IN RE: PETITION FOR VARIANCE SE side of Cedarcrest Avenue, 250 feet NE of c/l of McComas Road 15th Election District 7th Councilmanic District **(3001 Cedarcrest Avenue)** Wayne Schoff *Petitioner and Legal Owner*	* * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY **CASE NO. 07-162-A**

* * * * * * * * * * * * * * * * *

IN RE: PETITION FOR VARIANCE SE side of Cedarcrest Avenue, 139.53 feet NE of c/l of McComas Road 15th Election District 7th Councilmanic District **(3007 Cedarcrest Avenue)** Wayne Schoff *Petitioner and Legal Owner*	* * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY **CASE NO. 07-163-A**

* * * * * * * * * * * * * * * * *

IN RE: PETITION FOR VARIANCE SE side of Cedarcrest Avenue, 259.06 feet NE of c/l of McComas Road 15th Election District 7th Councilmanic District **(3011 Cedarcrest Avenue)** Wayne Schoff *Petitioner and Legal Owner*	* * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY **CASE NO. 07-164-A**

* * * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as Petitions for Variances filed by the legal owner of the subject property, Wayne Schoff. The Petitioner is requesting the following variance relief:

Case No. 07-162-A: This property is located at 3001 Cedarcrest Avenue. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations

12-14-06

(B.C.Z.R.) allow a front yard setback of 14 feet in lieu of the required 25 feet and to allow a rear yard setback of 13.4 feet in lieu of the required 30 feet.

Case No. 07-163-A: This property is located at 3007 Cedarcrest Avenue. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) allow a front yard setback of 14 feet in lieu of the required 25 feet and to allow a rear yard setback of 12.82 feet in lieu of the required 30 feet.

Case No. 07-164-A: This property is located at 3011 Cedarcrest Avenue. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) allow a front yard setback of 14 feet in lieu of the required 25 feet and to allow a rear yard setback of 12.22 feet in lieu of the required 30 feet.

The properties were posted with Notice of Hearing on November 28, 2006, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief and time and date of the public hearing. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on November 28, 2006 to notify any interested persons of the scheduled hearing date and relief requested.

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 variances. Before granting any variance, the Zoning Commissioner shall

Date 12-14-06
By

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: None.

Interested Persons

Appearing at the hearing on behalf of the variance request were Wayne Schoff, Petitioner and Bernadette Moskunas, with Site Rite Surveying, Inc., who prepared the site plan. The three cases were scheduled for 9:00, 9:30 and 10:00 AM. There were no protestants or citizens at the 9 AM or 9:30 AM hearings, but Mr. Laskaridis attended the 10 AM hearing in opposition to the requests. The Petitioner and Ms. Moskunas had left the hearing by the time Mr. Laskaridis appeared, were called by the Zoning Commissioner's Office to return to the hearing, but apparently did not receive the message until after the 10 AM hearing concluded. Consequently Mr. Laskaridis gave his testimony as reflected below without the Petitioner present. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

The subject properties are adjacent lots (lot 3, 4 and 5) in the Cedar Crest subdivision which Ms. Moskunas indicated was recorded in the land records in 1936. See Petitioner's exhibit 2. The Petitioner previously filed Case Nos. 06-678-A, 06-679-A and 06-680-A for new homes to be constructed on these same lots. However the Planning Office objected in these cases to the orientation of the homes toward McComas

Road. Apparently there was also some community opposition and as reflected in the attached memo for file dated August 29, 2006 by the Zoning Commissioner, a Petition in opposition to the request should be entered into the record of the subject case. In addition Mr. Laskaridis requested the Protestant's petition in opposition be admitted in these cases as protestant's exhibit 1.

Returning to the subject petitions in response to the Planning Office opposition, the three proposed homes were oriented toward Cedarcrest Avenue to be consistent with other homes similarly situated to the west of McComas Road and the subject cases were filed. See Petitioner's exhibit 1. Case Nos. 06-678-A, 06-679-A and 06-680-A were subsequently dismissed.

Ms. Moskunas proffered that the Petitioner owned the subject lots since 1996 along with lots 1 and 2 on which he conducts his roofing business. She presented the deed of conveyance to the Petitioner which included all three of the subject lots and SDAT information sheets which indicate that lots 4 and 5 have separate tax account numbers while lot 3 is combined with lot 2 on the SDAT records in one tax account. Mr. Schoff explained that when he purchased all five lots for his business, lots 2 and 3 had a warehouse spanning the dividing line between them as shown in Petitioner's photograph exhibit 4. In addition lots 4 and 5 had lumber stored on them but no structures.

At the 10 AM hearing, Mr. Laskaridis indicated that he attended the prior case hearings in opposition to the requests and requested protestants' exhibit 1, a petition in opposition, be entered into evidence in this case. In addition he lives behind the Petitioner's roofing business on North Point Road and the Petitioner has generated noise, dust, trash and debris from his business since purchasing the property. As an adjacent

12-14-06

neighbor he suffers especially from this problem. In addition he indicated that roofing nails from the Petitioner's business regularly find their way into the public road such that in one week Mr. Laskaridis suffered four flat tires from roofing nails. He also expressed concern about wind blown asbestos dust and particles being generated by the Petitioner's business. Finally he noted that the Petitioner operates his business seven days a week which means he is disturbed by diesel engine noise very early on Saturday and Sunday mornings while the Petitioner's trucks warm up prior to going to a job.

He spoke for the community in regard to loss of parking and additional traffic on these very narrow streets. The community would like the Petitioner's back lots to become a playground for area children.

However his greatest concern was that the Petitioner knew or should have known that he was purchasing a business which operated in a residential zone and should not be able to change his uses just for profit.

Findings of Fact and Conclusions of Law

Regarding Mr. Laskaridis' concerns it seems to me that use of the subject lots for residences would be much preferred over business uses that can have adverse affects on the community. The aerial zoning map shows a neighborhood of single family homes into which the Petitioner operates his business likely as a non conforming use. Mr. Laskaridis indicated that he suggested all of the Petitioner's lots be converted to residences. I am sure the community would prefer the subject lots be purchased by the County for a park, but unless this occurs I have to deal with the case before me. Finally again as mentioned at the hearing, complaints about how the Petitioner conducts business can be made to the County Zoning Enforcement Office.

In regard to the zoning issues presented, the evidence is clear that a prior owner used lots 2 and 3 as one. These lots have the same tax account number which does not happen unless some prior owner indicates to the State Assessment Office the lots should be treated as one. In addition the Petitioner and Mr. Laskaridis indicated that there had been a warehouse spanning lots 2 and 3 before the Petittioner razed the warehouse. From this evidence it is clear that a prior owner merged these lots. As a result the lot line between these lots disappeared from a zoning perspective. Also the Petitioner still uses part of lot 2 for his roofing business. Taken together I find these lot have merged from a zoning standpoint and some of lot 2 is occupied by a non conforming business. Therefore I must deny the request in Case No. 07-164-A.

In regard to lots 4 and 5, each has its separate tax account number and no structure have been built on either. Consequently I find no zoning merger has occurred.

Considering all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Lots 4 and 5 were created before zoning was imposed on this part of the County and therefore imposition of zoning on this property disproportionably impacts the subject property as compared to others in the zoning district. As a result I find the lots unique in a zoning sense.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The lots are only 51 feet wide and so any dwelling located thereon will violate the setback regulations of 25 feet and 30 feet.

ORDER RECEIVED FOR FILING
Date 12/14/06
By

These lots have the required size for this DR 5.5 zone and granting the variances will not cause greater density than otherwise might result.

Finally, 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 homes face Cedarcrest as requested by the Planning Office and so now match the other homes west of McComas Road. These homes are the same size as proposed. The community eliminates business uses on two non conforming lots.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance requests in Case No. 07-164-A should be denied and the Petitioner's variance requests in Case Nos. 07-162-A and 07-163-A should be granted.

THEREFORE, IT IS ORDERED, this 14th day of December, 2006, by this Deputy Zoning Commissioner, that variance relief for properties set forth as follows:

Case No. 07-162-A: This property is located at 3001 Cedarcrest Avenue. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) allow a front yard setback of 14 feet in lieu of the required 25 feet and to allow a rear yard setback of 13.4 feet in lieu of the required 30 feet is hereby GRANTED; and,

Case No. 07-163-A: This property is located at 3007 Cedarcrest Avenue. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) allow a front yard setback of 14 feet in lieu of the required 25 feet and to

12-14-06

allow a rear yard setback of 12.82 feet in lieu of the required 30 feet is hereby GRANTED; and,

Case No. 07-164-A: This property is located at 3011 Cedarcrest Avenue. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) allow a front yard setback of 14 feet in lieu of the required 25 feet and to allow a rear yard setback of 12.22 feet in lieu of the required 30 feet 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:pz

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3001 Cedarcrest Avenue

which is presently zoned D.R. 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 BCZR

To allow a front yard setback of 14' in lieu of the required 25' and to allow a rear yard setback of 13.4' in lieu of the required 30'.

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

see attached

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

Wayne Schoff
Name - Type or Print

Signature

WAYNE A. SCHOFF
Name - Type or Print

Signature

6901 North Point Road — 410-477-1100
Address — Telephone No.

Baltimore, MD 21219
City — State — Zip Code

Representative to be Contacted:

Site Rite Surveying, Inc.
Name

200 E. Joppa Road, Room 101 — 410-828-9060
Address — Telephone No.

Towson, MD 21286
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JF Date 10/6/06

Case No. 07-162-A

REV 9/15/98

PLUS RECEIVED FOR FILING
Date 12-14-06
By

REASONS TO ACCOMPANY VARIANCE PETITION:

- ***THIS PROPERTY IS A LOT OF RECORD ON A PLAT RECORDED IN PLAT BOOK NO. 12, FOLIO NO. 31 DATED 4/29/1936. NINETY PERCENT OF THE LOTS WERE RECORDED AS 25 FOOT WIDE.***
- ***DUE TO THE NARROW LOT CONFIGURATION AND THE REQUIRED FRONT ORIENTATION PER THE OFFICE OF PLANNING, IT IS IMPOSSIBLE TO MEET THE FRONT AND REAR SETBACKS. THE LOT FRONTAGE ALONG CEDARCREST AVENUE IS 119.53 FEET WITH THE DEPTH RANGING FROM 51.03 FEET TO 52.85 FEET.***
- ***THIS VARIANCE REQUEST IS WITHIN THE SPIRIT AND INTENT OF THE B.C.Z.R. AND WILL NOT ADVERSELY IMPACT THE GENERAL HEALTH AND SEFETY OF THE NEIGHBORHOOD. THIS REQUEST IS COMPATIBLE WITH THE EXISTING DEVELOPMENT OF THE SURROUNDING COMMUNITY.***
- ***STRICT COMPLIANCE WITH THE CURRENT ZONING REGULATIONS WILL SEVERELY RESTRICT THE PERMITTED USE OF THIS LOT.***

CERTIFICATE OF POSTING

RE: Case No: 07-162-A

Petitioner/Developer: WAYNE SCOFF

Date Of Hearing/Closing: 12/13/06

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

Attention:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property at 3001 CEDARCREST AVE.

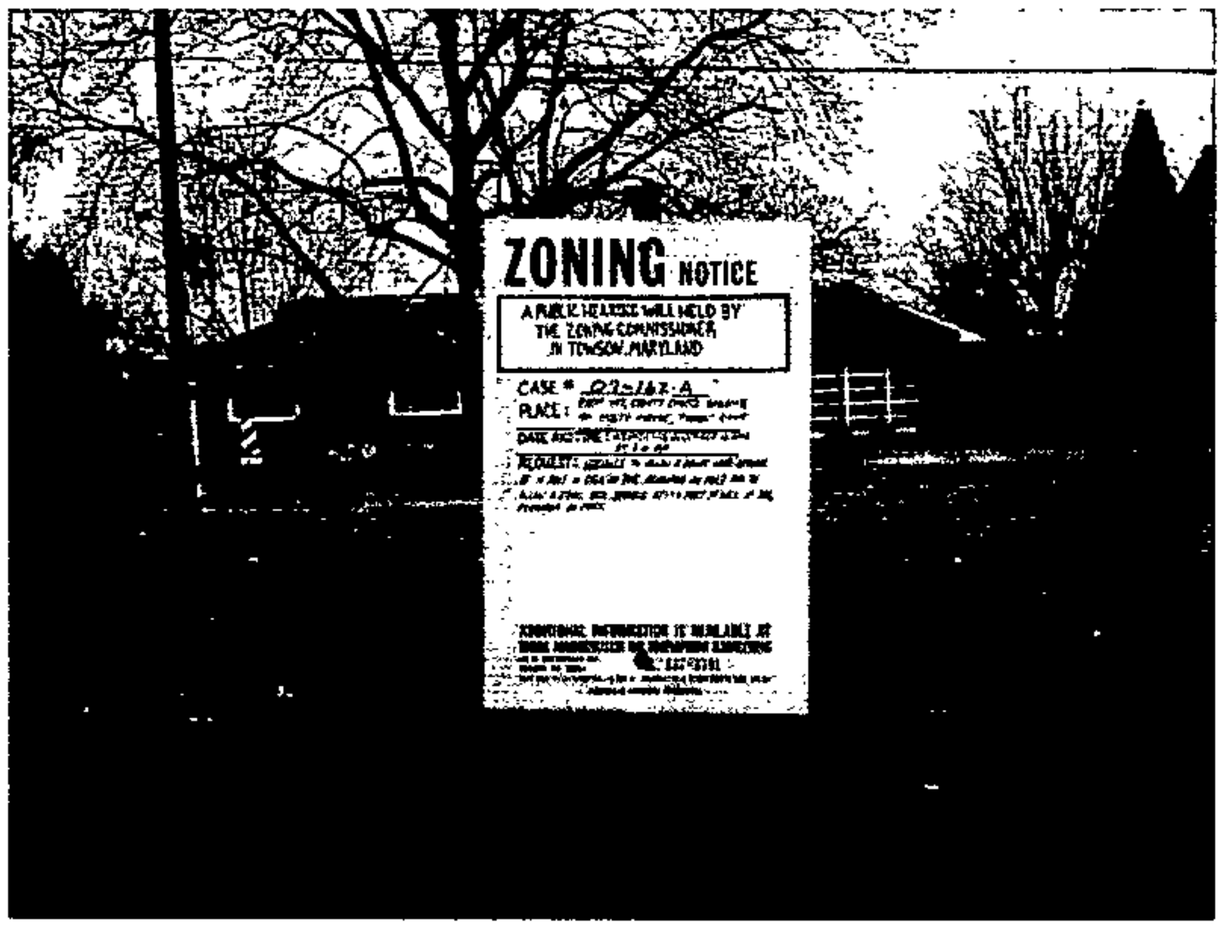
This sign(s) were posted on November 28, 2006.
(Month, Day, Year)

Sincerely,

Martin Ogle 11/28/06
(Signature of sign Poster and Date)

Martin Ogle
Sign Poster
16 Salix Court
Address
Balto. Md 21220
(443-629 3411)

im000872 (576x432x24b jpeg)



Martin Ogle 11/28/02

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: #07-162-A
3001 Cedarcrest Avenue
S/east side of Cedarcrest Avenue at the distance of 20 feet n/east of the centerline of McComas Road
15th Election District - 7th Councilmanic District
Legal Owner(s): Wayne Schoff

Variance: to allow a front yard setback of 14 feet in lieu of the required 25 feet and to allow a rear yard setback of 13.4 feet in lieu of the required 30 feet.

Hearing: Wednesday, December 13, 2006 at 9:00 a.m. in 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 accommodations 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.

JT 11/726 Nov. 28 117335

CERTIFICATE OF PUBLICATION

11/30/, 20 06

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/28/, 20 06.

- [X] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 21724

DATE 10-6-06 ACCOUNT 001-006-6150

AMOUNT $ 65.00

RECEIVED FROM: Wayne Schold

FOR: 3001 Carlton and Ave. Unit 162
Pet. for Variance
By JRF

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

DATE		TIME	DRW
10/10/2006	10/06/2006	14:36:49	4

REG WALK IN PAID FOR
RECEIPT # 514634 10/06/2006 OFLR
Dept 5 528 ZONING VERIFICATION
LS 101, 102
Recpt Tot. $65.00
Chk Amt $195.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

RE: PETITION FOR VARIANCE 3001 Cedarcrest Avenue; SE/S Cedarcrest Avenue, 20' NE c/line McComas Road 15th Election & 7th Councilmanic Districts Legal Owner(s): Wayne Schoff Petitioner(s)	* * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 07-162-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 and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 17th day of October, 2006, a copy of the foregoing Entry of Appearance was mailed to, Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED
OCT 17 2006
Per

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 3, 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: 07-162-A
3001 Cedarcrest Avenue
S/east side of Cedarcrest Avenue at the distance of 20 feet n/east of the centerline of McComas Road
15th Election District – 7th Councilmanic District
Legal Owner: Wayne Schoff

Variance to allow a front yard setback of 14 feet in lieu of the required 25 feet and to allow a rear yard setback of 13.4 feet in lieu of the required 30 feet.

Hearing: Wednesday, December 13, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Wayne Schoff, 6901 North Point Road, Baltimore 21219
Site Rite Surveying, Inc., 200 E. Joppa Road, Rm. 101, Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 28, 2006.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 28, 2006 Issue - Jeffersonian

Please forward billing to:
Wayne Schoff
6901 North Point Road
Baltimore, MD 21219

410-477-1100

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: 07-162-A
3001 Cedarcrest Avenue
S/east side of Cedarcrest Avenue at the distance of 20 feet n/east of the centerline of McComas Road
15th Election District – 7th Councilmanic District
Legal Owner: Wayne Schoff

Variance to allow a front yard setback of 14 feet in lieu of the required 25 feet and to allow a rear yard setback of 13.4 feet in lieu of the required 30 feet.

Hearing: Wednesday, December 13, 2006 at 9:00 a.m. in 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 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Item Number or Case Number: 07-162-A

Petitioner: Wayne Schoff

Address or Location: 3001 Cedarcrest Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: Wayne Schoff

Address: 6901 North Point Road
Baltimore MD 21219

Telephone Number: 410 477-1100

BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management

December 7, 2006

Wayne Schoff
6901 North Point Road
Baltimore, MD 21219

Dear Mr. Schoff:

RE: Case Number: 07-162-A, 3001 Cedarcrest Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 6, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

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

Baltimore County
Fire Department

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

October 20, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 23, 2006

Item Number(s): 157 through 169
162

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.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C)443-829-2946
MS-1102F

cc: File

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

SHA
Drive to Excel
State Highway Administration
MARYLAND DEPARTMENT OF TRANSPORTATION

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

Date: October 20, 2006

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

RE: Baltimore County
Item No. 7-162-A
3001 Cedarcroft Avenue
Schoff Property
Variance - To Allow Front
Yard Setback In Lieu Of
25' Requirement

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7- .

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Michael P. Bailey

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Jm 12/13

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 19, 2006

RECEIVED

OCT 24 2006

ZONING COMMISSIONER

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 7-162, 7-163 and 7-164, - Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Amy Mantay in the Office of Planning at 410-887-3480.

Prepared By: Curtis Murray

Division Chief: Lyn Lanham

CM/LL

W:\DEVREV\ZAC\7-163.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 18, 2006

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 23, 2006
Item Nos. 07-102, 157, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, and 169

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-10182006.doc

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

December 14, 2006

WAYNE SCHOFF
6901 NORTH POINT ROAD
BALTIMORE MD 21219

WAYNE SCHOFF
2305 EDINBURG DRIVE
FALLSTON MD 21047

Re: Petition for Variance
Case No. 07-162-A, 07-163-A, and 07-164-A
Property: 3001 Cedarcrest Avenue, 3007 Cedarcrest Avenue, and 3011 Cedarcrest Avenue

Dear Mr. Schoff:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance has been granted in part and denied in part 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

John V. Murphy
Deputy Zoning Commissioner

JVM:pz
Enclosure

c: Bernadette Moskunas, Site Rite Surveying, Inc., 200 East Joppa Road, Room 101, Towson MD 21286
Demetre Laskaridis, 6903 North Point Road, Baltimore MD 21219

PLEASE FILE

This Deed

95-04-000255
Tax Account No./Parcel Indentifier
Grantee #1 TIN:

Made this 24th day of October, 1996, by and between J.B. Eurell Co., Inc., a corporation existing under the laws of the state of Pennsylvania

party(ies) of the first part, and Wayne Schoff,

party(ies) of the second part:

Witnesseth, that in consideration of the sum of $ 189,938.00 receipt of which is hereby acknowledged, and which party(ies) of the first part certify under the penalties of perjury as the actual consideration paid or to be paid, including the amount of any mortgage or deed of trust outstanding, the said party(ies) of the first part do(es) grant and convey unto the party(ies) of the second part in fee simple as his personal representatives and assigns property situate in Baltimore County, State of Maryland, described as: all that

DESIGNATED AS Lots Nos.. 1, 2, 3, 4 and 5, Section A, as shown on the Plat of Cedercrest, which Plat is recorded among the Land Records of Baltimore County in Plat Book No. 12, folio 31. The improvements thereon being known as 6901 North Point Road.

Being the same lots of ground which by Deed dated April 17, 1974 recorded among the Land Records of Baltimore County in Liber EHK, Jr. 5439 folio 889, etc. was granted and conveyed by David Lee Corporation unto the within named grantor.

which has an address of 6901 North Point Road
Baltimore, Maryland 21219

Subject to covenants, easements and restrictions of record.

To Have and To Hold said land and premises above described or mentioned and hereby intended to be conveyed, together with the buildings and improvements thereupon erected, made or being, and all and every title, right, privileges, appurtenances and advantages thereunto belonging, or in anywise appertaining, unto and for the proper use only, benefit and behalf forever of said party(ies) of the second part in fee simple.
Being the same property described in Liber EHK 5439 folio 889, among the said Land Records.

And the said party(ies) of the first part covenants that they will warrant specially the property hereby conveyed and that they will execute such further assurances of said land as may be requisite or necessary.

In Testimony Whereof, the said J.B. Eurell Co., Inc. hath on the 24th day of October, 1996 caused these presents to be signed by J.B. Eurell its President and attested by Helene C. Keating its Secretary and its corporate seal to be hereunto affixed; and doth hereby appoint J.B. Eurell its true and lawful attorney in fact to acknowledge and deliver these presents as its act and deed.

J.B. Eurell Co., Inc.

Helene C. Keating
Helene C. Keating

By: J.B. Eurell (Seal)
J.B. Eurell, President

(Seal)

(Seal)

(Seal)

(Corporate Seal)

I certify that this instrument was prepared under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland.

Geoffrey L. Forman
Attorney

RECEIVED FOR TRANSFER
State Department of
Assessments and Taxation
for Baltimore

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

11/15/96
SIGNATURE DATE

11/15/96
Date

Ret 8/96

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

Go Back
View Map
New Search
Ground Rent

Account Identifier: **District** - 15 **Account Number** - 1504000254

Owner Information

Owner Name: SCHOFF WAYNE,

Mailing Address: 6901 NORTH POINT RD
BALTIMORE MD 21219-1215

Use: COMMERCIAL
Principal Residence: NO
Deed Reference: 1) /11900/ 483
2)

Location & Structure Information

Premises Address
CEDARCRE ST

Legal Description
LT 2,3 0.276 AC
160 SW NORTH POINT RD
CEDARCREST

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
111	4	126			A		2	3	Plat Ref: 12/ 31

Special Tax Areas **Town** **Ad Valorem** **Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		12,022.00 SF	06

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	36,000	54,000		
Improvements:	0	0		
Total:	36,000	54,000	48,558	42,000
Preferential Land:	0	0	0	0

6/26

Transfer Information

Seller: J B EURELL CO INC	**Date:** 11/18/1996	**Price:** $189,938
Type: MULT ACCTS ARMS-LENGTH	**Deed1:** /11900/ 483	**Deed2:**
Seller: DAVID LEE CORP	**Date:** 04/22/1974	**Price:** $0
Type: NOT ARMS-LENGTH	**Deed1:** / 5439/ 889	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

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** - 15 **Account Number** - 1504000251

Owner Information

Owner Name:	SCHOFF WAYNE	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	6901 NORTH POINT RD BALTIMORE MD 21219-1215	**Deed Reference:**	1) /11900/ 483 2)

Location & Structure Information

Premises Address
CEDARCRE ST

Legal Description
.141 AC
399 SW NORTH POINT ROAD
CEDARCREST

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
111	4	126			A		4	3	Plat Ref: 12/ 31

Special Tax Areas **Town** **Ad Valorem** **Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		6,141.00 SF	06

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	6,100	6,100		
Improvements:	0	0		
Total:	6,100	6,100	6,604	6,100
Preferential Land:	0	0	0	0

Transfer Information

Seller:	J B EURELL CO INC	**Date:**	11/18/1996	**Price:**	$189,938
Type:	MULT ACCTS ARMS-LENGTH	**Deed1:**	/11900/ 483	**Deed2:**	
Seller:	DAVID LEE CORP	**Date:**	04/22/1974	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/ 5439/ 889	**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

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** - 15 **Account Number** - 1504000250

Owner Information

Owner Name:	SCHOFF WAYNE,	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	6901 NORTH POINT RD BALTIMORE MD 21219-1215	**Deed Reference:**	1) /11900/ 483 2)

Location & Structure Information

Premises Address
CEDARCRE ST

Legal Description
.143 AC
NE COR MCCOMAS ROAD
CEDARCREST

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
111	4	126			A		5	3	Plat Ref: 12/ 31

Special Tax Areas **Town** **Ad Valorem** **Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		6,229.00 SF	06

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	6,200	6,200		
Improvements:	0	0		
Total:	6,200	6,200	6,200	6,200
Preferential Land:	0	0	0	0

Transfer Information

Seller:	J B EURELL CO INC	**Date:**	11/18/1996	**Price:**	$189,938
Type:	MULT ACCTS ARMS-LENGTH	**Deed1:**	/11900/ 483	**Deed2:**	
Seller:	DAVID LEE CORP	**Date:**	04/22/1974	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/ 5439/ 889	**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

Petition

Opposition of building of dwellings
Behind Roofing Unlimited Inc.
6901 North Point Rd.
Baltimore MD 21219

The residents of Cedarcrest Ave and/or Ross Ave. are against this building taking place. There are many reasons for not wanting these houses built. The residents of the community in question would much rather see a park instead of the dwellings.

There is a meeting regarding this building on
Tuesday August 29th at 11am
@ The Baltimore County Building
in Towson Maryland

Name	Address
Robert McClark	3004 CEDARCREST AVE 21219
Doug McClark	" " " "
Tracy Calcourt	3006 Cedarcrest Ave 21219
Lillian Clark	3010 Cedarcrest Ave 21219
Phyllis Clark	3010 Cedarcrest Ave 21219
Felicia Thomas	3014 CedarCrest Ave 21219
Margie Laskaris	6903 NORTH POINT RD
JIM Laskaris	
NICK LASKARIDIS	
DANA LASKARIDIS	
ROBERT BENNY	3013 ROSS AVE
NORI BENNY	3013 ROSS AVE 21219
Scott Gostomski	3013 Ross Ave 21214
HAROLD SMITH	3001 ROSS AVE
Guy L. Lloyd	2921 ROSS AVE.
Raymond Adem	2917 ROSS AVE
Jane E Johansson	2915 ROSS AVENUE

PROTESTANT'S EXHIBIT NO. 1

Name	Address:
GEORGE MAHLA	2913 ROSS AVE
Richard Hagy	2907 Ross Ave
Michelle Kiehl	2907 Ross Ave
Vicky Ciesielski	2903 Ross Ave
Tom Walk	2810 Delmar Ave
MIKE CIESIELSKI	2903 ROSS AVE
Theodore Matro	2909 Ross Ave.
Lou Ullen	2905 Ross Ave
Vicki Ullen	2905 Ross Ave
Bette Duda	6809 Armistead Rd
AGNES DUDA	7707 SPARROWS PT. BLVD.
Debbie Madl	6809 Armistead Rd Apt A
Bill Mosler	6809 Armistead Rd Apt A
Mike Duda Sr.	6809 Armistead Rd.
Kaz Lintner	3701 Old North Rd
Janice Duda	7836 Charlesmont Rd
JAKE Duda	7836 Charlesmont Rd
DANNY Duda	7836 Charlesmont Rd
Mike Treeser	2923 Ross Ave
Kimberly Dailey	2923 Ross Ave
Charlotte Schutz	2902 Cedarcrest Ave 21219
Diane Summers	2906 Cedarcrest Ave 21219
Frank Armstrong	2907 Cedarcrest Ave 21219
Danielle Wilson	3103 D Lynch 21219
James P. Allcorn	3006 Cedarcrest Ave 21219
Sharon Allcorn	1915 Robinwood Rd.
Ron Allcorn	1915 Robinwood Rd.
Frances Hemling	7460 School Ave.
Roland Hemling	7460 School Ave.
Millie DeVaughn	Fadaj Forest Rd.

Name	Address:
Dana Keller	4705 Greencove Circle
Rich Keller	4705 Greencove Circle
Deborah Nelson	1965 Church Rd
Charles Nelson	1965 Church Rd
Linda Keller	13 Highshire Ct
Richard D Keller	13 Highshire Ct
[illegible]	3006 Cedarcrest Ave.
Peggy Meekins	4708 Greencove Circle
LeRoy Meekins	4708 Greencove Circle
Aaron Higgs Jr.	3002 Cedarcrest Ave
[illegible]	3002 Cedarcrest Ave
[illegible]	3000 Cedarcrest Ave
Brenda Wilson	4809 Mountain View Rd
Linda R. Butler	" " " "
Paul E. Wilson	" " " "
Stephanie Craig	Lynch Rd
Tony Maulden	49 Mauldin Ave
[illegible]	3107 Whitney Rd
[illegible]	3107 W Antrim Rd
[illegible]	3118 Whitney RD
EDWARD MCCLOUD	1926 QUEENSWAY
DONATO FRATE	7223 MARTEL AVE
Mary Simpson	7954 N. Boundary
Tamara R. Mercer	1926 Queensway
Sheri Marvin	902 GERMANTOWN RD
Troy White	1804 KACHANAGH RD
Tracy Coyne	6911 N Rock Rd
Jason Lippoff	1854 MARSHALL RD
James R Rattigan Sr	
Donald W. McDonell	1915 Merritt Blvd.

Name	Address:
Thomas McCaskell	7202 River Drive Rd
Julie McCaskell	7202 River Drive Rd
Angela Brewer	8000 Dogwood Rd
Wayne Sprinkle	8000 Dogwood Rd
Steve Hartman	3117 Grace Rd
Nadine Hartman	3117 Grace Rd

PLEASE PRINT CLEARLY

CASE NAME #3001-3007-3011 Cedarcrest Avenue
CASE NUMBER 07-162-A 07-163-A 07-164-A
DATE 12/13/06

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Site Rite Surveying Inc.	200 E. Joppa Road Room 101	Towson, MD 21286	blm1mh@aol.com
WAYNE SCHOFF	2305 EDINBORO RD.	FOLLSTON, MD 21047	

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER
DATE Dec- 13-06

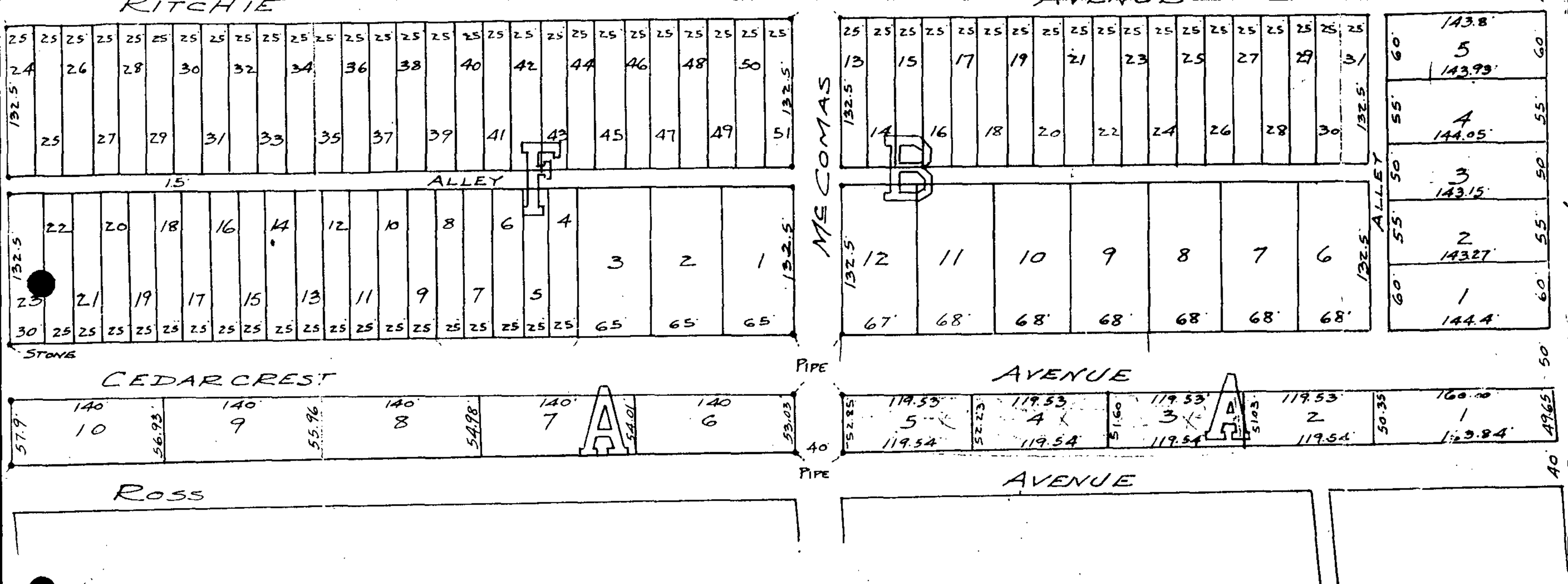
CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
DEMETRE LASKARIDIS	6903 N. POINT RD	BALTO. MD, 21219	

#3011 Cedarcrest Avenue
Zoning Map: 111B1

P.O.B. 259.06' NE OF
& McCOMAS ROAD

07-164-A



REVISED PLAT
OF
CEDAR CREST

SCALE 1" = 100'

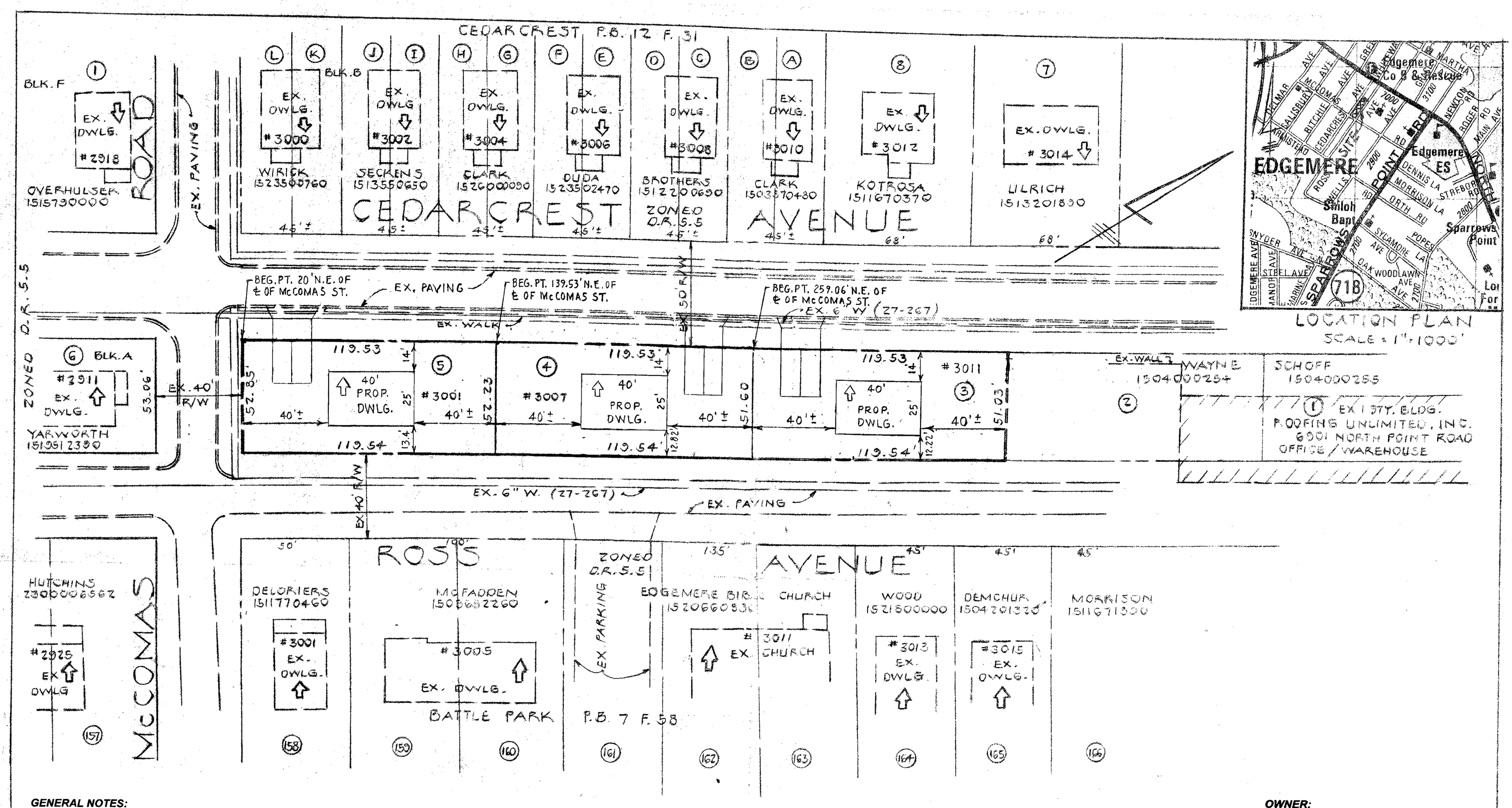
APRIL 29, 19

E. V. COONAN & CO.
SURVEYORS & CIVIL ENGRS.
231 ST. PAUL PLACE
BALTIMORE, MD.

Pet #2

TY OF

N. 42°



GENERAL NOTES:

1. EXISTING ZONING: D.R. 5.5 (111B1)
2. LOT AREA: LOT 3: 6,126 S.F.+/-
   LOT 4: 6,141 S.F.+/-
   LOT 5: 6,229 S.F.+/-
3. PUBLIC WATER AND SEWER IS AVAILABLE
4. THIS PROPERTY IS NOT LOCATED A 100 YEAR FLOOD PLAIN AREA COMMUNITY PANEL NO. 240010 0555B ZONE: "C"
5. THIS PROPERTY IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA
6. THIS PROPERTY IS NOT LOCATED IN A HISTORIC AREA
7. PRIOR ZONING HEARING: PREVIOUSLY FILED CASE NOS. 06-678-A, 06-679-A AND 06-680-A WERE FILED FOR VARIANCES AFFECTING LOT WIDTH AND SIDE STREET SETBACKS. THE CASES WERE DISMISSED DUE TO THE OFFICE OF PLANNING'S OPPOSITION TO THE FRONT ORIENTATION OF THE DWELLINGS.
8. EXISTING USE: VACANT
   PROPOSED USE: SINGLE FAMILY DWELLING
9. ORIGINAL PLAN PREPARED BY CENTRAL DRAFTING & DESIGN
10. THE PROPERTIES DESCRIBED ARE PART OF A RECORDED PLAT DATED APRIL 29,1936 AND HAVE BEEN HELD UNDER THE SAME OWNERSHIP SINCE OCTOBER 24,1996.

OWNER:
WAYNE SCHOFF
6901 NORTH POINT ROAD
BALTIMORE, MD 21219
(410)477-1100
TAX MAP: 111 GRID: 4 PARCEL: 126
TAX ACCT NOS.: LOT 3: 1504000254
LOT 4: 1504000251
LOT 5: 1504000250
DEED REF.: 11900/483

07-162-A

STATE OF MARYLAND PROFESSIONAL LAND SURVEYOR NO. 21175

site rite SURVEYING, INC.
200 E. JOPPA ROAD RM. 101
TOWSON, MARYLAND 21286
PHONE:410-828-9060
FAX:410-828-9066

PLAN TO ACCOMPANY PETITION FOR VARIANCE
#3001 CEDARCREST AVENUE (LOT 5)
#3007 CEDARCREST AVENUE (LOT 4)
#3011 CEDARCREST AVENUE (LOT 3)
"CEDAR CREST" 12/31
ELECTION DISTRICT NO. 15 C7
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 30'
AUGUST 29,2006
JOB NO. 9368

Pet #1

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: File **DATE:** August 29, 2006

FROM: William J. Wiseman, III
Zoning Commissioner

SUBJECT: 06-678-A, 06-679-A & 06-680-A

The above cases were scheduled for public hearing on Tuesday, August 29, 2006 at 10:00, 11:00, and 11:30 a.m, respectively. Appearing on behalf of the Petitioner Wayne Schoff was Ms. Bernadette Moskunas with Site Rite Surveying, Inc. The community was represented by Ron Allowatt, Sr., Demetre Laskaridis, Randy Delcourt and Tonya Clark. At the outset of the hearing, I supplied the Petitioners with the comment received from the Office of Planning and indicated that the new site plan would have to filed, reorienting the houses to face Cedarcrest Avenue, which would of course entail a complete slate of new variances. The Protestants submitted a Petition in opposition which was received as Protestant's Exhibit No. 1 only as an accommodation since they were present.

There was no formal hearing conducted. New petitions will have to be filed, property re-posted, and a new date set. This may be done by revised petition at the discretion of the Zoning Review Office in the event that the same case numbers are desired. This may be of some benefit since the community had legitimate concerns regarding posting. As reflected on the site plan, the property lies between two county right-of-ways, Cedarcrest Avenue and Ross Avenue. The community would like to see both sides posted to give neighbors abutting the property sufficient notice. Additionally, the individuals present want to receive a written letter as to when the next cases are scheduled. In the event that there are new file numbers assigned, then the petition in opposition marked as Protestant's Exhibit No. 1 should be transferred to that case file.

Files are being returned for the safekeeping of the Department of Permits and Development Management with the above-noted comments.

WJW:dlw