IN RE: DEVELOPMENT PLAN HEARING
W/S Rolling Road, N Windsor Mill Road
2nd Election District
2nd Councilmanic District
(Rolling Oaks)

Marenberg Enterprises, Inc., Petitioner/Developer * BEFORE THE

* HEARING OFFICER

* OF BALTIMORE COUNTY

* Case No. II-644 & 03-514-A

* * * * * * * * *

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Deputy Zoning Commissioner for Baltimore County as a requested approval of a Development Plan entitled "Rolling Oaks", which proposes the development of a parcel of property located on the west side of Rolling Road, north of Windsor Mill Road in Catonsville. The Developer of the site, Marenberg Enterprises, Inc. proposes to develop the subject property with 33 single-family residential lots. The details of the development proposal are more particularly shown on Developer's Exhibit No. 1. The Development Plan was prepared by STV Incorporated. In addition to the requested approval of this Development Plan, the Developer is also requesting variances as follows:

- 1. from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a minimum distance of 15 ft. from side building face to side building face in lieu of the required 20 ft. for Lot Nos. 1 through 33;
- 2. from Section 1B01.2.C.1.b of the B.C.Z.R., to permit a minimum distance of 15 ft. from rear building face to rear property line in lieu of the required 30 ft. for Lot Nos. 1 through 33;
- 3. from Section 1B01.2.C.1.b of the B.C.Z.R., to permit a minimum distance of 12 ft. from side building face to public street right-of-way in lieu of the required 15 ft. for Lot No. 21;
- 4. from Section 1B01.2.C.1.b, of the B.C.Z.R., to permit a minimum distance of 7 ft. from side building face to track boundary in lieu of the required 15 ft. for Lot No. 20;
- 5. from Section 1B01.2.C.1.b of the B.C.Z.R., to permit a minimum distance of 15 ft. for the main dwelling and 9 ft. for the open projections from front building face to public street right-of-way in lieu of the required 25 ft. for Lot No. 33; and

25/28/33 30. Januar 6. from Section 301.1.A of the B.C.Z.R., to permit open projections (decks) for Lot Nos. 1 through 33 with a rear yard setback of 10 ft. in lieu of the required 22.5 ft.

Appearing at the hearing on behalf of the Development Plan approval request were Sandy Marenberg, appearing on behalf of the Developer of the site, Tony Corteal and Kay Morin, appearing on behalf of STV Incorporated, the engineers who prepared the Development Plan, and Ed Hord & Ben Brockway. The Developer was represented by Robert Hoffman, attorney at law. Appearing as an interested citizen in the matter was Calvin Wilt. As is usual and customary, numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing; namely, Jeffrey Perlow (Zoning Review), Robert W. Bowling (Development Plans Review), Don Stires (Bureau of Land Acquisition), and Don Rascoe (Project Manager) all from the Office of Permits & Development Management; R. Bruce Seeley and John Russo from the Department of Environmental Protection and Resource Management (DEPRM); Mark Cunningham from the Office of Planning; and Jan Cook from the Department of Recreation & Parks.

As to the history of this project, a Concept Plan Conference was held on November 12, 2002. As required, a Community Input Meeting was held on December 10, 2002 at the Old Court Middle School. A second Community Input Meeting was held on January 28, 2002 at the same location. Subsequently, a Development Plan Conference was held on April 30, 2003 and a Hearing Officers Hearing was held before me on May 22, 2003.

At the Hearing Officer's hearing held before me, I attempt to determine what, if any, issues or comments remain unresolved as of the date of the hearing before me. Representatives from the Department of Environmental Protection & Resource Management (DEPRM) identified an unresolved issue regarding the existence of a stream located on the western end of the property to be developed. The issue presented was whether a floodplain study had to be performed regarding the stream in question. At the time of the hearing before me, there was not enough information submitted to DEPRM in order for this issue to be resolved. Therefore, the

record was kept open for an additional amount of time within which further information could be provided to DEPRM in order to resolve this open issue. The Developer was confident that this additional information would satisfy the concerns of the DEPRM representatives and the issue would be abated.

After the conclusion of this hearing, on the 28th day of May, 2003, the Department of Environmental Protection & Resource Management issued a written comment to this office indicating that, based on the additional information submitted by the Developer, the issue regarding the floodplain associated with the stream located on the western end of the property to be developed has in fact been rectified and no further testimony or evidence needs to be submitted on this issue. Accordingly, based on this comment, there were no issues raised by DEPRM, which warranted the taking of testimony and evidence.

No other County agencies in attendance at the hearing raised any issues or concerns regarding the Development Plan as submitted. Furthermore, Mr. Calvin Wilt, the only citizen who appeared at the hearing, had no objections to the plan as submitted.

Inasmuch as there were no unresolved issues regarding the Development Plan before me, I find, based on the language contained within Section 26-206(b) of the Baltimore County Code, the Development Plan, as submitted into evidence as Developer's Exhibit No. 1, shall be approved.

As stated previously, in addition to the requested approval of the Development Plan, the applicant is also seeking variance relief for most all of the lots contained within this subdivision. The variance relief is generated by the narrow configuration of the property to be developed, as well as the type of housing product that the Developer has been asked to construct on this property. No one testified in opposition to the variance relief and the County reviewing agencies supported same. Based on the testimony and evidence presented at the hearing and the lack of opposition thereto, I find that the variance relief as stated within the Petition for Variance shall be granted.

Slossons.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioner and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2. whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

THEREFORE, IT IS ORDERED by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County this day of May, 2003, that the Development Plan submitted into evidence as Developer's Exhibit No. 1, for the project known as "Rolling Oaks", be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the variance relief requested;

1. from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a minimum distance of 15 ft. from side building face to side building face in lieu of the required 20 ft. for Lot Nos. 1 through 33;

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioner and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2. whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

THEREFORE, IT IS ORDERED by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County this day of May, 2003, that the Development Plan submitted into evidence as Developer's Exhibit No. 1, for the project known as "Rolling Oaks", be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the variance relief requested;

1. from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a minimum distance of 15 ft. from side building face to side building face in lieu of the required 20 ft. for Lot Nos. 1 through 33;

- 2. from Section 1B01.2.C.1.b of the B.C.Z.R., to permit a minimum distance of 15 ft. from rear building face to rear property line in lieu of the required 30 ft. for Lot Nos. 1 through 33;
- 3. from Section 1B01.2.C.1.b of the B.C.Z.R., to permit a minimum distance of 12 ft. from side building face to public street right-of-way in lieu of the required 15 ft. for Lot No. 21;
- 4. from Section 1B01.2.C.1.b, of the B.C.Z.R., to permit a minimum distance of 7 ft. from side building face to track boundary in lieu of the required 15 ft. for Lot No. 20;
- 5. from Section 1B01.2.C.1.b of the B.C.Z.R., to permit a minimum distance of 15 ft. for the main dwelling and 9 ft. for the open projections from front building face to public street right-of-way in lieu of the required 25 ft. for Lot No. 33; and
- 6. from Section 301.1.A of the B.C.Z.R., to permit open projections (decks) for Lot Nos. 1 through 33 with a rear yard setback of 10 ft. in lieu of the required 22.5 ft.

be and is hereby APPROVED.

Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

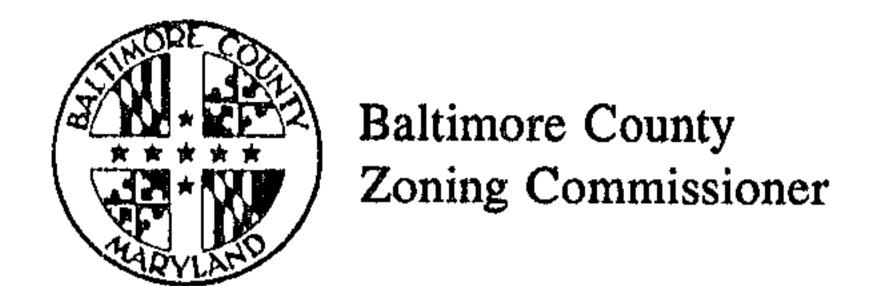
TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER/

HEARING OFFICER

FOR BALTIMORE COUNTY

TMK:raj



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

Fax: 410-887-3468

May 28, 2003

Robert A. Hoffman, Esquire Venable, Baetjer & Howard, LLP 210 Allegheny Avenue Towson, Maryland 21204

> Re: Hearing Officer's Hearing No. II-644 & Case No. 03-514-A Property: W/S Rolling Road, N Windsor Mill Road 2nd Election District, 2nd Councilmanic District (Rolling Oaks)

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above-captioned cases. The Development Plan and Petition for Variance have been granted in accordance with the enclosed Order.

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

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

luthy lotroco

TMK:raj Enclosure

Copies to:

Sandy Marenberg 11 Chasemont Court Baltimore, MD 21209

Tony Corteal
Kay Morin
STV Incorporated
7125 Ambassador Road, Suite 200
Baltimore, MD 21244

Ed Hord 111 Market Place, Suite 710 Baltimore, MD 21202

Ben Brockway 107 Connolly Road Fallston, MD 21047

Calvin Wilt 3215 N. Rolling Road Baltimore, MD 21244



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3134 Rolling Road

which is presently zoned D.R. 5.5

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)

See Attached.

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.

| | | | perjury, that I/we are is the subject of this | the legal own: | n, under er(s) of t | the penalties of the property which |
|------------------------------------|----------------|-----------------------|---|--|------------------------|--|
| Contract Purchase | er/Lessee: | | Legal Owner(s) | į | | |
| Marenberg Enterp | rises, Inc. | | See Attached | •• | | |
| Name - Type of Print By: | Fordy J. Marei | nberg, President | Name - Type or Print | | | ·· · · · · · · · · · · · · · · · · · |
| Signature 1 7 | urt (410) 48 | 6-5405 | Signature | | | <u> </u> |
| | Maryland 2 | Telephone No. 1209 | Name - Type or Print | -, , , , , , , , , , , , , , , , , , , | | ······································ |
| City <u>Attorney For Petiti</u> | State | Zip Code | Signature | • | | |
| Robert A. Hoffma | | | Address | | | Telephone No. |
| Name - Type or Print | Atrun / | 16. | City Representative t | to be Conta | State | Zip Coce |
| Signature' Venable, Baetjer | and Howard, L | I.P | Robert A. Hof | | <u> </u> | |
| Company 210 Allegheny Av | enue (410) | 494-6200 | Name 210 Allegheny | Avenue | (410) | 494-6200 |
| Towson, Ma | ryland 2 | Telephone No. 1204 | Address Towson, | Maryland | | Telephone No. 21204 |
| Towson, Ma | State | Zip Code | City | | State | Zip Code |
| | • | | <u>of</u> | FICE USE C | NLY | |
| Case No. 03- | 514-A | • • • | ESTIMATED LEN | GTH OF HE | ARING | ; |
| 220 9115198 | | | UNAVAILABLE FOR | OR HEARING | S Date | 4/30/03 |
| | | | | | | _ |

PETITION FOR VARIANCE 3134 Rolling Road

- 1. Variance from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations ("BCZR") to permit a minimum distance of 15 feet from side building face to side building face in lieu of the required 20 feet for Lot Nos. 1 through 34.
- 2. Variance from BCZR Section 1B01.2.C.1.b to permit a minimum distance of 15 feet from rear building face to rear property line in lieu of the required 30 feet for Lot Nos. 1 through 34.
- 3. Variance from BCZR Section 1B01.2.C.1.b to permit a minimum distance of 12 feet from side building face to public street right-of-way in lieu of the required 15 feet for Lot No. 22.
- 4. Variance from BCZR Section 1B01.2.C.1.b to permit a minimum distance of 7 feet from side building face to track boundary in lieu of the required 15 feet for Lot No. 21.
- 5. Variance from BCZR Section 1B01.2.C.1.b to permit a minimum distance of 15 feet from front building face to public street right-of-way in lieu of the required 25 feet for Lot No. 34.
- 6. Variance from BCZR Section 301.1.A to permit open projections (decks) for Lot Nos. 1 through 34 with a rear yard setback of 10 feet in lieu of the required 22.5 feet.

Signature Page 1 3134 Rolling Road

LEGAL OWNERS:

MIRZA HUSSAIN ALI BAIG
4219 Dustin Road

Burtonsville, Maryland 20866

TOIDOCS1/DHK01/#159325 v1



7125 Ambassador Road, Suite 200 Baltimore, Maryland 21244-2722 (410) 944-9112 fax: (410) 298-2794

ZONING DESCRIPTION FOR ROLLING OAKS WEST SIDE OF ROLLING ROAD OPPOSITE/BETWEEN CHIPPER ROAD AND JODY KNOLL ROAD BALTIMORE COUNTY, MARYLAND

BEGINNING at a point in the existing pavement of Rolling Road, distant North 08°42'57" West 8.5 feet and South 78°25'28" West 3.0 feet from that point formed by the intersection of the centerline of pavement of said Rolling Road and the westerly projection of the centerline of Chipper Road. Thence running in said pavement of Rolling Road, as follows:

- 1. South 09°08'46" East 264.0 feet to a point, thence leaving Rolling Road and running,
- 2. North 68°08'46" West 247.5 feet to a point thence,
- 3. South 30°51'14" West 161.7 feet to a point thence,
- 4. North 50°34'05" West 1,848.97 feet to a point thence,
- 5. North 12°20'05" East 260.18 feet to a point thence,
- 6. South 51°15'50" East 1,482.92 feet to a point thence,
- 7. South 45°34'32" East 346.19 feet to a point thence,
- North 78°25'28" East 244.20 feet to the place of beginning as recorded in Deed Liber S.M. 8211, Folio 840.

CONTAINING 11.28 acres of land. Also known as No. 3134 Rolling Road and located in the Second (2nd) Election District.

STV INCORPORATED

Mark A. Riddle

MD Professional Land Surveyor No. 10899

MAR/sn

July 5, 2001 Revised: April 24, 2003

Managers

\BA_GENE\VOL2\GENERAL\DATA\10707\Engineer\ZoningDescription (R4-24-03) doc

Engineers/Architects/Planners/Construction

| OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT | い。 200 と 20 | |
|--|---|--|
| DATE 4 33/03 | ACCOUNT & -000-006 -6/50 | 4/30/3003 14:35:15 JUM JEE |
| ** - - | AMOUNT \$ 300,00 | Device 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 |
| RECEIVED AND CLASSICAL COLORS | for purior Inc. | Recrific \$500.00 cm con Partient Prenty. Naryland |
| FOR: 2 13 6/ 8/1 | Road (33-514-A) | |
| | | |
| DISTRIBUTION WHITE - CASHIER PINK - AGENCY | YELLOW - CUSTOMER | CASHIER'S VALIDATION |

HOTICE OF ZOHING HEARING

The Zening Commissioner of Baltimore County, by suthority of the Zoning Act and Regulations of Baltimore Sounty will hold a public hearing in <u>Towson Maryland</u> on the property identified herein as follows

Case: #03-514-A

3134 Rolling Road
SW/side Rolling Road, between Chipper Road and

Jody Knoll Road 2nd Election District – 2nd Councilmanic District Legal Owner(s): Mirza Hussam Ali Baig, Malik Abdul Rehman Awan & Anwar Mumatz

Sandy 3 Marenberg, President
Sandy 3 Marenberg, President
Variance: to permit a minimum distance of 15 feet from side building face to side building face in lieu of the recoursed 20 feet for Lot Nos 1 through 34. To permit a minimum distance of 15 feet from rear building face to rear property line in lieu of the required 30 feet for Lot Nos. 1 through 34. To permit a minimum distance of 12 feet from side building face to public street right-of-way in lieu of the required 15 feet for Lot No. 22. To permit a minimum distance of 7 feet from side building face to public street right-of-way in lieu of the required 25 feet for Lot No. 34. To permit open projections (decks) for Lot Nos. 1 through 34 with a rear yard setback of 10 feet in lieu of the required 22.5 feet.

Hearing: Thursday, May 22, 2803 at 9:00 a.m. in Boom 106, County Office Building, 111 W. Chesapeake Avenuse.

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.

OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md.,

successive weeks, the first publication appearing once in each of

200

X The Jeffersonian Arbutus Times Catonsville Times

Towson Times

NE Booster/Reporter Owings Mills Times

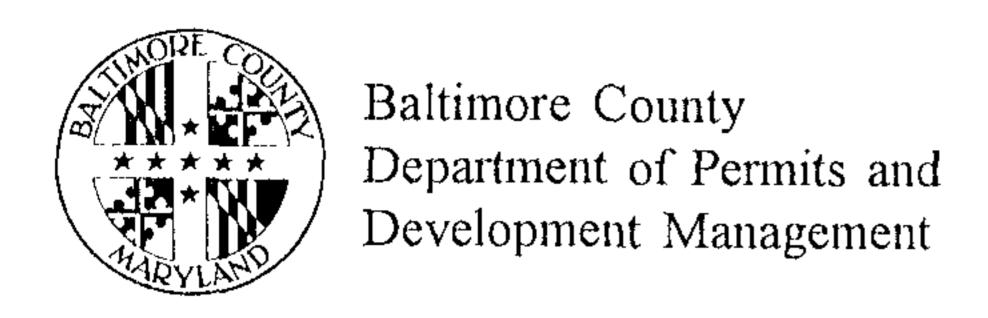
North County News

1) Ulus

LEGAL ADVERTISING

CERTIFICATE OF POSTING

| | RE: Case No.: 03 · 5/4-A |
|--|---|
| | Petitioner/Developer: 5/10) |
| | MARENDERG, MARENBE |
| | Date of Hearing/Closing: 5/22/03 |
| Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204 | |
| ATTN: Becky Hart {(410) 887-3394} | |
| Ladies and Gentlemen: | |
| posted conspicuously on the property located at: | ury that the necessary sign(s) required by law were |
| | |
| The sign(s) were posted on | 5/7/03 (Month, Day, Year) |
| • | Sincerely, |
| Case # ()))// | (Signature of Sign Poster) (Date) |
| THE ZONING COMMISSIONED IN TOWSON, MD | (Signatufé of Sign Poster) (Dáte) SSG Robert Black |
| PLACE ROMIOS COLNIX OF YELL ALL IL VOLVER AND A STATE OF A STATE O | (Print Name) |
| | 1508 Leslie Road |
| | (Address) |
| | Dundalk, Maryland 21222 |
| | (City, State, Zip Code) |
| | (410) 282-7940 |
| ······································ | (Telephone Number) |



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

Fax: 410-887-5708

May 9, 2003

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: 03-514-A

3134 Rolling Road

S/west side of Rolling Road, between Chipper Road and Jody Knoll Road

2nd Election District – 4th Councilmanic District

Legal Owner: Mirza Hussain Ali Baig

Contract Purchaser: Marenberg Enterprises, Inc., Sandy J. Marenberg Enterprises

Variance to permit a minimum of distance of 15 feet from side building face to side building face in lieu of the required 20 feet for Lot Nos. 1 through 34. To permit a minimum distance of 15 feet from rear building face to rear property line in lieu of the required 30 feet for Lot Nos. 1-34. To permit a minimum distance of 12 feet from side building face to public street right-of-way in lieu of the required 15 feet for Lot No. 22. To permit a minimum distance of 7 feet from side building face to track boundary in lieu of the required 15 feet from front building face to public street right-of-way in lieu of the required 25 feet for Lot 34. To permit open projections (deck) for Lot Nos. 1 through 34 with a rear yard setback of 10 feet in lieu of the required 22.5 feet.

Hearings:

Thursday, May 22, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Arnold Jablon Director

AJ:rlh

C: Robert A. Hoffman, Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson 21204 Mirza Hussain Ali Baig, 4219 Dustin Road, Burtonsville 20866 Marenberg Enterprises, Inc., Sandy J. Marenberg, President, 11 Chasemount Court, Baltimore 21209

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 7, 2003 (done by attorney).

- (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

Issue - Jeffersonian

Please forward billing to:

DONE

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: 03-514-A

3134 Rolling Road

S/west side of Rolling Road, between Chipper Road and Jody Knoll Road

2nd Election District – 4th Councilmanic District

Legal Owner: Mirza Hussain Ali Baig

Contract Purchaser: Marenberg Enterprises, Inc., Sandy J. Marenberg Enterprises

Variance to permit a minimum of distance of 15 feet from side building face to side building face in lieu of the required 20 feet for Lot Nos. 1 through 34. To permit a minimum distance of 15 feet from rear building face to rear property line in lieu of the required 30 feet for Lot Nos. 1-34. To permit a minimum distance of 12 feet from side building face to public street right-of-way in lieu of the required 15 feet for Lot No. 22. To permit a minimum distance of 7 feet from side building face to track boundary in lieu of the required 15 feet from front building face to public street right-of-way in lieu of the required 25 feet for Lot 34. To permit open projections (deck) for Lot Nos. 1 through 34 with a rear yard setback of 10 feet in lieu of the required 22.5 feet.

Hearings: Thursday, May 22, 2003 at 9:00 a.m. in Room 106, County Office Building, 111

W. Chesapeake 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

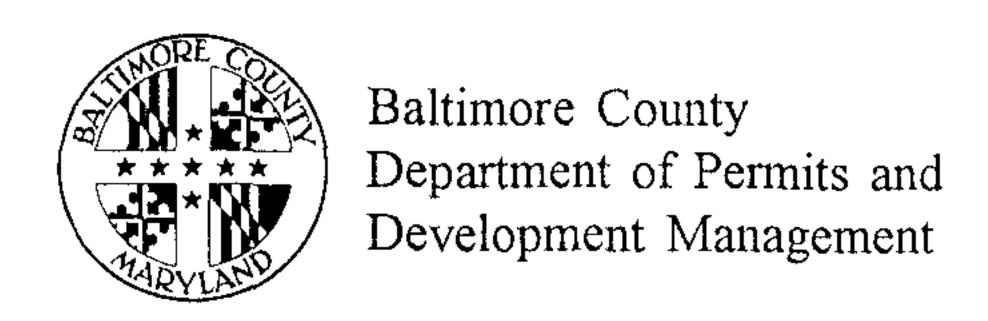
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <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: 03-5/4-4 |
| Petitioner: Ett. Has AND The BAIG, AWAY AND MUNTAZ |
| Address or Location: 3/34-Polling Road |
| |
| PLEASE FORWARD ADVERTISING BILL TO: |
| Name: Any Dontell |
| Address: 290 Allephens Avenue |
| TOWSON MD/ 21204 |
| |
| Telephone Number: 40 494-6244 |



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

May 16, 2003

Robert Hoffman Venable, Baetjer & Howard, LLP 210 Allegheny Avenue Towson, MD 21204

Dear Mr. Hoffman:

RE: Case Number: 03-514-A, 3134 Rolling Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 30, 2003.

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. Cal Rohal D.

WCR:klm

Enclosures

c: People's Counsei

Mirza Hussain Ali Baig, 4219 Dustin Rd., Burtonsville, MD 20866

Dr. Malik Abdul Rehman, 2717 Hammonds Parkway, Baltimore, MD 21227

Dr. Anwar Mumtaz, 4000 Annapolis Rd., Baltimore, MD 21227



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 May 12, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: May 12, 2003

Item No.:

512 (514)-516, 518-526, 528-531

Dear Ms. Hart:

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.

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

cc: File



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5.9.03

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

RE: Baltimore County

Item No. 514

JMP

Dear. Ms. Hart:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division RE: PETITION FOR VARIANCE
3134 Rolling Rd; SW/side Rolling Rd, b/w
Chipper Rd & Joyd Knoll Rd
2nd Election & 4th Councilmanic Districts
Legal Owner(s):Mirza Hussain Ali Baig
Contract Purchaser(s): Sandy J Marenberg,
President, Marenberg Enterprises, Inc
Petitioner(s)

* BEFORE THE

* ZONING COMMISSIONER

* FOR

BALTIMORE COUNTY

* 03-514-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 May, 2003, a copy of the foregoing Entry of Appearance was mailed to, Robert A Hoffman, Esquire, Venable, Baetjer & Howard, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

MAY 2 1 2003



| · . | JNP - 4/29/03/ |
|--------|--|
| | Intake Planner Date Assigned |
| | DROP-OFF PETITIONS PROCESSING CHECK-OFF |
| | Two Questions Answered on Cover Sheet: Any previous reviews in the zoning office? Any current building or zoning violations on site? |
| | Petition Form Matches Plat in these areas: Address Zoning Legal Owner(s) Contract Purchaser(s) Request (if listed on plat) |
| | Petition Form (must be current PDM form) is Complete: Request: Section Numbers Correct Wording (must relate to the code, especially floodplain and historical standard wording. Variances must include the request in lieu of the required code quantities. Hardship/Practical Difficulty Reasons Legal Owner/Contract Purchaser: Signatures (originals) Printed/Typed Name and /Title (if company) Attorney (if incorporated) Signature/Address/Telephone Number of Attorney |
| | Correct Number of Petition Forms, Descriptions and Plats |
| | 200 Scale Zoning Map |
| | Check: Amount Correct? Signed? |
| | ZAC Plat Information: Location (by Carl) Acreage: Zoning: Acreage: Check to See if the Subject Site or Request is: CBCA Floodplain Elderly Historical Pawn Shop Helicopter *If Yes, Print Special Handling Category Here *If No, Print No |
| Item I | Number Assigned Date Accepted for Filing |

ENABLE, BAETJER AND HOWARD, LLP

Including professional corporations

210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 (410) 494-6200, Fax (410) 821-0147 www.venable.com OFFICES IN

MARYLAND WASHINGTON, D.C. VIRGINIA

Writer's Direct Number: (410) 494-6244

aldontell@venable.com

VENABLE AT LAW

April 25, 2003

HAND DELIVERED

W. Carl Richards, Jr., Supervisor Zoning Review Office County Office Building - Room 111 111 West Chesapeake Avenue Towson, Maryland 21204

Re:

Petition for Variance

Petitioner: Marenberg Enterprisés, Inc. Location: Rolling Oaks Property (II-644)

Dear Mr. Richards:

With this letter, am enclosing for drop-filing Petitions for the above-referenced property. I have also enclosed the following:

- 1. Zoning Description (3)
- 2. Site Plan (12)
- 3. 200' Scale Zoning Map (1)
- 4. Check for \$800.00

To the best of our knowledge, this property is not in violation of any zoning laws.

If you have any questions regarding the enclosed materials, please feel free to give me a call.

Very truly yours,

Anty L. Dontell Paralegal

AKD

Enclosure

TO1DOCS1/DHK01/#159429 v1

PLEASE PRINT CLEARLY

CASE NAME KOlling ONES CASE NUMBER O DAKS DATE S-22-03

PETITIONER'S SIGN-IN SHEET

| E-MAIL | Sandy merchiperce Deadl. Con | ZhE22 @ 4x.1 | | | | | | | |
|------------------|---|------------------|--|--|---|--|--|--|--|
| CITY, STATE, ZIP | Descriment May 21244 BALTIMORE MD 21202 | 150 mm 210 | | | | | | | |
| ADDRESS | 210 Allegang Mas 111 MARKET PL SUTE 70 11 Charles and Orgente | 107 CONNO (Y TO) | | | | | | | |
| NAME | Colo Hofman Los Coloman Royal Harangella | (A) | | | 4 | | | | |

PLEASE PRINT CLEARLY

CASE NAME Kolling OAKS
CASE NUMBER 0 22-03

CITIZEN'S SIGN-IN SHEET

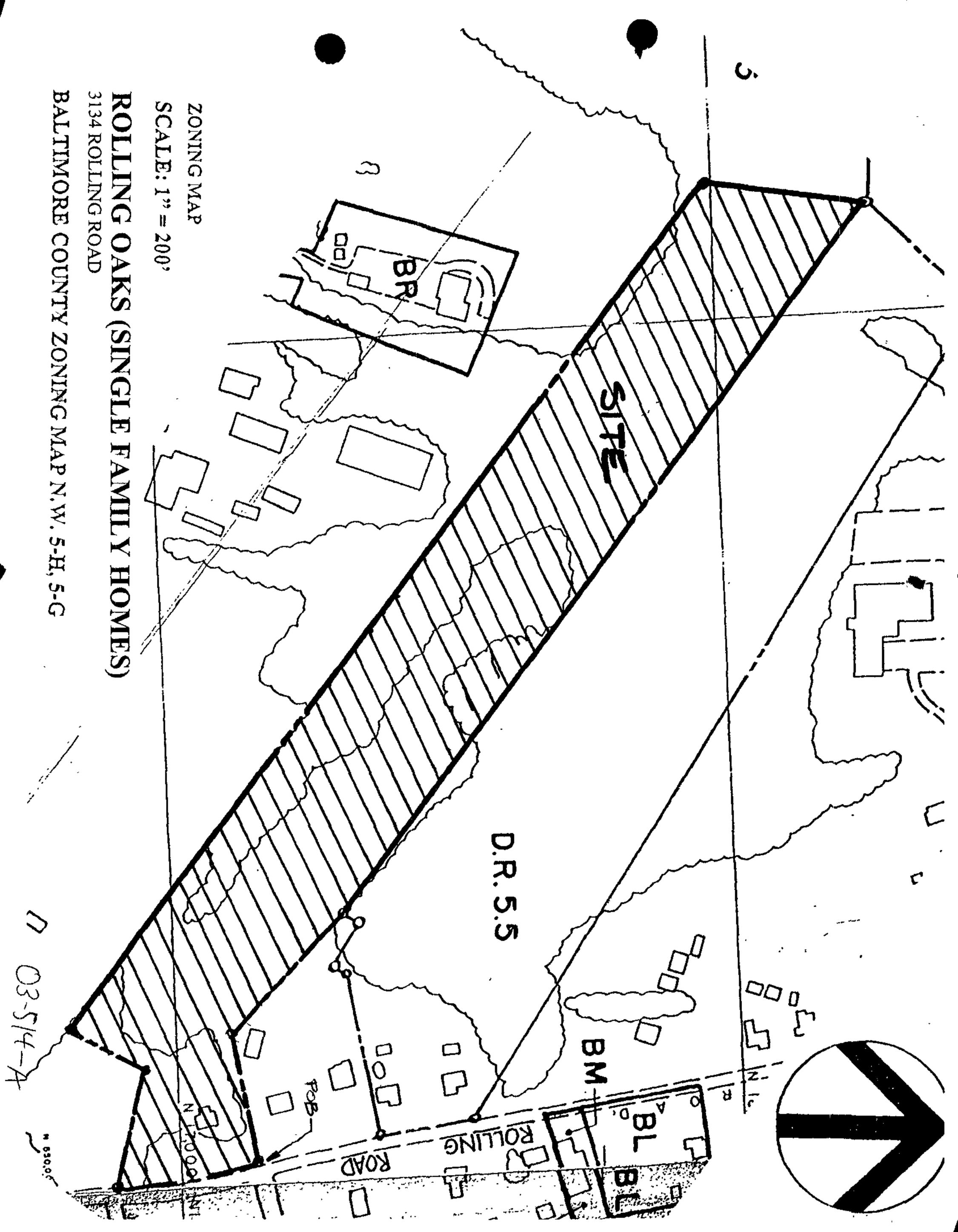
| E- MAIL | | | | | | | | | | | | |
|---------|---------------------|---|--|--|--|--|--|--|--|--|--|--|
| 7.1 | Between Md. dedyll | ļ | | | | | | | | | | |
| ADDRESS | Sals N. Relling Rd. | | | | | | | | | | | |
| NAME | (nhin) Will | | | | | | | | | | | |

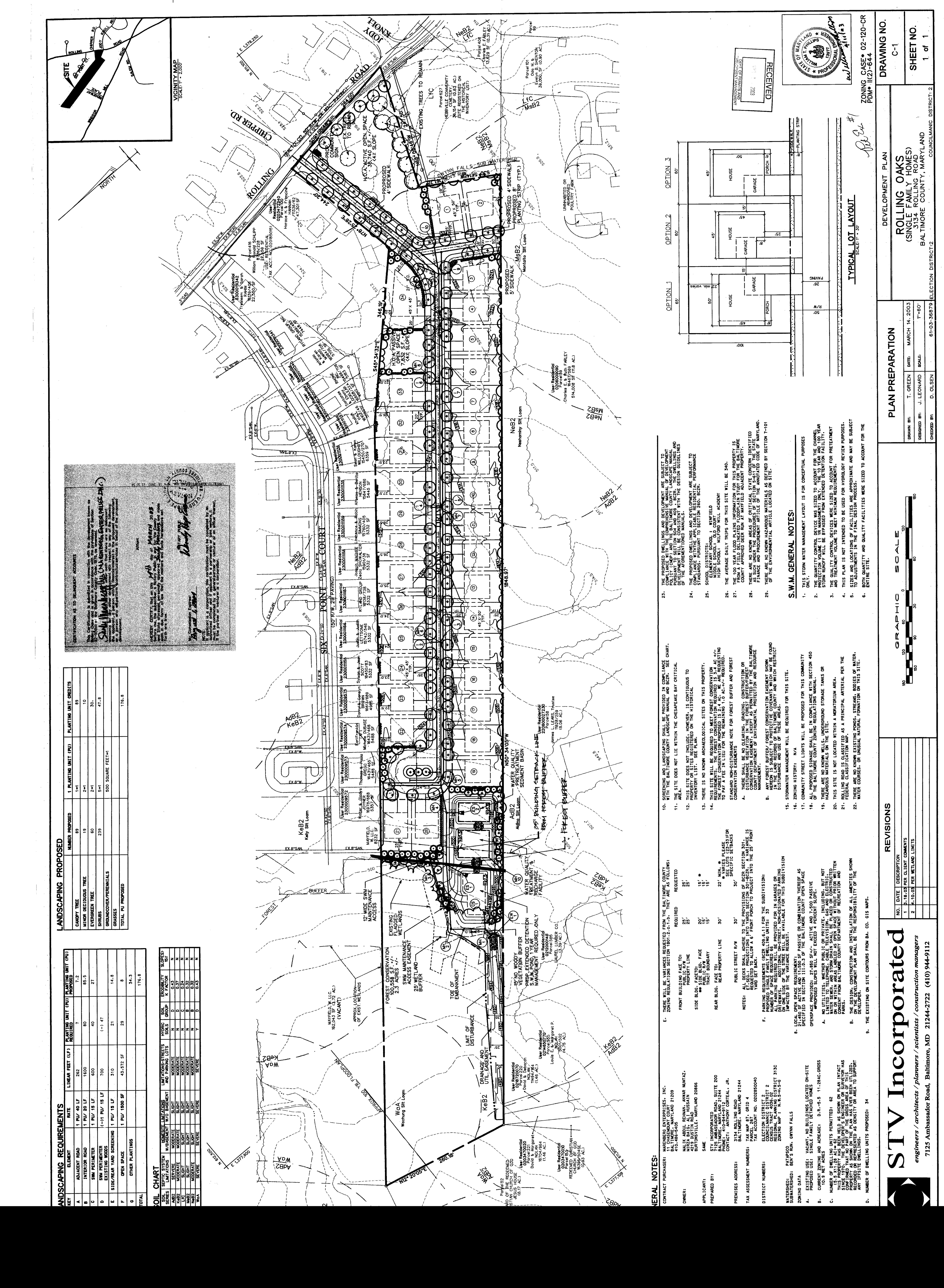
PLEASE PRINT CLEARLY

CASE NAME Rolling ONES CASE NUMBER DATE S-22-03

COUNTY REPRESENTATIVE'S SIGN-IN SHEET

| E-MAIL | X 5598 | | | | | | | | | | | | | |
|------------------|-----------------|----------|-----------------|--------------|--------------|-------------|------------|--|--|--|--|--|--|--|
| CITY, STATE, ZIP | | | | | | | | | | | | | | |
| ADDRESS | Lang Acquiolism | - 1 | 1 L | Oppun | Parins | 20 wing 1 | \sim | | | | | | | |
| NAME | Joh Stires | JAN COOK | Kobert Pariting | K. Bras Seek | Walk d. Cim. | Jeff Penlow | John Russo | | | | | | | |





Signature Page 2
3134 Rolling Road Vanahus Chlur

LEGAL OWNERS:

DR. MALIK ABQUL REHMAN

2717 Hammonds Parkway

Baltimore, Maryland 21227 (416) 242-5350

DR. ANWAR MUMTAZ

4000 Annapolis Road

Baltimore, Maryland 21227