

IN RE: PETITION FOR VARIANCE
SW/S Opie Road, 546' N
centerline of Baker Avenue
11th Election District
5th Councilmanic District
(11 Opie Road)

Herbert R. & Esther E. Bush
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-055-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 11 Opie Road in White Marsh. The petition was filed by Herbert R. and Esther E. Bush, property owners. Variance relief is requested from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear setback of 3 ft. in lieu of the required 12 ft. for an open projection (deck). The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the petition for variance.

Appearing at the requisite public hearing held for this case were the Petitioners, Herbert R. Bush and Esther E. Bush. There were no protestants or other persons present.

The subject property under consideration is an irregularly shaped lot, approximately 1.102 acres in area, zoned RC 2. The property is actually comprised of 4 lots as recorded in the original subdivision known as "Bird River Beach". These lots are shown on the plan as Nos. 220, 221, 222 and 223. Lots 220, 221 and 222 are perpendicular to 223, thus the overall property has an "L" configuration. Lot 223 is immediately adjacent to Baker Avenue, an improved public road and Opie Road, a small lane.

Pursuant to variance relief granted in Case No. 98-012-A, Mr. and Mrs. Bush have constructed a single family dwelling on the property. The house is entirely located on Lot 223

ORDER RECEIVED FOR FILING
Date 11/12/00
By R. J. Gorman

and fronts Baker Road. Due to the unusual configuration of the property, the house features a narrow rear yard setback.

Mr. and Mrs. Bush testified that they propose constructing a deck to the rear of the house. The deck will be 9 ½ ft. in depth and 41 ft. long, essentially extending across the entire rear of the house. It was indicated that the proposed location is the only site possible for the deck.

As noted above, there were no protestants present. A favorable zoning advisory committee comment supporting the request was received from the Office of Planning. A zoning advisory comment in opposition to the request was received from the Department of Environmental Protection and Resource Management (DEPRM). However, a review of that comment shows that same is not specifically germane to the deck. Specifically, the comment indicates that there is an unresolved violation of the Chesapeake Bay Critical Area Regulations for this property involving excess forest clearing. The comment also indicates that the site is subject to the Chesapeake Bay Critical Area Regulations and that DEPRM cannot support the requested setback variance until the violation is resolved.

In this regard, Mr. Bush indicated that the house is presently unoccupied. Apparently, an occupancy permit cannot be obtained until the Chesapeake Bay Critical Area Regulations violation is corrected.

Based upon the testimony and evidence presented, I am persuaded to grant the petition for variance. I believe that the property is unique by virtue of its unusual configuration. Additionally, the Petitioners would suffer practical difficulty if relief were denied. It is clear that the variance can be granted without adverse impact to surrounding properties. I will, however, require the Petitioners resolve the open critical area violation with DEPRM prior to the issuance of a building permit for the deck.

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11/18/00
R. J. [Signature]

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 13th day of November, 2000, by this Zoning Commissioner, that the Petitioners' request for variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear setback of 3 ft. in lieu of the

RECORDED FOR FILING
11/13/00
R. J. Garrison



Baltimore County
Zoning Commissioner

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

November 13, 2000

Mr. & Mrs. Herbert R. Bush
4 Opie Road
White Marsh, Maryland 21162

Re: Petition for Variance
Case No. 01-055-A
Property: 11 Opie Road

Dear Mr. & Mrs. Bush:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed 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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11 Opie Rd White Marsh Md
which is presently zoned RC2 21162

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) 1A01.3.B.3 to permit a rear setback of 3' in lieu of the required 12' (#98-12A) for an open projection (deck).

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

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 which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Herbert R Bush
Name (Type or Print) _____
Herbert R Bush
Signature _____
Esther E Bush
Name (Type or Print) _____
Esther E Bush
Signature _____
#4 Opie Rd
Address _____ Telephone No. _____
White Marsh, Md 21162
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING
Reviewed By TAG Date 8-4-00

Case No. 01-055A
11/13/00
12/15/98

ORDER RECEIVED FOR FILING

ZONING DESCRIPTION

HERBERT BUSH
11 OPIE ROAD
WHITE MARSH, MD 21162

ZONING DESCRIPTION FOR 11 OPIE ROAD

Beginning at a point on the Southwest side of Opie Road which is 40 ft. wide at the distance of 546 ft. North of the centerline of the nearest improved intersecting street Baker Beach Ave., which is 40 ft. wide. *Being Lot # 223, Block N/A, Section N/A, in the subdivision of Bird River Beach as recorded in Baltimore County Plat Book #WPC7, Folio # 187, containing 10,000 sq. ft. Also known as 11 Opie Road and located in the 11th Election District, 5th Councilmanic District.

01-055-A

01-055A

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. 083519

DATE 7-4-00 ACCOUNT R0016150

AMOUNT \$ 50.00

RECEIVED FROM: Herbert + Esther Bush

FOR: Residential Variance

11 Opri'd #01-055A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PAYMENT ACCT. FOR
12/01/2000 8/04/2000 10542.15
P.L. USE: CASHIER JST. JMR PMPLE
Dept 5 FOR ZONING CERTIFICATION
Receipt # PPM3 0011
CR NO. 003215
Paid tot 50.00
50.00 CR 50.00
Baltimore County Revenue

01-055-A

CASHIER'S VALIDATION

**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: #01-055-A
11 Ople Road
SWC Ople Road and Baker Avenue
11th Election District
5th Councilmanic District
Legal Owner(s): Herbert & Esther Bush

Special Hearing: to permit a rear setback of 3 feet in lieu of the required 12 feet for an open project (deck).

Hearing: Thursday, September 21, 2000 at 10:00 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/9/01 Sept. 5 -C416593

CERTIFICATE OF PUBLICATION

TOWSON, MD, 9/7/, 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 9/5/, 2000.

THE JEFFERSONIAN,
J. Wilkinson

LEGAL ADVERTISING

ZONING NOTICE

Case # 01-055-A

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

PLACE *Rt 107 Court Courts Along 4th Street NW*
TIME & DATE *10:00 A.M. THURS. SEPT. 21, 2000*

*SPECIAL HEARING TO PERMIT A REAR SETBACK OF 3
FEET IN VIEW OF THE ENCLINED 12 FEET (18.12A)
FOR AN OPEN PROJECT (COKR)*

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONDUCT HEARINGS. PLEASE ADVISE THE ZONING COMMISSIONER
AS EARLY AS POSSIBLE. HEARINGS ARE HANDICAPPED ACCESSIBLE.

11 Opie Road

CERTIFICATE OF POSTING

**RE: CASE # 01-055-A
PETITIONER/DEVELOPER
(Herbert Bush)
DATE OF Hearing
(9-21-00)**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

11 Ople Road Baltimore, Maryland 21162_____

THE SIGN(S) WERE POSTED ON _____ 9-5-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____**THOMAS P. OGLE SR.**_____

_____**325 NICHOLSON ROAD**_____

_____**BALTIMORE, MARYLAND 21221**_____

_____**410-687-8405**_____

(TELEPHONE NUMBER)

RE: PETITION FOR VARIANCE
11 Opie Road, SW/S Opie Rd at intersection
W of Baker Rd
11th Election District, 5th Councilmanic

Legal Owner: Herbert R. & Esther E. Bush
Petitioner(s)

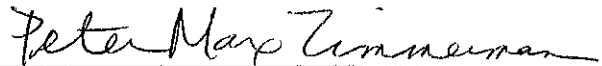
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-55-A

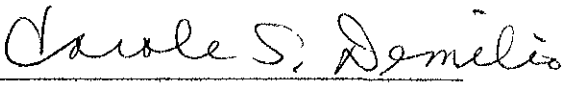
* * * * *

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 28th day of August, 2000 a copy of the foregoing Entry of Appearance was mailed to Herbert R. & Esther E. Bush, 4 Opie Road, White Marsh, MD 21162, 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

August 11, 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: 01-055-A
11 Opie Road
SW/S of Opie Road at intersection W Baker Road
11th Election District – 5th Councilmanic District
Legal Owners: Herbert & Esther Bush

Special Hearing to permit a rear setback of 3 feet in lieu of the required 12 feet (#98-12A) for an open project (deck).

HEARING:

Arnold Jablon
Director

C: Herbert & Esther Bush, #4 Opie Road, White Marsh 211262

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY**
- (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.

01-055-A



TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 5, 2000 Issue – Jeffersonian

Please forward billing to:
Herbert & Esther Bush
4 Opie Road
White Marsh, MD 21162

410-335-6817

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: 01-055-A
11 Opie Road
SWC Opie Road and Baker Avenue
11th Election District – 5th Councilmanic District
Legal Owners: Herbert & Esther Bush

Special Hearing to permit a rear setback of 3 feet in lieu of the required 12 feet for an open project (deck).

HEARING: Thursday, September 21, 2000 at 10:00 a.m., in Room 407, County Courts Building, 401 Bosley Avenue



LAWRENCE E. SCHMIDT
G D Z

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.

01-055-A

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/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (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: 01-055A
Petitioner: Herbert & Esther Bush
Address or Location: 11 Opie Rd White Marsh, Md.
21162

PLEASE FORWARD ADVERTISING BILL TO:

Name: Herbert & Esther Bush
Address: 11 Opie Rd
White Marsh, Md. 21162
Telephone Number: 410 335 6817

Revised 2/20/98 - SCJ

01-055-A



Baltimore County
Department of Permits and
Development Management

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

September 15, 2000

Herbert & Esther Bush
#4 Opie Road
White Marsh, MD 21162

Dear Mr. & Mrs. Bush:

RE: Case Number: 01-055-A, 11 Opie Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 4, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. *GDZ*
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: People's Counsel



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: August 30, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For August 21, 2000
Item Nos. 046, 049, 052, 054, 055,
and 056

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

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

August 22, 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 AUGUST 14, 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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME REGARDING THE FOLLOWING ITEM #'S.

046, 048, 049, 050, 052, 053, 055, 056

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

cc: File

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



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RBS*
DATE: September 8, 2000
SUBJECT: Zoning Item #055
11 Opie Road

Zoning Advisory Committee Meeting of August 14, 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.
- 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 may need to comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- 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).
- There is an unresolved violation of the Critical Area at this property involving excessive forest clearing. This Department cannot support the requested setback variance until the violation is resolved.

Reviewer: Glenn Shaffer

Date: August 21, 2000

for
9/21

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 18, 2000

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

SUBJECT: 11 Opie Road

AUG 18

INFORMATION:

Item Number: 01-055


Petitioner: Herbert R. Bush

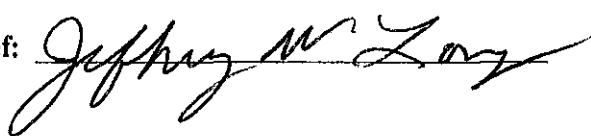
Zoning: RC 2

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit a rear yard setback of 3 feet in lieu of the required 12 feet for an open projection.

Prepared by: 

Section Chief: 
AFK:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: *8-16-00*

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

RE: Baltimore County
Item No. *055 TAG*

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,

A handwritten signature in cursive script, appearing to read 'K. A. McDonald Jr.'.

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

My telephone number is _____

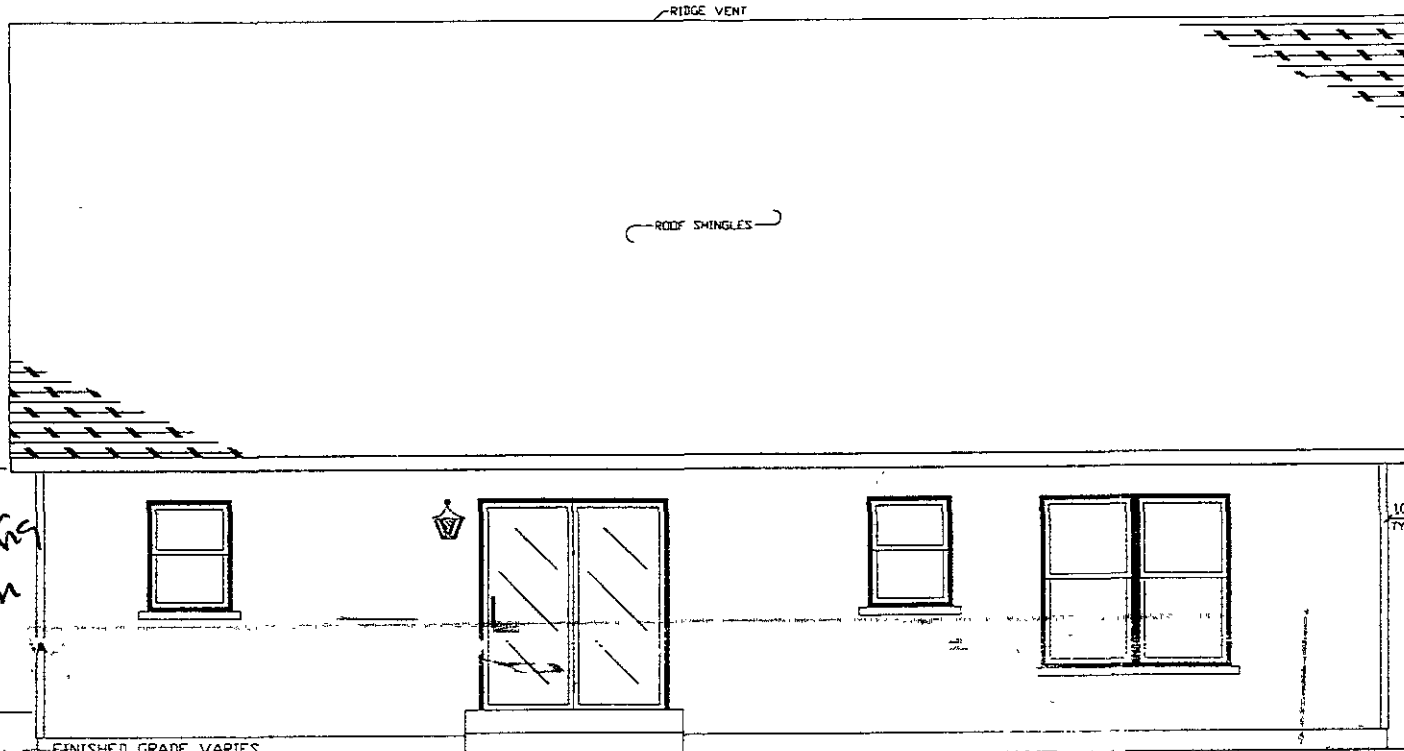
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

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

Administrative Variation
of House is Occupied

AND CUSTOM BUILDERS, INC./BUSH

SN-10284/QN-980918/MD



12x14
EXISTING
Rm

8'-0"
FLR


10'
TYPE

FINISHED GRADE VARIES

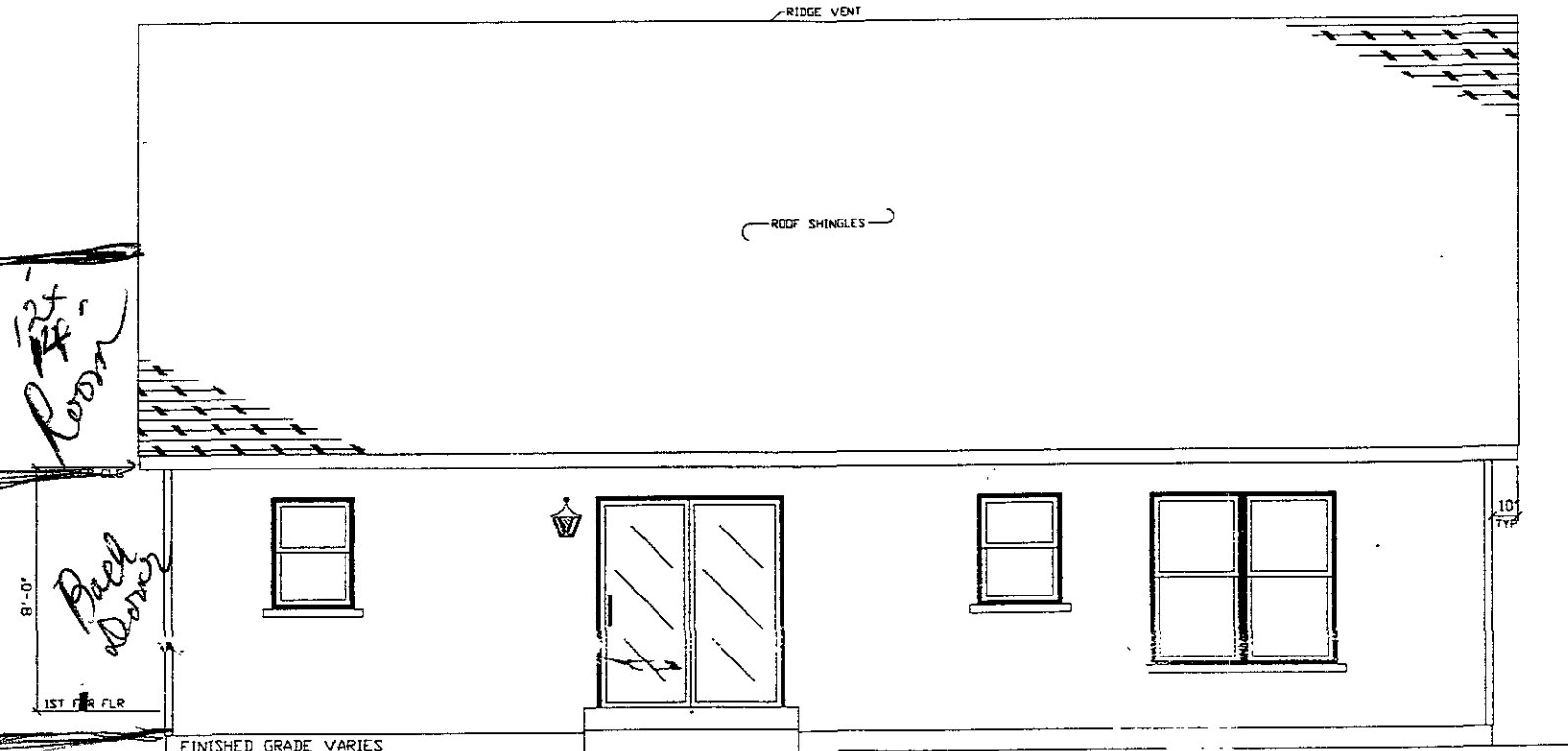
REAR ELEVATION

45 ft x 9.5 feet

A-550-10

 excel <i>Homes</i> FROM THE INSIDE OUT	R.R.#2 BOX 683 LIVERPOOL, PA 17045 (717) 444-3395 FAX (717) 444-7577 WWW.EXCELHOMES.COM	27 ^B 44 ^E CAPE CHELSEY ELEVATION	
		DRAWN BY: MJC REVISIONS PER C/C #3956 11-24-98 RM	CHECKED BY: DATE: 08/24/1998

01-055A



REAR ELEVATION

excel
Homes
 FROM THE INSIDE OUT

R.R.#2 BOX 683
 LIVERPOOL, PA 17045
 (717) 444-3395
 FAX (717) 444-7577
 WWW.EXCELHOMES.COM

27⁸ 44² CAPE CHELSEY
 ELEVATION

DRAWN BY: MJC	CHECKED BY:	DATE 08/24/1998	SCALE: 1/4"=1'-0"
REVISIONS PER DC	#3956	11-24-98	RH
			DISK NO XL8454
11/24/98 14.33			

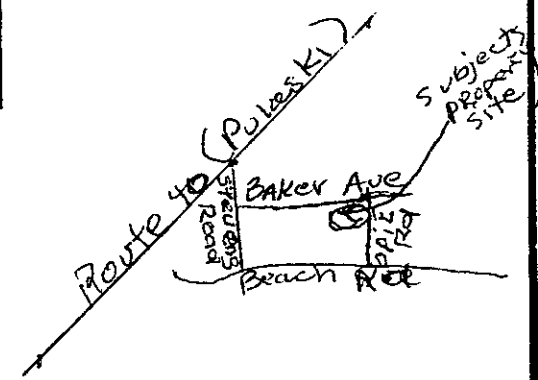
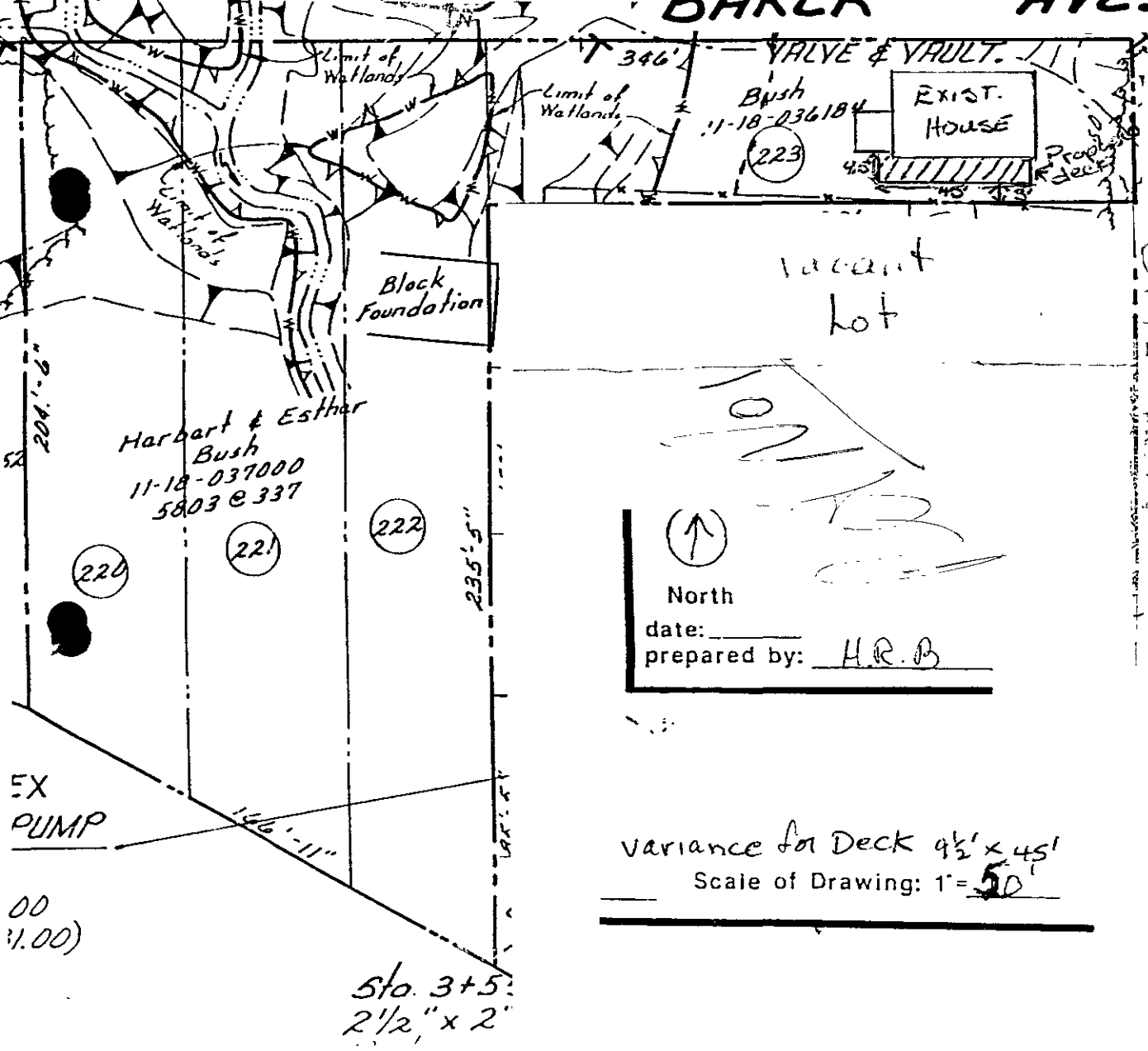
Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: #11 Opie Rd & Baker Ave (corner) see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Bird River Beach
 plat book # 7, folio # 189, lot # 221, section # 4 Lots 220, 221, 222, 223

OWNER: Herbert & Esther Bush

BAKER AVE.



North
 Vicinity Map
 scale: 1"=1000'

LOCATION INFORMATION

Election District: 11
 Councilmanic District: 5
 1"=200' scale map#: NE 9 J
 Zoning: RCR
 Lot size: 1.102 acreage square feet

	public	private
SEWER:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WATER:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chesapeake Bay Critical Area:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Prior Zoning Hearings:
 # 98-12A

Zoning Office USE ONLY!

reviewed by: TAG ITEM #: 055 CASE #: 01-055A

variance for Deck 9 1/2' x 45'
 Scale of Drawing: 1"=50'

01-055-A

01-055-10

NE 9J
1" = 200'

R.C. 2

ML

Baker

BAKER AVE

ROAD

STEVENS

BL

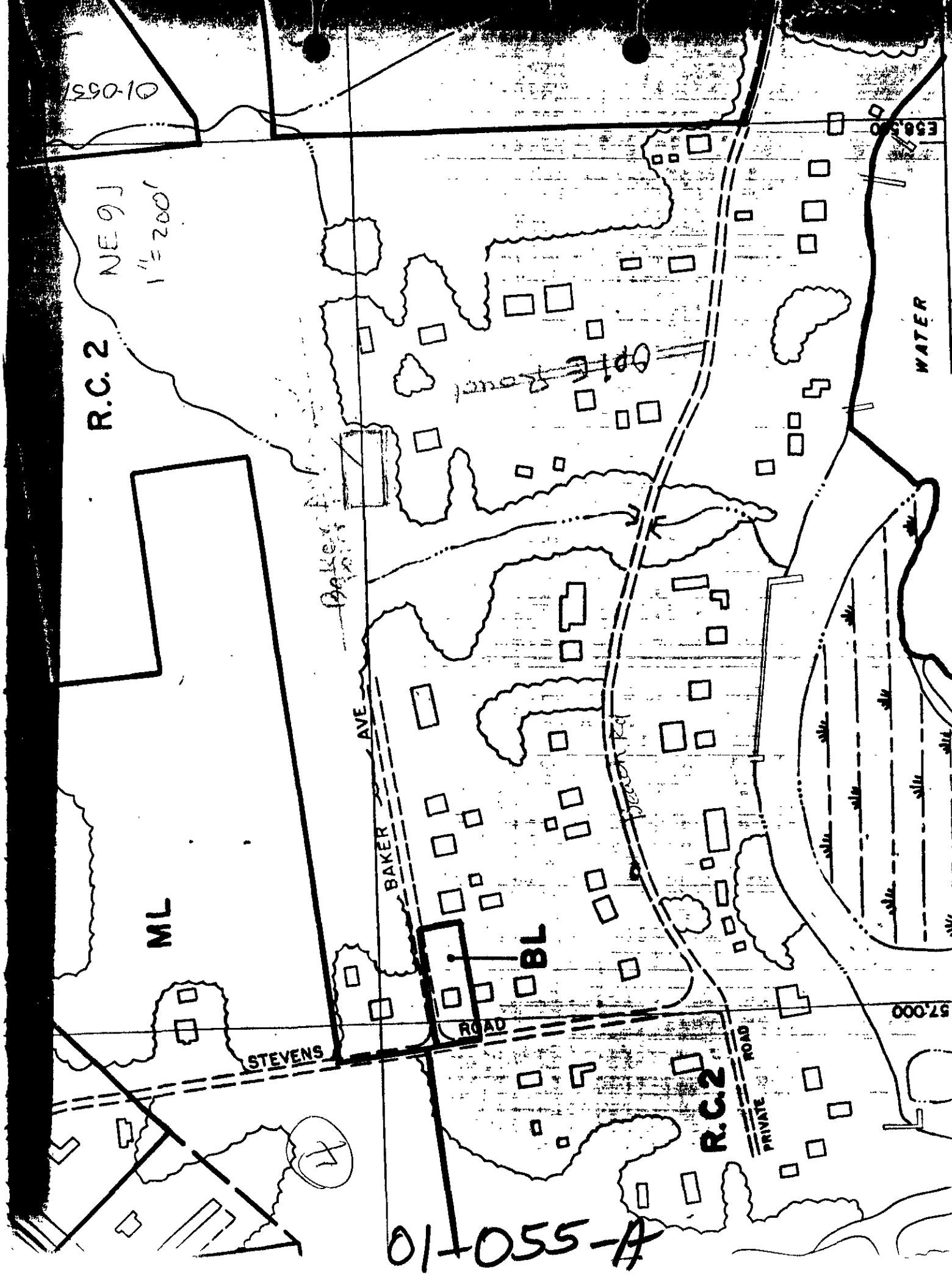
R.C. 2

PRIVATE ROAD

WATER

57.000

01-055-A



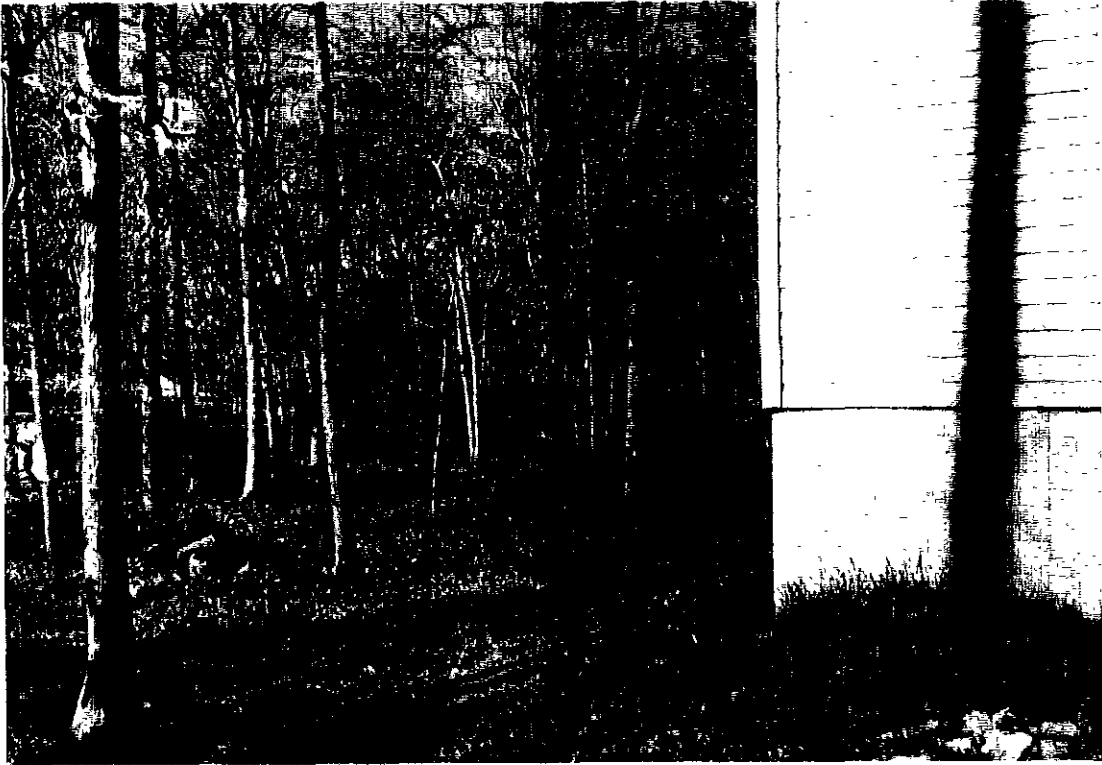
Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204



Photographs
#01-089A

Census 2000

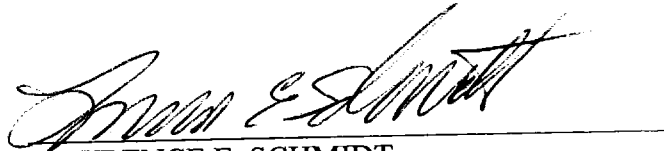






required 12 ft. for an open projection (deck)., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

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 such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. No permit shall be issued for the construction of the proposed deck until the pending alleged violation of the Chesapeake Bay Critical Area Regulations is resolved.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

ORDER REQUIRING PERMITS
Date 11/13/00
By R. Jameson