IN RE: PETITION FOR VARIANCE W side Golf Course Road, 338 feet N of West Golf Course Road 3rd Election District 2nd Councilmanic District **(304 Golf Course Road)** Preston and Nancy Athey *Petitioners*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 07-353-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, Preston and Nancy Athey. The Petitioners are requesting variance relief for property located at 304 Golf Course Road. The variance request is from Section 1A04.3.B.2.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing single family dwelling with additions to have property line setbacks of 28 feet on the east and 39 feet on the west sides in lieu of the required 50 feet each.

The property was posted with Notice of Hearing on March 7, 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 March 15, 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

4-6-07

as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment letter was received from the Office of Planning dated February 26, 2007. That Office advised that the property is within the Greenspring Valley National Register Historic District and contains an existing dwelling 2,990 square feet in size according to the Maryland State Assessments records. The proposed 28 feet x 20 feet addition is on the rear and west side of the existing one story dwelling while the enclosed 12 foot x 15 foot entryway is on the east side. Due to the small size of the additions, the Planning Office does not oppose the request. A copy of the comments are incorporated herein and made a part hereof the file.

Interested Persons

Appearing at the hearing on behalf of the variance request were Preston and Nancy Athey, Petitioners. and Bruce Doak, with Gerhold, Cross & Etzel, Ltd., who prepared the site plan. There were no protestants or citizens at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

The subject property contains 1.7 acres zoned RC 5 and is improved by the Petitioners' existing one story brick dwelling. The Petitioners would like to add a laundry and mud room to

4-6-07

the east side of the house and a master bedroom onto the west side of the house. See elevations and rendering of the new additions in exhibit 3. Mr. Doak explained that the RC 5 regulations require 50 foot setback and the distance from the mudroom to the property line will be 28 feet while the distance to the property line from the master bedroom will be 39 feet as shown in exhibit 1.

Mr. Doak indicated that the existing house is very modest in size compared to others in the neighborhood and was constructed in 1960 apparently meeting all setback regulations of the zoning applicable at the time. However when RC 5 was imposed thereafter, the existing house then violated the 50 foot setback requirement on the east side being 28 feet from the property line. He noted that this is the same 28 feet being requested for the mudroom addition.

He opined that the lot was unique from a zoning viewpoint because of its shallow shape and the fact that the house is skewed with respect to the property lines. The proposed additions must be located on either end of the existing house to make the additions compatible with the structure and layout of the house. Because the house is skewed with respect to the property lines, any additions on either end will necessarily trigger a need for variances.

The additions will be constructed of brick from grade to match the existing house. Mr. Doak indicated that the Petitioners contacted each neighbor who have no objection to the additions. Also he noted that the additions will hardly be seen form the neighbors house because of the existing mature woods and fence along the property lines. See aerial photographs of exhibit 2. He noted that the Planning Office is not opposed to the additions and has not requested that the additions be reviewed by the Landmarks Preservation Commission even though the house is located in the Greenspring Valley National Register Historic District.

Findings of Fact and Conclusions of Law

The Planning Office indicates these additions do not need review by the Landmarks Preservation Commission even though the house is located in the Greenspring Valley National Register Historic District. They contend that Section 32-7-401 of the BCC requires review by the Commission for alterations only for County historic districts, or properties on the County Landmarks List. Greenspring Valley is a National Register Historic District.

I agree with Mr. Doak that the property is unique from a zoning standpoint. The property is only 147 feet deep so that 50 foot set back to property line restricts the building area to a long narrow swath of land as shown in exhibit 1. However the house is set off at 45 degrees from the property line and so immediately violates the RC 5 setback lines as it now exists. Said another way the after imposed zoning regulations (RC 5) impact this property differently than others in the district.

I also find that the Petitioners would suffer practical difficulty in constructing the additions in any other locations due to the interior layout of the existing house.

Finally I find that the variances can be granted within the spirit and intent of the RC 5 regulations and will not adversely affect the community. The additions will hardly be visible from the neighbors' homes who apparently have no objection to the requests. The additions will be compatible in design and construction with the existing house and will bring the house up to size and amenity with homes in this area. The Planning Office agrees.

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.

4-6-07

THEREFORE, IT IS ORDERED, this 16th day of April, 2007 by this Deputy Zoning Commissioner, that the Petitioner's variance request from Section 1A04.3.B.2.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing single family dwelling with additions to have property line setbacks of 28 feet on the east (front yard setback) and 39 feet on the west (rear yard setback) in lieu of the required 50 feet each as shown on exhibit 1 are hereby GRANTED subject to the following conditions:

1. 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

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

ORDER RECEIVED FOR FILING
Date 4-6-07
By B3

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

April 6, 2007

PRESTON AND NANCY ATHEY
2707 GREENSPRING VALLEY ROAD
OWINGS MILLS MD 21117

Re: Petition for Variance
Case No. 07-353-A
Property: 304 Golf Course Road

Dear Mr. and Mrs. Athey:

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 /pz

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

c: Bruce Doak, Gerhold, Cross & Etzel, Ltd., 320 E. Towsontown Blvd., Towson MD 21286

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

February 28, 2007

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: 07-353-A
304 Golf Course Road
W/side of Golf Course Road, 338 feet north of West Golf Course Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Preston & Nancy Athey

Variance to permit an existing single family with additions to have property line setbacks of 28 feet on the east and 39 feet on the west sides in lieu of the required 50 feet each.

Hearing: Monday, April 2, 2007 at 11:00 a.m., County Courts Building, Room 407, 401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Preston & Nancy Athey, 2707 Greenspring Valley Road, Owings Mills 21117
Bruce Doak, 320 E. Towsontown Blvd., Towson 21204

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 17, 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.

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE#07-353-A
PETITIONER/DEVELOPER:
Preston & Nancy Athey
DATE OF HEARING: 4/2/07

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

LOCATION:
304 Golf Course Road
West side of Golf Course Road, 338' North of West
Golf Course Road

(see page 2 for full size photo)

POSTED ON: 3/07/07

SIGNATURE OF SIGN POSTER

Bruce E. Doak

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

RECEIVED
MAR 09 2007
DEPT OF PERMITS AND
DEVELOPMENT MANAGEMENT

RECEIVED
MAR 09 2007

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 24039

DATE 2/2/07 ACCOUNT R001 006 6150

AMOUNT $ 65.00

RECEIVED FROM: P. ATHKT

FOR: 07-353-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

REDACTED	N TOW	TIME	USR
2/02/2007	2/02/2007	15:02:49	4

TO USDA, WALKTN (JTH KSH
RECEIPT # 247660 2/02/2007 OFLR
Rept: B. 522 ZONING VERIFICATION
CR NO. 024039
Recpt Tot $65.00
$65.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

January 30, 2007

ZONING DESCRIPTION
ATHEY PROPERTY
304 Golf Course Road
Baltimore County, Maryland

All that piece or parcel of land situate, lying and being in the Third Election District, Second Councilmanic District of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at the intersection of the west side of Golf Course Road and the north side of West Golf Course Road, running northerly along the west side of Golf Course Road 338 feet, running thence,

1) North 73°57'46" West 200.00 feet,
2) South 06°41'09" West 107.59 feet,
3) North 83°18'51" West 30.00 feet,
4) South 06°41'09" West 214.21 feet,
5) North 34°27'41" West 179.40 feet,
6) North 28°51'06" West 90.42 feet,
7) North 19°29'09" East 117.42 feet,
8) North 15°04'09" East 157.01 feet,
9) North 12°34'19" East 38.51 feet,
10) South 81°35'29" East 147.83 feet,
11) South 06°41'09" West 170.30 feet,
12) South 73°57'46" East 200.00 feet,
13) South 06°42'14" West 295.36 feet to the point of beginning.

STATE OF MARYLAND BRUCE EDWIN DOAK NO. 931 REGISTERED PROPERTY LINE SURVEYOR 1/30/07

Containing 1.71 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.

#353

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 15, 2007 Issue - Jeffersonian

Please forward billing to:
Preston & Nancy Athey
2707 Greenspring Valley Road
Owings Mills, MD 21117

410-823-4470

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: 07-353-A
304 Golf Course Road
W/side of Golf Course Road, 338 feet north of West Golf Course Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Preston & Nancy Athey

Variance to permit an existing single family with additions to have property line setbacks of 28 feet on the east and 39 feet on the west sides in lieu of the required 50 feet each.

Hearing: Monday, April 2, 2007 at 11:00 a.m., County Courts Building, Room 407, 401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 07-353-A

Petitioner: PRESTON & NANCY ATHEY

Address or Location: 304 GOLF COURSE ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: PRESTON & NANCY ATHEY

Address: 2707 GREENSPRING VALLEY ROAD

OWINGS MILLS, MD 21117

Telephone Number: 410-823-4470

Revised 7/11/05 - SCJ

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 304 GOLF COURSE ROAD

which is presently zoned R.C. 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) 1A04.3.B.2.B BCZR TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH ADDITIONS TO HAVE PROPERTY LINE SETBACKS OF 28' ON THE EAST AND 39' ON THE WEST SIDES IN LIEU OF THE REQUIRED 50'

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

TO BE DISCUSSED AT THE HEARING

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

PRESTON ATHEY
Name - Type or Print

Preston Athey
Signature

NANCY ATHEY
Name - Type or Print

Nancy Athey
Signature

2707 GREENSPRING VALLEY ROAD
Address — Telephone No.

OWINGS MILLS, MD 21117
City — State — Zip Code

Representative to be Contacted:

GERHOLD, CROSS & ETZEL
BRUCE DOAK c/o G.C.&E.
Name

320 E. TOWSONTOWN BLVD
Address — Telephone No.

TOWSON MD 823-4470
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING
Reviewed By CTM Date 2/2/07

Case No. 07-353-A

REVIEWED FOR FILING
4-6-07
PM

REV 9/15/98

VARIANCES REQUESTED
304 GOLF COURSE ROAD

FOR A FRONT YARD SEBACK OF 28' IN LIEU OF THE REQUIRED
50' PER SECTION 1A04.3.B.2.B OF THE B.C.Z.R.
FOR A REAR YARD SEBACK OF 39' IN LIEU OF THE REQUIRED
50' PER SECTION 1A04.3.B.2.B OF THE B.C.Z.R.

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: #07-353-A
304 Golf Course Road
W/side of Golf Course Road, 338 feet north of West Golf Course Road
3rd Election District - 2nd Councilmanic District
Legal Owner(s): Preston & Nancy Athey
Variance: to permit an existing single family with additions to have property line setbacks of 28 feet on the east and 39 feet on the west sides in lieu of the required 50 feet each.
Hearing: Monday, April 2, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

3/234 March15 128028

CERTIFICATE OF PUBLICATION

3/15/, 2007

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/15/, 2007.

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

S. Wilkinson
LEGAL ADVERTISING

Martin O'Malley, *Governor*
Anthony Brown, *Lt. Governor*

SHA
State Highway Administration
Driven to Excel
Maryland Department of Transportation

John D. Porcari, *Secretary Designate*
Neil J. Pedersen, *Administrator*

Date: 2-13-2007

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

RE: Baltimore County
Item No. 7-353-A
304 Golf Course Road
Athey Property
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. 7-353-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,

Michael P. Bailey

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 26, 2007

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

SUBJECT: 304 Golf Course Road

INFORMATION:

Item Number: 7-353

Petitioner: Preston and Nancy Athey

Zoning: RC 5

Requested Action: **Variance**

The subject property is within the Greenspring Valley National Register Historic District and contains an existing dwelling 2990 square feet according to Maryland State Assessments records. The applicant requests variances for a setback of 28 feet on the east side and 39 feet on the west side in lieu of the required 50 feet. The proposed 28' x 20'addition is on the rear and west side of the existing 1 story dwelling while the enclosed 12' x 15'entryway is on the east side.

SUMMARY OF RECOMMENDATIONS:

Due to the small size of the additions, further Office of Planning review is not required. This Office does not oppose the petitioner's request.

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

Reviewed by: Curtis B. Murray

Division Chief: Lynn Lolley
AFK/LL: CM

W:\DEVREV\ZAC\7-353.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: February 20, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For February 19, 2007
Item Nos. 07-349, 350, 351, 352, 353, 354, 355, 356, 357, 360, 361, and 362

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-02202007.doc

PLEASE PRINT CLEARLY

CASE NAME Athey Property
CASE NUMBER 07-353-A
DATE 4/02/07

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Bruce Doak	320 E. Towsontown Blvd.	Towson Md 21286	
Gotthold Cross & Ethel			
Preston G. Athey	2707 Greenspring Vly Rd.	Owings Mills, MD 21117	

RE: PETITION FOR VARIANCE 304 Golf Course Road; W/S Golf Course Road, 338' N West Golf Course Road 3rd Election & 2nd Councilmanic Districts Legal Owner(s): Preston & Nancy Athey Petitioner(s)	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	FOR
	*	BALTIMORE COUNTY
	*	07-353-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 documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of February, 2007, a copy of the foregoing Entry of Appearance was mailed Bruce E. Doak, Gerhold, Cross & Etzel, Ltd, 320 E Towsontown Blvd, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED
FEB 26 2007
Per...

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

March 27, 2007

Preston Athey
Nancy Athey
2707 Greenspring Valley Road
Owings Mills, MD 21117

Dear Mr. and Mrs. Athey:

RE: Case Number: 07-353-A, 304 Golf Course Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 2, 2007.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

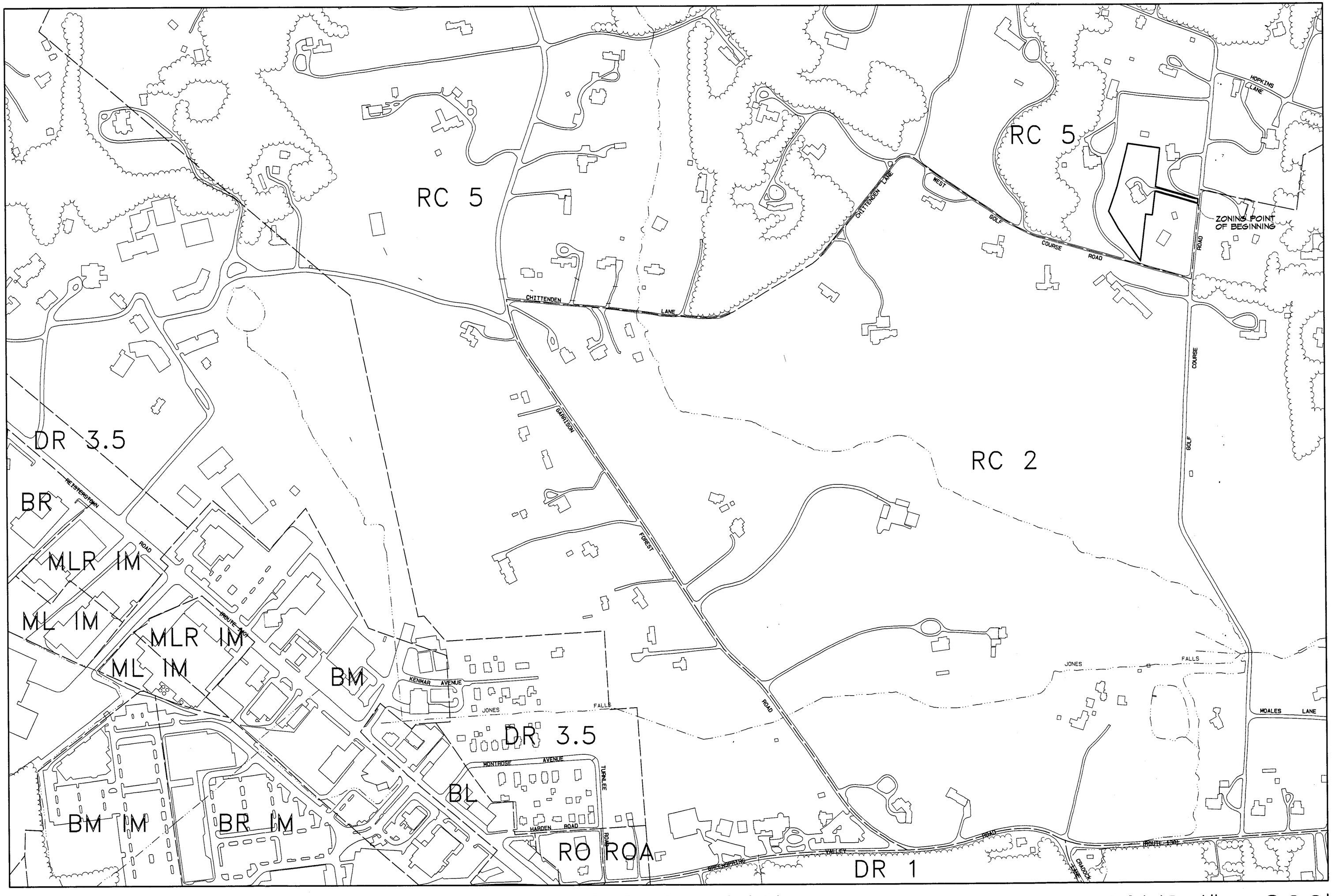
Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

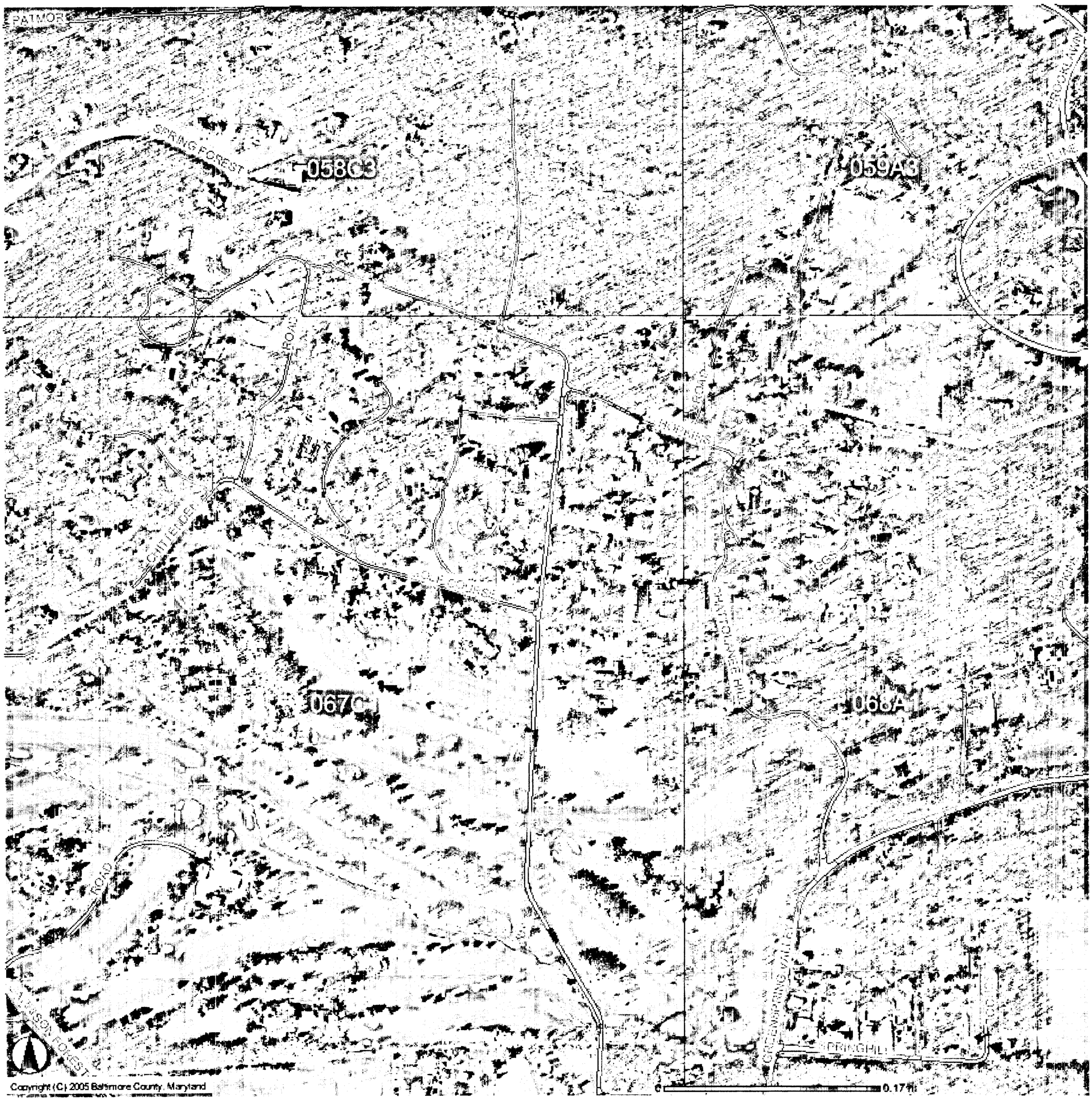
c: People's Counsel
Gerhold, Cross & Etzel Bruce Doak 320 E. Towsontowne Blvd. Towson 21286

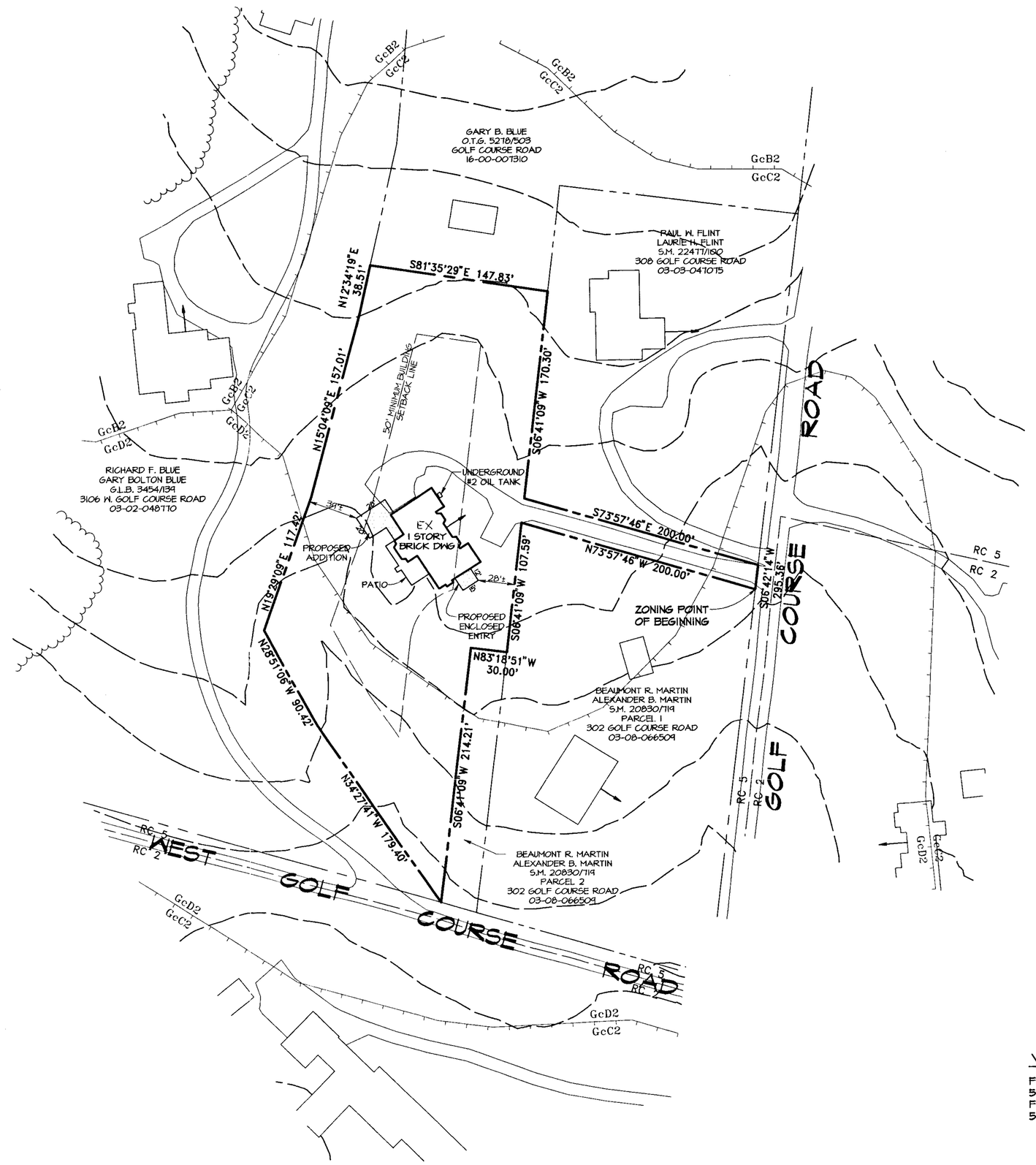


ZONING MAP

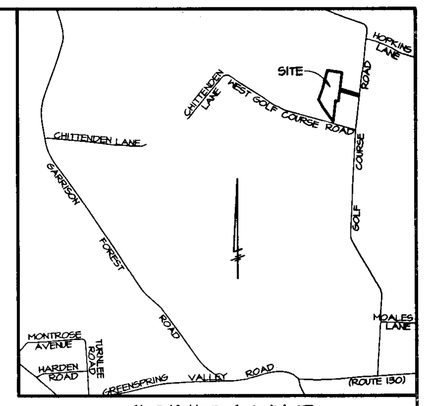
GIS TILE: 067C1

SCALE: 1" = 200'


PATMORE
SPRING FOREST
058C3
059A3
067C
068A
SPRINGHILL
0.17 mi
Copyright (C) 2005 Baltimore County, Maryland



DEED MERIDIAN S.M. 8016/594



VICINITY MAP
1" = 2000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM DEED S.M. 8016/594.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 67G1
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 27.
4. CENSUS TRACT 4031.01 REGIONAL PLANNING DISTRICT 313
   WATERSHED JONES FALLS SUBSENERSHED 61
   SCHOOL DISTRICT: ELEMENTARY - WOODHOLME E.S.; MIDDLE - PIKESVILLE M.S.; HIGH - OWINGS MILLS H.S.
   A.D.C. MAP & GRID 25 C4
5. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
6. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
7. THERE IS AN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
8. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
9. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
10. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.

DEVELOPER

PRESTON G. ATHEY
NANCY M. ATHEY
2707 GREENSPRING VALLEY ROAD
OWINGS MILLS, MD 21117

VARIANCES REQUESTED

FOR A FRONT YARD SEBACK OF 28' IN LIEU OF THE REQUIRED 50' PER SECTION 1A04.3.B.2.B OF THE B.C.Z.R.
FOR A REAR YARD SEBACK OF 34' IN LIEU OF THE REQUIRED 50' PER SECTION 1A04.3.B.2.B OF THE B.C.Z.R.

LEGEND

- EXISTING WELL
- PROPOSED ADDITION
- EXISTING BUILDING
- SOIL LINE
- WOODS LINE
- EXISTING PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/BASEMENT	STREETS & PARKING
GcB2	Slight	Slight	Moderate: slope
GcC2	Moderate: slope	Moderate: slope	Severe: slope
GcD2	Severe: slope	Severe: slope	Severe: slope

STATE OF MARYLAND BRUCE EDWIN GERHOLD 331 REGISTERED PROFESSIONAL LAND SURVEYOR
1/30/07

PLAT TO ACCOMPANY A PETITION FOR VARIANCE
ATHEY PROPERTY

304 GOLF COURSE ROAD
Deed Ref: S.M. No. 24721 folio 256
Tax Account No.: 16-00-007173
Zoned R.C. 5; GIS Tile 67C1
Tax Map 67; Grid 6; Parcel 95
3rd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=60' Date: JANUARY 23, 2007

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

REVISION	DATE

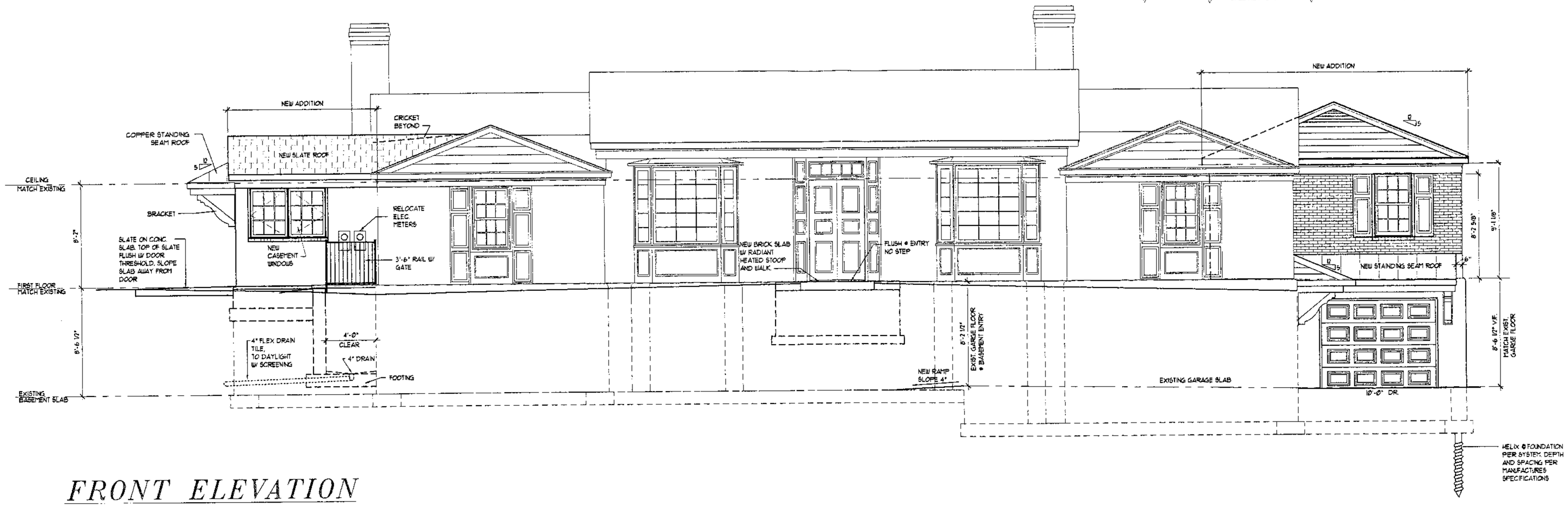
COMPUTED:	DRAWN: SMH	CHECKED:	FILE: X:\Athey\ZONING PLAN.pro

Dit #1

Contractor shall verify all dimensions and conditions and bring any discrepancy to the attention of the Architect before proceeding with the work

RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

PROGRESS SET NOT FOR CONSTRUCTION

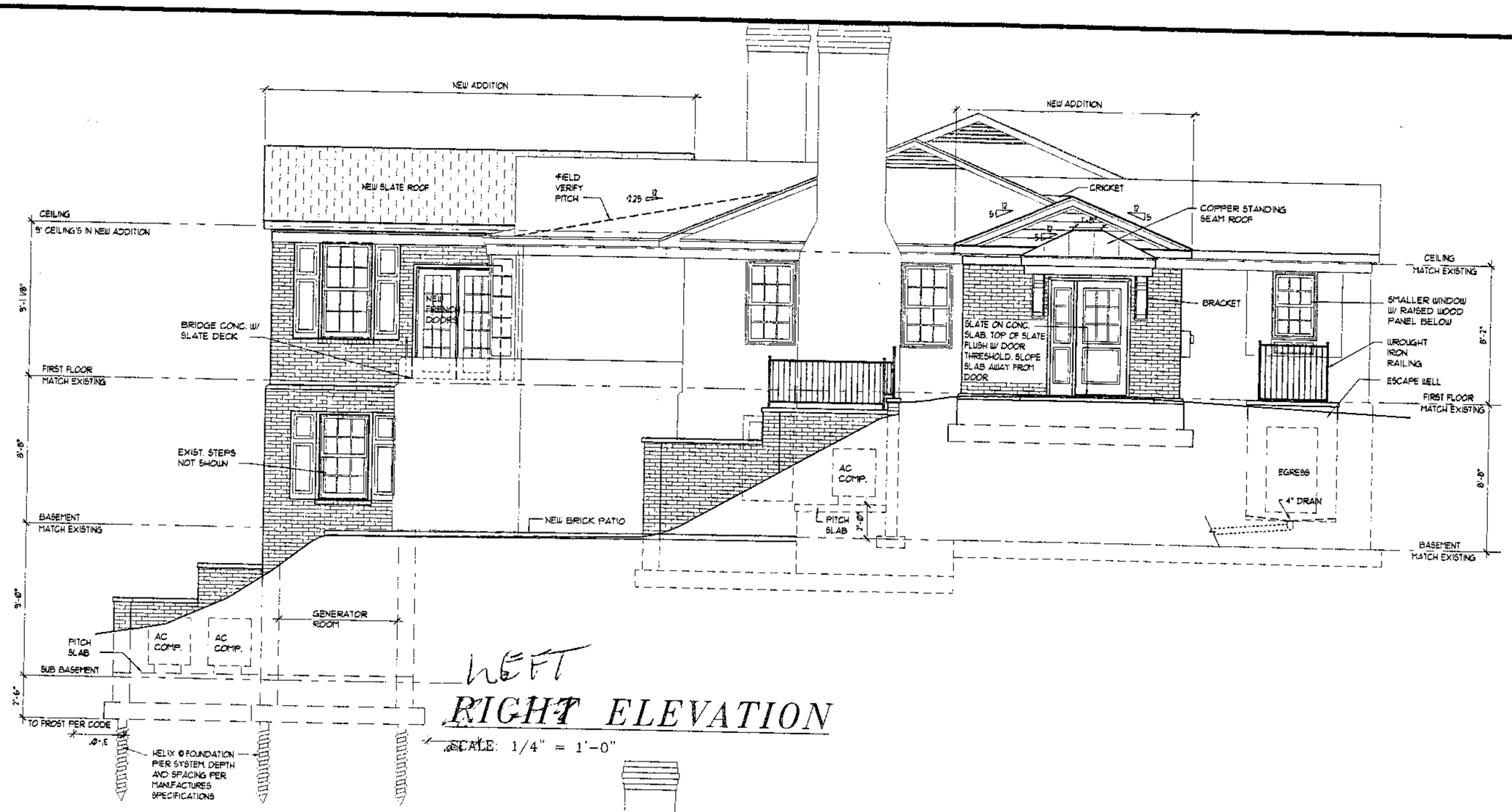
ATHEY RESIDENCE

FIRST FLOOR PLAN

KEENEY ARCHITECTS
40 YEARS OF PRACTICAL DESIGN

WILLIAM W. KEENEY, ARCHITECT, INC.
1908 Emory Road
Reisterstown, Maryland 21138
410-239-1981

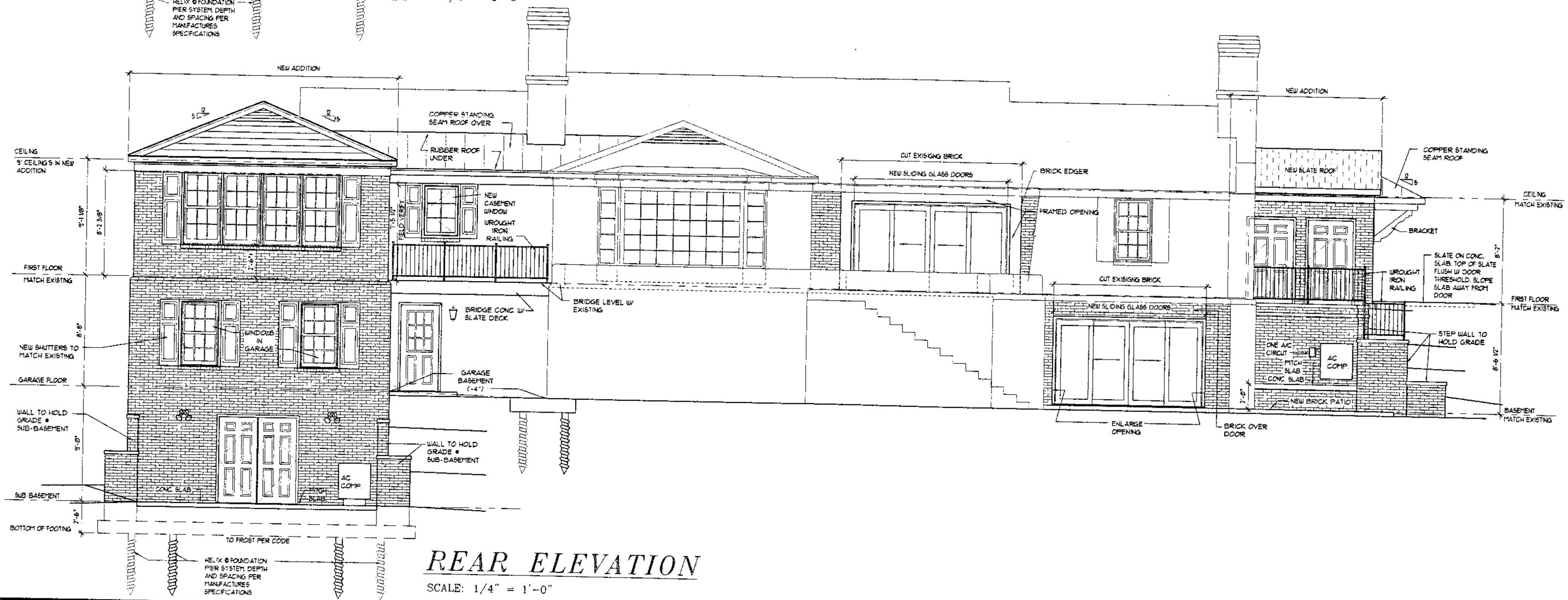
SHEET	DATE
A-	1-16-07
	# OF
	JOB NUMBER
	FILE NAME



LEFT

RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"

Contractor shall verify all dimensions and conditions and bring any discrepancy to the attention of the Architect before proceeding with the work

ATHEY RESIDENCE

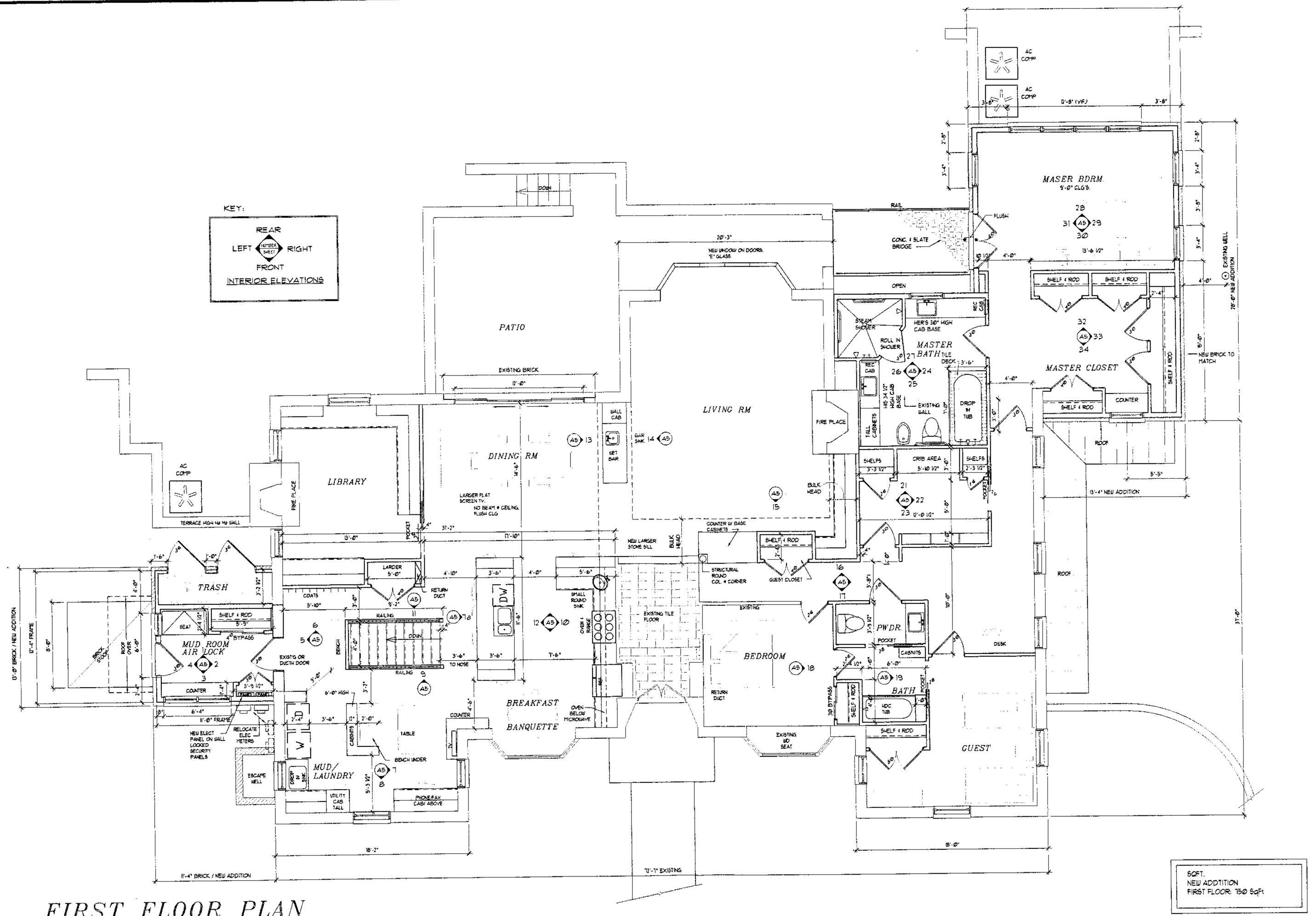
FIRST FLOOR PLAN

KEENEY ARCHITECTS
40 YEARS OF PRACTICAL DESIGN
WILLIAM W. KEENEY, ARCHITECT, INC.
1908 Emory Road
Reisterstown, Maryland 21136
410-239-1981

SHEET	DATE
A-	1-16-07
	Ø OF

JOB NUMBER

FILE NAME



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

SQFT.
NEW ADDTITION
FIRST FLOOR: 750 SqFt

PROGRESS SET NOT FOR CONSTRUCTION

Contractor shall verify all dimensions and conditions and bring any discrepancy to the attention of the Architect before proceeding with the work

ATHEY RESIDENCE

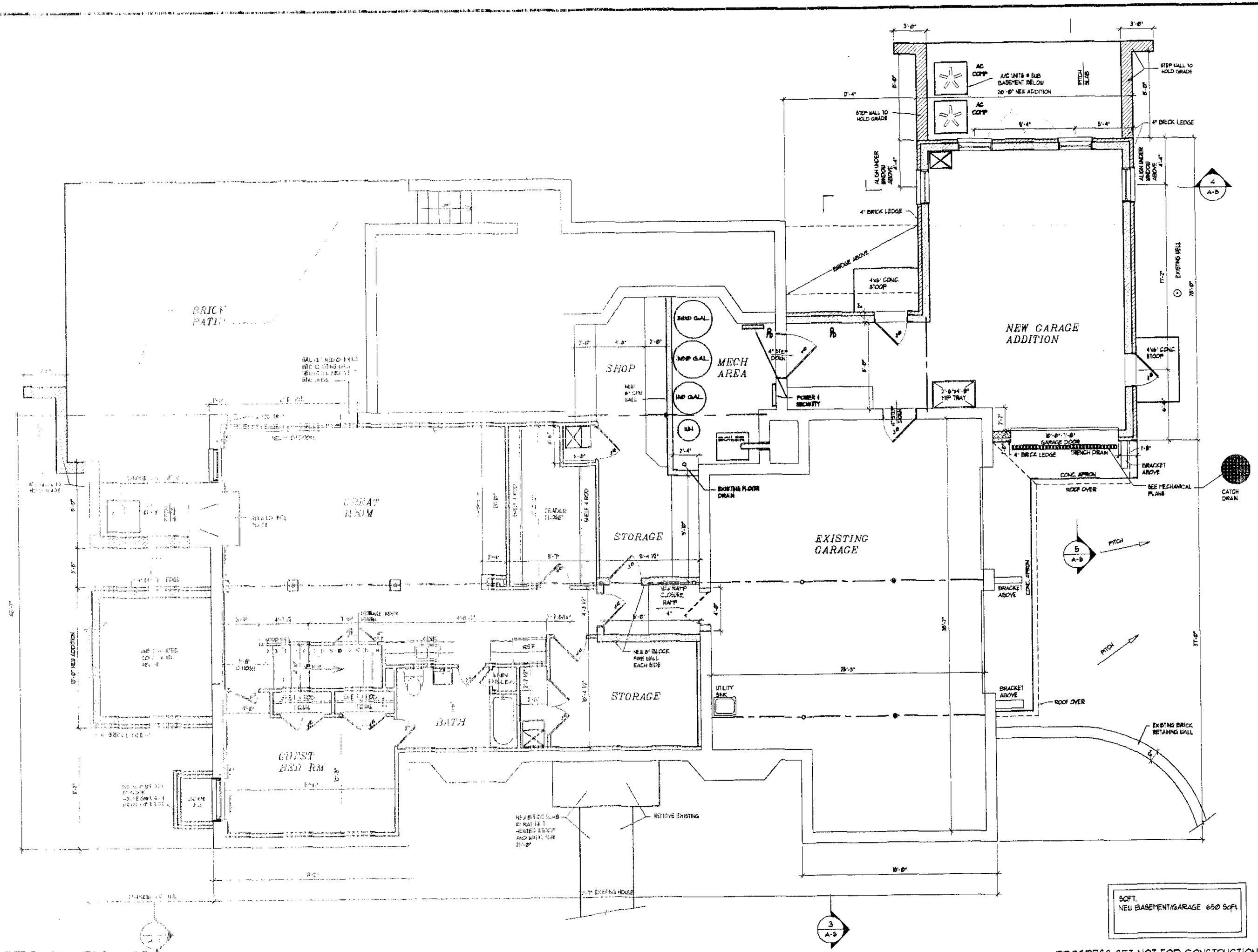
FIRST FLOOR PLAN

KEENEY ARCHITECTS
25 YEARS OF PRACTICAL DESIGN
WILLIAM W. KEENEY, ARCHITECT, INC.
1908 Emory Road
Reisterstown, Maryland 21136
410-238-1881

SHEET	DATE
A-4	02-24-07
	0 OF

JOB NUMBER

FILE NAME



BASEMENT PLAN

SCALE: 1/4" = 1'-0"

PROGRESS SET NOT FOR CONSTRUCTION

Contractor shall verify all dimensions and conditions and bring any discrepancy to the attention of the Architect before proceeding with the work

ATHEY RESIDENCE

BASEMENT PLAN

KEENEY ARCHITECTS 40 YEARS OF PRACTICAL DESIGN

WILLIAM W. KEENEY, ARCHITECT, INC.
1908 Emory Road
Reisterstown, Maryland 21136
410-339-1981

SHEET	DATE
A-3	3-28-07
	Ø OF

JOB NUMBER

FILE NAME