

IN RE: DEVELOPMENT PLAN HEARING
W/S Academy Avenue, N end Stanlake Road
4th Election District
2nd Councilmanic District
(Academy Meadows)

Michael A. Neumeier
Developer/Petitioner

* BEFORE THE
* HEARING OFFICER
* OF BALTIMORE COUNTY
* Case Nos. IV-605 & 04-531-A

* * * * *

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

This matter comes before this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, as a requested approval of a Development Plan known as "Academy Meadows", prepared by John E. Harms, Jr., & Associates, Inc. The Developer is proposing the development of the subject property into 8 single-family dwellings. The subject property is located on the west side of Academy Avenue at the north end of Stanlake Road in the Reisterstown area of Baltimore County. The particulars of the manner in which the property is proposed to be developed are more specifically shown on Developer's Exhibit No. 1, the Development Plan entered into evidence at the hearing.

In addition, the Petitioner is also requesting variance relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an existing accessory structure (detached garage) to be located in the front yard in lieu of the required rear yard.

The property was posted with Notice of the hearing for the Development Plan on May 14, 2004 for 20 working days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, the property was posted with Notice of the zoning hearing on July 6, 2004 and a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on July 6 2004, to notify any interested persons of the scheduled hearing date

Appearing at the hearing on behalf of the Development Plan approval request were Uri Ben-Or and Margie Everett and Michael Neumeier, Petitioner. David Myers and Bob Noeth, professional engineers, appeared on behalf of John E. Harms, Jr., & Associates, Inc., the engineering firm that prepared the Development Plan. Howard L. Alderman, Jr., Esquire,

ORDER RECEIVED FOR FILING

12/15/04

By *Ray*

represented the Petitioners.

Also in attendance were representatives of the various Baltimore County reviewing agencies; namely, Donna Thompson (Zoning Review), Robert Bowling (Development Plans Review), Christine Rorke (Development Management) and Don Stires (Bureau of Land Acquisition), all from the Office of Permits & Development Management ("PDM"); R. Bruce Seeley and John Oltman 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.

There were no protestants or citizens at the hearing.

As to the history of the project, the Concept Plan Conference was held on April 28, 2003 and a Community Input Meeting followed on May 22, 2003 at Timber Grove Elementary School located. A Development Plan Conference was held on June 30, 2004 and a Hearing Officer's Hearing was held on July 22, 2004 in Room 407 of the County Office Building.

Developer Issues

The Developer raised no issues himself but was aware of several technical issues, which were raised by the County representatives.

County Issues

All County agencies reviewing the Redline Development Plan indicated that the plan meets all County regulations within their agency's jurisdiction except:

Recreation and Parks

The representative of the department indicated that the Developer's request for waiver of local open space had been received and was in the process of being approved by the department but that the actual letter of approval had not yet gone out to the Developer.

Subsequent to the hearing, a letter dated July 23, 2004 approving the waiver of local open space was received by this Commission and added to the file.

Office of Planning

The representative of the department indicated that his department interpreted Section 26-260.4 B of the Baltimore County Code to require a landscaped island in the center of the proposed cul-de-sac which is not shown on the redline Development Plan. However, the representative indicated that the department would not oppose a request to waive this provision, as there will be no homeowners association to maintain the island once the Developer completes its work. He also noted that there are only six new homes facing the cul-de-sac and with this limited number of homes the value to the development of the island was also limited. Again, he indicated that this development was not in a rural area where these islands are routinely required by his department.

Mr. Alderman, on behalf of the Developer, indicated that he was requesting such a waiver although he believed the regulations did not require same.

Public Works

The representative of the department indicated that there was one remaining issue for his department in terms of the required right-of-way for the new public road. His department requires a 50 ft. right-of-way and the redline Development Plan shows a 45 ft. right-of-way in front of lots 7 and 8. However, he indicated that his department did not oppose a waiver of this requirement under the circumstances of this small oddly shaped lot.

Mr. Alderman requested such a waiver on behalf of his client.

Department of Environmental Protection and Resource Management (DEPRM)

The representative of the department indicated that the storm water management section of DEPRM had not yet completed its review of the latest submission by the Developer's engineer. As such, he requested that the record be kept open to resolve these highly technical issues and the Developer agreed. Neither the Developer nor the County waived their right to have this matter brought for resolution before this Commission should they not be able to resolve the matter.

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DATE 12/15/04
BY [Signature]

On December 14, 2004 a memo was received by this Commission from the department indicating that all open issue raised by the department had been resolved.

Land Acquisition

The representative of the department indicated that his department required several technical additions to the Redline Development Plan such as right-of-way references, which were apparently left off of the drawing in a drafting error. The Developer agreed and corrected the Redline Development Plan clearing these issues.

Community Issues

There were no community issues raised at the hearing.

Applicable Law

§ 32-4-228. SAME – CONDUCT OF THE HEARING.

(a) *Hearing conducted on unresolved comment or condition.*

- (1) The Hearing Officer shall take testimony and receive evidence regarding any unresolved comment or condition that is relevant to the proposed Development Plan, including testimony or evidence regarding any potential impact of any approved development upon the proposed plan.
- (2) The Hearing Officer shall make findings for the record and shall render a decision in accordance with the requirements of this part.

(b) *Hearing conduct and operation.* The Hearing Officer:

- (i) Shall conduct the hearing in conformance with Rule IV of the Zoning Commissioner's rules;
- (ii) Shall regulate the course of the hearing as the Hearing Officer considers proper, including the scope and nature of the testimony and evidence presented; and
- (iii) May conduct the hearing in an informal manner.

§ 32-4-229. SAME – DECISION OF THE HEARING OFFICER.

(a) *Final decision.*

- (1) (i) The Hearing Officer shall issue the final decision within 15 days after the conclusion of the final hearing held on the Development Plan.

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Date 12/15/04
By [Signature]

- (iii) The Hearing Officer shall file an opinion which includes the basis of the Hearing Officer's decision.
- (2) If a final decision is not rendered within 15 days:
- (i) The Development Plan shall be deemed approved as submitted by the applicant; and
 - (ii) The Hearing Officer shall immediately notify the participants that:
 - 1. The Development Plan is deemed approved; and
 - 2. The appeal period began on the fifteenth day after the conclusion of the final hearing.
- (b) *Appeals.* A final decision of the Hearing Officer on a Development Plan may be appealed to the Board of Appeals in accordance with Part VIII of this subtitle.
- (c) *Conditions imposed by Hearing Officer.*
- (1) This subsection does not apply to a Development Plan for a Planned Unit Development.
 - (2) In approving a Development Plan, the Hearing Officer may impose any conditions if a condition:
 - (i) Protects the surrounding and neighboring properties;
 - (ii) Is based upon a comment that was raised or a condition that was proposed or requested by a participant;
 - (iii) Is necessary to alleviate an adverse impact on the health, safety, or welfare of the community that would be present without the condition; and
 - (iv) Does not reduce by more than 20 %:
 - 1. The number of dwelling units proposed by a residential Development Plan in a DR 5.5., DR 10.5, or DR 16 zone; or
 - 2. The square footage proposed by a non-residential Development Plan.
 - (3) The Hearing Officer shall base the decision to impose a condition on factual findings that are supported by evidence.

Prior Law Still Applicable Section 26-206 of the B.C.Z.R. Development Plan Approval.

- (b) The hearing officer shall grant approval of a Development Plan that complies with these development regulations and applicable policies, rules and regulations promulgated pursuant to section 2-416 et seq. of the Code, provided that the final approval of a plan shall be subject to all appropriate standards, rules, regulations, conditions, and safeguards set forth therein.

(1)

Section 307 of the B.C.Z.R. – *Variances*.

“The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance.”

Testimony and Evidence

Testimony proffered by Mr. Alderman indicated that the property has 3.6 acres and is zoned DR 3.5. This area and zoning would allow 12 lots if developed to its full potential. The property is presently improved by an existing home and two detached garages, one of which is in the front yard of the existing home. The Developer proposes eight lots, one of which would contain the existing home and garages. The lots would be served by an extension of Stanlake Road which would terminate in a cul-de-sac as shown on the Redline Development Plan, Developer's Exhibit No. 1. Mr. Alderman indicated that if the engineers were to testify they would indicate that the Redline Development Plan met all County regulations save the comments above.

In regard to the zoning case, Mr. Alderman pointed out that the existing home on Lot 6 has two garages, one of which is located in the front yard of the home. Section 400.1 requires all such structures to be located in the rear yard. He noted that a variance would be required for this garage regardless of the Development Plan or, said another way, the Development Plan did not

cause the request for variance. He indicated that the lot was unique in a zoning sense because of the property's odd shape and small size and that the owner would suffer practical difficulty complying with the regulations, as both the garage in question and the home are existing and can not practically be moved to comply with the regulations. This request simply legitimized an existing structure and the garage was fully enclosed within the property boundaries. He indicated that the request met the spirit and intent of the regulations and would not adversely affect the health, safety, or welfare of the community.

Findings of Fact and Conclusions of Law

Variance

The Petitioner requests that I approve an existing garage on Lot 6 that is located in the front yard of the home. Section 400.1 requires that all such structures be located in the rear yard. I agree with Mr. Alderman that the Development Plan did not cause the request for variance. I find that the lot is unique in a zoning sense because of the property's odd shape and small size and that the owner would suffer practical difficulty complying with the regulations because both the garage in question and the home exists and can not practically be moved to comply with the regulations. This request simply legitimized an existing structure. I further find that the variance can be granted within the spirit and intent of the regulations and will not adversely affect the health, safety or welfare of the community. Again, the garage is interior to the property and will not affect the neighborhood in any way.

Development Plan

Waivers

Section 260.4 B requires that a "Cul-de-sac may be used if it is demonstrated that a street connection is not feasible due to site conditions such as severe grade transitions or sensitive

NOT RECORDED FOR FILING
DATE 12/15/04
BY [signature]

natural features, or an alternative site layout is not feasible. If a cul-de-sac is used, developments should consist of a balance of street patterns (cul-de-sac and connections). If cul-de-sacs are used, design elements such as center landscaping and traffic circles shall be used."

Although the Planning Office raised the issue that there should be a landscaped island in the center of the cul-de-sac, they also did not oppose waiving the requirement under these circumstances. I accept the argument that the cul-de-sac in this case is fronted by only six lots and that there will be no homeowners association to maintain the island. This could be a problem in the future. Consequently, I will grant the waiver of this requirement to have a landscaped island in the center of the cul-de-sac.

The Department of Public Works policy is to require 50 ft. rights-of-way for new roads in the County. Mr. Bowling recognized, however, that in this case the right-of-way in front of Lots 7 and 8 was not critical and recommended that I waive this requirement. I agree with his recommendation and will grant a waiver of this requirement for the road in front of Lots 7 and 8.

Development Plan

Considering all the testimony and evidence presented at the hearing, I find that the Development Plan complies with the development regulations and applicable policies, rules and regulations promulgated pursuant to Section 2-416 et seq. of the Code. I further find that the final approval of a plan is to be subject to all appropriate standards, rules, regulations, conditions, and safeguards set forth therein.

THEREFORE, IT IS ORDERED, by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, this 15 day of December, 2004, that the Developer's request for waiver of the requirement that there be a landscaped island in the center of the cul-de-sac, shown on the Redline Development Plan according to Section 260.4 B of the B.C.Z.R., be and is hereby

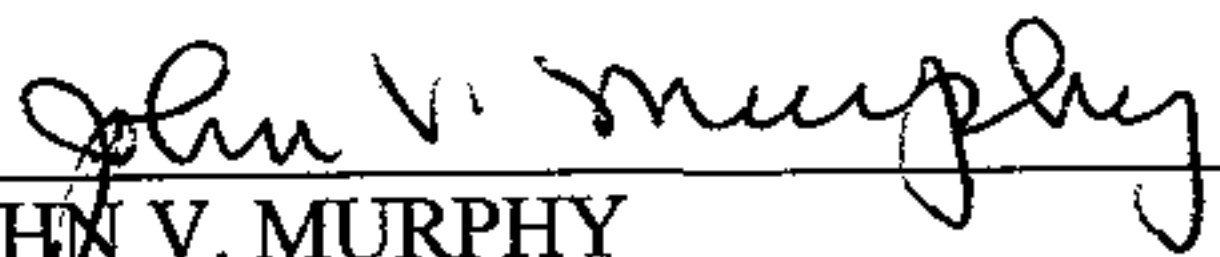
GRANTED; and

IT IS FURTHER ORDERED, that the Developer's request to allow a 45 ft. right-of-way in lieu of the Department of Public Works policy requiring that 50 ft. wide rights-of-way for new roads in front of Lots 7 and 8, as shown in the Redline Development Plan, be and is hereby GRANTED; and

IT IS FURTHER ORDERED, that the request for variance relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an existing accessory structure (detached garage) to be located in the front yard in lieu of the required rear yard, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the Redline Development Plan known as "Academy Meadows", submitted into evidence as "Developer's Exhibit No. 1", be and is hereby APPROVED.

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


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 12/5/04
By Raj



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at W/S Academy Drive: N. End
which is presently zoned DR 3.5 Stanlake Dr.

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) 400.1 To allow an existing accessory

structure (detached garage) to be
located in the front yard in lieu
of the required rear yard.

400.1 - Accessory Buildings in
Residence zones

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

See Attached

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print
Signature
Address
Telephone No.
City State Zip Code

Legal Owner(s):

MICHAEL A. NEUMEIER
Name - Type or Print
Michael A. Neumeier
Signature
Name - Type or Print

601 ACADEMY AVE. 410-902-0195
Address Telephone No.
OWINGS MILLS MD 21117
City State Zip Code

Representative to be Contacted:

DAVID M. MYERS
Name
41 EAST ALL SAINTS 301-631-2027
Address Telephone No.
FREDERICK MD 21701
City State Zip Code

Attorney For Petitioner:

HOWARD ALDERMAN
Name - Type or Print
Howard Alderman
Signature
LEVIN & CANN, PA
Company
502 WASHINGTON 410-321-0606
Address Telephone No.
TOWSON MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 5-17-04

Case No. 04-531-A

TO BE COMBINED WITH
HEARING OFFICER'S
HEARING
BCC § 26-206.1

This is an existing house and garage within the proposed subdivision. Moving the existing garage to the rear yard of the lot creates a practical difficulty, as the garage is 25' x 26'. In addition, all other proposed residences are new construction with attached garages, this lot therefore is the only lot affected by this Section

531

**ZONING DESCRIPTION FOR FUTURE 220 STANLAKE ROAD, LOT 6 OF AN
UNRECORDED PLAT OF SUBDIVISION ENTITLED "ACADEMY MEADOWS". SAID PLAN
OF SUBDIVISION IS CURRENTLY IN DEVELOPMENT REVIEW, COUNTY FILE NO. PDM
IV-605.**

Being part of the land conveyed from Michael A. Neumeier unto Michael A. Neumeier and Sonia Neumeier, by deed dated October 5, 2000 and recorded among the Land Records of Baltimore County, Maryland in Liber 14835 at folio 138, said land more particularly described as follows;

Beginning for the same at a point 3.60 feet distant from the end of the fifth line of the aforesaid deed, thence along and with said deed the following five courses and distances;

North 52°02'46" West 110.00 feet to a point, thence
North 38°01'30" East 52.40 feet to a point, thence
North 19°45'00" East 93.00 feet to a point, thence
South 87°19'49" East 157.23 feet to a point, thence
South 75°12'46" East 95.00 feet to a point on the tenth line of the aforesaid deed,
thence by new lines of division the following seven courses and distances,

1. South 43°22'21" East 25.66 feet to a point, thence
2. South 35°34'14" West 108.94 feet to a point, thence
3. South 13°23'06" East 18.91 feet to a point, thence
4. 35.37 feet along an arc to the left with a radius of 45.00 feet and a chord bearing
South 63°44'08" West 34.46 feet to a point, thence
5. South 41°13'18" West 50.00 feet to a point, thence
6. North 48°46'42" West 100.00 feet to a point, thence
7. South 41°13'18" West 69.36 feet to the place of beginning.

Containing 140,089 square feet or 3.216 acres of land.

531

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: #04-531-A

W/s Academy Drive, N/end of Stanlake Drive

S/west side of Academy Drive, 950 ft. S/east of centerline of Embleton Road

4th Election District — 2nd Councilmanic District

Legal Owner(s): Michael A. Neumeier

Variance: to allow an existing accessory structure (detached garage) to be located in the front yard in lieu of the required rear yard.

Hearing: Thursday, July 22, 2004 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 accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the file and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 7/608 July 6 11752

CERTIFICATE OF PUBLICATION

7/8/2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/6/2004.

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

J. Wilkins

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Pay No. 37206

04-531-9

DATE 5-17-04 ACCOUNT R-001-006-6100

AMOUNT \$ 65.00

RECEIVED
FROM:

Michael Newman

FOR:

Residential Variances for
AN 200 STANLAKES RD.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME

5/18/2004 5/17/2004 14:26:11

RES. BUDGET WALKIN KNOX

RECEIPT # 250796 5/17/2004

FOR 500 ZONING VERIFICATION

TX NO. 037266

Receipt Tot

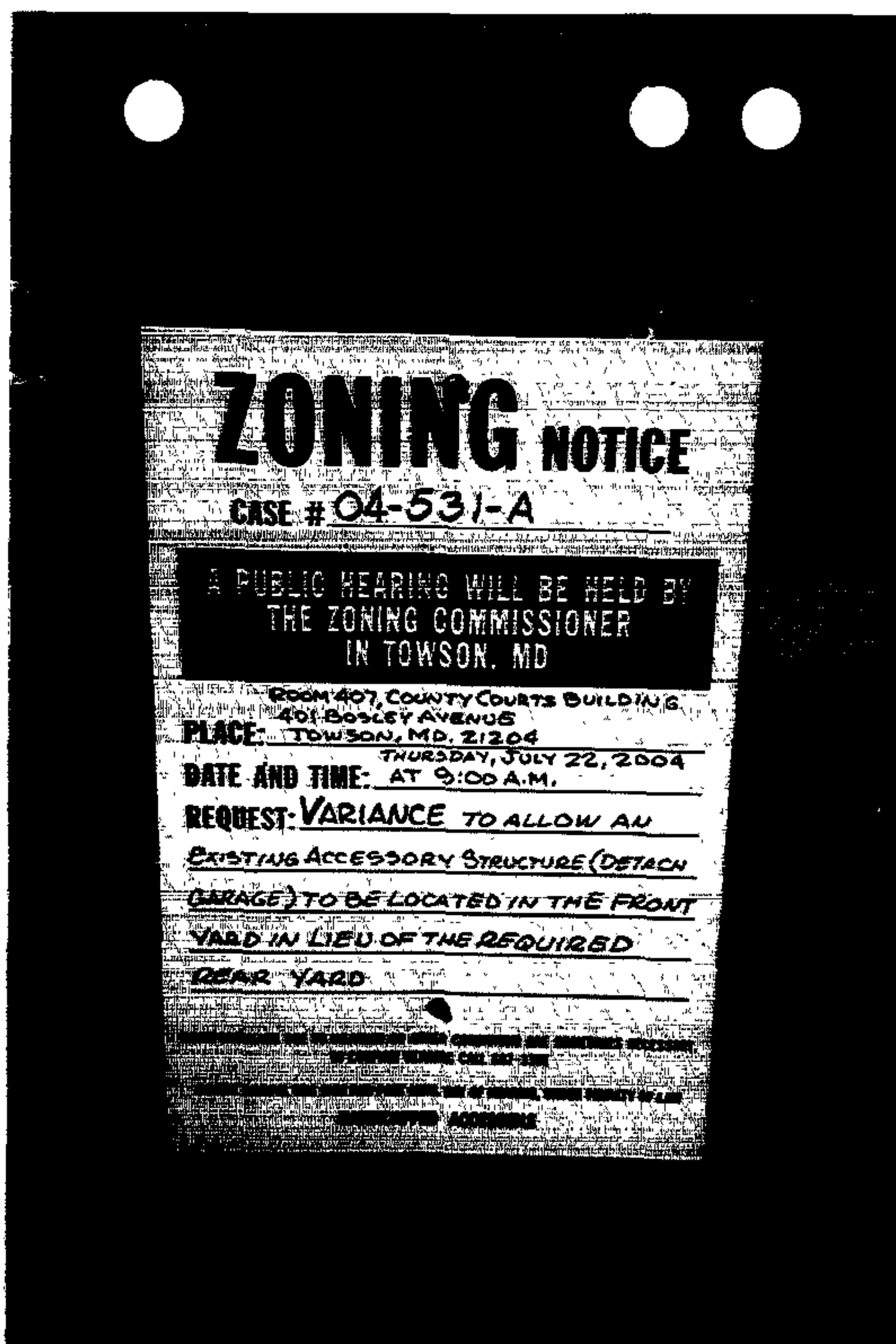
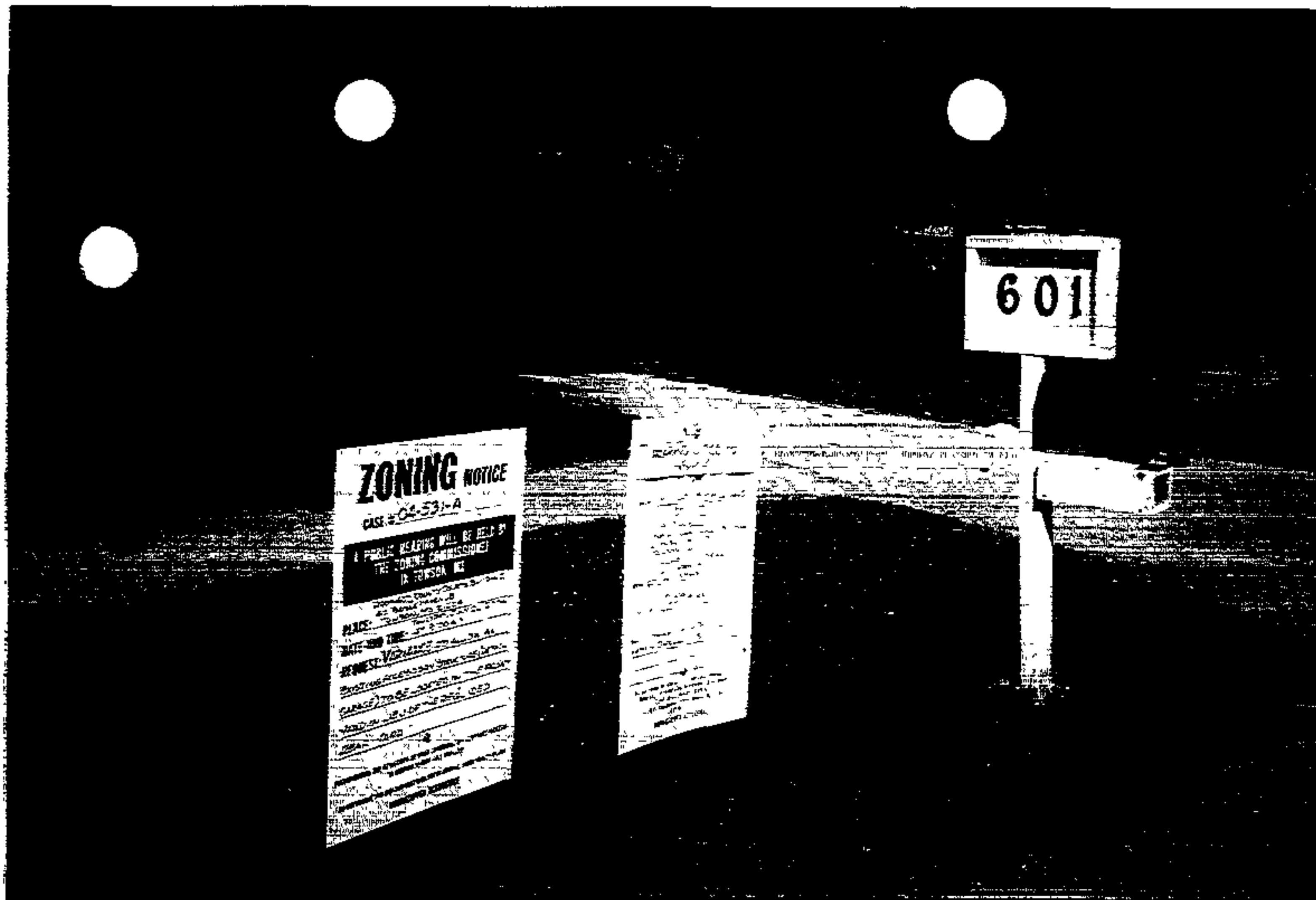
\$65.00

\$65.00

TX

Baltimore County, Maryland

CASHIER'S VALIDATION



ZONING NOTICE

CASE # 04-531-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 407 COUNTY COURTS BUILDING
401 BOSLEY AVENUE
TOWSON, MD 21204

THURSDAY, JULY 22, 2004

DATE AND TIME AT 9:00 A.M.

REQUEST VARIANCE TO ALLOW AN

EXISTING ACCESSORY STRUCTURE

(DETACHED GARAGE) TO BE LOCATED IN THE

REAR YARD OF THE REQUIRED

SETBACK

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Notice of HEARING OFFICER'S HEARING

ALDOUS H. HARRIS, ESQ., JUDGE

July 22, 2004

At 9:00 A.M.

Room 407 County Courts Building

401 Bosley Avenue

Towson, Maryland 21204

Developer: [Name]

3.59 ACRES

Subject: [Name]

2. [Name]

3. [Name]

4. [Name]

5. [Name]

6. [Name]

7. [Name]

8. [Name]

9. [Name]

10. [Name]

11. [Name]

12. [Name]

13. [Name]

14. [Name]

CERTIFICATE OF POSTING

RE: Case No.: 04-531-A

Petitioner/Developer: MICHAEL A. MEUMELER

Date of Hearing/ Closing: JULY 22, 2004

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

Attention: Becky Hart

Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at (SIGN #1) #601 ACADEMY
AVG. AND (SIGN #2) AT THE NORTH END
OF STANLAKE ROAD

The sign(s) were posted on JULY 6, 2004
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BAUTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)



Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

June 2, 2004

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: 04-531-A

W/s Academy Drive, N/end of Stanlake Drive
S/west side of Academy Drive, 950 ft. S/east of centerline of Embleton Road
4th Election District – 2nd Councilmanic District
Legal Owner: Michael A. Neumeier

Variance to allow an existing accessory structure (detached garage) to be located in the front yard in lieu of the required rear yard.

Hearing: Thursday, July 22, 2004, at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Howard Alderman, Levin & Gann, 502 Washington Ave., Towson 21204
Michael Neumeier, 601 Academy Ave., Owings Mills 21117
David Myers, 41 East All Saints, Frederick 21701

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 7, 2004.**
- (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, July 6, 2004 Issue - Jeffersonian

Please forward billing to:
Michael Neumeier
601 Academy Avenue
Owings Mills, MD 21117

410-902-0195

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:

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Hearing: Thursday, July 22, 2004, 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: 04-531-A
Petitioner: Michael A. Neumeier
Address or Location: W/S Academy DR., Nend of STAN/ake DR.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michael Neumeier
Address: 601 Academy Ave
Dwight Mills, Md, 21117
Telephone Number: 410-902-0195

**Department of Permits and
Development Management**

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

July 13, 2004

Howard Alderman
Levin & Gann, P.A.
502 Washington Avenue
Towson, Maryland 21204

Dear Mr. Alderman:

RE: Case Number:04-531-A, W/S Academy Drive, N. End Stanlake Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 17, 2004.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Michael A. Neumeier 601 Academy Avenue Owings Mills 21117
David M. Meyers 41 East All Saints Frederick 21701

Visit the County's Website at www.baltimorecountyonline.info





Baltimore County
Fire Department

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 27, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: June 1, 2004

Item No.: 526, 530-⁵³¹532, 534-537, 539

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.

6. 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, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6.02.04

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

RE: Baltimore County
Item No. 531 JJS

Dear Ms. Matthews:

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

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street Baltimore, Maryland 21202 Phone: 410.545.0300 www.marylandroads.com



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr JD

DATE: June 16, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of **JUNE 1, 2004**

 X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-526

04-530

04-531

04-532

04-534

04-535

04-538

04-539

Reviewers: Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: July 1, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For June 8, 2004
Item Nos. 526, 531, 532, 533, 534,
536, 537, 538, and 539

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
SW/S Academy Dr; N end of Stanlake Dr;
950' SE c/line Embleton Rd
4th Election & 2nd Councilmanic Districts
Legal Owner(s): Michael A Neumeier
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 04-531-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 3rd day of June, 2004, a copy of the foregoing Entry of Appearance was mailed to, David Myers, 41 East All Saints, Frederick, MD 21701 and Howard L. Alderman, Jr. Esquire, Levin & Gann, P.A., 502 Washington Avenue, 8th Floor, Towson, MD 21204, Attorney for Petitioner(s).

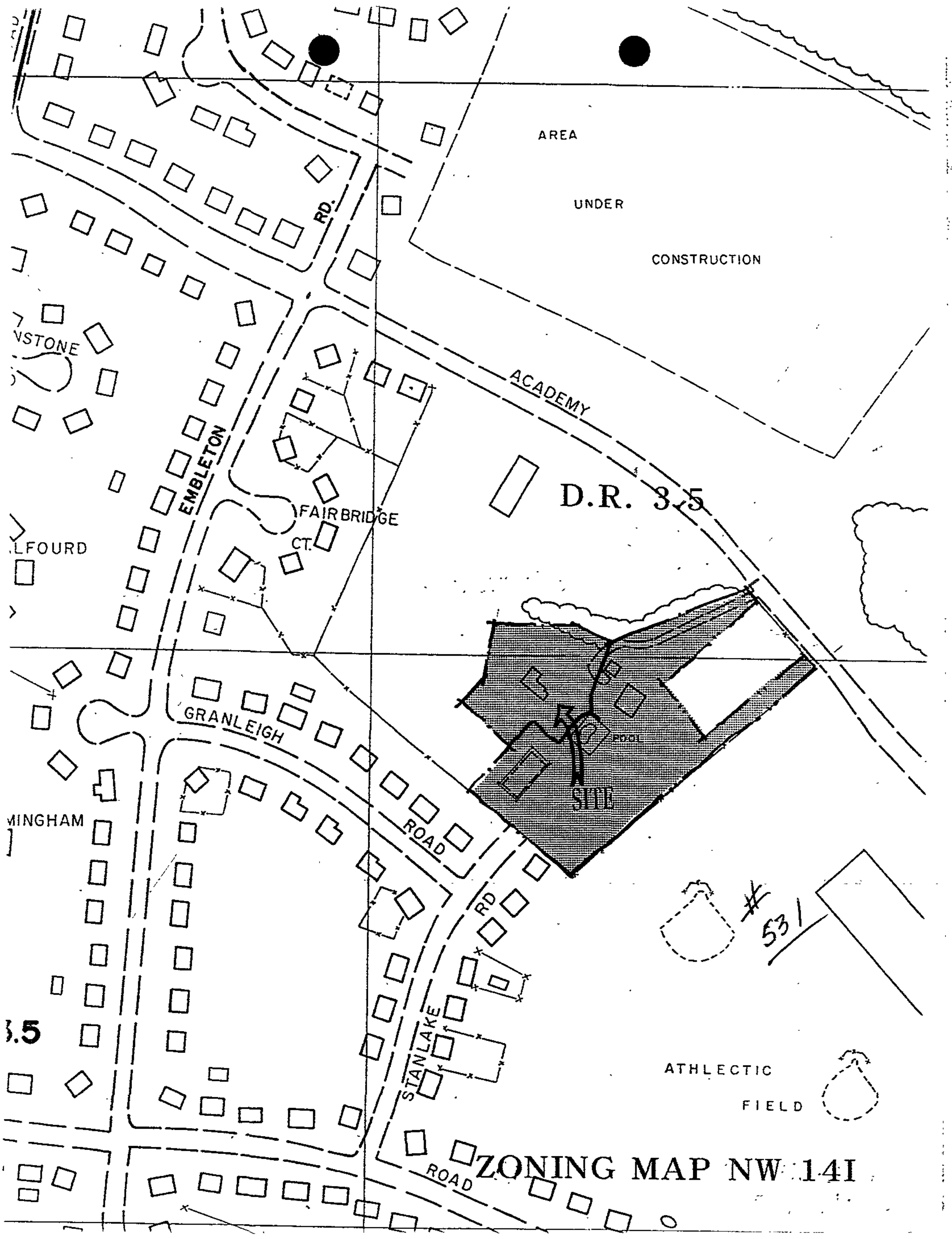
RECEIVED

JUN 03 2004

Per.....



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



AREA

UNDER

CONSTRUCTION

ACADEMY

D.R. 3.5

FAIRBRIDGE
CT.

GRANLEIGH

ROAD

RD

STANLAKE

ROAD

ATHLETIC

FIELD

ZONING MAP NW 14I

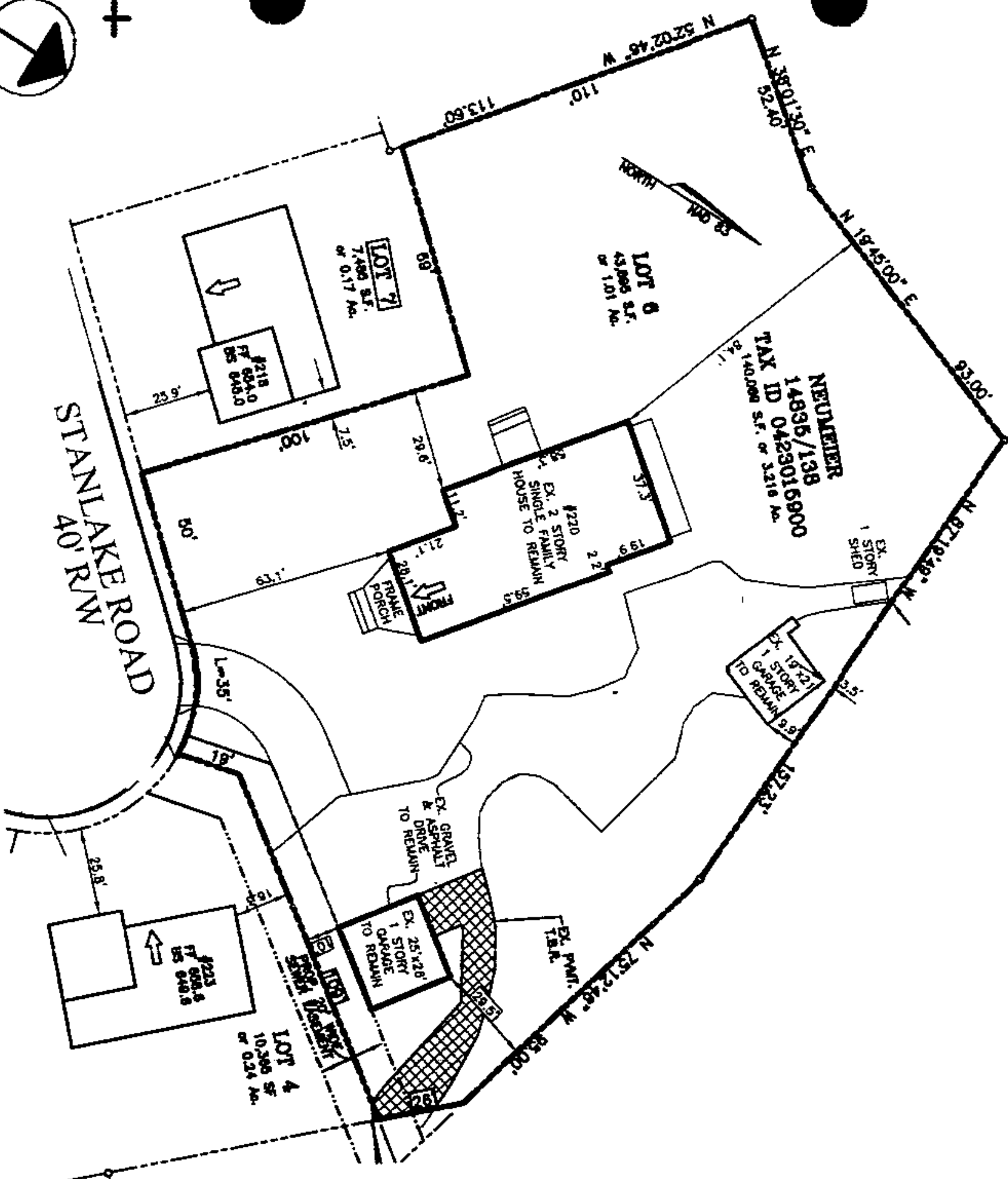
PROPERTY ADDRESS 220 STANLAKE ROAD

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

SUBDIVISION NAME ACADEMY MEADOWS

PLAT BOOK # _____ FOLIO # _____ LOT # 6 SECTION # _____

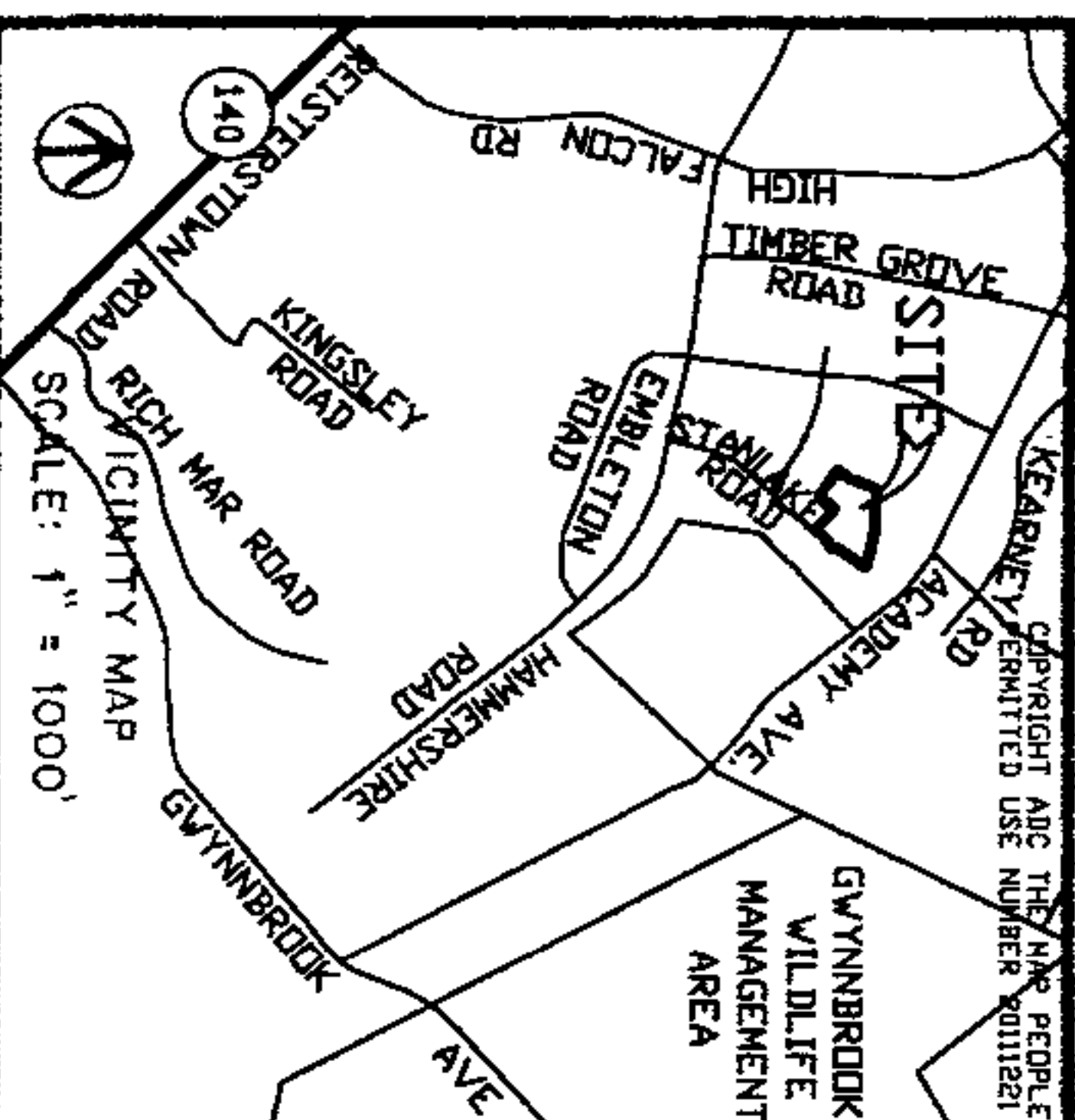
OWNER MICHAEL A. NEUMBIERT



+  **NORTH**

PREPARED BY HARMS & ASSOC. INC.

SCALE OF DRAWING: 1" = 60'



LOCATION INFORMATION

ELECTION DISTRICT **4**

COUNCILMANIC DISTRICT **2**

1"=200' SCALE MAP # NW 14 I

ZONING **DR 3.5**

LOT SIZE 3.216

3.216
ACREAGE

140,089
SQUARE FEET

ACFREAGE

PUBLIC PRIVATE

☒ SEWER

WATER ☒

CHESAPEAKE BAY
CRITICAL AREA

100 YEAR FLOOD PLAIN

**HISTORIC PROPERTY/
BUILDING**

PRIOR ZONING HEARING

NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

REVIEWED BY ITEM #

CASE #