

IN RE: PETITION FOR VARIANCE

E/S of Shady Nook Avenue, 175 ft. Lot #11
SE centerline of Paradise Avenue
1st Election District
1st Councilmanic District
(400 Shady Nook Avenue)

Sauter & Lloyd Companies, L.L.C.
Petitioners

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 04-264-A

*

* * * * *

ORDER OF DISMISSAL

WHEREAS, this matter came before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Sauter & Lloyd Companies, L.L.C. The variance request involved property located at 400 Shady Nook Avenue in the Catonsville area of Baltimore County. The Petitioner requested a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a lot width of 47 ft. in lieu of the required 55 ft.

WHEREAS, a hearing was held in this matter on February 11, 2004. Thereafter, a facsimile was received in this office on February 20, 2004 from Petitioner's attorney, Nancy Haas, Esquire notifying this office that the Petitioner "hereby withdraws the Zoning Variance in Case No. 04-264-A".

IT IS THEREFORE, ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 23 day of February, 2004, that the hereinabove Petition for Variance, be and is hereby WITHDRAWN and DISMISSED, without prejudice; and

ORDER RECEIVED FOR FILING

Date

2/23/04

By

R. J. Gorman

IT IS FURTHER ORDERED, that in any future petition for approval of this property as an undersized lot, the zoning history shall contain a notation that the "six year rule" of Section 304 of the Zoning Commissioners Policy Manual may apply to this lot



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 2/23/07
By PL Quast

Orders sent
to: ① 3 Protestants
② Lauter & Lloyd
2/23/07
Ry

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

February 23, 2004

Nancy Haas, Esquire
Abramhoff, Neuberger & Linder, LLP
250 W. Pratt Street, Suite 600
Baltimore, Maryland 21201

Re: Petitions for Variance
Case Nos. 04-264-A & 04-265-A
Property: 400 Shady Nook Ave. & 402 Shady Nook Ave.

Dear Ms. Haas:

Enclosed please find the Orders of Dismissal regarding the above-captioned cases.

Should you have any questions or require any additional information concerning these matters, please feel free to contact this office at 410-887-3868.

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





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 400 Shady Nook Ave
which is presently zoned DR 5.5

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 B02.3.C.1 BC2R

To permit a lot width of 47' in lieu of the required 55'.

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

Lots were created in 1926 and do not meet
current zoning requirements

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):

☒ Sauter + Lloyd Companies L.L.C.

Name - Type or Print

Signature

Name - Type or Print

Signature

P.O. Box 1496 (cell) 410-984-6776
Address Telephone No. (h) 410-461-2007

Ellicott City MD 21041
City State Zip Code

Representative to be Contacted:

Ronny Lloyd or Ronald Sauter

Name

P.O. Box 1496 410-461-2007
Address Telephone No.

Ellicott City MD 21041
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By BR/JF Date 11/26/03

Case No. 04-264-A

ORDER RECEIVED FOR FILING
Date 11/23/04
By [Signature]

ZONING DESCRIPTION

Zoning Description For 400 Shady Nook Avenue

Beginning at a point on the East side of Shady Nook Avenue which is 40 feet wide at the distance of 175 feet southeast of the centerline of the nearest improved intersecting street Paradise Avenue which is 50 feet wide. Being Lot # 11, in the subdivision of Craigie Burn as recorded in Baltimore County Plat Book # 7, Folio 4, containing, 7,500 square feet. Also known as 400 Shady Nook Avenue and located in the 1st Election District, 1st Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 31021

DATE

11/16/10

ACCOUNT

Room 206-6154

RECEIVED
FROM

City of Baltimore LLC

AMOUNT

\$ 65.00

FOR

County of Baltimore

(City of Baltimore, Wash. Ave.)

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item #264

PAID RECEIPT

PAID TO

DATE

11/16/10

AMOUNT

\$ 65.00

RECEIVED BY

11/16/10

11/16/10

11/16/10

11/16/10

11/16/10

11/16/10

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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: #04-284-A

400 Shady Nook Avenue

E/side of Shady Nook Avenue at the distance of 175 feet
Lot #11, southeast of the centerline of Paradise Avenue

1st Election District -- 1st Councilmanic District

Legal Owner(s): Sauter & Lloyd Companies, LLC, Ronny
Lloyd & Ronald Sauter, Members

Variance: to permit a lot width of 47 feet in lieu of the re-
quired 55 feet.

Hearing: Wednesday, February 11, 2004 at 9:00 a.m. in
Room 106, County Office Building, 111 W. Chesapeake
Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for
special accommodations Please Contact the Zoning Com-
missioner'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 1/770 Jan. 27

C646704

CERTIFICATE OF PUBLICATION

1/30/2004

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 1/27/2004.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Date: January 26, 2004

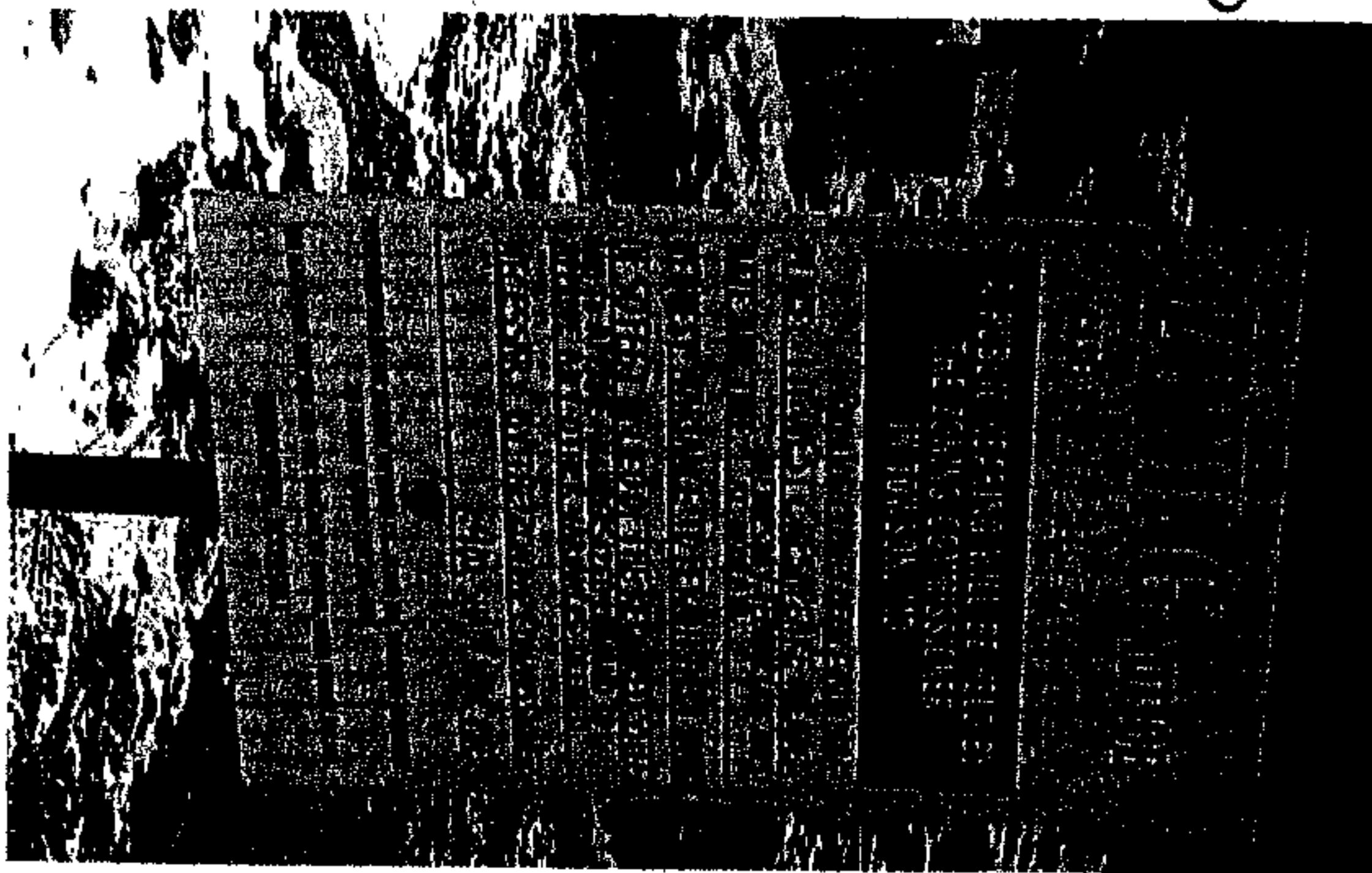
RE: Case Number 04-265-A + 04-264-A

Petitioner/Developer: Sauter and Lloyd

Date of Hearing/Closing: February 11, 2004

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 400 SHADY NOOK AVE & 402 SHADY NOOK AVE

The sign(s) were posted on January 22, 2004
(Month, Day, Year)



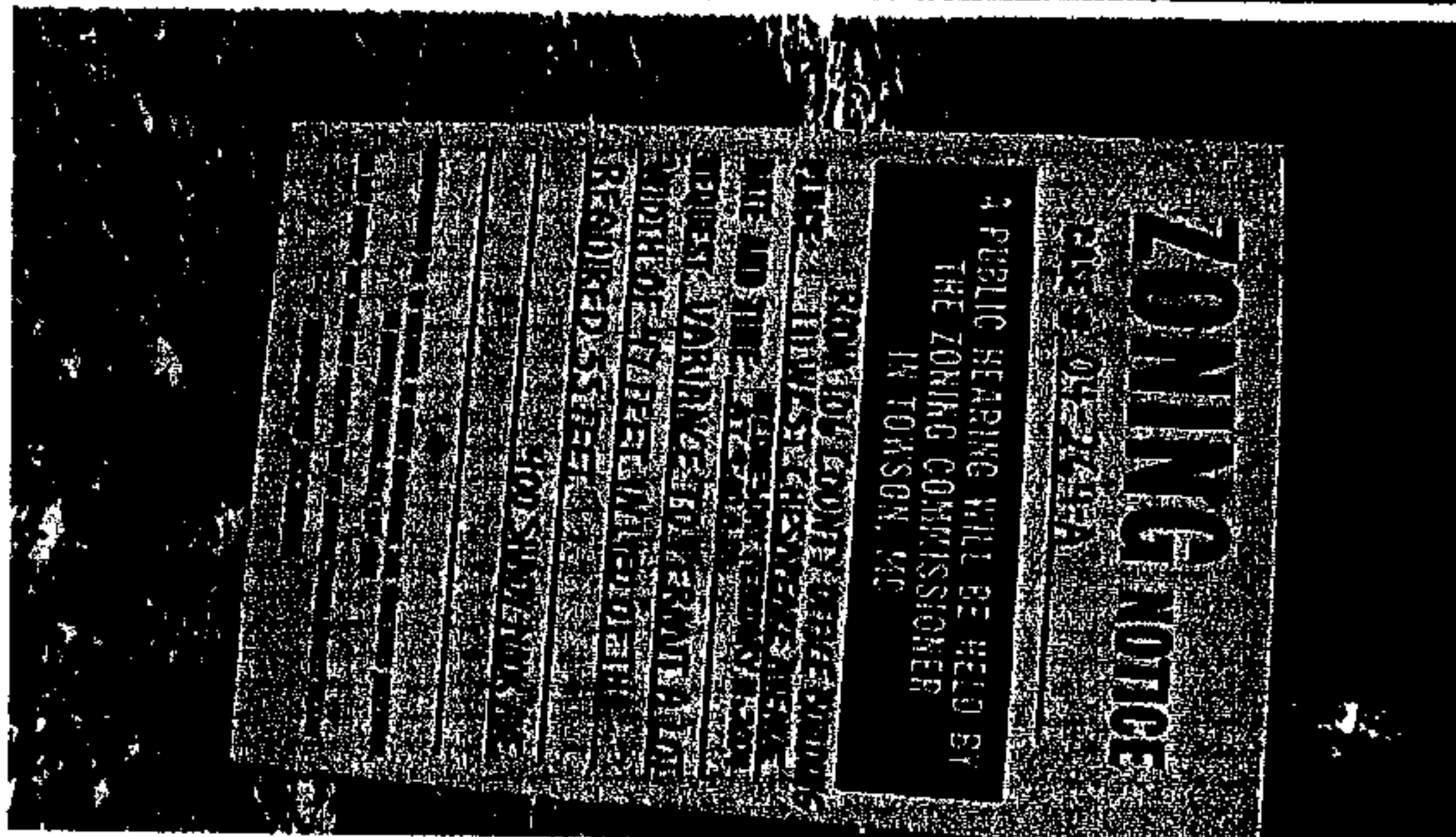
Linda O'Keefe
(Signature of Sign Poster)

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)



Revised 3/1/01 - SCJ

400 + 402 SHADY NOOK AVE.



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

December 24, 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: 04-264-A

400 Shady Nook Avenue

E/side of Shady Nook Avenue at the distance of 175 feet Lot #11, southeast of the centerline of Paradise Avenue

1st Election District – 1st Councilmanic District

Legal Owner: Sauter & Lloyd Companies, LLC, Ronny Lloyd & Ronald Sauter, Members

Variance to permit a lot width of 47 feet in lieu of the required 55 feet.

Hearing: Wednesday, February 11, 2004 at 9:00 a.m. in Room 106, County Office Building,
111 W. Chesapeake Avenue

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

Timothy Kotroco
Director

TK:klm

C: Ronny Lloyd & Ronald Sauter, P.O. Box 1496, Ellicott City 21041

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 27, 2004.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 27, 2004 Issue - Jeffersonian

Please forward billing to:

Sauter & Lloyd Companies, LLC
P.O. Box 1496
Ellicott City, MD 21041

410-461-2007

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: 04-264-A

400 Shady Nook Avenue

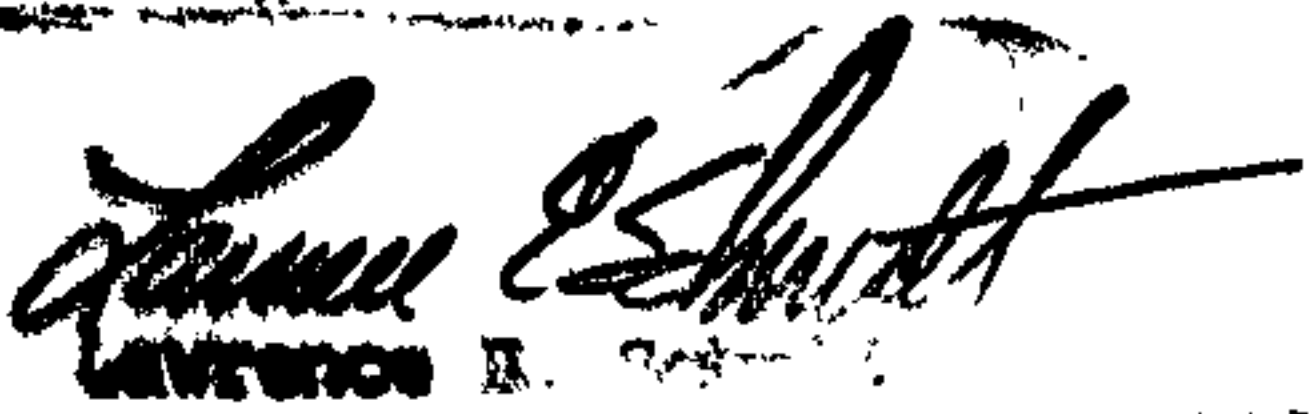
E/side of Shady Nook Avenue at the distance of 175 feet Lot #11, southeast of the centerline of Paradise Avenue

1st Election District -- 1st Councilmanic District

Legal Owner: Sauter & Lloyd Companies, LLC, Ronny Lloyd & Ronald Sauter,
Members

Variance to permit a lot width of 47 feet in lieu of the required 55 feet.

Hearing: Wednesday, February 11, 2004 at 9:00 a.m. in Room 106, County Office Building
111 W. Chesapeake 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
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: 04-264-A

Petitioner: Sauter & Lloyd Companies L.L.C.

Address or Location: 400 Shady Nook Ave Catonsville, MD 21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: Sauter & Lloyd Companies L.L.C.

Address: P.O. Box 1496

Ellicott City, MD 21041

Telephone Number: 410-461-2007

**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*

February 5, 2004

Sauter & Lloyd Companies, LLC
Ronald Sauter
P.O. Box 1496
Ellicott City, MD 21041

Dear Mr. Sauter:

RE: Case Number: 04-264-A, 400 Shady Nook Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 26, 2004.

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

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

December 9, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: December 8, 2003

Item No: 249, 256-²⁶⁴266

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



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 12.9.03

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

RE: Baltimore County
Item No. 264 BPR

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,

1- 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

2/11

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: Jun Fernando
Department of Permits and
Development Management

DATE: December 18, 2003

FROM: Lynn Lanham
Development Review Section
Office of Planning

RECEIVED

DEC 18 2003

SUBJECT: Undersized Lot (402 Shady Nook Ave)
ZAC 04-264 (400 Shady Nook Ave)
ZAC 04-265 (402 Shady Nook Ave)

ZONING COMMISSIONER

The Office of Planning has reviewed the undersized lot request and recommends denial based upon the following:

1. The requested approvals do not appear to comply with Section 304.1.C of the BCZR. The lots identified as 400 And 402 Shady Nook Ave are adjoining lots. Both of these lots appear to be under the same ownership. There is sufficient land to conform to the width requirements of the BCZR if the existing lots are reconfigured into one lot.
2. If it is determined that the 2 lots are not under the same ownership, the requested approvals for 402 Shady Nook Ave should not be granted because there is no application for a building permit at this time. Section 304 of the BCZR is applicable at the time of application for a building permit. The required building elevation drawings have not been submitted.


Lynn Lanham

LL:

gjk
2/11

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: December 24, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For December 15, 2003
Item Nos. 249, 256, 257, 258, 260,
261, 262, ~~264~~, 265, and 266

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR VARIANCE * BEFORE THE
400 Shady Nook Ave; E/side of Shady Nook *
Ave, 175' Lot #11, SE c/line Paradise Ave * ZONING COMMISSIONER
1st Election & 1st Councilmanic Districts
Legal Owner(s): Sauter & Lloyd Companies * FOR
LLC Ronny Lloyd & Ronald Sauter Members
Petitioner(s) * BALTIMORE COUNTY
* 04-264-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of December, 2003, a copy of the foregoing Entry of Appearance was mailed to, Ronny Lloyd and Ronald Sauter, P.O. Box 1496, Ellicott City, MD 21041, Petitioner(s).

RECEIVED

DEC 12 2003

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

ABRAMOFF, NEUBERGER AND LINDER, LLP

ATTORNEYS AT LAW

SUITE 800
250 WEST PRATT STREET
BALTIMORE, MARYLAND 21201

(410) 539-8300
TELECOPIER (410) 539-8304

RECEIVED

FEB 24 2004

ZONING COMMISSIONER

February 20, 2004

NANCY HAAS
nhaas@abrneu.com

BY FACSIMILE - 410-887-3468
AND BY FIRST CLASS MAIL

Deputy Commissioner John V. Murphy
Zoning Commissioner's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 04-264-A; Case No. 04-265-A

Dear Deputy Commissioner Murphy:

Sauter & Lloyd Companies, L.L.C., the Petitioner in each of the above-referenced cases, hereby withdraws the Petition for Zoning Variance in each of Case No. 04-264-A and 04-265-A. Thank you for your time and consideration of these matters.

Very truly yours,



Nancy Haas
Attorney for Sauter & Lloyd Companies, L.L.C.

NH:ljw
cc: Mr. Ronald Lloyd (by facsimile)
Mr. Ronald Sauter (by facsimile)
523ljs

all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 Zones, 50 feet in D.R.3.5 Zones and 40 feet in D.R.5.5 Zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than those specified therefor in the area regulations for D.R.2, D.R.3.5 and D.R.5.5 Zones respectively. [Resolution, November 21, 1956]

- 303.2 In B.L., B.M. and B.R. Zones, the front yard depth of any building hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side, provided such adjoining lots are improved with permanent commercial buildings constructed of fire-resisting materials situate within 100 feet of the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all lots within 100 feet on each side thereof which are improved as described above.

Section 304

Use of Undersized Single-Family Lots [BCZR 1955; Bill No. 47-1992]

- 304.1 [Bill Nos. 64-1999; 28-2001] Except as provided in Section 4A03, a one-family detached or semidetached dwelling may be erected on a lot having an area or width at the building line less than that required by the area regulations contained in these regulations if:
- A. Such lot shall have been duly recorded either by deed or in a validly approved subdivision prior to March 30, 1955;
 - B. All other requirements of the height and area regulations are complied with; and
 - C. The owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations.
- 304.2 Building permit application.
- A. Any person desiring to erect a dwelling pursuant to the provisions of this section shall file with the Department of Permits and Development Management, at the time of application for a building permit, plans sufficient to allow the Office of Planning to prepare the guidelines provided in Subsection B below. Elevation drawings may be required in addition to plans and drawings otherwise required to be submitted as part of the application for a building permit. Photographs representative of the neighborhood where the lot or tract is situated may be required by the Office of Planning in order to determine appropriateness of the proposed new building in relation to existing structures in the neighborhood.
 - B. At the time of application for the building permit, as provided above, the Director of the Department of Permits and Development Management shall request comments from the Director of the Office of Planning (the "Director"). Within 15 days of receipt of a request from the Director of the Department of Permits and Development Management, the Director shall provide to the

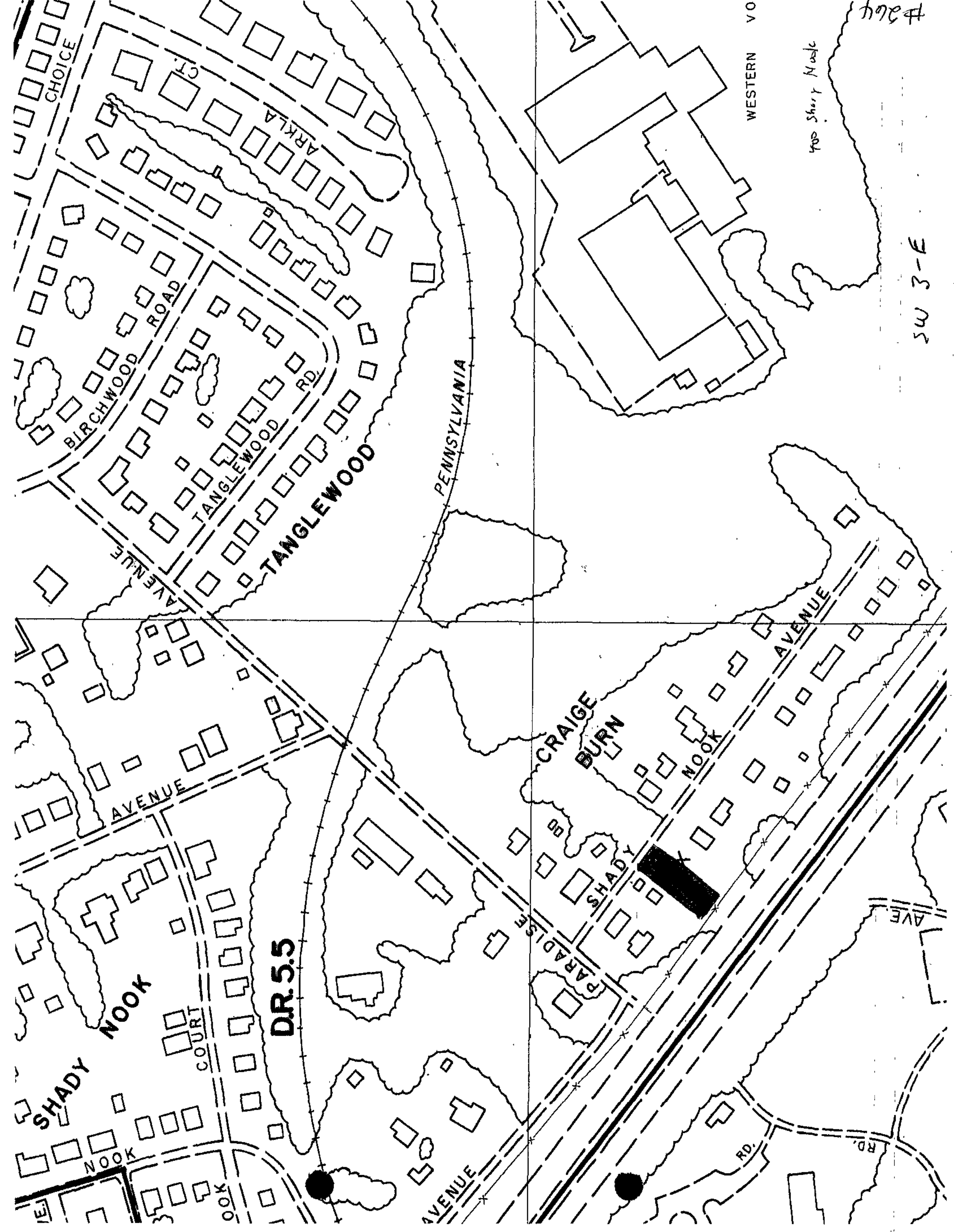
SECTION 304 -- USE OF UNDERSIZED SINGLE-FAMILY LOTS - Prior to the application for a building permit, the applicant must provide satisfactory documentation. The applicant may be required to furnish:

- a. a copy of the pre-1955 deed or subdivision plat;
- b. (no additions)
- c. contiguous ownership

It is obvious that Section 304 of the Baltimore County Zoning Regulations recognizes the existence of parcels of property that did not meet the minimum lot sizes mandated at the time the minimum lot size regulations were passed. To do otherwise would have the effect of rendering such undersized lots useless, and such legislation would be unconstitutional.

1. Section 304 B.C.Z.R., however, is silent as to when contiguous ownership would serve as a bar to its implementation, i.e., contiguous ownership in existence only at the time this regulation was passed or contiguous ownership in existence at that time and at any time thereafter.
2. It is therefore important to consider the intent of the owner who attempts to invoke the applicability of Section 304 BCZR. Each situation must be judged individually by the particular facts and circumstances presented. If the intent to avoid the regulations is obvious, Section 304c. cannot be invoked and variances must be required. An obvious method used is called "checkerboarding". The owner of a tract of land consisting of undersized lots makes conveyances of certain lots in order to create a pattern of ownership which qualifies each parcel as an undersized lot in a single and separate ownership, thereby avoiding the necessity of public hearing and notice for a variance. Often this is done by transferring title to members of the owner's family or to his business associates, e.g., to officers of the corporation which purchased the tract. Another method is to sell adjoining undersized lots which were recently purchased to individual, bona fide buyers. This would permit the new owner of a single undersized lot to build without a variance, where such permission would not have been granted to the owner of the entire tract.
3. If a single owner of contiguous undersized lots has purchased the property in good faith and without any intent to avoid the area requirements, 304c. may be used to allow the owner to build pursuant thereto. Good faith also must be determined by the facts and circumstances of each situation, but such factors as dates of purchase of the parcels, the purpose of the purchase, the intent of the purchase, can be utilized to so determine. This office has traditionally applied the "six year rule" to determine good faith, and that rule shall be one criteria to be used. The rule holds that if the single owner of an undersized lot contiguous to another parcel owned by him has transferred ownership of one to another, 304c. would apply if such new ownership has been held for a period of at least six years. This rule shall not preclude exceptions where it is clear, and equitable, that single ownership of contiguous property was not intended to avoid area requirements.
4. Ownership Information Including:
 - (i) a property tax computer printout for all adjacent properties, in addition to the subject property;
 - (ii) copies of the deeds for all adjacent properties, in addition to the subject property; and
 - (iii) a notarized affidavit stating that the applicant has had no financial interests for the prior six years in any adjacent properties.

Interpretation: The Zoning Commissioner retains the right Section 500.6 B.C.Z.R. to interpret whether the spirit and intent of these Regulations are being adhered to on a case-by-case basis (see Section 101 - Ownership Z.C.P.M., Page 1-23)



CHOICE

CHOICE

ARKLA

BIRCHWOOD ROAD

TANGLEWOOD RD

TANGLEWOOD

PENNSYLVANIA

WESTERN VO

400 Sherry Nook

SW 3-E

AVENUE

CRAIGIE BURN

NOOK

AVENUE

SHADY NOOK

COURT

DR. 5.5

PARADISE

SHADY

AVE

RD.

RD.

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

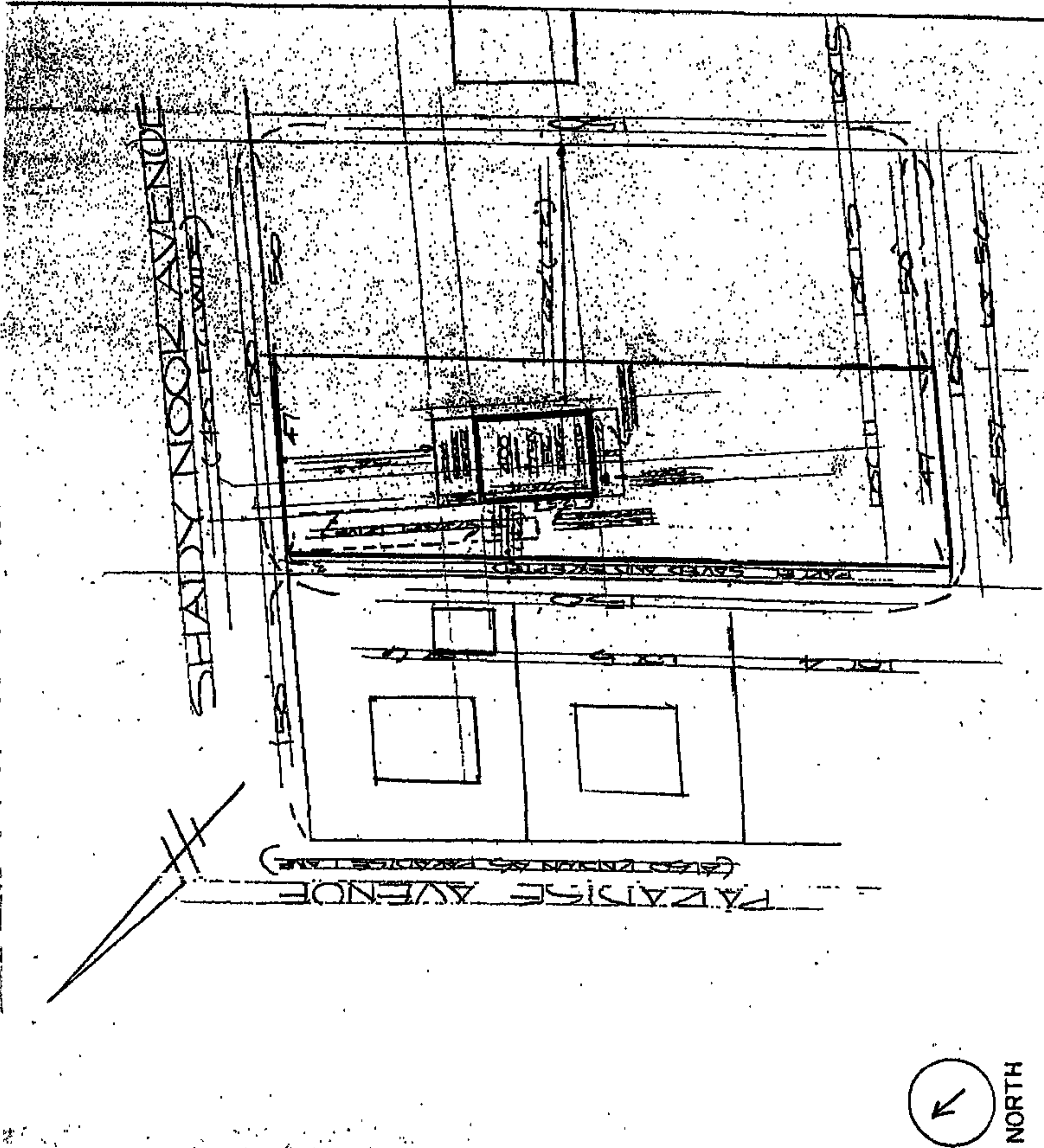
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 400 Shady Nook Ave

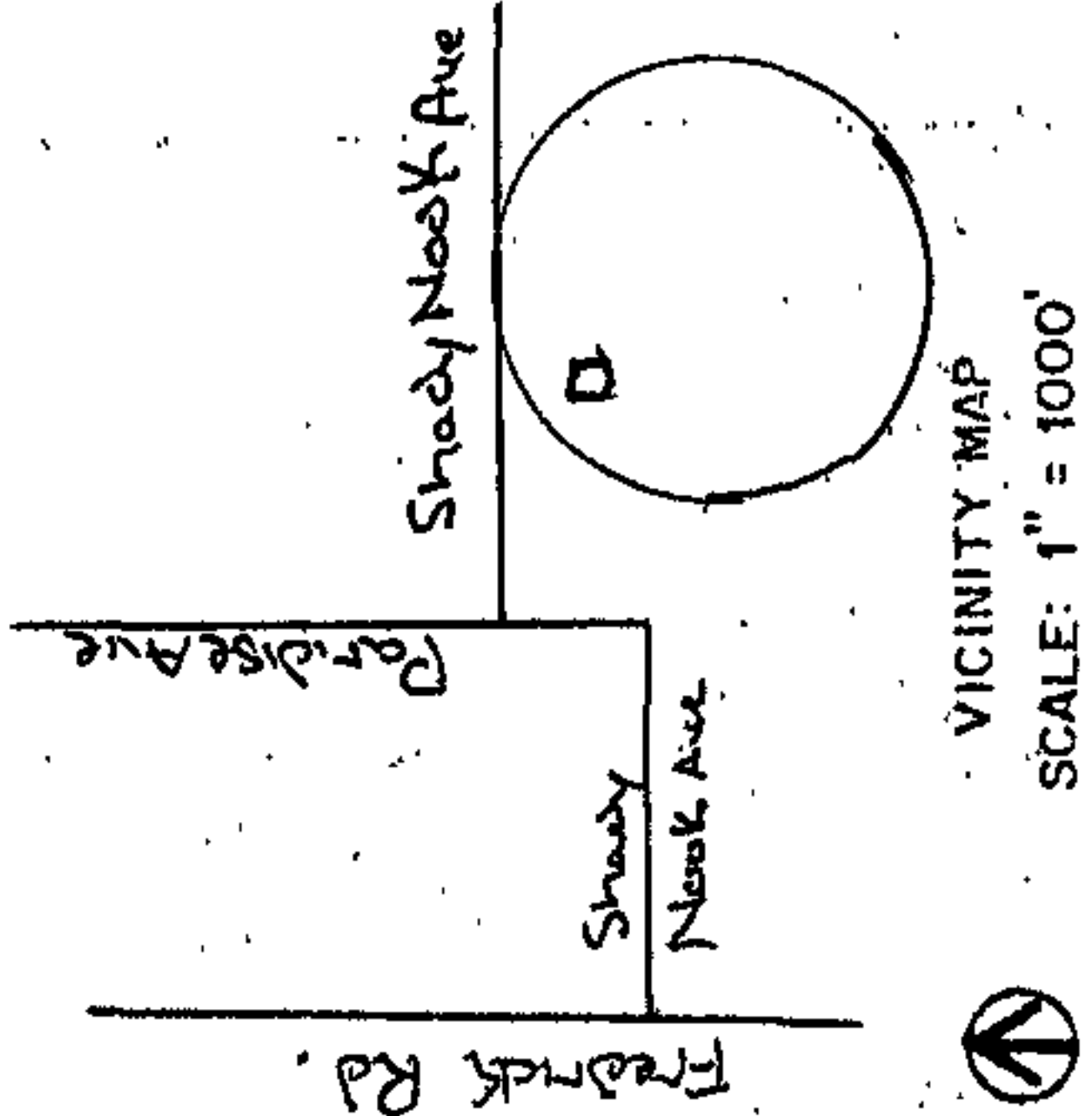
SUBDIVISION NAME Craigie Blvd

PLAT BOOK # 7 FOLIO # 4 LOT # 11 SECTION #

OWNER Sauter & Lloyd Companies LLC



PREPARED BY Ron Sauter SCALE OF DRAWING: 1" = 30'



LOCATION INFORMATION

ELECTION DISTRICT 1

COUNCILMANIC DISTRICT 1

1"=200' SCALE MAP # S, W. 3-E

ZONING DR55

LOT SIZE 7500 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ PUBLIC ☐ PRIVATE

CHESAPEAKE BAY CRITICAL AREA YES ☐ NO ☒

100 YEAR FLOOD PLAIN YES ☐ NO ☒

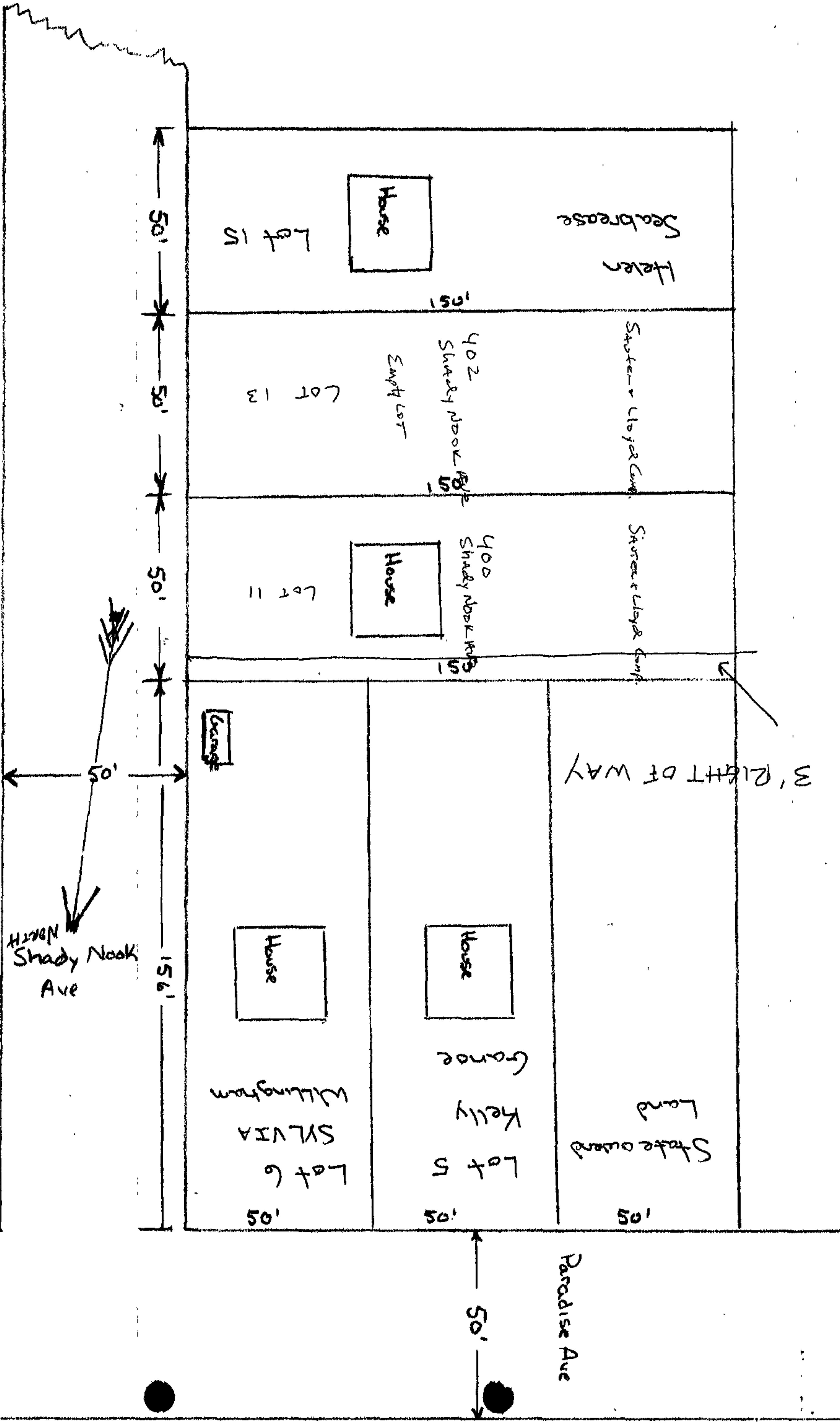
HISTORIC PROPERTY / BUILDING YES ☐ NO ☒

PRIOR ZONING HEARING NO

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

McJF | 264 | 04-264-A

Plot #2



We the undersigned, do NOT support the request for variance relief from the minimum lot size requirements for the 400 and 402 Shady Nook Ave properties.

Prot Ex #1

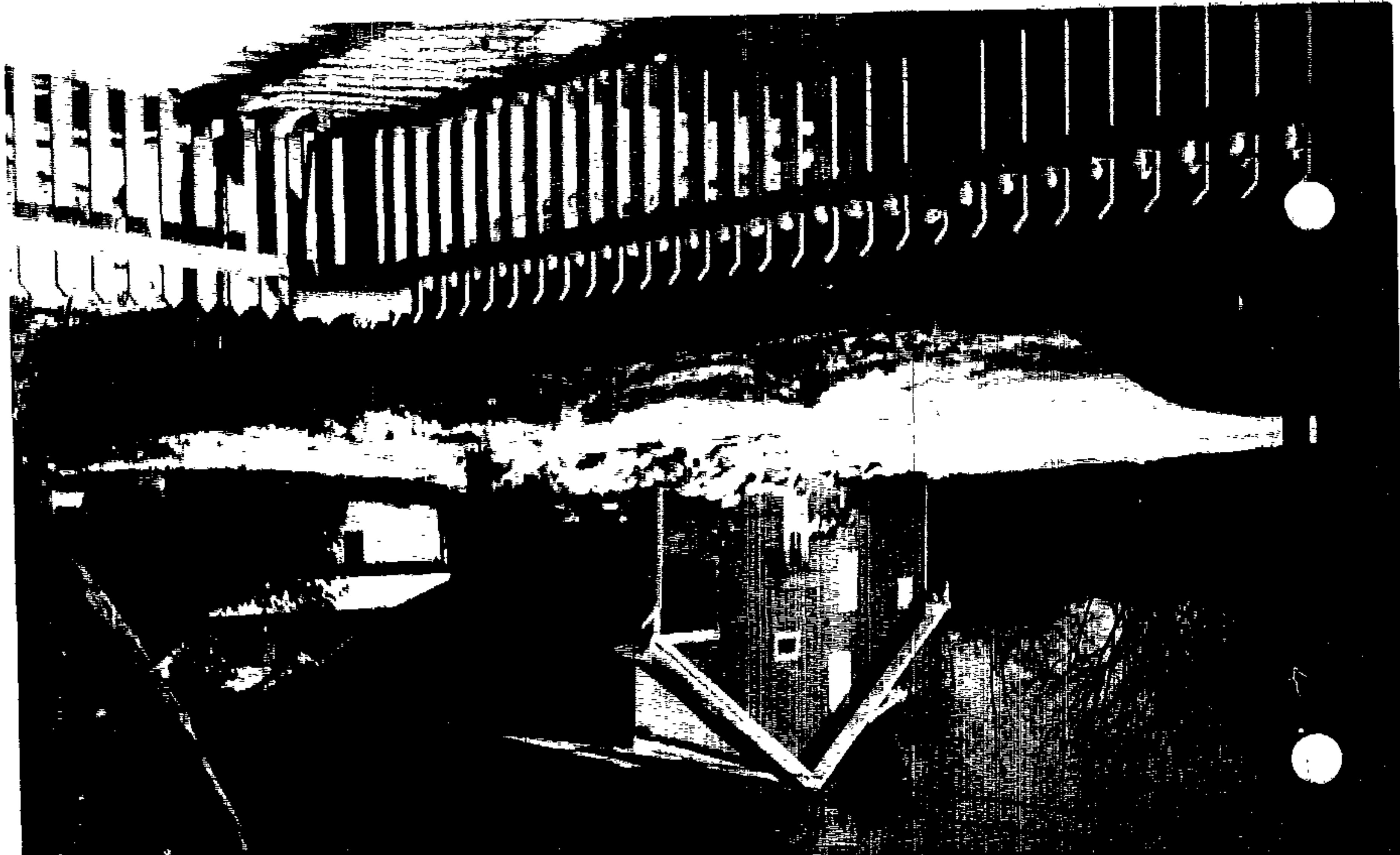
NAME (print)	ADDRESS	SIGNATURE
Charles Papale	401 Shady Nook Ave ²¹²²⁸	Charles Papale
Darlene Papale	401 Shady Nook Ave.	Darlene K. Papale
Helen J. Seabrook	404 Shady Nook Ave	H. J. Seabrook
Darlene Seabrook	404 Shady Nook Ave.	Darlene Seabrook
Gary Seabrook	" "	Gary Seabrook
Joanne Seabrook	" "	Joanne Seabrook
Clarema M. Bohn	206 Paradise Ave	Clarema M. Bohn
Ada Bohn	206 Paradise Ave	Ada Bohn
NELLIE HARTLEY	5721 EDMONDSON AVE	Nellie Hartley
LOUIS HARTLEY	5721 EDMONDSON AVE	Louis Hartley
EARL RAMP	406 Shady Nook Ave ²¹²²⁸	Earl Ramp
Helen Ramp	406 Shady Nook Ave	Helen M. Ramp
Ken Ramp	25 Ridge Rd ²¹²²⁸	Ken Ramp
Tracey Ramp	25 Ridge Rd ²¹²²⁸	Tracey Ramp
EDWARD RIESSEN	412 SHADY NOOK AVE ²¹²²⁸	Ed Riesen
BRUCE A. CAMERON	424 SHADY NOOK ²¹²²⁸	Bruce Cameron
JEAN & PAUL RAFFERTY	413 SHADY NOOK AVE ²¹²²⁸	Jean & Paul Rafferty
GLORIA CAMERON	424 SHADY NOOK AVE	Gloria Cameron
KRISTIN CAMERON	" "	Kristin Cameron
John Hamache	222 Paradise Ave	John Hamache
James Hamache	1321 Birch Ave	James Hamache
Angela Connor	418 Shady Nook Ave	Angela McConnor
David Connor	418 Shady Nook Ave	David Connor

Prot #1

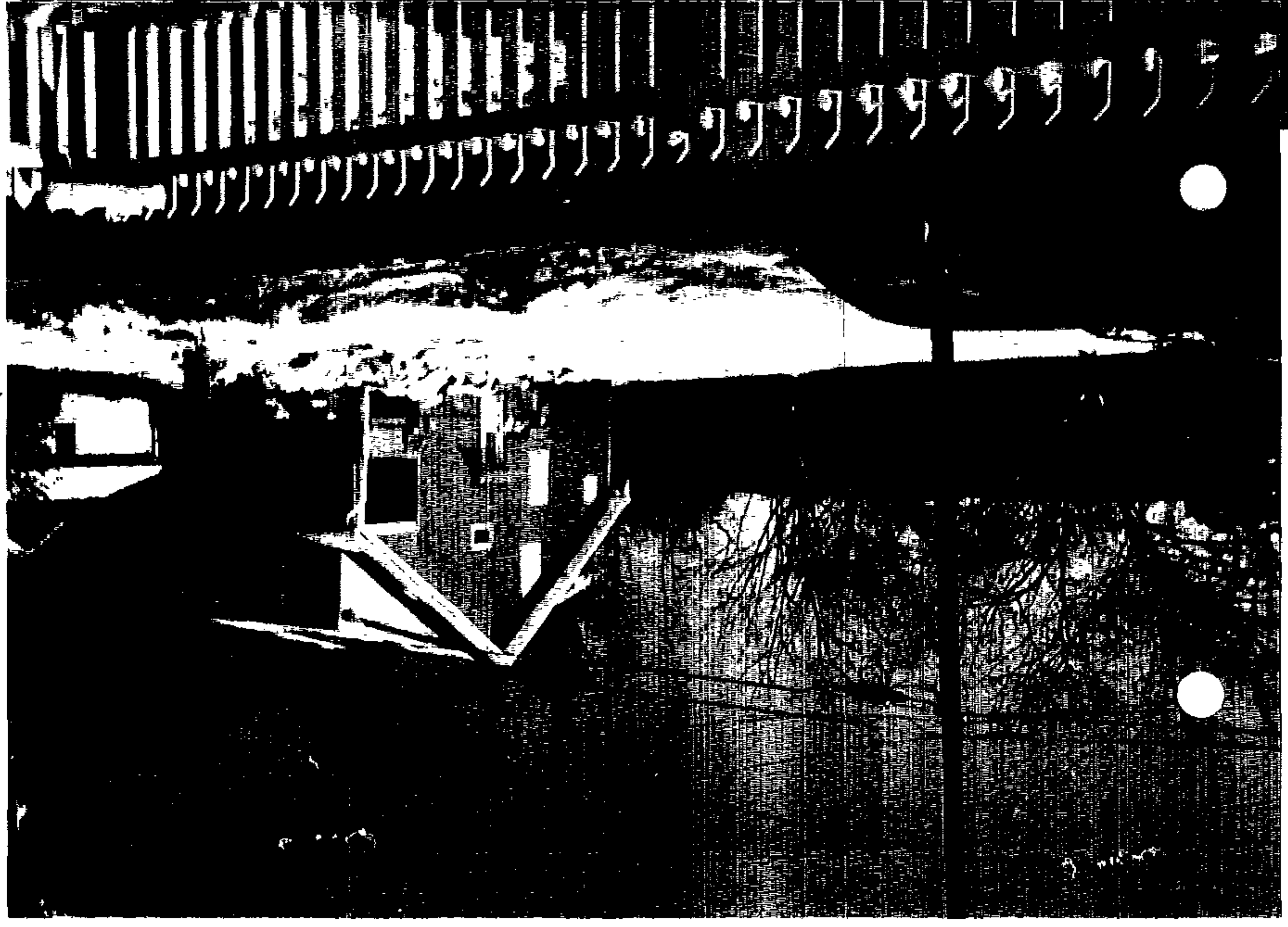
We the undersigned, do NOT support the request for variance relief from the minimum lot size requirements for the 400 and 402 Shady Nook Ave properties.

NAME (print)	ADDRESS	SIGNATURE
Carol High	420 Shady Nook Ave	Carol High
Howard W. High	420 Shady Nook Ave.	Howard W. High
Mary Derrickson	416 Shady Nook Ave	Mary Derrickson
JOSEPH YATES	426 SHADY NOOK AVE	Joseph Yates
GUY YATES	411 SHADY NOOK AVE	Guy Yates
Terri Hands	6633 Frederick Rd	Terri Hands
Joseph Hands	6633 Frederick Rd	Joseph Hands
MARY VAN NEWKIRK	217 Paradise Ave	Mary Van Newkirk
Brenda Kemp	415 Shady Nook Ave	Brenda Kemp
MIRIAM NORMAN	408 Shady Nook Ave.	Miriam Norman
MICHAEL RAMP	406 SHADY NOOK AVE	Michael Ramp
DENNIS HEALY	409 SHADY NOOK AVE	Dennis Healy
Michelle Clark	409 Shady Nook Ave	Michelle Clark
Shannon Early	409 Shady Nook Ave	Shannon Early
Thomas Bury	405 Shady Nook Ave	Thomas Bury
Anna Emmons	6515 Frederick Rd	Anna Emmons
RAY BAYFELS	217 PARADISE AVE	Ray Bayfels
Billie Sokol	209 Shady Nook Ct	Billie Sokol
Ellen Miller	427 Shady Nook Ave	Ellen B. Miller
William Miller	427 Shady Nook Ave	William S. Miller

Q 12
2 #
Pud



Q 12
2 #
Pud





Dennis J. Healy
General Chairman

American Train Dispatchers Department

Brotherhood of Locomotive Engineers

AMTRAK SYSTEM COMMITTEE

409 Shadynook Avenue

Baltimore, MD 21228-3656

Telephone (410) 747 9226





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Dennis J. Healy
General Chairman

American Train Dispatchers Department

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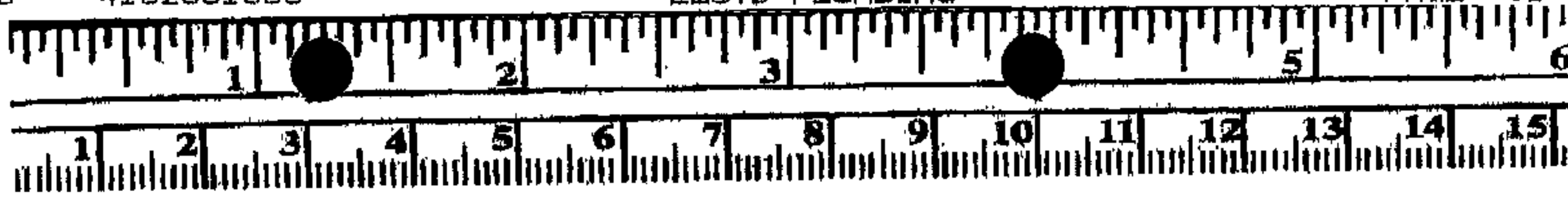
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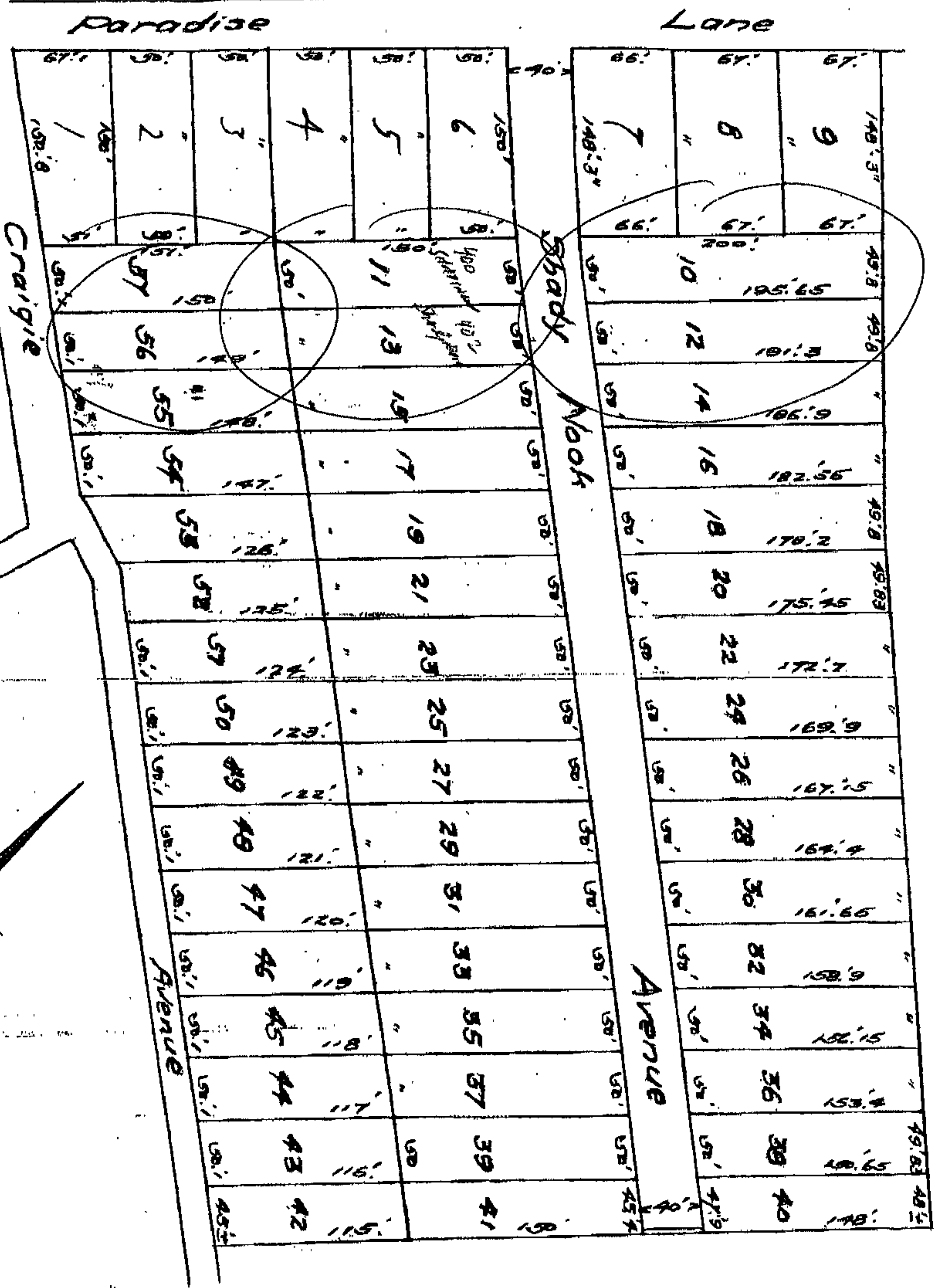


CRAIGIE BURR

- Building - Sites -

- Charles - Lewis -

Called for record
made 11/13/23
Not a map file, check



Scale 1" = 100'

104 156 2136-4315

R 55720

7/4

Plot #3

Case Number

400 Shady Nook Ave

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

[illegible]