Date 2-1-07 Liling

IN RE: PETITION FOR ADMIN. VARIANCE

S/S Old Landing Road, 850' +/S of c/l of Mt. Vista Road
(11000 Old Landing Road)
11th Election District
3rd Council District

Stanley Newton et ux Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 07-209-A

* * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance¹ filed by the legal owners of the subject property, Stanley Newton and his wife, Charlene Kase-Newton. Variance relief is requested from Section 1A04.3.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a height of a proposed single-family dwelling of 40 feet in lieu of the maximum permitted 35 feet. The subject property and requested relief are more particularly described on the site plan and building elevations which were accepted into evidence and marked as Petitioners' Exhibits 1 and 2 respectively.

Appearing at the requisite public hearing in support of the request were Stanley and Charlene Newton, property owners. Also present were Thomas Schulten, a neighboring property owner at 11012 Old Landing Road and Walter Daniels of Daniels & Associates Architects, Ltd., the consultant who prepared the site plan and building elevation exhibits. There were no Protestants or other interested persons present.

The uncontradicted testimony and evidence presented was that the subject property is a triangular shaped parcel with over 700 feet of road frontage on Old Landing Road, then tapering to a point at the rear boundary not far from Mt. Vista Road in Kingsville. The property,

This case was originally filed as an Administrative Variance, pursuant to Section 32-3-303 of the Baltimore County Code. That section allows an individual to seek variance relief for an owner-occupied residential property without a formal hearing provided certain conditions are met. Section 32-3-303(c), however, allows the Commissioner to require a hearing to satisfy the burden of proof required by the B.C.Z.R. Such was the case here when John V. Murphy, Deputy Zoning Commissioner, wrote to the Petitioners on December 13, 2006 advising them that the property would be reposted and a public hearing set in the normal course of County business.

known as 11000 Old Landing Road contains a gross area of 2.44 acres, more or less, zoned R.C.5. Previously, the property was improved with an existing two-story frame dwelling and sheds; however, these improvements have been razed. The Petitioners propose construction of a new, attractive and stately home to be used as their residence and will be served by well and private septic systems. As depicted on building elevation drawings submitted into evidence as Petitioners' Exhibit 2, the proposed dwelling will be a large 2-1/2 story structure that will feature a central (main) building with wings on its east and west sides leading to attached garages. The architectural style and design with its hip roof and dormer is consistent with the character of development in the neighborhood.² In the opinion of Walter Daniels, the proposed height will not adversely impact the surrounding locale. He testified to the topography of the property which slopes or falls dramatically from east to west and is environmentally restricted. It is necessary to raise the roof pitch to architecturally contrast between the main portion of the home and its other roof heights. Variance relief is requested as set forth so that the central portion of the home, which measures approximately 28 feet in length, (See Petitioners' Exhibit 2) can be constructed at a height of 40 feet in lieu of the maximum allowed 35 feet. In this regard, Mr. Daniels, using photographs of surrounding homes, points out that the height regulations dating back to the 70's are somewhat dated given the architectural preference by today's standards. He further points out to what he refers to as a rather insignificant 280 square feet of the roof area above 35 feet out of the total roof area of 5,000 square feet.

After due consideration of the testimony and evidence presented and the efforts undertaken by the Petitioners to discuss their plans with the surrounding community, I am persuaded to grant the requested relief. Based on my review of the site plan and elevation drawings, photographs of other homes in the area as well as testimony presented, I find that the

This finding is in accord with the Office of Planning who has reviewed the Petitioners' request and elevation drawings and finds "the proposal to be in accordance with the spirit and intent of the RC 5 regulations and performance standards listed within Bill 55-04". Additionally, the plans have been reviewed by the residents on Old Landing Road, who can view the property from their homes and have provided letters (Petitioners' Exhibit 3) of support evidencing that they have no objection to the roof height of 40 feet. Photographs (Petitioners' Exhibit 4) were submitted to show the character of development and new homes constructed in the surrounding community.

3y S. W. S. W.

PILING FULING

subject property is constrained which creates a unique condition bringing about a practical difficulty if B.C.Z.R. Sections 1A04.3.A and 300.1 were strictly adhered to. It is not only aesthetically pleasing but is appropriate in this instance and within the spirit and intent of the zoning regulations and will not be out of character with the other homes in the local. Moreover, it is important that the structure be well proportioned in order to match the character of the neighborhood and the height of the building will be further screened from other properties by virtue of the existing mature landscape buffering. Thus, I am persuaded that relief can be granted without detrimental impact to adjacent properties or surrounding locale. There were no adverse comments submitted by any County reviewing agency and the height variance is proper for the reasons set forth above.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ______ day of February, 2007 that the Petition for Variance seeking relief from Section 1A04.3.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a single-family dwelling to have a height of 40 feet in lieu of the maximum permitted 35 feet, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

WILLHAM J. WISEM Zoning Commissioner for Baltimore County

WJW:dlw



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

February 7, 2007

Mr. Stanley Newton Mrs. Charlene Kase-Newton 11000 Old Landing Road Kingsville, Maryland 21087

RE: PETITION FOR ADMIN. VARIANCE

S/S Old Landing Road, 850' +/- S of c/l of Mt. Vista Road

(11000 Old Landing Road)

11th Election District - 3rd Council District

Stanley Newton et ux - Petitioners

Case No. 07-209-A

Dear Mr. and Mrs. Newton:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

c: Mr. Walter Daniels, Daniels & Associates Architects, Ltd.
 1426 Broadway Road, Suite 100, Timonium, Md. 21093
 Mr. Thomas Schulten, 11012 Old Landing Road, Kingsville, Md. 21087
 People's Counsel; Case File



Petition for Administrative Variance

to the Zoning Commissioner of 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

for the property located at	11000	000	LANDING	RO	
whic	h is pres	ently zo	ned RCS		

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) | AOU, 3, 4 - to permit a proposed.

single family dwelling to have a height of 40 feet in lieu of the maximum permitted 35

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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.

is the subject of this Petition.
Legal Owner(s):
STanley NewTon
Name - Type or Print
Charlene Kase-Newton
Name - Type or Print
Signature
11,000 Old Landing Rd. 410-592-9078 Address Telephone No.
1
Kingsville MD. 21087 City State Zip Code
Representative to be Contacted:
- INALTER DANIEUS, BRITHER
Name 1476 BRODING RVD 410-560-3588
Address Telephone No.
Timenium Map 71093
e City State Zip Code
I to be required, it is ordered by the Zoning Commissioner of Baltimore County, there of this petition be set for a public hearing, advertised, as required by the zoning
Zoning Commissioner of Baltimore County
Zoning Commissioner of Baltimore County Reviewed By Royal Date 108/09

Affida Vit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	11000	OLD LON	BING PRO	9 440
	Address KINGS	VILLE	MO	2(087
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	n or practical dif	fficulty):	·	
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believe the 35' height	nt limit	r Will r	not be a	Hvactive
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a			will be required .	to pay a reposting and
Stanley Jewiton			ne Kase	
-		—		
STanley NewTon Name - Type or Print		Charle Name - Type or Pi	ne Kas	<u></u>
		 .		
STATE OF MARYLAND, COUNTY OF BALTIN				
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, pe	consilv appear	<u>) </u>	6, before me, a N	Notary Public of the Stat
the Affiant(s) herein/personally known or satisfa	ed Cha	rleno Ka	use)	
the Affiant(s) herein personally known or satisfa	actorily identified	I to me as such	lffiant(s).	
AS WITNESS my hand and Notarial Seal				
	Q.	Public Ser	bowits	
	Notar	* Public	8 +	ber 1, 2009
	My Co	mmission Expire	s suplems	oer) 1, 2009

REV 10/25/01



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County for the property located at 11000 Oib Langing King

which is presently zoned Y2C5

owner(s) of the property situate in Raltimore County and	which is described in the description and plat attached hereto and Section(s) [AO4.3-A-to permit a proposed
single family dwelling to have a h permitted 35	eight of 40 feet in lieu of the maximum
of the zoning regulations of Baltimore County, to the zor of this petition form.	ning law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by I, or we, agree to pay expenses of above Variance, advertising regulations and restrictions of Baltimore County adopted purs	ig, posting, etc., and further agree to and are to be bounded by the zoning.
	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:	Legal Owner(s):
	STanlow Noutlan
Name - Type or Print	Name - Type or Print Stanley Curton
Signature	Signature
Address Telephone No.	Name-Type or Print Charlene Kaise
City State Zip Code	e Signature
Attorney For Petitioner:	11,000 Old Landing Rd. 410-592-9078 Address Telephone No:
	Kingsville, MD. 21087 City State Zip Code
Name - Type or Print	
Signature	Representative to be Contacted:
	WOLTER YDANIELS
Company	Name 1476 Briohnan Rh
Address Telephone No	Timonium- No. 71493
City State Zip Cod	
A Public Hearing having been formally demanded and or found this day of that the subject that regulations of Baltimore) Bounty and that the property be reposted.	to be required, it is ordered by the Zoning Commissioner of Baltimore County ter of this petition be set for a public hearing, advertised, as required by the zoning
34 D-17: gen	Zoning Commissioner of Baltimore County
CASE NO. 07-209-A	Reviewed By Date 108 06
REV 10/25/01	Estimated Posting Date

Affida Vit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	11000 OUD L	anding R	065
	Address CINGSVILLE	MO	2(087
That based upon personal knowledge, the follow Variance at the above address (indicate hardship We wish to build an architecturally require whe have used a his amount of roof surface like believe that to stay under the 35' h	or practical difficulty): attractive s es a steeper pped style v ce above 351 build a low	takely ho roof to to a mi sloped v	me which pe at 10/12. reduce the nimum. oof to
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a Signature Stanley Newton Name - Type or Print	dditional information. Signature	nt(s) will be required as land Kana Kana Kana Kana Kana Kana Kana K	2-2
STATE OF MARYLAND, COUNTY OF BALTIM I HEREBY CERTIFY, this day of do of Maryland, in and for the County aforesaid, per the Affiant(s) herein, personally known or satisfa	ORE, to wit:		a Notary Public of the State
AS WITNESS my hand and Notarial Seal	Buth Le	bourts	mber, 2009

REV 10/25/01

ZONING DESCRIPTION FOR 11000 OLD LANDING ROAD

Beginning at a point 850' south east of the intersection of Old Landing Road & Mount Vista Road. Bearing N 8d 38' 40" W 283.22', then N 7d 8' 0" E 371.68' along Old Landing Road, then heading N 55d 41'30" W 343.0', then N 32d 12' 20" E 538.32' to the point of beginning. Containing 2.44 acres. Known as 11000 Old Landing Road Kingsville, MD 21087

Election District 11 Councilmanic District 3

Item#209

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NOTICE OF ZONING HEARING

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

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Case: #07-209-A
11000 Old Landing Road
Southside of Old Landing
Road, 850 feet +/- south of
centerline of Mt. Vista Road
11th Election District
3rd Councilmanic District
Legal Owner(s): Stanley
Newton & Charlene Kase
Variance: to permit a proposed single family dwelling to have a height of 40 feet in lieu of the maximum
permitted 35 feet.
Hearing: Monday, February 5, 2007 at 2:00 p.m.
In Room 407, County
Courts Building, 401
Bosley Avenue, Towson Bosley 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.

1/183 Jan. 18 121826

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

☐ NE Booster/Reporter ☐ North County News	☐ Catonsville Times ☐ Towson Times	M The Jeffersonian ☐ Arbutus Times
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LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE:

11/20/06

Case Number: 07-209-A

Petitioner/Developer: STANLEY NEWTON-WALTER DANIELS

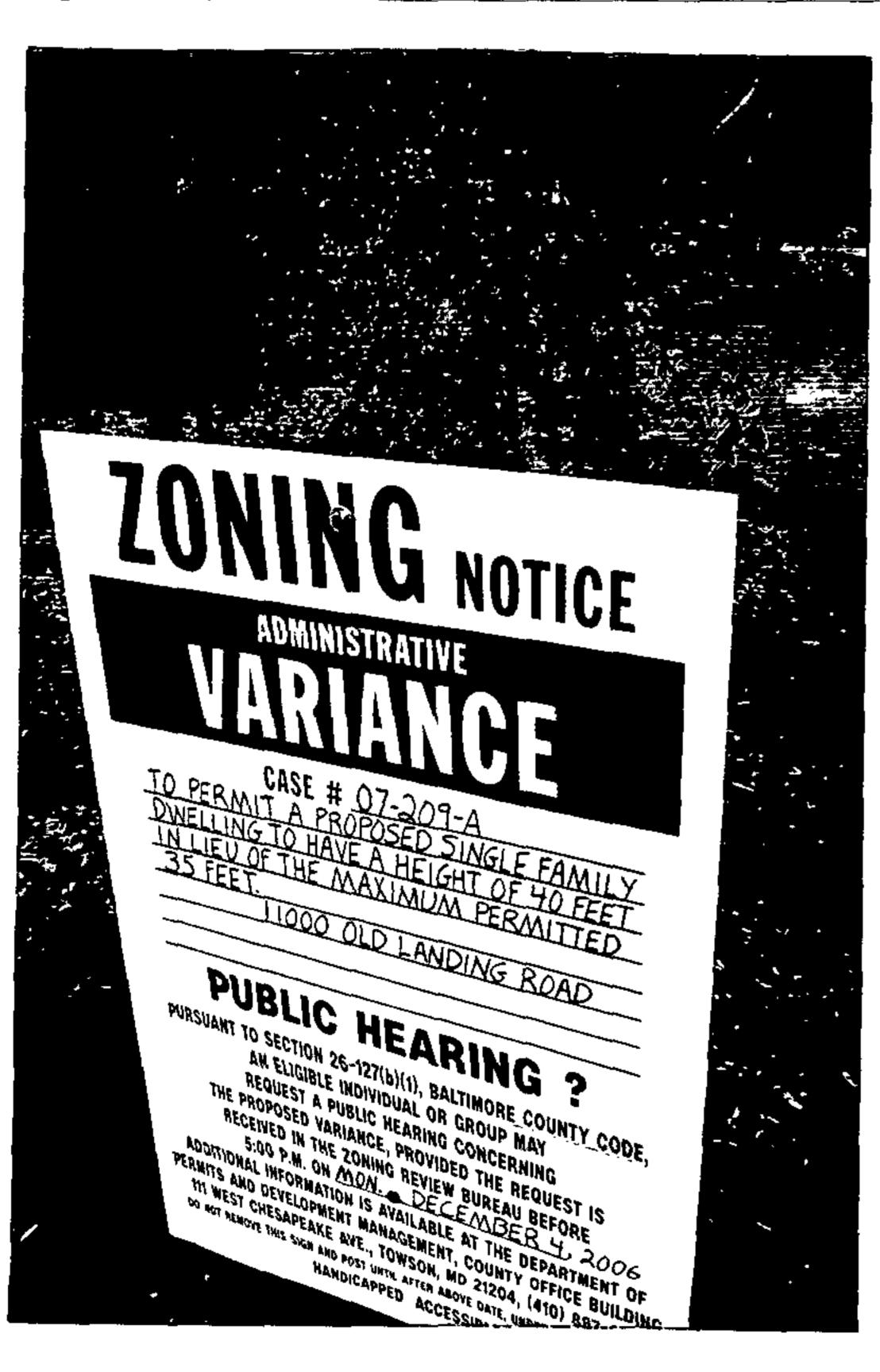
Date of Hearing (Closing): 12/04/06

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted

conspicuously on the property located at: 11000 OLD LANDING ROAD

The sign(s) were posted on:

11/18/06



Linda (Refe (Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley Maryland 21030

(City, State, Zip Code of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)

TO: PATUXENT PUBLISHING COMPANY

Thursday, January 18, 2007 Issue - Jeffersonian

Please forward billing to:

Deborah Kendall-Sipple Permits & Development Management 111 West Chesapeake Avenue Towson, MD 21204 410-887-3610

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: 07-209-A

11000 Old Landing Road

Southside of Old Landing Road, 850 feet +/- south of centerline of Mt. Vista Road

11th Election District – 3rd Councilmanic District

Legal Owners: Stanley Newton & Charlene Kase

Variance to permit a proposed single family dwelling to have a height of 40 feet in lieu of the maximum permitted 35 feet.

Hearing: Monday, February 5, 2007 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILEIAM 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.



JAMES T. SMITH, JR. County Executive

TIDECEMBER 27R 2006 irector Department of Permits and Development Management

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: 07-209-A

11000 Old Landing Road

Southside of Old Landing Road, 850 feet +/- south of centerline of Mt. Vista Road

11th Election District - 3rd Councilmanic District

Legal Owners: Stanley Newton & Charlene Kase

Variance to permit a proposed single family dwelling to have a height of 40 feet in lieu of the maximum permitted 35 feet.

Hearing: Monday, February 5, 2007 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Stanley Newton, Charlene Kase, 11000 Old Landing Road, Kingsville 21087 Walter Daniels, 1426 Broadway Road, Timonium 21093

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 20,2007.

(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.

Dave please note signs for these cases.

5-5-Sembor Si (1/20) Rembor Kase 410-552 9078

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07- 209 -A Address 11000 Old Landing Rel
Contact Person: David Duval Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 11/8/06 Posting Date: 11/19/06 Closing Date: 12/4/06
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE</u> : The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 07- 209 -A Address 11000 Old Landing Rd
Petitioner's Name Stanley Newton Telephone 410 592 9078
Posting Date: 11/19/06 Closing Date: 12/4/06
Nording for Sign: To Permit a proposed single family dwelling to have a
height of 40 feet in lieu of the maximum permitted 35

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Item Number or Case Number: 07-209-A
Petitioner: Stanley Newton
Address or Location: 11000 Old Landing Rd.
J
PLEASE FORWARD ADVERTISING BILL TO:
Name: Stanley Newton
Address: 11000 Old Landing RD
Kingsville Md
2087
Telephone Number: 410 592 9078



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

December 5, 2006

Stanley Newton Charlene Kase 11000 Old Landing Road Kingsville, MD 21087

Dear Mr. Newton and Ms. Kase:

RE: Case Number: 07-209-A, 11000 Old Landing Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 8, 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 Walter Daniels, Architect 1426 Broadway Road Timonium 21093 County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 November 16,2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 13, 2006

Item Number(s): 203 through 212

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: November 14, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 20, 2006

Item Nos. 07-202, 203, 204, 205, 206, 207, 208, 209, 210, 211, and 212

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-11142006.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: November 20, 2006

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

11000 Old Landing Road

INFORMATION:

Item Number:

7-209

Petitioner:

Stanley Newton

Zoning:

RC 5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request. However, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

- 1. Site plan showing the entire tract of land to which the proposed dwelling be sited on.
- 2. Photographs of existing adjacent dwellings.
- 3. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
- 4. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

- 5. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
- 6. Provide landscaping along the public road, if consistent with the existing streetscape.

For further questions or additional information concerning the matters stated herein, please contact Bill Hughey with the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

MAC/LL

BW 3/5

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: December 13, 2006

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 7-209- Variance

The Office of Planning reviewed the petitioner's request and accompanying site plan and elevation drawing and finds the proposal to be in accordance with the spirit and intent of the RC 5 regulations and performance standards listed within Bill 55-04. As such, this office does not oppose the subject request.

Prepared By

Division Chief:

CM/LL

DEC 2 2008

Dinner.



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11-13-2006

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

Towson, Maryland 21204

Dear Ms. Matthews:

RE: **Baltimore County** Item No. 7-209A STANLEY & CHARLENE KASE REPREDENTLY
VARIANCE - PROPOSED SINGLE FAMILY DWELLING IN LIEU OF 35'HT REQUIREMENT

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. 7-209A.

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,

For Steven D. Foster, Chief U Engineering Access Permits

Division

SDF/MB



JAMES T. SMITH, JR. County Executive

December 13, 2006

WILLIAM J. WISEMAN III

Zoning Commissioner

STANLEY NEWMAN AND CHARLENE KASE 11000 OLD LANDING ROAD KINGSVILLE MD 21087

> Re: Petition for Administrative Variance Case No. 07-209-A Property: 11000 Old Landing Road

Dear Mr. Newman and Ms. Kase:

Your administrative variance has been given to me for review. I have attached a comment from the Office of Planning which requests certain information be submitted to that Office so they can determine if the plan meets RC-5 regulations. Normally this is information and their finding is done before I make any decision on your request for variance.

In addition, our policy is to have requests involving new homes be conducted in a public hearing rather than through the administrative variance procedure as the impact of a new home on the community can be substantial. Ordinarily administrative variance procedures are reserved for minor additions, decks, sun rooms and the like.

Consequently, I will set your request in for public hearing in the normal course of County business. In the meantime, I suggest you supply the Planning Office with the information requested so that they can complete their work prior to the public hearing.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

JVM:pz

Enclosure

c: Walter Daniels, Architect, Daniels & Associates, Inc., 1426 Broadway Road, Suite 100, Timonium MD 21093 Bill Hughey, Office of Planning Peoples Counsel



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director Department of Permits and Development Management December 28, 2006

Stanley Newton Charlene Kase 11000 Old Landing Road Kingsville, MD 21087

Dear Mr. Newton & Ms. Kase:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 07-209-A

The purpose of this letter is to officially notify you that your administrative posting procedure has been superceded by a timely public hearing demand at the request of the Deputy Zoning Commissioner concerning the above proposed administrative procedure.

The hearing has been scheduled, and the notice of public hearing indicating the date, time and location of the hearing is attached. This notice will also contain the date that the sign must be reposted with the hearing information, which will be done at no charge by this office.

The property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and this office will also handle the billing directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact David Duvall at 410-887-3391.

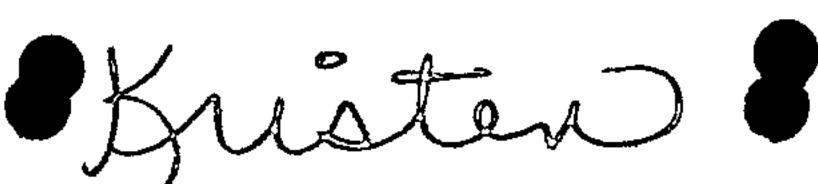
Very truly yours,

W. Carl Richards, Jr.

Supervisor Zoning Review

WCR:klm

C: Walter Daniels, 1426 Broadway Road, Timonium 21093



Patricia Zook - Case No. 07-209-A (administrative variance with closing date of 12-4-06) - hearing needed

From:

Patricia Zook

To:

_Matthews, Kristen____

Date:

12/14/2006 11:40 AM

Subject:

Case No. 07-209-A (administrative variance with closing date of 12-4-06) - hearing needed

CC:

Wiley, Debra

Hi Kristen -

Per Jack, the above-referenced case should be set in for a public hearing. Their request involves a new home, so it is policy for a public hearing to be set in as opposed to the administrative variance procedure.

The case file will be returned to you for safe keeping.

Thanks for your help.

Patti Zook Legal Secretary Baltimore County Office of the Zoning Commissioner 410-887-3868

Case No.:	07-	209	\triangle
C43C 110		-	•

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1		
	SITE PLAN	
No. 2	BLDG ELEVATIONS	
No. 3	LEHERS OF SUPPORT (3) FROM NEIGHBORS THAT VIEW SUBJECT PROPERTY	
No. 4	OTHER CONSISTANT LARGE SHATLY HOMES IN IMMEDIALE NEIGH BORHOOD	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Daniels & Associates Architects, Ltd

1426 Broadway Road, Timonium, Maryland 21093 faxes 410-561-0517 tel. 410-560-3588

11/2/06

To: Mr. David Duval Baltimore County Zoning 111 W. Chesapeake Rm 111 Towson MD. 21204

From: Walter Daniels

Re: Newton Residence case # 07-209-A

Dear Mr. Duval,

Attached are letters of approval from the neighbors that can see the property. Please add these letters to our case file for administrative variance

Thank You

PETITIONER'S

EXHIBIT NO.

3

REF: Case # 07-209-A

and the same of the

Dear Baltimore County Zoning Commissioner,

I have no objection to the house at 11000 Old Landing Road having a roof height of 40' in lieu of 35'.

1545

Doug & Carla Self 10910 Old Landing Road Kingsville, MD 21087

Date

REF: Case # 07-209-A

Dear Baltimore County Zoning Commissioner,

I have no objection to the house at 11000 Old Landing Road having a roof height of 40' in lieu of 35'.

Ms. Linda Martin

11007 Old Landing Road Kingsville, MD 21087 Date

REF: Case # 07-209-A

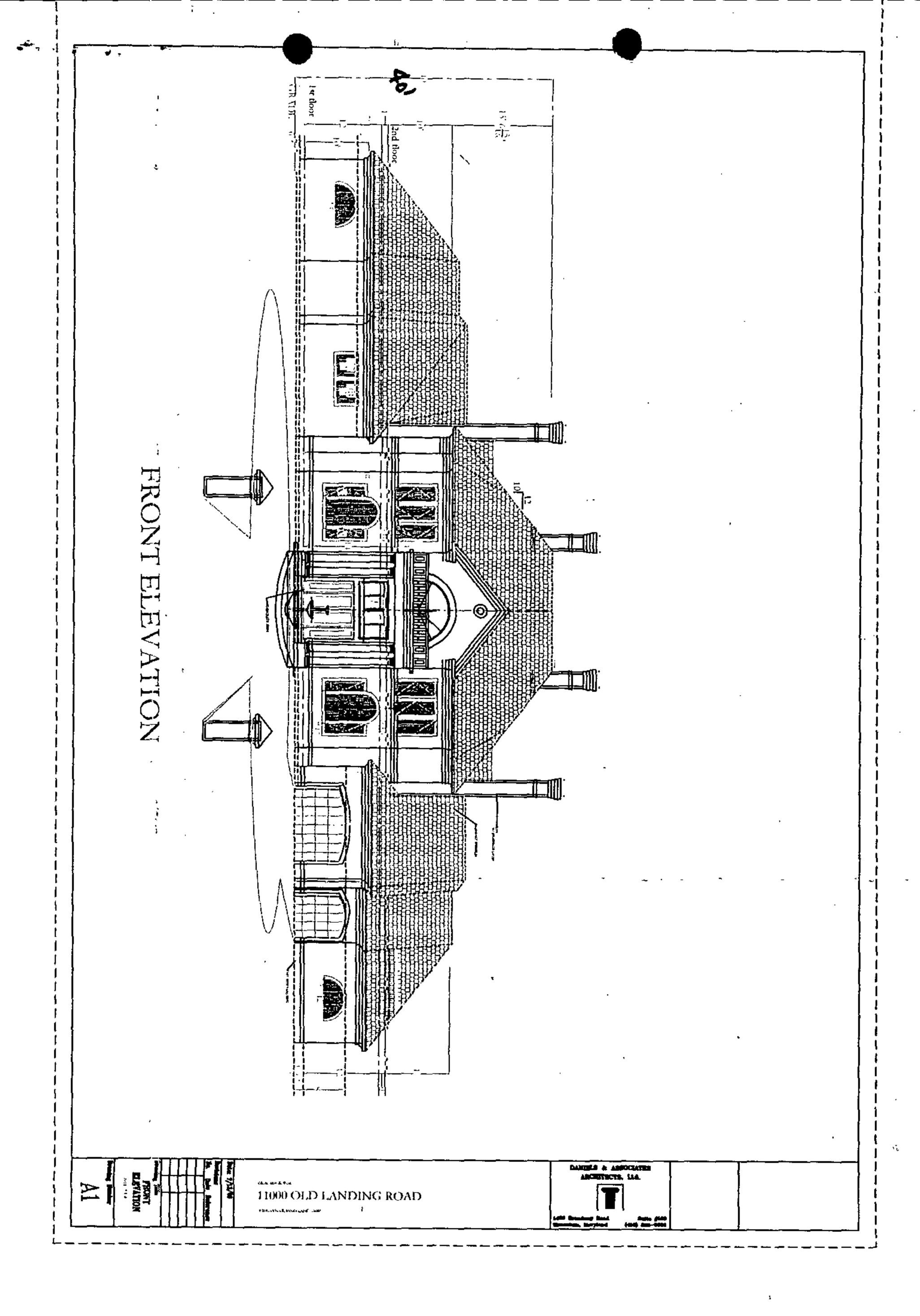
Dear Baltimore County Zoning Commissioner,

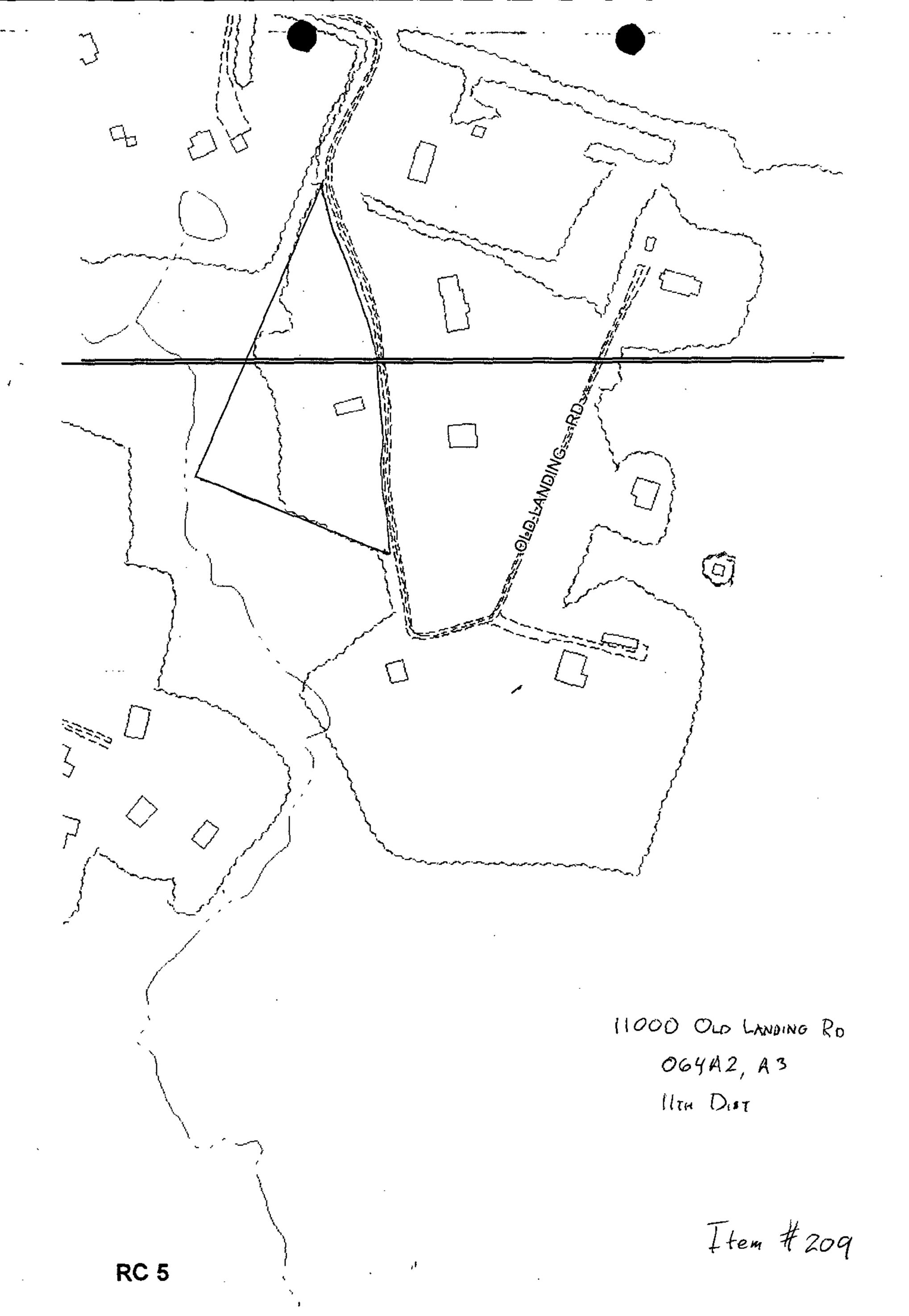
I have no objection to the house at 11000 Old Landing Road having a roof height of 40' in lieu of 35'.

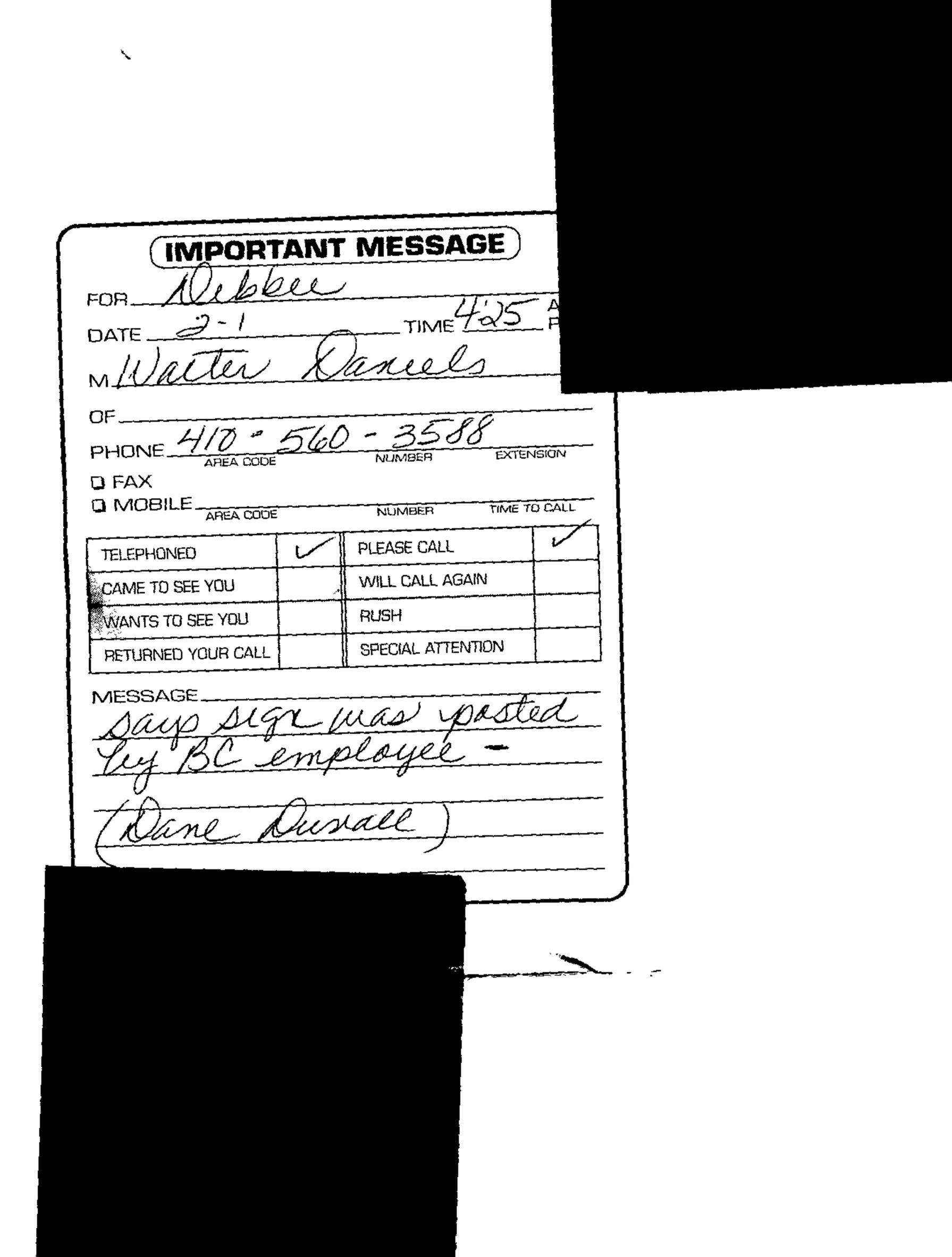
Ray and Phyllis Fullem 10909 Old Landing Road

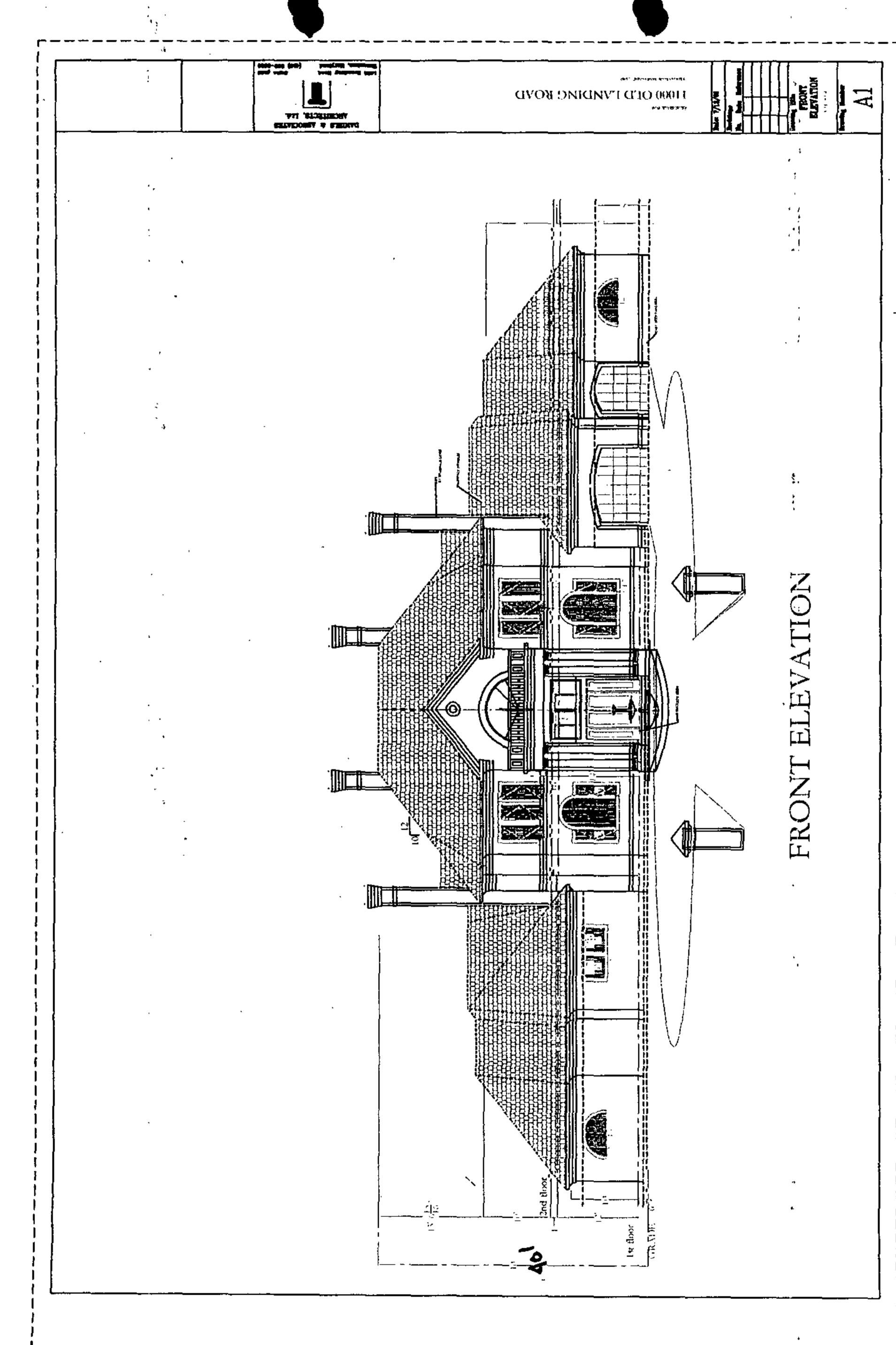
Kingsville, MD 21087

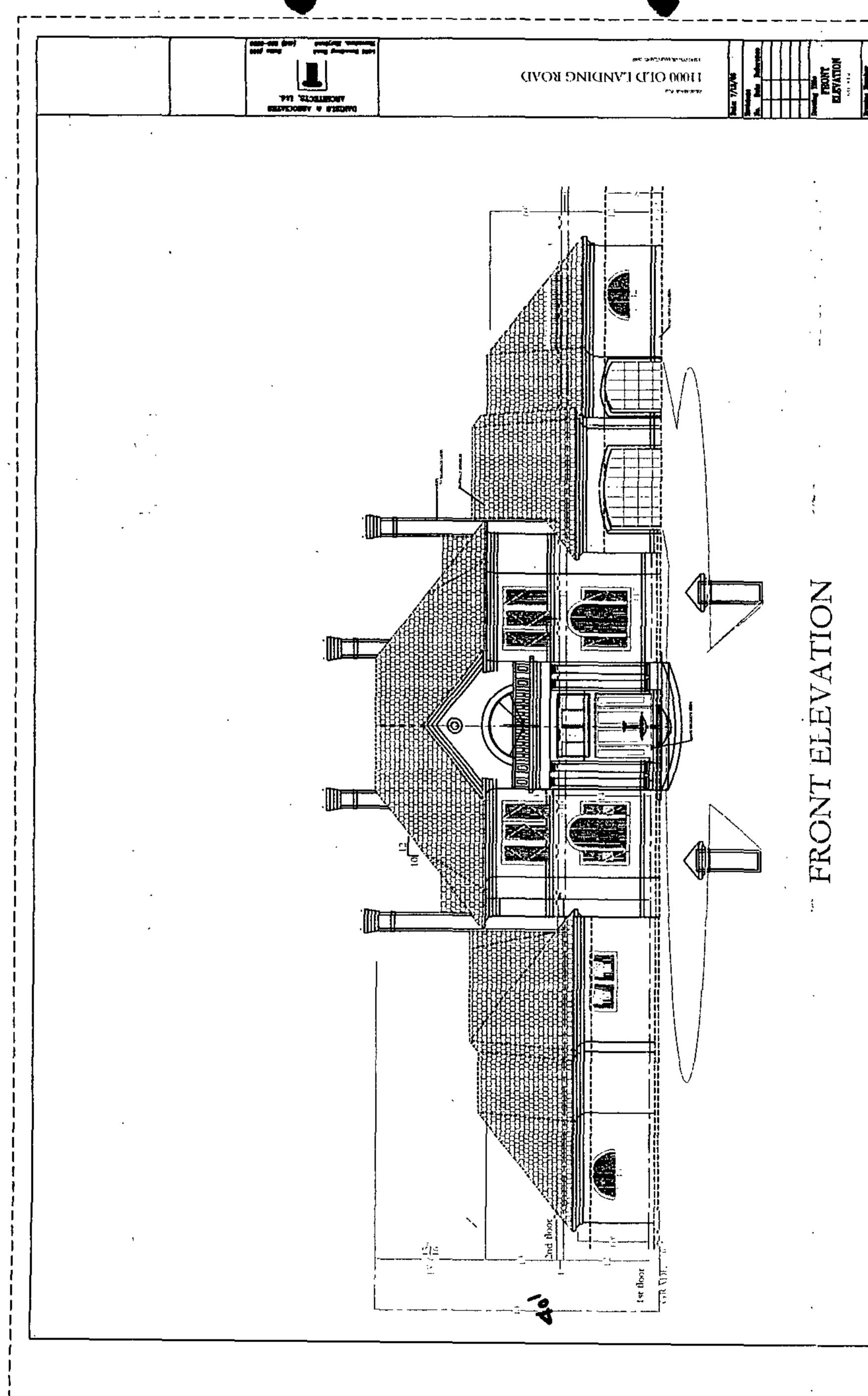
Date







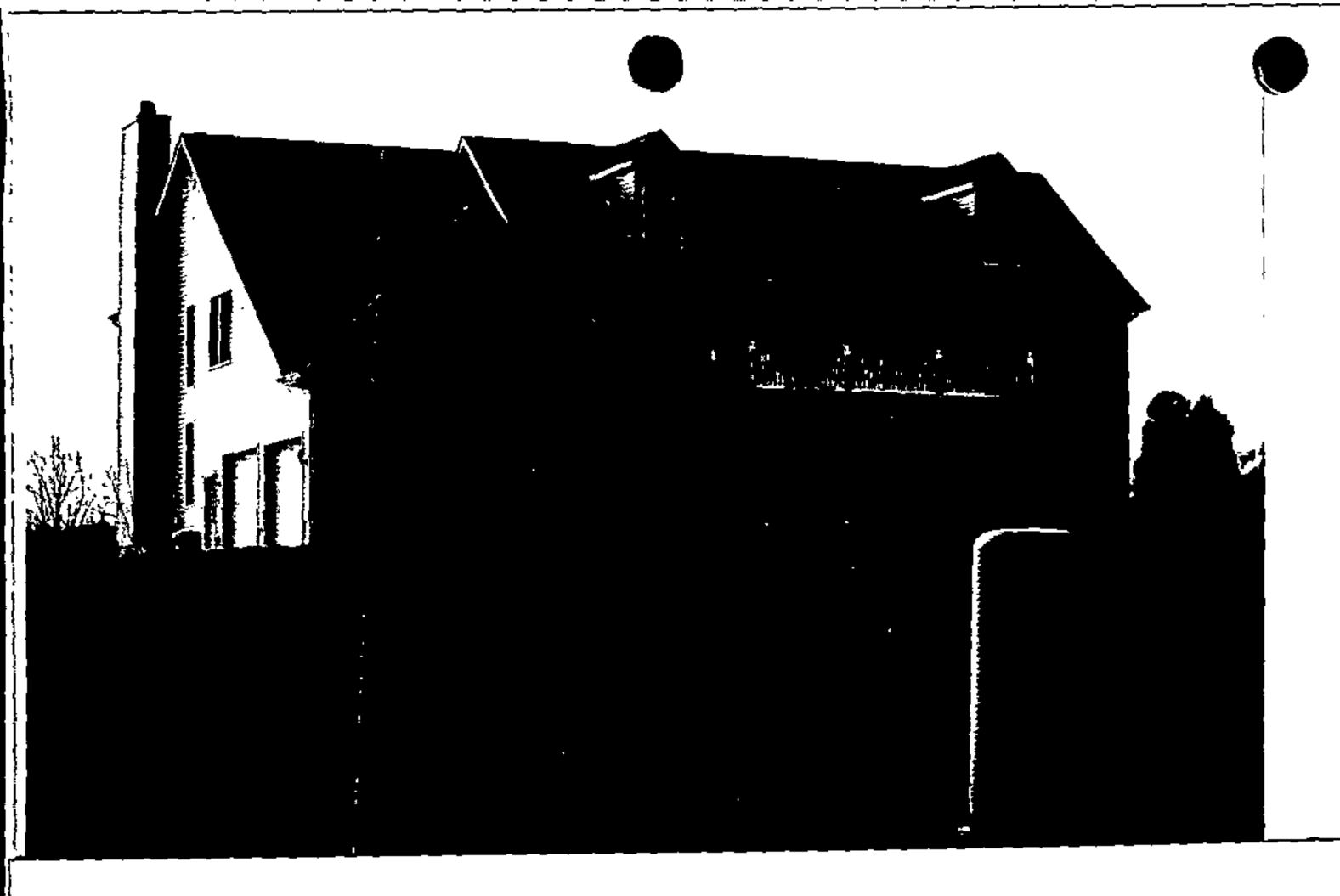




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DATE	CASE N	CASEN
7.5.07	JMBER	IAME
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PETITIONER'S SIGN-IN SHEET

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								ADDRESS Ton 11,000 Old Landing Rd 11012 Old Londing Rd 1426 Brocolum RM
								Kingswille MM 21087 Kingswille MD 21087 Kingswille MD 21087
								7 Stannewton @ comess.



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3 mile from
1,000 Old Landing Rd.

Kingsville, MD.



7435 MT. VISTA RD.

3 mile from
11,000 Obl Landing Rd
Kingsville, MD



7437 mT. VISTA RD.
3 mile from
11,000 Old Landing Rd.
Kingsville, MD.

(over)



10 Wildon Court

· 8 mile from

11,000 Old Landing Rd.

Kingsville, MD.



Wildon Court 8 mik From 11,000 Old Landing Al. Kingsville, MD.



12 Wildon Court

.8 mile from

11,000 Old Landing Rd.

Kingsville, MD.

(ward



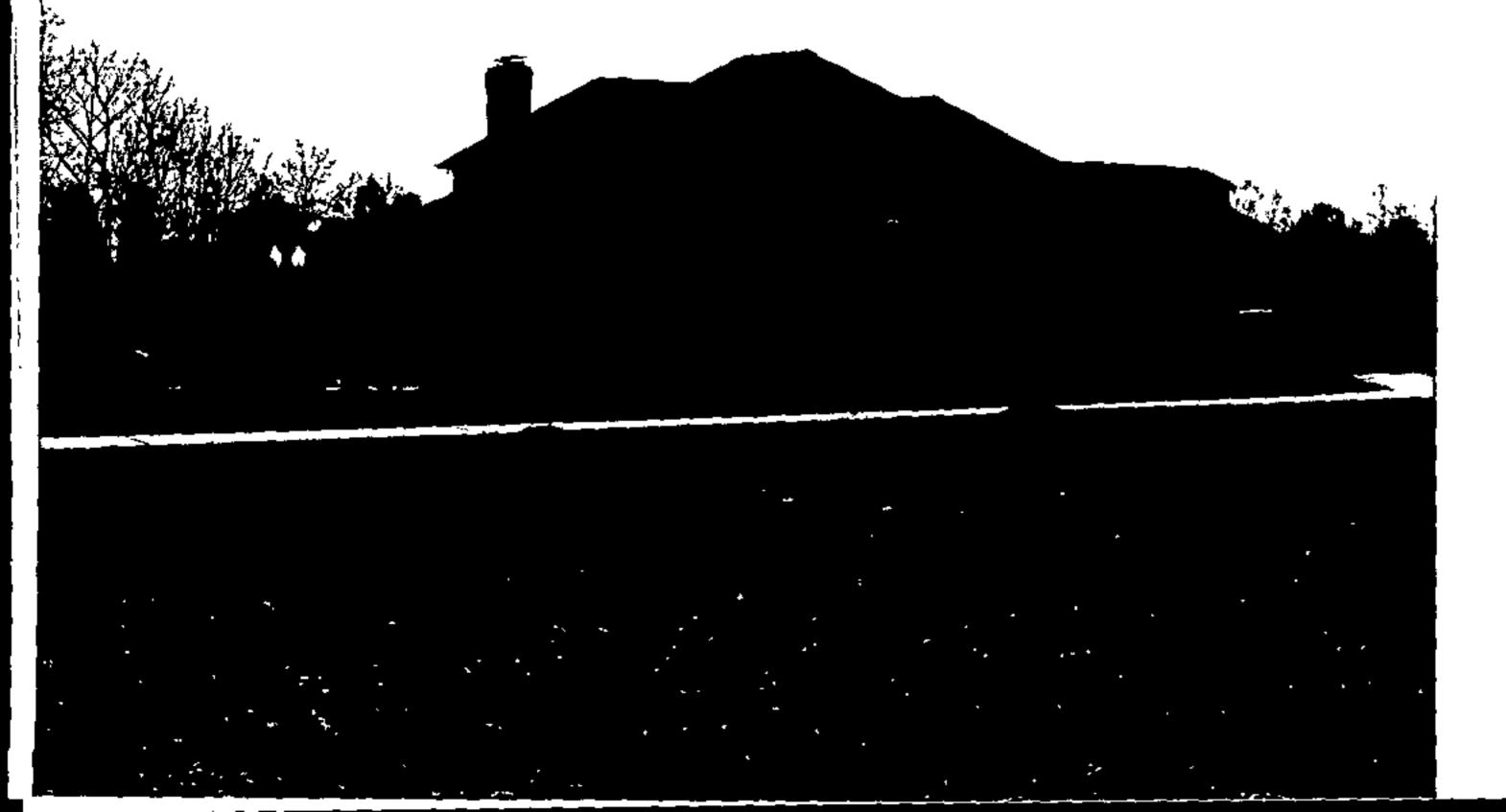


7441 Days Woods Court

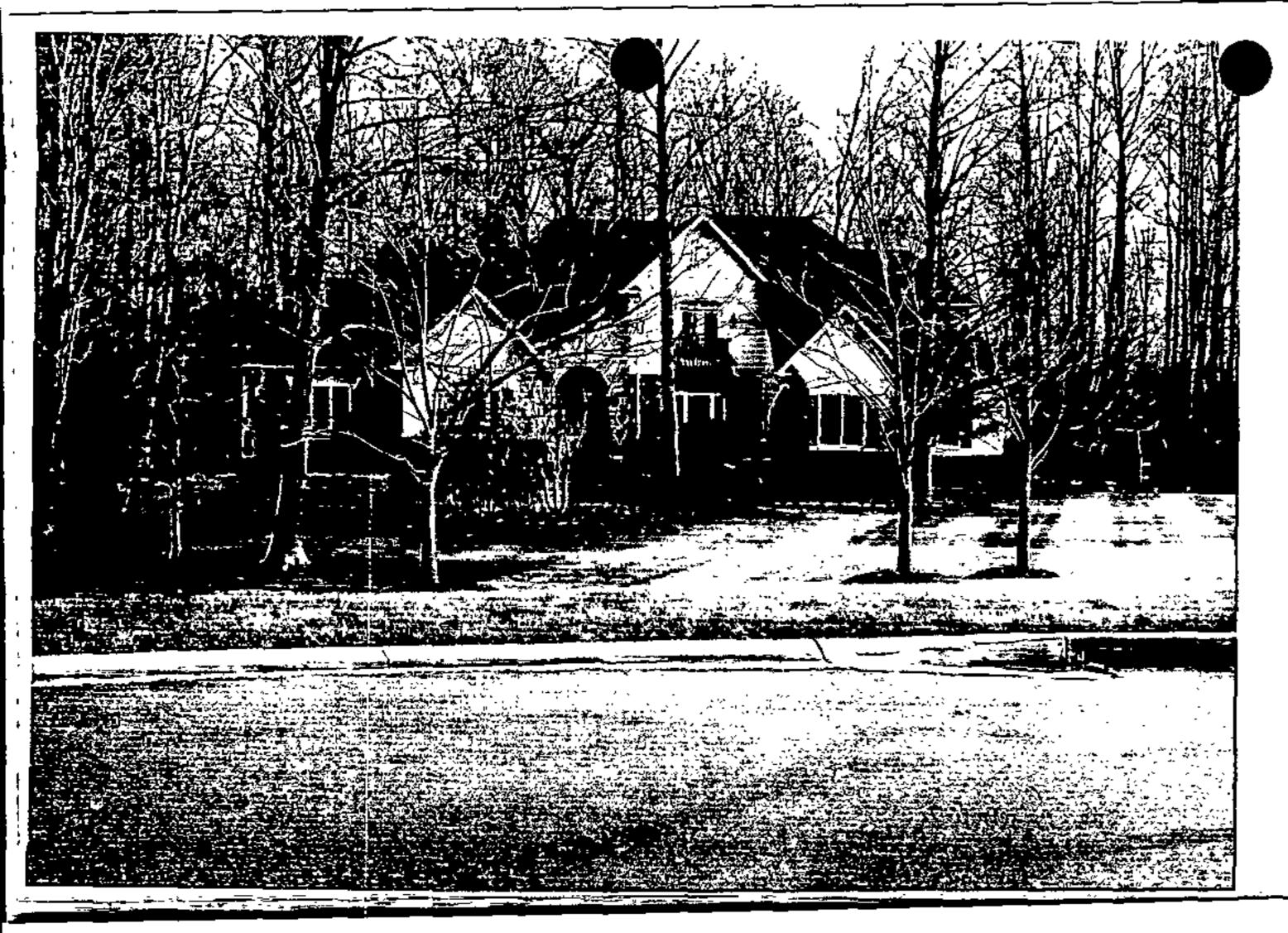
.6 mile from

11,000 Old Landing Rd,

Kings ville, MD.



(over)



75/7 Days Woods Court
.9 mile from
11,000 Old Landing Poli
Kingsville, MD.



11324 Cedar Lane.
.6 mile from
11,000 Old Landing Rd.
Kingsville, MD.

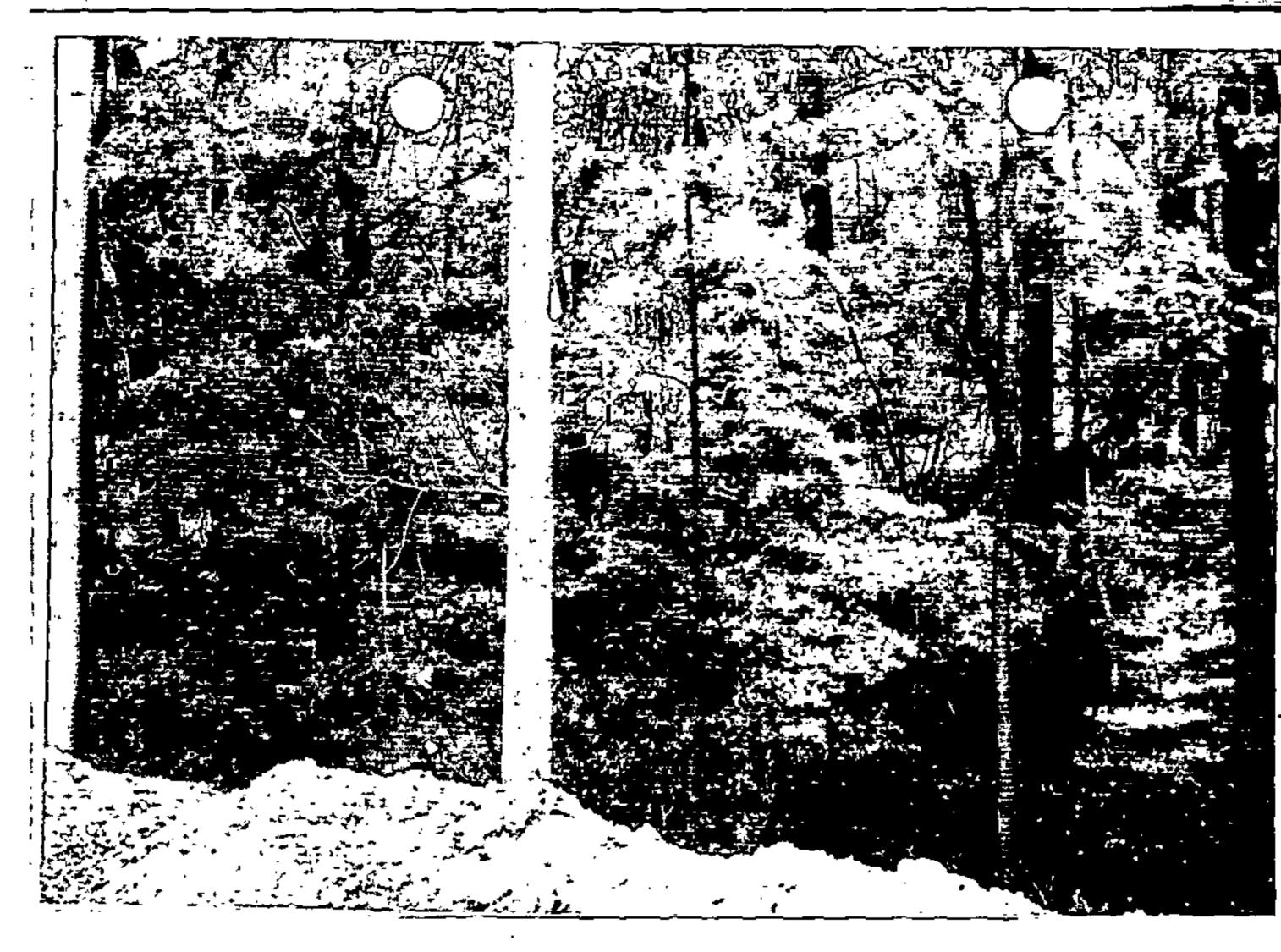


PHOTO HS VIEW FROM HOUSE COOKING



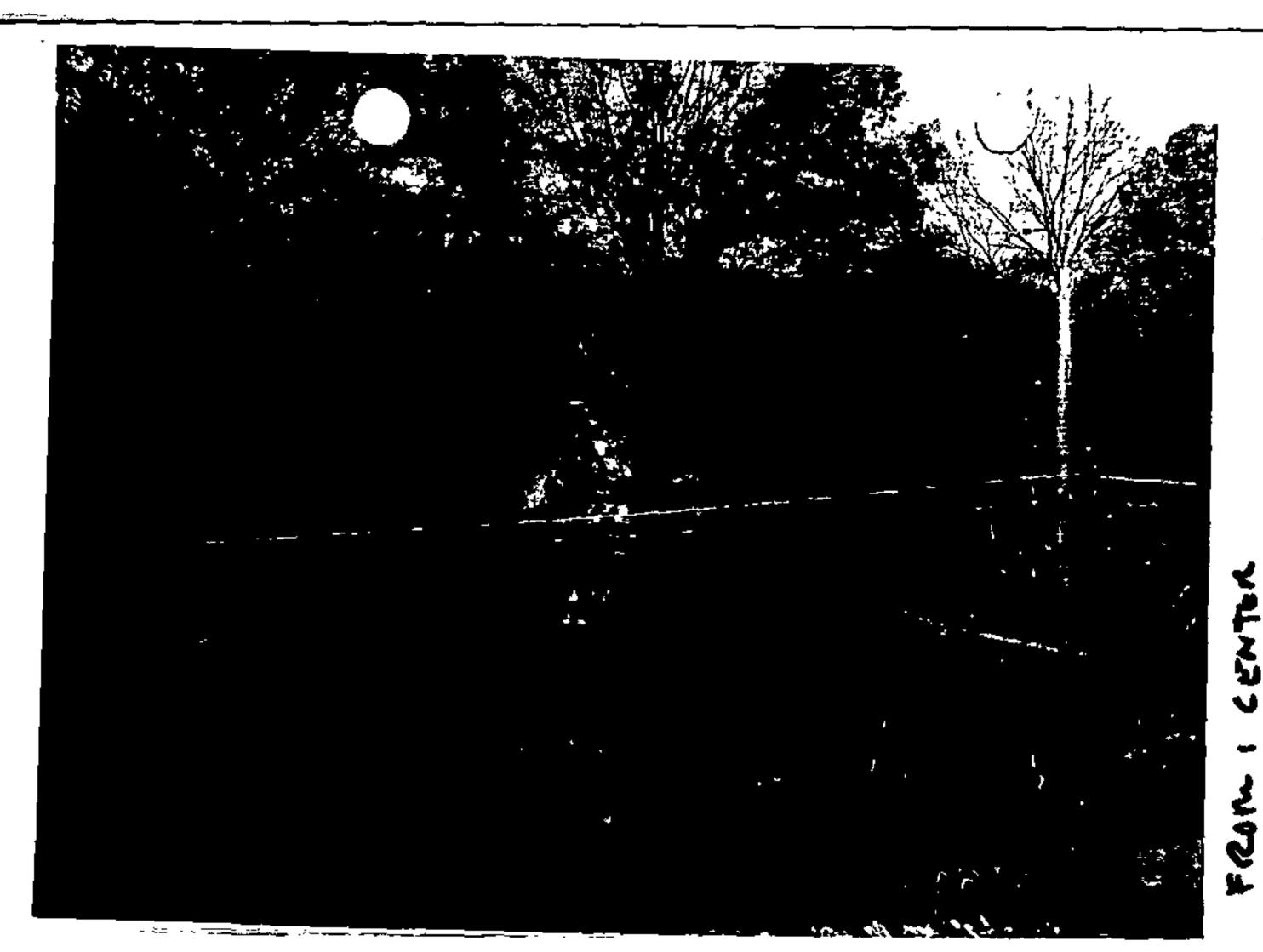
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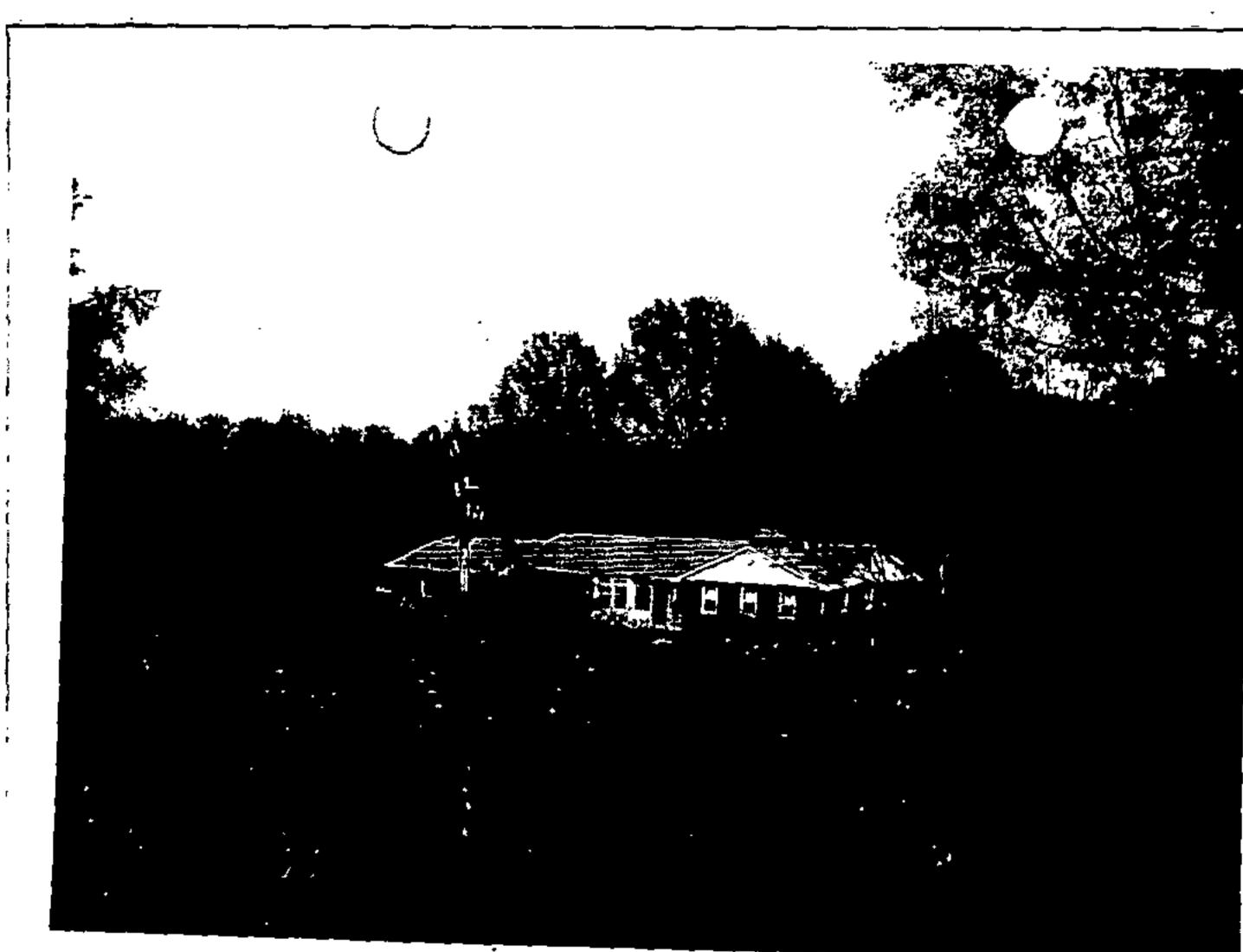
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Zorn i center 5E.



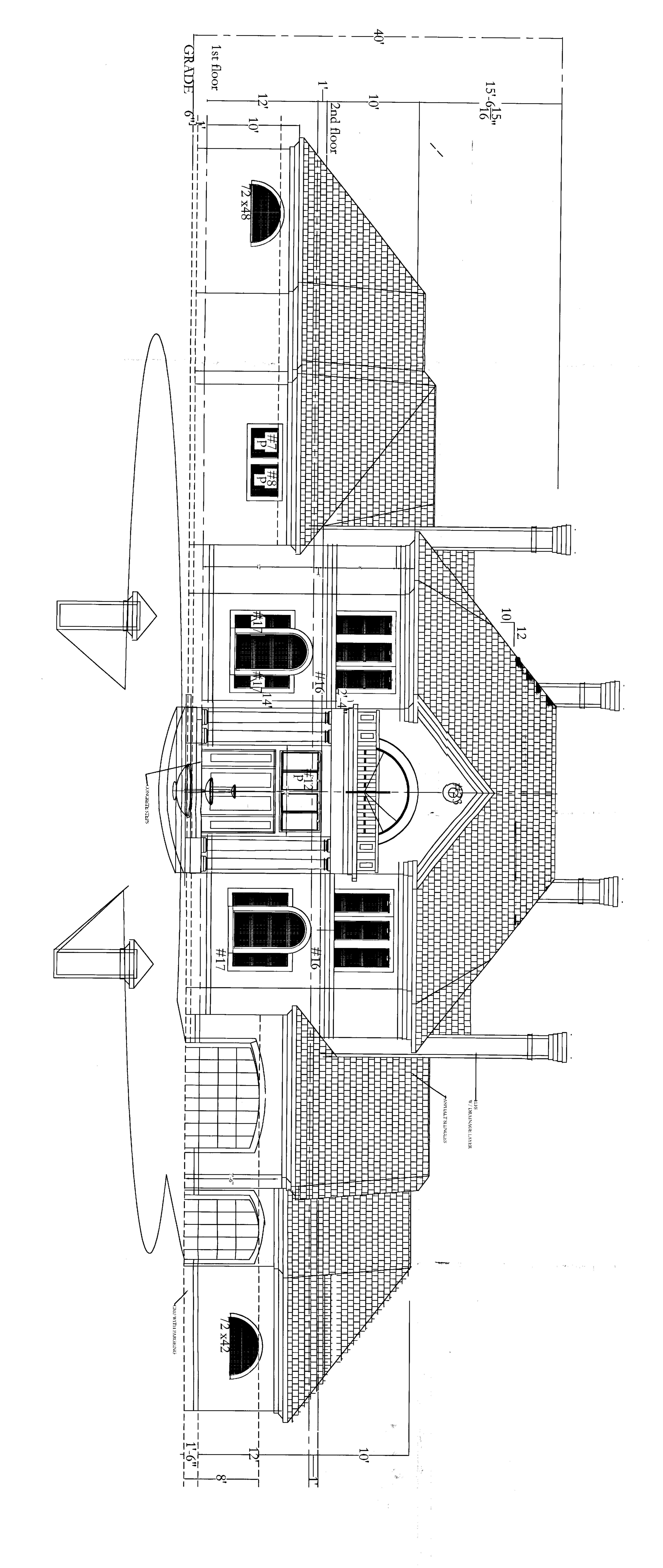
PHUTO 41 WIEW FROM SOUTH END A209



From centure EAST #209



FROM : Center Looking, NE



PETITIONER'S

Date: 7/13/06

Revisions
No. Date Reference

FRONT
FRONT
ELEVATION

3/16" = 1'-0"

Drawing Number

RESIDENCE FOR

11000 OLD LANDING ROAD

KINGSVILLE, MARYLAND (21087)

DANIELS & ASSOCIATES
ARCHITECTS, Ltd.

1426 Broadway Road Suite #100
Timonium, Maryland (410) 560-3588

