

March 11, 2006

Karen H. Diehl
William A. Kilgour, Jr
903 Sue Grove Rd
Baltimore, MD 21221

75. PW
BPR
3/14/06
w
77" JW

Baltimore County Director of Permits & Development
Mr. Tim Katroco
111 W. Chesapeake Avenue
Towson, MD 21204

No
attachments.

Re: 905 Sue Grove Road
Baltimore, MD 21221
Variance Case 05-157-A
& Civil Citation NO. 06-0062

Dear Tim,

Attached are the findings for the Civil Citation NO. 06-0062. My father and I neighbor the side of the yard that has violated the set-back allow by Baltimore County, variance case 05-157-A.

I called and talked to John V. Murphy to find out if the Haynes of 905 Sue Grove Rd. would have to file for a new variance as stated in the FINAL ORDER OF CODE ENFORCEMENT. John said Mr. Haynes would have to file for a new variance and that the property would be post with all the necessary information so that we could attend that hearing.

The Haynes according to the final order had to file for a new variance as of March 1, 2006. As of this date, no variance sign has been posted.

Did the Haynes file for a new variance or is the county going to work with the old case NO 05-157-A.

As the adjoining neighbor, we would like to be kept in the loop, since the Haynes have started a law suit claiming adverse possession, which is a frivolous claim.

Thank you for your kind attention to this matter. If you need to speak with me, please call me at 443-570-5649.

Very truly yours,

Karen H. Diehl
William A. Kilgour, Jr.

Karen H. Diehl
William A. Kilgour, Jr.

Cc: John V. Murphy

**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*

March 16, 2005

Karen H. Diehl
William A. Kilgour, Jr.
903 Sue Grove Road
Baltimore, MD 21221

Dear Ms. Diehl & Mr. Kilgour:

Re: 905 Sue Grove Road; Petition case #05-157-A; 15th Election District

Your recent letter to Timothy Kotroco, Director – PDM, was forwarded to me for reply. Based upon the information you provided, the following has been determined. The Haynes filed on March 7, 2006 a new petition case # 06-427-A. The file is available for review at the Zoning Office, 111 W. Chesapeake Ave., Room 111, Towson, Monday – Friday, 8:00am – 4:30 pm.

The hearing date and time have not yet been scheduled but that information should be available by March 20. Feel free to contact the Docket Clerk, Kristen Matthews, at 410-887-3391.

I trust that the information set forth in this letter is sufficiently detailed and responsive to your request.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruno Rudaitis".

Bruno Rudaitis
Planner II
Zoning Review

BR: br

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

Zoning Commissioner



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

February 7, 2005

Department of Permits & Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Variance
Case No. ~~05-P58-A~~
Property: 905 Sue Grove Road

05-157-A

To File:

Please be advised that the Order previously approved by this office on December 14, 2004 had a typographical error on page 5. The petition was amended at the hearing held on December 9, 2005 to reflect that the sum of the side yard setbacks for the new home was 13 ft. and not 14.5 feet as originally requested.

It would be appreciated if you would place this correspondence in the file to indicate this correction. Thank you for your cooperation and attention in this matter.

Very truly yours,

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

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Mr. & Mrs. Mark Haynes
A & M Real Estate
905 Sue Grove Road
Baltimore, MD 21221

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

February 7, 2005

Department of Permits & Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Variance
Case No. 05-157-A
Property: 905 Sue Grove Road

To File:

Please be advised that the Order previously approved by this office on December 14, 2004 had a typographical error on page 5. The petition was amended at the hearing held on December 9, 2005 to reflect that the sum of the side yard setbacks for the new home was 13 ft. and not 14.5 feet as originally requested.

It would be appreciated if you would place this correspondence in the file to indicate this correction. Thank you for your cooperation and attention in this matter.

Very truly yours,

A handwritten signature in black ink that reads "John V. Murphy". The signature is written in a cursive style.

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Mr. & Mrs. Mark Haynes
A & M Real Estate
905 Sue Grove Road
Baltimore, MD 21221

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



IN RE: PETITION FOR VARIANCE
E/S Sue Grove Road, 1,771 ft. S
centerline of Turkey Point Road
15th Election District
6th Councilmanic District
(905 Sue Grove Road)

Atusa & Mark Haynes
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO. 05-157-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, Atusa and Mark Haynes. The Petitioners are requesting variance relief for property located at 905 Sue Grove Road in the eastern area of Baltimore County. Variance relief is requested from Section 1B02.3C of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a new dwelling with a side yard setback of 4.5 ft. and sum of side yards of 14.5 ft. in lieu of the required 15 ft. and 25 ft. respectively.

The property was posted with Notice of Hearing on November 24, 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 October 26, 2004 to notify any interested persons of the scheduled hearing date.

Amended Petition

The Petitioner noted at the outset of the hearing that the Plat to Accompany indicated that the sum of the side yard setbacks for the new home was 13 ft. and not 14.5 ft. as originally requested.

Applicable Law

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

ORDER RECEIVED FOR FILING

Date

12/14/04

By

Rag

"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 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."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Department of Environmental Protection & Resource Management (DEPRM) dated October 26, 2004 stating that the Petitioners must comply with the Chesapeake Bay Critical Area Regulations, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the variance request were Atusa and Mark Haynes, the Petitioners. P. Christian Dorsey, Esquire, represented the Petitioners. There were no protestants or citizens who attended the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

This property is zoned D.R. 3.5 and is 12,052 sq. ft. in area. The Petitioners indicated that the property is Lot 18 of the Sue Creek subdivision, which was recorded in the Land Records of Baltimore County in 1929. The lot is trapezoidal in shape having 30 ft. of width on Sue Grove

Road and 63 ft. of waterfront on Sue Creek. The Petitioners indicated that this lot is improved with an existing summer cottage which is in poor repair, has major foundation problems, and is too small for their family needs. They would like to raze the existing home and erect a two-story modern home essentially on the footprint, from a width standpoint, of the existing home. The present structure is 4.5 ft. from the lot line with Lot 17. They request to continue this distance from this lot line and thus the request for a side yard setback of 4.5 ft. However, the Plat to Accompany shows the setback on the other side of the home to be 8.5 ft. Consequently, the sum of the side yards would be 13 ft. and not 14.5 ft. as noted on the Petition. The Petition was amended to reflect this change. They also noted that to meet the side yard and sum of side yard setbacks they would have to move the new home to the east approximately 10 ft. which would not coincide with the existing footprint and would reduce the width of the home to approximately 22.5 ft. wide. They indicated that would be an impractical width for a home with their family needs.

Mr. Dorsey noted that the unusual shape of the lot is the cause of the request for variance of the side yard setback and that this lot is unique in a zoning sense. He also noted that the DR 3.5 zoning was imposed on the property many years after the lot was laid out in the old subdivision

Finally, the Petitioner indicated that all of the lots to the east, on the circle known as Sue Grove Road, were developed as one single-family home on one trapezoidal shaped lot. They conceded that the property to the west had one home on two lots but that generally the pattern of development in the neighborhood was compatible with their proposed use. Consequently, they believe that replacing the old home with a modern home would not be a detriment to the community but would substantially improve it.

ORDER RECEIVED FOR FILING

Date

12/14/04

By

Ray

Findings of Fact and Conclusions of Law

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. This lot is a trapezoidal in shape having only 30 ft. of road frontage and 63 ft. of waterfront. In addition, the lot was laid out many years before the DR 3.5 zoning regulations were imposed and as a result these regulations impact this lot differently and disproportionately from lots laid out in accord with the newer regulations. In addition, this is clearly a floodplain and subject to damaging tidal surges. I find it unique in a zoning sense.

I find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. There is no land on either side of the lot for the Petitioners to acquire and avoid the variance requests. They can not meet the regulations under any circumstance.

No increase in residential density beyond that otherwise allowable by the Zoning Regulations will result by granting these variances. There had already been a home located on the site. This request simply replaces one home with another.

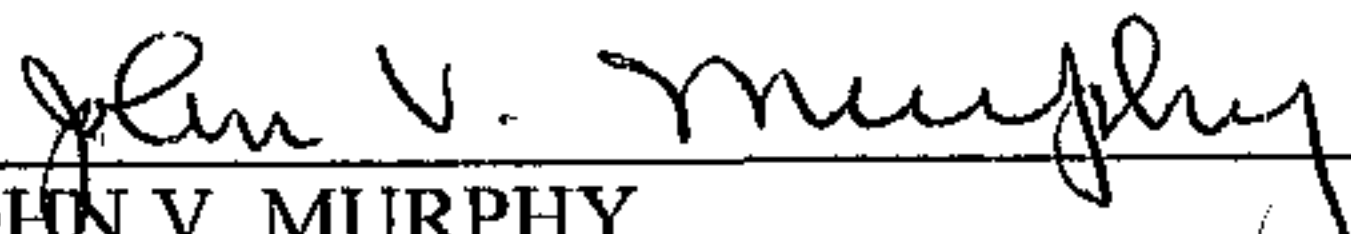
Furthermore, I find that these variances shall be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. The proposed building will be compatible with the neighborhood and especially the pattern of development of the adjoining lots. This will not change the pattern of development.

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 Petitioners, I find that the Petitioners' variance requests should be granted.

THEREFORE, IT IS ORDERED, this 14 day of December, 2004, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3C of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a new dwelling with a side yard setback of 4.5 ft. and sum of side yards of 14.5 ft. in lieu of the required 15 ft. and 25 ft. respectively, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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;
2. Compliance with the ZAC comments made by DEPRM dated October 26, 2004, a copy of which is attached hereto and made a part hereof.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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
12/14/04
Ray

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 13, 2004

P. Christian Dorsey, Esquire
Lord & Whip, P.A.
36 S. Charles Street
Baltimore, Maryland 21201

Re: Petition for Variance
Case No. ~~05-158-A~~
Property: 905 Sue Grove Road

05-157-A

Dear Mr. Dorsey:

Enclosed please find the decision rendered in the above-captioned case. The petition for 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: Mr. & Mrs. Mark Haynes
A & M Real Estate
905 Sue Grove Road
Baltimore, MD 21221

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





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 905 Sue Grove 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) 1B02.3C. (BCZR)

TO PERMIT A NEW DWELLING WITH A SIDE YARD SETBACK OF 4.5-FEET
AND SUM OF SIDE YARDS OF 14.5-FEET IN LIEU OF THE REQUIRED
15-FEET AND 25-FEET RESPECTIVELY.

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

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

I/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
Address Telephone No.
City State Zip Code

Representative to be Contacted:

Name
Address Telephone No.
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By D.T. Date 9/24/04

Case No. 05-157-A

**Zoning Description for 905 Sue Grove Road,
Baltimore, MD 21221:**

Beginning at a point on the East Side of Sue Grove Road,
Which is 30 feet wide at the distance of 1771 feet South
of the centerline of the nearest improved intersecting
street Turkey Point Road to the corner of the property
which is wide. Beginning at lot #18 in the
subdivision of Sue Grove as recorded in Baltimore County
Plat Book #7, Folio #11, containing 12052 square feet.
Also known as 905 Sue Grove Road and located in the 15
Election District, 6 Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 41368

PAID RECEIPT

DATE

9/24/04

ACCOUNT

0010066150

AMOUNT \$

165.00

RECEIVED
FROM:

ATUSA HANNES

FOR:

Item # 05-137-A 905 SUE GROVE RD

By D THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

BUSINESS	ACTUAL	TIME	DRN
9/27/2004	9/24/2004	11:50:41	4
REC NS04	BALTIM	KINCH KXH	
RECEIPT # 296301	9/24/2004		OFUN
DEPT: 5	220 ZONING VERIFICATION		
CR NO. 041368			
Receipt Tot	165.00		
165.00 CK	1.00 CA		
Baltimore County, Maryland			

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 # 05-157-A

905 Sue Grove Road

E/side of Sue Grove Road, 1,771 feet s/of centerline of Turkey Point Road

15th Election District — 8th Councilmanic District

Legal Owner(s): Mark & Atusa Haynes

Variance: to permit a new dwelling with a side yard setback of 4.5 feet and sum of side yards of 14.5 feet in lieu of the required 15 feet and 25 feet respectively.

Hearing: Tuesday, November 9, 2004 at 9:00 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 10/7/71 Oct. 26

27427

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. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 05-157-A

Petitioner/Developer: MARK +

ATUSA HAYNES

Date of Hearing/Closing: 12/9/04

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}

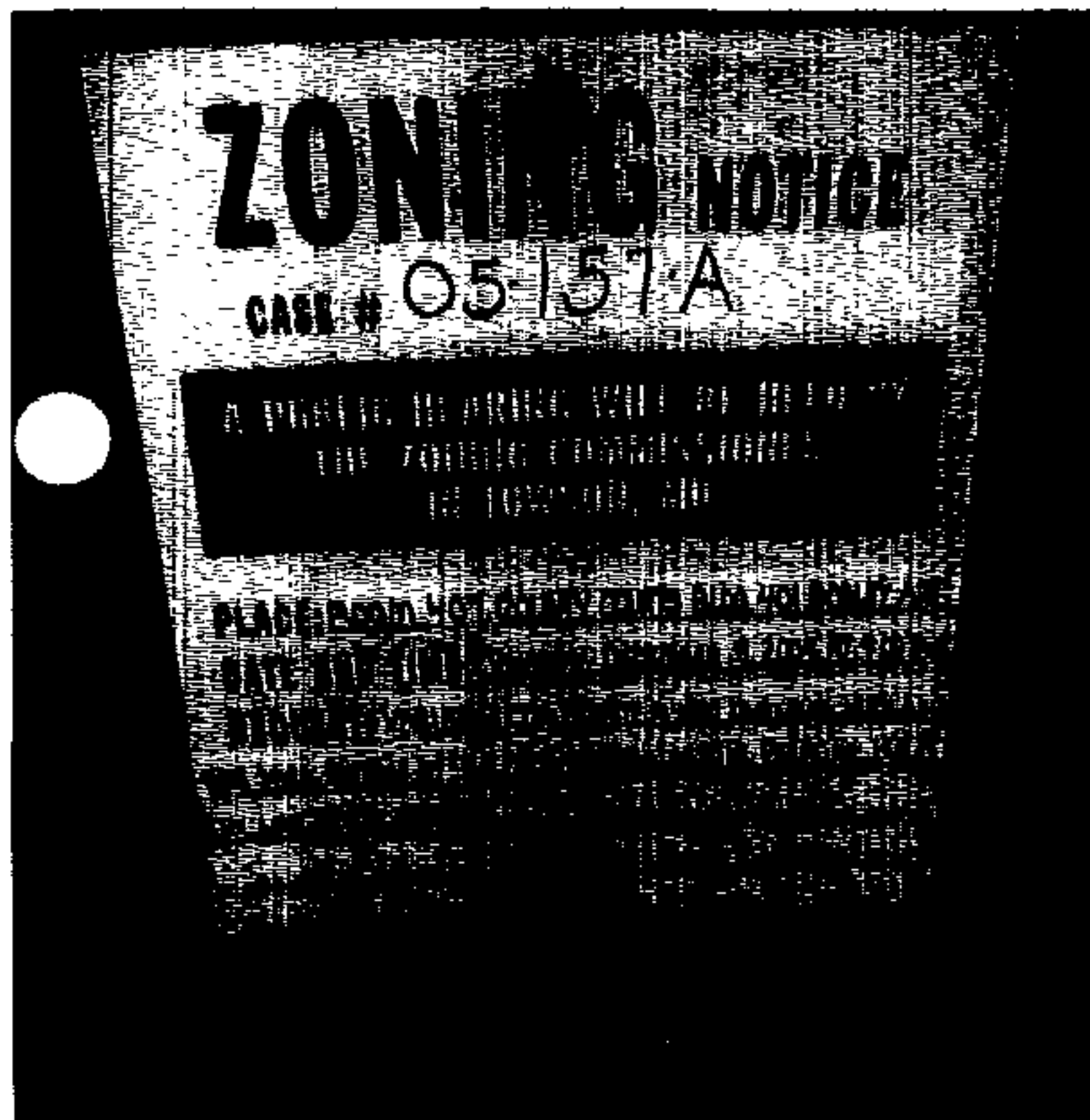
Ladies and Gentlemen:

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: _____

905 SUE GROVE RD

The sign(s) were posted on 11/24/04
(Month, Day, Year)

Sincerely,



Robert Black 11/27/04
(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)

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

Please forward billing to:
Mr. & Mrs. Mark Haynes
905 Sue Grove Road
Baltimore, MD 21221

410-627-3505

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: 05-157-A

905 Sue Grove Road

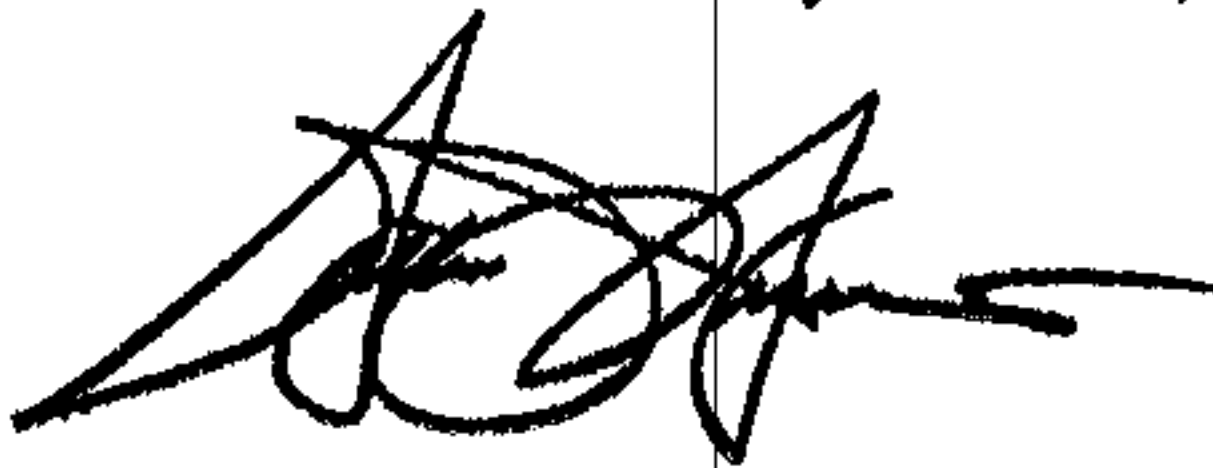
E/side of Sue Grove Road, 1,771 feet s/of centerline of Turkey Point Road

15th Election District – 6th Councilmanic District

Legal Owners: Mark & Atusa Haynes

Variance to permit a new dwelling with a side yard setback of 4.5 feet and sum of side yards of 14.5 feet in lieu of the required 15 feet and 25 feet respectively.

Hearing: Tuesday, November 9, 2004 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM WISEMAN
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 7, 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: 05-157-A

905 Sue Grove Road

E/side of Sue Grove Road, 1,771 feet s/of centerline of Turkey Point Road

15th Election District – 6th Councilmanic District

Legal Owners: Mark & Atusa Haynes

Variance to permit a new dwelling with a side yard setback of 4.5 feet and sum of side yards of 14.5 feet in lieu of the required 15 feet and 25 feet respectively.

Hearing: Tuesday, November 9, 2004 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: P. Christian Dorsey, Lord & Whip, P.A., 36 South Charles St., Baltimore 21201
Mark & Atusa Haynes, 905 Sue Grove Road, Baltimore 21221

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, OCTOBER 25, 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.



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

November 9, 2004

NEW 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: 05-157-A

905 Sue Grove Road
E/side of Sue Grove Road, 1,771 feet s/of centerline of Turkey Point Road
15th Election District – 6th Councilmanic District
Legal Owners: Mark & Atusa Haynes

Variance to permit a new dwelling with a side yard setback of 4.5 feet and sum of side yards of 14.5 feet in lieu of the required 15 feet and 25 feet respectively.

Hearing: Thursday, December 9, 2004, at 9:00 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: P. Christian Dorsey, Lord & Whip, P.A., 36 South Charles St., Baltimore 21201
Mark & Atusa Haynes, 905 Sue Grove Road, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, NOVEMBER 24, 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/neighborhood 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: 05-157-A
Petitioner: HAYNES (A+M REAL ESTATE)
Address or Location: 905 SUE GROVE RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. & MRS. MARK HAYNES
Address: 905 SUE GROVE RD.
BALTO. MD 21221

Telephone Number: 410-627-3505 OR 410-682-2887

**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

P. Christian Dorsey
Lord & Whip, P.A.
36 South Charles Street
Baltimore, Maryland 21201

Dear Mr. Dorsey:

RE: Case Number:05-157-A, 905 Sue Grove Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 24, 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 that reads "W. Carl Richards, Jr." The signature is stylized with a large, flowing "W" and a prominent "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Mark and Atnsa Haynes 905 Sue Grove Road Baltimore 21221

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



**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 29, 2004

P. Christian Dorsey
Lord & Whip, P.A.
36 South Charles Street
Baltimore, Maryland 21201

Dear Mr. Dorsey:

RE: Case Number:05-157-A, 905 Sue Grove Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 24, 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
Mark and Atnsa Haynes 905 Sue Grove 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

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 Nos. 093, 146, 147, 148, 149,
150, 152, 153, 154, 155, and 157

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

RWB:CEN:jrb

cc: File

Jm
11/9

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

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

DATE: October 26, 2004

SUBJECT: Zoning Item # 05-157
Address 905 Sue Grove Road (Haynes 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 and Buffer Management Area criteria for the CBCA

Reviewer: Martha Mickey, Sue Farinetti

Date: October 26, 2004

jm
11/9

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

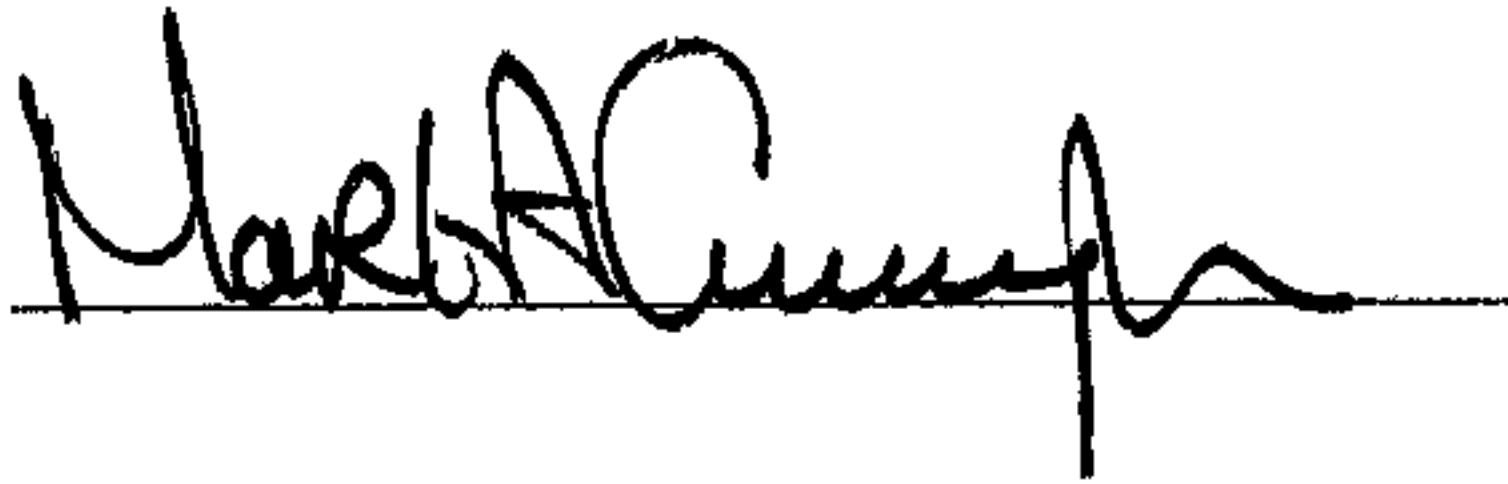
DATE: October 12, 2004

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-140 and 5-157

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:



Division Chief:



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. 157 DT

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

RE: PETITION FOR VARIANCE * BEFORE THE
905 Sue Grove Road; E/side Sue Grove Road, *
1,771' S of c/line Turkey Point Road * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Mark & Atusa Haynes * FOR
(A&M Real Estate) *
Petitioner(s) * BALTIMORE COUNTY
* 05-157-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
Klm*

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, Mark Haynes, 905 Sue Grove Road, Baltimore, MD 21221 and P. Christian Dorsey, Esquire, Lord & Whip, P.A., 36 South Charles Street, Baltimore, MD 21201, Attorney for Petitioner(s).

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

CASE NAME Joe Green Road
CASE NUMBER 05-157-A
DATE 12/08/04

PETITIONER'S SIGN-IN SHEET

[illegible]

August 1, 2004

Re: Mark & Atusa Haynes
905 Sue Grove Road
Essex, Maryland 21221

We, the undersigned have viewed the new plat and the planned renovations regarding the above reference property. It is also understood that it will be necessary for Mr. & Mrs. Haynes to file for a variance in order for this to be accomplished. By our signatures below we are stating we have no objections to either.

Barbara Morris

By

Charles E.

Sonny Morris

By

749 Sue Grove Rd

Address:

Balto Md 21221

By _____

By _____

Address: _____

Kimberly Ann Ellis

KIMBERLY ANN ELLIS

NOTARY PUBLIC

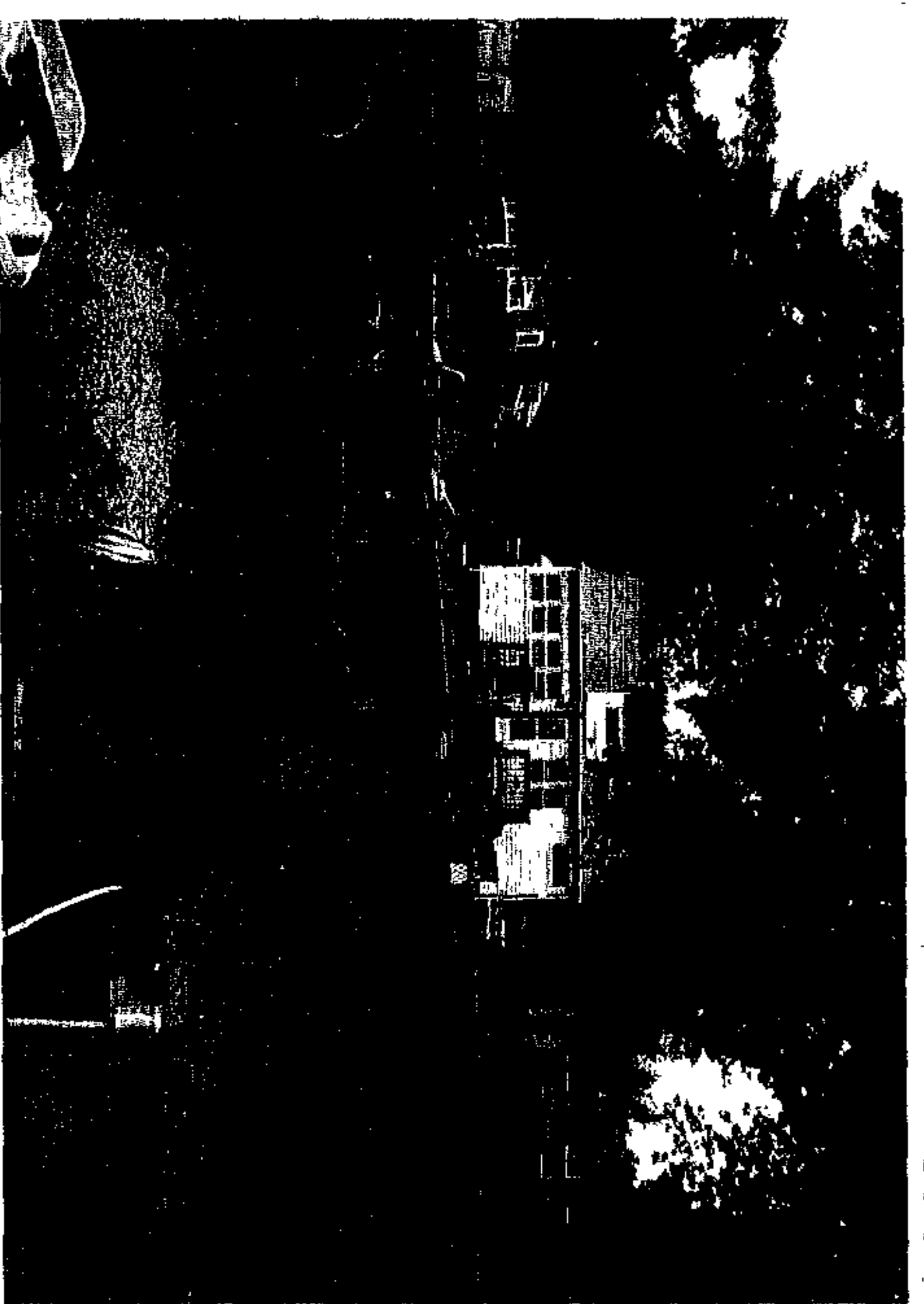
ANNE ARUNDEL COUNTY

MARYLAND

MY COMMISSION EXPIRES 7/1/07

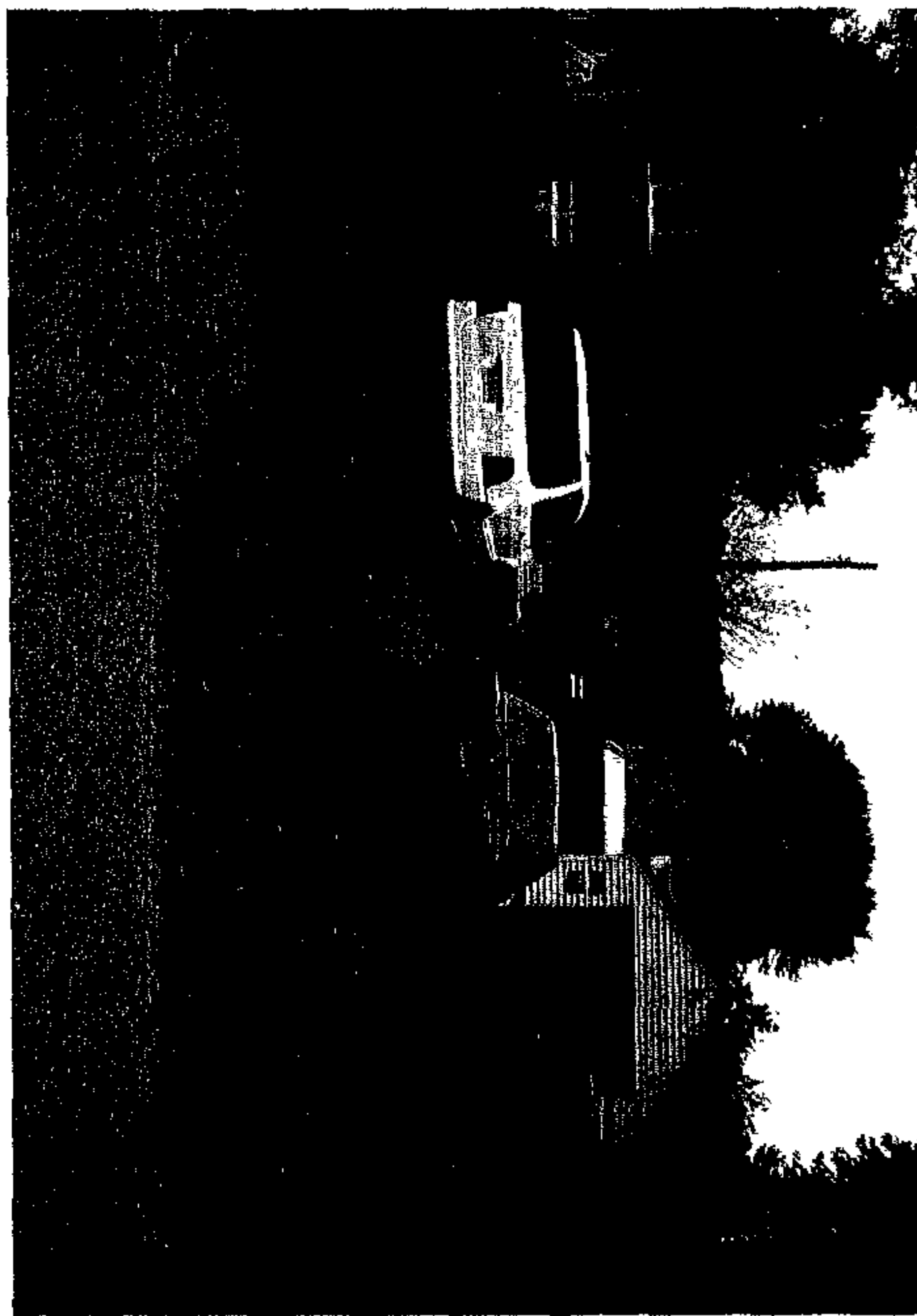
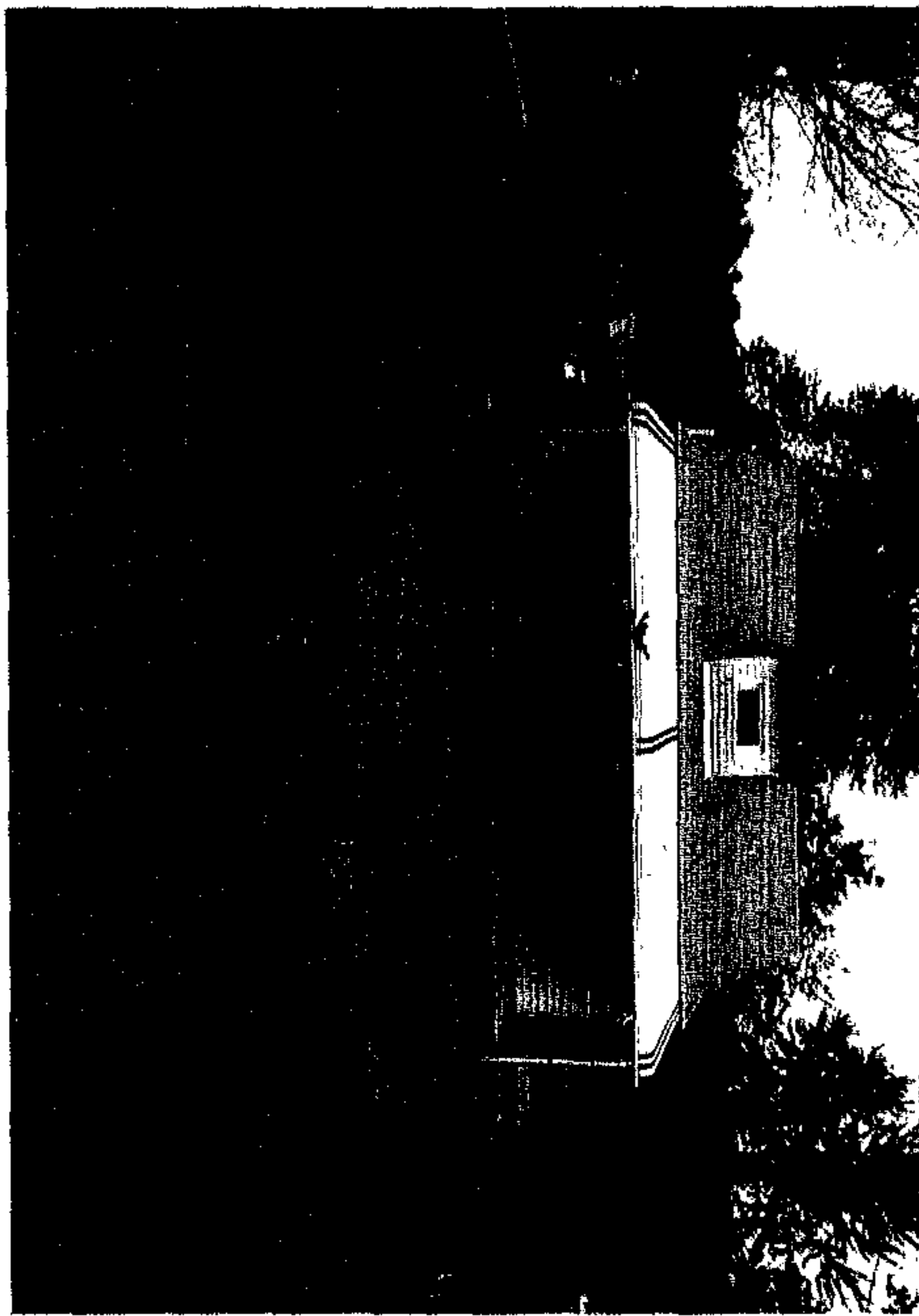
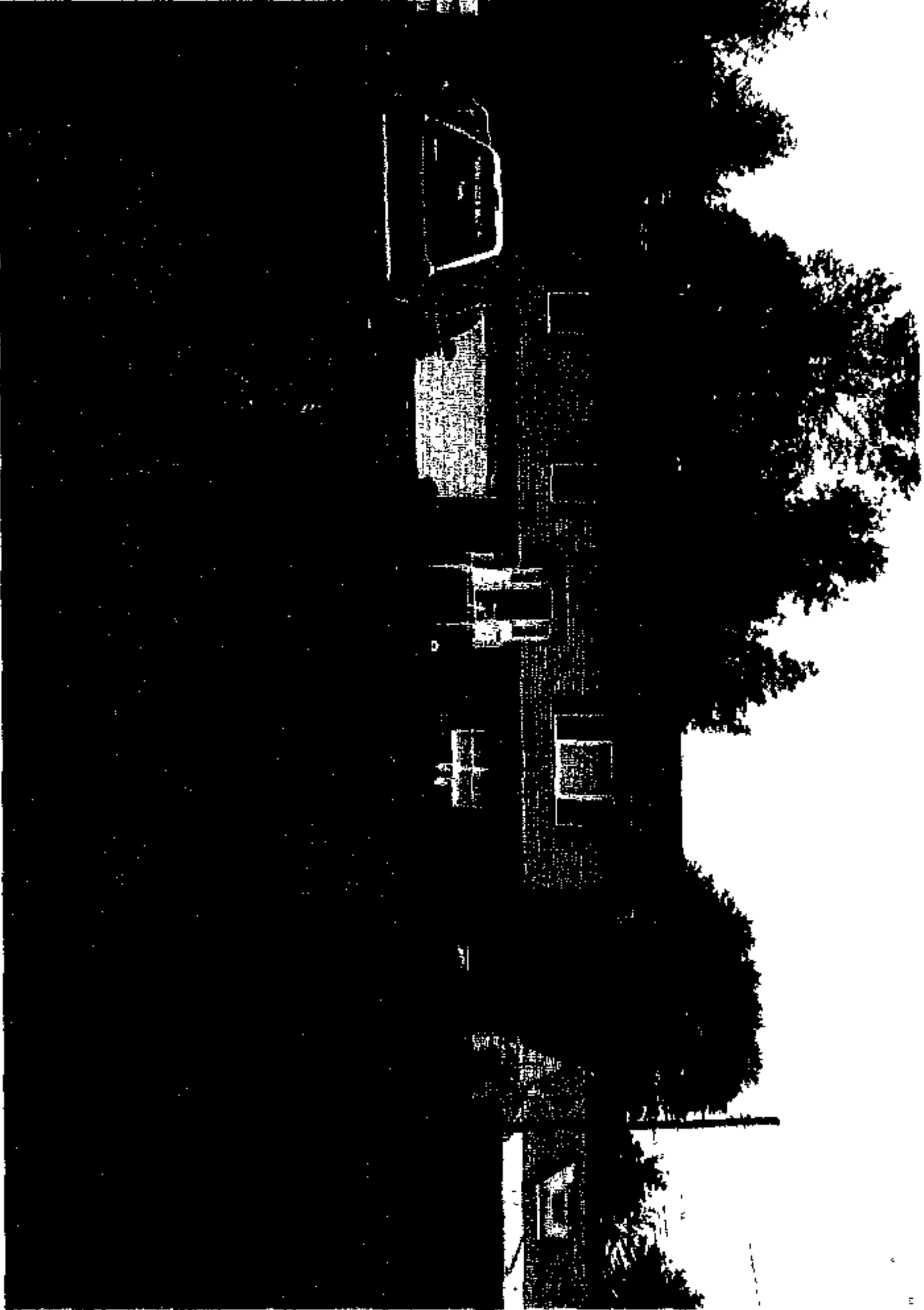
Peterson

05-157-A



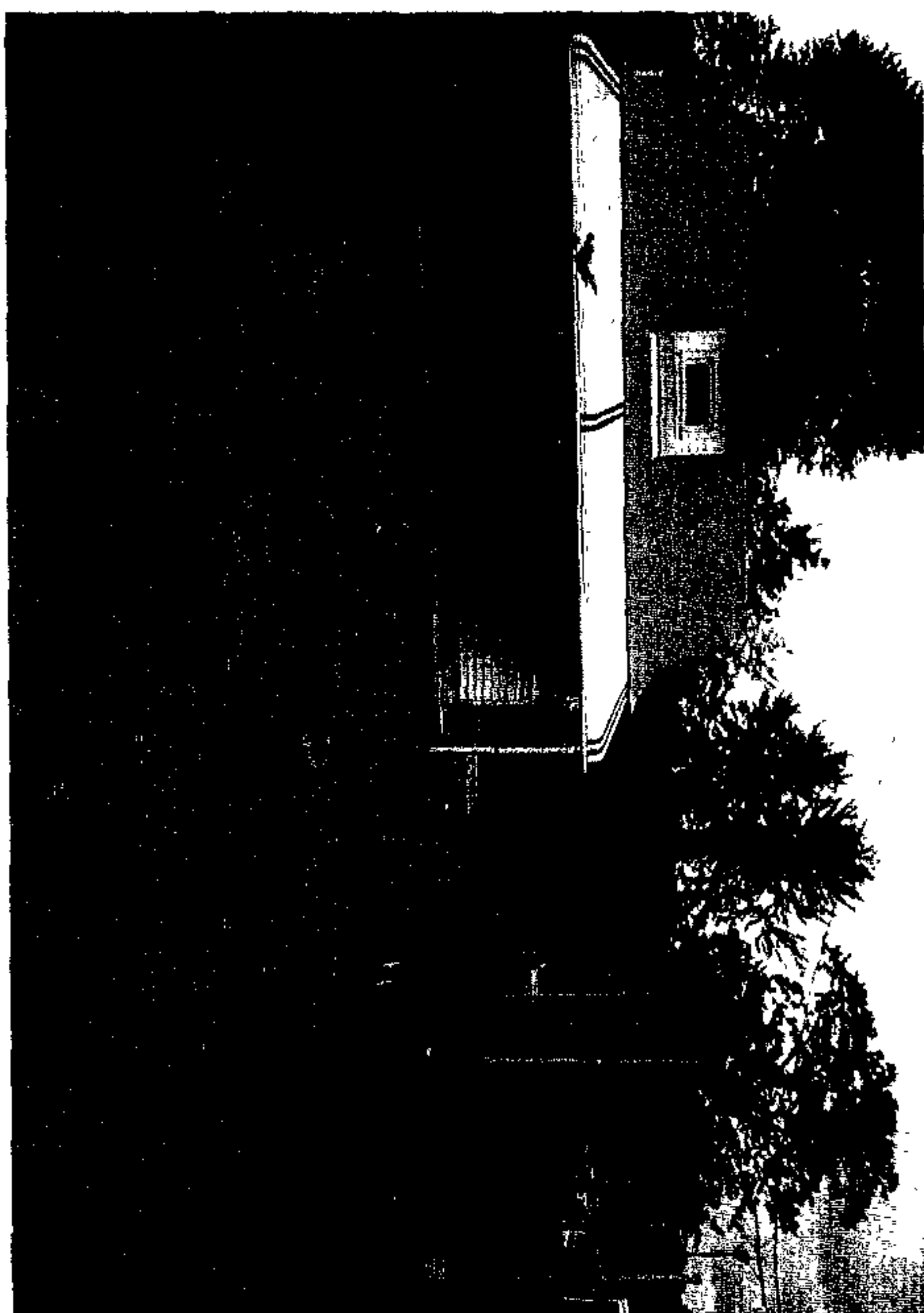
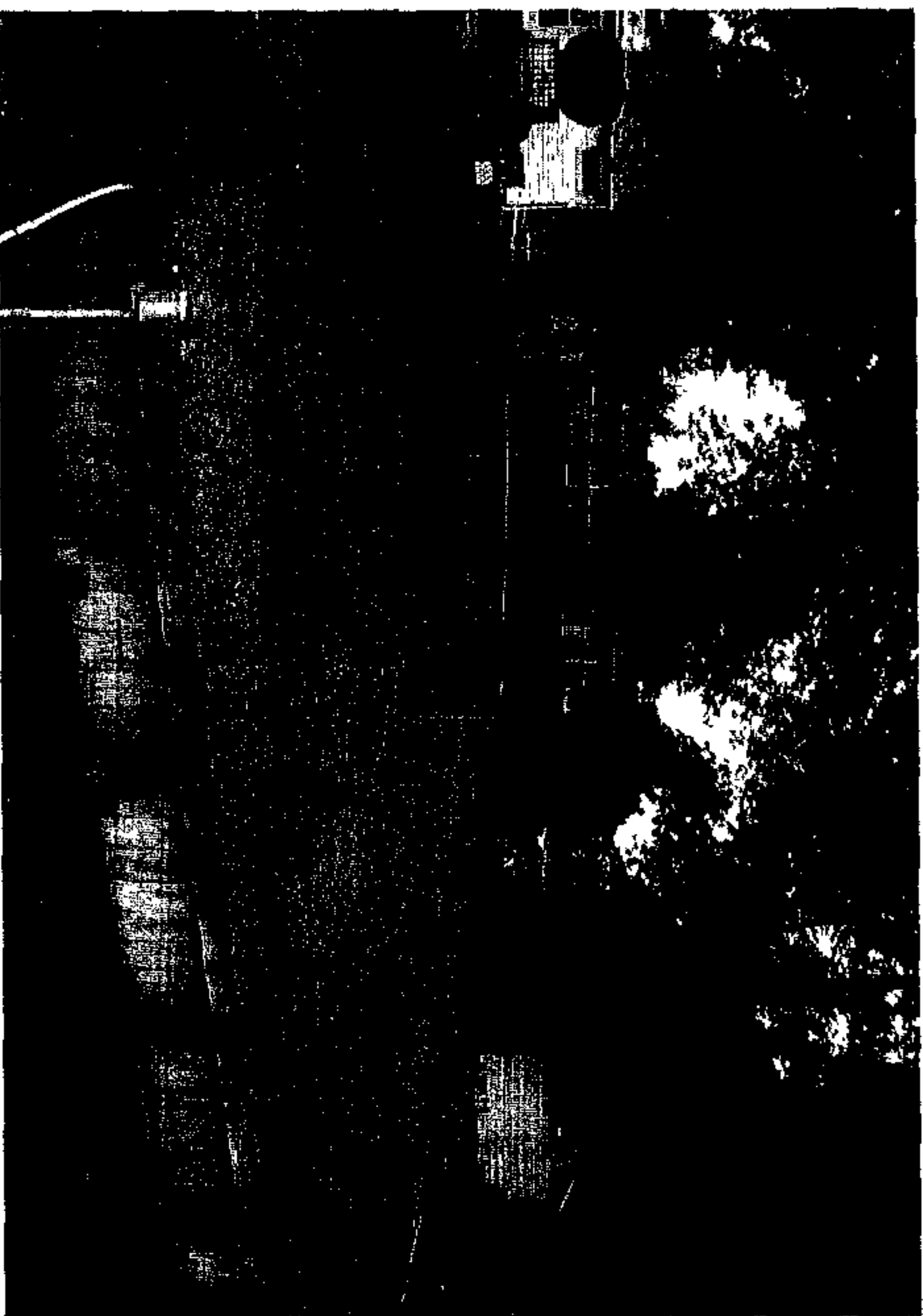
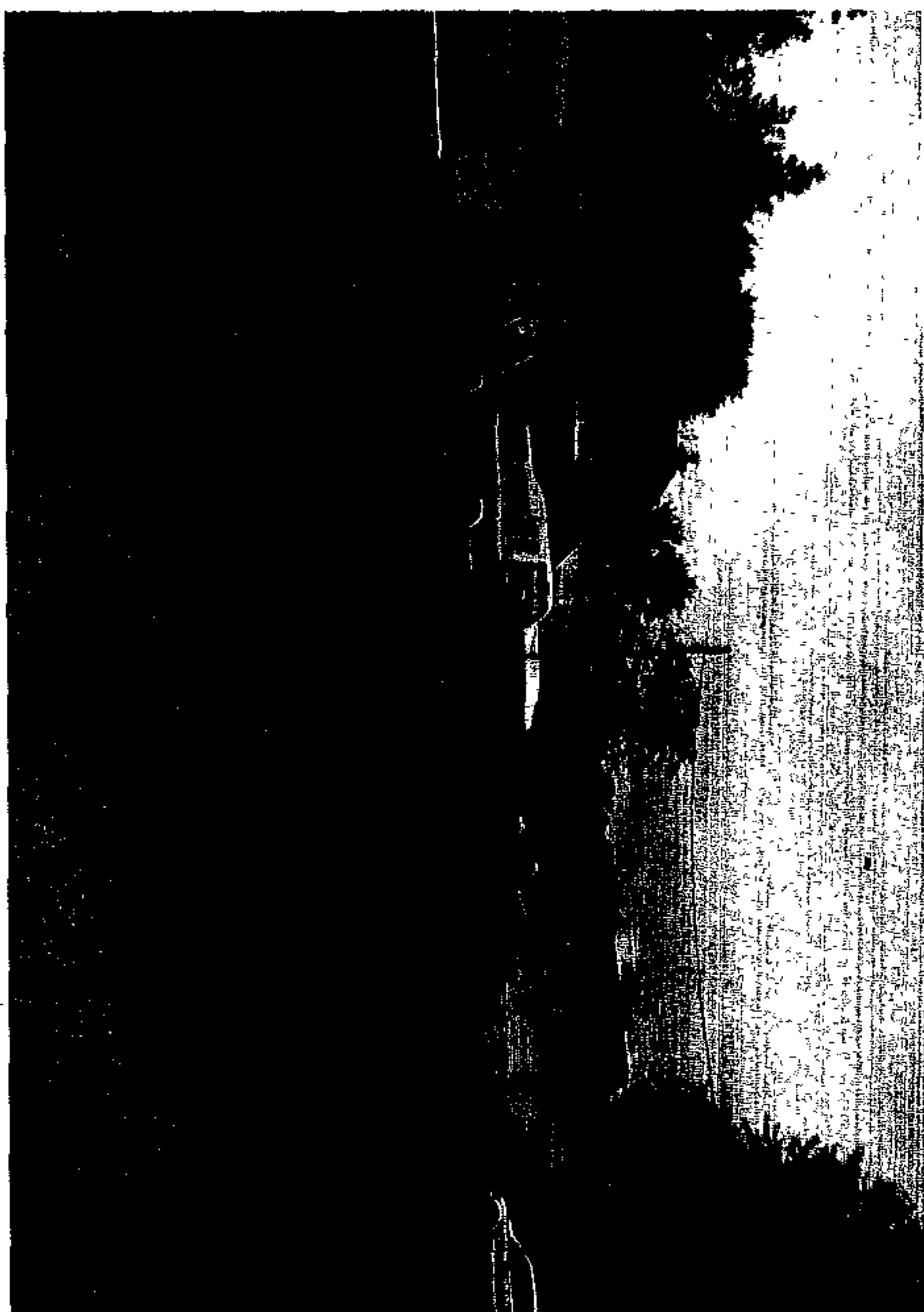
05-157-A

P282A



05-157-A

2B



05-157-A

2C

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

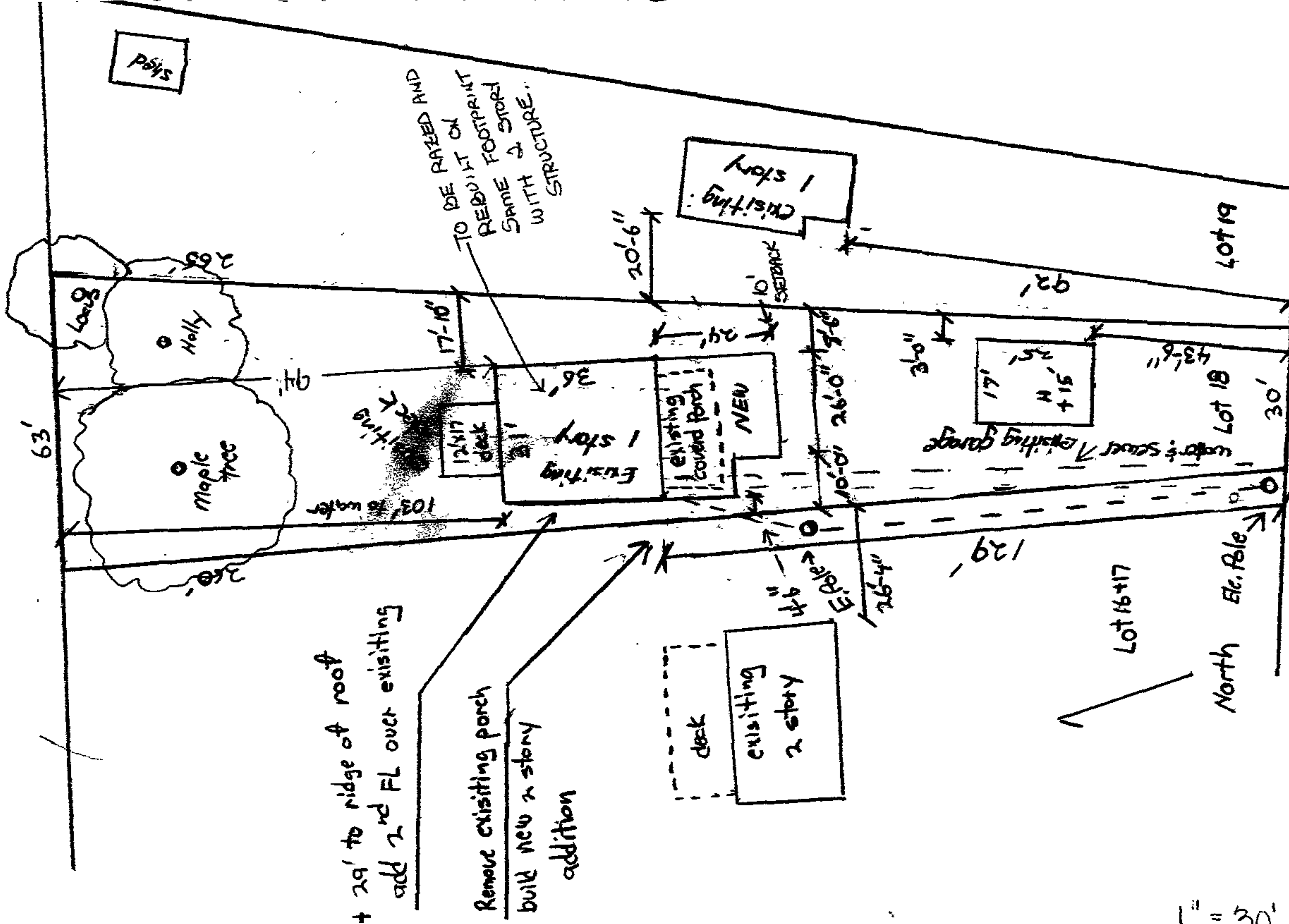
PROPERTY ADDRESS 905 SUE GROVE RD.

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME

PLAT BOOK # 7 FOLIO # 11 LOT # 18 SECTION # —

OWNER MARK + ATUSA HAYNES AKA
A+M REAL ESTATE



LOCATION INFORMATION			
ELECTION DISTRICT	15 th		
COUNCILMANIC DISTRICT	6 th		
1"=200' SCALE MAP #	SE1J		
ZONING	DR 3.5		
LOT SIZE	ACREAGE	12052 SQUARE FEET	
	PUBLIC	PRIVATE	
SEWER	☒	☐	
WATER	☒	☐	
	YES	NO	
CHESAPEAKE BAY CRITICAL AREA	☒	☐	
100 YEAR FLOOD PLAIN	☐	☒	
HISTORIC PROPERTY/ BUILDING	☐	☒	
PRIOR ZONING HEARING	NONE		
ZONING OFFICE USE ONLY			
REVIEWED BY	ITEM #	CASE #	
D.T.	157	05-157-A	