

IN RE: PETITION FOR VARIANCE
E/S Cedar Creek Road, 670' N of the
c/l Holly Neck Road
(Lots 376 & 377 of Cedar Beach)
15th Election District
5th Council District

Rodney Donald, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-445-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Rodney J. and Lynda A. Donald. The Petitioners seek relief from Section 1A04.3.B.1, 2, and 3 and Section 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dwelling on a lot of .17 acres in area, and side yard setbacks of 11 feet each in lieu of the minimum required lot area of 1 acre and 50-foot side setbacks, respectively, and to approve the subject property as an undersized lot with any other variances deemed necessary by the Zoning Commissioner. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing held were Rodney and Lynda Donald, property owners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is comprised of two lots, namely, Lots 376 and 377 of the subdivision known as Cedar Beach. As is common with older subdivisions, Cedar Beach was platted many years ago and recorded in the Land Records of Baltimore County prior to the enactment of the zoning regulations. Moreover, Cedar Beach is located within the Chesapeake Bay Critical Areas near Sue Creek in southeastern Baltimore County. Although not immediately adjacent to the water, development of this property is subject

ORDER RECEIVED FOR FILING

Date

By

to any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) to insure compliance with Critical Area requirements.

Collectively, Lots 376 and 377 contain a combined area of 7500 sq.ft. (.17 acres), zoned R.C.5, with a width of 50 feet and a depth of 150 feet. The Petitioners purchased the property in March of this year and are desirous of developing same with a single family dwelling. Testimony indicated that the proposed dwelling will be a one-story structure with a basement and that it will be similar to other homes in the area so as to be compatible with the character of this older neighborhood. Moreover, there are public water and sewer facilities available at the site. Due to the narrow width of the property and its overall size, the requested relief is necessary in order for the Petitioners to proceed with their plans.

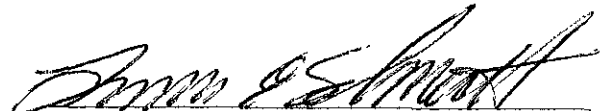
Based upon the testimony and evidence presented, I am persuaded to grant the variance. It is clear from the testimony that strict compliance with the zoning regulations would result in a practical difficulty for the Petitioners. There was no opposition expressed by any neighboring property owner and there were no adverse comments submitted by any Baltimore County reviewing agency. Moreover, the Petitioners submitted building elevation drawings of the proposed dwelling for review and approval by the Office of Planning, which approved their plans on May 8, 2000 as being compatible with the surrounding neighborhood. Thus, it appears that relief can be granted and that there will be no detrimental impact to the surrounding locale.

Pursuant to the advertisement and posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of June, 2000 that the Petition for Variance seeking relief from Section 1A04.3.B.1, 2, and 3 and Section 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dwelling on a lot of .17 acres in area, and side yard setbacks of 11 feet each in lieu of the minimum required lot area of 1 acre and 50-foot side setbacks, respectively, and to approve the subject property as an undersized lot with any other variances deemed necessary by the Zoning

Commissioner, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Advisory Committee comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated May 12, 2000, a copy of which is attached hereto and made a part hereof.
- 3) The proposed dwelling shall be built in accordance with the building elevation drawings submitted and approved by the Office of Planning on May 8, 2000.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 6/9/00
By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Cedar Creek Road

which is presently zoned R.C.5

This Petition shall be filed with the Department of Permits and 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) 1A04.3.B, 1, 2, 3 and 304, To permit

dwelling on a lot of .17 acre and side yard setbacks of 11ft. each in lieu of the minimum required 1 Acre & 50ft. each respectively and to approve on under - size lot per sect. 304 with any other Variance as deemed necessary by the Zoning Commissioners

of the Zoning Regulations of Baltimore County, for the following reasons (indicate hardship or practical difficulty) These two (2) lot's have been lot's of record since 1925 the side yard 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.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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 upon which is the subject of this Petition

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Rodney Donald

Name - Type or Print

Signature

Lynda Donald

Name - Type or Print

Signature

1588 Williams Ave

410-686-3418

Address

Baltimore

Md

Telephone No

21221

City

State

Zip Code

Representative to be Contacted:

Buck Jones

Name

500 Vogts Lane

410-574-9337

Address

Baltimore

Md

21221

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 1/2 hrs.

UNAVAILABLE FOR HEARING

Reviewed By [Signature]

Date 4-28-00

No. 00-445-A

ORDER RECEIVED FOR FILING

Date

By

220 9115198

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: Cedar Creek Road
(ADDRESS)

BEGINNING AT A POINT ON THE East SIDE OF
(NORTH, SOUTH, EAST OR WEST)

Cedar Creek Road WHICH IS 40'
NAME OF STREET ON WHICH PROPERTY FRONTS (NO. OF FEET OF RIGHT-A-WAY WIDTH)

WIDE AT THE DISTANCE OF 670' North OF THE
(NUMBER OF FEET) (NORTH, SOUTH, EAST OR WEST)

CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET Holly Neck Road
(NAME OF STREET)

WHICH IS 40 WIDE. *BEING LOT # 376 & 377
(NUMBER OF FEET OR RIGHT-OF-WAY)

BLOCK _____, SECTION # _____ IN THE SUBDIVISION OF Cedar Beach
(NAME OF SUBDIVISION)

AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 7, FOLIO # 186,

CONTAINING 7500 or .17 acres ALSO KNOWN AS Cedar Creek Road
(SQUARE FEET OR ACRES) (PROPERTY ADDRESS)

AND LOCATED IN THE 15 ELECTION DISTRICT, 5 COUNCILMANIC DISTRICT.

445

00-445-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. 080496

DATE 4-28-00 ACCOUNT R-001-6150
AMOUNT \$ 50.00

RECEIVED FROM: Free State General Contractors

FOR: Residential Variance filing fee

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT 6/7/01 TLR:
4/28/2000 4/28/2000 09:22:46

REC 0001 CASHIER JRD JMR DYNWID

REF 5 923 COMING VERIFICATION

62010-2 135.93

22.00 50.00

Receipt for

50.00 \$
Baltimore County, Maryland

CASHIER'S VALIDATION

A-244-00

CERTIFICATE OF POSTING

RE: Case No.: 00-445-APetitioner/Developer: B. JONES, ETALDate of Hearing/Closing: 6/8/00

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 LOTS 376 & 377

ONSITECEDAR CREEK RD.EAST SIDE N. of SILVER LA.

The sign(s) were posted on 5/23/00
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 5/28/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

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

410-666-5366 ; CELL 410-905-8571
(Telephone Number)

00-445 - JONES

it-It* Fax Note	7671	Date	# of pages 1
BETTY		From	O'KEEFE
Dept. ZON. COM.		Co.	
ne #		Phone #	512-4621
#	BB7-3468	Fax #	324-4100

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:

Case: #00-445-A

Cedar Creek Road, Lots 376 & 377

E/S Cedar Creek Road, 670' N of centerline Holly Neck Road
15th Election District - 5th Councilmanic District

Legal Owner(s): Lynda & Rodney Donald

Variance: to permit a dwelling on a lot of .17 acre and side yard setbacks of 11 feet each in lieu of the minimum required 1 acre and 50 feet each, respectively; and to approve an undersized lot with any other variances as deemed necessary by the zoning commissioner.

Hearing: Thursday, June 8, 2000 at 9:00 a.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 Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/5/730 May 23

C393408

CERTIFICATE OF PUBLICATION

TOWSON, MD, 5/26/, 2000

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 5/23/, 2000.

THE JEFFERSONIAN,
S. Wilkinson

LEGAL ADVERTISING

RE: PETITION FOR VARIANCE
Cedar Creek Road, E/S Cedar Creek Rd,
670' N of c/I Holly Neck Rd
15th Election District, 5th Councilmanic

Legal Owner: Rodney & Lynda Donald
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-445-A

* * * * *

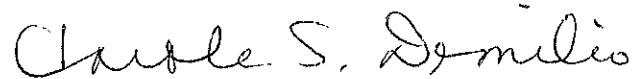
ENTRY OF APPEARANCE

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.

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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 3rd day of May, 2000 a copy of the foregoing Entry of Appearance was mailed to Buck Jones, 500 Vogts Lane, Baltimore, MD 21221, representative for Petitioners.



PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

May 16, 2000

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:

CASE NUMBER: 00-445-A
Cedar Creek Road, Lots 376 & 377
E/S Cedar Creek Road, 670' N of centerline Holly Neck Road
15th Election District – 5th Councilmanic District
Legal Owner: Lynda & Rodney Donald

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HEARING: Thursday, June 8, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon", with the initials "SCJ" written below it.

Arnold Jablon
Director

C: Lynda & Rodney Donald, 1588 Williams Avenue, Baltimore 21221
Buck Jones, 500 Vogts Lane, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MAY 24, 2000.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 23, 2000 Issue – Jeffersonian

Please forward billing to:

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

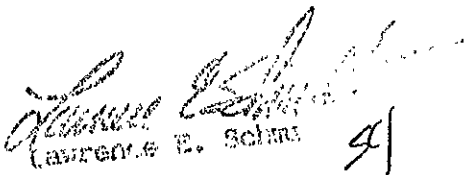
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HEARING: Thursday, June 8, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-445-A

Petitioner: RODNEY DONALD

Address or Location: LOT'S 376 & 377 CEDAR CREEK RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: BUCK JONES

Address: 500 VOOTS LANE

BALT MD 21221

Telephone Number: 410-574-9337

Revised 2/20/98 - SCJ



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 2, 2000

Mr. Buck Jones
500 Vogts Lane
Baltimore MD 21221

Dear Mr. Jones:

RE: Case Number 00-445-A , Cedar Creek Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 28, 2000.

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, please do not hesitate to contact the commenting agency.

Sincerely,
A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Baltimore County
Fire Department

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

May 17, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 8, 2000

Item No.: See Below

Dear Ms. Stephens:

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:

441, 442, 443, 444, (445)

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RBS*
DATE: May 12, 2000
SUBJECT: Zoning Item #445
Cedar Creek Road

RECEIVED
MAY 24 2000

Zoning Advisory Committee Meeting of May 8, 2000

- _____ 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).

Reviewer: Keith Kelley

Date: May 12, 2000

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** July 14, 2000

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 15, 2000
Item No. 445

The Bureau of Development Plans Review has reviewed the subject zoning item. The property owner must connect to the public pressure sewer in Cedar Creek Road with an individual grinder pump. See the Department of Public Works, Bureau of Engineering and Construction, Sewer Design Section for additional information on sewage grinder pumps.

RWB:HJO:jrb

cc: File

Jim
6/8

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 15, 2000

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

SUBJECT: Cedar Creek Road

INFORMATION:

MAY 15

Item Number: 445

Petitioner: Rodney and Lynda Donald

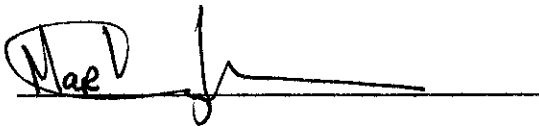
Zoning: RC 5

Requested Action: Variance

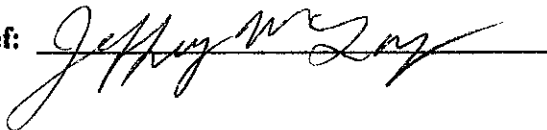
SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit a dwelling on a lot of .17 acres in lieu of the minimum required 1 acre, and to allow side yard setbacks of 11 feet each in lieu of the minimum required 50 feet.

Prepared by:



Section Chief:



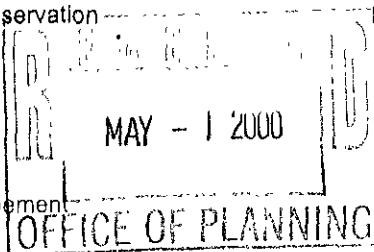
AFK:MAC:

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

Variance #00-445-A

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. _____



Residential Processing Fee Paid
(\$50.00)

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

Accepted by _____
Date _____

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 and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

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

Lot Address Cedar Creek Road Election District 15 Councilmanic District 5 Square Feet 7500

Lot Location N x S W x E corner of Cedar Creek Road 650 feet from N E S W corner of Holly Neck Road
(street) (street)

Land Owner: Rodney Donald Tax Account Number 15-02-650640

Address 1588 Williams Avenue Telephone Number (410) 686-3418

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!
PROVIDED?

	YES	NO
1 This Recommendation Form (3 copies)	☒	☐
2 Permit Application	☐	☒
3. Site Plan	☒	☐
Property (3 copies)	☒	☐
Topo Map (2 copies) available in Room 206, County Office Building - (please label site clearly)	☒	☐
4 Building Elevation Drawings	☒	☐
5. Photographs (please label all photos clearly)	☒	☐
Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐
6 Current Zoning Classification: R.C.-5		

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations:

Signed by Jeffrey W. Long
for the Director, Office of Planning and Community Conservation

Date 5/8/00

Revised 2/25 99

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A
BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

The application for your proposed Building Permit application has been reviewed and is accepted for filing by John Sullivan on 4-28-00
(name of planner) 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. This fee is subject to change. Confirm all current fees prior to filing the application.

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 5-7-00 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED? YES _____ NO _____ - DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 5-22-00 C (B-3 Work Days)

TENTATIVE DECISION DATE 5-26-00 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: _____



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.8.00

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

RE: Baltimore County
Item No. 445

JJS

RECEIVED MAY 09 2000

Dear Ms. Jackson:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

Rodney J. Donald and Lynda A. Donald

THIS DEED, Made this 30th day of March, 2000, by and between **Margaret V. Wayland**, party of the first part, Grantor, and **Rodney J. Donald and Lynda A. Donald**, parties of the second part, Grantees.

WITNESSETH, that in consideration of the sum of Twenty Thousand and 00/100 DOLLARS (\$20,000.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said party of the first part does grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, the heirs, Personal Representatives and assigns of the survivor, in fee simple, all that lot or parcel of ground situate in Baltimore County, State of Maryland, and described as follows:

BEING KNOWN AND DESIGNATED as Lot Nos. 376 and 377 located in the fifteenth election district of Baltimore County in Cedar Beach, as shown on the Plat of Cedar Beach, which Plat is recorded among the Land Records of Baltimore County in Plat Book WPC No. 7, folio 186.

BEING a part of the same property which by Deed dated June 27, 1973, and recorded among the Land Records of Baltimore County in Liber No. 5439, folio 431, was granted and conveyed by Margaret V. Breeden, also now as Margaret V. Wayland, unto Robert W. Wayland and Margaret V. Wayland, husband and wife. The said Robert W. Wayland having died on _____, thereby vesting title in Margaret V. Wayland, by right of survivorship. the Grantor herein.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same, belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said lots of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, the heirs, Personal Representatives and assigns of the survivor, in fee simple.

AND the said party of the first part hereby covenants that he/she has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that he/she will warrant specially the property granted and that he/she will execute such further assurances of the same as may be requisite.

This is to certify that the within instrument has been prepared by or under the supervision of the undersigned Maryland Attorney.

Carol Ann Wildesen, Attorney

WITNESS the hand and seal of the within Grantor.

WITNESS:

Jean A. Shorpy

Margaret V. Wayland (SEAL)
Margaret V. Wayland

STATE OF MARYLAND, COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, That on this 30th day of March, 2000, before me, the subscriber, a Notary Public of the State and jurisdiction aforesaid, personally appeared Margaret V. Wayland, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Deed, who signed the same in my presence, and acknowledged that he/she executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

Jean A. Shorpy
Notary Public

My Commission Expires: 1/4/04

NRT Mid-Atlantic Title Services, LLC
22 W. Padonia Road, Suite B-328
Timonium, MD 21093
410-252-1208



3. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT
SETTLEMENT STATEMENT

B. TYPE OF LOAN
1. ☐ FHA 2. ☐ FmHA 3. ☐ CONV. INS. 4. ☐ VA 5. ☐ CONV. INS.
6. FILE NUMBER 2000380R 7. LOAN NUMBER
8. MORTGAGE INS CASE NUMBER

NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "[POC]" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.
1.0 3/98 (2000380R.PFD/2000380R/5)

NAME AND ADDRESS OF BUYER Rodney J. Donald Linda A. Donald 188 Williams Avenue Baltimore, MD 21221		E. NAME AND ADDRESS OF SELLER Margaret V. Wayland 1114 Beach Road Baltimore, MD 21221	F. NAME AND ADDRESS OF LENDER
G. PROPERTY LOCATION Lots 376 & 377, Cedar Creek Road Baltimore, MD 21221 Baltimore County, Maryland		H. SETTLEMENT AGENT NRT Mid-Atlantic Title Services, LLC PLACE OF SETTLEMENT 22 W. Padonia Road, Suite B-328 Timonium, MD 21093	I. SETTLEMENT DATE March 30, 2000

J. SUMMARY OF BUYER'S TRANSACTION K. SUMMARY OF SELLER'S TRANSACTION

00. GROSS AMOUNT DUE FROM BUYER:		400. GROSS AMOUNT DUE TO SELLER:	
01. Contract Sales Price	20,000.00	401. Contract Sales Price	20,000.00
02. Personal Property		402. Personal Property	
03. Settlement Charges to Buyer (Line 1400)	923.00	403.	
04.		404.	
05.		405.	
Adjustments For Items Paid By Seller in advance		Adjustments For Items Paid By Seller in advance	
06. City/Town Taxes to		406. City/Town Taxes to	
07. County Taxes 03/30/00 to 07/01/00	12.60	407. County Taxes 03/30/00 to 07/01/00	12.60
08. Assessments to		408. Assessments to	
09.		409.	
10.		410.	
11.		411.	
12.		412.	
120. GROSS AMOUNT DUE FROM BUYER	20,935.60	420. GROSS AMOUNT DUE TO SELLER	20,012.60

200. AMOUNTS PAID BY OR IN BEHALF OF BUYER:		500. REDUCTIONS IN AMOUNT DUE TO SELLER:	
201. Deposit or earnest money	2,000.00	501. Excess Deposit (See Instructions)	
202. Principal Amount of New Loan(s)		502. Settlement Charges to Seller (Line 1400)	400.00
203. Existing loan(s) taken subject to		503. Existing loan(s) taken subject to	
204.		504. Payoff of first Mortgage	
205.		505. Payoff of second Mortgage	
206.		506. Deposit retained by broker	1,400.00
207.		507. (\$600.00 disbursed)	
208.		508.	
209.		509.	

Adjustments For Items Unpaid By Seller		Adjustments For Items Unpaid By Seller	
210. City/Town Taxes to		510. City/Town Taxes to	
211. County Taxes to		511. County Taxes to	
212. Assessments to		512. Assessments to	
213.		513.	
214.		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	

AFTER
05/06/2000

OFFICE OF BUDGET & FINANCE
COMMUNICATE SECTION, 400 WASHINGTON AVE
BOWSON, MARYLAND 21204-4665
410-887-2414

ISSUE DATE
03/22/2000

ISSUED TO
NRT

Whereas application, now on file in this office, was made for a search of office records for all charges constituting county
charges upon the property known as:

PROPERTY OWNER AND DESCRIPTION

WAYLAND MARGARET V
ROUTE 13
000000 CEDAR CREEK RD
LOT BLK. SECT. PLAT
LT 376,377

ASSESSED VALUE PROPERTY NUMBER DISTRICT

R:05439/0431 740 15-02-650640 15
M:0105 P:0142 A: 7500.000
P:0007/0186
W: 50.00
D: 150.00

Assessments and taxes hereon are subject to adjustment pursuant to the provisions of
Title 8, Section 8-103 and 104, Tax Property, of the Annotated Code of Maryland or
as a result of State Department of Assessments certified changes through June 30
current levy not received on the subsequent July 1 certified tax roll.

This is to certify that a search has been made by this office which disclosed the status of taxes, charges and assessments which
are enumerated below. AS OF THE DATE OF ISSUE

AN CERTIFICATE MUST ACCOMPANY DOCUMENTS TRANSFERRING PROPERTY	YEAR	AMOUNT OPEN	AMOUNT PAID	DATE PAID
STATE AND COUNTY REAL PROPERTY TAXES AND OTHER CHARGES AS ITEMIZED ON ATTACHED TAX BILL	FY 2000	.00	49.97	07/30/1999

2. PERSONAL PROPERTY TAXES

3. ALL OTHER CHARGES AS ITEMIZED ON TAX BILL

	INITIAL LEVY YEAR	ANNUAL AMOUNT	REMAINING BALANCE
* SEWER BENEFIT			
* WATER BENEFIT	1968	27.50	220.00
SEWER SERVICE		.00	
WATER DISTRIBUTION		.00	
CONSTRUCTION LOAN CHARGES (see 6. below for details)		.00	
HOMEOWNER'S CREDIT (subject to adjustment at transfer)		.00	
HOMESTEAD CREDIT ST/CO		.00	

* By authority Baltimore County Code, Section 35-217, Benefit charges may be liquidated at any time. For information call 410-887-2430

4. AGRICULTURAL TRANSFER TAX NOT CERTIFIED CALL ASSESSMENT OFFICE BEFORE RECORDING 410-512-4900

5. COUNTY METERED WATER BILL (Call Balto City for Water charges) PHONE 410-396-5398

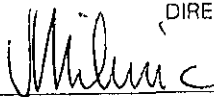
6. CONSTRUCTION LOAN CHARGES	INITIAL LEVY YEAR	INTEREST RATE	TERM YRS.	REMAINING BALANCE	ANNUAL AMOUNT

7. OTHER SUBJECT TO REVIEW OF ASSESSMENT ON NEW CONSTRUCTION, SUBJECT TO METRO DISTRICT CHARGES

NOTHING HEREIN SHALL AFFECT ANY PAYMENT PROVIDED FOR IN PROPERTY
TAX ARTICLE 13-302.

DIRECTOR OF BUDGET & FINANCE

BY (Authorized Representative)



ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 00-445-A

Date Completed/Initials

5/16/00 SCJ

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

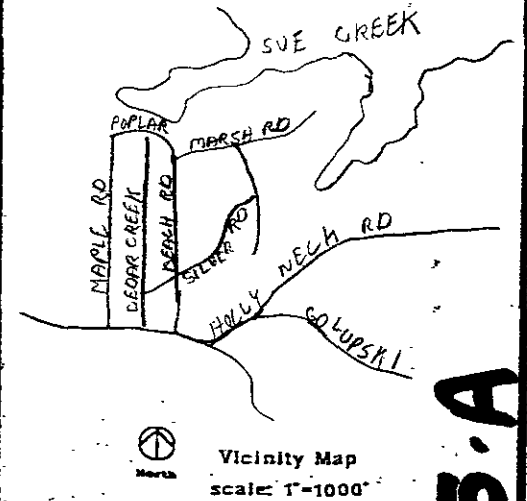
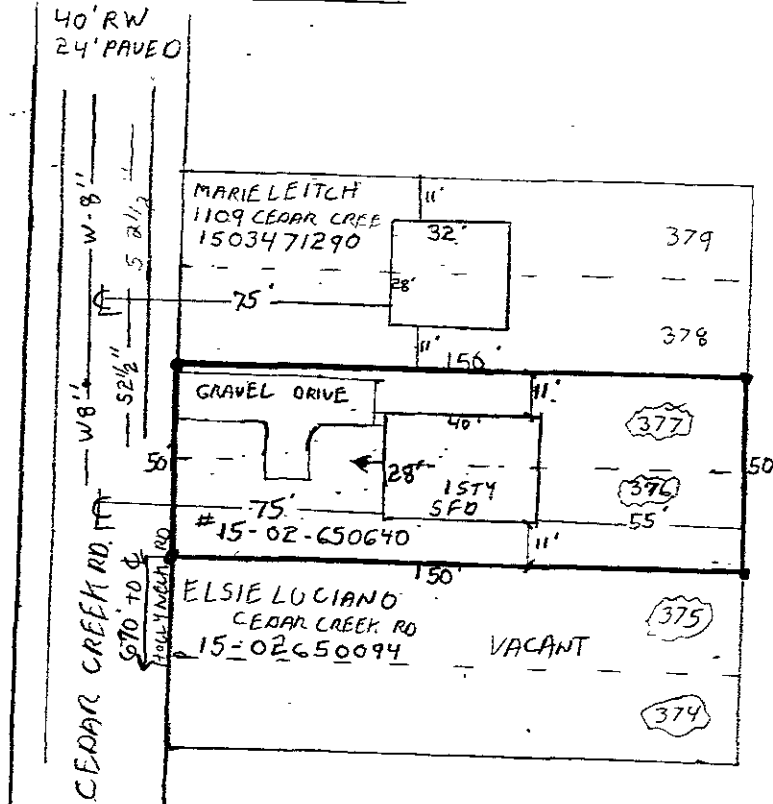
PROPERTY ADDRESS: CEDAR CREEK ROAD

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

Subdivision name: CEDAR BEACH #2

plat book# 7, folio# 186, lot# 377, section# 376

OWNER: RODNEY & LYNDA DONALD



LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1"=200' scale map# SE, 2-J

Zoning: RC5

Lot size: .17 7500
acres Square Feet

SEWER ☒ PUBLIC ☐ PRIVATE
WATER: ☒ ☐

Chesapeake Bay Critical Area: ☒ ☐

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: [Signature] ITEM #: CASE#:



North

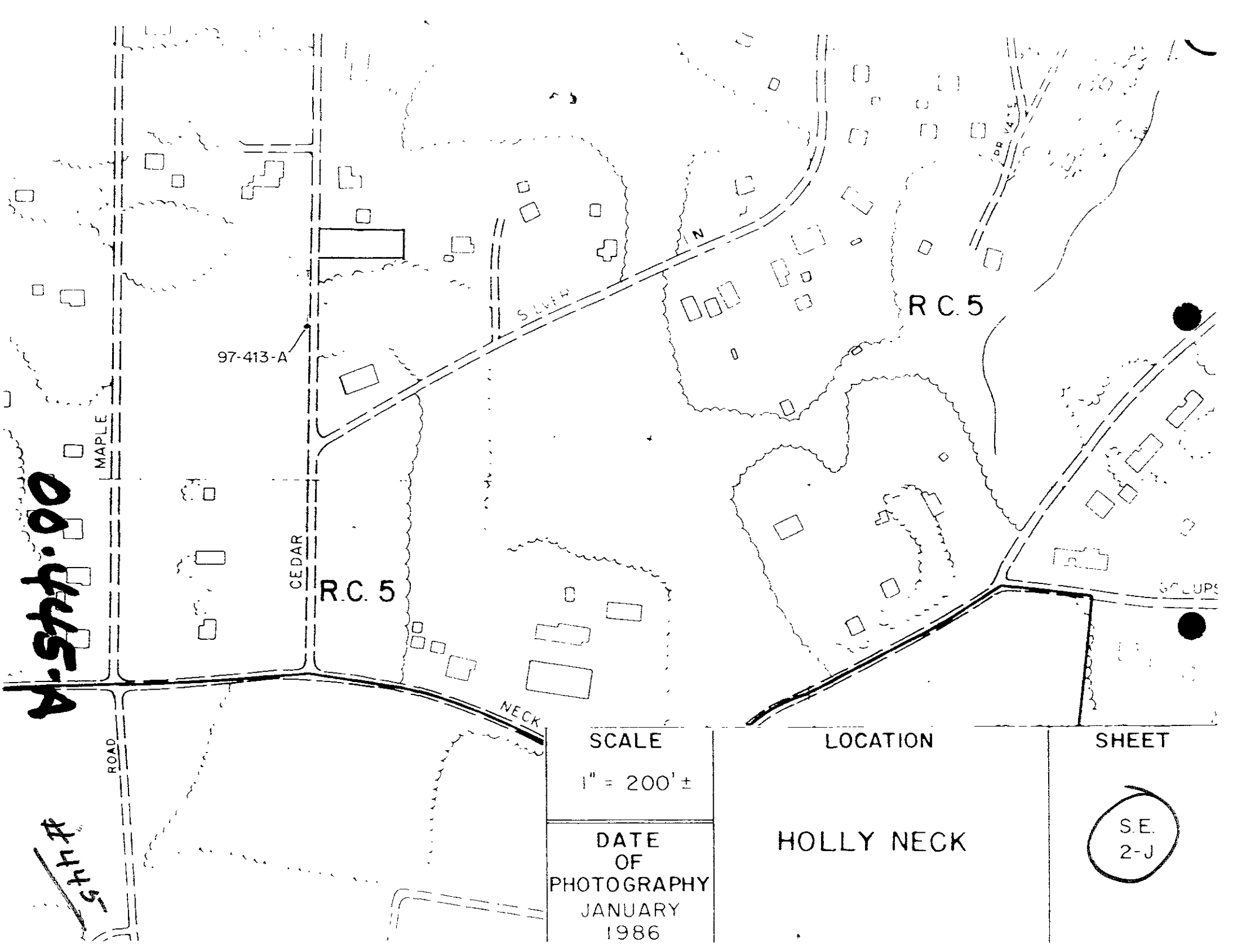
date: 4-17-00

prepared by: BUCK JONES

Scale of Drawing: 1"= 50

Lot No. 1

00-445-A



00-445-A

97-413-A

MAPLE

ROAD

CEDAR

R.C. 5

NECK

SLVW

N

RC.5

GROUPS

SCALE

1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

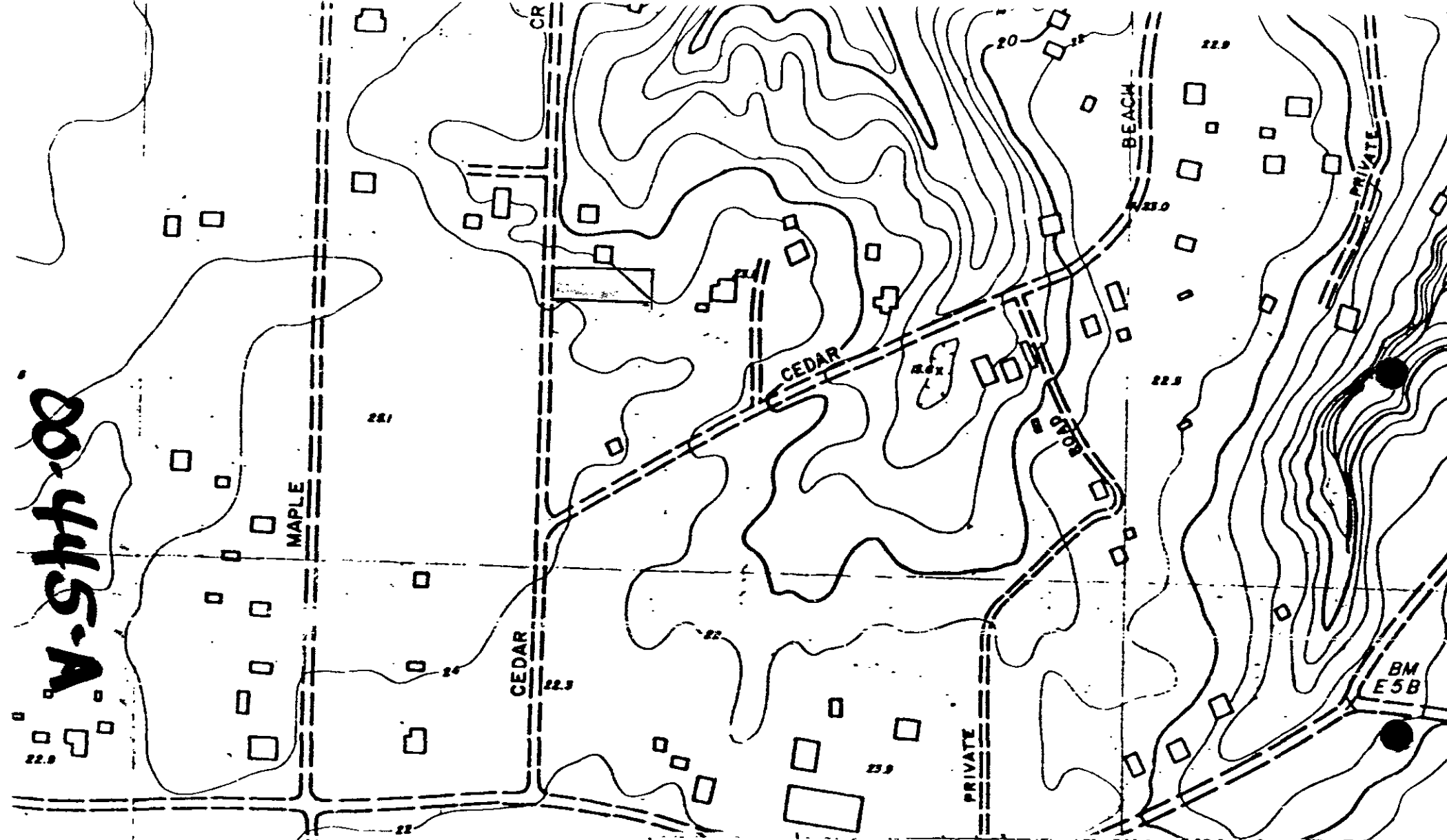
HOLLY NECK

SHEET

S.E.
2-J

00-445-A

TOPD MAP
#445



SCALE

1" = 200'

DATE OF
PHOTOGRAPHY
DEC. 1954

Topometric Methods
ANN ARBOR MICH.

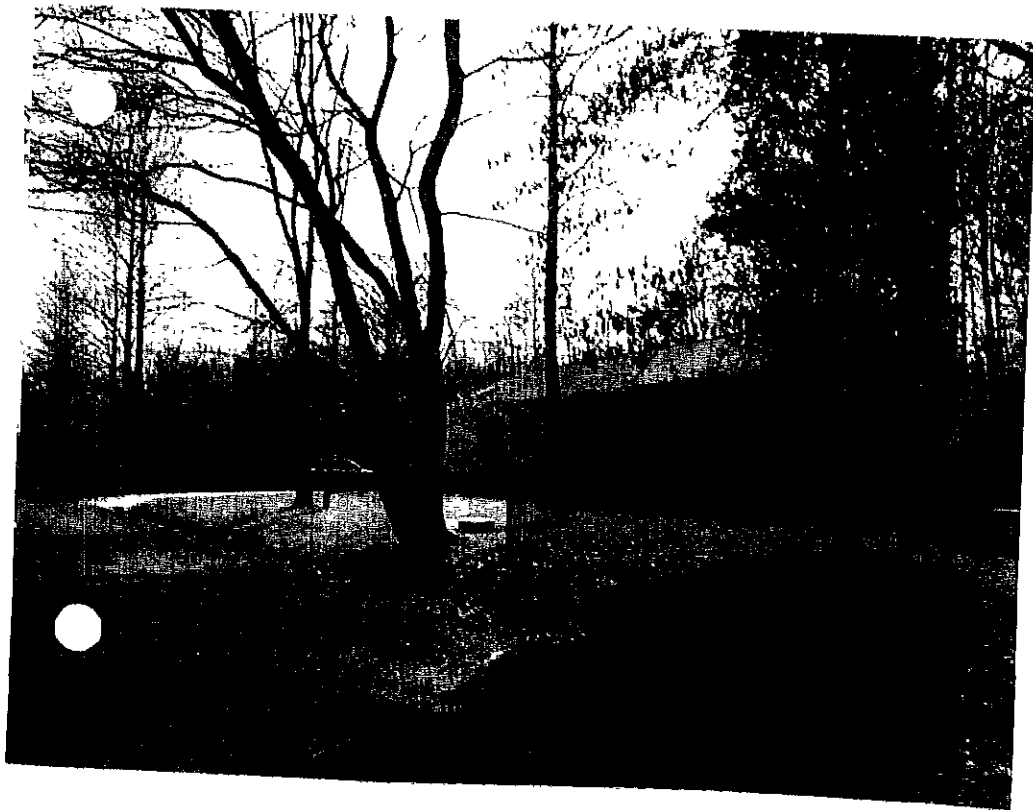
LOCATION

HOLLY NECK

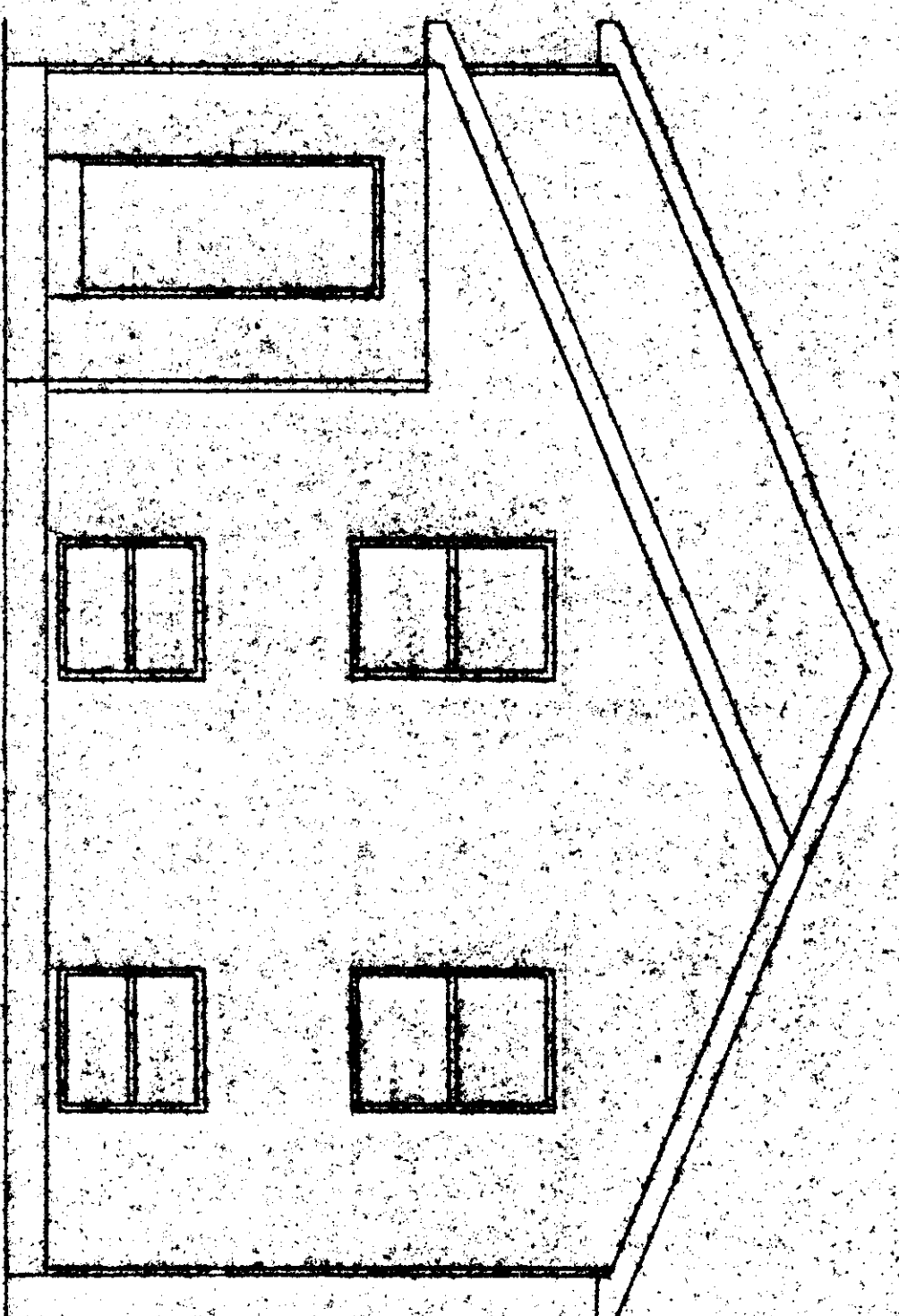
SHEET

S.E.
2-J

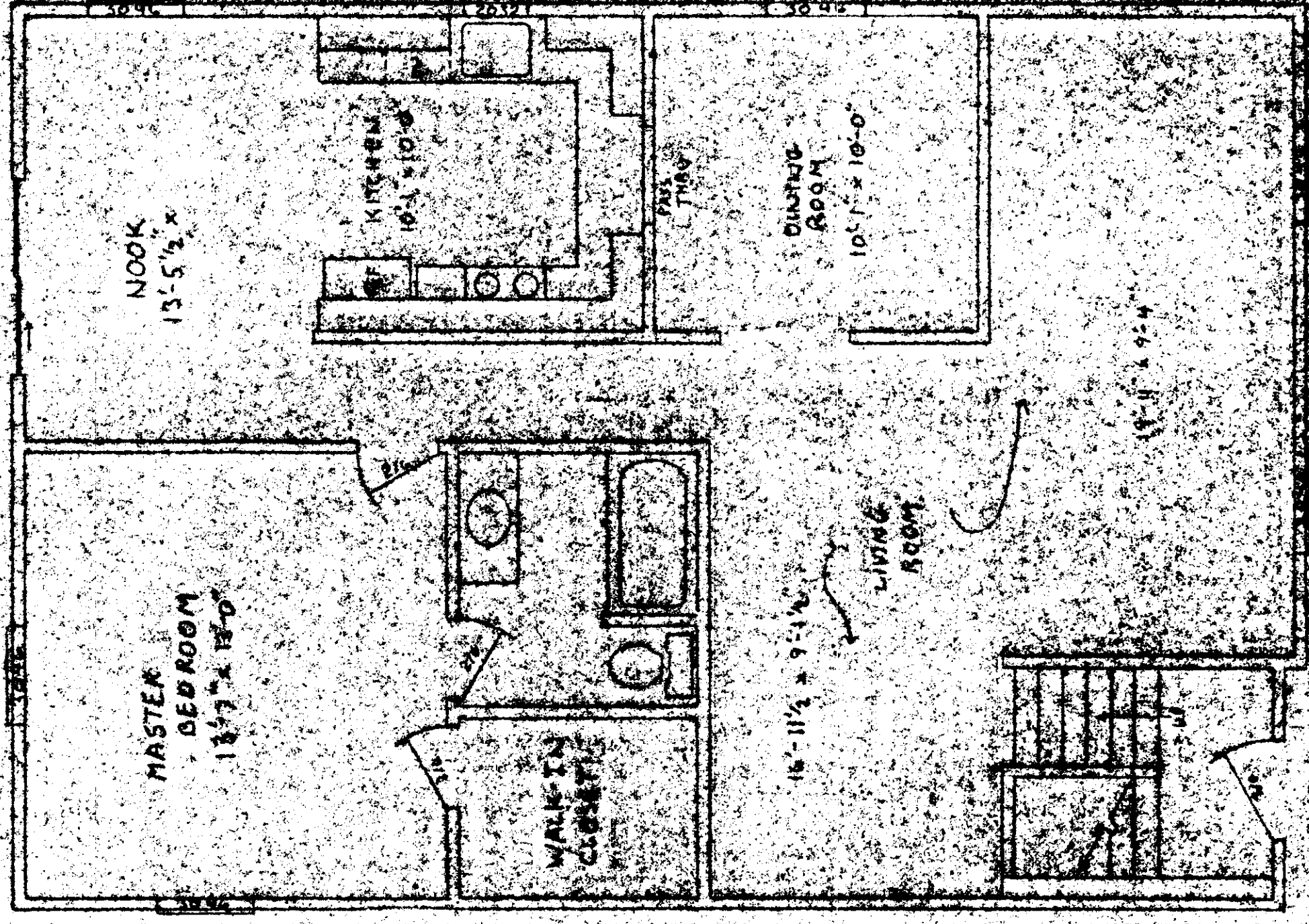
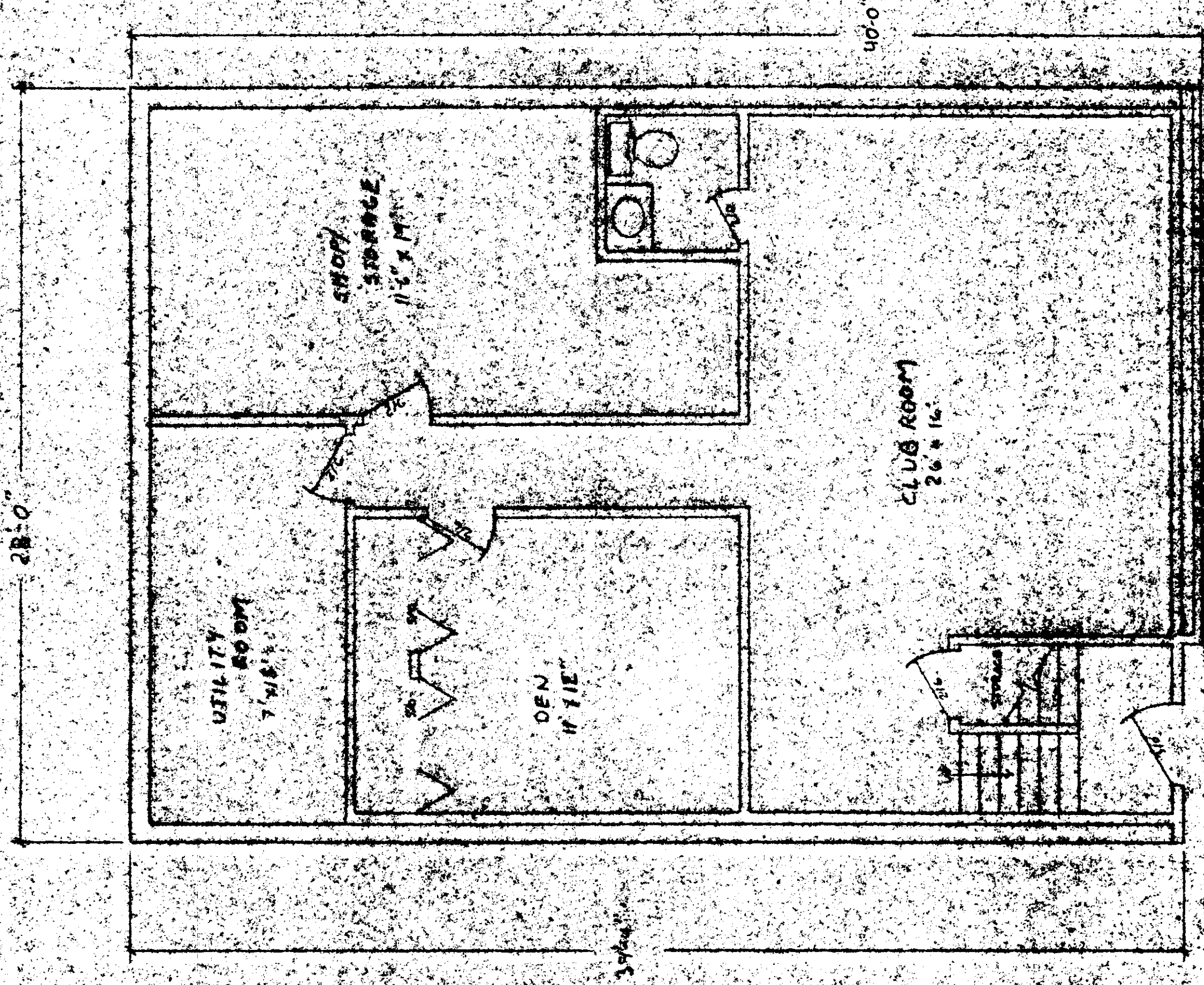




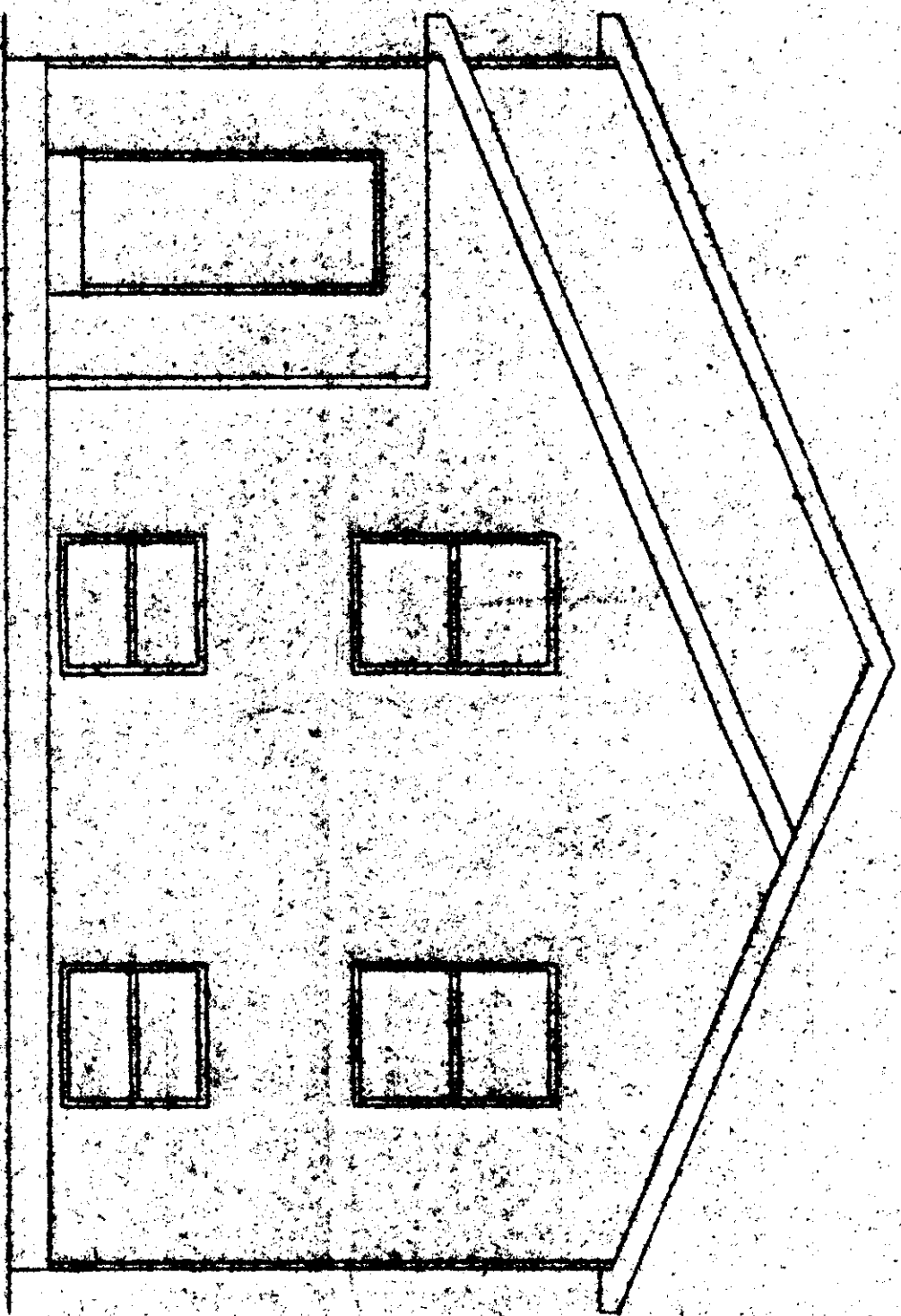




DONALD RESIDENCE	
Scale: 1/4" = 1'	Approved By: _____
Date: 11-17-80	Drawn By: JKT/p
PROJECT: 11-114-00-B	
FRONT ELEVATION	
SHEET NO. 1	



DONALD RESIDENCE	
ARCHITECT	W. H. H. H.
DATE	1934-11-10
FLOOR PLANS	
FIRST FLOOR	1934-11-10
SECOND FLOOR	1934-11-10



DONALD RESIDENCE

scale: 1/4" = 1'

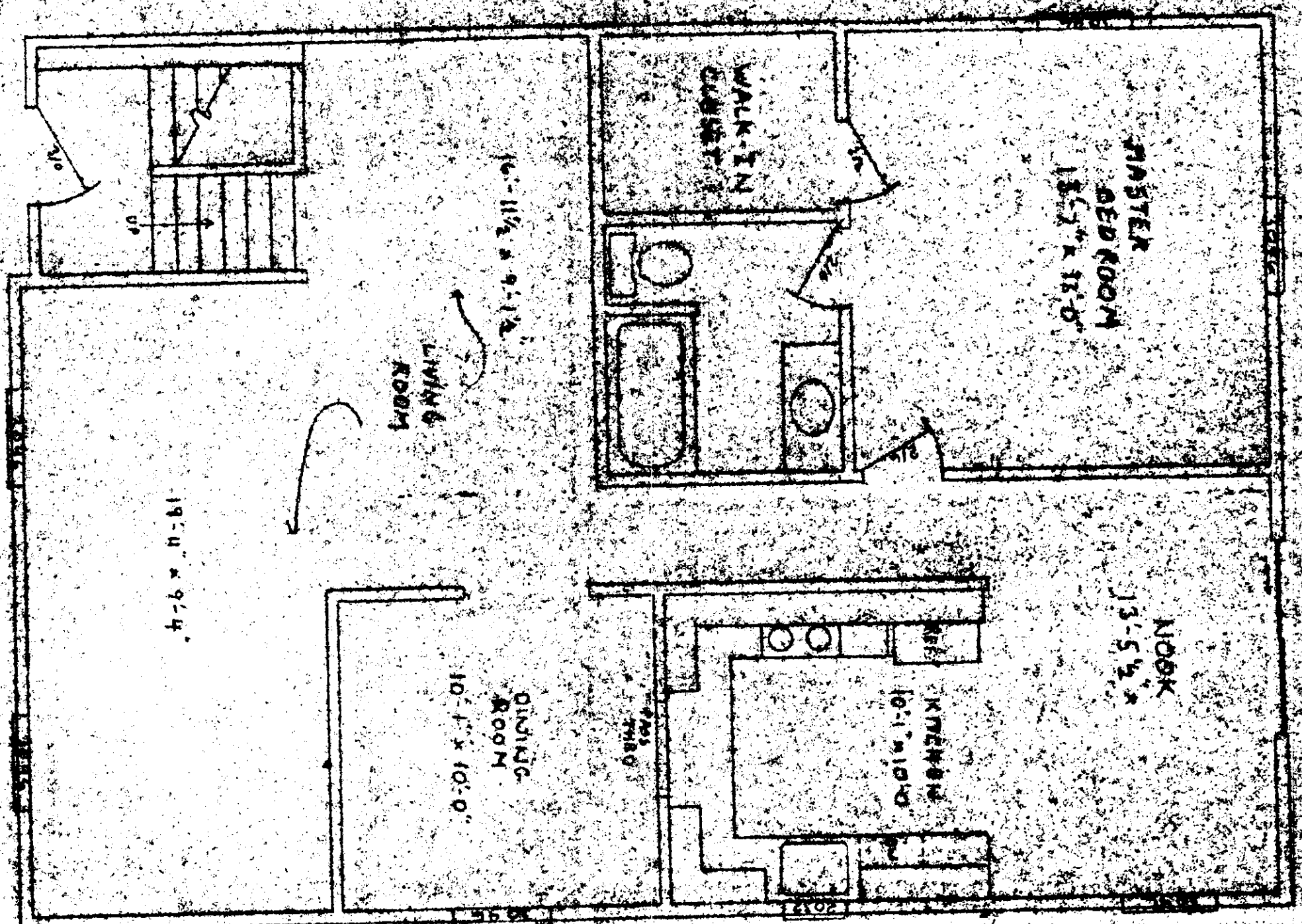
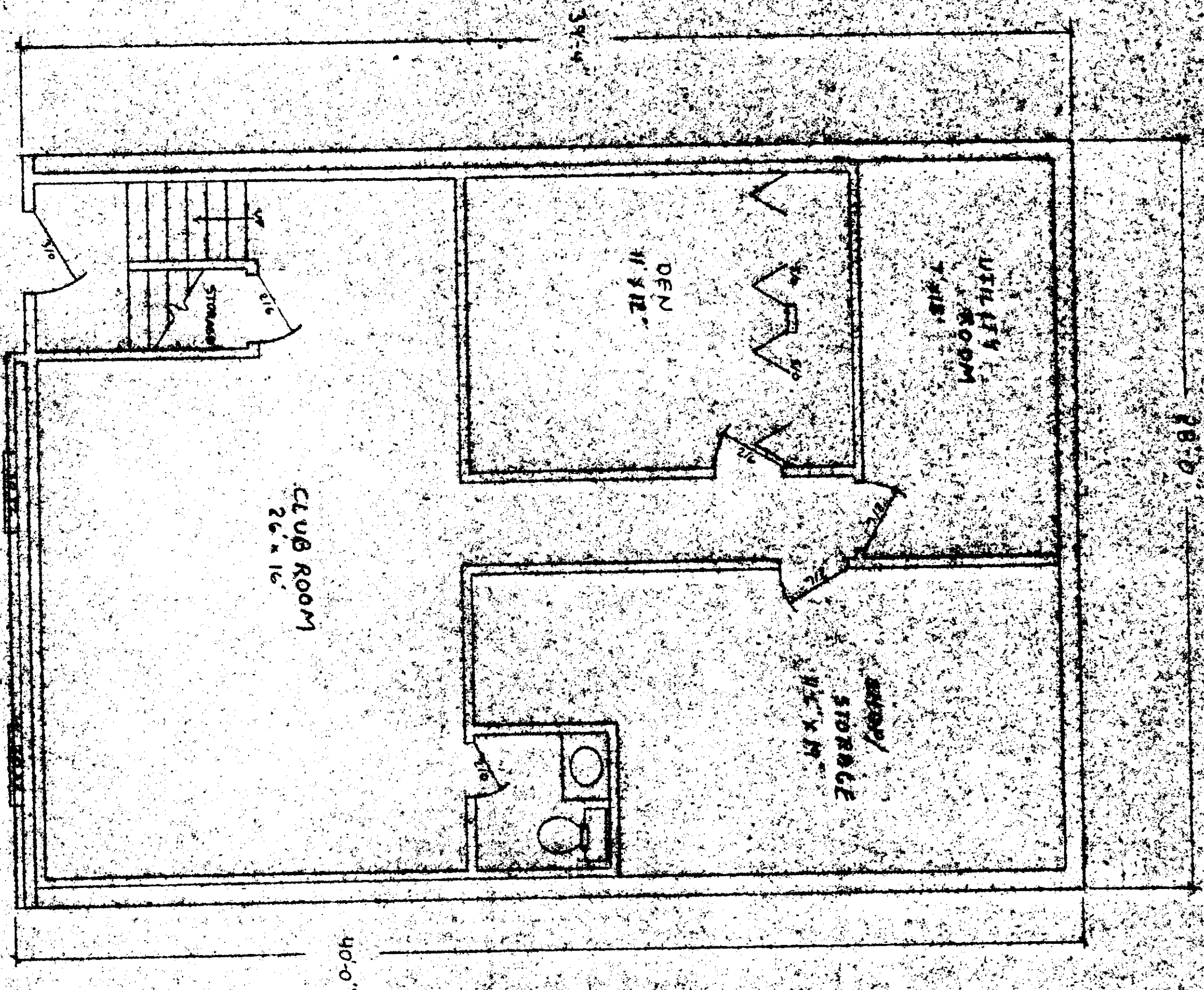
date: 11-27-80

drawn by: S.H. B.

revised: 11-14-80

FRONT ELEVATION

drawing number



DONALD RESIDENCE

DATE: 4-7-60
DRAWN BY: J. K. P.
CHECKED BY: H. H. P.

FLOOR PLANS

ENGINEER: H. H. P.



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 9, 2000

Mr. & Mrs. Rodney Donald
1588 Williams Avenue
Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE
E/S Cedar Creek Road, 670' N of the c/l Holly Neck Road
(Lots 376 & 377 of Cedar Beach)
15th Election District – 5th Councilmanic District
Rodney J. Donald, et ux - Petitioners
Case No. 00-445-A

Dear Mr. & Mrs. Donald:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401
DEPRM; OP; People's Counsel; Case File

