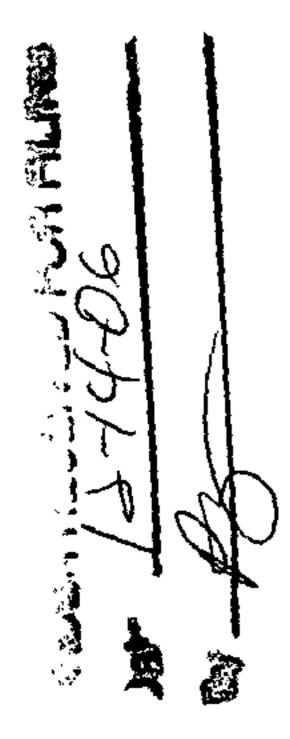
IN RE: PETITION FOR VARIANCE	*	BEFORE THE
SE side of Cedarcrest Avenue, 250 feet NE of c/l of McComas Road 15 th Election District	*	DEPUTY ZONING COMMISSIONER
7 th Councilmanic District	*	OF BALTIMORE COUNTY
(3001 Cedarcrest Avenue)	*	
Wayne Schoff		
Petitioner and Legal Owner	*	CASE NO. 07-162-A
* * * * * *	* * *	* * * * *
IN RE: PETITION FOR VARIANCE	*	BEFORE THE
SE side of Cedarcrest Avenue, 139.53 feet	•	
NE of c/l of McComas Road	*	DEPUTY ZONING COMMISSIONER
15 th Election District		
7 th Councilmanic District	*	OF BALTIMORE COUNTY
(3007 Cedarcrest Avenue)		
	*	
Wayne Schoff		•
Petitioner and Legal Owner	*	CASE NO. 07-163-A
* * * * * *	* * *	* * * * *
IN RE: PETITION FOR VARIANCE	*	BEFORE THE
SE side of Cedarcrest Avenue, 259.06 feet		
NE of c/l of McComas Road	*	DEPUTY ZONING COMMISSIONER
15 th Election District		
7 th Councilmanic District	*	OF BALTIMORE COUNTY
(3011 Cedarcrest Avenue)		
	*	
Wayne Schoff		
Petitioner and Legal Owner	*	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



(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

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

A THE

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 Petitioner 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.

12-14-06 - 161 - 1

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,

<u>Case No. 07-163-A</u>: 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 is hereby GRANTED; and,

<u>Case No. 07-164-A</u>: 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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO:

File

DATE: August 29, 2006

FROM:

William J. Wiseman, III

Zoning Commissioner

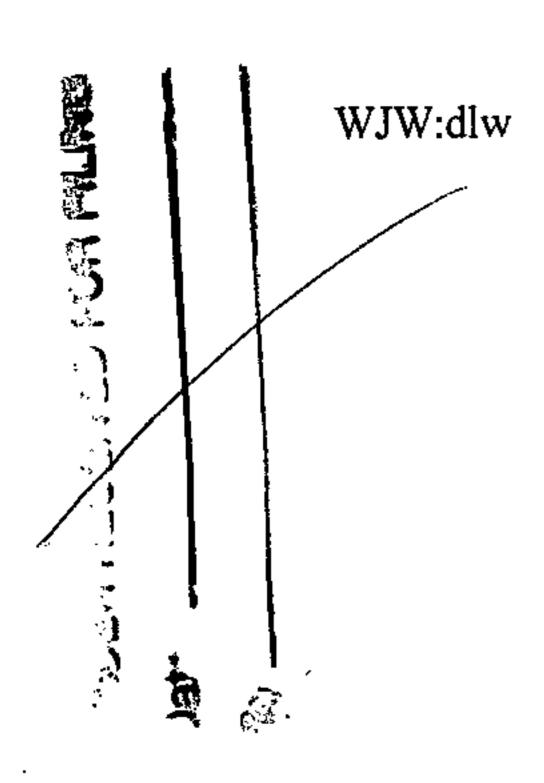
SUBJECT:

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 reposted, 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.





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

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



Petition for Wariance

to the Zoning Commissioner of Baltimore County

tha	Zaning	Commissioner of Daiu	minute County	
LIIC	70111119		3007 Cedarcrest Avenue	
		for the property located at _	3007 Cedarcrest Avenue D.R. 5.5	
		which is t	presently zoned	
		ttracer I		

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) 1802.3. C. 1 BCZP
TO Allow a front your subsauce of 14' in 1120 of the required 25' and to allow a row your subsauce of 12.82' in 1120 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:		<u>Legal Owner(s):</u>
		Wayne Schoff Name - Type or Print
Name - Type or Print		- Charles Carelle
Signature		Signature
Address	ephone No.	Name - Type or Print
City	Zip Code	Signature 6901 North Point Road 410-477-1100
Attorney For Petitioner:		Address Baltimore, MD 21219
Name - Type or Print		City Representative to be Contacted:
Signature		Site Rite Surveying, Inc.
Company		Name 200 E. Joppa Road, Room 101 410-828-9060 Telephone No.
Address	ephone No.	Address Towson, MD 21286 State Zip Code
City	Zip Code	
· Com No 07-163-A		ESTIMATED LENGTH OF HEARING
Case No	Reviewed	By Tunavailable for HEARING Date 10 6 00
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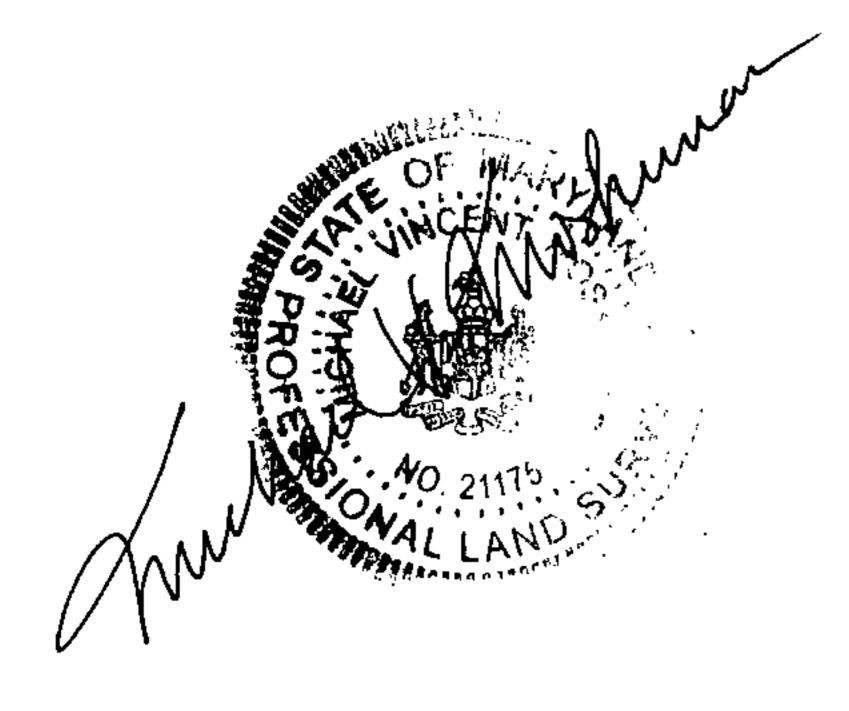
REASONS TO ACCOMPANY VARIANCE PETITION:

- 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.

1 8 8

ZONING DESCRIPTION FOR #3007 CEDARCREST AVENUE

BEGINNING AT A POINT ON THE SOUTHEAST SIDE OF CEDARCREST AVENUE WHICH IS 50 FEET WIDE AT THE DISTANCE OF 139.53 FEET NORTHEAST OF THE CENTERLINE OF MCCOMAS ROAD WHICH IS 40 FEET WIDE. BEING LOT NO. 4 IN THE SUBDIVISION OF "CEDAR CREST" AS RECORDED IN BALTIMORE COUNTY PLAT BOOK NO. 12, FOLIO NO. 31, CONTAINING 6,205 SQUARE FEET. ALSO KNOWN AS #3007 CEDARCREST AVENUE AND LOCATED IN THE 15TH ELECTION DISTRICT, 7TH COUNCILMANIC DISTRICT.



MICHAEL V. MOSKUNAS PROFESSIONAL LAND SURVEYOR REG. NO. 21175 M-163/A

SITE RITE SURVEYING, INC. 200 E. JOPPA ROAD ROOM 101, SHELL BUILDING TOWSON, MD 21286 410-828-9060

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MOTICE OF ZONING HEARING

The Zonling Commissioner of Baltimore County, by authority of the Zonling Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #07-163-A

3007 Cedarcrest Avenue
S/east side of Cedarcrest Avenue at the distance of 139.53 ft. n/east of c/line of McComas Rd.

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 30 feet.

Hearing: Wednesday, December 13, 2005 at 9:30 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.

ERTIFICATE

<u>20</u>02 /

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

X The Jeffersonian

- Arbutus Times
- Catonsville Times
- Towson Times
- Owings Mills Times
- NE Booster/Reporter North County News

Mulling

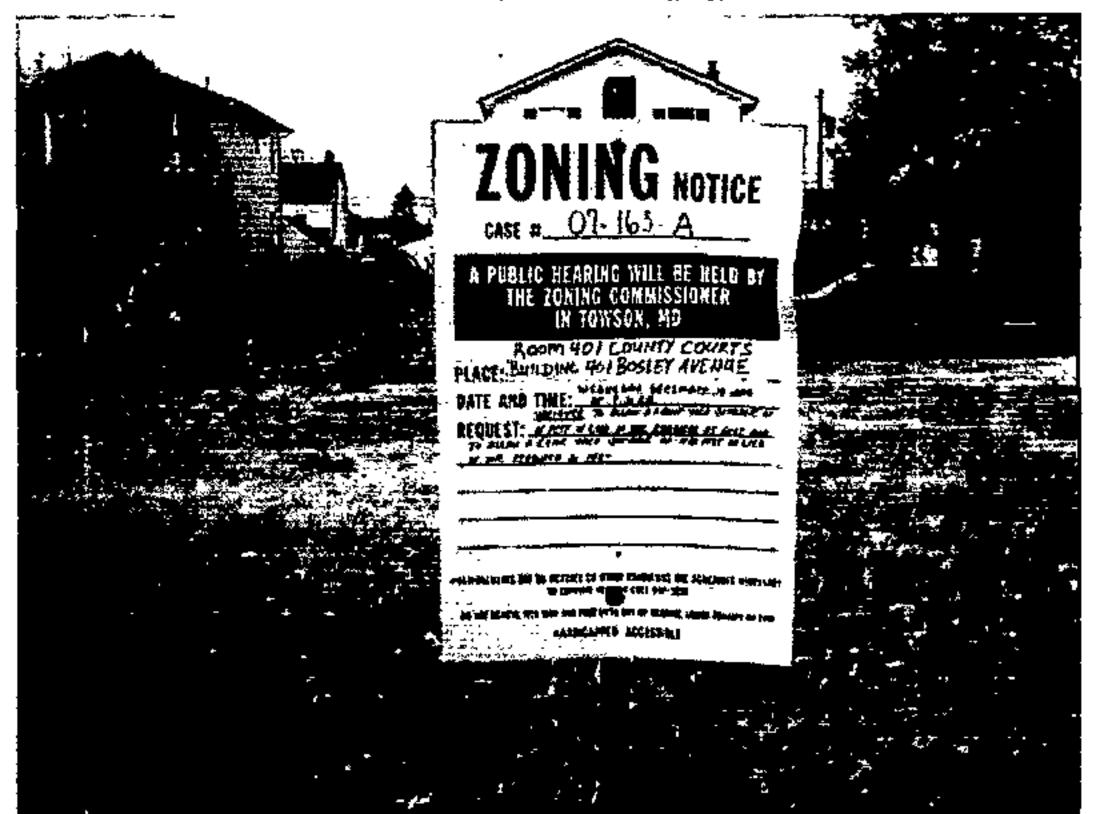
LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No: 07-163-A

	Petitioner/Developer: WAYNE SCHOFF
	Date Of Hearing/Closing: 12/13/06
Permits ar County Of	County Department of ad Development Management of Building, Room 111 Chesapeake Avenue
Attention:	
Ladies and	l Gentlemen:
ign(s) req	is to certify under the penalties of perjury that the necessary uired by law were posted conspicuously on the property ACROSS FROM 3007 CEDARCKEST AUE
ign(s) req	ACROSS FROM 3007 CEDARCKEST AUE
ign(s) req	were posted conspicuously on the property ACROSS FROM 3007 CEDARCKEST AUE) were posted on November 28, 2006
ign(s) req	were posted conspicuously on the property ACROSS FROM 3007 CEDARCKEST AUE) were posted on November 26, 2006 (Month, Day, Year) Sincerely.
t	were posted conspicuously on the property ACROSS FROM 3007 CEDARCKEST AUE) were posted on November 26, 2006 (Month, Day, Year) Sincerely.
t	were posted conspicuously on the property ACRUSS FROM 3007 CEDARCKEST AUE) were posted on November 26, 2006 (Month, Day, Year) Sincerely, Sincerely, (Signature of sign Poster and Date)
t	were posted conspicuously on the property ACROSS FROM 3007 CEDARCLEST AUE) were posted on November 28, 2006 (Month, Day, Year) Sincerely, Youlu Ge 11/28/06 (Signature of sign Poster and Date) Martin Ogle
ign(s) req	were posted conspicuously on the property ACROSS FROM 3007 CEDARCLEST AUE) were posted on November 28, 2006 (Month, Day, Year) Sincerely, Sincerely, (Signature of sign Poster and Date) Martin Ogle Sign Poster
ign(s) req	were posted conspicuously on the property ACROSS FROM 3007 CEDARCLEST AUE) were posted on Norther 28, 2006 (Month, Day, Year) Sincerely, Sincerely, (Signature of sign Poster and Date) Martin Ogle Sign Poster 16 Salix Court
it	were posted conspicuously on the property ACROSS FROM 3007 CEDARCKEST AUE (Month, Day, Year) Sincerely, (Signature of sign Poster and Date) Martin Ogle Sign Poster 16 Salix Court Address
it	were posted conspicuously on the property ACROSS FROM 3007 CEDARCLEST AUE) were posted on Norther 25, 2006 (Month, Day, Year) Sincerely, Sincerely, (Signature of sign Poster and Date) Martin Ogle Sign Poster 16 Salix Court

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Martin Ogle 11/28/06

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 6, 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: 07-163-A

3007 Cedarcrest Avenue

S/east side of Cedarcrest Avenue at the distance of 139.53 ft. n/east of c/line of McComas Rd.

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 12.82 feet in lieu of the required 30 feet.

Hearing: Wednesday, December 13, 2006 at 9:30 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.



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

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: 07-163-A

3007 Cedarcrest Avenue

S/east side of Cedarcrest Avenue at the distance of 139.53 ft. n/east of c/line of McComas Rd. 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 12.82 feet in lieu of the required 30 feet.

Hearing: Wednesday, December 13, 2006 at 9:30 a.m. in Room 407, County Courts Building,

400 Rosley 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.

RE: PETITION FOR VARIANCE

3007 Cedarcrest Avenue; SE/S Cedarcrest

Avenue, 139.53' NE c/line McComas Road *

15th Election & 7th Councilmanic Districts

Legal Owner(s): Wayne Schoff

FOR

BEFORE THE

Petitioner(s)

BALTIMORE COUNTY

ZONING COMMISSIONER

* 07-163-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

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 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).

RECEIVED

(17 17 2008

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per-manager as

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising: 107-103-A	
item Number of Case Number	
Petitioner: Wayne Schoff	
Address or Location: 3007 Glawcrest Avenue	
DI EASE EODIMARD ADMEDTISING RILL TO:	
PLEASE FORWARD ADVERTISING BILL TO: Name: Wayne Schoff Address: 6901 Novah Point Poad	
Name: Wayne Schoff Address: 6901 Novah Point Boad	
Name: Wayne Schoff	



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: 07-163-A, 3007 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

u. Callibal)

WCR:amf

Enclosures

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

Jun 12/13

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

DATE: October 19, 2006

OCT 2 4 2006

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

Division Chief:

CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: October 18, 2006

Department of Permits & Development

Management

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



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

163

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Ocross 52 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. 7-163-A

3007 CRDAR CREAT AYS.

OCHOFF PROPRIETY.

VARIANCE - TO ALLOW FRANT

YARD SETBACK IN LIEU OF

29' REDUISEMENT

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. 7-163-A.

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,

Steven D. Foster, Chief U

Engineering Access Permits

Division

SDF/MB



#3007 Cedarcres+ Avenue Zoming Map: 111B1

P.O.B. 139.53' NE OF & McComas Poad

163/K

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

(a) The Baltimore County Building in Towson Maryland

Name 1 1 00 1	Address
Twent In Jan	3004 CEDARCREST AVE ZIZIA
Dougt Mclain	11 n
Marcy Court	3006 Cedercreet due 21219
Lillian Clark	3010 Cedareres Que 21219
turdent	3010 Gogaron + an 9196
Helicia Thomas	3014 Cedar Crest Aue 2/219
Margie Las Barrelis	6903 North PointRd
Jim Laskondis	<u> </u>
NICKLASKATIOIS	**************************************
Dana Las Kariovs	
ROBERT BENING	3013 ROSS AUF
nod Benny	3013 BOSS AVE 21219
\$ Scott Gostomski	3013 Ross Ave 21214
HAROW SMITH	3001 ROSS AVIS
Jus L. Lboud	2921 ROSS HUF.
Kaim Salem	2917 ROSS Ave
Jane & John	mason, 2915 Ross Avenue

PROTESTANT

Name wata LINTH e ruda ANN TARREBRY) 1. KON ANG

Address: Rass SPARROWS PT BLVD. MMISTEAD a les mont 14 Ross Aver Ave 21219 PANCLEST Edarcrest Ale 21214 Kobinwood 7460 Sch

Name In a Restance R

Address:
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3107 WANTERD RD 3107 WANTERD RD 1926 QUEENSIAY 7223 IMANTERA 7954 N. Boundary, 1926 QUEENSWEGY 402 GERMANHIN RD 1804 KACHNAGHILD
3107 WANTERD RD 3107 WANTERD RD 1926 QUEENSIAY 7223 IMANTERA 7954 N. Boundary, 1926 QUEENSWEGY 402 GERMANHIN RD 1804 KACHNAGHILD
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3107 WANTERD RD 3107 WANTERD RD 1926 QUEENSIAY 7223 IMANTERA 7954 N. Boundary, 1926 QUEENSWEGY 402 GERMANHIN RD 1804 KACHNAGHILD

Name	Address:
Julie White Consell	7202 River Drive Rd
Angila Brewin	2000 Dec. 100 Del
- Steve Hardman	3117 ERACE Rd
Medine Undan	3117 Groce Rd
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