

IN RE: **PETITION FOR VARIANCE**

N/S Chesapeake Avenue, 320' SW c/line of
Baylight Road

(8810 Chesapeake Avenue)

15th Election District

7th Council District

Thomas L. Shoemaker, et ux,

Legal Owners

Gary Morris, et al, *Contract Purchaser*

Petitioners

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2010-0063-A

* * * * *

ORDER OF DISMISSAL

This matter was scheduled for a public hearing before the undersigned Zoning Commissioner on October 19, 2009 for consideration of a Petition for Variance filed by the owners of the property, Thomas L. Shoemaker, and his wife, Jane Marie Shoemaker, and the contract purchasers, Gary Morris and Caroline Eifert. The Petitioners sought variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed two-story dwelling to be built on a lot with a width of 50 feet in lieu of the required 55 feet.

Appearing at the public hearing in support of the request were Mr. and Mrs. Shoemaker, their real estate broker, Kay Staszak, Gary Morris and Caroline Eifert. Appearing as interested citizens/Protestants were neighbors residing across from the subject property, namely, Paul J. Watson, Jr. and his wife, Patricia L. Watson, whose waterfront home faces the Chesapeake Bay.

An appreciation of the properties past history and use is relevant and is briefly outlined. The Shoemakers have for some 26 years owned the property known as Lots 65, 66 and 67 of Baylight Beach, an older subdivision which was recorded in the Land Records of Baltimore County well prior to the effective date of the zoning regulations. In this regard, each of the lots are 50 feet wide with frontage on Chesapeake Avenue near the end of the peninsula on Millers Island. Each lot has maintained its own separate tax account number, 1900011278,

ORDER RECEIVED FOR FILING

Date 11-3-09

By B3

190009317 and 190009297 and all lots are in the D.R.5.5 zoning classification. Lot 65 is improved with a one-story single-family dwelling built in 1940. As evidenced by the site plan (Petitioners' Exhibit 1), a small portion of the dwelling known as 8812 Chesapeake Avenue crosses over the boundary line of Lot 66. Lot 67, *the subject property known as 8810 Chesapeake Avenue*, has never been developed or used in conjunction with the other two lots to invoke the doctrine of zoning merger as described in *Friends of the Ridge v. Baltimore Gas & Electric Company*, 352 Md. 645 (1999) and *Remes v. Montgomery County*, 387 Md. 52 (2005). While a portion of Lot 66 has effectively been merged or combined with Lot 65, the uncontradicted evidence clearly establishes that there has never been a desire to combine Lot 67.

Mrs. Watson informed this Commissioner that the Shoemakers had filed a Petition for similar variance relief in Case No. 07-554-A in June 2007 involving the same property. That case came before Deputy Zoning Commissioner Thomas H. Bostwick on August 30, 2007. At that time, the Office of Planning in its Zoning Advisory Committee (ZAC) comment, dated July 12, 2007, informed Bostwick that they did not support the Petitioners request (for a lot width of 50 feet in lieu of 55 feet) but would support *a lot line adjustment* to be approved by the Development Review Committee (DRC). The contract purchaser at that time, Melvin Wolinski, filed for a Limited Exemption with the Department of Permits and Development Management and was assigned DRC No. 091707K. Deputy Commissioner Bostwick issued a Memorandum to the File continuing the case pending the outcome of the lot line adjustment requested. Evidently, Wolinski elected not to purchase the property and the DRC tabled the matter.

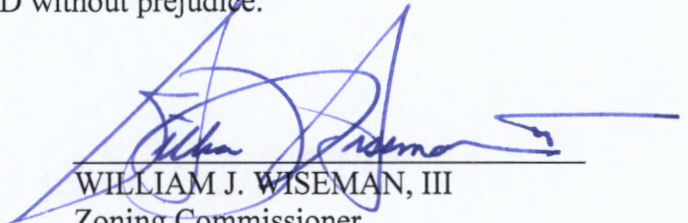
Gary Morris and Caroline Eifert now come before me seeking identical relief as set forth above that was previously before this Commission in 2007. In response to this, the Watsons, who reside at 8811 Chesapeake Avenue, believe that I must deny the instant Petition on the basis of the doctrine of *res judicata*. The history above, however, indicates no evidence was presented before Commissioner Bostwick in Case No. 07-554-A nor was a decision rendered by the zoning authority. *Res judicata* is the legal doctrine of preclusion, which conveys that the matter has been litigated to a conclusion and decided, and that this finality precludes

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Date 11-3-09
By [signature]

further litigation. *See Alvey v. Alvey*, 225 Md. 386, 390 (1961) and *DeLeon v. Slear*, 328 Md. 569, 580 (1992). Thus, the doctrine does not apply here, as the prior Petitioners never brought forward their case, including all relevant facts and legal issues. Next, the Watsons object to the granting of the requested variance as they do not want to see a precedent set that allows the building of single-family homes on a 50 foot wide lot in this area of Millers Island. An aerial photograph of Chesapeake Avenue was submitted to show the pattern of development for this portion of the neighborhood were homes that have been built on combined lots.

Subsequently, after further consultation between Ms. Staszak, Leonard Buerhaus, the contract purchaser's surveyor, and the Shoemakers, Mr. Morris informed me on November 2, 2009 that they were withdrawing their variance request. Apparently, during the course of the continuance, it was decided by the parties that obtaining the necessary five (5) feet of land by pursuing a lot line adjustment through the DRC was the better alternative. Whereas, the matter shall be dismissed without prejudice.

NOW, THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of November 2009 that the Petition for Variance relief as set forth above, be and the same is hereby DISMISSED without prejudice.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

- c: Thomas Leonard and Jane Marie Shoemaker, 839 Mildred Avenue, Dundalk, MD 21222
Catherine (Kay) Staszak, Realtor, Coldwell Banker, 7939 Honeygo Boulevard,
Suite 108, Baltimore, MD 21236
Gary Morris and Caroline Eifert, 1727 Drexel Road, Dundalk, MD 21222
Leonard Buerhaus, 9432 Bellhall Drive, Baltimore, MD 21236
Paul J. and Patricia L. Watson, 8811 Chesapeake Avenue, Sparrows Point, MD 21219
Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100,
Annapolis, MD 21401
People's Counsel; Development Review Committee, DPDM; Development Plans Review;
Office of Planning; File



TAX. ACCOUNT # 1900009297

Petition for Variance

to the **Zoning Commissioner of Baltimore County**

for the property located at 8810 Chesapeake Ave

which is presently zoned Residential

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)

Section 1B02.3.C1

To permit a proposed dwelling to be built on a lot with a width of 50 feet in lieu of the required 55 feet.

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

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:

Gary Morris and Caroline E. Fert

Name - Type or Print

Gary Morris Caroline E. Fert

Signature

1727 Drexel Road 443-527-6140

Address Telephone No.

Dundalk MD 21222

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Jane Marie Shoemaker

Name - Type or Print

Jane Marie Shoemaker

Signature

Thomas Leonard Shoemaker

Name - Type or Print

Thomas Leonard Shoemaker

Signature

839 Mildred Avenue

Address Telephone No.

Dundalk MD 21222

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Date 8/24/09

Case No. 2010-0063-4

ORDER RECEIVED FOR FILING

Date 11-3-09 Reviewed By _____

REV 9/15/98

By [Signature]

**ZONING DESCRIPTION FOR 8810 Chesapeake
Avenue, Edgemere, MD 21219**

Beginning at a point on the northwest side of
Chesapeake Avenue which is 20 feet wide at the
distance of 320 feet southwest of the centerline of the
nearest improved intersecting street Baylight Road
which is 20 feet wide. Being Lot #67, in the
subdivision of Baylight Beach as recorded in
Baltimore County Plat Book #7, Folio #26, containing
7,500 square feet. Also known as 8810 Chesapeake
Avenue, Edgemere, MD 21219 and located in the
15th Election District, 7th Councilman District.

2010-0063-A

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: 2010-0063-A

Petitioner: JANE MARIE & THOMAS LEONARD SHOEMAKER

Address or Location: 839 Mildred Ave

PLEASE FORWARD ADVERTISING BILL TO:

Name: GARY MORRIS & CAROLINE EITZ

Address: 1727 Drexel Rd.

Dundalk Md 21222

Telephone Number: 443-527-6140

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

No.

Date:

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	816	000		6150					65.00

Total:

Rec
From:

For:

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

RE: 2010-0063-A

Petitioner/Developer:

Gary Morris & Caroline Eifert.

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: #2010-0063-A

8810 Chesapeake Avenue

N/side of Chesapeake Avenue, 320 feet s/west of the centerline of Baylight Road

15th Election District - 7th Councilmanic District

Legal Owner(s): Jane Marie & Thomas Leonard Shoemaker

Contract Purchaser: Gary Morris & Caroline Eifert

Variance: to permit a proposed dwelling to be built on a lot with a width of 50 feet in lieu of the required 55 feet.

Hearing: Monday, October 19, 2009 at 2:00 p.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.

10/150 Oct. 1

216612

CERTIFICATE OF PUBLICATION

10/11, 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 10/11, 2009.

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

S. Wilkinson

LEGAL ADVERTISING

ZONING NOTICE

CASE # 2010-0063-A

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

PLACE: Room 104, JEFFERSON BUILDING
105 WEST CHESPEAKE AVE. TOWSON 21204

DATE AND TIME: MONDAY, OCTOBER 19, 2009 AT 2:00 P.M.

REQUEST: VARIANCE TO PERMIT A PROPOSED DWELLING TO BE
BUILT ON A LOT WITH A WIDTH OF 50 FEET IN LIEU OF THE REQUIRED
55 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 1, 2009 Issue - Jeffersonian

Please forward billing to:

Gary Morris & Caroline Eifert
1727 Drexel Road
Dundalk, MD 21222

443-527-6140

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: 2010-0063-A

8810 Chesapeake Avenue

N/side of Chesapeake Avenue, 320 feet s/west of the centerline of Baylight Road

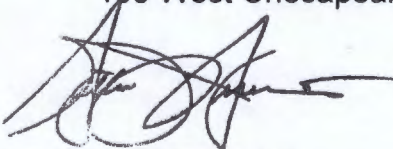
15th Election District – 7th Councilmanic District

Legal Owners: Jane Marie & Thomas Leonard Shoemaker

Contract Purchaser: Gary Morris & Caroline Eifert

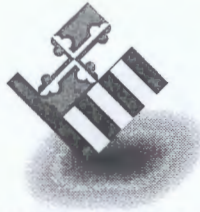
Variance to permit a proposed dwelling to be built on a lot with a width of 50 feet in lieu of the required 55 feet.

Hearing: Monday, October 19, 2009 at 2:00 p.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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

September 29, 2009

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: 2010-0063-A

8810 Chesapeake Avenue

N/side of Chesapeake Avenue, 320 feet s/west of the centerline of Baylight Road

15th Election District – 7th Councilmanic District

Legal Owners: Jane Marie & Thomas Leonard Shoemaker

Contract Purchaser: Gary Morris & Caroline Eifert

Variance to permit a proposed dwelling to be built on a lot with a width of 50 feet in lieu of the required 55 feet.

Hearing: Monday, October 19, 2009 at 2:00 p.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Gary Morris & Caroline Eifert, 1727 Drexel Road, Dundalk 21222
Mr. & Mrs. Shoemaker, 839 Mildred Avenue, Dundalk 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 3, 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
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

October 15, 2009

Jane Marie & Thomas Leonard Shoemaker
839 Mildred Ave.
Dundalk, MD 21222

Dear: Jane Marie & Thomas Leonard Shoemaker

RE: Case Number 2010-0063-A, 8810 Chesapeake Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 24, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Gary Morris & Caroline Eifert; 1727 Drexel Rd.; Dundalk, MD 21222



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

September 10, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 31, 2009

Item Numbers 0103, 0056, 0057, 0058, 0059, 0060, 061, 0062, 0063 and 0064

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: September 4, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For September 14, 2009
Item No.: 10-063

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 9.4 feet Baltimore County Datum.

The flood protection elevation for this site is 10.4 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:kmt

cc: File

G:\DevPlanRev\ZAC - Comments\ZAC-item no 2010-0063-A-09142009.doc

BW 10/19
2pm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 14, 2009

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

SUBJECT: 8810 Chesapeake Avenue

INFORMATION:

Item Number: 10-063

Petitioner: Jane and Thomas Shoemaker

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

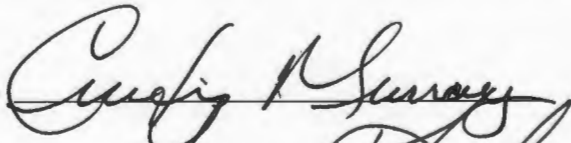
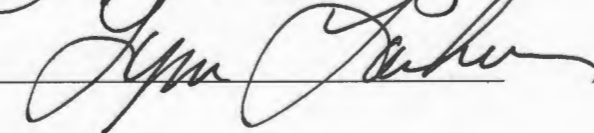
The subject lot is an undeveloped and apparently unused portion of an existing adjacent property.

There is one existing residence on the street that is approximately the same size and mass on the same size lot, and there are several proposed houses of similar dimensions to be built on adjacent lots of the same size.

The staff therefore, does not oppose the petitioner's request subject to review and approval of side and front elevations that show exterior materials compatible with neighboring structures and consistent on all floors of the proposed structure. The living area will be required to be raised as the site is within the 100-year flood plain. It is particularly important that the ground floor exterior be covered with the same materials as the rest of the house, and not left as exposed block, as it will have visible impact on the neighboring houses.

For further information concerning the matters stated here in, please contact John Alexander at 410-887-3480.

Prepared by:

Division Chief:
AFK/LL: CM

RECEIVED

SEP 15 2009

ZONING COMMISSIONER

BW 10/19
2pm

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 29 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: September 29, 2009
SUBJECT: Zoning Item # 10-063-A
Address 8810 Chesapeake Avenue
(Shoemaker Property)

Zoning Advisory Committee Meeting of September 14, 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:

The property is in a Resource Conservation Area (RCA) of the Chesapeake Bay Critical Area. Lot coverage is limited to 25% (1,875 sq. ft.), but may be increased up to 2,375 square feet with mitigation. A 15% afforestation requirement applies to this lot. Records indicate that non-tidal wetlands are present on this and the neighboring lot. Non-tidal wetlands require a 25-foot buffer; any impact to wetlands or wetland buffers will require all applicable permits and Critical Area variances. All other RCA regulations will apply to development on this property.

Reviewer: Adriene Metzbowser

Date: 9/10/2009



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

State Highway
Administration

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT. 3, 2009

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

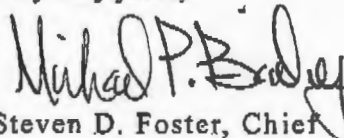
RE: Baltimore County
Item No. 2010-0063-A
8810 CHESAPEAKE AVE.
SHOEMAKER PROPERTY
VARIANCE -

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. 2010-0063-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 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

RE: PETITION FOR VARIANCE * BEFORE THE
8810 Chesapeake Avenue; N/S Chesapeake *
Avenue, 320; SW c/line Baylight Road * ZONING COMMISSIONER
15th Election & 7th Councilmanic Districts *
Legal Owner(s): Jane & Thomas Shoemaker * FOR
Contract Purchaser(s): Gary Morris *
& Caroline Eifert * BALTIMORE COUNTY
Petitioner(s) *
10-063-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.

RECEIVED

SEP 10 2009

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 10th day of September, 2009, a copy of the foregoing Entry of Appearance was mailed to Jane & Thomas Shoemaker, 839 Mildred Avenue, Dundalk, MD 21222 and Gary Morris & Caroline Eifert, 1727 Drexel Road, Dundalk, MD 21222, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: File **DATE:** August 30, 2007

FROM: Thomas H. Bostwick
Deputy Zoning Commissioner

SUBJECT: Petition for Variance
N/West Side of Chesapeake Avenue, S/West Side of c/line of Baylight Avenue
(8810 Chesapeake Avenue)
15th Election District – 7th Council District
Jane Marie Shoemaker, *Legal Owner*;
Melvin Wolinski, *Contract Purchaser* - Petitioners
Case No. 07-554-A

This matter was scheduled for a public hearing on August 30, 2007 at 10:00 AM. The case involves a Petition for Variance for property located at 8810 Chesapeake Avenue in Sparrows Point. It is in the Chesapeake Bay Critical Area on Millers Island. Petitioners, Mr. and Mrs. Shoemaker, and a Contract Purchaser, Melvin Wolinski, desire zoning variance relief from Section 1B02.3.C.1 of the B.C.Z.R. to erect a single-family dwelling on a lot with a width of 50 feet in lieu of the required 55 feet.

The Shoemakers own the abutting lot at 8812 Chesapeake Avenue. The comment from the Planning Office indicates they do not support the variance request because Petitioners own sufficient adjoining property to configure the subject lot in a manner to meet the minimum requirements of the D.R.5.5 zone. Planning indicated they would support a lot-line adjustment in order to gain the necessary five feet, or a minor subdivision.

The Shoemaker's representative, Patrick O'Keefe, attended the hearing. Mr. O'Keefe indicated that he had spoken with the Shoemakers and his attorney, Deborah Dopkin, and Ms. Dopkin recommended that the Shoemaker's attempt to comply with the Planning comments. Therefore, on Monday, August 27, 2007, Mr. O'Keefe filed a request for a lot-line adjustment. As a result, Mr. O'Keefe requested that today's hearing be continued, pending the outcome of the lot-line adjustment request.

Patricia Watson, the property owner at 8811 Chesapeake Avenue across the street, also appeared at today's hearing as an interested citizen. She was informed of Mr. O'Keefe's continuance request and the lot-line adjustment request.

I granted the continuance and ordered that when this matter is re-scheduled, that Petitioners re-post and re-publish notice of the new hearing date.

From: Trish Watson <twatson@ggwo.org>
To: <pkeller@baltimorecountymd.gov>, <mLANHAM@co.ba.md.us>, <tBostwick@baltimorecountmd.gov>, <tkotroco@baltimorecountymd.gov>
Date: 10/21/2009 7:14 PM
Subject: Fwd: Variance Request Docs for Cases 2010-0063-A and 07-554-A
Attachments: Cases 2010-0063-A & 07-554-A Docs.pdf; Kay's Ad.pdf

To: Planning
Can we avoid this?
Suggestions of
11/3 10 AM
Sun

Dear Sirs and Madam,

On Tuesday afternoon, my husband and I attended a hearing for Case # 2010-0063-A. Mr. Wiseman presided over the hearing, and we were surprised to discover that he was not aware of a previous request made in 2007 for the exact same issue, Case # 07-554-A, which requests that a variance be granted to allow a single family dwelling to be erected on a lot that is 50 foot wide in lieu of the required 55 feet. He heard our concern and asked us to submit to him documentation related to the case in 2007, and we have done so. The most relevant documents are attached. He will take this information into consideration, but has not has come to a conclusion.

We would like to invite your support in resolving this matter because it is our hope that the current request would be denied in light of the former recommendation on file, since the arguments were heard by Mr. Bostwick at that time and a recommendation was made by the Office of Planning.

We simply don't understand why we have to argue our position a second time, when we are on the side of the zoning laws, and the Shoemakers have ample property included on an abutting lot to make the required adjustment. We asked Mr. Wiseman to drive down to Chesapeake Ave to see the current land use. It is our sincere hope that all of you would inspect the area in question, which is Chesapeake Ave. on Millers Island. Our primary objection is that granting a variance would set a precedent for others to develop undersized lots in the Chesapeake Bay Critical Area. Thank you for your consideration.

Sincerely,
Paul and Patricia Watson
8811 Chesapeake Ave
Sparrows Point, MD 21219

Carl:
should have been discouraged

----- Forwarded message -----

From: Trish Watson <twatson@ggwo.org>
Date: Wed, Oct 21, 2009 at 10:07 AM
Subject: Variance Request Docs for Cases 2010-0063-A and 07-554-A
To: wwiseman@baltimorecountymd.gov

Dear Mr. Wiseman,

Attached please find a few of the documents from the first hearing in 2007 for the exact same variance request. You will find:

- 1) A letter stating the disposition rendered by Lynn Lanham on behalf of Pat Keller in the Office of Planning.
- 2) A copy of the original variance request, signed by Mr. and Mrs. Shoemaker. (They denied ever knowing about this at our meeting on Tuesday.)
- 3) A map to indicate the land use in that area of Chesapeake Ave. This property abuts the Black Marsh Wildlands, a protected conservation area, owned by the State of Maryland.
This property is subject to Chesapeake Bay Critical Area laws and rules of use, including the condition that not more 25% of the area can be impervious.
- 4) Finally, an advertisement made by their realtor, Kay Staszak, stating that she was representing 4 lots, in which you could build "one or more homes." She denied ever making that claim.

Debra Wiley - Re: Fwd: Variance Request Docs for Cases 2010-0063-A and 07-554-A

From: Trish Watson <twatson@ggwo.org>
To: Thomas Bostwick <tbostwick@baltimorecountymd.gov>
Date: 10/23/2009 9:58 AM
Subject: Re: Fwd: Variance Request Docs for Cases 2010-0063-A and 07-554-A

Dear Mr. Bostwick,

Thank you for your prompt reply.Â I appreciate it.Â

Sincerely,

Paul and Patricia Watson
8811 Chesapeake Ave
Sparrows Point, MD 21219

On Fri, Oct 23, 2009 at 9:51 AM, Thomas Bostwick
<tbostwick@baltimorecountymd.gov> wrote:

Ms. Watson,

Since you were at the most recent hearing and likely signed in on a "Citizen's Sign-In Sheet," you will receive a copy of Mr. Wiseman's Order when it is issued. Â Even if you didn't sign in, I will make sure I notify Mr. Wiseman's secretary to send you a copy, whether through the mail or via email. Â I cannot give you a definitive time frame on when the Order will be issued, but it certainly should occur within the next few weeks. Â If you do not receive anything within the next two to three weeks, please let me know. Â Thank you.

>>> Trish Watson <twatson@ggwo.org> 10/22/2009 6:11 PM >>>

Dear Mr. Bostwick,

I am truly grateful for your prompt and informative response to me. Â You have helped me better understand the process, but I do have a question: Is there a means by which we could be notified of Mr. Wiseman's decision and the outcome of this issue in a timely manner?

We understand that the Shoemakers are trying to do what is best for them, but in all the years that they actually lived there, they never saw fit to develop that lot. Now, when they are no longer living there, they do not seem concerned about preserving the integrity of the area. A lot line adjustment would easily solve this problem. A They could sell the one lot and satisfy the 55' frontage requirement, and still have 95' of frontage on the adjacent lot, which is also for sale. A It just makes sense.

Our objection to their request is not personal. A We simply do not want to see a precedent set that would allow development of undersized lots in that area; it is not in keeping with current land use and we are concerned about the environmental impact on the Chesapeake Bay Critical area.

Sincerely,

Paul and Patricia Watson
8811 Chesapeake Ave
Sparrows Point, MD 21219

On Thu, Oct 22, 2009 at 11:29 AM, Thomas Bostwick <tbostwick@baltimorecountymd.gov> wrote:

> Ms. Watson,

>

> It appears you are correct that Mr. Wiseman was not initially aware that
> this property had been the subject of a previous zoning hearing before me
> several years ago. A Unfortunately, there was really no way for him to be
> aware of that until you pointed it out at the recent hearing in Case No.
> 2010-0063-A.

>

> When he became aware of it, he discussed it with me and after reviewing our
> records for that previous Case No. 2007-0554-A, we saw that no Order was
> ever issued in that case by me. A At the conclusion of the hearing on August
> 30, 2007, I wrote a Memo to the file (a copy of which is attached for your
> reference) to document what took place then. A I also began to remember the
> hearing quite well and Mr. Wiseman and I discussed it. A I told Mr. Wiseman

> essentially what I wrote in the Memo - that only you and Mr. O'Keefe
 > appeared at the scheduled hearing and that it was continued at Mr. O'Keefe's
 > request for the Petitioner (Mr. Wolinski the contract purchaser) to pursue a
 > possible lot line adjustment in light of the Office of Planning comment.

> Thereafter, our Office never received any further notification concerning
 > this matter (and there is no reason we would if nothing was occurring with
 > the property from a Zoning Petition perspective) until this most recent case
 > was heard and we "connected the dots."

> Since the most recent hearing, Mr. Wiseman has been looking into this
 > matter to ascertain all the facts. Â As a result, essentially three things
 > can occur: Â (1) Mr. Wiseman can issue an Order granting the variance
 > petition; (2) he can issue an Order denying the variance petition, or (3)
 > the Petitioners can withdraw the variance petition and pursue the lot line
 > adjustment as previously recommended by the Planning Office. Â Lot line
 > adjustment requests do not involve this Office.

> I can certainly understand your frustration since this matter previously
 > came before us in 2007 and was continued (though there was no hearing or
 > evidence taken and no decision was ever issued). Â I hope this email gives
 > you a better understanding of our perspective in this matter. Â Thank you.

> Thomas H. Bostwick
 > Deputy Zoning Commissioner
 > for Baltimore County
 > 105 West Chesapeake Avenue, Suite 103
 > Towson, Maryland 21204
 > Phone: (410) 887-3868
 > Fax: Â Â Â (410) 887-3468

> >>> Trish Watson <twatson@ggwo.org> 10/21/2009 10:53 PM >>>

> Dear Mr. Bostwick,

> My original attempt to email you failed because of a typo in the address I
 > used. Â I am asking for your help with resolving the issue that is described
 > below. Thanks.

> ----- Forwarded message -----

> From: Trish Watson <twatson@ggwo.org>

> Date: Wed, Oct 21, 2009 at 7:12 PM

> Subject: Fwd: Variance Request Docs for Cases 2010-0063-A and 07-554-A

> To: pkeller@baltimorecountymd.gov, mlanham@co.ba.md.us,

> tbostrwick@baltimorecountmd.gov, tkotroco@baltimorecountymd.gov

>

>

> Dear Sirs and Madam,

>

> On Tuesday afternoon, my husband and I attended a hearing for Case #
> 2010-0063-A. Â Mr. Wiseman presided over the hearing, and we were surprised
> to discover that he was not aware of a previous request made in 2007 for
> the

> exact same issue, Case # 07-554-A, which requests that a variance be
> granted

> to allow a single family dwelling to be erected on a lot that is 50
> foot wide in lieu of the required 55 feet. Â He heard our concern and
> asked us to submit to him documentation related to the case in 2007, and we
> have done so. Â The most relevant documents are attached. Â He will take this
> information into consideration, but has not has come to a conclusion.

>

> We would like to invite your support in resolving this matter because it is
> our hope that the current request would be denied in light of the former
> recommendation on file, since the arguments were heard by Mr. Bostwick at
> that time and a recommendation was made by the Office of Planning.

>

> We simply don't understand why we have to argue our position a second time,
> when we are on the side of the zoning laws, and the Shoemakers have ample
> property included on an abutting lot to make the required adjustment.
> We asked Mr. Wiseman to drive down to Chesapeake Ave to see the current
> land

> use. Â It is our sincere hope that all of you would inspect the area in
> question, which is Chesapeake Ave. on Millers Island. Â Our primary
> objection

> is that granting a variance would set a precedent for others to develop
> undersized lots in the Chesapeake Bay Critical Area.

>

> Thank you for your consideration.

>
> Sincerely,
>
> Paul and Patricia Watson
> Â 8811 Chesapeake Ave
> Sparrows Point, MD 21219
>
>
>
> Â ----- Forwarded message -----
> From: Trish Watson <twatson@ggwo.org>
> Date: Wed, Oct 21, 2009 at 10:07 AM
> Subject: Variance Request Docs for Cases 2010-0063-A and 07-554-A
> To: wwiseman@baltimorecountymd.gov
>
>
> Â Dear Mr. Wiseman,
>
> Attached please find a few of the documents from the first hearing in 2007
> for the exact same variance request. Â You will find:
>
> 1) Â A letter stating the disposition rendered by Lynn Lanham on behalf of
> Pat Keller in the Office of Planning.
> 2) Â A copy of the original variance request, signed by Mr. and Mrs.
> Shoemaker. Â (They denied ever knowing about this at our meeting on
> Tuesday.)
> 3) Â A map to indicate the land use in that area of Chesapeake Ave. Â This
> property abuts the Black Marsh Wildlands, a protected conservation area,
> owned by the State of Maryland.
> Â Â This property is subject to Chesapeake Bay Critical Area laws and rules
> of use, including the condition that not more 25% of the area can be
> impervious.
> 4) Finally, an advertisement made by their realtor, Kay Staszak, stating
> that she was representing 4 lots, in which you could build "one or more
> homes." Â She denied ever making that claim.
>
> Our objection to granting this variance request is that *we do not want to
> set the precedent that 50' lot sizes are okay in that area*. Â If you
> visited

> our entire street, you might find one or two homes that have only 55' of
> frontage. Â Most are on oversized lots. Â Please take the time to recognize
> that this is not the typical land use for our street.
>
> We truly appreciate your consideration of the former decision rendered. Â We
> would like to require that the Shoemakers add the necessary 5 feet to the
> lot in question. Â It would only decrease the other lot they own to 95 feet
> and would be in keeping with the original decision made. Please contact me
> if you would like to see any other material related to the original hearing
> in which Tom Bostwick presided.
>
> --
> Patricia Watson
> 8811 Chesapeake Ave
> Sparrows Point, MD 21219
> Cell: 443-527-1945
>

IMPORTANT MESSAGE

FOR

Bill

DATE

10-20

TIME

10:35

M

Sharon

OF

PHONE

3335

☐ FAX

☐ MOBILE

AREA

NUMBER

EXTENSION

☐ PLEASE CALL

☐ CAME TO SEE YOU

☐ RETURNED YOUR CALL

☐ WILL CALL AGAIN

☐ WANTS TO SEE YOU

☐ URGENT

NOTE

JRC tailed -
+ never ret'd -
is 091707K
Baylight Beach

OPERATOR

Jee?



BLIND INDUSTRIES
1-888-322-4567

NSN 7530-00-NIB-0547

DRC Information Form

✓ DRC No.:	091707K	PDM_NO:		PLAN_TYPE:	Limited Exemption	ELEC_DIST:	15
Antenna:		ACTION_DAT:	9/17/2007	COUNC_DIST:	7		
PROJECT:	Baylight Beach			DRC_ACTION:	Tabled Zoning		
LOCATION:	8810 - 8812 Chesapeake Avenue			ZIP CODE:	21219	ACREAGE:	0.689
PROPOSAL:	The request is for a lot line adjustment.						
COMMENTS:				Applicant:	Linda O'Keefe		
Applicant Address:				523 Penny Lane; Cockeysville, MD 21030			
Applicant Telephone #:				(410) 666-5366			
Engineer:							
Engineer Address:							
Engine Telephone #:							
TAX NUMBER:	1900009297			Old Bus Date:			

Find Record

Add Record

Save Record

Print Record



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Real Property Data Search (2007-vw-3d)

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Account Identifier: District - 11 **Account Number -** 1800009142

Owner Information

Owner Name: BUERHAUS LEONARD
 BUERHAUS PATRICIA
Mailing Address: 9432 BELLHALL DR
 BALTIMORE MD 21236-4772
Use: RESIDENTIAL
Principal Residence: YES
Deed Reference: 1) /21426/ 325
 2)

Location & Structure Information

Premises Address
 9432 BELLHALL DR
Legal Description
 .1506 AC
 9432 BELLHALL DR SS
 OAKHURST

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
72	1	825			2	M	19	3	5	
									Plat Ref:	45/ 130

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1985	1,848 SF	6,560.00 SF	04
Stories 2	Basement YES	Type STANDARD UNIT	Exterior SIDING

Value Information

	Base Value	Value As Of 01/01/2009	Phase-In Assessments As Of 07/01/2009	As Of 07/01/2010
Land	125,500	104,500		
Improvements:	222,380	247,190		
Total:	347,880	351,690	349,150	350,420
Preferential Land:	0	0	0	0

Transfer Information

Seller: FISCHER ERIC M	Date: 02/15/2005	Price: \$336,000
Type: IMPROVED ARMS-LENGTH	Deed1: /21426/ 325	Deed2:
Seller: KACHER WAYNE I,SR	Date: 12/08/1993	Price: \$169,900
Type: IMPROVED ARMS-LENGTH	Deed1: /10201/ 165	Deed2:
Seller: UNIVERSAL HOUSIN G & DEVELOPMENT	Date: 12/20/1985	Price: \$102,182
Type: IMPROVED ARMS-LENGTH	Deed1: / 7069/ 59	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

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BALTIMORE COUNTY
Real Property Data Search (2007 vw1.1d)

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Account Identifier: District - 15 Account Number - 1900011278

Owner Information

Owner Name: SHOEMAKER JANE MARIE
 SHOEMAKER THOMAS LEONARD
Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 839 MILDRED AVE
 BALTIMORE MD 21222-1342
Deed Reference: 1) /14604/ 338
 2)

Location & Structure Information

Premises Address
 8812 CHESAPEAKE AVE
Legal Description
 .344 AC & RER LND
 NS CHESAPEAKE AVE
 BAYLIGHT BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
112	15	5					65	3	Plat Ref: 7/ 26

Special Tax Areas
 Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1940	1,743 SF	14,984.00 SF	04

Stories	Basement	Type	Exterior
1	NO	STANDARD UNIT	BLOCK

Value Information

	Base Value	Value As Of 01/01/2009	Phase-in Assessments As Of 07/01/2009	As Of 07/01/2010
Land	143,490	143,490		
Improvements:	6,520	8,480		
Total:	150,010	151,970	150,663	151,316
Preferential Land:	0	0	0	0

Transfer Information

Seller: KANE JANE	Date: 07/28/2000	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /14604/ 338	Deed2:
Seller: DORSCH ANDREW, JR	Date: 06/02/1998	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /12902/ 186	Deed2:
Seller: BETHLEHEM STEEL CORPORATION	Date: 10/05/1983	Price: \$25,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 6602/ 15	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

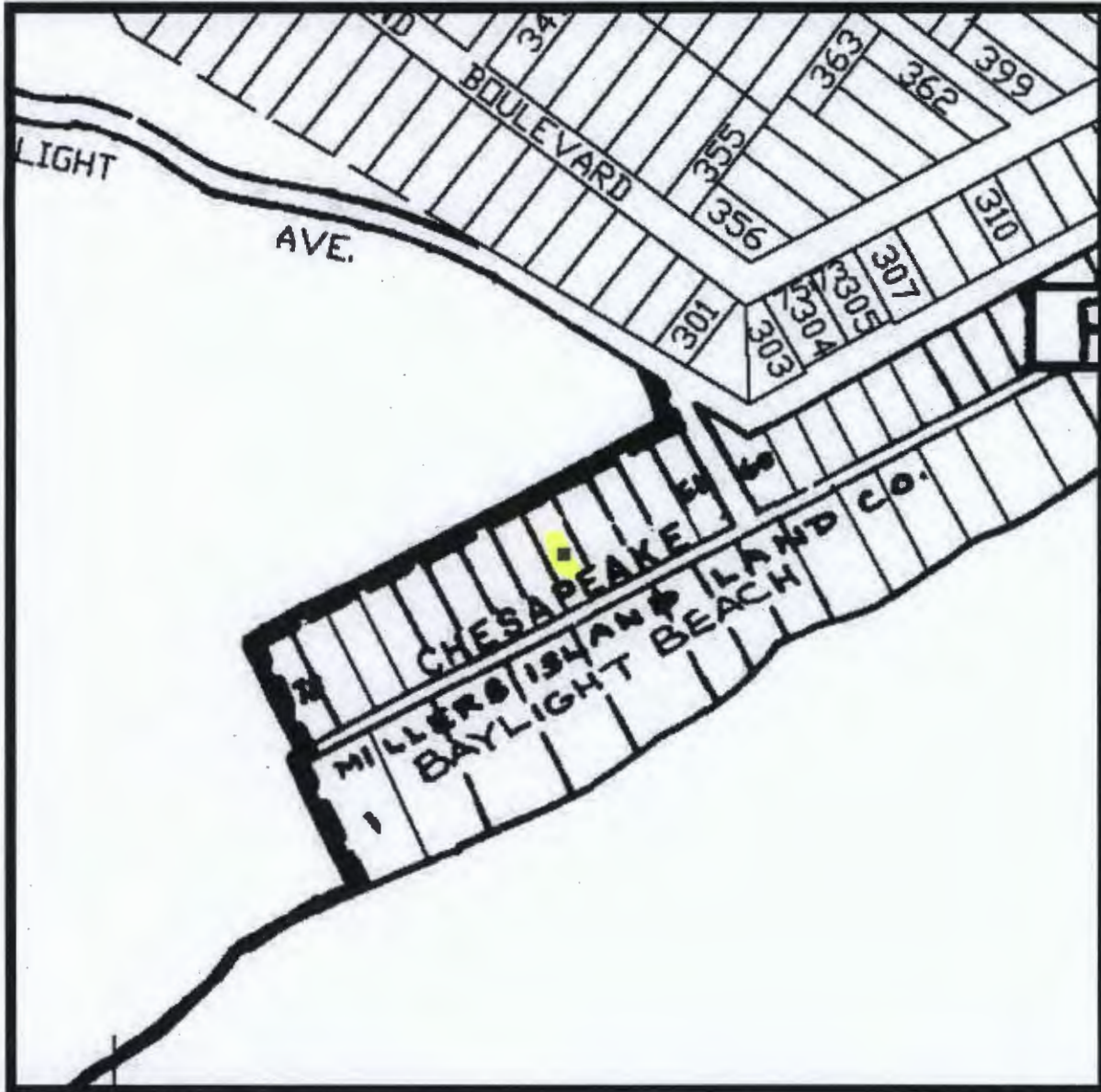
Special Tax Recapture:
 * NONE *



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District - 15 Account Number - 1900011278



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200-0003-A

BW 10/19

2
Pm

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Real Property Data Search (2007 vw5.1d)

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Identifier: District - 15 Account Number - 1900009297

Owner Information

Owner Name: SHOEMAKER JANE MARIE Use: RESIDENTIAL
SHOEMAKER THOMAS LEONARD Principal Residence: NO
Mailing Address: 839 MILDRED AVE Deed Reference: 1) /14604/ 338
BALTIMORE MD 21222-1342 2)

Location & Structure Information

Premises Address Legal Description
CHESAPEAKE AVE 0.1721 AC
NS CHESAPEAKE AVE
BAYLIGHT BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
112	15	5					67	3	Plat Ref: 7/ 26

Special Tax Areas Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		7,500.00 SF	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value Phase-in Assessments		
		As Of 01/01/2009	As Of 07/01/2009	As Of 07/01/2010
Land	5,620	5,620		
Improvements:	0	0		
Total:	5,620	5,620	5,620	5,620
Preferential Land:	0	0	0	0

Transfer Information

Seller: KANE JANE	Date: 07/28/2000	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /14604/ 338	Deed2:
Seller: DORSCH ANDREW, JR	Date: 06/02/1998	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /12902/ 186	Deed2:
Seller: GATTUS WILLIAM J	Date: 09/04/1985	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 6986/ 370	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

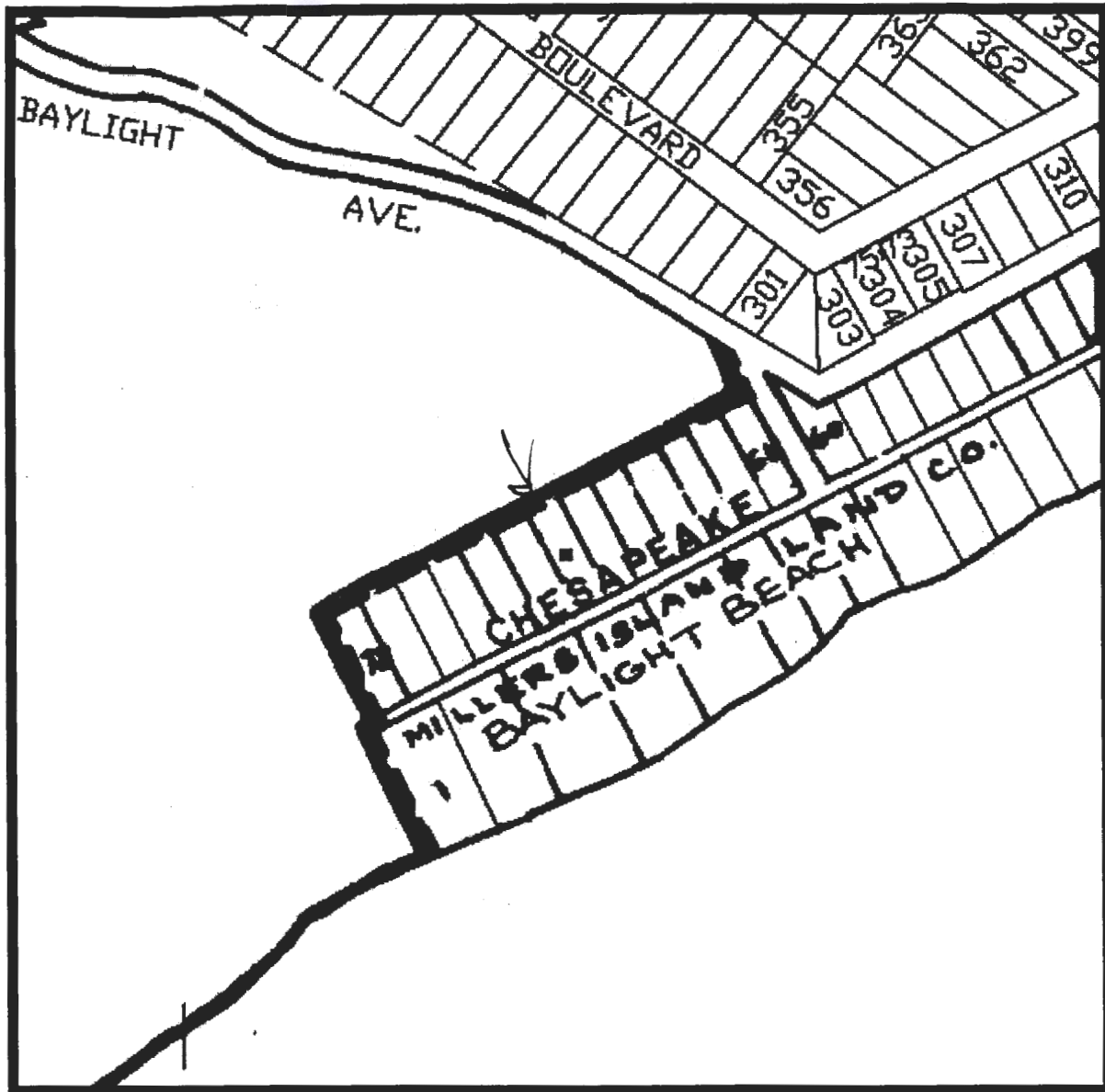
Special Tax Recapture:
* NONE *



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2010-003-A BW 10/19 2



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Account Identifier: District - 15 Account Number - 1900009317

Owner Information

Owner Name: SHOEMAKER JANE MARIE **Use:** RESIDENTIAL
 SHOEMAKER THOMAS LEONARD **Principal Residence:** NO
Mailing Address: 839 MILDRED AVE **Deed Reference:** 1) /14604/ 338
 BALTIMORE MD 21222-1342 2)

Location & Structure Information

Premises Address **Legal Description**
 CHESAPEAKE AVE .1721 AC
 WATERFRONT NS CHESAPEAKE AVE
 BAYLIGHT BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
112	15	5					66	3	Plat Ref: 7/ 26

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		7,500.00 SF	34

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2009	07/01/2010
Land	112,500	130,000		
Improvements:	0	0		
Total:	112,500	130,000	118,333	124,166
Preferential Land:	0	0	0	0

Transfer Information

Seller: KANE JANE	Date: 07/28/2000	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /14604/ 338	Deed2:
Seller: DORSCH ANDREW, JR	Date: 06/02/1998	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /12902/ 186	Deed2:
Seller: GATTUS WILLIAM J	Date: 09/04/1985	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 6986/ 370	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *



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See attach. Order



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Account Identifier: District - 15 Account Number - 1900009318

Owner Information

Owner Name: CONNELLY ANTHONY COLT **Use:** RESIDENTIAL
 CONNELLY KAREN **Principal Residence:** NO
Mailing Address: 2814 12TH ST **Deed Reference:** 1) /15782/ 346
 BALTIMORE MD 21219-1624 2)

Location & Structure Information

Premises Address **Legal Description**
 CHESAPEAKE AVE 0.172 AC
 NS CHESAPEAKE AVE
 BAYLIGHT BEACH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
112	15	5					68	3		7/ 26

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		7,500.00 SF	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2009	07/01/2009	07/01/2010	
Land	7,500	7,500			
Improvements:	0	0			
Total:	7,500	7,500	7,500	7,500	
Preferential Land:	0	0	0	0	

Transfer Information

Seller: GATTUS WILLIAM J	Date: 11/21/2001	Price: \$75,000
Type: MULT ACCTS ARMS-LENGTH	Deed1: /15782/ 346	Deed2:
Seller: BETHLEHEM STEEL CORP	Date: 02/08/1983	Price: \$3,500
Type: IMPROVED ARMS-LENGTH	Deed1: / 6486/ 790	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

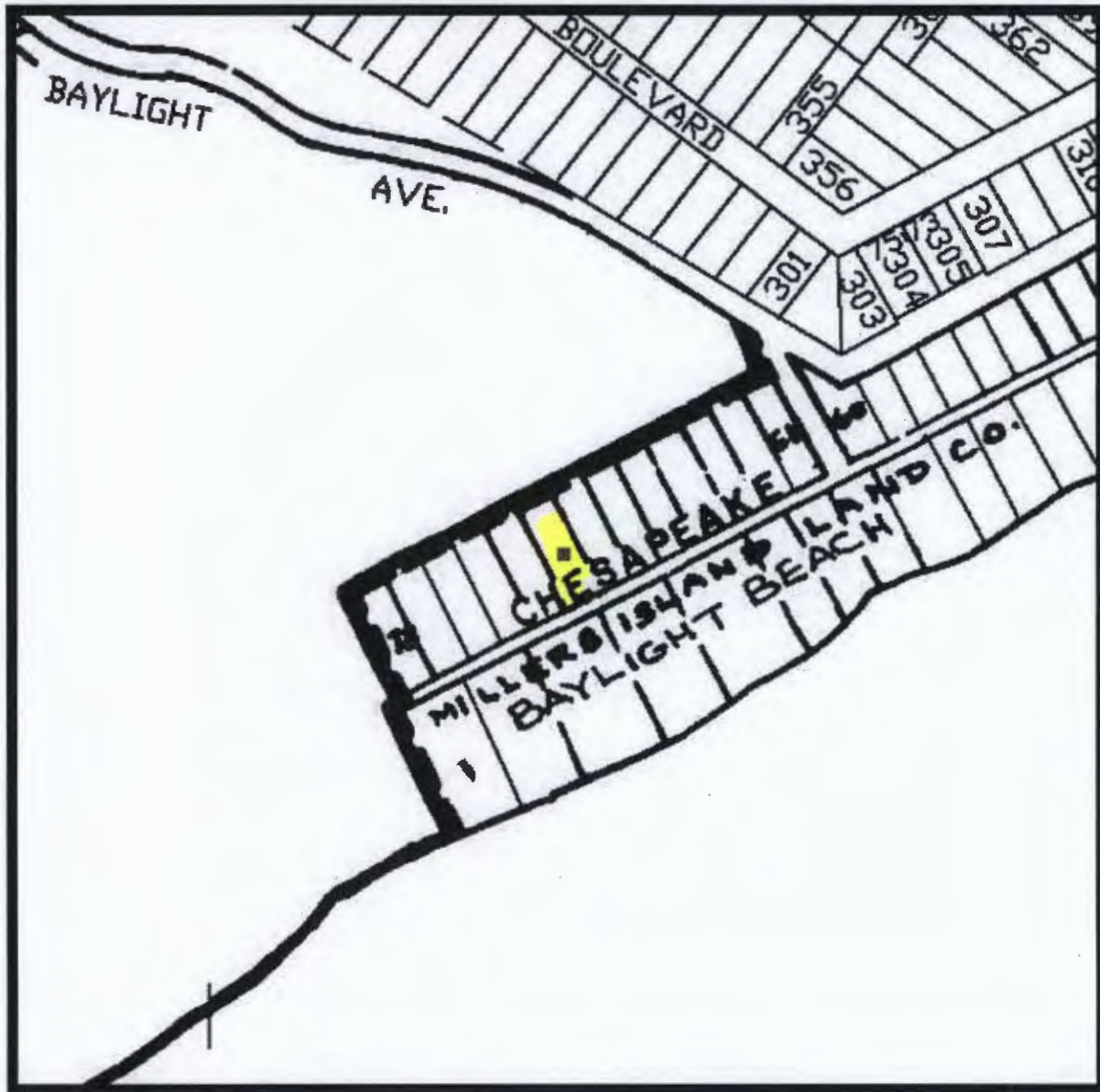
Special Tax Recapture:
 * NONE *



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District - 15 Account Number - 1900009318



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of Planning web site at www.mdp.state.md.us/webcom/index.html

IN RE: PETITIONS FOR SPECIAL HEARING
VARIANCE

N side Chesapeake Avenue, 365 feet
W of c/l Baylight Avenue
15th Election District
7th Councilmanic District
(8808 Chesapeake Avenue)

Anthony and Karen Connelly
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY

* Case No. 2008-0518-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the legal owners of the subject property, Anthony and Karen Connelly. The Special Hearing request was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to confirm that Section 102.4 of the B.C.Z.R. is not applicable because Lots 68-73 are considered a single lot for zoning purposes; or to confirm that proposed access is not in conflict with Section 102.4 and to permit access to a local street via right-of-way. The Variance request is from Sections 1B02.3.C and 303.1 of the B.C.Z.R. to permit a 15 foot front yard setback from existing right-of-way in lieu of required average of 32.8 feet. 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 requested special hearing and variance petitions was Arnold Jablon, Esquire and Christopher Mudd, Esquire on behalf of Petitioners Anthony and Karen Connelly. Also appearing in support of the requested relief as Petitioners' land use and zoning consultant was David Flowers. The site plan was prepared and sealed by R. Alonzo Childress, P.E. with R.A. Childress & Associates, Inc. Appearing as interested citizens opposed to the requested relief were Jackie Browning of 8803 Chesapeake

Avenue and Paul and Patricia Watson of 8811 Chesapeake Avenue. There were no other interested persons in attendance at the hearing.

Testimony and evidence presented revealed that the subject property is rectangular-shaped and consists of approximately 1.033 acre zoned D.R.5.5. The property is located at the terminus of Chesapeake Avenue on the north side of the road in the Millers Island area of Baltimore County. The property is currently unimproved and actually consists of six lots, each 50 feet wide by 150 feet deep. Each lot is undersized based on the small lot table; however, they have been merged for zoning purposes. Approximately 95% of the six lots is located in wetlands and cannot be built upon. As shown on the site plan, only small areas of Lots 68 and 69 are buildable. Petitioners desire to build a single-family dwelling on the property, and because of the zoning merger proposed, are requesting special hearing relief for a determination that the requirements of Section 102.4 of the B.C.Z.R. (concerning building a dwelling on a lot containing less than 20,000 square feet which does not abut on a right-of-way at least 30 feet wide over which the public has an easement of travel) do not apply because the lots are considered a single lot for zoning purposes.

Further evidence revealed that the right-of-way over Chesapeake Avenue has been in existence since the 1920's. Marked and accepted into evidence as Petitioners' Exhibit 2 was a "Plat of Shore Lots" from the Miller's Island Land Co. dated July 5, 1921 and January 3, 1922. It shows the six subject lots, Lots 68 through 73, and also shows the existence of the right-of-way of what is now known as Chesapeake Avenue. Hence, Petitioners also request special hearing relief for a determination that the proposed access to Chesapeake Avenue is not in conflict with Section 102.4 of the B.C.Z.R.

In addition, Petitioners have requested a variance from the minimum front yard depth requirements of Sections 1B02.3.C and 303.1 of the B.C.Z.R. As indicated previously, most of

the area occupying the six lots contains critical areas and wetlands. Only a small portion (5%) of the six lots can be built upon. As shown on the site plan, in order for Petitioners to utilize the buildable areas, it is necessary to place the dwelling at the southeast corner of the property. It is also necessary that the front yard depth be 15 feet instead of the required 32.8 feet. Petitioners submitted a letter dated March 31, 2008 from David A.C. Carroll, then-Director of the County's Department of Environmental Protection and Resource Management (DEPRM). The letter was marked and accepted into evidence as Petitioners' Exhibit 6. It grants a variance to construct a single-family dwelling on six previously recorded lots containing non-tidal wetlands. Essentially, Petitioners point out, the permission granted by DEPRM limits the area in which the dwelling can be built and makes it impossible for Petitioners to move the placement back in order to comply with the front yard depth requirements. In addition, as shown on the maps that were marked and accepted into evidence as Petitioners' Exhibits 8 and 9, the property has access to water and sewer service, respectively.

In order to give some context to the subject property and the surrounding properties, Petitioners submitted a number of photographs that were marked and accepted into evidence as Petitioners' Exhibits 11A through 11 P. The photographs show the stretch of Chesapeake Avenue where it extends toward the subject property. Prior to the subject property, the macadam paving ends and it is no longer maintained by the County. The photographs also show other homes at the end of Chesapeake Avenue, all of varying sizes, shapes, and building materials. Each dwelling has its own individual look. Finally, the remaining photographs (Petitioners' Exhibits 11K through 11P) show the subject site with its heavily wooded areas and environmental constraints.

Ms. Browning and Mr. and Mrs. Watson testified in opposition to the requested relief. They expressed concerns over reducing the front yard depth to 15 feet, especially when most of the nearby homes have at least a 25 foot front yard depth. They also expressed concerns over the

environmental limitations of the property. They felt that if the property poses so many environmental and wetlands challenges, then perhaps the property should not be developed and should be left as is. In addition, Mr. Watson indicated that during substantial rains, the water runs down Chesapeake Avenue and rushes across the properties to the Bay. He believes development of the subject property may exacerbate the situation.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comment received from the Office of Planning dated June 10, 2008 indicates that Office does not oppose the Petitioner's request as it appears to reduce the impacts to environmentally sensitive areas. Petitioners should demonstrate rights to use of the existing right-of-way. Comments were received from the Department of Environmental Protection and Resource Management dated June 4, 2008 which indicate that the property must comply with the Chesapeake Bay Critical Area Regulations. By reducing the front yard setback and keeping the lot size small, this design minimizes impacts to wetlands and forests that will be placed in a Chesapeake Bay Critical Area Easement. Comments were received from the Bureau of Development Plans Review dated May 21, 2008 which indicates 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. Flood-resistant construction should be in accordance with the Baltimore County Building Code which adopts the International Building Code.

Turning first to the Petition for Special Hearing, I am persuaded to grant Petitioners' request to confirm that Section 102.4 of the B.C.Z.R. is not applicable because Lots 68-73 are considered one lot for zoning purposes. In requesting the instant zoning relief, Petitioners have expressed their desire to merge the six lots into one lot. "A landowner who clearly desires to combine or merge several parcels or lots of land into one larger parcel may do so." *Mueller v.*

People's Counsel, 177 Md.App. 43, 99 (2007), quoting *Friends of the Ridge v. Baltimore Gas & Electric Co.*, 352 Md. 645, 658 (1999). "Merger may be derived from the common owner's intent, as evidenced by 'integrat[ing] or utilize[ing] the contiguous lots in the service of a single structure or project.'" *Id.* Petitioners have merged the lots for zoning purposes and as such, the provisions of Section 102.4 of the B.C.Z.R. are not applicable.

The other alternative special hearing request seeks to confirm that the proposed access of the subject property is not in conflict with Section 102.4 of the B.C.Z.R. A similar issue was addressed by Zoning Commissioner William J. Wiseman, III in 2006. In Case No. 06-327-SPH, Commissioner Wiseman was confronted with the same issue regarding right-of-way access for Bay Drive, also on Millers Island. After hearing testimony from Eric Rockel, then with the County's Bureau of Land Acquisition, and Carl Richards, Supervisor of the County's Zoning Review Division, Commissioner Wiseman concluded that the proposed access was not in conflict with Section 102.4 of the B.C.Z.R. In the instant matter, and based on the evidence from the hearing, including the plat showing the existence of the right-of-way since the 1920's, I am likewise convinced that Petitioners' proposed access is not in conflict with Section 102.4 to permit access to the local street via right-of-way.

As to the variance request, considering all of the testimony and evidence presented, I am convinced that the request should be granted. First, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. It is obvious that none of the lots, by themselves, would be buildable lots. By merging the lots, Petitioners have found an ability to build a relatively modest 45 foot wide by 30 foot deep home on the property; however, the property contains significant critical area and wetlands constraints that limit the area where a home can be built. In order to comply with DEPRM and the Maryland Department of the Environment (MDE) requirements, Petitioners are compelled to seek the

variance from the front yard depth. I also find that denying the variance would cause Petitioners practical difficulty and unreasonable hardship. If the requested relief is not granted, Petitioners would not be able to make beneficial use of their property in a manner consistent with the zoning regulations.

I further find that this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 5th day of August, 2008 that Petitioners' request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to confirm that Section 102.4 of the B.C.Z.R. is not applicable because Lots 68-73 are considered a single lot for zoning purposes; or to confirm that proposed access is not in conflict with Section 102.4 and to permit access to a local street via right-of-way be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioners' request for Variance from Sections 1B03.3.C and 303.1 of the B.C.Z.R. to permit a 15 foot front yard setback from existing right-of-way in lieu of required average of 32.8 feet be and is hereby GRANTED.

The granting of the relief herein shall be subject to the following:

1. Petitioners may apply for their 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 base flood elevation for this site is 9.4 feet Baltimore County Datum.
4. The flood protection elevation for this site is 10.4 feet.
5. 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.
6. 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.
7. The building engineer shall require a permit for this project.
8. The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.
9. 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

CASE NAME Shoemaker/Morris
CASE NUMBER 2010-0063-A
DATE 10-19-09

[illegible]

Case No.: 2010-0063-A 8810 CHESAPEAKE AVE

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	HISTORICAL INFORMATION RECEIVED FROM TRISH WATSON
No. 2	PLAT OF SHORE LOTS MILLER ISLAND LAND CO.	
No. 3	PATTERN OF DEVELOPMENT CHESAPEAKE AVE	
No. 4	PLAT OF EXISTING CONDITIONS MERGER LOTS 66 & 65	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

DIV. I DIST. 22 DWG. 1055.

Plot of
Shore Lots for sale by
Miller's Island Land Co.,
T.B. Williams, 1101 Calvert Bldg. - G.M. Stengel, 206 Water St.
Baltimore, Md.
Note - Lots 1 to 29, inclusive, were shown on a plat
heretofore filed in the Land Records of Baltimore
County in Plat Book W.P.C. No. 7 Vol. 14

Scale, 1" = 100'

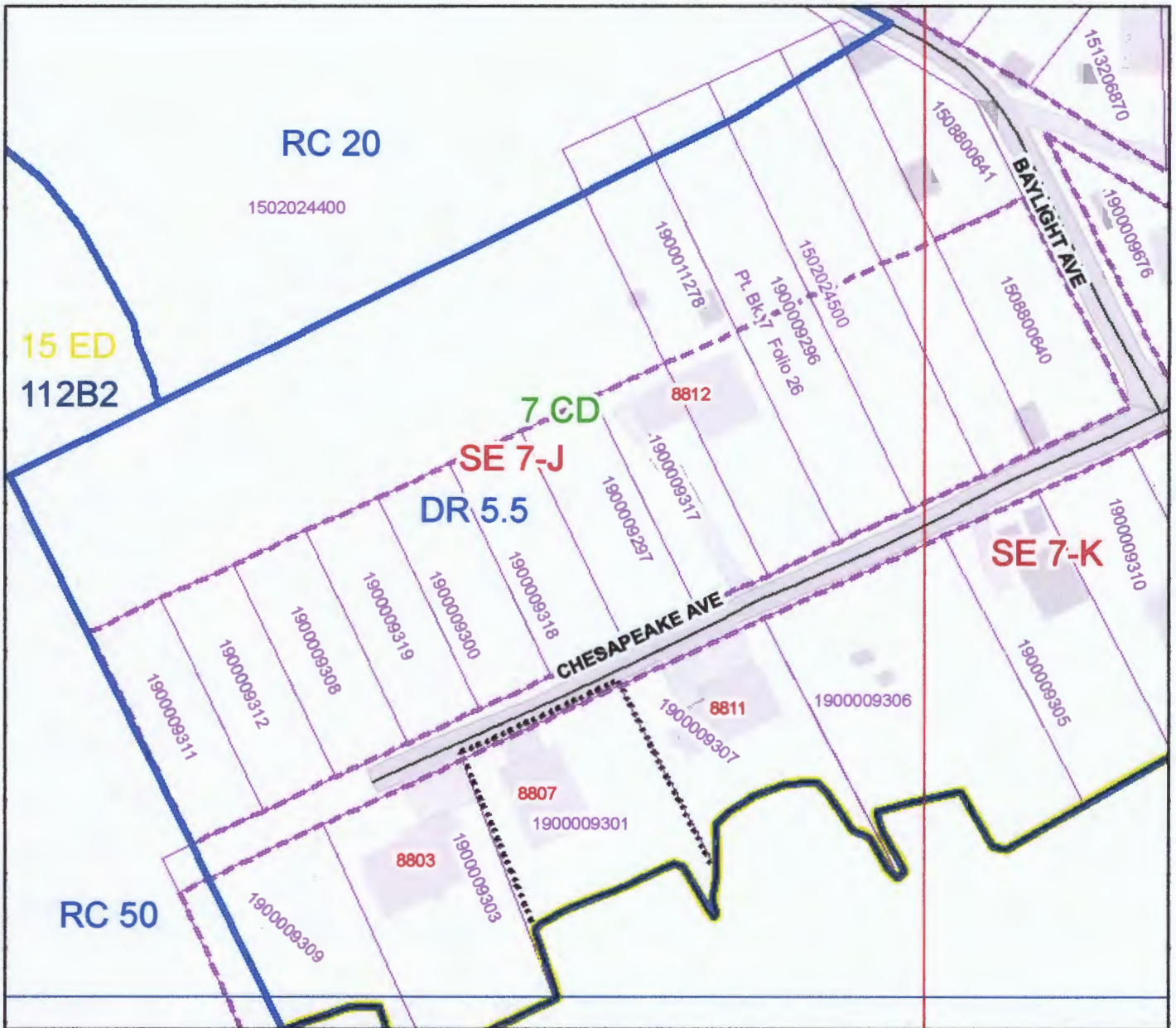


2010-0063-A

PETITIONER'S

EXHIBIT NO. 2

Chesapeake Avenue



PETITIONER'S
EXHIBIT NO. 3

2010-0063-A



Publication Date: August 19, 2009
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes



Case No.: 2010-0063-A 8810 CHESAPEAKE AVE

Exhibit Sheet

Petitioner/Developer

Protestant

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No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

From: Trish Watson <twatson@ggwo.org>
To: wwiseman@baltimorecountymd.gov
Date: 10/21/2009 10:08 AM
Subject: Variance Request Docs for Cases 2010-0063-A and 07-554-A

Dear Mr. Wiseman,

Attached please find a few of the documents from the first hearing in 2007 for the exact same variance request. You will find:

- 1) A letter stating the disposition rendered by Lynn Lanham on behalf of Pat Keller in the Office of Planning.
- 2) A copy of the original variance request, signed by Mr. and Mrs. Shoemaker. (They denied ever knowing about this at our meeting on Tuesday.)
- 3) A map to indicate the land use in that area of Chesapeake Ave. This property abuts the Black Marsh Wildlands, a protected conservation area, owned by the State of Maryland.

This property is subject to Chesapeake Bay Critical Area laws and rules of use, including the condition that not more 25% of the area can be impervious.

- 4) Finally, an advertisement made by their realtor, Kay Staszak, stating that she was representing 4 lots, in which you could build "one or more homes." She denied ever making that claim.

Our objection to granting this variance request is that "we do not want to set the precedent that 50' lot sizes are okay in that area". If you visited our entire street, you might find one or two homes that have only 55' of frontage. Most are on oversized lots. Please take the time to recognize that this is not the typical land use for our street.

We truly appreciate your consideration of the former decision rendered. We would like to require that the Shoemakers add the necessary 5 feet to the lot in question. It would only decrease the other lot they own to 95 feet and would be in keeping with the original decision made. Please contact me if you would like to see any other material related to the original hearing in which Tom Bostwick presided.

—
Patricia Watson
8811 Chesapeake Ave
Sparrows Point, MD 21219
Cell: 443-527-1945

PROTESTANT' S

EXHIBIT NO. 1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 12, 2007

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

Lynn Lanham, RLA
Section Chief, Development Review

SUBJECT: 8810 Chesapeake Ave

INFORMATION:

Item Number: 7-554

Petitioner: Mr. And Mrs. Jane and Thomas Shoemaker

Zoning: DR 5.5

Requested Action: Variance

Baltimore County
Office of Planning
County Courts Building, Suite 406
401 Bosley Avenue
Towson, Maryland 21204

410-887-3480 • Fax: 410-887-5862
E-mail: mlanham@co.ba.md.us



SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. The Office of Planning recommends the following. This office does not support the petitioner's request for a lot width of 50 feet in lieu of the required 55 feet. However, the Office of Planning would support a lot line adjustment or a minor subdivision, to be approved by the DRC. The petitioner owns sufficient adjoining property to configure this lot in a manner to meeting the minimum requirements of the DR 5.5 zone.

For further information concerning the matters stated here in, please contact Nkechi Hislop at 410-887-3480.

Reviewed by:

Division Chief:
AFK/LL: CM

CBCN Flood



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8810 CHESAPEAKE AVENUE
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) BC2R 1 B02.3C.1

TO PERMIT A PROPOSED SINGLE FAMILY DWELLING TO BE ERECTED ON A LOT WITH A LOT WIDTH OF 50 FEET IN HEIGHT ~~55 FEET~~ THE REQUIRED 55 FEET.

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

THE RECORD PLAT OF BAYLIGHT BEACH CONSISTS OF 50 FOOT WIDE LOTS ALONG THIS VICINITY INSTEAD OF THE MINIMUM REQUIRED WITH OF 55 FEET. THE RELIEF REQUESTED IS FOR THE UNDERSIZED LOT WIDTH, NO OTHER RELIEF WILL BE REQUIRED FOR SETBACKS OR LOT AREA.

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

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 MELVIN WOLINSKI
Signature [Signature]
Address 7509 FORT AVE Telephone No. 443-850-9387
FT. HOWARD, MD. 21052
City State Zip Code

Attorney For Petitioner:

Name - Type or Print _____ City _____
Signature _____
Company _____
Address _____ Telephone No. _____
City State Zip Code

Legal Owner(s):

Name - Type or Print JANE MARIE SHOEMAKER
Signature [Signature]
Name - Type or Print THOMAS LEONARD SHOEMAKER
Signature [Signature]
Address 8812 CHESAPEAKE AVE Telephone No. 443-850-9421
BALTIMORE, MD. 21219
City State Zip Code

Representative to be Contacted:

Name LINDA O'KEEFE
Address 523 PENNY LANE Telephone No. 410-666-5366
CROKEYSVILLE, MD. 21030
City State Zip Code

OFFICE USE ONLY

Case No. 07-554 A

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By A. TSM Date 6/15/07

REV 9/15/98

DUE 6/29/07

RC 20

DP 5.5

Brian A. Lindley
Supervisor, Environmental Enforcement

Baltimore County
Department of Environmental Protection
and Resource Management
Environmental Impact Review
401 Bosley Avenue, Suite 416
Towson, Maryland 21204-4488



410-887-3980 • Fax 410-887-4804 • E-mail: blindley@co.baltimore.md.us



www.baltimorecountymd.gov



BALTIMORE COUNTY
MARYLAND

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
Zoning Commissioner's Office

401 Bosley Avenue, Room 405
Towson, Maryland 21204

tbostwick@baltimorecountymd.gov
phone 410.887.3863
fax 410.887.3468
www.baltimorecountymd.gov

Selling in ways the others can't.

Coldwell Banker

**Four Waterview Lots
8812 Chesapeake Ave**



\$399,900
~~\$525,000~~

Three lots along road

Each lot 50 x 150

One lot behind house

Seller would like to

sell total package

Backs to state park

House has water damage

Plat available

Water and sewerage

This property contains 3 lots each 50ft by 150ft deep, plus a 50x150 lot behind existing house. The house is sold as is, water and sewerage on this lot. The house has water damage from hurricane Isabelle. It is located in a beautiful setting. Surrounded by trees and a beautiful waterview of the Chesapeake Bay. You may build one or more homes on this site.



Catherine (Kay) Staszak

Agent

Coldwell Banker Residential Brokerage

Office: (410) 931-9000

Cell: (410) 303-0040

Email: kstaszak@cbmove.com

Web Address: <http://www.cbmove.com/kstaszak>

Office Fax: (410) 931-9013

This information is believed to be accurate but is not warranted.



RESIDENTIAL BROKERAGE

Subject Photo Page

Borrower/Client MORRIS, GARY			
Property Address 8810 CHESAPEAKE AVENUE			
City MILLERS ISLAND	County BALTIMORE	State MD	Zip Code 21219
Lender N/A			



Subject Front

8810 CHESAPEAKE AVENUE
Sales Price N/A
Gross Living Area
Total Rooms
Total Bedrooms
Total Bathrooms
Location MILLERS ISLAND
View 7,500/0.10 ACRE
Site
Quality
Age



Subject Rear

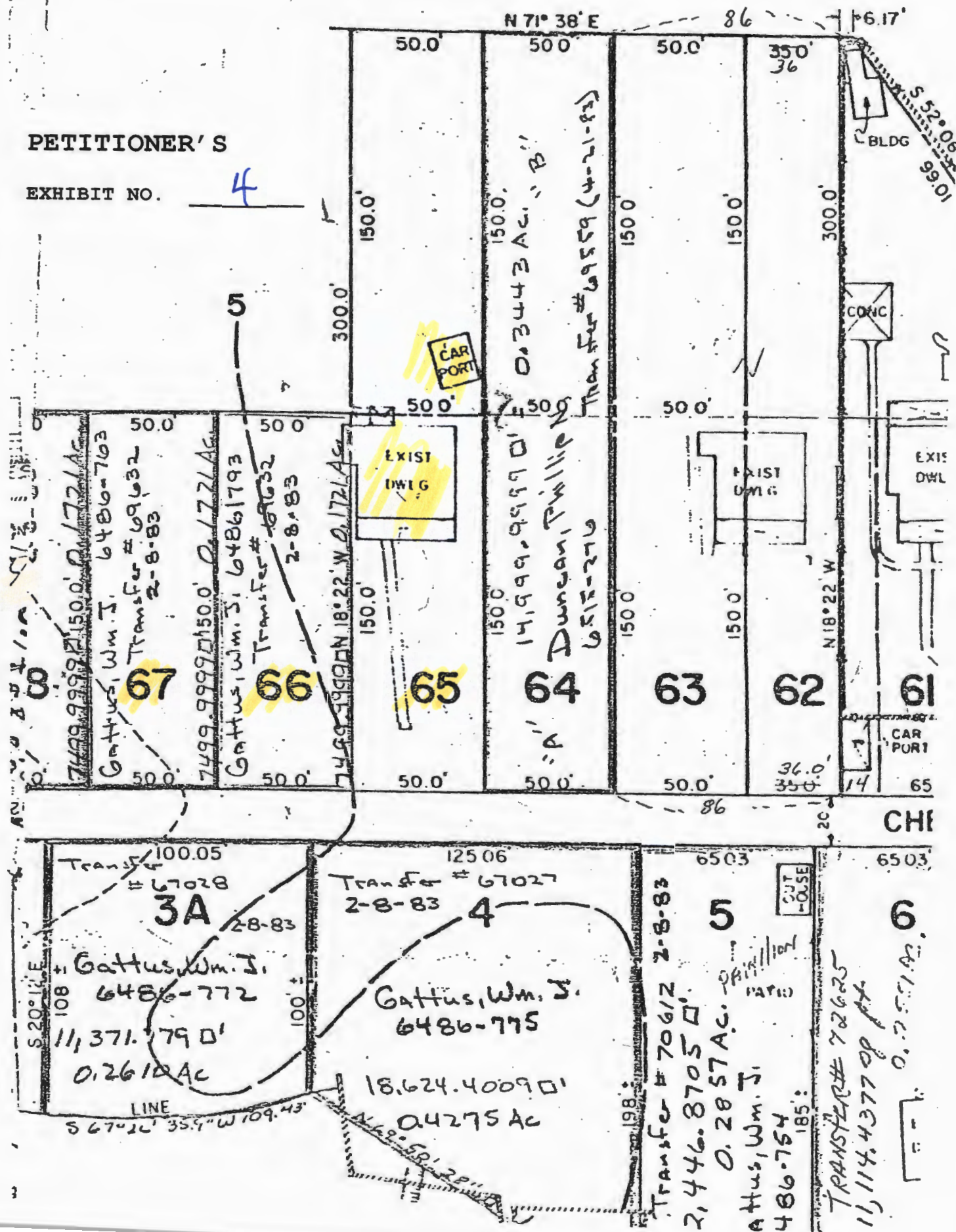


Subject Street

2010-0063-A

EXHIBIT NO.

4



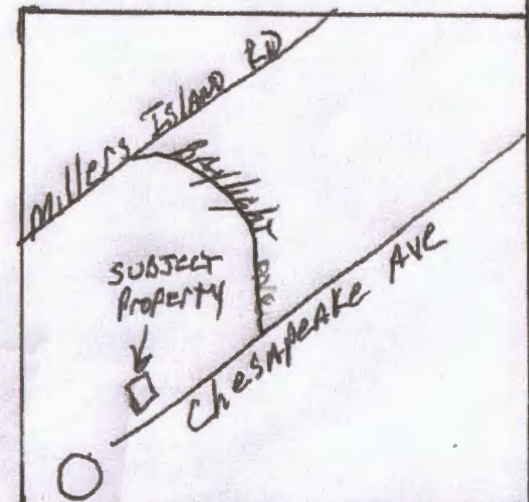
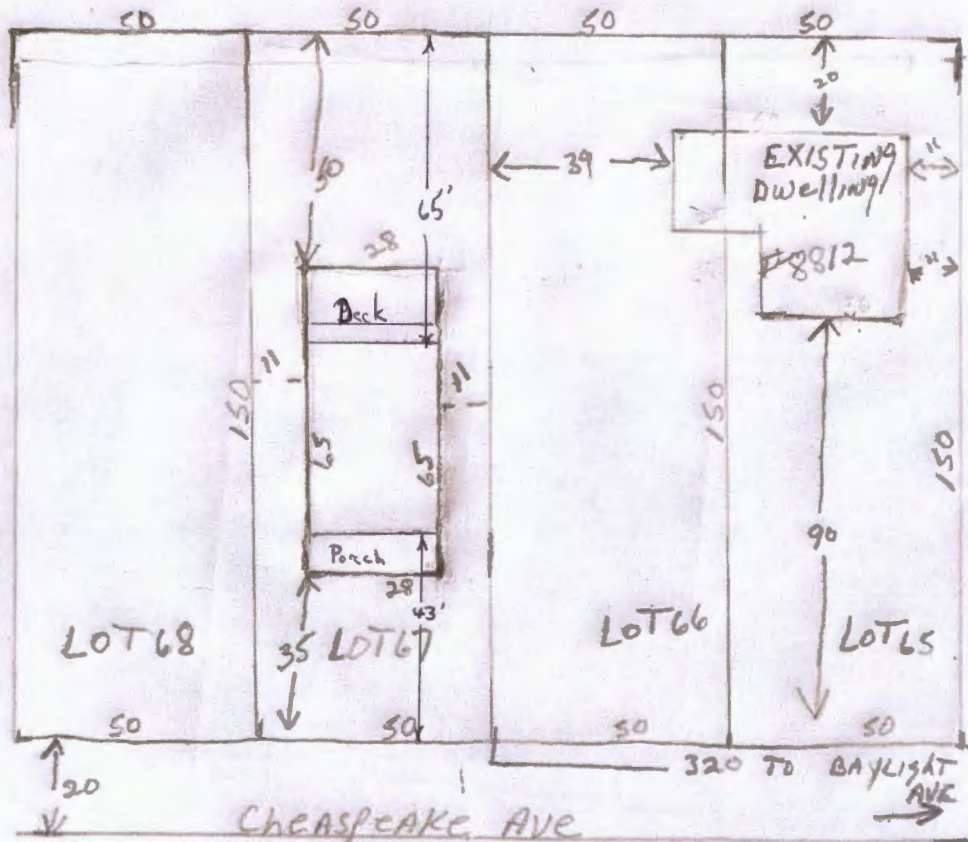


PLAT TO ACCOMPANY PETITION FOR ZONING

☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 8810 Chesapeake Ave
SUBDIVISION NAME Daylight Beach

PLAT BOOK # 2 Folio # 26 Lot # 67 Section #
OWNER Thomas and Jane Sharpmaker



LOCATION INFORMATION

ELECTION DISTRICT 15
COUNCIL MANIC DISTRICT 7
1"=200' SCALE MAP # 11262
ZONING DR 5.5
LOT SIZE 1771 7500
ACREAGE SQ. FT
SEWER PUBLIC
WATER PUBLIC
CHESAPEAKE BAY CRITICAL YES
AREA
100 YEAR FLOOD PLAIN YES
HISTORIC PROPERTY NO

PRIOR ZONING HEARING
ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

PREPARED BY GARY MORRIS

SCALE OF DRAWING = 1" = 40

TW | 2010 | 0063-A

PLAT TO ACCOMPANY PETITION FOR ZONING

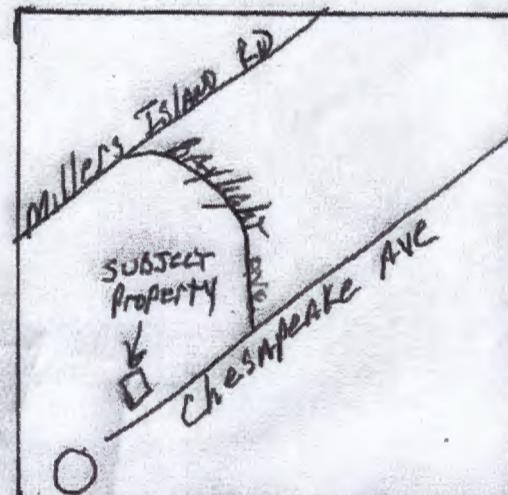
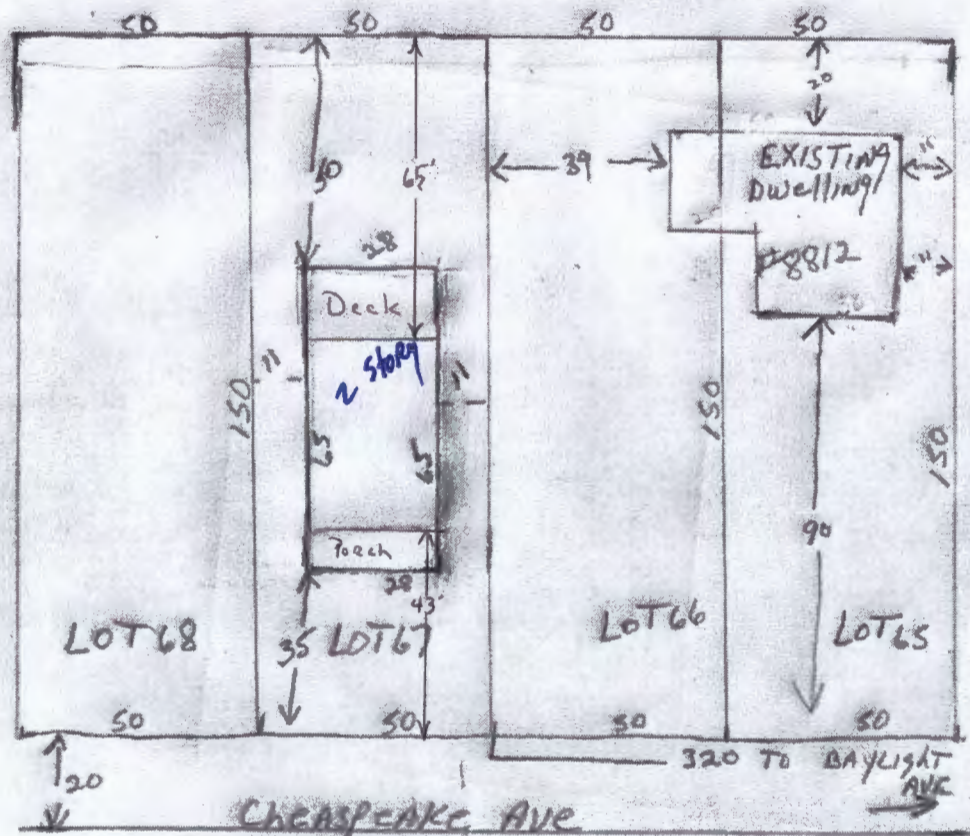
☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 8810 Chesapeake Ave

SUBDIVISION NAME Daylight Beach

PLAT Book # 2 Folio # 26 Lot # 67 Section #

OWNER Thomas and Jane Shopmaker



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCIL MANIC DISTRICT 9

1"=200' SCALE MAP # 11262

ZONING DR S-S

LOT SIZE 1771 ACRES 7500
SQUARE FEET

SEWER PUBLIC

WATER PUBLIC

CHESAPEAKE BAY CRITICAL AREA YES

100 YEAR FLOOD PLAIN YES

HISTORIC PROPERTY NO

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY
REVIEWED BY ITEM# CASE#

W 2010 0063-A

PREPARED BY GARY MORRIS

SCALE OF DRAWING = 1" = 40

PETITIONER'S

EXHIBIT NO. 1

(Chesapeake Bay)