

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE
NW/S of Corsica Road,
corner NE/S of Miles Road
15th Election District
5th Councilmanic District
(2206 Corsica Road)

Middleborough, LLC
By: Joseph N. D'Anna
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-214-SPHA

*

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner on a Petition for Variance and Petition for Special Hearing for the property located at 2206 Corsica Road in the eastern area of Baltimore County. The Petition was filed by Middleborough, LLC, by Joseph N. D'Anna, legal owners of the property. Special Hearing relief is requested pursuant to the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure larger in area than the principal structure. In addition, variance relief is requested from Section 400.3 of the B.C.Z.R., to allow an accessory building to be 21 ft. high in lieu of the permitted 15 ft.

The property was posted with Notice of Hearing on December 6, 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 December 4, 2003 to notify any interested persons of the scheduled hearing date.

Notice is taken that the property, which is the subject of these special hearing and variance requests, consists of 2.897 acres, more or less., and is zoned D.R.3.5.

Applicable Law

Section 500.7 of the B.C.Z.R. *Special Hearings*

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power

RECEIVED
12/22/03
R. D'Anna

given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

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 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 Comments are made part of the record of this case and contain the following highlights. ZAC comments were received from the Department of Environmental Protection & Resource Management (DEPRM) dated November 13, 2003, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing and variance relief was David Billingsley and Joseph D’Anna, member of Petitioner LLC. No protestants or citizens attended the hearing. People’s Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

ORDER RECEIVED FOR FILING

Date

12/22/03

By

P. R. Zimmerman

Testimony and Evidence

The subject property is the site of the former Middleborough Inn, the existing structures of which are the cause of these requests. Mr. D'Anna purchased the former inn to be used as his residence. Toward that end, he is presently constructing a large log home on the site, which is shown in yellow on Petitioners' Exhibit No. 1, and in photographs marked Petitioners' Exhibit No. 2. A portion of the old inn has been raised to allow the new home to be built.

However, he discovered that portions of the former inn were structurally sound and could be used effectively for family purposes. For example, there is 40 ft. x 41 ft. building shown in blue on Petitioner's Exhibit No. 1 which he would like to use for recreational purposes such as a meeting place for boy scouts. The existing entrance to the former inn has a large fireplace, which again he would like to maintain for family gatherings. Finally, there is an existing 43 ft. x 65 ft. structure that he found to have a sound roof but which no longer has walls. He would like to maintain the roof structure and eventually build a pool beneath it.

Each of the existing structures are contiguous and have roofs exceeding the allowed height of the 15 ft. for accessory structures. The highest peak is 21 ft. high and testimony indicated that it would be a hardship and present practical difficulty to drop the roof height of these existing structures to meet the B.C.Z.R. In addition, the total area of the three existing structures is 5,644 sq. ft. while the new home is "only" 4,060 sq. ft. Thus, the Petitioner is requesting a special hearing to allow an accessory structure larger than the principal building. The reason again is that these are existing buildings. Testimony and evidence indicated that granting the special hearing would not adversely affect the health safety or welfare of the surrounding community. In fact this 2.9 acre lot could have been developed into eight lots as presently zoned but as proposed will replace a restaurant with a single family home and accessory structures.

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 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 was requested. Furthermore, I find that this 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. Therefore I will grant the variance requested.

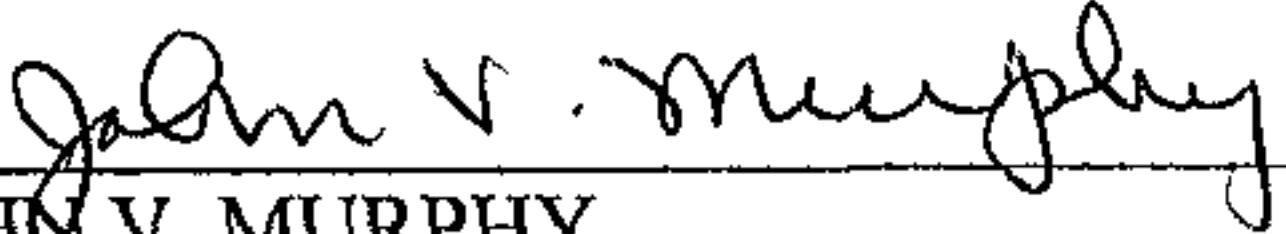
I further find that the request to allow an accessory structure larger than the principal structure can be granted without detriment to the health safety and welfare of the surrounding community. Consequently I will approve the special hearing request.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 22 day of December, 2003, that the Petitioners' request for relief pursuant to the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure larger in area than the principal structure, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the variance relief requested from Section 400.3 of the B.C.Z.R., to allow an accessory building to be 21 ft. high in lieu of the permitted 15 ft., 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. The Petitioner must comply with the recommendations made by DEPRM in their ZAC comment dated November 13, 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

ORDER RECEIVED FOR FILING

Date

12/22/03

By



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

December 22, 2003

Middleborough, LLC
c/o Joseph N. D'Anna
2210 Corsica Road
Baltimore, Maryland 21221

Re: Petition for Special Hearing & Variance
Case No. 04-214-SPHA
Property: 2206 Corsica Road

Dear Mr. D'Anna:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing and variance have 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 & 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

c: David Billingsley
Central Drafting & Design, Inc.
601 Charwood Court
Edgewood, MD 21040

Peggy Kasten
Middleborough Community Assn.
1710 Middleborough Road
Baltimore, MD 21221

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





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2206 CORSICA ROAD
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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

AN ACCESSORY STRUCTURE LARGER IN AREA THAN THE PRINCIPAL STRUCTURE

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

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

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):

MIDDLEBOROUGH, LLC
Name - Type or Print _____
x [Signature]
Signature _____
Joseph M D'Anna
Name - Type or Print _____

Signature _____
2210 CORSICA ROAD (410) 682-3433
Address _____ Telephone No. _____
BALTIMORE MD. 21221
City _____ State _____ Zip Code _____

Representative to be Contacted:
DAVID BILLINGSLEY
CENTRAL DRAFTING AND DESIGN, INC.
Name _____
601 CHARWOOD CT. (410) 679-8719
Address _____ Telephone No. _____
EDGEWOOD MD 21040
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D. THOMPSON Date 10/30/03

Case No. 04-214-SPHA

Karen L. Morales
Notary - City of Baltimore
My commission expires 10/01/06

BRIEF TO ACCOMPANY PETITION FOR SPECIAL HEARING AND VARIANCE

2206 CORSICA ROAD

The owner / petitioner purchased the subject property, which was the site of the Middleborough Inn restaurant, intending to raze the existing restaurant building and constructing a single family residence.

During demolition of the restaurant building, the petitioner / owner found the construction of much of the building to be sound and would prefer to retain a substantial portion of the structure for residential storage and recreational purposes.

04-214-SPHA



CBC Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2206 CORSICA ROAD

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)

400.3 TO ALLOW AN ACCESSORY BUILDING 21 FEET HIGH IN LIEU OF THE PERMITTED 15 FEET.

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

SEE ATTACHED BRIEF

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 _____ City _____

Signature _____

Company _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Legal Owner(s):

MIDDLEBOROUGH, LLC

Name - Type or Print _____

Signature _____

Joseph N O'Anna

Signature _____

2210 CORSICA ROAD (410)682-3433

Address _____ Telephone No. _____

BALTIMORE MD. 21221

City _____ State _____ Zip Code _____

Representative to be Contacted:

**DAVID BILLINGSLEY
CENTRAL DRAFTING AND DESIGN, INC.**

Name _____

601 CHARWOOD CT. (410)679-8719

Address _____ Telephone No. _____

EDGEWOOD MD. 21040

City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By D. THOMPSON Date 10/30/03

NOV 9/15/98

David L. Morales

Notary - City of Baltimore

my commission expires 10/01/06

ORDER RECEIVED FOR FILING
10/22/03

Case No. OH-214-SPHA

BRIEF TO ACCOMPANY PETITION FOR SPECIAL HEARING AND VARIANCE

2206 CORSICA ROAD

The owner / petitioner purchased the subject property, which was the site of the Middleborough Inn restaurant, intending to raze the existing restaurant building and constructing a single family residence.

During demolition of the restaurant building, the petitioner / owner found the construction of much of the building to be sound and would prefer to retain a substantial portion of the structure for residential storage and recreational purposes.

DESCRIPTION TO ACCOMPANY PETITION FOR SPECIAL HEARING AND VARIANCE

2206 CORSICA ROAD

Beginning at a point formed by the intersection of the north side of Corsica Road (40 feet wide) with the east side of Miles Road (30 feet wide) thence along the east side of Miles Road (1) N 24° 03' 52" W 240.01 feet thence (2) N 65° 56' 21" E 215.00 feet (3) N 24° 03' 29" W 75.00 feet (4) N 65° 56' 17" E 120.00 feet (5) S 87° 37' 54" E 116.49 feet (6) S 55° 57' 18" E 200.38 feet (7) S 48° 16' 14" W 134.38 feet (8) S 05° 54' 36" E 55.00 feet (9) S 65° 55' 33" W 24.73 feet (10) N 24° 03' 24" W 50.01 feet (11) S 65° 55' 42" W 50.00 feet (12) S 24° 03' 03" E 49.99 feet to the north side of Corsica Road, thence binding thereon (13) S 65° 56' 24" W 325.26 feet to the place of beginning. Containing 2.897 acres of land, more or less.

Being located in the 15TH Election District, 5TH Councilmanic District of Baltimore County, Maryland



04-214-SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **30406**

DATE 10/30/03 ACCOUNT 0010066150

AMOUNT \$ 130.00

RECEIVED FROM DAVE BILLINGSLEY

FOR ITEM # 214 04-214-SPHA

2206 CORSICA RD D. THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS DATE TIME
10/30/2003 10/30/2003 10:17:51
REG. NO. 4 WALKIN DOD DOD
RECEIPT # 247846 10/30/2003
Dept. 5 520 ZIMMER VERIFICATION
CR. NO. 030406
Receipt Tot \$130.00
\$130.00 CR \$130.00
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: #04-214-SPHA
2206 Corsica Road

West side of Corsica Road, northeast side of Miles Road
15th Election District - 6th Councilmanic District

Legal Owner(s): Middleborough, LLC, Joseph D'Anna

Special Hearing: to permit an accessory structure larger in area than the principal structure.

Variance: to allow an accessory building 21 feet high in lieu of the permitted 15 feet.

Hearing(s): Monday, December 22, 2003 at 9:00 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.

12/01/03 Dec. 4

C639742

CERTIFICATE OF PUBLICATION

12/4/, 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 12/4/, 2003.

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

J. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 04-214-SPHA

Petitioner/Developer: MIDDLEBOROUGH
LLC, JOSEPH D'ANNA

Date of Hearing/Closing: 12/22/03

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:

2206 CORSICA RD

The sign(s) were posted on

12/6/03

(Month, Day, Year)

Sincerely,

[Signature]
(Signature of Sign Poster)

12/6/03
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

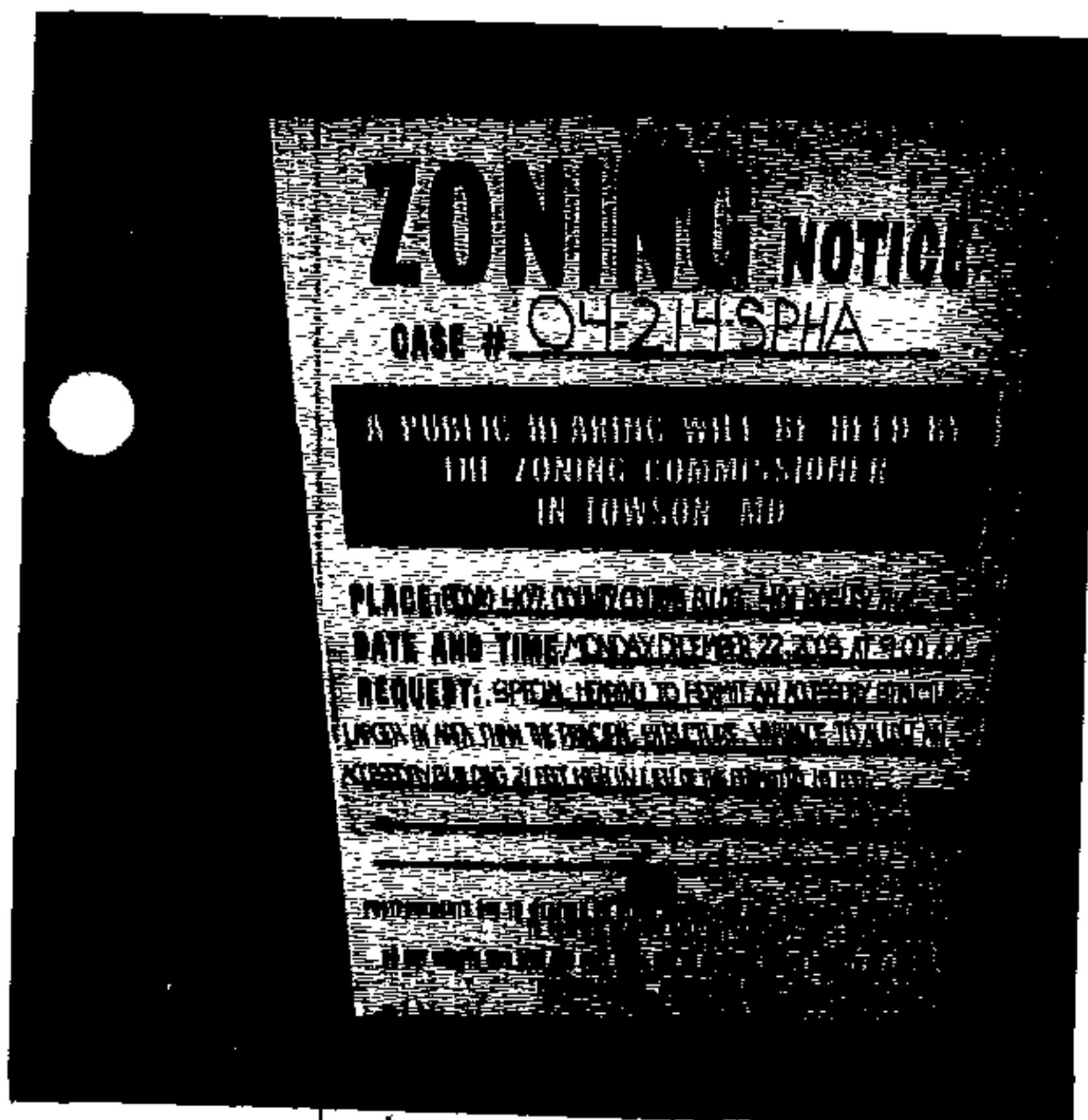
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
2206 Corsica Road; NW/side Corsica * ZONING COMMISSIONER
Road, corner NW/side Miles Road *
15th Election & 6th Councilmanic Districts * FOR
Legal Owner(s): Middleborough LLC, *
Joseph N D'Anna * BALTIMORE COUNTY
Petitioner(s) * 04-214-SPHA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

RECEIVED

NOV 10 2003

Per.....*klm*

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 10th day of November, 2003, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, Central Drafting and Design, Inc, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 4, 2003 Issue - Jeffersonian

Please forward billing to:
Joseph N. D'Anna
2210 Corsica Road
Baltimore, MD 21221

410682-3433

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: 04-214-SPHA

2206 Corsica Road

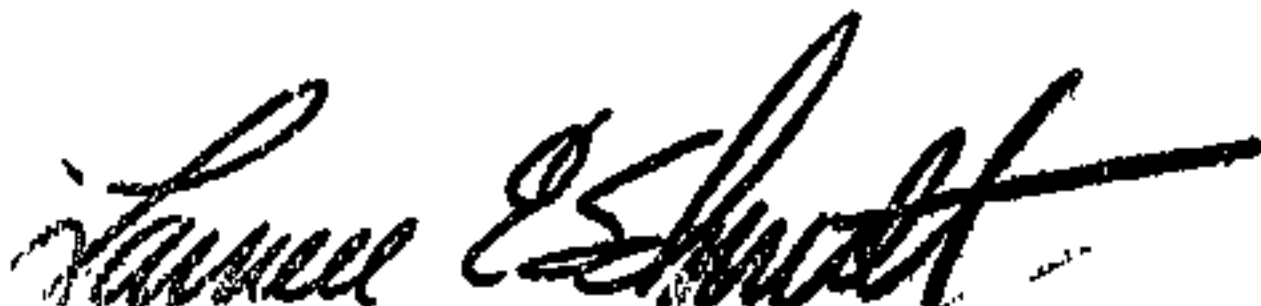
N/west side of Corsica Road, northeast side of Miles Road

15th Election District – 6th Councilmanic District

Legal Owners: Middleborough, LLC, Joseph D'Anna

Special Hearing to permit an accessory structure larger in area than the principal structure. Variance to allow an accessory building 21 feet high in lieu of the permitted 15 feet.

Hearings: Monday, December 22, 2003, at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

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**

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



Baltimore County

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

November 13, 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: 04-214-SPHA

2206 Corsica Road

N/west side of Corsica Road, northeast side of Miles Road

15th Election District – 6th Councilmanic District

Legal Owners: Middleborough, LLC, Joseph D'Anna

Special Hearing to permit an accessory structure larger in area than the principal structure. Variance to allow an accessory building 21 feet high in lieu of the permitted 15 feet.

Hearings: Monday, December 22, 2003, at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: David Billingsley, Central Drafting and Design, Inc., 601 Charwood Court, Edgewood 21040
Middleborough, LLC, Joseph D'Anna, 2210 Corsica Rd., Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, DECEMBER 6, 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



**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: ON-214-SPHA

Petitioner: D'ANNA

Address or Location: 2206 CORSICA RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. JOSEPH N. D'ANNA

Address: 2210 CORSICA RD.

BALTO. MD 21221

Telephone Number: 410-682-3433



Baltimore County
Department of Permits and
Development Management

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

December 19, 2003

Middleborough, LLC
Joseph N. O' Anna
2210 Corsica Road
Baltimore, MD 21221

Dear Mr. O' Anna:

RE: Case Number:04-214-SPHA, 2206 Corsica Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 30, 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, appearing to read "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel
David Billingsley , 601 Charwood Court, Edgewood 21040

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



Printed with Soybean Ink
on Recycled Paper



**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

November 12, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: November 10, 2003

Item No.: 207-210, 213-²¹⁴219

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 21, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For November 17, 2003
Item Nos. 207, 208, 209, 210, 212,
213, 214, 216, 217, 218, and 219

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley *RBS*

DATE: November 13, 2003

SUBJECT: Zoning Item # 04-214SPHA
Address 2206 Corsica Road
Middleborough Inn

Zoning Advisory Committee Meeting of November 10, 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: November 13, 2003



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11.10.03

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

RE: Baltimore County
Item No. 214 DT

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,

K.A. 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

December 17, 2003

MEMO TO: ZONING COMMISSIONER

FROM: Donna Thompson, Planner

PLEASE SEND A COPY OF THE ORDER TO:

Ms. Peggy Kasten
Middleborough Community Association
1710 Middleborough Rd.
Baltimore, MD 21221
410-687-2024

CASE NAME Z206 CORSIKA ROAD
CASE NUMBER 04-214-SPHIA
DATE 12/22/03

[illegible]



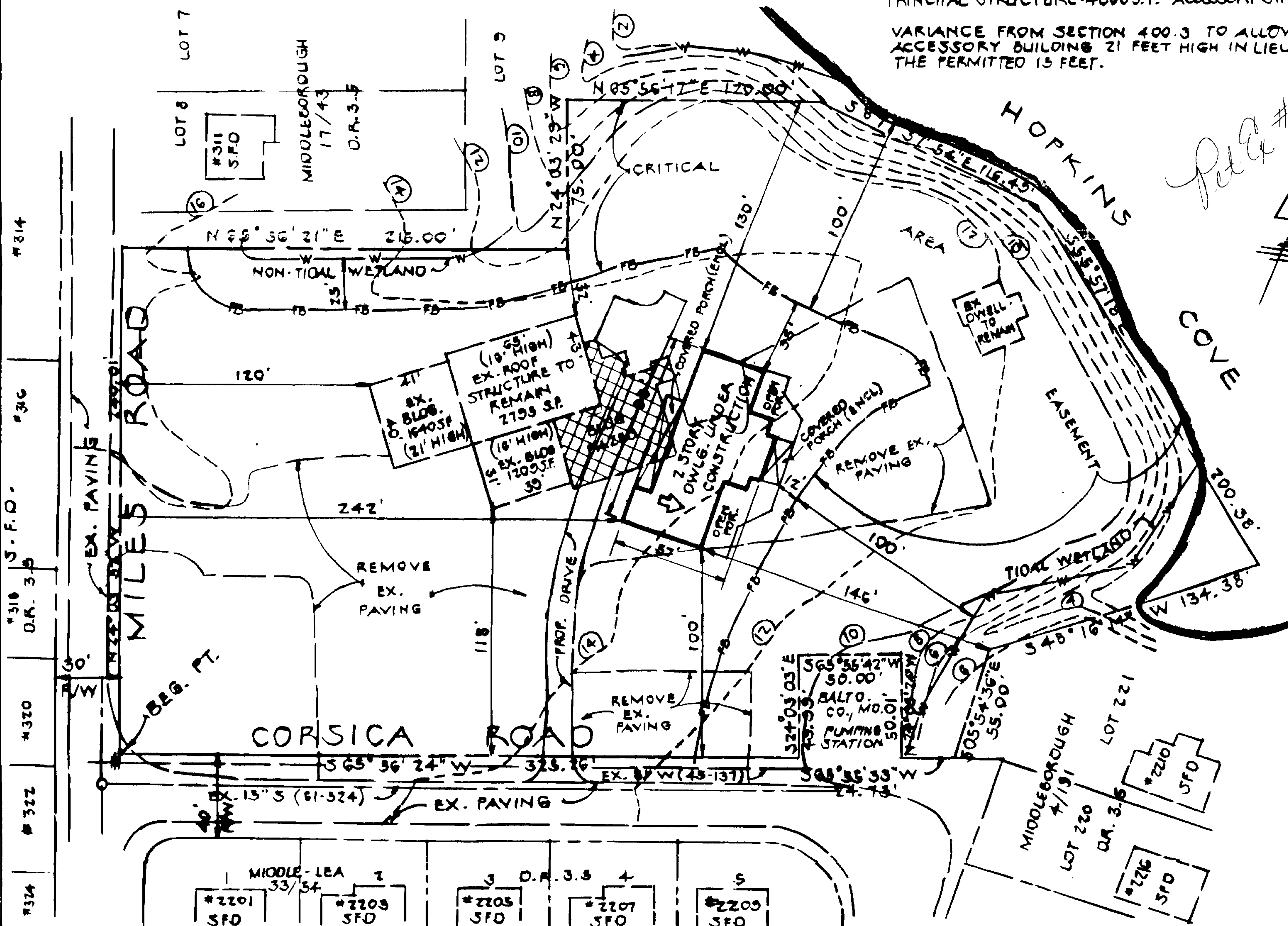


61-211-SP44

NOTES:

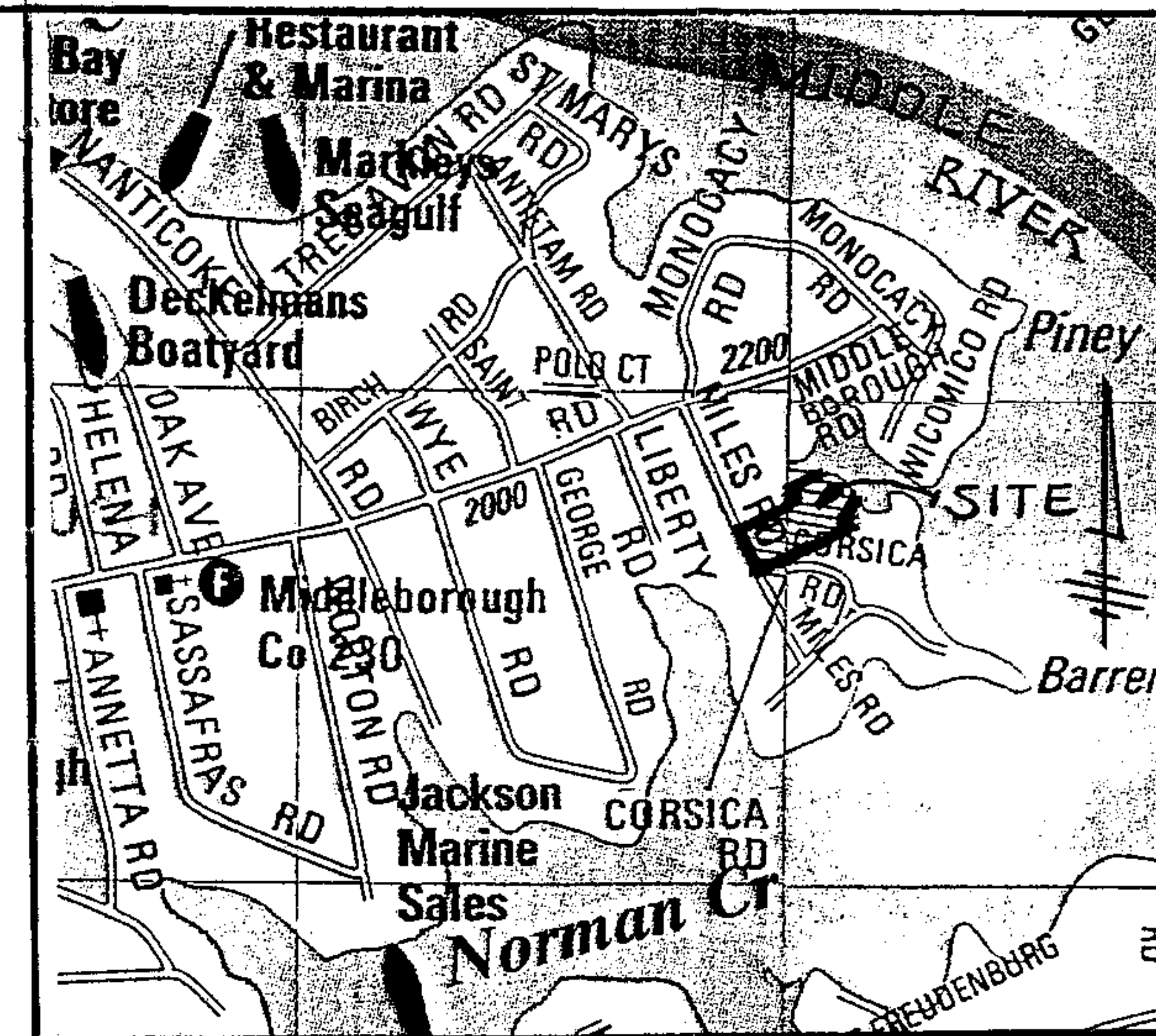
1. ZONING - D.R. 3.5 (MAP N.E. 1-J)
2. AREA: 2.897 AC. ±
3. SITE IS LOCATED WITHIN THE COCA (LOA)
4. A PORTION OF THIS SITE IS LOCATED IN THE 100 YEAR TIDAL FLOODPLAIN AND FLOOD ZONE 'A' ALL IMPROVEMENTS SHALL COMPLY WITH STANDARDS FOR CONSTRUCTION IN A TIDAL FLOODPLAIN.
5. PUBLIC WATER AND SEWER EXIST.

VARIANCE FROM SECTION 400.3 TO ALLOW AN ACCESSORY BUILDING 21 FEET HIGH IN LIEU OF THE PERMITTED 15 FEET.



PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING AND VARIANCE
2206 CORSICA ROAD
ELECTION DISTRICT 15, C-5
BALTIMORE COUNTY, MD.
SCALE: 1" = 40' OCTOBER 14, 2003

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719



LOCATION PLAN
SCALE: 1" = 1000'

- NOTES:
1. ZONING - D.R. 3.5 (MAP N.E.1-J)
 2. AREA: 2.897 AC. ±
 3. SITE IS LOCATED WITHIN THE CBCA (LOA)
 4. A PORTION OF THIS SITE IS LOCATED IN THE 100 YEAR TIDAL FLOODPLAIN AND FLOOD ZONE 'X'. ALL IMPROVEMENTS SHALL COMPLY WITH STANDARDS FOR CONSTRUCTION IN A TIDAL FLOODPLAIN.
 5. PUBLIC WATER AND SEWER EXIST.

OWNER:
MIDDLEBOROUGH, LLC
A MARYLAND LIMITED
LIABILITY COMPANY
2210 CORSICA ROAD
BALTO. MD. 21221 (410) 682-3433
DEED REF. L.16556 F.742
ACCT. NO. 1518350371
1508650770

SPECIAL HEARING TO APPROVE ACCESSORY STRUCTURE
LARGER IN AREA THAN THE PRINCIPAL STRUCTURE
PRINCIPAL STRUCTURE = 4060 S.F. ACCESSORY STRUCTURE = 3644 S.F.

VARIANCE FROM SECTION 400.3 TO ALLOW AN
ACCESSORY BUILDING 21 FEET HIGH IN LIEU OF
THE PERMITTED 15 FEET.

