IN RE: PETITIONS FOR SPECIAL HEARING

VARIANCE

S of Sparks Road, 2100 feet W of c/l of Carroll Road 10th Election District 3rd Councilmanic District

(1703 Sparks Road)

Carter and Lisa Roulette Petitioners

BEFORE THE

DEPUTY ZONING

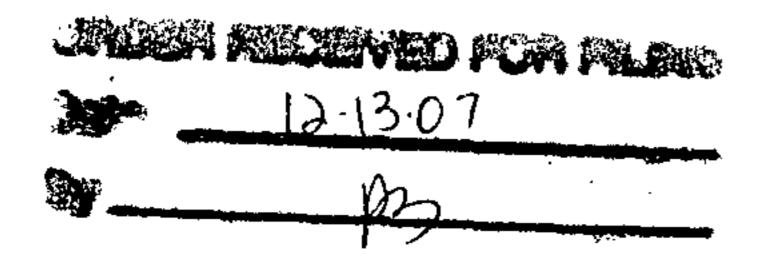
COMMISSIONER

FOR BALTIMORE COUNTY

Case No. 08-131-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 owners of the subject property, Carter and Lisa Roulette. The Special Hearing request was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve construction of a garage as it constitutes neither a commercial nor residential structure or development, and to amend the development plan of "Mission Ridge" for Lot 23. The Variance request is from Sections 1A07.8.C.2(g) and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure in the front yard in lieu of the permitted rear yard. At the outset of the hearing, Petitioners requested to amend their variance petition to also include a variance request from Section 400.3 of the B.C.Z.R. to permit an accessory structure with a height of 23 feet in lieu of the required 15 feet. The requested amendment was granted without objection. The subject property and requested relief are more fully described on the site plans which were marked and accepted into evidence as Petitioners' Exhibits 1 and 2, respectively. Petitioner's Exhibit 1 reflects the existing conditions on the property; Petitioner's Exhibit 2 reflects the proposed improvements.

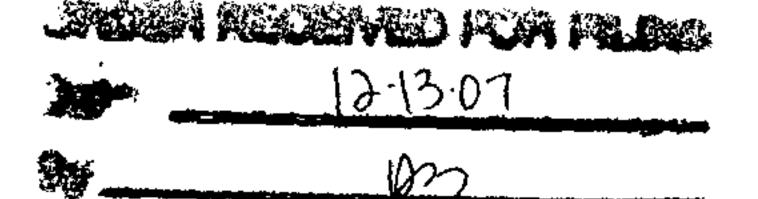


Appearing at the requisite public hearing in support of the requested special hearing and variance petitions was Petitioner Carter Roulette and his attorney, Sebastian Cross, Esquire. Also appearing in support of the requested relief was Kristin Henry. There were no Protestants or other interested persons in attendance at the hearing.

Testimony and evidence offered revealed that the subject property is a rectangular-shaped parcel with a panhandle strip for a driveway access to Sparks Road. The property is located just south of Sparks Road in northern Baltimore County and contains 5.94 acres split-zoned RC-2 and RC 6, and is improved with the Petitioners' existing two-story framed dwelling. The property is also improved with a one-story framed outbuilding, as well as two wood sheds (approximately 20 feet by 12 feet with an 11 foot by 7 foot cutout, and 8 feet by 16 feet, respectively) located on the southern end of the property. Located at the end of the driveway in front of Petitioner's dwelling is a large gravel parking pad. Petitioner's Exhibit 1 depicts these existing conditions.

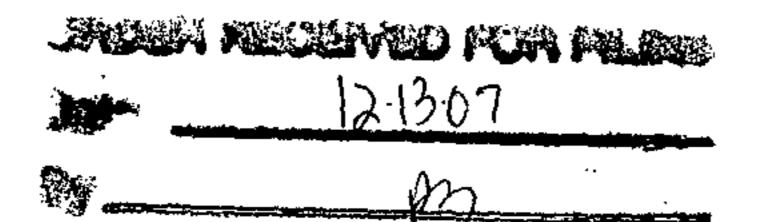
At this juncture, Petitioners propose to construct a garage accessory structure at one end of the parking pad, on the opposite side of the dwelling, as shown on the site plan accepted into evidence as Petitioner's Exhibit 2. As shown on the architectural drawings and elevations which were marked and accepted into evidence as Petitioner's Exhibit 3, the planned two-car garage will be constructed in a "barn" style, wherein the garage doors will have a "barn door" look. The structure will be 1½-stories in height with a pitched roof and two dormers in front. The garage will be 24 feet wide by 31 feet deep, with a three foot overhang above the garage doors. The second floor will have space for storage.

The subject property is part of the "Mission Ridge" subdivision and is actually comprised of three parcels. As shown on Petitioner's Exhibit 2, Parcel 336 comprises the panhandle for the



driveway. Parcel 8 comprises the area where the dwelling, the outbuilding, and the accessory structures are located. Both of these parcels are zoned R.C.2. Parcel 386 is situated in the northernmost area of the site and is where the proposed garage will be located. This parcel is zoned R.C.6. The reason for the special hearing request involves the subdivision plat for "Mission Ridge" which was marked and accepted into evidence as Petitioner's Exhibit 4. When the plat was recorded in June 1990, Parcel 386 was known as Tract "A." The Note in the upper right corner of the plat just below the vicinity map states that "Tract "A" is restricted to the following: 1) no residential or commercial structures or development; 2) Tract "A" is subject to the declarations of Mission Ridge restrictions as recorded in the land records of Baltimore County in Liber SM 7369, Folio 649." The special hearing request is to confirm that the proposed garage constitutes neither a commercial nor residential structure or development as stated in Petitioner's Exhibit 4. In addition, Petitioners request variance relief in order to permit the garage to be located in the front yard in lieu of the permitted rear yard, and to permit a height of 23 feet in lieu of the required 15 feet.

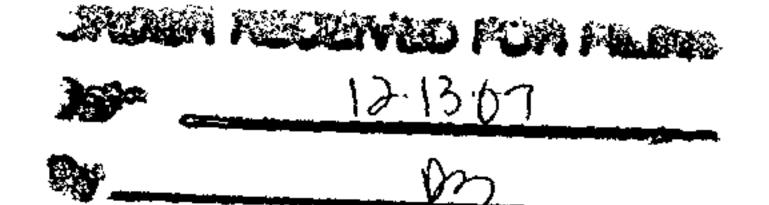
Petitioners indicate that they are in need of the accessory structure in order to park and store their vehicles so they are not constantly subject to the summer and winter elements. In addition, Petitioners propose to construct the structure with a height of 23 feet in order to utilize the space that would be realized on a second floor loft. In support of the variance requests, Petitioners point to the uniqueness of the structures and of the property. The primary dwelling was built in the 1800's consisting of approximately 1,400 square feet. Petitioners renovated and added approximately 1,800 square feet to the dwelling, using similar materials and finishes to fit in aesthetically with the existing structure. The existing 800 square foot outbuilding also presents a unique feature. It was erected sometime after the primary dwelling. When Petitioners



purchased the property, the outbuilding was in a state of disrepair. Petitioners have since restored the structure. On the east side of the property, there are distinctive, older trees where it is heavily wooded. On the west side of the property, a transcontinental pipeline travels underground through the back yard. There is also a slow-rising hill toward the back of the property. In addition, Petitioners indicate that the closest neighbors to the east are approximately one mile away.

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 October 22, 2007 indicates that it does not oppose Petitioners' special hearing and variance requests; however, as a condition of approval, the Planning Office recommends that the accessory structure not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

Turning to the requested special hearing, I find that the proposed accessory structure (in this case, a garage) does not constitute a "commercial or residential structure or development" within the meaning of the Note on Petitioner's Exhibit 4. There is no question the accessory structure is not a "commercial structure." Although the structure will be used "incident and subordinate to and serves a principal use or structure," under the definition of "accessory structure" contained in Section 101 of the B.C.Z.R., I do not believe it constitutes a "residential structure or development" in and of itself. Certainly, it will serve the property owners residing in the primary dwelling, however, in my judgment, it does not constitute its own residential structure. In addition, the ZAC comments from the Office of Planning and the conditions placed in this Order prohibiting residential and commercial use of the accessory structure will render any ambiguity in this regard moot. Because I am granting the special hearing request as



indicated above, it is unnecessary to consider Petitioner's second special hearing request to amend the development plan of "Mission Ridge" for Lot 23.

In regard to the requests 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. The existing structures, the distinctive landscape and topography, the pipeline running through the property, and the configuration of the driveway and the parking pad, as well as the split-zoning of the property, makes the property unique in a zoning sense.

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, Petitioners will have no other location on their property to place the proposed accessory structure. Finally, I find that these variances 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.

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 Petitioners' special hearing and variance requests should be granted with conditions.

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12.13.07	
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IT IS FURTHER ORDERED that Petitioners' request for Special Hearing to amend the development plan of "Mission Ridge" for Lot 23 is hereby DISMISSED as moot.

IT IS FURTHER ORDERED that Petitioners' requests for Variance from Sections 1A07.8.C.2(g) and 400.1 of the B.C.Z.R. to permit an accessory structure in the front yard in lieu of the permitted rear yard, and from Section 400.3 of the B.C.Z.R. to erect an accessory structure with a height of 23 feet in lieu of the required 15 feet, are hereby GRANTED, the subject to the following:

- 1. Petitioners may apply for their permits 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. 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.

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

12.13.07 12.13.07



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

December 13, 2007

SEBASTIAN CROSS, ESQUIRE GILDEA & SCHMIDT, LLC 600 WASHINGTON AVENUE, SUITE 200 TOWSON, MD 21204

Re: Petition for Special Hearing and Variance

Case No. 08-131-SPHA Property: 1703 Sparks Road

Dear Mr. Cross:

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: Carter And Lisa Roulette, 1703 Sparks Road, Sparks MD 21156 Kristen Henry, 10404 Stevenson Road, Stevenson MD 21153



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1703 Sparks Road
which is presently zoned R.C. 2 R.C. 2

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

- 1. Construction of a garage as it constitutes neither a commercial or residential structure or development; and
- 2. For such other and further relief as may be deemed necessary by the Zoning Commissioner.

3. TO AMEND THE DEVELOPMENT PLAN OF "MISSION RIDGE" FOR

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:

Legal Owner(s):

	_						
				Carter Roulette			
Name - Type or Print			Name -	Type or Print		PC)A-
Signature			-	Signature			
			_	Lisa Roulette			
Address		Telephone No.	-	Name - Type or Print			
				OY 8			
City	State	Zip Code		Signature			·
Attorney For Petitioner:				1703 Sparks Road			(410) 547-7081
				Address			Telephone No.
Sebastian A. Cross				Sparks	MD		21156
Name - Type or Brint			City		State		Zip Code
200				Representative to	be Conta	acted:	
Signature			•	rtoprocorreative to	<i>DO 001111</i>		
Gildea & Schmidt, LLC				Sebastian A. Cross, Gil	dea & Schn	nidt, LLC	C
Company			•	Name	 		
500 Washington Avenue, Suite 200)	(410) 821-0070		600 Washington Avenu	ie, Suite 200	0	(410) 821-0070
Address		Telephone No.	•	Address			Telephone No.
Γowson	MD	21204		Towson		MD	21204
City	State	Zip Code	-	City		State	Zip Code
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Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1703 Sparks Road
which is presently zoned R.C. 2 RC6

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

- 1. Construction of a garage as it constitutes neither a commercial or residential structure or development; and
- 2. For such other and further relief as may be deemed necessary by the Zoning Commissioner.

3. TO AMEND THE DEVELOPMENT PLAN OF "MISSION RIDGE" FOR

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.

Legal Owner(s):

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING ___

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:

Carter Roulette Name - Type or Print Name - Type or Print Signature Signature Lisa Roulette Address Name - Type or Print Telephone No. City Zip Code State Signature 1703 Sparks Road (410) 547-7081 Attorney For Petitioner: **Address** Telephone No. MD Sebastian A. Cross 21156 Sparks Name - Type or Print City State Zip Code Representative to be Contacted: Signature > Gildea & Schmidt, LLC Sebastian A. Cross, Gildea & Schmidt, LLC Company Name (410) 821-0070 600 Washington Avenue, Suite 200 (410) 821-0070 600 Washington Avenue, Suite 200 Address Telephone No. Telephone No. Address Towson MD 21204 21204 MD Towson City Zip Code City State State Zip Code OFFICE USE ONLY

REV 9/15/98

1 3 13.07

Case No. 0f-13/-SPHA



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1703 Sparks Road		
which is presently zoned _	R.C. 2	RC6

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

- 1. Construction of a garage as it constitutes neither a commercial or residential structure or development; and
- 2. For such other and further relief as may be deemed necessary by the Zoning Commissioner.

3. TO AMOND THE DEVELOPMENT PLAN OF "MISSION RIDGE" FOR
LOT 23
56

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.

DOA

Contract Purchaser/Lessee:

Name - Type or Print

Legal Owner(s):

Carter Roulette

Name - Type or Print

Signature	-		Signature		<u> </u>
Olgrande			Lisa Roulette		
Address	Telep	phone No.	Name - Type or Print	m	
City	State	Zip Code	Signature		
Attorney For Petitioner:			1703 Sparks Road		(410) 547-7081
			Address		Telephone No.
Sebastian A. Cross			Sparks	MD	21156
Name - Type or Print		Ci		State	Zip Code
	**************************************		Representative	to be Contacted:	
Signature					
Gildea & Schmidt, LLC		- <u></u>	Sebastian A. Cross,	Gildea & Schmidt, LL	<u>C</u>
Company			Name	•	
600 Washington Avenue, Suite 200	(410) 8	321-0070	600 Washington A	venue, Suite 200	(410) 821-0070
Address	Telep	hone No.	Address		Telephone No.
Towson	MD	21204	Towson	MD	21204
City	State	Zip Code	City	State	Zip Code
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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at: 1703 Sparks Road

which is presently zoned: R.C. 2

zoned: R.C. 2

DAL-

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): 362R / 409.6.6.2.9

- 1. 400.1 of the BCZR to permit an accessory structure in the front yard in lieu of the permitted rear yard; and
- 2. For such other and futher relief as may be deemed neccessary by the Zoning Commissioner

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 PRESENTED 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

Legal Owner(s):

Carter Roulette

Name - Type or Print

			1/1000		PURE
Signature	······································	·	Signature		· <u> </u>
			Lisa Roulette		
Address		Telephone No.	Name - Type or Print		
City	State	Zip Code	Signature		
Attorney For Petiti	ioner:		1703 Sparks Road		(410) 547-7081
			Address	<u> </u>	Telephone No.
Sebastian A. Cross			Sparks	MD	21156
Name - Type or Print		City		State	Zip Code
	NO L		Representative to	be Contacted:	
Signature	_				_
Gildea & Schmidt, LLC	<u> </u>		Sebastian A. Cross, G	ildea & Schmidt, Ll	.C
Company		-	Name		
600 Washington Avenue	e, Suite 200	(410) 821-0070	600 Washington Aver	ue, Suite 200	(410) 821-0070
Address		Telephone No.	Address		Telephone No.
Towson	MD	21204	Towson	MD	21204
City	State	Zip Code	City	State	Zip Code
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JAMES T. SMITH, JR. County Executive

TI**QotobeM4K2000**CO, 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: 08-131-SPHA

1703 Sparks Road
S/of Sparks Road, 2100 feet west of centerline of Carroll Road
10th Election District – 3rd Councilmanic District
Legal Owners: Carter & Lisa Roulette

<u>Special Hearing</u> to approve construction of a garage, as it constitutes neither a commercial or residential structure or development and to amend the development plan of "Mission Ridge" for Lot 23. <u>Variance</u> to permit an accessory structure in the front yard in lieu of the permitted rear yard.

Hearing: Monday, November 5, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Sebastian Cross, Gildea & Schmidt, 600 Washington Avenue, Ste. 200, Towson 21204 Carter & Lisa Roulette, 1703 Sparks Road, Sparks 21156

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 20, 2007.

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

TO: PATUXENT PUBLISHING COMPANY

Thursday, October 18, 2007 Issue - Jeffersonian

Please forward billing to:

Gildea & Schmidt

600 Washington Avenue, Ste. 200

Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

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CASE NUMBER: 08-131-SPHA

1703 Sparks Road

S/of Sparks Road, 2100 feet west of centerline of Carroll Road

10th Election District – 3rd Councilmanic District

Legal Owners: Carter & Lisa Roulette

<u>Special Hearing</u> to approve construction of a garage, as it constitutes neither a commercial or residential structure or development and to amend the development plan of "Mission Ridge" for Lot 23. <u>Variance</u> to permit an accessory structure in the front yard in lieu of the permitted rear yard.

Hearing: Monday, November 5, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WHELTAM WHOEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING AND VARIANCE

1703 Sparks Road; S/S Sparks Rd, 2,100'

W c/line Carroll Road

10th Election & 3rd Councilmanic Districts Legal Owner(s): Carter & Lisa Roulette

Petitioner(s)

- * BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * 08-131-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

People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of October, 2007, a copy of the foregoing Entry of Appearance was mailed Sebastian A. Cross, Esquire, Gildea & Schmidt LLC, 600 Washington Avenue, Suite 200, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

OCT 02 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per....

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Item Number or Case Number: $08-131-5PHA$
Petitioner: CARTER ROULETTE
Address or Location: $1703 SPARKS ROAD$
PLEASE FORWARD ADVERTISING BILL TO: Name: P. Idea & Schnidt
Address: 600 Washington Ave Site 200
Towson Md 2/201
Telephone Number:

ZONING DESCRIPTION FOR 1703 SPARKS ROAD SPARKS, MD 21152

Beginning at a point on the South side of Sparks Road which is 30 feet (+/-) wide at the distance of 2100 feet +/- west of the centerline of Carroll which is 40' +/- wide, as recorded in Deed Liber 19633, Folio 222 and running S 17° 42' 25" W for 883.10 ft., thence S 18° 00' 27" W for 342.09'ft., thence S 17° 42' 25" W for 678.88'ft., thence N 72° 17' 35" w for 209.04 ft., thence N 17° 42' 25" E for 319.24 ft., thence N 75° 41' 40" W for 73.00 ft., thence N 18° 00' 27" E for 664.38 ft., thence S 80° 28' 50" E for 285.00 ft., thence N 17° 07' 13" E for 868.60 ft. thence N 79° 09' 53" E to the place of beginning.

07-02-07 CDB

SET AND FINANCE No. 05395 RECEIPT Sub Rev Sub Rept BS Organ Organ Source Rev Catg Acct Amount Early Missister Catg Acct Amount E
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NOTICE OF ZOWING HEARING

The Colling Commissioner of Battimore County, by adthoritized the Zonling. Act and Regulations of Baltimore
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Countries in the John Present as follows:

Case: #06-131-SPHA
1703 Sparks Road
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1703 Sparks Road
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1705 Sparks Road
1706 Election District - 3rd Councilmanic District
Legal Owner(s): Carter & Lisa Roulette
1705 Sparks Road
1706 Election District - 3rd Councilmanic District
Legal Owner(s): Carter & Lisa Roulette
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1706 Sparks Road
1706 Election District - 3rd Councilmanic District
1707 Sparks Road
1708 Spar

WILLIAM J. WISEMAN, IIII
Zoning Commissioner for Baffimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Cord-missioner's Office at (410) 887-3868.

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

10/282 Oct. 18

E OF PUBLICATION

IFY, that the annexed advertisement was published successive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., THIS IS TO CERT each of once in

The Jeffersonian

Arbutus Times

Catonsville Times

Towson Times

Owings Mills Times

NE Booster/Reporter

North County News

White

LEGAL ADVERTISING

CERTIFICATE OF POSTING

	•	RE: Case No.: 08-131-SPHA
	Line and the control of the control	Petitioner/Developer: CARTER
	u	& LISA PONTETTE
		Date of Hearing/Closing: //-5-07
altimore County Department o	A Company	
ermits and Development Mana ounty Office Building, Room 1		
11 West Chesapeake Avenue owson, Maryland 21204		
TTN: Kristen Matthews {(410) 887-3394}	and the second of the second o
adies and Gentlemen:	•	
This letter is to certify under the osted conspicuously on the pro-	e penalties of perjui perty located at:	ry that the necessary sign(s) required by law were
	SPARKS	ROAD
**		5-19-07
The sign(s) were posted on	(PV	Ionth, Day, Year)
	Si	ncerely,
TONIEC.	1	Robert Black 10-20-
LUNING NOTICE .		(Signature of Sign Poster) (Date)
A PUBLIC HEARING WILL BE HELD BY THE IONING COMMISSIONER IN TOWSON, MD		SSG Robert Black
PERCE: HAT TIME MELLINE NOW PRINCE S AND AT HOUSE		Print Name)
TEQUEST: Secrete the second to be designed to be designed to an accompany of a contract of the property of the contract of the		1508 Leslie Road
on the distance and page two laws and here in any order described in the page of the page	}	(Address)
		Dundalk, Maryland 21222
•	!	(City, State, Zip Code)
		(410) 282-7940
		(Telephone Number)
i 1	}	·



JAMES T. SMITH, JR. County Executive

November 1, 2007

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

Sebastian A. Cross Gilda & Schmidt, LLC 600 Washington Avenue Suite 200 Towson, Maryland 21204

Dear Mr. Cross:

RE: Case Number: 08-131-SPHA 1703 Sparks Road

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 13, 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,
U. Call Rollad

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:rjc Enclosures

c: Peoples Council Carter Roulette 1703 Sparks Road, Sparks, MD 21156



INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: 8-1

8-131 -Variance and Special Hearing

DECEIVE OCT 2 9 2007

DATE: October 22, 2007

The Office of Planning does not oppose the petitioner's request to amend the development Plan of Mission Ridge, lot 23, and to permit an accessory structure (garage) with a height of 23 feet in lieu of the maximum permitted 15 feet and to be located in the front yard in lieu of the required rear yard 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 Jessie Bailek at 410-887-3480.

Prepared by:

Section Chief:

AFK/LL: CM

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: October 2, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 1, 2007

Item Nos 08-131, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, and 144

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-10012007.doc



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

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

Maryland Department of Transportation

Date: BEPT. 26, 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. 8-131-5PHA 1703 SPARKS BOAD

ROULETTEPROPEETY SPECIAL HEARING

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. 8-131-5PHA

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,

A Steven D. Foster, Chief CP Engineering Access Permits

Division

SDF/MB

PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER 08-13(-5111) DATE

FITTIONER'S STONIA STITIO

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			Mily Sport by Con

MEMO

From: Aaron Tsui, Planner II

September 13, 2007

To: Zoning Commissioner/File

Re: Special Hearing/Variance Case no. 08-131-SPHA

Accessory Building (Proposed Detached Garage)

1703 Sparks Road, 10th Election District

The Attorney for Petitioner filed a Special Hearing and Variance for an accessory building (proposed detached garage).

The Zoning Supervisor and this office recommended that the petitioner should also seek a relief from BCZR Section 101 to approve an accessory structure to be built in a lot (parcel 386, zoned RC-6) without the principal dwelling. The 2-story frame dwelling, as shown on plan, is in parcel 8 (RC-2 zone). The attorney declined the recommendation.

