

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

(402 Shady Nook Avenue)

Sauter & Lloyd Companies, L.L.C.

Petitioners

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 04-265-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 402 Shady Nook Avenue in the Catonsville area of Baltimore County. The Petitioner requested a variance from Sections 1B02.3.C.1 and 304.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a lot width of 50 ft. in lieu of the required 55 ft. and to approve an undersized lot per Section 304 of the B.C.Z.R.

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. 04-265-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for Baltimore County, this 23 day of February, 2004, that the hereinabove Petition for Variance, be and is hereby WITHDRAWN and DISMISSED, without prejudice; and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

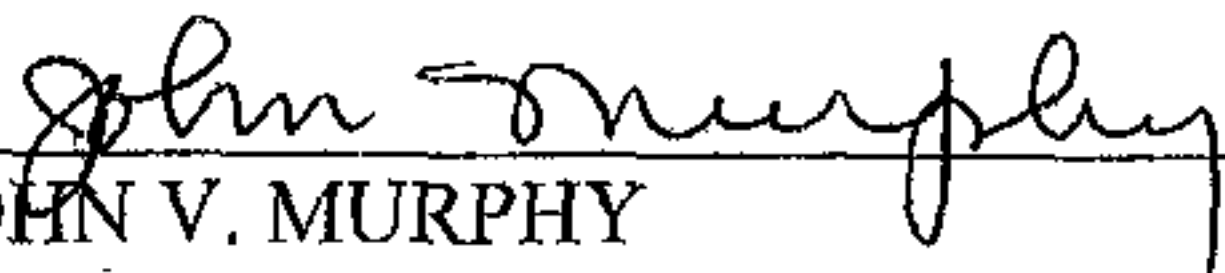
Date

2/23/04

By

[Signature]

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 2/23/04

By H. J. J. J. J.

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 402 Shady Nook Ave
which is presently zoned DR5,5

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) 1802.3 . C.1 AND 304.2 BC2R

To permit a lot width of 50' in lieu of the required 55'. And to approve an undersized lot per section 304 & to approve any other variances deemed necessary by zoning commissioner.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

Date

ZONING DESCRIPTION

Zoning Description For 402 Shady Nook Avenue

Beginning at a point on the East side of Shady Nook Avenue which is 40 feet wide at the distance of 225 feet southeast of the centerline of the nearest improved intersecting street Paradise Avenue which is 50 feet wide. Being Lot # 13, in the subdivision of Craigie Burn as recorded in Baltimore County Plat Book # 7, Folio 4, containing, 7,500 square feet. Also known as 402 Shady Nook Avenue and located in the 1st Election District, 1st Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 31020

DATE 11/24/03

ACCOUNT 6001-006 6750

AMOUNT \$ 115.00

RECEIVED FROM

Santa Lloyd LLC

FOR

Printing Services & Supplies (37)

(4000 State Male Ave)

DISTRIBUTION

WHITE CASHIER

PINK AGENCY

YELLOW CUSTOMER

Hand to 205

PAID RECEIPT

ISSUED TO

12/20/2003 11/20/2003 12-20-03

RECEIVED BY

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

11/20/2003 11/20/2003

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: #04-265-A

402 Shady Nook Avenue

E/side of Shady Nook Avenue, at the distance of 225 feet southeast of the centerline of Paradise Avenue

1st Election District - 1st Councilmanic District

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

Variance: to permit a lot width of 50 feet in lieu of the required 55 feet and to approve an undersized lot and to approve any other variances deemed necessary by the Zoning Commissioner.

Hearing: Wednesday, February 11, 2004 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 1/771 Jan. 27

0646709

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

S. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Date:

January 26, 2004

RE: Case Number

04-265-A + 04-264-A

Petitioner/Developer:

Sapier and Lloyd

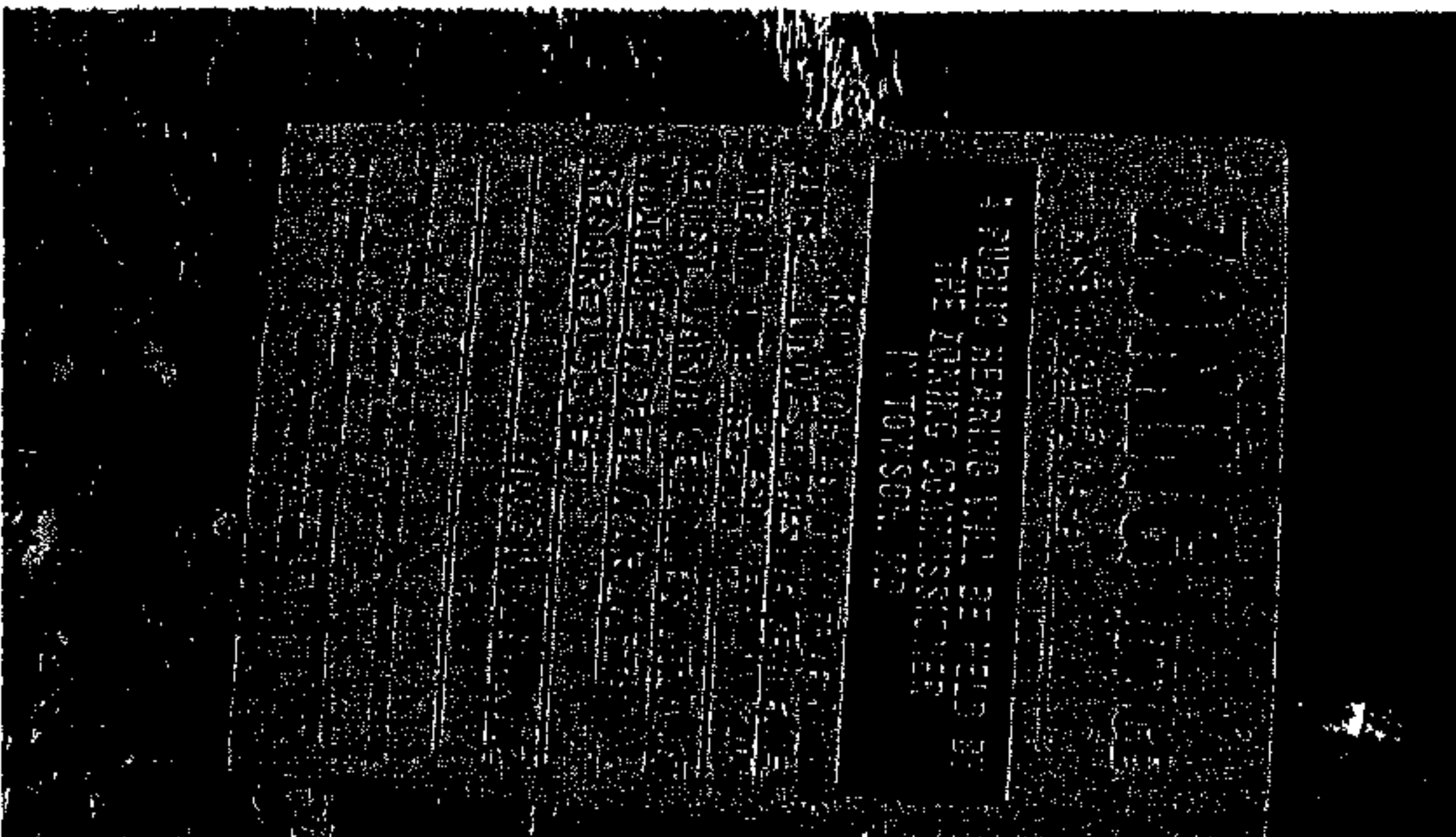
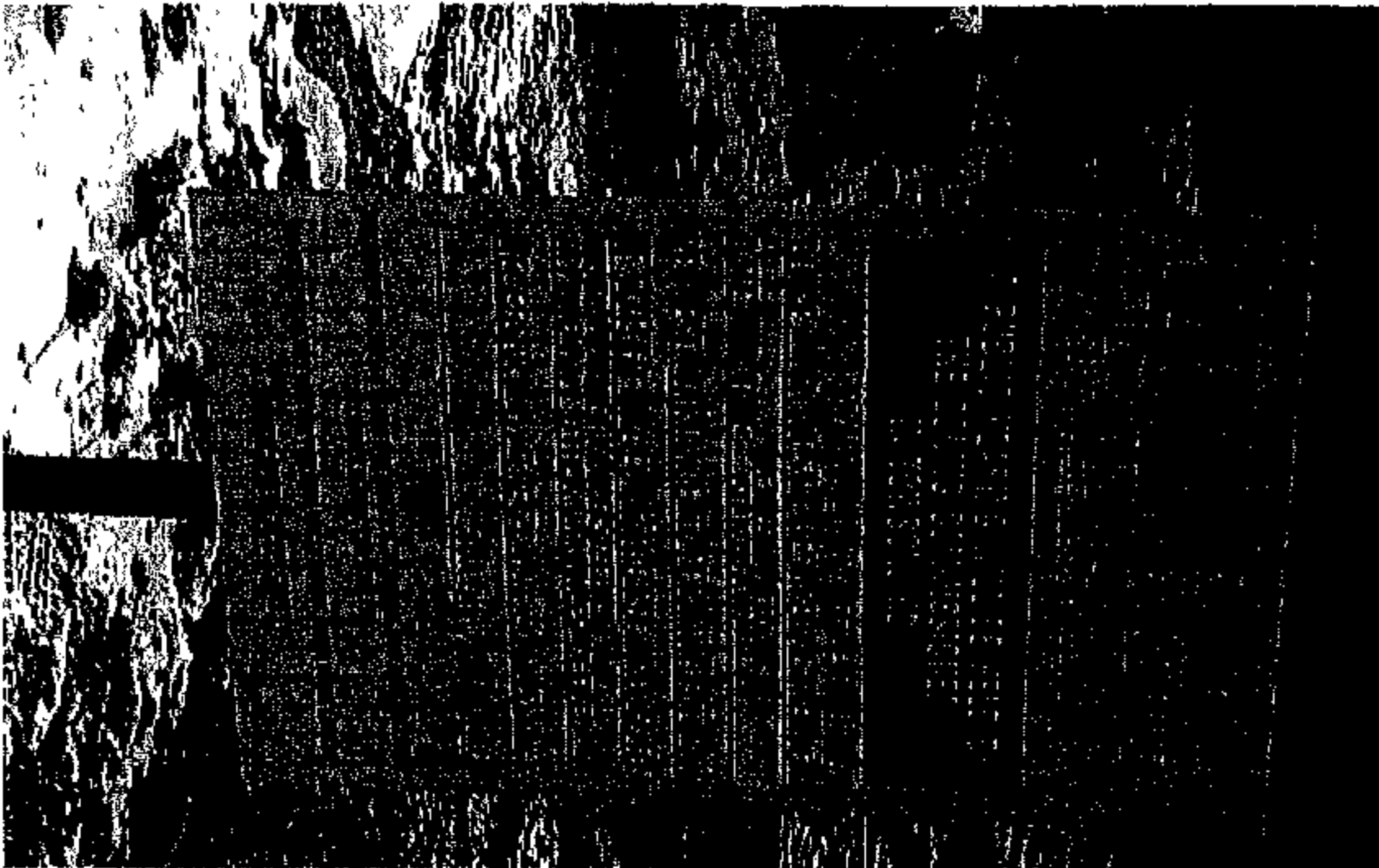
Date of Hearing/Closing:

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 26, 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: 04-265-A

402 Shady Nook Avenue
E/side of Shady Nook Avenue, at the distance of 225 feet southeast of the centerline of Paradise Avenue
1st Election District – 1st Councilmanic District
Legal Owner: Sauter & Lloyd Companies, LLC

Variance to permit a lot width of 50 feet in lieu of the required 55 feet and to approve an undersized lot and to approve any other variances deemed necessary by the Zoning Commissioner.

Hearing: Wednesday, February 11, 2004 at 10:00 a.m. in Room 106, County Office Building,
111 W. Chesapeake Avenue

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

Timothy Kotroco
Director

TK:klm

C: Sauter and Lloyd, 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.

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

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: 04-265-A

402 Shady Nook Avenue

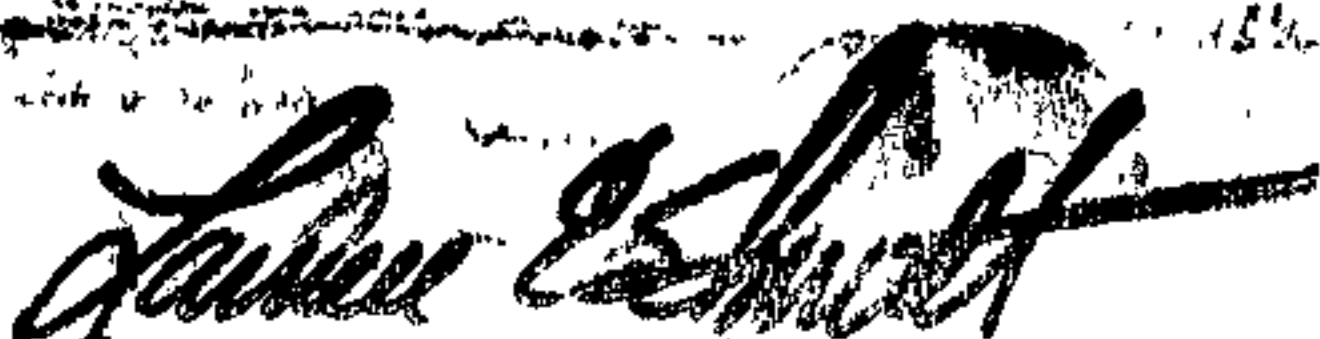
E/side of Shady Nook Avenue, at the distance of 225 feet southeast of the centerline of Paradise Avenue

1st Election District – 1st Councilmanic District

Legal Owner: Sauter & Lloyd Companies, LLC

Variance to permit a lot width of 50 feet in lieu of the required 55 feet and to approve an undersized lot and to approve any other variances deemed necessary by the Zoning Commissioner.

Hearing: Wednesday, February 11, 2004 at 10:00 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: 04-265-A

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

Address or Location: 402 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**

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



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: 04-265-A, 402 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, 256-266

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



State Highway Administration
Driven to Excel

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. 265 TBR

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

Not from folder
12/23

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

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

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, 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
402 Shady Nook Ave; E/side of Shady Nook		
Ave, 225' SE c/line Paradise Ave	*	ZONING COMMISSIONER
1 st Election & 1 st Councilmanic Districts		
Legal Owner(s): Sauter & Lloyd Companies	*	FOR
LLC Ronny Lloyd & Ronald Sauter Members		
Petitioner(s)	*	BALTIMORE COUNTY
	*	04-265-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

12/17/03

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

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

Permit or Case No. 04-245-A

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

RE: Undersized Lots

Residential Processing Fee Paid
(\$50.00)

Accepted by BR JSF

Date 11/21/03

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

MINIMUM APPLICANT SUPPLIED INFORMATION:

Print Name of Applicant Saurer & Lloyd Companies L.L.C. Address 410-461-2007 Telephone Number

Lot Address 400 Shady Nook Ave Election District 1 Councilmanic District 1 Square Feet 7,500 SF

Lot Location: NE S W corner of South Shady Nook Ave 223 feet from NE S W corner of Paradise Ave
(street) (street)

Land Owner: Saurer & Lloyd Companies L.L.C. Tax Account Number 01-19-001150

Address: 400 Shady Nook Ave Catonsville, MD 21228 Telephone Number 410-461-2007
cell # 410-984-6776

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

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

- | | YES | NO |
|---|-------------------------------------|-------------------------------------|
| 1. This Recommendation Form (3 copies) | ☒ | ☐ |
| 2. Permit Application | ☐ | ☒ |
| 3. Site Plan
Property (3 copies) | ☒ | ☐ |
| 4. Building Elevation Drawings | ☐ | ☒ |
| 5. Photographs (please label all photos clearly)
Adjoining Buildings | ☒ | ☐ |
| Surrounding Neighborhood | ☒ | ☐ |
| 6. Current Zoning Classification: <u>DR 5.5</u> | | |
- No house is planned at this time. Lot to be sold.

TO BE FILLED IN BY

RECOMMENDATIONS / COMMENTS:

☐ Approval

☒ Disapproval

☐ Approval conditional

Post-It® Fax Note	7671	Date <u>12/18</u>	# of pages <u>2</u>
To <u>Don Fernando</u>	From <u>Lynn Lankham</u>		
Co./Dept.	Co.		
Phone #	Phone # <u>X 3480</u>		
Fax # <u>2824</u>	Fax #		

DEC - 2 2003

OFFICE OF PLANNING

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

Date: 12/18/03

Revised 2/05/02

**SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A
BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2**

ABRAMOFF, NEUBERGER AND LINDER, LLP

ATTORNEYS AT LAW

SUITE 800

250 WEST PRATT STREET
BALTIMORE, MARYLAND 21201NANCY HAAS
nhaas@abrneu.com(410) 539-8300
TELECOPIER (410) 539-8304

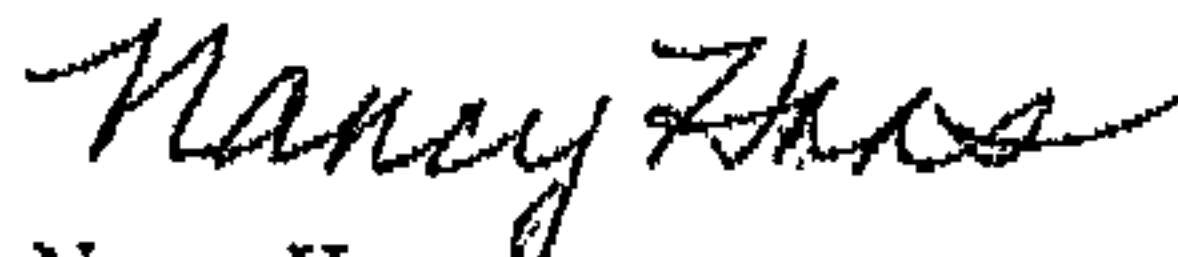
February 20, 2004

BY FACSIMILE - 410-887-3468
AND BY FIRST CLASS MAILDeputy Commissioner John V. Murphy
Zoning Commissioner's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204Re: 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

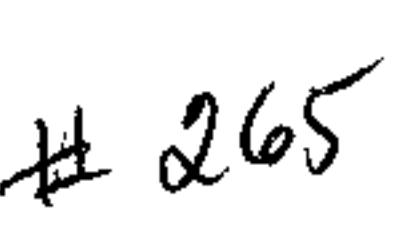
all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 Zones, 50 feet in D.R.3.5 Zones and 40 feet in D.R.5.5 Zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than 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



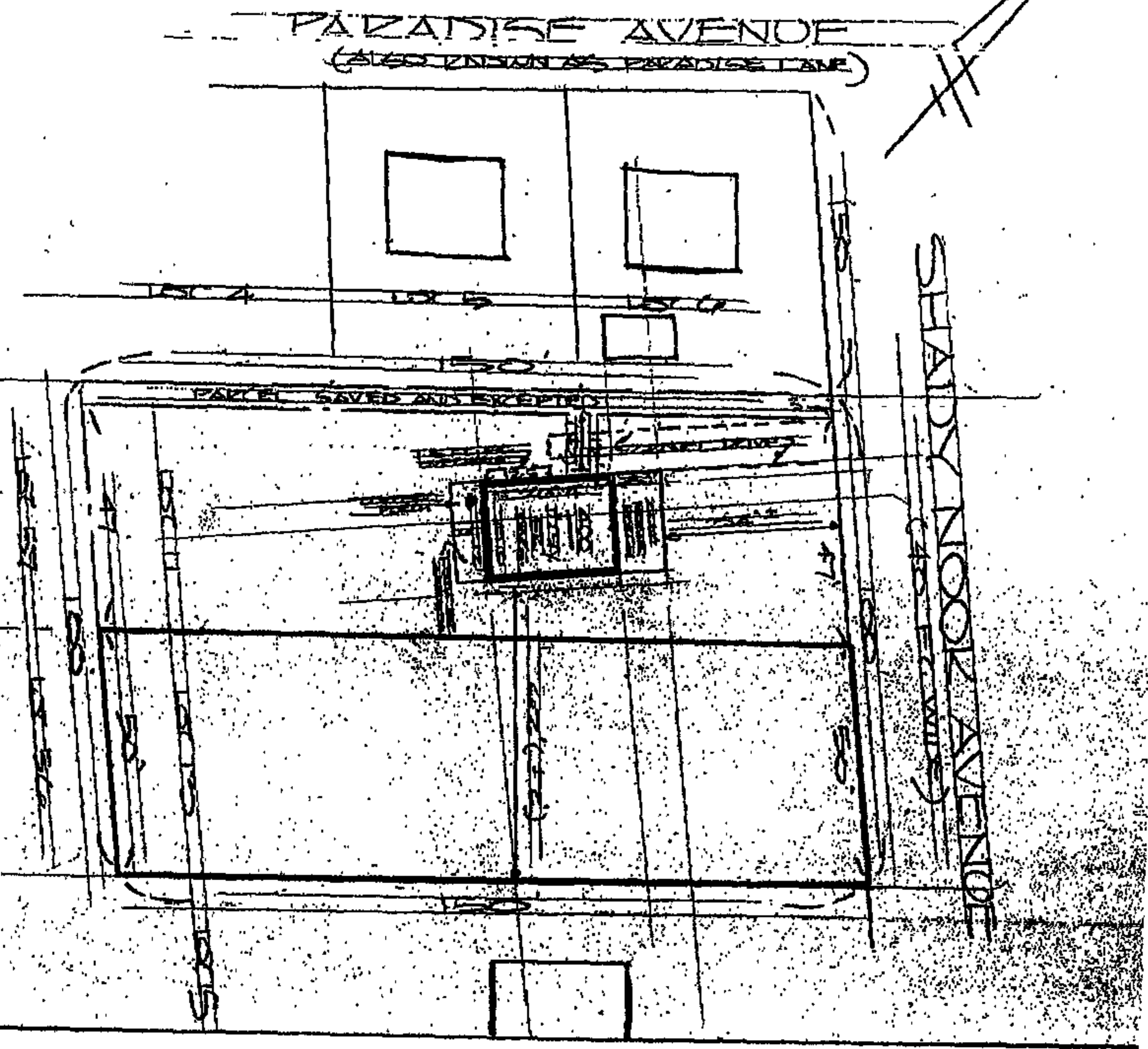
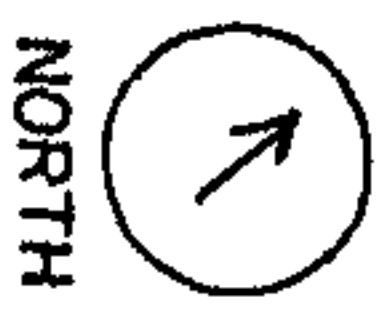
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 422 Shady Nook Ave SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Craigie Burn

PLAT BOOK # 7 FOLIO # 4 LOT # 13 SECTION #

OWNER Sauter & Lloyd Companies LLC

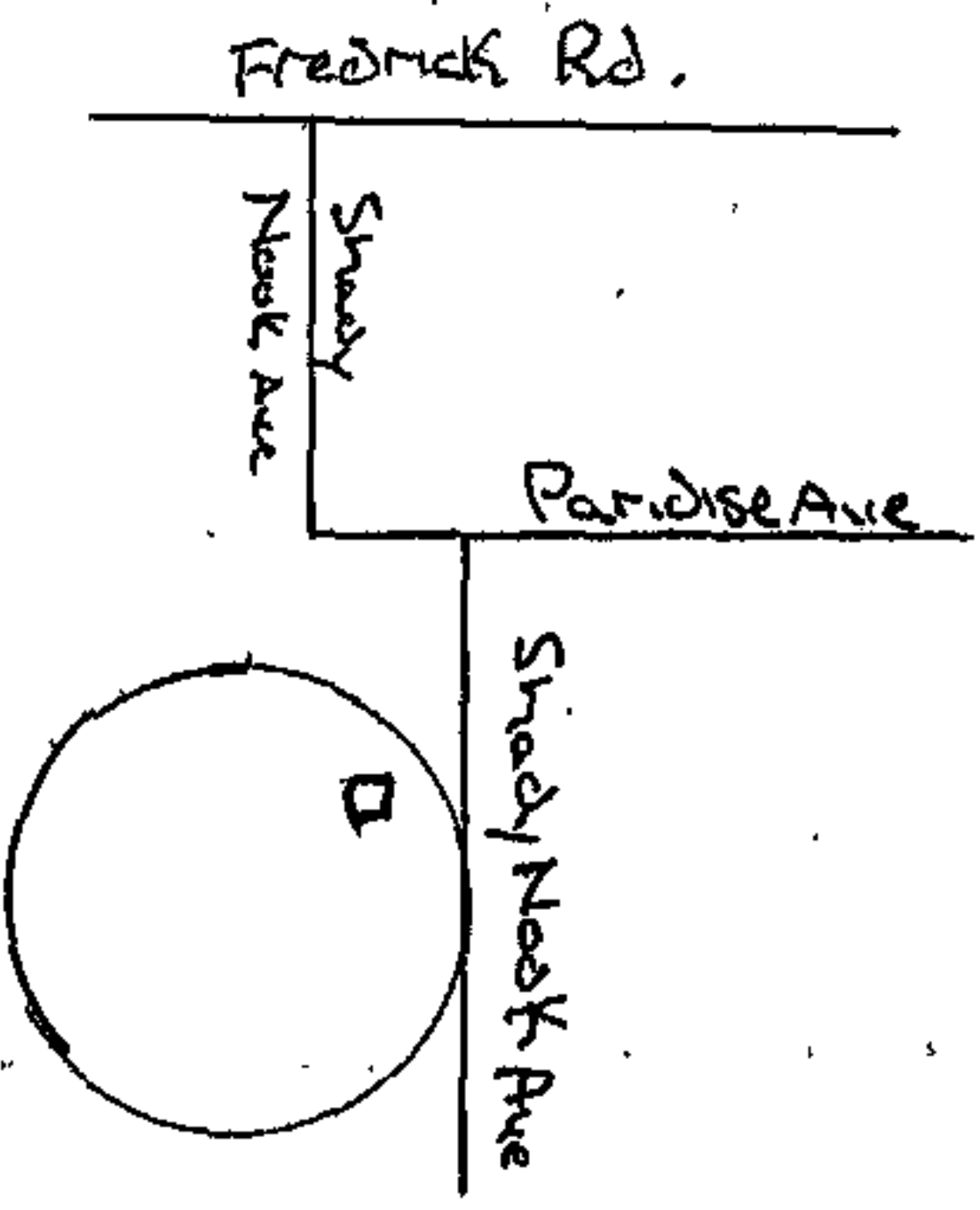


PREPARED BY Ron Sauter

SCALE OF DRAWING: 1" = 30'



VICINITY MAP
SCALE: 1" = 1000'



LOCATION INFORMATION

ELECTION DISTRICT 1

COUNCILMANIC DISTRICT 1

1" = 200' SCALE MAP # SW 3-E

ZONING DR 55

LOT SIZE 7500 SQUARE FEET

ACREAGE 0.1736

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

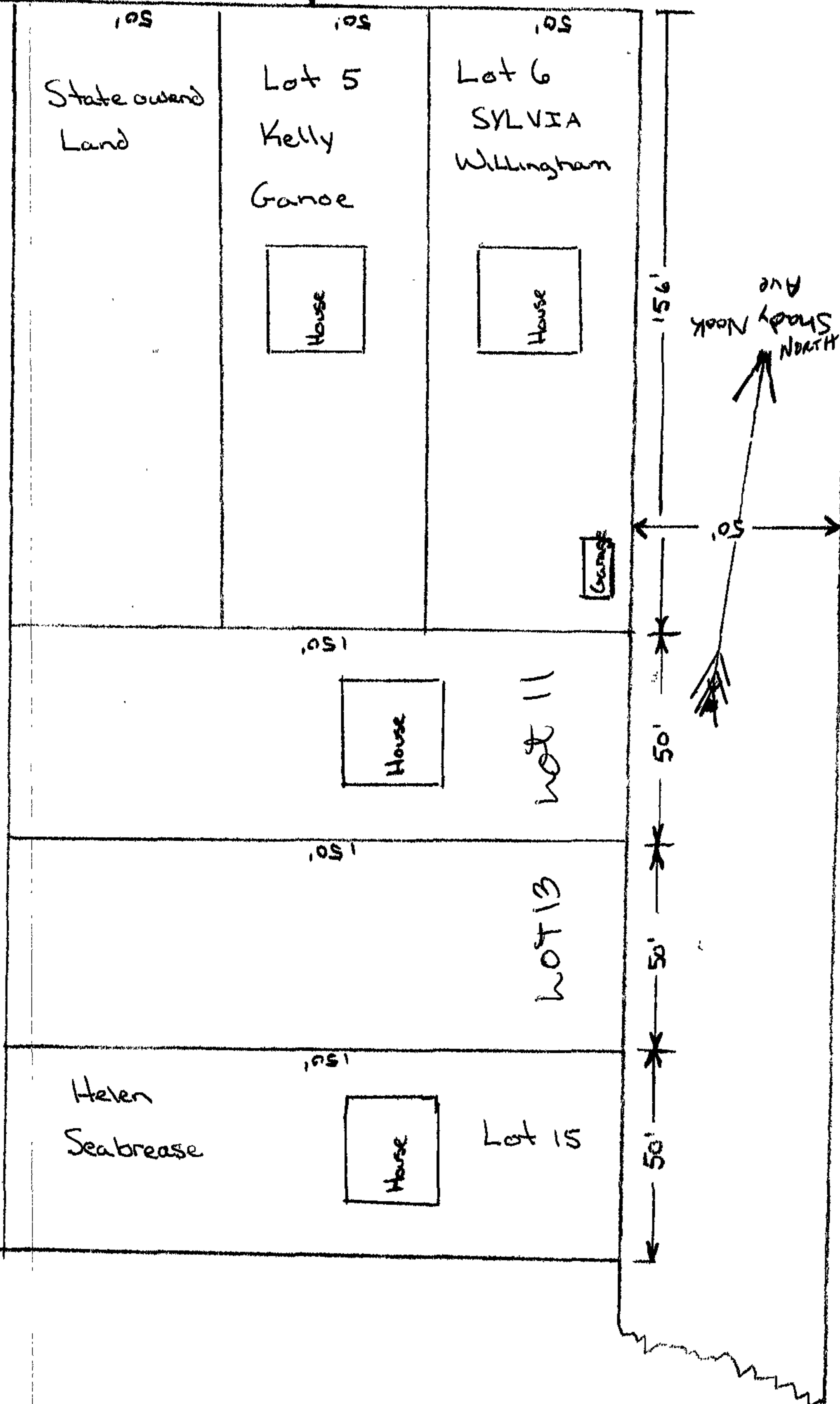
100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY / BUILDING ☐ ☒

PRIOR ZONING HEARING NO

ZONING OFFICE USE ONLY
REVIEWED BY JP / BJR ITEM # 225 CASE # 04-225-A

Pet. Ex. #1



#565
Ref #1



Rear View to SHADY NOOK AVE LOT