IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE – N/S Bird River Road,
650' E of the c/l Vincent Farm Road
(10416 Bird River Road)
15th Election District
5th Council District

Lisa K. Johnson Petitioner

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 03-297-SPHA

* * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owner of the subject property, Lisa K. Johnson. The Petitioner requests a special hearing to approve a building permit for a single-family residential dwelling to be located on the R.C.3 zoned portion of a 1.4 acre-lot that is split zoned R.C.2 and R.C.3, and approval of the R.C.3 zoned area as an undersized lot, pursuant to Section 304 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioner requests variance relief from Section 1A02.3.B.1, 3 & 4 of the B.C.Z.R. to permit a side yard setback of 15 feet in lieu of the minimum required 25 feet; a rear yard setback of 15 feet from an internal R.C.2 zone line in lieu of the required 50 feet; to allow less than the required diametral dimension of 150 feet and approval of the R.C.3 zoned area as an undersized lot. 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 Lisa K. Johnson, property owner, Michael Johnson, and Vincent J. Moskunas, a representative of Site Rite Surveying, Inc., the consultants who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel, 100' wide by approximately 607' deep, located on the north side of Bird River Road, just east of Vincent Farm Lane in White Marsh. The property consists of a gross area of 1.419 acres, more or less, split zoned R.C.2 and R.C.3 and is presently unimproved. Testimony indicated that the property was originally created as a lot of record on March 31, 1953 under the then R-40 regulations and has been in the

ORDER RECEIVED/FOR FILING
Date

Petitioner's family since 1955. The Petitioner is desirous of developing the parcel with a single family dwelling; however, the split zoning of the property has necessitated the requested relief. As shown on the site plan, the zone line runs parallel with Bird River Road through approximately the middle of the property. Thus, the front portion of the site is zoned R.C.3, while the rear portion is zoned R.C.2. The R.C.3 zoned portion of the property is .286 acres in area and the R.C.2 zoned portion, 1.133 acres in area.

As shown on the site plan, the proposed dwelling will be located entirely within the R.C.3 zoned portion of the site in an area 100 feet wide by 150 feet deep. The proposed house will be setback from the road a distance of 75 feet, which is consistent with the houses on the adjacent properties to the west, and 15 feet from the rear internal R.C.2 zone line, nearly 460 feet from the actual rear property line. A 25-foot setback to the western property line will be maintained, while a 15-foot setback to the east will be maintained. It is to be noted that the adjacent property to the east is vacant and wooded and the nearest dwelling is at least 200 feet away.

As noted above, the total tract contains in excess of 1.4 acres; however, the R.C.3 zoned portion of the site contains only .286 acres in area. Thus, special hearing and variance relief is necessary to allow construction within the R.C.3 zoned portion of the property, which is undersized and cannot meet the required 150-foot diametral dimension requirement. It is to be emphasized that the requested variance from the rear yard setback requirements is from an internal zone line. Moreover, the insufficient setback on the east side of the property is to a vacant, wooded lot. The required 25-foot setback on the west side will be maintained.

Based upon the testimony and evidence offered, I am easily persuaded that special hearing and variance relief should be granted. The uniqueness of this property and the zoning anomaly is due to the unusual location of the R.C.2/R.C.3 zone line. The proposed development is consistent with other houses in the area and the tract is large enough to support one single-family dwelling. Moreover, there were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency, and no one appeared in opposition to the request. Thus, I am persuaded to grant the relief; however, as a restriction attached thereto, the Petitioner shall record a new deed in the Land Records of Baltimore County, which

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provides that there shall be no further subdivision of the subject property. That is, the entire parcel shall remain as one lot and utilized to support the proposed single-family dwelling.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of April, 2003 that the Petition for Special Hearing to approve a building permit for a single-family residential dwelling on the R.C.3 zoned portion of a 1.4 acre lot (split zoned R.C.2 and R.C.3), and to approve the subject property as an undersized lot, pursuant to Section 304 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

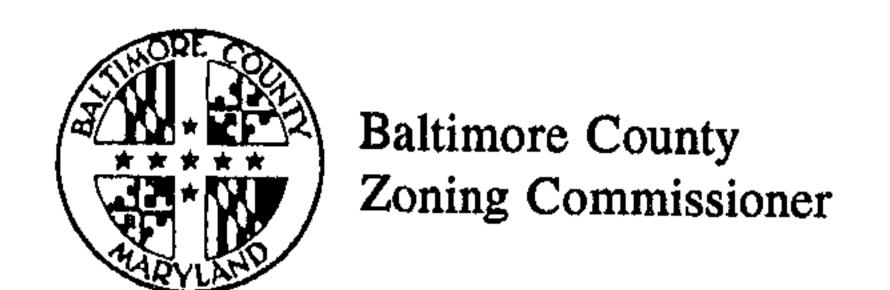
IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A02.3.B.1, 3 & 4 of the B.C.Z.R. to permit a dwelling with a side yard setback of 15 feet in lieu of the minimum required 25 feet; a rear yard setback of 15 feet (from an internal R.C.2 zone line) in lieu of the required 50 feet; and, from the diametral dimension requirement of 150 feet and approval of the R.C.3 zoned area as an undersized lot, 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) Within sixty (60) days of the date of this Order, a new deed shall be recorded in the Land Records of Baltimore County providing that there shall be no further subdivision of the subject property. The entire parcel shall remain as one lot and utilized to support the proposed dwelling.
- 3) When applying for any permits, 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



April 22, 2003

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

Fax: 410-887-3468

Ms. Lisa K. Johnson 6 Cedar Valley Place, #304 Baltimore, Maryland 21221

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE N/S Bird River Road, 650' E of the c/l Vincent Farm Road (10416 Bird River Road)

15th Election District – 5th Council District
Lisa K. Johnson - Petitioner
Case No. 03-297-SPHA

Dear Ms. Johnson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have 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,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. Vincent J. Moskunas, Site Rite Surveying, Inc. 200 E. Joppa Road, #101, Towson, Md. 21286 People's Counsel; Case File



ONOFIER RE

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at _	#10416 I	Bird I	River	Road	
which is					

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a building part of a Single family resultant dwelling to be weated in the Reds portion of a 14 aure to 10th, Split round Reds a Reds, and for Industrial Wet approved (Reds-3=0.286 Az.t)

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, 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. Legal Owner(s): Contract Purchaser/Lessee: Lisa K. Johnson Name - Type or Print Name - Type or Print Thurson Signature Signature Name - Type or Print Telephone No. Address Zip Code Signature State City 410-574-2383 6 Cedar Valley Place #304 Attorney For Petitioner: Telephone No. Address Baltimore, MD 21221 Zip Code State Name - Type or Print Representative to be Contacted: Signature Site Rite Surveying, Inc. Company Name 410-828-9060 200 E. Joppa Road, Room 101 LLAddress Telephone No. Address Telephone No. **220** Towson, MD 21286 Zip Code State Zip Code City State OFFICE USE ONLY ESTIMATED LENGTH OF HEARING _ Case No. 03-297 SPHH UNAVAILABLE FOR HEARING



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 1946 BIM RIVW Pond

which is presently zoned 262

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) 1 AO2. 3. BALLA 304 BCZR.

TO PERMIT A DWELLING WITH A SIDEMARD SETBALKS OF 254 (From RL-2 Zone Lieu of the Redurded 254, A REAR MARD SETBALK OF 154 (From RL-2 Zone Line) IN CIEM OF THE REGULATED 504, A VARIANCE FROM THE DIAMETRAL DIMENSION PEOULILEMENT OF 1504, AND TO APPROVE THE RC-3 AREA AS AN UNDERSIZED LOT. of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

- l. Parcel of record with 100' lot frontage held intact since March 31,1953.
- 2. No contiguous ownership in order to accommodate B.C.Z.R.
- Granting relief will not cause injury to public health, safety or general welfare.

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:	<u>Legal Owner(s):</u>
Name - Type or Print	Name - Type/Of Print / // // // //
Signature	- Signature Johnson X
Address Telephone No	Name - Type on Print
City State Zip Cod	Signature Signature
Attorney For Petitioner:	G Ceaux Valley Place #304 410 574-238 Address Telephone No.
Name - Type or Print	Baltwars Mb 2/221 City State Zip Code
Signature	Representative to be Contacted:
Company	Site Rite Surveying, Im. Name
Address Telephone No.	200 E. Joppa Roud Room 101 410 828 9060 Address Telephone No.
ethors:	Towson, MD 2126
α	OFFICE USE ONLY
	ESTIMATED LENGTH OF HEARING
	d By Date Date Date Date
REMARKS TO THE PARTY OF THE PAR	
O Ca was a second of the case	

ZONING DESCRIPTION FOR #10416 BIRD RIVER ROAD

BEGINNING AT A POINT ON THE NORTH SIDE OF BIRD RIVER ROAD WHICH
IS 50 FEET WIDE AT THE DISTANCE OF 650 FEET EAST OF THE CENTERLINE OF
VINCENT FARM ROAD WHICH IS 30 WIDE. THENCE THE FOLLOWING COURSES
AND DISTANCES: \$ 86 DEGREES 27 MINUTES EAST, 100 FEET; THENCE N 03
DEGREES 33 MINUTES EAST, 628.77 FEET; THENCE N 70 DEGREES 38
MINUTES W, 103.94 FEET AND THENCE S 03 DEGREES 33 MINUTES WEST,
632.16 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.419 ACRES MORE OR
LESS AND AS RECORDED IN DEED LIBER 16818, FOLIO 581. ALSO KNOWN AS
#10416 BIRD RIVER ROAD AND LOCATED IN THE 15TH. ELECTION DISTRICT, 5TH.
COUNCILMANIC DISTRICT.



J. TILGHMAN DOWNEY, JR.

SITE RITE SURVEYING, INC. 200 E. JOPPA ROAD SUITE 200 TOWSON, MD 21286 (410)828-9060

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ROTICE OF ZORING HEARING

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.

2003

THIS IS TO CERTIFY, that the annexed advertisement was published ewspaper published in Baltimore County, Md., in the following weekly n

successive weeks, the first publication appearing of once in each O

英 The Jeffersonian

Arbutus Times

Catonsville Times

Towson Times

lls Times Owings Mi

c/Reporter North County News NE Booster

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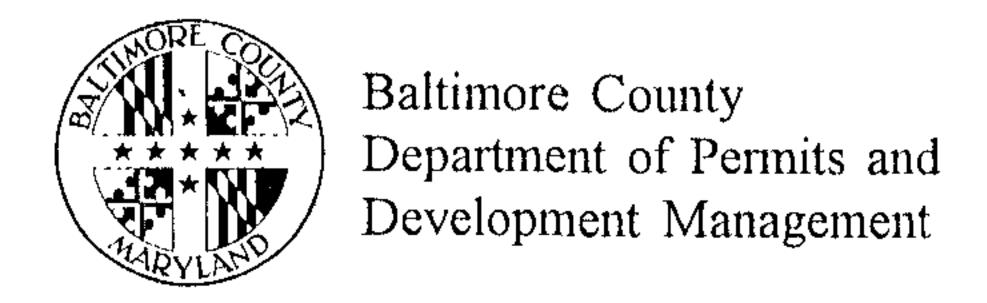
DAME NOVERTISMS

			CASHIER'S VALIDATION
BALTIMORE COUNTY, MARYLAND 297 OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE 12. 20.0 2 ACCOUNT 2001-1016-6150	RECEIVED C. JEANSON - 10416 BIRD AND FROM: FROM:	SPH SPINK - AGENCY YELLOW - CUSTOMER

	RE: Case No.: 03-297-5PHA				
•	Petitioner/Developer: LISA K.				
	JOHNSON				
	Date of Hearing/Closing: 3/26/03				
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	43				
Attention: Ms. Gwendolyn Stephens					
Ladies and Gentlemen:					
	perjury that the necessary sign(s) required by law				
were posted conspicuously on the property k	ocated at 10416 BIRD RIVER				
	Ra				
The sign(s) were posted on	3/11/03				
	(Month, Day, Year)				
	Sincerely,				
The state of the s	3/11/03				
	(Signature of Sign Poster and Date)				
	SSG ROBERT BLACK				
THE PORTING COMMINICALLY COMMIN	(Printed Name)				
	1508 Leslie Rd				
	(Address)				
	Dundalk, Maryland 21222				
	(City, State, Zip Code)				
	(410) 282-7940				
	(Telephone Number)				

CERTIFICATE OF POSTING

	RE: Case No.: 23 297-5PHH
•	Petitioner/Developer: 6154 K.
•	JOHNSON
	Date of Hearing/Closing: 2/19/03
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:	
	.C
This letter is to certify under the penalties of	of perjury that the necessary sign(s) required by law
were posted conspicuously on the property	located at 10416 BIRD RNER
	ROAD
The sign(s) were posted on	2/2/02
rue signés) were hosten on """	(Month, Day, Year)
	Sincerely,
	2/2/03
	(Signature of Sign Poster anti Date)
A CHOO IN THE OPERAL CASE OF THE PARTY OF TH	SSG ROBERT BLACK
	(Printed Name)
	1508 Leslie Rd
	(Address)
	D
	Dundalk, Maryland 21222 (City State Zin Code)
	(City, State, Zip Code)
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Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

February 28, 2003

RESCHEDULED 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: 03-297-SPHA

10416 Bird River Road

N/side Bird River Road, 650 feet +/- east of centerline Vincent Farm Road 15th Election District – 5th Councilmanic District

Legal Owner: Lisa K. Johnson

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Special Hearing to approve a building permit for a single-family residential dwelling to be located on the on the RC 3 portion 0.286 acres if 1.4 acres +/- lot, split zoned RC 2 and RC 3, and for undersize lot approval. Variance to permit a dwelling with a side yard setback of 15 feet in lieu of the required 25 feet, a rear yard setback of 15 feet (from RC 2 zone line in lieu of the required 50 feet. A variance from the diametrical dimension requirement of 150 feet and to approve the RC 3 area as an undersized lot.

Hearings:

Wednesday, March 26, 2003 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

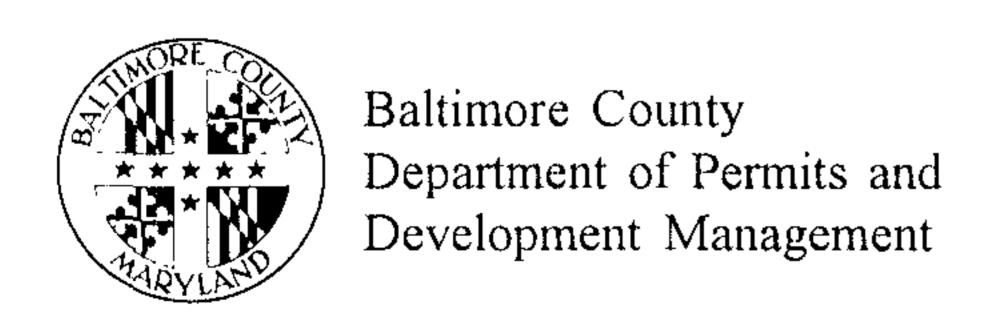
Arnold Jablon

Director

AJ:rlh

C: Lisa K. Johnson, 6 Cedar Valley Place #304, Baltimore 21221 Site Rite Surveying, Inc., 200 E. Joppa Road, Room 101, Towson 21286

- NOTES: (1) THE PETITIONER MAY HAVE THE APPROVED SIGN POSTER ADD A STRIP TO TO THE SIGN SHOWING THE NEW DATE AND PLACE OF HEARING BY MARCH 11, 2003.
 - (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.



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

Fax: 410-887-5708

January 15, 2003

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: 03-297-SPHA

10416 Bird River Road

N/side Bird River Road, 650 feet +/- east of centerline Vincent Farm Road

15th Election District – 5th Councilmanic District

Legal Owner: Lisa K. Johnson

Special Hearing to approve a building permit for a single-family residential dwelling to be located on the RC 3 portion 0.286 acres of 1.4 acre +/- lot, split zoned RC 2 and RC 3, and for undersize lot approval. <u>Variance</u> to permit a dwelling with a side yard setback of 15 feet in lieu of the required 25 feet, a rear yard setback of 15 feet (from RC 2 zone line) in lieu of the required 50 feet. A variance from the diametrical dimension requirement of 150 feet and to approve the RC 3 area as an undersized lot.

Hearings:

Wednesday, February 19, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon

Director

AJ:rlh

C: Lisa K. Johnson, 6 Cedar Valley Place #304, Baltimore 21221 Site Rite Surveying, Inc., 200 E. Joppa Road, Room 101, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 4, 2003.

(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

Tuesday, February 4, 2003 Issue - Jeffersonian

Please forward billing to:

Lisa K. Johnson

410-574-2383

6 Cedar Valley Place, #304

Baltimore, MD 21221

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: 03-297-SPHA

10416 Bird River Road

N/side Bird River Road, 650 feet +/- east of centerline Vincent Farm Road

15th Election District – 5th Councilmanic District

Legal Owner: Lisa K. Johnson

Special Hearing to approve a building permit for a single-family residential dwelling to be located on the RC 3 portion 0.286 acres of 1.4 acre +/- lot, split zoned RC 2 and RC 3, and for undersize lot approval. <u>Variance to permit a dwelling with a side yard setback of 15 feet in lieu of the required 25 feet, a rear yard setback of 15 feet (from RC 2 zone line) in lieu of the required 50 feet. A variance from the diametrical dimension requirement of 150 feet and to approve the RC 3 area as an undersized lot.</u>

Hearings:

Wednesday, February 19, 2003 at 9:00 a m in Doom 407, County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY Issue - Jeffersonian

Please forward billing to:

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CASE NUMBER: 03-297-SPHA

10416 Bird River Road N/side Bird River Road, 650 feet +/- east of centerline Vincent Farm Road 15th Election District – 5th Councilmanic District Legal Owner: Lisa K. Johnson

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Hearings: Wednesday, March 26, 2003 at 2:00 p.m. in Room 407, County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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 Advert	<u>ising:</u>			
Item Number or Case N	•	297		_
Petitioner: 4154	Johnson			- -
Address or Location:	CEDAR Valley	Place #304	RALID. Met.	21221
		,		
PLEASE FORWARD AE	VERTISING BILL TO:			
Name:	The state of the s	· · · · · · · · · · · · · · · · · · ·		-
Address:	<u> </u>	M C		_
	Salphillian -			
Telephone Number:	Lay 10 -	Comment of the same of the sam	83	•

Revised 2/20/98 - SCJ

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number:
Petitioner: N'SM JUNUSON
Address or Location: 1046 Bud Rwin Road
Addiess of Location
PLEASE FORWARD ADVERTISING BILL TO:
Name:
Address: 6 Cedar Valley Place #304
Baltway, Mb 21221 Teiephone Number: (410) 574-2383

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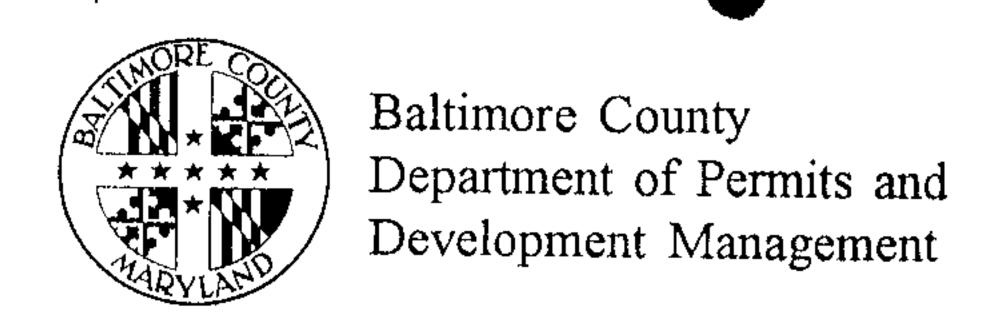
ON The RC-3 PONTION of A

1. 4 - Arre Lot, Split Zoned RC-2

E RC-3, AND FOR UNDERSIZED LOT

APPROVA (. (RC-3 = 0.286 Acres. ±).

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

March 21, 2003

Site Rite Surveying, Inc. 200 E. Joppa Road, Room 101 Towson, MD 21286

Dear Site Rite Surveying:

RE: Case Number:03-297-SPHA,10416 Bird River Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 20, 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.

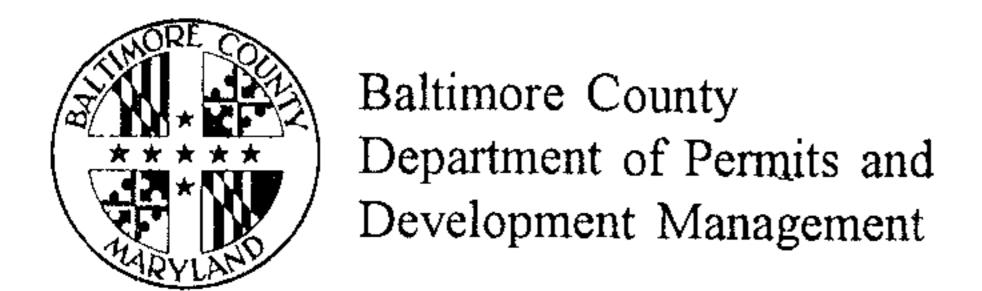
Supervisor, Zoning Review

U. Callaball

WCR:klm

Enclosures

c: People's Counsel Lisa K. Johnson, 6 Cedar Valley Place #304, Balto. MD 21221



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

February 14, 2003

Site Rite Surveying, Inc. 200 E. Joppa Road, Room 101 Towson, MD 21286

Dear Site Rite Surveying:

RE: Case Number:03-297-SPHA,10416 Bird River Road

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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. Supervisor, Zoning Review

U. Callibal)

WCR:klm

Enclosures

c: People's Counsel Lisa K. Johnson, 6 Cedar Valley Place #304, Balto. MD 21221



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary

Parker F. Williams Administrator

Date: 1.10.03

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

RE: Baltimore County

Item No. 297 JCM

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,

L- Kenneth A. McDonald Jr., Chief Engineering Access Permits Division



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

January 14, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Rebecca Hart

Property Owner:

Location:

Item No.:

Dear Mr. Zahner:

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.

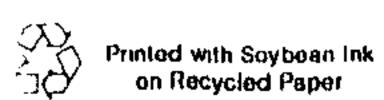
7. The Fire Marshal's Office has no comments at this time, in reference to the following items:

291, 293-301 , 303 +304

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File



100

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: January 16, 2003

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-241, 03-245, 03-293, & 03-297

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:

Section Chief:

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: January 27, 2003

TO:

Arnold Jablon, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 21, 2003 Item Nos. 291, 292, 295, 297, 301,

302, and 304

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING * BEFORE THE

AND VARIANCE

10416 Bird River Road; Nside Bird River Rd* ZONING COMMISSIONER

650ft +/- E of ctrline Vincent Farm Road

15th Election District * FOR

5th Councilmanic District

Legal Owner(s): Lisa K. Johnson * BALTIMORE COUNTY

Petitioner(s)

* 03-297-SPHA

* * * * * * * *

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 14th day of January, 2003, a copy of the foregoing Entry of Appearance was mailed to Site Rite Surveying, Inc, 200 E Joppa Road, Room 101, Towson, MD 21286, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kienitz
Secretary
Mary Abrams
Deputy Secretary

January 14, 2003

Ms. Rebecca Hart
Baltimore County Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue, Room 111
Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda 01/21/03-Fe; case numbers 03-291-A, 03-292-SPHA, 03-293-A, 03-294-A, 03-295-A, 03-296-A, 03-297-SPHA, 03-299-A, 03-300-SPH, 03-301-A, 03-302-SPHXA, 03-303-SPHXA, 03-304-A

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 01/14/03. 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

Caniel Staffe for

Local Planning Assistance Unit

cc: Mike Nortrup

PLEASE PRINT CLEARLY

CASE NAME 10416 BIRO RIVER RA CASE NUMBER 03-197-5 PHA DATE 3/26/03

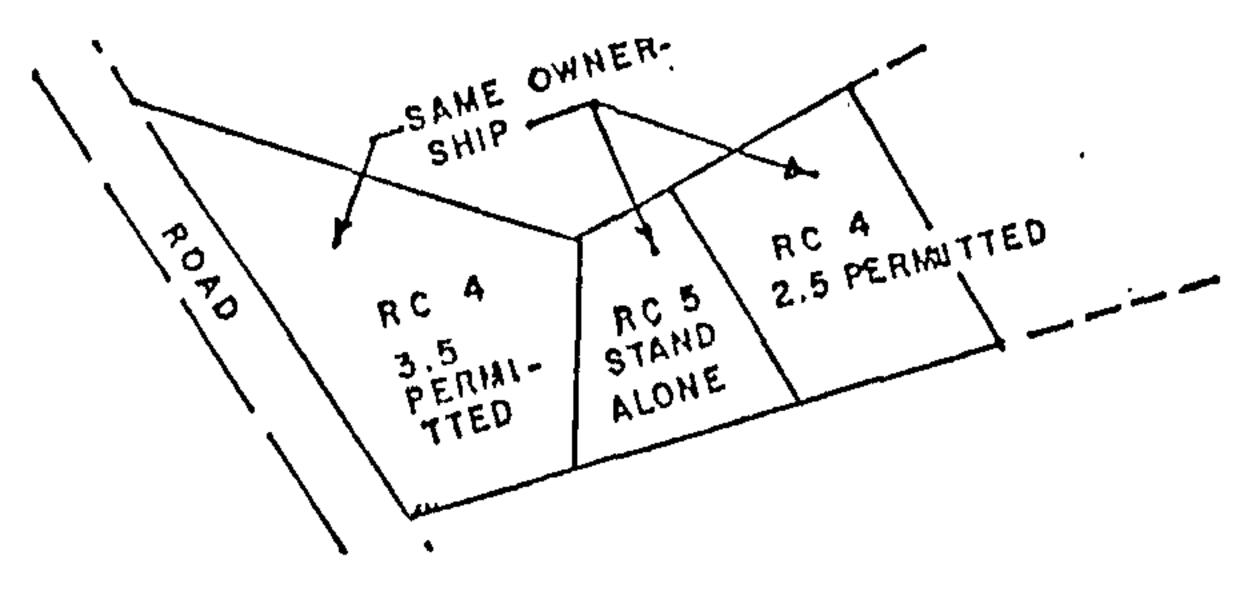
PETITIONER'S SIGN-IN SHEET

VSM MYMCAOLCGM. W/A MYMCAOLCGM. SFSCOMPany @ AUC. COM				
CITY, STATE, ZIP Towson Mo. 2120 Bacto, M. 2. 2221 Bacto, Md 21221				
6 Ceday Valley R. # 204 1555 Alconbury Rd				
NAME Sign Rive Serving In Vila K. Jahnson Michael Johnson				

This policy
does not
apply to ACT
due to the
grandfathering
provision of
Scatton 1707.884
surviding this
oolicy

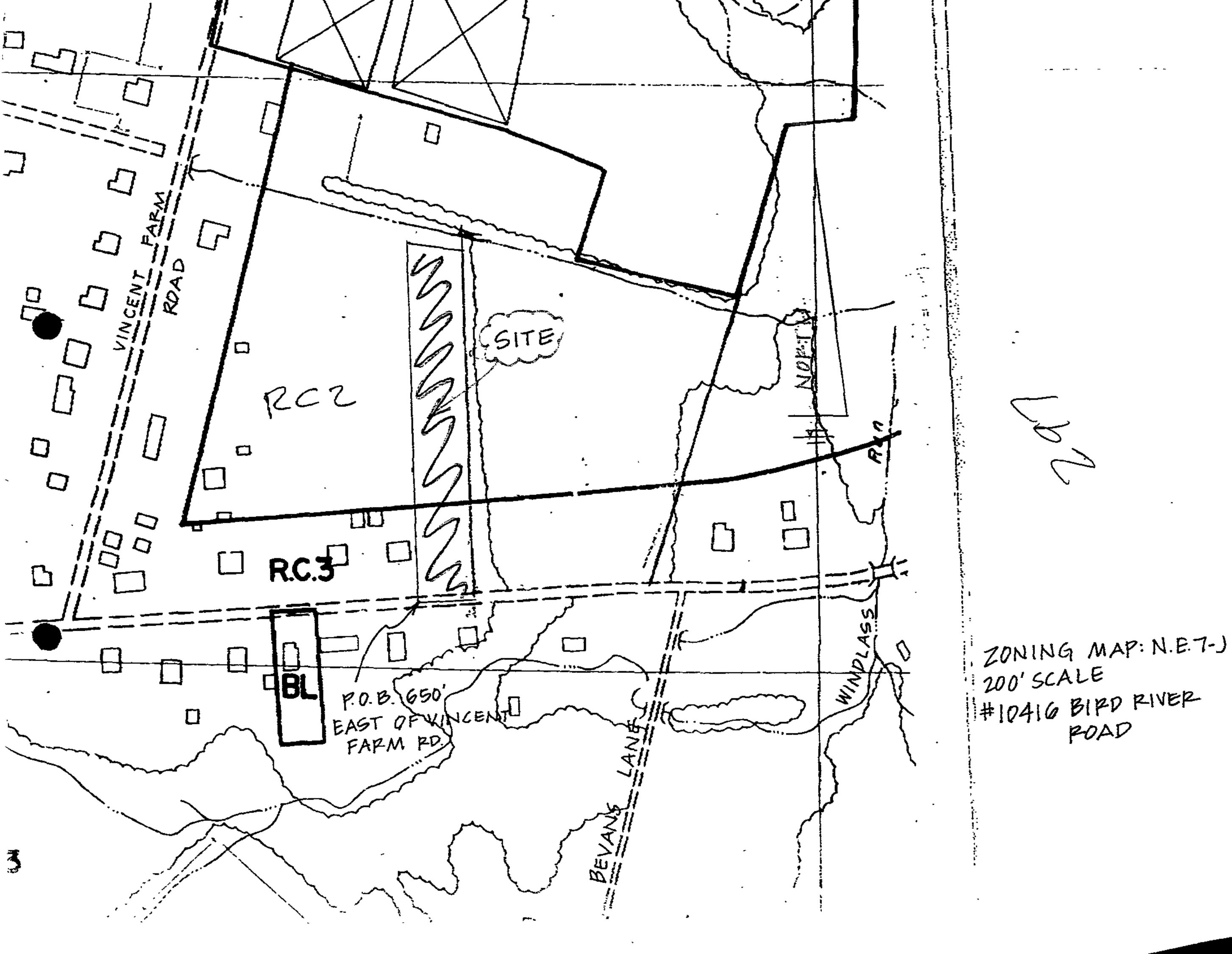
TRACTS DIVIDED BY ZONE BOUNDARIES - If R.C. zoned land under the same ownership is separated by a different R.C. zone, then the density should be calculated and utilized by each zone parcel. In the following example the R.C. 4 density would be two for one parcel and three for the other. The five lots would have to be located in the respective permitted density parcels of the property. The R.C. 5 area would be figured and utilized separately.

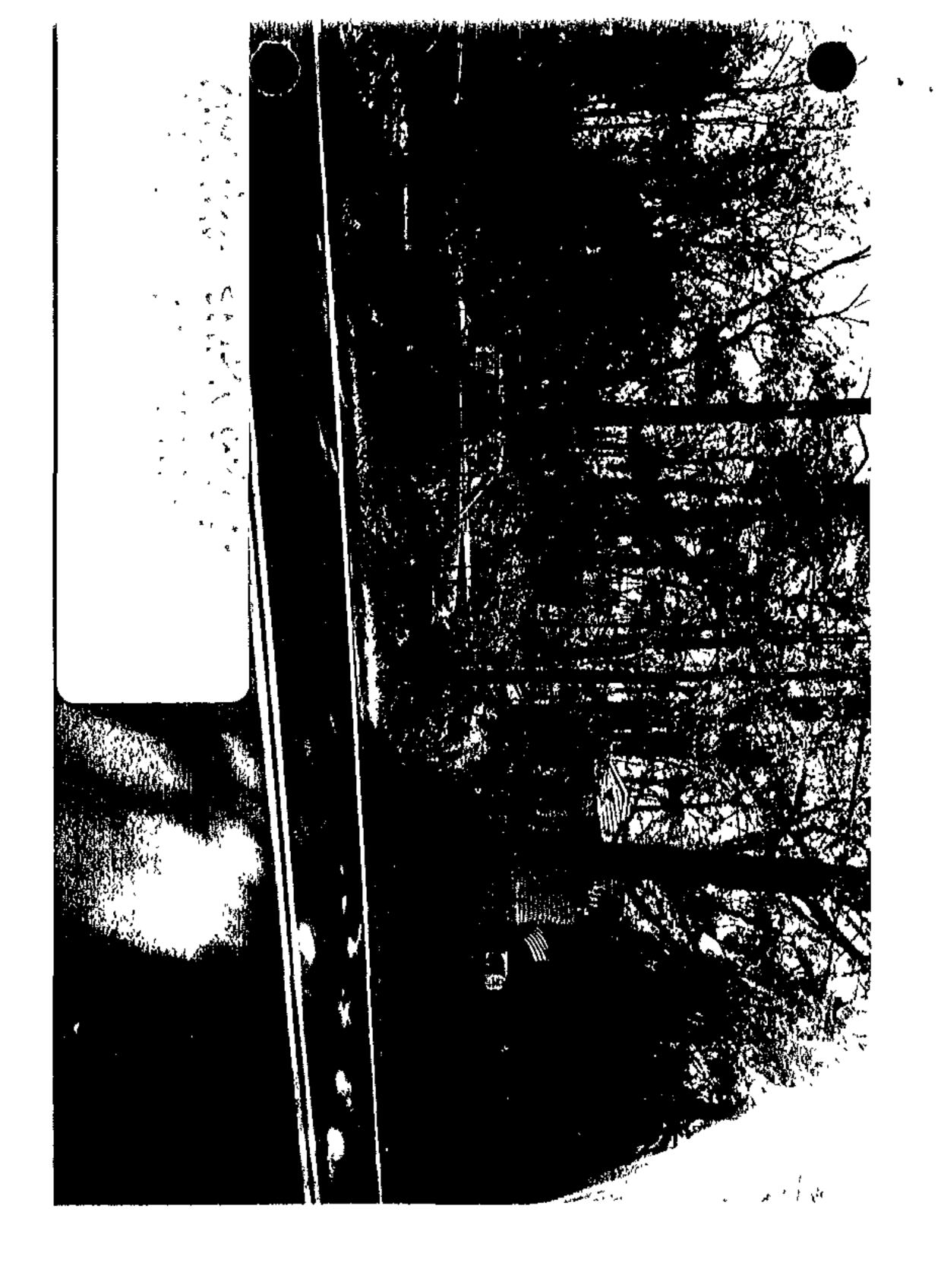
(1) If R.C. zoned land is proposed to be clustered in the same zone, on the same property, across another zone, a special hearing would be required before the Zoning Commissioner. In the following example a special hearing would be required to request that density units be clustered in either of the R.C. zoned land.



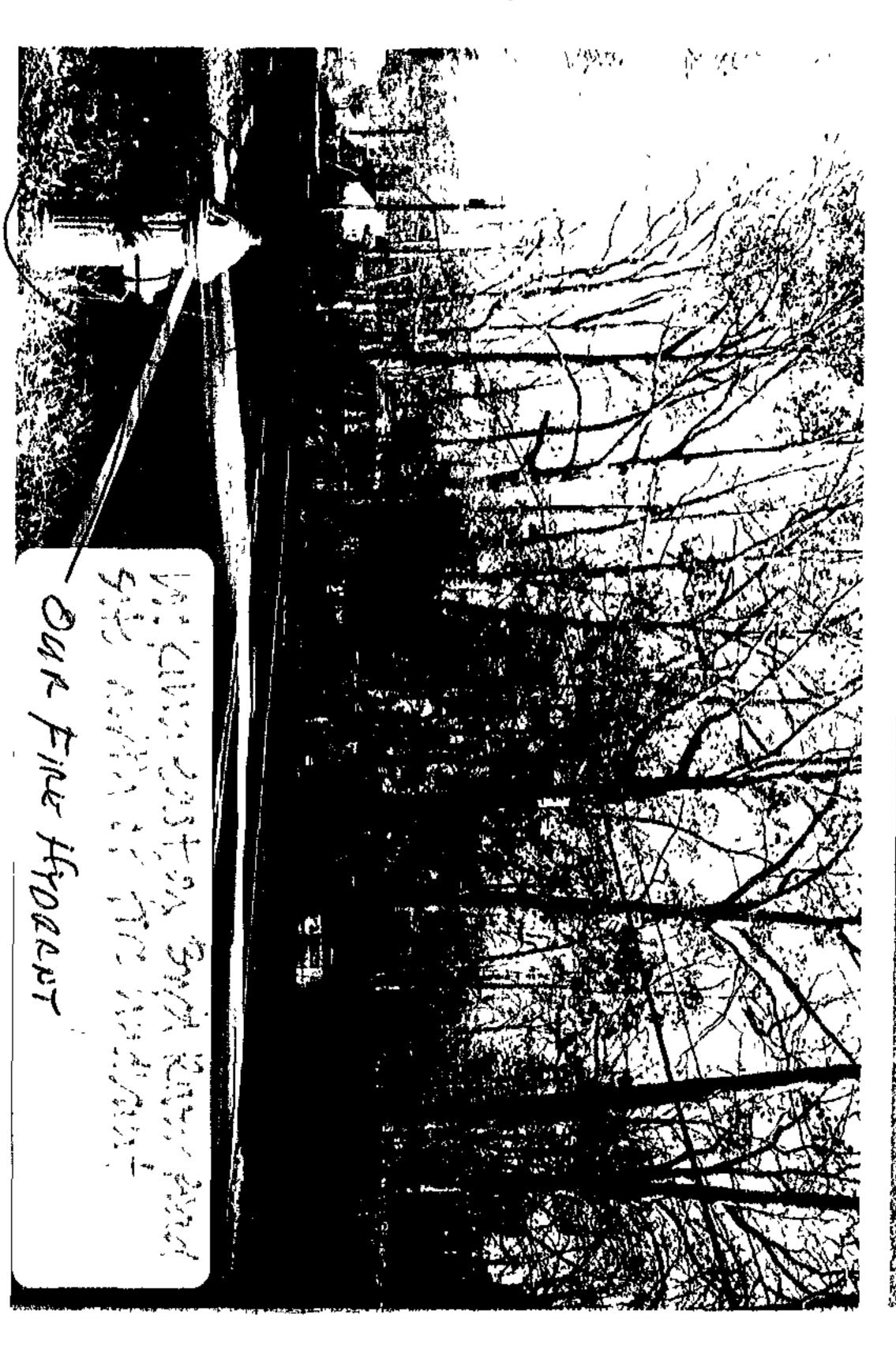
1A00.5.b LOTS DIVIDED BY ZONE LINES - The following guidelines have been formulated so that this matter can be handled consistently:

- (1) CONDITIONS:
 - a. A house may not straddle an R.C. zone line.
 - b. Any lot must meet the minimum lot area, width and setback requirements of the zone in which the house is to be located.
 - c. The well and septic system must be located in the same zone as the house.
 - i. setbacks are measured to the property or street right-of-way and not the zone line.
 - d. When calculating density, if a lot contains enough area to meet the minimum lot size in each of the R.C. zones into which it extends; it counts as two density units used and not just one (i.e. one density unit subtracted from that allowed in each separate R.C. zone.)
- (2) INTERPRETATION This determination may be subject to a special hearing at the discretion of the Zoning Commissioner.
- (3) See the following case: 89-52-SPH

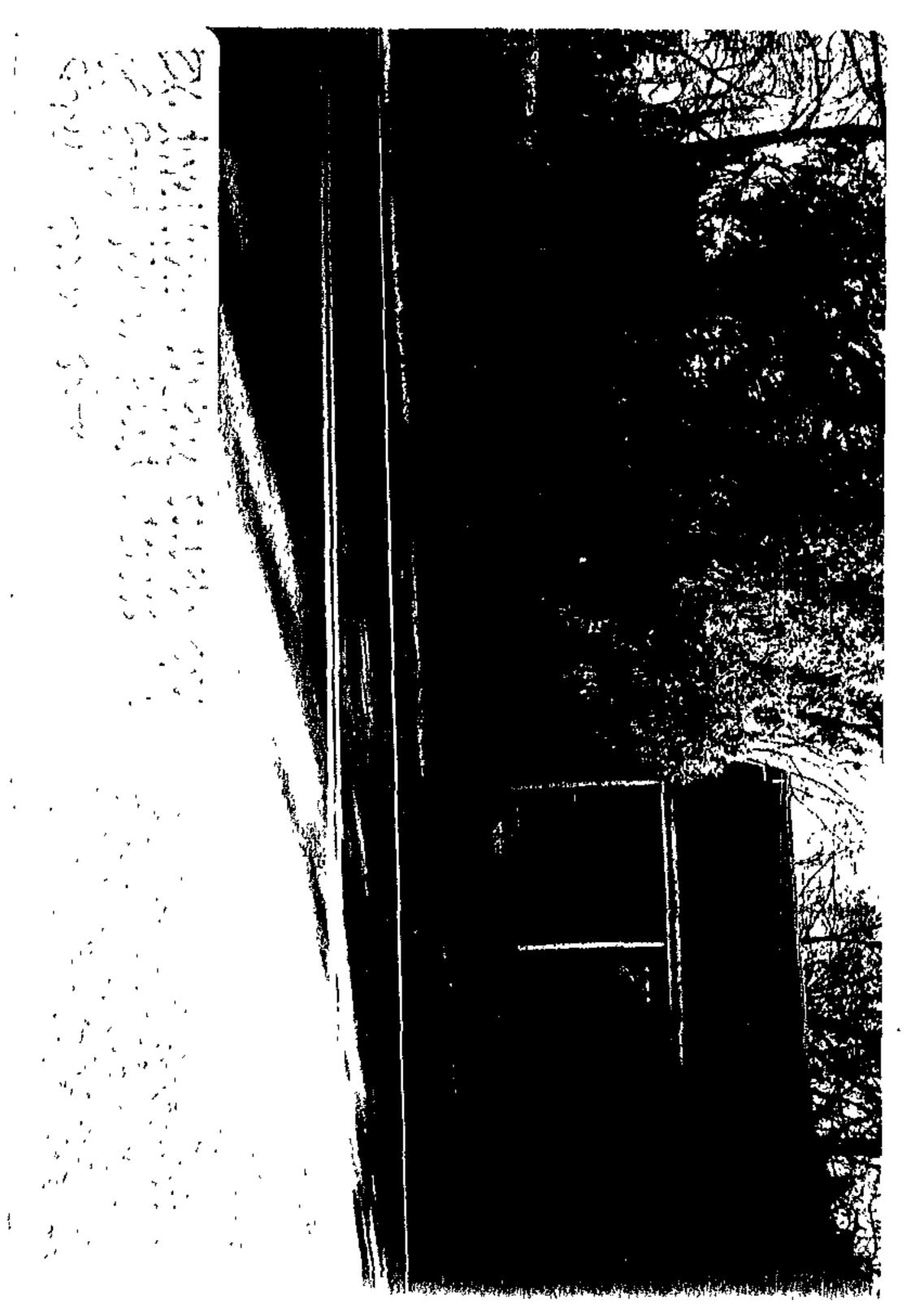




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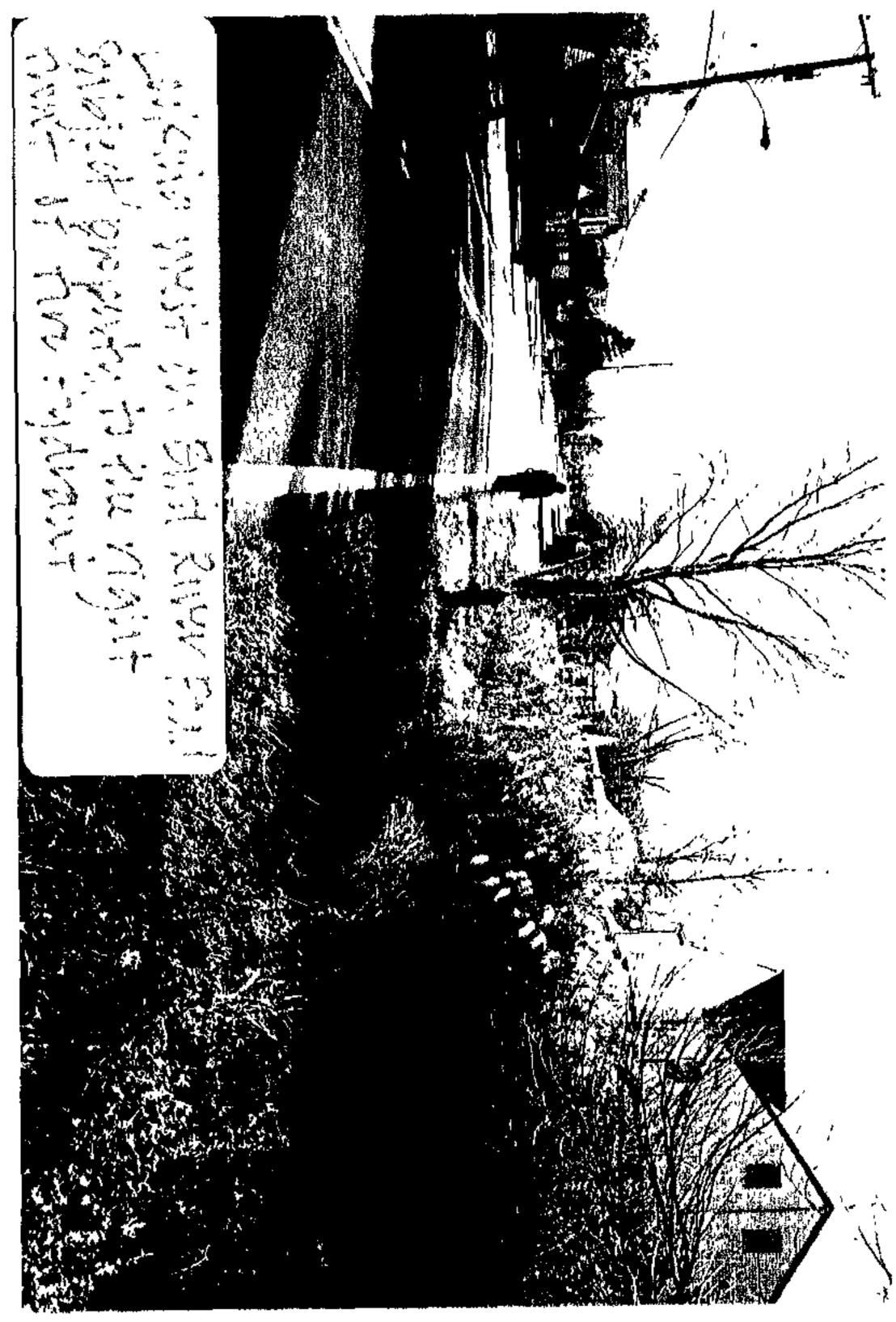
















GAMBRILL POAD

VICINITY MAP

SCALE: 1"= 1000

GENERAL NOTES

1. LOT SIZE: 1.419 Act UP 61,811 SFT

2. EXISTING ZONING: P.C. 2 & P.C. 3

3. 200' SCALE ZONING MAP N.E. TJ

4 NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL APEA

5. NOT LOCATED IN THE 100 YEAR FLOOD PLAIN APEA

COMMUNITY PANEL Nº: 240010 0435B

6 NOT LOCATED IN THE HISTORIC APEA 7. EXISTING USE: VACANT

PROPOSED USE: SINGLE FAMILY DWLG. 9. NO PRIOR ZONING HISTORY

10. PUBLIC WATER AND SEWER

ZONE: "C"

Jelle dann .

PLAN TO ACCOMPANY PETITION
FOR SPECIAL HEAPING

PLAN TO ACLOMPANY PETITION

UNDERSIZE LOT APPLICATION

#10416 BIPD PIVEP POAD

ELECTION DISTRICT Nº 15

COUNCILMANIC DISTRICT Nº 5

BALTIMOPE COUNTY, MD

'SCALE: |"= 30

NOVEMBER 12, 2002

8569

PECEMBER 20, 2002

29

