IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
VARIANCE		
NW corner of West Golf Course Road	*	DEPUTY ZONING
and Chittenden Lane		
3rd Election District	*	COMMISSIONER
2nd Councilmanic District		
(3120 West Golf Course Road)	*	FOR BALTIMORE COUNTY
3120 Golf Course Road, LLC - Ira Miller		
Petitioner	*	**Case No. 08-082-SPHA**

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the legal owner of the subject property, Ira Miller, c/o Miller Investments, LLC, on behalf of 3120 Golf Course Road, LLC. The Special Hearing request was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve the continuance of a former caretaker's residence to be used to house full time caretakers whose responsibility will be to care for and maintain the principal residence and premises, and not for use as a rental unit; and/or use of the former caretaker's residence as a guest house to periodically house guests of the owners and not for use as a rental unit. The Variance request is from Section 400.3 of the B.C.Z.R. to approve the existing 20 foot height of the caretaker's structure in lieu of the maximum required 15 feet. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing and variance petitions was Petitioner Ira Miller, c/o Miller Investments, LLC, on behalf of 3120 Golf Course Road, LLC, K. Donald Proctor, Esquire, attorney for Petitioner, and Bruce Doak,

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Date 3-5-08
By RM

Petitioner's land surveying consultant who prepared the site plan. There were no Protestants or other interested persons in attendance at the hearing.

At the outset, it should be noted that this matter is currently the subject of a pending violation case in the County Division of Code Inspections and Enforcement. A citation for code violation was issued on July 16, 2007 in this matter for changing the use of a building without complying with all area requirements, and failing to issue a certificate of occupancy for a new building occupancy classification. However, zoning enforcement agreed to stay the enforcement proceedings pending the outcome of the hearing currently before this Deputy Zoning Commissioner. Petitioner was very candid about this situation and submitted a copy of the Citation and the correspondence indicating that enforcement proceedings have been stayed. These documents were marked and accepted into evidence as Petitioner's Exhibits 3A and 3B. A code citation is generally not relevant in considering a zoning case. Zoning enforcement is conducted by the Department of Permits and Development Management, which has the authority to issue Correction Notices and Citations, and to impose fines and other penalties for violations of the law or zoning regulations. On the other hand, the role of this office in these matters is to decide the discreet legal issue of whether a petitioner is entitled to the relief that is requested pertaining to the particular property.

Testimony and evidence offered revealed that the subject property is an L-shaped parcel containing approximately 14.88 acres and zoned R.C.5. The property is located to the west of Golf Course Road in the Owings Mills area of Baltimore County. In order to reach the property, one must travel on West Golf Course Road, a smaller road containing approximately 12 to 15 homes. A winding private driveway leads to Petitioner's property, which is considerably larger than any of the surrounding properties and is improved with two existing structures: the primary residence consisting of a 15,000 square foot dwelling, and a second, smaller dwelling that at one

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Date 3-5-08
By PB

time was used to house a caretaker's residence. Petitioner submitted several photographs of the two existing structures, which were marked and accepted into evidence as Petitioner's Exhibits 2A through 2E. The primary residence and accompanying pool are located toward the southern end of the property, and the caretakers' residence is located closer to the northeast edge of the property line. The majority of the property surrounding the existing dwellings is preserved with forest buffer and forest conservation easements.

Further testimony revealed that both of the existing structures on the subject property pre-dated the R.C. regulations, as they were originally built in approximately 1911. Petitioner submitted a notice from the Maryland Department of Assessments and Taxation demonstrating the age of the existing structures, which was marked and accepted into evidence as Petitioner's Exhibit 4. Petitioner purchased the property on October 6, 2006 and performed substantial renovations, particularly to the caretaker's residence, before moving into the larger dwelling with his wife and two children approximately eight months prior to this hearing. When Petitioner purchased the property, the former caretaker's home was in disrepair as the roof had partially fallen in, the electrical system was outdated, and it was clear that the dwelling had not been occupied for some time. Petitioner spent a significant amount of time and expense renovating the caretaker's home by fixing the roof, installing a separate electrical service, and updating the interior with a kitchen area and a bedroom and bathroom on each of the two floors. Petitioner submitted several photographs of the electrical system and interior renovations of the caretaker's home, which were marked and accepted into evidence as Petitioner's Exhibits 5A through 5E.

Due to the significant acreage, landscaping and maintenance for the dwellings, Petitioner desires to hire a caretaker full time who would live in the caretaker's residence and oversee maintenance of the property. Moreover, in the event a caretaker is no longer employed and living in the residence, Petitioner desires to have the caretaker's residence available for relatives

[illegible] FOR [illegible]
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and guests. Petitioner stressed that the caretaker's residence would not be used as a second, primary residence or for commercial purposes such as a rental. It will always be utilized as an accessory use to the primary residence for intermittent, temporary lodging of guests and relatives.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comment received from the Office of Planning dated January 28, 2008 indicates that the property is lot 2 on the minor subdivision 0409m approved in 2005 for a two lot minor subdivision. It indicates that the proposed caretaker's residence was shown on the minor subdivision plan as a storage building 12 feet in height. It is shown on the plan filed with the petition as existing structure formerly a caretaker's residence with a height of 20 feet. The comment also indicates that the accessory residence structure should be identified on the site plan as either a caretaker's house or a guesthouse, not either or. A line of division delineating 1.5 acre use area in support of the accessory residential structure should be shown on the plan. The delineated 1.5 acres should include the septic reserve area and the proposed well associated with the accessory residential structure. The footprint of the accessory residential structure shall not be enlarged without a special hearing. No further accessory structures shall be permitted within 1.5 acre use area without a special hearing. Additional comments will be expounded on further in this Order.

Turning first to the Petition for Special Hearing, upon review of Petitioner's plans and consideration of the testimony and evidence presented, I am persuaded that the requested relief should be granted. The subject property is considerably larger than the typical R.C.5 lot in this area, and the property comfortably accommodates two separate structures without affecting any surrounding property owners. The evidence demonstrated that the secondary structure, which has been in existence for almost 100 years, was at one time used to house caretakers for the

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Date 3-5-08
By PPR

property. Petitioner has indicated that given the layout and size of the property, he desires to hire full time caretakers to live in the secondary structure, whose responsibility will be to care for and maintain the principal residence and premises. Hence, the strucutre wll truly be an "accessory" structure, incidental to the primary residence. In addition, Petitioner desires to use the secondary structure to periodically house guests of the owners.

After careful consideration, I am convinced that it would be appropriate for Petitioner to use the existing caretaker's home both to house full time caretakers and to occasionally permit house guests to stay in the home. An overview of zoning law and practice reveals that the most frequently considered accessory uses in residential areas are guest houses and servant quarters. *See, Zoning Law and Practice* by E.C. Yokley, Volume 2, page 8-16 (2001). Additionally, the zoning regulations do not explicity limit an accessory structure to one single use. While the Office of Planning has requested that the structure be identified on the site plan as either a caretakers home or a guest house, I am convinced that both requested uses can be permitted without having any negative effect on the surrounding locale. Petitioner will not be renting or leasing the property, and will be required to file an appropriate petition and appear at a public zoning hearing if any additional uses are requested. Furthermore, I am convinced that the requested relief can be granted without the addition of a line of division delineating a 1.5 acre use area in support of the accessory residential structure on the site plan. I find that separating a 1.5 acre area from the remainder of the property may serve to complicate this matter and may negatively affect Petitioner's future property rights without achieving any benefit to the surrounding locale.

In regard to the request for variance, considering all the testimony and evidence presented, I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requests. As previously stated, the property is

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PB

exceptionally large and the structures are unusually secluded for an R.C.5 zone. The caretaker's home pre-existed the R.C.5 zoning, and while it was incorrectly listed on the minor subdivision plan as a storage building 12 feet in height, the evidence demonstrated that the building has been 20 feet in height since its construction in 1911. While Petitioner renovated the roof and interior of the building, Petitioner did not change the height of the building to make it taller. I also find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. If zoning relief is not granted, Petitioner will be required to alter a section of a structure that currently meets the architectural and aesthetic nature of the main house and surrounding area.

Finally, I find that the variance can be granted in strict harmony with the spirit and intent of said regulations and in a manner so as to grant relief without injury to the public health, safety and general welfare. I am convinced that permitting the existing structure 20 feet in height will have no negative affect on the health, safety, or general welfare of the surrounding locale. Conversely, the caretaker's home is aesthetically pleasing and if the recent renovations have had any impact, they have actually improved the appearance and character of the surrounding area.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 5th day of March, 2008 that Petitioner's request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) for the continuance of a former caretaker's residence to be used to house full time caretakers whose responsibility will be to care for and maintain the principal residence and premises, and not for use as a rental unit; and/or use of the former caretaker's residence as a guest house to

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periodically house guests of the owners and not for use as a rental unit, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioner's request for Variance from Section 400.3 of the B.C.Z.R. to approve the existing 20 foot height of the caretaker's structure in lieu of the required 15 feet be and is hereby GRANTED, subject to the following:

1. Petitioner may apply for his permits 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, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The footprint of the accessory residential structure shall not be enlarged without a special hearing.

3. No further accessory structures shall be permitted on the property without a special hearing.

4. Petitioner may not expand the use of the accessory structure without a special hearing.

5. The accessory residential structure shall not be used for commercial purposes, such as a rental, or as a separate residential dwelling except as a caretaker's residence or for periodic lodging for guests and/or relatives of the principal residents.

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

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

3-5-08

IN RE: PETITIONS FOR SPECIAL HEARING VARIANCE	*	BEFORE THE
NW corner of West Golf Course Road and Chittenden Lane	*	DEPUTY ZONING
3rd Election District	*	COMMISSIONER
2nd Councilmanic District **(3120 West Golf Course Road)**	*	FOR BALTIMORE COUNTY
3120 Golf Course Road, LLC - Ira Miller *Petitioner*	*	
	*	**Case No. 08-082-SPHA**

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

ORDER ON PETITIONER'S MOTION FOR RECONSIDERATION

This matter comes before this Deputy Zoning Commissioner for consideration of a Motion for Reconsideration filed by the Petitioner/Owner of the subject property, 3120 Golf Course Road, LLC, of the decision rendered in the above captioned matter. This Motion for Reconsideration is filed pursuant to Rule 4(k) of Appendix G of the Baltimore County Zoning Regulations ("BCZR") wherein the rules of practice and procedure before the Zoning Commissioner for Baltimore County are provided. Rule 4(k) permits a party to file a Motion for Reconsideration on an Order issued by the Zoning Commissioner. This Motion must be filed within 30 days of the date the Order was issued, and must state with specifity the grounds and reasons for their request.

On March 5, 2008, the undersigned issued an Order granting a request for variance from Section 400.3 of the B.C.Z.R. to approve an existing 20 foot height of a caretaker's structure on the subject R.C.5 property in lieu of the required 15 feet. The Motion for Reconsideration seeks to amend the decision as it relates to a certain condition concerning the erection of any additional accessory structures on the property. Specifically in Condition No. 3 of the Order, the undersigned placed the following limitation: "No further accessory structures shall be permitted

on the property without a special hearing."

In the Motion, Petitioner avers that this condition was inserted in error because Sections 1A04.2.A.11 and 400 of the Baltimore County Zoning Regulations (B.C.Z.R.) permit accessory buildings as a matter of right in the R.C.5 Zone so long as they are located in the rear yard, occupy no more than 40% of the rear yard, and are no higher than 15 feet. As such, Petitioner requests that this condition be amended to comport with the requirements of Sections 1A04.2.A.11 and 400 of the B.C.Z.R.

After a review of the relevant sections of the B.C.Z.R., I agree with Petitioner that the wording of the aforementioned condition was in error and should be changed as indicated below.

WHEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24th day of April, 2008 that the Motion for Reconsideration be and hereby is GRANTED consistent with the above, and that Condition No. 3 of the Findings of Fact and Conclusions of Law for this matter issued March 5, 2008 be amended to state as follows:

3. No further accessory structures, other than those which are permitted under Sections 1A04.2.A.11 and 400 of the B.C.Z.R., shall be permitted on the property without a special hearing.

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

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB/pz

RECEIVED
MAR 2 7 2008
BY:_____

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE	*	BEFORE THE
NW corner of West Golf Course Road and Chittenden Lane	*	DEPUTY ZONING
3rd Election District	*	COMMISSIONER
2nd Councilmanic District **(3120 West Golf Course Road)**	*	FOR BALTIMORE COUNTY
3120 Golf Course Road, LLC – Ira Miller	*	**Case No. 08-082-SPHA**
Petitioner	*	

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

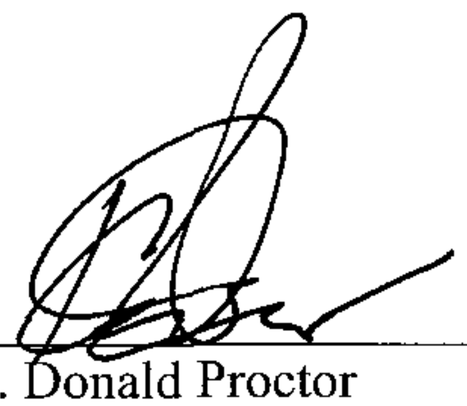
MOTION FOR RECONSIDERATION

3120 Golf Course Road, LLC, Petitioner, by its attorneys, K. Donald Proctor and Proctor & McKee, P.A., pursuant to Rule 4K of the Rules of Practice and Procedure Before the Zoning Commissioner, files this motion for reconsideration of the March 5, 2008 Order issued herein by the Deputy Zoning Commissioner.

This Motion is very limited and narrow in its scope. It is respectfully submitted that the Deputy Zoning Commissioner erred in including in his order in this matter the unqualified limitation that, "3. No further accessory structures shall be permitted on the property without a special hearing." This is because Section 1A04.2(A)(11) and Section 400 of the Baltimore County Zoning Regulations permit accessory buildings as a matter of right in the R.C.5 Zone so long as they are located in the rear yard, occupy no more than 40% of the rear yard, and are not higher than 15 feet.

Accordingly, it is respectfully requested that limitation number 3 of the Deputy Zoning Commissioner's Order in this matter be amended to read that, "3. No further

accessory structures, other than those which are permitted under Section 1A04.2(A)(11) and Section 400 of the Baltimore County Zoning Regulations, shall be permitted on the property without a special hearing."

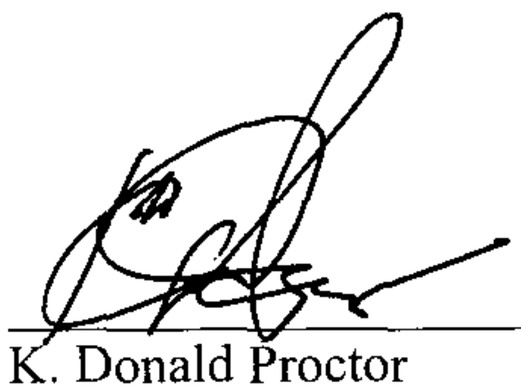


K. Donald Proctor
Proctor & McKee, P.A.
Suite 505
102 West Pennsylvania Avenue
Towson, MD 21204
410-823-2258
kdproctor@proctorlaw.com
Attorneys for Petitioner,
3120 Golf Course Road, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 26, 2008 I mailed a copy of the foregoing Motion for Reconsideration by U.S. mail to:

Peter Max Zimmerman, Esquire
People's Counsel for Baltimore County
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204



K. Donald Proctor

AMENDED

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 3120 W. Golf Course Road
which is presently zoned RC 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve see attached

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

Legal Owner(s):

3120 GOLF COURSE ROAD, LLC
Name - Type or Print

Signature

IRA MILLER
Name - Type or Print

c/o MILLER INVESTMENTS, LLC
Signature

1700 UNION AVE. 410-662-9200
Address — Telephone No.

BALTIMORE MD 21221
City — State — Zip Code

Attorney For Petitioner:

K. DONALD PROCTOR
Name - Type or Print

Signature

PROCTOR & MCKEE, P.A.
Company

102 W. PENNSYLVANIA AVE. 410-823-2258
Address — Telephone No.

TOWSON MD 21204
City — State — Zip Code

Representative to be Contacted:

BRUCE DOAK
c/o GERHOLD, CROSS & ETZEL
Name SUITE 100

320 E. TOWSONTOWN BLVD
Address — Telephone No.

TOWSON, MD 21286
City — State — Zip Code
410-823-4470

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 08-082-SPHA

Reviewed By KTD Date 12/20/07

REV 9/15/98

3.5.08

PM

SPECIAL HEARING REQUESTED
FOR 3120 W. GOLF COURSE ROAD

FOR:

(1) THE CONTINUANCE OF A FORMER CARETAKER'S RESIDENCE TO BE USED TO HOUSE FULL TIME CARETAKERS WHOSE RESPONSIBILITY WILL BE TO CARE FOR AND MAINTAIN THE PRINCIPAL RESIDENCE AND PREMISES, AND NOT FOR USE AS A RENTAL UNIT;

AND/OR FOR:

(2) USE OF THE FORMER CARETAKER'S RESIDENCE AS A GUEST HOUSE TO PERIODICALLY HOUSE GUESTS OF THE OWNERS AND NOT FOR USE AS A RENTAL UNIT.

Item #082

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3120 W. Golf Course Road

which is presently zoned RC 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) see attached

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 demonstrated at 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:

K. DONALD PROCTOR
Name - Type or Print

Signature

PROCTOR & McKEE, P.A.
Company

102 W. PENNSYLVANIA AVE. 410-823-2258
Address — Telephone No.

TOWSON MD 21204
City — State — Zip Code

Legal Owner(s):

3120 GOLF COURSE ROAD, LLC
Name - Type or Print

Signature

IRA MILLER
Name - Type or Print

c/o MILLER INVESTMENTS, LLC
Signature

1700 UNION AVE. 410-662-9200
Address — Telephone No.

BALTIMORE MD 21221
City — State — Zip Code

Representative to be Contacted:

GERHOLD, CROSS, & ETZEL
BRUCE DOAK c/o G.C. & E.
Name SUITE 100

320 E. TOWSONTOWN BLVD
Address — Telephone No.

TOWSON MD 823-4470
City 21286 — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By KPB Date 8/16/07

Case No. 08-082-SPHA

RZV 9/15/98

PAYMENT RECEIVED FOR FILING

3508 PB

VARIANCE REQUESTED
FOR 3120 W. GOLF COURSE ROAD

IF REQUIRED, TO APPROVE AN EXISTING 20' HIGH STRUCTURE, IN LIEU OF THE REQUIRED 15' PER SECTION 400.3 OF THE B.C.Z.R., FORMERLY A CARETAKER'S RESIDENCE, BUILT IN APPROXIMATELY 1911

Item #082

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

August 3, 2007

ZONING DESCRIPTION
3120 GOLF COURSE ROAD LLC PROPERTY
3120 W. 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 North West side of Chittenden Lane and the North East side of West Golf Course Road, running South Easterly 113' along the North East side of said West Golf Course Road, running thence,

1) North 17°48'53" East 598.76 feet,
2) North 30°30'00" West 35.04 feet,
3) North 66°00'00" West 45.00 feet,
4) South 78°00'00" West 35.00 feet,
5) North 88°00'00" West 60.00 feet,
6) North 60°00'00" West 65.00 feet,
7) North 32°00'00" West 60.00 feet,
8) North 45°00'00" West 95.00 feet,
9) North 71°14'35" West 72.00 feet,
10) North 18°45'25" East 300.00 feet,
11) North 71°14'35" West 524.75 feet,
12) South 13°28'46" West 766.44 feet,
13) South 57°22'11" East 917.17 feet, to the point of beginning.

Containing 14.88 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.

STATE OF MARYLAND
BRUCE EDWARD DOAK
NO. 831
REGISTERED
PROPERTY LINE SURVEYOR

Item #082
8/07/07

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: #08-082-SPHA
3120 W. Golf Course Road
N/west corner of Golf Course Road and Chittenden Lane
3rd Election District — 2nd Councilmanic District
Legal Owner(s): 3120 Golf Course Road, LLC
c/o Miller Investments, LLC

Special Hearing: for the continuance of a former caretakers residence to be used to house full time caretakers whose responsibility will be to care for and maintain the principal residence and premises, and not for use as a rental unit. For use of the former caretakers residence as a guesthouse to periodically house, guests of the owner's and not for use as a rental unit. **Variance:** to approve an existing 20' high sturcture in lieu of the required 15' per section 400.3 of the B.C.Z.R, formerly a caretaker's residence, built in approximately 1911.

Hearing: Tuesday, February 26, 2008 at 9:00 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) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 2/698 Feb. 12 163456

CERTIFICATE OF PUBLICATION

2/14/, 2008

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 2/12/, 2008.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

C

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: # 08-082-SPHA
3120 W. Golf Course Road
NWest corner of Golf Course Road and Chittenden Lane
3rd Election District - 2nd Councilmanic District
Legal Owner(s): 3120 Golf Course Road, LLC c/o Miller Investments, LLC

Special Hearing: for the continuance of a former caretakers' residence to be used to house full time caretakers whose responsibility will be to care for and maintain the principal residence and premises, and not for use as a rental unit. **Variance:** to approve an existing 20 feet high structure in lieu of the required 15 feet per Section 400.3 of the BCZR, formerly a caretaker's residence built in approximately 1911.

Hearing: Monday, October 22, 2007 at 10:00 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.

10/056 Oct. 4 151159

C

CERTIFICATE OF PUBLICATION

10/4/, 20 07

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 10/4/, 20 07.

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

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 03831

Date: 8/10/07

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				130.00
							Total:	130.00

Rec From:

For: Zoning hearings case # 08-082-SPHA

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
8/13/2007	8/10/2007	14:12:01	4

CASHIER VALIDATION

RECEIPT # 501505 8/10/2007 OWIN

5 SIGN POSTING VERIFICATION

001031

Recpt Total $130.00

$130.00 CK 130.00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 09207

Date: 12-21-07

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				70.00
							Total:	70.00

Rec From: K. Donald Proctor

For: Revised Petition

3120 Golf Course Rd. 08-082-SPHA

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

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

CERTIFICATE OF POSTING

RE: CASE#08-082-SPHA
PETITIONER/OWNER:
3120 Golf Course Road, LLC
DATE OF HEARING: October 22, 2007

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:
3120 W. Golf Course Road

(see page 2 for full size photo)

POSTED ON: 10/02/07

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

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

September 18, 2007

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

NOTICE OF ZONING HEARING

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

CASE NUMBER: 08-082-SPHA
3120 W. Golf Course Road
N/west corner of Golf Course Road and Chittenden Lane
3rd Election District – 2nd Councilmanic District
Legal Owners: 3120 Golf Course Road, LLC c/o Miller Investments, LLC

Special Hearing for the continuance of a former caretakers residence to be used to house full time caretakers whose responsibility will be to care for and maintain the principal residence and premises, and not for use as a rental unit. Variance to approve an existing 20 feet high structure in lieu of the required 15 feet per Section 400.3 of the BCZR, formerly a caretaker's residence, built in approximately 1911.

Hearing: Monday, October 22, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

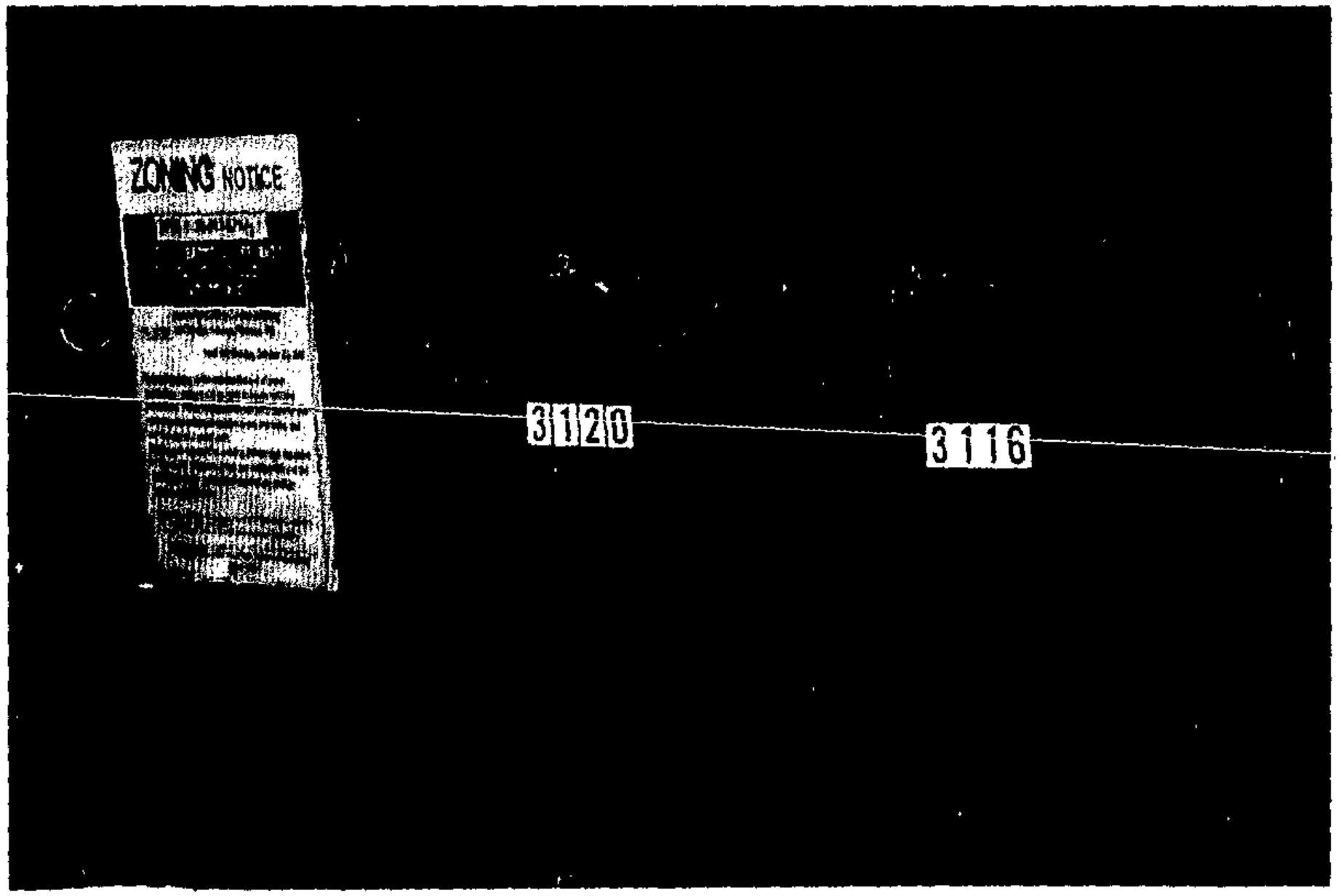
Timothy Kotroco

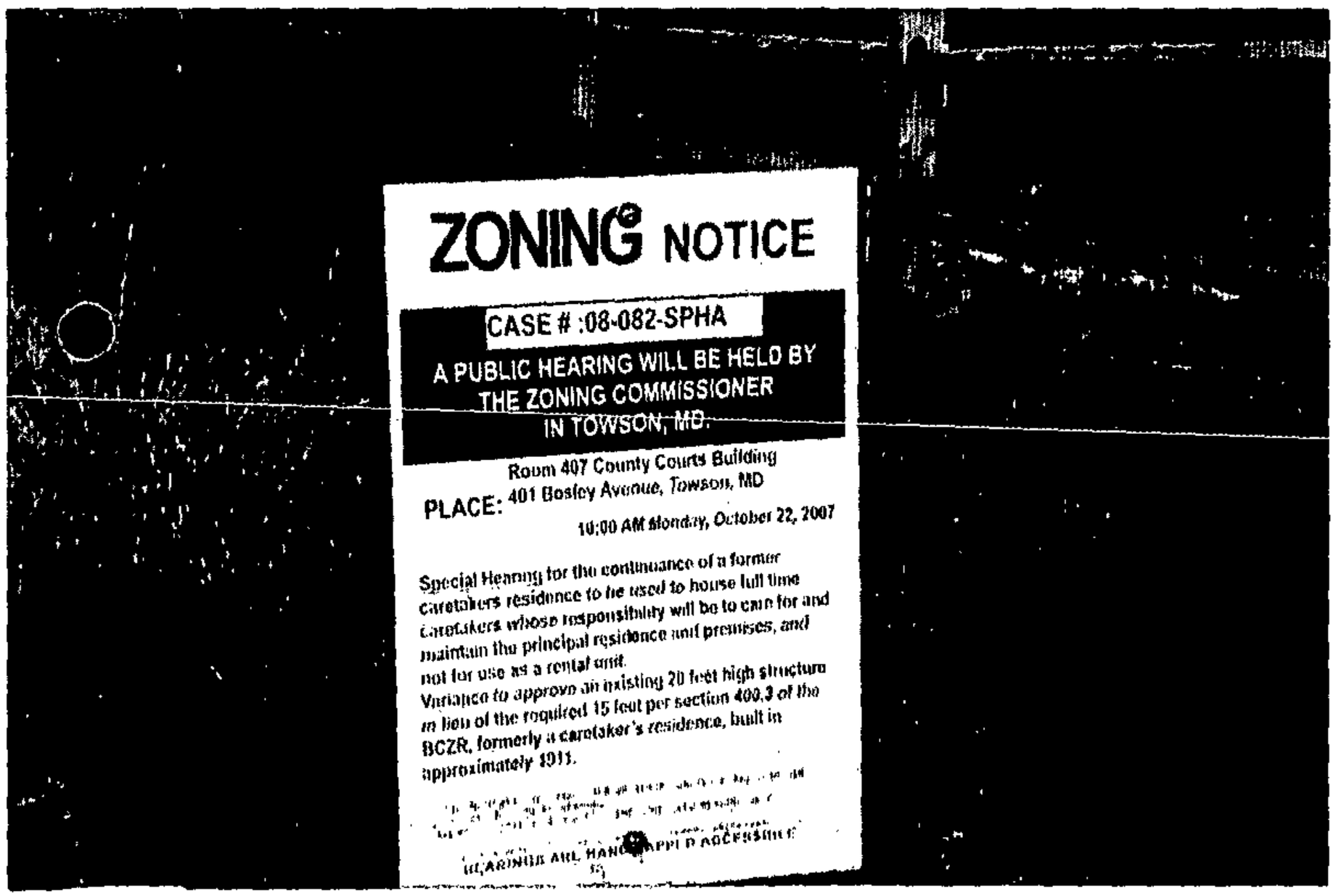
Timothy Kotroco
Director

TK:klm

C: K. Donald Proctor, Proctor & McKee, P.A., 102 W. Pennsylvania Avenue, #505, Towson 21204
Ira Miller, Miller Investments, LLC, 1700 Union Avenue, Baltimore 21221
Bruce Doak, Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., # 100, Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 6, 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.


ZONING NOTICE
3120
3116


ZONING NOTICE
CASE # :08-082-SPHA
A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.
Room 407 County Courts Building
PLACE: 401 Bosley Avenue, Towson, MD
10:00 AM Monday, October 22, 2007
Special Hearing for the continuance of a former caretakers residence to be used to house full time caretakers whose responsibility will be to care for and maintain the principal residence and premises, and not for use as a rental unit.
Variance to approve an existing 20 feet high structure in lieu of the required 15 feet per section 400.3 of the BCZR, formerly a caretaker's residence, built in approximately 1911.

ZONING NOTICE

CASE # :08-082-SPHA

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD.

Room 407 County Courts Building

PLACE: 401 Bosley Avenue, Towson, MD

Time and Date: 9:00 AM Tuesday, February 26, 2008

Special Hearing for the continuance of a former caretakers residence to be used to house full time caretakers whose responsibility will be to care for and maintain the principal residence and premises, and not for use as a rental unit. For use of the former caretakers residence as a guesthouse to periodically house, guests of the owner's and not for use as a rental unit.

Variance to approve an existing 20 feet high structure in lieu of the required 15 feet per section 400.3 of the BCZR, formerly a caretaker's residence, built in approximately 1911.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY TO CONFIRM HEARING.
CALL 410-887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HEARINGS ARE HANDICAPPED ACCESSIBLE

ZONING NOTICE
CASE # 00-402-SPHA
A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.
Room 401 County Courts Building
PLACE: 401 Bosley Avenue, Towson, MD
Time and Date:
Special Hearing
Variance

BALTIMORE COUNTY

MARYLAND

January 9, 2008

JAMES T. SMITH, JR.
County Executive

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

NOTICE OF ZONING HEARING

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

CASE NUMBER: 08-082-SPHA
3120 W. Golf Course Road
N/west corner of Golf Course Road and Chittenden Lane
3rd Election District – 2nd Councilmanic District
Legal Owners: 3120 Golf Course Road, LLC c/o Miller Investments, LLC

Special Hearing for the continuance of a former caretakers residence to be used to house full time caretakers whose responsibility will be to care for and maintain the principal residence and premises, and not for use as a rental unit. For use of the former caretakers residence as a guesthouse to periodically house, guests of the owner's and not for use as a rental unit. Variance to approve an existing 20' high structure in lieu of the required 15' per section 400.3 of the B.C.Z.R, formerly a caretaker's residence, built in approximately 1911.

Hearing: Tuesday, February 26, 2008 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: K. Donald Proctor, Proctor & McKee, P.A., 102 W. Pennsylvania Avenue, #505, Towson 21204
Ira Miller, Miller Investments, LLC, 1700 Union Avenue, Baltimore 21221
Bruce Doak, Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., # 100, Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, FEBRUARY 11, 2008.**
(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, February 12, 2008 Issue - Jeffersonian

Please forward billing to:
K. Donald Proctor
Proctor & McKee, P.A.
102 W. Pennsylvania Avenue, #505
Towson, MD 21204

410-823-2258

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: 08-082-SPHA
3120 W. Golf Course Road
N/west corner of Golf Course Road and Chittenden Lane
3rd Election District – 2nd Councilmanic District
Legal Owners: 3120 Golf Course Road, LLC c/o Miller Investments, LLC

Special Hearing for the continuance of a former caretakers residence to be used to house full time caretakers whose responsibility will be to care for and maintain the principal residence and premises, and not for use as a rental unit. For use of the former caretakers residence as a guesthouse to periodically house, guests of the owner's and not for use as a rental unit. Variance to approve an existing 20' high structure in lieu of the required 15' per section 400.3 of the B.C.Z.R, formerly a caretaker's residence, built in approximately 1911.

Hearing: Tuesday, February 26, 2008 at 9:00 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: 08-082-SPHA

Petitioner: 3120 GOLF COURSE ROAD, LLC

Address or Location: 3120 West Golf Course Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: K. DONALD PROCTOR

Address: PROCTOR & McKEE, P.A.
102 W. PENNSYLVANIA AVE., SUITE 505
TOWSON MD 21204

Telephone Number: 410-823-2258

Revised 7/11/05 - SCJ

K. DONALD PROCTOR

PROCTOR & MCKEE, P.A.
SUITE 505
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4542
TELEPHONE 410-823-2258
FAX 410-823-2268
kdproctor@proctorlaw.com

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

February 20, 2008

K. Donald Proctor
Proctor & McKee, P.A.
102 W. Pennsylvania Avenue
Towson, MD 21204

Dear Mr. Proctor:

RE: Case Number: 08-082-SPHA, 3120 W. Golf Course Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 20, 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.
Supervisor, Zoning Review

WCR:amf
Enclosures
c: People's Counsel
3120 Golf Course Road, LLC Ira Miller % Miller Investments, LLC 1700 Union Avenue Baltimore 21221
Gerhold, Cross & Etzel Bruce Doak 320 E. Towsontown Blvd Suite 100 Towson 21286

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

SHA
State Highway Administration
Maryland Department of Transportation

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

Date: JANUARY 7, 2008

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

RE: Baltimore County
Item No. 08-082-SPHA
3120 GOLF COURSE RD
MILLER INVESTMENTS, LLC 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. 08-082-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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 8, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For January 15, 2008
Item Nos. 08-082, 275, 276, 277, 278, 279, 280, 281, and 285

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-01082008.doc

TB 2/26
9AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 28, 2008

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

SUBJECT: 3120 W. Golf Course Road

INFORMATION:

Item Number: 8-082 (***Revised Petition***)

Petitioner: 3120 Golf Course Road LLC

Zoning: RC 5

Requested Action: **Special Hearing**

RECEIVED
JAN 31 2008
BY:_____

The property in question is lot 2 on the minor subdivision, 04049m approved in 2005 for a two lot minor subdivision. The proposed caretaker's residence was shown on the minor subdivision plan as a storage building, 12 feet in height. It is shown on the plan filed with the petition as existing structure formerly caretaker's residence, height 20 feet.

SUMMARY OF RECOMMENDATIONS:

The accessory residential structure should be identified on the plan as either a caretaker's house or a guesthouse, not either or.

A line of division delineating 1.5-acre use area in support of the accessory residential structure should be shown on the plan. The delineated 1.5 acres should include the septic reserve area and the proposed well associated with the accessory residential structure. The foot print of the accessory residential structure shall not be enlarged without a special hearing. No further accessory structures shall be permitted within 1.5-acre use area without a special hearing.

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

Reviewed by: Curtis Murray

Division Chief: Lynn Lanham
AFK/LL: CM

W:\DEVREV\ZAC\8-082revised.doc

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

April 24, 2008

K. DONALD PROCTOR, ESQUIRE
PROCTOR & MCKEE PA
102 WEST PENNSYLVANIA AVENUE
TOWSON MD 21204

Re: Petition for Special Hearing and Variance
Order on Motion for Reconsideration
Case No. 08-082-SPHA
Property: 3120 West Golf Course Road

Dear Mr. Proctor:

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,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz
Enclosure

c: 3120 Golf Course Road LLC, Ira Miller, c/o Miller Investments LLC, 1700 Union Avenue, Baltimore MD 21221
Bruce Doak, Gerhold, Cross & Etzel, Ltd., 320 E. Towsontown Blvd., Suite 100, Towson, MD 21286

LAW OFFICES
PROCTOR & MCKEE, P.A.
A PROFESSIONAL CORPORATION
SUITE 505
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4542

www.proctorlaw.com

K. DONALD PROCTOR
kdproctor@proctorlaw.com

TELEPHONE 410-823-2258
FACSIMILE 410-823-2268

December 18, 2007

Hand Delivery
Mr. W. Carl Richards, Jr.
Chief, Zoning Review
Department of Permits and Development Management
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: 3120 Golf Course Road
Case No. 08-082-SPHA

Dear Mr. Richards:

The October 22, 2007 hearing before the Zoning Commissioner in this matter was postponed to permit the Petitioner to amend the Petition for Special Hearing to seek confirmation of the propriety of the use of the former caretaker's residence as a guest house in addition to their request for confirmation of the propriety of the use of the structure as a caretaker's residence.

As per my conversation with David Duval of your office today, I am now enclosing for filing in this matter three original signed copies of an Amended Petition for Special Hearing requesting that additional relief along with twelve copies of a revised plat and our check in the amount of $70 payable to Baltimore County.

Please arrange for the re-advertising and rescheduling of the hearing in this matter and advise me of the same. Thank you for your assistance and cooperation.

Sincerely,

K. Donald Proctor

KDP:twa
Enclosures

Item #082

cc: Mr. William J. Wiseman, III, Zoning Commissioner (without enclosures)
Mr. David Duval (by hand delivery) (without enclosures)
Peter Max Zimmerman, Esquire (with Amended Petition)
Mr. Bruce Doak (by email) (with Amended Petition)
Mr. Ira Miller (by email) (with Amended Petition)

Item #082

LAW OFFICES
PROCTOR & MCKEE, P.A.
A PROFESSIONAL CORPORATION
SUITE 505
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4542

www.proctorlaw.com

K. DONALD PROCTOR
kdproctor@proctorlaw.com

TELEPHONE 410-823-2258
FACSIMILE 410-823-2268

March 26, 2008

RECEIVED
MAR 27 2008
BY:

Thomas H. Bostwick
Deputy Zoning Commissioner for Baltimore County
County Courts Building, Suite 405
401 Bosley Avenue
Towson, MD 21204

Re: 3120 Golf Course Road, Case No. 08-082-SPHA

Dear Mr. Bostwick:

Please file the enclosed Motion for Reconsideration. Thank you.

Sincerely,

K. Donald Proctor

KDP:twa

cc: Mr. Timothy M. Kotroco (with enclosure)
Peter Max Zimmerman, Esquire (with enclosure)
Mr. Bruce Doak (by email) (with enclosure)
Mr. Ira Miller (by email) (with enclosure)

RE: PETITION FOR SPECIAL HEARING AND VARIANCE	*	BEFORE THE
3120 W. Golf Course Road; NW corner of W. Golf Course Rd & Chittenden Lane	*	ZONING COMMISSIONER
3rd Election & 2nd Councilmanic Districts	*	FOR
Legal Owner(s): 3120 Golf Course Road, LLC		
Petitioner(s)	*	BALTIMORE COUNTY
	*	08-082-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 14th day of September, 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 and Donald Proctor, Esquire, 102 West Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED
SEP 14 2007
Per.....

LAW OFFICES
PROCTOR & MCKEE, P.A.
A PROFESSIONAL CORPORATION
SUITE 505
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4542

www.proctorlaw.com

K. DONALD PROCTOR
kdproctor@proctorlaw.com

TELEPHONE 410-823-2258
FACSIMILE 410-823-2268

September 5, 2007

Dave
Carl held this off of the Agenda. He needs to talk to you.
Andrea

Hand Delivery

Mr. W. Carl Richards, Jr.
Chief, Zoning Review
Department of Permits and Development Management
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: 3120 Golf Course Road
Case No. 08-082-SPHA

Dear Mr. Richards:

As you know, we filed the Petition for Special Hearing and Petition for Variance in this matter on August 10. You and I met last Thursday and discussed your suggestions for more properly framing the language of these requests.

I am accordingly enclosing herewith: (1) three copies of a revised statement to accompany the Petition for Special Hearing; (2) three copies of a revised statement to accompany the Petition for Variance; and (3) 12 copies of a revised plat to accompany the Petitions. Please substitute all of these for those which we delivered with the Petitions on August 10.

Thank you for your assistance and cooperation.

Sincerely,

K. Donald Proctor

KDP:rsm

cc: Mr. Ira Miller (by email)

Item #082

LAW OFFICES
PROCTOR & MCKEE, P.A.
A PROFESSIONAL CORPORATION
SUITE 505
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4542

www.proctorlaw.com

K. DONALD PROCTOR
kdproctor@proctorlaw.com

TELEPHONE 410-823-2258
FACSIMILE 410-823-2268

August 15, 2007

Hand Delivery
Mr. Timothy M. Kotroco, Director
Department of Permits and Development Management
Baltimore County Office Building
111 West Chesapeake Avenue, Suite 105
Towson, MD 21204

Re: 3120 Golf Course Road

Dear Mr. Kotroco:

We represent 3120 Golf Course Road, LLC (and its managing member, Ira Miller) which owns the residential property and improvements known as 3120 Golf Course Road. This property, located in the Greenspring Valley, consists of 14.880 acres improved by an historic residence of some 15,000 square feet and a former carriage house/caretaker's residence, both of which are believed to date to 1911. My clients acquired this property last October from Olwen E. Modell for the purchase price of $3,693,750. They have paid real estate taxes to Baltimore County for the current year in excess of $45,000.

Since that acquisition, Mr. Miller and his wife (who have two children) have carried out some renovations on the property with a goal of moving into the residence with their family this month. This letter concerns the former carriage house/caretaker's residence on the property.

The Millers have planned to renovate the former carriage house/caretaker's residence for use by a full time caretakers' family – a husband and wife who have previously worked for the Millers – so that this beautiful property can be properly maintained. The former carriage house/caretaker's residence, which is on the same lot as the principal residence, has for many years had living quarters within it, including a bathroom, a kitchen, separately metered electrical service, a separate well and a separate septic system. The building had, however, fallen into disrepair.

In connection with their plans to renovate this building, this past spring, the Millers' contractor came to Baltimore County to seek any necessary permits for the interior renovations. Through no fault of either the County or the contractor, the County, believing the carriage house/caretaker's residence to be the only building on the lot, advised the

Item #082

Millers' contractor that no permits were needed. The restoration proceeded at a cost to the Millers of approximately $150,000.

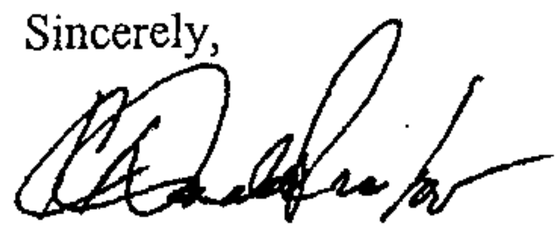
In early July, the Millers' contractor returned to the County to seek a permit to upgrade the electrical systems in the carriage house/caretaker's residence. It was then discovered by both the County and by the Millers that this building would constitute an impermissible second dwelling on this lot in the RC 5 zone. Because of this, your department issued the enclosed violation correction notice on July 16, 2007.

Following further discussions with your Deputy Director, Donald Rascoe, last Friday, August 10, 2007, we filed the enclosed Petition for Special Hearing and Petition for Variance to confirm the former carriage house/caretaker's residence as an accessory structure to be used solely as a full time caretakers' residence. These petitions have been assigned Case No. 08-082-SPHA by your office. (Again through no fault of the County or the Millers, these petitions would have been filed earlier, but for the backlog in obtaining submittal appointments). Now that the petitions have been filed, the Millers still face another delay of six to eight weeks before a hearing on their petitions will be held by the Zoning Commissioner with another 30 days following the Commissioner's decision for the appeal period to expire (assuming a favorable result).

Given these unavoidable delays, it is the purpose of this letter to respectfully request certain action by your Department to alleviate some of this hardship on the Millers. We request the following: (1) a tentative electrical permit approval so that the electrical work in the caretakers' residence can be completed immediately, subject to the ultimate outcome of the hearing on the zoning petitions; (2) upon completion of the electrical work and any necessary inspections, a tentative use and occupancy permit for the caretakers' residence, if required, so that the caretakers can move in immediately, again subject to the ultimate outcome of the hearing on the zoning petitions. Obviously, if the petitions are ultimately denied, the caretakers would need to vacate the building.

We appreciate any consideration that can be given to these requests.

Sincerely,



K. Donald Proctor

KDP:rsm

cc: Mr. Donald T. Rascoe, Deputy Director (by hand delivery)
Mr. Ira Miller (by email)

Item #082

Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No.: M-8103

Property No.: 2400 011692

Zoning: DR

Name(s): 3120 Golf Course Road LLC
c/o Miller Investment LLC

Address: 1700 Union Ave. Baltimore MD 21222

Violation Location: 3120 Golf Course Road

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

IBC 3406 Change of Occupancy
3406.1 Conformance - No change in use of property that places building in a different use group unless such building is made to comply with all requirements
3406.2 Certificate of occupancy
A certificate of occupancy shall be issued once it has been determined that the requirements for the new occupancy classification have been met.

Posted AND Mailed

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 8/17/07

Date Issued: 7/16/07

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF $200, $500, OR $1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: Gary Huck

INSPECTOR: Gary Huck

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

On or Before:

Date Issued:

INSPECTOR:

DEFENDANT

PETITIONER'S

EXHIBIT NO. 3A

LAW OFFICES
PROCTOR & MCKEE, P.A.
A PROFESSIONAL CORPORATION
SUITE 505
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4542

www.proctorlaw.com

K. DONALD PROCTOR
kdproctor@proctorlaw.com

TELEPHONE 410-823-2258
FACSIMILE 410-823-2268

August 14, 2007

By Facsimile (410-887-8081)

Mr. Gary Hucik
Code Inspections and Enforcement
Department of Permits and Development Management
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: 3120 Golf Course Road
Citation No. 07-8703

Dear Mr. Hucik:

As we have previously discussed, we represent 3120 Golf Course Road, LLC, the owner of 3120 Golf Course Road. As we discussed yesterday, last Friday, August 10, 2007, we filed a Petition for Special Hearing and Petition for Variance to confirm the former carriage house/caretaker's residence, to which this citation relates, as an accessory structure to be used solely as a full time caretakers' residence. These petitions have been assigned Case No. 08-082-SPHA.

Pursuant to our conversation, you have confirmed that the correction date of August 17, 2007 contained in the above-referenced citation, is now extended until the conclusion of the hearing in this zoning case. Thank you for your cooperation.

Sincerely,

K. Donald Proctor

KDP:rsm

cc: Mr. Ira Miller (by email)

PETITIONER'S
EXHIBIT NO. 3B

Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3)

Go Back
View Map
New Search

Account Identifier: **District -** 03 **Account Number -** 2400011692

Owner Information

Owner Name:	3120 GOLF COURSE ROAD LLC	**Use:**	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	C/O MILLER INVESTMENTS LLC 1700 UNION AVE BALTIMORE MD 21221-1417	**Deed Reference:**	1) /24632/ 557 2)

Location & Structure Information

Premises Address
3120 W GOLF COURSE RD

Legal Description
14.880AC
3120 WEST GOLF COURSE RD
1400FT W GOLF COURSE RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	MS
58	24	748					2	2	Plat Ref:	

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1911	15,335 SF	14.88 AC	04

Stories	Basement	Type	Exterior
2 1/2	YES	STANDARD UNIT	BRICK

Value Information

	Base Value	Value As Of 01/01/2008	Phase-in Assessments As Of 07/01/2007	As Of 07/01/2008
Land	838,200	1,406,400		
Improvements:	3,039,190	2,758,660		
Total:	3,877,390	4,165,060	3,877,390	3,973,280
Preferential Land:	0	0	0	0

Transfer Information

Seller: MODELL OLWEN E	**Date:** 10/17/2006	**Price:** $3,693,750
Type: NOT ARMS-LENGTH	**Deed1:** /24632/ 557	**Deed2:**
Seller: MODELL OLWEN E	**Date:** 07/12/2005	**Price:** $0
Type: NOT ARMS-LENGTH	**Deed1:** /22185/ 734	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

PETITIONER'S

EXHIBIT NO. 4

PLEASE PRINT CLEARLY

CASE NAME 3120 Golf Course Rd. LLC
CASE NUMBER 08-082-SPHA
DATE 2/26/08

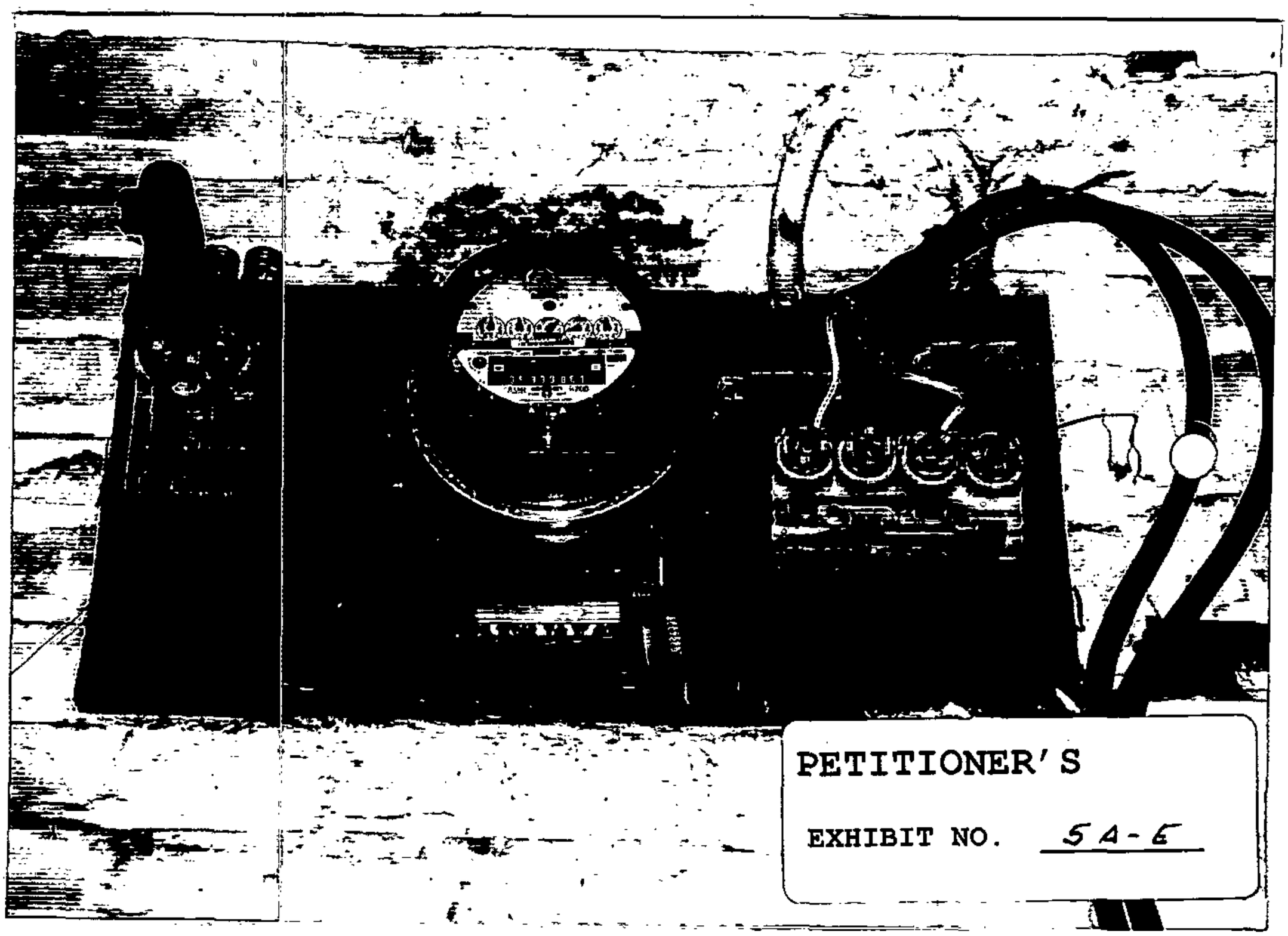
PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Bruce Doak	320 E. Towsontown Blvd.	Towson Md 21286	
Gerhold Cross : Etzel			
Kenneth Proctor	102 W. Pennsylvania Ave	Towson Md 21204	kdproctor@proctorlaw.com
Ira Miller	3120 Golf Course Dr.	Om, Md	imiller@millerinvestmentllc.com

Case No.: 08-082-SPHA

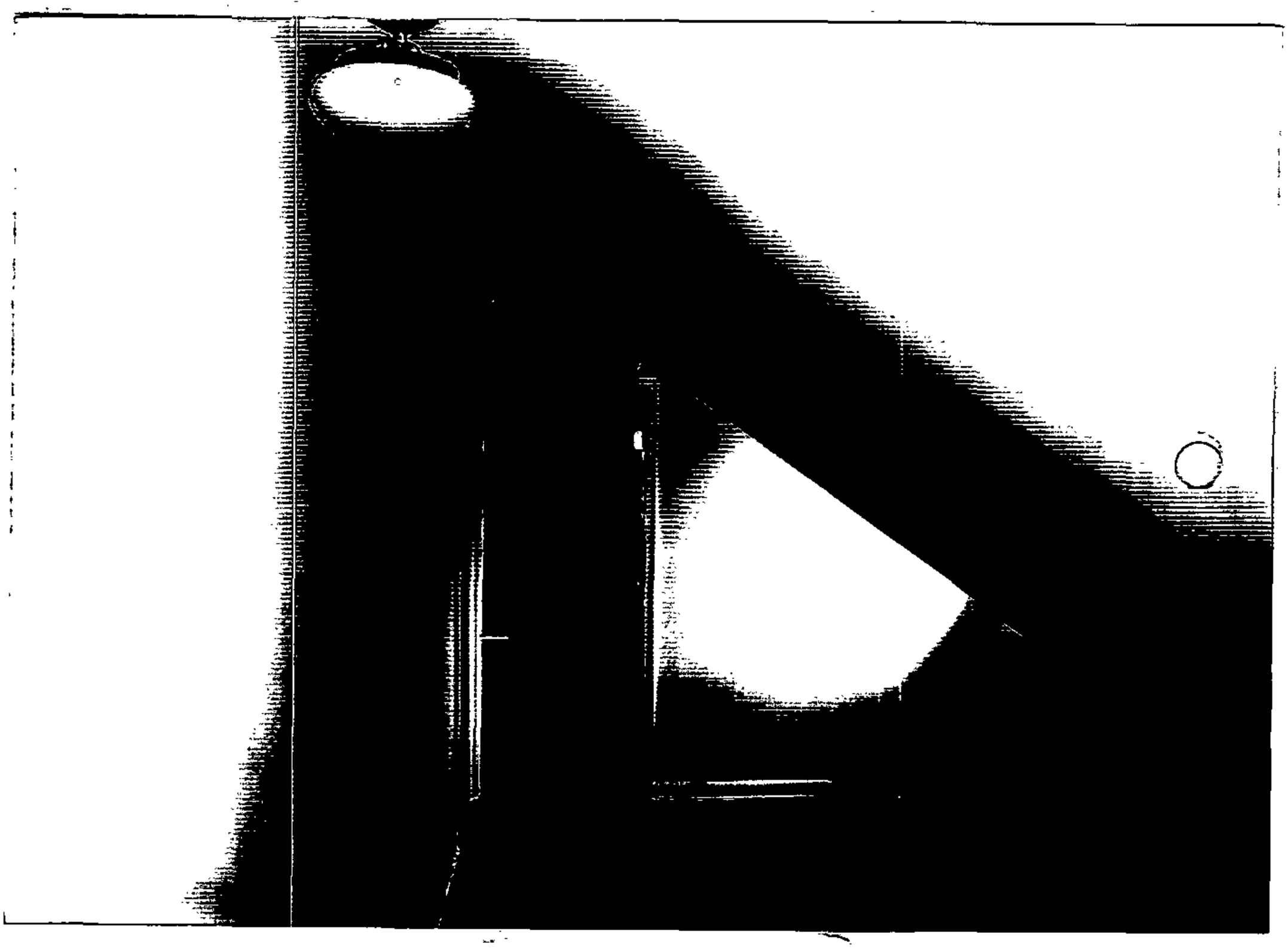
Exhibit Sheet

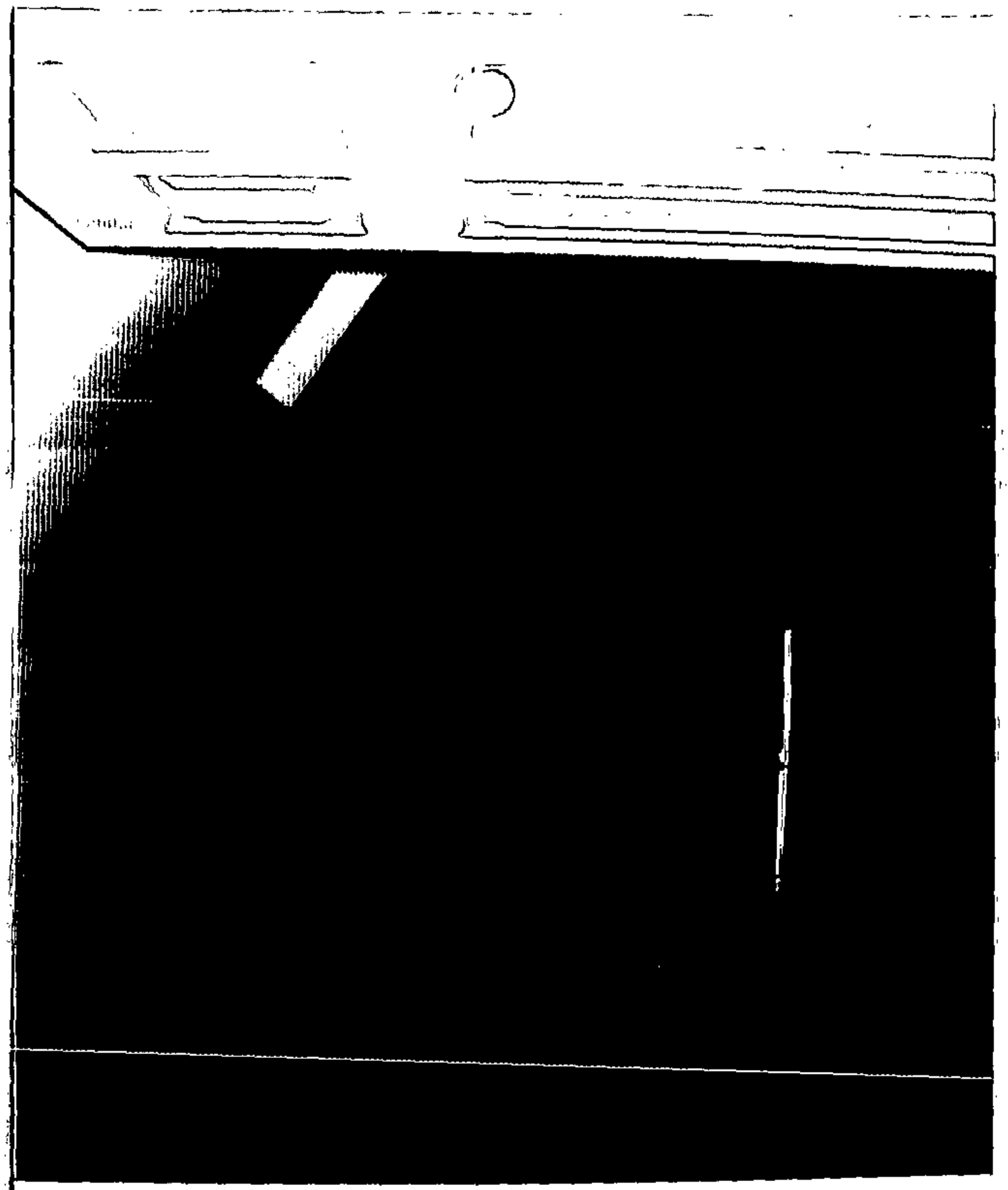
	Petitioner/Developer	Protestant
No. 1	site plan	
No. 2 A-E	photos of main house construction + ~~[illegible]~~ residence	
No. 3 A+B	violation notice + letter to Code Enforcement	
No. 4	Top Patio Search	
No. 5 A-	Photos of Construction House (exterior + interior)	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

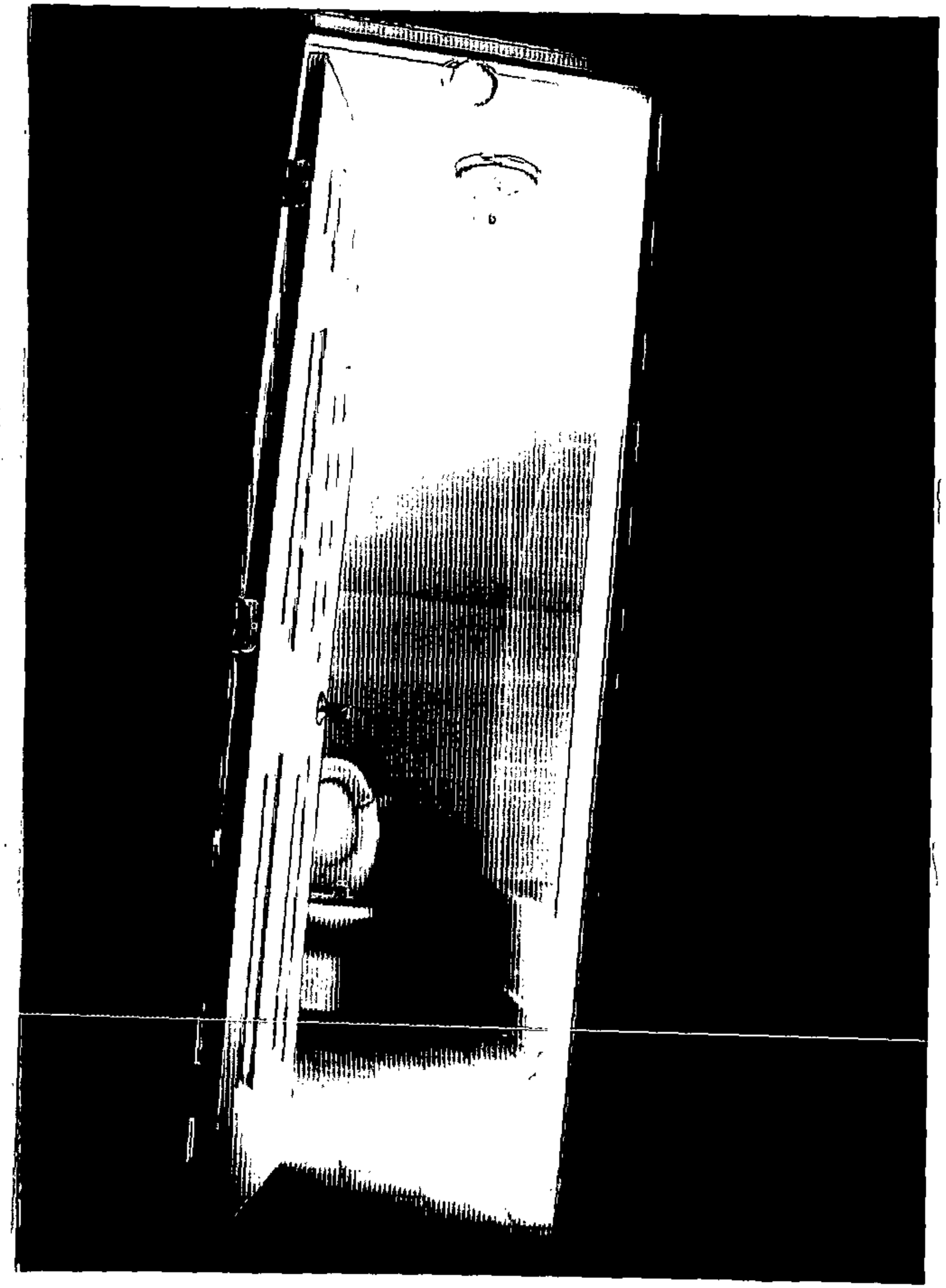


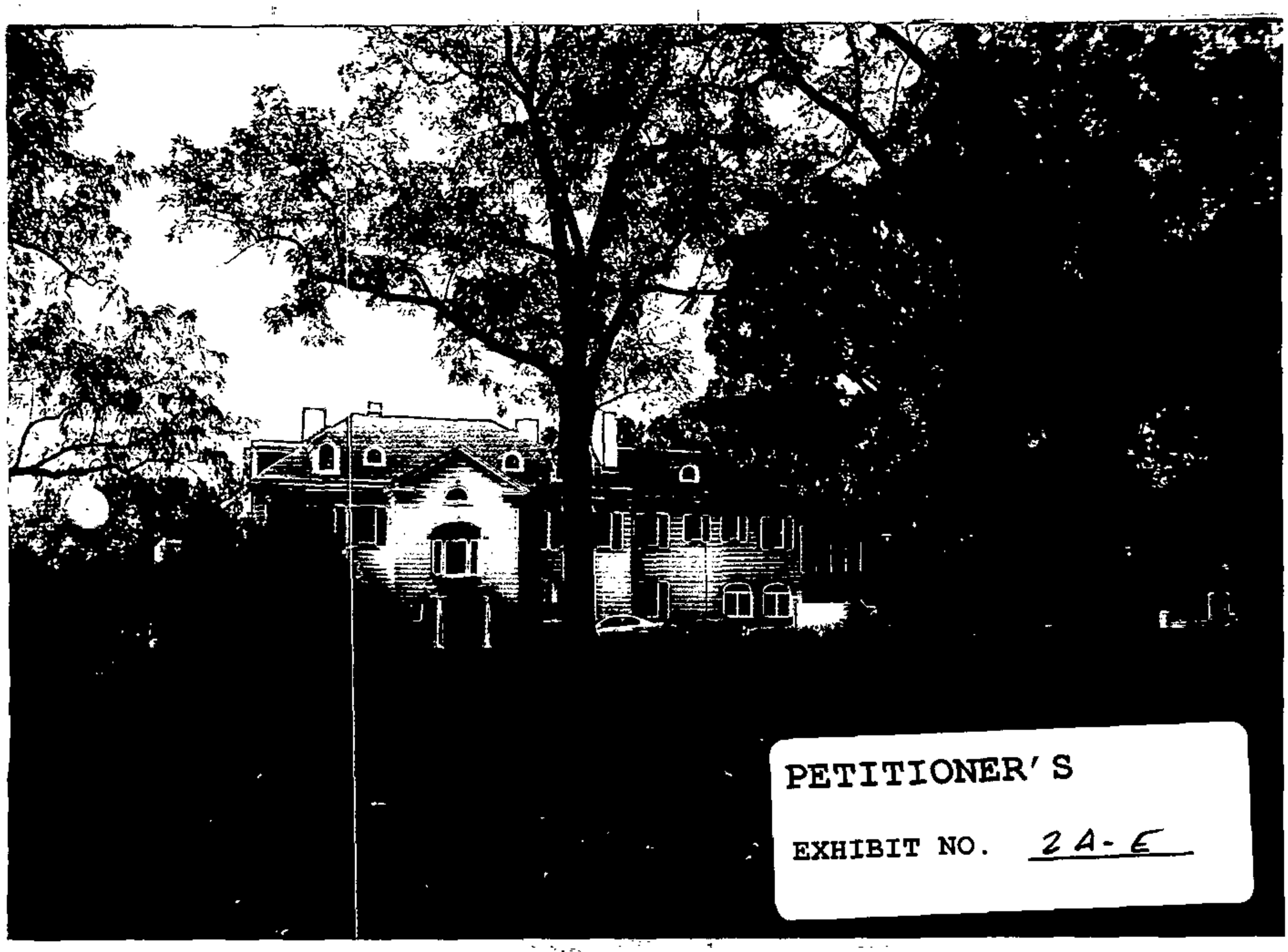
PETITIONER'S

EXHIBIT NO. 54-6



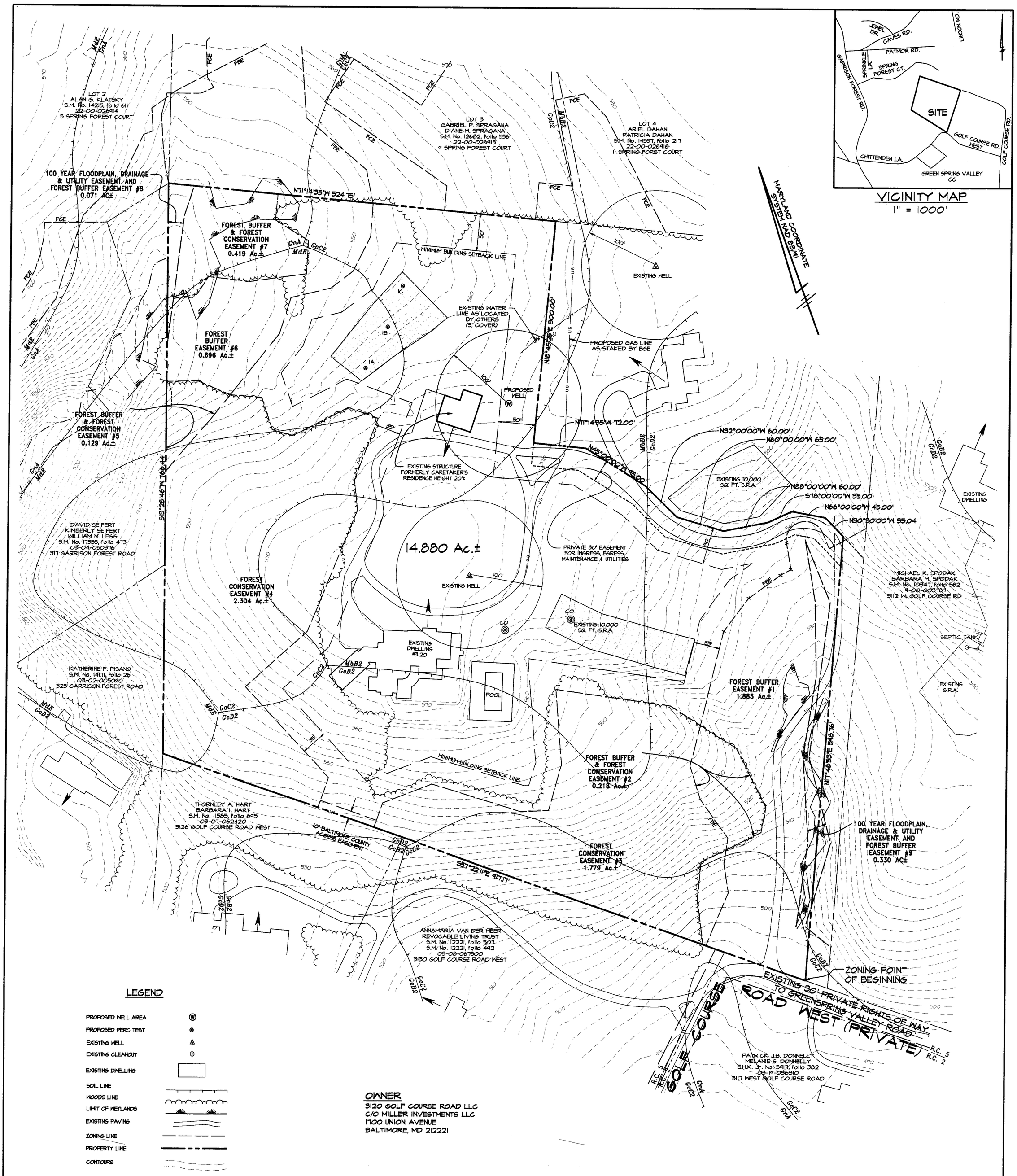






PETITIONER'S

EXHIBIT NO. 2A-E



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- WOODS LINE
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- EXISTING PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS

OWNER

3120 GOLF COURSE ROAD LLC
C/O MILLER INVESTMENTS LLC
1700 UNION AVENUE
BALTIMORE, MD 21222

GENERAL NOTES

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2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILES 058C3 & 067C1.
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SOIL TYPES & LIMITATIONS

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GcB2, MbB2	Slight	Slight	Moderate: slope
GcC2	Moderate: slope	Moderate: slope	Severe: slope
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SPECIAL HEARING REQUESTED

FOR CONTINUANCE OF A FORMER CARETAKER'S RESIDENCE TO HOUSE FULL TIME CARETAKERS

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STATE OF MARYLAND — MICHAEL EDWIN DORA — No. 391 REGISTERED PROPERTY LINE SURVEYOR — 9/06/07

PLAT TO ACCOMPANY PETITIONS FOR SPECIAL HEARING & VARIANCES

3120 GOLF COURSE ROAD LLC

PROPERTY
3120 WEST GOLF COURSE ROAD
Deed Ref: S.M. No. 24632, folio 557
Tax Account No.: 24-00-011692
Zoned R.C. 5; GIS Tiles; 058c3, 067c1
Tax Map 58; Grid 24; Parcel 748
3rd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

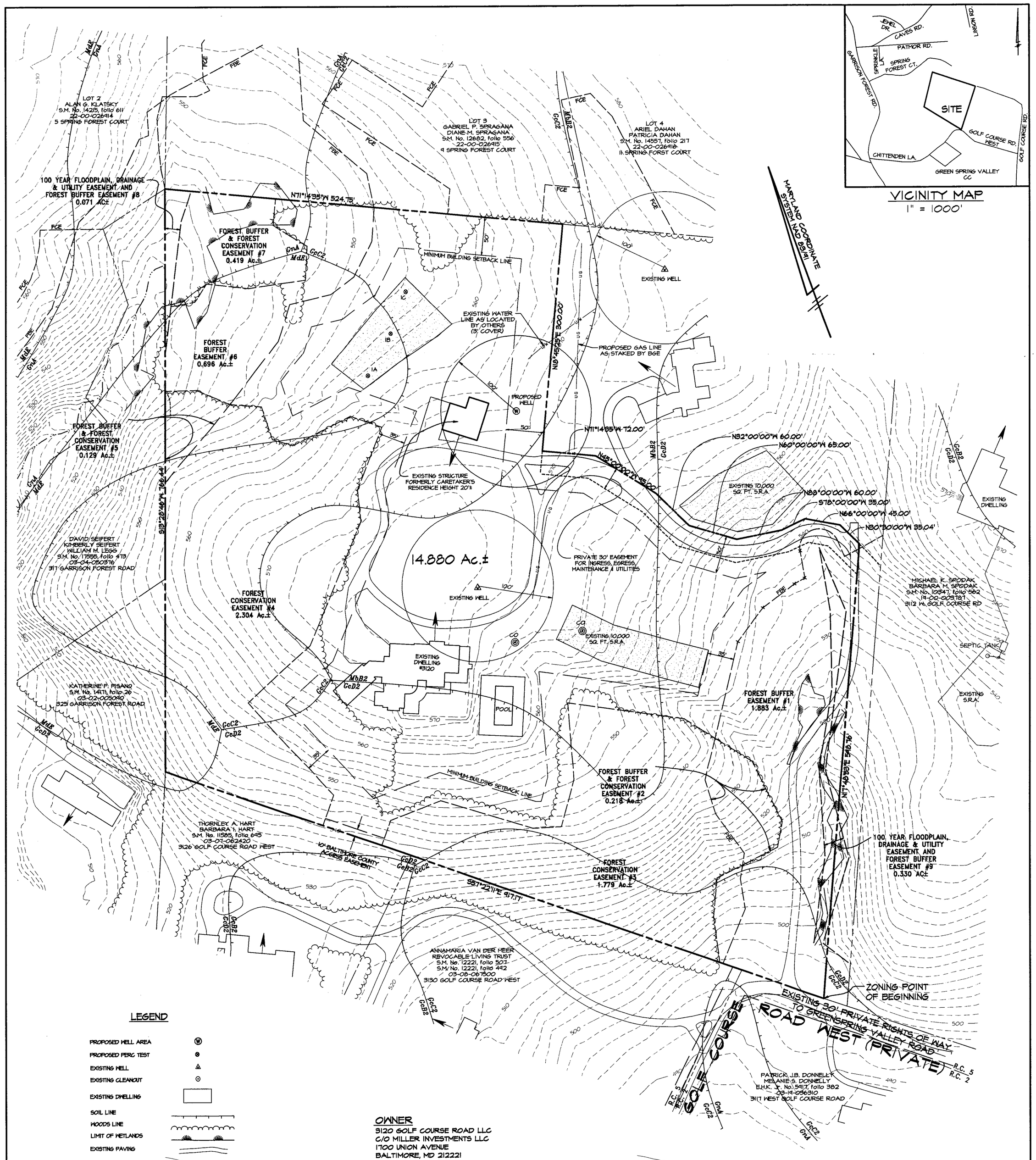
Scale: 1"=60' Date: SEPTEMBER 4, 2007

REVISION	DATE

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

COMPUTED: DRAWN: S.M.H. CHECKED: FILE: X:\Miller\W Golf Course Rd\2007\Spe

#08-082-SPHA



VICINITY MAP

1" = 1000'

LEGEND

- PROPOSED WELL AREA
- PROPOSED PERC TEST
- EXISTING WELL
- EXISTING CLEANOUT
- EXISTING DWELLING
- SOIL LINE
- WOODS LINE
- LIMIT OF WETLANDS
- EXISTING PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS

OWNER

3120 GOLF COURSE ROAD LLC
C/O MILLER INVESTMENTS LLC
1700 UNION AVENUE
BALTIMORE, MD 212221

GENERAL NOTES

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4. CENSUS TRACT 405101 A.D.C. MAP & GRID 25 B-4
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   SCHOOL DISTRICT 24 REGIONAL PLANNING DISTRICT 313
   SCHOOL DISTRICT: ELEMENTARY - WOODHOLME E.S.;
   MIDDLE - PIKESVILLE M.S.; HIGH - OWINGS MILLS H.S.
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SOIL TYPES & LIMITATIONS

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SPECIAL HEARING REQUESTED

FOR:

(1) THE CONTINUANCE OF A FORMER CARETAKER'S RESIDENCE TO BE USED TO HOUSE FULL TIME CARETAKERS WHOSE RESPONSIBILITY WILL BE TO CARE FOR AND MAINTAIN THE PRINCIPAL RESIDENCE AND PREMISES, AND NOT FOR USE AS A RENTAL UNIT;

AND/OR FOR:

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STATE OF MARYLAND BRUCE EDWIN DAVIS No. 351 REGISTERED PROPERTY LINE SURVEYOR 12/13/07

Revised

PLAT TO ACCOMPANY PETITIONS FOR SPECIAL HEARING & VARIANCES

3120 GOLF COURSE ROAD LLC

PROPERTY
3120 WEST GOLF COURSE ROAD
Deed Ref: S.M. No. 24632, folio 557
Tax Account No.: 24-00-011692
Zoned R.C. 5; GIS Tiles; 058c3, 067c1
Tax Map 58; Grid 24; Parcel 748
3rd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

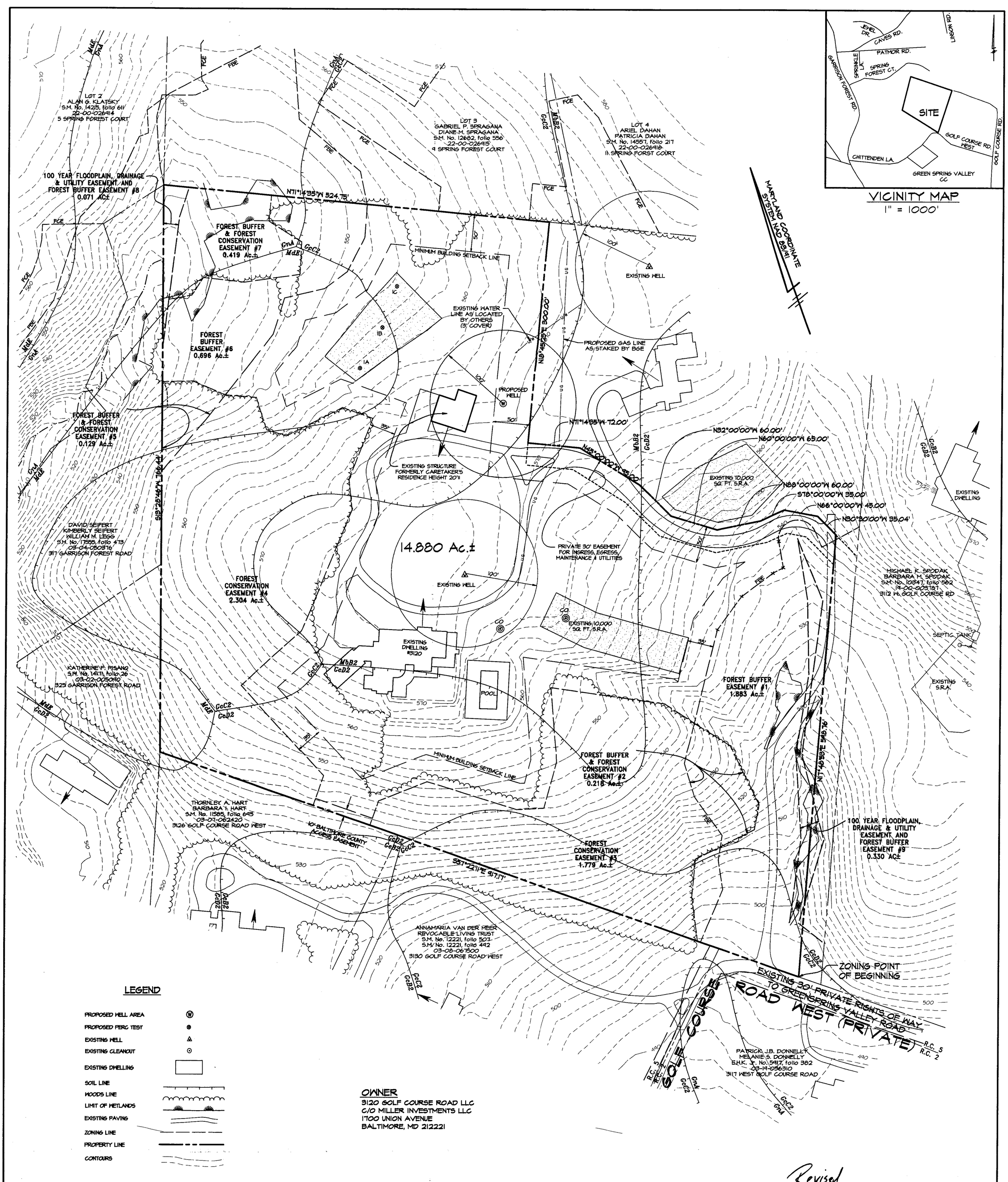
Scale: 1"=60' Date: SEPTEMBER 4, 2007

REVISION	DATE
REVISED WORDING OF REQUEST	12/12/07

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

COMPUTED: DRAWN: S.M.H. CHECKED: FILE:X:\Miller\W Golf Course Rd\2007\Spe

#08-082-SPHA



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OWNER

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BALTIMORE, MD 212221

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STATE OF MARYLAND — BRUCE EDWIN DORAN — No. 831 — REGISTERED PROPERTY LINE SURVEYOR — 12/12/07

Revised

PLAT TO ACCOMPANY PETITIONS FOR SPECIAL HEARING & VARIANCES

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Deed Ref: S.M. No. 24632, folio 557
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Tax Map 58; Grid 24; Parcel 748
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2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=60' Date: SEPTEMBER 4, 2007

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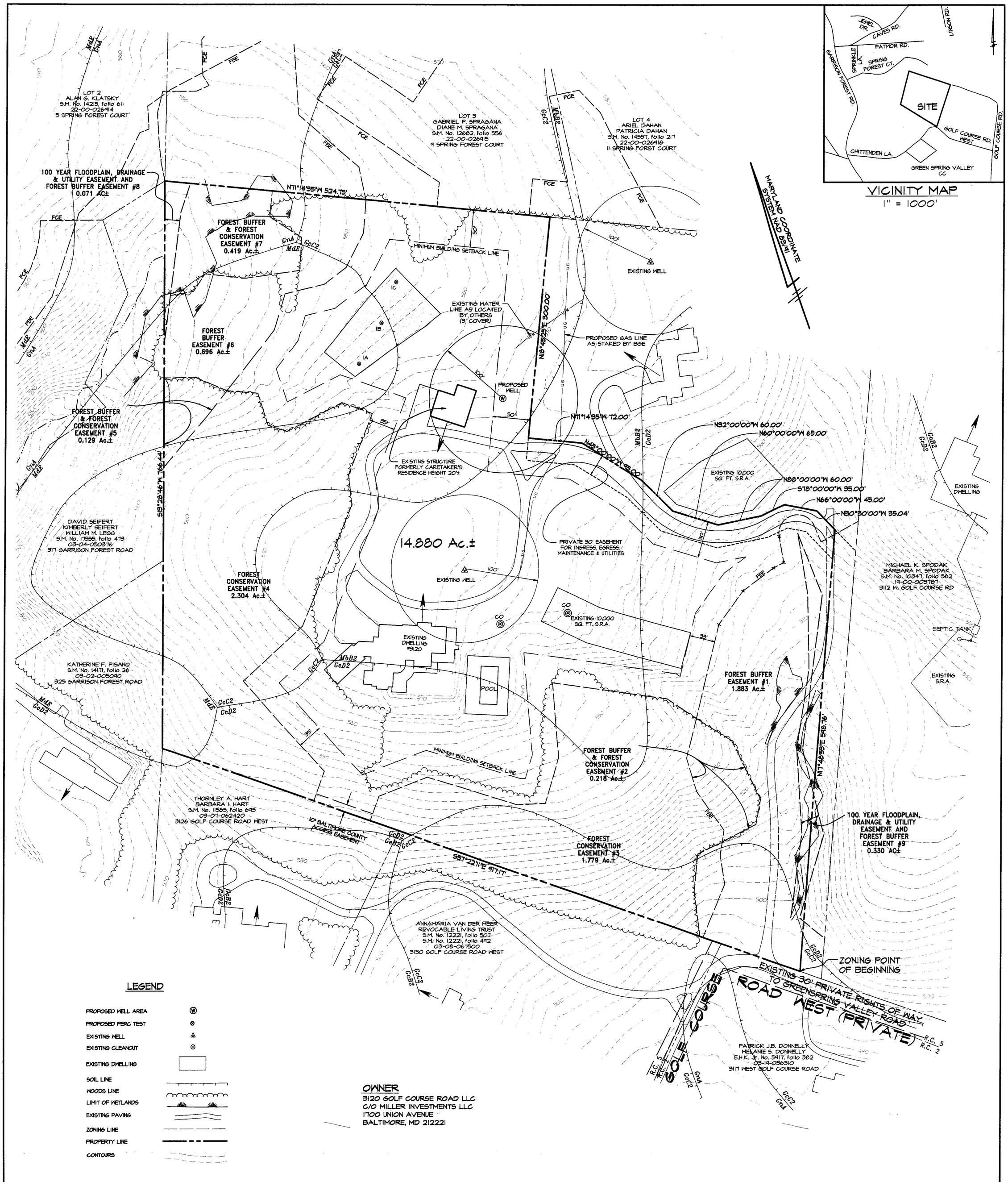
(410) 823-4470

REVISION	DATE
REVISED WORDING OF REQUEST	12/12/07

COMPUTED: DRAWN: S.M.H. CHECKED: FILE: X:\Miller\W Golf Course Rd\2007\Spa

#08-082-SPHA



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OWNER

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C/O MILLER INVESTMENTS LLC
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BALTIMORE, MD 21222

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9/05/07

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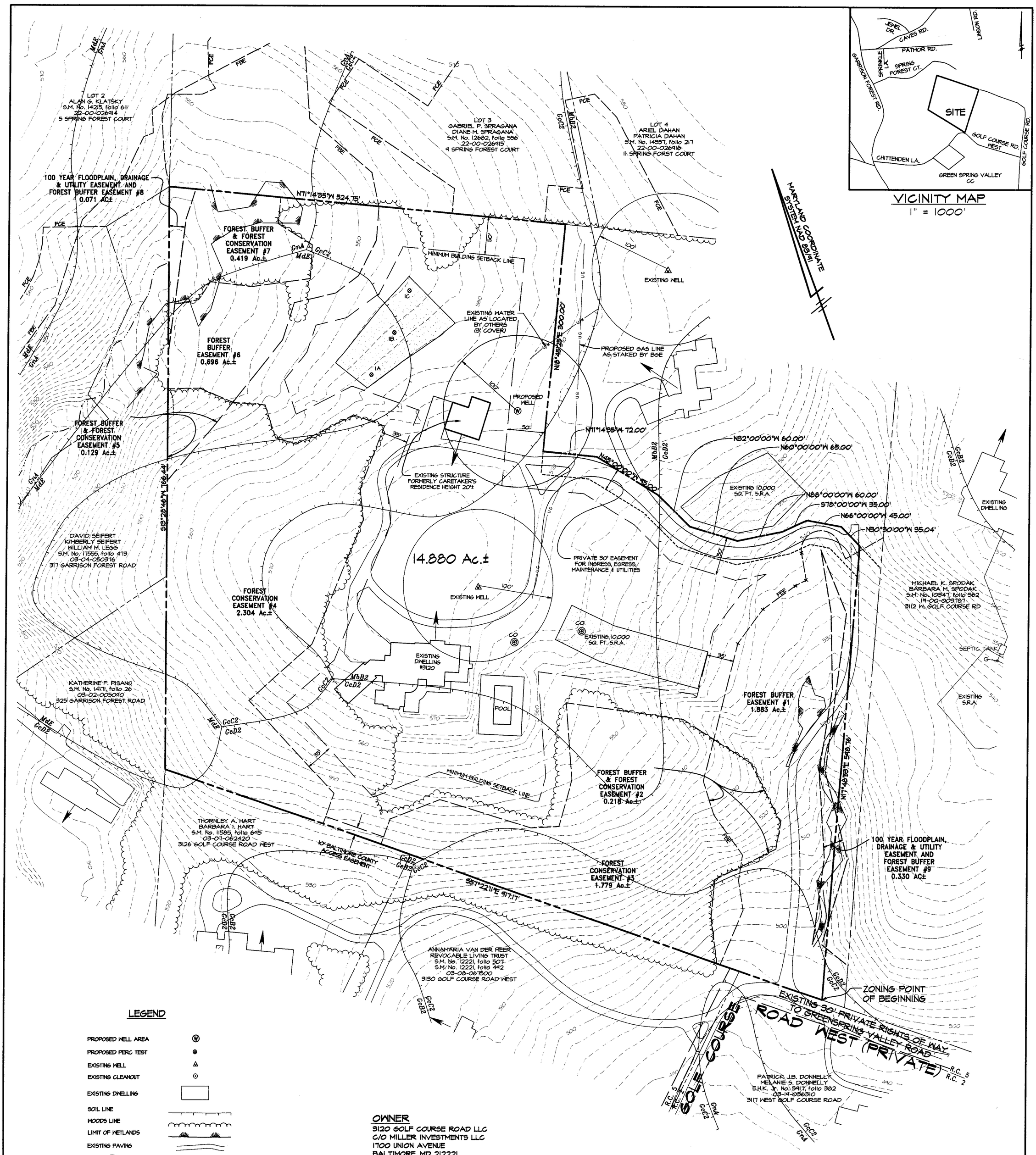
Towson, Maryland 21286
(410) 823-4470

COMPUTED: DRAWN: S.M.H. CHECKED: FILE: X:\Miller\W Golf Course Rd\2007Spec

#08-082-SPHA



LEGEND

- PROPOSED WELL AREA
- PROPOSED PERC TEST
- EXISTING WELL
- EXISTING CLEANOUT
- EXISTING DWELLING
- SOIL LINE
- WOODS LINE
- LIMIT OF WETLANDS
- EXISTING PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS

OWNER

3120 GOLF COURSE ROAD LLC
C/O MILLER INVESTMENTS LLC
1700 UNION AVENUE
BALTIMORE, MD 21222

GENERAL NOTES

1. THE BOUNDARY LINES SHOWN HEREON ARE FROM A SURVEY BY GERHOLD, CROSS & ETZEL, LTD.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILES 058C3 & 067C1.
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 27.
4. CENSUS TRACT 409701 A.D.C. MAP & GRID 25 B-4
   WATERSHED JONES FALLS SUBSEWERSHED 61 N
   SCHOOL DISTRICT 24 REGIONAL PLANNING DISTRICT 313
   SCHOOL DISTRICT: ELEMENTARY - WOODHOLME E.S.;
   MIDDLE - PIKESVILLE M.S.; HIGH - OWINGS MILLS H.S.
5. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
6. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
7. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.
8. ALL APPARENT SEPTIC SYSTEMS, WELLS, AND SOIL PERCOLATION TESTS WITHIN 100' OF THE PROPERTY LINES WERE FIELD LOCATED.
9. THE AREA DESIGNATED AS FLOODPLAIN INCLUDES THE AREA INNUNDATED BY THE 100-YEAR STORM AND A MINIMUM OF 1 FOOT OF VERTICAL FREEBOARD. THE FLOODPLAIN STUDY WAS PERFORMED BY CARROLL ENGINEERING, INC.
10. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
11. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
12. SUBJECT PROPERTY IS LOT 2 OF PRIOR MINOR SUBDIVISION OF MODELL PROPERTY PDM# 04-044M.

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/BASEMENT	STREETS & PARKING
GcB2, MbB2	Slight	Slight	Moderate: slope
GcC2	Moderate: slope	Moderate: slope	Severe: slope
GnA	Severe: high water table; moderately slow permeability.	Severe: high water table	Severe: high water table
GcD2, MdE	Severe: slope	Severe: slope	Severe: slope

SPECIAL HEARING REQUESTED

FOR CONTINUANCE OF A FORMER CARETAKER'S RESIDENCE TO HOUSE FULL TIME CARETAKERS

VARIANCE REQUESTED

IF REQUIRED, TO APPROVE AN EXISTING 20' HIGH STRUCTURE, IN LIEU OF THE REQUIRED 15' PER SECTION 400.3 OF THE B.C.Z.R., FORMERLY A CARETAKER'S RESIDENCE, BUILT IN APPROXIMATELY 1911.

STATE OF MARYLAND — MICHAEL EDWIN DONN — No. 531 — REGISTERED PROPERTY LINE SURVEYOR — 9/5/07

PLAT TO ACCOMPANY PETITIONS FOR SPECIAL HEARING & VARIANCES

3120 GOLF COURSE ROAD LLC

PROPERTY
3120 WEST GOLF COURSE ROAD
Deed Ref: S.M. No. 24632, folio 557
Tax Account No.: 24-00-011692
Zoned R.C. 5; GIS Tiles; 058c3, 067c1
Tax Map 58; Grid 24; Parcel 748
3rd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

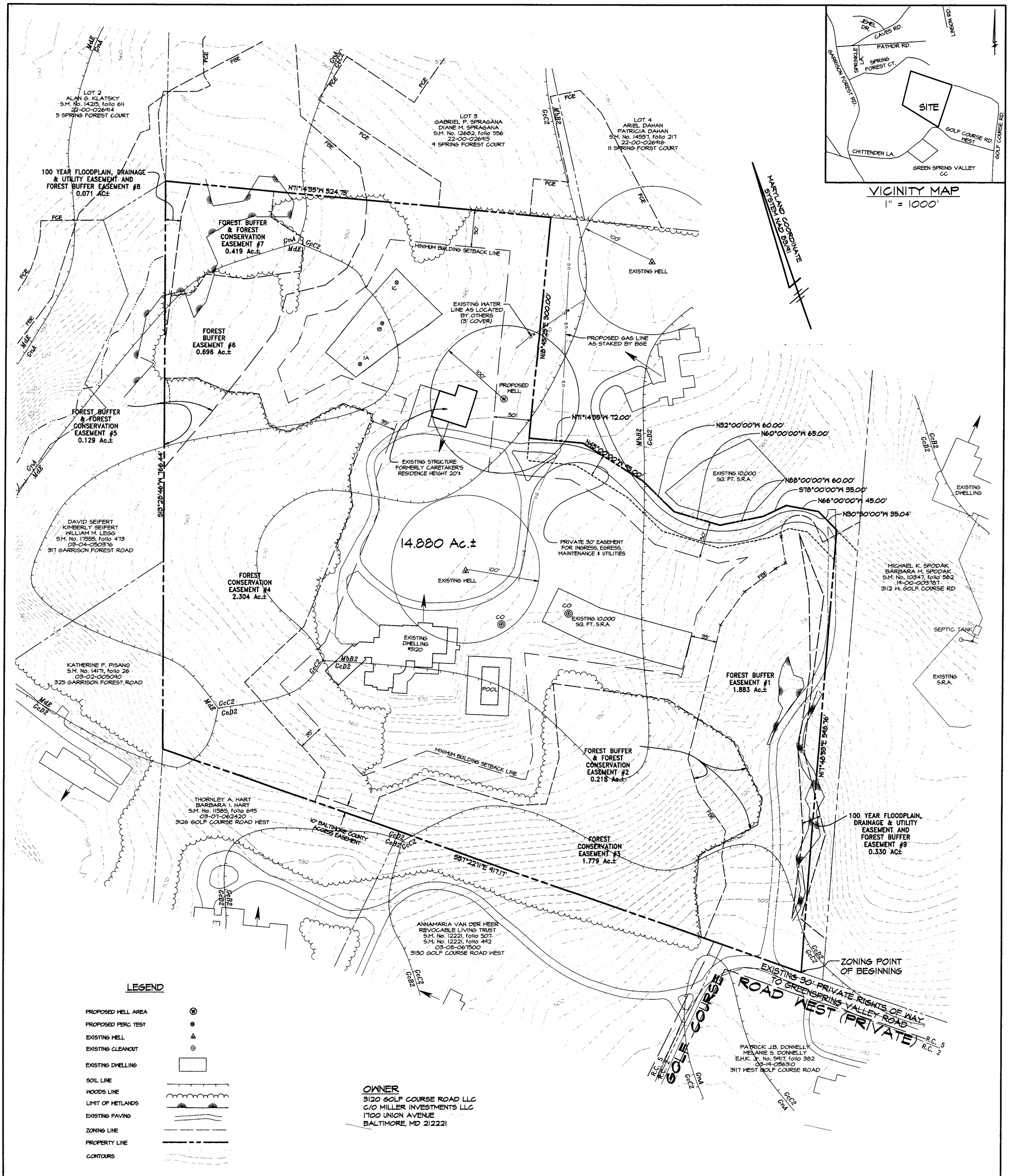
Scale: 1"=60' Date: SEPTEMBER 4, 2007

REVISION	DATE

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

COMPUTED: DRAWN: S.M.H. CHECKED: FILE: X:\Miller\W Golf Course Rd\2007\Spa

#08-082-SPHA



LEGEND

- PROPOSED WELL AREA
- PROPOSED PERC TEST
- EXISTING WELL
- EXISTING CLEANOUT
- EXISTING DWELLING
- SOIL LINE
- WOODS LINE
- LIMIT OF WETLANDS
- EXISTING PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS

OWNER

3120 GOLF COURSE ROAD LLC
C/O MILLER INVESTMENTS LLC
1700 UNION AVENUE
BALTIMORE, MD 21222

GENERAL NOTES

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2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILES 058C3 & 067C1.
3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 27.
4. CENSUS TRACT 403701 A.D.C. MAP & GRID 25 B-4
   WATERSHED JONES FALLS SUBSEWERSHED 61 N
   SCHOOL DISTRICT 24 REGIONAL PLANNING DISTRICT 313
   SCHOOL DISTRICT: ELEMENTARY - WOODHOLME E.S.;
   MIDDLE - PIKESVILLE M.S.; HIGH - OWINGS MILLS H.S.
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SOIL TYPES & LIMITATIONS

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SPECIAL HEARING REQUESTED

FOR CONTINUANCE OF A FORMER CARETAKER'S RESIDENCE TO HOUSE FULL TIME CARETAKERS

VARIANCE REQUESTED

IF REQUIRED, TO APPROVE AN EXISTING 20' HIGH STRUCTURE, IN LIEU OF THE REQUIRED 15' PER SECTION 400.3 OF THE B.C.Z.R., FORMERLY A CARETAKER'S RESIDENCE,, BUILT IN APPROXIMATELY 1911.

STATE OF MARYLAND PROPERTY LINE SURVEYOR REGISTERED No. 831 9/05/07

PLAT TO ACCOMPANY PETITIONS FOR SPECIAL HEARING & VARIANCES

3120 GOLF COURSE ROAD LLC

PROPERTY
3120 WEST GOLF COURSE ROAD
Deed Ref: S.M. No. 24632, folio 557
Tax Account No.: 24-00-011692
Zoned R.C. 5; GIS Tiles; 058c3, 067c1
Tax Map 58; Grid 24; Parcel 748
3rd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=60' Date: SEPTEMBER 4, 2007

REVISION	DATE

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

COMPUTED: DRAWN: S.M.H. CHECKED: FILE: X:\Miller\W Golf Course Rd\2007\Spe.

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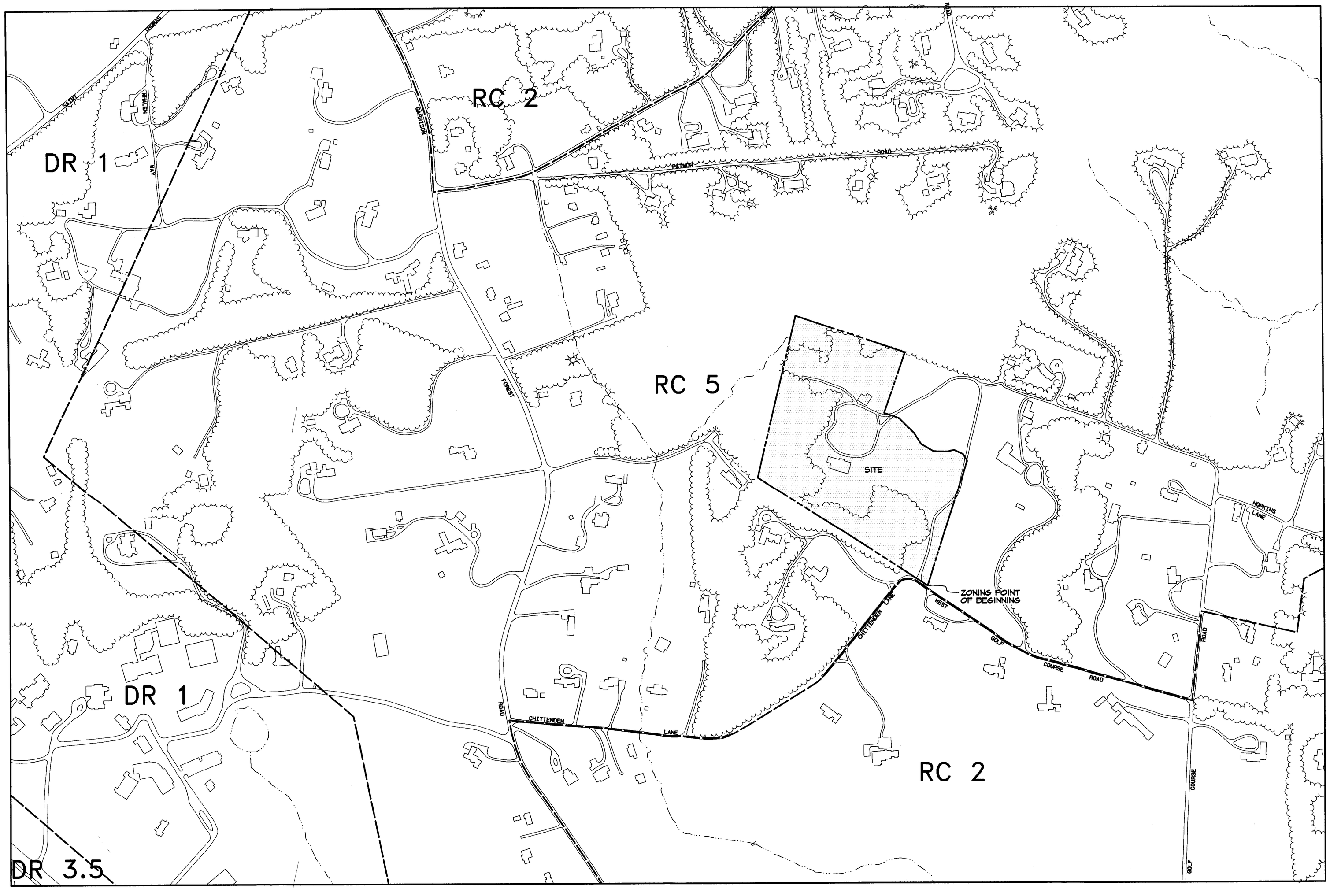
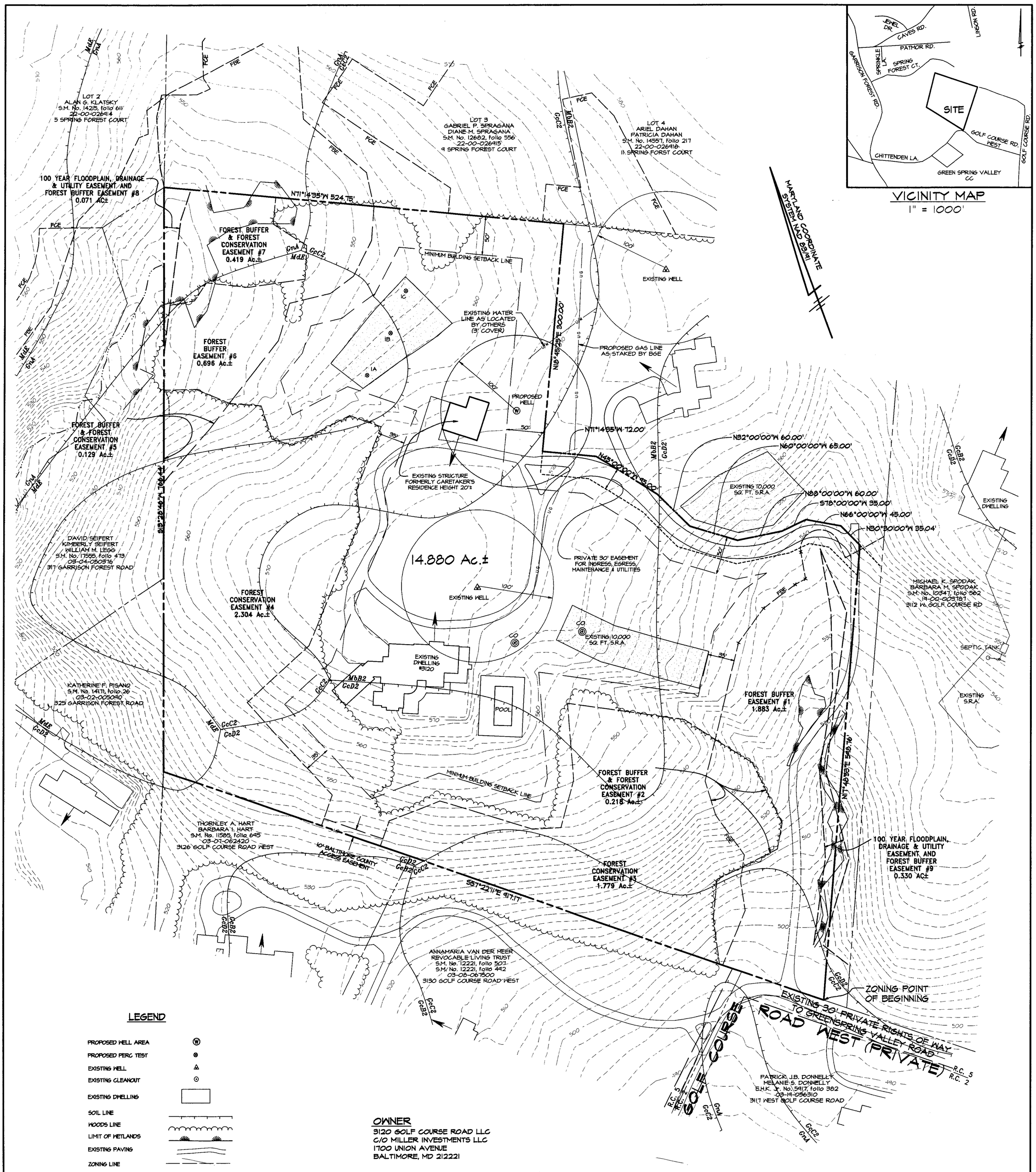


ZONING MAP

GIS TILES: 058C3, 067C1

SCALE: 1" = 200'

Item #082



LEGEND

PROPOSED WELL AREA	Ⓦ
PROPOSED PERC TEST	⊗
EXISTING WELL	△
EXISTING CLEANOUT	⊙
EXISTING DWELLING	▭
SOIL LINE	
WOODS LINE	
LIMIT OF WETLANDS	
EXISTING PAVING	
ZONING LINE	
PROPERTY LINE	
CONTOURS	

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C/O MILLER INVESTMENTS LLC
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GcD2, MdE	Severe: slope	Severe: slope	Severe: slope

SPECIAL HEARING REQUESTED

FOR:

(1) THE CONTINUANCE OF A FORMER CARETAKER'S RESIDENCE TO BE USED TO HOUSE FULL TIME CARETAKERS WHOSE RESPONSIBILITY WILL BE TO CARE FOR AND MAINTAIN THE PRINCIPAL RESIDENCE AND PREMISES, AND NOT FOR USE AS A RENTAL UNIT;

AND/OR FOR:

(2) USE OF THE FORMER CARETAKER'S RESIDENCE AS A GUEST HOUSE TO PERIODICALLY HOUSE GUESTS OF THE OWNERS AND NOT FOR USE AS A RENTAL UNIT.

VARIANCE REQUESTED

IF REQUIRED, TO APPROVE AN EXISTING 20' HIGH STRUCTURE, IN LIEU OF THE REQUIRED 15' PER SECTION 400.3 OF THE B.C.Z.R., FORMERLY A CARETAKER'S RESIDENCE, BUILT IN APPROXIMATELY 1911.

STATE OF MARYLAND — BRUCE EDWIN DOLL — NO. 831 — REGISTERED PROPERTY LINE SURVEYOR — 12/13/07

PETITIONER'S EXHIBIT NO. 1

Revised

PLAT TO ACCOMPANY PETITIONS FOR SPECIAL HEARING & VARIANCES

3120 GOLF COURSE ROAD LLC

PROPERTY
3120 WEST GOLF COURSE ROAD
Deed Ref: S.M. No. 24632, folio 557
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Towson, Maryland 21286
(410) 823-4470

REVISION	DATE
REVISED WORDING OF REQUEST	12/12/07

COMPUTED: DRAWN: S.M.H. CHECKED: FILE: X:\Miller\N Golf Course Rd\2007\Spe

#08-082-SPHA