IN RE: PETITION FOR VARIANCE

N side Sue Grove Road (formerly Riverside Road), 65 feet W intersection of Sue Grove Road (formerly E. Shore Road)

15<sup>th</sup> Election District
6<sup>th</sup> Councilmanic District
(863 Sue Grove Road)

\* BEFORE THE

\* DEPUTY ZONING

\* COMMISSIONER

\* FOR BALTIMORE COUNTY

J & M Investments, LLC; Mark Haynes, Member Petitioner

Case No. 08-040-A

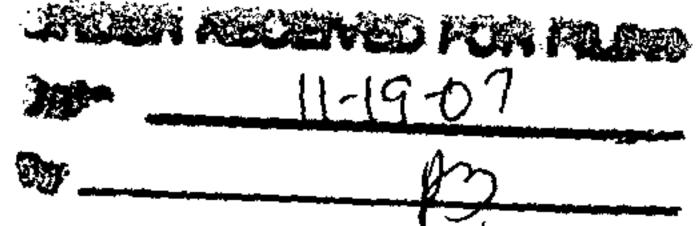
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### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, J & M Investments, LLC by Mark Haynes, Member. Petitioner is requesting variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dwelling on a lot with a width of 50 feet in lieu of the required 70 feet, and a 10 foot side yard setback with a sum of side yard setbacks of 20 feet in lieu of the required 15 feet and 25 feet, respectively. The subject property and the requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the variance requests were Mark Haynes, Member, on behalf of Petitioner J & M Investments, LLC, and David Billingsley with Central Drafting & Design, Inc., the consultant who was involved in the preparation of the site plan. Also appearing as an interested citizen was Joe Coughlin of 852 Sue Grove Road. There were no Protestants or other interested persons in attendance as the hearing.

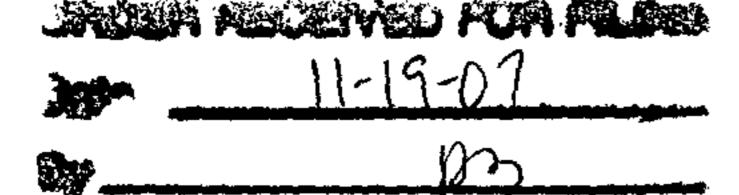
Testimony and evidence offered revealed that the subject property is a rectangular-shaped parcel containing approximately 10,000 square feet or 0.230 acre, more or less, and zoned D.R.3.5. The lot is approximately 50 feet wide by 200 feet deep. The property is located near



Turkey Point on Sue Creek, west of Middle River, in the Essex area of Baltimore County. Presently, the property is unimproved. Petitioner has owned the property since July 2007 and desires to construct a two-story dwelling approximately 30 feet wide by 50 feet deep. The proposed dwelling will be approximately 50 feet from Sue Grove Road in front and 100 feet from the adjacent property owner to the rear. The lot meets minimum area requirements and front and rear yard depth requirements; however, because the lot is undersized in terms of width and side yard setback requirements for a D.R.3.5 zone, Petitioner is in need of variance relief from the minimum width requirement and side yard and sum of side yard setback requirements.

The subject property is an existing lot of record. Petitioner submitted a plat dated April, 1921 which was marked and accepted into evidence as Petitioner's Exhibit 3. This plat shows the original layout of the subdivision known as "Suegrove" and specifically shows the subject property as Lot 88. It also indicates a 50 foot wide lot. Petitioner's Exhibit 3 also illustrates that most of the lots created in that subdivision were platted as 50 foot wide lots. Some lots were slightly less than 50 feet at the street and fanned out toward the water. Other lots were occasionally more than 50 feet wide based on unique configurations associated with such factors as corner lots or lots fronting curves in the road. Most of the existing lots today, as shown on the Sewer Construction Plan which was marked and accepted into evidence as Petitioner's Exhibit 4, are 50 feet wide, with only those property owners fortunate enough to have a "double" lot having a lot more than 50 feet in width.

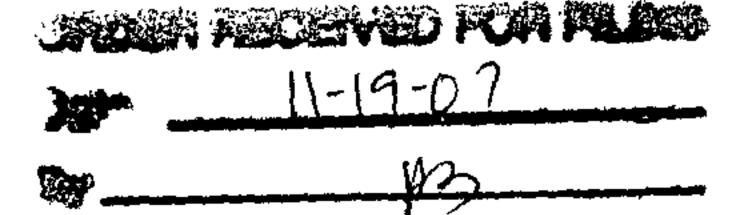
Petitioner also desires to construct a dwelling that will be consistent with the size and appearance of other homes in the neighborhood. This necessitates relief from the side yard setback requirements. Many of the homes constructed in the neighborhood are at least 30 feet wide. A home meeting the side yard setback requirements could only be anywhere from 20 to 25



feet wide. This would surely not meet the aesthetic and functionality requirements of a homeowner, nor would it be desirable from the perspective of nearby homeowners.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. The comments received from the Office of Planning dated July 31, 2007 indicates that the Office has determined that 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 B.C.Z.R. However, there appears to be several existing undersized lots in the neighborhood, and as such, the Planning Office does not oppose Petitioner's request. The comments further indicate that Petitioner should submit building elevations for review and approval prior to issuance of any building permit, the proposed dwelling shall be compatible in architectural detail as that of existing dwellings, and landscaping shall be provided along the public road and at the rear of the property. In addition, the comments received from DEPRM dated September 19, 2007 indicate that development of this property must comply with the Chesapeake Bay Critical Area Regulations. The comments also indicate that the site is located in a Limited Development Area (LDA) and must meet impervious surface limits, tree/forest requirements, and any buffer requirements as outlined in the Baltimore County Codé.

Considering all the testimony and evidence presented, I am persuaded to grant the requested relief. This lot is a rare existing lot of record in a well-developed subdivision that has yet to be developed and remains vacant. This is the kind of peculiar circumstance that makes the regulations impact this property disproportionately compared to others in the district. Hence, I find the property unique in a zoning sense. It should also be noted that there were no Protestants opposed to Petitioner's request and the Planning Office does not oppose Petitioner's request.



I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship, and would render a property, which is very similar in virtually all respects to others in the neighborhood, unable to be developed in the same fashion.

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.

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 1940 day of November, 2007 by this Deputy Zoning Commissioner, that Petitioner's variance requests from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dwelling on a lot with a width of 50 feet in lieu of the required 75 feet, and a 10 foot side yard setback with a sum of side yard setbacks of 20 feet in lieu of the required 15 feet and 25 feet, respectively, be and are hereby GRANTED, subject to the following:

- 1. 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, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. Petitioner shall submit building elevations to the Office of Planning for review and approval prior to the issuance of any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
- Petitioner shall provide landscaping along the public road and in the rear of the proposed lot to provide for a buffer against the existing lot fronting on Sue Grove Road.

	AECEVED FOR FILES
	11-19-07
and the same	

4. Development of the subject 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). In addition, the site is located in a Limited Development Area (LDA) and must therefore meet impervious surface limits, tree/forest requirements, and any buffer requirements as outlined in the Baltimore County Code.

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

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

November 19, 2007

J & M INVESTMENTS, LLC MARK HAYNES, MEMBER 905 SUE GROVE ROAD BALTIMORE MD 21221

Re: Petition for Variance
Case No. 08-040-A
Property: 863 Sue Grove Road

Dear Mr. Haynes:

Enclosed please find the decision rendered in the above-captioned case.

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,

Shomas H. Bestwick / 488
THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: David Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood MD 21040 Joe Coughlin, 852 Sue Grove Road, Baltimore MD 21221



### Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 863 SUE GROVE ROAD which is presently zoned DR 3.5

I/We do solemnly declare and affirm, under the penalties of

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) 1001.30.1. (BCZR)

To permit a dwelling on a lot with a width of 50-feet and a 10-foot side yard setback with a sum of side yard setbacks of 20-feet in lieu of the required 70-feet, 15-feet and 25-feet, respectively.

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

### TO BE PRESENTED AT HEARING

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.

			perjury, that liwe are the legal owner(s) of the property which is the subject of this Petition.
Contract Purch	naser/Lessee:		Legal Owner(s):  J & MINVESTMENTS, LLC
Name - Type or Print		Name	MARK HAYNES, MEMBER
Signature			Gignature
Address	<del></del>	Telephone No.	Name - Type or Print
City	State	Zip Code	Signature
Attorney For Pa	etitioner:		905 SUE GROVE ROAD (410)687-788 Address Telephone No.
Name - Type or Print	<del></del>	City	BALTIMORE MO. ZIZZI State Zip Code
Signature			Representative to be Contacted:  DAVID BILLING SLEY  CENTRAL DRAFTING AND DESIGN, INC.  Name
Address	£`	Telephone No.	601 CHARWOOD CT. (410)679-8719 Address EDGEWOOD MO. 21040
City	State	Zip Code	City State Zip Code
			OFFICE USE ONLY
Case No.	08-040-A		ESTIMATED LENGTH OF HEARING
REV 9/15/98		Reviewed By	UNAVAILABLE FOR HEARING D.T. Bate 712307
hanke.	11-19-07		

### **ZONING DESCRIPTION**

### 863 SUE GROVE ROAD

Beginning at a point on the north side of Sue Grove Road (formerly Riverside Road), 30 feet wide, distant westerly 65 feet from it's intersection with the center of Sue Grove Road (formerly E. Shore Road), 30 feet wide, thence being all of Lot 88 as shown on the plat entitled Suegrove, recorded among the Baltimore County plat records in Plat Book 7, Folio 11. Containing 10,000 square feet or 0.230 acre of land, more or less.

Being known as 863 Sue Grove Road. Located in the 15<sup>TH</sup> Election District, 6<sup>TH</sup> Councilmanic District of Baltimore County, Md.

## NOTICE OF ZONING HEARING

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

Case: #08-040-A
863 Sue Grove Road
N/side of Sue Grove Rd. (formerly Riverside Rd.), 65 ft. west
from Intersection of Sue Grove Rd. (formerly E. Shore Rd.)
15th Election District - 6th Councilmanic District
Legal Owner(s): J & M Investments, LLC, Mark Haynes,
Member

Variance: to permit a dwelling on a lot with a width of 50-feet and a 10-foot side yard setback with a sum of side yard setback with a sum of side yard setbacks of 20-feet in lieu of the required 70 feet, 15-feet and 25-feet respectively.

Hearing: Monday, September 24, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosiey Avenue, Towson 21204. <u>26.</u>

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.

9/010 Sept. 8

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in the following weekly newspaper published in Baltimore County, Md., THIS IS TO CERTIFY, that the annexed advertisement was successive weeks, the first publication appearing published

LEGAL ADVERTISING

OHING HEARING NOTICE OF

The Zo of Commissioner of Baltimore County, by authority of E Zoning Act, and Regulations of Baltimore County with Jode a public hearing in Towson, Maryland on the proper Identified hereignas follows:

Case: H. Dab-A

B63 Sue Swe Road

N/side of Swe Grove Rd. (formerly Riverside Rd.), 65 ft.
west from intersection of Swe Grove Rd. (formerly E. Shore fto.)

15th Election District - 6th Councilmanic District
Legal Gymer(s): J & M Investments, LLC.

Mark Haynes. Member

Variance: to permit a dwelling on a lot with a width of 50-feet and a 10-foot side yard setback with a sum of side yard setbacks of 20-feet in lieu of the required 70 feet, 15-feet and 25-feet respectively.

Hearing: Thursday, October 18, 2007 at 10:00 a.m. In Room 407, County Courts Building, 401 Bosiey Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

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JT/10/608 Dct. 2

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FY, that the annexed advertisement was published successive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., THIS IS TO CERTI jo once in each ono

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Times Towson

Mills Times Owings

NE Booster/Reporter

North County News

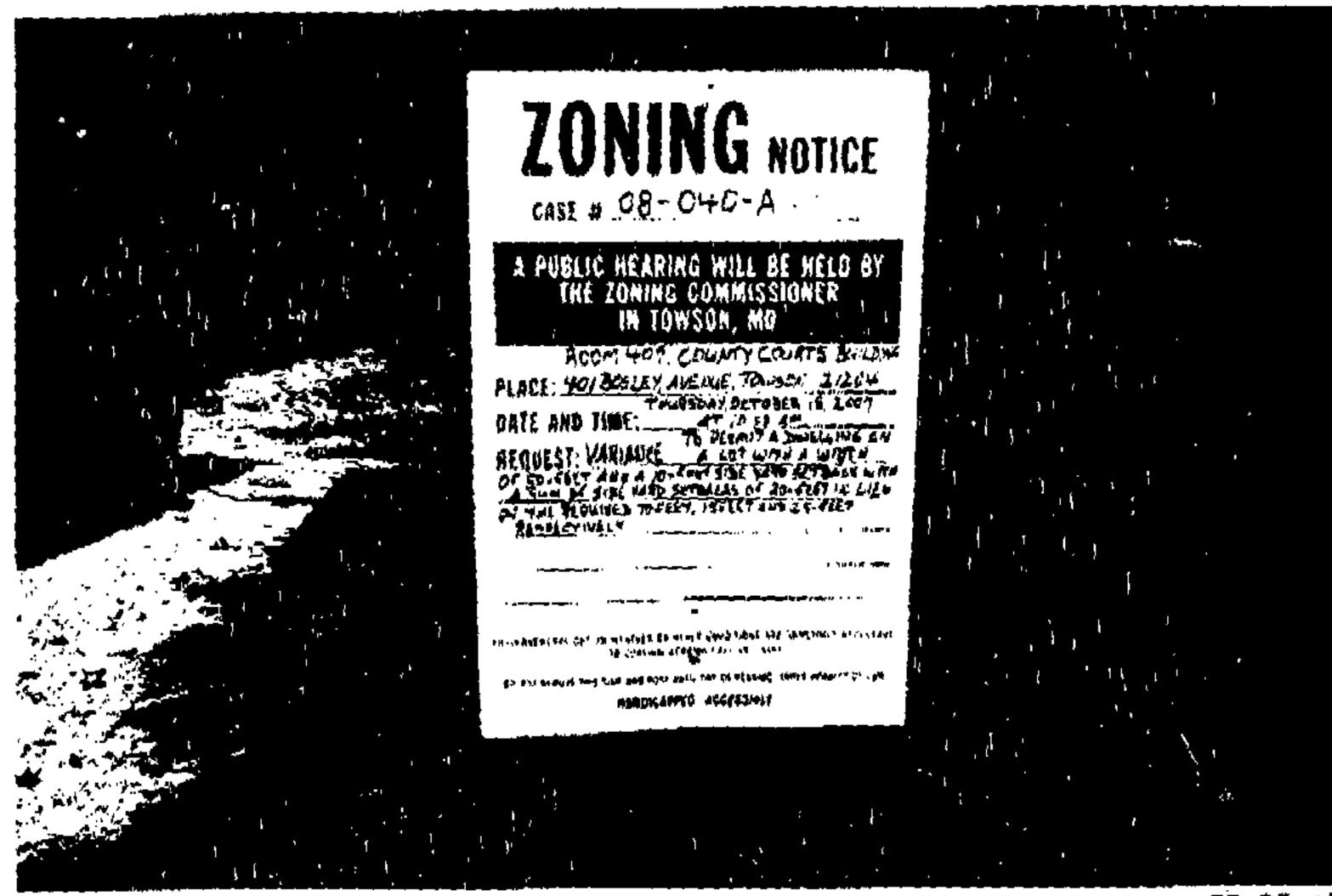
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LEGAL ADVERTISING

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OFFICE OF MISCELLAN	Fund Ago,	Rec From:	7. 1.	DISTRIBUTION WHITE - CASHIE

### CERTIFICATE OF POSTING

	RE: Case No: 08-045-A
	Petitioner/Developer: PAUL BILLINGSLEY
	Date Of Hearing/Closing: 10/187
Baltimore County Departmen	nt of
Permits and Development M	anagement
County Office Building, Room	m III
111 West Chesapeake Avenue	<u>}</u>
Attention:	
Ladies and Gentlemen:	
<b>▼</b>	the penalties of perjury that the necessary posted conspicuously on the property 863 SUE BRIVE RIAD
at	863 SUE BROVE KJAD
	<del>,</del>
This sign(s) were posted on	Detober 2, 2007
	(Month, Day, Year)
	Sincerely,
	Martie le 10/2/07
	(Signature of sign Poster and Date)
	Martin Ogle
	Sign Poster
	16 Salix Court
	Address
	Balto. Md 21220
	(443-629 3411)





JAMES T. SMITH, JR. County Executive

August 21, 2007
TIMOTHY M. KOTROCO. Director

### NOTICE OF ZONING HEARING

Department of Permits and Development Management

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: 08-040-A

863 Sue Grove Road

N/side of Sue Grove Rd. (formerly Riverside Rd.), 65 ft. west from intersection of Sue Grove Rd. (formerly E. Shore Rd.)

15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: J & M Investments, LLC, Mark Haynes, Member

Variance to permit a dwelling on a lot with a width of 50-feet and a 10-foot side yard setback with a sum of side yard setbacks of 20-feet in lieu of the required 70 feet, 15-feet and 25-feet respectively.

Hearing: Monday, September 24, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Mark Haynes, J & M Investments, LLC, 905 Sue Grove Road, Baltimore 21221 David Billingsley, 601 Charwood Court, Edgewood 21040

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, SEPT. 8, 2007

- (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.

PATUXENT PUBLISHING COMPANY TO:

Thursday, September 6, 2007 Issue - Jeffersonian

Please forward billing to:

Mark Haynes

905 Sue Grove Road Baltimore, MD 21221

410-682-2887

### 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: 08-040-A

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N/side of Sue Grove Rd. (formerly Riverside Rd.), 65 ft. west from intersection of Sue Grove Rd. (formerly E. Shore Rd.)

15th Election District ~ 6th Councilmanic District

Legal Owners: J & M Investments, LLC, Mark Haynes, Member

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MISSIONER FOR BALTIMORE COUNTY

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

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

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

For Newspaper Advertising:
Item Number or Case Number: 08-040-A
Defitioner J # M MYVEO/NACHIO, LEU
Address or Location: 863 54E GROVE ROAD
PLEASE FORWARD ADVERTISING BILL TO:
Name: MARK HAYNES
Address: 905546 GROVE ROAD
BALTO. MO. ZIZZ/
Telephone Number: (410/687- 2887
1 61661 10116 1401 1061



JAMES T. SMITH, JR. County Executive

TINGEPIEMBED17020, Officector

Department of Permits and

Development Management

### **NOTICE OF ZONING HEARING**

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<u>Variance</u> to permit a dwelling on a lot with a width of 50-feet and a 10-foot side yard setback with a sum of side yard setbacks of 20-feet in lieu of the required 70 feet, 15-feet and 25-feet respectively.

Hearing: Thursday, October 18, 2007 at 10:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Mark Haynes, J & M Investments, LLC, 905 Sue Grove Road, Baltimore 21221 David Billingsley, 601 Charwood Court, Edgewood 21040

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDBESDAY, OCTOBER 3, 2007

- (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.

PATUXENT PUBLISHING COMPANY TO:

Tuesday, October 2, 2007 Issue - Jeffersonian

Please forward billing to:

Mark Haynes 905 Sue Grove Road Baltimore, MD 21221

410-682-2887

### NOTICE OF ZONING HEARING

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Hearing: Thursday, October 18, 2007 at 10:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL

ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S

OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT

THE ZONING REVIEW OFFICE AT 410-887-3391.



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

October 10, 2007

J & M Investments, LLC Mark Haynes, Member 905 Sue Grove Road Baltimore, MD 21221

Dear Mr. Haynes:

RE: Case Number: 08-040-A, 863 Sue Grove Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 23, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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

David Billingsley Central Drafting & Design, Inc. 601 Charwood Ct. Edgewood 21040

Miscellaneous Permit & License Processing | County Office Building 111 West Chesapeake Avenue, Room 101 | Towson, Maryland 21204 Phone 410-887-3616 | Fax 410-887-4578 | Animal Licenses 410-887-3630 www.baltimorecountymd.gov

TB 10-18-07

### BALTIMORE COUNTY, MARYLAND

### Inter-Office Correspondence



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B.	Y٠				

			BY:								
TO:	Timothy M. K	Timothy M. Kotroco									
FROM:	Dave Lykens,	DEPRM - Development Coordination JWL	•								
DATE:	September 19	, 2007									
SUBJECT:	Zoning Item Address	# 08-40-A 863 Sue Grove Road (J&M Investments, LLC)									
Zonin	g Advisory Cor	mmittee Meeting of July 30, 2007									
	•	nvironmental Protection and Resource Man ve-referenced zoning item.	nagement has no								
	•	nvironmental Protection and Resource Marents on the above-referenced zoning item:	nagement offers								
	Protection of	of the property must comply with the Regularity Water Quality, Streams, Wetlands and Floough 33-3-120 of the Baltimore County Code	odplains (Sections								
<del> </del>	•	of this property must comply with the Fore Regulations (Sections 33-6-101 through 33 unty Code).									

### Additional Comments:

The site is located in the Chesapeake Bay Critical Area's (CBCA) Limited Development Area (LDA) and must meet impervious surface limits, tree/forest requirements, and any buffer requirements as outlined in the Code referenced above.

other Sections, 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

Reviewer:

Paul Dennis

Date: 9/7/07

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

**DATE:** July 31, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 8-040- Variance

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 meet the standards stated in Section 304.1.C of the BCZR. However, there appears to be several existing undersized lots in the neighborhood. As such, this office does not oppose the petitioner's request.

If the petitioner's request is granted, the following conditions shall apply to the proposed dwelling:

- 1. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
- 2. Provide landscaping along the public road and in the rear of the proposed lot to provide for a buffer against the existing lot fronting Sue Grove Road.

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

Prepared By:

Division Chief:

CM/LL



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

Maryland Department of Transportation

Date: July 31, 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. 8-40-A

863 SUE GROVE ROAD JAM INVESTMENTS LL CPROPERTY

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. 8-40-4.

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,

Engineering Access Permits

Division

SDF/MB

### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: August 1, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 6, 2007

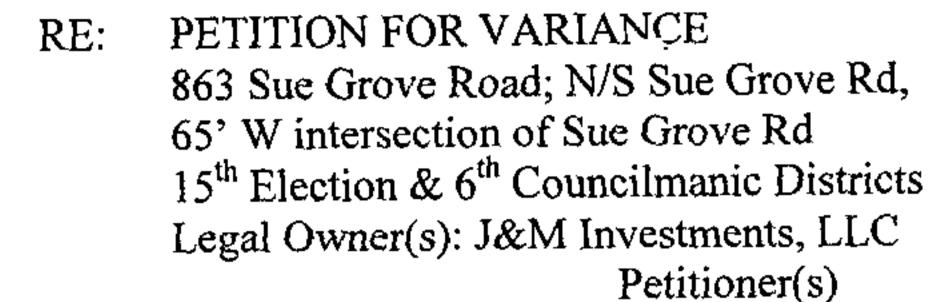
Item Nos. 08-035, 036, 037, 038, 039, 040, 041, 043, 044, 046, 048 and 051

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

DAK:CEN:cab

cc: File

ZAC-NO COMMENTS-08062007.doc



BEFORE THE

ZONING COMMISSIONER

FOR

**BALTIMORE COUNTY** 

08-040-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 Her Max 2 immerman and all documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

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 3rd day of August, 2007, a copy of the foregoing Entry of Appearance was mailed to, David Billingsley, Central Drafting & Design, Inc, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

RECEIVED

AUG 8 3 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

601 CHARWOOD COURT EDGEWOOD, MARYLAND 21040 (410) 679-8719 FAX (410) 679-1298

September 14, 2007

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Md. 21204
Attn: Kristen Matthews
Zoning Review

RE: CASE NO. 08-040-A 863 SUE GROVE ROAD

Dear Ms. Matthews:

Posting of the property for the scheduled hearing was not accomplished by the required date. We are requesting that the hearing be rescheduled at the earliest available date. Please note that the length of the hearing is anticipated to be short.

Any additional cost for advertising should be forwarded to this office for payment.

Thank you for your cooperation in this matter.

David W. Billingsley

Very truly yours,

David W. Billingsley

# PLEASE PRINT CLEARLY

CASE NUMBER 08-040-4

ETITIONER'S SIGN-IN SHEET

E-MAIL													
CITY, STATE, ZIP	EDGELLOOD, MU 21040	CITY											
ADDRESS	ADD CT	Cycox P3											
NAME	DAVID BILLINGSCEF	MARK HORSO	7				,						

# PLEASE PRINT CLEARLY

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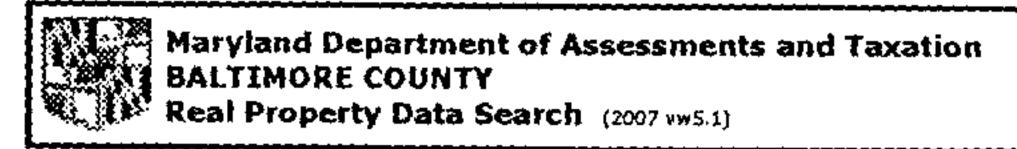
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E-MAIL												
CITY, STATE, ZIP	Brito, uno 2122)	212c)										
ADDRESS	857 Sur Grove 12d											· · · · · · · · · · · · · · · · · · ·
NAME	Toe Coucheln		•									



08-040-A

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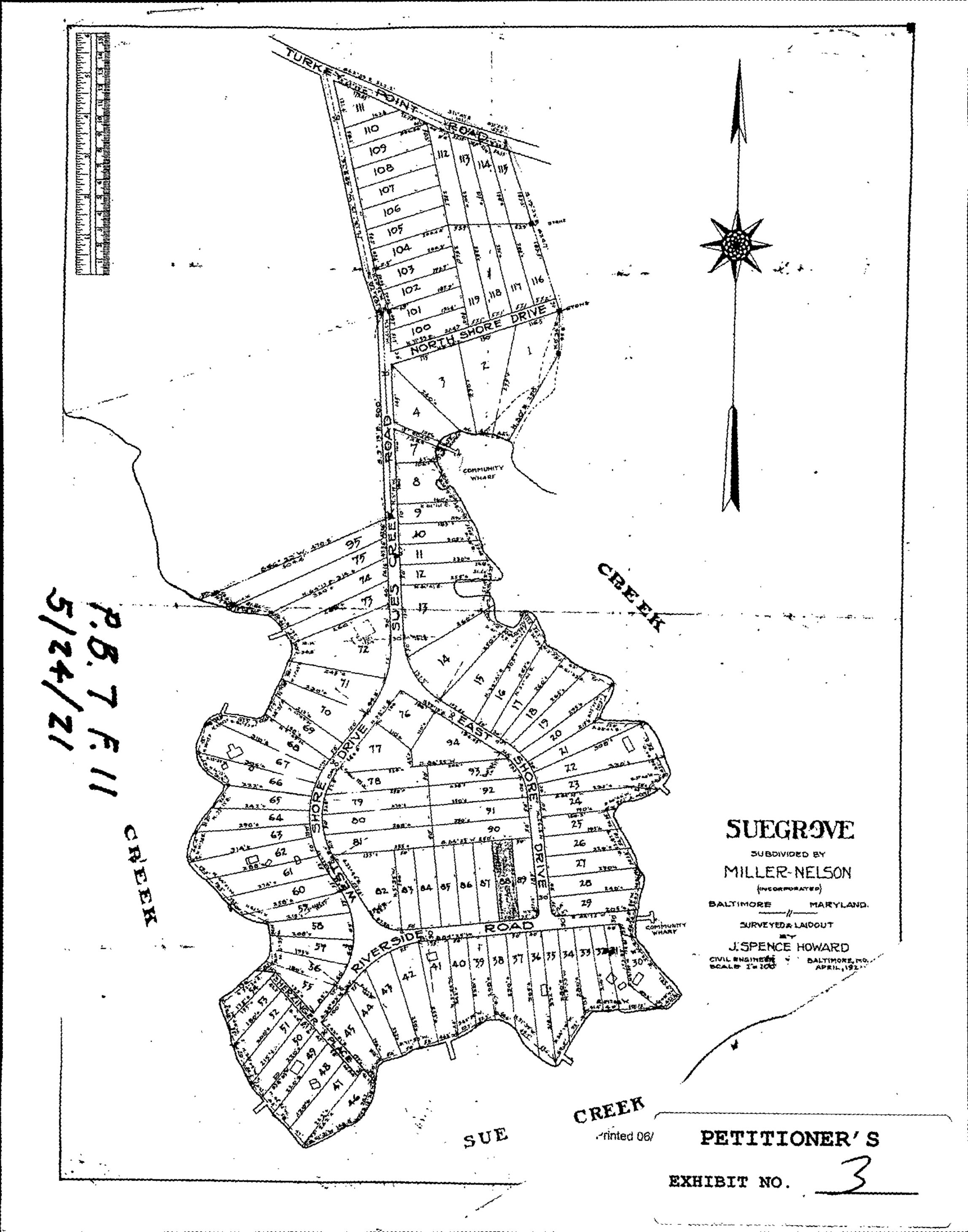
Go Back View Map New Search

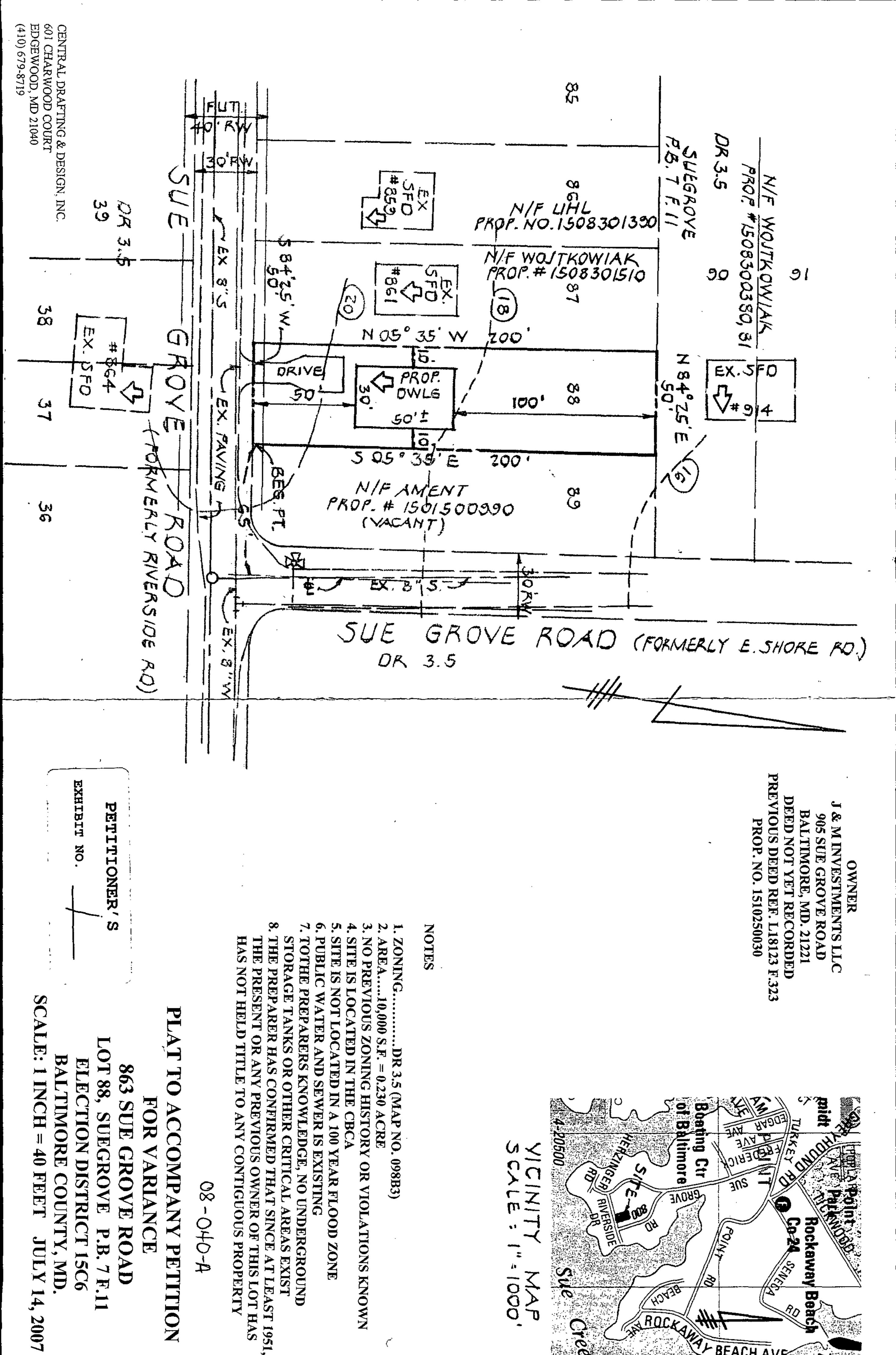
Accou	nt Id	entifier:	District -	15 Account N	lumber - 15	10250	030					
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Premi: RIVERS		<b>ddress</b> RD			<del></del>	Legal Description						
	<del></del>			<del></del>				SUE GRO	OVE	~ ~		
<b>Map</b> 98	Grid 15	Parcel 215	Sub District	Subdivision	Section	Block	Lot / 88	\ssessm	ient Area 3	Plat No: Plat Ref:	7/ 1	
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PETITIONER'S


EXHIBIT NO.

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Beac)





JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief Fire Department

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

August 2, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 30, 2007

Item Number: 035,036,037,038,039,040,041,043,044,046,047,048,050,051

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