

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
 E/S Popular Rd., 920 ft. N \* ZONING COMMISSIONER  
 of River Road \*  
 2408 Popular Road \*  
 15th Election District \* OF BALTIMORE COUNTY  
 7th Councilmanic District \*  
 Legal Owner: Mark Dickerson \* Case No. 98-448-A  
 Contract Purchaser: Gregg Girard  
 Petitioner

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for Variance, for the property known as lot 122 of the subdivision of Cedar Beach, (also known as 2408 Popular Road) located in eastern Baltimore County. The Petition was filed by Mark Dickerson, property owner. Variance relief is sought pursuant to Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow side yard setbacks of 10 ft. and a rear yard setback of 30 ft., in lieu of the 50 ft. required for each in an R.C.5 zone. Also, relief is requested to approve an undersized lot. The subject property and requested relief are more particularly shown on Petitioner's Exh. No. 1, the plat to accompany the Petition for Variance.

This matter came in for public hearing on July 13, 1998. This case was part of a single public hearing for six different cases in which Mark Dickerson was the Petitioner. This opinion relates only to case No. 98-448-A and the property known as 2408 Popular Road (lot 122). This property is a separate parcel from the other lots considered at that hearing and does not abut or adjoin any of the other properties which were considered at that time.

The subject lot under consideration is a narrow lot approximately 50 ft. wide and with a depth which ranges from 225 ft. to 247 ft. The property is 11,800 sq. ft. in area (.27 acres). As noted above, the property is located in the Cedar Beach subdivision of eastern Baltimore County with frontage on the Sue Creek. Presently, the property is unimproved.

CHIEF'S OFFICE FOR FILING  
 Date 10/29/98  
 By *Ch. [Signature]*

The Petitioner proposes constructing a single family dwelling thereon. Elevations drawings of the proposed dwelling were submitted at the hearing. Testimony and evidence was also offered by the Petitioner in support of the request.

Opposition to the request was received in the nature of a letter from John G. Matoska, who owns the property immediately adjacent to the subject site. Examination of the subject site shows that Mr. Matoska's lot is known as lot 123 of the Cedar Creek subdivision and is improved with a dwelling known as 2410 Popular Road. Mr. Matoska's letter indicates that the area at large is already over-developed and that the proposal would lead to additional congestion and further pollute the tributaries of the Chesapeake Bay.

An adverse comment was also received from the Office of Planning. That comment indicates that the property could not be developed without an extension of public water and sewer. Although public water and sewer is being installed in this area, the Office of Planning opined that said installation is to correct existing health problems and not to allow or encourage new development. In support of this position, the Office of Planning cites the Baltimore County Master Plan 2000, the 1997 Master Water and Sewer Plan and the Lower Back River Neck Community Action Plan. An examination of other Zoning Plans Advisory Committee (ZAC) comments submitted in this case disclose that any new development would be subject to the Chesapeake Bay Critical Area regulations and local, State and Federal Flood insurance requirements, in that the property is located adjacent to tidewater. It is also noted that a utility easement bisects this site which further limits the development possibilities.

Finally, it is to be noted that the site plan indicates that Mr. Dickerson owns an adjacent lot. Specifically, the plan shows that he owns

86/02/00  
[Handwritten signature and initials]

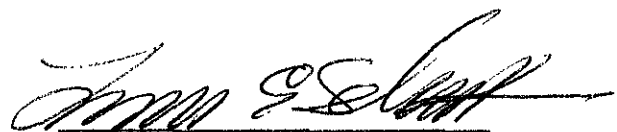
lot 121 of the Cedar Beach subdivision. According to the exhibit offered at the hearing, that lot is unimproved. However, it is not the subject to the Petition filed in this case, nor any of the other Petitions which were considered at the single public hearing held on July 14, 1998.

Based upon the testimony and evidence presented, I am persuaded to deny the Petition. There is no rationale offered as to why the Petitioner should not combine lots 121 and 122 for the purpose of development. Even such a combination of lots might not meet all of the requirements of the BCZR and probably be contrary to the position promulgated from the Office of Planning. However, such an approach is not before me. In any event, the current proposal to erect a structure on lot 122 only is unsound. The Petitioner's desire to increase his economic return is not a factor which can support variance relief. In my judgment, such construction would adversely impact the surrounding locale and be generally inconsistent with the spirit and intent of the BCZR. For all of these reasons, the Petition shall be denied.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of October 1998 that, pursuant to Section 1A04.3.B.3 of the BCZR, approval to allow side yard setbacks of 10 ft. and a rear yard setback of 30 ft., in lieu of the 50 ft. required for each, for an undersized lot, be and is hereby DENIED.

ORDER PREPARED FOR FILING  
Date 10/29/98  
By [Signature]



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES/mmn



Baltimore County  
Zoning Commissioner  
Office of Planning

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

October 29, 1998

Mr. Mark Dickerson  
2042 Popular Road  
Baltimore, Maryland 21221

RE: Case No. 98-448-A  
Petition for Variance  
Property: 2408 Popular Road

Dear Mr. Dickerson:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been denied, 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 AC-410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn  
att.

c: Mr. Buck Jones  
500 Vogts Lane  
Baltimore, Maryland 21221



CBCA



# Petition for Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 2408 Popular Road  
which is presently zoned R.C.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1 A 64.3 B. 3 to Allow Side  
YARD SET BACKS OF 10 FT & REAR YARD SET BACK OF 30 FT IN LIGHT  
50 FT IN AN R.C. 5 ZONE & 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) The lot in question is located in a R.C.5 zone. The lot has been a lot record with it's own tax account number since 1925. The side set back lines as required under the R.C.5 zoning would be impossible to obtain. Strict compliance with the zoning requirement would unreasonably prevent the use of the property for a permitted purpose that other property owners in the area enjoy. Front yard set back will be compromised by the placement of a storm drain.

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

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:

GREG GIRMID 5741176 (H)  
(Type or Print Name)

Greg Girmid  
Signature

500 VOGT'S LANE  
Address

Baltimore Md 21221  
City State Zipcode

Attorney for Petitioner:

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address Phone No.

\_\_\_\_\_  
City State Zipcode

Legal Owner(s):

Mark Dickerson  
(Type or Print Name)

Mark Dickerson  
Signature

~~\_\_\_\_\_  
(Type or Print Name)~~

\_\_\_\_\_  
Signature

2042 Popular Road 574-9544 (H)  
Address Phone No

Baltimore Md 21221  
City State Zipcode  
Name, Address and phone number of representative to be contacted

Buck Jones  
Name

500 Vogts Lane 21221 410-574-9337 (W)  
Address Phone No

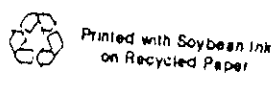
OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING \_\_\_\_\_  
unavailable for hearing

the following dates \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_

REVIEWED BY: SJA DATE 5-20-98



# 98-448-A

448

# EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 2408 Popular Road  
(address)  
Election District 15 Councilmanic District 7

Beginning at a point on the East side of Popular  
(north, south, east or west)  
Road which is 30'  
(street on which property fronts) (number of feet of right-of way width)  
wide at a distance of 920' North of the  
(number of feet) (north, south, east or west)  
centerline of the nearest improved intersecting street River Road  
(name of street)  
which is 30' wide. \*Being Lot # 122,  
(number of feet of right-of-way width)  
Block \_\_\_\_\_, Section # \_\_\_\_\_ in the subdivision of  
Cedar Beach as recorded in Baltimore County Plat  
(name of subdivision)  
Book # 7, Folio # 186, containing  
11,800/.27ac  
(square feet and acres)

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

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

**NOTICE OF ZONING HEARINGS**

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 #98-488-A  
2408 Poplar Road  
EIS Poplar Road, 920' N of  
River Road

15th Election District  
7th Councilmanic District

Legal Owner(s):  
Mark Dickerson

Contract Purchaser:  
Greg Garadi

Variances: to allow side yard setbacks of 10 feet and a rear yard setback of 30 feet in lieu of 50 feet and to approve an undersized lot.

Hearing: Monday, July 13, 1998 at 2:00 p.m., in Room 407, County Courts Bldg., 401 Backley Avenue.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations please call (410) 987-3353. (2) For information concerning the file and/or hearing, please call (410) 987-3391.

6/4/98 June 25 C2398897

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 6/25/, 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 6/25/, 1998.

THE JEFFERSONIAN,

*A. H. Amick*  
LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

Case No. 98-448-A  
Party or Developer JONES/DICKERSON, ETAL  
40 BUCK JONES  
Date of Hearing or Closing 7/13/98

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 11  
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 notices (signs) required by law  
were posted conspicuously on the property located at #2408 POPLAR RD.

The sign(s) were posted on \_\_\_\_\_

6/25/98  
(Month, Day, Year)

Sincerely,

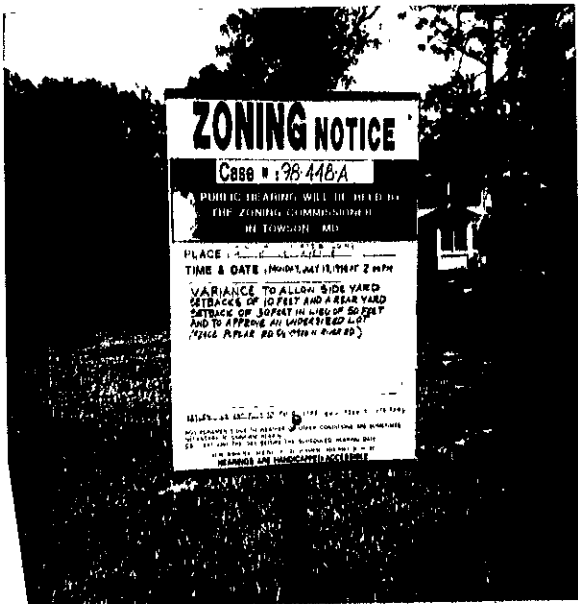
Patrick M. O'Keefe 6/28/98  
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE  
(Printed Name)

503 PENNY LANE  
(Address)

HUNT VALLEY, MD. 21030  
(City, State, Zip Code)

410-666-8336 ; CELL: 410-905-8571  
(Telephone Number)



98-448-A  
NES  
ERSON #2408 POPLAR

7/13/98



RE: PETITION FOR VARIANCE  
2408 Popular Road, E/S Popular Rd, 920' N of River  
Road, 15th Election District, 7th Councilmanic

Legal Owners: Mark Dickerson  
Contract Purchaser: Greg Girard

Petitioner(s)

\* \* \* \* \*

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case Number: 98-448-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 of 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  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 6<sup>th</sup> day of July, 1998, a copy of the foregoing Entry of Appearance was mailed to Buck Jones, 500 Vogts Lane, Baltimore, MD 21221, representative for Petitioner(s).

Peter Max Zimmerman  
PETER MAX ZIMMERMAN



Baltimore County  
Department of Permits and  
Development Management

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

June 9, 1998

## NOTICE OF ZONING HEARING

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CASE NUMBER: 98-448-A  
2408 Popular Road  
E/S Popular Road, 920' N of River Road  
15th Election District - 7th Councilmanic District  
Legal Owner: Mark Dickerson  
Contract Purchaser: Greg Girard

Variance to allow side yard setbacks of 10 feet and a rear yard setback of 30 feet in lieu of 50 feet and to approve an undersized lot.

HEARING: Monday, July 13, 1998 at 2:00 p.m. in Room 407, County Courts Building,  
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

c: Mark Dickerson  
Greg Girard  
Buck Jones

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 28, 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  
June 25, 1998 Issue - Jeffersonian

Please forward billing to:

Buck Jones 410-574-9337  
500 Vogts Lane  
Baltimore, MD 21221

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**NOTICE OF ZONING 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:

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HEARING: Monday, July 13, 1998 at 2:00 p.m. in Room 407, County Courts Building,  
401 Bosley Avenue

  
Lawrence E. Schmidt

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

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 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.: 448 Petitioner: BUCK JONES

Location: 2408 POPLAR ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: BUCK JONES

ADDRESS: 500 VOGTS LANE  
BALT. MD 21221

PHONE NUMBER: 410-574-9337

**98-448-A** 448

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

Date to be Posted: Anytime before but no later than 5-31-98

Format for Sign Printing, Black Letters on White Background:

# ZONING NOTICE

Case No.: 98-448A

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

PLACE: \_\_\_\_\_

DATE AND TIME: \_\_\_\_\_

REQUEST: VARIANCE TO ALLOW 10 FT SIDE YARDS  
& 30 FT REAR YD IN VIEW OF REQUIRED 50 FT.  
AND UNDERSTIZED LOT

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

July 7, 1998

Mr. Buck Jones  
500 Vogts Lane  
Baltimore, MD 21221

RE: Item No.: 448  
Case No.: 98-448-A  
Petitioner: Mark Dickerson  
Location: 2408 Popular Rd.

Dear Mr. Jones:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on May 20, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments 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.

Very truly yours,

W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:ggs  
Attachment(s)



Due Date: June 15, 1998

TO: Arnold Jablon  
FROM: R. Bruce Seeley *RS/yo*  
SUBJECT: Zoning Item #448

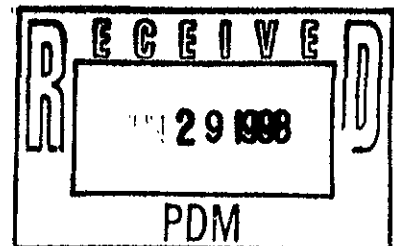
Dickerson, Poplar Road

Zoning Advisory Committee Meeting of June 8, 1998

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
  - Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
  - Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
  - X 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).

GP:TI:sp

C: Mark & Doris Dickerson







BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: June 23, 1998

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

SUBJECT: Holly Neck Road and Popular Road

INFORMATION

Item Numbers: 446, 447, (448), 449, 460 and 461

Petitioner: Dickerson Property

Zoning: RC-5

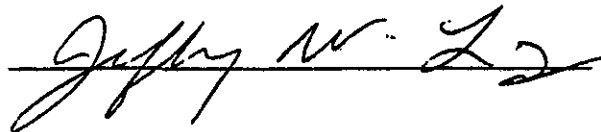
Summary of Recommendation:

Staff has reviewed the subject requests and recommends denial. This position is based on the the following:

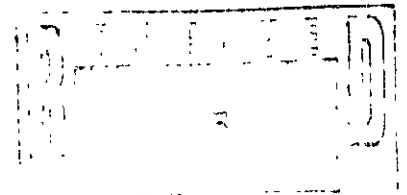
These lots could not be developed without the aid of public water and sewer. Public water and sewer is being installed in this area to correct existing health problems, not to allow or encourage new development. This position is explicitly stated in the Baltimore County Master Plan, the 1997 Master Water and Sewer Plan, and the Lower Back River Neck Community Plan.

Section 304 of the Baltimore County Zoning Regulations states: "A one-family detached or semi-detached dwelling may be erected on a lot having an area or width at the building line less than that required by the area regulations contained in these regulations if ... the owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations."

Division Chief:



AFK/JL





Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4880

June 12, 1998

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 June 8, 1998

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:

443, 444, 446, 447, 448, 449, 450, 452, 453, 455,  
456, 460, 461, 462, 463, 464, 465, and John D.  
Barone

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

cc: File



**Maryland Department of Transportation  
State Highway Administration**

Parris N. Glendening  
Governor

David L. Winstead  
Secretary

Parker F. Williams  
Administrator

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

RE: Baltimore County 6-6-97  
Item No. 448 JRA

Dear Ms. Stephens:

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 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

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

# FAX

Date 7/14/98  
Number of pages including cover sheet 2

To: LAWRENCE SCHMIDT  
ZONING COMMISSIONER  
BALTO COUNTY

Phone \_\_\_\_\_  
Fax Phone 410-887-3468  
CC: \_\_\_\_\_

From: John Mateska  
2410 Poplar Rd.  
Baltimore, Maryland  
21221

Phone (410)574-7199  
Fax Phone (410)522-4559

**REMARKS**

Urgent     For your review     Reply ASAP     Please comment

7/14/98

LAWRENCE E SCHMIDT

ZONING COMMISSIONER FOR BALTO CTNY.

RE: CASE No 98-448-A

2408 POPLAR RD

We protest the VARIANCE to Allow SIDE YARD setbacks of 10' and a REAR YARD setback of 30' IN lieu of 50' and TO APPROVE AN UNDERSIZED lot.

This property IS ZONED R-5 AND CIRCUMSTANCES have NOT CHANGED WARRANTING A VARIANCE.

The lot ALREADY CONTAINS TWO HOUSES AND A 50' X 30' GARAGE ALONG WITH TWO SHEDS IN AN AREA THAT IS MADE UP OF MANY SMALL lots with small houses, garages, sheds.

TO subdivide ~~AND FURTHER~~ would lead TO MORE CONGESTION AND ALLOW MORE POLLUTION TO flow INTO the Bay.

Sincerely

*ord  
cc of  
order*

John S Matoska  
2410 POPLAR RD  
BALTO MD 21221  
410-574-7199  
JOHN MATOSKA

INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM

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

B \_\_\_\_\_  
Permit Number

FROM: Arnold Jablon, Director, Zoning Administration and 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 & Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Buck Jones 500 Vogts Lane 21221 410-574-9337  
Print Name of Applicant Address Telephone Number

Lot Address 2408 Popular Road Election District 15 Council District 5 Square Feet 11,800  
Lot Location: N/E S W (side) corner of Popular .920 feet from N/E S W corner of Center of River Road  
(street) (street)

Lead Owner Mark Dickerson Tax Account Number 15-13208374  
Address 2042 Popular Road Telephone Number 410-574-9337  
Baltimore, Md 21221

CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Zoning)

PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Property (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Building Elevation Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Photographs (please label all photos clearly)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Adjoining Buildings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surrounding Neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Accepted by \_\_\_\_\_  
ZADM

Date \_\_\_\_\_

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY!

RECOMMENDATIONS/COMMENTS:

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

*sent to  
OPCC  
6/19/98*

Signed by: \_\_\_\_\_  
for the Director, Office of Planning & Zoning

Date:

**98-448-A**

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING  
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2  
ZONING ADMINISTRATION AND 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: \_\_\_\_\_

CK/UNDER.LOT (TXTSOPH)

A-344-88

INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM

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

B \_\_\_\_\_  
Permit Number

FROM: Arnold Jablon, Director, Zoning Administration and 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 & Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Buck Jones 500 Vogts Lane 21221 410-574-9337  
Print Name of Applicant Address Telephone Number

Lot Address 2408 Popular Road Election District 15 Council District 5 Square Feet 11,800  
Lot Location: N/S W (side) corner of Popular (street), 920 feet from N/E S corner of Center of River Road (street)

Land Owner Mark Dickerson Tax Account Number 15-13208374  
Address 2042 Popular Road Telephone Number 410-574-9337  
Baltimore, Md 21221

CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Zoning)

PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Site Plan Property (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Topo Map (available in Rm 206 C O.B.) (2 copies) (please label site clearly)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Building Elevation Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Photographs (please label all photos clearly)		
Adjoining Buildings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surrounding Neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Accepted by \_\_\_\_\_  
ZADM

Date \_\_\_\_\_

*No Site Plan or Topo*

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY!

RECOMMENDATIONS/COMMENTS:

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

Staff has reviewed the Undersize Lot application and recommends **Denial**. The denial of the application is based on the following:

This lot could not be developed without the aid of public water and sewer. Public water and sewer are being installed in this area to correct exiting health problems, not to allow or encourage new development. This was explicitly stated in the Baltimore County Master Plan 2000, the 1997 Water Supply and Sewerage Plan, and the Lower Back River Neck community Action Plan.

Signed by: Ervin McDaniel  
for the Director, Office of Planning & Zoning

Date: 6/16/98



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

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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 \_\_\_\_\_

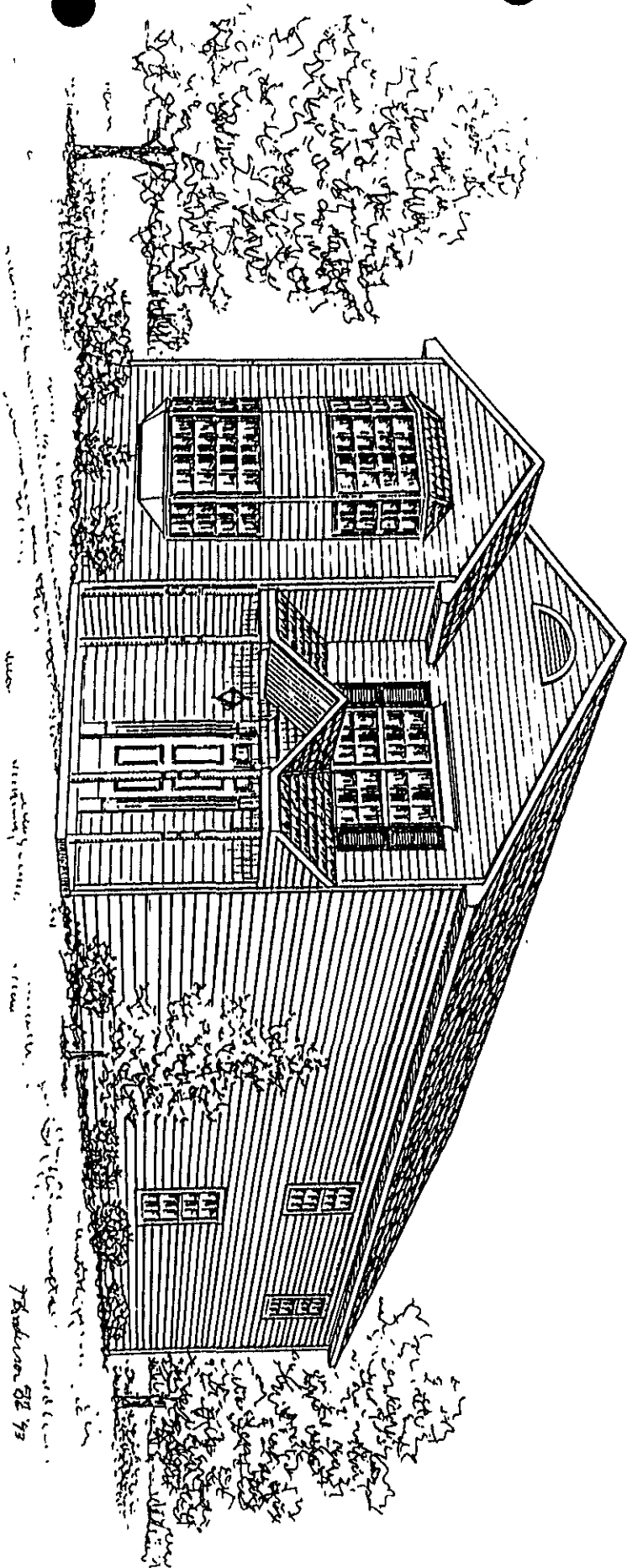
Location of property: \_\_\_\_\_  
\_\_\_\_\_

Posted by: \_\_\_\_\_ Date of Posting: \_\_\_\_\_  
Signature

Number of Signs: \_\_\_\_\_

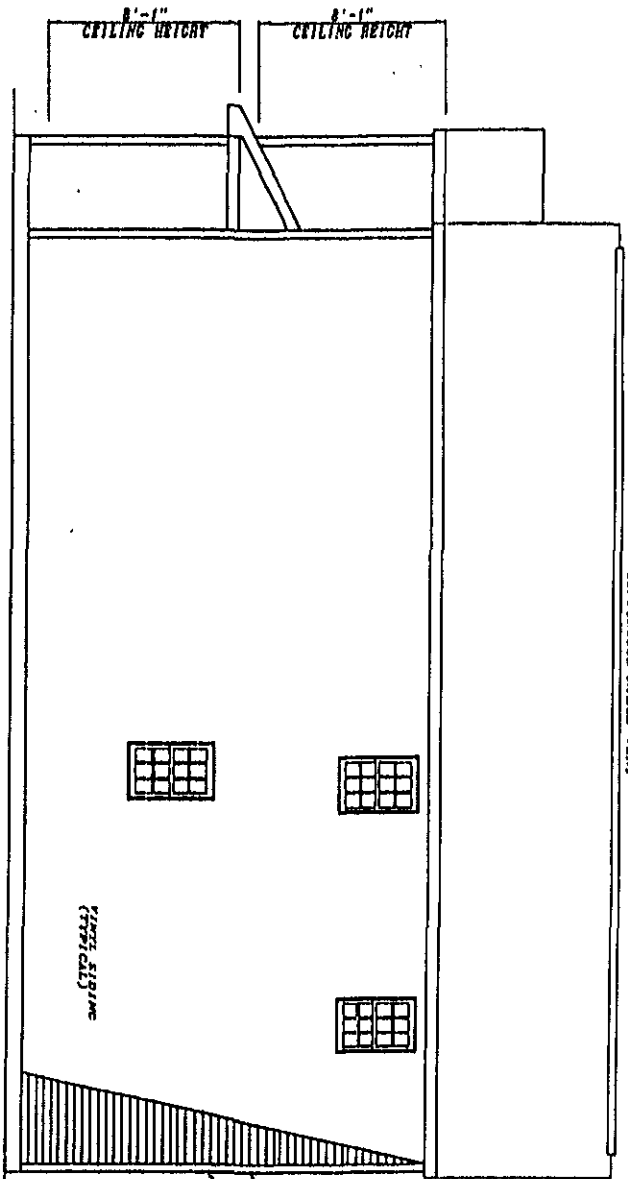
CK/UNDER.LOT (TXTSOPH)

DAUPHIN



7/24/2008 8:22 73

RIGHT SIDE ELEVATION

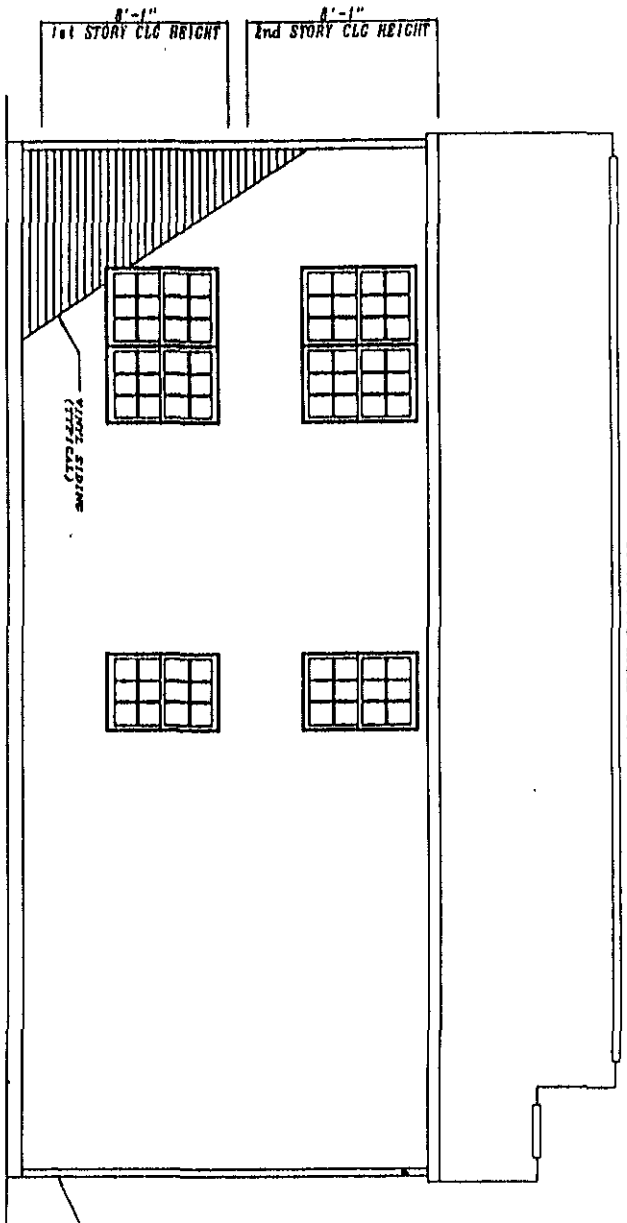


CHANGING RIDGE VENT

VINYL SIDING  
(TYPICAL)

4\"/>

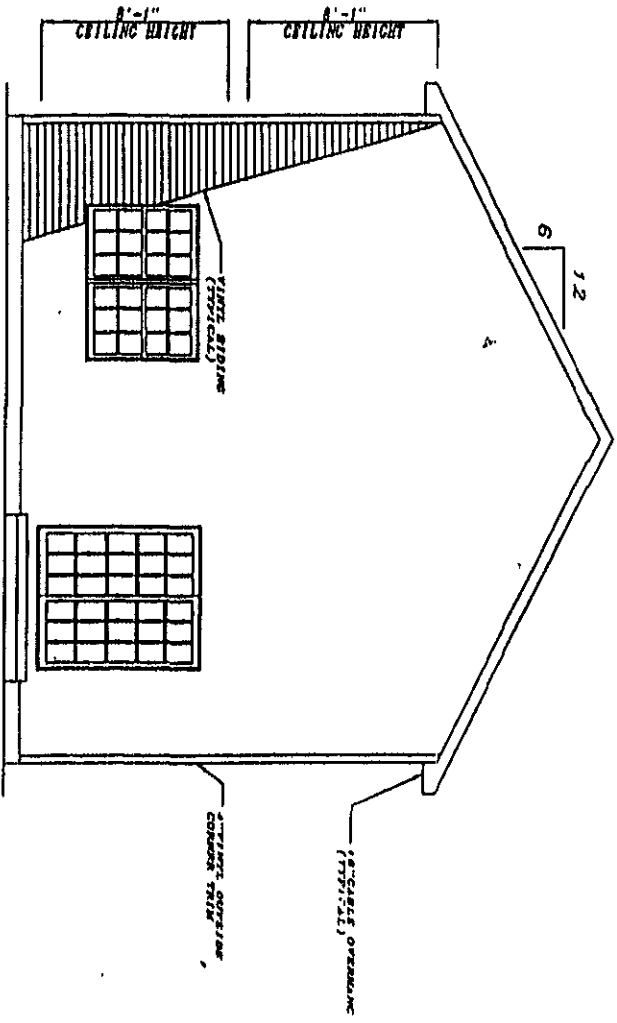
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DATE:	SCALE:	3/16"=1'-0"	
REVISIONS:	DRAWN	APPROVED BY:	
	DRAWING #	D-04	



RIGHT CABLE END ELEVATION

TITLE: DAUPHIN LEFT SIDE ELEVATION	
DATE:	SCALE: 3/16"=1'-0"
REVISIONS:	DRAWN BY:
	APPROVED BY:
	DRAWING #

RES



REAR ELEVATION

TITLE:		DAUPHIN REAR ELEVATION	
DATE:		SCALE: 3/16"=1'-0"	
REVISIONS:		DRAWN BY:	
		APPROVED BY:	
		DRAWING: D-03	

# Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 2408 POPULAR ROAD

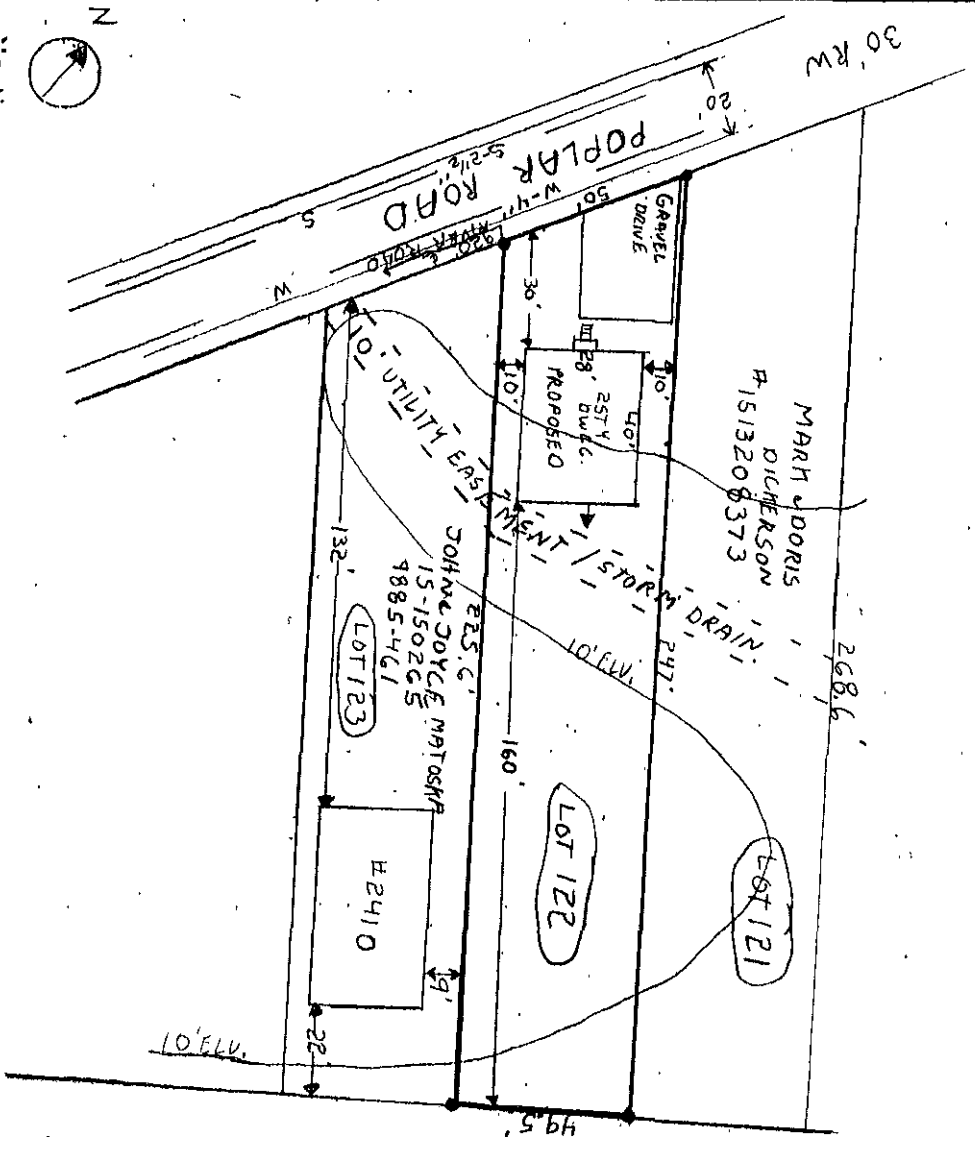
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: CEDAR BEACH

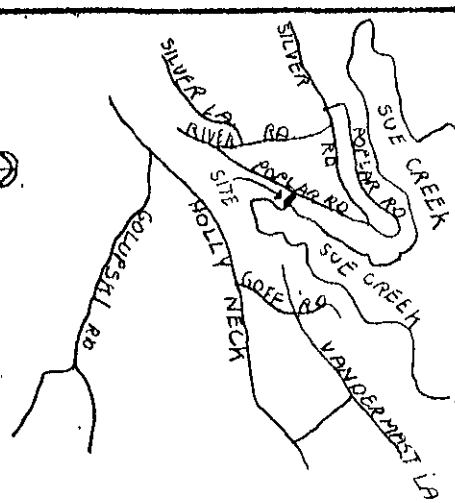
plat book # 7, folio # 186, lot # 122, section #       

OWNER: MARK & DORIS DICKEKSON

TAX ID: 15-13208374



North  
date: 5-1-98  
prepared by: BUCK JONES Scale of Drawing: 1" = 50'



Vicinity Map  
Scale: 1" = 1000'

## LOCATION INFORMATION

Election District: 15  
Councilmanic District: 7  
T=200' scale: map#: SE 2-5

Zoning: R.C.5  
Lot size: .27 acreage  
11,800 SQUARE FEET

- Public/Private
- SEWER
  - WATER
  - Chesapeake Bay Critical Area:
  - Prior Zoning Hearings:

NONE

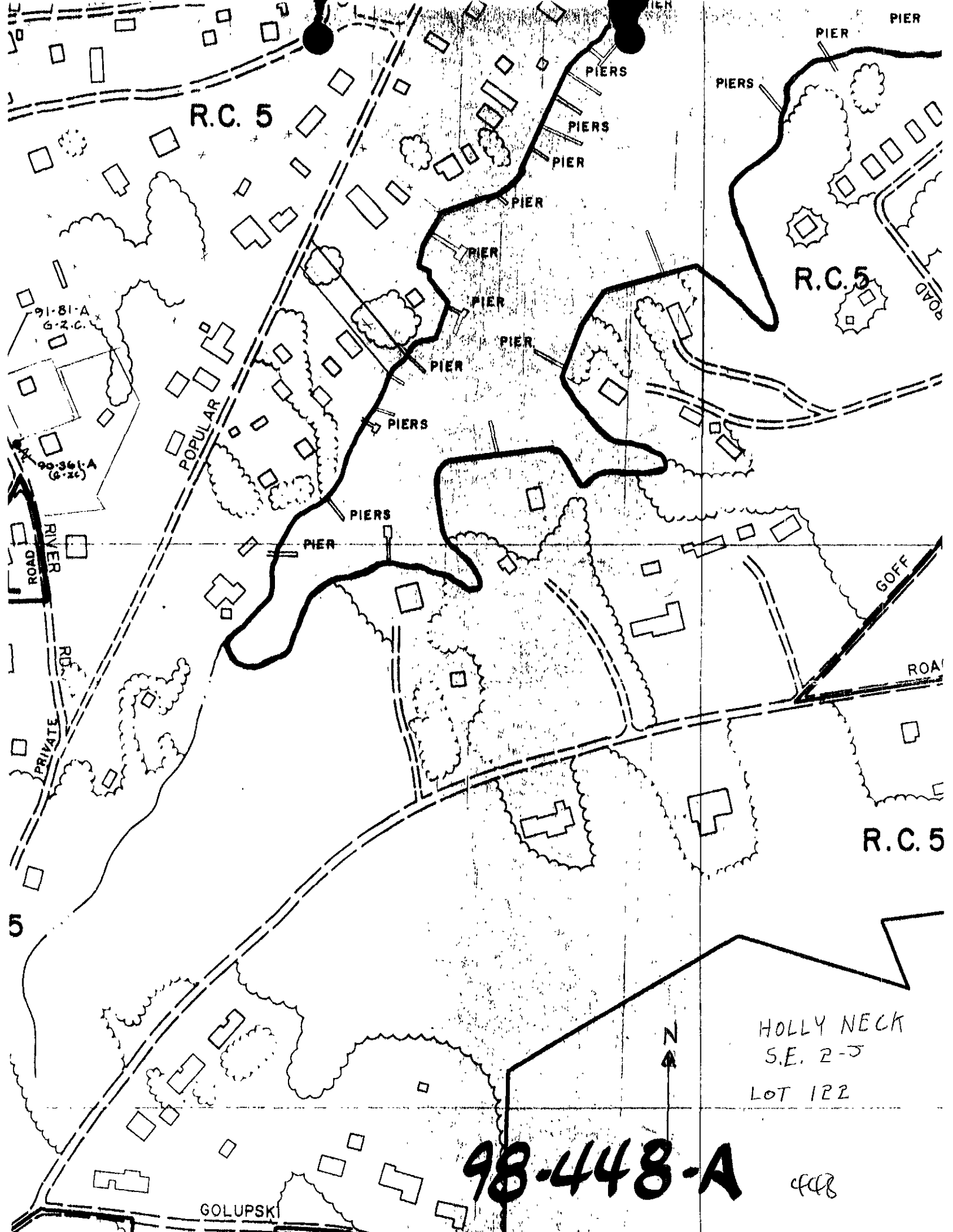
## Zoning Office USE ONLY!

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_

SA 448 98-448-A

**98-448-A**





R.C. 5

R.C. 5

R.C. 5

91-81-A  
G-2-C

90-36(-A)  
G-2-C

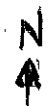
POPULAR

RIVER

PRIVATE

GOLF

ROAD



HOLLY NECK  
S.E. 2-5  
LOT 122

98-448-A

408

GOLUPSKI





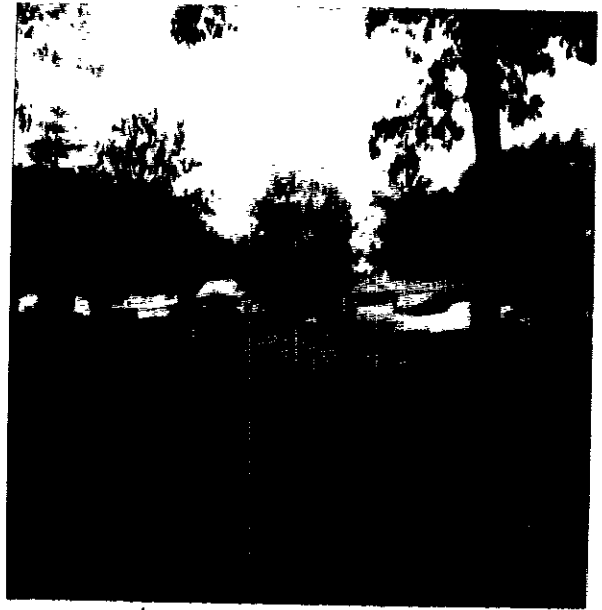


Baltimore County  
Office of Planning  
401 Bosley Avenue  
Towson, Maryland 21204

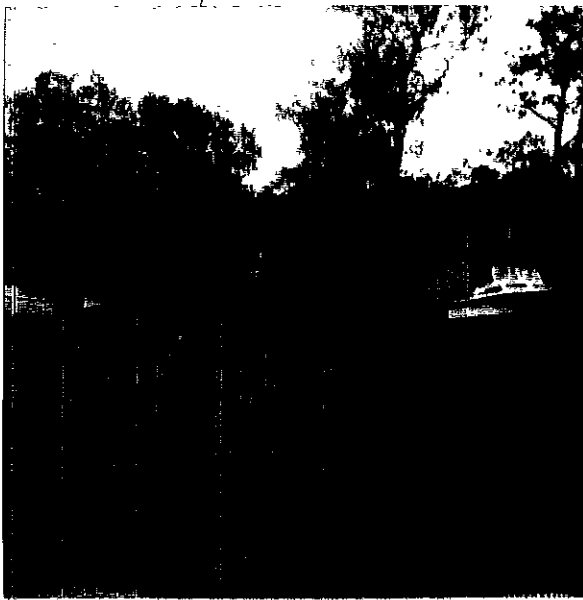
*Photographs*



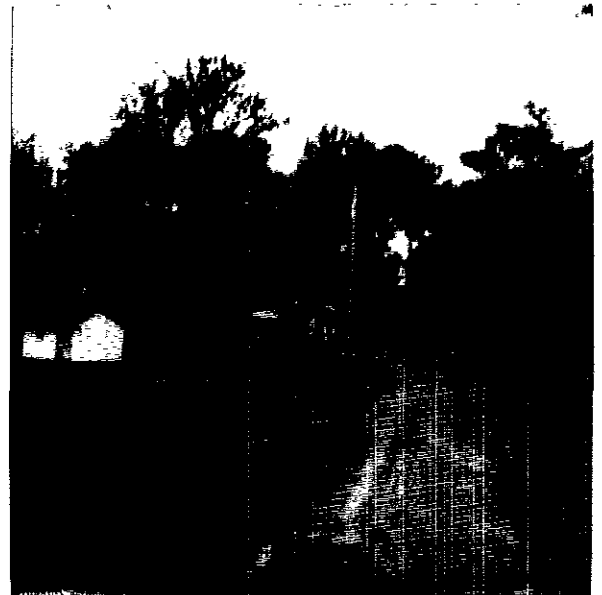
LOT 122 / 2408 POPLAR RD  
LOOKING NORTH UP POPLAR RD



LOT 122 / 2408 POPLAR RD  
LOOKING WEST TOWARD'S POPLAR RD



LOT 122 / 2408 POPLAR RD  
LOOKING EAST TOWARD'S SUE CREEK



LOT 122 / 2408 POPLAR RD  
LOOKING SOUTH DOWN POPLAR RD