

THIS IMAGE PAGE INCORRECTLY DISPLAYS THE TWO CASE ADDRESSES AS 7416 AND 7418 CHESAPEAKE ROAD.
THE CORRECT CASE ADDRESSES FOR THE TWO CASES IS 7416 AND 7418 GUNPOWDER ROAD.

IN RE: **PETITIONS FOR VARIANCE**

N/S Gunpowder Road, 224' & 174' W of
Greenbank Road
(7416 & 7418 Chesapeake Road)
15th Election District
6th Council District

Anice Marie Blevins, Owner;
Nick Blevins, Contract Purchaser

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Cases Nos. 05-603-A & 05-604-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Variance filed by Anice Marie Blevins, owner of the subject two adjacent properties known as 7416 and 7418 Gunpowder Road, and her grandson, Nick Blevins. Since the properties are owned by the same person and are located adjacent to one another, the two cases were heard contemporaneously. In Case No. 05-603-A, the Petitioner requests a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet, and a side yard setback of 5 feet in lieu of the required 10 feet for a proposed dwelling, to be known as 7416 Chesapeake Road. In Case No. 05-604-A, the Petitioner requests similar relief from Section 1B02.3.C.1 of the B.C.Z.R. to permit the existing dwelling, known as 7418 Chesapeake Road, on a 50-foot wide lot in lieu of the minimum required lot width of 55 feet. The subject properties and requested relief are more particularly described on the site plan submitted in each case, which was accepted into evidence and respectively marked as Petitioner's Exhibits 1.

Appearing at the requisite public hearing on behalf of the Petitioner was Anice Marie Blevins, property owner, and Ronald M. Kearney, the Surveyor who prepared the site plan for these properties. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject adjacent parcels are located on the north side of Gunpowder Road, just west of Greenbank Road in Middle River. The lots are identified as Lots 151 and 152 of Oliver Beach, which is an older subdivision that was platted and recorded in the Land Records in 1940, prior to 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

ORDER RECEIVED FOR FILING
Date 1/22/15
By [Signature]

area and width requirements. In this regard, each of the subject lots contains a gross area of 7,500 sq.ft., or 0.17 acres, more or less zoned D.R.5.5, and is 50' wide by 150' deep. The Petitioner has owned both lots and resided in the existing dwelling for many years. The Petitioner is desirous of conveying the adjacent, unimproved lot to her grandson, Nick Blevins, who intends to develop the property with a single-family dwelling to be known as 7416 Chesapeake Road, in which he will reside. The proposed dwelling will be 34' wide and 34' deep and will meet the required setbacks from front, side and rear property lines, but for the side setback adjacent to the existing dwelling lot. In order to proceed with the proposed development, the requested variance relief is necessary to legitimize existing conditions on the dwelling lot and allow development of the vacant lot. In support of the proposal, photographs of the subject property and adjacent lots show that most of the houses in this community were built on 50-foot wide lots. Moreover, the requested variance from side yard setback requirements is from an internal lot line separating Ms. Blevins' lot from her grandson's lot. Thus, it appears the relief requested is appropriate in this instance and consistent with the pattern of development.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. 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. Both lots meet the minimum area requirements of 6,000 sq.ft. under the D.R.5.5 zoning regulations. The only deficiency in both instances is the lot width and the requested side setback for the proposed dwelling, which side is located adjacent to the dwelling lot occupied by Ms. Blevins. As noted above, most of the houses in this community were built on 50-foot wide lots with similar setbacks as that proposed here. 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. However, given the property's close proximity to the Gunpowder River, the proposed development must comply with Chesapeake Bay Critical Areas regulations. In addition, the Petitioners shall submit building elevation drawings of the proposed dwelling to the Office of Planning for review and approval prior to the issuance of any permits. The proposed dwelling shall be compatible in terms of size, exterior, building materials, color

and architectural details with existing dwellings in the area. In addition, landscaping shall be provided along the public road for both properties.

Pursuant to the advertisement, posting of the property(s) and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

22nd THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of July 2005 that the Petition for Variance filed in Case No. 05-603-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 required 55 feet, and a side yard setback of 5 feet in lieu of the required 10 feet for a proposed dwelling, to be known as 7416 Gunpowder Road, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 05-604-A, seeking relief from Section 1B02.3.C.1 of the B.C.Z.R. to permit the existing dwelling, known as 7418 Chesapeake Road, on a 50-foot wide lot in lieu of the minimum required lot width of 55 feet, 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) Compliance with the Chesapeake Bay Critical Areas regulations as set forth in the ZAC comments submitted by DEPRM, dated July 21, 2005, a copy of which has been attached hereto and made a part hereof.
- 3) The proposed dwelling shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning. In addition, landscaping shall be provided along the public road for both properties.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

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

July 22, 2005

Ms. Anice Marie Blevins
7418 Gunpowder Road
Baltimore, Maryland 21220-1124

RE: PETITIONS FOR VARIANCE
N/S Gunpowder Road, 224' & 174' W of the c/l Greenbank Road
(7416 & 7418 Gunpowder Road)
15th Election District – 6th Council District
Anice Marie Blevins, Owner - Petitioner
Cases Nos. 05-603-A and 05-604-A

Dear Ms. Blevins:

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,

A handwritten signature in black ink, appearing to be "WJW", is written over the typed name.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. Nick Blevins
30 Longeron Drive, Baltimore, Md. 21220
Mr. Ronald M. Kearney, 4401 Philadelphia Road, Bel Air, Md. 21015
Chesapeake Bay Critical Areas Commission
1804 West Street, Suite 100, Annapolis, Md. 21401
DEPRM; Office of Planning; People's Counsel; Case File

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





C B C A

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 7416 GUNPOWDER ROAD
which is presently zoned D. R. 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) 1 B02.3.C.1, BCZR TO PERMIT A PROPOSED DWELLING
WITH A LOT WIDTH OF 50 FEET IN LIEU OF THE MINIMUM REQUIRED 55 FEET, AND A SIDE YARD
SETBACK OF 5 FEET IN LIEU OF THE MINIMUM REQUIRED 10 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:

Name - Type or Print Nick Blevins
Signature *Nick Blevins*
Address 30 Longeron Drive Telephone No. 410-953-7333
City Baltimore, Maryland State 21220 Zip Code

Attorney For Petitioner:

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

Cash No. 05-603-A

Legal Owner(s):

Name - Type or Print Anice Marie Blevins
Signature *Anice Marie Blevins*
Name - Type or Print
Signature
Address 7418 Gunpowder Road Telephone No. 410-335-8970
City Baltimore, Maryland State 21220-1124 Zip Code

Representative to be Contacted:

Name Ronald M. Kearney
Address 4401 Philadelphia Road Telephone No. 410-989-0445
City Bel Air, Maryland State 21015 Zip Code

OFFICE USE ONLY

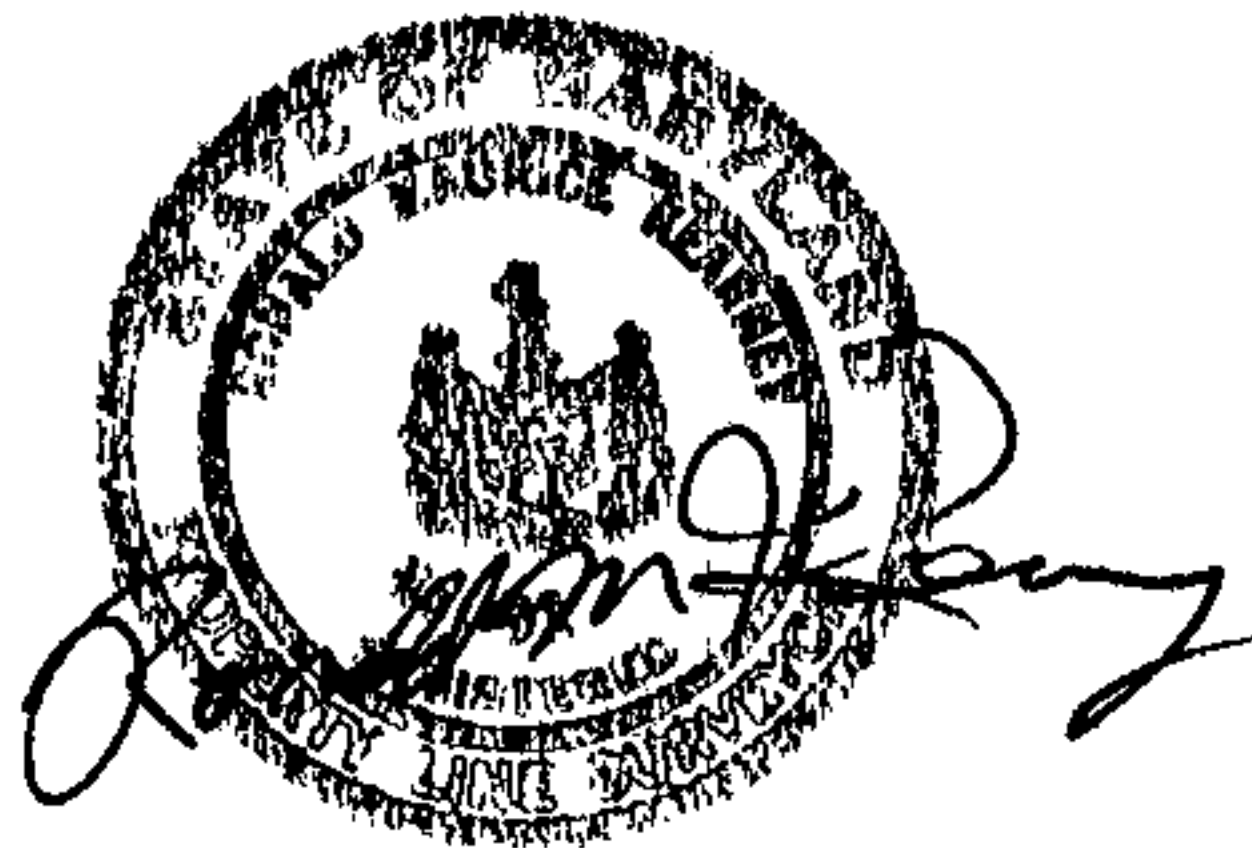
ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 5/19/05

ZONING DESCRIPTION
FOR #7416 GUNPOWDER ROAD

Beginning at a point on the north side of Gunpowder Road which is 30 feet wide at the distance of 224 feet west of the centerline of Greenbank Road which is 30 feet wide. Being Lot #152, Section A in the subdivision of Oliver Beach as recorded in Baltimore County Plat Book #9, Folio 97, containing 7500 square feet. Also known as 7416 Gunpowder Road and located in the 15th Election District, 6th Councilmanic District.



05-603-A

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: #05-803-A

7416 Gunpowder Road
N/side of Gunpowder Road, 224 feet west of
Greenbank Road

15th Election District — 6th Councilmanic District

Legal Owner(s): Alice Marie Blevins

Contract Purchaser: Nick Blevins

Variance: to permit a proposed dwelling with a lot width of 50 feet in lieu of the required 55 feet and a side yard setback of 5 feet in lieu of the required 10 feet.

Hearing: Wednesday, July 13, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations please contact the Zoning Commissioner's Office at (410) 887-4388.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 6/753 June 28

56820

CERTIFICATE OF PUBLICATION

7/1/2005

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 6/28/2005.

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

S. Wilkinson

LEGAL ADVERTISING

No. 445687

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For airc - 7916 Compounds, Food

603-A/B (50m)

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YELLOW - CUSTOMER

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FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

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THE UNIVERSITY OF CHICAGO

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CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

Date June 27, 2005

RE: Case Number 05-603-A

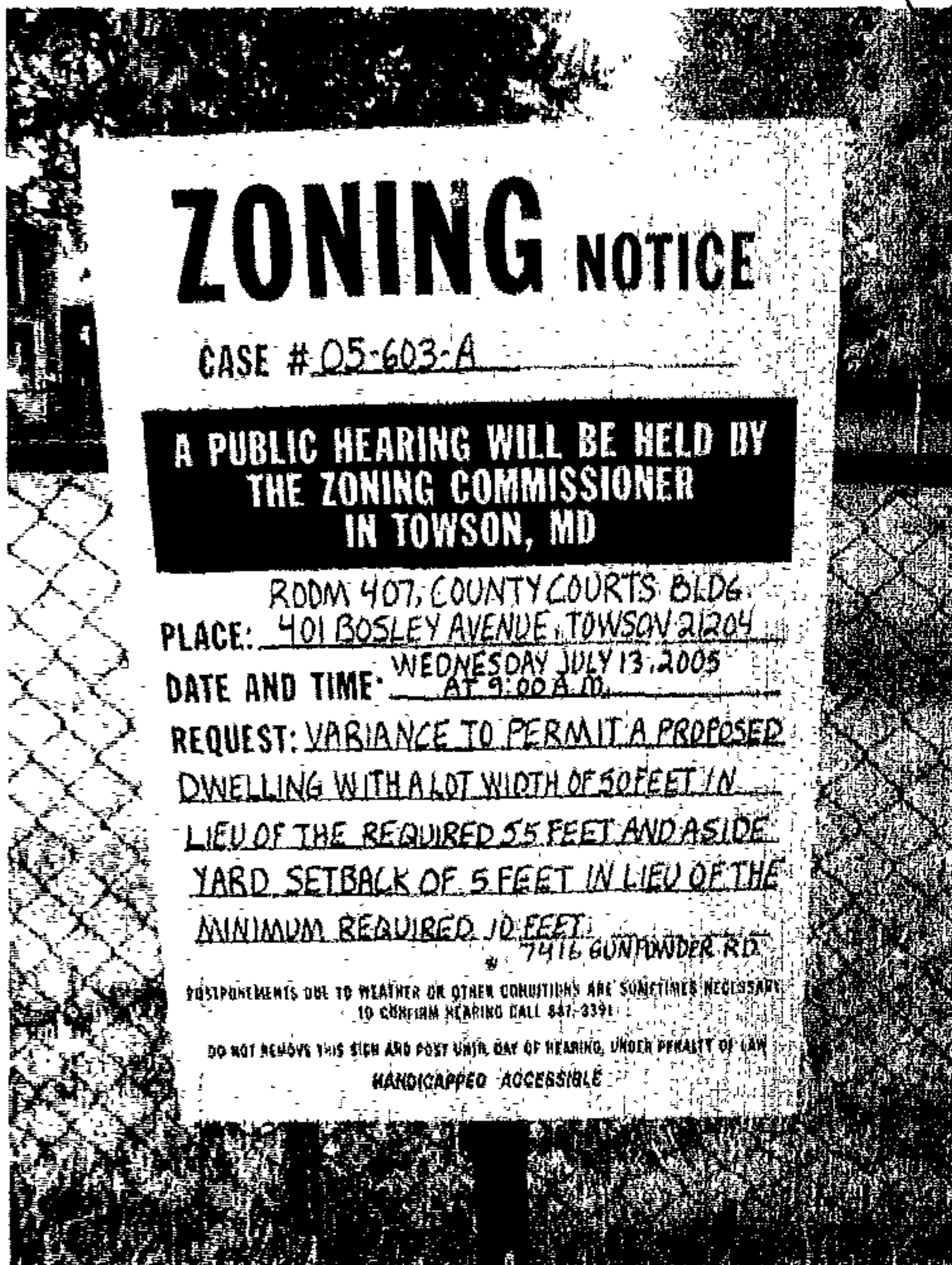
Petitioner/Developer ANICE MARIE BLEVINS/NICK BLEVINS/RONALD KEARNEY

Date of (Hearing/Closing) JULY 13, 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 7416 GUNPOWDER ROAD

The sign(s) were posted on

June 25, 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*

May 24, 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: 05-603-A

7416 Gunpowder Road
N/side of Gunpowder Road, 224 feet west of Greenbank Road
15th Election District – 6th Councilmanic District
Legal Owner: Anice Marie Blevins
Contract Purchaser: Nick Blevins

Variance to permit a proposed dwelling with a lot width of 50 feet in lieu of the required 55 feet and a side yard setback of 5 feet in lieu of the minimum required 10 feet.

Hearing: Wednesday, July 13, 2005 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Anice Marie Blevins, 7418 Gunpowder Rd., Baltimore 21220-1124
Nick Blevins, 30 Longeron Drive, Baltimore 21220
Ronald Kearney, 4401 Philadelphia Rd., Bel Air 21015

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 28, 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, June 28, 2005 Issue - Jeffersonian

Please forward billing to:
Nick Blevins
30 Longeron Drive
Baltimore, MD 21220

410-953-7333

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: 05-603-A

7416 Gunpowder Road
N/side of Gunpowder Road, 224 feet west of Greenbank Road
15th Election District – 6th Councilmanic District
Legal Owner: Anice Marie Blevins
Contract Purchaser: Nick Blevins

Variance to permit a proposed dwelling with a lot width of 50 feet in lieu of the required 55 feet and a side yard setback of 5 feet in lieu of the minimum required 10 feet.

Hearing: Wednesday, July 13, 2005 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J WISEMAN III
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: 05-603-A

Petitioner: Blevins

Address or Location: 7416 Gunpowder Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: NICK BLEVINS

Address: 30 LONGERON DRIVE

BALTIMORE, MD. 21220

Telephone Number: 410-953-7333

**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*

July 5, 2005

Anice Marie Blevins
7418 Gunpowder Road
Baltimore, Maryland 21220

Dear Ms. Blevins:

RE: Case Number: 05-603-A, 7416 Gunpowder Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 19, 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
Ronald M. Kearney 4401 Philadelphia Road Belair 21015
Nick Blevins 30 Longeron Drive Baltimore 21220

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

May 25, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: May 30, 2005

Item No.: 578, 597, 598, 599, 600, 602, 603, 604, 605 and 606

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: 5.24.05

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

RE: Baltimore County
Item No. 603 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

DEPARTMENT OF ENVIRONMENTAL PROTECTION & MARSHLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr ^{JDO}
DATE: June 14, 2005
SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of May 31, 2005

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-596
05-597
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05-605
05-606

Reviewers: Sue Farinetti, Dave Lykens

BW
7/13

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 63, 2005

RECEIVED

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

JUN - 7 2005

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-603 and 5-604

The Office of Planning has reviewed the subject request and has determined that the petitioner owns sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. However, there appears to be several existing undersized lots in the neighborhood. As such, this office does not oppose the petitioner's request.

If the petitioner's request is granted, the following conditions shall apply to the proposed dwelling:

1. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
2. Provide landscaping along the public road.

For further questions or additional information concerning the matters stated herein, please contact David Pinning with the Office of Planning at 410-887-3480.

Prepared By: MARGA CUMMINS

Division Chief: [Signature]

MAC/LL

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUL 21 2005

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: R. Bruce Seeley *MS*
DATE: July 21, 2005
SUBJECT: Zoning Item # 05-603A
 # 05-604A
 Address 7416 Gunpowder Road
 7418 Gunpowder Road

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning items:

X Development of these properties must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

The lots must comply with Limited Development Area regulations of the CBCA. Specifically, the lots are limited to 25% impervious surface or up to 31.25% with mitigation. Also, the lots must comply with a minimum 15% tree cover.

Reviewer: Martha Stauss

Date: July 21, 2005

S:\Devcoord\VAC-05-603and604.doc

ORDER RECEIVED FOR FILING
Date 7/22/05
By *MS*

BW 7/13

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 1, 2005

RECEIVED

FROM: ^{DAK} Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

JUL 07 2005

SUBJECT: Zoning Advisory Committee Meeting
For June 6, 2005
Item No. 603

ZONING COMMISSIONER

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The minimum right-of-way for all public roads in Baltimore County is 40-feet. Setbacks shall be modified accordingly.

DAK:CEN:clw
cc: File
ZAC-ITEM NO 603-06012005.doc

RE: PETITION FOR VARIANCE * BEFORE THE
7416 Gunpowder Road; N/side Gunpowder *
Road, 224' W Greenbank Road * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Anice Marie Blevins * FOR
Contract Purchaser(s): Nick Blevins *
Petitioner(s) * BALTIMORE COUNTY
* 05-603-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 25th day of May, 2005, a copy of the foregoing Entry of Appearance was mailed to, to Ronald M Kearney, PLS/KLS Consultants, Inc, 4401 Philadelphia Road, Bel Air, MD 21015, Representative for Petitioner(s).

RECEIVED

MAY 25 2005

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

7416 Gunpowder

7418 Gunpowder

Case No.:

05-603A

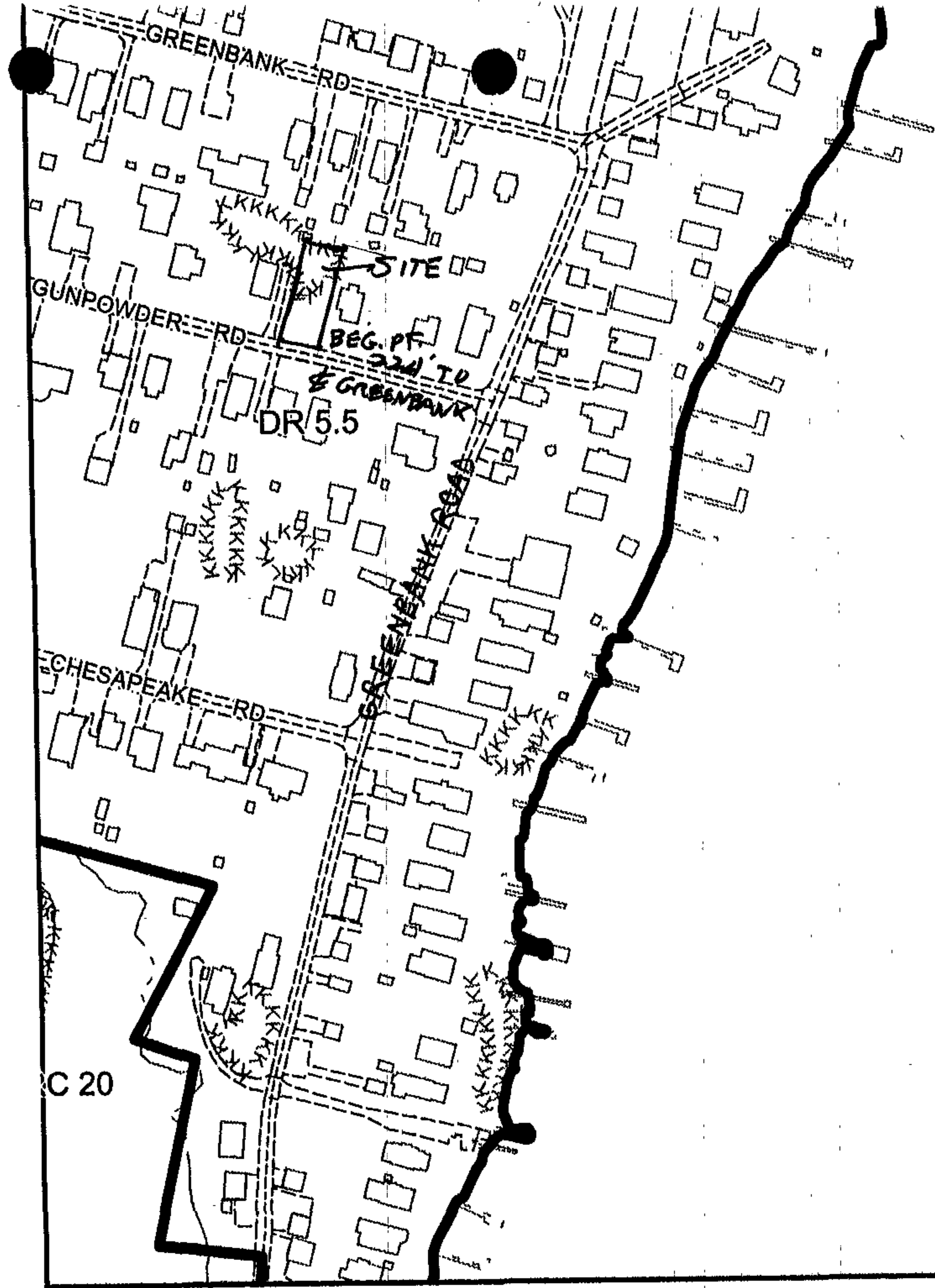
05-604A

Exhibit Sheet

Petitioner/Developer

Protestant

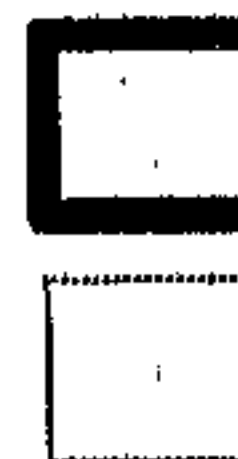
No. 1	SITE PLAN	
No. 2	OLIVER BEACH SUBDIVISION PLAT - LOT 15 2	
No. 3	DEED	
No. 4	VACANT LOT PHOTO	
No. 5	BLDG ELEVATIONS	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Plan Sheet: 084B1

Note:
 Section 32-3-202 of the Baltimore County, 2003 Code establishes the zoning geodatabase. This map represents the actions of the Baltimore County Council on August 31, 2004 (Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04) effective September 3, 2004.

Le



05-603-A



STANDING IN GUNPOWDER RD
LOOKING AT SIDE OF LOT 151.

Telephone 4

EXITING HOME

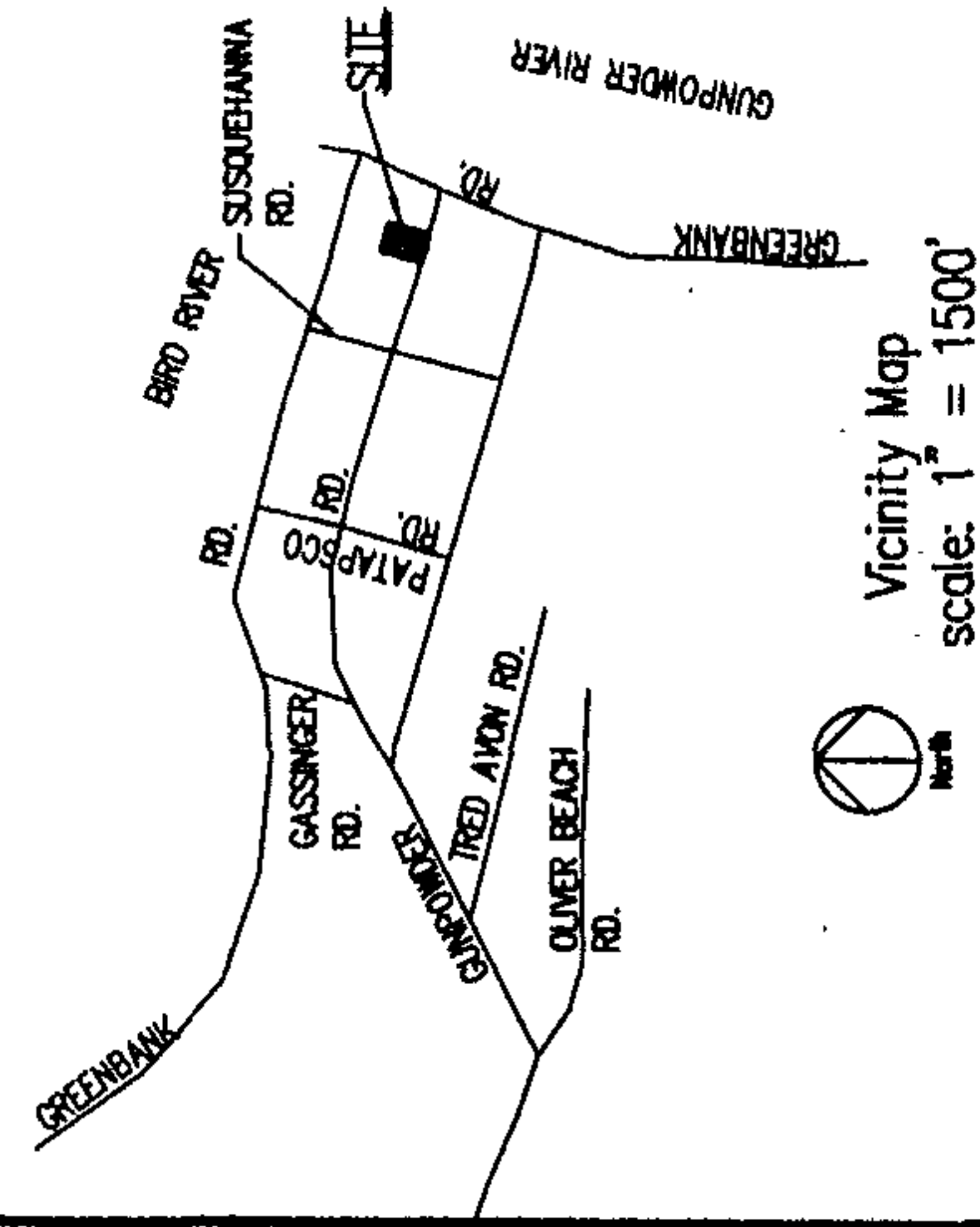
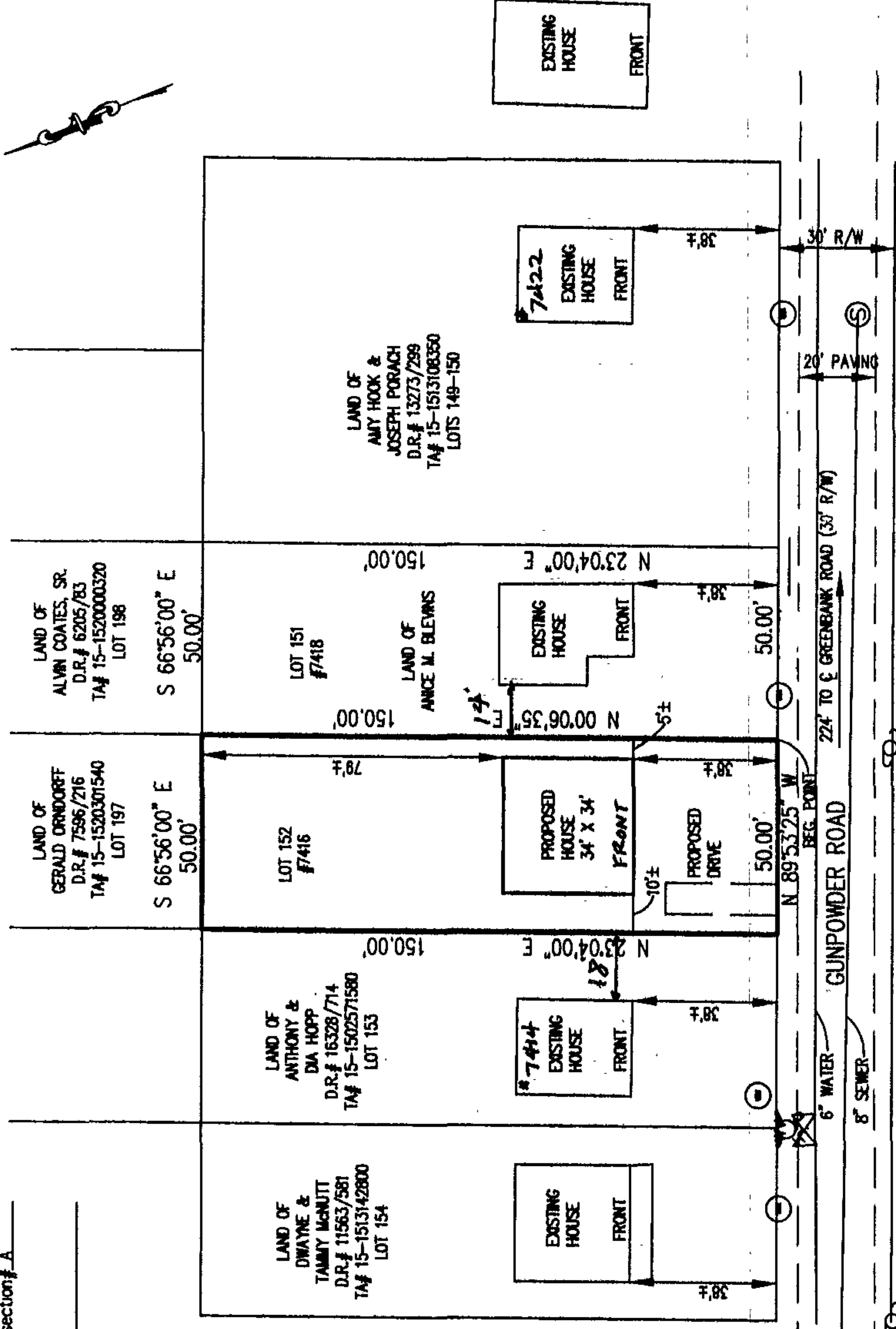
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 7416 Gunpowder Road

Subdivision name: Oliver Beach
plat book # 9, folio # 97, lot # 152, section # A

OWNER: Anice M. Blevins

DEED REF.: 13313/128



LOCATION INFORMATION

Councilmanic District: 6

Election District: 15

Zoning Map from G.I.S. info. - 084B1

Zoning: D.R. 5.5

Lot size: 0.17 acreage 7500 square feet

Public ☒ Private ☐

Sewer ☒

Water ☒

Cheapeake Bay Critical Area: ☒

100 Year Floodplain ☐

Historic Property/
Building ☐

PETITIONER'S
05-603A

Prior Zoning Hearings: EXHIBIT NO. **1**

Zoning Office USE ONLY!

reviewed by: JNP ITEM #: 603 CASE#: 05-603-A



date: 5/17/05

prepared by: J.E.C.

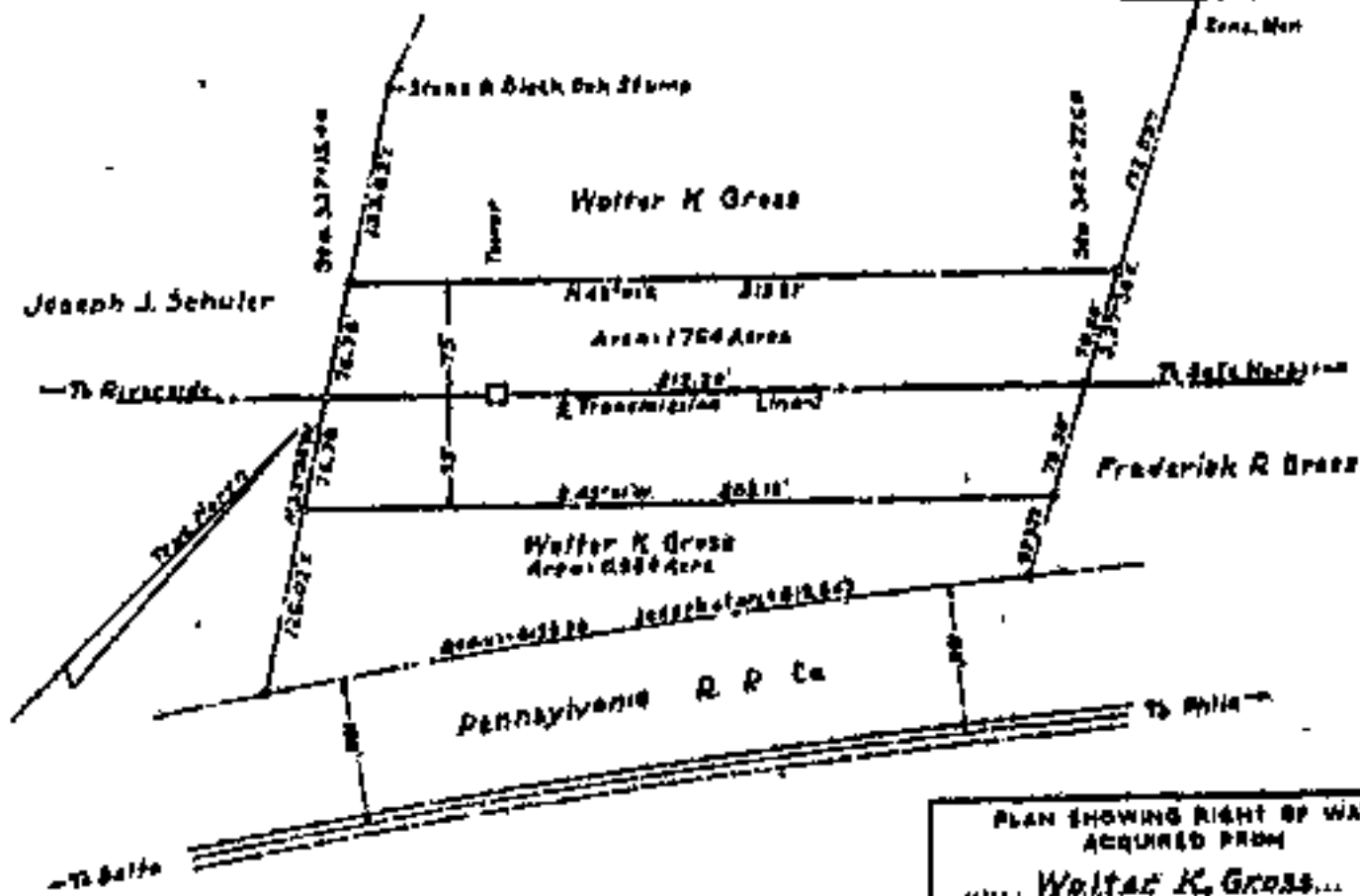
Scale of Drawing: 1"=40'



L.M.C.L.M. N2 9-97

FILE NO. 60-189

FILE NO. 61-186

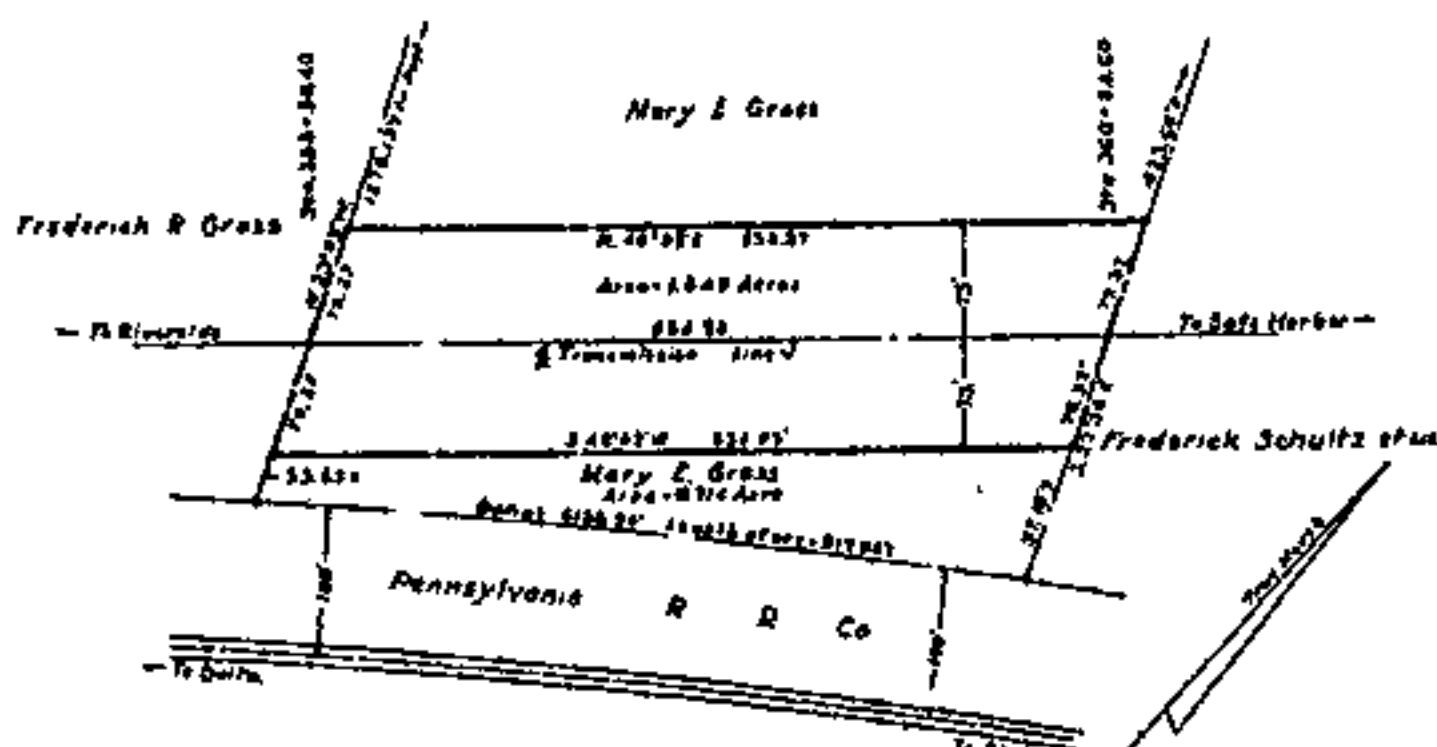


PLAN SHOWING RIGHT OF WAY
ACQUIRED FROM
THE REAL ESTATE TRUST CO.
BALTIMORE, COUNTY, MARYLAND
SCALE: 1" = 100' DATE 2/11/31
C.M.C. ENGINEER

PLAN SHOWING RIGHT OF WAY
ACQUIRED FROM
Walter K. Gross
BALTIMORE, COUNTY, MARYLAND
SCALE: 1" = 100' DATE 2/11/31
C.M.C. ENGINEER

FILED FOR RECORD WITH
FROM Walter K. Gross
TO Frederick R. Gross
Mar 3 1931
TEST Frederick R. Gross
CLERK

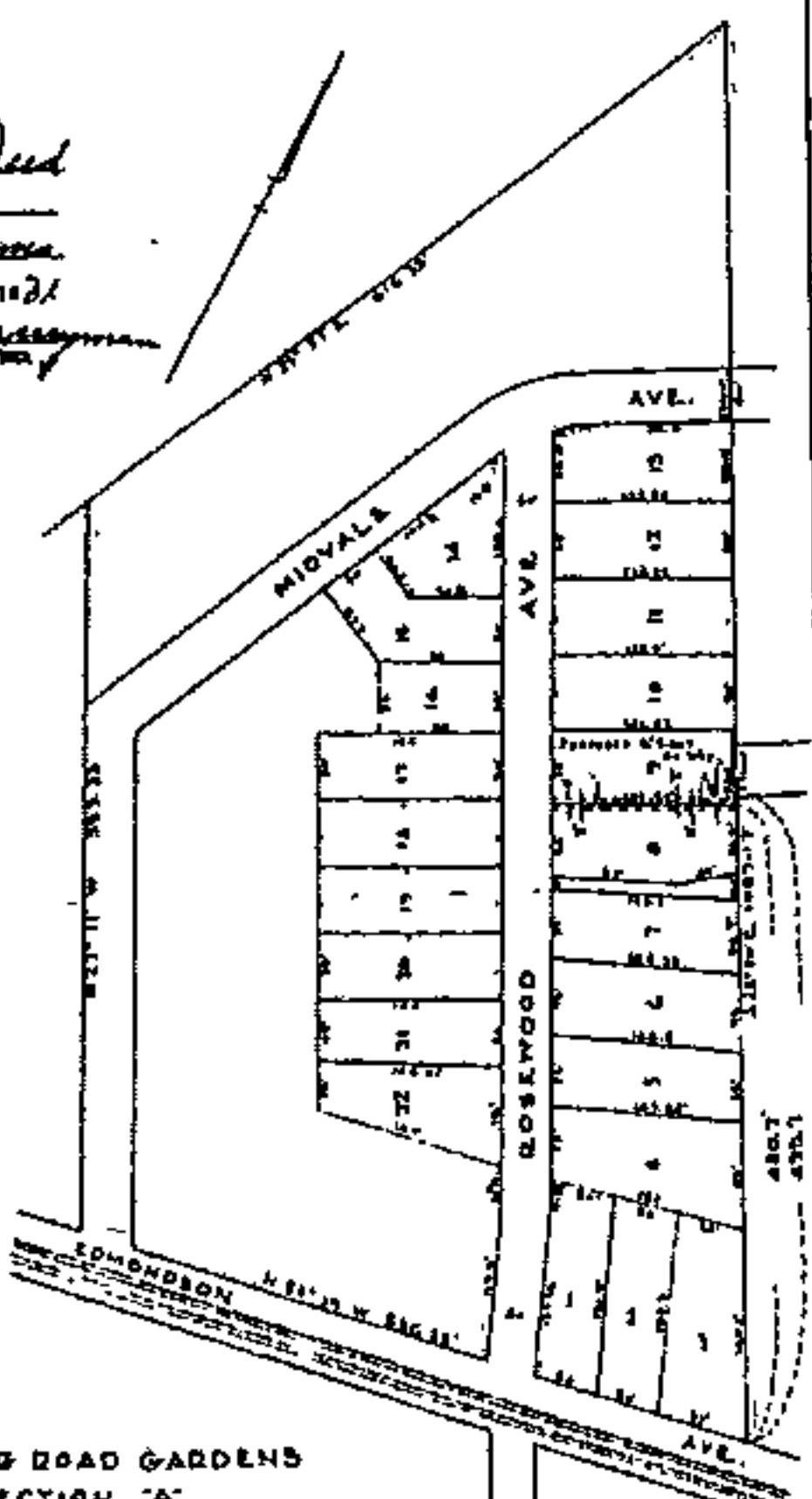
FILE NO. 61-186



PLAN SHOWING RIGHT OF WAY
ACQUIRED FROM
Mary E. Gross
BALTIMORE, COUNTY, MARYLAND
SCALE: 1" = 100' DATE 2/11/31
C.M.C. ENGINEER

FILED FOR RECORD WITH
FROM Mary E. Gross
TO Frederick R. Gross
Mar 3 1931
TEST Frederick R. Gross
CLERK

with Deed
from
Commission
1921
C.M.C. ENGINEER



MARYLAND GAS TRANSMISSION CORP.
MAP FROM SURVEY
SHOWING LOCATION OF
PROPOSED 20 INCH GAS PIPE LINE
ON LAND OF
CHARLES ROEMER, JR.
FOURTH DISTRICT-BALTIMORE COUNTY, MD.
SCALE: 1" = 100' OCT 20, 1934

FILED FOR RECORD WITH
FROM Charles Roemer, Jr.
TO Maryland Gas Transmission Corp.
July 10 1937
TEST Charles Roemer, Jr.
CLERK

PETITIONER'S

EXHIBIT NO.

2

SCALE 1/3200 JAN 27 1931
 E.V. COONAN & CO.
 SURVEYORS & CIVIL ENGINEERS
 231 COURTHOUSE ST
 BALTIMORE, MD.

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SECTION A
 OF
 OLIVER BEACH

FIRST LAY DISTRICT
 BALTIMORE COUNTY
 AUGUST 1931

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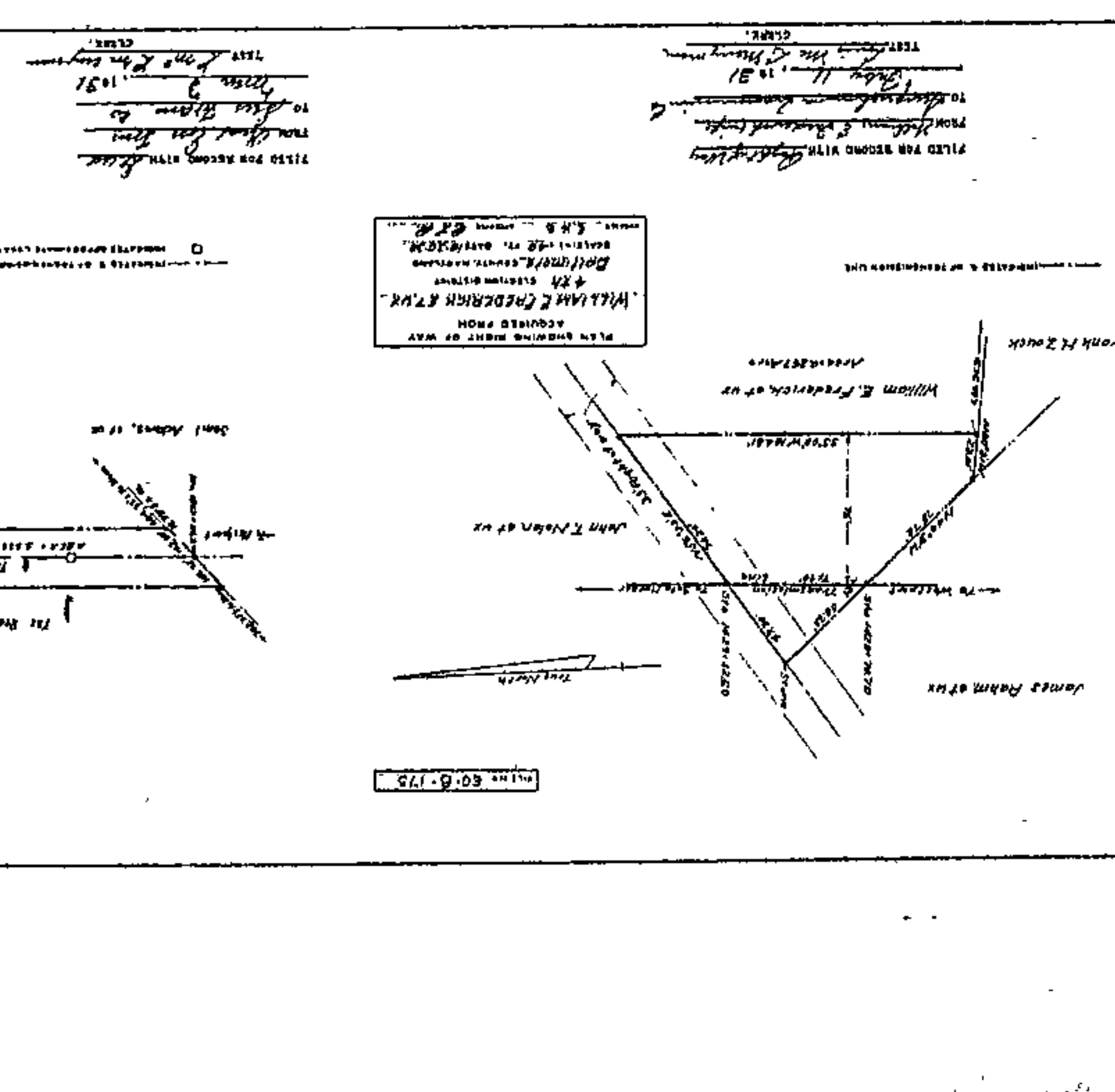
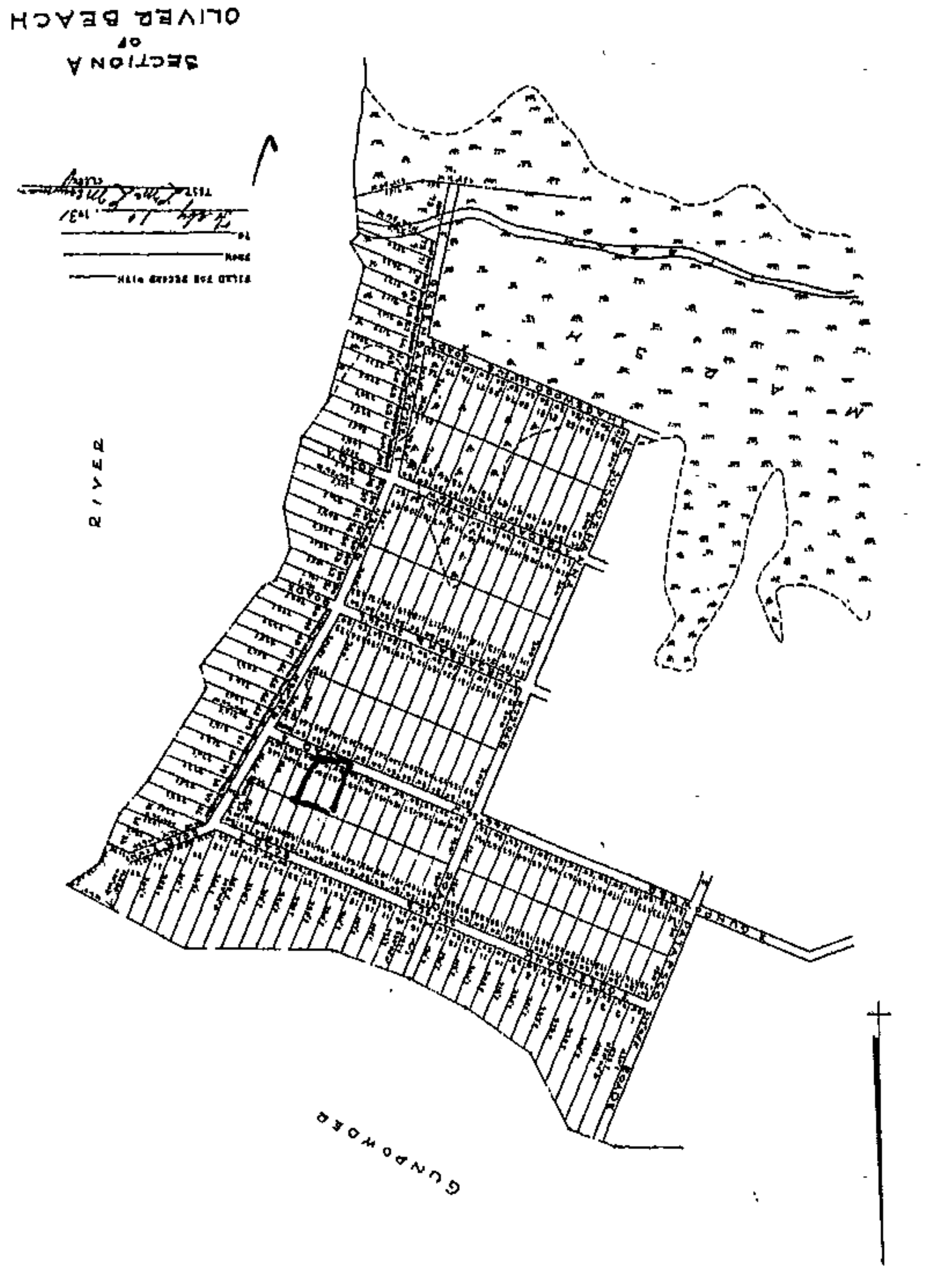
OWNERS
 AUGUST 1931

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 AUGUST 1931



FILED FOR RECORD WITH
 CLERK
 1931

NO CONSIDERATION
NO TITLE EXAMINATION
Property Tax Account No.: 15-02-470760

THIS DEED, Made this 29th ^{September} ~~August~~ Day of ~~August~~ in the year One Thousand Nine Hundred and Ninety-Eight, by and between ANICE MARIE BLEVINS, DANNY BLEVINS, MICHAEL BLEVINS, and ALLEN BLEVINS, of Baltimore County, State of Maryland, Parties of the first part, and ANICE MARIE BLEVINS, party of the second part.

WITNESSETH, That in consideration of the sum of Zero (0), and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said parties of the first part, do hereby grant and convey unto the said party of the second part, her personal representatives, heirs and assigns, in fee simple, all that lot of ground situate in Baltimore County, State of Maryland, and described as follows that is to say:

BEING KNOWN AND DESIGNATED as Lots 151 and 152 as shown on Plat of Section A Oliver Beach, recorded in Liber L.McL.M. No. 9, Folio 97 and Plat of Sections A and B Oliver Beach recorded in Plat Book C.H.K. No. 12, Folio 56.

THE improvements thereon being known as No. 7418 Gunpowder Road.

BEING the same lot of ground described in a Deed dated December 8, 1997 and recorded among the Land Records of Baltimore County in Liber SM 0012581 folio 612 was granted and conveyed by Anice Marie Blevins, unto Anice Marie Blevins, Danny Blevins, Michael Blevins, and Allen Blevins, her sons.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said party of the second part, her personal representatives, heirs and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

PETITIONER' S

EXHIBIT NO. 3

Witness the hands and seals of the said Grantors

TEST:

ANICE MARIE BLEVINS

(SEAL)

DANNY BLEVINS

(SEAL)

MICHAEL BLEVINS

(SEAL)

ALLEN BLEVINS

(SEAL)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, That on this 15th Day of ^{Sept} August, 1998, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared ANICE MARIE BLEVINS, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

CHRISTINE JONES
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires Sept. 26, 2000

Notary Public

My Commission expires: _____

STATE OF Delaware, COUNTY/CITY OF _____, to wit:

I HEREBY CERTIFY, That on this 15th Day of ^{Sept} August, 1998, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared DANNY BLEVINS, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

BANDRA H. WALKER
NOTARY PUBLIC

My Commission Expires March 4, 2000

My Commission expires: 3/4/2000

STATE OF Virginia, COUNTY/CITY OF Washington, to wit:

I HEREBY CERTIFY, That on this 19th Day of ^{Sept} August, 1998, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared MICHAEL BLEVINS, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Sandy M. Harber
Notary Public

My Commission expires: 12-31-2001