IN RE: PETITION FOR VARIANCE SE/S Briar Point Road, 151' SW of Bay Drive 15th Election District 6th Councilmanic District **(3915 Briar Point Road)** Josephine Laura Jacobs & Paul F. Watsic *Petitioners*	* * * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 03-539-A

* * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner on a Petition for Variance for the property located at 3915 Briar Point Road in the Bowley's Quarters community of eastern Baltimore County. The petition was filed by Josephine Laura Jacobs and Paul F. Watsic, her son, property owners. Variance relief is requested from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side yard setbacks of 6.5 ft. in lieu of the required 50 ft. for both sides and from Section 1A04.3.B.3 of the B.C.Z.R., to permit up to 17% of the lot to be covered with a building in lieu of the maximum permitted 15%. Relief is also requested for an undersized lot. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the petition for zoning variance.

Appearing at the requisite public hearing held for this case was Karen Watsic, an engineer and the wife of Paul F. Watsic, Co-property Owner/Co-Petitioner. There were no protestants or others present.

Testimony and evidence presented was that the subject property is a rectangularly shaped lot, approximately 19,690 sq. ft. in area (0.452 acres), zoned R.C.5. The property is unimproved but for a small shed which will remain. The property is located between two public streets so that it has frontage on both sides. To the east, the property fronts Bay Drive and to the west, the

ORDER RECEIVED FOR FILING
Date 7/8/03
By JE Jenkins

property fronts Briar Point Road. The property itself is not a waterfront lot, however, the houses across Bay Drive from the subject site immediately abut the Chesapeake Bay.

The property has apparently been in the Jacobs/Watsic property for many years. Ms. Watsic indicated that her husband's family has owned the lot since 1965. The Jacobs/Watsic family also owns other property in the area. The property was platted many years ago, prior to the adoption of the Baltimore County Zoning Regulations.

As is the case with much of Bowley's Quarters, the property is not currently served by public sewer, however, sewer service is currently under construction in the area. Upon completion of the sewer project, the Petitioners propose to develop the subject property with a single-family dwelling. The proposed building envelope of 80 ft. x 40 ft. is shown on the site plan. The building will be located on the lot closer to Briar Point Road so that a sufficient distance will remain between the proposed house and an existing single-family dwelling on an adjacent lot. Ms. Watsic indicated that the house is sited at that location on the lot so as to not adversely impact adjacent properties. Additionally, the house will front Briar Point Road.

A series of photographs was submitted at the hearing depicting the subject property and the neighborhood. Additionally, a site plan was filed which shows that many existing dwellings in the area are on 50 ft. lots.

Based upon the testimony and evidence presented, I am persuaded to grant the relief requested. Strict compliance with the setback regulations would render this lot undevelopable. The fact that the lot has been in the Petitioners' family for nearly 40 years is a compelling factor. Additionally, it appears that the Petitioners are developing the property in a manner so as to cause minimal impact to adjacent properties. In sum, I am persuaded that variance relief should

be granted pursuant to the requirements set forth in Section 307 of the Baltimore County Zoning Regulations.

However, in granting the relief, I shall impose several restrictions. The property is obviously within the Chesapeake Bay Critical Area and thus compliance with all relevant environmental regulations is mandated. Additionally, a Zoning Advisory Committee (ZAC) comment was received from the Bureau of Development Plans Review indicating that construction must be in accordance with Federal Flood Insurance requirements. The Petitioner, Ms. Watsic, indicated that she was aware of these two requirements and would comply with same. Finally, the Office of Planning has requested that 4 sided elevation drawings be submitted for review and approval by that office to ensure compatibility with the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 8th day of July, 2003, by this Zoning Commissioner, that the Petitioners' request for variance from Section 1A04.3.B.2 of the B.C.Z.R., to permit side yard setbacks of 6.5 ft. in lieu of the required 50 ft. for both sides, from Section 1A04.3.B.3 of the B.C.Z.R., to permit up to 17% of the lot to be covered with a building in lieu of the maximum permitted 15%, and request for approval for an undersized lot, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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 such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED
Date 7/8/03
By J. Jameson

2) The Petitioners shall comply with the Chesapeake Bay Critical Area regulations and any other relevant environmental standards.

3) The Petitioners shall comply with the ZAC comments submitted by the Bureau of Development Plans Review dated May 30, 2003.

4) The Petitioners shall submit 4 sided elevation drawings to the Office of Planning for review and approval by that office to ensure compatibility with the surrounding locale.

5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E.SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

ORDER RECEIVED FOR FILING
Date 7/8/03
By R. Jemison

IN RE: PETITION FOR VARIANCE **SE/S Briar Point Road, 151' SW** **of Bay Drive** **15th Election District** **6th Councilmanic District** **(3915 Briar Point Road)** **Josephine Laura Jacobs & Paul F. Watsic** **Petitioner(s)**	* * * * * * *	**BEFORE THE** **COUNTY BOARD OF APPEALS** **OF BALTIMORE COUNTY** **CASE NOS. 03-539-A**

* * * * * * * * * * * *

ORDER

Upon review of the record and presentations of the parties in open hearing September 16, 2003, the County Board of Appeals on this 16th day of Sept., 2003, finds and so **ORDERS**, consistent with BCZR 307.1 and the public safety, health and welfare, as follows:

1. The Petitioners' Revised Site Plan dated August 19, 2003 for a dwelling at 3915 Briar Point Road in the R.C. 5 (Rural-Residential) Zone be, and hereby is, approved.

2. The Petition for Variance for lot coverage by buildings of 17% instead of the 15% required by BCZR 1A04.3B3, having been withdrawn by the Petitioners at the hearing, is hereby dismissed. Building coverage is shown on the Revised Site Plan as 15%.

3. People's Counsel for Baltimore County's appeal of the Petition for Variance to BCZR 1A04.3B1 for an undersized lot of .452 acres instead of 1 acre, having been withdrawn by People's Counsel at the hearing, is hereby dismissed, so that the undersized lot variance granted by the Zoning Commissioner in his Order dated July 8, 2003 is allowed to stand.

4. People's Counsel for Baltimore County's appeal of the Petition for Variances to BCZR 1A04.3B2 for building setbacks of 6.5 feet for the side yards instead of 50

feet, having been withdrawn by People's Counsel at the hearing, is hereby dismissed, so that the building side yard setback variances granted by the Zoning Commissioner in his Order dated July 8, 2003 are allowed to stand.

5. The Petitioners must comply with Chesapeake Bay Critical Area requirements and any other applicable development regulations and environmental standards.

6. The Petitioners must comply with ZAC comments submitted by the Bureau of Development Plans review dated May 30, 2003.

7. The Petitioners must submit 4-sided elevations drawings to the Office of Planning for review and approval to ensure compatibility with the surrounding locale.

8. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Lawrence S. Wescott, Panel Chairman

Edward W. Crizer, Jr.

Charles L. Marks

Approved as to Form:

Karen Watsic, Petitioners' Representative

Peter Max Zimmerman, People's Counsel for Baltimore County

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

To File
TMK

September 16, 2003

Peter Max Zimmerman
People's Counsel for Baltimore County
Room 47, Old Courthouse
400 Washington Avenue
Towson, MD 21204

RE: *In the Matter of: Josephine Jacob and Paul Watsic – Legal Owners /Petitioners* /Case No. 03-539-A

Dear Mr. Zimmerman:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

The subject will be closed 30 days from the date of the enclosed Order.

Very truly yours,

Kathleen C. Bianco /ts
Kathleen C. Bianco
Administrator

Enclosure

c: Josephine Jacobs and Paul & Karen Watsic
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Timothy M. Kotroco, Director /PDM

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on Recycled Paper

Baltimore County
Zoning Commissioner

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

July 8, 2003

Ms. Josephine Laura Jacobs
Mr. Paul F. Watsic
42 Ketch Cay Court
Baltimore, Maryland 21220

Re: Petition for Variance
Case No. 03-539-A
Property: 3915 Briar Point Road

Dear Ms. Jacobs & Mr. Watsic:

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

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

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

REVISED 5/22/03 KMW.

Petition for Variance

Undersize Lot

to the Zoning Commissioner of Baltimore County

Close CBCA

for the property located at 3915 Briar Point Road

which is presently zoned RC 5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

Section 1A04.3.B.2 - to permit 6.5' side yard setbacks in lieu of the required 50'.(both sides

Section 1A04.3.B.3 - to permit up to 17% ~~lot~~ BUILDING. coverage in lieu of 15%.

And to approve an undersized lot KMW.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

In accordance with Section 4A03.4B - to obtain building permits on an existing undersized lot with approximate dimensions of 55' x 360' (average). The petitioner does not own adjoining land which would allow compliance with the Zoning Regulations and no subdivision is proposed. A variance is required to allow construction of a dwelling 40' wide and approximately 60' long. Without variances lot is not buildable.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s):

Josephine Laura Jacobs
Name - Type or Print

Josephine Laura Jacobs
Signature

Paul F. Watsic
Name - Type or Print

Paul F. Watsic
Signature

42 Ketch Cay Court 410-335-6520
Address Telephone No

Baltimore, Maryland 21220
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Karen Watsic
Name

42 Ketch Cay Court 410-335-6520
Address Telephone No.

Baltimore, Maryland 21220
City State Zip Code

ORDER RECEIVED FOR FILING
Date 7/8/03
By

Case No. 03-539-A

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP **Date** 5/13/03

REV 9/15/98

FROM THE OFFICE OF

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS
1020 CROMWELL BRIDGE ROAD • TOWSON, MARYLAND 21286-3396

ZONING DESCRIPTION
WATSIC PROPERTY
3915 BRIAR POINT ROAD
BOWLEY'S QUARTERS, MARYLAND 21220

May 9, 2003

Beginning on the southeast side of Briar Point Road (30' R/W), approximately 151-feet southwesterly of the intersection of Bay Drive (30'R/W) and Briar Point Road.

BEGINNING AT:
South 49 degrees 18 minutes 50 seconds East, 350.92 feet, leaving Briar Point Road
South 35 degrees 36 minutes West, 55 feet, along Bay Drive, thence
North 49 degrees 7 minutes 20 seconds West, 366.47 feet, to Bay Drive, thence
North 54 degrees 23 minutes East, 55 feet, thence leaving Briar Point Road
To the Point of Beginning

Being approximately 19,690 SF (0.45 acres) more or less.
Tax ID No. 1513401750
Liber 9511 Folio 604

THE ABOVE DESCRIPTION IS COMPILED FROM DEEDS AND DOES NOT CONSTITUTE A FIELD SURVEY AND IS FOR ZONING PURPOSES ONLY AND IS NOT TO BE USED FOR CONTRACTS, CONVEYANCES, OR AGREEMENTS

STATE OF MARYLAND
KAREN M. WATSIC
23096
PROFESSIONAL ENGINEER

410-825-8120 • FAX 410-583-0288
gwstowson@erols.com

03-539-A

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

For Newspaper Advertising:

Item Number or Case Number: 03-539-A

Petitioner: JACOBS / WATSIC

Address or Location: SE SIDE OF BRIAR POINT ROAD, 151 FEET SW OF BAY DRIVE.
3915 Briar Point Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: KAREN WATSIC

Address: 42 KETCH CAY CT
BALTIMORE MD 21220

Telephone Number: 410 335 6520.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 23520

DATE 5/13/03 ACCOUNT A-001-006-6150

AMOUNT $ 115.00

RECEIVED FROM: JACOBS/WATSIC

FOR: VARIANCE & UNDERSIZE LOT APPROVAL
SE SIDE OF BRIAR PT. ROAD,
151 FEET SW OF BAY DRIVE (03-539-A)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
5/13/2003	5/13/2003	09:58:17	4

REG W506 WALKIN KNGH KSH
>>RECEIPT # 155902 5/13/2003 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 023520
Recpt Tot $115.00
.00 CK 115.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING:

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

Case: #03-539-A
3916 Briar Point Road
S/east side of Briar Point Road, 151 feet southwest of Bay Drive
15th Election District-6th Councilmanic District
Legal Owner(s): Josephine Laura Jacobs and Paul Watsic

Variance: to permit 6.5 feet side yard setbacks in lieu of the required 50 feet. To permit up to 17% building coverage in lieu of 15% and to approve an undersized lot.

Hearing: Wednesday, June 25, 2003 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake 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.

JT/6/672 June 10 C608796

CERTIFICATE OF PUBLICATION

6/13/, 2003

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/10/, 2003.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 03-539-A

Petitioner/Developer: JOSEPHINE LAURA JACOBS + PAUL F. WATSIC

Date of Hearing/Closing: 6/25/03

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

ATTN: Becky Hart {(410) 887-3394}

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 3915 BRIAR POINT ROAD

The sign(s) were posted on 6/7/03
(Month, Day, Year)

Sincerely,

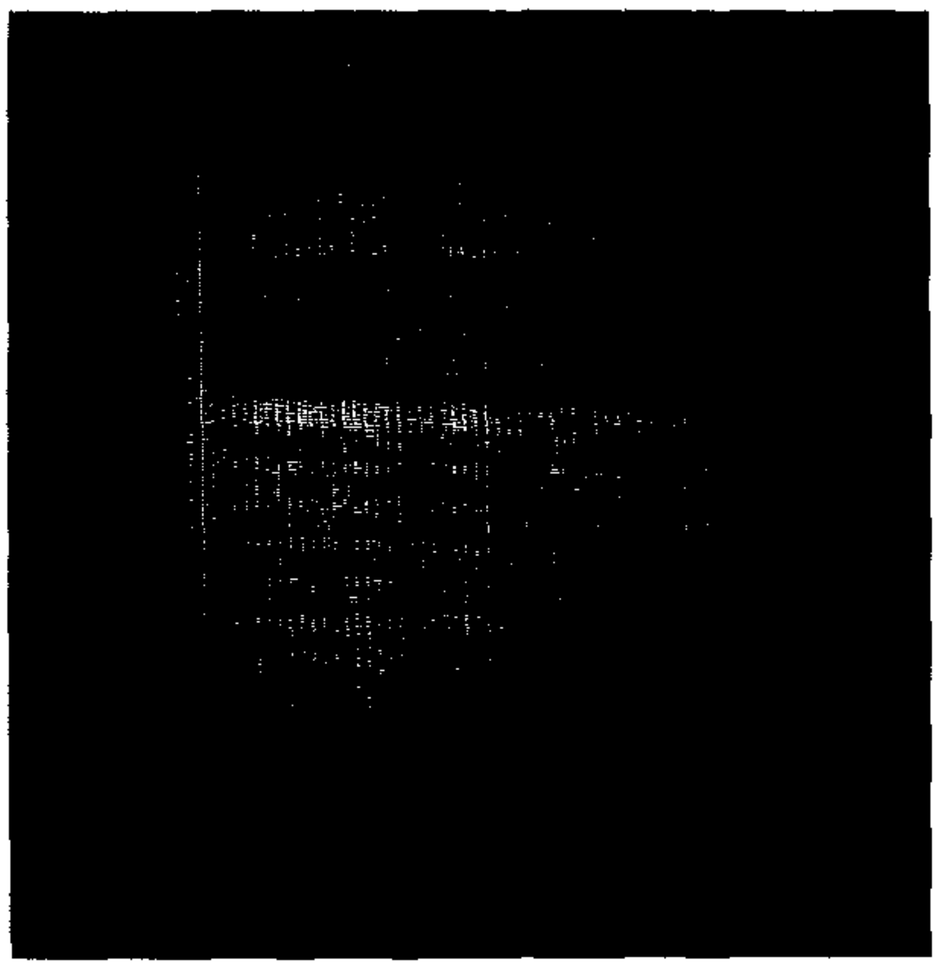
(Signature of Sign Poster) 6/7/03 (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)



APPEAL SIGN POSTING REQUEST

CASE NO.: 03-539-A

Josephine Jacobs and Paul Watsic - LEGAL OWNERS

3915 Briar Point Road, Bowleys Quarters 21220

15th ELECTION DISTRICT

APPEALED: 7/28/2003

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

APPEAL SIGN POSTING REQUEST

CASE NO.: 03-539-A

Josephine Jacobs and Paul Watsic - LEGAL OWNERS

3915 Briar Point Road, Bowleys Quarters 21220

15th ELECTION DISTRICT APPEALED: 7/28/2003

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

**********COMPLETE AND RETURN BELOW INFORMATION*****

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
400 Washington Avenue, Room 49
Towson, Maryland 21204

Attention: Kathleen Bianco
Administrator

RE: Case No.: 03-539-A

Petitioner/Developer:

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

3915 Briar Point Rd.

The sign was posted on 8/20, 2003

By: Gary Freund
(Signature of Sign Poster)

GARY C. FREUND
(Printed Name)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 10, 2003 Issue - Jeffersonian

Please forward billing to:
~~Amy Dontell~~
~~210 Allegheny Avenue~~
~~Towson, MD 21204~~

Corrected with 410-494-6244
Karen at Jeffersonian 6/12

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: 03-539-A
3915 Briar Point Road
S/east side of Briar Point Road, 151 feet southwest of Bay Drive
15th Election District – 6th Councilmanic District
Legal Owner: Josephine Laura Jacobs and Paul Watsic

Variance to permit 6.5 feet side yard setbacks in lieu of the required 50 feet. To permit up to 17% building coverage in lieu of 15% and to approve an undersized lot.

Hearings: Wednesday, June 25, 2003 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake 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.

Baltimore County
Department of Permits and
Development Management

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

May 19, 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: 03-539-A
3915 Briar Point Road
S/east side of Briar Point Road, 151 feet southwest of Bay Drive
15th Election District – 6th Councilmanic
Legal Owners: Josephine Laura Jacobs and Paul F. Watsic

Variance to permit 6.5 feet side yard setbacks in lieu of the required 50 feet. To permit up to 17% ~~lot~~ coverage in lieu of 15%. AND TO ~~[illegible]~~ APPROVE AN UNDERSIZED LOT. BUILDING.

Hearings: Wednesday, June 25, 2003 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Arnold Jablon
Director

AJ:rlh

C: Josephine Laura Jacobs and Paul F. Watsic, 42 Ketch Cay Court, Baltimore 21220
Karen Watsic, 42 Ketch Cay Court, Baltimore 21220

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 10, 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.

Printed with Soybean Ink
on Recycled Paper

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

August 29, 2003

NOTICE OF ASSIGNMENT

CASE #: 03-539-A

IN THE MATTER OF: JOSEPHINE JACOBS AND PAUL WATSIC –Petitioners 3915 Briar Point Road
15th Election District; 6th Councilmanic District

7/08/2003 – Petition for Variance GRANTED with restrictions by Deputy Zoning Commissioner.

NOTE: This matter has been specially assigned for an early morning hearing at the request of People's Counsel with agreement of Petitioner; and has been

ASSIGNED FOR: TUESDAY, SEPTEMBER 16, 2003 at 9:00 a.m.

NOTICE: **This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.**

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco
Administrator

c: Appellant : Office of People's Counsel

Petitioners : Josephine Jacobs and Paul & Karen Watsic

Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Timothy M. Kotroco, Director /PDM

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on Recycled Paper

Baltimore County
Department of Permits and
Development Management

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

June 20, 2003

Josephine Laura Jacobs
Paul Watsic
42 Ketch Cay Court
Baltimore, MD 21220

Dear Ms. Jacobs and Mr. Watsic:

RE: Case Number: 03-539-A, 3915 Briar Point Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 13, 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.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Karen Watsic, 42 Ketch Cay Court, Baltimore 21220

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 25, 2003

RECEIVED

JUN 26 2003

ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case 03-539**

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

Prepared by: Mark A Cunningham

Section Chief: Lynn Lanham

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 30, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For May 27, 2003
Item No. 539

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 flood plain elevation in all construction.

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 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 requirement of B.O.C.A. International Building Code adopted by the county.

RWB:CEN:jrb

cc: File

7/8/03
R. Jablon

ZAC-5-27-2003-ITEM 539-05302003

Baltimore County
Fire Department

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

June 3, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: May 19, 2003

Item No.: 532-536, 538-542 539

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.

LIEUTENANT JIM MEZICK
Fire Marshal's Office
PHONE 887-4881
MS-1102F

cc: File

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

SHA
State Highway Administration
Driven to Excel

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5.27.03

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

RE: Baltimore County
Item No. 535 JNP

Dear. Ms. Hart:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS/TWT

DATE: July 3, 2003

SUBJECT: Zoning Item 539
Address 3915 Briar Point Rd. (Watsic Prop)

Zoning Advisory Committee Meeting of May 19, 2003

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

____ 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.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

____ Additional Comments:

Reviewer: Keith Kelley Date: July 10, 2003

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor

Maryland Department of Planning

Audrey E. Scott
Secretary

Florence E. Burian
Deputy Secretary

May 19, 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 05/27/03 re: case numbers 03-532-X, 03-533-A, 03-534-SPH, 03-535-A, 03-536-SPH, 03-537-XA, 03-538-A, 03-539-A, 03-540-A, 03-541-A, 03-542-A, 03-543-X**

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 05/19/03. 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
Planning Services

cc: Mike Nortrup

301 West Preston Street ~ Suite 1101 ~ Baltimore, Maryland 21201-2305
Tel: 410.767.4500 Fax: 410.767.4480 ~ Toll Free: 1.800.767.6272 ~ TTY Users: Maryland Relay
Internet: www.mdp.state.md.us

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 30, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For May 27, 2003
Item No. 539

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 flood plain elevation in all construction.

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 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 requirement of B.O.C.A. International Building Code adopted by the county.

RWB:CEN:jrb

cc: File

RECEIVED
SEP 16 2003
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 03-539-A

Residential Processing Fee Paid
($50 00)

Accepted by JNP
Date 5/13/03

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

RE: Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit

MINIMUM APPLICANT SUPPLIED INFORMATION:

Karen Watsic P.E. 42 Ketch Cay Court Baltimore MD 21220
Print Name of Applicant Address Telephone Number

Lot Address 3915 Briar Point Road Election District 15 Councilmanic District 6 Square Feet 19,690 SF

Lot Location: N E S W/side/corner of SE side Briar Point Road (street) 151-ft feet from N E S W corner of Briar Pt. Rd and Bay Drive (street)

Land Owner: Josephine Jacobs / Paul Watsic Tax Account Number 1513401750

Address: 42 Ketch Cay Court, Baltimore, MD 21220 Telephone Number (410) 335-6520

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!

	PROVIDED? YES	NO
1. This Recommendation Form (3 copies)	✓	
2. Permit Application		✓
3. Site Plan		
Property (3 copies)	✓	
Topo Map (2 copies) *available* in Room 206, County Office Building - *(please label site clearly)*	✓	
4. Building Elevation Drawings	✓	
5. Photographs (please label all photos clearly)		
Adjoining Buildings	✓	
Surrounding Neighborhood	✓	

6. Current Zoning Classification: RC 5

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☐ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations

Signed by _____ Date _____
For the Director, Office of Planning and Community Conservation

Revised 2/25/99

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 03-539-A

Residential Processing Fee Paid ($50.00)
Accepted by JNP
Date 5/13/03

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

RE: Undersized Lots

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TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!

	PROVIDED? YES	NO
1. This Recommendation Form (3 copies)	✓	
2. Permit Application		✓
3. Site Plan: Property (3 copies)	✓	
Topo Map (2 copies) available in Room 206, County Office Building - *(please label site clearly)*	✓	
4. Building Elevation Drawings	✓	
5. Photographs (please label all photos clearly): Adjoining Buildings	✓	
Surrounding Neighborhood	✓	

Current Zoning Classification: RC 5

Post-it® Fax Note 7671 Date 5 pages ▶ # of pages ▶
To Jeff Perlman From Lynn Lanham
Co./Dept. Co. Phone # 3480
Phone # Fax # 2824

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☐ Approval ☐ Disapproval ☒ Approval conditioned on required modifications of the application to conform with the follo

APPLICANT MUST PROVIDE 4 SIDED ELEVATIONS AT THE BUILDING PERMIT SUBMITTAL STAGE THAT MEET WITH APPROVAL.

Signed by [signature] for the Director Office of Planning and Community Conservation

Date 5/30/03

RECEIVED MAY 16 2003 OFFICE OF PLANNING

Revised 2/25/99

RE:	PETITION FOR VARIANCE 3915 Briar Point Rd; SE/side Briar Pt Rd, 151' SW of Bay Drive 15th Election & 6th Councilmanic Districts Legal Owner(s): Josephine Laura Jacobs & Paul F. Watsic Petitioner(s)	* * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 03-539-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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
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 23rd day of May, 2003, a copy of the foregoing Entry of Appearance was mailed to, Karen Watsic, 42 Ketch Cay Court, Baltimore, MD 21220, Representative for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Baltimore County
Department of Permits and
Development Management

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

July 31, 2003

Ms. Josephine L. Jacobs
Mr. Paul F. Watsic
42 Ketch Cay Court
Baltimore, MD 21220

Dear Ms. Jacobs and Mr. Watsic:

RE: Case No. 03-539-A, 3915 Briar Point Road

Please be advised that an appeal of the above-referenced case was filed in this office on July 28, 2003 by Peter Zimmerman, of Baltimore County People's Counsel. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

Timothy Kotroco
Director

TK:klm

c: Lawrence E. Schmidt, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Karen Watsic, 42 Ketch Cay Court, Baltimore 21220

Printed with Soybean Ink
on Recycled Paper

APPEAL

Petition for Variance
3915 Briar Point Road
SE/s of Briar Point Road, 151' SW of Bay Drive
15th Election District – 6th Councilmanic District
Josephine Jacobs, Paul Watsic – Legal Owners

Case No.: 03-539-A

RECEIVED
AUG - 1 2003
BALTIMORE COUNTY
BOARD OF APPEALS

✔ Petition for Variance (May 13, 2003)

✔ Zoning Description of Property

✔ Notice of Zoning Hearing (May 19, 2003)

✔ Certification of Publication (The Jeffersonian issue June 10, 2003)

✔ Certificate of Posting June 7, 2003 (by SSG Robert Black)

✔ Entry of Appearance by People's Counsel (May 23, 2003)

✔ Petitioner(s) Sign-In Sheet
None

✔ Protestant(s) Sign-In Sheet
None

✔ Citizen(s) Sign-In Sheet
None

✔ Zoning Advisory Committee Comments

✔ Petitioners' Exhibit
✔ 1. Plat to accompany petition for variance

✔ Protestants' Exhibits:
None

✔ Miscellaneous (Not Marked as Exhibit)
✔ . 8 Photos

✔ Deputy Zoning Commissioner's/Zoning Commissioner's Order (July 8, 2003 - GRANTED)

✔ Notice of Appeal received on July 28, 2003 from Peter M. Zimmerman, People's Counsel of Baltimore County

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Josephine Jacobs, Paul Watsic, 42 Ketch Cay Ct., Baltimore 21220
Karen Watsic, 42 Ketch Cay Ct., Baltimore 21220

date sent July 31, 2003 klm

√E

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL
Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

July 28, 2003

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Hand-delivered

Re: PETITION FOR VARIANCE
SE/S Briar Point Road, 151' SW
of Bay Drive
(3915 Briar Point Road)
15th Election District 6th Councilmanic District
Legal Owner: Josephine L. Jacobs & Paul F. Watsic
Case Nos. 03-539-A

Dear Mr. Jablon:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated July 8, 2003 of the Baltimore County Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio

Carole S. Demilio
Deputy People's Counsel

RECEIVED
JUL 28 2003

PMZ/CSD/rmw

cc: Karen Watsic, 42 Ketch Cay Court, Baltimore, Maryland 21220, Representative for Petitioner

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

August 29, 2003

Karen Watsic
42 Ketch Cay Court
Baltimore, MD 21220

RECEIVED
AUG 29 2003
BALTIMORE COUNTY
BOARD OF APPEALS

Re: Josephine Lauren Jacobs and Paul F. Watsic
3915 Briar Point Road
Case No.: 03-539-A

Dear Ms. Watsic:

This letter is to confirm our understanding on this case. At a County Board of Appeals hearing to be scheduled:

1. Petitioners shall withdraw their request for variance as to the impermeable surface for building standards under BCZR 1A04.3B3.

2. People's Counsel shall withdraw its appeal as to the variances for an undersized lot under BCZR 1A04.3B1 and for side yard setbacks under BCZR 1A04.B.3.2.

3. Petitioners will submit, consistent with the above, their amended site plan or zoning plat dated August 19, 2003.

4. Petitioners shall comply with Chesapeake Bay Critical Area requirements.

5. Petitioners shall comply with the conditions previously listed in the Zoning Commissioner's Order and included on the amended zoning plat.

I trust this outline is consistent with our understanding. Based on our conversation today, we are scheduling a hearing for September 16, 2003 at 9:00 a.m. OK

Very truly yours,

Peter Max Zimmerman

Peter Max Zimmerman
People's Counsel for Baltimore County

PMZ/rmw

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: November 12, 2003

TO: Timothy Kotroco, Director
Permits & Development Management
Attn.: David Duvall

FROM: Theresa R. Shelton TRS
Board of Appeals

SUBJECT: **CLOSED APPEAL CASE FILES**

The following case(s) have been finalized and the Board of Appeals is closing the copy of the appeal case file(s) and returning the file(s) and exhibits (if applicable) attached herewith.

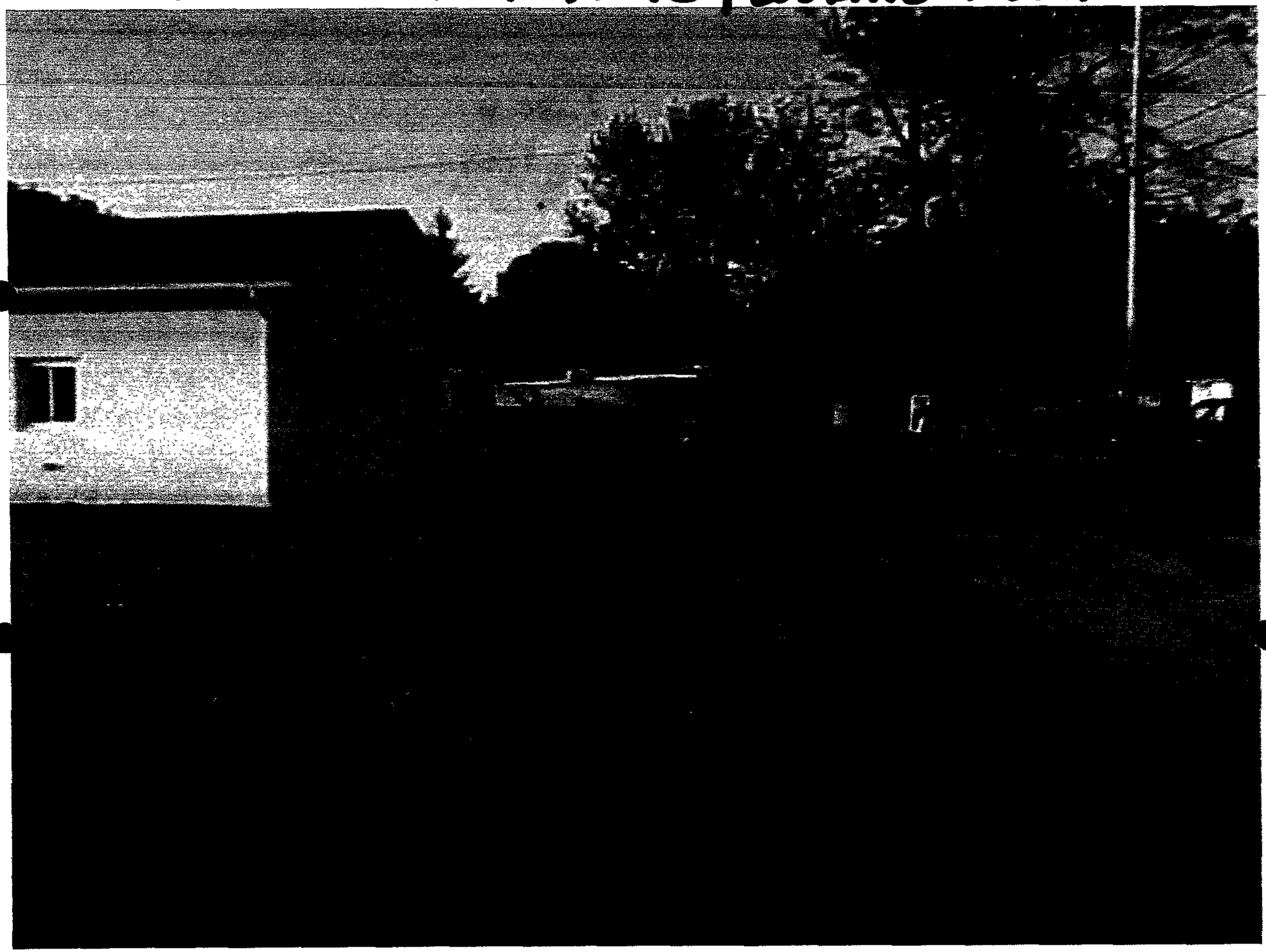
BOARD OF APPEALS CASE NUMBER	*PDM FILE NUMBER*	NAME	LOCATION
02-440-SPHA	*02-440-SPHA*	WAYNE W. DAVIS	11603-15 BELLVUE AVENUE
03-539-A	*03-539-A*	JACOBS/WATSIC	3915 BRIAR POINT ROAD
03-508-SPH	*03-508-SPH*	W. TALBOT DALEY	19503 CAMERON MILL ROAD
M.C. 03-1	*MAP CORRECTION 5TH COUNCILMANIC DISTRICT*	TERESA LOUISE MANOCHEN	1720 E. JOPPA ROAD

Attachment: SUBJECT FILE(S) / EXHIBIT(S) ATTACHED

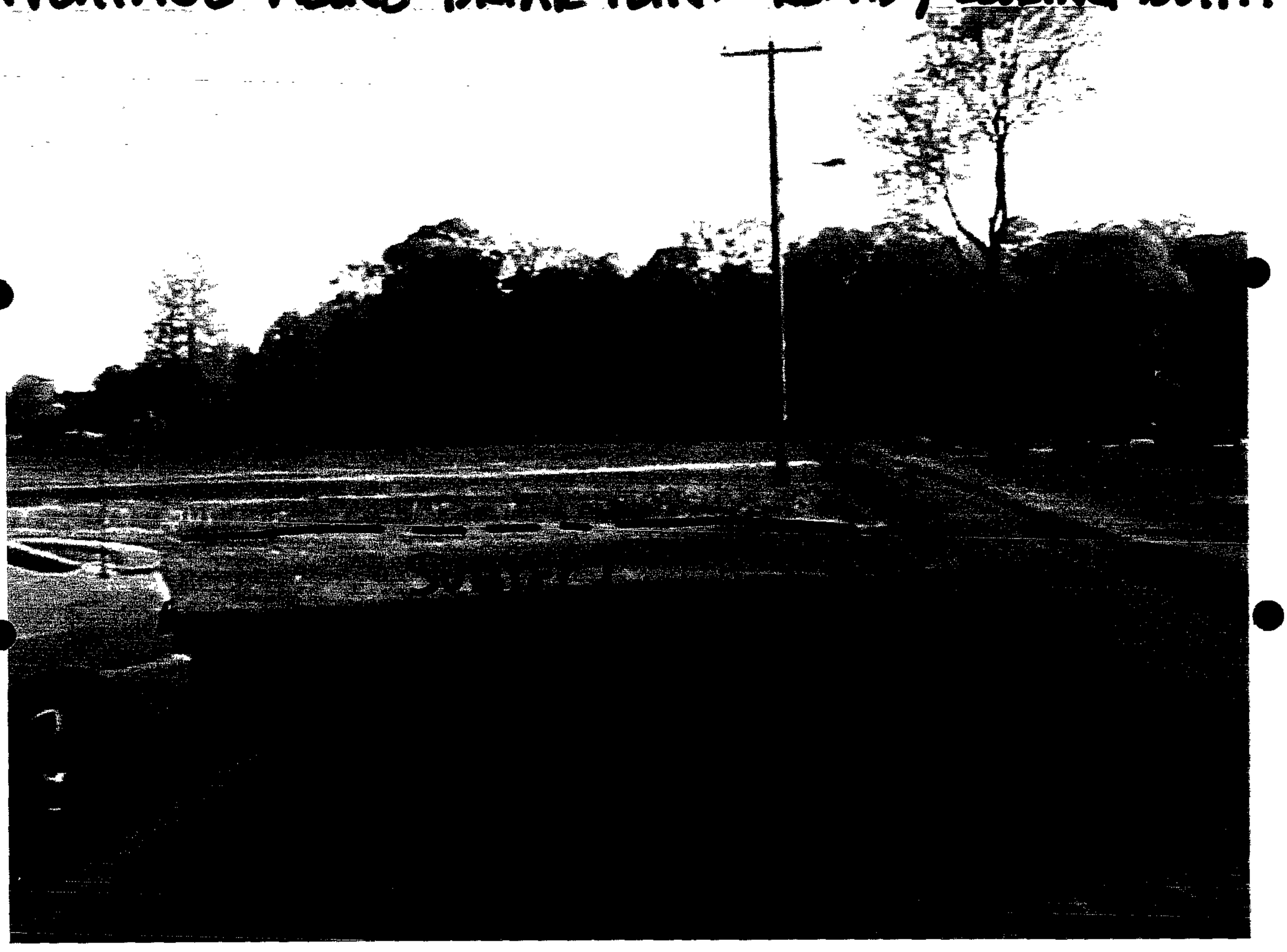
LOOKING EAST

LOOKING EAST

Frontage ALONG BAY DRIVE, LOOKING North



FRONTAGE ALONG BRIAR POINT ROAD, LOOKING SOUTH.



LOOKING WEST

LOOKING EAST

LOOKING EAST

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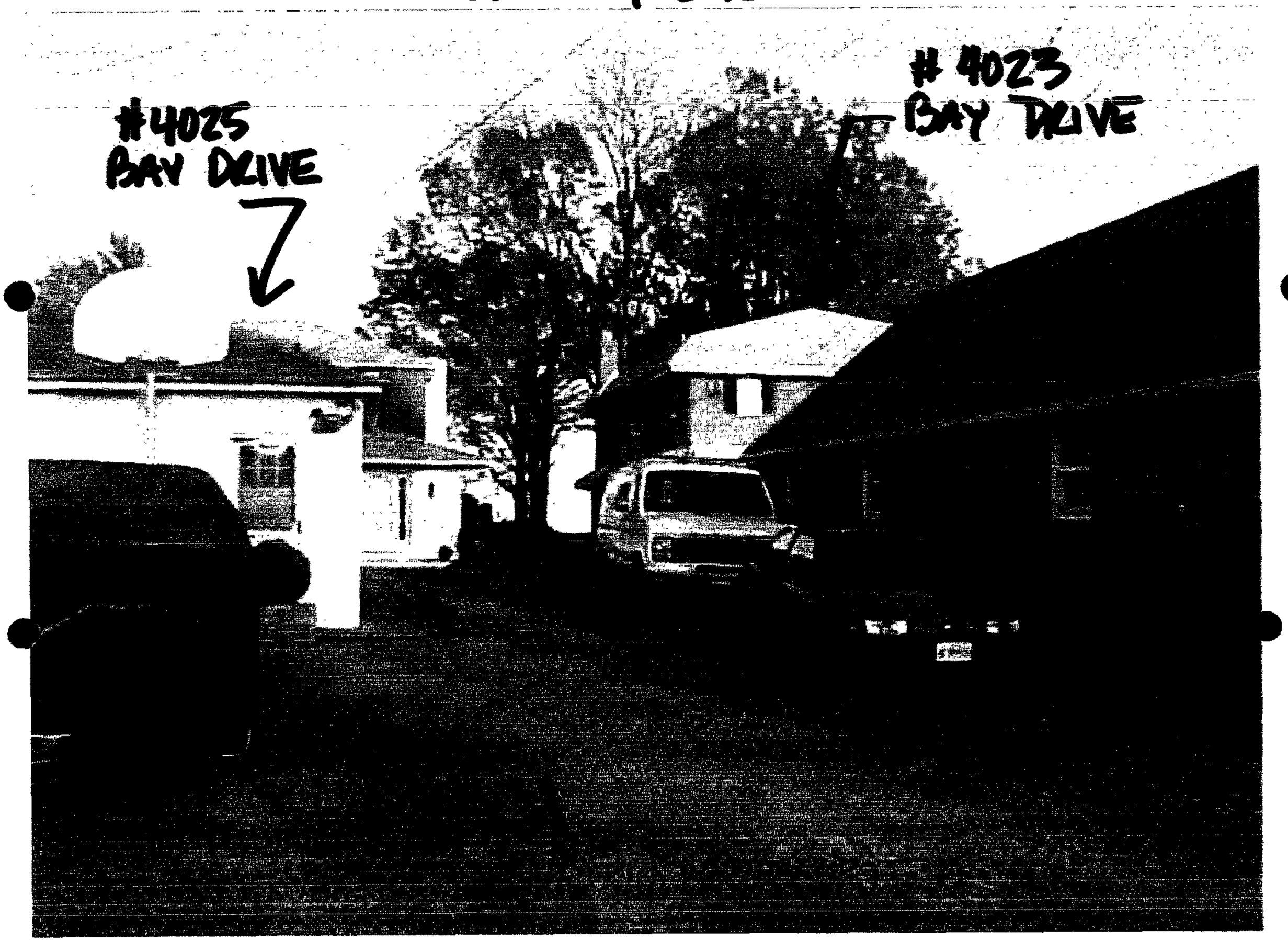
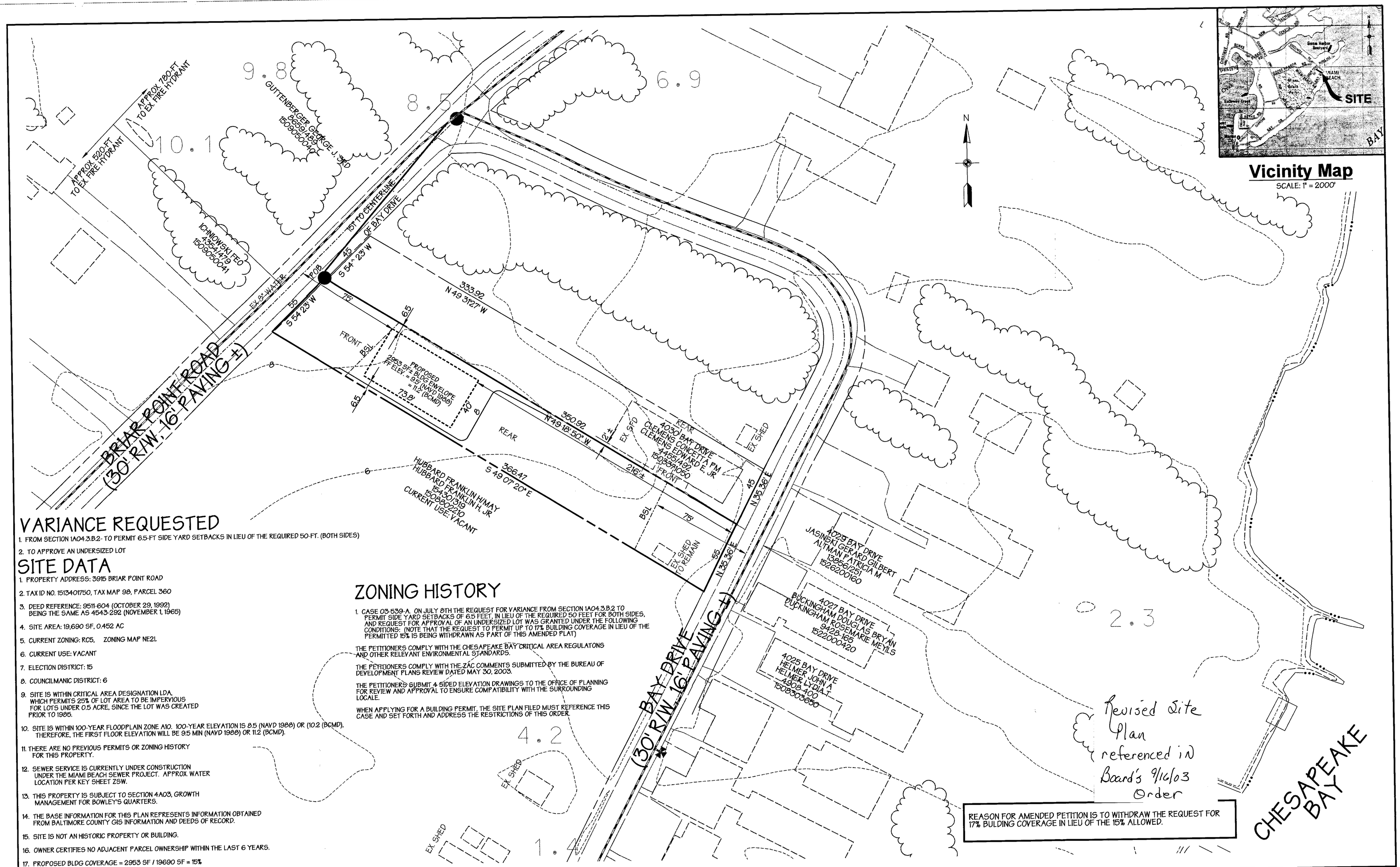




VARIANCE REQUESTED

1. FROM SECTION 1A04.3.B.2- TO PERMIT 6.5-FT SIDE YARD SETBACKS IN LIEU OF THE REQUIRED 50-FT. (BOTH SIDES)
2. TO APPROVE AN UNDERSIZED LOT

SITE DATA

1. PROPERTY ADDRESS: 3915 BRIAR POINT ROAD
2. TAX ID NO. 1513401750, TAX MAP 98, PARCEL 360
3. DEED REFERENCE: 9511-604 (OCTOBER 29, 1992) BEING THE SAME AS 4543-292 (NOVEMBER 1, 1965)
4. SITE AREA: 19,690 SF, 0.452 AC
5. CURRENT ZONING: RC5, ZONING MAP NE2L
6. CURRENT USE: VACANT
7. ELECTION DISTRICT: 15
8. COUNCILMANIC DISTRICT: 6
9. SITE IS WITHIN CRITICAL AREA DESIGNATION LDA, WHICH PERMITS 25% OF LOT AREA TO BE IMPERVIOUS FOR LOTS UNDER 0.5 ACRE, SINCE THE LOT WAS CREATED PRIOR TO 1985.
10. SITE IS WITHIN 100-YEAR FLOODPLAIN ZONE A10. 100-YEAR ELEVATION IS 8.5 (NAVD 1988) OR (10.2 (BCMD), THEREFORE, THE FIRST FLOOR ELEVATION WILL BE 9.5 MIN (NAVD 1988) OR 11.2 (BCMD).
11. THERE ARE NO PREVIOUS PERMITS OR ZONING HISTORY FOR THIS PROPERTY.
12. SEWER SERVICE IS CURRENTLY UNDER CONSTRUCTION UNDER THE MIAMI BEACH SEWER PROJECT. APPROX. WATER LOCATION PER KEY SHEET 25W.
13. THIS PROPERTY IS SUBJECT TO SECTION 4A03, GROWTH MANAGEMENT FOR BOWLEY'S QUARTERS.
14. THE BASE INFORMATION FOR THIS PLAN REPRESENTS INFORMATION OBTAINED FROM BALTIMORE COUNTY GIS INFORMATION AND DEEDS OF RECORD.
15. SITE IS NOT AN HISTORIC PROPERTY OR BUILDING.
16. OWNER CERTIFIES NO ADJACENT PARCEL OWNERSHIP WITHIN THE LAST 6 YEARS.
17. PROPOSED BLDG COVERAGE = 2953 SF / 19690 SF = 15%

ZONING HISTORY

1. CASE 03-539-A. ON JULY 8TH THE REQUEST FOR VARIANCE FROM SECTION 1A04.3.B.2 TO PERMIT SIDE YARD SETBACKS OF 6.5 FEET, IN LIEU OF THE REQUIRED 50 FEET FOR BOTH SIDES, AND REQUEST FOR APPROVAL OF AN UNDERSIZED LOT WAS GRANTED UNDER THE FOLLOWING CONDITIONS: (NOTE THAT THE REQUEST TO PERMIT UP TO 17% BUILDING COVERAGE IN LIEU OF THE PERMITTED 15% IS BEING WITHDRAWN AS PART OF THIS AMENDED PLAT)

THE PETITIONERS COMPLY WITH THE CHESAPEAKE BAY CRITICAL AREA REGULATONS AND OTHER RELEVANT ENVIRONMENTAL STANDARDS.

THE PETITIONERS COMPLY WITH THE ZAC COMMENTS SUBMITTED BY THE BUREAU OF DEVELOPMENT PLANS REVIEW DATED MAY 30, 2003.

THE PETITIONERS SUBMIT 4 SIDED ELEVATION DRAWINGS TO THE OFFICE OF PLANNING FOR REVIEW AND APPROVAL TO ENSURE COMPATIBILITY WITH THE SURROUNDING LOCALE.

WHEN APPLYING FOR A BUILDING PERMIT, THE SITE PLAN FILED MUST REFERENCE THIS CASE AND SET FORTH AND ADDRESS THE RESTRICTIONS OF THIS ORDER.

REASON FOR AMENDED PETITION IS TO WITHDRAW THE REQUEST FOR 17% BULDING COVERAGE IN LIEU OF THE 15% ALLOWED.

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
1020 CROMWELL BRIDGE ROAD
TOWSON, MARYLAND 21286-3396
(410) 825-8120

STATE OF MARYLAND — KAREN M. WATSIC — 23005 — PROFESSIONAL ENGINEER

Owner
JOSEPHINE LAURA JACOBS
PAUL F WATSIC
42 KETCH CAY COURT
BALTIMORE MD 21220
PHONE: 410-335-6520

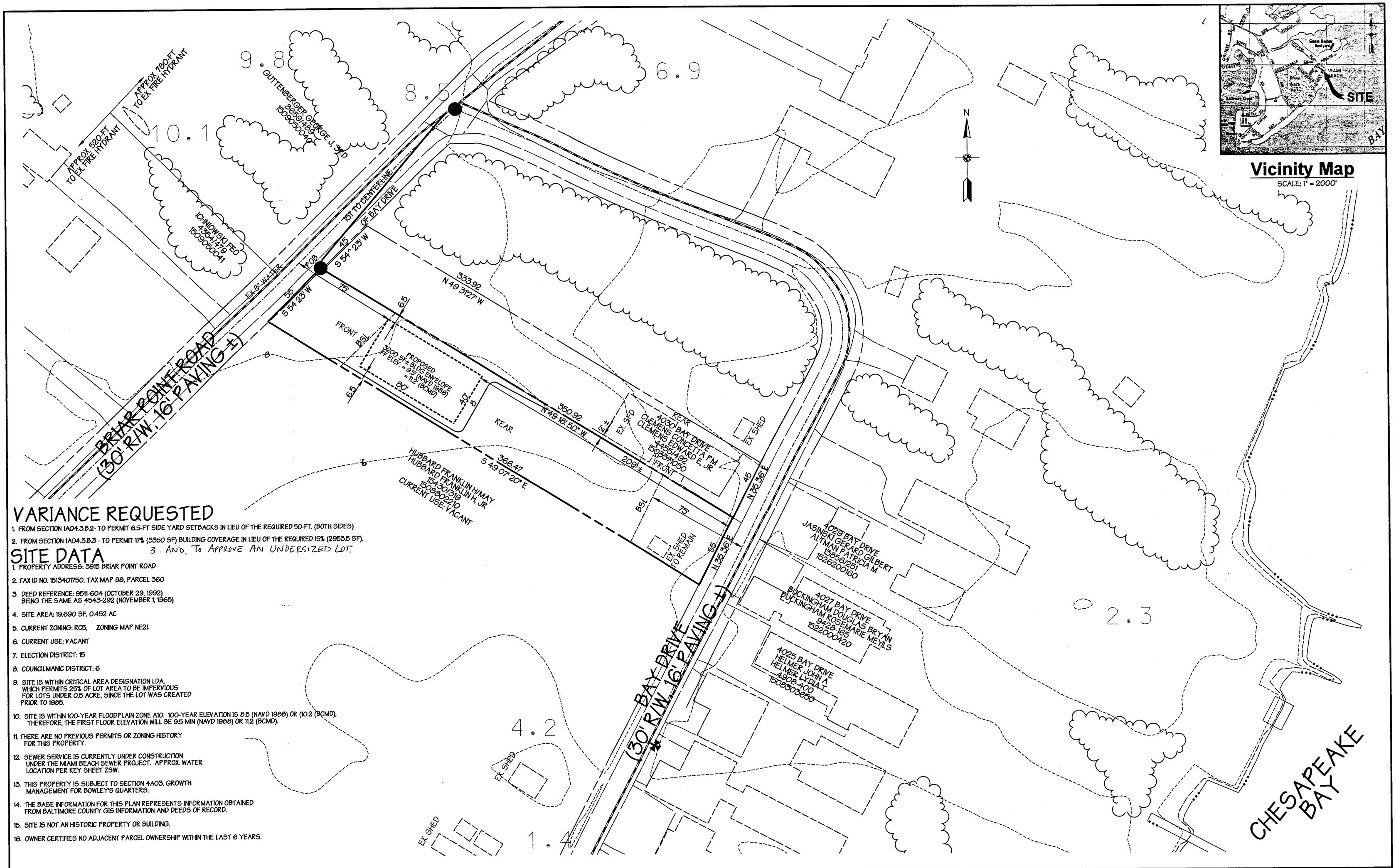
Scale: 1" = 30'
0 30 60 90 120

NO.	DATE	REVISIONS:	BY
1	8/19/03	WITHDREW VARIANCE REQUEST FOR 17% BLDG COVERAGE	

AMENDED PLAT TO ACCOMPANY PETITION FOR VARIANCE

WATSIC PROPERTY, 3915 BRIAR POINT ROAD BOWLEY'S QUARTERS, MD 21220

SCALE:
DATE: August 19, 2003
JOB #:
DES: KMW
DRN: KMW
CHK: KMW
FILE: drawing name
DRAWING NUMBER: Z-1
SHEET 1 OF 1



VARIANCE REQUESTED

1. FROM SECTION 1A04.3.B.2- TO PERMIT 6.5-FT SIDE YARD SETBACKS IN LIEU OF THE REQUIRED 50-FT. (BOTH SIDES)
2. FROM SECTION 1A04.3.B.3 - TO PERMIT 17% (3350 SF) BUILDING COVERAGE IN LIEU OF THE REQUIRED 15% (2953.5 SF).
3. AND, TO APPROVE AN UNDERSIZED LOT.

SITE DATA

1. PROPERTY ADDRESS: 3915 BRIAR POINT ROAD
2. TAX ID NO. 1513401750, TAX MAP 98, PARCEL 360
3. DEED REFERENCE: 9511-604 (OCTOBER 29, 1992) BEING THE SAME AS 4543-292 (NOVEMBER 1, 1965)
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GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
1020 CROMWELL BRIDGE ROAD
TOWSON, MARYLAND 21286-3396
(410) 825-8120

STATE OF MARYLAND — ROBERT W. WATSIC — PROFESSIONAL ENGINEER — 23098

Owner

JOSEPHINE LAURA JACOBS
PAUL F WATSIC
42 KETCH CAY COURT
BALTIMORE MD 21220

PHONE: 410-335-6520

Scale: 1" = 30'

0 30 60 90 120

NO.	DATE	REVISIONS:	BY

PLAT TO ACCOMPANY PETITION FOR VARIANCE

WATSIC PROPERTY,
3915 BRIAR POINT ROAD
BOWLEY'S QUARTERS, MD 21220

Petitioner's Ex. #1

SCALE:	
DATE:	MAY 13, 2003
JOB #:	
DES:	KMW
DRN:	KMW
CHK:	KMW
FILE: drawing name	
DRAWING NUMBER:	Z-1
SHEET 1 OF 1	

03-539-A

Case No. 03-539-A

VAR – To permit side yard setbacks of 6.5' ilo 50' for both sides; to permit up to 17% of lot to be covered with bldg ilo max. permitted 15%. Also relief requested for undersized lot.

7/08/2003 – Decision of the Deputy Zoning Commissioner in which requested variance relief was GRANTED with restrictions.

8/29/03 – Copy of letter addressed to Ms. Karen Watsic, Petitioner, from Peter M. Zimmerman, People's Counsel /Appellant to this matter regarding understanding between the parties and arrangement for early a.m. hearing on 9/16/03, which was confirmed this date by this office.

-- Notice of Assignment sent to following; specially assigned as requested on Tuesday, September 16, 2003 at 9:00 a.m.:

Office of People's Counsel
Josephine Jacobs and Paul & Karen Watsic
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Timothy M. Kotroco, Director /PDM

9/16/03 – Board convened for hearing (Marks, Wescott, Crizer); Karen Watsic, Petitioner, appeared pro se; P. Zimmerman appeared on behalf of People's Counsel; proffer made as to agreement – revised plan for dwelling approved; variance for lot coverage withdrawn and dismissed; appeal of undersized lot withdrawn by People's Counsel; variance granted for building setbacks; and as further detailed on the record and in Order to be issued by the Board.