IN RE: PETITIONS FOR VARIANCE
NE/S Kent Road, 42.5' W of the c/l
Galena Road
(1463 & 1465 Kent Road)
15th Election District
7th Council District

Gary L. Jacobs, et ux Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 05-282-A & 05-283-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Variance filed by the owners of the subject adjacent properties, Gary L. Jacobs, and his wife, Micaela M. Aigner-Jacobs. Since the properties are owned by the same persons and are located adjacent to one another, the two cases were heard contemporaneously. In Case No. 05-282-A, the Petitioners request a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit construction of a dwelling on a lot having a width of 50 feet in lieu of the required 55 feet and approval of that property as an undersized lot. In Case No. 05-283-A, the Petitioners request similar relief from Section 1B02.3.C.1 of the B.C.Z.R. to allow an existing dwelling on a lot having a width of 50 feet in lieu of the minimum required 55 feet, a side yard setback of 4 feet in lieu of the required 10 feet, and if deemed necessary by the Zoning Commissioner, a front yard setback of 7 feet in lieu of the minimum required 25 feet. The subject properties and requested relief are more particularly described on the site plans submitted in each case, which were accepted into evidence and marked respectively as Petitioners' Exhibits 1.

Appearing at the requisite public hearing in support of the request were Gary Jacobs, owner of the subject properties, his attorney, Harry Blondell, Esquire, and Carl Rosenberger.

Appearing in opposition to the request were Andrea Corscia and Lora Coscia, adjacent and nearby property owners. It is also to be noted that five letters signed by residents of the Back River Peninsula were received from the Protestants and marked as Protestants' Exhibits 3A through 3E.

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Testimony and evidence offered revealed that the subject properties are waterfront lots located on the northeast side of Kent Road, just west of Galena Road in Essex. The properties are also identified as Lots 197 and 198 of Hyde Park, an older subdivision that was platted and recorded in the Land Records at WHM 9-59, well prior to the adoption of the first set of zoning regulations in Baltimore County. As is often the case with older subdivisions, many of the lots are undersized and do not meet current area and width requirements for development. In this regard, each lot is 50 feet wide; however, range in depth along the water's edge of from approximately 135 feet to 175 feet. Lot 197 contains a gross area of 8,100 sq.ft. and is improved with a two-story dwelling, known as 1465 Kent Road, and a 16' x 19' shed. Lot 198 contains a gross area of 6,766 sq.ft., and is unimproved. Both lots are zoned D.R.5.5 and are served by public water and sewer.

The Petitioners have owned the subject properties and leased the dwelling on Lot 197 (1465 Kent Road) since March 12, 1999. However, the Petitioners have actually lived in the neighborhood just around the corner at 502 Galena Road for 30 years. The instant Petitions were filed seeking recognition that the subject properties are two separate building lots so as to allow development of the unimproved lot (Lot 198) with a single family dwelling and legitimize existing conditions on the improved lot (Lot 197). Specifically, relief is requested under Case No. 05-283-A to legitimize the existing setbacks of 4 feet on the east side, and if necessary, a front yard setback of 7 feet from the front property line for the existing dwelling. In Case No. 05-282-A, relief is requested to approve Lot 197 as an undersized lot to permit development with a single-family dwelling. Testimony indicated that the new dwelling is intended for use as a "mother-in-law" house. It was also indicated that the new house will meet all front, side and rear yard setback requirements and will be located a consistent distance from the road as other houses in the vicinity.

Variance relief is requested as set forth above due to the narrow width of the lots, and the location of the existing dwelling. In this regard, the existing dwelling was built in 1946. As originally constructed, the building was located within 4 feet of the east side property line and approximately 21 feet from the front property line. Given the fact that these improvements existed prior to the effective date of the zoning regulations, the house as originally constructed would have

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The Petitioners have owned the subject properties and leased the dwelling on Lot 197 (1465 Kent Road) since March 12, 1999. However, the Petitioners have actually lived in the neighborhood just around the corner at 502 Galena Road for 30 years. The instant Petitions were filed seeking recognition that the subject properties are two separate building lots so as to allow development of the unimproved lot (Lot 198) with a single family dwelling and legitimize existing conditions on the improved lot (Lot 197). Specifically, relief is requested under Case No. 05-283-A to legitimize the existing setbacks of 4 feet on the east side, and if necessary, a front yard setback of 7 feet from the front property line for the existing dwelling. In Case No. 05-282-A, relief is requested to approve Lot 197 as an undersized lot to permit development with a single-family dwelling. Testimony indicated that the new dwelling is intended for use as a "mother-in-law" house. It was also indicated that the new house will meet all front, side and rear yard setback requirements and will be located a consistent distance from the road as other houses in the vicinity.

Variance relief is requested as set forth above due to the narrow width of the lots, and the location of the existing dwelling. In this regard, the existing dwelling was built in 1946. As originally constructed, the building was located within 4 feet of the east side property line and approximately 21 feet from the front property line. Given the fact that these improvements existed prior to the effective date of the zoning regulations, the house as originally constructed would have

remained nonconforming. However, due to the existence of a partially completed front porch, relief is now necessary to legitimize existing conditions and allow a 7-foot setback from the front porch to the front property line. Relief is also requested to approve the unimproved lot as undersized, pursuant to Section 304. However, the minimum required lot size for D.R.5.5 zoned land is 6,000 sq.ft. Thus, since both parcels meet this requirement, this portion of the requested relief shall be dismissed as moot.

There was significant opposition to the proposed dwelling from nearby residents. Many of the neighbors believe the Petitioners intend to create another rental property and have done little to insure the welfare of the surrounding locale since their purchase of the property. All pointed out the fact that a large boat has been allowed to be stored on the improved lot for several years. Moreover, construction work on the front porch of the existing dwelling has remained incomplete with little attention to general maintenance of the property. Photographs evidencing the condition of the property were submitted into evidence and marked as Protestants' Exhibit 2.

Turning first to Case No. 05-282-A, I am persuaded that relief should be granted to allow construction of the proposed single-family dwelling. As noted above, the fact that this subdivision was platted and recorded many years ago, well prior to the adoption of the B.C.Z.R. is a persuasive factor. Moreover, the proposed dwelling will meet all front, side and rear yard setback requirements and will be situated on the lot consistent with other homes along Kent Road. The only deficiency in this instance is the lot width, which is 5 feet shy of the required 55 feet.

Likewise, relief will be granted in Case No. 05-283-A to legitimize existing conditions on the improved lot (Lot 197). As noted above, the dwelling has existed where located since 1946 and it is clear that strict compliance with the zoning regulations would be impractical and result in an unreasonable hardship for the Petitioners. In my view, the relief requested will not result in any detriment to the health, safety and general welfare of the surrounding locale and meets the spirit and intent of Section 307 for relief to be granted. As a condition of approval, however, I will impose certain terms and conditions to address some of the concerns raised by the Protestants and insure compliance with Chesapeake Bay Critical Areas regulations and flood plain requirements.

Pursuant to the advertisement, posting of the properties, and public hearing on these Petitions 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 ______ day of February 2005 that the Petition for Variance filed in Case No. 05-283-A seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing dwelling on a lot having a width of 50 feet in lieu of the minimum required 55 feet, a side (east) yard setback of 4 feet in lieu of the required 10 feet, and a front yard setback of 7 feet in lieu of the minimum required 25 feet, for the existing dwelling known as 1465 Kent Road, in accordance with Petitioner's Exhibit 1A, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 05-282-A, seeking relief from Section 1B02.3.C.1 of the B.C.Z.R. to permit a lot width of 50 feet in lieu of the minimum required 55 feet, for a proposed dwelling to be known as 1463 Kent Road, in accordance with Petitioner's Exhibit 1B, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their 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 the ZAC comments submitted by DEPRM and the Development Plans Review division of DPDM 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. Copies of those comments, dated December 29, 2004 and January 24, 2005, respectively, have been attached hereto and are made a part hereof.
- 3) The Petitioners shall submit building elevation drawings of the proposed dwelling to the Office of Planning prior to the issuance of any permits to insure that the proposed house is compatible in terms of size, exterior, building materials, color and architectural details with existing dwellings in the area.

Pursuant to the advertisement, posting of the properties, and public hearing on these Petitions 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 ______ day of February 2005 that the Petition for Variance filed in Case No. 05-283-A seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing dwelling on a lot having a width of 50 feet in lieu of the minimum required 55 feet, a side (east) yard setback of 4 feet in lieu of the required 10 feet, and a front yard setback of 7 feet in lieu of the minimum required 25 feet, for the existing dwelling known as 1465 Kent Road, in accordance with Petitioner's Exhibit 1A, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 05-282-A, seeking relief from Section 1B02.3.C.1 of the B.C.Z.R. to permit a lot width of 50 feet in lieu of the minimum required 55 feet, for a proposed dwelling to be known as 1463 Kent Road, in accordance with Petitioner's Exhibit 1B, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their 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 the ZAC comments submitted by DEPRM and the Development Plans Review division of DPDM 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. Copies of those comments, dated December 29, 2004 and January 24, 2005, respectively, have been attached hereto and are made a part hereof.
- 3) The Petitioners shall submit building elevation drawings of the proposed dwelling to the Office of Planning prior to the issuance of any permits to insure that the proposed house is compatible in terms of size, exterior, building materials, color and architectural details with existing dwellings in the area.

- 4) Prior to the issuance of any permits, the Petitioners shall remove all junk and debris from the unimproved parcel, and generally, bring both properties into compliance with all zoning and building code regulations.
- 5) Prior to the issuance of any permits, the Petitioners shall remove the large boat from the property known as 1465 Kent Road or comply with Section 415A.1 of the B.C.Z.R., and complete construction work to the front porch.
- 6) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order

IT IS FURTHER ORDERED that the relief requested in Case No. 05-282-A seeking approval of the unimproved lot as undersized, pursuant to Section 304 of the B.C.Z.R., be and is hereby DISMISSED AS MOOT.

Zoning Commissioner for Baltimore County

WJW:bjs

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

PDM

ZONING COMMISSIONER

FROM:

John D. Oltman, Jr 500

DEPRM

DATE:

January 24, 2005

SUBJECT:

Zoning Item

05-282

Address

1463 Kent Road (Jacobs Property)

Zoning Advisory Committee Meeting of December 13,2004.

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:

Please note that tidal limits and tributary streams must be located and shown on any and all plans. As a result, the 100-foot Critical Area Easement setback may have to be revised. Furthermore, mitigation and a variance may also be required.

Reviewer:

Michael Kulis

Date: January 24, 2005

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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 14, 2005

Harry Blondell, Esquire 8640 Ridgely's Choice Drive, Suite 202 Baltimore, Maryland 21236

RE: PETITIONS FOR VARIANCE
NE/S Kent Road, 42.5' W of the c/l Galena Road
(1463 & 1465 Kent Road)
15th Election District — 7th Council District
Gary L. Jacobs, et ux - Petitioners
Cases Nos. 05-282-A and 05-283-A

Dear Mr. Blondell:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Variance have 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,

VILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:bjs

cc: Mr. & Mrs. Gary L. Jacobs
1465 Kent Road, Baltimore, Md. 21221
Ms. Andrea Coscia, 1457 Kent Road, Baltimore, Md. 21221
Ms. Lora Coscia, 903 Homberg Avenue, Baltimore, Md. 21221
Chesapeake Bay Critical Areas Commission
1804 West Street, Suite 100, Annapolis, Md. 21401
Development Plans Review, DPDM; DEPRM
Office of Planning; People's Counsel; Case File



• CBCA/FLOOD Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1465 KENT ROAD which is presently zoned DR 5.5

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) 1802.301, 802R, To PERMIT AN

EXISTING DWELLING ON A LOT WITH A WIDTH OF SO FEET IN LIEU OF THE MINIMUM REQUIRED SS FEET, A SIDE YARD SETBACK OF 4 FEET IN LIEU OF THE MINIMUM REQUIRED ID FEET, AND A THE ZONING COMMISSIONER, A FRONT YARD SETBACK OF 7 FEET IN LIEU OF THE MINIMUM REQUIRED 25 FEET, of the Zoning Regulations of Baltimore County, to the Zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE PRESENTED AT HEARING

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:

Legal Owner(s):

Name - Type or Print		Nam	e - Type or Print	JACOBS 1	2
Signature		· · · · · · · · · · · · · · · · · · ·	Signature M.I.C.A.G.I.A	00 0000	
Address		Telephone No.	Name - Type or Print	M. AIGNER-	MACOBS
City	State	Zip Code	Signature	CLIT. COL	ji ar ijai a
Attorney For Petition	<u>1er:</u>		1465 KEN Address	TROAD	4/0-391-0 Telephone N
Name - Type or Print		City	BAUTIMORE	MD State	2121 Zip Code
Signature	 		Representativ	e to be Contacte	•
Company		,	Name		
Acdress		Telephone No.	Address		Telephone No
	State	Zip Code	City	State	e Zip Code
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ase No. 05	-283-A	•	ESTIMATED LENGT		· ······
	T		UNAVAILABLE FOR	HEARING	- 1.7721-1
		Reviewed Bv	~J/V/	Date 13/3/NY	

730 W. Padonia Road, Suite 101 Cockeysville, Maryland 21030

410-560-1502, fax 410-560-0827

ZONING DESCRIPTION 1465 KENT ROAD 15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the north side of Kent Road, a right-of-way (50) feet wide at the distance of 42.5 feet north west of the centerline of the nearest improved intersecting street Galena Road, a right- of- way (50) feet wide. Being lot #197 in the subdivision of HYDE PARK as recorded in Baltimore County Plat Book #9, Folio #59, containing 8,100 Sq.Ft. or 0.186 Ac.+/-. Also known as 1465 Kent Road and located in the 15th. Election District, 7th Councilmanic District.

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: #05-283-A
1465 Kent Road
Northeast side of Kent Road, 42.5 feet northwest of Galana Road

Galena Road

Galena Road
15th Election District - 7th Councilmanic District
Legal Owner(s): Gary L. and Micaela M. Jacobs
Variance: to permit an existing dwelling on a lot with a width of 50 feet in lieu of the minimum required 55 feet, a side yard setback of 4 feet in lieu of the minimum required 10 feet and to permit a setback of 7 feet in lieu of the minimum required 25 feet.
Hearing: Monday, January 31, 2005 at 10:00 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 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.

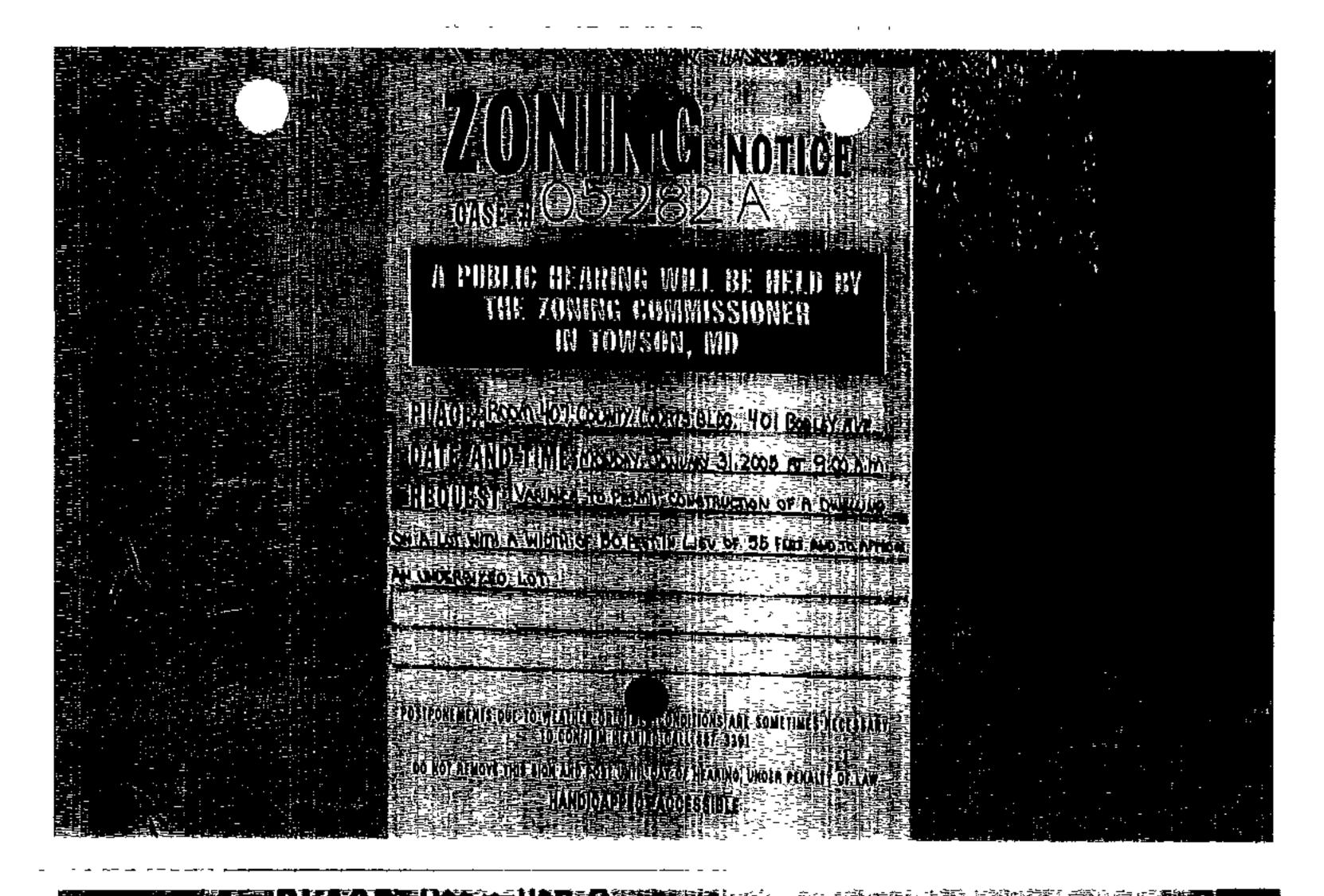
1/124 Jan. 13

CERTIFICATE OF PUBLICATION

113,2005
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on <u>113</u> ,20 <u>05</u> .
☐ The Jeffersonian ☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News

LEGAL ADVERTISING

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Department of Permits a 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

December 14, 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: 05-283-A

1465 Kent Road Northeast side of Kent Road, 42.5 feet northwest of Galena Road 15th Election District—7th Councilmanic District Legal Owners: Gary L. and Micaela M. Jacobs

Variance to permit an existing dwelling on a lot with a width of 50 feet in lieu of the minimum required 55 feet, a side yard setback of 4 feet in lieu of the minimum required 10 feet and to permit a setback of 7 feet in lieu of the minimum required 25 feet.

Hearing: Monday, January 31, 2005 at 10:00 a.m., in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK: clb

C: Gary L. and Michaela M. Jacobs 1465 Kent Road Baltimore 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY JANUARY 14, 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.



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

TO: PATUXENT PUBLISHING COMPANY

Thursday January 13, 2005 Issue - Jeffersonian

Please forward billing to:

Law Office of Harry W. Blondell 9634 Deereco Road Timonium, Maryland 21093

410-308-3669

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: 05-283-A

1465 Kent Road
Northeast side of Kent Road, 42.5 feet northwest of Galena Road
15th Election District—7th Councilmanic District
Legal Owners: Gary L. and Micaela M. Jacobs

Variance to permit an existing dwelling on a lot with a width of 50 feet in lieu of the minimum required 55 feet, a side yard setback of 4 feet in lieu of the minimum required 10 feet and to permit a setback of 7 feet in lieu of the minimum required 25 feet.

Hearing: Monday, January 31, 2005 at 10:00 a.m., in Room 407, County Courts Building,

01 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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

Item Number or Case Number	D5-283-A	
Petitioner. JA(085		
Address or Location: 1465	KENT ROAD	
Name. LAW OFFICE	OF HARRY IN, Blondell	
Name. LAW OFFICE	OF HARRY IN, Blondell	
Address 9634 Dec	OF HARRY IN, Blondell	
Name. <u>LAW OFFICE</u> Address <u>9634 Dec</u>	of HARRY IN, Blondell ereco ROAD	,

Department of Permits Development Management

Development Processing County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204





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

January 26, 2005

Gary L. Jacobs Micaela M. Aigner-Jacobs 1465 Kent Road Baltimore, Maryland 21221

Dear Mr. and Mrs. Jacobs:

RE: Case Number: 05-283-A, 1465 Kent Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 2, 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, U. Calling Calling

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel



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







700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

December 9, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: December 13, 2004

Item No.:

267, 277-290

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

DATE: December 29, 2004

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 20, 2004

Item No. (283)

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

The minimum width of road right-of-way in Baltimore County is 40 feet; the drawing shall be modified accordingly to reflect minimum of 40-foot width on Galena Road (label lane). With the additional right-of-way shown, the lot is only 40 feet wide.

RWB:CEN:jrb

cc: File





BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Tim Kotroco PDM
FROM:	John D. Oltman, Jr Joo DEPRM
DATE:	January 24, 2005
SUBJECT:	Zoning Item # 05-283 Address 1465 Kent Road (Jacobs Property)
Zoning	Advisory Committee Meeting of December 13, 2004.
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
	epartment of Environmental Protection and Resource Management offers lowing 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).
<u>X</u>	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).
Additio	onal Comments:
Review	ver: Michael Kulis Date: January 24, 2005

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 5-270 and \$-283

DATE: December 20, 2004

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 Bill Hughey in the Office of Planning at 410-887-3480.

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:

12.10.04

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

RE:

Baltimore County

Item No. 283

JHP

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

1465 Kent Road; NE/side Kent Road,

42.5' W Galena Road

15th Election & 7th Councilmanic Districts

Legal Owner(s): Gary L & Micaela M Jacobs*

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

05-283-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

People's Counsel for Baltimore County

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 22nd day of December, 2004, a copy of the foregoing Entry of Appearance was mailed to, Gary & Micaela Jacobs, 1465 Kent Road, Baltimore, MD 21221, Petitioner(s).

RECEIVED

PETER MAX ZIMMERMAN

 $\Delta \Delta$

People's Counsel for Baltimore County

Per.....

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 - 1507581422

Owner Information

Owner Name:

Mailing Address:

JACOBS GARY L

1465 KENT RD

AIGNER-JACOBS MICAELA M

BALTIMORE MD 21221-6026

Use:

RESIDENTIAL

Principal Residence:

NO

Deed Reference:

1) /13713/ 187

2) /13713/ 183

Location & Structure Information

Premises Address

1465 KENT RD

Legal Description

LT 197,198 1465 KENT RD ES

HYDE PARK

Subdivision Lot Group Plat No: **Sub District** Map Grid Parcel Section Block 97 23 287 197 82 Plat Ref: 9/ 59

Special Tax Areas

Town Ad Valorem **Tax Class**

County Use Enclosed Area Property Land Area Primary Structure Built 04 1,053 SF 16,416.00 SF 1946 **Exterior Stories Basement** Type NO STUCCO STANDARD UNIT

Value Information

Phase-in Assessments Base **Value** Value As Of As Of As Of 01/01/2003 07/01/2004 07/01/2005 49,100 Land: 34,100 45,000 48,820 Improvements: Total: 79,100 97,920 91,646 97,920 **Preferential Land:** 0 0

Transfer Information

Seller: WEBB FRANK C \$70,000 Date: 04/30/1999 Price: Deed1: /13713/ 187 NOT ARMS-LENGTH Deed2: /13713/ 183 Type: Seller: COOK DAVID 11/17/1993 Price: \$80,000 Date: Deed2: IMPROVED ARMS-LENGTH Deed1: /10146/699 Type: \$50,000 Seller: KIESLING GUSTAV F,3RD 06/26/1991 Price: Date:

Deed1: / 8837/ 21 Deed2: IMPROVED ARMS-LENGTH Type:

Exemption Information

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

Tax Exempt: **Exempt Class:** NO

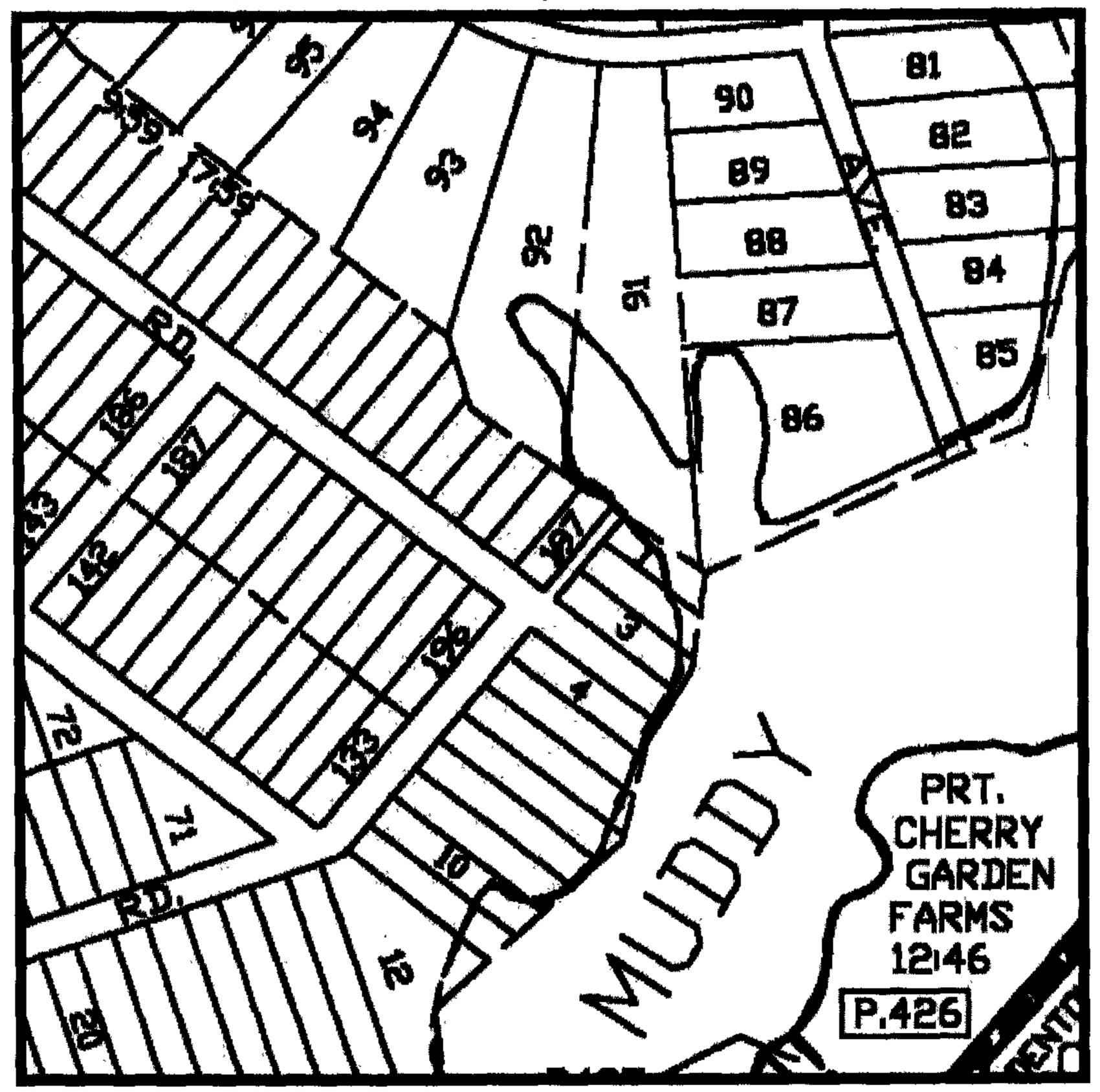
Special Tax Recapture:

* NONE *

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

Go Back View Map New Search

District - 15Account Number - 1507581422



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

170 PIERS) ASPASS PIER <u>a</u> 00 E49,500 00 A OR JOH PAR WALL

MAP# SE 2I 1"=200'

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: December 29, 2004

Department of Permits & Development Management

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT:

FROM:

Zoning Advisory Committee Meeting

For December 20, 2004 Item No. 283

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

The minimum width of road right-of-way in Baltimore County is 40 feet; the drawing shall be modified accordingly to reflect minimum of 40-foot width on Galena Road (label lane). With the additional right-of-way shown, the lot is only 40 feet wide.

RWB:CEN:jrb

cc: File

