

IN RE: **PETITION FOR VARIANCE**

W/S Woodrow Avenue and
Creek Road
(801 Woodrow Avenue)

15th Election District
7th Council District

Michael Brewer
Petitioner

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2010-0174-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Michael Brewer, through his attorney, J. Neil Lanzi, P.A. The Petitioner seeks relief from Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) for the approval of a parking variance to allow 105 parking spaces in lieu of the required 183 parking spaces per B.C.Z.R. Section 409.6A(2). The subject property and requested relief are more particularly described on the site plan which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Michael Brewer, property owner, and J. Scott Dallas, of J.S. Dallas, Inc., the property line surveyor and consultant who prepared the site plan for the proposed improvements at this property. The Petitioner was represented by J. Neil Lanzi, Esquire of J. Neil Lanzi, P.A. There were no Protestants or other interested persons present.

The subject waterfront property consists of five (5) lots identified on Maryland Department of Assessments and Taxation Map 97 as Lots 19 through 23 of the Deep Creek Avenue Park subdivision in Essex. The tract forms an irregular shaped parcel at the end of Woodrow Avenue, adjacent to Creek Road surrounded by the Duck Creek and Deep Creek on

ORDER RECEIVED FOR FILING

Date

2-19-10

By

193

two sides and a residentially used property on the third side. The property contains an area of 67,084 square feet or 1.5 acres split-zoned B.L. and D.R.5.5. The premises and improvements have an extensive history and appreciation of the past use is relevant and briefly outlined. Mr. Brewer stated that the existing restaurant/tavern business has been owned and operated continuously by the Brewer family since 1974 and is known throughout the area as the Brewer's Landing Bar and Grill. His parents both operated the business until his father passed away in 1994. Mr. Brewer (the Petitioner) then operated the restaurant/tavern business with his mother subsequent to his father's passing. Petitioner's mother, Ella Mae Brewer, passed away in 2007. Since that time, Michael J. Brewer has owned and continuously operated the business. The primary structure on the property has existed since 1924 and Mr. Brewer testified that his wife's family, specifically George and Cruse Wacker, owned the subject property and operated the business during the 1960's, then the Shaws (Wheeler L. Shaw), until his parents purchased the property in 1974. Thus, the property and the restaurant/tavern business has been operated continuously since the 1960's with a family connection through today's date and operated as a tavern before the 1960's by non-family members.

The Petitioner has continued with the family theme testifying that he and his wife Rebecca own the first residence immediately east of the property known as 807 Woodrow Avenue. Petitioner's wife's family, the Wackers, own the first home immediately north of the subject property on Creek Road and Petitioner's father-in-law owns the second property to the north of the property on Creek Road. Petitioner stated that from 1974 to the present, various improvements have been made to the property, including the razing of four (4) residences to provide for additional restaurant parking.

ORDER RECEIVED FOR FILING

Date

By

Scott Dallas next reviewed the zoning history shown on the site plan (Petitioner's Exhibit 1). As noted on this exhibit, the property was rezoned to commercial in 1946 and a number of Zoning Orders have been issued since 1983 with the most recent a Spirit and Intent approval letter, dated June 6, 2007, also included on the site plan. The Spirit and Intent approval letter approves Petitioner's proposed addition, as illustrated on the plan, which addition has not yet been constructed. It was Petitioner's intent to construct the addition and the canopy proposed in this case at the same time. In further testimony regarding the property's zoning history, Scott Dallas noted the property was the subject of a *reclassification* request in the 2008 Comprehensive Zoning Map Process (CZMP) whereby .8 acres of D.R. zoned property was rezoned to B.L. as shown on Petitioner's Exhibit 1. The purpose of the zoning change to commercial was to include the existing parking lot previously on the residential zoned portion of the property.

In contrast to many tavern/restaurant matters that are presented to this Commission, Mr. Brewer testified that he was not aware of any complaints from those families residing in the neighborhood regarding the operation of his business from the 1990's to the present. He made it clear to the undersigned that he runs the day-to-day operations, lives immediately next to the business and is keenly sensitive to any customers that may be disruptive to his business and the community. This testimony is corroborated by the Office of Planning who supports the requested variance and improvements and states in the Zoning Advisory Committee (ZAC) comment that "the subject property is a well-maintained restaurant and bar . . .".

With regard to the business itself, Petitioner included in his history the evolution of the restaurant use of the structure and the fact that a new kitchen was installed in 2007. Petitioner noted the nature of the business has changed from a sole tavern use to approximately one third

restaurant and two thirds tavern use. Hence, Petitioner emphasized the need for additional table space as will be provided by the proposed addition and proposed canopy area. Petitioner emphasized that the recently enacted smoking ban in Maryland also necessitated the need for the canopy area and outdoor table space for his customers.

In discussing the parking variance, Mr. Dallas noted the parking regulations require parking spaces even for the open canopy area despite the absence of a permanent structure in the roughly 3,300 square feet of proposed outside canopy area. The proposed addition is 1,760 square feet. In this regard, Mr. Brewer offered a red-lined amended site plan accepted as Exhibit 2 that shows the original proposed canopy area with a significantly smaller area highlighted in red within the originally proposed canopy area. The area highlighted in red is that portion of the property which is outside the Buffer Management Area (BMA) as required by the Department of Environmental Protection and Resource Management (DEPRM). In an effort to comply with DEPRM's ZAC comments, Petitioner has agreed that instead of the originally proposed canopy area on three sides of the building as originally shown on Exhibit 1, a substantially reduced canopy will be provided in the area highlighted by red-line on Petitioner's Exhibit 2. A combination of retractable awnings and tables with umbrellas will be provided within the remainder of the originally highlighted canopy area. Since the same proposed use of outside tables will be continued despite the new canopy, awning and table configuration, Petitioner did not request any modification to the variance request for parking.

Scott Dallas summarized discussions held with DEPRM for both the proposed addition and the proposed canopy and noted that Petitioner was required to eliminate 34 of the previously provided parking spaces to meet DEPRM's impervious surface coverage requirements. The paving to be removed and converted to grass is 1,825 square feet. Petitioner has agreed to

provide the parking reduction as required by DEPRM and to install the landscaping required by the Office of Planning in their ZAC comment, dated January 15, 2010.

In support of the variance request, Petitioner's land use consultant testified as to the irregular shape of the property, the existing structure dating back to 1924, the fact that the property is split-zoned and that the property was surrounded on two sides by the Duck and Deep Creeks that split at the properties frontage. Mr. Dallas further opined that in his opinion the parking variance would not alter the essential character of the neighborhood and the proposed addition and canopy project with the parking variance would actually improve the existing neighborhood.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. In my judgment, Petitioner has complied with the requirements of Section 307 of the B.C.Z.R. and the case law by establishing that the subject property contains unique characteristics that result in the regulations impacting disproportionately on this property. I find that strict compliance with the parking requirements would result in a practical difficulty or unreasonable hardship. I further find that the granting of the zoning relief will be in strict harmony with the spirit and intent of the B.C.Z.R. and will not cause substantial injury to the public, health, safety and general welfare.

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

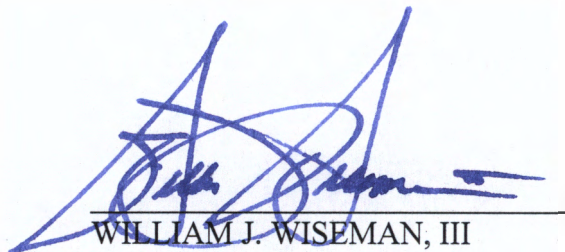
THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 16th day of February 2010, that the Petition for Variance seeking relief from Sections 307 and 409.6A(2) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit

105 parking spaces in lieu of the required 183 parking spaces, in accordance with Petitioner's

Exhibits 1 and 2, be and is hereby granted subject to the following conditions:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is made aware that that proceeding at this time is at his own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
2. Compliance with the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), the Development Plans Review (DPR) and the Office of Planning relative to the Chesapeake Bay Critical Area (CBCA) regulations and all other appropriate environmental, floodplain and B.O.C.A. regulations relative to the protection of water quality, streams, wetlands and floodplains. Copies of those comments, dated February 2, 2010, January 5, 2010 and January 15, 2010 respectively, have been attached hereto and are made a part hereof.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.


WILLIAM J. WISEMAN, III
Zoning Commissioner
of Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING

Date

2-16-10

By

193



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

February 16, 2010

J. Neil Lanzi, Esquire
J. Neil Lanzi, P.A.
409 Washington Avenue, Suite 617
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
W/S Woodrow Avenue and Creek Road
(801 Woodrow Avenue)
15th Election District - 7th Council District
Michael Brewer – Petitioner
Case No. 2010-0174-A

Dear Mr. Lanzi:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Michael Brewer, 801 Woodrow Avenue, Essex, Maryland 21221
J. Scott Dallas, J. S. Dallas, Inc., P.O. Box 26, Baldwin, MD 21013
Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100,
Annapolis, MD 21401
People's Counsel; Office of Planning; DEPRM; DRP; File



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 801 Woodrow Avenue — *Essey*
which is presently zoned BL and DR 5.5

Deed Reference: 26303 / 115 Tax Account # 1519322540

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

See attached

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

See attached

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

J. Neil Lanzi, Esquire

Name - Type or Print

Signature *J. Neil Lanzi*

J. Neil Lanzi, P.A.

Company
409 Washington Ave, Suite 617 410-296-0686

Address Telephone No.

Towson, MD 21204

City State Zip Code

Legal Owner(s):

Michael Brewer

Name - Type or Print

Signature *Michael J. Brewer*

Name - Type or Print

Signature

801 Woodrow Avenue

Address Telephone No.

Towson, MD 21204 — *Essey*

City State Zip Code

Representative to be Contacted:

J. Neil Lanzi, Esquire

Name

409 Washington Ave, Suite 617 410-296-0686

Address Telephone No.

Towson, MD 21204

City State Zip Code

Case No. *2010-0174-A*
ORDER RECEIVED FOR FILING

REV 8/20/07
Date *2-16-10*

By *EW*

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by *J. Lanzi* Date *12-11-09*

410-296-0689

Petition for Variance

Petitioner, Michael Brewer, files this Petition for Variance under Section 307 of the Baltimore County Zoning Regulations and requests approval of the following:

1. A parking variance to allow 105 parking spaces in lieu of the required 183 parking spaces per Section 409.6A(2) of the Baltimore County Zoning Regulations.
2. For such other and further relief as it may be required by the Zoning Commissioner.

Petitioner's Property is zoned BL and DR 5.5 and Petitioner is proposing within the BL zoned portion a canopy on three sides of Petitioner's existing tavern building to comply with the recently enacted smoking regulations. Petitioner will suffer practical difficulty if the requested variance relief is not granted. Additional reasons in support of Petitioner's request will be provided at the hearing on this matter.

J. S. DALLAS, INC.

SURVEYING & ENGINEERING

P.O. BOX 26
BALDWIN, MD 21013
(410) 817-4600
FAX (410) 817-4602

ZONING DESCRIPTION OF # 801 WOODROW AVENUE

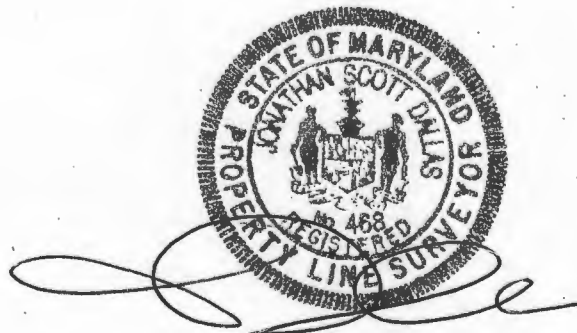
BEGINNING a point on the south side Woodrow Avenue, which is 30 feet wide, at or near the extended centerline of Creek Road, which is 30 feet wide.

BEING Lots #19,20,21,22 and 23 in the Subdivision of "Deep Creek Avenue Park" as recorded in Baltimore County Plat Book No. 7 Folio No. 2 and that closed portion of Woodrow Avenue as recorded in Road Closing Book No. 2 Folio 566, etc.

CONTAINING 67084 square feet of land or 1.54 acres of land, more or less.

ALSO known as # 801 Woodrow Avenue and located in the 15th Election District, 7th Councilmanic District.

Note: above description is based on existing deeds, plats, and land records and is for zoning purposes only.



12-7-09

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 0174

Petitioner: Michael Brewer

Address or Location: 801 Woodrow Avenue

PLEASE FORWARD ADVERTISING BILL TO

Name: J Neil Lanzi

Address: 409 Washington Ave #617

Towson MD 21204

Telephone Number: 410 296 0686

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

No. 47992

Date: 11-15-11

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
				Obj	Sub Obj				
									25.-

Total: 25.-

Rec

From: _____

For: _____

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

**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: # 2010-0174-A
801 Woodrow Avenue
W/side of the intersection
of Woodrow Avenue and
Creek Road
15th Election District
7th Councilmanic District
Legal Owner(s): Michael
Brewer
Variance: for a parking var-
iance to allow 105 parking
spaces in lieu of the re-
quired 183 parking spaces;
for such other and relief as
it may be required by the
Zoning Commissioner.
Hearing: Thursday, Febru-
ary 4, 2010 at 10:00 a.m.
in Room 106, County Of-
ice Building, 111 West
Chesapeake Avenue,
Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible;
for special accommoda-
tions Please Contact the
Zoning Commissioner's Of-
fice at (410) 887-4386.

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

JT/1/810 Jan. 19 227121

CERTIFICATE OF PUBLICATION

1/21, 2010

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 1/19, 2010.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 1/17/10

Case Number: 2010-0174-A

Petitioner / Developer: J. NEIL LANZI, ESQ.~MICHAEL BREWER

Date of Hearing (Closing): FEBRUARY 4, 2010

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
801 WOODROW AVENUE

The sign(s) were posted on: JANUARY 17, 2010



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

January 12, 2010

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: 2010-0174-A

801 Woodrow Avenue

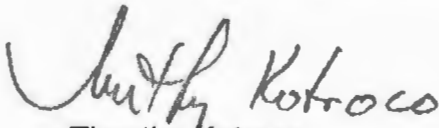
W/side of the intersection of Woodrow Avenue and Creek Road

15th Election District – 7th Councilmanic District

Legal Owners: Michael Brewer

Variance for a parking variance to allow 105 parking spaces in lieu of the required 183 parking spaces; for such other and relief as it may be required by the Zoning Commissioner.

Hearing: Thursday, February 4, 2010 at 10:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204



Timothy Kotroco
Director

TK:klm

C: J. Neil Lanzi, 409 Washington Ave., Ste. 617, Towson 21204
Michael Brewer, 801 Woodrow Avenue, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED. , JANUARY 20, 2010.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 19, 2010 Issue - Jeffersonian

Please forward billing to:

J. Neil Lanzi
409 Washington Avenue, #617
Towson, MD 21204

410-296-0686

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: 2010-0174-A

801 Woodrow Avenue

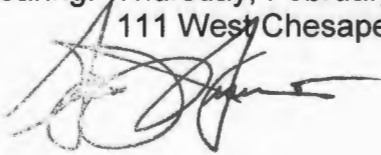
W/side of the intersection of Woodrow Avenue and Creek Road

15th Election District – 7th Councilmanic District

Legal Owners: Michael Brewer

Variance for a parking variance to allow 105 parking spaces in lieu of the required 183 parking spaces; for such other and relief as it may be required by the Zoning Commissioner.

Hearing: Thursday, February 4, 2010 at 10:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

January 25, 2010

J. Neil Lanzi
J. Neil Lanzi, PA
409 Washington Ave. Ste. 617
Towson, MD 21204

Dear: J. Neil Lanzi

RE: Case Number 2010-0174-A, 801 Woodrow Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 11, 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.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Michael Brewer; 801 Woodrow Ave.; Towson, MD 21204

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



BW
2-4-10
10 AM

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: February 2, 2010
SUBJECT: Zoning Item # 10-174-A
Address 801 Woodrow Avenue
(Brewer Property)

RECEIVED

FEB 02 2010

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of December 21, 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 located within a Limited Development Area (LDA) and Buffer Management Area (BMA) in the Chesapeake Bay Critical Area. Lot coverage is limited to 15% of the lot area above mean high water, or may be grandfathered at a higher lot coverage allowance if that lot coverage existed prior to the Critical Area law and is approved by this Department. A 100-foot tidal buffer applies to this site. Use and development within the buffer is restricted, and must comply with all LDA and BMA requirements. A minimum 15% forest cover is required to exist on-site at all times. Mitigation requirements may require additional planting, removal of lot coverage, fees-in-lieu, or a combination of these options. The site must be in compliance with previous mitigation requirements. This may mean that a greater number of trees, or other mitigation items have been required on-site. The site plan must show the 100-ft. tidal buffer measured off mean high water, all existing and proposed lot coverage in detail and in a table, all existing and proposed trees, and any other mitigation items. Specifically, the canopy is proposed within 25-feet of mean high water, and this does not meet the BMA requirement that does not allow any impacts within that area. In addition, it encroaches within areas of previous lot coverage removal. Because the proposed canopy does not meet BMA requirements, a Critical Area administrative variance would be required. For the Department to grant a variance, an applicant must meet all criteria as outlined in the Law. Based on this information, it is recommended that a zoning variance not be granted for the canopy unless all Critical Area requirements can be met. The proposed parking space reduction would be supported by this Department if it resulted in less lot coverage and if water quality management was improved on-site.

Reviewer: Paul Dennis

Date: January 25, 2010

Q:\DOCUME~1\pzook\LOCALS~1\Temp\XPgrpwise\ZAC 10-174-A 801 Woodrow Avenue.doc

ORDER RECEIVED FOR FILING

Date: 2-16-10

By: [Signature]

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 5, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For January 4, 2010
Item No.: 2010-174

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:cab

cc: File

G:\DevPlanRev\ZAC - Comments\ZAC-ITEM NO 2010-0174-01052010.doc

ORDER RECEIVED FOR FILING

Date

By

BW 214
10am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 15, 2010

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

SUBJECT: 801 Woodrow Avenue

RECEIVED

INFORMATION:

JAN 19 2010

Item Number: 10-174

Petitioner: Michael Brewer

ZONING COMMISSIONER

Zoning: BL and DR 5.5

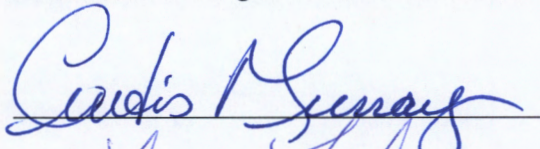
Requested Action: Variance

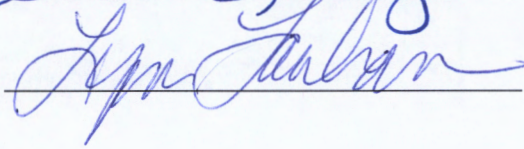
SUMMARY OF RECOMMENDATIONS:

The subject property is a well-maintained restaurant and bar. The proposed enclosed additions and open addition represent a substantial addition to the floor space of the facility. Because there have been few complaints over the years, the Office of Planning supports the proposal subject to the following conditions:

1. The open walled additions on the waterfront side of the existing structure must never be enclosed, and must serve only as an ancillary use.
2. The business must continue to consider the surrounding residential character of the community in which it exists and not permit loud music or events that would cause a nuisance the community, or its residents.
3. The adjacent property on the north side of the parking lot must be screened from view of the parked cars. Since the house is at a lower grade, the screening needn't be higher than 5 ft. tall.

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

Prepared by: 

Division Chief: 
AFK/LL: CM



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

December 23, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: December 21, 2009

Item Numbers: 0174, 0177, 0178, 0180 and 0181

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: JAN. 4, 2010

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

RE: Baltimore County
Item No. 2010-0174-A
801 WOODROW AVE
BREWER 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. 2010-0174-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,

A handwritten signature in black ink that reads "Michael P. Bailey". The signature is written in a cursive, flowing style.

For¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov

RE: PETITION FOR VARIANCE * BEFORE THE
801 Woodrow Avenue; W/S of Woodrow * ZONING COMMISSIONER
Avenue & Creek Road *
15th Election & 7th Councilmanic Districts * FOR
Legal Owner(s): Michael Brewer *
Petitioner(s) * BALTIMORE COUNTY
* 10-174-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

RECEIVED

DEC 23 2009

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of December, 2009, a copy of the foregoing Entry of Appearance was mailed to J. Neil Lanzi, Esquire, 409 Washington Avenue, Suite 617, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

From: Debra Wiley
To: Livingston, Jeffrey
Date: 1/29/2010 10:23 AM
Subject: DEPRM Comments Needed

Good Morning Jeff,

In reviewing next week's case files, it appears Bill will need DEPRM comments for two (2) of his hearings. I have provided case descriptions for your convenience as follows:

Case No. 2010-0166-SPH

8 North Beechwood Avenue - (D.R.2 zone)
N/east side of Beechwood Avenue, 152 feet s/east of c/line of Summit Avenue
1st Election District - 1st Council District
Legal Owners: Peter & Theresa Myers

Special Hearing to confirm and continue the prior permitted conversion of a single family home to a two (2) apartment duplex under B.C.Z.R. Section 402 and/or a non-conforming use to confirm and continue the use of the property for a two (2) apartment duplex in a single family home.

Hearing: **February 4, 2010** at 9:00 AM in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson

Case No. 2010-0174-A

801 Woodrow Avenue (CBCA)
W/side of the intersection of Woodrow Avenue & Creek Road
15th Election District - 7th Council District
Legal Owners: Michael Brewer

Variance for a parking variance to allow 105 parking spaces in lieu of the required 183 parking spaces; for such other and relief as it may be required by the Zoning Commissioner.

Hearing: **Thursday, February 4, 2010** at 10:00 AM, Rm. 106, County Office Building, 111 West Chesapeake Ave., Towson

Thanks and have a wonderful weekend !

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Missing DEPRM 1/29



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3d)

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

Account Identifier: District - 15 Account Number - 1519322540

Owner Information

Owner Name: BREWER MICHAEL **Use:** COMMERCIAL
Mailing Address: 801 WOODROW AVE **Principal Residence:** YES
 BALTIMORE MD 21221-5842 **Deed Reference:** 1) /26303/ 115
 2)

Location & Structure Information

Premises Address **Legal Description**
 801 WOODROW AVE
 BALTIMORE MD 21221-5842
 WATERFRONT
 801 WOODROW AVE
 DEEP CREEK AVENUE PARK

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
97	15	366					21	3	Plat Ref: 7/ 2

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1924	3,678 SF	3,484.00 SF	31

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	87,100	97,500			
Improvements:	171,100	184,600			
Total:	258,200	282,100	266,166	274,132	
Preferential Land:	0	0	0	0	

Transfer Information

Seller: BREWER ELLA MAE	Date: 10/23/2007	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /26303/ 115	Deed2:
Seller: BREWER ELLA MAE	Date: 02/28/1995	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /10955/ 259	Deed2:
Seller: SHAW WHEELER L	Date: 02/05/1976	Price: \$3,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 5606/ 498	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:

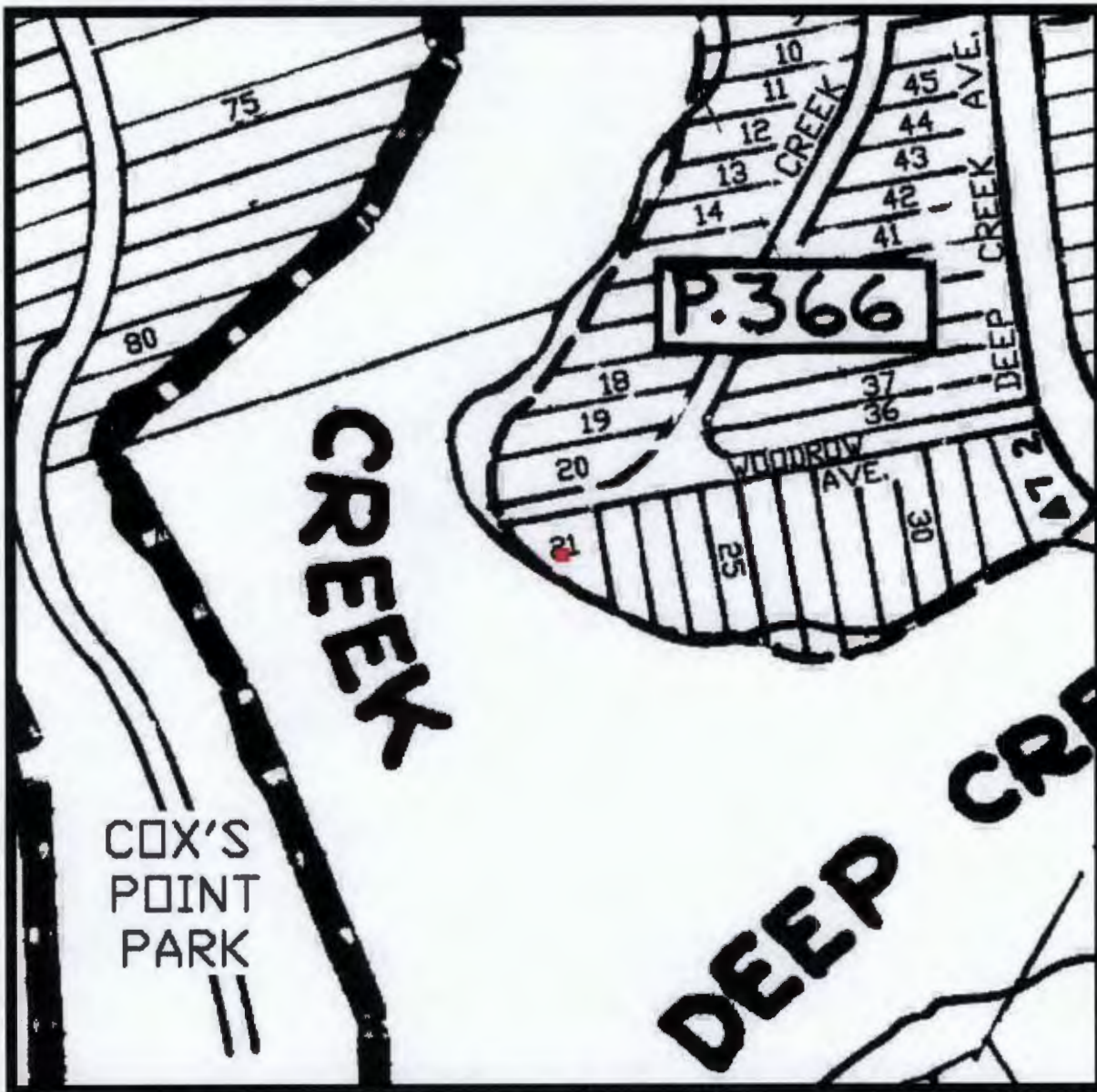
Special Tax Recapture:
 * NONE *



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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

District - 15 Account Number - 1519322540



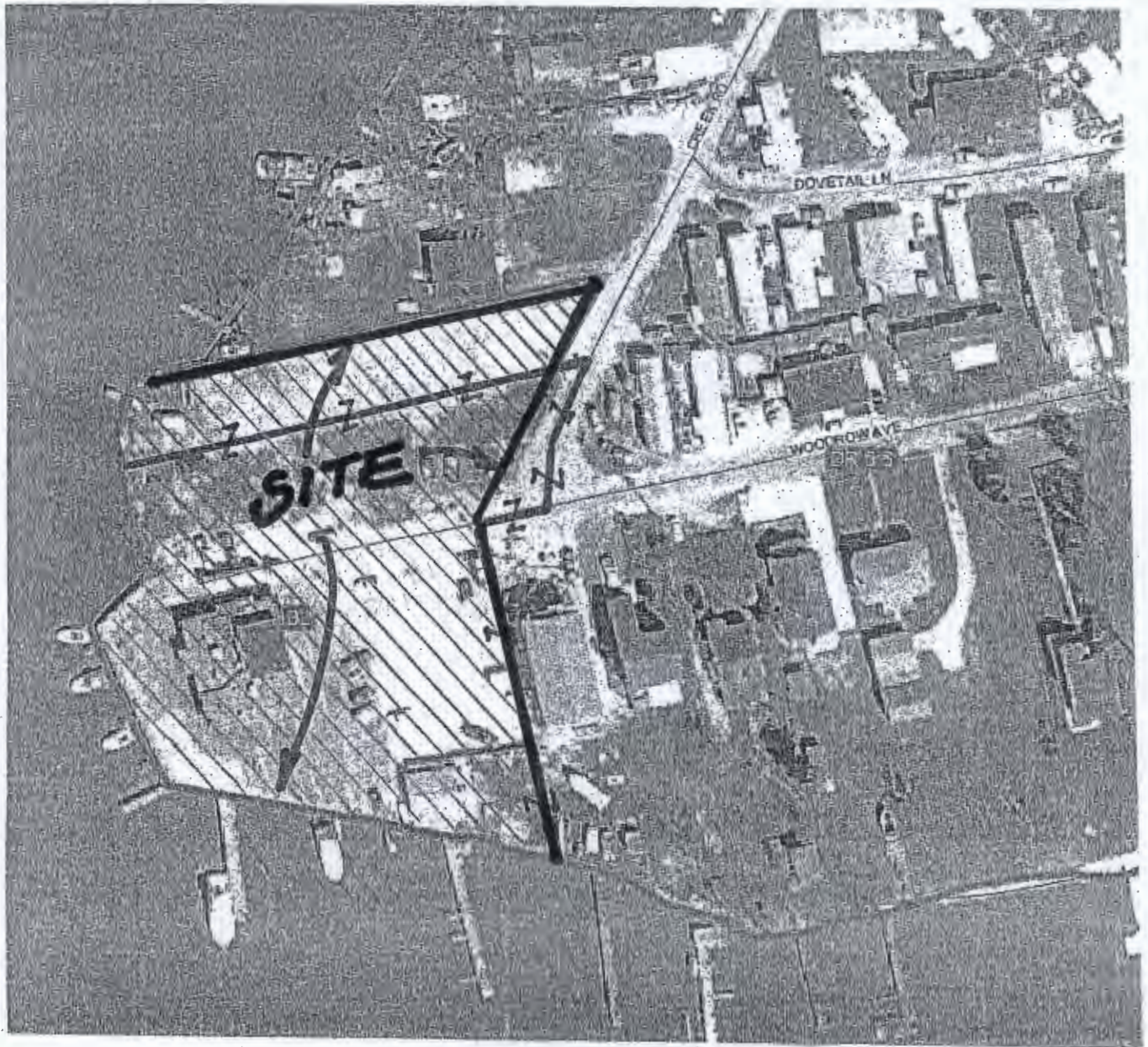
The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2008.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

CASE NAME 201 Woodrow Ave.
CASE NUMBER 2010-0174-A
DATE 2-4-10

[illegible]



ZONING MAP 1"=100'

(B.C.O.P.Z. MAP NO. 097B2)

801 WOODROW AVE.

Case No.: 2010-0174-A 801 Woodrow Ave

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	CANOPY OVERLAY area outside 25 foot area shown in Red.	
No. 3 3A to M	Photos - Existing Conditions	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

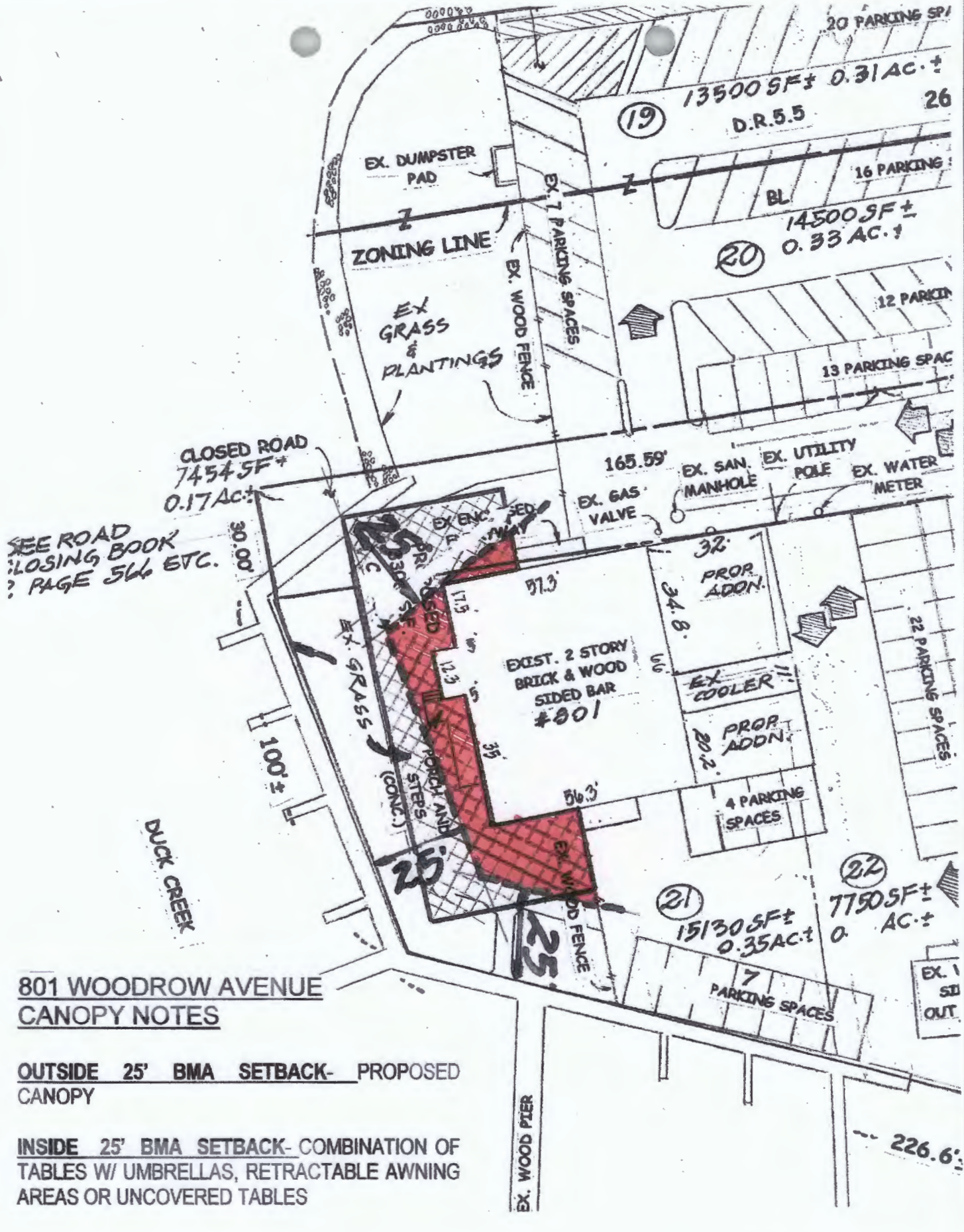












801 WOODROW AVENUE CANOPY NOTES

OUTSIDE 25' BMA SETBACK- PROPOSED CANOPY

INSIDE 25' BMA SETBACK- COMBINATION OF TABLES W/ UMBRELLAS, RETRACTABLE AWNING AREAS OR UNCOVERED TABLES

PETITIONER'S

EXHIBIT NO. 2

June 8, 2007

J. Neil Lenz, P.A.
Attorney At Law
Mercantile Building, Suite 617
406 Washington Avenue
Towson, Maryland 21204

Dear Mr. Lenz:

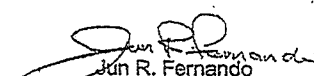
RE: Spirit and Intent Letter
801 Woodrow Avenue
Case #02-526-SPHA

Your recent letter sent to Timothy Kotroco, Director of Permits and Development Management has been referred to me for reply. Based on the information provided therein and our research of the zoning records, the following has been determined:

- After consulting with William Wiseman, Zoning Commissioner for Baltimore County, the proposed addition consists of 2,112 square feet and to the extent as shown on the provided red-lined plan pursuant to zoning case #02-526-SPHA is approved as being in the spirit and intent of the Baltimore County Zoning Regulations (BCZR), subject to any restrictions contained in the Zoning Commissioner's order.
- A copy of your request letter, this response and a signed red-lined plan will be recorded and made a permanent part of the zoning case file.
- A verbatim copy of this response must be affixed to your building permit site plan prior to building permit application.
- This approval is for zoning only, and you will be required to comply with all other County and State regulations relative to this property.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-897-3337.

Sincerely,


John R. Fernandez
Planner II
Zoning Review

ZONING HISTORY

Case No. 02-526-SPHA, Petition for Special Hearing and Variance. Special Hearing to allow business parking in a residential zone. Petition for Variance to allow business parking in residential area with lot setbacks of 0 feet and 5 feet in lieu of the required 50 foot buffer and 75 feet setback, to allow a gravel or crusher run surface in lieu of the durable and dust free surface and to allow a parking area without striping. All relief granted by Order dated September 24, 2002.

Case No. 00-248-X, Petition for Special Exception for arcade use in combination with existing tavern granted by Order dated January 20, 2000.

Case No. 99-508-SPHA, Petition for Special Hearing to approve use permit for commercial parking in a residential zone and variance to allow a 10 foot buffer and 12 foot setback in lieu of the required 50 foot buffer and 75 foot setback and to allow alternative paving to durable and dustless surface as well as a variance to allow no striping of parking spaces in lieu of the required striping. All relief requested was granted by Order dated August 20, 1999. The same Order also reaffirmed the variance previously granted in Case No. 83-275-SPHA allowing 68 parking spaces in lieu of the required 74.

Case No. 83-275-SPHA, Petition for Special Hearing to approve a nonconforming use to allow commercial parking in a residential zone. Petition for Variance to allow 24 parking spaces in lieu of 59 required. All zoning relief granted by Order dated June 22, 1983.

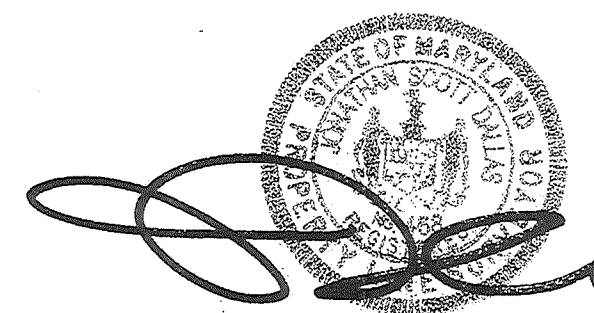
Case No. 463, Petition for Reclassification to change the zoning from A Residential to E Commercial approved by Order dated April 24, 1946.

DRC Meeting Date: July 23, 2007
DRC Number: 072307G
Election District: 15
Location: 801 Woodrow Avenue
Project: Woodrow Avenue
Applicant's Request: The request is for a 32' by 66' addition to the existing tavern.
DRC Action: The applicant's request meets the requirements of a Limited Exemption under the Baltimore County Code, Section 32-4-107. A-1-vi

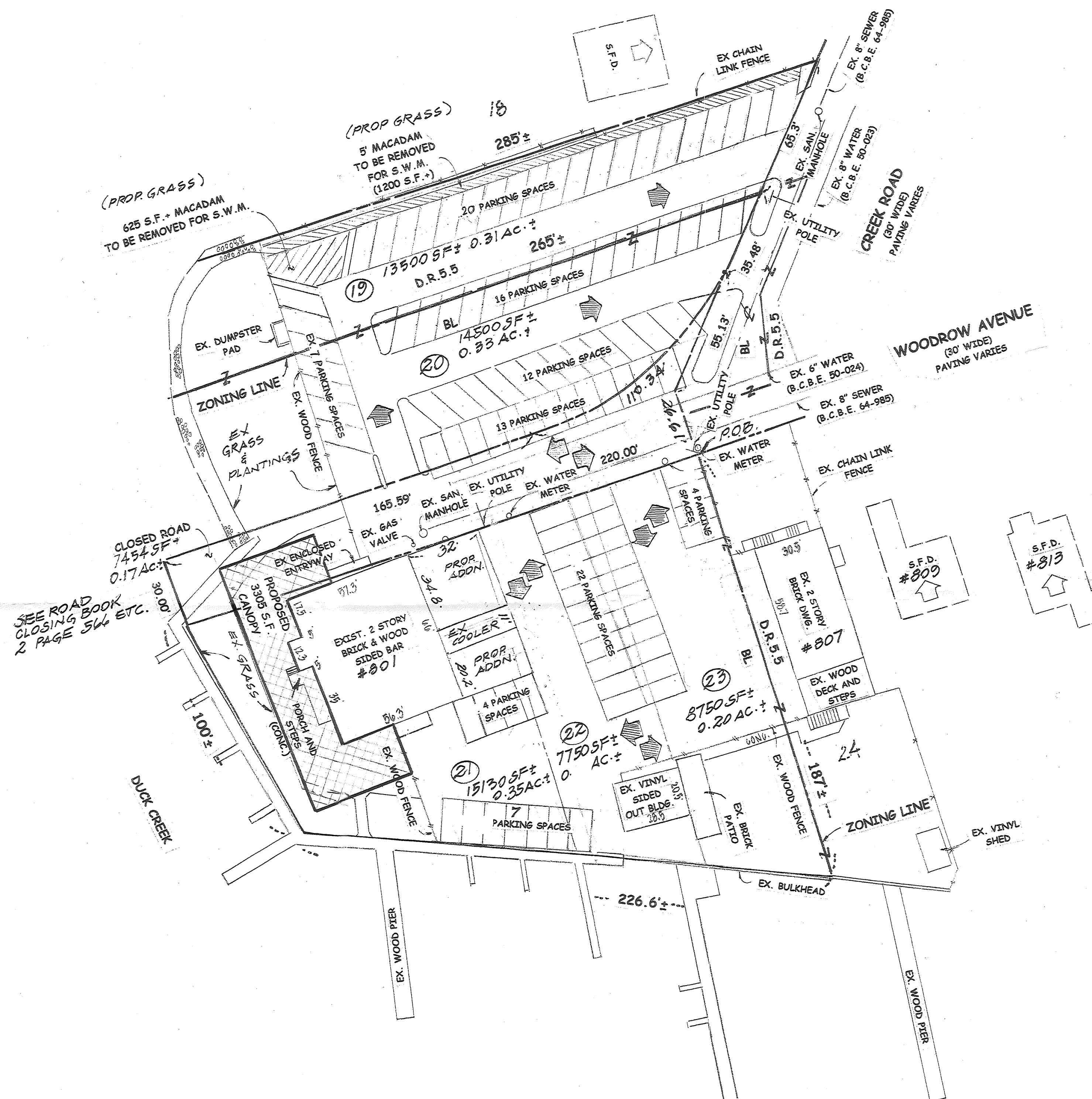
NOTES

- OWNERS:
MICHAEL BREWER
801 WOODROW AVENUE
BALT, MD 21221
410-391-5807
- PROPERTY INFORMATION:
TAX MAP 97 PARCEL 366 LOT 19,20 21,22,23
"DEEP CREEK AVENUE PARK" (7/2) ~~1~~ CLOSED PORTION OF WOODROW AVE (2/566)
- EX USE- TAVERN AND PARKING
- PROPOSED USE- TAVERN WITH ADDITION AND PARKING.
- SITE IS IN C.B.C.A. (LDA)
- SITE LIES IN FLOOD ZONE A9 (EL 9) PER F.E.M.A. F.I.R.M. 240010 0440 C.
- EX. ZONING OF SITE BL AND D.R. 5.5- SURROUNDING PROPERTY: D.R. 5.5
- UTILITIES SHOWN HEREON ARE PER REFERENCED PLANS.
- SITE AREA = 67084 SF ± 1.54 AC. ±

PROPOSED ADDITION 1760 SF
PAVING TO BE REMOVED
AND GRASSED 1825 SF



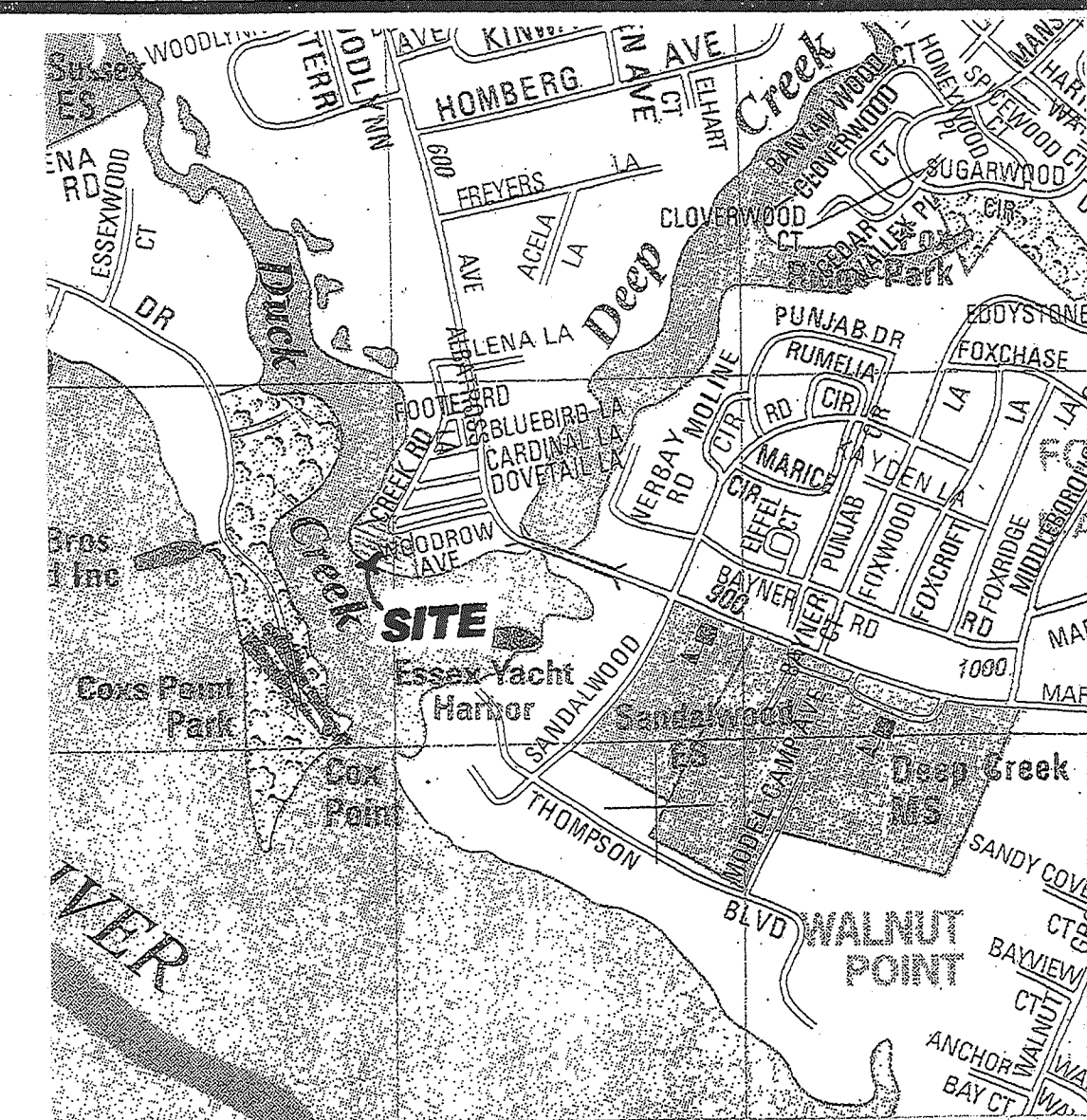
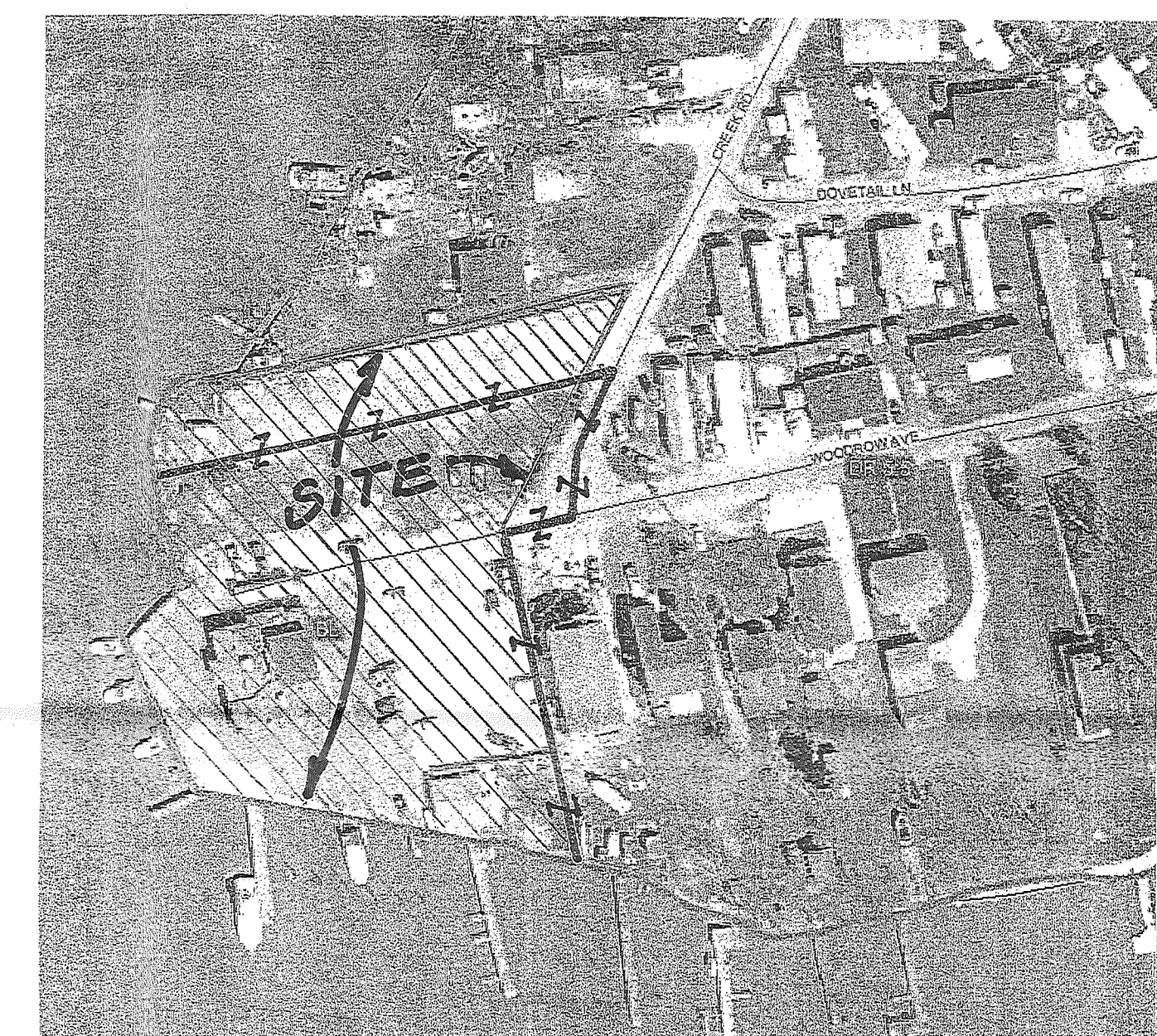
J.S. DALLAS, INC.
SURVEYING & ENGINEERING
P.O. BOX 26
BALDWIN, MD. 21013
(410) 817-4600



PARKING DATA

EXISTING FLOOR AREA	3950 SF
PROP ADDN AREA	1760 SF
CANOPY AREA	3305 SF
TOTAL	9015 SF

9015 SF X 20/1000 =	181 SPACES
2ND STY APT	+2 SPACES
	183 SPACES REQUIRED
	105 SPACES PROVIDED

VICINITY MAP
1"=1000'ZONING MAP 1"=100'
(B.C.O.P.Z. MAP NO. 097B2)SITE PLAN TO ACCOMPANY PETITION
FOR ZONING VARIANCE

801 WOODROW AVENUE
15TH EL DIST 7TH COUNCIL DIST BALT CO, MD
SCALE 1"= 30'
10-14-09
12-7-09
97-743

June 6, 2007

J. Neil Lantz, P.A.
Attorney At Law
Mercantile Building, Suite 817
408 Washington Avenue
Towson, Maryland 21204

Dear Mr. Lantz:

RE: Split and Intent Letter
801 Woodrow Avenue
Case #02-526-SPHA

Your recent letter sent to Timothy Kotroco, Director of Permits and Development Management has been referred to me for reply. Based on the information provided therein and our research of the zoning records, the following has been determined:

- After consulting with William Wleamen, Zoning Commissioner for Baltimore County, the proposed addition consists of 2,112 square feet and to the extent as shown on the provided red-lined plan pursuant to zoning case #02-526-SPHA is approved as being in the split and intent of the Baltimore County Zoning Regulations (B.C.Z.R.), subject to any restrictions contained in the Zoning Commissioner's order.
- A copy of your request letter, this response and a signed red-lined plan will be recorded and made a permanent part of the zoning case file.
- A verbal copy of this response must be affixed to your building permit site plan prior to building permit application.
- This approval is for zoning only, and you will be required to comply with all other County and State regulations relative to this property.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-987-3391.

Sincerely,


John R. Fernandez
Planner II
Zoning Review

ZONING HISTORY

Case No. 02-526-SPHA, Petition for Special Hearing and Variance. Special Hearing to allow business parking in a residential zone. Petition for Variance to allow business parking in residential area with lot setbacks of 0 feet and 5 feet in lieu of the required 50 feet buffer and 75 feet setback, to allow a gravel or crusher run surface in lieu of the durable and dust free surface and to allow a parking area without striping. All relief granted by Order dated September 24, 2002.

Case No. 00-248-X, Petition for Special Exception for arcade use in combination with existing tavern, granted by Order dated January 20, 2000.

Case No. 99-508-SPHA. Petition for Special Hearing to approve use permit for commercial parking in a residential zone and variance to allow a 10 foot buffer and 12 foot setback in lieu of the required 50 foot buffer and 75 foot setback and to allow alternative paving to durable and dustless surface as well as a variance to allow no striping of parking spaces in lieu of the required striping. All relief requested was granted by Order dated August 20, 1999. The same Order also reaffirmed the variance previously granted in Case No. 83-275-SPHA allowing 68 parking spaces in lieu of the required 74.

Case No. 83-275-SPHA. Petition for Special Hearing to approve a nonconforming use to allow commercial parking in a residential zone. Petition for Variance to allow 24 parking spaces in lieu of 59 required. All zoning relief granted by Order dated June 22, 1983.

Case No. 463. Petition for Reclassification to change the zoning from A Residential to B Commercial approved by Order dated April 24, 1946.

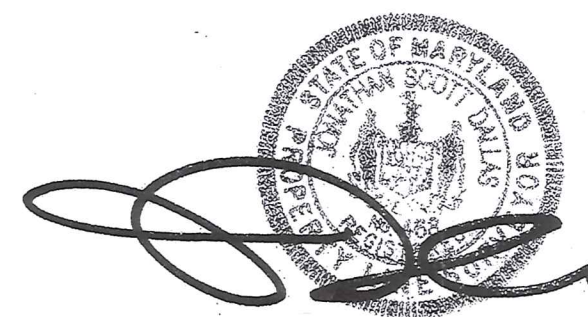
DRC Meeting Date: July 23, 2007
DRC Number: 072307G
Location: 15
801 Woodrow Avenue
Project: Woodrow Avenue
Applicant's Request: The request is for a 32' by 66' addition to the existing tavern.
The applicant's request meets the requirements of a Limited Exemption under the Baltimore County Code, Section 32-4-107. A-1-11
DRC Action:

NOTES

- OWNERS:
MICHAEL BREWER
801 WOODROW AVENUE
BALT, MD 21221
410-391-5807
- PROPERTY INFORMATION:
TAX MAP 97 PARCEL 366 LOT 19, 20 21, 22, 23
"DEEP CREEK AVENUE PARK" (7/2) # CLOSED PORTION OF WOODROW AVE (2/546)
- EX USE: TAVERN AND PARKING
- PROPOSED USE: TAVERN WITH ADDITION AND PARKING.
- SITE IS IN C.B.C.A. (LDA)
- SITE LIES IN FLOOD ZONE A9 (EL 9) PER F.E.M.A. F.I.R.M.
240010 0440 C.
- EX. ZONING OF SITE BL AND D.R. 5.5- SURROUNDING PROPERTY: D.R. 5.5
- UTILITIES SHOWN HEREON ARE PER REFERENCED PLANS.
- SITE AREA = 67084 SF ± 1.54 AC. ±

PROPOSED ADDITION 1760 SF
PAVING TO BE REMOVED
AND GRASSED 1825 SF

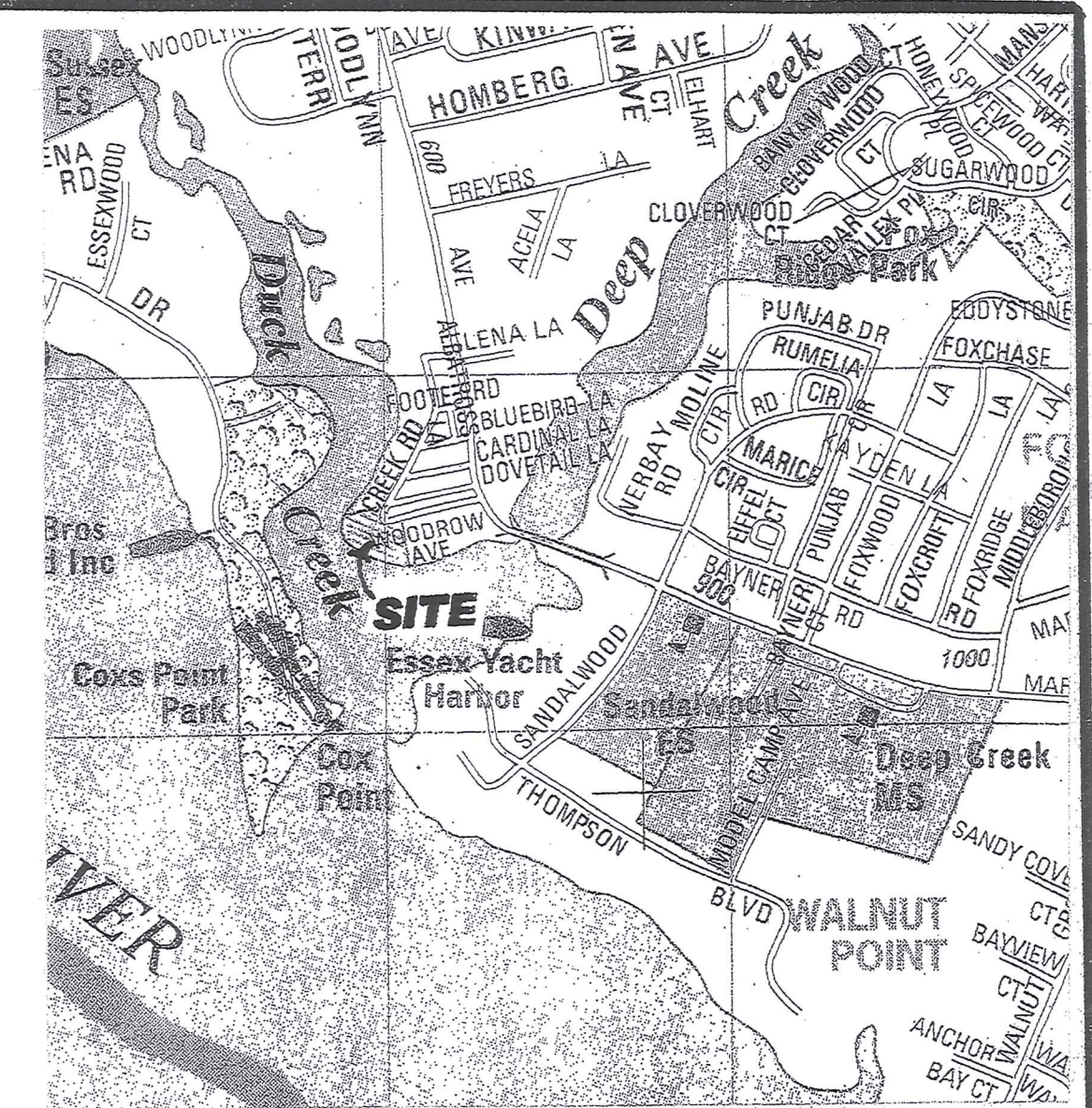
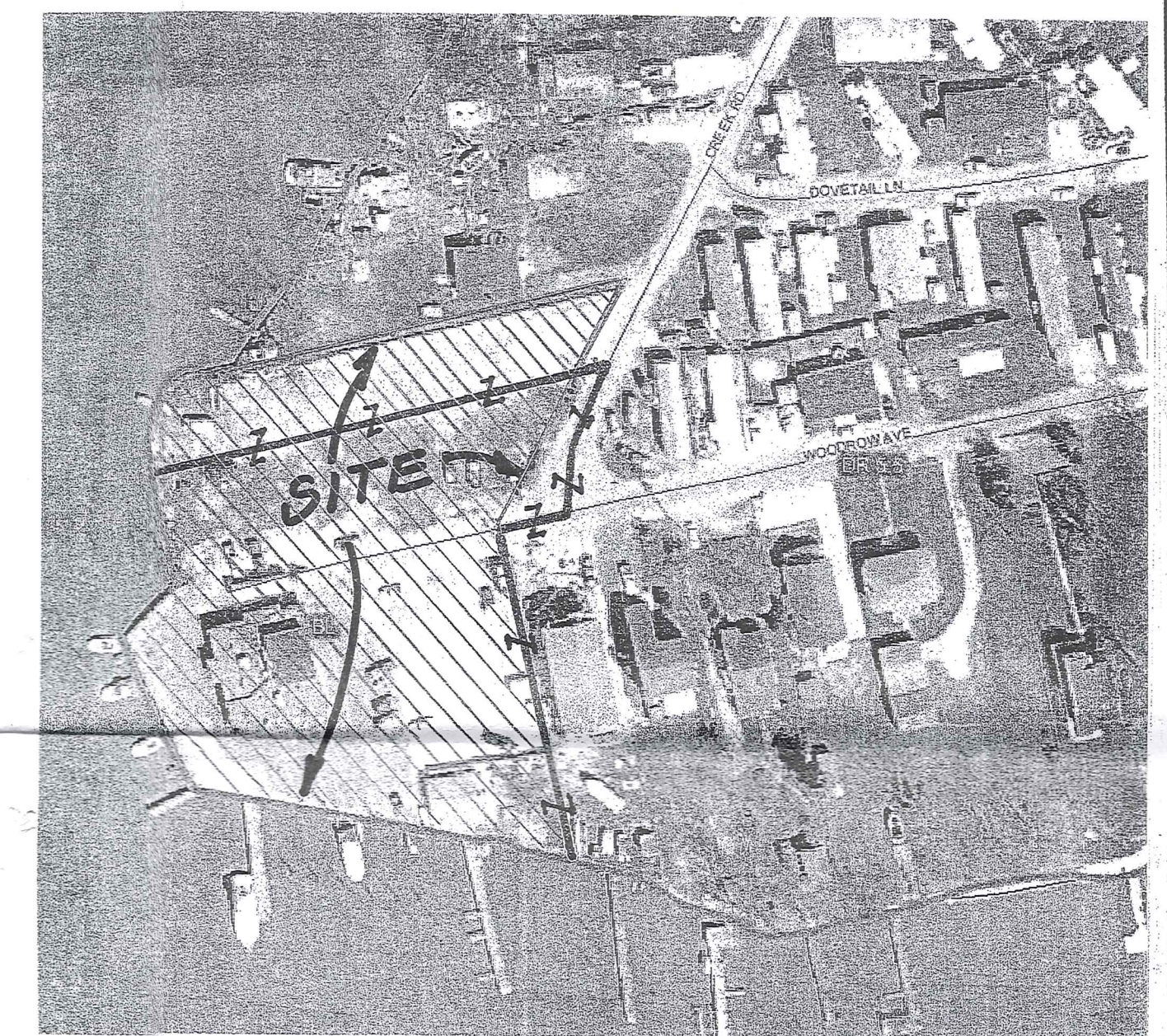
J.S. DALLAS, INC.
SURVEYING & ENGINEERING
P.O. BOX 26
BALDWIN, MD. 21013
(410) 817-4600



PARKING DATA

EXISTING FLOOR AREA	3950 SF
PROP ADDN AREA	1760 SF
CANOPY AREA	3305 SF
TOTAL	9015 SF

9015 SF X 20/1000 =	181 SPACES
2ND STY APT	+2 SPACES
	183 SPACES REQUIRED
	105 SPACES PROVIDED

VICINITY MAP
1"=1000'ZONING MAP 1"=100'
(B.C.O.P.Z. MAP NO. 09782)SITE PLAN TO ACCOMPANY PETITION
FOR ZONING VARIANCE

801 WOODROW AVENUE
15TH EL DIST 7TH COUNC DIST BALT CO, MD
SCALE 1"= 30' 10-14-09
12-7-09

PETITIONER'S

EXHIBIT NO. 1

97-743

General Notes

- There are no hazardous material sites, underground storage tanks, historical buildings, landmarks or archeological sites on the subject property.
- All site run-off must be conveyed to a suitable outfall without imposing an adverse impact on the receiving body of water, watercourse, wetland, storm drain or adjacent property.
- House down spouts are to discharge into pervious areas or into drywells where feasible.
- The subject property has been held intact since 1947. The developers surveyor has confirmed that no part of the gross area of this property as shown has ever been utilized or recorded as density or area to support off-site dwellings.
- Local Open Space is not required in accordance with Bill No. 110-99.
- Areas between the curb line and the site line must be cleared, graded and kept free of any obstructions.
- The subject property has no previous Zoning Case history.
- There are no rare, threatened, or endangered species habitats on the subject property.
- The developer must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the developers.
- The proposed driveways are to be built to Baltimore County standard Plate R-15.
- The subject property does not lie within the Chesapeake Bay Critical Area.
- The panhandle shall be paved with one year at the issuance of the first Occupancy Permit and prior to the issuance of the Occupancy Permit of the last lot to be served, whichever comes first.

DEDICATION TABLE

The following rights of way are to be conveyed to Baltimore County by the developer/owner of this property as a condition of approval of these plans.

TYPE OF CONVEYANCE	NO.	TOTAL AREA**
BALTIMORE-COUNTY ACCESS EASEMENTS	1	0.039 AC.
FOREST BUFFER AREA EASEMENTS	1	0.254 AC.

**NOTE: Total Areas shown in this table are approximate only. Refer to the record plat or right of way drawing for exact areas.

REVERTIBLE SLOPE EASEMENT	1	0.031 AC.
HIGHWAY WIDENING	1	0.125 AC.

- ALL LOTS ARE FOR SALE AND FOR SINGLE FAMILY DWELLINGS.
- THERE ARE NO EX. WELLS AND EX. SEPTIC SYSTEMS WITHIN 100 FEET OF THE SUBJECT PROPERTY UNLESS OTHERWISE SHOWN.
- COVENANTS MUST BE RECORDED PRIOR TO, OR ALONG WITH THE RECORDING OF THE PLAT, ESTABLISHING A CROSS EASEMENT OVER THE PANHANDLE DRIVEWAY AND FOR INSTALLATION AND MAINTENANCE OF PRIVATE WATER AND/OR SEWER CONNECTIONS WHERE APPLICABLE.
- SOILS SHOWN HEREON ARE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAPS.
- LOT NO. 3 AS SHOWN HEREON WILL BE SERVED BY PRIVATELY OWNED AND MAINTAINED GROUND PUMP AND LOW PRESSURE SEWER.
- WATER METERS DESIGNATED TO A SPECIFIC LOCATION OR ADDRESS SHALL NOT BE RELOCATED WITHOUT PERMISSION FROM BALTIMORE CITY BUREAU OF WATER & WASTEWATER.
- THE PANHANDLE DRIVEWAY SHALL CONFORM TO STD. PLATE R-2.

SWM NOTE

STORMWATER MANAGEMENT WILL BE ADDRESSED BY A FEE-IN-LIEU OPTION.

FOREST BUFFER NOTES

- There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
- Any Forest Buffer Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance in these areas.

BUILDING SETBACK CHART

Zoning Classification	Minimum Net Lot Area per Dwelling Unit (sq. ft.)	Minimum Lot Width (feet)	Minimum Front Yard Depth (feet)	Minimum Width of Individual Side Yard (feet)	Minimum Sum of Side Yard Widths (feet)	Minimum Rear Yard Depth (feet)
D.R.S.5	6,000	55	25	10	—	30

DENSITY CALCULATIONS

AREA OF PROPERTY 1.0 ACRES
EXIST. ZONING DR 5.5
NO. OF UNITS ALLOWED = 5
NO. OF UNITS PROPOSED = 3

BASIC SERVICE NOTE

THE SUBJECT SITE IS NOT IN AN AREA OF ANY FAILED BASIC SERVICES.

SOILS LIMITATION CHART

SYMBOL	SERIES	W/BASEMENT	W/O BASEMENT	PARKING/STREETS
AV	ALLUVIAL LAND	SEVERE	SEVERE	SEVERE
LIB	LENOIR	SEVERE	SEVERE	SEVERE
WdB	WOODSTOWN	MODERATE	SLIGHT	MODERATE
SIB	SASSAFRAS LOAM	SLIGHT	SLIGHT	MODERATE

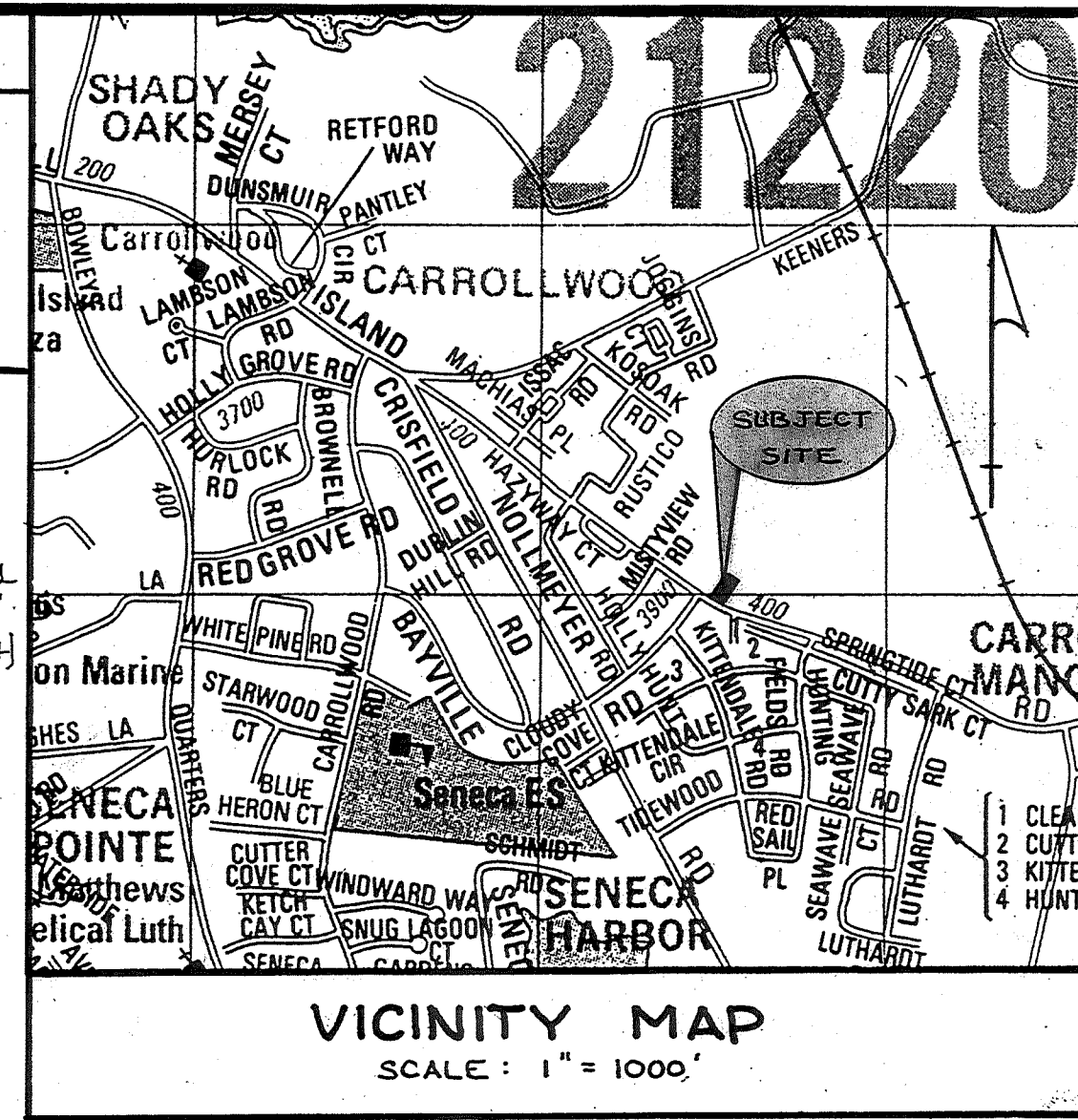
OWNER INFORMATION

ROBERT J. NOVAK, JR.
SHEILA E. NOVAK
1627 SANDY HOLLOW CIR.
BALTO. MD. 21221
PHONE: 443-717-3047

NEIGH MARK GIS #72 (AE 3082)

ELEVATION - 28.92
17 606,775.79 E 1,486,367.83

DESS DISK ON SE CORNER OF CARROLL ISLAND ROAD & DAYVILLE ROAD, 35.5' WEST OF C&P POLE NO. 27 AND 24.84 SOUTH OF E OF CARROLL ISLAND ROAD.



SITE DATA

SITE AREA --- NET 0.879 AC.	GROSS 1.00 AC
DEED REFERENCE	26585/617
TAX ACCOUNT NO.	1525450310
TAX MAP/GRID/PARCEL	91/11/45
EXIST. USE -- VACANT -- DEFER TO DRAINAGE PERMIT #683155	
PROPOSED USE	3 SINGLE FAM. DWLG.
EXIST. ZONING	DR 5.5
ZONING MAP	091C2
COUNCILMANIC DISTRICT	6TH
CENSUS TRACT	451803
WATERSHED	GUNPOWDER RIVER
SUBSEWERSHED	10
REGIONAL PLANNING DISTRICT	322
SCHOOL DISTRICTS	
ELEMENTARY SCHOOL	CHASE ES
MIDDLE SCHOOL	MIDDLE RIVER MS
HIGH SCHOOL	CHESAPEAKE HS
MASTER WATER PLAN DESIGNATION	W-3
MASTER SEWER PLAN DESIGNATION	S-3

LEGEND

EX. CONTOUR	---
EX. STREAM	---
SOIL LINE	---
ZONING LINE	---
EX. WOODS LINE	---
PROP. SIMPLY GRAINED	---
PUMP & LOW PRESSURE SEWER (PRIVATE)	GP
PROPOSED GRADE	---

DESIGN AND DRAWING
BASED ON MARYLAND
COORDINATE SYSTEM
HORIZONTAL - NAD 83/91
VERTICAL - NAVD 88

BOGART TECHNICAL CONSULTANTS LLC

CIVIL ENGINEERS AND LAND SURVEYORS
222 BOSLEY AVENUE SUITE B-3 TOWSON, MD 21204
PHONE: 410-823-3535

MINOR SUBDIVISION PLAN

NOVAK PROPERTY

611 CARROLL ISLAND ROAD

MINOR SUBDIVISION PROJECT NO. 080408M

6TH COUNCILMANIC DISTRICT
15TH ELECTION DISTRICT BALTIMORE COUNTY

SCALE: 1" = 30' DES. BY: J.L.L.
DATE: JUNE 3, 2008 DWN. BY: TC/MOS

LIMIT OF DISTURBANCE = 29,600 ±

BALTIMORE COUNTY MINOR SUBDIVISION

PROJECT NO.:

DEVELOPMENT REGULATIONS

Exempt from Article 32, Title 4, Subtitle 2, BCC
Panhandle exempt from Sections 32-4-211 through 32-4-217 AND
Sections 32-4-226 and 32-4-227, BCC

REAL ESTATE COMPLIANCE CLEARANCE

Int: _____ Date: _____

PAI CERTIFICATION

Approved _____ Disapproved _____

By: _____ Date: _____

APPROVED DEPS

By: _____ Date: _____

RECEIVED
APR 08 2008