

IN RE: PETITION FOR VARIANCE * BEFORE THE
 NW side of Grace Road, 98 feet +/- *
 SW of c/l of River Drive Road * DEPUTY ZONING COMMISSIONER
 15th Election District *
 7th Councilmanic District * OF BALTIMORE COUNTY
 (3320 Grace Road) *
 *
 Jeremy Manowski
Legal Owner
 Robert Warfield
Contract Purchaser * CASE NO. 07-222-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Jeremy Manowski. The Petitioner is requesting variance relief for property located at 3320 Grace Road. The variance request is from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 27 feet for a new dwelling in lieu of the required 30 feet front average setback.

The property was posted with Notice of Hearing on December 27, 2006 for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief and time and date of the public hearing. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on December 26, 2006 to notify any interested persons of the scheduled hearing date and relief requested.

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

1-23-07
 [Handwritten signature]

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.”

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing on behalf of the variance request was Jeremy Manowski, owner. There were no protestants or citizens at the hearing. People’s Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

The subject property contains 6656 square feet zoned DR 5.5 and is vacant. Mr. Manowski indicated that he purchased the subject property and the corner lot shown on exhibit 1 which had been improved by a single family dwelling which faced River Drive Road. Subsequently he razed the home, reconfigured the lots, and erected the house on the corner to face Grace Road. The subject property is the second lot from this reconfiguration.

He would like to the sell the lot to the contract purchaser to erect a second single family dwelling as indicated in exhibit 1. The home and lot would meet all DR 5.5 zoning regulations except the front yard setback which he indicated would be 27 feet as shown. The County work sheet, Petitioner’s exhibit 2, shows the adjacent lots have existing homes each of which is 30 feet from the right of way of Grace Road. Only the southeastern corner of the proposed house violates the setback rule. He noted that the combined foot prints of the proposed house on the subject lot and the house he built on the corner are smaller than the house that was razed.

1-23-07
RB

He indicated that his buyer insists on a dwelling of the dimensions shown. This is a modular home with fixed sizes available. He indicated that if the variance were denied, the buyer would lose his downstairs bathroom but admitted that a smaller modular home (30 x 40 ft.) could be built on the lot without a variance. The buyer does not want the smaller house. Finally he indicated that he spoke to all affected neighbors who have no objection to the request.

Findings of Fact and Conclusions of Law

As an aside I note that exhibit 2, the County work sheet used to calculate average front yard setback, shows the setback is from the center of the road. This may be true for RC zones but not for DR zones which have front yard setback from the road right of way. The Petitioner clearly ignored the work sheet and correctly dimensioned all from the right of way.

Regarding the merits of the case, this seems like a trivial request. The Petitioner is only asking for a variance of 10% of the front yard setback (3 feet of the 30 required). This will not be noticeable to the neighbors who apparently have no objection to the request. Although the Petitioner struck the line which subdivided the property, that line does not cause the variance. The variance arises from the shape of the lot. Grace Road is not parallel to the rear property line but is at an angle to it. This results in the lot being 17 feet narrower on the south side compared to the north side. This squeezes the area in which building is permitted on the south side which triggers the request for variance. In addition the house is a modular design so that the buyer can not simply tell the contractor to reduce the size in the area needed to meet the regulations.

Considering all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The lot is irregular in shape which causes the need for variance.

COPIES REQUIRED FOR FILES
1-2307
P.B.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The buyer apparently would lose the downstairs bathroom.

Finally, I find this variance 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 proposed house is much larger than the surrounding homes which apparently is just fine with the neighbors.

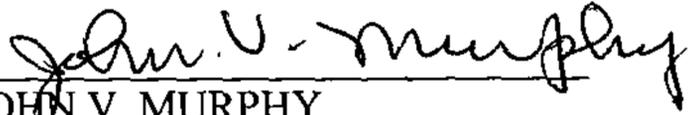
Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 23rd day of January, 2007 by this Deputy Zoning Commissioner, that the Petitioner's variance request from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front setback of 27 feet for a new dwelling in lieu of the required 30 feet front average setback is hereby GRANTED with the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition. The Petitioner's accepted the condition of approval that they could not obtain a building permit until the public sewer line was operational at their property.

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:pz

RECEIVED FOR FILED
 1-23-07
 RB



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

January 23, 2007

JEREMY MANOWSKI
9133 CUCKOLD POINT ROAD
BALTIMORE MD 21219

Re: Petition for Variance
Case No. 07-222-A
Property: 3320 Grace Road

Dear Mr. Manowski:

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,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

c: Robert Warfield, 825 South Montford Avenue, Baltimore MD 21224
Site Rite Surveying, Inc., 200 East Joppa Road, #101, Towson MD 21286

1-23-07
PB



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at *3320 Grace Road
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 part hereof, hereby petition for a Variance from Section(s) 303.1, BCZR, TO PERMIT A FRONT SETBACK OF 27ft. for a new Dwelling IN LIEU OF THE REQUIRED 30ft. FRONT AVERAGE.

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

see attached

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Robert Watfield
Name - Type or Print
[Signature]
Signature
825 South Montford Ave 443-251469
Address Telephone No.
Ba Co Md 21224
City State Zip Code

Legal Owner(s):

Jeremy Manowski
Name - Type or Print
[Signature]
Signature
9133 Cuckold Point Road 410 925-9206
Address Telephone No.
Baltimore, MD 21219-1637
City State Zip Code

Attorney For Petitioner:

Name - Type or Print City

Signature

Company

Address Telephone No.

City State Zip Code

Representative to be Contacted:

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

OFFICE USE ONLY

Case No. 07-222-A

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 11-14-06

1-23-07
[Signature]

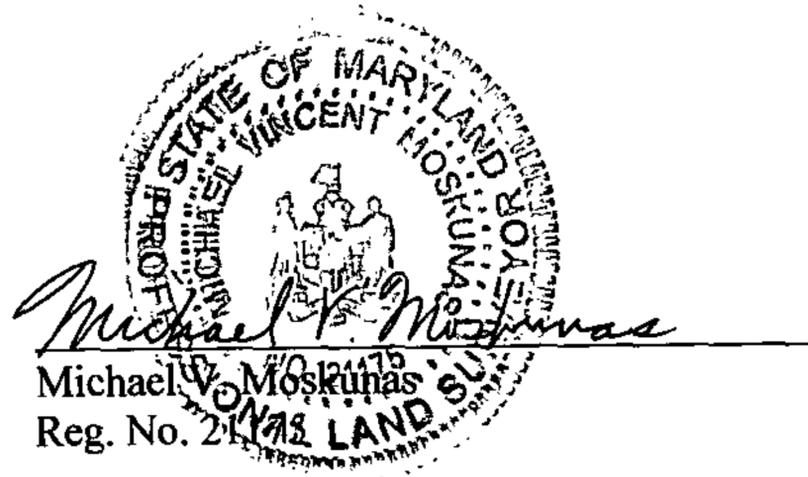
REASONS TO ACCOMPANY PETITION FOR VARIANCE

- 1. PART OF EXISTING LOTS AS RECORDED ON PLATS DATED 1926 ("LYNCH POINT") AND 1945 ("BULL NECK"). THE LOTS WERE RECENTLY GRANTED A LIMITED EXEMPTION FOR A LOT LINE ADJUSTMENT PER DRC NO. 071805M.**
- 2. THE CONFIGURATION IS NOT RECTANGULAR; THE SIDE LOT LINES SHORTEN RUNNING SOUTHWEST ALONG GRACE ROAD RANGING FROM 97.17 FEET TO 80.34 FEET, RESPECTIVELY. THEREFORE, THE SETBACK CAN BE ACHIEVED ON THE RIGHT SIDE OF THE LOT BUT NOT THE LEFT.**
- 3. THIS REQUEST IS WITHIN THE SPIRIT AND INTENT OF THE B.C.Z.R. AND WILL NOT ADVERSELY AFFECT THE SAFETY OR GENERAL WELFARE OF THE COMMUNITY.**

**ZONING DESCRIPTION
#3320 GRACE ROAD**

BEGINNING at a point on the northwest side of Grace Road which is 40 feet wide at the distance of 98 feet southwest of the centerline of River Drive Road which is 40 feet wide. Lots 18 and 19A in the subdivision of "Lynch Point" as recorded in Baltimore County Plat Book #13, Folio #121, containing 0.153 acres, more or less. Also known as #3320 Grace Road and located in the 15th Election District, 7th Councilmanic District.

More particularly described as recorded in Deed Liber 23237, folio 157: S 43° 38' 00"W, 76.86 feet; thence N 59° 99' 50" W, 80.34 feet; thence N 30 59' 10" E, 75.00 feet and thence S 59° 00' 50"E, 97.17 feet to the Point of Beginning.



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

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

222
No. 22708

DATE 11-14-06 ACCOUNT Pool-006-6150

AMOUNT \$ 65.⁰⁰

RECEIVED FROM: J. MANOWSKI 3320 Grace
Ref.

FOR: VAR

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS NUMBER TIME DATE
11/13/2006 11:40:53 11/14/2006
REG WSDC MAIL JEN H ?
>>RECEIPT # 49911 11/14/2006 OFLR
Dept 5 528 (PHONE REPLICATION)
CR NO. 022708

Receipt Tot 65.00
\$65.00 1.00 66
Baltimore, Maryland, Maryland

CASHIER'S VALIDATION

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: # 07-222-A

Address: 8320 Grace Road

Location: Northwest side of Grace Road, 98 feet +/-

Southwest of centerline of River Drive Road.

154th Ejection District - 7th Councilmanic District

Legal Owner(s): Jeremy Manowski

Contract Purchaser: Robert Warfield

Variance: To permit a front setback of 27 feet for a new dwelling in lieu of the required 30 feet front average setback.

Hearing: Wednesday, January 17, 2007 at 2:00 p.m.

in Room 407, County Courts Building, 401 Bostley 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.

ST 12/26/06

119960

CERTIFICATE OF PUBLICATION

12/28/2006

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 12/26/2006.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 07-222-A

Petitioner/Developer: ROBERT

WARFIELD

Date of Hearing/Closing: 1-17-07

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 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:

3320 GRACE RD

The sign(s) were posted on 12-27-06
(Month, Day, Year)

Sincerely,

Robert Black 12-29-06
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

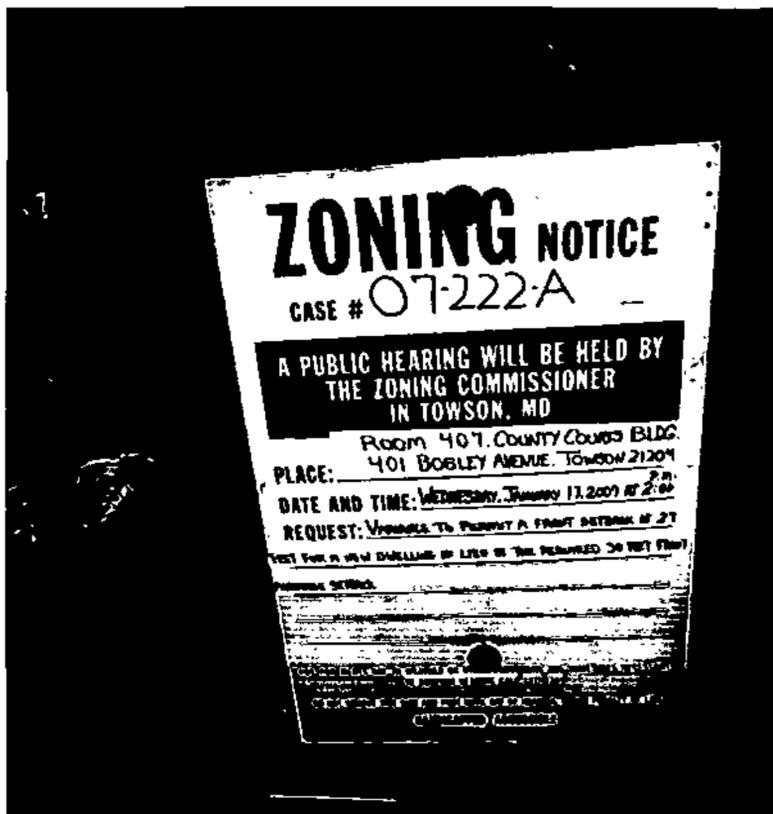
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



RE: PETITION FOR VARIANCE
3320 Grace Road; NW/S Grace Road, 98'
SW c/line River Drive Road
15th Election & 7th Councilmanic Districts
Legal Owner(s): Jeremy Manowski
Contract Purchaser(s): Robert Warfield
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 07-222-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/ 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 20th day of November, 2006, a copy of the foregoing Entry of Appearance was mailed to, Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

NOV 20 2006

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
December 6, 2006 *Department of Permits and
Development Management*

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: 07-222-A

3320 Grace Road

Location: Northwest side of Grace Road, 98 feet +/- southwest of centerline of River Drive Road.
15th Election District – 7th Councilmanic District

Legal Owner(s): Jeremy Manowski

Contract Purchaser(s): Robert Warfield

VARIANCE To permit a front setback of 27 feet for a new dwelling in lieu of the required 30 feet front average setback.

Hearing: Wednesday, January 17, 2007 at 2:00 p.m. in Room 407 in the County Courts Building, 401 Bosley Avenue, Towson 21204.

Timothy Kotroco
Director

TK:amf

C: Jeremy Manowski 9133 Cuckold Point Road Baltimore 21219-1637
Robert Warfield 825 South Montford Avenue Baltimore 21224
Site Rite Surveying, Inc. 200 E. Joppa Road, #101 Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, DECEMBER 27, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 26, 2006 Issue - Jeffersonian

Please forward billing to:

Jeremy Manowski
9133 Cuckold Point Road
Baltimore, MD 21219-1637

410-925-9206

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: 07-222-A

3320 Grace Road

Location: Northwest side of Grace Road, 98 feet +/- southwest of centerline of River Drive Road.

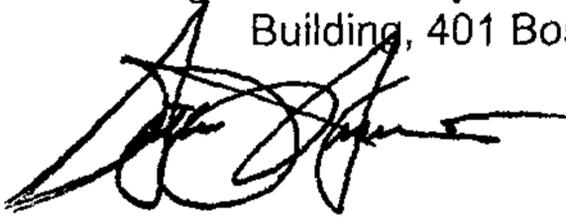
15th Election District – 7th Councilmanic District

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VARIANCE To permit a front setback of 27 feet for a new dwelling in lieu of the required 30 feet front average setback.

Hearing: Wednesday, January 17, 2007 at 2:00 p.m. in Room 407 in the County Courts Building, 401 Bosley Avenue, Towson 21204.



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT
MANAGEMENT**

ZONING REVIEW

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING
HEARINGS**

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 222
Petitioner: Jeremy Manowski
Address or Location: 3320 Grace Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jeremy Manowski
Address: 9133 Cuckold Point Road
Baltimore, MD 21219-1637
Telephone Number: 410 925-9206



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

January 10, 2007

Robert Warfield
825 South Montford Avenue
Baltimore, MD 21224

Dear Mr. Warfield:

RE: Case Number: 07-222-A, 3320 Grace Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 14, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Jeremy Manowski 9133 Cuckold Point Road Baltimore 21219-1637
Site Rite Surveying, Inc. 200 E. Joppa Road, #101 Towson 21286

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

November 22, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 20, 2006

Item Number(s): 213 through 228

lee

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 28, 2006

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 27, 2006
Item Nos. 07-72, 139, 213, 214, 215, 216,
217, 218, 219, 220, 221, 222, 223, 224,
226, 227, and 228

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-11272006.doc

jm 1/17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 28, 2006

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 7-222- Variance**

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.

Prepared By:

Cynthia Murray

Division Chief:

Pat Keller

CM/LL

DEC 6 4 2006



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: NOVEMBER 20, 2006

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

RE: Baltimore County
Item No. 7-222-A
3320 GRACE ROAD
MANOWSKI PROPERTY
VARIANCE - TO PERMIT A
FRONT YARD SETBACK ~~W/~~
OF REQUIRED 30'

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7-222-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

FOR Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



**SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESILIENCE ZONES
WHEN THE IMMEDIATE ADJOINING LOTS ARE NOT IMPROVED**

Reference - Section 303.1 Baltimore County Zoning Regulations

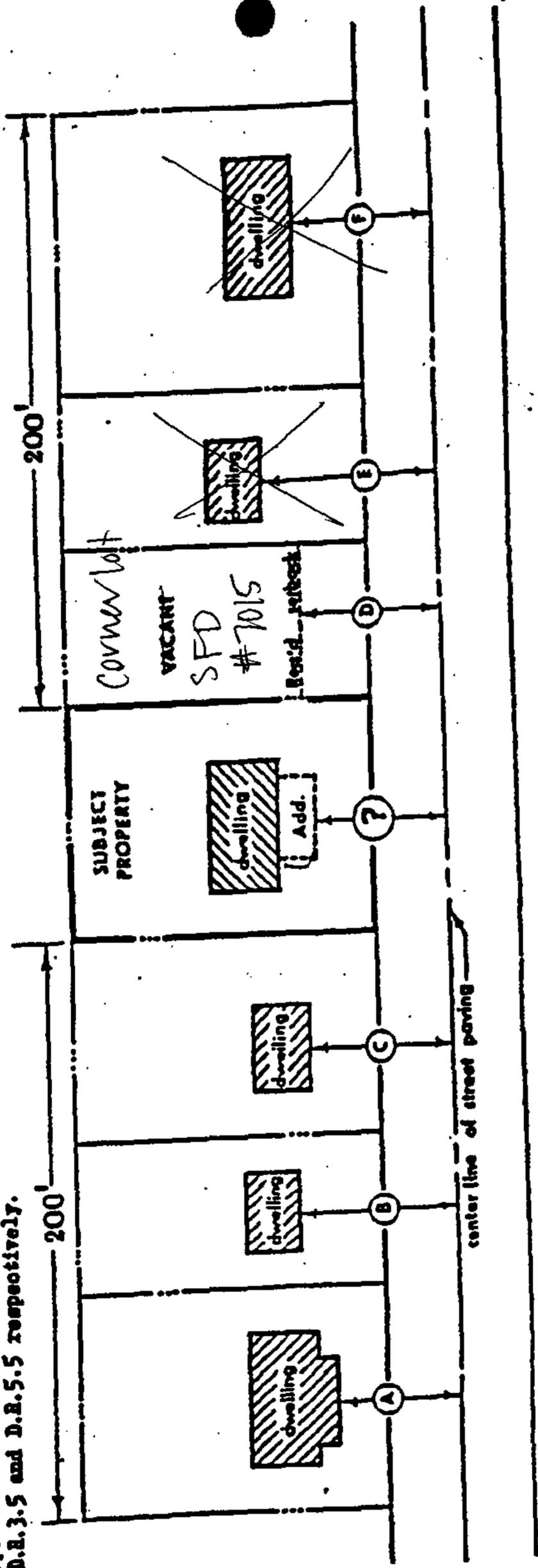
- A 30 ft.
- B 30 ft.
- C 30 ft.
- D 30 ft.
- E _____ ft.
- F _____ ft.

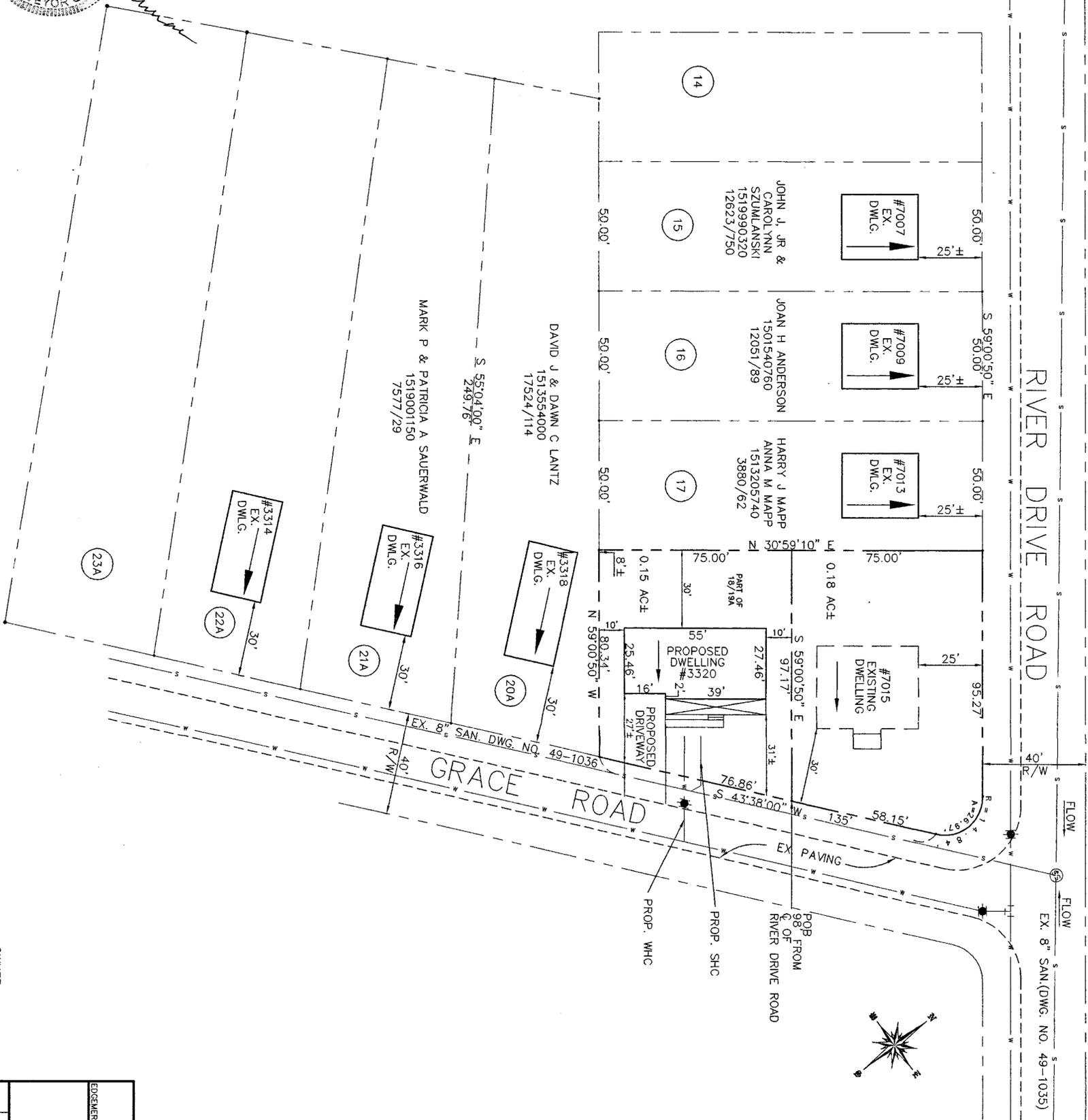
TOTAL (120) ÷ (4) = 30
of dwellings REQUIRED FROM SETBACK (averaged)

Jeremy Manowski
applicant's name
3320 Grace Road
building address
10/30/06
date

NORMAL REQUIRED SETBACKS
D.R.2 - 65 ft.
D.R.3.5- 55 ft.
D.R.5.5- 50 ft.

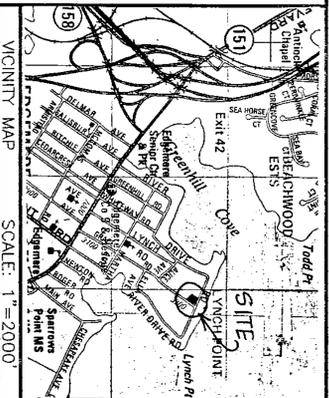
303.1 --In D.R.2, D.R.3.5 and D.R.5.5 Zones the front yard depth of any building or other structure hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side provided such adjoining lots are improved with principal buildings situate within 200 feet of the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 zones, 50 feet in D.R.3.5 zones and 40 feet in D.R.5.5 zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than those specified therefor in the area regulations for D.R.2, D.R.3.5 and D.R.5.5 respectively.





RIVER DRIVE ROAD

GRACE ROAD



GENERAL NOTES

1. EXISTING ZONING: D.R. 5.5
2. EXISTING USE: VACANT
3. PROPOSED USE: 1 SINGLE FAMILY DWELLING
4. PRIOR ZONING HEARINGS: NONE
5. LOT AREA: 6,656 S.F. ± / 0.153 ACF
6. TAX MAP: 111
- GRID: 5
- PARCEL: 141
7. TAX ACCT #: 2400013009
8. DEED REF: 23237/157
9. LOCATED IN A 100 YEAR FLOOD PLAIN AREA
10. COMMUNITY PANEL NO: 240010-0555B ZONE: A9
11. LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA (IDA)
12. NOT LOCATED IN A HISTORIC AREA
13. DRC No. 071805M - LIMITED EXEMPTION APPROVED FOR LOT LINE ADJUSTMENT

NOTE: VARIANCE REQUEST FOR FRONT YARD AVERAGE

OWNER
JEREMY MANOWSKI
9133 CUCKOLD POINT ROAD
BALTIMORE, MD 21219-1637

EDGEMERE		BALTIMORE COUNTY, MD	
PLAN TO ACCOMPANY PETITION FOR VARIANCE			
#3320 GRACE ROAD		PART OF LOTS 18 & 19A	
LYNCH POINT		8/38 & 13/121	
TAX MAP: 111		GRID: 5 PARCEL: 141	
TAX ACCT: 2400013009		ELECTION DISTRICT: 15C7	
DATE	REVISION	SCALE	DATE
		1" = 2000'	10/20/08
		1" = 2000'	11/13/08
		1" = 2000'	12/15/08



Ref #1