

IN RE: PETITION FOR VARIANCE * BEFORE THE
NE/S Meadow Glen Road, 430' SE * ZONING COMMISSIONER
of the c/l of Bird River Road * OF BALTIMORE COUNTY
(1010 Meadow Glen Road) *
15th Election District * Case No. 97-514-A
5th Councilmanic District *
Rohe Farm Lane Dev. Inc. * * * * *
Petitioner * * * * *

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, the Rohe Farm Lane Development, Inc., by Tom Carolan, President. The Petitioner seeks relief from Section 1B01.2.C.2.a of the Baltimore County Zoning Regulations (B.C.Z.R. 1971-1992) and Section V.B.5.a of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a rear yard window to tract boundary setback of 25 feet in lieu of the 30 feet granted in prior Case No. 95-121-A, and to amend the Fifth Amended Final Development Plan of Rohe Farms, accordingly. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitioner was Patrick O'Keefe, a zoning consultant engaged by Appletree Homes, Builder, and Rohe Farm Lane Development, Inc., property owner. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property, also known as Lot 9 of Rohe Farm, consists of 0.150 acres, more or less, zoned D.R.2 and is presently unimproved. The Petitioner proposes to develop the property with a dwelling 35 feet in depth; however, the lot is 87 feet deep by 75 feet wide. Thus the requested variances are necessary in order to keep an appropriate front yard setback and to provide the

ORDER RECEIVED FOR FILING
Date 8/19/97
By [Signature]

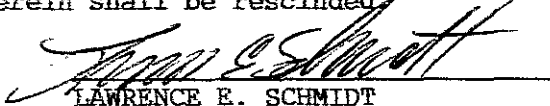
prospective buyer with certain requested amenities. It should be noted that blanket variance relief for numerous lots in this subdivision was granted in prior Case No. 95-121-A. Furthermore, adjoining Lots 8 and 10 are unimproved. Thus, there will be no detrimental impact upon those adjacent properties if the requested variance relief is granted.

Based upon the testimony and evidence presented, all of which is uncontradicted, I am persuaded to grant the variance. In my judgment, I believe that the Petitioner has satisfied the requirements set forth in Section 307 of the B.C.Z.R. as construed by the case law.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of August, 1997 that the Petition for Variance seeking relief from Section 1B01.2.C.2.a of the Baltimore County Zoning Regulations (B.C.Z.R. 1971-1992) and Section V.B.5.a of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a rear yard window to tract boundary setback of 25 feet in lieu of the 30 feet granted in prior Case No. 95-121-A, and to amend the Fifth Amended Final Development Plan of Rohe Farms, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

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.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs



Baltimore County
Zoning Commissioner
Office of Planning

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

August 19, 1997

Mr. Tom Carolan, President
Rohe Farm Lane Dev., Inc.
10021 Bird River Road
Baltimore, Maryland 21220

RE: PETITION FOR VARIANCE
NE/S Meadow Glen Road, 430' SE of the c/l of Bird River Road
(1010 Meadow Glen Road)
15th Election District - 5th Councilmanic District
Rohe Farm Lane Dev. Inc. - Petitioner
Case No. 97-514-A

Dear Mr. Carolan:

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,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Patrick O'Keefe
523 Penny Lane, Cockeysville, Md. 21030

People's Counsel; Case Files



RE: PETITION FOR VARIANCE
1010 Meadow Glen Road, NE/s Meadow Glen
Rd, 430'+/- SE of c/l Bird River Road
15th Election District, 5th Councilmanic

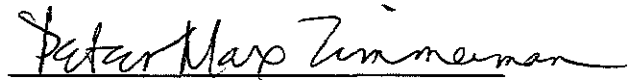
Rohe Farm Lane Development, Inc.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NOS. 97-514-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 or other proceedings in this matter and of the passage of any preliminary or final Order.



PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse

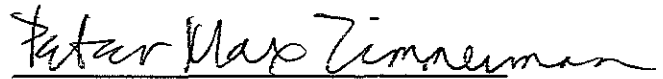
400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of June, 1997, a copy of the foregoing Entry of Appearance was mailed to Tom Carolan, Rohe Farm Lane Development, Inc., 10021 Bird River Road, Baltimore, MD 21220, Petitioners.



PETER MAX ZIMMERMAN



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1010 Meadow Glen Road

97-514-A

which is presently zoned DR2

This Petition shall be filed with the Office of Zoning Administration & 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) 1 B O I . 2 , C . 2 a (B C Z R 1 9 7 1 - 9 2) A N D S E C T I O N V . B . 5 . a (C M O P) , T O P E R M I T A R E A R Y A R D W I N D O W T O T R A C T B O U N D A R Y O F 2 5 F T . I N L I E U O F T H E R E Q U I R E D 3 0 F T . (P E R 9 5 - 1 2 1 - A) A N D T O A M E N D T H E F I N A L D E V E L O P M E N T P L A N O F R O H E F A R M S . (5 T H A M E N D)

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

The House with options as selected by the Buyers or This Lot requires a rear yard setback of 25' in lieu of the required 30' rear yard setback.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Engineer

~~XXXXXXXXXXXX~~

W. Duvall & Associates, Inc.

(Type or Print Name)

Signature

530 East Joppa Road

Address

Towson, Maryland 21286

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

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.

Legal Owner(s) Rohe Farm Lane Dev. Inc.

c/o Tom Carolan, PRESIDENT

(Type or Print Name)

Signature

(Type or Print Name)

Signature

10021 Bird River Road (410) 682-5050

Address

Phone No

Baltimore, Maryland 21220

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Rohe Farm Lane Dev., Inc.

c/o Tom Carolan

Name

10021 Bird River Road (410) 682-5050

Address

Phone No

Baltimore, MD 21220

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: gum DATE 5-10-97

514

ORDER RECEIVED FOR FILING

Date

By



Printed with Soybean Ink
on Recycled Paper



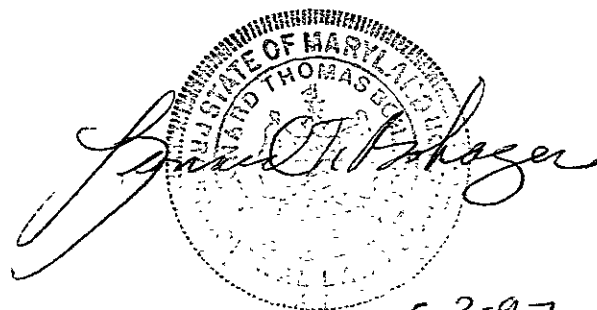
W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

ZONING DESCRIPTION FOR 1010 MEADOW GLEN ROAD

97-514-A

Beginning at a point on the northeast side of Meadow Glen Road which is 50' wide, at the distance of 430 feet southeast of the centerline of the nearest improved intersecting street, Bird River Road, which is proposed 70 feet wide. Being Lot No. 9, Phase 3, Section 1, Sheet 1 of 2, in the subdivision of Rohe Farm as recorded in Baltimore County Plat Book S.M. 64 Folio 111, containing 0.150 acres. Also known as 1010 Meadow Glen Road and located in the 15th Election District, 5th Councilmanic District.



5-2-97

514

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/29, 19 97

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 5/29, 19 97.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

NOTICE OF 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: #97-514-A

1010 Meadow Glen Road

NE of Meadow Glen Road

430' W. SE of Catonsville River

Road

15th Election District

5th Conditional

Legal Owner(s)

Rohe Farm Lane Development, Inc.

Variance: to permit a rear yard window to tract boundary of 25 feet in lieu of the required 30 feet and to amend Final Development Plan of Rohe Farms (5th Amended)

Hearing: Friday, June 27, 1997 at 2:00 p.m., Room 106, County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

5/482 May 29

C147042

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

~~514~~ 514
No.

035857

DATE 5-10-97 ACCOUNT POD-6150

AMOUNT \$ 100.00

RECEIVED FROM: T. CARDAN 1010 MEADOW GLEN RD.

FOR: VAR. (010)
PAID (640)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

JCM

PAID RECEIPT

05/13/97 01 4 CML R 12292
Dept 5 525 MISCELLANEOUS DASH
CR NO. 035857
\$100.00 CK P-A-I-D
Baltimore County Maryland
Office Of Budget & Finance

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.:

91-514-A

Petitioner/Developer:

APPLETREE HOMES, ETAL

Date of Hearing/Closing:

6/27/97

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

#1010 MEADOW GLEN RD.

The sign(s) were posted on

6/10/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 6/13/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

Hunt Valley, MD 21030

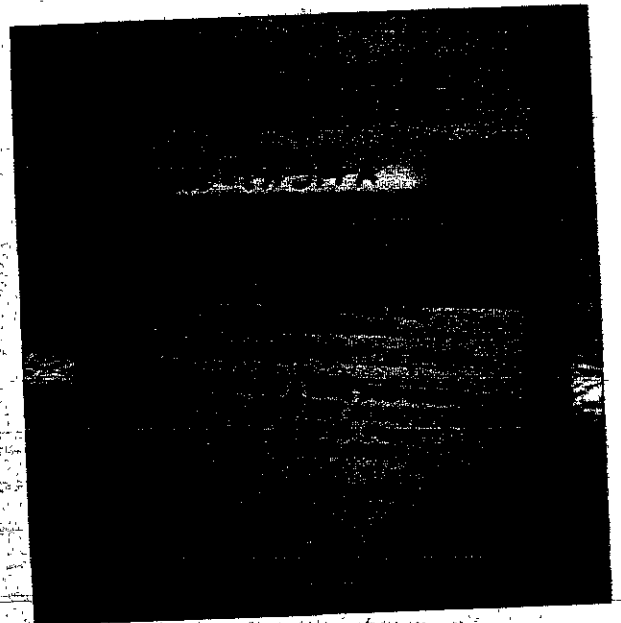
(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

Pager (410) 646-8354

9/96
cert dno



#1010 MEADOW GLEN RD.

AppleTree Homes
682-5050

#-6/27/97

8-6/10/97

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.: 97-514-A

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

PLACE: _____

DATE AND TIME: _____

REQUEST: A VARIANCE TO PERMIT A REAR YARD
SETBACK OF 25ft. IN LIEU OF THE
REQUIRED 30ft. (per 95-121-A) FOR A DWELLING.

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

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

: PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 514

Petitioner: ROHE FARM LANE DEV. INC.

Location: 1010 MEADOW GLEN RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: TOM CAROLAN

ADDRESS: 10021 BIRD RIVER ROAD

BALTIMORE, MARYLAND 21220

PHONE NUMBER: 410-682-5050

AJ:ggs

(Revised 04/09/93)





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 23, 1997

NOTICE OF 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: 97-514-A
1010 Meadow Glen Road
NE/s Meadow Glen Road, 430'+/- SE of c/l Bird River Road
15th Election District - 5th Councilmanic
Legal Owner(s): Rohe Farm Lane Development, Inc.

Variance to permit a rear yard window to tract boundary of 25 feet in lieu of the required 30 feet and to amend Final Development Plan of Rohe Farms (5th Amended).

HEARING: FRIDAY, JUNE 27, 1997 at 2:00 p.m., Room 106 County Office Building, 111 W. Chesapeake Avenue.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with the first name "Arnold" and last name "Jablon" clearly distinguishable.

Arnold Jablon
Director

cc: Rohe Farm Lane Development, Inc.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 12, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 26, 1997

Rohe Farm Lane Dev. Inc.
c/o Tom Carolan
10021 Bird River Road
Baltimore, MD 21220

RE: Item No.: 514
Case No.: 97-514-A
Petitioner: Rohe Farm Lane Dev. Inc

Dear Mr. Carolan:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 10, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative 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 or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a circular official stamp. The stamp is partially obscured by the signature.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: May 30, 1997

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

SUBJECT: 1010 Meadow Glen Road

INFORMATION

Item Number: 514

Petitioner: Rohe Farm Lane Development, Inc.

Zoning: DR 2

Requested Action: Variance

Summary of Recommendations:

Based upon a review of the information provided, staff can find no justification for the relief requested; therefore, this office believes that it will be incumbent upon the applicant to prove that a need exists for the subject variance.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

AFK/JL

97-2585

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: May 30, 1997

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

SUBJECT: 1010 Meadow Glen Road

INFORMATION

Item Number: 514

Petitioner: Rohe Farm Lane Development, Inc.

Zoning: DR 2

Requested Action: Variance

Summary of Recommendations:

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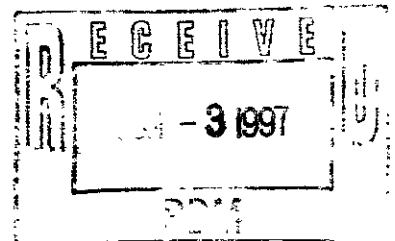
Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Keller

AFK/JL





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

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

RE: Baltimore County 5-23-97
Item No. 514 JCM

Dear Ms. Eubanks:

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.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

to

Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

May 27, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW *man 27.*
Location: DISTRIBUTION MEETING OF ~~June 2, 1997~~

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced 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.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

513, 514, 515, 517, and 519

REVIEWER: LT. ROBERT P. BAUERWALD



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: June 6, 1997

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SIGNED: ROBERT W. BOWLING

SUBJECT: Zoning Advisory Committee Meeting
for June 2, 1997
Item Nos. 514, 515, 517, 519 & 520

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 5/22/97

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: May 27, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 97-375 A 518
 513 519
 514
 516
 517

RBS:sp

BRUCE2/DEPRM/TXTS8P



apple tree homes

97-514-A

June 26, 1997

To whom it may concern:

Apple Tree Homes hereby authorizes Patrick O'Keefe as their agent for permit and zoning matters concerning 1010 Meadow Glen Road.

Development Manager:

Stephen Sankovich

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

PATRICK O'KEEFE (9754A)
#1010 MEADOW GLEN RD.

523 PENNY LA. - 21030



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: #1010 MEADOW GLEN ROAD

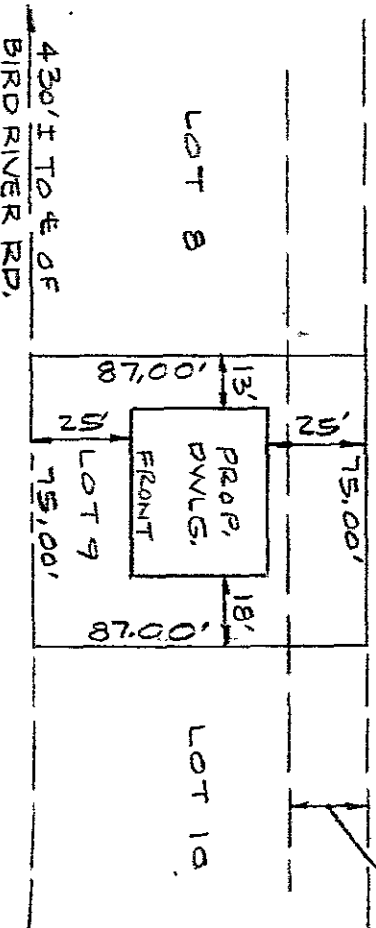
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: ROHE FARM

plat book# 64, folio# 111, lot# 9, section# 1

OWNER: ROHE FARM LANE DEV. INC.

JOSEPH E. SMITH, ET AL
1786/316
20' DRAINAGE &
UTILITY EASEMENT



MEADOW GLEN ROAD
(50' R/W, 30' PAVING)

PET. 1



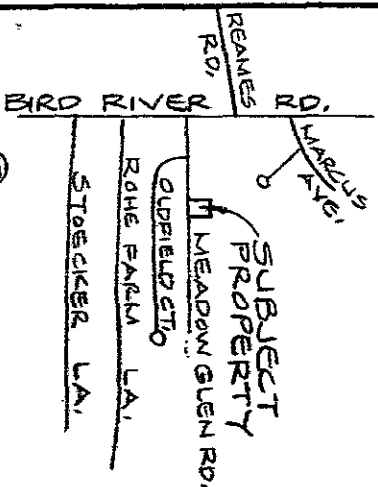
North

date: 4-29-97

prepared by: W.D.A.

Scale of Drawing: 1" = 50'

97-514-A



Vicinity Map
North
scale: 1" = 1000'

LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1"=200' scale map#: NE 61

Zoning: DR 2

Lot size: 0.150 6525
acreage square feet

SEWER: ☒ public ☐ private
WATER: ☒ ☐

Chesapeake Bay Critical Areas: ☐ ☒

Prior Zoning Hearings:

CASE NO. 95-121-A

Zoning Office USE ONLY

reviewed by: ITEM #: CASE#:

DCM 514