IN RE: DEVELOPMENT PLAN HEARING and

PETITION FOR VARIANCE – W/S

Gilley Terrace, E/S Gum Spring Road,

1500' S of Rossville Boulevard

(Karageorge/Eisenacher Property)

14th Election District

6th Council District

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Cases Nos. XIV-412 & 03-269-A

Tony & Stamatia Karageorge;

Louis C. Karageorge;

Dorie Zoe & Rick C. Eisenacher; and

James H. & Karen F. Huber, Owners;

Sidney Emmer Builders, Inc., Developer

*

*

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Zoning Commissioner for a combined public hearing, pursuant to Section 26-206.1 of the Baltimore County Code (B.C.C.), which allows consideration of a development plan and requests for zoning relief under a single public hearing. Pursuant to the development review regulations codified in Title 26 thereof, the Owners/Developers seek approval of a development plan prepared by Little & Associates, Inc., for the proposed subdivision of the subject property to create 25 residential lots. In addition, variance relief is requested from Section 1B01.2.C.1(b) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 20 feet in lieu of the required 25 feet to a street right-of-way for proposed Lot 18. The subject property consists of approximately 10 acres, zoned D.R.3.5, and is located between Gilley Terrace and Gum Spring Road, just south of Rossville Boulevard in eastern Baltimore County. The proposed subdivision is more particularly described on the revised, red-lined development plan submitted into evidence and marked as Developer's Exhibit 1.

Pursuant to the development review process codified in Title 26 of the Baltimore County Code, a concept plan depicting the proposed development was submitted for review at a Concept Plan Conference (CPC) held between the Developer's representatives and the Department of Permits and Development Management (DPDM) on September 23, 2002. Thereafter, a Community Input Meeting (CIM) was conducted on October 15, 2002 at Elmwood

18918 1908 Elementary School Library to allow interested residents of the area an opportunity to review and comment on the plan. Thereafter, a revised development plan incorporating changes and revisions that were made based upon comments at the CPC and/or CIM was submitted at a Development Plan Conference (DPC) held on December 30, 2002. The matter was subsequently scheduled for a Hearing Officer's Hearing, which was conducted in its entirety on January 23, 2003.

Appearing at the public hearing required for this project were Sidney Emmer, Principal, and Charles Nass of Sidney Emmer Builders, Inc., Developers; Dwight Little and Chris Hanson, representatives of Little & Associates, Inc., the consultants who prepared the development plan; and, Howard A. Alderman, Jr., Esquire, attorney for the Owners/Developers. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including the following individuals from the Department of Permits and Development Management (DPDM): Christine Rorke, Project Manager; Robert Bowling, Development Plans Review; William A. Miner, Land Acquisition; and, Jeffrey Perlow, Zoning Review. Also appearing on behalf of the County were Mark Cunningham, Office of Planning (OP); R. Bruce Seeley, Department of Environmental Protection and Resource Management (DEPRM); and Jan Cook, Department of Recreation and Parks (R&P). Amos G. Harvey, a representative of the Rossville-Gumspring Community Association, appeared as did Ernie Chapalini and Suzanne Christopher, all of whom reside in the area.

The subject property is an irregular shaped parcel located with frontage on two public roads, namely, Gilley Terrace and Gum Spring Road, not far from Rossville Boulevard and the JFK Memorial Highway (I-95) in Rossville. The property contains a gross area of approximately 10 acres, zoned D.R.3.5 and is presently improved with three single-family dwellings. As shown on the plan, the Owners/Developers propose a subdivision of 25 single family homes, including the three existing houses designated as being located on Lots 1, 7 and 18, respectively. As noted above, the property has access to two public roads, namely, Gilley Terrace and Gum Spring Road. Twenty-three of the single family lots, including the three existing homes, will be accessed by way of a loop road from Gilley Terrace, to be known as Stellabrooke Lane. Each lot will have

fee simply access thereto. The remaining two lots (Lots 24 and 25) are separated from the main portion of the property by an environmentally sensitive area. Those two lots will have access to Gum Spring Road. These environmentally sensitive areas will contain a storm water management facility and an area of forest conservation buffer.

Turning first to the development plan, the red-lined plan features a number of revisions that were added to bring same into compliance with the various County development regulations and standards. In this regard, Mr. Alderman on behalf of the Developer proffered that the plan was in compliance with all County requirements and that there were no open issues. The County representatives who attended the hearing corroborated his testimony. Mr. Bowling did note that the Department of Public Works (DPW) recommended a waiver of road improvements to Gum Spring Road. As noted above, only two lots will have access to that street and DPW has determined that road improvements are not necessary. The plan has been noted accordingly.

Mr. Perlow from the Zoning Review Division of the Department of Permits and Development Management (DPDM) indicated that one of the existing houses was the subject of a prior variance request (Case No. 91-202-A). In that matter, variance relief was requested to permit accessory buildings, trailers and recreational vehicles to be stored in the front yard in lieu of the required rear yard, with reduced setbacks. In that the proposed development of the subject property will involve removal of those items and render that variance relief unnecessary, the relief granted in that case shall become null and void upon final approval of this development plan.

Finally, Mr. Cunningham offered an amended Development Plan comment at the hearing (marked as County Exhibit 1), indicating that Elevation #1 of the proposed Menlena model should not be constructed as part of this subdivision. Elevation #2 of said model should be modified to include separate, double garage doors, and should likewise be designed so as to relieve the visual impact of the house from the street. Consideration of these floor plans by the Office of Planning was in accordance with the Residential Performance Standards set out in Section 260 of the B.C.Z.R. Mr. Cunningham's amended written comment was accepted at the hearing and the conditions contained therein agreed to by the Developer. But for those issues, the County agency

representatives present indicated that the plan was in full compliance with their respective agency standards.

From the community, Ms. Christopher and Mr. Chapalini raised no issues regarding the plan. Mr. Harvey identified certain issues of concern, including traffic conditions in the area generally and the intersection of Rossville Boulevard and Gilley Terrace specifically. He also expressed concern about environmental impacts and increased crime in the area brought about by further development.

These issues were addressed in testimony offered by Mr. Little, Mr. Bowling and Mr. Seeley. Insofar as the intersection of concern, Mr. Little indicated that same would be improved by the addition of a by-pass lane, which is being constructed as the result of an approved development for an adjacent tract. It appears that those road improvements will mitigate some of Mr. Harvey's concerns. From an environmental perspective, Mr. Seeley indicated that the plan meets all environmental standards, including those relative to storm water management, forest conservation and environmental impacts.

Based upon the testimony and evidence offered, I am persuaded that the plan is in compliance with all relative County standards and regulations and should be approved. As part of the approval, I shall also grant waiver relief as supported by the Department of Public Works for any road improvements to Gum Spring Road. Additionally, I shall adopt as a condition of approval, pursuant to Section 26-206(o) of the Baltimore County Code, the amended comment from the Office of Planning. Further, upon final and unappealable approval of this plan, the zoning relief granted in Case No. 91-202-A shall become void.

Turning to the Petition for Variance in the instant case, a minimally reduced front yard setback is requested for one of the existing dwellings, shown as being located on proposed Lot 18. Variance relief is warranted in this instance due to the location and orientation of the existing dwelling. As more particularly shown on the plan, the dwelling will be angled when facing the new proposed public road (Stellabrooke Lane). As a result of these conditions, a slightly reduced dwelling to street right-of-way setback is requested. A proffer was submitted at the hearing by the

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Developer which adequately supports the variance request and addresses the requirements contained within Section 307 of the B.C.Z.R. for relief to be granted.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved consistent with the comments contained herein and the variance granted in accordance with the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this Appendix day of January 2003 that the revised, red-lined development plan for the Karageorge/Eisenacher Property, identified herein as Developer's Exhibit 1, be and is hereby APPROVED, subject to the following restrictions:

- 1) Pursuant to the waiver recommended by the Department of Public Works, there shall be no road improvements made to Gum Spring Road.
- 2) Pursuant to the amended comment (County Exhibit #1) submitted by the Office of Planning, Elevation #1 of the proposed Menlena model/floorplan shall be eliminated. Elevation #2 shall be modified to include separate, double garage doors, and designed so as to relieve the visual impact of the house from the street.
- 3) Upon the final, non-appealable approval of the development plan (Developer's Exhibit 1) the zoning relief granted in Case No. 91-202-A shall be void.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1B01.2.C.1(b) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 20 feet in lieu of the required 25 feet to a street right-of-way for proposed Lot 18, in accordance with Developer's Exhibit 1, be and is hereby GRANTED.

Any appeal of this decision must be taken in accordance with Section 26-209 of the

Baltimore County Code.

L'AWRENCE E. SCHMIDT

Zoning Commissioner/Hearing Officer

for Baltimore County

LES:bjs



January 24, 2003

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

Fax: 410-887-3468

Howard L. Alderman, Jr., Esquire Levin & Gann 502 Washington Avenue, Suite 800 Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING & PETITION FOR VARIANCE
W/S Gilley Terrace, E/S Gum Spring Road, 1500' S of Rossville Boulevard
(Karageorge/Eisenacher Property)
14th Election District – 6th Council District
Tony & Stamatia Karageorge; Louis C. Karageorge; Dorie Zoe & Rick C. Eisenacher; and,
James H. & Karen F. Huber, Owners; Sidney Emmer Builders, Inc., Developer
Case No. XIV-412 & 03-269-A

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The development plan has been approved and the Petition for Variance 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

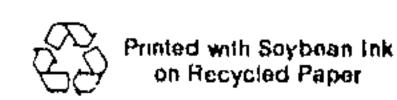
Zoning Commissioner for Baltimore County

LES:bjs

cc: Messrs. Sidney Emmer & Charles Nass, 1801 Falls Road, Baltimore, Md. 21201 Messrs. Dwight Little & Chris Hanson, 1045 Taylor Avenue, #111, Towson, Md. 21286

Mr. Ernie Chapalini, 9203 Ravenwood Road, Baltimore, Md. 21237 Ms. Suzanne Christopher, 5125 New Gerst Lane, Perry Hall, Md. 21128

Mr. Amos G. Harvey, 7522 Rossville Boulevard, Baltimore, Md. 21237 Chris Rorke, DPDM; DEPRM; DPW; OP; R&P; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7508 Gilley Terrace

which is presently zoned DR 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 hereof, hereby petition for a Variance from Section(s)

1B01 2.C 1.b, to allow for a front yard setback of 20' in lieu of the required 25' to street right-of-way LOT 18.

FOR

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 discussed at the 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 PurchaseriLessee: Legal Owner(s): Sidney Emmer Builders - Sidney Emmer James Huber Name Type or Print Name - Type or Print Enn days Signature Signature 1801 Falls Rd 410-685-5200 Karen Huber Address Telephone No. Name - Type or Hant Baltimore MD 21201 alla City Zip Code State Signature 410-882-272 Attorney For Petitioner: 7508 Gilley Terrace Address Telephone No. MD 21237 Baltimore Name - Type or Print State City Zip Code Representative to be Contacted: Signature Chuck Merritt c/o Little & Associates, Inc. Company Name 1045 Taylor Avenue, Suite 111 410-296-1636 Address Telephone No. Address Telephone No. MD Towson 21286 City State Zip Code Čky Zip Ccce State OFFICE USE ONLY ESTEMATED LENGTH OF HEARING Case No. UNAVAILABLE FOR HEARING **Reviewed By** REV 9/15/98

November 21, 2002

ZONING DESCRIPTION FOR THE KARAGEORGE PROPERTY 14th Election District 6th Councilmanic Distrcit Baltimore County, Maryland

Beginning at a point on the west side of Gilley Terrace, which is 55 feet wide, at a distance of 755 feet southwest of the centerline of the nearest improved intersecting street, Rossville Boulevard, which is 100 feet wide. Thence (1) South 33 degrees 07 minutes 17 seconds West 595.85 feet; (2) North 54 degrees 21 minutes 32 seconds West 676.23 feet; (3) North 52 degrees 20 minutes 12 seconds West 64.87 feet; (4) South 85 degrees 24 minutes 58 seconds West 270.88 feet to the center of Gum Spring Road; thence binding thereon (5) North 04 degrees 20 minutes 14 seconds West 150.00 feet; thence leaving Gum Spring Road (6) North 85 degrees 24 minutes 58 seconds East 270.24 feet; (7) North 04 degrees 35 minutes 02 seconds West 100.00 feet; (8) North 85 degrees 40 minutes 58 seconds East 392.41 feet; (9) South 68 degrees 58 minutes 32 seconds East 594.77 feet to the place of beginning. As recorded in Deed E.H.K., Jr. 6542 folio 08 Parcel Two, Deed S.M. 7894 folio 508, Deed S.M. 9484 folio 175, Deed S.M. 10068 folio 175 and Deed S.M. 12037 folio 111 and containing 9.823 acres of land, more or less.



NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County wil hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #03-269-A
7508 Gitley Terrace
Wiside of Gilley Terrace, 755 feet southwest of centerline of Rosswell Blvd
14th Election District - 6th Councilmanic District Legal Owner(s): James and Karen Huber
Confract Purchaser: Sidney Emmer Builders, Schrey Emmer
Variance: to permit a front yard setback of 20 feet in Ileu of the required 25 feet to street right-of-way for lot 18.

Hearing: Thursday, January 23, 2003 at 9:00 a.m. in Room 487, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baffimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 857-4386.

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

1/147 January 9

Contact the Zoning Review Office at (410) 887-3391.

OF PUBLICATION ERTIFICATE

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 once in each of

The Jeffersonian

Catonsville Times Arbutus Times

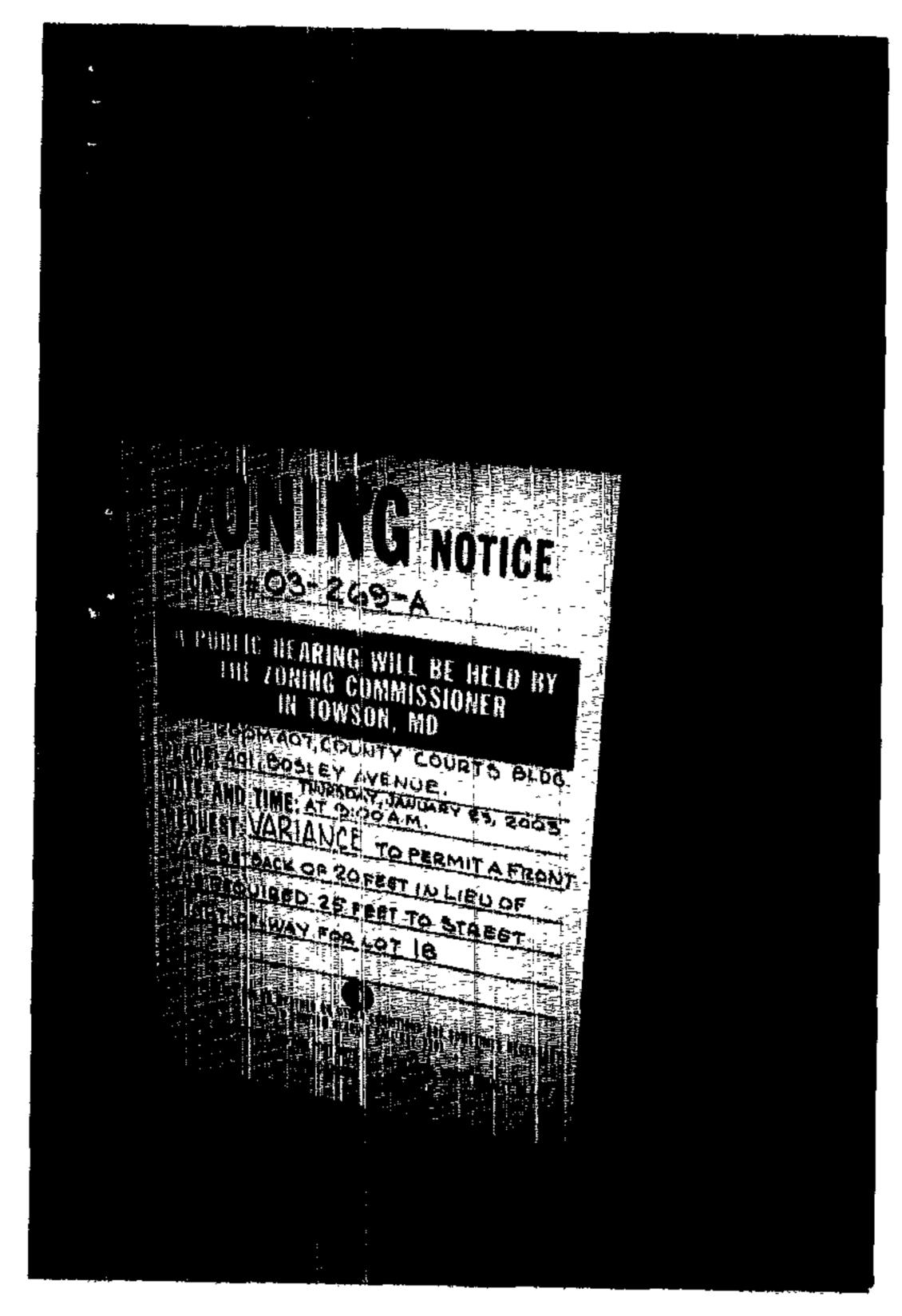
Towson Times

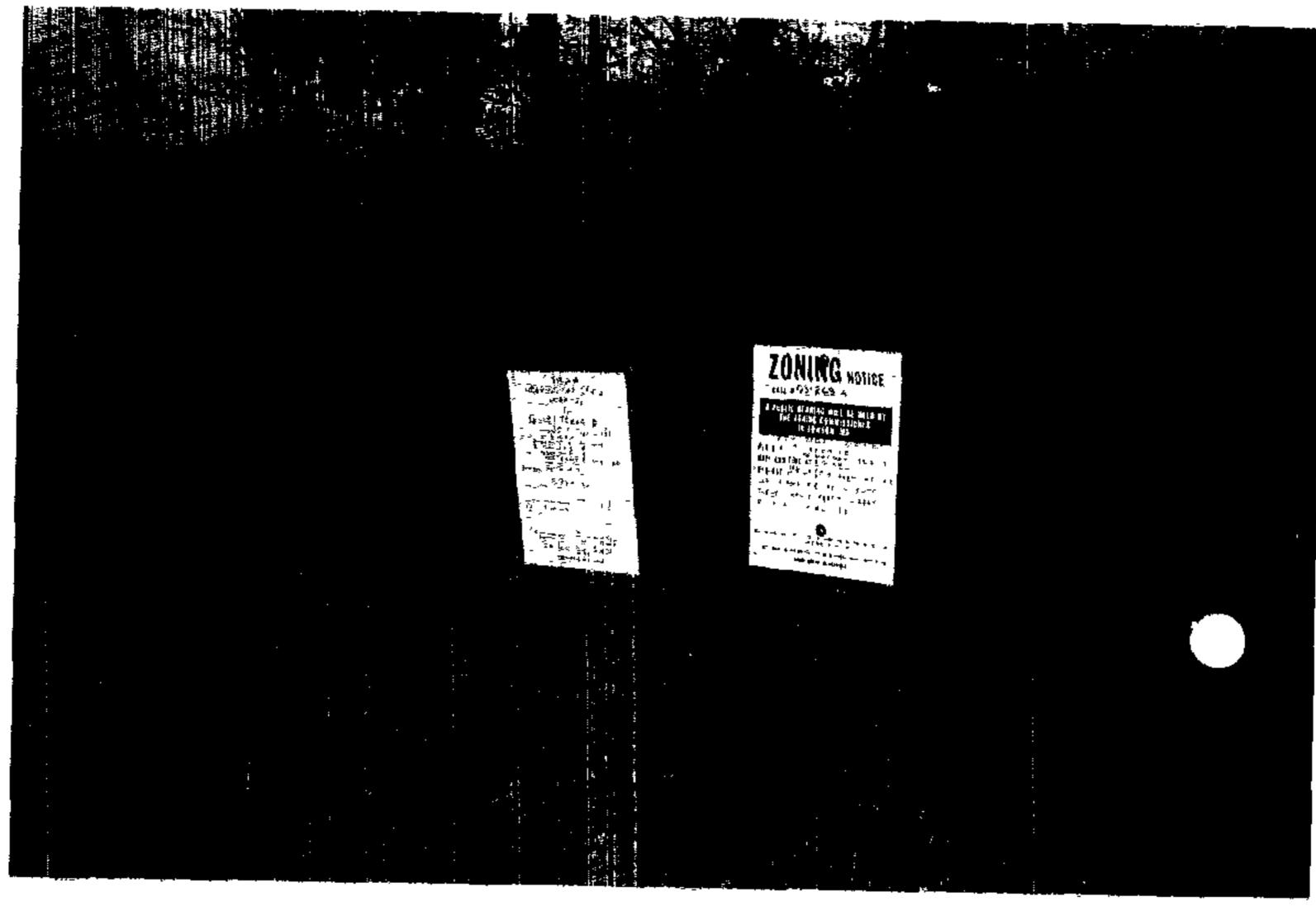
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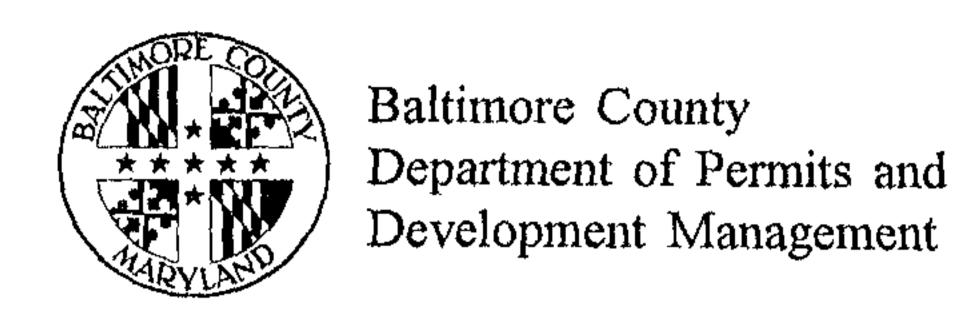




CERTIFICATE OF POSTING

Petitioner/Developer: SIDNEY EMMER BUILDERS
Date of Hearing/Closing: JAN 23, 2003
ltimore County Department of mits and Development Management unty Office Building, Room 111 1 West Chesapeake Avenue wson, MD 21204
attention: Mr. George Zahner
dies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by
were posted conspicuously on the property located at
#7508 GILLEY TERRACE
e sign(s) were posted on JAU. 1, 2003 (Month, Day, Year)
Sincerely,
Signature of Sign Poster and Date) CHARLAND E. MOO125
(Printed Name)
3225 RYERSON CIRCLE (Address)
BAUTIMORE, MD. 21227 (City, State, Zip Code)
(4(0) 242-4263 (Telephone Number)

RE: Case No.: 03-269-A



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

Fax: 410-887-5708

December 18, 2002

NOTICE OF ZONING HEARING

CORRECTION

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: 03-269-A

7508 Gilley Terrace

W/side of Gilley Terrace, 755 feet southwest of centerline of Rosswell Blvd 14th Election District – 6th Councilmanic District

Legal Owner: James and Karen Huber

Contract Purchaser: Sidney Emmer Builders, Sidney Emmer

<u>Variance</u> to permit a front yard setback of 20 feet in lieu of the required 25 feet to street right-of-way for lot 18.

Hearings:

Thursday, January 23, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon

Director

AJ:rlh

C: Sidney Emmer Builders, Sidney Emmer, 1801 Falls Road, Baltimore 21201 James and Karen Huber, 7508 Gilley Terrace, Baltimore 21237 Chuck Merritt, Dwight Little, Little & Assoc., 1045 Taylor Avenue, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JANUARY 8, 2003.

(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

Thursday, January 9, 2003 Issue - Jeffersonian

Please forward billing to:

Sidney Emmer Builders 1801 Falls Road Baltimore, MD 21201

410-685-5200

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: 03-269-A

7508 Gilley Terrace

W/side of Gilley Terrace, 755 feet southwest of centerline of Rosswell Blvd

14th Election District – 6th Councilmanic District

Legal Owner: James and Karen Huber

Contract Purchaser: Sidney Emmer Builders, Sidney Emmer

Variance to permit a front yard setback of 20 feet in lieu of the required 25 feet to street right-of-way for lot 18.

Hearings:

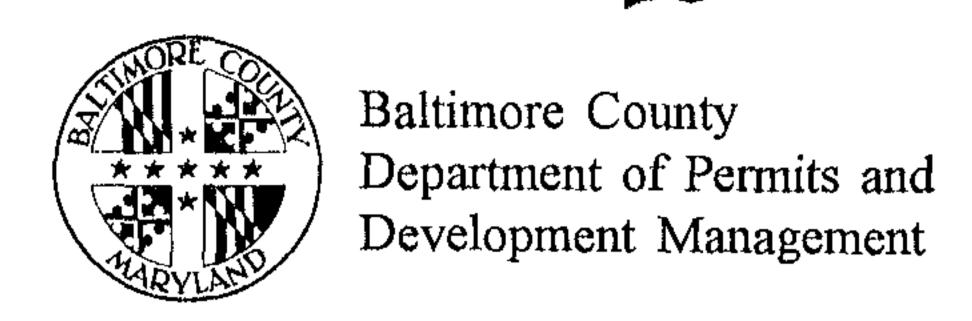
Thursday, January 23, 2003 at 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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

December 18, 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: 03-269-A

7508 Gilley Terrace

W/side of Gilley Terrace, 755 feet southwest of centerline of Rosswell Blvd

14th Election District – 6th Councilmanic District

Legal Owner: James and Karen Huber

Contract Purchaser: Sidney Emmer Builders, Sidney Emmer

<u>Variance</u> to permit a front yard setback of 20 feet in lieu of the required 25 feet to street right-of-way for lot 18.

Hearings:

Tuesday, January 21, 2003 at 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon Director

AJ:rlh

C: Sidney Emmer Builders, Sidney Emmer, 1801 Falls Road, Baltimore 21201 James and Karen Huber, 7508 Gilley Terrace, Baltimore 21237

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JANUARY 6, 2003.

- (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, January 7, 2003 Issue - Jeffersonian

Please forward billing to:

Sidney Emmer Builders 1801 Falls Road Baltimore, MD 21201

410-685-5200

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: 03-269-A

7508 Gilley Terrace

W/side of Gilley Terrace, 755 feet southwest of centerline of Rosswell Blvd

14th Election District – 6th Councilmanic District

Legal Owner: James and Karen Huber

Contract Purchaser: Sidney Emmer Builders, Sidney Emmer

<u>Variance</u> to permit a front yard setback of 20 feet in lieu of the required 25 feet to street right-of-way for lot 18.

Hearings:

Tuesday, January 21, 2003 at 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Lawrence E. 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 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.

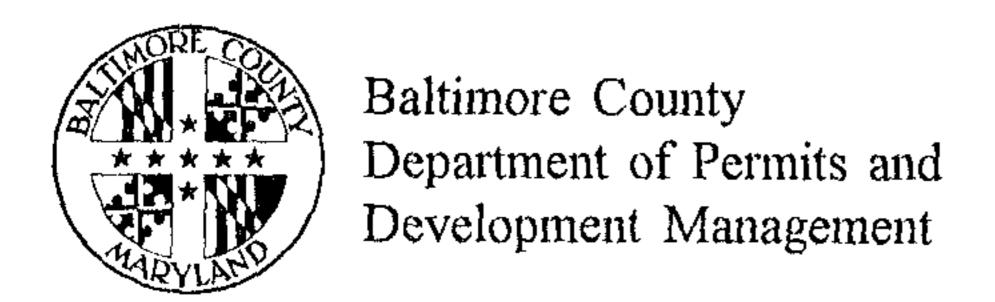
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted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

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

For Newspaper Advertising:
Item Number or Case Number: 55-269. D Petitioner: Sidney Emmer Builders
Address or Location: 7508 Gilley Terrace
PLEASE FORWARD ADVERTISING BILL TO: Name: Sidney Emmer Builders
Address: 1801 Falls Road
Baltimore, MD 21201
Telephone Number: 410-685-5200

Revised 2/20/98 - SCJ

03:2691



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

January 17, 2003

Mr. and Mrs. James Huber 7508 Gilley Terrace Baltimore, MD 21237

Dear Mr. and Mrs. Huber:

RE: Case Number: 03-269-A, 7508 Gilley Terrace

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 5, 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 D

WCR:rlh

Enclosures

c: People's Counsel Sidney Emmer Builders, Sidney Emmer, 1801 Falls Road, Baltimore 21201 Chuck Merritt, Little & Associates, 1045 Taylor Avenue, Suite 111, Towson 21286



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams

Administrator

Date: 12.17.02

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

RE: Bal

Baltimore County

Item No. 269

JRA

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

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

Baltimore County Government Fire Department



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

(410) 887-4500

December 31, 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

Distribution Meeting of December 23, 2002

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:

257-290

269

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

cc: File





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

December 19, 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

Distribution Meeting of 12/23/02

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:

242-249, 25 (-269)

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: December 30, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 03-249, 03-254 & 03-269

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.

Section Chief:

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: January 17, 2003

Arnold Jablon, Director TO:

Department of Permits & Development Management

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

Review

SUBJECT: Zoning Advisory Committee Meeting

For December 23, 2002

Item Nos. 241, 243, 244, 245, 246, 248, 249, 250, 251, 252, 253, 254, 255, 256, and 269

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 VARIANCE

7508 Gilley Terrace; Wside Gilley Terrace

755 ft SW of ctrline of Rosswell Blvd

14th Election District

6th Councilmanic District

Legal Owner(s): James & Karen Huber

Contract Purchaser: Sidney Emmer

* BEFORE THE

ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* 03-269-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

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, Chuck Merritt c/o Little Associates, Inc., 1045 Taylor Avenue, Suite 111, Towson, MD 21286, Representative for Petitioner(s).

TETER MAX ZIMMERMAN

People's Counsel for Baltimore County



County Council of Baltimore County

Court House Towson, Maryland 21204

> 410-887-3196 Fax: 410-887-5791

S.G. Samuel Moxley FIRST DISTRICT

Kevin Kamenetz
SECOND DISTRICT

T. Bryan McIntire
THIRD DISTRICT

Kenneth N. Oliver FOURTH DISTRICT

Vincent J. Gardina
FIFTH DISTRICT

Joseph Bartenfelder SIXTH DISTRICT

John Olszewski, Sr. SEVENTH DISTRICT

Thomas J. Peddicord, Jr. LEGISLATIVE COUNSEL SECRETARY

#13-259-5PNA May 2/3/03

January 9, 2003

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

Dear Mr. Schmidt:

Attached please find a copy of Resolution 2-03 concerning the public disclosure of Jeffery C. Tracey, an employee of the Baltimore County Police Department. Mr. Tracey has applied for a variance to construct an outbuilding on his residence property at 2436 Bulls Sawmill Road, Freeland, Maryland 21053.

This Resolution was approved by the County Council at its January 6, 2003 meeting and is being forwarded to you for appropriate action.

Sincerely,

Thomas J. Peddicord, Jr.

Legislative Counsel/Secretary

Thum Heldword

TJP:dp Enclosure

cc: Jeffery C. Tracey

11103

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 2003, Legislative Day No. 1

Resolution No. 2-03

Mr. T. Bryan McIntire, Councilman

By the County Council, January 6, 2003

A RESOLUTION concerning the public disclosure of Jeffery C. Tracey, an employee of the Baltimore County Police Department.

WHEREAS, Jeffery C. Tracey, an employee of Baltimore County, has applied for a variance to construct an outbuilding on his residence property at 2436 Bulls Sawmill Road, Freeland, Maryland 21053; and

WHEREAS, this Resolution is intended to provide full disclosure under Section 26-3(e) of the Baltimore County Code.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the application filed by Jeffery C. Tracey does not contravene the public welfare and is hereby authorized.

r00203.wpd

READ AND PASSED this 6th day of January, 2003.

BY ORDER

Thomas J. Peddicord, Jr.

Secretary

ITEM: Res. 2-03 - Public Disclosure - Jeffery C. Tracey



Parris N. Glendening Governor Kathleen Kennedy Townsend I.t. Governor

Roy W. Kienitz Secretary Mary Abrams Deputy Secretary

December 20, 2002

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

Re: Zoning Advisory Committee Agenda, 12/23/02 re: case numbers 03-241-SPHXA, 03-242-SPH, 03-243-A, 03-244-A, 03-245-A, 03-246-SPHX, 03-247-A, 03-248-SPHA, 03-249-A, 03-250-SPHXA, 03-251-A, 03-252-A, 03-253-A, 03-254-A, 03-255-SPH, 03-256-A, 03-269-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 12/19/02. 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.

Sincerely,


James R. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup



03269.

