

IN RE: PETITION FOR VARIANCE
W/S Sue Grove Road, 2,031' S of the c/l
Turkey Point Road
(814 Sue Grove Road)
15th Election District
6th Council District

Dennis S. Machin, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 05-382-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Dennis S. Machin and his wife, Jane L. Machin. The Petitioners request a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 5 feet in lieu of the required 10 feet, and a sum of the side yard setbacks of 10 feet in lieu of the required 25 feet, for a proposed dwelling. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibits 1 and 4.

Appearing at the requisite public hearing in support of the request were Dennis and Jane Machin, property owners, and Buck Jones, Builder. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a pie-shaped waterfront parcel located with frontage on Sue Creek and the west side of Sue Grove Road in the Back River Neck Peninsula area of eastern Baltimore County. The property is also known as Lot 64 of the subdivision known as Sue Grove, which was recorded in the Land Records in 1921, well prior to the effective date of zoning regulations in Baltimore County. As is often the case with older subdivisions, many of the lots do not meet current area and/or width requirements. In the instant case, the subject property lacks sufficient width. As shown on the site plan, the property has 33.75 feet of road frontage; however, is 71.5 feet wide along the water. The property ranges in depth of from 242 feet on the north side, and 290 feet on the south side. The property contains a

ORDER RECEIVED FOR FILING
Date 3/31/05
By [Signature]

gross area of 0.365 acres (13,852 sq.ft.), more or less, zoned D.R.3.5, and is presently improved with a two-story single family dwelling, which was built in 1944.

The Petitioners have owned the property since 1991 and have traditionally utilized the existing house as a vacation/summer home; however, the Petitioners wish to utilize the property year-round. Due to the age and condition of the existing structure, the Petitioners propose razing the building and constructing a new dwelling in essentially the same location. As shown on the site plan, the existing dwelling is 24 feet wide and 25 feet deep and is located 52 feet from Sue Grove Road. In addition, side setbacks of 5 feet to the south and 11 feet to the north are provided. The proposed dwelling will be 30' wide and 36' deep, and feature a 20' x 24' attached garage to the rear, and a 15' x 30' deck in the front facing the water. Additionally, the house will be raised a significant distance above ground level so as to be out of the floodplain. Building elevation drawings of the proposed house were submitted into evidence as Petitioner's Exhibit 3.

Variance relief is necessitated given the narrow width of the property. Although the proposed dwelling will be setback a similar distance from Sue Grove Road, side setbacks of 5 feet will be provided on each side. The proposed dwelling will also be located 128 feet from the water, which exceeds the minimum 100-foot setback required. The D.R.3.5 zoning classification requires minimum setbacks of 10 feet on each side and a minimum sum of the side yard setbacks of 25 feet. In view of the pie-shaped nature of the lot and its narrow width, compliance with these regulations is not practical or possible. Moreover, the proposed development must comply with Chesapeake Bay Critical Areas regulations, which require a minimum setback of 100 feet from the water. Thus, the house cannot be moved closer to the water in that doing so would place it further into the floodplain and result in its encroachment into the required 100-foot buffer and the loss of mature trees. (See Photographs marked as Petitioner's Exhibit 2).

Based upon all of the testimony and evidence presented, I am persuaded to grant the requested relief. I find that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. and Cromwell v. Ward, 307 Md. App. 691 (1995) for relief to be granted. As noted above, the property is located in an older subdivision, known as Sue Grove, which was laid out and

recorded in the Land Records of Baltimore County in 1921, well prior to the adoption of the first set of zoning regulations in 1945. Given the unique configuration and narrow width of the lot, it is clear that strict compliance with the regulations would prevent development of the property for a permitted purpose. There were no adverse comments submitted by any County reviewing agency, and it was indicated that the neighbors on both sides of the property have no objections to the Petitioners' proposal. In this regard, the neighbors, Marjorie Simpson (south) and Evelyn Dreyer (north) support the proposal. Thus, it appears that relief can be granted without detrimental impact to the health, safety or general welfare of the surrounding locale. However, due to the property's waterfront location and its location within a floodplain, the Petitioners shall comply with the recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) and the Bureau of Development Plans Review Division of the Department of Permits and Development Management (DPDM) relative to Chesapeake Bay Critical Areas regulations and Federal Flood Insurance requirements.

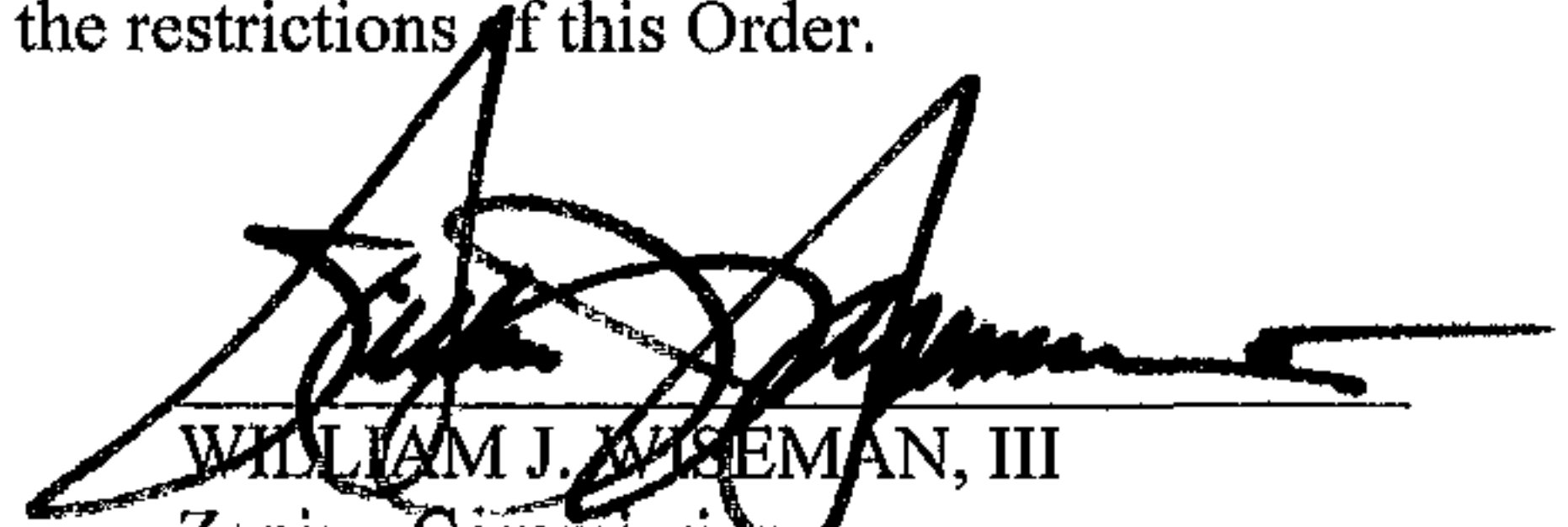
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of March 2005 that the Petition for Variance seeking relief from Sections 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 5 feet in lieu of the required 10 feet, and a sum of the side yard setbacks of 10 feet in lieu of the required 25 feet, for a proposed dwelling, in accordance with Petitioner's Exhibits 1 and 4, be and the same 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 Petitioners are hereby made aware that proceeding at this time is at their 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 Bureau of Development Plans Review relative to Chesapeake Bay Critical Areas regulations and all other appropriate environmental, floodplain and B.O.C.A. regulations for the protection of water quality,

streams, wetlands and floodplains. Copies of those comments have been attached hereto and are 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 that the proposed house is compatible with existing homes in the area.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILMS
Date 3/30/05
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

March 30, 2005

Mr. & Mrs. Dennis Machin
239 N. Riverside Road
Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE
W/S Sue Grove Road, 2,031' S of the c/l Turkey Point Road
(814 Sue Grove Road)
15th Election District – 6th Council District
Dennis S. Machin, et ux - Petitioners
Case No. 05-382-A

Dear Mr. & Mrs. Machin:

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 "W. J. Wiseman III", is written over the typed name.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. Buck Jones, 500 Vogts Road, 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





Shore CBCA *APP H&D POSTER*
Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 814 Sue Grove Rd

which is presently zoned DR3.5

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) 1 BOZ.3C.1 BCZR TO PERMIT

A SIDE YARD SETBACK OF 5 FT IN LINE OR 10 FT AND A SUM OR SIDE YARD SETBACKS OF 10 FT IN LINE OR 25 FT

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons (indicate hardship or practical difficulty) This property has been a lot of record for over 83 yrs with a structure over 60 yrs old. Due to the age of the structure it would be impractical to renovate. The site is an irregular shape (pie shaped). The width of the site would make the site unbuildable under the present zoning regulations. This would prevent the use of the property for a new structure and applicant would not be able to secure a reasonable return of his property. The hardship is not the result of applicants own actions. Relief requested would be in strict harmony with the spirit and intent of the zoning regulations.

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

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

State

Zip Code

Dennis Machin

Name - Type or Print

Signature

Jane Machin

Name - Type or Print

Signature

239 N Riverside Road

Address

Telephone No.

Baltimore

MD

21221

City

State

Zip Code

Representative to be Contacted:

Buck Jones

Name

500 Vogts Lane

Address

Telephone No.

Baltimore

MD

21221

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr

UNAVAILABLE FOR HEARING

Reviewed By AL

Date

11/31/05

ORDER RECEIVED FOR FILING
Date 3/30/06
Case No. 05 382 A
REV 11/5/98

ZONING DESCRIPTION FOR 814 SUE GROVE ROAD BEGINNING AT A POINT ON THE WEST SIDE OF SUE GROVE ROAD WHICH IS 30' WIDE AT THE DISTANCE OF 2,031' SOUTH OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET TURKEY POINT ROAD WHICH IS 30' WIDE. *BEING LOT # 64, WHICH IS 30' WIDE IN THE SUBDIVISION OF SUE GROVE ROAD AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 7, FOLIO # 11, CONTAINING 13,852 OR .365. ALSO KNOWN AS 814 SUE GROVE ROAD AND LOCATED IN THE 15 ELECTION DISTRICT, 6 COUNCILMANIC DISTRICT.

382

**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: #05-382-A
814 Sue Grove Road
W/side of Sue Grove Road,
2,031 feet south of Turkey
Point Road
15th Election District
3rd Councilmanic District
Legal Owner(s): Dennis &
Jane Machin

Variance: to permit a side
yard setback of 5 feet in
lieu of the 10 feet and a
sum of side yard setbacks
of 10 feet in lieu of 25 feet.

Hearing: Thursday, March
17, 2005 at 11:00 a.m. in
Room 407, County Courts
Building, 401 Bosley Ave-
nue, Towson 21204.

WILLIAM WISEMAN
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible;
for special accommoda-
tions Please Contact the
Zoning Commissioner's Of-
fice at (410) 887-4386.

(2) For Information con-
cerning the File and/or
Hearing, Contact the Zon-
ing Review Office at (410)
887-3391.

JT3/609 Mar14/05 41103

CERTIFICATE OF PUBLICATION

3/2/, 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 3/1/, 2005.

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

J. Wilkins

LEGAL ADVERTISING

BAITIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 441348

DATE 1/31/05 ACCOUNT 001 0066150

AMOUNT \$ 65.00

RECEIVED FROM State

FOR Ron Hammer

814 Cal Home Ref

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

ADDRESS STATE MD

131205 1/31/05 10-05-20

1050 WELSH MD

520 TRADING US

105.00 105.00 105.00

105.00 105.00 105.00

105.00 105.00 105.00

105.00 105.00 105.00

105.00 105.00 105.00

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS Date March 1, 2005
RE: Case Number 05-382-A
Petitioner/Developer DENNIS & JANE MACHIN/BUCK JONES
Date of (Hearing) Closing MARCH 17, 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 814 SUE GROVE ROAD,

The sign(s) were posted on

February 27, 2005

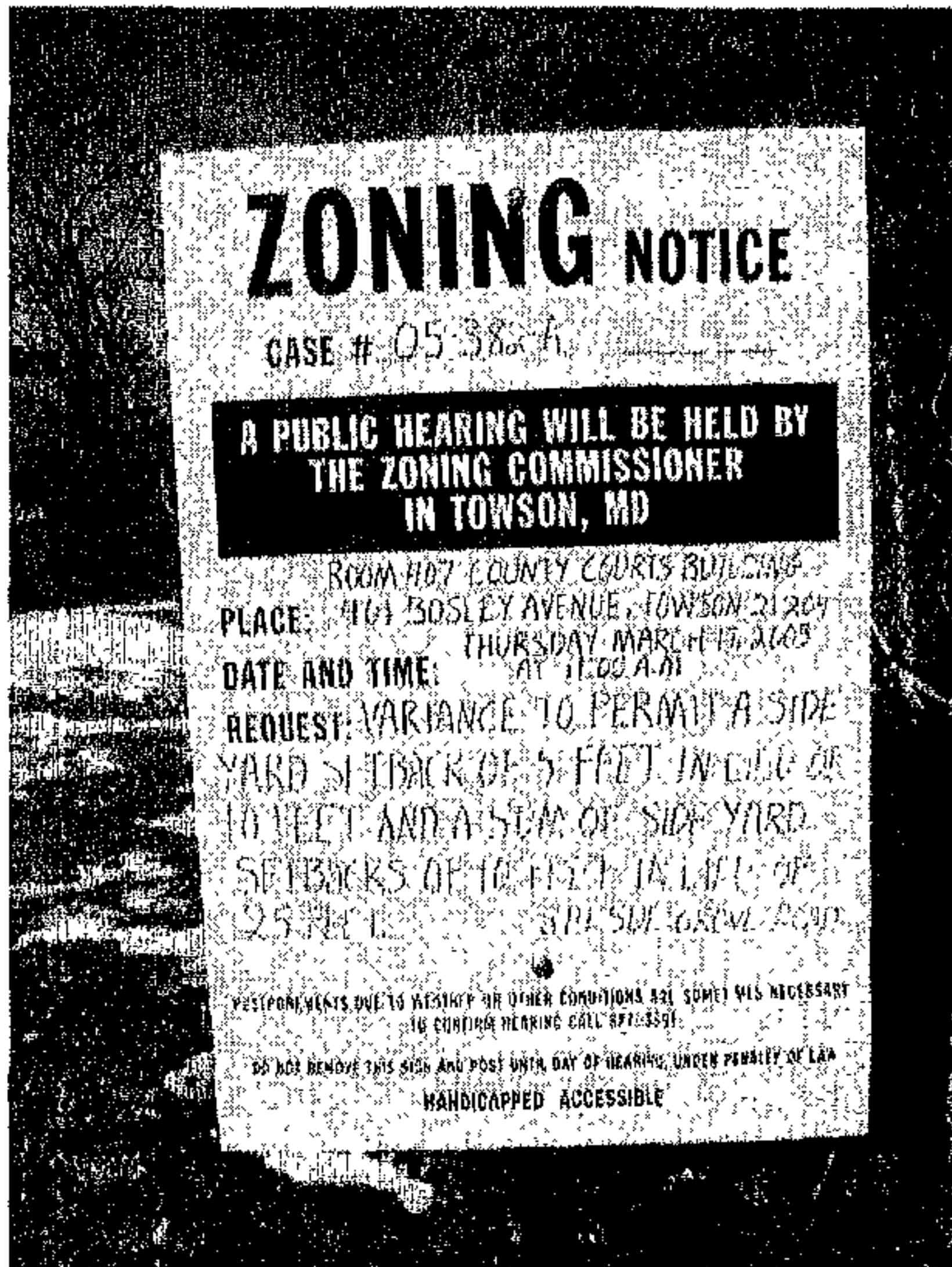
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)





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

February 11, 2005

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: 05-382-A

814 Sue Grove Road
W/side of Sue Grove Road, 2,031 feet south of Turkey Point Road
15th Election District – 3rd Councilmanic District
Legal Owners: Dennis & Jane Machin

Variance to permit a side yard setback of 5 feet in lieu of 10 feet and a sum of side yard setbacks of 10 feet in lieu of 25 feet.

Hearing: Thursday, March 17, 2005 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204


Timothy Kotroco
Director

TK:klm

C: Dennis & Jane Machin, 239 N. Riverside Rd., Baltimore 21221
Buck Jones, 500 Vogts Lane, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MARCH 2, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 1, 2005 Issue - Jeffersonian

Please forward billing to:
Buck Jones
500 Vogts Lane
Baltimore, MD 21221

410-574-9337

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: 05-382-A

814 Sue Grove Road

W/side of Sue Grove Road, 2,031 feet south of Turkey Point Road

15th Election District – 3rd Councilmanic District

Legal Owners: Dennis & Jane Machin

Variance to permit a side yard setback of 5 feet in lieu of 10 feet and a sum of side yard setbacks of 10 feet in lieu of 25 feet.

Hearing: Thursday, March 17, 2005 at 11:00 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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: x 05 382 A
Petitioner: x DENNIS MACKIN
Address or Location: x 814 SUR GROVE RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: x BUCK JONES
Address: x 500 VOOFS LANE
x BALT MD 21221
Telephone Number: x 410-574-9337

ZONING REVIEW

APPROVED SIGN POSTERS

Staff Sergeant Robert A. Black
1508 Leslie Road
Dundalk, MD 21222

Telephone: 410-282-7940
Cell: 410-499-7940
Fax: 410-282-7940

Bruce E. Doak
Gerhold, Cross & Etzel, Ltd.
Suite 100, 320 E. Towsontown Boulevard
Towson, MD 21286

Telephone: 410-823-4470
Fax: 410-823-4473

Stacy Gardner
Shannon-Baum Signs, Inc.
105 Competitive Goals Drive
Eldersburg, MD 21784

Telephone: 410-781-4000
Toll Free: 800-368-2295
Fax: 410-781-4673

Thomas J. Hoff
406 W. Pennsylvania Avenue
Towson, MD 21204

Telephone: 410-296-3668
Fax: 410-296-5326

Richard Hoffman
904 Dellwood Drive
Fallston, MD 21047

Telephone: 410-879-3122
Fax: 410-879-3122

Linda M. Jones
Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, MD 21286

Telephone: 410-296-3333
Fax: 410-296-4705

Charles E. Merritt
9831 Magledt Road
Baltimore, MD 21234

Telephone: 410-665-5562
410-663-5525
Fax: 410-663-4315

Garland E. Moore
3225 Ryerson Circle
Baltimore, MD 21227

Telephone: 410-242-4263
Fax: 410-242-4263

Linda O'Keefe
523 Penny Lane
Hunt Valley, MD 21030

Telephone: 410-666-5366
Fax: 410-666-0929
Cell: 443-604-6431

J. Lawrence Pilson, R.S.
McKee & Associates, Inc.
5 Shawan Place Suite 1
Cockeysville, MD 21030

Telephone: 410-527-1555
Fax: 410-527-1563

Martin Ogle
5016 Castlestone Drive
Baltimore, MD 21237

Telephone: 410-933-9470
Fax: 410-931-1767
Cell: 443-629-3411
E-Mail: mert1114.aol.com

**BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

THE PETITIONER MUST USE ONE OF THE SIGN POSTERS ON THIS APPROVAL LIST. ANY REPOSTING MUST ALSO BE DONE BY ONE OF THESE APPROVED POSTERS. IF YOU WISH TO SELECT A POSTER NOT SHOWN ON THE LIST ABOVE, PRIOR APPROVAL BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW IS REQUIRED.

THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.

WC/rjc – Revised 7/22/04

**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 8, 2005

Dennis Machin
Jane Machin
239 North Riverside Road
Baltimore, Maryland 21221

Dear Mr. and Mrs. Machin:

RE: Case Number: 05-382-A, 814 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 January 31, 2005.

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 written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Buck Jones 500 Vogts Avenue 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

February 14, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: February 22, 2005

Item No.: 379, 380-392, 394 395

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.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



Printed on Recycled Paper

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



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

Maryland Department of Transportation

Date: 2.11.05

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

RE: Baltimore County
Item No. 382 JLL

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



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr ^{JDO}
DATE: February 25, 2005
SUBJECT: Zoning Item # 05-382
Address 814 Sue Grove Road

Zoning Advisory Committee Meeting of February 14, 2005

_____ 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 mitigation may be required for disturbances to the 100-foot Critical Area Buffer established from the mean high tide mark of tidal waters and also from wetlands.

Reviewer: Mike Kulis

Date: February 25, 2005

L:\SHARED\DESHARED\Devcoord\ZACSHL-1-11-05.doc

ORDER RECEIVED FOR FILING

Date

By

Row
3/17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 15, 2005

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

RECEIVED

MAR 16 2005

SUBJECT: 814 Sue Grove Road
INFORMATION:

Item Number: 5-382

Petitioner: Dennis and Jane Machin

Zoning: DR 3.5

Requested Action: Variance

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

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

Prepared by: Mark A. Cunningham

Division Chief: [Signature]

AFK/LL:MAC:

RE: PETITION FOR VARIANCE * BEFORE THE
814 Sue Grove Road; W/side Sue Grove Road, *
2,031' S of Turkey Point Road * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Dennis & Jane Machin * FOR
Petitioner(s) * BALTIMORE COUNTY
* 05-382-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 and all documentation filed in the case.

RECEIVED

Per.....

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 17th day of February, 2005, a copy of the foregoing Entry of Appearance was mailed to, Buck Jones, 500 Vogts Lane, Baltimore, MD 21221, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Real Property Search - Individual Report


Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search
Account Identifier: District - 15 Account Number - 1514100221

Owner Information

Owner Name: MACHIN DENNIS S
 MACHIN JANE L
Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 814 SUE GROVE RD
 BALTIMORE MD 21221-1834
Deed Reference: 1) / 8911/ 97
 2)

Location & Structure Information
Premises Address
 814 SUE GROVE RD

Legal Description

 239 N RIVERSIDE RD
 SUE GROVE

WATERFRONT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:	Plat Ref:
98	15	215					64	82		7/ 11

Special Tax Areas
 Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1944	1,248 SF	13,852.00 SF	34

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2003	Phase-In Assessments As Of 07/01/2004	Phase-In Assessments As Of 07/01/2005
Land:	98,960	98,960		
Improvements:	56,150	60,940		
Total:	155,110	159,900	158,302	159,900
Preferential Land:	0	0	0	0

Transfer Information

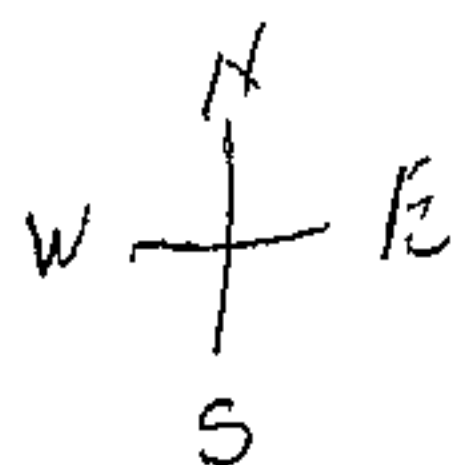
Seller:	Date:	Price:
STILWELL DAVID LEE, JR	09/12/1991	\$130,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 8911/ 97	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

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:

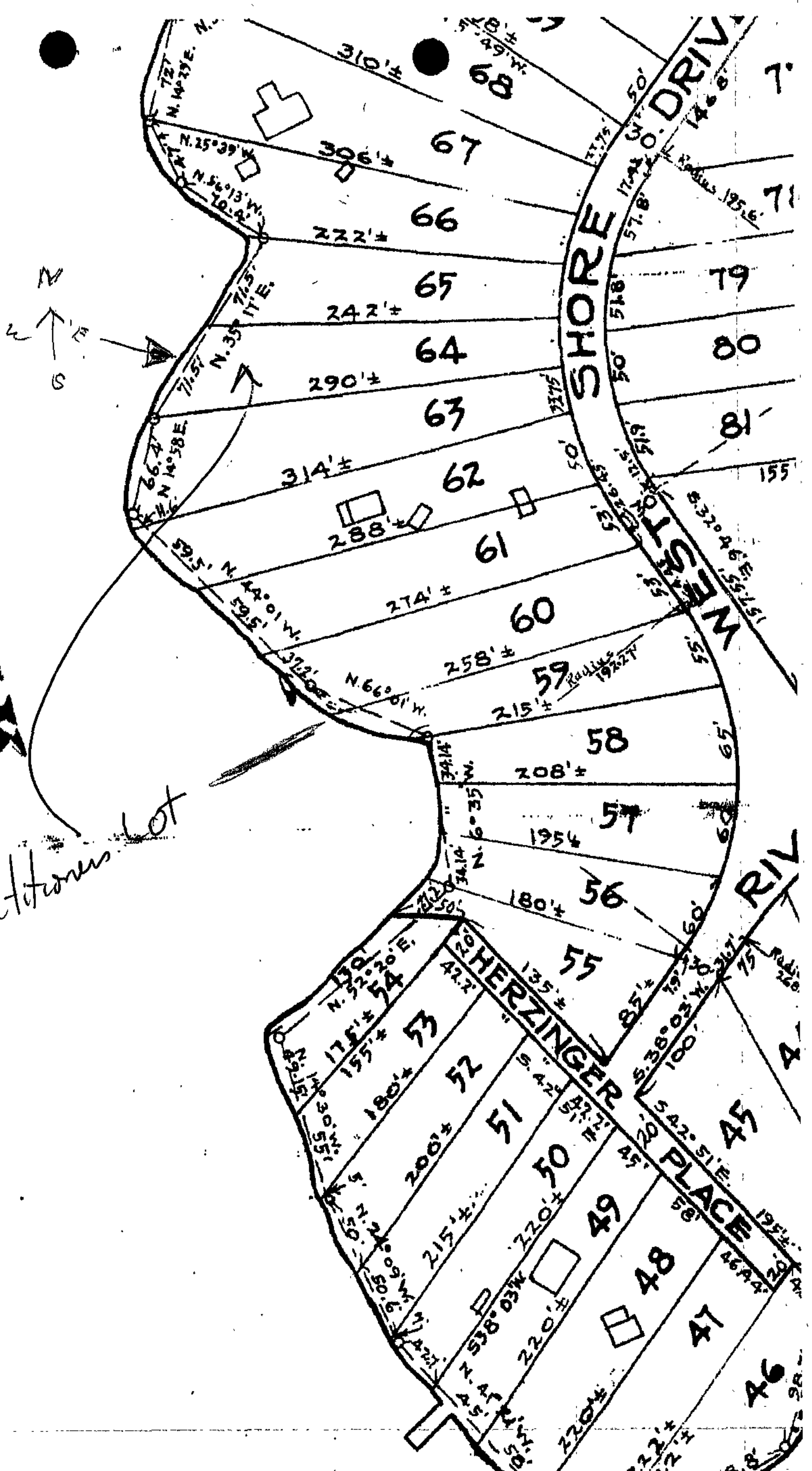
* NONE *



BALTIMORE, MD.
APRIL, 1921.

ACK

Petitioners Lot



DATE 3-17-05

11

Case No.:

05-382-A

Exhibit Sheet

Petitioner/Developer

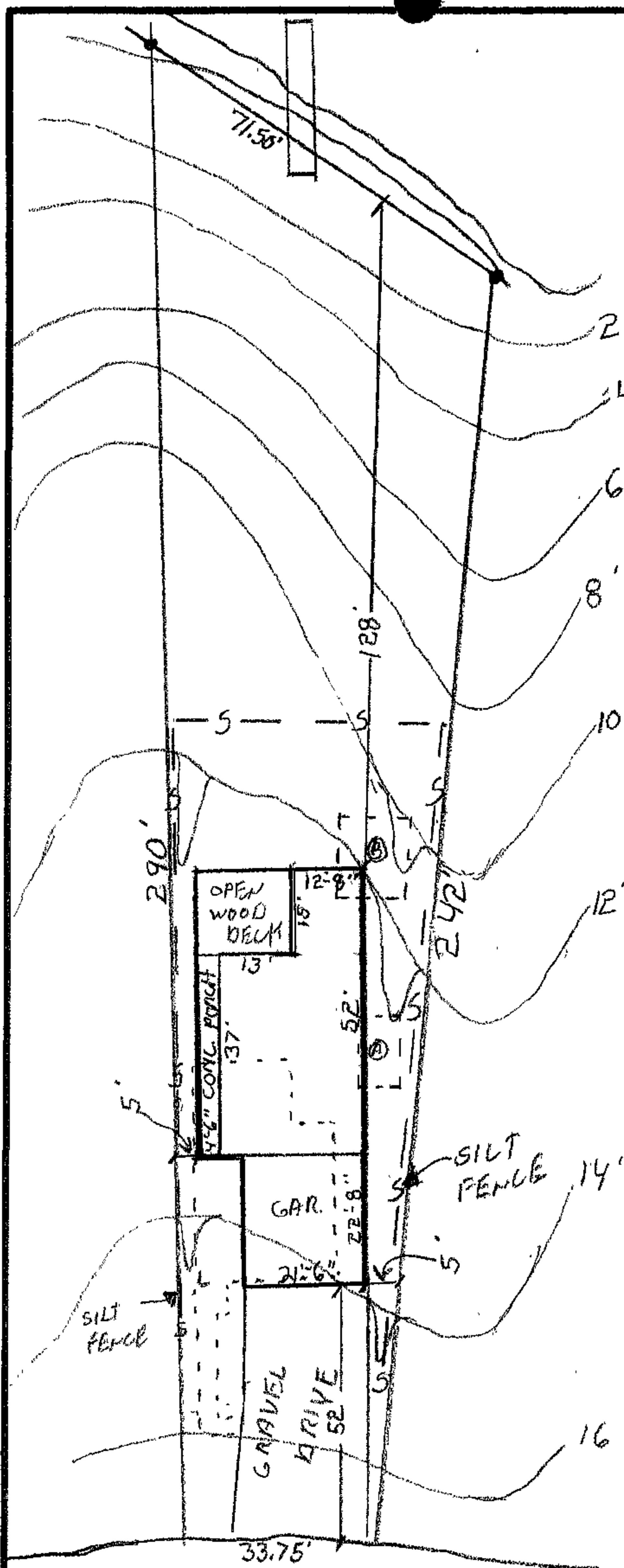
Protestant

No. 1	Site PLAN	
No. 2	Photographs	
No. 3	Elevations	
No. 4	Site PLAN Accompanying Petition	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

DENNIS & JANE MACHI.
 814 SUE GROVE RD
 BALT. MD. 21221
 TAX I.D.: # 1514100221
 SUB. DIV.: SUE GROOVE
 SUB. REF.: 7-11
 LOT: # 64
 COUNCIL DIST.: 6
 ELECTION DIST.: 15
 ZONING: DR 3.5
 ZONING MAP: SE-J-1
 VARIANCE NO.: # 05-38.

IMPERVIOUS INFO		
ITEM	EXIST.	PROPOSED
SFD	710sf	1639sf
SHED A	96sf	0sf
SHED B	180sf	180sf
CONCRETE	103sf	167sf
TOTAL	1089sf	1985sf
PERCT. IMP	7.86%	14.33%

LOT SIZE: 13,852sf / .318ac



SUE GROVE ROAD
 30' R/W - 24' PAVED

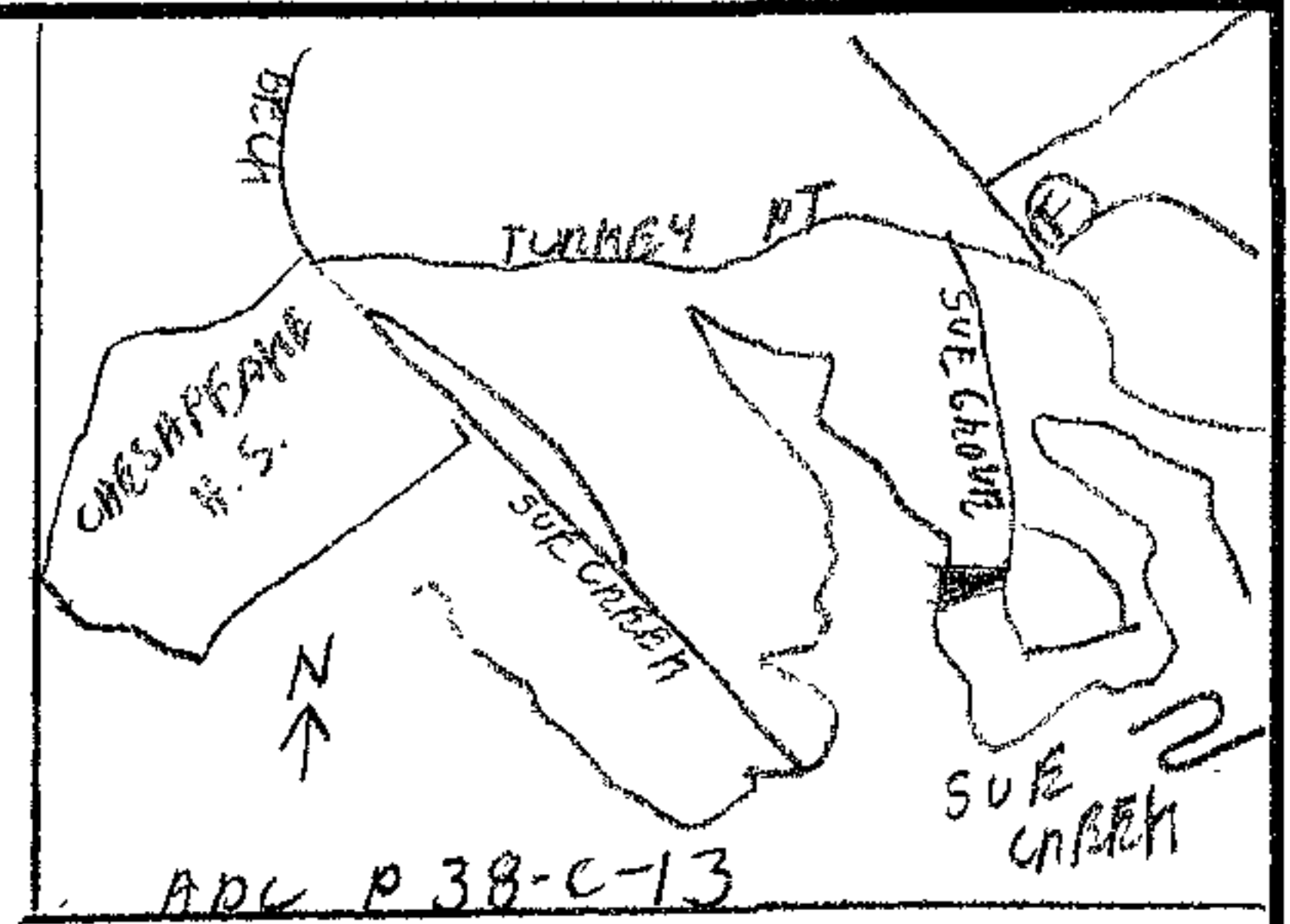
8" W-49-1507
 8" S-92-389

→ N

PETITIONER'S

EXHIBIT NO.

1



CRITICAL BAY REQUIREMENTS

- 1) THIS SITE IS IN THE LIMITED DEVELOPMENT AREA OF THE CBCA.
- 2) MAN MADE IMPERVIOUS AREAS ARE LIMITED TO 25 % OF THE SITE. EXISTING IMPERVIOUS AREA EQUALS 1089 SF OR 7.86 %. PROPOSED IMPERVIOUS AREA EQUALS 1985 SF OR 14.33 %.
- 3) MINIMIZE ADVERSE IMPACTS ON WATER QUALITY THAT RESULTS FROM POLLUTIONS THAT ARE DISCHARGED FROM STRUCTURES OR CONVEYANCES OR THAT HAVE RUN OFF FROM SURROUNDING LANDS.
- 4) CONSERVE FISH, WILDLIFE, AND PLANT HABITAT.
- 5) BE CONSISTENT WITH ESTABLISHED LAND USE POLICIES FOR DEVELOPMENT IN THE CHESAPEAKE BAY CRITICAL AREA WHICH ACCOMMODATE GROWTH AND ALSO ADDRESS THE FACT THAT EVEN IF POLLUTION IS CONTROLLED THE NUMBER MOVEMENT, AND ACTIVITIES OF PERSONS IN THAT AREA CREATE ADVERSE ENVIRONMENTAL IMPACTS.
- 6) ~~SINGLE FAMILY DWELLINGS WILL NOT BE CLOSER TO THE WATER THEN THE EXISTING DWELLING WHICH IS~~ 162 FEET FROM THE WATERS EDGE. THE NEW STRUCTURE WILL BE 128 FROM THE WATERS EDGE.
- 7) NO TREES ARE SCHEDULED TO BE REMOVED. ANY TREE IN 100' BUFFER WILL BE REPLACED ON A ONE (1) TO ONE (1) RATIO WITH A 5' TO 6' TALL NATIVE DECIDUOUS TREE.

MACHIN SITE PLAN

SCALE: <u>1" = 30'</u>	APPROVED BY:	DRAWN BY: <u>BUCK JONES</u>
DATE: <u>1-5-05</u>		REVISED
		DRAWING NUMBER



STANDING AT ROAD LOOKING ACROSS STREET FROM PROPOSED SITE.

PETITIONER'S

EXHIBIT NO. 2



STANDING ON PIER LOOKING SOUTH UP SUE CREEK.



STANDING ONPIER LOOKING WEST OUT OVER SUE CREEK.



STANDING ON DECK LOOKING WEST AT SUE CREEK.



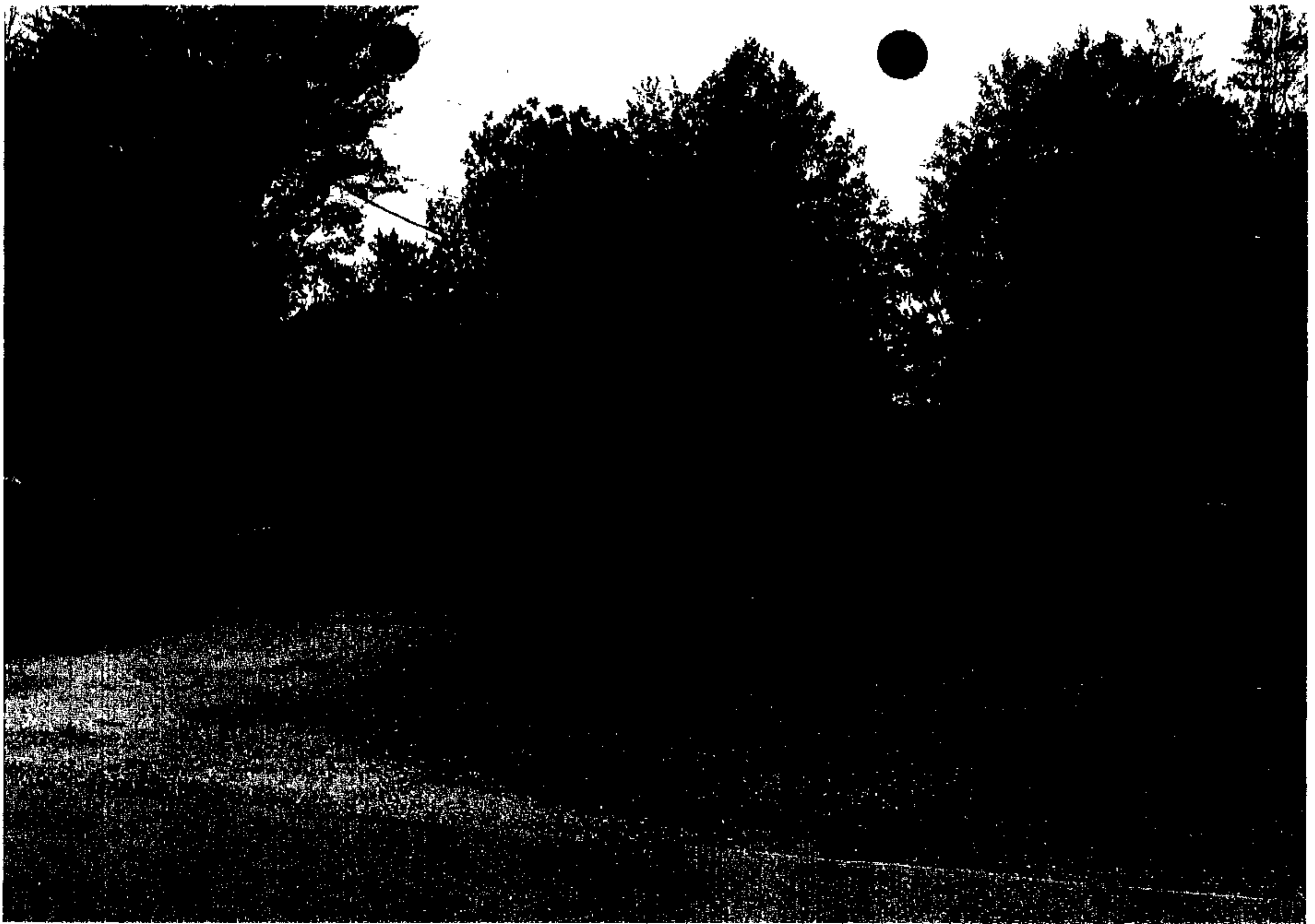
STANDING ON SOUTH EDGE OF HOUSE LOOKING SOUTH WEST AT NEIGHBORS HOME.



STANDING ON NORTH EDGE OF HOUSE LOOKING WEST.



**STANDING IN FRONT OF SUE GROVE ROAD LOOKING WEST AT PROPOSED
PROPERTY.**



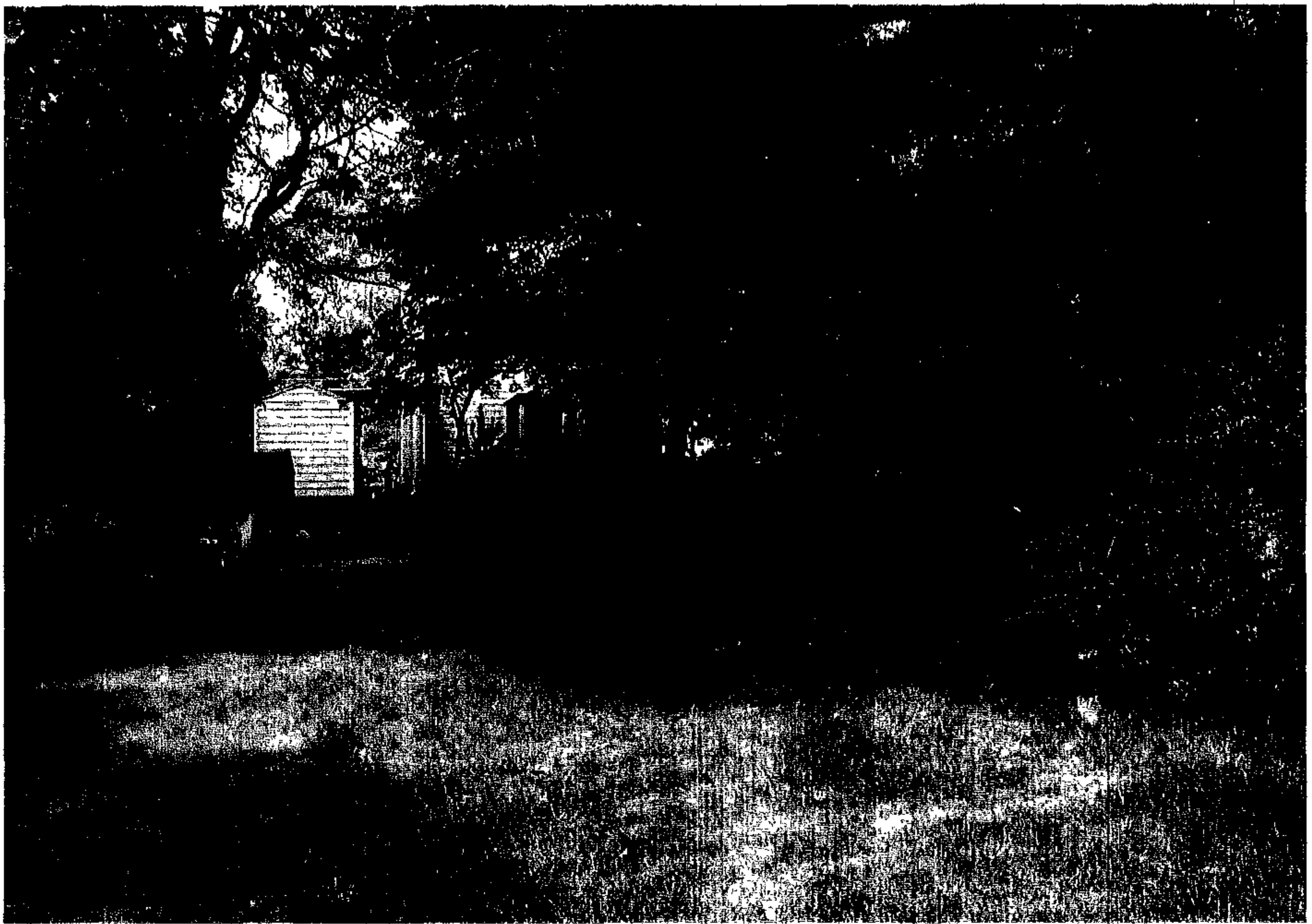
STANDING ON SUE GROVE ROAD LOOKING SOUTH WEST AT RIGHT
CORNER OF PROPOSED PROPERTY.



STANDING ON SUE GROVE ROAD LOOKING NORTH WEST AT LEFT CORNER
OF PROPOSED PROPERTY.



STANDING ON PIER LOOKING EAST TOWARDS PROPOSED SITE.

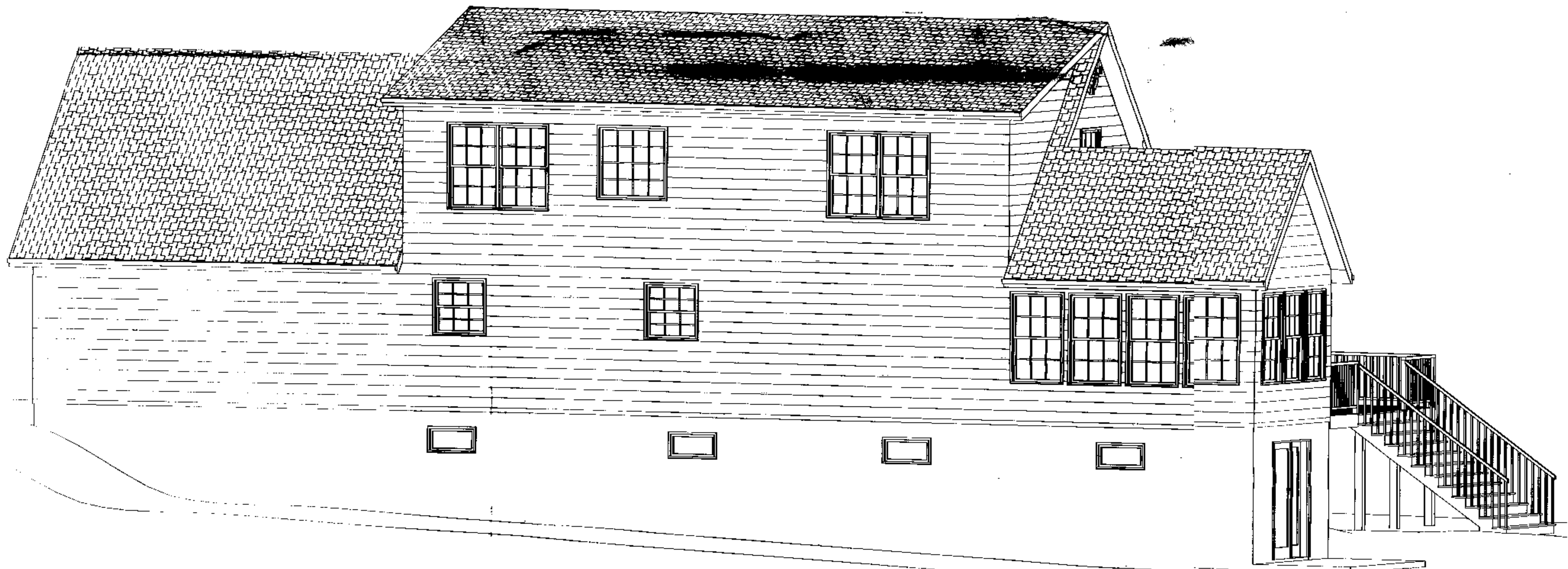


STANDING PART WAY UP LOT LOOKING EAST TOWARDS PROPOSED SITE.



PETITIONER'S

EXHIBIT NO. 4



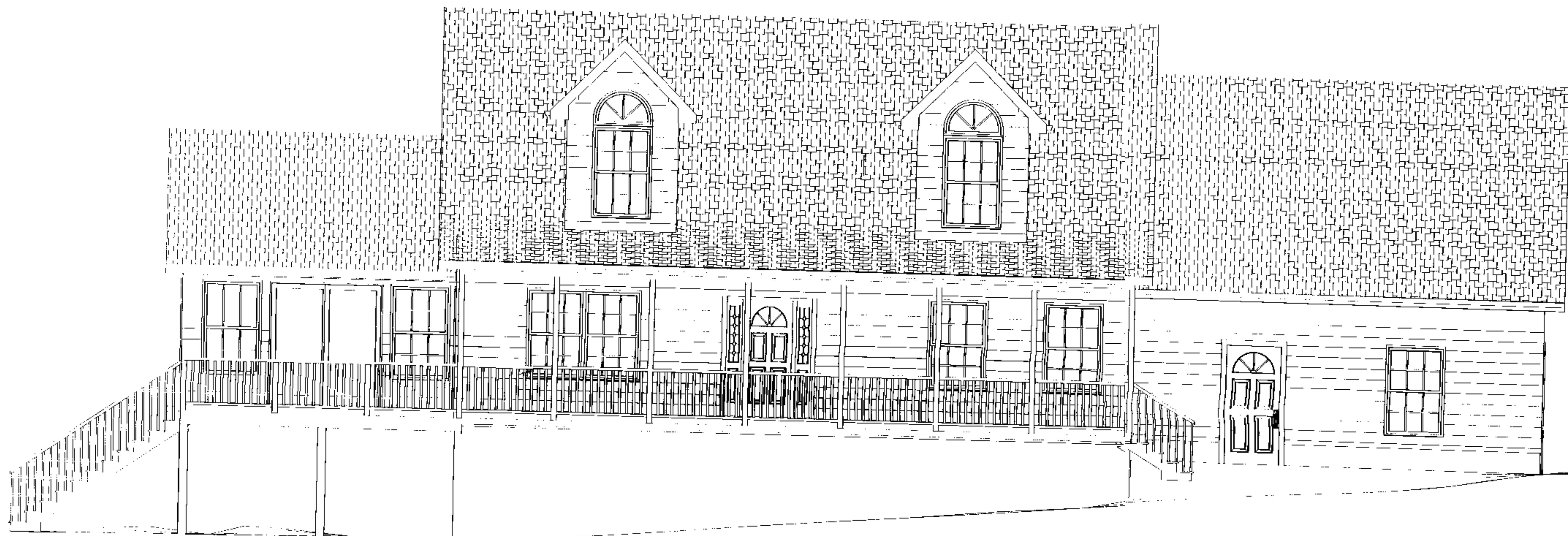
FREESTATE GENERAL CONTRACTORS
810 BACK RIVER NECK ROAD 410-574-9337

DATE 01-06-04

MACHIN RESIDENCE
3D VIEWS

DRAWN BY
SKIP STORM
PAGE # 1

PETITIONER'S
EXHIBIT NO. 3



RIGHT SIDE

FREESTATE GENERAL CONTRACTORS
810 BACK RIVER NECK ROAD 410-574-9337

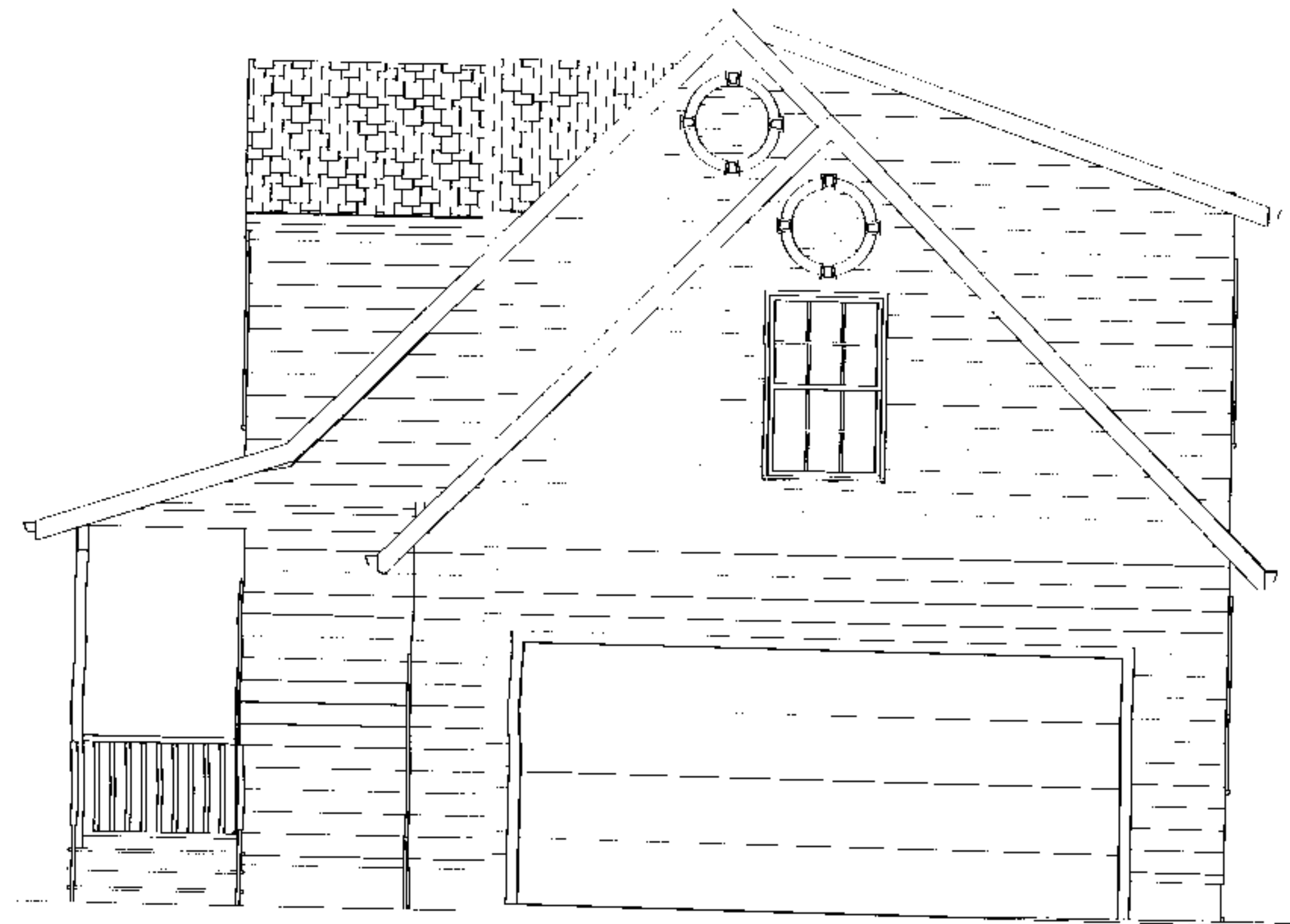
SCALE 1/4" = 1'
DATE 01-06-04

MACHIN RESIDENCE
ELEVATIONS

DRAWN BY
SKIP STORM
PAGE # 4



FRONT



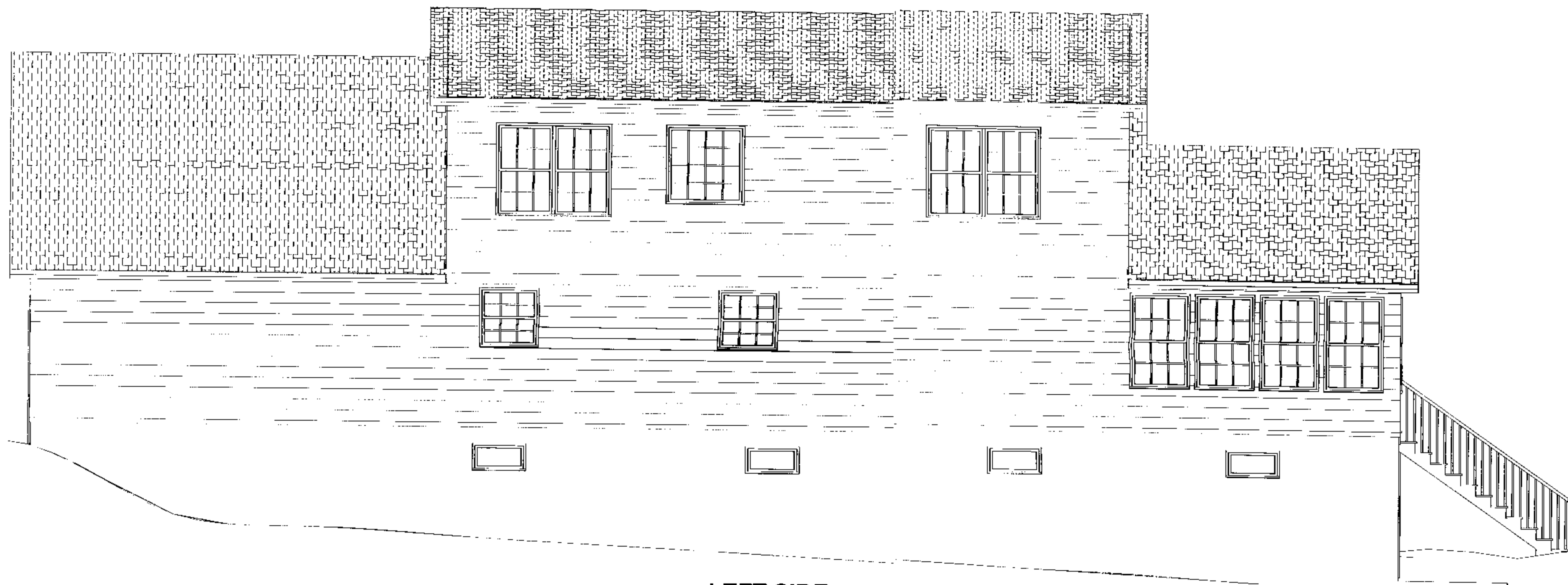
REAR

FREESTATE GENERAL CONTRACTORS
810 BACK RIVER NECK ROAD 410-574-9337

SCALE 1/4" = 1'
DATE 01-06-04

MACHIN RESIDENCE
ELEVATIONS

DRAWN BY
SKIP STORM
PAGE # 5



LEFT SIDE

FREESTATE GENERAL CONTRACTORS
810 BACK RIVER NECK ROAD 410-574-9337

SCALE 1/4" = 1'
DATE 01-06-04

MACHIN RESIDENCE
ELEVATIONS

DRAWN BY
SKIP STORM
PAGE # 6