ORDER RECEIVED FOR FILING By IN RE: PETITION FOR VARIANCE

S/S Cold Spring Road, 230' E of the c/l

Burke Avenue

(1003 Cold Spring Road)

15th Election District

6th Council District

Philip C. Blackiston, et ux Petitioners * BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 03-391-A

*

* * * * * * * *

ORDER ON THE MOTION FOR RECONSIDERATION

WHEREAS, this matter comes before the Zoning Commissioner on a Motion for Reconsideration filed by the owners of the subject property, Philip C. and Linda S. Blackiston, of the Findings of Fact and Conclusions of Law and Order issued by me in the above-captioned matter on April 23, 2003.

By way of background, the Petitioners sought relief, pursuant to the Petition for Variance, from Sections 1A04.3.B.1 & 3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve the subject waterfront property as an undersized lot and allow reduced front and rear yard setbacks for a proposed single family dwelling.

A public hearing was held on the matter on April 7, 2003 at which the property owner, Phil Blackiston, and his builder, J. Michael Diegel, appeared. In addition, several residents from the surrounding locale appeared as Protestants in the matter. They included Linda Brothers, daughter of the adjacent property owner, Jack (John) W. Brothers; Waring S. Justis, Jr. and Pam Justis; Norma Bankard, Donna Frome, Anthony J. Russo, Jr., and P. Michael Cary, all nearby property owners.

By Order dated April 23, 2003, I denied the relief requested, finding that the subject property contained numerous site constraints and was too small to support a dwelling of the size proposed. Subsequent to the issuance of that Order, the Petitioners filed a Motion for

Reconsideration, seeking approval of a modified proposal, and the matter was scheduled for further proceedings on June 17, 2003.

At that hearing, Phil Blackiston, property owner, and his builder, J. Michael Diegel appeared, as did Linda Brothers on behalf of her father, Jack (John) Brothers, adjacent property owner, J. Michael Cary, Anthony J. Russo, Jr., Martha Griggs, Norma Bankard and Joseph Walters.

As noted in the earlier decision, the subject property is an irregular shaped, waterfront parcel located with frontage on Galloway Creek and the south side of Cold Spring Road in eastern Baltimore County. The property is triangular-shaped with a length of approximately 188 feet along the east side adjacent to the water, and 237 feet along the west side. The property has 108 feet of frontage along Cold Spring Road to the north; however, tapers to a point at the southernmost tip. It is the last parcel on Cold Spring Road, which ends at Galloway Creek, and is also known as Lot 65 of Bowleys Quarters. Access to Cold Spring Road is by way of Bowleys Quarters Road through New Galloway Road and Chestnut Road.

Under the original proposal, the Petitioners proposed to construct a 30' x 55' dwelling oriented to face the water. Reduced setbacks of 42.37 feet towards the front (water) side were proposed, as well as a minimum rear yard setback to the Brothers property of 3.3 feet. At the initial hearing, there was significant opposition to the proposal from community residents. Some of the residents questioned the actual size of the property on the site plan submitted. The site plan showed that the property contained 15,352 sq.ft. (.353 acres) in area; however, a printout obtained from the website for the Maryland State Department of Assessments and Taxation showed that the subject property was but 6,325 sq.ft. in area. The Protestants also objected to the site plan, which, although prepared by the reputable surveying company known as Campbell & Nolan Associates, Inc., was not sealed. The Brothers family was further concerned regarding the potential for storm water runoff from the subject site onto their property.

At the hearing on the Motion, the Petitioners submitted an amended site plan, which has been marked as Petitioner's Exhibit 1A. That plan shows that the building envelope has been

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modified and the proposed dwelling has been reduced in area and reconfigured. As shown on the site plan, the house will be closer to Cold Spring Road and the setback towards the Brothers property has been increased from 3.3 feet to approximately 9 feet. The house will be 55 feet wide across the rear; however, the front of the house facing the water has been reconfigured to provide a setback of 42.5 feet from the water. Overall, the new proposal depicts a smaller house and a greater rear yard setback.

At the request of the undersigned Zoning Commissioner, Mr. Blackiston submitted a sealed site plan, signed by Charles Dudley Campbell, a Registered Property Line Surveyor, and principal of the firm Campbell & Nolan Associates, Inc. Mr. Campbell certified on the site plan that same is accurate and has been prepared in compliance with the relevant provisions of the Real Property Article of the Annotated Code of Maryland. In addition to providing a signed and sealed site plan, Mr. Blackiston also submitted a signed agreement that was reached with the Brothers family. That agreement indicates that the Brothers family will not contest the variance relief requested, if Mr. Blackiston makes appropriate efforts to prevent the discharge of storm water from his property onto their property. The Brothers family also requested that Mr. Blackiston not oppose their potential building plans.

As to the agreement regarding storm water runoff, the Petitioners shall undertake such efforts as are necessary to prevent the discharge of storm water onto the adjacent lot, for so long as such efforts are approved by the Department of Environmental Protection and Resource Management (DEPRM) and comply with all other building code regulations. As to the potential development on the Brothers lot, I will not adopt that agreement as a condition to the grant of the relief here, in that this issue is strictly a private matter between the parties. It is unknown at this time whether the Brothers family will need variance relief to accomplish their plans.

Additionally, the Petitioner submitted a confirmatory letter from the Maryland Department of Assessments & Taxation indicating that they will amend their records to reflect the proper size of the subject property. That is, the Department's records will be altered to show that the subject lot is in fact 15,352 sq.ft. in area, in lieu of the previously shown 6,325 sq.ft.

Based upon the testimony and evidence presented, and the amended sealed site plan, I will grant the Motion. It appears that the Petitioners have made efforts to resolve the open issues between themselves and the community. They have reduced the size of the house and increased the setbacks.

In my judgment, the proposed modifications will reduce impacts on surrounding properties. Additionally, the Petitioners have obtained a variance from DEPRM from the Chesapeake Bay Critical Areas regulations to allow construction within a floodplain. A letter attesting to that variance dated May 20, 2003 was submitted and included in the case file. The fact that the subject property is an existing lot of record is also a persuasive factor. It appears that the amended proposal will allow construction of a single family dwelling on the subject property with minimal adverse impacts on the surrounding locale.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of August, 2003 that the Motion for Reconsideration in the above-captioned matter be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A04.3.B.1 and 3 to approve the subject property as an undersized lot (.353 acres in area in lieu of the required minimum lot size of 1.0-acres), and to allow a front yard setback of 42.37 feet and a rear yard setback of 9 feet in lieu of the required 50 feet each, in accordance with Petitioner's Exhibit 1A, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the 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 Zoning Advisory Committee (ZAC) comment submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated May 1, 2003, and the terms and conditions set forth in the letter dated May 20, 2003 from DEPRM, copies of which are attached hereto and made a part hereof.

- 3) The Petitioners shall take such efforts as are appropriate to prevent the discharge of storm water onto the adjacent Brothers lot, for so long as such efforts are approved by the Department of Environmental Protection and Resource Management (DEPRM) and comply with all appropriate Baltimore County Codes and regulations.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order

Any appeal of this decision must be entered within thirty (30) days of the date hereof.

AWRENCE E. SCHMIDT

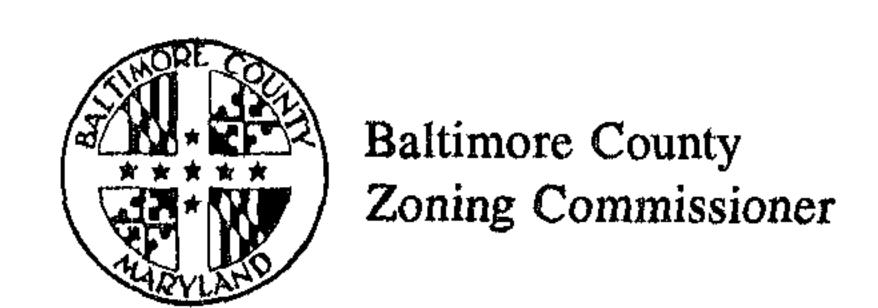
Zoning Commissioner for Baltimore County

LES:bjs

ORDER REGENTED FOR FILING Date

By

By



August 1, 2003

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

Fax: 410-887-3468

Mr. & Mrs. Philip C. Blackiston 709 Millwood Drive Fallston, Maryland 21047-3016

RE: MOTION FOR RECONSIDERATION
PETITION FOR VARIANCE
(1003 Cold Spring Road)
15th Election District – 6th Council District
Philip C. Blackiston, et ux - Petitioners
Case No. 03-391-A

Dear Mr. Blackiston:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Motion for Reconsideration 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,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. J. Michael Diegel, 3807 Ady Road, Street, Md. 21154

Mr. & Mrs. Waring Justis, Jr., 1007 Cold Spring Road, Baltimore, Md. 21220

Ms. Linda Brothers, 8614 Cottington Road, Baltimore, Md. 21236

Ms. Donna Frome & Ms. Norma Bankard, 3506 Galloway Road, Baltimore, Md. 21220

Mr. Anthony J. Russo, Jr., 3504 Galloway Road, Baltimore, Md. 21220

Mr. P. Michael Cary, 1382 Rivermist Court, Baltimore, Md. 21226

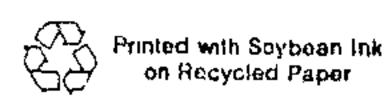
Ms. Martha Griggs, 3500 Galloway Road, Baltimore, Md. 21220

Mr. Joseph Walters, 3520 Galloway Road, Baltimore, Md. 21220

Mr. Michael Vivirito, 3619 Bay Drive, Baltimore, Md. 21220

Chesapeake Bay Critical Areas Comm., 1804 West Street, Suite 100, Annapolis, Md. 21401

DEPRM; People's Counsel; Case File







Baltimore County Zoning Commissioner

June 3, 2003

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

Fax: 410-887-3468

Mr. & Mrs. Philip C. Blackiston 709 Millwood Drive Fallston, Maryland 21047-3016

RE: MOTION FOR RECONSIDERATION (1003 Cold Spring Road)
Philip C. Blackiston, et ux - Petitioners
Case No. 03-391-A

Dear Mr. Blackiston:

This Office is in receipt of your written request for reconsideration of the decision rendered in the above-captioned matter. Your request has been accepted as a Motion for Reconsideration. In view of your proposed modifications, I have scheduled a hearing so that all parties have an opportunity to review and comment on the revised plan and any issues/concerns can be addressed at that time. The hearing has been scheduled for Tuesday, June 17, 2003 at 1:30 PM in Room 407 of the County Courts Building. A copy of this letter has been forwarded to all parties.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. J. Michael Diegel, 3807 Ady Road, Street, Md. 21154

Mr. & Mrs. Waring Justis, Jr., 1007 Cold Spring Road, Baltimore, Md. 21220

Ms. Linda Brothers, 8614 Cottington Road, Baltimore, Md. 21236

Ms. Donna Frome & Ms. Norma Bankard, 3506 Galloway Road, Baltimore, Md. 21220

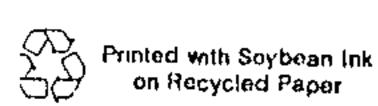
Mr. Anthony J. Russo, Jr., 3504 Galloway Road, Baltimore, Md. 21220

Mr. P. Michael Cary, 1382 Rivermist Court, Baltimore, Md. 21226

Chesapeake Bay Critical Areas Commission,

1804 West Street, Suite 100, Anhapolis, Md. 21401

DEPRM; People's Counsel; Case/File



IN RE: PETITION FOR VARIANCE

S/S Cold Spring Road, 230' E of the c/l

Burke Avenue

(1003 Cold Spring Road)

15th Election District

6th Council District

Philip C. Blackiston, et ux

Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 03-391-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 owners of the subject property, Philip C. and Linda S. Blackiston. The Petitioners seek relief from Section 1A04.3.B.1 & 3 to approve the subject property as an undersized lot (.353 acres in area in lieu of the required minimum 1.0 lot size); to approve a front yard setback of 42.37 feet and a rear yard setback of 3.3 feet in lieu of the required 50 feet each; and any other variances deemed necessary by the Zoning Commissioner for 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 Phil Blackiston, property owner, and J. Michael Diegel, Builder. Several residents from the surrounding locale appeared as Protestants in the matter. They included Linda Brothers, daughter of the adjacent property owner, Jack (John) W. Brothers; Waring S. Justis, Jr. and Pam Justis; Norma Bankard, Donna Frome, Anthony J. Russo, Jr., and P. Michael Cary, all nearby property owners.

Testimony and evidence offered revealed that the subject property is an irregular shaped, waterfront parcel located on Galloway Creek and the south side of Cold Spring Road in eastern Baltimore County. The property is triangular-shaped with a length of approximately 188 feet along the east side adjacent to the water, and 237 feet along the west side. The property has 108 feet of frontage along Cold Spring Road to the north; however, tapers to a point at the southern

ORDER RECKIVED FOR FILING Date // 2007/03 It is the last parcel on Cold Spring Road, which ends at Galloway Creek. Access to Cold Spring Road is by way of Bowleys Quarters Road through New Galloway Road and Chestnut Road. The property is also known as Lot 65 of Bowleys Quarters, which was recorded in the Land Records of Baltimore County prior to the enactment of the zoning regulations. As is often the case with older subdivisions, many of the lots therein are undersized and lack sufficient width or area to meet current regulations for development.

Mr. Blackiston testified that he and his wife purchased the subject property approximately 3 years ago and have made substantial improvements to the site since that time. He testified that residents in the area previously used the property as a dump and that much of the debris has been removed and a new bulkhead installed adjacent to the water. Additionally, a new storage shed has been placed on the site. It is to be noted that a second shed is also located on the site. That shed actually sits atop the right-of-way for Cold Spring Road near its terminus at Galloway Creek. There was testimony and argument offered at the hearing as to whether this shed is properly located on a County public right-of-way.

In any event, the Petitioners propose the construction of a single family dwelling on the property. The house will be 30' x 55' in dimension and oriented to face the water; thus, the side of the dwelling will face Cold Spring Road. Additionally, a proposed driveway will provide access to the house from Cold Spring Road. Due to the unusual configuration of the property and proposed location of the house, the rear of the dwelling will abut the side yard of the property owned by John W. and Anna Lee Brothers. A front setback to the water line of 42.37 feet is requested along with a minimal rear setback of 3.3 feet.

Mr. Blackiston and Mr. Diegel described the property and proposed improvements, and indicated that the property is presently served by public water; however, will use a private septic system. Apparently, public sewer will ultimately be available in the neighborhood and a connection will be made when those improvements have been completed.

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There is significant opposition to the proposal from community residents. Many of the neighbors believe that the property is undersized and cannot support a single family dwelling. In

this regard, the site plan submitted shows that the property contains 15,352 sq.ft. (.353 acres) in area. This is significantly less than the 1.0-acre minimum required in an R.C.5 zone. Moreover, the Protestants produced a printout from the Maryland State Department of Assessments and Taxation. That agency's web site shows that the subject property is listed as containing 6,325 sq.ft. in area, which is substantially less than that shown on the site plan. It is also to be observed that the site plan, although prepared by Campbell & Nolan Associates, Inc., is not sealed. Thus, there seems to be no reliable evidence as to the actual size of the property. Additionally, concerns were expressed regarding potential storm water runoff from the site. The Brothers' family is particularly concerned, due to the close proximity of the proposed house to their property and structures in their yard. Finally, concerns were expressed regarding sufficient access to the site from Cold Spring Road. As noted above, the Petitioners have apparently erected a shed within the right-of-way for that road and concerns were expressed as to whether emergency vehicles and equipment could access the site if necessary.

I am appreciative of the fact that this parcel is an old lot of record which was recorded many years ago as part of the subdivision of Bowleys Quarters. The undersigned Zoning Commissioner is often requested to approve lots of record which were created prior to the adoption of the first set of zoning regulations in Baltimore County. In many of those cases, the fact that the lots are of long-standing configuration and size is a persuasive argument in support of the request for development of same. Notwithstanding that fact, however, variance relief cannot be granted in this case. Section 307 of the B.C.Z.R. provides that a variance can be granted only if there will be no detrimental impacts to adjacent properties. In this case, the proposal will negatively impact the Brothers' property. The subject property is simply too small to support a single family dwelling without adversely affecting the adjacent property. Moreover, development of the site could result in detrimental environmental impacts to the locale. As noted within the Zoning Advisory Committee (ZAC) comments submitted by both the Development Plans Review Division of the Department of Permits and Development Management and the Department of Environmental Protection and Resource Management (DEPRM), the property is located within a floodplain.

Moreover, its waterfront location requires compliance with Chesapeake Bay Critical Areas standards. For all of these reasons, the relief requested must be denied.

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

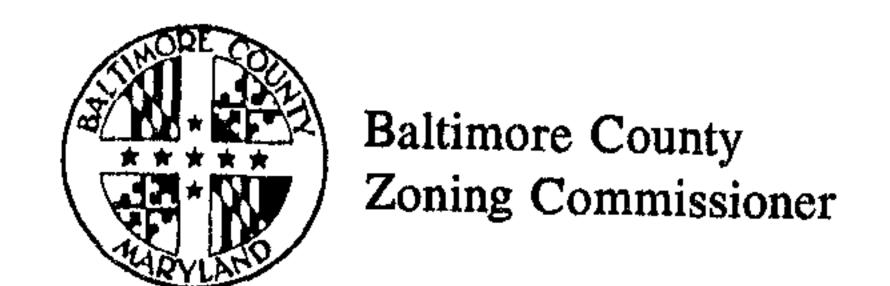
this ______day of April, 2003 that the Petition for Variance seeking relief from Section 1A04.3.B.1 and 3 to approve the subject property as an undersized lot (.353 acres in area in lieu of the required minimum 1.0 lot size); to approve a front yard setback of 42.37 feet and a rear yard setback of 3.3 feet in lieu of the required 50 feet each; and any other variances deemed necessary by the Zoning Commissioner for a single family dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

Any appeal of this decision must be entered within thirty (30) days of the date hereof.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs



April 23, 2003

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

Fax: 410-887-3468

Mr. & Mrs. Philip C. Blackiston 709 Millwood Drive Fallston, Maryland 21047-3016

RE: PETITION FOR VARIANCE S/S Cold Spring Road, 230' of the c/l Burke Avenue (1003 Cold Spring Road) 15th Election District – 6th Council District Philip C. Blackiston, et ux - Petitioners Case No. 03-391-A

Dear Mr. Blackiston:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LÁWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

Mr. J. Michael Diegel, 3807 Ady Road, Street, Md. 21154 cc:

Mr. & Mrs. Waring Justis, Jr., 1007 Cold Spring Road, Baltimore, Md. 21220

Ms. Linda Brothers, 8614 Cottington Road, Baltimore, Md. 21236

Ms. Donna Frome & Ms. Norma Bankard, 3506 Galloway Road, Baltimore, Md. 21220

Mr. Anthony J. Russo, Jr., 3504 Galloway Road, Baltimore, Md. 21220

Mr. P. Michael Cary, 1382 Rivermist Court, Baltimore, Md. 21226

Chesapeake Bay Critical Areas Commission,

1804 West Street, Suite 100, Annapolis, Md. 21401

DEPRM; People's Counsel; Case File



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 1003 Cold SPRING

which is presently zoned

This Petition shall be filed with the Department of Permowner(s) of the property situate in Baltimore County and white made a part hereof, hereby petition for a Variance from Sect	ilts and Development Management. The undersigned, legal ich is described in the description and plat attached hereto and tion(s)
and and and the formation of the first	ich is described in the description and plat attached hereto and tion(s) 1A04, 3, B, I and 3 to approve an
and rear wall cothacter to 14177' and	the required (acre), to approve front
approve any other variances deemed of the Zoning Regulations of Baltimore County, to the zoning hardship or practical difficulty)	the required lacre), to approve front 3.3' in lieu of the required 50', and to hecessary by the Zoning Commissioners glaw of Baltimore County, for the following reasons: (indicate.
to be prese	nted at the hearing
Property is to be posted and advertised as prescribed by the I, or we, agree to pay expenses of above Variance, advertising, por regulations and restrictions of Baltimore County adopted pursuant	asting etc. and further scree to and are to be bounded by the zoning
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
J. Diegel Builders Iwc. Name - Type of Print Signature Signature Adv Pd 410-893-7044	Philip C. Blackiston Name Sype or Print Blackiston Signature RIACKISTON
Address Telephone No. STREET Md. 31154 City State Zip Code	Name Type or Print Signature Signature
Attorney For Petitioner:	709 Millwood DRive 4/0893/207 Address Telephone No.
Stuart Get2 Name - Type or Print	Address FAI(57)W City Telephone No. Telephone No. State Telephone No. Zip Code
Signature	Representative to be Contacted:
Company	J. Diegel Builders INC
main St	3807 Adv Rd 410-893-7044
Address Telephone No. 2/0/4 State Zip Code	Address State Telephone No. 21154 Zip Code
	OFFICE USE ONLY
	ESTIMATED LENGTH OF HEARING
10 Pase No. 03-391-A	UNAVAILABLE FOR HEARING Reviewed By BK Date 2/24/03
CI 220 9 15/98	NEVIEWEU DY PICTURE 2/27/05

ZONING DESCRIPTION

Zoning Description For 1003 Cold Spring Road

Beginning at a point on the North side of Cold Spring Road which is 40 feet wide at the distance of 230 feet east of the centerline of the nearest improved intersecting street Burke Road which is 50 feet wide. Being Lot # 65, in the subdivision of Bowleys Quarters as recorded in Baltimore County Plat Book #7, Folio 12, containing 16,700 square feet. Also know as 1003 Cold Spring Road and located in the 15th Election District, 6th Councilmanic District.

MOTICE OF ZOMING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in <u>Towson</u>. Maryland on the property identified herein as follows:

Case: #03-391-A

1003 Cold Spring Road
Niside Cold Spring Road
Niside Cold Spring Road 230 feet east certertine Burke Road
15th Election District - 6th Councilmanic District
Legal Owner(s): Philip and Linda Blackiston
Variance: to approve an undersize lot, (0.353 acres in lieu of the required 1 acre). To approve front and rear yard setbacks of 42.77 feet and 3.3 feet in lieu of the required 50 feet and to approve any other variances deemed necessary by the Zoning Commissioner.

Hearing: Monday, April 7, 2003 at 11:00 a.m. in Room
407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning-Review Office at (410) 887-3391

S7291 Mar. 20

E OF PUBLICATION

3/21/2003

that the annexed advertisement was published successive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., THIS IS TO CERTIFY, once in each of CO

X The Jeffersonian

es Arbutus Tim **Fimes**

Catonsville

Towson Times

Owings Mills Times

/Reporter NE Booster,

North County News

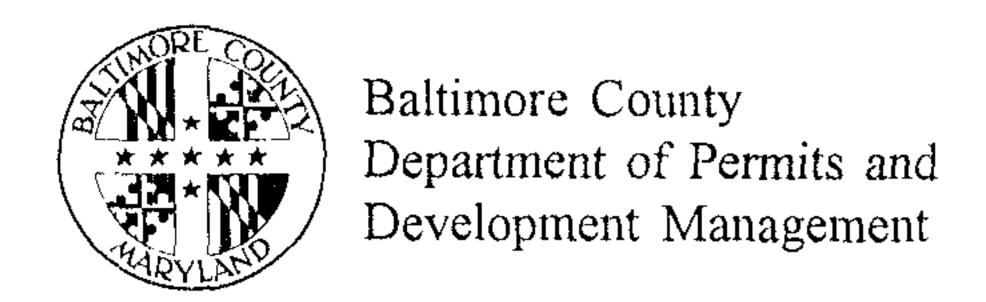
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LEGAL ADVERTISING

175428 2/24/2003 528 700005 UEVET ICHTUS! With a fame fame, Hardard CASHIER'S VALIDATION 225年286日 09 572年 866年 1235 5 553 A 1023 B Bat Int 7.784.7865 ELB BROK BE 23.50 500 いるとは、なべては、大きのでは、大きのでは、大きのでは、 YELOW - CUSTOMER 40 BALTIMORE COUNTY, MARYLAND ACCOUNT AMOUNT 195 OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT PINK - AGENCY €3 A STATE OF THE PARTY OF THE PAR DISTRIBUTION WHITE - CASHIER RECEIVED FROM: DATE FOR:

CERTIFICATE PF POSTING

	RE: Case No.:
•	Petitioner/Developer: PHILIP +
•	LINDA BLACKISTON
	Date of Hearing/Closing: 4/7/03
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:	
This letter is to certify under the renalties of	perjury that the necessary sign(s) required by law
	located at 1003 GOLD SPRING
and bound activities and branch's	ROAD
	and designations in the contract of the contra
THE PERSON AND THE PE	
The sign(s) were posted on	3/22/03 (Month, Day, Year)
	(Month, Day, Year)
	Sincerely,
•	•
	3/22/22
	(Signature of Sign Poster and Date)
	SSG ROBERT BLACK
	(Printed Name)
	1508 Leslie Rd
	(Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)



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

March 12, 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: 03-391-A

1003 Cold Spring Road

N/side Cold Spring Road 230 feet east centerline Burke Road

15th Election District – 6th Councilmanic District

Legal Owners: Philip and Linda Blackiston

<u>Variance</u> to approve an undersize lot, (0.353 acres in lieu of the required 1 acre). To approve front and rear yard setbacks of 42.77 feet and 3.3 feet in lieu of the required 50 feet and to approve any other variances deemed necessary by the Zoning Commissioner.

Hearings: Monday, April 7, 2003 at 11:00 a.m. in Room 407, County Courts Bldg.,

401 Bosley Avenue

Arnold Jablon

Director

AJ:klm

C: Stuart Getz, Main Street, Bel Air, MD 21014
Philip and Linda Blackiston, 709 Millwood Drive, Fallston, MD 21047-3016
J. Diegel Builders Inc., 3807 Ady Road, Street MD 21154

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 22, 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

Thursday, March 20, 2003 Issue - Jeffersonian

Please forward billing to:

Philip Blackiston 709 Millwood Drive Fallston, MD 21047-3016

410-893-1207

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: 03-391-A

The same of the sa

1003 Cold Spring Road N/side Cold Spring Road 230 feet east centerline Burke Road 15th Election District – 6th Councilmanic District Legal Owners: Philip and Linda Blackiston

<u>Variance</u> to approve an undersize lot, (0.353 acres in lieu of the required 1 acre). To approve front and rear yard setbacks of 42.77 feet and 3.3 feet in lieu of the required 50 feet and to approve any other variances deemed necessary by the Zoning Commissioner.

Hearings:

Monday, April 7, 2003 at 11:00 a.m. in Room 407, County Courts Bldg.,

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.



ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

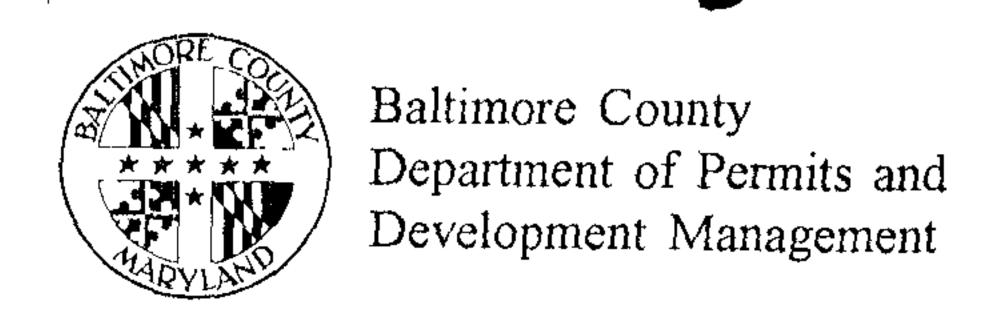
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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 Advertising:
Item Number or Case Number: 03-391-A
Petitioner J. Diegeh Builders Inc
Address or Location: 3807 Ady Rd STREET Find 21154
PLEASE FORWARD ADVERTISING BILL TO:
Name Philip BlackisTow
Address 709 millwood DRIVe
FAIIS TOW Find. 2/047-3016
Telephone Number: 4/0-893-1207

Revised 2/20/98 - SCJ



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

April 4, 2003

Stuart Getz Main Street Bel Air, MD 21014

Dear Mr. Getz:

RE: Case Number: 03-391-A, 1003 Cold Spring Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 24, 2003.

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

WCR:klm

Enclosures

c: People's Counsel Philip C. and Linda Blackiston, 709 Millwood Drive, Fallston MD 21047-3016 J. Diegel Builders, Inc., J. Michael Diegel, 3807 Ady Road, Street MD 21154



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 March 11, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: March 10, 2003

Item No.:

384 - 395

Dear Ms. Hart:

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.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File



MARYLAND DEPARTMENT OF TRANSPORTATION

Robert L. Ehrlich, Jr., Governor · Michael S. Steele, Lt. Governor · Trent M. Kittleman, Acting Secretary

Date: 3.11.03

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

RE: Baltimore County

Item No. BR

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. McDonald Jr., Chief Engineering Access Permits Division

file

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

			DATE: May 1, 200	
TO:		Arnold Jablon		RECEIVE
FROM	:	R. Bruce Seeley RBS /TET	•	CIVE
DATE:		April 30, 2003		MAY - 5 2003
SUBJE	CT:	Zoning Item 391 Address 1003 Coldspring Road (Bla	20/// ckiston Property)	G COMMISSIC
•	Zoning	Advisory Committee Meeting of 3/1		
· - ·- · · · ·	The Do	epartment of Environmental Protection ents on the above-referenced zoning it	n and Resource Mana em.	agement has no
7	The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.			
<u>X</u> _1	The De	partment of Environmental Protection owing comments on the above-referen	n and Resource Mana nced zoning item:	igement offers
		Development of this property must concritical Area Regulations (Sections 2 Sections, of the Baltimore County Concrete County C	6-436 through 26-46	apeake Bay 1, and other
		Development of this property must co Conservation Regulations (Section 14 Baltimore County Code).	mply with the Forest 4-401 through 14-422	t cof the
		Development of this property must co Critical Area Regulations (Sections 2d Sections, of the Baltimore County Co	6-436 through 26-461	peake Bay I, and other

Additional Comments:

See attached comments.

Reviewer: Keith Kelley

Date: 4/21/03

ORDER RECEIVED FOR FILING
Date
By

CBCA Zoning Comments (zoning item #391)

	· (zoning item #391)
	The property is located within the Limited Development Area (LDA), or Resource Conservation Area (RCA), or Intensely Developed Area IDA) of the Chesapeake Bay Critical Area (CBCA).
	Area (CBCA).
	This proposal must use best management practices, which reduce pollutant loadings by 10% Vian-made impervious surfaces and line is a second of the surfaces and line is a second of the surfaces.
	Figure 30 and access the limited to 150' in
	might flour surfaces are limited to see .
-	Mitigation is required if exceeding the 25% impervious surface limit. Impervious surfaces diministrative Variance C. 250.
	are limited to $\frac{259}{3}$ of the lot & 500 square feet of 3 \ 250 of the lot. Otherwise, a Critical Area

__if permitted development on a property purrently exceeds impervious surface limits, that percentage may be maintained during redevelopment of the property

 $=5^{\circ}$) forest must be established or maintained. This equates to $=5^{\circ}$ trees for a lot of this size X Any tree removed in the buffer for this structure must be replaced on a !:! basis.

X all downspouts must discharge rainwater runoff across a pervious surface such as a lawn

The for sin a Buffer Management Area BMA Mitigation (planting trees, removing mper, lous area, or paying a fee-in-lieu is required for the pracement of the proposed structure

if the lot is unimproved, then the proposed dwelling cannot go any closer to the water than he heighboring aweiling farthest away from the water.

_____if the of simproved, then the proposed dwelling can go as close to the water as the existing

24 Critical Area Administrative Variance CAAV is required for the placement of the proposed structure within 100° of tidal waters, tidal vetlands, stream, or within 25° of non-tidal verlands. (currently under periew)

A Critical Area Administrative Variance (CAAV) is required since the proposed principal structure cannot honor the required 35' residential building setback or 25' commercial building

Kdk#14/ebcazoningcomments



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: March 13, 2003

RECEIVED

MAR 1 3 2003

2UNING COMMISSIONED

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-391, & 03-392

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

TO:

Arnold Jablon, Director

DATE: March 14, 2003

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 17, 2003

Item No. 391

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

The flood protection elevation for this site is 11.2 feet.

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

In accordance with *Bill No. 18-90*, Section 26-276, filling within a floodplain is prohibited.

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

The building's engineer shall require a permit for this project.

Building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with B.O.C.A. requirement, adopted by the county.

RWB:CEN:jrb

cc: File

RE: PETITION FOR VARIANCE * BEFORE THE

1003 Cold Spring Road; Nside Cold Spring
Rd, 230' E c/line Burke Road * ZONING COMMISSIONER

15th Election & 6th Councilmanic Districts
Legal Owner(s): Philip & Linda Blackiston * FOR

Contract Purchaser(s): J. Diegel Builders, Inc

Petitioner(s) * BALTIMORE COUNTY

* 03-391-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 day of March, 2003, a copy of the foregoing Entry of Appearance was mailed to, J. Diegal Builders, Inc, 3807 Ady Road, Street, MD 21154 & Stuart Getz, Main Street, Bel Air, MD 21014, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RE: PETITION FOR SPECIAL HEARING
9213 Avondale Road; E/side Avondale Rd,
130' S c/line Glenside Rd
11th Election & 6th Councilmanic Districts
Legal Owner(s): Frank & Angela Fotiadis
Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* 03-388-SPH

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/

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 day of March, 2003, a copy of the foregoing Entry of Appearance was mailed to Jacob D. Hornstein, Esquire, 20 S. Charles Street, 4th Floor, Baltimore, MD 21201-3217, Attorney for Petitioner(s).

PETER MAX ZÍMMERMAN

People's Counsel for Baltimore County

Department of Environmental otection and Resource Management

401 Bosley Avenue, Suite 416 Towson, Maryland 21204

James T. Smith, Jr., County Executive David A.C. Carroll, Director



Baltimore County

One of the Best-Managed Counties in America

May 20, 2003

Mr. and Mrs. Philip Blackiston 709 Millwood Drive Fallston, MD 21047

Re:

1003 Cold Spring Road

Critical Area Administrative Variance

Dear Mr. and Mrs. Blackiston:

The Department of Environmental Protection and Resource Management (DEPRM) has received your variance request to construct a dwelling in the 100 foot tidal buffer closer to Galloway Creek/Middle River (42' in lieu of the required 100') than Buffer Management Area Regulations allow. The Director of DEPRM may grant a variance to the Chesapeake Bay Critical Area regulations in accordance with regulations adopted by the Critical Area Commission concerning variances as set forth in COMAR 27.01.11. There are five (5) criteria listed in COMAR 27.01.11 that shall be used to evaluate the variance request. All five (5) of the criteria must be met in order to approve the variance.

The first criterion requires that special conditions exist that are peculiar to the land or structure, and that literal enforcement of the regulations would result in unwarranted hardship. The entire lot is in the 100-foot buffer due its shape/size and the presence of water on two sides of the site. This property was already a recorded lot prior to the onset of Chesapeake Bay Critical Area Regulations. A literal enforcement of the regulations would prevent the construction of the dwelling, resulting in unwarranted hardship.

The second criterion requires that a literal enforcement of the regulations would deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area. Many of the properties along the Chesapeake Bay waterfront have homes within the 100-foot tidal buffer. A similar variance would be granted on another waterfront lot under similar circumstances.

The third criterion requires that granting of a variance will not confer upon an applicant any special privilege that would be denied to other lands or structures within the Critical Area. Granting of this variance will not confer upon an applicant any special privilege that would be denied to other lands or structures within the Critical Area.

Visit the County's Website at www.baltimorecountyonline.info

WATER TOTAL

ORDER RECOR

Date,

linted din Recycled Papor

Blackiston

AUTOMART

Mr. And Mrs. Philip Blackiston May 20, 2003 Page 2

The fourth criterion requires that a variance is not based upon conditions or circumstances which are the result of actions by the applicant, nor does the request arise from any condition relating to land or building use, either permitted or non-conforming, on any neighboring property. This variance is not based upon conditions or circumstances which are the result of your actions.

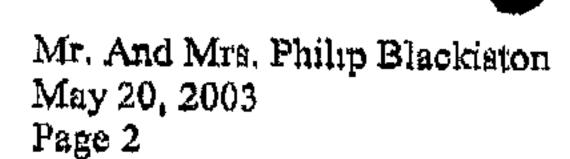
The fifth criterion requires that granting of the variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area, and that the granting of the variance will be in harmony with the general spirit and intent of the Critical Area regulations. With mitigation for the increase of 2,024 square feet of man-made imperviousness on site, granting of the variance will not adversely affect water quality, or adversely impact fish, wildlife, or plant habitat.

Based upon our review, it is this Department's findings that the first four of the above criteria have been met, and that the fifth criterion can be met by planting sixty-one (61), 5-6 foot tall, native, deciduous trees onsite from the enclosed list, or pay a fee-in-lieu of \$2,428.80, or a combination of the two options. Therefore, the requested variance is hereby approved in accordance with Section 26-445(c) of the Baltimore County Code with the following conditions:

- 1. The attached 'Notice of Granting of Variance' must be published in The Avenue, Dundalk Eagle or The East County Times. Final variance approval cannot be granted until fifteen (15) calendar days after the notice has been published. A copy of the Certificate of Publication for the advertisement issued by the newspaper, or a copy of the advertisement from the paper must be submitted to this office prior to receiving final variance approval.
- 2. Any trees to be planted must be done so by release of the Use & Occupancy Certificate. Any fee-in-lieu must be paid prior to building permit approval.
- 3. If any of the five (5) existing trees are removed for the new dwelling, they must be replaced on a 1 to 1 basis by release of the Use & Occupancy Certificate.
- 4. The new dwelling shall not be located closer than 42 feet from Galloway Creek/Middle River.

It is the intent of this Department to approve this variance subject to the above conditions. Changes in site layout may require submittal of revised plans and an amended variance request,

Please sign the statement on the next page and then return a copy of the letter along with your Certificate of Publication to this Department c/o Ms. Patricia Farr of Environmental Impact Review. Failure to return a signed copy of this letter and the other item may result in delays in processing of permits or other development plans for the subject property, and/or may render this variance null and void.



If you have questions regarding this project, please contact Mr. Keith Kelley at (410) 887-3980,

Sincerely,
There I. January, Tary

Director

DACC/kdk

CCT

Ms. Wanda Cole, CBCA Commission Campbell & Nolan Associates, Inc.

I/We have read and agree to implement the above requirements to bring my/our property into compliance with Chesapeake Bay Critical Area regulations.

Signature

Date

Signature

Date

Attachment

J:\lcoith\blackistonenav

ORUPER RECEIVED ത് MAY.27.2003 8:36AM AUTOMART NO.544 P.5

BALTIMORE COUNTY

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

NOTICE OF GRANTING OF VARIANCE

ADDRESS:

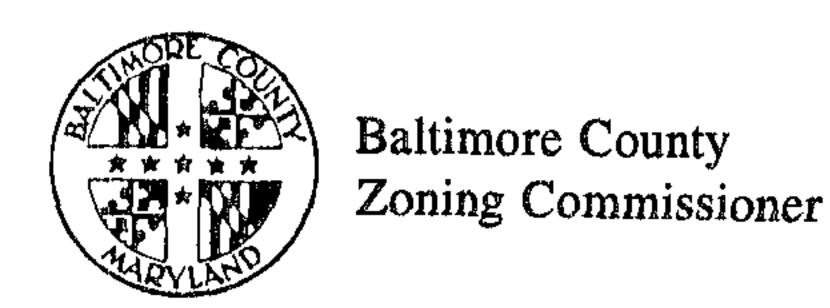
1003 Cold Spring Road

LEGAL OWNER:

Mr. and Mrs. Philip Blackiston

The Baltimore County Department of Environmental Protection and Resource Management, pursuant to Section 26-445(c) of the Baltimore County Code, hereby gives notice that a variance from Section 26-449 of the Code, Chesapeake Bay Critical Area Requirements, will be granted for the purpose of constructing a single family dwelling within the 100 foot buffer to Galloway Creek/Middle River on the referenced property. Any person or persons, jointly or severally, or any taxpayer aggrieved or feeling aggrieved by this decision, may appeal to the Baltimore County Board of Appeals within forty-five (45) days from the date of this notice. Appeals must be made in writing, stating the reason for appeal, and must be malled to Environmental impact Review, Baltimore County Department of Environmental Protection and Resource Management, 401 Bosley Avenue, Suite 416, Towson, Maryland 21204. All appeals must be accompanied by a check for \$75.00 payable to Baltimore County Government.

J:\keith\blackistonceav2



June 18, 2003

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

Fax: 410-887-3468

Mr. & Mrs. Philip C. Blackiston 709 Millwood Drive Fallston, Maryland 21047-3016

RE: MOTION FOR RECONSIDERATION

(1003 Cold Spring Road)

Philip C. Blackiston, et ux - Petitioners

Case No. 03-391-A

Dear Mr. Blackiston:

This letter is to confirm the status of the above-captioned Motion for Reconsideration for which a hearing was held on June 17, 2003. At the conclusion of the hearing, you were advised that a revised site plan with the requisite information thereon must be submitted for my review and consideration prior to a decision being rendered on your proposal.

Specifically, within fifteen (15) days of the date hereof, a revised site plan sealed by a Professional Engineer, Property Line Surveyor or Registered Landscape Architect shall be submitted which accurately depicts the subject property, the location of all existing and proposed structures thereon, and all lot lines and setbacks. In addition, the plan shall show that the proposed dwelling complies with the conditions imposed by the Department of Environmental Protection and Resource Management relative to the variance they granted you from Chesapeake Bay Critical Areas requirements. Upon completion of my review, I will either issue an opinion in the matter or advise if further proceedings are necessary.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

cc: Mr. J. Michael Diegel, 3807 Ady Road, Street, Md. 21154

Mr. & Mrs. Waring Justis, Jr., 1007 Cold Spring Road, Baltimore, Md. 21220

Ms. Linda Brothers, 8614 Cottington Road, Baltimore, Md. 21236

Ms. Donna Frome & Ms. Norma Bankard, 3506 Galloway Road, Baltimore, Md. 21220

Mr. Anthony J. Russo, Jr., 3504 Galloway Road, Baltimore, Md. 21220

Mr. P. Michael Cary, 1382 Rivermist Court, Baltimore, Md. 21226 Mr. Joseph Walters, 3520 Galloway Road, Baltimore, Md. 21220

Mr. Joseph Walters, 3520 Galloway Road, Baltimore, Md. 21220 Ms. Martha Griggs, 3500 Galloway Road, Baltimore, Md. 21220

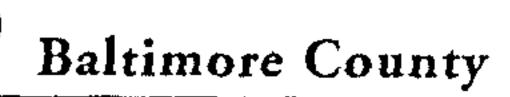
Chesapeake Bay Critical Areas Cophm., 1804 West Street, Suite 100, Annapolis, Md. 21401

DEPRM; People's Counsel; Case File

Department of Permits and Development Management

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





James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

October 13, 2004

Mr. Jeffrey J. Deegan Wilson Deegan & Associates 2309 Bel Air Road, Suite A Fallstown, Maryland 21047

Dear Mr. Deegan:

RE: Zoning Verification, 1003 Cold Spring Lane, 15th Election District Zoning Case No. 03-391-A

Your Spirit and Intent letter has been referred to me for reply. Based upon a review of the plan which accompanied the letter and a research of the zoning records the following has been determined.

The proposed reconfiguration of the enclosed building footprint as shown on the provided site plan that maintains the setback relief granted is considered to be within the spirit and intent of the above referenced case. However, the proposed deck does not enjoy the same consideration.

Any proposed open projection in the R.C.5 zone will be subject to the provisions of Section 301.1. of the Baltimore County Zoning Regulations (BCZR) which requires a 37.5 foot setback. Therefore the addition of the deck as shown requires a variance to the aforementioned BCZR regulations.

I trust that the information set forth in this letter is sufficiently detail and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Lloyd T. Møxley Planner II

Zoning Review

LTM



Visit the County's Website at www.baltimorecountyonline.info

April 6, 2003

RE: Zoning Hearing

Case: #03-391-A

1003 Cold Spring Road
Baltimore, Maryland 21220
15th.Election District - 6th. Councilmanic District

Owners: Philip and Linda Blackiston

To Whom It Concerns:

I am writing this letter in regard to the above mentioned property, and my opposition to the items which are listed below:

- 1. According to the Maryland Department of Assessments and Taxation this piece of property consist of .15 or 6,325 square feet; the variances notice states .353 or 15,352 square feet. The correct size of this property needs to be determined before variances should be granted
- 2. If the road-end which is owned by the Bowleys Quarters Improvement Association, Inc., for use by the community, is included in the square footage mentioned above it may not be used for building by adjoining property owners. By way of Mr. Eric Rockel, Supervisor Bureau of Land Acquisition at Baltimore County, no one should construct fences, buildings or other improvements that would interfere with the access this road-end provides for the community.
- 3. Due to the past filling in of said property, also the filling in of road-end to accommodate a shed of the owner, Cold Spring Road is now flooding along with the flooding of adjoining properties.
- 4. The zoning notice states, approval is being asked for any other variances deemed necessary by the Zoning Commissioner. This is an unusual request I was told by the Zoning Office to be asked for; I feel a request for a variance of this type could be detrimental to the neighborhood. Each variance required should be requested with a zoning notice for approval.

I am not opposed to Mr. and Mrs. Blackiston in wanting to build a home on their property. A new home could be of benefit to the community. I feel though that all codes should be followed as set by Baltimore County. Since these rules are set for the benefit of the community, each property owner should follow the same codes or laws.

Sincerely,

Martha Griggs

3500 Galloway Road

Baltimore, Maryland 21220

Case # 03-391-A

April 7, 2003

Purpose:

Variance hearing to approve an undersized lot, which is 0353 acre or 6,325 square feet in lieu of the required 1-acre lot.

THESE SIZES on the zoning notice sign DO NOT AGREE WITH THE PUBLIC RECORD OF THE LAND.

Please consider this our formal objections to the variance request known as Case # 03-391-A to permit an undersize lot to minimize its setbacks, not only as stated in the notice, but "to approve any other variances deemed necessary by the zoning commissioner."

Objections:

Fire and Safety

Set backs are important because in case of fire, it keeps a distance between properties so other properties are not affected as in the case of flames spreading from one property to another beside it.

Main reason I'm here is that we experienced a fire adjacent to my property in December 2001 at approx. 6 p.m. at 1011 Cold Spring Road. The fire turned out to be 6 hour fire. Results of fire were a total loss to that home and the resulting death of the homeowner, extreme damage to the dwelling at 1013 Cold Spring and damage to my home at 1007. During the firefight, I was trying to hose the side of my home to try to protect it but was subsequently requested by the fire department to stop hosing b/c the water pressure was not sufficient to put out the fire. Approximately two hours into the firefight, the fire department brought a pump fireboat to the scene to assist. In my later inquiry to the fire department and fire chief Holman, I was told there was insufficient water pressure at our neighborhood through an 8 inch main to combat fires. The normal fire department SOP was to utilize a 20 foot hose with a pumper truck at the end of the road, i.e., Cold Spring. We were told the reason they were unable to do this, was the shed blocking access to the waterway. This shed is located at the end of the straightaway of Cold Spring, i.e., the Blackiston's shed. This structure prevented the fire fighters from reaching the Galloway Creek to assist in the fire fight, according to the chief.

(See attached memo regarding that property)

It is apparent that the property is so small that the Blackiston's feel it necessary to push their shed onto the road right of way which land does not legally belong to them but rather to Baltimore County and Bowleys Quarters Improvement Association.

(See attached)

The Community Association and the fire department have gracefully requested the Blackiston's that this shed be moved from its current site but the Blackiston's have not complied.

Consequently, I object to this encroachment on public property for safety reasons. I, therefore, request the County to have this structure removed immediately as it is the first step in adverse possession or prescriptive easement and is an infringement on mine and the community's rights to access to this stretch of roadway/land leading to access to Galloway Creek.

Drainage and Pervious conditions

My neighbor at 1005 Cold Spring, adjacent to the subject, has been experiencing drainage problems b/c the Blackiston's have raised their property about 1 foot higher than the neighbors' when they backfilled their property. This has also encroached on Galloway Creek from its original low mean tide footprint. We have also noticed that the end of the public roadway at Cold Spring, which was built up w/crush and run, now allows hugh puddles that do not drain which will be a breeding ground for various insects, etc.

When we went to reconstruct our home at 1007 Cold Spring, the County required us to have minimum set back of 100 feet and to rip up various concrete walkways so that the soil would be pervious on a property that is approx. 250 x 50 feet wide. They were very strict about this and not giving way b/c of the critical bay area and the run off problems. We had several visits from the County to assure of our compliance. Surely, if you build a house on a property less than 6,325 square feet, as per the tax assessment records is the size of the Blackiston's lot, this will only exacerbate the drainage problems and damage the environment in the critical bay area.

Not only did we have stringent guidelines about the revised structure of our home, we were also instructed at the State and County level to fill in our pre-existing dry basement, which was fully tiled walls and ceiling, and had a glass block bar in it, to alleviate any possibility of water drainage concerns.

I do not believe that the subject property can follow under the guidelines for waterfront property known as either RC 4 or RC 5 in a floodplain. The set back requirement is usually always mandatory and to our knowledge not negotiable with the environmental critical bay area.

Encroachment

Land: Because of the lack of land to build, the Blackiston's have been forced to move their shed onto a county right of way.

Galloway Creek: To acquire additional land, there has been backfilling and rip rap added to 4/1/03 Waning S. Justie da

Galloway Creek at this site.

1007 dold Spring Rd Balto MOZIZZO

Larry Schmidt - Follow up to hearing on 1003 Cold Spring Road

From: "Brothers, Linda" < LBrothers@ccbcmd.edu>

To: "Ischmidt@co.ba.md.us" < Ischmidt@co.ba.md.us>

Date: 4/11/2003 5:02 PM

Subject: Follow up to hearing on 1003 Cold Spring Road **CC:** "Brothers, Linda" < LBrothers@ccbcmd.edu>

Dear Mr. Schmidt,

You may remember me from the variance hearing on 1003 Cold Spring Road on Monday, April 7, 2003. I was representing my father, Mr. Jack W. Brothers who owns the adjacent property, 1005 Cold Spring Road. My father and I have long planned to renovate and enlarge the "mother-in-law" cottage located on one of our two lots. I was shocked to see the map and plans that Mr. Blackiston had to build a house so close to our property line and so close to the cottage. We checked with EPA after the meeting and found out they will frown on any plans that we might have to expand the cottage toward the water. That means we will need to expand toward the road making our planned building even closer to Mr. Blackiston's proposed building -- perhaps as close as 30" given overhanging eaves.

We request you deny Mr. Blackiston's request for a variance that would permit him to build so close to our property line and our dwelling.

We are in contact with an architect and will likely request a building permit in the very near future.

Thank you for your consideration of our request.

Jack W. Brothers 410.335.7372 1005 Cold Spring Road Baltimore, MD 21220

Linda L. Brothers 410.256.1622 8614 Cottington Road Baltimore, MD 21236

p.s. For several years we considered purchasing the 1003 Cold Spring Road property. But we considered the cost too great for a lot that was only 6700 square feet and we thought not eligible as a building site. We are still trying to figure how the lot is being presented as 15,000 square feet.

B39290 REAL PROPERTY DISPLAY BALTIMORE CO * INTAKE SHEET VERIFICATION *	UNTY	06/17/2003	PAGE 11
ACCOUNT NO: 15 1502573470 NAME KEY: BLAC	KISTON PHILIP	C 1	0/23/1992
/14368/ 52 MAP PARCE	L IMPS		W 121.00
8742 98 / 4		353	D .00
PLAT: 7/ 12 PLT#	1 BOWLEYS QUAR	RTERS	
PREM	·		
BLACKISTON PHILIP C	SPRING RD		
BLACKISTON LINDA S		00000	
709 M1LLWOOD DR AREA:	<u>6325.0</u> 00 S	FCV BASE	CURRENT
FALLSTON MD 21047 LOT /BL	OCK/SEC SUB	L: 30570	46320
65/	/	I: 5700	5700
	15.35a	T: 36270	52020
GEO: 82 GRID: 4 TX CL:	ر کی	PR: 0	0
USE: R TOWN: 000 EX ST: 0 CO PROP	CD: 34	CB: 0	0
OWNR: N ZONE: EX CL: 000 INC LIEN	DT:		
BPRUC: 00000 H OWN TX CRED: N REZN RI	PR :	PARTIA	L EX
LETTER OF INTENT DT: CC ASMT	DT :	CO 000	0
AG TAX DUE UNTIL: EXP	DT :	ST 000	0
FCMA: EXT EXP	DT :	MU 000	•
TRANS FM: BRAUN MELVIN	03/22/2000	/13356/ 369	•
F1 = PRIMARY $F4 = TRANSFERS$	I	F10= PERMITS	
F2 = VALUES $F5 = TAX/NEW CONS F8 =$		F11= APPEALS	
		F14= HIST	

Date: 6/17/2003 Time: 11:17:44 AM

₽.1

To: Mr. Lawrence E. Schmidt

AUTOMART

From: Phil Blackiston

Please see attached. With this change I would only be asking for a one foot variance and still meet DEPRM requirements. This is your case # 03-391-A @ 1003 Cold Spring Rd.

If you have any questions, you can reach me @ 443-807-6230.

Thank you,

Phil Blackiston

Phil & Linda Blackiston

Phil & Linda Blackiston 709 Millwood Dr. Fallston, Md. 21047

Bowley's Quarters Community,

AUTOMART

Here is a copy of the revised location of the house at 1003 Cold Spring Rd. I spent some time with Jack Brothers on Sunday, June 1st. I had staked out the location and outlined the house with string. Jack and I reviewed the plate and the property. Jack felt comfortable with the plan and thought it would be best to send you all a copy for you to review. If this is ok with you all we may not have to meet again and Mike Vivirito may be able to compose a letter to everybody to sign.

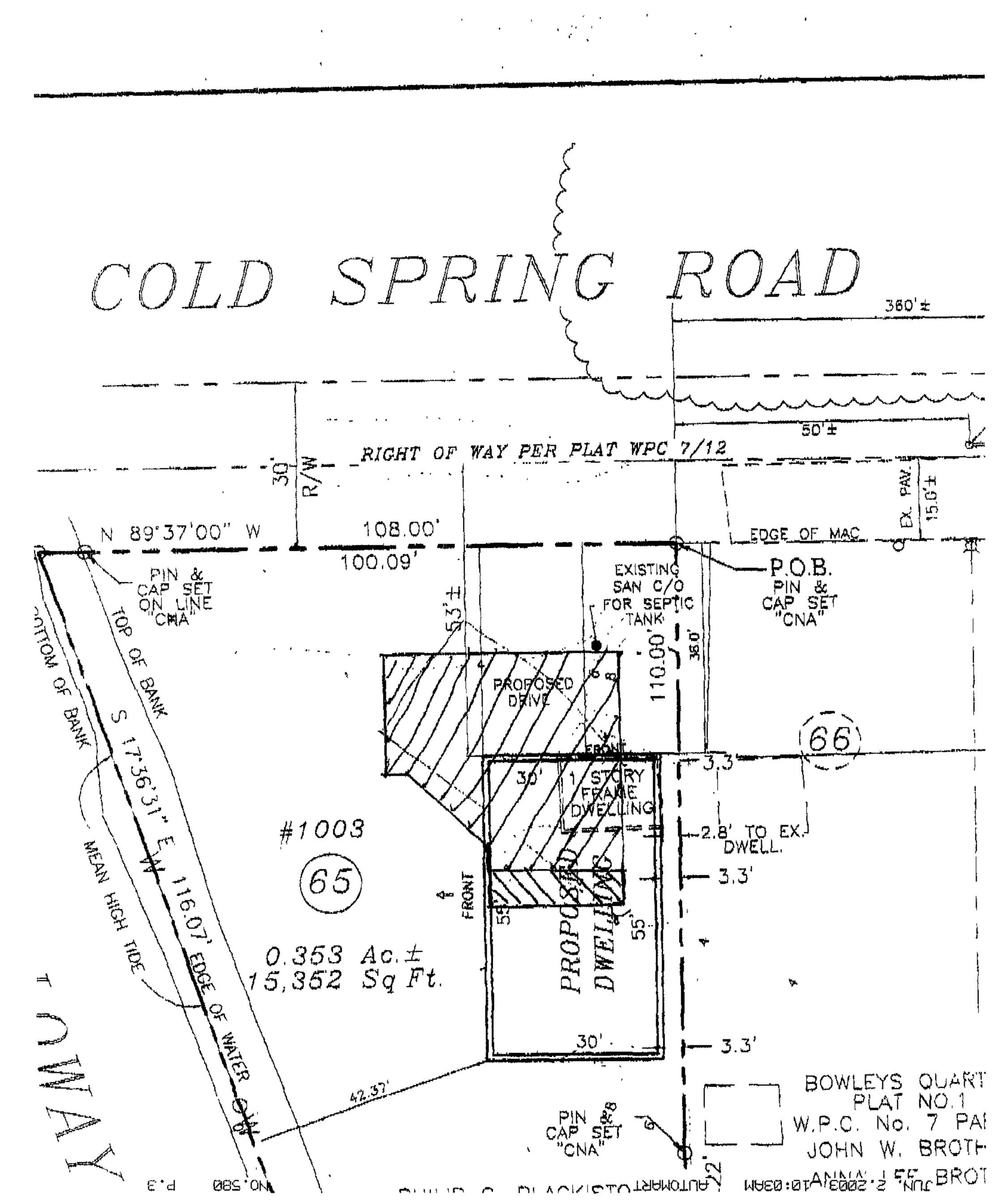
After I had left Jack I thought of adding an additional 10 feet to the house along the property line. This would allow for a larger master bedroom and still be 25 feet back from the original proposed house. This is shown by the reversed stripes on the drawing. If anyone has any questions, please call me @ 443-807-6230 or home @ 410-893-1207.

The house would be 9 feet from the property line and 45 feet from the water.

Thank you,

Phil Blackiston

Cc: Mike Vivirito, Jack Brothers, Waring Justis, Donna Frome Anthony Russo, Michael Cary, Zoning Commissioner.



Jack W. Brothers 1005 Cold Spring Road Baltimore, MD 21220

June 14, 2003

Mr Lawrence E. Schmidt Zoning Commissioner for Baltimore County Suite 405, County Courts Building 401 Bosley Avenue Towson, MD 21204

RE. Motion for Reconsideration (1003 Cold Spring Road)
Case No. 03-391-A

Dear Mr Schmidt.

We are in receipt of your June 3, 2003 letter granting a request for reconsideration of the decision you rendered earlier in the above-captioned matter. I am unable to attend the hearing and have asked my daughter, Linda Brothers, to represent me.

My daughter and I are in the process of studying modifications to my property, specifically the mother in law cottage that is immediately adjacent to Mr. Blackiston's property. We have engaged an individual to provide a plan for what we might do.

In light of the impact Mr. Blackiston's plans might have on my plans, we are very eager to hear the specifics of his revised plans for his property as he promised he would provide to the members of the Bowley's Quarters Improvement Association in a meeting held with him prior to his appeal for reconsideration.

My daughter will attend the meeting and speak for our interests. I hope that Mr. Blackiston will provide more detail about his revised plans.

Thank You,

Jack W. Brothers



AUTOMART

Phil & Linda Blackiston 709 Millwood Dr. Fallston, Md. 21047

Re: 1003 Cold Spring Rd. Baltimore, Md 21030

Please add a copy of this agreement to my petition for a zoning variance. This is an agreement between myself and my next door neighbor.

Thanks,

Phil Blackiston

443-807-6230



Linda Brothers 8614 Cottington Road Nottingham MD 21236

Phone: 410-256-1622

Jack Brothers
1005 Cold Spring Road
Baltimore, MD 21220
Phone: 410-335-7372

July 15, 2003

Philip Blackiston 709 Millwood Drive Fallston, MD 21047-3016

Dear Mr. Blackiston,

As we discussed at the June 17, 2003 hearing and in our phone conversation tonight, we are prepared to withdraw our objection to your proposed house, as outlined on the drawing provided us on July 5, 2002, on two conditions. We ask that you:

- 1. Agree in writing to fix the drainage problem that has led to consistent flooding of our driveway.
- 2. Agree in writing not to object to our modification and addition to the mother-in-law house. At your request, we have enclosed a drawing showing the approximate boundaries a structure would be located within. We do not expect to use the entire enclosed space, however. Final proposed size of a building footprint awaits the plans our architect will provide at a later date.

By your signature at the bottom of this letter, you agree to both of these conditions.

As soon as we receive your signed indication of compliance, unless there are other changes or circumstances that become apparent, we will inform the zoning commissioner that we have dropped our objections to your plans as outlined in the July 5, 2003 drawing.

In hopes that all this works out, we look forward to being your neighbor.

Sincerely yours,

Linda Brothers

I agree to the above:

Phil Blackiston

EAX# 410-877-7166

Jack W. Brothers 1005 Cold Spring Road Baltimore, Maryland 21220

March 5, 2003

Dear Sir/Madam:

In reference to Case # 03-391 A, I cannot agree to the variance request posted on the property located at 1003 Cold Spring Road in Bowley's Quarters, Baltimore County, Maryland for the following reasons:

- 1. The variance will place the proposed dwelling too close to my existing property line, 1005 Cold Spring Road in Bowley's Quarters, Baltimore County, Maryland. This will negatively affect the property value.
- 2. Run-off from 1003 will be increased due to the proposed dwelling being located close to the property line. In addition, due to the increased elevation, a run-off and drainage problem currently exists at the junction of the road ending at 1003 Cold Spring Road and my property at 1005 Cold Spring Road.

Thank you for your consideration in this matter.

Sincerely,

Jack W. Brothers

P. Michael Carey

Click here for a plain text ADA compliant screen.

Maryland Department of Assessments and Taxation **BALTIMORE COUNTY** Real Property Data Search

Go Back View Mag New Search

Account Identifier:

District - 15 Account Number - 1516150420

Owner Information

Owner Name:

BROTHERS JOHN W

BROTHERS ANNA LEE

Use:

RESIDENTIAL

Principal Residence:

YES

Mailing Address:

1005 COLDSPRING RD

BALTIMORE MD 21220-4425

Deed Reference:

1) / 6174/ 541

Location & Structure Information

Premises Address 1005 COLD SPRING RD Zoning

Legal Description

LT 66-67

WATERFRONT

SS COLD SPRING RD **BOWLEYS QUARTERS**

82

Grid Map Parcel Sub District Subdivision 98

Section

Block Lot Group

66

Plat No: 7/ 12 Plat Ref:

Special Tax Areas

Town **Ad Valorem** Tax Class

Primary Structure Built 1933

Enclosed Area 1,705 SF

Property Land Area 16,700.00 SF

County Use 34

Stories

Basement NO

Type STANDARD UNIT **Exterior SIDING**

\$100,000

Value Information

Value **Phase-in Assessments** As Of

As Of 07/01/2002

As Of 07/01/2003

Land: Improvements: 112,920 138,170 94,870

113,330

222,360

Preferential Land:

207,790

Class

Base

Value

251,500

01/01/2003

207,790

Transfer Information

Seller: AHLFELDT HARRY, 3RD Type:

IMPROVED ARMS-LENGTH

Total:

Date: 06/16/1980 Deed1: / 6174/ 541

Price: Deed2:

Date:

Deed1:

Price: Deed2:

Date:

Price:

Seiler: Type:

State

Seller:

Type:

Deed1:

07/01/2002

Deed2:

Exemption Information

Partial Exempt Assessments County

000 000 000 Municipal

07/01/2003

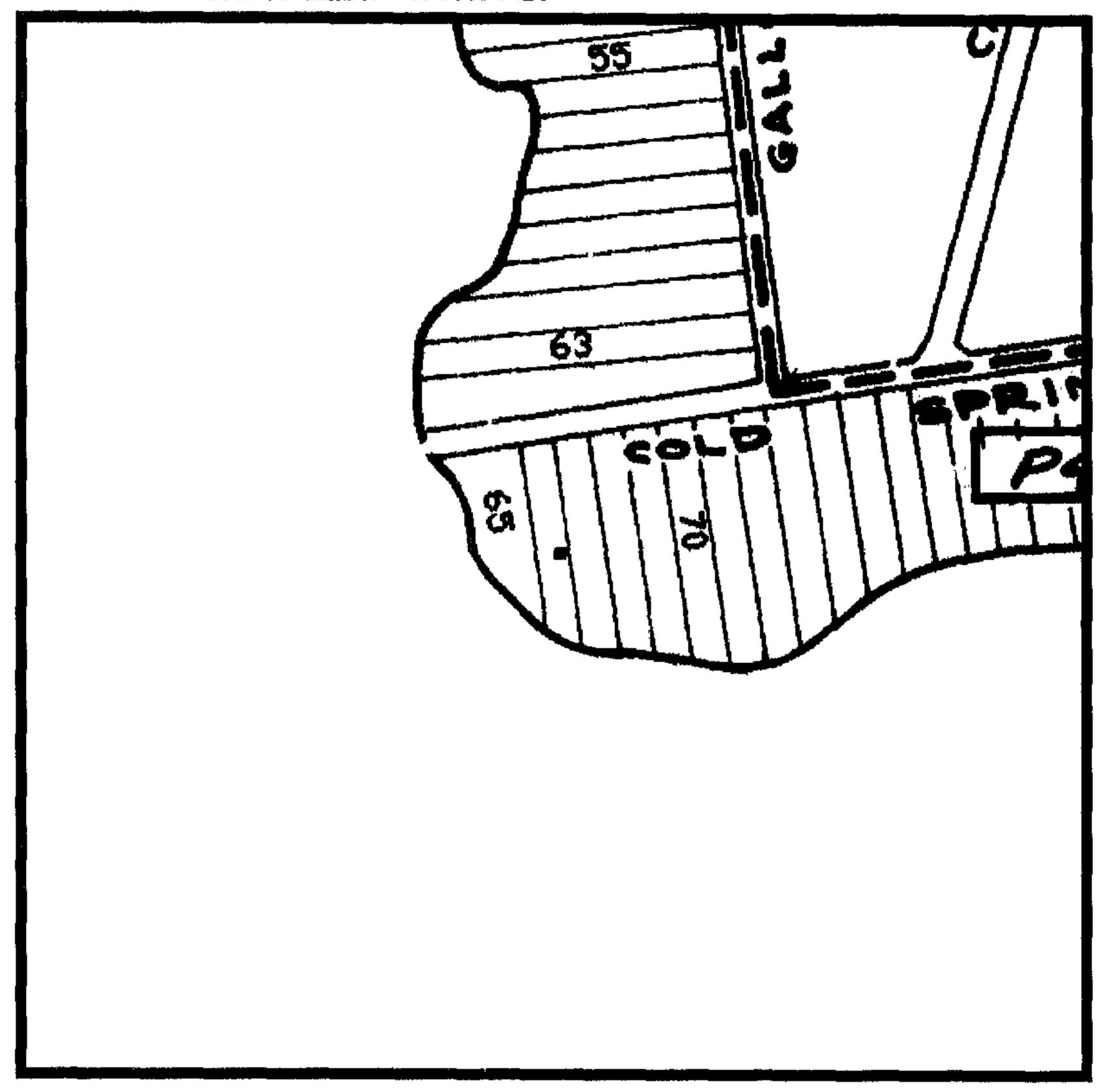
Tax Exempt: **Exempt Class:** NO

Special Tax Recapture:

* NONE *

<u>Go Back</u> View Map New Search

District - 15Account Number - 1516150420



Property maps provided courtesy of the Maryland Department of Planning ©2001. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us

Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation **BALTIMORE COUNTY** Real Property Data Search

Go Back View Map New Search

Account Identifier:

District - 15 Account Number - 1501280011

Owner Information

Owner Name:

JUSTIS WARING S,JR

JUSTIS PAMULA

Use:

RESIDENTIAL

1) /11375/ 173

Mailing Address:

1007 COLD SPRING RD **BALTIMORE MD 21220-4425** **Deed Reference:**

Principal Residence:

YES

2)

Location & Structure Information

Premises Address

Zoning

WATERFRONT

Subdivision

Legal Description

1007 COLD SPRING RD

BOWLEYS QUARTERS

Grid **Parcel** Map 98 4

Sub District

Section **Block**

Lot 68

Group Plat No: 82 Plat Ref:

7/12

Special Tax Areas

Town **Ad Valorem** Tax Class

Primary Structure Built 1998

Enclosed Area 3,139 SF

Property Land Area 11,750.00 SF

County Use 34

Stories

Basement NO

Type STANDARD UNIT

Exterior

STUCCO

Value Information

Base Value

Value As Of 01/01/2003 136,750 Phase-in Assessments As Of

07/01/2002

As Of 07/01/2003

Improvements: Total: **Preferential Land:**

212,110 322,860

Class

000

110,750 219,020 355,770

322,860

333,830

Transfer Information

Seller: AHLFELDT EMMA Type:

IMPROVED ARMS-LENGTH

Land:

Date: Deed1: /11375/ 173

Date:

Date:

Deed1:

Deed1:

01/04/1996

\$180,400 Price:

Deed2: Price: Deed2:

Price: Deed2:

Exemption Information

Partial Exempt Assessments County State

07/01/2002

07/01/2003 0

0

000 000

Tax Exempt: Exempt Class:

Municipal

Seller:

Type:

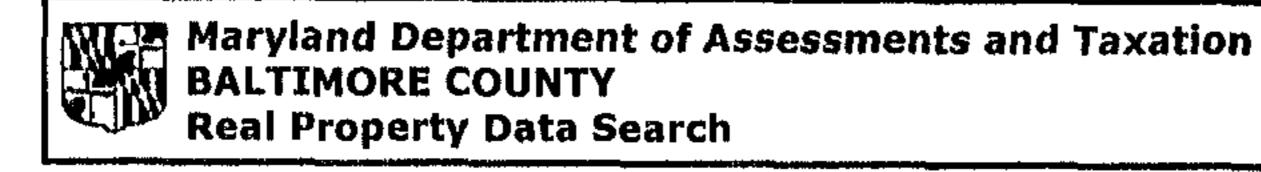
Seller:

Type:

NO

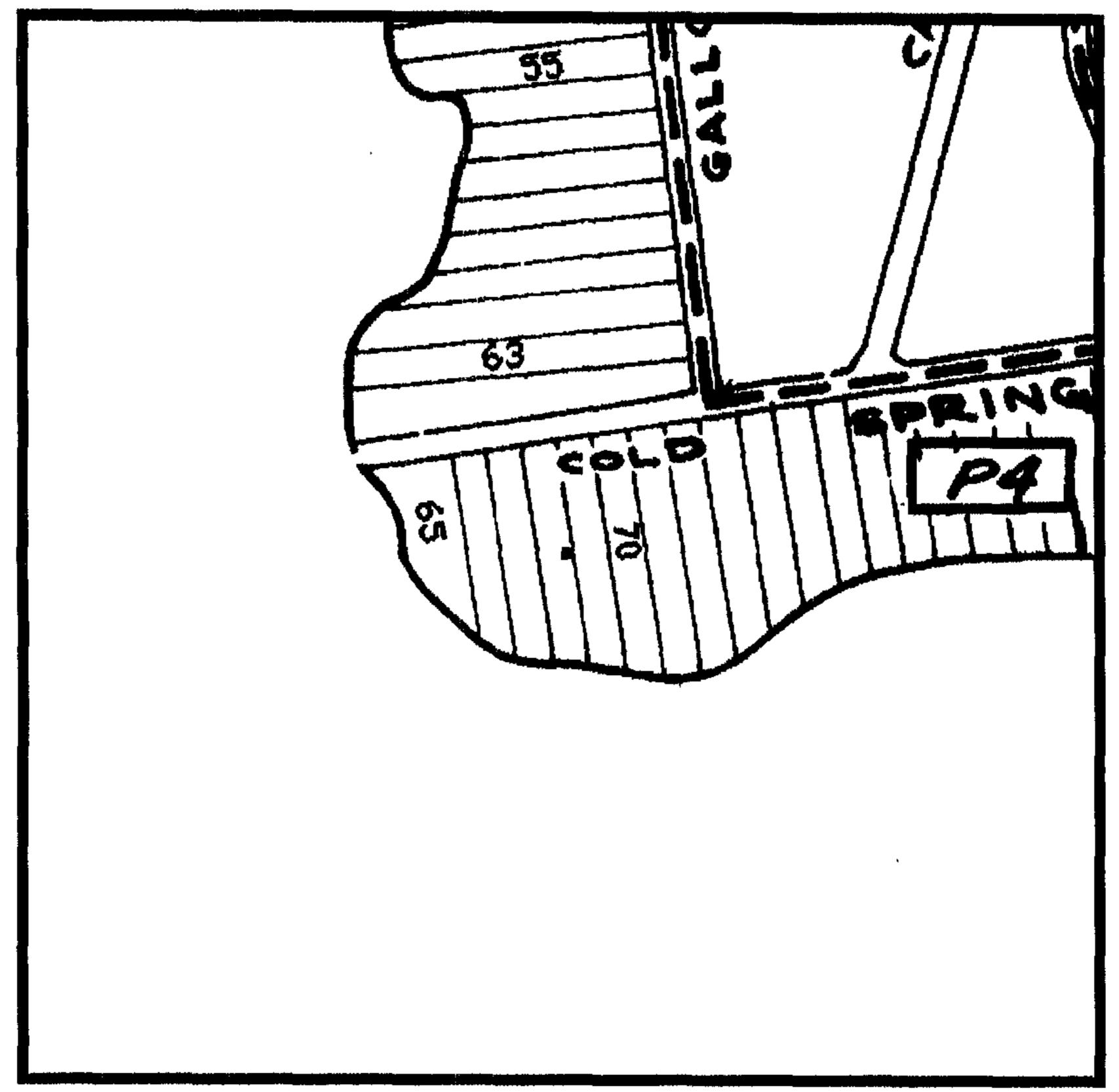
Special Tax Recapture:

* NONE *



Go Back View Map New Search

District - 15Account Number - 1501280011



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Metropolitan Regional Information Systems, Inc.

Page: 1 Date: 03/31/03

Tax ID#: 04151502573470

** PUBLIC RECORD **

Tax ID#: 04151502573470 County: BC PROPERTY ADDRESS: COLD SPRING RD, , MIDDLE RIVER, MD 21220-Legal Subdiv/Nelghborhood: BOWLEYS QUARTERS OWNER: PHILIP C BLACKISTON, Phone #: () Abs Owner: Y Addtnl: LINDA S MAIL ADDRESS: 709 MILLWOOD DR, , FALLSTON, MD 21047-3016 **LEGAL DESCRIPTION: BOWLEYS** Mag/Dist #: 15 Block/Square: Tax Map: Lot: 65 Elec Dist: 15 Legal Unit #: Grld: 4 Map: 98 Section: Blk Suffix: Subdiv Ph: Addl Parcel Flag/#: / Map Suffix: Suffix: Sub-Parcel: Parcel: 4 **TOTAL TAX BILL: \$449** State/County Tax: \$367 City Tax: Tax Levy Yr: 2002 Front Foot Fee: Spec Tax Assmt: \$82 Refuse: Tax Rate: 1.20 Tax Class: Homestd/Exempt Status: Exempt Class: 000 Mult. Class: **ASSESSMENT** Year Assessed **Total Tax Value** Land Improvement Land Use Taxable Assessment 1999 \$30,570 \$30,570 \$0 State: \$ Previous \$26,406 \$18,080 \$0 Municipal: \$ Early \$8,890 \$18,080 City: \$ Deed Liber: 14368 DEED Deed Folio: 52 Deed Type: Transfer Date Price Grantor Grantee 22-MAR-2000 \$25,000 **BRAUN, MELVIN** BLACKISTON, PHILIP C & LI 08-DEC-1998 SCARFIELD, FRANK D JR \$33,400 BRAUN, MELVIN & SUSAN 24-NOV-1980 **BOCKLAGE THEODORE** \$16,000 SCARFIELD FRANK DUR PROPERTY DESCRIPTION Year Bullt: 0 Census Trct/Blck: Zoning: Irregular Lot: Square Feet: 6,325 Acreage: 0.15 Land Use: Residential Plat Liber/Folio: 7/12 Property Class: R Property Card: Quality/Grade: LOW COST Prop Use: RESIDENTIAL Lot Description: WATERFRONT Frontage: 1 STRUCTURE DESCRIPTION Section 1 Section 2 Section 3 Section 4 Section 5 Construction Story 224 Area Ext Wall: Siding - Alum/Viny Roofing: Foundation: Stories: 1 Units: 1 Style: Year Remodeled: Total Building Area: Living Area: 224 Base Sq Ft: 224 Model/Unit Type: SINGLE **FAMILY UNIT** Rooms: Bsmt Type: Fireplaces: Garage Type: Bedrooms: Bamt Tot Sq Ft: 0 Fireplace Type: Garage Sq Ft: Full Baths: 0 Bsmt Fin Sq Ft: Attic Type: Gar Constr: Half Baths: 0 Bamt Unfin Sq Ft: Attic Sq Ft: Garage Spaces: Baths: 0 Air Cond: Gas: Sewer: Heat: Fuel: Electric: Water: Underground: Walls:

Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation **BALTIMORE COUNTY** Real Property Data Search

Go Back View Map **New Search**

Account Identifier:

District - 15 Account Number - 1502573470

Owner Information

Owner Name: BLACKISTON PHILIP C

BLACKISTON LINDA S

Use:

RESIDENTIAL

Principal Residence:

NO

Mailing Address: 709 MILLWOOD DR

FALLSTON MD 21047-3016

Sub District

Deed Reference:

1) /14368/ 52

2)

Location	Q.	Structure I	aformation
LUCALIUN	O.	Structure II	ntofination

Premises Address COLD SPRING RD

Grld

Map

98

Zoning

Legal Description

Parcel

WATERFRONT

Section

BOWLEYS QUARTERS Block Lot

65

Group Plat No:

Plat Ref:

82

7/ 12

Special Tax Areas

Town **Ad Valorem** Tax Class

Primary Structure Built 0000

Enclosed Area

Subdivision

Property Land Area 6,325,00 SF

County Use 34

Storles

Basement

Type

Exterior

Value Information

Base Value

Value As Of 01/01/2003 Phase-in Assessments As Of As Of 07/01/2002

07/01/2003

Land: Improvements: **Total:**

Preferential Land:

30,570 5,700 36,270

Class

000

000

000

46,320 5,700 52,020

36,270

41,520

Transfer Information

Seller: **BRAUN MELVIN**

UNIMPROVED ARMS-LENGTH Type: Seller: SCARFIELD FRANK D,JR

UNIMPROVED ARMS-LENGTH

Date: Date: 12/08/1998

03/22/2000 **Deed1:** /14368/ 52

Price: \$25,000

Deed2:

\$33,400 Price: Deed2:

Deed1: /13356/ 369 11/24/1980 Date:

Price:

\$16,000 Deed2:

Seller: **BOCKLAGE THEODORE** Type: IMPROVED ARMS-LENGTH

Deed1: / 6233/ 515

Exemption Information

Partial Exempt Assessments County State

07/01/2002

07/01/2003 0

0

Tax Exempt: **Exempt Class:**

Municipal

Type:

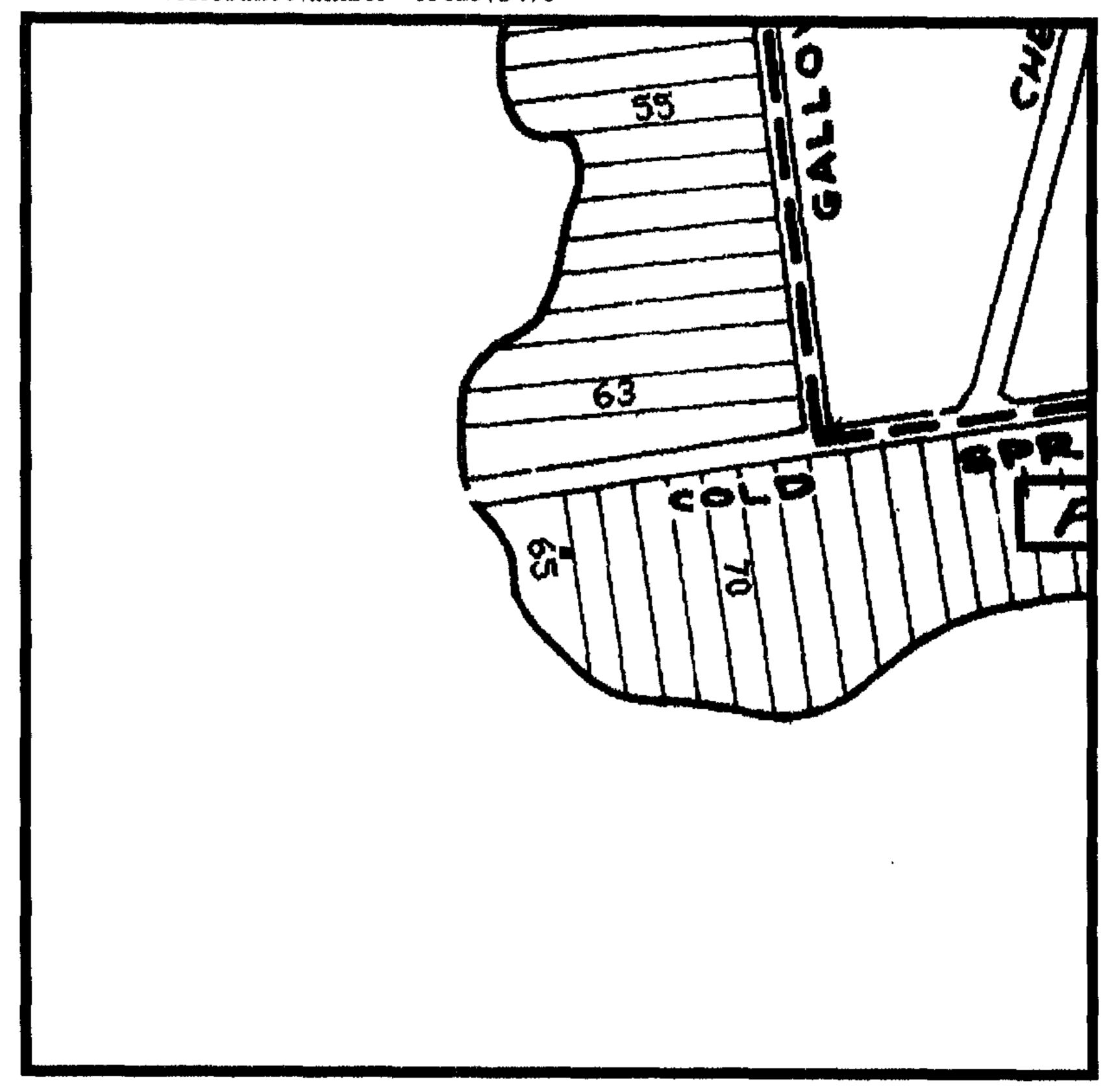
NO

Special Tax Recapture:

* NONE *

Go Back View Map New Search

District - 15Account Number - 1502573470



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Nancy, FYI. Waring

--- Original Message ----- From: Wjustisjr JUSTIS, JR.

Sent: Wednesday, February 27, 2002 1:54 PM

To: Shaffer, Greg

Subject: Re: Reply Letter to Mr. Hohman

Dear Greg,

The meeting went well with farther explanation that the fire trucks could have hooked up special hoses to obtain additional water from Middle River. Apparently, this was not accomplished because there was a shed on the access road blocking the fire truck from being 20 feet from the water. I was also promised that fire boats would be deployed on any property fire located on the water. There is only **one eight inch main** on the Bowley's peninsula which, is not adequate to handle fires.

ď.

The 911 is the real problem and the fire department has not responded to my request that they check the first call made at approximately +/-6:00 PM on 12/23/01, and not the second call made at 6:13 PM. That same night they admitted that on the third call when the fire started again a recording did come on and requested the **caller to hold**. We are trying to obtain a printout from the phone company. It is my understanding that 911 emergency service is not controlled by the fire/police department but by a county agency that is not use to dealing with actual emergencies and does not realize every second counts but in actuality are bean counters.

This really needs some investigation and reconsideration as it surely could hurt your constituents.

Thanks for your concern, Waring Justis, Jr.

---- Original Message ----- From: Shaffer, Greg

Sent: Wednesday, February 27, 2002 12:02 PM

To: 'WARING JUSTIS, JR.'

Subject: RE: Reply Letter to Mr. Hohman

Dear Waring:

In your letter to the Chief of the Fire Department, you reference a meeting on the 21st with the Bowley's Quarters Improvement Association. How did the meeting go? Are there any additional updates?

Regards,

Greg Shaffer Legislative Aide Office of State Senator Michael J. Collins

----Original Message-----

From: WARING JUSTIS, JR. [mailto:wjustisjr@msn.com]

Sent: Tuesday, February 19, 2002 8:32 AM To: Michael J Collins; Nancy Hubers, Delegate

Subject: Reply Letter to Mr. Hohman



P.O. Box 850 Bel Air, MD 21014

(410) 879-7200 Fax (410) 838-1811

LETTER OF TRANSMITAL

	Lawrence E. Schmidt 401 Bosley Ave, Suite Towson, MD 21047	405	JOB NUMBER 00097 ATTENTION Lawrence Sch RE: 1003 Cold Sp	<u>, , , , , , , , , , , , , , , , , , , </u>							
WE ARE	SENDING YOU Attached	Under separate cover via		the following items.							
	Shop drawings X	Prints Plans	Specifications	Samples							
	Copy of letter	Change order X Other: Ori	ginal Mylar								
COPIES	* DATE NUMBER		DESCRIPTION								
10	6/20/03 6/20/0 3	Survey Plat Orfginal Mylar of Gurus									
THESE	ARE TRANSMITTED as checked below	w:									
	X For approval	Approved as submitted	Resubmit	copies for approval							
	For your use	Approved as noted	Submit	copies for distribution							
	As requested	Returned for corrections	Return	corrected prints							
	For review and comment	Other									
	FOR BIDS DUE/DATE:	6/20/03	PRINTS RETURN	ED AFTER LOAN TO US							
REMAR	RKS										
	Received By:	JUN	JUN 2 0 2003								

COPY TO

If enclosures are not as noted, please notify us at once.

ZONNG COMMISSIONER

SIGNED WINDLING MAN

BH

STEWART H. GETZ

Attorney-At-Law 26 S. Main Street Bel Air, Maryland 21014

Facsimile: (410)893-5810 E-Mail: SHGESQ@AOL.COM

(410)838-4135 (Bel Air) (410)838-4136 (410)879-2136 (Balto.) (410)879-2210

GRETCHEN A. MINK Paralegal

July 1, 2003

Arnold Jablon, Esq.
Director of Permits & Development Management
Baltimore County Dept. of Permits & Development Management
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

Re: PETITION FOR VARIANCE

Case No. 03-391-A, Cold Spring Road

Dear Mr. Jablon:

I have received information from your office regarding the above captioned case. I am not representing the Petitioner's in this matter and was not involved in the filing of this Petition. I spoke with Becky Hart at Zoning Review who stated that I should write to you regarding this matter. Please make the appropriate notation in the case file so that I do not receive further pleadings on this case.

If you have any questions please feel free to contact me. Thank you in advance for your assistance.

Kindest regards.

Stewart

cc: J. Diegal Builders, Inc., 3807 Ady Road, Street, MD 21154
People's Counsel for Baltimore County, Old Courthouse, Room 47, 400 Washington Ave,
Towson, MD 21204



WILSON DEEGAN & ASSOCIATES, INC

ENGINEERS M SURVEYORS M PLANNERS

2309 Bel Air Road Suite A

Fallston, Maryland 21047 Phone: 410-893-3700 Fax. 410-877-0700

October 8, 2004

Mr. Timothy Kotroco Baltimore County Permits & Development Management County Office Building, Suite 123 111 West Chesapeake Avenue Towson, Maryland 21204

RE: 1003 Cold Spring Road, Baltimore, MD 21220

Proposed Dwelling Construction Zoning Case No. 03-391-A

Dear Mr. Kotroco,

On behalf of our client, Mr. Philip Blackiston, we had requested a Building Permit for the subject property. Since the exact configuration of the house footprint shown on our "Plan to Accompany Building Permit" or Site Plan, was different than the Plan approved during the Zoning Hearing we are asking for official confirmation that we are within the bounds of the original approval.

The proposed dwelling matches, by setback, the exact configuration proposed at the Zoning Hearing. The shape of the dwelling however, has changed slightly, the proposed dwelling is 128 sf smaller than the originally proposed dwelling. We are also showing a network of walks and decks necessary for ingress and egress. These structures will be the subject of a subsequent permit and if constructed as we now show, will conform with DEPRM constraints and comments as shown within the attached Zoning Case Documents.

We believe that the current Site Plan is within the Spirit and Intent of the original Zoning Order, and respectfully request your review of this Orders and concurrence with our position. For your review we have included a copy of our most current Site Plan, the Site Plan from the original Hearing and the final Zoning Order.

If you have any questions or require additional information please do not hesitate to call me at 410-893-3700.

Sincerely,

effrey J. Deegan

Principal

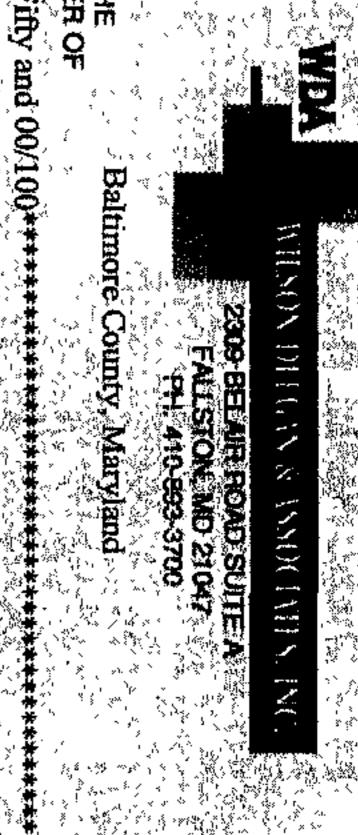
cc: Mr. Philip Blackiston

04-3507

DEVELOPMENT MANAGER

-

Llayer-Areny y Ch attacher, The reys while.



BRANCH BANKING & FRIST COMPANY

SS BALTIMORE PIKE

BEL AIR, MARYLAND 27014

BES 330/50

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Baltimore County, Maryland

ORDER OF

Fifty and 00/100*

WILSON DEEGAN & ASSOCIATES, INC. 5020 · Permits-County Fees Baltimore County, Maryland

04053 Cold Spring Road

10/8/2004

50.00

7524

Robert L. Ehrlich, Jr.



Audrey & Scott Secretary

Florence E. Burtan Deputy Secretary

Michael S. Steele

March 12, 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, 03-17-03 regarding case numbers: 03-384-A, 03-385-A, 03-387-A, 03-388-SPH, 03-389-A, 03-390-SPH, 03-391-A, 03-392-SPHA, 03-393-SPHA, 03-394-A, 03-395-A

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 03/11/03. 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

Hambel Callo

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: MikeNortrup

Mr. & Mrs. Philip C. Blackiston 709 Millwood Dr. Fallston, Md. 21047

Mr. Lawrence E. Schmidt Baltimore Co. Zoning Commissioner Suite 405, County Courts Bldg. 401 Bosley Ave. Towson, Md. 21204

AUTOMART

Dear Mr. Schmidt,

I'm writing to request your re-consideration of my petition for Variance at 1003 Cold Spring Rd. This is in the 15th election district-6th council district. Case no. 03-391.A.

I've been in conversation with the Bowleys Quarters Assoc. President, Mike Vivirito and I believe we will be able to satisfy all of There concerns. We have a meeting scheduled for May 27th at the Association hall. Mike has talked to all the parties concerned and we Hope to come away with one letter that everyone can sign in agreement. I understand changing the location of the house and or reducing The size of the house may be part of the solution.

I also will address the discrepancy between the department of assessment showing 6,325 sq. feet and the site plan of 15,352 sq. feet. I will have Campbell & Nolan Associates, Inc. certify the site plan and Notify the department of assessment to correct their records.

The storage shed has been moved to another location that is Actually on the property and I believe it to be at a satisfactory location.

A copy of this request will be sent to each person that attended The hearing to keep them informed. See the cc's below.

A request to DEPRM for there requirements has been made by Campbell & Nolan Assoc.

I would greatly appreciate your reconsideration in this matter.

Thank you,

Phil Blackiston

Mr. & Mrs. Waring Justis, Ms. Donna Frome & Ms. Norma Bankard Ms. Linda Brothers, Mr. Anthony Russo, Mr. P. Michael Cary.

RECEIVED

MAY 2 1 2003

State of Maryland

DEPARTMENT OF ASSESSMENTS AND TAXATION





ROBERT L. EHRLICH, JR. Governor

RONALD W. WINEHOLT

Director

RONALD C. TOLSON
Supervisor

(-17-03

TO: MR BLACKINSTON

FROM: ASSESSMENTS AND TAXATION

REF: CORRECTION OF LAND SIZE

Mr. Blackinston, per your new survey provided to our office, Dept of Assessments and Taxation, we have changed your land size of lot 65, address 1003 Cold Spring Rd, plat 7-12 (Bowleys Quarters) from 6325sqft to 15,352 which comes to .353 ac. This will show in our ads system in about 3wks from to date.

Sorry for any inconvience.

Linda Pulliam

NO2 11/03 May

フィゼロ	CASE NUMBER	CASE NAME

CITIZEN'S SIGN-IN SHEET

						C	Michael Cary	- inda Brothum		72. Diegel	The 1 Kalankisten) NAME
							13 87 RIVERMORG	8614 Cottington		3887 Ad 1 Rd	11841111111111111111111111111111111111	ADDRESS
							Stept by summers the	Nothyken, Med 11236		4 Smed And Alisa	Fallston Mid 21897	CITY, STATE, ZIP
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									Phil Blackiston	NAME
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