

IN RE: PETITION FOR VARIANCE

S/S 20' Private R/W, 335' SE of the c/l
Cape May Road, 1600' NE of the c/l
Katherine Avenue
(1849 Cape May Road)
15th Election District
5th Council District

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 01-338-A

Josephine H. Snuggs, Owner;
John P. Cossentina, Contract Purchaser

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Josephine H. Snuggs, and the Contract Purchaser, John P. Cossentina. The Petition, as filed, requests relief from Sections 1B02.3.C.1 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 5 feet in lieu of the required 15 feet, a sum of the side yard setbacks of 15 feet in lieu of the required 25 feet, a rear yard setback of 11 feet in lieu of the required 30 feet; and, approval of the subject property as an undersized lot to permit development with a single family dwelling. The subject property and requested relief 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 in support of the request was John P. Cossentina, Contract Purchaser. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a waterfront lot, located on Hog Pen Creek in the community of Cape May in eastern Baltimore County. Presently, the property is owned by Josephine Snuggs, but is under contract of sale to Mr. Cossentina. The property consists of a gross area of 0.13 acres, more or less, zoned D.R.3.5, and is improved with an older dwelling and four accessory sheds. Photographs contained within the case file show that the existing dwelling is quite old and in a state of disrepair and that the outbuildings are dilapidated. Mr. Cossentina is desirous of razing all of these structures and constructing a new

ORDER RECEIVED FOR FILING

Date

By

dwelling featuring an attached garage on the property. The proposed dwelling will be situated in approximately the same location as the existing house; however, due to the irregular shape of the lot, several variances are required. As shown on the site plan, the lot is approximately 100 feet wide along the water, but tapers to a width of 30 feet wide along the private right-of-way for Cape May Road. Mr. Cossentina indicated that variance relief was warranted due to the unique configuration (pie shape) of the lot and the environmental constraints associated with the property's location along Hog Pen Creek.

A favorable comment was received in support of the variance from the Office of Planning, who previously met with the Petitioner to review building elevation drawings of the proposed dwelling and attached garage. Their comment further indicates that the proposed structure will be consistent with the character of the neighborhood and that the razing of the existing house and outbuildings, "should enhance the community." Standard comments were also received from the Development Plans Review Division of the Department of Permits and Development Management (DPDM) and the Department of Environmental Protection and Resource Management (DEPRM) regarding the applicable floodplain and environmental regulations. Thus, the granting of any relief shall be conditioned upon the Petitioner's compliance with these agency's recommendations.

Subsequent to the hearing, Mr. Cossentina amended his plan to request an additional variance from front yard setback requirements. Specifically, Mr. Cossentina indicated that the setback shown on the original site plan was based on the location of an existing bulkhead which apparently has been built up over the years to the extent that the distance from the dwelling to the waterline is now 28 feet. However, the deed to the property shows that the actual front property line is 19 feet from the existing dwelling. Thus, the Petitioner seeks relief to permit a front setback of 19 feet in lieu of the required 25 feet for the proposed improvements, in accordance with the amended site plan submitted and marked into evidence as Petitioner's Exhibit 1A.

In addition, Mr. Cossentina noted that a letter from the Department of Environmental Protection and Resource Management (DEPRM) to Ms. Snuggs, dated September 14, 2000,

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Date

By

requests that the proposed dwelling not be situated any closer to the water than the existing dwelling. As shown on both the original and amended plans, the proposed dwelling will be located the same distance from the water as the existing dwelling.

After due consideration of the testimony and evidence presented, I am persuaded to grant the variance. There were no adverse comments submitted by any Baltimore County reviewing agency and no one appeared in opposition to the request. Thus, it appears that relief can be granted without detriment to the health, safety or general welfare of the surrounding locale. However, in granting the relief, the Petitioner shall be required to comply with the recommendations made by DEPRM and the Development Plans Review Division of DPDM relative to the Chesapeake Bay Critical Areas and Federal Flood Insurance requirements. In addition, the proposed dwelling shall be constructed in accordance with the building elevation drawings submitted to the Office of Planning, copies of which have been incorporated into the case file and made a part hereof.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of April, 2001 that the Petition for Variance, as amended, seeking relief from Sections 1B02.3.C.1 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 5 feet in lieu of the required 15 feet and a sum of the side yard setbacks of 15 feet in lieu of the required 25 feet for the proposed attached garage; and, a front yard setback of 19 feet in lieu of the required 25 feet, and a rear yard setback of 11 feet in lieu of the required 30 feet for a proposed dwelling; and, approval of the subject property as an undersized lot to permit development with a single family dwelling, in accordance with the amended plan submitted and marked into evidence as Petitioner's Exhibit 1A, 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

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10:10
BY

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 (ZAC) comments submitted by DEPRM, dated March 6, 2001, and the Development Plans Review Division of DPDM dated March 19, 2001, copies of which are attached hereto and made a part hereof.
- 3) The proposed dwelling shall be constructed in accordance with the building elevation drawings submitted for review to the Office of Planning. Pursuant to that agency's ZAC comment dated March 2, 2001, those elevation drawings have been approved and are incorporated herein and made a part of this Order.
- 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 5/17/01

By Rjs



Baltimore County
Zoning Commissioner

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

April 17, 2001

Ms. Josephine H. Snuggs
437 Oakwood Road
Baltimore, Maryland 21222

RE: PETITION FOR VARIANCE

S/S 20' Private R/W, 335' SE of the c/l Cape May Road, 1600' NE of Katherine Avenue
(1849 Cape May Road)
15th Election District – 5th Council District
Josephine H. Snuggs, Owner; John P. Cossentina, Contract Purchaser - Petitioners
Case No. 01-388-A

Dear Ms. Snuggs:

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,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. John P. Cossentina
3704 Raspe Avenue, Baltimore, Md. 21206
Chesapeake Bay Critical Areas Commission,
1804 West Street, Suite 100, Annapolis, Md. 21401
Office of Planning; DEPRM; People's Counsel; Case File





CRITICAL AREA F.P.

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1849 CAPE MAY ROAD
which is presently zoned _____

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) 1802.3.C.1 + 304 BCZR to

PERMIT A SIDE YARD SETBACK OF 5 FT. IN LIEU OF THE REQUIRED 15 FT. A
SUM OF SIDE YARD SETBACKS OF 15 FT. IN LIEU OF THE REQUIRED 25 FT. A
REAR YARD SETBACK OF 11 FT. IN LIEU OF THE REQUIRED 30 FT. AND A
UNDERSIZED LOT APPROVAL FOR A SINGLE FAMILY DETACHED DWELLING

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

TO BE PRESENTED AT HEARING

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:

JOHN P. COSSENTINA

Name - Type or Print

Signature

3704 RASPE AVE 410 426 9582

Address

Telephone No.

BALTIMORE MD. 21206

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

State

Zip Code

Legal Owner(s):

Josephine H. Snuggs

Name - Type or Print

Signature

Name - Type or Print

Signature

437 Oakwood Road

Address

410-284-0166

Telephone No.

Baltimore

City

MD

State

21222-2218

Zip Code

Representative to be Contacted:

JOHN P. COSSENTINA

Name

3704 RASPE AVE 410 426 9582

Address

Telephone No.

BALTIMORE MD. 21206

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By _____ Date _____

ORDER RECEIVED FOR FILING
Date 9/15/98
By [Signature]

Case No. 01-338-A

ZONING DESCRIPTION FOR 1849 CAPE MAY ROAD

BEGINNING AT A POINT ON THE WATERS OF HOG PEN CREEK ON THE SOUTH SIDE OF THE RIGHT OF WAY WHICH IS 20 FEET WIDE AT A DISTANCE OF 335 FEET SOUTHEAST OF THE NEAREST IMPROVED INTERSECTION CAPE MAY ROAD WHICH IS 30 FEET WIDE AT A DISTANCE OF 1600 FEET NORTHEAST OF THE CENTER LINE OF NEAREST IMPROVED INTERSECTING STREET KATHERINE AVE WHICH IS 30 FEET WIDE,

SOUTH 69 DEGREES 44 MINUTES 28 SECONDS EAST 96.99 FEET, NORTH 24 DEGREES 33 MINUTES 06 SECONDS WEST 123.70 FEET, NORTH 62 DEGREES 54 MINUTES 08 SECONDS WEST 30 FEET, SOUTH 7 DEGREE 5 55 MINUTES 14 SECONDS WEST 93.49 FEET TO THE POINT OF BEGINNING AS RECORDED IN DEED LIBRE 6497 FOLIO 128. CONTAINNING 5662 SQUARE FEET (113 ACRES). ALSO KNOWN AS 1849 CAPE MAY ROAD AND LOCATED IN THE 15TH ELECTION DISTRICT, 5TH COUNCILMATIC DISTRICT.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

338

91790

No.

DATE 2-22-01 ACCOUNT 001-006 6150

AMOUNT \$ 50.00

RECEIVED FROM: J. Cossentino 1547 Comp. May 10.

FOR: (110) CAPL.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JCM

PAID RECEIPT

PAYMENT ACTUAL TIME
2/23/2001 2/23/2001 09:36:30

REG NEW CASHIER JRTD JPR DRAWER 1

RECEIPT # 034220

DATE 5 FOR DATING VERIFICATION

CR NO. 001790

Receipt Tot 50.00

.00 OK 50.00 CA

Baltimore County, Maryland

01-338-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: #01-338-A

1849 Cape May Road

S/S end Cape May Road at Hog Pen Creek
15th Election District - 6th Councilmanic District

Legal Owner(s): Josephine H. Shuggs

Contract Purchaser: John P. Lussentina

Variance: to permit a side yard setback of 5 feet in lieu of the required 15 feet, a sum of side yard setbacks of 15 feet in lieu of the required 25 feet, a rear yard setback of 11 feet in lieu of the required 30 feet, and a undersized lot approval.

Hearing: Tuesday, April 10, 2001 at 11:00 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.

JT3/258 March 27 C468949

CERTIFICATE OF PUBLICATION

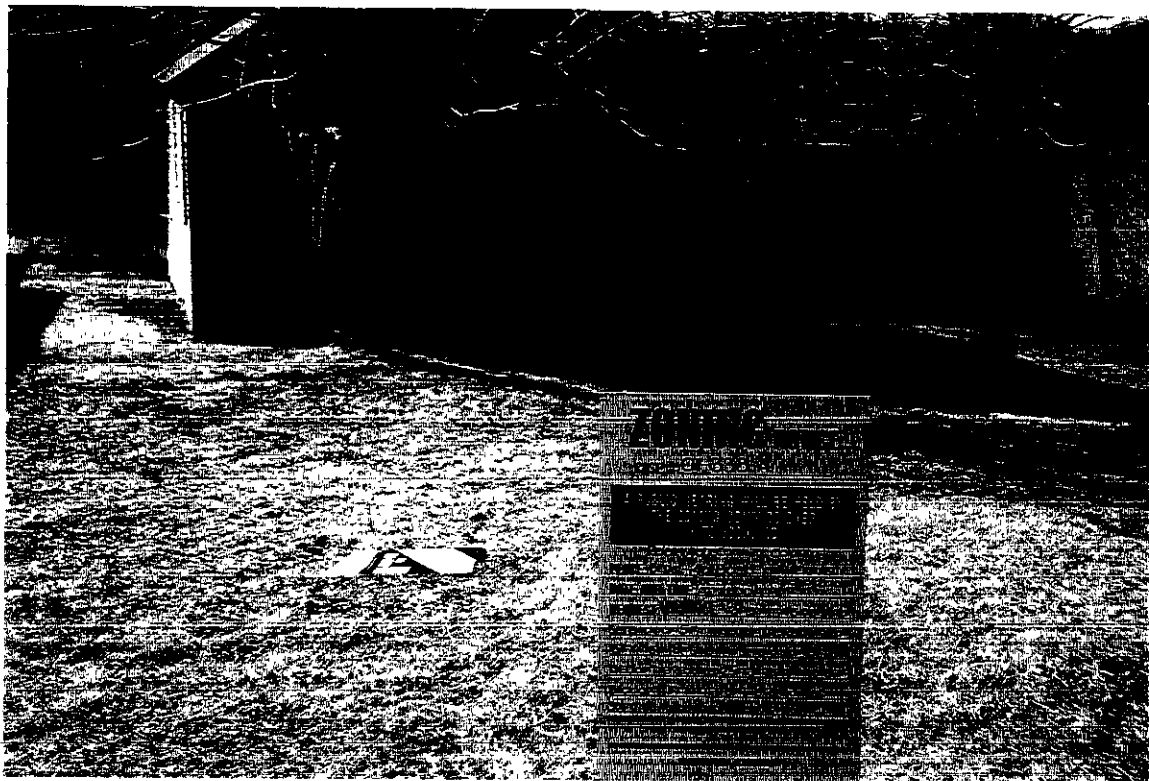
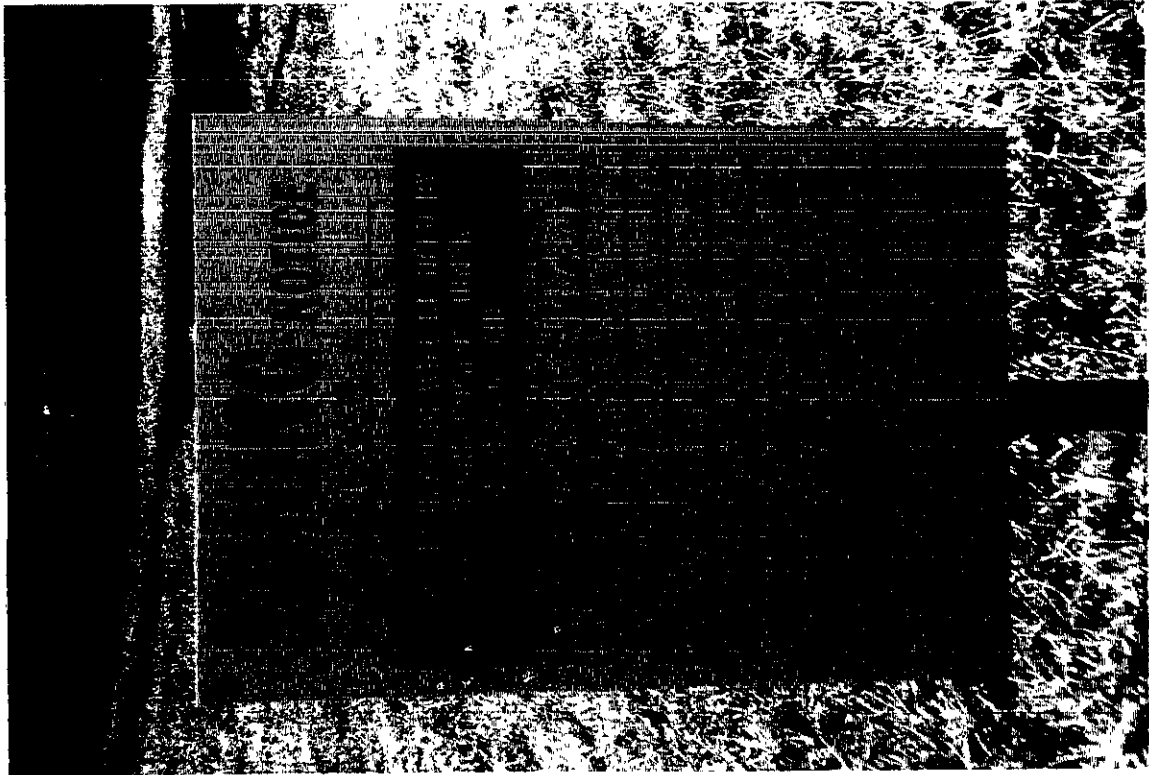
3/29/2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/27/2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Williams

LEGAL ADVERTISING



CERTIFICATE OF POSTING

RE: Case No.: 01-338-A

Petitioner/Developer: _____

JOHN P. COSSENTINA

Date of Hearing/Closing: APRIL 10, 2001

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 _____

1849 CAPE MAY ROAD

The sign(s) were posted on MARCH 23RD 2001
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

**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/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 (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: _____

338

Petitioner: JOHN P. COSSENTINA

Address or Location: 1849 CAPE MAY RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: JOHN P. COSSENTINA

Address: 3704 RASPE AVE

BALTIMORE MD, 21206

Telephone Number: 410 426 9582

Revised 2/20/98 -SCJ

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 27, 2001 Issue – Jeffersonian

Please forward billing to:
John P Lossentina
3704 Raspe Avenue
Baltimore MD 21206

410 426-9582

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: 01-338-A
1849 Cape May Road
S/S end Cape May Road at Hog Pen Creek
15th Election District – 5th Councilmanic District
Legal Owner: Josephine H Snuggs
Contract Purchaser: John P Lossentina

Variance to permit a side yard setback of 5 feet in lieu of the required 15 feet, a sum of side yard setbacks of 15 feet in lieu of the required 25 feet, a rear yard setback of 11 feet in lieu of the required 30 feet, and a undersized lot approval.

HEARING: Tuesday, April 10, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

GDZ

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.



Baltimore County
Department of Permits and
Development Management

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

March 7, 2001

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: 01-338-A
1849 Cape May Road
S/S end Cape May Road at Hog Pen Creek
15th Election District – 5th Councilmanic District
Legal Owner: Josephine H Snuggs
Contract Purchaser: John P Lossentina

Variance to permit a side yard setback of 5 feet in lieu of the required 15 feet, a sum of side yard setbacks of 15 feet in lieu of the required 25 feet, a rear yard setback of 11 feet in lieu of the required 30 feet, and a undersized lot approval.

HEARING: Tuesday, April 10, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon". Below the signature, the initials "GJZ" are printed.

Arnold Jablon
Director

C: Josephine H Snuggs, 437 Oakwood Road, Baltimore 21222
John P Cossentina, 3704 Raspe Avenue, Baltimore 21206

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 26, 2001.**
(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.





Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

April 6, 2001

Josephine H Snuggs
437 Oakwood Road
Baltimore MD 21222

Dear Ms. Snuggs:

RE: Case Number: 01-338-A, 1849 Cape May Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 22, 2001.

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: John P Cossentina, 3704 Raspe Avenue, Baltimore 21206
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** March 19, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For March 12, 2001
Item No. 338

The Bureau of Development Plans Review has reviewed the subject zoning item.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the flood plain elevation in all construction.

The minimum flood protection elevation is 11 feet for this site.

RWB:HJO:jrb

cc: File

ZAC-3-12-2001-ITEM 338-3192001.doc

ORDER RECEIVED FOR FILING

Date

By



Baltimore County
Fire Department

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

March 14, 2001

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 March 5, 2001

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:

332, 333, 334, 335, 336, 338, 339, 340, and 341

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

cc: File

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





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3.7.01

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

RE: Baltimore County
Item No. 338

JCM

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

**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

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. _____

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

Residential Processing Fee Paid
(\$50.00)

Accepted by J. Long
Date 2-22-01

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:

JOHN P. COSSENTINA 3704 RASPE AVE 21206 410 426 9582
Print Name of Applicant Address Telephone Number
1849 CAPE MAY RD. Election District 15 Councilmanic District 5 Square Feet 5662
Lot Address

Lot Location: N E S W side/corner of _____, _____ feet from N E S W corner of _____
(street) (street)

Land Owner: JOSEPHINE SNUGGS Tax Account Number 1900008896

Address: 437 OAKWOOD RD. 21222 Telephone Number 410 284 0166

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)	<u>✓</u>	_____
2. Permit Application	_____	<u>✓</u>
3. Site Plan Property (3 copies)	<u>✓</u>	_____
Topo Map (2 copies) available in Room 206, County Office Building - (please label site clearly)	<u>✓</u>	_____
4. Building Elevation Drawings	<u>✓</u>	_____
5. Photographs (please label all photos clearly) Adjoining Buildings	<u>✓</u>	_____
Surrounding Neighborhood	<u>✓</u>	_____
6. Current Zoning Classification: <u>DR3.5</u>	_____	_____

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

see 01-338A

Signed by _____
for the Director, Office of Planning and Community Conservation

Date: _____

Revised 2/25/99

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *R/RS*
DATE: March 6, 2001
SUBJECT: Zoning Item #338
1849 Cape May Road

Zoning Advisory Committee Meeting of March 5, 2001

- ☐ 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 must 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).

Reviewer: Keith Kelley

Date: March 6, 2001

ORDER RECEIVED FOR FILING
Date 3/7/01
By [Signature]



MAR - 7 2001

file
4/10

County Council of Baltimore County

Court House, Towson, Maryland 21204

410-887-3196

Fax 410-887-5791

S. G. Samuel Moxley
FIRST DISTRICT

Kevin Kamenetz
SECOND DISTRICT

T. Bryan McIntire
THIRD DISTRICT

Wayne M. Skinner
FOURTH DISTRICT

Vincent J. Gardina
FIFTH DISTRICT

Joseph Bartenfelder
SIXTH DISTRICT

John Olszewski, Sr.
SEVENTH DISTRICT

Thomas J. Peddicord, Jr.
LEGISLATIVE COUNSEL
SECRETARY

March 6, 2001

Mr. Lawrence E. Schmidt
Zoning Commissioner
401 Bosley Avenue - Room 405
Towson, Maryland 21204

Dear Mr. Schmidt:

Case #01-338-A

Attached please find a copy of Resolution 32-01 concerning the public disclosure of John P. Cossentina, an employee of the Department of Permits and Development Management. Mr. Cossentina has applied for a zoning variance and setback variance to build a dwelling at 1849 Cape May Road, Baltimore, Maryland, 21221.

This Resolution was unanimously approved by the County Council at its March 5, 2001 meeting and is being forwarded to you for appropriate action.

Sincerely,

A handwritten signature in cursive script, reading "Thomas J. Peddicord, Jr.".

Thomas J. Peddicord, Jr.
Legislative Counsel/Secretary

TJP:dp
Enclosure

cc: John P. Cossentina

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2001, Legislative Day No. 5

Resolution No. 32-01

Mr. Vincent J. Gardina, Councilman

By the County Council, March 5, 2001

A RESOLUTION concerning the public disclosure of John P. Cossentina, an employee of the Baltimore County Department of Permits and Development Management, Code Enforcement.

WHEREAS, John P. Cossentina, an employee of Baltimore County, has applied for a zoning variance and setback variance to build a dwelling at 1849 Cape May Road, Baltimore, Maryland 21221; and

WHEREAS, this Resolution is intended to provide full public disclosure under Section 26-3(e) of the Baltimore County Code.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the application for a zoning variance filed by John P. Cossentina, does not contravene the public welfare and is hereby authorized.

READ AND PASSED this *5th* day of *March*, 2001.

BY ORDER

Thomas J. Peddicord, Jr.

Thomas J. Peddicord, Jr.
Secretary

ITEM: Res. 32-01

file
4/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 2, 2001

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

SUBJECT: 1849 Cape May Road

INFORMATION:

Item Number: 338

Petitioner: John P. Cossentina, Contract Purchaser

Zoning: DR 3.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has met with the contract purchaser in order to review elevation drawings for the proposed single-family dwelling and garage. These elevations indicate that the proposed structures will be consistent with the character of the neighborhood. In fact, the razing of the existing house and construction of the proposed structures should enhance the community. Based upon the information provided by Mr. Cossentina at the time of the meeting, the Office of Planning supports the applicant's request. The elevation drawings that were submitted with the undersized lot request should be made a part of the zoning commissioner's case file.

Prepared by: Mark A. Cunniff

Section Chief: Jeffrey W. Long
AFK:MAC:

MAR - 2

RE: PETITION FOR VARIANCE
1849 Cape May Road, S/S end Cape May Rd
at Hog Pen Creek
15th Election District, 5th Councilmanic

Legal Owner: Josephine H. Snuggs
Contract Purchaser: John P. Cossentina
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-338-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

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 14th day of March, 2001 a copy of the foregoing Entry of Appearance was mailed to Legal Owner Josephine H. Snuggs, 437 Oakwood Road, Baltimore, MD 21222, and to Contract Purchaser John P. Cossentina, 3704 Raspe Avenue, Baltimore, MD 21206, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN



County Council of Baltimore County

Court House, Towson, Maryland 21204

410-887-3196

Fax 410-887-5791

S. G. Samuel Moxley
FIRST DISTRICT

Kevin Kamenetz
SECOND DISTRICT

T. Bryan McIntire
THIRD DISTRICT

Wayne M. Skinner
FOURTH DISTRICT

Vincent J. Gardina
FIFTH DISTRICT

Joseph Bartenfelder
SIXTH DISTRICT

John Olszewski, Sr.
SEVENTH DISTRICT

Thomas J. Peddicord, Jr.
LEGISLATIVE COUNSEL
SECRETARY

March 6, 2001

Mr. Lawrence E. Schmidt
Zoning Commissioner
401 Bosley Avenue - Room 405
Towson, Maryland 21204

Dear Mr. Schmidt:

Attached please find a copy of Resolution 32-01 concerning the public disclosure of John P. Cossentina, an employee of the Department of Permits and Development Management. Mr. Cossentina has applied for a zoning variance and setback variance to build a dwelling at 1849 Cape May Road, Baltimore, Maryland, 21221.

This Resolution was unanimously approved by the County Council at its March 5, 2001 meeting and is being forwarded to you for appropriate action.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thomas J. Peddicord, Jr.", is written over a horizontal line.

Thomas J. Peddicord, Jr.
Legislative Counsel/Secretary

TJP:dp
Enclosure

cc: John P. Cossentina ✓

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2001, Legislative Day No. 5

Resolution No. 32-01

Mr. Vincent J. Gardina, Councilman

By the County Council, March 5, 2001

A RESOLUTION concerning the public disclosure of John P. Cossentina, an employee of the Baltimore County Department of Permits and Development Management, Code Enforcement.

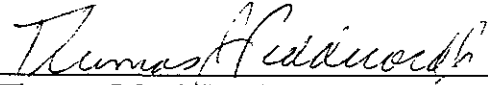
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READ AND PASSED this *5th* day of *March*, 2001.

BY ORDER



Thomas J. Peddicord, Jr.
Secretary

ITEM: Res. 32-01

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1849 CAPE MAY RD

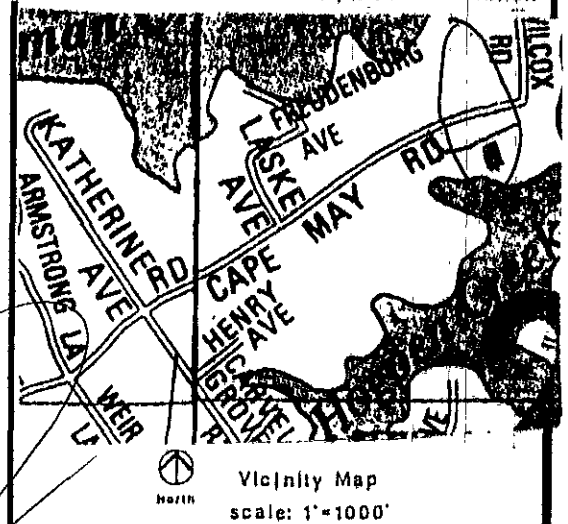
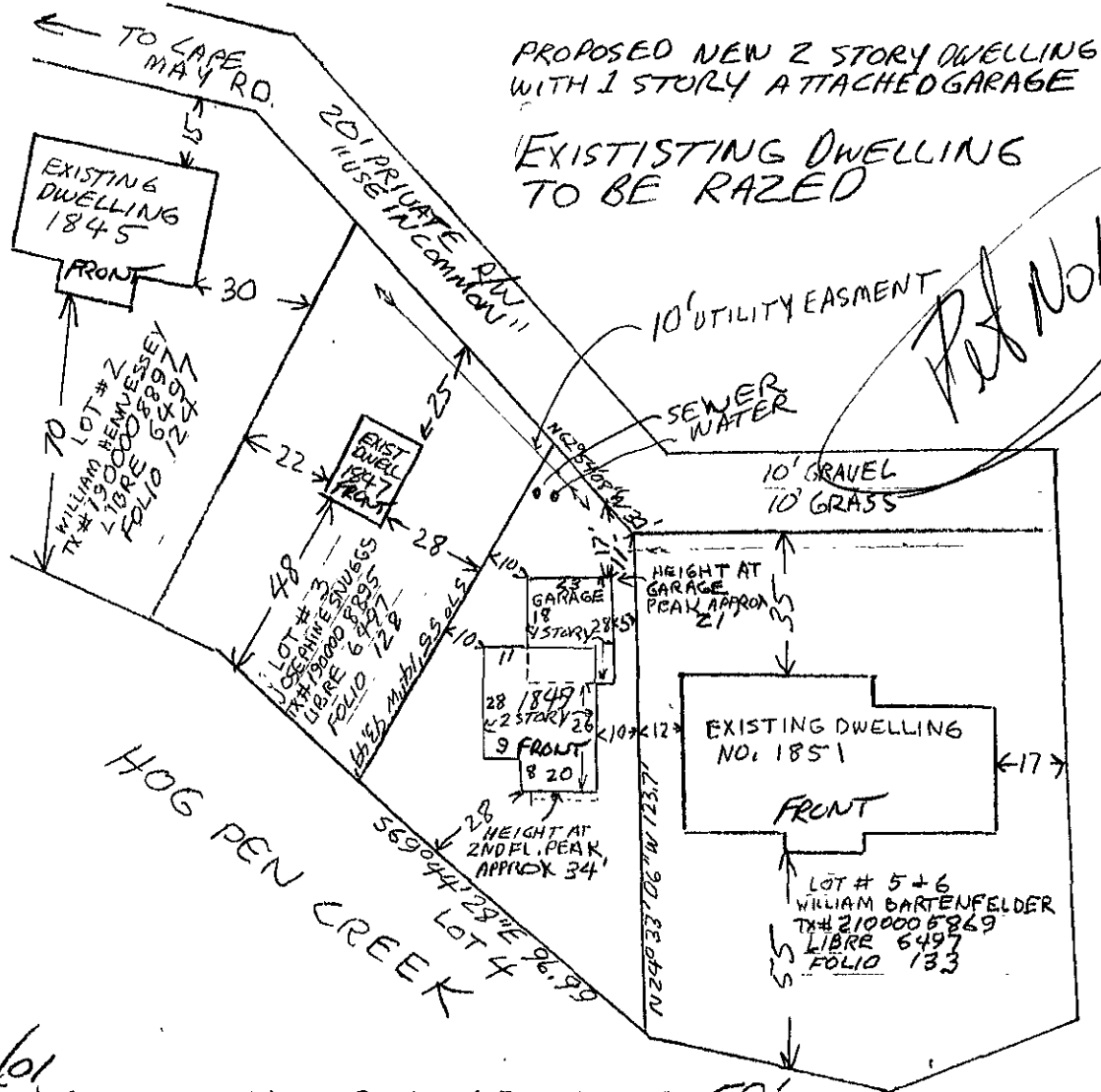
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: CAPE MAY

DEED REF LIBRE 6497 FOLIO 128
TAX# 190000 8896

plat book # NONE, folio # , lot # 4, section #

OWNER: JOSEPHINE SNUGGS



LOCATION INFORMATION

Election District: 15

Councilman's District: 5

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

Zoning: DR 35

Lot size: 0.13 5662
acres square feet

FLOOD ELEVATION
9.7 AT NORTHWEST
CORNER OF EXISTING
STRUCTURE SE

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

Chesapeake Bay Critical Area:

Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

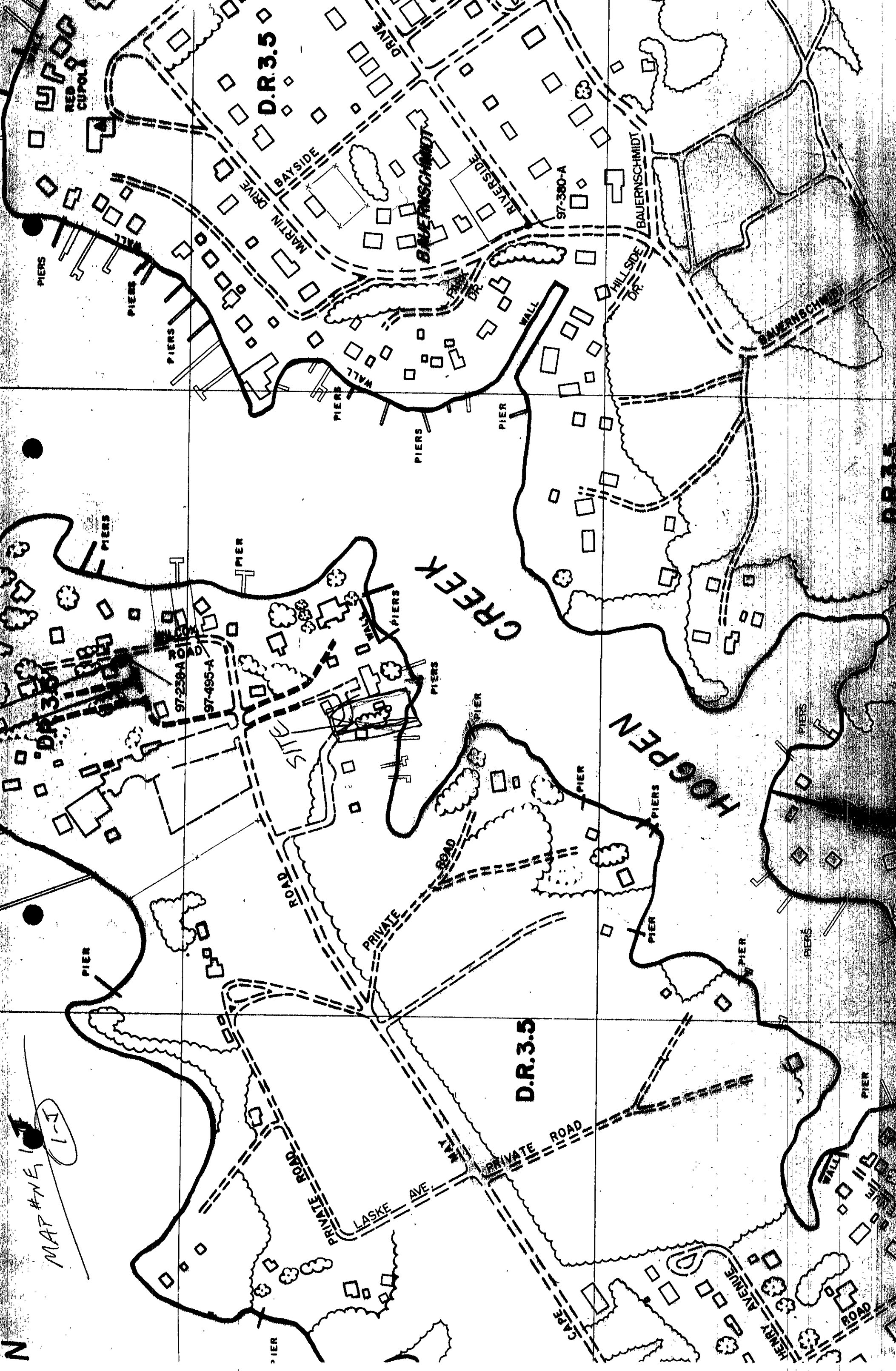
9cm 338

North

date: 02/19/01

prepared by: J. COSSENTINA

Scale of Drawing: 1" = 50'



ZONING MAP NE 1-J

01-338-A

Zoning Map



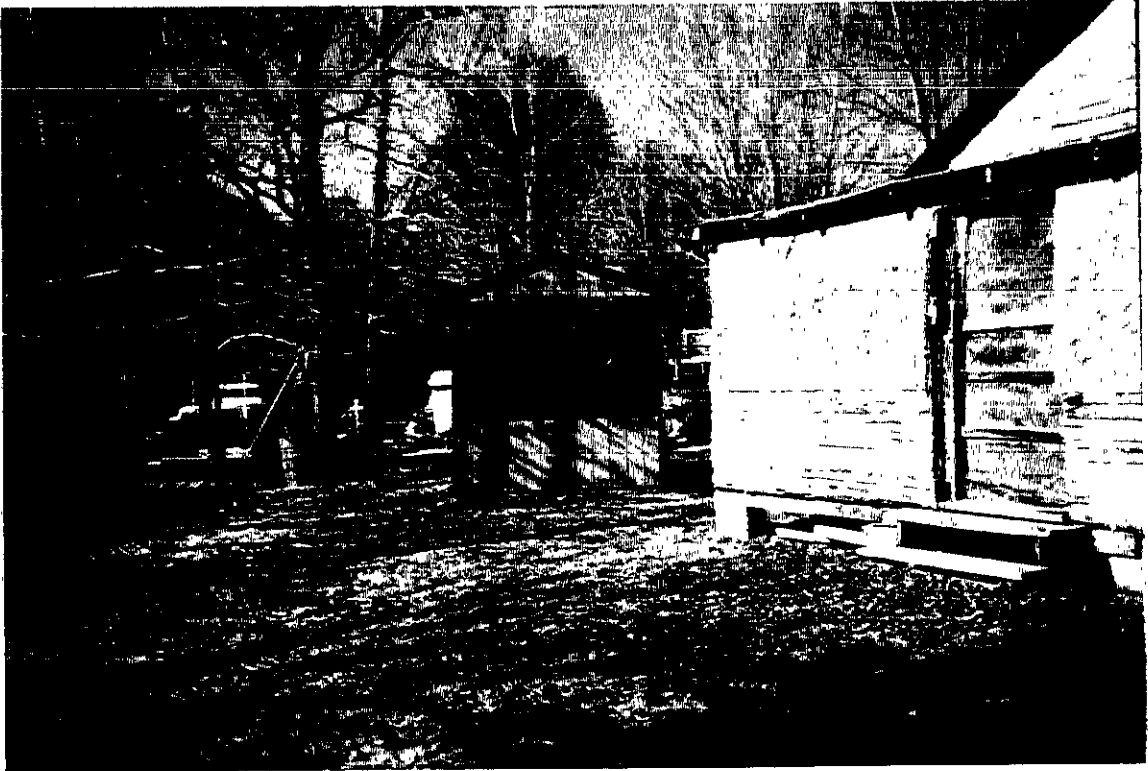
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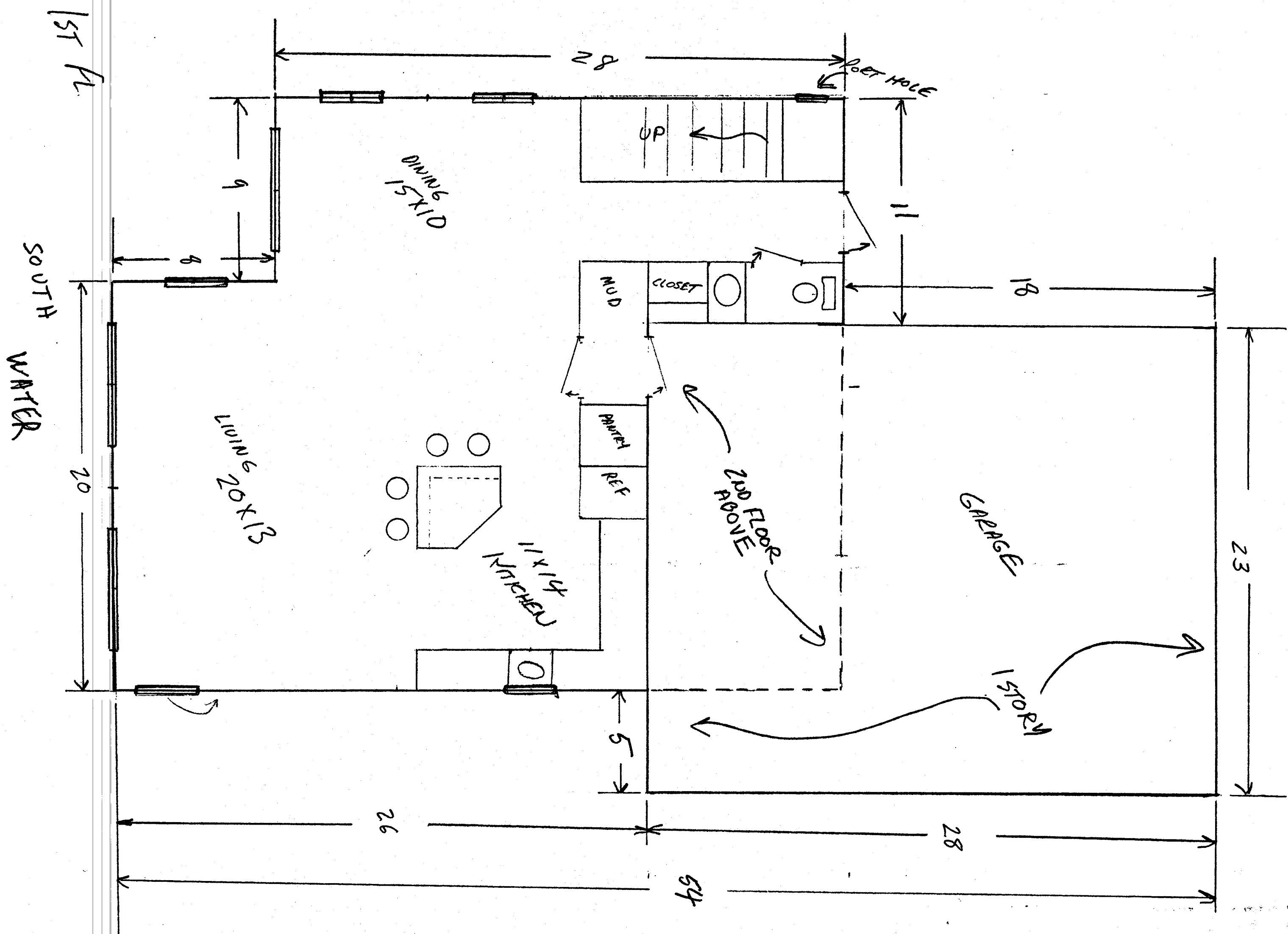


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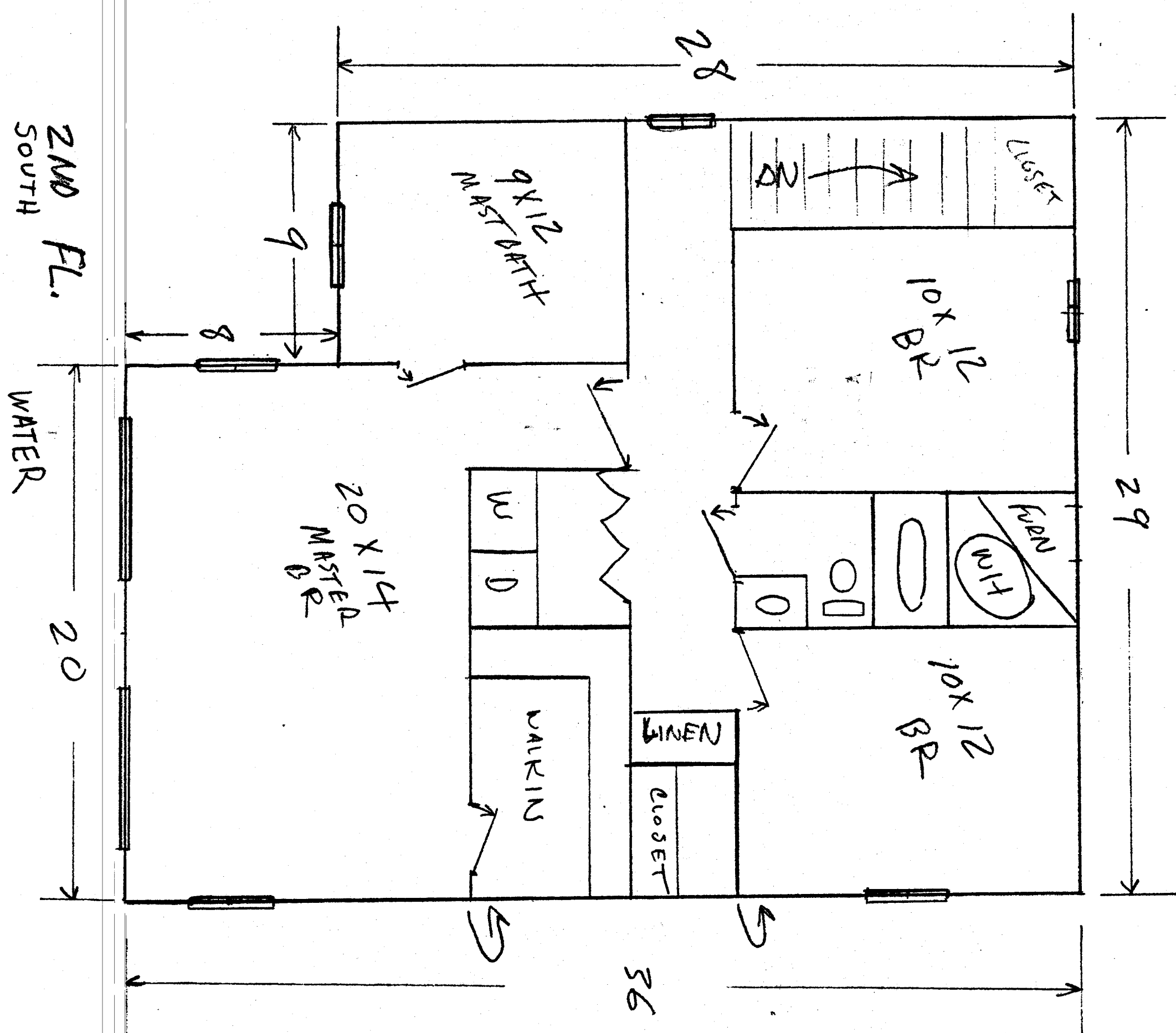


01-338-A

NORTH

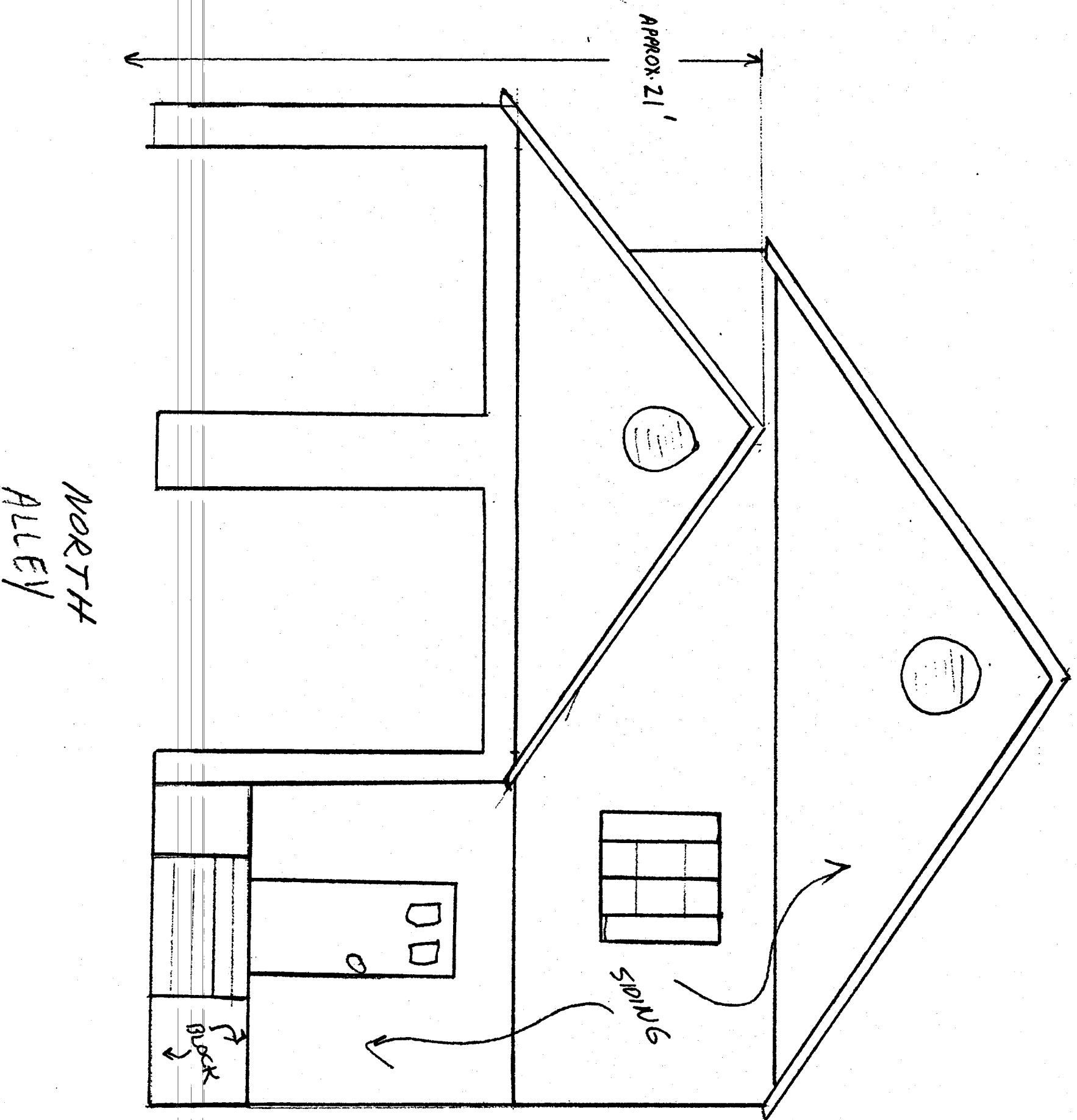
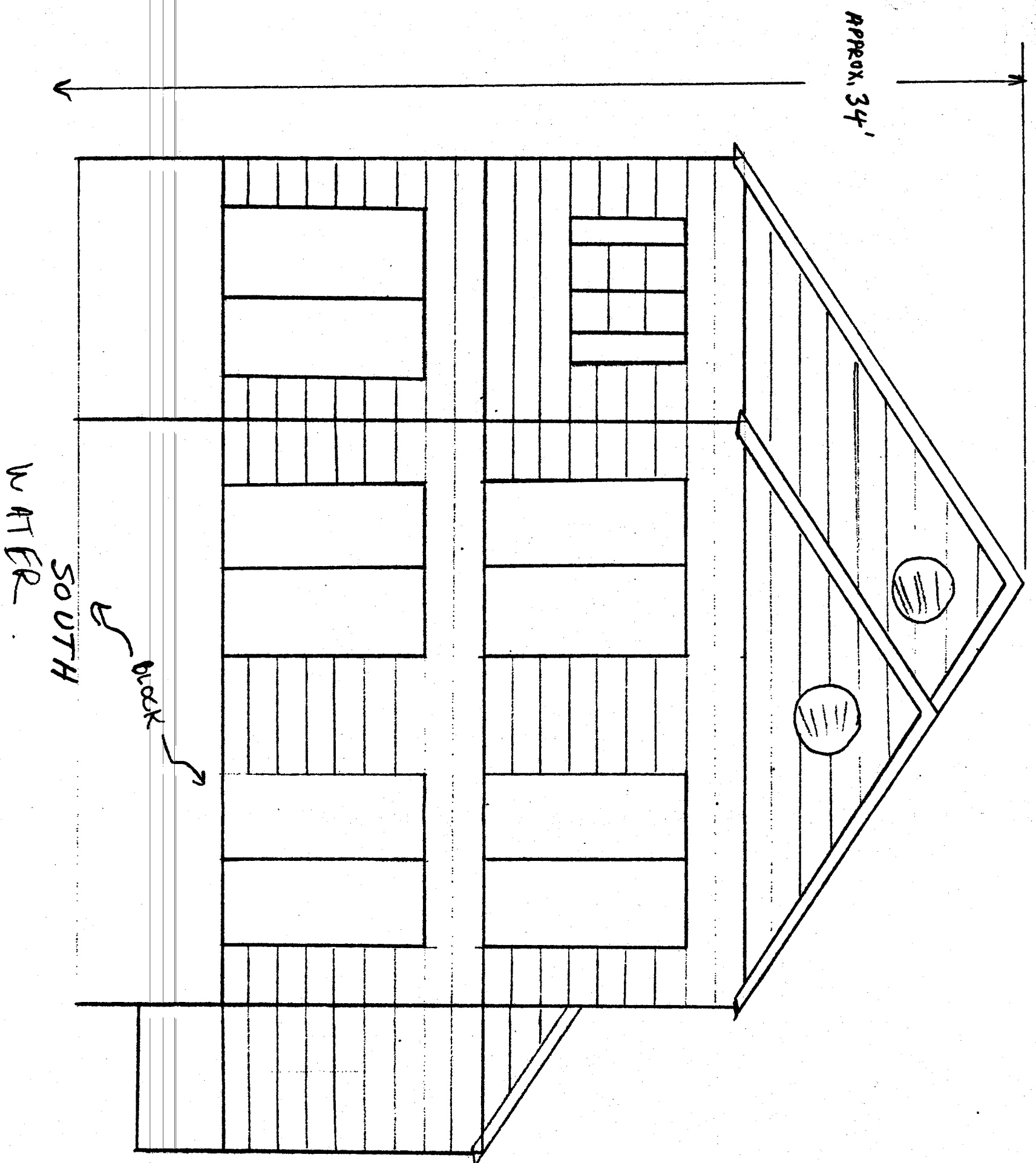


NORTH

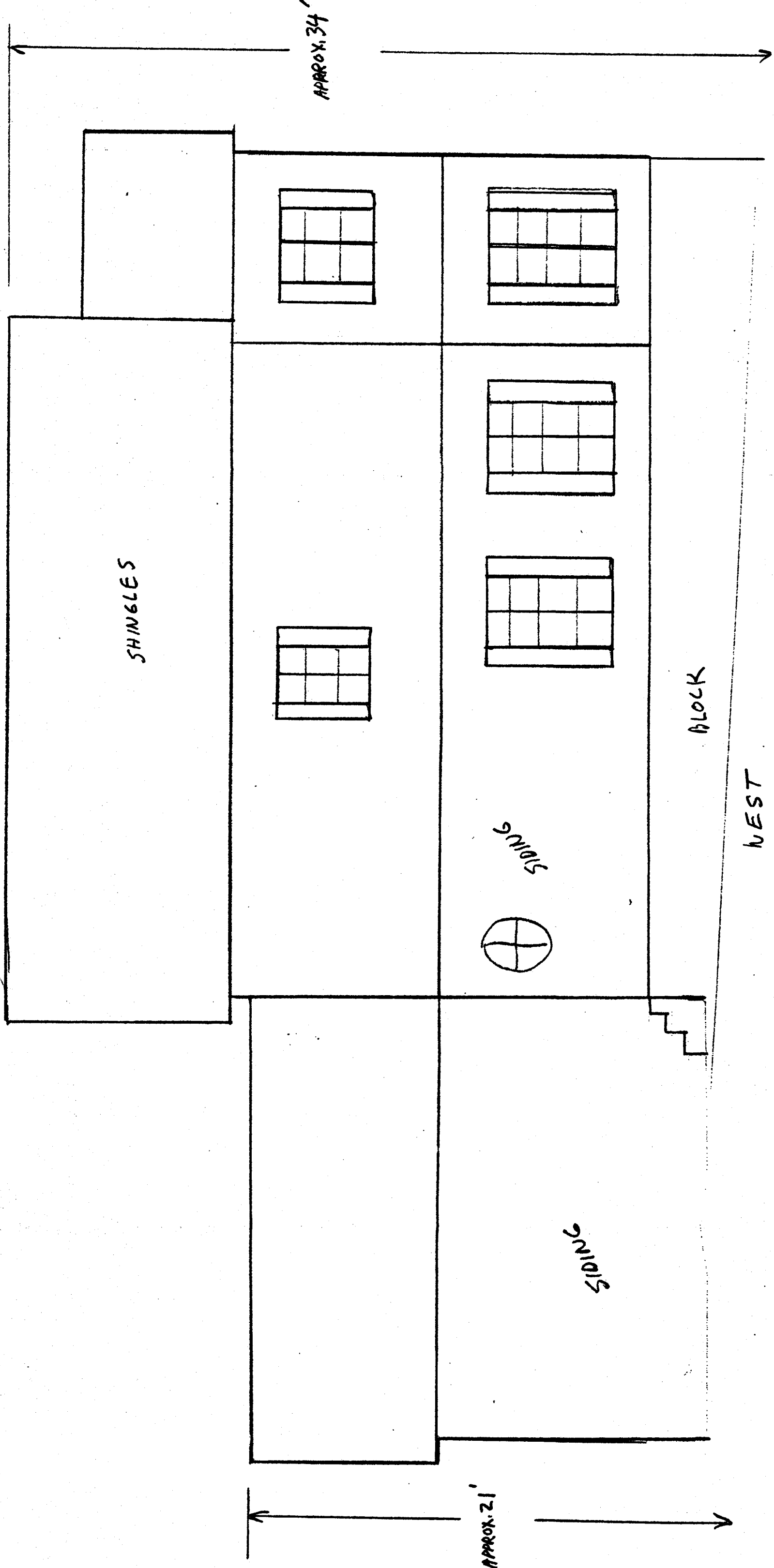
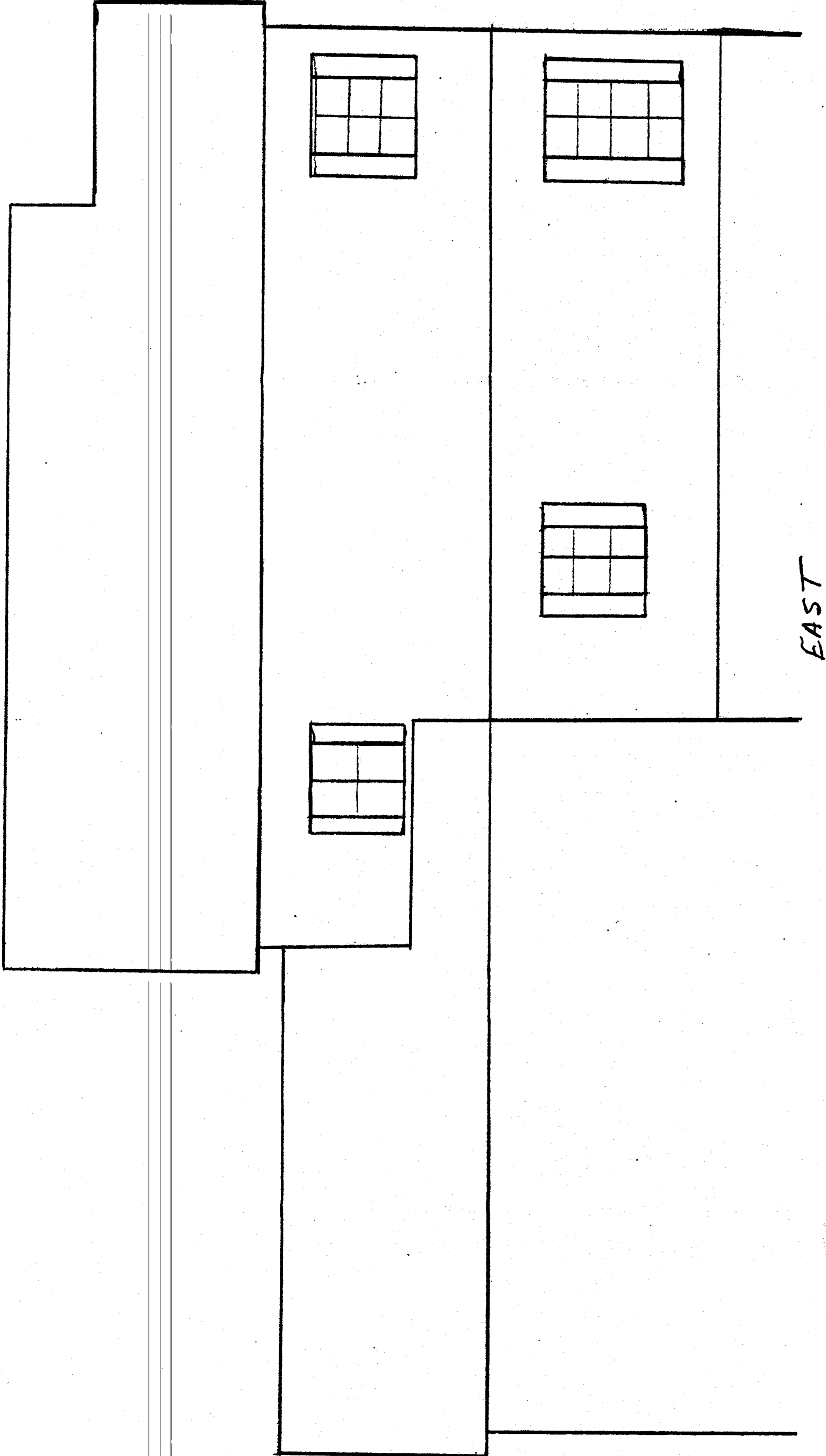


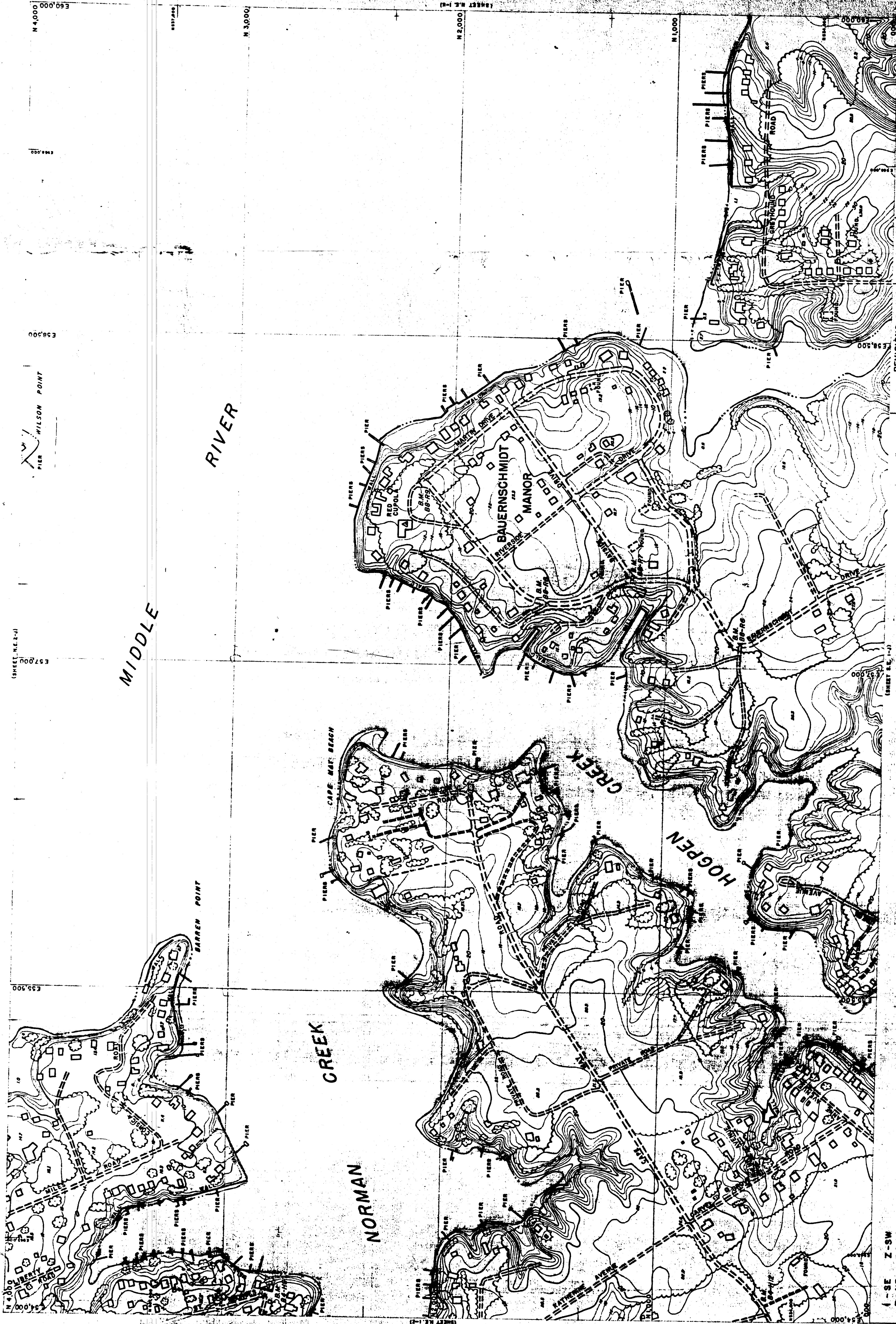
PROPOSED STRUCTURE
1849 CAPE MAY RD.
1ST & 2ND FLOOR PLANS
DESIGNED BY J. COSENTINA
02/19/01
SCALE 1/4" = 1'

PROPOSED STRUCTURE
 1849 CAPE MAY RD,
 NORTH + SOUTH ELEVATIONS
 DRAWN BY J. COSSENTINO
 02/19/10
 SCALE 1/4" = 1'



PROPOSED STRUCTURE
1849 CAPE MAY RD.
EAST + WEST ELEVATIONS
DRAWN BY J. COSENTINA
02/19/01
SCALE 1/4" = 1'





PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

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

REVISIONS		SCALE	LOCATION	SHEET
BY	DATE			
1	11/17	1" = 200'	BACK RIVER NECK	N-1
2			CAPE MAY	N-2

DATE OF PHOTOGRAPHY
DEC. 1954