

IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Greencove Circle, 390 ft. S
centerline of Sea Point Road
15th Election District
7th Councilmanic District
(4550 Greencove Circle)

Carol and Dale Grimes
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 04-452-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Carol and Dale Grimes. The variance request is for property located at 4550 Greencove Circle in the eastern area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (patio room) with a rear yard setback of 27 ft. in lieu of the required 30 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 10, 2004, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Applicable Law

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

“The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where

ORDER RECEIVED FOR FILING

4/30/04

By *R. J. [Signature]*

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."

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

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioners' variance request should be GRANTED.

THEREFORE, IT IS ORDERED, this 30 day of April, 2004, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (patio room) with a rear yard setback of 27 ft. in lieu of the required 30 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition 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;

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 4/30/04
By R. J. Jernigan

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

April 29, 2004

Mr. & Mrs. Dale Grimes
4550 Greencove Circle
Baltimore, Maryland 21219

Re: Petition for Administrative Variance
Case No. 04-452-A
Property: 4550 Greencove Circle

Dear Mr. & Mrs. Grimes:

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

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

Very truly yours,

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

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Gerard Andersen
7110 Golden Ring Road
Baltimore, MD 21221





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 4550 Greencove Cir

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) 1B02.3.C.1 BCZR

To permit an addition (patio room) with a rear yard setback of 27' in lieu of the required 30'.

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

Property is to be posted and advertised as prescribed by the zoning regulations.

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Grimes Dale

Name - Type or Print

Dale Grimes

Signature

Grimes Carol

Name - Type or Print

Carol Grimes

Signature

4550 Greencove Cir 410-388-0531

Address

Telephone No.

Balto. Md.

City

State

21219-2354

Zip Code

Representative to be Contacted:

Gerard Andersen

Name

7110 Golden Ring Rd 410-780-0062

Address

Telephone No.

Balto Md

City

State

21221

Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 04-452-A

Reviewed By JF Date 3-31-04

Estimated Posting Date 4-11-04

10/25/01

ORDER RECEIVED FOR FILING
4/30/04

Affidavit in Support of Administrative Variance

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

That the Affiant(s) does/do presently reside at 4550 GREENCOVE Cir
Address
Balto. Md. 21219-2354
City State Zip Code

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

We would like to Build a Patio Room and Deck on the back of our home. Our lot is extremely small it is 6,414 SF in Total Area and with the 25 Ft min Restriction on the front we will only have 27 ft. rear set back. We need 30 ft. The Room is only 12'x16' This is the only place on our house where it can be built. There is a rear door from the house to the room This Room and Deck would let us enjoy our back yard

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

Dale Grimes
Signature

Grimes Dale
Name - Type or Print

Carol Grimes
Signature

Grimes Carol
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13 day of MARCH, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Dale & Carol Grimes
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

DELORES A. SCOTT
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 26, 2005

Delores A. Scott
Notary Public
My Commission Expires 11/26/05

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Dale Grimes
Signature

Grimes Dale
Name - Type or Print

Carol Grimes
Signature

Grimes Carol
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13 day of march, 2004 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Dale + Carol Grimes
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

DELORES A. SCOTT
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 26, 2005

Delores A. Scott
Notary Public
My Commission Expires 11/26/05



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 4550 Greencove Cir

which is presently zoned D. R. 3.5

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To permit an addition (patio room) with a rear yard setback of 27' in lieu of the required 30'.

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

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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):

Grimes Dale

Name - Type or Print

Dale Grimes

Signature

Grimes Carol

Name - Type or Print

Carol Grimes

Signature

4550 Greencove Cir 410-388-0531

Address

Telephone No.

Balto. Md. 21219-2354

City

State

Zip Code

Representative to be Contacted:

Gerard Andersen

Name

7110 Golden Ring Rd 410-780-0062

Address

Telephone No.

Balto Md 21221

City

State

Zip Code

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

Zoning Commissioner of Baltimore County

CASE NO. 04-452-A

Reviewed By JF Date 3-31-04

REV 10/25/01

Estimated Posting Date 4-11-04

Zoning description for 4550 Green Cove Circle

Beginning at the point on the south side of Green Cove Circle which is 50 ft. right-of-way wide at the distance of 390 ft. south of the centerline of the nearest improved intersecting street Sea Point Road which is 50 ft. right of way *being lot # 587, Section #1 in the subdivision of Beachwood estates as recorded in the Baltimore County Plat Book #2, Folio # 70/7 containing 6,419 sq. ft. Also Known as 4550 Green Cove Circle and located in the 15th election District, 7th Councilmanic District.

452

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 35763

DATE 3-31-04

ACCOUNT 001-006-6150

AMOUNT \$ 65.00

RECEIVED Champion Post Room CD 80160

FROM 4550 Gracieve Dr

FOR Administrative Variance

Item # 452

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT
CHILD RECEIPT

BUSINESS ACTION TIME DAY

3/31/2004 3:51:20PM 03:18:37 2

RECEIVED MAIL JEN JEE

RECEIPT # 32908 3/31/2004 IFPL

NOV 5 528 ZINING CERTIFICATION

CP NO. 035763

Receipt Tot \$65.00

\$65.00 TX

\$4.00 DR

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 04-452-A

Petitioner/Developer: DALE & CAROL
GRIMES

Date of Hearing/Closing: 4/26/04

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTN: Kristen Matthews {(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: _____

4550 GREENGROVE CIRCLE

The sign(s) were posted on _____

4/10/04
(Month, Day, Year)

Sincerely,

Robert Black 4/10/04
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

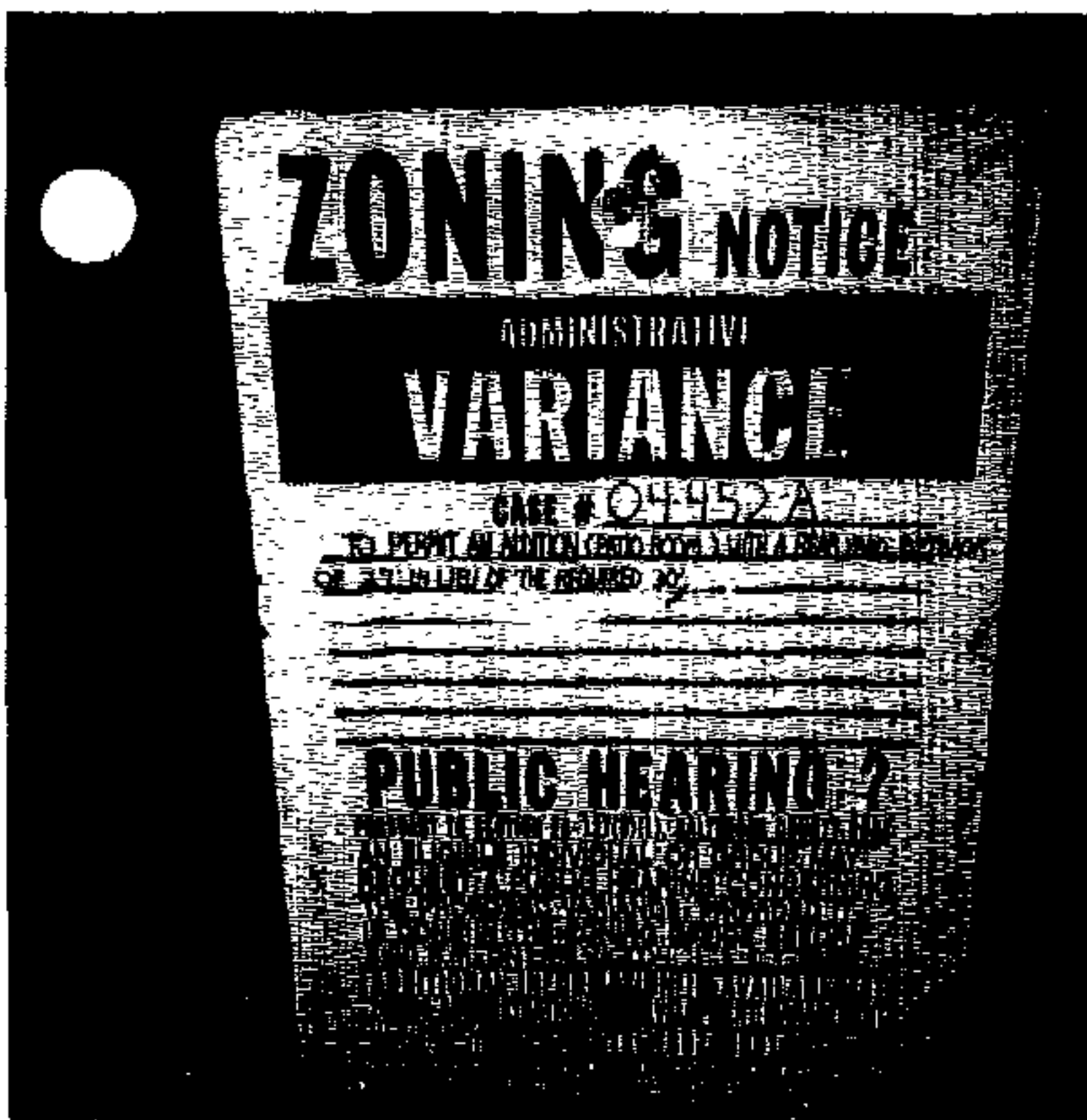
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 04-452 -A Address 4550 Greencove Cir.

Contact Person: JUN FERNANDO Phone Number: 410-887-3391
Planner Please Print Your Name

Filing Date: 3-31-04 Posting Date: 4-11-04 Closing Date: 4-26-04

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

Detach Along Dotted Line

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 04-452 -A Address 4550 Greencove Cir.

Petitioner's Name Dale & Carol Grimes Telephone 410-388-0531

Posting Date: 4-11-04 Closing Date: 4-26-04

Reasoning for Sign: To Permit an addition (patio room) with a rear yard setback of 27' in lieu of the required 30'.

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 04-452-A

Petitioner Grimes, Dale & Carol

Address or Location 4650 Greencove Cir

PLEASE FORWARD ADVERTISING BILL TO

Name Champion

Address 7110 Golden Ring Rd
Balto Md. 21221

Telephone Number 410 780-0062

**Department of Permits
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*

April 26, 2004

Dale Grimes
Carol Grimes
4550 Greencove Circle
Baltimore, Maryland 21219-2354

Dear Mr. and Mrs. Grimes:

RE: Case Number:04-452-A, 4550 Greencove Circle

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 31, 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.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Gerald Anderson 7110 Golden Ring Road Baltimore 21221

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



Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

April 9, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: April 12, 2004

Item No.: 341, 450-456 *452*

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.

6. 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

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4.13.04

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

RE: Baltimore County
Item No. 452 JRF

Dear Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

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

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley *RBS/jdo*

DATE: April 5, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of April 12, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-341

04-451

04-452

04-453

04-454

04-456

Reviewers: Sue Farinetti, Dave Lykens

Date: May 5, 2004

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 15, 2004

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

SUBJECT: Zoning Advisory Petition(s): **Case 4-452 – Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared By:

Mark A. Cunningham

Division Chief:

Lynne L. Lumber

AFK/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 18, 2004

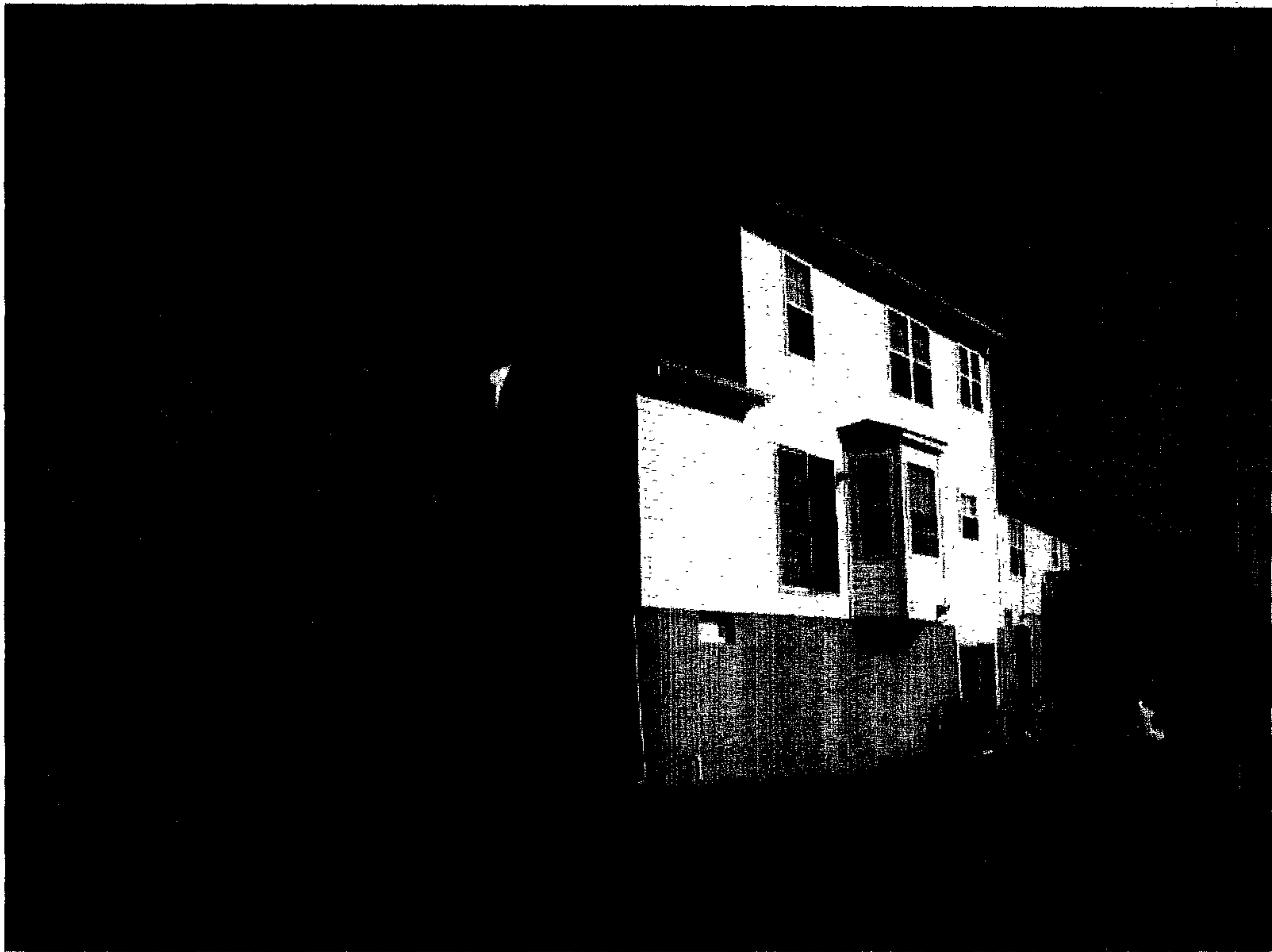
FROM: *Rwb* Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For April 19, 2004
Item Nos. 341, 450, 451, 452, 453, 454,
455, and 456

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

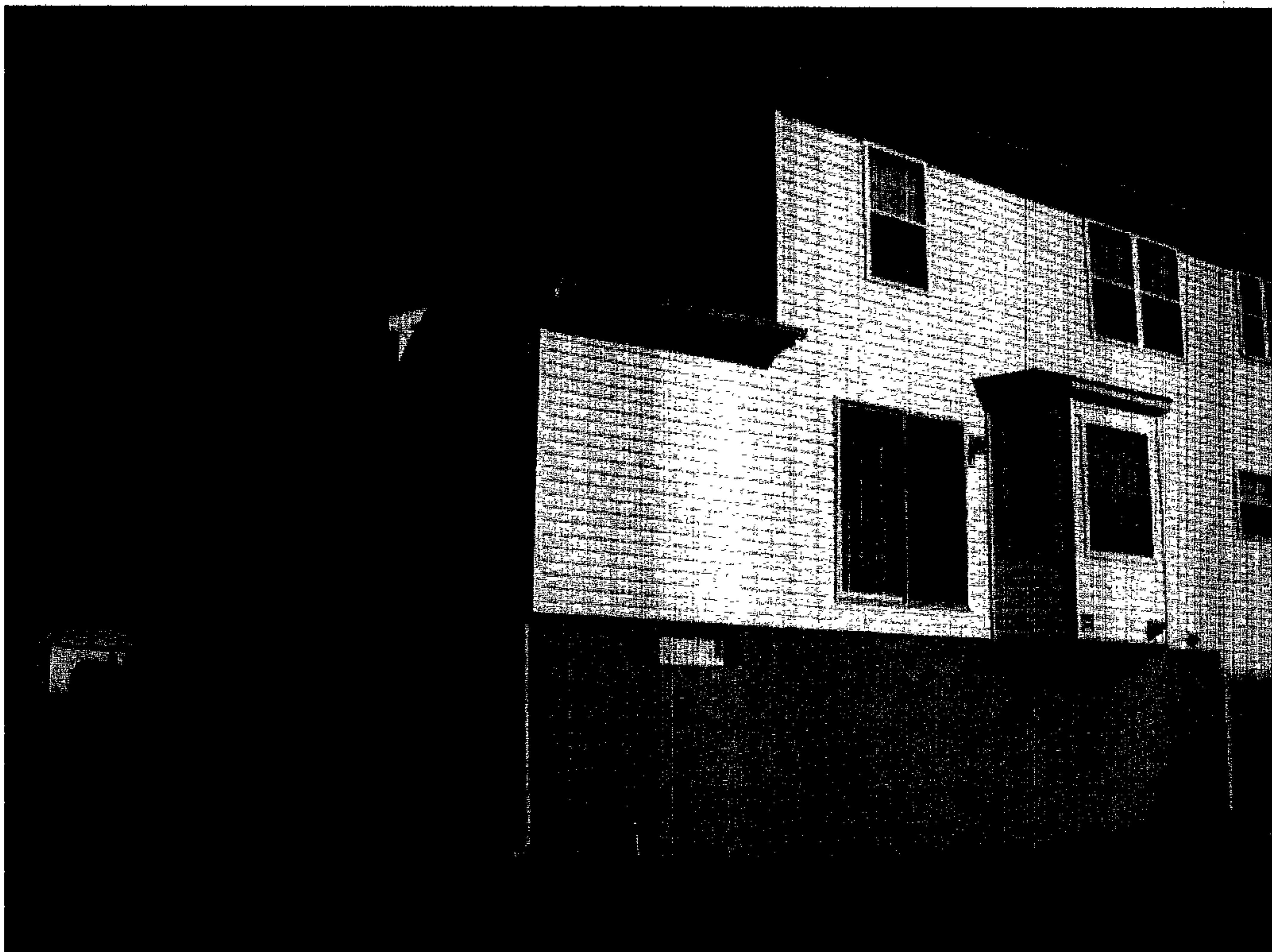
RWB:CEN:jrb

cc: File



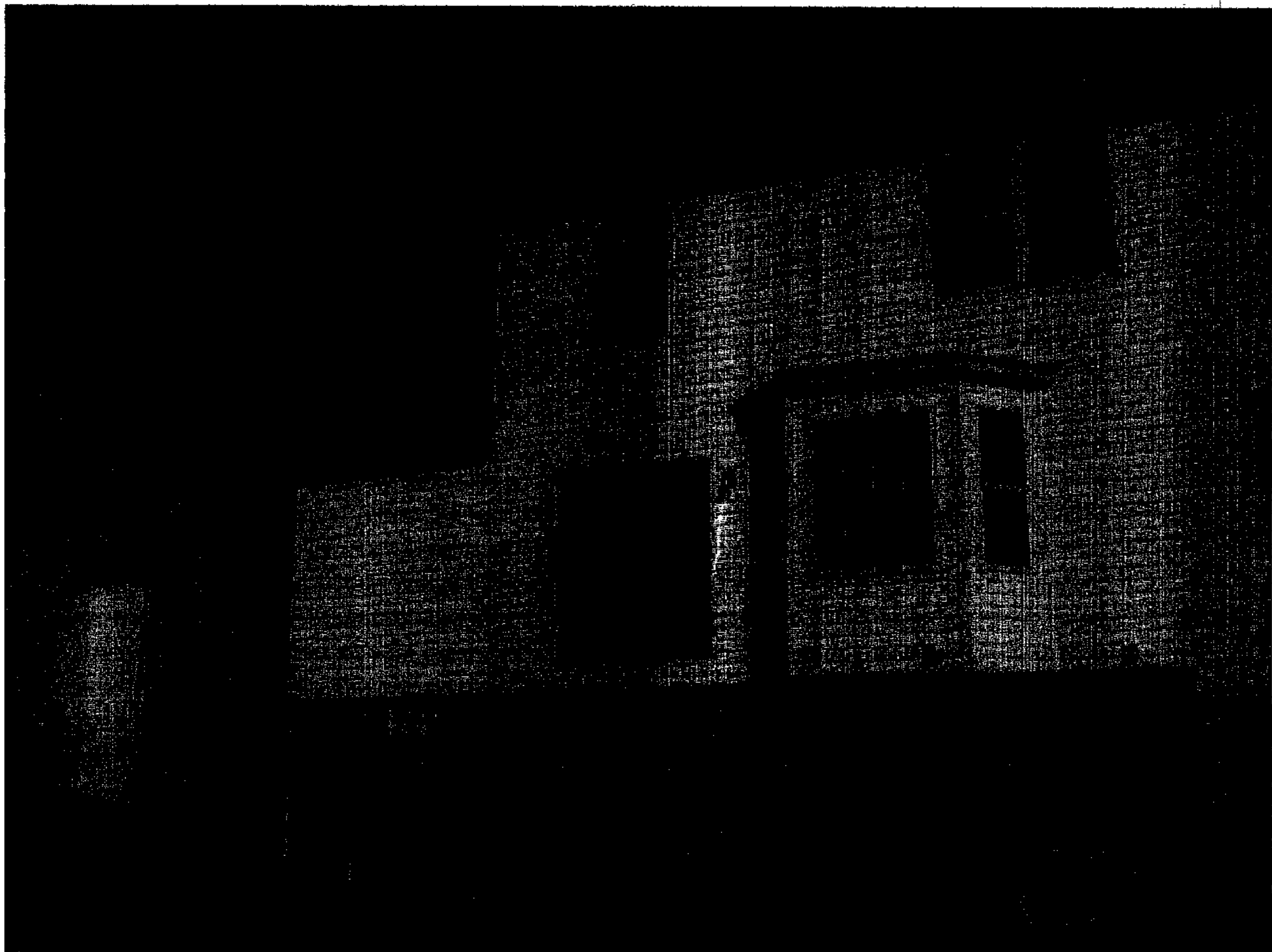
Left side

452



Back Left side

452



Back

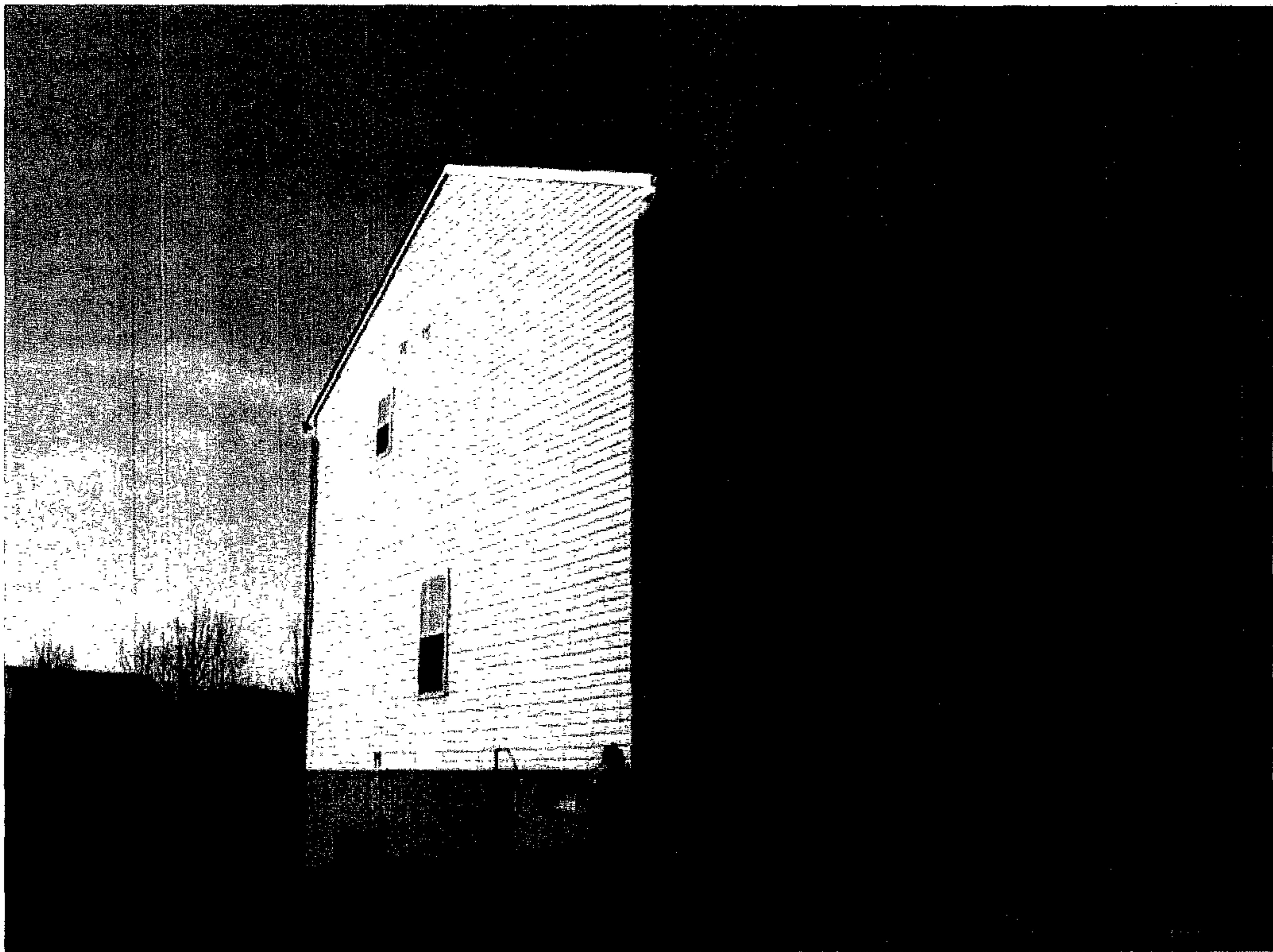
452



Back Right side



Back Right side



Left Side

P. 583

P 582

P. 423

PSB

P. 587

P. 588

P. 594

1595

ZONING

DR. 3.5

TODD

POINT

E 46,500

PIER

452

FOUND.

LANE

PIER

SCALE

1" = 200' ±

DATE

OF

LOCATION

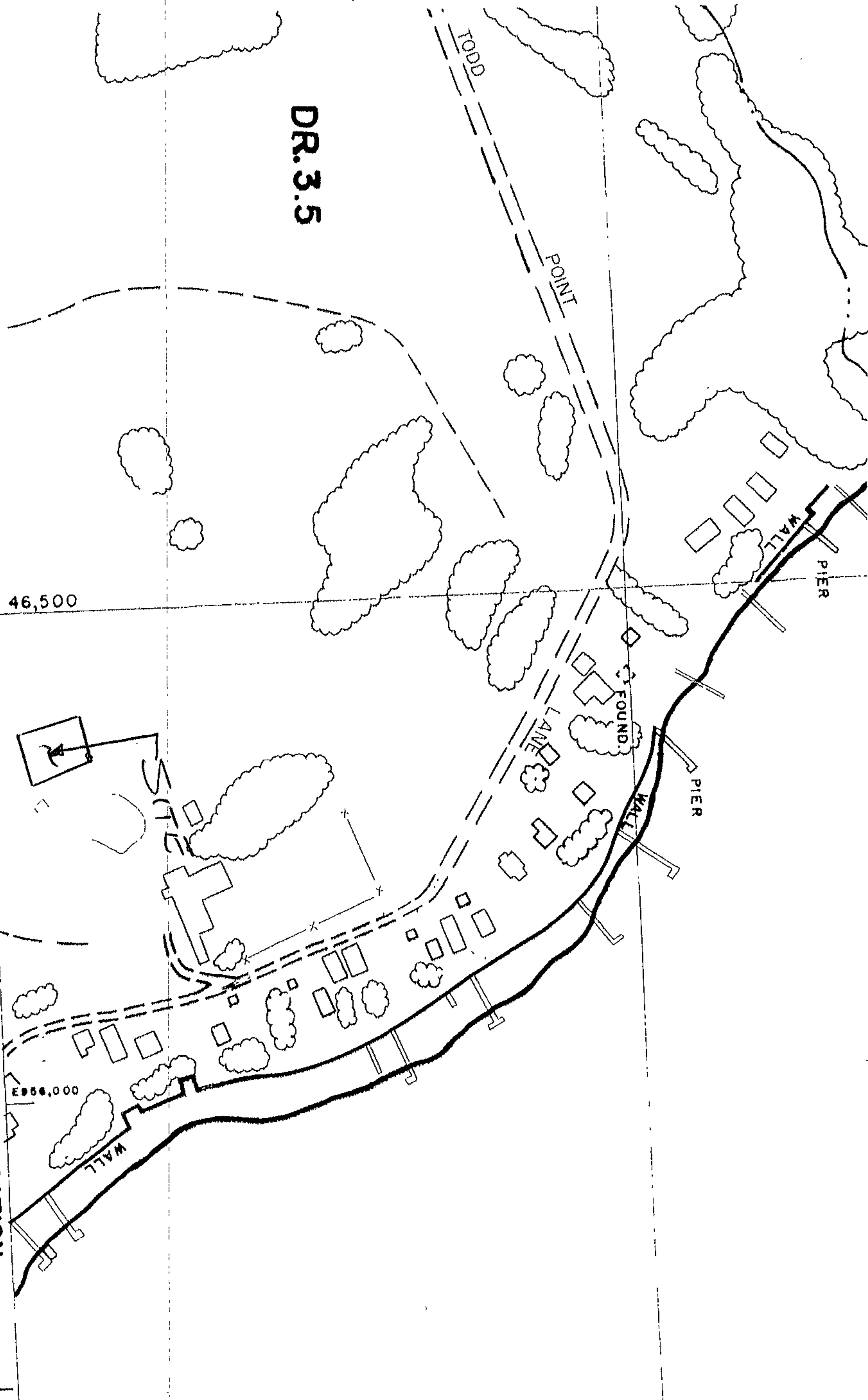
E 958,000

WALL

SEE 411

NORTH POINT

1" = 200'



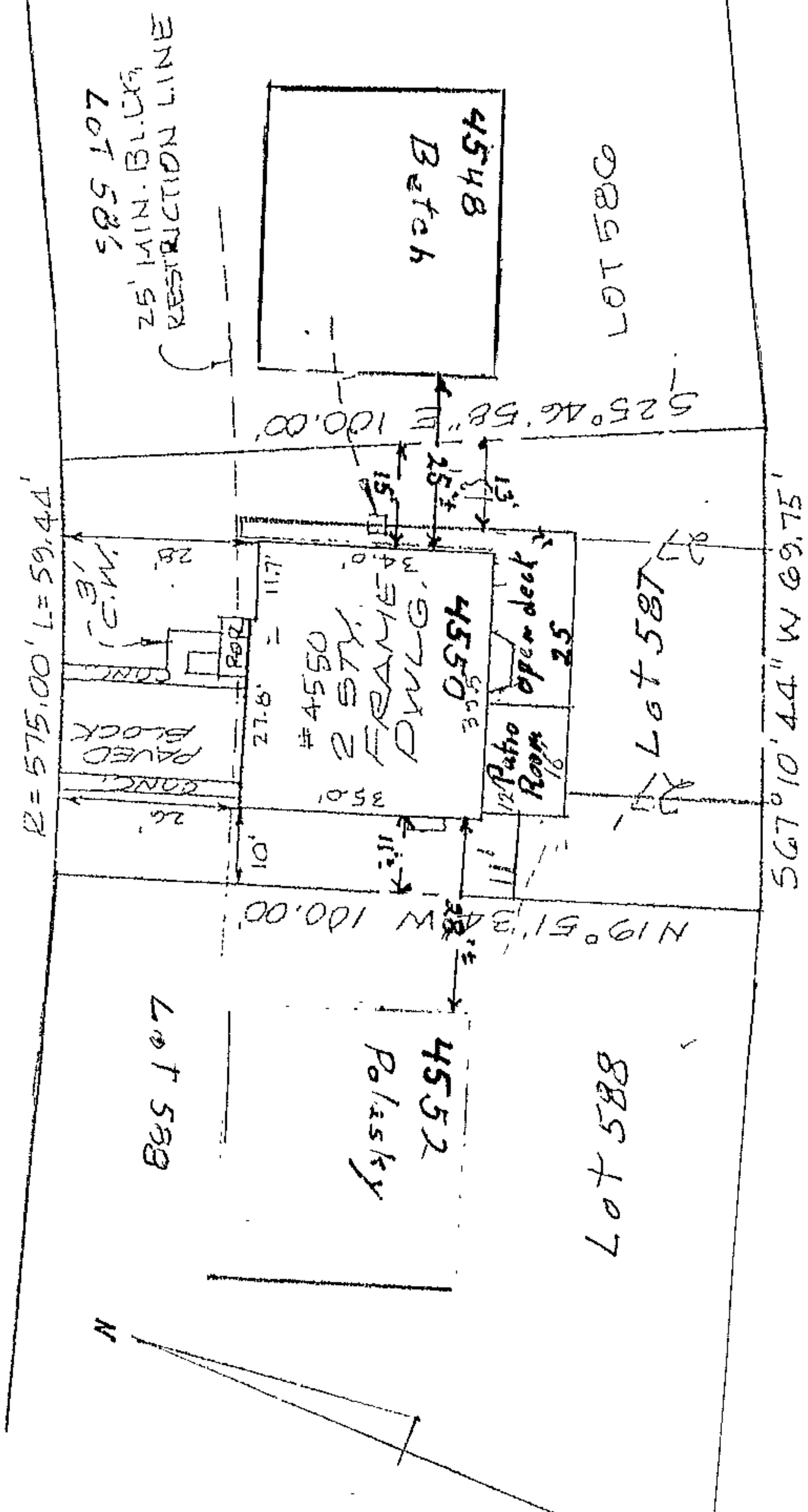
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 4550 Greencove Cir SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Backwood Estates

PLAT BOOK # 2 FOLIO # 70/7 LOT # 587 SECTION # 1

OWNER Grimes, Dale & Carol



NORTH



Green Cove Circle
(50' R/W)

PREPARED BY Gerard Andersen SCALE OF DRAWING: 1" = 30'

LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 7

1"=200' SCALE MAP # SE 44

ZONING DR.3.5

LOT SIZE 0.1474 ACREAGE 6,419 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☐ NO

100 YEAR FLOOD PLAIN ☐ YES ☐ NO

HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO

PRIOR ZONING HEARING ☐

ZONING OFFICE USE ONLY
REVIEWED BY 5F ITEM # 452 CASE # 452

