

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
S/S of Ebenezer Rd., 535 ft.
W of Vincent Road * ZONING COMMISSIONER
5811 Ebenezer Road
15th Election District * OF BALTIMORE COUNTY
5th Councilmanic District
Jay L. Wilson, Petitioner * Case No. 98-229-A
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 5811 Ebenezer Road in eastern Baltimore County. The Petition was filed by Jay L. Wilson, property owner. Variance relief is requested from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory building (garage) with a height of 18 ft. in lieu of the maximum permitted 15 ft. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the requisite public hearing held for this case was Jay L. Wilson, property owner. There were no Protestants or other interested persons present.

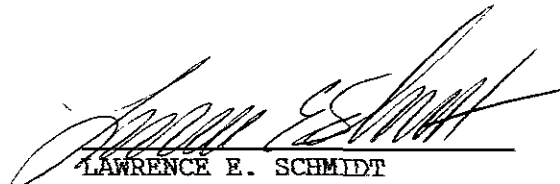
Testimony and evidence presented shows that the subject property is roughly rectangular in shape, approximately 31,300 sq. ft. in area, zoned R.C.3. The property is improved with an existing dwelling known as 5811 Ebenezer Road and also the subject garage. Mr. Wilson indicated that he has owned the property for less than one year and resides thereon.

Apparently, after purchasing the property, Mr. Wilson decided that more storage space was needed and he, therefore, contracted with a construction company for the subject garage. The building has, in fact, been erected in the rear yard and was shown in several photographs submitted at the hearing. The building is a one car garage, with a pitch roof and a height of 18 ft. Mr. Wilson indicated that he collects and rides dirt bikes as a hobby and needed a place for the storage of same. He also

COPIES FILED
 2/4/98
 BY *[Signature]*

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities. The garage shall not be used in connection with any business or commercial purposes.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmm



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

February 3, 1998

Mr. Jay L. Wilson
5811 Ebenezer Road
Baltimore, Maryland 21162

RE: Petition for Variance
Case No. 98-229-A
Property Location: 5811 Ebenezer Road

Dear Mr. 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 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.



RE: PETITION FOR VARIANCE
5811 Ebenezer Road, S/S Ebenezer Rd,
535' W of Vincent Rd
15th Election District, 5th Councilmanic

Jay L. Wilson
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-229-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

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 9th day of January, 1998, a copy of the foregoing Entry of Appearance was mailed to Jay L. Wilson, 5811 Ebenezer Road, White Marsh, MD 21162, Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 5811 EBENEZER RD,

which is presently zoned RC-3

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 Variance from Section(s) 400.3

To allow an accessory building (garage) with a height of 18' in lieu of the maximum required 15'.

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

To be discussed @ the hearing.

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

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

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

Legal Owner(s)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City

State

Zipcode

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

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 12/15/97



Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

98-229-A

229

EXAMPLE 3 • Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 5811 EBENEZER RD.
(address)

Beginning at a point on the SOUTH side of
(north, south, east or west)

EBENEZER ROAD which is 50 feet
name of street on which property fronts (number of feet of right-of-way width)

wide at the distance of 535 feet WEST of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street VINCENT RD
(name of street)

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

Block , Section # in the subdivision of
(name of subdivision)

as recorded in Baltimore County Plat Book # , Folio # ,

containing 31,300 ~~sq~~. Also known as 5811 EBENEZER RD.
(square feet or acres) (property address)

and located in the 15 Election District, 5 Councilmanic District.

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

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

229

98-229-A

BALTIMORE COUNTY, MA .AND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 046750

DATE 12-15-97 ACCOUNT E-001-615-000

AMOUNT \$ 50.00

RECEIVED FROM: Jay Wilson

5811 Ebenezer Rd. Item # 229

FOR: OLR Variance Taken by: JBR

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAYD RECEIPT

PROFESS ACTION TIME

12/15/1997 12/15/1997 12:29:24

846005 CASHIER HWY EXT DROWER

5 MISCELLANEOUS CASH RECEIPT

RECEIVED BY 046750

CI NO. 046750

50.00 DASH

Baltimore County, Maryland

CASHIER'S VALIDATION

98.229.A

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1-23, 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 1-23, 1908

THE JEFFERSONIAN,

A. Henricson

LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case# 98-229-A

801 Ebenezer Road
S/S Ebenezer Road, ene

W. of Vincent Road
5th Glendale

South Councilman's District

Legal Owner(s)
JAY L. WILSON

Variance to allow an ac

...and the ...

height of 18 feet in 1910. The maximum reduction in

Call 1-800-368-6868

Room 407, County Co.

Boxley Avenue

LAWRENCE E. SCHMIDT

County Commissioner for
Baltimore County

NOTES: (1) Hearings
Indicapped Accessible

social, accommodation

3) For information concerning

the File and/or Hearing
Please Call (415) 887-3351

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CERTIFICATE OF POSTING

RE: Case No.: 98-229-A
Petitioner/Developer:
(Jay Wilson)
Date of Hearing/Closing:
(Jan. 21, 1998)

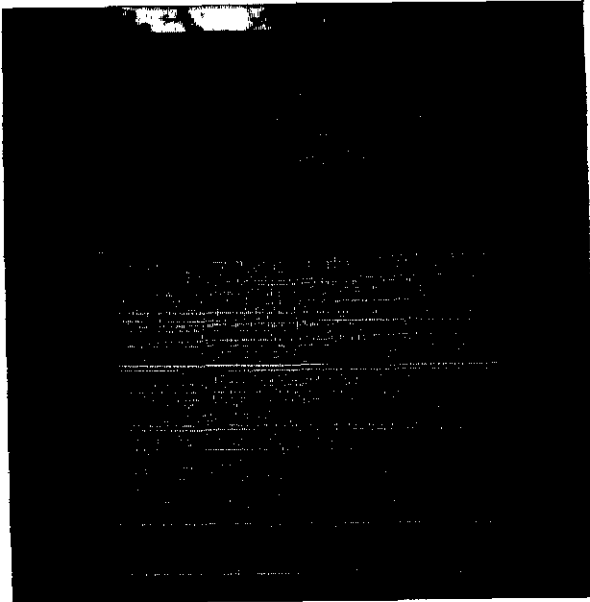
**Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

**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 _____
5811 Ebenezer Road Baltimore, Maryland 21162 _____**

**The sign(s) were posted on _____ Jan 6, 1998 _____
(Month, Day, Year)**



Sincerely,


(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

**_____ (410)-687-8405 _____
(Telephone Number)**

98-229-A

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.: 98-229-A

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

PLACE: _____

DATE AND TIME: _____

REQUEST: VARIANCE - To allow an accessory building
(garage) with a height of 18' in lieu of the
maximum required 15'.

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

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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 229

Petitioner: Jay L. Wilson

Location: 5811 EBENEZER RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Jay L. Wilson

ADDRESS: 5811 EBENEZER RD. WHITE MARSH, MD. 21162

PHONE NUMBER: (410) 335-3281

AJ:ggs

98-229-A

(Revised 09/24/96)



Baltimore County
Department of Permits and
Development Management

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

December 26, 1997

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-229-A
5811 Ebenezer Road
S/S Ebenezer Road, 535' W of Vincent Road
15th Election District - 5th Councilmanic District
Legal Owner: Jay L. Wilson

Variance to allow an accessory building (garage) with a height of 18 feet in lieu of the maximum required 15 feet.

HEARING: Wednesday, January 21, 1998 at 2:00 p.m. in Room 407, County Courts
Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon" with a stylized flourish at the end.

Arnold Jablon
Director

c: Jay L. Wilson

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JANUARY 6, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
December 31, 1997 Issue - Jeffersonian

Please forward billing to:

Jay L. Wilson 410-335-3281
5811 Ebenezer Road
White Marsh, MD 21162

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-229-A
5811 Ebenezer Road
S/S Ebenezer Road, 535' W of Vincent Road
15th Election District - 5th Councilmanic District
Legal Owner: Jay L. Wilson

Variance to allow an accessory building (garage) with a height of 18 feet in lieu of the maximum required 15 feet.

HEARING: Wednesday, January 21, 1998 at 2:00 p.m. in Room 407, County Courts
Building, 401 Bosley Avenue



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS
PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-
887-3391.



Baltimore County
Department of Permits and
Development Management

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

January 14, 1998

Mr. Jay L. Wilson
5811 Ebenezer Road
Baltimore, MD 21162

RE: Item No.: 229
Case No.: 98-229-A
Petitioner: Jay Wilson

Dear Mr. 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 December 15, 1997.

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 (410-887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a printed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: December 30, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 5811 Ebenezer Road Item No. 229

The Office of Planning does not oppose the request to permit an accessory structure with a height in excess of the permitted 15 foot height limitation. However, a condition should be placed in the Zoning Commissioner's Order restricting future conversion of the accessory structure for dwelling purposes.

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by: Jeffrey W. Long
Division Chief: Gary L. Keller

AFK/JL



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

RE: Baltimore County 12.31.97
Item No. 229 (JRF)

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 Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

L. J. Gredlein
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

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

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

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

I N T E R O F F I C E C O R R E S P O N D E N C E

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

Date: January 6, 1998

FROM:  Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for January 5, 1998
 Item Nos. 229 (Agenda of 12/29/97),
 230, 231, 232, 233, 235, 236, 237,
 238, 239, 240, 241

 The Bureau of Developer's Plans Review has reviewed the subject
zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

Baltimore County Government
Fire Department



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

(410) 887-4500

January 9, 1998

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

RE: Property Owner: Jay L. Wilson

Location: DISTRIBUTION MEETING OF December 29, 1997

Item No.: 229 Zoning Agenda:

Gentlemen:

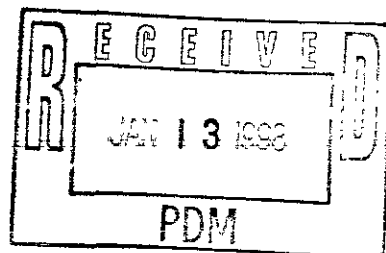
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4981, MS-1102F

cc: File



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

TO: PDM

DATE: _____

FROM: R. Bruce Seeley. *RBS/4p*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: *Dec 29, 97*

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

230

232

233

234

240

241

229

RBS:sp

BRUCE2/DEPRM/TXTS8P

As
1/21

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: December 30, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 5811 Ebenezer Road Item No. 229

The Office of Planning does not oppose the request to permit an accessory structure with a height in excess of the permitted 15 foot height limitation. However, a condition should be placed in the Zoning Commissioner's Order restricting future conversion of the accessory structure for dwelling purposes.

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by: Jeffrey M. Long

Division Chief: Gary L. Kerns

AFK/JL

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

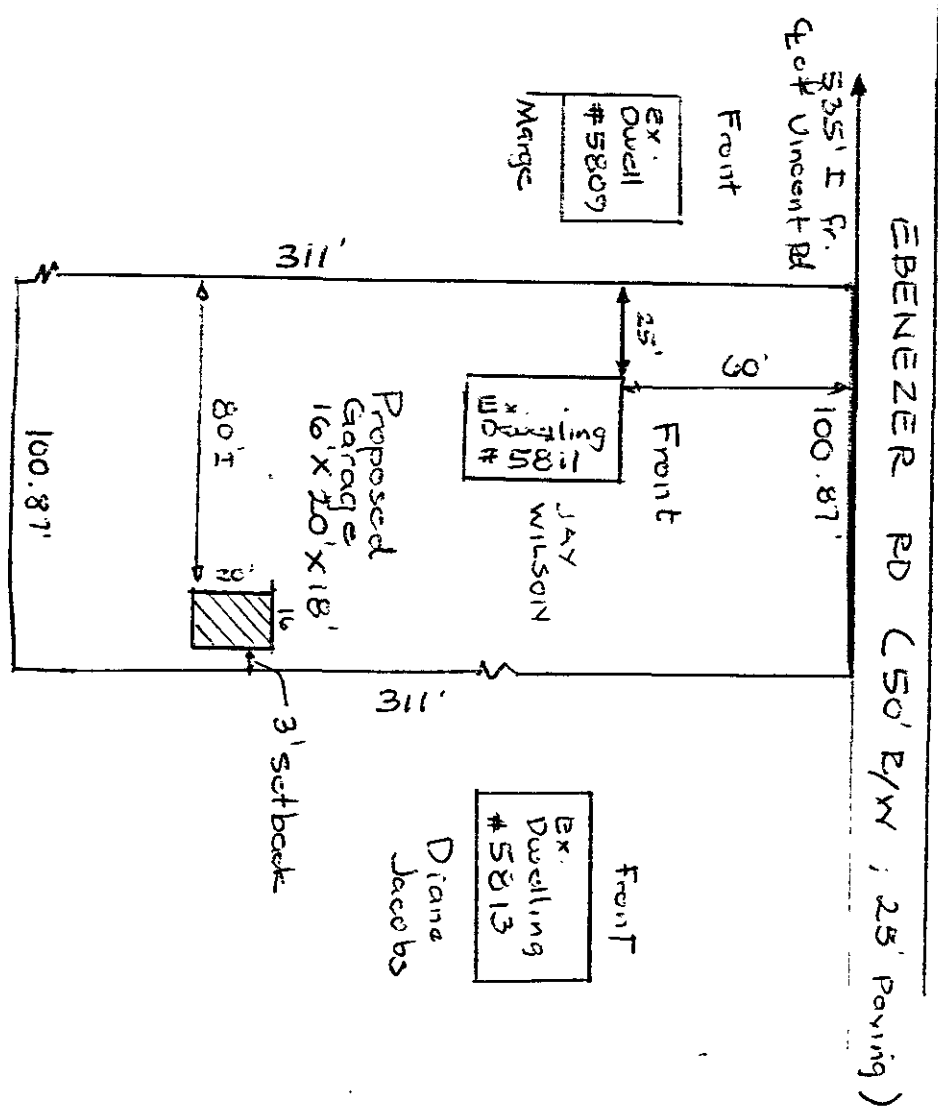
PROPERTY ADDRESS: 5811 EBENEZER RD.

Subdivision name: _____

Plat book # _____, folio # _____, lot # _____, section # _____

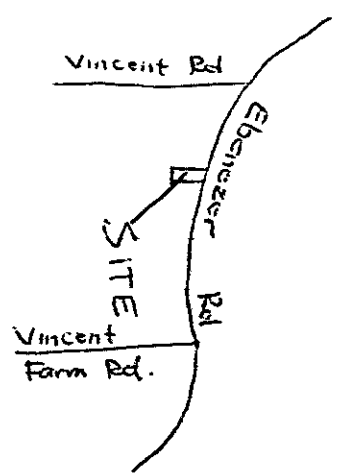
OWNER: JAY L. WILSON SR

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



North
date: 12-15-07
prepared by: JLV

Scale of Drawing: 1" = 50'



Vicinity Map
scale: 1" = 1000'

LOCATION INFORMATION

Election District: 15 Itt

Councilmanic District: 5

1"=200' scale map#: NE 8-J

Zoning: RC-3

Lot size: 31,300 ☒ square feet

acreage

SEWER: ☒ public ☐ private
WATER: ☒ ☐
Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings:

None

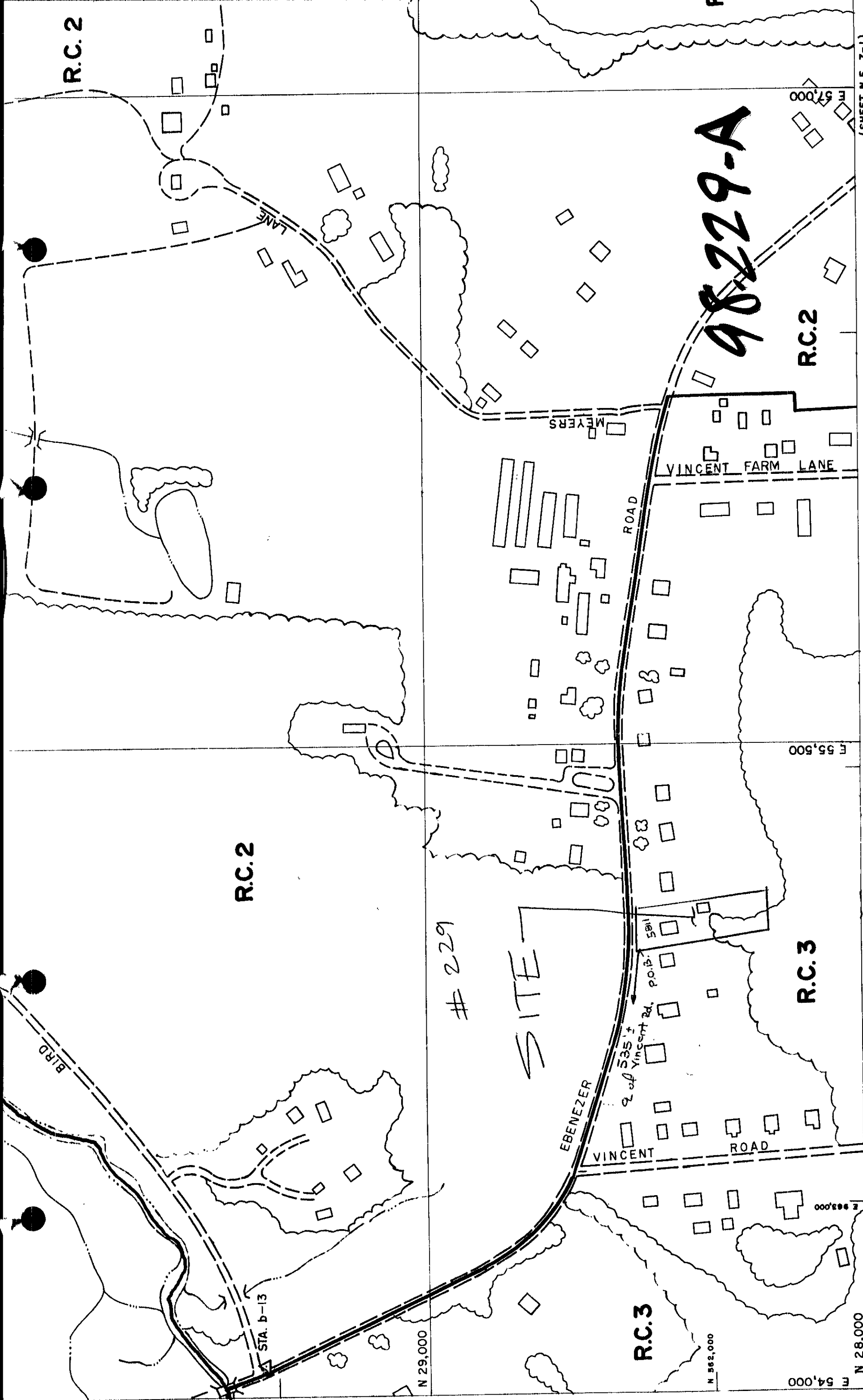
Zoning Office USE ONLY

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

JRF 229

98-229-A





1996 COMPREHENSIVE ZONING MAP

ADOPTED BY

THE BALTIMORE COUNTY COUNCIL

OCTOBER 2, 1996

NE 8-J

M-SE MM-SW

M-NE MM-NW

(SHEET N.E. 7-J)

BALTIMORE C
OFFICE OF PLANNING