IN RE: **PETITIONS FOR SPECIAL HEARING AND VARIANCE**	*	BEFORE THE
NW/S Dogwood Road, 2,000' NE c/line Ritter Road	*	ZONING COMMISSIONER
(7902 Dogwood Road)	*	OF
2nd Election District	*	BALTIMORE COUNTY
4th Council District		
	*	**Case No. 07-507-SPHA**
Carlton M. Oakman, II & Mary Jean Scheile		
Petitioners	*	

* * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Carlton M. Oakman, II and Mary Jean Scheile. The Petitioners request a special hearing to approve the area of an accessory structure to exceed to the size of the principal structure. In addition, variance relief is requested from Sections 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (storage building) with a height of 20 feet in lieu of the maximum allowed 15 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request were Carlton M. Oakman, II, property owner, and his adjacent neighbor, Carol Moorefield. There were no Protestants or other interested persons present.

The subject property is an irregularly shaped rectangular parcel located on the north side of Dogwood Road not far from the Diamond Ridge Golf Course in Windsor Mill. The

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* I would like to acknowledge the assistance of John T. Gontrum, a law student entering his first year at the University of Maryland, in the preparation of this Order.

ORDER RECEIVED FOR FILING
Date 7-31-07
By

property contains a gross area of 4.31 acres, +/-, zoned R.C.6 and is improved with a single-family two story dwelling located centrally in the southern portion of the lot. The dwelling encloses 1,136 square feet and was constructed in 1851. The Petitioners have owned and resided on the property since 2004, prior to which Mr. Oakman's grandmother lived there and farmed the property since 1939. Mr. Oakman grew up in the area and explained that the tract is heavily wooded and possesses topography features that steeply inclines from south to north by some 100′ in elevation. The Petitioners desire to construct a detached storage building (pole barn), 30′ by 40′ in dimension, with a height of 20′. The proposed structure would be located to the north and west side yard of the existing home[1].

The Petitioners are seeking approval to allow the proposed structure to be greater in area than the principal dwelling and with a height greater than the maximum allowed. Mr. Oakman indicated that the structure would be two storied with the first floor used for the storage of his restoration projects; these include: three antique tractors dating back to 1928, as well as an antique pick-up truck owned by his grandfather. In addition, Mr. Oakman stated that on the ground floor he would store the tractor he uses for property maintenance, area snow removal, small-scale produce production, and logging for the purpose of heating his home. The greater than allowed height would be necessary to accommodate the increased height of garage doors (10′) high to allow for the storage of the tractors and accessories. Mr. Oakman would use the second level for the storage, there is little area for storage provided for in the 1851 dwelling, and to keep his tools, while Ms. Scheile would use it for the pursuit of her arts and

[1] Accessory buildings in residential zones are generally governed by section 400 of the B.C.Z.R. As noted, Petitioners' property is located in the R.C.6. (Rural Conservation and Residential) Zone. It is noted that Section 1A07.8 governs the development area and standards in this zone as well as Section 32-4-251 of the Baltimore County Code. Specifically, Section 1A07.8.C.2(g) of the B.C.Z.R. governs accessory structures and states, "accessory structures, including solar panels, antennas and storage sheds are not permitted in the front yard of any principal use. *Section 400.1 is not applicable in an R.C.6 Zone; however, the height of accessory structures is subject to the provisions of Section 400.*" Thus, the side-yard location, as shown on the site plan, is appropriate in the instant case.

CAMDSR RECEIVED FOR FILING
Date 7-31-07
By

crafts hobby. Testimony indicated that the size of the structure was necessary to accommodate the ample storage needs of the property owners, which would otherwise require the construction of multiple structures that would be burdensome due to the severe nature of the topography, and less aesthetically attractive than the proposed barn structure. Due to the size of the planned structure as well as its height, the requested special hearing and variance relief are necessary.

After due consideration of the testimony and evidence offered, I am persuaded to grant the requested special hearing and variance relief. Ms. Moorefield, the most affected neighbor, appeared and testified in support of the proposal. It is clear that strict compliance with the zoning regulations would be unreasonably burdensome and that there will be no detriment to the health, safety or general welfare of the surrounding locale. Furthermore, there were no adverse comments submitted by any County reviewing agency, and no person appeared or submitted opposition to the request. Thus, I find that the relief requested is appropriate in this instance after reviewing the architectural elevations submitted and should, therefore, be granted.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions 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 31st day of July 2007 that the Petition for Special Hearing to approve the area of a proposed accessory structure (pole barn) to exceed the size of the principal structure, in accordance with Petitioners' Exhibit 1, be and its hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure

ORDER RECEIVED FOR FILING
Date 7-31-07
By

(pole barn) with a height of 20 feet in lieu of the maximum allowed 15 feet, in accordance with Petitioners' Exhibit 4, be and is hereby GRANTED, subject to the following restrictions:

1) Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the thirty (30) day Appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.

3) The accessory structure shall not be used for commercial purposes.

4) When applying for a building permit, the site plan filed must reference this case and set forth and address the conditions and restrictions of this Order.

Any appeal of this decision shall be made within thirty (30) days of the date of this Order.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING
Date 7-31-07
By DLW

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

July 31, 2007

Mr. Carlton M. Oakman, II
Mary Jean Scheile
7902 Dogwood Road
Baltimore, Maryland 21244

RE: **PETITIONS FOR SPECIAL HEARING AND VARIANCE**
NW/S Dogwood Road, 2,000' NE c/line Ritter Road
(7902 Dogwood Road)
2nd Election District - 4th Council District
Carlton M. Oakman, II & Mary Jean Scheile - *Petitioners*
Case No. 07-507-SPHA

Dear Mr. Oakman and Ms. Scheile:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted with restrictions, 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.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

c: Carol Moorefield, 7916 Dogwood Road, Baltimore, Md. 21244
People's Counsel; Office of Planning; Case File

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7902 Dogwood Rd.
which is presently zoned RC6

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

An Accessory Structure (Proposed Storage building) to be larger than the principal building, in conflict with the definition of a Accessory structure in Sect. 101, BCZR

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, 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):

Carlton M. Oakman II
Name - Type or Print

Signature

Mary Jean Schenle
Name - Type or Print

Signature

7902 Dogwood Rd. (410)265-5891
Address — Telephone No.

Balti. Md. 21244
City — State — Zip Code

Representative to be Contacted:

Carlton M. Oakman II
Name

7902 Dogwood Rd. (443)829-9120
Address — Telephone No

Balti. Md. 21244
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By A. Tsui **Date** 05/8/2007

Case No. 07-507 SPHA

REV 9/15/98

ORDER RECEIVED FOR FILING
Date 7-31-07
By DW

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7902 Dogwood Rd.
which is presently zoned RC6

*(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)*

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
(This box to be completed by planner)

An Accessory structure (Proposed storage building) to be larger than the principal building, in conflict with the definition of a Accessory structure in Sect. 101, BCZR.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, 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):

Carlton M. Oakman II
Name - Type or Print

Signature

Mary Jean Scheile
Name - Type or Print

Signature

7902 Dogwood Rd. (410) 265-5891
Address Telephone No.

Baltimore Md. 21244
City State Zip Code

Representative to be Contacted:

Carlton M. Oakman II
Name

7902 Dogwood Rd (443) 829-9120
Address Telephone No.

Balti. Md. 21244
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By A. Tsui Date 05/8/2007

Case No. 07-507 SPHA
REV 9/15/98

ORDER RECEIVED FOR FILING
Date 7-31-07
By DW

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7902 Dogwood Rd.

which is presently zoned RC6

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) 400.3BC2R

TO PERMIT AN ACCESSORY STRUCTURE (PROPOSED STORAGE BUILDING) WITH A HEIGHT OF 20 FEET IN LIEU OF THE REQUIRED MAXIMUM HEIGHT OF 15 FEET.

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

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):

Carlton M. Oakman II
Name - Type or Print

C. M. Oakman II
Signature

Mary Jean Scheile
Name - Type or Print

X M. J. Scheile
Signature

7902 Dogwood Rd. (410) 265-5891
Address — Telephone No.

Baltimore Md. 21244
City — State — Zip Code

Representative to be Contacted:

Carlton M. Oakman II
Name

7902 Dogwood Rd. (443) 829-9120
Address — Telephone No.

Baltimore Md. 21244
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 07-507 SPHA

ORDER RECEIVED FOR FILING

Date 7-31-0 **Reviewed By** A. TSUI **Date** 05/8/2007

By DW

REV 9/15/98

A height and partial side yard location variance is being requested for the construction of a barn on the Scheile - Oakman plot. Upon purchase of this plot, several outbuildings were removed due to structual degradation. The eliminated needed storage, for large equipment; IE: Tractor w/wood splitter attachment, all lawn and gardening equipment, vintage farming equipment various tools, storage, and usable workspace. The existing homestead foundation is over 100 yrs. old and offers limited storage and no usable workspace.

A height variance of 20 ft. for the barn is necessary, due to limited usable / constructable area on which a barn may be built. Plot elevations greatly limits location of building placement and accessability in comparison to existing occupied residence. Plot elevations also does not allow for a larger building by width / depth. A broader building would effect the natural run-off of said plot.

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7902 Dogwood Rd.

which is presently zoned RC6

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) 400.3BC2R

TO PERMIT AN ACCESSORY STRUCTURE (PROPOSED STORAGE BUILDING) WITH A HEIGHT OF 20 FEET IN LIEU OF THE REQUIRED MAXIMUM HEIGHT OF 15 FEET.

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

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):

Carlton M. Oakman II
Name - Type or Print

C. M. Oakman II
Signature

Mary Jean Scheile
Name - Type or Print

x M. J. Scheile
Signature

7902 Dogwood Rd. (410) 265-5891
Address — Telephone No.

Baltimore Md. 21244
City — State — Zip Code

Representative to be Contacted:

Carlton M. Oakman II
Name

7902 Dogwood Rd. (443) 829-9120
Address — Telephone No.

Baltimore Md. 21244
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By A. Tsui Date 05/8/2007

Case No. 07-59 ORDER RECEIVED FOR FILING

Date 7-31-07

By DW

REV 9/15/98

A height and partial side yard location variance is being requested for the construction of a barn on the Scheile - Oakman plot. Upon purchase of this plot, several outbuildings were removed due to structual degradation. The eliminated needed storage, for large equipment; IE: Tractor w/wood splitter attachment, all lawn and gardening equipment, vintage farming equipment various tools, storage, and usable workspace. The existing homestead foundation is over 100 yrs. old and offers limited storage and no usable workspace.

A height variance of 20 ft. for the barn is necessary, due to limited usable / constructable area on which a barn maybe built. Plot elevations greatly limits location of building placement and accessability in comparison to existing occupied residence. Plot elevations also does not allow for a larger building by width / depth. A broader building would effect the natural run-off of said plot.

Brian R. Dietz
Professional Land Surveyor #21080
7867 Oakdale Avenue, Baltimore, MD 21237
Phone 410-686-1198 Fax 410-682-6021

Zoning Description
For
7902 Dogwood Road

April 27, 2007

Beginning at a point in the center of Dogwood Road, at the distance of 2,000 feet +/- East of the centerline of Ritter Road, thence leaving said Dogwood Road and running and binding on the land of the herein petitioner the 6 following courses and distances viz.

1. North 36 degrees 32 minutes 20 seconds West 503.32 feet,
2. North 72 degrees 30 minutes 00 seconds East 375.12 feet,
3. South 49 degrees 46 minutes 00 seconds East 417.95 feet, to Dogwood Road, thence running and binding in Dogwood Road
4. South 49 degrees 29 minutes 50 seconds West 154.25 feet,
5. South 60 degrees 29 minutes 50 seconds West 94.00 feet, and
6. South 60 degrees 29 minutes 50 seconds West 204.61 feet to the place of beginning.

Containing 0.4.224 Ac. of land more or less. Being known as 7902 Dogwood Road and located in the 2nd Election District, 4th Councilmanic District.

STATE OF MARYLAND
BRIAN RONALD DIETZ
No. 21080
PROFESSIONAL LAND SURVEYOR

07-507 SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 27907

DATE 05/08/2007 ACCOUNT 001-006650

AMOUNT $ 130 ——

RECEIVED FROM: CARL OAKMAN II

FOR: 7902 DOGWOOD RD 21244

07-509-SPHA

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	A/R DATE	TIME	DRW
5/09/2007	5/09/2007	14:31:29	2

REF DOC MAIL [illegible]
RECEIPT # 272907 5/08/2007 OPER
Dept 5 320 AGENCY MISCELLANEOUS
CR NO. 027907
Rcpt. Int. $130.00
$130.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

RE: PETITION FOR SPECIAL HEARING AND VARIANCE	*	BEFORE THE
7902 Dogwood Road; NW/S Dogwood Rd, 2,000' NE c/line Ritter Road	*	ZONING COMMISSIONER
2nd Election & 4th Councilmanic Districts	*	FOR
Legal Owner(s): Carlton Oakman & Mary Jean Scheile	*	BALTIMORE COUNTY
Petitioner(s)	*	07-507-SPHA

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

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

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 18th day of May, 2007, a copy of the foregoing Entry of Appearance was mailed Carlton Oakman, 7902 Dogwood Road, Baltimore, MD 21244, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED
MAY 18 2007
Per.....

BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
County Executive

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

June 8, 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: 07-507-SPHA
7902 Dogwood Road
N/west side of Dogwood Road, 2,000 feet +/- n/east of centerline of Ritter Road
2nd Election District – 4th Councilmanic District
Legal Owners: Carlton M. Oakman, II, Mary Jean Scheile

Special Hearing to permit an accessory structure (proposed storage building) to be larger than the principal building, in conflict with the definition of an accessory structure in Section 101, BCZR. Variance to permit an accessory structure (proposed storage building) with a height of 20 feet in lieu of the required maximum height of 15 feet.

Hearing: Tuesday, July 24, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Carlton Oakman, II, 7902 Dogwood Road, Baltimore 21244

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JULY 9, 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
Tuesday, July 10, 2007 Issue - Jeffersonian

Please forward billing to:
Carlton M. Oakman, II
7902 Dogwood Road
Baltimore, MD 21244

443-829-9120

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: 07-507-SPHA
7902 Dogwood Road
N/west side of Dogwood Road, 2,000 feet +/- n/east of centerline of Ritter Road
2nd Election District – 4th Councilmanic District
Legal Owners: Carlton M. Oakman, II, Mary Jean Scheile

Special Hearing to permit an accessory structure (proposed storage building) to be larger than the principal building, in conflict with the definition of an accessory structure in Section 101, BCZR. Variance to permit an accessory structure (proposed storage building) with a height of 20 feet in lieu of the required maximum height of 15 feet.

Hearing: Tuesday, July 24, 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 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: 07-507- SPHA

Petitioner: CARLTON M. OAKMAN II

Address or Location: 7902 DOGWOOD RD. 21244

PLEASE FORWARD ADVERTISING BILL TO:

Name: CARLTON M. OAKMAN II

Address: 7902 DOGWOOD RD
BALTIMORE, MD 21244

Telephone Number: (443) 829-9120

Carol Moorefield
Barbara Warnock
7916 Dogwood Rd
Windsor Mill Md 21244
(410) 944-0629
April 16, 2007

William Wiseman III
Zoning Commissioner Baltimore County
400 Washington Av
Courthouse
Towson Md 21204

Dear Mr Wiseman,

We are writing in regards to a request for a variance by our neighbors, Carlton Oakman and Mary Jean Scheile at 7902 Dogwood Rd for a two story barn to be placed at the end of their lot near our property line.. We have reviewed the plans and pictures and are in favor of the proposed barn. We do not feel that a variance from the regulations would adversely affect our health, safety or general welfare.

The property in question is quite steep, and the best way to approach outbuildings is to build them higher because of the lack of level ground.

Please feel free to contact us if more information is needed.

Sincerely,

Carol Moorefield

Carol Moorefield

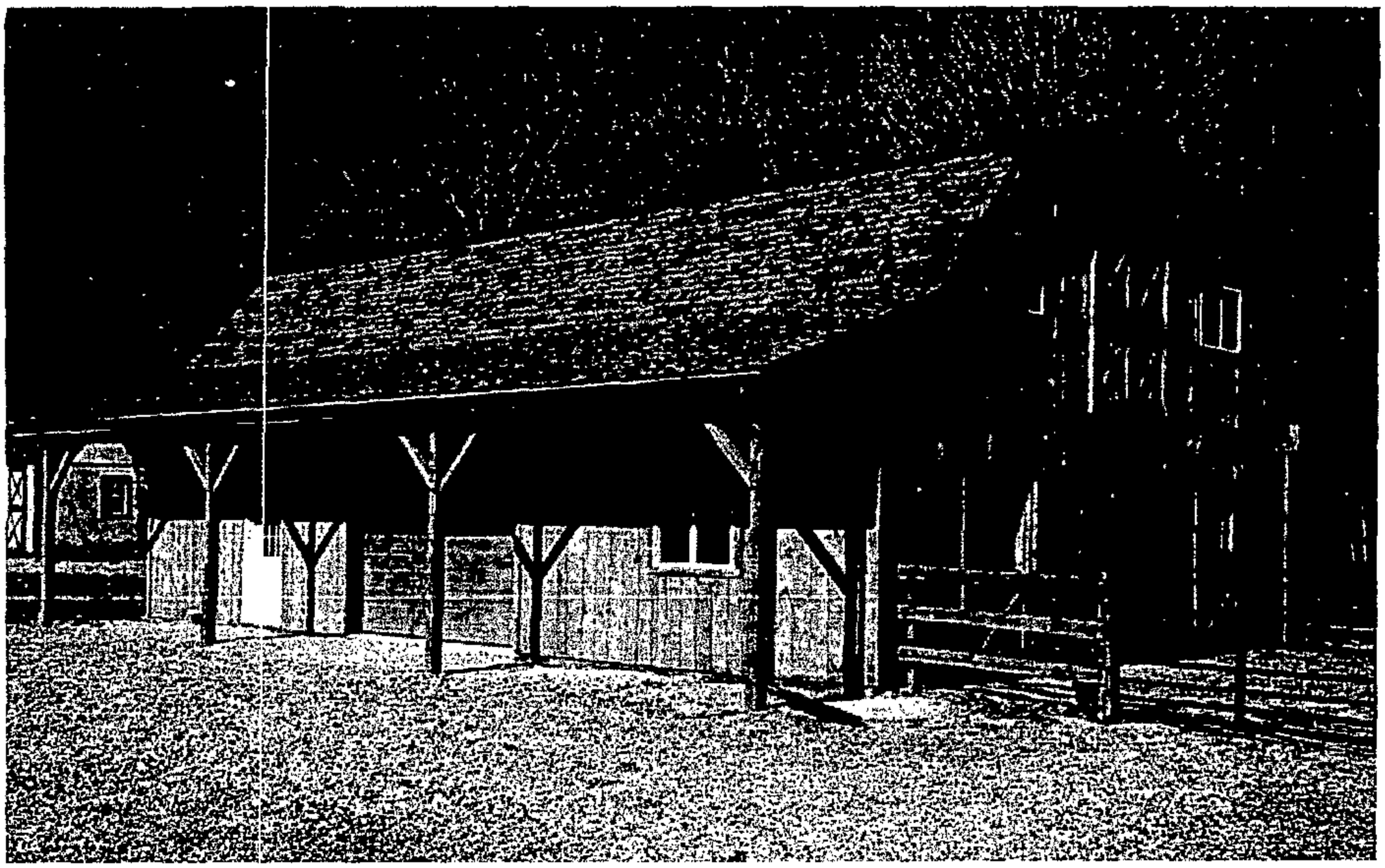
Barbara Warnock

Barbara Warnock

PETITIONER'S

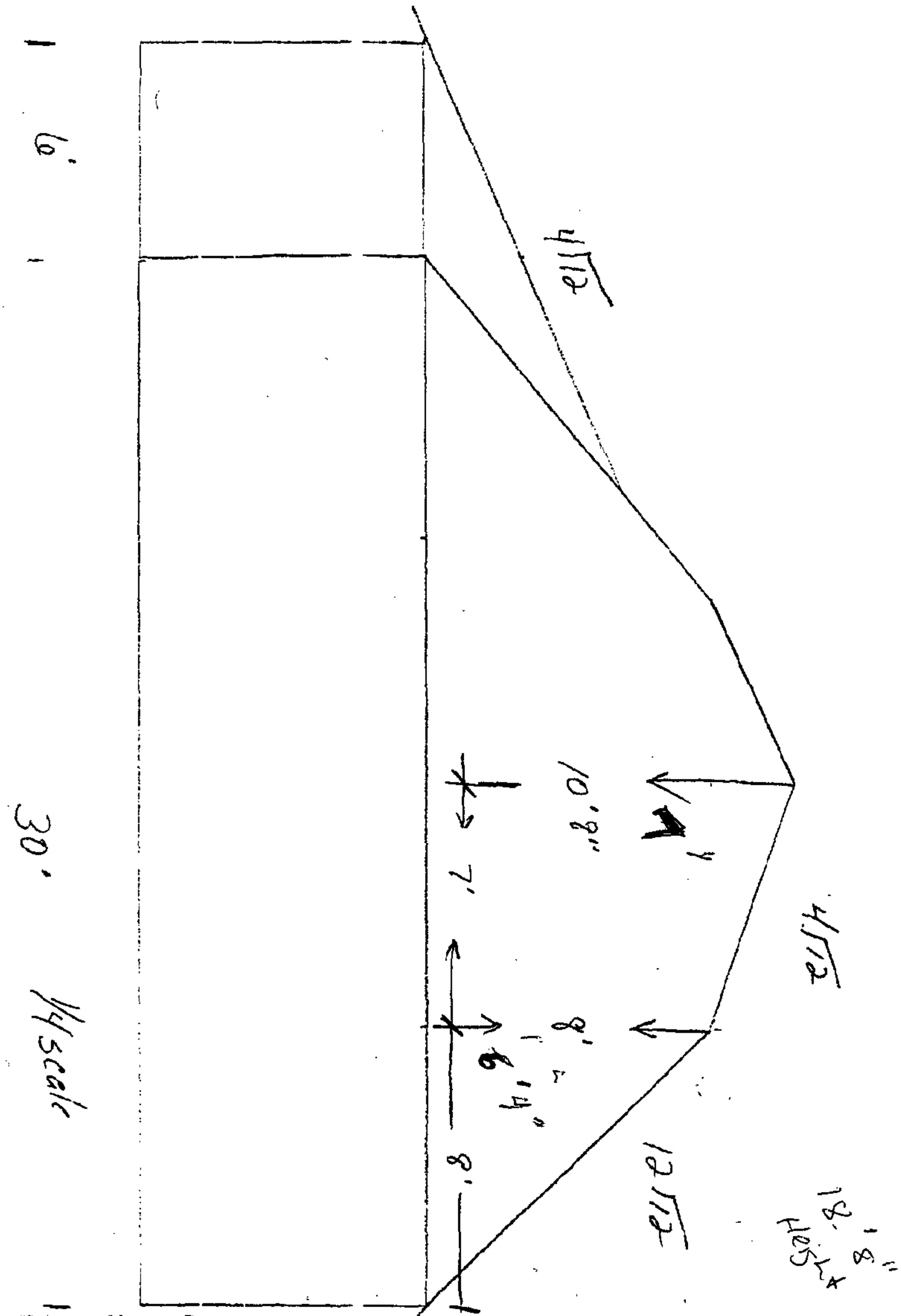
EXHIBIT NO. 2

07-507 SPHA



PETITIONER'S

EXHIBIT NO. 4



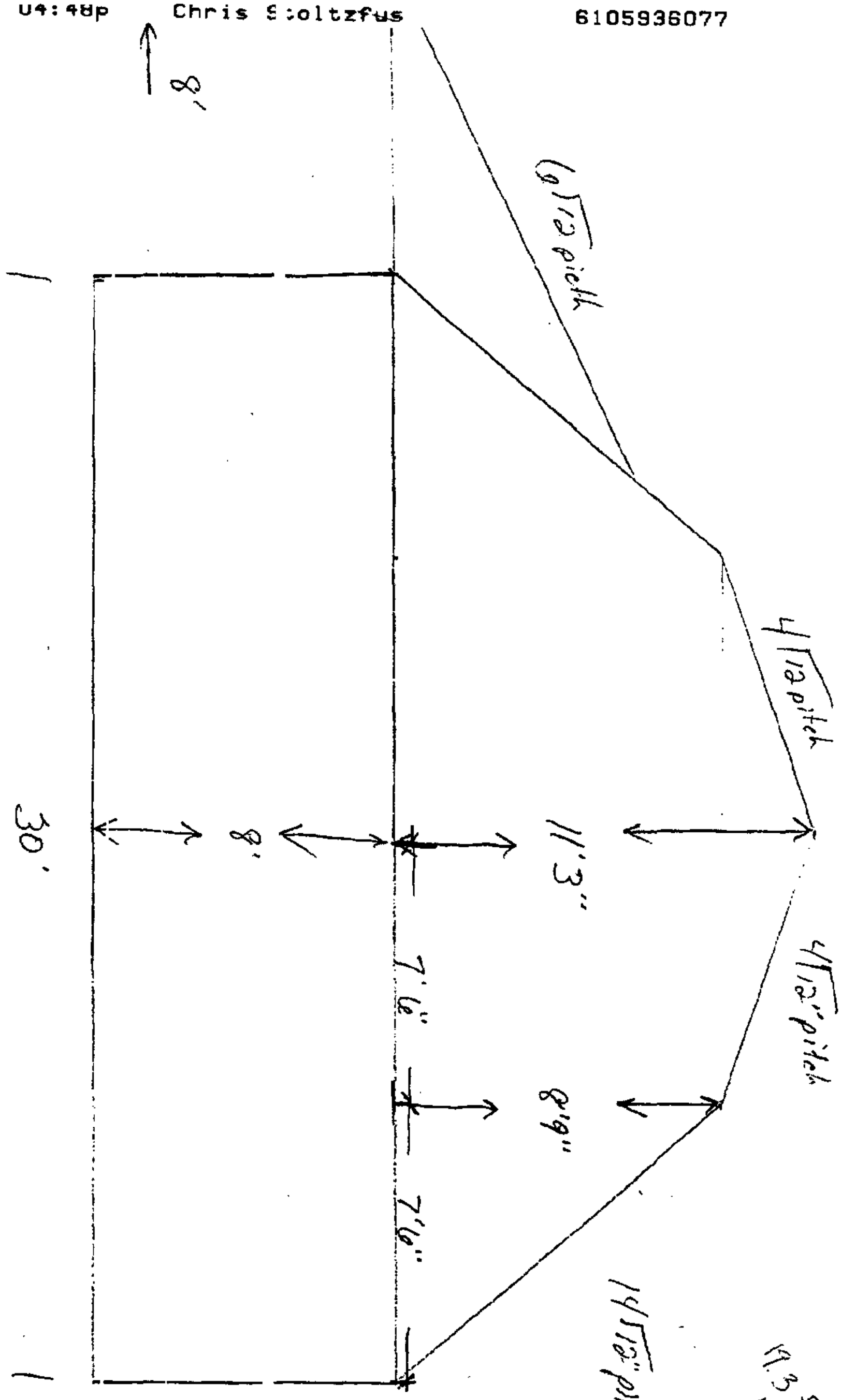
Pole Barns • Horse Barns
General Construction
Garages

5080 Leike Road
Parkesburg, PA 19365

White Horse Construction

Agriculture Buildings
Standing Seam
Timber Frames

Chris or Sim
Phone (610) 593-5559



Pole Barns • Horse Barns
General Construction
Garages

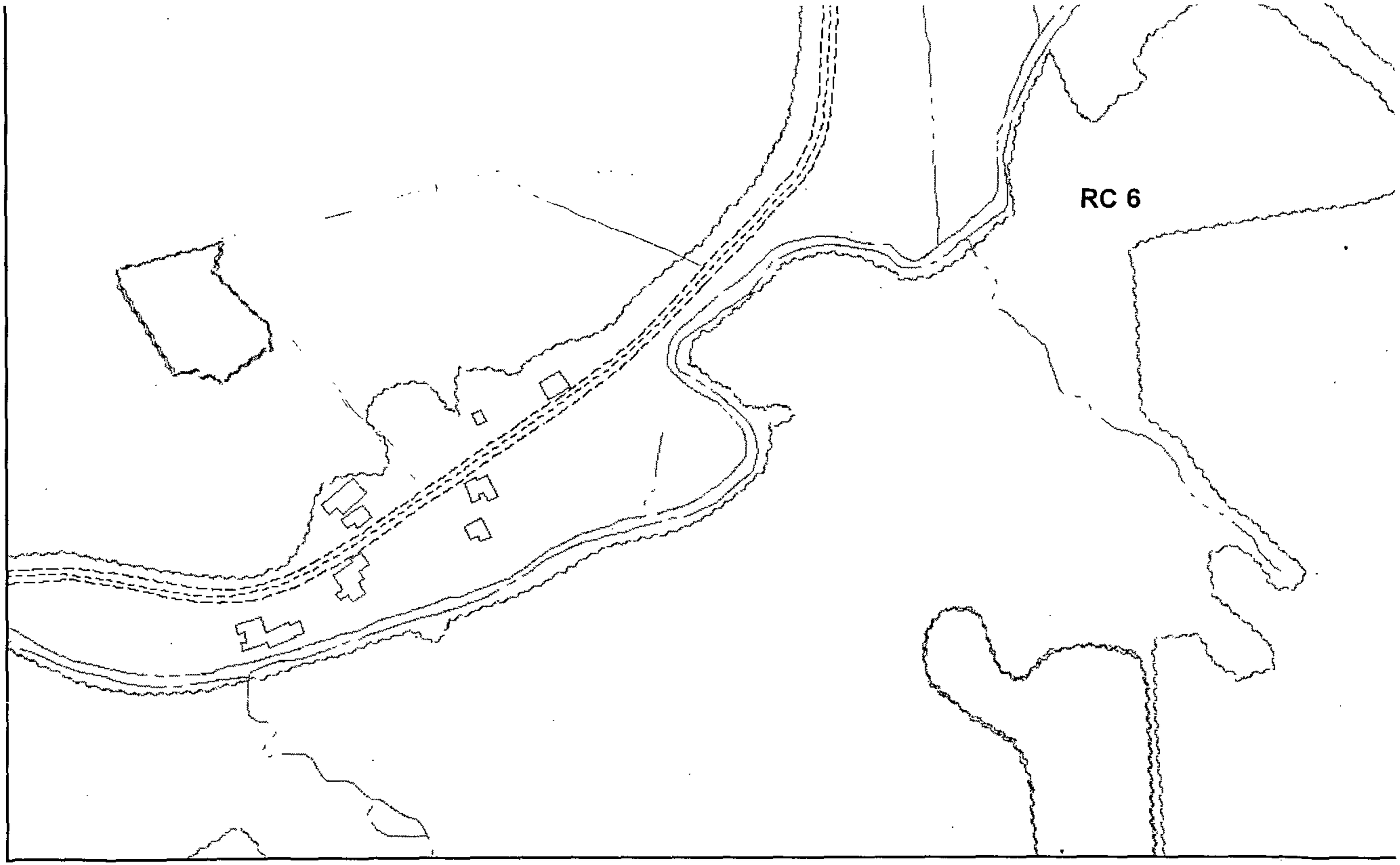
5080 Leike Road
Parkesburg, PA 19365

Brandywine Horse Construction

19.3 ft
14'54

Agricultural Buildings
Riding Rings
Timber Frames

Chris or Sin
Phone (610) 593-555



ZONING MAP 087B3

07-507 SPHA

CERTIFICATE OF POSTING

RE: Case No.: 07-507-SPHA

Petitioner/Developer: _____

CARLTON M. OAKMAN

Date of Hearing/Closing: 7/24/07

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 W. Chesapeake Avenue
Towson, MD 21204

Attention:

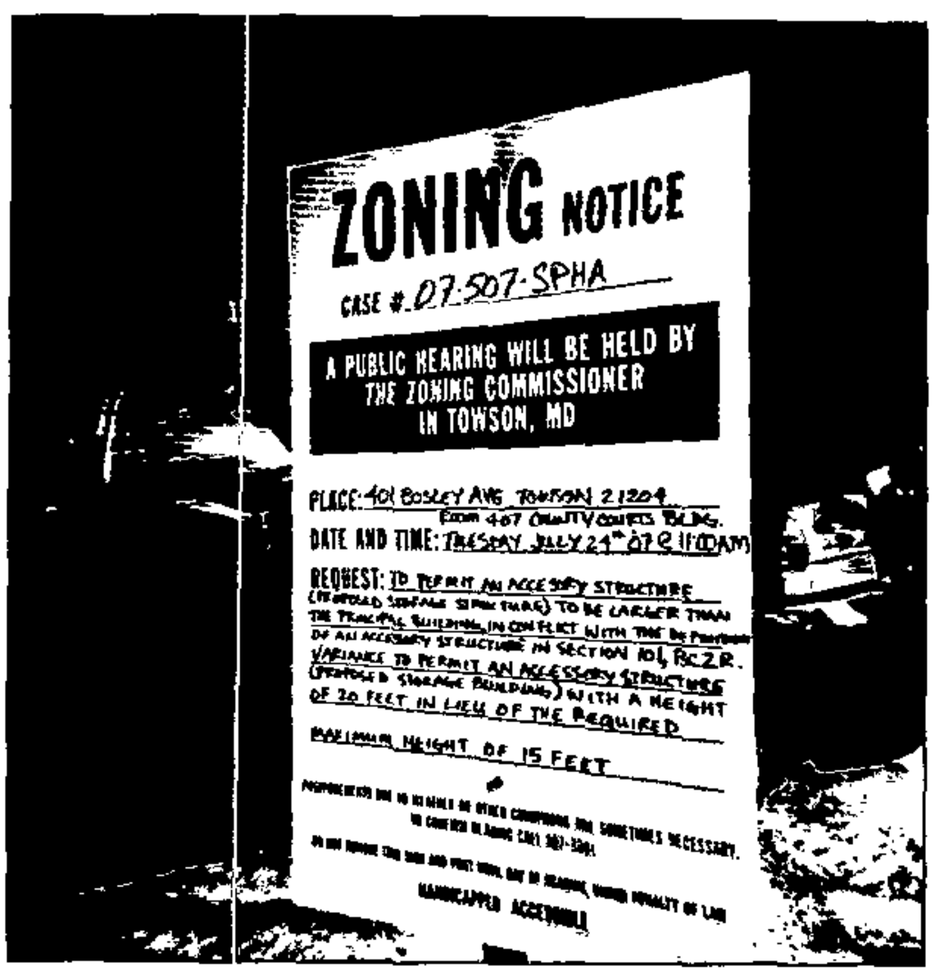
Ladies and Gentlemen:

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

7902 DOGWOOD RD

WINDSOR MILL MD 21244

The sign(s) were posted on 7/9/07
(Month/Day/Year)



Sincerely,

Bleddon
(Signature of Sign Poster/Date)

BILL LEDDON
(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784
(Solicitor)

410-781-4000

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: # 07-507-SPHA
7902 Dogwood Road
N/west side of Dogwood Road, 2,000 feet +/- n/east of centerline of Ritter Road
2nd Election District - 4th Councilmanic District
Legal Owner(s): Carlton M. Oakman, II, Mary Jean Scheile

Special Hearing: to permit an accessory structure (proposed storage building) to be larger than the principal building, in conflict with the definition of an accessory structure in Section 101, BCZR. **Variance:** to permit an accessory structure (proposed storage building) with a height of 20 feet in lieu of the required maximum height of 15 feet.

Hearing: Tuesday, July 24, 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.

JT 6/641 July 10 141371

CERTIFICATE OF PUBLICATION

7/12/, 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 7/10/, 2007.

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

S. Wilkinson

LEGAL ADVERTISING

Case No.: 07-507 SPHA 7902 DOGWOOD RD

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	Site Plan	
No. 2	Carol Moorefield's letter of support	
No. 3	A-E Photographs of property (Collectively - Existing Condition)	
No. 4	ELEVATIONS OF PROPOSED POLE BARN	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

July 18, 2007

Carlton M. Oakman, II
Mary Jean Scheile
7902 Dogwood Road
Baltimore, MD 21244

Dear Mr. Oakman and Ms. Scheile:

RE: Case Number: 07-507-SPHA, 7902 Dogwood Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 8, 2007. This letter is not an approval, but only a **NOTIFICATION.**

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.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

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

State Highway Administration
Maryland Department of Transportation

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

Date: MAY 15, 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. 7-507-SPHA
7902 DOGWOOD RD
OAKMAN/SCHEILE PROPERTY
SPECIAL HEARING

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. 7-507-SPHA.

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

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500

Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

May 18,2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 7, 2007

Item Number: 500 through 511 507

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

BW 7/24
11 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 22, 2007

RECEIVED
MAY 25 2007
BY:

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

SUBJECT: 7-507 –Special Hearing

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) to be larger than the principal building provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Dave Green at 410-887-3480.

Prepared by: Curtis A Murray

Section Chief: Lynn Lanham

AFK/LL: CM

W:\DEVREV\ZAC\7-507.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 22, 2007

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

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For further information concerning the matters stated herein, please contact Dave Green at 410-887-3480.

Prepared by: Cindy Murray

Section Chief: Lynn Lanham

AFK/LL: CM

W:\DEVREV\ZAC\7-507.doc

Click here for a plain text ADA compliant screen.

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

Go Back
View Map
New Search
Ground Rent

Account Identifier: **District** - 02 **Account Number** - 0215000040

Owner Information

Owner Name:	OAKMAN CARLTON M,2ND SCHEILE MARY JEAN	**Use:**	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	7902 DOGWOOD RD BALTIMORE MD 21244-1204	**Deed Reference:**	1) /19398/ 1 2)

Location & Structure Information

Premises Address
7902 DOGWOOD RD

Legal Description
4.310 AC
7902 DOGWOOD RD NS
2640FT W RIDGE RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
87	21	510						1	Plat Ref:

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1851	1,136 SF	4.31 AC	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	FRAME

Value Information

	Base Value	Value As Of 01/01/2007	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	79,860	113,130		
Improvements:	37,050	144,770		
Total:	116,910	257,900	116,910	163,906
Preferential Land:	0	0	0	0

Transfer Information

Seller:	OAKMAN SHELDON C	**Date:**	01/07/2004	**Price:**	$55,000
Type:	NOT ARMS-LENGTH	**Deed1:**	/19398/ 1	**Deed2:**	
Seller:	REIBLICH JOHN C	**Date:**	05/15/1957	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/ 3156/ 298	**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

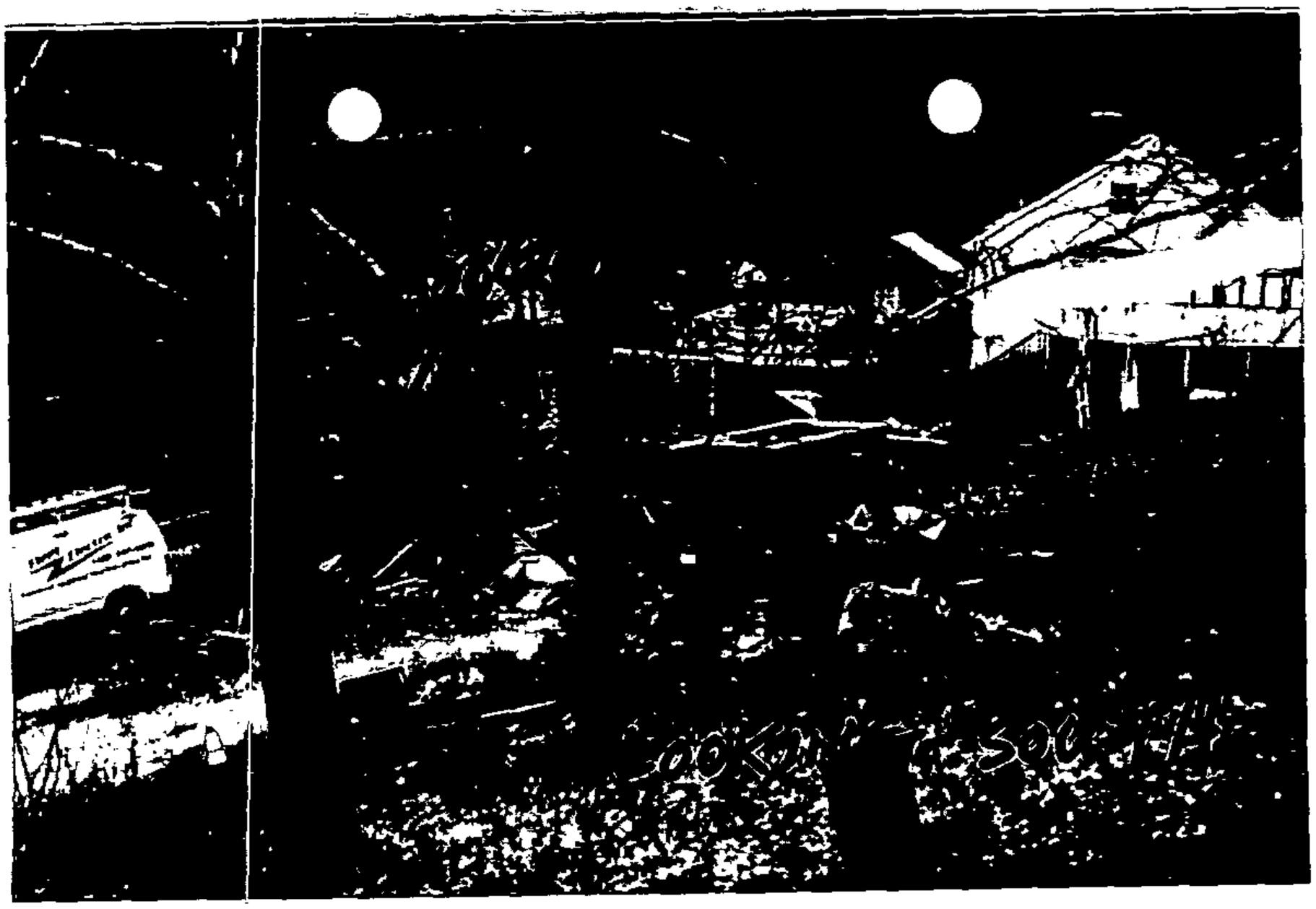
* NONE *

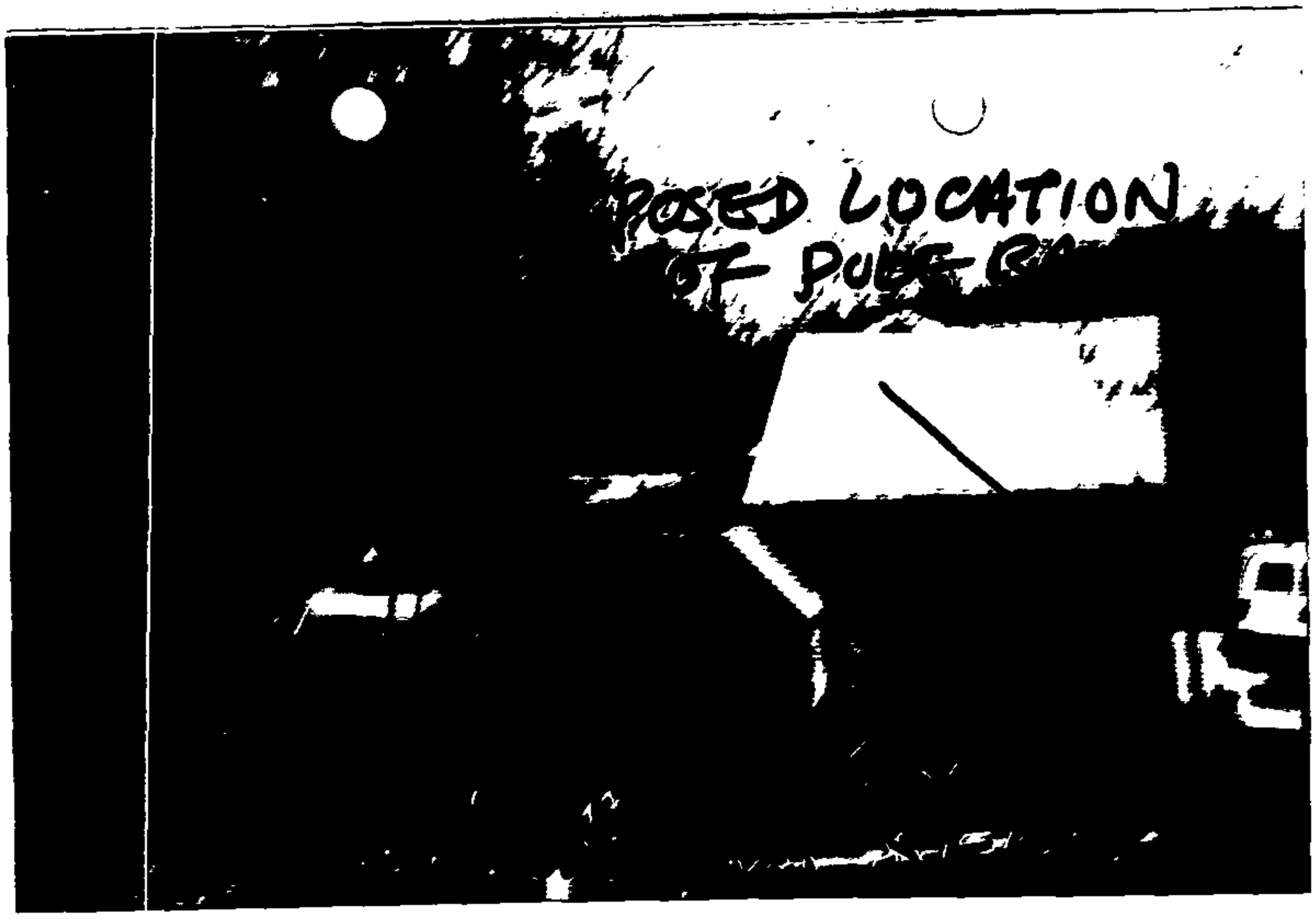
PLEASE PRINT CLEARLY

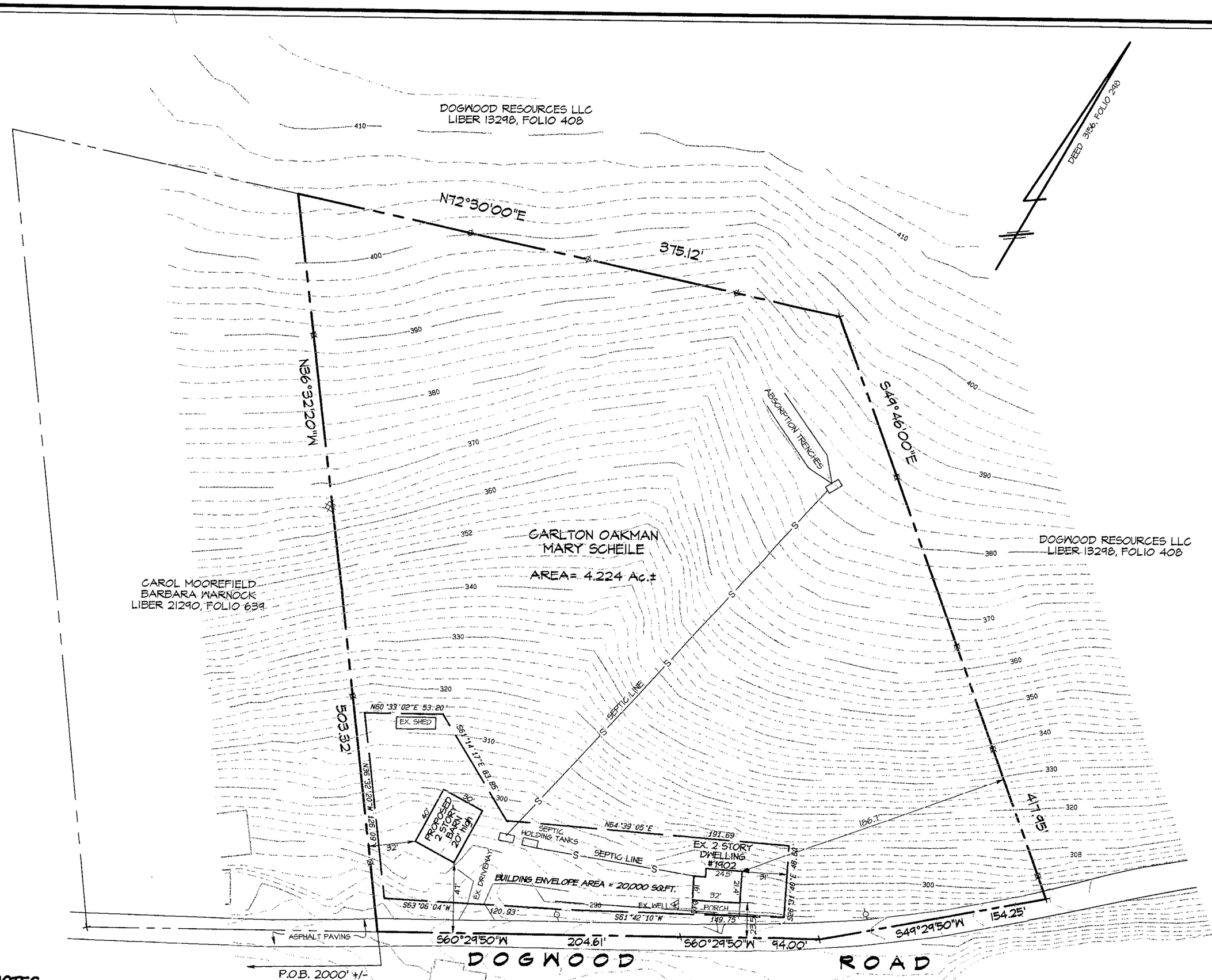
CASE NAME Oakman-Scheile
CASE NUMBER 07-507-SPHA
DATE 7-24-07

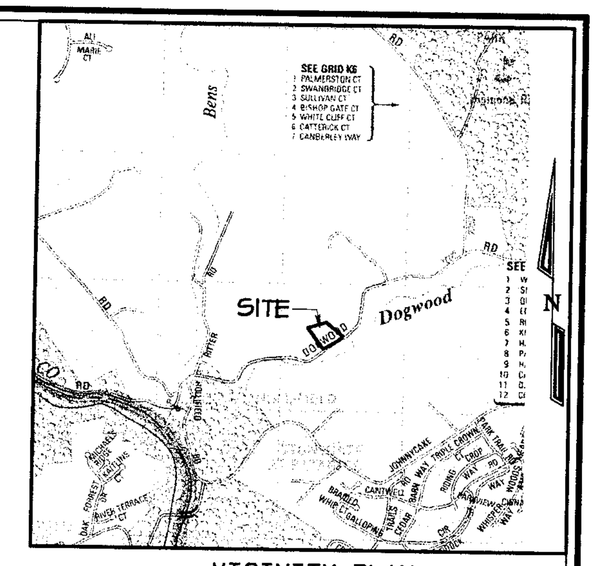
PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Carlton M. Oakman II	7902 Dogwood Rd.	Balti. Md. 21244	oakelectric@Comcast.net
Carol Moorefield	7916 Dogwood Rd	Balto Md 21244	Caldrm@bcpl.net




POSED LOCATION
OF PUBE





VICINITY PLAN
SCALE: 1" = 2000'

07-507 SPHA

Plat to Accompany A Zoning Variance and Special Hearing of the OAKMAN PROPERTY

7902 Dogwood Road

Deed Ref: S.M. 19398 folio 1
Tax Account No.: 0215000040
Zoned RC-6, MAP 087B3
Tax Map 87; Grid 21; Parcel 510

2nd Election District
4th Councilmanic District
Scale: 1"=50' Date: March 28, 2007

NOTES

1. CENSUS TRACT 402205 A.D.C. MAP & GRID 32-6-8
   WATERSHED Patapsco SUBSEWERSHED 79
   SCHOOL DISTRICT Windsor Mill REGIONAL PLANNING DISTRICT 311
2. Contours shown hereon were taken from Baltimore County GIS Tile 87-B3.
3. This site is serviced by private well and septic.
4. This site is not in a 100 year flood plain.
5. This site is not in the Chesapake Bay Critical Area.
6. This site is not a historic property/building.
7. There are no prior Zoning Cases.

STATE OF MARYLAND
BRIAN RONALD DIETZ
No. 21090
PROFESSIONAL LAND SURVEYOR

Dietz Surveying
Land Surveying and Land Planning
8119 Oakleigh Road Baltimore MD 21234
Ph 410-661-3160, Fax 410-661-3163
www. dietzsurveying.net

Plot Date: 4/28/2007 Job No. 03209

File Name: X:\DOGWOOD RD\OAKMAN\OAKMAN-PLAT.pro

DOGWOOD RESOURCES LLC
LIBER 13298, FOLIO 408

DEED 3156, FOLIO 248

N72°30'00"E

375.12'

N86°32'20"W

S49°46'00"E

ABSORPTION TRENCHES

CARLTON OAKMAN
MARY SCHEILE

AREA= 4.224 Ac.±

DOGWOOD RESOURCES LLC
LIBER 13298, FOLIO 408

CAROL MOOREFIELD
BARBARA WARNOCK
LIBER 21290, FOLIO 639

503.32'

N60°33'02"E 53.20'

EX. SHED

S61°14'17"E 82.85'

PROPOSED 2 STORY BARN 20' high

SEPTIC HOLDING TANKS

SEPTIC LINE

N54°39'05"E 191.69'

EX. 2 STORY DWELLING #7902

BUILDING ENVELOPE AREA = 20,000 SQ.FT.

EX. DRIVEWAY

EX. WELL

PORCH

S63°06'04"W 120.93'

S61°42'10"W 149.75'

S36°19'40"E 48.93'

166.7'

ASPHALT PAVING

S60°29'50"W 204.61'

S60°29'50"W 94.00'

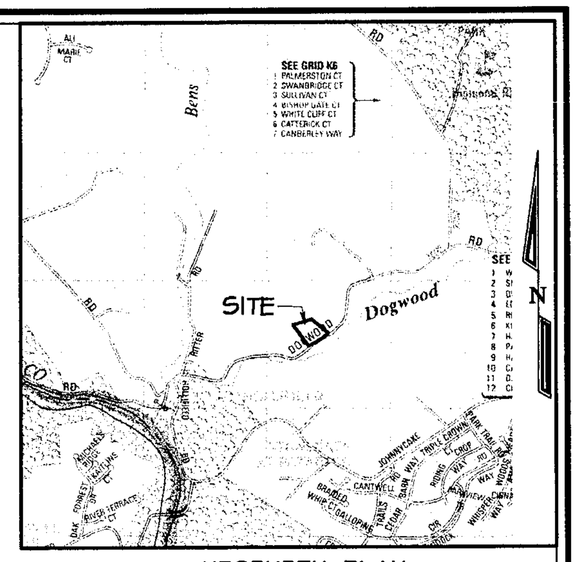
S49°29'50"W 154.25'

DOGWOOD ROAD

P.O.B. 2000' +/-
TO RITTER ROAD

GRAPHIC SCALE 1"=30'

0 30 60 90



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07-501 SPHA

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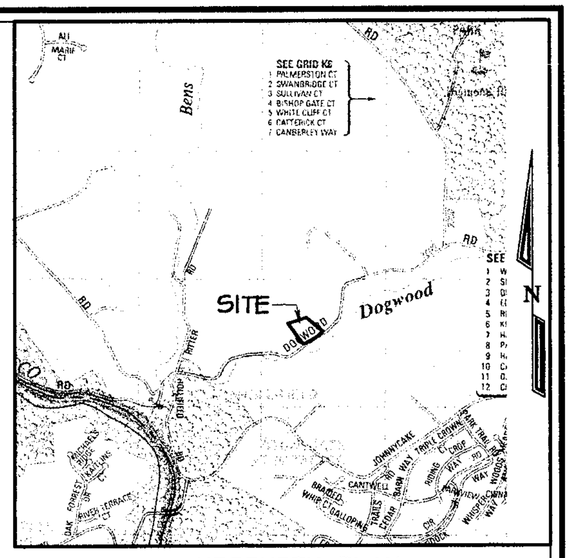
PETITIONER'S

EXHIBIT NO. _____



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(1)-50) SPHA

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 21, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For May 21, 2007
Item Nos. 07-224, 500, 501, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, and 511

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- 05212007.doc