IN RE: PETITION FOR VARIANCE N/S 7th Street, 58' W of the c/l of Cuckold Point Road (2808 7th Street) 15th Election District 5th Councilmanic District	*	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
	*	Case No. 99-412-A
Thomas Watts, Legal Owner; Walt Sowa & Lisa Dillon, Contr. Purc.	*	

* * * * * * * * * * *

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, Thomas Watts, and the Contract Purchasers, Walt Sowa and Lisa Dillon. The Petitioners seek relief from Sections 1B02.3.C.1 and 304.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet, to approve the subject property as an undersized lot, pursuant to Section 304 of the B.C.Z.R., and to approve any other variances deemed necessary by the Zoning Commissioner. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Thomas Watts, property owner, Walter F. Sowa III and his fiancée, Lisa Dillon, Contract Purchasers, David McWilliams, Builder, and Becky J. Alderson, Real Estate representative. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property contains a gross area of 7,500 sq.ft. (.17 acres), more or less, zoned D.R. 5.5 and is presently unimproved. The property, known as Lot 109 of Swan Point, is a rectangular shaped parcel, 50 feet wide by 150 feet deep. The Petitioners, Walt Sowa and Lisa Dillon have contracted to buy the subject property from the Petitioner and wish to build a single family dwelling thereon. However, due to the narrow width of the lot the requested variance is necessary in order to develop the property. Further testimony revealed that the

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Date 6/17/99
By

Petitioners submitted elevations drawings of the dwelling to be built to the Office of Planning who has reviewed and approved same as being consistent with other homes in the surrounding neighborhood. Moreover, there were no adverse comments from any Baltimore County reviewing agency. However, it is to be noted that this property is located within the Chesapeake Bay Critical Areas near Hawk Cove and Hart/Miller Island. Thus, compliance with the Chesapeake Bay Critical Areas regulations as set forth in the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) shall be a condition of approval of the relief requested. In addition, the Bureau of Development Plans Review submitted ZAC comments, dated May 13, 1999, relative to Federal Flood Insurance requirements which must be adhered to. Therefore, the relief requested shall be granted contingent upon compliance with that Bureau's and DEPRM's recommendations.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented have established that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner, and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the

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Date 6/17/99
By

requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

> 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;
>
> 2) Conserve fish, wildlife, and plant habitat; and
>
> 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.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by this Zoning Commissioner for Baltimore County this 17th day of June, 1999 that the Petition for Variance seeking relief from Sections 1B02.3.C.1 and 304.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet, to approve the subject property as an undersized lot, pursuant to Section 304 of the B.C.Z.R., and to approve any other variances deemed necessary by the Zoning Commissioner, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

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Date 6/17/99
By

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 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 ZAC comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated May 14, 1999, and the Bureau of Development Plans Review division of the Department of Permits and Development Management (DPDM), dated May 13, 1999, copies of which are attached hereto and made a part hereof.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 6/15/99
By

Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 16, 1999

Mr. Thomas Watts
24 Thomas Road
Baltimore, Maryland 21219

RE: PETITION FOR VARIANCE
N/S 7th Street, 58' W of the c/l of Cuckold Point Road
(2808 7th Street)
15th Election District – 5th Councilmanic District
Thomas Watts, Legal Owner; Walt Sowa & Lisa Dillon, Contract Purchaser – Petitioner
Case No. 99-412-A

Dear Mr. Watts:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Walt Sowa and Ms. Lisa Dillon
1923 Walnut Avenue, Baltimore, Md. 21222
Mr. Dave McWilliams, Baylight Builders
2nd Street, Baltimore, Md. 21219
Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401
DEPRM; People's Counsel; Case File

Printed with Soybean Ink on Recycled Paper

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2808 7th Street Balto, 21219

which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 and 304.2 BCZR

To allow a lot width of 50' in lieu of the required 55'. And to approve an undersized lot per section 304; to approve any other variances deemed necessary by zoning commissioner.

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

TO BE DISCUSSED AT HEARING

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

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

Contract Purchaser/Lessee:

Walt Sowa & Lisa Dillon
Name - Type or Print

Signature

1923 Walnut Avenue 410 288 3352
Address Telephone No.

Baltimore, MD 21222
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Thomas Watts
Name - Type or Print

Thomas Watts
Signature

Name - Type or Print

Signature

24 Thomas Road 410-477-0691
Address Telephone No.

Baltimore, MD 21219
City State Zip Code

Representative to be Contacted:

Dave McWilliams
Name

Baylight Builders 410-388-1815
Address Telephone No.

2nd St. Balto, MD 21219
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JRP Date 4/19/99

Case No. 99-412-A

REV 9/15/98

ZONING RECEIVED FOR FILING
Date 4/19/99
By

ZONING DESCRIPTION FOR *280 7th street*

Beginning at a point on the *North* side of *7th street* which is *50 feet* wide at the distance of *58 feet west* of the center line of the nearest improved intersecting street *Cuckold Point Road* which is *16 feet* wide. Being lot *#109*, block _, section # _ in the subdivision of *Swan Point* as recorded in Baltimore County Plat book # *0009*, Folio *#0005* containing *7,500 square feet*. Also *as 2808 7th street, 21219* and located in the *15th* Election District, *5th* Councilmanic District.

412

99-412-A

BALTIMORE COUNTY, MARYL''D
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 066462

DATE 4-19-99 ACCOUNT R-001-6150

AMOUNT $ 50.00

RECEIVED FROM: David McWilliams

FOR: 2808 7th Street
CR3

Item # 412
Taken by: JRP

99-412-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT
PROCESS ACCTG DM
4/19/1999 4/19/1999 [illegible]
REG 0003 CASHIER PMES PCM DRAWER
MISCELLANEOUS CASH RECEIPT
Receipt # 066462 [illegible]
CR NO. 066462
Recpt tot [illegible]
.00 CK [illegible]
Baltimore County, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 067361

DATE 5/14/99 ACCOUNT 001-6150

AMOUNT $ 50.00

RECEIVED FROM:

FOR: Revision Fee - Residential
#99-412-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS	ACTUAL	TIME
5/17/1999	5/14/1999	14:58:28

REG W902 CASHIER LSMI LXG DRAWER 2
Dept 5 528 ZONING VERIFICATION
Receipt # 073540 NFLN
CR NO. 067361
Recpt Tot 50.00
50.00 CK .00 CA
Baltimore County, Maryland

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: #99-412-A
2802 7th Street
N/S 7th Street, 58' W of centerline Cuckold Point Road
15th Election District
5th Councilmanic District
Legal Owner(s):
Thomas Watts
Contract Purchaser:
Lisa Dillon & Walt Sowa

Variance: to allow a lot width of 50 feet in lieu of the required 55 feet; to approve an undersized lot; and to approve any other variances deemed necessary by the zoning commissioner.

Hearing: Monday, June 7, 1999 at 10:00 a.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

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

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

5/305 May 20 C313166

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/20/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/20/, 1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

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: #99-412-A
2808 7th Street
N/S 7th Street, 58' W of centerline Cuckold Point Road
15th Election District
5th Councilmanic District
Legal Owner(s):
Thomas Watts
Contract Purchaser:
Lisa Dillon & Walt Sowa

Variance: to allow a lot width of 50 feet in lieu of the required 55 feet; to approve an undersized lot; and to approve any other variances deemed necessary by the zoning commissioner.

Hearing: Monday, June 14, 1999 at 11:00 a.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner 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.

5/447 May 27 C315192

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/27/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/27/, 1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: CASE # 99-412-A
PETITIONER/DEVELOPER:
(Walt Sowa)
DATE OF Hearing
(June 14, 1999)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

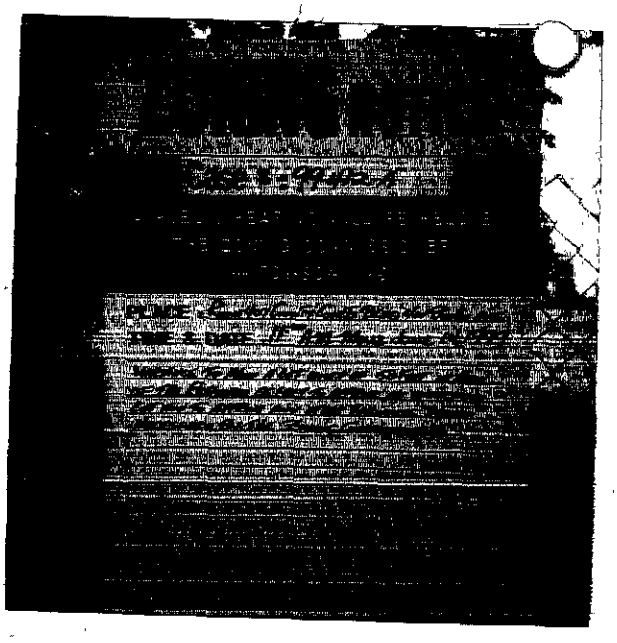
ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

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

2808 7th Street Baltimore , Maryland 21219_____

The sign(s) were posted on_____ 5-27-99 _____
(Month, Day, Year)



Sincerely,

Thomas P. Ogle 5/27/99
(Signature of Sign Poster & Date)

_____Thomas P. Ogle, Sr._____

_____325 Nicholson Road_____

___Baltimore, Maryland 21221___

_____(410)-687-8405_____
(Telephone Number)

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: 99-412-A

Petitioner: WALTER F SOWATH

Address or Location: 2802 7th STREET, BALTIMORE MD 21219

PLEASE FORWARD ADVERTISING BILL TO:

Name: WALTER F SOWATH

Address: 1400 STENGEL AVE
BALTO MD 21222

Telephone Number: 410 282-8430

Revised 2/20/98 - SCJ

Exhibit B

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-412-A

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

PLACE: _____

DATE AND TIME: _____

REQUEST: VARIANCE - To allow a lot width of 50' in lieu of the required 55'. And to approve an undersized lot per section 304 & to approve any other variances deemed necessary by zoning commissioner.

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

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

HANDICAPPED ACCESSIBLE

9/96
post.4.doc

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

May 5, 1999

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: 99-412-A
2802 7th Street
N/S 7th Street, 58' W of centerline Cuckold Point Road
15th Election District – 5th Councilmanic District
Legal Owner: Thomas Watts
Contract Purchaser: Lisa Dillon & Walt Sowa

Variance to allow a lot width of 50 feet in lieu of the required 55 feet; to approve an undersized lot; and to approve any other variances deemed necessary by the zoning commissioner.

HEARING: Monday, ~~July~~ June 7, 1999 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

c: Thomas Watts
Lisa Dillon & Walt Sowa
Baylight Builders

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MAY 23, 1999.**
(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
May 20, 1999 Issue – Jeffersonian

Please forward billing to:
Walter F. Sowa, III 410-282-8430
1400 Stengel Avenue
Baltimore, MD 21222

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: 99-412-A
2802 7th Street
N/S 7th Street, 58' W of centerline Cuckold Point Road
15th Election District – 5th Councilmanic District
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Contract Purchaser: Lisa Dillon & Walt Sowa

Variance to allow a lot width of 50 feet in lieu of the required 55 feet; to approve an undersized lot; and to approve any other variances deemed necessary by the zoning commissioner.

HEARING: Monday, ~~July~~ June 7, 1999 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
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
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

May 19, 1999

Mr. Thomas Watts
24 Thomas Road
Baltimore, MD 21219

Dear Mr. Watts:

RE: Case Number 99-412-A, 2808 7th Street

The above matter, previously assigned to be heard on Monday, June 7, 1999 has been postponed due to the fact that all of the paperwork was filed with the incorrect address (2802 instead of 2808).

The above hearing has been rescheduled for **Monday, June 14, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.** Due to the fact that the advertisement contained the incorrect address, the property will be re-advertised, per the Deputy Zoning Commissioner, in the Jeffersonian and Mr. Sowa will be billed for this directly by Patuxent Publishing.

Please be advised that the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the hearing date, as quickly as possible a notice of the new hearing date and time should be affixed to the sign.

Very truly yours,

Arnold Jablon
Director

AJ:scj

c: Walt Sowa & Lisa Dillon
Baylight Builders
Home Selling Assistance

Printed with Soybean Ink
on Recycled Paper

Sophia

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

May 5, 1999

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: 99-412-A 2808 7th St. per Hse #S SMP 5/14/99
7th Street
N/S 7th Street, 58' W of centerline Cuckold Point Road
15th Election District – 5th Councilmanic District
Legal Owner: Thomas Watts
Contract Purchaser: Lisa Dillon & Walt Sowa

Variance to allow a lot width of 50 feet in lieu of the required 55 feet; to approve an undersized lot; and to approve any other variances deemed necessary by the zoning commissioner.

HEARING: Monday, July 7, 1999 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

c: Thomas Watts
Lisa Dillon & Walt Sowa
Baylight Builders

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MAY 23, 1999.**
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(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us

Printed with Soybean Ink on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
May 27, 1999 Issue – Jeffersonian

Please forward billing to:
Walter F. Sowa, III 410-282-8430
1400 Stengel Avenue
Baltimore, MD 21222

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: 99-412-A
2808 7th Street
N/S 7th Street, 58' W of centerline Cuckold Point Road
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Legal Owner: Thomas Watts
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Variance to allow a lot width of 50 feet in lieu of the required 55 feet; to approve an undersized lot; and to approve any other variances deemed necessary by the zoning commissioner.

HEARING: Monday, June 14, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
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
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 4, 1999

Mr. Dave McWilliams
Baylight Builders
2nd Street
Baltimore, MD 21219

RE: Case No.: 99-412-A
Petitioner: Watts/Dillon
Location: 2802 7th Street

Dear Mr. McWilliams:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on April 19, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County 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 regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Date: May 14, 1999

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS

SUBJECT: Zoning Item #412

Watts Property - 2802 7th Street

Zoning Advisory Committee Meeting of May 3, 1999

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

__X__ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

__X__ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

_____

ORDER RECEIVED FOR FILING
Date 6/10/99
By

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Management

Date: May 13, 1999

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for May 10, 1999
Item No. 412

The Bureau of Development Plans Review has reviewed the subject zoning item. 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.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the flood plain elevation in all construction.

In accordance with Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited.

The minimum flood protection elevation is 10 feet for this site.

RWB:HJO:jrb

cc: File

ORDER RECEIVED FOR FILING
Date 5/12/99
By

ZAC05109.412

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Management

Date: May 13, 1999

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for May 10, 1999
Item No. 412

The Bureau of Development Plans Review has reviewed the subject zoning item. 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.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the flood plain elevation in all construction.

In accordance with Bill No. 18-90, Section 26-276 filling within a flood plain is prohibited.

The minimum flood protection elevation is 10 feet for this site.

RWB:HJO:jrb

cc: File

ZAC05109.412

Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

May 7, 1999

Arnold Jablon, Director
Department of Permits, Licenses and Inspections Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 7, 1999

Item No.: See Below Zoning Agenda:

Gentlemen:

Please be advised that the subject property has been surveyed 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, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

410, 413, 414, 415, 418, 419, 421, and 422

REVIEWER: LT. BERB TAYLOR
Fire Marshal Office, PHONE 887-4881, MS-1102F
cc: File

Printed with Soybean Ink
on Recycled Paper

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.30.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 412 JRF

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

L. J. Gredlein

for Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

Sign
Letter
P.P.
6/14
Fro

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: May 13, 1999

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

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 412

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: Jeffrey W Long

AFK/JL

C:\JEFF_L\412.doc

RE: PETITION FOR VARIANCE 2802 7th Street, N/S of 7th St, 58' W of c/l Cuckold Point Rd, 15th Election District, 5th Councilmanic	*	BEFORE THE
	*	ZONING COMMISSIONER
Legal Owners: Thomas Watts Contract Purchaser: Walt Sowa & Lisa Dillon	*	FOR
Petitioner(s)	*	BALTIMORE COUNTY
	*	Case Number: 99-412-A

* * * * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of May, 1999, a copy of the foregoing Entry of Appearance was mailed to Dave McWilliams, Baylight Builders, 2nd Street, Baltimore, MD 21219, representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 99-412-A

Residential Processing Fee Paid ($50.00)
Accepted by JRP
Date 4-19-99

FROM: Arnold Jablon, Director
Department of Permits & Development Management

RE: Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

WALTER F SOWACH — Print Name of Applicant
1400 STENGEL AVE — Address
410 282-8430 — Telephone Number

Lot Address 2802 7th ST Election District 15 Councilmanic District 5 Square Feet 7500

Lot Location: (N) E S W/side/corner of 7th ST (street), 50 feet from N E S (W) corner of WICKOLD PT RD (street)

Land Owner: TOM WATTS Tax Account Number 215-82-8434

Address: 24 THOMAS LN Telephone Number (410) 477-0691

CHECKLIST OF MATERIALS-. (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!

	PROVIDED? YES	NO
1. This Recommendation Form (3 copies)	✓	
2. Permit Application		✓
3. Site Plan Property (3 copies)	✓	
Topo Map (2 copies): *available* in Room 206, County Office Building - ***(please label site clearly)***	✓	
4. Building Elevation Drawings	✓	
5. Photographs (please label all photos clearly) Adjoining Buildings	✓	
Surrounding Neighborhood	✓	

6. Current Zoning Classification: DR 5.5

RECEIVED
MAY - 6 1999
OFFICE OF PLANNING

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

* Cover the cinder block per O.P. 5/26/99

☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations.

Signed by: Jeffrey W. Long
for the Director, Office of Planning and Community Conservation

Date: 5/25/99

Revised 2/25/99

SCHEDULED DATE CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

Department of Permits and Development Management (PDM)
County Office Building
111 West Chesapeake Avevnue
Towson, Maryland 21204

The application for your proposed Building Permit application has been reviewed and is accepted for filing by _____ on _____.
(name of planner) Date (A)

A sign indicating the proposed building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is $50.00. This fee is subject to change. Confirm all current fees prior to filing the application.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED? YES_____ NO_____ - DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) _____ C (B-3 Work Days)

TENTATIVE DECISION DATE _____ B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District: _____

Location of Property: _____

_____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

Realty One Plus
Professional Consultants
7835 Wise Avenue, Baltimore, MD 21222
Telephone (410) 282-3100 Fax (410) 282-7713

4/23/99
JF - why did you refer to me?

April 19,1999

Dear Mr. Jablon,

2808 CRB

My name is Becky Alderson, I am with Realty One Plus. I am representing Walt Sowa & Lisa Dillon potential buyers for the vacant property located at ~~2802 7th~~ Street, Baltimore, MD 21219. We had an appointment this morning at 10:00 to sit down with Mr. Jun a planner with Baltimore, County. We filed petition case # 99-412-A. At our meeting Mr. Jun informed us that you could possibly help us in setting a hearing on this lot sooner than we were previously told. This transaction has become a great hardship for all parties involved physically, financially, and emotionally exhausting. We fully understand that there are proper channels that we must go through. Any thing you could do to schedule this hearing as soon as possible would be extremely appreciated. Thank you so very much for taking the time to consider our request. If there are any questions I can answer for you please feel free to contact me. A speedy hearing date would be beneficial for all parties involved. Once again, we appreciate you help and consideration in this very difficult matter.

With Warmest Personal Regards,

Becky J. Alderson

Becky J. Alderson

Home Office 410-388-1181
Pager 410-613-9830

Realty One Plus
Professional Consultants
7835 Wise Avenue, Baltimore, MD 21222

Becky J. Alderson

Telephone (410) 282-3100
FAX (410) 282-7713

99-412-A

Home Selling Assistance

HOME SELLING ASSISTANCE

9512 HARFORD ROAD SUITE 5
BALTIMORE, MD. 21234
PHONE: 410-661-2600 FAX: 410-661-2601
1-800-644-9935

TO: Sophice

FROM: Chris Barkley - Realtor

DATE: 5/12/99 TIME: 12:00

NUMBER OF PAGES SENT: 4 pages - 99-412-A

MESSAGE: I gave wrong address, on lot 109 7th St.
, how do I change it?
Thomas Watts - owner
Lisa Dillon - Buyer

REALTOR MULTIPLE LISTING SERVICE MLS

Home Selling Assistance
9512 Harford Rd.

1.75%
OUR FEE

Bus.: (410) 661-2600
Res.: (410) 477-0007
Pager: (410) 801-6387

Chris Barkley
Realtor
Multi-Million Dollar Associate

CHRIS BARKLEY
HOME SELLING

REALTOR
410-661-2600

MAY 12, 1999

DEAR SOPHIA,

IN REFERRANCE TO ZONING HEARIING , CASE NUMBER 99-412-A

I HAVE GIVEN THE LOT THE WRONG ADDRESS. THE ACTUAL ADDRESS

SHOULD BE 2806 7TH STREET INSTEAD OF 2802 7TH ST.

THE OWNER IS THOMAS WATTS. THE BUYERS ARE LISA DILLON & WALT SOWA. IN BEHALF OF BAYLIGHT BUILDERS

PLEASE LET ME KNOW AS SOON AS POSSIBLE , HOW TO MAKE THE CHANGE WITH YOUR OFFICE. YOU MAY CALL MY OFFICE, AND LET ME KNOW IF I NEED TO MEET WITH YOUR OFFICE FOR THE REVISION CHANGE.

THANK YOU,

CHRIS BARKLEY , REALTOR
HOME SELLING ASSISTANCE REALTY
9515 HARFORD RD. BALTO. MD 21234
PHONE # 410-477-0007

Tax ID#: 2000005067 ** PUBLIC RECORD **

Tax ID#: 2000005067 County: BC
PROPERTY ADDRESS: 7TH ST, , BALTIMORE, MD 21219-
2806 7th STREET
Legal Subdiv/Neighborhood: SWAN POINT
Incorporated City:
OWNER: THOMAS E WATTS, Phone #: () Abs Owner: Y
Addtnl:
MAIL ADDRESS: 8930 CUCKOLD POINT RD, , BALTIMORE, MD 21219-1632
LEGAL DESCRIPTION: SWAN POINT

Mag/Dist #: 15	Lot: 109	Block/Square:	Tax Map:
Elec Dist: 15	Legal Unit #:	Grid: 15	Map: 112
Section:	Parcel: 4		

TOTAL TAX BILL: $294 State/County Tax: $294 City Tax: Levy Yr: 1998
Front Foot Fee: Spec Tax Assmt: Refuse: Rate: 3.07
Homestd/Exempt Status: 0 Exempt Class: 000

ASSESSMENT

Year Assessed	Total Tax Value	Land	Improvement	Land Use	Taxable Assessment
1996	$9,600	$24,000	$0		State: $
Previous	$9,600	$21,560	$0		Municipal: $
Early	$9,600	$24,000	$0		City: $

DEED Deed Liber: 13310 Deed Folio: 483 Deed Type:

Transfer Date	Price	Grantor	Grantee
20-NOV-1998	$0	WATTS, THOMAS E	WATTS, THOMAS E
26-JUN-1993	$5,000	SCHEUERMAN MILTON J	WATTS THOMAS E
23-SEP-1985	$12,000	HENRY HOWARD	SCHEUERMAN MILTON J

Amount: /

Mortgagor:
PROPERTY DESCRIPTION
Year Built: 0 Zoning: Census Trct/Blck: / Irregular Lot:
Square Feet: 7,500 Acreage: 0.17 Land Use: Residential
Prop Class: R Plat Liber/Folio: 9/5 Property Card:
Zoning Desc:
Prop Use Code: RESIDENTIAL
Building Use: RESIDENTIAL
Lot Description:
Dimensions: Frontage: 50
STRUCTURE DESCRIPTION

	Section 1	Section 2	Section 3	Section 4	Section 5
Construction					
Story					
Area					
Dimensions:					
Ext Wall:		Roofing:		Foundation:	
Stories:	Units: 0		Style:		Year Remodeled:
Total Building Area:		Living Area: 0		Base Sq Ft: 0	
Patio/Deck Type:					
Rooms:	Bsmt Type:		Fireplaces:		Garage Type:
Bedrooms:	Bsmt Tot Sq Ft: 0		Fireplace Type:		Garage Sq Ft:
Full Baths: 0	Bsmt Fin Sq Ft:		Attic Type:		Garage Const.:
Half Baths: 0	Bsmt Unfin Sq Ft:		Attic Sq Ft:		Garage Spaces:
Baths: 0					
Other Amenities:					
Gas:		Heat:		Sewer:	
Electric:		Water:		Underground:	

Metropolitan Regional Information Systems, Inc.: Information is believed to be accurate but should not be relied upon without verification.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Lisa Dillon	1923 Walnut Ave Balto MD 21222
Walter F. Sowa III	1400 Steuel Ave Balto MD 21222
Thomas Watts	24 Thomas Ln Balt MD 21219
David McWilliams	2802 2nd St Balto MD 21219
Becky J. Alderson	7005 River Drive Road Balto MD 21219

Printed with Soybean Ink on Recycled Paper

Plat to accompany Petition for Zoning [X] Variance [ ] Special Hearing

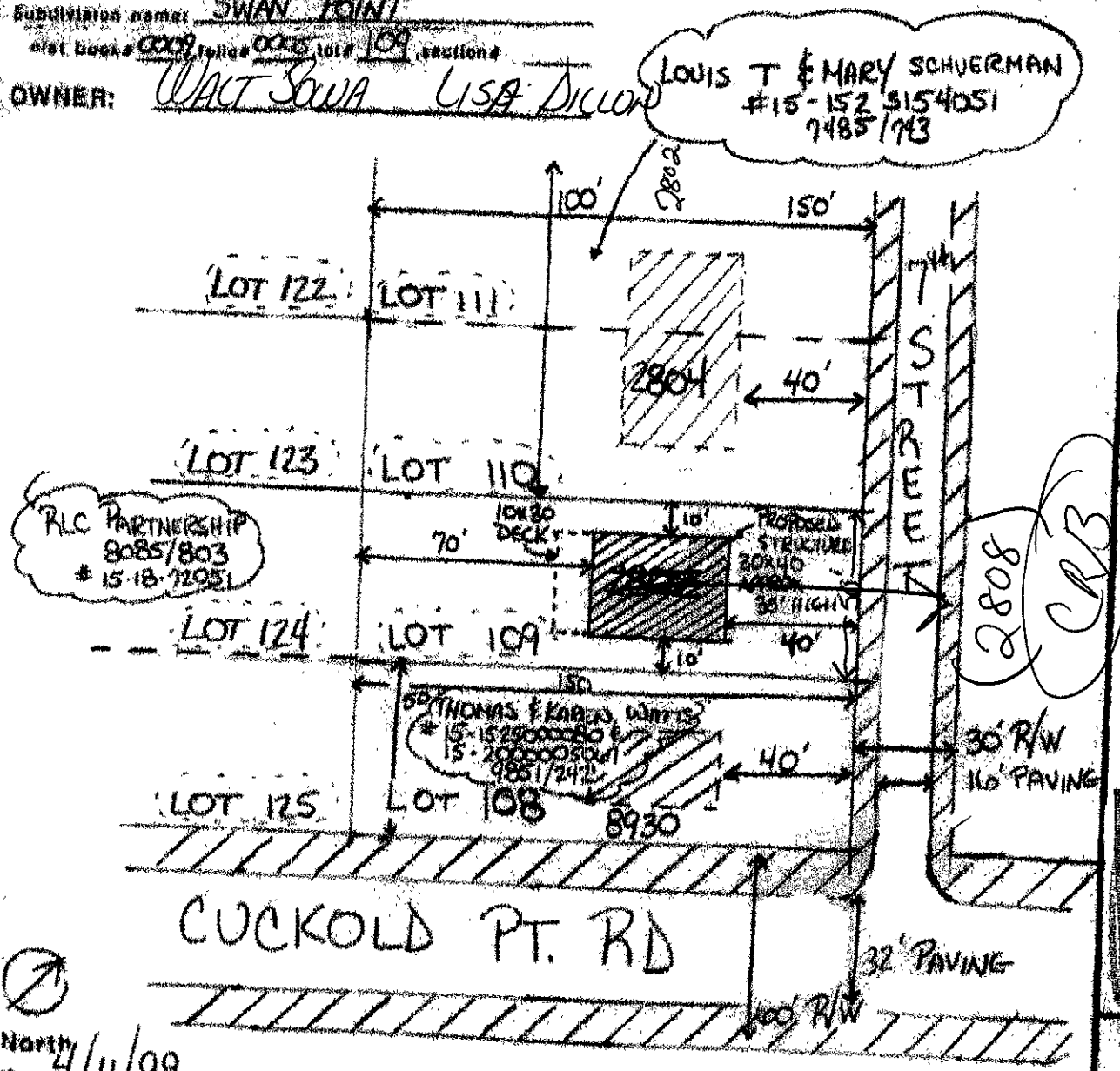
PROPERTY ADDRESS: 2802 7th STREET

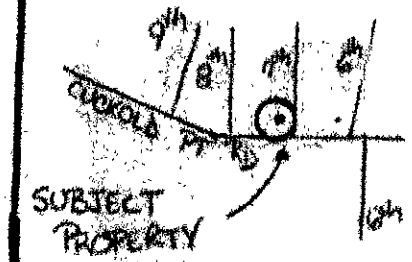
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: SWAN POINT

plat Book# 0009 folio# 0025 lot# 109 section#

OWNER: WALT SOWA LISA DILLON





Vicinity Map
scale: 1" = 1000'

LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1" = 200 scale map#: SE6-J

Zoning: DR 5.5

Lot size: .17 acreage 7506 square feet

	existing	proposed
SEWER:	[X]	[ ]
WATER:	[X]	[ ]

Chesapeake Bay Critical Area: yes [X] no [ ]

Prior Zoning Hearings: NONE

Date: 4/11/99

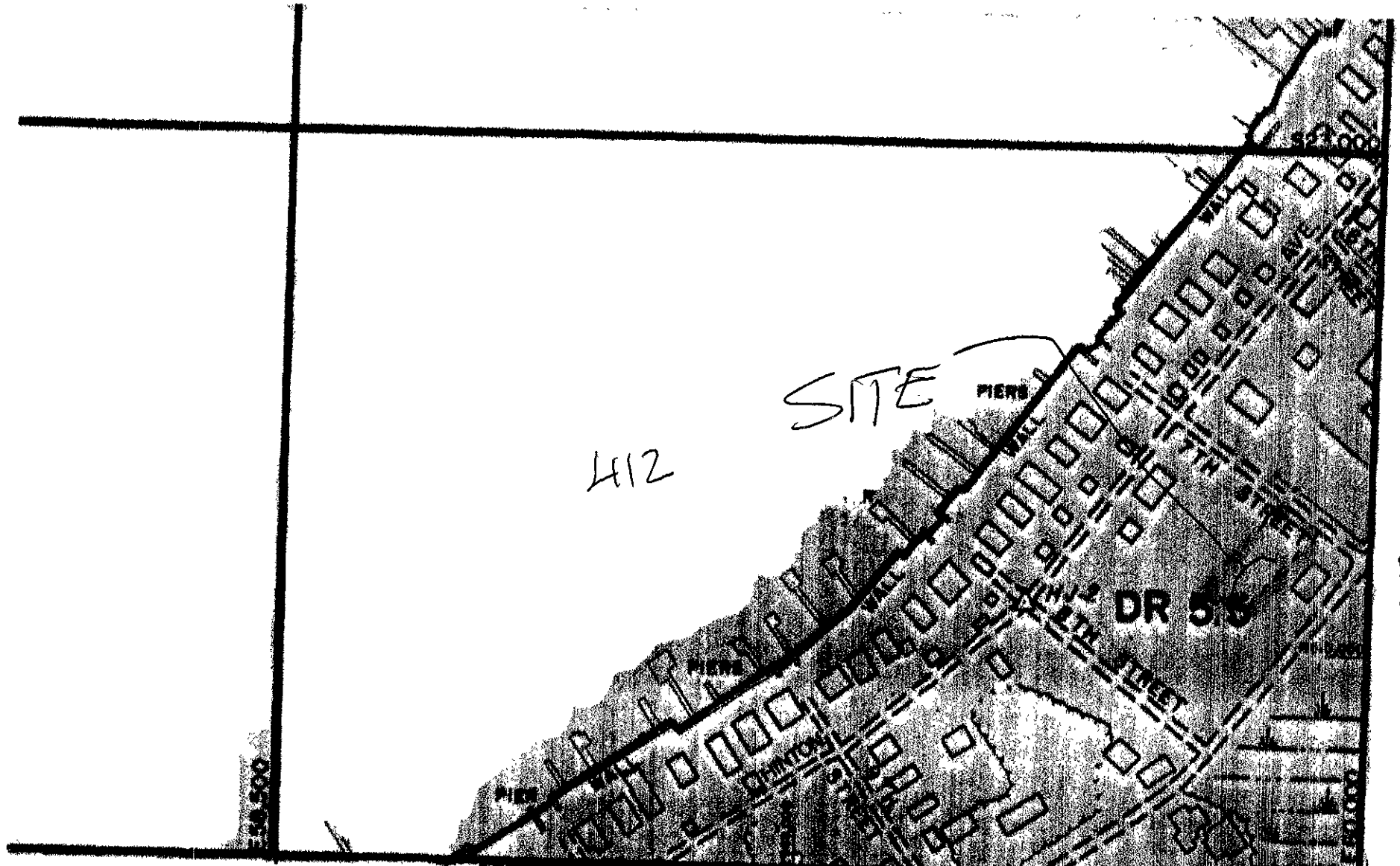
prepared by: WFS III

Scale of Drawing: 1" = 50'

Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE#:
JP	412	

99-412-A



SCALE	LOCATION	SHEET
1" = 200'±	CUCKOLD POINT	S.E. 6-J
DATE OF PHOTOGRAPHY JANUARY 1986		

99-42-A

8930 Cuckold Pt. Rd.

2804 7th St.

2801 7th St.

99-412-A