

IN RE: PETITION FOR VARIANCE
NE/Corner Turkey Point Road and
Seneca Road
(2200 Turkey Point Road)
15th Election District
6th Council District

Grover E. Wilson, et ux, Owners;
Howard V. French, Sr., Contract Purchaser *

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 05-145-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Grover E. Wilson, and his wife, Evelyn P. Wilson. The Petitioners request variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Page S-14, Policy Manual, Page 1B-26) to permit a side yard setback of 13 feet for a corner lot in lieu of the required 30 feet for a proposed dwelling. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request was Howard V. French, Sr., who is now owner of the property. Peter Connally and Rochelle Santoro, who reside in the area, appeared as interested citizens. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped corner lot located at the intersection of Turkey Point Road and Seneca Road in eastern Baltimore County. The property is comprised of three lots, identified as Lots 1, 2 and 3 of the subdivision known as Rockaway Beach, which is an older, waterfront community that was recorded in the Land Records of Baltimore County many years ago. Although not immediately adjacent to the water, the property is located not far from Middle River and thus, is subject to compliance with Chesapeake Bay Critical Areas regulations. Collectively, the property contains a

ORDER RECEIVED FOR FILING

Date

By

12/2/04
HGP

gross area of 9,625 sq.ft. (0.22 acres) more or less, zoned D.R.3.5 and is improved with a single-family dwelling. The property is approximately 100.5 feet wide along Turkey Point Road, 135.5 feet deep along Seneca Road; however, tapers to a width of 50 feet across the rear. The property to the east is vacant.

Mr. French gave a brief history of the property. Apparently, his son-in-law's father, Grover Wilson, previously resided in the home until he became ill and abandoned the property several years ago. Mr. French testified that the house was constructed in approximately 1944 and is now in a state of disrepair. In any event, the Petitioner contracted to purchase the property and in fact became the owner on November 5, 2004. Due to the condition of the existing dwelling, the Petitioner proposes razing that structure and constructing a new single-family dwelling in its place. Testimony indicated that the Petitioner has discussed his plans with the Rockaway Beach Improvement Association, the Volunteer Fire Department, which is located across from the subject site, as well as the neighbors who appeared at the hearing and they all support his proposal. As shown on the site plan, the new dwelling will be 40' x 28' in dimension and feature an attached garage. Due to the unusual shape of the property, the requested relief is necessary in order to proceed as proposed.

During the course of the proceedings in this matter, it was determined that an error had been made in calculating the side setbacks for the new structure. As originally proposed, the new dwelling would be located 13 feet from the side property line adjacent to Seneca Road. However, in its Zoning Advisory Committee (ZAC) comment, the Bureau of Development Plans Review indicated that the actual right-of-way width for Seneca Road is 40 feet, not 30 feet as shown on the Petitioner's plan and that same need be amended. In response to this comment, the Petitioner submitted into evidence as Petitioner's Exhibit 3, a copy of a survey prepared by Leonard G. Buerhous, a Registered Property Line Surveyor, dated November 3, 2004. Mr. Buerhous certified that Seneca Road as a 30-foot right-of-way. In order to rectify the matter, the Petitioner offered to amend his plan and modify the requested relief in that the proposed dwelling will be located 8 feet from Seneca Road, not 13 feet as originally proposed.

It is to be noted that the right-of-way is an imaginary line and the proximity of the house to the road surface is not changing. Since Seneca Road dead-ends at the Eastern Yacht Club, it is doubtful that the current 18-foot width of paving will be changed in the foreseeable future. In view of the fact that the physical location of the house has not changed from that shown on the site plan, and those present at the hearing had no objection, the plan was amended accordingly and the hearing proceeded on the merits of the modified relief requested.

Section 1B02.3.C.1 of the B.C.Z.R. requires a minimum sum of the side yards of 25 feet in the D.R.3.5 zone. The Zoning Commissioner's Policy Manual states at Page 1B-26 thereof, Section 1B02.3.C.1(a) "Side Street Setbacks when the small lot table applies are the same as the required front yard setback. *Averaging is not permitted on a side street setback.*" Accordingly, there is no "sum of side yard requirement" for the subject lot.

After due consideration of the testimony and evidence offered, I am persuaded to grant the requested relief. I find that the Petitioner has met the requirements of Section 307 for relief to be granted and that strict compliance with the regulations would result in a practical difficulty and unreasonable hardship. The uniqueness of the property is its irregular shape and corner location. Moreover, the proposed dwelling will actually be located further away from Turkey Point Road and Seneca Road than the existing dwelling. There were no adverse comments submitted by any County reviewing agency and it appears that the Petitioner has the support of his neighbors. Thus, relief shall be granted subject to certain terms and conditions. First, the Petitioner is reminded that the proposal need comply with Chesapeake Bay Critical Areas regulations as set forth in the ZAC comment submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated October 26, 2004. Secondly, the Office of Planning has requested a landscape plan be submitted for their review and approval, prior to the issuance of any building permits. In this regard, the proposed garage will be located adjacent to Seneca Road and the Office of Planning has requested that a landscape screen be provided along that side of the subject property to mitigate its view. The Petitioner had no objection to this request and indicated that he was amenable to providing an evergreen buffer along that side. It is to be noted that

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Date

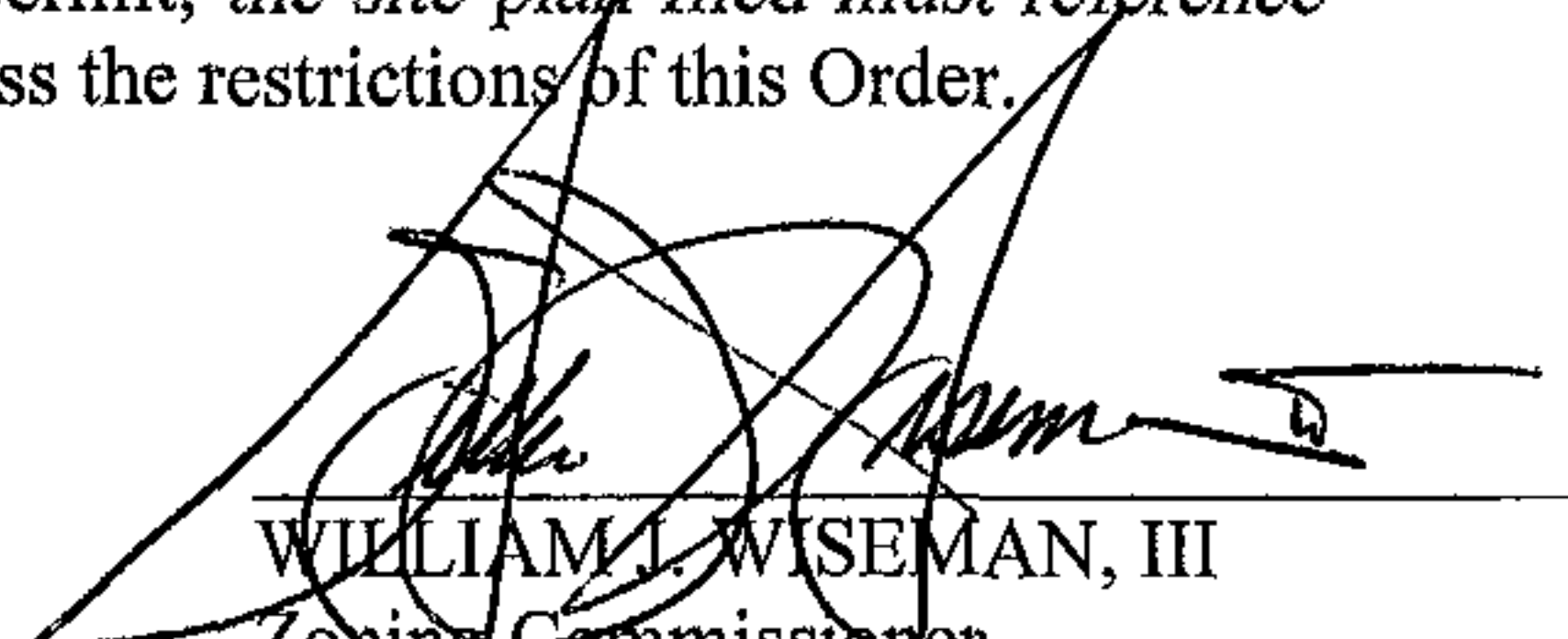
By

Seneca Road dead-ends at the Eastern Yacht Club just north of the subject site and thus, is not a heavily traveled street. Moreover, there are no residential properties on the west side of Seneca Road, which is occupied by the Rockaway Beach Volunteer Fire Company.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of December 2004 that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Page S-14, Policy Manual, Page 1B-26) to permit a side yard setback of 8 feet, as amended, for a corner lot in lieu of the required 30 feet for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at his own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with Chesapeake Bay Critical Areas regulations, pursuant to the ZAC comments submitted by the Department of Environmental Protection and Resource Management, dated October 26, 2004, a copy of which is attached hereto and made a part hereof.
- 3) Prior to the issuance of any permits, the Petitioners shall submit a landscape plan for review and approval by the Office of Planning. Said plan shall provide sufficient landscaping to buffer the proposed garage from Seneca Road.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING

Date 12/2/04

By [Signature]

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
William J. Wiseman III, Zoning Commissioner

December 2, 2004

Mr. Howard V. French, Sr.
320 Greyhound Road
Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE
NE/Corner Turkey Point Road and Seneca Road
(2200 Turkey Point Road)
15th Election District – 6th Council District
Grover E. Wilson, Owners; Howard V. French, Sr., Contract Purchaser - Petitioners
Case No. 05-145-A

Dear Mr. French:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman, III", is written over the typed name.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. Peter Connally, 2210 Turkey Point Road, Baltimore, Md. 21221
Ms. Roschelle Santoro, 2208 Turkey Point Road, Baltimore, Md. 21221
Chesapeake Bay Critical Areas Commission
1804 West Street, Suite 100, Annapolis, Md. 21401
DEPRM; Office of Planning
People's Counsel; Case File

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





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2200 TURKEY POINT RD
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) 1807.30.1 (POUCHS - 14, 15, 16) to

PERMIT A SIDE STREET SETBACK OF 13 FT IN LIEU OF THE REQUIRED 30 FT.

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

EXISTING HOME IS TOO CLOSE TO ROAD & IN POOR CONDITION

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:

HOWARD V. FRENCH SR.
Name - Type or Print
Howard V French Sr.
Signature
320 GREYHOUND RD 410-686-5752
Address Telephone No.
BALTIMORE MD 21221
City State Zip Code

Attorney For Petitioner:

Name - Type or Print
Signature
Company
Address Telephone No.
City State Zip Code

Case No. 05-145-A
Date 12/21/04
By [Signature]

REV 9/15/98

Legal Owner(s):

GROVER E. WILSON
Name - Type or Print
Grover E Wilson
Signature
EVELYN P. WILSON
Name - Type or Print
Evelyn P. Wilson
Signature
2200 TURKEY POINT RD NONE
Address Telephone No.
BALTIMORE MD 21221
City State Zip Code

Representative to be Contacted:

HOWARD V FRENCH SR
Name
320 GREYHOUND RD 410-686-5752
Address Telephone No.
BALTIMORE MD 21221
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 09-20-04

ZONING DESCRIPTION FOR 2200 TURKEY POINT ROAD

Beginning at the intersection of Seneca Road which is a 30 foot right of way and Turkey Point Road which is a 40 foot right of way, continuing east on Turkey Point Road for 100.5 feet. Also beginning at the intersection of Seneca Road and Turkey Point Road continuing north on Seneca Road for 135.5 feet. Being Lots #1, 2, & 3 in the subdivision of Rockaway Beach, as recorded in Baltimore County Plat Book O.T.G. 5138, Folio 622 containing 9625 square feet. Located in the 15th election district and the 6th councilmanic district.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

05-145-17
No. 40638

DATE 09-20-04 ACCOUNT 2001-006-6130

AMOUNT \$ 65.00

RECEIVED FROM Mr. Howard Tucker
FOR Res. Van
2200 Turkey Point Rd

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

577

PAID RECEIPT

BUSINESS ACTUAL TIME
9/20/2004 9/20/2004 09:27:12
RES. VAN
9/20/2004 9/20/2004
9/20/2004 9/20/2004
Page 5 528 ZIMMERS VERIFICATION
CR NO. 040638

Receipt for \$65.00
\$65.00 DE
Baltimore County, Maryland

CASHIER'S VALIDATION

**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: #05-145-A
2200 Turkey Point Road
Corner N/east side of Turkey Point Road, s/east side of Seneca Road
15th Election District
6th Councilmanic District
Legal Owner(s): Grover E. and Evelyn P. Wilson
Variance: to permit side street setback of 13 feet in lieu of the required 30 feet.
Hearing: Wednesday, November 10, 2004 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

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/10/756 Oct. 26 27274

CERTIFICATE OF PUBLICATION

10/26/, 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 10/26/, 2004.

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

J. Wilkins

LEGAL ADVERTISING

Certificate Of Posting

RE: Case NO.: 05-145-A

Petitioner/Developer: _____
HOWARD FRENCH

Date of Hearing/Closing: 11/10/04

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

Attention:

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
at 2200 TURKEY POINT ROAD

This sign(s) were posted on OCTOBER 26, 2004
(Month, Day, Year)

Sincerely,

Martin Ogle 10/26/04
(Signature of Sign Poster and Date)

Martin Ogle

(Printed Name)

5016 Castlestone Drive

(Address)

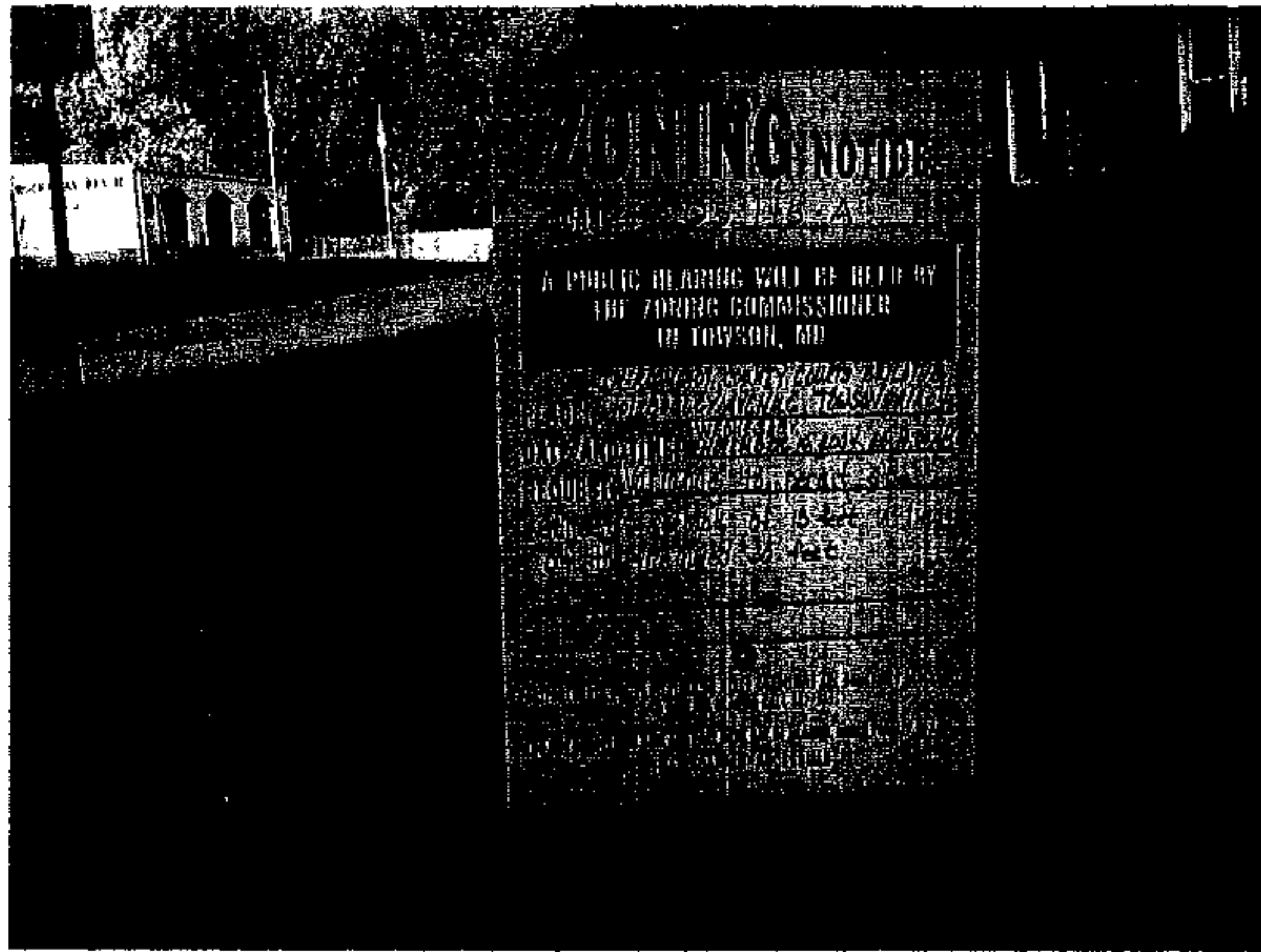
Balto, MD 21237

(City, State, Zip Code)

(410)-933-9470

(Phone Number)

lm000108 (1152x864x24b jpeg)



W. J. Wilson 10/26/04

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 26, 2004 Issue - Jeffersonian

Please forward billing to:
Howard V. French
320 Greyhound Road
Baltimore, MD 21221

410-686-5782

NOTICE OF ZONING HEARING

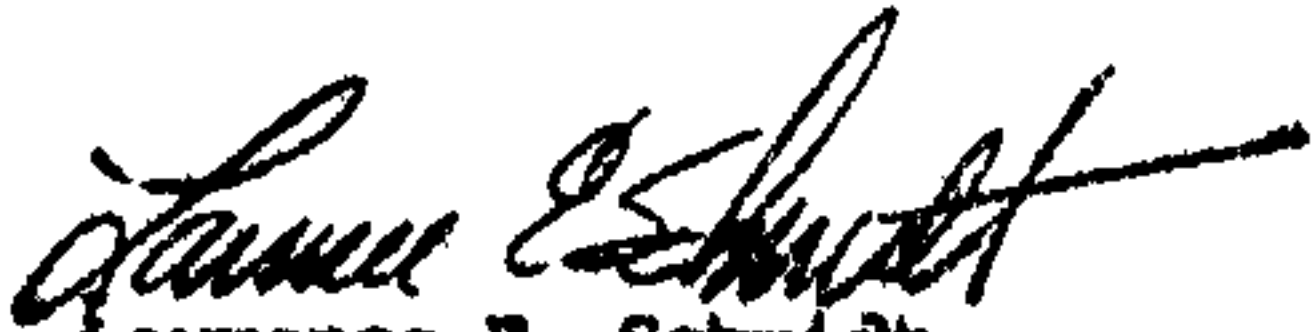
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 05-145-A

2200 Turkey Point Road
Corner N/east side of Turkey Point Road, s/east side of Seneca Road
15th Election District – 6th Councilmanic District
Legal Owners: Grover E. and Evelyn P. Wilson

Variance to permit side street setback of 13 feet in lieu of the required 30 feet.

Hearing: Wednesday, November 10, 2004 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



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.



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

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

October 1, 2004

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: 05-145-A

2200 Turkey Point Road

Corner N/east side of Turkey Point Road, s/east side of Seneca Road

15th Election District – 6th Councilmanic District

Legal Owners: Grover E. and Evelyn P. Wilson

Variance to permit side street setback of 13 feet in lieu of the required 30 feet.

Hearing: Wednesday, November 10, 2004 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: Grover & Evelyn Wilson, 2200 Turkey Point Rd., Baltimore 21221
Howard C. French, Sr., 320 Greyhound Rd., Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 26, 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.

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 OS-145-A
Petitioner. HOWARD V. FRENCH
Address or Location: 2200 TURKEY POINT RD BALTO MD 21221

PLEASE FORWARD ADVERTISING BILL TO

Name. HOWARD V. FRENCH
Address 320 GREYHOUND RD
BALTIMORE MD 21221
Telephone Number 410-686-5752

**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*

November 3, 2004

Grover E. Wilson
Evelyn P. Wilson
2200 Turkey Point Road
Baltimore, Maryland 21221

Dear Mr. and Mrs. Wilson:

RE: Case Number:05-145-A, 2200 Turkey Point Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 20, 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: clb

Enclosures

c: People's Counsel
Howard V. French, Sr. 320 Greyhound 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

October 7, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: October 7, 2004

Item No.: 093, 131, 144-155, 157

145

Pursuant to your request, the referenced plan(s) have been reviewed 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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 13, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For October 12, 2004
Item No. 145³

The Bureau of Development Plans Review has reviewed the subject-zoning item.

A minimum 40-foot right-of-way for Seneca Road shall be shown, and the requested variances are to be modified accordingly.

RWB:CEN:jrb

cc: File

BW
11/10

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Ketroco

FROM: John D. Oltman, Jr ^{Jr}

DATE: October 26, 2004

SUBJECT: Zoning Item # 05-145
Address 2200 Turkey Point Road (Wilson Property)

RECEIVED

OCT 27 2004

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of October 4, 2004.

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

 X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

 X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

The proposed development must comply with the Limited Development Area regulations of 15% minimum tree cover and 25% maximum impervious surface.

Reviewer: Martha Mickey, Sue Farinetti

Date: October 26, 2004

RE: PETITION FOR VARIANCE * BEFORE THE
2200 Turkey Point Road; Corner NE/side *
Turkey Pt Rd & SE/side Seneca Rd * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Grover E & Evelyn Wilson * FOR
Contract Purchaser(s): Howard V. French, Sr. *
Petitioner(s) * BALTIMORE COUNTY
* 05-145-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.

Rec'd
10/6/04
kin

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 6th day of October, 2004, a copy of the foregoing Entry of Appearance was mailed to, Howard V. French, Sr., 320 Greyhound Road, Baltimore, MD 21221, Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BW
11/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 12, 2004

RECEIVED

OCT 13 2004

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

ZONING COMMISSIONER

SUBJECT: 2200 Turkey Point Road

INFORMATION:

Item Number: 5-145

Petitioner: Grover E. Wilson

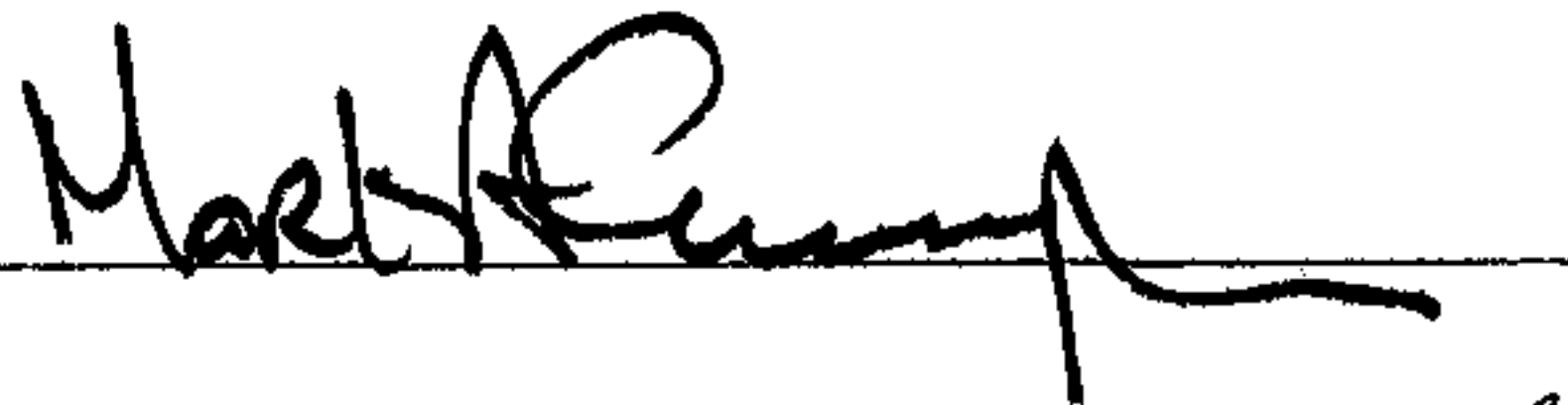
Zoning: Dr 3.5

Requested Action: Variance

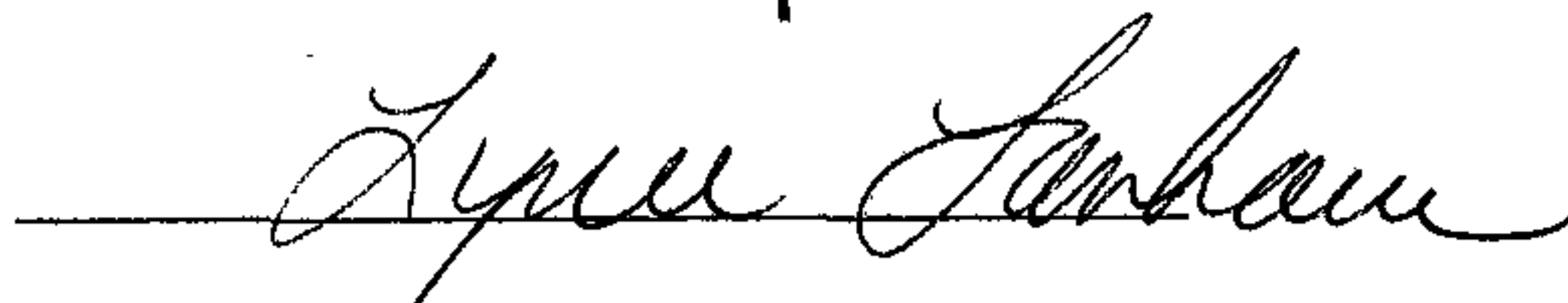
SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided a landscape screen is planted along Seneca Road to mitigate to view of the subject dwelling/garage from Seneca Road. The petitioner should submit a landscape plan to this office prior to the issuance of any building permits.

Prepared by:



Division Chief:



AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 26, 2004

RECEIVED

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

NOV 30 2004

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-230 – 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: Lyn Barber

MAC/LL

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



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

Maryland Department of Transportation

Date: 10.4.04

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

RE: Baltimore County
Item No. 145 JRA

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,

Steven D. Foster, Chief
Engineering Access Permits Division

Click here for a plain text ADA compliant screen.



**Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search**

Account Identifier: District - 15 Account Number - 1502002000

Owner Information

Owner Name: FRENCH HOWARD V
FRENCH IRENE B
Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 320 GREYHOUND RD
BALTIMORE MD 21221-1801
Deed Reference: 1) /20939/ 580
2)

Location & Structure Information

Premises Address
2200 TURKEY POINT RD

Legal Description
LT 1,2
NE COR SENECA AVE
ROCKAWAY BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:	Plat Ref:
98	15	211					1	82		6/ 173

Special Tax Areas

**Town
Ad Valorem
Tax Class**

Primary Structure Built
1944

Enclosed Area
1,008 SF

Property Land Area
6,500.00 SF

County Use
04

Stories
1

Basement
YES

Type
STANDARD UNIT

Exterior
ASBESTOS SHINGLE

Value Information

	Base Value	Value As Of 01/01/2003	Phase-in Assessments As Of 07/01/2004	As Of 07/01/2005
Land:	31,500	31,500		
Improvements:	44,530	47,930		
Total:	76,030	79,430	78,296	79,430
Preferential Land:	0	0	0	0

Transfer Information

Seller: WILSON GROVER E	Date: 11/05/2004	Price: \$47,604
Type: MULT ACCTS ARMS-LENGTH	Deed1: /20939/ 580	Deed2:
Seller: BATES HAROLD G	Date: 10/29/1970	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 5138/ 622	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2004	07/01/2005
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

CASE NAME 05-145A

DATE _____

NAME

CITY, STATE, ZIP

E-MAIL

2210 Turkey found
2208 Turkey pt. Rd.

Ba/fo. MD 2/22/22
Ba/fo MD 2/22/22

Coacheon@Hotmail
Ro325@comcast.net

[illegible]

CASE NAME OS-145A
CASE NUMBER _____
DATE _____

PETITIONER'S SIGN-IN SHEET

[illegible]

Case No.: 05-145 A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	PLAT with Petition	
No. 2	IMPROVEMENT ASSN undated Letter IN SUPPORT	
No. 3	SURVEY AND VERIFICATION of 30' Rt of Way - Seneca Ave	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Rockaway Beach Improvement Assn.

To: Baltimore County Planning and Zoning Dept.

Re: Zoning Hearing - 2200 Turkey Point Road

Location: Corner NE/side Turkey Point Road and s/east side of Seneca Road. 15th Election District

CASE NUMBER: 05-145-A

Legal Owners: Grover E. and Evelyn Wilson

Contract Purchaser: Howard V. French, Sr.

Variance to permit side street setback of 13 feet in lieu of the required 30 feet.

The Rockaway Beach Improvement Assn., Inc. voted at its October meeting to support the above variance request. The replacement of the existing house with a new home with an adjusted setback would greatly enhance the gateway to our community.

Thank you for your consideration,


Jackie Nickel, President

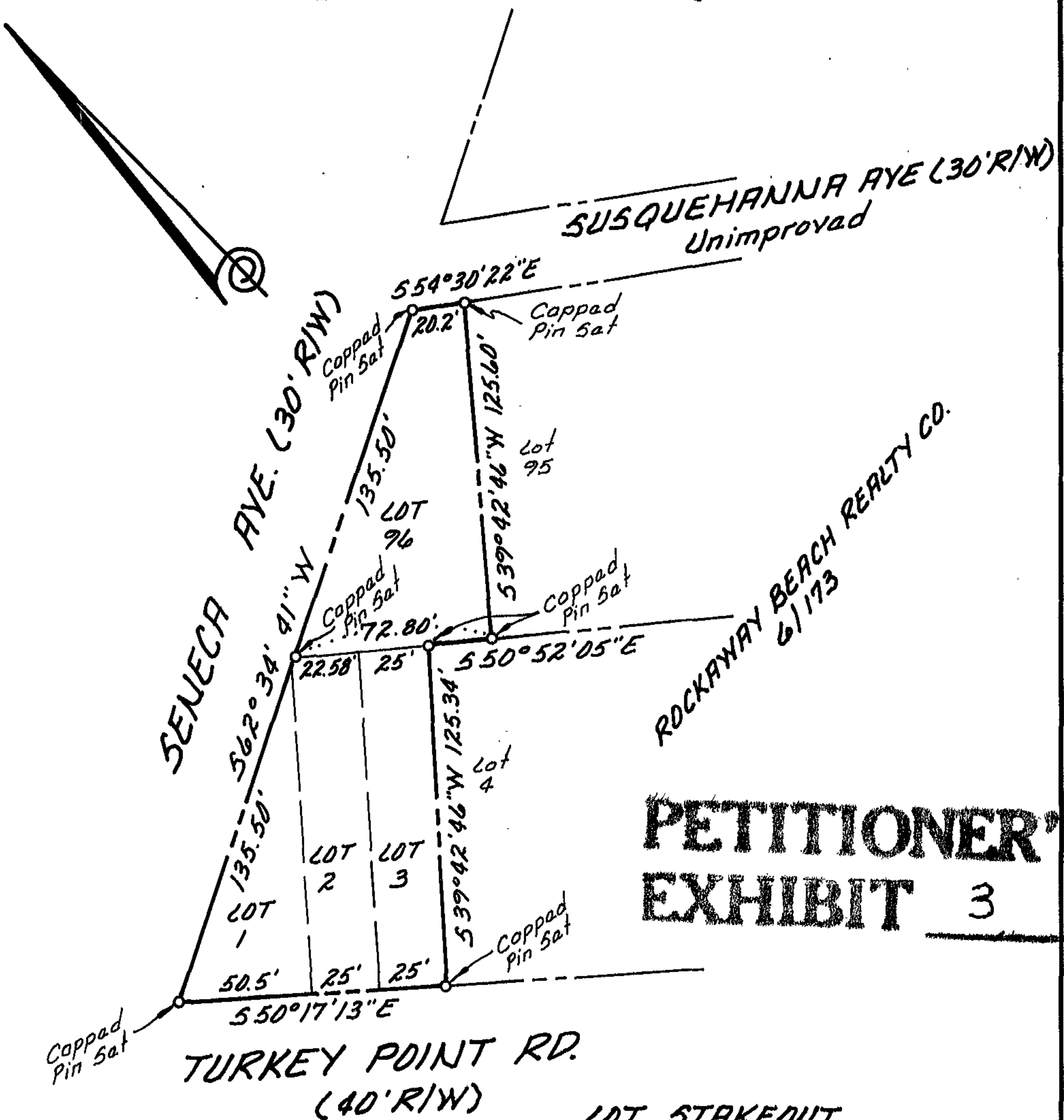
Rockaway Beach Improvement Assn., Inc.

721 Rockaway Beach Ave.

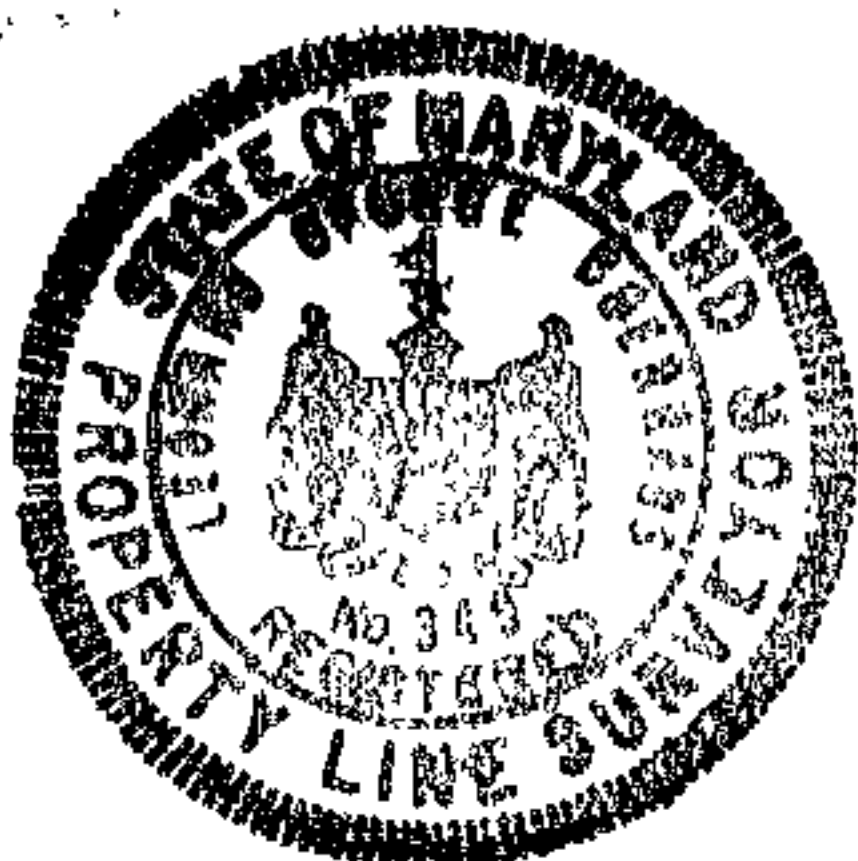
Essex, MD 21221

410-686-1358

**PETITIONER'S
EXHIBIT 2**



PETITIONER'S EXHIBIT 3



LOT STAKEOUT
LOTS 1, 2, 3, & 96
SENECA AVE. & TURKEY POINT RD.
15th Elect. Dist. - Baltimore County, Md.
Scale: 1" = 50' - Date: Nov. 2, 2004

Owner
Howard Franch
Lots 1 & 2 - 15-02-002000
Lot 3 - 15-02-002001
Lot 96 - 15-02-002002

I Leonard G. Buarhous, a Registered Property Line Surveyor of the State of Maryland, do hereby certify, to the best of my knowledge and belief, and for the exclusive use of Howard Franch; that the information shown hereon has been obtained by an actual Transit-Topo Survey, that it shows a fixed and determinable position and location of the land described hereon; that except as shown and/or noted, there are no visible Easements or Rights of Way affecting the premises and except as shown, there are no visible Encroachments either way across the property lines.

Leonard G. Buarhous

Leonard G. Buarhous, Registered Property Line Surveyor # 349

11/3/04

Date