

IN THE MATTER OF
THE APPLICATION OF
VICTORIA L. & JEAN-ANDRE ROUGEOT
-LEGAL OWNERS FOR A SPECIAL
HEARING ON PROPERTY LOCATED ON
THE NEC TANYARD ROAD
(1491 TANYARD ROAD)
8TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 01-307-SPH

* * * * *

ORDER OF DISMISSAL

This case comes to the Baltimore County Board of Appeals based on an appeal from a decision of the zoning Commissioner for Baltimore County by "Opinion and Order" dated April 26, 2001 in which the Petitioners' special hearing request was granted.

On May 18, 2001, Mr. Kenneth T. Bosley filed a Notice of Appeal from the decision of the Zoning Commissioner relative to the "Petition for Administrative Special Hearing." The case was originally scheduled by the Board for hearing on April 11, 2002 at 10:00 a.m. However, a request for postponement was filed by the Appellant due to the fact that the Appellant's witness, Mr. James S. Riepe, was required to attend the annual meeting of stockholders of the T. Rowe Price Group, Inc., on that date, which was verified by letter from the Secretary of that corporation. The Board accordingly rescheduled the hearing for July 30, 2002, with notice being sent to all parties on March 21, 2002. The Board received another request for postponement from the Appellant on June 20, 2002 due to the fact that the Appellant indicated that, as a military officer, he would be overseas and would not return to the United States on or before September 1, 2002. Mr. Bosley submitted with his request a copy of a "Certificate of Participation" that was presented to him relative to attendance at a prior Lillehammer conference of NATO held between August 3 and August 10, 1996. Mr. Bosley indicated that he had been invited again to attend the NATO military

organization's conference, indicating that he would be out of the United States on July 30, 2002, the scheduled hearing date, because of his involvement in the NATO military organization representing the United States as a U.S.A.F. officer.

The Board's Administrator, Ms. Kathleen C. Bianco, also notified Mr. Bosley on July 1, 2002 that the Board's policy required that a copy of official military orders was required to support a request for postponement for military reasons and that the 1996 certificate which he had provided the Board, a copy of which is in the Board's file, did not meet that requirement. Ms. Bianco indicated that his request would be reconsidered upon submittal of a signed letter of confirmation as to dates only on official NATO letterhead, including the telephone number of a contact person. In the absence of such verification, the subject hearing would proceed as scheduled on July 30, 2002 at 10:00 a.m., and if Mr. Bosley had any questions, he could call Ms. Bianco at 410-887-3180.

As an additional reason for postponement, Mr. Bosley also cited that, since Board members are selected by the County Executive, and he was currently running against the present County Executive as a candidate for Congress in the same district, the Board could not fairly deny him a postponement. Ms. Bianco responded to Mr. Bosley and informed him that Board members are appointed by the Baltimore County Council, and that the County Executive is not involved in the process. Therefore, that reason for a postponement was not a valid one.

The Board did convene on July 30, 2002 at 10:00 a.m. Mr. Bosley, the Appellant /Protestant, was not present. The Petitioners and legal owners in this matter were present, Victoria L. and Jean-Andre Rougeot, along with witnesses that they were proposing to offer to the Board in support of their case. The witnesses were Gabriela Guzman Castillo and Gregory Wiedemann AIA, with Wiedemann Architects. Mr. Bosley was not present in the hearing room and had not

complied with the Board's request for verification of military orders. The Board adjourned until 10:30 a.m., at which time the Board reconvened and Mr. Bosley was still not present. In view of the circumstances, the Board members unanimously agreed that this case would be dismissed with prejudice, and the hearing was terminated.

IT IS THEREFORE ORDERED this 30th day of August, 2002 by the County Board of Appeals of Baltimore County that the appeal filed in Case No. 01-307-SPH be and

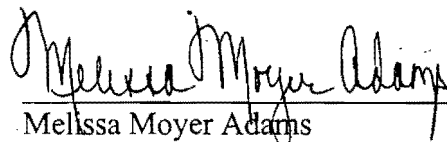
the same is hereby **DISMISSED with prejudice** for Failure to Appear. The decision of the Zoning Commissioner in which the subject Petition for Special Hearing was granted therefore remains the final Order in this matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*. If no such petition is filed within 30 days from the date of this Order, the subject file will be closed.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**



Charles L. Marks, Chairman



Melissa Moyer Adams

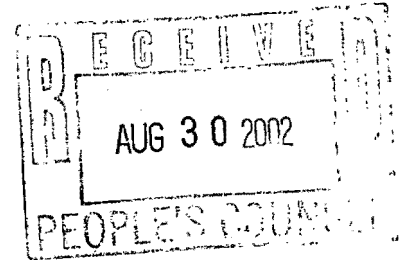


Richard K. Irish



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182



August 30, 2002

Mr. Kenneth T. Bosley
PO Box 334
Cockeysville, MD 21030

RE: *In the Matter of: Victoria L. & Jean-Andre Rougeot*
Case No. 01-307-SPH /Order of Dismissal

Dear Mr. Bosley:

Enclosed please find a copy of the Order of Dismissal issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco
Kathleen C. Bianco
Administrator

Enclosure

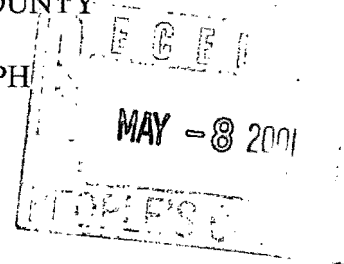
c: Victoria L. & Jean-Andre Rougeot
Gregory Wiedemann /AIA
People's Counsel for Baltimore County
Lawrence E. Schmidt, Zoning Commissioner
Pat Keller, Planning Director
Arnold Jablon, Director /PDM



pur 4/26/01

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
SPECIAL HEARING *
NEC Tanyard and Western Run Roads * ZONING COMMISSIONER
8th Election District *
3rd Councilmanic District * OF BALTIMORE COUNTY
(14921 Tanyard Road) *
CASE NO. 01-307-SPH *
Victoria L. & Jean-Andre Rougeot *
Petitioners *

* * * * *



FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 14921 Tanyard Road in the Sparks community of northern Baltimore County. The Petitioners seek special hearing relief to approve a waiver, pursuant to Sections 26-171 and 26-172(b) of the Baltimore County Code of Sections 26-203(C)(8) and Section 26-278. They seek approval to remove a recent addition to the primary dwelling on this property which was added in the early 1990's and to replace same with a new addition, as approved by the Landmarks Preservation Commission on October 12, 2000. This dwelling is listed on the Maryland Historical Trust Inventory as #BA 192, "Pleasant Prospect", also known as "Scott's Plantation". The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Special Hearing.

This matter was originally filed as an administrative request pursuant to Section 26-172(b) of the Baltimore County Code. In fact, the petition was initially reviewed and relief granted by Deputy Zoning Commissioner Timothy M. Kotroco, by Order dated February 27, 2001. However, that Order was rescinded when it was discovered that a request for public

hearing had been made by a nearby property owner, Kenneth Bosley. Thus, the matter was set for public hearing.

Appearing at the public hearing were the Petitioners/Property Owners, Jean-Andre Rougeot and Victoria L. Rougeot, his wife. Also present was Gregory Wiedemann, an architect with expertise in the restoration and rehabilitation of historic structures. Appearing in opposition to the request was the aforementioned Mr. Bosley.

The property under consideration is approximately 28 acres, zoned RC 2. It is located immediately adjacent to the intersection of Tanyard Road and Western Run Road in Sparks. The property is indeed historic in character and has a significant history. In addition to being listed on the Maryland Historical Trust Inventory, it is also within the Western Run Historic District. The property was originally owned by the Scott family and known as "Scott's Plantation". This family owned a quarry in the area and was a leading family in the 17th and 18th centuries of Maryland. Over the years, the property has changed hands and is now owned by Mr. and Mrs. Rougeot. They acquired the property approximately one year ago in April, 2000.

The primary building on the property is that structure which is under consideration in the instant case. It is the original plantation house. The house was originally built in the 1830's. There have been several additions over the years. The most recent addition was to the western portion of the house and was constructed by a previous owner in the early 1990's. Mr. and Mrs. Rougeot propose to remove that addition and construct a two-story addition in its place. Although the amount of living space will be increased from 1,266 sq. ft. to 3,196 sq. ft., the footprint of the addition is not significantly larger. This is due to the fact that the addition to be removed is but a single story and the proposed addition will contain two stories

and a basement. The proposal was reviewed by the Landmarks Preservation Commission at its meeting on October 12, 2000. Upon reviewing the Petitioners' presentation, the Commission unanimously concluded that the addition was appropriate and consistent with the requirements of Section 26-278 that historic properties "must be preserved".

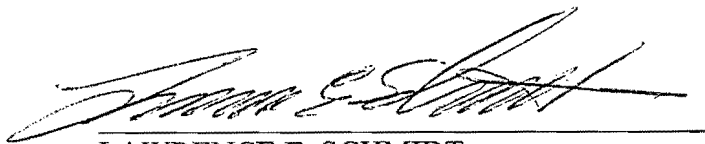
Mr. Bosley raised a number of issues at the hearing before me. He believes that the Landmarks Preservation Commission has lost its focus as a preservation group and now operates at the whim of the development community. He also believes that this property is not used for agricultural purposes, although Mr. Rougeot testified at the hearing that approximately 5 acres are actively farmed and in crop. Mr. Bosley also opposes the use of several out buildings on the property, including a tenant dwelling. Although not an issue before me, Mrs. Rougeot did respond to this issue and stated that that dwelling is occupied by individuals who maintain the property.

Based on the testimony and evidence offered, I am persuaded to grant the relief requested. In my judgment, the proposed removal of the recent addition and construction of a new wing is altogether appropriate and in keeping with the goals set out in Section 26-278 of the Baltimore County Code. Indeed, it appears that the construction will be more in keeping with the historic nature of this building and should be approved. Mr. Bosley's objections are not relevant to this specific proposal and cannot form a basis upon which relief can be denied in this case.

Pursuant to the advertising, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' special hearing request should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of April , 2001, that the request for Administrative Special Hearing pursuant to Sections 26-171 and 26-172(b) of the Baltimore County Code of Sections 26-203(C)(8) and Section 26-278, to remove a recent addition to the primary dwelling on this property which was added in the early 1990's and to replace same with a new addition, as approved by the Landmarks Preservation Commission on October 12, 2000, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If 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:raj

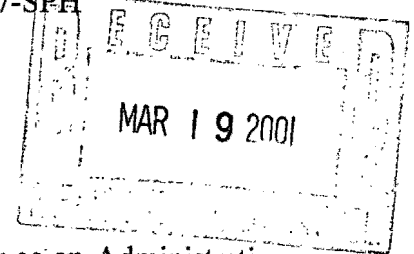
IN RE: PETITION FOR ADMINISTRATIVE
SPECIAL HEARING
NEC Tanyard and Western Run Roads
8th Election District
3rd Councilmanic District
(14921 Tanyard Road)

Victoria L. & Jean-Andre Rougeot
Petitioners

3/9/01
20/11/02
* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-307-SPH

* * * * *

AMENDED ORDER

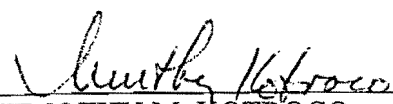


WHEREAS, this matter came before the Deputy Zoning Commissioner as an Administrative Special Hearing filed by Victoria and Jean-Andre Rougeot, legal owners of that property known as 14921 Tanyard Road in the Sparks area of Baltimore County. An Order was issued on February 27, 2001 approving the requested relief.

WHEREAS, after the issuance of the Order, it came to our attention that a request from Mr. Kenneth Bosley dated February 23, 2001 had been received in the Office of Permits and Development Management on the 26th of February, 2001, but a copy was not received and placed in the file until after the issuance of the Order.

WHEREAS, the request for hearing was timely made and this matter shall be set in for a hearing and my previous Order shall be rescinded until such time as a hearing can be held on this matter.

THEREFORE, IT IS ORDERED this 27th day of March, 2001, by this Deputy Zoning Commissioner, that my previous Order dated February 26, 2001 shall be rescinded and a hearing date shall be assigned for this matter.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

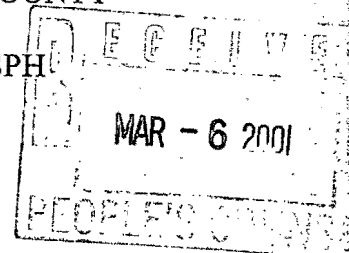
2/27/01

IN RE: PETITION FOR ADMINISTRATIVE
SPECIAL HEARING
NEC Tanyard and Western Run Roads
8th Election District
3rd Councilmanic District
(14921 Tanyard Road)

Victoria L. & Jean-Andre Rougeot
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-307-SPH

* * * * *



FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Special Hearing filed by Victoria and Jean-Andre Rougeot, legal owners of that property known as 14921 Tanyard Road in the Sparks area of Baltimore County. The Petitioners herein seek an Administrative Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(C)(8) and Section 26-278, to remove a recent addition (1990's) and add a new addition to a historic property, as approved by the Landmarks Preservation Commission on October 12, 2000. This building is listed on the Maryland Historical Trust Inventory as #BA 192, "Pleasant Prospect", also known as Scott's Plantation. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Special Hearing.

Section 26-172(b) of the Baltimore County Code (B.C.C.) provides that waivers from the requirements of Section 26-203 of the Code (i.e., the development plan) can be granted by the Director of the Department of Permits and Development Management (DPDM). Such requirements can be waived upon a finding that the size, scope and nature of the proposed development does not justify strict compliance, that a waiver would be within the scope

ORIGINAL FILED FOR FILING

Date

2/27/01

By

R. Johnson

purpose, and intent of the development regulations, and that the proposed development complies with all other County laws, ordinances, and regulations. In order to afford due process, the Director has designated the Deputy Zoning Commissioner (Hearing Officer) to consider the waiver request filed in this instance. Moreover, in order to provide public notice, the property was posted with a sign describing the request on February 2, 2001. There was no request by the public for a hearing nor any public input for the requisite period of fifteen (15) days after posting the property. Thus, the matter is eligible for review and resolution by this Hearing Officer.

The Petitioners have filed the supporting affidavits as required by Section 26-127(b)(1) of the Baltimore County Code. A description of the property contained within the case file indicates that the property consists of 28.856 acres, more or less, zoned RC 2. The information submitted is persuasive to a finding that the proposed addition is consistent with the character and historic features of the existing building and will not be inappropriate. Furthermore, the Landmarks Preservation Commission reviewed the Petitioners' proposal and recommended a finding that the project is consistent with Section 26-278 of the Baltimore County Code on December 1, 2000. There is no evidence in the file to indicate that the requested waiver would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. Moreover, the relief requested complies with the requirements of the Baltimore County Zoning Regulations and should therefore be approved.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations having been met, and for the reasons set forth above, the relief requested should be granted.

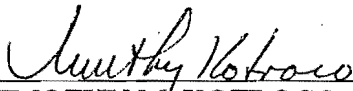
ORDER RECEIVED FOR FILING

Date 2/27/01

by R. J. [Signature]

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of February, 2001, that the request for Administrative Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(C)(8) and Section 26-278, to remove a recent addition (1990's) and add a new addition to a historic property, as approved by the Landmarks Preservation Commission on October 12, 2000, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER PROCESSED FOR FILING

Date

2/27/01

By



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Mgmt.

DATE: February 20, 2001

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

SUBJECT: No. 14921 Tanyard Road, Sparks

INFORMATION

Item Number: 01-307-SPH

Petitioner: Gregory Wiedemann, AIA

Zoning: RC-2

Requested Action: Special Hearing to raze a 1990's addition and add a new addition to a historic property

RECOMMENDATIONS ON THE PROPOSAL

The structure located at No. 14921 Tanyard Road is listed on the Maryland Historic Trust (MHT) Inventory as "Pleasant Prospect," MHT # BA 192. The structure is also within the "Western Run-Belfast Road National Register Historic District."

On October 12, 2000, Mr. Greg Weideman, architect, presented the elevations for the proposed rehabilitation on this historic structure, also known as Scott's Plantation. Mr. Weideman described the various components of the rehabilitation to include the removal of a 1990's addition, minor interior work in the 1940 addition, and the construction of a two-story addition that would continue the telescoping style of the house.

After review of the proposed project, the LPC unanimously recommended a finding to the hearing officer that the proposed project was consistent with Section 26-278, "must be preserved."

Section Chief:

AFK:KA:kra

Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County



for the property located at 14921 Tanyard Road, Sparks, MD.
which is presently zoned RC-2

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 Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(C)(8) and Section 26-278 to

recent addition (1990's) and add a new addition to an historic property
Add an addition *to remove a*

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

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Jean-Andre Rougeot
Name - Type or Print

Signature

Victoria L. Rougeot
Name - Type or Print

Signature

(W) 717.633.9898

14921 Tanyard Road (H) 410.472.2127

Address

Telephone No.

Sparks

Maryland

21152

City

State

Zip Code

Representative to be Contacted:

Gregory Wiedemann, AIA

Name

5272 River Road, Suite 610

301.652.4022

Address

Telephone No.

Bethesda

Maryland

20816

City

State

Zip Code

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

Zoning Commissioner of Baltimore County

Case No. 01-307-SPH

Reviewed By TAG Date 1-30-01

REV 9/18/98

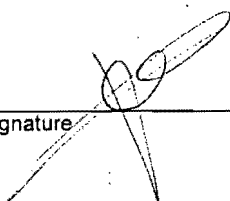
Estimated Posting Date 2-11-01

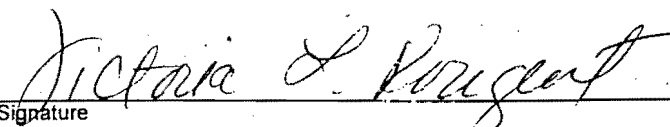
Affidavit in Support of Administrative Special Hearing

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

That the Affiant(s) does/do presently reside at 14921 Tanyard Road
Address
Sparks Maryland 21152
City State Zip Code

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.


Signature
Jean-Andre Rougeot
Name - Type or Print

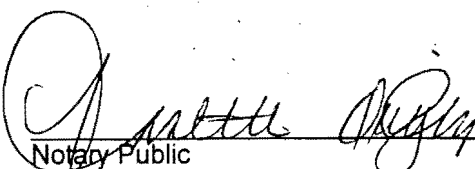

Signature
Victoria L. Rougeot
Name - Type or Print

STATE OF MARYLAND, COUNTY OF HARFORD BALTIMORE, to wit:
I HEREBY CERTIFY, this 20th day of January 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jean A Rougeot and Victoria L Rougeot
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

1/20/01
Date


Notary Public

My Commission Expires Annette Quigley
My Commission Expires April 1st 2003



Baltimore County
Department of Permits and
Development Management

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

February 26, 2001

Victoria L & Jean-Andre Rougeot
14921 Tanyard Road
Sparks MD 21152

Dear Mr. & Mrs. Rougeot:

RE: Case Number: 01-307-SPH, 14921 Tanyard Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 30, 2001.

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,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Gregory Wiedemann AIA, 5272 River Road, Suite 610, Bethesda 20816
People's Counsel





Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

April 13, 2001

Victoria & Jean-Andre Rougeot
14921 Tanyard Road
Sparks MD 21152

Dear Mr. & Mrs. Rougeot:

RE: Case Number: 01-307-A, 14921 Tanyard Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 11, 2001.

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,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Gregory Wiedemann AIA, 5272 River Road, Suite 610, Bethesda 20816
People's Counsel



AN
gale

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Mgmt.

DATE: February 20, 2001

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

SUBJECT: No. 14921 Tanyard Road, Sparks

FEB 21

INFORMATION

Item Number: 01-307-SPH

Petitioner: Gregory Wiedemann, AIA

Zoning: RC-2

Requested Action: Special Hearing to raze a 1990's addition and add a new addition to a historic property

RECOMMENDATIONS ON THE PROPOSAL

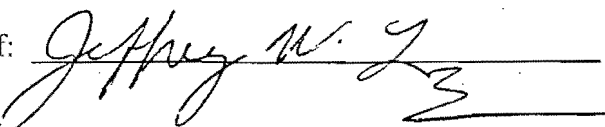
The structure located at No. 14921 Tanyard Road is listed on the Maryland Historic Trust (MHT) Inventory as "Pleasant Prospect," MHT # BA 192. The structure is also within the "Western Run-Belfast Road National Register Historic District."

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After review of the proposed project, the LPC unanimously recommended a finding to the hearing officer that the proposed project was consistent with Section 26-278, "must be preserved."

Section Chief:

AFK:KA:kra





Baltimore County
Fire Department

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

February 13, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 12, 2001

Item No.: See Below

Dear Ms. Stephens:

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:

305, 306, 307, 309, 310, 311, 312, 313,

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: March 7, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For February 20, 2001
Item Nos. 305, 306, 307, 309, 310, 311,
and 312

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

RWB:HJO:jrb

cc: File



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 2.13.01

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

RE: Baltimore County
Item No. 307 TAG

Dear Ms. Jackson:

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,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *MS*

DATE: March 19, 2001

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of February 12, 2001

DEPRM has no comments for the following zoning petitions:

Item #	Address
305	2516 Summerson Road
306	710 Maplehurst Lane
307	14921 Tanyard Road
310	11701 Reisterstown Road
311	10812 Reisterstown Road
312	6324 Baltimore National Pike
314	1229 North Rolling Road

RE: PETITION FOR SPECIAL HEARING
14921 Tanyard Road, NEC Tanyard and
Western Run Rds
8th Election District, 3rd Councilmanic

Legal Owner: Jean-Andre Rougeot
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-307-SPH

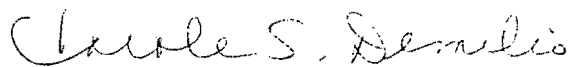
* * * * *

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.

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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 20th day of February, 2001 a copy of the foregoing Entry of Appearance was mailed to Gregory Wiedemann, 5272 River Road, Suite 610, Bethesda, MD 20816, representative for Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

May 24, 2001

Mr. & Mrs. Jean-Andre Rougeot
14921 Tanyard Road
Sparks MD 21152

Dear Mr. & Mrs. Rougeot:

RE: Case No. 01-307-SPH, 14921 Tanyard Road

Please be advised that an appeal of the above-referenced case was filed in this office on May 18, 2001 by Kenneth T Bosley. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

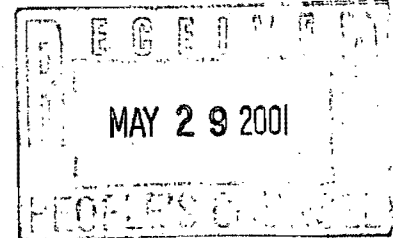
If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

Arnold Jablon GDZ
Director

AJ: gdz

c: Gregory Wiedemann AIA, 5272 River Road, Suite 610, Bethesda 20816
People's Counsel



APPEAL

Petition For Administrative Special Hearing
14921 Tanyard Road
NEC Tanyard and Western Run Roads
8th Election District – 3rd Councilmanic District
Victoria L & Jean-Andre Rougeot - Legal Owner
Case No.: 01-307-SPH

Petition for Administrative Special Hearing (dated 1/30/01)

Zoning Description of Property

Notice of Zoning Hearing (dated 3/12/01)

Notice of Zoning Hearing (dated 3/13/01)

Certification of Publication (The Jeffersonian issue 4/3/01)

Certificate of Posting (Patrick M O'Keefe posted 2/4/01)

Certificate of Posting (Patrick M O'Keefe posted 4/2/01)

Entry of Appearance by People's Counsel (2/20/01)

Petitioner(s) Sign-In Sheet (1 page)

Protestant(s) Sign-In Sheet (none)

Citizen(s) Sign-In Sheet (none)

Zoning Advisory Committee Comments

Petitioners' Exhibits:

1. Plat to accompany Petition for Zoning

Protestants' Exhibits:

(None)

Miscellaneous (Not Marked as Exhibits):

- Article (Tidewater Maryland Architecture and Gardens)
- Minutes (Landmarks Preservation Commission dated 10/12/00) (7 pages)
- Photographs (7 pages)
- Letter to Zoning Commissioner From Kenneth T Bosley dated 2/23/01
- Letter to Mr & Mrs Jean-Andre Rougeot From Timothy M Kotroco Deputy Zoning Commissioner
- Wiedemann Architects, Rougeot Residence (South Elevation)
- Wiedemann Architects, Rougeot Residence (West Elevation)
- Wiedemann Architects, Rougeot Residence (North Elevation)

Zoning Commissioner's Order (4-26-01 - GRANTED)

Notice of Appeal received on May 18, 2001 from Kenneth T. Bosley.

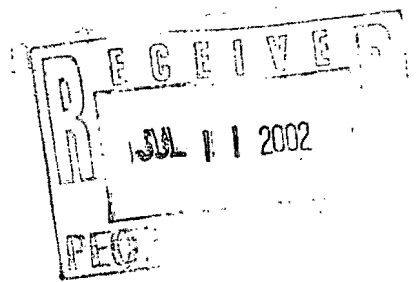
c: Mr. & Mrs. Jean-Andre Rougeot, 14921 Tanyard Road, Sparks 21152
People's Counsel of Baltimore County, MS #2010
Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

ad
PMR



July 10, 2002

Kenneth T. Bosley
PO Box 334
Cockeysville, MD 21030

RE: *In the Matter of: Victoria L. and Jean-Andre Rougeot*
Case No. 01-307-SPH

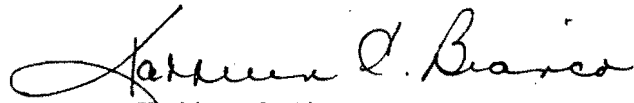
Dear Mr. Bosley:

This office is in receipt of your letter dated July 9, 2002 regarding your continued second postponement request.

Please be advised that the County Executive is in no way involved with the appointment of Board members. Rather, appointments to the Board are made by the Baltimore County Council, with each Councilman being given one nomination to the Board of Appeals, as set forth in § 601 of the *Baltimore County Charter*.

Therefore, your request for postponement until after the September 10, 2002 primary election must be denied, and the subject hearing will proceed as scheduled on July 30, 2002 at 10:00 a.m. Should you have any questions, please call me at 410-887-3180.

Very truly yours,


Kathleen C. Bianco
Administrator

c: Victoria L. & Jean-Andre Rougeot
People's Counsel for Baltimore County



PLEASE STAMP COPY AND RETURN BY POST.

July 9, 2002

Thanks,
1403
840

Kathleen C. Bianco
Administrator
County Board of Appeals of Baltimore County
Room 49, 400 Washington Ave., Towson, MD 21204

Re: Postponement of July 30, 2002 Hearing
Case No. : 01 - 307 - SPH

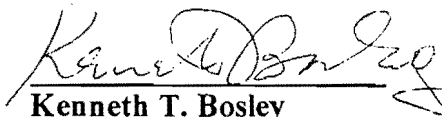
Dear Ms. Bianco:

An additional reason for my previous request for a postponement of the above cited hearing is as follows:

1. I am now engaged in an election battle with the person who appointed the Board of Appeals members, namely, Dutch Ruppersberger, County Executive.
2. Thus, there is a conflict of interest in order to obtain a fair hearing on the issues.

Therefore, please postpone the hearing until after the September 10, 2002 primary election.

Thus I respectfully request a postponement of the July 30th date.



Kenneth T. Bosley
P O Box 334
Cockeysville, MD 21030
1 800 497 - 0880
Appellant / Protestant

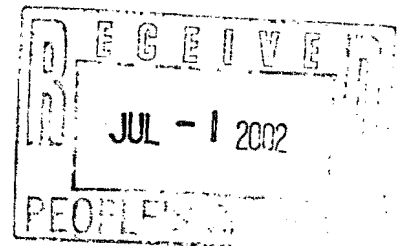
02 JUL -9 AM 9:09



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

cid
pml



July 1, 2002

Kenneth T. Bosley
PO Box 334
Cockeysville, MD 21030

RE: *In the Matter of: Victoria L. and Jean-Andre Rougeot*
Case No. 01-307-SPH

Dear Mr. Bosley:

This office is in receipt of your letter dated June 28, 2002 regarding your second postponement request filed with this Board on June 20, 2002. Please be advised that your request for postponement must be denied at this time.

As previously explained, Board policy dictates that a copy of official military orders is required to support a request for postponement for military reasons. The 1996 certificate which you have provided in this matter does not meet that requirement.

Your request may be reconsidered upon submittal of a signed letter of confirmation as to dates only on official NATO letterhead, including the telephone number of a contact person.

Unless such verification is received, the subject hearing will proceed as scheduled on July 30, 2002 at 10:00 a.m. Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Kathleen C. Bianco
Administrator

c: Victoria L. & Jean-Andre Rougeot
People's Counsel for Baltimore County

June 28, 2002

Kathleen C. Bianco
Administrator
County Board of Appeals of Baltimore County
Room 49, 400 Washington Ave., Towson, MD 21204

02 JUL -1 PM 2:35

Re: Postponement of July 30, 2002 Hearing
Case No. : 01 - 307 - SPH

Dear Ms. Bianco:

In response to Protestant's Request For Postponement pleading, the Board's Administrator left a message for me to provide military orders to the board in order to consider request for postponement. Please be advised that the NATO Military organization of which I will be a delegate representing the United States of America does not issue "Orders" for movement of military troops".

NATO members are composed of many countries and the activities of their military between other countries is by "invitation".

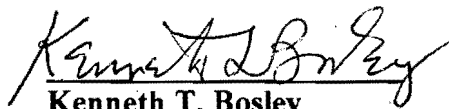
Therefore the "invitation" of time and place for security reasons must be classified from the public record of the Board of Appeals of Baltimore County.

Enclosed is a copy of a certificate that I received from Norway, which hosted the Military Congress in 1996. The certificate contains both English and French. These are the two official languages of over 15 Nations that form the CIOR. (Confederation of International Organization of Reserve Officers) .

Each year the Congress meets at a different Country by initiation of their State Department and their Country's national military Command.

I HEREBY CERTIFY that I will be out of the United States during July 30, 2002 involved with the NATO military organization representing the U.S. as a U.S.A.F. Officer.

Thus I respectfully request a postponement of the July 30th date.


Kenneth T. Bosley
P O Box 334
Cockeysville, MD 21030
1 800 497 - 0880
Appellant / Protestant

P.S. The Board did not contact me before setting this hearing date to inquire if I had a schedule conflict.

CICR-CIOMR-NRFC
CONGRESS / CONGRÈS
LILLEHAMMER
NORWAY - NORVÈGE
1996



CERTIFICATE OF PARTICIPATION
CERTIFICATE DE PARTICIPATION

Presented to - Présenté à

Maj Kenneth Bosley

Lillehammer
August 3-10 Août 1996

Mare Otto Telle
Chairman of the board

