IN RE: PETITION FOR VARIANCE

S/side of Chesapeake Road, 360' east and

410' east of c/l of Gunpowder Road

15th Election District

6th Councilmanic District

(7315 & 7317 Chesapeake Road)

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Ebenezer Olarewaju and

Dotun Aiyegbusi, Legal Owners/Petitioners

CASE NOS. 06-217-A & 06-218-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject properties, Ebenezer Olarewaju and Dotun Aiyegbusi, located in the Oliver Beach portion of Baltimore County.

In both cases, the variance requests are from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a lot width of 50' in lieu of the required 55'.

Notice of both hearings were given to the public by posting the properties with notice of the hearing date and time on November 22, 2005 and by publication in "The Jeffersonian" newspaper on November 22, 2005. Due to the weather, the hearings were rescheduled to January 17, 2006. Notice of the new hearing date was given to the public by re-posting the properties with notice of the hearing date and time on January 1, 2006.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received by the Department of Environmental Protection and Resource Management (DEPRM) dated December 8, 2005, the Office of Planning dated November 15, 2005, and by the Bureau of Development Plans Review dated November 9, 2005, copies of which are attached here to and made a part hereof.

Date The Police of the Ball

Interested Persons

Appearing at the hearing on behalf of the variance request was Ebenezer Olarewaju, Petitioner of both properties. Rick Richardson attended the hearing from Richardson Engineering, LLC. There were no protestants or interested citizens at the hearing. Peter Max Zimmerman, People's Counsel, entered his appearance in this case.

Applicable Law

Section 307 of the B.C.Z.R. - Variances.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, offstreet parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Testimony and Evidence

These cases involve three (3) adjacent lots, each of which contain 10,000-sq. ft. or 0.230 acres and are zoned DR 5.5. See redline Plats to Accompany, Exhibits 1 and 2, for layout and dimensions. Each is 50 feet wide, while the DR 5.5 regulations require 55 feet lot width. Mr. Richardson testified that these lots were laid out in the Oliver Beach Subdivision, which was recorded among the land records in 1946 as shown by Exhibit 4. There was an existing home on 7313 Chesapeake Road (Lot 255), which the Petitioner has partially razed and rebuilt.

He proposes to build a new house on 7315 (Lot 254) and 7317 (Lot 253) Chesapeake Road. He indicated that both lots are vacant with the exception of an 8 x 8-foot shed on 7317. Each lot

has its own separate deed and tax assessment number. See Exhibit 8. The proposed new houses will meet all zoning regulations. Only the lot width is a problem.

Mr. Richardson noted that the houses next door at 7319 and 7321 are each on 50-foot wide lots. See Photo Exhibit 3A. The home at 7311 is also on a 50-foot wide lot. See Photo Exhibit 3B. Finally, he indicated that the pattern of development along Chesapeake Road is generally one house on 50 foot wide lots as shown in the zoning map in the file and the 1969 sewer plan, Exhibit 7.

Mr. Richardson noted that the prior owner proposed a lot line adjustment (z lot) between lots 253 and 254 in order to build two (2) homes on the two (2) lots as shown on Exhibit 5 without a variance. However, this causes the homes not to be aligned along the road, which the Petitioner believes is not desirable. In contrast even though a lot width variance is required, the configuration shown in Exhibit 3D aligns the homes along the road.

Finally, Mr. Richardson indicated that his client agreed to each of the ZAC comments and that even though the right-of-way for Chesapeake Road would be widened to 40 feet per the Bureau of Development Plans Review comment, this will not require additional variances as the proposed home met the front yard setback requirements.

Findings of Fact and Conclusions of Law

I have no evidence before me that the three (3) lots have been merged from a zoning standpoint. Each has its own separate deed and tax assessment account. The only improvements on either lot are the 8 x 8 shed, which is too small to require a permit. In fact, the prior owners submitted a "z lot" lot line adjustment indicating their desire to build separate homes on the two (2) lots.

In regard to the requested variances, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. These lots were created and recorded long before the DR regulations were imposed on the property. Consequently, I find

and recorded long before the DR regulations were imposed on the property. Consequently, I find the properties unique in a zoning sense as they are affected differently from lots created after the regulations were imposed.

I also find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The Petitioner cannot build the proposed homes unless relief is given. Lot 255, while owned by the Petitioner, is another 50 foot, so that taking land away from this lot will not result in a variance free lot line adjustment. I find that no increase in residential density beyond that otherwise allowable by the Zoning Regulations will occur as a result of granting these variances. Each lot meets the minimum size required by the regulations.

Finally, I find that these variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. The Petitioner has demonstrated that the pattern of development in the neighborhood is one house for each 50 foot lot which is what the Petitioner proposes here.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED, this <u>30</u> day of January, 2006, by this Deputy Zoning Commissioner, that the Petitioner's request in Case Nos. 06-217-A & 06-218-A for variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a lot width of 50' in lieu of the required 55', be and it is hereby GRANTED, subject, however, to the following restrictions which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has

CHOFF RECEIVED FOR FILE.

expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition, and

2. The Petitioner's shall comply with the ZAC comments from the Department of Environmental Protection and Resource Management (DEPRM) dated December 8, 2005, the Office of Planning dated November 15, 2005 and the Bureau of Development Plans Review dated November 9, 2005.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:dlw



JAMES T. SMITH, JR. County Executive

January 20, 2006

WILLIAM J. WISEMAN III Zoning Commissioner

Ebenezer Olarewaju Dotun Aiyegbusi 3607 Langrehr Road Baltimore, Maryland 21244

Re: Petition for Variance

Case Nos. 06-217-A & 06-218-A

Property: 7315 & 7317 Chesapeake Road

Dear Mr. Olarewaju and Mr. Aiyegbusi:

Enclosed please find the decision rendered in the above-captioned case. The petition for Variance has been granted with restrictions in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

for Baltimore County

JVM:dlw Enclosure

e: Rick Richardson, Richardson Engineering, LLC, 110 Old Padonia Road, Suite LC, Cockeysville, MD 21030

Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100,

Annapolis, MD 21401

People's Counsel; Case File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7317 CHESAPEAKE ROAD, BALTIMORE COUNTY which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a par hereof, hereby petition for a Variance from Section(s)

1 B 02.3.C.1 OF THE BCZR TO PERMIT A LOT WIDTH OF 50' IN LIEU OF THE REQIRED 55'

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

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):		
NA			EBENEZER OLAREWAJU		
Name - Type or Print	——————————————————————————————————————		Name - Type or Print	7	
Signature	<u> </u>	, , ,	Signature	- 4 · 4 · · · · · · · · · · · · · · · ·	<u> </u>
Oignataro			DOTUN AIYEGBUSI		
Address	······································	Telephone No.	Name - Type or Print		······
City	State	Zip Code	Signature		
Attorney For Petition	er:				47-12-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2
,			Address		Telephone No.
NA			3607 Langrehr Road	MD	21244
Name - Type or Print	_		City	State	Zip Code
8Ignature			Representative to be	Contacted:	
8Ignature			EBENEZER OLAREWAJU		
Company	·	, ,,,	Name		
Company			3607 Langrehr Road		443-426-0814
Address 9	·	Telephone No.	Address		Telephone No.
			Baltimore	MD	21244
y'y'	State	Zip Code	City	State	Zip Code
T A I			OFFICE USE ONLY		
Case No. Ob	4		ESTIMATED LENGTH OF HEARING		
Case No	·218-A				
		Reviewed By	UNAVAILABLE FOR HEARING Date 10 21 05		
RF \$19/15/98		Masiaman ma		TEXT TO:S	

Zoning Description for 7317 CHESAPEAKE ROAD

Beginning at a point on the south side of Chesapeake Road being 410-feet east of the centerline of Gunpowder Road. Being Lot #253 in the subdivision known as "Oliver Beach" as recorded in Baltimore County Plat Book #13, Folio #123, containing 10,000 square feet. Also known as 7317 Chesapeake Road and located in the 15th Election District, 6th Councilmanic District.

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BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DATE COUNTY AMOUNT S S S S S S S S S S S S S S S S S S S	

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: #06-218-A
7317 Chesapeake Road
South side of Chesapeake
Road, 410 feet east of Gunpowder Road
15th Election District
6th Councilmanic District
Legal Owner(s):
Ebenezer Olarewaju &
Dotun Alyegbusi
Variance: to permit a lot
width of 50 feet in lieu of
the required 55 feet.
Hearing: Friday, Decemtier 9, 2005 at 10:00 a.m.
in Room 407, County
Courts Building, 401
Bosley Avenue, Towson

21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimote County
NOTES: (1) Hearings are
Handicapped Accessible;
for special accommodations Please Contact the
Zoning Commissioner's Office at (410) 887-4386.

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

JT/11/704 Nov22 75917

CERTIFICATE OF PUBLICATION

11,23,20,05
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md., once in each ofsuccessive weeks, the first publication appearing
on $\frac{1}{22}$, $\frac{5005}{2005}$.
The Jeffersonian Arbutus Times
🗖 Arbutus Times
☐ Catonsville Times
Towson Times
☐ Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilkings

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: Co-218 A				
	Petitioner/Developer: ERENEZER			
	OLAREWAJU AND DOTON AIYEGBUSI			
	Date of Hearing/Closing: 12-9-05			
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204				
ATTN: Kristen Matthews {(410) 887-33	94}			
Ladies and Gentlemen:				
This letter is to certify under the penaltic posted conspicuously on the property loca	s of perjury that the necessary sign(s) required by law were sted at:			
7317 ChEST	PEAKE ROAD			
The sign(s) were posted on	11.22-05			
	(Month, Day, Year)			
	Sincerely,			
20NITE MARINE WILLIAM TO THE PARTY OF 218 A	Robert Black (Signature of Sign Poster) (Date) SSG Robert Black (Print Name)			
LACE. HOT BOSED AND TRANSPORT TO THE	1508 Leslie Road			
HATER YOUR DOWN THE PARTY OF TH	(Address)			
	Dundalk, Maryland 21222			

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

7317 CHESADEAKE RD

CERTIFICATE OF POSTING

400

RE: Case No.: CO-218-A

Petitioner/Developer: ELEVEZER

CLAREWAY + IDTUN ACYEGBUSI Date of Hearing/Closing: //17/06 **Baltimore County Department of** Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204 ATTN: Kristen MATThews 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: 7317 ChESAPEARE AVE The sign(s) were posted on (Month, Day, Year) Sincerely, (Signature of Sign Poster) SSG Robert Black (Print Name) BURRING WILL BY HELD HY THE FORME LOSSING ACRES 1508 Leslie Road ing missions. And (Address) MALANCE TO PROMIT A ME WAS IN AN ANT Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940 (Telephone Number)

7317 ChESAPEARE AYE

11/06

TO: PATUXENT PUBLISHING COMPANY

Tuesday, November 22, 2005 Issue - Jeffersonian

Please forward billing to:

Ebenezer Olarewaju 3607 Langrehr Road Baltimore, MD 21244

443-426-0814

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: 06-218-A

7317 Chesapeake Road
South side of Chesapeake Road, 410 feet east of Gunpowder Road
15th Election District – 6th Councilmanic District
Legal Owners: Ebenezer Olarewaju & Dotun Aiyegbusi

Variance to permit a lot width of 50 feet in lieu of the required 55 feet.

Hearing: Friday, December 9, 2005 at 10:00 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 a Development Management

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

November 4, 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: 06-218-A

7317 Chesapeake Road

South side of Chesapeake Road, 410 feet east of Gunpowder Road

15th Election District – 6th Councilmanic District

Legal Owners: Ebenezer Olarewaju & Dotun Aiyegbusi

Variance to permit a lot width of 50 feet in lieu of the required 55 feet.

Hearing: Friday, December 9, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

TK:klm

C: Ebenezer Olarewaju & Dotun Aiyegbusi, 3607 Langrehr Road, Baltimore 21244

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, NOVEMBER 23, 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

Department of Permits and Development Management

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



Baltimore County

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

December 15, 2005

NEW 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: 06-218-A

7317 Chesapeake Road

South side of Chesapeake Road, 410 feet east of Gunpowder Road

15th Election District – 6th Councilmanic District

Legal Owners: Ebenezer Olarewaju & Dotun Aiyegbusi

Variance to permit a lot width of 50 feet in lieu of the required 55 feet.

Hearing: Tuesday, January 17, 2006 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Ebenezer Olarewaju & Dotun Aiyegbusi, 3607 Langrehr Road, Baltimore 21244 Rick Richardson, 110 Old Padonia Rd., Ste. LC, Cockeysville 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JANUARY 2, 2006.

- (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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is ubject 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.

٠,

Revised 2/20/98 - SCJ

Department of Permits Development Management

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



Baltimore County

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

December 5, 2005

Ebenezer Olarewaju Dotun Aiyegbusi 3607 Langrehr Road Baltimore, Maryland 21244

Dear Ebenezer Olarewaju, Dotun Aiyegbusi:

RE: Case Number: 06-216-A, 7317 Chesapeake Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 21, 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,

U. Call Rillal D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

People's Counsel C;



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

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

January 16, 2006

Ebenezer Olarewaju Dotun Aiyegbusi 3607 Langrehr Road Baltimore, Maryland 21244

Dear Ebenezer Olarewaju, Dotun Aiyegbusi:

RE: Case Number: 06-218-A, 7317 Chesapeake Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 21, 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.

U. Callinal D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel



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



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

County Office Building, Room 123 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

NOV. 02, 2005

ATTENTION:

Distribution Meeting of: OCTOBER 24, 2005

Item No.: 204 (-218)

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 site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Insp. PACK
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

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

November 2, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: October 24, 2005

Item No.: 204-218

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.

Lieutenant J.D.Mezick Fire Marshal's Office 410-887-4880 MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: November 9, 2005

Department of Permits & Development

Management

ORK

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 31, 2005

Item No. 218

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. Show the right-of-way for Chesapeake Road centered on existing 30-foot right-of-way. Adjust the setback accordingly.

The flood protection elevation for this site is 11.2 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the county.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 218-11092005.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

R. Bruce Seeley

DATE:

December 8, 2005

SUBJECT:

Zoning Item # 06-218

Address

7317 Chesapeake Road

(Olarewaju Property)

Zoning Advisory Committee Meeting of October 24, 2005

- __X__ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
 - X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

This property lies entirely within the Chesapeake Bay Critical Area and must comply with Limited Development Area regulations. Specifically, impervious surfaces are limited to 25% or up to 31.25% with mitigation. Impervious surfaces include dwellings, sidewalks, driveways, sheds, pools, etc. Must also comply with a minimum tree cover of 15%.

Page 2

Reviewer: M

M. Stauss

Date: November 29, 2005

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gria 12/a

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

DATE: November 15, 2005

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

NOV 2 9 2005

ZOMMO COMPRESSIONER

SUBJECT:

7315 Chesapeake Road

INFORMATION:

Item Number:

6-218 (see case 6-217)

Petitioner:

Ebenezer Olarewaju

Zoning:

DR 5.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

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.
- There shall be no parking pads in the front of the dwellings; driveways should lead directly into any proposed garages.
- 3. Raze or move the existing shed so that it is not to encroach on the adjacent lot.

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

Prepared by:

Division Chief: AFK/LL: CM

W:\DEVREV\ZAC\6-218.doc

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



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

Maryland Department of Transportation

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

RE:

Balt more County

10.31.05

en No. 2/2

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

J. J. Hould

Engineering Access Permits Division

RE: PETITION FOR VARIANCE

7317 Chesapeake Road; S/S Chesapeake Rd,

410' E Gunpowder Rd

15th Election & 6th Councilmanic Districts

Legal Owner(s): Ebenezer Olarewaju &

Dotun Aiyegbusi

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

06-218-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

People's Counsel for Baltimore County

RECEIVED .

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47

Perance !

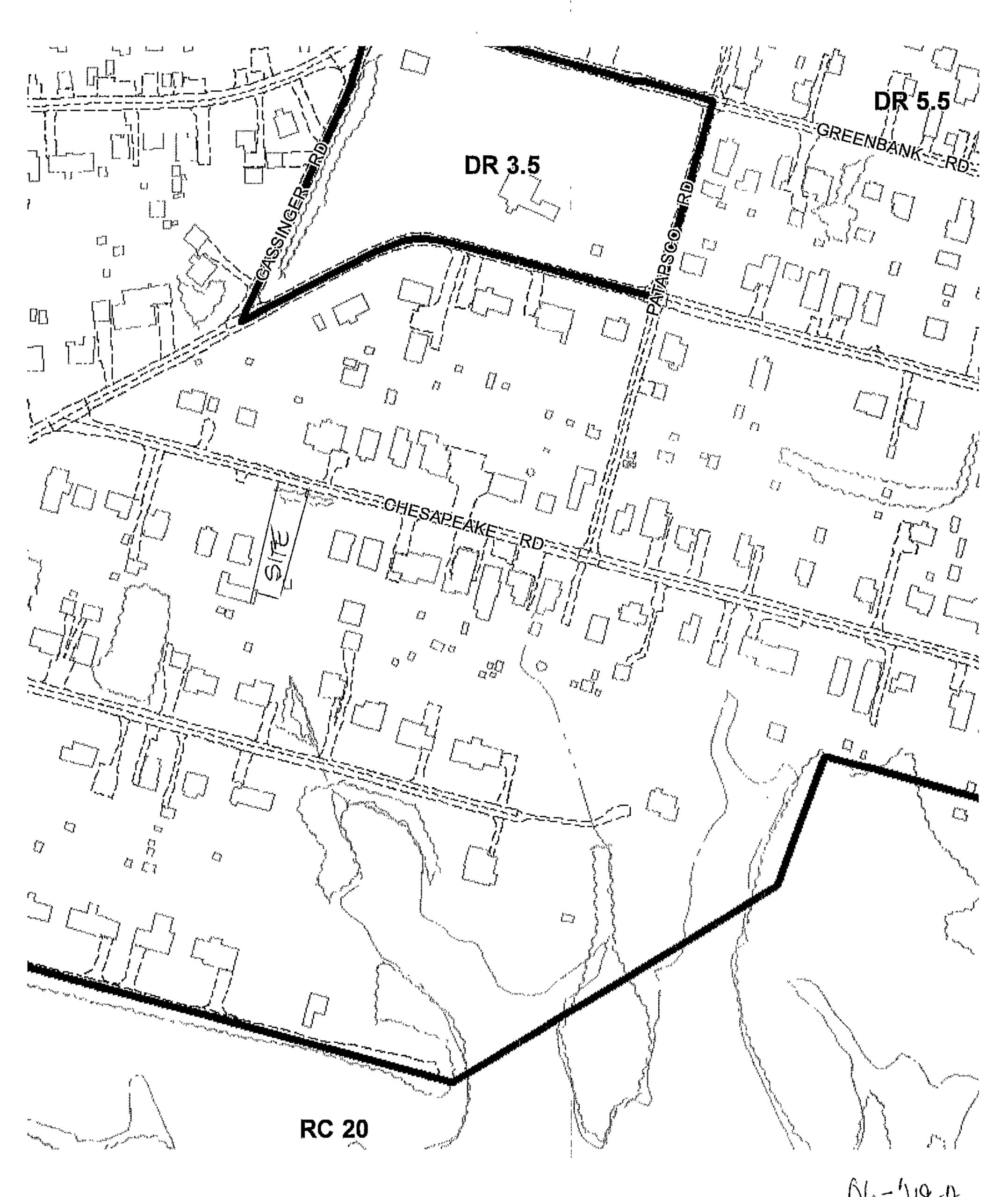
400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of October, 2005, a copy of the foregoing Entry of Appearance was mailed to, Ebenezer Olareqaju, 3607 Langrehr Road, Baltimore, MD 21244, Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



06-218-A 08481

