

MEMORANDUM

DATE: August 23, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0338-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on August 22, 2018. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: **PETITIONS FOR SPECIAL HEARING** * BEFORE THE
AND VARIANCE * OFFICE OF
(958 Seneca Park Road) *
15th Election District *
6th Council District * ADMINISTRATIVE HEARINGS

Perry & Jill Sparr, *Legal Owners* * FOR BALTIMORE COUNTY

Petitioners * **Case No. 2018-0338-SPHA**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Perry and Jill Sparr, legal owners ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a lot area of 9,675 sq. ft. for a single lot of record not in a subdivision and in existence prior to September 2, 2003. A Petition for Variance seeks to permit a building height of 45 ft., side yard setbacks of 10 ft. and 12 ft., a front yard setback of 40 ft. from the centerline of any other road or street and a lot coverage of 22.4% in lieu of the maximum permitted 35 ft., 50 ft., 75 ft. and 15% respectively for a new dwelling. A site plan was marked and accepted in to evidence as Petitioner's Exhibit 1.

The owners and Dave Billingsley appeared in support of the requests. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Environmental Protection and Sustainability ("DEPS"), the Bureau of Development Plans review ("DPR"), and the Department of Planning ("DOP"). None of the reviewing agencies opposed the requests.

ORDER RECEIVED FOR FILING

Date 7/23/18
By Sen

SPECIAL HEARING

The lot in question was created by deed prior to the adoption of the BCZR. The lot is 9,675 sq. ft., which would satisfy the minimum lot size in the DR 5.5 zone (and would nearly satisfy the 10,000 sq. ft. lot size requirement in the DR 3.5 zone). This is an important fact because although the property is zoned RC-5 the density in the community equates to a DR 5.5 zone. Many homes in the community are situated on similar size lots, and granting the request will therefore have no discernable impact upon the neighborhood.

VARIANCES

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The waterfront lot is long and narrow, and is therefore unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to construct the proposed dwelling. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of community and/or Baltimore County opposition.

THEREFORE, IT IS ORDERED this **23rd** day of **July, 2018**, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit a lot area of 9,675 sq. ft. for a single lot of record not in a subdivision and in existence prior to September 2, 2003, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 7/23/18

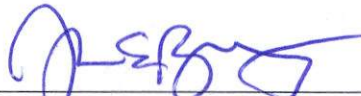
By Sen

IT IS FURTHER ORDERED that the Petition for Variance seeking to permit a building height of 45 ft., side yard setbacks of 10 ft. and 12 ft., a front yard setback of 40 ft. from the centerline of any other road or street and a lot coverage of 22.4% in lieu of the maximum permitted 35 ft., 50 ft., 75 ft. and 15% respectively for a new dwelling, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners must comply with Critical Area and flood protection regulations.
3. Prior to issuance of permits Petitioners must obtain from the DOP a positive finding the RC-5 performance standards have been satisfied.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh

ORDER RECEIVED FOR FILING

Date 7/23/18

By slh



CBCA

PETITION FOR ZONING HEARING(S)

Flood

To be filed with the Department of Permits, Approvals and Inspections
 To the Office of Administrative Law of Baltimore County for the property located at:
 Address 958 SENECA PARK ROAD which is presently zoned RC5
 Deed References: 9038 / 639 10 Digit Tax Account # 1510000273
 Property Owner(s) Printed Name(s) GERALD GILBERT JASINSKI

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED

2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ 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 below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

PERRY SPARR

Name - Type or Print

Signature

2217 CALVARY RD BEL AIR, MD.

Mailing Address City State

21015 (443) 506-1018, Sparr, Joe Comcast

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

GERALD GILBERT JASINSKI

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

4029 BAY DRIVE BALTO MD.

Mailing Address City State

21220

Zip Code Telephone # Email Address

Representative to be contacted:

DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD, MD.

Mailing Address City State

21049 (410) 679-8719 dwb0209@yahoo.com

Zip Code Telephone # Email Address

CASE NUMBER 2018-0338-SPHA Filing Date 6/7/2018

Do Not Schedule Dates:

Reviewer

SPECIAL HEARING (SECTION 1A04.3.B.1.b(1) BCZR) TO PERMIT A LOT AREA OF 9675 SQUARE FEET FOR A SINGLE LOT OF RECORD NOT IN A SUBDIVISION AND IN EXISTENCE PRIOR TO SEPT. 2, 2003.

VARIANCE FROM SECTIONS 1A04.3.A, 1A04.3.B.2.b & 1A04.3.B.3 (BCZR) TO PERMIT A BUILDING HEIGHT OF 45 FEET, SIDE YARD SETBACKS OF 10 FEET AND 12 FEET, A FRONT YARD SETBACK OF 45 FEET FROM THE CENTERLINE OF ANY OTHER ROAD OR STREET AND A LOT COVERAGE OF 22.4 % IN LIEU OF THE MAXIMUM PERMITTED 35 FEET, 50 FEET, 50 FEET, 75 FEET AND 15 % RESPECTIVELY FOR A NEW DWELLING

2018-0338-SP4A

ZONING DESCRIPTION

958 SENECA PARK ROAD

Beginning for the same at a point on the north side of Seneca Park Road (30 feet wide) distant 230 feet easterly from its intersection with the center of Nannette Lane (30 feet wide), thence:

1. N 66° 45' E 185 feet, more or less, thence
2. Easterly 53 feet, more or less, thence
3. S 59° 29' W 168 feet, more or less, thence
4. N 60° 42' W 75 feet to the place of beginning.

Containing 9675 square feet or 0.222 acre of land, more or less.

Being known as 958 Seneca Park Road. Located in the 15TH Election District, 6TH Councilmanic District of Baltimore County, Md.

2018-0338-SPHA



DONALD I. MOHLER III
County Executive

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

July 12, 2018

Gerald Gilbert Jasinski
4029 Bay Drive
Baltimore MD 21220

RE: Case Number: 2018-0338 SPHA, Address: 958 Seneca Park Road

Dear Mr. Jasinski:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 7, 2018. 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Perry Sparr, 2217 Calvary Road, Bel Air MD 21015
David Billingsley, 601 Charwood Court, Edgewood MD 21040

Date: 6/11/18

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2018-0338-SPHA

*Special Hearing Variance,
Gerald Gilbert Jasinski,
958 Seneca Park Road.*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

JB 7-20-18 11Am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: July 5, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0338-SPHA
Address 958 Seneca Park Road
(Jasinski Property)

Zoning Advisory Committee Meeting of June 18, 2018.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The applicant is proposing to permit a lot with less lot area and a dwelling with less setbacks and greater height than permitted. The site plan shows a proposed dwelling and driveway. The lot is waterfront, and any proposed development must meet all LDA and MBA requirements, including lot coverage limits, MBA setbacks and afforestation requirements. The plan states the property is 9,675 square feet; therefore, lot coverage is limited to a maximum of 31.25% (3,023 square feet), with mitigation required for any lot coverage between 25% (2,418 square feet) and 31.25%. No lot coverage information or complete MBA information was provided. 15% afforestation (3 trees) is required. If the lot coverage, afforestation, and MBA requirements can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront and must meet all lot coverage, MBA, and afforestation requirements. At this time this office cannot determine these requirements can be met. If these requirements are met this request will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

This is a grandfathered lot. There was not enough information provided to determine if all Critical Area requirements can be met. Provided that the applicants can meet their lot coverage, MBA, and afforestation requirements, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

7-20

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-338



INFORMATION:

Property Address: 958 Seneca Park Road
Petitioner: Gerald Gilbert Jasinski
Zoning: RC 5
Requested Action: Special Hearing Variance

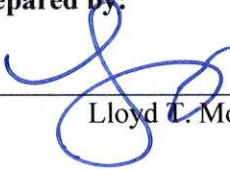
The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve a lot area of 9675 square feet for a single lot of record not in a subdivision and in existence prior to September 2, 2003 and also the petition for variance to permit a proposed dwelling with a building height of 45 feet, side yard setbacks of 10 feet and 12 feet, a front yard setback of 45 feet from the centerline of any other road or street and a lot coverage of 22.4% in lieu of the maximum permitted 35 feet, 50 feet, 50 feet, 75 feet, and 15% respectively.

A site visit was conducted on June 20, 2018. The lot is currently unimproved.

The Department has no objections to granting the petitioned zoning relief. Please be advised that the requirements of BCZR§ 1A04.4 apply. Architectural elevations must be submitted to the Department of Planning for review at time of building permit application.

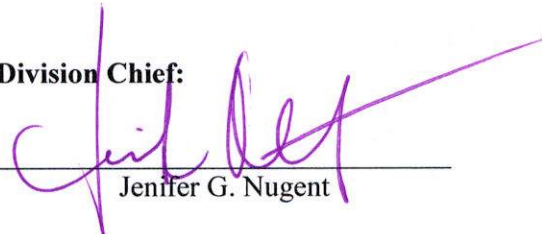
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

AVA/JGN/LTM/lsm

c: Krystle Patchak
David Billingsley
Office of the Administrative Hearings
People's Counsel for Baltimore County

RECEIVED
OFFICE OF
THE ATTORNEY GENERAL
JAN 10 1964

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

FROM: 
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 18, 2018
Item No. 2018-0338-SPHA

DATE: July 5, 2018

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

Prior to building permit applications the petitioner must contact the Office of the Director of Public Works to determine the Flood Protection Elevation, so that the first floor elevation can be established.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
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TO wck

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TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 6/22/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

JUL 03 2018

RECEIVED

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-338

INFORMATION:

Property Address: 958 Seneca Park Road
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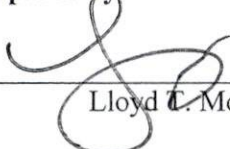
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A site visit was conducted on June 20, 2018. The lot is currently unimproved.

The Department has no objections to granting the petitioned zoning relief. Please be advised that the requirements of BCZR§ 1A04.4 apply. Architectural elevations must be submitted to the Department of Planning for review at time of building permit application.

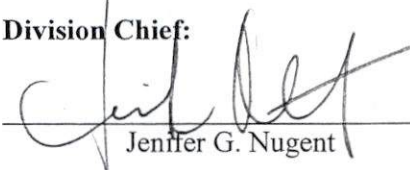
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

AVA/JGN/LTM/lsm

c: Krystle Patchak
David Billingsley
Office of the Administrative Hearings
People's Counsel for Baltimore County

The Daily Record

1 of 1

200 St. Paul Place Suite 2480
Baltimore, Maryland 21202
1 (443) 524-8100
www.thedailyrecord.com

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Perry Sparr
2217 Calvary Rd
Bel Air, MD 21015-6402

Please Read Carefully

The Daily Record is not responsible for errors or omissions after the First Run Date. If any errors, contact 1 (443) 524-8100. Attorneys placing legal advertisements are responsible for payment of same.

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2018-0338-SPHA

958 Seneca Park Road

Northeast side of Seneca Park Road, east of Nanette Lane

15th Election District - 8th Councilmanic District

Legal Owners: Gerald Gilbert Jasinski

Contract Purchaser/Lessee: Perry Sparr

Special Hearing to permit a lot area 9675 sq. ft. for a single lot of record not in a subdivision and in existence prior to September 2, 2003. Variance to permit a building height of 45 ft., side yard setbacks of 10 ft. and 12 feet, a front yard setback of 45 ft. from the centerline of any other road or street and a lot coverage of 22.4% in lieu of the maximum permitted 35 ft., 50 ft., 50 ft., 75 ft., and 15% respectively for a new dwelling.

Hearing: Friday, July 20, 2018 at 11:00 a.m. In Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.
Jyl0

**Changes to this order may result in pricing changes.*

Sherry Nuffer

From: David Billingsley <dwb0209@yahoo.com>
Sent: Monday, July 16, 2018 4:51 PM
To: Administrative Hearings
Subject: 958 SENECA PARK ROAD CASE NO. 2018-0338-A
Attachments: Scan1139.pdf

RECERTIFICATION ATTACHED
THANKS

Dave Billingsley
Central Drafting and Design
410-679-8719 OFFICE
410-458-1401 CELL



RECEIVED
JAN 10 1964
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

RECEIVED
JAN 10 1964
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

CERTIFICATE OF POSTING

RECERTIFIED 7/16/18

Date: JUNE 28, 2018

RE: Project Name: 958 SENECA PARK ROAD #1
Case Number /PAI Number: 2018-0338-A
Petitioner/Developer: SPARR
Date of Hearing/Closing: JULY 20, 2018

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 958 SENECA PARK ROAD

The sign(s) were posted on

RECERTIFIED 7/16/18
JUNE 28, 2018

(Month, Day, Year)

David Billingsley
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

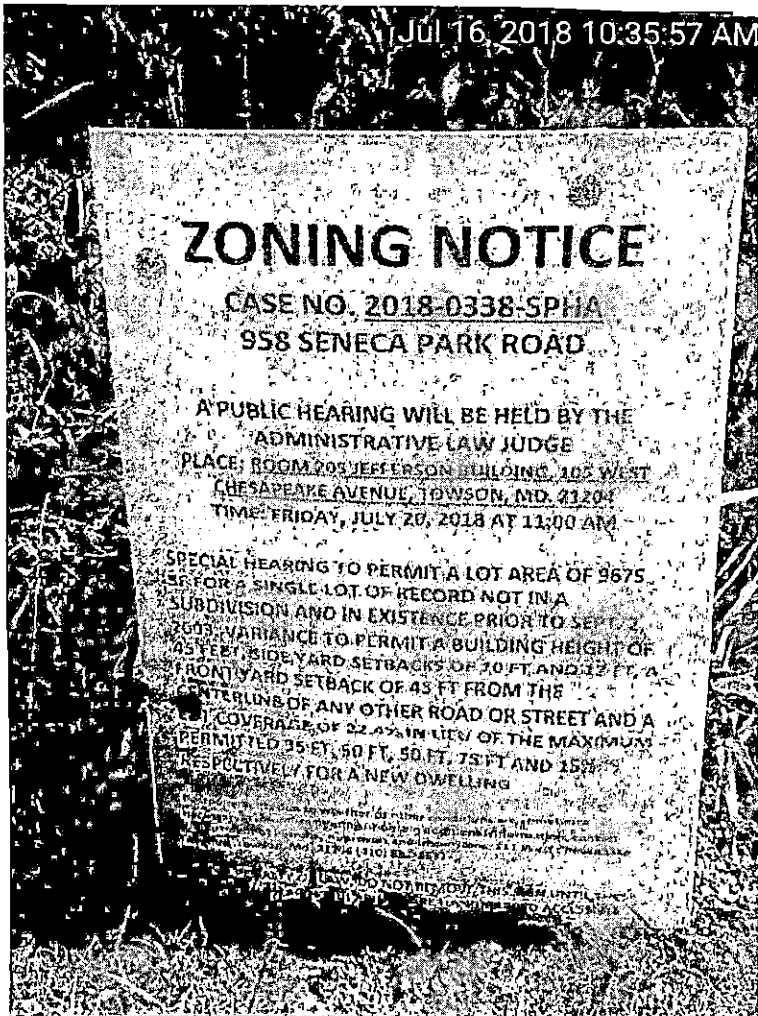
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)



CERTIFICATE OF POSTING

RECERTIFIED 7/16/18

Date: JUNE 28, 2018

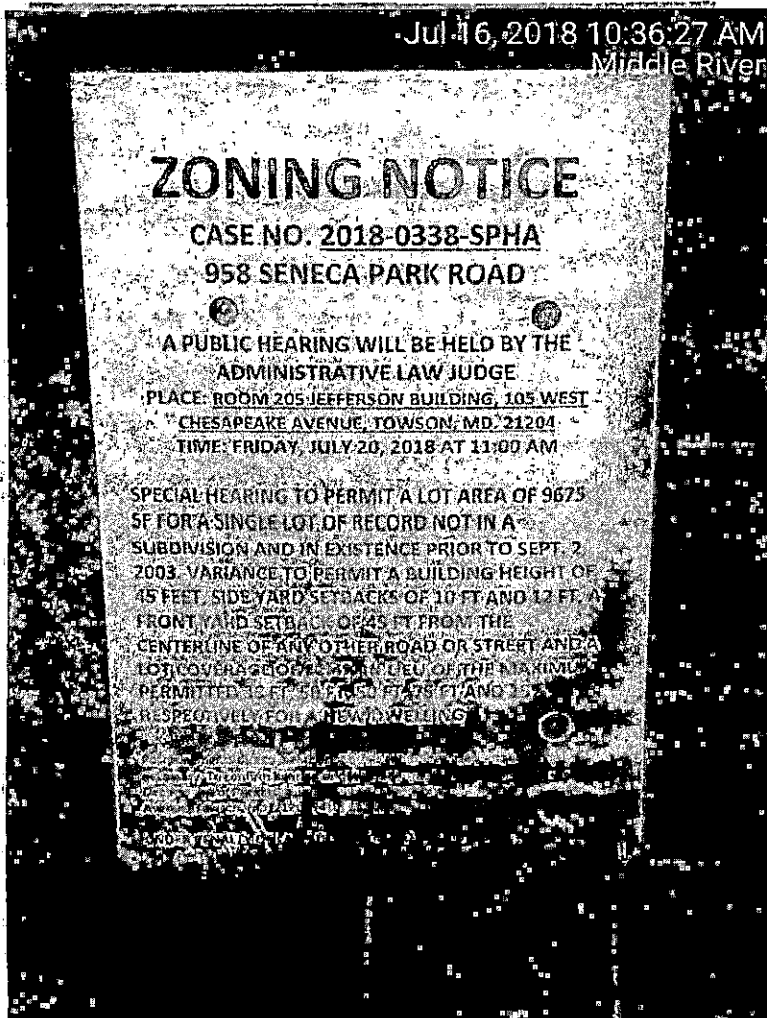
RE: Project Name: 958 SENECA PARK ROAD #2
Case Number /PAI Number: 2018-0338-A
Petitioner/Developer: SPARR
Date of Hearing/Closing: JULY 20, 2018

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 958 SENECA PARK ROAD

The sign(s) were posted on

RECERTIFIED 7/16/18
JUNE 28, 2018

(Month, Day, Year)



David Billingsley

David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

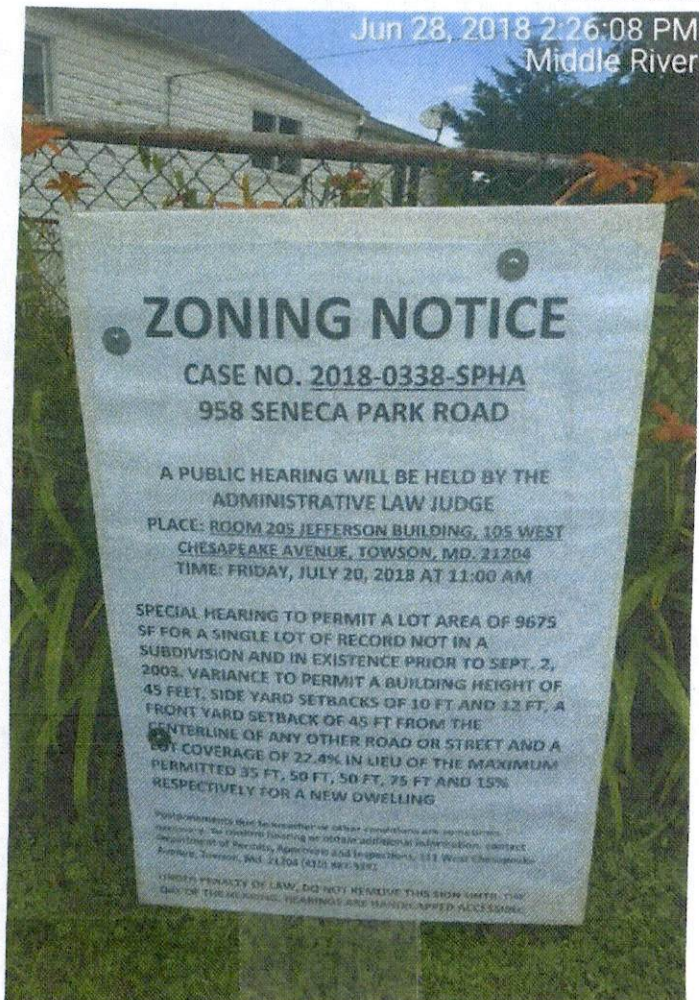
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Petitioner/Developer: SPARR
Date of Hearing/Closing: JULY 20, 2018

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The sign(s) were posted on JUNE 28, 2018

(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

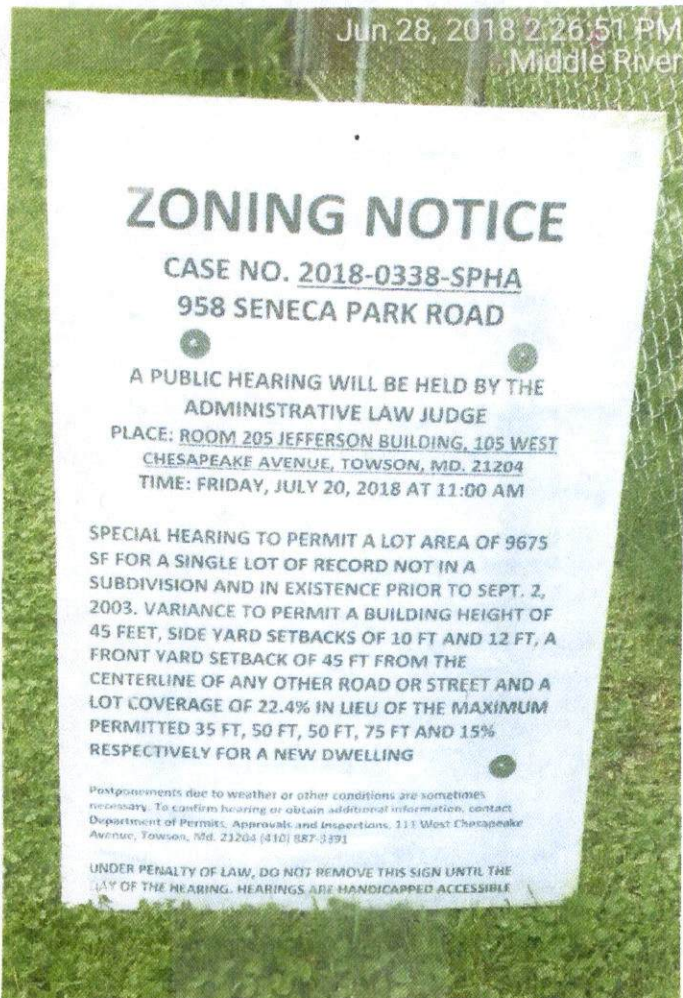
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Petitioner/Developer: SPARR
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The sign(s) were posted on JUNE 28, 2018

(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)



KEVIN KAMENETZ
County Executive

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

June 27, 2018

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2018-0338-SPHA

958 Seneca Park Road

Northeast side of Seneca Park Road, east of Nanette Lane

15th Election District – 6th Councilmanic District

Legal Owners: Gerald Gilbert Jasinski

Contract Purchaser/Lessee: Perry Sparr

Special Hearing to permit a lot area 9675 sq. ft. for a single lot of record not in a subdivision and in existence prior to September 2, 2003. Variance to permit a building height of 45 ft., side yard setbacks of 10 ft. and 12 feet, a front yard setback of 45 ft. from the centerline of any other road or street and a lot coverage of 22.4% in lieu of the maximum permitted 35 ft., 50 ft., 50 ft., 75 ft., and 15% respectively for a new dwelling.

Hearing: Friday, July 20, 2018 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Perry Sparr, 2217 Calvary Road, Bel Air 21015
Gerald Jasinski, 4029 Bay Drive, Baltimore 21220
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 30, 2018.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: Daily Record
Friday, June 29, 2018 - Issue

Please forward billing to:
Perry Sparr
2217 Calvary Road
Belair, MD 21015

443-506-1018

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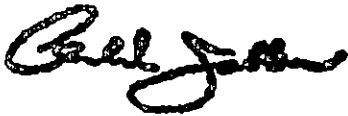
15th Election District – 6th Councilmanic District

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105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
958 Seneca Park Road; NE/S Seneca Park Road,* OF ADMINISTRATIVE
230' E from Nanette Lane
15th Election & 6th Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Gerald Gilbert Jasinski *
Contract Purchaser(s): Perry Sparr * BALTIMORE COUNTY
Petitioner(s) *
2018-338-SPHA

* * * * *

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

JUN 15 2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of June, 2018, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, Maryland 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2018-0338-SPH
Property Address: 958 SENECA PARK RD
Property Description: _____
Legal Owners (Petitioners): GERALD GILBERT JASINSKI
Contract Purchaser/Lessee: PERRY SPARR

PLEASE FORWARD ADVERTISING BILL TO:

Name: PERRY SPARR
Company/Firm (if applicable): _____
Address: 2217 CALVARY RD
BELAIR MD. 21015
Telephone Number: (443) 506-1018

Revised 7/9/2015

No. 168897

Date: 6/7/18

2015

BUSINESS ACTUAL TIME IN
6/07/2018 6/07/2018 09:23:04

RECEIPT # 774262 6/07/2013

NO. 14007

Rec'd Tot 1152.10

154-007-07

Baltimore County, Maryland

Total	150.00
-------	--------

Rec From CENTRAL DRAFTING & DESIGN

For 958 SENECA PARK RD

2018-0338-SPH4

DISTRIBUTION

WHITE-CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

CASE NAME 958 SENECA PARK ROAD
CASE NUMBER 2018-0338-JPHA
DATE 7/20/18

NAME _____

CITY, STATE, ZIP

[illegible]

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>7/5</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>Comment</u>
<u>7/5</u>	DEPS (if not received, date e-mail sent _____)	<u>Comment</u>
_____	FIRE DEPARTMENT	_____
<u>6/28</u>	PLANNING (if not received, date e-mail sent _____)	<u>NO Obj</u>
<u>6/11</u>	STATE HIGHWAY ADMINISTRATION	<u>NO Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>PROOF Printed 7/6/18</u>	
SIGN POSTING (1 st)	Date: <u>6/28/18</u> by <u>Billingsley</u>	
SIGN POSTING (2 nd)	Date: <u>7/16/18</u> by <u>Billingsley</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration			
Tax Exempt:			Special Tax Recapture:						
Exempt Class:			NONE						
Account Identifier:			District - 15 Account Number - 1510000273						
Owner Information									
Owner Name:		JASINSKI GERARD GILBERT				Use:		RESIDENTIAL	
Mailing Address:		4029 BAY DR BALTIMORE MD 21220-4036				Principal Residence:		NO	
						Deed Reference:		/09038/ 00639	
Location & Structure Information									
Premises Address:		956 SENECA PARK RD BALTIMORE 21220-2314 Waterfront				Legal Description:		115 E NANNETTE LA SENECA PARK BEACH	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0091	0017	0459		0000			6	2018	Plat Ref:
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
						9,616 SF		34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
Value Information									
			Base Value		Value		Phase-in Assessments		
					As of		As of		As of
					01/01/2018		07/01/2017		07/01/2018
Land:		9,600		9,600					
Improvements		0		0					
Total:		9,600		9,600		9,600		9,600	
Preferential Land:		0						0	
Transfer Information									
Seller: JASINSKI EDWARD				Date: 01/27/1992			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /09038/ 00639			Deed2:		
Seller:				Date:			Price:		
Type:				Deed1:			Deed2:		
Seller:				Date:			Price:		
Type:				Deed1:			Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2017		07/01/2018			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Tax Exempt:			Special Tax Recapture:						
Exempt Class:			NONE						

15-23-18

**PETITIONERS EXHIBITS
958 SENECA PARK ROAD
CASE NO. 2018-0338-SPHA**

*Sen
4-23-18*

1. PLAT TO ACCOMPANY PETITION DATED APRIL 27, 2018 (NO CHANGES)
 2. SDAT REAL PROPERTY SEARCH
 3. DEED OF RECORD L.9038 F.638 RECORDED DECEMBER 16, 1991
 4. COPY OF PLAT OF SENECA PARK BEACH PB 8 F 45 RECORDED MAY 28, 1926
 5. AERIAL PHOTO (BALTO. CO. MY NEIGHBORHOOD)
 6. AERIAL PHOTO (GOOGLE)
- 7a – e. PHOTOS

Search Result for BALTIMORE COUNTY

PETITIONER'S
EXHIBIT NO. **2**

FEE SIMPLE DEED

ION - NO TRANSFER TAX - NO TITLE SEARCH - NO STAMPS

DEED, made this 16 day of DEC., 1991, by

Edward Jasinski, of Baltimore County, State of
 Grantor of the first part, and Edward Jasinski and
 Edward Jasinski, Grantees, of the second part.

That in consideration of the sum of Zero
 good and valuable considerations, the receipt
 acknowledged, the said party of the first
 convey unto the said parties of the second
 with right of survivorship and not as
 their assigns, the survivor of them, his or

representative and assigns, in fee simple, all

ground, situate, lying and being in the County of

, State of Maryland, aforesaid, and described as

ws, that is to say:

BEGINNING for the same on the northern most side of Hughes
 Boulevard 30.0 feet wide, and at the end of the first line of
 the land which by a deed dated Februray 23, 1951 and recorded
 among the land records of Baltimore County in Liber G.L.B. No.
 1934, folio 268 etc. was conveyed by Alma Frayser, et al. to
 Edward Jasinski and wife and running thence from the aforesaid
 place of beginning and bounding on the northern most side of
 Hughes Boulevard North 60 degrees 42 minutes West 75.0 feet;
 thence running for a line of division as now made North 66
 degrees 45 minutes East 149.0 feet to the waters of Seneca
 Creek; thence bounding on the waters of said Creek Easterly 60.0
 feet to the end of the third line of the land conveyed as
 aforesaid by Alma Frayser, et al, to Edward Jasinski and wife
 and thence bounding reversely on the last mentioned line South
 59 degrees 29 minutes West 147.0 feet to the place of beginning.

RECEIVED FOR TRANSFER
 State Department of
 Assessments & Taxation
 for Baltimore County

IR-7-92

AGRICULTURAL TRANSFER TAX
 NOT APPLICABLE

SIGNATURE IR-7-92

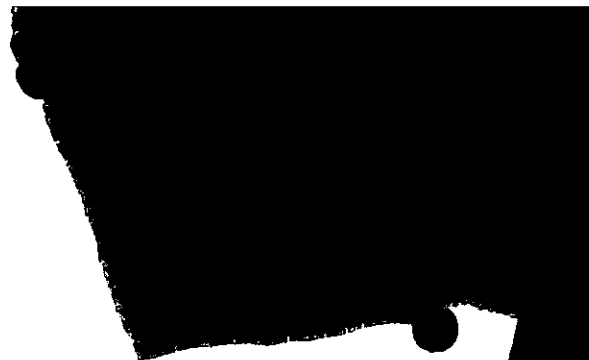
THIRD

Bonus 20

1/6/92

C

PETITIONER'S
 EXHIBIT NO. 3



62

BEING known and designated as Lot No. 6, as shown on an unrecorded plat dated October 1951, by J. Milton Green, Registered Engineer and Surveyor.

BEING the same lot of ground which by Deed dated September 4, 1957 and recorded among the Land Records of Baltimore County in liber 3230, folio 494, which was granted and conveyed by Rena P. Wilkinson and Thomas A. Frayzer and Edna May Frayzer to Edward Jasinski and Ida Jasinski, his wife (the said Ida Jasinski departed this life on August 18, 1989, thereby vesting the absolute fee simple title in and to the hereinabove described property unto Edward Jasinski, the herein Grantor and father of said Gerard Gilbert Jasinski), the within Grantor.

UNDER THE PENALTIES of fine and imprisonment as provided by law, the undersigned Grantor hereby declares that the total consideration of the property transferred by the document to which this Declaration is appended is Zero Dollars.

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

TO HAVE AND TO HOLD the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said parties of the second part, as joint tenants with right of survivorship, and not as tenants in common, their heirs, personal representatives and assigns, in fee simple.



SENECA PARK BEACH

EDGAR E. KENLY
SALES AGENT
HOMWOOD 2675-

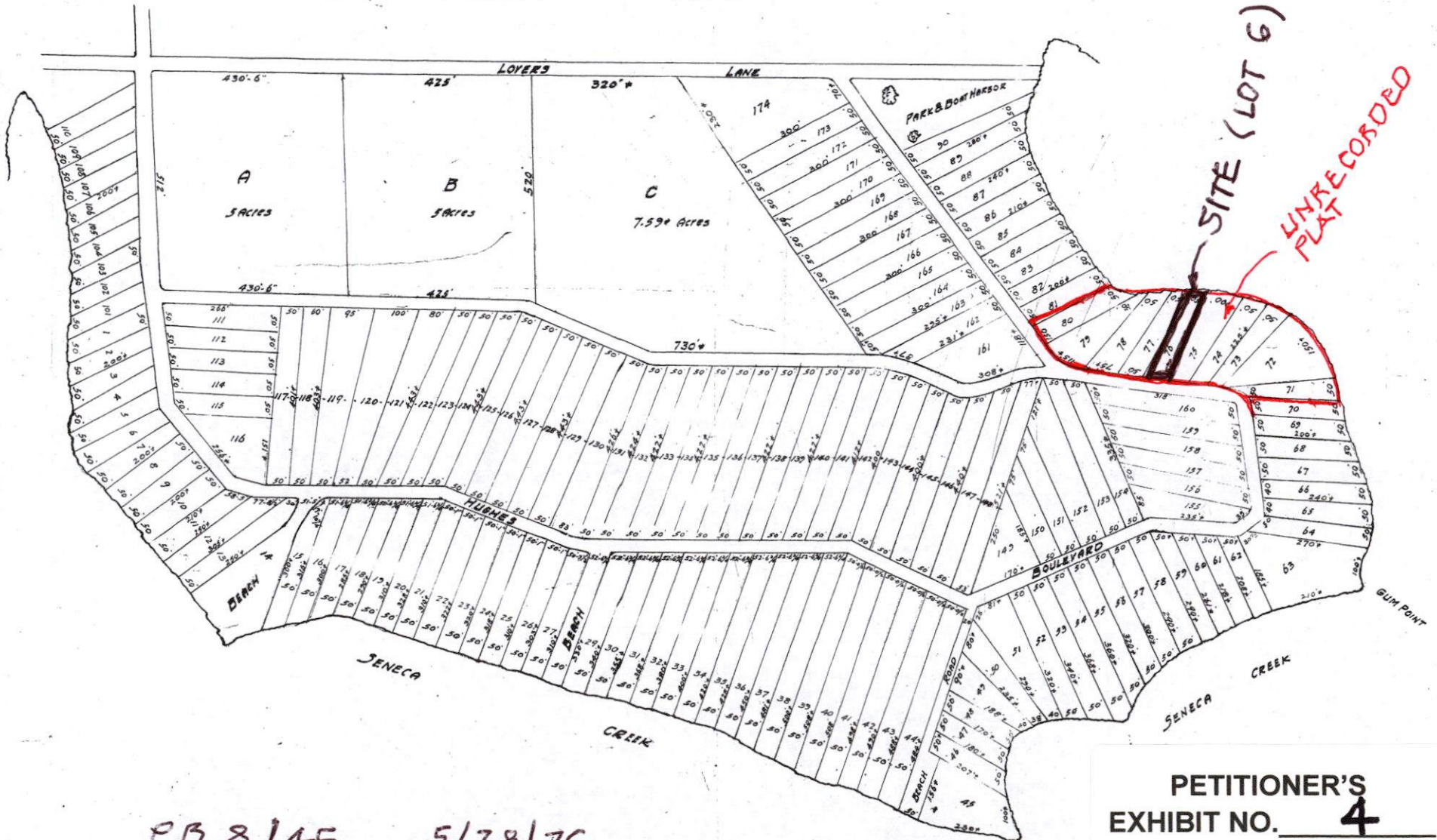
SCALE 1"=100'
TOLLEY & BRYAN CO.
CIVIL ENGINEERS
BALTO. MD.

REVISED PLAN
APRIL 1926.

CARROLL'S

ISLAND

ROAD



SITE (LOT 6)
UNRECORDED
PLAT

PB 8/45

5/28/26

PETITIONER'S
EXHIBIT NO. 4

Baltimore County - My Neighborhood



Legend

- House Numbers
- Zoning
- Property
- County Boundary

PETITIONER'S
EXHIBIT NO. 5

Untitled Map

Write a description for your map.

Legend

SITE

PETITIONER'S
EXHIBIT NO. 6



200 ft

a



9



U



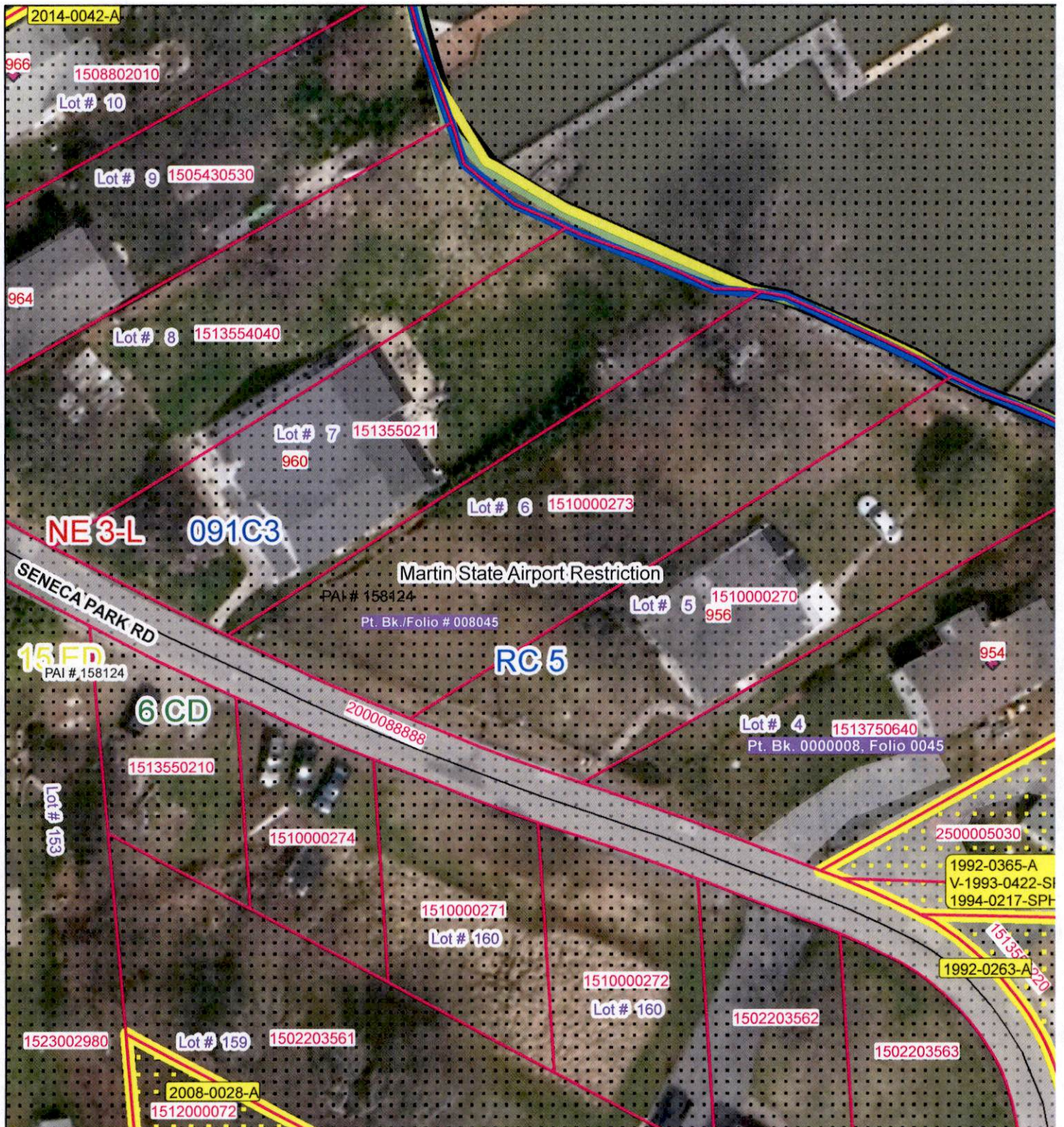
p



2



958 Seneca Park Road 2010-0338-SPHA



Publication Date: 6/7/2018



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 10 20 40 60 80 Feet

1 inch = 40 feet

2018-0338
SP1A

1508802010

Lot # 9 1505430530

Lot # 8 1513554040

Lot # 7 1513550211

960

NE 3-L 091C3

1510000273 Martin State Airport Restriction

Lot # 6

PAI # 158124

6 CD

PAI # 158124

15 ED

Pt. Bk./Folio # 008045

RC 5

Lot # 5 9561510000270

Pt. Bk. 0000008, Folio 0045 Lot # 4 1513750640

1513550210

200008888

1510000274

Lot # 160 1510000271

Lot # 160 1510000272

1502203561

Lot # 159

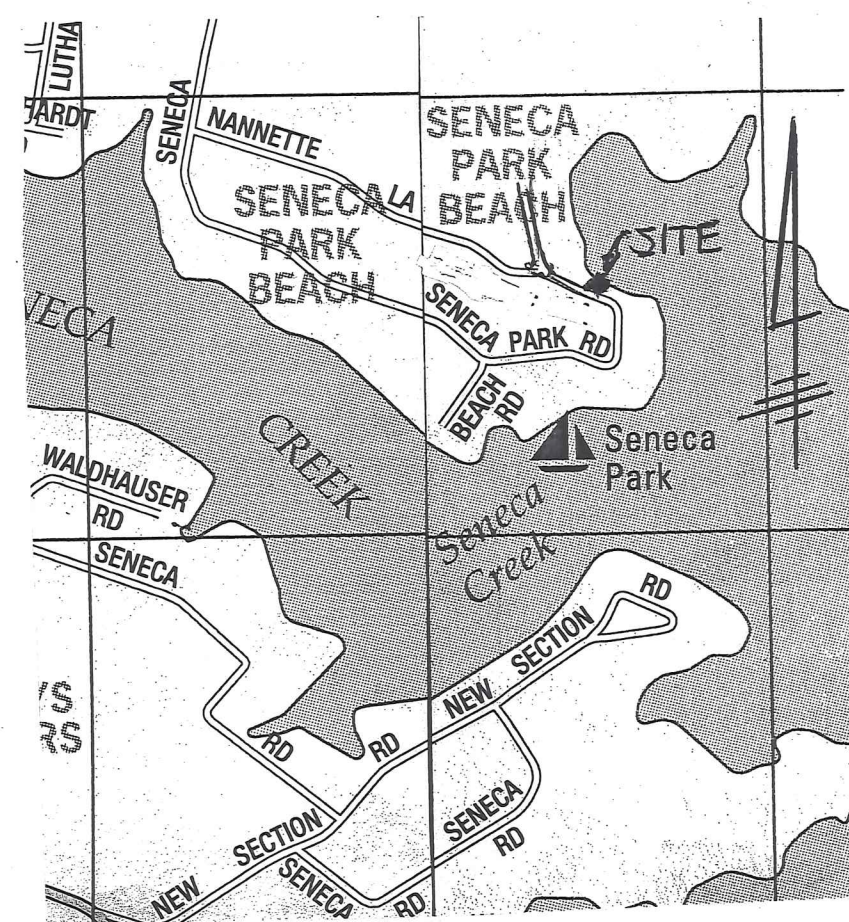
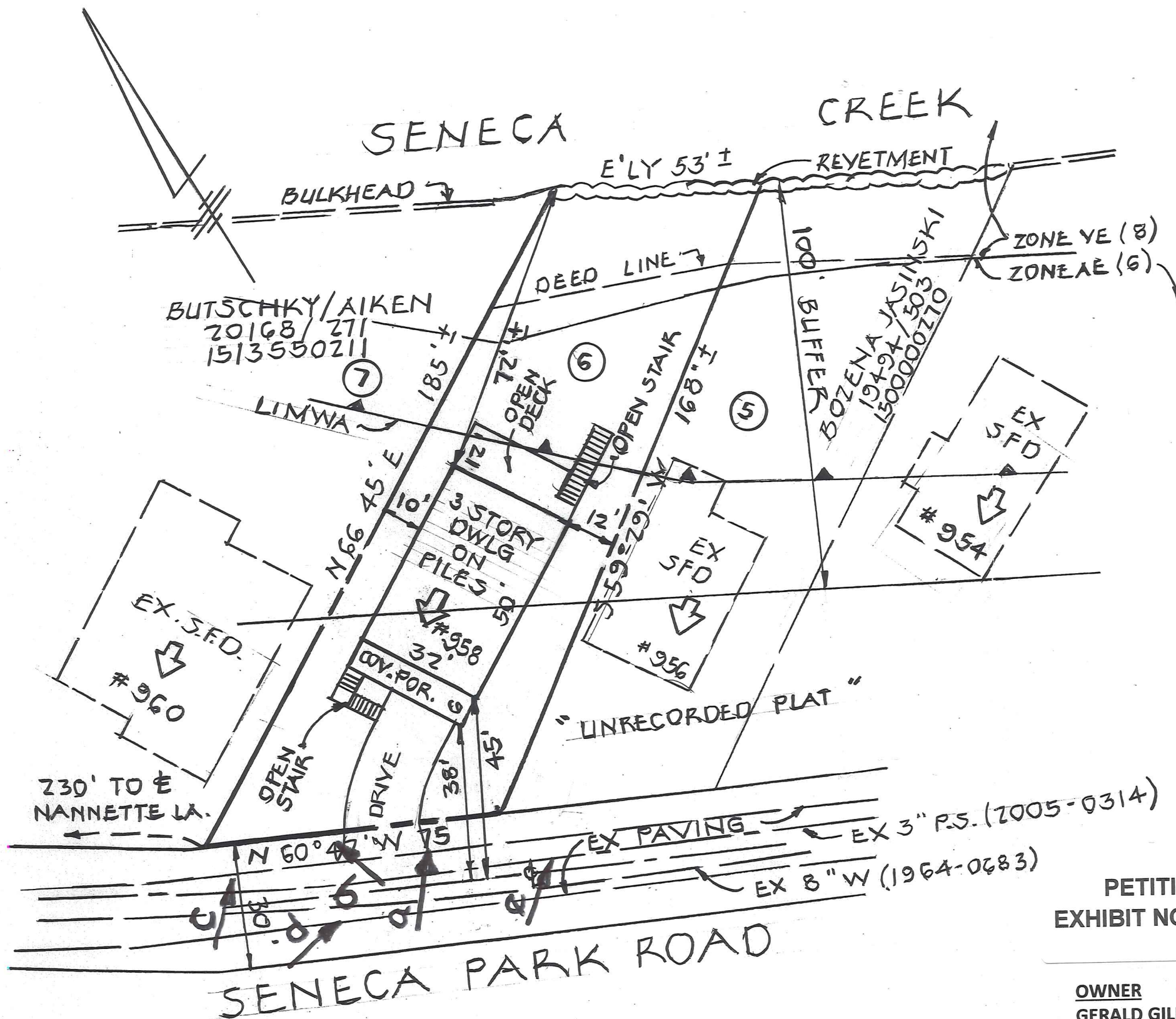
1502203562

1502203563

SENECA PARK RD

2500005030
1992-0365-A
V-1993-0422-SI
1994-0217-SPT

1992-026



VICINITY MAP
SCALE: 1 INCH = 1000 FEET

NOTES

1. ZONING.....RC5 (MAP NO. 091C3)
2. LOT AREA.....9675 SF = 0.222 ACRE
3. BUILDING COVERAGE...2176 SF = 22.4%
4. PUBLIC WATER AND SEWER
5. SITE IS LOCATED IN THE CBCA AND 100 YEAR FLOOD ZONE
6. NO PREVIOUS ZONING HISTORY OR VIOLATIONS ARE KNOWN TO EXIST
7. NO HISTORIC STRUCTURES OR SITES, ARCHEOLOGIC SITES OR UNDERGROUND STORAGE TANKS ARE KNOWN TO EXIST

PHOTOS

**PLAT TO ACCOMPANY SPECIAL HEARING
AND VARIANCE**

958 SENECA PARK ROAD

ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD

SCALE: 1 INCH = 30 FEET APRIL 27, 2018

**PETITIONER'S
EXHIBIT NO. 7a-e**

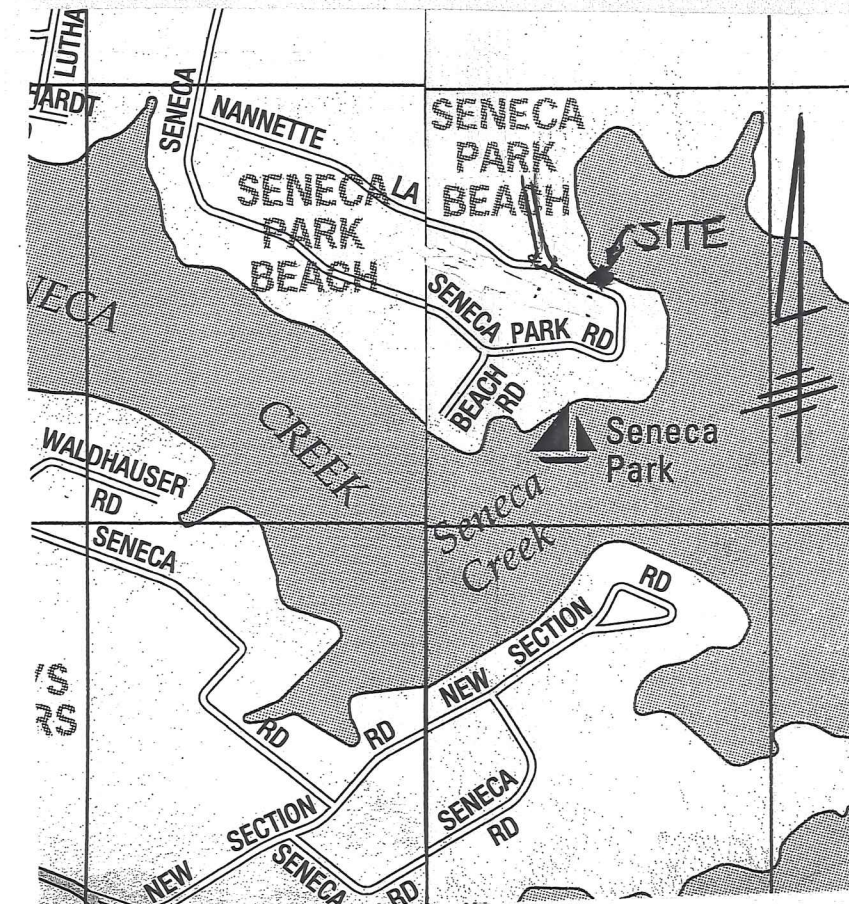
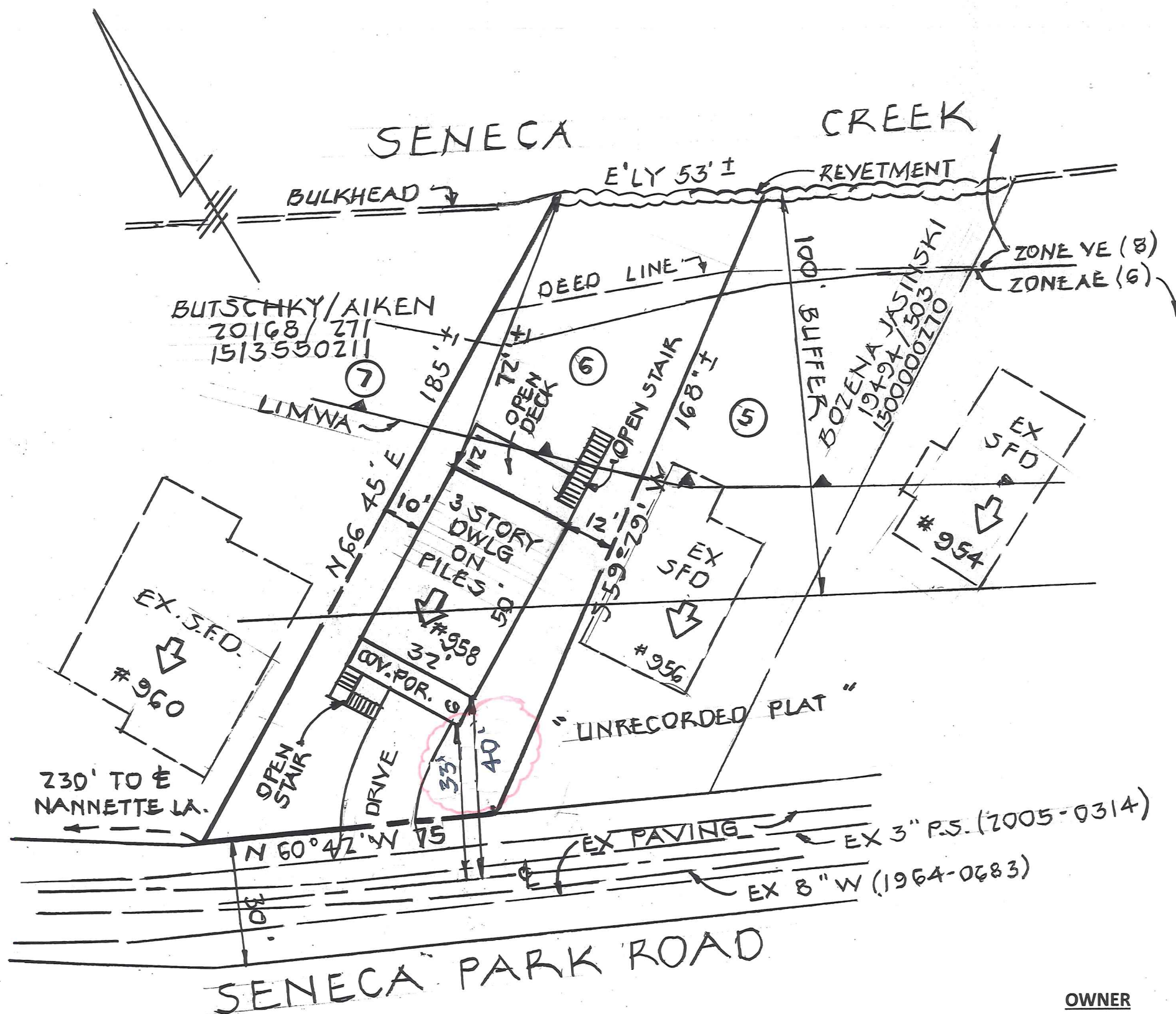
OWNER

GERALD GILBERT JASINSKI
4029 BAY DRIVE
BALTIMORE, MD, 21220
DEED REF: L.9038 F.639
ACCT. NO. 1510000273

CONTRACT PURCHASER

PERRY SPARR
2217 CALVARY ROAD
BEL AIR, MD. 21015

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



VICINITY MAP
SCALE: 1 INCH = 1000 FEET

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PETITIONER'S
EXHIBIT NO. 1

REVISED: 7-30

PLAT TO ACCOMPANY SPECIAL HEARING
AND VARIANCE

958 SENECA PARK ROAD

ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD

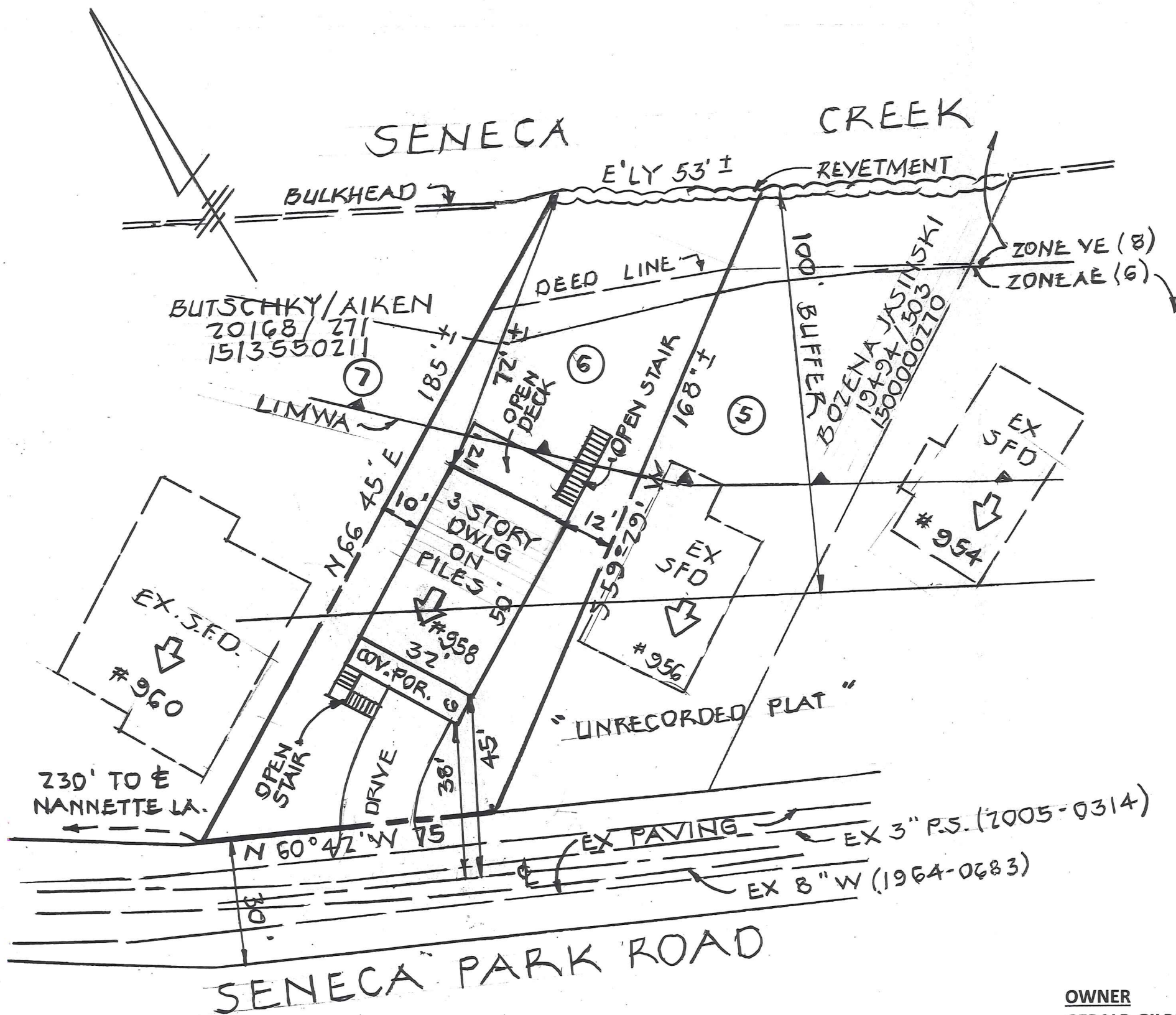
SCALE: 1 INCH = 30 FEET APRIL 27, 2018

CASE NO 2018-0338-SPHA

OWNER
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4029 BAY DRIVE
BALTIMORE, MD, 21220
DEED REF: L.9038 F.639
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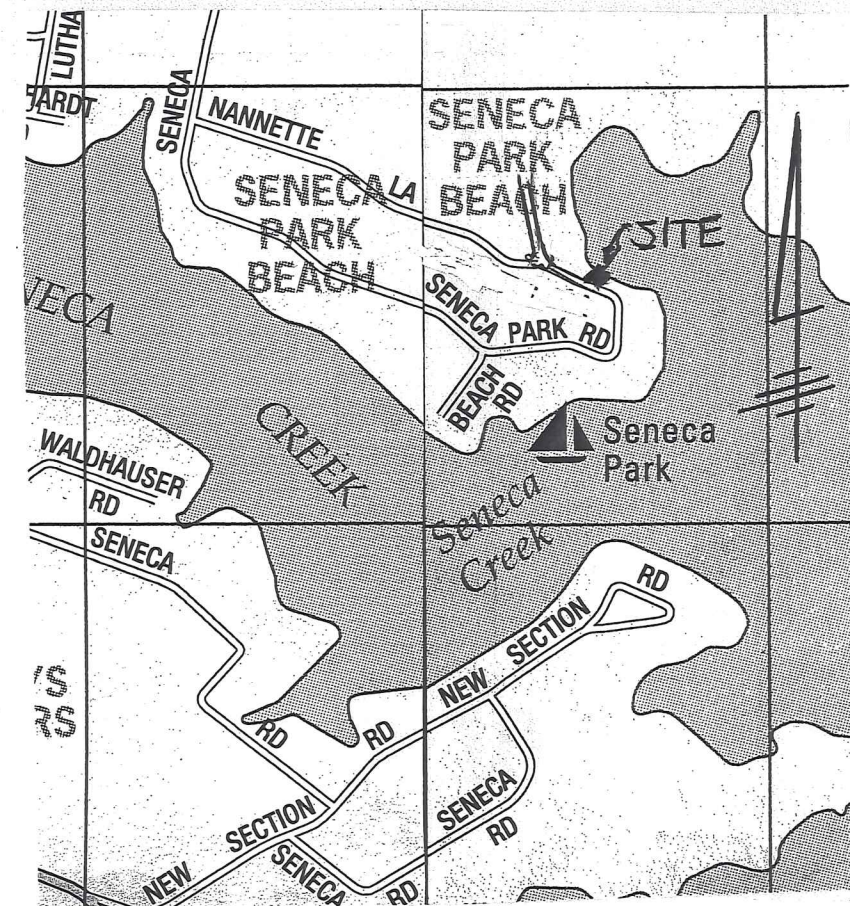
CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719



CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
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BEL AIR, MD. 21015



VICINITY MAP
SCALE: 1 INCH = 1000 FEET

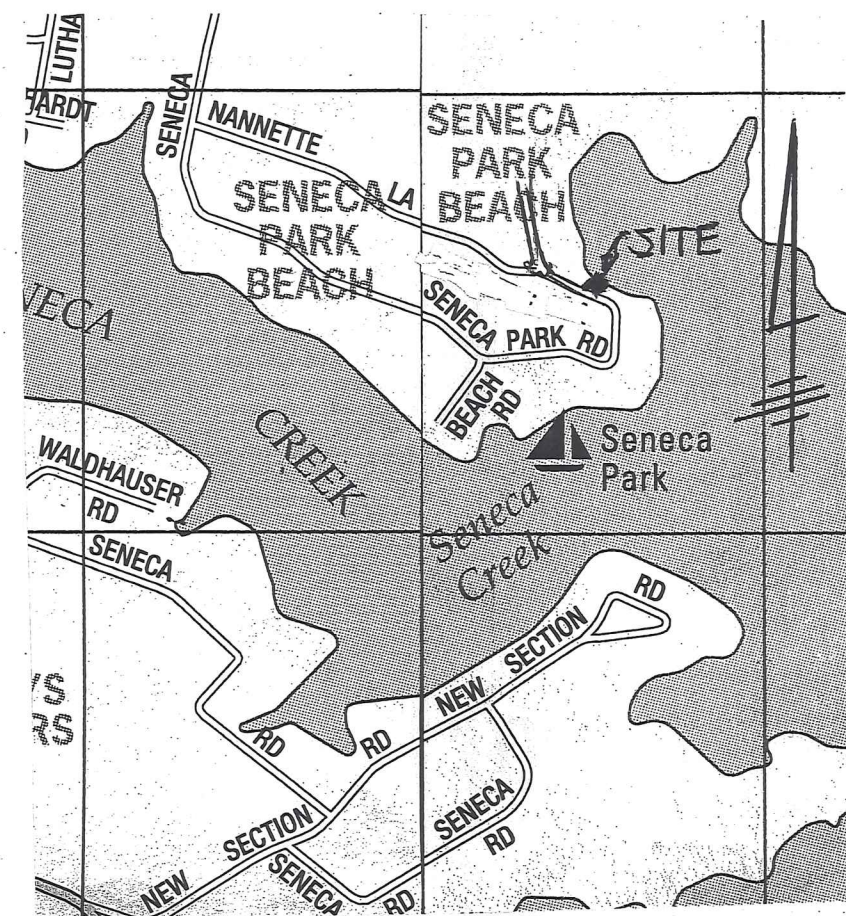
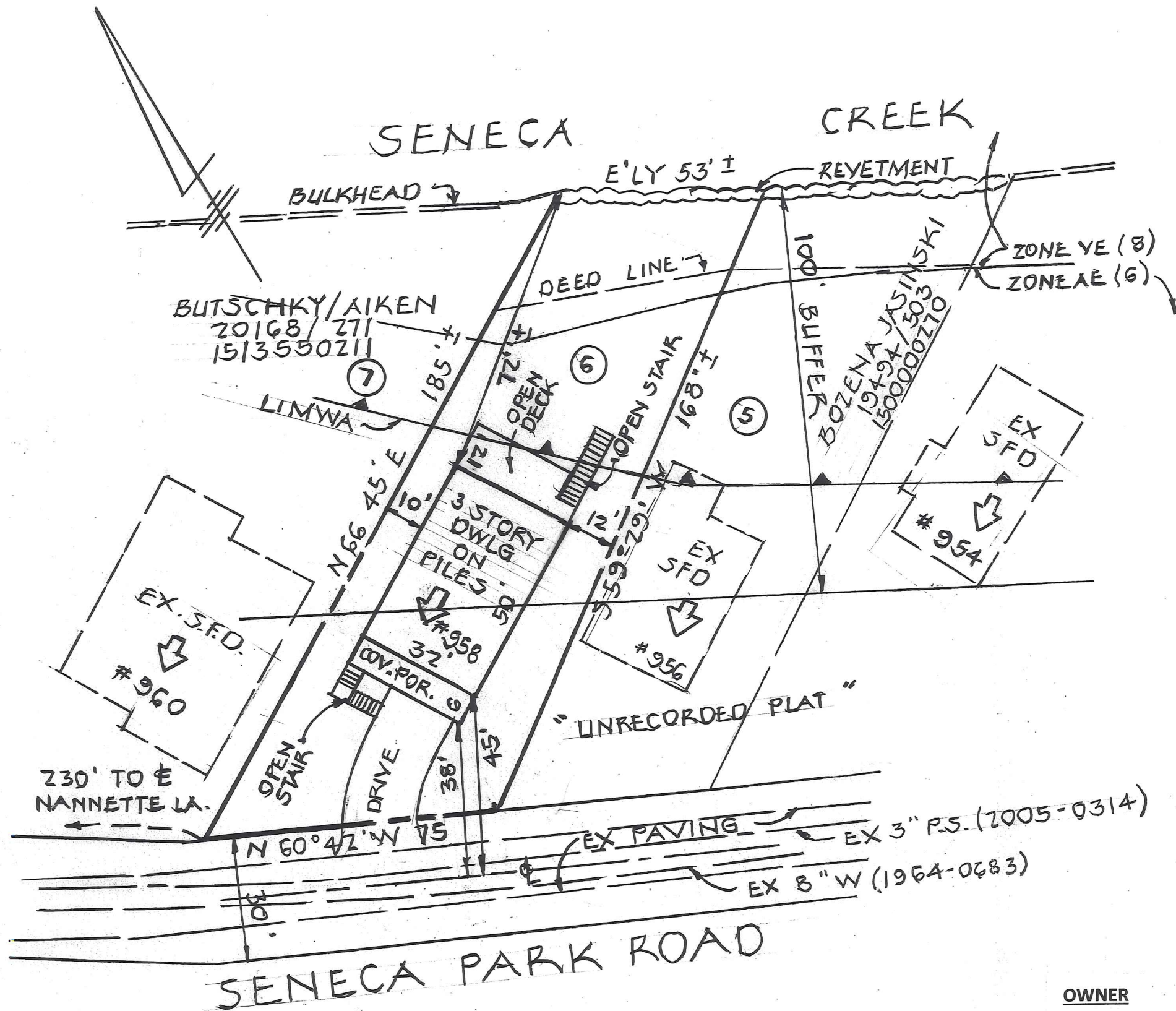
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PETITIONER'S
EXHIBIT NO. 1

**PLAT TO ACCOMPANY SPECIAL HEARING
AND VARIANCE**

958 SENECA PARK ROAD
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD
SCALE: 1 INCH = 30 FEET APRIL 27, 2018



VICINITY MAP
SCALE: 1 INCH = 1000 FEET

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2018-0338 SPHA

**PLAT TO ACCOMPANY SPECIAL HEARING
AND VARIANCE**

958 SENECA PARK ROAD
ELECTION DISTRICT 15C6, BALTIMORE COUNTY, MD
SCALE: 1 INCH = 30 FEET APRIL 27, 2018

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

OWNER
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