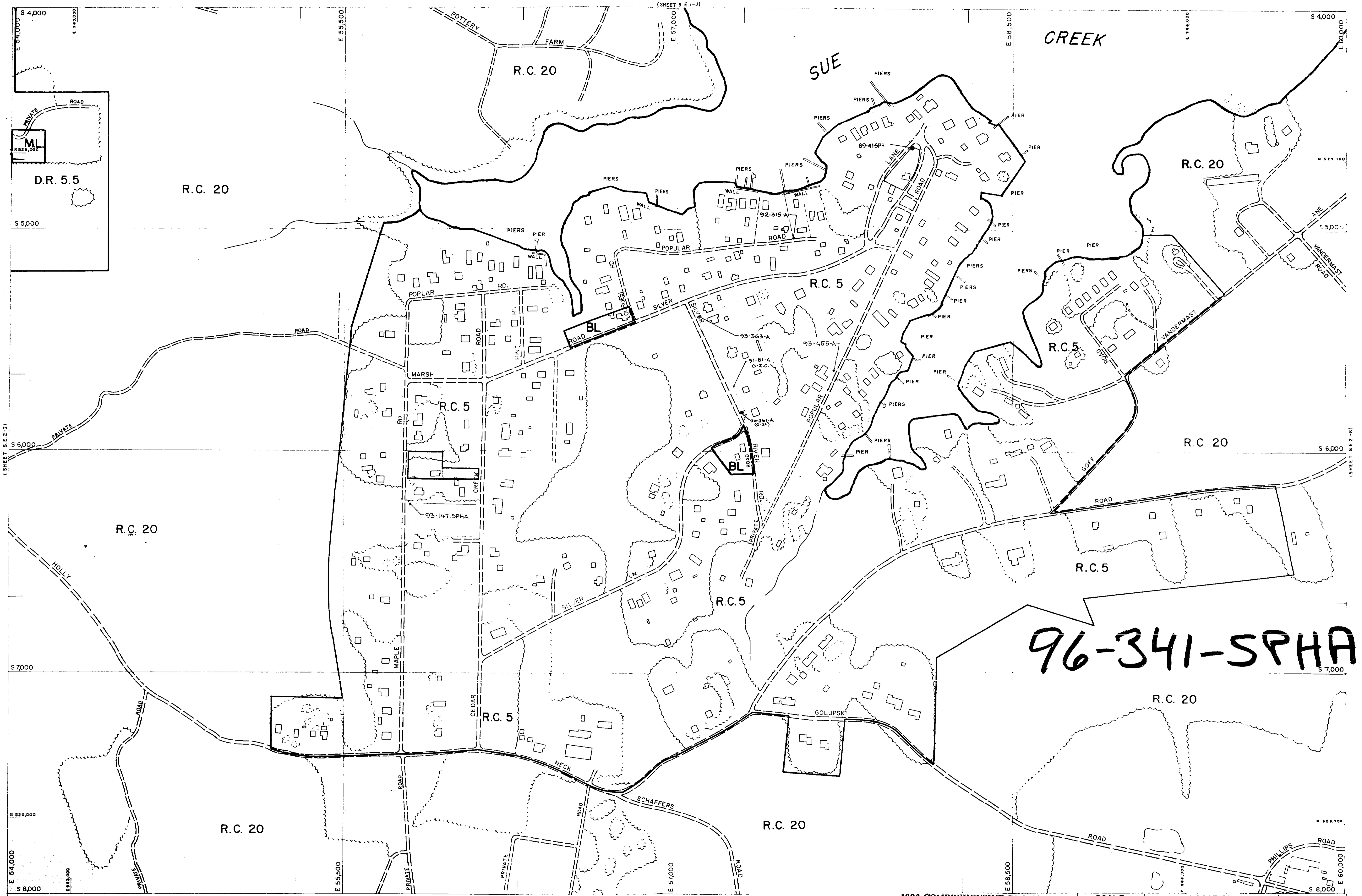


E-NE ZZ-NW

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE 1" = 200'	LOCATION HOLLY NECK	SHEET SE-2-J
BY	DATE			
		DATE OF PHOTOGRAPHY DEC. 1954		

Topography Compiled By Photogrammetric Methods
ABRAMS AERIAL SURVEY CORP LANSING MICH.



96-341-SPHA

E-NE ZZ-NW

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

~~1988 COMPREHENSIVE ZONING MAP~~
Adopted by the Baltimore County Council
Oct. 13, 1988
Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
William A. Howard
Chairman, County Council

**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

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

William A. Howard
Chairman, County Council

SCALE 1" = 200' ±	LOCATION HOLLY NECK	SHEET SE 338
DATE OF PHOTOGRAPHY JANUARY 1986		