

Testimony and evidence indicated that the subject properties are adjacent lots in the subdivision known as "Hyde Park", located in the Back River area of eastern Baltimore County. Both lots are part of the plat, which was recorded for that subdivision in 1930. Both lots are 50 ft. wide and approximately 200 ft. deep, for a square footage of 10,000 sq. ft.

Lot No. 176 (1420 Kent Road) is presently approved with a single-family dwelling. Apparently, the house was built a number of years ago and is to be razed. It is anticipated that a new dwelling will be constructed as a replacement. The new dwelling will be 28 ft. x 46 ft. in dimension, zoned D.R. 5.5, and will observe all the required setbacks (front, side and rear) for a dwelling in a D.R. zone.

Lot No. 177 (1422 Kent Road) is unimproved and it has been used essentially over the years as a side yard for the existing dwelling. However, Mr. Bialozynski proposes the construction of a new single-family dwelling thereon. The new house will also be 28 ft. wide x 46 ft. in depth and will maintain all of the appropriate front, rear and side yard setbacks.

Relief is requested only to approve the 50 ft. wide lot. Mr. Moskunas indicated that many houses in the neighborhood are developed on 50 ft. wide lots. This representation was confirmed in a written comment from the Office of Planning, which indicated that the existing lot pattern in the neighborhood is a mixture of 50 ft. and wider lots. Thus, the proposal appears consistent with the locale. A particularly unique factor regarding this property and the request relates to an existing drainage and utility easement held by Baltimore County that crosses Lot No. 177. It was indicated that a storm drain is located within that easement. The easement runs at an angled manner from the center of the front of the lot to the side property line, as more particularly shown on the site plan. Due to this situation, it is necessary that the proposed dwelling on Lot No. 177 needs to be set back further from the road so that it does not interfere with that easement. In this regard, a ZAC comment was received from Robert Bowling on behalf of the

ORDER RECEIVED FOR PLAT
Date 9/27/04
By [Signature]

