

IN RE: PETITION FOR VARIANCE
NE/S of North Point Road,
30 ft. SE of Bauers Farm Road
15th Election District
7th Councilmanic District
(8102 North Point Road)

Louise G. & Earl E. Bauer, Jr.
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-107-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance for the property located at 8102 North Point Road in the eastern area of Baltimore County. The Petition was filed by Louise G. & Earl E. Bauer, Jr., the legal owners of the property. The Petitioners are requesting variance relief from Section 1A04.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a lot area of 0.65 acres in lieu of the required minimum 1 acre and relief from Section 1A04.3.B.2 of the B.C.Z.R., to allow side yard setbacks of 25 ft. in lieu of the required minimum 50 ft. and to approve an undersized lot.

The property was posted with Notice of Hearing on September 28, 2003, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on September 30, 2003 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted

10/20/03
D. J. [Signature]

as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) Comments are made part of the record of this case and contain the following highlights. The ZAC comments from the Department of Environmental Protection & Resource Management (DEPRM) dated October 8, 2003 are attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing and variance relief were J. Scott Dallas, surveyor and Adam Skolnik, builder. The Petitioners were not present. Protestants were adjacent property owner, Edgar Yox (the Elder) and Edgar Yox (the Younger) and Lisa Rocknick. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Mr. Dallas proffered that the property consists of 0.65 acres of land, more or less, and is zoned R.C.5. It is vacant at the present time but the Petitioners desire to build a new home on the premises. The lot is 105 ft. wide in the rear and 130 ft. wide at North Point Road. The lot was laid out and recorded as a lot of record in 1949. R.C.5 zoning was applied in 1979 and requires a 50 ft. side yard setback on each side. This would leave a very narrow and impractical area in which one could build a home on this lot. If this were not bad enough, the home would

10/20/03
R. Zimmerman

not be served by public sewer. Consequently, the owner must provide 10,000 sq. ft. of septic reserve area. A proposed location for this area is shown on Petitioners' Exhibit No. 1. Finally, R.C.5 requires a front yard setback from the road of 75 ft.

Constrained by the front and side yard setback and need for septic reserve area, Mr. Dallas proffered that there was no reasonable building area on the lot unless relief from the side yard setback was granted. He opined that a reasonable size home would require side yard set backs of 25 ft. Thus, he proposes a 53 ft. x 30 ft. foot home. He provided an elevation of the proposed home, which can be seen in Petitioners' Exhibit No. 2.

Similarly, Mr. Dallas noted that it would be impossible for the owner to comply with the one acre minimum lot size. Again, the lot was recorded in 1949 much before the RC zone was applied. He also testified that there was no land available to purchase that would allow them to meet the requirements. Both properties next to this property are themselves undersized lots and improved with homes that could hardly afford to give up land to their neighbor.

Mr. Dallas mentioned that he did not have DEPRM approval for the location of the septic reserve area nor the method by which the septic would function. Apparently, the area will not perk so the Petitioners propose to use a sand mound type system. While this is not the subject of this hearing, the Petitioners are on notice that simply granting the relief requested herein will not allow building on this property. They must obtain approval from DEPRM for the septic system and comply with Chesapeake Bay Critical Area requirements.

The Protestants live next to the subject property in a long and exceedingly narrow lot shown on Petitioners' Exhibit No. 1 which is located on the corner of North Point Road and Bauer's Farm Road. Mr. Yox (the elder) testified that he had no problem with the proposed home design but was concerned about the distance from the proposed home to his home which is

10/20/03
D. J. J. J.

located on the narrow portion of his lot. (Petitioner's Exhibit No. 1 also shows that the home at 8106 North Point Road is also close to the proposed home.) He also noted that the rear of the subject property is subject to flooding which could further complicate the septic area issue.

Findings of Fact and Conclusions of Law

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations was requested. Furthermore, I find that such variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. However I will require that the Petitioners provide a vegetative screen to separate the proposed home from the homes adjacent to it (8100 and 8106 North Point Road) if the final location of the proposed home is within 50 ft. of either home.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 20 day of October, 2003, that the Petitioners' request for variance from Section 1A04.3.B.1 of the B.C.Z.R., to allow a lot area of 0.65 acres in lieu of the required minimum 1 acre and relief from Section 1A04.3.B.2 of the B.C.Z.R., to allow side yard setbacks of 25 ft. in lieu of the required minimum 50 ft. and to approve 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 shall provide a vegetative screen to separate the proposed home from 8100 and 8106 North Point Road if the final location of the proposed home is within 50 ft. of either home. A copy of the landscape plan for this vegetative screening shall be submitted to Mr. Avery Harden, Landscape Architect for Baltimore County for review and approval prior to the issuance of any building permits.

10/20/03
R. J. Janssen

2. Compliance with the recommendations made by DEPRM in their ZAC comment dated October 8, 2003, a copy of which is attached hereto and made a part hereof;
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

10/20/03
R. Johnson

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

October 20, 2003

Mr. & Mrs. Earl E. Bauer, Jr.
8604 Oak Road
Baltimore, Maryland 21219

Re: Petition for Variance
Case No. 04-107-A
Property: 8102 North Point Road

Dear Mr. & Mrs. Bauer:

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

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

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

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



Copies to:

J. Scott Dallas
J. S. Dallas, Inc.
P. O. Box 26
13523 Long Green Pike
Baldwin, MD 21013

Adam Skolnik
3230 Bethany Lane
Ellicott City, MD 21042

Edgar G. Yox
Lisa Rocknick
8100 North Point Road
Baltimore, MD 21219

Edgar E. Yox
2705 Bavers Farm Road
Baltimore, MD 21219



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at # 8102 North Point Road

which is presently zoned R.C. 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) 1 A 04.3B.1. to allow a lot

area of 0.65 acres in lieu of the required minimum 1 acre, 1 A 04.3B.2. to allow sideyard setbacks of 25 feet in lieu of the required minimum
50 feet and to approve an undersized lot.

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

Neighborhood lots do not meet existing minimum area and/or setback standards. Unusual lot layout has existed since 1949. Proposed construction will be consistent with neighborhood.

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Earl Edward Bauer, Jr.

Name - Type or Print

Signature

Louise G. Bauer

Name - Type or Print

Signature

C/O Ronnie Bauer
8604 Oak Road 410-288-6300

Address Telephone No.

Baltimore MD 21219

City State Zip Code

Representative to be Contacted:

J. Scott Dallas (J.S. Dallas, Inc.)

Name P. O. Box 26

13523 Long Green Pike 410-817-4600

Address Telephone No.

Baldwin MD 21013

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By JNP Date 8/29/03

Case No. 04-107-A

REV 9/15/98

J. S. DALLAS, INC.

SURVEYING & ENGINEERING

13523 LONG GREEN PIKE

P.O. BOX 26

BALDWIN, MD 21013

(410) 817-4600

FAX (410) 817-4602

ZONING DESCRIPTION OF # 8102 North Point Road

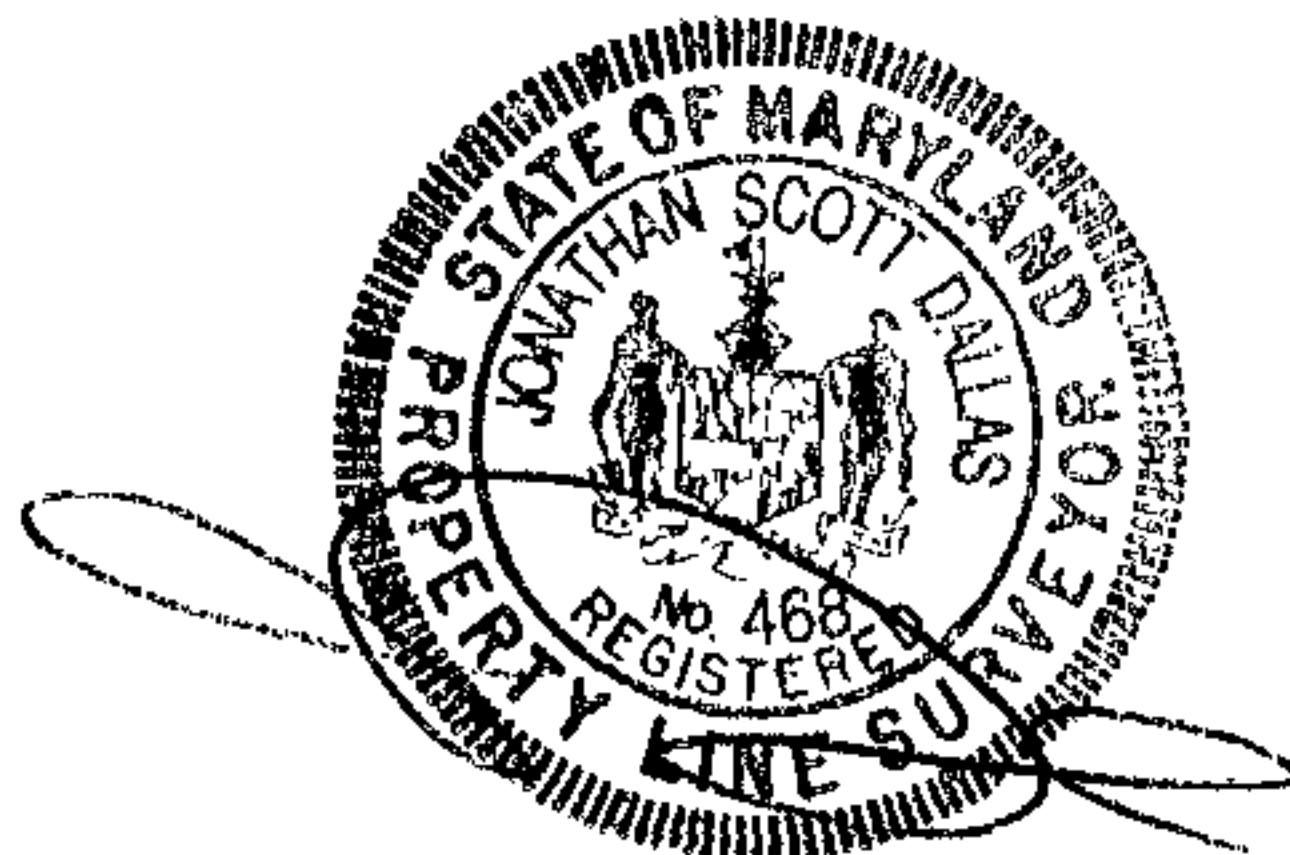
BEGINNING a point in the centerline of North Point Road distant 30 feet, more or less in a southeasterly direction from the extension of the centerline of Bauers Farm Road thence running with and binding on said centerline of North Point (1) **Southeasterly 130 feet, more or less** thence leaving said North Point Road and running the four following courses and distances: (2) **Northeasterly 254 feet, more or less** (3) **Northwesterly 105 feet, more or less** (4) **Southwesterly 58 feet, more or less** and (5) **Southwesterly 231 feet, more or less** to the place of beginning.

0.65 (JSD)

CONTAINING 28,300 square feet (or ~~2.765~~ acres) of land, more or less.

ALSO known as # 8102 North Point Road and located in the 15th Election District, 7th Councilmanic District.

Note: above description is based on existing deeds, plats, and land records and is for zoning purposes only.



04-107-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **28122**

DATE 8/29/03 ACCOUNT R-001-006-6150

AMOUNT \$ 115.00

RECEIVED FROM: Scott Dallas

FOR: 04-107-A & Undersize Lot
8102 North Point Road (Bauer)

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DEW
9/02/2003	8/29/2003	10:48:06	2
REG W904	WALKIN	DROL DWD	
RECEIPT #	241294	8/29/2003	OFLN
Dept	5	528 ZONING VERIFICATION	
CK NO.	028122		
Recpt Tot		\$115.00	
115.00	CK	.00	CA
Baltimore County, Maryland			

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

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

Case: #04-107-A

8102 North Point Road

N/east side of North Point Road, 30 feet southeast of Bauers Farm Road

15th Election District - 7th Councilmanic District

Legal Owner(s): Earl and Louise Bauer, Jr.

Variance: to permit a lot area of 0.65 acres in lieu of the required minimum 1 acre and to allow side yard setbacks of 25 feet in lieu of the required minimum 50 feet and to approve an undersized lot.

Hearing: Wednesday, October 15, 2003 at 10:00 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.

JT/9/822 Sept 30

0629086

CERTIFICATE OF PUBLICATION

10/11/2003

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 9/30/2003.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

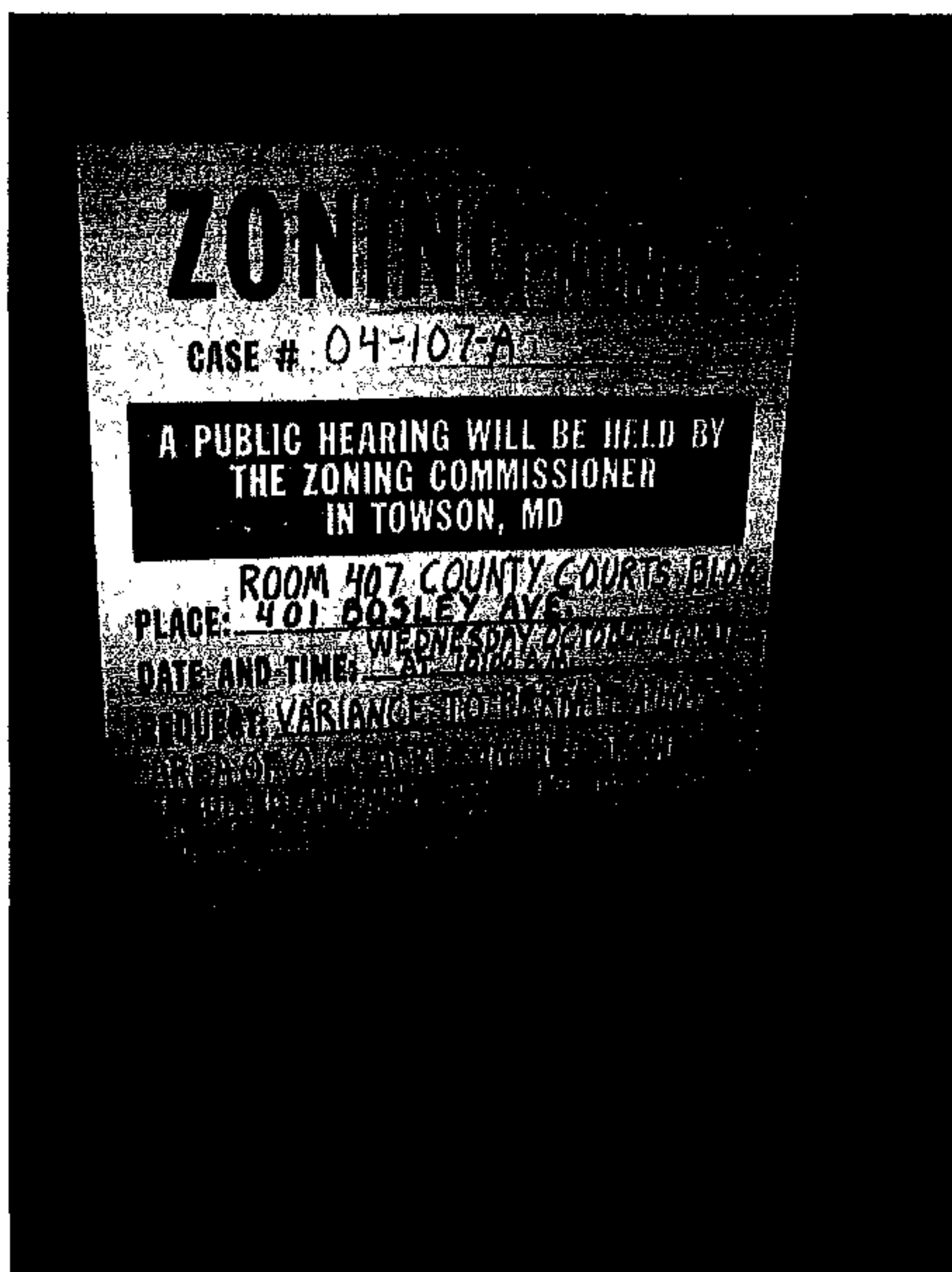
ATTENTION: BECKY HART

Date: October 1, 2003

RE: Case Number 04-107-A
Petitioner/Developer: ED BAUER / J. SCOTT DALLAS
Date of Hearing/Closing: October 15, 2003

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 8102 NORTH POINT ROAD

The sign(s) were posted on September 28, 2003
(Month, Day, Year)



Linda O'Keefe
(Signature of Sign Poster)

LINDA O'KEEFE
(Printed Name of Sign Poster)

523 PENNY LANE
(Street Address of Sign Poster)

HUNT VALLEY MD 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)



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

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

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: 04-107-A

8102 North Point Road
N/east side of North Point Road, 30 feet southeast of Bauers Farm Road
15th Election District – 7th Councilmanic District
Legal Owners: Earl and Louise Bauer, Jr.

Variance to permit a lot area of 0.65 acres in lieu of the required minimum 1 acre and to allow side yard setbacks of 25 feet in lieu of the required minimum 50 feet and to approve an undersized lot.

Hearings: Wednesday, October 15, 2003 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:rlh

C: Mr. and Mrs. Edward Bauer, Jr., C/O Ronnie Bauer, 8604 Oak Road,
Baltimore 21219
J. Scott Dallas, P.O. Box 26, 13523 Long Green Pike, Baldwin 21013

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 30, 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.

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

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 30, 2003 Issue - Jeffersonian

Please forward billing to:
Charter Homes LLC 410-480-3213
3230 Bethany Lane, Suite 8
Ellicott City, MD 21042

NOTICE OF ZONING HEARING

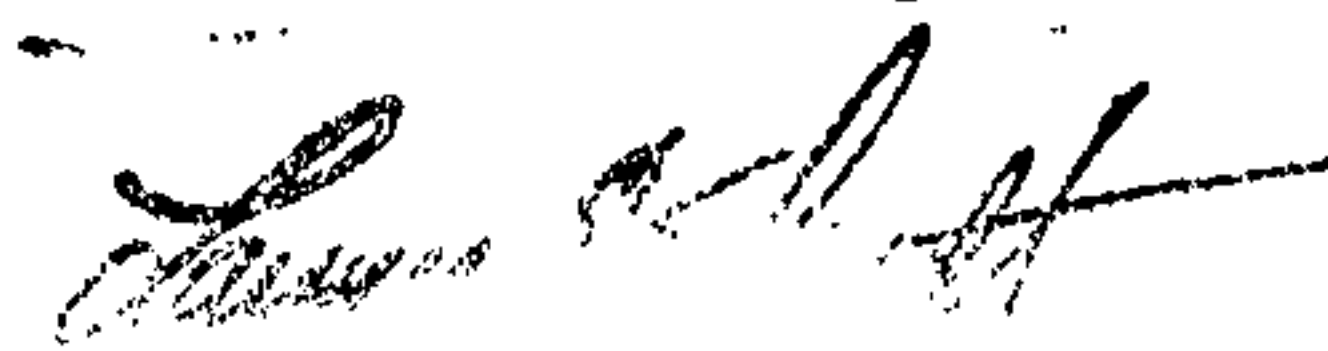
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-107-A

8102 North Point Road
N/east side of North Point Road, 30 feet southeast of Bauers Farm Road
15th Election District – 7th Councilmanic District
Legal Owners: Earl and Louise Bauer, Jr.

Variance to permit a lot area of 0.65 acres in lieu of the required minimum 1 acre and to allow side yard setbacks of 25 feet in lieu of the required minimum 50 feet and to approve an undersized lot.

Hearings: Wednesday, October 15, 2003 at 10:00 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 ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The 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: 04-107-A

Petitioner: Baver

Address or Location: 8102 North Point Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHARTER HOMES, LLC

Address: 3230 BETHANY LANE SUITE 8

ELLICOTT CITY, MD. 21042

Telephone Number: 410. 480. 3213

Revised 2/20/98 - SCJ

**Department of Permits and
Development Management**

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



Baltimore County

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

October 10, 2003

Earl Bauer, Jr.
Louise Bauer
8640 Oak Road
Baltimore, MD 21219

Dear Mr. and Mrs. Bauer:

RE: Case Number: 04-107-A, 8102 North Point Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 29, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
J. Scott Dallas, P.O. Box 26, 13523 Long Green Pike, Baldwin 21013

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





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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 9.10.03

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

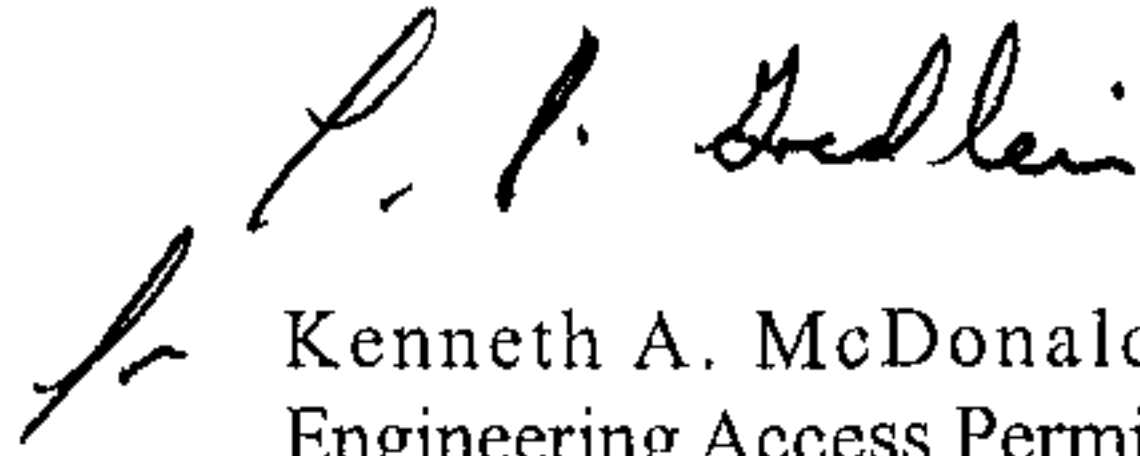
RE: Baltimore County
Item No. 107 (JHP)

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,



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

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.201.7165 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone 410.545.0300 www.marylandroads.com



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

September 11, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: September 8, 2003

Item No.: 098 - 111

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

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



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

DATE: October 8, 2003

FROM: R. Bruce Seeley *RB/TL*

DATE: October 8, 2003

SUBJECT: Zoning Item 04-107
Address 8102 North Point Road (Bauer Property)

Zoning Advisory Committee Meeting of September 8, 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:
- _____ If streams or wetlands occur on or within 200 feet of the property, the development of the property may need to 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).

Soil evaluations must be conducted during wet weather testing season which is between February and April.

Reviewer: Keith Kelley

Date: 10/6/03

10/20/03
R. Seeley

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotreco

FROM: R. Bruce Seeley *RBS/TGT*

DATE: October 9, 2003

SUBJECT: Zoning Item 04-107
Address 8102 North Point Road

Zoning Advisory Committee Meeting of: September 8, 2003

Soil evaluations must be conducted during wet weather testing season which is between February and April.

Reviewer: Sue Farinetti

Date: October 9, 2003

Jack
10/1/15

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: September 22, 2003

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

RECEIVED

SEP 24 2003

SUBJECT: Zoning Advisory Petition(s): Case 04-107

ZONING COMMISSIONER

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 Lankham

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: September 26, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For September 15, 2003
Item Nos. 099, 101, 102, 103, 104,
106, 107, 108, and 109

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

RWB:CEN:jrb

cc: File

**INTER-OFFICE CORRESPONDENCE
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. 04-107-A

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

RE: Undersized Lots

Residential Processing Fee Paid
(\$50.00)

Accepted by JNP
Date 8/29/03

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:

MINIMUM APPLICANT SUPPLIED INFORMATION:

Jonathan Scott Dallas R.O. Box 26 Baldwin, MD.
13523 Long Green Pk. 21013 410-817-4600

Print Name of Applicant Address Telephone Number

Lot Address 8102 North Point Rd. Election District 15 Councilmanic District 7 Square Feet 28,300

Lot Location: NE North Point Road 30 SE Bowers Farm Rd.
(NE SW corner of) (street) (100' from NE SW corner of) (street)

Land Owner: Earl Edward Bauer & Louise Bauer

Address: 8604 Oak Rd. Balt. MD. 21219

Tax Account Number 1523501270
410 Rani Bauer
Telephone Number 410 288-6300

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 208, 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: <u>R.C. 5</u>		

TO BE FILLED IN BY THE C

RECOMMENDATIONS / COMMENTS:

☒ Approval ☐ Disapproval ☐ Approval conditioned on requirements

Post-It® Fax Note		7671	Date <u>9/08/02</u>	# of pages <u>1</u>
To	<u>Jeff Pertlow</u>		From	<u>Lynn Canham</u>
Co./Dept.	<u>Zoning</u>		Co.	<u>Planning</u>
Phone #			Phone #	<u>3480</u>
Fax #	<u>2824</u>		Fax #	

Signed by: [Signature]
for the Director, Office of Planning and Community Conservation

SEP - 2 2003

OFFICE OF PLANNING

Date: 09/08/2002

RE: PETITION FOR VARIANCE
8102 North Point Rd; NE/side North Pt Rd,
30' SE Bauers Farm Rd
15th Election & 7th Councilmanic Districts
Legal Owner(s): Earl Edward, Jr, &
Louise G. Bauer

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 04-107-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.

RECEIVED

SEP 16 2003

Per.....

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 16th day of September, 2003, a copy of the foregoing Entry of Appearance was mailed to, J. Scott Dallas, P.O. Box 26, 13523 Long Green Pike, Baldwin, MD 21013, Representative for Petitioner(s).

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

CASE NAME 8102 North Pt. Rd.
CASE NUMBER 04-107-A
DATE 10/15/03

[illegible]

Case Number

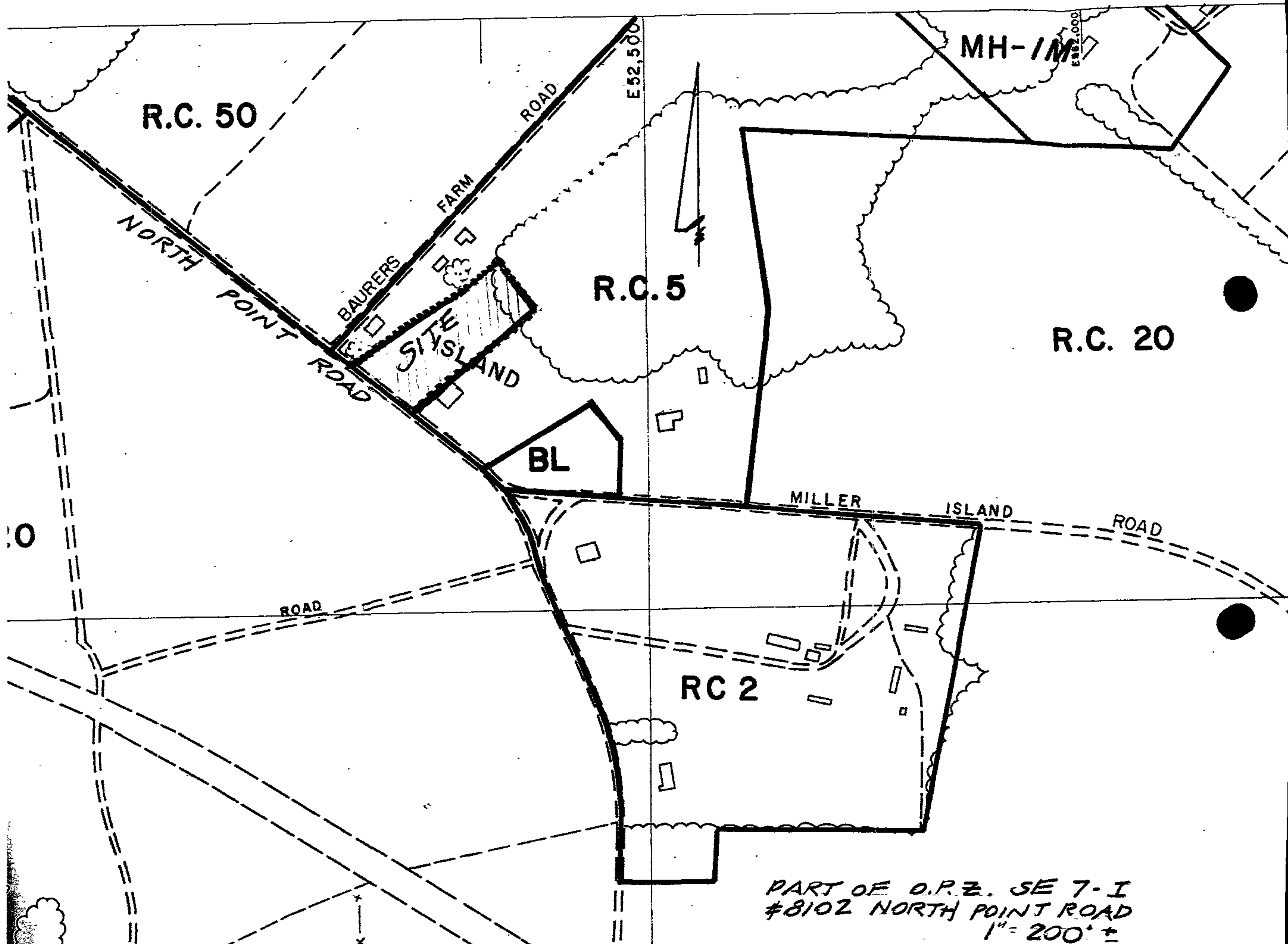
04-107-A

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

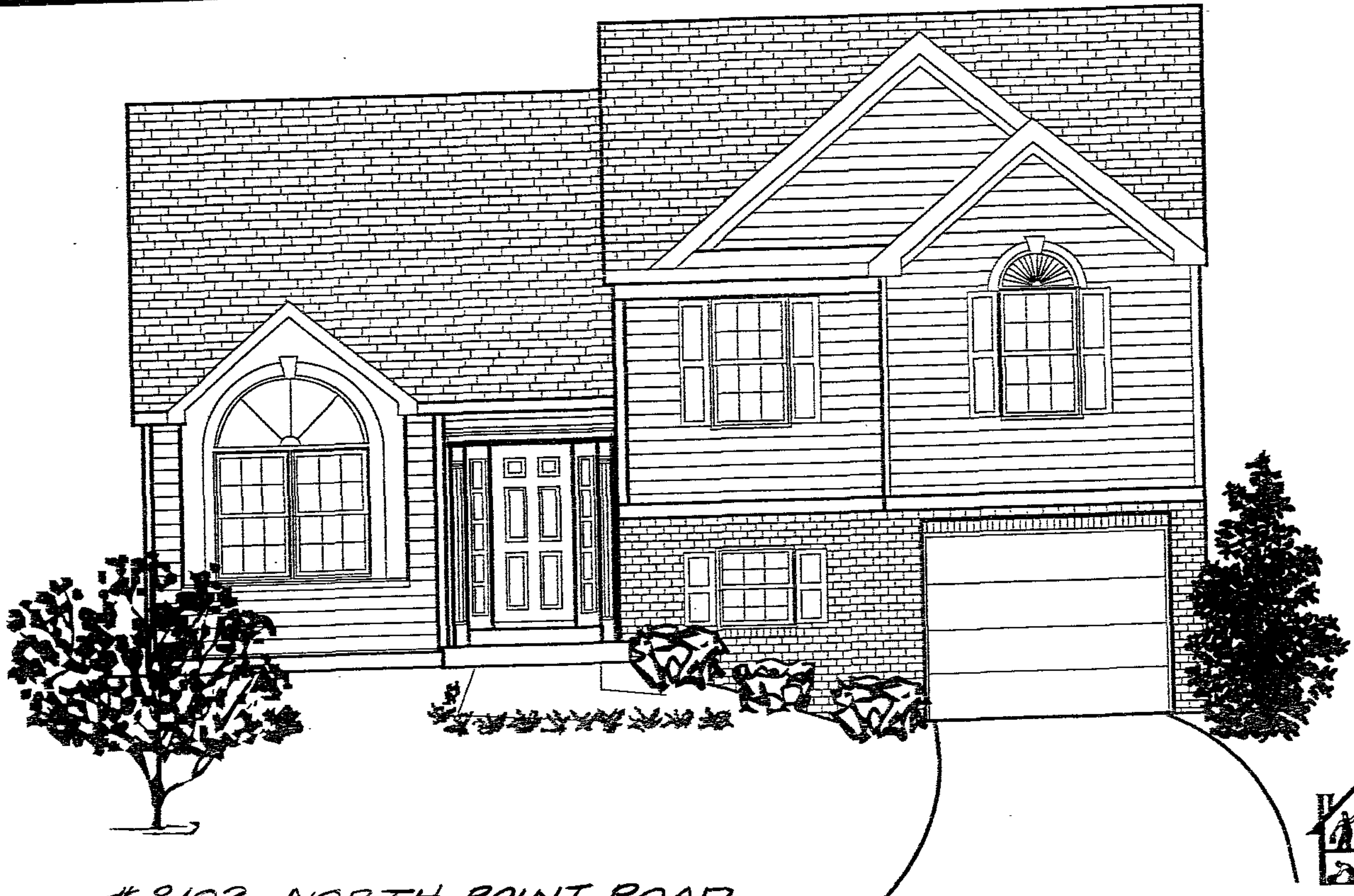
[illegible]

04-107-A



PART OF D.P.Z. SE 7-I
#8102 NORTH POINT ROAD
1" = 200' ±

The Libby

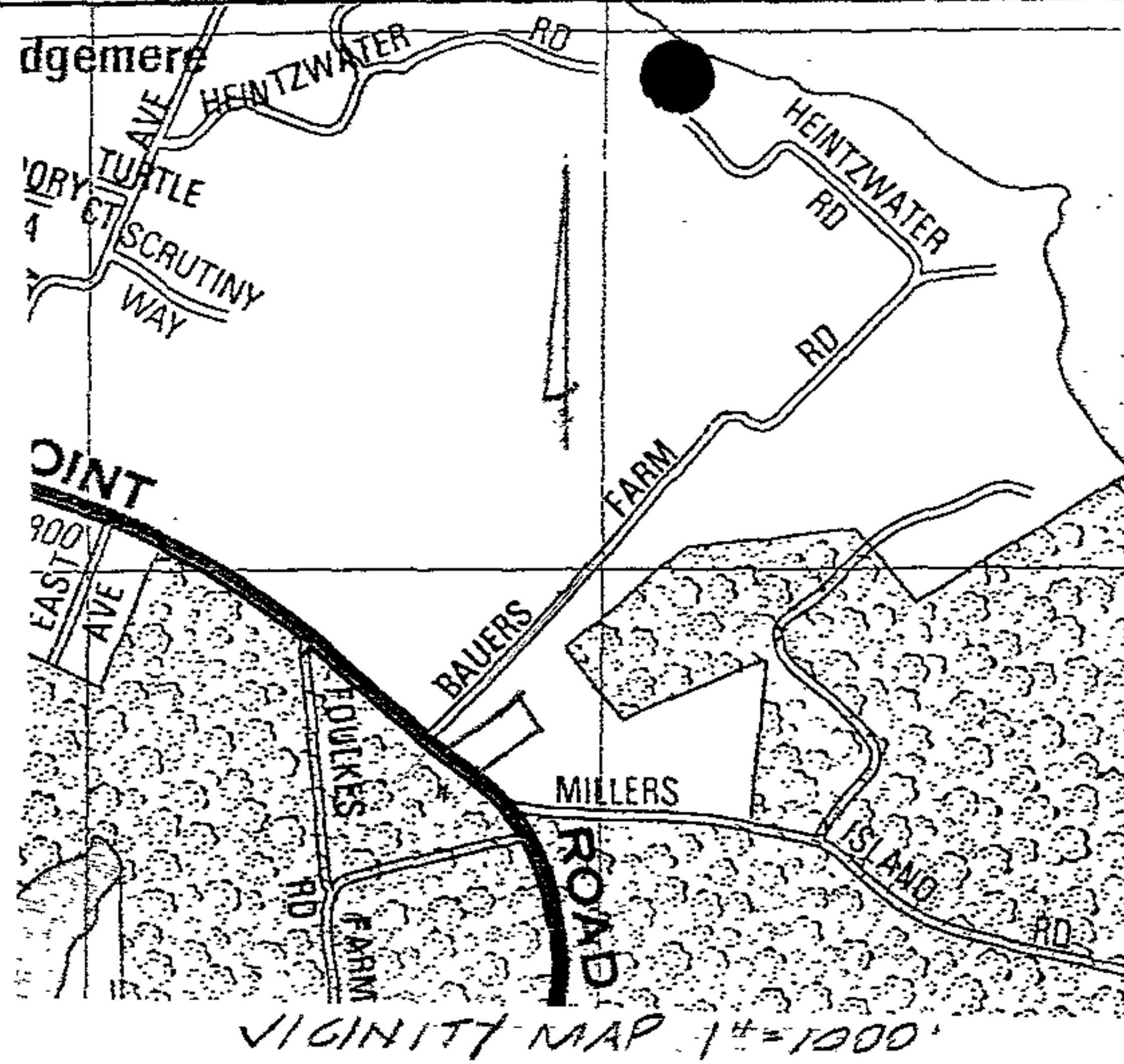


#8102 NORTH POINT ROAD
ELEVATION DRAWING



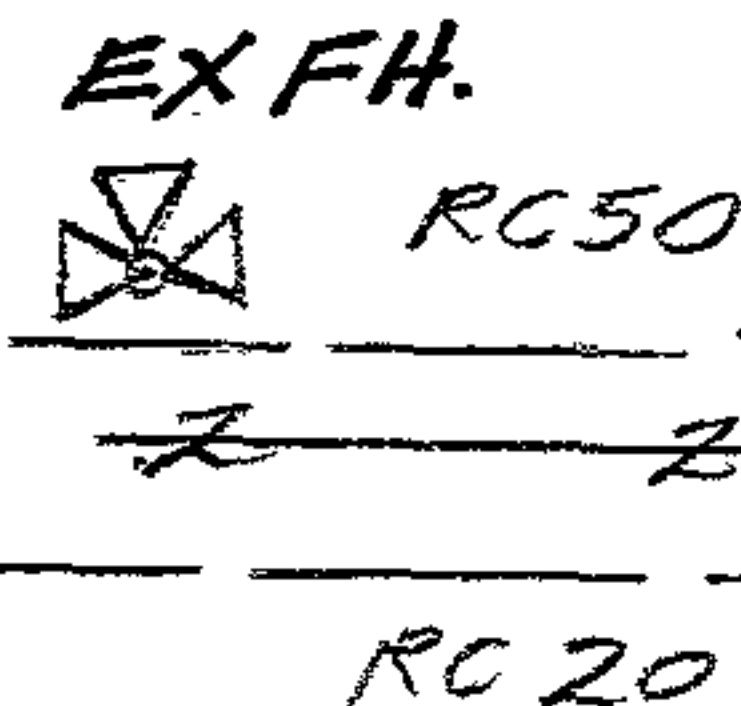
CHARTER HOMES

Det #2



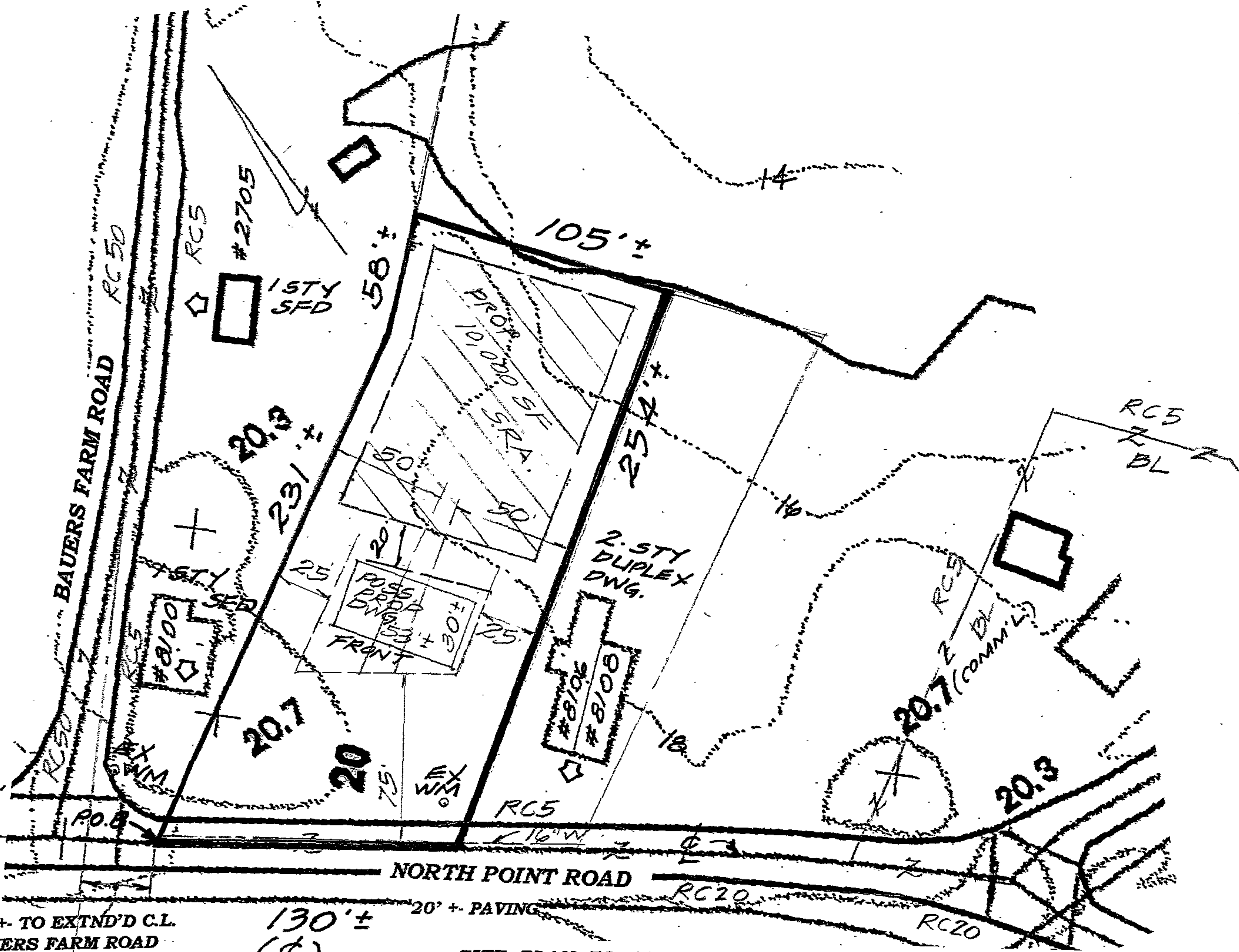
NOTES

1. NO KNOWN PRIOR ZONING HEARINGS.
2. OWNERSHIP: DEED REFERENCE: 8258-059 ETC.
EARL EDWARD BAUER AND LOUISE BAUER
8604 OAK ROAD
BALT, MD 21219
PHONE (C/O RONI BAUER): 410-288-6300
3. PROPERTY INFORMATION:
TAX MAP 111 PARCEL 363
ACCT. NO. 1523501270
4. AREA OF SUBJECT SITE: 28,300 SF + OR 0.65 AC. +
5. PROPOSED NEW SINGLE FAMILY RESIDENCE.
6. SITE IS IN C.B.C.A. (LDA) PER MAP NO. 111.
7. SITE LIES IN FLOOD ZONE "C" PER F.E.M.A. F.I.R.M. 240010 0560 C.
8. EXISTING ZONING OF SITE AND SURROUNDING PROPERTY: R.C.5
9. UTILITIES SHOWN HEREON ARE PER REFERENCED PLANS.
10. NOT HISTORIC DISTRICT OR SITE.
11. 1" = 200' SCALE MAP # SE 7-I.



30' + TO EXTND'D C.L.
BAUERS FARM ROAD

J.S. DALLAS, INC
Surveying & Engineering
13523 Long Green Pike
Baldwin, MD 21013
(410) 817-4600



SITE PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE
AND UNDERSIZED LOT APPROVAL

8102

NORTH POINT ROAD

(NO SEWER
CONNECTIONS)
SEWER WILL BE PRIVATE

15TH ELEC. DIST.
SCALE: 1" = 50'

7TH COUNC. DIST.

BALTIMORE COUNTY, MD.
AUGUST 25, 2003

Pet #

04-107-A