IN RE: PETITION FOR SPECIAL HEARING

NW/Corner Gerber Lane and

Western Run Road

(1410 Gerber Lane)

8th Election District

3rd Council District

Cedric W. Bryan, et ux Petitioners * BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 03-231-SPH

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Dr. Cedric W. Bryan and his wife, Eve L. Bryan. The Petitioners request a special hearing to approve a non-density transfer of a 6.820 acres and an in-law apartment in an existing dwelling. The subject property and request relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing in support of the request were Eve L. Bryan, co-owner of the property, and Bruce E. Doak, Property Line Surveyor, who prepared the site plan for this property. Appearing as an interested person was Kenneth Bosley, a nearby resident of the area. No one appeared in opposition to the request.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the northwest side of Gerber Lane at its intersection with Western Run Road in northern Baltimore County. The property consists of a gross area of 13.380 acres, more or less, zoned R.C.2 and is improved with a two-story dwelling, an in-ground swimming pool and pool house, and a series of outbuildings. In addition, the site contains a number of forest conservation easement and buffer areas. Testimony indicated that the property is actually comprised of two separate lots of record. One lot is unimproved and encompasses 6.820 acres, and is located immediately adjacent to the intersection of Western Run Road and Gerber Lane. Under the existing deed, this lot is designated as the "second parcel." The other lot contains 6.560 acres

in area, and contains the bulk of the improvements on the property, including the two-story dwelling in which the Petitioners reside. This lot is referred to as the "first parcel." These parcels are contiguous to one another and appear in the field as a single tract.

Dr. & Mrs. Bryan have owned and resided on the property for many years. It was indicated at the hearing that the Petitioners propose a subdivision and a re-subdivision of their property to create two new lots. Under Section 26-169 of the Baltimore County Code, subdivision means both the division of property into two or more lots, or the combination of lots, parcels, tracts or other units of property into a single parcel. Under this definition, the Petitioners propose a subdivision of their property to combine the two lots into one tract containing 13.380 acres in area. Upon combining the two parcels into a single tract, the Petitioners propose another subdivision of the property so as to create two new lots. As shown on the site plan, proposed Lot 1 will be 10.878 acres in area and contain all existing improvements. A second lot of 2.502 acres will be created and ultimately sold and developed with a single-family dwelling.

It is to be noted that the lot identified as the "second parcel" has no rights of density or subdivision attributable to it. Mr. Doak indicated that when acquired by a previous owner, that parcel was conveyed as a non-density transfer. The "first parcel" is 6.56 acres in area and under the R.C.2 zoning regulations, may be subdivided to create two lots. Thus, the overall tract can be subdivided so as to yield two dwelling lots.

Based upon the testimony and evidence presented, I am persuaded that the proposed non-density transfer and subdivision is appropriate. Mr. Doak indicated that the proposal has been reviewed by a number of agencies of the County including the Office of Planning and the Department of Environmental Protection and Resource Management. Those agencies will again review the proposal during the minor subdivision process, but apparently support the proposed concept.

The second prong of the relief requested relates to a proposed in-law apartment. In this regard, the plan shows that the Petitioners propose to construct a 10' wide x 45' long sunroom addition on the east side of the existing dwelling to connect same to an existing garage. Testimony

indicated that the garage would be converted for occupancy by Dr. Bryan's father, who is 93 years of age. These living quarters will be somewhat separate from the main body of the house to provide a degree of independence. Nonetheless, Dr. Bryan's father will be close enough so that other members of the family can render assistance to him if necessary.

During open hearing, the undersigned advised the Petitioner that the R.C.2 zoning regulations limit residential development on the subject property. Although an in-law apartment is permitted, the Petitioner was advised that the apartment cannot be used as a separate dwelling unit and must be occupied by a member of the Petitioners' family. The Petitioner was advised also that other outbuildings on the property cannot be used for residential purposes. In response thereto, it was indicated that these outbuildings would be used for storage or other purposes incidental to agricultural operations on the site.

As noted above, Mr. Kenneth Bosley, a nearby resident of the area, appeared. He raised several questions, which were answered during the course of proceedings, and indicated that an adjacent property was misidentified as being owned by Daniel M. Bosley, Sr. Kenneth Bosley indicated that this parcel is actually owned by his brother, Donald W. Bosley. In any event, this designation does not directly impact the subject proposal.

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 shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this Andrew of January 2003 that the Petition for Special Hearing to approve a non-density transfer of a 6.820 acres and an in-law apartment in an existing dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

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

- 2) The in-law apartment cannot be used as a separate dwelling unit and must be used by a family member.
- 3) None of the outbuildings on the subject site can be used for residential purposes or as separate dwelling units.
- 4) The Petitioners shall permit a representative of the Code Enforcement Division of the Department of Permits and Development Management (DPDM) reasonable access to any of the buildings on the subject property to insure compliance with this Order.
- 5) Development and use of the subject property shall comply with all environmental regulations as set forth in the ZAC comment submitted by DEPRM, dated January 13, 2003, a copy of which is attached hereto and made a part hereof.

6) Within sixty (60) days of the date of this Order, a new deed shall be recorded in the Land Records of Baltimore County referencing this case and setting forth the terms and conditions of this Order.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

 $p^{r_{i+1}}$



January 28, 2003

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

Fax: 410-887-3468

Dr. & Mrs. Cedric W. Bryan 1410 Gerber Lane Sparks, Maryland 21162

RE: PETITION FOR SPECIAL HEARING
NW/Corner Gerber Lane & Western Run Road
(1410 Gerber Lane)
8th Election District – 3rd Council District
Cedric W. Bryan, et ux - Petitioners
Case No. 03-231-SPH

Dear Dr. & Mrs. Bryan:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

cc:

Mr. Jack Dillon, Executive Director

The Valleys Planning Council, 207 Courtland Avenue, Towson, Md. 21204

DEPRM; Office of Planning; People's Counsel; Case File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1910 General Land Sparks Mo 21152

which is presently zoned ______ RCZ

| owner(s) or the broberty situate in partimote Cot | ent of Permits and Development Management. The undersigned, legal unty and which is described in the description and plat attached hereto and cial Hearing under Section 500.7 of the Zoning Regulations of Baltimore Commissioner should approve |
|--|---|
| 1. A NON- DEUSITY TRANSFE | ER OF A 6.820 ACRE PARCEL TO AN ADJUNING |
| | RYAN ! EVE L. BRYAN) |
| | |
| - MA IN- LAW APARTMENT | IN THE EXISTING DWELLING |
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| Property is to be posted and advertised as prescr | ــــــــــــــــــــــــــــــــــــــ |
| i, or we, agree to pay expenses of above Special Hea | aring, advertising, posting, etc. and further agree to and are to be bounded by the ty 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 Burchacer/Leanne | |
| Contract Purchaser/Lessee: | Legal Owner(s): |
| | DR. CEDRIC W. BRYAN |
| lame - Type or Print | Name - Type or Print |
| ignature | Signature W 18211 an |
| | EVE L. BRYAN |
| ddress Telepi | hone No. Name - Type or Print |
| ity State | Zip Code Signature |
| Attorney For Petitioner: | 1410 GERBER LANE 410-472.495 |
| | Address Telephone No. |
| ame - Type or Print | Spacus Mo 2/152 City State Zip Code |
| | |
| ignature | Representative to be Contacted: |
| 7 | BRUCE E. DOOK GERNOLD CROSS & ETZEL, LTD |
| ompany | Name |
| ddress Teleph | 320 E. Towsouttown Bevo. 410-823-4470 Address Telephone No. |
| | 70wson Mo 21286 |
| State 2 | Zip Code State Zip Code |
| | OFFICE USE ONLY |
| 2 | ESTIMATED LENGTH OF HEARING |
| ase No. 03-231-SPH | |
| | UNAVAILABLE FOR HEARING |
| St 9/15/98 | Reviewed By JRF Date 11-14-02 |
| a distribution of the contract | |



Gerhold, Cross & Etzel, Ltd.

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Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax. (410) 823-4473 • www.gcelimited.com

October 30, 3003

ZONING DESCRIPTION BRYANT PROPERTY 1410 GERBER LANE

All that piece or parcel of land situate, lying and being in the Eighth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point southwesterly 7 feet, more or less, from the intersection formed by Western Run Road and Gerber Lane, thence running and binding on the centerline of Western Run Road, (1) North 81 degrees 40 minutes 11 seconds West 389.40 feet, thence leaving Western Run Road and running and binding, the three following courses and distances, viz: (2) North 06 degrees 23 minutes 09 seconds East 839.98 feet, (3) North 86 degrees 25 minutes 31 seconds West 760.64 feet, (4) South 05 degrees 11 minutes 11 seconds East 325.00 feet, to the center of Gerber Lane, thence running and binding on the center of Gerber Lane, (6) South 43 degrees 40 minutes 49 seconds West 719.15 feet to the place of beginning.

Containing 13.379 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.



#231

NOTICE OF ZOMING 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: #03-231-SPH
1410 Gerber Lane
Nywest corner of Western
Aun Road and Gerber Lane
8th Election-District
3rd Councilmanic District
Legal Owner(s): Dr. and
Mrs. Cedric W Bryan
Special Hearing: to permit
a non-density transfer of a
6.820 acre parcel to an adjoining owner. To permit an
in-law apartment in the existing dwelling.
Hearing: Tuesday, January
14, 2003 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; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(2) For information concerning the File and/or
Hearing the File and/or
Hearing, Contact the Zoning
Review Office at (419) 8873391.

口 ERTIFICAT

<u>2003</u>

that the annexed advertisement was published successive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., THIS IS TO CERTIFY, 200 once in each of Ç

🙀 The Jeffersonian

Times Arbutus Times Catonsville

Towson Times

☐ Owings Mills Times

NE Booster/Reporter

North County News

Sur Suns

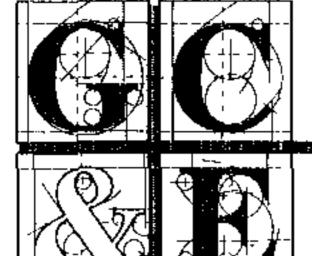
LEGAL ADVERTISING

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|--|---------------|-----------|--------------------------|---------------|---|
| | | | Trens # 231 | Tanan 12. TRR | CUSTOMER |
| BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT | DATE 11-14-02 | AMOUNT \$ | RECEIVED CICIDIAIA BROM: | うさらい | DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW CUS |

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CERTIFICATE OF POSTING

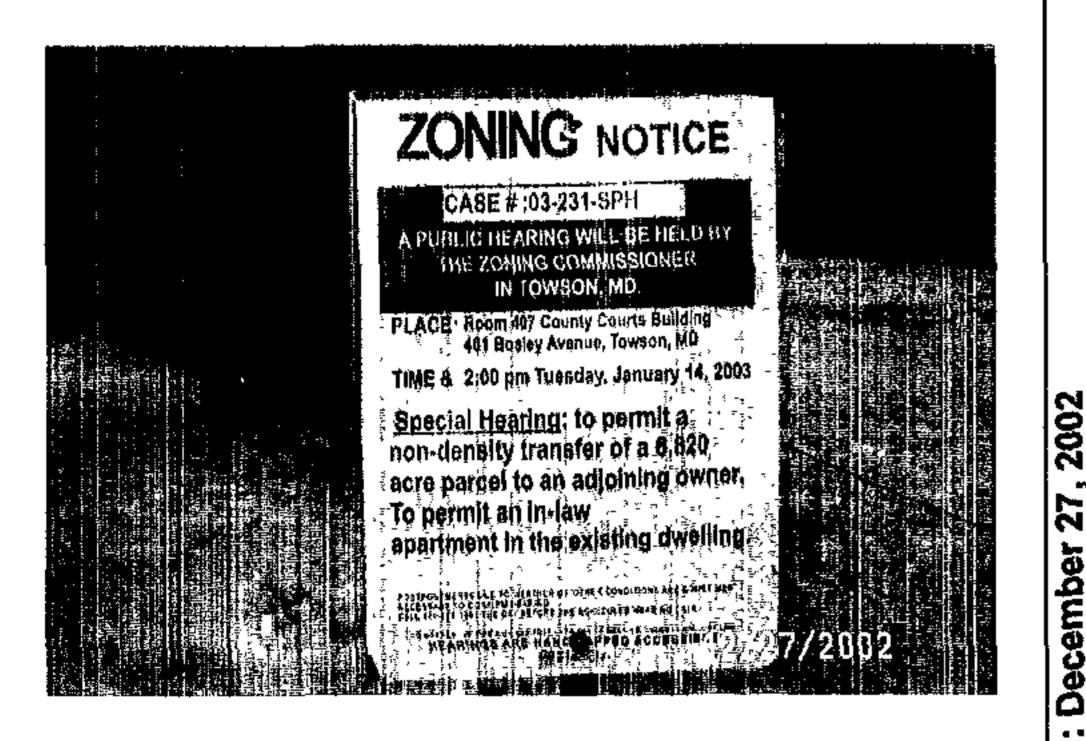
RE: CASE # 03-231-SPH
PETITIONER/DEVELOPER:
DR. AND MRS. CEDRIC W. BRYAN
DATE OF HEARING:
JANUARY 14, 2003

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: REBECCA 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



LOCATION:

1410 Gerber Lane
Northwest corner of Western Run Road & Gerber Lane

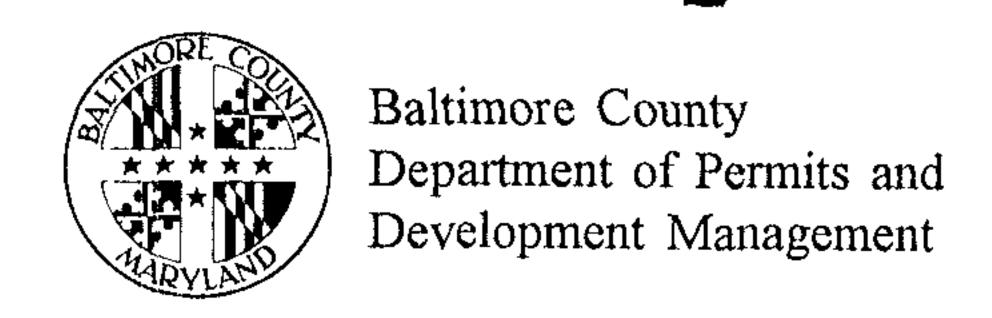
DATE:

December 30, 2002

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX



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

Fax: 410-887-5708

December 10, 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: 03-231-SPH

1410 Gerber Lane N/west corner of Western Run Road and Gerber Lane 8th Election District – 3rd Councilmanic District Legal Owner: Dr. and Mrs. Cedric W. Bryan

Special Hearing to permit a non-density transfer of a 6.820 acre parcel to an adjoining owner. To permit an in-law apartment in the existing dwelling.

Hearings:

Tuesday, January 14, 2003 at 2:00 p.m in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon

Director

AJ:rlh

C: Dr. and Mrs. Cedric Bryan, 1410 Gerber Lane, Sparks 21152 Bruce E. Doak, Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, DECEMBER 30, 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.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, December 31, 2002 Issue - Jeffersonian

Please forward billing to:

Dr. Cedric Bryan 1410 Gerber Lane

Sparks, MD 21152

410-472-4955

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: 03-231-SPH

1410 Gerber Lane

N/west corner of Western Run Road and Gerber Lane

8th Election District – 3rd Councilmanic District

Legal Owner: Dr. and Mrs. Cedric W. Bryan

Special Hearing to permit a non-density transfer of a 6.820 acre parcel to an adjoining owner. To permit an in-law apartment in the existing dwelling.

Hearings:

Tuesday, January 14, 2003 at 2:00 p.m in Room 407, County Courts

Building, 401 Bosley Avenue

Laurence B. Schmidt

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF FERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

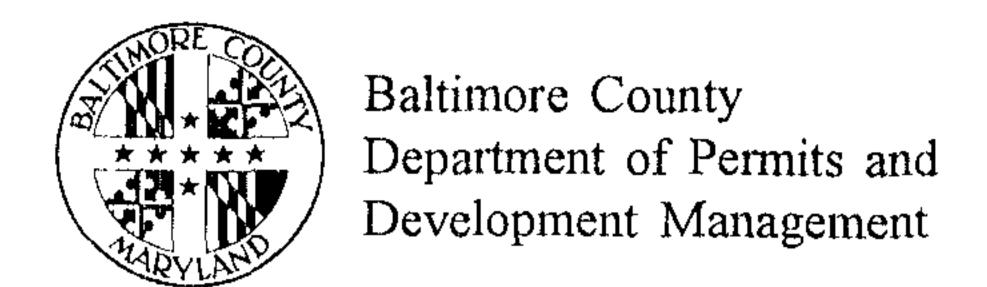
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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 <u>03 - 231 - 594</u> |
| Petitioner: DR. CEDRIC W. BRYAM F EVE L. BRYAM |
| Address or Location: 1910 GERBER LANG SARKS, Mo 21152 |
| |
| PLEASE FORWARD ADVERTISING BILL TO: |
| Name: Da. Cooric W. Brygs |
| Address: 1410 GERBER LANG SPARKS, Mo 21152 |
| |
| Teiephone Number: <u>410 - 472 - 4955</u> |

Revised 2/20/98 - SCJ



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

January 10, 2003

Dr. Cedric and Mrs. Eve Bryan 1410 Gerber Lane Sparks, MD 21152

Dear Dr. and Mrs. Bryan:

RE: Case Number: 03-231-SPH, 1410 Gerber Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 14, 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,

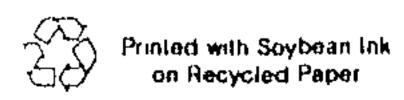
W. Carl Richards, Jr.
Supervisor, Zoning Review

U. Callibal)

WCR:rlh

Enclosures

c: People's Counsel Bruce E. Doak, Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Towson 21286





Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary

Parker F. Williams Administrator

12.6.02 Date:

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

RE:

Baltimore County

Item No. 231

1 R F

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,

1. 1. Heall

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



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

December 11, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.: Distribution Meeting of 12/9/02

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: 224-240

231

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

cc: File

J. 1.4

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

| TO: | Arnold Jablon |
|----------|---|
| FROM: | R. Bruce Seeley Res / Tor JAN 1 3 13 |
| DATE: | January 13, 2003 |
| SUBJECT: | Zoning Item 231 Address 1410 Gerber Lane (Bryan Property) |
| Zoning | Advisory Committee Meeting of 12/09/02 |
| | epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item. |
| an exte | epartment of Environmental Protection and Resource Management requests ension for the review of the above-referenced zoning item to determine the to which environmental regulations apply to the site. |
| | epartment of Environmental Protection and Resource Management offers owing comments on the above-referenced zoning item: |
| <u>X</u> | Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code). |
| <u>X</u> | Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code). |
| <u> </u> | Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code). |
| | |

Sulla -

Reviewer: Keith Kelley

Date: January 13, 2003

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: December 11, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-231, 03-233, & 03-235

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: January 17, 2003

TO:

Arnold Jablon, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 16, 2002 Item Nos. 224, 225, 228, 229, 230, 231, 232, 233, 234, 235, 236, 238, 239, and

240

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING * BEFORE THE

1410 Gerber Lane

NW corner of Western Run Rd & Gerber Ln* ZONING COMMISSIONER

8th Election District

3rd Councilmanic District * FOR

Legal Owner(s): Dr. Cedric & Eve Bryan

Petitioner(s) * BALTIMORE COUNTY

* 03-231-SPH

* * * * * * * * *

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

People's Counsel for Baltimore County

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

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day of December, 2002, a copy of the foregoing Entry of Appearance was mailed to Bruce E. Doak, Gerhold, Cross & Etzel, Ltd, 320 E. Towsontown Blvd., Suite 100, Towson, MD 21286, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 03-231 SPU
DATE 1/14/03

PETITIONER'S SIGN-IN SHEET

| E- MAIL | | | | | | | | | | | |
|------------------|------------------------|-----------------------|------------------|--|--|--|--|--|--|--|--|
| CITY, STATE, ZIP | 10 21286 | | 579 MB 21152 | | | | | | | | |
| ADDRESS | 320 E. Towsastown Seve | | 1410 GERBER LANE | | | | | | | | |
| NAME | BRUCE E. DOAK | Governo CROSS F Green | EVE L. BRYAN | | | | | | | | |



Parris N. Glendening Governor Kathleen Kennedy Townsend Lt. Governor

Roy W. Kienitz Secretary Mary Abrams Deputy Secretary

December 11, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
Count Office Building
111 West Chesapeake Avenue, Room 111
Mail Stop # 1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, 12/16/02 re; case numbers 03-224-A, 03-225-SPH, 03-226-SPH, 03-228-A, 03-229-A, 03-230-A, 03-231-SPH, 03-232-SPH, 03-233-SPHA, 03-234-A, 03-235-SPHA, 03-236-A, 03-237-A, 03-238-A, 03-239-A, 03-240-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 12/11/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

James R. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup

The Valleys Planning Council, Inc

207 Courtland Avenue, Towson, Maryland 21204 Mailing Address P.O. Box 5402, Towson, Maryland 21285-5402 Phone: 410-337-6877, Fax: 410-296-5409

January 14, 2003

JAN 1.6 03

Mr. Lawrence E. Schmidt, Zoning Commissioner County Courts Building 401 Bosley Avenue Towson, Maryland 21204

Re: Case No: 03-231 SPH 1410 Gerber Lane

Dear Mr. Schmidt;

In February of 2000 I filed a zoning complaint against Dr. Bryan because he had converted a garage and other outbuildings into at least 5 separate rental units. The case was heard before Stanley J. Schapiro and a fine was levied. Mr. Gary Freund was the inspector on this case.

Today you have the above referenced case to permit a non-density transfer of a 6.820-acre parcel to an adjoining owner and to allow an in-law apartment in the existing dwelling.

Based upon the past history I am worried that there may be more to this request than I can gleen from the public notice. While we do understand the need to provide family support for elderly members of a family we hope that if you find sufficient reason to grant the request that you place appropriate restrictions on the use so that it does not become an issue when and if the home is sold.

Thank you for your consideration of these comments. I would appreciate a copy of your final order in this case.

Sincerely,

Jack Dillon

Executive Director

The valleys Planning Council. Inc

207 Courtland Avenue, Towson, Maryland 21204 Mailing Address P.O. Box 5402, Towson, Maryland 21285-5402 Phone: 410-337-6877, Fax: 410-296-5409

January 14, 2003

Mr. Lawrence E. Schmidt, Zoning Commissioner County Courts Building 401 Bosley Avenue Towson, Maryland 21204

> Re: Case No: 03-231 SPH 1410 Gerber Lane

Dear Mr. Schmidt;

In February of 2000 I filed a zoning complaint against Dr. Bryan because he had converted a garage and other outbuildings into at least 5 separate rental units. The case was heard before Stanley J. Schapiro and a fine was levied. Mr. Gary Freund was the inspector on this case.

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Executive Director

PO Box 5402, Towson, MD 21285 Phone 410-337-8877 Fax 410-296-5409

The Valleys Planning Council, Inc.

| To: paurence E. Schmidt | From: Jack Dillon |
|----------------------------------|--|
| Fax: | Fax |
| Phone: | Phone 410/337-6877 |
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