

IN RE: **PETITION FOR VARIANCE**

S/E Corner Marsh Road &
Cedar Creek Road
(1015 Cedar Creek Road)
15th Election District
6th Council District

Phillip J. Forbes, et ux
Petitioners

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BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 08-098-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a *Petition for Variance* filed by the owners of the subject property, Phillip J. Forbes, and his wife, Jessica L. Forbes. The Petitioners request variance relief from Sections 1A04.3.B.1.a and 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an 87-foot setback to the centerline of a road that leads to a collector road (Cedar Creek Road), a 33-foot setback to the centerline of a road (Marsh Road), a 10-foot (south side) and 40-foot (rear yard) setbacks to the property line on a lot with an area of 0.211 acres, more or less, (9,172 square feet) in lieu of the required 100-foot, 75-foot, 50-feet, 50-feet and 1.5 acres, respectively. The subject property and requested relief are more particularly described on the site plan submitted, which were accepted into evidence and marked as Petitioners' Exhibits 1.

Appearing at the requisite public hearing in support of the request were Phillip and Jessica Forbes, property owners, and David Billingsley, of Central Drafting and Design, Inc., the consultant who prepared the site plan and is assisting the Petitioners through the permitting process. There were no Protestants or other interested persons present.

Testimony and evidence offered disclosed that the subject property is an unimproved triangularly shaped parcel located just north of Holly Neck Road on the southeast corner of the rights-of-way of Marsh and Cedar Creek Roads in Essex. The property is referred to as Lots 411 and 412 and is shown on the plat of Cedar Beach, an older subdivision which was recorded in the

RECEIVED FOR FILING
Date 10-30-07
By [signature]

Land Records of Baltimore County well prior to the effective date of zoning regulations. As is often the case with older subdivisions, many of the lots do not meet current area and/or width requirements. In this regard, the subject property is approximately 32 feet wide at Cedar Creek Road, 161 feet deep along Marsh Road on its northern boundary and 91 feet wide at the rear of the lot. The property is zoned R.C.5. Those regulations require a minimum area of 1.5 acres, 50-foot setbacks to any property line other than a street line, and if located on a road that leads to or connects with a collector road (Cedar Creek), a 100-foot setback from the centerline of that road is required. A 75-foot setback is required from any other road or street (Marsh Road). Thus, the subject lot of record is clearly undersized by today's development standards.

Variance relief is requested as set forth above to allow development of the subject property with a two-story, single-family dwelling 25' wide x 42' deep as illustrated on the photograph exhibit, Petitioner's Exhibit 6. Mr. Billingsley stated that he searched the title back to 1960 and testified that it has been a separately taxed parcel since then with no evidence of common ownership with any other adjoining parcel. The Petitioners who have resided in the area at 1012 Beach Road for the past four (4) years purchased the subject property in 2006 as an investment since it is served by public utilities. The proposed dwelling will be forced back or towards the rear of the lot due to the narrow front yard width necessitating the rear yard setback variance. Otherwise, the proposed home will be centered on the lot so as to provide setback distances consistent with other homes on adjacent properties. Petitioners submitted photographic evidence received as Petitioners' Exhibit 5 that demonstrate the pattern of development and that the proposed home will be compatible with other homes located on neighboring properties at 1016, 1014, and 1012 on Beach Road as well as the homes at 1017 and 1007 Cedar Creek Road. Thus, the Petitioners submit that the relief requested is appropriate and is consistent with the neighborhood.

After due consideration of the testimony and evidence presented, I am persuaded to grant the relief requested. I find that the Petitioners have met the requirements of Section 307 and *Cromwell v. Ward*, 102 Md. App. 691 (1995) for relief to be granted. As noted above, the

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Date 10-30-07
By [signature]

subject property has been a lot of record for many years, well prior to the adoption of the R.C.5 zoning regulations in 1979. It is also clear that the subject lot has not been used for any purpose or in conjunction with any adjacent lot. Strict compliance with the regulations would result in practical difficulty for the Petitioners and prevent further improvements of the property for a permitted purpose. There were no adverse comments submitted by any County reviewing agency, and none of the neighbors have any objections. Thus, I find that relief can be granted without detrimental impact to the health, safety, or general welfare of the surrounding locale. No increase in residential density beyond otherwise allowable by the zoning regulations will result by granting these variances. However, due to the property's close proximity to Sue Creek, the proposed improvements must comply with the Chesapeake Bay Critical Area regulations as set forth in the attached Zoning Advisory Committee (ZAC) comment submitted by the Department of Environmental Protection and Resource Management (DEPRM). Additionally, as a condition to the relief granted, the Petitioner shall submit building elevation drawings of the proposed dwelling to the Office of Planning for review and approval prior to the issuance of any permits, and landscaping shall be provided along the public roads if consistent with existing streetscape.

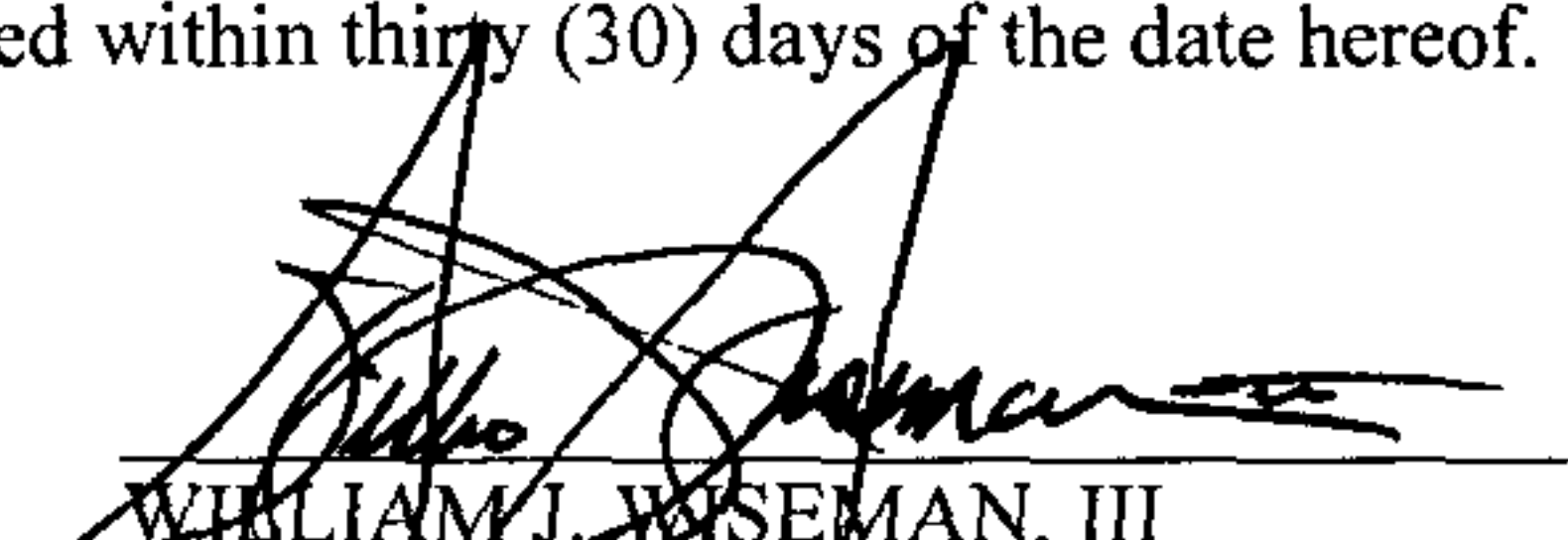
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of October, 2007, that the Petition for Variance seeking relief from Sections 1A04.3.B.1.a and 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an 87-foot setback to the centerline of a road that leads to a collector road (Cedar Creek Road), a 33-foot setback to the centerline of a road (Marsh Road), a 10-foot (south side) and 40-foot (rear yard) setbacks to the property line on a lot with an area of 0.211 acres, more or less, (9,172 square feet) in lieu of the required 100-foot, 75-foot, 50-feet, 50-feet and 1.5 acres, respectively, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

RECEIVED FOR FILING
Date 10-30-07
By [signature]

1. Petitioners may apply for building permits 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 relief granted herein shall be rescinded.
2. Compliance with the ZAC comment, dated October 3, 2007, submitted by DEPRM relative to Chesapeake Bay Critical Area regulations and development of the site within the Limited Development Area (LDA) requirements. A copy of this comment is attached hereto and made a part hereof.
3. Petitioners shall comply with the ZAC comment, dated August 31, 2007, submitted by the Office of Planning. Petitioners shall submit building elevation drawings to the Office of Planning for review and approval. The proposed dwelling shall be constructed substantially in accordance with the elevation drawings approved by the Office of Planning. Moreover, landscaping shall be provided in front of the property along Cedar Creek Road and Marsh Road, if consistent with the existing streetscape. A copy of this comment is attached hereto and made a part hereof.
4. When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision shall be entered within thirty (30) days of the date hereof.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING
Date 10-30-07
By dlw



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1015 CEDAR CREEK ROAD
which is presently zoned R.C.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)

SEE ATTACHED

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.

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 _____ City _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

PHILLIP J. FORBES
Name - Type or Print _____
Signature Phillip J. Forbes _____
JESSICA L. FORBES
Name - Type or Print _____
Signature Jessica L. Forbes _____
1017 BEACH ROAD (443-621-7160)
Address _____ Telephone No. _____
BALTIMORE MD 21221
City _____ State _____ Zip Code _____

Representative to be Contacted:

DAVID BILLINGSLEY
CENTRAL DRAFTING & DESIGN, INC.
Name _____
601 CHARWOOD CT. (410) 679-8719
Address _____ Telephone No. _____
EDGEWOOD MD 21040
City _____ State _____ Zip Code _____

OFFICE USE ONLY

Case No. 08-098-A

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

REV 9/15/98

Reviewed By D.T. Date 8/22/07

ORDER RECEIVED FOR FILING

Date 10-30-07

By DW

REVISED FOR 08-098-A

SECTIONS 1A04.3.B.2.b & 1A04.3.B.1.a (BCZR)

TO PERMIT AN 87-FOOT SETBACK TO THE CENTERLINE OF A ROAD THAT LEADS TO A COLLECTOR ROAD, 33-FOOT SETBACK TO THE CENTERLINE OF A ROAD, 10-FOOT, AND 40-FOOT ^{new} SETBACK TO PROPERTY LINE ON A LOT WITH AN AREA OF 9,172 SQUARE FEET (0.211 ACRE) IN LIEU OF THE REQUIRED 100-FOET, 75-FOET, 50-FOET, 50-FOET AND 1.5 ACRES, RESPECTIVELY.

North Rd

Cedar Creek

South side

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: #08-098-A

1015 Cedar Creek Road

S/east corner of Marsh and Cedar Creek Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Phillip J. & Jessica L. Forbes

Variance: to permit a front setback of 87 feet to the centerline of the street, side setbacks of 33 feet and 10 feet and a rear setback of 40 feet on a lot with an area of 9,172 (0.211 acre) in lieu of the required 100 feet, 50 feet and 1.5 acres, respectively.

Hearing: Friday, October 19, 2007 at 9:00 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 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.

10/09/09 Oct. 2 150951

CERTIFICATE OF PUBLICATION

10/4/2007

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 10/4/2007.

- ☒ 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: 08-098-A

Petitioner/Developer: Princip I.
JESSICA L. FORBES

Date Of Hearing/Closing: 10/19/07

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

Attention:

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
at 1015 CEDAR CREEK ROAD

This sign(s) were posted on October 2, 2007

(Month, Day, Year)

Sincerely,

Martin Ogle 10/2/07
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

Cover sheet from Ogles
indicates 08-098-A -
however, sign says
08-138-A



CERTIFICATE OF POSTING

RE: Case No: 08-098-A

Petitioner/Developer: PHILIP J.
JESSICA L. FORBES

Date Of Hearing/Closing: 10/19/07

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

Attention:

RECEIVED
OCT 16 2007
BY:

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
at 1015 CEDAR CREEK ROAD

This sign(s) were posted on October 2, 2007

(Month, Day, Year)

Sincerely,

Martin Ogle 10/2/07
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

ZONING NOTICE

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02 0734 387 010 122 0 0112

44-38861-2116C-1-1

LTJ

LA 51-08-095-6

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15.2. 2011, 10.24 - The Big Day

1990-1991

REPORT

THE UNIVERSITY OF CHICAGO

Figure 1

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11-11-11

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BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

September 14, 2007
T. J. K. Director
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: 08-098-A

1015 Cedar Creek Road

S/east corner of Marsh and Cedar Creek Road

15th Election District – 6th Councilmanic District

Legal Owners: Phillip J. & Jessica L. Forbes

Variance to permit a front setback of 87 feet to the centerline of the street, side setbacks of 33 feet and 10 feet and a rear setback of 40 feet on a lot with an area of 9,172 (0.211 acre) in lieu of the required 100 feet, 50 feet and 1.5 acres, respectively.

Hearing: Friday, October 19, 2007 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Phillip & Jessica Forbes, 1012 Beach 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 THURSDAY, OCTOBER 4, 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 4, 2007 Issue - Jeffersonian

Please forward billing to:

Phillip Forbes
1012 Beach Road
Baltimore, MD 21221

443-624-7160

NOTICE OF ZONING HEARING

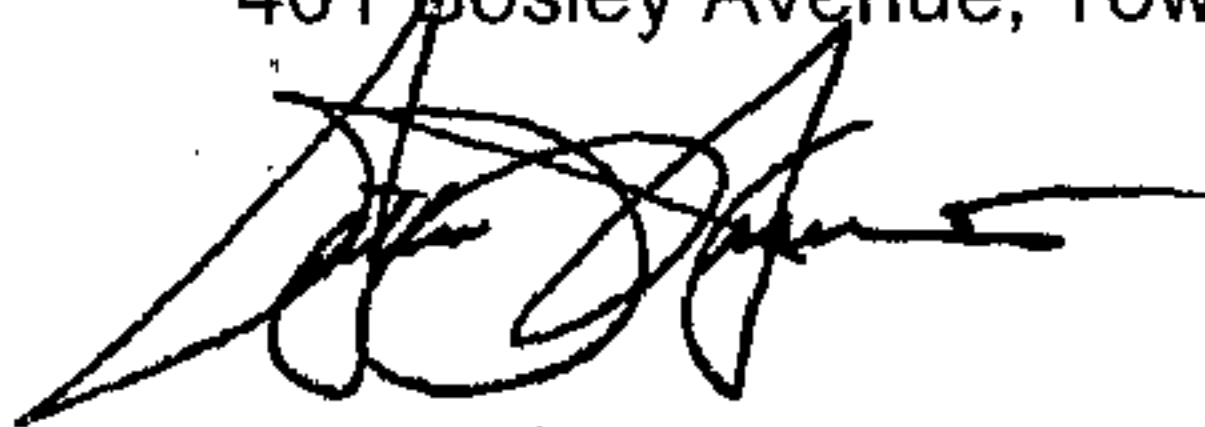
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1015 Cedar Creek Road
S/east corner of Marsh and Cedar Creek Road
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Hearing: Friday, October 19, 2007 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



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.

**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: 08-098-A
Petitioner: PHILLIP & JESSICA FORBES
Address or Location: 1015 CEDAR CREEK ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: PHILLIP FORBES
Address: 1012 BEACH ROAD
BALTO., MD. 21221
Telephone Number: (443) 621-7160



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

October 10, 2007

Phillip J. Forbes
Jessica L. Forbes
1012 Beach Road
Baltimore, MD 21221

Dear Mr. and Mrs. Forbes:

RE: Case Number: 08-098-A, 1015 Cedar Creek Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 22, 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,

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

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

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



Maryland Department of Transportation

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

Date: SEPT. 2, 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. 8-98-A
1015 CEDAR CREEK RD
FORBES PROPERTY
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. **8-98-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,

A handwritten signature in black ink that reads "Michael H. Bailey".

¹ Steven D. Foster, Chief
For Engineering Access Permits
Division

SDF/MB

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For September 3, 2007
Item Nos. 08-087, 089, 091, 092, 093,
094, 095, 096, 097, 098, 100, 101, and 104

DATE: September 4, 2007

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-08302007.doc

BW
10/19
9AM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
OCT 03 2007
BY:

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination JWL
DATE: October 3, 2007
SUBJECT: Zoning Item # 08-98-A
Address 1015 Cedar Creek Road
(Forbes Property)

Zoning Advisory Committee Meeting of August 27, 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 site is within the Limited Development Area and is limited to a maximum impervious surface area of 2,866 square feet with mitigation. Three native, deciduous trees area required but the number required may increase depending on impervious surfaces.

Reviewer: Paul Dennis

Date: 9/28/07

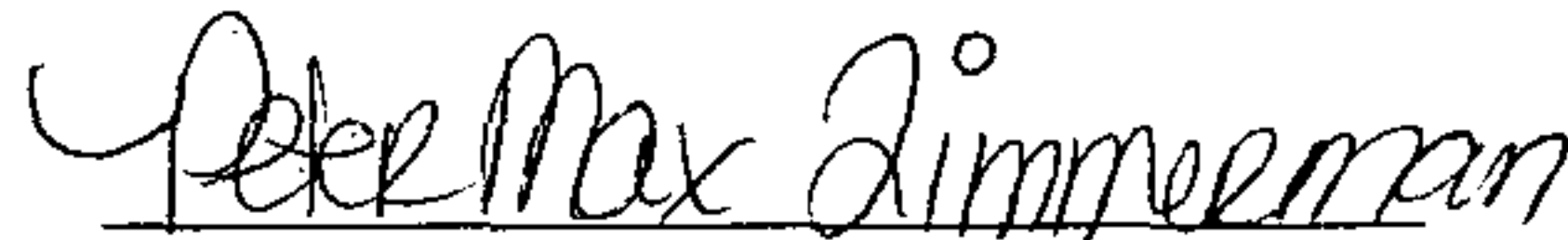
RE: PETITION FOR VARIANCE
1015 Cedar Creek Road; SE corner Marsh
Road & Cedar Creek Road
15th Election & 6th Councilmanic Districts
Legal Owner(s): Phillip & Jessica Forbes
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 08-098-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. 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 13th day of September, 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

SEP 13 2007

Per.....

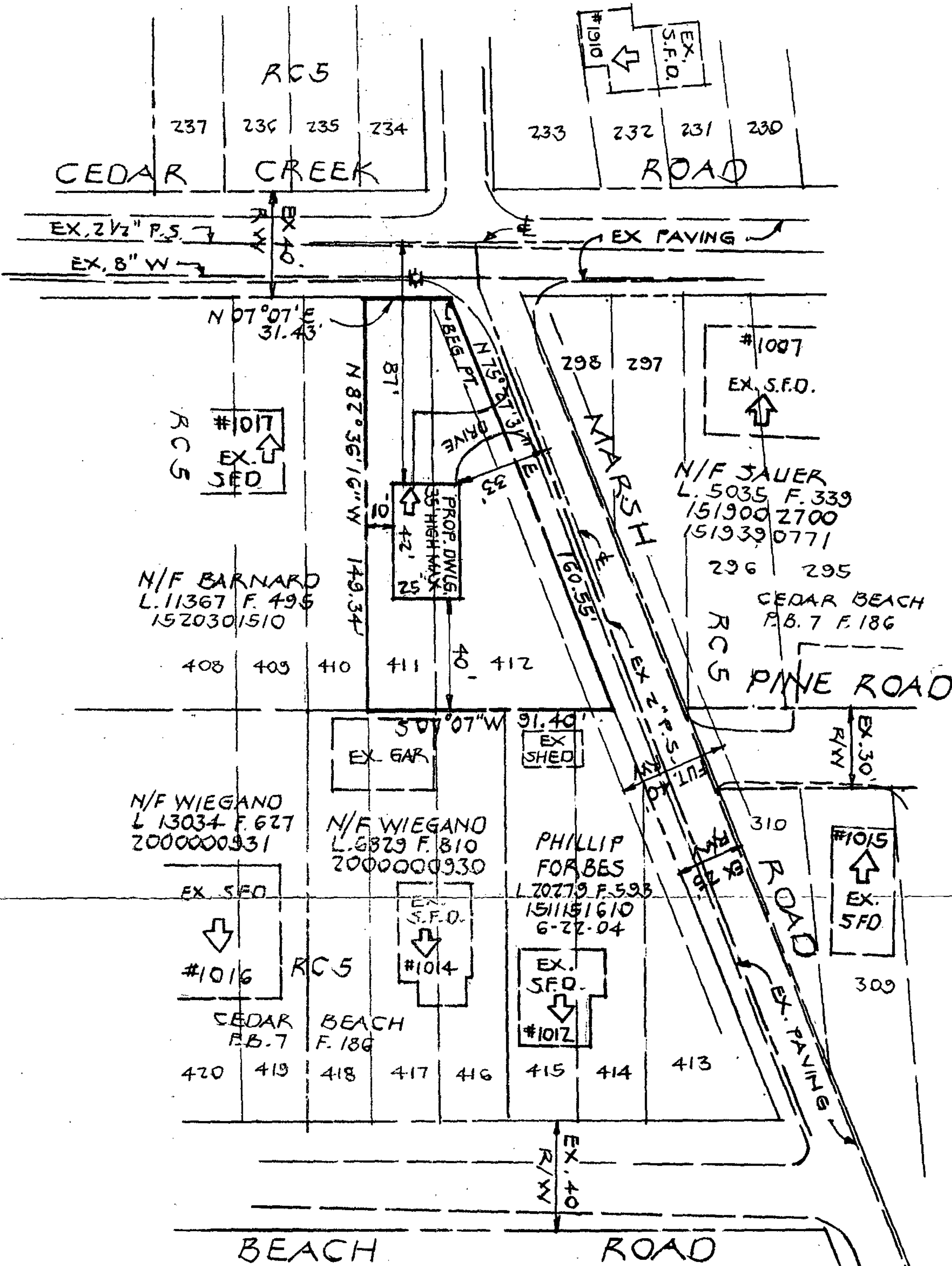


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 1015 CEDAR CREEK RD.
CASE NUMBER 08-098-A
DATE 10/19/07

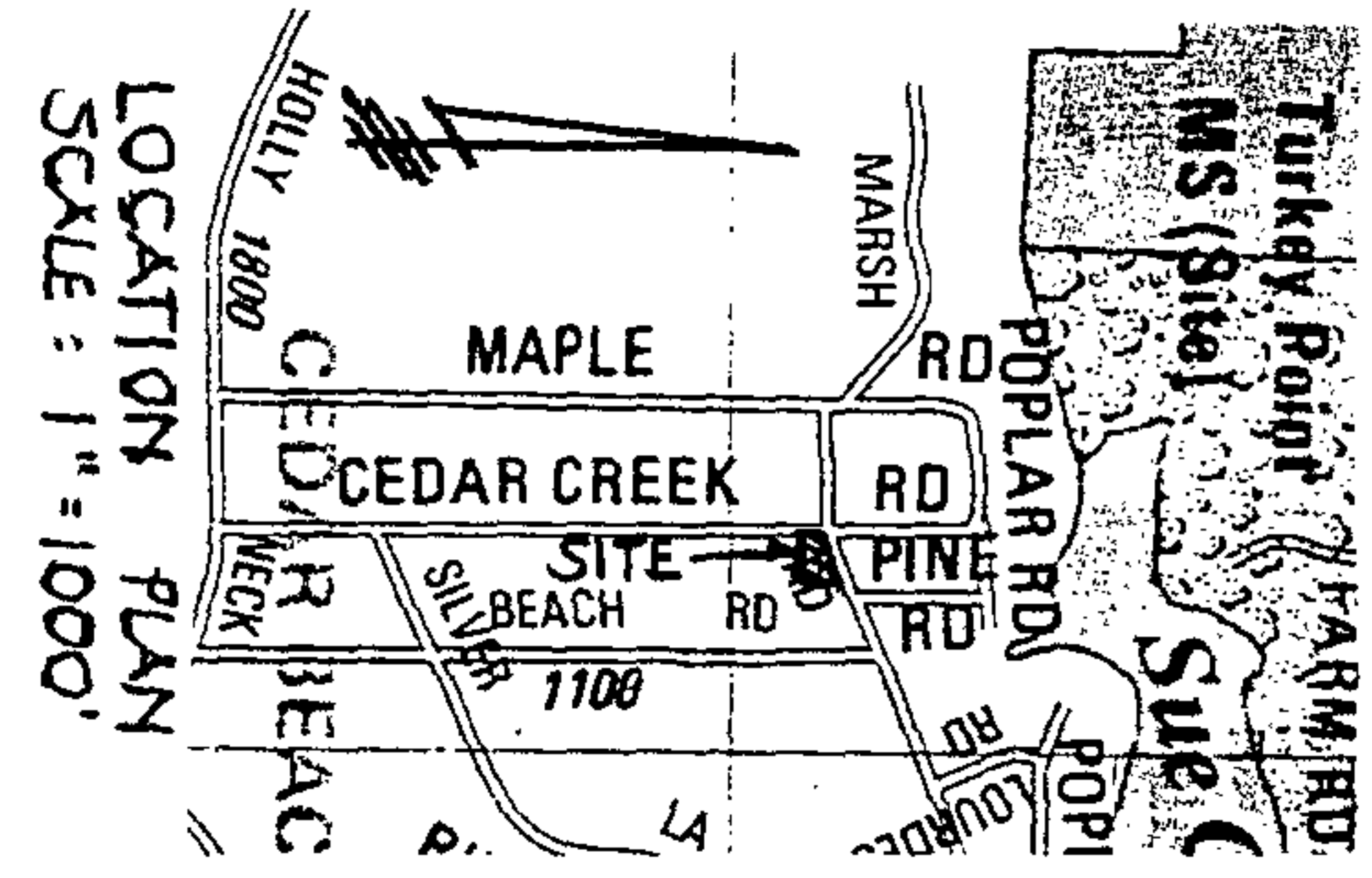
PETITIONER'S SIGN-IN SHEET

[illegible]



- NOTES
1. ZONING..... RC5 (MAP NO. 105A1 & 098A3)
 2. AREA..... 9,172 S.F. = 0.211 ACRE
 3. BUILDING COVERAGE... 1,050 S.F. = 11.4 %
 4. SITE IS LOCATED IN CBCA
 5. SITE IS NOT LOCATED IN 100 YEAR FLOOD PLAIN
 6. PUBLIC WATER AND SEWER IS EXISTING
 7. NO PREVIOUS ZONING HISTORY OR VIOLATIONS KNOWN
 8. NO HISTORIC STRUCTURES OR UNDERGROUND STORAGE TANKS EXIST

OWNERS
PHILLIP J. & JESSICA L. FORBES
1012 BEACH ROAD
BALTIMORE COUNTY, MD. 21221
DEED REF. L.24386 F.645
PROP. NO. 1502005223



PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE
1015 CEDAR CREEK ROAD
LOT 411 AND 412
CEDAR BEACH P.B.7 F.186
ELECTION DISTRICT 15C5
BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 40 FEET AUGUST 13, 2007

08-098-4

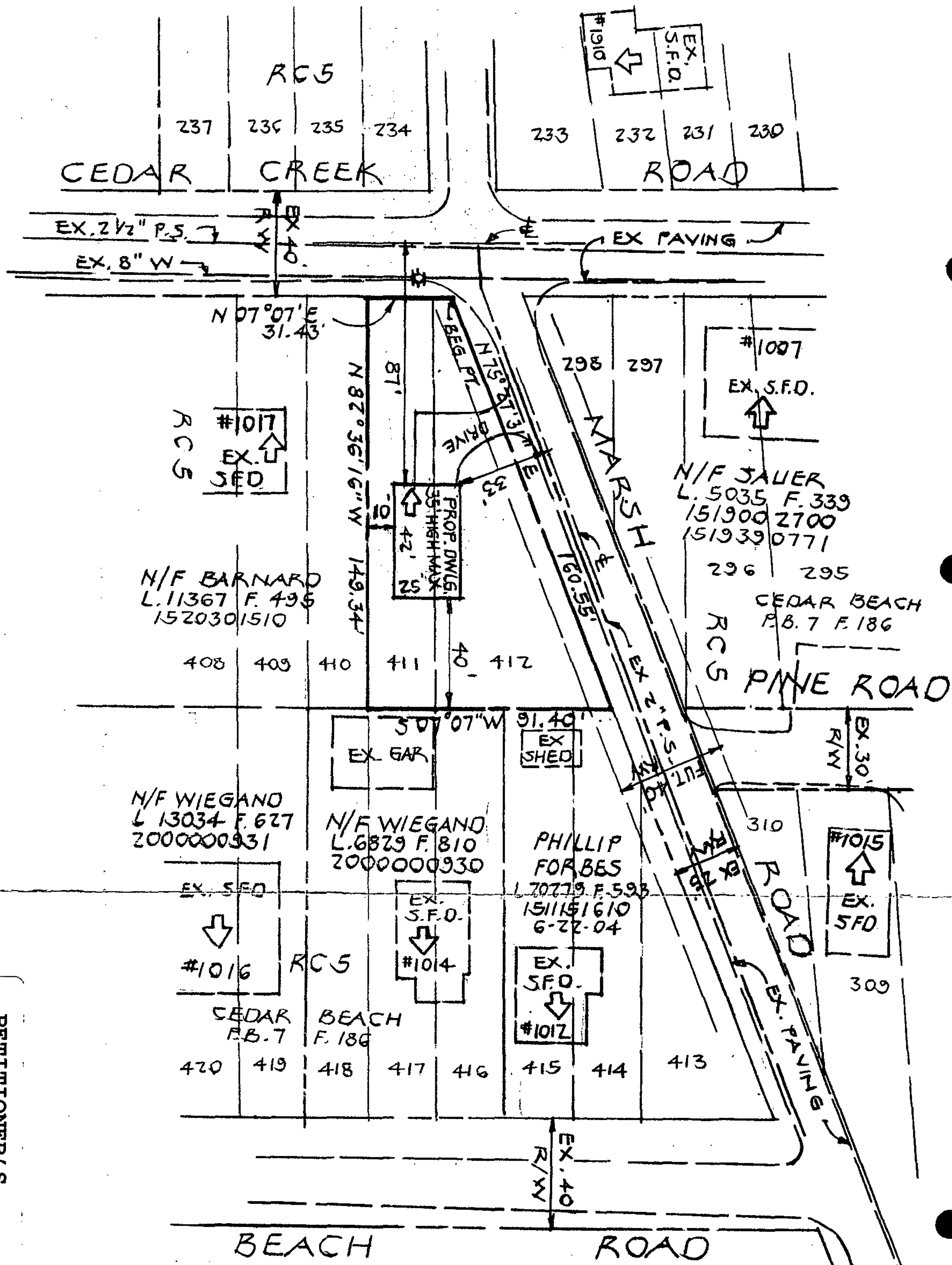
Case No.: 08-098-A 1015 CEDAR CREEK ROAD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2	STATE DEPT OF ASSESSMENTS + TAXATION	
No. 3	DEED	
No. 4	Adjoining Property OWNER	
No. 5	Photo's of Similar development on adjog Pnals	
No. 6	Type of Home to be Built.	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

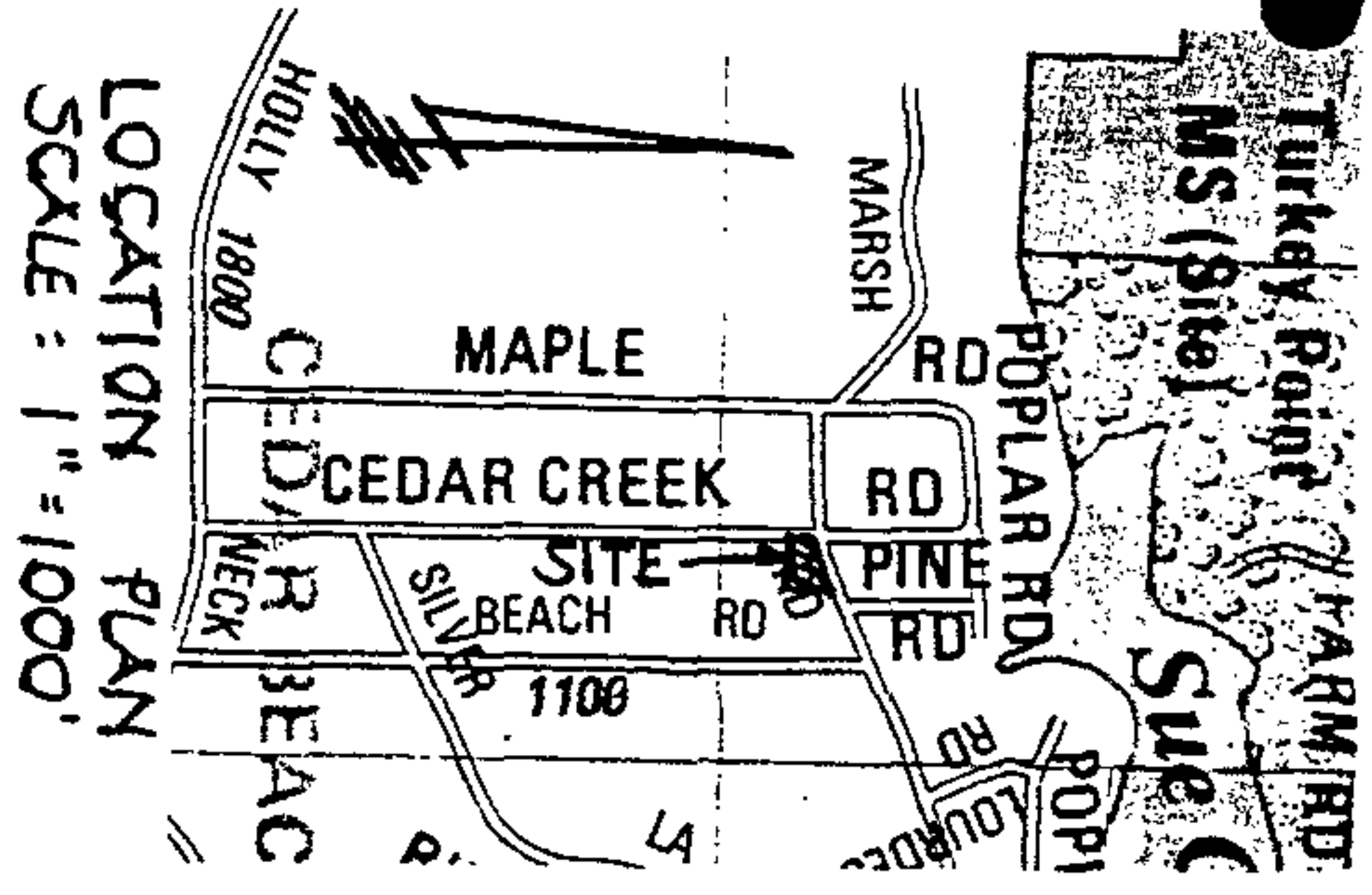


NOTES

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OWNERS

PHILLIP J. & JESSICA L. FORBES
1012 BEACH ROAD
BALTIMORE COUNTY, MD. 21221
DEED REF. L.24386 F.645
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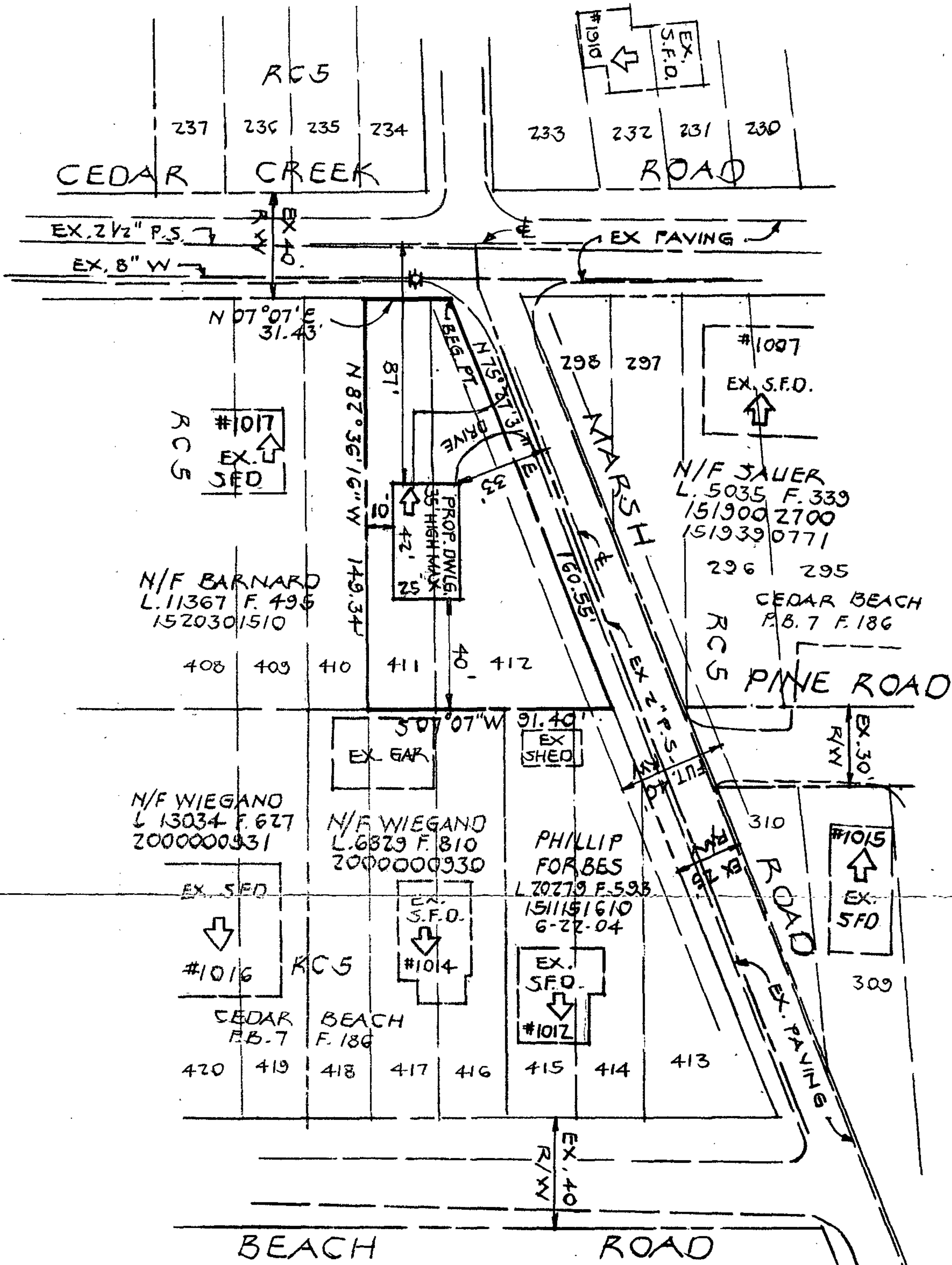
PETITIONER'S
EXHIBIT NO. 1

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE
1015 CEDAR CREEK ROAD
LOT 411 AND 412

CEDAR BEACH P.B.7 F.186
ELECTION DISTRICT 15C5
BALTIMORE COUNTY, MD.

08-098-A

SCALE: 1 INCH = 40 FEET AUGUST 13, 2007

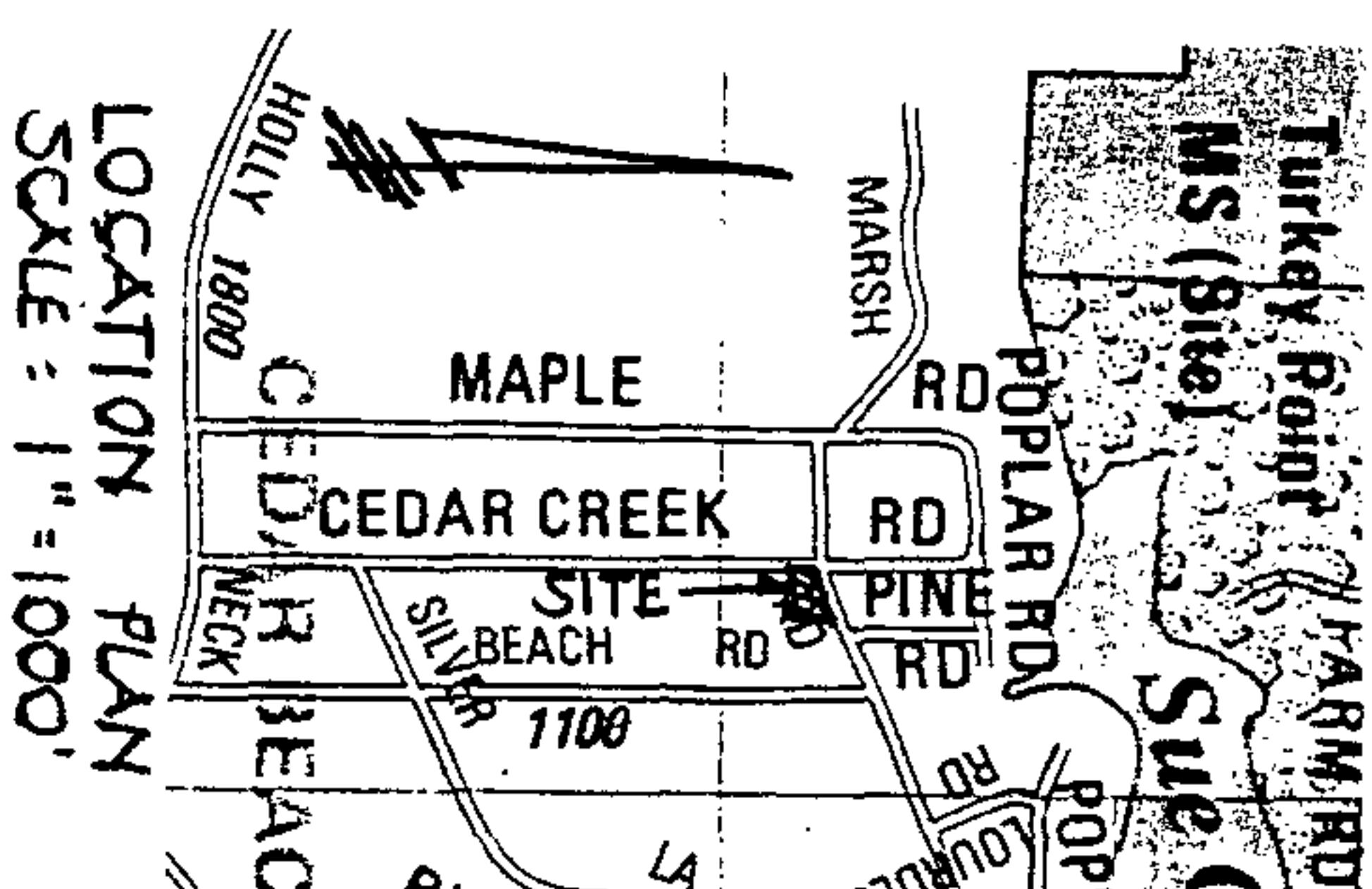


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OWNERS

PHILIP J. & JESSICA L. FORBES
1012 BEACH ROAD
BALTIMORE COUNTY, MD. 21221
DEED REF. L.24386 F.645
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PLAT TO ACCOMPANY PETITION

FOR ZONING VARIANCE

1015 CEDAR CREEK ROAD

LOT 411 AND 412

CEDAR BEACH P.B.7 F.186
ELECTION DISTRICT 15C5
BALTIMORE COUNTY, MD.

08-098-A

SCALE: 1 INCH = 40 FEET AUGUST 13, 2007

Click here for a plain text ADA compliant screen.

 Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search	Go Back
	View Map
	New Search
	Ground Rent

Account Identifier: District - 15 Account Number - 1502005223

Owner Information

Owner Name: FORBES PHILLIP J
FORBES JESSICA L

Use: RESIDENTIAL

Principal Residence: NO

Mailing Address: 1012 BEACH RD
BALTIMORE MD 21221-6101

Deed Reference: 1) /24386/ 645
2)

Location & Structure Information

Premises Address
CEDAR BEACH RD

Legal Description
LT 411,412
SE COR MARSH RD
CEDAR BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
105	1	165					411	3	Plat Ref: 7/ 186

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		9,145.00 SF	04

Stories Basement Type Exterior

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	2,280	2,280		
Improvements:	0	0		
Total:	2,280	2,280	2,280	2,280
Preferential Land:	0	0	0	0

Transfer Information

Seller: BLANCHARD MELVIN F	Date: 08/29/2006	Price: \$13,000
Type: UNIMPROVED ARMS-LENGTH	Deed1: /24386/ 645	Deed2:
Seller: LAND ASSOCIATES INC	Date: 05/26/1988	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 7871/ 692	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

PETITIONER'S

Special Tax Recapture:

* NONE *

EXHIBIT NO. 2A

2

Title Warrantee Corporation
File No. 20061091
Tax ID # 15 15-02-005223

This Deed, made this 18th day of August, 2006, by and between Melvin F. Blanchard, GRANTOR, and Phillip J. Forbes and Jessica L. Forbes, GRANTEES.

- Witnesseth -

That for and in consideration of the sum of Thirteen Thousand Dollars 00/100 (\$13,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor does grant and convey to the said Phillip J. Forbes and Jessica L. Forbes, as joint tenants unto the survivor of them, their heirs and assigns, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as lots Nos. 411 and 412 as shown on the Plat of Cedar Beach, which plat is duly filed among the Land Records of Baltimore County, Maryland in Plat Book W.P.C. No.7, folio 186.

The tax identification being known as 15-02-005223.

BEING the fee simple property which, by Deed of Dissolution and Distribution of Assets dated May 14, 1988, and recorded in the Land Records of the County of Baltimore, Maryland, in Liber SM 7871, Folio 692, was granted and conveyed by Land Associates, Inc. unto Melvin F. Blanchard.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Phillip J. Forbes and Jessica L. Forbes, as joint tenants unto the survivor of them, their heirs and assigns, in fee simple.

And the Grantor hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

PETITIONER' S

EXHIBIT NO.

ZB



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007b2)

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)

Account Identifier: District - 15 Account Number - 1511151610

Owner Information

Owner Name: FORBES PHILLIP **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 1012 BEACH RD **Deed Reference:** 1) /20279/ 593
 BALTIMORE MD 21221-6101 2)

Location & Structure Information

Premises Address
 1012 BEACH RD

Legal Description
 LT 413,414,415
 1012 BEACH RD
 CEDAR BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
98	20	355					413	3	Plat Ref: 7/ 186

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1949	720 SF	9,300.00 SF	04

Stories	Basement	Type	Exterior
1	NO	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2006	07/01/2006	07/01/2007	
Land	32,570	62,570			
Improvements:	35,570	52,020			
Total:	68,140	114,590	83,623	99,106	
Preferential Land:	0	0	0	0	

Transfer Information

Seller: SAMPLE HARRY A	Date: 06/22/2004	Price: \$93,500
Type: NOT ARMS-LENGTH	Deed1: /20279/ 593	Deed2:
Seller: DIMATTEI JUNE E	Date: 04/03/1987	Price: \$43,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 7502/ 94	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

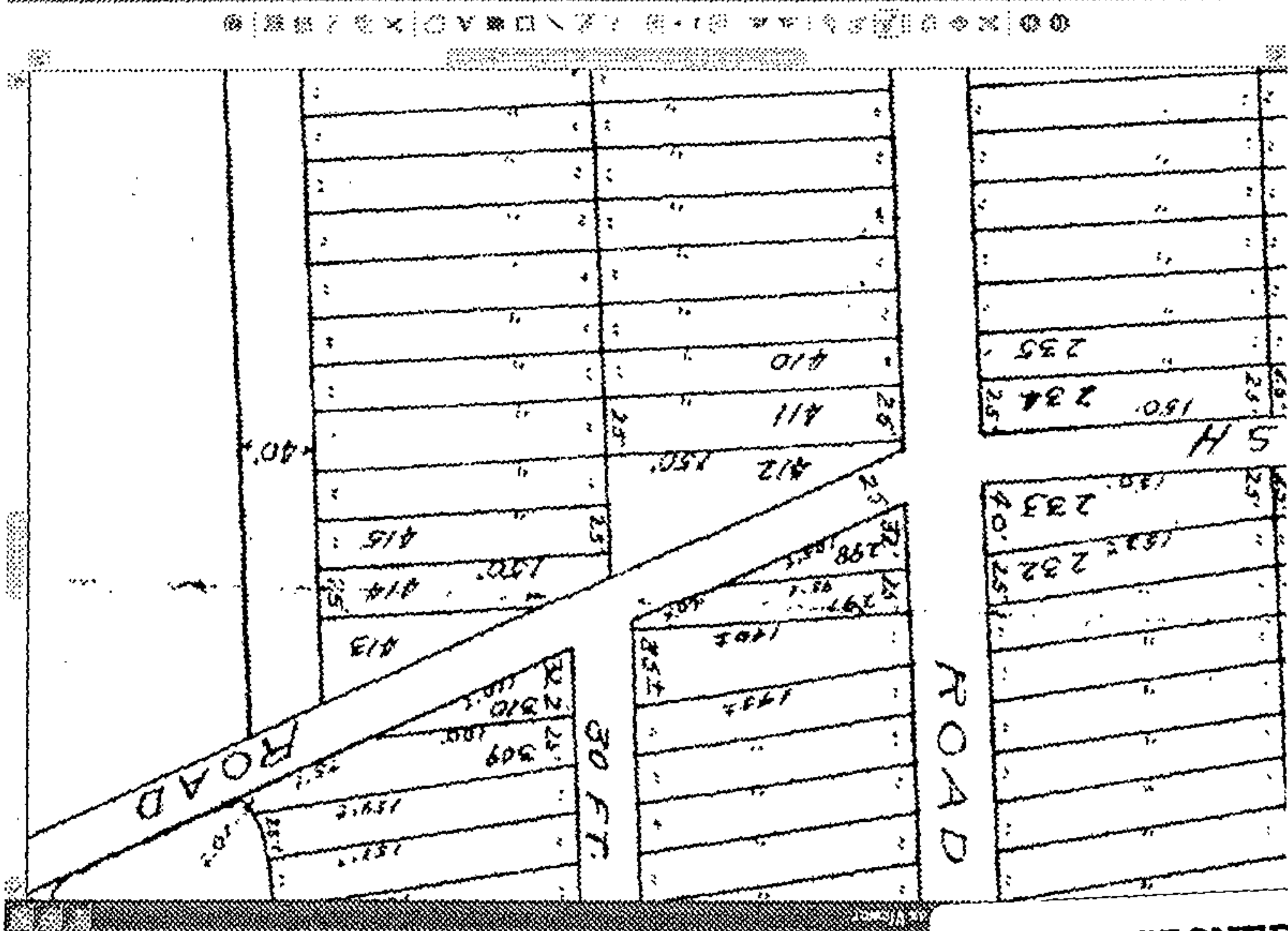
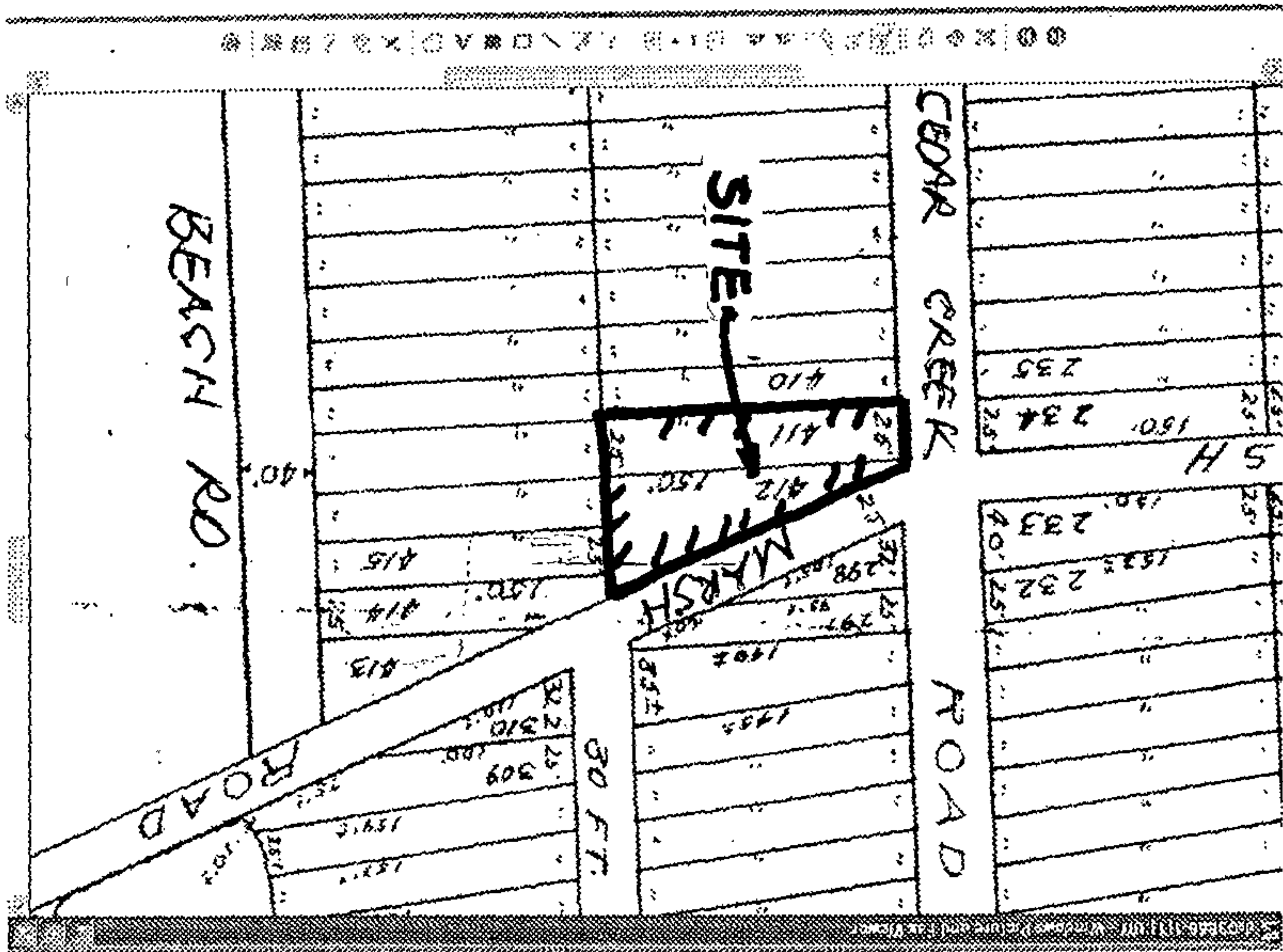
Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

PETITIONER' S

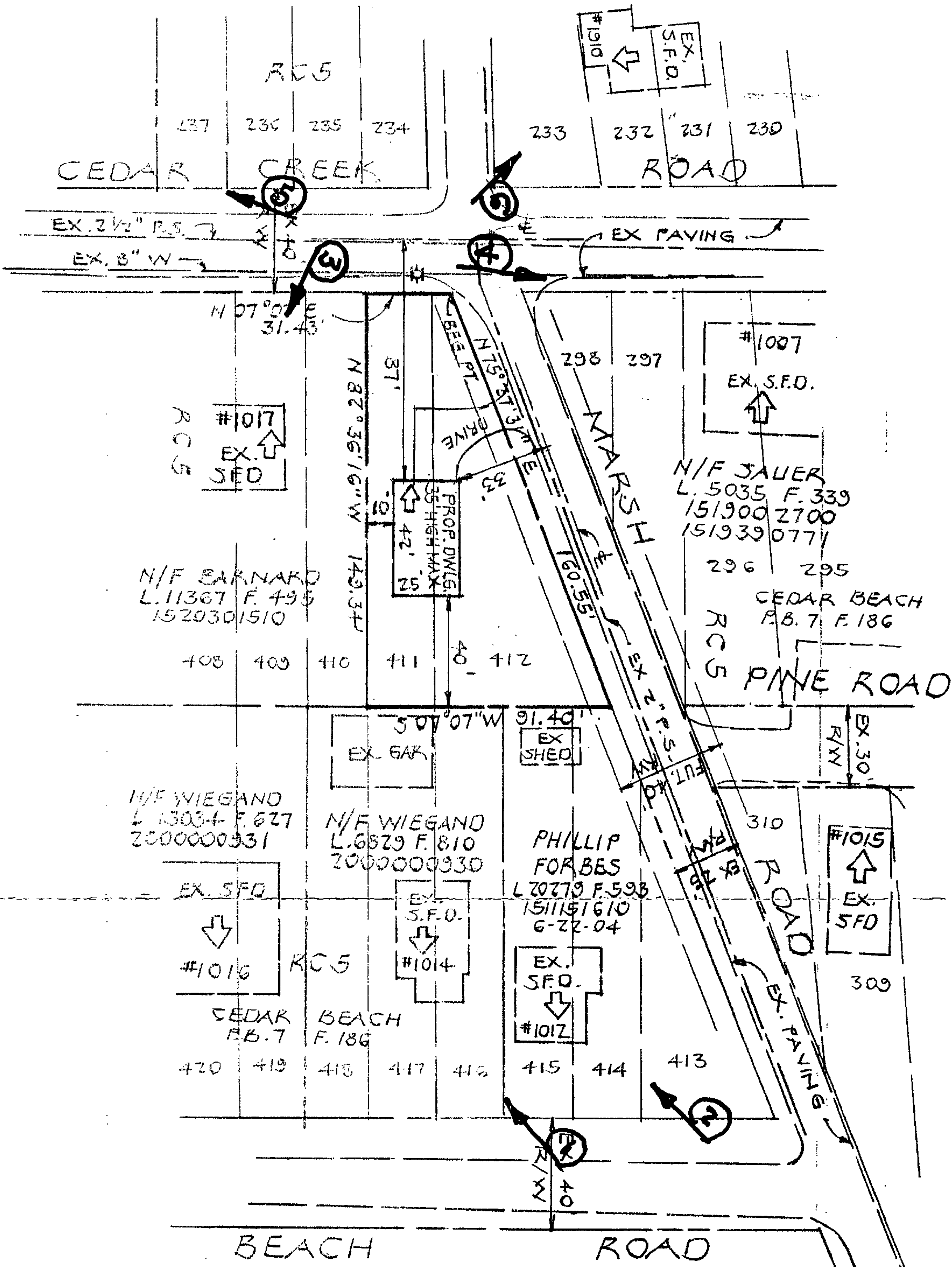
EXHIBIT NO.

3

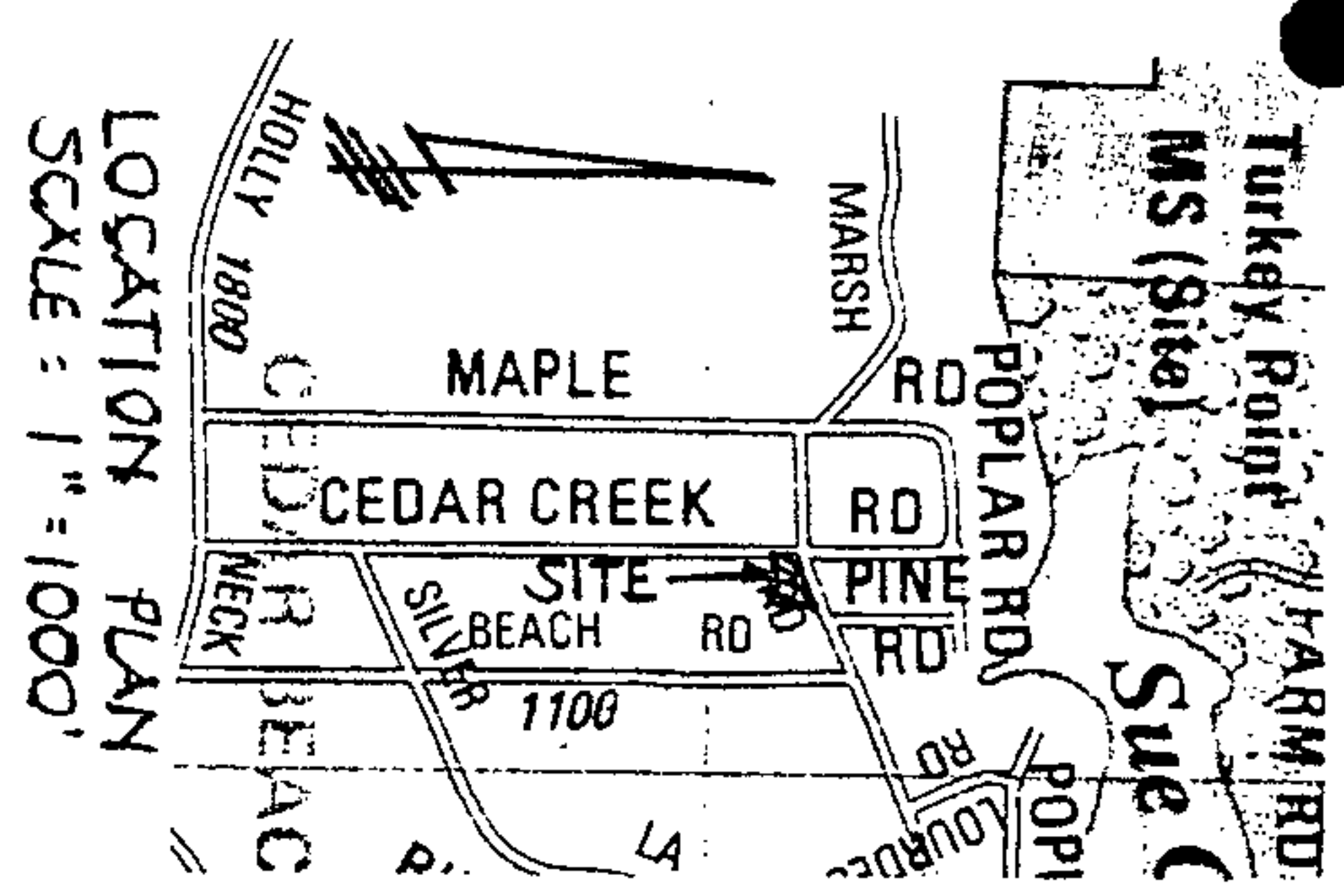


CEAR BEACH
PB 7 F186

PETITIONER'S
EXHIBIT NO. 4



- NOTES
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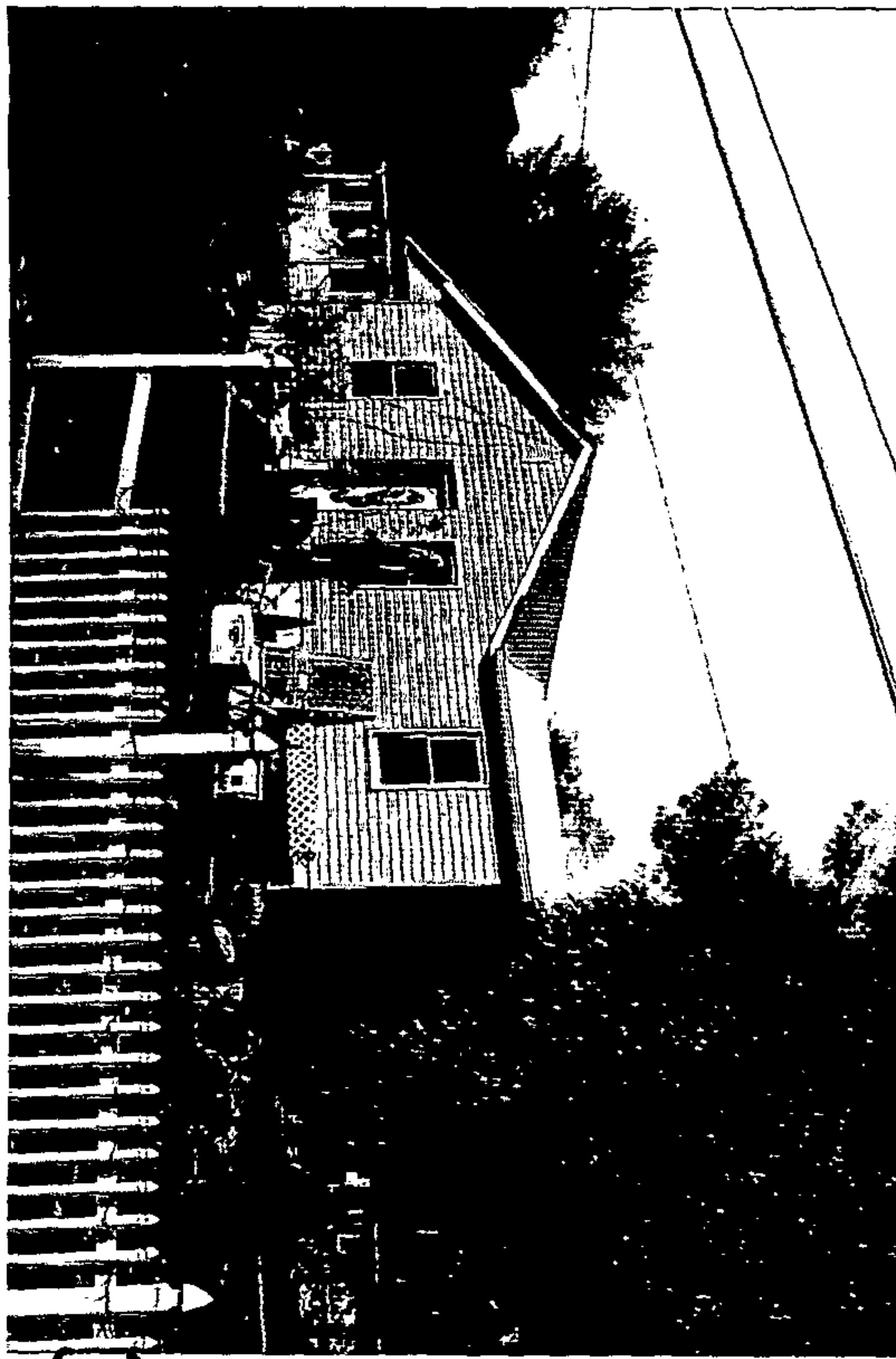


OWNERS
PHILLIP J. & JESSICA L. FORBES
1012 BEACH ROAD
BALTIMORE COUNTY, MD. 21221
DEED REF. L.24386 F.645
PROP. NO. 1502005223

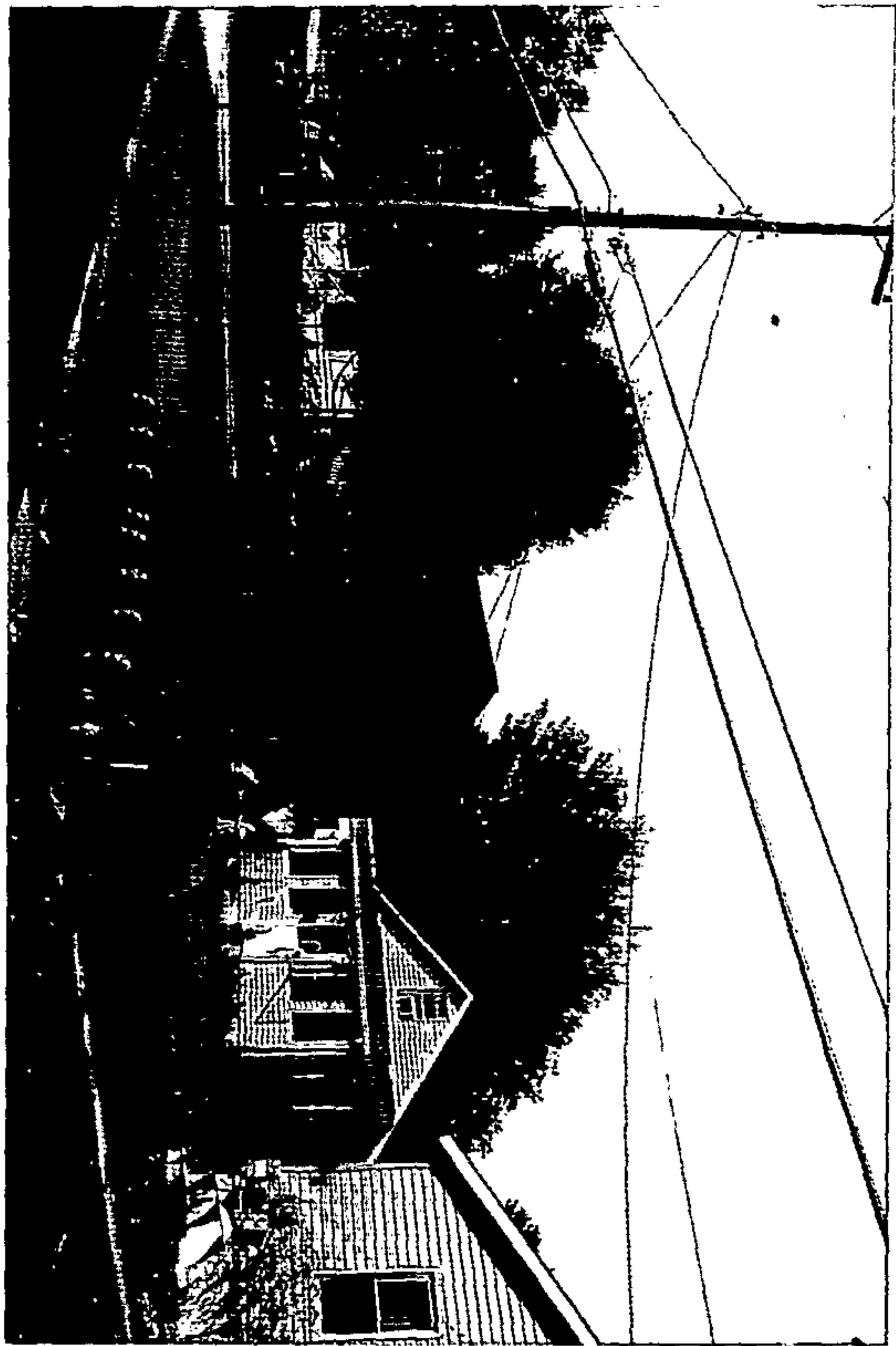
PHOTOS

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE
1015 CEDAR CREEK ROAD
LOT 411 AND 412
CEDAR BEACH P.B.7 F.186
ELECTION DISTRICT 15C5
BALTIMORE COUNTY, MD.

PETITIONER'S
EXHIBIT NO. **5**



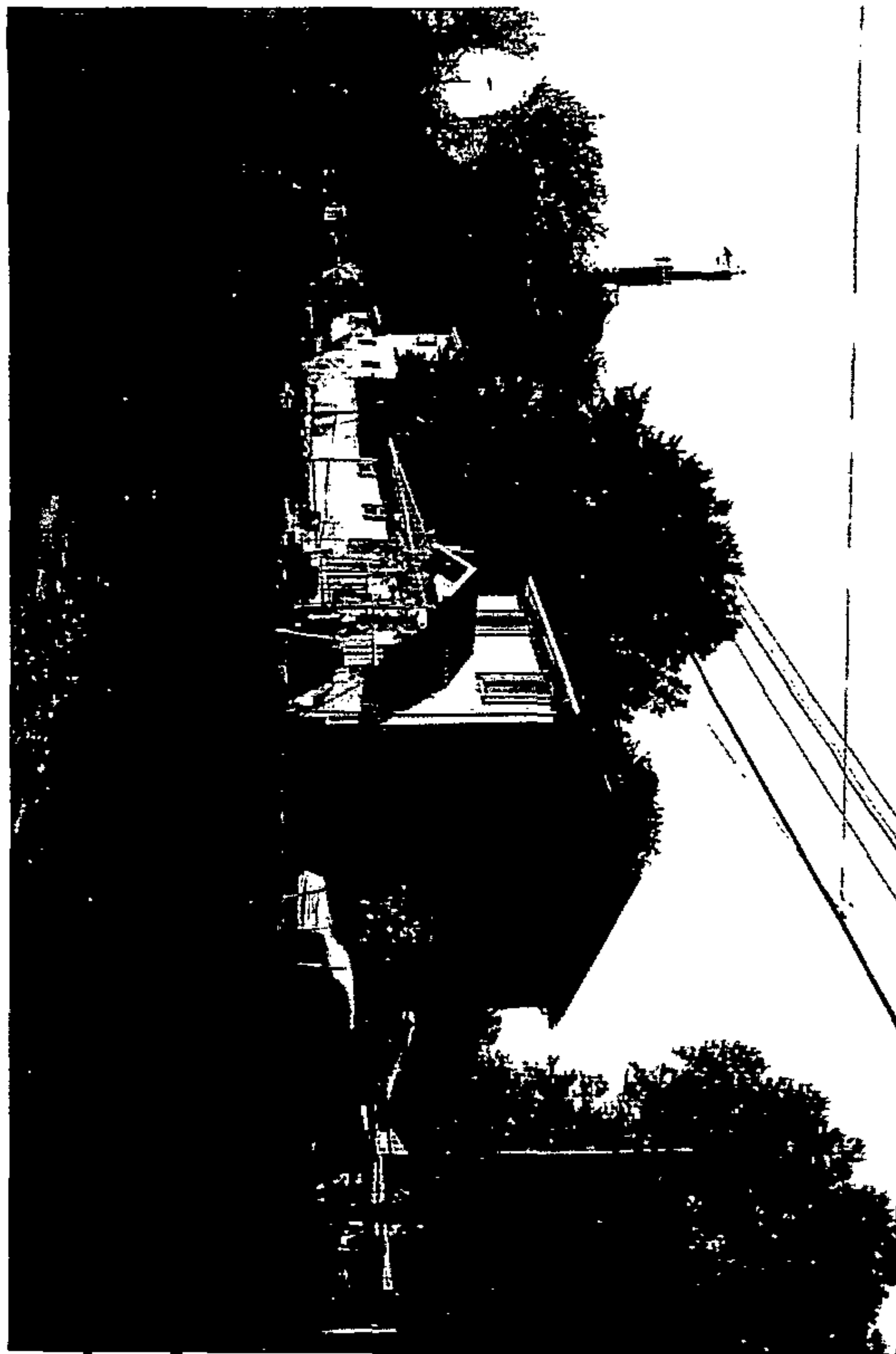
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3



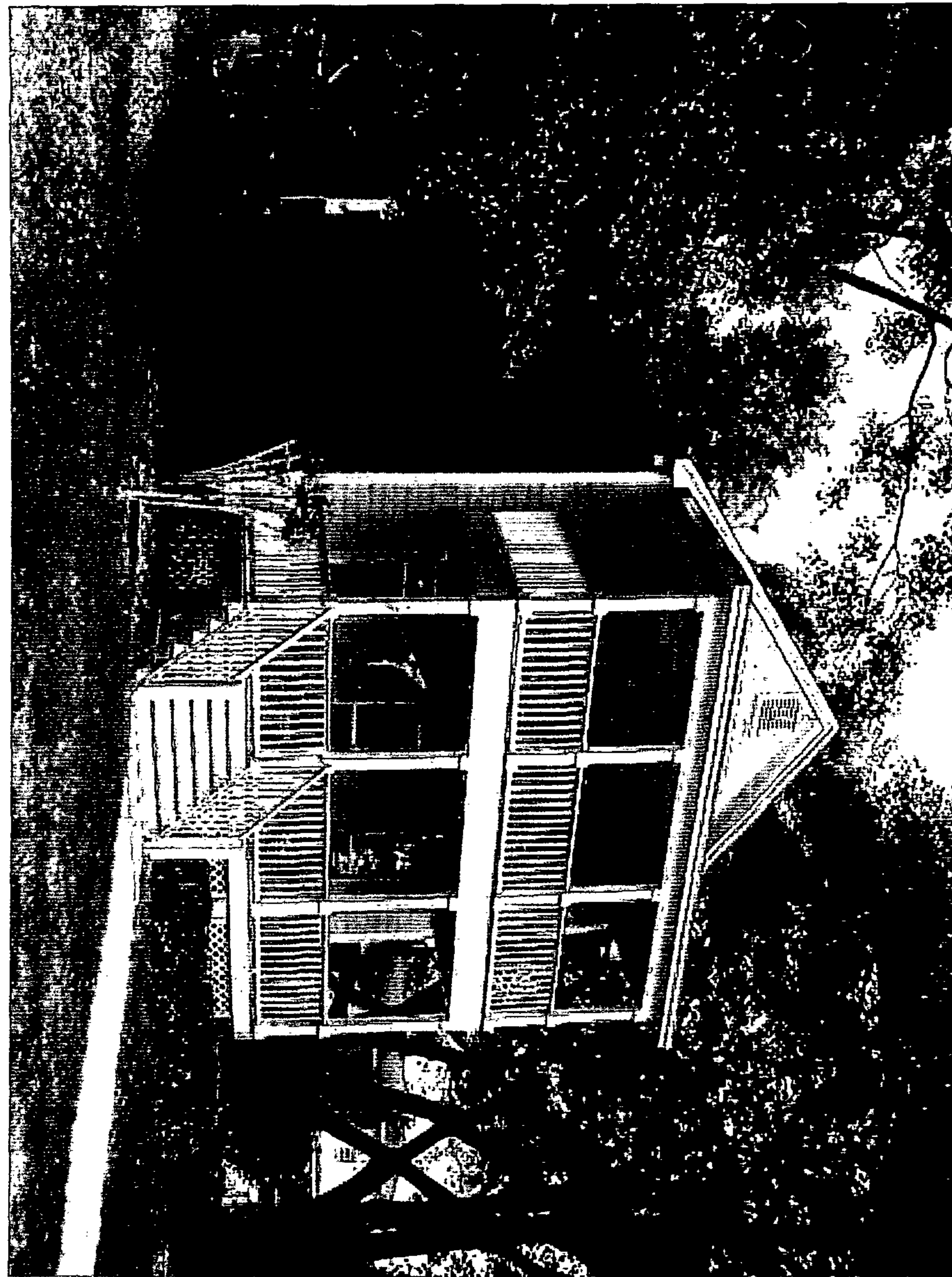
5



4



6



PETITIONER'S

EXHIBIT NO. 6

REVISED FOR 08-098-A

SECTIONS 1A04.3.B.2.b & 1A04.3.B.1.a (BCZR)

TO PERMIT AN 87-FOOT SETBACK TO THE CENTERLINE OF A ROAD THAT LEADS TO A COLLECTOR ROAD, 33-FOOT SETBACK TO THE CENTERLINE OF A ROAD, 10-FOOT AND 40-FOOT SETBACK TO PROPERTY LINE ON A LOT WITH AN AREA OF 9,172 SQUARE FEET (0.211 ACRE) IN LIEU OF THE REQUIRED 100-FEET, 75-FEET, 50-FEET, 50-FEET AND 1.5 ACRES, RESPECTIVELY.

ZONING DESCRIPTION

1015 CEDAR CREEK ROAD

Beginning at the point formed by the east side of Cedar Creek Road (40 feet wide) with the south side of Marsh Road (25 feet wide), thence being all of Lots 411 and 412 as shown on the plat entitled Cedar Beach recorded among the Baltimore County plat records in Plat Book 7 Folio 186.

Containing 9,172 square feet or 0.211 acre of land, more or less.

Being known as 1015 Cedar Creek Road. Located in the 15TH Election District, 6TH Councilmanic District of Baltimore County, Md.

08-098-A



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw6.3)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 15 Account Number - 1511151610

Owner Information

Owner Name: FORBES PHILLIP **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 1012 BEACH RD **Deed Reference:** 1) /20279/ 593
 BALTIMORE MD 21221-6101 2)

Location & Structure Information

Premises Address **Legal Description**
 1012 BEACH RD LT 413,414,415
 1012 BEACH RD
 CEDAR BEACH

Map Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
98	20	355				413	3	Plat Ref: 7/ 186

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1949	720 SF	9,300.00 SF	04

Stories	Basement	Type	Exterior
1	NO	STANDARD UNIT	SIDING

Value Information

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		As Of	As Of	As Of	
		01/01/2006	07/01/2007	07/01/2008	
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Improvements:	35,570	52,020			
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Type: IMPROVED ARMS-LENGTH	Deed1: / 7502/ 94	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *



08-098-A

BW 10/19
9AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 31, 2007

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

SUBJECT: 1015 Cedar Creek Road

INFORMATION:

Item Number: 8-098

Petitioner: Phillip J. Forbes

Zoning: RC 5

Requested Action: Variance

RECEIVED
SEP 18 2007
BY: _____

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request. However, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

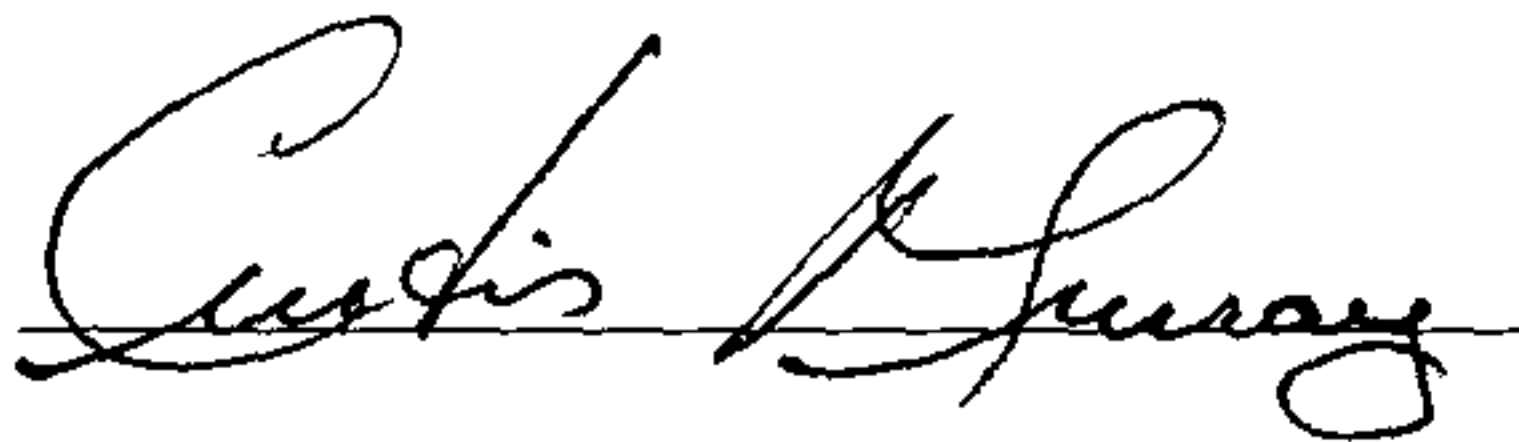
1. Photographs of existing adjacent dwellings.
2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.

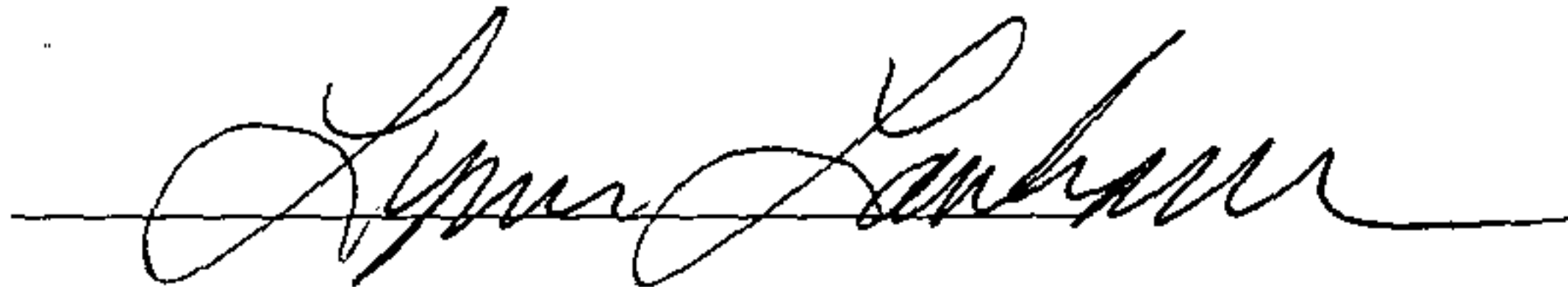
5. Provide landscaping along the public road, if consistent with existing streetscape.

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