IN RE: PETITION FOR VARIANCE
Northeast of Thompson Blvd., 425' SE
Of Centerline of Sandalwood Road
15th Election District
7th Councilmanic District
(925 Thompson Boulevard)

John P. and Charlotte C. West Petitioners

- BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 06-383-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by John P. and Charlotte C. West. The variance request is for property located at 925 Thompson Blvd. in the Essex area (Daniel Crook Subdivision) of Baltimore County. The variance request is from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a proposed dwelling with a side building face to tract boundary setback of 10 feet in lieu of the minimum required 15 feet.

The property was posted with a notice of the public hearing date and time on March 6, 2006 and notice was given to the general public by publication in the Jeffersonian Newspaper on March 2, 2006.

Interested Persons

Appearing at the hearing on behalf of the variance request were John P. and Charlotte C. West, Petitioners. There were no protestants or citizens attending the hearing. Peter Max Zimmerman, People's Counsel, entered his appearance in this case.

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Bureau of

Development Plans Review dated February 27, 2006, a copy of which is attached hereto and made a part hereof.

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, off-street 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

The Petitioner's property contains 1.92 acres zoned DR 5.5 and is improved by a single-family dwelling. The Petitioner's propose to build a new two-story home as shown on Exhibit 1 without subdividing the lot. As a result, the Zoning Office required the Petitioner to establish a zoning use division line which would be 10 feet from the existing and proposed homes as shown. Mr. West opined that this arrangement has been approved by the Zoning Office and the County has issued a building permit (No. B599292) for the construction of the new home. Mr. West indicated that he might subdivide the property someday but not now.

Mr. West pointed out that the front of the existing home and proposed home have to be aligned pursuant to the zoning regulations. As such, the proposed building would be skewed with respect to the lot line/tract boundary to the east where a County sewerage pumping station is

located. While the proposed home meets the 15-foot setback requirement for the front of the new home, the rear of the new home would be 10 feet from the tract boundary and the reason for the variance request.

The Petitioners indicated that it was very important for them to have a two-car garage in the proposed home as parking was prohibited on Thompson Boulevard. See Petitioner's photographs, Exhibit 6. The Petitioners intend to live in the new home. They also indicated it was essential, given their age, to have a full bath and potential bedroom on the first floor in addition. Obviously, there also should be a living room on this floor. The combination widths of garage, living room, potential bedroom and full bath require the full 60 feet of width. Said another way, reducing the size of any of those components by 5 feet would make that room impractical.

In addition, the Petitioners pointed out that this lot is within the Chesapeake Bay Critical Area and therefore greatly restricted as to clearing of trees and impervious surface. This means in practice that the Petitioners cannot reshape the building to push the above described rooms to the rear of the lot, as this would clear more trees. Mr. West indicated that this plan had been approved by DEPRM in the configuration shown.

The Petitioners indicated that having a second house on this 1.92 acre lot would not come close to exceeding the density limits of this DR 5.5 zoned property. In fact, 10 homes could theoretically be built on the property.

Finally, the Petitioners noted that there would be no adverse impact on the community if the request is granted as the new home is very much compatible with the neighborhood, most of which is owned by family.

Findings of Fact and Conclusions of Law

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The new home must be aligned with adjacent home and Thompson Boulevard. This means the east wall is skewed with respect to the tract boundary. The proposed home meets the setback regulations in the front but because of the skew not in the rear. I find the property unique in a zoning sense.

I also find strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Reducing the size of any of the rooms on the first floor by 5 feet would be impractical if they are to serve their purpose.

No increase in residential density beyond that otherwise allowable by the Zoning Regulations will result by granting the requested variances as the property has far much area than required for two homes.

Finally, I find this variance can be granted in strict harmony with the spirit and intent of the regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. From the photographs presented the new home will be an asset to the neighborhood.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this <u>37</u> day of March, 2006, that a variance request from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a proposed dwelling with a side building face to tract boundary setback of 10 feet in lieu of the minimum required 15 feet, be and is hereby GRANTED.

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

JOHM V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:dlw

5



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

March 27, 2006

John P. West Charlotte C. West 918 Thompson Boulevard Essex, Maryland 21221

Re: Petition for Variance
Case No. 06-383-A
Property: 925 Thompson Boulevard

Dear Mr. and Mrs. West:

Enclosed please find the decision rendered in the above-captioned case. The petition for Variance has been granted 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

c: Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100, Annapolis, MD 21401 People's Counsel; Case File BCA

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at
which is presently zoned DR5.5

This Petition shall be filed with the Department of Pennits 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)

Section 1801.2.C. 1 of the Baltimore County Regulation B.C.Z.R. To allow a proposal dwelling with a side building face to tract boundary setback of lotting in the View of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Limits: Unique building window, Lot's trapezoidal shape, No off street parking, Reduced Security, Library/In-Law area 1st floor, Second Stairs

Property is to be posted and advertised as prescribed by the zoning regulations.

If 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.

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IN RE: PETITION FOR VARIANCE 925 Thompson Blvd.

N/E of Thompson Blvd. 425.90 ft. E. of Centerline Sandalwood Road 15 Election District 17 Councilmanic District ZONED **DR5.5** Chesapeake Bay Critical Area

John P. & Charlotte C. West Phone (410) 687-3238

Petition for a Variance filed by the legal Owners of the Subject Property (purchased 6/5/1970), John P. and Charlotte C. West. The Variance is requested for Property located at 925 Thompson Blvd. Baltimore County. The Variance is requested from Section 1801.2.C.1.b of the Baltimore County Zoning Regulation (B.C.Z.R.) to permit an East side yard Setback of 10 ft. in lieu of the required 15 ft. for the proposed New Dwelling Permit # B599292. The Subject Property is described on Petitioners' Exhibit No. 1, the plat accompanying the Petition for Variance. It is believed the requested variance would not adversely affect the health, safety, or general welfare of the Public nor change the character of the neighborhood, but enhance the real value of the area.

Reason for requested Variance:

- 1. Keeping within the Spirit & Intent of the Zoning Regulations
- 2. Irregular shaped lot (trapezoidal)
- 3. 1.92 acres Limited building window, 3 dwellings max. in DR5.5 Zone
- 4. Security (Police suggest consistent rear setback)
- 5. Hardship/Difficulty limits:
 - a. Optional library/in-law quarters
 - b. Second stairs
 - c. Reduced garage (no off-street parking area)
 - d. Reduces property potential
- 6. Forest Buffer Restrictions (3 Dwellings per lot)
- 7. D.E.P.R.M. attachment #2 (Request 1B02.3.C.1 be applicable)
- 8. No density increase
- 9. 10 ft. setback typical on Thompson Blvd. (see Zoning map)

Property uniqueness:

- 1. <: 30% clearing, 15% impervious surface
- 2. No physical abnormalities (grade, wetlands)
- Irregular shape lot
- 4. Critical Area
- 5. Defined Forest Buffer (See attachment #2)
- 6. Adjoins Forest Buffer
- 7. Public Water & Sewer
- 8. Purchased June 1970
- 9. No off street Parking (see Attached photo)
- 10. East side approx. 600 feet to adjacent dwelling

3 8 h

Zoning Description

Zoning Description for:

925 Thompson Boulevard

Beginning at a point on the centerline of Thompson Boulevard which is 30 feet wide at a distance of 425 Feet South East of the centerline of the nearest improved intersecting street. Sandalwood Road which is 30 feet wide. Being part of Lot #11 in the Subdivision of Daniel Crook Estates as recorded in 1914, Baltimore County Plat Book #4, Folio 141 containing 1.92 acres. Also known as 925 Thompson Boulevard and located in the 15 Election District. 7 Councilmanic District.

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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: #06-383-A

925 Thompson Boulevard Northeast of Thompson Boulevard, 425 feet southeast of centerline of Sandalwood Road

15th Election District 7th Councilmanic District Legal Owner(s): Charlotte C. & John P. West

Variance: to allow a pro-posed dwelling with a side building face to tract boun-dary setback of 10 feet in lieu of the minimum re-

quired 15 feet. Hearing: Tuesday, March 21, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Ave-nue, 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 Of-fice at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zon-ing Review Office at (410) 887-3391.
3/032 Mar. 2 86018

CERTIFICATE OF PUBLICATION

3 2 ,2006
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 _3 2,2006.
on
The Jeffersonian
🗖 Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
S. William Son

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: OG 383-A

Petitioner/Developer: Charcotte

AND JOHN P. WEST

Date of Hearing/Closing: 3-21-04

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

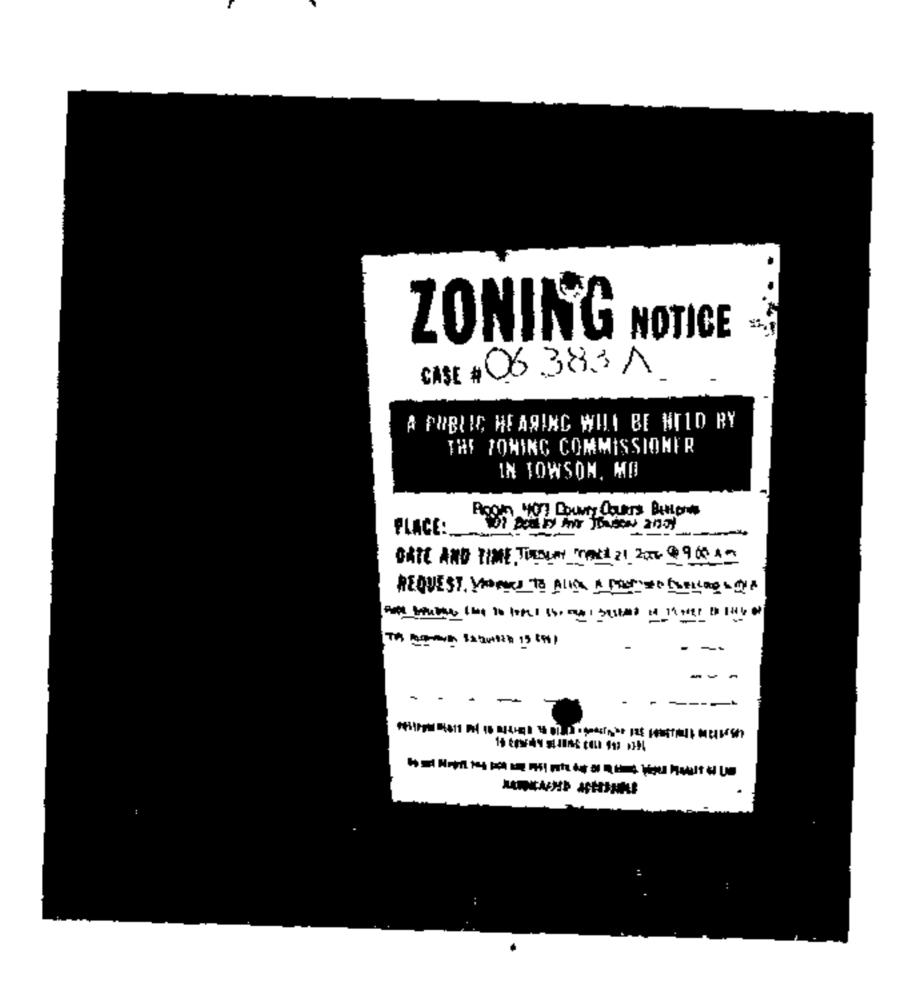
ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlement

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:

| 125 | Thompson | Both
| The sign(s) were posted on | 3-6-06 (Month, Day, Year)

Sincerely,



(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

925 Thompson BLVD

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Item Number or Case Number: 06-3837
Petitioner: M. E. M. West
Petitioner: Ms. Emm, West Address or Location: 925 Thempson Bivd.
PLEASE FORWARD ADVERTISING BILL TO:
Name: Same
Address: 918 Thompson Blvd.
ESSEX Md, 21221
——————————————————————————————————————
Telephone Number: 410~687-3238

Revised 7/11/05 - SCJ



TO: PATUXENT PUBLISHING COMPANY Thursday, March 2, 2006 Issue - Jeffersonian

Please forward billing to:

Mr. & Mrs. John P. West (410-687-3238)

918 Thompson Blvd. Essex, MD 21221

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: 06-383-A

925 Thompson Boulevard

Northeast of Thompson Boulevard, 425 feet southeast of centerline of Sandalwood Road 15th Election District, 7th Councilmanic District

Legal Owners: Charlotte C. & John P. West

Variance to allow a proposed dwelling with a side building face to tract boundary setback of 10 feet in lieu of the minimum required 15 feet.

Hearing: Tuesday, March 21, 2006 @ 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, MD 21204

WILLIAM J. WISEMAN, III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

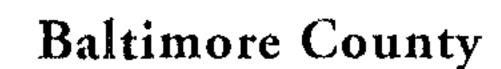
NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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





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

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: 06-383-A

925 Thompson Boulevard

Northeast of Thompson Boulevard, 425 feet southeast of centerline of Sandalwood Road 15th Election District, 7th Councilmanic District

Legal Owners: Charlotte C. & John P. West

Variance to allow a proposed dwelling with a side building face to tract boundary setback of 10 feet in lieu of the minimum required 15 feet.

Hearing: Tuesday, March 21, 2006 @ 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, MD 21204

Timothy Kotroco

Director

TK:raj

c: John & Charlotte West, 918 Thompson Boulevard, Essex, MD 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 6, 2006.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Department of Permits and Development Management

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



Baltimore County

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

March 13, 2006

John P and Charlotte C West 918 Thompson Blvd Essex, Maryland 21221

Dear Mr and Mrs West:

RE: Case Number: 06-383-A, 925 Thompson Blvd

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 6, 2006.

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. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel



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

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: February 27, 2006

TO:

Timothy M. Kotroco, Director

Department of Permits & Development

Management

DAY

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 27, 2006

Item No. \$383**

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 future right-of-way for Thompson Boulevard and modify the set back accordingly.

DAK:CEN:clw cc: File

ZAC-ITEM NO383-02272006.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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Timothy M. Kotroco

FROM:

Jeff Livingston, DEPRM - Development Coordination

DATE:

April 11, 2006

SUBJECT:

Zoning Item

06-383-A

Address

925 Thompson Boulevard

(West Property)

Zoning Advisory Committee Meeting of February 20, 2006 The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item. 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 33-3-101 through 33-3-120 of the Baltimore County Code). Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code). Development of this property must comply with the Chesapeake Bay

Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and

Additional Comments:

All conditions of permit (B599292) approval must be met.

other Sections, of the Baltimore County Code).

Reviewer:

Glenn Shaffer

Date: March 27, 2006





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

February 24,2006

ATTENTION: Zoning Review planners

Distribution Meeting of: February 20, 2006

Item No.: Item Numbers 375 through 386

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

LT. Roland P. Bosley Jr. Fire Marshal's Office PHONE 887-4881 MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

Zoning Advisory Petition(s): Case(s) 6-383- Variance

DATE: February 22, 2006

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Amy Mantay in the Office of Planning at 410-887-3480.

Division Chief:

CM/LL



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

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

Maryland Department of Transportation

Date:

2.17.01

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

RE:

Baltimore County

Item No.

383

225

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

1.1. Hedle

PETITION FOR VARIANCE RE:

925 Thompson Blvd; NE/S Thompson Blvd,

425' SE c/line Sandalwood Road

15th Election & 7th Councilmanic Districts

Legal Owner(s): John & Charlotte West

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

06-383-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

CAROLE S. DEMÍLIO 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 27th day of February, 2006, a copy of the foregoing Entry of Appearance was mailed to, John & Charlotte West, 918 Thompson Blvd, Essex, MD 21221, Petitioner(s).

RECEIVED

FEB 2 / 2000

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

From:

Debra Wiley

To:

Livingston, Jeffrey

Date:

3/20/2006 8:54:12 AM

Subject:

Comments Needed for 3/21 & 3/23 Hearings

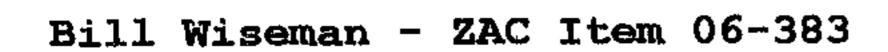
Good morning Jeff,

Jack has two (2) cases this week that are CBCA and we don't have DEPRM comments. Could you get them to us before his hearings.

Case 06-383-A is scheduled tomorrow, 3/21 @ 9 AM (925 Thompson Blvd.)

Case 06-397-SPH is scheduled 3/23 @ 10 AM (4604 Todd Pt. Lane)

Thanking you in advance for your usual cooperation.



From:

Dennis Kennedy

To:

Murphy, John; Wiseman, Bill

Date:

03/21/06 2:37 PM

Subject:

ZAC Item 06-383

Gentlemen:

Mr. West faxed me a revised plan showing the right-of-way requested and the plan, which shows a future 20-foot-wide half right-of-way and a 59' front setback, is OK with me.

Dennis Kennedy

1

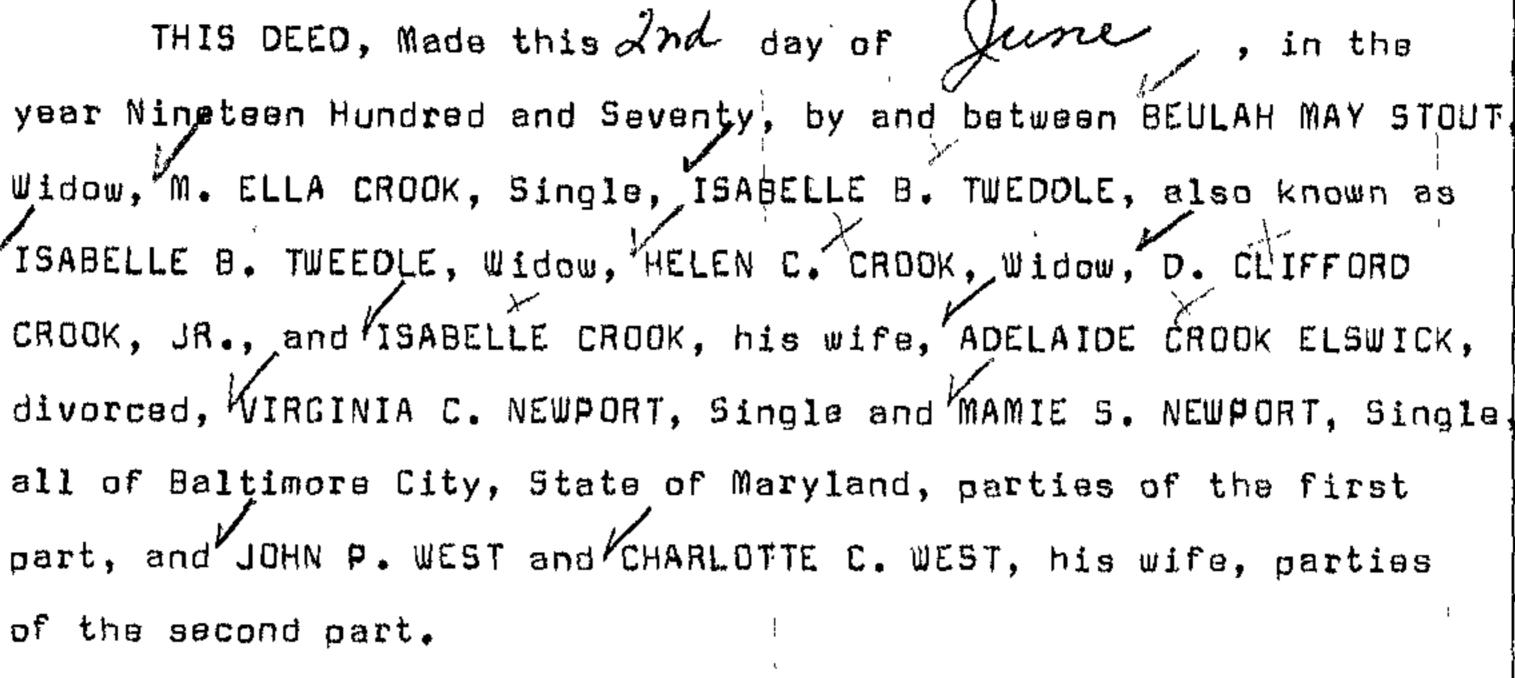
PLEASE PRINT CLEARLY

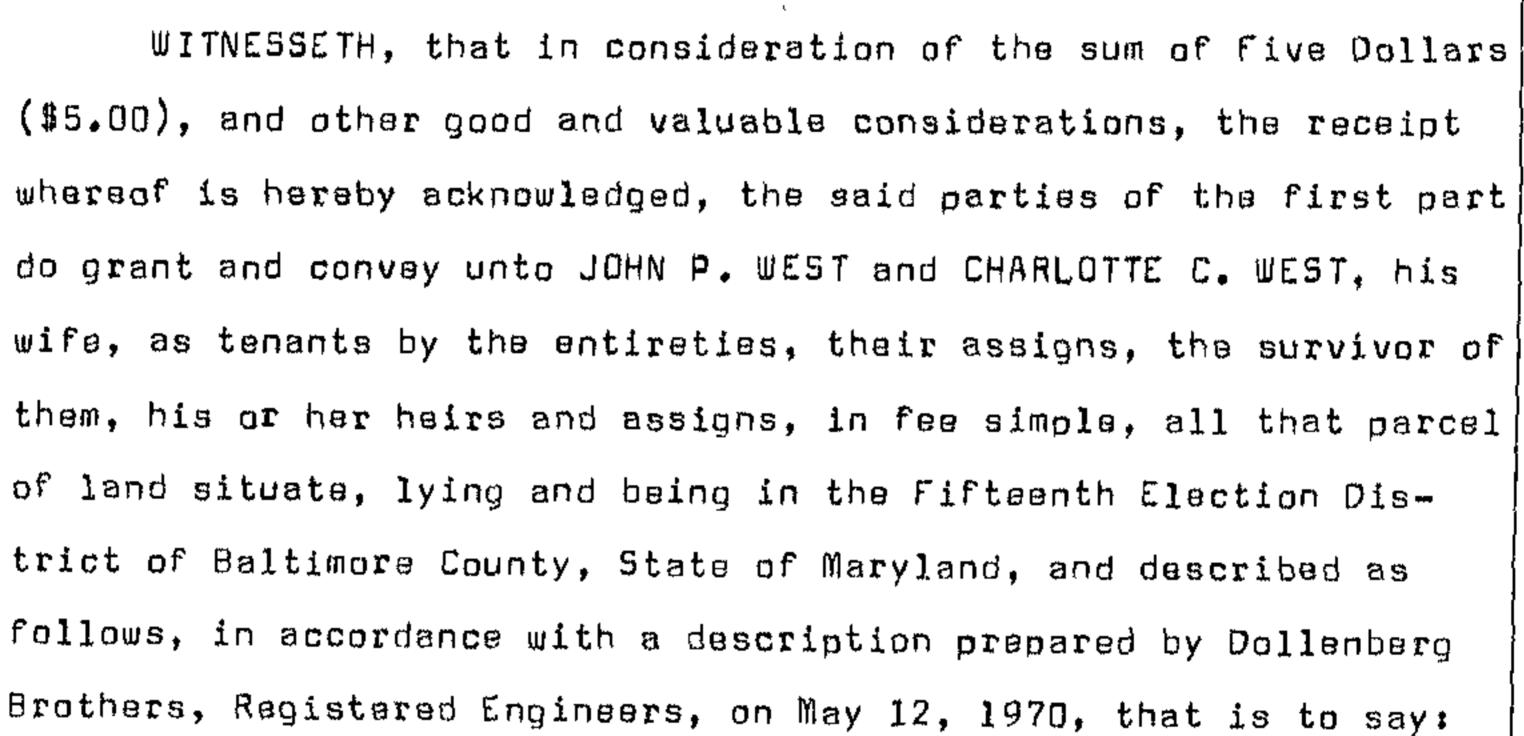
CASE NUMBER
DATE

PETITIONER'S SIGN-IN SHEET

E- MAIL	SOHNWEST QUANS, NET										
CITY, STATE, ZIP	ESSEX MD 21221										
ADDRESS	-918 THOMPSON BLVD.									•	
NAME	SOUND & CHERIOTE C. WEST										

LIBER5098 PAGE049





BECINNING for the same on the center line of Thompson Boulevard at a point distant South 50 degrees 21 minutes East 425.90 feet measured along the centerline of said Boulevard from the intersection formed by the centerline of said Thompson Boulevard with the centerline of Sandalwood Road (formerly known as Crook Road), said point of beginning also being at the division line between lots Nos. 11 and 12 as laid out on the plat of the "Land of Daniel Crook et al", which plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 4 folio 141 and running thence and binding on the centerline of Thompson Boulevard South 50 degrees 21 minutes East 265 feet to the beginning of the third line of the parcel of land firstly described in a deed dated February 27, 1962 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3960 folio 492 which was conveyed by Beulah May Stout, widow et al to the Board of Education of Baltimore County, thence leaving said Boulevard and running with and binding on said third line North 33 degrees 04 minutes East 315 feet to intersect the northeast line of Lot No. .12 as laid out on the aforesaid plat of the "Land of Daniel Crook et al", thence binding on a part of the northeast line of said lot No. 12, North 50 degrees 21 minutes West 265 feet to the aforesaid division line between lots Nos. 11 and 12 as laid out on the aforesaid plat and thence running and binding on said last mentioned division line South 33 degrees 04 minutes West 315 feet to the place of beginning.

Containing 1.904 Acres of land more or lass.

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With Lea

BEING a part of the land which by a deed of Partition dated December 14, 1914 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 438 folio 413 was conveyed by Henry Crook at al to Daniel Crook. The said Daniel Crook departed this life September 13, 1926, testate, and by his Last Will and Testament, recorded in the Office of the Register of Wills of Baltimore County in Wills Liber No. 24, folio 176, he devised and bequeathed all the rest and residue of his real estate in the following manner; one-third to his wife Daisy B. Crook, and two-thirds to his children D. Clifford Crook, A. Rollins Crook, also known as Alexander Rollins Crook, M. Ella Crook, Isabelle 8. Tweddle, also known as Isabelle 8. Tweedle, and his step-daughter Beulah May Tulp. The said Beulah May Tulp subsequently married and is now known as Beulah May Stout, her husband having since died. The said Daisy 8. Crook departed this life intestate on January 22, 1940, leaving as her sole heir at law her daughter Beulah May Stout. The said D. Clifford Crook departed this life August 25, 1950, intestate, leaving as his heirs at law, his widow Helen C. Crook and his two children D. Clifford Crook, Jr. and Adelaide Crook Elswick. The said A. Rollins Crook, also known as Alexander Rollins Crook, departed this life testate on March 31, 1960, and by his Last Will and Testament, a certified copy of which is filed among the records of the Office of the Register of Wills of BaltimoreCounty, devised and bequeathed all his property to his widow Bessie N. Crook. The said Bessie N. Crook departed this life testate on April 8, 1961, and by her Last Will and Testament duly probated in Baltimore City (see Estate Docket 89, folio 276) a certified copy of which has been filed in the Office of the Register of Wills of Baltimore County, devised and bequeathed the residue of her estate, which included the interest in the above de⊷ scribed property, unto her two sisters, Virginia C. Newport and Mamie 5. Newport.

TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every the rights; alleys, ways, waters, privileges, appurtenances and advantages to the same belonging, or in anywise appertaining.

TO HAVE AND TO.HOLD the said lot of ground and premises above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said JOHN P. WEST and CHARLOTTE C. WEST, his wife, as tenants by the entireties, their assigns, the survivor of them, his or her 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 property granted; and that they will execute such further assurances of the same as may be requisite.

LIBER5098 PAGEO51

AS WITNESS the due execution hereof by the aforenamed parties of the first part. TEST: Beulah May Stout (SEAL) Beulah May Stout mello Crook. B. Tweddle (SEAL) 13/3-Yack Mor Also known as Isabelle B. Tweedle (SEAL) Helen C. Crook D. Clifford Crook, Jp/ Crobe (SEAL) adeluide Grook Elswick (mon) (SEAL) Kackmen) Marrie STATE OF MARYLAND, County of WORGESTEN , to wit: I HEREBY CERTIFY that on this 2" day of JUNE the year Nineteen Hundred and seventy, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County |aforesaid, personally appeared D. CLIFFORD CROOK, JR., and ISABELLE CROOK, his wife, and they acknowledged the foregoing Deed to be Atheir act. AS WITNESS my Hand and Notarial Seal.

Notary Public

LIBER 5098 PAGE 052

STATE OF MARYLAND, BALTIMORE COUNTY , to wit:

I HEREBY CERTIFY that on this 28th day of Mand, in the year Nineteen Hundred and Seventy, before me, the subscriber, a Notary Public of the State of Maryland, in and for the aforesaid, personally appeared ADELAIDE CROOK ELSWICK, Divorced, and HELEN C. CROOK, Widow, and they acknowledged the foregoing Deed to be their act.

AS WITNESS my

Ro Notarial Seal.

Notary Public

STATE OF MARYLAND, BALTIMORE COUNTY , to wit:

PUBLIC /

I HEREBY CERTIFY that on this 26 day of Mow, in the year Nineteen Hundred and Seventy, before me, the subscriber, a Notary Public of the State of Maryland, in and for the COUNTY aforesaid, personally appeared VIRGINIA C. NEWPORT and MAMIE S. NEWPORT, both Single, and they acknowledged the foregoing Deed to be their act.

AS WITNESS my Harry and arial Seal.

PUBLIC Deslay Bublic

MORE COUNTY

STATE OF MARYLAND, BALTIMORE COUNTY

, to wit:

I HEREBY CERTIFY that on this 26th day of YYou, , in the year Nineteen Hundred and Seventy, before me, the subscriber, a Notary Public of the State of Maryland, in and for the COUNTY aforesaid, personally appeared M. ELLA CROOK, Single, and ISABELLE B. TWEEDLE, Widow, and they acknowledged the foregoing Deed to be their act.

AS WITNESS my Hand and Notarial Seal.

Notary Public

OHE COUN

NOTARY.

PUBLIC

STATE OF MARYLAND, BALTIMORE County, to wit:

I HEREBY CERTIFY that on this 22 day of May , in the year Nineteen Hundred and Seventy, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared BEULAH MAY STOUT, Widow, and she acknowledged the foregoing Deed to be her act.

AS WITNESS my Hand and Notarial Seal.

Notary Public

Rec'd for record JIIN 5 1970 at 12 18 Per Orwille T. Gosnell. Clerk
Mail to Nesley 5. Slackman
Receipt No. 305 437 82350

Department of Environmental Protection and Resource Management

401 Bosley Avenue, Suite 416 -Towton, Maryland 21204

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Post-II* Fax Note	7671	Deten 9 28-05 pages 4
10 41 West		From Glenn Sha-IFW
Co./Dept.		Co.
Phone 4		Prione 410-387-398
Fax # 4/10-687-	338	Fax#

September 26, 2005

Mr. John West

918 Thompson Boulevard
Baltimore, MD 21221

RE: Permit Application #B599292 for a Single Family Detached Dwelling at 925 Thompson Boulevard

Dear Mr. West:

Environmental impact Review (EIR) received the above referenced permit application for review and approval on July 26, 2005. This predominantly forested, non-waterfront property is in a Limited Development Area (LDA) within the Chesapeake Bay Critical Area (CBCA). Consequently, forest clearing is limited to 30% of the of the forest onsite with a 1.5:1 reforestation requirement for all forest cleared. A fee in lieu of reforestation based on \$0.40 per square foot of reforestation owed (i.e. \$0.60/sq.ft. at 1.5:1 if over 20% clearing) may be paid to Baltimore County. Additionally, impervious surface area is limited to 15% of the 1.9-acre lot (i.e. 12,442 square feet). This impervious would include all roofs, driveways, sidewalks, pools, siteds, etc. for both the existing homesite and the proposed.

Review of the plan accompanying the parmit application revealed that constructing the proposed house would result in two houses on one lot with a "use division line" allowed by Baltimore County Zoning Regulations and may exceed the forest clearing limit. In order for EIR to continue processing your permit application, the plan accompanying this application must be revised to address the terms on the enclosed checklist. Moreover, a limit of disturbance resulting in no more than 30% forest clearing shown with the remaining forest retained in a Critical Area Easement. Additionally, this Critical Area Easement, along with a Declaration of Protective Covenants restricting use of this casement, must be recorded as exhibits to the deed of the logs). The recordation package must be approved by this Department prior to our approval of the permit application.

Once the revised plan is approved by EIR, five copies of this plan would have to be submitted to Permits and Development Management. It is suggested that you also submit one copy directly to EIR for review and approval at the address shown on the letterhead in order to expedite our review. If you chose to pay a fee in lieu of

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

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Printed on Recycled Paper

Let It

Mr. John West 925 Thompson Boulevard September 26, 2005 Page 2

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reforestation, any check must be made payable to Haltimore County and received by EIR prior to our release of the permit application.

If there are any questions regarding these requirements, please contact me at (410) 887-3980.

Sincerely,

Glenn Shaffer, Supervisor Environmental Impac Review

Enclosure

925ThompsomDivdpmt.doc/shcis/gloup

Plat To Accompany Petition For Variance

Appeal Date Permit #B599292

Property Address: Proposed 925 Thompson Boulevard

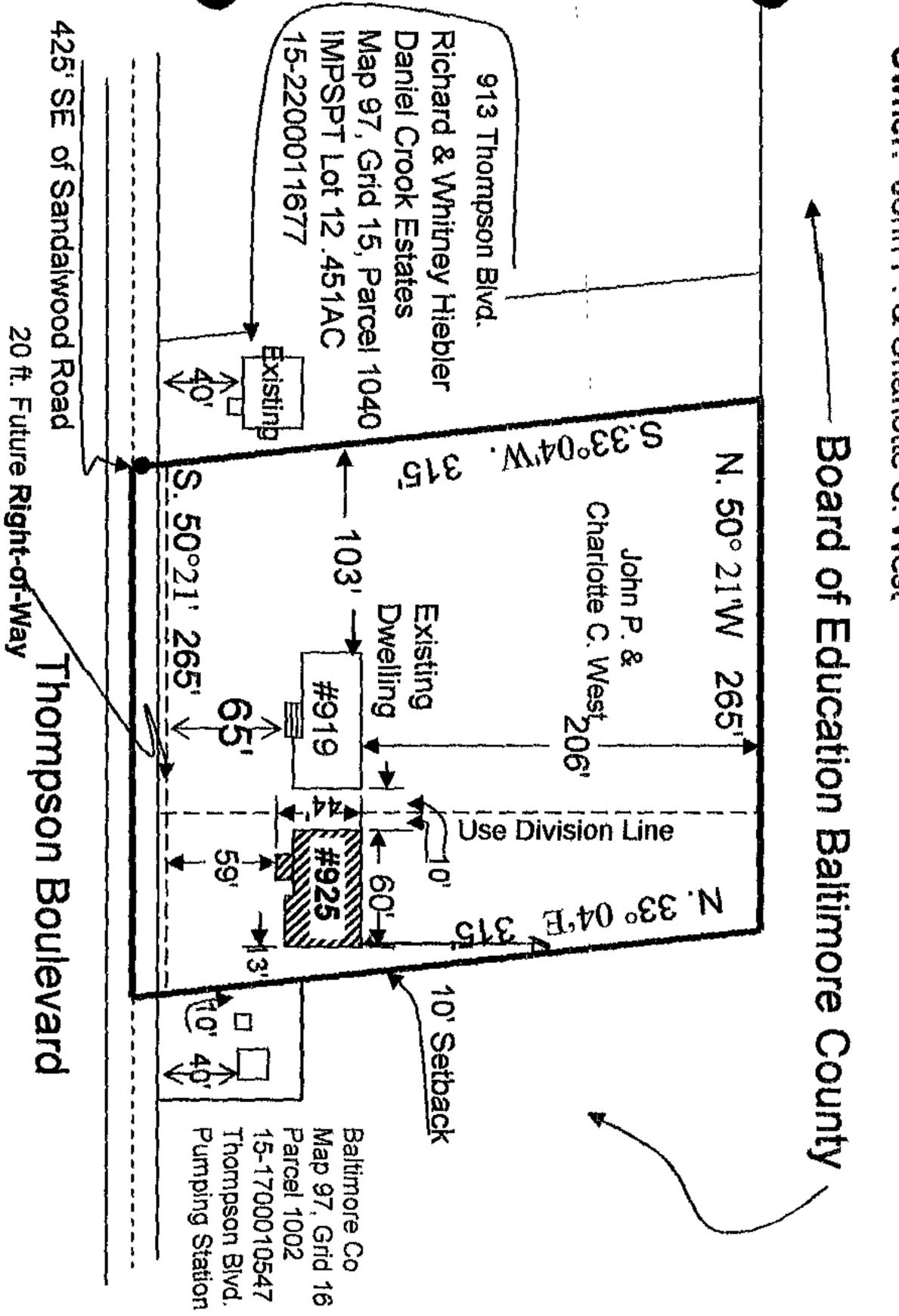
Subdivision: Daniel Crook Property Dated 1914

Lot 11, Group 82, Plat Ref. 4/141

83,635 Sq. Ft. 1.92 AC

Map 97, Grid 16, Parcel 333 Tax account 1503670170

Owner: John P. & Charlotte C. West



Prepared

By JPW

Scale

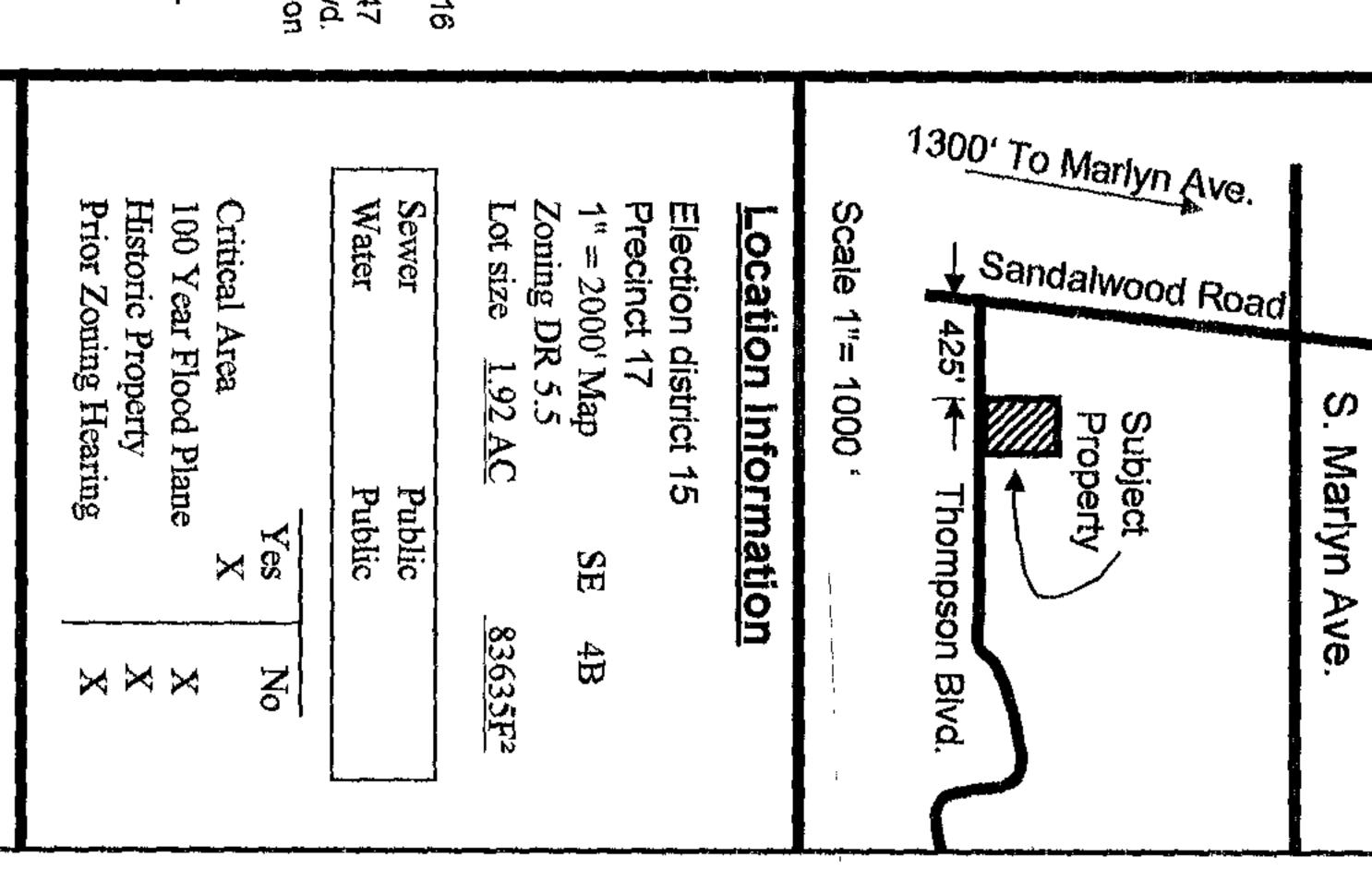
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Reviewed By

item#

Zoning

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


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