

IN RE: PETITION FOR ADMIN. VARIANCE
NE of Roldrew Avenue, 500 feet SE side
of the c/l of Joppa Road
9th Election District
2nd Councilmanic District
(7901 Roldrew Avenue)

Andrew Skip and Julie Miller
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* BALTIMORE COUNTY
* CASE NO. 07-537-A

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before the Zoning Commissioner as a Motion for Reconsideration filed by Andrew Skip and Julie Miller, Petitioners. The Petitioners originally filed an Administrative Variance for property located at 7901 Roldrew Avenue. The relief was requested from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (proposed 2-story detached garage) in the rear yard of existing dwelling with a height of 22 feet 8 inches in lieu of the permitted maximum height of 15 feet. The subject property and requested relief are more particularly described on the site plan submitted with the Petition and marked into evidence as Petitioners' Exhibit 1.

By opinion and Order dated June 20, 2007, the Deputy Zoning Commissioner granted the Administrative Variance request, with conditions, in accordance with the site plan and documentation within the case file.

On July 5, 2007, Andrew Skip Miller filed a timely Motion for Reconsideration of the Deputy Zoning Commissioner's Order dated June 20, 2007. With this Motion, he raised concern about Condition No. 2, in particular not being able to have bathroom facilities in the garage. The second floor of the garage will contain a playroom for the Petitioners' children, and it would be inconvenient for the children to walk to the house to use the bathroom facilities.

RECEIVED FOR FILE

7-11-07

[Signature]

The Petitioner offered to allow a representative from Code Enforcement to inspect the property periodically to ensure that kitchen facilities and sleeping quarters are not contained in the garage, and to ensure that the garage is not converted to a dwelling unit or apartment.

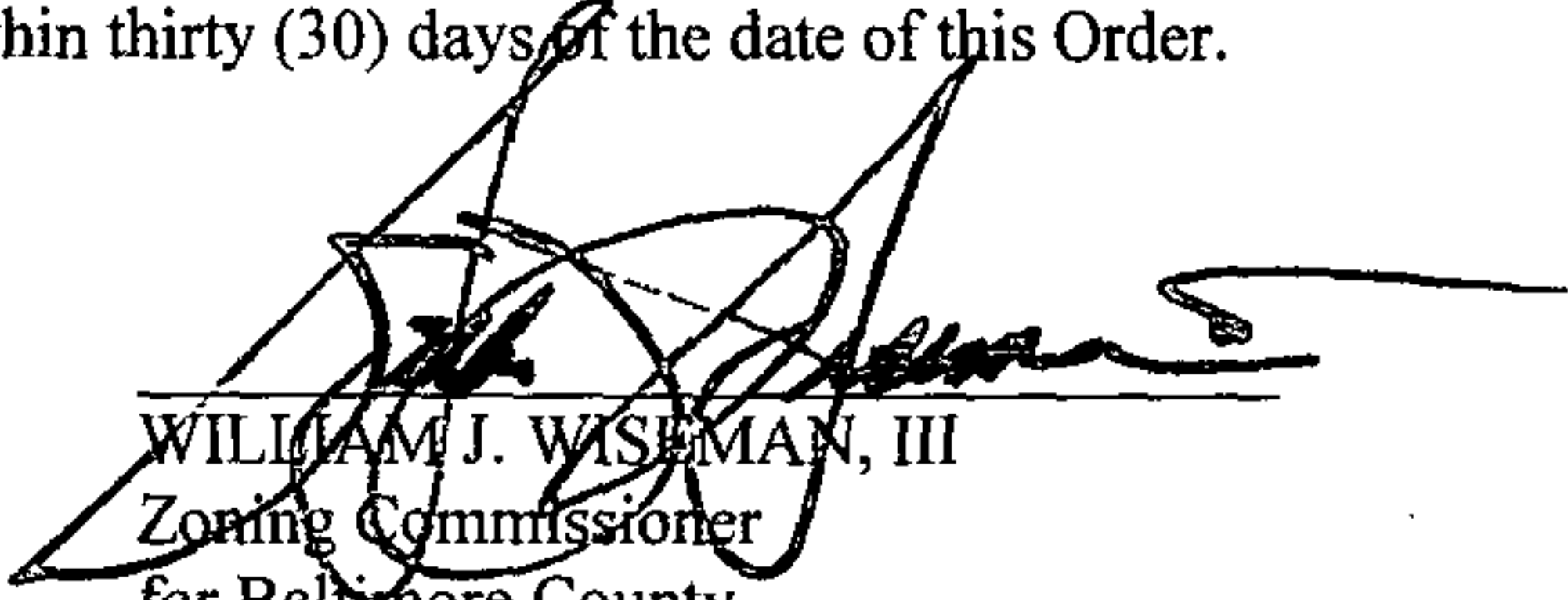
After due consideration of the arguments raised by Mr. Miller, I am persuaded to grant the Motion.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County, this 11th day of July 2007, that the Petitioners' request for Motion for Reconsideration, to allow bathroom facilities in their new garage, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. A bathroom facility may be maintained on the first floor of the garage, but not on the second floor.
2. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to ensure compliance with this Order.

IT IS FURTHER ORDERED that all other terms and conditions of the Order granted on June 20, 2007 shall remain in full force and effect.

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


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WW:pz

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
NE of Roldrew Avenue, 500 feet SE side		
of the c/l of Joppa Road	*	ZONING COMMISSIONER
9 th Election District		
2 nd Council District	*	OF
(7901 Roldrew Avenue)		
	*	BALTIMORE COUNTY
Andrew Skip Miller and Julie Miller		
Petitioners	*	CASE NO. 07-537-A

* * * * *

2ND ORDER ON MOTION FOR RECONSIDERATION

This matter originally came before the Zoning Commissioner as a Motion for Reconsideration filed by Andrew Skip Miller and Julie Miller, Petitioners.

By way of background, the Petitioners initially filed an Administrative Variance for property located at 7901 Roldrew Avenue. Specifically, the Petitioners sought relief, pursuant to Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (proposed 2-story detached garage) in the rear yard of existing dwelling with a height of 22 feet 8 inches in lieu of the permitted maximum height of 15 feet.

By opinion and Order dated June 20, 2007, the Deputy Zoning Commissioner granted the Administrative Variance request, with conditions, in accordance with the site plan and documentation within the case file.

On July 5, 2007, Andrew Skip Miller filed a timely Motion for Reconsideration of the Deputy Zoning Commissioner's Order dated June 20, 2007. Within his Motion, he raised concerns about Condition No. 2, in particular, not being able to have bathroom facilities in the garage. The second floor of the garage will contain a playroom for the Petitioners' children, and it would be inconvenient for the children to walk to the house to use the bathroom facilities. The Petitioners offered to allow a representative from Code Enforcement to inspect the property

Date 9-6-07
 BY 193
 WHEN RECEIVED FOR FILING

periodically to ensure that kitchen facilities and sleeping quarters are not contained in the garage, and to ensure that the garage is not converted to a dwelling unit or apartment.

Following the issuance of the Motion for Reconsideration, Ms. Bonnie L. Mechlinski, who lives directly across the street at 7900 Roldrew Avenue, filed a timely Motion for Reconsideration on August 6, 2007, seeking a denial of the height variance and bathroom facilities in the garage. Within Ms. Mechlinski's Motion, she argues that the possibility of the structure (garage) being used as a residence may be used as a rental property, guest house or in-law apartment at some point and not for a playroom and storage, as reported, for the Petitioners' children. Also, Ms. Mechlinski is concerned with the allowance of the bathroom facilities in the garage and after she either visited or contacted the Department of Permits and Development Management, was advised that plumbing was not allowed in the structure. It wasn't until after Ms. Mechlinski received a copy of the Motion of Reconsideration, dated July 11, 2007, that she learned of the bathroom facility being permitted in the garage.

Upon consideration of the concerns raised by Ms. Mechlinski in her letter of August 6, 2007, it is this 6th day of September 2007 ORDERED, that Ms. Mechlinski's Motion for Reconsideration to deny the previously granted height variance for the accessory structure (proposed 2-story detached garage) in the rear yard of existing dwelling with a height of 22 feet 8 inches in lieu of the permitted maximum height of 15 feet, be and is hereby DENIED; and.

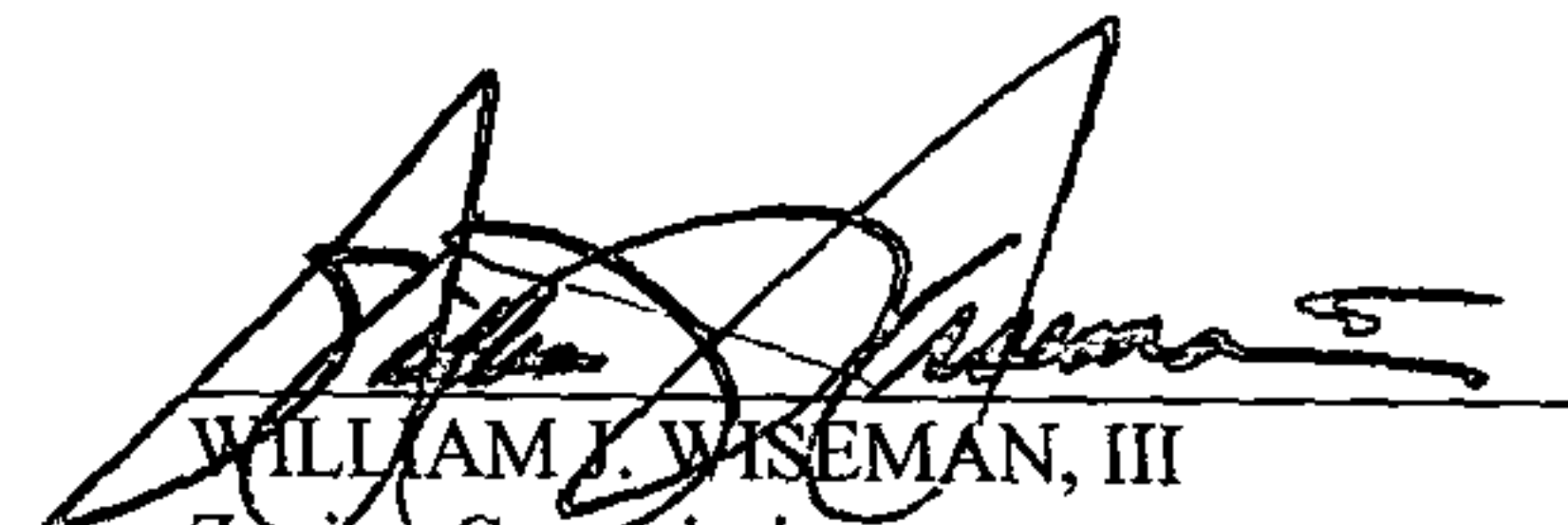
IT IS ORDERED that Restriction No. 1 of this Commission's Order issued on July 11, 2007 be and the same is hereby AMENDED to limit the bathroom facility on the first floor to mean a toilet and sink *only*. There is to be no shower and/or bath located within the accessory structure; and

ORDER RECEIVED FOR FILING
Date 9-2-07
By [Signature]

IT IS FURTHER ORDERED that as previously stated in Deputy Zoning Commissioner Murphy's Order, Condition #2, the structure shall not contain any sleeping quarters, living area, or kitchen facilities; and

IT IS FURTHER ORDERED that but for the amendments set forth above, all other terms and conditions of the Order issued July 11, 2007 shall remain in full force and effect.

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



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

c: Bonnie Mechlinski, 7900 Roldrew Avenue, Towson, Md. 21204
Andrew Skip Miller & Julie Miller, 7901 Roldrew Avenue, Towson, Md. 21204
People's Counsel; Office of Planning; File

ORDER RECEIVED FOR FILING
Date 9-10-07
By [Signature]

IN RE: PETITION FOR ADMIN. VARIANCE
NE of Roldrew Avenue, 500 feet SE side
of the c/l of Joppa Road
9th Election District
2nd Councilmanic District
(7901 Roldrew Avenue)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* BALTIMORE COUNTY
* CASE NO. 07-537-A

Andrew Skip and Julie Miller
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Andrew Skip and Julie Miller. The variance request is for property located at 7901 Roldrew Avenue. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (proposed 2-story detached garage) in rear yard of existing dwelling with a height of 22 feet 8 inches in lieu of the permitted maximum height of 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct a 30 foot x 20 foot garage. The second floor of the garage will be used for storage and will also have a playroom for the Petitioners' two sons. The damp basement in the house exacerbates the children's asthma and allergies. The existing garage will be removed.

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 June 8, 2007 which contains restrictions, and a copy of which is incorporated herein and made a part hereof the file.

6-20-07
[Signature]

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.”

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on June 3, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

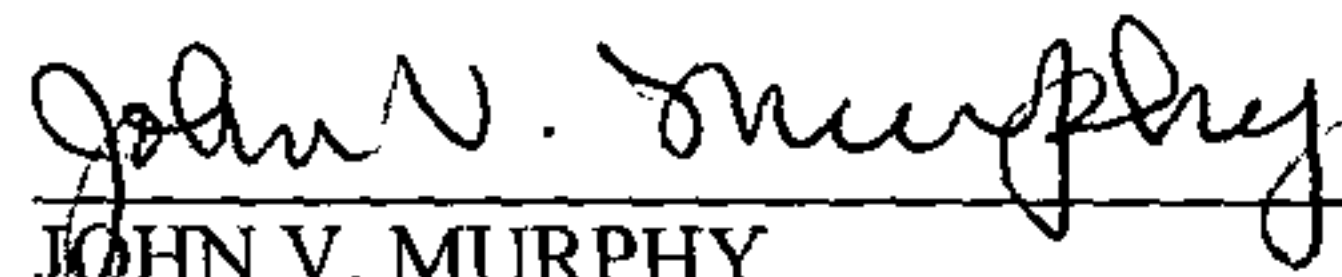
The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this th20 day of June, 2007 that a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (proposed 2-story detached garage) in rear yard of existing dwelling with a height of 22 feet 8 inches in lieu of the permitted maximum height of 15 feet be and is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. 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.
3. The accessory structure shall not be used for commercial purposes.

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


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

June 20, 2007

ANDREW SKIP AND JULIE MILLER
7901 ROLDREW AVENUE
BALTIMORE MD 21204

Re: Petition for Administrative Variance
Case No. 07-537-A
Property: 7901 Roldrew Avenue

Dear Mr. and Mrs. Miller:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

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

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:pz

Enclosure



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

July 11, 2007

ANDREW SKIP AND JULIE MILLER
7901 ROLDREW AVENUE
BALTIMORE MD 21204

Re: Petition for Administrative Variance
Order on Motion for Reconsideration
Case No. 07-537-A
Property: 7901 Roldrew Avenue

Dear Mr. and Mrs. Miller:

Enclosed please find the decision on the Motion for Reconsideration 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,

A handwritten signature in black ink, appearing to read "William J. Wiseman III", written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:pz
Enclosure

c: Bonnie Mecklinski, 7900 Roldrew Avenue, Towson MD 21204



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7901 Roloway Ave.
which is presently zoned DR3.5

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) BCZR 400.3

TO PERMIT AN ACCESSORY STRUCTURE (PROPOSED 2 STORY DETACHED GARAGE) IN REAR YARD OF EXISTING DWELLING WITH A HEIGHT OF 22' 8" IN LIEU OF THE PERMITTED MAXIMUM HEIGHT OF 15 FEET

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

Property is to be posted and advertised as prescribed by the zoning regulations.

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

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):

Andrew Skip Miller

Name - Type or Print

Signature

Name - Type or Print

Signature

7901 Roloway Ave. D-410-494-0669
Address C-410-371-2695

Baltimore Mo. 21204
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 07-537A

Reviewed By A. Tswi Date 5/25/2007

REV 10/25/07

Estimated Posting Date 6/3/07 - 6/18/07

6-20-07

Affidavit in Support of Administrative Variance

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

That the Affiant(s) does/do presently reside at

Address

City

State

Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

1) HEIGHT OF PROPOSED GARAGE EXCEEDS THE LIMIT FOR A DETACHED BUILDING. HEIGHT FROM FINISHED GRADE TO PEAK OF GARAGE IS 22'8". WE ARE REQUESTING THIS TO INCLUDE A 2ND FLOOR FOR DRY STORAGE AND A MOULDER FREE ~~PLAY~~ PLAYROOM FOR OUR 2 BOYS. THE YOUNGEST HAS ASTHMA + ALLERGIES THAT ARE EXACERBATED BY THE DAMP BASEMENT.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.



Signature

A. Skip Miller

Name - Type or Print

Signature

Name - Type or Print

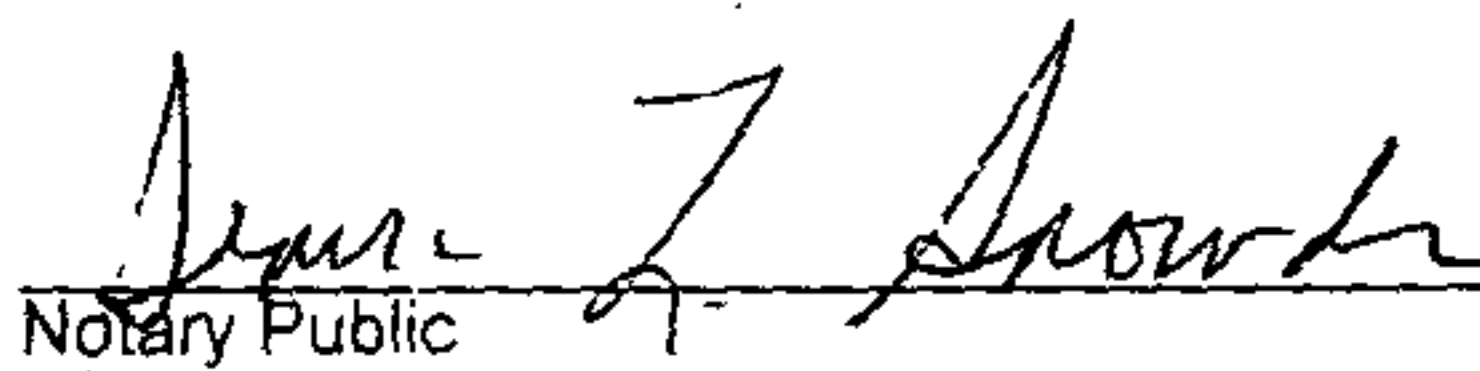
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25th day of May, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal





Notary Public

My Commission Expires 1-1-10

REV 10/25/01

SENORA L. SNOWDEN
Notary Public - State of Maryland
My Commission Expires Jan. 1, 2010

ZONING DESCRIPTION FOR 7901 Roldrew Ave. Baltimore, MD 21204

Beginning at a point on the ^{NORTH- ASH} East side of ROLDREW AVE which is 20 feet of ^{PAVEMENT ASH} ~~paym~~ent wide at the distance of 500 feet south ^{-EAST ASH} of the centerline of the nearest improved intersecting street JOPPA ROAD which is 40 feet of ^{PAVEMENT ASH} ~~paym~~ent wide.

Being Lot #23 & 24 recorded in the subdivision of ROLDREW as recorded in Baltimore County Plat Book #7, Folio #33 containing 16,800 square feet. Also, known as 7901 Roldrew Ave. and located in the 9th Election District, 2nd Councilman District.

07-537A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 27955

DATE 5/25/2007 ACCOUNT 001-0066150

AMOUNT \$ 65.00

RECEIVED
FROM:

ANDEEN SKIFF MILLER

FOR:

7901 ROLDREN AVE

ADM VARIANCE
07-537 A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS RETURN TIME TAX
5/29/2007 5/29/2007 14:25:03 1

REG MOD1 WALKIN JRIC JTR

>>RECEIPT-W 312343 5/25/2007 0614

DATE 5 520 ZURRINS VERIFICATION

CR NO. 027955

Receipt Tot \$65.00

\$65.00 CR 4.00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 07-537-A

Petitioner/Developer: ANDREW

S. MILLER

Date of Hearing/Closing: 6-18-07

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTN: Kristen Matthews ((410) 887-3394)

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:

7901 ROLDREW AVE

The sign(s) were posted on

6-3-07

(Month, Day, Year)

Sincerely,

Robert Black 6-6-07
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

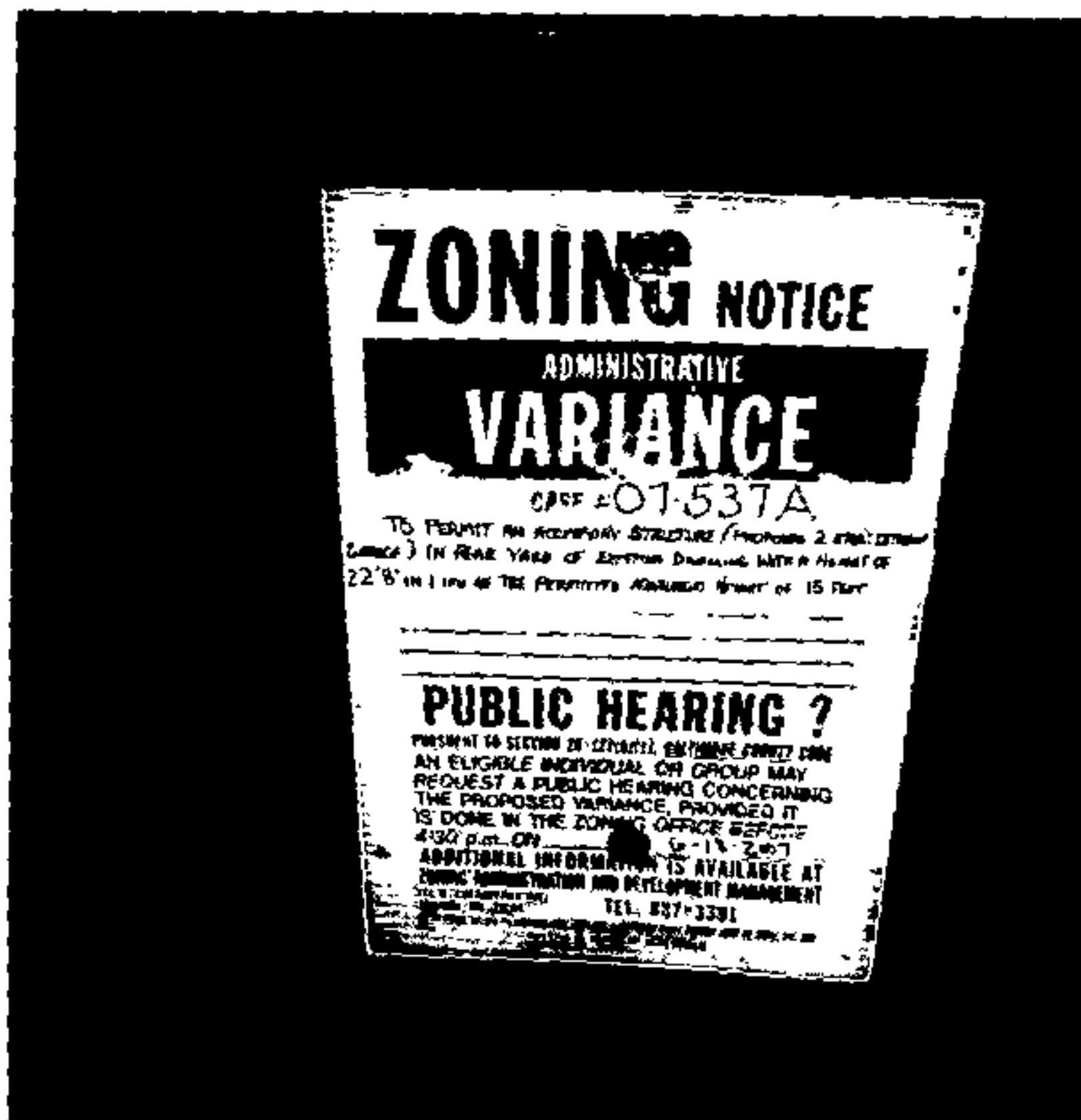
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07- 537 -A Address 7901 ROLDREW AVE

Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5/25/2007 Posting Date: 06/03/2007 Closing Date: 06/18/2007

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 07- 537 -A Address 7901 ROLDREW AVE
Petitioner's Name ANDREW S. MILLER Telephone C-410-371-2695
Posting Date: 6/3/07 Closing Date: 6/18/07
Wording for Sign: TO PERMIT AN ACCESSORY STRUCTURE (PROPOSED 2 STORY
DETACHED GARAGE) IN REAR YARD OF EXISTING DWELLING WITH
A HEIGHT OF 22' 8" IN LIEU OF THE PERMITTED MAXIMUM
HEIGHT OF 15 FEET.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

June 18, 2007

Andrew Skip Miller
Julie Miller
7901 Roldrew Avenue
Baltimore, MD 21204

Dear Mr. and Mrs. Miller:

RE: Case Number: 07-537-A, 7901 Roldrew Avenue

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 25, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

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

June 14, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 04, 2007

Item Number: 526 Through 541

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

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



Printed on Recycled Paper



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

State Highway
Administration

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

Maryland Department of Transportation

Date: JUNE 6, 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. 7-537-A
7901 ROLDREW AVENUE
MILLER PROPERTY
ADMINISTRATIVE 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. 7-537-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,

FOR Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: June 7, 2007

FROM: Dennis A. Kennedy, ^{DAK}Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 11, 2007
Item Nos. 07-526, 527, 528, 529, 530, 532,
533, 535, 536, 537, 538, and 540

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-06072007.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 8, 2007

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

RECEIVED
JUN 19 2007

SUBJECT: *Adm*
7-537 -Variance

BY:

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 22.8 feet in lieu of the maximum permitted 15 feet 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 Nkechi Hislop at 410-887-3480.

Prepared by:

Cynthia Murray

Section Chief:

Lynn Sullivan

AFK/LL: CM

JOHN V. MURPHY
Deputy Zoning Commissioner
401 Bosley Ave.
Suite 405
County Courts Building
Towson, Md. 21204

CASE No. 07-537-A

RECEIVED
JUL 05 2007

BY:.....

Dear Mr. Murphy,

THANK YOU FOR YOUR FAVORABLE RULING ON MY
VARIANCE ON THE CASE ABOVE. I AM WRITING TO ASK
FOR A BATHROOM IN THE GARAGE. THE GARAGE IS LOCATED
± 120' FROM THE HOUSE AND WOULD BE AN INCONVENIENCE
FOR THE KIDS IN THE PLAYROOM AND MYSELF WHO
WORKING IN THE GARAGE.

I UNDERSTAND YOUR CONCERN FOR NOT HAVING A
SEPARATE OCCUPIABLE DOMICILE AND WOULD GO ALONG WITH
ANY RESTRICTIONS ~~IMPOSED~~ IMPOSED BY THE COUNTY. IT
CAN BE RETURNED INTO LAND RECORDS, I WOULD MAKE IT
AVAILABLE TO INSPECTIONS OR WHAT EVER IS FEASIBLE.
IT WOULD JUST BE NICE TO HAVE A PLACE TO WASH
MY HANDS OR USE THE FACILITIES WHEN NECESSARY.
THANK YOU FOR YOUR CONSIDERATION.

A. Skip Miller

Andrew Skip Miller

IMPORTANT MESSAGE

FOR Bill
DATE 8-7 TIME 333 A.M.
M. Skip Miller
OF _____
PHONE 410-594-7413
AREA CODE NUMBER EXTENSION
☐ FAX
☐ MOBILE AREA CODE NUMBER TIME TO CALL

TELEPHONED	☒	PLEASE CALL	☒
CAME TO SEE YOU	☐	WILL CALL AGAIN	☐
WANTS TO SEE YOU	☐	RUSH	☐
RETURNED YOUR CALL	☐	SPECIAL ATTENTION	☐

MESSAGE _____

07-537-A

8/7

Bill talked w/
Petitioner today

Petitioner to provide
ltr stating BR is for a
sink & toilet only -
no shower.

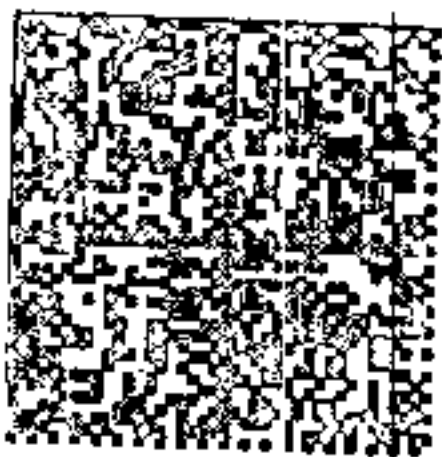
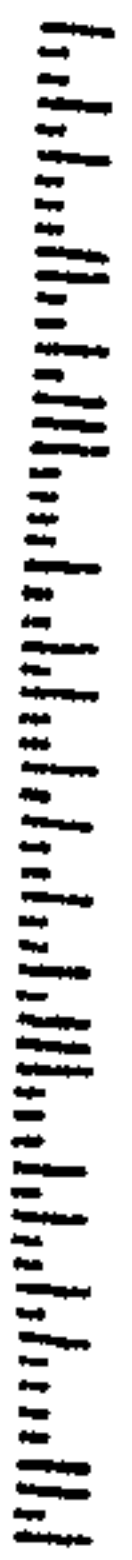
Then Bill to sent ltr
to parties of record

A. Skir Miliutin
7901, Rozovuz Avn.
Barto, Mo. 21204

Mr. John V. Murphy
Zoning Commissioner's Office
401 Bosun Ave.
Suite 405
County Courts Building
Towson, Md.

21204

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02 1M \$00.47
0004220189 JUL 02 2007
MAILED FROM ZIP CODE 21244

5041-S

Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to ensure compliance with this Order.

Mr. William J. Wiseman III
Zoning Commissioner
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

RECEIVED
AUG 07 2007

August 6, 2007

By:

Dear Mr. Wiseman,

Re: Case Number 07-537-A
Variance For Property Located at 7901 Roldrew Avenue

This letter is written to notify the Zoning Commission that I am opposed to the height variance, bathroom facilities, and permanent heating units being placed in the proposed two story garage at 7901 Roldrew Avenue.

In June of 2007, a sign was posted at the above mentioned residence requesting a variance for a proposed two story car garage. The variance was to allow the garage height to be increased from the standard 15 feet to 22 feet 8 inches. Although, the height was not of great concern to me, the possibility of the structure being used as a residence was. I spoke with Mrs. Miller and questioned the reason for the variance along with a concern that the structure may be used at some point in time as a rental property. Mrs. Miller said that they had no intention of using the upstairs room in the garage as a rental; however it was going to be used for possibly her mother or guests to stay in. A Guest House or In-Law-Apartment.

Prior to the date of appeal deadline, I went to the Baltimore County Zoning Office with my concerns. The desk clerk in the zoning office pulled the case. The County application showed that the petitioners proposed the upstairs of the two story garage being used for a playroom and storage. I informed the clerk that this was not what Mrs. Miller had told me and reported the story to her. The clerk informed me that the property could not have another dwelling, and that plumbing could not be put into the structure. With the information provided by the Zoning Office, I decided not to appeal the request for the height variance.

In July 2007, Mr. Miller approached my friend, and told him that they were planning on putting a bathroom in the new garage. This news alarmed me, and I once again contacted Baltimore County Zoning Office. The office informed me that the petitioners filed a "Motion for Reconsideration" to allow bathroom facilities in the garage. I was not notified by the Zoning Office, nor was there anything posted on this new variance. However, I was told by the clerk that I could appeal this motion.

The County Zoning Office, at my request, sent me a copy of the "Motion for Reconsideration." In reading this letter I discovered that bathroom facilities had already been granted to the Miller's as of July 11, 2007. If Mr. Miller had not said anything to my friend the plumbing would have gone in without my knowledge. If I had trusted my instincts I would have protested the height variance and all of this would not be an issue now.

I live directly across from this site and have additional concerns. If you would like to discuss the content of this letter or need clarification, you may contact me at (410) 321-7984.

In closing I request the Baltimore County Zoning Commissioner deny the height variance, and bathroom variance for the proposed two story garage at 7901 Roldrew Avenue.

Sincerely,

Bonnie L. Mechlinski

Bonnie L. Mechlinski
7900 Roldrew Avenue
Towson, Maryland 21204

Copy to:

A. Skip Miller

James T. Smith, Jr. - County Executive

Peggy Squitieri - Ruxton/Riderwood Community Association

Patty Zelk - Baltimore County Zoning Office

7900 Rodwell Ave
Houson, Md. 21204

RETURN RECEIPT
REQUESTED

Mr. William F. Wiseman III
Zoning Commissioner
County Courts Building
401 Rodwell Ave, Suite 405
Houson, Md. 21204

212044429 0010

CERTIFIED MAIL™


7007 1490 0003 1495 0266


UNITED STATES
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21204

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21139
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AMOUNT

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USA FIRST-CLASS FOREVER

Zoning Board
Baltimore County

6/18/2007

Dear Commissioner,

In regards to the zoning variance being sought at 7901 Redwood Ave. 21204, I would like to make a request.

I have no objection at all to the request for the 22' garage height variance. The only thing that I wanted to make sure is that there be no living quarters located in the new building. This being a dead-end street with limited parking means that additional residents and/or renters would put a severe strain on an already tight situation. I also do not believe that there is enough land available there to support additional living quarters.

In summary, I do not oppose the variance. But I would like for there to be strict wording present to prohibit living quarters both now and in the future.

Thanks.

Jeffrey C. Keller

Jeffrey Keller
7902 Roldren Ave
Towson, MD 21204
410-828-0567

*ps. I would also request that this letter be kept confidential. Thank.

RECEIVED
AUG 13 2007

BY:.....

William Wiseman
Commissioner
Barto. County Zoning
FAX 410-887-3468

August 14, 2007

Dear Commissioner,

This letter is to officially inform the Zoning Office that I am no longer opposed in any way to the proposed zoning variance at 7901 Rodden Ave. 21204 (Case # 07-537-A). I would also request that any notation concerning conversations with the Commissioner or any of his staff be withdrawn from the case folder and not used in making any official decisions. Comments that were made to the Commissioner were made in error and I regret making such statements.

In closing, I
the Commissioner's
including the Motion


8/14/2007

totally support
original ruling.
for reconsideration.
Thank you Sincerely
JEFFREY Keller
7902 Rodden Ave.
Towson 21204
410-828-0567

Front of House



✂

Northwest View of Front



SOUTHEAST VIEW FRONT



SOUTHEAST VIEW BACKYARD



2002

East View South Side of House



1002-5-2011

2 EAST PASTURE N. MOUNTAIN



A

NEAREST SOUTHERN NEIGHBOR



Northwestern View from Proposed Garage



WESTERN VIEW FROM PROPOSED GARAGE



Northward View from Driveway to Proposed Garage



2007-5-21

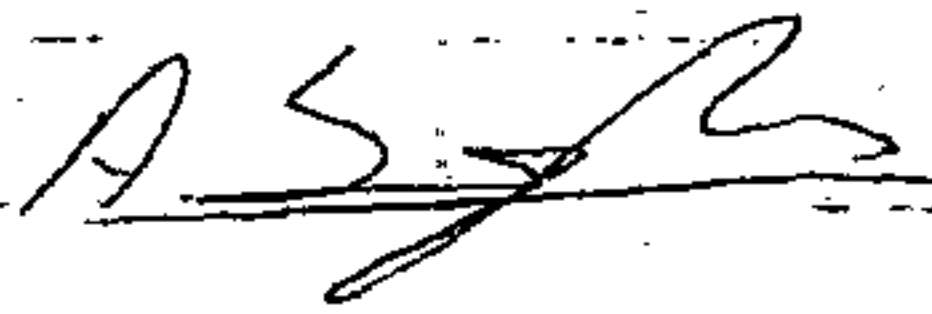
Dear Mr. Wisman,

Re: Case Number 07-537-A

VARIANCE FOR PROPERTY LOCATED AT 7901 ROLAND AV.

THIS LETTER IS TO CLARIFY THE PROPOSED GARAGE
WILL BE A 2 CAR GARAGE WITH A TOILET + SINK ON
THE FIRST FLOOR WITH A PLAYROOM + STORAGE ON THE
SECOND FLOOR.

Sincerely,



Andrew Skip Miller

Creating Horries for Businesses Since 1967

MERRITT
PROPERTIES, LLC

2066 Lord Baltimore Drive
Baltimore, Maryland 21244
www.merrittproperties.com

Handwritten signature

Mr. William J. Wiseman, III
Zoning Commission Baltimore County

Case # - 07-537-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

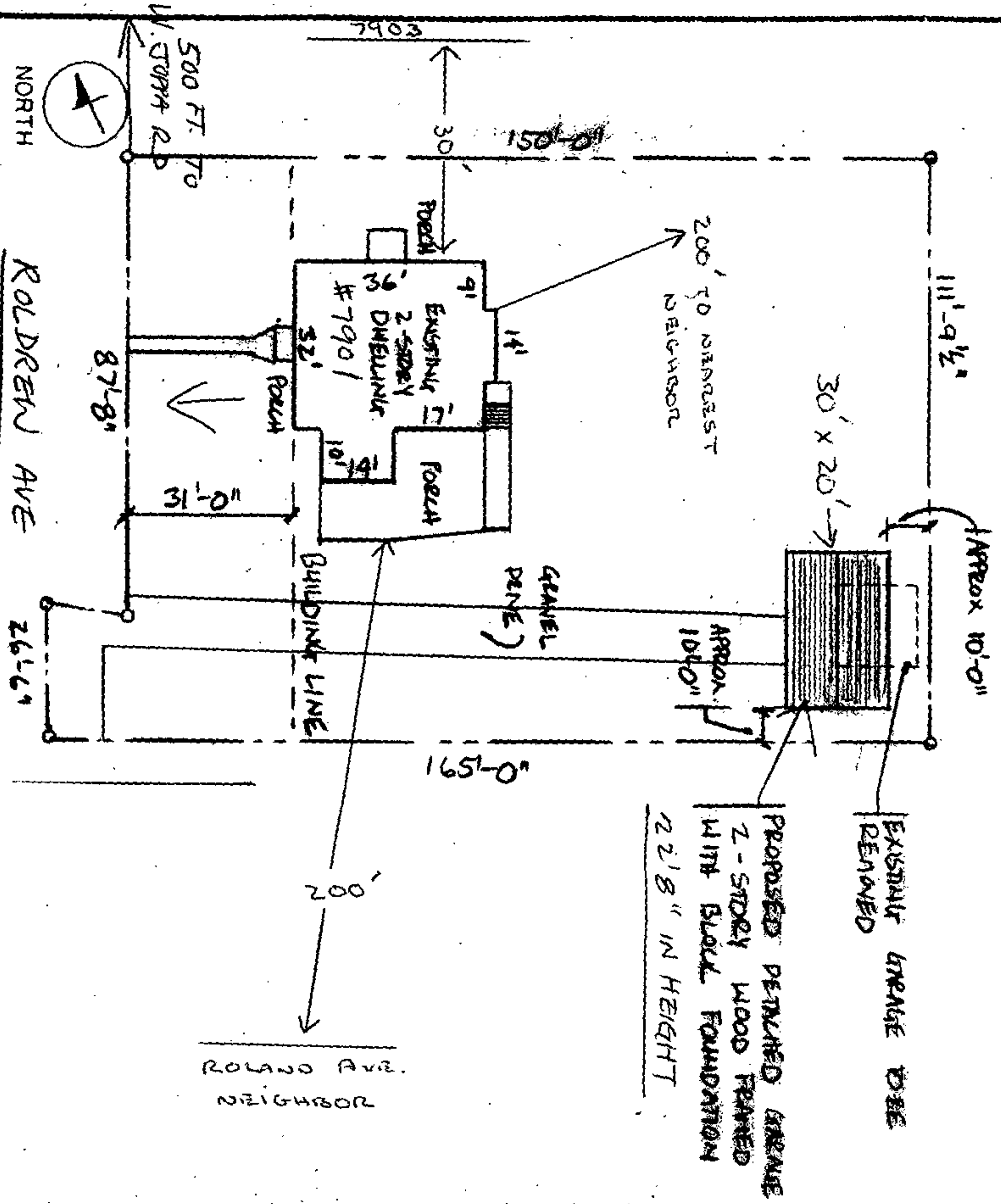
PROPERTY ADDRESS 7901 Rolando Ave.

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Rolando

PLAT BOOK # 7 FOLIO # 33 LOT # 23+24 SECTION # 1

OWNER Anderson & Juliet Miller

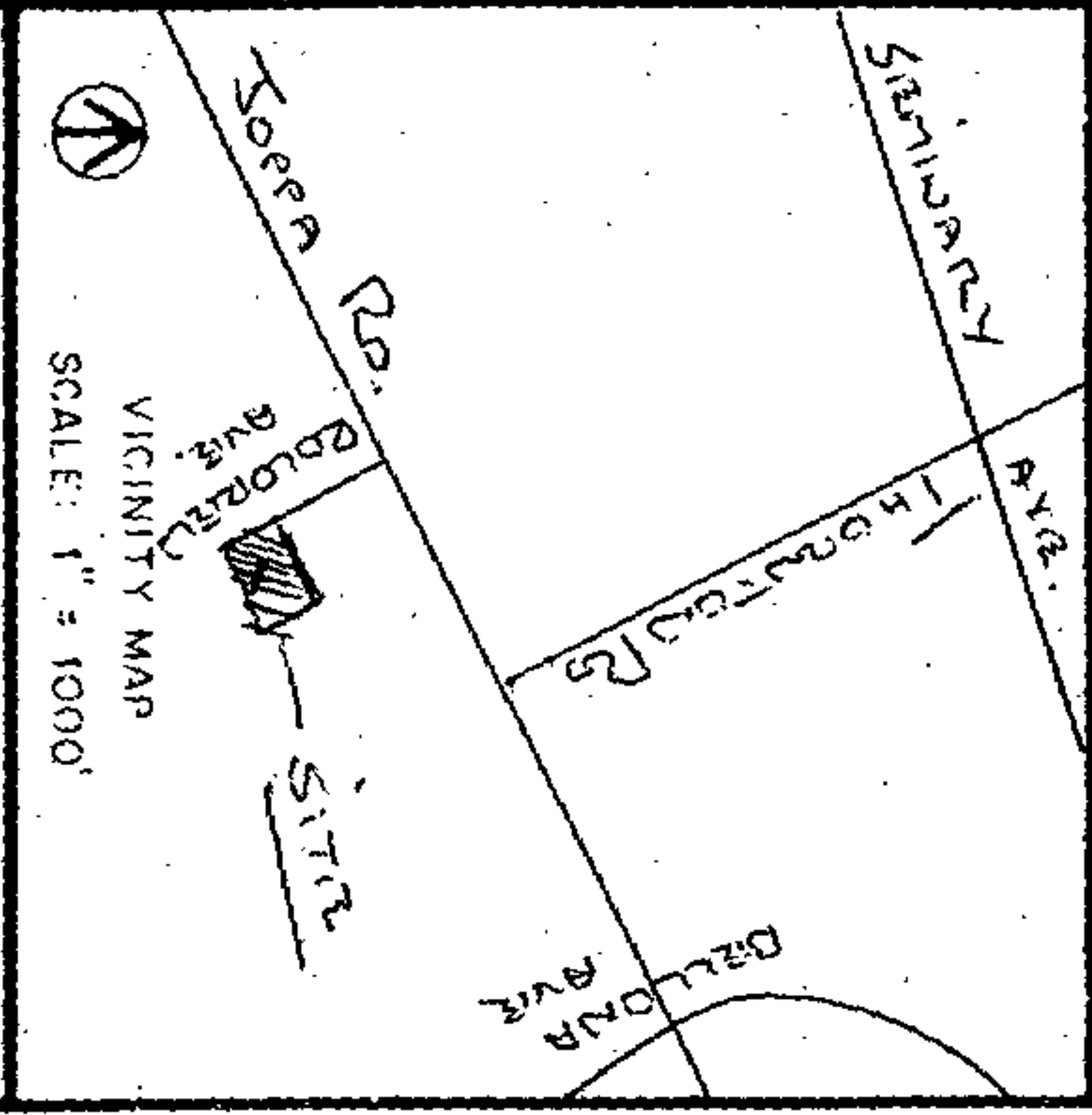


PROPOSED DETACHED GARAGE
2-STORY WOOD FRAMED
WITH BLOCK FOUNDATION
22'8" IN HEIGHT

EXISTING GARAGE TO BE
REMOVED



VICINITY MAP
SCALE: 1" = 1000'



LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 2

1" = 200' SCALE MAP # 069031

ZONING DR 3.5

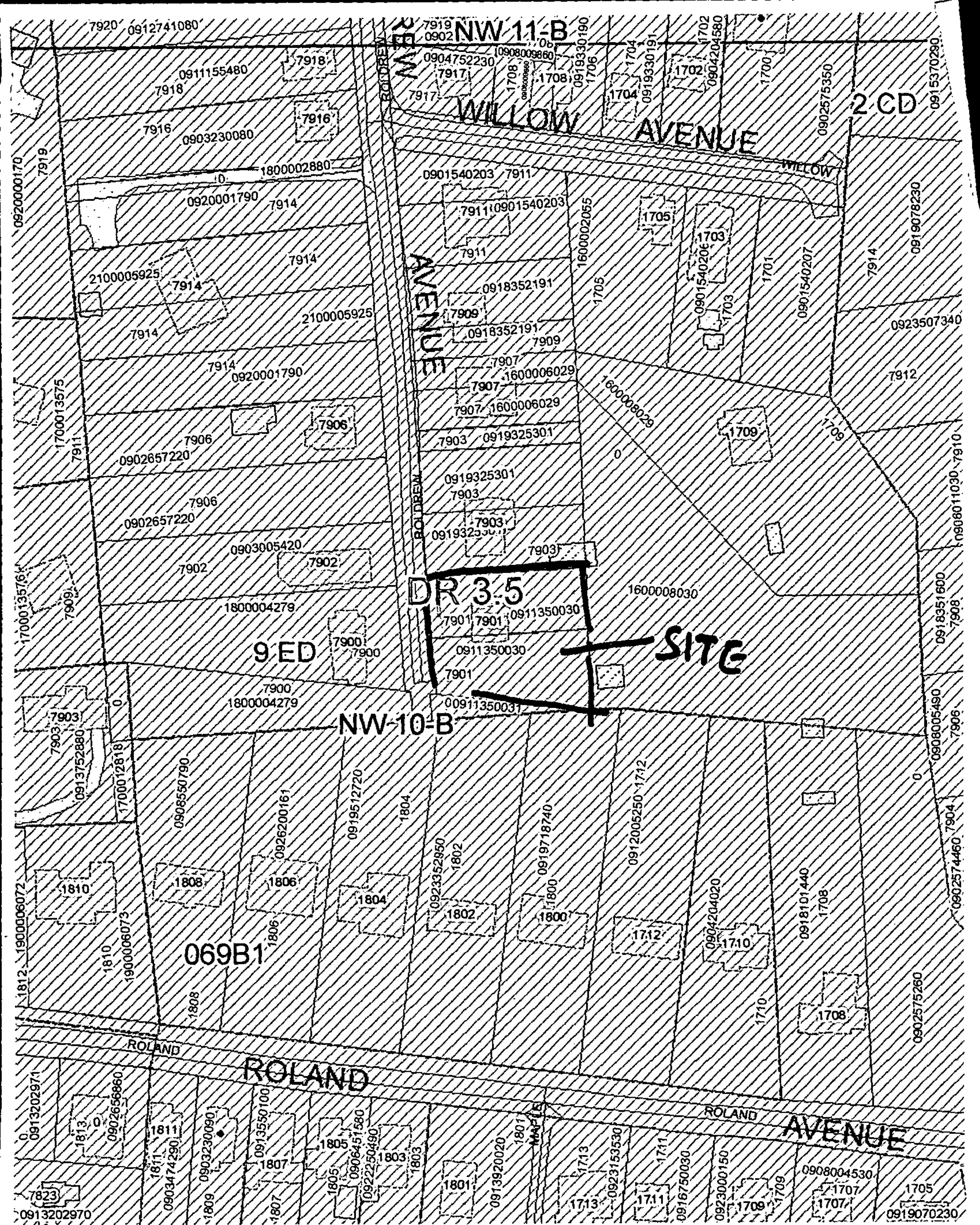
LOT SIZE .4 ACREAGE 16,800 SQUARE FEET

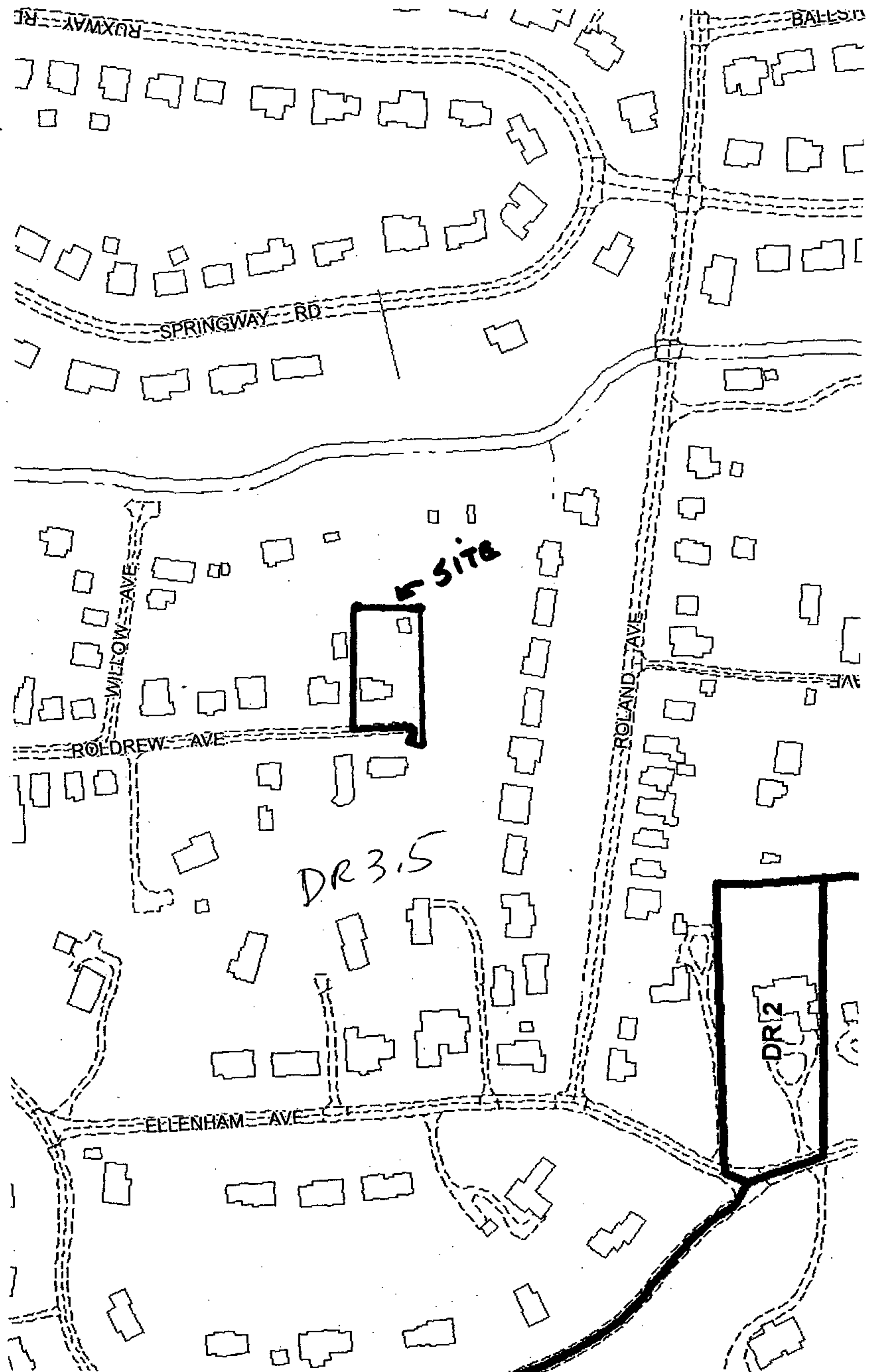
SEWER ☒ PUBLIC ☐ PRIVATE
WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO
100 YEAR FLOOD PLAIN ☐ ☒
HISTORIC PROPERTY / BUILDING ☐ ☒
PRIOR ZONING HEARING NO

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE # 1

PREPARED BY A. Skiff Miller (owner) SCALE OF DRAWING: 1" = 30'





4

~~B~~

06981

1"=200'

← SITE

DR 3.5

DR2

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

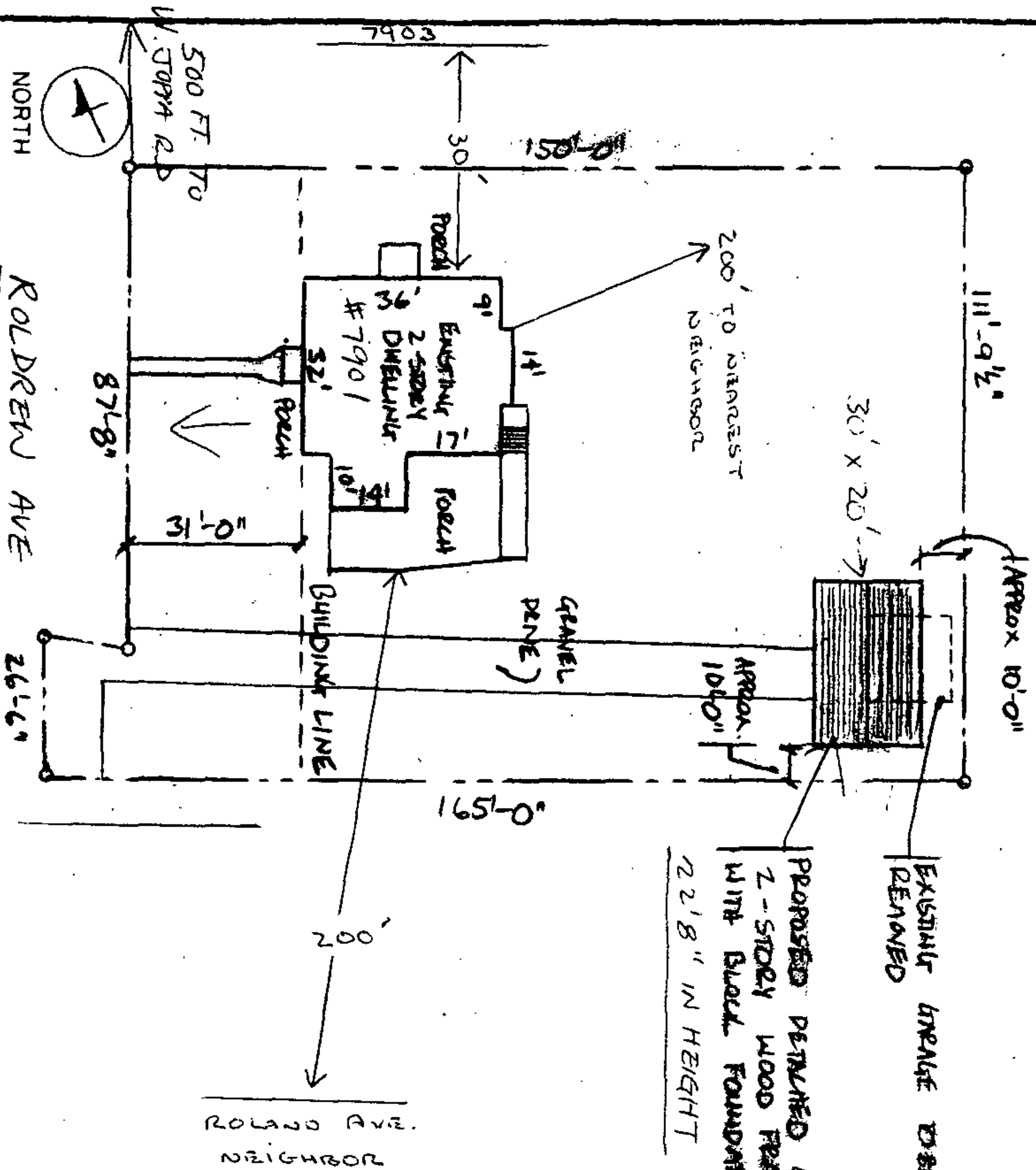
PROPERTY ADDRESS 7901 Rolando Ave.

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Rolando

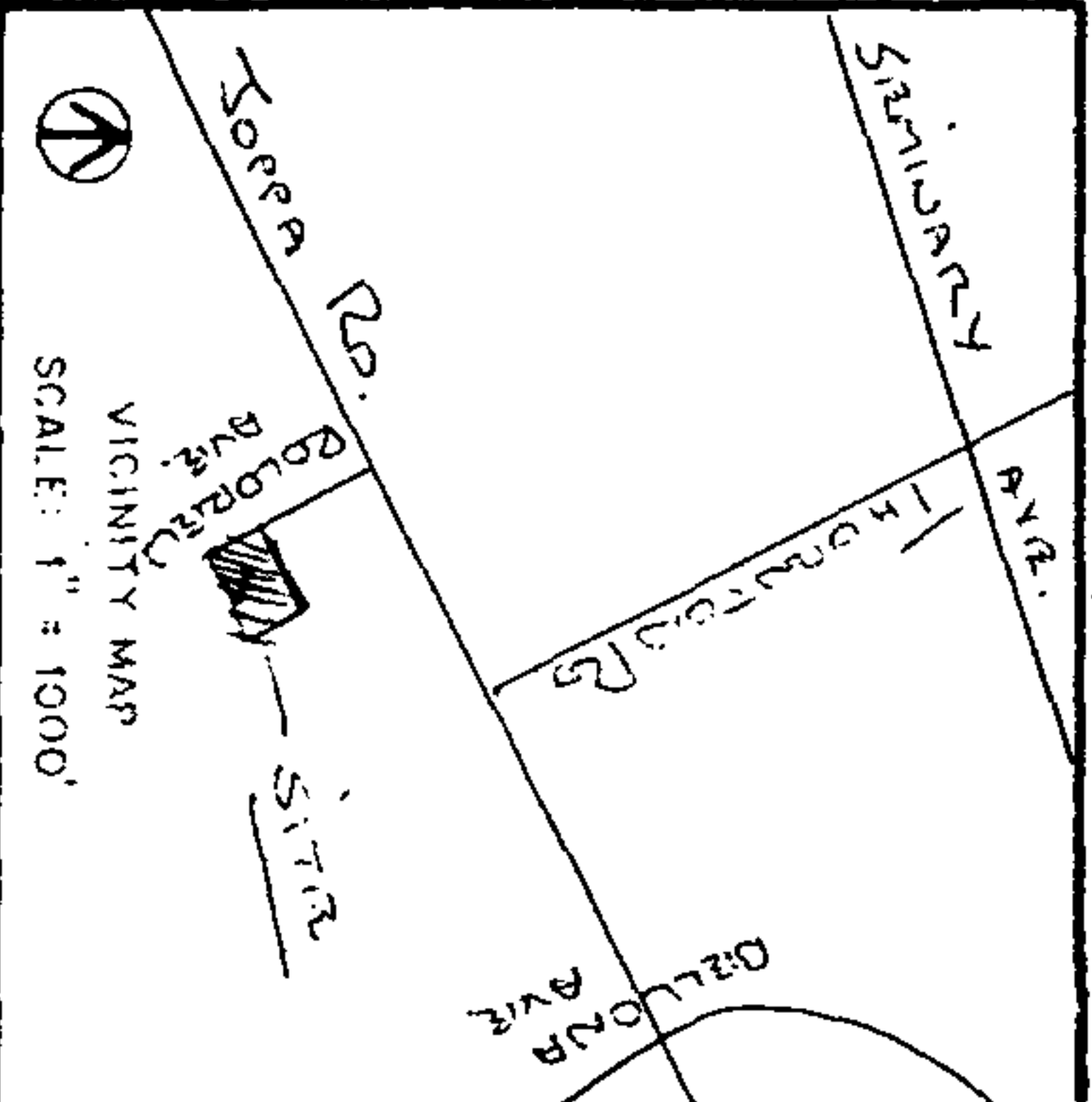
PLAT BOOK # 7 FOLIO # 33 LOT # 23+24 SECTION # 1

OWNER Andrew & Dwight Miller



PREPARED BY A. Sue Miller (owner)

SCALE OF DRAWING: 1" = 30'



LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 2

1" = 200' SCALE MAP # 069751

ZONING DR3.5

LOT SIZE .4 ACRES 16,800 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY / BUILDING ☐ ☒

PRIOR ZONING HEARING None

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

A. Tami | 537 | 07-537A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

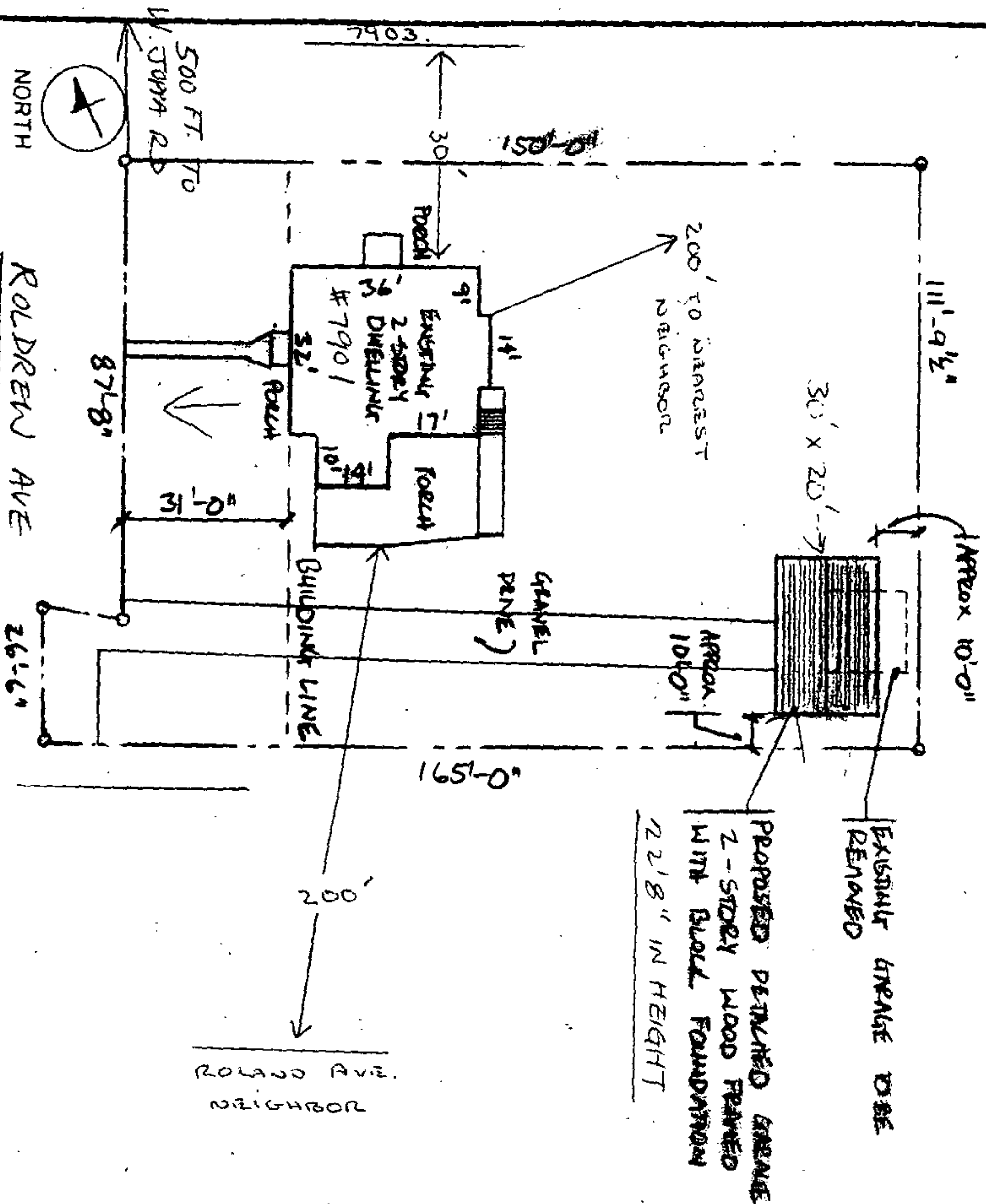
PROPERTY ADDRESS 7901 Rolodren Ave.

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Rolodren

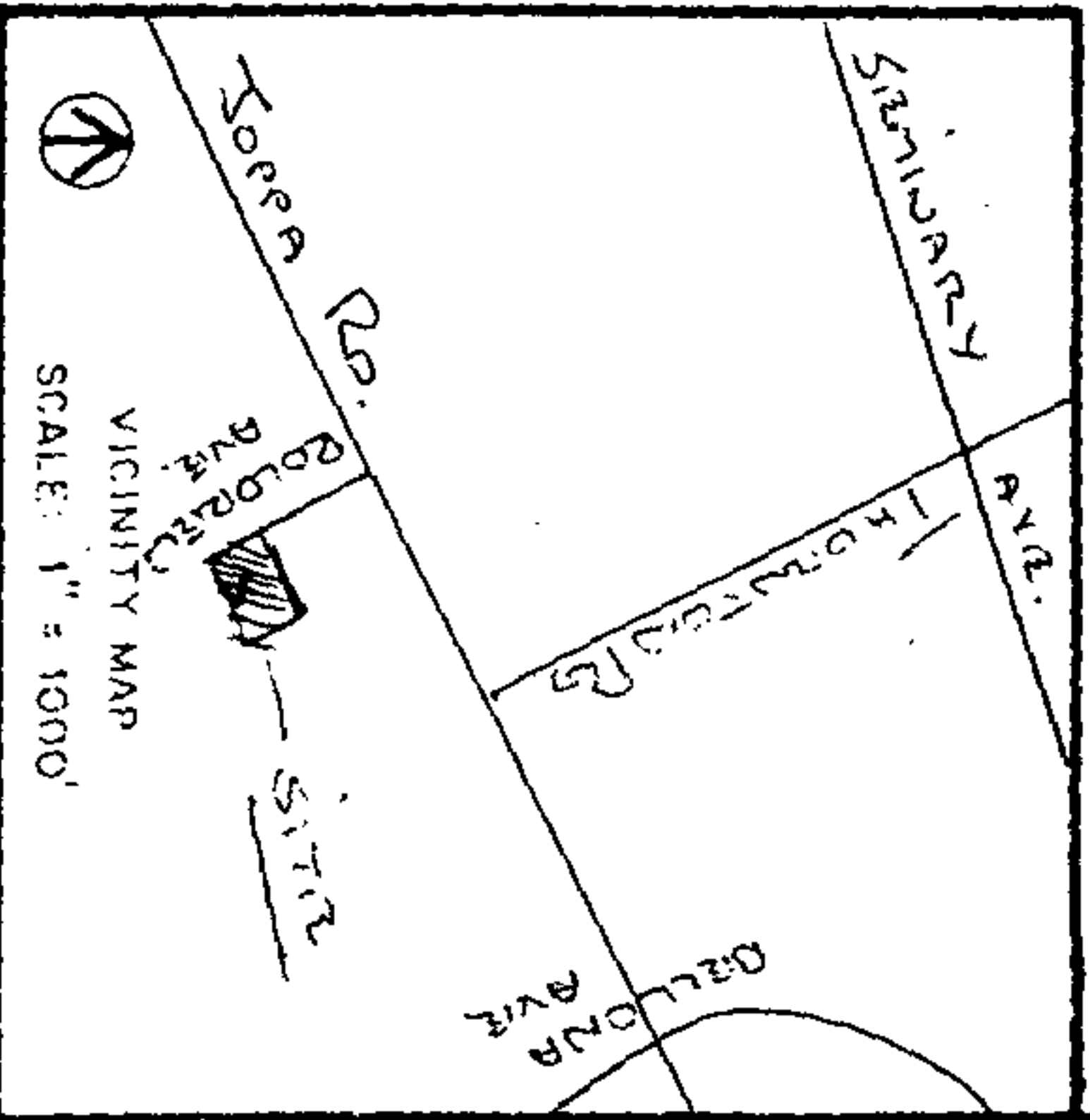
PLAT BOOK # 7 FOLIO # 33 LOT # 23+24 SECTION # 1

OWNER Andrew & Juliet Miller



PREPARED BY A. Scott Miller (owner)

SCALE OF DRAWING: 1" = 30'



LOCATION INFORMATION			
ELECTION DISTRICT	9		
COUNCILMANIC DISTRICT	2		
1" = 200' SCALE MAP #	069131		
ZONING	OR 3.5		
LOT SIZE	.4	16,800	SQUARE FEET
ACREAGE			
SEWER	☒ PUBLIC	☐ PRIVATE	
WATER	☒	☐	
CHESAPEAKE BAY CRITICAL AREA	☐	☒	YES NO
100 YEAR FLOOD PLAIN	☐	☒	
HISTORIC PROPERTY / BUILDING	☐	☒	
PRIOR ZONING HEARING	None		

ZONING OFFICE USE ONLY

REVIEWED BY A. Tain ITEM # 537 CASE # 107537A

e-mail copy -

RRLR AIA

o
comcast.net

✓ on 8/1/07
