

IN RE: PETITION FOR VARIANCE
SE/S Longbottom Court, 736' S of the c/l
Connection Road
(5 Longbottom Court)
11th Election District
5th Council District

David F. LaRosa
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 03-154-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, David F. LaRosa. The Petitioner seeks relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit principal building to property line setbacks of 30 feet and 45 feet in lieu of the required 50 feet each and an amendment to the Final Development Plan for Longfield Estates, Lot 25 thereof, for a proposed dwelling. The subject property and requested relief are more particularly described on the site plan submitted and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request was the Petitioners' wife, JoAnne LaRosa. Appearing as interested citizens were Mr. & Mrs. Mark Dillinger and Ralph E. Wagner, adjacent property owners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel, located on the southeast side of Longbottom Court, in the residential subdivision known as Longfield Estates in Kingsville. The property contains a gross area of 1.03 acres, more or less, zoned R.C.5 and is presently unimproved. The Petitioner is desirous of developing the site with a single-family dwelling; however, due to the topography of the lot and its irregular shape, the requested variance relief is necessary. Mrs. LaRosa testified that the lot is steeply sloped towards the rear and thus, the building envelope needs to be located closer to the front of the property. In

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Date 12/2/12
By JLP

addition, a septic reserve area to the rear of the property limits the Petitioner's ability to construct a house further towards the rear of the lot. As shown on the site plan, a 30-foot building setback will be maintained from the left front corner (west side) of the proposed dwelling, adjacent to a 24-foot ingress/egress access strip to the Dillinger property. A 45-foot building setback will be maintained on the opposite front corner (north side), adjacent to the Spahn property.

Mr. & Mrs. Dillinger appeared at the hearing and expressed concern about the proposal. As noted above, they reside on the adjacent property, south of the Petitioner's lot. Vehicular access to their lot is by way of a shared driveway with another adjacent neighbor (Richard S. and Susan L. Baer). Mr. & Mrs. Dillinger are concerned that the location of the LaRosa dwelling where proposed would detract from their view. However, when the undersigned Zoning Commissioner suggested potential landscaping, Mr. & Mrs. Dillinger indicated they were not in favor of that option. Apparently, they prefer an open view from their house towards the north and the other houses in this subdivision. Mr. Wagner, another neighbor, expressed concern that the proposed dwelling was out of character with other homes in the community.

The grant of variance relief is governed by the requirements set forth in Section 307 of the B.C.Z.R. Moreover, that regulation has been interpreted by the Court of Special Appeals in Cromwell v. Ward, 307 Md. App. 691 (1995). In Cromwell, the Court ruled that the Petitioner must meet a two-pronged test in order for variance relief to be granted. First, the Petitioner must show that variance relief is warranted because of a uniqueness of the property. In this case, I do find that the subject property is unique by virtue of the significant slope and septic reserve area to the rear which limit the potential location of the building envelope.

Having determined that the subject lot is unique, the second prong must be met. That is, the Petitioner must show that a denial of the variance would result in a practical difficulty. I likewise find that the Petitioner has met this requirement. To deny the variance would result in a circumstance where the lot would be rendered undevelopable. It is clear that this lot was laid out as a buildable lot by the Developer of this subdivision, and the lot meets all area regulations. It is also to be noted that the Court in Cromwell indicated that only minimal variance relief should be

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Date 12/2/12
By [Signature]

granted. That is, only the slightest relaxation of the standard should be allowed. In this regard, Mrs. LaRosa indicated that it might be possible to shift the house slightly more toward the northeast by approximately 5 feet, which would provide a 35-foot setback on the west side and still maintain a 45-foot setback on the north side. This would also provide a slightly better view for the Dillingers. As a result of this admission, I will modify the variance so as to require a 35-foot setback on that side.

Based upon the testimony and evidence presented, I am persuaded to grant modified variance relief as set forth above. In light of the Dillingers' opposition to landscaping, I will not impose same as a condition upon the relief granted. It is to be noted, however, that the Zoning Advisory Committee (ZAC) comment submitted by the Office of Planning supports the Petitioner's request for so long as a side entry garage is provided. Mrs. LaRosa indicated that the design of the proposed dwelling calls for a side-loaded garage, consistent with others in the neighborhood.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested, as modified, shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of December, 2002 that the Petition for Variance seeking relief, as modified, from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit principal building to property line setbacks of 35 feet and 45 feet in lieu of the required 50 feet each and an amendment to the Final Development Plan for Longfield Estates, Lot 25 thereof, for a proposed dwelling, be and is hereby GRANTED, subject to the following restrictions:

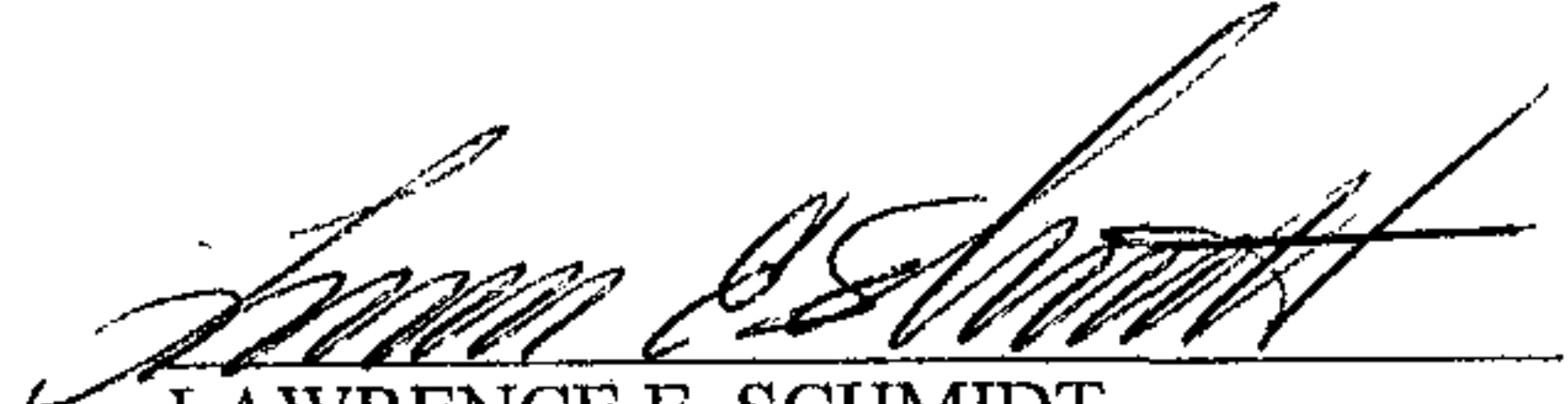
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any permits, the Petitioners shall submit a revised site plan incorporating the modified relief granted herein to the Department of Permits and Development Management (DPDM) for inclusion in the case file.

ORDER RECEIVED FOR FILING

Date

By

- 3) Pursuant to the Office of Planning comment, dated October 9, 2002, the proposed dwelling will have a side entry garage similar to other dwellings in the development.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

12/2/02
LBJ

IN THE MATTER OF
THE APPLICATION OF
DAVID LaROSA -LEGAL OWNER
FOR VARIANCE ON PROPERTY LOCATED
ON THE S/S LONGBOTTOM COURT,
736' SOUTH CONNECTION ROAD
(5 LONGBOTTOM COURT)
11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 03-154-A

* * * * *

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Mark R. and Ruth K. Dillinger, Appellants /Protestants, from a decision of the Zoning Commissioner dated December 2, 2002 in which the Petition for Variance was granted subject to restrictions.

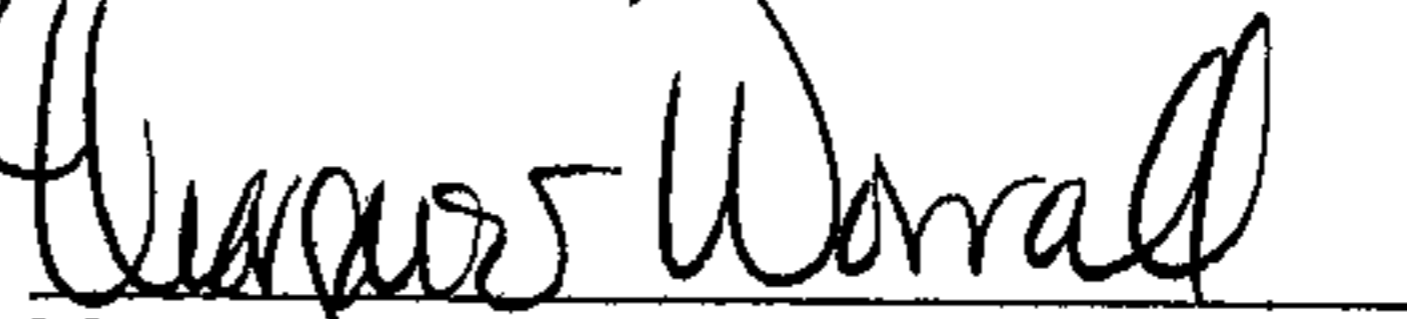
WHEREAS, the Board is in receipt of a letter of withdrawal of appeal filed July 2, 2003 by Mark R. and Ruth K. Dillinger, Appellants /Protestants (a copy of which is attached hereto and made a part hereof); and


WHEREAS, said Appellants request that the appeal taken in this matter be withdrawn and dismissed as of July 2, 2003,

IT IS ORDERED this 9th day of July, 2003 by the County Board of Appeals of Baltimore County that the appeal taken in Case No. 03-154-A be and the same is hereby **DISMISSED**.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence M. Stahl, Chairman


Margaret Worrall


Lawrence S. Wescott

June 26, 2003

Kathleen C. Bianco
County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204

RE: Case # 03-154-A
Appeal Hearing -- July 29, 2003

Dear Ms. Bianco:

We would like to withdraw our appeal on Case # 03-154-A slated for hearing on July 29, 2003 concerning the property at 5 Longbottom Court, Kingsville, MD 21087. The property owners have begun construction and they followed the original building setbacks.

Sincerely,

Mark R. Dillinger

Mark R. Dillinger

Ruth K. Dillinger

Ruth K. Dillinger

RECEIVED

JUL 02 2003

BALTIMORE COUNTY
BOARD OF APPEALS



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at * #5 LONG BOTTOM CT.

which is presently zoned * RC 5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04, 3.B.2 TO PERMIT PRINCIPAL BUILDING TO PROPERTY LINE SETBACKS OF 30 FT, AND 45 FT, IN LIEU OF THE REQUIRED 50 FT, (FOR A PROPOSED DWELLING) AND TO AMEND THE FINAL DEVELOPMENT PLAN FOR LONGFIELD ESTATES LOT # 25.

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

TO BE DETERMINED AT HEARING

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

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

Contract Purchaser/Lessee:

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):

Name - Type or Print

Signature

Name - Type or Print

Signature 410 529-3565 H

Address 33 CEDARLONE G. 410 803-8450 W Telephone No.

City BALTHIMORE, MD. 21236 State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 45 MIN.

UNAVAILABLE FOR HEARING Reviewed By JL Date 9/26/02

Case No. 03 154 A

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 10/2/02

By [Signature]

Zoning description for 5 Longbottom Court Kingsville, MD 21087

Beginning at a point on the Southeast side of Longbottom Court which is 100' wide at the distance of 736' South of the centerline of the nearest improved intersecting street Connection Road which is 40' wide. Being Lot 25 in the subdivision of Longfield Estates Phase 1 as recorded in Baltimore County Plat Book # 66, Folio # 63 containing 1.0300 Acres. Also known as 5 Longbottom Court and located in the 11th Election District, 5th Councilmanic District.

154

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: #03-154 A
5 Longbottom Court
S/east side Longbottom Ct.
736 feet south Connection Rd.
11th Election District
5th Councilmanic District
Legal Owner(s): David LaRosa
Variance: to approve principal building to property line setbacks of 30 feet and 45 feet in lieu of the required 50 feet and to amend the final development plan for Longfield Estates.
Hearing: Wednesday, November 6, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

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

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

JT/10/779 Oct 22 0570283

CERTIFICATE OF PUBLICATION

10/24/2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/22/2002.

- The Jeffersonian
- Arbutus Times
- Catonsville Times
- Towson Times
- Owings Mills Times
- NE Booster/Reporter
- North County News



LEGAL ADVERTISING

APPEAL SIGN POSTING REQUEST

CASE NO.: 03-154-A

David LaRosa - LEGAL OWNERS

5 Longbottom Court, Kingsville, MD

11th ELECTION DISTRICT

APPEALED: 12/23/02

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

*******COMPLETE AND RETURN BELOW INFORMATION*******

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
400 Washington Avenue, Room 49
Towson, Maryland 21204

Attention: Kathleen Bianco
Administrator

RE: Case No.: 03-154-A

Petitioner/Developer:

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

5 Longbottom Ct.

The sign was posted on 1/23, 2003

By: *Gary Freund*
(Signature of Sign Poster)

GARY FREUND
(Printed Name)

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 20425

DATE 12/23/02 ACCOUNT R001 006 6150

AMOUNT \$ 210.00

RECEIVED FROM: DILLINGER

FOR: APPEAL CASE # 03-154-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME
11/26/2002	12/23/2002	15:46:19
REG W502	MAIL	JEVA JEE DRIVER 2
>> RECEIPT # 243471 12/23/2002 (FLN)		
Dep	5 528 ZONING VERIFICATION	
CR #0.	020426	
Recpt Tot		\$210.00
210.00	CK	.00 CA
Baltimore County, Maryland		

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 03-154-A

Petitioner/Developer: _____

DAVID LA ROSA

Date of Hearing/Closing: 11/16/02

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

Attention: MS. BECKY HART

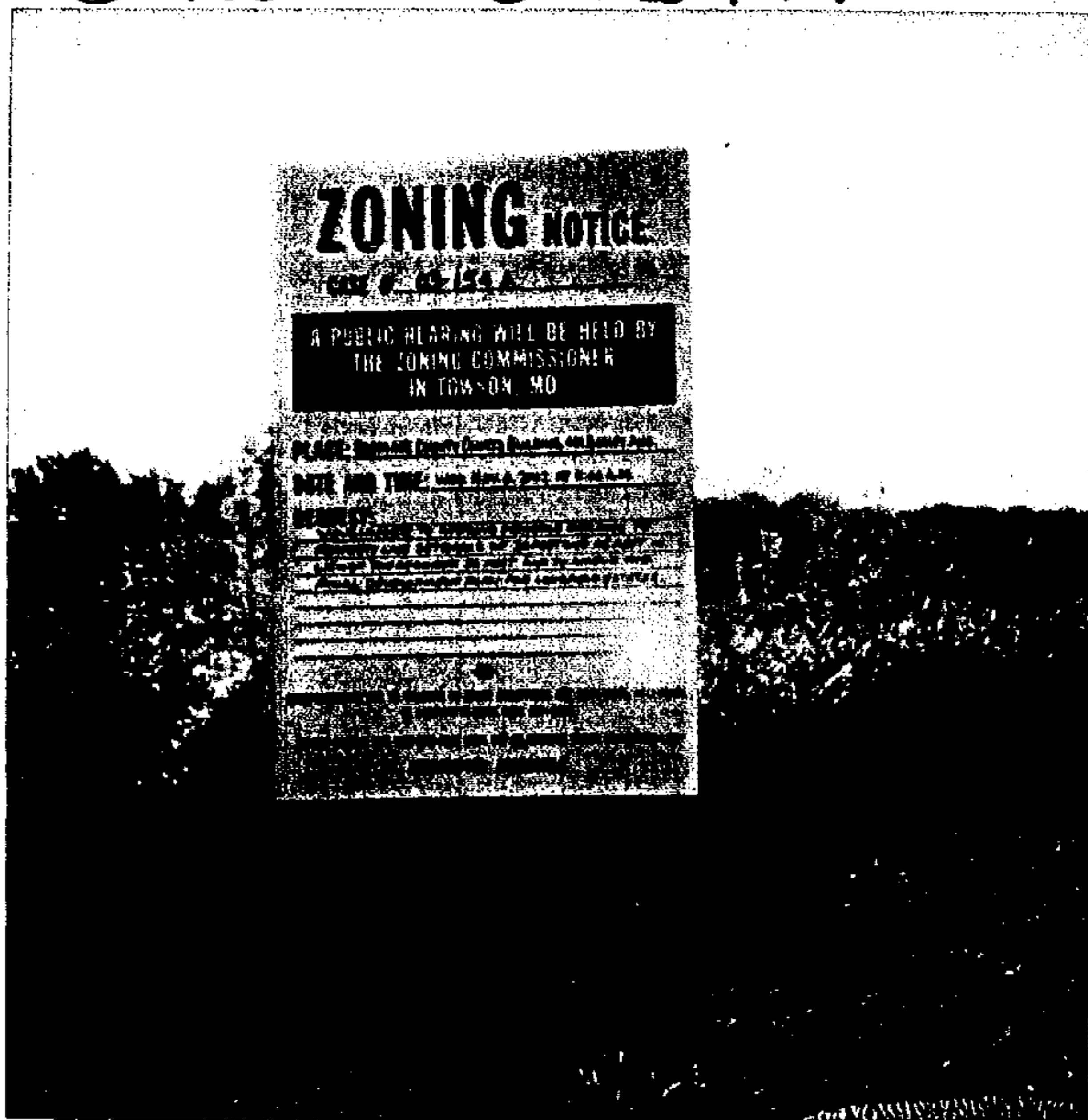
Ladies and Gentlemen:

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

5 LONGBOTTOM CT.

The sign(s) were posted on 10/22/02
(Month, Day, Year)

CASE # 03-154 A



5 LONGBOTTOM COURT
POSTED 10/22/02
Richard E. Hoffman 11/22/02

Sincerely,

Richard E. Hoffman 11/22/02
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

CERTIFICATE OF POSTING

RE: Case No.: 03-154-A

Petitioner/Developer: _____

DAVID LA ROSA

Date of Hearing/Closing: 11/6/02

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

Attention: MS. BECKY HART

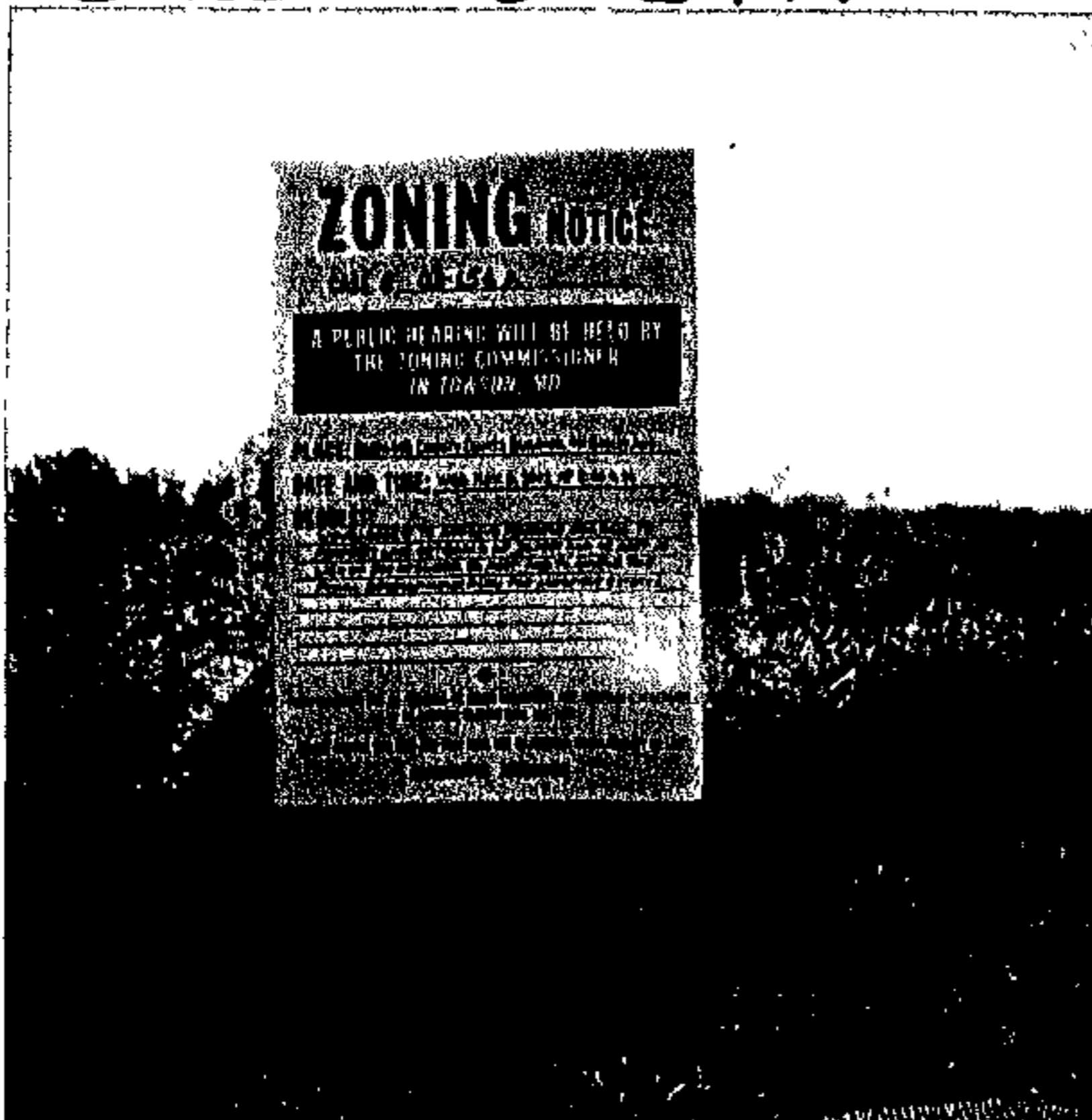
Ladies and Gentlemen:

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

5 LONGBOTTOM CT.

The sign(s) were posted on 10/22/02
(Month, Day, Year)

CASE # 03-154 A



Sincerely,

Richard E. Hoffman 11/22/02
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

5 LONGBOTTOM COURT
POSTED 10/22/02
Richard E. Hoffman 11/22/02

APPEAL SIGN POSTING REQUEST

CASE NO. 03-154-A

David LaRosa - LEGAL OWNERS

5 Longbottom Court, Kingsville, MD

11th ELECTION DISTRICT

APPEALED: 12/23/02

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

December 19, 2002

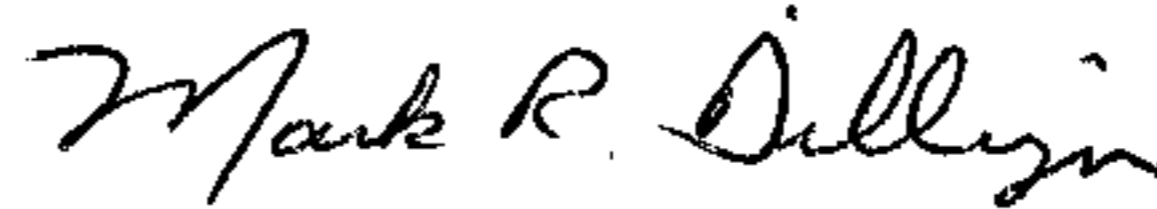
RE: PETITION FOR VARIANCE BEFORE THE ZONING COMMISSIONER OF
BALTIMORE COUNTY
SE/S Longbottom Court, 736' S of the c/l Connection Road
(5 Longbottom Court)
11th Election District - 5th Council District
David E. LaRosa - Petitioner
Case No. 03-154-A

NOTICE OF APPEAL

We, Mr. and Mrs. Mark R. Dillinger (Appellants in the above referenced case), are aggrieved by the decision of the Zoning Commissioner in the above case. We are appealing to the County Board of Appeals from the Decision of the Zoning Commissioner of Baltimore County, dated December 2, 2002 (attached).

We have also attached a check made payable to Baltimore County to cover the costs of the appeal.

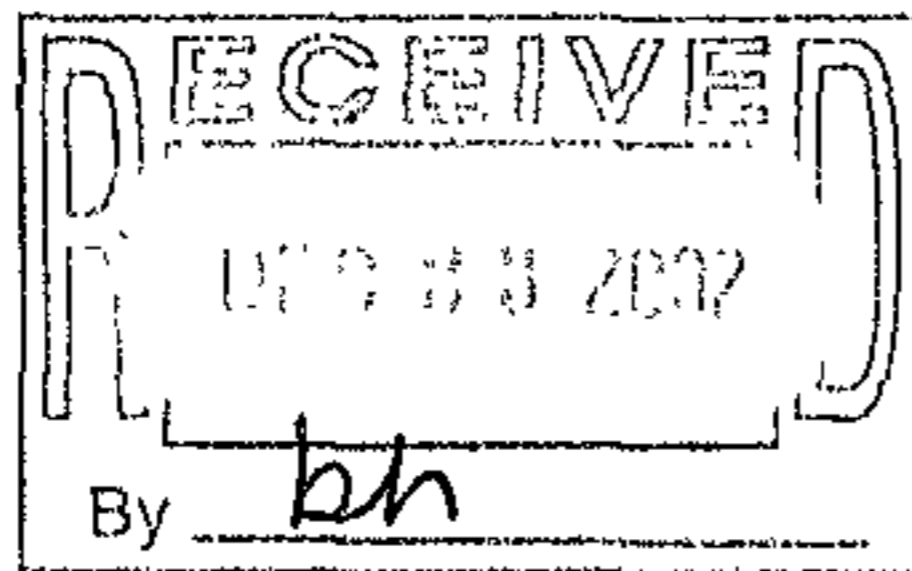
Respectfully yours,



Mark R. Dillinger



Ruth K. Dillinger
3 Longbottom Court
Kingsville, MD 21087
410-592-9176





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

October 7, 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: 03-154 A
5 Longbottom Court
S/east side Longbottom Ct. 736 feet south Connection Road
Election District 11th - Councilmanic District 5th
Legal Owner: David LaRosa

VARIANCE to approve principal building to property line setbacks of 30 feet and 45 feet in lieu of the required 50 feet and to amend the final development plan for Longfield Estates.

HEARING: Wednesday, November 6, 2002 at 11:00 am in Room 407, County Courts Building, 410 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

Cc: David F. LaRosa 33 Cedarcone Ct. Baltimore MD 21236

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY Tuesday, October 22, 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.

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



TO: PATUXENT PUBLISHING COMPANY
October 22, 2002 Issue – Jeffersonian

Please forward billing to: David La Rosa
33 Cedarcone G
Baltimore, MD 21236

410-529-3565 H
410-803-8450 W

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: 03-154 A
5 Longbottom Court
S/east side Longbottom Ct. 736 feet south Connection Road
Election District 11th - Councilmanic District 5th
Legal Owner: David LaRosa

VARIANCE to approve principal building to property line setbacks of 30 feet and 45 feet in lieu of the required 50 feet and to amend the final development plan for Longfield Estates.

HEARING: Wednesday, November 6, 2002 at 11:00 am in Room 407, County Courts Building, 410 Bosley Avenue



LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 03-154-A

Petitioner: LAROSA

Address or Location: #5 LONGBOTTOM CT.

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID LAROSA

Address: 33 CEDARONE COURT

BALTIMORE, MD. 21236

Telephone Number (410) 529-3565 (w) 410 963-7808

Revised 2/20/98 - SCJ



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

November 4, 2002

Mr. David LaRosa
33 Cedarcone Court
Baltimore, Md 21236

Dear Mr. LaRosa:

RE: Case Number: 03-154-A , Location: 5 Long Bottom Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 26, 2002.

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.
Supervisor, Zoning Review

WCR:
Enclosures

c: People's Counsel





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 10.4.02

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

RE: Baltimore County
Item No. 154

JL

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,

A handwritten signature in cursive script, appearing to read 'K. A. McDonald Jr.'.

K.A.M.
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
Fire Department

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

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

September 10, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items:

154

148-151, 153-158

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

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS/TGT*

DATE: October 25, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of October 7, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

147-148, 150-154, 156-158

Ho
11/6

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 9, 2002

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

SUBJECT: 5 Longbotton Court

INFORMATION:

Item Number: 03-154

Petitioner: David F. LaRosa

Zoning: RC 5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to allow building to property line setbacks of 30 feet and 45 feet in lieu of the required 50 feet, provided the proposed dwelling will have a side entry garage similar to the existing dwellings in the development.

Prepared by: Mark A. Cunningham

Section Chief: Ryan J. Huber
AFK/LL:MAC:



County Board of Appeals of Baltimore County

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

*W/O by Appellants
9-02-03*

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

April 21, 2003

NOTICE OF ASSIGNMENT

CASE #: 03-154-A

IN THE MATTER OF: DAVID F. LaROSA -Legal Owner /Petitioner
5 Longbottom Court
11th Election District; 5th Councilmanic District

12/02/02 – Order of the Z.C. in which requested variance was GRANTED
subject to restrictions.

ASSIGNED FOR:

TUESDAY, JULY 29, 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 /Protctant : Mark R. and Ruth K. Dillinger

Petitioner : David E. LaRosa

Ralph E. Wagner /Interested Party

People's Counsel for Baltimore County
Lawrence E. Schmidt /Zoning Commissioner
Pat Keller, Planning Director
Arnold Jablon, Director /PDM



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

December 30, 2002

Mr. David LaRosa
33 Cedarcone Court
Baltimore, MD 21236

Dear Mr. LaRosa:

RE: Case No. 03-154, 5 Longbottom Court

Please be advised that an appeal of the above-referenced case was filed in this office on December 23, 2002 by Mark R. and Ruth K. Dillinger. 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,

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

Arnold Jablon
Director

AJ:rlh

c: Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM
People's Counsel
Mr. and Mrs. Mark Dillinger, 3 Longbottom Court, Kingsville 21087

RECEIVED
DEC 30 2002

**BALTIMORE COUNTY
BOARD OF APPEALS**

APPEAL

Petition for Variance
5 Longbottom Court
S/east side Longbottom Court 736 feet south Connection Road
11th Election District – 5th Councilmanic District
David F. LaRosa- Legal Owner
Case No.: 03-154-A

- ✓ Petition for Variance (September 26, 2002)
- ✓ Zoning Description of Property
- ✓ Notice of Zoning Hearing (October 7, 2002)
- ✓ Certification of Publication (The Jeffersonian issue October 22, 2002)
- ✓ Certificate of Posting (October 22, 2002 posted by Richard E. Hoffman)
- ✓ Entry of Appearance by People's Counsel (October 9, 2002)
- ✓ Petitioner(s) Sign-In Sheet
One
- ✓ Protestant(s) Sign-In Sheet
None
- ✓ Citizen(s) Sign-In Sheet
One
- ✓ Zoning Advisory Committee Comments
- ✓ Petitioners' Exhibits:
 1. Plat to accompany Petition for Zoning Variance
 2. 1" scale Plat to accompany Petition for Zoning Variance
- ✓ Protestants' Exhibits:
None
- ✓ Miscellaneous (Not Marked as Exhibits):
 1. Pictures
- ✓ Zoning Commissioner's Order (GRANTED subject to restrictions – December 2, 2002)
- * ✓ Notice of Appeal received on December 23, 2002 from Mr. and Mrs. Mark R. Dillinger

c: People's Counsel of Baltimore County, MS #2010
Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM
David F. LaRosa

* MARK R. DILLINGER
RUTH K. DILLINGER
3 LONGBOTTOM COURT
KINGSVILLE MD 21087
Appellants

date sent 12/30/02 rlh

DAVID E LAROSA
33 CEDARCONE COURT
BALTIMORE MD 21236
Petitioner

MR RALPH E WAGNER
4 LONGBOTTOM COURT
KINGSVILLE MD 21087

JE

Case No. 03-154-A

In the Matter of: David F. LaRosa – Legal Owner /Petitioner

VAR –To permit principal building to property line setbacks of 30 feet and 45 feet in lieu of the required 50 feet each and an amendment to the FDP for Longfield Estates, Lot 25 thereof, for proposed dwelling.

12/02/02 -- Decision of the Z.C. in which requested relief was granted with restrictions.

4/21/03 -Notice of Assignment sent to following; assigned for hearing on Tuesday, July 29, 2003 at 10 a.m.:

Mark R. and Ruth K. Dillinger
David E. LaRosa
Ralph E. Wagner /Interested Party
People's Counsel for Baltimore County
Lawrence E. Schmidt /Zoning Commissioner
Pat Keller, Planning Director
Arnold Jablon, Director /PDM

7/02/03 – Letter of withdrawal of appeal filed by Mark R. and Ruth K. Dillinger, Appellants in this matter. Order of Dismissal to be issued.

RE: PETITION FOR VARIANCE
5 Longbottom Court SE/side Longbottom
Court, 736' south Connection Road
11th Election District 5th Councilmanic
District
Legal Owner: David LaRosa

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 03-154-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of October, 2002, a copy of the foregoing Entry of Appearance was mailed to David LaRosa, 33 Cedarcone Court, Baltimore, MD 21236

Petitioner(s)

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE SPECIAL HEARING

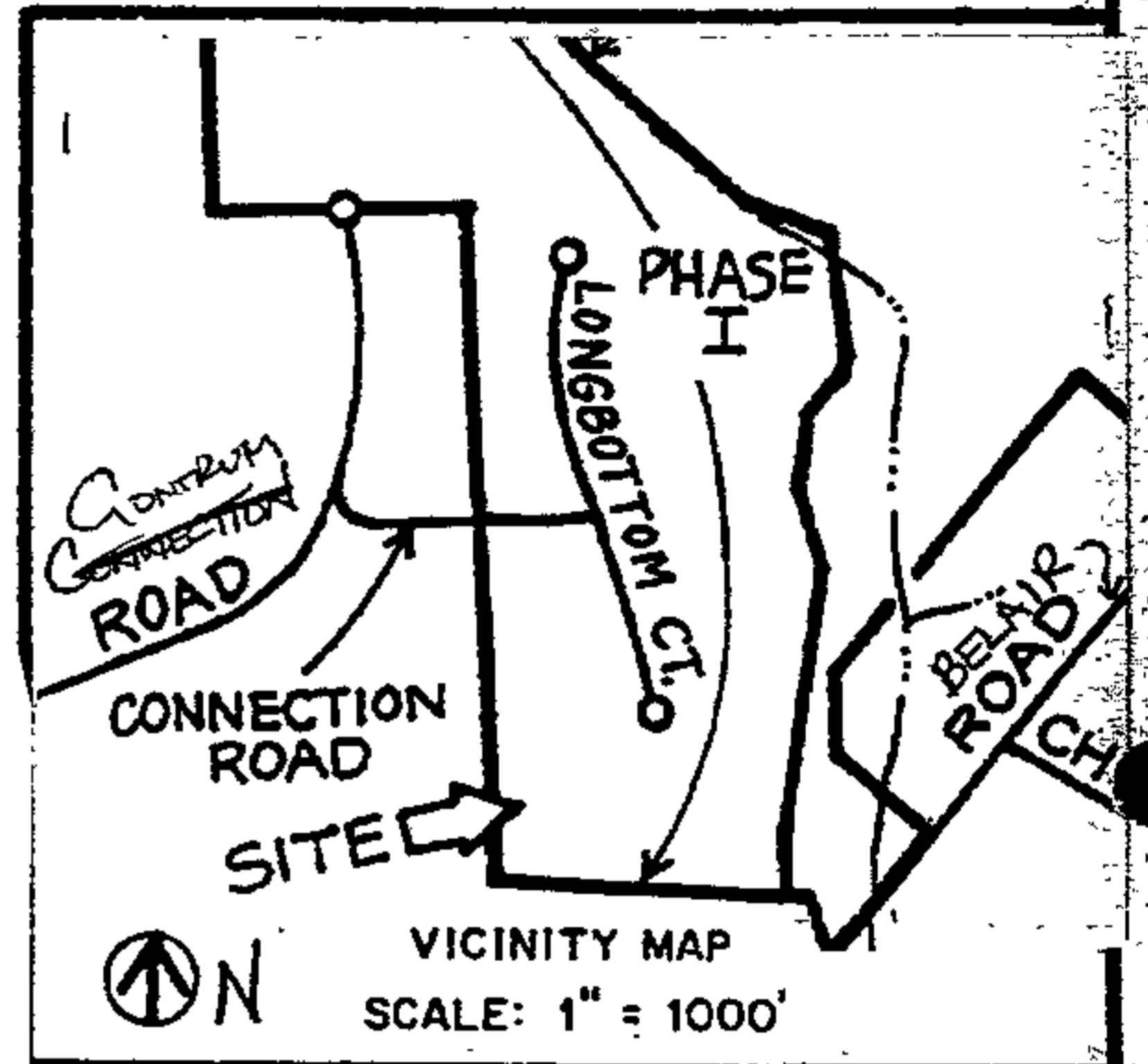
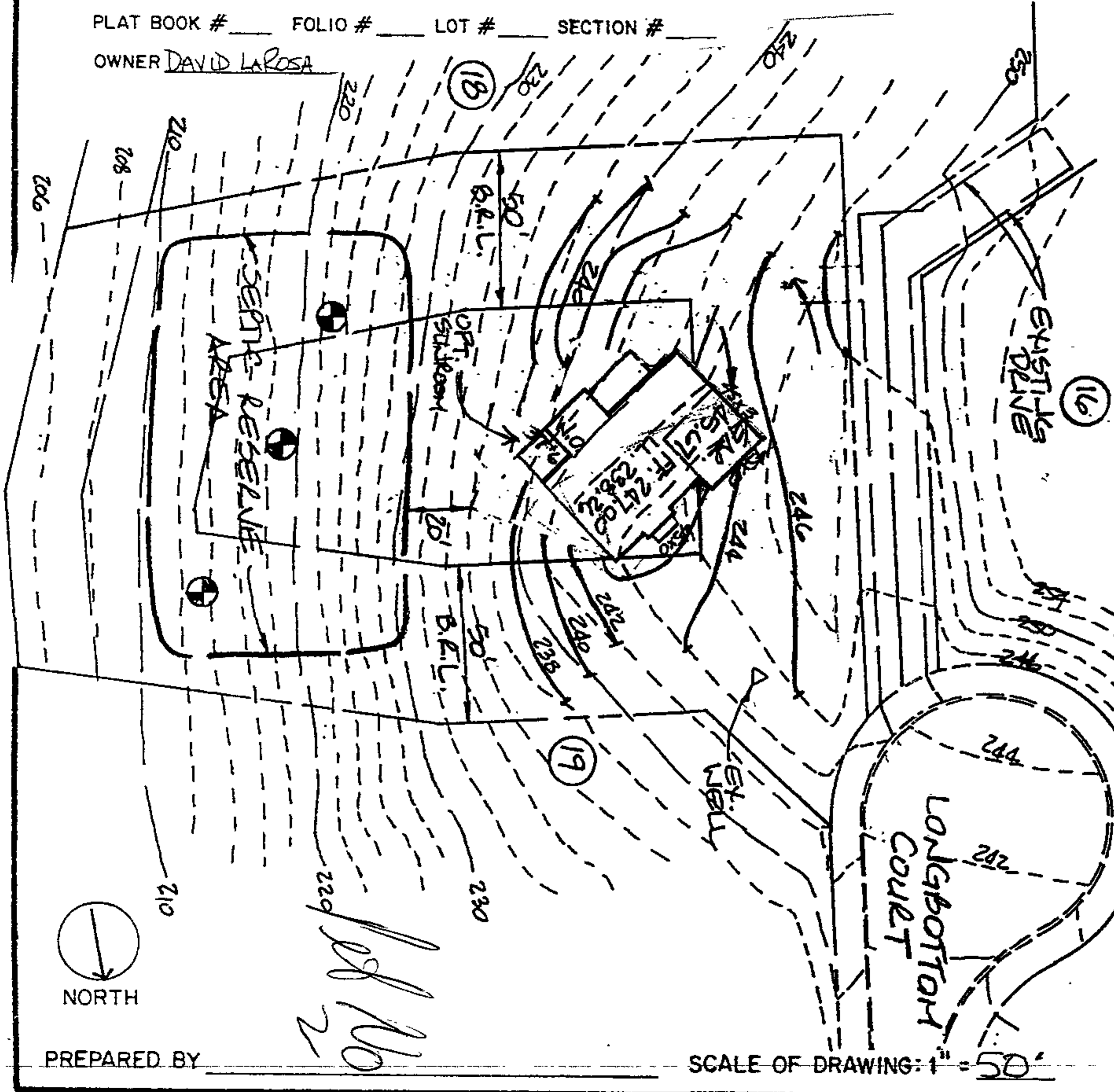
PROPERTY ADDRESS 5 LONGBOTTOM COURT

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME LONGFIELD ESTATES

PLAT BOOK # _____ FOLIO # _____ LOT # _____ SECTION # _____

OWNER DAVID LAROSA



LOCATION INFORMATION

ELECTION DISTRICT 11
 COUNCILMANIC DISTRICT S
 1" = 200' SCALE MAP # NE 14-I
 ZONING RC.S.
 LOT SIZE 1.03 44,5
 ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	<input type="checkbox"/>	<input checked="" type="checkbox"/>
100 YEAR FLOOD PLAIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HISTORIC PROPERTY/BUILDING	<input type="checkbox"/>	<input checked="" type="checkbox"/>

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
 REVIEWED BY _____ ITEM # _____ CASE # _____

PREPARED BY [Signature]

SCALE OF DRAWING: 1" = 50'

TO
BOARD OF APPEALS
M.S. 2013





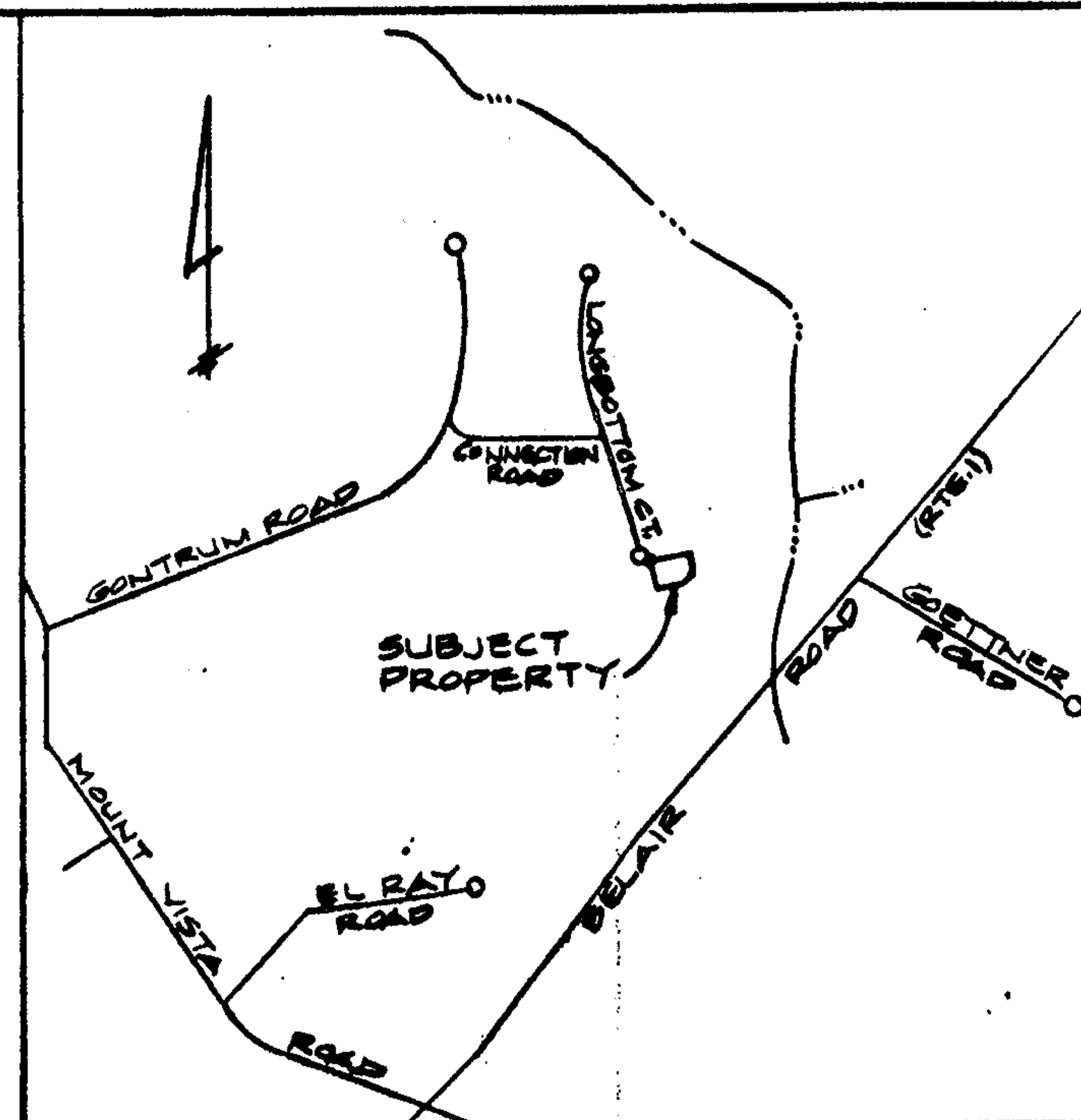
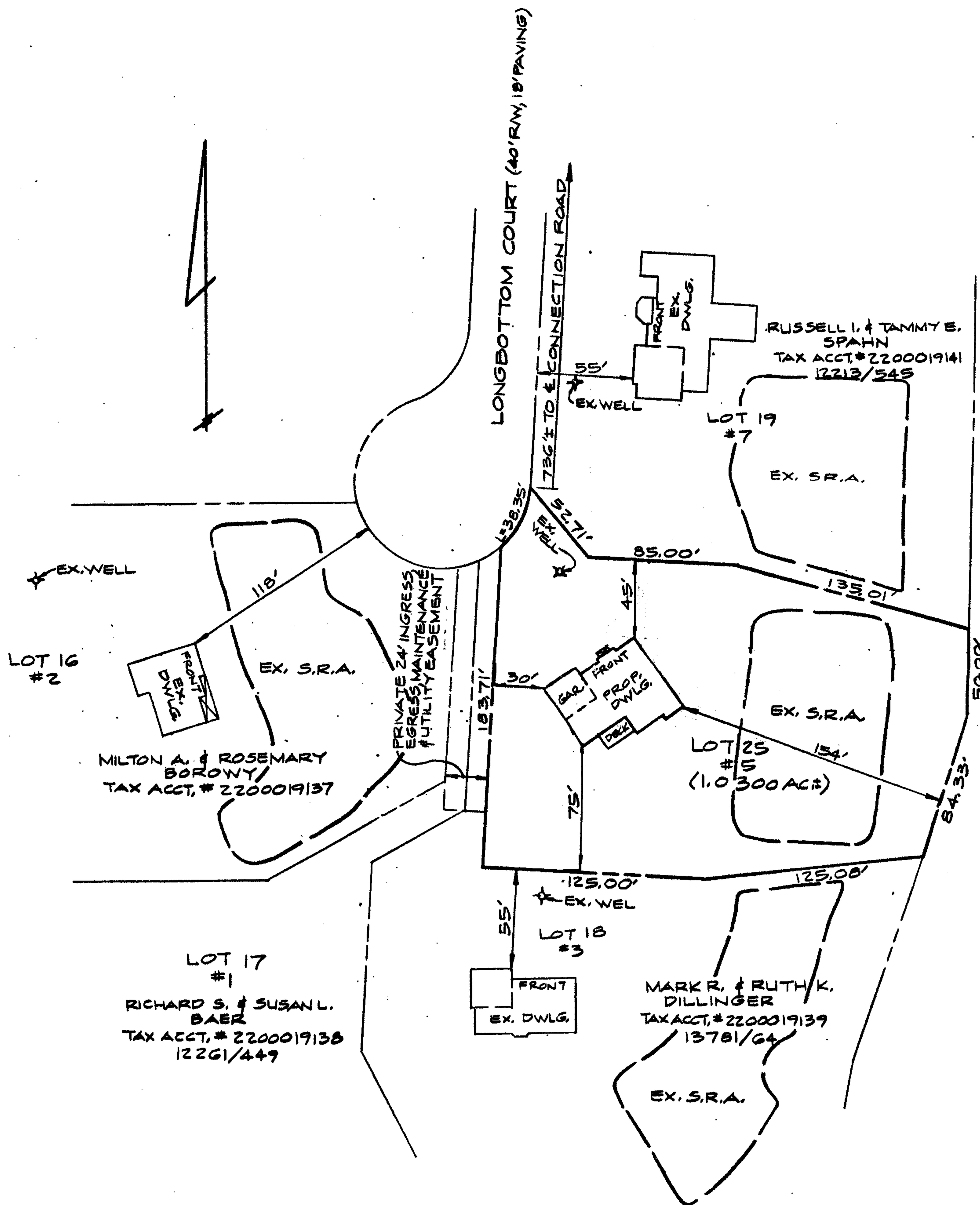












- GENERAL NOTES**
1. THIS PROPERTY HAS NO KNOWN PRIOR ZONING CASES.
 2. SUBJECT PROPERTY IS LOCATED ON THE BALTIMORE COUNTY ZOO SCALE MAP N.E. 14.
 3. SUBJECT PROPERTY IS ZONED RC 5.

100 YEAR FLOODPLAIN
FOREST BUFFER AND
GREENWAY RESERVATION

154
Plot No 1

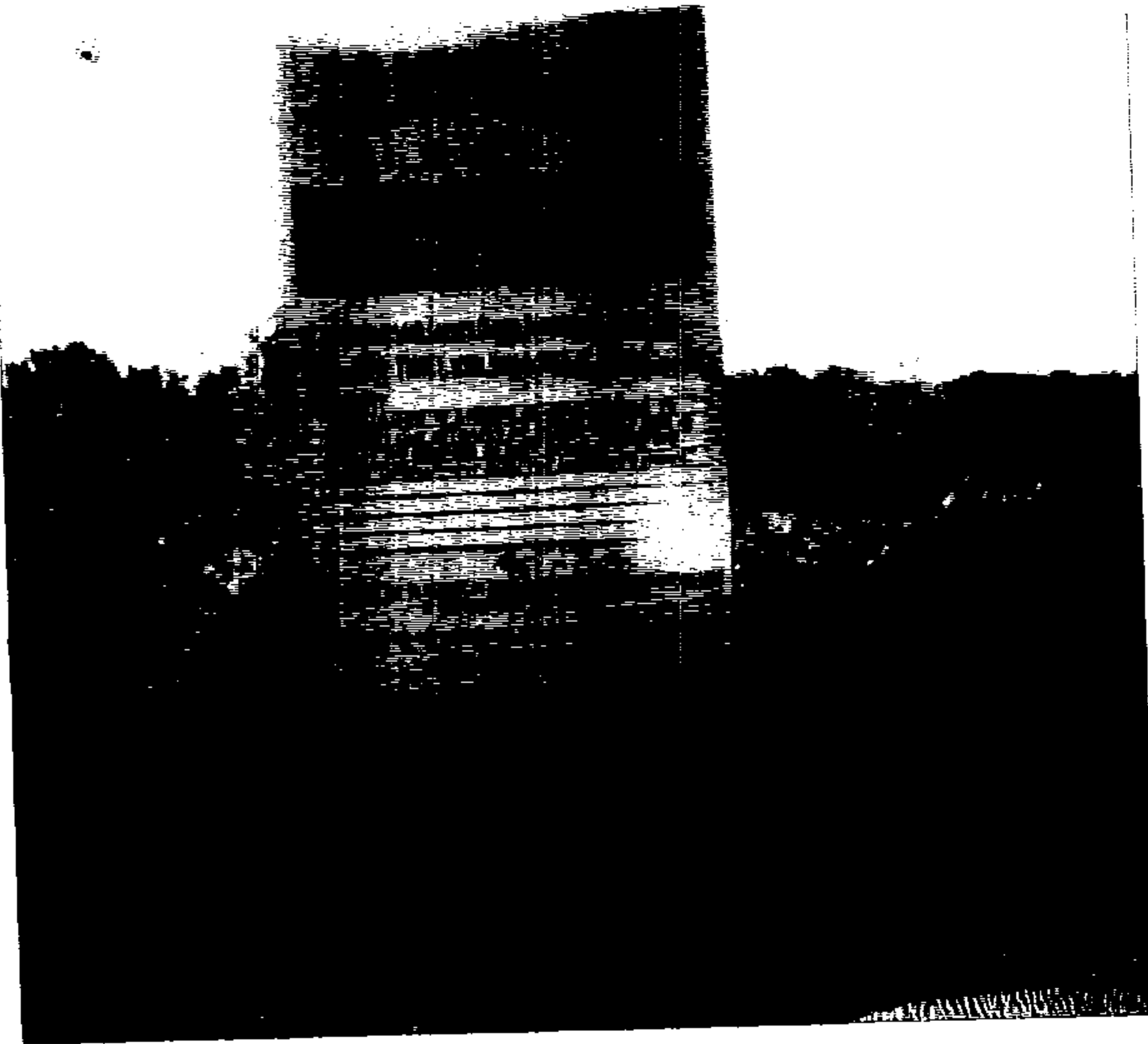
W. Duvall & Associates, Inc.

W. DUVALL & ASSOCIATES, INC.
ENGINEERS, SURVEYORS, LAND PLANNERS
530 EAST JOPPA ROAD
TOWSON, MARYLAND 21286
TEL. (410) 583-9571
FAX (410) 583-1513

OWNER
DAVID F. LAROSA
33 CEDARCONE COURT
BALTIMORE, MD, 21236
PHONE: 410-529-3565

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE
#5 LONGBOTTOM COURT
LONGFIELD ESTATES 66/63
11 THE LEG. DIST. 5TH COUNCILMANIC DIST. BALTO COUNTY, MD
SCALE: 1"=50'
DATE: SEPT. 20, 2002

CASE # 03-154 A



5 LONGBOTTOM COURT
POSTED 10/22/02
Arthur L. Smith 11/22/02