

IN RE: PETITION FOR VARIANCE
S/S of Bay Drive, 140 ft. W
centerline of Chesapeake Avenue
15th Election District
6th Councilmanic District
(3551 Bay Drive)

Rosalie Rodgers & Frederick Conti
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-505-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Rosalie Rodgers & Frederick Conti. The Petitioners are requesting variance relief for property located at 3551 Bay Drive in the eastern area of Baltimore County. The variance request is from Sections 1A04.3.B.2 and 102.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow side yard setbacks of 10 ft. and 13 ft. in lieu of the required 50 ft. each and to permit construction of a single-family dwelling on a lot containing 13,546 sq. ft. +/- in lieu of the minimum required 20,000 sq. ft. which does not have an in-fee access to a 30 ft. public right-of-way.

The property was posted with Notice of Hearing on June 8, 2004, 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 June 8, 2004 to notify any interested persons of the scheduled hearing date.

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 special circumstances or conditions exist that are peculiar to the land or structure which is the

NOTED RECEIVED FOR FILING
Date 7/2/04
By R. J. Jenson

