

IN RE: PETITION FOR VARIANCE
W/S Sue Grove Road, 180' N of the c/l
Herzinger Road
(828 Sue Grove Road)
15th Election District
5th Council District

Thomas Lopresti
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-498-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Thomas Lopresti. The Petitioner seeks relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a minimum lot area of 8,953 sq.ft. in lieu of the minimum required 10,000 sq.ft.; a minimum lot width of 43 feet in lieu of the required 70 feet; a minimum (left) side yard setback of 9 feet in lieu of the required 10 feet and combined side yard setbacks of 19 feet in lieu of the minimum required 25 feet; and, to approve the subject property as an undersized lot, and any other relief deemed necessary by the Zoning Commissioner to allow 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 were Thomas Lopresti, property owner, James Grammer, Professional Engineer with McKee & Associates, Inc., who prepared the site plan for this property, and Howard L. Alderman, Jr., Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped waterfront lot, located along a curve on the west side of Sue Grove Road, adjacent to Sue Creek, in the vicinity of Turkey Point Road in Essex. The property consists of a gross area of 8,953 sq.ft., more or less, zoned D.R.3.5, and is improved with an old shore home which has become dilapidated and is beyond repair. The Petitioner is desirous of razing that structure and

ORDER RECEIVED FOR FILING
Date 8/31/01
By [Signature]

constructing a new, two-story dwelling, 36' x 26' in dimension, in its place. However, in order to proceed with the proposed improvements, the requested variances are necessary. Apparently, the subject lot was created in 1921 as part of the original subdivision of the area and tapers from a width of 60 feet along the front property line adjacent to the street, to 34 feet along the waterfront. Thus, development of the property is limited due to its narrow width and unique configuration.

Further testimony revealed that the Petitioner has discussed his proposal with the immediate neighbors on both sides of the property and that they have no objections. Indeed, it appears that the construction of a new dwelling on the site will represent an upgrade to the property and improve existing conditions. Insofar as the requirements of Section 307 of the B.C.Z.R., it is clear that the property is unique by virtue of its unusual configuration. In this regard, it was indicated that the lot is unlike other lots in the area, due to its shape. Moreover, the Petitioner would suffer a practical difficulty if relief were denied and prevent use of the property for a permitted purpose. Moreover, I believe that the razing of the existing dilapidated structure and the construction of a new dwelling in its place will actually confer a benefit to the surrounding community.

For these reasons, the requested relief shall be granted. However, in granting the relief, I will incorporate the Zoning Advisory Committee (ZAC) comment submitted by the Development Plans Review division of the Department of Permits and Development Management (DPDM), dated June 29, 2001. That comment indicates that the subject property is located within a tidal floodplain along Sue Creek and that the lowest floor elevation of the proposed dwelling need be at an elevation of at least 11.2 feet. In this regard, the site plan submitted shows that the minimum elevation of the lowest floor will be 11.4 feet. Thus, it appears that this requirement will be satisfied. Additionally, although there was no comment from the Department of Environmental Protection and Resource Management (DEPRM), Mr. Grammer testified that he had spoken with that agency and that the Petitioner is aware of the requirements for development within the Chesapeake Bay Critical Areas and will comply accordingly. Thus, the Petitioner will be required to comply with any recommendations made by DEPRM upon completion of their review and

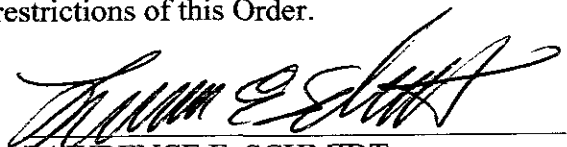
ORDER RECEIVED FOR FILING
Date 8/3/11
By Rep

comment on this proposal. It is also to be noted that the property has public water and sewer service.

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 13th day of August, 2001, that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a minimum lot area of 8,953 sq.ft. in lieu of the minimum required 10,000 sq.ft.; a minimum lot width of 43 feet in lieu of the required 70 feet; a minimum (left) side yard setback of 9 feet in lieu of the required 10 feet and combined side yard setbacks of 19 feet in lieu of the minimum required 25 feet; and, to approve the subject property as an undersized lot, and any other relief deemed necessary by the Zoning Commissioner to allow development with a single family dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the ZAC comments submitted by the Bureau of Development Plans Review division of DPDM, dated June 29, 2001, a copy of which is attached hereto and made a part hereof.
- 3) The Petitioner shall also comply with any recommendations made by DEPRM in order to address Chesapeake Bay Critical Areas requirements and mitigate any impact the proposed development might have on the Bay and its tributaries.
- 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 8/13/01
By [Signature]



Baltimore County
Zoning Commissioner

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

August 13, 2001

Howard L. Alderman, Jr., Esquire
Levin & Gann
502 Washington Avenue, Suite 800
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
W/S Sue Grove Road, 180' N of the c/l Herzinger Road
(828 Sue Grove Road)
15th Election District – 5th Councilmanic District
Thomas Lopresti - Petitioner
Case No. 01-498-A

Dear Mr. Alderman:

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".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Thomas Lopresti
539 Limerick Circle, Timonium, Md. 21093-7475
Mr. James Grammer, McKee & Assoc., Inc.
5 Shawan Road, Suite 1, Cockeysville, Md. 21030
Chesapeake Bay Critical Areas Commission,
1804 West Street, Suite 100, Annapolis, Md. 21401
DEPRM; Development Plans Review, DPDPM; People's Counsel; Case File

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





CBCA FLOODPLAIN

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 828 Sue Grove Road
which is presently zoned DR-3.5

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)

* See Attached

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) The existing lot, created in 1921, is too small in net area to meet the the minimum area requirement; the existing lot is too narrow to meet the minimum lot width requirement; the setback variances are necessary to permit a dwelling compatible with the neighboring houses and to allow for the retention of a sizable tree located in the rear yard; other good and sufficient testimony to be provided at the 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:

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

Attorney For Petitioner:

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

Legal Owner(s):

Thomas Lopresti
Name - Type or Print _____
Signature *Thomas Lopresti*
Name - Type or Print only lower
Signature _____
539 Limerick Circle (410) 308-0607
Address _____ Telephone No. _____
Timonium, Maryland 21093-7475
State _____ Zip Code _____

Representative to be Contacted:

James D. Gramer
c/o McKee & Associates, Inc.
Name _____
5 Shawan Road, Suite 1 (410) 527-1555 day eve.
Address _____ Telephone No. _____
Cockeysville, Maryland 21030
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By BRK Date 5/21/01

Case No. 01-498-A

9/15/98

ORDER RECEIVED FOR FILING
Date 8/13/01
By [Signature]

ITEM NUMBER: _____

CASE NUMBER: _____

REQUESTED ZONING VARIANCES FOR:

828 SUE GROVE ROAD
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

REQUESTING VARIANCES FROM SECTION 1B02.3.C.1 TO PERMIT A MINIMUM LOT AREA OF 8,953 SQUARE FEET IN LIEU OF THE MINIMUM REQUIRED 10,000 SQUARE FEET; A MINIMUM LOT WIDTH OF 43 FEET IN LIEU OF THE REQUIRED 70 FOOT MINIMUM; A MINIMUM LEFT SIDYARD SETBACK OF 9 FEET IN LIEU OF THE MINIMUM REQUIRED 10 FEET; COMBINED SIDYARD SETBACKS OF 19 FEET IN LIEU OF THE MINIMUM REQUIRED 25 FEET; AND TO APPROVE AN UNDERSIZED LOT; AND ANY OTHER RELIEF DEEMED NECESSARY BY THE ZONING COMMISSIONER.

498

McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

May 18, 2001

**ZONING DESCRIPTION FOR
828 SUE GROVE ROAD
15TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING on the west side of Sue Grove Road, which is of variable width at the distance of 180 feet north of the centerline of Herzinger Road, which is 20 feet wide. Being Lot 57 in the subdivision of Sue Grove as recorded in Baltimore County Plat Book 7, folio, containing 8,953 square feet. Also known as 828 Sue Grove Road and located in the 15th Election District, 5th Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 92898

DATE 5/21/01 ACCOUNT R001-006-6150
AMOUNT \$ 50.00

RECEIVED FROM: 1. Inc. Assoc.
FOR: Zoning Variance & Subdivision
lot approval

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

498

PAID RECEIPT
PAYMENT ACTUAL TIME
5/21/2001 5/21/2001 10:20:24
R001 4802 CASHIER SMAT SMAT DEKMER 2
RECEIPT # 175138 DELN
5 528 ZONING VERIFICATION
CR 01. 092898
Receipt Tot 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 proposed ordinance as follows:

8300 SUE GROVE ROAD
W/S SUE GROVE ROAD, 180' N CENTERLINE HERTZINGER ROAD,
15 ELECTION DISTRICT - 5th Councilmanic District
Legal/Owner(s): Thomas Lopraehl

Variance: to permit a minimum lot area of 8953 square feet in lieu of the minimum required 10000 square feet; a minimum lot width of 43 feet in lieu of the required 70 foot minimum; a minimum lot side yard setback of 9 feet in lieu of the minimum required 10 feet; combined side yard setback of 19 feet in lieu of the minimum required 25 feet; and to approve an undersized lot; and any other relief deemed necessary by the zoning commissioner.

Hearing: Monday, July 30, 2001 at 9:00 a.m. in Room 407, Colony Courts Building, 401 Bailey 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) 887-3381.

C480688
Z128 July 12

CERTIFICATE OF PUBLICATION

_____ 7/12/2001

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 7/12/2001.

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

S. Wilkinson
LEGAL ADVERTISING

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: 01-498-A

Petitioner: Thomas Lopresti

Address or Location: 828 Sue Grove Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Thomas Lopresti

Address: 539 Limerick Circle

TIMONIUM, MD 21093

Telephone Number: 410 308-0607

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 12, 2001 Issue – Jeffersonian

Please forward billing to:
Thomas Lopresti
539 Limerick Circle
Timonium MD 21093

410 308-0607

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: 01-498-A
828 Sue Grove Road
W/S Sue Grove Road, 180' N centerline Herzinger Road
15th Election District – 5th Councilmanic District
Legal Owner: Thomas Lopresti

Variance to permit a minimum lot area of 8953 square feet in lieu of the minimum required 10000 square feet; a minimum lot width of 43 feet in lieu of the required 70 foot minimum; a minimum left side yard setback of 9 feet in lieu of the minimum required 10 feet; combined side yard setbacks of 19 feet in lieu of the minimum required 25 feet; and to approve an undersized lot; and any other relief deemed necessary by the zoning commissioner.

HEARING: Monday, July 30, 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

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

June 13, 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: 01-498-A
828 Sue Grove Road
W/S Sue Grove Road, 180' N centerline Herzinger Road
15th Election District – 5th Councilmanic District
Legal Owner: Thomas Lopresti

Variance to permit a minimum lot area of 8953 square feet in lieu of the minimum required 10000 square feet; a minimum lot width of 43 feet in lieu of the required 70 foot minimum; a minimum left side yard setback of 9 feet in lieu of the minimum required 10 feet; combined side yard setbacks of 19 feet in lieu of the minimum required 25 feet; and to approve an undersized lot; and any other relief deemed necessary by the zoning commissioner.

HEARING: Monday, July 30, 2001 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

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

Arnold Jablon G.D.Z.
Director

C: Thomas Lopresti, 539 Limerick Circle, Timonium 21083
James D Gramer, McKee & Assoc. Inc., 5 Shawan Rd, Ste 1, Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 14, 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

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

July 13, 2001

Thomas Lopresti
539 Limerick Circle
Timonium MD 21083

Dear Mr. Lopresti:

RE: Case Number: 01-498-A, 828 Sue Grove Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 21, 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. G72
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: James D Gramer, McKee & Associates Inc, 5 Shawan Rd, Ste 1, Cockeysville 21030
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 29, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For June 18, 2001
Item No. 498

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

A portion of this site lies within the 100-year tidal flood plain along Sue Creek.

The county's buildings engineer shall require a permit for all development, storage of equipment and materials, or placement of manufactured homes in the flood plain area. 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 of 11.2 feet for this site. Basements are not permitted in the flood plain area. Any building or addition shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

RWB:HJO:jrb

cc: File

ZAC-6-18-2001-ITEM 498.doc

ORDER RECEIVED FOR FILING
Date 8/13/01
By [Signature]

hs
2/17
7/30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 15, 2001

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

JUN 18

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-498

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A. Cunningham

Section Chief: Jeffrey W. Long

AFK/JL:MAC



Baltimore County
Fire Department

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

June 12, 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 June 11, 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:

460, 484, 486, 487, 488, 489, 490, 491, 492, 493, 495,
496, 497, 498, 500, and 501

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: 6.13.01

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

RE: Baltimore County
Item No. 498 137

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,

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**

RE: PETITION FOR VARIANCE
828 Sue Grove Road, W/S Sue Grove Rd,
180' N of c/l Herzinger Rd
15th Election District, 5th Councilmanic


Legal Owner: Thomas Lopresti
Petitioner(s)


* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-498-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 18th day of June, 2001 a copy of the foregoing Entry of Appearance was mailed to James D. Grammer, McKee & Assoc., Inc., 5 Shawan Road, Suite 1, Hunt Valley, MD 21030, representative for Petitioners.


PETER MAX ZIMMERMAN

**IN RE: PETITION FOR VARIANCE
 828 Sue Grove Road
 15th Election District
 5th Councilmanic District**

**Thomas LoPresti, Owner

 Petitioner**

**BEFORE THE

ZONING COMMISSIONER

FOR

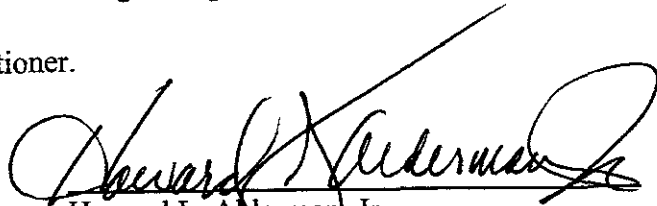
BALTIMORE COUNTY

Case No. 01-498-A**

ENTRY OF APPEARANCE

Mr. Commissioner:

Please enter the appearance of the undersigned legal counsel in the above-captioned matter on behalf of Mr. Thomas LoPresti, Petitioner.



Howard L. Alderman, Jr.
Levin & Gann, P.A.
8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204
410.321.0600 [voice]
410.296.2801 [fax]
Halderman@LevinGann.com [e-mail]

Attorneys for Thomas LoPresti

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

JAMES GRAMMER

MCKEE & ASSOC. 5 SHAWAN RD 21030

THOMAS LOPRESTI

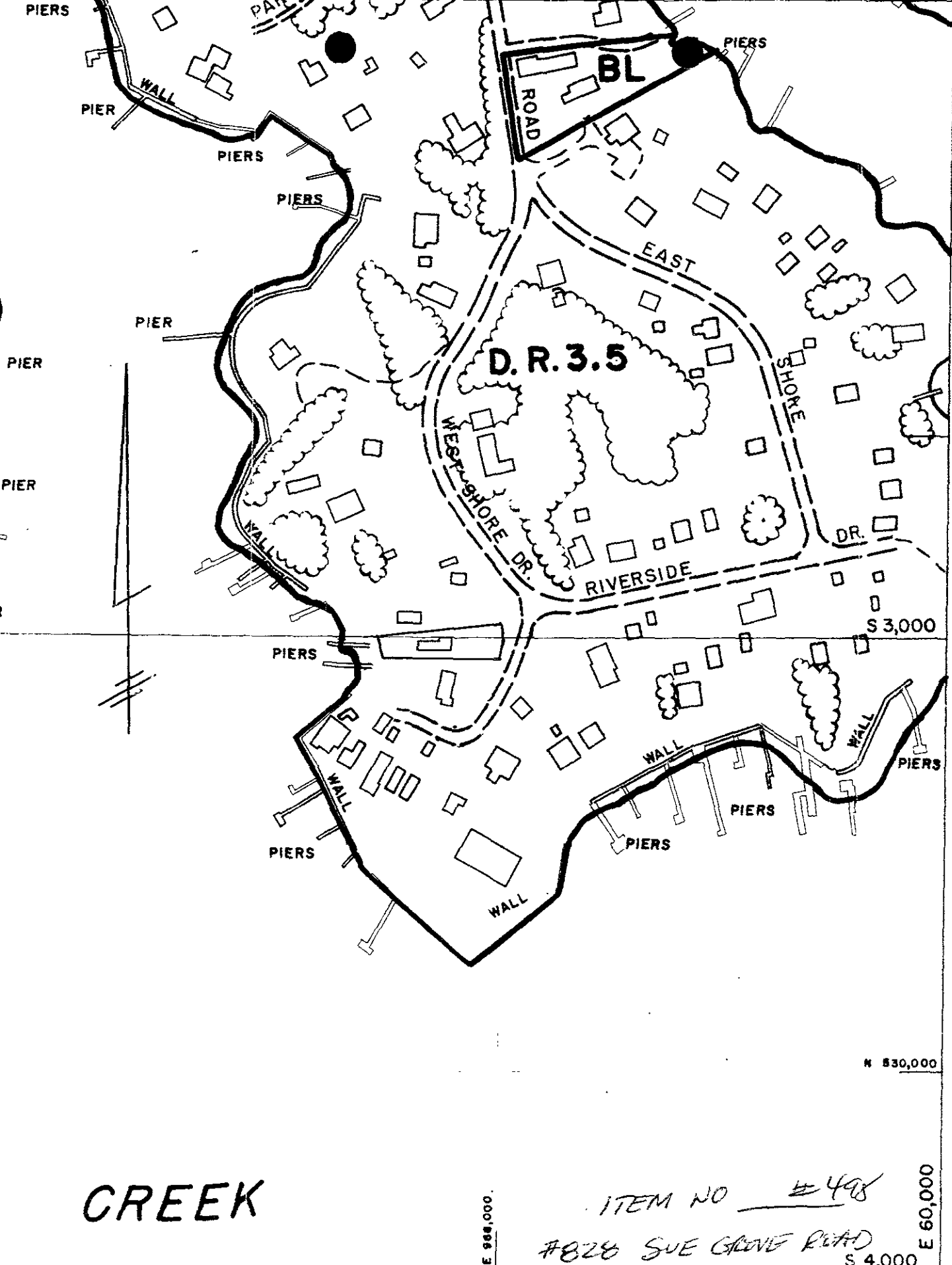
539 LIMERICK CIRCLE 21093

HOWARD L AUDEMAN JR

LEVIN & GAUN PA 507 WASHINGTON AVE

SUITE 800, TOWSON MD 21204





CREEK

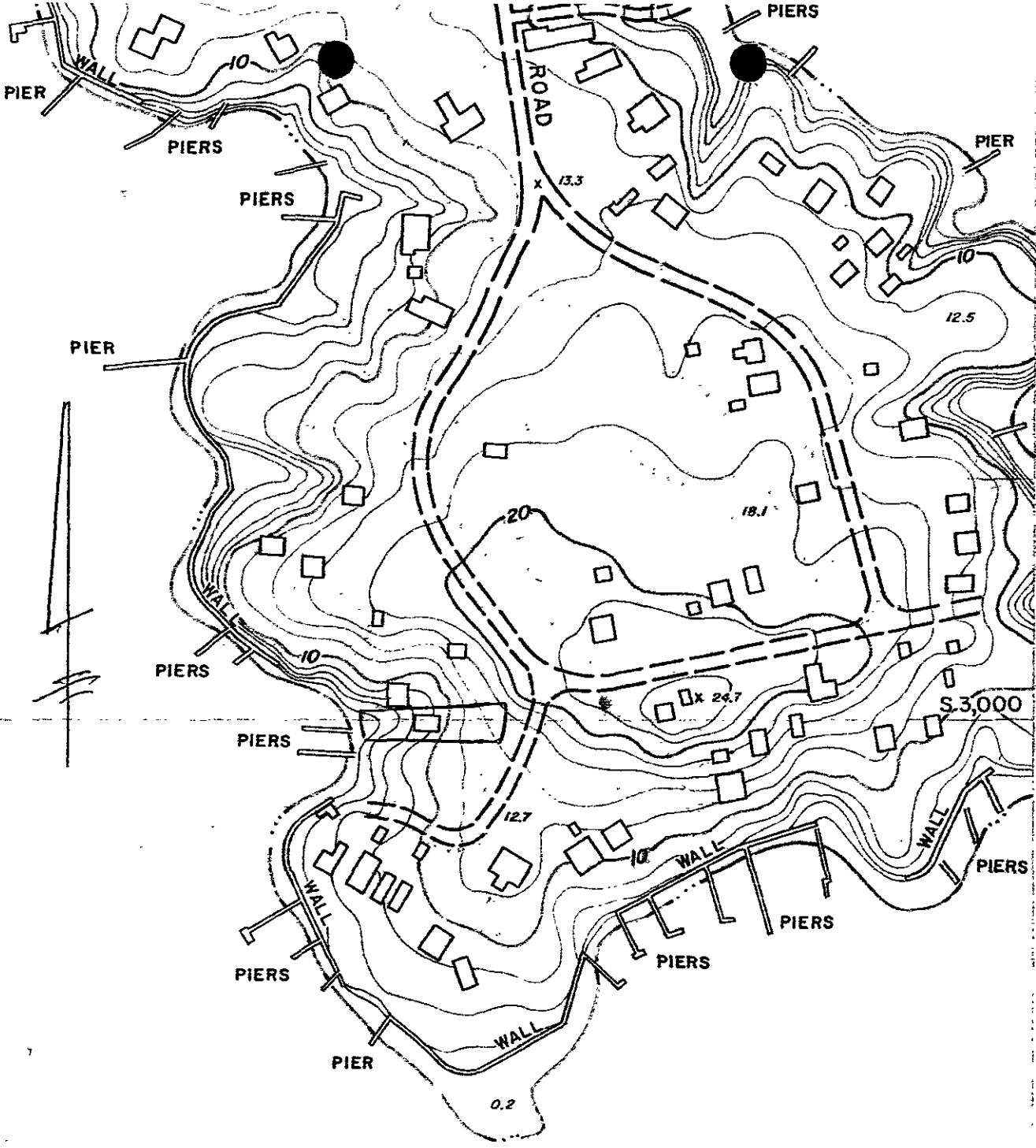
ITEM NO #498

#828 SUE GRAVE ROAD S 4,000

SCALE
1" = 200' ±
DATE :

LOCATION
TURKEY POINT

SHEET
1" = 200'
SE 1-J
S.E.



N 530,000

CREEK

E 968,000

\$ 498

E 60,000

S 4,000

DINS		SCALE	LOCATION	SHEET
Y	DATE	1" = 200'	TURKEY POINT	1" = 200'
10/24/84		DATE OF		S.E.
				1-1



Streetscape of opposite side of Sue Grove Road



Streetscape of Sue Grove Road

SUBJECT

2A
EXHIBIT

#828 Sue Grove Road

McKee & Associates, Inc.
5 Shawan Road, Suite 1
Cockeysville, MD 21030
410 527-1555 410 527-1563 (fax)



On property line at rear of existing dwelling towards Sue Creek



From water towards rear of existing dwelling (#828)

EXHIBIT *2B*

#828 Sue Grove Road

McKee & Associates, Inc.
5 Shawan Road, Suite 1
Cockeysville, MD 21030
410 527-1555 410 527-1563 (fax)



#830 Sue Grove Road

EXHIBIT 2C

#828 Sue Grove Road

McKee & Associates, Inc.
5 Shawan Road, Suite 1
Cockeysville, MD 21030
410 527-1555 410 527-1563 (fax)



#822 Sue Grove Road



#824 Sue Grove Road

EXHIBIT *2D*

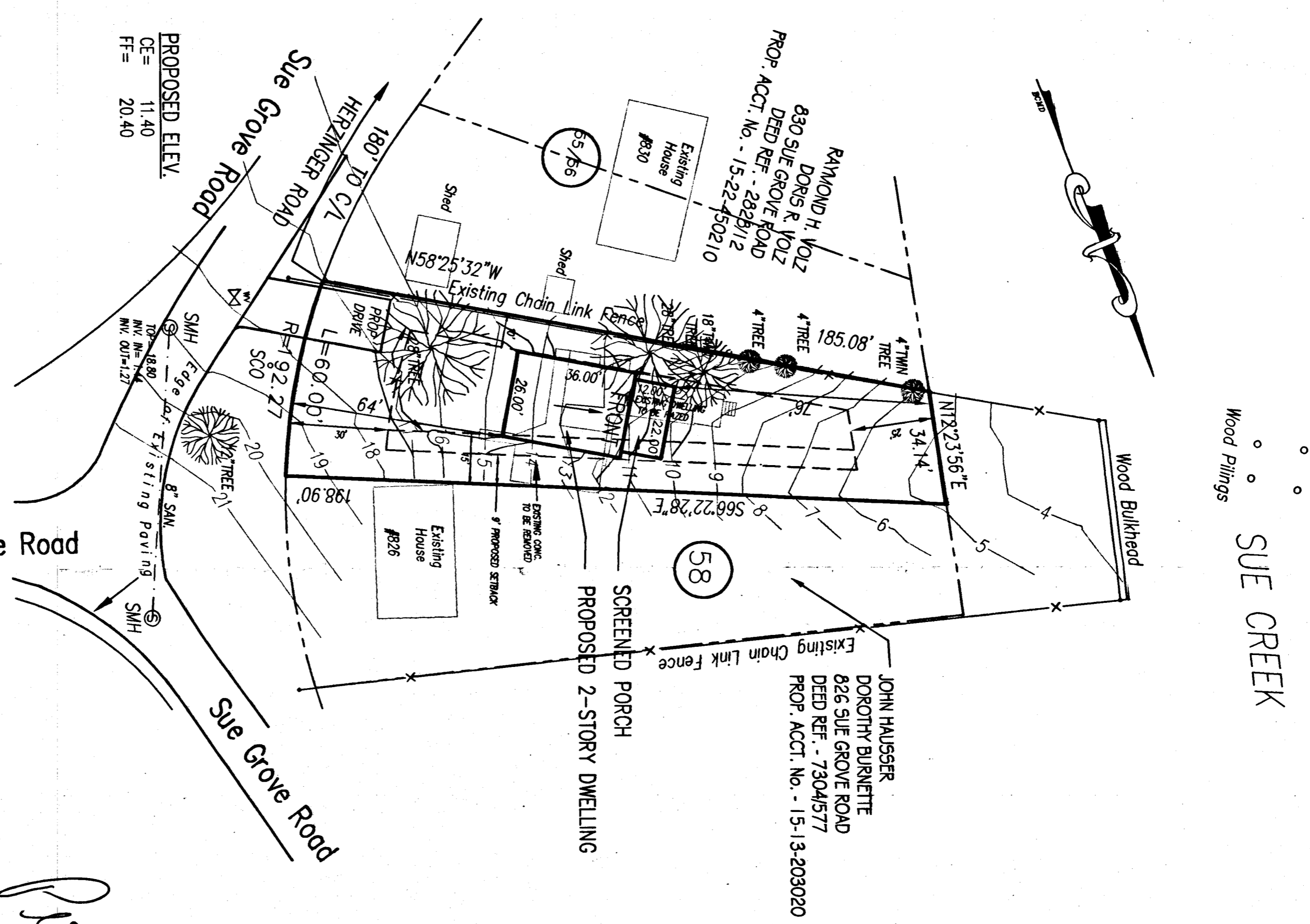
#828 Sue Grove Road

McKee & Associates, Inc.
5 Shawan Road, Suite 1
Cockeysville, MD 21030
410 527-1555 410 527-1563 (fax)

C.B.C.A. SITE TABULATIONS

1. EXISTING ZONING: DR 3.5
2. CRITICAL AREA DESIGNATION: UA
3. AREA OF SITE: SF: 8,953 (0.205 AC±)
4. EXISTING IMPERVIOUS AREA: 1,382 SF. (0.031 AC±)
5. PERCENTAGE OF SITE: 15.4%
6. IMPERVIOUS TO BE REMOVED: 1,382 (0.031 AC±)
7. REMAINING IMPERVIOUS: 0 SF
8. PROPOSED IMPERVIOUS: 1968 SF.
9. TOTAL PROPOSED IMPERVIOUS: 1968 SF.
10. PERCENTAGE OF SITE: 22.0 %
11. IMPERVIOUS LIMIT 2238 SF. (25%)

NOTE: THERE CAN BE NO CLEARING, GRADING, CONSTRUCTION, OR DISTURBANCE OF VEGETATION IN THE TDR BUFFER, EXCEPT AS ALLOWED BY THE BALTIMORE COUNTY DEPRM.

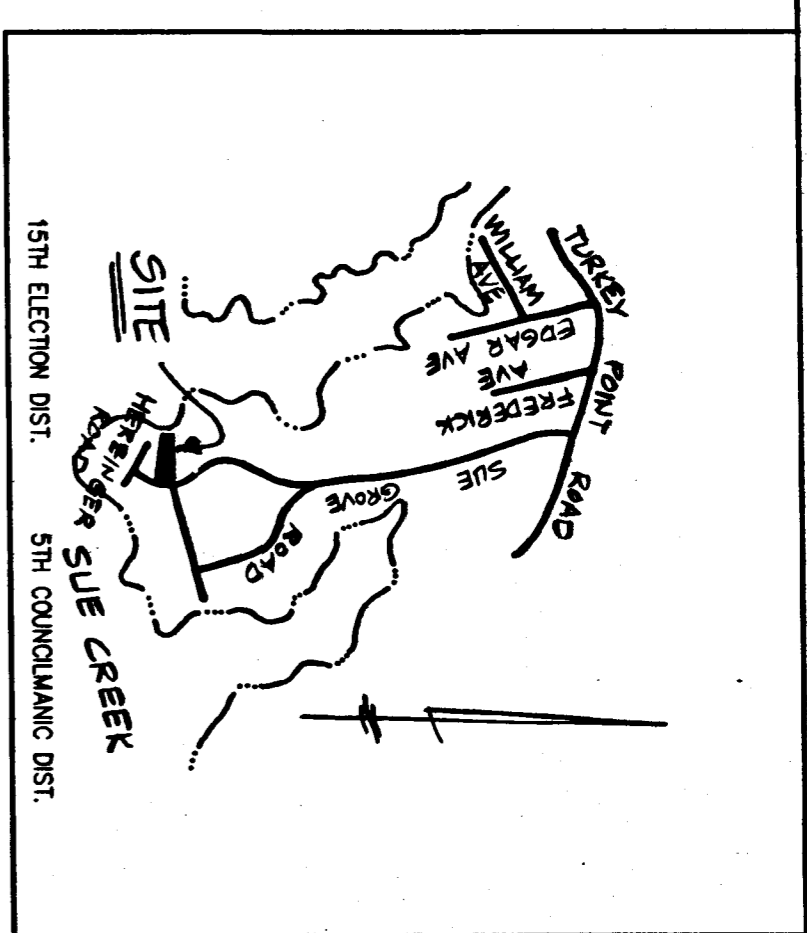


PROPOSED ELEV.
CE = 11.40
FF = 20.40

REQUESTED ZONING VARIANCES FOR:
828 SUE GROVE ROAD
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
5th Councilmanic District

REQUESTING VARIANCES FROM SECTION 1B02.3.C.1 TO PERMIT A MINIMUM LOT AREA OF 8,953 SQUARE FEET IN LIEU OF THE MINIMUM REQUIRED 10,000 SQUARE FEET; A MINIMUM LOT WIDTH OF 43 FEET IN LIEU OF THE REQUIRED 70 FOOT MINIMUM; A MINIMUM LEFT SIDYARD SETBACK OF 9 FEET IN LIEU OF THE MINIMUM REQUIRED 10 FEET; COMBINED SIDYARD SETBACKS OF 19 FEET IN LIEU OF THE MINIMUM REQUIRED 25 FEET; AND TO APPROVE AN UNDERSIZED LOT; AND ANY OTHER RELIEF DEEMED NECESSARY BY THE ZONING COMMISSIONER.

Wood Piling
SUE CREEK



VICINITY MAP
SCALE: 1"=1000'

NOTES:

1. EXISTING ZONING: D.R.-3.5 Zoning Map SE 15
2. OWNER INFORMATION:
THOMAS LOPESTI
539 LIMERICK CIRCLE
TIMONUM, MD 21093
3. PROPERTY TAX ACCOUNT No.: 15-23-350470
4. AREA OF LOT: 8,953 sf / 0.205 ac. +/-
5. THERE HAVE BEEN NO PRIOR ZONING HEARINGS FOR THIS SITE.
6. THIS SITE IS SERVED BY PUBLIC WATER AND SEWER.

Ref. No. 1

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCES		SCALE: 1" = 30'
828 SUE GROVE ROAD - BALTIMORE COUNTY		DATE: 05/19/2001
McKEE & ASSOCIATES, INC.		JOB NO. 01-059
Engineering - Land Planning - Land Surveying		
Natural Resource Planning - Real Estate Development		
9 SHAWAN ROAD, Suite 1 COCKEYSVILLE, MARYLAND 21030 TELEPHONE: (410) 827-1888 FACSIMILE: (410) 827-1883		

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