IN RE: PETITION FOR SPECIAL HEARING
AND VARIANCE
Northwest side of Northmont Road, 326'
Southwest of c/l of Subert Road
2nd Election District
4th Councilmanic District
(3324 Northmont Road)

Mark E. & Harlene McCowan Davis

Petitioners

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 06-370-SPHA

*

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before this Deputy Zoning Commissioner as a Motion for Reconsideration filed by Lawrence E. Schmidt, Esquire, representing the legal owners of the subject property, Mark E. & Harlene McCowan Davis.

Original Case

The Petitioner originally filed a Special Hearing and Variance for property located at 3324 Northmont Road in the Windsor Mill area of Baltimore County. The Special Hearing request was to grant a use permit for a boarding or rooming house. The Variance request was to permit a proposed boarding house with three (3) parking spaces, having one (1) space in the front with a space width of 8 feet, not located on a drive aisle in lieu of the required seven (7) spaces, located in the side and rear yard with a minimum width of 8.5 feet and variances to the residential transition area requirements, as deemed necessary by the Zoning Commissioner.

The Petitioners' request for Special Hearing to grant a use permit for a boarding or rooming house and associated variances were denied in an Order dated April 5, 2006

Motion For Reconsideration

On May 4, 2006, Counsel has filed a timely Motion for Reconsideration/Clarification of this Deputy Zoning Commissioner's Order. In his Motion for Reconsideration, Counsel indicated that the Petitioner met with several neighbors and reached a compromise regarding this

case as shown in an Agreement, attached to the Motion, that will permit a total of three boarders given some additional screening of prospective tenants.

Letters in opposition to the Motion were received from the Rockdale Community
Association and other neighbors who continue to oppose having three boarders.

Findings of Fact and Conclusions of Law

After reviewing the Motion, attached agreement, letters in opposition, and reviewing the original order and evidence in the file, I am not persuaded to change my Order in this matter. The addition of one more boarder as agreed to by several neighbors seems a small addition to the neighborhood. However I see nothing in the agreement with the neighbors that this Petitioner is willing and able to bring his property up to the level that is needed to guarantee the boarding house will not adversely affect the community. He must invest substantial sums inside and outside the house to operate a boarding house to County Code requirements. Unless a landlord is ready, willing and able to make these investments, the property will be a constant source of contention in the community. The agreement attached to the Order does not address my principal concerns.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore it.

County, this 26 day of May, 2006, that the Petitioners' Motion for Reconsideration B.C.Z.R.) is DENIED.

Any appeal of this decision shall be made within thirty days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz

SHARED\2006\06-370-SPHA ORDER MOTION FOR RECONSID

Defendent A SEL TOTILING

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE
Northwest Side of Northmont Road, 326'
Southwest of c/l of Subet Road
2nd Election District
4th Councilmanic District
(3324 Northmont Road)

Mark E. & Harlene McCowan Davis Petitioners * BEFORE THE

* DEPUTY ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* CASE NO. 06-370-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owners of the subject property, Mark E. and Harlene McCowan Davis. The Petitioners are requesting Special Hearing and Variance relief for property owned at 3324 Northmont Road in the Windsor Mill area of Baltimore County.

The Special Hearing request is filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to grant a use permit for a boarding or rooming house.

The Variance request is filed pursuant to Sections 1B01.1.B, 408B.D, 409.3, 09.4.B, and 409.6 of the B.C.Z.R., to permit a proposed boarding house with three (3) parking spaces, having one (1) space in the front with a space width of 8 feet, not located on a drive aisle in lieu of the required seven (7) spaces, located in the side and rear yard with a minimum width of 8.5 feet and variances to the residential transition area requirements, as deemed necessary by the Zoning Commissioner.

The property was posted with Notice of Hearing on February 23, 2006, 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 February 23, 2006, to notify any interested persons of the March 13, 2006 hearing.

Applicable Law

Section 500.7 of the B.C.Z.R. Special Hearings

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

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."

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 February 21, 2006 recommending denial of the requests, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the requested Special Hearing and Variance relief were Bernadette Moskunas, from Site Rite Surveying, Inc., who prepared the site plan, and Mark Davis, Petitioner. Lawrence Schmidt, Esq. represented the Petitioners.

The following persons attended the hearing in opposition to the request: Reiva Lewie, Darlean Williams, Margaret Brown, Annie Standly, Leonore Chizever, Ray Anderson, Robert Williams, Samuel Jackson, Anita Huster, Louise Lawson, Shelton Winston, Thomas Brown, Almira Deknani, and Terri Winston.

In addition David Green, from the Office of Planning attended the hearing on behalf of the Office of Planning in opposition to the requests. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

The property contains 0.166 acres, is improved by a single family dwelling and zoned DR 5.5. Mr. Schmidt proffered that the Petitioner has lived in the subject property since his parents bought the property in 1958. Both of his parents have died and for the past seven years he and his sister have owned the property. Approximately six years ago he began to take in boarders to supplement his income and help with the expenses of the property. Apparently there were six boarders living in the home in addition to the Petitioner at one time. He indicated that the Petitioner was not aware of the zoning regulations that having more than two boarders requires a use permit. Several months ago a neighbor filed a complaint with the County which resulted in an order being issued by the Department of Permits and Development Management. Thereafter the Petitioner evicted all but two of his tenants so as to comply with the regulations. Mr.

Schmidt opined that the Petitioner is allowed two non related persons without a permit under the regulations.

The Petitioner indicated that he converted the living room, dining room and basement into bedrooms so that there are now 7 bedrooms of which he occupies one. He has a bath associated with his room. The tenants would share two full and one half bath along with the kitchen and laundry room. The home is a single family dwelling which has a side driveway and which can park up to three cars if stacked one on one as shown in Petitioner's exhibit 1.

Mr. Schmidt indicated that the regulations require seven spaces to accommodate the Petitioner (2 spaces) and his five proposed tenants as indicated on Petitioner's exhibit 1. However at the hearing the Petitioner indicated that he would accept having four tenants. This would require 2 spaces for the Petitioner and 4 spaces for the tenants for a total of 6 spaces. Mr. Schmidt indicated that although there are only three spaces on site, there is ample room on Northmont Road to park the additional three cars across the front of the property. He noted that the Petitioner includes a provision in the month to month leases that tenants are not to park across Northmont Road which apparently triggered the complaint to DPDM. Also see Petitioner's 4 E, a photograph of Northmont Road in the front of the Petitioner's home showing the proposed area in front of his home for parking.

Request for variance arise because the regulations require parking for boarding houses on the side or rear of the property whereas parking space no. 3 on exhibit 1 is located in the front yard of the house. Mr. Schmidt pointed out that it would not be in keeping with the neighborhood to pave over the rear yard to provide the required spaces in the rear. In addition the property slopes steeply to the rear as shown in Petitioner's exhibit 4 F which would make

such a paved area difficult. Finally there is an existing shed in the rear yard which the Petitioner would like to retain which would also interfere with parking in the rear.

Mr. Schmidt opined that although the Petition requests a variance from the provisions of the Residential Transition Area of Section 1B01B of the BCZR, that such a variance was not necessary as the RTA regulations did not apply in this case. He noted that the regulation protect against dissimilar housing type and not dissimilar uses. This is an allowed use in a single family dwelling. All the adjoining homes are single family dwellings. There is no dissimilar type of housing.

On questioning the Petitioner indicated that there were now three bedrooms on the top floor, three on the first floor and one in the basement all of which he has leased at one time or another. He uses one bedroom on the top floor and an adjacent bathroom. The tenants share a full bath, a half bath, kitchen and laundry room.

The protestants, who are nearby property owners, raised concerns about the kind of tenants to whom the Petitioner had rented rooms recalling incidents when police came to the subject property, and recent incidents and burglaries in the neighborhood. They described their neighborhood as single family homeowner occupied with rising property values. They worried that legalizing a boarding house in the neighborhood would bring down property values, would set a precedent for other such uses and would cause traffic congestion as tenants park on narrow Northmont Road. See letters in opposition from the Petitioner's neighbor Ms. Cooper, protestants' exhibit 1, and community association protestants exhibit 3 as well as neighborhood petitions, protestants exhibit 2. In addition they doubted that the Petitioner's was adequately screening his tenants, or that the income from the tenants had been put into the property. See photographs protestants' exhibits 4 A and 4 B. They noted that in order to accommodate larger

numbers of tenants, the Petitioner converted the living room and dining room into bedrooms and in doing so, boarded up the large front window, which is an architectural feature of these homes. Compare protestant's photographs 4 D, 4 E and 4 G of the subject property with the neighbors homes exhibit 4 C and 4 F. They objected to the higher density which would result from approving the property for a boarding house and having the property sold to someone in the future for a boarding house who might not even live there. Finally they objected to what they see as a commercial use in their residential community.

David Green, area planner with the Office of Planning testified that the Planning Office opposed the requests noting that this property lies within a community conservation district and citing the Master Plan conflicts with this use. He opined the RTA does apply to this situation as the property will be used for commercial enterprise in a residential community and the residents will not eat communally together. He noted that neighborhoods show signs of stress when investment properties such as proposed begin to appear, and high density housing takes over. He opined that this use will disrupt the fabric of the neighborhood.

In response Mr. Schmidt indicated that his client agreed to have the use permit tied to the Petitioner's living and owning the property, denied that approval would set a precedent, noted the Master Plan is advisory only, denied this was a commercial use and pointed out that property values were not being affected due to this boarding house.

Findings of Fact and Conclusions of Law

The evidence presented indicates that the Petitioner's home in which he proposes to operate a boarding house is a typical suburban split level home very similar in design to many other split level homes in the neighborhood. The Petitioner's family was one of the first to purchase one of these tract homes built in the 1950's. The Petitioner is single and after his

parents died, he began to rent a few rooms to supplement his income. He and the tenants shared the existing three bedrooms, kitchen and laundry facilities. There were no complaints or County zoning violation orders.

Apparently this small, likely legal, use grew to problem proportions with as many a six tenants and the Petitioner living on premises. To accommodate more tenants, the Petitioner converted his living room/dining rooms into three bedrooms on the first floor and his basement into an additional bedroom. To convert the living room into a bedroom, he replace the large front window with siding and a small window and added a new window to the side of the home. This significantly changed the external look of the house compared to others in the neighborhood. He and six tenants shared the same two and one half bathrooms, kitchen and laundry room. I find that quite amazing. I can not imagine what it would be like to have that many people trying to get out to work in the morning.

On the day of the hearing the Petitioner reduced his request to four tenants. As Mr. Schmidt points out, many modern families have five adult persons living in a single family home with five vehicles parked on site and on the street.

Section 408 of the BCZR requires that a boarding house meet certain internal standards described by the County Livability Code. As one example of the requirements of the Livability Code, I understand that this would mean the Petitioner would have to redesign the existing bathrooms significantly to continue the use permit.

In addition the regulations require the parking for six vehicles be provided (2 for the owner and one each for the tenants) in the side or rear only. Initially I thought that the photographs and testimony indicated that the rear yard sloped away making parking in the rear very difficult. However on further review of Petitioner's exhibit 4 A, I see that the homes behind

the subject property actually are elevated above the Petitioner's rear yard. Frankly I now see no physical reason tenant's cars could not be parked in the rear. I can imagine the Fire Department will want substantial changes to the house for the safety of all concerned. He would have to keeps extensive records subject to review by three separate County Departments. He must provide Class A landscaping. The requirements for a boarding house go on and on.

It is clear to me the Petitioner is not ready or perhaps able to invest the substantial sums needed inside and outside the house to operate a boarding house to County Code requirements. I find this will directly and adversely impact the tenants and the community. Unless a landlord is ready willing and able to make these investments, the property will be a constant source of contention in the community.

In addition I find that the character of the surrounding community is not compatible with the proposed boarding house. This community is a typical suburban residential community of split level homes on 1/6 acre lots not the classic large older home on a large lot that often is successfully converted to boarding house use. There is only 28 feet between the Petitioner's house and the house next door. There is no room for the required landscaping on the north side of the house because the driveway occupies much of the side yard. There is a drainage and utility easement on the south side of the house preventing use by the Petitioner from building on this side. The Petitioner's lot has only 65 feet of frontage on Northmount Road. The house and lot are simply too small for the proposed use.

<u>Variances</u>

As mentioned above I see no reason the Petitioner can not meet the regulations for parking by parking in the side and rear yards. I find no hardship or practical difficulty. I would approve part of the request for a space width of 8 feet, not located on a drive aisle in lieu of the

Order
Order

required minimum width of 8.5 feet. Given the finding below regarding the special hearing there is no need to review the request for variances to the residential transition area requirements.

Special Hearing

For the reasons above, I will deny the Petitioner's request to approve the use of his home as a boarding house.

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' special hearing and variance requests should be denied.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this ______ day of April, 2006, that the Petitioners' request for Special Hearing relief filed pursuant to 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to grant a use permit for a boarding or rooming house, be and are hereby DENIED.

THEREFORE, IT IS ORDERED that the Variance request is filed pursuant to Sections 1B01.1.B, 408B.D, 409.3, 409.4 and 409.6 of the B.C.Z.R., to permit a proposed boarding house with three (3) parking spaces, having one (1) space in the front with a space width of 8 feet, not located on a drive aisle in lieu of the required seven (7) spaces, located in the side and rear yard with a minimum width of 8.5 feet and variances to the residential transition area requirements, as deemed necessary by the Zoning Commissioner, be and is hereby DENIED.

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

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:dlw



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III Zoning Commissioner

April 4, 2006

Lawrence E. Schmidt, Esquire Gildea & Schmidt, LLC 300 E. Lombard Street, Ste. 1440 Baltimore, MD 21202-3228

> Re: Petition for Special Hearing and Variance Case No. 06-370-SPHA Property: 3324 Northmont Road

Dear Mr. Schmidt:

Enclosed please find the decision rendered in the above-captioned case.

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:dlw Enclosure

c: Mark E. Davis and Harlene Davis McGowan, 3324 Northmont Road,

Baltimore, MD 21244

Bernadette L. Moskunas, Site Rite Surveying, Inc., 200 E. Joppa Road, Room 101,

Towson, MD 21286

Reva Lewie, 7905 Audubon Court, Baltimore, MD 21244

Darlean C. Williams, 3316 Lynne Haven Drive, Baltimore, MD 21244

Margaret and Thomas Brown, 3329 Northmont Road, Baltimore, MD 21244

Annie Standley, 3325 Northmont Road, Baltimore, MD 21244

Leonore Chizever, 3328 Northmont Road, Baltimore, MD 21244

Paul Anderson, 3315 Northmont Road, Baltimore, MD 21244

Robert Lee Williams, Jr., 3314 Lynne Haven Drive, Baltimore', MD 21244

Samuel Jackson, 3330 Northmont Road, Baltimore, MD 21244

Anita T. Hunter, 3332 Northmont Road, Baltimore, MD 21244

Louise Lawson, 7902 Audubon Court, Baltimore, MD 21244

Shelton and Terri Winston, 3322 Northmont Road, Baltimore, MD 21244

Almira Debnami, 3327 Northmont Road, Baltimore, MD 21244

bc: People's Counsel; Case File bc: The Honorable Councilman Kenneth N. Oliver



20 916198

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

I/We do solemnly declare and affirm, under the penalties of

| for the property located at | 3324 | Northmont Poad |
|-----------------------------|-----------|----------------|
| | presently | |

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve quart a use permit for

a boarding or rooming house.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, 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 the legal owner(s) of the property which is the subject of this Petition. |
|----------------------------|--|
| Contract Purchaser/Lessee: | Legal Owner(s): |
| | Mark E. Danz |
| Name - Type or Print | Name - Type or Print () au |
| Signature | Signature Mc Gaway Davis |
| Address Telephone No | Name - Type or Print |
| City State Zip Code | |
| Attorney For Petitioner: | 3324 North wort Road 3697 |
| | Address Telephone No. 21244 |
| Name - Type or Print | City State Zip Code |
| Signature | Representative to be Contacted: |
| | Site lite Surreman Mr. 1100 |
| Company | 200 E. Joseph Road Run(0) 9060 |
| Address Telephone No. | Address Telephone No. |
| City State Zip Code | City: NO NO Zip Code |
| | |
| | OFFICE USE ONLY |
| Case No. 06-370-SPWA | ESTIMATED LENGTH OF HEARING |
| # Case No. 06-370-SPWA | UNAVAILABLE FOR HEARING |
| 20 9/16/98 | Reviewed By LTM Date 1/31/06 |
| 2 20 9 16 198 | |



Petition for Variance

to the Zoning Commissioner of Baltimore County

| for the property located at | #3324 | Northmont | Road | <u></u> |
|-----------------------------|-----------|-----------|-------|---------|
| which is | presently | y zonedD | .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) | BOI. 1. B., 408 B. D, 409. 3
409.4. B. / 409.6 (BCZR)

TO PERMIT A PROPOSED BOARDING HOUSE WITH 3 PARKING SPACES, HAVING I SPACE TO PERMIT A PROPOSED BOARDING HOUSE WITH 3 PARKING ON A DRIVE AISLE IN LIEU IN THE FRONT WITH A SPACE WIDTH OF B' HOT LOCATED ON A DRIVE AISLE IN LIEU OF THE REQUIRED TO SPACES, LOCATED IN THE SIDE AND REAR YARD WITH A MINITURE WIDTH OF 8.5 AND VARIANCES TO THE RESIDENTIAL TRANSITION AREA REQUIREMENT, of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

AS DEEMED NECESSARY

see attached

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.

Legal Owner(s):

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.

BY THE ZOHING COMMISSIONER

Contract Purchaser/Lessee:

| | | | | Mark E. Dav | is | | |
|----------------------|---------------|--|--------|-------------------|---------------|---------|---------------|
| Name - Type or Print | | ······································ | Name - | Type or Print | A FDa | 1 | |
| Signature | | <u> </u> | v | Signature & Www | | Nah | Dans |
| Address | | Telephone No. | | Name - Type or Pr | | McGo | rur |
| City | State | Zip Code | • | Signature | | | |
| Attorney For Petiti | oner. | | | 3324 North | mont Road | | 410-655-369 |
| Attorney i or i cut. | Orier. | | | Address | * | | Telephone No. |
| | 1 | | | Baltimore, | MD 21244 | | |
| Name - Type or Print | <u> </u> | | City | | State | <u></u> | Zip Code |
| Signature | (* | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | • | | tive to be Co | | |
| Gompany o | . <u> </u> | | • | Name | Surveying, | .H | - <u></u> |
| Gompany | | | | 200 E. Jop | pa Road, Ro | om 101 | 410-828-9060 |
| Address | <u></u> | Telephone No. | • | Address | <u></u> | | Telephone No. |
| | | | | Towson, MD | 21286 | | |
| City | State | Zip Code | • | City | <u></u> | State | Zip Code |
| | 770 COILA | | | ESTIMATED LEN | OFFICE USE OF | | - |
| Case No. 06 | 210-21-141 | Reviewed | By(| UNAVAILABLE FO | Date 13 | 106 | |

REASONS FOR VARIANCE REQUEST #3324 NORTHMONT ROAD

- 1. THIS PROPERTY HAS BEEN UNDER THE SAME OWNERSHIP SINCE 1958, UNTIL GRANTED TO PRESENT OWNERS IN 1999 AS PART OF A LAST WILL AND TESTAMENT OF AN ESTATE. THE LOT IS PART OF A RECORDED PLAT DATED 1956.
- 2. THERE IS NO CONTIGUOUS OWNERSHIP IN ORDER TO MEET THE CURRENT B.C.Z.R. WITH REGARDS TO THE VARIANCE REQUESTED. THE HOUSE HAS SIX BEDROOMS THAT ARE MORE THAN ENOUGH FOR THE OWNER. THE OWNER REQUESTS TO MAKE USE OF THE EXISTING DWELLING AS A ROOMING HOUSE.
- 3. THE OWNER AGREES TO ABIDE BY A STRICT SCREENING OF TENANTS IN ORDER NOT TO JEOPARDIZE THE HEALTH, SAFETY AND GENERAL WELFARE OF THE SURROUNDING NEIGHBORHOOD.

#370

ZONING DESCRIPTION #3324 NORTHMONT ROAD

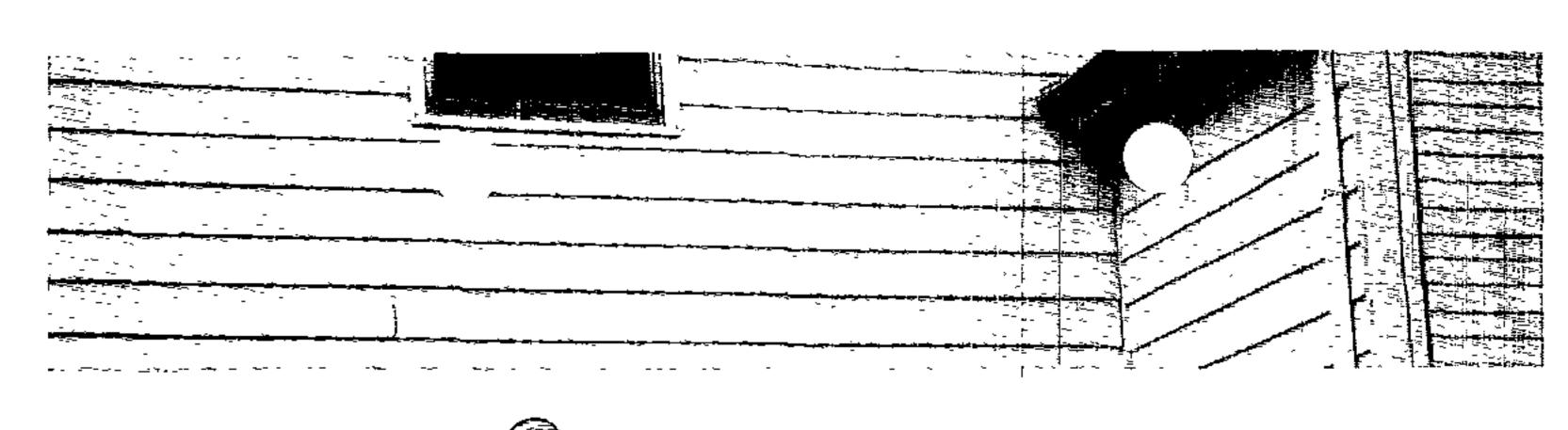
BEGINNING at a point on the northwest side of Northmont Road which is 50 feet wide at the distance of 326 feet southwest of the centerline of Subet Road which is 50 feet wide. Being Lot #17, Section #4 in the subdivision of "Lynne Acres" as recorded in Baltimore County Plat Book #22, folio #149, containing 0.166 of an acre, more or less. Also know as #3324 Northmont Road and located in the 2nd Election District, 4th Councilmanic District.



Michael V. Moskunas Reg. No. 21175

Site Rite Surveying, Inc. 200 E. Joppa Road Suite 101 Towson MD 21286 (410) 828-9060

#370





| BUDGET & FINANCE ANEOUS RECEIPT | ACCOUNT ACCOUNT | AMOUNT TO THE | | |
|---------------------------------|--|---|----------|--|
| Ś | in the second se | RECEIVED FROM: | 5 | |

CERTIFICATE OF POSTING

Baltimore County Department of

| Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204 | |
|---|---|
| Attention: Christen Matthews | |
| Ladies and Gentlemen: This letter is to certify under the pena | alties of perjury that the necessary sign(s) |
| required by law were posted conspicuously on the property lo | |
| | OCC (Month, Day, Year) |
| | Sincerely, Sincerely, Carland Parl (Signature of Sign Poster and Date) |
| | CARLAGE F. MOORES (Printed Name) |
| | 3225 RYERSON CIRCLE (Address) |
| | BALTIMORE, MD, 21227 (City, State, Zip Code) (410) 242-4263 |
| | (Telephone Number) |

RE: Case No.: 06-370-SPIA

Petitioner/Developer: MARK DAVIS

Date of Hearing/Closing: MAR. 13, 7006

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.

| Item Number or Case Number: 06-370.5PMA | | |
|---|---------------------------------------|--|
| Petitioner: Mav- Davis | · · · · · · · · · · · · · · · · · · · | |
| Address or Location: 3324 NOMMONT ROAD | | ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~ |
| PLEASE FORWARD ADVERTISING BILL TO: Name: MAW- E. DAWS | | ļ |
| Address: 3324 North mont Road Baltimore, MD 21244 | <u> </u> | |
| Telephone Number: 410 655- 3697 | | |

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

February 17, 2006

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: 06-370-SPHA

3324 Northmont Road

Northwest side of Northmont Road, 326 feet southwest centerline of Subet Road

2nd Election District—4th Councilmanic District

Legal Owners: Mark E. Davis & Harlene McGowan Davis

Special Hearing to grant a use permit for a boarding or rooming house.

Variance to permit a proposed board house with 3 parking spaces, having one space in the front with a space width of 8 feet, not located on a drive aisle in lieu of the required seven spaces, located in the side and rear yard with a minimum width of 8.5 feet and variances to the residential transition area requirements.

Hearing: Monday, March 13, 2006 @ 9:00 a.m., Room 407, County Courts Building, 401 Bosley Avenue,

Towson 21204.

Timothy Kotroco

Director

TK: raj

C: Mark E. Davis & Harlene McGowan Davis, 3324 Northmont Rd., Baltimore, MD 21244 Site Rite Surveying, Inc., 200 E. Joppa Road, Room 101, Towson, MD 21286

NOTES: (1) THE PETITIONERS MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY FEBRUARY 25, 2006.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Thursday, February 23, 2006 Issue - Jeffersonian

Please forward billing to:

Mark E. Davis

(410-655-3697)

3324 Northmont Road Baltimore, MD 21244

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: 06-370-SPHA

3324 Northmont Road

Northwest side of Northmont Road, 326 feet southwest centerline of Subet Road

2nd Election District—4th Councilmanic District

Legal Owners: Mark E. Davis & Harlene McGowan Davis

Special Hearing to grant a use permit for a boarding or rooming house.

Variance to permit a proposed board house with 3 parking spaces, having one space in the front with a space width of 8 feet, not located on a drive aisle in lieu of the required seven spaces, located in the side and rear yard with a minimum width of 8.5 feet and variances to the residential transition area requirements.

Hearing: Monday, March 13, 2006 @ 9:00 a.m., Room 407, County Courts Building, 401 Bosley Avenue, Fowson 21204.

WILLIAM J. WISEMAN, III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.

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

TO: PATUXENT PUBLISHING COMPANY

Thursday, February 18, 2006 Issue - Jeffersonian

Please forward billing to:

Mark E. Davis

(410-655-3697)

3324 Northmont Road Baltimore, MD 21244

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: Monday, March €, 2006 @ 14:00 a.m., Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.

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

FAX COVER SHEET

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TO: PATUXENT PUBLISHING COMPANY

Thursday, February 23, 2006 Issue - Jeffersonian

Please forward billing to:

Mark E. Davis

(410-655-3697)

3324 Northmont Road Baltimore, MD 21244

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Hearing: Monday, March 13, 2006 @ 9:00 a.m., Room 407, County Courts Building, 401 Bosley Avenue, **y**owson 21204.

WILLIAM J. WISEMAN, III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S

OFFICE AT 410-887-3868.

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

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

March 6, 2006

Mark E. Davis Harlene McGowan Davis 3324 Northmont Road Baltimore. MD 21244

Dear Mr. and Mrs. Davis:

RE: Case Number: 06-370-SPHA, 3324 Northmont Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 31, 2006.

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. Callabal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel Site Rite Surveying, Inc. 200 E. Joppa Road, Rm 101 Towson 21286



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

Jh~ 3/13

DATE: February 21, 2006

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:

3324 Northmont Road

INFORMATION:

Item Number:

6-370

Petitioner:

Mark E. Davis

Zoning:

DR 5.5

Requested Action:

Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and offers the following: The site is located in a Community Conservation Area. The proposed use is not consistent with the character of this residential community. The Office of Planning recommends that the petitioner's requests to allow a rooming and boarding home be <u>denied</u>.

For further information concerning the matters stated here in, please contact Dave Green at 410-887-3480.

Prepared by:

Division Chief:

AFK/LL: CM



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 2.10.71

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

RE: Balti

Baltimore County

Item No. 370

LTM

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

1. 1 Gredh

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: February 21, 2006

Department of Permits & Development Management

DIM

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 20, 2006

Item Nos. 356, 364, 366, 367, 369, 370,

371, and 374

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-02212006.doc



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

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

February 24,2006

ATTENTION: Zoning Review planners

Distribution Meeting of: February 13, 2006

Item No.: Item Numbers 356,364,366 through 374

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.

LT. Roland P. Bosley Jr. Fire Marshal's Office PHONE 887-4881 MS-1102F

cc: File

RE: PETITION FOR SPECIAL HEARING

AND VARIANCE

3324 Northmont Road; NW/S Northmont Rd, *

326' SW c/line Subet Rd

2nd Election & 4th Councilmanic Districts

Legal Owner(s): Mark & Harlene Davis

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

6 06-370-SPHA

* * * * * * * * *

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 10th day of February, 2006, a copy of the foregoing Entry of Appearance was mailed Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

FEB 1 0 2006

Per. M.

PETER MAX'ZIMMERMAN

People's Counsel for Baltimore County



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

MEMO TO THE FILE

Date: August 24, 2006

From: John V. Murphy

Deputy Zoning Commissioner

for Baltimore County

Re: Case No. 06-370-SPHA

After receiving Mr. Schmidt's July 17, 2006 letter regarding the status of Motion for Reconsideration, I spoke to him to let him know that the Order on Motion to Reconsider denying the Motion was issued May 26, 2006. A copy of the Order was faxed to his office on July 21, 2006. Mr. Schmidt indicated he never received the Order and expressed concern regarding his client's right to appeal the decision.

After investigation, I concluded that our office likely failed to send him a copy of the Order, but that this Commission recognizes a case may be reopened for reasons of fraud, mistake or irregularity as Circuit Court Rule 2-535 provides. I offered to reopen the file under the circumstances.

On August 24, 2006, Mr. Schmidt indicated that he spoke to his client who decided not to appeal the decision in this case.

GILDEA & SCHMIDT, LLC

300 EAST LOMBARD STREET

SUITE 1440

BALTIMORE, MARYLAND 21202

TELEPHONE 410-234-0070
FACSIMILE 410-234-0072
www.gildeallc.com

TOWSON, MD OFFICE 220 BOSLEY AVENUE TOWSON, MARYLAND 21204 TELEPHONE 410-397-7057

SEBASTIAN A. CROSS SCROSS@GILDEALLC.COM

LSCHMIDT@GILDEALLC.COM

LAWRENCE E. SCHMIDT

DAVID K. GILDEA

JOSEPH R. WOOLMAN, III JWOOLMAN@GILDEALLC.COM

DAVIDGILDEA@GIJDEALLC.COM

D. DUSKY HOLMAN DHOLMAN@GILDEALLC.COM

JASON T. VETTORI JVETTORI@GILDBALLC.COM

Via Hand Delivery
Honorable John V. Murphy
Deputy Zoning Commissioner
Baltimore County
401 Bosley Ave, 4th Floor
Towson MD 21204

May 4, 2006

5/4/06

Re:

Davis/3324 Northmont Road

Case No.: 06-370-SPHA

Dear Mr. Murphy:

I received this morning the enclosed handwritten Agreement regarding the above referenced matter. Apparently, following the issuance of your decision, Mr. Davis met with several of his neighbors to discuss whether a compromise could be reached regarding his requested boarding house and the issues identified at the public hearing regarding this case. Those discussions have resulted in the Agreement, which will permit a total of three boarders under the terms contained therein. Under these circumstances, and in view of the imminent expiration of the 30 day appeal/reconsideration deadline, kindly accept this letter as a Motion for Reconsideration, pursuant to Rule K of the Rules of Practice and Procedure before the Zoning Commissioner of Baltimore County.

Additionally, since individuals other than those who signed the Agreement appeared at the hearing, I am forwarding a copy of this letter and Agreement to each for their review and comment. I would request that they contact me and/or you within the next 15 days to advise if this Agreement likewise addresses their concerns as expressed at the hearing.

Thank you for your attention to this matter.

Very truly yours,

Juna En

Lawrence E. Schmidt

Jack V. Murphy May 4, 2006 Page 2

LES: sf

CC: Mark E. Davis

Reva Lewie

Darlean C. Williams

Margaret and Thomas Brown

Annie Standley

Leonore Chizever

Paul Anderson

Robert Lee Williams, Jr.

Samuel Jackson

Anita T. Hunter

Louise Lawson

Shelton and Terri Winston

Almira Debnami

GILDEA & SCHMIDT, LLC

DAVID K. GILDEA DAVIDGILDEA@GILDHALLO.COM

300 EAST LOMBARD STREET

SUITE 1440

220 BOSLEY AVENUE TOWSON, MARYLAND 21204 TELEPHONE 410-337-7057

TOWSON, MD OFFICE

LAWRENCE E. SCHMIDT

LISCHMIDT ØGILDEALLO.COM BALTIMORE, MARYLAND 21202

TELEPHONE 410-234-0070 FACSIMILE 410-234-0072

FACSIMILE 410-234-0072
www.gildeallc.com

SEBASTIAN A. CROSS SCROSSØGILDEALL.C.COM

JOSEPH R. WOOLMAN, III JWOOLMAN@GILDEALLC.COM

D. DUSKY HOLMAN DHOLMAN@GILDEALLC.COM

JASON T. VETTORI JVETTORIØGILDEALLC.COM

John V. Murphy Deputy Zoning Commissioner Baltimore County 401 Bosley Ave, 4th Floor Towson MD 21204 July 17, 2006

JUL 1 9 2005

Davis/3324 Northmont Road Case #06-370SPHA

Dear Mr. Murphy:

Re:

As you may recall, I filed a Motion for Reconsideration in the above matter on May 4, 2006. That motion was contained within written correspondence from my office of that date. I am aware that certain neighbors to the subject property have submitted a written response, however, to date I have not received any ruling from you. Kindly advise when a ruling may be expected or if an additional hearing is appropriate.

Thank you for your consideration of the matter.

Very truly yours,

Lawrence E. Schmidt

LES: jls

cc: Mark E. Davis

Reva Lewie

Darlean C. Williams

Margaret and Thomas Brown

Annie Standley Leonore Chizever Paul Anderson

Robert Lee Williams, Jr.

Samuel Jackson Anita T. Hunter Louise Lawson

Shelton and Terri Winston

Almira Debnami



April 7, 2006

John Murphy, Deputy Zoning Commissioner County courts Building 401 Bosley Avenue Towson, MD 21204

Dear Mr. Murphy,

I am writing as a responder to a zone hearing for case #06-370-SPHA. A hearing was held March 13, 2006. I was not at this hearing, but found out about it through the Baltimore County Community Newsletter. It was a special hearing to grant a use permit for a boarding or rooming house. As a concerned resident, I called your office to find out more about the request.

It is my understanding that the owners would like to use their property as a group home-type residence. Like many residents, I am totally opposed to this request. I have been a homeowner in the area for 16 years. Since 1990 there have been too many group homes set up in our community. People are walking or driving through our neighborhoods and literally dropping trash (entire fast food meals) on the streets. I have a real concern about group homes and their negative elements. They also drive down property value. I live on a quiet street and would like for it to remain that way. I also want to feel that it is safe for me to walk through adjacent streets. I do not feel safe knowing that there are petitions for more group homes.

I can be reached at 410-786-6795 for further discussion.

Jula Sony Kayne

TOTAL P.02



Rockdale Civic and Improvement Association, Inc.

P.O. Box 910 Randallstown, MD 21133

Honorable John V. Murphy Deputy Zoning Commissioner Baltimore County 401 Bosley Ave, 4th Floor Towson, Maryland 21204 May 9, 2006

The Contract of the Contract o

MAY 1 5 2006

Re:

Case No: 06-0370 SPHA

Mark Davis

3324Northmont Road

ZONNG COMMISSIONER

Dear Mr. Murphy,

This is a formal notice regarding the letter dated May 4, 2006 delivered by Mr. Davis's attorney to you concerning the above referenced zoning case. In the body of the letter it is referenced that Mr. Davis meet with several of his neighbors to discuss whether a compromise could be reached regarding his requested boarding house. No such meeting ever happened. Stopping someone on their way to their car or standing at their door does not in any shape, form or fashion represent a community meeting. The facts are as follows:

- 1. Mr. Davis never attempted to meet with all of his neighbors to discuss this matter.
- 2. The neighbors who signed the petition and took time to appear at the hearing have not changed their decision about his proposed request for a boarding house.
- 3. The neighbors who are **adjacent** to him have not agreed to the attached Agreement.
- 4. Having **one household** sign an Agreement that is unorthodox and in foreible does not meet the requirements pursuant to Rule K of the Rules of Practice and Procedure for the County's Zoning Commission to request a Motion for Reconsideration.

Due to the persistent of Mr. Davis to pursue his desire to have a boarding house by any means necessary, the Rockdale Civic and Improvement Association, Inc will be seeking legal representation in this matter also. We are requesting that we be provide sufficient time to obtain an attorney if the request for reconsideration is granted. The community contact person is Terri Winston, 1st Vice-President she can be reached on 410-585-3855(day) and 410-922-1558 (evening).

Sincerely,

Jennifer Boy

President, Rockdale Civic and Improvement Association, Inc.

CC:

File

Lawrence E. Schmidt, Esquire Reva Lewie Darlean C. Williams Margaret and Thomas Brown Annie Standley Lenore Chizever Paul Anderson Robert Lee Williams, Jr Samuel Jackson Anita Hunter Louise Lawson Shelton and Terri Winston Amira Debnami Honorable John V. Murphy Deputy Zoning Commissioner For Baltimore County 401 Bosley Ave., 4th Fl. Towson, MD 21204

May 10, 2006

Re: Davis/3324 Northmont Rd Case No.: 06-370-SPHA

Dear Mr. Murphy:

I received a copy of attorney Schmidt's letter to you accompanied by a copy of a handwritten <u>un-dated</u> "Agreement" signed by: N. Wouldridge, Carolyn D. Wouldridge, and Kevin J. Wouldridge.

Mr. Schmidt noted in his letter that Mr. Davis met with several of his neighbors after the hearing of 3/13/06. However, to my knowledge he did not speak with any of the neighbors who actually attended the hearing. Are the Wouldridges neighbors on Northmont Rd.- no address was listed?

It is my understanding that the neighbors closest to Mr. Davis, including the writer, who actually attended the hearing are still <u>not</u> in favor of the boarding house concept that Mr. Davis has requested.

Therefore consider this an official Letter of Opposition, as I am not in favor of the proposal. Additionally, until it has been authenticated I question the misleading document identified as an "Agreement".

Kery truly yours,

Anita T. Hunter

3332 Northmont Rd. Windsor Mill, MD 21244

CC:

Lawrence E. Schmidt, Esq.

Hon John V. Murphy May 10, 2006 Page 2

Mr. Mark Davis
Mr. Samuel Jackson
Mrs. Darlean C. Williams
Mr. & Mrs. Thomas (Margaret) Brown
Mrs. Annie Stanley
Mrs. Leonore Chizever
Mr. Paul Anderson
Mrs. Reva Lewie
Mrs. Louise Lawson
Mr. & Mrs. Shelton (Terri) Winston
Mrs. Almira Debnami
File Copy

Zoning Commissioner

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



Baltimore County

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

FAX COVER SHEET

DATE: 3/10/10

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Co /Dept. Co
Phone # Phone # 85 - 3868

Fax # 234-002 Fax #

March 12, 2006

Mr. and Mrs. Williams 3314 LynneHaven Drive Baltimore, Maryland 21244

I am writing this letter to contest the request for a permit to have a boarding or rooming house at 3324 Northmont Road. The case number is 06-370. My husband will be at the hearing to represent my household and our stand on this issue.

Thank you for your attention on this matter.

Sincerely, Williams Ursula S. Williams

3/13

March 9, 2006

Annie P. Standley 3325 Northmont Rd. Baltimore, Md. 21244

Dear Zoning Board Commissioner,

This letter is in response to the hearing scheduled on March 13, 2006 in regards to a zoning request for 3324 Northmont Rd. The neighbor at this residence is requesting zoning to operate a boarding house. He is also requesting designated parking for his tenants. I live directly across from the requestor at 3325 Northmont Rd. I am opposed to this request because I am concerned with the quality of our neighborhood and the possible crime it may bring. The requestor has been operating a boarding house with up to 6 - 7 people living in his residence. In July and August of 2004 the police were called several times due to problems with the tenants. This is a residential neighborhood and not zoned for commercial use. I do not want my neighborhood to be subject to a downward spiral because of the actions of the requestor. I would appreciate your assistance in this matter by denying the request to change our zoning.

Sincerely,

Annie P. Standley

3316 Lynne maven. —
Baltimore, Maryland 21244 3316 Lynne Haven Drive

March 8, 2006

MAR 1 2006

Dear Zoning Commissioners:

In ref. To case # 06-370, property 3324 Northmount Road:

I am against granting a use permit for a boarding or rooming house and against variance to permit a proposed boarding house with 3 parking spaces. My neighborhood is currently stable with residential zoning. Please do not permit any other zoning. There is no justification for an exception.

Sincerely yours,

Darlean C. Williams

Tolean Cill

Current Resident

3316 Lynne Haven Drive

*

4701 Greenspring Avenue Ballimore, MD 21209

4108873248

Tel. 410.396.0670 Fex 410.395.0827

DR. ROLAND N. PATTERSON, SR. ACADEMY #82

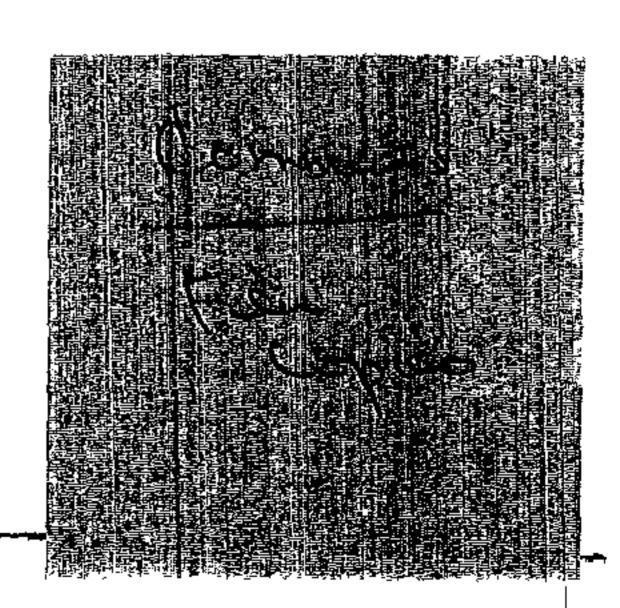
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Attoronad: Notarized edatement in referce to above. listed case.

· Piece file and use on Mondayis

Thonk you, Martia Carona



3/8/06

Baltmine County Gonery Commissioner County Courts Slay 401 Bosley Are Soupon, MD 21204

Regarding Case \$\footnote 06-370 request for "use permit"

In a boarding and rooming house. We are requesting

that you NOT grant this permit. This is a

residenteal area consisting of elding residents who

have resided here for many years. Granting this

request will decrease our property values. To

one here wants that kind of "fairlity"in

our neighborhood. This will increase undesirables

people in our neighborhood. Please do not

apart this permit. The address for this

use Permit is 3394 Neithmont Rd, Backs MD

21944.

Apo. Esther Wathers 7909 Suhets Rd. Baltimme, MD 2124

An

3 March 2006

Baltimore County Zoning Commissioner County Courts Building 401 Bosley Avenue Towson, Maryland 21204

RE: Case Number 06-370 Hearing Date 3/13/06 - 9:00 A.M.

Dear Sir:

As the homeowners for over the past forty-one (41) years residing at 3328 Northmont Road located two houses away from the property for which a use permit for a boarding/rooming house is being requested, we wish to register our emphatic OPPOSITION to such a request being granted.

Permission for this change represents a downward step and deterioration of our neighborhood. We can ill afford the lessening of stability and increased traffic that will surely ensue.

Therefore, I can see no valid reason for our community to be besieged with a commercial request that would destroy the quiet enjoyment of our homes.

congre c

Betty Høfrichter

4701 Greenspring Avenue Baltimore, MD 21209

Tel. 410.396.067() Fax 410.396.0827 DR. ROLAND N.
PATTERSON, SR.
ACADEMY #82

06-370

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| Fax: 1410)887-3048 | Pages: | -== | <u></u> |
| Phone: (415) 97755558 | Date: | 3-10- | - C) (G |
| Re: COSC # 04-370-57717 | CC; | ; | ************************************** |
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| Thomas Comment | | | |

March 10, 2006 3326 Northmont Road Baltimore, Maryland 21244

Baltimore County Courts Building Room #407, County Courts Building 401 Bosley Avenue Towson, MD 21204

Ref: Case # 06- 370- SPHA

To Whom it May Concern:

I am writing in regards to the above listed case. It is my understanding that the owner, Mark Davis of 3324 Northmont Road is requesting a zoning permit for a boarding room house. I live next door to the property in question at 3326 Northmont Road. Mr. Davis and I have been neighbors for eighteen years.

I am adamantly opposed to his request of turning the dwelling into a place of profit and business. Mr. Davis is requesting that he be afforded 1 parking space in the front of his home and 7 on the rear and sides to accommodate 6 boarders and him-self. This issue of Mr. Davis utilizing his personal property as a commercial means began several years ago. Upon realizing the zoning request posted on Mr. Davis' lawn, I called to gain a better understanding of the matter. Upon research, I found that in December 2005, a complaint was made and upon investigating the property, the inspector Mr. Paul Cowen found 5 residents, not related to Mr. Davis, residing in the home. To my understanding, Mr. Davis was issued a citation and on February 2nd he filed to have his home zoned for a boarding house. I am opposed to authorizing this zoning request for several reasons.

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Initially, Mr. Davis would forewarn me that someone new would be residing with him. Eventually, that arrangement turned into various questionable people residing there, often 6 and 7 at a time. At times, because there were so many people living and rotating in and out of the home, I have requested that Mr. Davis ask his "roommates" not to park in front of my house to allow for space for my family. In addition, I did not want to be affiliated with the questionable traffic that would come through at all times in the evening. I understand that Mr. Davis is requesting a permit that would allow up to 7 parking spaces: one in front and 7 on the rear and sides. That is not possible, even if his request of smaller spaces between cars of 8-81/2 feet is permitted. If one were to face Mr. Davis' home, on the left side of his house is grassed in and there is not a through way for parking or passing. On the right side of his home, is our adjoining driveway. Mr. Davis utilizes the left side of the driveway and I utilize the right. At most, the maximum number of cars that would fit on his side of the driveway are three and that is bumper to bumper. There is absolutely no space for parking in the rear of the home as there is currently a

shed in the rear that takes up his entire backyard. I dispute the validity of the "plan" that was submitted to justify his parking proposal. To my knowledge there is no concrete or space in the rear of the home to accommodate even one car.

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Another prominent concern is the safety of our community. In the 18 years, that my family and I have resided in our home, we have never had any problems of personal and property safety until Mr. Davis began using his home as an apartment building. A few years ago, my home was burglarized. I reported to the police my concern that it was two suspicious gentlemen who reside with Mr. Davis who perpetrated that offense. I also made that concern known to Mr. Davis. In addition, there have been several incidences, where the police would be called, by Mr. Davis or someone else in the home, because of a dispute in the home, or a tenant was drunk and disturbing the peace, or a couple was arguing, etc.... On several occasions, people have knocked on my door at all times of the evening to answer ads Mr. Davis listed in the paper for available rooms, etc... Mr. Davis seems to have no screening process of whom he allows to stay in his home. Because of the constant traffic and questionable persons who come in and out of his home, I do not allow my daughter to play outside without direct supervision.

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If authorized, this boarding house will decrease the property value of our surrounding homes. We purchased our homes with the expectation that our families would reside in a safe, closely knit, and aesthetically pleasing residential community. That community did and should not include a boarding house. As mentioned above, since it's inception, Mr. Davis' "tenant" arrangements have caused safety and parking concerns, which will inevitably be detrimental to the resale value of our homes.

Conclusively, it is not my intent to not be neighborly or accusatory but this fiasco has gone on for too long and must be stopped. Whoever will ultimately make this decision, please take into consideration how you would feel if this were proposed next door to you. I apologize that I could not be physically present for this hearing. I work in the Baltimore City Public School System and my request for leave was denied doe to pre-scheduled testing. Please accept this notarized letter as my plea to deny permit for a zoned boarding house in our community due to parking, safety, and property value issues. I would also suggest an independent surveyor come out to re-evaluate the property and validity of the proposed plan. Please contact me with the final ruling and for any questions or concerns. Thank you for your time and consideration.

Sincerely,

Martia F.-Cooper

Notary Signature

Commission Expires

02/02 2/13

February 27, 2006

Zoning Commissioner County Courts Building 401 Bosley Avenue Towson, Maryland 21204

Honorable Zoning Commissioner,

This letter is regarding case number 06-370 to grant a use permit and variance for the premise at 3324 Northmont Road. My name is Terri L. Winston and I am the neighbor at 3322 Northmont Road. I am submitting this letter of opposition for the use permit for a boarding or rooming house as well as the parking variance. My husband and I recently purchased our property in 2004 and spent over \$30,000 in renovations. We were attracted to this community because of the residential not mixed use zoning. We feel approving a boarding or rooming use will change the environment significantly. The concept of knowing who your neighbors are will change frequently as boarders/roomers change. That is not the environment that we or any of our "neighbors" want to live in. If this use is granted will it open a floodgate for other non-permitted uses legal or illegal? I respect the fact that the Davis's went the legal route but unfortunately cannot support the use permit/variance.

My husband and I do plan to appear for the hearing on March 13, 2006. Please make this letter a matter of record in the case file. Thank you.

Sincerely,

[Jellid. Winsten)

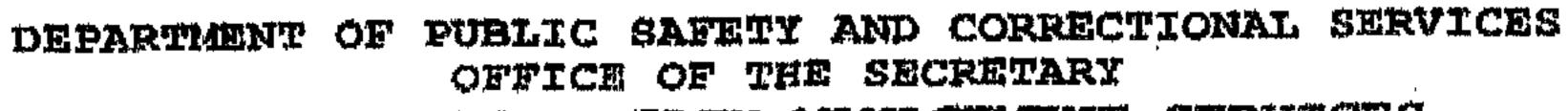
Temi L. Winston

3322 Northmont Rd Baltimore, Maryland 21244

(D) 410-585-3855

(H) 410-922-1558





OFFICE OF PROPERTY MANAGEMENT SERVICES

SUITE 205

115 SUDBROOK LANE PIKESVILLE, MD 21208-3873

PHONE (410) 585-3850

FAX (410) 764-5283

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| FAX NUMBER: 410 887-3468 | - - |
| FROM: Q(I) MINS TWO PROPERTY MANAGEMENT ST | ERVICES |
| NUMBER OF PAGES INCLUDING COV | ~ > |
| X For your information | Pursuant to our conversation |
| Please review and advise | For your records |
| Please call to discuss | Reply directly, copy me |
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AGREEMENT

For Will agree to allow Mr. DAVis to have one Extra roomer i Rand ONLY if that person has Not criminal hecond. That Person must be interviewed by the people living across the street and low the +wo sides OF Mr. Davis's house. IF all people agree on that person he or she will sign a long term lease agrecment. The lease will State that there will be No parking in Front of any of the Neighbors

Caroling Mouldings

12 May 2006 Honorable John M. Murchy Deputy Johns Commissiones WINI MAY 1 5 2006 Towson Maryland 21204 RE: Sanis 3324 Harthment Koall Vasel no.: 06-370- SARALA Dew Mw. Murphy Samin passession of a capy of Mr. Lawrence Schmidt's letter to you along with the agreement Submitted by Mark E. Daniel Degarding the above referenced matter. It is alleged that as a result of "neeting" with several of the neighbors, the ligreement seemetting a total of three (3) Hourders under the terms contained therein Game ents being to the contrary Mr. Davis Constructed his document and then attempted" to secure susport for his agenda This is clearly demonstrated flythe neighbors on Me Sauss sule of Touthmost Rand, who are ALL VEHEMENTLY OPPOSED TO ANY CHANGE

OF THE EXISTING-RESIDENTIAL ZONING Shelta & Terri Minston 3322 Harthmont Road Martin Cooper & Thellips Lee 3326 Marthmont Kanh Betty Hofrechter & Jeansus Chestul 3328 Muthmont Kond Samuel Jackson Load Road anta T. Quenter 3332 Rorthmont Road De viewthe Motron for Reconsideration as another attempte to create a boarding rooming house to the detriment of our community. Thank you for your attention to the Edione matter. Tery truly yours! Detty Hoffichten Leshore Chingland OC: Laurena J. Schmidt Esq.

Director shall require that the church offer at least 50% of the church's parking space requirement to businesses which may require additional spaces; if the church seeks to construct additional spaces to meet or exceed the parking space requirement, the Director shall require the church to seek the use of available space before approving the use permit.

3. The required distance for off-street parking spaces in Section 409.7 of these regulations may be exceeded for the purposes of this section.

Section 408 Junkyards³ [BCZR 1955]

- 408.1 The area of land so to be used shall be not less than 1 acre or more than 5 acres.
- No automobile or vehicle not in running condition, nor machinery or other junk or scrap shall be located, either for storage or dismantling, within 300 feet of any other zone, within 50 feet of the front street line nor within 30 feet of any other adjoining property.
- 408.3 The Zoning Commissioner or County Board of Appeals, upon appeal, shall require the location and erection of such walls or fences or require the planting of such shrubbery, trees or vines, as may be reasonable and proper, to afford adequate screening of such junkyard.

Section 408A (Reserved)⁴

Section 408B Boarding- or Rooming Houses in D.R. Zones [Bill No. 124-1993]

Notwithstanding any provision in these regulations to the contrary, boarding- or rooming houses are permitted in D.R. Zones, subject to the provisions of this section.

- A. Upon application to the Department of Permits and Development Management (PDM), the Director may issue a use permit for a boarding- or rooming house under the following procedure:
 - 1. Upon application, the applicant shall provide the following information:
 - a. The maximum number of tenants expected to live on the property.
 - b. A site plan indicating the location and type of structure and the proximity of dwellings on adjacent lots.

³ Editor's Note: The right to maintain certain nonconforming junkyards has been terminated. See Section 1B01.1.D.

Editor's Note: Former Section 408A, Ambulatory Surgical Facility (or Center), added by Bill No. 37-1988, was repealed by Bill No. 39-2002. See now Art. 4C, State-Licensed Medical Clinics.

- c. The location of the required off-street parking spaces.
- d. A floor plan indicating the number of bedrooms and bathrooms.
- e. Such other information as the Director may require.

2. Notice and hearing.

- a. On the property in question, notice of the application for the use permit shall be conspicuously posted for a period of 15 days following the filing of the application.
- b. Within the fifteen-day posting period, any interested person may file a formal request for a public hearing before the Zoning Commissioner in accordance with Section 500.7.
- c. If a formal request for a public hearing is not filed, the Director, without a public hearing, may grant a use permit for a boarding- or rooming house in a D.R. Zone if the proposed use meets the requirements of this section and Section 502.1. The use permit may be issued with such conditions or restrictions as determined appropriate by the Director to satisfy the provisions of this section and Section 502.1 and to ensure that the boarding- or rooming house will not be detrimental to the health, safety or general welfare of the surrounding community.
- d. If a formal request for a public hearing is filed, the Director shall schedule a date for the public hearing before the Zoning Commissioner, such hearing to be held not less than 21 days and not more than 90 days from the date of filing of the request for public hearing.
- e. Following the public hearing, the Zoning Commissioner may either deny or grant a use permit conditioned upon:
 - (1) Findings following the public hearing.
 - (2) The character of the surrounding community and the anticipated impact of the proposed use on that community.
 - (3) The manner in which the requirements of this section and Section 502.1 and other applicable requirements are met and any additional requirements as deemed necessary by the Zoning Commissioner in order to ensure that the use will not be detrimental to the health, safety or general welfare of the surrounding community and as are deemed necessary to satisfy the objectives of this section and Section 502.1 of these regulations.
- f. If a formal request for a public hearing is not filed and notwithstanding any provision herein to the contrary, the Director may, at his or her discretion, require a public hearing whereat the applicant shall be required to satisfy the burden of proof required for such use to be granted.

- g. Notwithstanding the provisions of Section 1B01.1B, the Director, or the Zoning Commissioner if a hearing is requested, or the County Board of Appeals, upon appeal, may modify Section 1B01.1.B.1.b as it pertains to such use in D.R. Zones.
- B. Boarding or rooming houses are permitted only in single-family detached dwellings.
- C. The applicant shall be required to keep and preserve accurate occupancy records, including the name, social security number and dates of occupancy of each tenant and shall make such records available to the Fire Department, Police Department, Department of Permits and Development Management and other appropriate governmental agencies.
- D. Off-street parking spaces shall be located in the side or rear only, unless otherwise approved by the Zoning Commissioner, and shall be landscaped in accordance with the Class A requirements of the Landscape Manual.
- E. After the effective date of Bill No. 124-93, a new boarding- or rooming house is not permitted next to an existing boarding- or rooming house unless permitted after a public hearing pursuant to Section 408.B.
- F. Upon approval of the initial use permit, the applicant, operator, owner or lessee of the property or premises at issue shall be required to renew the use permit annually, to be dated from the month of the initial approval. Such renewal shall not be subject to Section 408B.A.2 above.
- G. The Director may suspend, revoke or refuse to renew the use permit for the following reasons:
 - 1. The applicant has made any false or misleading statement in any application or other document required to be filed under this section.
 - 2. The applicant has failed to comply with the Livability Code; the applicable zoning regulations; or the noise, litter, fire, health or sanitation ordinances of Baltimore County.
 - 3. The applicant has failed to comply with the terms and conditions of the initial approval.
- H. The applicant, as a condition precedent to the approval of the initial use permit, shall be required to permit the county to enter and inspect the premises upon twenty-four-hour notice to the applicant, operator, owner or lessee of the property or premises.
- I. Appeals from any decision or order of the Director or Zoning Commissioner may be taken to the Board of Appeals in accordance with § 32-3-401 of the Baltimore County Code. [Bill No. 137-2004]

CASE NAME 06-CASE NUMBER DATE

PETITIONER'S SIGN-IN SH

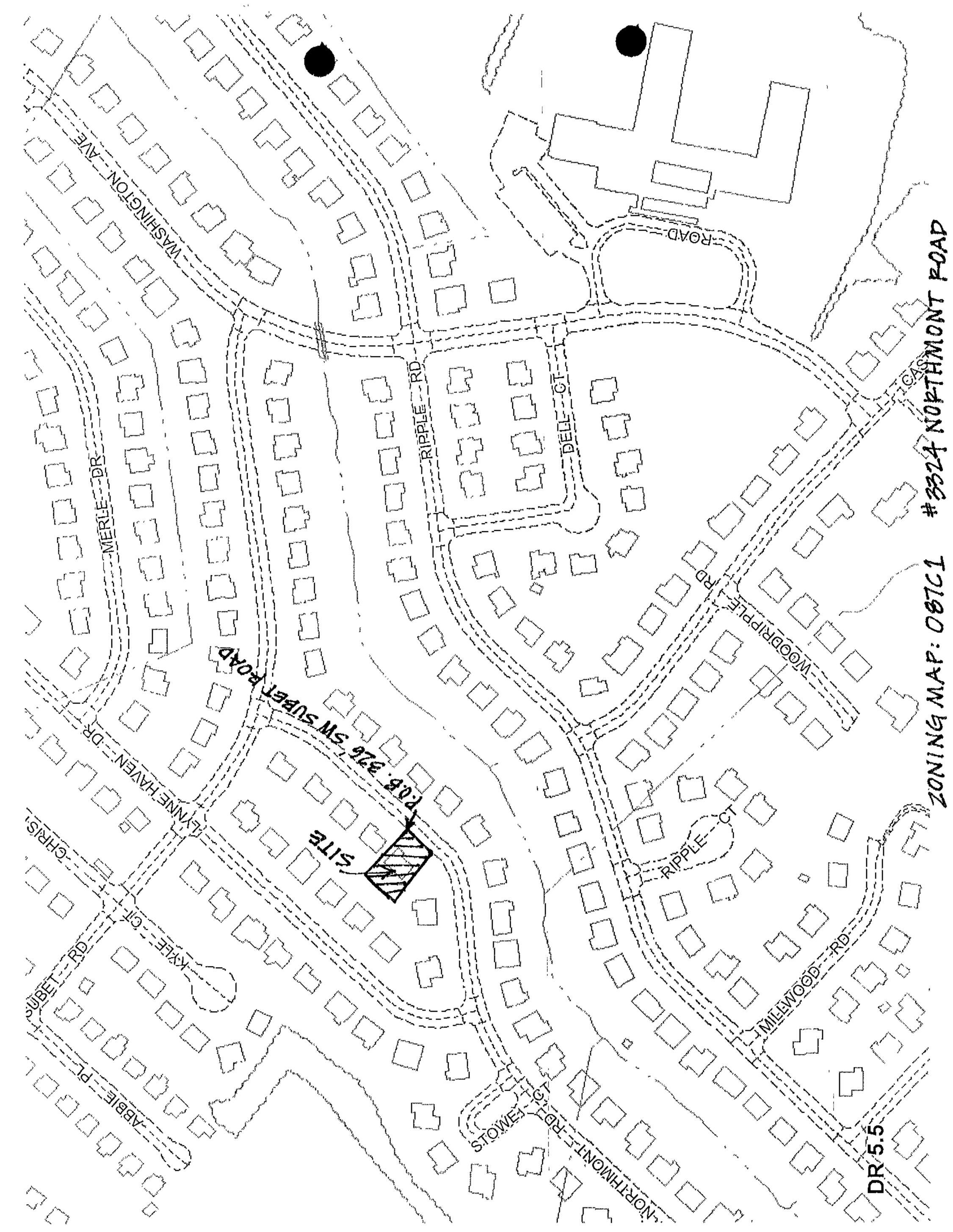
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PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

CITIZEN'S SIGN-IN SHEET

| E- MAIL | | | | | | | | |
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PERSONAL REPRESENTATIVE'S DEED NO TITLE SEARCH NO CONSIDERATION

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THIS DEED, Made this And day of November, in the year One Thousand Nine Hundred and Ninety-Nine, by and between HARLENE DAVIS MCGOWAN, Personal Representative of the Estate of IRVING DAVIS, deceased, party of the first part and HARLENE DAVIS MCGOWAN and MARK E. DAVIS, parties of the second part.

WITNESSETH, that for the consideration of the sum of ZERO DOLLARS and in consideration of the premises, the said party of the first part does hereby grant and convey unto Harlene Davis McGowan and Mark E. Davis, parties of the second part, as tenants in common and not as joint tenants with rights of survivorship, their personal representatives, heirs and assigns, all of the right, title, interest and estate of the said Irving Davis in and to all that lot or parcel of land situate, lying and being in Baltimore County, State of Maryland, and being more fully described as follows, that is to say:

BEING known and designated as Lot No. 17 as shown on the Plat of Section 4 "Lynne Acres" which among the Land Records of Baltimore County in Plat Book GLB No. 22, folio 149. The improvements thereon being known as 3324 Northmont Road.

Being all of the land described in the deed from The Bedford Holding Company to Irving Davis and Doris Davis dated August 22, 1958 and recorded among the Land Records of Baltimore County in Liber 3403, folio 396. The said Doris Davis died on November 20, 1970 vesting full title to Irving Davis.

WHEREAS, Irving Davis departed this life on or about September 30, 1999, with a will, at which time he was the owner of the property herein described; and

WHEREAS Harlene Davis McGowan was appointed Personal Representative of the Estate of Irving Davis on October 12, 1999 (See Estate No.108846 of the Register of Wills for Baltimore County) and is authorized and empowered to execute and deliver this deed; and

WHEREAS, the grantees hereunder, Harlene Davis McGowan and Mark E. Davis are entitled to the distribution of the property described herein pursuant to the First and The Last Will and Testament of Irving Davis dated February 23, 1996.

TOGETHER WITH the buildings and improvements thereupon erected, made or being, and all and every the rights, roads, alleys, ways, waters, privileges, advantages and appurtenances the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the property above mentioned and described, and hereby intended to be conveyed, together with the rights, privileges, advantages and



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Page 1 of 2 $\left| \frac{1}{2} \right| = \frac{1}{2}$

Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search

Go Back View Map New Search Ground Rent

Account Identifier:

District - 02 Account Number - 0204000420

Owner Information

Owner Name:

MCGOWAN HARLENE DAVIS

DAVIS MARK E

Sub District

Primary Structure Bullt

1958

Use:

RESIDENTIAL

IS MARK E

Principal Residence:

Deed Reference:

YES 1) /14155/ 750

ce.

Mailing Address:

3324 NORTHMONT RD

BALTIMORE MD 21244-2954

Location & Structure Information

Section Block Lot

Premises Address

3324 NORTHMONT RD

Map Grid Parcel

Legal Description

3324 NORTHMONT RD

LYNNE ACRESIMP

Assessment Area

Plat No: Plat Ref: 22

22/ 149

Special Tax Areas

Town Ad Valorem

Subdivision

Tax Class

Enclosed Area 1,867 SF

Property Land Area 7,245.00 SF County Use 04

Stories

Basement NO Type
SPLIT LEVEL

Exterior

SIDING

Value Information

| | Base | Value | Phase-in Ass | essments |
|--------------------|---------|------------|--------------|------------|
| | Value | As Of | As Of | - As Of |
| | | 01/01/2004 | 07/01/2005 | 07/01/2006 |
| Land: | 31,240 | 43,240 | - | |
| Improvements: | 73,080 | 71,130 | | |
| Total: | 104,320 | 114,370 | 111,020 | 114,370 |
| Preferential Land: | 0 | 0 | . 0 | 0 |

| Transfer | Information | |
|----------|-------------|--|

| Seller: DAVIS IRVING | Date: 11/16/1999 | Price: \$0 |
|-----------------------|-------------------------|------------|
| Type: NOT ARMS-LENGTH | Deed1: /14155/ 750 | Deed2: |
| Seller: | Date: | Price: |
| Type: | Deed1: | Deed2: |
| Seller: | Date: | Price: |
| Type: | Deed1: | Deed2: |

| Exemption | Information |
|-------------|-------------|
| | |

| Partial Exempt Assessments County State Municipal | Class 000 000 000 | 07/01/2005 0 0 0 0 | 07/01/2006 0 0 0 | |
|--|-----------------------------------|--------------------------------|---------------------------|--|
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Tax Exempt: Exempt Class:

NO

Meson

Special Tax Recapture:

* NONE *

March 10, 2006 3326 Northmont Road Baltimore, Maryland 21244

Baltimore County Courts Building Room #407, County Courts Building 401 Bosley Avenue Towson, MD 21204

Prot. Exh

06-375-SPECO

Ref: Case # 06-370-SPHA

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Sincerely,

Commission Expires

ROCKDALE HOME IMPROVEMENT AND CIVIC ASSOCIATION

9 March 2006

CASE NO. 06-370-SPHA

ROOM 407, County Court Building 401 Bosley Avenue Towson, MD. 21204

Sir,

This letter is written to the Baltimore County Zoning board to stop a permit for a Boarding and Rooming house at 3324-North Mont Avenue in the Rockdale community. According to the neighbors there has been several calls to the Baltimore County Police Department in which they had to respond to the said residence. Police had to escort people away. According to the Baltimore County Police at Community meetings Rockdale has the lowest crime rate in Baltimore County. Our community is a community where people own there own homes. We feel that the said individual should not be granted a permit for a boarding house. This issue was brought to the Rockdale Home Improvement and Civic Association on 8 March 2005.

Meodore Beyant

PM # 2

Zoning Hearings - 3324 Northmont Road

Location: 4th Council District

Sub Location: County Courts Building, 401 Bosley Avenue, Room 407, Towson, MD 21204

Date/Time: 03/13/2006 9:00 AM - 03/13/2006 10:00 AM

CASE NUMBER: 06-370-SPHA Location: Northwest side of Northmont Road, 326 feet southwest of the centerline of Subet Road 2nd Election District Legal Owners: Mark E. and Harlene MC Gowan Davis

Description:

Special Hearing to grant a use permit for a boarding or rooming house; Variance to permit a proposed boarding house with 3 parking spaces, 1 space in front with a space width of 8', not located on a drive aisle in lieu of the required 7 spaces located in side and rear yards with a minimum width of 8.5' and variances to the residential transition area requirement, as deemed necessary by the Zoning Commissioner.

Contact: Kristen Matthews 410-887-3391

Online Map/Directions Site: http://www.mapquest.com/maps/map.adp? country=US&countryid=250&addtohistory=&searchtab=address&searchtype=address&address=401+Bosley+Aver

To the Baltimore County Zoning Commissioners: March 13, 2006

We the neighbors and homeowners protest the zoning use permit and variance request for the property located at 3324 Northmont Road to convert a single family residence to a boarding or rooming house. We feel that the impact of granting a variance will have an immediate and negative impact on our neighborhood.

| Name *Neighbors within 1000 feet of 3324 Northmore | Address nt Rd |
|--|----------------------|
| *Neighbors within 1000 feet of 3324 Northmore | 3322 Northmend 122 |
| Annie P. Standley | 3325 Northmont Rd. |
| Margard Brown | 3329 Nordmor Rd |
| Homas Brown | 3329 Nocelleman Rd. |
| Samue Lanchson | 3330 Northmont RD |
| almin A. Dalnam | 3327 Joshmant Ed. |
| | 3332 Northment Rd. |
| Milland E Villand Verce | 3333 Northmont Rd |
| Janoie le Cheglors | 3328 Marihmoni Laad. |
| Carolyn De Montale Uge | 3325 Northmont Royal |
| Norman Harris | 3319 Worthmond Rel |
| Dany All | 3317 Korthmat Rol |
| | |

To the Baltimore County Zoning Commissioners: March 13, 2006

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Name

Address

| Aug F. Arbienson 3315 Nonthmort Rd 21244 |
|---|
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| Joyce & Drug Willar 3311 Northmat Rol 21244 |
| Lois Fuller 3319 Lynne Haven Or 212 44 |
| Doyce & Drugo Willar 3311 Nowthand Rol 21244 Lois Fuller 3319 Lynne Haven Dr 21244 Wernen Jalla 3319 Lynne Haven Dr 21244 |
| John 3318 LYNNE HAVEN Dr ZIZYY |
| Jera Muhyler 7922 Subet Ted. 21244 |
| Jera Muhy 7922 Suset Ted. 21244 Illa R. Nallace 7916 Subolled 212.44 |
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| Guerrioly-chows 7911 Subet RA 21244 Charles of De Fre Switch 21014 |
| Undre Abelul-Raheem 33 17 Lynnistanen Da |
| anset Abdul-Kaker 3317 Agnor Haven In |
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Parlena C. Williams 33.16 Lynne Haven D.

To the Baltimore County Zoning Commissioners: March 13, 2006

We the neighbors and homeowners protest the zoning use permit and variance request for the property located at 3324 Northmont Road to convert a single family residence to a boarding or rooming house. We feel that the impact of granting a this will have an immediate and negative impact on our neighborhood.

| Name *Neighbors within 1000 feet of 3324 Norths | Address nont Rd |
|--|-------------------------|
| The Money Bujust 3445 Abbie P/ | |
| Boundin J. Williams RN | 3321 NORMONAT Rd. 21244 |
| Martia Cooper | 3324 Morthman T. Rd. |
| Phillips C. Lee | 3326 Northmost Rd 21244 |
| Doward Kulma | 3321 Gonne Haven Dr |
| Cufffeel Relwell | 3325 Lynnehaver DV |
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| Hezekak Servert | 3328 LINNE HATO |
| Type Han | 3102 Northmert Ad 21244 |
| Soidaysia Cooper le | |
| mie Jonal | 3397 June / Anen All. |
| | 3314 Ayre Haven Dr |

To the Baltimore County Zoning Commissioners: March 13, 2006

Name

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Address

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| Mach Smith | 7912 SUBET Rd. |
| Vieri Zolle off fe Brand | 7708 Subet Rard |
| Summe July | 7910 Subst 25. |
| Mysel with | 7909 SiBEI RI |
| Plusie Dean | 7907 Sulet Rd |
| ChANLES OZIVER | 3404 WAS HINGTON FUE |
| Harin- Mally | 711/21 CHStlemax RD. |
| Devon Garrison | 7/11/1 CHSHEVNON RD. 3411 WAShington |
| DAVID WMJ | 3404 BANKING WOOds |
| | |

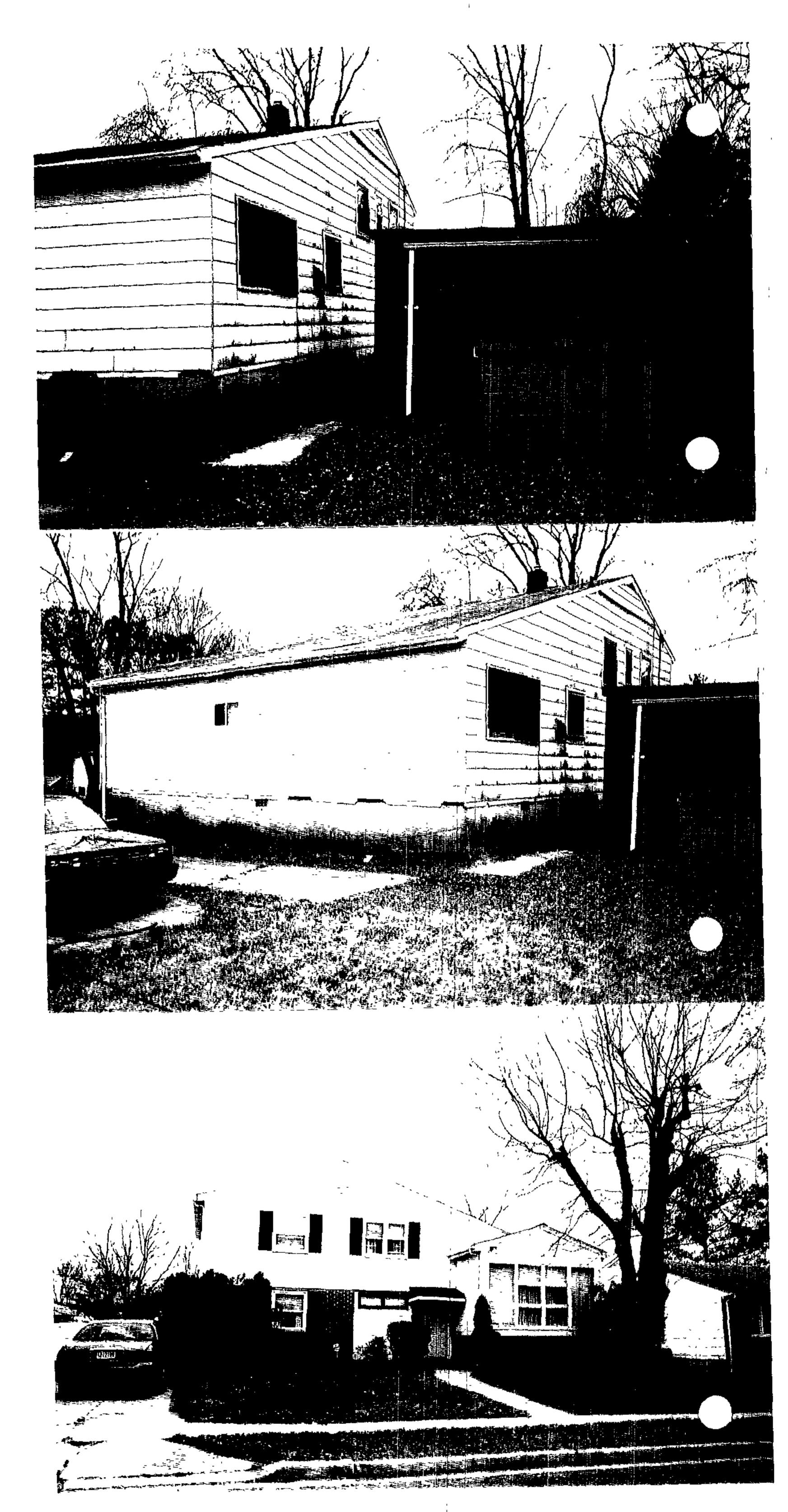
7/19 Barhill Kd.

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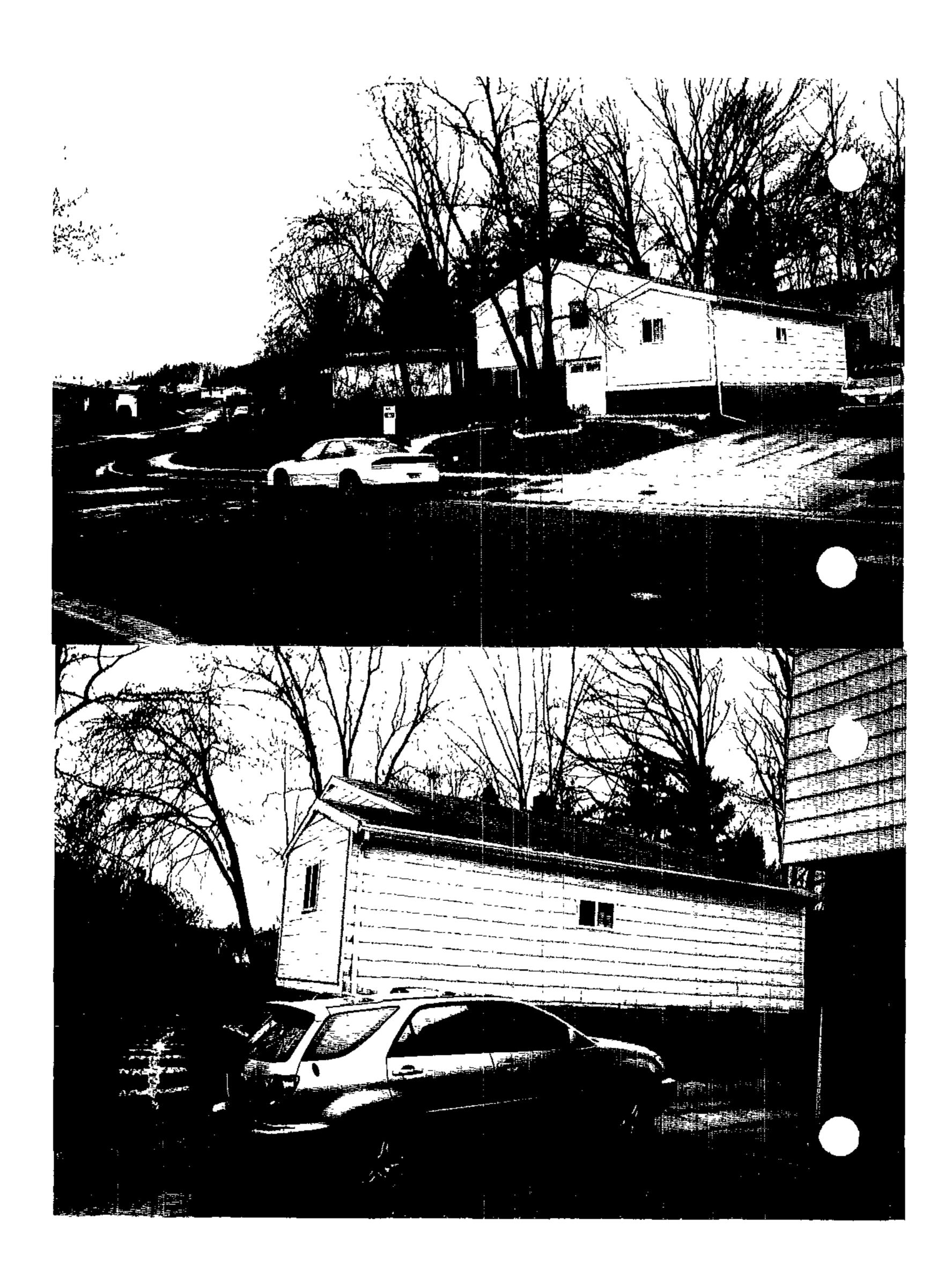
impact on our neighborhood.

| Name | Address |
|--|---------------------------|
| | 7909Liberty Coad |
| Daniela James May | 5 3506 MILFORD MILL Rd. |
| | 7902 Sabet Rd 21249 |
| NCTANGITA PLAKER | 7964 SUBET RD 21244 |
| | 1906 Subet Rd 21246 |
| April Jennings | 3400 your Hevren DK 21244 |
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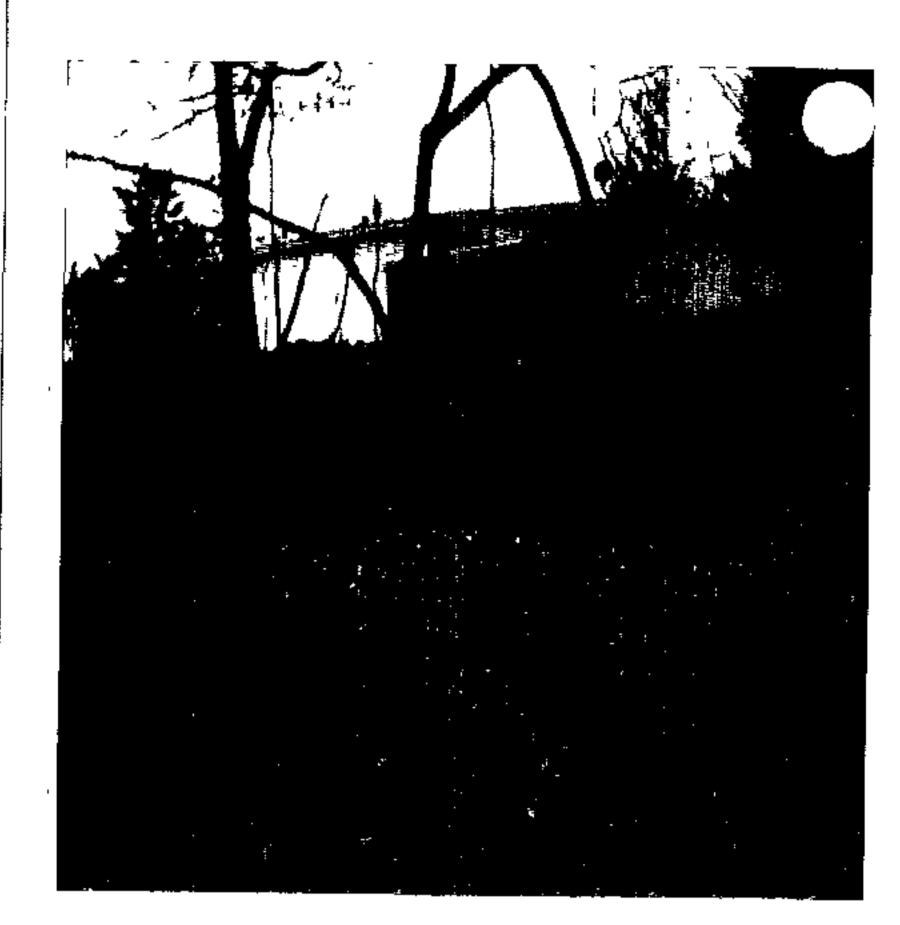


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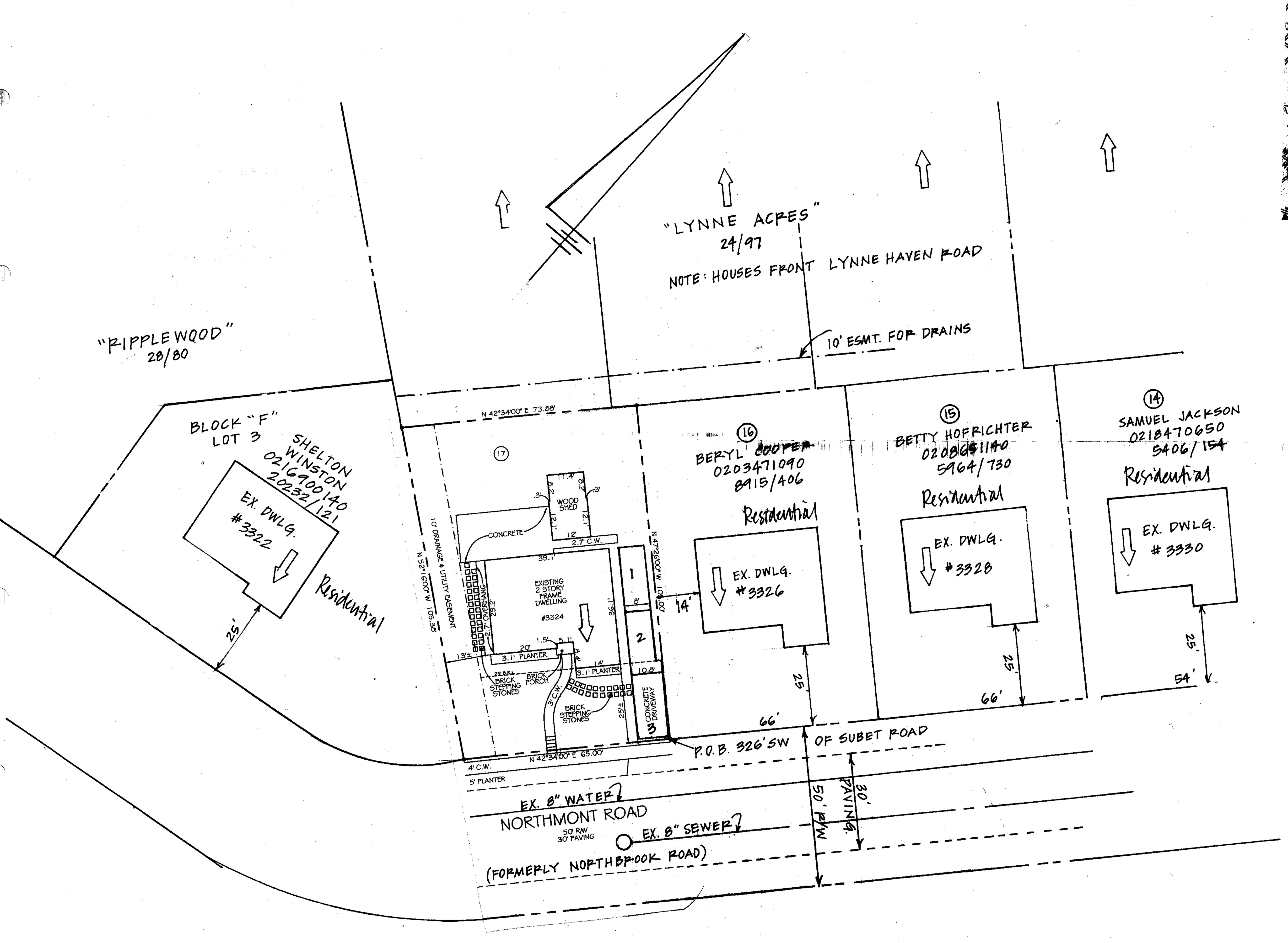




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VICINITY MAP SCALE 1 = 1000

GENERAL NOTES:

1. Zoning: D.R. 5.5 2. Zoning Map: 08701

2. Zoning Map: 00701 3. Lot Area: 7,245 S.F. ± or 0.166 Ac ±

4. There is no prior zoning history for this property
5. This property is not located in a 100 Year Flood Plain Area

This property is not located in a 100 Year Flood Plain A
 This property is not located in an Historic District

7. This property is not located in The Chesapeake Bay Critical Area

8. Community Panel No. 240010 0360 B

20ne: C

9. Public Water and Sewer Services this area.

10. Existing Use: Single Family Dwelling

Proposed Use: Rooming House per Section 408B, BCZR

11. Number of beds proposed: 5 beds + Owner to reside = 6 MAX.

12. Parking Required: 1/bed + 2 (owner/resident) = 1 MAX.

Parking Proposed: 3 stackable spaces in existing driveway

(Application to variance parking spaces required, location of those spaces

and aisle width of driveway)
13. There are no signs proposed for this property

Inc.

Site Rite Surveying, Inc. 200 E. Joppa Road Shell Building, Room 101 Townon, MD 21286 (410)828-9060 OWNER: Harlene McGowan Davis
Mark Davis (410) 655-3697
3324 Northmont Road
Baltimore MD 21244-2954
Tax Map: 87 Grid: 6 Parcel: 75
Tax Acct. No. 0204000420

Deed Ref.: 14155/750

#370

PLAN TO ACCOMPANY USE PERMIT AND PETITION FOR VARIANCE

#3324 NORTHMONT ROAD

LOT 17
SECTION 4 "LYNNE ACRES"
22/149
ELECTION DISTRICT NO. 2
COUNCILMANIC DISTRICT NO. 4
SCALE: 1" = 20'
JANUARY 31, 2006
JOB #9285

Pet #



FISE # 06-370-8PHA

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TOWSON, MD. 21204

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CERTIFICATE OF POSTING

Baltimore County Department of

Permits and Development Management

| unty Office Building, Room 111 West Chesapeake Avenue wson, MD 21204 |
|---|
| ention: Christen Matthews |
| dies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) |
| uired by law were posted conspicuously on the propery located at |
| # 3324 NORTHMOUST ROAD |
| |
| e sign(s) were posted on FEB. 23, 2006. (Month, Day, Year) |
| Sincerely, |
| Barland Dave (Signature of Sign Poster and Date) |
| CARLAGE E, MOORE (Printed Name) |
| 3225 RYELSON CIRCLE (Address) |
| BAUTIMORE, MD, 21227 (City, State, Zip Code) |
| (Telephone Number) |

RE: Case No.: 06-370-5P以人

Date of Hearing/Closing: MAR. 13, 7006

Petitioner/Developer: MARC DAVIS