

IN RE: PETITION FOR VARIANCE

S side of Blackhead Road, SW of the
intersection of Blackhead & Crooks Road
15th Election District
6th Councilmanic District
(6545 Crooks Road)

Erik M. Griffin
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2009-0176-A**

* * * * *

IN RE: PETITION FOR VARIANCE

S side of Blackhead Road, 150 feet from
W side of Crooks Road
15th Election District
6th Councilmanic District
(6537 Blackhead Road)

Erik M. Griffin
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2009-0177-SPH**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

These matters come before this Deputy Zoning Commissioner for consideration of Petitions for Variance and Special Hearing filed by the owner of the subject properties, Erik M. Griffin. In each case number, Petitioner is requesting the following relief:

Case No. 2009-0176-A: For the property located at 6545 Crooks Road, the Variance request is from Sections 1A01.3.B.2, 1A01.3.B.3, and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot area of 0.861 acre in lieu of the required one acre, a side yard setback of 20 feet in lieu of the required 35 feet, and to permit accessory buildings (workshop and garage) on a corner lot to be located outside of the third of the lot farthest removed from any street.

Case No. 2009-0177-SPH: For the property located at 6537 Blackhead Road, the Special Hearing is requested in accordance with Section 500.7 of the B.C.Z.R. to permit a lot of 0.861 acre in lieu of the required one acre for a new dwelling. The subject properties and the requested relief are

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[Signature]

more fully described on the site plans which were marked and accepted into evidence in each case as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the Variance and Special Hearing requests was Petitioner Erik M. Griffin. Also appearing in support of the requested relief were Robert Infussi with Expedite LLC, the land use consultant assisting Petitioner, and David Billingsley with Central Drafting & Design, Inc., the firm that prepared the site plan. There were no Protestants or other interested citizens in attendance at the hearing.

Testimony and evidence offered revealed that the properties which make up 6545 Crooks Road (Case No. 2009-0176-A) and 6537 Blackhead Road (Case No. 2009-0177-SPH) are each rectangular in shape and are zoned R.C.2. The properties are located on the south side of Blackhead Road and the west side of Crooks Road in the Bird River Beach area of Baltimore County. Both properties are 150 feet wide by 250 feet deep and both contain 0.861 acre, more or less, or 37,500 square feet. Mr. Billingsley proffered the testimony and each property shall be discussed individually below.

6545 Crooks Lane

As shown on the site plan, this property is improved with an existing one-story dwelling located near the corner of Blackhead Road and Crooks Lane. Although the mailing address for this property is Crooks Lane, the dwelling actually fronts Blackhead Road and has driveway access from Blackhead Road. There is also an existing garage as well as an existing one-story all-purpose building currently used as a game room. As shown in the Deeds indicating the chain of title for the property that were marked and accepted into evidence as Petitioner's Exhibits 3A through 3D, Petitioner acquired the subject property in August 2001 and has resided in the aforementioned dwelling with his family. At this juncture, Petitioner desires to build a two-story

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dwelling on the property that would be attached to the existing one-story building used as a game room. In so doing, Petitioner also desires to retain the existing garage and also the existing dwelling as accessory structures. The dwelling would be converted to a woodworking shop.

In support of the variance requests, Petitioner submitted a copy of the plat of "Section 2, Bird River Beach," which was marked and accepted into evidence as Petitioner's Exhibit 4, and indicates the lot was recorded on September 19, 1923. The subject property consists of Lots 155, 156, and 157. Mr. Billingsley also indicated the dwelling was constructed in 1928, predating the adoption of the Zoning Regulations. Photographs of the property were also submitted and marked and accepted into evidence as Petitioner's Exhibits 5A through 5H. These photographs show the location of existing improvements. If the proposed new dwelling is permitted and attached to the existing one-story game room, this existing building would encroach into the side yard setback at the west side of the property line at 20 feet in lieu of the required 35 feet. In addition, the existing garage and dwelling would become accessory structures located on a corner lot located outside of the third of the lot farthest removed from any street; hence, Petitioner has filed the instant variance requests.

6537 Blackhead Road

As shown on the site plan, this property is currently unimproved and is located to the immediate west of 6545 Crooks Lane. This property was also acquired by Petitioner in August 2001 as Lots 152, 153, and 154, along with the aforementioned Lots 155 – 157. As shown on the plat, these lots were also recorded on September 19, 1923 as part of the "Section 2, Bird River Beach" subdivision. At this juncture, Petitioner desires to construct a new dwelling on this property for potential sale. In order to do so, Petitioner requests special hearing relief to permit this undersized lot of 0.861 acre in lieu of the required one acre in an R.C.2 Zone. In making this

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request, Mr. Billingsley indicated that all other height allowances, as well as front, side and rear yard setback requirements would be met. He also stressed that this property has never been utilized as accessory to the adjacent 6545 Crooks Lane and has always been kept as a separate lot from that property; thus, it has not been "merged" with 6545 Crooks Lane as that term is often used in zoning case law.

The Zoning Advisory Committee (ZAC) comments for these properties were received and are contained within the case file. Comments were received from the Office of Planning dated January 14, 2009 which indicates that the plumbing, etc., in the existing dwelling to be converted to a workshop at 6545 Crooks Lane shall be removed and the structure should cease to be used as a dwelling once construction of the new home is complete. Comments for both properties were received from the Department of Environmental Protection and Resource Management (DEPRM) dated March 2, 2009. The properties must comply with the Chesapeake Bay Critical Area Regulations. Both properties are within a Limited Development Area (LDA) in the Chesapeake Bay Critical Area. Lot coverage is limited to 15% of the property. Forest clearing is limited to 30% and there is mitigation required based on the amount of clearing. Clearing up to 20% requires 1:1 mitigation, and clearing between 20%-30% requires 1.5:1 mitigation for the entire area cleared. If the properties do not contain 15% forest, then there is a 15% afforestation requirement. For the property at 6545 Crooks Lane, prior to building permit approval, an evaluation of the existing septic system will be required and soil evaluations may be required. A well yield test is required. For the property at 6537 Blackhead Road, prior to building permit approval, soil evaluations must be conducted to determine a septic reserve area. A well meeting the minimum requirement of 1 gpm must be drilled. Petitioner shall contact DEPRM's Ground Water Management Division at 410-997-2762 for more information on these issues.

~~APPROVED FOR PLANNING~~

~~3 24 09~~

~~APPROVED FOR PLANNING~~

Considering all the testimony and evidence presented, I am persuaded to grant the requested variance and special hearing relief. First, concerning the undersized lots, as is often the case with older subdivisions, the Bird River Beach community was laid out many years ago (September 19, 1923), well prior to the adoption of any Zoning Regulations in Baltimore County. Thus, many of the lots in the neighborhood are undersized and do not meet current area and/or width requirements. As shown on the site plan, the properties each contain 0.861 acre and are undersized by today's standards given their R.C.2 Zoning classification requiring new lots to be one acre in area with side yard set backs of 35 feet.

As to the side yard setback variance request and the request to keep the proposed accessory structures (existing garage and existing dwelling to be converted to a workshop) located on the third of the lot closest to the street, these variances are driven by the placement of the existing structures on the property. Petitioner is attempting to enhance his living space with construction of a new dwelling, while also utilizing the existing structures for accessory purposes. In my view, strict compliance with the Regulations would cause a practical difficulty upon Petitioner in that a reasonable use of the land would not be permitted. I also find that the addition of a dwelling on this property would not overcrowd the land, given the overall size of the property.

Finally, I find that the relief requested would not result in any detriment to the health, safety and general welfare of the surrounding locale and, therefore, would meet the spirit and intent of the B.C.Z.R. for relief to be granted.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and after considering the testimony and evidence offered, I find that Petitioner's variance and special hearing requests should be granted.

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[Signature]

THEREFORE, IT IS ORDERED this 24th day of March, 2009 by this Deputy Zoning Commissioner, that the variance and special hearing relief for the properties set forth as follows:

Case No. 2009-0176-A: For the property located at 6545 Crooks Road, the Variance requests from Sections 1A01.3.B.2, 1A01.3.B.3 and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot area of 0.861 acre in lieu of the required one acre, a side yard setback of 20 feet in lieu of the required 35 feet, and to permit accessory buildings (workshop and garage) on a corner lot to be located outside of the third of the lot farthest removed from any street, be and are hereby GRANTED; and

Case No. 2009-0177-SPH: For the property located at 6537 Blackhead Road, the Special Hearing relief requested in accordance with Section 500.7 of the B.C.Z.R. to permit a lot of 0.861 acre in lieu of the required one acre for a new dwelling, be and is hereby GRANTED.

Both properties are subject, however, to the following conditions precedent to the relief granted herein:

1. Petitioner may apply for any applicable building permits 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. The plumbing, etc., in the existing dwelling to be converted to a workshop shall be removed and the structure should cease to be used as a dwelling once construction of the new home is complete.
3. 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).
4. Both properties are within a Limited Development Area (LDA) in the Chesapeake Bay Critical Area. Lot coverage is limited to 15% of the property. Forest clearing is limited to 30% and there is mitigation required based on the amount of clearing. Clearing up to 20% requires 1:1 mitigation, and clearing between 20%-30% requires 1.5:1 mitigation for the

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[Signature]

entire area cleared. If the properties do not contain 15% forest, then there is a 15% afforestation requirement.

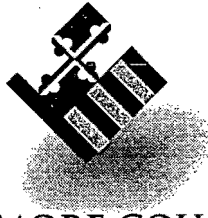
5. For Case No. 2009-0176-A, prior to building permit approval, an evaluation of the existing septic system will be required and soil evaluations may be required. A well yield test is required. Petitioner shall contact DEPRM's Ground Water Management Division at 410-997-2762 for more information.
6. For Case No. 2009-0177-SPH, prior to building permit approval, soil evaluations must be conducted to determine a septic reserve area. A well meeting the minimum requirement of 1 gpm must be drilled. Petitioner shall contact DEPRM's Ground Water Management Division at 410-997-2762 for more information.

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 PREPARED FOR FILING
3.24.09

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

March 24, 2009

ERIK M. GRIFFIN
6545 CROOKS ROAD
BALTIMORE MD 21120

Re: Petition for Variance
Case Nos. 2009-0176-A and Case No. 2009-0177-SPH
Property: 6545 Crooks Road and 6537 Blackhead Road

Dear Mr. Griffin:

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,

A handwritten signature in black ink, appearing to read "J. H. Bostwick", written over the typed name.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Robert Infussi, Expedite LLC, PO Box 1043, Belair MD 21014
David Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood MD 21040



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 6545 CROOKS ROAD
which is presently zoned RC 2

Deed Reference: 15534 / 132 Tax Account # 1516750570

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

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

ERIK M. GRIFFIN

Name - Type or Print

Signature

Name - Type or Print

Signature

6545 CROOKS ROAD (443) 871-6529

Address Telephone No.

BALTO. MD. 21220

City State Zip Code

Representative to be Contacted:

ROBERT INFUSSI
EXPEDITE LLC

Name

P.O. BOX 1043-7043 (410) 812-2236

Address Telephone No.

BEL AIR MD. 21014

City State Zip Code

Office Use Only

Case No. _____

Estimated Length of Hearing _____
Unavailable For Hearing _____

REV 8/20/07

Reviewed by _____ Date _____

3-24-09

103

6545 CROOKS ROAD

1A01.3.B.2, 1A01.3.B.3 and 400.1 (BCZR) TO PERMIT A LOT AREA OF 0.861 ACRE IN LIEU OF THE REQUIRED 1 ACRE, SIDE YARD OF 20 FEET, IN LIEU OF THE REQUIRED 35 FEET, AND TO PERMIT ACCESSORY BUILDINGS (WORKSHOP AND GARAGE) ON A CORNER LOT TO BE LOCATED OUTSIDE OF THE THIRD OF THE LOT FARTHEST REMOVED FROM ANY STREET.

ZONING DESCRIPTION

6545 CROOKS ROAD

Beginning at a point formed by the intersection of the south side of Blackhead Road (40 feet wide) with the west side of Crooks Road (50 feet wide), thence being all of Lots 155, 156 and 157 as shown on the plat entitled Section 2, Bird River Beach recorded among the Baltimore County Plat Records in Plat Book 7 Folio 85.

Containing 37,500 square feet or 0.861 acre of land, more or less.

Being known as 6545 Crooks Road. Located in the 15TH Election District, 6TH

Councilmanic District Of Baltimore County, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **33072**

Date: **12.21.08**

PAID RECEIPT

BUSINESS ACTION TIME
 12/22/2008 12/22/2008 10:10:11
 REC SUB MAIL DATE AND
 RECEIPT # 47382 12/22/2008

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					65.00

Total: **65.00**

Rec From: **Griffin**

For: **2009-0176-A**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

5, 2008 VALIDATION
 05/07/08
 Receipt Tot \$47,000
 \$120,000.00 \$1,000.00
 Baltimore County, Maryland

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: #2009-0176-A

6545 Crooks Road

S/side of Black Head Road; at the s/west intersection of Black-head and Crooks Road.

15th Election District — 6th Councilmanic District

Legal Owner(s): Erik M. Griffin

Variance: to permit a lot area of 0.861 acre in lieu of the required 1 acre; side yard of 20 feet, in lieu of the required 35 feet; and to permit accessory buildings (workshop and garage) on a corner lot to be located outside of the third of the lot farthest removed from any street.

Hearing: Thursday, February 26, 2009 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake 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) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 2/08 Feb. 10

193953

CERTIFICATE OF PUBLICATION

2/12, 2009

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 2/10, 2009.

- ☒ 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: 2009-0176-A

Petitioner/Developer: ERIK
GRIFFIN

Date Of Hearing/Closing: 2/26/09

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 6545 CLOOKS RD

This sign(s) were posted on February 10, 2009
(Month, Day, Year)

Sincerely,

Martin Ogle 2/10/09
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

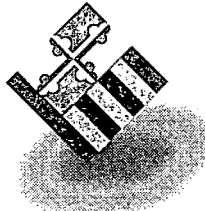
Address

Balto. Md 21220

(443-629 3411)



02/10/2009



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

January 27, 2009
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: 2009-0176-A

6545 Crooks Road

S/side of Black Head Road, at the s/west intersection of Blackhead and Crooks Road

15th Election District – 6th Councilmanic District

Legal Owners: Erik M. Griffin

Variance to permit a lot area of 0.861 acre in lieu of the required 1 acre, side yard of 20 feet, in lieu of the required 35 feet, and to permit accessory buildings (workshop and garage) on a corner lot to be located outside of the third of the lot farthest removed from any street.

Hearing: Thursday, February 26, 2009 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy Kotroco.
Timothy Kotroco
Director

TK:klm

C: Erik Griffin, 6545 Crooks Road, Baltimore 21220
Robert Infussi, P.O. Box 21014, Bel Air 21014

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., FEBRUARY 11, 2009.**
- (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, February 10, 2009 Issue - Jeffersonian

Please forward billing to:
Erik Griffin
6545 Crooks Road
Baltimore, MD 21220

443-871-6529

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: 2009-0176-A

6545 Crooks Road

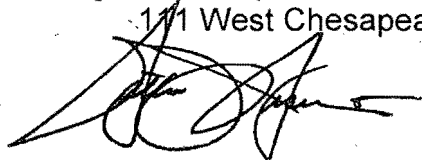
S/side of Black Head Road, at the s/west intersection of Blackhead and Crooks Road

15th Election District – 6th Councilmanic District

Legal Owners: Erik M. Griffin

Variance to permit a lot area of 0.861 acre in lieu of the required 1 acre, side yard of 20 feet, in lieu of the required 35 feet, and to permit accessory buildings (workshop and garage) on a corner lot to be located outside of the third of the lot farthest removed from any street.

Hearing: Thursday, February 26, 2009 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake 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.

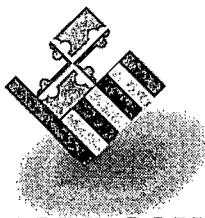
For Newspaper Advertising:

Item Number or Case Number: 0176
Petitioner: ERIK GRIFFIN
Address or Location: 6545 CROOKS ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ERIK GRIFFIN
Address: 6545 CROOKS ROAD
BALTO, MD. 21220

Telephone Number: (443) 871-6529



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
February 18, 2009

Erik M. Griffin
6545 Crooks Rd.
Baltimore, MD 21220

Dear: Erik M. Griffin

RE: Case Number 2009-0176-A, 6545 Crooks Rd.

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

A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Robert Infussi: Expedite LLC.; P.O. Box 1043-7043; Belair, MD 21014

TB
2-26-09

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 14, 2009

RECEIVED

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

JAN 29 2009

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-176- Variance**

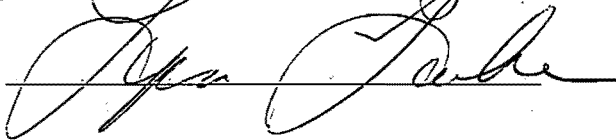
The Office of Planning has reviewed the above referenced case(s) and offers the following:
The plumbing, etc.... in the existing dwelling to be converted to a workshop shall be removed
and structure should cease to be used as a dwelling once construction of new home is complete.

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

Prepared By:



Division Chief:
CM/LL





BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

January 19, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: January 12, 2009

Item Numbers 0175, **0176**, 0177, 0178, 0179, 0180, 0181, 0182

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 13, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For January 19, 2009
Item Nos. 2009-0175, 0176, 0177, 0180,
0181, and 0182.

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

DAK:CEN:lrk
cc: File
ZAC-011309-NO COMMENTS



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

State Highway
Administration

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

Maryland Department of Transportation

Date: Jan. 15, 2009

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

RE: Baltimore County
Item No 2009-176-A
6545 CROOKS RD
GRIFFIN 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. 2009-0176-A.

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

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: March 2, 2009

SUBJECT: Zoning Item # 09-176-A
Address 6545 Crooks Road
(Griffin Property)

Zoning Advisory Committee Meeting of January 12, 2009

_____ 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:

 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 within a Limited Development Area (LDA) in the Chesapeake Bay Critical Area. Lot coverage is limited to 15% of the property. Forest clearing is limited to 30% and there is mitigation required based on the amount of clearing. Clearing up to 20% requires 1:1 mitigation, and clearing between 20%-30% requires 1.5:1 mitigation for the entire area cleared. If the property does not contain 15% forest, then there is a 15% afforestation requirement.

Reviewer: Regina Esslinger

Date: 1/29/2009

Prior to building permit approval, an evaluation of the existing septic system will be required. Soil evaluations may be required. A well yield test is required. Contact GWM at x2762 for more info.

Reviewer: S. Farinetti

Date: 1/21/2009

RE: PETITION FOR VARIANCE * BEFORE THE
6545 Crooks Road; S/S of BlackHead Road; *
SW intersection of Blackhead Crooks Road * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Erik M. Griffin * FOR
Petitioner(s) * BALTIMORE COUNTY
* 09-176-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

RECEIVED

JAN 20 2009

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of January, 2009, a copy of the foregoing Entry of Appearance was mailed to Robert Infussi, Expedite LLC, P.O. Box 1043-7043, Bel Air, MD 21014, Representative for Petitioner(s).

Peter Max Zimmerman

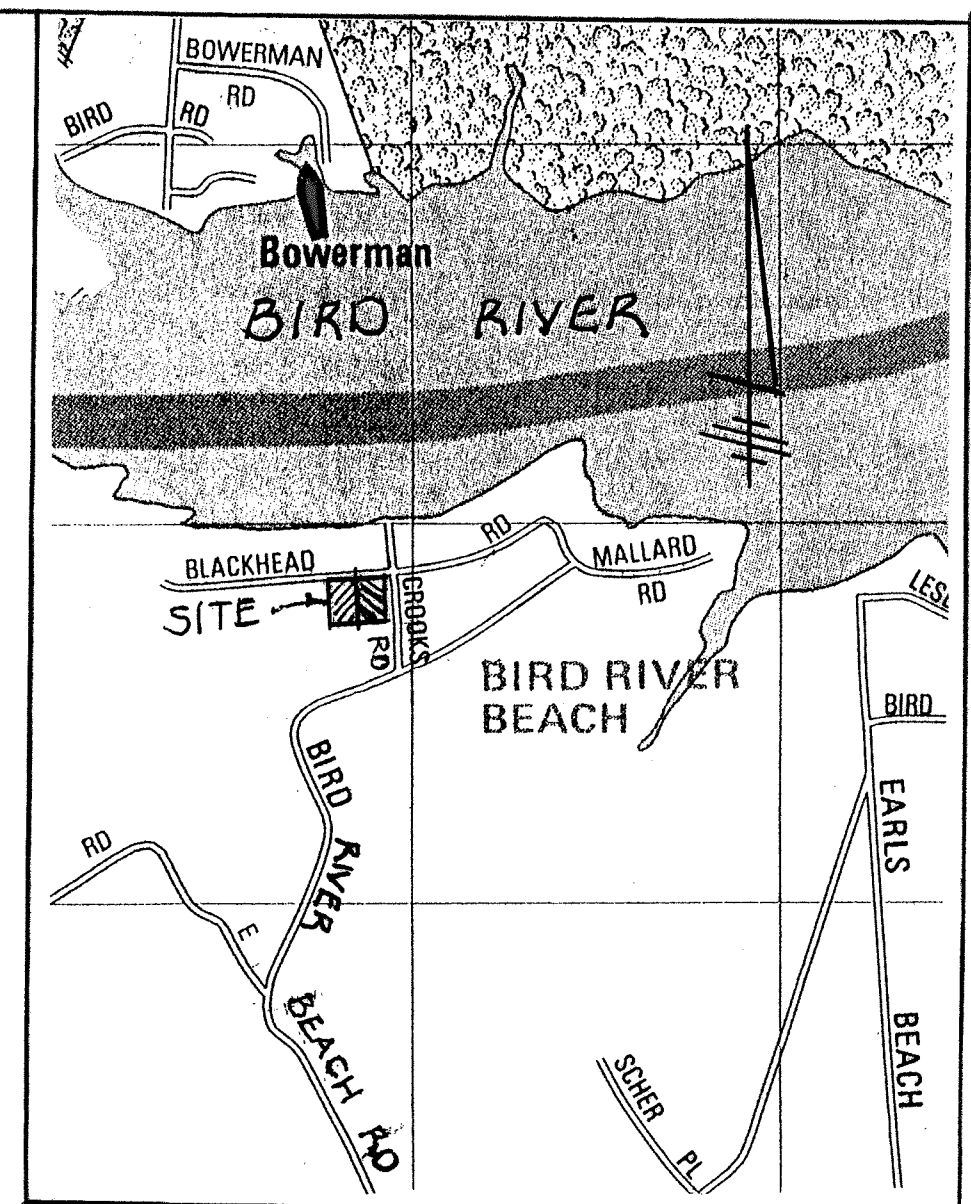
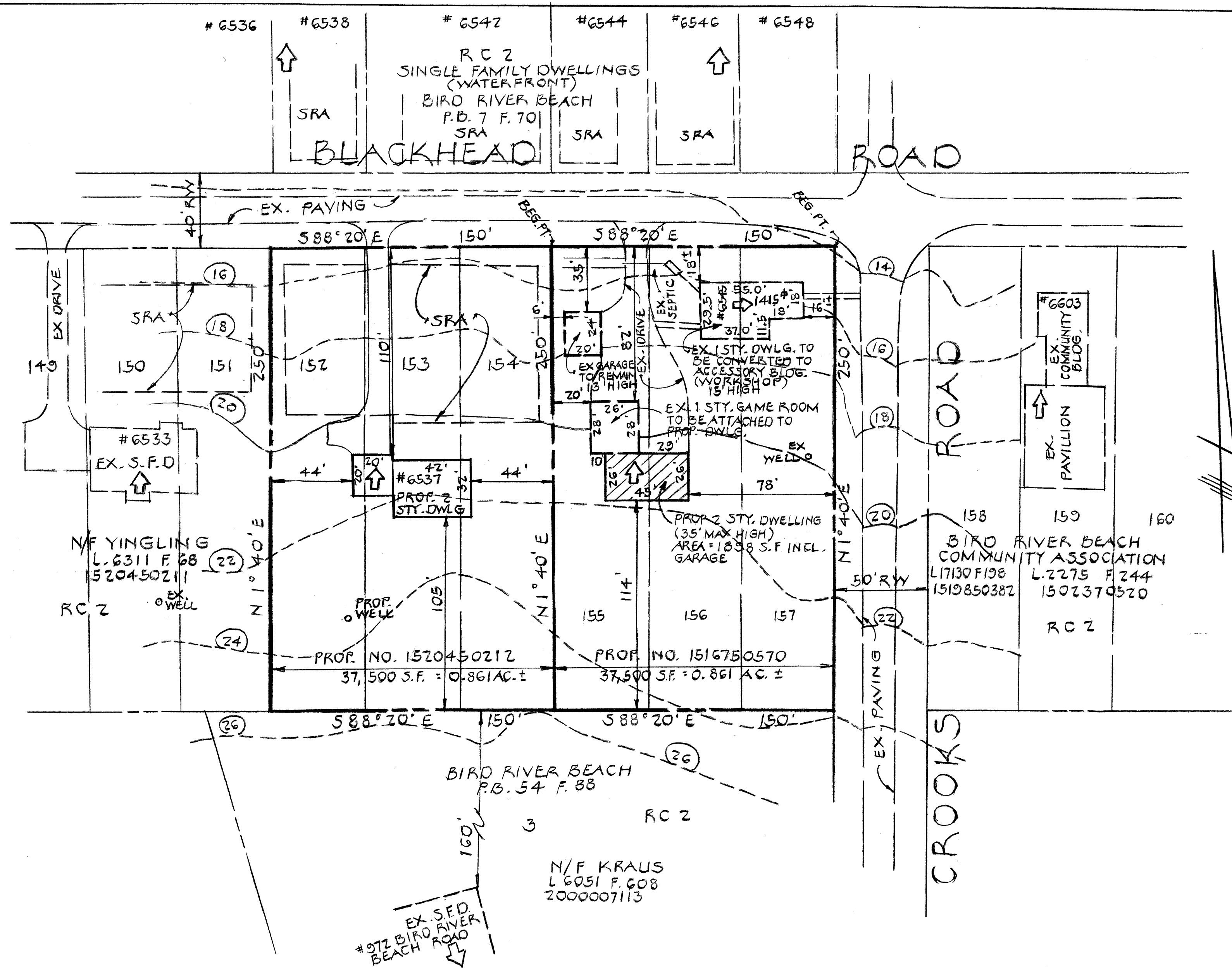
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 2009-0177-SPH
CASE NUMBER 2009-0176-A
DATE 2/26/09

[illegible]

**PETITIONER'S EXHIBITS
6545 CROOKS ROAD
CASE NO. 2009-0176-A**

- 1. SITE PLAN DATED NOVEMBER 17, 2008 (NO CHANGES)**
- 2. SDAT REAL PROPERTY DATA SEARCH**
- 3a THRU 3d. DEEDS SHOWING THE CHAIN OF TITLE**
- 4. COPY OF PLAT OF SECTION 2 BIRD RIVER BEACH
P.B. 7 F. 185 (RECORDED SEPTEMBER 19, 1923)**
- 5.1 THRU 5.8 PHOTOS**
- 6 AERIAL PHOTO OF NEIGHBORHOOD**
- 7. ORDER FOR CASE NO. 2007-341-A**



VICINITY MAP
SCALE: 1 INCH = 1000 FEET

NOTES

1. ZONING.....RC 2 (MAP NO. 083B1)
2. LOT AREAS
6545 CROOKS ROAD.....37,500 S.F. = 0.861 ACRE
6537 BLACKHEAD ROAD.....37,500 S.F. = 0.861 ACRE
3. PRIVATE WATER AND SEWER
4. NO PREVIOUS ZONING HISTORY OR VIOLATIONS ARE KNOWN
5. SITE IS LOCATED IN THE CBCA
6. SITE IS NOT LOCATED IN A 100 YEAR FLOOD ZONE
7. NO HISTORIC SITES OR STRUCTURES, ARCHEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS ARE KNOWN TO EXIST

OWNER

ERIK M. GRIFFIN
6545 CROOKS ROAD
BALTIMORE, MD. 21220
DEED REF. L. 15534 F. 132
PROPERTY NOS. 1520450212 AND 1516750570

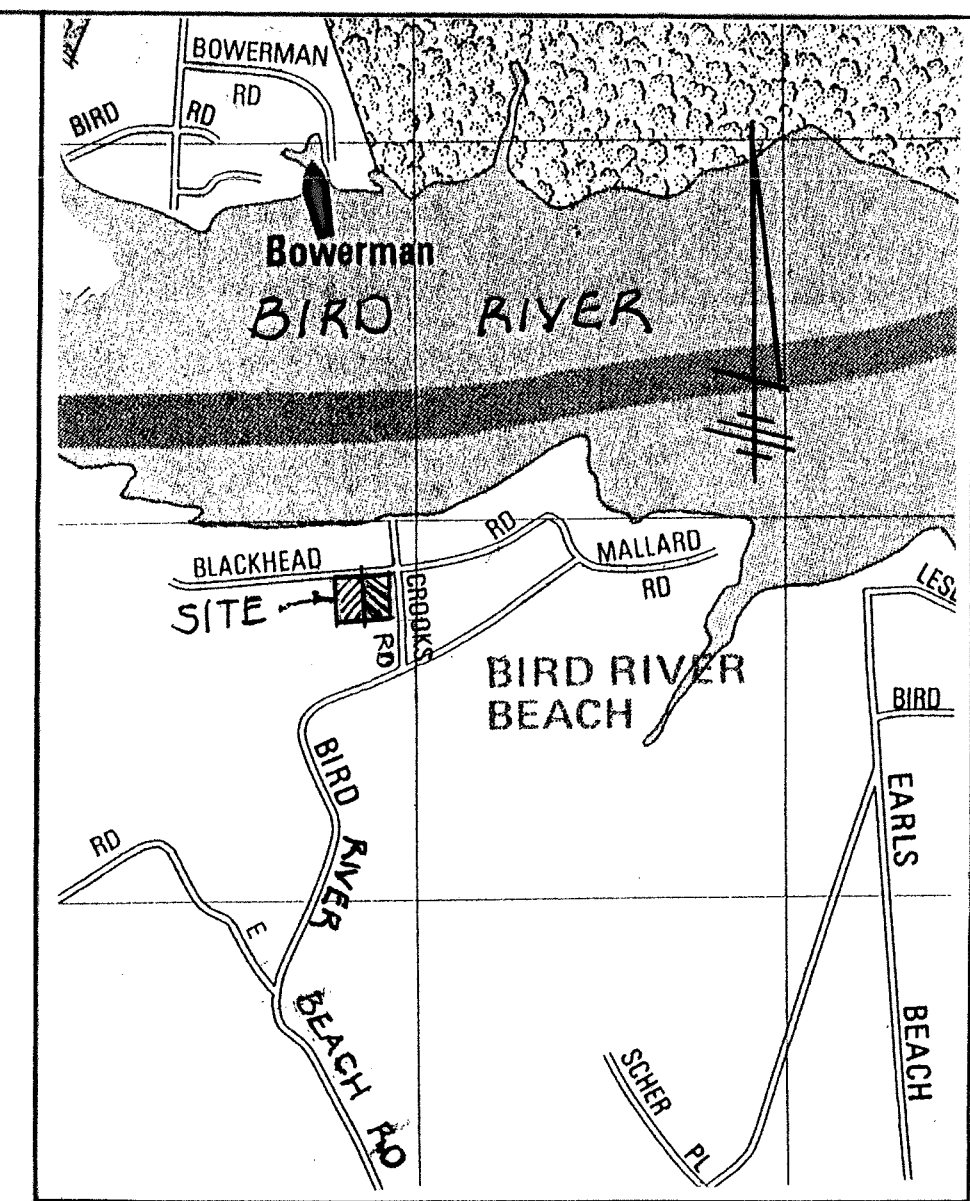
CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 671-8719

PETITIONER'S

EXHIBIT NO. 1

PLAT TO ACCOMPANY PETITION
FOR VARIANCES

LOTS 152 THRU 154 AND LOTS 155 THRU 157
SECTION 2 - BIRD RIVER BEACH P.B. 7 F. 85
ELECTION DISTRICT 15C6
BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 40 FEET NOVEMBER 17, 2008



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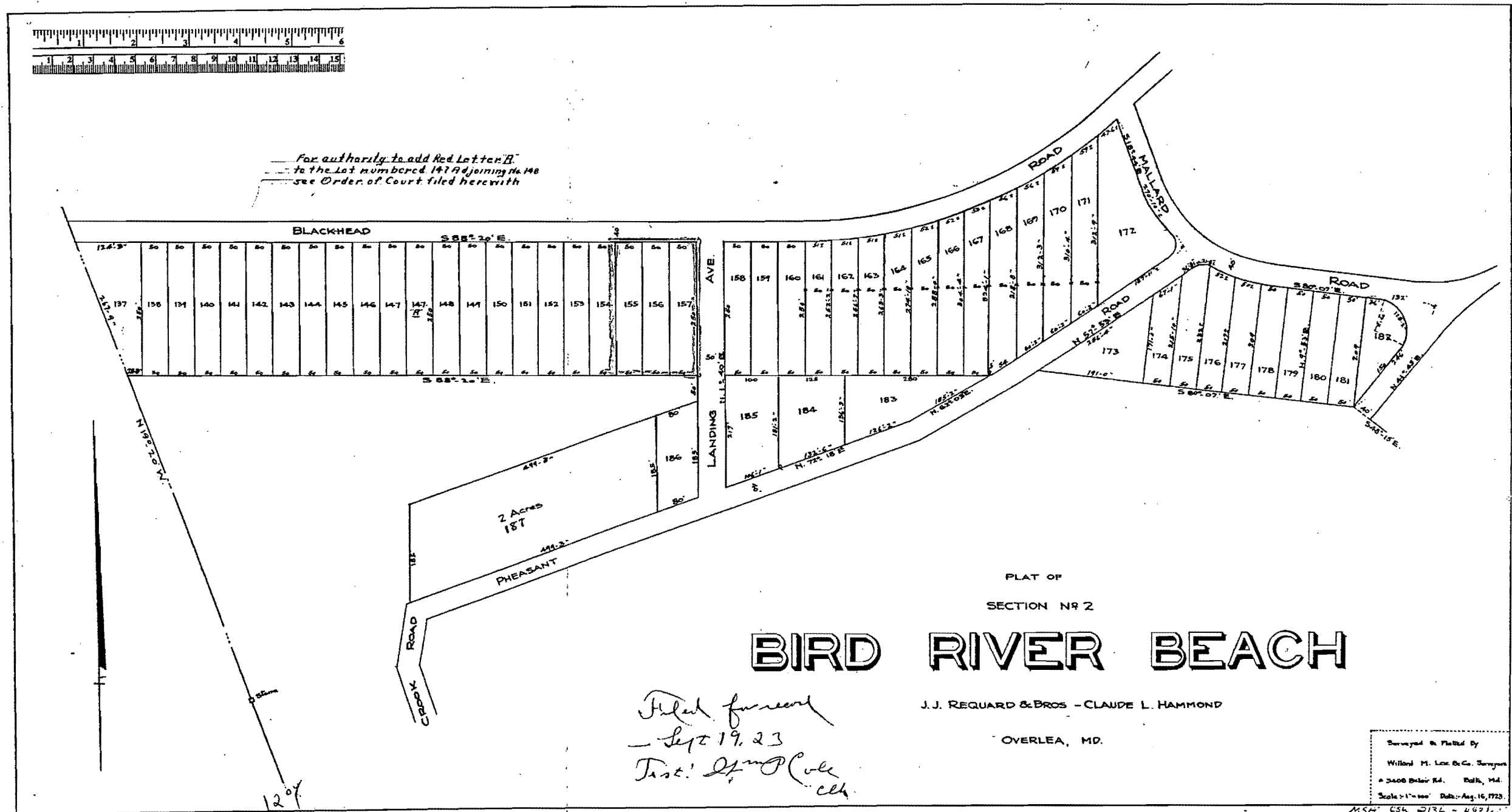
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PETITIONER' S
EXHIBIT NO. 1

PLAT TO ACCOMPANY PETITION FOR VARIANCES

**LOTS 152 THRU 154 AND LOTS 155 THRU 157
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ELECTION DISTRICT 15C6
BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 40 FEET NOVEMBER 17, 2008**



*Filed for record
- Sept 19, 23
Tst: J. P. Cole
clh*

PLAT OF
SECTION NO. 2

BIRD RIVER BEACH

J.J. REQUARD & BROS - CLAUDE L. HAMMOND
OVERLEA, MD.

Surveyed & Platted By
Willard M. Lee & Co. Surveyors
2300 Belair Rd. Baltimore, Md.
Scale: 1" = 100' Date: Aug. 16, 1923.

MSA: CSH 2136 - 4931-2

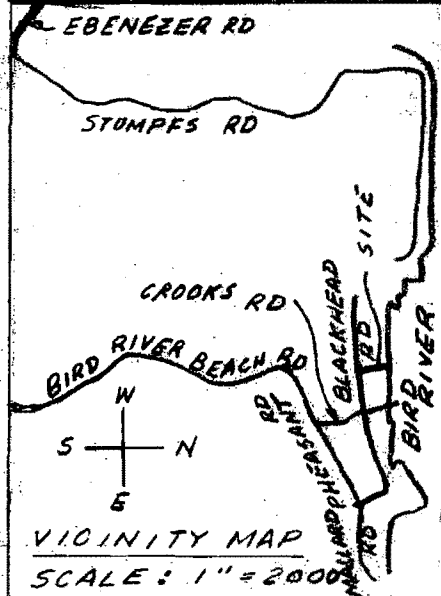
PETITIONER'S

EXHIBIT NO. 4

VARANKO SITE PLAN

CASE NO. - 07-341-A

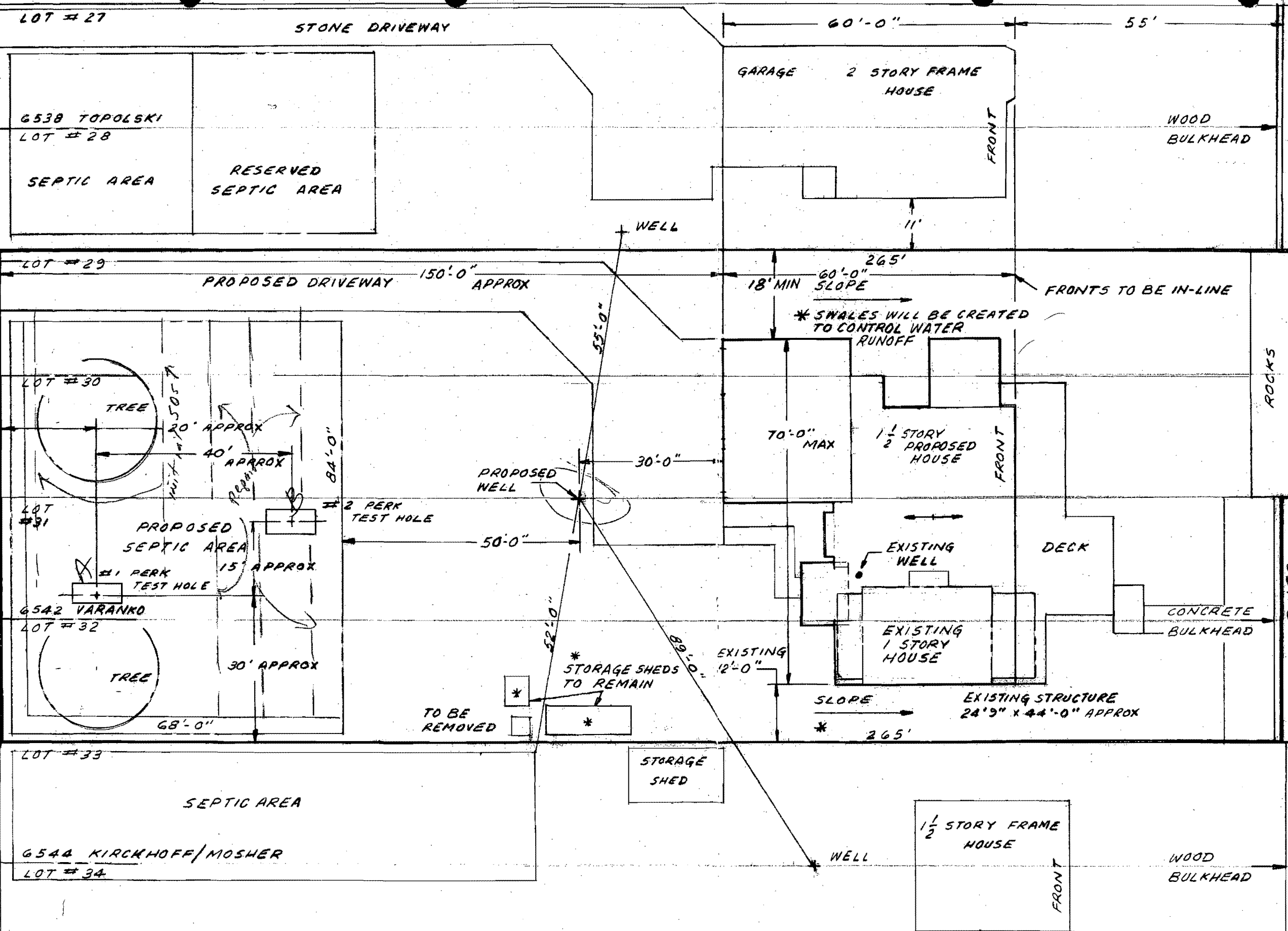
PROPERTY ADDRESS
6542 BLACKHEAD RD
OWNER
STEPHEN & LAURA
VARANKO
SUBDIVISION
BIRD RIVER BEACH-
BALTIMORE COUNTY
SUB DIV REF.
PLAT BOOK #7
FOLIO #70
LOT NO'S 29,30,31 & 32



LOCATION INFORMATION
ELECTION DISTRICT 15
COUNCIL DISTRICT 6
1"=200' SCALE
MAP # NEBK
ZONING RC2
FLOOD ZONE A
LOT SIZE
29,30 12,950 SF
31,32 12,700 SF
COMB 25,650 SF
.64 ACREAGE
SEWER - PRIVATE
WATER - PRIVATE
CHESAPEAKE BAY
CRITICAL AREA - YES
100 YR FLOOD PLAIN - YES
HISTORIC PROPERTY/
BUILDING - NO
PRIOR ZONING HEARING - NO

ZONING OFFICE USE ONLY
REVIEWED BY
ITEM #
CASE #

150' TO CROOKS RD
18' WIDE
NO COUNTY RIGHT OF WAY



REVISED 05/04/07 ADDED PERK TEST HOLE LOCATIONS

PREPARED BY JIM SULLIVAN 410 335-8577 DATE 1-17-07

SCALE OF DWG: 1" = 20'-0"

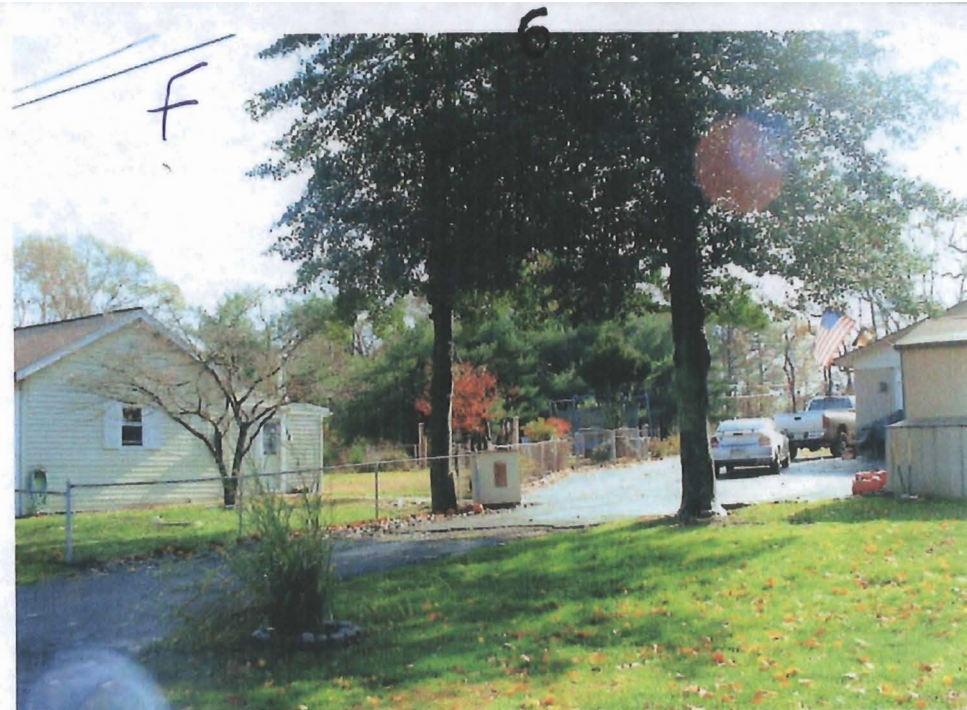
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B

~~B~~ C

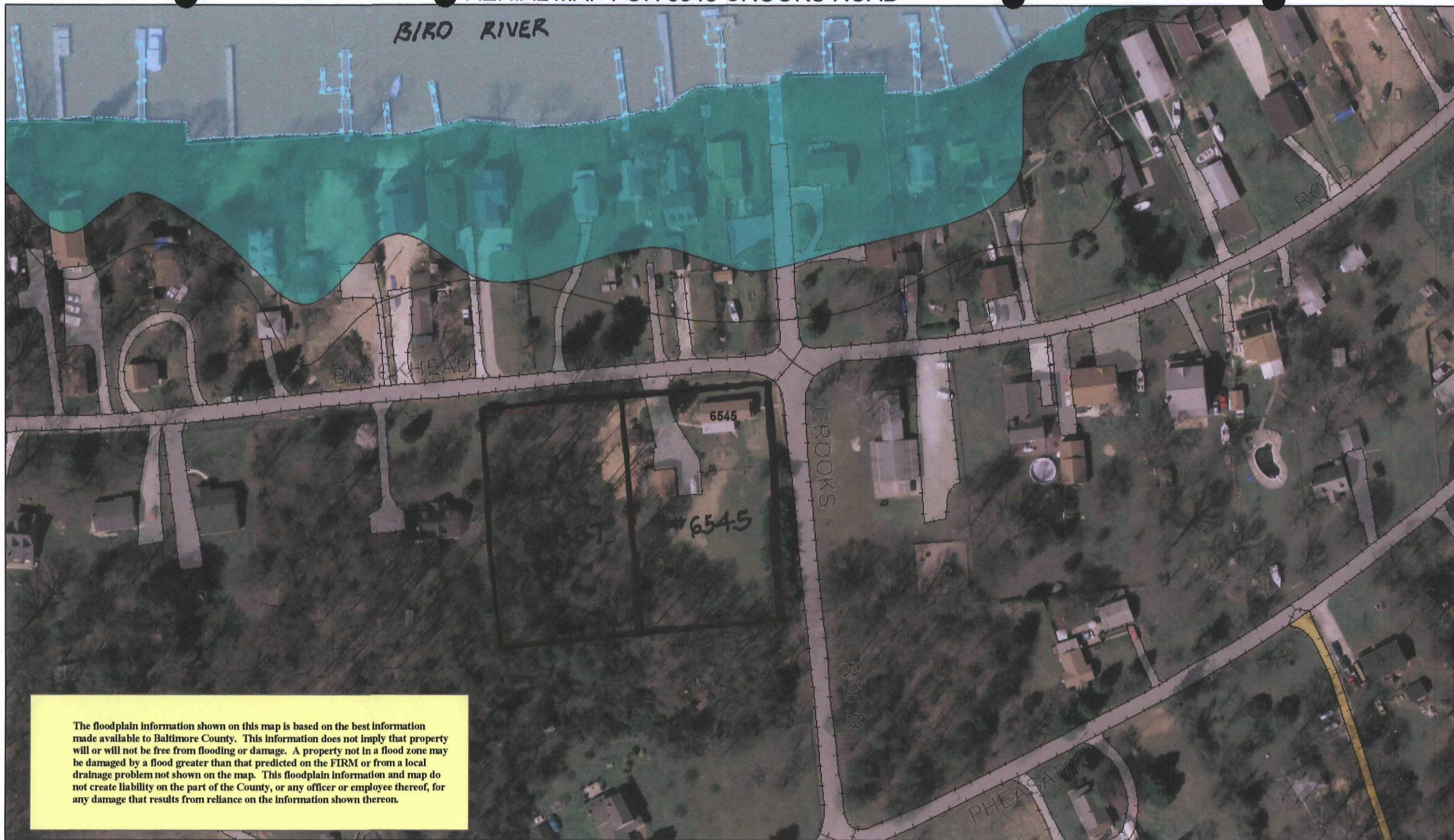
A D



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8

AERIAL MAP FOR 6545 CROOKS ROAD



The floodplain information shown on this map is based on the best information made available to Baltimore County. This information does not imply that property will or will not be free from flooding or damage. A property not in a flood zone may be damaged by a flood greater than that predicted on the FIRM or from a local drainage problem not shown on the map. This floodplain information and map do not create liability on the part of the County, or any officer or employee thereof, for any damage that results from reliance on the information shown thereon.

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

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

Date of Aerial Photography: March 2005

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.



Baltimore County, MD
Department of Public Works
GIS Services

For internal use only.
The cadastral information on this plot was compiled

PETITIONER'S

EXHIBIT NO.

6



100 50 0 100
Feet

Prepared By:
Robin Hurley, EA III
DPW Directors Office
Nov. 12, 2008

IN RE: **PETITION FOR VARIANCE**
N/S Blackhead Road, 160' W
C/line Crooks Road
(6540 & 6542 Blackhead Road)
15th Election District
6th Council District

Stephen Varanko, Jr., et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF
* ~~BALTIMORE COUNTY~~

* **Case No. 07-341-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 legal owners of the subject property, Stephen Varanko, and his wife, Laura S. Varanko. The Petitioners request variance relief from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 12 and 18 feet in lieu of the required 35 for a proposed dwelling. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing in support of the request were Stephen and Laura Varanko, property owners, James Sullivan, the consultant and design engineer, who prepared the site plan for this property. There were no Protestants or interested citizens present.

Testimony and evidence offered disclosed that the property under consideration consists of four lots of record (Lots 29 – 32) and when combined form a rectangular shaped waterfront parcel located with frontage on the Bird River. The property known as 6542 Blackhead Road is in the original subdivision plat for "Bird River Beach" in eastern Baltimore County. The properties contain a gross area of 25,650 square feet (0.64 acres), more or less, zoned R.C.2 and improved (Lots 31 and 32) with a modest one-story dwelling, 20' x 30' with

PETITIONER' S

EXHIBIT NO.

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