

IN RE: PETITION FOR ADMIN. VARIANCE  
NE side Sue Creek Drive, 1030 feet  
+/- NW c/l Willow Green Lane  
15<sup>th</sup> Election District  
6<sup>th</sup> Councilmanic District  
(1932 Sue Creek Drive)

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* BALTIMORE COUNTY  
\* CASE NO. 07-349-A

Samuel C. and Cynthia A. Nevins  
*Petitioners*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Samuel C. and Cynthia A. Nevins. The variance request is for property located at 1932 Sue Creek Drive. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition (garage) to have a side yard setback as close as 1 foot in lieu of the required 15; and to amend the Final Development Plan for Sue Creek Landing, Lot 60 only. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners propose to construct a 14 foot x 22 foot attached garage on the left side of their home. The Homeowners Association requires that garages be attached to homes. The proposed location is the only location the garage can be constructed. The garage will utilize the existing concrete driveway. Petitioners produced photographs showing similar garages in the neighborhood. Petitioners also produced a letter of support from the next door neighbor at 1930 Sue Creek Drive.

The subject property is not waterfront property.

Zoning Advisory Committee Comments

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

3-74-07  
R3

Department of Environmental Protection and Resource Management dated March 13, 2007 which contains restrictions. A ZAC comment letter was received from the Office of Planning dated February 12, 2007. That Office requests a 10 foot minimum side yard setback. Copies of the comments are incorporated herein and made a part hereof the file.

**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.”

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on February 11, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits and photographs as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore,

3-14-07  
AS

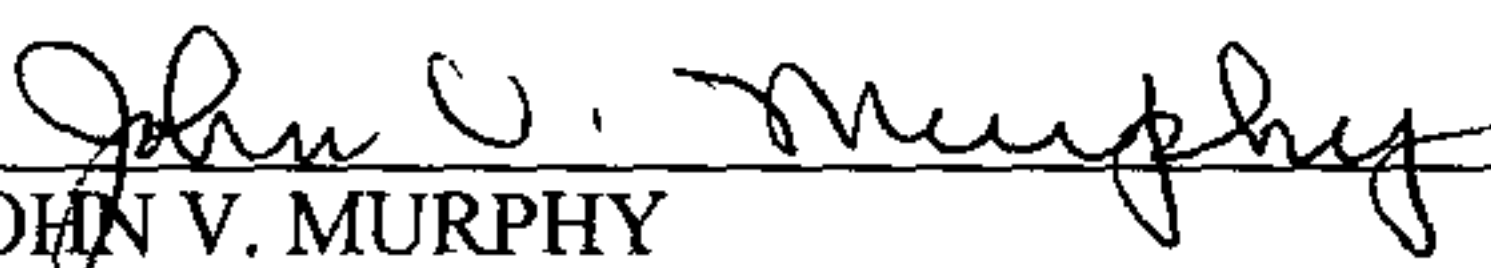
strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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 14<sup>th</sup> day of March, 2007 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition (garage) to have a side yard setback as close as 1 foot in lieu of the required 15; and to amend the Final Development Plan for Sue Creek Landing, Lot 60 only be and is hereby GRANTED, subject to the following:

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. 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).
3. The development of this site must meet the Intensely Developed Area (LDA) criteria of the Chesapeake Bay Critical Area (CBCA) regulations. For the proposed 308 square foot addition, mitigation must be addressed by either planting 9 native deciduous trees that are 5-6 feet tall, or paying a fee-in-lieu of \$369.60. Mitigation must be done prior to permit approval.

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

Feb. 1 11:00AM



# CBCA Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1932 Sue Creek Drive  
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 - to permit a

proposed addition (garage) to have a side yard setback as close as 1 foot in lieu of the required 15; and to amend the Final Development Plan for Sue Creek Landing, lot 60 only

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

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

### Contract Purchaser/Lessee:

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

### Attorney For Petitioner:

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

### Legal Owner(s):

H. 410-686-2930  
SAMUEL C. NEVINS  
Name - Type or Print \_\_\_\_\_  
W. 410-633-9000  
Signature \_\_\_\_\_ SERVICE DEPT.  
CYNTHIA A. NEVINS  
Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
1932 Sue Creek Dr. 410-686-2930  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
BALTIMORE MD. 21221  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Representative to be Contacted:

Name \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 07-349-A

REV 10/25/01

Reviewed By [Signature] Date 2/1/07  
Estimated Posting Date 2/11/07

7-14-07

[Signature]

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1932 Sue Creek Drive  
Address  
BALTIMORE MD. 21221  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

WE WOULD LIKE TO BUILD A GARAGE TO STORE OUR CAR & TOOLS AND THERE ARE SIMILAR GARAGES IN OUR NEIGHBORHOOD JUST LIKE THE ONE WE ARE BUILDING. WE HAVE TO COMPLY WITH OUR HOME OWNERS ASSOCIATION. WE HAVE 15'FT. ON THE SIDE OF OUR HOUSE TO THE PROPERTY LINE AND WISH TO APPLY FOR A VARIANCE PERMIT TO BUILD WITHIN THE 15'FT. behind our driveway. WE POSE NO HARD SHIP TO ANYONE ELSE IN OUR NEIGHBORHOOD AND OUR NEIGHBOR ADJACENT TO THE PROPOSED GARAGE HAS NO OBJECTIONS AND ALSO SIGNED A WAIVER STATING SO.

NOTE: HOMEOWNERS ASSOCIATION ONLY ALLOWS AN ATTACHED GARAGE.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Samuel C Nevins  
Signature

SAMUEL C NEVINS  
Name - Type or Print

Cynthia A. Nevins  
Signature

CYNTHIA A. NEVINS  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of JAN, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

SAMUEL C NEVINS & CYNTHIA A NEVINS  
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



David S. Sefar  
Notary Public

My Commission Expires 5-1-07

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

Address 1932 Sue Creek Drive  
City BALTIMORE State MD. Zip Code 21221

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

WE WOULD LIKE TO BUILD A GARAGE TO STORE OUR CAR & TOOLS AND THERE ARE SIMILAR GARAGES IN OUR NEIGHBORHOOD JUST LIKE THE ONE WE ARE BUILDING. WE HAVE TO COMPLY WITH OUR HOME OWNERS ASSOCIATION. WE HAVE 15 FT. ON THE SIDE OF OUR HOUSE TO THE PROPERTY LINE AND WISH TO APPLY FOR A VARIANCE PERMIT, TO BUILD WITHIN THE 15 FT. BEHIND OUR DRIVE WAY. WE POSE NO HARD SHIP TO ANYONE ELSE IN OUR NEIGHBORHOOD AND OUR NEIGHBOR ADJACENT TO THE PROPOSED GARAGE HAS NO OBJECTIONS AND ALSO SIGNED A WAIVER STATING SO.

NOTE: HOME OWNERS ASSOCIATION ONLY ALLOWS AN ATTACHED GARAGE

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature Samuel C. Nevins

Name - Type or Print SAMUEL C. NEVINS

Signature Cynthia A. Nevins

Name - Type or Print CYNTHIA A. NEVINS

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of JAN., 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

SAMUEL C. NEVINS + CYNTHIA A. NEVINS  
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Signature [Signature]  
Notary Public

My Commission Expires 5-1-07

CBOA



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 1932 Sue Creek Drive  
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 - to permit a

proposed addition (garage) to have a side yard setback as close as 1 foot in lieu of the required 15; and to amend the Final Development Plan for Sue Creek Landing, lot 60 only

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

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

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

### Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

### Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

### Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

### Representative to be Contacted:

Name

Address

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 07-349-A

REV 10/25/01

Reviewed By RJD Date 2/1/07

Estimated Posting Date 2/11/07

RECEIVED FOR FILE

APR

314-07 pm

## ZONING DESCRIPTION

ZONING DESCRIPTION FOR 1932 SUE CREEK DRIVE  
BALTIMORE Co., MD. 21221.

BEGINNING AT A POINT ON THE NORTHEAST SIDE OF  
SUE CREEK DRIVE WHICH IS FIFTY (50') FEET WIDE  
AT THE DISTANCE OF 1030' +/- NORTH OF WILLOW  
GREEN LANE. WHICH IS (50') FIFTY FEET RIGHT OF  
WAY WIDTH. BEING LOT #60 PLAT #2 IN THE  
SUBDIVISION OF "SUE CREEK LANDING" AS RECORDED  
IN BALTIMORE COUNTY MARYLAND PLAT #48,  
Folio #7 CONTAINING 5202 SQUARE FOOT. ALSO  
KNOWN AS 1932 SUE CREEK DRIVE BALTIMORE, MARYLAND,  
21221 AND LOCATED IN THE 15<sup>TH</sup> ELECTION DISTRICT,  
AND THE 7<sup>TH</sup> COUNCILMANIC DISTRICT.

Item # 349

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 24062

DATE 2/7/07 ACCOUNT 0010066150

AMOUNT \$ 50.00

RECEIVED FROM: Mr & Mrs NEVINS

FOR: Amendment to Subdivision

07-349-A DD

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME  
2/08/2007 2:07:00 15:22:18 4  
146 US26 MARKIN 1000 1000  
RECEIPT # 548545 2/3/2007 1000  
Dept 5 508 ZORING VERIFICATION  
CA No. 074062

Receipt for \$50.00  
\$50.00 17  
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

CASE # 07-349-A

No. 24033

DATE 2/14/07 ACCOUNT 000100516430  
AMOUNT \$ 65.00

RECEIVED FROM:

FOR: Baltimore County case # 07-349-A

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME  
2/02/2007 2:01:00 12:02:13  
RECEIPT # 318545 2/01/2007 1000  
Dept 5 508 ZORING VERIFICATION  
CA No. 074033  
Receipt for \$65.00  
\$65.00 17  
Baltimore County, Maryland

Mr & Mrs  
NEVINS

CASHIER'S VALIDATION

# CERTIFICATE OF POSTING

RE: Case No.: 07-349-A

Petitioner/Developer: SAM +

CYN NEVINS

Date of Hearing/Closing: 2/24/07

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:

1932 SUE CREEK DRIVE

The sign(s) were posted on

2/11/07

(Month, Day, Year)

Sincerely,

Robert Black

(Signature of Sign Poster)

2-13-07

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

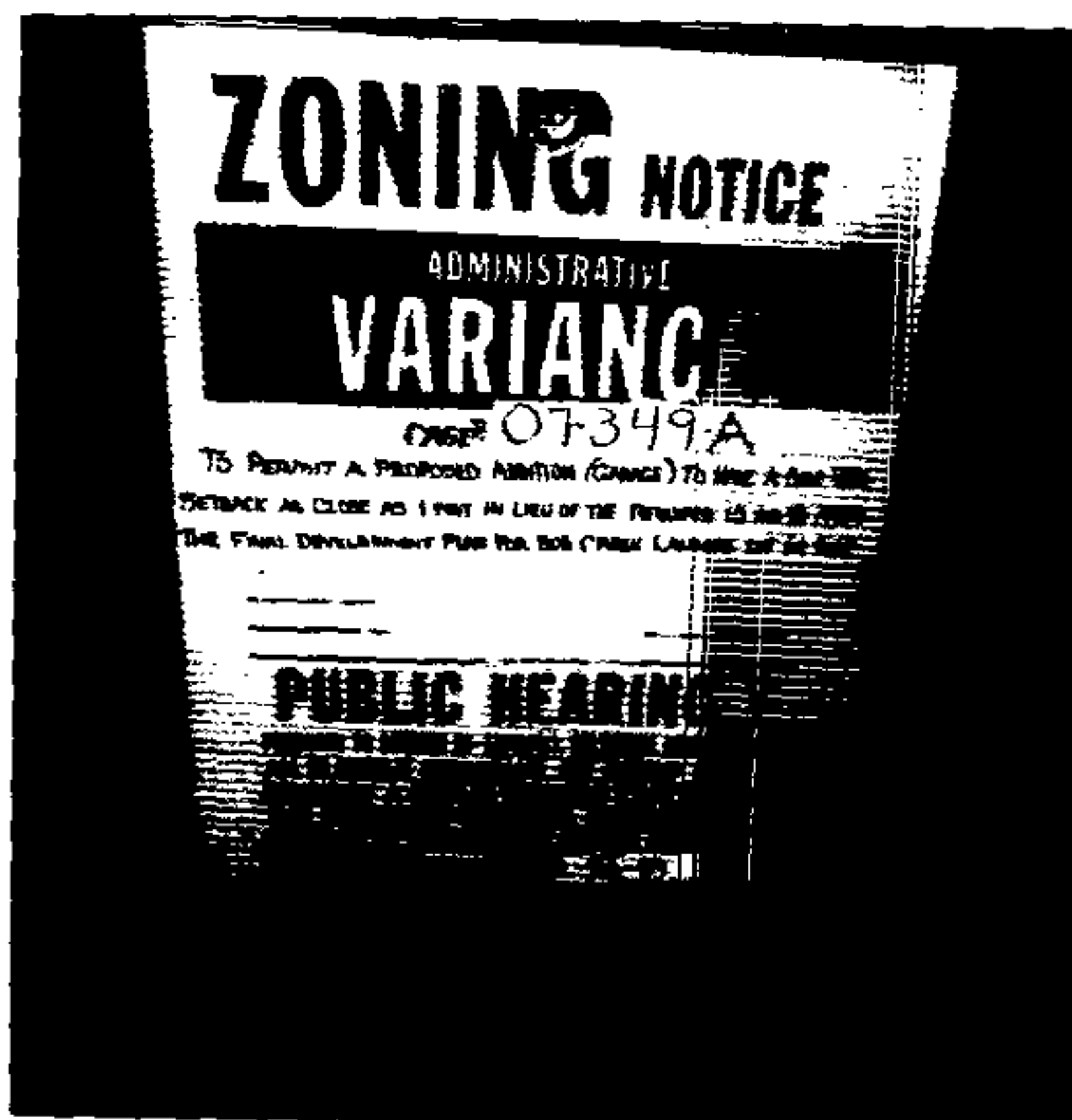
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



RECEIVED  
FEB 14 2007

RECEIVED  
FEB 14 2007

RECEIVED  
FEB 14 2007

CASE# 07-349-A

SAMUEL & CYNTHIA NEVINS  
1932 Sue Creek Dr.  
BALTIMORE MD. 21221

LOT#60

### WAIVER

I Craig Chippendale who resides at 1930 Sue Creek Drive Baltimore, MD. 21221, Lot 61 adjacent to the proposed garage addition, have no objections to the garage being built next door.

Sign

Craig Chippendale

Date

1-28-7

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 07- 349 -A Address 1932 Sue Creek Dr

Contact Person: David Duvall Phone Number: 410-887-3391  
Planner, Please Print Your Name

Filing Date: 2/1/07 Posting Date: 2/11/07 Closing Date: 2/26/07

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

**Petitioner: This Part of the Form is for the Sign Poster Only**

**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**

Case Number 07- 349 -A Address 1932 Sue Creek Dr

Petitioner's Name Sam + Cyn Nevins Telephone \_\_\_\_\_

Posting Date: 2/11/07 Closing Date: 2/26/07

Wording for Sign: To Permit a proposed addition (garage) to have a  
side yard setback as close as 1 foot in lieu of the  
required 15, and to amend the Final Development Plan for  
Sue Creek Landing, Lot 60 only

**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: 07-349-A  
Petitioner: SAMUEL C. WEWINS  
Address or Location: 1932 SUE CREEK DRIVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: SAMUEL WEWINS  
Address: 1932 SUE CREEK DRIVE

Telephone Number: 410-686-2930



**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*

February 26, 2007

Samuel C. Nevins  
Cynthia A. Nevins  
1932 Sue Creek Drive  
Baltimore, MD 21221

Dear Mr. and Mrs. Nevins:

RE: Case Number: 07-349-A, 1932 Sue Creek Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 1, 2007.

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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

MAR 13 2007

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination JWL

DATE: March 13, 2007

SUBJECT: Zoning Item # 07-349-A  
Address 1932 Sue Creek Drive  
(Nevins Property)

Zoning Advisory Committee Meeting of February 12, 2007

\_\_\_\_\_ 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:

The development of this site must meet the Intensely Developed Area (IDA) criteria of the Chesapeake Bay Critical Area (CBCA) regulations. For the proposed 308 square foot addition, mitigation must be addressed by either planting 9 native deciduous trees, that are 5-6 feet tall, or paying a fee-in-lieu of \$369.60. Mitigation must be done prior to permit approval.

Reviewer: Paul A. Dennis

Date: 3/12/07

Timothy M. Kotroco, Director  
Department of Permits and Development CC: Bill Weisman  
Zoning Commissioner 111 West Chesapeake Ave.  
Towson, MD. 21204

RECEIVED

MAR 13 2007

Petitioner: Samuel C. & Cynthia A. Nevins  
1932 Sue Creek Dr.  
Baltimore, MD. 21221  
410-686-2930

ZONING COMMISSIONER

Re: Case # 7-349-A Variance

The hardship in which we face other than Safety, Theft and Vandalism is the fact that we have a Home Owners Association That requires us to have our garages attached to our homes and There is no other space on our lot to put a garage because there is a built in swimming pool that occupies the rear lot and there is absolutely nowhere else to put this garage. We are asking you to Please grant this Variance. Thank you for your consideration.

Sincerely,  
Samuel & Cynthia Nevins

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** February 12, 2007

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

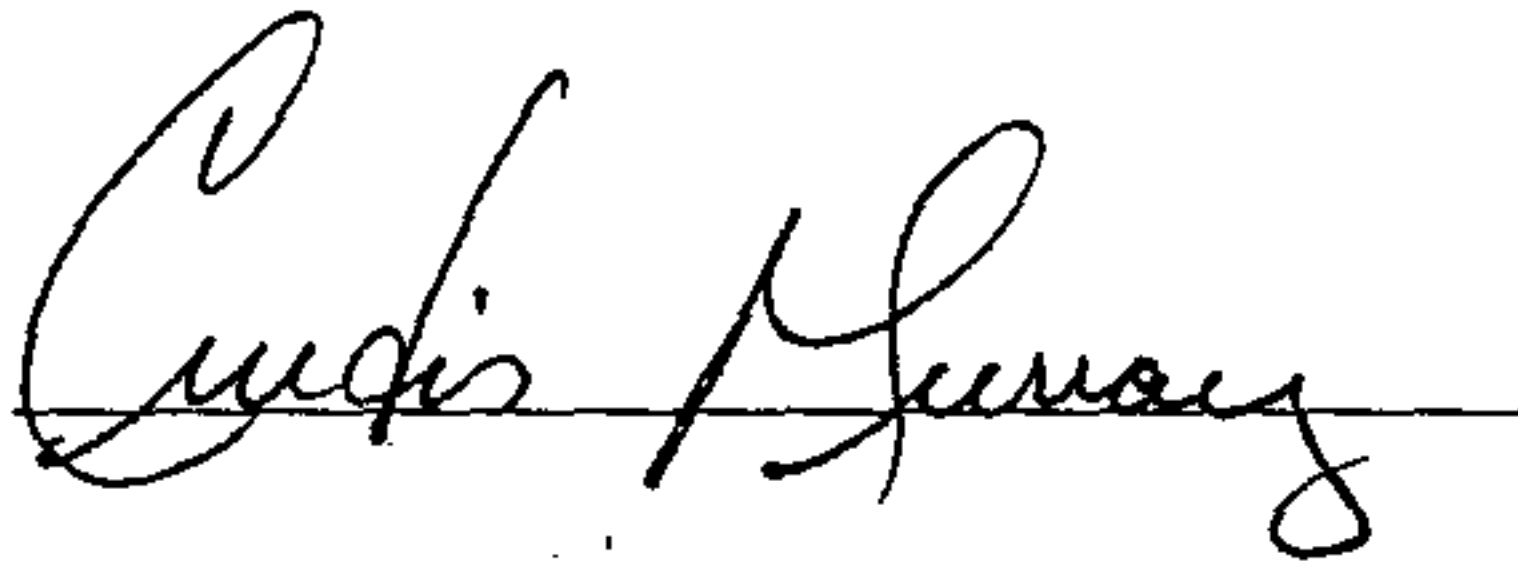
**SUBJECT:** Zoning Advisory Petition(s): Case(s) 7-349- Variance

The Office of Planning is concerned about the petitioner's variance request. The Office of Planning normally requests 10-foot minimum side yard setbacks.

If the petitioner is able to demonstrate a hardship or practical difficulty, resulting in the Zoning Commissioner granting the variance, the Office of Planning has no objection.

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

Prepared By:



Division Chief:



CM/LL

RECEIVED

MAR 12 2007

ZONING COMMISSIONER

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**DATE:** February 20, 2007

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For February 19, 2007  
Item Nos. 07-349, 350, 351, 352, 353,  
354, 355, 356, 357, 360, 361, and 362

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-02202007.doc



Martin O'Malley, Governor  
Anthony Brown, Lt. Governor

State Highway  
Administration

John D. Porcari, Secretary Designate  
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 2/12/2007

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

RE: Baltimore County  
Item No. 7-349-A  
1932 SUE CREEK DRIVE  
NEVINS PROPERTY  
ADMINISTRATIVE VARIANCE

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. 7-349-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 ([m Bailey@sha.state.md.us](mailto:m Bailey@sha.state.md.us)).

Very truly yours,

For<sup>1</sup> Steven D. Foster, Chief  
Engineering Access Permits  
Division

SDF/MB

My telephone number/toll-free number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • [www.marylandroads.com](http://www.marylandroads.com)

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** February 12, 2007

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

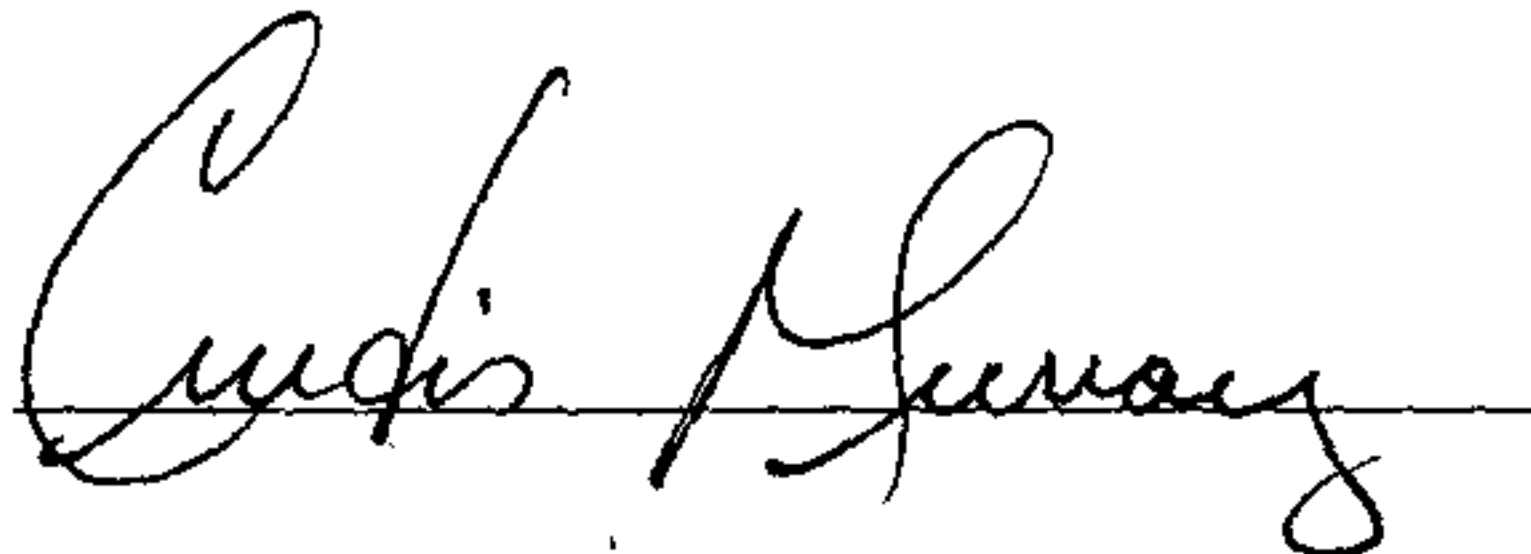
**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 7-349- Variance**

The Office of Planning is concerned about the petitioner's variance request. The Office of Planning normally requests 10-foot minimum side yard setbacks.

If the petitioner is able to demonstrate a hardship or practical difficulty, resulting in the Zoning Commissioner granting the variance, the Office of Planning has no objection.

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

**Prepared By:**



**Division Chief:**



CM/LL



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

WILLIAM J. WISEMAN III  
*Zoning Commissioner*

March 13, 2007

SAMUEL C. AND CYNTHIA A. NEVINS  
1932 SUE CREEK DRIVE  
BALTIMORE MD 21221

Re: Petition for Administrative Variance  
Case No. 07-349-A  
Property: 1932 Sue Creek Drive

Dear Mr. and Mrs. Nevins:

Enclosed please find the decision rendered in the above-captioned case. The petition for administrative 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

Patricia Zook - Comments needed - case 07-349 (admin. variance) closed 2-26-07

---

From: Patricia Zook  
To: Livingston, Jeffrey; Murray, Curtis  
Date: 3/12/2007 2:56 PM  
Subject: Comments needed - case 07-349 (admin. variance) closed 2-26-07

---

Hello-

We need comments from Planning and DEPRM for the below listed administrative variance that closed February 26, 2007.

CASE NUMBER: 7-349  
1932 Sue Creek Drive  
Location: NE side Sue Creek Drive, 1030 feet +/- NW c/ Willow Green Lane.  
15th Election District, 6th Councilmanic District  
Legal Owner: Samuel C. and Cynthia A. Nevins  
2/26/2007

ADMINISTRATIVE VARIANCE To permit a proposed addition (garage) to have a side yard setback as close as 1 foot in lieu of the required 15; and to amend the Final Development Plan for Sue Creek Landing, Lot 60 only.

Patti Zook  
Baltimore County  
Office of the Zoning Commissioner  
410-887-3868  
pzook@baltimorecountymd.gov

**Timothy M. Kotroco, Director**  
**Department of Permits and Development CC: Bill Weisman**  
**Zoning Commissioner 111 West Chesapeake Ave.**  
**Towson, MD. 21204**

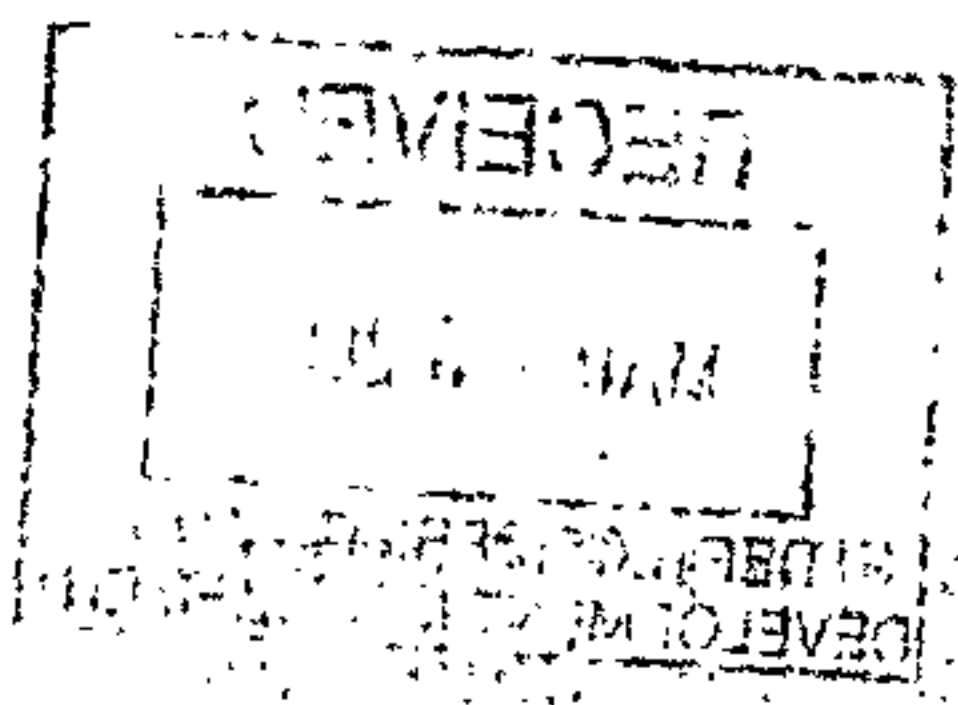
**Petitioner: Samuel C. & Cynthia A. Nevins**  
**1932 Sue Creek Dr.**  
**Baltimore, MD. 21221**  
**410-686-2930**

*Please file this letter  
in this zoning file.  
JMK*

**Re: Case # 7-349-A Variance**

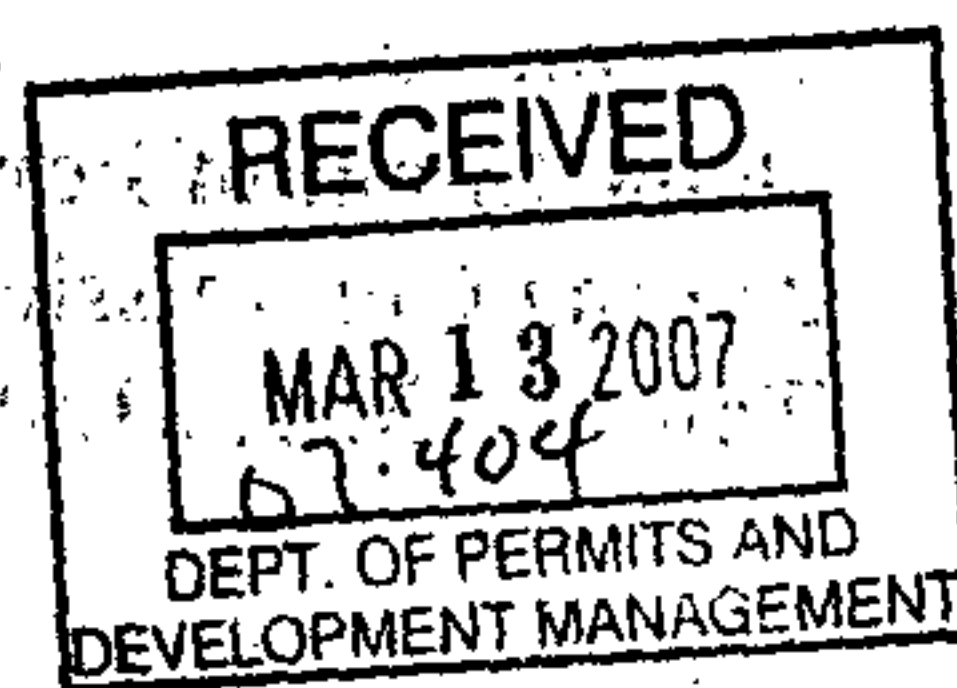
**The hardship in which we face other than Safety, Theft and Vandalism is the fact that we have a Home Owners Association That requires us to have our garages attached to our homes and There is no other space on our lot to put a garage because there is a built in swimming pool that occupies the rear lot and there is absolutely nowhere else to put this garage. We are asking you to Please grant this Variance. Thank you for your consideration.**

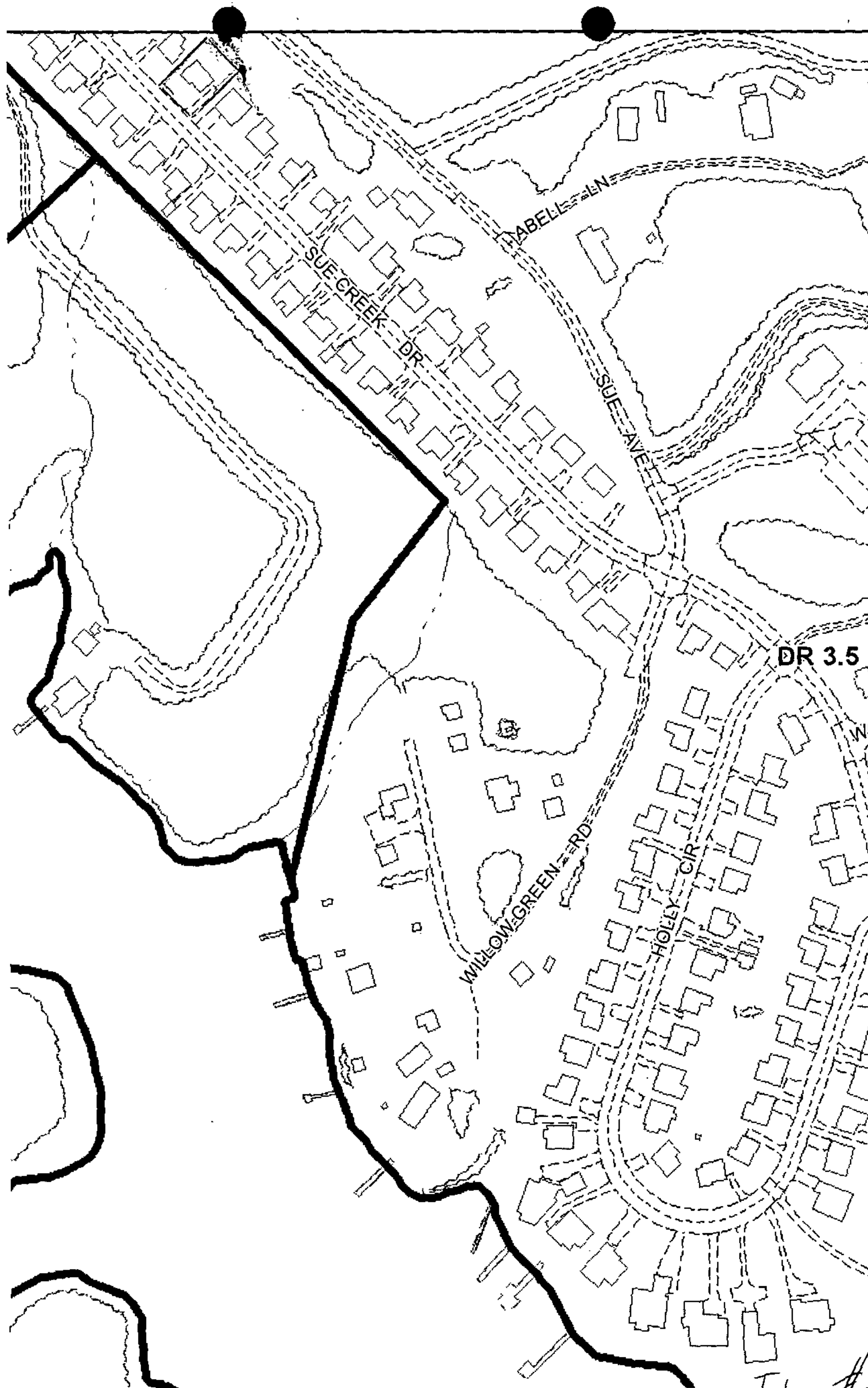
**Sincerely,**  
**Samuel & Cynthia Nevins**



*Handwritten note: Please file this letter in this zoning file. JMK*

*Handwritten note: Please file this letter in this zoning file. JMK*





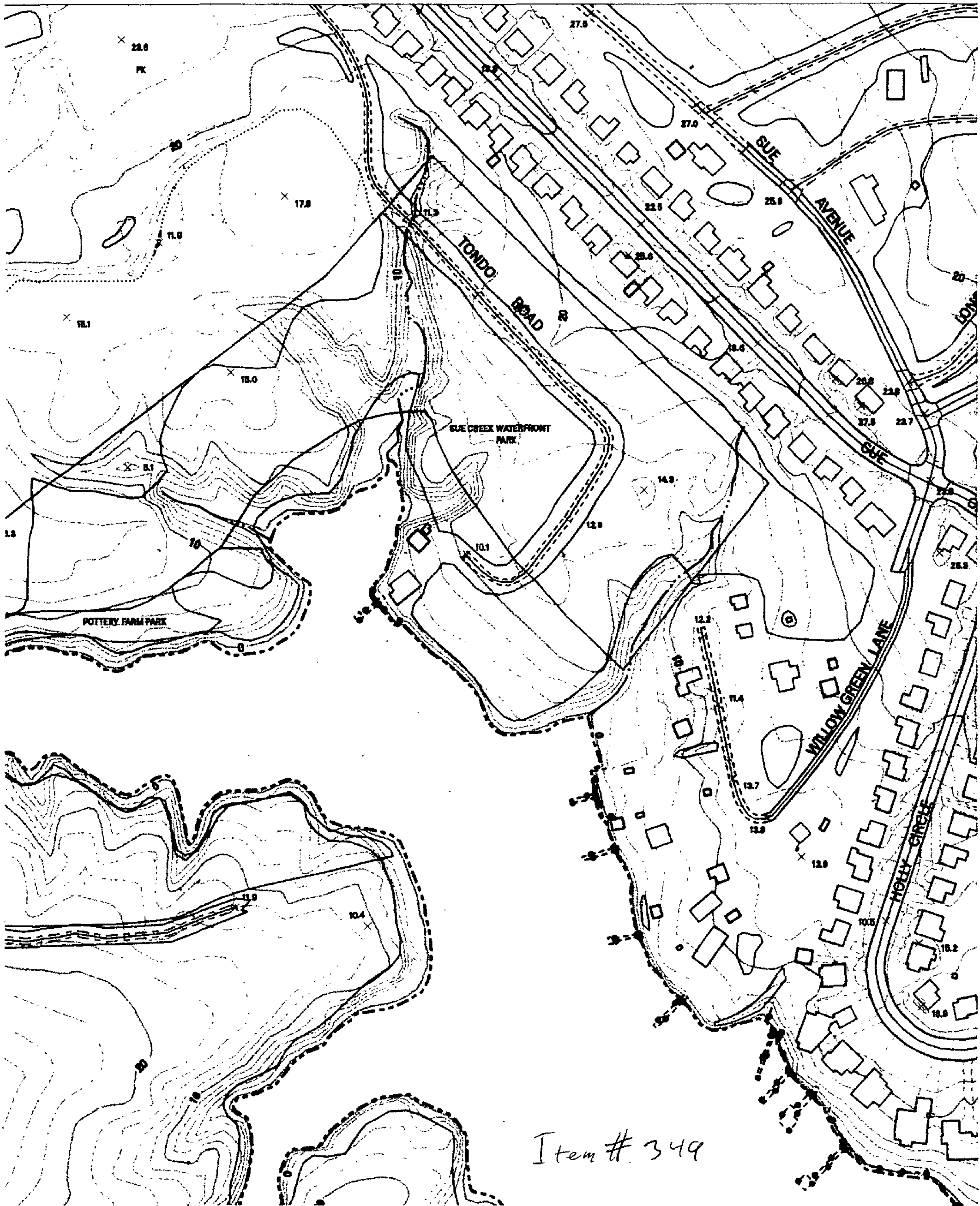
DR 3.5

Item #349

F 12

# ELEVATION MAP 008A3

1932 SUE CREEK DR



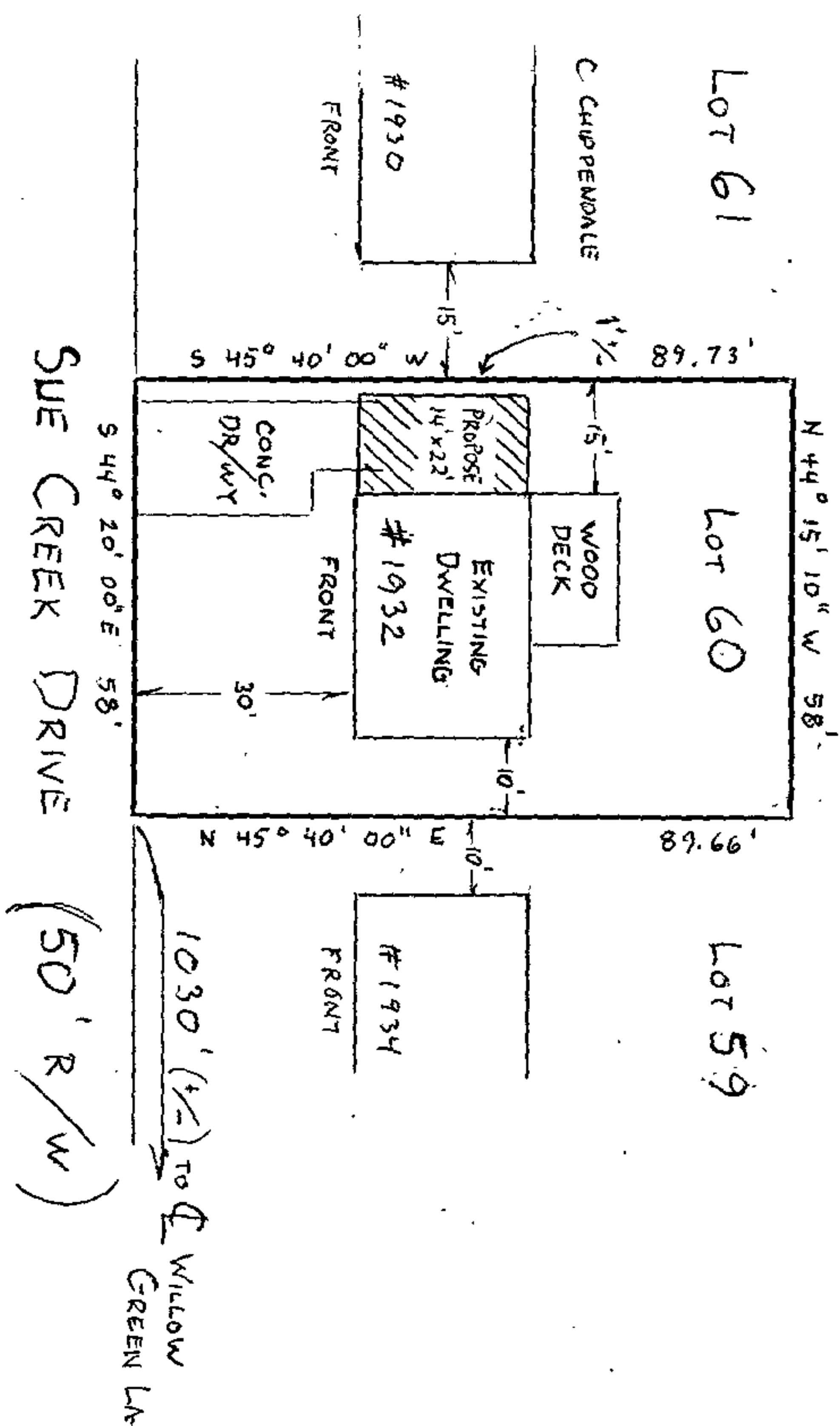
PROPERTY ADDRESS 1932 SUE CREEK DR

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

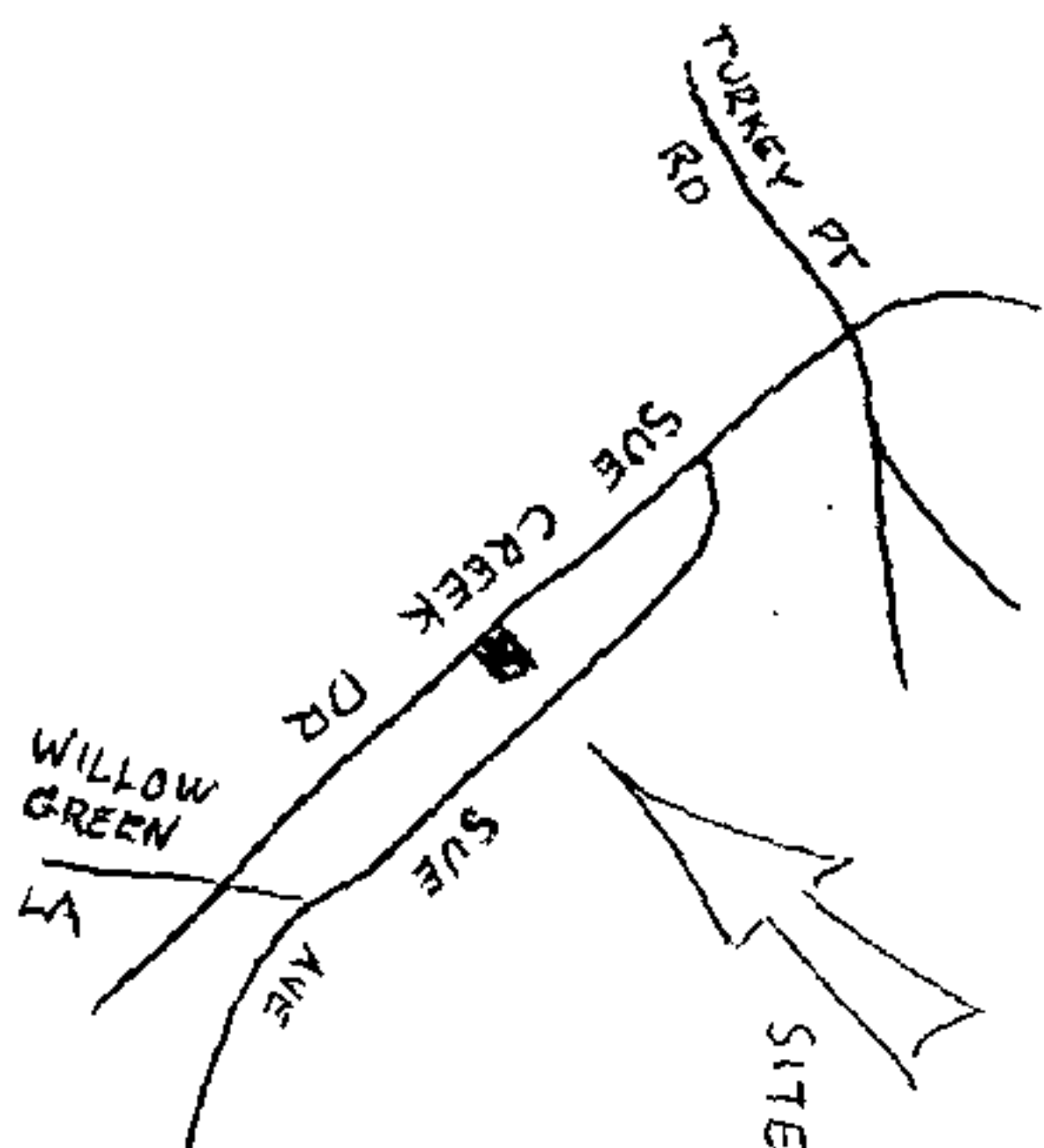
SUBDIVISION NAME SUE CREEK LANDING

PLAT BOOK # 48 FOLIO # 7 LOT # 60 SECTION #

OWNER SAMUEL C & CYNTHIA A NEVINS



VICINITY MAP  
SCALE: 1" = 1000'



**LOCATION INFORMATION**

ELECTION DISTRICT 154

COUNCILMANIC DISTRICT 7647

1"=200' SCALE MAP # 096A3

ZONING DR 3.5

LOT SIZE 0.12 5202

ACREAGE

SQUARE FEET

PUBLIC PRIVATE

SEWER ☒ ☐

WATER ☒ ☐

CHESAPEAKE BAY  
CRITICAL AREA

YES ☒ NO ☐

100 YEAR FLOOD PLAIN

☒

HISTORIC PROPERTY/  
BUILDING

☐  
☒

PRIOR ZONING HEARING

None

ZONING OFFICE USE ONLY  
REVIEWED BY ITEM # CASE #

# THE

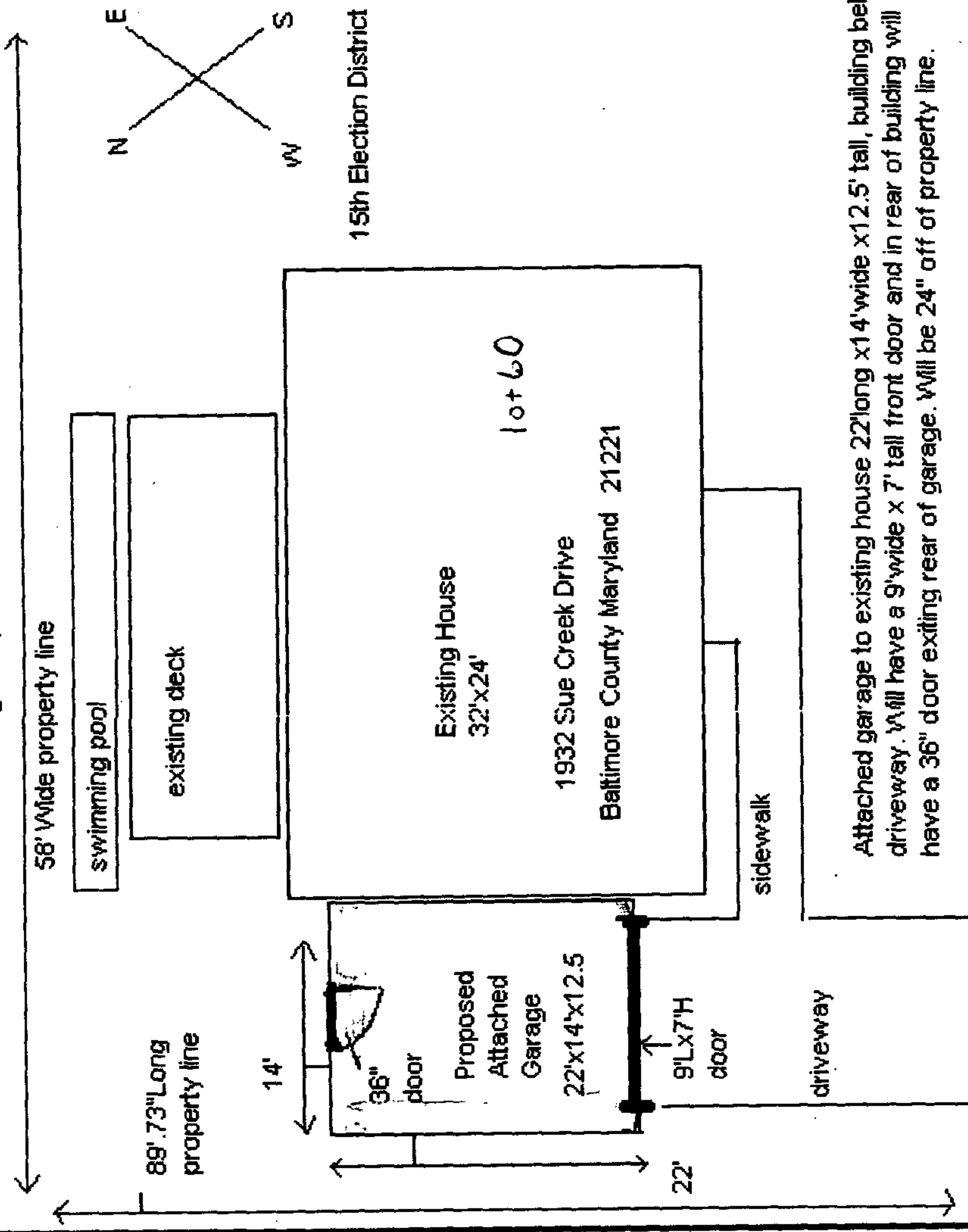
**COSTS**

PREPARED BY

SCALE OF DRAWING: 1" = 30'

-15-

Garage Proposal

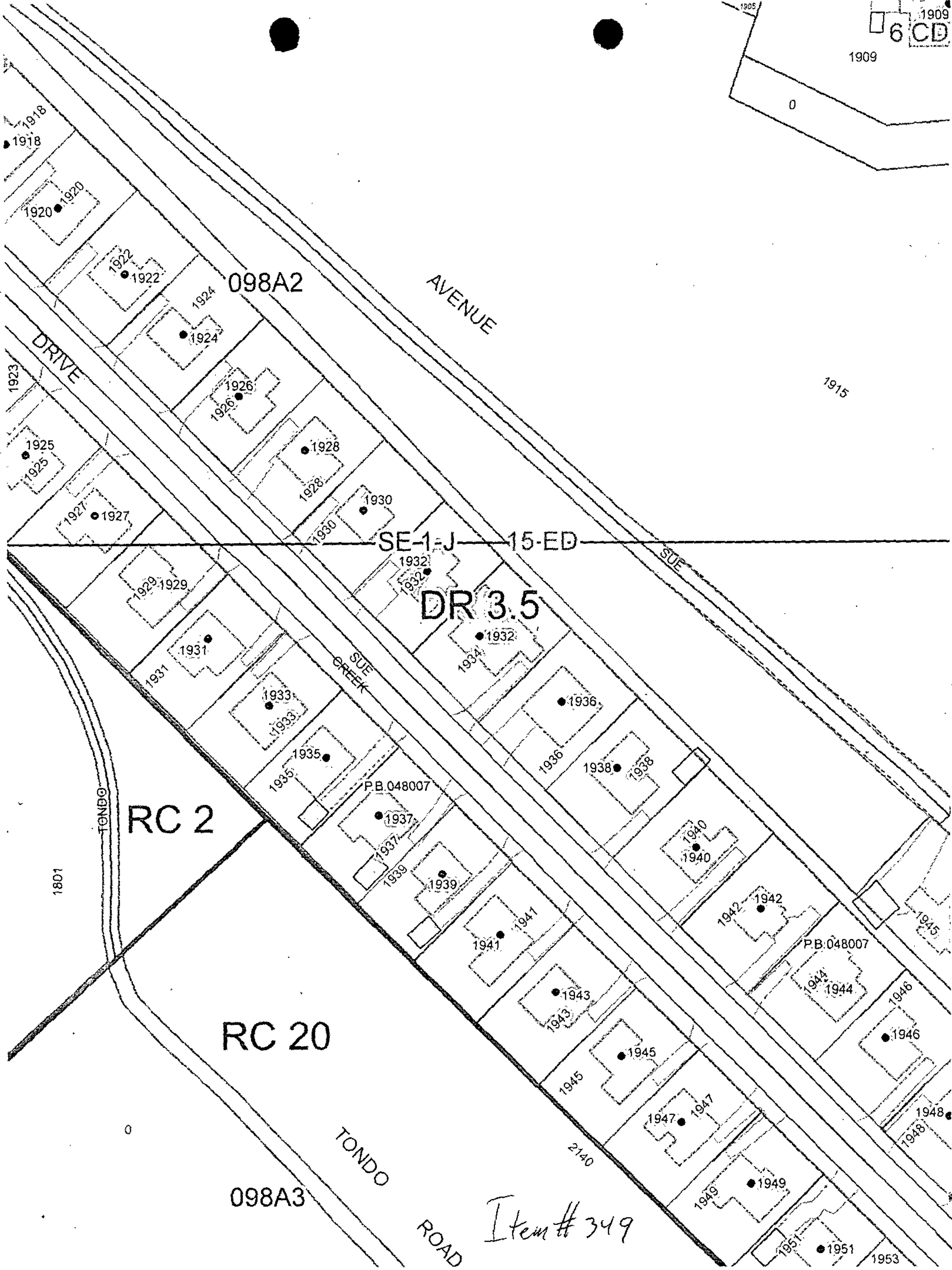


lot 61

lot 59

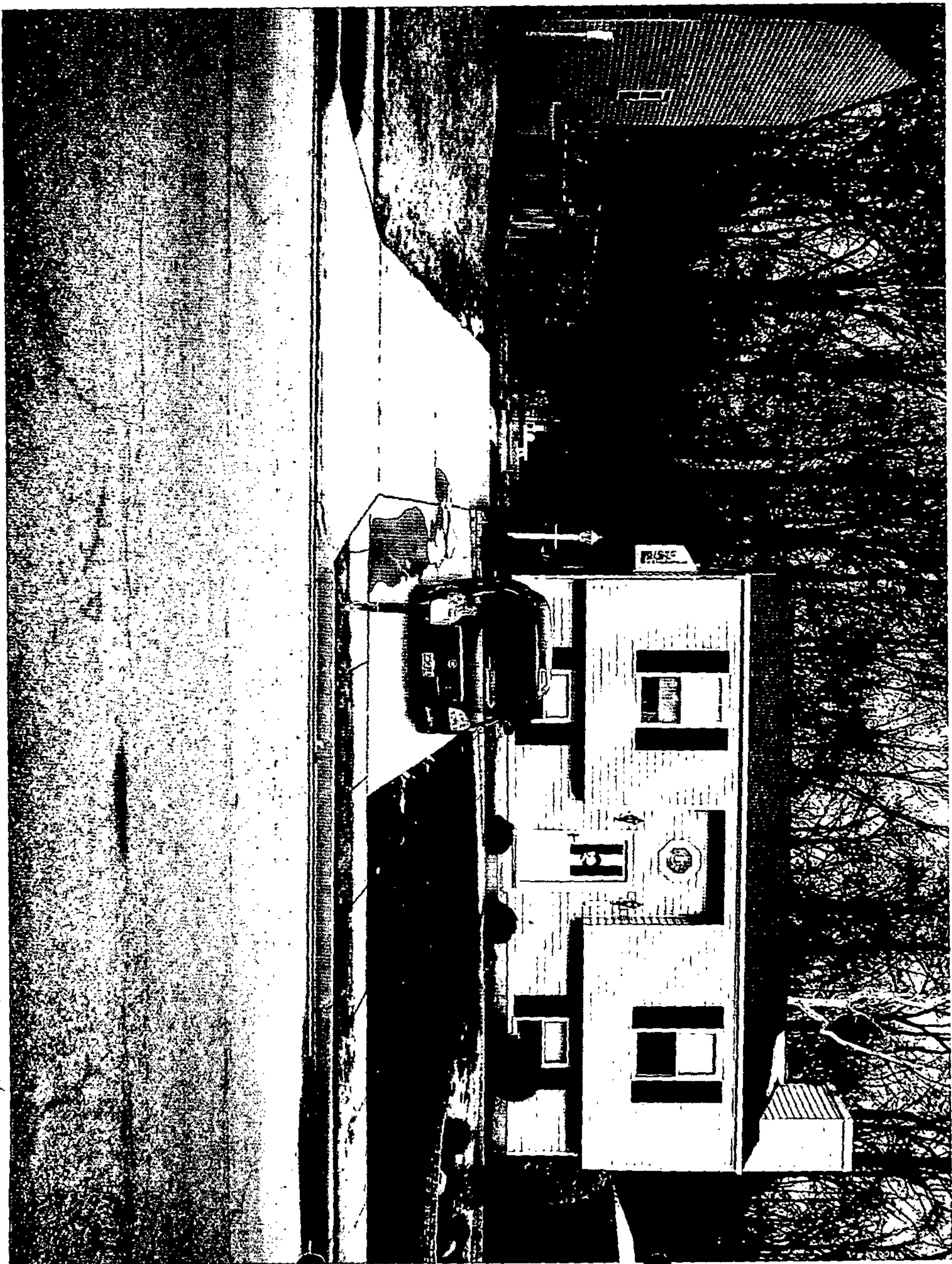
Attached garage to existing house 22'long x14'wide x12.5' tall, building behind driveway. Will have a 9'wide x 7' tall front door and in rear of building will have a 36" door exiting rear of garage. Will be 24" off of property line.

Item # 349

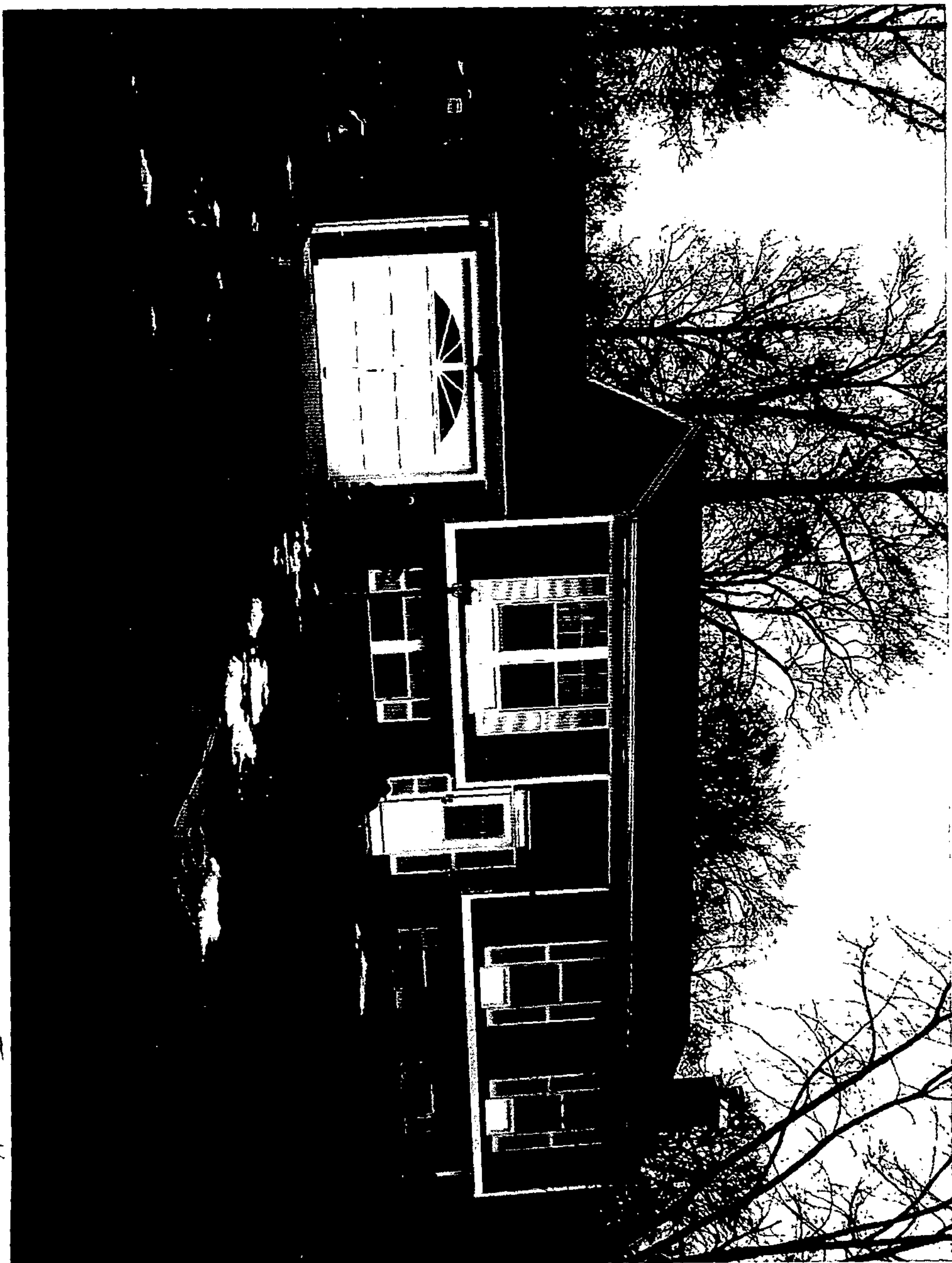


Item # 349

Item # 349



Item # 349

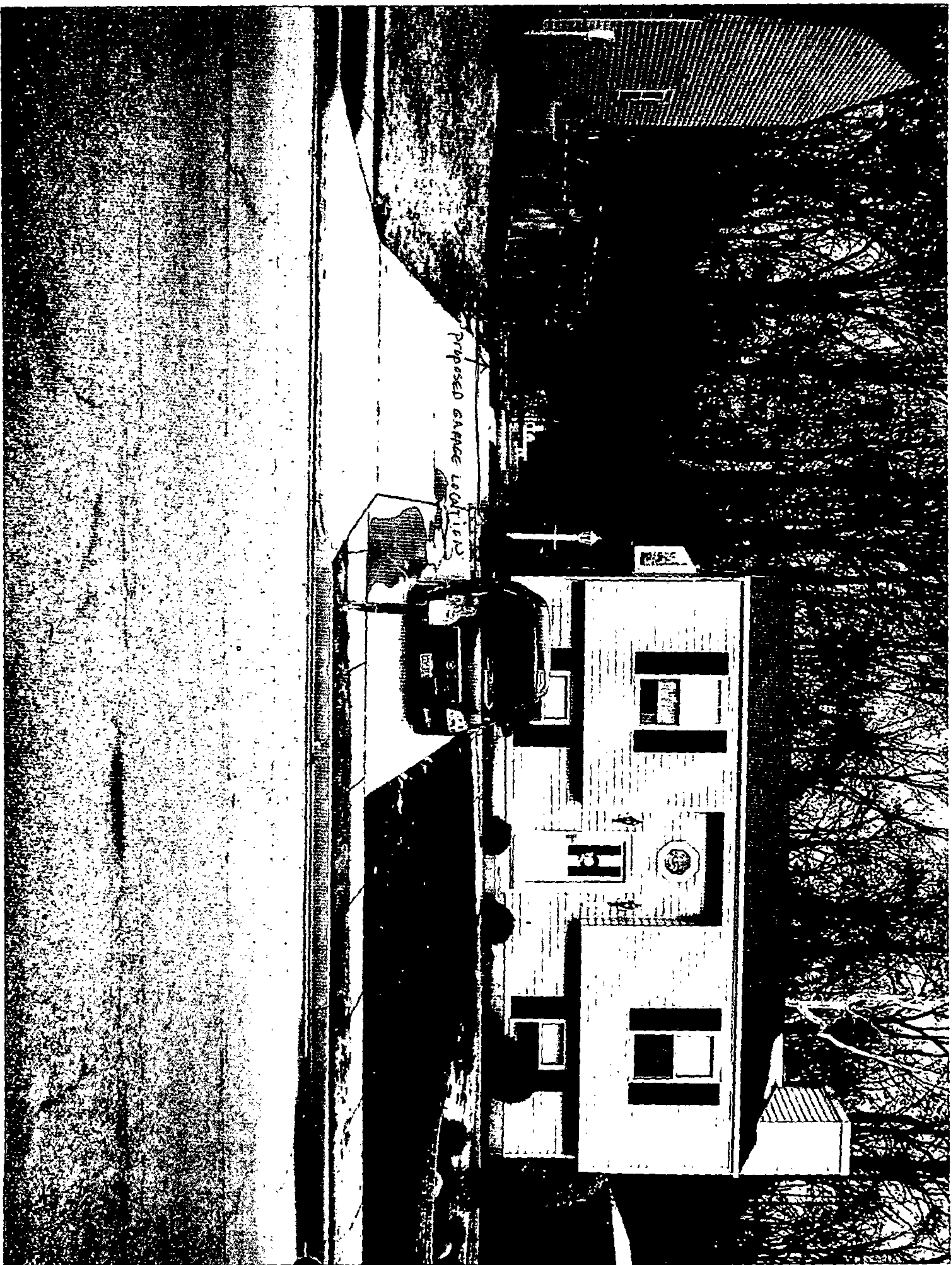


1932 Sue Creek Drive 14'x22'x12 1/2' tall GARAGE ATTACHED TO HOUSE, ADJACENT PROPERTY



Item # 349

1932 Sue Creek Drive 14'x22'x12-1/2' TALL. ATTACHED TO HOUSE.



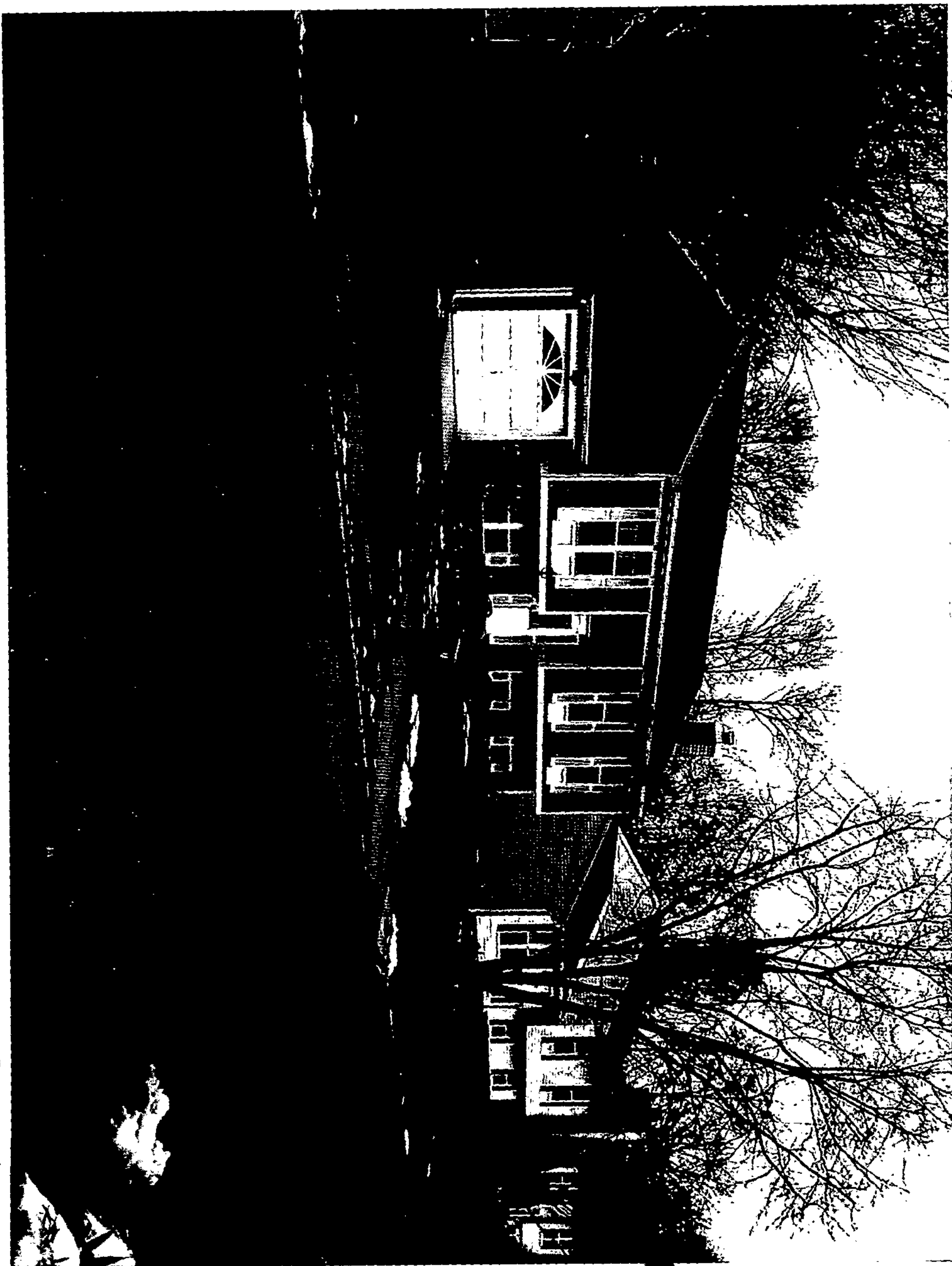
Item # 349

SIMILAR HOUSE FURTHER UP STREET ON SUE CREEK DRIVE, WITH SAME GARAGE TYPE.



Item # 349

SIMILAR HOUSE FURTHER UP STREET ON SUE CREEK DRIVE WITH SOME GARAGE TYPE.



Item # 349