IN RE: PETITION FOR VARIANCE N/S of Rosalie avenue, 510 ft. E centerline of Greyhound Road 15th Election District 6th Councilmanic District (2116 Rosalie Avenue)

> Deborah & Chris Wolf **Petitioners**

- BEFORE THE
- DEPUTY ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- CASE NO. 05-237-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Deborah and Chris Wolf. The variance request is for property located at 2116 Rosalie Avenue in Baltimore County. The variance request is from Section 1B02.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the construction of a dwelling with a 10 ft. rear setback in lieu of the required 30 ft.

The property was posted with Notice of Hearing on December 11, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on December 14, 2004 to notify any interested persons of the scheduled hearing date.

Applicable Law

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

WERRECHIED OR FLING

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."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Office of Planning dated December 15, 2004, a copy of which is attached hereto and made a part hereof. The Office of Planning does not support the Petitioners' request for a 10 ft. setback, but would not oppose a 20 ft. front yard setback.

Interested Persons

Appearing at the hearing on behalf of the variance request were Buck Jones and Chris & Debra Wolf, Petitioners. There were no protestants or citizens attending the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.34 acres of land zoned DR 3.5 and was purchased by the Petitioners in 1993. This waterfront property is presently improved by a summer cottage and garage which the Petitioners indicate are in poor condition. They propose to raze the present structures and erect a larger, more suitable home approximately the same distance from the water as the present home. See Petitioner's Exhibit 2 for a rendering of the home and exhibit for photographs of the subject property and area. To accomplish this, the new home will be pushed back toward Rosalie Avenue. More important, from a zoning standpoint, the presently detached garage will become attached to the home. Whereas a detached garage could be erected 2.5 ft. from the

property line, the attached garage must be set back 30 ft. from the right-of-way. The Petitioners would like to build a three-car attached garage in keeping with other such garages in the neighborhood. This garage would be 10 ft. from the right-of-way of Rosalie Avenue. This precipitates the request for variance.

The comments from the Office of Planning indicate that they are opposed to the variance and believe that the garage was front-loaded. The Office of Planning worried that vehicles would then spill out onto the right-of-way. However, the Petitioner presented Exhibit 1, a larger scale layout of the property, which showed the garage to be side-loaded. Mr. Jones indicated that having been clarified, the Office of Planning no longer opposed the proposed plan.

Mr. Jones pointed out that this property consist of Lots 98 and 99 of the "Rockaway Beach" Subdivision. See Petitioner's Exhibit 5. The present cottage was built in 1948 after the subdivision was recorded in the Baltimore County Land Records.

Findings of Fact and Conclusions of Law

I find that special circumstances or conditions exist that are peculiar to the land or structure. The property consists of Lots 98 and 99 of the Rockaway Beach Subdivision, which plat was recorded prior to the cottage being erected in 1948. This was many years before the DR zoning regulations were imposed on the property, which regulations impact these lots differently than lots laid out in accord with the DR regulations. Consequently, I find the property unique in a zoning sense.

I also find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship because the 30 ft. setback requirement would result in an impractical small garage. No increase in residential density beyond that

otherwise allowable by the Zoning Regulations will occur as a result of grant this variance since there already is a home on the property.

Furthermore, I find these variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. The proposed home is certainly compatible with similar homes being erected along the waterfront. More importantly, the home is to be built on two 50 ft. lots. Petitioners' Exhibit 4 (not to scale) indicates the property to the west is one home on a single 50 ft. lot. On the east side there is a home on double lots. Consequently, this home will not change the character of the neighborhood. Finally, since the garage is side-loaded there should not be any spillover parking in the right-of-way of Rosalie Avenue.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be GRANTED.

THEREFORE, IT IS ORDERED, this 29 day of December, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3C of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the construction of a dwelling with a 10 ft. rear setback in lieu of the required 30 ft., be and it is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition;
- 2. Except as noted in regard to the variance granted above, compliance with the ZAC comments submitted by the Office of Planning dated December 15, 2004, a copy of which is attached hereto and made a part hereof;

3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

OHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj

PROER RECEIVED FOR FILLING

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Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468





James T. Smith, Jr., County Executive William J. Wiseman III, Zoning Commissioner

December 29, 2004

Mr. & Mrs. Chris Wolf 908 Featherstone Court Bel Air, Maryland 21014

> Re: Petition for Variance Case No. 05-237-A Property: 2116 Rosalie Avenue

Dear Mr. & Mrs. Wolf:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance has 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 and 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,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure

c: Buck Jones
500 Vogts Lane
Baltimore, MD 21221



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



Petition for Variance

CBCA

to the Zoning Commissioner of Baltimore County

For the property located at 2116 Rosalie Avenue
Which is presently zoned DR 3.5

This petition shall be filled 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). IBOD. BC. (BCZR)

TO PERMIT THE CONSTRUCTION OF A DWELLING WITH A 10-FOOT REAR SETBACK

IN LIEU OF THE REQUIRED 30-FEET.

Of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty). DUE TO THE TOPOGRAPHY OF THE ROAD COMPARED TO THE SUBJECT PROPERTY, THE PROPERTY IS RELATIVELY FLAT ACROSS THE ROAD. WHERE AS THE ROAD IS MUCH LOWER AT THE WEST SIDE THEN RISES UP ON THE EAST SIDE AND DUE TO THE PROXIMATITY OF THE EXISTING TELEPHONE POLE AND ENVIRONMENTEAL RESTRAINTS THIS CAUSES HARDSHIP, PARTICULARLY TO SUBJECT PROPERTY THAT IS NOT THE RESULT OF APPLICANTS OWN ACTION. STRICT COMPLIANCE WOULD PREVENT THE USE OF THE PROPERTY FOR A PERMITTED PURPOSE. RELIEF CAN BE GRANTED IN SUCH A MATTER THE SPIRT OF THE ORDIANCE AND PUBLIC SAFETY AND WELFARE SECURED.

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 lathis petition.	egal owner(s) of the	ne property which is t	he subject of
Contract Purchaser/Lessee:			<u>Legal Own</u>	er(s)		
Name - Type of Prir	nt	······································	Name-Type o	1 / 1		
Signature	<u></u>	,	Signature	u gov		
Address Telephone No.			Name-Type of	BBIE WOLF r Print んしんし	Deg	
City	State	Zlp Code	Signature	<u> </u>	4	
Attorney For I	Petitioner:		908 Address	B FEATHERSTON	IE COURT elephone No.	
Name - Type of Prin	<u></u> it		BELAIR City	MD State	21014 Zip code	
Signature	······································			tative to be c	ontacted:	
Company	· · · · · · · · · · · · · · · · · · ·		Name	CK JONES		
Adates	Te	lephone No.	Address) VOGTS LANE To	elephone No.	
GR C	State	Zip Code	BALTIMORE City OF	MD State FICE USE ON	21221 Zip code LY	
7 1	**		ESTIMATI UNAVAILA	D LENGTH OABLE FOR HE	F HEARING	······································
se No	5-237-A	· 	REVEIWE	D BY D.T.	DA'I	TE_11/9/04

ZONING DESCRIPTION FOR 2116 ROSALIE AVENUE. BEGINNING AT A POINT ON THE NORTH SIDE OF ROSALIE AVENUE WHICH IS 40' WIDE AT THE DISTANCE OF 510' EAST OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET GREYHOUND ROAD. WHICH IS 40' WIDE. BEING LOT # 98 & 99. IN THE SUBDIVISION OF ROCKAWAY BEACH AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 4, FOILIO 171. CONTANING 15,200/.34. ALSO KNOWN AS 2116 ROSALIE AVENUE AND LOCATED IN THE 15 ELECTION DISTRICT, 6 COUNCILMAN DISTRICT.

ARTHAND ACCOUNT OUTDIALSO AMOUNT S 15 FO AM	RE-CASHIER PINK - AGENCY		SCELANEOUS RECEIPMENT	CINORE COUNTY B
	YELLOW - CUSTOMER	AMOUN		

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: #05-237-A
2116 Rosalle Avenue
N/side of Rosalle Avenue,
510 feet east of centerline
of Greyhound Road
15th Election District
6th Councilmanic District
Legal Owner(s): Chris &
Debble Wolf
Variance: to permit the
construction of a dwelling
with a 10-foot rear setback
in lieu of the required 30
feet,
Hearing: Tuesday, December 28, 2004 at 11:00 a.m.
in Room 407, County
Courts Building, 401
Bosley Avenue.
William Wishman

WILLIAM WISEMAN

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

JT/12/849 De14 32913

CERTIFICATE OF PUBLICATION

12/16/, 2004-
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing on
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilking

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS
Date December 13, 2004

RE: Case Number 05 - 237-A

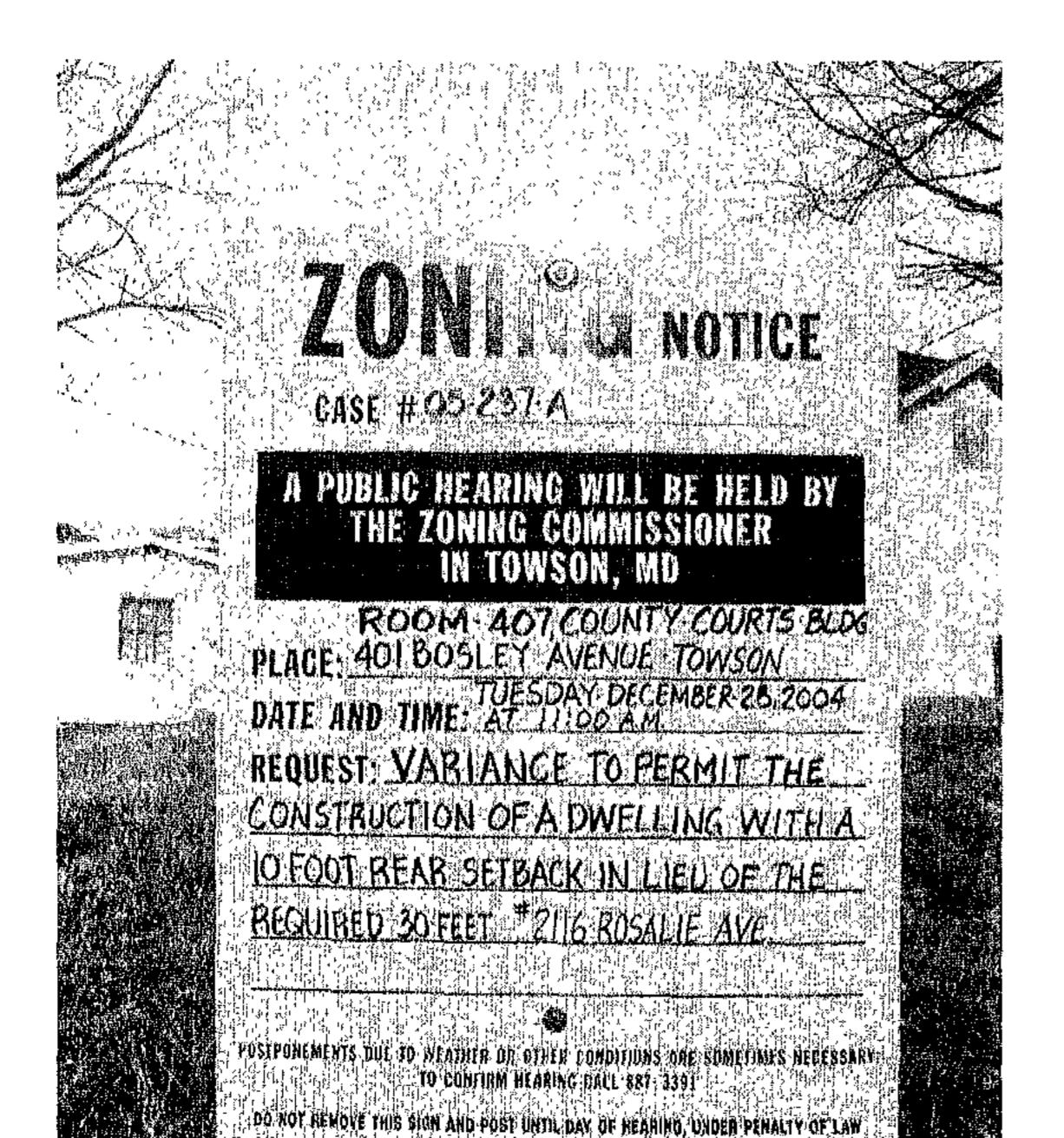
Petitioner/Developer CHRIS + DEBBIE WOLF/BUCK JONES

Date of (Hearing/Closing DECEMBER 28, 2004

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 2116 RDSALIE AVENUE

The sign(s) were posted on

December 11, 2004



Linda O'Keefe (Printed Name of Sign Poster)

523 Penny Lane (Street Address of Sign Poster)

Hunt Valley Maryland 21030 (City, State, Zip Code of Sign Poster)

410-666-5366 (Telephone Number of Sign Poster) TO: PATUXENT PUBLISHING COMPANY

Tuesday, December 14, 2004 Issue - Jeffersonian

Please forward billing to:

Mr. & Mrs. Chris Wolf 908 Featherstone Court Belair, MD 21014

410-893-3995

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: 05-237-A

2116 Rosalie Avenue

N/side of Rosalie Avenue, 510 feet east of centerline of Greyhound Road

15th Election District – 6th Councilmanic District

Legal Owners: Chris & Debbie Wolf

Variance to permit the construction of a dwelling with a 10-foot rear setback in lieu of the required 30 feet.

Hearing: Tuesday, December 28, 2004 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM WISEMAN

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

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



Baltimore County

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

November 23, 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: 05-237-A

2116 Rosalie Avenue

N/side of Rosalie Avenue, 510 feet east of centerline of Greyhound Road

15th Election District – 6th Councilmanic District

Legal Owners: Chris & Debbie Wolf

Variance to permit the construction of a dwelling with a 10-foot rear setback in lieu of the required 30 feet.

Hearing: Tuesday, December 28, 2004 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Katroco

Director

TK:klm

C: Chris & Debbie Wolf, 908 Featherstone Ct., Belair 21014 Buck Jones, 500 Vogts Lane, Baltimore 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, DECEMBER 13, 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.



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

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: 05-237-A	
Rem Mumber of Case Mumber05-201-H	<u> </u>
Petitioner: Chris Wolf	
Address or Location: 2116 rosalie avenue	21221
PLEASE FORWARD ADVERTISING BILL TO:	
Name: Chris and Debbie Wolf	· · · · · · · · · · · · · · · · · · ·
Address: 908 Featherstone Court	······································
Belair md 21014	*
Telephone Number: 410-893-3995	······································

Revised 2/20/98 - SCJ

Department of Permits and Development Management

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





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

December 21, 2004

Chris Wolf Debbie Wolf 908 Featherstone Court Bel Air, Maryland 21014

Dear Mr. and Mrs. Wolf:

RE: Case Number: 05-237-A, 2116 Rosalie Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 9, 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,
U. Call Rill D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

People's Counsel C; Buck Jones 500 Vogts Lane Baltimore 21221



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

Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive ' John J. Hohman, Chief

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

November 22, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of November 22, 2004

Item No.:

227-241, 243, 245-249

Pursuant to your request, the referenced plan(s) have been reviewed 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



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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: December 7, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 29, 2004

Item Nos. 227, 228, 229, 230, 231, 232, 233, 234, 237, 238, 239, 240, 241, 242, 243, 244, 246, and 248

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

PDM

FROM:

John D. Oltman, Jr J

DEPRM

DATE:

December 10, 2004

SUBJECT:

Zoning Item

m # 05-23

Address

2116 Rosalie Ave.

Zoning Advisory Committee Meeting of November 22, 2004.

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

___X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

Must comply with the Limited Development Area Regulations of 25% maximum impervious surface and 15% minimum tree cover (5 trees) and the Buffer Management Area Regulations (i.e. mitigation for the additional impervious surface within the 100-foot buffer.

Reviewer:

Martha Mickey

Date: December 30, 2004

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DATE: December 15, 2004

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DEC 1 5 2004

ZONNG COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

2116 Rosalie Avenue

INFORMATION:

Item Number:

5-237

Petitioner:

Chris Wolf

Zoning:

DR 3.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the petitioner's request to permit the construction of the proposed dwelling with a 10-foot setback in lieu of the minimum required 30 feet as this is entirely out of character with the neighborhood. Such a minimum front yard setback would also potentially result in vehicles overhanging the right-of-way while parked in the driveway. However, this office would not oppose a 20-foot front yard setback.

Prepared by:

Division Chief:

AFK/LL:MAC:



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

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

Maryland Department of Transportation

Date: //. 22.64

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

RE:

Baltimore County

Item No. 237

DT

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,

Steven D. Foster, Chief

Engineering Access Permits Division

RE: PETITION FOR VARIANCE

2116 Rosalie Avenue; N/side Rosalie Avenue,

510' E of c/line of Greyhound Road

15th Election & 6th Councilmanic Districts Legal Owner(s): Chris & Deborah Wolf

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

05-237-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.

RECEIVED

NOV 2 4 2004

PerCL-73...

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

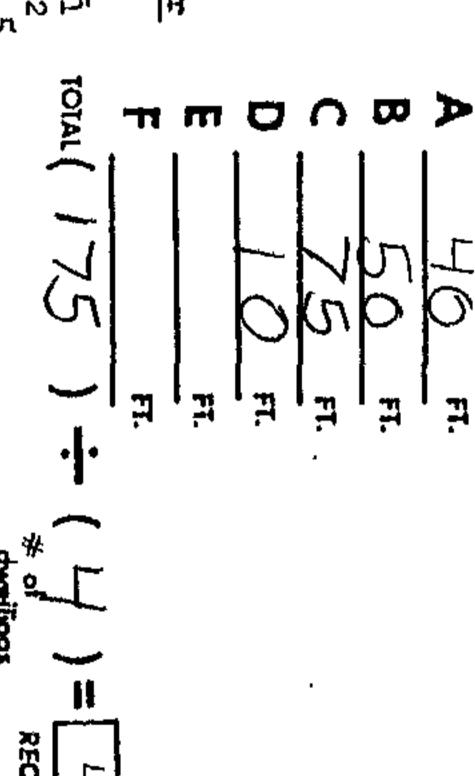
I HEREBY CERTIFY that on this 24th day of November, 2004, a copy of the foregoing Entry of Appearance was mailed to, Buck Jones, 500 Vogts Lane, Baltimore, MD 21221, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

SITE PLAN Ö Reference 85 USED SHIL MEHM Section 303.1 딩 **LETERMINING** IMMEDIATE ADJOINING Don 303.1 Baltimore FRONT YARD DEPTHS IN STOI County ARE MOT IMPROVED Zoning Regulations RESILENCE ZONES

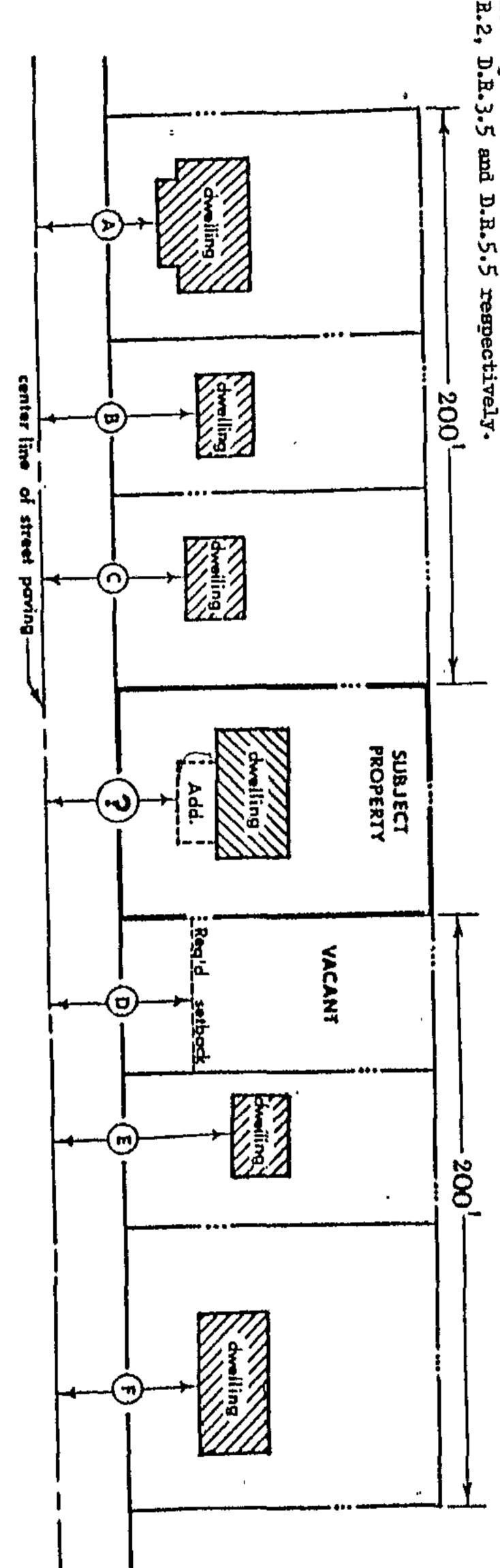
the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 zones, 50 feet in D.R.3.5 zones and 40 feet in D.R.5.5 zones, 50 feet : 303.1 —In D.R.2, D.R.3.5 and D.R.5.5 Zone front yard depth of any building or other hereafter erected shall be the average of yard depths of the lots immediately adjoin 武苗 each side provided than those for D.R.2, principal buildings have front TOT h principal buildings joint side property specified therefrom D.R.3.5 and D.R.5.5 case, buildings such adjoining lots however, gituate shall nonresidential yards in the respectively. g lots are improved within 200 feet of Saidioining ᇊ **Zод**вв ares regulations less structure the front tte depth front 엻



building address

REQUIRED 198 D.R.2 D.R.5.5-D.R.3.5-50 ft. 55 ft. 65 ft.

NORMAL REQUIRED SETBACKS

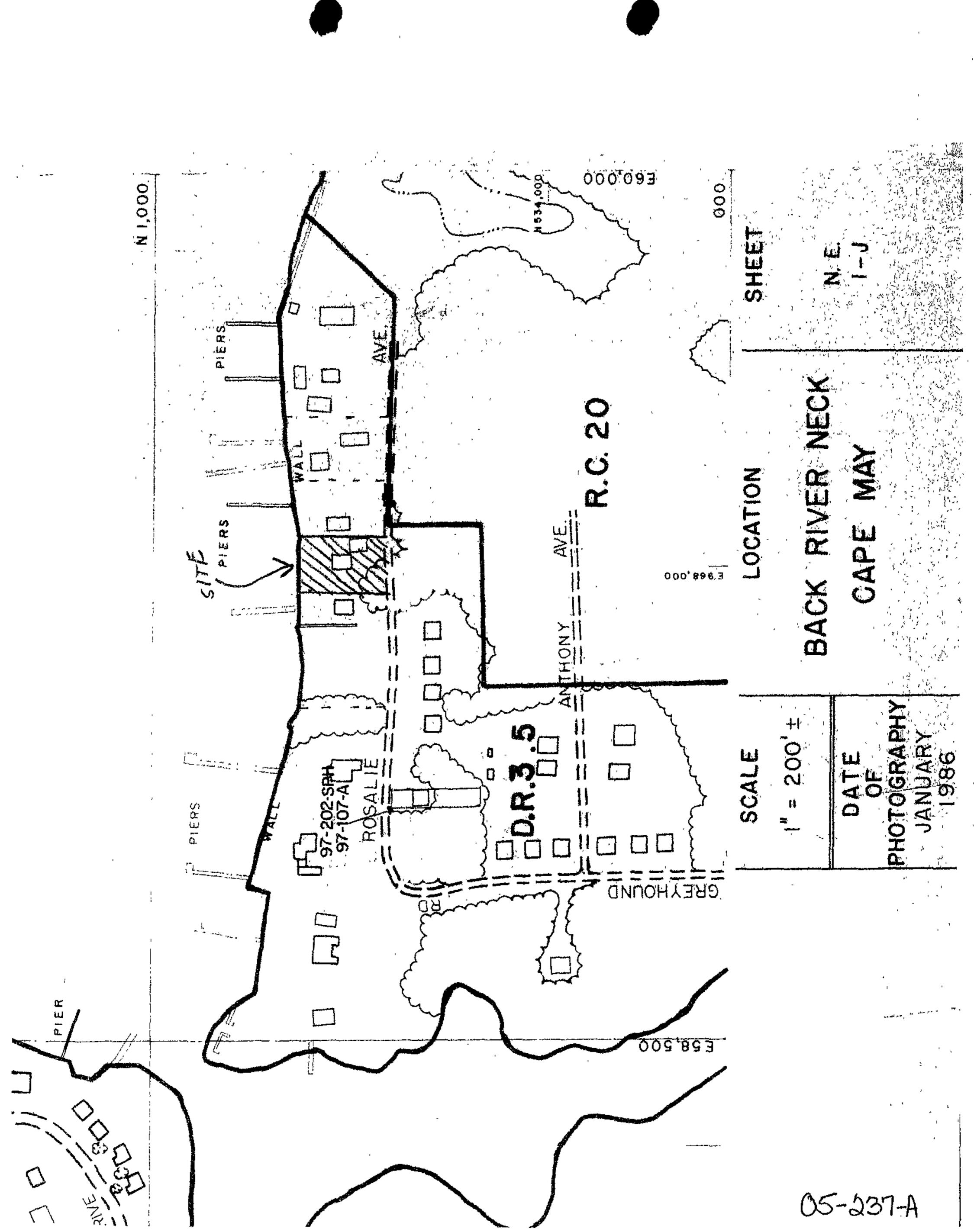


PLEASE PRINT CLEARLY

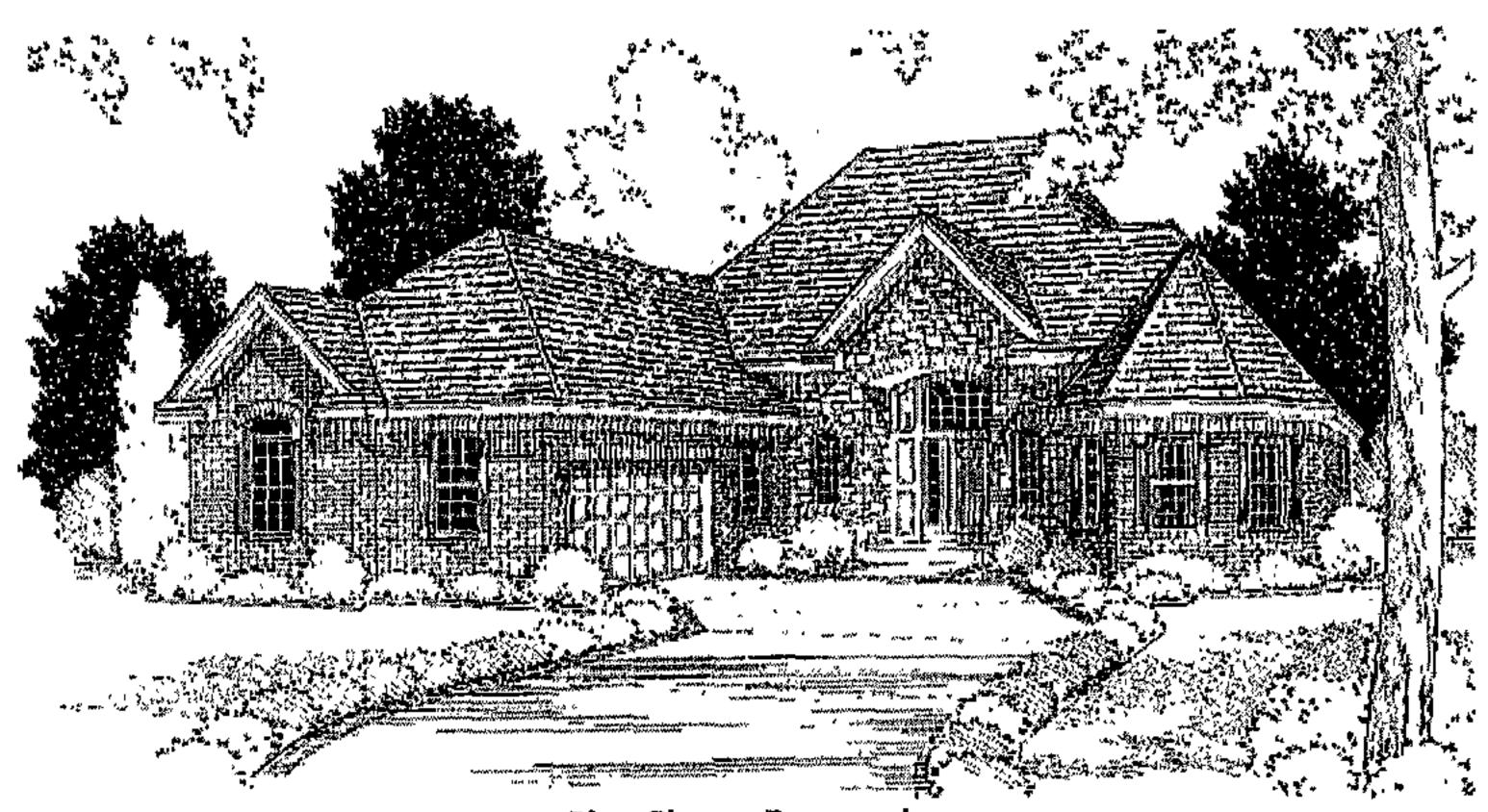
CASE NUMBER 05 -237.
DATE /2/2010 12

PETITIONER'S SIGN-IN SHEET

E-MAIL BUCK 4 50 1954 2002	Currolf & conteast, wet					
CITY, STATE, ZIP BOUT MD 21221	Bellin Was 21014					
500 VOGTS LAME	908 Kertherstone Cot					
BUCH DOWES	This work					



www.HomePlanFinder.com



Plan Shown Reversed

Luxurious Amenities in A Moderate Size

An octagonal master bedroom with a vaulted ceiling; a sunken Great room, a deluxe staircase and an exterior with an exciting roof line; provide this home with all the luxurious amenities in a moderate size. The first floor master bedroom targets this home to the empty nester. A second floor balcony overlooks the Great room and two bedrooms with a Jack & Jill bath complete this attractive design. The elegant exterior has a rich solid look that is very important to the discriminating buyer.

Living are	a(sq ft)	Rooms	Foundations	Ordering info
Main:	1706	Bedrooms: 3	basement	Plan can be customized
Upper:	492	Full baths: 2	Width: 59'4"	Prices
Total:	2198	Half baths: 1	Depth:65'0"	Order Code:GHG55
		Car stalls: 2		<u>Order</u>

The "living area" square footage is for the finished space of the home.

Construction specifications	9	Plan Package(s) Prices in USA dollars
Roof frame	Truss	8 set pkg. (Recommended)
Wall thickness	2x4	4 set pkg. (Min. construction pkg)
Maximum roof height	31'	1 set pkg. (Study Package)
Roof pitch (primary)	10/12	Repro. master (vellum)
Roof pitch (secondary)	12/12	Mirrored Reverse
Roof load (Total)	42 lbs	Additional sets
Basement (sq feet)	1706 sf	
Porch (sq feet)	38 sf	

To order plan #97710 order code: GHG55, call 800-345-4663 or 303-671-6844



Amount

\$540,00

\$490.00

\$450.00

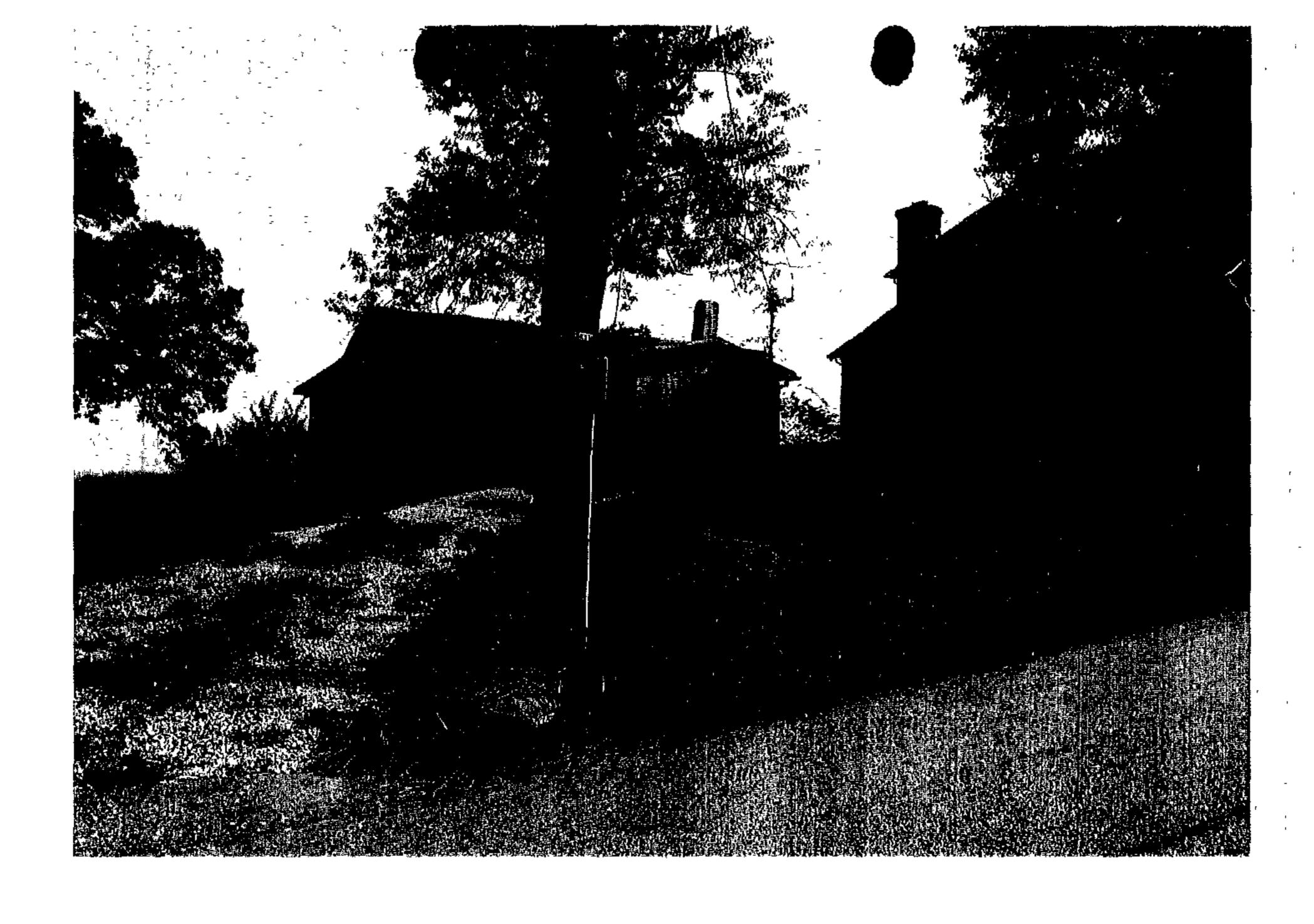
\$630,00

\$50.00

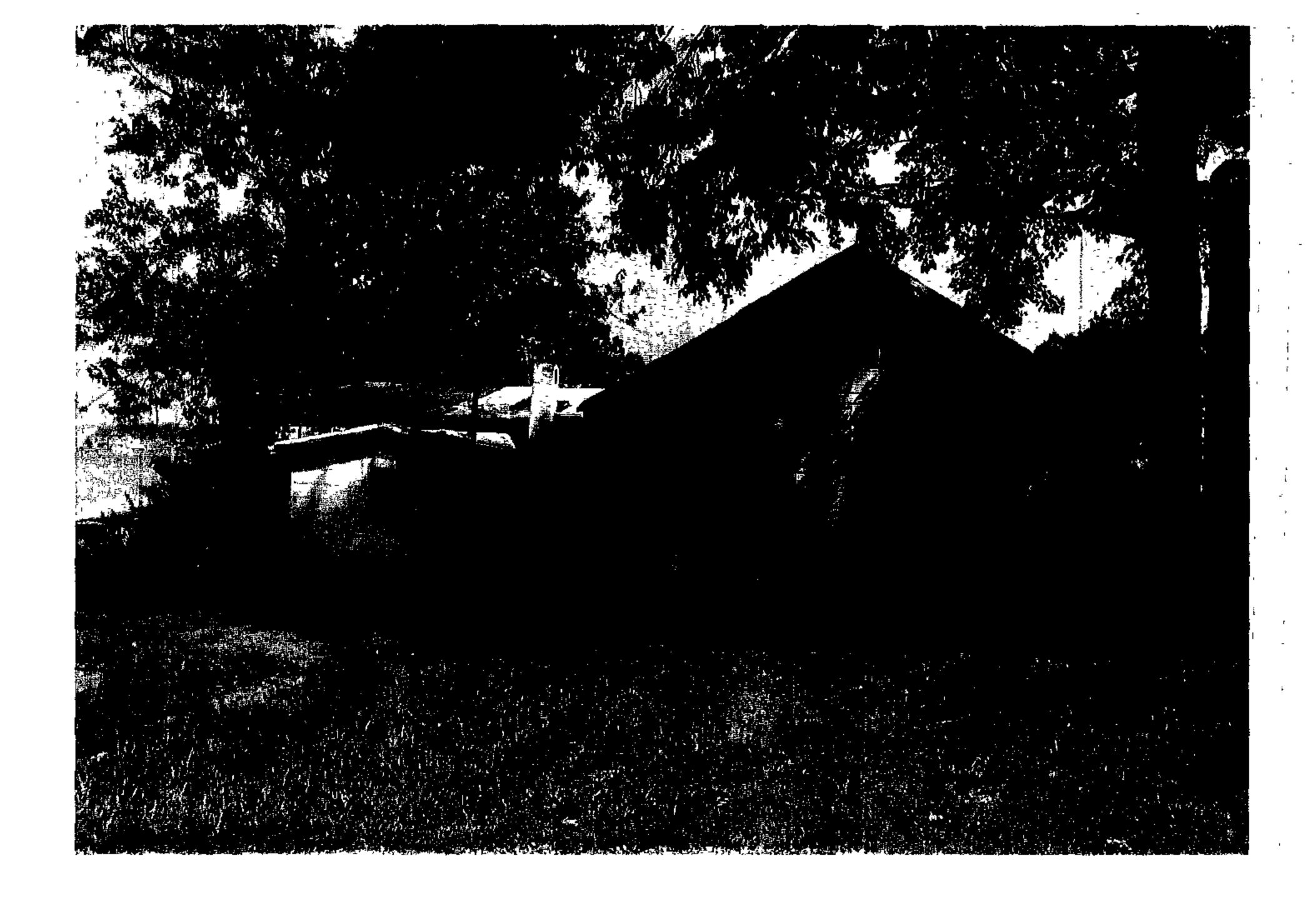
\$50.00



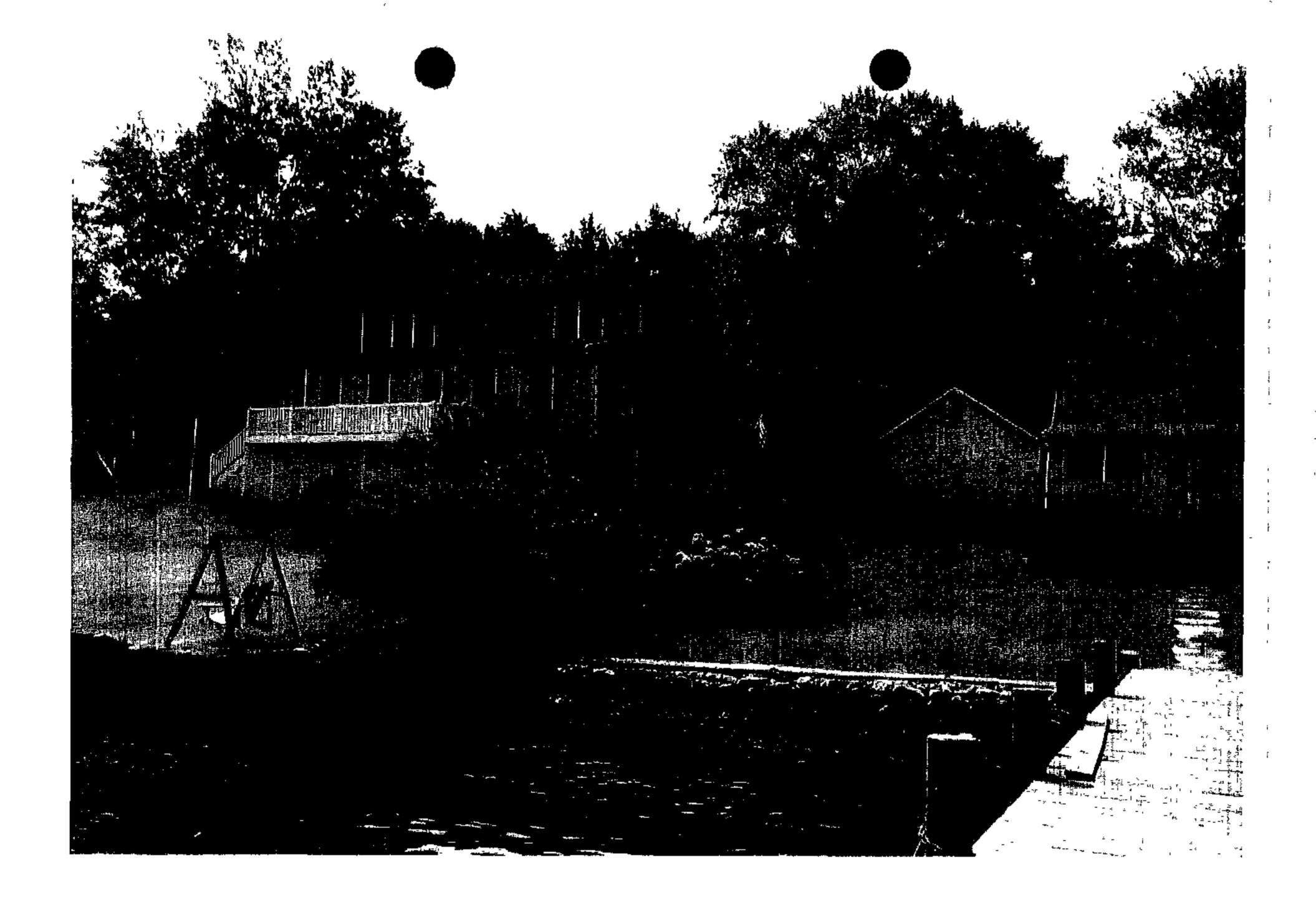
STANDING ON ROSALIE AVE LOOKING UP ROSALIE AVE PROPERTY IS ON RIGHT SIDE.



STANDING ON ROSALIE AVE LOOKING EAST AT LOT.



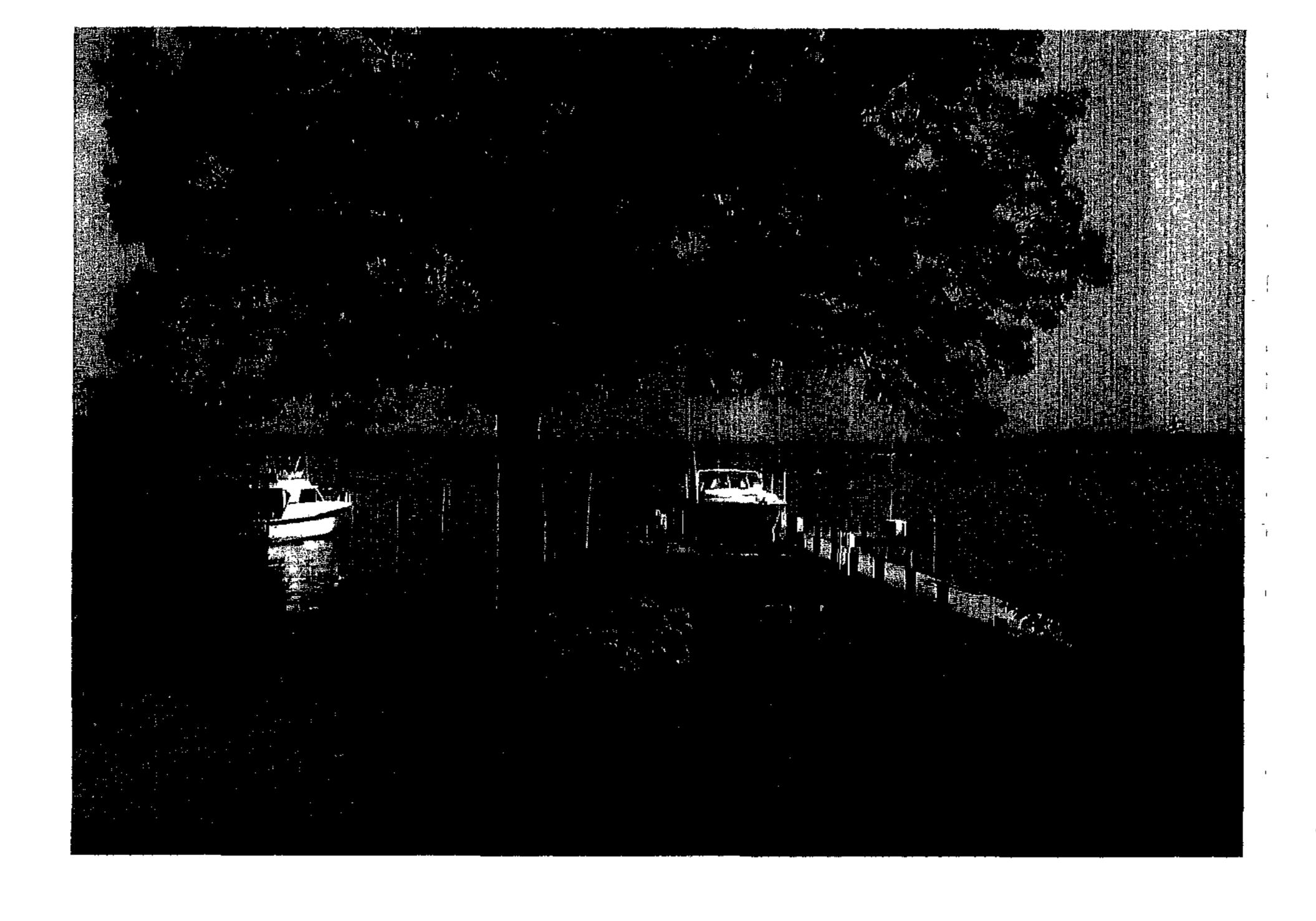
STANDING ON PROPERTY MORE DIRECT LOOK AT EXISTING STRUCTURE.



STANDING ON PROPOSED PROPERTY PIER LOOKING SOUTHEAST AT NEIGHBORS PROPERTY.



STANDING ON PROPOSED PROPERTY PIER LOOKING SOUTHWEST AT NEIGHBORS PROPERTY.



STANDING ON WEST SIDE OF HOUSE LOOKING OUT OVER THE MIDDLE RIVER.



STANDING ON PIER LOOKING SOUTH AT PROPOSED DWELLING.



STANDING ON PROPERTY LOOKING SOUTH WEST.



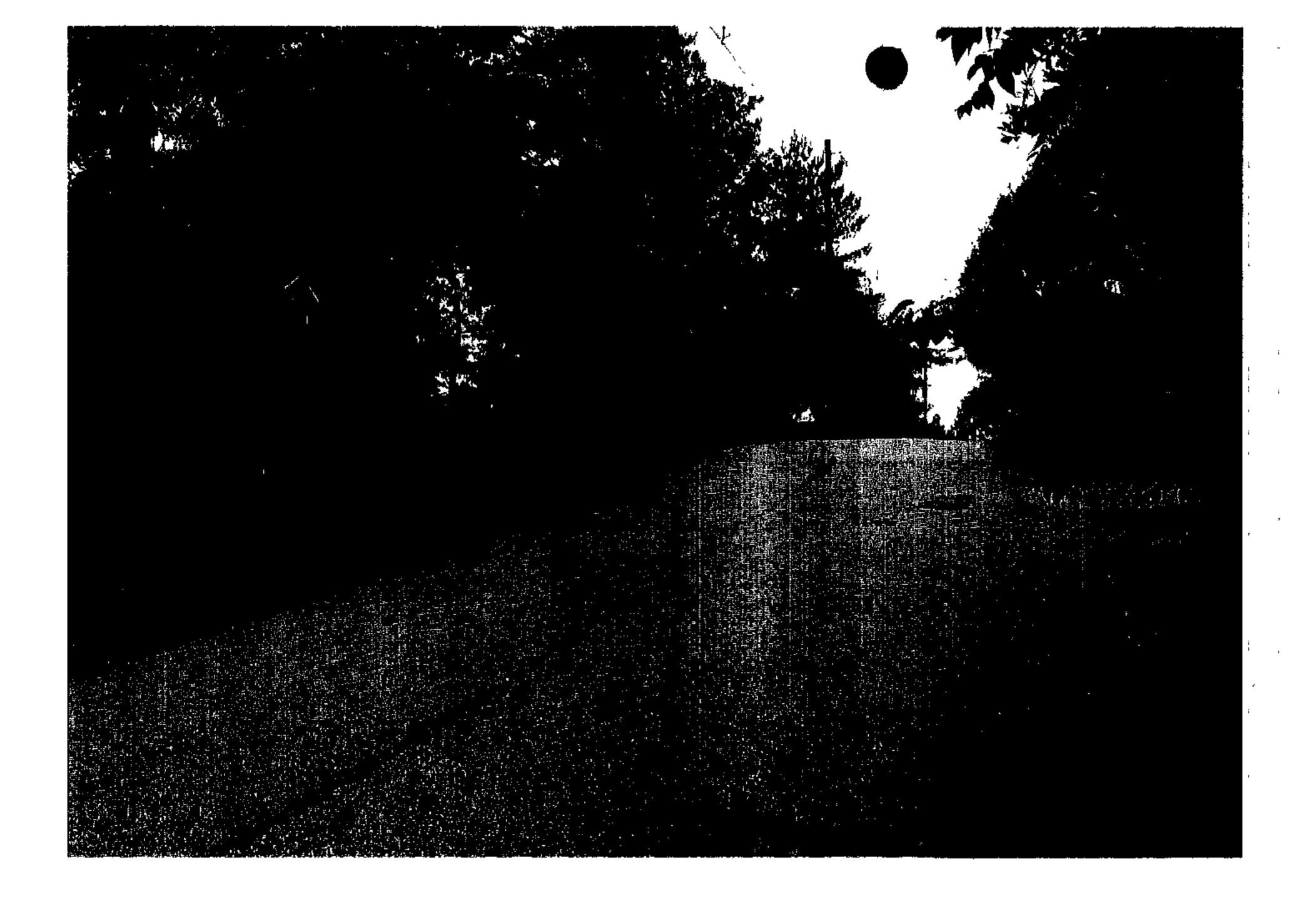
STANDING ON PROPERTY LOOKING AT TELEPHONE POLE THAT INTERFERS WITH TURNING INTO A FRONT GARAGE.



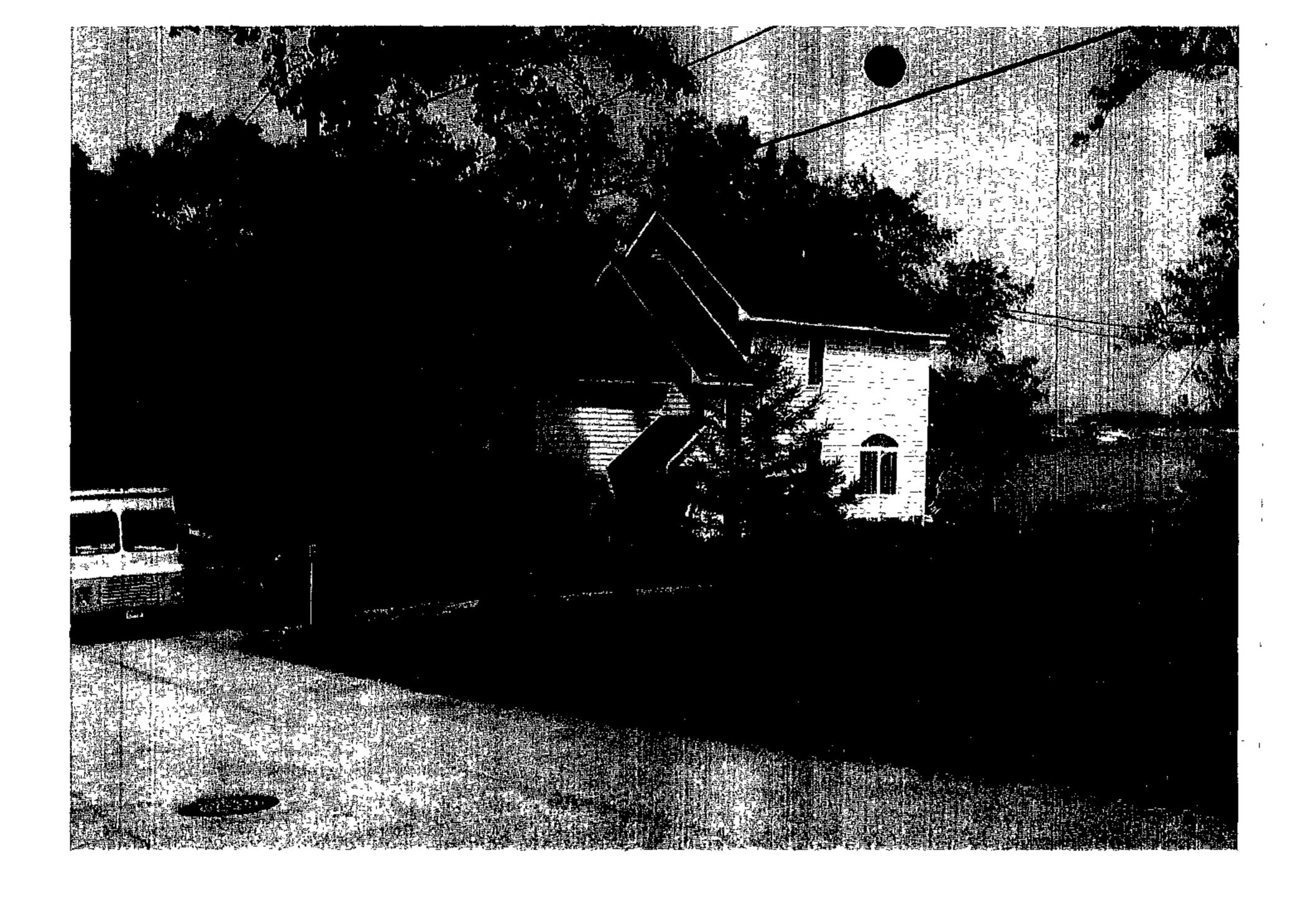
STANDING ON PROPERTY LOOKING SOUTH EAST ACROSS STREET.



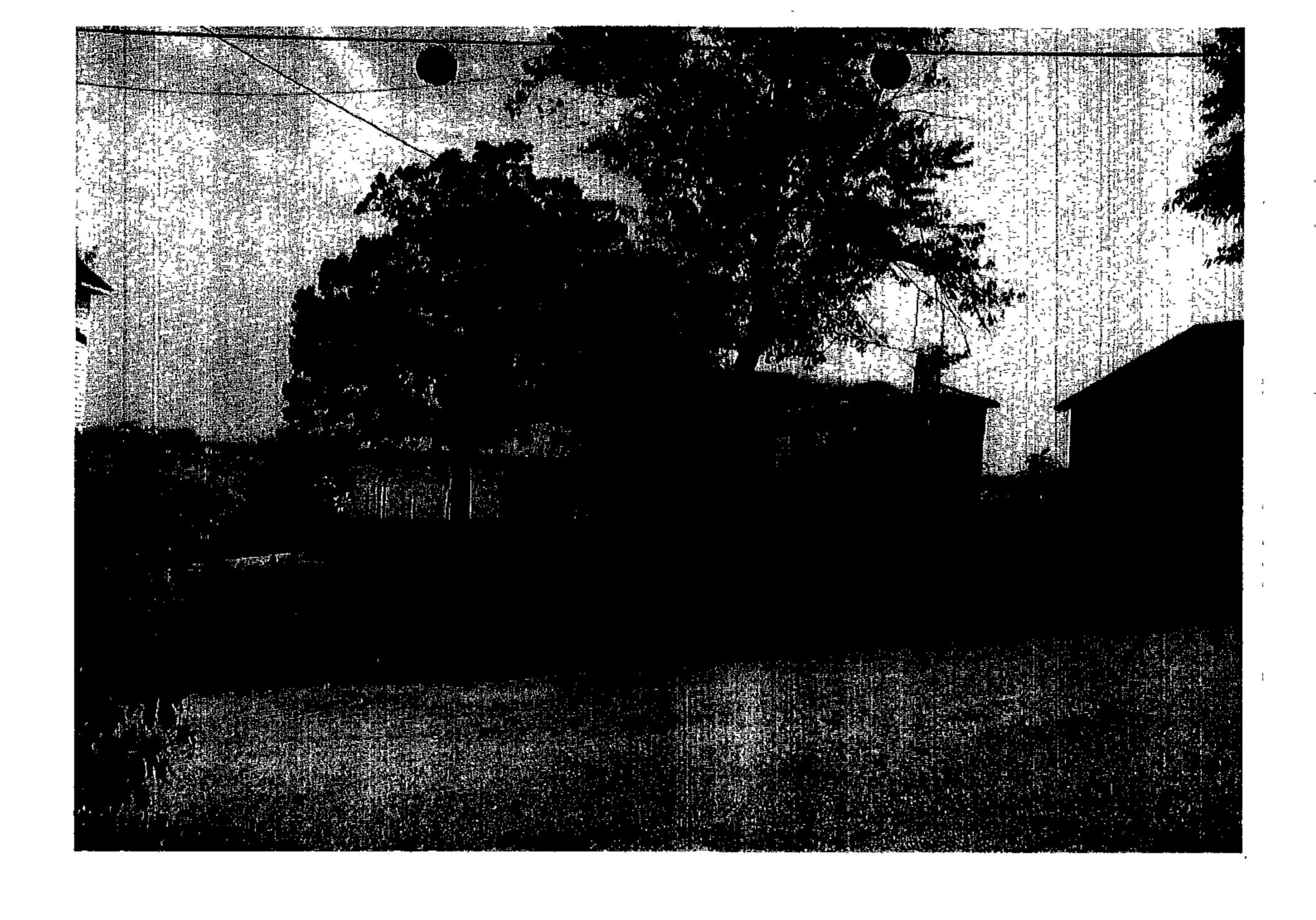
STANDING ON PROPERTY LOOKING ACROSS STREET AT PUMPING STATION.



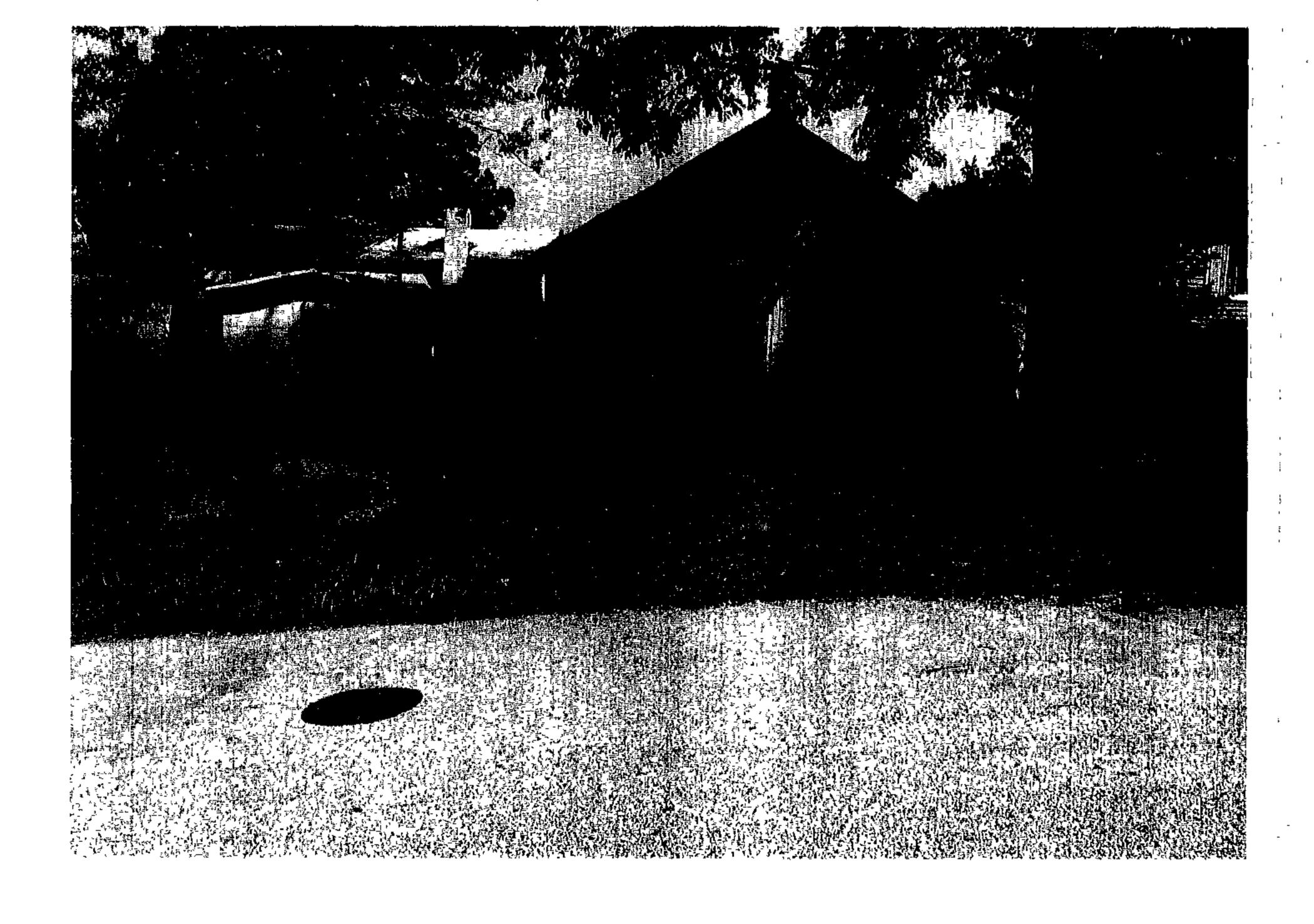
STANDING ON ROSALIE AVE LOOKING EAST DOWN ROAD PROPERTY IS ON LEFT SIDE.



STANDING ON ROSALIE AVE LOOKING NORTH WEST AT HOME NEXT DOOR.



STANDING ON ROSALIE AVE LOOKING NORTH DIRECTLY INTO LOT.



STANDING ON ROSALIE AVE LOOKING NORTH

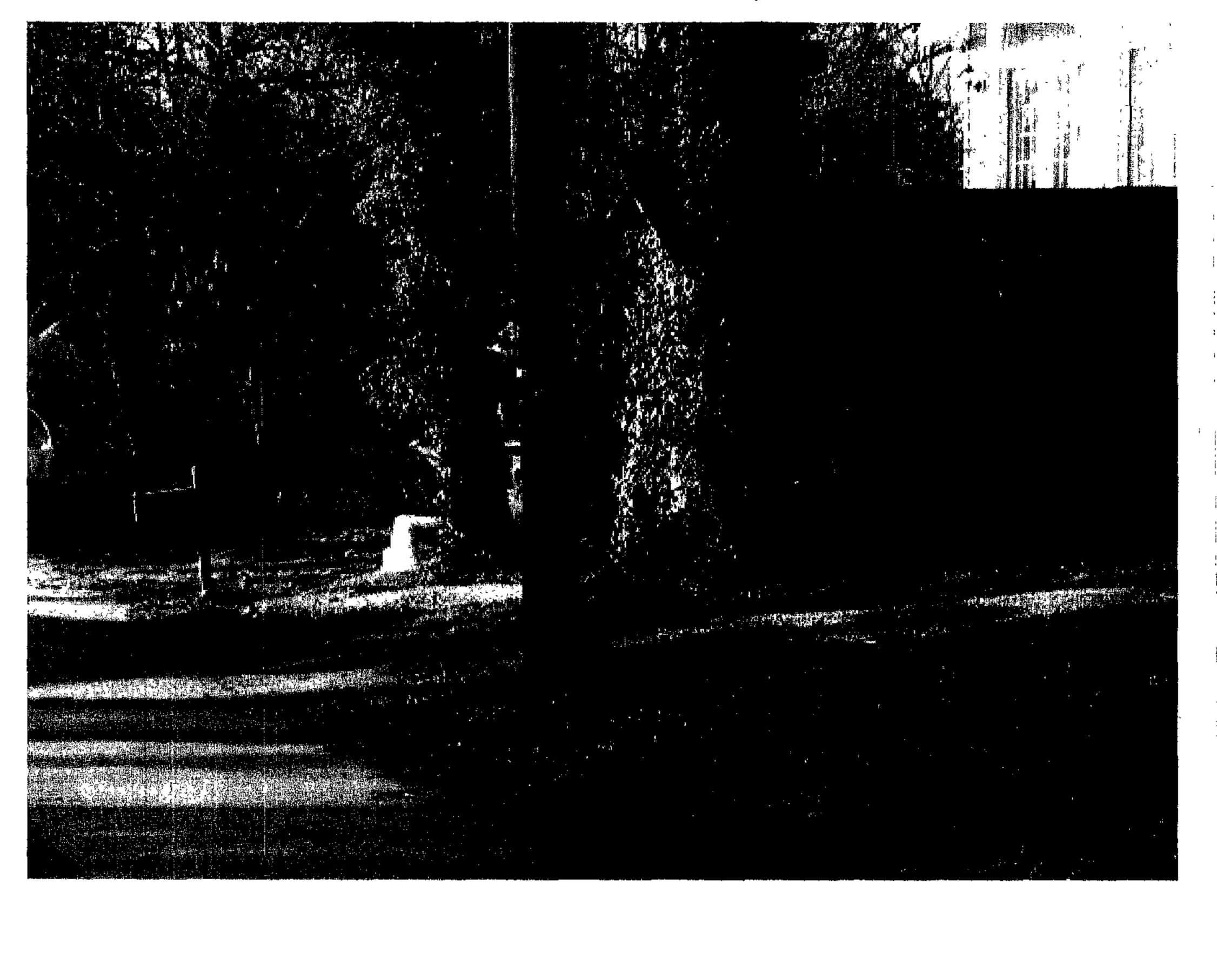


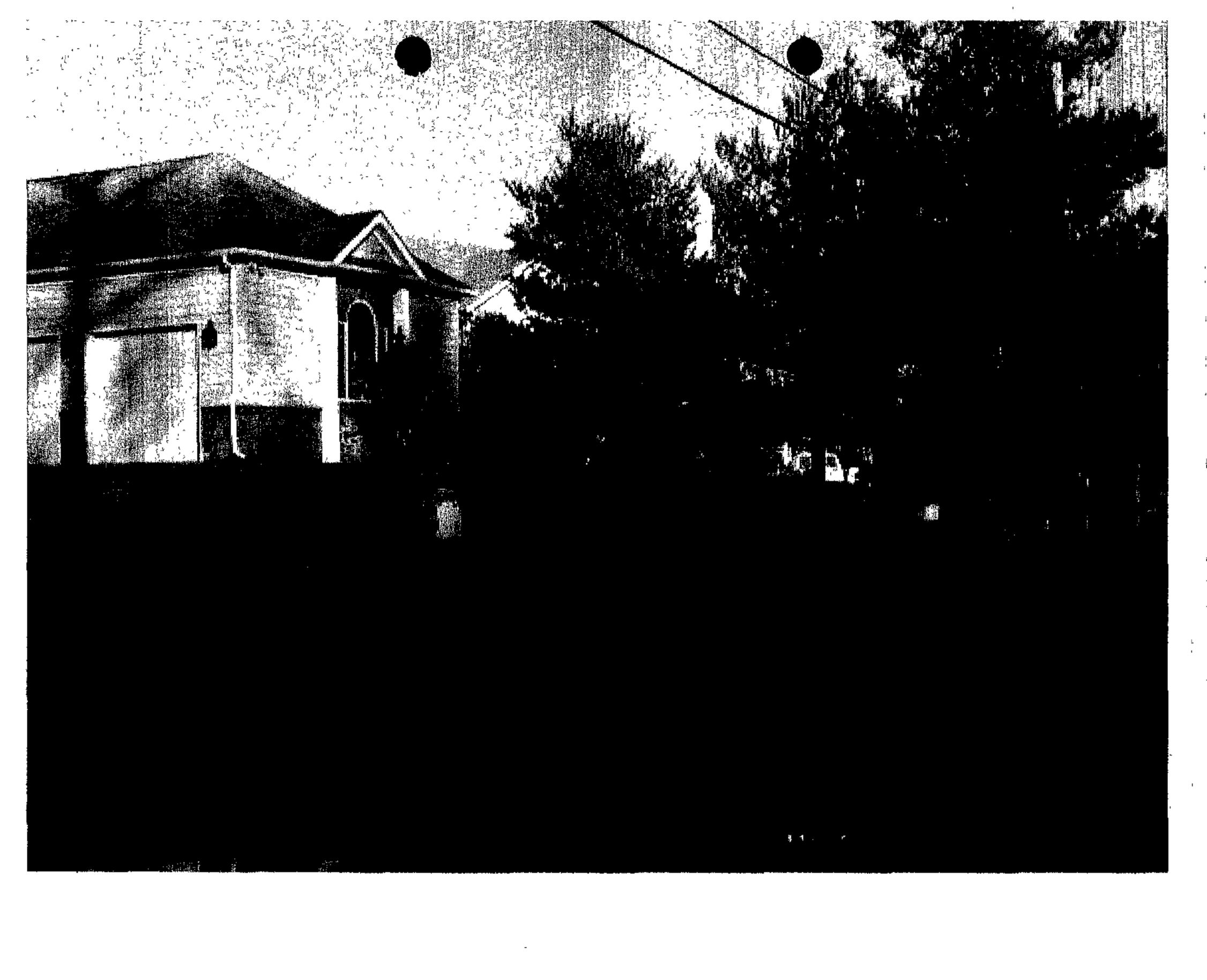
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PLAT TO ACCOMPANY PETITION FOR ZONING XVARIABLE

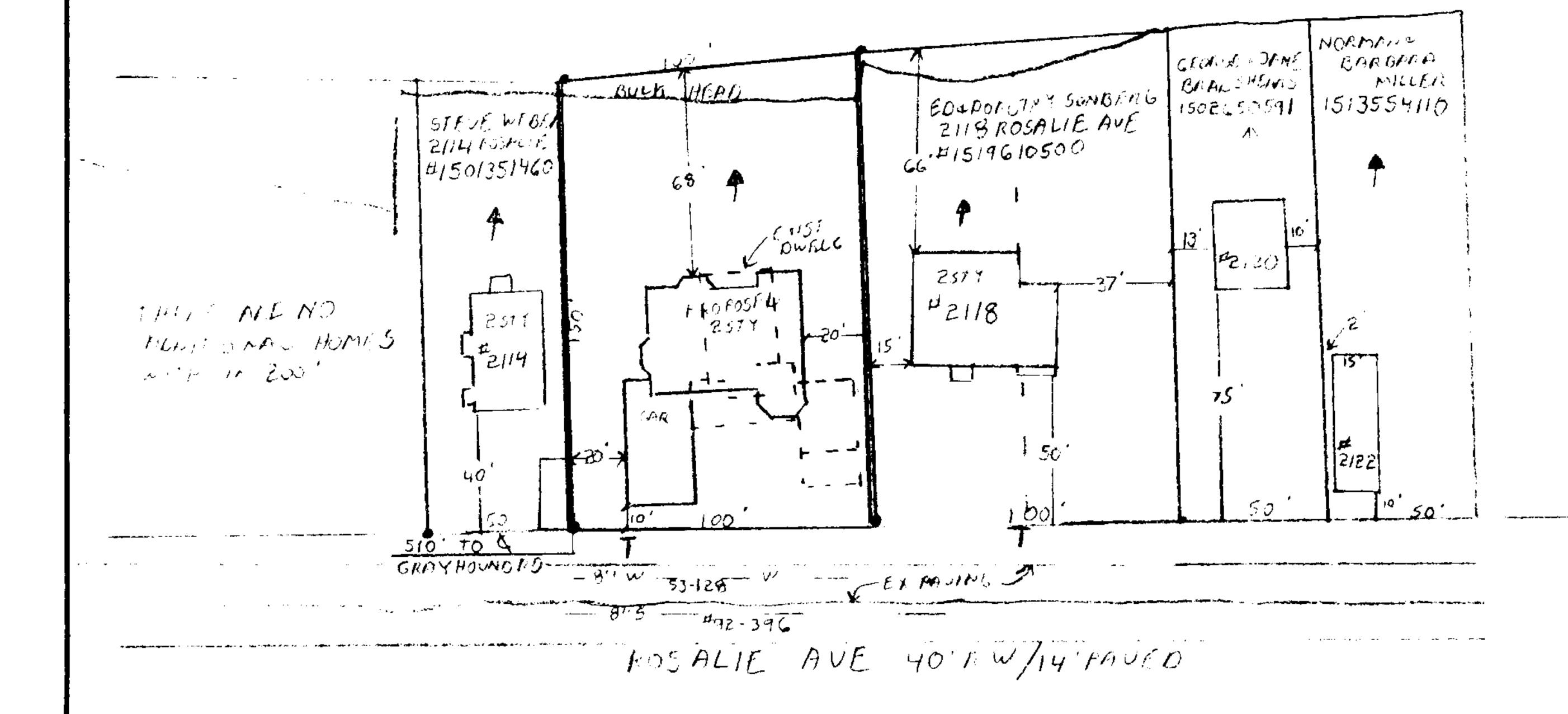
PROPERTY DOLLS ZIIG BOSALIC AVE

SUBDIVISION NAME BOCKHUMY BEACH

PLAT BOOK # 4 FOLO # 171 LOT # 98+99

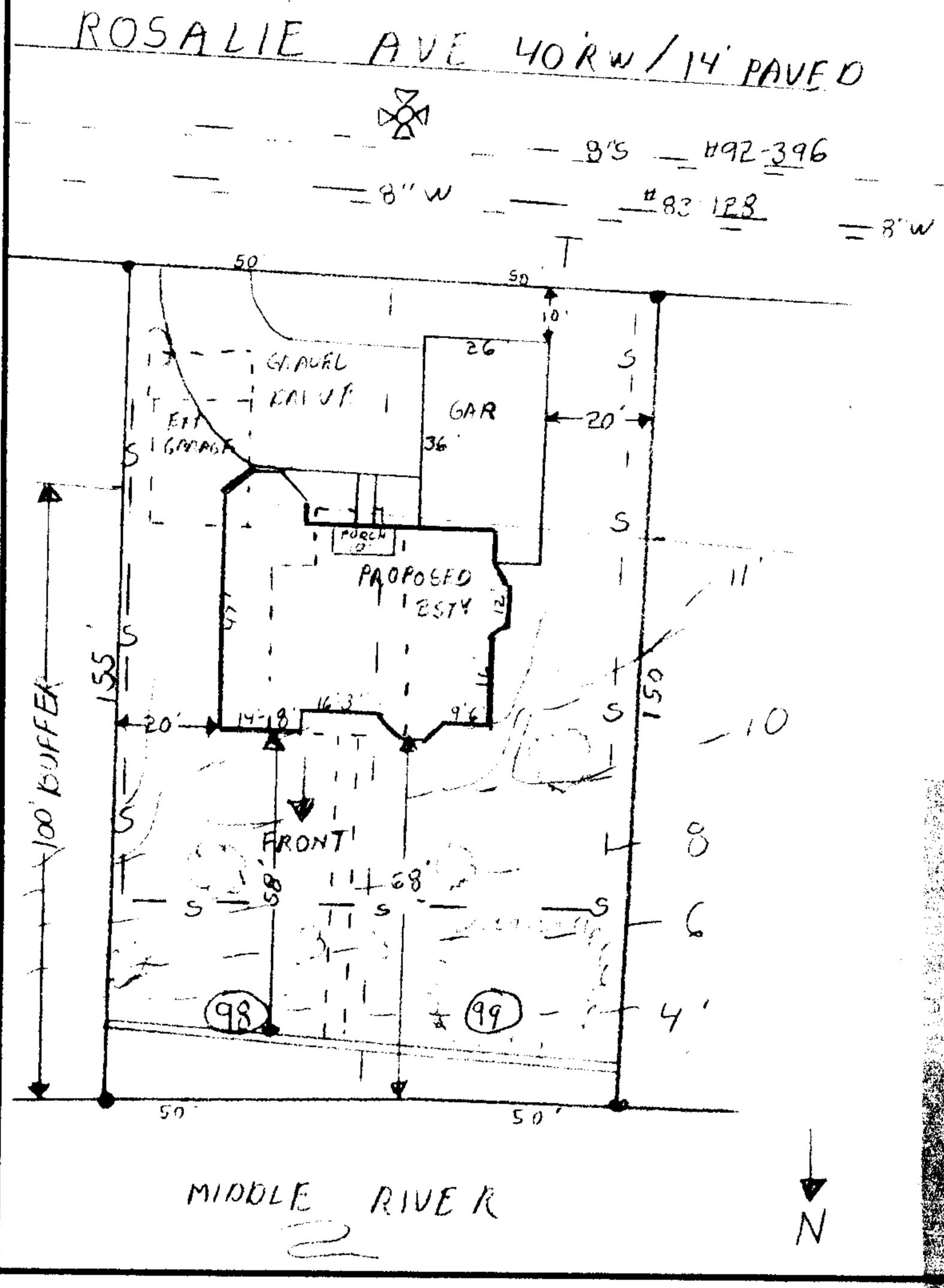
OWNER CHRIS+ DEBBA WOLF

MIDDLE RIVER



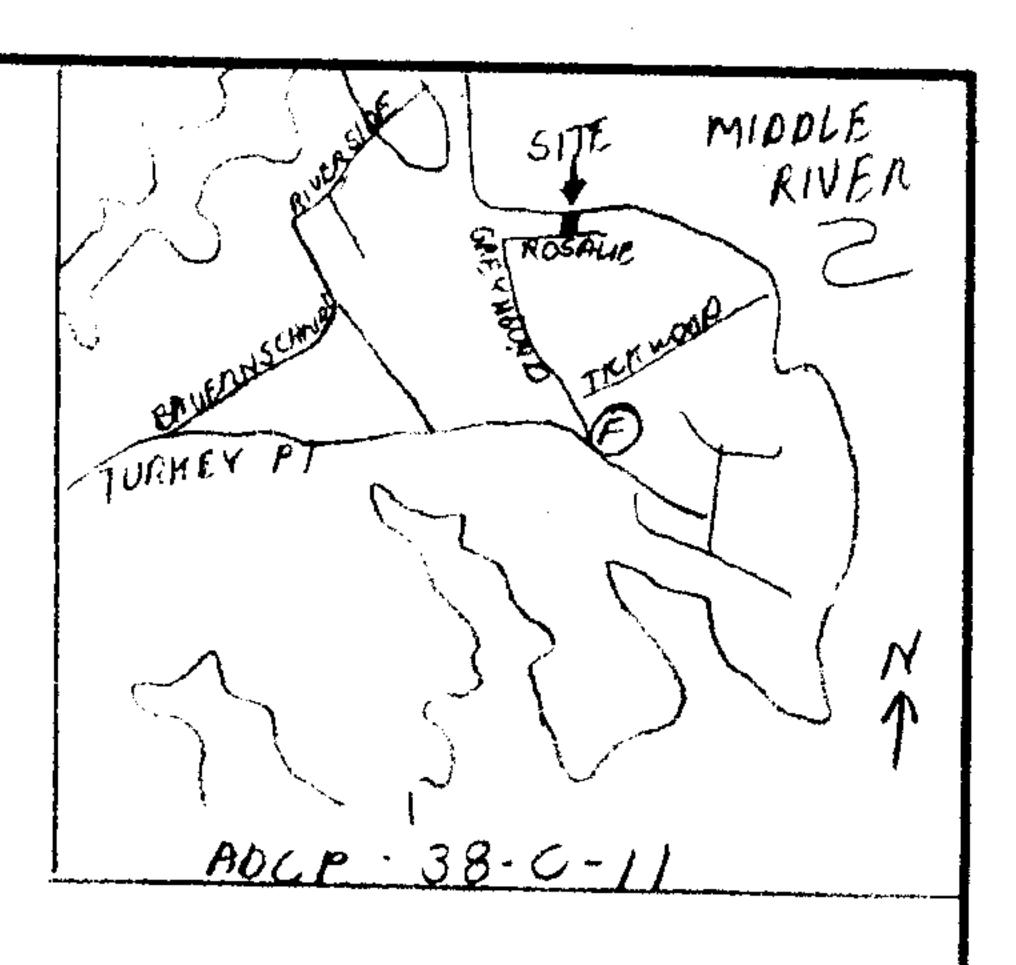
RIVER LOCATION INFORMATION ELECTION DISTRICT 15 COUNCILMANK DISTRICT 6 1 = 20 0 SCALE MAP# NE 1 J 20NING DA 3.5 WT51ZE 34 ACREAGE 15,200 SQUARE PEET PUBLIC PRIVATE SEW6A WATER NO CHESAPEAKE BAY CRITICAL AREA 100 YEAR FLOOD PLAIN HISTORIC PROPERTY! PRIOR ZONING HEARING NO NE ZONING OFFICE USE ONLY 237 05-237-A

1



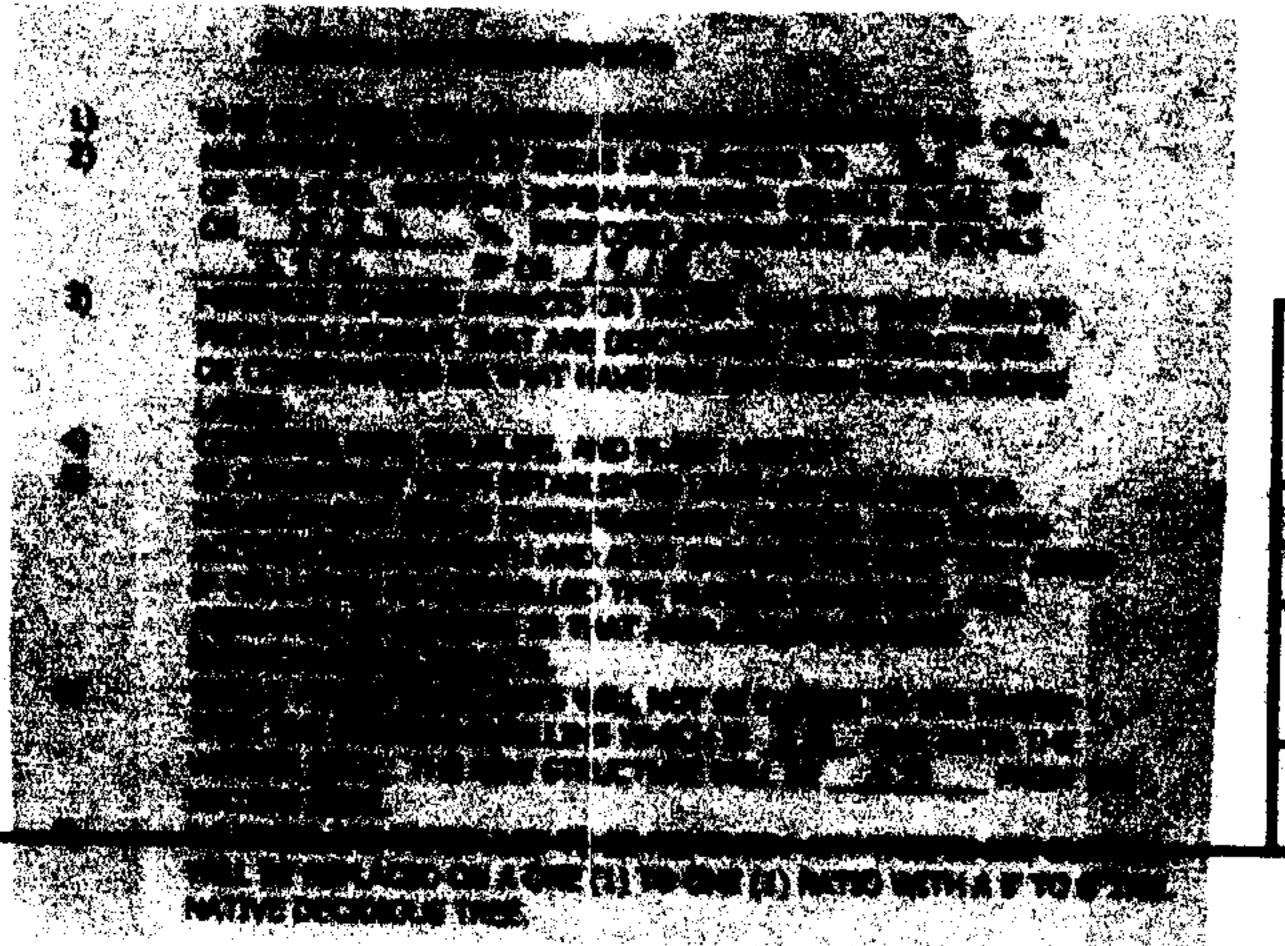
CHRIS * DEBRA WOLF
2116 ROSALIE AVE
BALT MD 21221
TAX I.D. # 1514650050

SUB DIVISION: ROCKAWAY BEACH
SUB. KEF. 4/171
COUNCIL DIST. 6
ELECTION DIST. 15
ZONING DR 3.5
ZONING MAP: NE 15
LOT NO. 98 + 99
LOT SIZE 15,200 SF/340C
VARIANCE NO. 05-237-A
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IMPERVIOU	S /N/	FO
ITEM	EXIST.	PROPOS.
5 F D	107055	1
GARAGE	4325F	9885F
CONCRETE	8135F	30sF
TOTAL	23155F	29165F
PERCENT IMP	15.23%	19.18%
		. ,

TOTAL AREA PROPOSED IN THE BMA 15 1895 SF. TOTAL AREA EXISTING IN THE BMA IS 1374 SF TOTAL INCREASE 15521 SF



WOLFS	5/TE	PLAN
MN 12-16-04	NOVED SY:	BUCH JONES MEVISED
		DRAWING WINDER