IN THE MATTER OF:

P & S DEVELOPMENT CO-LEGAL OWNER
E/S FEATHERBED LANE, 450' N OF C/L
PLEASANT HILL ROAD
(75, 77, 79 AND 81 FEATHERBED LANE)

4<sup>TH</sup> ELECTION DISTRICT 3<sup>RD</sup> COUNCILMANIC DISTRICT

RE: Petition for Variance to permit 4 lots of record, containing 20,000 sq ft, which do not abut on a right of way of at least 30 ft wide, over which the public has an easement of travel

BEFORE THE

BOARD OF APPEALS

\* OF BALTIMORE COUNTY

Case No.: 02-445-A

# **ORDER OF DISMISSAL**

This matter having come before this Board on appeal dated June 18, 2002 from a decision dated June 4, 2002 from the Deputy Zoning Commissioner, wherein the Petition for Variance to permit 4 lots of record, containing 20,000 sq ft, which do not abut on a right of way of at least 30 ft wide, over which the public has an easement of travel was Granted.

WHEREAS, the Board has been reviewing its docket with reference to inactive cases with the intent to dismiss and close as many of these cases as possible;

WHEREAS, the subject matter has been held on the Board's docket since January 29, 2003, and no further action having occurred in this matter;

WHEREAS, by letter dated June 19, 2009, the Board of Appeals notified the Counsel of record that the above-entitled matter would be dismissed for lack of prosecution after a period of 30 days; and

WHEREAS, there has been no request made for hearing in this matter, nor objection made to said dismissal;

the Board of Appeals for Baltimore County that the above-referenced appeal filed in Case No.: 02-445-A, be and is hereby DISMISSED FOR LACK OF PROSECUTION.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Maureen E. Murphy, Chairman



# County Board of Appeals of Baltimore County

JEFFERSON BUILDING SECOND FLOOF, SUITE 203 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND, 21204 410-887-3180 FAX: 410-887-3182

June 19, 2009

Steven Rosen, Esquire Abramoff, Neuberger & Linder 250 W. Pratt Street, Suite 800 Baltimore, MD 21201

RE: In the Matter of: P. & S. Development Co., -Legal Owner

Case No.: 02-445-A

Dear Mr. Rosen:

The Board of Appeals has been reviewing its docket, particularly with reference to inactive cases. By this review, the Board intends to dismiss and close as many of these cases as possible.

A review of the subject file indicates that your request for postponement was granted on 01/29/03, with no further action reflected in the file to date.

Pursuant to the above intent regarding inactive cases, the purpose of this letter is to advise you that an Order of Dismissal of Petition for lack of prosecution will be entered in the abovecaptioned matter after the expiration of 30 days from the date of this Notice. Upon receipt of a request filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Very truly yours,

Theresa R. Shelton Administrator

TRS/klc



# County Board of Appeals of Baltimore County

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

Hearing Room – Room 48 Old Courthouse, 400 Washington Avenue

January 29, 2003

### NOTICE OF POSTPONEMENT

CASE #: 02-445-A

IN THE MATTER OF: P. & S. Development Co., Thomas Scherr, VP -- Legal Owner 51 Cinder Road

4<sup>th</sup> Election District; 3<sup>rd</sup> Councilmanic District

6/04/02 – D.Z.C.'s Order in which requested variance relief was GRANTED.

which was scheduled to be heard on 1/30/03 has been **POSTPONED** without objection by the Office of People's Counsel; **NOT TO BE RESET EXCEPT BY REQUEST.** 

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco Administrator

c:

Appellant

: Office of People's Counsel

Counsel for Petitioner

: Steven M. Rosen, Esquire

Petitioner

: Thomas Scher, V.P.

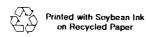
P. & S. Development Co.

Robert E. Matz, P.E. /Colbert Matz Rosenfelt, Inc.

**Protestants** 

: Keith Hollenbaugh Agnes Elaine Gregg

Lawrence E. Schmidt, Zoning Commissioner Pat Keller, Planning Director Arnold Jablon, Director /PDM



## APPEAL

Petition for Vallance 75, 77, 79, & 81 Featherbed Lane E/S Featherbed Lane, 450' N. centerline Pleasant Hill Road Election District 4th- Councilmanic District 3rd P. & S Development Co. Thomas Scherr, VP - Legal Owner Case No.: 02-445-A

✓ Petition for Variance (dated 4/11/02)

Zoning Description of Property

✓ Notice of Zoning Hearing (5/01/02)

Certification of Publication (The Jeffersonian issue 5/9/02)

✓ Certificate of Posting (Dated 5/4/02 posted Patrick M. O'Keefe)

✓ Entry of Appearance by People's Counsel (5/2/02)

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

Protestant(s) Sign-In Sheet (1 Page)

✓ Citizen(s) Sign-In Sheet

Zoning Advisory Committee Comments

✓ Petitioners' Exhibits:

√1. Plat to Accompany Petition for Variance

✓ Protestants' Exhibits: NoNE

V Miscellaneous (Not Marked as Exhibits): √o√E

Deputy Zoning Commissioner's/ Order (6/04/02- GRANTED)-

√ Notice of Appeal received on 6/18/02 from Peter Max Zimmerman, People's Counsel **Baltimore County** 

Thomas Scherr, Vice President P & S Development Co. Inc. 701 Fern Valley Ci. Baltimore MD 21228

Steven M. Rosen, Esq. Abramoff, Newberger & Linder, 250 W. Pratt St. Ste. 800 Baltimore, MD 21201

Robert E. Matz, P.E. Colbert Matz Rosenfelt, Inc. 2835 Smith Ave. Ste. G Baltimore, MD21201

\* People's Counsel of Baltimore County, MS #2010 - AFFEL LAN Timothy Kotroco, Deputy Zoning Commissioner

<u>Petitioner</u>

THOMAS SCHERR, VICE PRESIDENT P & S DEVELOPMENT CO., INC. 701 FERN VALLEY CIRCLE BALTIMORE, MD 21228

<u> Attorney for Petitioner</u> STEVEN M. ROSEN, ESQUIRE ABRAMOFF, NEUBERGER & LINDER 250 W. PRATT STREET, S 800 BALTIMORE, MD 21201

Representative to be Contacted ROBERT E. MATZ, P.E. COLBERT MATZ ROSENFELT, INC.

2835 SMITH AVENUE, STE G BALTIMORE, MD 21201

LA CRESTANTED EN STANTED EN STANT

Case No. 02-445-A

VAR – To permit 4 lots of record containing less than 20,000 sq ft which do not abut on a r/w of at least 30 feet wide over which the public has an easement of travel.

6/04/02 – DZC's Order in which variance request was GRANTED.

91302 – Notice of Assignment sent to following; assigned for hearing on Thursday, January 30, 2003 at 10 a.m.

Office of People's Counsel
Steven M. Rosen, Esquire
Thomas Scher, V.P.
P. & S. Development Co.
Robert E. Matz, P.E. /Colbert Matz Rosenfelt, Inc.
Keith Hollenbaugh
Agnes Elaine Gregg
Lawrence E. Schmidt, Zoning Commissioner
Pat Keller, Planning Director
Arnold Jablon, Director /PDM

1/28/03 – Per C. Demilio – possible postponement of 1/30/03 hearing; awaiting response from S. Rosen, Esquire, regarding same; he is out of town this week; will confirm with secretary Lisa (410-539-8300) and will advise this office.

1/29/03 – T/C with C. Demilio; Mr. Rosen does not intend to appear today nor will her office; requesting PP; possible withdrawal of Petition; People's Counsel does not object to this postponement.
 Notice of PP sent to parties; 1/30/03 hearing PP'd; to be reset only upon request; possible withdrawal of petition pending.

# Copies to:

P & S Development Company, Inc. c/o Thomas Scherr, Vice President, 701 Fern Valley Circle
Baltimore MD 21228

Richard E. Matz, P.E. Colbert Matz Rosenfelt Inc. 2835 Smith Avenue Ste G Baltimore MD 21209

Agnes E Gregg 55 Featherbed La Owings Mills MD 21117

Keith Hollenbaugh 10713 Lakespring Way Cockeysville MD 21030



# County Board of Appeals of Baltimore County

will

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

Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

September 13, 2002

# **NOTICE OF ASSIGNMENT**

CASE #: 02-445-A

IN THE MATTER OF: P. & S. Development Co., Thomas Scherr,

VP -- Legal Owner

51 Cinder Road

4<sup>th</sup> Election District; 3<sup>rd</sup> Councilmanic District

6/04/02 - D.Z.C.'s Order in which requested variance relief was GRANTED.

**ASSIGNED FOR:** 

THURSDAY, JANUARY 30, 2003 at 10:00 a.m.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco Administrator

c:

Appellant

: Office of People's Counsel

Counsel for Petitioner

: Steven M. Rosen, Esquire

Petitioner

: Thomas Scher, V.P.

P. & S. Development Co.

Robert E. Matz, P.E. /Colbert Matz Rosenfelt, Inc.

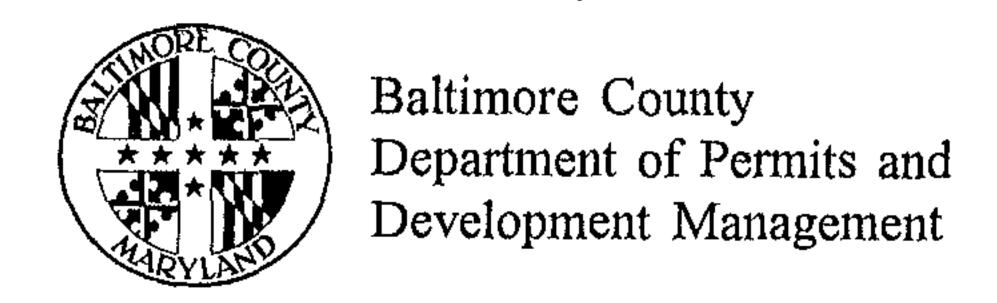
Protestants

: Keith Hollenbaugh Agnes Elaine Gregg

dt Zoning Commissioner

Lawrence E. Schmidt, Zoning Commissioner Pat Keller, Planning Director Arnold Jablon, Director /PDM

Printed with Soybean Ink on Recycled Paper



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

June 20, 2002

Steven M. Rosen, Esquire Abramoff, Neuberger & Linder 250 W. Pratt Street Baltimore MD 21201

Dear Mr. Scherr:

RE: Case No. 02-445-A, Address 75,77,79 and 81 Featherbed Lane

Please be advised that an appeal of the above-referenced case was filed in this office on June 18, 2002 by Peter Max Zimmerman, People's Counsel for Baltimore County. 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.

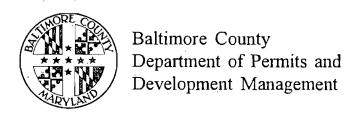
Sincerely,

Arnold Jablon

Director

AJ/rjc

c: Thomas Scherr, Vice President P & S Development Co. Inc. 701 Fern Valley Circle, Baltimore MD 21228
Agnes Elaine Gregg 55 Featherbed Lane Owings Mills, MD 21117
Keith Hollenbaugh 10713 Lakespring Way, Cockeysville, MD 21030
Timothy Kotroco, Deputy Zoning Commissioner
People's Counsel of Baltimore County



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

June 20, 2002

Steven M. Rosen, Esquire Abramoff, Neuberger & Linder 250 W. Pratt Street Baltimore MD 21201

Dear Mr. Scherr:

RE: Case No. 02-445-A, Address 75,77,79 and 81 Featherbed Lane

Please be advised that an appeal of the above-referenced case was filed in this office on June 18, 2002 by Peter Max Zimmerman, People's Counsel for Baltimore County. 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

Director

AJ/rjc

c: Thomas Scherr, Vice President P & S Development Co. Inc. 701 Fern Valley Circle, Baltimore MD 21228
Agnes Elaine Gregg 55 Featherbed Lane Owings Mills, MD 21117
Keith Hollenbaugh 10713 Lakespring Way, Cockeysville, MD 21030
Timothy Kotroco, Deputy Zoning Commissioner
People's Counsel of Baltimore County

# **APPEAL**

Petition for Variance
75, 77, 79, & 81 Featherbed Lane
E/S Featherbed Lane, 450' N. centerline Pleasant Hill Road
Election District 4th- Councilmanic District 3rd
P. & S Development Co. Thomas Scherr, VP – Legal Owner
Case No.: 02-445-A

Petition for Variance (dated 4/11/02)

**Zoning Description of Property** 

Notice of Zoning Hearing (5/01/02)

Certification of Publication (The Jeffersonian issue 5/9/02)

Certificate of Posting ( Dated 5/4/02 posted Patrick M. O'Keefe )

Entry of Appearance by People's Counsel (5/2/02)

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

Protestant(s) Sign-In Sheet (1 Page)

Citizen(s) Sign-In Sheet None

**Zoning Advisory Committee Comments** 

Petitioners' Exhibits:

1. Plat to Accompany Petition for Variance

Protestants' Exhibits:

Miscellaneous (Not Marked as Exhibits):

Deputy Zoning Commissioner's/ Order (6/04/02- GRANTED)-

Notice of Appeal received on 6/18/02 from Peter Max Zimmerman, People's Counsel Baltimore County

C: Thomas Scherr, Vice President P & S Development Co. Inc. 701 Fern Valley Ci. Baltimore MD 21228 Steven M. Rosen, Esq. Abramoff, Newberger & Linder, 250 W. Pratt St. Ste. 800 Baltimore, MD 21201 Robert E. Matz, P.E. Colbert Matz Rosenfelt, Inc. 2835 Smith Ave. Ste. G Baltimore, MD21201 People's Counsel of Baltimore County, MS #2010 Timothy Kotroco, Deputy Zoning Commissioner

date sent: 6/20/02/rjc

# Baltimore County, Maryland



OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

(410) 887-2188

June 18, 2002

CAROLE S. DEMILIO
Deputy People's Counsel

PETER MAX ZIMMERMAN People's Counsel

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Hand-delivered

Re: PETITION FOR VARIANCE

E/s Featherbed Lane, 450' N c/l of Pleasant Hill Road

75, 77, 79 & 81 Featherbed Lane)
4th Election Dist., 3rd Councilmanic
P&S Development Company, Inc.
By: Thomas Scherr, VP -Petitioners

Case No.: 02-445-A

Dear Mr. Jablon:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Finding of Fact and Conclusions of Law dated June 4, 2002 of the Baltimore County Deputy Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

CEIVE JUN 18 2002 Very truly yours,

Peter Max Zimmerman

People's Counsel for Baltimore County

Carole S. Demilio

Deputy People's Counsel

PMZ/CSD/caf

cc: Steven M. Rosen, Esq. Abramoff, Neuberger & Linder, 250 W. Pratt Street, Suite 800, Baltimore, MD 21201, Attorney for Petitioners





# OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

(410) 887-2188

June 18, 2002

CAROLE S. DEMILIO
Deputy People's Counsel

PETER MAX ZIMMERMAN People's Counsel

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Hand-delivered

Re: PETITION FOR VARIANCE

E/s Featherbed Lane, 450' N c/l of Pleasant Hill Road

75, 77, 79 & 81 Featherbed Lane)
4th Election Dist., 3rd Councilmanic
P&S Development Company, Inc.
By: Thomas Scherr, VP -Petitioners

Case No.: 02-445-A

Dear Mr. Jablon:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Finding of Fact and Conclusions of Law dated June 4, 2002 of the Baltimore County Deputy Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman

People's Counsel for Baltimore County

Carole S. Demilio

Deputy People's Counsel

### PMZ/CSD/caf

cc: Steven M. Rosen, Esq, Abramoff, Neuberger & Linder, 250 W. Pratt Street, Suite 800, Baltimore, MD 21201, Attorney for Petitioners





IN RE: PETITION FOR VARIANCE

E/S Featherbed Lane, 450' N centerline of Pleasant Hill Road 4th Election District 3rd Councilmanic District (75, 77, 79 & 81 Featherbed Lane)

P & S Development Company, Inc. By: Thomas Scherr, Vice President Petitioners

- BEFORE THE
- \* DEPUTY ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- \* CASE NO. 02-445-A

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for variance filed by the legal owners of the subject property, Thomas Scherr, Vice President of P & S Development Company, Inc. The variance request involves property located at 75-81 Featherbed Lane. The variance request is to permit 4 lots of record, containing less than 20,000 sq. ft., which do not abut on a right-of-way of at least 30 ft. wide, over which the public has an easement of travel.

Appearing at the hearing on behalf of the variance request were Thomas Scherr, Vice President of P & S Development Company, Inc., Richard Matz, professional engineer who prepared the site plan of the property and Steven Rosen, attorney at law, representing the Petitioner. Appearing in opposition to the Petitioner's request were Agnes Gregg and Keith Hollenbaugh, nearby property owners.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 4 separate lots of record, all of which are identified on Petitioner's Exhibit No. 1, the site plan submitted into evidence. The property owner is desirous of constructing single-family residential dwellings on each of these separate lots. The location of the houses to be constructed are shown on the site plan submitted. Each of the lots in question take access

from Featherbed Lane, which is a narrow county road that does not meet the 30-ft. width requirement for these lots. In order to proceed with the construction of homes on these properties the variance request is necessary.

As stated previously, two residents from the surrounding community appeared in opposition to the Petitioner's request. Ms. Gregg and Mr. Hollenbaugh are both concerned over the additional traffic which will be generated by virtue of the construction of these 4 homes. These neighbors testified that Featherbed Lane contains a sharp turn in the vicinity of the location of these proposed homes. In addition, they testified that it is difficult to pass another vehicle in this area of Featherbed Lane. These neighbors requested that the Bureau of Traffic Engineering for Baltimore County review Featherbed Lane as to a determination of whether it should be made a one-way street, in hopes of mitigating the difficulty in traveling over this roadway.

I indicated to these residents that I do not have the authority to designate Featherbed Lane as a one way thoroughfare. However, I shall refer this matter to the Bureau of Traffic Engineering for their full study as to whether modifications should be made to this road. As to the variance request, it should be granted to allow the new homes to be constructed.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED this 4% day of June, 2002, by this Deputy Zoning Commissioner for Baltimore County, that the Petitioner's request for variance from Section 102.4 of the Baltimore County Zoning Regulations, to permit these 4 lots of record to be situated

on lots containing less than 20,000 sq. ft. of land not abutting a right-of-way of at least 30 ft. wide, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the issue regarding Featherbed Lane and any potential modifications to that roadway should be reviewed by the Bureau of Traffic Engineering for Baltimore County as to whether it is appropriate to alter the traffic flow on that road.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

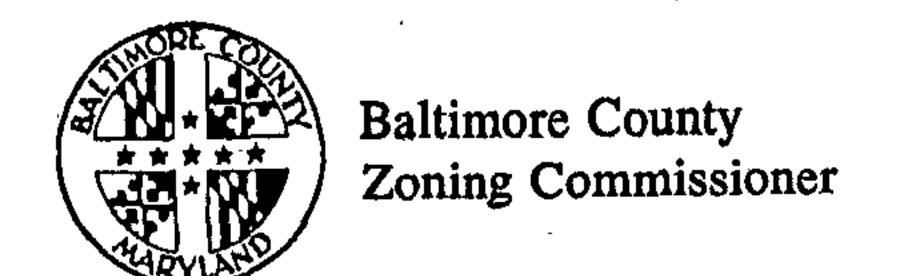
TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

PERMINED FOR FILING



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

Fax: 410-887-3468

June 4, 2002

Steven M. Rosen, Esquire Abramoff, Neuberger & Linder 250 W. Pratt Street Baltimore, Maryland 21201

> Re: Petition for Variance Case No. 02-445-A

> > Property: 75, 77, 79 & 81 Featherbed Lane

Dear Mr. Rosen:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance has been granted in accordance with the enclosed Order.

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

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure



# Petition for Variance

# to the Zoning Commissioner of Baltimore County

for the property located at 75,77,79 and 81 Featherbed Lane which is presently zoned D.R.-3.5

I/We do solemnly declare and affirm, under the penalties of

UNAVAILABLE FOR HEARING

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 of thereof, hereby petition for a Variance from Section(s)

102.4 to permit four (4) lots of record, containing less than 20,000 square feet which do not abut on a right-of-way at least 30 feet wide over which the public has an easement of travel.

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

The uniqueness and peculiarity of the property casues the zoning provisions to impact disproportionately on the property. Practical difficulty and unreasonable hardship result from the disproportionate impact of the provisions of the zoning regulations caused by the property's uniqueness.

Property 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.

		perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.		
Contract Purchaser/Lessee:		Legal Owner(s):	•	
		Thomas Scherr, Vice President		
		P & S Development Company, Inc.		
Name – Type or Print		Name - Type-or Print	,	
Signature		Signature		
Address.	Telephone No.	Name – Type or Print		
City	State Zip Code	Signature		
Attorney For Petitioner:		701 Fern Valley Circle	410-744-8589	
		Address.	Telephone No.	
Steven M. Rosen, Esq.		Baltimore	Md. 21228	
Name    Type or Print		City	State Zip Code	
Ato M. M.		Representative to be Contacted	<u>t:</u>	
Signature				
		Richard E. Matz, P.E.	(eve.) 410-484-8757	
Abramoff, Neuberger & Linder				
Company		COLBERT MATZ ROSENFELT, INC		
250 W. Pratt Street	410-539-8300	2835 Smith Avenue, Suite G	410-653-3838	
Address	Telephone No.	Address	Telephone No.	
Baltimore	Md 21201	Baltimore	MD 21209	
City	State Zip Code	City	State Zip Code	
•	•	OFFICE USE ONLY		
Case No. 02. 445 - A		ESTIMATED LENGTH OF HEAR	ING	



# Petition for Variance

# to the Zoning Commissioner of Baltimore County

for the property located at 75,77,79 and 81 Featherbed Lane which is presently zoned D.R.-3.5

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 of thereof, hereby petition for a Variance from Section(s)

102.4 to permit four (4) lots of record, containing less than 20,000 square feet which do not abut on a right-of-way at least 30 feet wide over which the public has an easement of travel.

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

The uniqueness and peculiarity of the property casues the zoning provisions to impact disproportionately on the property. Practical difficulty and unreasonable hardship result from the disproportionate impact of the provisions of the zoning regulations caused by the property's uniqueness.

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

I, or we, agree to pay expenses of above Varlance, 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:		Legal Owner(s):		
		Thomas Scherr, Vice President P & S Development Company, Inc.		
Name – Type or Print		Name - Type or Frint	-	
Signature	<del></del>	Signature		
Address.	Telephone No.	Name - Type or Print	<u></u>	
City	State Zip Code	Signature	<u> </u>	
Attorney For Petitioner:		701 Fern Valley Circle	410-744-8589	
		Address.	Telephone No.	
Steven M. Rosen, Esq.		Baltimore	Md. 21228	
Name Type or Print Signature		Representative to be Contacted:	State Zip Code	
Abramoff Neuberger & Linder		Richard E. Matz, P.E. ' (eve.)	410-484-8757	
Company		COLBERT MATZ ROSENFELT, INC		
250 W. Rratt Street	410-539-8300	2835 Smith Avenue, Suite G	410-653-3838	
Address	Telephone No.	Address	Telephone No.	
Batimo	Md 21201	Baltimore	MD 21209	
en 200	State Zip Code	City	State Zlp Code	
		OFFICE USE ONLY ESTIMATED LENGTH OF HEARING		
Case No. 02-445-A				

UNAVAILABLE FOR HEARING

\_\_ Date <u>4/11/02</u>





# Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



# ZONING DESCRIPTION 75, 77, 79 AND 81 FEATHERBED LANE

Beginning at a point on the east side of Featherbed Lane, which is 12.38 feet wide, at a distance of 420 feet north of the centerline of Pleasant Hill Road, which is 15 feet wide. Thence the following courses and distances:

North 06°45'43" West 144.34 ft; North 69°40'17" East 299.55 ft.; South 08°03'43" East 229.08 ft.; and South 86°01'17" West, to the Point of Beginning.

As recorded in Deed Liber 13875, Folio 389, Liber 15334, Folio 015 and Liber 15334, Folio 022 and containing 54,917 square feet (1.26 acres). Also known as 75, 77, 79 and 81 Featherbed Lane and located in the 4<sup>th</sup> Election District.



2835 Smith Avenue, Suite G Baltimore, Maryland 21209 Telephone: (410) 653-3838 / Facsimile: (410) 653-7953

### NOTICE OF ZONING

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: #02-445-A 75, 77, 79 & 81 Featherbed Lane E/S Featherbed Lane, 450' N centerline Pleasant Hill Road 4th Election District 3rd Councilmanic District Legal Owner(s): Thornas Scherr Variance: to permit four lots of record, containing less than 20,000 square feet which do not abut on a right-of-way over 30 feet wide over which the public has an easement of travel. Hearing: Friday, May 24, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

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

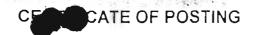
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

5/153 May 9 C537256

# **CERTIFICATE OF PUBLICATION**

<del></del>
59,2002
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on $5/9/,2002$ .
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
<u>,</u>

LECAL ADVERTISING





02-445-A

Petitioner/Developer: SHERI/FEATHEREEDETAL

MATZ

Date of Hearing/Closing: 5/24/02

Date of Hearing/Closing: \_

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204



Attention: .

462

Phone # 512

it" brand fax transmittal memo 7671 | # of pages ▶

8

GEORGE ZAHNER

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 #75 TO #81- FEATHERBED LA.

ONSITE

The sign(s) were posted on



PATRICK M. O'KEEFE

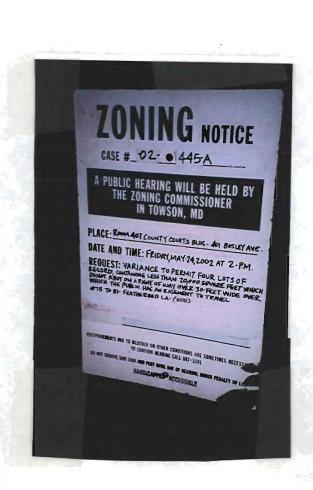
(Printed Name)

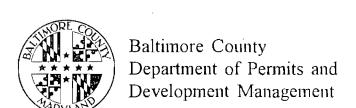
523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030 (City, State, Zip Code)

410-666-5366; CELL-410-905-8571 (Telephone Number)







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

Fax: 410-887-5708

May 1, 2002

# 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: 02-445-A
75, 77, 79 & 81 Featherbed Lane
E/S Featherbed Lane, 450' N centerline Pleasant Hill Road
4<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District
Legal Owner: Thomas Scherr

<u>Variance</u> to permit four lots of record, containing less than 20,000 square feet which do not abut on a right-of-way over 30 feet wide over which the public has an easement of travel.

**HEARING:** 

Friday, May 24, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley

Avenue

Arnold Jablon Goz
Director

C: Steven M Rosen Esquire, Abramoff Neuberger & Linder, 250 W Pratt Street, Baltimore 21201
 P & S Development Co Inc, Thomas Scherr, 701 Fern Valley Circle, Baltimore 21228
 Colbert Matz Rosenfelt Inc, Richard E Matz, 2835 Smith Avenue, Suite G, Baltimore 21209

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THRUSDAY, MAY 9, 2002.

- (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.

CASE NO.: 02-445-A

P & S Development Co./Thomas Scherr - LEGAL OWNERS

75, 77, 79, & 81 Featherbed Lane Owings Mills, MD 21117

4th ELECTION DISTRICT

APPEALED: 6/18/2002

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

# \*\*\*\*\*\*COMPLETE AND RETURN BELOW INFORMATION\*\*\*\*

**CERTIFICATE OF POSTING** Baltimore County Board of Appeals TO: 400 Washington Avenue, Room 49 Towson, Maryland 21204 Kathleen Bianco Attention: Administrator RE: Case No.: 02-445-A Petitioner/Developer: Thomas Schen This is to certify that the necessary appeal sign was posted conspicuously on the property located at: By:



# County Board of Appeals of Baltimore County

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

FAX: 410-887-3182

Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

September 13, 2002

202 0.55 CALINA.

### NOTICE OF ASSIGNMENT

CASE #: 02-445-A

IN THE MATTER OF: P. & S. Development Co., Thomas Scherr,

 $\hat{VP}$  -- Legal Owner

51 Cinder Road

4<sup>th</sup> Election District; 3<sup>rd</sup> Councilmanic District

6/04/02 - D.Z.C.'s Order in which requested variance relief was GRANTED.

**ASSIGNED FOR:** 

THURSDAY, JANUARY 30, 2003 at 10:00 a.m.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

> Kathleen C. Bianco Administrator

Ċ:

Appellant

: Office of People's Counsel

Counsel for Petitioner

: Steven M. Rosen, Esquire

Petitioner

: Thomas Scher, V.P.

P. & S. Development Co.

Robert E. Matz, P.E. /Colbert Matz Rosenfelt, Inc.

**Protestants** 

: Keith Hollenbaugh

Agnes Elaine Gregg

Lawrence E. Schmidt, Zoning Commissioner Pat Keller, Planning Director Arnold Jablon, Director /PDM







# 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 17, 2002

Steven M. Rosen, Esquire Abramoff, Neuberger & Linder 250 W. Pratt Street Baltimore MD 21201

Dear Mr. Cross:

RE: Case Number:02-445-A 75.77,79 and 81 Featherbed Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 4/11/02.

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.

W. Carl Richards, Jr.

Supervisor, Zoning Review

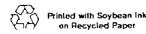
WCR:rjc Enclosures

c: Thomas Scherr, Vice President P & S Development Company, Inc. 701 Fern Valley Circle Baltimore MD 21228

Richard E. Matz, P.E. COLBERT MATZ ROSENFELT, INC. 2835 Smith Avenue Suite G

Baltimore, MD 21209

People's Counsel





# INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

Zoning Advisory Petition(s): Case(s) 02-443, 02-445, & 02-453

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/LL:MAC

MAY 2 4 2

**DATE:** May 23, 2002

Jeny 5/24

### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** May 29, 2002

Department of Permits & Development

Management

FROM:

Robert W. Bowling

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 29, 2002

Item No. 445

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

Neither the sight distance nor the road width meets Baltimore County standards.

RWB:CEN Cc: file



# Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams

Date: 4.24.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE:

Baltimore County

Item No.

445

BR

Administrator

Dear. Mr. Zahner:

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,

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

1.1. Sull

My telephone number is \_

# BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

DATE:

June 5, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of April 29, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

445)448, 450,451, 459

100 July

# BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley fly /

DATE:

June 5, 2002

**Zoning Petitions** 

Zoning Advisory Committee Meeting of April 29, 2002

**SUBJECT**: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

445-448, 450,451, 459

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

Englin

DATE: June 10, 2002

JUN 1 1 2002

TO:

Timothy M. Kotroco

**Deputy Zoning Commissioner** 

FROM:

Stephen E. Weber, Chief

Division of Traffic Engineering

SUBJECT: Case No. 02-445-A, Lots Nos. 75-81 (odd) Featherbed Ln

I received a copy of your order in the subject case. Please be advised that Ms. Gregg and Mr. Hollenbaugh came to see me at the conclusion of your hearing to discuss the issue of making Featherbed Lane one-way. This is actually an idea we had supported a number of years ago when one of the other residents of Featherbed Lane inquired about doing the same thing. The road is very narrow and does not easily support two-way traffic. However, we were reluctant to make the road one-way unless there was clear support from the adjoining residents that that is what they wanted the County to do. Unfortunately at that time, the resident with whom we were dealing never circulated a petition we had furnished to them and thus the one-way pattern was never implemented.

I did give another petition to Ms. Gregg & Mr. Hollenbaugh and they indicated that they will circulate the petition and get the necessary signatures to make the road one-way. The proposal is that Featherbed Lane would be one-way northbound beginning at the driveway to the four new homes and proceeding north to Millpond Ct. The new homes would continue to have egress to both directions of Featherbed Lane. However, they would have to enter their properties from Pleasant Hill Road only. This proposal is acceptable to this office provided that they have at least 70% of the households currently adjacent to Featherbed Lane, from Pleasant Hill Rd to Millpond Ct, in agreement with the petition. Provided that we get the petition back with the required signatures, we will make all the necessary arrangements to make the road one-way northbound as has been requested.

Thank you for advising this office of your decisions with regard to this matter. Should you have any questions, please feel free to give me a call at ext. 3554.

**SEW** 

cc:

Mark Gonce

Ed Reed

J:\2002 Documents\ad-Weber\Memo\sew061002FeatherbedLn.doc



RE: PETITION FOR VARIANCE
75, 77, 79, 81 Featherbed Lane, E/S Featherbed Ln,
450' N of c/l Pleasant Hill Rd
4th Election District, 3rd Councilmanic

Legal Owner: P & S Development Co., Inc. Petitioner(s)

- BEFORE THE
- ZONING COMMISSIONER
- \* FOR
- \* BALTIMORE COUNTY
- \* Case No. 02-445-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. 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

ole S. Demilio

CAROLE S. DEMILIO Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Towson, MD 21204

(410) 887-2188

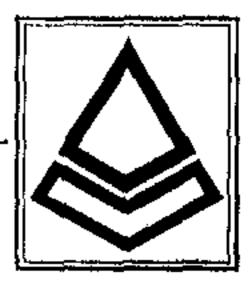
### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 2<sup>nd</sup> day of May, 2002 a copy of the foregoing Entry of Appearance was mailed to Steven M. Rosen, Esq., Abramoff, Neuberger & Linder, 250 W. Pratt Street, Suite 800, Baltimore, MD 21201, attorney for Petitioner(s).

PETER MAX ZIMMERMAN

# Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

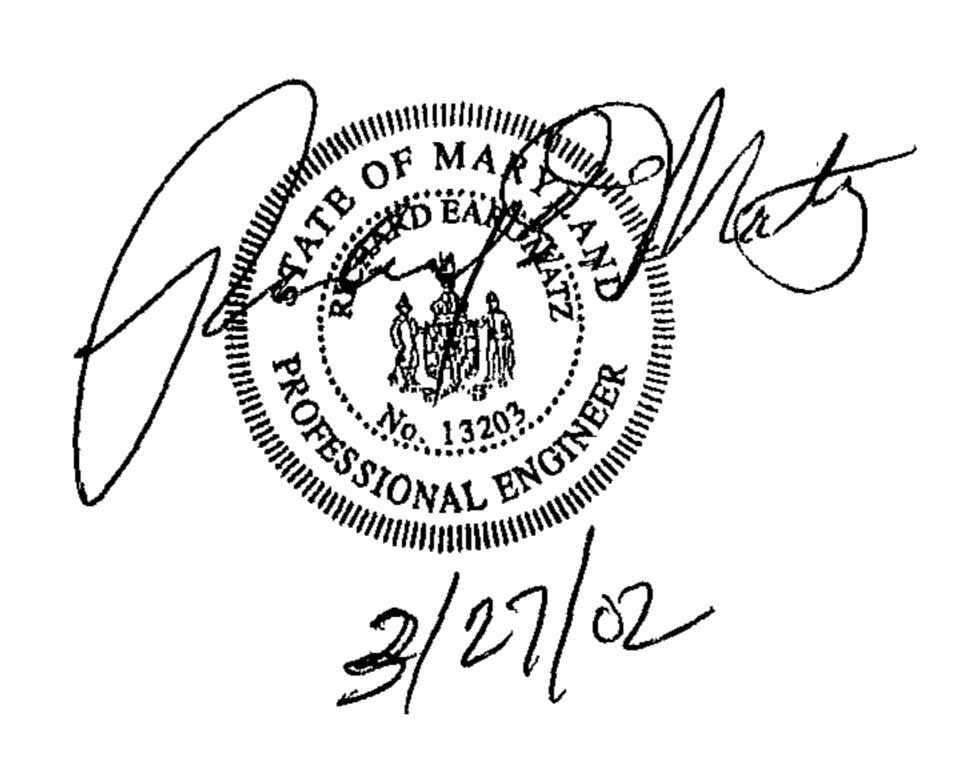


# ZONING DESCRIPTION 75, 77, 79 AND 81 FEATHERBED LANE

Beginning at a point on the east side of Featherbed Lane, which is 12.38 feet wide, at a distance of 420 feet north of the centerline of Pleasant Hill Road, which is 15 feet wide. Thence the following courses and distances:

North 06°45'43" West 144.34 ft; North 69°40'17" East 299.55 ft.; South 08°03'43" East 229.08 ft.; and South 86°01'17" West, to the Point of Beginning.

As recorded in Deed Liber 13875, Folio 389, Liber 15334, Folio 015 and Liber 15334, Folio 022 and containing 54,917 square feet (1.26 acres). Also known as 75, 77, 79 and 81 Featherbed Lane and located in the 4<sup>th</sup> Election District.



FALL RELEASE  SHESS ACTIVE TO 15:00:06  STATE OF THE PROPERTY AND THE PROPERTY OF THE PROPERTY	M. W. G. B. Balliante Country, Haryland	CASHER'S VALIDATION
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# CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of successive weeks, the first publication appearing on
☐ The Jeffersonian ☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News
A .

LITTINL ADVERTISING

# CF? CATE OF POSTING

RE: Case No.: 02-445-A

(Signature of Sign Poster and Date

Petitioner/Developer: SHERR/FEATHERBEDETAL

Date of Hearing/Closing: 5/24/02

Baltimore County Department of Permits and Development Management County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

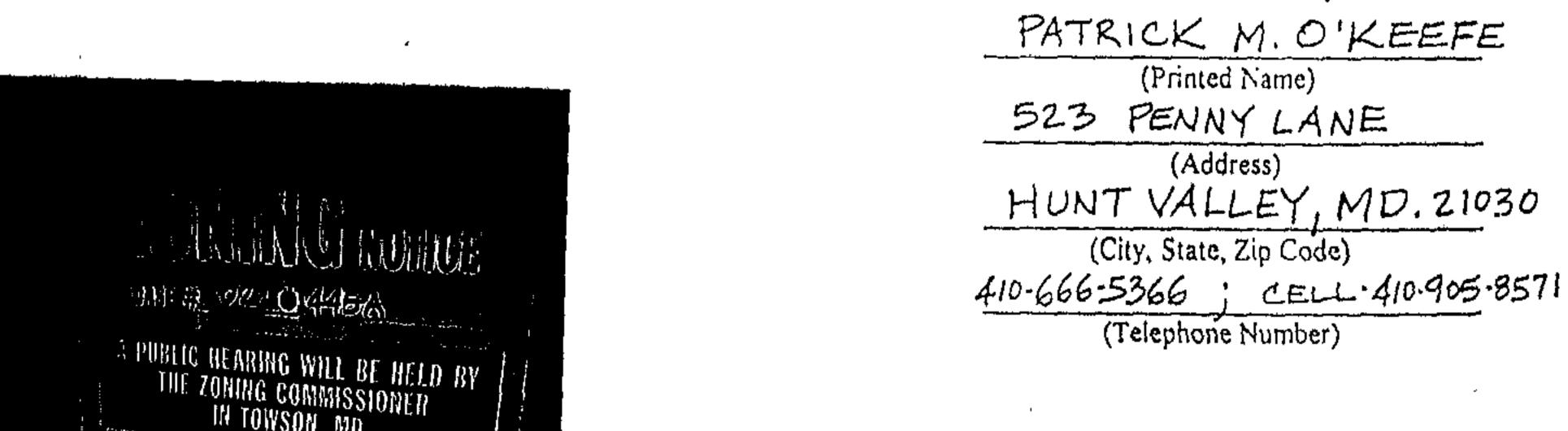
Attention:

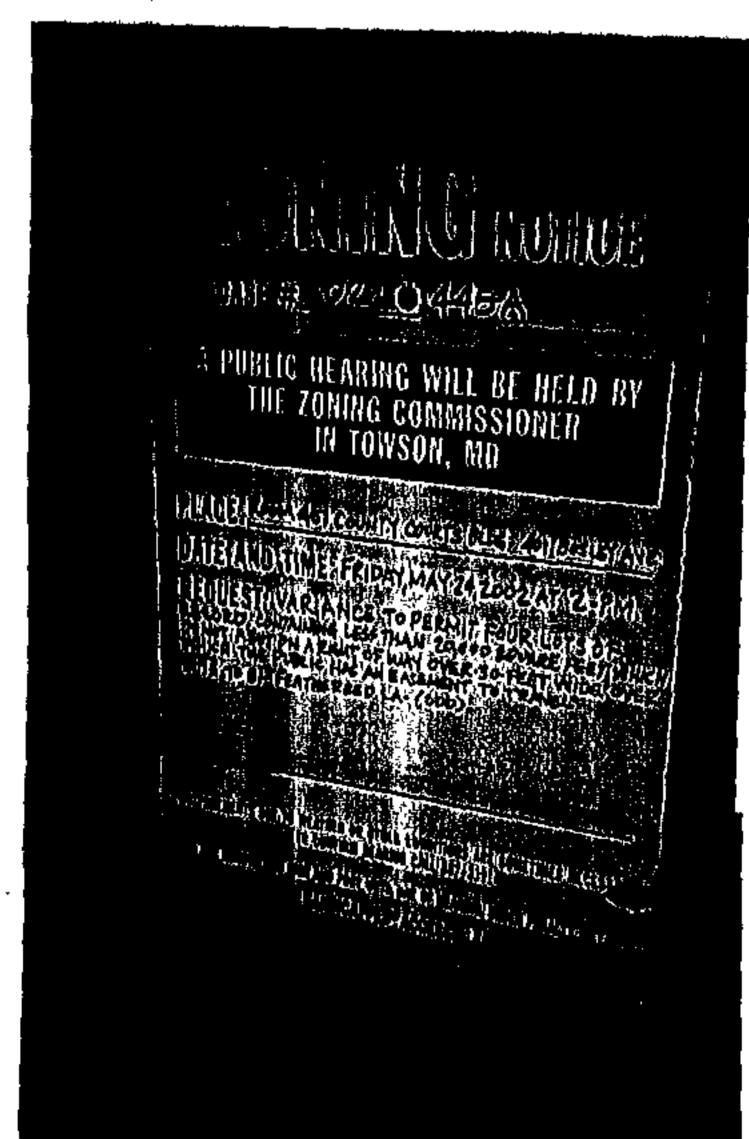
George ZAHNER

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 175 10 + 81 - FEATHERBED LA-ONSITE

The sign(s) were posted on 5/4/02

(Month, Day, Year)





## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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 02-445-1
Petitioner Thomas Scherr, Pr S Development Co.
Address or Location. 15-77-79-81 Featherbed Lane
PLEASE FORWARD ADVERTISING BILL TO
Name Thomas Scherr
Address 701 Fern Valley Circles
Baltrinore, Md. 21228
Teiephone Number 410-744-8589

TO: PATUXENT PUBLISHING COMPANY

Thursday, May 9, 2002 Issue - Jeffersonian

Please forward billing to:

Thomas Scherr 701 Fern Valley Circle Baltimore MD 21228

410 744-8589

#### NOTICE OF ZONING HEARING

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CASE NUMBER: 02-445-A

75, 77, 79 & 81 Featherbed Lane

E/S Featherbed Lane, 450' N centerline Pleasant Hill Road

4<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owner: Thomas Scherr

<u>Variance</u> to permit four lots of record, containing less than 20,000 square feet which do not abut on a right-of-way over 30 feet wide over which the public has an easement of travel.

**HEARING:** 

Friday, May 24, 2002 at 2:00 p.m. in Room 407, County Courts Building,

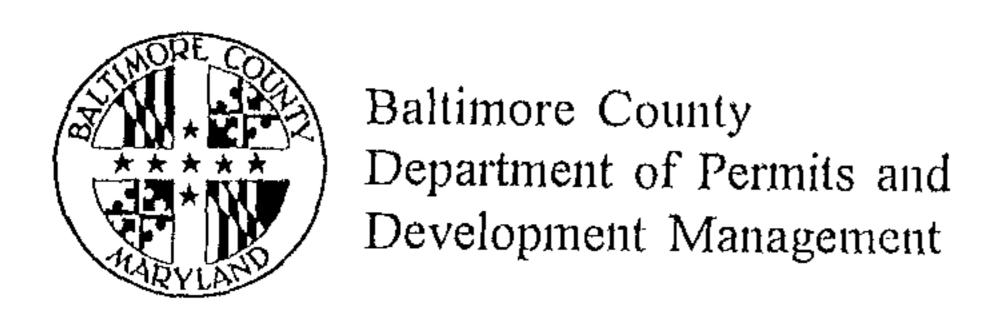
401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G D Z 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.



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

•

Fax: 410-887-5708

May 1, 2002

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Friday, May 24, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jabion GDZ\_ Director

C: Steven M Rosen Esquire, Abramoff Neuberger & Linder, 250 W Pratt Street, Baltimore 21201
P & S Development Co Inc, Thomas Scherr, 701 Fern Valley Circle, Baltimore 21228
Colbert Matz Rosenfelt Inc, Richard E Matz, 2835 Smith Avenue, Suite G, Baltimore 21209

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THRUSDAY, MAY 9, 2002.

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(3) 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 17, 2002

Steven M. Rosen, Esquire Abramoss, Neuberger & Linder 250 W. Pratt Street Baltimore MD 21201

Dear Mr. Cross:

RE: Case Number:02-445-A 75.77,79 and 81 Featherbed Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 4/11/02.

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.

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:rjc Enclosures

Thomas Scherr, Vice President P & S Development Company, Inc. 701 Fern Valley Circle Baltimore MD 21228
Richard E. Matz, P.E. COLBERT MATZ ROSENFELT, INC. 2835 Smith Avenue Suite G Baltimore, MD 21209
People's Counsel

Sign

## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 02-443, 02-445, & 02-453

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/LL:MAC

**DATE:** May 23, 2002



Baltimore County Fire Department

Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

April 26,2002

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

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 29, 2002

Item No.: See Below

Dear Mr. Zahner:

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.

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

443 - 451, 453, 458 + 459

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

cc: File {PRIVATE }

Comp wight the Countyle Whiteles at . . . . . .

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: May 29, 2002

Department of Permits & Development

Management

FROM:

Robert W. Bowling

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting For April 29, 2002

Item No. 445

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

Neither the sight distance nor the road width meets Baltimore County standards.

RWB: CEN Cc: file



## Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcarl Secretary Parker F. Williams Administrator

Date:

4.26.02

Mr. George Zahner Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

**Baltimore County** 

Item No.

BR

Dear. Mr. Zahner:

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,

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

## BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley 18

DATE:

June 5, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of April 29, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

445)448, 450,451, 459

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

DATE: June 10, 2002

TO:

Timothy M. Kotroco

Deputy Zoning Commissioner

FROM:

Stephen E. Weber, Chief

Division of Traffic Early Division of Traffic Engineering

SUBJECT: Case No. 02-445-A, Lots Nos. 75-81 (odd) Featherbed Ln

I received a copy of your order in the subject case. Please be advised that Ms. Gregg and Mr. Hollenbaugh came to see me at the conclusion of your hearing to discuss the issue of making Featherbed Lane one-way. This is actually an idea we had supported a number of years ago when one of the other residents of Featherbed Lane inquired about doing the same thing. The road is very narrow and does not easily support two-way traffic. However, we were reluctant to make the road one-way unless there was clear support from the adjoining residents that that is what they wanted the County to do. Unfortunately at that time, the resident with whom we were dealing never circulated a petition we had furnished to them and thus the oneway pattern was never implemented.

I did give another petition to Ms. Gregg & Mr. Hollenbaugh and they indicated that they will circulate the petition and get the necessary signatures to make the road one-way. The proposal is that Featherbed Lane would be one-way northbound beginning at the driveway to the four new homes and proceeding north to Millpond Ct. The new homes would continue to have egress to both directions of Featherbed Lane. However, they would have to enter their properties from Pleasant Hill Road only. This proposal is acceptable to this office provided that they have at least 70% of the households currently adjacent to Featherbed Lane, from Pleasant Hill Rd to Millpond Ct, in agreement with the petition. Provided that we get the petition back with the required signatures, we will make all the necessary arrangements to make the road oneway northbound as has been requested.

Thank you for advising this office of your decisions with regard to this matter. Should you have any questions, please feel free to give me a call at ext. 3554.

SEW

cc:

Mark Gonce

Ed Reed

J:\2002 Documents\ad-Weber\Memo\sew061002FeatherbedLn.doc

Sph

RE: PETITION FOR VARIANCE
75, 77, 79, 81 Featherbed Lane, E/S Featherbed Ln,
450' N of c/l Pleasant Hill Rd
4th Election District, 3rd Councilmanic

Legal Owner: P & S Development Co., Inc. Petitioner(s)

- BEFORE THE
- \* ZONING COMMISSIONER
- \* FOR
- \* BALTIMORE COUNTY
- \* Case No. 02-445-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. 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

Varole 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 2<sup>nd</sup> day of May, 2002 a copy of the foregoing Entry of Appearance was mailed to Steven M. Rosen, Esq., Abramoff, Neuberger & Linder, 250 W. Pratt Street, Suite 800, Baltimore, MD 21201, attorney for Petitioner(s).

PETER MAX ZIMMERMAN

#### BALTIMORE COUNTY, MARYLAND

#### Inter-Office Memorandum

TO:

Darrell A. Wiles, Chief

DATE: June 5, 2002

Bureau of Traffic Engineering and Transportation Planning

FROM:

Timothy M. Kotroco
Deputy Zoning Commissioner

SUBJECT: Case No. 02-445-A

Petition for Variance

Petitioner: P & S Development Company, Inc. Property: Lot Nos. 75, 77, 79 & 81 Featherbed Lane

Attached please find an order issued by this office concerning the above-captioned It would be appreciated if you would review page 2 of my order and look into modifications to Featherbed Lane.

Thank you for your attention and cooperation in this matter.

TMK:raj Attachment

## Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

April 12, 2002

Mr. Arnold Jablon, Director
Baltimore County Office of Permits and
Development Management
111 West Chesapeake Avenue
Towson, Md. 21204

Re:

Featherbed Lane

Zoning Case #02-445-A CMR Job No. 2000128

Dear Mr. Jablon,

We hereby request an early hearing for the above referenced case. Our client, Mr. Tom Scherr of P & S Homes filed for a building permit several weeks ago. The Zoning Office checked the regulations and after several consultations on the issue, it was determined a variance would be required even though Mr. Scherr owned four (4) contiguous existing parcels.

The lot upon which the permit was denied was contracted to a disabled veteran and will be wheelchair accessible. Timing for this man is crucial. Any help you can offer in expediting the Hearing would be appreciated.

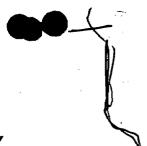
Very truly yours

Richard E. Matz, P.E.

Vice President

Cc: Tom Scherr, P & S Homes

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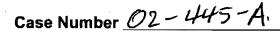


Case Number <u>62 - 445-A</u>

#### PLEASE **PRINT** LEGIBLY

#### **PROTESTANT'S SIGN-IN SHEET**

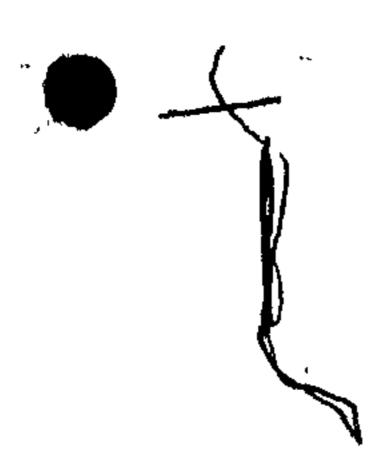
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#### PLEASE <u>PRINT</u> LEGIBLY

#### **PETITIONER'S SIGN-IN SHEET**

Name	Address	City, State	Zip Code
RIHARDE MATZ	2835 SMITH AVENUES	BALTO: MO	21209.
PLHARDE, MATZ Steven M. Rosen THOMAS SUMERR	Ste - 800 250 W. Pratt St	BACT MD	21201
THOMAS SUMERR	701 Few Valley Concle	BACTO MO	21228
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		Revised 4	/17/00



Case Number 52 - 445-A

PLEASE <u>PRINT</u> LEGIBLY

### PROTESTANT'S SIGN-IN SHEET

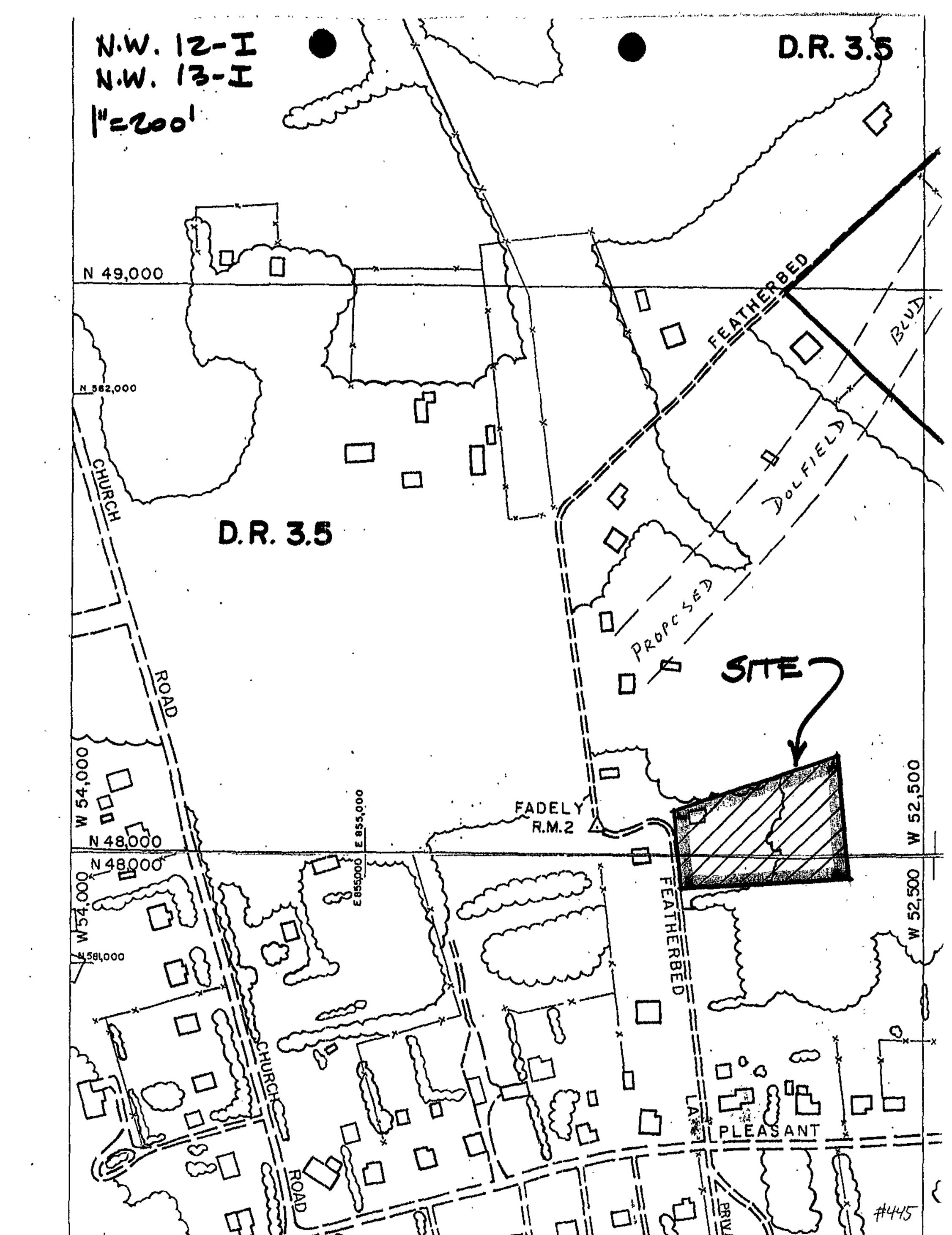
	•	<u>.</u>	-
Name	Address	City, State	ZIp Code
AGNIES ELAINE GREGG	55 FEATHERBED LANG	WD. FAFF. DMMD2 WIFT	21117
AGNES ELAINE GREGG Keith Hollenburgh	10713 Lakespring	Cockaysville	21030
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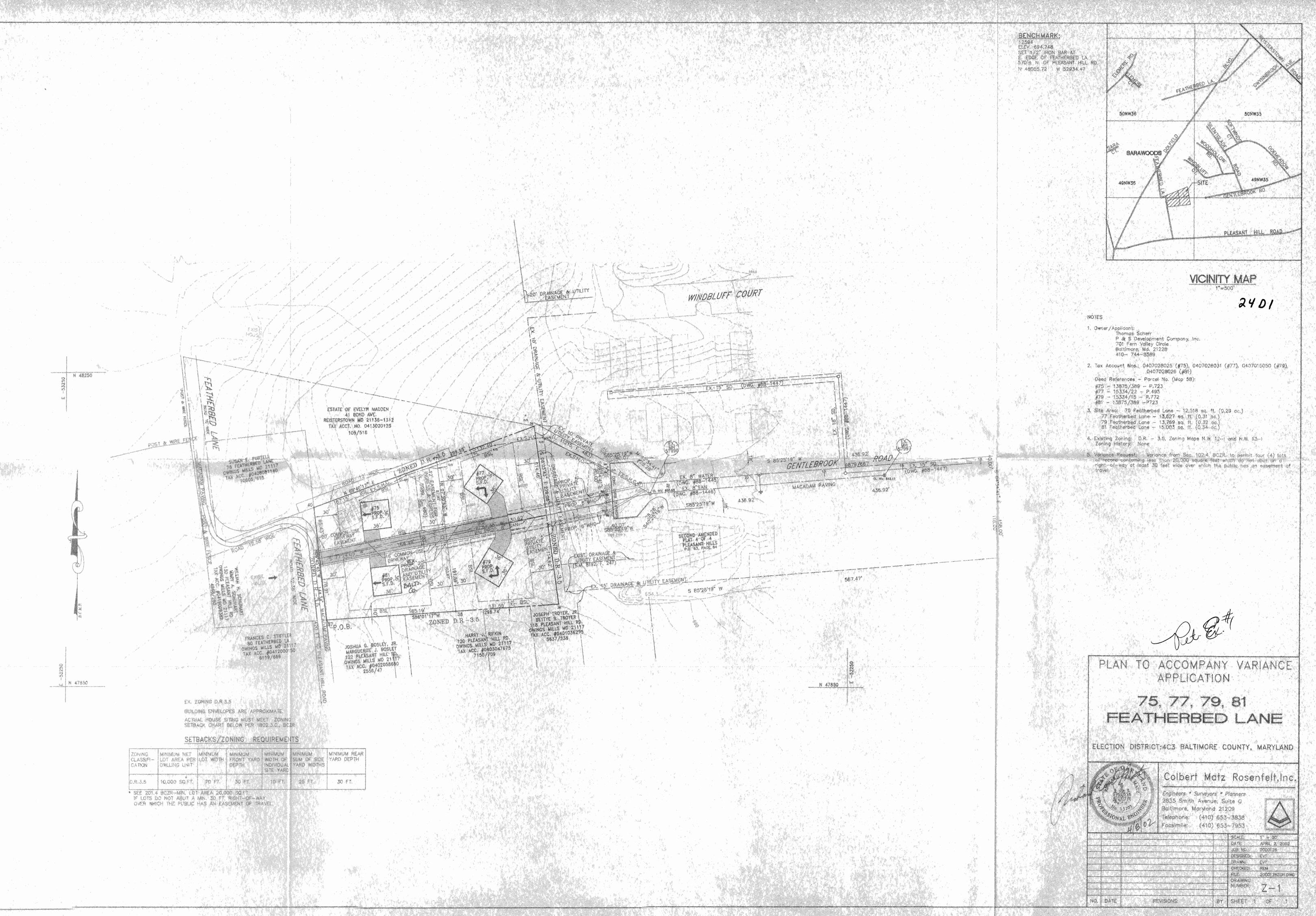
Case Number 02 - 445 - A.

#### PLEASE <u>PRINT</u> LEGIBLY

### PETITIONER'S SIGN-IN SHEET

Name	Address	City, State	Zip Code	
RUHARDE, MATZ	2835 SMITH AVENUE,	BALTO, MO	21209.	
Steven M. Rosen		BACTMD	21201	
THOMAS SUHERR	701 Few Valley Cincle	BALTO MO	21228	
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