

IN RE: PETITION FOR VARIANCE
N side Blackhead Road, NE side
Blackhead Road and Mallard Road
15th Election District
6th Councilmanic District
(6626 Blackhead Road)

John Leo and Helen Marie Gross
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-357-A**

* * * * *

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 owners of the subject property, John and Helen Gross. Petitioners are requesting variance relief from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side setback of 10 feet in lieu of the required 35 feet for a replacement dwelling. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the variance request was Petitioners' representative, Vincent Moskunas, with Site Rite Surveying, Inc., the firm that prepared the site plan. There were no Protestants or other interested persons in attendance at the hearing.

Testimony and evidence offered revealed that the subject waterfront property is rectangular in shape, contains 11,985 square feet and is zoned R.C.2. The property is improved with an existing 1½-story frame dwelling which is slated to be removed. The site also contains a one-story block garage, bulkhead and wood pier leading to the Bird River. The property is narrow at 50 feet in width and with a depth of 235 feet. The property is bordered by the Bird River to the north and Blackhead Road to the south. This is an established property in an old

ORDER RESERVED FOR FILING

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subdivision plat known as "Bird River Beach" located in the Chase area of Baltimore County. The plat was recorded in the Land Records of Baltimore County in 1923, as shown on the plat that was marked and accepted into evidence as Petitioners' Exhibit 2. Petitioners purchased the subject property in June 2007 and the adjacent property at 6624 Blackhead Road in 1989. The existing 1½-story dwelling was constructed in 1921, is in a state of disrepair, and will be razed in order to construct the replacement dwelling. The one-story garage will remain, but will be upgraded and renovated. Percolation tests were performed on the property and the property passed. In addition, Mr. Moskunas indicated the replacement dwelling and landscaping will actually reduce the percentage of impervious surfaces on the property. The dwelling is to be centered on the lot; however, given the narrow shape of the property on each side, the proposed dwelling will extend into the side area setbacks, thereby necessitating the requested variance relief for a 10 foot side yard setback. The proposed replacement dwelling measures 30 feet by 46 feet in size.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. ZAC comments were received from the Bureau of Development Plans Review dated February 25, 2008 and indicate that the first floor or basement must be at least one foot above the flood plain elevation in all construction, the building should be designed and adequately anchored to prevent flotation or collapse, and constructed of materials resistant to flood damage. In addition, flood-resistant construction should be in accordance with the Baltimore County Building Code which adopts the International Building Code. Comments were also received from the Department of Environmental Protection and Resource Management dated February 29, 2008 which indicate that the property must comply with the

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phj

Chesapeake Bay Critical Area Regulations, impervious surfaces are limited to 31.25%, and 15% afforestation must be met.

Considering all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I also find that the imposition of zoning on this property disproportionately impacts the subject property as compared to others in the zoning district. Although the zoning on the property is R.C.2, agricultural uses in this area ceased years ago. The R.C.2 zone was established "in order to foster conditions favorable to a continued agricultural use of the productive agricultural areas of Baltimore County by preventing incompatible forms and degrees of urban uses." The exiting lots were created many years ago as 50 foot wide lots, and Petitioners have no means of strictly complying with the side yard setback requirements for a replacement dwelling. In addition, most of the development has occurred in scenarios where these older, summer homes have been replaced over the years by newer, mostly two-story primary residences. Age and decay have contributed to the older homes being replaced by the new ones, and often damage caused by severe weather, e.g., Hurricane Isabel, has accelerated the new development process. The proposed replacement home will be compatible with the pattern of development in the neighborhood. Moreover, no increase in residential density beyond otherwise allowable by the zoning regulations would result by granting the variance.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Petitioners would essentially lose beneficial use of the property as a result of not being able to replace the decaying dwelling if not afforded variance relief. Finally, I find this variance can be granted in strict harmony with the

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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 Petitioners, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 18th day of April, 2008 by this Deputy Zoning Commissioner, that Petitioners' variance request from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side setback of 10 feet in lieu of the required 35 feet for a replacement dwelling be and is hereby GRANTED, subject to the following:

1. Petitioners are advised that they may apply for any required 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, 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 property is in a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area. Impervious surfaces are limited to 31.25%. Any impervious surface within the 100 foot buffer must meet all BMA provisions and will require mitigation or fee-in-lieu. In addition, the 15% afforestation requirement must be met; this equates to 3 trees.
4. The base flood elevation for this site is 10.2 feet Baltimore County Datum.
5. The flood protection elevation for this site is 11.2 feet.
6. In conformance with Federal Flood Insurance Requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.
7. The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

ORDER RESERVED FOR FILE

4-18-08

8. The building engineer shall require a permit for this project.
9. The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.
10. Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the International Building 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

ORDER RECEIVED FOR FILING

APR 18 2008
123



~~Flood~~ CBCA Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6626 Blackhead Road
which is presently zoned RC 2

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) ~~1401.3.B.2 TO ALLOW A LOT~~

~~SIZE OF 11405 SQ FT IN 1/2 OF THE REQUIRED 1 Acre AND 1401.3.B.3~~
TO HAVE A SIDE SETBACK OF 10 FEET IN RELIEF OF THE REQUIRED
35 FEET FOR ~~RESIDENTIAL DWELLING~~

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

SEE ATTACHED

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

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

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

Contract Purchaser/Lessee:

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):

John Leo Gross

Name - Type or Print

Signature

Helen Marie Gross

Name - Type or Print

Signature

6624 Blackhead Road

410 - 335-4572

Address

Telephone No.

Chase

MD

21220

State

Zip Code

Representative to be Contacted:

Site Rite Surveying, Inc.

Name

200 E. Joppa Road, #101 (410) 828-9060

Address

Telephone No.

Towson

MD

21286

City

State

Zip Code

OFFICE USE ONLY

Case No. OB-357-A

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By CM

Date 2-6-08

REV 9/15/98

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4-18-08

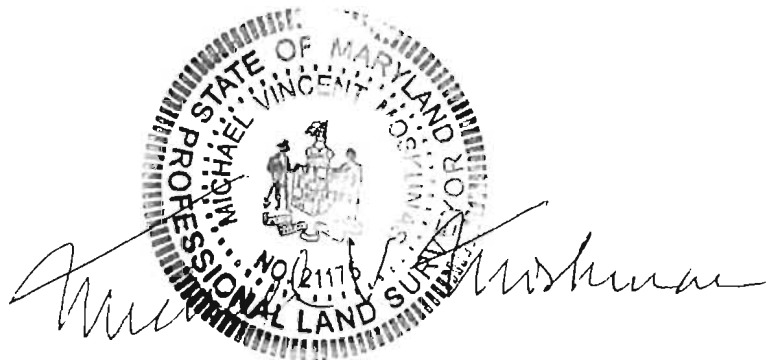
By PB

*#6626 Blackhead Road
Reasons to accompany Variance Petition*

- *Said property was purchased June 13, 2007 and known as lot nos. 67 and 68 on the Bird River Beach Plat 7/70. Said property has one tax account number and is improved with an existing dwelling. According to Real Property Search Database the house was constructed in 1921 and a replacement dwelling is being proposed. The lots exist on a plat dated July 1923 and has been held intact since May 29, 1925 Liber 617, folio 142.*
- *80% of said record plat is lot widths of 30 feet or less. Due to the standard lot size and review of the said database, it is common for properties to contain a minimum of two (2) lots. Although, Mr. and Mrs. Gross reside on contiguous property, these parcels are individually identified by one tax account number. The contiguous ownership would not support the current zoning requirements and these lots were purchased at separate times: #6626 Blackhead Road-1989 and #6624 Blackhead Road-2007.*
- *This request is within the spirit and intent of the B.C.Z.R. and relief from the regulations will not adversely affect the general welfare and safety of the surrounding neighborhood or the community at large. The proposed dwelling is within the pattern of compatibility for the area.*

ZONING DESCRIPTION
#6626BLACKHEAD ROAD

Beginning at a point on the north side of Blackhead Road which is 40 feet wide at the distance of 19 feet northeast of the centerline of Mallard Road which is 40 feet wide. Being Lots #67-68, in the subdivision of "Bird River Beach" as recorded in Baltimore County Plat Book #7, Folio #70, containing 11,985 S.F. Also known as 6626 Blackhead Road and located in the 15th Election District, 6th Councilmanic District.



Michael V. Moskunas
Reg. No. 21175

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

00-357-A

**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: #08-357-A

6626 Blackhead Road
N/side of Blackhead Road,
n/east side of Blackhead
Road and Mallard Road
15th Election District
6th Councilmanic District
Legal Owner(s): John Leo &
Helen Marie Gross

Variance: to permit a side setback of 10 feet in lieu of the required 35 feet for a replacement dwelling.

Hearing: Thursday, April 10, 2008 at 11:00 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.

JT 3/825 Mar. 25 167897

CERTIFICATE OF PUBLICATION

3/27/, 2008

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/25/, 2008.

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

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **09792**

Date: **2-8-09**

DUPLICATE PAID RECEIPT
 REVALIDATION

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001		103		1050				165.00
Total:								165.00

Rec

From: **08-347-A**

For:

Jeanne Heber Gascap
with Blackboard #8
21720

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

ADDRESS ACTUAL TIME IFM
 2/8/2009 2/8/2009 09:14:23 1
 SES M01 WALKIN JRIC JHR
 REPT # 364373 2/08/2009 05-LH
 5 528 ZONING VERIFICATION
 009792
 Recpt Tot 165.00
 165.00 0. 1.00 G
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No: 08-357-A

Petitioner/Developer: JOHN LEO
HELEN MARIE GROSS

Date Of Hearing/Closing: 4/10/08

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 6626 BLACKHEAD ROAD

This sign(s) were posted on March 26, 2008
(Month, Day, Year)

Sincerely,

Martin Ogle 3/26/08
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

Meeting 3/26/08

ZONING NOTICE

CASE # 08-30

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

FROM: 1071 COURT STREET, TOWSON, MD 21204

PLACE: 401 BOWLING GREEN, TOWSON, MD 21204

DATE AND TIME: THURSDAY, APRIL 24, 2008
AT 10:00 AM

REQUEST: VARIANCE TO PERMIT A SIDE SETBACK
OF 10 FEET IN LIEU OF THE REQUIRED 35

FEET FOR A RECREATION BUILDING

THE ZONING COMMISSIONER'S OFFICE IS OPEN FOR PUBLIC COMMENT FROM 9:00 AM TO 5:00 PM ON THURSDAY, APRIL 24, 2008.

FOR MORE INFORMATION, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT (410) 551-1111.

HANDICAPPED ACCESSIBLE



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

February 25, 2008
TIMOTHY M. KOTROCO, *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: 08-357-A

6626 Blackhead Road

N/side of Blackhead Road, n/east side of Blackhead Road and Mallard Road

15th Election District – 6th Councilmanic District

Legal Owners: John Leo & Helen Marie Gross

Variance to permit a side setback of 10 feet in lieu of the required 35 feet for a replacement dwelling.

Hearing: Thursday, April 10, 2008 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. Gross, 6624 Blackhead Road, Chase 21220
Site Rite Surveying, Inc., 200 E. Joppa Road, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MARCH 26, 2008.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 25, 2008 Issue - Jeffersonian

Please forward billing to:
John & Helen Gross
6624 Blackhead Road
Chase, MD 21220

410-335-4572

NOTICE OF ZONING HEARING

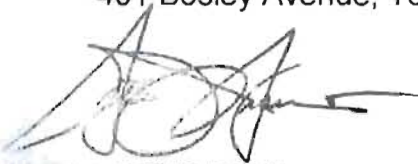
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WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- 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
RECLASSIFICATION 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 reclassification hearing. This is accomplished by Baltimore County posting a sign on the property at least fifteen (15) days before the hearing and advertising in local newspapers. The advertising consists of a list and map of all reclassification petitions (cost evenly distributed between all petitioners), as well as individual advertising in local newspapers. The list and map must be published in two newspapers for three different weeks and the individual advertisements must be published in two newspapers fifteen (15) days prior to 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: 08-357-A
Petitioner: John and Helen Gross
Address or Location: 6626 Blackhead Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: John and Helen Gross
Address: 6624 Blackhead Road
Chase, MD 21220
Telephone Number: 410 335-4572



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

April 2, 2008

John Lee Gross
Helen Marie Gross
6624 Blackhead Road
Chase, Maryland 21220

Dear Mr. and Mrs. Gross:

RE: Case Number: 08357-A, 6626 Blackhead Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 8, 2008. 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.

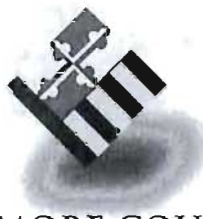
Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Site Rite Surveying, Inc. 200 E. Joppa Road, #101 Towson 21286



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

County Office Building, Room 111
, 2007
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

February 25, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: February 18, 2008

Item Number: 337, 348, 355, 356, 357, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369
373

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 4, 2008

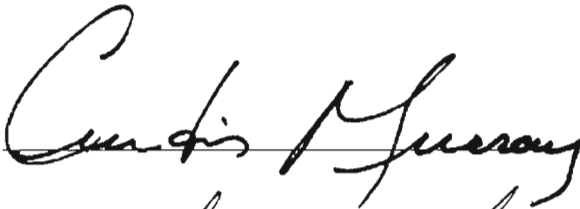
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-357- Variance**

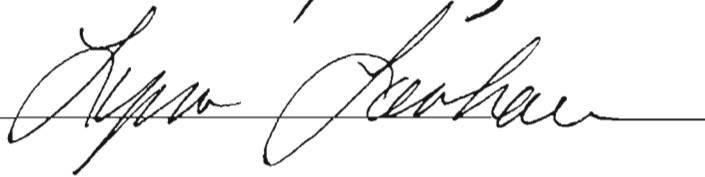
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Prepared By:



Division Chief:



CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: February 25, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For February 25, 2008
Item No. 08-357

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The base flood elevation for this site is 10.2 feet Baltimore County Datum.

The flood protection elevation for this site is 11.2 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 08-357-02212008.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *JML*

DATE: February 29, 2008

SUBJECT: Zoning Item # 08-357-A
Address 6626 Blackhead Road
(Gross Property)

Zoning Advisory Committee Meeting of February 18, 2008

_____ 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 property is in a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area. Impervious surfaces are limited to 31.25%. Any impervious surface within the 100-foot buffer must meet all BMA provisions and will require mitigation or fee-in-lieu. In addition, the 15% afforestation requirement must be met; this equates to 3 trees.

Reviewer: Regina Esslinger

Date: February 28, 2008

RE: PETITION FOR VARIANCE * BEFORE THE
6626 Blackhead Road; N/S Blackhead Road, *
NE/S Blackhead Road & Mallard Road * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owner(s): John & Helen Gross * FOR
Petitioner(s) * BALTIMORE COUNTY
* 08-357-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of February, 2008, a copy of the foregoing Entry of Appearance was mailed to Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

FEB 21 2008

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 6626 Blackhead Rd
CASE NUMBER 08-357-A
DATE 4-10-08

[illegible]

BIRD RIVER HYDROLOGY AREA

1.83

Zoning Map

NE 8-K 083B1

POB 16' NE OF MALLARD RD

6. CD

RC 2

Flood Zone X

BLACK HEAD

08-357-4

Case No.:

08-357-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan	
No. 2	record plat	
No. 3	real property data search	
No. 4	topo map	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

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 - 1518101580

Owner Information

Owner Name: GROSS JOHN LEO
GROSS HELEN MARIE
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 6626 BLACKHEAD RD
BALTIMORE MD 21220-1213
Deed Reference: 1) /25849/ 777
2)

Variance setbacks lot area

Location & Structure Information

Premises Address
6626 BLACKHEAD RD

Legal Description

LTS 67,68
6626 BLACKHEAD RD NS
BIRD RIVER BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
83	4	428		WATERFRONT	1		67	3		7/ 70

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1921	1,268 SF	11,985.00 SF	34
Stories 1 1/2	Basement NO	Type STANDARD UNIT	Exterior SIDING

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	62,990	177,740		
Improvements:	33,710	49,310		
Total:	96,700	227,050	140,150	183,600
Preferential Land:	0	0	0	0

Transfer Information

Seller: MASSENGIL NOAH V	Date: 06/25/2007	Price: \$250,000
Type: IMPROVED ARMS-LENGTH	Deed1: /25849/ 777	Deed2:
Seller: REDA MARY	Date: 09/10/1971	Price: \$15,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 5216/ 704	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

TOPO MAP FOR 6624 BLACK HEAD ROAD

SITE.
#6626
LOTS 67 & 68

PETITIONER'S
EXHIBIT NO. 4



Coordinate System:
Maryland State Plane: NAD83/91 Horizontal Datum
Elevations in Feet: NAVD88 Vertical Datum

Date of Data Capture: March 1995
Scale of Data Capture: 1" = 100'

Date of Aerial Photography: March 2005

For internal use only.
The cadastral information on this plot was compiled
from existing deed information.
This information is not to be considered authoritative.
This survey information was not field checked
and certified by a licensed land surveyor.

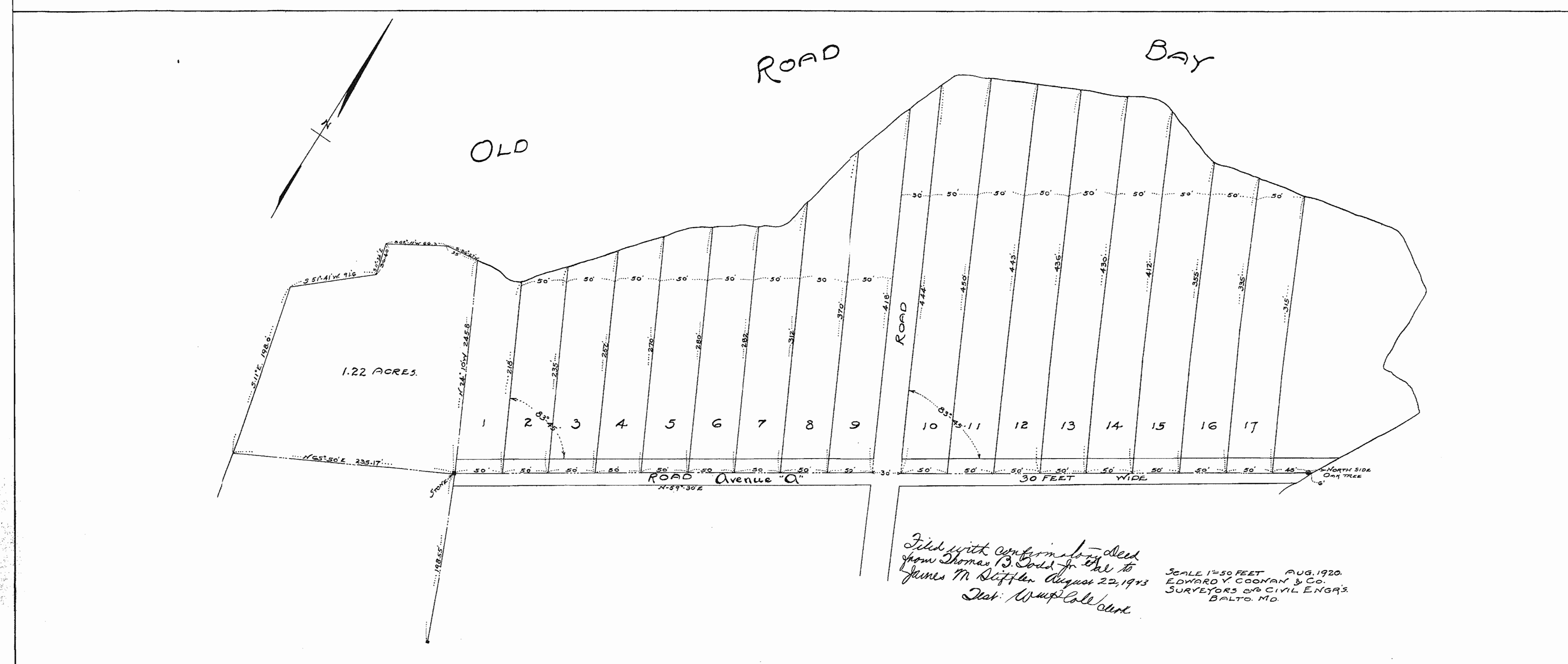
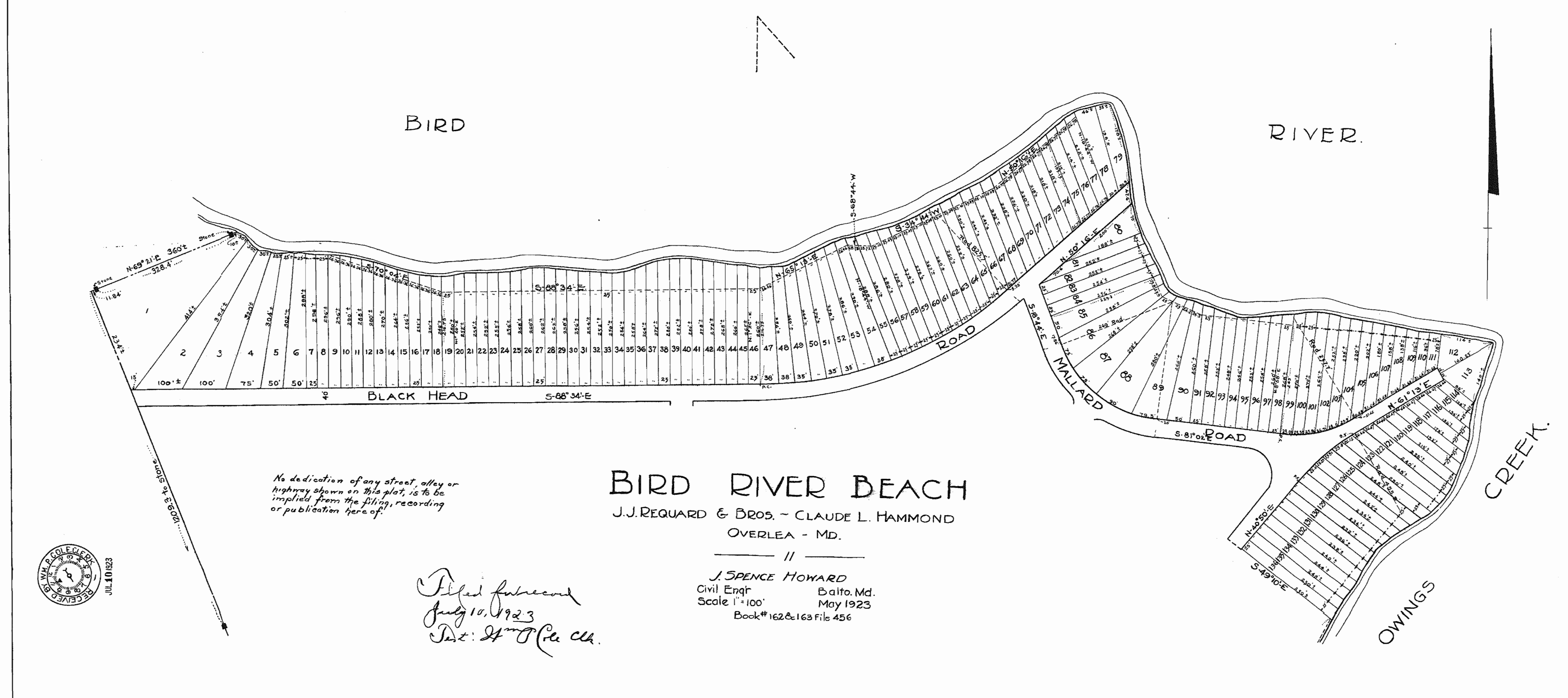

BALTIMORE COUNTY
Baltimore County, MD
Department of Public Works
GIS Services

The utility (Sanitary Sewer and/or Storm Drain) location
information shown is not guaranteed correct and should only
be used as a reference. Locations of appurtenances should
be verified using construction drawings, which are available
in room 206 of the Baltimore County Office Building, or,
through actual field investigations.

100 50 0 100 Feet

Prepared By:
Robin Hurley, EA111
DPW Directors Office
April 23, 2007

W.P.C. No 7 PART 70



GENERAL NOTES

1. EXISTING ZONING: RC 2 (083B.1)
2. EXISTING USE: SINGLE FAMILY DWELLING
3. PROPOSED USE: SINGLE FAMILY DWELLING
4. PRIOR ZONING HEARINGS: NONE
5. LOT AREA: 11985 SQ.FT. OR 0.275 AC. ±
6. LOCATED IN CHESAPEAKE BAY CRITICAL AREA
7. NOT LOCATED IN A HISTORIC AREA
8. LOCATED IN 100 YEAR FLOOD PLAIN
COMMUNITY PANEL No. 240010-0295B
ZONE: "A10", "B" & "C"
9. PRIVATE WELL AND SEPTIC SYSTEM
10. LOTS OF RECORD AS SHOWN ON PLAT DATED JULY 1923
11. TWO PERC TESTS WERE EVALUATED BY GWM, ROB POWELL AND PASSED IN THE LOCATIONS SHOWN.

IMPERVIOUS AREA TABLE (LOT AREA 11985 SQ.FT.) PROPOSED CONDITIONS

DWELLING : 1380.00 S.F.
GARAGE : 396.00 S.F.
CONCRETE WALKS / STEPS : 333.00 S.F.
MACADAM PAVING : 887.25 S.F.

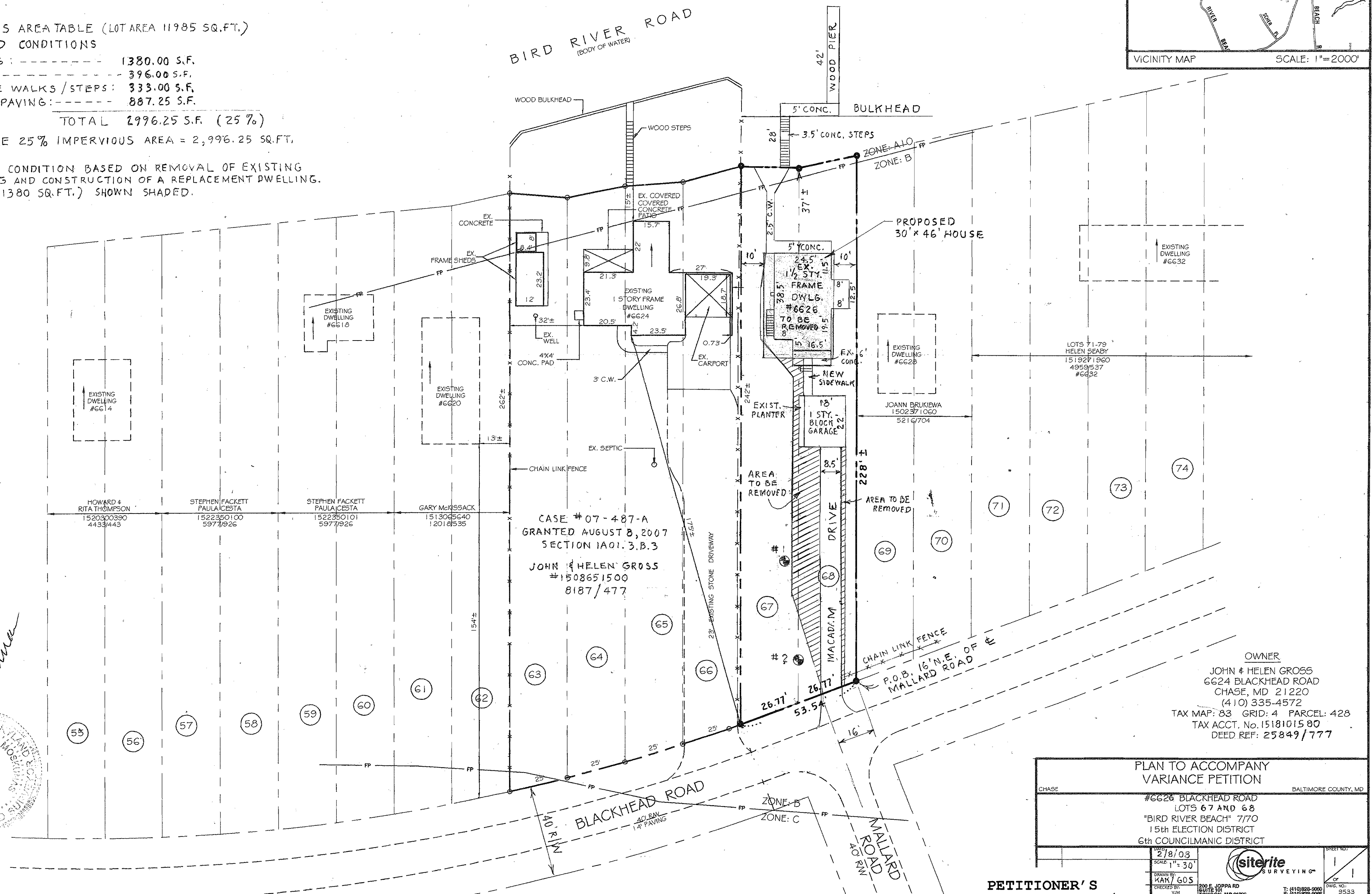
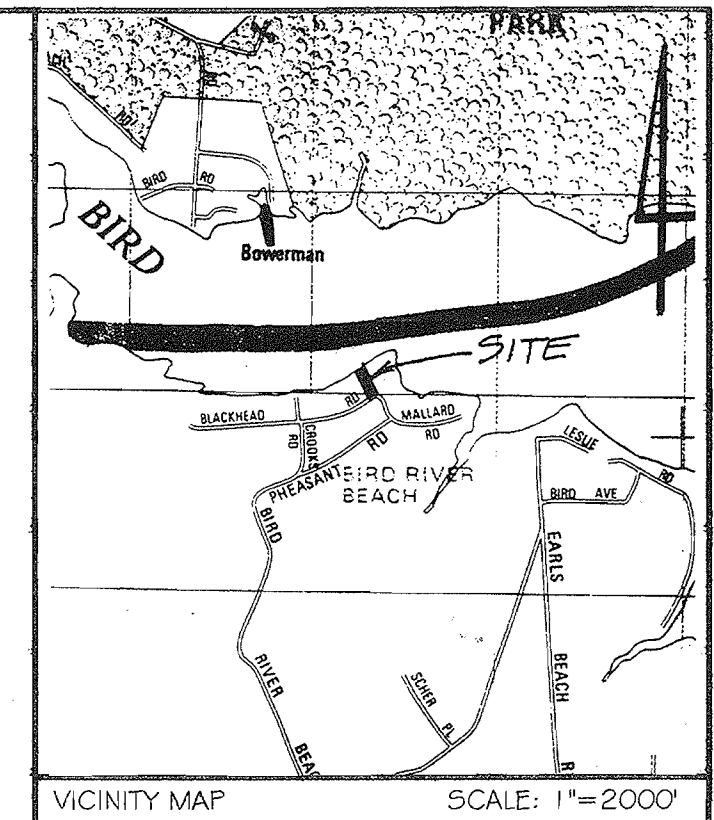
TOTAL 2996.25 S.F. (25%)

ALLOWABLE 25% IMPERVIOUS AREA = 2,996.25 SQ.FT.

PROPOSED CONDITION BASED ON REMOVAL OF EXISTING
DWELLING AND CONSTRUCTION OF A REPLACEMENT DWELLING.
30' x 46' (1380 SQ.FT.) SHOWN SHADED.

IMPERVIOUS AREA TABLE (LOT AREA 11985 SQ.FT.)
EXISTING CONDITIONS
DWELLING : 1224.75 S.F.
GARAGE : 396.00 S.F.
CONCRETE WALKS / STEPS : 688.50 S.F.
MACADAM PAVING : 2158.50 S.F.

TOTAL 4467.75 S.F. (38%)



OWNER
JOHN & HELEN GROSS
6624 BLACKHEAD ROAD
CHASE, MD 21220
(410) 335-4572
TAX MAP: 83 GRID: 4 PARCEL: 428
TAX ACCT. No. 15181015 80
DEED REF: 25849/777

PLAN TO ACCOMPANY VARIANCE PETITION

#6626 BLACKHEAD ROAD
LOTS 67 AND 68
"BIRD RIVER BEACH" 7770
15th ELECTION DISTRICT
6th COUNCILMANIC DISTRICT

DATE: 2/8/03
SCALE: 1" = 30'
DRAWN BY: KAK / GOS
CHECKED BY: VJM

200 E. JOPPA RD.
SUITE 101
TOWSON, MD 21206
T: (410) 828-2000
F: (410) 828-2000
9533

PETITIONER'S

EXHIBIT NO. 1

08-357-A