

IN RE: PETITION FOR ADMIN. VARIANCE
W/S of Holly Circle, 158 ft. S
centerline of Sue Creek Drive
15th Election District
6th Councilmanic District
(106 Holly Circle)

Barbara R. & Earl B. Comegys
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-141-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Barbara R. and Earl B. Comegys. The variance request is for property located at 106 Holly Circle in the eastern area of Baltimore County. The variance request is from Sections 1B01.2.C.4 and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a side yard setback of 4 ft. and a sum of side yard setbacks of 14 ft. for a proposed attached garage in lieu of the minimum required 8 ft. and 20 ft. respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

10/29/03
By: [Signature]

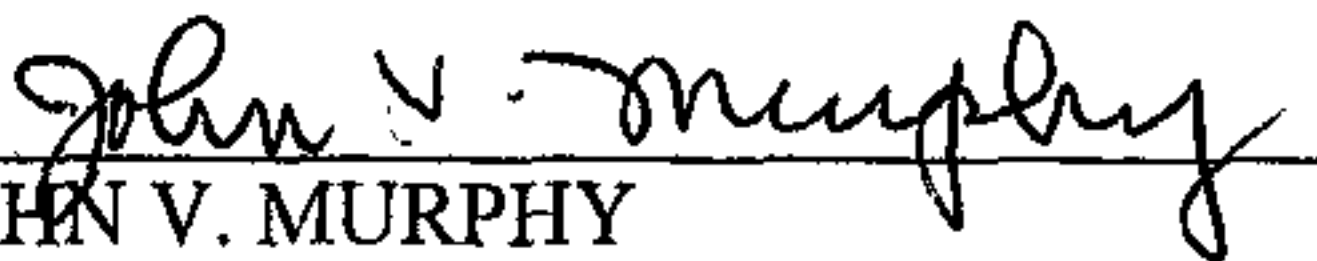
compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Areas and as such, is subject to compliance with the recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) in their Zoning Advisory Committee (ZAC) comment dated October 20, 2003, a copy of which is attached hereto and made a part hereof.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 29 day of October, 2003, that a variance from Sections 1B01.2.C.4 and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a side yard setback of 4 ft. and a sum of side yard setbacks of 14 ft. for a proposed attached garage in lieu of the minimum required 8 ft. and 20 ft. respectively, 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.
2. Compliance with the recommendations made by DEPRM in their ZAC comment dated October 20, 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.


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

10/29/03
R. J. 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 29, 2003

Mr. & Mrs. Earl B. Comegys
106 Holly Circle
Baltimore, Maryland 21221

Re: Petition for Administrative Variance
Case No. 04-141-A
Property: 106 Holly Circle

Dear Mr. & Mrs. Comegys:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative 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 black ink that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

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





C B C A

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 106 Holly Circle

which is presently zoned D.R. 3.S

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) 1801.2C.4, 504

To allow a side yard setback of 4 ft. & a sum of side yard setbacks of 14 ft. for a proposed attached garage in lieu of the minimum required 8 ft. & 20 ft. respectively.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 10/24/03 day of October, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Legal Owner(s):

Earl Brian Comegys

Name - Type or Print

Earl Brian Comegys

Signature

BARBARA RAE COMEGYS

Name - Type or Print

Barbara Rae Comegys

Signature

106 Holly Circle 410 574-7441

Address

Telephone No.

Baltimore MD. 21221

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO.

04-141-A

Reviewed By [Signature]

Date

9-22-03

Estimated Posting Date

10-06-03

REV 10/25/01

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

Address 106 Holly Circle
City Baltimore State MD. Zip Code 21221

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

- 1 HAVE NO BASEMENT door on house.
- 2 CANT HAVE Storage Shed unless attached to house.
- 3 WORK VAN with logo can not be parked in Development.
- 4 I have to store everything in my basement. no outside access.
5. I have a bad knee i have to carry everything outside up my basement stairs

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Earl Brian Comegys
Signature

Earl Brian Comegys
Name - Type or Print

Barbara Rae Comegys
Signature
BARBARA RAE COMEGYS
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16th day of September, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

EARL BRIAN COMEGYS & BARBARA RAE COMEGYS
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public

My Commission Expires 10-01-07

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

106 Holly Circle
Address
Baltimore MD. 21221
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

1. HAVE NO basement door ON house
2. CANT have Storage Shed unless ATTACHED to house
3. WORK VAN WITH LOGO CANNOT BE PARKED in the development
4. I HAVE to store everything in my basement. NO outside ACCESS.
5. I have a bad knee i have to carry everything outside up my basement stairs

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Earl Brian Comegys
Signature

Earl Brian Comegys
Name - Type or Print

Barbara Rae Comegys
Signature

BARBARA RAE COMEGYS
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16th day of September, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

EARL BRIAN COMEGYS & BARBARA RAE COMEGYS
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public

My Commission Expires 10/01/07



C B C A

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 106 Holly Circle
which is presently zoned D.R. 3.5

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 B O. 2. C. 4. 504

To allow a side yard setback of 4 ft & a sum of side-yard setbacks of 14 ft for a proposed attached garage in lieu of the minimum required 8 ft & 20 ft respectively.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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 Brian Comegys
Name - Type or Print _____

Earl Brian Comegys
Signature _____

BARBARA RAE COMEGYS
Name - Type or Print _____

Barbara Rae Comegys
Signature _____

106 Holly Circle 410 574-7441
Address _____ Telephone No. _____

Baltimore MD. 21221
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 04-141-A

REV 10/25/01

Reviewed By [Signature] Date 9-22-03

Estimated Posting Date 10-06-03

EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - **DO NOT USE THIS FORM FOR "FILL-IN THE BLANK"**. Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 106 Holly Circle
(address)

Beginning at a point on the West side of
(north, south, east or west)

Holly Circle which is 50 ft
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 158 ft South of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Sue Creek Drive
(name of street)

which is 50 ft wide. *Being Lot # 129
(number of feet of right-of-way width)

Block _____, Section # _____ in the subdivision of Sue Creek Land
(name of subdivision)

as recorded in Baltimore County Plat Book # 48, Folio # 0009,

containing 6477. Also known as 106 Holly Circle
(square feet or acres) (property address)

and located in the 15th Election District, 6 Councilmanic District.

#141

*If your property is not recorded by Plat Book and Folio Number.

Barbara R. Comegys
Earl B. Comegys
106 Holly Circle
Baltimore, MD 21221

4191

65-320/550
BRANCH 97314

9-22-03

Day to the
Order of Baltimore County, MD \$ 65.00

Sixty Five and 00/100 Dollars

FIRST UNION National Bank
055003201

For For Variance paperwork Earl B Comegys MP

055003201 1034604808783 4191

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. 28104
04-141-A

DATE 9-22-03 ACCOUNT R-001-006-6150

AMOUNT \$ 65.00

RECEIVED FROM: Mr. Earl B. Comegys

FOR: Residential Variance Filing Fee for
106 Holly Circle (21221).

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

MAN ON
CATCHES
RAINING

CERTIFICATE OF POSTING

RE: Case No.: 04-141-A

Petitioner/Developer: EARL B.

COMEGYS

Date of Hearing/Closing: 10/21/03

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 penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

106 HOLLY CIRCLE

The sign(s) were posted on 10/5/03
(Month, Day, Year)

Sincerely,

[Signature] 10/5/03
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

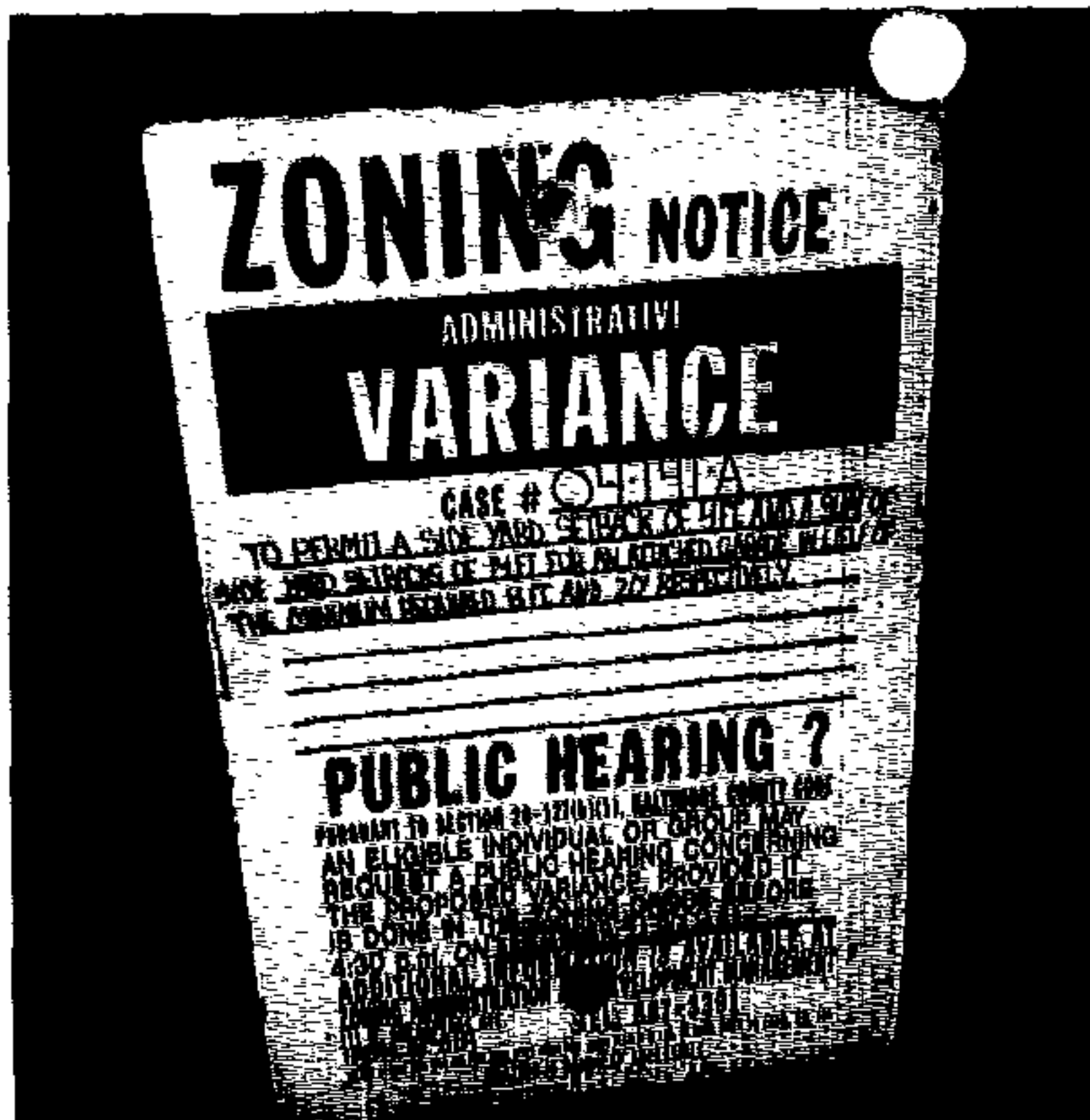
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 04 -141 -AAddress 106 Holly CircleContact Person: John Sullivan
Planner Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 9-22-03 Posting Date: 10-06-03 Closing Date: 10-21-03

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.

DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.

ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.

POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 04 -141 -AAddress 106 Holly CirclePetitioner's Name Earl B. ComegysTelephone 410-574-7441Posting Date: 10-06-03Closing Date: 10-21-03Ordering for Sign: To Permit A sideyard setback of 4 ft. and a sum of
Sideyard setbacks of 14 ft. for an attached garage in lieu
of the minimum required 8 ft and 20 ft, respectively

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: 04-141-A

Petitioner: Mr. & Mrs. Earl B. Comegys

Address ^{and} Location: 106 Holly Circle

PLEASE FORWARD ADVERTISING BILL TO:

Name: Same

Address: _____

Balto, Md. 21221

Telephone Number: 410-574-7441

**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 20, 2003

Mr. & Mrs. Earl Brian Comegys
106 Holly Circle
Baltimore, Maryland 21221

RE: Case Number 04-141-A 106 Holly Circle

Dear Mr. & Mrs. Comegys:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 6 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:rjc

Enclosures

c: People's Counsel

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





**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

October 7, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: October 7, 2003

Item No.: 130 - (141) 143, 144, 147 - 150

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





State Highway
Administration

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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10.2.03

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

RE: Baltimore County
Item No. 141 JJS

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 410.545.0900 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

DATE: October 20, 2003

TO: Tim Kotroco

FROM: R. Bruce Seeley *RBS/TGT*

DATE: October 20, 2003

SUBJECT: Zoning Item 04-141
Address 106 Holly Circle (Comegys Property)

RECEIVED

OCT 24 2003

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of October 6, 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).

Additional Comments:

Reviewer: Keith Kelley

Date: 10/16/03

10/29/03
R. Seeley

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 16, 2003

RECEIVED

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

OCT 24 2003

SUBJECT: Zoning Advisory Petition(s): Case 04-141, 04-148, and 04-157
Administrative Variances

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 L. Latham

AFK/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 12, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For October 13, 2003
Item No. 141

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

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above flood plain elevation.

RWB:CEN:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
402 1/2 & 404 Railroad Avenue; E.side
Railroad Ave, 275' S of E Pennsylvania Ave* ZONING COMMISSIONER
9th Election & 5th Councilmanic Districts
Legal Owner(s): David Sann, Development * FOR
Officer, St. Ambrose Housing Aid Ctr, Inc
Petitioner(s) * BALTIMORE COUNTY
* 04-131-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 documentation filed in the case.

RECEIVED

OCT 09 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 9th day of October, 2003, a copy of the foregoing Entry of Appearance was mailed to David Sann, St. Ambrose, 321 E. 25th Street, Baltimore, MD 21218 & to Kathleen Shulhey Staff Attorney, St. Ambrose Housing Aid Ctr, 321 E. 25th Street, Baltimore, MD 21218, Attorney for Petitioner(s).

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

1B01.2.C.3 SETBACKS FROM STREET CENTERLINES

- a. Paper Streets -- Unimproved (paper) streets shall be considered the same as existing (improved) streets. The applicant has the option of either petitioning for a variance or a road closing. To initiate a road closing procedure, a person should contact:

Law Office 887-4420
Bureau of Land Acquisition 887-3252

- b. Road Widening - Existing Lots -- When the County or State widens a road right-of-way that adjoins a lot and the setbacks and/or the lot area become deficient or the deficiency is increased by the taking, then the following applies:

1. If the lot is "a lot of record" as defined in B.C.Z.R. unimproved and considered buildable (area-wise) prior to the taking, the area will be considered nonconforming after the taking. However, all structures and uses must meet the setbacks required in the current zoning regulations.
2. If the lot is improved with a structure, then any deficiencies (inclusive of height, setback and/or area) that are created by the taking will be considered nonconforming.

1B01.2.C.4 MINIMUM AREA STANDARDS IN RESIDENTIAL TRANSITION AREAS for subdivisions approved from September 19, 1970 to September 25, 1981 (adoption of Bill 100-70 until Repeal by Bill 124-81) - Dwellings (no other principal building permitted) and accessory buildings in residential transition areas, if designated under Subparagraph 1B01.1.B.1 as Group I, Group II, or Group III uses, shall be situated on lots in accordance with the standards set forth in the table below and with the provisions of Section 400, respectively. No more than one principal building shall be situated on any lot in such a residential transition area.

Residential Transition Uses to Which Lot is Limited under Subparagraph B.1 of Subsection 1B01.1	Zone Within Which Adjacent Dwelling or Lot is Situated	Minimum Standards for Dwelling Permitted					
		Minimum Lot Area, in Square Feet	Minimum Lot Width, in Feet	Minimum Distance from Building to Centerline of Any Street, in Feet	Minimum Rear-Yard Depth, in Feet	Minimum Width of Any Side Yard (Exception Otherwise Provided, as on a Corner Lot), in Feet	Minimum Sum of Widths of Side Yards for Any Detached Building
Group I uses	D.R. 1	25,000	125	75	50	20	50
" " "	D.R. 2	13,000	90	65	40	15	30
" " "	D.R. 3.5	7,500	70	55	30	10	25
" " "	D.R. 5.5	5,700	55	50	30	8	20
Group II or Group III uses	D.R. 1 D.R. 2 D.R. 3.5 D.R. 5.5 D.R. 10.5	Two-Family Detached Dwelling	Two-Family Detached Dwelling	30	30	One- or Two-Family Detached Dwelling	20
		One-Family Detached Dwelling	One-Family Detached Dwelling			One-Family Semidetached Dwelling	
		One-Family Semidetached Dwelling	One-Family Semidetached Dwelling			Group House, or Group-House Apartment Building	
		Group House	Group House				
		Group-House Apartment Building	Group-House Apartment Building				
		per dwelling unit	per dwelling unit				
		70	55				
		55	35				
		35	20				
		20	25				
		per dwelling unit	per dwelling unit				

Provided, however, that alternative standards of lot or side-yard width may be applied to non-rectangular lots if such standards have been adopted under the authority of Section 504. (Bill No. 100, 1970.)

For ZC's
File

#141

Case # 04-141-A

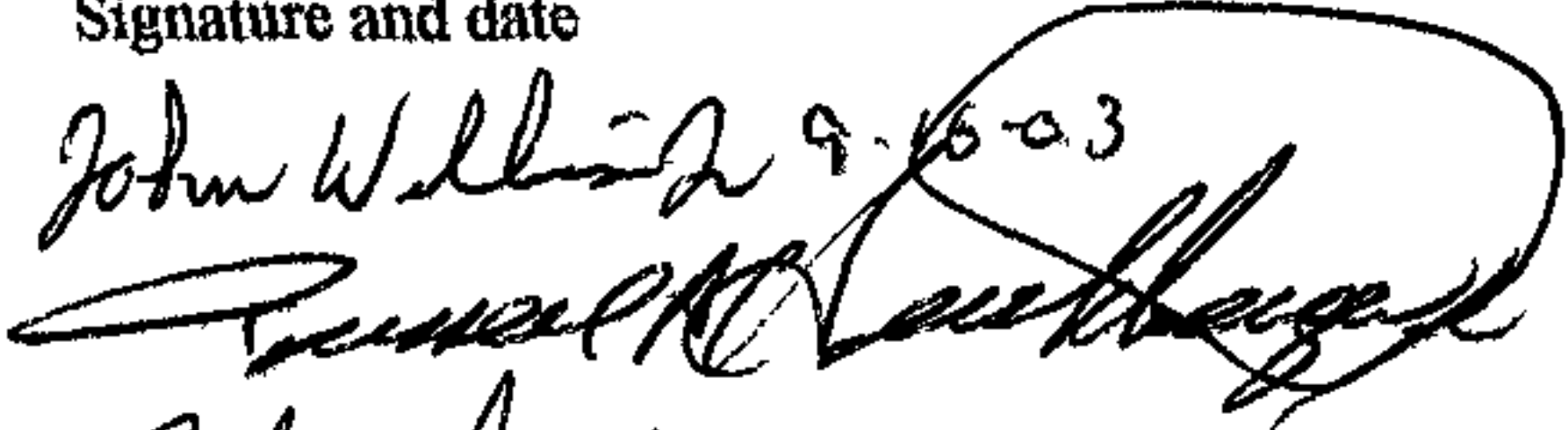
9-15-03

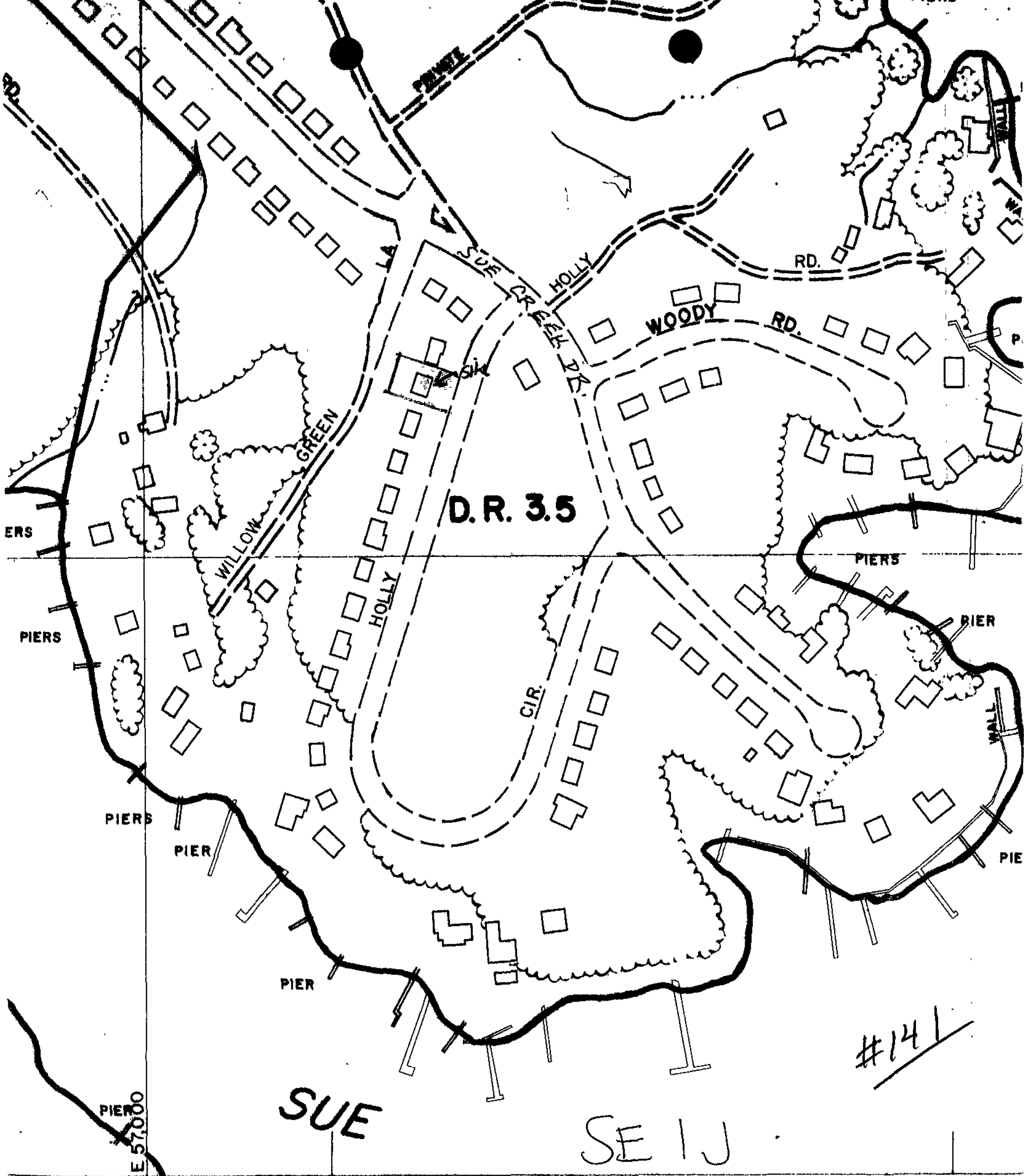
Petition for a proposed garage at 106 Holly Circle

Property owners Earl & Barbara comeegys are applying for a variance from the state of Maryland at our property at 106 Holly Circle. This is for a proposed garage being 16foot wide by 24 foot long . This will be built on the side of our house between our lot 129 and 128 being 108 Holly circle. only sign if not opposed to the above mentioned garage at our property address. The final approval for this variance will be from the Baltimore county zoning commission after all of our application information is processed.

Signature and date

Property address

John Walling 9-16-03	105 Holly Circle
	108 Holly Circle
John Boci 9-16-03	107 Holly Circle
Mr. & Mrs. James Ruggieri 9-17-03	104 Holly Circle
Robt S. Adler 2007 Sue Creek Ave 21221	
Debbie Adler 2007 Sue Creek Dr. 21221	



MORE COUNTY LANNING AND ZONING

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 106 Holly Circle

SUBDIVISION NAME Sue Creek Landing

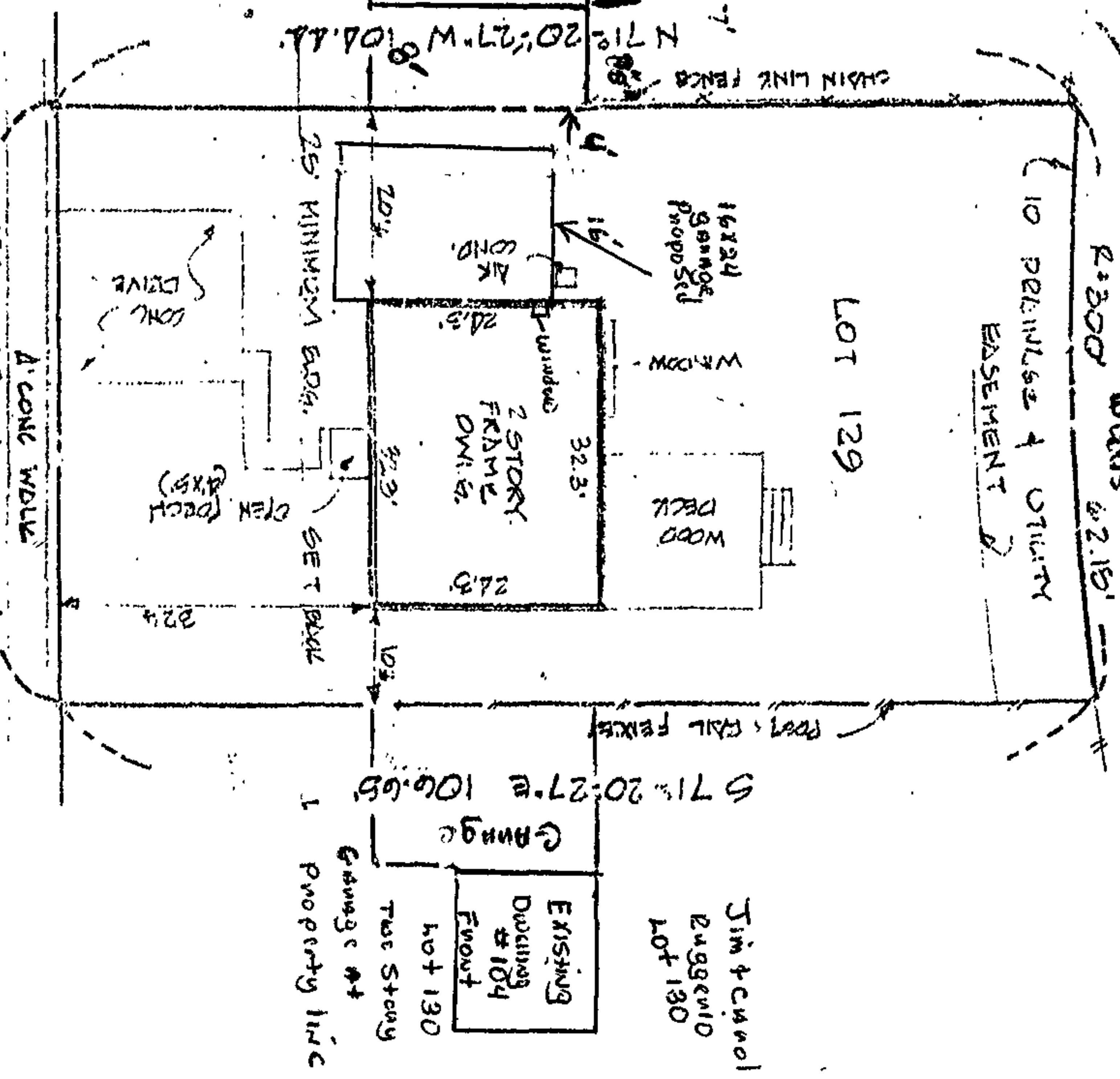
PLAT BOOK # 48 FOLIO # 09 LOT # 129 SECTION #

OWNER Egan and Barbara Comqay



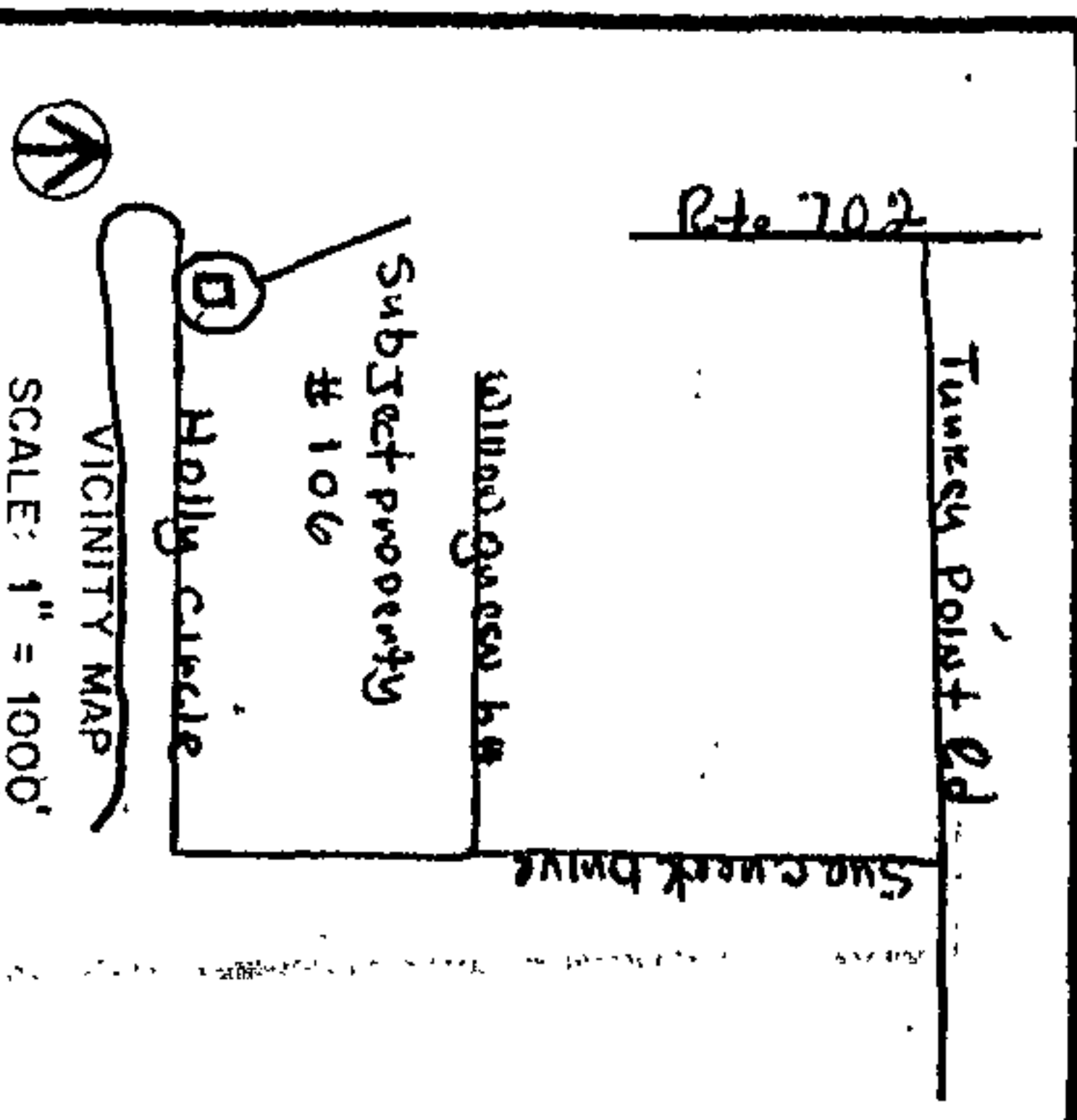
NORTH

PREPARED BY



← Holly Circle →

SCALE OF DRAWING: 1" = 20'



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 06

1" = 200' SCALE MAP # SE 1 J

ZONING DR 3.5

LOT SIZE 0.1486

ACREAGE

SQUARE FEET

PUBLIC PRIVATE

SEWER ☒ WATER ☒

CHESAPEAKE BAY CRITICAL AREA

100 YEAR FLOOD PLAIN

HISTORIC PROPERTY/ BUILDING

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY

REVIEWED BY

ITEM #

CASE #



Prop. attached garage

#141

106

Prop. Attached
garage



Prop
gavay

100

