

IN RE: PETITION FOR VARIANCE
S/S Beaverbrook Lane, 840' W
centerline of Falls Road
8th Election District
3rd Councilmanic District
(1625 Beaverbrook Lane)

Joan E. & James R. Horney
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-100-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 owners of the subject property, Joan E. and James R. Horney. The Petitioners are requesting variance relief for property located at 1625 Beaverbrook Lane. The variance request is to allow a single-family dwelling to be constructed on a lot with a side yard setback of 40 ft. in lieu of the required 50 ft. and to amend the Final Development Plan of "Mack Farm".

Appearing at the hearing on behalf of the variance request were Mr. & Mrs. Horney, the owners of the property, Timothy Kleim, adjacent property owner, Brian Dicara, representing McKee & Associates, and Howard L. Alderman, Jr., attorney at law, representing the Petitioners. Appearing in opposition to the Petitioners' request was Dr. Sharon Whelton, nearby property owner.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 1.054 acres, more or less, zoned R.C.5. The subject property is an unimproved residential lot. The property owners are interested in constructing a dwelling on the subject property in accordance with the representations made on Petitioners' Exhibit No. 1, the site plan. Because of the long and narrow configuration of the lot, the house selected to be constructed by the Horney's extends beyond the narrow building envelope. The Horney's are interested in constructing a house with living conditions on one level due to their age. This

10/18/02
J. D. [Signature]

causes the house to extend somewhat beyond the narrow building envelope resulting in a 40 ft. side yard setback to the property owned by Timothy Kleim. Mr. Kleim attended the hearing and did not oppose the variance request. In order to proceed with the construction of the house in the fashion depicted on the site plan, the variance request is necessary.

As stated previously, Dr. Sharon Whelton appeared in opposition to the Petitioners' request. She does not necessarily oppose the construction of a house on this lot. However, Dr. Whelton is concerned regarding the additional traffic that will be utilizing Beaverbrook Lane. Apparently, according to her testimony, Beaverbrook Lane is a private road which provides access to a few property owners. Dr. Whelton testified that up until this time she has had to pay for and maintain Beaverbrook Lane from her house out to Falls Road. None of the other neighbors who also utilize Beaverbrook Lane as access to their homes have contributed towards the cost of snow removal, maintenance and repair of this private road. Dr. Whelton believes that the construction of an additional home on this lot would overburden this private easement to the lot in question and also believes that this property owner, as well as the others, should contribute their proportionate share of the cost to maintain this private road. Dr. Whelton is hopeful that the neighbors would voluntarily agree to contribute their share of this cost.

This issue was discussed with Dr. Whelton at the hearing. I advised her that my office does not have the authority to rule upon such issues of title and the use of this private access to these homes. Unfortunately, in order to resolve her concerns, Dr. Whelton would have to bring an appropriate action in the Circuit Court for Baltimore County in order to resolve this issue.

The issue before me is whether the house to be constructed by Mr. & Mrs. Horney should be permitted to extend beyond the building envelope as shown on the site plan. After

10/18/02
R. J. [Signature]

considering the testimony and evidence offered at the hearing, I find that the variance should be granted to allow a 40 ft. side yard setback.

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 8th day of October, 2002, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations, to allow a single-family dwelling to be constructed on a lot with a side yard setback of 40 ft. in lieu of the required 50 ft. and to amend the Final Development Plan of "Mack Farm", 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

RECEIVED
10/18/02
J. H. JAMESON



**Baltimore County
Zoning Commissioner**

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

October 8, 2002

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

Re: Petition for Variance
Case No. 03-100-A
Property: 1625 Beaverbrook Lane

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper

Copies to:

Mr. & Mrs. James R. Horney
1630 Flint Rock Court
Finksburg, Maryland 21048

Brian A. Dicara
McKee & Associates, Inc.
5 Shawan Road, Suite 1
Cockeysville, MD 21030

Timothy G. Kleim
1621 Beaverbrook Lane
Cockeysville, MD 21030

Dr. Sharon Whelton
1737 Beaverbrook Lane
Hunt Valley, MD 21030

Copies to:

Mr. & Mrs. James R. Horney
1630 Flint Rock Court
Finksburg, Maryland 21048

Brian A. Dicara
McKee & Associates, Inc.
5 Shawan Road, Suite 1
Cockeysville, MD 21030

Timothy G. Kleim
1621 Beaverbrook Lane
Cockeysville, MD 21030

Dr. Sharon Whelton
1737 Beaverbrook Lane
Hunt Valley, MD 21030



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1625 Beaverbrook Lane

which is presently zoned RC-2

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)

*See Attached

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:

Howard L. Alderman, Jr.

Name - Type or Print

Signature

Levin and Carr, P.A.

Company Nottingham Centre, 8th Floor

502 Washington Avenue

(410) 321-0600

Address

Towson, Maryland 21204-2801

City

State

Zip Code

Legal Owner(s):

James Robert Horney

Name - Type or Print

Signature

Joan Ellen Horney

Name - Type or Print

Signature

1630 Flint Rock Court (410) 876-0887

Address

Finksburg, Maryland 21048

Telephone No.

State

Zip Code

Representative to be Contacted:

Brian A. Dicara

McKee & Associates, Inc.

Name

5 Shawan Road, Suite 1

(410) 527-1555

Address

Cockeysville, Maryland 21030

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

1/2 HR

UNAVAILABLE FOR HEARING

NA

Reviewed By

JK

Date

8/28/02

Case No. 03-100-A

REV 9/15/98

Attachment 1
PETITION FOR VARIANCE

CASE NO: 03- -A

Address: 1625 Beaverbrook Lane

Legal Owner: J. Robert Horney & Joan Ellen Horney

Present Zoning: RC5

REQUESTED RELIEF:

From: i) BCZR § 1A04.3.B.2 to permit a side yard setback on the east side to be 40 feet in lieu of the 50 feet required; ii) to amend the approved final development plan of "Mack Farm" consistent with the relief requested and the *Plan to Accompany Petition for Zoning Variance* submitted herewith; and iii) for such further relief as the nature of this request and the referenced *Plan* may require.

JUSTIFICATION:

1. Long, narrow lot;
2. Irregularly shaped lot;
3. Pre-existing transcontinental pipe line;
4. Pre-approved location of septic reserve area; and
5. For such further reasons that will be presented at the hearing on this Petition.

FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204

(410) 321-0600
Fax: (410) 296-2801
halderman@LevinGann.com

McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

100

July 3, 2002

**DESCRIPTION OF
#1625 BEAVER BROOK LANE
8TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING at a point on the south side of Beaver Brook Lane, which is 16.5 feet wide at the distance of 840 feet West of the centerline of the nearest improved intersecting street Falls Road, which is 80 feet wide. **BEING** Tract "A" in the subdivision of Mack Farm as recorded in Baltimore County Plat Book #62, folio 57, containing 1.05 acres. **ALSO KNOWN** as #1625 Beaver Brook Lane and located in the 8th Election District, 3rd Councilmanic District.

**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: #03-100-A
1625 Beaverbrook Lane
S/S Beaverbrook Lane
8th Election District
3rd Councilmanic District
Legal Owner(s): James R. Horney

Variance: to permit a side yard setback on the east side to be 40 feet in lieu of the 50 feet required and to amend the approved final development plan of Mack Farm, and other relief necessary as determined by the hearing officer.

Hearing: Thursday, October 3, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Ave.

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.

9/24/02 Sept. 19 C563695

CERTIFICATE OF PUBLICATION

9/19/2002

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 9/19/2002.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE Case No 03-100-A
 Petitioner/Developer DICARA, ETAL
M^cKEE
 Date of Hearing/Closing: 10/3/02

it [®] brand fax transmittal memo 7671 # of pages ▶ 1	
To <u>BETTY R. ROBIN</u>	From <u>O'KEEFE</u>
Co. <u>ZONING COMM.</u>	Co.
Dept.	Phone # <u>905-8571</u>
Fax # <u>410-887-3468</u>	Fax # <u>666-0929</u>

Baltimore County Department of
 Permits and Development Management
 County Office Building, Room 111
 111 West Chesapeake Avenue
 Towson, MD 21204

Attention: Ms. Gwendolyn Stephens GEORGE ZAHNER

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 # 1605 BEAVERBROOK LA

The sign(s) were posted on

9/15/02
 (Month, Day, Year)

Sincerely,

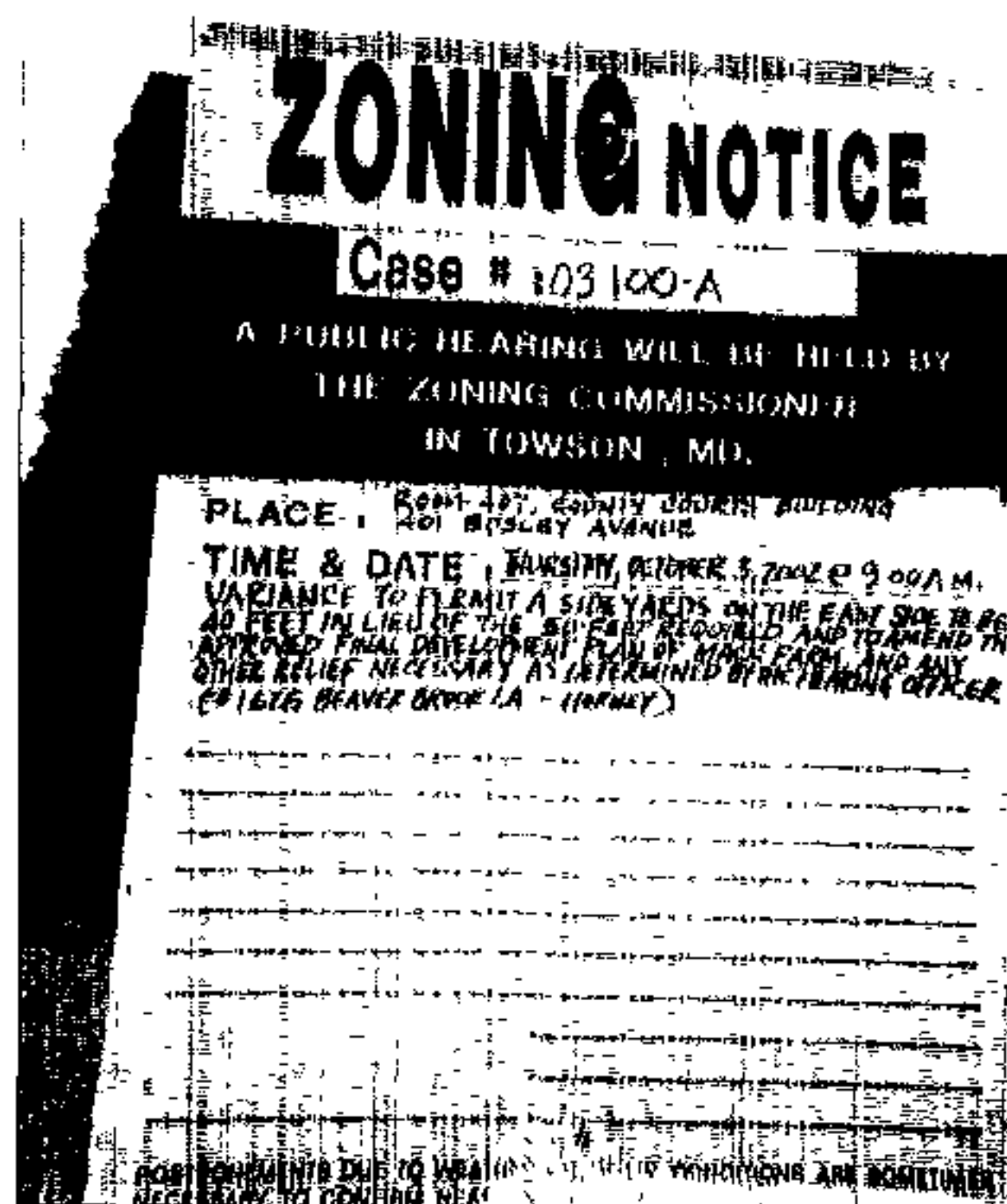
Patrick M. O'Keefe - 10/1/02
 (Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
 (Printed Name)

523 PENNY LANE
 (Address)

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

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



03-100-A

1605 BEAVERBROOK LA.
M^cKEE/DICARA
10/3/02

Post-it [®] Fax Note	7671	Date	# of pages ▶
To	From		
Co./Dept.	Co.		
Phone #	Phone #		
Fax #	Fax #		

RE: PETITION FOR VARIANCE
1625 Beaverbrook Lane S/side
Beaverbrook Lane.
8th Election District 3rd Councilmanic
District
Legal Owner: James R. & Joan E. Horny
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 03-100-A

* * * * *

ENTRY OF APPEARANCE

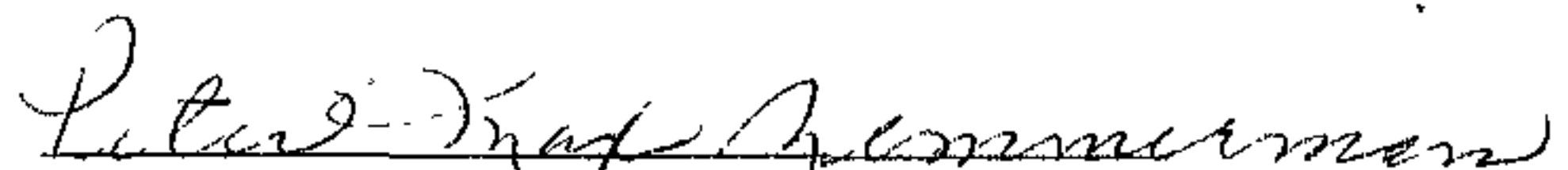
Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in 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 11th day of September, 2002 a copy of the foregoing Entry of Appearance was mailed to Brian A. Dicara, MCKEE & ASSOCIATES, INC., 5 Shawan Road, Suite 1, Cockeysville, MD 21030 (Representative) and Howard L. Alderman, LEVIN & GANN, P.A., Nottingham Centre, 8th Floor, 502 Washington Avenue, Towson, MD 21204-2801 Attorney for Petitioner(s).


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Thursday, September 19, 2002 Issue – Jeffersonian

Please forward billing to:
James Horney
1630 Flint Rock Court
Finksburg MD 21048

410 876-0887

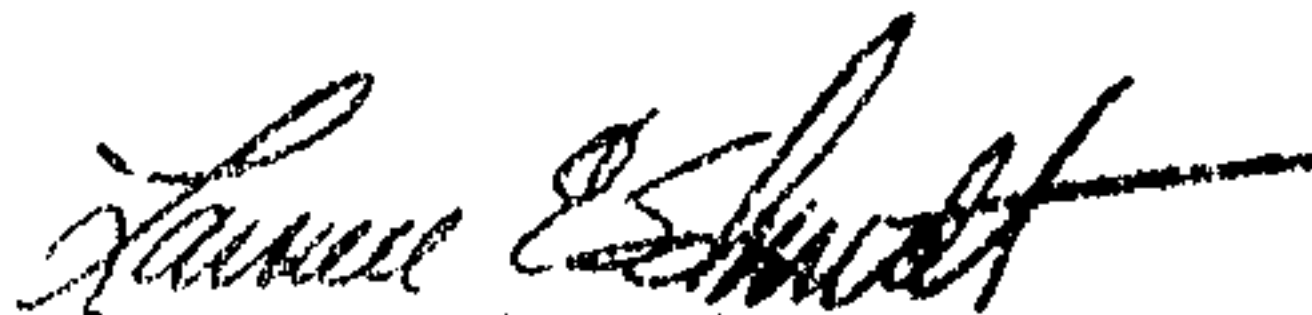
NOTICE OF ZONING HEARING

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: 03-100-A
1625 Beaverbrook Lane
S/S Beaverbrook Lane
8th Election District – 3rd Councilmanic District
Legal Owner: James R Horney

Variance to permit a side yard setbacks on the east side to be 40 feet in lieu of the 50 feet required and to amend the approved final development plan of Mack Farm, and other relief necessary as determined by the hearing officer.

HEARING: Thursday, October 03, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDD
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

September 6, 2002

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: 03-100-A
1625 Beaverbrook Lane
S/S Beaverbrook Lane
8th Election District – 3rd Councilmanic District
Legal Owner: James R Horney

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HEARING: Thursday, October 03, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon G D Z
Director

C: Howard L Alderman Jr Esquire, Levin & Gann, 502 Nottingham Centre, 8th Floor,
502 Washington Avenue, Towson 21204-2801
Mr. & Mrs. James R Horney, 1630 Flint Rock Court, Finksburg 21048
Brian A Dicara, McKee & Associates Inc, 5 Shawan Road, Suite 1,
Cockeysville 21030

- NOTES:** (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, SEPTEMBER 18, 2002.**
(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.

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: 03-100-A

Petitioner: JAMES HORNEY

Address or Location: 1625 PEAVER BROOK LANE

PLEASE FORWARD ADVERTISING BILL TO:

Name: James Horney

Address: 1625 Flint Rock Ct.

60 Finkston, MD 21048

Telephone Number: (410) 876-0887

Revised 2/20/98 -SCJ



Baltimore County
Department of Permits and
Development Management

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

September 27, 2000

Howard L Alderman Jr Esquire
Levin & Gann
Nottingham Centre
502 Washington Avenue, 8th Floor
Towson MD 21204-2801

Dear Mr. Alderman:

RE: Case Number: 03-100-A, 1625 Beaverbrook Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 28, 2002.

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: Mr. & Mrs. James R Horney, 1630 Flint Rock Court, Finksburg 21048
Brian A Dicara, McKee & Associates Inc, 5 Shawan Road, Suite 1
Cockeysville 21030
People's Counsel

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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 18, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For September 9, 2002
Item Nos. 094, 095, 099, 100, 101,
and 102

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

RWB:CEN:jrb

cc: File

Sept
10/3

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 9, 2002

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

SEP 11 2002

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-100 & 03-102

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: Alpen Jablon

AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 9.6.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 100

JL

Dear Mr. Zahner:

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

CASE NAME 1628 Beaverbrook Lane
CASE NUMBER 03-100-A
DATE 03 Oct 02

PETITIONER'S SIGN-IN SHEET

[illegible]

CASE NAME 1625 Beaverbrook Ja
CASE NUMBER 03-100-A
DATE 10/3/02

CITIZEN'S SIGN-IN SHEET

[illegible]



Maryland Department of Planning

Parris N. Glendening
Governor

Kathleen Kennedy Townsend
I.L. Governor

Roy W. Kienitz
Secretary

Mary Abrams
Deputy Secretary

September 9, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
111 West Chesapeake Avenue
Room 111
County Office Building
Mail Stop #1105
Towson MD 21204

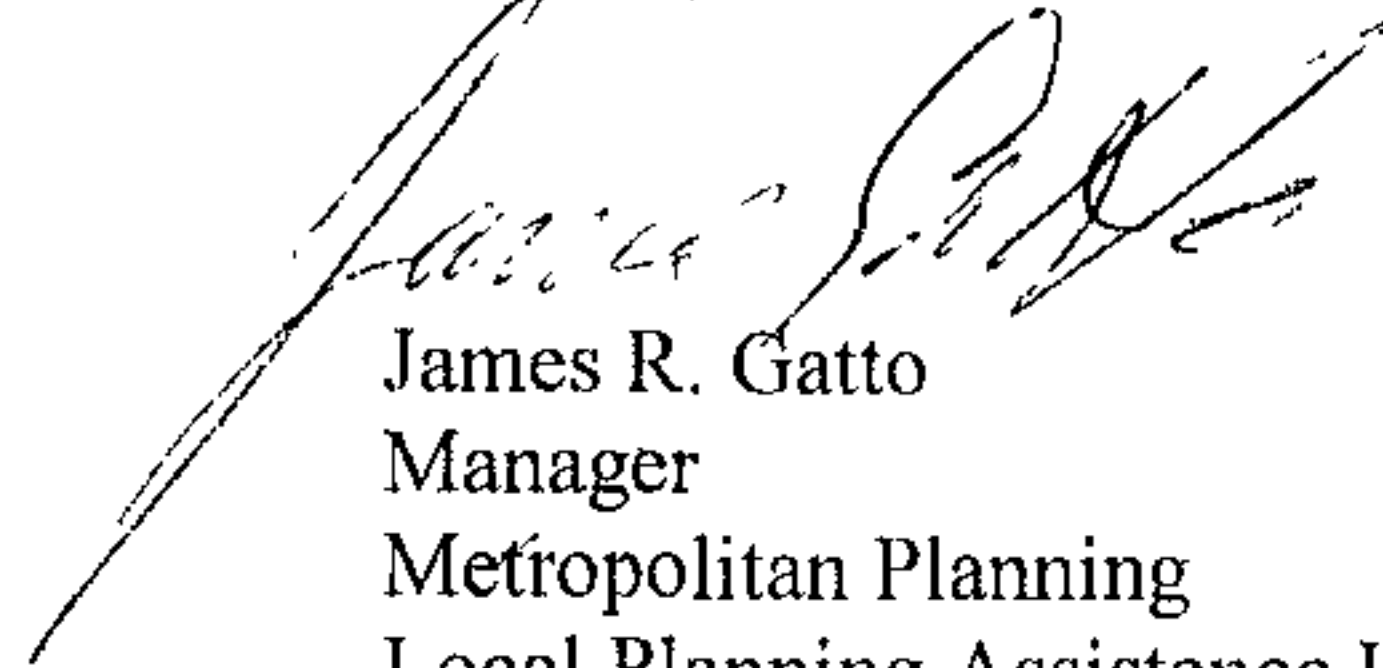
Re: Zoning Advisory Committee Agenda re: case numbers 03-094-A, 03-095-SPHA, 03-096-A, 03-097-A, 03-098-SPG, 03-099-A, 03-100-A, 03-101-SPH, 03-102-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 9/09/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,



James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

cc: Mike Nortrup

GENERAL NOTES

THIS PLAN MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 22-08.

THE RECORDING OF THIS PLAN DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.

THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OF AMENDED PLAN.

ADDITIONAL INFORMATION CONCERNING THIS PLAN MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.

THE RECORDING OF THIS PLAN DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THE PLAN.

THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING.

C.R.A. WAS APPROVED 12-2-89

DEED REFERENCE - 8087/707, TAX ACCOUNT NO. 08-07-000327
8217/408, TAX ACCOUNT NO. 08-02-095251

THE WETLAND LIMITS & STREAM BUFFERS HAVE BEEN DETERMINED FROM FIELD INSPECTION BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT AND GRADING, CLEANING OR CONSTRUCTION WILL BE CONDUCTED IN THIS AREA EXCEPT AS PERMITTED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

SOIL PERCOLATION TESTS WILL BE MAILED FOR A PERIOD OF THREE YEARS FROM THE DATE THE RECORD PLAN IS SIGNED BY THE DIRECTOR, DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT AT THE COMPLETION OF THIS PERIOD NEW TESTS MAY BE REQUIRED.

RESTRICTIVE COVENANTS GOVERNING THE USE OF WETLAND AND STREAM BUFFERS WILL BE INCLUDED IN THE DEEDS OF LOTS 1, 4, 5 AND 6.

ALL ACCESS TO LOT #1 AND LOT #4 MUST BE FROM MACK FARM COURT AND NOT FALLS ROAD.

THE WATER SURFACE ELEVATION FIGURES SHOWN ON THE FLOOD PLAIN SECTIONS ARE THE 100 YEAR WATER SURFACE BOUNDARY ELEVATIONS. THE 100 YEAR FLOOD PLAIN AND DRAINAGE AND UTILITY EASEMENT BOUNDARY SHOWN IS THE BOUNDARY EQUAL TO FREEBOARD LINE OR WIDER.

COORDINATE TABLE

NO.	EAST	NORTH
1	6086.36	2418.03
2	6086.42	2418.03
3	6086.48	2418.03
4	6086.54	2418.03
5	6086.60	2418.03
6	6086.66	2418.03
7	6086.72	2418.03
8	6086.78	2418.03
9	6086.84	2418.03
10	6086.90	2418.03
11	6086.96	2418.03
12	6087.02	2418.03
13	6087.08	2418.03
14	6087.14	2418.03
15	6087.20	2418.03
16	6087.26	2418.03
17	6087.32	2418.03
18	6087.38	2418.03
19	6087.44	2418.03
20	6087.50	2418.03
21	6087.56	2418.03
22	6087.62	2418.03
23	6087.68	2418.03
24	6087.74	2418.03
25	6087.80	2418.03
26	6087.86	2418.03
27	6087.92	2418.03
28	6087.98	2418.03
29	6088.04	2418.03
30	6088.10	2418.03
31	6088.16	2418.03
32	6088.22	2418.03
33	6088.28	2418.03
34	6088.34	2418.03
35	6088.40	2418.03
36	6088.46	2418.03
37	6088.52	2418.03
38	6088.58	2418.03
39	6088.64	2418.03
40	6088.70	2418.03
41	6088.76	2418.03
42	6088.82	2418.03
43	6088.88	2418.03
44	6088.94	2418.03
45	6089.00	2418.03
46	6089.06	2418.03
47	6089.12	2418.03
48	6089.18	2418.03
49	6089.24	2418.03
50	6089.30	2418.03
51	6089.36	2418.03
52	6089.42	2418.03
53	6089.48	2418.03
54	6089.54	2418.03
55	6089.60	2418.03
56	6089.66	2418.03
57	6089.72	2418.03
58	6089.78	2418.03
59	6089.84	2418.03
60	6089.90	2418.03
61	6089.96	2418.03
62	6090.02	2418.03
63	6090.08	2418.03
64	6090.14	2418.03
65	6090.20	2418.03
66	6090.26	2418.03
67	6090.32	2418.03
68	6090.38	2418.03
69	6090.44	2418.03
70	6090.50	2418.03
71	6090.56	2418.03
72	6090.62	2418.03
73	6090.68	2418.03
74	6090.74	2418.03
75	6090.80	2418.03
76	6090.86	2418.03
77	6090.92	2418.03
78	6090.98	2418.03
79	6091.04	2418.03
80	6091.10	2418.03
81	6091.16	2418.03
82	6091.22	2418.03
83	6091.28	2418.03
84	6091.34	2418.03
85	6091.40	2418.03
86	6091.46	2418.03
87	6091.52	2418.03
88	6091.58	2418.03
89	6091.64	2418.03
90	6091.70	2418.03
91	6091.76	2418.03
92	6091.82	2418.03
93	6091.88	2418.03
94	6091.94	2418.03
95	6092.00	2418.03
96	6092.06	2418.03
97	6092.12	2418.03
98	6092.18	2418.03
99	6092.24	2418.03
100	6092.30	2418.03

CURVE TABLE

No.	Delta	Radius	Length	Bearing	Chord	Tangent
A	008°46'34"	705.00	83.17	S 74°18'24" W	83.13	41.84
B	078°27'47"	25.00	34.24	N 83°04'56" W	31.62	20.41
C	250°27'47"	50.00	225.55			
D	008°56'18"	745.00	90.22	N 74°13'02" E	90.16	45.18
E	008°07'28"	1165.00	163.18	S 21°58'43" E	165.24	82.73
F	008°07'28"	1165.00	163.18	S 21°58'43" E	165.24	82.73
G	004°07'28"	1850.00	133.16	S 15°32'16" E	133.13	66.61
H	004°07'28"	1850.00	133.16	S 15°32'16" E	133.13	66.61

SITE TABULATION

GROSS AREA, 23.4275 AC +/- (MINUS TRACT "A" 1.0545 AC +/-)
NET AREA, 21.7790 AC +/-
ZONED, RC-5
LOTS PERMITTED, 22.37 X 0.67 = 14.82 LOTS
LOTS PROPOSED, 6 + TRACT "A" (1.0545 AC +/-)
PARKING REQUIRED, 2 SPACES/LOT
PARKING PROVIDED, 2 SPACES/LOT

OWNER & DEVELOPER

MACK FARM LIMITED PARTNERSHIP
2328 WEST JOPPA ROAD
SUITE 200
LITTONVILLE, MARYLAND 21093
301-421-8545
DEED REFERENCE - 8087/707, TAX ACCT. NO. 08-07-000327
DEED REFERENCE - 8217/408, TAX ACCT. NO. 08-02-095251

NOTE

1. THE INFORMATION SHOWN ON THIS PLAN IS BASED ON THE RECORD PLAN AND FIELD SURVEY. THE SURVEYOR HAS NOT CONDUCTED A FIELD SURVEY OF THE ENTIRE TRACT. THE SURVEYOR HAS CONDUCTED A FIELD SURVEY OF THE TRACT AND HAS FOUND THAT THE INFORMATION SHOWN ON THIS PLAN IS CORRECT.

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OWNERS CERTIFICATE

I, the undersigned, owner of the above described property, hereby certify that the information shown on this plan is true and correct. I have read the plan and I have found that the information shown on this plan is true and correct. I have signed this certificate on the date shown below.

Charles F. Mackenzie
Charles F. Mackenzie, President

SURVEYORS CERTIFICATE

I, the undersigned, a duly licensed surveyor, hereby certify that I have conducted a field survey of the above described property and that the information shown on this plan is true and correct. I have signed this certificate on the date shown below.

Robert W. Stealy
Robert W. Stealy, Surveyor



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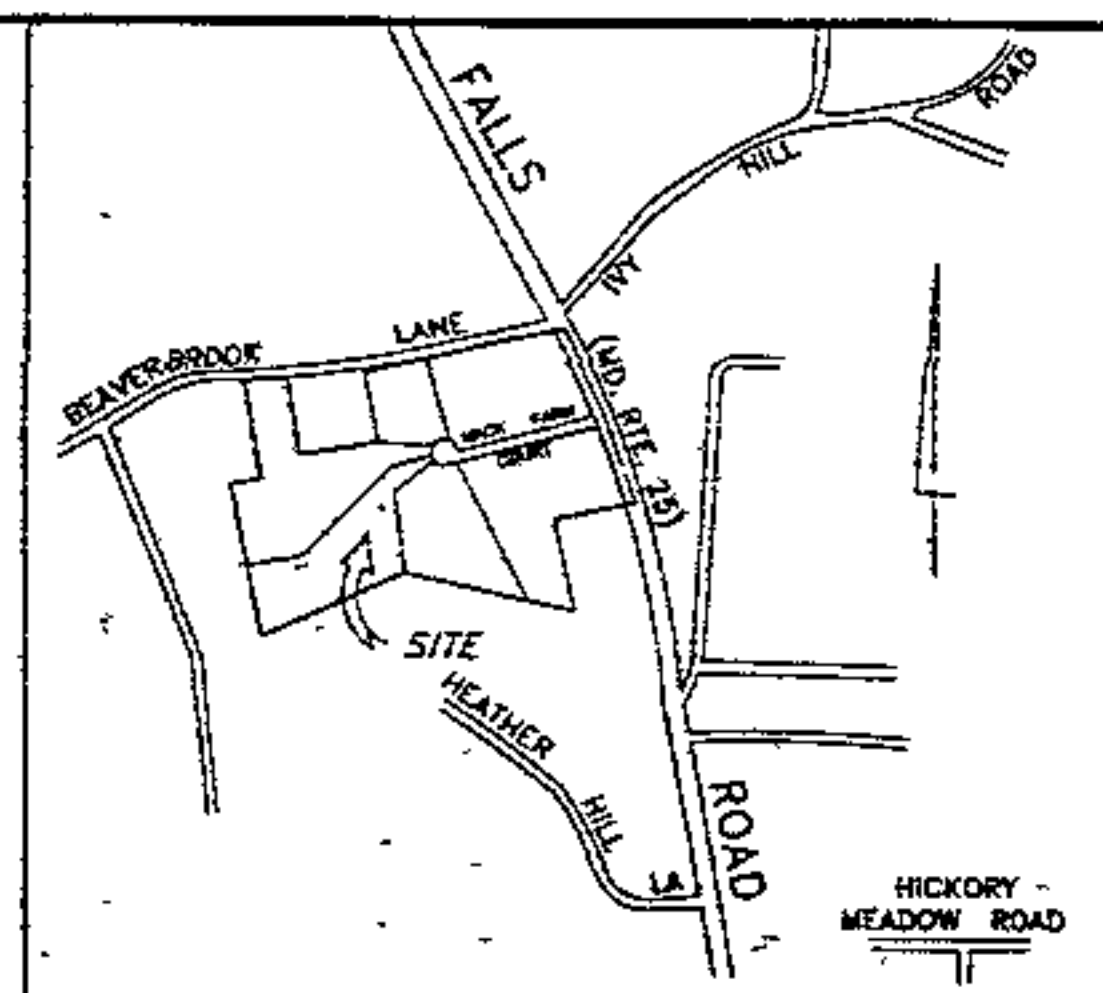
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VICINITY MAP

FLOOD PLAIN DATA

STATION	ELEVATION	DATE
1	24.18	12/2/89
2	24.18	12/2/89
3	24.18	12/2/89
4	24.18	12/2/89
5	24.18	12/2/89
6	24.18	12/2/89
7	24.18	12/2/89
8	24.18	12/2/89
9	24.18	12/2/89
10	24.18	12/2/89
11	24.18	12/2/89
12	24.18	12/2/89
13	24.18	12/2/89
14	24.18	12/2/89
15	24.18	12/2/89
16	24.18	12/2/89
17	24.18	12/2/89
18	24.18	12/2/89
19	24.18	12/2/89
20	24.18	12/2/89
21	24.18	12/2/89
22	24.18	12/2/89
23	24.18	12/2/89
24	24.18	12/2/89
25	24.18	12/2/89
26	24.18	12/2/89
27	24.18	12/2/89
28	24.18	12/2/89
29	24.18	12/2/89
30	24.18	12/2/89
31	24.18	12/2/89
32	24.18	12/2/89
33	24.18	12/2/89
34	24.18	12/2/89
35	24.18	12/2/89
36	24.18	12/2/89
37	24.18	12/2/89
38	24.18	12/2/89
39	24.18	12/2/89
40	24.18	12/2/89
41	24.18	12/2/89
42	24.18	12/2/89
43	24.18	12/2/89
44	24.18	12/2/89
45	24.18	12/2/89
46	24.18	12/2/89
47	24.18	12/2/89
48	24.18	12/2/89
49	24.18	12/2/89
50	24.18	12/2/89

FOREST BUFFER DATA

STATION	ELEVATION	DATE
1	24.18	12/2/89
2	24.18	12/2/89
3	24.18	12/2/89
4	24.18	12/2/89
5	24.18	12/2/89
6	24.18	12/2/89
7	24.18	12/2/89
8	24.18	12/2/89
9	24.18	12/2/89
10	24.18	12/2/89
11	24.18	12/2/89
12	24.18	12/2/89
13	24.18	12/2/89
14	24.18	12/2/89
15	24.18	12/2/89
16	24.18	12/2/89
17	24.18	12/2/89
18	24.18	12/2/89
19	24.18	12/2/89
20	24.18	12/2/89
21	24.18	12/2/89
22	24.18	12/2/89
23	24.18	12/2/89
24	24.18	12/2/89
25	24.18	12/2/89
26	24.18	12/2/89
27	24.18	12/2/89
28	24.18	12/2/89
29	24.18	12/2/89
30	24.18	12/2/89
31	24.18	12/2/89
32	24.18	12/2/89
33	24.18	12/2/89
34	24.18	12/2/89
35	24.18	12/2/89
36	24.18	12/2/89
37	24.18	12/2/89
38	24.18	12/2/89
39	24.18	12/2/89
40	24.18	12/2/89
41	24.18	12/2/89
42	24.18	12/2/89
43	24.18	12/2/89
44	24.18	12/2/89
45	24.18	12/2/89
46	24.18	12/2/89
47	24.18	12/2/89
48	24.18	12/2/89
49	24.18	12/2/89
50	24.18	12/2/89

MACK FARM

BALTIMORE COUNTY, MARYLAND ELECT. DIST. NO. 8
SCALE: 1" = 100'
MAY 14, 1990

DRAINAGE AREA LOCATED IN LOCH RAVEN WATERSHED

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS

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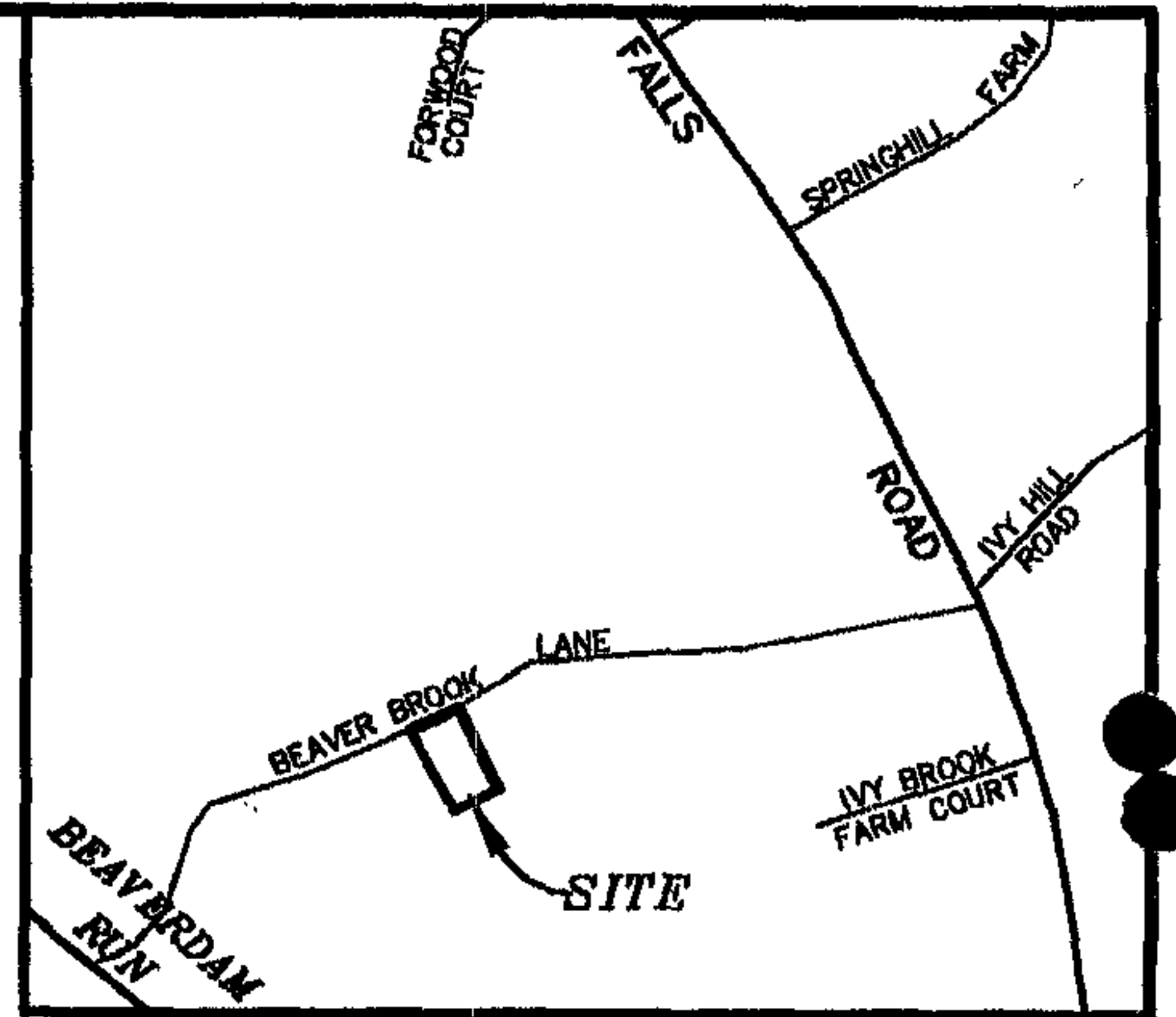
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6. THE INFORMATION SHOWN ON THIS PLAN IS BASED

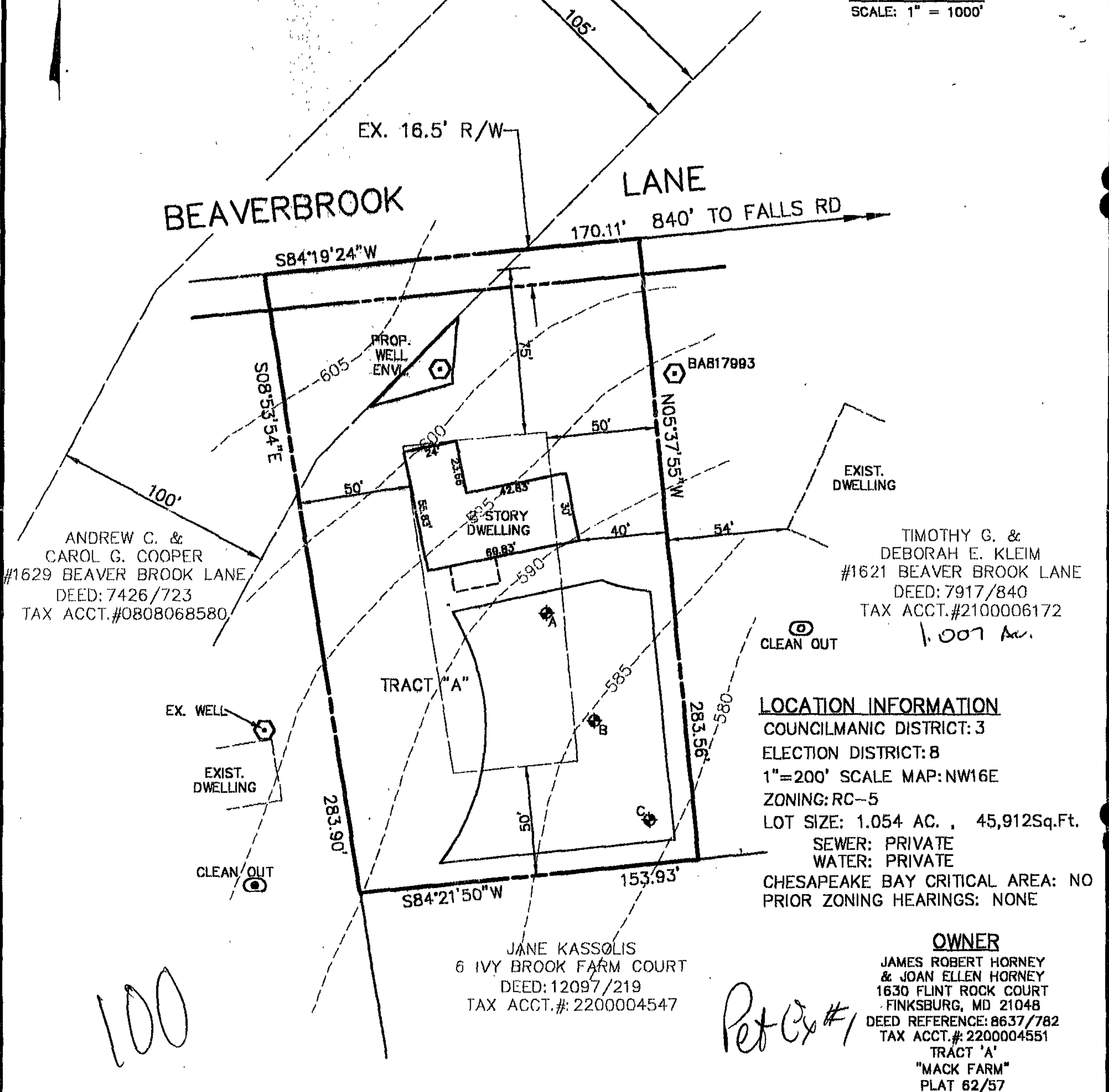
REQUESTED RELIEF

From: i) BCZR 1A04.3.b.2 to permit a side yard setback on the east side to be 40 feet in lieu of the 50 feet required; ii) to amend the approved final development plan of "Mack Farm" consistent with the relief requested and the Plan to Accompany Petition for Zoning Variance submitted herewith, including without limitation the re-designation of Tract A as Lot No. 7 of the 14 total lots permitted on the land platted as "Mack Farm"; and iii) for such further relief as the nature of this request and the referenced Plan may require.

TRANSCONTINENTAL GAS PIPE LINE CORPORATION R/W; R/W LINE LOCATION DETERMINED BY SCALING PLAT S.M. 62/57



VICINITY MAP
SCALE: 1" = 1000'



LOCATION INFORMATION

COUNCILMANIC DISTRICT: 3
ELECTION DISTRICT: 8
1"=200' SCALE MAP: NW16E
ZONING: RC-5
LOT SIZE: 1.054 AC. , 45,912 Sq. Ft.
SEWER: PRIVATE
WATER: PRIVATE
CHESAPEAKE BAY CRITICAL AREA: NO
PRIOR ZONING HEARINGS: NONE

OWNER

JAMES ROBERT HORNEY
& JOAN ELLEN HORNEY
1630 FLINT ROCK COURT
FINKSBURG, MD 21048
DEED REFERENCE: 8637/782
TAX ACCT. #: 2200004551
TRACT 'A'
"MACK FARM"
PLAT 62/57

**PLAN TO ACCOMPANY PETITION
FOR ZONING VARIANCE
#1625 BEAVER BROOK LANE**

McKEE & ASSOCIATES, INC.
Engineering - Land Planning - Land Surveying

Natural Resource Planning - Real Estate Development
5 SHAWAN ROAD, Suite 1 COCKEYSVILLE, MARYLAND 21030
TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1553

SCALE:
1" = 50'

DATE:
5-21-2002

JOB NO.
02-055B

DRAWN BY: REK
CHECKED BY: BAD

