

IN RE: PETITION FOR VARIANCE

S side of Blackhead Road; 150 feet W
of the c/l of Crooks Road
15th Election District
6th Councilmanic District
(6537 Blackhead Road)

Erik Griffin
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO. 2009-0312-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 owner of the subject property, Erik Griffin. Petitioner is requesting Variance relief from Section 1A01.3.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a structure (new dwelling) with a height of 44 feet in lieu of the permitted 35 feet. The subject property and requested relief are more fully depicted on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the variance request were Petitioner Erik Griffin and David Billingsley with Central Drafting & Design, Inc., Petitioner's land use consultant. There were no Protestants or other interested citizens in attendance at the hearing.

Testimony and evidence offered proceeded by way of a proffer from Mr. Billingsley and revealed that the subject property is rectangular in shape, contains 0.861 acre zoned R.C.2 and is located in the Bird River Beach area of Baltimore County. The subject property is located on the south side of Blackhead Road and west of Crooks Road. Single-family dwellings located on the north side of Blackhead Road -- across from the subject property -- front Bird River and are located in a floodplain as shown on the GIS map marked and accepted into evidence as

~~EXHIBIT 1~~

8-12-09

pm

Petitioner's Exhibit 5.¹ Further, these properties and the subject property are located in the Chesapeake Bay Critical Area. Petitioner acquired the subject property in August 2001 as Lots 152, 153, and 154 (6537 Blackhead Road), along with Lots 155, 156, and 157 (6545 Blackhead Road). As shown on the plat marked and accepted into evidence as Petitioner's Exhibit 4, these lots were recorded on September 19, 1923 as part of the "Section 2, Bird River Beach" subdivision.

The subject property, 6537 Blackhead Road, and the adjacent property to the east, 6545 Blackhead Road, were the subject of a prior zoning case on March 24, 2009.² Case Number 2009-0177-SPH granted approval of the subject property, in accordance with Section 500.7 of the B.C.Z.R., as a buildable lot containing 0.861 acre in lieu of the required one acre for a new dwelling. During the aforementioned hearing, Mr. Billingsley -- who was also working with Petitioner at that time -- indicated that the conditions of the property as known at that time did not mandate a request for a height variance. As a condition of approval of Petitioner's special hearing request, soil evaluations for the property had to be conducted in order to determine a septic reserve area. The results of these evaluations are what bring Petitioner before this Commission to request variance relief from Section 1A01.3.A of the B.C.Z.R.

The percolation tests conducted by Petitioner to determine a septic reserve area produced inconsistent results. These tests, alpha numerically designated on Petitioner's Exhibit 1 as A through D, indicated that the ground water contained significant quantities of sand and clay, indicative of abnormal amounts of moisture. Although these conditions are sufficient for a septic reserve area, they are not adequate for a basement as originally planned by Petitioner. In order to

¹ The subject property is not in a designated floodplain; however, as indicated on Petitioner's Exhibit 5, such a designation does not imply that a property will or will not be free from flooding or damage. The closer a property is to such a floodplain the greater the likelihood that such a property will have soil conditions similar to those within the floodplain.

² Case Numbers 2009-0176-A and 2009-0177-SPH.

alleviate this problem, homes that have soil conditions similar to the subject property -- typically properties in floodplains and the Chesapeake Bay Critical Area -- raise the home in order to avoid groundwater seeping into the basement or ground floor. Mr. Billingsley indicated that Petitioner proposes to similarly raise his home to alleviate these conditions as shown on the architectural rendering and elevation plan marked and accepted into evidence as Petitioner's Exhibit 6. Further, Mr. Billingsley stated that nearby homes damaged significantly by previous flood and groundwater, specifically 6536 and 6542 Blackhead Road, have rebuilt their homes in this manner. A variance is needed to permit the new dwelling to have a height of 44 feet in lieu of the required 35 feet pursuant to Section 1A01.3.A of the B.C.Z.R. Mr. Billingsley explained that these conditions disproportionately and uniquely affect the subject property and that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and undue hardship.

Mr. Billingsley additionally offered that the proposed height of the home would not adversely effect nearby neighbors or the surrounding community. Specifically, because the subject property is located in a densely wooded area containing large amounts of forestation, the proposed dwelling would not be highly visible by nearby property owners. Moreover, the proposed height of the home would not obstruct any water views of surrounding properties. Petitioner also alluded to the architectural rendering of the home in Petitioner's Exhibit 6 to show that the proposed dwelling would have aesthetically pleasing architectural features including attractive alternating roof lines. Finally, Mr. Billingsley offered his opinion that the proposed dwelling would be architecturally cohesive with recently built homes in the Bird River Beach area and would contribute to the overall character and aesthetics of the community.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental

RECEIVED FOR FILE
8-12-09

Protection and Resource Management dated July 27, 2009, which indicate that the property must comply with the Chesapeake Bay Critical Area Regulations. The property is in a Limited Development Area (LDA) of the Chesapeake Bay Critical Area. All LDA requirements apply, including lot coverage limits of 15% and forest clearing provisions. Clearing of forest up to 20% must be replaced at a 1:1 ratio, clearing between 20% and 30% must be replaced at a 1:5:1 ratio for the entire area cleared, and clearing over 30% requires a Critical Area Variance approval and 3:1 mitigation for the entire area cleared.

Considering all the testimony and evidence presented, I am persuaded to grant the requested variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Specifically, the location of the property in the Chesapeake Bay Critical Area, the proximity of the property on the periphery of a designated floodplain, and the subject property's highly irregular soil and groundwater conditions, render the subject property unique. Further, I conclude that Petitioner would suffer practical difficulty and undue hardship if the variance were to be denied. I further find that the variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. In my view, the proposed height of the dwelling will not obscure the water views of the surrounding properties and the dwelling itself will be screened from the view of other properties as a result of the densely wooded nature of the subject property.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's variance request should be granted.

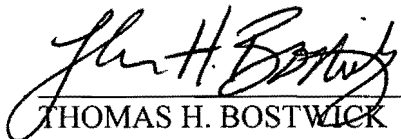
THEREFORE, IT IS ORDERED this 12th day of August, 2009 by this Deputy Zoning Commissioner, that Petitioner's Variance relief request from Section 1A01.3.A of the

RECEIVED FOR FILE
8.12.09

Baltimore County Zoning Regulations (B.C.Z.R.) to permit a structure (new dwelling) with a height of 44 feet in lieu of the permitted 35 feet be and is hereby GRANTED. The relief granted herein shall be subject to the following:

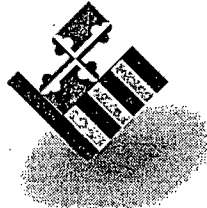
1. Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. 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) of the Chesapeake Bay Critical Area. All LDA requirements apply, including lot coverage limits of 15% and forest clearing provisions. Clearing of forest up to 20% must be replaced at a 1:1 ratio, clearing between 20% and 30% must be replaced at a 1:5:1 ratio for the entire area cleared, and clearing over 30% requires a Critical Area Variance approval and 3:1 mitigation for the entire area cleared.

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

REMOVED FOR FILING
8.12.09



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

August 12, 2009

ERIK GRIFFIN
6545 CROOKS ROAD
BALTIMORE MD 21220

Re: Petition for Variance
Case No. 2009-0312-A
Property: 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 "John H. Bostwick", written over the printed name.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: David Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood MD
21040



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 6537 BLACKHEAD ROAD
which is presently zoned RC 2

Deed Reference: 15534 / 1132 Tax Account # 1520450212

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)

1A01.3.A TO PERMIT A STRUCTURE (NEW DWELLING) WITH
A HEIGHT OF 44 FEET IN LIEU OF THE PERMITTED 35 FEET

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) 604-9894

Address Telephone No.

BALTO. MD. 21220

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

Case No. 2009-0312-A

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by BN Date 5/28/09

No. 39838

Date:

5249

SECRET

BIRTHDAY: 10/10/1940
 BIRTHPLACE: NEW YORK, NEW YORK
 BIRTHTIME: 10:10 AM
 BIRTHDAY: 10/10/1940
 BIRTHPLACE: NEW YORK, NEW YORK
 BIRTHTIME: 10:10 AM

Total:

For:

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

ZONING DESCRIPTION

6537 BLACKHEAD ROAD

Beginning at a point on the south side of Blackhead Road (40 feet wide) distant westerly 150 feet from the west side of Crooks Road (50 feet wide), thence being all of Lots 152, 153 and 154 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 6537 Blackhead Road. Located in the 15TH Election District, 6TH

Councilmanic District Of 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: # 2009-0312-A

6537 Blackhead Road

S/side of Blackhead Road, 150 feet west of centerline of Crooks Road

15th Election District — 6th Councilmanic District

Legal Owner(s): Erik M. Griffin

Variance: to permit a structure (new dwelling) with a height of 44 feet in lieu of the permitted 35 feet.

Hearing: Tuesday, July 28, 2009 at 9:00 a.m. in Room 104, Jefferson Building, 105 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.

IT 7/665 July 14

205629

CERTIFICATE OF PUBLICATION

7/16/2009

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 7/14/2009.

- ☒ 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 2009-0312-A

Petitioner/Developer DAVE
BILLINGSLEY

Date Of Hearing/Closing: 7/28/09

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 penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 6537 BLACKHEAD ROAD

This sign(s) were posted on July 12, 2009

Month, Day, Year

Sincerely,

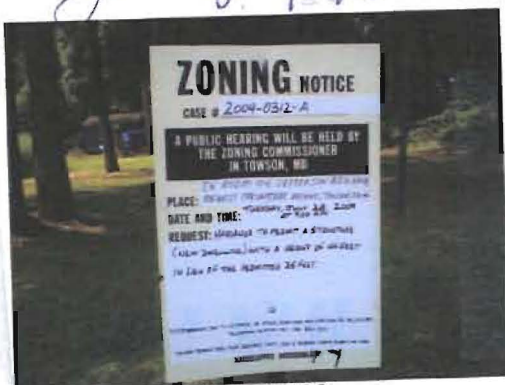
Martin Ogle 7/12/09
Signature of Sign Poster and Date

Martin Ogle

60 Chelmsford Court

Baltimore, Md, 21220

443-629-3411



07/12/2009

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 14, 2009 Issue - Jeffersonian

Please forward billing to:

Erik Griffin
6545 Crooks Road
Baltimore, MD 21220

443-604-9894

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: 2009-0312-A

6537 Blackhead Road

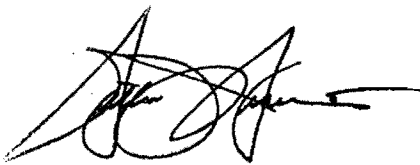
S/side of Blackhead Road, 150 feet west of centerline of Crooks Road

15th Election District – 6th Councilmanic District

Legal Owners: Erik M. Griffin

Variance to permit a structure (new dwelling) with a height of 44 feet in lieu of the permitted 35 feet.

Hearing: Tuesday, July 28, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 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.

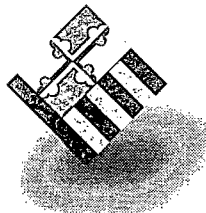
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2009-0312-A
Petitioner: ERIK GRIFFIN
Address or Location: 6537 BLACKHEAD ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ERIK GRIFFIN
Address: 6545 CROOKS ROAD
BALTO MD 21220
Telephone Number: (443) 604-9894



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

June 29, 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: 2009-0312-A

6537 Blackhead Road

S/side of Blackhead Road, 150 feet west of centerline of Crooks Road

15th Election District – 6th Councilmanic District

Legal Owners: Erik M. Griffin

Variance to permit a structure (new dwelling) with a height of 44 feet in lieu of the permitted 35 feet.

Hearing: Tuesday, July 28, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in cursive script that reads "Timothy Kotroco".

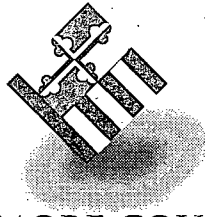
Timothy Kotroco
Director

TK:klm

C: Erik Griffin, 6545 Crooks Road, Baltimore 21220

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

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JULY 13, 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.



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

July 22, 2009

Erik Griffin
6545 Crooks Rd.
Baltimore, MD 21220

Dear: Erik Griffin

RE: Case Number 2009-0312-A, 6537 Blackhead Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 28, 2009. 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." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
David Billingsley: Central Drafting & Design, Inc.; 601 Charwood Ct.; Edgewood, MD 21040

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 10, 2009
Item Nos. 2009-202, 288, 311, 312,
313, and 314

DATE: June 15, 2009

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

DAK:CEN:dak
cc: File
ZAC-06152009 -NO COMMENTS



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

June 8, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 8.2009

Item Numbers 0288,0311,0312,0313,0314

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



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

State Highway
Administration

Beverley K. Swaim-Staley, Acting Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: JUNE 10, 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 2009-0312-A
6537 BLACKHEAD 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. 2009-0312-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: July 27, 2009

SUBJECT: Zoning Item # 09-312-A
Address 6537 Blackhead Road
(Griffin Property)

Zoning Advisory Committee Meeting of June 8, 2009

 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:

This property is in a Limited Development Area (LDA) of the Chesapeake Bay Critical Area. All LDA requirements apply, including lot coverage limits of 15% and forest clearing provisions. Clearing of forest up to 20% must be replaced at a 1:1 ratio, clearing between 20% and 30% must be replaced at a 1.5:1 ratio for the entire area cleared, and clearing over 30% requires a Critical Area variance approval and 3:1 mitigation for the entire area cleared.

Reviewer: Regina Esslinger

Date: June 22, 2009

RE: PETITION FOR VARIANCE * BEFORE THE
6537 Blackhead Road; S/S Blackhead Rd, * ZONING COMMISSIONER
150' W/S Crooks Road *
15th Election & 6th Councilmanic Districts * FOR
Legal Owner(s): Erik M. Griffin *
Petitioner(s) * BALTIMORE COUNTY
* 09-312-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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 19th day of June, 2009, a copy of the foregoing Entry of Appearance was mailed David Billingsley, Central Drafting & Design, Inc, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

RECEIVED

JUN 19 2009

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 6537 BLACKHEAD RD
CASE NUMBER 2009-Q312-A
DATE 7/28/09

CASE NAME 6537 BLACKHEAD RD
CASE NUMBER 2009-Q312-A
DATE 7/28/09

[illegible]

1519610490

1507000260

2500005437

1502002310

1508800780

1510452420

1511470390

6526

Bk. 7 Folio 70 1520450210

1516602490

BLACK HEAD RD

20030582

19760236

20060354

20060

19740009

19700177

1520450212

1520450211
Pt. Bk. 7 Folio 85

RC 2
15 ED

083B1
6 CD

1518001870

6521

NE 8-K

2000007113

2000007112

Pt. Bk. 54 Folio 88 2000007111

972

**PETITIONER'S EXHIBITS
6537 BLACKHEAD ROAD
CASE NO. 2009-0312-A**

- 1. SITE PLAN DATED MAY 14, 2009 (NO CHANGES)**
- 2. SDAT REAL PROPERTY DATA SEARCH**
- 3. DEED OF RECORD**
- 4. COPY OF PLAT OF SECTION 2, BIRD RIVER BEACH
P.B. 7 F. 185 (RECORDED SEPTEMBER 19, 1923)**
- 5. AERIAL PHOTO OF NEIGHBORHOOD**
- 6. BUILDING ELEVATION**



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw5.1)

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

Account Identifier: District - 15 **Account Number -** 1520450212

Owner Information

Owner Name:	GRIFFIN ERIK M	Use:	RESIDENTIAL
Mailing Address:	6545 CROOKS RD BALTIMORE MD 21220	Principal Residence:	NO
		Deed Reference:	1) /15534/ 132 2)

Location & Structure Information

Premises Address	Legal Description
BLACKHEAD RD	LT 152,153,154 BLACKHEAD RD BIRD RIVER BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	2
83	4	429			2		152	3	Plat Ref:	7/ 85

Special Tax Areas

Town	
Ad Valorem	
Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		37,500.00 SF	04
Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2006	07/01/2008	07/01/2009
Land	58,370	58,370		
Improvements:	0	0		
Total:	58,370	58,370	58,370	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

Transfer Information

Seller: ANDERSON GRAYSON C	Date: 09/04/2001	Price: \$172,000
Type: MULT ACCTS ARMS-LENGTH	Deed1: /15534/ 132	Deed2:
Seller: TISCHLER PAUL	Date: 07/17/1981	Price: \$14,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 6309/ 190	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
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.

2

THIS DEED, Made this 29th day of August, in the year two thousand and one, by and between **GRAYSON C. ANDERSON and BETTY B. ANDERSON, husband and wife**, parties of the first part, Grantors, and **ERIK M. GRIFFIN**, party of the second part, Grantee.

WITNESSETH, That in consideration of the sum of \$172,000.00 and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant, convey, and assign unto the said Grantee, his personal representatives and assigns, in fee simple, all that lot of ground situate in Baltimore County, in the State of Maryland, and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lots No. 152, 153, 154, 155, 156, and 157, as shown on a Plat entitled, "Plat of Section No. 2, Bird River", which Plat is recorded among the Land Records of Baltimore County in Plat Book WPC No. 7 folio 85; the improvements thereon being known as No. 6545 Crooks Road.

BEING THE SAME property acquired by Grayson C. Anderson and Betty B. Anderson, husband and wife, by the following Deeds which are recorded among the Land Records of Baltimore County:

1) Dated June 1, 1977 and recorded in Liber E.H.K.Jr. No. 5760 folio 431 from David W. Hines and Georgia Arlene Hines, his wife.

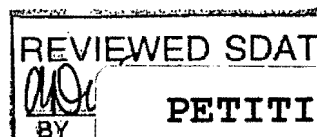
2) Dated May 13, 1981 and recorded in Liber E.H.K.Jr. No. 6309 folio 190 from Paul Tischler and Dorothy Tischler, his wife.

TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every the rights, alleys, ways, waters, privileges, appurtenances, and advantages to the same belonging or anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises unto and to the use of the said Grantee, his personal representatives and assigns, in fee simple.

AND the said Grantors hereby covenant that the Grantors have not done or suffered to be done any act, matter or thing whatever to encumber the property hereby conveyed; and to warrant specially the property hereby granted and to execute such further assurances of the same as may be requisite.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.



PETITIONER' S

EXHIBIT NO.

3

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

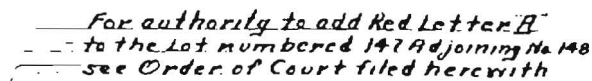
EXHIBIT NO.

5



100 50 0 100
Feet

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



OVERLEA, MD.

Surveyed & Platted By
Willard M. Lee & Co. Surveyors
2408 Balair Rd. Balto, Md.
Scale: 1" = 100' Date: Aug. 16, 1923.

MSH CSN 2136 - 4931-1

EXHIBIT NO.

OWNER
ERIK M. GRIFFIN
6545 CROOKS ROAD
BALTIMORE, MD. 21220
DEED REF. L. 15534 F. 132
PROP. NO. 1520450212

SRA

RC 2
SINGLE FAMILY DWELLINGS
(WATERFRONT)
BIRD RIVER BEACH
P.B. 7 F. 70

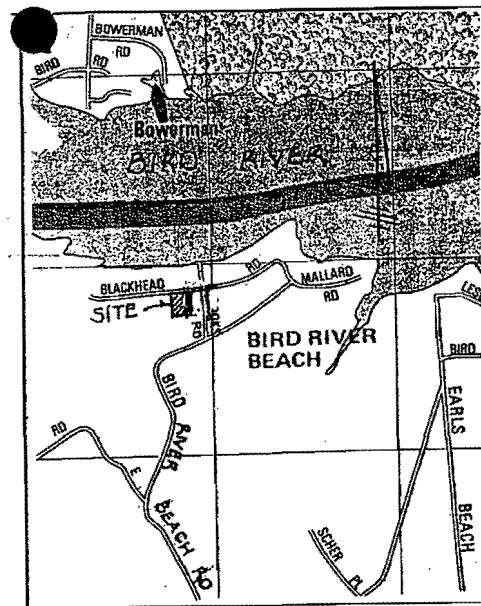
SRA

SRA

SRA

BLACKHEAD

ROAD



VICINITY MAP
SCALE: 1 INCH = 1000 FEET

NOTES

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

ZONING HISTORY

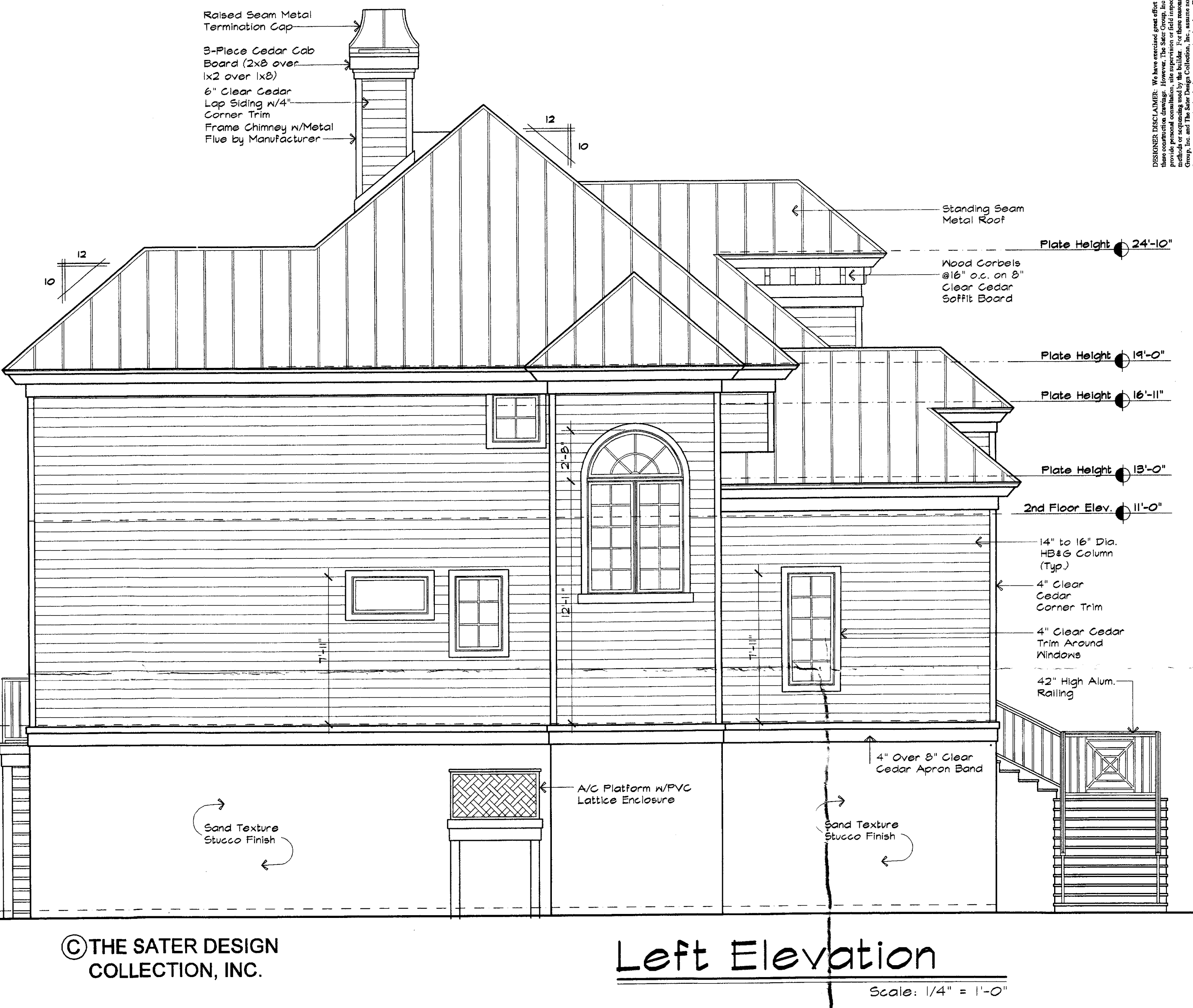
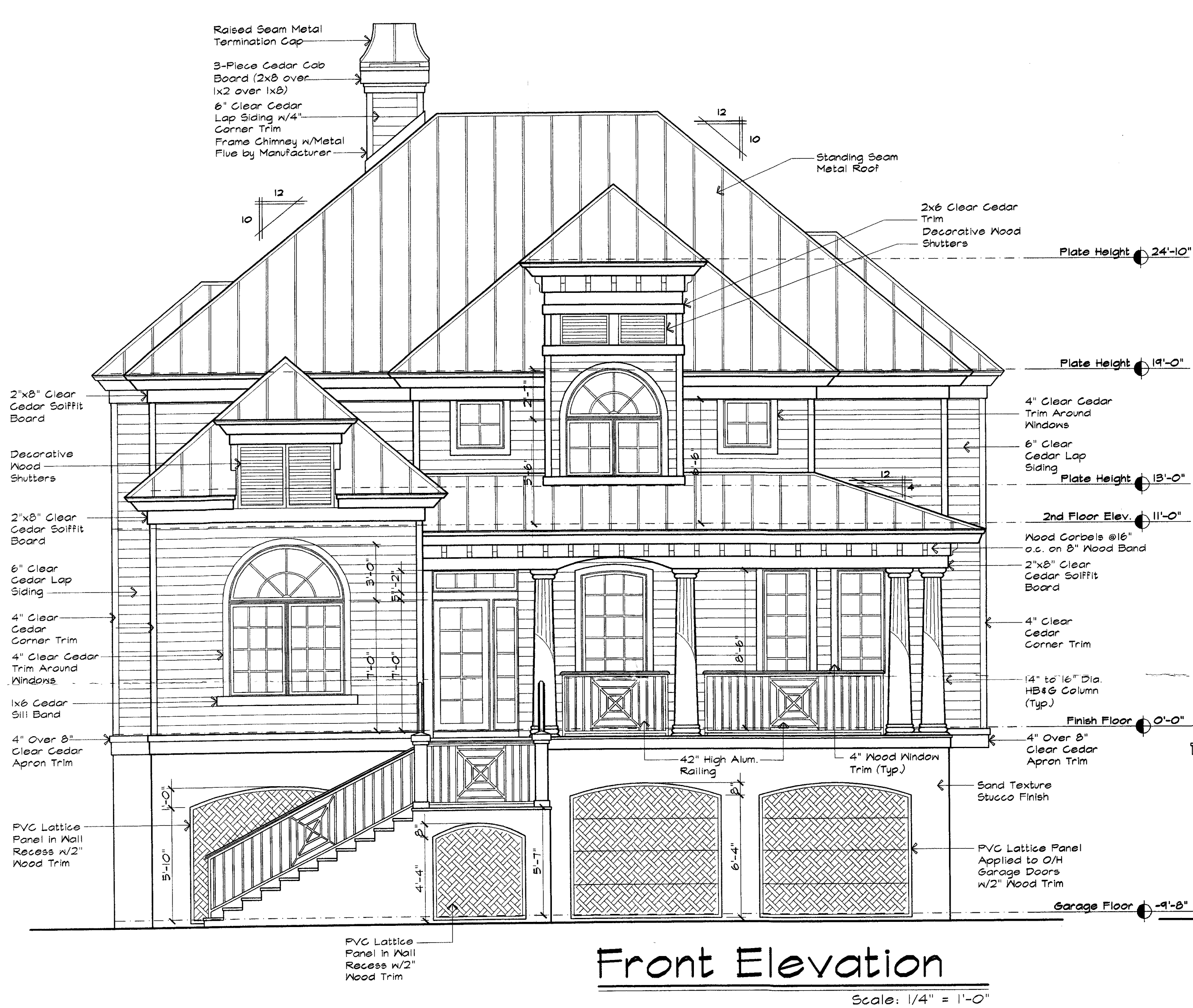
CASE NO. 2009-0177-SPH
ORDER DATED MARCH 24, 2009 PERMITTING
A LOT AREA OF 0.861 ACRE IN LIEU OF THE
REQUIRED 1.0 ACRE

PETITIONER'S

EXHIBIT NO. 1

PLAT TO ACCOMPANY
PETITION FOR VARIANCE
6537 BLACKHEAD ROAD
LOTS 152-154 BIRD RIVER BEACH
P.B. 7 F. 85

ELECTION DISTRICT 15C6 BALTO. CO., MD.
SCALE: 1 INCH = 40 FEET MAY 14, 2009

[illegible]

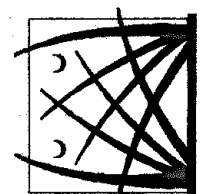
PROJECT

6810
Carmel Bay

Any reproduction of these prints is prohibited by Federal Copyright Laws. Any illegal reproduction will be aggressively pursued to the fullest extent of the copyright law. ©The Sater Design Collection, Inc.

Bonita Springs • Ft. Myers • Naples
25241 Elementary Way Suite 201
Bonita Springs, FL 34135
800-718-PLAN
www.saterdesign.com

SaterDesign
COLLECTION



The Sater Design Collection, Inc. hereby reserves its common law copyright & other property rights in these plans, ideas & designs. These ideas, designs & plans are not to be reproduced, changed or copied in any form or manner whatsoever, nor are they to be assigned to any third party, without first obtaining the express written permission from The Sater Design Collection, Inc. Written dimensions on these drawings shall have precedence over scale dimensions. Contractors shall verify and be responsible for all dimensions & conditions of the job & the Sater Design Collection, Inc. must be notified in writing of any variation from the dimensions, conditions & specifications shown on these drawings. All construction shall be in accordance with the International Building Code (IBC) & state and local codes.

AMERICAN INSTITUTE

OF RUIJI DING DESIGN

DRWG. NO.	6810
DATE	01/08/01
DRAWN BY	KDK
CHECKED BY	DFS II
CONVERTED BY	JP
DATE	03-30-09

A-9

PETITIONER'S
EXHIBIT NO. 6

PROJECT

Bonita Springs • Ft. Myers • Naples
25241 Elementary Way Suite 201
Bonita Springs, FL 34135
800-718-PLAN
www.saterdesign.com

Sater Design
COLLECTION

The Sater Design Collection, Inc. hereby reserves its common law copyright & other property rights in these plans, ideas & designs. These ideas, designs & plans are not to be reproduced, changed or copied in any form or manner whatsoever, nor are they to be assigned to any third party, without first obtaining the express written permission from the Sater Design Collection, Inc. Written permission from the Sater Design Collection, Inc. is required for any reproduction, change or copying of these plans, ideas & designs. Contractors shall verify and be responsible for all dimensions & conditions of the job & the Sater Design Collection, Inc. must be notified in writing of any variations from the dimensions, conditions & specifications shown by these drawings. All construction shall be in accordance with the International Building Code (IBC) & state and local codes.

AMERICAN INSTITUTE

DRWG. NO.	6810
DATE	01/08/01
DRAWN BY	KDK
CHECKED BY	DFS II
CONVERTED BY	JP
DATE	03-30-09

A-10



© THE SATER DESIGN
COLLECTION, INC.

Rear Elevation