

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 E/S Sue Grove Road, 1050 ft. S *
 of Turkey Point Road * ZONING COMMISSIONER
 739 Sue Grove Road *
 15th Election District * OF BALTIMORE COUNTY
 5th Councilmanic District *
 Samuel A. Wilson, Jr., et al * Case No. 97-148-A
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for Variance for the property located at 739 Sue Grove Road, located in the vicinity of Sue Creek, in eastern Baltimore County. The Petition is filed by Samuel A. Wilson, Jr., and Florence Wilson, his mother, property owners. Variance relief is requested from Sections 304.2 and 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 9 ft. and a lot width of 50 ft. in lieu of the required 10 ft. and 55 ft., respectively, so as to allow an undersized lot. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit No. 1.

Appearing at the public hearing held for this case were Samuel A. Wilson, Jr., and Martha J. Wilson, his wife. There were no Protestants or other interested persons present.

Testimony and evidence presented at the hearing was that the subject property is .23 acres in area, zoned D.R.5.5. The property is a waterfront property with frontage on Sue Creek in eastern Baltimore County. The property is 50 ft. in width and ranges from a depth of 189 ft. on the north side to 214 ft. on the south side.

Mr. Wilson testified that the lot has been in the ownership of his family for many years. His mother, Florence Wilson, resides immediately next door at 741 Sue Grove Road. The subject property has apparently been

ORDER RECEIVED FOR FILING
 Date 11/14/96
 By M. [Signature]

MICROFILMED

improved with a small cottage summer house for many years. Mr. Wilson testified that that dwelling has existed for as long as he can remember and has been rented over the years by family or friends. Mr. Wilson and his wife, Martha J. Wilson, propose razing the existing dwelling and constructing a new single family home in its place. The single family home will be set back slightly farther from the water than the existing home for environmental purposes and will be consistent in design and size with other homes in the area. In this regard, the Petitioners have submitted for approval certain schematic representations of the proposed home to the Office of Planning.

Variance relief is necessary because of the setback and lot width requirements of the BCZR. The regulations require a 55 ft. lot width for a D.R.5.5 zoned property and the subject lot is only 50 ft. in width. Moreover, the Petitioner proposes a 9 ft. side yard setback on that side of the dwelling facing his mother's property. It is of note that the proposed house will be situated on the lot so as to maintain the required 10 ft. on the north side which is bounded by property not owned by the Wilson family. Mr. Wilson explained that he believes it appropriate to maintain the full setback on that side and that the diminished side should be closer to his mother's house. I agree.

The Petitioner is not eligible for relief pursuant to Section 304 of the BCZR. As I have held in prior decisions on this issue, the request for variance from setback relief renders a property owner ineligible for relief under the undersized lot regulations contained in Section 304. Moreover, the fact that Mr. Wilson is co-owner of the adjacent property renders him ineligible for relief under that section.

However, variance relief, pursuant to Section 307 of the BCZR, can and should be granted. In this regard, I believe that the Petitioner has

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Date

By

11/14/66
M. Dorak

satisfied the tests for relief from the lot width and setback requirements. The uniqueness of the property is found in its configuration and historic use of the site. To deny the Petition would result in practical difficulty upon the Petitioners. Moreover, construction of a new house represents an upgrade to the property and will surely not be detrimental to adjacent properties.

For the foregoing reasons, I will grant the Petition for Variance from Section 1B02.3.C.1, pursuant to Section 307 of the BCZR. Notwithstanding the grant of this relief, however, certain conditions should be attached.

First, there are no comments in the file from the Department of Environmental Protection and Resource Management (DEPRM) regarding this site. Surely the property is within the Chesapeake Bay Critical Area in that same is a waterfront property. Thus, the Petitioners shall comply with any recommendations and requirements of DEPRM as it relates to the proposed construction. In this regard, the Petitioner indicated that a deck had been built on the subject site, pursuant to building permit #B270987. Further testimony was offered that a dispute has arisen between the Petitioner and DEPRM regarding that permit and that the matter is now pending before the Board of Appeals. It need be emphasized that the relief granted herein is independent of that dispute. I am only approving, by the grant of the variance requested, the construction of the proposed dwelling.

Second, the Petitioners' plans for the dwelling, including building elevations, shall be approved by the Office of Planning. This restriction is imposed, pursuant to the spirit and intent of Section 304 of the BCZR, which permits Planning to review new construction on undersized lots.

ORDER RECEIVED FOR FILING

Date

11/14/96

By

[Handwritten signature]

[Handwritten signature]

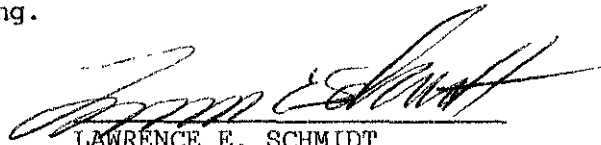
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of November, 1996 that a variance from Section 307 and 1B02.3.C.1 of the BCZR to permit a side yard setback of 9 ft. and a lot width of 50 ft. in lieu of the required 10 ft. and 55 ft., respectively, so as to allow an undersized lot, 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.

2. The Petitioners shall comply with the Department of Environmental Protection and Resource Management (DEPRM) recommendations to be submitted upon completion of their review of this matter.

3. The Petitioners shall submit for review and approval, by the Office of Planning, building elevation drawings and other documentation regarding the proposed architecture and style of the proposed dwelling.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date

11/14/96

By

M. G. Grah

LES/mmh



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 13, 1996

Mr. and Mrs. Samuel A. Wilson, Jr.
739 Sue Grove Road
Baltimore, Maryland 21221

RE: Petition for Variance
Case No. 97-148-A
Property Location: 739 Sue Grove Road

Dear Mr. and Mrs. Wilson:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, 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 cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

MICROFILMED



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

739 Sue Grove 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) 304.2 & 1B02.3.C.1

To allow a side yard setback of 9 ft. and a lot width of 50 ft. in lieu of the required 10 ft. and 55 ft. respectively and to allow an undersized lot.

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

We hereby request a zoning variance to to tear down present dwelling on Lot 9, which has no permanent foundation, and construct a new house onsite. New house will be 31 ft wide, by 34 ft long; existing house is 31 ft wide by 24 feet, 6 inches long. New house will be approx. 80 feet from road, We are requesting side setbacks of 10 ft on north side, and 9 ft on south side, same as current structure. Lot is 50 feet wide, and 189 feet long at narrowest point. Lot 10 on south side is owned by Petitioner.

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

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

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

Contract Purchaser/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):

Samuel A. Wilson, Jr.

(Type or Print Name)

Samuel A. Wilson, Jr.
Signature

Florence Wilson

(Type or Print Name)

Florence M. Wilson
Signature

410-671-6717 (w)

739 Sue Grove Road 410-682-3909 (h)

Address Phone No.

Baltimore MD 21221

City State Zipcode

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

see above

Name

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: JRF DATE 9/30/96



Printed with Soybean Ink on Recycled Paper



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#149

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: 739 Sue Grove Road, Baltimore, MD 21221

As recorded in Deed Liber 4910, Folio 724, Map 98, Grid 15, Parcel 215, Lot 9, property is located on the east side of Sue Grove Road, a 30-foot wide road, approximately 1,050 feet south of Turkey Point Road, and 150 feet south of Prammar Road. Property is approximately 10,000 square feet; boundaries are as follows:

North side = 86 degrees, 41 minutes, East
South side = 86 degrees, 41 minutes, East
West side = 3 degrees, 19 minutes, West
East side = waterfront; no measurements given

Property is located in Election District 15, Councilmanic District 5. Property is also known as 739 Sue Grove Road; property ID #15 23 505461. Property is deeded in the names of Samuel A. and Florence Wilson.

149

MICROFILMED

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

No. 026356

DATE 9-30-96 ACCOUNT E-001-615-000

AMOUNT \$ 50.00

RECEIVED FROM: WILSON

OIO - VARIANCE - \$50.00

FOR: Item # 149

MICROFILMED
MEDICAL MICHRC
JRE
\$50.00

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

CERTIFICATE OF POSTING

RE: Case No.: 97-148A

Petitioner/Developer: _____

SAMUEL A. WILSON

Date of Hearing/Closing: Nov. 4, 1996

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 739 SUE GROVE ROAD
BALTIMORE, MARYLAND 21221

The sign(s) were posted on OCT. 20, 1996
(Month, Day, Year)

Sincerely,

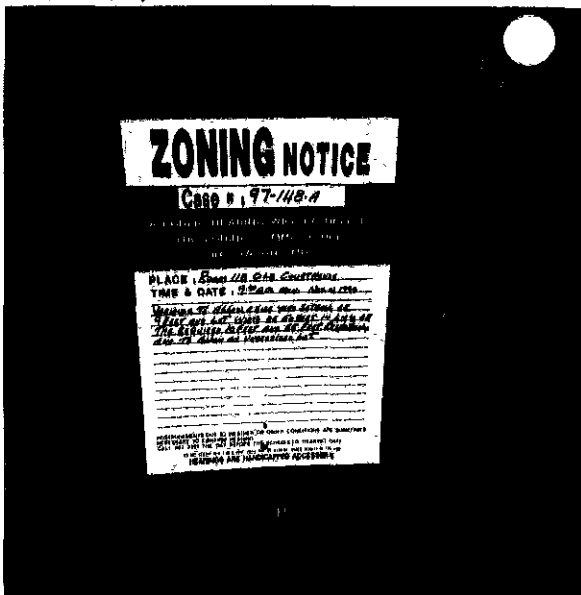
Thomas P. Ogle Sr. 10/20/96
(Signature of Sign Poster and Date)

Thomas P. OGLE SR.
(Printed Name)

325 Nicholson Road
(Address)

Baltimore, Maryland 21221
(City, State, Zip Code)

(410) 687-8405
(Telephone Number)



MICROFILMED



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/neighbor 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.: 149 Petitioner: Samuel A. Wilson, Jr.

Location: 739 Sue Grove Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Samuel A. Wilson, Jr.

ADDRESS: 739 Sue Grove Road
Baltimore, MD 21221

PHONE NUMBER: (410) 682-3909

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

The application for your proposed Building Permit Application has been accepted for filing by _____ on _____ 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 _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES ___ NO ___ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) _____ C (B-3 Work Days)

TENTATIVE DECISION DATE _____ B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

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**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

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

B _____
Permit Number

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:

Samuel A., and Florence Wilson. 739 Sue Grove Road 21221 410-682-3909
Print Name of Applicant Address Telephone Number

Lot Address 739 Sue Grove Road Election District 15 Council District 5 Square Feet ~10,000

Lot Location: N/S W / (side) / corner of Sue Grv Rd ~1050 feet from N E S W / (corner) of Turkey Point Road
(street) (street)

Land Owner Samuel A., Jr. & Florence Wilson Tax Account Number 15 23 505461

Address 739 Sue Grove Road Telephone Number 410-682-3909
Baltimore, MD 21221

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)	—	—	<div style="border: 1px dashed black; padding: 5px;"> Residential Processing Fee Paid Codes 030 & 080 (\$85) Accepted by <u>JRF</u> ZADM Date <u>9/30/96</u> # <u>149</u> </div>
2. Permit Application	—	—	
3. Site Plan	—	—	
Property (3 copies)	—	—	
Topo Map (available in Rm 206 C.O.B.) (2 copies) <small>(please label site clearly)</small>	—	—	
4. Building Elevation Drawings	—	—	
5. Photographs (please label all photos clearly)			
Adjoining Buildings	—	—	
Surrounding Neighborhood	—	—	

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: _____

Exhibit B

Item #149

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: TO ALLOW A SIDE YARD SETBACK OF 9' AND
A LOT WIDTH OF 50' IN LIEU OF THE REQUIRED 10'
AND 55', RESPECTIVELY.

AND TO ALLOW AN UNDERSIZED LOT AS
PER SEC. 304.2.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

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

October 11, 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: 97-148-A (Item 149)
739 Sue Grove Road
E/S Sue Grove Road, 1050' S of Turkey Point Road
15th Election District - 5th Councilmanic
Legal Owner(s): Samuel A. Wilson, Jr. and Florence Wilson

Variance to allow a side yard setback of 9 feet and lot width of 50 feet in lieu of the required 10 feet and 55 feet respectively and to allow an underzoned lot.

HEARING: MONDAY, NOVEMBER 4, 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: Samuel and Florence Wilson

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN MUST POSTED ON THE PROPERTY BY OCTOBER 20, 1996.
(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.

MICRON





Baltimore County
Department of Permits and
Development Management

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

November 14, 1996

Mr. and Mrs. Samuel A. Wilson, Jr.
739 Sue Grove Road
Baltimore, MD 21221

RE: Item No.: 149
Case No.: 97-148-A
Petitioner: Samuel Wilson, et ux

Dear Mr. and Mrs. Wilson:

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 September 30, 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 Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: October 25, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 21, 1996
Item No. 149

The Development Plans Review Division has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

RWB:HJO:jrb

cc: File

ZONE33A

MICROFILMED

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: October 10, 1996

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 Nos. 115, 149, 151, 153, 154, 156, 158, and 159

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 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL

RECEIVED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/10/96

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 OCT. 10, 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 149, 150, 151, 152, 153, 154,
155, 156, 158, 159 and 160.

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

cc: file



Printed with Soybean Ink
on Recycled Paper

MICROFILMED



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary

Parker F. Williams
Administrator

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

10-24-96
RE: Baltimore County
Item No. 149 (J.R.F.)

Dear Ms. Eubanks:

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 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'P. Goodwin'.

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

MICROFILMED

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
Baltimore, Maryland 21202

**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:

Samuel A., and Florence Wilson 739 Sue Grove Road 21221 410-682-3909
Print Name of Applicant Address Telephone Number

Lot Address 739 Sue Grove Road Election District 15 Council District 5 Square Feet ~10,000

Lot Location: N/S W / side / corner of Sue Grv Rd ~1050 feet from N E S W corner of Turkey Point Road
(street) (street)

Land Owner Samuel A., Jr. & Florence Wilson Tax Account Number 15 23 505461

Address 739 Sue Grove Road Telephone Number 410-682-3909
Baltimore, MD 21221

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)	—	—
2. Permit Application	—	—
3. Site Plan	—	—
Property (3 copies)	—	—
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	—	—
4. Building Elevation Drawings	—	—
5. Photographs (please label all photos clearly)	—	—
Adjoining Buildings	—	—
Surrounding Neighborhood	—	—

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by JRF
ZADM

Date 9/30/96

149

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:

MICROFILMED

Date: _____

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

The application for your proposed Building Permit Application has been accepted
for filing by _____ on _____

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 _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) _____ C (B-3 Work Days)

TENTATIVE DECISION DATE _____ B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

AFFIDAVIT

This is to certify that the Petitioner, Samuel A. Wilson, Jr., currently resides at the property known as Lot 9, 739 Sue Grove Road, as recorded in Deed Liber 4910, Folio 724. Petitioner will continue to reside at said address upon construction of 31 foot wide, by 34 foot long house, to replace existing house (31 foot wide, by 24 feet, 6 inches long).

Witnessed this 28th day of September, 1996.

Addendum:

The above statement is correct and accurate to the best of my knowledge.

Samuel A. Wilson, Jr.
Petitioner, Samuel A. Wilson, Jr.

The above has appeared before me a duly-authorized Notary Public for the State of Maryland and Baltimore County, and has sworn before me under oath that the above statement is correct. Saturday, 9/28/96.

Carole L. Mickles
Carole L. Mickles
Notary Public
Saturday, September 28, 1996
734 Sue Grove Rd.
Balto., MD.
21221
C.L.M.
9/28/96

149

My Commission is in effect at this time and expires January 1, 1998.

Recorded 9-28-96
c/m.

Carole L. Mickles
Notary Public

Baltimore County Government
Fire Department700 East Joppa Road
Towson, MD 21286-5500Office of the Fire Marshal
(410) 887-4880

DATE: 10/10/96

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 OCT. 10, 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: 149, 150, 151, 152, 153, 154, 155, 156, 158, 159 and 160.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 807-4881, MS-1102F

cc: File

MICROFILMED



11/4

RE: PETITION FOR VARIANCE
739 Sue Grove Road, E/S Sue Grove Road,
1050' S of Turkey Point Road
15th Election District, 5th Councilmanic

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-148-A

Samuel A. and Florence Wilson, Jr.
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 6th day of November, 1996, a copy of the foregoing Entry of Appearance was mailed to Samuel A. and Florence Wilson, Jr., 739 Sue Grove Road, Balitmore, MD 21221, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

~~Sam~~ SAMUEL A. Wilson, JR.

739 SUE GROVE Rd. BALTO. MD 21221

Martha J. Wilson

739 SUE GROVE ROAD BALTIMORE MD 21221



MICROFILMED

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 739 SUE GROVE ROAD

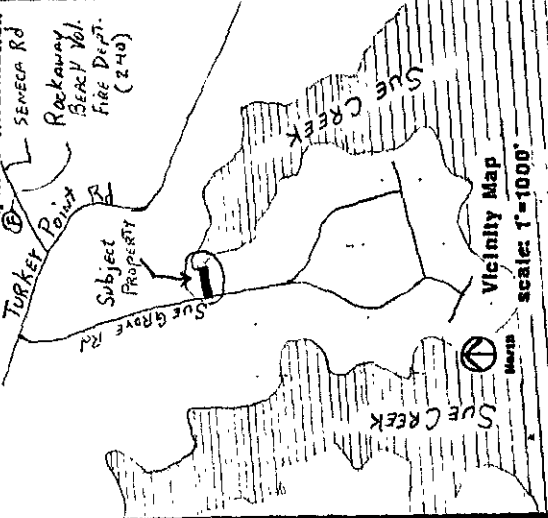
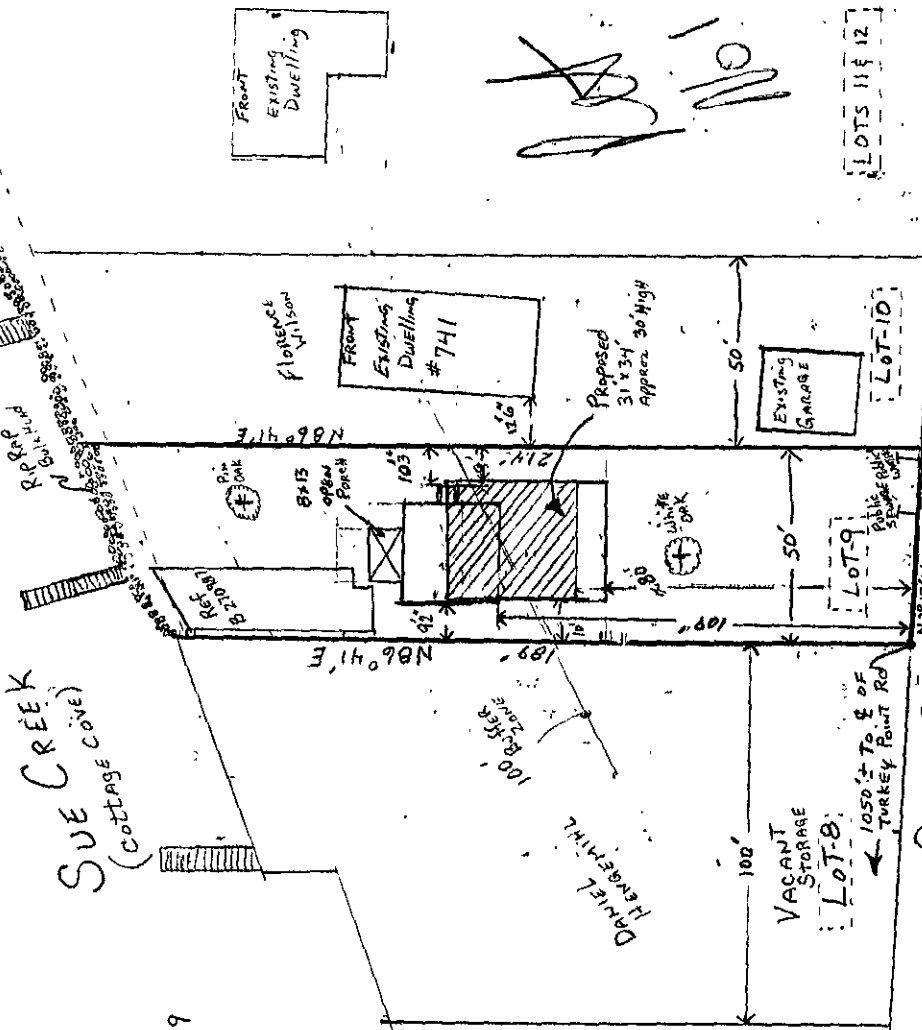
PROPERTY NO 15 23 505461

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

Subdivision name: _____
 DISTRICT LIBER # 4910, folio # 724, lot # 9, section # _____

OWNER: SAMUEL A WILSON, JR & FLORENCE WILSON

District 15
 Precinct 19
 Map 98
 Grid 15
 Parcel 215, Lot 9



LOCATION INFORMATION

Election District: 15
 Councilmanic District: 5
 1"-200' scale map #: SE-1J
 Zoning: DR 5.5
 Lot size: .23 acreage 10075 square feet

public private
 SEWER:
 WATER:
 Chesapeake Bay Critical Area:
 Prior Zoning Hearings: NONE

Zoning Office USE ONLY

reviewed by: JRF ITEM #: 149 CASE #:

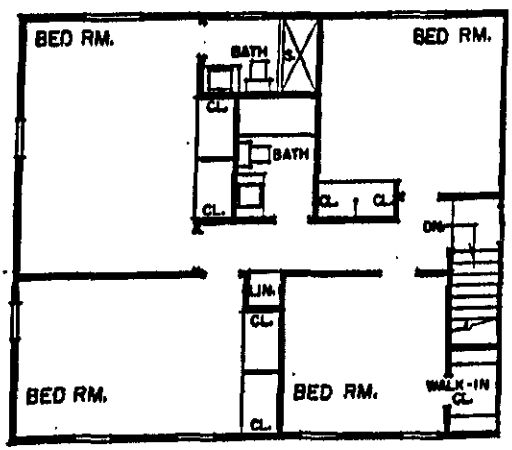
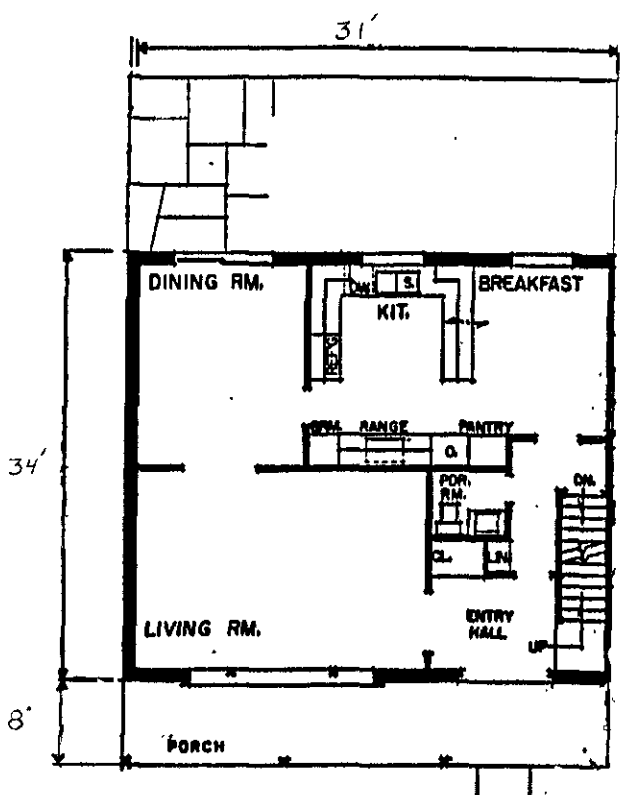
North
 date: 09-28-96
 prepared by: S.A. Wilson, JR Scale of Drawing: 1" = 50'



1/12 pitch roof
 ~32'

~24'

~15' FF



MICROFILMED

739

Sue

Grove

Road

(Lot 9)



View from NW corner of property



Front (West) - Road side



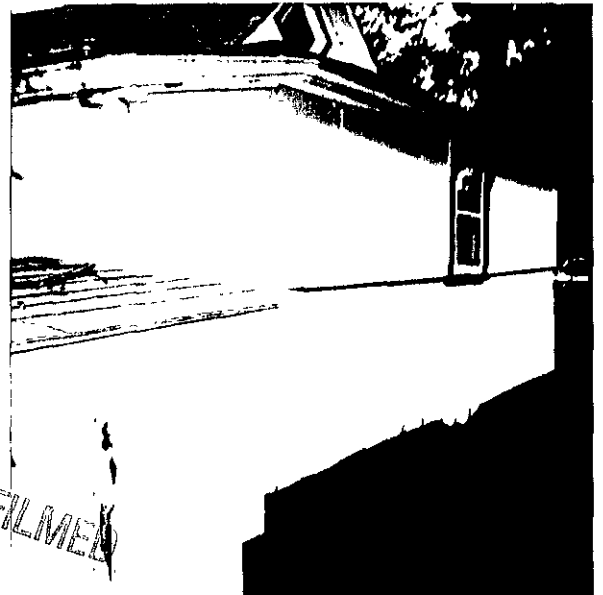
Back (East) - water side



South side



View from SE corner of property



North side

MICROFILMED



(SHEET S.E.I-K)

N 530,000'

CREEK

E 58,500

E 988,000

E 60,000

REVISIONS		
BY	DATE	
<i>[Signature]</i>	10/24/84	

SCALE
1" = 200'

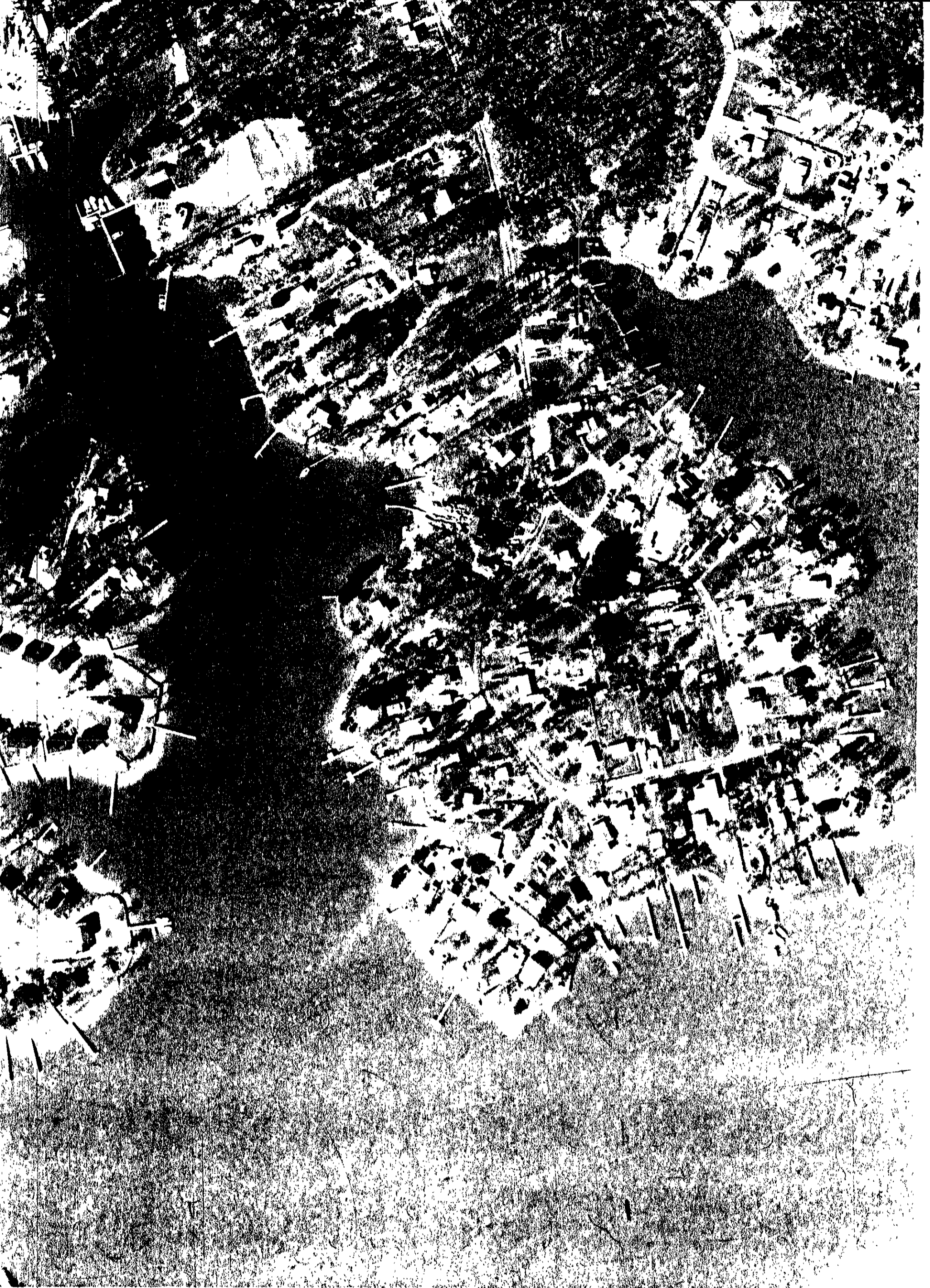
DATE OF PHOTOGRAPHY
DEC. 1954

LOCATION
TURKEY POINT

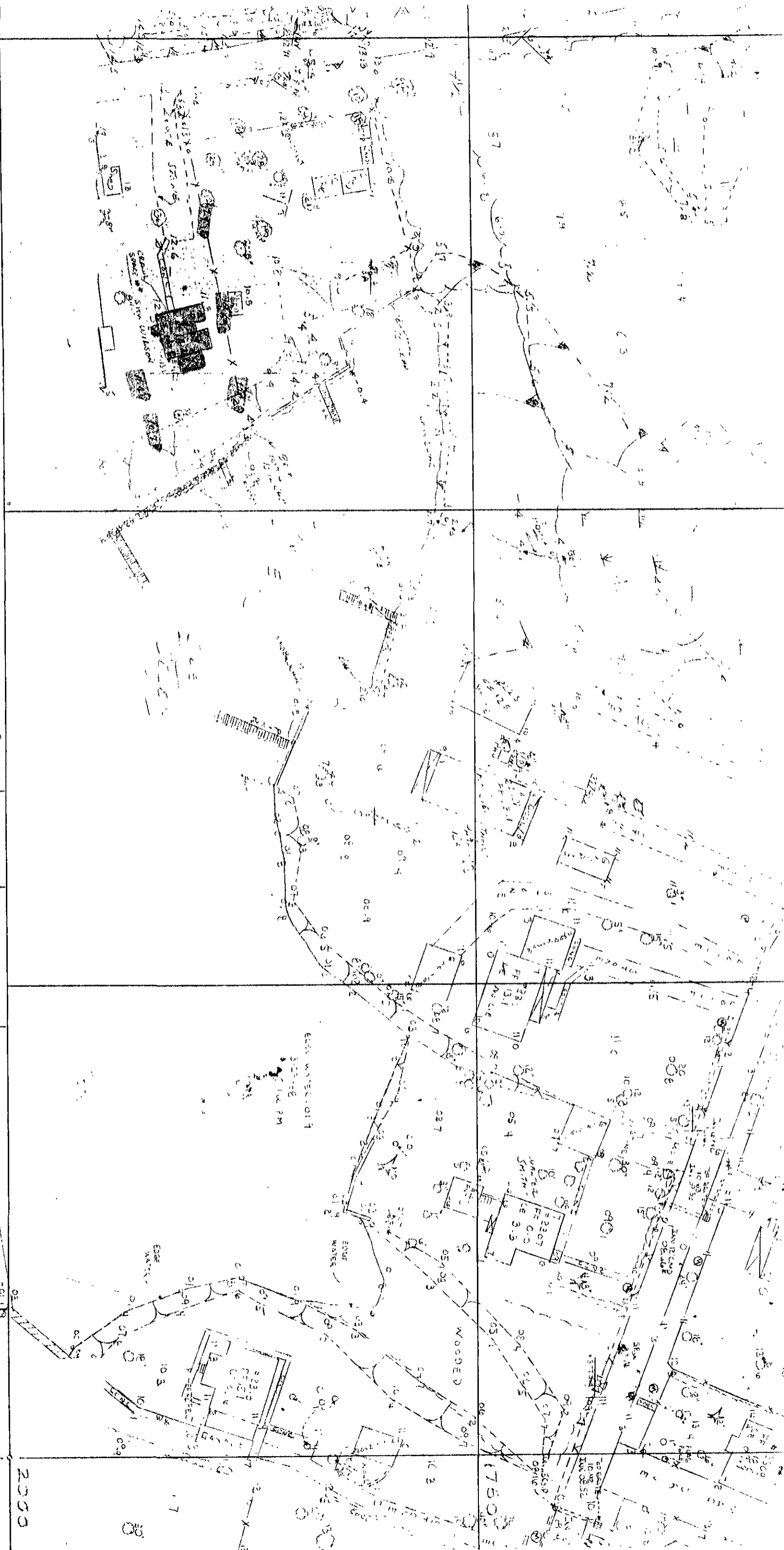
S 4,000
SHEET
S.E.
I-J

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

MICROFILMED



SCALE	LOCATION	SHEET
1" = 200' ±	TURKEY POINT	S.E.
DATE OF PHOTOGRAPHY JANUARY 1986	MICROFILMED, -J	



A. SCHWARTZ

SCALE

1:500

DATE STARTED

3-4-35

KEY SHEET

E

1:2

LOCALITY

TURKEY POINT

ELECTION DIST. NO. 15

SHEET

2
SE
40

2000

2

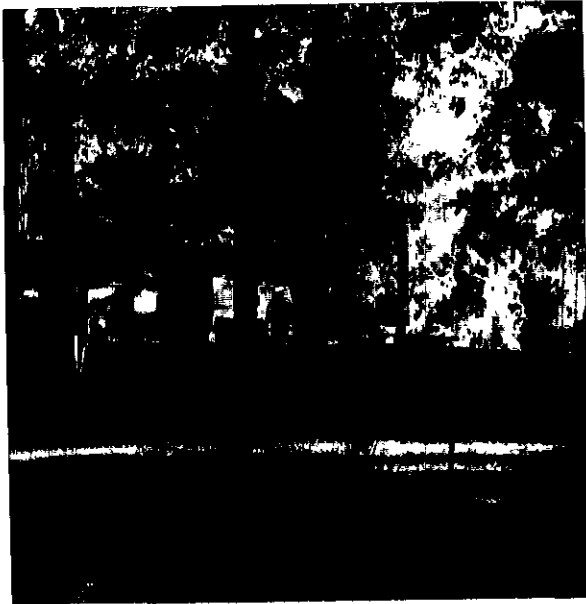
MICROFILMED



Wilson
741 Sue Grove Road
(Lot 10)



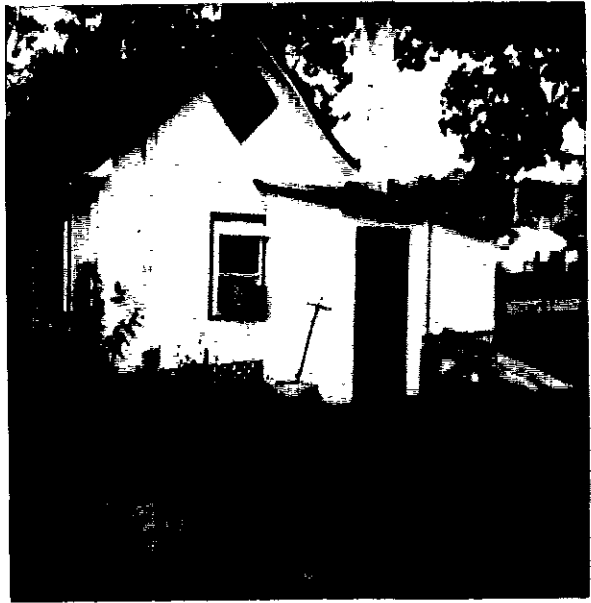
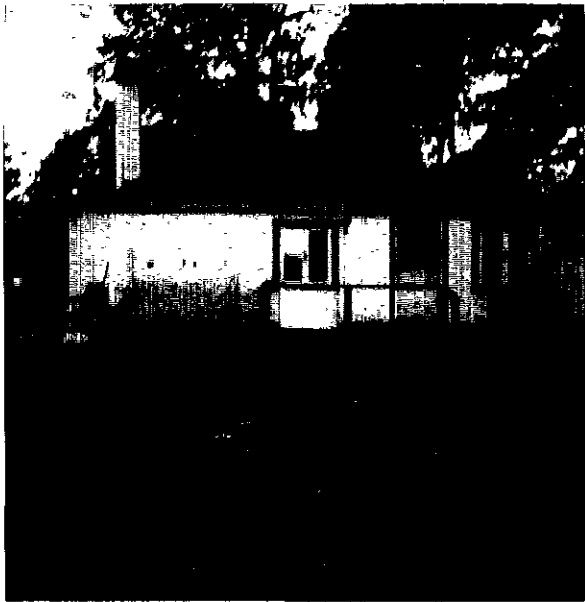
View southwest Sue Grove
Road



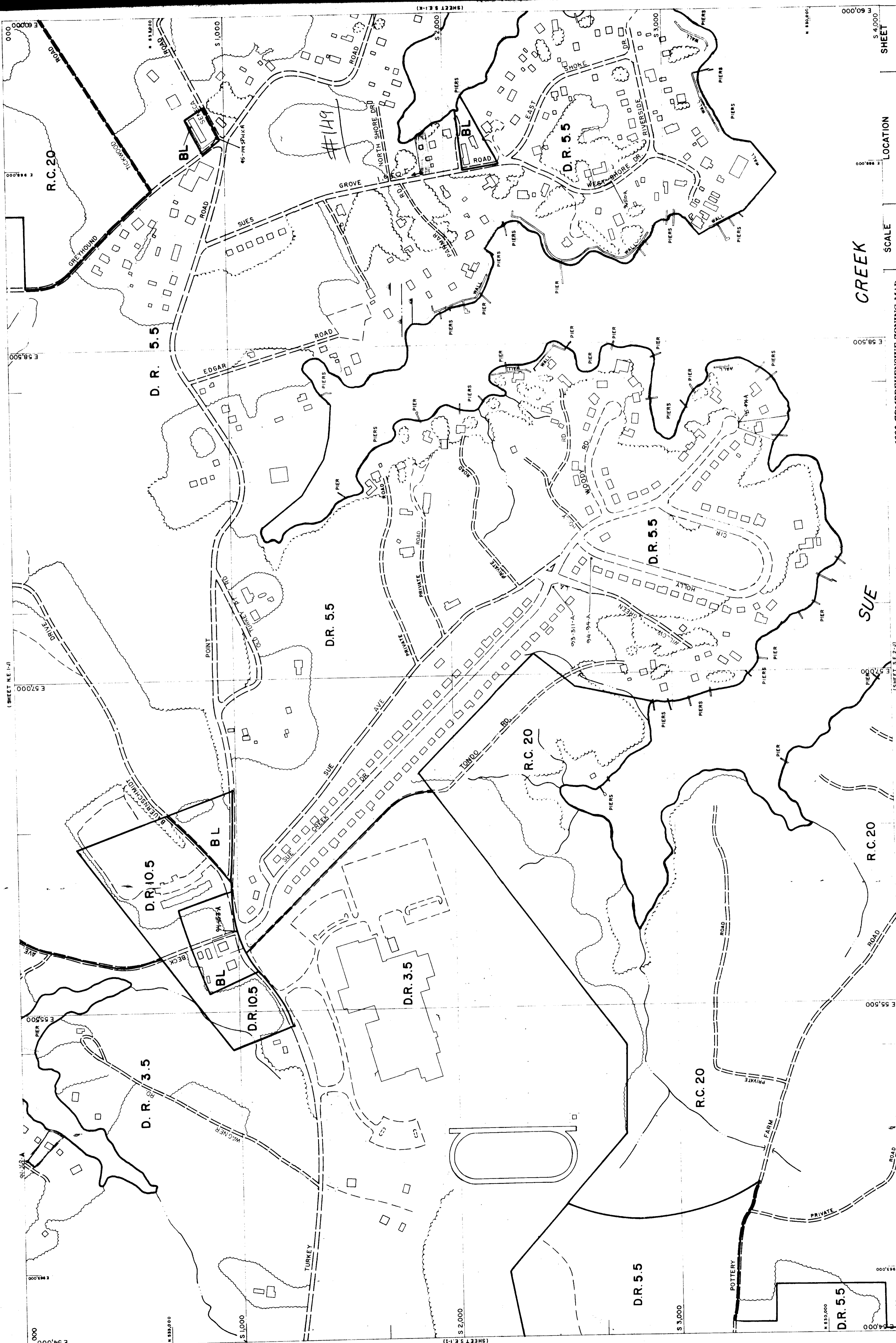
Lot 8 - Hengemihle
sheds, boats, storage only



Kenney
742 Sue Grove Road
(diagonally across road)







BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 15, 1992
 Resolution Nos. 83-92, 84-92, 85-92, 86-92, 87-92, 88-92, 89-92, 90-92, 91-92, 92-92

William D. Howard
 Chairman, County Council

CREEK
 LOCATION
 TURKEY POINT

SCALE
 1" = 200' ±

DATE OF PHOTOGRAPHY
 JANUARY 1986

SHEET
 S.E. I-J

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

1-SE Z-SW
 E-NE ZZ-NW

MICROFILMED.

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 E/S Sue Grove Road, 1050 ft. S * ZONING COMMISSIONER
 of Turkey Point Road * OF BALTIMORE COUNTY
 739 Sue Grove Road *
 15th Election District *
 5th Councilmanic District * Case No. 97-148-A
 Samuel A. Wilson, Jr., et al *
 Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for Variance for the property located at 739 Sue Grove Road, located in the vicinity of Sue Creek, in eastern Baltimore County. The Petition is filed by Samuel A. Wilson, Jr., and Florence Wilson, his mother, property owners. Variance relief is requested from Sections 304.2 and 1802.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 9 ft. and a lot width of 50 ft. in lieu of the required 10 ft. and 55 ft., respectively, so as to allow an undersized lot. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit No. 1.

Appearing at the public hearing held for this case were Samuel A. Wilson, Jr., and Martha J. Wilson, his wife. There were no Protestants or other interested persons present.

Testimony and evidence presented at the hearing was that the subject property is .23 acres in area, zoned D.R.5.5. The property is a waterfront property with frontage on Sue Creek in eastern Baltimore County. The property is 50 ft. in width and ranges from a depth of 189 ft. on the north side to 214 ft. on the south side.

Mr. Wilson testified that the lot has been in the ownership of his family for many years. His mother, Florence Wilson, resides immediately next door at 741 Sue Grove Road. The subject property has apparently been

improved with a small cottage summer house for many years. Mr. Wilson testified that that dwelling has existed for as long as he can remember and has been rented over the years by family or friends. Mr. Wilson and his wife, Martha J. Wilson, propose razing the existing dwelling and constructing a new single family home in its place. The single family home will be set back slightly farther from the water than the existing home for environmental purposes and will be consistent in design and size with other homes in the area. In this regard, the Petitioners have submitted for approval certain schematic representations of the proposed home to the Office of Planning.

Variance relief is necessary because of the setback and lot width requirements of the BCZR. The regulations require a 55 ft. lot width for a D.R.5.5 zoned property and the subject lot is only 50 ft. in width. Moreover, the Petitioner proposes a 9 ft. side yard setback on that side of the dwelling facing his mother's property. It is of note that the proposed house will be situated on the lot so as to maintain the required 10 ft. on the north side which is bounded by property not owned by the Wilson family. Mr. Wilson explained that he believes it appropriate to maintain the full setback on that side and that the diminished side should be closer to his mother's house. I agree.

The Petitioner is not eligible for relief pursuant to Section 304 of the BCZR. As I have held in prior decisions on this issue, the request for variance from setback relief renders a property owner ineligible for relief under the undersized lot regulations contained in Section 304. Moreover, the fact that Mr. Wilson is co-owner of the adjacent property renders him ineligible for relief under that section.

However, variance relief, pursuant to Section 307 of the BCZR, can and should be granted. In this regard, I believe that the Petitioner has

satisfied the tests for relief from the lot width and setback requirements. The uniqueness of the property is found in its configuration and historic use of the site. To deny this Petition would result in practical difficulty upon the Petitioners. Moreover, construction of a new house represents an upgrade to the property and will surely not be detrimental to adjacent properties.

For the foregoing reasons, I will grant the Petition for Variance from Section 1802.3.C.1, pursuant to Section 307 of the BCZR. Notwithstanding the grant of this relief, however, certain conditions should be attached.

First, there are no comments in the file from the Department of Environmental Protection and Resource Management (DEPRM) regarding this site. Surely the property is within the Chesapeake Bay Critical Area in that same is a waterfront property. Thus, the Petitioners shall comply with any recommendations and requirements of DEPRM as it relates to the proposed construction. In this regard, the Petitioner indicated that a deck had been built on the subject site, pursuant to building permit #B270987. Further testimony was offered that a dispute has arisen between the Petitioner and DEPRM regarding that permit and that the matter is now pending before the Board of Appeals. It need be emphasized that the relief granted herein is independent of that dispute. I am only approving, by the grant of the variance requested, the construction of the proposed dwelling.

Second, the Petitioners' plans for the dwelling, including building elevations, shall be approved by the Office of Planning. This restriction is imposed, pursuant to the spirit and intent of Section 304 of the BCZR, which permits Planning to review new construction on undersized lots.

ORDER RECEIVED FOR FILING
 Date 11/14/96
 By [Signature]

ORDER RECEIVED FOR FILING
 Date 11/14/96
 By [Signature]

ORDER RECEIVED FOR FILING
 Date 11/14/96
 By [Signature]

ORDER RECEIVED FOR FILING
 Date 11/14/96
 By [Signature]

LAWRENCE E. SCHMIDT
 Zoning Commissioner
 for Baltimore County

Baltimore County
 Zoning Commissioner
 Office of Planning and Zoning

Suite 112, Courthouse
 400 Washington Avenue
 Towson, Maryland 21204
 (410) 887-4386

November 13, 1996

Mr. and Mrs. Samuel A. Wilson, Jr.
 739 Sue Grove Road
 Baltimore, Maryland 21221

RE: Petition for Variance
 Case No. 97-148-A
 Property Location: 739 Sue Grove Road

Dear Mr. and Mrs. Wilson:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, 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,
 [Signature]
 Lawrence E. Schmidt
 Zoning Commissioner

LES:mn
 encl.



Petition for Variance
 to the Zoning Commissioner of Baltimore County

for the property located at 739 Sue Grove 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) 304.2 & 1802.3.C.1 to allow a side yard setback of 9 ft. and a lot width of 50 ft. in lieu of the required 10 ft. and 55 ft. respectively and to allow an undersized lot.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate the basis of practical difficulty)
 We hereby request a zoning variance to be tear down present dwelling on Lot 9, which has no permanent foundation, and construct a new house onsite. New house will be 31 ft wide, by 34 ft long; existing house is 31 ft wide by 24 feet, 6 inches long. New house will be approx. 80 feet from road, is requesting side setbacks of 10 ft on north side, and 9 ft on south side, same as current structure. Lot is 50 feet wide, and 189 feet long at narrowest point. Lot 10 on south side is owned by Petitioners. 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 we are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:
 Type or Print Name: Samuel A. Wilson, Jr.
 Signature: [Signature]
 Address: Florence Wilson
 City: Baltimore, MD 21221
 State: MD
 Zip: 21221
 Attorney for Petitioner:
 Type or Print Name: [Signature]
 Address: 739 Sue Grove Road
 City: Baltimore, MD 21221
 State: MD
 Zip: 21221
 Signature: [Signature]
 Name: see above
 Address: [Blank]
 City: [Blank]
 State: [Blank]
 Zip: [Blank]

Who do I solemnly declare and affirm, under the penalties of perjury, that this is the legal owner(s) of the property which is the subject of this petition.
 Legal Owner(s): Samuel A. Wilson, Jr.
 Signature: [Signature]
 Type or Print Name: Florence Wilson
 Signature: [Signature]
 Address: 739 Sue Grove Road
 City: Baltimore, MD 21221
 State: MD
 Zip: 21221
 Signature: [Signature]
 Name: see above
 Address: [Blank]
 City: [Blank]
 State: [Blank]
 Zip: [Blank]



ESTIMATED LENGTH OF HEARING: [Blank]
 ALL: [Blank]
 REVENUED BY: JBF DATE: 11/30/96

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: 739 Sue Grove Road, Baltimore, MD 21221

As recorded in Deed Liber 4910, Folio 724, Map 98, Grid 15, Parcel 215, Lot 9, property is located on the east side of Sue Grove Road, a 30-foot wide road, approximately 1,050 feet south of Turkey Point Road, and 150 feet south of Pramar Road. Property is approximately 10,000 square feet; boundaries are as follows:

North side = 86 degrees, 41 minutes, East
 South side = 86 degrees, 41 minutes, East
 West side = 3 degrees, 19 minutes, West
 East side = waterfront; no measurements given

Property is located in Election District 15, Councilmanic District 5. Property is also known as 739 Sue Grove Road; property ID #15 23 50461. Property is deeded in the names of Samuel A. and Florence Wilson.

140

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 DATE: 11-20-96 ACCOUNT: [Blank]
 AMOUNT: \$ 50.00
 RECEIVED FROM: WILSON
 FOR: C10 - VARIANCE - \$ 50.00
 JBF # 140
 03A9180033X1CHR
 SA-CALL-224002-30-96
 VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

RE: Case No.: 97-148A
 Petitioner/Developer: Samuel A. Wilson
 Date of Hearing/Closing: Nov. 4, 1996

Baltimore County Department of Permits and Development Management
 County Office Building, Room 111
 111 West Chesapeake Avenue
 Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

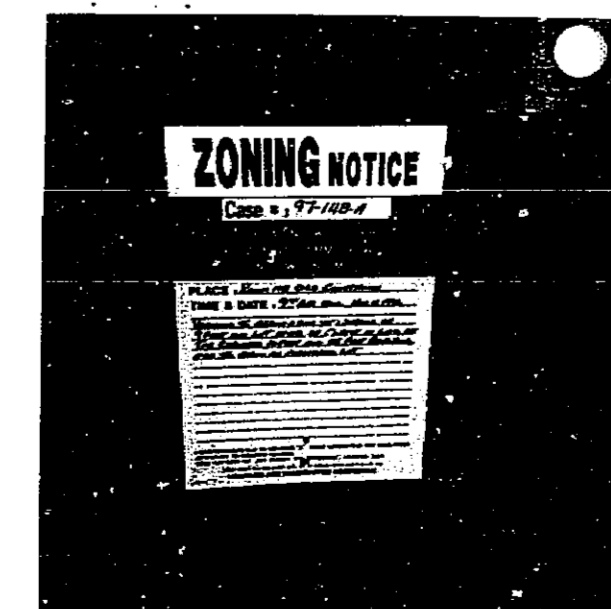
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 739 SUE GROVE ROAD, BALTIMORE, MARYLAND 21221

The sign(s) were posted on OCT. 20, 1996
 (Month, Day, Year)

Sincerely,

[Signature]
 (Signature of Sign Poster and Date)
 Thomas R. Dyle Sr.
 (Printed Name)
 325 Nicholson Road
 (Address)
 Baltimore, Maryland 21201
 (City, State, Zip Code)
 (410) 687-8405
 (Telephone Number)





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 No.: 149 Petitioner: Samuel A. Wilson, Jr.

Location: 739 Sue Grove Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Samuel A. Wilson, Jr.

ADDRESS: 739 Sue Grove Road

Baltimore, MD 21221

PHONE NUMBER: (410) 682-3909

**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**

The application for your proposed Building Permit Application has been accepted for filing by _____ on _____ 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 _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) _____ C (B-3 Work Days)

TENTATIVE DECISION DATE _____ B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Signature _____ Date of Posting: _____

Number of Signs: _____

Exhibit B
Item #149

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No. _____

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

PLACE: _____

DATE AND TIME: _____

REQUEST: TO ALLOW A SIDE YARD SETBACK OF 9' AND
A LOT WIDTH OF 50' IN LIEU OF THE REQUIRED 10'
AND 55' RESPECTIVELY.

AND TO ALLOW AN UNDERSIZED LOT AS
PER SEC. 304.2.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

906
post 4 doc



Baltimore County
Department of Permits and
Development Management

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

October 11, 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

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

CASE NUMBER: 97-149-A (Item 149)

739 Sue Grove Road

8/8 Sue Grove Road, 1050' S of Turkey Point Road

15th Election District - 5th Councilmanic

Legal Owner(s): Samuel A. Wilson, Jr. and Florence Wilson

Variance to allow a side yard setback of 9 feet and lot width of 50 feet in lieu of the required 10 feet and 55 feet respectively and to allow an undersized lot.

HEARING: MONDAY, NOVEMBER 4, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Arnold Jablon,
Director

cc: Samuel and Florence Wilson

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN MOST POSTED ON THE PROPERTY BY OCTOBER 20, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3391.
(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

November 14, 1996

Mr. and Mrs. Samuel A. Wilson, Jr.
739 Sue Grove Road
Baltimore, MD 21221

RE: Item No.: 149
Case No.: 97-148-A
Petitioner: Samuel Wilson, et ux

Dear Mr. and Mrs. Wilson:

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 September 30, 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 Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

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

MCR/ra
Attachment(s)

**BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT**

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
October 17, 1996

FROM: R. Bruce Seeley RBS/ep
DEPRM

SUBJECT: Zoning Item #149 - Wilson Property
739 Sue Grove Road
Zoning Advisory Committee Meeting of October 15, 1996

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

Environmental Impact Review

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).

Development of this property must comply with the Chesapeake Bay Critical Area Buffer Management Plan.

RBS:KK:sp
WILSON/DEPRM/TXTSBP

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director
Department of Permits & Development
Management
Date: October 25, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 21, 1996
Item No. 149

The Development Plans Review Division has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

RWB:H30:jrb

cc: File

ZONL33A

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: October 10, 1996

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 Nos. 115, 149, 151, 153, 154, 156, 158, and 159

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 887-3495.

Prepared by: *Jeffrey W. Long*
Division Chief: *Carol L. Kerns*

PK/JL

ITEM115/PZONE/ZAC1



SCALE
1" = 200' ±

LOCATION
TURKEY POINT

SHEET
S.E.
1-J

DATE OF PHOTOGRAPHY
JANUARY 1946



REVISIONS

BY.	DATE

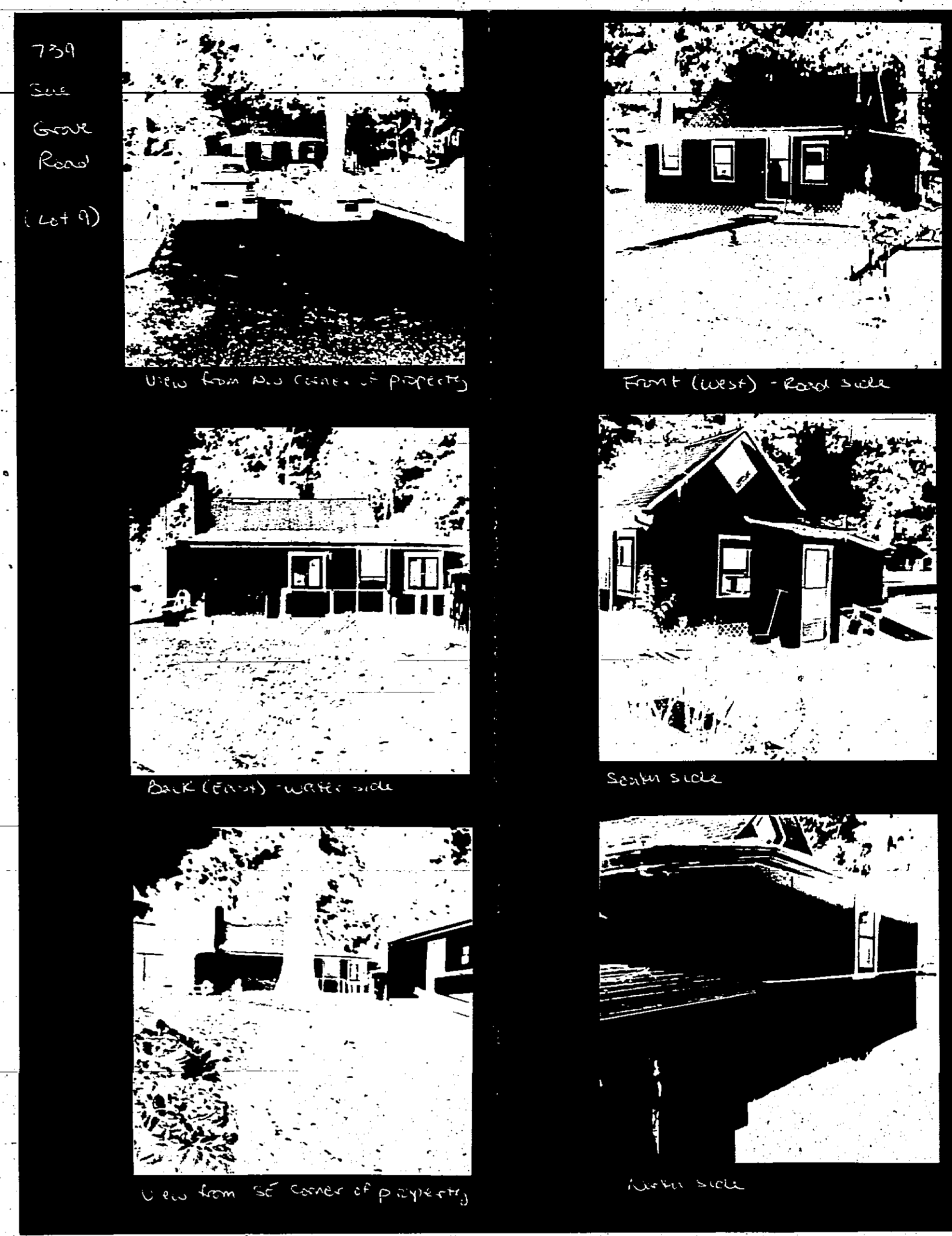
SCALE
1" = 200'

DATE OF PHOTOGRAPHY
DEC. 1954

LOCATION
TURKEY POINT

SHEET
S.E.
1-J

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



739
Sue
Grove
Road
(Lot 1)

View from NW corner of property

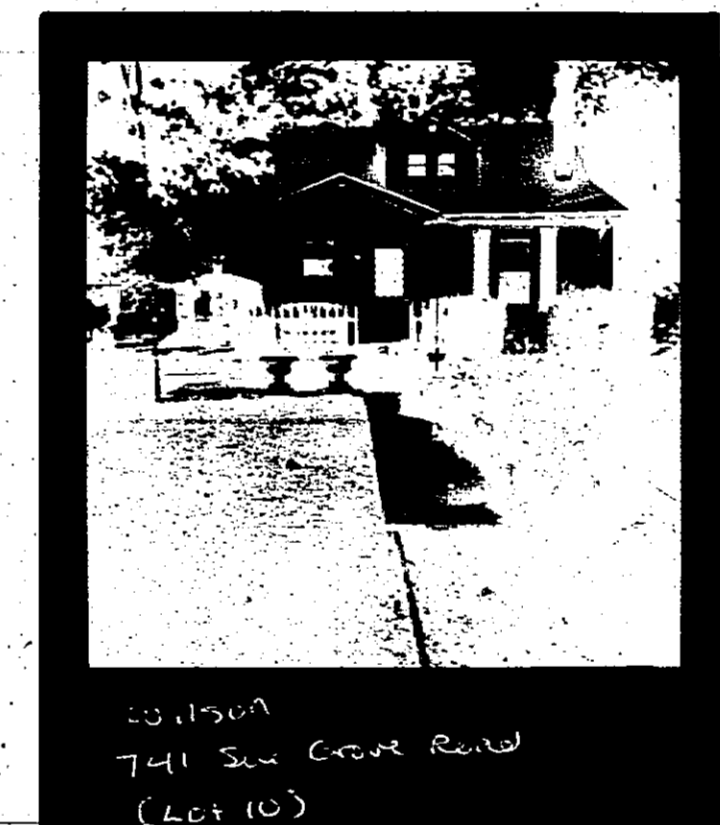
Front (west) - Road side

Back (east) - North side

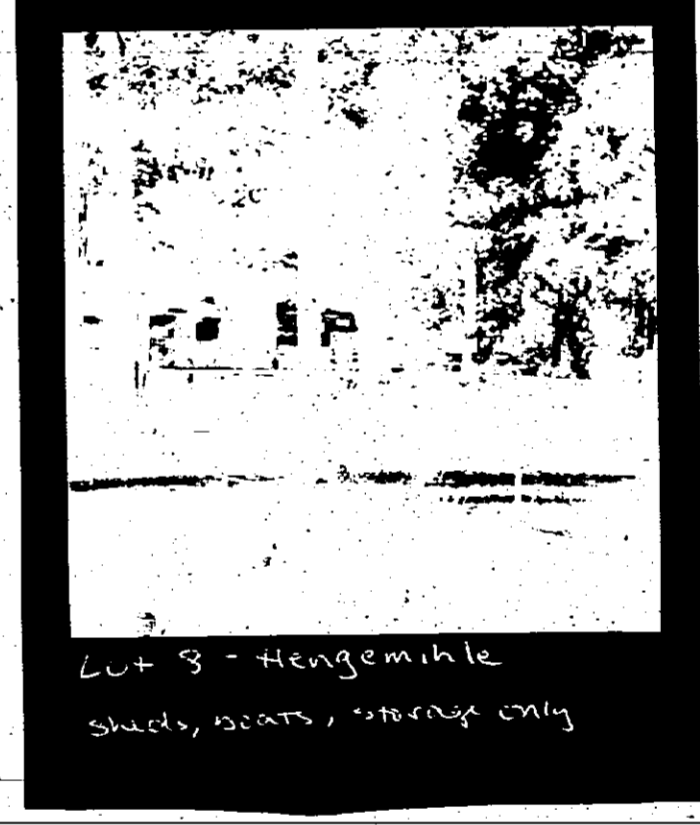
South side

View from SE corner of property

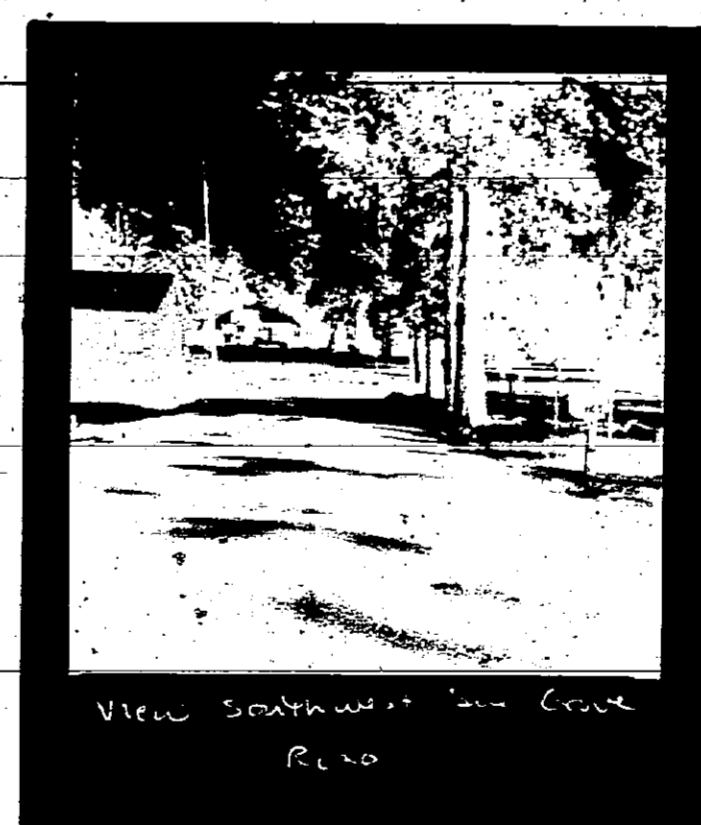
North side



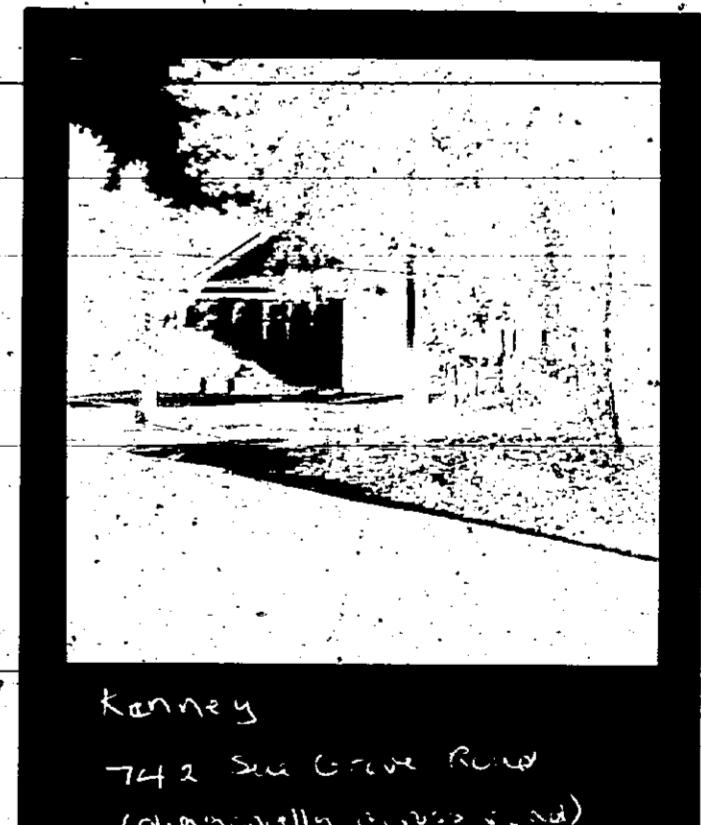
741 Sue Grove Road
(Lot 10)



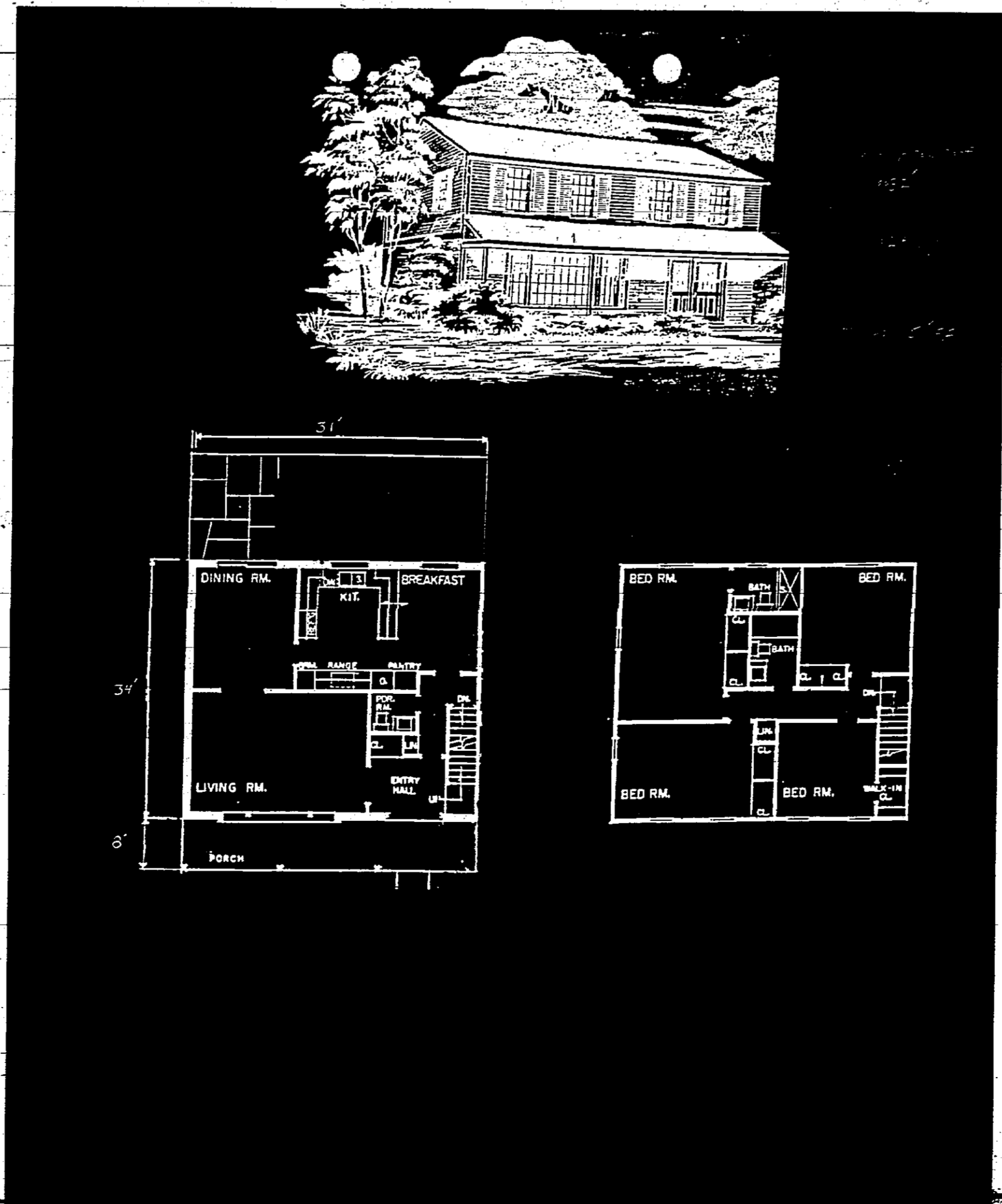
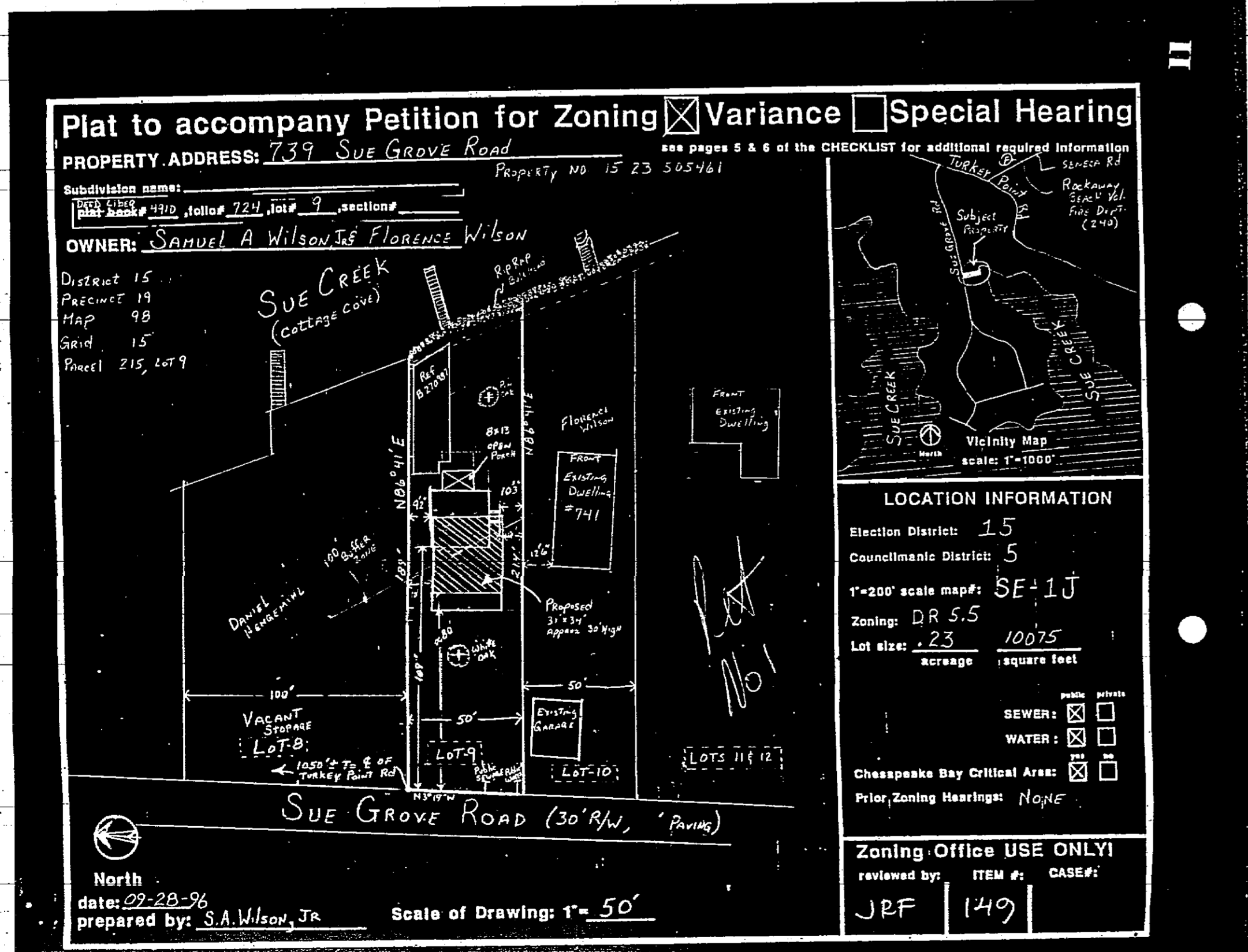
Lot 9 - Hingham like
sheds, barns, etc. only

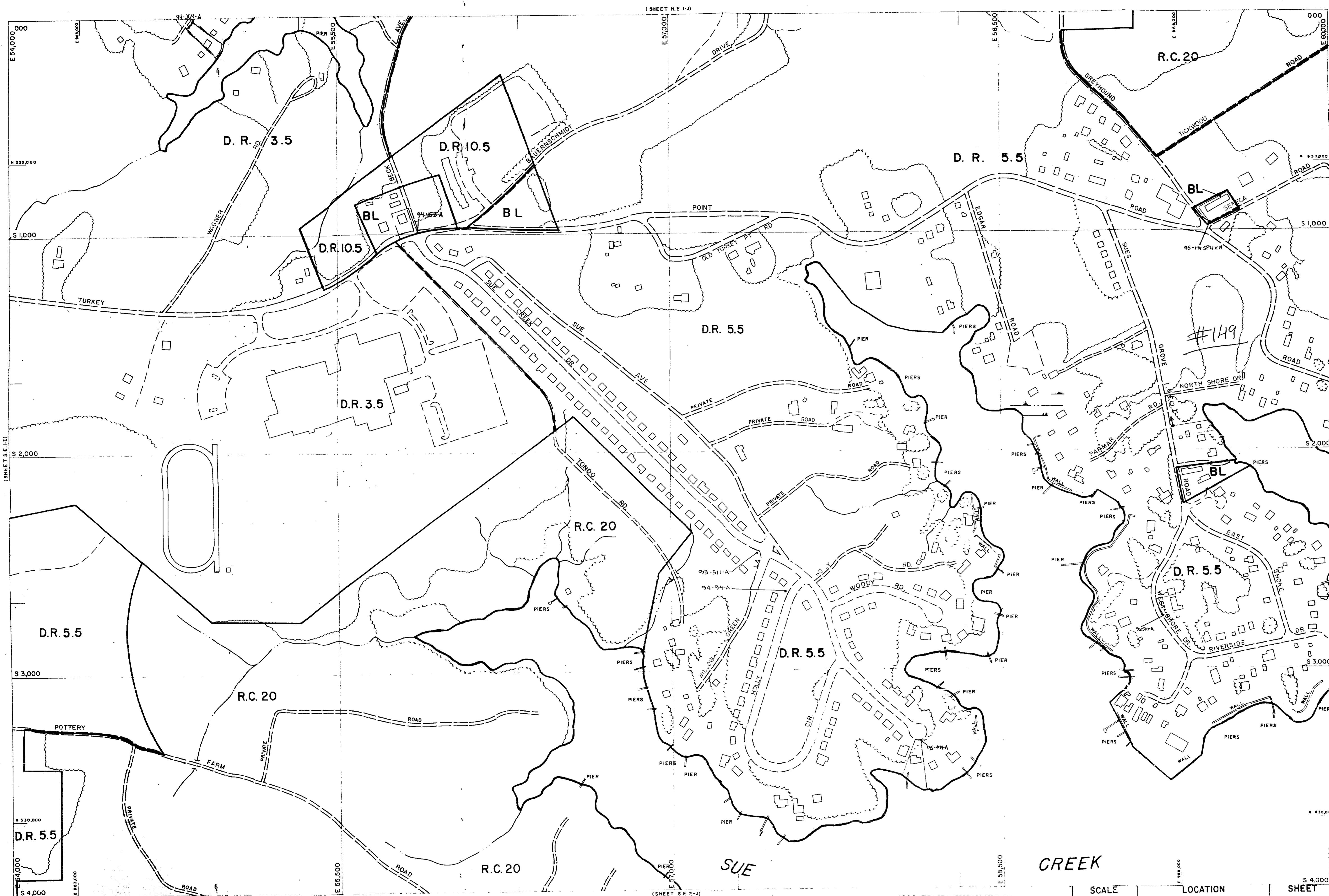


View Southwest from
Road



Kenney
742 Sue Grove Road
(along with house and land)





1-SE Z-SW
E-NE ZZ-NW

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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

Bill Howard
Chairman, County Council

SCALE 1" = 200' ±	LOCATION TURKEY POINT	SHEET S.E. 1-J
DATE OF PHOTOGRAPHY JANUARY 1986		