

IN RE: PETITION FOR VARIANCE
W/S Beach Road, 230' N of the c/l
Silver Lane
(Lots 449 & 450 of Cedar Beach)
15th Election District
6th Council District

Rollin M. Leitch, Owner;
Brian Chan, Contract Purchaser

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 05-262-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 owner of the subject property, Rollin M. Leitch, and the Contract Purchaser, Brian Chan. The Petitioners request a variance from Sections 1A04.1, 1A04.3 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a buildable lot with an area of 0.172 acres in lieu of the minimum required 1.5 acres, a front property line setback of 35 feet in lieu of the required 50 feet, a street centerline setback of 40 feet in lieu of the required 75 feet, and side yard setbacks of 10 feet each in lieu of the required 50 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 as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request was Brian Chan, Contract Purchaser. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped, unimproved parcel located on the west side of Beach Road, just north of Silver Lane, not far from Poplar Road and Sue Creek in Essex. The property is comprised of two lots, identified as Lots 449 and 450 of Cedar Beach, an older waterfront community that was laid out and recorded in the Land Records of Baltimore County well prior to the adoption of the first set of zoning regulations in 1945. As is often the case with older subdivisions, many of the lots do not meet current area and setback requirements for development. In this regard, the subject property

ORDER RECEIVED FOR FILING

Date

By

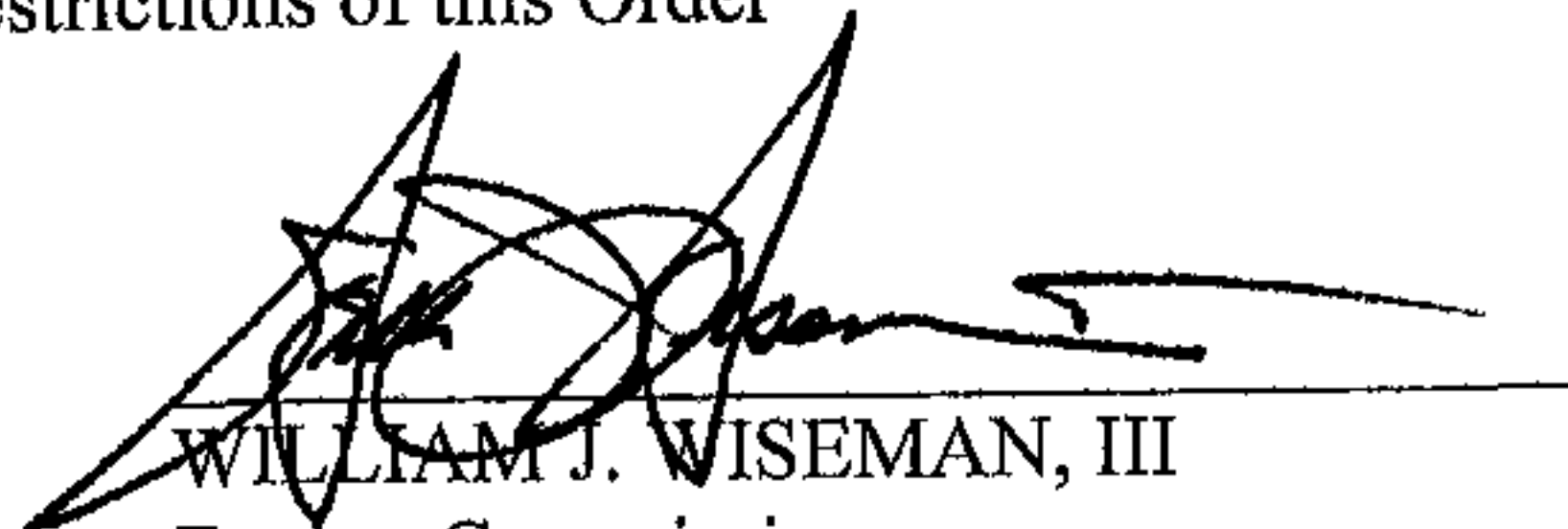
contains a combined gross area of 7,500 sq.ft., zoned R.C.5, and is approximately 50 feet wide and 150 feet deep. Mr. Chan has contracted to buy the property and is desirous of developing same with a two-story, single-family dwelling, 40' x 30' in dimension. Due to the narrow width and small size of the lot, the requested relief is necessary in order to proceed. As shown on the site plan, the proposed structure will be located 35 feet from the front property line, consistent with neighboring houses on this street, and provide setbacks of 10 feet on each side. Testimony indicated that all of the lots in this community are 25 feet wide and many of the existing homes were built on combined lots an average 50 feet in width. Thus, it appears the relief requested is appropriate and is consistent with the neighborhood. Moreover, the Petitioner has discussed his plans with the adjacent neighbors who support the proposal and have no objections to the variance.

Based upon the testimony and evidence presented, I am persuaded that the Petitioner has satisfied the requirements of Section 307 for relief to be granted. Obviously, strict compliance with the regulations would severely impact the subject property and prevent development for a permitted purpose. The uniqueness of the property is its narrow width and the fact that same is an older lot of record. Moreover, there were no adverse comments submitted by any County reviewing agency and the neighbors apparently support the proposal. In this regard, Zoning Advisory Committee (ZAC) comments were received from the Office of Planning indicating that the subject proposal meets the performance standards of Section 1A04.4 of the B.C.Z.R. It is also to be noted that the property is served by public water and sewer facilities. Thus, I find that the relief requested is appropriate and that there will be no detrimental impact to adjacent properties or the health, safety and general welfare of the locale. However, as noted above, the property is located within the Chesapeake Bay Critical Areas, and as such, is subject to compliance with those regulations, pursuant to the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM).

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of February 2005 that the Petition for Variance seeking relief from Section 1A04.1, 1A04.3 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a buildable lot with an area of 0.172 acres in lieu of the minimum required 1.5 acres, a front property line setback of 35 feet in lieu of the required 50 feet, a street centerline setback of 40 feet in lieu of the required 75 feet, and side yard setbacks of 10 feet each in lieu of the required 50 feet for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 the ZAC comments submitted by DEPRM, dated January 19, 2005 relative to Chesapeake Bay Critical Areas regulations and all other appropriate environmental, floodplain and B.O.C.A. regulations relative to the protection of water quality, streams, wetlands and floodplains. A copy of those comments has been attached hereto and is made a part hereof.
- 3) Prior to the issuance of any permits, the Petitioners shall submit building elevation drawings of the proposed dwelling to the Office of Planning for review and approval to insure compatibility with the surrounding neighborhood. The proposed dwelling shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning.
- 4) When applying for any permits, 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 2/4/05
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

February 4, 2005

Mr. Rollin M. Leitch
c/o Joseph I. Huesman, Esquire
Executive Plaza III
1350 McCormick Road, Suite 300
Hunt Valley, Maryland 21031

RE: PETITION FOR VARIANCE
W/S Beach Road, 230' N of the c/l Silver Lane
(Lots 449 & 450 of Cedar Beach)
15th Election District – 6th Council District
Rollin M. Leitch, Owner; Brian Chan, Contract Purchaser - Petitioners
Case No. 05-262-A

Dear Ms. Leitch:

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 a large, stylized "X" mark.
WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. Brian Chan
P.O. Box 626, Timonium, Md. 21093
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 LOTS 449/450 BEACH RD
which is presently zoned RC-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) 1404.13 ; 304 to allow a buildable lot with an area of 0.172 ac and proposed dwelling setbacks of 35 ft. to the front property line, 40 ft. to the street centerline and 10 ft. each side in lieu of the minimum required 50 ft. 75 ft. and 50 ft. respectively.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) Subject property had been subdivided since 1940s, without the variance, it will not be possible to construct any dwelling on the premise. Many houses had been constructed in similar undivided lots in the neighborhood.

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:

Brian Chan
Name - Type or Print
[Signature]
Signature
PO Box 626 4435205973
Address Telephone No.
Timonium Md 21093
City State Zip Code

Legal Owner(s):

Rollin M. Heitch
Name - Type or Print
[Signature]
Signature
Joseph D. Huesman her attorney in fact
Name - Type or Print
Executive Plaza III Suite 300
Signature
1350 McCormick Rd
Address Telephone No.
Harriet Valley Md 21031
City State Zip Code

Attorney For Petitioner:

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

Representative to be Contacted:

Joseph I. Huesman
Name
As Above 4435890150
Address Telephone No.
[Signature]
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 11-18-04

Case No. 05-262A

ORDER RECEIVED FOR FILING
Date 11/15/04
REV 9/15/00

Zoning Description

ZONING DESCRIPTION FOR Lots 449, 450 Beginning at a point
On the West side of Beach Road Which is 10 feet
Wide at the distance of 230' ± North ~~200 feet South~~ of the centerline of the
Nearest improved intersecting street Silver ~~See~~ Lane which is 25 feet
Wide. "Being Lots # 449, 450, Block , Section #
In the subdivision of Cedar Beach as recorded in Baltimore County
Plat Book # 7, Folio # 186, containing 7500 sq.ft.
Also known as Lots 449, 450 and located in the 15 Election
District, 6 Councilmanic District.

~~Read &~~ Correct.
Read & Lot average = 0.1729 ac
(7500 sq ft)

12/6 " Revised Notice of Zoning
Hearing Form " Reads
" lot average of 0.172 ac " M.S.

262

BALTIMORE COUNTY, MARYLAND
 OFFICE OF BUDGET & FINANCE
 MISCELLANEOUS RECEIPT

(Date No. 11-18-04)
 05-26-04

DATE 11-18-04 ACCOUNT R-001-006-6550

AMOUNT \$ 65.00

RECEIVED FROM Mr. Brian Chan

FOR Presidential Campaign

1-10-04 449-450 Enclosed

DISTRIBUTION
 WHITE - CASHIER
 PINK - AGENCY
 YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED FROM: Mr. Brian Chan DATE: 11/18/04
 AMOUNT: 65.00 FOR: Presidential Campaign
 RECEIVED BY: [Signature] DATE: 11/18/04
 OFFICE: Office of Budget & Finance
 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: #05-262-A

Lots 449 & 450 Beach Road
W/side of Beach Road, 230 ft +/- north of Silver Lane
15th Election District — 8th Councilmanic District
Legal Owner(s): Rollin M. Leitch by her attorney
Joseph Huesman

Contract Purchaser: Brian Chan

Variance: to allow a buildable lot with an area of .0172 acres and with dwelling setbacks of 35 feet to the front property line and 40 feet to the street centerline, 10 feet each side in lieu of the minimum required 1 1/2 acre, 50 feet, 75 feet and 50 feet each side respectively.

Hearing: Wednesday, January 19, 2005 at 2:00 p.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 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 1/701 Jan. 18 36172

CERTIFICATE OF PUBLICATION

1/20/2005

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 1/18/2005.

☒ The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

☐ Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Date: 1/6/05

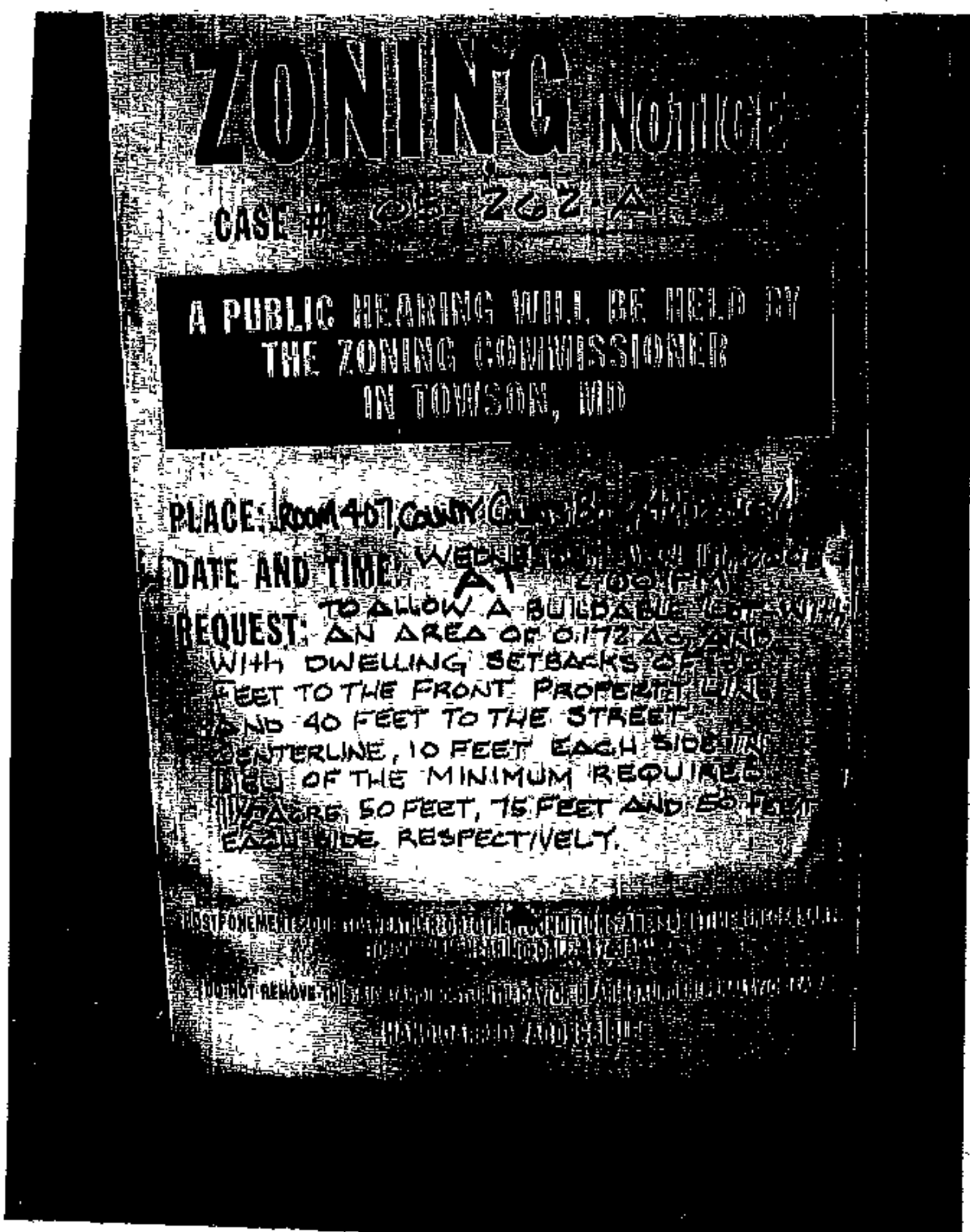
RE: Case Number: 05-262-A

Petitioner ~~(Developer)~~ BRAND CHAN

Date of Hearing/ Closing: JAN 19, 2005

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 149 & 150 BEACH ROAD

The sign(s) were posted on 1/3/05
(Month, Day, Year)



Charles E. Merritt
(Signature of Sign Poster)

Charles E. Merritt
9831 Magledt Road
Baltimore, MD 21234
410-665-5562

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 19, 2005 Issue - Jeffersonian

Please forward billing to:

Joseph Huesman
1350 McCormick Rd., Ste. 300
Hunt Valley, MD 21031

443-589-0150

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: 05-262-A

Lots 449 & 450 Beach Road

W/side of Beach Road, 230 ft. +/- north of Silver Lane

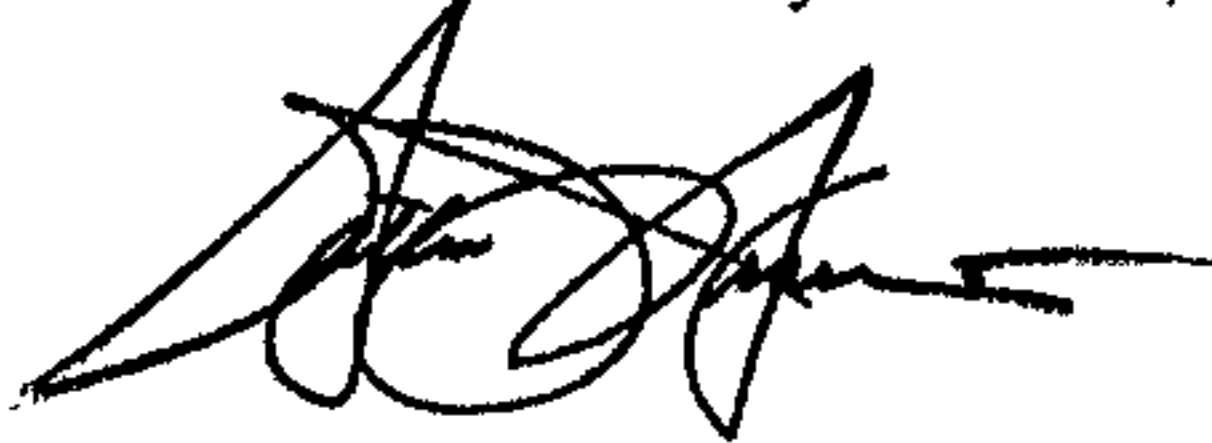
15th Election District – 6th Councilmanic District

Legal Owner: Rollin M. Leitch by her attorney Josephy Huesman

Contract Purchaser: Brian Chan

Variance to allow a buildable lot with an area of .0172 acres and with dwelling setbacks of 35 feet to the front property line and 40 feet to the street centerline, 10 feet each side in lieu of the minimum required 1 ½ acre, 50 feet, 75 feet and 50 feet each side respectively.

Hearing: Wednesday, January 19, 2005 at 2:00 p.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.



December 6, 2004

REVISED 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: 05-262-A

Lots 449 & 450 Beach Road

W/side of Beach Road, 230 ft. +/- north of Silver Lane

15th Election District – 6th Councilmanic District

Legal Owner: Rollin M. Leitch by her attorney Josephy Huesman

Contract Purchaser: Brian Chan

Variance to allow a buildable lot with an area of .0172 acres and with dwelling setbacks of 35 feet to the front property line and 40 feet to the street centerline, 10 feet each side in lieu of the minimum required 1 ½ acre, 50 feet, 75 feet and 50 feet each side respectively.

Hearing: Wednesday, January 19, 2005 at 2:00 p.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: Joseph Huesman, 1356 McCormick Rd., Ste. 300, Executive Plaza, Hunt Valley 21031
Brian Chan, P.O. Box 626, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 4, 2005.**
- (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
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*

January 12, 2005

Joseph I. Huesman
Executive Plaza III Ste. 300
1350 McCormick Road
Hunt Valley, Maryland 21031

Dear Ms. Leitch:

RE: Case Number:05-262-A , Lots 449 and 450 Beach Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 18, 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 a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Brian Chan P.O. Box 626 Timonium 21093

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

November 24, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: November 29, 2004

Item No.: 251, 253, 255-266

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

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



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: December 9, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For December 6, 2004
Item No. 262

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

The minimum width of road right-of-way by Baltimore County Code is 40 feet.
Setbacks shall be modified to reflect the minimum width of right-of-way.

RWB:CEN:jrb

cc: File

BW
1/19

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED

JAN 20 2005

ZONING COMMISSIONER

TO: Tim Kotroco
PDM

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

DATE: January 19, 2005

SUBJECT: Zoning Item # 05-262
Address 449 -450 Beach Road (Leitch Property)

Zoning Advisory Committee Meeting of November 29, 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 applicant must comply with the Limited Development Area regulations including the 25% Maximum Impervious Surface and 15% Minimum Tree Cover portions of those regulations. For a lot of this size, the Minimum Tree Cover would be at least 3 trees).

Reviewer: Martha Stauss Date: January 19, 2005

ORDER RECEIVED FOR FILING
Date 2/4/05
By [Signature]

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 20, 2004

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

SUBJECT: Lots 449 and 450 Beach Road

INFORMATION:

Item Number: 5-262

Petitioner: Rollis M. Leitch

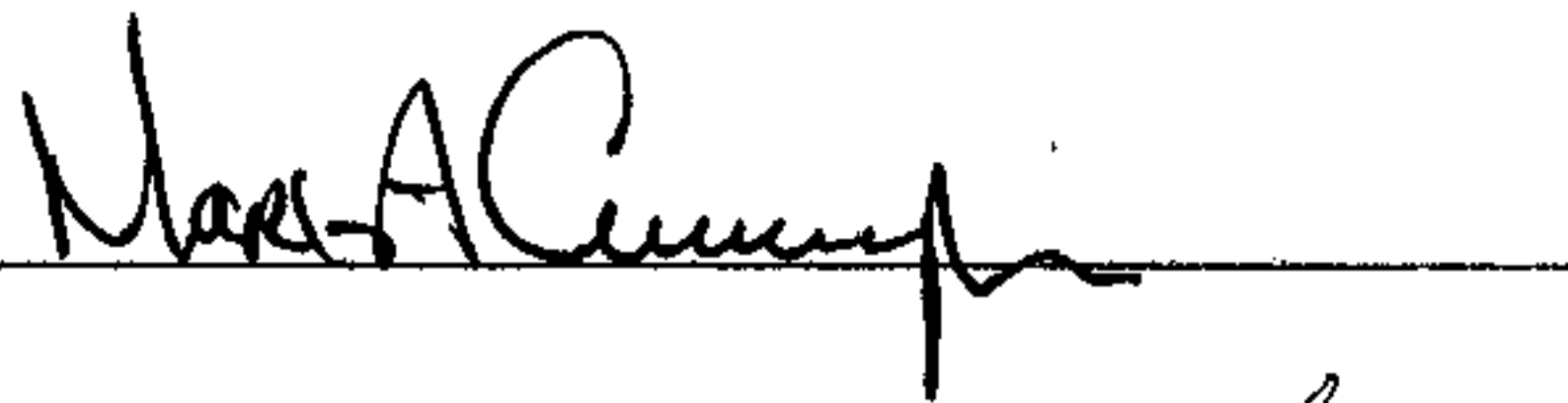
Zoning: RC 5

Requested Action: Variance

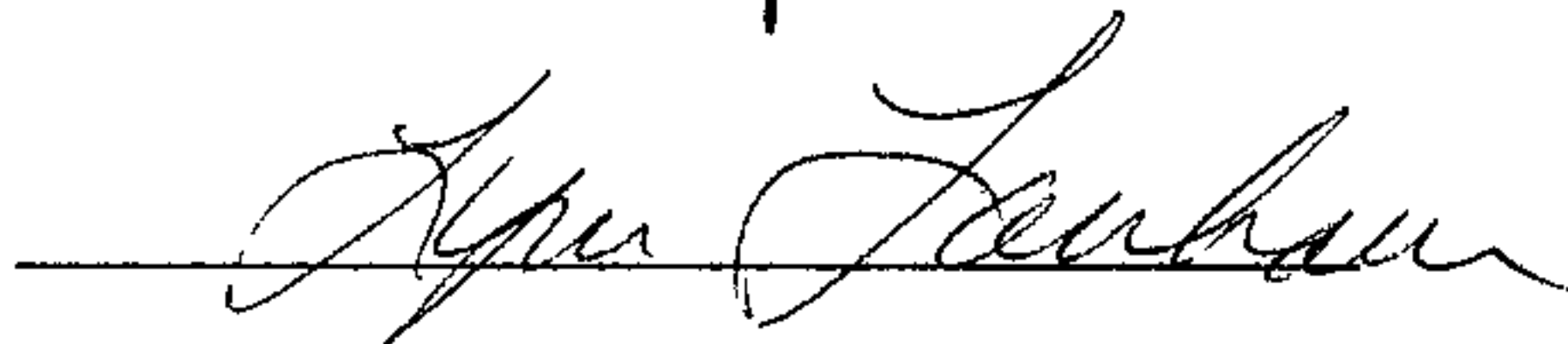
SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided building elevations (all sides) are submitted to this office for review and approval prior to the issuance of any building permits. The elevations shall indicate exterior colors and building material relative to the proposed structure.

Prepared by:



Division Chief:



AFK/LL:MAC:

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



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

Maryland Department of Transportation

Date: 11.26.04

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

RE: Baltimore County
Item No. 262 JJS

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

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

RE: PETITION FOR VARIANCE * BEFORE THE
Lots 449 and 450 Beach Road; W/side *
Beach Road, 230' N of Silver Lane * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Rollin M Leitch * FOR
Contract Purchaser(s): Brian Chan *
Petitioner(s) * BALTIMORE COUNTY
* 05-262-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.

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 1st day of December, 2004, a copy of the foregoing Entry of Appearance was mailed to, Joseph I Huesman, Attorney in Fact, 1350 McCormick Road, Hunt Valley, MD 21031, Representative for Petitioner(s).

RECEIVED

Per

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

[Click here for a plain text ADA compliant screen.](#)



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

[Go Back](#)
[View Map](#)
[New Search](#)
[Ground Rent](#)

Account Identifier: District - 15 Account Number - 1503471291

Owner Information

Owner Name: LEITCH ROLLIN MARIE Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 11 AVONDALE Deed Reference: 1) /11257/ 546
OCEAN VIEW DE 19970-2904 2)

Location & Structure Information

Premises Address
BEACH RD

Legal Description
LT 449,450
CEDAR BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:	Plat Ref:
105	2	143						82		7/ 186

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		7,500.00 SF	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2003	Phase-In Assessments As Of 07/01/2004	As Of 07/01/2005
Land:	1,870	1,870		
Improvements:	0	0		
Total:	1,870	1,870	1,870	1,870
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
COOPER HENRY G	10/16/1995	\$0
Type: MULT ACCTS ARMS-LENGTH	Deed1: /11257/ 546	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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 *

DATE: 12/20/2004

STANDARD ASSESSMENT INQUIRY (1)

TIME: 13:19:56

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 03 471291	15	3-0	04-00	N	NO		10/07/04
LEITCH ROLLIN MARIE				DESC-1.. LT 449,450			
				DESC-2.. CEDAR BEACH			
11 AVONDALE				PREMISE. 00000 BEACH		RD	
						00000-0000	

OCEAN VIEW DE 19970-2904 FORMER OWNER: COOPER HENRY G

----- FCV -----			----- PHASED IN -----		
	PRIOR	PROPOSED		CURR	PRIOR
LAND:	1,870	1,870		FCV	ASSESS
IMPV:	0	0	TOTAL..	1,870	1,870
TOTL:	1,870	1,870	PREF...	0	0
PREF:	0	0	CURT...	0	0
CURT:	0	0	EXEMPT.		0

DATE: 10/99 06/02

----- TAXABLE BASIS -----	FM DATE
ASSESS: 1,870	11/09/02
ASSESS: 1,870	
ASSESS: 0	

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

DATE: 12/20/2004

STANDARD ASSESSMENT INQUIRY (2)

TIME: 13:20:08

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 03 471291	15	3-0	04-00	N	NO		10/07/04
LOT....		BOOK....	0007	MAP.....	0105	LOT WIDTH.....	50.00
BLOCK..		FOLIO...	0186	GRID....	0002	LOT DEPTH.....	100.00
SECTION..				PARCEL..	0143	LAND AREA..	7500.000 S
PLAT..						YEAR BUILT.....	00

-----TRANSFER DATA-----

NUMBER..... 083587
 DATE..... 10/16/95
 PURCHASE PRICE..... 0
 GROUND RENT..... 0
 DEED REF LIBER..... 11257
 DEED REF FOLIO..... 0546
 CONVEYED IND..... 3
 TOT-PART TRAN IND..... T
 GRANTOR ACCT NO.. 15-03-471291

CRITICAL	NEW CONST	CARD
----------	-----------	------

AREAS CODE	YEAR	NO
------------	------	----

15268

-----EXEMPT DATA-----

STATUS.....
 CLASS CODE..... 000
 STATE EXEMPT CODE..... 000
 COUNTY EXEMPT CODE..... 000
 CURR STATE EX ASMT.... 0
 PRIOR STATE EX ASMT... 0
 CURR COUNTY EX ASMT... 0
 PRIOR COUNTY EX ASMT.. 0

-----STRUCTURE-----

CODE	SQ. FEET
------	----------

ENTER-INQUIRY3 PA1-PRINT PF2-INQUIRY1 PF4-MENU PF5-QUIT PF7-CROSS REF

DATE: 12/20/2004

STANDARD ASSESSMENT INQUIRY (3)

TIME: 13:20:15

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 03 471291	15	3-0	04-00	N	NO		10/07/04

-----STATE-----

GEO CODE N/A LAND-USE

REC CREATE DATE.. 10/23/92

82

NO

R

DELETE CODE..... M

DATE DELETED.....

LAST FM DATE..... 11/09/02

LAST FM TYPE..... C

PREV FM DATE.....

PREV FM TYPE.....

----- COUNTY -----

LAST LOAD DATE... 10/07/04

PRIOR LOAD DATE.. 06/15/04

STATE TAXABLE ASSESS

ASSESS: 1,870

ASSESS: 1,870

ASSESS: 0

ENTER-INQUIRY1 PA1-PRINT PF2-INQUIRY2 PF4-MENU PF5-QUIT PF7-CROSS REF

Keep in 2c's File

#262

**SPECIAL POWER OF ATTORNEY
SELLER**

KNOW ALL PERSONS BY THESE PRESENTS:

That I Rollin M. Leitch (DONOR OF POWER) do hereby nominate, make, constitute and
appoint Joseph I. Huesman (DONEE OF POWER) of Baltimore
County/City, State of Maryland my true and lawful attorney, for me,
and in my name and stead, and in my behalf to execute any and all documents, affidavits, agreements, contracts, deeds,
listing agreements, settlement sheets and any other paper or document pertaining to the sale, assignment and transfer of
all of my right, title and interest in that real property known as 449-450 Beach Rd
Baltimore County County/City, State of MD

It being the intention of this power to fully authorize and empower my said attorney-in-fact to act for and on behalf of me in
this matter and to bind me to the same extent and as fully to all intents and purposes as if done myself, and I hereby ratify
and confirm all and whatsoever that my said attorney-in-fact may lawfully do by virtue of these presents.

This power of Attorney shall not be affected by my disability or by uncertainty as to whether I am dead or alive.

Rollin M. Leitch Sept. 20, 2004
Donor of Power (Signature) (Date)

Donor of Power (Signature) (Date)

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 20 day of September, 2004

STATE OF Delaware, COUNTY OF Sussex, TO WIT:

I HEREBY CERTIFY that on this 20 day of September, 2004 before me, a Notary Public in and for the
State and County aforesaid, personally appeared Rollin M. Leitch known to me, or
satisfactorily proven to be the person whose name is subscribed to within Power of Attorney, and who acknowledged that
he/she has executed same in my presence for the purposes therein contained.

AS WITNESS My hand and Notarial Seal.

Christine M. Phillips
NOTARY PUBLIC
My Commission Expires: 6-16-2005



CBRB SF740 (07/01/03)

#262

MEMO TO THE FILE

11-18-04

TO: ZC, Deputy ZC
FROM: Paul J. Plannett
SUBJECT: Zoning Case # D5-262A

At the 2:00 PM petition filing appointment today Mr. Chan, the contract purchaser presented ~~the~~^a business card signed by David Pinnig, 6th Dist. Planner stating that ~~as~~ this lot required a Zoning Variance in order to be buildable. As such it appears that the site meets the Performance Standards of S. 1A04.4, BZR.

DH
Case No.:

05-262-A

Exhibit Sheet

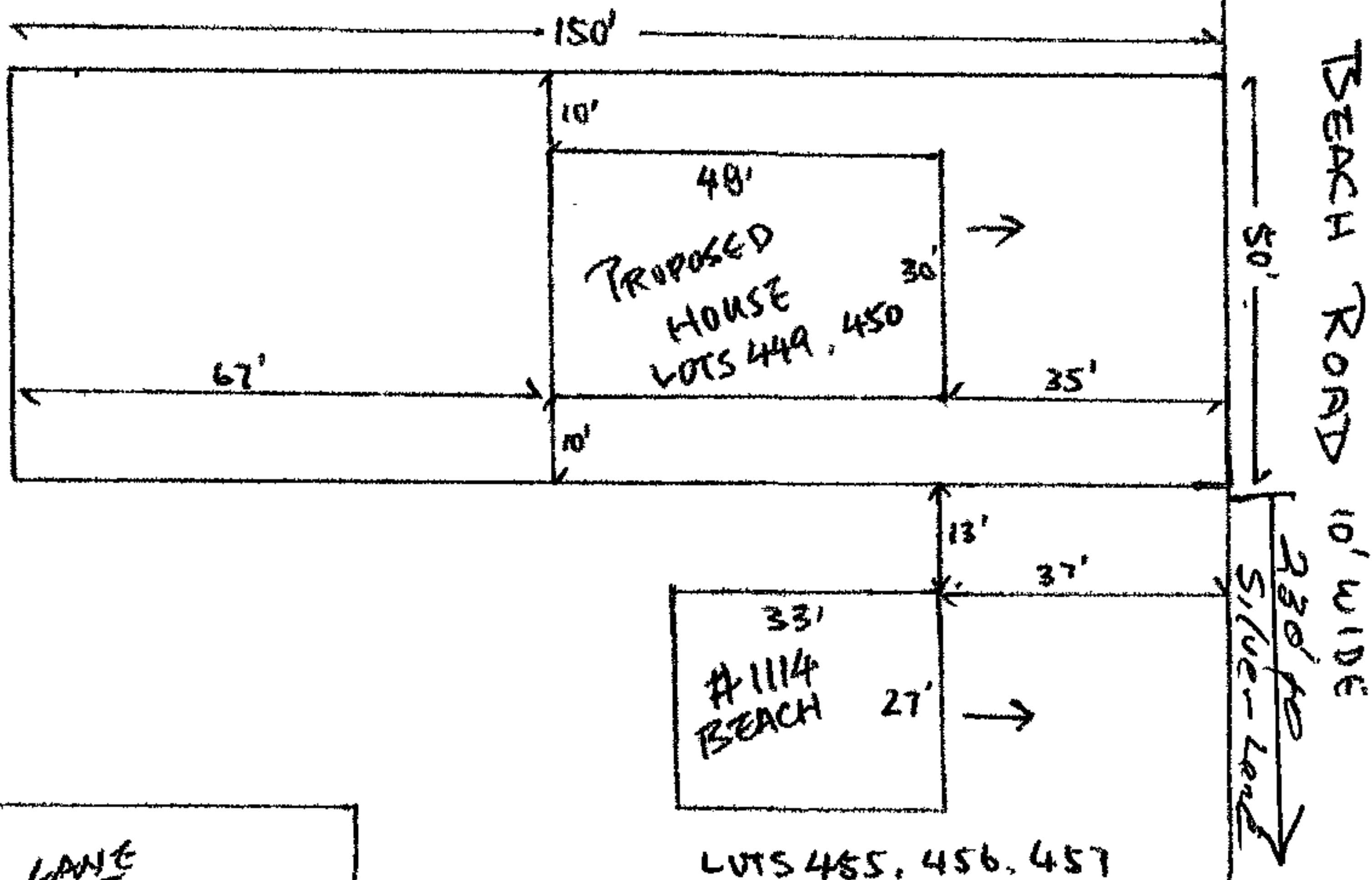
Petitioner/Developer

Protestant

No. 1	Site PLAN	
No. 2	PLAT - 1940 surrounding Properties	
No. 3	Concept drawing	
No. 4	Pictures of adjacent homes + signatures	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Petition For A Zoning ~~Special~~ ^{VARIANCE}

VACANT LOT



LOTS 455, 456, 457

OWNER ROLLIN LEITCH
 TAX A/C 1503471291
 ZONING RC 5
 COUNCILMANIC DISTRICT 6
 ELECTION DISTRICT 15
 LOT SIZE 7500 S.F.
 SEWER PUBLIC
 WATER PUBLIC
 CHESAPEAKE BAY CRITICAL AREA YES
 100 YR. FLOOD PLAIN NO
 HISTORIC BUILDING NO

Book 7 Folio 186

RC-5

1:30

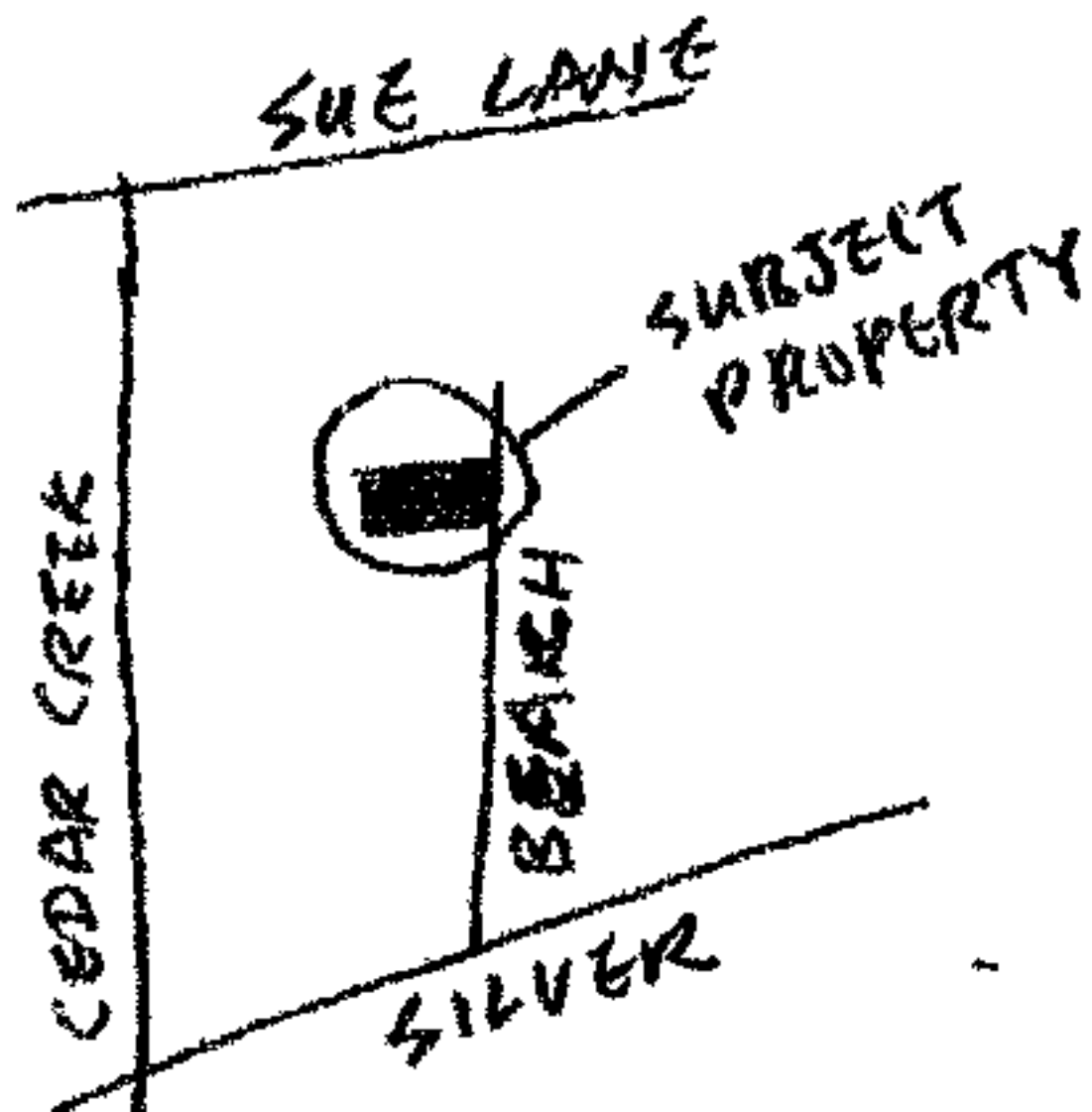
R
 #267

BRIAN CHAN - APPLICANT
 P.O. Box 626
 TIMONIUM Md 21093

LOTS 449 - 450
 BEACH ROAD
 BALTO Md 21221

443-520-5973

DEED REFERENCE 11257/346
 SUBDIVISION CEDAR BEACH

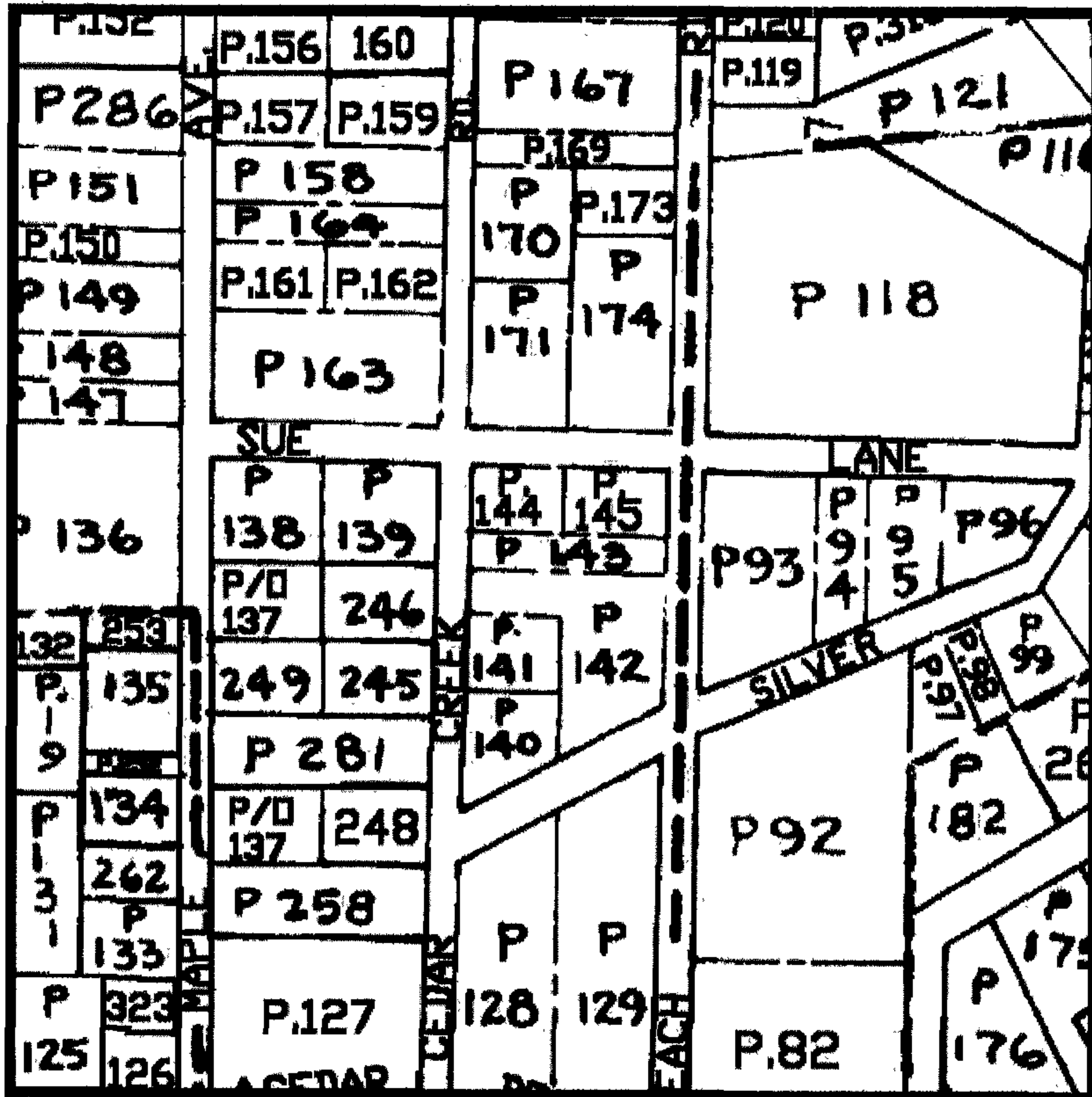




Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

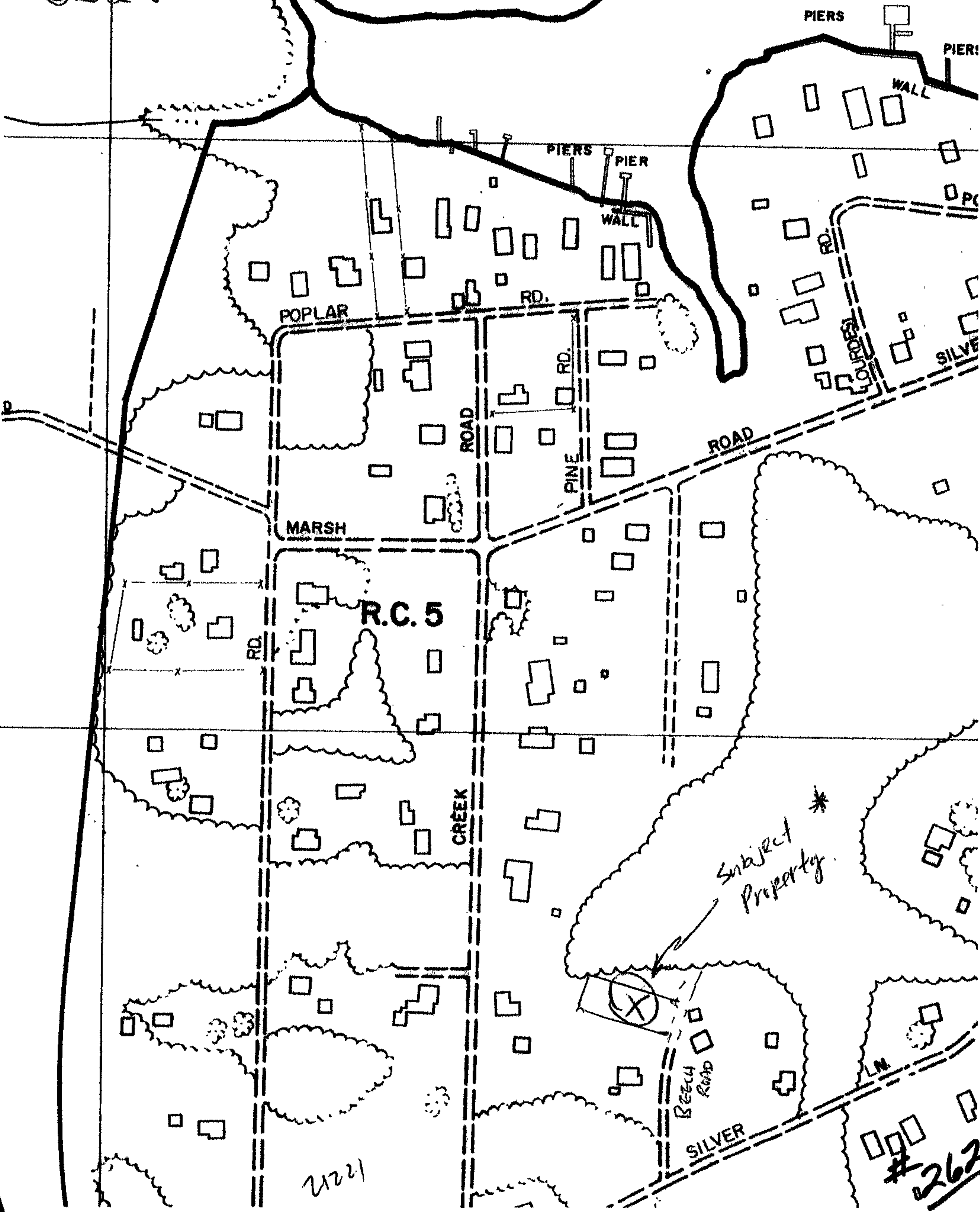
Go Back
View Map
New Search

District - 15 Account Number - 1503471291



Property maps provided courtesy of the Maryland Department of Planning ©2004.
For more information on electronic mapping applications, visit the Maryland Department of Planning
web site at www.mdp.state.md.us/webcom/index.html

SE 2 J



21221

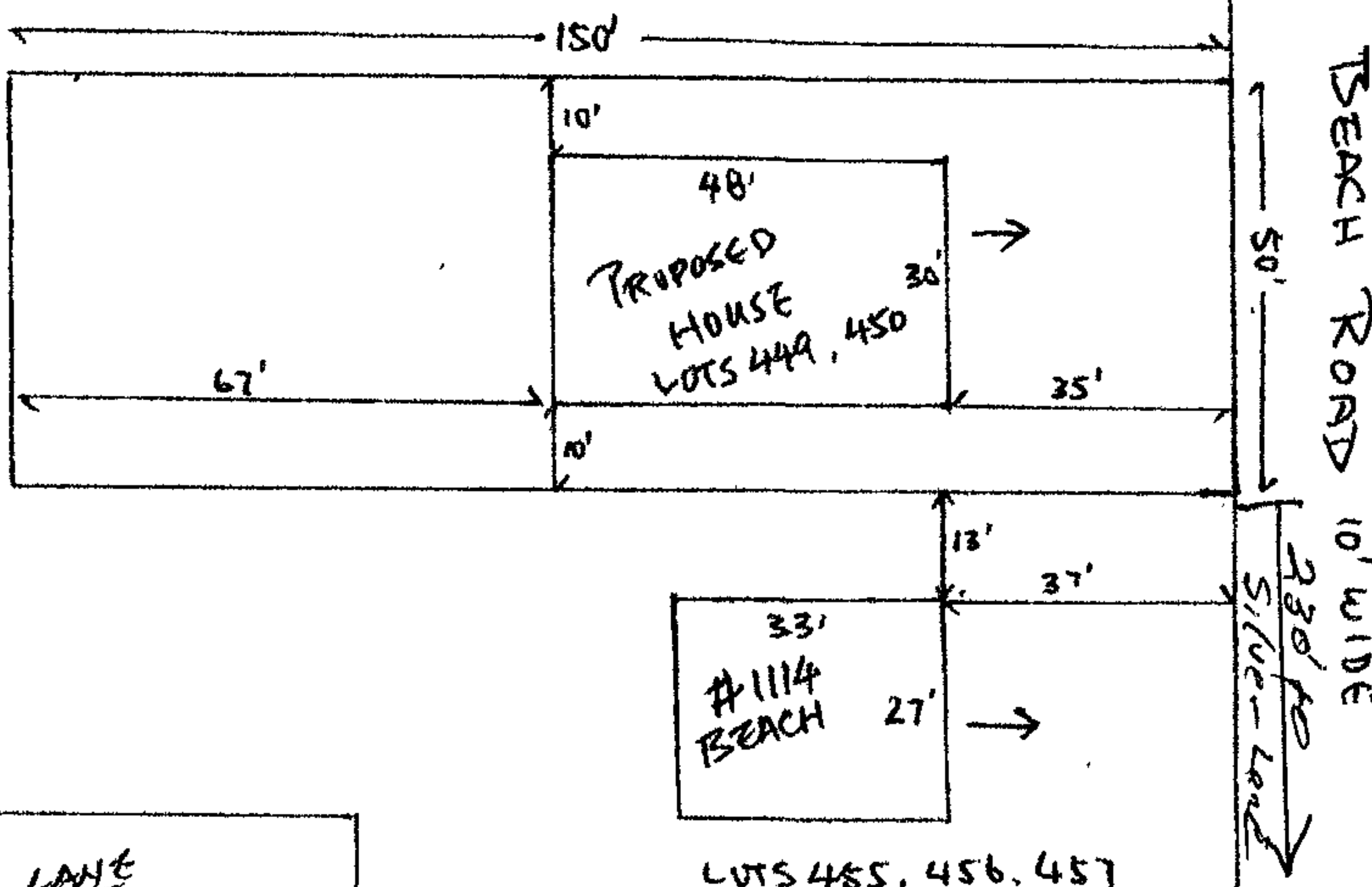
#262

PETITIONER'S EXHIBIT 1

VARIANCE

~~SPOT ZONING~~

VACANT LOT



LOTS 455, 456, 457

OWNER ROLLIN LEITCH
TAX A/C 1503471291
ZONING RC 5
COUNCILMANIC DISTRICT 6
ELECTION DISTRICT 15
LOT SIZE 7500 S.F.
SEWER PUBLIC
WATER PUBLIC
CHESAPEAKE BAY CRITICAL AREA YES
100 YR. FLOOD PLAIN NO
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Book 7 Folio 186

RC-5

1:30

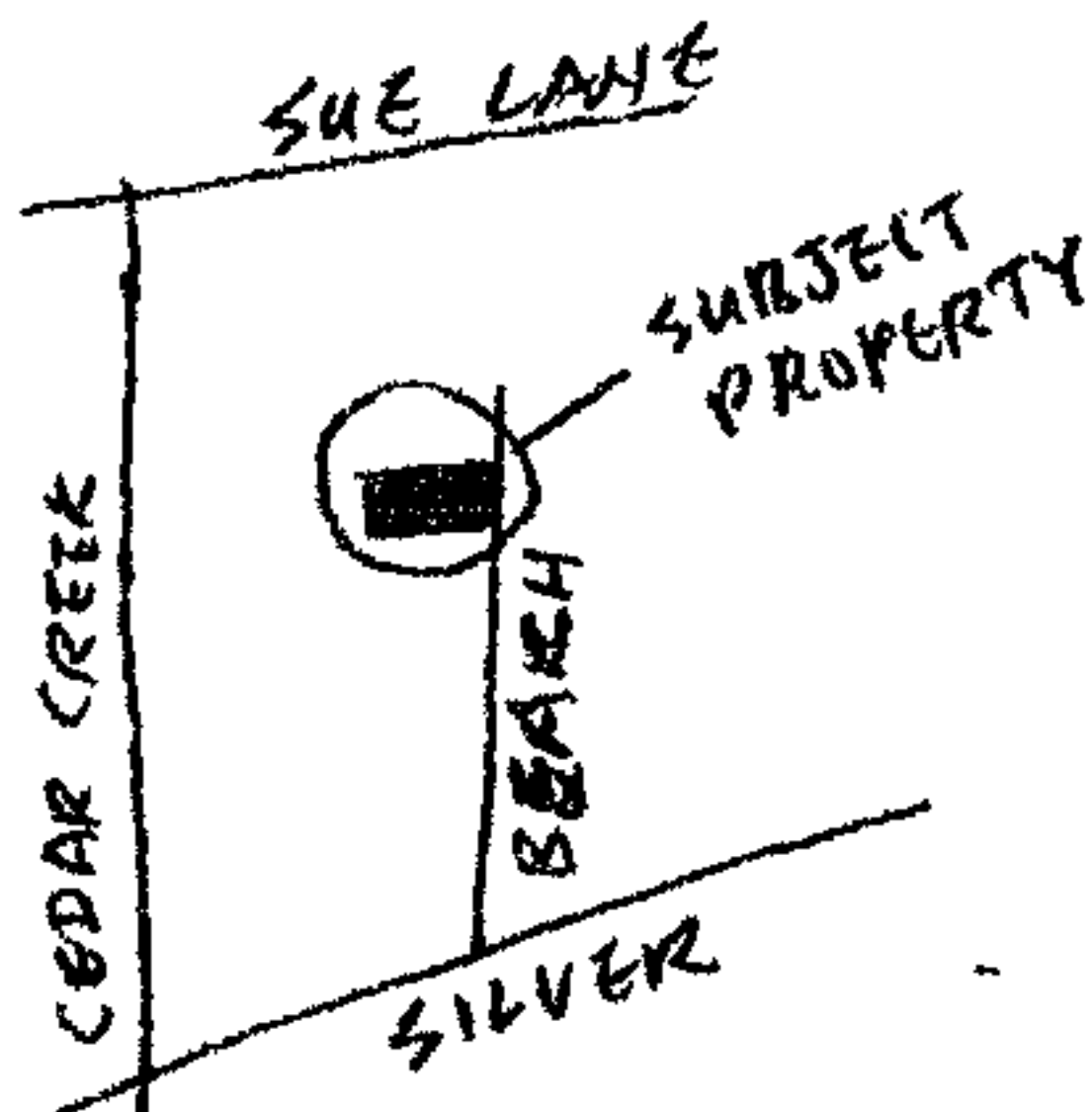
R
#267

BRIAN CHAN - APPLICANT
P.O. Box 626
TIMONIUM Md 21093

LOTS 449 - 450
BEACH ROAD
BALTO MD 21221

443-520-5973

DEED REFERENCE 11257/346
SUBDIVISION CEDAR BEACH



N

