

IN RE: PETITION FOR VARIANCE
East Side of Worton Road, 200' N
Centerline of Sassafras Road
15th Election District
6th Councilmanic District
(337 Worton Road)

John Rodgers
Legal Owner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-392-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by John Rodgers, Legal Owner, of the subject property. The variance request is for property located at 337 Worton Road in the Middle River area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an existing single-family dwelling with a minimum lot width of 50 feet in lieu of the required 70 feet to permit a side yard setback of 10 feet and a sum of side yards of 20 feet in lieu of the required 15 feet and 25 feet respectively.

Interested Persons

Appearing at the hearing on behalf of the variance request were John Rogers, and Buck Jones, who prepared the site plan. There were no protestants or citizens at 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 comments was received by the Office of Planning dated March 20, 2006, a copy of which is attached hereto and made a part hereof.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

ORDER RECEIVED FOR FILING
Date 4-5-06
By [Signature]

"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

Mr. Jones indicated that the subject property is lot 137 of the Middleborough subdivision which was recorded in the land records in the 1920's. This waterfront lot is 50 feet wide zoned DR 3.5 as shown in exhibit 1. The property is presently improved by the one story cottage and shed which the Petitioner has owned since 1971. The home, which was built in 1933, has had minimum improvements over the years. See photographs of the cottage exhibit 2A. Finally the location survey from 1975, exhibit 3, shows the existing footprint of the house is somewhat skewed with respect to the property lines and significantly is only 4 feet from the Collins property to the south. There is no land available on either side to widen the lot so as to meet the 70 foot width requirement.

The Petitioner would like to raze the shed and cottage erecting a new home more centrally located on the lot. By doing so he proposes a new home in keeping with the neighborhood which is 30 feet wide. This leaves 10 feet on each side and the sum of the side yard setbacks 20 feet rather than the 25 feet required. By centering the new home on the lot the Petitioner is able to keep enough room between the house and the property lines on each side of the house to allow

ORDER RECEIVED FOR FILING
Date 4-5-00
By [Signature]

emergency personnel and equipment room to access Norman Creek. The new home gives the neighbor on the south greater space between houses.

Mr. Rodgers testified that if the new house were reduced to 25 feet wide to meet the sum of the side yard regulations, he would lose an internal access hallway which separates the rooms thereby greatly reducing privacy and function. He considered another option of eliminating the garage but rejected this approach as impractical in this modern world.

He further indicated that he spoke to his neighbors on each side who did not object to replacing the existing cottage as proposed.

Findings of Fact and Conclusions of Law

I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. First the existing cottage is skewed with respect to the lot lines such that the road side corner is 4 feet from the side lot line while the water side corner is 6 feet from the lot line. This is a very peculiar arrangement. In addition the lot was recorded among the land records many years before the DR 3.5 zoning was imposed. Consequently I find the property unique from a zoning standpoint.

I also find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The Petitioner would lose the privacy and function which the center hall will provide. In addition there is no land available either side to increase the width of the lot.

No increase in residential density beyond that otherwise allowable by the Zoning Regulations will result by granting these variances as there already is a dwelling on the lot.

Finally, I find these variances can be granted in strict harmony with the spirit and intent of said regulations, and only in a manner as to grant relief without injury to the public health, safety and general welfare. The house will be compatible with other new homes on Norman Creek. I

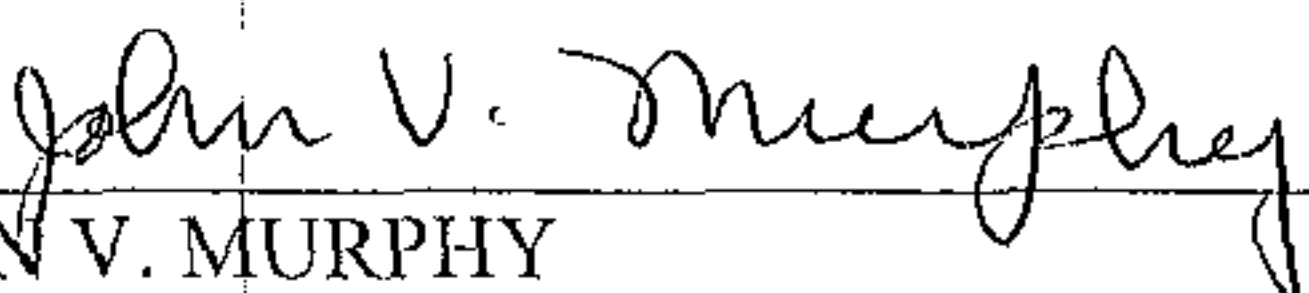
particularly note that the by centering the new home on the lot the Petitioner is able to keep enough room between the house and the property lines on each side to allow emergency personnel and equipment room to access Norman Creek. This is a substantial improvement over what is there now.

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 5 day of April, 2006, that the variance request from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an existing single-family dwelling with a minimum lot width of 50 feet in lieu of the required 70 feet to permit a side yard setback of 10 feet and a sum of side yards of 20 feet in lieu of the required 15 feet and 25 feet respectively, be and are hereby GRANTED subject to the following conditions:

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 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.
2. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING
Date 4-5-06
By [Signature]



JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

April 5, 2006

John Rodgers
337 Worton Road
Baltimore, Maryland 21221

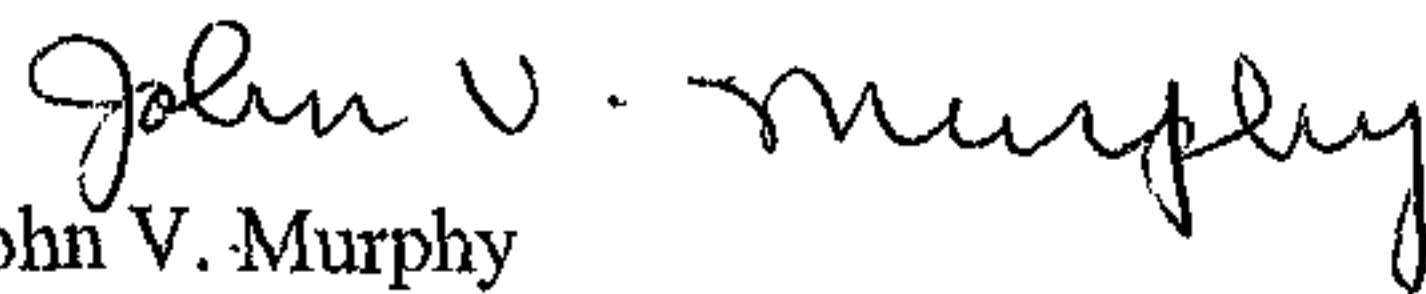
Re: Petition for Variance
Case No. 06-392-A
Property: 337 Worton Road

Dear Mr. Rodgers:

Enclosed please find the decision rendered in the above-captioned case. The petition for Variance has been granted with conditions 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: Buck Jones, 500 Vogts Lane, Baltimore, MD 21221
Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100,
Annapolis, MD 21401
People's Counsel; ~~Case File~~

FP
CBCA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 337 Worton Road

which is presently zoned DR 3.5

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)

1B02.3.C.1, BCZR to permit an existing single-family dwelling with a minimum lot width of 50 ft. in lieu of the required 70 ft., to permit a side yard setback of 10 ft. and a sum of side yards of 20 ft. in lieu of the required 15 ft. and 25 ft., respectively.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) This property has been a lot of record for many years. Mr. Rodgers has owned this property for over 35 years. The existing home is over 70 years old and is not structurally sound. Due to the width of the property strict compliance would be unreasonable to prevent the use of the property for a permitted purpose. This would cause the applicant not to be able to secure a reasonable return of his property. The hardship is not the result of applicants own action. The applicant does not nor ever has owned adjacent property.

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):

John Rodgers

Name - Type or Print

Signature

Name - Type or Print

Signature

337 Worton Road

1-301-424-2980

Address

Telephone No

Baltimore, MD

21221

City

State

Zip Code

Representative to be Contacted:

Buck Jones

Name

500 Vogts Lane

410-574-9337

Address

Telephone No

Baltimore, MD

21221

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

BK

Date

2/13/06

ORDER RECEIVED FOR FILING

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

Case No.

06-392-A

2009/11/15/08

ZONING DESCRIPTION FOR 337 WORTON ROAD

BEGINNING AT A POINT ON THE EAST SIDE OF WORTON ROAD WHICH IS 30' WIDE AT THE DISTANCE OF 1,170 SOUTH OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET MIDDLEBOURGH ROAD WHICH IS 40' WIDE. *BEING LOT # 137 IN THE SUBDIVISION OF MIDDLEBOURGH ROAD AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 4, FOLIO # 191, CONTAINING 15372 / .353. ALSO KNOWN AS 337 WORTON ROAD AND LOCATED IN THE 15 ELECTION DISTRICT, 6 COUNCILMANIC DISTRICT.

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: #06-382-A

337 Worton Road

East side of Worton Road, 200 feet north centerline of Sassafras Road

15th Election District — 6th Councilmanic District

Legal Owner(s): John Rodgers

Variance: to permit an existing single-family dwelling with a minimum lot width of 50 feet in lieu of the required 70 feet, to permit a side yard setback of 10 feet and a sum of side yards of 20 feet in lieu of the required 15 feet and 25 feet, respectively.

Hearing: Wednesday, April 6, 2006 at 9:00 a.m., 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) 887-3868.

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

JT 3/710 Mar. 21

88341

CERTIFICATE OF PUBLICATION

3/23/2006

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 3/21/2006.

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

J. Wilkinson

LEGAL ADVERTISING

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **4249**

DATE _____ ACCOUNT _____

AMOUNT \$ 61.00

RECEIVED FROM: _____

FOR: _____

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID

FOR

THE

UNITED STATES OF AMERICA

PER ORDER OF

THE BALTIMORE COUNTY COMPTROLLER

IN THE SUM OF

SIXTY AND NO/100 DOLLARS

FOR

BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: Kristen Mathews

DATE: 3/22/06

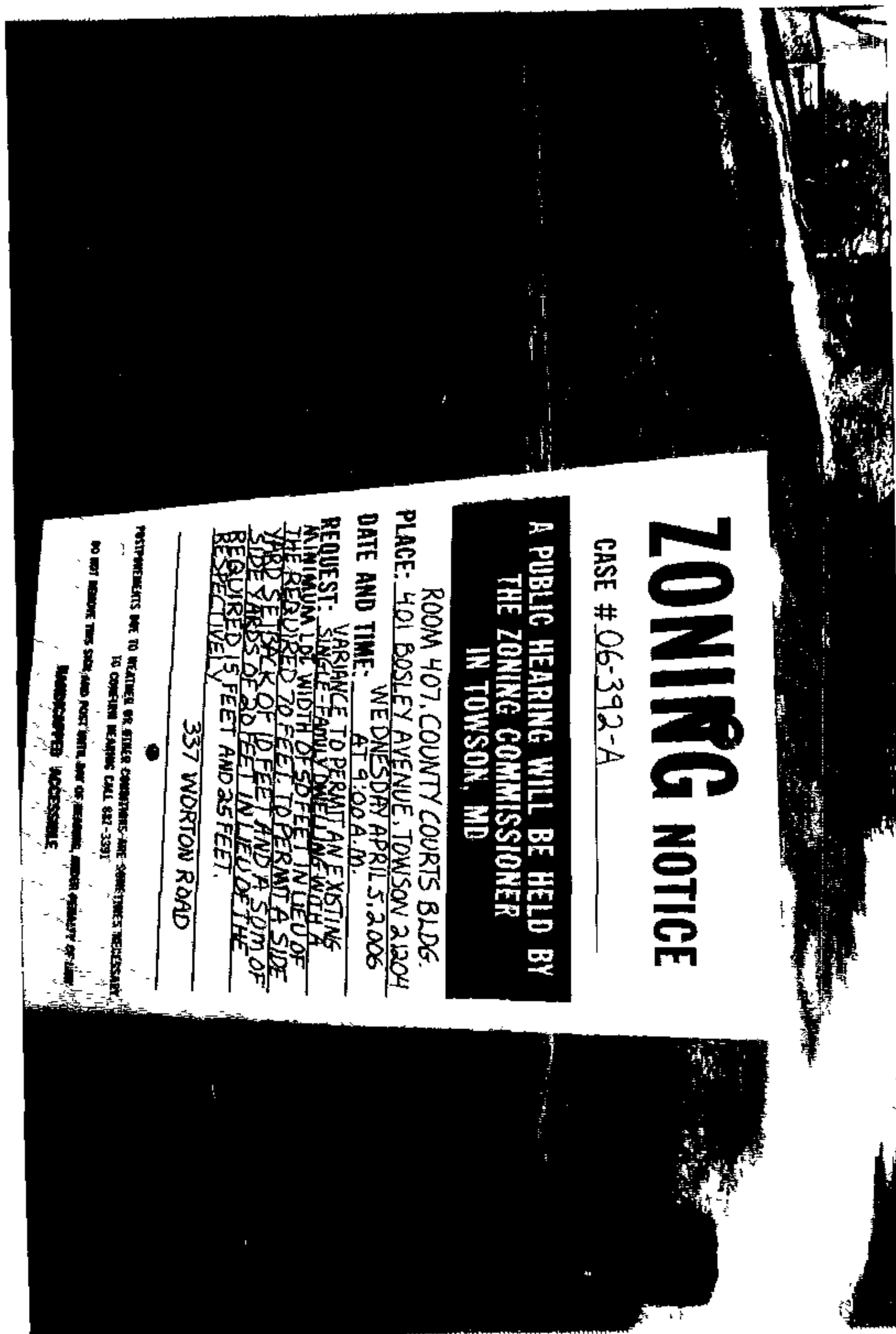
Case Number: 06-392-A

Petitioner/Developer: JOHN RODGERS---BUCK JONES

Date of Hearing (Closing): 4/05/06

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: 337 WORTON ROAD

The sign(s) were posted on: 3/19/06



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)

**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: 06 - 392 - A

Petitioner: John Rodgers

Address or Location: 337 Worton Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: John Rodgers

Address: 125 Evans Street

Rockville, MD 20850

Telephone Number: 1-301-424-2980

Revised 2/20/98 - SCJ

**Department of Permits and
Development Management**



Baltimore County

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

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

February 24, 2006

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: 06-392-A

337 Worton Road

East side of Worton Road, 200 feet north centerline of Sassafras Road

15th Election District—6th Councilmanic District

Legal Owner: John Rodgers

Variance to permit an existing single-family dwelling with a minimum lot width of 50 feet in lieu of the required 70 feet, to permit a side yard setback of 10 feet and a sum of side yards of 20 feet in lieu of the required 15 feet and 25 feet, respectively.

Hearing: Wednesday, March 22, 2006 @ 11:00 a.m., Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

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

Timothy Kotroco
Director

TK: raj

C: John Rodgers, 125 Evans Street, Rockville, MD 20850
Buck Jones, 500 Vogts Lane, Baltimore, MD 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 7, 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.

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



Cancelled
W/ "Jeff", S. Wiseman 4:20 P.M.
3/3/06

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 7, 2006 Issue - Jeffersonian

Please forward billing to:
John Rodgers (1-301-424-2980)
125 Evans Street
Rockville, MD 20850

3/21/06
ad
change to

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: 06-392-A

337 Worton Road

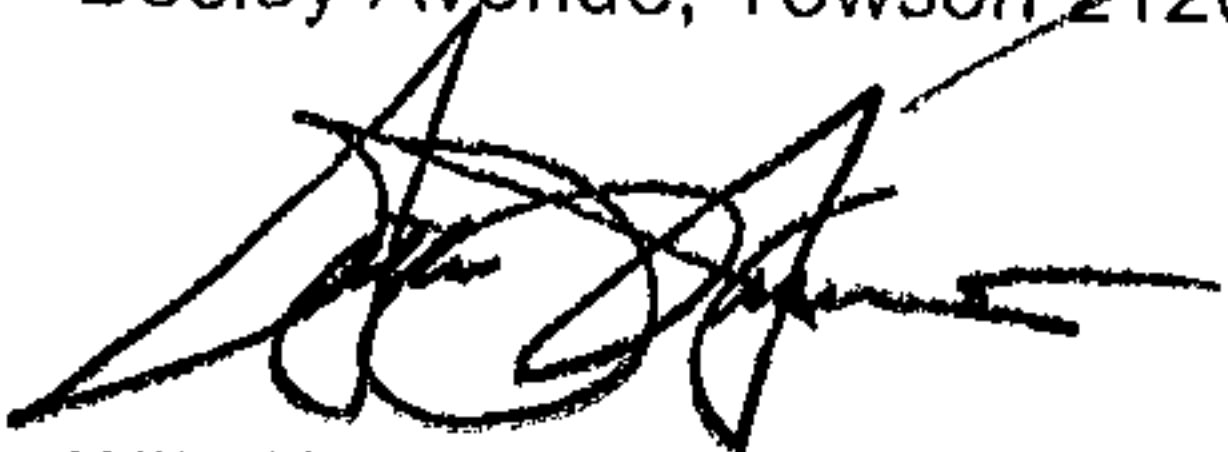
East side of Worton Road, 200 feet north centerline of Sassafra Road

15th Election District—6th Councilmanic District

Legal Owner: John Rodgers

Variance to permit an existing single-family dwelling with a minimum lot width of 50 feet in lieu of the required 70 feet, to permit a side yard setback of 10 feet and a sum of side yards of 20 feet in lieu of the required 15 feet and 25 feet, respectively.

Change to: 4/5/06 @ 9:00am
Hearing: Wednesday, March 22, 2006 @ 11:00 a.m., 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 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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

March 6, 2006

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: 06-392-A

337 Worton Road
East side of Worton Road, 200 feet north centerline of Sassafras Road
15th Election District—6th Councilmanic District
Legal Owner: John Rodgers

Variance to permit an existing single-family dwelling with a minimum lot width of 50 feet in lieu of the required 70 feet, to permit a side yard setback of 10 feet and a sum of side yards of 20 feet in lieu of the required 15 feet and 25 feet, respectively.

Hearing: Wednesday, April 5, 2006 @ 9:00 a.m., Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK: raj

C: John Rodgers, 125 Evans Street, Rockville, MD 20850
Buck Jones, 500 Vogts Lane, Baltimore, MD 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 21, 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.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 21, 2006 Issue - Jeffersonian

Please forward billing to:
John Rodgers (1-301-424-2980)
125 Evans Street
Rockville, MD 20850

NOTICE OF ZONING HEARING

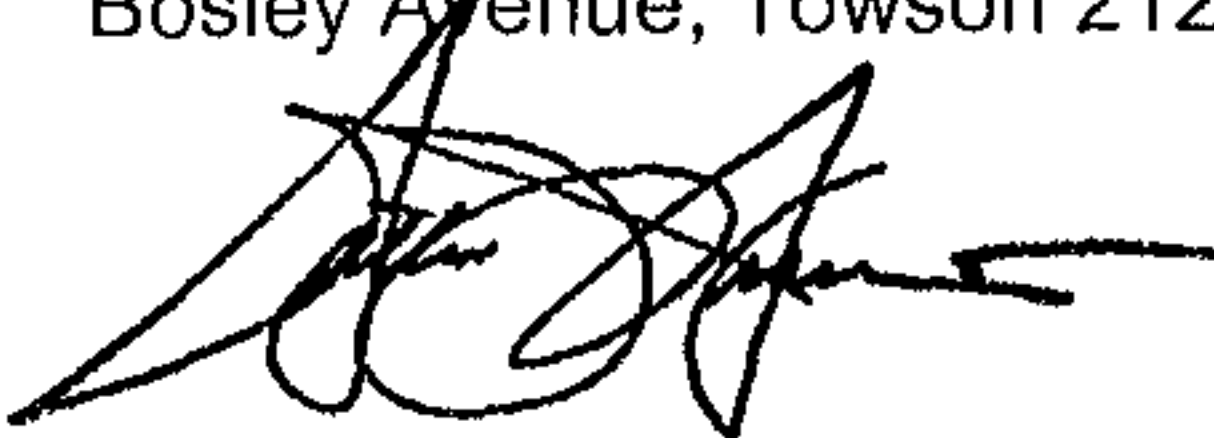
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 06-392-A

337 Worton Road
East side of Worton Road, 200 feet north centerline of Sassafras Road
15th Election District—6th Councilmanic District
Legal Owner: John Rodgers

Variance to permit an existing single-family dwelling with a minimum lot width of 50 feet in lieu of the required 70 feet, to permit a side yard setback of 10 feet and a sum of side yards of 20 feet in lieu of the required 15 feet and 25 feet, respectively.

Hearing: Wednesday, April 5, 2006 @ 9:00 a.m., 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 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**Department of Permits and
Development Management**

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 30, 2006

John Rodgers
337 Worton Road
Baltimore, MD 21221

Dear Mr. Rodgers:

RE: Case Number: 06-392-A, 337 Worton Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 13, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Buck Jones 500 Vogts Lane Baltimore 21221

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



RECEIVED
APR 6 1946
U.S. DEPT. OF AGRICULTURE
WASHINGTON, D.C.

21
AL.
24

Jm
4/5

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 20, 2006

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

SUBJECT: 337 Norton Road

INFORMATION:

Item Number: 6-392

Petitioner: John Rodgers

Zoning: DR 3.5

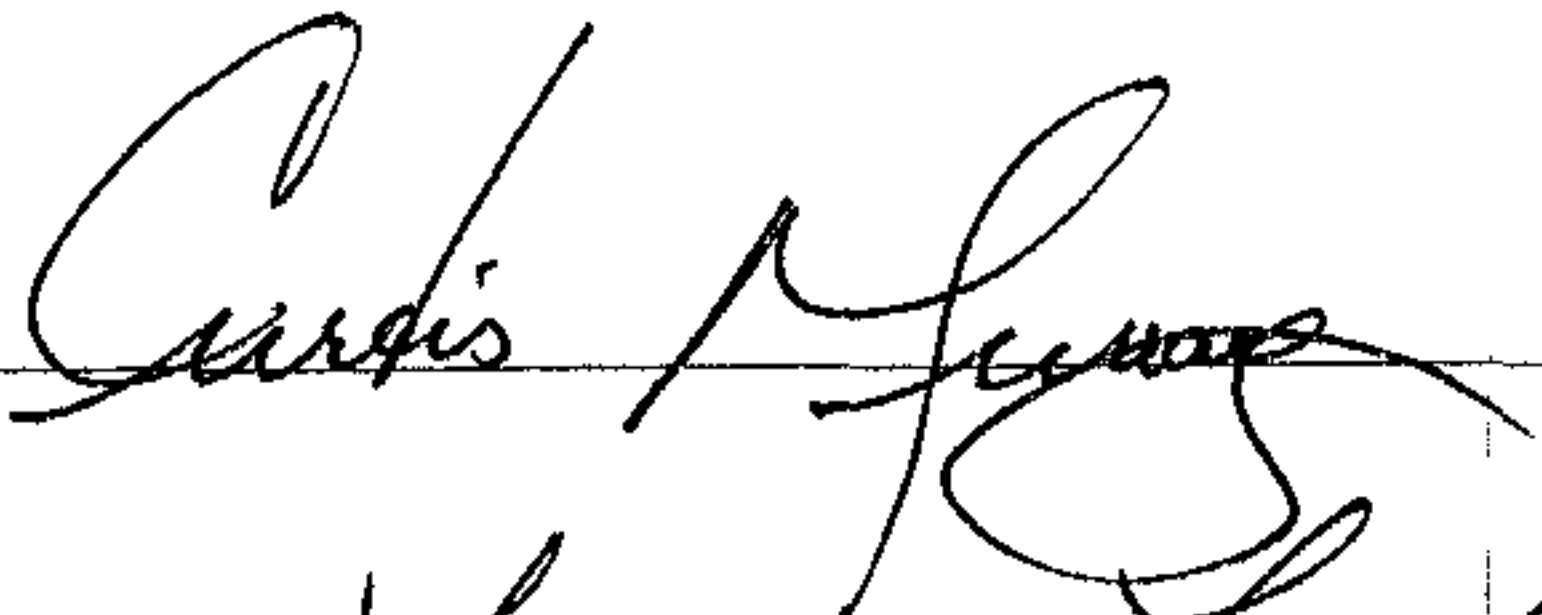
Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

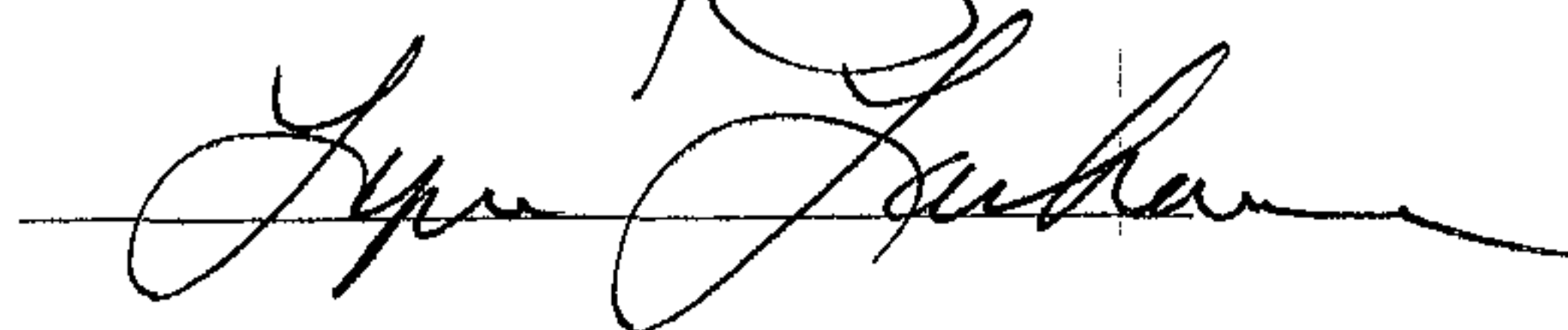
The Office of Planning has reviewed the subject request and has determined that the petitioner does not own sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. Additionally, there appears to be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

For further information concerning the matters stated here in, please contact Laurie Hay at 410-887-3480.

Prepared by:



Division Chief:
AFK/LL: CM



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

APR 11 2006

2006 APR 11 10:00 AM

TO: Timothy M. Kotroco
FROM: Jeff Livingston, DEPRM - Development Coordination
DATE: April 6, 2006
SUBJECT: Zoning Item # 06-392-A
Address 337 Worton Road
(Rodgers Property)

Zoning Advisory Committee Meeting of February 27, 2006

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 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).

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:

Buffer Management Area and Impervious Surface regulations must be met in the redevelopment of this lot.

Reviewer: Glenn Shaffer

Date: March 27, 2006

Order
for
5/06



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

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

Maryland Department of Transportation

Date: 2.28.04

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

RE: Baltimore County
Item No. 392 BPR

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For March 6, 2006
Item Nos. 387, 388, 389, 390, 391, 392,
393, 394, 395, 396, 398, 399, 401, 402, 403
404, 405, and 406

DATE: March 7, 2006

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-03072006

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

6-222

County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

February 28, 2006

ATTENTION: Zoning Review planners

Distribution Meeting of: February 27, 2006

Item No.: 387, 388, 389, 390, 391, 392, 394, 395, 396, 397, 398, 399, 400,
401, 402, 403, 404, 405 and 406

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
Fire Marshal's Office
Phone (O) 410-887-4881
Mail Stop - 1102F

cc: File

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



Printed on Recycled Paper

RE: PETITION FOR VARIANCE
337 Worton Road; E/S Worton Rd, 200' N
c/line Sassafras Road
15th Election & 6th Councilmanic Districts
Legal Owner(s): John Rodgers
Petitioner(s):

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* .06-392-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 2nd day of March, 2006, a copy of the foregoing Entry of Appearance was mailed to, Buck Jones, 500 Vogts Lane, Baltimore, MD 21221, Representative for Petitioner(s).

RECEIVED

MAR 02 2006

Per *[Signature]*

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

4/5/06

06-392-A

Notice ok
Buck Jones

Pet #1

Plot to Acc

waterfront

lot

Middlebarger Selders
1920 recorded

- in Family since 1971

- no other property

home 1933 - min improvements

Pet #2

Plots

2A - pet home

2B Horton Rd

2C

2D Shed

2E

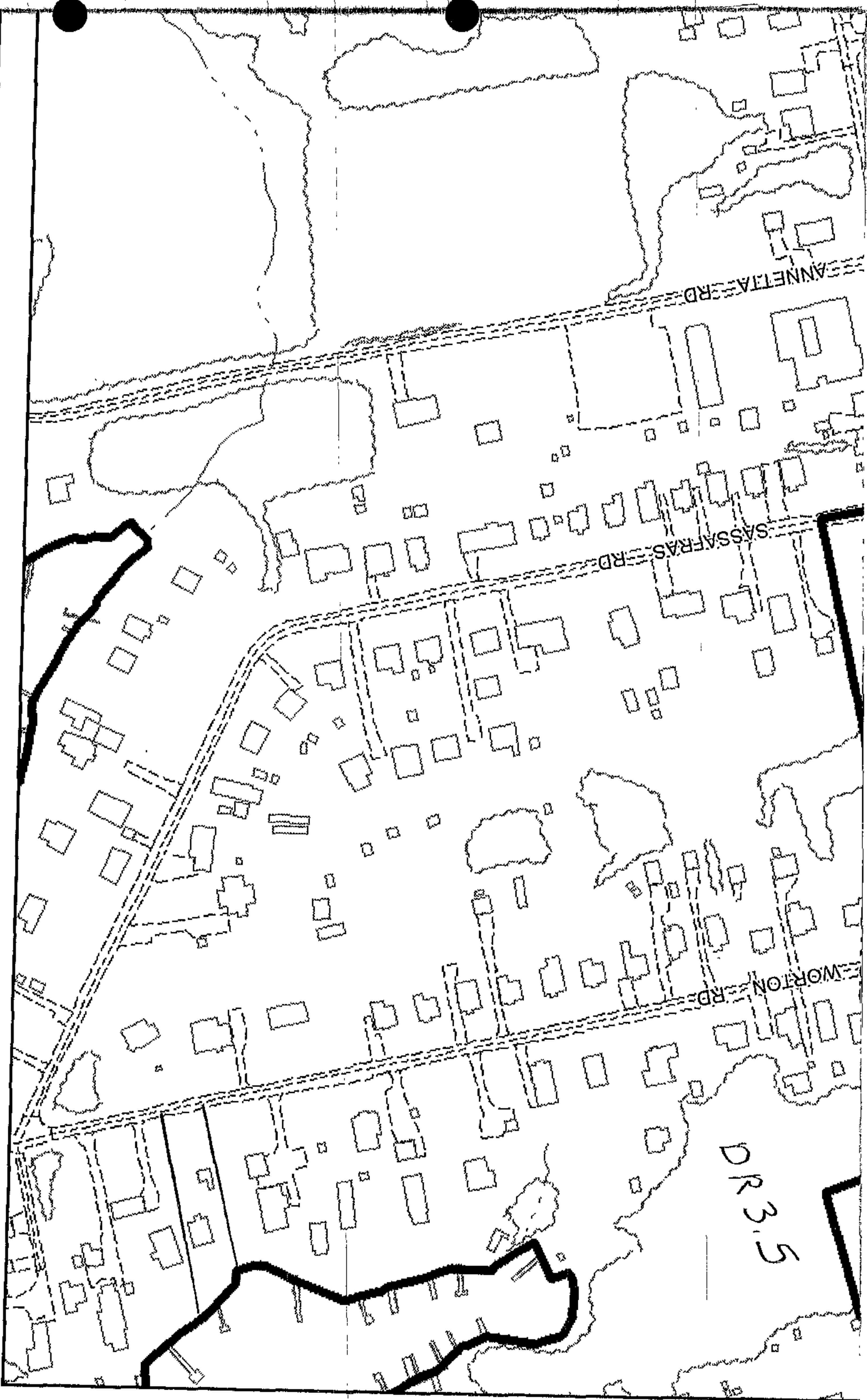
- existing setback

[illegible]

DATE _____

E-MAIL

FREE STATE HOMES & CONCRETE



DR 3.5

Scale

1" = 200'

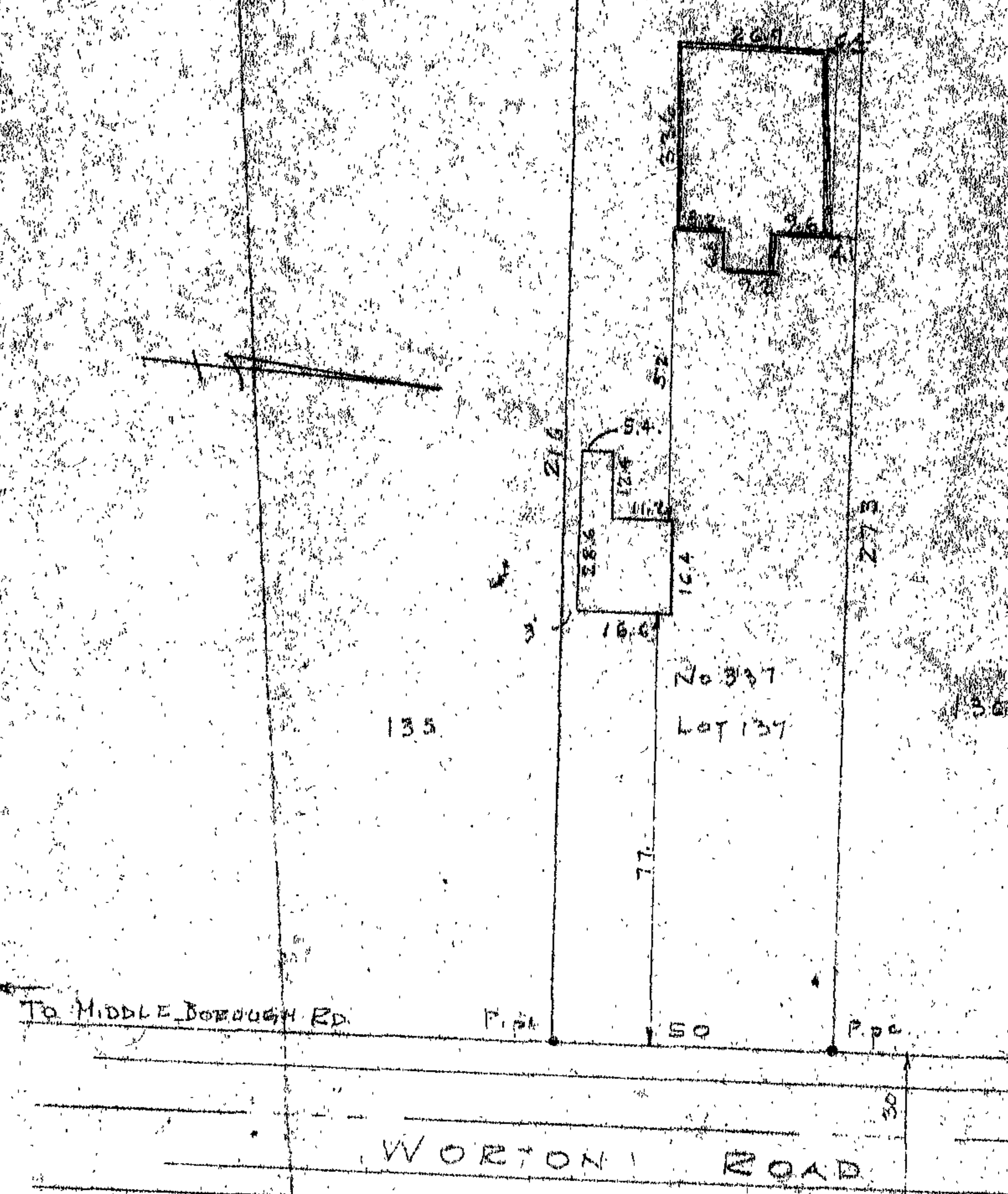


090C3	091A3	091B3
097C1	098A1	098B1
097C2	098A2	098B2

Application:

Data Sources:
 Planimetric Data - Baltimore County
 OIT/GIS Services Unit
 1:2400, from 1995/96 photography
 Zoning - Baltimore County Office of Planning
 1:2400, 2004

NO. 337



DEED 5050/605
Plat A 4/191

SCALE 1" = 30'

PROPERTY SURVEY
LOT 137 - MIDDLEBOROUGH
WORTON ROAD - No. 337
DISTRICT
BALTIMORE COUNTY, MD.



MAY 30, 1975
EDWARD V. COONAN & CO.
CIVIL ENGINEERS & SURVEYORS
1209 E 36TH STREET
BALTIMORE 21, MARYLAND
21218

E 5009

Ref #3



STANDING ON WORTON ROAD LOOKING EAST AT PROPOSED PROPERTY.

#3

2A



STANDING ON WORTON ROAD IN FRONT OF PROPOSED PROPERTY
LOOKING SOUTH.

23



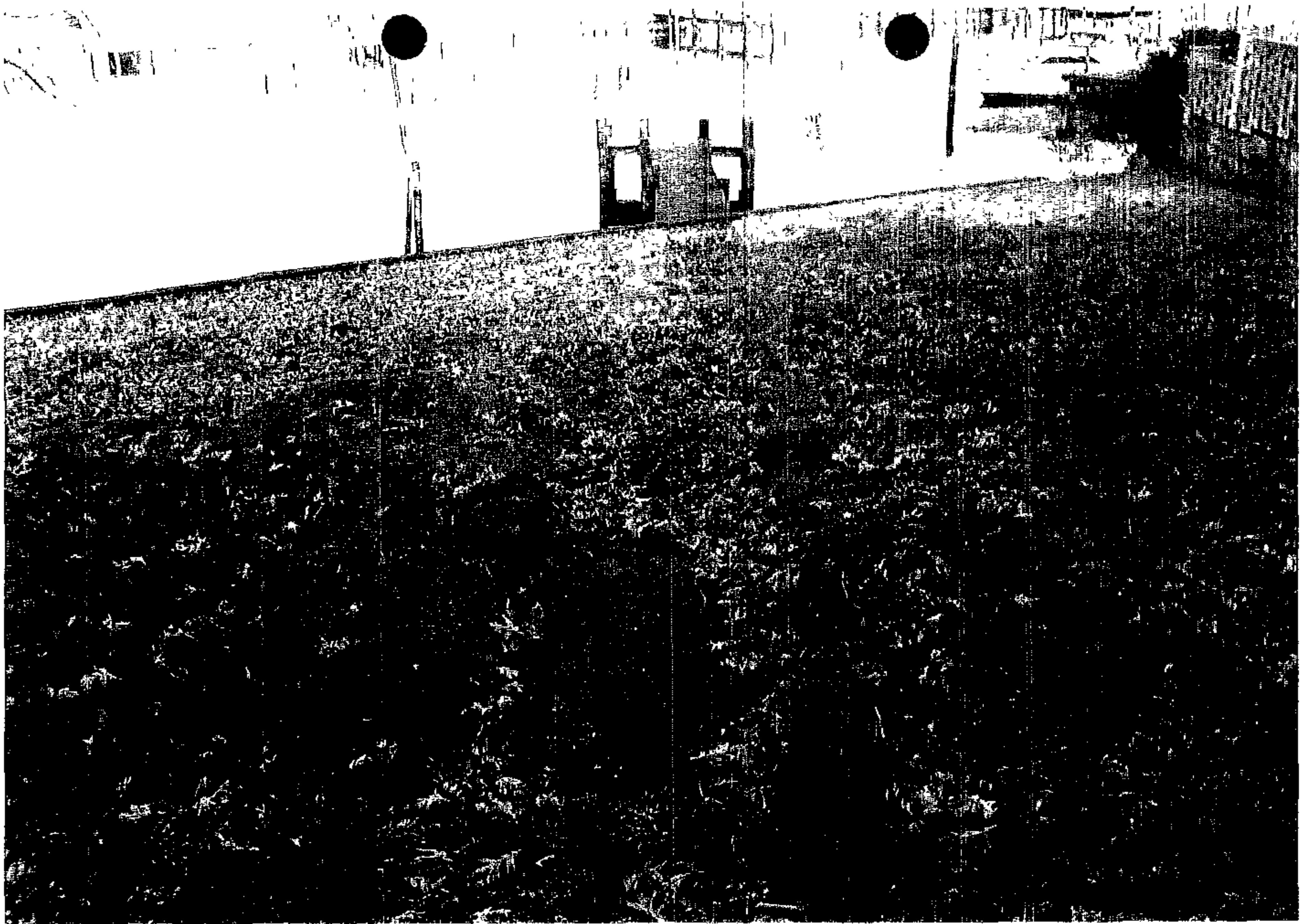
STANDING ON WORTON ROAD LOOKING SOUTH EAST AT PROPOSED
PROPERTY AND NEIGHBORS.

20



OUT BUILDINGS TO BE RAZED ON PROPERTY.

2D



STANDING AT FRONT DOOR OF EXISTING HOUSE LOOKING EAST OUT AT
NORMAN CREEK.

2E



STANDING MIDWAY DOWN PROPOSED PROPERTY LOOKING WEST ACROSS
WORTON ROAD.

2F

Plat to accompany Petition for Zoning ☒ Variance

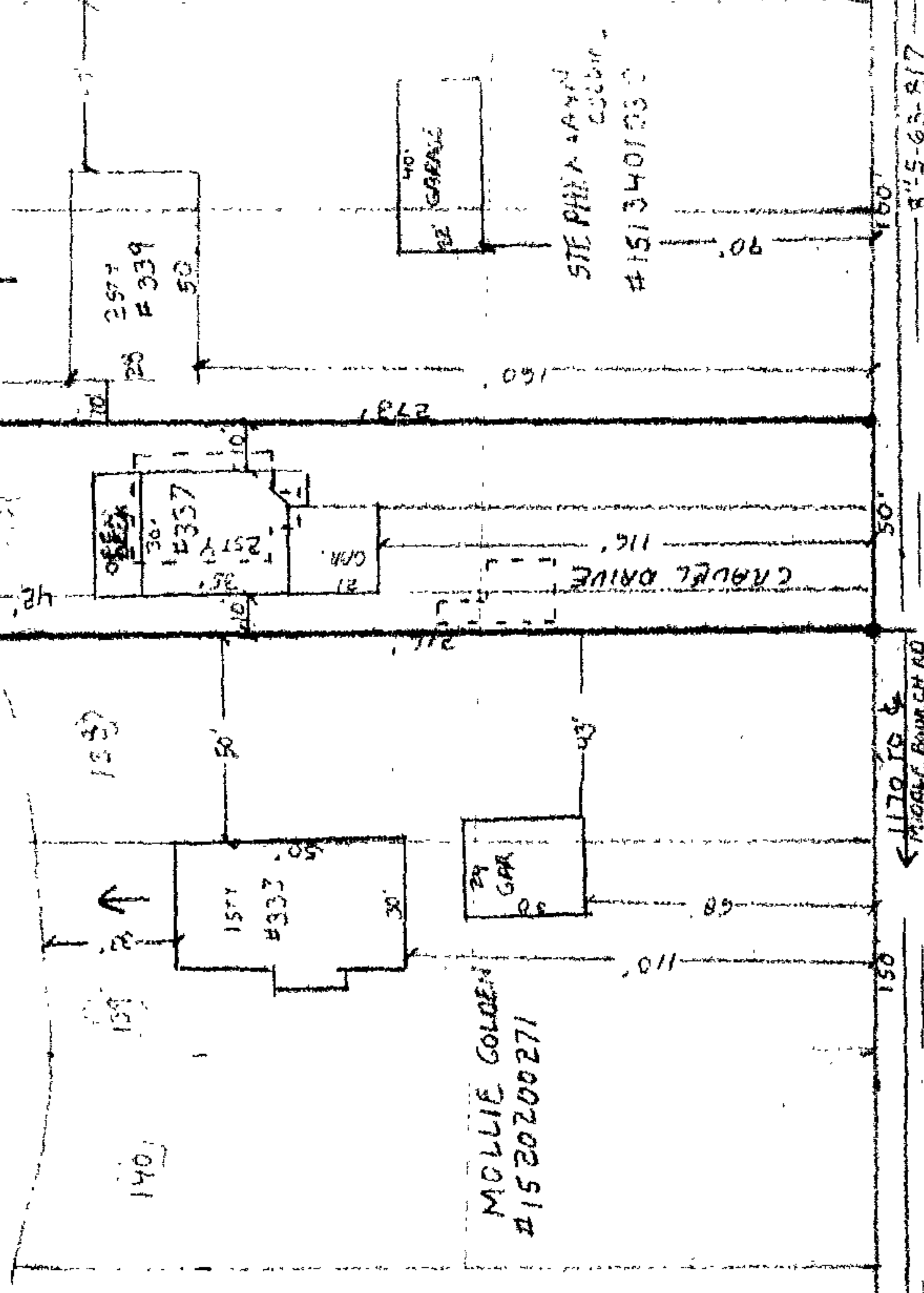
PROPERTY ADDRESS: 337 WORTON RD

Subdivision name: MIDDLEBOROUGH

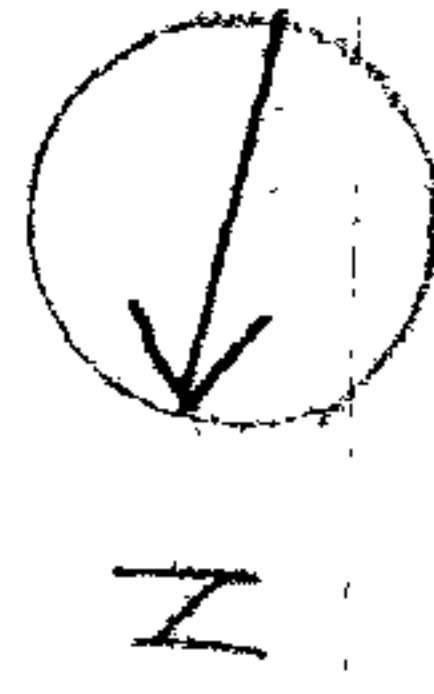
Plot Book # 4 Folio # 191 Lot # 137

OWNER: JOHN RODGERS

NORMAN CREEK



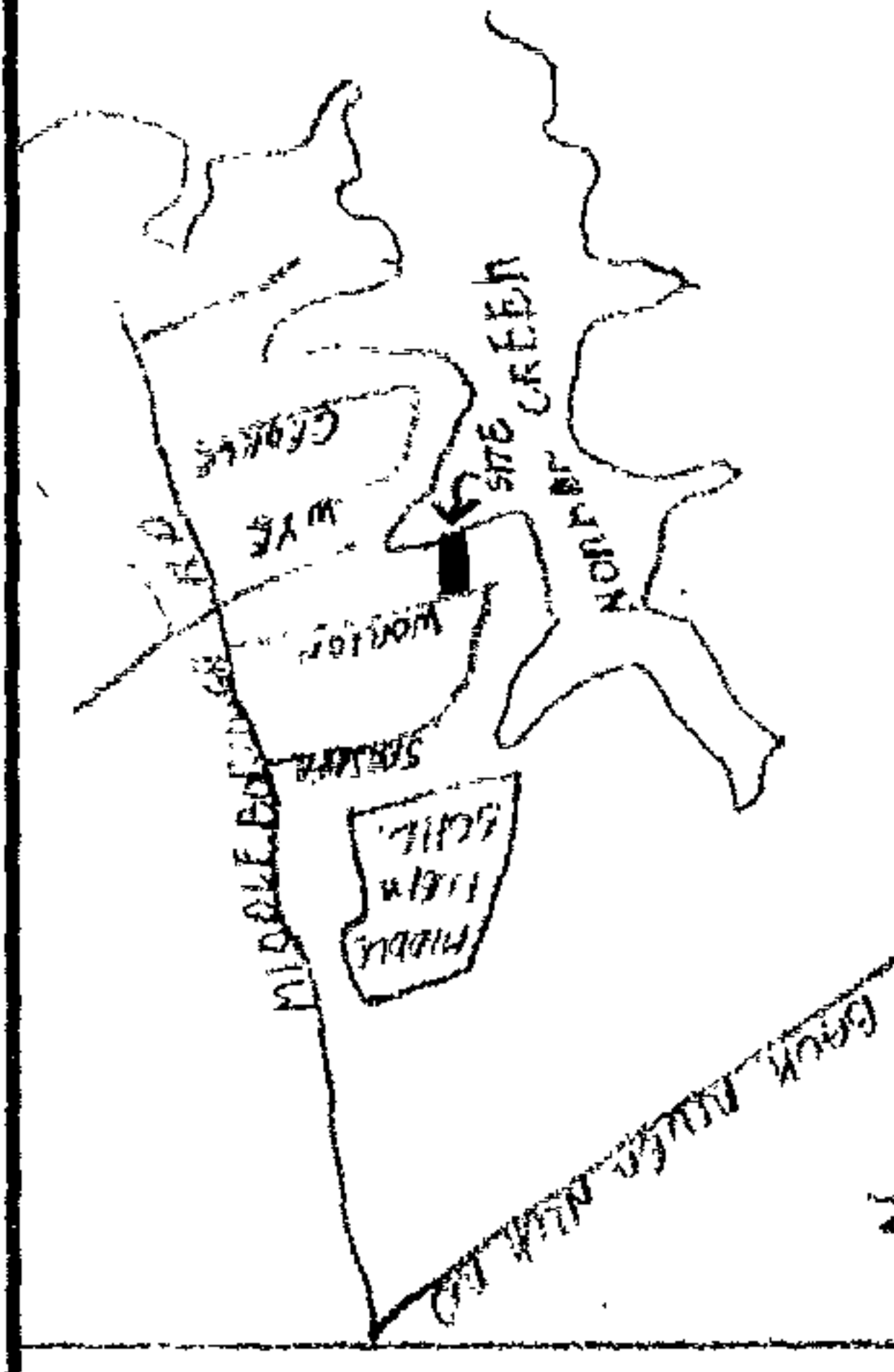
WORTON ROAD 30' RW 18' PAVED



DATE: 1-9-06

PREPARED BY: BUCK JONES

SCALE: 1"=50'



ADL P 37-H-10

LOCATION INFORMATION

Election District: 15

Councilmatic District: 6

1"=200' scale map #: 097C1

Zoning: DR 3.5

Lot size: .353 acres 15,372 Square Feet

PUBLIC PRIVATE

SEWER

WATER

Chesapeake Bay Critical Area: ☒

Prior Zoning Hearings: NONE

FLOOD ZONE A-10

Zoning Office USE ONLY!

Reviewed by: BR ITEM # 392 CASE # 06-392-A

SCALE

APPROVED BY:

DATE

REVISED

DRAWING NUMBER