

IN RE: PETITION FOR VARIANCE
N/W side of Holly Neck Road, 515' W
centerline of Goff Road
15th Election District
7th Councilmanic District
(85 Holly Neck Road)

Mark Dickerson, *Legal Owner*
and
Mark & Tina Lure, *Contract Purchasers*
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-428-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Mark Dickerson and the contract purchasers, Mark and Tina Lure. The Petitioners are requesting a variance for property located at 85 Holly Neck Road, which property is located in the Essex area of Baltimore County. The subject property is zoned RC 5. The variance request is from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a side yard setback of 24 ft. for a single-family dwelling in lieu of the minimum required 50 ft.

Appearing at the hearing on behalf of the variance request were Mark and Tina Lure and their builder, Buck Jones.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 1.18 acres, more or less, zoned RC 5. The subject property is unimproved at this time. The Petitioner is interested in constructing a single-family dwelling on the property consistent with Petitioners' Exhibit No. 2, the site plan submitted into evidence. As a result of wetland buffers that exist on this property, the house had to be situated in an area which leaves a side yard setback of 24 ft. In order to proceed with the construction of the home and to avoid infringing upon the wetland buffers, the variance request is necessary.

ORDER RECEIVED FOR FILING

Date

6/13/01

By

R. J. Jones

After considering the testimony and evidence offered at the hearing before me and the lack of opposition, I find that the variance request should be granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to 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.

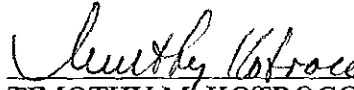
Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

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 June, 2001, by this Deputy Zoning Commissioner, that the variance requested by Petitioners pursuant to Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a side yard setback of 24 ft. for a single-family dwelling in lieu of the minimum required 50 ft., 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 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.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date 6/13/01
By J.P. Gennaro



Baltimore County
Zoning Commissioner

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

June 13, 2001

Mr. Buck Jones
500 Vogts Lane
Baltimore, Maryland 21221

Re: Petition for Variance
Case No. 01-428-A
Property: 85 Holly Neck Road

Dear Mr. Jones:

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,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. Mark Dickerson
2042 Poplar Road
Baltimore, MD 21221

Mr. & Mrs. Mark Lure
733 Crosby Road
Baltimore, MD 21228



Census 2000



For You, For Baltimore County



Census 2000





FLOODPLAIN CBCA
Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Lot 155 & Pt 85 Holly Neck Rd
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.2.

To allow a sideyard setback of 24 ft. (for a proposed dwelling) in lieu of the minimum required 50 ft.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) There are environmental and elevation restraints that are particular to this property, to deny this variance will deem the property unusable.

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:

Legal Owner(s):

Mark & Tina Lure

Mark Dickerson

Name - Type or Print

Name - Type or Print

Mark Lure

Mark Dickerson

Signature

Signature

733 Crosby Rd 410-788-0935

Name - Type or Print

Address Telephone No.

X

Signature

Baltimore Md 21228

City State Zip Code

2048 Poplar Rd 410-687-6868

Address Telephone No.

Baltimore, Md 21221

City State Zip Code

Attorney For Petitioner:

Representative to be Contacted:

Name - Type or Print

Buck Jones

Name

Signature

500 Vogts Lane 410-574-9337

Address Telephone No.

Baltimore, Md 21221

City State Zip Code

Company

Address

Telephone No.

City

State

Zip Code

Case No. 01-428-A

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1.00 hrs.

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 4-17-01

ORDER RECEIVED FOR FILING

Date

By

6/13/01

Case No. 01-428-A

115198

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: LOT 155 & PT. 85 HOLLY NECK ROAD

BEGINNING AT A POINT ON THE NORTH WEST SIDE OF

HOLLY NECK ROAD WHICH IS 30'

WIDE AT THE DISTANCE OF 515' WEST OF THE

CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET GOFF ROAD

WHICH IS 30' WIDE. *BEING LOT # 155 & PT. 85

BLOCK _____, SECTION # _____ IN THE SUBDIVISION OF CEDAR BEACH

AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 13, FOLIO # 59,

CONTAINING 51,400' ALSO KNOWN AS HOLLY NECK ROAD

AND LOCATED IN THE 15 ELECTION DISTRICT, 7 COUNCILMANIC DISTRICT.

428

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. **92816**
01-428-A

DATE 4-17-01 ACCOUNT R-001-06-6150
AMOUNT \$ 50.00

RECEIVED FROM: BUCK Jones

FOR: Residential Variance Filing fee
Lot # 155 & part of # 85 HOLLYNECK RD

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
4/17/2001 4/17/2001 10:50:43
REG NO03 CASHIER UNIT LDM DRAWER 3
RECEIPT # 178903 OFLN
Dep 5 528 ZONING VERIFICATION
CR NO. 092016

Recpt Tol 50.00
50.00 CK .00 CA
Baltimore County, Maryland

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: # 01-428-A
85 Holly Neck Road Lot 155
N/W side Holly Neck Road,
515' W centerline Golf Road
15th Election District
7th Councilmanic District
Legal Owner(s): Mark Dickerson.

Variance: to allow a sideyard setback of 24 feet (for a proposed dwelling) in lieu of the minimum required 50 feet.

Hearing: Monday, June 11, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bostey 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.

5/24/01 May 24 C470676

CERTIFICATE OF PUBLICATION

5/24/, 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 5/24/, 2001.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Jim
6/11

RE. Case No. 01-428-A

Petitioner/Developer JONES, ETAL

LVNR

Date of Hearing/Closing 6/11/01

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 LOT 155 - HOLLY NECK RD

(ONSITE)

The sign(s) were posted on

5/25/01

(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe, Jr. 6/2/01

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

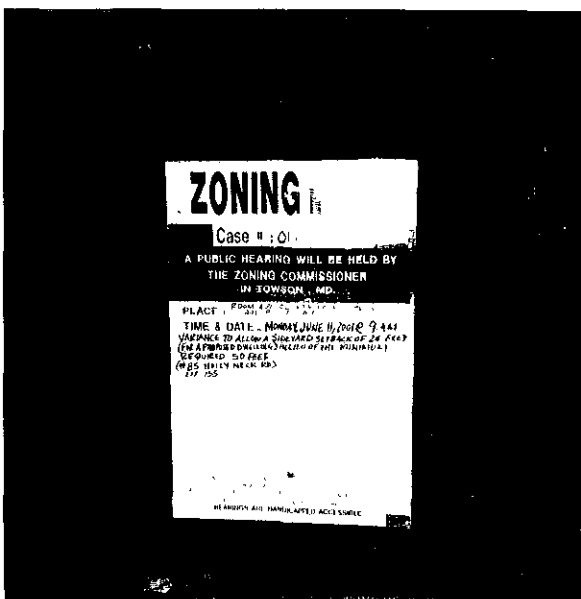
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8577

(Telephone Number)



01-428-A
LOT 155 - HOLLY NECK RD.
LDRE 155
6/11/01

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: 01- 428-A

Petitioner: Mark & Tina Lure

Address or Location: Lot 155 & Pt. 85 Holly Neck Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: Buck Jones

Address: 500 Vogts Lane

Baltimore, Md 21221

Telephone Number: (410)-574-9337

Revised 2/20/98 - SCJ



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 10, 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: 01-428-A
85 Holly Neck Road Lot 155
N/W side Holly Neck Road, 515' W centerline Golf Road
15th Election District -- 7th Councilmanic District
Legal Owner: Mark Dickerson
Contract Purchaser: Mark & Tina Lure

Variance to allow a sideyard setback of 24 feet (for a proposed dwelling) in lieu of the minimum required 50 feet.

HEARING: Monday, June 11, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon G.D.Z.
Director

C: Mark Dickerson, 2042 Poplar Road, Baltimore 21221
Mark & Tina Lure, 733 Crosby Road, Baltimore 21228
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 SATURDAY, MAY 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.



TO: PATUXENT PUBLISHING COMPANY
Thursday, May 24, 2001 Issue – Jeffersonian

Please forward billing to:

Buck Jones
500 Vogts Lane
Baltimore MD 21221

410 574-9337

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: 01-428-A

85 Holly Neck Road Lot 155

N/W side Holly Neck Road, 515' W centerline Golf Road

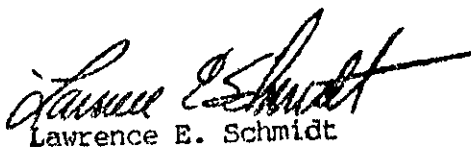
15th Election District – 7th Councilmanic District

Legal Owner: Mark Dickerson

Contract Purchaser: Mark & Tina Lure

Variance to allow a sideyard setback of 24 feet (for a proposed dwelling) in lieu of the minimum required 50 feet.

HEARING: Monday, June 11, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G D Z
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

June 8, 2001

Mark Dickerson
2042 Poplar Road
Baltimore MD 21221

Dear Mr. Dickerson:

RE: Case Number: 01-428-A, 85 Holly Neck Road, Lot 155

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 17, 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: Mark & Tina Lure, 733 Crosby Road, Baltimore 21228
Buck Jones, 500 Vogts Lane, Baltimore 21221
People's Counsel



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 10, 2001

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

SUBJECT: 85 Holly Neck Road

INFORMATION:

Item Number: 01-428

Petitioner: Mark Dickerson

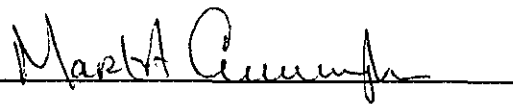
Zoning: RC 5

Requested Action: Variance

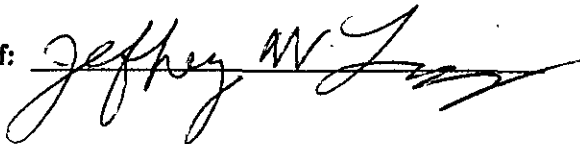
SUMMARY OF RECOMMENDATIONS:

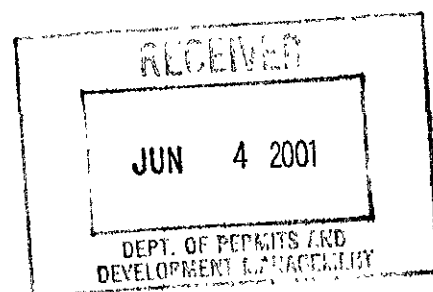
The Office of Planning supports the request to allow a side yard setback of 24 feet in lieu of the required 50 feet provided the petitioner is able to provide proof of common use of the driveway.

Prepared by:



Section Chief:
AFK:MAC:





BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: June 4, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For May 14, 2001
Item No. 428

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

This site is located in a 100-year tidal flood plain area. The county buildings engineer shall require a permit for all development, storage of equipment and materials, or placement of manufactured homes in the flood plain area; and the permit shall be granted only after necessary permits from the state and federal agencies have been obtained.

The lowest floor elevations of all new or substantially improved structures shall be at or above the flood protection elevation. Basements are not permitted in the flood plain area.

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

Whenever new buildings are constructed in areas subject to tidal flooding as established by the F.I.S. and F.I.R.M. of Baltimore County, they shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

A grinder pump will be required for providing sanitary sewer service to this house. A grinder pump will be required for providing sanitary sewer service to this house. See record drawing number 90-1687 for information on existing 3" Ø pressure sewer.

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

May 10, 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 MAY 7, 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:

428, 429, 430, 431, 432, 440, 441, 442

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



Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.9.01

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

RE: Baltimore County
Item No. 428 JJS

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RBS*
DATE: May 11, 2001
SUBJECT: Zoning Item # 428 Dickerson Prop.(Mark)
Lot 155 Holly Neck Road

Zoning Advisory Committee Meeting of 5/7/01

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X 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:

_____ If streams or wetlands occur on or within 200 feet of the property, the development of the property may need to 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: 5/10/01

RE: PETITION FOR VARIANCE
85 Holly Neck Road, Lot 155,
NW/S Holly Neck Rd, 515' W of c/I Goff Rd
15th Election District, 7th Councilmanic

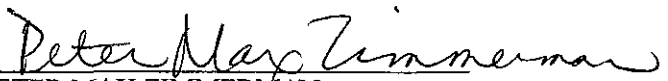
Legal Owner: Mark Dickerson
Contract Purchaser: Mark & Tina Lure
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-428-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 4th day of June, 2001 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

4-17-01

MEMO TO THE PETITION FILE

TO: ZC/Deputy ZC
FROM: JJ Sullivan Jr, Planner II
Subject: Variance Petition, Case # ~~01-428~~ 01-428-A.

^{Back}
MR. Jones came in today for a petition
filing appointment as a representative
for Mark Dickensen, the property owner and
Mark Lure, the ~~Contract~~ purchaser. MR.
Jones wished all forms and site plans to
be submitted as is.



Baltimore County
Zoning Commissioner
Office of Planning

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

August 4, 1998

Mr. Mark Dickerson
2042 Popular Road
Baltimore, Maryland 21221

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
N/S Holly Neck Road, 477', 520', and 545' W of the c/l of Goff Road
(Lots 134x, 155 & Parcel 85 of Cedar Beach)
Mark Dickerson, et al - Petitioners
Cases Nos. 98-447-A, 98-449-A and 98-461-SPHA

Dear Mr. Dickerson:

Enclosed please find a copy of the decision rendered in the above-captioned matters. The combined Petitions for Special Hearing and Variance have been denied, 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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Buck Jones
500 Vogts Lane, Baltimore, Md. 21221

Mr. & Mrs. Richard C. Schmidt, 2106 Holly Neck Road, Baltimore, 21221
Mr. & Mrs. Al Clasing, 2025 Holly Neck Road, Baltimore, Md. 21221
Mr. Carl Maynard, 1546 Denton Road, Baltimore, Md. 21221
Mr. Leroy Sennett, 1716 Beachwood Avenue, Baltimore, Md. 21221

People's Counsel; Case Files

CRSR - 98-461 SPHA
98-447-A



IN RE: PETITIONS FOR SPECIAL HEARING	* BEFORE THE
AND VARIANCE - N/S Holly Neck Road,	
477', 520' and 545' W of the	* ZONING COMMISSIONER
c/l of Goff Road (Lots 134x,	
(155 & the western portion of	* OF BALTIMORE COUNTY
Parcel 85 of Cedar Beach)	
	* Cases Nos. 98-447-A, 98-449-A
Mark Dickerson, et al	98-461-SPHA
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of combined Petitions for Special Hearing and Variance for the three adjoining properties identified above located in the Cedar Beach subdivision in Essex. The Petitions were filed on behalf of Mark Dickerson, individually and as survivor of his mother, Doris Dickerson, now deceased. These three cases were considered at a public hearing held on July 13, 1998 for consideration of relief sought for six properties now owned by Mr. Dickerson. For reasons that will be made apparent hereinafter, this Order is being issued for the three cases identified above, and a separate Order will be issued for the three remaining cases, namely, Cases Nos. 98-446-A, 98-448-A and 98-460-SPH.

Appearing at the requisite public hearing held in this matter were Mark Dickerson, property owner, Karen Diehl, a potential purchaser, and Buck Jones, Builder. Appearing in opposition to the Petitioners' request were Richard C. Schmidt and his wife, Cheryl D. Toles, who reside adjacent to Parcel 85, and Al and Marie Clasing, Carl Maynard and Leroy Sennett, all nearby residents of the community.

In Case No. 98-447-A, the Petitioner seeks relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 10 feet each and a rear yard setback of 25 feet in

lieu of the required 50 feet in an R.C.5 zone, and approval of Lot 155 as an undersized lot. Lot 155 contains approximately .53 acres in area, and is a waterfront lot with frontage on Sue Creek. Lot 155 does not immediately abut Holly Neck Road, but access thereto is by way of an easement. Presently, Lot 155 is unimproved.

The property under consideration in Case No. 98-449-A is known as Lot 134x of Cedar Beach. Lot 134x is located adjacent to Lot 155 and likewise, has frontage on Sue Creek with no direct frontage on Holly Neck Road. Lot 134x contains approximately .26 acres of land, and is also unimproved. The Petitioner seeks similar relief as in Case No. 98-447-A to permit side yard setbacks of 10 feet each, a rear yard setback of 35 feet in lieu of the required 50 feet, and approval of Lot 134x as an undersized lot.

In Case No. 98-461-SPHA, the Petitioner seeks relief for a portion of the property recorded as Parcel 85 of the Cedar Beach subdivision. This parcel has frontage on both Holly Neck Road and Sue Creek, and is also unimproved. Parcel 85 actually consists of two separate lots, containing a combined area of 1.647 acres. Parcel 85 is divided by a 25-foot wide fee-simple strip of land owned by Mr. Schmidt and Ms. Toles which provides access from the main body of the Schmidt/Toles' property to Holly Neck Road. The lot on the western side of the fee strip is unimproved and contains .934 acres in area. It abuts Lot 155. The Petitioner requests a special hearing to approve development of the western lot with a single family dwelling, and variance relief from Section 1A04.3.B.3 of the B.C.Z.R. to permit a side yard setback of 40 feet in lieu of the required 50 feet for one of the lots and approval of both lots as being undersized. The future of the eastern lot, which contains .713 acres in area, is the

subject of the Petition filed in Case No. 98-460-SPH. The merits of the proposed development of that portion of Parcel 85 will be addressed in a separate opinion.

As originally submitted, the Petitioner sought zoning relief to allow development on each of the lots (Lots 134x, 155 and the western portion of Parcel 85) with a single family dwelling. However, at the public hearing, Mr. Jones, the Builder retained by Mr. Dickerson, amended the Petitions. He indicated that following conversations with the Department of Environmental Protection and Resource Management (DEPRM), the Petitioner had decided to combine Lots 134x and 155, and construct one single family dwelling thereon. Thus, the requested relief was amended in that the combination of Lots 134x and 155 would result in a single lot, .79 acres in area. Additionally, the site of the proposed dwelling would also alter the requested variance from setback requirements. A 10-foot side yard setback would be needed towards the one side property line; however, a sufficient distance from the other side property line would exist. Additionally, a rear yard setback of 33 feet in lieu of the required 50 feet (instead of the 25 feet and 35 feet originally requested) would be necessary. A single family dwelling remains proposed for the western piece of Parcel 85.

Testimony was received from Mr. Dickerson and Mr. Jones regarding their plans as summarized above. Mr. Jones indicated that each of the properties identified above were individual lots of record which were duly recorded in the Cedar Beach subdivision plat many years ago. It was also indicated on behalf of the Petitioner that denial of the requested variances would result in a practical difficulty, in that the properties could not be used for a permitted purpose (i.e., residential development).

Cumulative testimony was also received from the Protestants. They voiced a number of concerns. Specifically, Mr. Maynard indicated that schools in the area are overcrowded and as such, additional development was not warranted. Concerns were also expressed regarding potential pollution caused by development, the overtaxing of the public utilities in this area (water and sewer) by the proposed additional residences, and a concern over the loss of open space. Mr. Schmidt and Ms. Toles also testified about a unique factor which affects their property. Specifically, as shown on the site plan and described above, the Schmidt/Toles' property features a 25-foot in-fee strip which divides Parcel 85 into two separate lots. This 25-foot strip was created, no doubt, to provide access to the main body of the Schmidt/Toles' property, which is located adjacent to the waterfront on Sue Creek. However, testimony was offered that a driveway, which was installed many years ago, is not actually located within the 25-foot strip area. Specifically, varying testimony was presented which indicated that the driveway could actually be located up to 50 feet west of the area of the fee-simple strip. Thus, Mr. Schmidt and Ms. Toles complained that construction of the proposed dwelling on the western lot of Parcel 85 may adversely impact their driveway. This concern not only raises a legitimate issue as to the variance, but may result in title questions. As I explained to the Petitioners at the hearing, the parties may need Court intervention to quiet questions of title and to determine whether there has been any adverse possession.

Section 1A04.3 of the B.C.Z.R. prescribes height and area regulations in the R.C.5 zone. Section 1A04.3.B.1 of the B.C.Z.R. provides that a lot having an area of less than 1 acre may not be created in an R.C.5 zone. Interestingly, as a result of the Petitioner's amendment, he is

violating this Section. That is, it can be argued that each of the parcels, i.e, Lot 134x, Lot 155, and Parcel 85, were created many years ago, and thus are not subject to that minimum area requirement which was enacted after the subdivision was platted and recorded. However, by proposing to combine Lots 134x and Lot 155, a single lot is now being created which is less than the 1 acre minimum required (.79 acres).

A review of Section 304 of the B.C.Z.R. is also appropriate. That Section recognizes the fact that there may be lots throughout the County which existed prior to the enactment of the zoning regulations and do not meet the area and/or width requirements of those regulations. In such a circumstance, Section 104 permits a single family detached or semi-detached dwelling to be constructed on an undersized lot, by right, if three conditions are met. First, the lot must be part of a duly recorded subdivision, or individually recorded by deed prior to March 30, 1955. Second, all other requirements of the height and area regulations must be satisfied. Third, the owner of the lot may not own sufficient adjoining land to conform to the width and area requirements contained elsewhere in the B.C.Z.R.

Clearly, Mr. Dickerson does not meet the requirements set forth in Section 304 of the B.C.Z.R. Although these lots are old enough and their recording predates 1955, he fails to meet the second and third tests. Specifically, he requires variance relief from side and rear yard setback requirements, and, more importantly, he owns all three lots which adjoin one another. Surely, Mr. Dickerson could combine all three lots to create one parcel greater than 1 acre in size, thereby satisfying the area requirements. Moreover, depending on the siting of the house, setback relief may not be necessary under such a scenario.

Relief is requested here, however, pursuant to Section 307 of the B.C.Z.R. That Section enables the zoning Commissioner to grant variance relief from height, area and setback regulations. The variance statute has been comprehensively addressed by the Courts of this State, the most recent case is Cromwell v. Ward, 307 Md. App. (1993). That case established that the Petitioner must show that the properties are unique in order for variance relief to be considered. Moreover, relief can be granted only if the Petitioner establishes that a practical difficulty would result if relief were denied, and if there would be no adverse impact upon surrounding properties. It is also well-settled that economic factors cannot play a part in the granting of variance relief. The mere fact that Mr. Dickerson will obtain a better economic return by building three houses as opposed to one is not a basis upon which a variance can be granted. Moreover, the practical difficulty cannot be self-imposed.

In this case, I am persuaded to deny the special hearing and variances requested. In my judgment, the intent of Sections 304 and 307 of the regulations is clear -- if the Petitioner is able to satisfy the area requirements and can avoid needing setback variances by combining the three lots, he should do so. To allow this Petitioner to develop the lots individually would be contrary to the spirit and intent of this regulation. I also find that it would cause an adverse impact on the surrounding locale. Thus, the Petitions for Special Hearing and Variance shall be denied. However, in denying these Petitions, I note that the Petitioner should be allowed to combine Lots 134x, 155, and the western portion of Parcel 85 for the purpose of constructing a single family dwelling thereon. Obviously, there are certain environmental impacts associated with these lots, owing to their waterfront nature. This includes the existence

of a flood plain, their location within the Chesapeake Bay Critical Areas, etc. Obviously, these issues need be studied and the Petitioner need obtain the approval of the Department of Environmental Protection and Resource Management and the Department of Public Works in order to determine the appropriate location for a single family dwelling on the combined lots. However, from a zoning perspective, it is appropriate that the Petitioner be permitted to combine the three tracts into one single lot. The resulting single lot would be large enough under the zoning regulations, and most probably the house could be located to avoid the necessity for any setback variance applications.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested is denied.

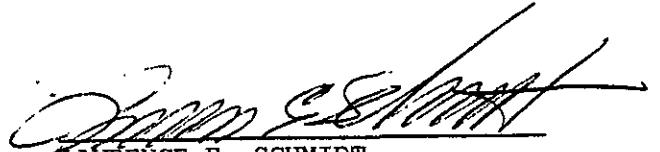
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of August, 1998 that the Petition for Variance filed in Case No. 98-447-A seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 10 feet each and a rear yard setback of 25 feet in lieu of the required 50 feet in an R.C.5 zone, and approval of Lot 155 as an undersized lot, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 98-449-A seeking relief from Section 1A04.3.B.3 of the B.C.Z.R. to permit side yard setbacks of 10 feet each, and a rear yard setback of 35 feet in lieu of the required 50 feet, and approval of Lot 134x as an undersized lot, be and is hereby DENIED; and

IT IS FURTHER ORDERED that the Petitions for Special Hearing and Variance filed in Case No. 98-461-SPHA seeking relief for Parcel 85, which

consists of two separate lots divided by a 25-foot wide fee-simple strip owned by Mr. Schmidt and Ms. Toles, to permit development of each lot with a single family dwelling, and variance relief from Section 1A04.3.B.3 of the B.C.Z.R. to permit a side yard setback of 40 feet in lieu of the required 50 feet for one of the lots, and approval of both lots as being undersized, ~~be~~ and is hereby DENIED.

LES:bjs


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

IN RE: PETITION FOR SPECIAL HEARING
N/S Holly Neck Road, 297 ft. W
of Goff Road
Holly Neck Road
15th Election District
7th Councilmanic District
Mark Dickerson
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-460-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located on Holly Neck Road, known as a portion of lot No. 85 of the Cedar Beach subdivision. The Petition was filed by Mark Dickerson, property owner. The Petition also identifies Doris Dickerson as co-property owner, however, it was indicated at the hearing that Mrs. Dickerson is deceased and title to the subject property is now vested solely in Mark Dickerson. Special Hearing relief is requested to permit development of the eastern portion of the subject lot with a single family dwelling, as more particularly shown on the site plan, marked as Petitioner's Exhibit No. 1.

This matter came in for hearing with five other cases (6 in total) on Petitions filed by Mark Dickerson. Mr. Dickerson and his consultant, Buck Jones, attended the hearing. The other cases considered at that public hearing were cases Nos. 98-446-A, 98-447-A, 98-448-A, 98-449-A and 98-461-SPHA. Previously, a single consolidated opinion was issued for three adjacent properties under consideration in cases Nos. 98-447-A, 98-449-A and 98-461-SPHA.

As noted above, the property under consideration in this case (98-460-SPH) is actually a part of lot No. 85, as described in the Land Records relating to the subdivision of Cedar Beach. Lot 85 is, indeed, a

unique property. Lot 85 is 1.647 acres in area, zoned R.C.5. Lot 85 has been divided into two separate pieces as a result of a conveyance of a fee simple strip which bisects lot 85. The resultant western portion of lot 85 is .934 acres in area and is an irregularly shaped unimproved property. The eastern portion of lot 85 is a rectangularly shaped parcel, 155 ft. in width x 199 ft. in depth, and .713 acres in area. The eastern portion of lot 85 is improved with an old frame dwelling.

The fee simple strip which divides this lot is owned by individuals other than Mr. Dickerson (Richard C. Schmidt and Cheryl D. Toles). That strip contains acreage which was intended to be used to contain a driveway leading from Holly Neck Road to the main portion of the Schmidt/Toles property, which abuts Sue Creek. In case No. 98-461-SPHA, the Petitioner, Mark Dickerson, sought relief to permit construction of a single family dwelling on the western portion of lot 85 (.934 acres). As noted in the opinion issued for that case, the requested relief was denied. In fact, I suggested in that opinion that Mr. Dickerson combine the western portion of lot 85 with two other lots which abut same (i.e., lot 134x and lot 155) to form a single lot which could be developed. That is, I denied relief for each of those individual three lots to permit development of a single family dwelling on each, and commented that the Petitioner should combine the three lots to create one sufficiently sized parcel capable of sustaining a dwelling in the R.C.5 zone, pursuant to the applicable provisions of the BCZR. A review of the Zoning Commissioner's docket shows that the opinion issued for those three properties in cases No. 98-447-A, 98-449-A and 98-461-SPHA was not appealed.

Relief is requested in the instant case (98-460-SPH) as it relates only to the eastern portion of lot 85. As noted above, that lot is approximately 31,000 sq. ft. in area (.713 acres). The Petitioner requests

relief to allow construction of a new dwelling, on that portion of lot 85, which will replace the old frame dwelling which previously exists.

Upon due consideration of the testimony and evidence offered, I persuaded to grant the relief which has been requested with restrictions. In my judgment, the eastern portion of lot 85 is a unique parcel, in view of its configuration and its manner of creation. This is an isolated lot which does not abut any property owned by Mr. Dickerson. As shown on the site plan, the eastern portion of lot 85 is surrounded on three sides by the Schmidt/Toles property and on the fourth side by its frontage on Holly Neck Road. Thus, unlike my prior decision which affected the western portion of lot 85, there can be no combination of parcels to create a sufficiently sized lot. Additionally, I attach significance to the fact that the eastern portion of lot 85 which is under consideration was previously improved with a single family dwelling. A replacement dwelling on that parcel appears appropriate. Additionally, I think that it is significant that there will not be development in the neighborhood at large, in view of my decision in cases 98-447-A, 98-449-A and 98-461-SPHA. That is, ~~the Petitioner may combine those two aforementioned lots into a~~ single parcel to support one dwelling and that one dwelling will be permitted on the eastern portion of lot 85.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 22nd day of October 1998 that, pursuant to the Petition for Special Hearing, approval for the development of the eastern portion of the subject tract for a single family dwelling, be and is hereby GRANTED, subject, however, to the following restrictions:

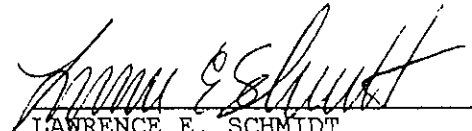
1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until

such time as the 30 day appellate process from this Order has expired.

2. The Petitioner shall submit building elevation drawings to the Office of Planning for review and approval for the design and architectural features of the proposed dwelling.

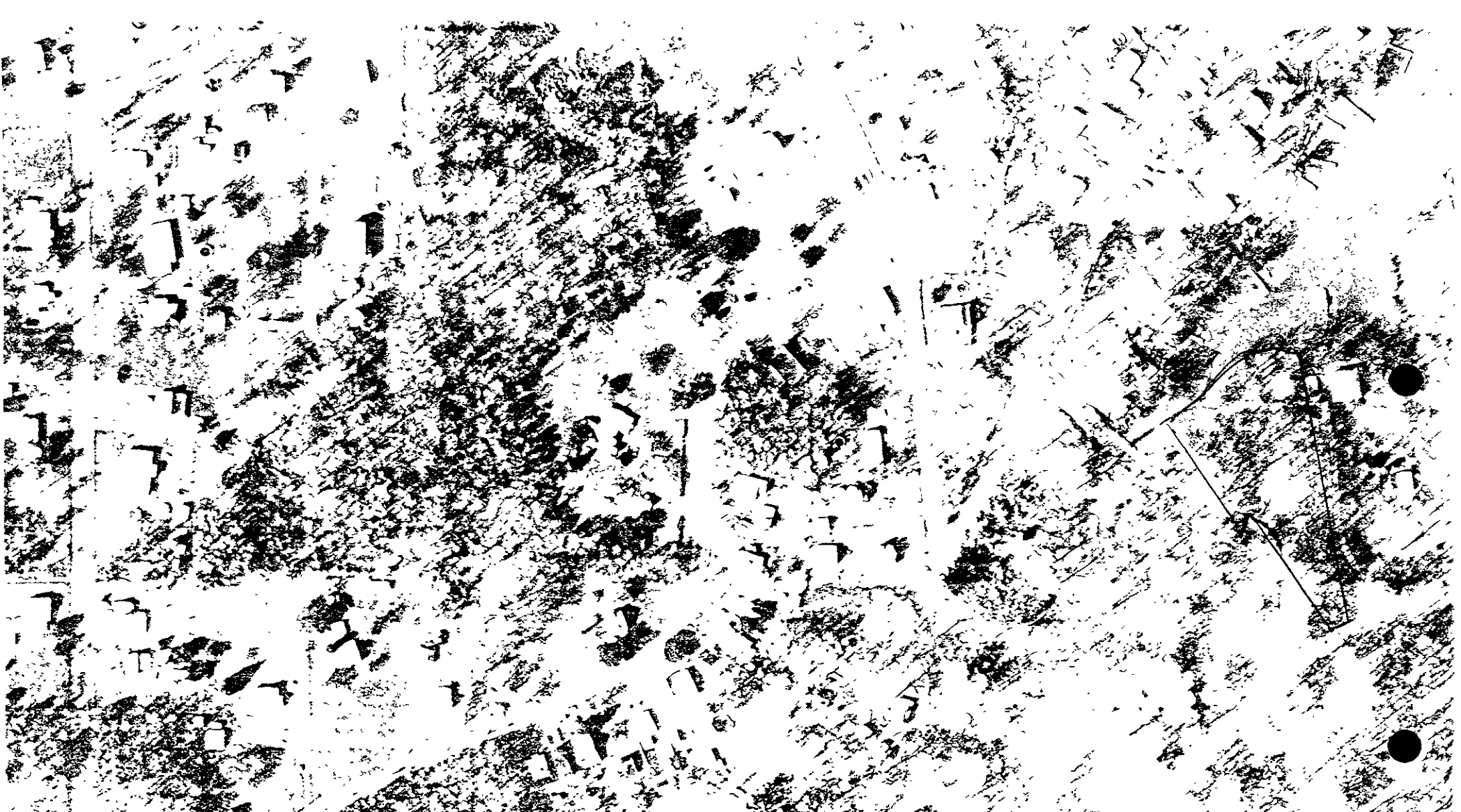
3. Compliance with the comment from the Department of Environmental Protection and Resource Management (DEPRM) dated June 15, 1998 regarding the Chesapeake Bay Critical Area will be required.

4. Compliance with the comment from the Development Plans Review Division dated June 23, 1998, attached hereto and made a part hereof will be required.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mn



SCALE

LOCATION

SHEET

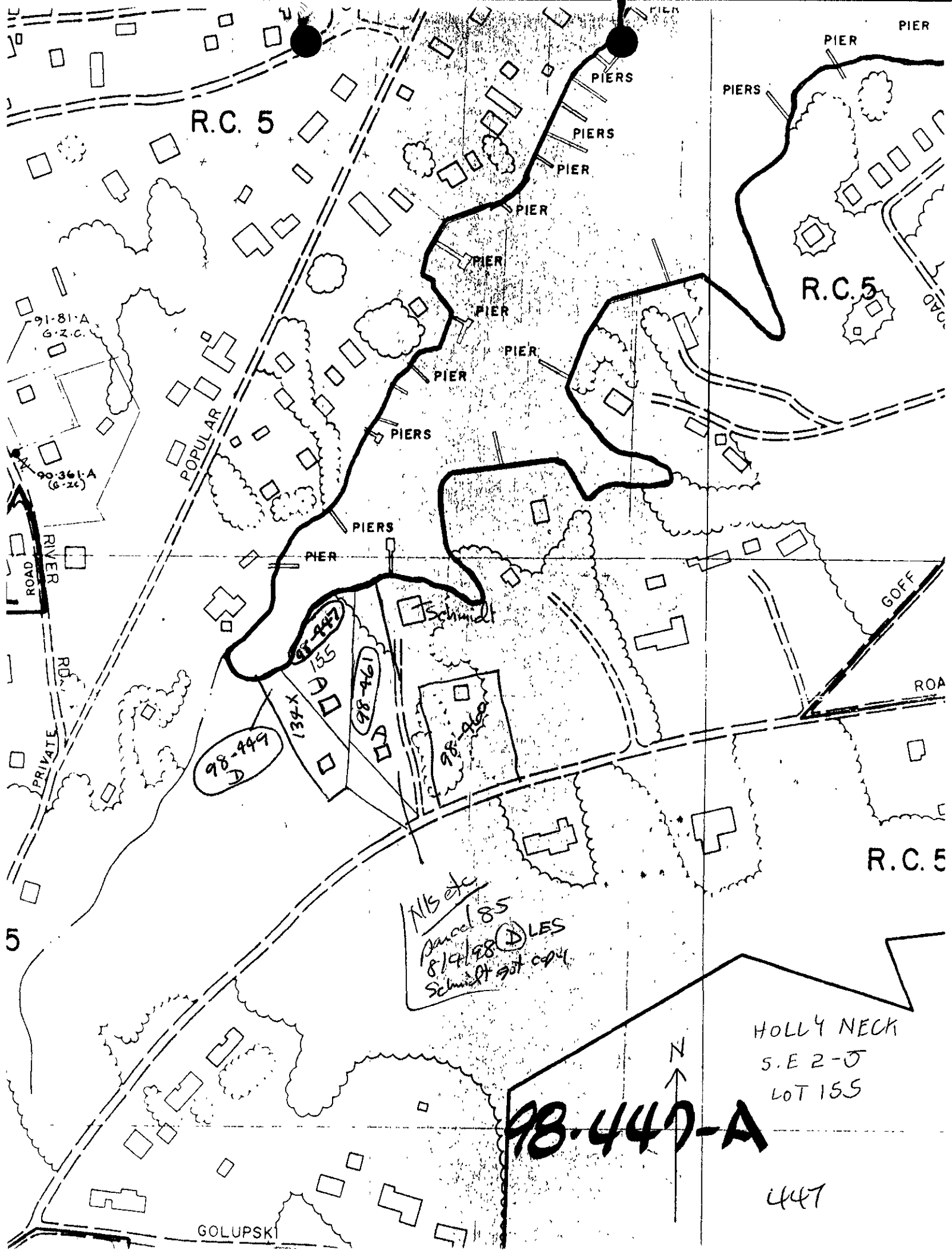
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

HOLLY NECK

SE
2-J

#4928
AERIAL
map



R.C. 5

R.C. 5

R.C. 5

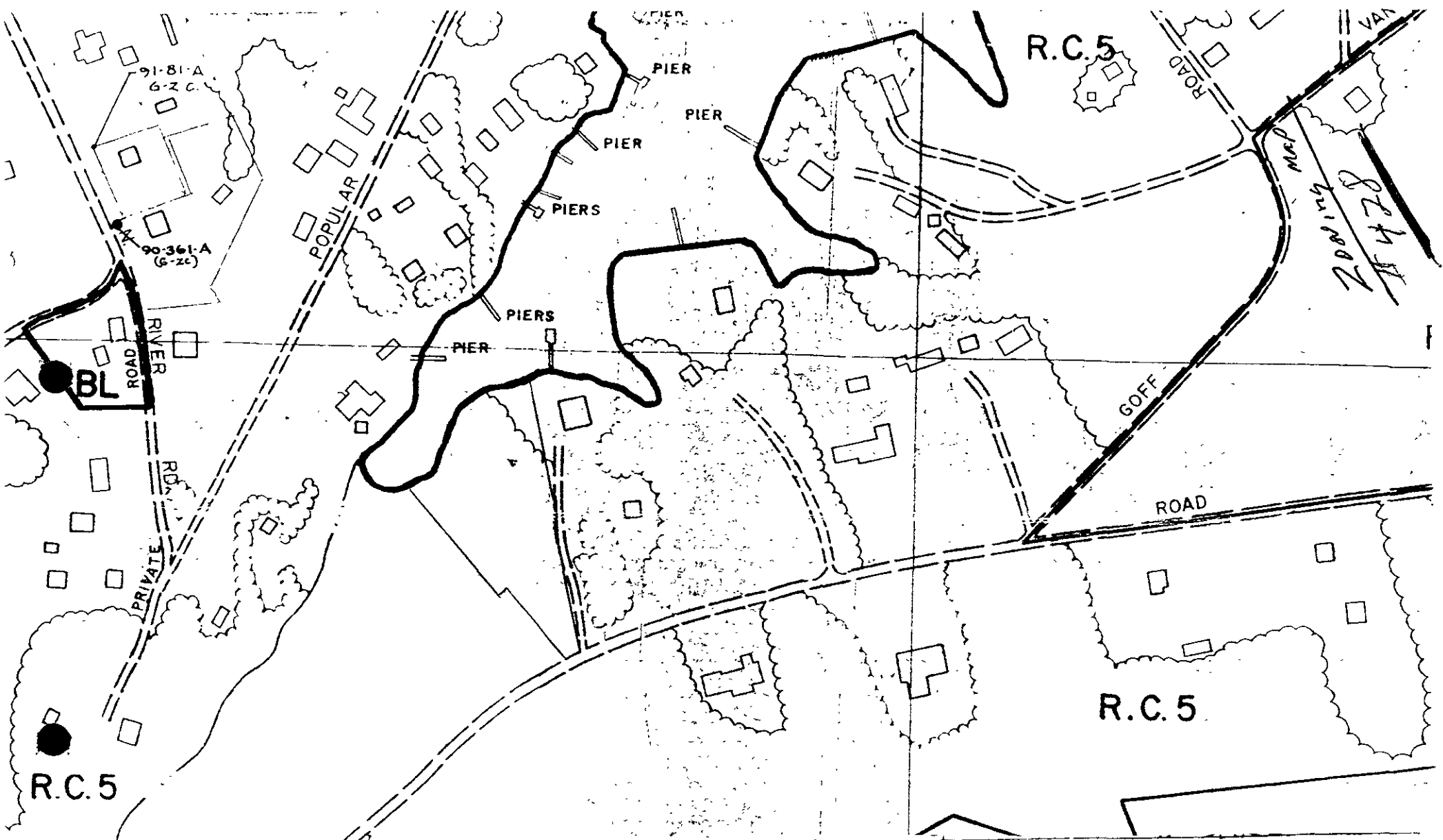
11/5 etc
Parcel 85
8/7/98 (D) LES
Schmidt got copy

HOLLY NECK
S.E. 2-5
LOT 155

98-447-A

447

GOLUPSKI



1992 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 15, 1992

Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

G

William A. Howard IV
 Chairman, County Council

SCALE

1" = 200' ±

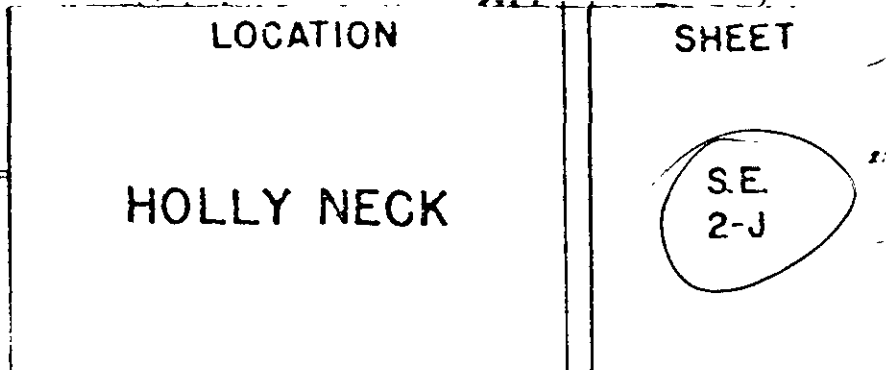
**DATE OF
 PHOTOGRAPHY**
 JANUARY
 1986

LOCATION

HOLLY NECK

SHEET

S.E.
 2-J



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: LOT 155 & PT 98 HOLY NECK RD

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

Subdivision name: CEPARK BEACH

plat book# 13 folio# 59 lot# _____ section# _____

OWNER: MARK PICKERSON



Vicinity Map P.46-8-2
scale: 1"=1000'

LOCATION INFORMATION

Election District: 15
Councilmanic District: 7
1"=200' scale map#: SE 2-J
Zoning: R.C 5
Lot size: 1.18 51,400
acreage square feet

SEWER: ☒ PUBLIC ☐ PRIVATE

WATER: ☒ PUBLIC ☐ PRIVATE

Chesapeake Bay Critical Area: ☒ YES ☐ NO

Prior Zoning Hearings:

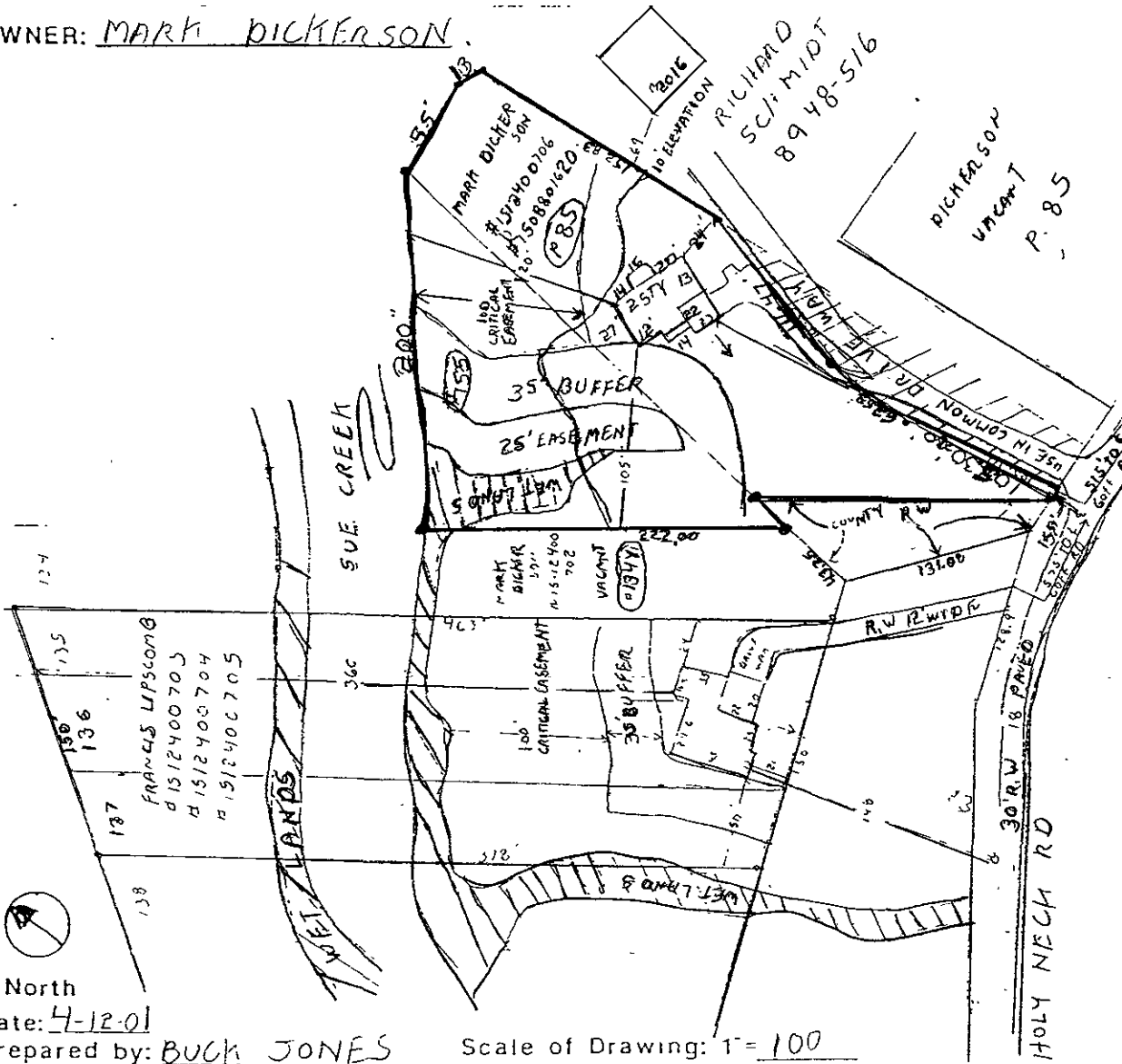
98-447-A - 98-4615PHA

Zoning Office USE ONLY!

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

[Signature]

428



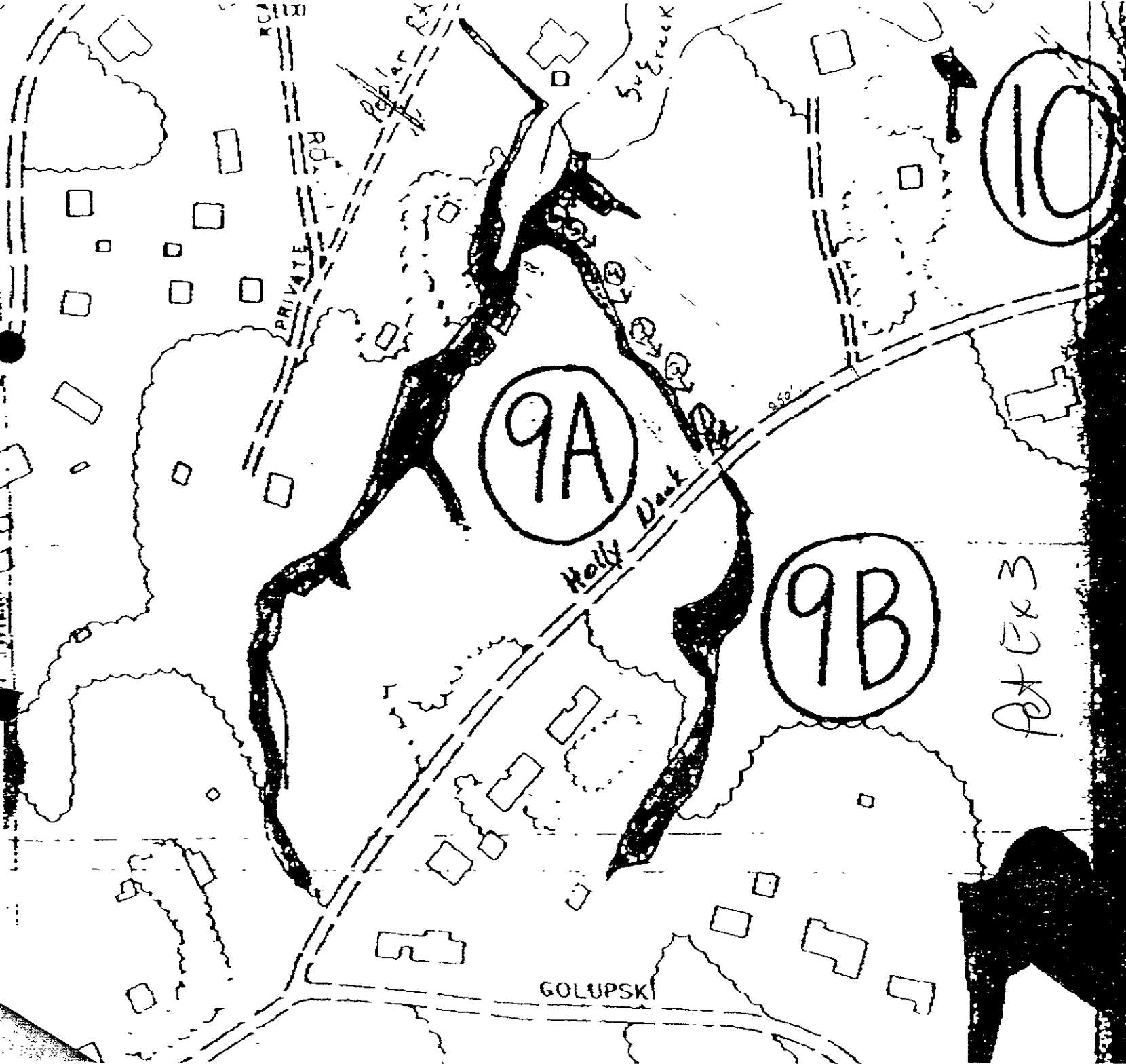
North

date: 4-12-01

prepared by: BUCK JONES

Scale of Drawing: 1"=100'

Ref Ex #1



Box 3

old fill which is maintained as lawn. The eastern boundary of the wetland is limited presently by comparatively recent fill on parcels 91 and 92. A final wetland boundary in this area must wait until resolution of any enforcement action, which may require restoration of any unauthorized impacts. The fill extends to the property lines of these two parcels and is currently resulting in the impoundment of water on a platted but unconstructed section of Beach Road. We are aware of no plans to extend Beach Road through this section at the current time. This wetland received the following functional value indices: EI=M, PH=M, WH=M, FC=M, WQ=L. Due to the natural forested condition of this wetland and the extent of past disturbance, no further disturbance will be permitted in this wetland, which has potential for restoration.

Wetland B

Wetland B is a temporarily flooded palustrine forested wetland of 0.12 acre. This wetland is dominated by Red Maple and Sweetgum and is directly adjacent to tidal emergent wetlands draining to Sue Creek. This wetland scored low in the functional assessment--EI=M, PH=L, WH=L, FC=L, WQ=L, but is designated for preservation because of its forested wetland Cowardin classification and its location completely within the 100 foot Critical Area tidal buffer.

Wetlands 9A and 9B

Wetlands 9A and 9B are temporarily flooded palustrine forested wetlands of 0.84 and 0.35 acres, respectively. Wetland 9B is separated from wetland 9A by Holly Neck Road but connected hydrologically by a culvert pipe crossing. Also, an upper perennial stream flows through most of the length of wetland 9A, and a ~~channel~~ ^{channel containing wetland} forms opposite the culvert pipe crossing from wetland 9B. Both wetlands are forested and dominated by various Oaks,

American Beech, Red Maple and Sweetgum in the overstory and Black Gum and Pepperbush in the understory. Wetland 9A achieved the following functional value index scores: EI=L, PH=L, WH=L, AH=L, FC=L, WQ=M. Wetland 9B scored as follows: EI=M, PH=L, WH=M, FC=M, WQ=M. Both wetlands have been designated for preservation because of their PFO Cowardin classification, and in the case of wetland 9A, the existence of a perennial stream.

Wetland 10

Wetland 10 is a small (0.04 acre) temporarily flooded palustrine forested wetland dominated by surrounding upland fringe species--White Oak, American Beech and Tuliptree. An intermittent stream flows through this wetland to adjacent tidal wetlands and on to Sue Creek. This wetland received FVI scores of low for all parameters but is designated for preservation for its PFO Cowardin classification, intermittent stream, and location entirely within the 100 foot buffer.

Wetland 11

Wetland 11 is a small (0.07 acre) temporarily flooded palustrine forested wetland with an upper perennial stream flowing to adjacent tidal wetlands of Sue Creek. This nontidal fringe wetland is dominated by White Oak and Sweetgum in the overstory and American Holly, Black Willow and Pepperbush in the understory. The functional assessment resulted in the following FVI scores: EI=L, PH=L, WH=M, AH=L, FC=L, WQ=M. This wetland is designated for preservation because of its PFO Cowardin classification, perennial stream, and location within the 100 foot tidal buffer.

Wetland 12

Wetland 12 is similar to the previous two wetlands, a small (0.09 acre) tidal fringe temporarily flooded palustrine forested wetland. This wetland is dominated by Sweetgum and Tuliptree in the overstory, Red Maple

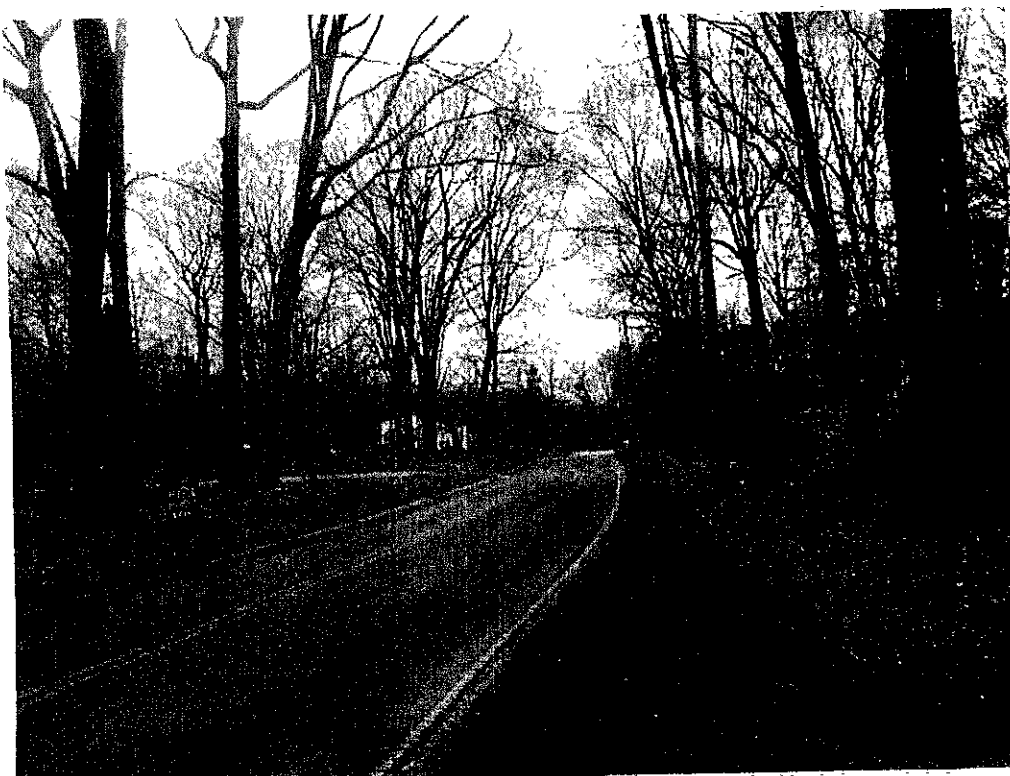


STANDING IN FRONT OF PROPERTY
LOOKING ACROSS STREET OR SOUTH

Pet Ex 4



STANDING ON HOLLY NECK, LOOKING NORTH
EAST DOWN THE ROAD



STANDING ON HOLLY NECK, LOOKING SOUTH
WEST UP HOLLY NECK ROAD



STANDING ON HOLLY NECK ROAD LOOKING
NORTH INTO LOT



STANDING APPROXIMATELY 200' IN LOT
LOOKING SOUTH OUT TO HOLLY NECK ROAD

