



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

July 11, 2013

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

Dear Mr. Billingsley:

Re: Spirit & Intent Letter, Proposed Swimming Pool, 905 Sue Grove Rd.,
15th Election District

Your letter dated July 3, 2013 to the Director of Permits, Approvals & Inspections has been referred to me for reply. After careful review of the materials included with the letter and my conversation with Mr. Carl Richards, Zoning Supervisor, the following has been determined.

The proposal to modify the proposed swimming pool as shown on red line plan is considered to be within the spirit and intent of the BCZR (Baltimore County Zoning Regulations) as per zoning case #2011-0055-A. Please prepare and submit to this office an amended version of the site plan submitted in zoning case #2011-0055-A clearly showing the modification and other collateral changes, including a signature block titled:

APPROVED AS BEING WITHIN THE SPIRIT AND INTENT OF THE PLAN AND
ORDER IN ZONING CASE NO. 2011-0055-A

Signed By _____ Date _____

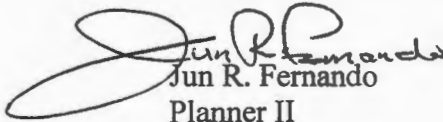
The subject property must comply with all restrictions listed on case #2011-0055-A that was approved September 8, 2010 by the Baltimore County Deputy Zoning Commissioner.

Page Two
905 Sue Grove Road

The foregoing is merely an informal opinion. It is not an expert or legal opinion. It is not intended to be relied on as expert or legal advice, and is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

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 410-887-3391.

Sincerely,

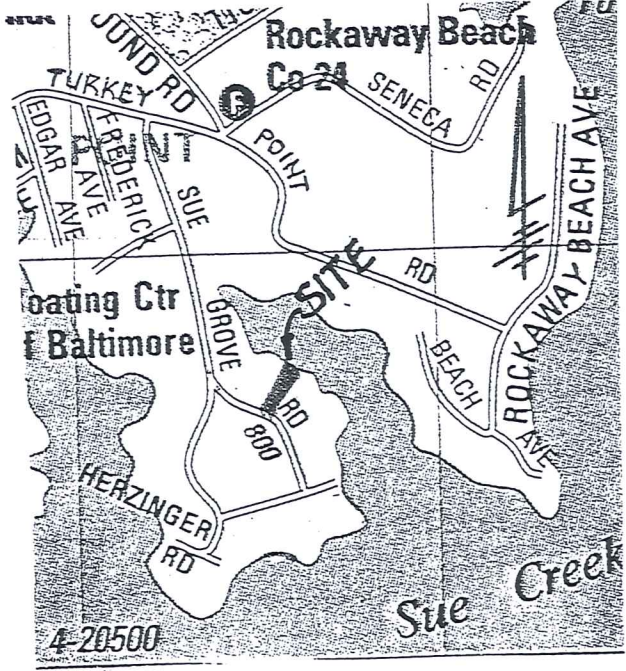


Jun R. Fernando
Planner II
Zoning Review

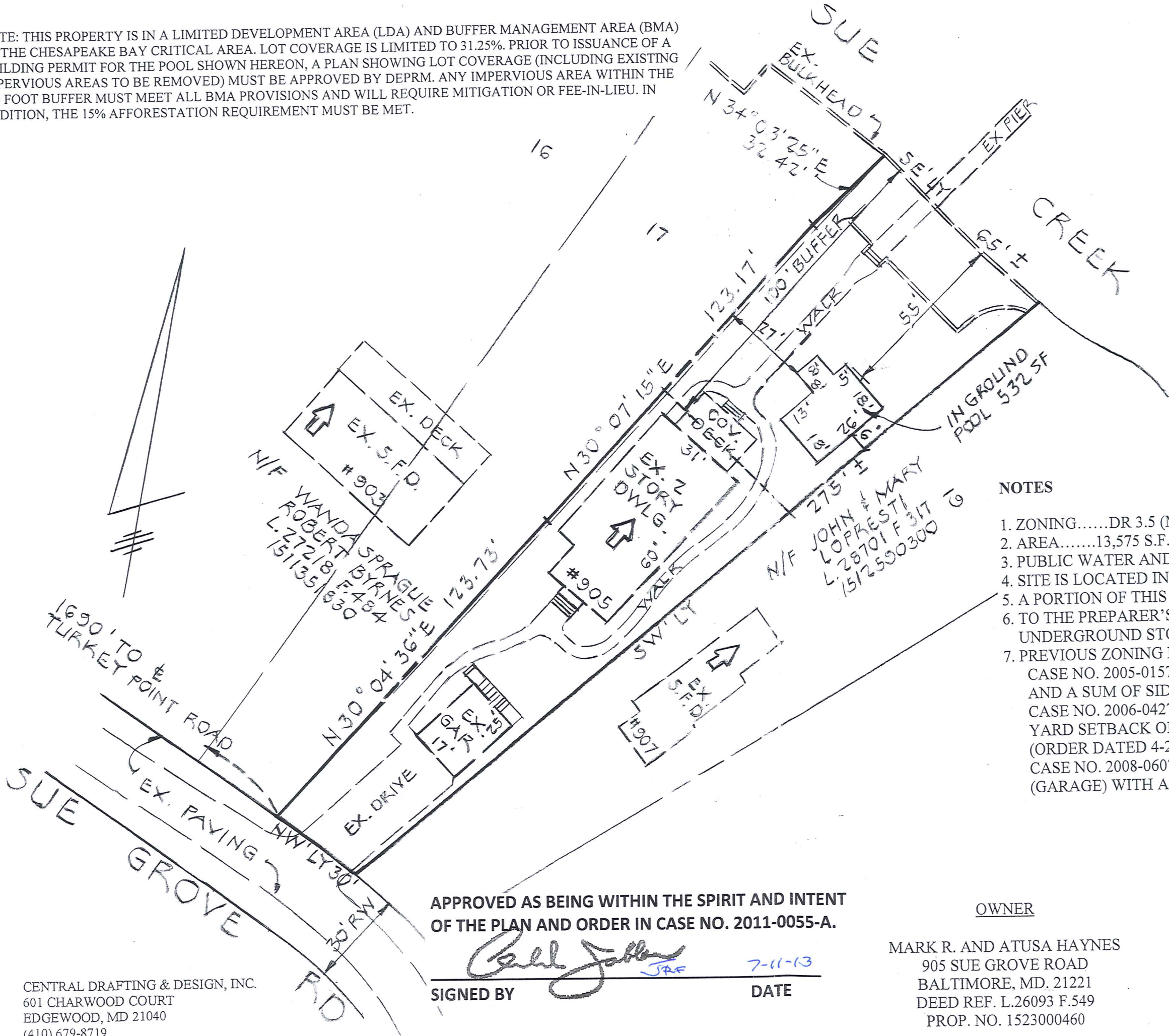
Enclosure

JRF/klm

NOTE: THIS PROPERTY IS IN A LIMITED DEVELOPMENT AREA (LDA) AND BUFFER MANAGEMENT AREA (BMA) OF THE CHESAPEAKE BAY CRITICAL AREA. LOT COVERAGE IS LIMITED TO 31.25%. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE POOL SHOWN HEREON, A PLAN SHOWING LOT COVERAGE (INCLUDING EXISTING IMPERVIOUS AREAS TO BE REMOVED) MUST BE APPROVED BY DEPRM. ANY IMPERVIOUS AREA WITHIN THE 100 FOOT BUFFER MUST MEET ALL BMA PROVISIONS AND WILL REQUIRE MITIGATION OR FEE-IN-LIEU. IN ADDITION, THE 15% AFFORESTATION REQUIREMENT MUST BE MET.



VICINITY MAP
SCALE: 1"=1000'



NOTES

1. ZONING.....DR 3.5 (MAP NO. 098B3)
2. AREA.....13,575 S.F. = 0.312 ACRE +/-
3. PUBLIC WATER AND SEWER
4. SITE IS LOCATED IN THE CBCA
5. A PORTION OF THIS SITE IS LOCATED IN THE 100 YEAR FLOOD ZONE
6. TO THE PREPARER'S KNOWLEDGE, NO HISTORIC STRUCTURES OR UNDERGROUND STORAGE TANKS EXIST
7. PREVIOUS ZONING HISTORY
CASE NO. 2005-0157-A PERMITTING A SIDE YARD SETBACK OF 4.5 FEET AND A SUM OF SIDE YARDS OF 14.5 FEET (ORDER DATED 12-14-04)
CASE NO. 2006-0427-A AMENDING VARIANCE RELIEF TO PERMIT A SIDE YARD SETBACK OF 1.6 FEET AND A SUM OF DIDE YARDS OF 10.6 FEET (ORDER DATED 4-24-06)
CASE NO. 2008-0607-A PERMITTING AN ACCESSORY STRUCTURE (GARAGE) WITH A HEIGHT OF 23 FEET (ORDER DATED 8-11-08)

PLAT TO ACCOMPANY PETITION
FOR ADMINISTRATIVE VARIANCE
905 SUE GROVE ROAD
PART OF LOT 17 AND ALL OF LOT 18
SUEGROVE P.B. 7 F. 11
ELECTION DISTRICT 15C6
BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET JULY 12, 2010

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

APPROVED AS BEING WITHIN THE SPIRIT AND INTENT
OF THE PLAN AND ORDER IN CASE NO. 2011-0055-A.
Carl J. J. J.
SIGNED BY DATE 7-11-13

OWNER
MARK R. AND ATUSA HAYNES
905 SUE GROVE ROAD
BALTIMORE, MD. 21221
DEED REF. L.26093 F.549
PROP. NO. 1523000460

IN RE: PETITION FOR ADMIN. VARIANCE

NE side of Sue Grove Road; 1,690 feet SE
from the c/l of Turkey Point Road
15th Election District
6th Councilmanic District
(905 Sue Grove Road)

Mark R. and Atussa Haynes
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2011-0055-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject waterfront property, Mark R. and Atussa Haynes for property located at 905 Sue Grove Road. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory use (in-ground pool) to be located in the front yard in lieu of the rear yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to install an in-ground swimming pool in the front yard (water side) of their property. The subject property is rectangularly shaped with 30 feet of frontage on Sue Grove Road and 65 feet of width at the bulkhead and pier on Sue Creek. The Zoning Commissioner's Policy Manual (Z.C.P.M.), Sections 400.1A and 400.2A, provides a determination of what constitutes the front yard on waterfront lots based on the orientation of the houses and accessory buildings. In most cases, as is the situation here, waterfront lots refer to the front of the structure as facing the water.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental Protection and Resource Management dated September 8, 2010 that states development of the property must comply with the Chesapeake Bay Critical Area Regulations. This property is located within a Limited Development Area (LDA) and Buffer Management Area (BMA) in the Chesapeake Bay

ORDER RECEIVED FOR FILING

Date 9-8-10

Critical Area. Lot coverage is limited to 25% of the lot area above mean high water, or a maximum lot coverage of 31.25%, if approved and with mitigation. 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. 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, and all existing and proposed trees.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 14, 2010 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

ORDER RECEIVED FOR FILING

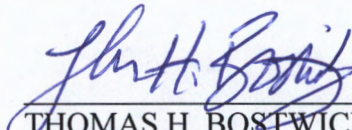
Date 9-8-10

By Bj

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 8th day of September, 2010 that an Administrative Variance from Section 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an accessory use (in-ground pool) to be located in the front yard in lieu of the rear yard is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit 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, the 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. 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 25% of the lot area above mean high water, or a maximum lot coverage of 31.25%, if approved and with mitigation. A 100 feet 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. The site plan must show the 100 feet tidal buffer measured off mean high water, all existing and proposed lot coverage in detail and in a table, and all existing and proposed trees.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date 9-8-10

By B



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

September 8, 2010

MARK R. AND ATUSSA HAYNES
905 SUE GROVE ROAD
BALTIMORE MD 21221

Re: Petition for Administrative Variance
Case No. 2011-0055-A
Property: 905 Sue Grove Road

Dear Mr. and Mrs. Haynes:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: David Billingsley, 601 Charwood Court, Edgewood MD 21040



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County for the property

located at 905 SUE GROVE ROAD

which is presently zoned DR 3.5

Deed Reference: 260931549 Tax Account # 1523000460

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)

400.1 TO PERMIT AN ACCESSORY USE (IN-GROUND POOL)
TO BE LOCATED IN THE FRONT YARD IN LIEU OF THE
REAR YARD

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Date

Telephone No.

City

By

State

Zip Code

Legal Owner(s):

MARK R. HAYNES

Name - Type or Print

Signature

ATUSA HAYNES

Name - Type or Print

Signature

905 SUE GROVE ROAD (443) 322-6367

Address

Telephone No.

BALTO.

MD.

21221

City

State

Zip Code

Representative to be Contacted:

DAVID BILLINGSLEY

Name

601 CHARWOOD CT. (410) 679-8719

Address

Telephone No.

EDGEWOOD

MD.

21040

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, It is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Case No. 2011-0055-A

Reviewed By [Signature]

Date

8/5/10

Estimated Posting Date

8/15/10

Affidavit in Support of Administrative Variance

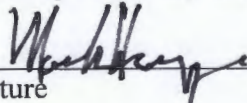
The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently own and reside at 905 SUE GROVE ROAD
Address number Road or Street name
and that this address is the subject of this variance request as required by law.

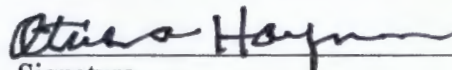
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate the hardship or practical difficulty; attach an additional sheet if needed) _____

SEE ATTACHED

That the Affiant(s) acknowledge(s) that if a formal demand is filed, and the Affiant(s) desire to proceed with their variance request, they will be responsible for reposting the property and for payment of the advertising fees. They also understand that they may be required to provide additional information.


Signature

MARK R. HAYNES
Name- print or type


Signature

ATUSA HAYNES
Name- print or type

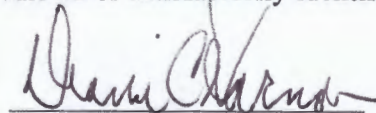
A Notary Public must complete the following section prior to the filing appointment.

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, this 26 day of July, 2010 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

(Name Affiant(s) here): MARK R. HAYNES AND ATUSA HAYNES
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal


Name of Notary Public

01.21.12
Commission expires

PLACE SEAL HERE:

**JUSTIFICATION FOR
ADMINISTRATIVE VARIANCE
905 SUE GROVE ROAD**

WE WISH TO CONSTRUCT A SMALL IN- GROUND SWIMMING POOL ON OUR PROPERTY. BASED ON THE FOLLOWING, WE ARE REQUESTING A VARIANCE TO PERMIT THE POOL TO BE CONSTRUCTED BETWEEN THE HOUSE AND THE WATERFRONT.

1. ALTHOUGH THE ZONING REGULATIONS ESTABLISH THE FRONT YARD OF OUR PROPERTY TO BE THE AREA BETWEEN THE HOUSE AND THE WATER, WE, AS WELL AS ANY GUESTS, DELIVERY PERSONS, ETC. UTILIZE THE ENTRANCE FACING THE ROAD. IF WE ARE REQUIRED TO CONSTRUCT THE POOL BETWEEN THE HOUSE AND THE ROAD, ALL VISITORS WOULD HAVE TO PASS THE POOL AREA CREATING A PRIVACY AND SAFETY ISSUE FOR THOSE UTILIZING THE POOL.
2. PLACING THE POOL BETWEEN THE HOUSE AND THE ROAD INSTEAD OF AS REQUESTED WILL POSITION IT CLOSER IT TO THE ADJACENT DWELLINGS, THEREBY CREATING A NOISE AND PRIVACY ISSUE WITH THE NEIGHBORS. ADDITIONALLY, THE AREA BETWEEN THE HOUSE AND GARAGE IS NOT SUFFICIENT IN SIZE TO ACCOMMODATE THE POOL.
3. WITH THE POOL BEING IN-GROUND AND ENCLOSED BY AN IRON FENCE SIMILAR TO THAT SURROUNDING OUR PROPERTY, THE WATER VIEW ENJOYED BY OUR NEIGHBORS WILL NOT BE AFFECTED.
4. WE HAVE DISCUSSED OUR PROPOSAL WITH THE ADJACENT NEIGHBORS. THEY HAVE NO OBJECTION AND SUPPORT OUR REQUEST.

0055-A

ZONING DESCRIPTION 905 SUE GROVE ROAD

Beginning at a point on the northeast side of Sue Grove Road (30 feet wide), distant southeasterly 1690 feet from it's intersection with the center of Turkey Point Road (30 feet wide), thence (1) N 30 04 36 E 123.73 feet (2) N 30 07 15 E 123.17 feet (3) N 34 03 25 E 32.42 feet (4) southeasterly 63 feet, more or less (5) southwesterly 275 feet and (6) northwesterly 30 feet to the place of beginning. Containing 13,575 square feet or 0.312 acre of land, more or less.

Being all of Lot 18 and part of Lot 17 as shown on the plat entitled Suegrove recorded among the Baltimore County plat records in Plat Book 7 Folio 11.

2011-0055-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2000-0055-A Address 905 Sue Grove Rd

Contact Person: LEONARD Wasilewski Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/5/10 Posting Date: 8/15/10 Closing Date: 8/30/10

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2000-0055-A Address 905 Sue Grove Rd
Petitioner's Name Mark & Atusa Haynes Telephone 443-322-6367
Posting Date: 8/15/10 Closing Date: 8/30/10
Wording for Sign: To Permit AN ACCESSORY structure (in ground pool)
to be located in the Front yard in lieu of the rear yard.

WCR - Revised 7/7/08

CERTIFICATE OF POSTING

RE: Case No 2011-0055-A

Petitioner/Developer DAVE
BILLINGSLEY

Date Of Hearing/Closing: 8/30/10

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 905 SICE CRNE RD

Martin Ogle 8/14/10

August 14, 2010

Month, Day, Year

Sincerely,

Martin Ogle 8/14/10
Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411





BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

August 31, 2010

Mark & Atusa Haynes
905 Sue grove Rd.
Baltimore, MD 21221

Dear: Mark & Atusa Haynes

RE: Case Number 2011-0055-A, 905 Sue grove Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 05, 2010. 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 that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
David Billingsley; 601 Charwood Ct.; Edgewood, MD 21040

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 10, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For August 23, 2010
Item Nos. 2011- 026, 028, 032, 047,
048, 049, 050, 051, 052, 053, 054,
055, 056 and 057

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-08232010 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 10, 2010

RECEIVED

AUG 11 2010

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

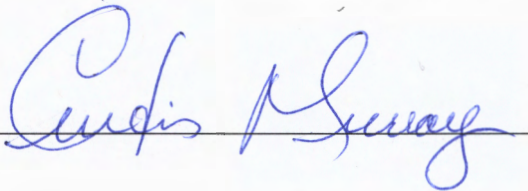
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 11-055- Administrative Variance**

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

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

Prepared By:
CM/LL





BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

August 12, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 9, 2010

Item No.: **Variance:** 2011-0028SPHA, 2011-0032A, 2011-0047A – 0049A, 2011-0026SPHXA

Administrative Variance: 2011- 0050A, 2011-0052 - 0053A, 2011-0055A – 0056A.

Special Hearing: 2011-0028SPHA, 2011-0051SPH, 2011-0057SPH, 2011-026SPHXA

Special Exception: 2011-0026SPHXA

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore County Fire Marshal's Office** and the comment below is applicable for the above listed properties.

Comments:

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

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
410-887-4880
Mail Stop: 1102

cc: File



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: August 18, 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. 2011-0055-A
905 SUE GROVE RD
HAYNES PROPERTY
ADMIN. 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. 2011-0055-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

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.1250 Statewide Toll Free

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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 08 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: September 8, 2010
SUBJECT: Zoning Item # 11-055-A
Address 905 Sue Grove Road
(Haynes Property)

Zoning Advisory Committee Meeting of August 9, 2010

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 25% of the lot area above mean high water, or a maximum lot coverage of 31.25%, if approved and with mitigation. 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. 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, and all existing and proposed trees.

Reviewer: Paul Dennis Date: August 25, 2010

Patricia Zook - Cases 2011-0055-A and 2011-0056-A - DEPRM comments needed

From: Patricia Zook
To: Livingston, Jeffrey
Date: 9/1/2010 2:58 PM
Subject: Cases 2011-0055-A and 2011-0056-A - DEPRM comments needed
CC: Bostwick, Thomas

Jeff -

The following administrative variance cases closed on August 30 and we need DEPRM comments:

CASE NUMBER: 2011-0055-A

905 Sue Grove Road

Location: NE side of Sue Grove Road; 1,690 feet SE from the c/l of Turkey Point Road.

15th Election District, 6th Councilmanic District

Legal Owner(s): Mark and Atussa Haynes

Closing Date: 8/30/2010

ADMINISTRATIVE VARIANCE To permit an accessory use (in-ground pool) to be located in the front yard in lieu of the rear yard.

CASE NUMBER: 2011-0056-A

10320 Bird River Road

Location: N side of Bird River Road; 600 feet E of the c/l of Vincent Farm Road.

15th Election District, 6th Councilmanic District

Legal Owner(s): Michele Gizzi and Shannon Burns

Closing Date: 8/30/2010

ADMINISTRATIVE VARIANCE To permit a proposed accessory building (detached garage) with a height of 26.5 feet in lieu of the allowed 15 feet.

Thank you.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov



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

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

Account Identifier: District - 15 Account Number - 1523000460

Owner Information

Owner Name:	HAYNES ATUSA HAYNES MARK R	Use:	RESIDENTIAL
Mailing Address:	905 SUE GROVE RD BALTIMORE MD 21221-1824	Principal Residence:	YES
		Deed Reference:	1) /26093/ 549 2)

Location & Structure Information

Premises Address	Legal Description
905 SUE GROVE RD	905 SUE GROVE RD SUE GROVE

WATERFRONT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
98	15	215					18	3	Plat Ref: 7/ 11

Special Tax Areas

Town	Ad Valorem
Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2006	3,432 SF	12,052.00 SF	34
Stories	Basement	Type	Exterior
2	NO	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2010	07/01/2011
Land	162,510	202,510		
Improvements:	346,280	425,140		
Total:	508,790	627,650	588,030	627,650
Preferential Land:	0	0	0	0

Transfer Information

Seller: A & M REAL ESTATE LLC	Date: 08/24/2007	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /26093/ 549	Deed2:
Seller: GOETZ STUART S	Date: 08/24/2004	Price: \$310,000
Type: NOT ARMS-LENGTH	Deed1: /20588/ 490	Deed2:
Seller: GOETZ STUART S	Date: 02/19/1997	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /12041/ 700	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

CHECKLIST

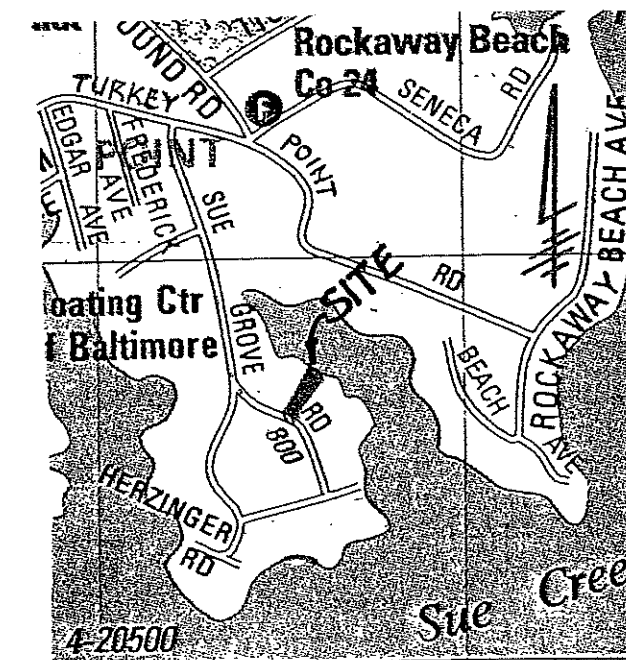
<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ No Comment</u>
<u>8-10-10</u>	DEVELOPMENT PLANS REVIEW	<u>nc</u>
<u>9-8-10</u>	DEPRM (if not received, date e-mail sent <u>9-1-10</u> <u>9-8-10</u>)	<u>Conditions</u>
<u>8-12-10</u>	FIRE DEPARTMENT	<u>nc</u>
<u>8-10-10</u>	PLANNING (if not received, date e-mail sent _____)	<u>nc</u>
<u>8-18-10</u>	STATE HIGHWAY ADMINISTRATION	<u>nc</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

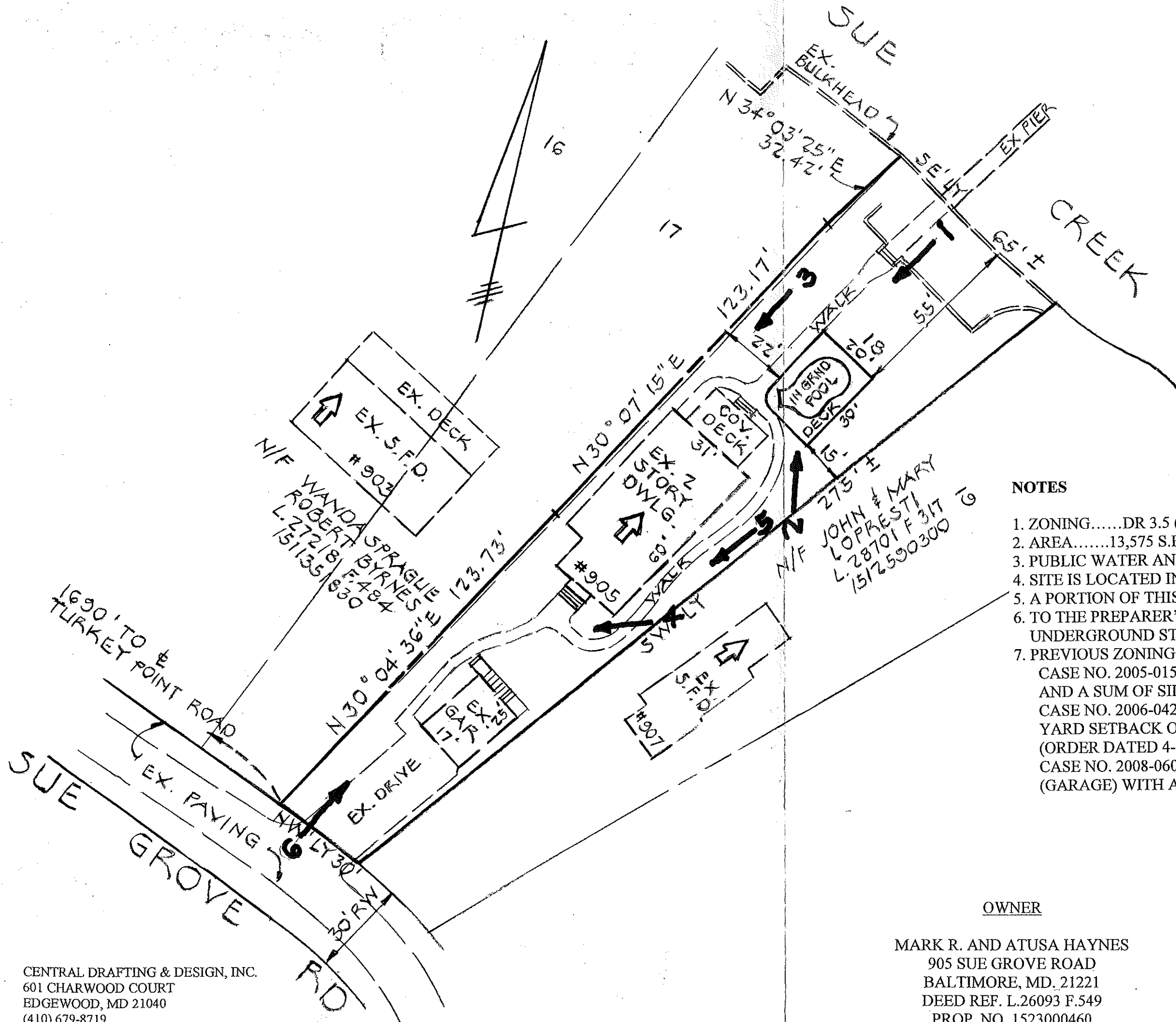
PRIOR ZONING (Case No. 05-0157-A, 06-0427-A
08-0607-A)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: 8-14-10 OglePEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☒PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☒Comments, if any: water front



VICINITY MAP
SCALE: 1"=1000'



NOTES

1. ZONING.....DR 3.5 (MAP NO. 098B3)
2. AREA.....13,575 S.F. = 0.312 ACRE +/-
3. PUBLIC WATER AND SEWER
4. SITE IS LOCATED IN THE CBCA
5. A PORTION OF THIS SITE IS LOCATED IN THE 100 YEAR FLOOD ZONE
6. TO THE PREPARER'S KNOWLEDGE, NO HISTORIC STRUCTURES OR UNDERGROUND STORAGE TANKS EXIST
7. PREVIOUS ZONING HISTORY
CASE NO. 2005-0157-A PERMITTING A SIDE YARD SETBACK OF 4.5 FEET AND A SUM OF SIDE YARDS OF 14.5 FEET (ORDER DATED 12-14-04)
CASE NO. 2006-0427-A AMENDING VARIANCE RELIEF TO PERMIT A SIDE YARD SETBACK OF 1.6 FEET AND A SUM OF DIDE YARDS OF 10.6 FEET (ORDER DATED 4-24-06)
CASE NO. 2008-0607-A PERMITTING AN ACCESSORY STRUCTURE (GARAGE) WITH A HEIGHT OF 23 FEET (ORDER DATED 8-11-08)

PHOTOS

PLAT TO ACCOMPANY PETITION
FOR ADMINISTRATIVE VARIANCE

905 SUE GROVE ROAD

PART OF LOT 17 AND ALL OF LOT 18

SUEGROVE P.B. 7 F. 11

ELECTION DISTRICT 15C6

BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 30 FEET JULY 12, 2010

OWNER

MARK R. AND ATUSA HAYNES
905 SUE GROVE ROAD
BALTIMORE, MD. 21221
DEED REF. L.26093 F.549
PROP. NO. 1523000460

2011-0055-A



1



2



3

2011-0055-A



④



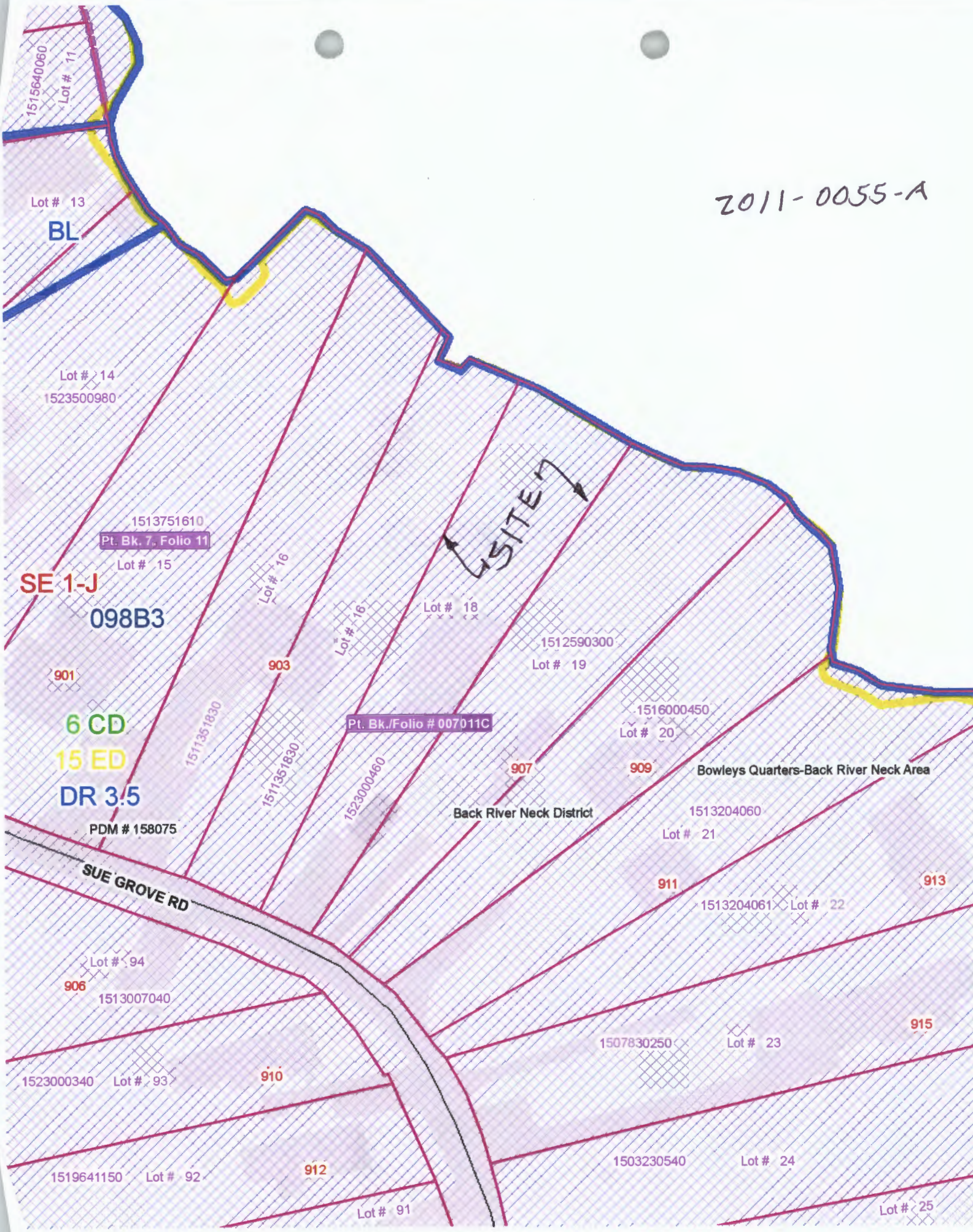
⑤



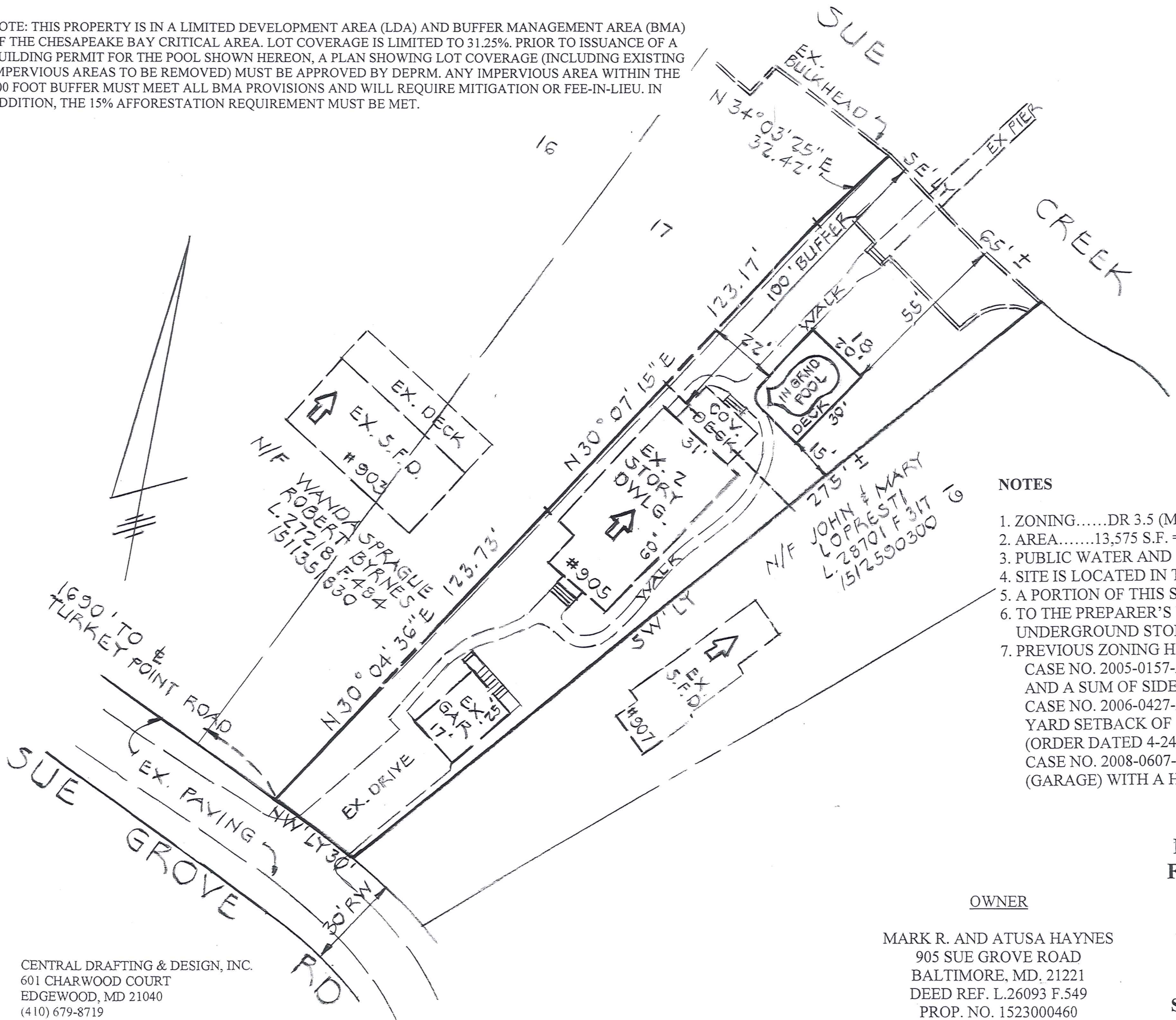
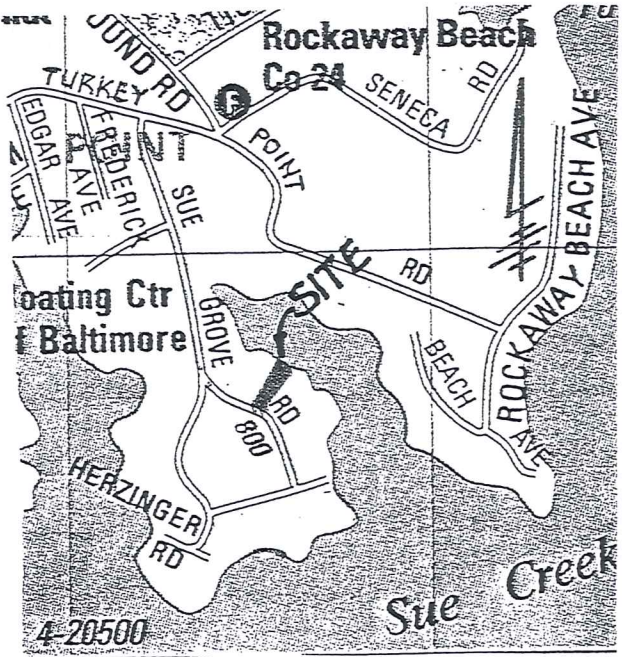
⑥

2011-0055-A

2011-0055-A



NOTE: THIS PROPERTY IS IN A LIMITED DEVELOPMENT AREA (LDA) AND BUFFER MANAGEMENT AREA (BMA) OF THE CHESAPEAKE BAY CRITICAL AREA. LOT COVERAGE IS LIMITED TO 31.25%. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE POOL SHOWN HEREON, A PLAN SHOWING LOT COVERAGE (INCLUDING EXISTING IMPERVIOUS AREAS TO BE REMOVED) MUST BE APPROVED BY DEPRM. ANY IMPERVIOUS AREA WITHIN THE 100 FOOT BUFFER MUST MEET ALL BMA PROVISIONS AND WILL REQUIRE MITIGATION OR FEE-IN-LIEU. IN ADDITION, THE 15% AFFORESTATION REQUIREMENT MUST BE MET.



- NOTES
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BALTIMORE, MD. 21221
DEED REF. L.26093 F.549
PROP. NO. 1523000460

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719