

IN RE: PETITION FOR VARIANCE
NE/S Bradshaw Road, 135' NW of the c/l
Reynolds Road
(8148 Bradshaw Road)
11th Election District
3rd Council District

Donald Jenkins, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 05-427-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, Donald Jenkins, and his wife, Denise Ellis Jenkins. As filed, the Petitioners seek relief from Section 1A04.3.B.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed single family dwelling to have property line setbacks of 44 feet and 27 feet in lieu of the required 50 feet each. However, a review of the applicable regulations disclosed that the requisite regulation from which relief is required would be Section 1A04.3.B.2.b of the B.C.Z.R. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Donald Jenkins, property owner, and Vincent Moskunas, the Surveyor who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the north side of Bradshaw Road, just west of Reynolds Road in Kingsville. The property is approximately 150 feet wide and 895 feet deep, and contains a gross area of 3.0 acres, more or less, zoned R.C.5. Presently, the site is improved with a single-family dwelling, which was built in 1947, and accessory shed. The Petitioners purchased the property in July 2004 and are desirous of razing the existing improvements and redeveloping the site with a

ORDER RECEIVED FOR FILING

Date

By

new single family dwelling and detached garage. As shown on the site plan, the new dwelling will be a one-story structure, 74 feet wide (to the edge of the garage) by 118 feet deep and contain approximately 4,000 sq.ft. It was indicated that the new home was designed to accommodate the Petitioners in their elder years. Thus, a one-story structure, containing all living quarters and amenities on one level is proposed. As shown on the site plan, the new home will be located 210 feet from Bradshaw Road and provide setbacks of 44 feet to the west and 27 feet to the east. In this regard, it is to be noted that the adjacent property to the east, where the 27-foot side yard setback is proposed, is vacant land. In that the R.C.5 zoning classification requires minimum setbacks of 50 feet from any property line, the requested relief is necessary in order to proceed.

In support of the request, Mr. Moskunas testified that the lot size would support two dwellings; however, only one is proposed and will be compatible with existing homes in the neighborhood. It is also to be noted that the existing structure has a current side setback of 41 feet to the east. Thus, the proposed dwelling will be consistent with the pattern of development in the area.

The Zoning Advisory Committee (ZAC) comment received from the Department of Environmental Protection and Resource Management (DEPRM) noted that development of this property must comply with the Forest Conservation Regulations set forth in the Baltimore County Code. It was further indicated that a Single Lot Declaration of Intent for Forest Conservation may be filed to address the regulations, provided that no more than 40,000 sq.ft. of forest would be disturbed during the redevelopment of this lot. The Petitioner apparently contacted DEPRM and submitted into evidence as Petitioner's Exhibit 2, a partially completed Single Lot Declaration of Intent, which shall be executed prior to the issuance of any permits.

Based upon the testimony and evidence presented, I am persuaded to grant the variance. In my judgment, the Petitioners have complied with the requirements of Section 307 of the B.C.Z.R. for relief to be granted, and that strict compliance with the zoning regulations would result in a practical difficulty and unreasonable hardship. The relief sought is minimal and will not adversely impact adjacent properties. There were no adverse ZAC comments submitted by any

ORDER RECEIVED FOR FILING
Date 5/5/15
By [Signature]

County reviewing agencies, and no one appeared in opposition to the request. Thus, it is clear that relief can be granted and that there will be no detrimental impact to the surrounding locale.

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 5th ^{May} day of April 2005 that the Petition for Variance seeking relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 44 feet and 27 feet, in lieu of the required 50 feet each 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 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) Pursuant to the ZAC comment submitted by DEPRM dated March 17, 2005, a copy of which is attached hereto and made a part hereof, the Petitioners shall execute a Single Lot Declaration of Intent for Forest Conservation prior to the issuance of any permits. A copy of the executed Declaration of Intent shall be forwarded to the Department of Permits and Development Management (DPDM) for inclusion in the case file prior to the issuance of any permits.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.

WJW:bjs


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date 5/5/05

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

May 5, 2005

Mr. & Mrs. Donald Jenkins
208 Glenn Road
Pasadena, Maryland 21122

RE: PETITION FOR VARIANCE
NE/S Bradshaw Road, 135' NW of the c/l Reynolds Road
(8148 Bradshaw Road)
11th Election District – 3rd Council District
Donald Jenkins, et ux - Petitioners
Case No. 05-427-A

Dear Mr. & Mrs. Jenkins:

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 a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. Vincent Moskunas, Site Rite Surveying, Inc.
200 E. Joppa Road, Room 101, Towson, Md. 21286
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 #8148 Bradshaw Road
which is presently zoned RC5

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) 1A04.3.B.2. a BCZR TO PERMIT A PROPOSED SINGLE FAMILY DWELLING TO HAVE PROPERTY LINE SETBACKS OF 44' AND 27' IN LIEU OF THE REQUIRED 50'.

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

See Attached

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 _____ City _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Case No. 05-427-A

REV 9/15/98

Donald Jenkins
Name - Type or Print _____
Signature _____
Denise Ellis Jenkins
Name - Type or Print _____
Signature _____
208 Glenn Road 410-952-7561
Address _____ Telephone No. _____
Pasadena, MD 21122
State _____ Zip Code _____

Representative to be Contacted:

Site Rite Surveying, Inc.
Name _____
200 E. Joppa Road, Room 101 410-828-9060
Address _____ Telephone No. _____
Towson MD 21286
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By LTW Date 3/1/05

ORDER RECEIVED FOR FILING
DATE 3/1/05

PETITION FOR VARIANCE: #8148 BRADSHAW ROAD

- 1. THE SUBJECT PROPERTY HAS BEEN HELD INTACT SINCE 1945. THE EXISTING ONE STORY DWELLING WAS BUILT IN 1946 AND IS APPROXIMATELY 1,000 SQUARE FEET. THE AGE OF THE DWELLING IS NOT CONDUCTIVE TO CURRENT BUILDING CODES NOR IS THE LIVING SPACE ADEQUATE.**
- 2. THE SUBJECT PROPERTY CONSISTS OF 3 ACRES, WHICH IS DOUBLE THE LOT AREA REQUIRED; HOWEVER, THE LOT IS NARROW AND LONG THUS RESTRICTING THE HOUSE SIZE.**
- 3. THE PETITION IS WITHIN THE SPIRIT AND INTENT OF THE B.C.Z.R. AND WILL NOT CAUSE INJURY TO THE HEALTH OR SAFETY OF THE COMMUNITY.**

#427

**ZONING DESCRIPTION
#8148 BRADSHAW ROAD**

BEGINNING at a point on the northeast side of Bradshaw Road which is 30 feet wide at the distance of 135 feet northwest of the centerline of Reynolds Road which is 60 feet wide. As recorded in deed Liber 20455, folio 125 and running thence N49°5'W, 150 feet; thence N31°40'E, 895 feet; thence S49°5'E, 150 feet and thence S31°40'W, 880 feet to the Point of Beginning, containing 3 acres, more or less. Also known as #8148 Bradshaw Road and located in the 11th Election District, 3rd Councilmanic District.



Michael V. Moskunas
Reg. No. 21175

Site Rite Surveying, Inc.
200 E. Joppa Road
Suite 101
Towson MD 21286
(410) 828-9060

#427

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **442711**

PAID RECEIPT

DATE **3/1/05** ACCOUNT **POOL 006 6.50**

AMOUNT \$ **65.00**

RECEIVED FROM **D. JENKINS**

FOR **05-427-A**

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

BUSINESS DATE TIME DAY
3/01/2005 3:01 PM 03/22/05 1
ISSUED BY: J. JENKINS
RECEIVED BY: J. JENKINS
P. NO. 442711
Expt. 1st \$5.00
\$5.00 12 1.00 DA
Baltimore County, Maryland

NOTICE OF ZONING HEARING

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

Case: #05-427-X
8148 Bradshaw Road
N/east side of Bradshaw Road, 135 feet n/west of centerline of Reynolds Road
11th Election District - 3rd Councilmanic District
Legal Owner(s): Donald & Denise Ellis Jenkins

Variance: to permit a proposed single family dwelling to have property line setbacks of 44 feet and 27 feet in lieu of the required 50 feet.

Hearing: Wednesday, April 13, 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) 887-3991.

JT 3/797 March 29

44638

CERTIFICATE OF PUBLICATION

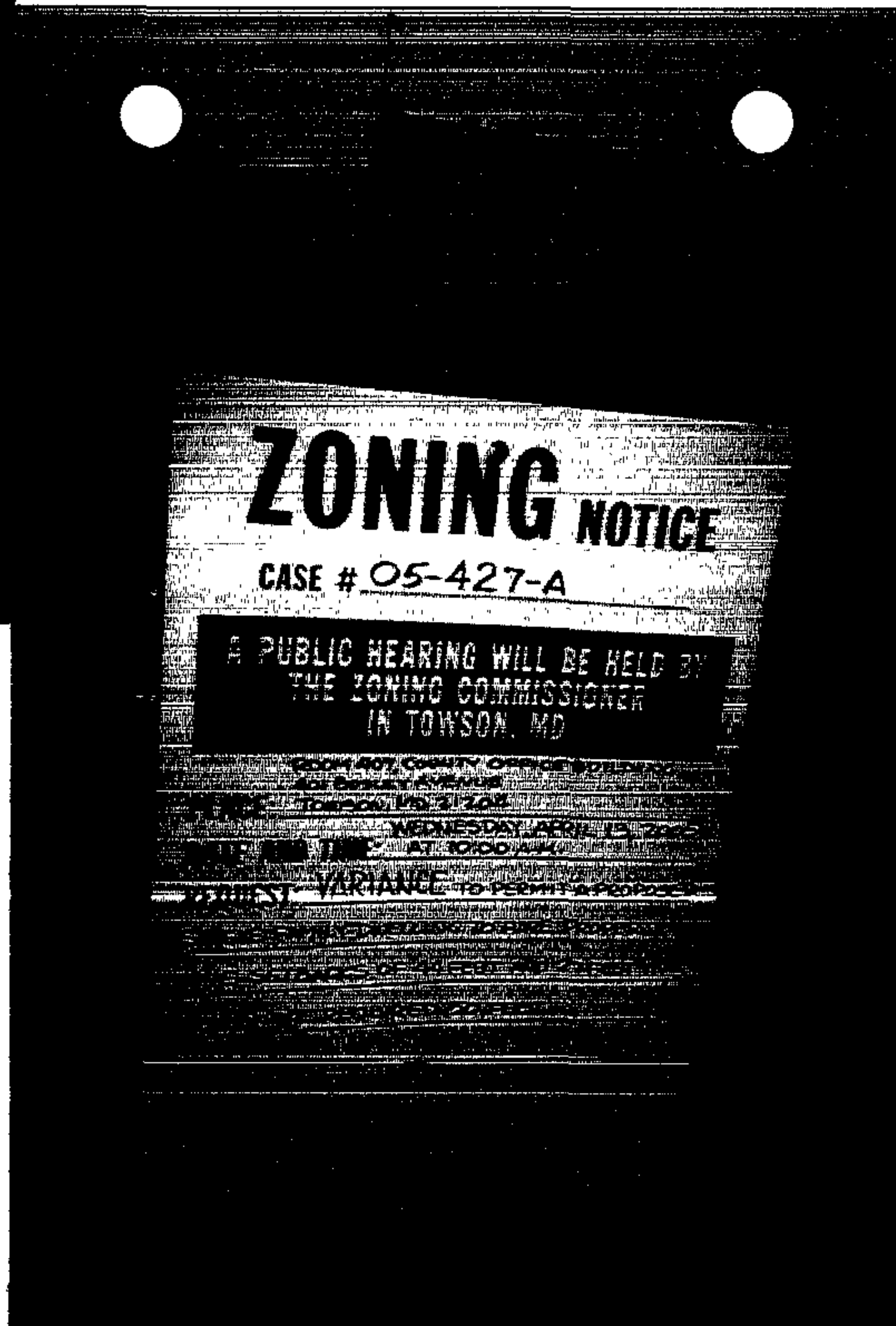
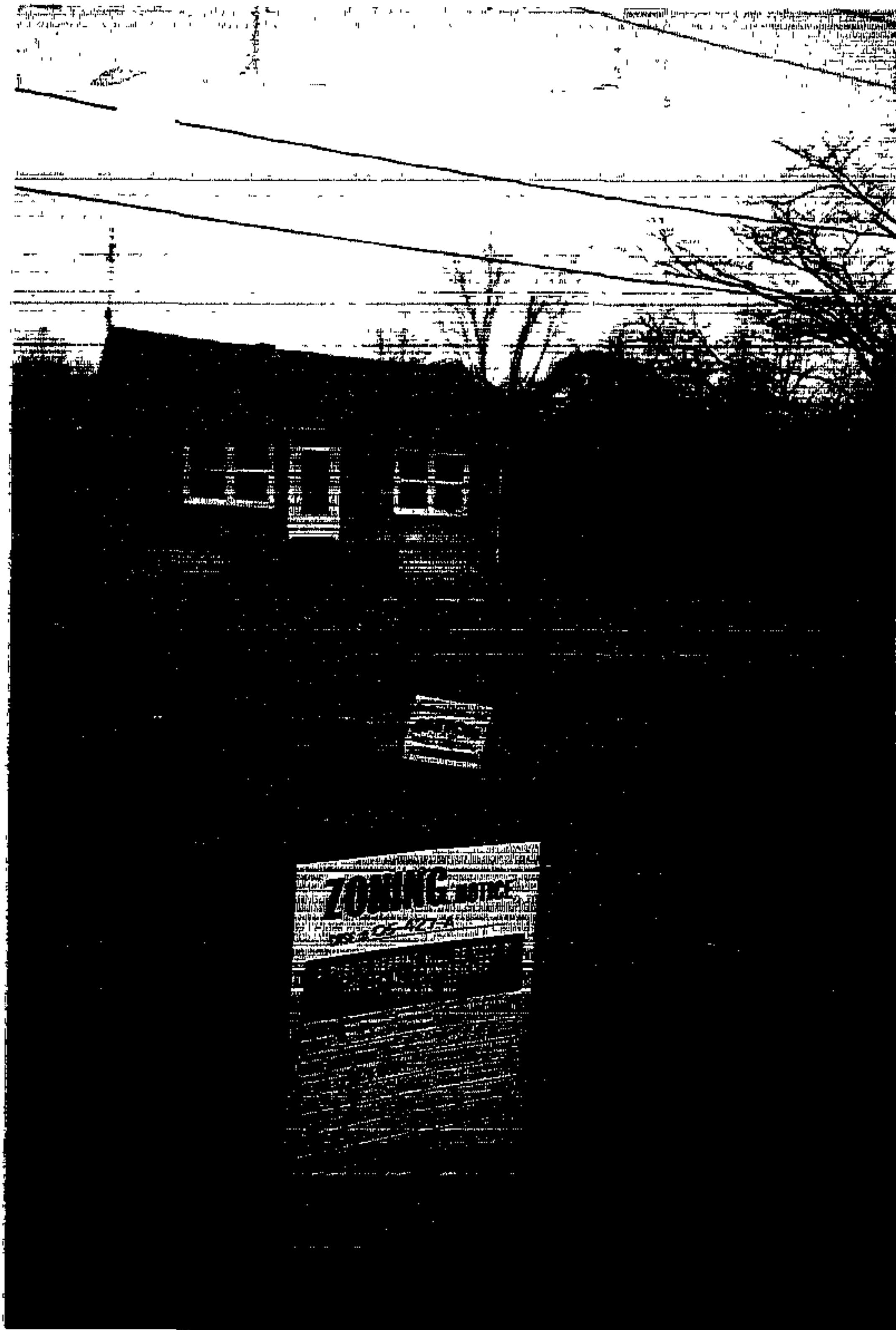
3/30/2005

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 3/29/2005

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



LEGAL ADVERTISING



CERTIFICATE OF POSTING

RE: Case No.: 05-427-A

Petitioner/Developer: DONALD & DENISE JENKINS

Date of Hearing/ Closing: APRIL 13, 2005

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

Attention: Becky Hart

Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 8148 BRADSHAW ROAD

The sign(s) were posted on MARCH 28, 2005
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BAUTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)

**Department of Permits and
Development Management**



Baltimore County

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

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

March 7, 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: 05-427-A

8148 Bradshaw Road

N/east side of Bradshaw Road, 135 feet n/west of centerline of Reynolds Road

11th Election District – 3rd Councilmanic District

Legal Owners: Donald & Denise Ellis Jenkins

Variance to permit a proposed single family dwelling to have property line setbacks of 44 feet and 27 feet in lieu of the required 50 feet.

Hearing: Wednesday, April 13, 2005 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: Donald & Denise Jenkins, 208 Glenn Road, Pasadena 21122
Site Rite Surveying, 200 E. Joppa Rd., Rm. 101, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 29, 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
Tuesday, March 29, 2005 Issue - Jeffersonian

Please forward billing to:
Donald & Denise Jenkins
208 Glenn Road
Pasadena, MD 21122

410-952-7561

NOTICE OF ZONING HEARING

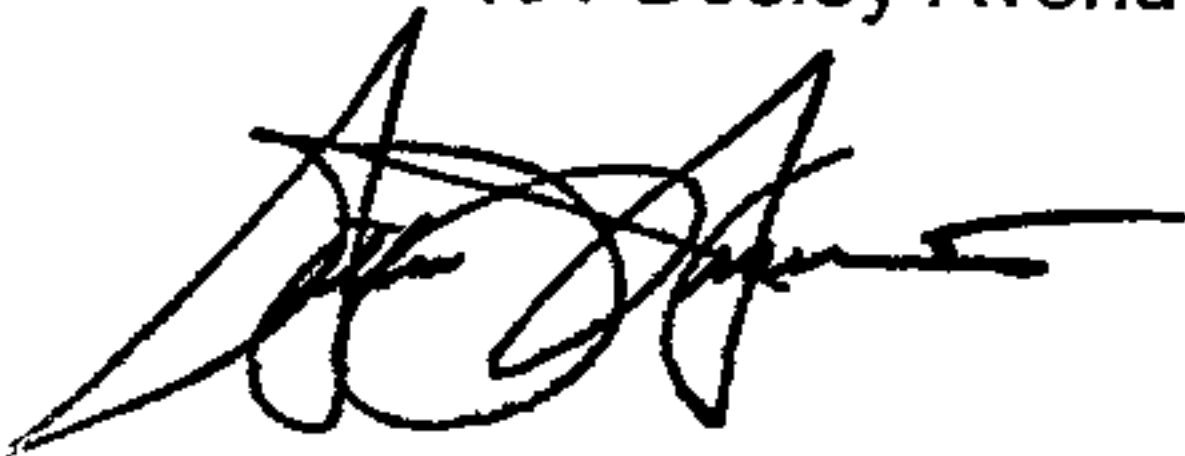
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 05-427-A

8148 Bradshaw Road
N/east side of Bradshaw Road, 135 feet n/west of centerline of Reynolds Road
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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: 05-427-A

Petitioner: Donald and Denise Jenkins

Address or Location: 8148 Bradshaw Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Donal and Denise Jenkins

Address: 208 Glenn Road
Pasadena, MD 21122

Telephone Number: 410-952-7561

**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*

April 5, 2005

Donald Jenkins
Denise Ellis Jenkins
208 Glen Road
Pasadena, Maryland 21122

Dear Mr. and Mrs. Jenkins:

RE: Case Number: 05-427-A, 8148 Bradshaw Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 1, 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, reading "W. Carl Richards, Jr.", written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Site Rite Surveying, Inc. 200 E. Joppa Road, Rm. 101 Towson 21286

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

March 9, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: March 14, 2005

Item No.: 418, 419, 420, 422, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433.

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.

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

Acting Lieutenant Don W. Muddiman
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



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



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

Maryland Department of Transportation

Date: 3.8.05

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

RE: Baltimore County
Item No. 427 LTM

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 Grédlein 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

by
4/1/05

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

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

DATE: March 17, 2005

SUBJECT: Zoning Item # 05-427
Address 8148 Bradshaw Road

RECEIVED

MAR 17 2005

FORWARDED TO: [illegible]

Zoning Advisory Committee Meeting of February 28, 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).

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

_____ 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:

- 1.) A Single Lot Declaration of Intent for Forest Conservation may be filed to address the regulations provided that no more than 40,000 square-feet of forest would be disturbed during the redevelopment of this lot. Contact the Environmental Impact Review section of this Department for additional information.

Reviewer: Glen Shaffer Date: March 17, 2005

ORDER RECEIVED FOR FILING
Date 3/15/05
By [signature]

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 12, 2005

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

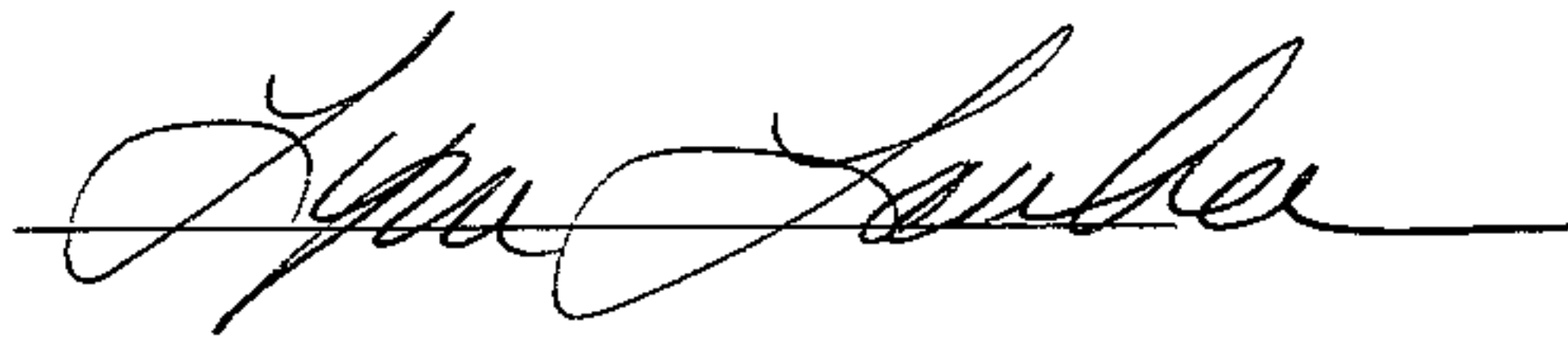
SUBJECT: Zoning Advisory Petition(s): Case(s) 5-427

It is incumbent upon the petitioner to demonstrate to the Zoning Commissioner that there are special circumstances or conditions existing on the subject site that are peculiar to the subject land or structure where strict compliance of the BCZR would result in practical difficulty and unreasonable hardship.

Prepared By:



Division Chief:



MAC/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 23, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For March 14, 2005
Item Nos. 417, 418, 420, 421, 422, 425,
426, 427, 428, 429, 430, 431,
432, 433

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

RWB:CEN:cp

cc. File

RE: PETITION FOR VARIANCE * BEFORE THE
8148 Bradshaw Road; NE/side Bradshaw *
Road, 135' NW c/line Reynolds Road * ZONING COMMISSIONER
11th Election & 3rd Councilmanic Districts *
Legal Owners: Donald & Denise Ellis Jenkins* FOR
Petitioner(s) * BALTIMORE COUNTY
* 05-427-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.

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 11th day of March, 2005, a copy of the foregoing Entry of Appearance was mailed to, Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Per _____

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

May 9, 2005

Mr. & Mrs. Donald Jenkins
208 Glenn Road
Pasadena, Maryland 21122

RE: PETITION FOR VARIANCE
NE/S Bradshaw Road, 135' NW of the c/l Reynolds Road
(8148 Bradshaw Road)
11th Election District – 3rd Council District
Donald Jenkins, et ux - Petitioners
Case No. 05-427-A

Dear Mr. & Mrs. Jenkins:

It has been brought to my attention that the signature page of the Order recently issued in your case inadvertently identified the signed date as being April 5, 2005 instead of **May 5, 2005**. In order to insure that all parties to the case are provided the requisite 30-day appeal period, the original copy of the Order shall be corrected and a copy of this letter inserted into the case file to document the correction. In that this correction does not involve a substantive change to the relief granted, an Amended Order is not necessary. However, please change your signature page to reflect that the Order was signed on **May 5, 2005** and not April 5, 2005. I apologize for any inconvenience this may have caused.

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. Vincent Moskun, Site Rite Surveying, Inc.
200 E. Joppa Road, Room 101, Towson, Md. 21286
People's Counsel; Case File



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 - 11 Account Number - 1108030525

Owner Information

Owner Name: JENKINS DONALD
JENKINS DENISE ELLIS
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 8148 BRADSHAW RD
KINGSVILLE MD 21087-1811
Deed Reference: 1) /20455/ 125
2)

Location & Structure Information

Premises Address
8148 BRADSHAW RD

Legal Description
3 AC
8148 BRADSHAW RD
780FT SE ARBUTUS AVE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assesment Area	Plat No:
64	16	101						3	Plat Ref:
Special Tax Areas				Town Ad Valorem Tax Class					
Primary Structure Built				Enclosed Area	Property Land Area			County Use	
1946				1,072 SF	3.00 AC			04	
Stories		Basement			Type			Exterior	
1		YES						ASBESTOS SHINGLE	

Value Information

	Base Value	Value As Of 01/01/2003	Phase-in Assessments	
			As Of 07/01/2004	As Of 07/01/2005
Land:	66,540	72,000		
Improvements:	55,850	63,780		
Total:	122,390	135,780	131,316	135,780
Preferential Land:	0	0	0	0

Transfer Information

Seller: HETRICK THEODORE C	Date: 07/28/2004	Price: \$190,000
Type: IMPROVED ARMS-LENGTH	Deed1: /20455/ 125	Deed2:
Seller: HETRICK THEODORE C	Date: 09/08/1971	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 5216/ 105	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

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

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

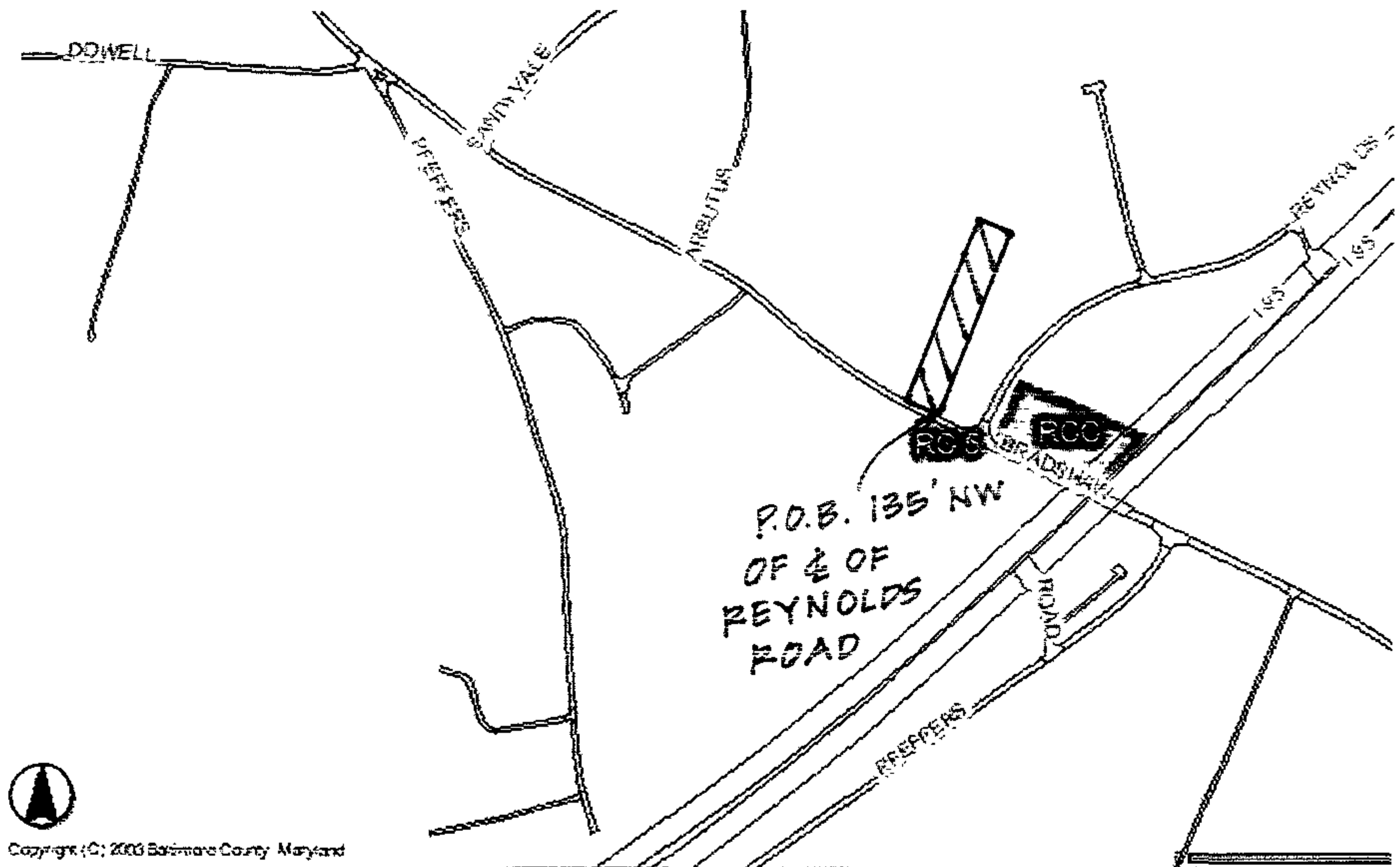
Case No.: 05-427A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2	DECLARATION OF INTENT - FOREST CONSERVATION - (will be signed, notarized and filed)	
No. 3	TOPO & LOCATION MAP	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



ZONING MAP FOR #8148 BRADSHAW ROAD
BALTIMORE COUNTY, MD
VARIANCE PETITION

#427

Single Lot Declaration of Intent

Tax Account # 1108030525 District _____ Map 64 Grid 16 Parcel 101

Name(s) DENISE & DONALD JENKINS

Location #8148 BRADSHAW ROAD

I (we), DENISE JENKINS & DONALD JENKINS the Owner of the
real property located at #8148 BRADSHAW ROAD

as described as #8148 BRADSHAW ROAD
hereby declare ~~my~~ (our) intention to invoke the single lot exemption for the
above property, in accordance with the provisions of the Baltimore County
Forest Conservation Program Sections 14-401 and 14-402, for a period of at
least five (5) consecutive full taxable years following this date.

This declaration grants an exemption for any activity conducted on a
single lot based on the Baltimore County Forest Conservation Program. If
the Owner makes application for an activity regulated under the Forest
Conservation Program, clears more than 40,000 square feet of forest, or
violates the requirements of a previous Forest Conservation Plan on all or
part of the lot within the five (5) year period, Baltimore County may
require the Owner to meet the forest conservation threshold established in
the Forest Conservation Program, and may also assess a noncompliance fee for
forested areas cut in violation of this exemption.

I (we) declare, under the penalties of law, that this declaration,
including any accompanying forms and statements, has been examined by me
(us) and the information contained herein, to the best of my (our)
knowledge, information, and belief, is true, correct and complete.

Signature(s) _____ Date _____
DONALD JENKINS

DENISE JENKINS Date _____

Notary _____ Date _____

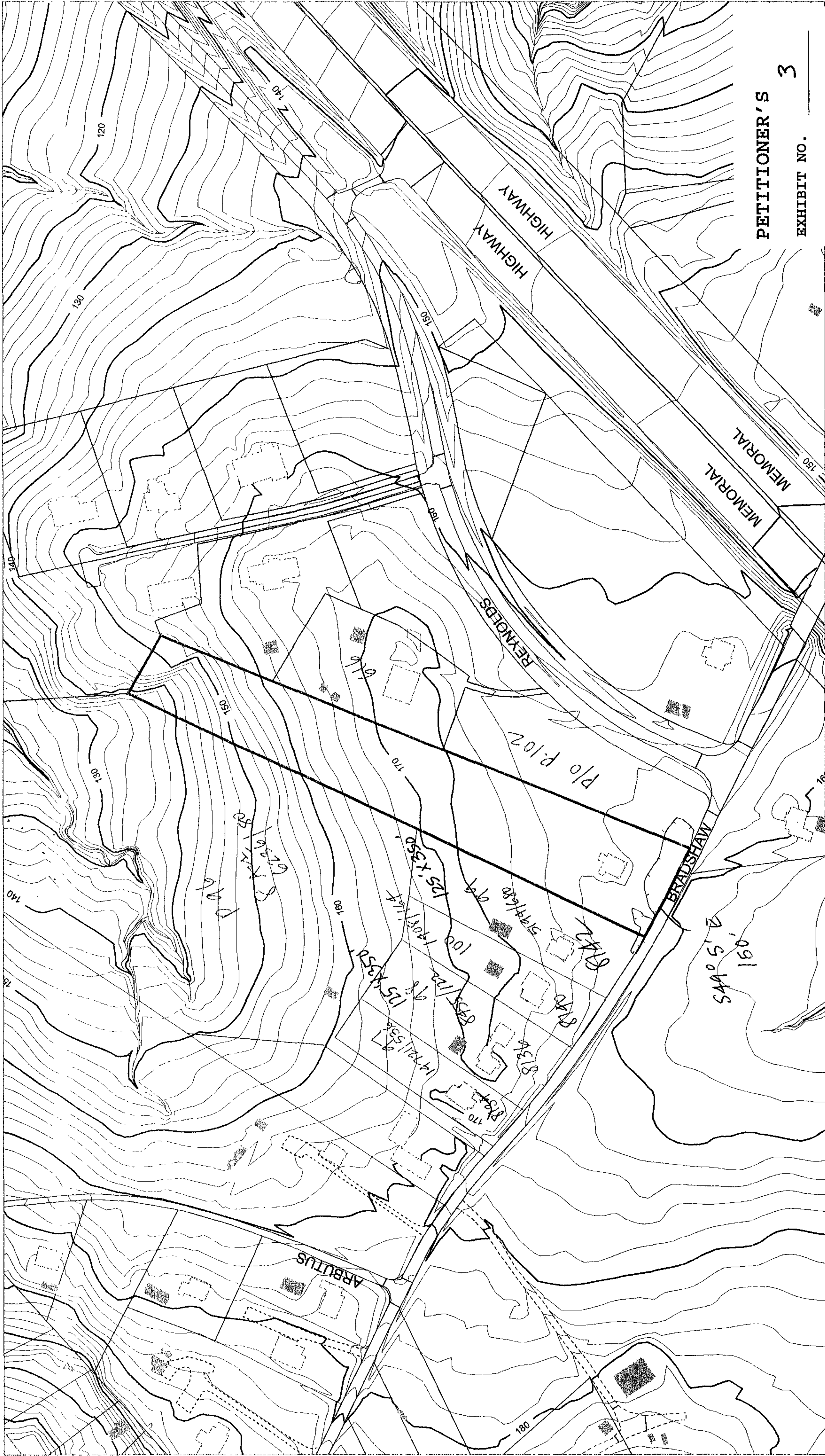
tmm

DOI5/DEPRM/EIR/rev. 2-7-94

Petitioner's
PROTESTANT'S

EXHIBIT NO. 2

TOPO MAP FOR 8148 BRADSHAW ROAD



PETITIONER'S

3

EXHIBIT NO.

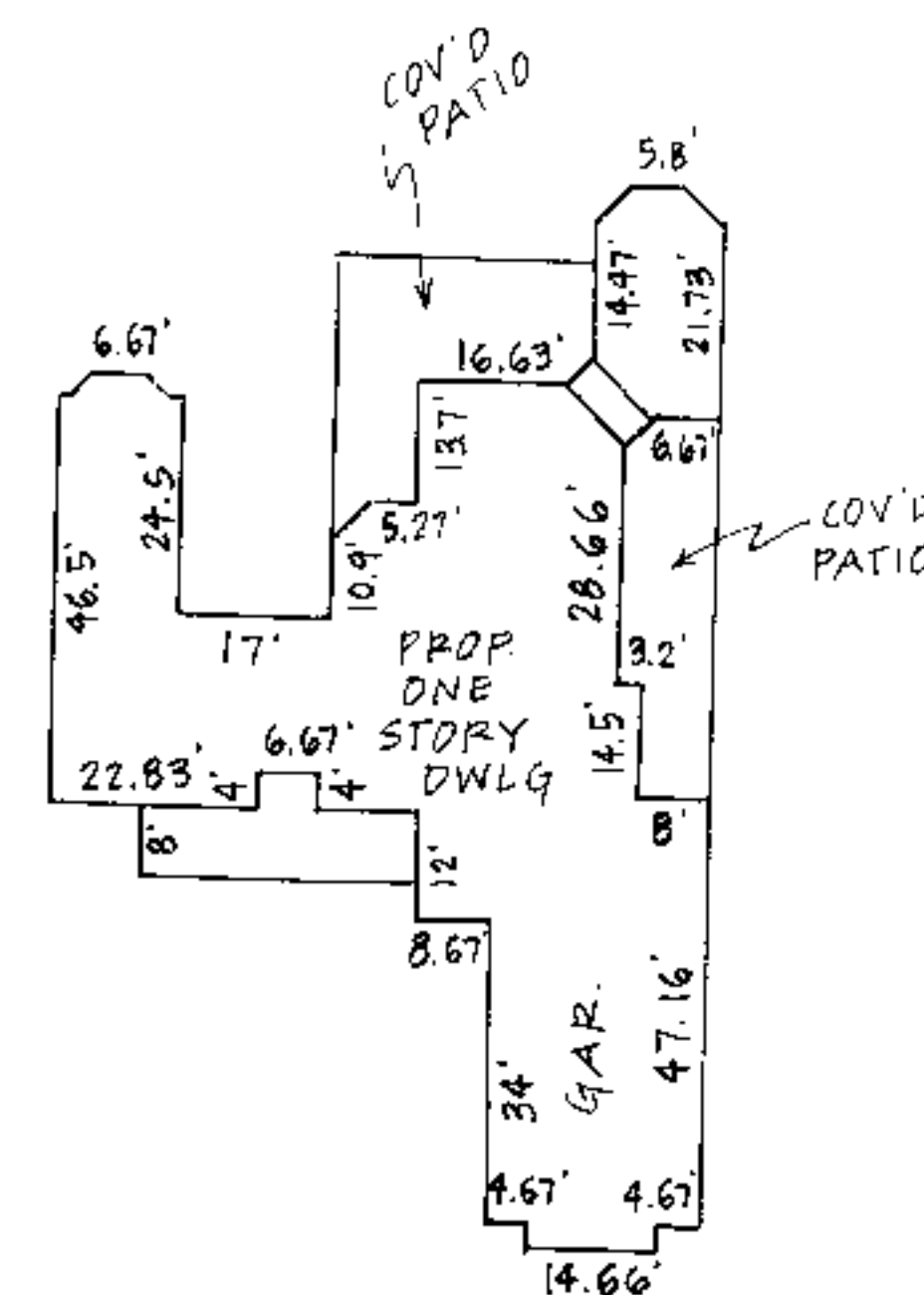
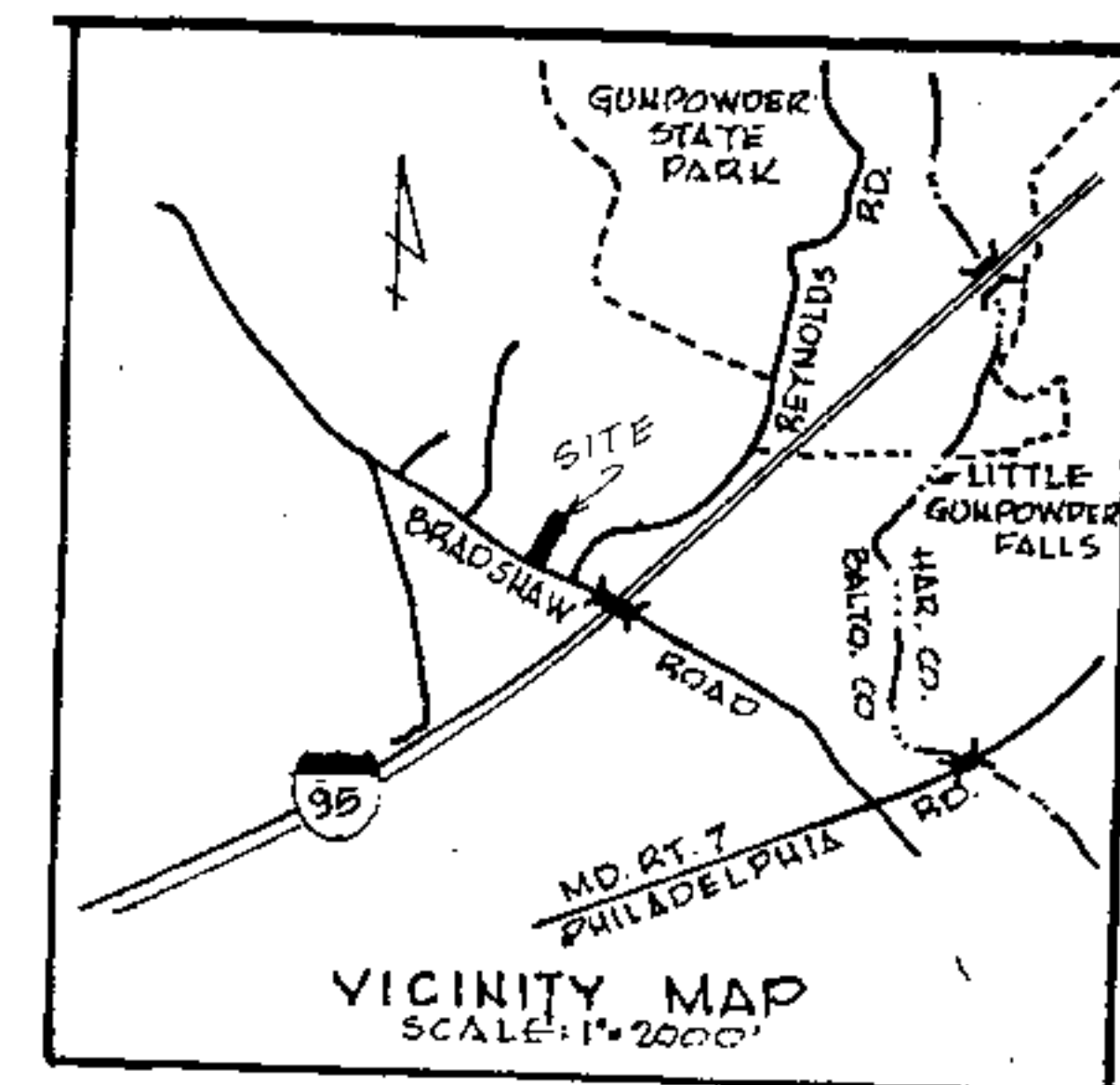
Coordinate System:
Maryland State Plane: NAD83/91 Horizontal Datum
Elevations in Feet: NAVD88 Vertical Datum
Date of Data Capture: March 2002
Scale of Data Capture: 1" = 100'

For internal use only!
The cadastral information on this plot was compiled
from existing deed information.
This information is not to be considered authoritative.
This survey information was not field checked
and certified by a licensed land surveyor.

Baltimore County, MD
Department of Public Works
GIS Services



Prepared By:
Robin Hurley, EAI
JULY 28, 2004



"DETAIL"
PROPOSED DWLG.
SCALE: 1" = 30'

GENERAL NOTES:

1. LOT AREA: 3 ACRES ± OR 130,680 S.F. ±
2. EXISTING ZONING: R.C.5
3. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA
4. NOT LOCATED IN HISTORIC AREA
5. NOT LOCATED IN 100 YEAR FLOOD PLAIN AREA
COMMUNITY PANEL NO. 240010 0295 B ZONE: "C"
6. PROPERTY IS SERVICED BY PRIVATE WELL AND SEPTIC SYSTEM
7. THERE IS AN EXISTING DWELLING LOCATED ON THE PROPERTY
8. PROPERTY HAS BEEN HELD INTACT SINCE 1945.
9. PRIOR ZONING HISTORY: NONE
10. ADDITIONAL PERC TESTS HAVE BEEN COMPLETED ON SITE TO ACCOMMODATE A REPLACEMENT SYSTEM FOR THE PROPOSED DWELLING.

PLAN TO ACCOMPANY PETITION FOR VARIANCE
#8148 BRADSHAW ROAD
TAX MAP: 64 GRID: 16 PARCEL: 101
TAX ACCT. NO. 1108030525
DEED REF.:
ELECTION DISTRICT NO. 11
COUNCILMANIC DISTRICT NO. 3
BALTIMORE COUNTY, MD
SCALE: 1" = 50'
MARCH 1, 2005
8975

PETITIONER'S

EXHIBIT NO. 1

(7-11-97)

OWNER: DENISE AND DON JENKINS
908 GLENN ROAD
PASADENA MD 21122
(410) 952-7561

Site Rite Surveying, Inc.
200 E. Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410) 828-9060

FAILED PERC TESTS ●
PASSING PERC TESTS ○