IN RE: PETITION FOR VARIANCE 200 feet W of Maple Avenue 9th Election District 2nd Councilmanic District

(1809 Roland Avenue)

Robert Arnold, Hibbs Arnold Roland, LLC **Petitioners**

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY *

CASE NO. 07-287-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Hibbs Arnold Roland, LLC. The Petitioners are requesting variance relief for property located at 1809 Roland Avenue. The variance request is from Sections 1B02.3.A.3 and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (2nd floor cantilever) with 10-foot side setbacks with a combination of 20 feet in lieu of the required 10-foot and 15-foot and combination of 25 feet.

The property was posted with Notice of Hearing on January 27, 2007 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 February 1, 2007 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: ZAC comments were received from the Office of Planning dated January 16, 2007, which contains restrictions, and a copy of which is incorporated herein and made a part hereof the file.

Interested Persons

Appearing at the hearing on behalf of the variance request were Robert Arnold, for Hibbs Arnold Roland, LLC, Petitioner. Nancy Horst, representing the Ruxton Riderwood Lake Roland Area Improvement Association, appeared as an interested citizen. There were no protestants at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Q.

The subject property contains 5760 square feet zoned DR 3.5 and improved by a single family dwelling which the Petitioner purchased in 2006 for the purpose of renovating and selling the home. This would be one of several such renovation projects for the Petitioner.

Mr. Arnold indicated that the present one story dwelling has only 810 square feet of living space, is in poor condition and not consistent with the homes in the neighborhood which have at least two stories. The Petitioner would like to add a cantilevered 2nd story to the existing first floor as shown in the plat to accompany, exhibit 1 and elevations of exhibit 3. He noted the Murphy property adjoining this property to the east has two stories as shown in photograph exhibit 2.

2-28-02 2-28-02 Ms. Horst, representing the Community Association, opined that the Murphy's added a second floor to an existing base very similar to what the Petitioner is proposing. She noted that strangely the properties along Roland Avenue were once lake front cottages but that the lake was drained many years ago and houses built on the old lake bed.

Mr. Arnold pointed out that the existing home does not meet the side yard or sum of the side yard setback regulations for a DR 3.5 zone of 10 feet and 25 feet (sum of side yards). As shown on exhibit 1 the present house is 11.6 feet from one property line and 11.9 feet from the other line. In order to accommodate the floor plan for the new second floor shown on exhibit 4, the Petitioner proposes to cantilever the second floor another 1.6 feet and 1.9 feet on each side. If this were denied the Petition would lose the central hallway and separate private entrances to the rooms which he indicated is essential to modern sue of the building.

In regard to the pattern of development of the neighborhood, Ms. Horst noted that all other homes along this portion of Roland Avenue have had similar renovations and so this request would not change the pattern of development. Her concern was only that the architectural design and features of the addition be compatible with the neighborhood which both she and the Petitioner opined was not particularly followed in the Murphy addition next door. Ms. Horst also noted that the Association notified all nearby residents regarding the Petitioner's requests and that no one called to object.

Finally in regard to the Planning Office comments that the addition would double the size of the house and therefore trigger review by the Design Review Panel, the Petitioner noted that if we include the basement and the first floor, the addition does not constitute a 50 % increase in size.

Findings of Fact and Conclusions of Law

This property is located the Ruxton Riderwood design review area and the addition would be reviewed by the Design Review Panel if the "addition is more than 50% of the gross square footage of the existing dwelling". See Section 32-4-204(a) 4 (ii) of the BCC. The Petitioner asserts that if the basement and first floor areas are combined, the addition would not exceed 50 % of the existing house. From my very rough calculations the addition would exceed 50% of the existing house and consequently the design should be reviewed by the Design Review Panel before building permit. I think the Petitioner mistakes 50% increase meaning to doubling the size of the house with an addition. However I do not have precise measurements of the basement or the existing first floor and so will require the Petitioner to provide the basis of his calculation to the Department of Permits and Development Management to determine if review by the Design Review Panel is needed.

I find that the property is unique in a zoning sense. There is an existing home on the property which does not meet the side yard setback regulations which combined with Ms. Horst testimony regarding the history of the area leads me to believe the house was built many years before the zoning regulations were imposed. Therefore I find that the after imposed DR 3.5 regulations disproportionately impact this property as compared to others in the zoning district.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The Petitioner would lose the central hallway which is essential to the modern use of the dwelling.

Finally, I find this variance 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. There will be no change to the character of the neighborhood as noted by Ms. Horst.

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

- 1. The Petitioner shall submit all relevant dimensions of the existing dwelling and proposed addition to the Department of Permits and Development Management who shall determine if the addition is more than 50 % of the gross square footage of the existing dwelling. If so, the Petitioner shall submit such plans and elevations as shall be required for review by the Design Review Panel to assure that the proposed addition will result in a building design that is compatible with the architecture in the neighborhood in terms of form; massing, scale, articulation, color and materials.
- 2. If the addition is less than 50 % of the gross square footage of the existing dwelling, prior to application of any building permit, the Petitioner shall submit architectural elevation drawings and floor plans to the Office of Planning for review and approval for the proposed addition that shows a building design that is compatible with the architecture in the neighborhood in terms of form, massing, scale, articulation, color and materials; and
- 3. Once the plan for the addition is approved as above the Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

February 28, 2007

ROBERT ARNOLD HIBBS ARNOLD ROLAND, LLC 519 WILTON ROAD BALTIMORE MD 21286

Re: Petition for Variance
Case No. 07-287-A
Property: 1809 Roland Avenue

Dear Mr. Arnold:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

John V. Tonuphy

JVM:pz

Enclosure

c: Nancy Horst, PO Box 204, Riderwood MD 21139



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 1809 Follow AVE.

which is presently zoned D.R.3.5

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) 1002.38.39 1002.30.10 (8042)

TO PERMIT AN ADDITION (2ND FLOOR CANTILEVER) WITH 10-FOOT SIDE SETBACKS WITH A COMBINATION OF 20-FEET IN LIEU OF THE REQUIRED 10-FOOT AND 15-FOOT AND COMBINATION OF 25-FEET.

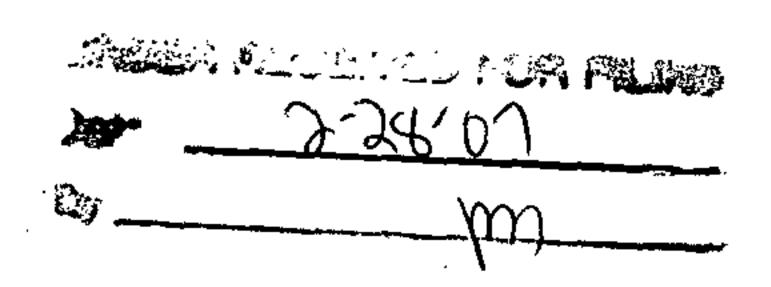
of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

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/Less	<u>ee:</u>			Legal Owner(s):
			_	1-tibbs Annold Robust LLC
Name - Type or Print			Name -	Type or Print Pole / Dayold
Signature		., 	-	Signature Contract Co
Address		Telephone No.	-	Name - Type or Print
City	State	Zip Code	-	Signature
Attorney For Petitioner:				519 Wilton Pol 410-493-4136 Address Telephone No.
			- 04.	Bolhimore MD 217-86
Name - Type or Print			City	State Zip Code
Signature		<u>,,,, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>	-	Representative to be Contacted:
Company	· 		-	Robert Arnold Name
				519 Wilton Pol 410-493-4136
Address		Telephone No.	_	Address Telephone No.
City	State	Zip Code	_	Baltimore MD 2/286 City State Zip Code
				OFFICE USE ONLY
Case No. 07-287-F	}			ESTIMATED LENGTH OF HEARING
		Reviewed	7 يو	UNAVAILABLE FOR HEARING
REV 9/15/98		POTEMON	~7 <u></u> \$	



ZONING DESCRIPTION FOR:

1809 ROLAND AVE., BALTIMORE, MARYLAND, 21204

Beginning at a point on the southernmost side of an Avenue thirty feet wide to be used in common with others having a right thereto leading from Ellenham Avenue to Bellona Avenue at the distance of 142 feet ¾ inches from the third or north 14 degrees 7 minutes East 204 feet line of that parcel of land which by Deed dated June 18, 1924, and recorded among the Land Records of Baltimore County in Liber WPC No. 594, folio 127, etc., was conveyed by Frank T. Parsons, et al,Trustees to Wimer R. Gill and running thence binding on the southernmost side of the aforesaid Avenue North 76 degrees 11 minutes West 46 feet 1 ¾ inches and running thence for a line of division South 13 degrees 15 minutes West 194 feet to intersect the second or South 76 degrees 11 minutes East 204 feet 6 inches line of the above mentioned land and running thence and binding on said line South 76 degrees 11 minutes East 45 feet 9 ¾ inches and running thence for a line of division North 13 degrees 11 minutes East 194 feet to the place of beginning. The improvements thereon being known as 1809 Roland Ave.

distance of 142 feet, ¾ inches east of the centerline of the nearest improved intersecting street Ellenham which is 30 feet wide. As recorded in Deed Liber No. 15398, Folio 194 and included the measurements and directions (metes and bounds only) here and on the plat in the correct location.

9th ELECTION DISTRICT 2NO COUNCILMANIC DISTRICT

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BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DATE LOATE LOAD OLD AMOUNT \$ LOAD OLD AMOUNT S AMOUNT S LOAD O	

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: # 07-287-A

1809 Roland Avenue
200 feet west of Maple Avenue
9th Election District - 2nd Councilmanic District
Legal Owner: Robert Arnold, Hibbs Arnold Roland, LLC

Variance: To permit an addition (2nd floor cantilever)
with 10-foot side setbacks with a combination of 20 feet
in lieu of the required 10-foot and 15-foot and combination of 25 feet.

Hearing: Friday, February 16, 2007 at 10:00 a.m. In
Room 106, County Office Suilding, 111 West Chesapeaks 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) 887-4386.
(2) For Information concerning the File and/or Hearing,
Contact the Zoning Review Office at (410) 887-3391.
2/004 Feb. 1

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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 _successive weeks, the first publication appearing published

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Williams

LEGAL ADVERTISING

CERTIFICATE OF POSTING

	ATTENTION: KRISTEN MATHHEWS	DATE:	1/29/07
	Case Number: 07-287-A		
Petit	ioner/Developer: ROBERT ARNOLD	?	
	Hearing (Closing): 02/16/07		
	tify under the penalties of perjury that the necessary sign(s y on the property located at: 1809 ROLAND AVENUE	required by law were posted	
The sign(s) w	vere posted on: 01/27/07		<u>-</u>
	ZONING NOTICE CASE # 07-287-A	anda O Rufe	
	A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD	(Signature of Sign Poster) Linda O'Keefe (Printed Name of Sign Poster)	
	PLACE: 111 WEST CHESAPEAKE AVE TOWSON 21204 FRIDAY, FEBRUARY 16, 2007 DATE AND TIME: AT 10:00 A.M. ADDITION	523 Penny Lane (Street Address of Sign Poster)	
	REQUEST: 22 NO FLOOR CANTILEVER WITH A COMBINATION OF 20 FEET IN LIEU OF THE REQUIRED TO FOOT AND 15 FOOT AND COMBINATION OF 25 FEET.	Hunt Valley Maryland 2103 (City, State, Zip Code of Sign Poster	
	1809 ROLAND AVENUE	410-666-5366	•
	POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM REARING CALL 887-3391 TO CONFIRM REARING CALL 887-3391 TO ONOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW HANDICAPPED ACCESSIBLE	(Telephone Number of Sign Poster)	

HANDICAPPED ACCESSIBLE



JAMES T. SMITH, JR. County Executive

TIMOTHY MINISTRA QQ, 2006 Tor 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: 07-287-A

1809 Roland Avenue

200 feet west of Maple Avenue

9th Election District - 2nd Councilmanic District

Legal Owner: Robert Arnold, Hibbs Arnold Roland, LLC

<u>Variance</u> to permit an addition (2nd floor cantilever) with 10-foot side setbacks with a combination of 20 feet in lieu of the required 10-foot and 15-foot and combination of 25 feet.

Hearing: Friday, February 16, 2007 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Robert Arnold, 519 Wilton Road, Baltimore 21286

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

TO: PATUXENT PUBLISHING COMPANY

Thursday, February 1, 2007 Issue - Jeffersonian

Please forward billing to:

Robert Arnold 519 Wilton Road Baltimore, MD 21286

410-493-4136-

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: 07-287-A

1809 Roland Avenue 200 feet west of Maple Avenue 9th Election District – 2nd Councilmanic District Legal Owner: Robert Arnold, Hibbs Arnold Roland, LLC

Variance to permit an addition (2nd floor cantilever) with 10-foot side setbacks with a combination of 20 feet in lieu of the required 10-foot and 15-foot and combination of 25 feet.

Hearing: Friday, February 16, 2007 at 10:00 a.m. in Room 106, County Office Building,

141 West Chesapeake 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 <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.

or Newspaper Advertising:
tem Number or Case Number:
Address or Location: 1809 ROLAND ARE.
PLEASE FORWARD ADVERTISING BILL TO:
Name: MR. ROBERT ARNOLD
Address: 519 WILTON RD.
BALTO. MD 21286
·
Гelephone Number: <u>H10-493-4136</u>



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

February 7, 2007

Robert Arnold Hibbs Arnold Roland, LLC 519 Wilton Road Baltimore, MD 21286

Dear Mr. Arnold:

RE: Case Number: 07-287-A, 1809 Roland Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 21, 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

M. Callada Dalla

WCR:amf

Enclosures

c: People's Counsel



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

Neil J. Pedersen, Administrator

Robert L. Flanagan, Secretary

Maryland Department of Transportation

Date: 01-03-2007

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

RE:

Baltimore County

Item No.7-287-A

1809 ROLLANDED

ROBERT ARRIVAD POLLAND, LLC

VARIANCE

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. 7-287-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 ()
Engineering Access Permits

Division

SDF/MB

Busglie

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: January 16, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

1809 Roland Avenue

INFORMATION:

Item Number:

7-287

Petitioner:

Hibbs Arnold Roland LLC

Zoning:

DR 3.5

Requested Action:

Variance

The property in question is within the Ruxton Riderwood Lake Roland Design Review area. The property in question contains an older existing single-family dwelling. The proposal is to add a 2nd floor cantilevered addition to update the existing dwelling. A side yard variance is requested for 10 feet in lieu of 15 feet and a sum of side yards of 20 feet in lieu of 25 feet. The property is very long and narrow, which creates the practical difficulty.

Planning staff requested the owners to provide additional information including the existing square footage and the proposed square footage of the addition and the percentage of the expansion. As of this date that information has not been received. It appears that the addition is less than 50% expansion. If this is the case, a Design Review Panel meeting will not be required. If the addition exceeds 50%, a Design Review Panel meeting is required and the Panel's comments are binding upon the hearing officer.

SUMMARY OF RECOMMENDATIONS:

If the Zoning Commissioner grants the requested 10-foot side yard instead of 15 feet and a sum of side yard setbacks of 20 feet in lieu of 25 feet, the following should apply.

Prior to application of any building permit, the Office of Planning should review and approve architectural elevation drawings and floor plans for the proposed addition that shows a building design that is compatible with the architecture in the neighborhood in terms of form, massing, scale, articulation, color and materials.

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

Reviewed by:

Division Chief: AFK/LL: CM

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: January 3, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 8, 2006

Item Nos. 07-281, 284, 285, 286, 287, 288, 289, 291, 292, and 293

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-01032007.doc

RE: PETITION FOR VARIANCE

1809 Roland Avenue; 200' W of Maple Ave

9th Election & 2nd Councilmanic Districts

Legal Owner(s): Hibbs Arnold Roland, LLC

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

07-287-A

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/documentation filed in the case.

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 8th day of January, 2007, a copy of the foregoing Entry of Appearance was mailed to, Robert Arnold, 519 Wilton Road, Baltimore, MD 21286, Petitioner(s).

RECEIVED

JAN 8:0 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per.....

PLEASE PRINT CLEARLY

CASE NAME 1809 Rd and Ave. CASE NUMBER 07-287-4 DATE

PETITIONER'S SIGN-IN SHEET

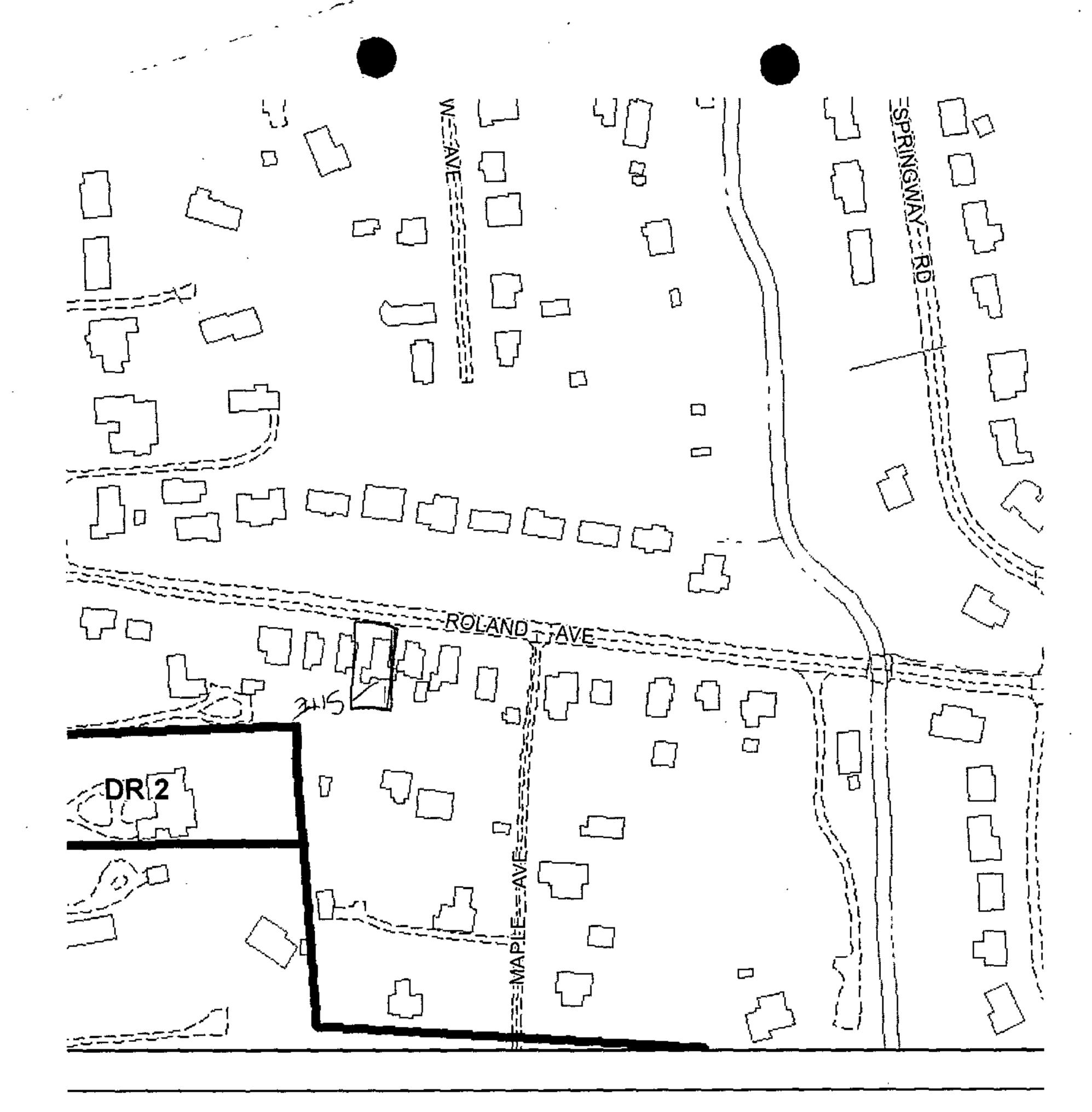
afcolaice d'Verigon. E-MAIL 98212 CITY, STATE, ZIP Bethimore ADDRESS Sig Wilton Red. Rock Amold NAME

PLEASE PRINT CLEARLY

<u>U</u>	IMBER	
CASE NAM	CASE NUM	DATE

CITIZEN'S SIGN-IN SHEET

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STATE, ZIP	01139						•				
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ADDRESS	P. 6-53 20 +										
NAME	Masser 6stk-ro										



Baltimore County Office of Planning and Zoning Official Zoning Map



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Case No.: 07-287-A 1809 ROLAND AUS

Exhibit Sheet

Petitioner/Developer

Protestant

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No. 1		
No. 2		-
No. 3		
140. 3		
No. 4	<u></u>	
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(SIGN IN SHEETS - OPPORTUNITY TO SIGN) - (RECORDER)

Good Morning – My name is Bill Wiseman, I am the Zoning Commissioner for Baltimore County and I've been assigned to hear your case pursuant to Art. 32 of the Baltimore County Code. THESE PROCEEDINGS ARE BEING RECORDED

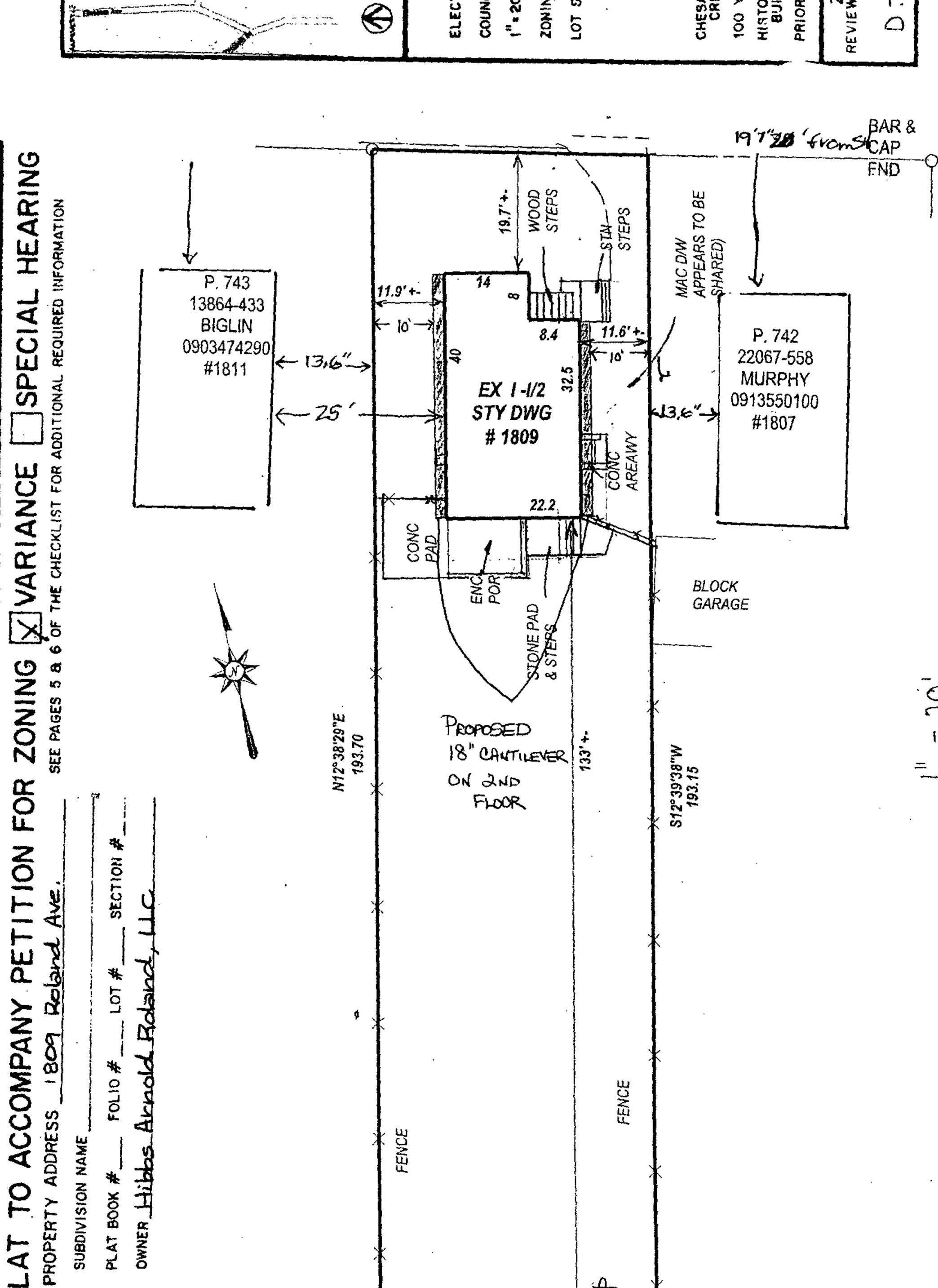
Code. THESE PROCEEDINGS ARE BEING RECORDED	
FOR THE RECORD, THIS IS A PUBLIC HEARING ON case number 07-287-A	
This is a Petition for	
filed by Robert Aknold Maroyn Member 87 for property located at 1800 Poland 199 and zoned DR 3.5	
7001 KOGWICH 1900	
"Read language from file"	
The Code requires that notice of today's hearings be provided to neighbors and interested parties by the posting of a sign on the property for at least 15 days prior to the hearing. The sign was posted 1-27-07 by by O' leafe, an approved sign poster and shows the time, date, place and subject matter of the hearing.	
The Code further requires that notice be placed in a newspaper of general circulation, in this case the Jeffersonian, and the file contains the requisite certification of publication.	
I THEREFORE FIND THAT THE POSTING AND NOTICE REQUIREMENTS HAVE BEEN SATISFIED	
IF ATTORNEYS PRESENT, HAVE THEM IDENTIFY THEMSELVES; ASK IF THERE ARE ANY PRELIMINARY MATTERS	
LOOK AROUND ROOM – AND ASK – IS ANYONE HERE APPEARING IN OPPOSITION TO THE REQUEST?	
NO PROTESTANTS: For the record, no one is here in opposition to the request. Mr./Ms. , since there is no opposition, if you want to make AN INFORMAL PROFFER of the testimony and evidence, you're welcome to do so.	
IF PROTESTANTS: This is your opportunity to come forward and have a seat at the table. You will be able to see and hear better, so come forward and I have a sign-in sheet here for you	
to sign so that we can mail you a copy of the decision in this case.	عم

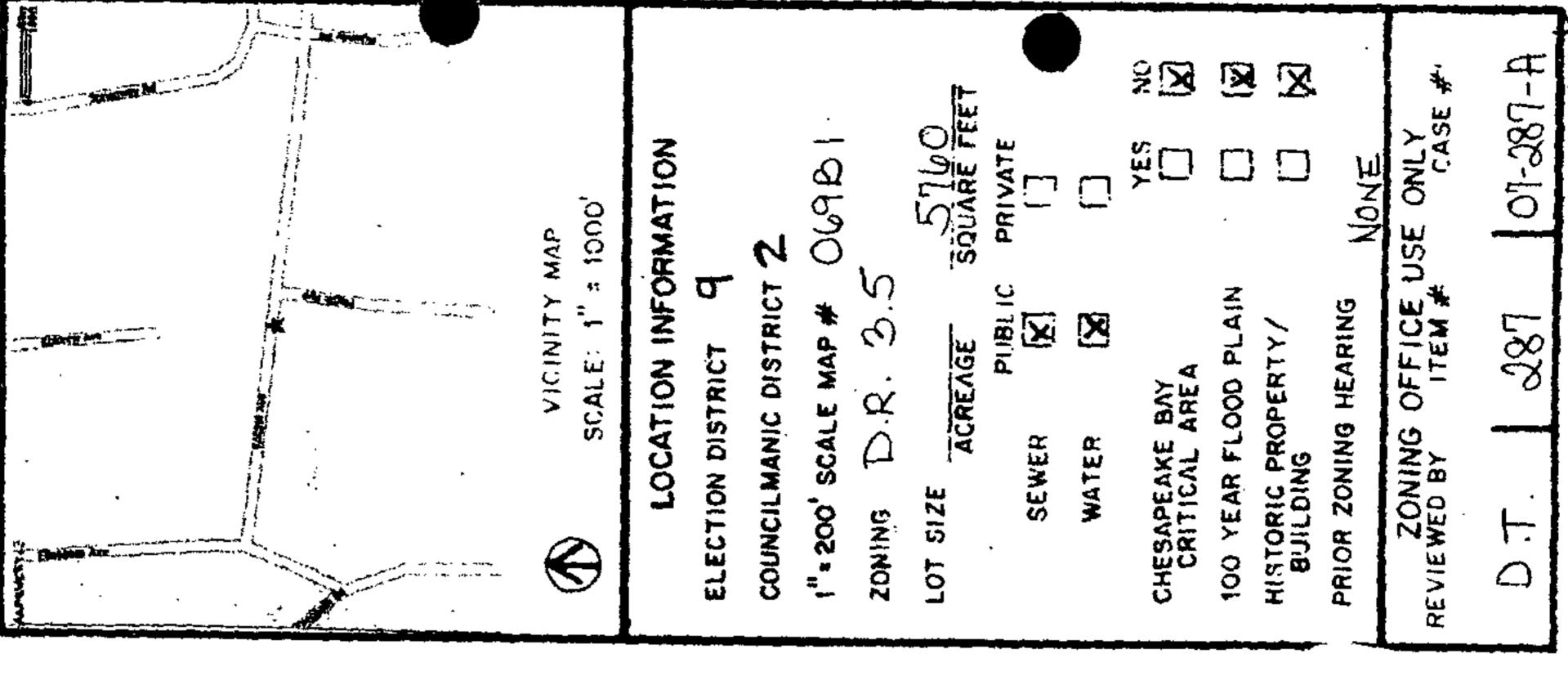
with Rux for Riderwood Lake Colond Design area

OP. Wanted add't demension into-?

EXPLAIN PROCESS:

First the owner of the property will have an opportunity to present testimony and evidence regarding therequest for the property at
Listen carefully, if you have any questions that you want to ask of any witness who testifies, I'l give you an opportunity to do so.
Once Petitioner is finished putting forward their testimony, and you've had an opportunity to ask questions, you will be given an opportunity to present testimony and evidence for me to consider in this request. I'll tell you when it's appropriate to ask
questions and when it's appropriate to testify – help you along as we proceed.
PRESENT CASE
SWEAR WITNESS - NAME AND ADDRESS - HAVE A SEAT
All right Mr./Ms, please proceed with your case:
TO PROTESTANTS: Do you have any questions about the testimony that Mr./Ms. just gave? I don't want to hear any testimony from you at this point, but if you would like to ask him/her any questions go ahead.
CLOSE OF PETIONERS CASE: This is your opportunity to tell me why you might be opposed to this Where do you live? How long have you lived there? What is it about the that bothers you/or what would you like to tell me about this case.
CONCLUSION: ALRIGHT – THANK YOU. THIS WILL CONCLUDE THE MATTER. THANK YOU FOR ATTENDING
I'm not prepared to make a decision here and now.
I want some time to think about the evidence presented – might want to look at the property
Hopefully, within a few weeks, I'll issue a written decision in the case
If you do not like my decision, YOU HAVE A RIGHT TO APPEAL TO THE Board of Appeals. This must be done within 30 days from date of my Order.





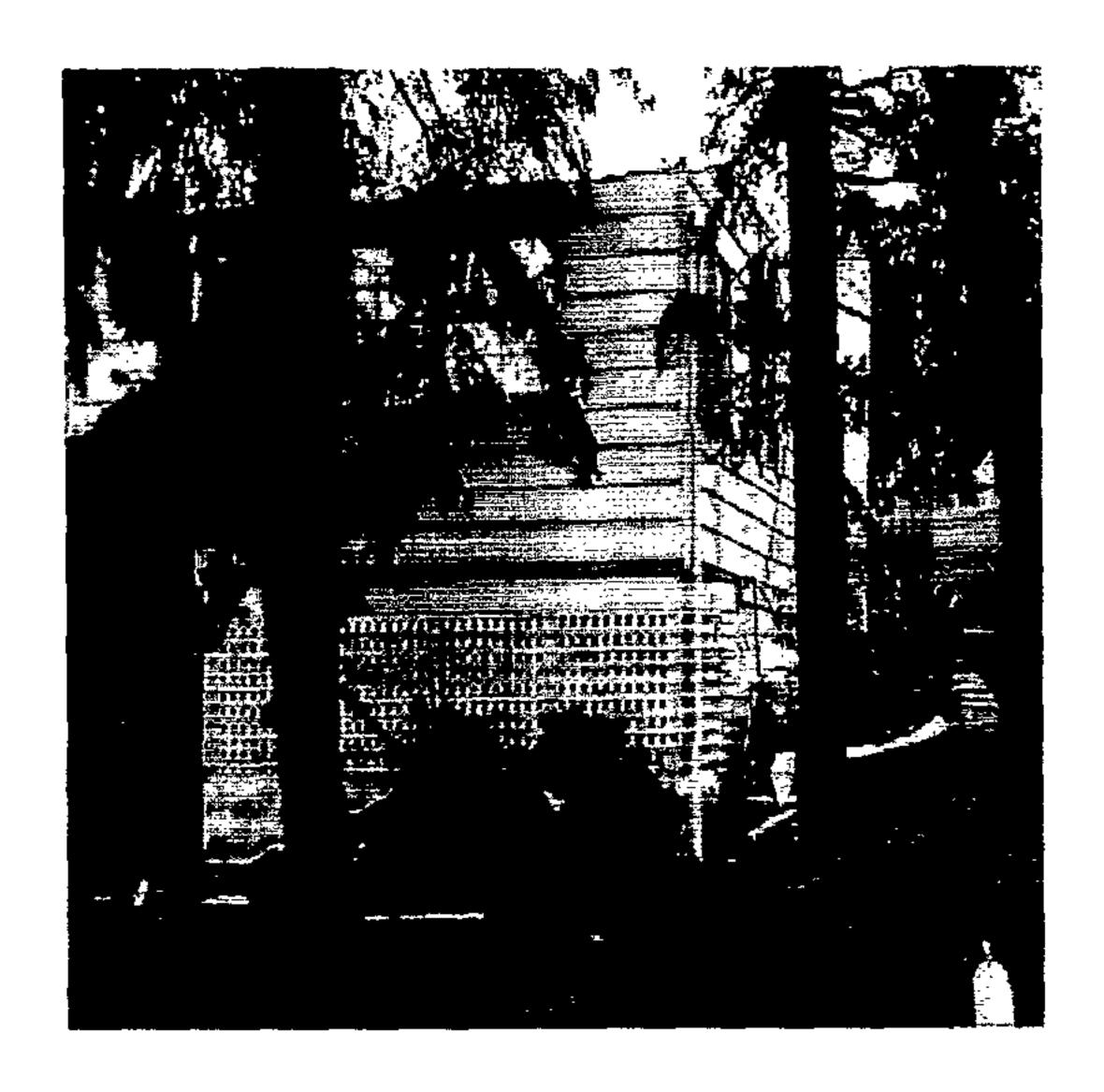
View of 1809 from street front of 1807 – Murphy house



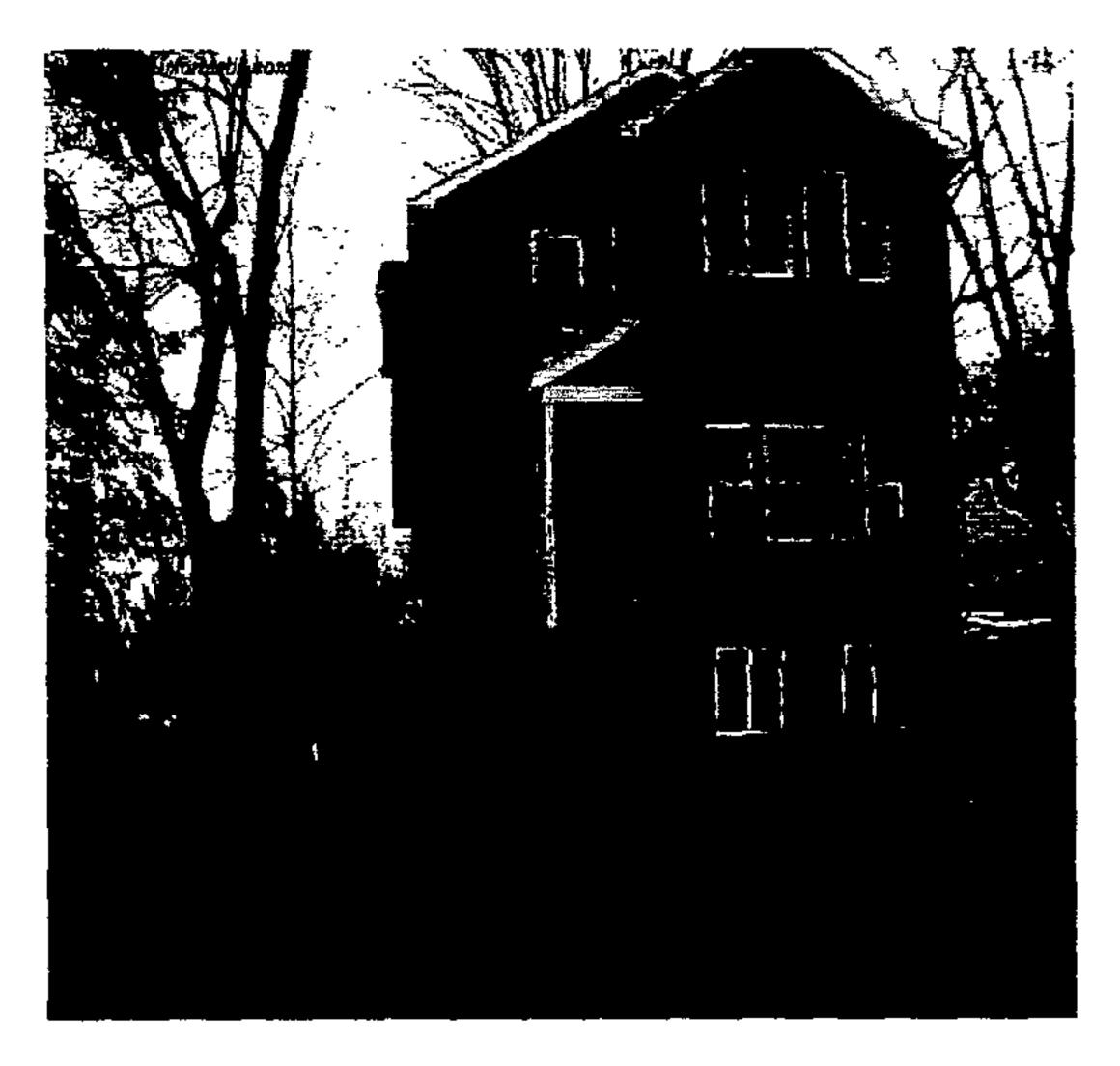
View of 1811 (Biglin house) from street view of 1809



Front view OF 1809 Roland Ave.



Street view of Biglin House (1811 Roland)



View of 1807 (Murphy house) from street 1809



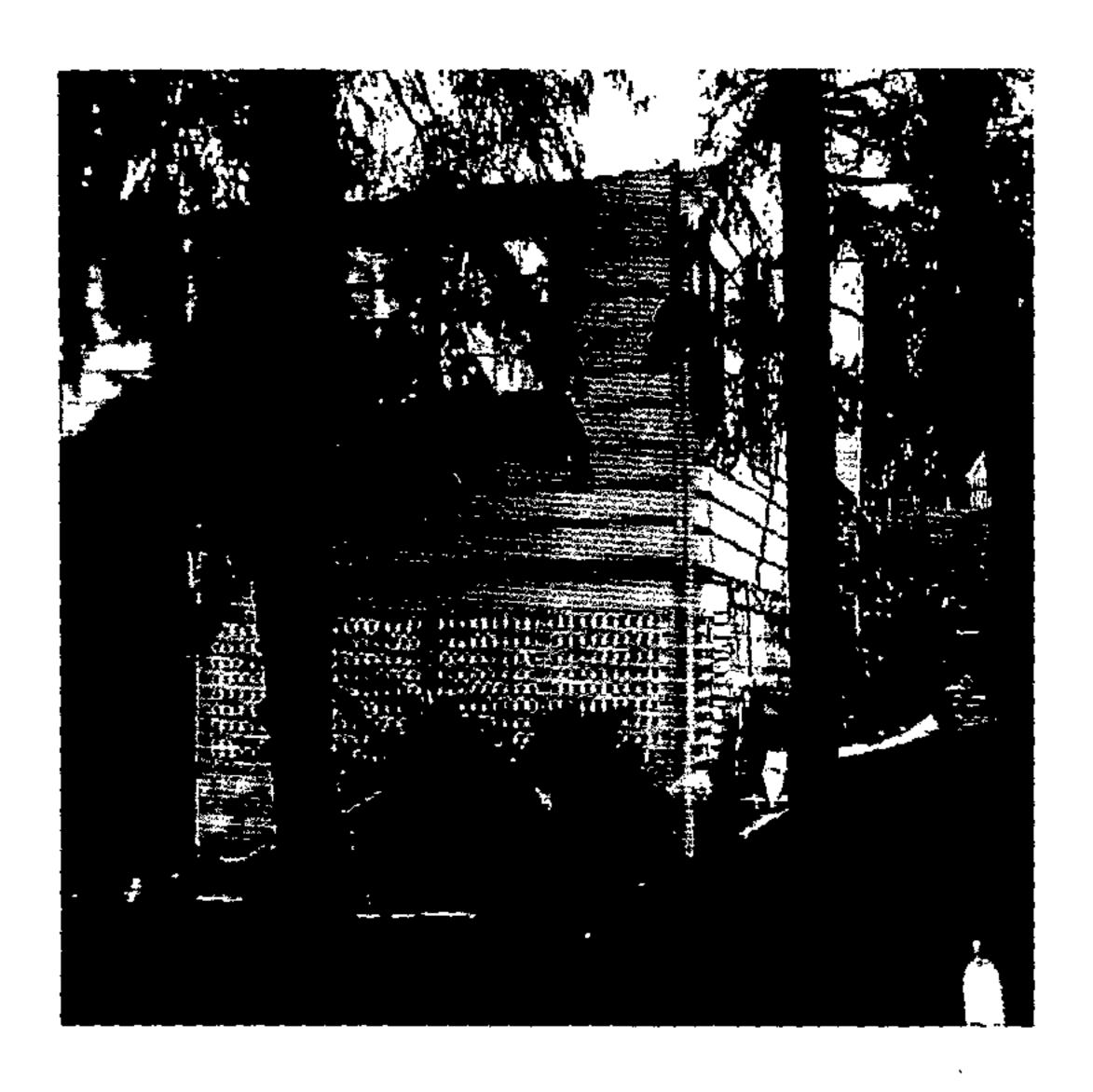
Street View of 1809 Roland Ave.



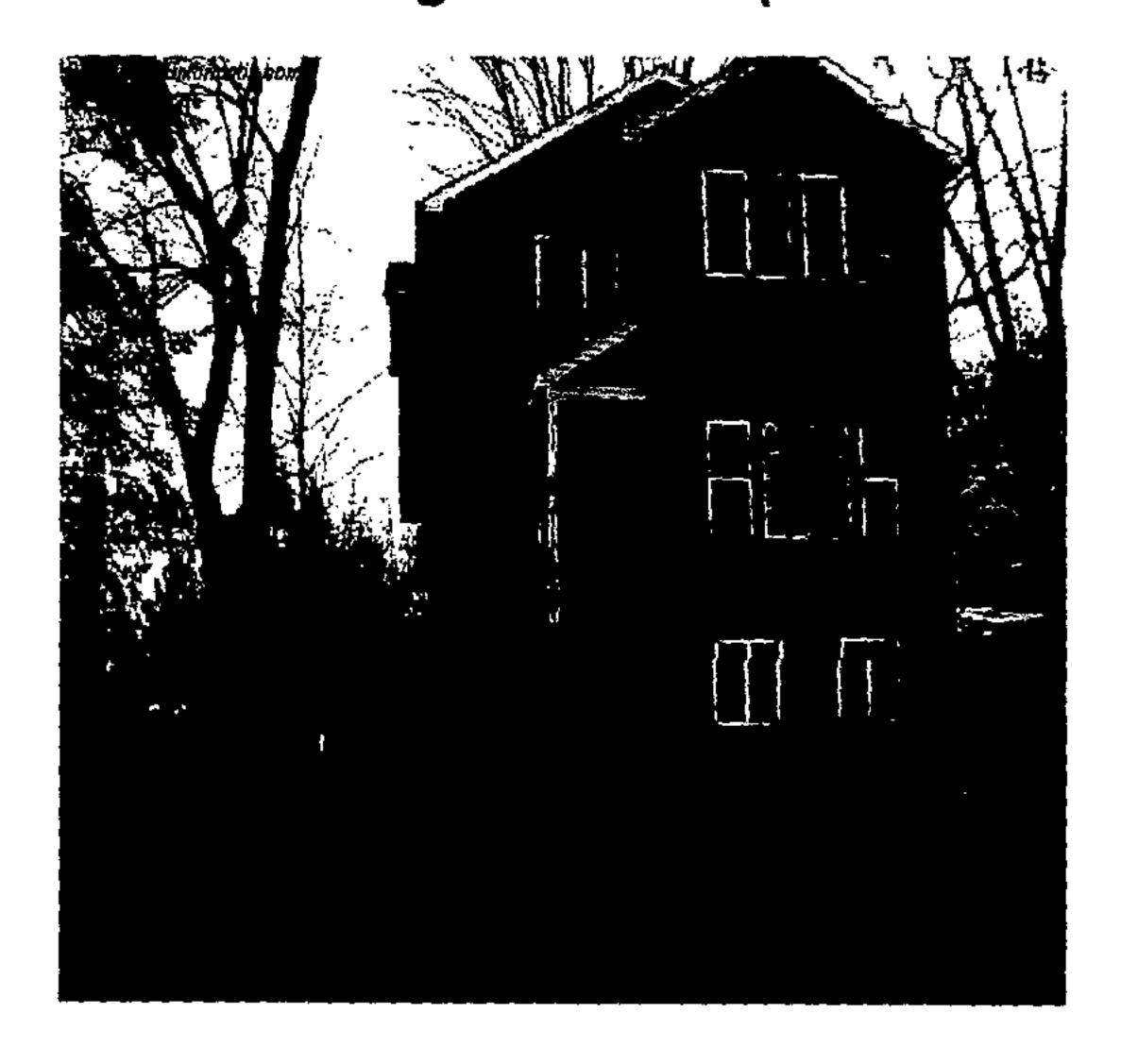
View of 1809 Roland from 1811 – Biglin House



Front view OF 1809 Roland Ave.



Street view of Biglin House (1811 Roland)



View of 1809 from street front of 1807 — Murphy house



View of 1811 (Biglin house) from street view of 1809



Street View of 1809 Roland Ave.



View of 1809 Roland from 1811 – Biglin House



View of 1807 (Murphy house) from street 1809



